From: Josselyn Berry <JBerry@azleg.gov>
Sent: Friday, May 14, 2021 4:00:19 PM
To: .SDEMMEMS <SDEMMEMS@azleg.gov>;.SDEMSECS <SDEMSECS@azleg.gov>;.Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>;.Senate Democratic Staff Interns <SenateDemocraticStaffInterns@azleg.gov>
Subject: FW: Arizona Legislative Report May 14, 2021

From: Luige Delpuerto <ldelpuerto@azcapitoltimes.com>
Sent: Friday, May 14, 2021 4:00:15 PM (UTC-07:00) Arizona
To: Josselyn Berry <JBerry@azleg.gov>
Subject: Arizona Legislative Report May 14, 2021

Click here to view this message in a browser window

Arizona Legislative Report

Arizona Legislative Report *May 14, 2021*

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until May 17, Monday, at 1:15 p.m.

THE SENATE IS ADJOURNED until May 17, Monday, at 1:30 a.m.

COPYRIGHT 2021 Arizona Capitol Reports

DO NOT FORWARD THIS EMAIL. The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

TODAY'S REPORT IS NOW POSTED ON ARIZONALEGISLATIVEREPORT.COM

FANN BLAMES EVERYBODY BUT THE CYBER NINJAS FOR LONG AUDIT

Fann told KTAR's Mike Broomhead Show she's disappointed the audit is taking so long, but she doesn't blame her contractors.

THE AUDIT HAS BEEN GREAT FOR COMEDY CENTRAL

Fann said Boyer is the only Republican expressing any concerns about how the audit is proceeding, and she blames his concerns on reading the news.

CLOSE YOUR EYES AND REIMAGINE KERN AS A CONSPIRACY THEORY BUSTER

Fann's explanation for why the Senate is following rumors spread by QAnon conspiracy

AMERICAN OVERSIGHT

theorists is similar to assistant audit liaison John Brakey's – they're busting myths.

OR JUST MAKE THE BRIEFING PUBLIC

Before the Maricopa audit team started tweeting allegations of malfeasance on the county's part this week, Senate liaison Ken Bennett and Cyber Ninjas CEO Doug Logan insisted there would be no updates about findings until the audit's final report.

PETERSEN SAYS COUNTY OFFERS NO ANSWERS, ACCUSATIONS EXHAUST SUPERVISORS

Maricopa County hasn't responded to Fann's latest letter or indicated whether the supervisors will troop down to the Senate for a hearing on Tuesday, but the board of supervisors planned their own hearing Monday.

YOU KNOW WHO ROUTINELY ARRESTS POLITICAL ENEMIES?

Hoffman on Thursday said some of his fellow Republicans in the state Senate won't back up the chamber's legal threats against the Maricopa County Board of Supervisors with legal action because they "get squishy."

COMMUNIST REGIMES AND BANANA REPUBLICS

In Thursday's Gateway Pundit interview, Hoffman talked up his role in advocating for decertifying Arizona's November 2020 election results and blasted Hobbs, who has been a vocal critic of the audit.

MESNARD SEES SESSION LASTING INTO JUNE UNLESS DEAL IS REACHED SOON

Unless House and Senate leaders and the governor reach a budget agreement within the next few days, Mesnard is no longer optimistic the Legislature will be done in May.

RAILBIRD: VAPING BILL IS TOO FLAWED

Yesterday's report, which cited a pro-vaping railbird saying H2682 (tobacco; vapor; alternative nicotine; regulation) is the strictest regulation proposal in the country, could not be more wrong, a railbird on the other side of the issue told our reporter.

UDALL SAYS HER NAME WAS MISTAKENLY ADDED TO 'AMERICAN RENEWAL' LETTER

Udall said Thursday that she never asked for her name to be added to a letter supporting an alternative to the current direction of the Republican Party and that she has since asked for her name to be removed.

BATTLE FOR THE REPUBLICAN SOUL ENTERS NEW PHASE

While Udall didn't mean to sign "A Call for American Renewal," a couple of other Arizonans' names are on it.

BARTO SECURES SPECIAL HEARING FOR SEX ED BILL

Senate hel-hu ser held a special committee hearing yesterday – more than a month after the March 26 deadline to hear bills in their second chamber – for Barto and Pace to attach strikers to House bills.

AMERICAN OVERSIGHT

DUCEY IS ON TRACK TO SIGNING MORE BILLS IN 2021 THAN IN PREVIOUS YEARS

Ducey is on track to sign more bills this year than in any other year he's been in office. So far, the governor has signed 362 bills – more than any other year but 2016, when he signed 374.

Click Here To Read More Legislative Action

Arizona Legislative Report
1835 W. Adams St., Phoenix, AZ 85007

You are receiving this email because you are a subscriber to Arizona Legislative Report. Click here to unsubscribe or manage the emails we send you.

AMERICAN OVERSIGHT

From: David Livingston <dlivingston@azleg.gov>
Sent: Wednesday, January 20, 2021 1:21:02 PM
To: 'Tracy Livingston' <tracynanlivingston@gmail.com>;Kyle Livingston (kylewilliamlivingston@gmail.com) <kylewilliamlivingston@gmail.com>;Barbara Phillips <BPhillips@azleg.gov>
Subject: FW: Agreement with Maricopa County Board of Supervisors
Attachments: Letter from Chairman Jack Sellers.pdf

David Livingston

From: Karen Fann <KFann@azleg.gov>
Sent: Wednesday, January 20, 2021 10:44 AM
To: .SREPMEMS <SREPMEMS@azleg.gov>; .SREPSECS <SREPSECS@azleg.gov>
Cc: Wendy Baldo <wbaldo@azleg.gov>
Subject: Agreement with Maricopa County Board of Supervisors

I am pleased to share with you that after a hard fought battle to seek information on behalf of Arizona voters regarding the integrity of the 2020 election, we have reached a favorable agreement with the Maricopa County Board of Supervisors. Not only has the Board agreed to turn over all the relevant information we sought in our subpoenas so that we may perform an audit, but they also acknowledge that the Legislature is a sovereign power of the state and that the county is a political subdivision, and as such, the Legislature has the constitutional and statutory authority to issue subpoenas. Chairman Jack Sellers was instrumental in facilitating this agreement and I appreciate his efforts. I look forward to working with you in an effort to restore integrity and faith in our election process.

Karen Fann
President of the Senate
Tel: 602.926.5874

AMERICAN OVERSIGHT

Maricopa County
Jack Sellers
Supervisor, District 1

301 West Jefferson Street
10th Floor
Phoenix, AZ 85003-2143
Phone: 602-506-1776
www.maricopa.gov

RECEIVED
JAN 19 2021
OFFICE OF THE PRESIDENT

President Karen Fann
Arizona State Senate
1700 West Washington, Ste S
Phoenix, AZ 85007

Dear President Fann:

Maricopa County, by and through the Board of Supervisors, hereby acknowledges in writing, at the request of the president of the Arizona Senate, that the county is a political subdivision of the state.

The County acknowledges that the sovereign power of the state of Arizona is vested in three branches of state government, a bicameral legislature, which consists of the House of Representatives and the Senate, the Executive branch headed by the Governor and the judicial branch, led by the Arizona Supreme Court.

Maricopa County is a subdivision of the State of Arizona and, therefore, holds none of the sovereign power of the state. The county administers functions of the state as directed by the Arizona constitution and state statutes, which are drafted and passed by the Arizona House of Representatives and the Arizona Senate and signed into law by the Arizona Governor.

The County acknowledges that each legislative body has the power to issue legislative subpoenas by statute and as provided by the Constitution. The County acknowledges that the power of the House and the Senate to each issue legislative subpoenas is an important tool with which each legislative body can gather needed information to determine whether and how to carry out each's respective constitutional function of determine whether and, if so, which laws to propose and pass.

The County acknowledges that the bicameral legislature speaks directly to the 15 counties by passing legislation and that counties are bound by state legislation when they carry out their constitutional function of administering the law.

Sincerely,

Jack Sellers
Chairman, Maricopa County Board of Supervisors

AMERICAN OVERSIGHT

From: Mary Peralta <mperalta@azleg.gov>
Sent: Tuesday, March 23, 2021 8:41:55 AM
To: Briana Romero <BRomero@azleg.gov>
Subject: RE: In Today's Yellow Sheet

I know! Some days they are unbelievable.

Take care,
Mary

From: Briana Romero <BRomero@azleg.gov>
Sent: Tuesday, March 23, 2021 8:19 AM
To: Mary Peralta <mperalta@azleg.gov>
Subject: Re: In Today's Yellow Sheet

Thank you Mary, I love reading these! *

From: Mary Peralta <mperalta@azleg.gov>
Date: Tuesday, March 23, 2021 at 8:08 AM
To: Melissa Valdez <mvaldez@azleg.gov>, Briana Romero <BRomero@azleg.gov>, Kathy Dominguez <KDominguez@azleg.gov>, "drceloza@gmail.com" <drceloza@gmail.com>, David Bradley <dave@kinoconsult.com>, "Kennedy, Dana M." <dkennedy@aarp.org>, "Schultz, Angela (Sinema)" <Angela_Schultz@sinema.senate.gov>, "chriswertheim49@gmail.com" <chriswertheim49@gmail.com>, "barb2022@gmail.com" <barb2022@gmail.com>, kelley karnes <kelley.karnes@gmail.com>, LELA ALSTON <lalston2@msn.com>, "kenclarkleadership@gmail.com" <kenclarkleadership@gmail.com>, "johnglennphx@gmail.com" <johnglennphx@gmail.com>, Bruce Wheeler <bwheeler48@gmail.com>, "emeyer8@gmail.com" <emeyer8@gmail.com>, "debbied@tapi.org" <debbied@tapi.org>
Subject: FW: In Today's Yellow Sheet

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Monday, March 22, 2021 5:01 PM
To: .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>; .Senate Democratic Staff Interns <SenateDemocraticStaffInterns@azleg.gov>
Subject: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet March 22, 2021

WE'RE RUNNING OUT OF PEOPLE WHO WANT THE SHOT?

After tens of thousands of new vaccine appointment slots went unfilled over the weekend, Ducey today announced that Arizonans 16 and older will be allowed to book vaccination appointments at state facilities in Maricopa, Pima and Yuma counties starting on Wednesday.

AMERICAN OVERSIGHT

MAYBE SLOW AND STEADY REALLY DOES WIN THE RACE

Interestingly, The Associated Press and nonprofit health-data organization Surgo Ventures, conducted an analysis recently showing states that opened up vaccine eligibility more broadly early have actually seen vaccination rates stall overall.

THE PANDEMIC ENDS WHEN UGENTI-RITA GETS HER WAY

Now that anyone can get a vaccine, the next big decision for Ducey and Christ will be when to end the emergency declaration.

DON'T WORRY GUYS, KAREN WILL FIND THAT FRAUD

The Stop the Steal crowd shouted down Senate Dems and Maricopa County Supervisor Steve Gallardo today at a press conference where Democrats decried the ongoing effort for a Senate audit, complete with a hand recount from volunteers, as an attack on democracy.

MAKE IT A DOUBLE, BARKEEP

In their campaign to recall Finchem, organizers are comparing him to a bartender who has overserved their customers, who then proceeded to make bad decisions.

ALL GOOD RUMORS MUST COME TO AN END

Tucson Mayor Regina Romero is out of the running to be the next deputy secretary of the US Dept of Housing and Urban Development.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

AMERICAN OVERSIGHT

From: David Livingston </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=491344ea88784be3a8b304734df4785b-David Livin>
Sent: Thursday, June 10, 2021 7:53:29 PM
To: Barbara Phillips <BPhillips@azleg.gov>
Subject: Fwd: Contractors not charging State Sales Tax

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

From: Beverly Slater <beverlyj6130@aol.com>
Sent: Thursday, June 10, 2021 5:12:11 PM
To: David Livingston <dlivingston@azleg.gov>
Subject: Contractors not charging State Sales Tax

Name:	Beverly Slater
Email:	beverlyj6130@aol.com
Phone:	6025473016
Leg. District:	22
Subject:	Contractors not charging State Sales Tax

Comments:
Senator Livingston, I have written to you several times before over the years & your office always replied. My question this time concerns State Sales Tax. I am retired not but was a F/C Bookkeeper. When you buy a new car or appliances or a home you are charged with State Sales Tax. I am wondering why AZ Contractors do not show the AZ Sales Tax when an item is purchased. The one I am questioning is A/C contractors when you purchase a major new A/C system. When you asked the Contractor to show the amount of sales tax they say they do not charge sales tax. I know from my past that Contractors put the sales tax in the purchase price. Why is the AZ Legislators allowing this to happen. You do know that as a major purchase I can use the sales tax amount in my Federal Tax 1040 apart from the regular sales tax deduction or allowed state W/H deduction. I cannot imagine that the State of Arizona would give away all this State Tax money for free to Contractors. If so they better start doing their jobs better because if I buy $20,000 worth of kitchen appliances I am charged Sales Tax. Please don't tell me that AZ. Legislators & Contractors are doing this & trying to hide the hidden Sales Tax costs in their purchase price. Either way the answer comes out, it is wrong to do this to the public or not collect Sales Tax on all purchase items. I would like you to write a bill that makes every item purchase showing the amount of Sales Tax with no hidden amounts. Transparency is the only way we should go. I look forward to hearing from your office. Thank you very much. OH, by the way as a life long Republican the way this Voter Audit is going down, I would never believe the results if they found any thing wrong. I look at it as a total shame. Very disappointed in how it was conducted.

Sent Thu, 10 Jun 2021 21:12:11 +0000

AMERICAN OVERSIGHT

From: Mike Philipsen <MPhilipsen@azleg.gov>
Sent: Tuesday, November 24, 2020 3:52:14 PM
To: Dajana Zlaticanin <DZlaticanin@azleg.gov>
Subject: Fwd: PENNSYLVANIA, ARIZONA, MICHIGAN LEGISLATURES TO HOLD PUBLIC HEARINGS ON 2020 ELECTION

Sent from my iPhone

Begin forwarded message:

From: "Oxford, Andrew" <Andrew.Oxford@gannett.com>
Date: November 24, 2020 at 3:00:57 PM MST
To: Mike Philipsen <MPhilipsen@azleg.gov>
Subject: FW: PENNSYLVANIA, ARIZONA, MICHIGAN LEGISLATURES TO HOLD PUBLIC HEARINGS ON 2020 ELECTION

Good afternoon, Mike.

Are there any plans for a hearing on Nov. 30, as described below?

Appreciatively,

Andrew Oxford
The Arizona Republic
480-417-8946

From: Donald J. Trump for President, Inc. <pressoffice@donaldtrump.com>
Sent: Tuesday, November 24, 2020 2:58 PM
Subject: PENNSYLVANIA, ARIZONA, MICHIGAN LEGISLATURES TO HOLD PUBLIC HEARINGS ON 2020 ELECTION

No images? Click here

- November 24, 2020 -

PENNSYLVANIA, ARIZONA, MICHIGAN

AMERICAN OVERSIGHT

LEGISLATURES TO HOLD PUBLIC HEARINGS ON 2020 ELECTION

MAYOR GIULIANI: "IT'S IN EVERYONE'S INTEREST TO HAVE A FULL VETTING OF ELECTION IRREGULARITIES AND FRAUD"

The Donald J. Trump for President Campaign Legal Team today announced that the State Legislatures in Pennsylvania, Arizona and Michigan will hold public hearings on the election beginning tomorrow and next week in an effort to provide confidence that all of the legal votes have been counted and the illegal votes have not been counted in the November 3rd election.

The first hearing, held by the Pennsylvania State Senate, will be conducted tomorrow, Wednesday, November 25th, in Gettysburg, PA, where each participating Senator will give a five-minute opening statement followed by testimony from witnesses who have filed affidavits attesting to 2020 election fraud. Tomorrow's hearing will also feature a presentation from former New York City Mayor and Personal Attorney to President Trump, Rudy Giuliani.

On Monday, November 30th, the Arizona legislature will hold their own hearing, followed by the Michigan legislature holding their own hearing on Tuesday, December 1st. Details for both hearings to follow.

"It's in everyone's interest to have a full vetting of election irregularities and fraud," said Mayor Giuliani. "And the only way to do this is with public hearings, complete with witnesses, videos, pictures and other evidence of illegalities from the November 3rd election."

"We are pleased that the State Legislatures in Pennsylvania, Arizona and Michigan will be convening hearings to examine the November 3rd presidential election," added Trump campaign Senior Legal Advisor and Personal Attorney to President Donald J. Trump, Jenna Ellis. "There were serious irregularities, we have proof of fraud in a number of states, and it is important for all Americans to have faith in our electoral process. All we have wanted from the outset is to count every legal vote and discount every illegal vote."

State Legislatures are uniquely qualified and positioned to hold hearings on election irregularities and fraud before electors are chosen. As established in Article 2, Section 1.2 of the United States Constitution, State Legislatures have the sole authority to select their representatives to the Electoral College, providing a critical safeguard against voter fraud and election manipulation.

Paid for by Donald J. Trump for President, Inc.
725 5th Avenue · New York, NY · 10022
info@donaldtrump.com

Preferences | Unsubscribe

AMERICAN OVERSIGHT

From: Garth Kamp </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26F8FDA4D338485EA784A0412F4193ED-GARTH KAMP>
Sent: Tuesday, January 26, 2021 11:56:38 AM
To: Mike Philipsen <MPhilipsen@azleg.gov>
Subject: FW: Chairman Jack Sellers' Statement on Election Audit Agenda Item

---

From: Rob Dalager <Rob@p3gr.com>
Sent: Tuesday, January 26, 2021 9:59 AM
To: Garth Kamp <GKamp@azleg.gov>
Subject: Fwd: Chairman Jack Sellers' Statement on Election Audit Agenda Item

Rob Dalager

322 W. Roosevelt St.
Phoenix, AZ 85003-1423
Office: (602) 795-2216
Cell: (602) 909-4576
www.p3gr.com
Rob@p3gr.com

Supervisor Jack Sellers

Statement from Chairman Jack Sellers on Election Audit Agenda Item

Court rulings, hand counts, and other checks and balances proved Maricopa County elections were administered with integrity throughout 2020. However, a significant number of voters want the additional assurance that a full forensic audit of election tabulation equipment might bring, especially given all the misinformation that spread following the November 3 General Election.

AMERICAN OVERSIGHT

Tomorrow, the Board of Supervisors will vote on whether to move forward with such an audit.

The agenda item proposes hiring two independent, qualified firms to independently audit tabulation hardware and software in a way that protects private voter information and our investment in the machines. It is my belief these audits will prove our machines were not vulnerable to hacking or vote switching.

While I am confident in our staff and our equipment, not all our residents are. This is a problem. A democracy cannot survive if enough of its people doubt elections are free and fair. Some will never be satisfied, but this vote is not about them. The best we can do, in my opinion, is to err on the side of transparency, to embrace the opportunity to once again show our work, and to put facts in their proper place at the center of public discourse instead of the periphery.

I invite members of the public to watch tomorrow's Board of Supervisors formal meeting at youtube.com/MaricopaCountyAZ. The agenda for the meeting can be found here.

SUBSCRIBER SERVICES:
Manage Preferences | Unsubscribe | Help
This email was sent to hindmanm@mail.maricopa.gov using GovDelivery. Maricopa County • 301 W Jefferson St • Phoenix, AZ 85003

AMERICAN OVERSIGHT

From: Garth Kamp </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26F8FDA4D338485EA784A0412F4193ED-GARTH KAMP>
Sent: Wednesday, January 27, 2021 12:47:10 PM
To: Mike Philipsen <MPhilipsen@azleg.gov>
Subject: FW: Board of Supervisors Approves Extensive Audit of Elections Equipment

---

not sure if you saw this

From: Rob Dalager <Rob@p3gr.com>
Sent: Wednesday, January 27, 2021 12:03 PM
To: Garth Kamp <GKamp@azleg.gov>; Wendy Baldo <wbaldo@azleg.gov>
Subject: Fwd: Board of Supervisors Approves Extensive Audit of Elections Equipment

Rob Dalager

322 W. Roosevelt St.
Phoenix, AZ 85003-1423
Office: (602) 795-2216
Cell: (602) 909-4576
www.p3gr.com
Rob@p3gr.com

for Immediate Release
January 27, 2021
Fields Moseley/Jason Berry/ 602-506-6453

Board of Supervisors Approves Extensive Audit of Elections Equipment

Goal is to assure voters of election integrity, combat misinformation

The Maricopa County Board of Supervisors voted unanimously today to authorize a forensic audit of ballot tabulation equipment used in the 2020 elections. The audit is the culmination of a year-long effort by Maricopa County to ensure the accuracy of the federally- and state-certified hardware and software used to count votes (see 2020 Elections Fact Sheet or multimedia page).

AMERICAN OVERSIGHT

"Maricopa County elections were administered with integrity throughout 2020. That's a fact. Multiple audits to date have proved as much, and multiple court rulings have concurred," said Chairman Jack Sellers. "It's also true that a significant number of voters want the additional assurance that a full forensic audit of tabulation equipment might bring, especially given all the misinformation that spread following the November 3 election. This audit shows our commitment to providing that assurance."

The multi-layered forensic audit will dive into the tabulation equipment to analyze its hacking vulnerability, verify that no malicious malware was installed, and test that tabulators were not sending or receiving information over the internet.

As an added layer of assurance, the county will hire two independent firms certified by the U.S. Elections Assistance Commission, to each independently audit the tabulation equipment: Pro V&V and SLI Compliance.

The first audit will begin on February 2, and the second audit will begin on February 8.

"We're doing the right thing, at the right time, in the right way," said Vice Chairman Bill Gates, District 3. "The audit will be conducted in a way that safeguards private voter information and protects the investment made by county taxpayers in the tabulation equipment. My hope is that the audit results will ensure the residents of Maricopa County have the same confidence in our elections system that we have."

"While I'm confident we ran good elections, I have been passionate about doing this audit," said Supervisor Clint Hickman, District 4. "Every election-related decision and safeguard this Board has made over the past year has had voter and election integrity in mind. The upcoming forensic audit of election equipment will be no different, and I hope it puts to rest the notion that somehow we've got something to hide."

In addition to the software and malware tests, one firm will also perform a logic and accuracy test of the county's tabulation equipment to ensure it accurately counted ballots and confirm that no vote switching occurred.

As an added measure of transparency, the Board hired a reputable Certified Public Accountant firm to review county contracts with Dominion Voting Services and verify that the county leased the tabulation equipment according to state and county procurement regulations.

"I have been publicly supportive of an audit for over a month now and am glad to have this much needed vote," said Supervisor Steve Chucri, District 2. "Elections are the foundation of our democracy and the most important right we hold as Americans. It is paramount that the public has trust in our elections systems and equipment and that is why I wholeheartedly support an audit to ensure this equipment is above reproach. This thorough audit is what many of my constituents have been asking for. I am pleased we are conducting it and look forward to sharing the results."

Community stakeholders will be an important part of the forensic audit process. Leadership from both the House and Senate, members of all three political parties, and representatives from the Arizona Secretary of State's Office and Attorney General's Office will be invited to observe. We will also provide availability for media members as well, so they can fulfill their role informing the public.

"It's normal for people to complain about elections when they don't like the results, but people took it a step further this year. They spread lies and conspiracies about how our elections were conducted in an effort to overturn the will of the people," said Supervisor Steve Gallardo, District 5. "I know for a fact we ran three great, safe, and secure elections in 2020. I expect this audit to be the final word."

The results of the forensic audit will be shared publicly.

2020 Elections Fact Sheet

Transparency, accuracy and accountability are paramount to Maricopa County and its Elections Department. In September, the Elections Department met with the chairs of all three county political parties to outline important election dates and areas of involvement for party members. The following is an abridged timeline of steps taken to ensure the integrity of the November General Election:

- **On October 6**, the Elections Department and the Arizona Secretary of State's Office performed a logic and accuracy test on the tabulation equipment. The test date was published in the newspaper, open to the public and observed by political party representatives, city clerks, and school and health care district representatives. The law requires an errorless count before tabulators and software can be used in an election. The tests confirmed the equipment was tabulating ballots accurately, paving the way for the November General Election in which a record number of voters participated and lines at polling sites were kept to a minimum.

AMERICAN OVERSIGHT

- **On November 4**, a hand count audit of election results performed by Maricopa County political parties law found a 100 percent match to the vote tabulation machines. The hand count audit, which is required by law, covered a statistically significant sample of ballots. The hand count was viewable on the Elections Department's website and the results were shared publicly.
- **On November 17**, then-Chairman Clint Hickman sent a letter to all Maricopa County voters addressing some of the misinformation circulating regarding elections. This letter was accompanied by a link to a fact page that provided more detail about election processes and is still available to any interested party.
- **On November 18**, the Elections Department and the Arizona Secretary of State's Office performed a post-election logic and accuracy test on the equipment to ensure it was not changed or tampered with during the election. Members of all three political parties and a representative from the Arizona Attorney General's Office observed the test.
- **On November 20**, the Board held a nearly three-hour public meeting to discuss concerns and questions raised by Maricopa County residents. Only after these questions were answered in a public forum did the Board certify the results of the election. This meeting was broadcast live and is still available for anyone to watch.
- **On December 14**, then-Chairman Clint Hickman and Elections Director Scott Jarrett appeared before the Senate Judiciary Committee and devoted six hours to fully answering questions by legislators.
- **On January 7, 2021**, the U.S. Congress confirmed the results of the Electoral College, finalizing the November 3, 2020 General Election.

Throughout the election, political party observers were present at every Vote Center, followed ballot courier routes and observed signature verification, ballot processing and every minute of tabulation. All rooms with ballots were under 24-7 cameras.

Post-election court challenges

Many allegations about the November General Election made their way to court and Maricopa County clearly presented the facts to judges at both the local and federal level. Eleven different times complaints about election fraud, manipulation, or tampering in Maricopa County's 2020 election have been brought against this Board. Each case was dismissed by the courts or withdrawn by the plaintiffs.

Additional information about Maricopa County elections equipment

Election equipment went through extensive testing to receive its federal and state certification. Prior to November, there were no complaints about the accuracy of the county's tabulation equipment, which was also used in elections in March, May and August. The Elections Department also piloted the tabulation equipment in the November 2019 Madison School District election. To verify the accuracy of the equipment, the county also performed a 100 percent hand count of the Madison ballots. There was no discrepancy between the counts.

AMERICAN OVERSIGHT

From: Heather Covert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DD00F23F35F34D30B901D0B930A46F53-HEATHER COV>
Sent: Wednesday, January 20, 2021 12:39:30 PM
To: Warren Petersen <votewarren@gmail.com>
Subject: Re: Statutory Proxy Form (1).pdf

Do you need it today? I cannot print remotely to the office printer.

On Jan 20, 2021, at 1:31 PM, Warren Petersen <votewarren@gmail.com> wrote:

can u print this in your office?

---------- Forwarded message ---------
From: **Kelli Ward** <kelli.ward@azgop.org>
Date: Wed, Jan 20, 2021 at 1:28 PM
Subject: Statutory Proxy Form (1).pdf
To: <votewarren@gmail.com>

Warmly,
Kelli

Dr. Kelli Ward
Chairwoman
Republican Party of Arizona
@KelliWardAZ
602-957-7770

Sent from my iPhone

Confidentiality Note: This email message, including any attachment(s), is for the sole use of the intended recipient(s) and may contain information that is confidential, privileged, or otherwise protected by law. Any unauthorized use, disclosure, or distribution of this communication is strictly prohibited. If you have received this communication in error, please contact the sender immediately by reply email and destroy the original and all copies of the email, including any attachment(s).

--
Warren Petersen
State Senator LD12

paid for by Friends of Warren Petersen

<Statutory Proxy Form (1).pdf>

AMERICAN OVERSIGHT

From: Heather Covert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DD00F23F35F34D30B901D0B930A46F53-HEATHER COV>
Sent: Wednesday, March 3, 2021 10:51:41 AM
To: Warren Petersen <votewarren@gmail.com>
Subject: FW: Chairman Letter to Senate
Attachments: Request to Senate.pdf

From: Michelle Hindman (GVR) <Michelle.Hindman@Maricopa.Gov>
Sent: Wednesday, March 3, 2021 11:05 AM
Cc: Richard Bohan (BOS) <Richard.Bohan@Maricopa.Gov>
Subject: Chairman Letter to Senate

Please see the attached letter from Chairman Jack Sellers.

Sincerely,

Michelle Hindman
Director, Government Relations
Maricopa County
602.506.7075

AMERICAN OVERSIGHT

Maricopa County
Jack Sellers
Supervisor, District 1

301 West Jefferson Street
10th Floor
Phoenix, AZ 85003-2143
Phone: 602-506-1776
www.maricopa.gov

March 3, 2021

Dear Senator,

Attached is an image of the physical ballots from the November 3, 2020 General Election loaded onto trucks and ready to be delivered. Because the subpoenas from January 12, 2021 have *not* been withdrawn or modified since their issuance, the County loaded the ballots onto trucks, Monday, March 1, 2021 with the intention of delivering the ballots to the Senate at 1700 W. Washington Street, as commanded by the subpoenas.

Maricopa County requested the Senate confirm a time for delivery on Monday, March 1st, 2021. The County received a response at 5:08 pm on Monday, March 1st, from Senate's outside counsel Kory Langhofer indicating the Senate was unprepared for receipt of 2.1 million ballots or any of the physical equipment.

We learned through the Senate majority party's PIO statement to a reporter of an "understanding" that the County would provide an opportunity for the Senate's auditors to use the County's election facilities. That arrangement was certainly not contained in the subpoenas and consequently the County has not explored how the use of County facilities might become an option. The County is currently involved in municipal elections and cannot permit unauthorized persons inside the election facility.

Please advise us when the Senate is ready to receive the subpoenaed materials and where they should be delivered. If the Senate no longer wants the materials delivered, the County stands ready to discuss next steps.

Sincerely,

Sincerely,
Jack Sellers
Chairman, Maricopa County Board of Supervisors

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: Josselyn Berry </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=55652a43cd414272b63720752abfb46f-Josselyn Be>

Sent: Friday, March 26, 2021 4:20:31 PM

To: .SDEMMEMS <SDEMMEMS@azleg.gov>;.SDEMSECS <SDEMSECS@azleg.gov>;.Senate Democratic Staff Interns <SenateDemocraticStaffInterns@azleg.gov>;.Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>

Subject: Fw: The Blue Wave Newsletter

View this email in your browser

Share Tweet

AMERICAN OVERSIGHT

On Monday Senate Democrats and Supervisor Steve Gallardo held a press conference on the Senate Republican's audit of the 2020 election after news that Senate President Karen Fann is discussing using *volunteers* to count voter's ballots and an ongoing lack of transparency with the public. While Senate Democrats argued this "audit" will only encourage and not tamp down conspiracy theorists, our press conference was interrupted by--you guessed it, a group of protestors calling us "liars" and "traitors," while claiming they had evidence the 2020 election was stolen. We were there to defend the integrity of Arizona's elections against the state Senate Republican's shocking endorsement of conspiracy theories. Voting is at the core of American Democracy and we should be fighting to protect it, not attack it. It's time we expand access to Democracy and remove hurdles Republicans have placed in front of voters.

AMERICAN OVERSIGHT

On Thursday morning, Governor Ducey once again announced major policy changes via Twitter when he released a new Executive Order lifting Arizona's COVID-19 restrictions immediately. Only 27% of Arizonans have had their first shot and only 17% have had both doses. This is nowhere near the 70% required for herd immunity. Keep in mind that Governor Ducey stood in the way of over 100,000 Arizonans in Pima County getting the vaccine by refusing a FEMA-run site to provide vaccinations. After the announcement,Arizona's major hospital networks came out against Ducey's rollback of COVID restrictions: "Now is not the time to become complacent & declare victory when the virus is still prominent... COVID-19 mitigation strategies work."

As Senator Kirsten Engel said, "Gov Ducey overrides vital public health protections such as the mask wearing requirements by our courageous mayors, Tucson's Regina Romero and Phoenix's Kate Gallego, and rejects FEMA's vaccines for disadvantaged communities. Whose now the barrier to protecting public health?"

Senator Victoria Steele added, "this is completely irresponsible. We in Tucson just lost a dear friend a week ago to COVID. This is clearly a political decision and one that has far too high of a risk to public health."

Questions about the American Rescue Plan? Hear from Senators Lela Alston and Martin Quezada about how it'll help Arizona.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

RECOVER. RESTORE REBUILD--The Democratic Blueprint for 2021

In the face of a global pandemic that is still spreading, taking lives, impacting our economy and devastating our most vulnerable communities, our priorities have never been clearer. See our plan to rebuild Arizona.

AMERICAN OVERSIGHT

A highlight of some bills Senate Democrats have introduced this session

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Despite scandals facing Phoenix police and the Maricopa County Attorney's Office over recent protest prosecutions, Senate Republicans this week pushed through a House bill giving law enforcement even *more* discretion and power to punish demonstrators. Republican lawmakers also cut off Senator Quezada when he explained his vote saying, "We should all vote no, specifically for that reason. (Roberts) wants them not to speak about murders of people of color. He wants to chill them from..." said Quezada before he was cut off by Senator Leach.

Following two mass shootings in the last two weeks (Atlanta, Georgia and Boulder, Colorado) Senate Republicans are also moving forward bills that *loosen* Arizona's already lax gun laws. One measure approved by the Judiciary Committee would allow the more than 390,000 Arizonans with permits to carry a concealed weapon to bring them into most public buildings, regardless of what the sign on the door says. There's also HB2840, legislation that

AMERICAN OVERSIGHT

would allow adults 18 years and older, to have a loaded gun in their car on school grounds. That alarmed Senator Engel who said lawmakers need to see through the eyes of a mother, "I have actually received that call more than once from my daughter, hiding under a desk because there's somebody with a gun in the parking lot."

We are waiting for a number of striker bill language to drop Monday at 5PM.

THE GOOD

HB2565 appropriation; affordable housing. Sponsored by Rep. Alma Hernandez.Striker bill that would provide $5 million to the housing trust fund to support renters and homeowners. Will be heard in Senate Appropriations on

AMERICAN OVERSIGHT

Wednesday, March 31st at 9AM.

THE BAD

HB2190 vaccination; businesses. Sponsored by Rep. An anti-public health bill that prohibits businesses from requiring employees from getting the COVID vaccine before returning to work. Will be heard in Senate Appropriations on Wednesday, March 31st at 9AM.

- Warning that election audit would feed conspiracy theories interrupted by people yelling conspiracy theories "This audit is a dangerous fishing expedition that could harm the sanctity of the secret ballot," Sen. Kirsten Engel, D-Tucson, said at the press conference organized by Senate Democrats, while a

AMERICAN OVERSIGHT

protester a few dozen feet away yelled “treason” at her.

- Ducey talks disdain for new education tax, vows fast fix “This is another reason exactly why voters don’t trust us. They work their butts off to collect signatures, put a measure on the ballot that is going to fix a problem...They pass a proposition and we go and do something like this,” said Senator Quezada.
- Senate to consider restriction on school expulsions, suspensions Senator Gonzales said she would prefer that school boards look more broadly at their policies on suspension and expulsions for all age groups. Her experience is that these kinds of discipline are used disproportionately on students of color
- Arizona Senate to hand-count 2.1 million Maricopa ballots Fann hopes the effort is bipartisan but Senate Democrats say, “We never wanted anything to do with that. I guess you could say we worked in a bipartisan way, since we backed the Board of Supervisors, which is all Republican but one," said Senator Contreras.
- Bill to let dishonest cops appeal placement on Brady List advances“There are broader problems here that will not be addressed just by amending this bill,” said Senator Engel. Senator Quezada agreed, adding that the Phoenix PD currently employs more than 100 officers who are on the Brady List.

AMERICAN OVERSIGHT

GET VACCINATED!

UPDATE: Essential workers in public transit, the postal service and funeral homes will begin receiving their COVID-19 vaccines. and the vaccine is now available to anyone 16 years old and up.

- SEE IF YOU QUALIFY FOR A VACCINE HERE
- SIGN UP FOR A VACCINE HERE

CVS Health will begin COVID-19 vaccines Thursday to eligible populations at 8 pharmacies in Maricopa, Mohave, Pima, Pinal and Yuma counties. You MUST have appointment. If you don't have internet, call (800) 746-7287. Make an appointment online here.

AMERICAN OVERSIGHT

GET TESTED! Find a COVID testing site for you or family members across Arizona.

CONTACT YOUR STATE SENATOR!

Our website is www.arizonasenatedemocrats.com

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

This email was sent to josselyn.berry@gmail.com
why did I get this? unsubscribe from this list update subscription preferences
Arizona State Senate Democratic Caucus · 1700 W Washington St · Arizona State Senate · Phoenix, AZ 85007-2812 · USA

Email Marketing
Powered by
Mailchimp

--
Josselyn Berry
Communication Director-Senate Democrats

AMERICAN OVERSIGHT

She/Her

AMERICAN OVERSIGHT

Sender: Juan Mendez, Athena Salman, and Melody Hernandez <jmendez@azleg.gov>
Sent: Monday, January 25, 2021 12:12:55 PM
Recipient: Juan Mendez <jmendez@azleg.gov>
Subject: 2021 Legislative Session has Begun!

LD26 Legislative Team Newsletter

AMERICAN OVERSIGHT

Dear Fellow Arizonans,

The 55th Arizona State Legislature is now in session! We are honored to serve you during these trying times and bring your voices down to the Arizona State Capitol. Like many of you, we are filled with a renewed sense of hope, purpose, and responsibility following the historic 2020 elections and the inauguration of President Joe Biden and Vice President Kamala Harris. The President's first executive orders aim to address hunger, provide COVID-19 relief, mandate masks on federal property, repeal discriminatory bans against marginalized communities, and expand much need protections in housing, employment, education and healthcare for LGBTQ individuals.

However, federal and state conservative lawmakers in Arizona are already focused on the wrong priorities, including continuing to push conspiracies about our elections and even trying to roll back the few COVID-19 protections the Governor has put in place. The most egregious of these actions at bad faith leadership are the renewed engagement of voter suppression bills and attempt by republican lawmakers to apply the death penalty to abortion and emergency contraception. While the Arizona Senate is allowing the public to testify remotely in committees (instructions below), the Arizona House does not have this rule for all committees and outrageously in several key committees – including the Government and Elections Committee – the public is forced with the choice of coming in person to testify and risking exposure to COVID-19, or not testifying at all and having their voices shut out. This of course is while Arizona is averaging 1,000 deaths from COVID per week. Please email Speaker Bowers and let him know that this policy needs to change (rbowers@azleg.gov).

We understand these times are beyond trying. If you are experiencing hardship or need help, our doors are open. Please reach out to us via email and we will help connect you to local resources and information. Remember, stay at home as much as possible and wear a mask when you're not at home.

In solidarity,

AMERICAN OVERSIGHT

Senator Juan Mendez, Ranking Member of Senate Government Committee, Member of Natural Resources and Energy Committee and Finance Committee, **jmendez@azleg.gov**

Representative Athena Salman, Ranking Member of House Government & Elections Committee; Member of the House Education Committee, **asalman@azleg.gov**

Representative Melody Hernandez, Member of House Judiciary Committee and Military Affairs & Public Safety Committee, **mhernandez@azleg.gov**

Senator Juan Mendez

Representative Athena Salman

Representative Melody Hernandez

Updates

AMERICAN OVERSIGHT

A VIRTUAL ADRESS FROM A VIRTUALLY ABSENT GOVERNOR

Governor Doug Ducey gave a virtual state of the state address during the ongoing COVID-19 calamity saying "... we will not be funding empty seats or allowing schools to remain in a perpetual state of closure. Children still need to learn, even in a pandemic."

AZ DEMS LEAD CALL FOR DOJ/FBI INVESTIGATION AFTER CAPITOL INSURRECTION

Democratic members of the Arizona House and Senate are asking for an investigation into four lawmakers who may have

AMERICAN OVERSIGHT

been involved in the storming of the U.S. Capitol on Jan. 6. The letter asks for a joint DOJ-FBI investigation into Congressman Paul Gosar and Andy Biggs, as well as state Rep. Mark Finchem and former Rep. Anthony Kern, for their involvement in the riot.

"It is an urgent matter for these agencies to get to the bottom of how involved these elected officials were in helping plan, helping incite, effectively, an attempted coup on the United States government," state Rep. Athena Salman said.

Arizona Senate Republicans Advance Bills To Trigger More Recounts, Audit More Votes

"There will always be people that are never going to accept election results because they just don't agree with their perception of reality," State Senator Juan Mendez said... "Allowing rich people to demand a recount simply because they can afford it will never restore confidence in our elections."

Most baggage scales at Sky Harbor airport weren't inspected for years, audit finds

Director Killian said the department will inspect all airport scales by mid-2021 and that the department is obtaining background checks for pest control providers. Other issues raised by the auditor are getting addressed, the director said. But Sen. Juan Mendez, D-Tempe, questioned why the department only began addressing the problems raised in the audit when the issues were pointed out in the review.

Instead of continuing the department's operations for eight years before another review, Mendez called at a committee hearing Tuesday for the department to undergo another review in two years. "I don't believe we're able to hold them accountable if we just let them off the hook for the next eight years. If we want to hold them accountable, we need to check on them a lot sooner," Mendez said.

Arizona lawmaker proposes 'homicide by abortion' bill; doctors and patients could be charged with murder

AMERICAN OVERSIGHT

Blackman's drew swift backlash from Democratic lawmakers following its introduction on Thursday, including a newly elected representative who said she had previously ended a pregnancy. "As someone who has had an abortion, it's absolutely sickening knowing my colleagues want to sentence my doctor and I to death for choices they have NO BUSINESS dictating for me or anyone else," Melody Hernandez, D-Tempe, wrote in a Twitter post.

State Rep. Athena Salman, D-Tempe, called the legislation "unbelievable." "Instead of helping our communities survive this pandemic," she said on Twitter. "Republicans just dropped a bill that would ban abortion AND put people in jail for exercising their constitutional right to reproductive healthcare."

"There will always be people that are never going to accept election results because they just don't agree with their perception of reality," State Senator Juan Mendez said… "Allowing rich people to demand a recount simply because they can afford it will never restore confidence in our elections."

GOP LEGISLATORS SCOFF MASK POLICY AT THE LEGISLATURE

GOP Legislators continue trend of ignoring or attacking Covid-19 mask guidelines

REQUEST TO SPEAK: A GUIDE ON HOW TO PARTICIPATE AT THE LEGISLATURE

Getting involved at the Legislature can be difficult, especially during a pandemic. Currently you have to get past the protestors, fences, guards, THEN ask to speak to security so you may register with the RTS (request to speak) kiosk in the Senate 1st floor Lobby. After that you'll use the kiosk computer to register for RTS. Once registered, if you just want to watch the live proceedings follow the Zoom Link near the top of the page. If you're using RTS to speak, be sure to email the committee chair-person's committee email address (which can be found on the agenda of the committee's here).

AMERICAN OVERSIGHT

"In accordance with Senate Rule 26(A), any person desiring to be heard concerning legislation remotely shall email that request to (SenateFIN@azleg.gov) at least 24 hours, excluding weekends and holidays, in advance of committee. The request must state the bill the person desires to present arguments upon, and whom the person represents. Timely requests will receive a response that includes meeting access information to participate in the committee remotely. Sharing meeting access information with unauthorized users may result in being prohibited to participate remotely in future legislative hearings. The request to participate remotely via teleconference shall be in addition to requesting to speak via the RTS system (https://apps.azleg.gov/requesttospeak/topicsearch). Persons desiring to testify remotely shall indicate that the participation is remote within the comments of the RTS system."

GET VACCINATED!

The COVID vaccine is now available to prioritized groups. Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A); and protective services workers, educators and childcare workers, and adults 75 and older (prioritized Phase 1B). As of 9 a.m. Tuesday, Jan. 19, those 65 and older will be able to register for vaccination appointments in counties that are in prioritized Phase 1B.

SEE IF YOU QUALIFY FOR A VACCINE NOW:
https://azdhs.gov/documents/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/novel-coronavirus/vaccine-phases.pdf

SIGN UP FOR A VACCINE NOW:
https://podvaccine.azdhs.gov/

Upcoming Events

AMERICAN OVERSIGHT

Environmental Day at the AZ Capitol -- One Planet, One Future. Climate Justice Now!

Join hundreds of advocates from throughout Arizona in meeting with state legislators to promote environmental protection and justice, climate action, lands and wildlife conservation, flowing rivers, democracy, and more, as well as to lobby on specific bills. Due to COVID-19, our 2021 lobby day will be virtual as we put the health of our participants and communities first. We will have team leaders to set up meetings with legislators virtually and to assist with logistics. We try to make sure most participants meet with their own legislators. We will provide training and background information on the issues we are addressing. This is a coalition event involving more than 20

AMERICAN OVERSIGHT

organizations and schools.

For more information and to get involved, contact Sandy Bahr at (602) 999-5790 or sandy.bahr@sierraclub.org

View this email in your browser

Copyright (C) 2021 Arizona State Senate. All rights reserved.

You are receiving this email because you opted in via our website.

Arizona State Senate
1700 w. Washington St.
Phoenix, Arizona 85007

Add us to your address book

Update Preferences | Unsubscribe

AMERICAN OVERSIGHT

From: Josselyn Berry <josselyn.berry@gmail.com>
Sent: Friday, April 23, 2021 12:45:55 PM
To: Jeff Winkler <JWinkler@azleg.gov>
Subject: Fwd: [Test] The Blue Wave Newsletter

---------- Forwarded message ---------
From: Arizona Senate Democrats <senatedems@azleg.gov<mailto:senatedems@azleg.gov>>
Date: Fri, Apr 23, 2021 at 12:41 PM
Subject: [Test] The Blue Wave Newsletter
To: <josselyn.berry@gmail.com<mailto:josselyn.berry@gmail.com>>

View this email in your browser<https://us20.campaign-archive.com/?e=__test_email__&u=2ee713844f29981cb26131e51&id=6d3667ba90>

[https://cdn-images.mailchimp.com/icons/social-block-v2/outline-dark-facebook-48.png]<http://www.facebook.com/sharer/sharer.php?u=http%3A%2F%2Feepurl.com%2FhwJJTH> Share<http://www.facebook.com/sharer/sharer.php?u=http%3A%2F%2Feepurl.com%2FhwJJTH>

[https://cdn-images.mailchimp.com/icons/social-block-v2/outline-dark-twitter-48.png]<http://twitter.com/intent/tweet?text=The+Blue+Wave+Newsletter:%20http%3A%2F%2Feepurl.com%2FhwJJTH> Tweet<http://twitter.com/intent/tweet?text=The+Blue+Wave+Newsletter:%20http%3A%2F%2Feepurl.com%2FhwJJTH>

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/987d76a4-6df3-45fe-8ed9-dd25ef292fd6.png]

In a glimmer of good news this week, Governor Ducey did the right thing and vetoed SB1456, a bill that would've harmed LGBTQ young people and all students in Arizona <https://www.hrc.org/press-releases/gov-ducey-vetoes-anti-lgbtq-education-bill> by requiring parents of students to opt-in to sex education curriculum and any instruction involving gender identity, gender expression, or sexuality. Parents against the bill said it is discriminatory legislation that will directly target LGBTQ students. We are glad the Governor made the right choice and listened to Arizonans by vetoing this backwards and discriminatory bill. Hate should have no home here in Arizona and our children should have access to scientific, age-appropriate and accurate sex education.

The biggest drama this week was Republican Senator Kelly Townsend joining with Democrats to defeat SB1485<https://www.nbcnews.com/politics/elections/lone-arizona-republican-votes-no-blocking-passage-voting-bill-n1264885>, a bill that would purge over 100,000 eligible Arizona voters from the PEVL, or Permanent Early Voting List. Townsend said she supports the legislation but wants to see the results of the GOP-backed "fraudit" of Maricopa County ballots first.
But the fight is not over and Republicans will certainly try to bring the bill back next week. No bill is completely dead until the Legislature adjourns for the session. We still need to keep pressure on the politicians who support barriers to people's right to vote.
Listen to Senator Engel's incredible speech on how anti-abortion bill SB1457 is a misguided and dangerous mess

[https://mcusercontent.com/2ee713844f29981cb26131e51/video_thumbnails_new/f76779e3e3bc0c30e2ceb06e494e288c.png]
<https://www.youtube.com/watch?v=itTP23JldoE>

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/a35d6811-674c-4d14-83ce-31788bd243e1.png]

RECOVER. RESTORE REBUILD--The Democratic Blueprint for 2021<https://www.arizonasenatedemocrats.com/2021-session>

In the face of a global pandemic that is still spreading, taking lives, impacting our economy and devastating our most vulnerable communities, our priorities have never been clearer. See our plan to rebuild Arizona. <https://www.arizonasenatedemocrats.com/2021-session>

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/1643151c-8336-4239-bd11-2cddfe652d8c.png]

Senator Rebecca Rios issued a statement in support of the emergency injunction to pause the senate audit, filed by Supervisor Steve Gallardo and the Arizona Democratic Party. Read it here.<https://www.arizonasenatedemocrats.com/post/senate-democratic-leader-rebecca-rios-supports-emergency-injunction-on-senate-republican-audit>

The Arizona Legislative Latino Caucus Leaders issued a statement panning Governor Ducey's photo-op trip to the border. Read it here. <https://www.arizonasenatedemocrats.com/post/arizona-latino-caucus-urges-governor-ducey-to-stop-playing-political-games-with-the-border>

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/28bbfc1e-8b19-485a-9bdc-8a90c4b3587a.png]

This week an anti-abortion bill that criminalizes pregnant people and doctors and nurses who assist in abortions passed in the Senate and

AMERICAN OVERSIGHT

House. <https://www.kold.com/2021/04/22/arizona-lawmakers-move-forward-with-anti-abortion-bill-now-heads-governors-office/> We fought this horrid anti-abortion bill with all our might and now it's on the Governor's desk, where Arizonans are calling and demanding he veto this horrid bill. This bill is a blatant attack on abortion rights access. Decisions about abortion should be made between women and their doctors.

Legislative Republicans and Governor Ducey ditched work Wednesday for a photo-op at the border in a transparent act of political theatre <https://www.azcentral.com/story/opinion/op-ed/ej-montini/2021/04/23/sheriffs-supervisors-call-bs-gov-doug-ducey-border-stunt/7347493002/> that will cost Arizona taxpayers $25 million. Meanwhile Arizonans continue to be impacted by COVID pandemic, a real crisis that Republicans still refuse to adequately address.From day one, the Biden Administration has been deeply engaged in monitoring the border and marshaling all resources of the government to find compassionate and fair solutions to help migrants at our border.Taking on the difficult challenge of building a fair, functional, and humane system will take time. After four years of destruction, change doesn't happen with the flip of a switch,and we encourage Governor Ducey to work with the Biden Administration on real solutions and not photo-ops.

The Karen Fann and Ken Bennett "fraudit" of the Maricopa County election started this week and is just as ridiculous and dysfunctional as you would imagine. As of this writing, a journalist inside the colosseum was banned from tweeting about the audit-Something you only hear about in countries where they also put reporters in jail. Supervisor Steve Gallardo and the Arizona Democratic Party filed an emergency injunction yesterday to stop the Senate audit and the judge ruled in their favor, ordering a "temporary pause" of the audit/recount effective 5PM today. <https://twitter.com/ArizonaMirror/status/1385667893006794752> It will last until 12PM Monday. This is great news for Arizona voters. This fraudit is a dysfunctional, anti-democratic mess and should never have been allowed to happen in the first place.

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/1a809556-30d0-4d4c-8b97-db5b3f3eec0d.png]

* 'You want to see a temper tantrum?': Arizona Republican sides with Democrats, blocks voting bill <http://https//www.nbcnews.com/politics/elections/lone-arizona-republican-votes-no-blocking-passage-voting-bill-n1264885> "This gives us an opportunity to step up all of those lobbying efforts," Democratic state Sen. Martín Quezada, a Democratic whip, told NBC News before the vote. Quezada said they would pressure sports teams to consider boycotting Arizona's upcoming sporting events.
* Arizona Legislature Passes Abortion Ban For Genetic Issues<http://https//fronterasdesk.org/content/1677498/arizona-legislature-passes-abortion-ban-genetic-issues>"The bans on abortion based on the reasons behind a person's reason have never been about promotion of equality," said Sen. Lela Alston. "The ban proposed in this bill is part of a larger campaign to stigmatize abortion and to pass as many laws as possible to restrict access to abortion care."
* Security lapses plague Arizona Senate's election audit at State Fairgrounds <https://www.azfamily.com/news/investigations/cbs_5_investigates/security-lapses-plague-arizona-senates-election-audit-at-state-fairgrounds/article_b499aee8-a3ed-11eb-8f94-bfc2918c6cc9.html?block_id=997196> "I think the fact of the matter is that there have been numerous legitimate audits that have shown that there were no discrepancies," said Sen. Rebecca Rios, who is the leading Democrat in the state Senate.

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/f8a73403-99fc-4ae1-aeee-cdee272fcb25.png]

GET VACCINATED! The COVID vaccine is now available to anyone 16 years old and up!

* SIGN UP FOR A VACCINE <https://podvaccine.azdhs.gov/> HERE<https://podvaccine.azdhs.gov/>

GET TESTED! Find a COVID testing site for you or family members across Arizona<https://www.azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/index.php#novel-coronavirus-testing>.

CONTACT YOUR STATE SENATOR!<https://openstates.org/find_your_legislator/>

[https://cdn-images.mailchimp.com/icons/social-block-v2/dark-twitter-96.png]<http://www.twitter.com/azsenatedems>
[https://cdn-images.mailchimp.com/icons/social-block-v2/dark-facebook-96.png]<http://www.facebook.com/azsenatedems>
[https://cdn-images.mailchimp.com/icons/social-block-v2/dark-instagram-96.png]<http://instagram.com/azsenatedems>

Our website is www.arizonasenatedemocrats.com<http://www.arizonasenatedemocrats.com>

Want to change how you receive these emails?
You can update your preferences<https://azsenatedems.us20.list-manage.com/profile?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90> or unsubscribe from this list<https://azsenatedems.us20.list-manage.com/unsubscribe?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90>.
This email was sent to josselyn.berry@gmail.com<mailto:josselyn.berry@gmail.com>
why did I get this?<https://azsenatedems.us20.list-manage.com/about?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90> unsubscribe from this list<https://azsenatedems.us20.list-manage.com/unsubscribe?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90> update subscription

preferences<https://azsenatedems.us20.list-manage.com/profile?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90>
Arizona State Senate Democratic Caucus * 1700 W Washington St * Arizona State Senate * Phoenix, AZ 85007-2812 * USA

[https://cdn-images.mailchimp.com/monkey_rewards/MC_MonkeyReward_15.png]<http://www.mailchimp.com/email-referral/?utm_source=freemium_newsletter&utm_medium=email&utm_campaign=referral_marketing&aid=2ee713844f29981cb26131e51&afl=1>

--
Josselyn Berry
Communication Director-Senate Democrats
She/Her

AMERICAN OVERSIGHT

From: Josselyn Berry <josselyn.berry@gmail.com>
Sent: Friday, April 23, 2021 5:21:11 PM
To: Jeff Winkler <JWinkler@azleg.gov>
Subject: Fwd: [Test] The Blue Wave Newsletter

View this email in your browser<https://us20.campaign-archive.com/?e=__test_email__&u=2ee713844f29981cb26131e51&id=6d3667ba90>

[https://cdn-images.mailchimp.com/icons/social-block-v2/outline-dark-facebook-48.png]<http://www.facebook.com/sharer/sharer.php?u=http%3A%2F%2Feepurl.com%2FhwJJTH> Share<http://www.facebook.com/sharer/sharer.php?u=http%3A%2F%2Feepurl.com%2FhwJJTH>

[https://cdn-images.mailchimp.com/icons/social-block-v2/outline-dark-twitter-48.png]<http://twitter.com/intent/tweet?text=The+Blue+Wave+Newsletter:%20http%3A%2F%2Feepurl.com%2FhwJJTH> Tweet<http://twitter.com/intent/tweet?text=The+Blue+Wave+Newsletter:%20http%3A%2F%2Feepurl.com%2FhwJJTH>

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/987d76a4-6df3-45fe-8ed9-dd25ef292fd6.png]

In a glimmer of good news this week, Governor Ducey did the right thing and vetoed SB1456, a bill that would've harmed LGBTQ young people and all students in Arizona <https://www.hrc.org/press-releases/gov-ducey-vetoes-anti-lgbtq-education-bill> by requiring parents of students to opt-in to sex education curriculum and any instruction involving gender identity, gender expression, or sexuality. Parents against the bill said it is discriminatory legislation that will directly target LGBTQ students. We are glad the Governor made the right choice and listened to Arizonans by vetoing this backwards and discriminatory bill. Hate should have no home here in Arizona and our children should have access to scientific, age-appropriate and accurate sex education.

The biggest drama this week was Republican Senator Kelly Townsend joining with Democrats to defeat SB1485<https://www.nbcnews.com/politics/elections/lone-arizona-republican-votes-no-blocking-passage-voting-bill-n1264885>, a bill that would purge over 100,000 eligible Arizona voters from the PEVL, or Permanent Early Voting List. Townsend said she supports the legislation but wants to see the results of the GOP-backed "fraudit" of Maricopa County ballots first.
But the fight is not over and Republicans will certainly try to bring the bill back next week. No bill is completely dead until the Legislature adjourns for the session. We still need to keep pressure on the politicians who support barriers to people's right to vote.
Listen to Senator Engel's incredible speech on how anti-abortion bill SB1457 is a misguided and dangerous mess

[https://mcusercontent.com/2ee713844f29981cb26131e51/video_thumbnails_new/f76779e3e3bc0c30e2ceb06e494e288c.png]<https://www.youtube.com/watch?v=itTP23JldoE>

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/a35d6811-674c-4d14-83ce-31788bd243e1.png]

RECOVER. RESTORE REBUILD--The Democratic Blueprint for 2021<https://www.arizonasenatedemocrats.com/2021-session>

In the face of a global pandemic that is still spreading, taking lives, impacting our economy and devastating our most vulnerable communities, our priorities have never been clearer. See our plan to rebuild Arizona. <https://www.arizonasenatedemocrats.com/2021-session>

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/1643151c-8336-4239-bd11-2cddfe652d8c.png]

Senator Rebecca Rios issued a statement in support of the emergency injunction to pause the senate audit, filed by Supervisor Steve Gallardo and the Arizona Democratic Party. Read it here.<https://www.arizonasenatedemocrats.com/post/senate-democratic-leader-rebecca-rios-supports-emergency-injunction-on-senate-republican-audit>

The Arizona Legislative Latino Caucus Leaders issued a statement panning Governor Ducey's photo-op trip to the border. Read it here. <https://www.arizonasenatedemocrats.com/post/arizona-latino-caucus-urges-governor-ducey-to-stop-playing-political-games-with-the-border>

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/28bbfc1e-8b19-485a-9bdc-8a90c4b3587a.png]

This week an anti-abortion bill that criminalizes pregnant people and doctors and nurses who assist in abortions passed in the Senate and House. <https://www.kold.com/2021/04/22/arizona-lawmakers-move-forward-with-anti-abortion-bill-now-heads-governors-office/> We fought this horrid anti-abortion bill with all our might and now it's on the Governor's desk, where Arizonans are calling and demanding he veto this horrid bill. This bill is a blatant attack on abortion rights access. Decisions about abortion should be made between women and their doctors.

Legislative Republicans and Governor Ducey ditched work Wednesday for a photo-op at the border in a transparent act of political theatre

AMERICAN OVERSIGHT

<https://www.azcentral.com/story/opinion/op-ed/ej-montini/2021/04/23/sheriffs-supervisors-call-bs-gov-doug-ducey-border-stunt/7347493002/> that will cost Arizona taxpayers $25 million. Meanwhile Arizonans continue to be impacted by COVID pandemic, a real crisis that Republicans still refuse to adequately address.From day one, the Biden Administration has been deeply engaged in monitoring the border and marshaling all resources of the government to find compassionate and fair solutions to help migrants at our border.Taking on the difficult challenge of building a fair, functional, and humane system will take time. After four years of destruction, change doesn't happen with the flip of a switch,and we encourage Governor Ducey to work with the Biden Administration on real solutions and not photo-ops.

The Karen Fann and Ken Bennett "fraudit" of the Maricopa County election started this week and is just as ridiculous and dysfunctional as you would imagine. As of this writing, a journalist inside the colosseum was banned from tweeting about the audit-Something you only hear about in countries where they also put reporters in jail. Supervisor Steve Gallardo and the Arizona Democratic Party filed an emergency injunction yesterday to stop the Senate audit and the judge ruled in their favor, ordering a "temporary pause" of the audit/recount effective 5PM today. <https://twitter.com/ArizonaMirror/status/1385667893006794752> It will last until 12PM Monday. This is great news for Arizona voters. This fraudit is a dysfunctional, anti-democratic mess and should never have been allowed to happen in the first place.

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/1a809556-30d0-4d4c-8b97-db5b3f3eec0d.png]

* 'You want to see a temper tantrum?': Arizona Republican sides with Democrats, blocks voting bill <http://https//www.nbcnews.com/politics/elections/lone-arizona-republican-votes-no-blocking-passage-voting-bill-n1264885> "This gives us an opportunity to step up all of those lobbying efforts," Democratic state Sen. Martín Quezada, a Democratic whip, told NBC News before the vote. Quezada said they would pressure sports teams to consider boycotting Arizona's upcoming sporting events.
* Arizona Legislature Passes Abortion Ban For Genetic Issues<http://https//fronterasdesk.org/content/1677498/arizona-legislature-passes-abortion-ban-genetic-issues>"The bans on abortion based on the reasons behind a person's reason have never been about promotion of equality," said Sen. Lela Alston. "The ban proposed in this bill is part of a larger campaign to stigmatize abortion and to pass as many laws as possible to restrict access to abortion care."
* Security lapses plague Arizona Senate's election audit at State Fairgrounds <https://www.azfamily.com/news/investigations/cbs_5_investigates/security-lapses-plague-arizona-senates-election-audit-at-state-fairgrounds/article_b499aee8-a3ed-11eb-8f94-bfc2918c6cc9.html?block_id=997196> "I think the fact of the matter is that there have been numerous legitimate audits that have shown that there were no discrepancies," said Sen. Rebecca Rios, who is the leading Democrat in the state Senate.

[https://mcusercontent.com/2ee713844f29981cb26131e51/images/f8a73403-99fc-4ae1-aeee-cdee272fcb25.png]

GET VACCINATED! The COVID vaccine is now available to anyone 16 years old and up!

* SIGN UP FOR A VACCINE <https://podvaccine.azdhs.gov/> HERE<https://podvaccine.azdhs.gov/>

GET TESTED! Find a COVID testing site for you or family members across Arizona<https://www.azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/index.php#novel-coronavirus-testing>.

CONTACT YOUR STATE SENATOR!<https://openstates.org/find_your_legislator/>

[https://cdn-images.mailchimp.com/icons/social-block-v2/dark-twitter-96.png]<http://www.twitter.com/azsenatedems>
[https://cdn-images.mailchimp.com/icons/social-block-v2/dark-facebook-96.png]<http://www.facebook.com/azsenatedems>
[https://cdn-images.mailchimp.com/icons/social-block-v2/dark-instagram-96.png]<http://instagram.com/azsenatedems>

Our website is www.arizonasenatedemocrats.com<http://www.arizonasenatedemocrats.com>

Want to change how you receive these emails?
You can update your preferences<https://azsenatedems.us20.list-manage.com/profile?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90> or unsubscribe from this list<https://azsenatedems.us20.list-manage.com/unsubscribe?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90>.
This email was sent to josselyn.berry@gmail.com<mailto:josselyn.berry@gmail.com>
why did I get this?<https://azsenatedems.us20.list-manage.com/about?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90> unsubscribe from this list<https://azsenatedems.us20.list-manage.com/unsubscribe?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90> update subscription preferences<https://azsenatedems.us20.list-manage.com/profile?u=2ee713844f29981cb26131e51&id=541f081853&e=__test_email__&c=6d3667ba90>
Arizona State Senate Democratic Caucus * 1700 W Washington St * Arizona State Senate * Phoenix, AZ 85007-2812 * USA

[https://cdn-images.mailchimp.com/monkey_rewards/MC_MonkeyReward_15.png]<http://www.mailchimp.com/email-referral/?utm_source=freemium_newsletter&utm_medium=email&utm_campaign=referral_marketing&aid=2ee713844f29981cb26131e51&afl=1>

--
Josselyn Berry
Communication Director-Senate Democrats
She/Her

AMERICAN OVERSIGHT

From: Kirsten Engel <kengel@azleg.gov>
Sent: Monday, February 8, 2021 1:36:16 PM
To: Tony Navarrete <tnavarrete@azleg.gov>
Subject: Fwd: Letter from the Legislature 2021 #2: Wasted Opportunities!

Kirsten Engel
AZ State House Rep, LD10
AZ State Senator-Elect, LD10
602-926-5178
kengel@azleg.gov

Andrea Martinez
Administrative Assistant:
602-926-5178
amartinez@azleg.gov

SB 1661 housing assistance program; appropriation: Establishes a new grant program, the "Housing Assistance Program" in the AZ Department of Housing and appropriates $10 million toward the program during 2021-22. Under the legislation, a nonprofit legal services organization, community action agency, or HUD-approved housing counseling agency may apply for funds to hire housing navigators to provide community outreach, education and resources related to general housing matters, effective tenancy, leases and rental agreements, eviction and foreclosure processes and referrals to housing programs.

Assigned to: Senate Appropriations and Senate Commerce Committees

AMERICAN OVERSIGHT

On Feb 7, 2021, at 2:22 PM, State Senator Kirsten Engel <kengel@azleg.gov> wrote:

Dear Friend,

Thus far this legislative session has been a big disappointment. Rather than address the pandemic, the Legislature has been filling its time passing non-pandemic bills stuck in the queue last year and teeing up bills that undercut our voting rights or pile on more tax cuts.

It does not have to be this way. In this newsletter I would like to talk about some of my proposals for addressing the eviction and housing crisis we are facing and to contrast these proactive, pandemic-related measures with some of the disturbing bills that I believe will suppress the vote and undermine our

AMERICAN OVERSIGHT

elections. I'll conclude with some ways you can make your voice heard - in support or opposition to the bills currently being considered.

Spotlight on My bills to Prevent Evictions and Promote Housing Stability in Arizona

I've now introduced nine eviction-prevention/affordable housing bills. These bills address the short-term eviction crisis, systemic problems in our landlord-tenant act, and the long-term challenge of creating more affordable housing.

Bills Addressing the Eviction Crisis

Thousands of Arizona families are at risk of eviction when the moratorium, extended by the Biden Administration to March 31, 2021, expires. The moratorium is helping to keep a roof over people's heads (though there are large loopholes that result in evictions continuing), but it doesn't pay rent in arrears or give families a cushion going forward as they work to get themselves back into the job market. Families eligible for rental assistance are often unable to satisfy the paperwork requirements to actually receive a payment before they are evicted. Many tenants now have eviction judgments on their records, a blight on their credit that will dog their ability to find housing for the next seven years. As detailed in today's New York Times, some families are going to extraordinary lengths to avoid an eviction - running up debt on credit cards and moving in with other family members into crowded living arrangements.

Legislation is only part of the answer to this crisis. Arizona will be receiving over $490 million in rental relief from the latest federal stimulus package, and that

AMERICAN OVERSIGHT

will be a huge help. This money will be distributed by the AZ Department of Economic Security and the legislature is not directly involved in its distribution. It is important to note that not all families struggling qualify for this aid and for some tenants with an eviction already on their records, the assistance comes too late. Working with Pima County's Eviction Prevention Taskforce, here's some solutions I'm proposing in legislation:

SB 1666 affordable housing; appropriation: appropriates $25 million to the AZ Housing Trust Fund and conditions a landlord's receipt of any of this funding upon its agreement not to file, finalize or enforce an eviction action.

Assigned to: Senate Appropriations Committee
Status: Has yet to be placed on a Committee agenda

SB 1661 housing assistance program; appropriation: Establishes a new grant program, the "Housing Assistance Program" in the AZ Department of Housing and appropriates $10 million toward the program during 2021-22. Under the legislation, a nonprofit legal services organization, community action agency, or HUD-approved housing counseling agency may apply for funds to hire housing navigators to provide community outreach, education and resources related to general housing matters, effective tenancy, leases and rental agreements, eviction and foreclosure processes and referrals to housing programs.

Assigned to: Senate Appropriations and Senate Commerce Committees
Status: Has yet to be placed on a Committee agenda

SB 1663 state; emergency; eviction reporting; prohibited: Requires the sealing of any filing, pleading or judgment in an eviction action based on nonpayment of rent that was rendered during the Covid-19 pandemic and between the dates of March 11, 2020 and June 30th, 2022. Requires housing applications to inform prospective tenants that they may answer "No record" in response to an inquiry, on a housing application, regarding a record sealed pursuant to the legislation.

Assigned to: Senate Judiciary Committee
Status: Has yet to be placed on a Committee agenda

AMERICAN OVERSIGHT

Photo courtesy of Tucson.com.

Bills addressing systemic problems in Arizona's Landlord-Tenant Laws

The eviction crisis has laid bare systemic problems with our landlord-tenant laws. I have introduced the following bills to deal with some of these issues, raised by stakeholders:

SB 1038 landlord tenant; rent; fifteen days. Currently, Arizona law requires landlords to notify tenants of their intent to evict the tenant for nonpayment of rent just 5 days before they actually file to do so, one of the shortest periods for such notices in the nation. Tenants are left scrambling, often over a weekend, to pull together money or contact their landlord to work out a payment plan. This short time period has been a particular problem during the pandemic, as five days is usually too short a timeframe for tenants to apply for and receive, rental assistance from a city, county or nonprofit program. This bill does one thing and one thing only: it extends that 5 day period to 15 days. This is an easy fix and one very much needed for tenants and landlords alike.

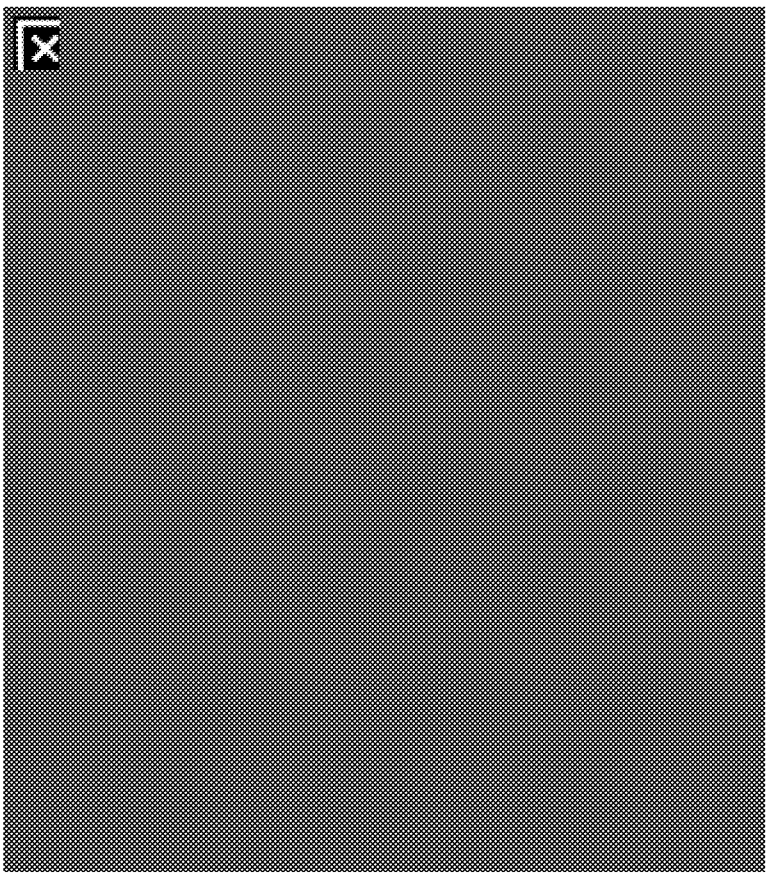
Assigned to: Senate Commerce Committee
Status: Has yet to be placed on a Committee agenda

SB1130: constables; pending eviction notification; mileage: Provides that constables may be reimbursed for their mileage with respect to any additional trips they make to visit tenants in the eviction process to inform the tenants about housing resources. A pilot project by Pima County constables found the number of evictions tumbled after constables did this basic outreach to inform tenants in advance of a pending eviction action and to provide them information

AMERICAN OVERSIGHT

about housing options. This successful pilot program was even featured in High Country News! This bill is designed to ensure that constables are not discouraged from making these visits by having to pay for the mileage out of their own pockets.

Assigned to: Senate Judiciary Committee
Status: Has yet to be placed on a Committee agenda



SB 1039 eviction prevention; study committee: Establishes a study committee on statewide eviction prevention and housing affordability and specifies a broad array fo stakeholders to serve on the study committee. The Committee is charged with determining how the state can reduce eviction filings and mitigate the financial and personal costs of evictions to tenants and landlords, explore processes to ensure tenants understand their rights under the law, gather information on housing affordability and propose legislation to address problems identified by the committee.

Assigned to: Senate Commerce Committee
Status: Has yet to be placed on a Committee agenda

For those who wish to take a deeper dive in some of additional bills that I have introduced, please see:

SB 1472 landlord tenant; security deposits; waiver
SB 1662 constable ethics standards board; membership
SB 1665 landlord tenant; housing assistance; waiver
SB 1664 landlord tenant; evictions; forms

AMERICAN OVERSIGHT

What the Arizona Legislature is doing instead of eviction-prevention and pandemic relief:

But the Arizona legislature is NOT addressing our eviction and housing crises, but instead is spending a large amount of its time and effort keeping alive conspiracy theories regarding the 2020 election, debating bills to remove Arizonans from the voting rolls, and burdening our election officials with more bureaucratic requirements that seem to lack all justification.

Graphic courtesy of the New York Times, Opinion, The Voter Suppression State, Jan 31, 2019.

As has been widely reported in the national and local press, there are multiple bills pending in the Arizona legislature that would upend our election and voting laws. The most extreme bill is Rep Bolick's HB 2720, would enable the the Arizona Legislature to overturn the results of a presidential election, even after the count is formally certified by the governor and secretary of state — and even after Congress counts the state's electors. See this article for more on this bill that completely circumvents the voters!

Most curious are bills that seek to restrict the use of mail-in ballots. Arizona practically invented mail-in ballots and over 80 percent of Arizonans use them, finding they give them time to research candidates and initiatives and, in the time of Covid-19, are safer than venturing in person to vote at a polling location. I oppose each of these bills that appear to be an effort by those unhappy with the outcome of the November 2020 election to suppress the vote.

Below are some of the bills I am most concerned about. As you can see, many

AMERICAN OVERSIGHT

of the Senate bills have passed out of committee and are ready for Floor debate and final vote.

SB 2720: ballots; election contests; certificates: As mentioned above, this bill sponsored by Rep Bolick would enable the the Arizona Legislature to overturn the results of a presidential election.

SB 1069 permanent early voting list; eligibility: Removes a voter from the permanent early voting list (PEVL) if the voter fails to vote by early ballot in both the primary election and the general election for two consecutive primary and general elections for which there was a federal, statewide or legislative race on the ballot.

Status: Passed the Government Committee on a party-line vote; waiting debate on the Senate Floor.

SB 1083 elections; recount margin: Increases, from one-tenth of one percent or a set number of votes to one-half of one percent, the trigger for an automatic recount in a primary or general election.

Status: Passed the Government Committee on a party-line vote; waiting debate on the Senate Floor.

SB1020 voting locations; electioneering; Removes the ability of a county recorder or other officer in charge of elections to designate emergency non-electioneering polling places.

Status: Passed the Government Committee on a party-line vote.

SB 1358: recorders; voter registrations; public buildings: Prohibits a county recorder from conducting a voter registration drive or other similar voter registration event at any location that is not government owned.

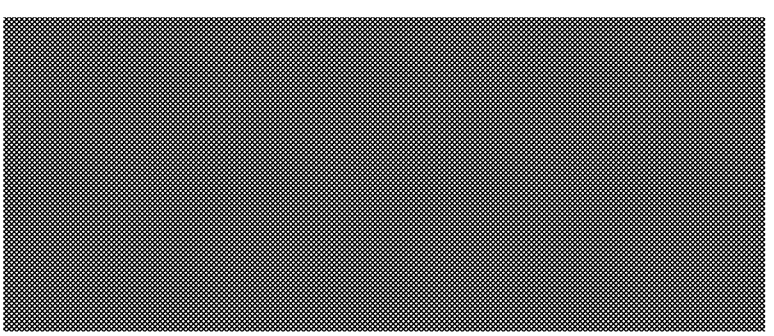
Status: Passed the Government Committee on a party-line vote.

SB 1240 hand counts; precincts; procedures manual: Requires ballots in counties using voting centers to be separated and grouped by precinct for the purpose of a hand count audit.

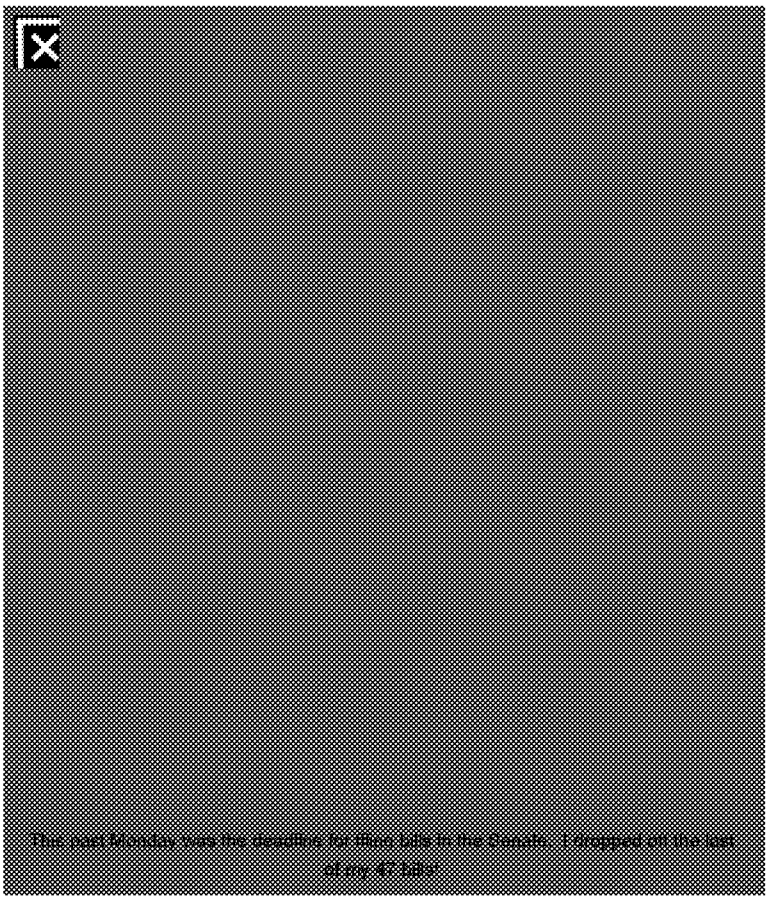
Status: Passed the Government Committee on a party-line vote.

Where to find the 47 bills I've filed this Legislative Session

You can easily find my eviction-prevention and housing affordability bills described above, as well as my bills on education, water, criminal justice and other topics by going to: www.azleg.gov, click "Bills", click "Bills Tracking," hit "Search" on left side menu, click "Sponsors" and search under my name. You will see the list of bills that I have "prime" sponsored or co-sponsored. Enjoy!



AMERICAN OVERSIGHT



It will be a Tough Week Ahead

Tomorrow, the Senate will spend more countless hours trying to give life to baseless conspiracy claims about the Nov. election by likely passing the GOP-sponsored resolution to hold the GOP-controlled Maricopa Board of Supervisors in contempt (which makes them subject to imprisonment!). The reason? Senate Republicans are upset the Board failed to comply to with a crazy- broad subpoena from the Chair of the Senate Judiciary Committee to obtain copies of 2.1 million voted secret ballots and the inspection of certified elections equipment by a sketchy auditing company and is instead is pursuing its own audit. Because I am on the Judiciary Committee, I am actually named as a defendant in the County's lawsuit to quash that subpoena!

AMERICAN OVERSIGHT

The complaint of the Maricopa Board of Supervisors seeking to quash the subpoena issued by the Chair of the Senate Judiciary Committee.

Sign up for the Legislature's "Request to Speak" system to make your voice heard on bills you like or oppose!

You can register your support or opposition to particular bills once the bill has made it onto a Committee agenda through the legislature's "Request to Speak" (RTS) system.

You may have heard that you need to go in person to activate your RTS account. Luckily, there is an organization that can activate your account on your behalf!

Contact Civic Engagement Beyond Voting to request an account.They will create an account for you at the Capitol and notify you when it's ready.

This legislative manual walks you through how to use the Request to Speak system.

Look out for future emails from me about specific bills to oppose or support and thank you in advance for speaking out on these important issues!

AMERICAN OVERSIGHT

Graphic courtesy of the New York Times, *How to Participate in Politics.*

Another GREAT way to participate: Join our March 6th LD10 Town Hall!

Join us 10-11:30 on Saturday, March 6th for our next Town Hall! Photo from our Jan 30th Town Hall with special guest Pima County Health Director Dr. Theresa Cullen. LD10 Reps. Domingo DeGrazia and Stephanie Stahl Hamilton and I got terrific questions from those who were able to tune in. We're looking forward to answering more of your questions on March 6th! You can send in your questions anytime by filling out and submitting this form before or during the Town Hall. We'll try to get to as many of your questions as we can!

AMERICAN OVERSIGHT

During the January 20th LD10 Town Hall, we heard from Pima County Health Director and Admiral Theresa Cullen on the status of the pandemic in Pima County as well as progress on the vaccine roll out. Reps Domingo DeGrazia and Stephanie Stahl Hamilton and myself gave a legislative update. Time to Match on Nov 19 11:30 for our next Town Hall. Details on our facebook community/events.

There's more to come, so stay tuned!

I try to keep my Facebook page updated with news of recent events. Email me your comments and concerns at: kengel@azleg.gov and I will try to get back to you (but unfortunately, please keep in mind that, due to volume of emails it is proving impossible to respond to every email I receive).

See you March 6th for the next LD10 Town Hall!

Best,

Kirsten Engel

AMERICAN OVERSIGHT

Arizona State Senator

Legislative District 10

Office Phone: (602) 928-5178

Follow me on Facebook and Twitter

Copyright © 2019. All rights reserved.

Our mailing address is:

1700 W. Washington St., Phoenix, AZ 85007

Want to change how you receive these emails?

You can update your preferences or unsubscribe from this list.

AMERICAN OVERSIGHT

From: KFann@azleg.gov
Sent: Friday, July 16, 2021 9:41:24 AM
To: Trevor <trevr396@yahoo.com>
Cc: Doug Logan <dlogan@cyberninjas.com>;Ken Bennett <kjbennettaz@gmail.com>
Bcc: Karen Fann <KFann@azleg.gov>;Randy Pullen <rpullen13@gmail.com>
Subject: Re: I still have my mail in ballot

Thank you Trevor. That might be helpful as we move thru this process. I am copying the Auditors on this email for their records as well. Thank you for coming forward.
Senate President Fann

Sent from my iPad

On Jul 16, 2021, at 9:36 AM, Trevor <trevr396@yahoo.com> wrote:

Hello this is Trevor Reedy. I was a resident and registered independant voter in Maricopa County during the 2020 elections. After watching your update on the Maricopa County audit yesterday I realized that I still have my mail in ballot. I have been on the early voting list for years but last year I decided to vote in person from the Queen Creek location on voting day. Which as a side note, the Queen Creek voting center only provided black sharpies to fill out the ballots and the ballot that they printed and provided to me on site after verifying my ID was of a different paper stock and thickness than my mail in ballot. Not sure why I remember that but it stood out to me at the time. I would be happy to provide my original mail in ballot or answer further questions if it helps with the audit process. I would be more than happy to sign an affidavit with my statements if necessary. Please feel free to contact me via this email or by phone at 6024480626

Trevor Reedy

Sent from Yahoo Mail on Android

AMERICAN OVERSIGHT

From: Lela Alston </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FF6A506C742141A9A90CF35D134BB0CE-LELA ALSTON>

Sent: Monday, May 24, 2021 5:02:30 PM

To: Melissa Valdez </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Melissa Valdez>;Kathy Dominguez </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=be982c8474284134b7dcfec7542f22f5-Kathy Domin>;Briana Romero </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=72c31987aa5c4818a7ded58cb22ee541-Briana Rome>;David Bradley <dave@kinoconsult.com>;drceloza@gmail.com;dkennedy@aarp.org;Schultz, Angela (Sinema) <Angela_Schultz@sinema.senate.gov>;Chris Wertheim (chriswertheim49@gmail.com) <chriswertheim49@gmail.com>;barb2022@gmail.com;kelley.karnes@gmail.com;Lela Alston (lalston2@msn.com) <lalston2@msn.com>;'Ken Clark' <kenclark@azleg.gov>;John Glenn (johnglennphx@gmail.com) <johnglennphx@gmail.com>;Eric Meyer (emeyer8@gmail.com) <emeyer8@gmail.com>;Debbie English (deb.english@cox.net) <deb.english@cox.net>

Subject: FW: In Monday's Yellow Sheet

Attachments: 5-24-21.pdf

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Monday, May 24, 2021 4:59 PM
To: .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>; .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>
Subject: Fw: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet May 24, 2021

WE'VE GOT BUDGET BILLS!
Lawmakers introduced 11 budget bills today, which were tweaked slightly to appease a handful of Republicans, and plan to push the budget package through by the end of the week.

THERE'S ALWAYS A HICCUP
One potential hiccup is J Hoffman and a group of fiscally hawkish House Republicans who are demanding cuts in spending on items, such as road repair and some state employee pay increases, plus an additional $13 million for election integrity measures.

KELLY IS WORKING ON SOMETHING BIG
As part of budget negotiations, House leaders agreed to put Townsend's S1241

AMERICAN OVERSIGHT

(voting equipment; ballots; receipt) up for a vote tomorrow with her preferred election amendments, she told our reporter.

ALWAYS THE FIRST TO VOLUNTEER, THE LAST TO KNOW
In a perfect encapsulation of the Senate's audit so far, Ken Bennett was unceremoniously removed as the spokesman over the weekend and he was the last one to find out.

IN CASE YOU NEED FURTHER PROOF THIS ISN'T AN AUDIT
Pullen is the treasurer of both Finchem's Make America Safe Again PAC, which helped fund Finchem's election "hearing" with Rudy Giuliani, and Finchem's Guardian Defense Fund, which was set up to sue democrats and journalists who criticized him.

THE BEST PEOPLE
Meanwhile, Patrick Byrne, the former CEO of Overstock, who is fundraising for the audit, is now in charge of vetting workers for the hand recount.

IF THEY PROTEST YOUR BUSINESS, YOU'RE DOING IT RIGHT
A dozen or so protesters descended on Shope's IGA in Coolidge this weekend and showed up to Shope's house after Shope voted against the vaccination passport ban last week, he told our reporter.

THE CIVIL WAR CONTINUES
With resolution from the courts looking less likely, Kelli Ward's critics may try another round of signature gathering to force a special AZGOP meeting, though they're concerned about Ward's "intimidation tactics" and about her ability to vet the signatures' validity.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, May 24, 2021

NEWS NOTES AND GOSSIP

WE'VE GOT BUDGET BILLS!

Lawmakers introduced 11 budget bills today, which were tweaked slightly to appease a handful of Republicans, and plan to push the budget package through by the end of the week. Lawmakers have scheduled House and Senate Appropriations committees meetings tomorrow morning and hope to push for a final vote by Wednesday. The amended package includes millions more in funding in an attempt to meet demands from Republicans who wanted more spending. For example, it includes additional funding for ASU and NAU, as Boyer requested, as well as funding Mesnard sought for career and technical education programs and Shope's $50 million to widen I-10. The interstate expansion project is the biggest single beneficiary, but the two universities also saw large jumps. The budget proposal also includes Barto's $1.5 million for crisis pregnancy centers, which in 2019 ran as its own bill because it was a poison pill for then-Sens Kate Brophy McGee and Heather Carter – a sign that the moderate wing of the Senate GOP is more or less gone. And while the new version attempts to appease some of the Republican holdouts, it's clear more work needs to happen before all 31 and 16 Republican lawmakers feel comfortable announcing their support. Mesnard, for example, told our reporter today he is on the fence and needs to see the final product before making up his mind because he still has concerns about some of the spending in the budget and he dislikes its low-income housing tax credit provision. "I, like some of my other colleagues, have concerns, and right now I'm reserving judgment," he said. JLBC today posted its analysis of the budget package (LINK).

THERE'S ALWAYS A HICCUP

One potential hiccup is J Hoffman and a group of fiscally hawkish House Republicans who are demanding cuts in spending on items, such as road repair and some state employee pay increases, plus an additional $13 million for election integrity measures. Cobb said the current proposal is the project of negotiations between Ducey's office and House and Senate leadership, and their demands would upend that. "That's going to start us from Day One again, and it's probably going to cost us a lot more at the end of the day," she said. "And that'll probably defeat the purpose [of] what this is trying to accomplish." The demands include cutting more than $80 million for road repair, getting rid of the tax exemption for veteran pension and spending $7.5 million on election issues, including $2 million for an ongoing forensic audit fund and $2 million for watermarked ballot paper. Another Republican source said many of those asks – including the $1.5 million for an Auditor General voter roll review and his request to make massive cuts to "pork spending" like road repair – are "no goes" for legislative leadership. "Hoffman seems to think there's a lot of Democrat pork here, and that's just not the case. There are ongoing conversations to explain that to him – whether or not he will listen remains to be seen," the source said. Fann was nonchalant about the ask, telling our reporter today that everyone has demands and budgeting necessitates teamwork and "concessions on all our parts." Mesnard told our reporter he agrees with the Hoffman demands to an extent, but he doesn't believe he's part of the group of 10 Hoffman claims is opposed to the budget, although he's also not a definite "yes" yet, either.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000066

ARZN_REV00060313_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

KELLY IS WORKING ON SOMETHING BIG

As part of budget negotiations, House leaders agreed to put Townsend's S1241 (voting equipment; ballots; receipt) up for a vote tomorrow with her preferred election amendments, she told our reporter. With that assurance, she's now a tentative "yes" on the budget, she said. One source said those amendments will be handled by Kavanagh. "They're gonna do a lot of election fixes that she wanted and other people wanted, but in a Kavanagh way – so a little more responsible and a little more passable," the source said, adding that there are several election bills that Hoffman wants put up on the board for a vote this week, too, and leadership seems open to putting them up though they're skeptical that the bills will pass. Townsend said she still wants to review complaints about the budget from conservatives, she said, and she's still not ready to adjourn *sine die* but she views *sine die* as a separate issue from the budget. "We do need to get the budget done. Whether or not we go home is another decision," Townsend said.

ALWAYS THE FIRST TO VOLUNTEER, THE LAST TO KNOW

In a perfect encapsulation of the Senate's audit so far, Ken Bennett was unceremoniously removed as the spokesman over the weekend and he was the last one to find out. *Arizona Republic* reporter Jen Fifield reported that instead of Bennett taking questions, the media would have to start reaching out to former AZGOP chair Randy Pullen or Fann and Petersen to answer questions as the audit resumes this week following a hiatus for high school graduations. Bennett originally promised to hold a daily press conference but quickly abandoned that. To date, there have only been two press availabilities – one with Doug Logan before the audit began (YS, 4/23) and another a month ago in front of the Senate building that lasted 15 minutes (YS, 4/28). For all his flubs and faults, one thing we can't criticize Bennett for is being inaccessible. While his answers often boiled down to "I don't know," he always answered the phone – the same can't be said for Fann or Petersen. Pullen today told the press pool nobody will come to the press box at Veterans Memorial Coliseum to take questions from reporters, as Bennett has done. He wouldn't answer questions over the phone, asked for questions to be sent via text so he could find answers and still has not set up a real voicemail for the media hotline (LINK). Bennett told our reporter he will still talk to the media (he did two radio spots today), he just won't be the main contact anymore and that it was Fann's decision. "Randy Pullen was asked by President Fann to be director of communications. He's helping us with that instead of everything going through me," Bennett said via text today. He added that Pullen will likely have Twitter access in addition to him and several other unnamed individuals. Fann told our reporter that Pullen will not be paid and that she made the switch because Bennett was getting too many calls and texts from the press. "Ken was being called and texted dozens of times a day which took a lot of his time away from helping coordinate the vendors, security, facilities, and Maricopa County," she said. Railbirds have been speculating why Bennett was removed as the liaison for media information. One Republican thought maybe Bennett realized he was in over his head and left willingly. "At first I thought maybe Bennett finally quit. Apparently nope," the source said. "[Bennett] made a time honored mistake of any communications flack; being too forthcoming and being too available," another Republican said. Pullen did not answer our reporter's call today, and the automated voicemail was a woman who muttered an inaudible name, but it was clearly not Pullen's voice.

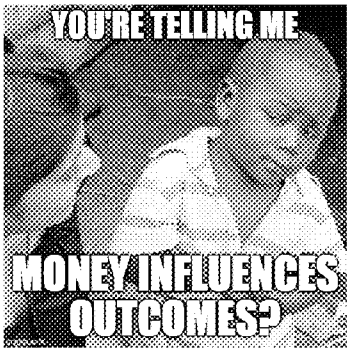
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000067
ARZN_REV00060313_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IN CASE YOU NEED FURTHER PROOF THIS ISN'T AN AUDIT

Pullen is the treasurer of both Finchem's Make America Safe Again PAC, which helped fund Finchem's election "hearing" with Rudy Giuliani, and Finchem's Guardian Defense Fund, which was set up to sue democrats and journalists who criticized him. Finchem used the MASA PAC to help raise funds to pay the $15,000 cost of the Hyatt in Phoenix hosting the unofficial hearing on Nov 30 attended by Trump attorneys and several lawmakers. Finchem also said last month that he was raising money through the fund to help pay for additional security at the audit (YS, 4/21). Like everything else involving money and the audit, the Guardian Defense Fund is a 501(c)(4) nonprofit, which means it does not have to disclose donors.

THE BEST PEOPLE



Meanwhile, Patrick Byrne, the former CEO of Overstock, who is fundraising for the audit, is now in charge of vetting workers for the hand recount. The *Arizona Republic* obtained an email that says Byrne's nonprofit The America Project will do the background checks for those who want to work for the audit, but it hints that they will be unpaid positions (LINK). "The email, sent to more than two dozen state and county Republican party officials on Thursday, lays out the rules of a new vetting process for people who want to work at the audit," the *Republic* reported. The America Project has been trying to raise nearly $3 million for the audit and Byrne said he put in $1 million of his own money so far (YS, 4/29). The new link highlights why it's important to know who is paying for the audit, as Byrne's new role in vetting auditors clearly shows how funders are controlling the audit. *OANN,* for example, is actively seeking donations and being granted with priority media access.

IF THEY PROTEST YOUR BUSINESS, YOU'RE DOING IT RIGHT

A dozen or so protesters descended on Shope's IGA in Coolidge this weekend and showed up to Shope's house after Shope voted against the vaccination passport ban last week, he told our reporter. Patriot Party representatives organized the protest, Shope said, including Steven Daniels, who helped lead the thuggish attempted takeover of the Vail Unified School District last month (LINK). Protesters showed up unmasked to a school board meeting and refused to leave until the board shut down the meeting, at which time Daniels and others held a fake election in the lobby to elect themselves as the new school board. They've repeated their antics at other school board meetings, most recently in Scottsdale (LINK). Shope said the 10-15 protesters mostly stood outside the grocery store and only went inside to use the bathroom. "We didn't ask them to wear masks because we don't have a protocol and we didn't ask them for their vaccine passport because we obviously don't do that," he said, noting the irony of the situation. After protesting at his family store, they canvassed his neighborhood, dropping off fliers warning that "face masks pose serious risks to the healthy." "In voting against HB2150, your neighbor Senator TJ Shope is allowing fascist medical tyranny to take hold in Arizona," another flier read.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000068

ARZN_REV00060313_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE CIVIL WAR CONTINUES

With resolution from the courts looking less likely, Kelli Ward's critics may try another round of signature gathering to force a special AZGOP meeting, though they're concerned about Ward's "intimidation tactics" and about her ability to vet the signatures' validity. One of the two lawsuits stemming from the January AZGOP election was dismissed in superior court earlier this month and an appeal was denied late last week (YS, 5/10). "We're kind of reassessing where things are with the first (lawsuit), and determining the best course of action," activist Bill Beard said. "As it stands today because of what the judge ruled in the second lawsuit, pretty much, Kelli Ward can do as she pleases with the Arizona Republican Party." Beard said he'd experienced intimidation firsthand during the first attempt to collect signatures for a special meeting. "The husband of the chair of the Republican Party of Arizona in a social media post flat out said he prevented me from getting a job interview," Beard said, pointing to comments on a post in an Arizona Republican LD 15 group. In the thread, Michael Ward called Beard a "loser troll" and said he and Sandra Dowling were "busy wasting party money [on] legal fees." "The funny part was when Billy applied for a job with the landscape company that I part own… needless to say, the dumbass didn't get an interview," Ward wrote. The members needed 294 signatures – 20 percent of the body – representing at least nine counties to force a special meeting. They gathered 352 signatures from 11 counties, but party secretary Yvonne Cahill said not enough of those signatures were valid (YS, 3/26). A former state committeeman told our reporter that some internal squabbling over the years about issues like the validity of proxies or the credentialing of meetings is "just baked into the cake," but the conflicts are rarely as high-profile or long-lasting as the current SNAFU. The railbird said the current dispute was a microcosm of what's going on in Arizona and across the country. "It's really not a matter of whether that particular party election was carried out in accordance with the bylaws; it's more a reflection of a divide that has gotten deeper in the state and in the country," the source said. "Until one side conclusively prevails over the other from an ideological perspective, these disputes will only become more frequent."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000069

ARZN_REV00060313_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Bill improves treatment of pregnant prisoners
Arizona Capitol Times
Arizona lawmakers are weighing whether they should enshrine in statute rules governing access to feminine hygiene products for female prison inmates and regulating the treatment of pregnant prisoners.

Races for 2022 statewide offices taking shape
Arizona Capitol Times
Arizona is sitting somewhere between keeping the 2020 election alive and preparing for the 2022 election, where all statewide executive offices will be on the ballot as well as a U.S. Senate seat.

Some GOP lawmakers question flat-tax proposal
Capitol Media Services
The bid by Gov. Doug Ducey to permanently cut $1.5 billion a year of state revenues is based on an economic theory and a set of numbers that may not hold up under closer examination.

County starts process for lawsuit against Senate
Capitol Media Services
Maricopa County is taking the first steps to what could be a lawsuit against the Senate.

State health leader says statements from State Sen. Borrelli, others aren't helping
Capitol Media Services
The state's top health official said Friday that statements by elected lawmakers, including Lake Havasu City State Senator Sonny Borrelli, doubting the need for and safety of the COVID-19 vaccine are hampering efforts to get more Arizonans inoculated.

Unprecedented saguaro 'side blooms' could be a bad sign
Arizona Daily Star
Experts are tracking an unprecedented outbreak of blooms in strange locations on saguaros across Southern Arizona.

GOP Reps. Gaetz, Greene Praise Arizona Election Audit at Mesa Rally
Phoenix New Times
Representatives Matt Gaetz and Marjorie Taylor Greene, two of America's most controversial Republican politicians, headlined a GOP rally in Mesa on Friday night where they spewed insults, railed against moderate Republicans, and praised Arizona's so-called election audit.

They tried to overturn the 2020 election. Now they want to run the next one.
Politico
Trump supporters who back his claim that the 2020 vote was rigged are running to become the top election officials in key states.

Republicans Move to Limit a Grass-Roots Tradition of Direct Democracy
New York Times
Through ballot initiatives, voters in red states have defied legislators' wishes and produced liberal outcomes in recent years. Republicans want to make the practice harder, or even eliminate it.

Republicans must stop planting seeds of doubt
The Hill (Opinion, Donna Brazile)
If you don't like the results of an election, the smart response is to focus on winning the next one, not on overturning the election you just lost.

What Martin Luther King Jr. would tell Gov. Doug Ducey about the election audit
Arizona Republic (Opinion, EJ Montini)
Among other things, he'd say, 'Our lives begin to end the day we become silent about things that matter.'

School choice in Arizona has helped students. Why isn't it doing more for teachers?
Arizona Republic (Opinion, Robert Robb)
School choice competition has raised test scores. But it has not yet improved Arizona teachers' pay or working conditions. Why is that?

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Biden will no longer detain migrants at two county jails. That's good but not enough
Arizona Republic (Opinion, Elvia Diaz)
Abuse claims aren't limited to two facilities in Massachusetts and Georgia. The feds should review all outside immigration enforcement contracts.

Absolutely, critical race theory should be taught in Arizona schools
Arizona Republic (Opinion, Greg Moore)
Just because critical race theory makes certain white people uncomfortable doesn't mean it's not valid.

I proudly cut taxes as Arizona's governor. But I'm against Ducey's flat-tax plan now
Arizona Republic (Op-ed, Jan Brewer)
History has taught me that it would be imprudent to base a large, permanent tax cut on a snapshot forecast artificially bolstered by federal largesse.

5 reasons why in-state tuition for 'Dreamers' benefits everyone in Arizona
Arizona Republic (Op-ed, Paul Boyer and Reyna Montoya)
Graduations are filled with joy, accomplishment and possibilities. As many families in Arizona celebrate this momentous milestone, conversely, 2,000 Arizona graduates have uncertainty about their future on this day.

Refugees with Temporary Protected Status also deserve a chance to be citizens
Arizona Republic (Op-ed, Teresa López)
Refugees from countries ravaged by war, natural disaster or other perilous conditions are crucial to our pandemic recovery.

PRESS RELEASES

Tribal-State Gaming Compact Amendment Now In Effect

PHOENIX — The U.S. Department of Interior has given its approval to the amended tribal-state gaming compact, finalizing an agreement to modernize gaming in Arizona that was signed in April by Governor Doug Ducey and the state's tribal leaders.
"Gaming creates thousands of jobs for Arizonans, it generates tax revenue that benefits key areas of our communities, and it draws visitors to our state," said Governor Ducey. "The tribal-state gaming compact amendment, along with its associated legislation, was the culmination of a multi-year process and I was proud to work with all the stakeholders on this historic accomplishment. The tribal-state gaming compact and its associated legislation now is officially in effect — thank you to everyone who worked to make this happen!"
On April 15, Governor Ducey joined state lawmakers and tribal leaders to sign House Bill 2772, sponsored by Representative Jeff Weninger, and the amended tribal-state gaming compact. The legislation is part of a compromise that was negotiated in the amended gaming compact, which underwent the most significant modernization in almost two decades.
The compact amendment and the associated legislation took more than five years to negotiate, and it ensures gaming in Arizona remains limited and regulated while providing certainty for the future of the state and tribes.
The April signing took place at the Heard Museum in Phoenix and was attended by Representative Weninger; Senator T.J. Shope, who sponsored mirror legislation; Gila River Indian Community Governor Stephen Roe Lewis and Hualapai Tribe Chairman Damon Clarke, who were instrumental in tribal and state efforts to amend the compact; representatives from Tribal nations; and numerous state lawmakers.
Additional details on the modernized gaming compact can be found HERE.

Release: Today, the Arizona Democratic Party Held its 2021 Spring State Committee Meeting

PHOENIX – Today, the Arizona Democratic Party held its 2021 Spring State Committee Meeting. Arizonans heard from Democratic leaders including ADP Chair Raquel Terán, Senate Minority Leader Rebecca Ríos, and House Minority Leader Reginald Bolding with recorded guest appearances from national figures including Stacey Abrams, and DNC Chair Jaime Harrison.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000071
ARZN_REV00060313_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The ADP's State Committee Members voted to approve three proposed resolutions submitted by the ADP's Resolutions Committee.
The resolutions are as follows:

- Resolution in Support of the For the People Act and the John Lewis Voting Rights Act
- Resolution in Support of the PRO Act
- Resolution on Ending the Filibuster

The following quote can be attributed to Charlie Fisher, Executive Director of the ADP.
"When President Joe Biden took office, he promised Arizonans that he would help us build back better. Through the historic $1.9 trillion American Rescue Plan, President Biden and our Democratic leaders in Congress are delivering. Arizona Democrats are ready to hit the ground running in 2022 with once-in-a-generation policies like the American Rescue Plan showing how Democrats are delivering for Arizona families. When Democrats lead, Arizonans prosper."

Arizona Democratic Party Passes End the Filibuster Resolution

The resolution passed with overwhelming support from various factions of the party and support from members of the Arizona Coalition to End the Filibuster.
PHOENIX, Arizona – On Saturday, the Arizona Democratic Party passed an End the Filibuster resolution titled, "**We Call For An End To The Filibuster**", with overwhelming support of elected State Committee Members. The resolution passed with 91% support. The resolution had a diverse group of over 80 co-signers within the party and officially made ending the filibuster a part of the Arizona Democratic Party's platform.
As public support and pressure continues to build momentum in the fight to end the filibuster, the resolution specifically calls on Senator Krysten Sinema and Mark Kelly to support the comprehensive passage of President Biden's Build Back Better agenda and the Arizona Democratic Party platform by publicly declaring their support for ending the Senate Filibuster and voting to eliminate it from the Senate rules.
"Time and time again, Republicans have shown our country that they will refuse to allow a vote on vital legislation Arizonans and families need," **said Steven Slugoki, former Chair of the Maricopa County Democratic Party and member of the AZ Coalition to End the Filibuster**. That is why as a diverse coalition of Democratic State Committee members, caucuses and legislative districts across Arizona, we have come together to officially make our party's stance to end the filibuster clear."
"Our communities are still reeling from a mismanaged pandemic and an economy that is still finding its footing," **said Paul Stapleton Smith, DNC Committee member and member of the AZ Coalition to End the Filibuster**. "With the 2022 election cycle already looming, lack of action on our part will have catesprohic consequences. The majority was elected to govern, and we must ensure it does so—the days of blaming the filibuster for inaction are over."
Today's resolution follows rallies earlier this week in Flagstaff, Phoenix, and Tucson and is a significant win for the Arizona Coalition to End the Filibuster movement that has been growing over the last few months. Currently, vital legislation, like the PRO Act, For the People Act, Equality Act immigration reform, climate justice and gun violence prevention bills have passed the U.S. House of Representatives or have been proposed by the White House and are now stalled in the U.S. Senate due to a 60 vote threshold needed for passage.

Ducey, Brnovich Refuse To Denounce Partisan Election Audit

Former Governor Jan Brewer, Other Republican Officeholders Urge Auditors to "Call It Quits"
PHOENIX — Governor Doug Ducey and Attorney General Mark Brnovich are refusing to criticize the partisan elections audit conducted by the State Senate, while a number of current and former Republican officeholders are calling for an end to the audit.
Former Republican Governor Jan Brewer joined the ranks of Republican Arizona officeholders and former officeholders, saying that the Republicans in charge of the process should "call it quits."
According to The Hill:
"In the latest salvo, the Maricopa County Board of Supervisors urged Senate President Karen Fann (R) to end the recount after what they termed 'false' and 'defamatory' statements.
"The Republican Senate majority last week accused the county of deleting a directory of computer files. Trump cited the accusation twice in statements from his political action committee. The Florida-based firm overseeing the audit, Cyber Ninjas, is led by a businessman who spread Trump's election lies after November.
"Auditors later walked back that accusation after the Board of Supervisors issued a blistering letter illustrating exactly where the files were, and accusing the Senate of 'a serious lack of understanding of election law.'

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"'We express our united view that your 'audit,' no matter what your intentions were in the beginning, has become a spectacle that is harming all of us. Our state has become a laughingstock. Worse, this 'audit' is encouraging our citizens to distrust elections, which weakens our democratic republic,' the supervisors wrote."
"Doug Ducey and Mark Brnovich have boasted about Arizona's election system in the past, but now they refuse to stop a partisan audit designed to undermine Arizonans' faith in our elections," said **Niles Harris, executive director of Advancing AZ**. "Ducey and Brnovich need to join their fellow Republican leaders and call for an end to this embarrassment of an audit."

LULAC TO HOLD NATIONAL VIGIL IN ARIZONA TUESDAY FOR SAVE OUR SERVICEMEMBERS CAMPAIGN START

Nation's Oldest and Largest Latino Civil Rights Organization Says Event Highlights Push for The Brandon Act and Other Protections

Save Our Servicemembers Vigil
Tuesday, May 25, 2021
6:30 p.m. to 8:00 p.m.
Rio Vista Community Park
8866 West Thunderbird Road
Peoria, Arizona 85381
More information is available at https://www.thebrandonact.org/or https://m.facebook.com/thebrandonact/

Speakers Include:
U.S. Senator Mark Kelly
U.S. Representative Ruben Gallego
Patrick ant Teri Caserta – Brandon's Parents

Background

The League of United Latin American Citizens (LULAC) is marking the start of a month-long campaign to help protect Latino servicemembers who are being targeted by others within their ranks. The goal is to build national support for The Brandon Act, to help men and women in uniform experiencing a mental health crisis. Often, this is because of attacks by others in their units and the victims' fear that speaking out will lead to retaliation. LULAC wants to highlight the importance of safety in the military ranks through a comprehensive Save Our Servicemembers (SOS) Campaign on legislation introduced this year all for the sake of protection and prevention of America's troops. Several important initiatives are underway including:

- Veterans Deportation and Prevention Act (Rep. Mark Takano, D-CA)
- Brandon Act (Rep. Seth Moulton, D-MA)
- Military Justice Improvement Act (Sen. Kirsten Gillibrand, D-NY)
- I Am Vanessa Guillen Act (Rep. Jackie Speier, D-CA)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000073
ARZN_REV00060313_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Your neighbor Senator TJ Shope is allowing fascist medical tyranny to take hold in Arizona."

- ***A flier protesters dropped at Shope's house after protesting his family business over his opposition to banning vaccine passports***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000074

ARZN_REV00060313_5-24-21.pdf

From: Lela Alston </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FF6A506C742141A9A90CF35D134BB0CE-LELA ALSTON>

Sent: Tuesday, June 8, 2021 5:27:05 PM

To: Melissa Valdez </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Melissa Valdez>;Briana Romero </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=72c31987aa5c4818a7ded58cb22ee541-Briana Rome>;Kathy Dominguez </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=be982c8474284134b7dcfec7542f22f5-Kathy Domin>;drceloza@gmail.com;David Bradley <dave@kinoconsult.com>;dkennedy@aarp.org;Schultz, Angela (Sinema) <Angela_Schultz@sinema.senate.gov>;Chris Wertheim (chriswertheim49@gmail.com) <chriswertheim49@gmail.com>;barb2022@gmail.com;kelley.karnes@gmail.com;Lela Alston (lalston2@msn.com) <lalston2@msn.com>;'Ken Clark' <kenclark@azleg.gov>;John Glenn (johnglennphx@gmail.com) <johnglennphx@gmail.com>;Bruce Wheeler <BWheeler@azleg.gov>;Eric Meyer (emeyer8@gmail.com) <emeyer8@gmail.com>;Debbie McCune Davis <dmdavis2001@aol.com>

Subject: FW: In Tuesday's Yellow Sheet

Attachments: 6-8-21-1.pdf

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Tuesday, June 8, 2021 4:56 PM
To: .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>; .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>
Subject: Fw: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet *June 8, 2021*

TELEGRAPH FIRE RAZES DOWN BOWERS' SECOND HOME

The Telegraph fire destroyed Bowers' longtime family home, which was not his primary residence, House GOP spokesman Andrew Wilder told our reporter. Wilder said the home was located southwest of Globe-Miami, underneath Madera Peak.

BOWERS' GONNA BOWERS, COOK'S GONNA COOK

The responses from Cook and Bowers to the wildfires – which set the latter's second home ablaze while the former's home remains under threat – is a study in contrast, according to Capitol railbirds.

AMERICAN OVERSIGHT

SUPERIOR MAYOR: TAX CUT PLAN DOESN'T HELP, DOUG

Ducey called Superior Mayor Mila Besich this morning to express support for the town and promised to assist in whatever way his office could in fighting the Telegraph fire, Besich told our reporter today.

ARIZONA INCHES CLOSER TO GOVERNMENT SHUTDOWN

The big question in everybody's mind is what happens when the House and Senate reconvene on Thursday, and the prevailing sentiment at the Capitol is that without major concessions, the Legislature will remain at an impasse over the budget.

FINSHEVIKS FIGHT BOLSHEVIKS

Finchem said the defamation lawsuits are still coming for House and Senate Dems who signed onto the January letter to the FBI director and acting AG, and asked his supporters to help foot the bill.

THE AUDIT TOURISTS HAVE ARRIVED

Alaska State Rep. David Eastman joined the Georgia delegation that toured the Arizona audit today, and more out-of-state visitors are expected every day this week, former AZ GOP Chair and audit media contact Randy Pullen told today's pool reporter.

GOP ANALYST HOPES TO SAVE PARTY FROM ITSELF

In a letter to Fann, Republican analyst Benny White said he wants to publicly demonstrate the validity of the 2020 election results or at least show that the Cast Vote Record is not corrupted.

PANELISTS SEE ACUTE SHORTAGE IN HEALTHCARE WORKERS

From seeing more untreated chronic health conditions to navigating health care worker burnout, Arizona panelists for today's Arizona Capitol Times Morning Scoop discussed the future of healthcare in Arizona and its current challenges.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC

1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

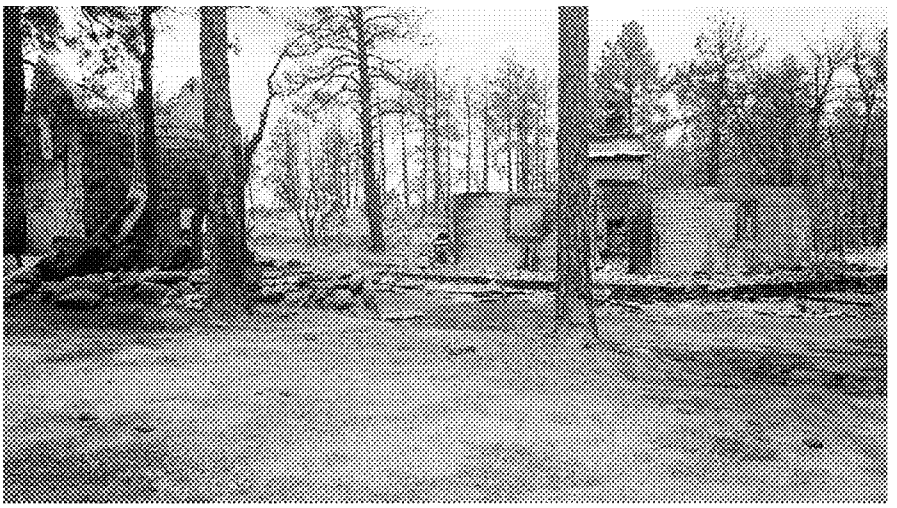
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, June 08, 2021

·NEWS NOTES AND GOSSIP·

TELEGRAPH FIRE RAZES DOWN BOWERS' SECOND HOME



The Telegraph fire destroyed Bowers' longtime family home, which was not his primary residence, House GOP spokesman Andrew Wilder told our reporter. Wilder said the home was located southwest of Globe-Miami, underneath Madera Peak. "Speaker Bowers' thoughts are with all Arizonans and communities facing fire dangers this and every season," Wilder said. "He is focused on ensuring that the state has all the funding and resources needed for fire suppression and community support in the upcoming fiscal year budget." The fire is also very close to Cook's ranch in Globe – his family was told to evacuate while he was on the House floor Monday morning voting against his party's tax bills, and, immediately after the votes, he left to protect his property from the flames. Cook has been busy ever since and is still in the center of things – firefighting airplanes were flying overhead as he spoke to our reporter Tuesday afternoon, and he shared several photos of clouds of smoke very close to his property. Cook said his neighbors have all evacuated and he assisted them with moving their animals and other property. He said his animals are still at the ranch and he doesn't think he needs to move them.

BOWERS' GONNA BOWERS, COOK'S GONNA COOK

The responses from Cook and Bowers to the wildfires – which set the latter's second home ablaze while the former's home remains under threat – is a study in contrast, according to Capitol railbirds. "It's literally a struggle to equate the two, but the notion that the cost of public service is so high is a legitimate one," one source said, noting that, sometimes, as in this case, it means conducting state business while one's property is getting destroyed. "One takes to Twitter. The other takes to the floor. That's what the Capitol community takes away from this," the source said, adding, "It's a harsh reality. But sometimes, being the lone individual doing something on the floor is often confused with leadership, and in this case, it's simply not that." Another source said the "gulf of maturity" between Bowers and Cook manifests itself everyday "in the way they comport themselves." "Rusty is solicitous, respectful, humble," the source said, adding the two legislators exhibit two divergent legislative styles. "[Rusty's style] weathers the tests of time, and it serves the state well. Anybody working in the state government is blessed to be able to work with people like Rusty, whether you agree with them or not," the source said.

SUPERIOR MAYOR: TAX CUT PLAN DOESN'T HELP, DOUG

Ducey called Superior Mayor Mila Besich this morning to express support for the town and promised to assist in whatever way his office could in fighting the Telegraph fire, Besich told our reporter today. Besich added that she also took the opportunity to tell Ducey that the flat tax proposal will not help her town or the

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000078

ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

region. "Our economy's been kicked in the teeth. The region is just barely starting to recoup from the Great Recession, and now our built assets for recreation are being destroyed," she said. "The tax cut proposal puts more stress on that," she said. Her worry isn't only fighting the fire now – but also dealing with an aging infrastructure susceptible to flooding after the fire. Besich wondered whether the state would have enough financial resources to rebuild if it passes a tax cut that significantly reduces state revenue. She said she also told Ducey that local, state and federal partners need to seriously talk about the Tonto National Forest, and the fact that so many fires had devastated the region. Currently, the priority is protecting lives and the communities on the path of the fire, she said, thanking the firefighters and responders who are battling it. Eventually, she said, her region will need a lot of financial help to get back up on the road to recovery.

ARIZONA INCHES CLOSER TO GOVERNMENT SHUTDOWN

The big question in everybody's mind is what happens when the House and Senate reconvene on Thursday, and the prevailing sentiment at the Capitol is that without major concessions, the Legislature will remain at an impasse over the budget. Not all work is foreclosed to legislators. Bowie expects the Senate to try and revive the 22 vetoed bills, though he's unsure whether that will come in the form of a veto override, strikers or late introductions. During his five years in the Senate, Bowie hasn't seen a veto override vote. Instead, he noted, lawmakers responded to events like Ducey's 2018 veto of 10 bills – meant to send a message to Mesnard about Red for Ed – by reintroducing measures as strikers. Some of the vetoed bills passed both chambers with widespread support and could easily get the votes needed for an override, but others were partisan measures that would only pass again if reintroduced as new bills or strikers. The House already reintroduced all 22 as new bills, meaning the three-day rule will apply, though a simple majority could bypass committees and bring the bills to the floor.

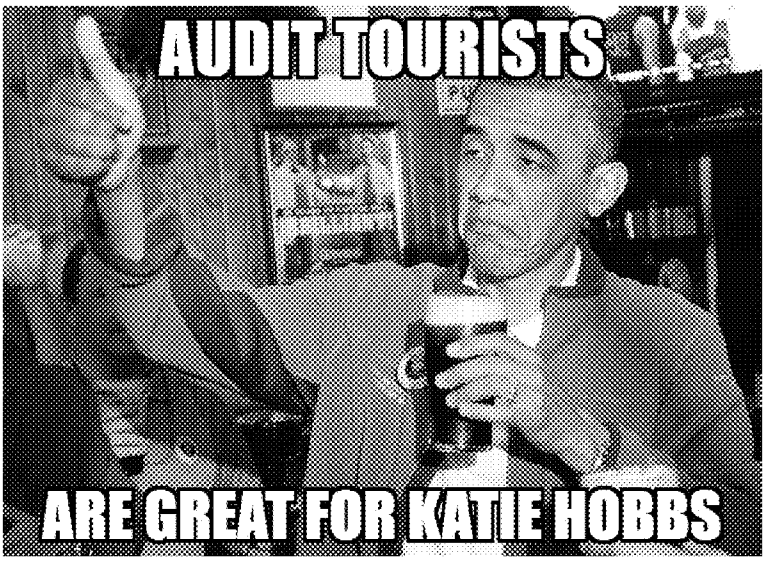
FINSHEVIKS FIGHT BOLSHEVIKS

Finchem said the defamation lawsuits are still coming for House and Senate Dems who signed onto the January letter to the FBI director and acting AG, and asked his supporters to help foot the bill. The January letter, signed by the House and Senate Democratic caucuses, asked the feds to help determine the roles that Finchem, Kern, Biggs and Gosar played in the Jan 6 riot (LINK). In a recent Telegram post, Finchem directed subscribers to his nonprofit, Guardian Defense Fund, to "help us pay for the legal representation we need to fight the bolsheviks who want to take us out." Finchem, Kern and Gosar are already suing Fernandez in Yuma County Superior Court (YS, 5/19). Fernandez's lawyer has waived service of a summons and will have 60 days after *sine die* to respond to the complaint, which was amended last month to add Gosar as a plaintiff. "The moment the current session of the Arizona Legislature ends we will begin the courtroom phase process of suing every single one of those who signed on the letter accusing us of treason, just because we represented your civil rights in D.C.," Finchem's post read.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000079
ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE AUDIT TOURISTS HAVE ARRIVED



Alaska State Rep. David Eastman joined the Georgia delegation that toured the Arizona audit today, and more out-of-state visitors are expected every day this week, former AZ GOP Chair and audit media contact Randy Pullen told today's pool reporter. Pullen said other audit tourists this week may come from Wisconsin and Virginia. Staff from the Nevada Republican Party also toured yesterday, *KJZZ's* Ben Giles reported (LINK). Last week, three Pennsylvania state Republican lawmakers visited (YS, 6/1). Pullen said the touring legislators wanted to see what Arizona is doing so "if an audit comes up later, they'll have some understanding of how it's supposed to operate."

GOP ANALYST HOPES TO SAVE PARTY FROM ITSELF

In a letter to Fann, Republican analyst Benny White said he wants to publicly demonstrate the validity of the 2020 election results or at least show that the Cast Vote Record is not corrupted. The letter, flagged by *ABC15's* Garrett Archer (LINK), is co-written by retired CEO and founder of Clear Ballot Group Larry Moore and retired CTO Tim Halvorsen. White, who lost to Democrat Gabriella Cázares-Kelly in the 2020 Pima County Recorder race, has been involved in elections procedures for 14 years as the Pima County Republican Party representative for overseeing elections and has served on the Election Procedures Manual Revision Committee. White wrote that he, Moore and Halvorsen had spent the past several weeks reviewing the Cast Vote Record and had come to three conclusions: that the record is complete and accurate, that Trump lost Maricopa County because "disaffected Republican supportive voters" didn't vote for him and that this disaffection was "widespread across all precincts" in the county. Now he wants to prove it. He asked Fann to pick an unopened box of ballots, then he said he'd create a count for all the candidates in all the races on the ballots. Then, the Arizona Senate auditors would report their hand count of those ballots, and everyone would publicly compare the results and find the discrepancies. "Our objective here is to show that there was and continues to be sufficient official public record information available to assure the public that our elections are conducted legally and fairly," he wrote, adding that the Senate's audit is unnecessary because it "creates voter confusion and delays the finality of the election."

PANELISTS SEE ACUTE SHORTAGE IN HEALTHCARE WORKERS

From seeing more untreated chronic health conditions to navigating health care worker burnout, Arizona panelists for today's *Arizona Capitol Times* Morning Scoop discussed the future of healthcare in Arizona and its current challenges. Panelists said more people are coming back to doctors offices and hospitals, but some present more severe issues, notably those that have put off a doctor's visit during the pandemic. "What we're seeing is a high number of patients with more chronic illness. It's totally out of control, and we're trying to manage those cases where continuity of care was lost during that time," said former legislator Amanda Aguirre, President & CEO of Regional Center for Border Health, Inc. Covid numbers have dropped, and panelists see that play out at work. Most of the people who are hospitalized due to Covid-19 aren't vaccinated, Havasu Regional Medical Center CEO Mike Patterson said. But while those numbers are down, panelists said the burnout from the past 15 months has caused staffing shortages.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000080
ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"There's a lot of burnout happening, and it's getting more and more competitive to really retain and recruit staff," Valle del Sol CEO Carmen Heredia said. Beyond recruiting staff, health care providers are still grappling with how to bridge gaps in care that existed before the pandemic. Shah said people approach the healthcare system in terms of four metrics: cost, quality, access and choice. He said the U.S. does a good job with choice and generally does well with care, as well, but access and cost can still be major barriers. While panelists said the increase in Medicaid reimbursement last year and Medicaid expansion in general have helped close some gaps, others remain. "The biggest barrier in my mind is definitely insurance and coverage and gaps within that," Heredia said. "You have a population of people that are eligible to receive Medicaid. Then you have people that are eligible, but maybe make too much money and then can't afford their premiums." She said other barriers can include language and transportation, especially in rural areas. The recently released 2020 Center for the Future of Arizona Gallup Survey says that Arizonans are largely on the same page when it comes to prioritizing access to affordable mental health services and guaranteeing affordable health care and insurance for those with pre-existing conditions (LINK). The Center sponsored the Morning Scoop.

·WAKE UP CALL·

House flounders bid to pass tax bills
Arizona Capitol Times
The tax cuts that are the centerpiece of next year's proposed budget failed in the House Monday when one Republican joined the Democrats to shoot them down.

Central Arizona wildfires continue to spread out of control
Florence Reminder-Blade Tribune
Two wildfires fueled by dry weather were spreading in south-central Arizona on Tuesday, forcing evacuations.

Rep. David Cook told to evacuate his home during budget vote
Casa Grande Dispatch
In the midst of casting the deciding vote against a massive tax cut for wealthy Arizonans that doomed a Republican-led budget proposal Monday, Rep. David Cook got word that his family had been ordered to evacuate their home in Globe due to the approaching Telegraph Fire.

Mohave County Board of Supervisors OK tax credit for gas-processing plant
Today's News-Herald
Some people say everything's bigger in Texas – and one Texas energy company has some big plans for the Kingman area.

How OAN Works Hand in Glove With Arizona Republicans on the Election Audit
Phoenix New Times
Republican Senate President Karen Fann seems to actually believe that One America News Network (OAN), a blatantly pro-Trump media outlet that promotes wild conspiracy theories, is a legitimate news source.

Rejecting Biden's Win, Rising Republicans Attack Legitimacy of Elections
New York Times
The next generation of aspiring G.O.P. congressional leaders has aggressively pushed Donald Trump's false fraud claims, raising the prospect that the results of elections will continue to be challenged through 2024.

As organized religion declines, is conspiracy the new religion of Republicans?
The Hill (Opinion, Jessica Tarlov and Jeff Le)
As politically active Democrats, we're familiar with the Republican playbook when it comes to religion.

Did Katie Hobbs catch a bad case of the Doug Duceys?
Arizona Republic (Opinion, EJ Montini)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000081
ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Democrat Hobbs, a fierce supporter of voters' rights, seems reluctant to call out Democratic Sen. Kyrsten Sinema by name for her progress-blocking filibuster position.

Rep. David Cook sets fire to Ducey's tax cuts (and that's a good thing)

Arizona Republic (Opinion, Laurie Roberts)

A round of applause for Rep. David Cook, R-Globe, for standing tough against the largest tax cut in state history.

Why would VP Kamala Harris stop at the border? It's just a meaningless photo-op

Arizona Republic (Opinion, Elvia Diaz)

Immigration hardliners are blasting Kamala Harris' trip to Guatemala and Mexico, but at least she's trying to address the root of our border problem.

I watched Don Harding's execution in an Arizona gas chamber. His face still haunts me

Arizona Republic (Op-ed, Jim Belanger)

I will never forget the look on his face when he turned to me shortly after inhaling the fumes. It's an image of atrocity that will haunt me for the rest of my life.

·PRESS RELEASES·

Sinema, Kelly, Kirkpatrick, O'Halleran, Stanton, Gallego: Protect Arizona's A-10 Aircraft

WASHINGTON – Arizona Senators Kyrsten Sinema and Mark Kelly, along with Arizona Representatives Ann Kirkpatrick (AZ-02), Tom O'Halleran (AZ-01), Greg Stanton (AZ-09), and Ruben Gallego (AZ-07), wrote to President Biden expressing their concern with his plan to retire the A-10 aircraft housed at Arizona's Davis Monthan Air Force Base, and urging him to protect the aircraft.

"We are writing to express grave concern with your administration's plans to retire a vital national security asset, the A-10 Thunderbolt II, also known as the 'Warthog.'… While we support the Administration's modernization goals, we cannot support the premature retirement of one of our most vital military assets, which could in turn put the lives of service members at unnecessary risk. The A-10 has proven its usefulness in combat time and time again, and we look forward to working with you to ensure this vital national security platform remains part of our arsenal," wrote Sinema, Kelly, Kirkpatrick, O'Halleran, Stanton, and Gallego.

To read the full letter click HERE.

President Biden recently released his fiscal year 2022 budget which calls for the partial retirement of the A-10. Earlier this month, the Arizona delegation wrote a bipartisan letter to Acting Secretary of the Air Force John Roth expressing continued support for the A-10 Warthog and calling on the Air Force to answer questions about their failure to complete congressionally directed upgrades and re-winging of the aircraft and other assessments of the Air Force's close air support capabilities.

###

Mayor Romero Remarks in Response to Suspension of Operations at TARP Treatment Facility due to Elevated PFAS Levels

Mayor Romero made the following remarks at a press conference this morning following Tucson Water announced a temporary, indefinite shutdown of the Tucson Airport Remediation Project water treatment facility (TARP) on June 21, 2021 because of the increasing levels of per- and polyfluoroalkyl substances (PFAS) in the groundwater wells serving the plant.

A fact sheet with more information is attached. You can view the entire press conference here.

"I want to thank the professionals at Tucson Water for their work.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000082

ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

I also want to thank Director Cabrera and ADEQ for their investments and technical assistance in helping us manage the PFAS issue in Tucson.

When it comes to the safety of Arizona's groundwater, ADEQ has been a strong partner for Tucson.

I want to begin by acknowledging the long and painful history of water contamination that several generations of Tucsonans have endured through no fault of their own.

This started with the discovery of TCE and 1,4 dioxane that has affected southside communities for the last several decades, and continues to impact Tucson families to this day.

Today, we are joined by Tucsonans who have seen this impact directly through family members who live with chronic health conditions, birth defects, and many who have lost their lives due to various forms of cancer.

I want to thank them for joining us today, and for dedicating countless hours of their time to address this issue and provide necessary oversight.

Since the discovery of TCE, City of Tucson taxpayers have stepped up and shouldered the financial burden of supporting treatment facilities through our General Fund.

We stepped up then, not knowing whether we would be re-imbursed by the federal government. Decades later, we have stepped up once again with the treatment of PFAS contamination.

We have stepped up because our top priority is ensuring all city residents and Tucson Water customers have access to safe, clean drinking water.

However, I want to be clear: City of Tucson taxpayers are not responsible for PFAS contamination and should not be left with the tab.

Unfortunately, we have hit a critical moment where we can no longer confidently deliver safe drinking water from TARP due to elevated PFAS levels in the water entering the facility prior to treatment.

When it comes to our drinking water – our most precious resource here in the Sonoran Desert – quality and safety come first, which is why we are taking this proactive step out of an abundance of precaution.

We also must recognize that groundwater contamination and climate change are a one-two punch against our water supplies.

The longer we wait to contain the spread of PFAS contaminants, the less groundwater we have available to serve our families and businesses.

It is unfortunate that we are forced to increase our reliance on Central Arizona Project (CAP) water from the Colorado River at a time when our climate is getting hotter and our desert is getting drier.

Both this decision today and the imminent Tier 1 shortage on the Colorado River will not affect our ability to meet the community's water needs.

Tucson Water's supplies are resilient, due to an ethic of conservation by Mayor & Council, and effective resource management by Tucson Water.

But we cannot let our guard down now and risk our long-term water security. The present situation highlights the urgent need for federal support of large-scale PFAS cleanup efforts.

I want to personally thank Tucson's Congressional Delegation: Senator Sinema, Senator Kelly, Congressman Grijalva, Congresswoman Kirkpatrick, and Congressman O'Halleran.

Each have been immensely supportive of securing clean-up funds in Washington D.C., and we join them in urging both the House and the Senate to take action.

The need for remediation is now. And the need for climate action is now. Time is of the essence in order to contain PFAS contaminants and safeguard our long-term water supply.

Tucson did not cause the pollution, but we are being left to deal with it. That is not fair."

###

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000083

ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senators Kelly, Sinema and Reps. Kirkpatrick, Gallego, O'Halleran and Stanton Express "Grave Concern" to President Biden Over Budget Proposal to Retire the A-10 "Warthog"

Today, Arizona Senators Mark Kelly and Kyrsten Sinema, alongside Rep. Kirkpatrick (AZ-02), Rep. Gallego (AZ-07), Rep. O'Halleran (AZ-01), and Rep. Stanton (AZ-09) wrote to President Biden expressing serious concerns with the Administration's budget plans to retire a vital national security asset, the A-10 Thunderbolt II, also known as the "Warthog."

In their letter, the lawmakers wrote:

"We are writing to express grave concern with your administration's plans to retire a vital national security asset, the A-10 Thunderbolt II, also known as the 'Warthog.'

"... While we support the Administration's modernization goals, we cannot support the premature retirement of one of our most vital military assets, which could in turn put the lives of service members at unnecessary risk. The A-10 has proven its usefulness in combat time and time again, and we look forward to working with you to ensure this vital national security platform remains part of our arsenal."

The Arizona lawmakers have remained focused on the protection of the aircraft for years, citing its unparalleled role in close air support missions. Immediately following the release of the President's budget a bipartisan group of Arizona's delegation spoke out against the proposed cuts to the A-10. Last December, Senators Kelly and Sinema voted to pass the bipartisan defense bill that included provisions to protect the A-10. In April, Senators Kelly and Sinema, along with Rep. Kirkpatrick, led the introduction of the bipartisan A-10 Resolution in the House and Senate. Shortly after, the lawmakers sent a letter urging Acting Secretary John Roth to continue supporting the A-10 program. Senator Kelly continues working with Republicans and Democrats to ensure the A-10 continues flying and serving U.S. troops.

For the full text of the letter, click here.

###

Reps. Grijalva, Schakowsky, and Slotkin Reintroduce SSI Restoration Act to Make Urgently Needed Updates to Help Seniors and Disabled Individuals

WASHINGTON— Today, Reps. Raúl M. Grijalva (D-AZ), Jan Schakowsky (D-IL), and Elissa Slotkin (D-MI) reintroduced the *Supplemental Security Income (SSI) Restoration Act.* Over 8 million Americans, all of them over the age of 65 or with significant disabilities, rely on SSI benefits to meet their basic needs. Currently, SSI benefits provide an average income that is below the poverty line. With the program being largely unchanged since its inception in 1972, the *SSI Restoration Act* makes critical updates to keep beneficiaries out of poverty. The bill modernizes and improves SSI by streamlining and simplifying the claiming process, expanding the resources and income limits, setting the minimum benefit at 100 percent of the Federal Poverty Level, and eliminating punitive reductions in benefits.

"SSI has long been a last resort and a critical safety net for keeping seniors and those with disabilities from falling into poverty," **said Rep. Grijalva.** "It's ridiculous that for almost fifty years, we have largely failed to make basic updates to ensure the program does what it was intended to do – meet basic needs for blind, disabled, and aged people who will otherwise go without. The last year has been especially harsh on these vulnerable populations, and it is time that Congress step up to make these modest but necessary updates to the program."

"Supplemental Security Income is an economic lifeline for over eight million seniors, people with disabilities, and families who rely on the program to survive. Unfortunately, the income requirements and benefit amounts are operating as if it were still 1972. The financial requirements are so stiff that a growing

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000084

ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

number of seniors on SSI are homeless. This is unacceptable and even more disturbing when you consider that more than three out of five older adults who rely on SSI are women," **said Rep. Schakowsky.** "As we work to end the COVID-19 pandemic, updating the SSI program is even more essential. The time is now!"

"I've met with families across my district who depend on SSI to meet their most basic needs," **said Rep. Slotkin.** "For all the benefits this program has provided, it's been largely unchanged since its inception in 1972, so the hurdles and restrictions to accessing these benefits are often outdated and burdensome. The SSI Restoration Act is a common-sense approach to help families support independent living of individuals with disabilities and to better enable individuals with disabilities to be independent and work without fear of losing benefits."

The bill is endorsed by over 85 organizations, including AARP, AFL-CIO, AFSCME Retirees, American Association of People with Disabilities, American Society on Aging, Center for Independent Living, Easterseals, Justice in Aging, Medicare Rights Center, Mental Health America, National Alliance on Mental Illness, National Association of Area Agencies on Aging, National Committee to Preserve Social Security & Medicare, National Council on Aging, National Organization of Social Security Claimants' Representatives, National Women's Law Center, Paralyzed Veterans of America, SEIU, Social Security Works, Strengthen Social Security Coalition, The Arc, The Special Needs Alliance, Youth Law Center and more.

"Justice in Aging is proud to support the Supplemental Security Income Restoration Act of 2021," **said Justice in Aging Director of Economic Security Tracey Gronniger.** "This bill provides desperately needed updates to the SSI program, which millions of extremely low-income older adults and people with disabilities rely on to pay for food, shelter, and other necessities. The SSI Restoration Act fixes rules and restrictions in the SSI program that have not been changed for over 40 years, and seeks to ensure that eligible people in need are better able to access the program and get vital assistance to avoid living in in poverty.

"Social Security Works applauds Representative Grijalva and his cosponsors for the profoundly wise SSI Restoration Act of 2021," **said Social Security Works President Nancy J. Altman.** "Thanks to Representative Grijalva's effective, compassionate leadership, we stand on the brink of history, when the long overdue SSI improvements he champions can finally become law. When that happens, the lives of millions of Americans will be vastly improved."

Senator Sherrod Brown will introduce companion legislation in the U.S. Senate.

Last month, Members of Congress, advocates, and supporters of SSI benefits gathered in a virtual event making the case for strengthened SSI benefits to be a component of the future economic recovery package. Click here to watch a recording of the event.

###

Sens. Kelly, Murkowski, Portman, Warren, Tester Introduce Legislation to let Children of Servicemembers Stay Until Age 26

65 years after creation of TRICARE, Health Care Fairness for Military Families Act would bring military insurance in line with private plans

Today, Senators Mark Kelly, Lisa Murkowski (R-AK), Rob Portman (R-OH), and Elizabeth Warren (D-MA), and Jon Tester (D-MT) introduced the Health Care Fairness for Military Families Act, bipartisan legislation that would allow young adults to stay on their parent's TRICARE plan until they are 26 without a premium increase – a critical lifeline as our nation works to overcome the COVID-19 pandemic. The foundation for TRICARE was laid 65 years ago this week through passage of the Dependents Medical Care Act. Today, TRICARE is a Department of Defense health insurance program that serves 9.6 million active

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000085

ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

duty and retired servicemembers, and their families. The Health Care Fairness for Military Families Act would bring TRICARE plans in line with private insurance plans.

A companion bill was introduced in the U.S. House of Representatives in January by Rep. Elaine Luria (D-VA-2) and Rep. Michael Waltz (R-FL-6).

"Servicemembers and their families have earned high-quality, affordable health care, and there is no reason that TRICARE shouldn't offer the same benefits as private insurance. Allowing children of servicemembers to stay on their parents' insurance until they're 26 will help countless military families and couldn't be more important as we come out of this pandemic and our economy recovers," **said Senator Mark Kelly.**

"Under current law, most military dependents are only allowed to remain on their parents' insurance policy until age 21, while non-military dependents are afforded the opportunity to remain on insurance until age 26. It isn't right that simply growing up in a military family leaves these young people on unequal ground with their civilian counterparts," **said Senator Murkowski.** "The 21-26 year old population already faces high unemployment rates and now in light of COVID-19, people of all ages are facing additional financial strain. This legislation will allow military dependents to stay on their parent's insurance plan until they are 26 without a premium increase—a critical lifeline as our nation works to overcome the COVID-19 pandemic."

"Service members and their families deserve the same access to health care benefits as civilians," **said Senator Portman.** "This bill would allow for people under the age of 26 to stay on their family's TRICARE plan, just as the ACA allows for in civilian healthcare, saving some military families hundreds of dollars a month in costly premiums."

"All three of my brothers served in the military, and I understand the incredible sacrifices servicemembers and their families make every day to keep our country safe. It is our job to ensure military families have access to good, affordable health care, and that includes the children of servicemembers up to the age of 26," **said Senator Warren**.

"Ensuring our nation's servicemembers and their families have access to the same affordable health care as folks with private insurance is a no-brainer," **said Senator Tester.** "The fact is that children of servicemembers feel the unique impacts of their parents' military careers and need the same access to care as their civilian peers. Our bipartisan bill allows every military child under the age of 26 to continue receiving steady coverage under their parents' plan, enabling these young adults to finish school or start their careers without worrying about what happens if they get sick."

"Today, most young adults either can't afford coverage, or their employer doesn't provide them with coverage. This puts TRICARE beneficiaries at a bigger disadvantage as their age cut off is much earlier. I am thankful to Senator Kelly for introducing this important legislation, which will make a big difference for my family and so many others," **said Rebecca Villalpando, U.S. Navy Veteran and Commissioner of the Arizona Veterans Advisory Commission.**

"While serving in the Army for 22 years, I met many military families and was always impressed by their commitment to service. It would only be fair to support all eligible family members with the extension of TRICARE healthcare benefits up to the age of 26. All servicemembers sacrifice so much in defense of this great country; it makes moral sense to fully support the *Healthcare Fairness for Military Families Act of 2021*," **said Dora Peralta, US Army (Retired MSG), Veterans of Foreign Wars Post 836.**

Under current law, TRICARE dependents can stay on their parents' policy until age 21, unless dependents meet specific requirements that would extend coverage only until age 23 or out of school. The 21-26 year old population has a high unemployment rate, and without this coverage military dependents are left on unequal footing compared to their civilian counterparts, who can stay on a parent's plan until age 26.

Senator Kelly's legislation would bring equity to TRICARE beneficiaries by bringing eligibility for dependents in line with that offered by private insurance plans. Under the Affordable Care Act ACA,

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000086

ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

children up to age 26 can remain on their parents' health insurance plans at no additional out-of-pocket cost to the dependent.

The legislation is supported by the Air Force Sergeants Association; Army Aviation Association of America; Association of Military Surgeons of the United States; Blinded Veterans of America; Commissioned Officers Association of the U.S. Public Health Service, Inc.; Enlisted Association of the National Guard of the United States; Fleet Reserve Association; Gold Star Wives of America; Iraq and Afghanistan Veterans of America (IAVA); Jewish War Veterans of the United States of America; Marine Corps League; Marine Corps Reserve Association; Military Chaplains Association of the United States of America; National Military Family Association; Non Commissioned Officers Association of the USA; Reserve Organization of America; Service Women's Action Network; Tragedy Assistance Program for Survivors; United States Army Warrant Officers Association; USCG Chief Petty Officers Association; Veterans of Foreign Wars; VetsFirst United Spinal Association; and Vietnam Veterans of America.

For the full bill text, click HERE.

###

Maricopa County Wins 56 National Achievement Awards

Over the past year, Maricopa County employees worked tirelessly to connect residents to the information and services that save lives, support families, and strengthen democracy. Now, the nation's fastest-growing county is being recognized with dozens of national awards for designing and implementing programs that made a difference.

Maricopa County received 56 National Achievement Awards this year from the National Association of Counties (NACo) for programs that have a measurable positive impact on the community. NACo says these are programs worth sharing and emulating nationwide. Maricopa County's award-winning programs account for 7% of the state and county programs nationwide that received NACo Achievement Awards in 2021.

"Our employees worked harder than ever over the past year to make a positive impact on our community, especially in the lives of those most affected by the pandemic," said Maricopa County Board of Supervisors Chairman Jack Sellers, District 1. "This recognition from NACo underscores what I have known for years: Maricopa County has some of the finest public servants in the nation, and the leadership and vision to make effective use of those diverse talents."

Nearly a dozen of the county's 56 awards were related to the county's COVID-19 response. These include data dashboards, vaccination efforts for high-risk populations, and distribution of personal protection equipment and other supplies.

Four awards stemmed from election efforts in 2020 and included a GIS map that helped Board members determine where to put voting locations; one-stop-shop websites in both English and Spanish where voters could check their voter registration status, update their information, find polling locations, view their sample ballot, and check to see if their ballot was sent, received and counted; and a Cybersecurity War Room.

The Flood Control District of Maricopa County won a coveted "Best in category" award for its "Water Resources Program" which promotes regional solutions and partnerships to better manage stormwater and mitigation flood risk.

For a complete list of Maricopa County's 2021 NACo award-winning programs, visit the NACo website and search the database for Arizona.

###

Major Infrastructure Bill Includes Key Stanton-Backed Projects for Arizona

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000087

ARZN_REV00060319_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WASHINGTON, D.C.— A new plan to reauthorize national surface transportation funding and infrastructure investment includes funding for several key Arizona projects pushed by Rep. Greg Stanton. The Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act authorizes nearly $547 billion over five years to address some of the nation's most urgent infrastructure needs.

This year, the House Transportation and Infrastructure Committee formally accepted requests for projects from House Members for consideration to be included in the final surface transportation bill text.

Stanton, the only Arizona member on the Transportation and Infrastructure Committee, has made it a top priority to push for short and long-term investments in projects that would benefit the state. Six of the projects Stanton proposed in partnership with state and local government agencies were included in the legislation:

- $4 million for the Tempe/Mesa Streetcar Rio Salado East Extension (Cites of Mesa and Tempe)
- $5 million for the I-10-SR347 Traffic Interchange (Arizona Department of Transportation, Gila River Indian Community, and Maricopa Association of Governments)
- $1.1 million for 77th Street Access Improvements (City of Scottsdale)
- $1.758 million for the Kyrene Branch Canal Shared Use Path (City of Chandler)
- $2.5 million for the Lake Powell Roundabout (City of Page)

"As one of the fastest growing states in the country, Arizona needs its fair share of federal resources to make sure our infrastructure can keep up with our population. I fought to make sure key investments were included in the infrastructure bill that will make a difference in our communities—investments to expand public transit, build and repair roads on tribal lands, and improve road safety. These projects are good for Arizonans and good for our economy," said Stanton.

The bill will be marked up by the Transportation and Infrastructure Committee on Wednesday and Thursday. A fact sheet for the INVEST in America Act is available HERE, a section-by-section is available HERE, and full bill text is available HERE.

"QUOTE OF THE DAY"

"The tax cut proposal puts more stress."

- Superior Mayor Mila Besich, telling Ducey in a phone call this morning that his flat tax proposal won't help her town and the region recover from the wildfires.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000088

ARZN_REV00060319_6-8-21-1.pdf

From: Lela Alston </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ff6a506c742141a9a90cf35d134bb0ce-Lela Alston>
Sent: Wednesday, July 7, 2021 7:13:20 AM
To: Josselyn Berry <JBerry@azleg.gov>
Subject: Re: In Today's Yellow Sheet

Josselyn,
The YS PDF is not attached. Could you please re-send>

Thanks,
Mary

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Tuesday, July 6, 2021 5:33 PM
To: .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>
Subject: Fw: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet July 6, 2021

MONEY RACE STARTS
Lieberman's gubernatorial campaign started on a high note, hauling in more than $200,000 in one day and roughly $250,000 through the end of the second quarter.

SALMON SHOWS SUPPORT FROM TRADITIONAL CONSERVATIVES
Former Congressman Matt Salmon, who is one of five Republicans seeking the party's nomination, kicked off this week with a host of endorsements from state lawmakers.

BEST FRIESE FOREVER
Fernandez said Monday she is supporting Friese's bid to succeed Kirkpatrick representing CD2.

I'M SO RIGHT
Ducey chief of staff Daniel Scarpinato did a little virtual dance after Yee's office announced that the Permanent Land Endowment Trust Fund gained $1.6 billion in one year.

SIGN TODAY, FIX LATER NEVER
Ducey vowed to fix potential unintended consequences when he signed Chaplik's "mask freedom" bill H2770 (mask mandate; business exception) in April, but that fix never happened.

AMERICAN OVERSIGHT

JUDICIARY, GOVERNMENT…
Rogers insists to her legions of followers that she has power over the eventual results of the Senate's audit – though the state budget includes a provision that keeps her away from it.

THEY ALL SOUND THE SAME TO ROGERS
The decision to give to Senate gov the authority to oversee the audit report surprised some railbirds, but the general consensus is that it's for Townsend.

SORRY, MARK
A Capitol railbird said last week's article saying Mark Buse is serving as Kari Lake's campaign manager is wrong.

~

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

AMERICAN OVERSIGHT

From:	Lela Alston </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ff6a506c742141a9a90cf35d134bb0ce-Lela Alston>
Sent:	Thursday, July 15, 2021 1:18:43 PM
To:	Lela Alston (lalston2@msn.com) <lalston2@msn.com>
Cc:	Mary Peralta <mperalta@azleg.gov>
Subject:	Fw: Senate Democrats Disavow Senate Republican's Sham Audit Hearing
Attachments:	Senate Democrats Disavow Senate Republican's Sham Audit Hearing.pdf

---

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Thursday, July 15, 2021 11:04 AM
To: Josselyn Berry <JBerry@azleg.gov>
Subject: Senate Democrats Disavow Senate Republican's Sham Audit Hearing

IMMEDIATE RELEASE| July 15th, 2020

Senate Democrats Disavow Senate Republican's Sham Audit Hearing

PHOENIX- *Senate Democrats released the following statement on Senate Republican's last-minute audit "hearing."*

"As it has been from the start, this audit has been a sham and an outright threat to our democracy. Yesterday with 17 hours' notice, Senate President Fann announced this press conference disguised as a hearing. Don't be fooled. This is in no way transparent or legitimate. Republicans have refused to be bipartisan and transparent during this entire process. Instead, at every step Senate Republicans and Cyber Ninjas have deliberately blocked the press and public from the entire audit process.

This 'fraudit' sham has made Arizona into a national laughingstock as Republicans can't accept they lost the election, riling up their base to feverish levels that could have dangerous consequences. This audit is deeply damaging to the integrity of our elections and our democracy. Maricopa County performed multiple audits of its election as required under state law. More than 2 million lawful ballots were cast in Maricopa County and there has been zero evidence of fraud or misconduct. No matter how you voted, the 2020 election was administered with integrity, accuracy and transparency."

PRESS CONTACT
Josselyn Berry
602-376-5705
JBerry@AZLeg.gov

AMERICAN OVERSIGHT

SENATOR REBECCA RIOS
Senate Democratic Leader

SENATOR LUPE CONTRERAS
Senate Assistant Democratic Leader

SENATOR VICTORIA STEELE
Senate Democratic Co-Whip

SENATOR MARTÍN QUEZADA
Senate Democratic Co-Whip

ARIZONA SENATE DEMOCRATS

IMMEDIATE RELEASE| July 15th, 2020

Senate Democrats Disavow Senate Republican's Sham Audit Hearing

PHOENIX- *Senate Democrats released the following statement on Senate Republican's last-minute audit "hearing."*

"As it has been from the start, this audit has been a sham and an outright threat to our democracy. Yesterday with 17 hours notice, Senate President Fann announced this press conference disguised as a hearing. Don't be fooled. This is in no way transparent or legitimate. Republicans have refused to be bipartisan and transparent during this entire process. Instead, at every step Senate Republicans and Cyber Ninjas have deliberately blocked the press and public from the entire audit process.

This 'fraudit' sham has made Arizona into a national laughingstock as Republicans can't accept they lost the election, riling up their base to feverish levels that could have dangerous consequences. This audit is deeply damaging to the integrity of our elections and our democracy. Maricopa County performed multiple audits of its election as required under state law. More than 2 million lawful ballots were cast in Maricopa County and there has been zero evidence of fraud or misconduct. No matter how you voted, the 2020 election was administered with integrity, accuracy and transparency."

PRESS CONTACT
Josselyn Berry
602-376-5705
JBerry@AZLeg.gov

AMERICAN OVERSIGHT

From: Mike Philipsen </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D08801B26B954FCD83F7F697E766D40A-MIKE PHILIP>
Sent: Wednesday, December 16, 2020 8:18:10 AM
To: - Capitol Media Services <capmedia@hotmail.com>
Subject: RE: Statement from Senate President Fann on subpoenas issued to Maricopa County Board of Supervisors
Attachments: Subpoena 1 12-15-20.doc;Subpoena 2 12-15-20.doc

From: - Capitol Media Services <capmedia@hotmail.com>
Sent: Tuesday, December 15, 2020 5:58 PM
To: Mike Philipsen <MPhilipsen@azleg.gov>
Subject: Re: Statement from Senate President Fann on subpoenas issued to Maricopa County Board of Supervisors

i know it's late. and i chatted with eddie to get some specifics not included here.

but i still need the actual subpoenas when you get a sec.

do you want a public records request?

thanks.

-- howie

From: Mike Philipsen <MPhilipsen@azleg.gov>
Sent: Tuesday, December 15, 2020 4:54 PM
To: Mike Philipsen <MPhilipsen@azleg.gov>
Subject: Statement from Senate President Fann on subpoenas issued to Maricopa County Board of Supervisors

Arizona State Senate

Statement

Tuesday, December 15, 2020
FOR IMMEDIATE RELEASE

Statement from Senate President Fann on subpoenas issued to Maricopa County Board of Supervisors

AMERICAN OVERSIGHT

"Today, under my direction as Senate President, Judiciary Committee Chairman Eddie Farnsworth issued subpoenas to the Maricopa County Board of Supervisors. One subpoena calls for a scanned ballot audit, to collect an electronic ballot image cast for all mail-in ballots counted in the November 2020 general election in Maricopa County, Arizona. The second subpoena calls for a full forensic audit of ballot tabulation equipment, the software for that equipment and the election management system used in the 2020 general election.

The Maricopa County Board of Supervisors were served these subpoenas on Tuesday afternoon, and they call for the information to be delivered to the Senate Judiciary Committee Chairman on or before 5 p.m. on December 18, 2020.

I appreciate Board Chairman Clint Hickman's commitment to the integrity of the Arizona election process, and I know he shares all of our concerns."

####

For more information, contact:
Mike Philipsen, Director of Communications
Arizona State Senate Republican Caucus
Cell (602) 904-2070
mphilipsen@azleg.gov
www.azsenaterepublicans.com
@AZSenateGOP
@AZSenateRepublicans

AMERICAN OVERSIGHT

ARIZONA SENATE

Senate Judiciary Committee

SUBPOENA

TO: Maricopa County Board of Supervisors

YOU ARE COMMANDED to produce and permit inspection, copying, testing or sampling of the items identified in the attached Exhibit 1 on or before 5:00 p.m. on December 18, 2020 to the Chairman of the Senate Judiciary Committee for inspection, copying, testing or sampling thereafter.

YOU ARE HEREBY NOTIFIED THAT ANY FAILURE TO OBEY THIS SUBPOENA WITHOUT ADEQUATE EXCUSE MAY BE DEEMED CONTEMPT OF THE LEGISLATURE.

SIGNED this 15th day of December, 2020.

Eddie Farnsworth /**s**/_____
Eddie Farnsworth, Chairman
Senate Judiciary Committee

_____
Karen Fann, President
Arizona State Senate

AMERICAN OVERSIGHT

EXHIBIT 1 – Scanned Ballot Audit

The following electronically stored election information shall be electronically produced from the November 2020 general election as follows:

(1) separately and distinctively each original unique native electronic ballot image cast for all mail-in and absentee ballots which were counted in the November 2020 general election in Maricopa County, Arizona containing the original metadata of the original electronic ballot image with:

(a) a resolution of at least 300 DPI in TIFF image, and also

(b) a resolution of at least 300 DPI in PDF image, and also

(c) a resolution of at least 300 DPI in JPG image.

(2) from the Dominion electronic election management system, the:

a) Dominion Electronic Cast Vote Record

b) Ballot Images - Raw Images

c) Ballot Images - Ballot Audit and Review

d) Vote-by-Mail Ballot Report

e) Provisional Ballot Report

f) Conditional Voter Registration Ballot Report

g) Cast Vote Record (Raw data) - JSON

h) ImageCast Central Logs

i) Ballot Scanning/Tabluation Machine Logs

j) Ballot Scanning/Tabulation Machine Tape

k) Ranked-Choice Voting: Board of Supervisors, Final Detailed Report

-These system generated reports should be provided as (a) an XML file, and (b) a JSON file, and also (c) a TXT file.

(3) The native electronic ballot images cast for all mail-in and absentee ballots shall be produced as native original separate electronic ballots and <u>shall not</u> combine ballots into a single file or change the metadata of the original electronic ballot.

(4) The electronically stored information required to be produced herein shall be electronically uploaded to a computer drive supplied by the Senate Judiciary Committee or its agents.

AMERICAN OVERSIGHT

ARIZONA SENATE

Senate Judiciary Committee

SUBPOENA

TO: Maricopa County Board of Supervisors

YOU ARE COMMANDED to produce, and permit inspection, testing or sampling of the items identified in the attached Exhibit 1 on or before 5:00 p.m. on December 18, 2020 to the Chairman of the Senate Judiciary Committee for inspection, testing or sampling thereafter.

YOU ARE HEREBY NOTIFIED THAT ANY FAILURE TO OBEY THIS SUBPOENA WITHOUT ADEQUATE EXCUSE MAY BE DEEMED CONTEMPT OF THE LEGISLATURE.

SIGNED this 15th day of December, 2020.

Eddie Farnsworth /s/_____
Eddie Farnsworth, Chairman
Senate Judiciary Committee

_____
Karen Fann, President
Arizona State Senate

AMERICAN OVERSIGHT

EXHIBIT 1 - Full Forensic Audit

For the November 2020 general election in Maricopa County, Arizona, access to the following equipment or materiel for forensic analysis:

1. The ballot tabulation equipment from the vote centers and the central counting center used in the 2020 general election.
2. The software for the equipment described above and the election management system used in the 2020 general election.
3. Hardware Forensic Images of Election Servers, Desktops, Removable Media (such as thumb drives, USB, memory cards, PCMIA cards, Compact Flash, CD/DVD etc.) used to transfer ballots to central counting from voting locations and to load software/programming.
4. Election Log Files XML, EML, JSON, DVD and XSLT other election files and logs for the:
   - Tabulators
   - Result Pair Resolution
   - Result Files
   - Provisional Votes
   - RTM Logs
   - SQL Database Files
   - Signature Checking & Sorting Machine

5. Election Settings
   - Ranked Profiles and entire change history Audit Trail logs
   - Ranked Contests and entire change history Audit Trail logs
   - Rejected Ballots Report by Reason Code

6. Accounts and Tokens
   - Username & Passwords (Applications, Operation Systems)
   - Encryption Passwords (Bitlocker, Veracrypt, Etc)
   - Security Tokens (iButton, Yubikey, SmartCard, Etc)

7. Windows Server & Desktop
   - Windows software log
   - Windows event log and Access logs
   - Network logs
   - FTP Transfer Points Log
   - Username & Password
   - Application specific username and password (Election Software, Database Access)

8. Dominion Specific

The Administrator & Audit logs for the EMS Election Event Designer (EED) and EMS Results

AMERICAN OVERSIGHT

Tally & Reporting (RTR) Client Applications.

9. Dominion Network
   - Identity of everyone accessing the domain name Admin.enr.dominionvoting.com and *. dominionvoting.com domains.
   - Windows security log of the server itself that is hosted at Admin.enr.dominionvoting.com.
   - Internal admin.enr.dominionvoting.com logs

10. Election Systems & Software (ESS) Specific

The Administrator & Audit logs for the Electionware election management system, Ballot on Demand – BOD printing system, DS200 scanner and tabulator, DS450 scanner and tabulator, DS850 scanner and tabulator, and Voting Systems (ExpressPoll, ExpressVote, ExpressVote XL).

11. Voter Rolls
   - Database of Voter Rolls
   - Forensic Image of Computer/Device used to work with voter rolls
   - Copy of media device used to transfer voter rolls

12. The following records shall be required from the voting system.

Daily and Cumulative Voter Records for those who voted with sufficient definition to determine:

- Voters name and Registered Voting address
- Address to for correspondence
- D.O.B.
- Voter ID number
- How Voted (mail, in-person early, in person Election Day)
- Where Voted (if applicable)
- Date voted (if applicable)
- Party affiliation (if recorded)
- Ballot by mail Request Date
- Ballot by mail sent date
- Ballot by mail voted date (if applicable)
- Ballet cancelled date (if applicable)
- .RAW, HTML, XHTML and SVG files (Ballot Images)

13. Access or control of ALL routers, tabulators or combinations thereof (some routers are inside the tabulator case) in order to garner the system logs. At the same time, the public IP of the router should be obtained.

14. Access to physically and forensically examine date and time-stamped all stored paper ballots as required. Voter Tally Paper Rolls, Test Ballots, Ballot Test Matrix.

AMERICAN OVERSIGHT

15. Access to full detailed absentee votes, provisional votes, mail-in, and election day votes.

AMERICAN OVERSIGHT

From: Mike Philipsen </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D08801B26B954FCD83F7F697E766D40A-MIKE PHILIP>
Sent: Wednesday, December 16, 2020 8:20:47 AM
To: - Capitol Media Services <capmedia@hotmail.com>
Subject: RE: Statement from Senate President Fann on subpoenas issued to Maricopa County Board of Supervisors

---

Just noticed the versions of the subpoenas I sent over to you were before President Fann signed them, but obviously she did before they were delivered

From: - Capitol Media Services <capmedia@hotmail.com>
Sent: Tuesday, December 15, 2020 5:58 PM
To: Mike Philipsen <MPhilipsen@azleg.gov>
Subject: Re: Statement from Senate President Fann on subpoenas issued to Maricopa County Board of Supervisors

i know it's late. and i chatted with eddie to get some specifics not included here.

but i still need the actual subpoenas when you get a sec.

do you want a public records request?

thanks.

-- howie

From: Mike Philipsen <MPhilipsen@azleg.gov>
Sent: Tuesday, December 15, 2020 4:54 PM
To: Mike Philipsen <MPhilipsen@azleg.gov>
Subject: Statement from Senate President Fann on subpoenas issued to Maricopa County Board of Supervisors

Arizona State Senate

Statement

Tuesday, December 15, 2020
FOR IMMEDIATE RELEASE

Statement from Senate President Fann on subpoenas issued to Maricopa County Board of Supervisors

AMERICAN OVERSIGHT

"Today, under my direction as Senate President, Judiciary Committee Chairman Eddie Farnsworth issued subpoenas to the Maricopa County Board of Supervisors. One subpoena calls for a scanned ballot audit, to collect an electronic ballot image cast for all mail-in ballots counted in the November 2020 general election in Maricopa County, Arizona. The second subpoena calls for a full forensic audit of ballot tabulation equipment, the software for that equipment and the election management system used in the 2020 general election.

The Maricopa County Board of Supervisors were served these subpoenas on Tuesday afternoon, and they call for the information to be delivered to the Senate Judiciary Committee Chairman on or before 5 p.m. on December 18, 2020.

I appreciate Board Chairman Clint Hickman's commitment to the integrity of the Arizona election process, and I know he shares all of our concerns."

####

For more information, contact:
Mike Philipsen, Director of Communications
Arizona State Senate Republican Caucus
Cell (602) 904-2070
mphilipsen@azleg.gov
www.azsenaterepublicans.com
@AZSenateGOP
@AZSenateRepublicans

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, November 17, 2020 8:05:10 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Natural Resources, Energy & Water (Ranking Member)
Transportation

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *November 17, 2020*

Attorney for county says ballot hand count now impossible
Arizona Capitol Times
A hand count of ballots from random precincts sought by the Arizona Republican Party in hopes of finding more votes for President Trump just can't be done, an attorney for Maricopa County told a judge Monday.

Petition Partners charged with crimes in connection with bonus program
Capitol Media Services
Attorney General Mark Brnovich is charging a firm that circulated petitions for the successful Invest in Ed ballot measure with violating state laws in how it paid some of its circulators.

COVID-19 vaccine test subjects weighed risks, rolled up their sleeves
Cronkite News
With Santa Cruz County facing one of the highest rates of COVID-19 cases in the state, Tubac Fire Department Fire Chief Cheryl Horvath knew that a vaccine is what's needed to bring an end to the pandemic.

Officials' plea: Resist COVID-19 fatigue, don't let guard down
Yuma Sun
Yuma County officials made it clear on Monday that the reason the number of COVID-19 cases is rising again is because residents are not complying with preventive measures, such as wearing masks and staying home as much as possible.

AMERICAN OVERSIGHT

Arizona jobless rate continues slow decline
Payson Roundup
Arizona continues its recovery from the pandemic recession — but the surge in new cases may threaten those gains.

Arizona Republican Leadership Is in Denial About the 2020 Presidential Election
Phoenix New Times
It's been almost a week since the major news networks called the presidential race for Joe Biden.

This Week in COVID: Surge Hits ASU Football, Schools Head Wants Mask Mandate
Phoenix New Times
It's Tuesday, November 17. More than 276,000 Arizonans have contracted COVID-19 and more than 6,300 have died as a result.

How COVID-19 spread through neighboring ICE detention facilities in Eloy
Arizona Mirror
In August, a group of Cuban asylum seekers held by Immigration and Customs Enforcement at the Eloy Detention Center detailed how detainees who fell ill with coronavirus symptoms were put into solitary confinement instead of receiving treatment.

Judge will decide whether to delay Maricopa canvass in AZGOP election challenge
Arizona Mirror
Maricopa County is asking a judge to dismiss a lawsuit from the Arizona Republican Party alleging that election officials improperly used vote centers instead of precincts as the basis for a limited hand count of ballots, while the state GOP may ask the judge to postpone the county's official canvass of the 2020 general election while the case plays out in court.

Joe Biden should consider pardoning Donald Trump
Arizona Republic (Opinion, EJ Montini)
He said he wouldn't. And maybe he shouldn't. But it's worth talking about.

How Arizona GOP Chair Kelli Ward turned her tinfoil hat into a crown
Arizona Republic (Opinion, EJ Montini)
Thanks to Donald Trump, Kelli Ward has a Chicken Little story in which Chicken Little rules.

Andy Biggs and co. want a full audit of Maricopa County's vote? OK by me (with conditions)
Arizona Republic (Opinion, Laurie Roberts)
Arizona's Republican congressmen are calling for a full audit of the Maricopa County vote. I say sure, as long as they agree to a few other things first.

Arizona hospitals are probably just a few weeks away from overwhelmed
Arizona Republic (Opinion, Joanna Allhands)
Arizona hospitals can eke out additional capacity, but it won't keep staff from getting overwhelmed, and it won't be good for patients.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, November 17, 2020 6:50:58 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 11-17-20.pdf

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Natural Resources, Energy & Water (Ranking Member)
Transportation

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet November 17, 2020

THE BACKSTORY IS EVEN WEIRDER
Last week's resignation of Rae Chornenky as chair of the Maricopa County GOP was precipitated by a months-long power struggle between the county party and the Trump campaign, former county GOP Executive Director Van DiCarlo told our reporter.

HER ORIGINAL RANT MAKES MORE SENSE IN CONTEXT

AMERICAN OVERSIGHT

Chornenky has not returned calls for comment at her office but confirmed parts of the story this week on Twitter, where she wrote that as she was arriving at the County Election Center, she was told that Swoboda had signed in as an observer.

TRUMP'S TEAM USED BULLY TACTICS, YOU SAY?

As DiCarlo tells it – and Chornenky tweets it – the wrestling between Trump campaign representatives and the county party started over who would train poll observers.

IF SHE RESIGNED, WHO WOULD BE THE SCAPEGOAT?

The Trump campaign also demanded Chornenky pre-sign paperwork that poll observers fill out, and at one point, she felt so uncomfortable with what the Trump campaign was asking her to do, she offered to resign, according to DiCarlo.

WITH TALK LIKE THAT, NO WONDER HE RESIGNED

DiCarlo isn't so sure that it even matters that Chornenky wasn't there for the test.

WE WERE STARTING TO GET WORRIED ABOUT DOUG

With pressure mounting from several elected officials to issue a statewide mask mandate, Ducey is set to face the public in his first press conference since the election.

THREE-DAY WORKWEEK!

Bowers chose Jake Hoffman, whose political consulting firm was kicked off social media for using fake accounts to spread election disinformation, to be second-in-command to Kavanagh on the new House Government and Elections Committee.

WHAT'S BLUE ON TOP AND RED ALL OVER?

Outgoing Arizona Democratic Party chair Felecia Rotellini abruptly ended a call with our reporter today after insisting Democrats had a banner year.

IT'S REALLY BRINGING OUT THE BEST PEOPLE

Former lawmaker Barbara Blewster joined the chorus of Republicans calling on legislators to start a special session to conduct "an immediate recount" of the 2020 general election – a prospect that's highly unlikely.

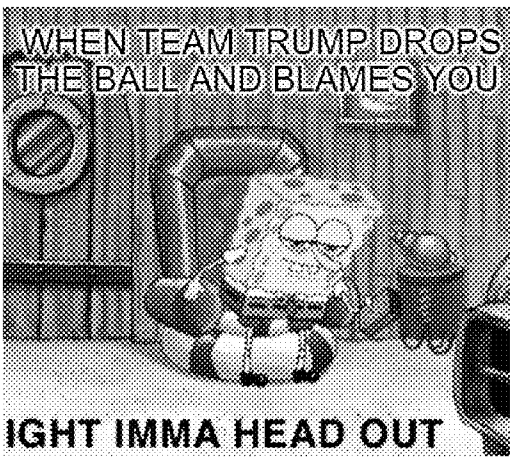
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, November 17, 2020

·NEWS NOTES AND GOSSIP·

THE BACKSTORY IS EVEN WEIRDER



Last week's resignation of Rae Chornenky as chair of the Maricopa County GOP was precipitated by a months-long power struggle between the county party and the Trump campaign, former county GOP Executive Director Van DiCarlo told our reporter. Another former top-level party official largely confirmed his account. Chornenky's resignation followed criticism from within her own party that she failed to appear to observe the October logic and accuracy test of voting machines in the county. Chornenky's absence looked suspicious to conservatives convinced that the voting machines helped enable vote fraud, and intense criticism from Townsend and others led up to her abrupt resignation last week (YS, 11/11) But, according to DiCarlo, who resigned yesterday in protest, Chornenky is not to blame. On the day of the logic and accuracy test, Chornenky had left her law office to observe the test when she got a phone call that Gina Swoboda, the Trump campaign's Arizona director of elections, had arrived and declared herself Chornenky's designee to observe the test without her knowing. Chornenky turned around, only to receive a call from the county informing her that Swoboda had left and instead a representative from the state party named Jack Clark had taken over the duty. DiCarlo said that the county told Chornenky that there was a "big problem," and that she was advised that Swoboda could not observe the test because she's a representative from a campaign, and candidates are not allowed to enter voting facilities after early ballots go out. Megan Gilbertson, a spokeswoman for the Maricopa County Elections Department, told our reporter that the county's policy is not to allow candidates, campaigns or their agents inside the ballot tabulation room, and Swoboda was invited to watch from the public observation area instead. Clark also came to the test, but when the county called Chornenky, she said he wasn't authorized to act as her agent. Steven Slugocki, the Maricopa County Democratic Chair who first pointed out Chornenky's absence on Twitter, said he remembers Swoboda waiting outside the facility and some man from the state party – presumably Clark – coming in and initialing a few of the machines. "He and I even joked about it. He was like, 'guess I'm getting kicked out,'" Slugocki told our reporter. Swoboda did not return an email or phone call, nor did a spokesman for the Trump campaign in Arizona.

HER ORIGINAL RANT MAKES MORE SENSE IN CONTEXT

Chornenky has not returned calls for comment at her office but confirmed parts of the story this week on Twitter, where she wrote that as she was arriving at the County Election Center, she was told that Swoboda had signed in as an observer. "Although I had RSVP'd as the GOP-authorized Observer, AZ law allows only one single observer per party," she wrote (LINK). "AZ Election Day Operation Director Swoboda knows this and House Elections Committee Chairman Kelly Townsend knows this. To avoid a GOP public conflict in front of the Democrat Secretary of State and county chairman, I did not walk in." This background also shines a light on Chornenky's vitriolic response to Townsend on Twitter last week. "I'll tell you what, I'll resign when you sprout even an ounce of integrity and obtain the intelligence to check your facts before spreading filth about a person whom you don't know on a topic about which you have not the slightest clue," she wrote (YS, 11/10).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000107

ARZN_REV00068442_11-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

TRUMP'S TEAM USED BULLY TACTICS, YOU SAY?

As DiCarlo tells it – and Chornenky tweets it – the wrestling between Trump campaign representatives and the county party started over who would train poll observers. Before the primary, the county began training the observers – volunteers who go to polling places to watch for irregularities – but found the applicant pool to be thin. "There were about 10,000 one hour time slots that had to be filled," he said. "Let's just say we weren't successful." Ahead of the November election, DiCarlo and Chornenky got a call from Swoboda, who said the Trump campaign wanted to take over the recruiting, training and deploying poll observers, DiCarlo said. "The problem with that is the authorization to be a poll observer is the exclusive purview of the county party," he said (LINK). Chornenky, not sure if she could legally abdicate her responsibilities and not particularly wanting to regardless, refused. The campaign could not abide by this. "They came to her, and with heavy-handed tactics, pressured her into relinquishing her duties," DiCarlo said. "They said, 'If you don't do this, we're going to lose the election, and if we lose, you're going to be the person responsible for it.'" After weeks of pressure, DiCarlo, Swoboda and Chornenky entered into an agreement: The Trump campaign could recruit and train observers, but they must provide an updated list of trainees and copies of the training materials – with the opportunity to make additions – to the county GOP. "They didn't follow through on either one," DiCarlo said. This, for obvious reasons, was problematic for Chornenky. "There's about 1,000 ways a polling observer can go to a polling location and do something or say something that can be illegal and get them thrown out," DiCarlo continued. "The county chairwoman would bear responsibility in that."

IF SHE RESIGNED, WHO WOULD BE THE SCAPEGOAT?

The Trump campaign also demanded Chornenky pre-sign paperwork that poll observers fill out, and at one point, she felt so uncomfortable with what the Trump campaign was asking her to do, she offered to resign, according to DiCarlo. "What they were demanding of Rae was that she sign one thousand blank authorization forms and turn them over to Gina," he said. She begrudgingly agreed, but didn't move fast enough, and the angry calls resumed, along with emails, texts and tweets. Eventually, while Chornenky was out of town, the campaign demanded that she hand over the forms, and told her that an envoy would meet her upon her arrival at Sky Harbor to retrieve them, DiCarlo said. Separately, the Trump campaign asked Chornenky to relinquish access to the live-lookup voter file that all county party chairs and state parties can access. This arrangement made her uncomfortable, as she's not just a party activist but also an attorney who could be subject to bar complaints. "Because of the agreement you sign with the Maricopa County elections department, there's a certain amount of liability that attaches to the chairman if and when that information is used improperly or becomes public," DiCarlo said. "Rae, because of her profession, has added exposure." As such, she offered to resign and let First Vice Chairman Linda Brickman take over – that way, if something improper were to occur with the voter data, Chornenky's career wouldn't be in jeopardy. But Swoboda and the Trump campaign asked that she stay, DiCarlo said.

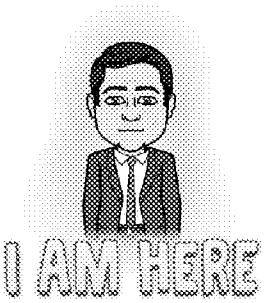
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000108
ARZN_REV00068442_11-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WITH TALK LIKE THAT, NO WONDER HE RESIGNED

DiCarlo isn't so sure that it even matters that Chornenky wasn't there for the test – he figures that if there was a problem with the logic of the tabulation machines, it could hurt Democrats as well – meaning that Slugocki or the various county or state officials present would likely have said something. However, this didn't stop the waves of criticism. "That one tweet from Kelly Townsend got 5,266 likes," DiCarlo said. "That was the straw that broke the camel's back. How do you explain yourself to 5,000-plus people who already have the mindset that you were negligent?"

WE WERE STARTING TO GET WORRIED ABOUT DOUG



With pressure mounting from several elected officials to issue a statewide mask mandate, Ducey is set to face the public in his first press conference since the election. It's unclear what the governor's focus will be, but Hoffman yesterday published a statement calling for a statewide mask mandate, among other efforts, saying they "are essential to protecting our healthcare and education professionals and institutions, including our students and families." She didn't call out Ducey by name, but it's clear she was addressing the governor. Phoenix Mayor Kate Gallego took a more direct approach. "I have asked [Ducey] to issue a statewide mask mandate and keep that order in place until we have wide distribution of a vaccine, more effective treatments, or both," she tweeted and said during her State of the City address today. Ducey has not spoken to Gallego since he allowed cities to issue mask mandates in June and he did not attend a press conference with Hoffman and Dept of Health Services Director Cara Christ last week about schools and coronavirus. Ducey is now the only governor in the country to not give any live public statements to the press in the past two weeks (LINK).

THREE-DAY WORKWEEK!

Bowers chose Jake Hoffman, whose political consulting firm was kicked off social media for using fake accounts to spread election disinformation, to be second-in-command to Kavanagh on the new House Government and Elections Committee. Hoffman is also personally banned from Twitter for his use of Russian troll farm tactics to push disinformation (YS, 10/14). Besides that eyebrow-raising pick, the biggest change from Bowers' announcement about Republican committee assignments today is that the House will have far fewer committees – just 13 compared to 19 this year – allowing Bowers to shorten the four-day workweek down to just three days. Thursdays will be solely dedicated to floor action. Gone are the Federal Relations Committee, the Regulatory Affairs Committee, the State and International Affairs Committee, and the Technology Committee. Besides mashing Government and Elections committees together, Bowers had the Military and Veterans Affairs Committee absorb the Public Safety Committee to become the Military Affairs and Public Safety Committee. The Land and Agriculture Committee also added a rural component to become the Land, Agriculture and Rural Affairs. There's also one new committee: Blackman, after a full term of agitating for sentencing reform, will at last get his standing committee on Criminal Justice Reform. The new chairs include Pratt, who will take over for J Allen on the Judiciary Committee; Osborne, who will replace Barto on the Health and Human Services Committee; Bolick, who will chair Ways and Means, replacing Toma, now the House majority leader; and Carroll, who will replace Campbell on Transportation. Nutt will replace Kern on Rules, and replace Shope as head of Ethics. Payne will remain chair of the retooled Military Affairs and Public Safety Committee; Dunn will retain control of the new Land, Agriculture and Rural Affairs Committee; Cobb and Kavanagh will continue to rule over the powerful Appropriations Committee; Udall will remain chair of the Education Committee alongside freshman Rep. Beverly Pingerelli; and Nutt will remain chair of the Natural Resources, Energy and Water Committee.

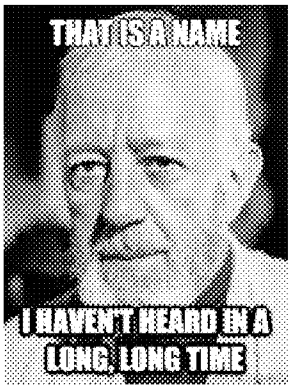
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000109
ARZN_REV00068442_11-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT'S BLUE ON TOP AND RED ALL OVER?

Outgoing Arizona Democratic Party chair Felecia Rotellini abruptly ended a call with our reporter today after insisting Democrats had a banner year. "We are a blue state," she emphatically told our reporter. She pointed to the fact that Arizona now has two Democratic US Senators in Sinema and Mark Kelly, two Democrats on Corp Comm and sent its 11 electoral votes to a Democrat for the first time since 1996. Adding a seat to Corp Comm still does not give Democrats control of the body. Republicans kept the majority in both legislative chambers, retained all Maricopa County seats and picked up the County Recorder's Office, which complicates the simplistic argument that Arizona is blue. Yet Rotellini argued that nothing went wrong for Democrats in the election. "We killed it in early voting. That's why Biden had a 10 percent advantage on the night of the election," she said. Biden still only won by three-tenths of a percent. She said if people want to blame her for not winning more seats further down the ballot, then that's their business. "Politics is a blood sport and if folks have to find somebody to blame for something, then that is what I signed up for as chair, but I can tell you that we will continue to work very hard to flip more seats," she said. The state party will have to do that without Rotellini in charge as she's already announced she won't run again (YS, 11/16). Rotellini then ended the call with our reporter after being asked if the Biden or Kelly campaigns could have used their national resources or endorsements to help down ballot candidates. "I really don't have a comment on that. I need to get off the phone. I work for a living and I have to take a call," she said.

IT'S REALLY BRINGING OUT THE BEST PEOPLE



Former lawmaker Barbara Blewster joined the chorus of Republicans calling on legislators to start a special session to conduct "an immediate recount" of the 2020 general election – a prospect that's highly unlikely. The former lawmaker, who has a penchant for conspiracies and racist rhetoric, is a lifelong member of the John Birch Society. She sent a letter to House and Senate lawmakers today calling on lawmakers to immediately begin a special session, though, of course, a special session must be called by Ducey or by two-thirds of each chamber, meaning it would need Democratic support. She attached to her email an interview from *Fox News'* Lou Dobbs with Sidney Powell, a right-wing attorney who represented former National Security Adviser Mike Flynn during the Russia probe. Powell "exposes the altered elections program of the Dominion Voting Systems and indicates corruption of state governors and other state officials similar to Joseph Biden in the Burisma-Ukraine case," Blewster wrote. Calls for audits and recounts have become commonplace among conservatives who have bought into (or propagated) baseless claims of election fraud centering on the use of Dominion Voting Systems, a company that several states contracted with for voting machines. House leadership has not signaled any interest in a special session on this subject. Blewster, who represented the Dewey area in the early 2000s, had a record of racist, deeply homophobic and anti-Semitic remarks while at the Legislature, to the point that her name still comes up as one of the most controversial lawmakers to ever serve. Among the most frequently repeated stories of her time at the Capitol is when she told then-Republican lawmaker Barbara Leff, who objected to holding a special session over Passover, that she was surprised to learn Leff was Jewish "because you don't have a big hooked nose and you don't act like one" (LINK).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000110
ARZN_REV00068442_11-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES AND NEWS CLIPS·

Speaker Bowers Announces House Committees and Republican Member Assignments

STATE CAPITOL, PHOENIX – House Speaker Rusty Bowers today announced committees, schedules, and Republican member assignments for the 55th Legislature 1st Regular Session.
Democratic Leader-elect Reginald Bolding is expected to announce Democratic member assignments in the near future.

MONDAY PM

Health & Human Services
Rep. Joanne Osborne (Chair)
Rep. Regina Cobb (Vice Chair)
Rep. Joseph Chaplik
Rep. Jacqueline Parker
Rep. Justin Wilmeth

Land, Agriculture & Rural Affairs
Rep. Tim Dunn (Chair)
Rep. Joel John (Vice Chair)
Rep. Brenda Barton
Rep. David Cook
Rep. Gail Griffin
Rep. Frank Pratt

Military Affairs & Public Safety
Rep. Kevin Payne (Chair)
Rep. Quang Nguyen (Vice Chair)
Rep. Walt Blackman
Rep. Judy Burges
Rep. John Fillmore
Rep. Mark Finchem
Rep. John Kavanagh
Rep. Bret Roberts

Rules
Rep. Becky Nutt (Chair)
Rep. Travis Grantham (Vice Chair)
Rep. Leo Biasiucci
Rep. Rusty Bowers
Rep. Ben Toma

TUESDAY PM

Commerce
Rep. Jeff Weninger (Chair)
Rep. Steve Kaiser (Vice Chair)
Rep. Joseph Chaplik
Rep. David Cook
Rep. Becky Nutt
Rep. Justin Wilmeth

Education
Rep. Michelle Udall (Chair)
Rep. Beverly Pingerelli (Vice Chair)
Rep. Joel John
Rep. Quang Nguyen
Rep. Frank Pratt
Rep. Bret Roberts

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000111
ARZN_REV00068442_11-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Natural Resources, Energy & Water
Rep. Gail Griffin (Chair)
Rep. Judy Burges (Vice Chair)
Rep. Frank Carroll
Rep. Tim Dunn
Rep. Mark Finchem
Rep. Jacqueline Parker

WEDNESDAY AM

Government & Elections
Rep. John Kavanagh (Chair)
Rep. Jake Hoffman (Vice Chair)
Rep. Judy Burges
Rep. Frank Carroll
Rep. John Fillmore
Rep. Kevin Payne
Rep. Jeff Weninger

Judiciary
Rep. Frank Pratt (Chair)
Rep. Jacqueline Parker (Vice Chair)
Rep. Walt Blackman
Rep. Mark Finchem
Rep. Quang Nguyen
Rep. Beverly Pingerelli

Ways & Means
Rep. Shawnna Bolick (Chair)
Rep. Brenda Barton (Vice Chair)
Rep. Regina Cobb
Rep. Tim Dunn
Rep. Travis Grantham
Rep. Steve Kaiser

WEDNESDAY PM

Appropriations
Rep. Regina Cobb (Chair)
Rep. John Kavanagh (Vice Chair)
Rep. Jake Hoffman
Rep. Steve Kaiser
Rep. Quang Nguyen
Rep. Becky Nutt
Rep. Joanne Osborne
Rep. Michelle Udall

Criminal Justice Reform
Rep. Walt Blackman (Chair)
Rep. Shawnna Bolick (Vice Chair)
Rep. Joel John
Rep. Bret Roberts
Rep. Ben Toma

Transportation
Rep. Frank Carroll (Chair)
Rep. Justin Wilmeth (Vice Chair)
Rep. Brenda Barton
Rep. Leo Biasiucci
Rep. David Cook
Rep. Kevin Payne
Rep. Frank Pratt

AS NECESSARY

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Ethics
Rep. Becky Nutt (Chair)
Rep. Frank Pratt (Vice Chair)
Rep. Jacqueline Parker

Former School District Secretary Indicted for Allegedly Stealing School District Funds

JOSEPH CITY, AZ --- Attorney General Mark Brnovich announced that based upon an investigation performed by the Office of the Auditor General, a State Grand Jury indicted Tonnie Rae Pugh, a former attendance secretary for the Joseph City Unified School District. Pugh is accused of stealing $40,436 in District funds.
Joseph City Unified School District is one of 11 public schools in Navajo County and provides public education from preschool to grade 12 and serves approximately 412 students. In addition to her duties as attendance secretary, Pugh was also responsible for depositing funds raised through student activities such as club fundraisers and those raised by auxiliary operations like athletic event ticket sales. It is alleged that between July of 2011 and January of 2018, Pugh used her position to take cash payments she collected from faculty, students, and parents for her own personal use. Pugh was indicted on charges of Fraudulent Schemes and Artifices, Violation of Duties of a Custodian of Public Monies, and Theft.
All defendants are presumed innocent until proven guilty in a court of law.
Assistant Attorney General Mary Harriss is prosecuting this case.
No booking photograph is available.
Copy of Indictment
Arizona Auditor General Special Investigation Report

Congressman Biggs Applauds Continued Withdrawal of American Troops from Middle East

WASHINGTON, D.C. – Today, U.S. Department of Defense Acting Secretary Christopher Miller announced that the Trump administration would continue to withdraw American troops from Afghanistan and Iraq. According to the acting secretary, there would be 2,500 troops left in both Afghanistan and Iraq by January 15, 2021. Congressman Biggs issued the following statement:
"Today is a great day for our nation and for the men and women who serve in our military. For almost two decades, American troops have occupied Afghanistan and Iraq – at great cost to our nation both in lives and in dollars. Our men and women in uniform deserve to fight constitutionally sanctioned wars where American interests are on the line. American servicemembers have fought valiantly in the Middle East, but the current stage of these conflicts can no longer justify the tremendous sacrifices made by our troops stationed in Afghanistan and Iraq.
"Since taking office, President Trump has kept his promises to withdraw our troops from the Middle East and to stop America's involvement in endless wars. President Trump understands that our troops should only be used to defend American interests where there is an immediate or ongoing threat to our citizens or allies. And President Trump knows that our propensity for endless wars has bankrupted our grandchildren's financial futures. I am grateful for the president's courage and commitment to his promises, and I look forward to the return of our troops."
Last week, Congressman Biggs sent a letter to President Trump, asking him to continue to strategically draw down our nation's military presence in Afghanistan and Iraq.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000113
ARZN_REV00068442_11-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"They came to her, and with heavy-handed tactics, pressured her into relinquishing her duties."

- Van DiCarlo, former executive director of Maricopa County Republican Party, on the Trump campaign's attempt to take over party duties from former Chairwoman Rae Chornenky

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, November 18, 2020 8:13:18 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Natural Resources, Energy & Water (Ranking Member)
Transportation

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *November 18, 2020*

GOP county chairs urge Ducey to call special session
Capitol Media Services
Top officials of the 15 Republican county committees want a special session — and soon — to order an audit of the machinery used to count ballots.

Flagstaff mental health specialists partner to respond to crisis 911 calls
Arizona Daily Sun
Local law enforcement agencies are now relying on mental health professionals to manage mental health calls as opposed to officers.

ACLU, Activist Groups Denounce Prosecutions of Anti Police Brutality Protesters
Phoenix New Times
The American Civil Liberties Union of Arizona and a host of other local organizations on Tuesday denounced the prosecutions of Phoenix anti-police-brutality protesters, including the controversial move to hit one group of protesters with gang charges.

House Republicans Appoint Disinfo Boss to Help Lead Elections Committee
Phoenix New Times
Deceptive political campaigns were enough for Facebook to ban newly elected Arizona State Representative Jake Hoffman's digital marketing firm from its service and for Twitter to permanently suspend his personal account. However, they do not

AMERICAN OVERSIGHT

seem to have been enough to stop House Republicans from appointing the Queen Creek Republican as second-in-command of a committee that oversees Arizona elections.

Maricopa County vendor Dominion Voting Systems at center of false conspiracies
Arizona Mirror
For the past decade, Maricopa County has used ballot counting machines and election software from Dominion Voting Systems, a company at the center of unfounded conspiracy theories alleging Democrats stole the 2020 election for former Vice President Joe Biden.

Several counties didn't hand count ballots because political parties didn't participate
Arizona Mirror
Several counties didn't conduct post-election hand counts of ballots because one or more of Arizona's political parties declined to participate.

Graham says he also spoke to officials in Arizona, Nevada about election
Politico
Georgia's secretary of state has accused the South Carolina senator of pressuring him to toss out legally mailed ballots.

Hate crime is on the rise in Arizona and we're not prepared to fight it
Arizona Republic (Opinion, EJ Montini)
It's difficult to know the extent of the problem without a clearly worded law and accurate accounting.

An Arizona utility regulator calls for a 25%... cut in APS rates? Am I dreaming?
Arizona Republic (Opinion, Laurie Roberts)
It appears that Arizona's utility regulators may be, at long last, ready to actually regulate Arizona Public Service.

Top Maricopa County official defends the county election (and shocker, he's a Republican)
Arizona Republic (Opinion, Laurie Roberts)
How refreshing to see a Republican elected official in Arizona launch a fact-based defense of Maricopa County's election.

If Republicans want to win, they must move beyond Trump. Can they?
Arizona Republic (Opinion, Robert Robb)
Will the Republican base remain personally loyal to Trump, or accept a less alienating way of making the same points?

Do your darn job, Gov. Doug Ducey, and issue a statewide mask mandate to fight COVID-19
Arizona Republic (Opinion, Elvia Diaz)
Arizona Gov. Doug Ducey may not have the guts to issue a statewide mask mandate, even as COVID-19 cases surge, but we have the right to demand he do his job.

Joe Biden has picked a Latina for a top job. He should also consider these Arizona Latinos
Arizona Republic (Opinion, Elvia Diaz)
Joe Biden has picked Julie Chavez Rodriguez, the granddaughter of the late César Chávez, to a top job. Here are some Arizona names he should consider, too.

This Election, Latinos Sent a Warning Sign to Democrats
New York Times (Opinion, Marisa Franco)
In the past, Latinos have reliably voted Democratic in the Rio Grande Valley and Miami-Dade County. So what happened this year?

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, November 18, 2020 4:07:36 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 11-18-20.pdf

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Natural Resources, Energy & Water (Ranking Member)
Transportation

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *Today's date*

THERE'S THE DOUG WE KNOW AND LOVE
Ducey today continued to refuse to accept the results of the election in Arizona and refused to condemn the conspiracies that Trump and other Republicans have spread.

MEANWHILE AT KATIE'S HOUSE
Armed protesters went to Hobbs' home last night to chant "we are

AMERICAN OVERSIGHT

watching you" and shout expletives after Parler users doxed her and she started receiving death threats.

AMERICA IN 2020
Hoffman also received threats this year after lawmakers like Bowers and S Allen accused her of promoting radical sexualization of children which snowballed into a full-blown internet conspiracy that she is a pedophile.

GRACE, EVEN IN THE FACE OF DEFEAT
After news outlets started calling Arizona for Biden, Senate Republicans sought to find a legal mechanism to give the state's electoral votes to Trump.

HINDSIGHT IN 2020
Even if lawmakers had been able to appoint their own electors, those electors would be bound to vote for Biden – and Republicans have Kern to thank for that.

EVERY LAWMAKER SEES A CONGRESSMAN IN THE MIRROR
Quezada, who will be termed out of the Senate in 2022, is once again hinting that he'll run for a higher office.

EVERYONE IS CAUTIOUSLY OPTIMISTIC THIS TIME OF YEAR
A new criminal justice committee in the House and the retirement of a formidable foe in the Senate have criminal justice advocates cautiously optimistic that 2021 will finally be the year they get reform measures passed into law.

PUTTING PROGRESSIVE HOPES ON KAREN
Progressive lobbyist Marilyn Rodriguez took a rosy view of the ability to pass criminal justice bills out of the Legislature, noting that, a few powerful detractors aside, both the House and the Senate have been fairly supportive in recent years.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, November 18, 2020

·NEWS NOTES AND GOSSIP·

THERE'S THE DOUG WE KNOW AND LOVE

Ducey today continued to refuse to accept the results of the election in Arizona and refused to condemn the conspiracies that Trump and other Republicans have spread. In his first conference in three tumultuous weeks – during which the president has claimed Arizona's vote was stolen and his supporters have flooded the Maricopa County elections office and made death threats on Hobbs – Ducey steadfastly refused to say that the conspiracies Trump and other Republicans are pushing are, indeed, conspiracies. He instead argued that there are legal challenges pending in the presidential race, and he'll respect the will of the voters after those play out. In fact, there's only one ongoing legal challenge from the president – it's a question of whether Maricopa County should audit 2 percent of vote centers (as it already has done – no discrepancies were found) or two percent of precincts. Though Trump has frequently taken to Twitter to spread debunked conspiracies about Arizona – including SharpieGate and a debunked conspiracy about Dominion voting software – the president has not gone to court to claim fraud. In fact, when his lawyer, Kory Langhofer, was directly asked if the president was alleging fraud in a lawsuit about roughly 200 overvotes, he said no (LINK). Multiple Republican elected officials have debunked the SharpieGate conspiracy and Trump's own Cyber and Infrastructure Security Agency has debunked the Dominion conspiracy (LINK). While he attempted to straddle the line of saying he believes Arizona's election system is robust, Ducey refused to say he believed Arizona's election was fraud-free, and instead repeatedly attempted to misleadingly say Trump is contesting Arizona's election in court. "We are going to let the legal process play out," he said.

MEANWHILE AT KATIE'S HOUSE

Armed protesters went to Hobbs' home last night to chant "we are watching you" and shout expletives after Parler users doxed her and she started receiving death threats. The secretary of state was working late when she got a call from her husband saying protesters were at their house and that at least one was armed, she told our reporter. A neighbor called the non-emergency police line, and police showed up and cleared out the crowd from her condo complex, she said. Phoenix Police Chief Jeri Williams called to say she wants to put cameras in her condo complex, and the Dept of Public Safety has been monitoring Parler since activists released her home address (YS, 11/16). The harassment has also spread to her husband's work, she said, and his office is now receiving threatening calls attempting to get him fired. In a statement today, Hobbs shamed Republican leaders who have promoted election conspiracies or silently allowed them to spread. The statement didn't mention the protests at her home, but said she was prepared for attacks. "I have been a social worker for many years and can anticipate this reaction when certain people feel powerless and angry," she wrote, adding that the intimidation tactics won't stop her from doing her job. In the statement, she blasted the president and other elected officials who are perpetuating misinformation and casting doubt on the election results "in a manner that violates the oath of office they took." And she specifically called out Ducey. "Now, I am calling on other leaders in this state, including the governor whose deafening silence has contributed to the growing unrest, to stand up for the truth," she wrote. When asked directly today, Ducey condemned the threats, but refused to push back on the election conspiracies. Hobbs was not satisfied. "We would like him to denounce the threats and stand up for the integrity of our elections," she told our reporter via text.

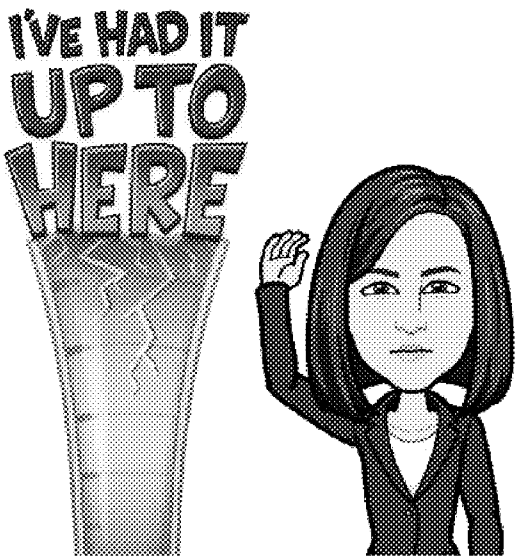
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000119

ARZN_REV00068445_11-18-20.pdf

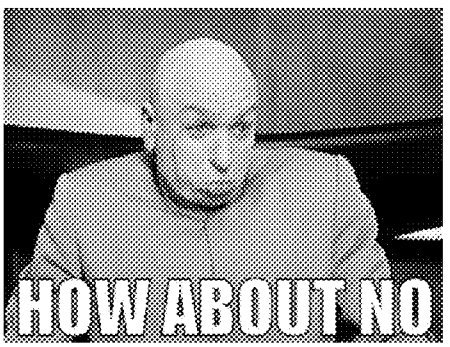
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AMERICA IN 2020



Hoffman also received threats this year after lawmakers like Bowers and S Allen accused her of promoting radical sexualization of children (YS, 9/19/19) which snowballed into a full-blown internet conspiracy that she is a pedophile (YS, 8/10). Some of them were thinly veiled death threats saying they know where she lives and works, and are watching her. She told our reporter the threats and misinformation over her support for comprehensive sexual education in schools took a toll on her, and made her question whether politics in this era is a safe profession, especially for women, who regularly receive far more vitriolic rhetoric online than their male counterparts do. "I've always felt strongly about encouraging young women to run for office and be leaders of their communities," she said. "And in this year, in particular, I have really questioned if I should continue to do that, because I can't say with certainty that this is a safe career choice." While she still plans to seek a second term in 2022, the death threats and barrage of online harassment also forced her to think about whether she wants to continue being an elected leader. "I worry about my own safety and have asked myself 'is it worth it?' because I was in Tucson when Gabby Giffords was shot and that is the true reality of politics," she told our reporter. Hoffman blames the escalation on Republican lawmakers who started spreading the baseless conspiracy, and said she only heard from two Republicans after the threats poured in – Andy Tobin, the Dept of Administration director, and Lisa Graham Keegan, the former Superintendent of Public Instruction. "Definitely no Governor Ducey," she said. "People in elected office should stand up for each other, even when we represent different parties. We have to earn public trust on a daily basis and if we're spreading misinformation, or remaining silent when these types of things come out, it gives the appearance of condoning the behavior," she said.

GRACE, EVEN IN THE FACE OF DEFEAT



After news outlets started calling Arizona for Biden, Senate Republicans sought to find a legal mechanism to give the state's electoral votes to Trump. Fann requested a legal opinion from Legislative Council about whether lawmakers could change how presidential electors are selected. In a Nov 6 response, first discovered by the *Republic's* Maria Polletta (LINK), a copy of which our reporter obtained today, general counsel Ken Behringer explained that such a move is impossible. The US Constitution allows states leeway in how they choose presidential electors – Legislatures can pick them, voters can pick them or states can pass other laws, like the Arizona law that requires chairs of state parties to pick electors for their party's candidate. But Congress, not the states, has authority over when electors must be appointed, and Congress has set that date on the same day as election day. Nothing prevents the Legislature from changing state law moving forward to give lawmakers the authority to choose presidential electors for the 2024 election, but they can't retroactively appoint electors. "The legislature cannot change the 2020 election results through changing the statutory selection process for presidential electors," Behringer wrote.

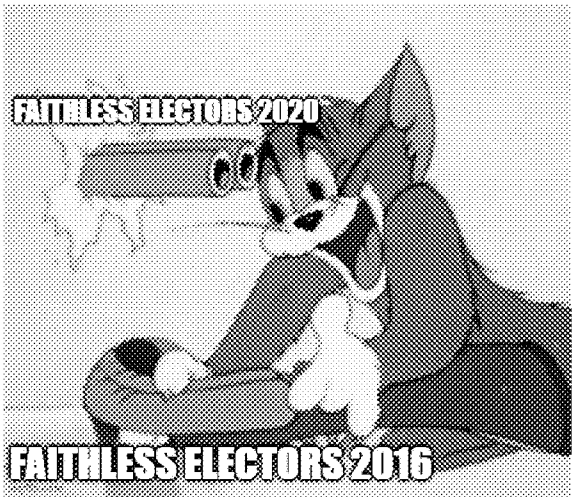
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000120

ARZN_REV00068445_11-18-20.pdf

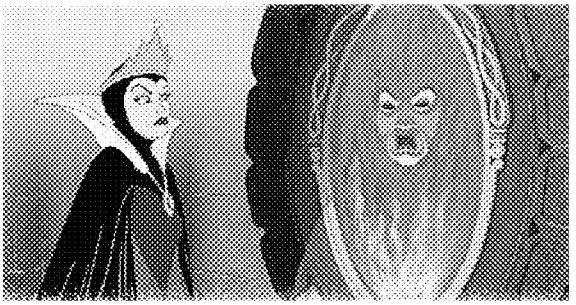
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

HINDSIGHT IN 2020



Even if lawmakers had been able to appoint their own electors, those electors would be bound to vote for Biden – and Republicans have Kern to thank for that. His Laws 2017, Chapter 94 (H2302: electoral college; electors; violation; classification) requires all presidential electors to cast their Electoral College votes for the candidate who receives the most votes in Arizona. If an elector votes for anyone else, they're no longer allowed to be a presidential elector, their vote doesn't count and the chairperson of the political party that picked the elector must choose a new one. Kern initially planned to make that a Class 3 felony, with a sentence of 3.5 years in prison and a $150,000 fine. He was responding to a 2016 push from Democrats to keep Trump from being seated by preventing him from gaining 270 electoral votes. Ten "faithless electors" attempted to vote for candidates they weren't pledged to in 2016, but three were stymied by their states' faithless elector laws. Hillary Clinton took more damage than Trump: three Washington electors pledged to her instead cast their ballots for former Republican Secretary of State Colin Powell, one Washington elector voted for Native American activist Faith Spotted Eagle and one Hawaii elector voted for Bernie Sanders. Trump lost two electoral votes in Texas as electors opted for John Kasich and Ron Paul. Prior to 2016, only two people had been faithless electors in the past 25 years. An elector from DC pledged to Al Gore and Joseph Lieberman in 2000 left her ballot blank to protest the district's lack of congressional representation, and a 2004 Minnesota elector pledged to John Kerry voted for "John Ewards" – a misspelling of Kerry's running mate's name – in an apparent accident.

EVERY LAWMAKER SEES A CONGRESSMAN IN THE MIRROR



Quezada, who will be termed out of the Senate in 2022, is once again hinting that he'll run for a higher office. On Sunday, he shared a tweet from someone who wanted him to run for a statewide office with a reminder that he's out of the Senate in 2022 and a GIF of Robert Downey Jr. suggestively saying "maybe" (LINK). Quezada first hinted that he would run for Congress in CD7 if Gallego ran for Senate (YS, 1/31/19), but sought a final state Senate term instead after Gallego decided against running. Earlier this year, he told our reporter he would think about running in 2022 if the 10th Congressional District ends up in Glendale (YS, 1/2). While Quezada is the most vocal about his 2022 plans, he's far from the only returning lawmaker who will need to find a new job after 2022. Contreras is also term-limited in the Senate, while Andrade, Bolding, Bowers, Cobb, Espinoza, Fernandez, Finchem, Friese and Weninger won't be able to seek another term in the House. Cobb previously told our reporter she's thinking about a Congressional run in 2022, provided that wouldn't entail running a primary campaign against Gosar (YS, 9/16/19). Thoughts of swapping roles with seatmates in the other chamber are mostly on hold until the Independent Redistricting Commission draws its new maps, as no one can know what their new legislative district will look like.

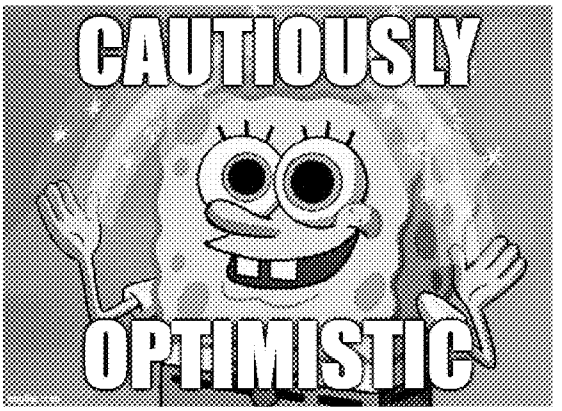
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000121

ARZN_REV00068445_11-18-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

EVERYONE IS CAUTIOUSLY OPTIMISTIC THIS TIME OF YEAR



A new criminal justice committee in the House and the retirement of a formidable foe in the Senate have criminal justice advocates cautiously optimistic that 2021 will finally be the year they get reform measures passed into law. Bowers this morning announced that he was restoring a criminal justice reform committee that was first created for former lawmaker David Stringer in 2019, then cancelled after revelations that Stringer had been charged for child molestation in the early 1980s. Blackman took up the mantle as the chief Republican working on criminal justice reform and will lead the new committee. Caroline Isaacs, program director for the American Friends Service Committee, told our reporter she wants to see proof that the committee will lead to new laws, and not just serve as a rerun of the ad hoc sentencing reform committee Blackman chaired in 2019 with largely the same group of members that didn't get anything concrete accomplished. "My fear is that this is a gesture on the part of leadership, it will be where good ideas go to die so the Legislature can claim that it is addressing criminal justice without actually putting any skin in the game," she said. "My hope is that the opposite is true." Isaacs said she hopes momentum around the Second Chances, Rehabilitation, and Public Safety act, a ballot initiative that ultimately didn't make the ballot because of legal challenges, will make Republican leaders realize they have to either pass substantial criminal justice reform measures now or face another ballot initiative in two years. In the upper chamber, E Farnsworth's has always swiftly killed any significant attempt to reform criminal justice. But Petersen will replace him as Senate Judiciary Committee chair and his vice chair will be Wendy Rogers, whose criminal justice policy priorities include harsher penalties for anyone who defaces monuments and punishments for cities that cut their police budgets (YS, 10/14).

PUTTING PROGRESSIVE HOPES ON KAREN

Progressive lobbyist Marilyn Rodriguez took a rosy view of the ability to pass criminal justice bills out of the Legislature, noting that, a few powerful detractors aside, both the House and the Senate have been fairly supportive in recent years. It sometimes took legislative maneuvers to get bills around obstacles like Farnsworth, but measures that have made it to the floor – such as Mesnard and Toma's 2019 S1334 (sentencing; repetitive offenders) – pass with overwhelming bipartisan support. Rodriguez said she's particularly thrilled that Toma and Fann, who have been vocal supporters of criminal justice reform, are in leadership and well positioned to talk to Ducey about supporting those bills. "I'm hoping they're going to open up those conversations with him because they're kind of our best hope. Weirdly, from the perspective of a progressive given the landscape, that is the best possible outcome we could have hoped for," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000122

ARZN_REV00068445_11-18-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES AND NEWS CLIPS·

Secretary Hobbs: 'I was prepared for these threats of violence and vitriol'

Arizona Secretary of State Katie Hobbs released this statement in response to ongoing and escalating threats of violence directed at her family and her office:

"The truth is, I was prepared for these threats of violence and vitriol. I have been a social worker for many years and can anticipate this reaction when certain people feel powerless and angry. These actions are utterly abhorrent, especially when directed at my family and my staff. They are a symptom of a deeper problem in our state and country – the consistent and systematic undermining of trust in each other and our democratic process. Arizonans deserve to know that elections are safe and secure.

"This does not excuse the perpetrators. Their continued intimidation tactics will not prevent me from performing the duties I swore an oath to do. Our democracy is tested constantly, it continues to prevail, and it will not falter under my watch.

"But there are those, including the president, members of Congress and other elected officials, who are perpetuating misinformation and are encouraging others to distrust the election results in a manner that violates the oath of office they took. It is well past time that they stop. Their words and actions have consequences.

"Now, I am calling on other leaders in this state, including the governor whose deafening silence has contributed to the growing unrest, to stand up for the truth. When facing unimaginable challenges this election year, Arizonans stepped up. More people are registered to vote in our state than ever before, election participation has been at historic highs, thousands answered the call to work at voting locations during a pandemic, and people made their voices heard.

"This should be a time for thanking voters and election workers for their incredible commitment during unprecedented challenges. In that spirit, I offer my gratitude and express my admiration for the Arizonans who inspire trust in our democracy."

Dear Maricopa County voters,

Members of the Board of Supervisors continue to hear from government leaders and the public about the integrity of Maricopa County elections. We want to assure you that proper steps have been taken to ensure a full and accurate count of all votes.

Here are the facts:

- The evidence overwhelmingly shows the system used in Maricopa County is accurate and provided voters with a reliable election. On Election Day, fewer than 200 ballots had an over vote on the presidential race out of more than 167,000 ballots cast.
- The Dominion tabulation equipment was vetted by a bipartisan, "Equipment Certification Advisory Committee" before the contract was finalized. As required by law (A.R.S 16-442), the committee tested the functionality and accuracy of tabulation equipment before it was used in any Arizona elections.
- The Dominion tabulation equipment met mandatory requirements during logic and accuracy testing before the Presidential Preference Election, the Primary Election and the General Election. And after each of these 2020 elections, the hand count audit showed the machines generated an accurate count. (See Fact Page)
- Last week, the Elections Department conducted the mandatory hand count of Election Day ballots from two percent of vote centers and 1 percent of Early Ballots as required by Arizona law and it yielded a 100 percent match to the results produced by the tabulation equipment. All three political parties participated in the hand count audit. This is a statistically significant sample of thousands of votes, which would have caught irregularities.
- There are triggers in Arizona law to require another hand count or even a recount in the case of a close contest. None of those thresholds have been met during the 2020 General Election.

More than 2 million ballots were cast in Maricopa County and there is no evidence of fraud or misconduct or malfunction. Board members listened to and considered many theories about the election results. We asked, and continue to ask critical questions of County staff and none of these theories have proven true or raised the possibility the outcome of the election would be different.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000123

ARZN_REV00068445_11-18-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Board is required to canvass the election by November 23, 2020 (A.R.S 16-642). It is time to dial back the rhetoric, rumors, and false claims. I appreciate the efforts of our elections staff who worked tirelessly to run this election during a pandemic. No matter how you voted, this election was administered with integrity, transparency and in accordance with state laws.
Thank you,
Clint Hickman
Chairman, Maricopa County Board of Supervisors

Arizona School Safety Task Force Releases Final Report and Model School Safety Plan

PHOENIX, AZ – After over one year of work, the School Safety Task Force, as convened by the Arizona Department of Education, is proud today to release their final report and model school safety plan. Despite the efforts of students involved with the Arizona chapter of March for Our Lives to pass House Bill 2597 in the 2019 legislature, the bill failed to pass. However, lack of legislative action did not end the students' vision for school safety. Instead, Superintendent of Public Instruction Kathy Hoffman partnered with March for Our Lives to create the first-ever statewide School Safety Task Force; a multi-disciplinary group convened to reframe school safety as a multi-pronged approach to safety, health and violence.
"As an educator, I've consistently seen the value and importance of listening to our students and bringing their voices into decision making," said Superintendent Hoffman. "I encourage all to read this report than reflect on the ways that student voices can be elevated into your conversations about school climate and safety, so that all students can feel a sense of safety and belonging on our campuses."
"By creating this School Safety manual, it is our hope that all school districts in Arizona will have more direction and equal access to resources that will equate to an emotionally safe campus for all students," said Julie Kent-Partridge, MSW, CSSW at Washington Elementary School District, "Our students are the future leaders of America and keeping them emotionally safe while they are in public education so they can access academics was the ultimate goal of this task force. Our team worked hard and was amazing – I feel blessed to be part of this experience!"
One major goal of the School Safety Task Force was to create an outline of recommended legislative changes. The following ideas should be considered by lawmakers in the 2021 legislative session:

- Provide sustainable funding for the ADE to provide ongoing training on the determinants of the model school safety plan.
- Repeal legislation prohibiting statewide collection of school disciplinary data.
- Provide sustainable funding for the ADE for a full-time position to establish a vetting process for resources and to create and keep current a clearinghouse of resources on its website.
- Provide sustainable funding to create and implement a statewide tip line for public and charter schools.

Additionally, students made recommendations to both lawmakers and school leaders, including:

- Providing funds for mental health programs and positions, like mental health counselors and social workers
- School leaders and educators should come from and reflect the school community
- Implement restorative justice programs and centers in schools
- Implement culturally sensitive and anti-racist curriculum
- Consider alternatives to negative reinforcement systems (i.e. detention and suspension)

"We are very excited and grateful to have had the opportunity to work with the Department of Education and Superintendent Hoffman over the last year," said Maya Zuckerberg, Political Co-Director of March for Our Lives Arizona. "The work and research done on this committee will undoubtedly prove to help keep our students and school communities safe, and ensure that as a state, we really are putting student's wellbeing first."
Since launching the School Safety Task Force, our communities have gone through so much, including the ongoing COVID-19 pandemic and nationwide protests for racial justice. These two events influenced the work of the Task Force because of their transformative effect on our students and schools. Read the Final Report and Model School Safety Plan here: https://www.azed.gov/wellness/school-safety-task-force

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000124
ARZN_REV00068445_11-18-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LD6 State Representative Walt Blackman Calls for Election Audit State Wide

Phoenix, AZ- November 16, 2020- LD6 State House Representative Walt Blackman sent a letter to Arizona's Auditor General's Office requesting a comprehensive audit of every precinct in every county in the state of Arizona concerning the 2020 presidential election as well as other statewide elections.

"A comprehensive audit is common sense. It's important that we audit our vote counts to ensure that we have integrity in our elections. If we have a small discrepancy with even one voting machine it could drastically change the outcome of an election. At minimum, we need to have the Auditor General's office take a look at what is out there and what was potentially affected by the use of Dominion Voting Machines and the software that was used.

By not looking into the potential of voter fraud in our state, we are neglecting to do our jobs as representatives and leaders of the people. If there's nothing wrong, then everyone can be certain we had a good election. Unless this audit happens, there will always be doubt in the minds of the electorate of whether our elections are fair or not. The least we can do is do nothing."

Representative Blackman is particularly interested in information regarding the voting machines and what software that was used in each precinct.

Media Advisory: Post Election Logic and Accuracy Test on Nov. 18

November 17, 2020 (Phoenix) — The Maricopa County Elections Department is conducting a post-election logic and accuracy test for the General Election on Wednesday, November 18 at 10 a.m.

Logic and accuracy tests are open to the public and performed before and after every election to verify the accuracy of the county's tabulation equipment and accessible voting devices.

When: Wednesday, November 18 at 10 a.m.

Where: The public can view the test during the live stream at Maricopa.Vote.

Media Information: Media may record the test through the viewing window at the Elections Department at 510 S. 3rd Ave. in Phoenix. Masks and temperature checks are required.

About the test: A post-election logic and accuracy (L&A) test of tabulation equipment is standard practice in Maricopa County and required by law.

Using the same test ballots, the Elections Department compares the results of the pre- and post-election L&A to ensure no changes were made to any software throughout the election. It is the final step to verify the accuracy of election results.

The Maricopa County Board of Supervisors and the Elections Department have invited the Arizona Secretary of State's Office to also conduct a post L&A of Maricopa County tabulation equipment. This added test will provide another independent evaluation of the equipment used to tabulate and report results for the November 3, 2020 General Election.

The county invited representatives of all three political parties to attend this test.

About 2020 General Election: More than 2 million Maricopa County voters participated in the General Election, an 80.51% turnout of the nearly 2.6 million eligible voters.

See results here.

Read voting equipment facts here.

Indigenous Lawmakers, County Supervisors Propose Partnership to Push Native & Rural Priorities

PHOENIX – Rep. Arlando Teller and Coconino County Board of Supervisors Vice-Chair Lena Fowler are calling for the Arizona Legislature's Indigenous Peoples Caucus to work cooperatively with the Indigenous Elected County Supervisors – led by Fowler – to better address infrastructure needs, education, water and response for COVID-19 in tribal and rural communities.

Fowler has long had a vision for a unified local, state and federal voice representing and advocating for Tribal and rural communities. Now Teller is working with her to make it happen, beginning in Arizona.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"People need to know we're talking about collaboration and partnership – it takes a lot of organization to band together to get things done," Fowler said. "This also helps rural Arizona and other rural communities. Pretty much all native representatives serve rural communities, and rural and native issues are pretty much aligned. It's healthcare, water, infrastructure, broadband, the need for better education, it's all there."
Currently Fowler is the President of the National Association of Native County Leaders and Allies, a group of about a dozen Indigenous county supervisors, mostly from the Southwest and Hawaii, but sees much room for growth and formal organization. Teller said he will work with his fellow six-member Indigenous Peoples Caucus chaired by Sen. Sally Ann Gonzales, D-Tucson, to formalize a relationship with Fowler's organization.
"Supervisor Fowler and I both agree that the Indigenous People's Caucus and the Indigenous County Supervisors need to do a better job in working closely together in voicing issues and concerns in the communities they serve," said Teller, D-Chinle. "The ultimate goal is to bring in Indigenous Congressional members like Deb Haaland in New Mexico and Sharice Davids in Kansas to meet with us and build that bridge. This effort will help better issues like pandemic relief, transportation, public safety and economic development."

ADVISORY: Mark Kelly to Join Transition Team, State Leaders for COVID-19 Briefing

This Thursday, U.S. Senator-elect Mark Kelly will be joined by members of his transition team and Arizona public health experts to discuss the impact of COVID-19 on Arizonans and our economy and talk about how Mark can work with local leaders to ensure communities get the resources they need in this crisis.
Last week, Sen.-elect Kelly announced the formation of a bipartisan transition team that consists of a broad coalition of leaders from across the state with expertise on key issues such as defense, business, water, education, public health, tribal communities, veterans, labor, and border communities.
On the campaign trail, Kelly consistently called on Republicans and Democrats in Washington to pass a bipartisan coronavirus relief bill. He held numerous virtual roundtable conversations to bring attention to the pressing need for extending unemployment benefits, better access to health care for seniors, and funding workforce development programs to help Arizona workers get through this pandemic.
Please let me know if you're able to join so that you can receive the Zoom info or if you're unable to but would like to receive b-roll and stills.
Details
COVID-19 Briefing with Mark Kelly
WHEN: Thursday, November 19, 2020 at 10:00 a.m. AZ
WHAT: Virtual COVID-19 briefing with Mark Kelly, transition team, and Arizona leaders.
WHO:

- Mark Kelly, U.S. Senator-elect
- Dr. Joe Gerald, Associate Professor and Program Director, Public Health Policy & Management at University of Arizona
- Ann-Marie Alameddin, President & CEO of AZHHA
- Coral Evans, Mayor of Flagstaff
- Neil Giuliano, President/CEO Greater Phoenix Leadership
- Maj. Gen. (Ret.) Ted Maxwell, President & CEO, Southern Arizona Leadership Council
- Luis Heredia, Executive Director of Arizona Education Association
- Tom Belshe, Executive Director League of Arizona Cities and Towns

Press must RSVP to press@markkelly.com.

House Passes Stanton-Backed Bill to Provide Emergency Relief to Tribal Nations After Inaction by Trump Administration

PHOENIX— The U.S. House of Representatives today passed a bill cosponsored by Rep. Greg Stanton that will significantly help tribal nations with the financial burden of fighting COVID-19.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The FEMA Assistance Relief Act of 2020, H.R. 8266, eases COVID-19-related financial burdens on state, local, and tribal governments by increasing the federal cost share of FEMA assistance from 75 to 100 percent.
Stanton repeatedly pushed for the cost share adjustment in the House Committee on Transportation and Infrastructure and was an original cosponsor of the bill after the Trump Administration refused to take action on the issue.
In April, Stanton and more than 175 of his House colleagues urged the Trump Administration to eliminate the non-Federal cost share, noting the severity and magnitude of the crisis. Stanton also echoed Navajo Nation President Jonathan Nez's request that the Administration waive the local cost share to help the Nation fight the pandemic, which the administration had the authority to do on its own without congressional approval. Stanton's request went ignored by the White House.
"Tribal communities, including the Navajo Nation, have been among the hardest hit by COVID-19. As cases surge to record levels across the country, the federal government has a duty to leverage the full weight of its resources to help tribal communities battle this pandemic," Stanton said. "After months of inaction by this administration, I'm proud the House has taken this long-overdue step and I hope the Senate acts swiftly to pass this life-saving legislation."
The bill now heads to the Senate.
Full text of the bill is available here.

McSally to Deliver Final Floor Speech

U.S. SENATE – TODAY, U.S. Senator Martha McSally (R-AZ) will speak on the Senate floor for the final time to commemorate her work in the upper chamber.
Her speech will start at approximately **1:45pm AZ/3:45pm ET**.
Watch HERE.

"QUOTE OF THE DAY"

"I was in Tucson when Gabby Giffords was shot and that is the true reality of politics."

- Hoffman, on the danger politicians face and her own experiences with threats and conspiracies

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000127
ARZN_REV00068445_11-18-20.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, November 19, 2020 8:01:42 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Natural Resources, Energy & Water (Ranking Member)
Transportation

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *November 19, 2020*

Ducey: Threats against Hobbs 'unacceptable'
Capitol Media Services
Gov. Doug Ducey said Wednesday he has seen no evidence of "widespread fraud or irregularity" in the conduct of the Arizona election.

School task force offers ways to prevent violence
Capitol Media Services
Arizona schools need everything from tip lines to alternatives to detention if they want to promote a safe environment and reduce violence, according to a new report released November 18.

Ducey vetoes statewide mask mandate
Capitol Media Services
Gov. Doug Ducey refused Wednesday to impose new restrictions or mandates on individuals even as his own health chief warned of an increasing number of Arizonans becoming infected with COVID-19.

Hospitals across Tucson restrict hospital visits as COVID-19 cases rise
Arizona Daily Sun
The increase in the spread of COVID-19 is causing Tucson-area hospitals to restrict visitation again.

Arizona GOP pressures counties to delay vote certification

AMERICAN OVERSIGHT

Associated Press
The Arizona Republican Party is pressuring county officials across the state to delay their certification of election results — even though there hasn't been any evidence of legitimate questions about the vote tally showing that Democrat Joe Biden won the state's presidential contest.

Pinal voter record turnout 75% as results approved; county elections director leaving
Florence Reminder & Blade Tribune
The Pinal County Board of Supervisors approved the official results of the Nov. 3 General Election Wednesday.

Border travel restrictions extended for ninth month
Nogales International
The restrictions are now set to remain in place through Dec. 21, the Mexican Secretary of Foreign Relations (SRE) said in a tweet on Wednesday afternoon.

Payson requires masks again
Payson Roundup
As of Wednesday, Nv. 18, the Town of Payson has reinstated a mask mandate.

Border Officials Are Seeing a 'Huge Spike' in People Smuggling Drugs With Their Bodies
Phoenix New Times
The jig was up for the man and two women smuggling drugs in a gold Lexus.

Maricopa County Board Chair Finds 'No Evidence' of Election Fraud
Phoenix New Times
With the Maricopa County Board of Supervisors expected to soon certify the November election results, Republican Board Chair Clint Hickman says that there is "no evidence of fraud or misconduct or malfunction."

Ducey Dodges on Election Lawsuits, Mask Mandate
Phoenix New Times
In his first press conference since Election Day, Governor Doug Ducey took no decisive action on the COVID-19 surge running rampant in the state, but emboldened Trump supporters seeking to discredit election results with baseless conspiracy theories.

AZGOP lawsuit over election audit, voting centers, faces a skeptical judge
Arizona Mirror
An attorney for the Arizona Republican Party struggled to explain to a skeptical judge on Wednesday why Maricopa County should be forced to re-audit ballots cast at polling places earlier this month.

Arizona secretary of state calls on Trump, members of Congress to stop 'perpetuating misinformation'
The Hill
The top elections official in Arizona called on President Trump and members of Congress on Wednesday to stop "perpetuating misinformation" as she faces threats of violence following this month's election, the first time Arizona has voted for a Democratic presidential nominee since 1996.

Maskless photos overshadow McSally's Senate farewell speech
Roll Call
Outgoing senator and staffers gathered under the Battle of Lake Erie painting.

Arizona Secretary of State Katie Hobbs answers cowardly threats to her with conscience
Arizona Republic (Opinion, EJ Montini)
Democracy is faltering under the watch of the president and those elected Republican officials who are bolstering his paranoid, destructive behavior.

Arizona is in COVID-19 crisis and Gov. Doug Ducey fails to show up, even when he shows up
Arizona Republic (Opinion, EJ Montini)
The governor, who has been in a kind of self-imposed witness protection program, emerged to do ... not much of anything.

Trump fires an expert for calling the election secure, and not a peep from Arizona? Pathetic
Arizona Republic (Opinion, Laurie Roberts)
Arizona's Republican congressional delegation is sadly silent about Trump's dismissal of Christopher Krebs, who dared to correct unfounded accusations that the election was stolen.

Gov. Ducey just cannot bring himself to say there's no fraud in Arizona's elections
Arizona Republic (Opinion, Laurie Roberts)

AMERICAN OVERSIGHT

Gov. Doug Ducey once again just cannot bring himself to tell his fellow Republicans to knock it off with the fake claims of fraud in Arizona's election.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, November 19, 2020 3:39:37 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 11-19-2020.pdf

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Natural Resources, Energy & Water (Ranking Member)
Transportation

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet November 19, 2020

ANOTHER ONE BITES THE DUST
Maricopa County Superior Court judge John Hannah dismissed the AZGOP's lawsuit calling for a new hand audit of election results, leaving a second "Sharpiegate" suit as the last obstacle to certifying election results in Maricopa County.

HEY, THAT'S WAY MORE THAN DUCEY SAID

AMERICAN OVERSIGHT

In a letter to fellow Republicans yesterday, Bowers pushed back on the election conspiracies some have been pushing and shot down questions about whether the Legislature has the ability to deny Biden's victory in Arizona.

AND SOMEHOW HE DIDN'T END UP WITH A CHAIRMANSHIP
Divisions between Republicans who want to further audit the election and those who want to respect the results of already completed legal audits spilled over onto Twitter last night as Roberts publicly aired his grievances with Bowers.

REPLY ALL
Bowers responded to Roberts' "greatly mischaracterized" version of events in a letter to his caucus today titled "Setting the Record Straight."

NEXT TIME, CC YELLOW SHEET
Bowers' response to Roberts' tweet thread, of course, engendered more pushback.

THE TEST WAS SO GOOD, EVERYONE WANTED TO SIGN
AZGOP Chair Kelli Ward and interim Maricopa County GOP Chair Linda Brickman fought over who gets to sign the paperwork certifying the results of yesterday's post-election logic and accuracy test of voting machines in Maricopa County.

IT PUTS SWEET HOME ARIZONA TO SHAME
Trump's Arizona elections director Gina Swoboda has been all over the Yellow Sheet Report recently for her role in party infighting, but her husband, Rob, caught our attention for one of the strangest campaign videos our reporter has ever seen.

REST IN PEACE
Former lawmaker Jerry Overton, a Republican who served in the Legislature for nine years in the late 1990s and early 2000s, passed away earlier this month.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. **Thursday, November 19, 2020**

·NEWS NOTES AND GOSSIP·

ANOTHER ONE BITES THE DUST

Maricopa County Superior Court judge John Hannah dismissed the AZGOP's lawsuit calling for a new hand audit of election results, leaving a second "Sharpiegate" suit as the last obstacle to certifying election results in Maricopa County. Hannah's ruling came out immediately before our deadline and an accompanying filing with his explanation was not yet available, but he was skeptical during yesterday's arguments. He also cleared Hobbs' office to request attorney's fees under a state statute that specifically applies to lawsuits brought without substantial verification, giving another insight into Hannah's annoyance with the case (LINK). The state GOP sought to force the county to separate its ballots by precinct and perform a hand audit of 2 percent of precincts. Following guidance from the Election Procedures Manual – which bears the force of law – Maricopa County did its audit from 2 percent of voting centers. The hand counted audit results matched perfectly with ballots counted by tabulating machines. Party attorney Jack Wilenchik argued that precinct results would be more accurate, claiming that hackers would seek to change votes in specific precincts. With this dismissal, the only remaining election litigation is attorney Alexander Kolodin's repeat attempt to allow two of his Sharpiegate plaintiffs to vote again and watch their votes be counted. A hearing for that case is scheduled for tomorrow morning. (However, Trump's lawyer, Rudy Giuliani, claimed without evidence today that there was a nationally coordinated attempt to steal the election, and pledged another lawsuit in Arizona (LINK).)

HEY, THAT'S WAY MORE THAN DUCEY SAID

In a letter to fellow Republicans yesterday, Bowers pushed back on the election conspiracies some have been pushing and shot down questions about whether the Legislature has the ability to deny Biden's victory in Arizona. "Given the outcome of the presidential race in Arizona, an enormous amount of pressure is being directed at my office and my colleagues," Bowers wrote in the letter, a copy of which our reporter obtained today (LINK). "I wish to respond by simply saying – I took an oath to support the Constitution of the United States and the Constitution and laws of the State of Arizona." Bowers has privately indicated his faith in the integrity of the state's election systems and the validity of the result, even if he doesn't like the outcome. However, with the backing of conspiracy-pedaling AZ GOP Chair Kelli Ward, a vocal contingent – Roberts, Blackman and others among them – has continued to question Biden's victory, even as election officials face threats of violence. In the letter, Bowers cited statute (including laws authored by current members of the caucus) to explain that the Legislature cannot retroactively select new presidential electors; that electors must cast their votes for the candidate who won Arizona; that there were "zero discrepancies" in Maricopa County's hand count; that none of the testing of Maricopa County's tabulation equipment has revealed any tabulation errors; and that lawmakers cannot force Maricopa County to hand count votes at all of its voting centers, among other points. "Many of the issues are or have been adjudicated," Bowers wrote. "We all are emotionally vested to one degree or another, but these are truths that I feel bound to uphold, expecting that the courts will give a final expression of their binding force upon me and us."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000133

ARZN_REV00068448_11-19-2020.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AND SOMEHOW HE DIDN'T END UP WITH A CHAIRMANSHIP

Divisions between Republicans who want to further audit the election and those who want to respect the results of already completed legal audits spilled over onto Twitter last night as Roberts publicly aired his grievances with Bowers. Roberts complained that the House Speaker called him into his office and "made it very clear" that he didn't want Roberts to release a letter he sent to Brnovich and the Maricopa County Board calling for an audit and hand recount of the election (LINK). "I am not sure what the Speaker's motives are, but it was disappointing that the Speaker would try and stop our effort to protect the integrity of our elections," Roberts tweeted. Several Republicans in both chambers sign the letter, which Roberts eventually released anyway. Its thesis is that the use of voting centers instead of precinct polling places is in "direct contravention" of Arizona law. Roberts' post also led Cook to tweet his support – he has been feuding with House leadership since the ethics investigation into his alleged affair with, and favors for, a lobbyist last year. Cook seemed to suggest that Bowers is denying Roberts a committee chairmanship because he was willing to speak out against leadership – though admittedly, in true Cook tweet style, this is just one possible interpretation. "So what's the difference here?" he wrote. "O yea a vote – chairmanship- 'LD6 State Representative Walt Blackman Calls for Election Audit State Wide' – Just waiting for the results. – Pass the popcorn."

REPLY ALL

Bowers responded to Roberts' "greatly mischaracterized" version of events in a letter to his caucus today titled "Setting the Record Straight." Bowers said he received Roberts' letter and gave it to House attorneys to review. The attorneys, he wrote, identified inaccuracies. "I suggested to Mr. Roberts that if he and any caucus members wanted to sign and publish the letter, he ought to first ensure it was accurate," Bowers wrote. "Mr. Roberts disagreed there were inaccuracies, saying he had consulted with unnamed attorneys and had also run it by the House Rules Attorneys. (Let me say, I strongly caution members against using the non-partisan Rules Office for political purposes.)" Bowers also said he disagreed with Roberts' choice to include signatures from members-elect on official legislative letterhead. Ultimately, he told Roberts that "while I would not sign the letter, he was free to do as he wished, as could others, but my opinion was it would be ill advised of him to proceed." Cobb, an ally of Bowers, offered a similar account. "I can't believe he put that out there," she said.

NEXT TIME, CC YELLOW SHEET

Bowers' response to Roberts' tweet thread, of course, engendered more pushback. Townsend, now headed for the Senate, replied to Bowers, writing that she was "dismayed" with his response. "This email is discoverable and this type of personnel management is grossly substandard," she wrote. "Your abusive way of dealing with those who disagree with you, all while with a smile on your face, has become intolerable." She also reminded Bowers that she had sent a records request for the expenses the House incurred while investigating Cook. "If this is what the members have to expect from your leadership when they disagree with you, I recommend they have another election and choose a more fair Speaker who can handle dissent," she said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000134
ARZN_REV00068448_11-19-2020.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE TEST WAS SO GOOD, EVERYONE WANTED TO SIGN

AZGOP Chair Kelli Ward and interim Maricopa County GOP Chair Linda Brickman fought over who gets to sign the paperwork certifying the results of yesterday's post-election logic and accuracy test of voting machines in Maricopa County, according to one onlooker. Brickman, the first vice chair of the Maricopa County GOP who took over after the resignation of Rae Chornenky, was on hand to observe the test, as is the purview of a county party chair. However, not unlike the situation that eventually led to Chornenky's departure, Ward attended the test and claimed her right to sign the paper certifying the results (YS, 11/17). Steven Slugocki, the chair of the Maricopa Democratic Party, who witnessed the exchange, said Ward grabbed the paper after the others had signed, leading Ward, Brickman and her husband snatching the sheet back and forth from each other. "Then I tried to grab it," Slugocki said. "I was yelling, 'Please don't rip it! Please don't rip it!'" This all transpired in full view of state and county observers as well as the media. Slugocki said he didn't notice at the time that Brickman had signed the paper while also writing "certification denied" (LINK). Ward and Brickman eventually agreed that she could sign the paper, but only after Brickman had taken photos, Slugocki said. "Kelli signs the paper, then storms out to do her press conference," he said. "It happened in front of everybody."

IT PUTS SWEET HOME ARIZONA TO SHAME

Trump's Arizona elections director Gina Swoboda has been all over the *Yellow Sheet Report* recently for her role in party infighting, but her husband, Rob, caught our attention for one of the strangest campaign videos our reporter has ever seen. Rob Swoboda, currently a vice chair with the LD23 GOP, is seeking the chairman position during tonight's organizational meeting. He announced his candidacy with a two-minute video that starts with an image of ancient fighters holding round shields as they stare down from a hill and only gets weirder from there (LINK). There's plenty of patriotic stock footage of historical documents and flags — including a waving Arizona flag that is inexplicably imposed over an eyeball. Phrases like "MAGA" and "our constitutional republic" appear on screen in word art and text effects that would embarrass even a newbie to Microsoft PowerPoint. About halfway through, Swoboda switches gears into discussing how he will modernize LD23 and a crosswalk symbol displaying the phrase "stop hate" appears on screen. The next few slides are an eclectic mix, with pictures including the word "racism" on a crumpled up piece of paper and "merit based" over an image of a trophy. Stock art of people of various races and a graphic of many hands inserting the rainbow pride flag into a ballot box accompany narration about how he'll reach out to all patriotic Americans, and the video ends with an exhortation to "Make LD23 great again" written in a font that resembles a ransom note made of magazine letters.

REST IN PEACE

Former lawmaker Jerry Overton, a Republican who served in the Legislature for nine years in the late 1990s and early 2000s, passed away earlier this month (LINK). Overton, who also served on the Litchfield Park City Council and a variety of civic organizations, was born in 1933 in Kansas City, Missouri, and moved around frequently before settling in the West Valley. After leaving the Legislature, he bought a travel agency in Litchfield Park and became active with the Arizona Highway Users Assn. In a letter to other members of the association announcing his passing, Overton's wife of 63 years, Grace, wrote that the

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000135
ARZN_REV00068448_11-19-2020.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

couple had just moved to an independent living facility in Peoria. "As always he was trying to make sure I was taken care of in the best way possible," she wrote.

·PRESS RELEASES AND NEWS CLIPS·

Democratic Leader Bolding Announces Committee Assignments

PHOENIX – Democratic Leader Reginald Bolding (D-27) today announced Democratic committee assignments for the 55th Legislature following Speaker Bower's announcement earlier this week.

MONDAY PM

Health & Human Services
Rep. Kelli Butler (Ranking Member)
Rep. Randy Friese
Rep. Alma Hernandez
Rep. Amish Shah

Land, Agriculture & Rural Affairs
Rep. Lorenzo Sierra (Ranking Member)
Rep. Andrea Dalessandro
Rep. Mitzi Epstein
Rep. Diego Rodriguez
Rep. Arlando Teller

Military Affairs & Public Safety
Rep. Jennifer Jermaine (Ranking Member)
Rep. Richard Andrade
Rep. Myron Tsosie
Rep. Daniel Hernandez
Rep. Melody Hernandez
Rep. Jennifer Longdon

Rules
Rep. Diego Espinoza (Ranking Member)
Rep. Domingo DeGrazia
Rep. Mitzi Epstein

TUESDAY PM

Commerce
Rep. Pamela Powers Hannley (Ranking Member)
Rep. Diego Espinoza

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Rep. Charlene Fernandez
Rep. Robert Meza
Education
Rep. Jennifer Pawlik (Ranking Member)
Rep. Daniel Hernandez
Rep. Athena Salman
Rep. Judy Schwiebert
Natural Resources, Energy & Water
Rep. Andrés Cano (Ranking Member)
Rep. Andrea Dalessandro
Rep. Aaron Lieberman
Rep. Stephanie Stahl Hamilton
WEDNESDAY AM
Government & Elections
Rep. Athena Salman (Ranking Member)
Rep. Kelli Butler
Rep. Jennifer Jermaine
Rep. Jennifer Pawlik
Rep. Stephanie Stahl Hamilton
Rep. Raquel Terán
Judiciary
Rep. César Chávez (Ranking Member)
Rep. Domingo DeGrazia
Rep. Melody Hernandez
Rep. Diego Rodriguez
Ways & Means
Rep. Mitzi Epstein (Ranking Member)
Rep. Andrés Cano
Rep. Pamela Powers Hanley
Rep. Lorenzo Sierra
Appropriations
Rep. Randy Friese (Ranking Member)
Rep. César Chávez
Rep. Charlene Fernandez
Rep. Aaron Lieberman
Rep. Judy Schwiebert
Criminal Justice Reform
Rep. Diego Rodriguez (Ranking Member)
Rep. Reginald Bolding
Rep. Alma Hernandez
Rep. Raquel Terán
Transportation
Rep. Richard Andrade (Ranking Member)
Rep. Robert Meza
Rep. Amish Shah
Rep. Arlando Teller
Rep. Myron Tsosie
Ethics
Rep. Alma Hernandez (Ranking Member)
Rep. Domingo DeGrazia

Senate President sets up email account for voting reports

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

(Phoenix, State Capitol) --- With questions swirling over election integrity in Arizona, Senate President Karen Fann today announced the Senate Republican Caucus is setting up a special email account to gather documented proof of voting irregularities in the 2020 General Election in Arizona. The email will be 'live' until November 27, 2020, so Arizona residents who have firsthand knowledge of possible fraud can detail their accounts.
"We have heard from constituents across the state concerned about the voting process in Arizona," said President Fann. "I have consistently said, if there is evidence of fraud, we need to look into it. This email account will be a resource for people who are aware of improprieties in Arizona's election process. My hope is this will sort out the facts from vague allegations, give us a clear indication of the veracity of the election and begin an effort to ensure voters have confidence in the election system."
To report evidence of fraud or any other voting irregularities, residents should send a detailed description to 2020election@azleg.gov. Please include name and contact information so those looking into the incident can follow up. The Senate President will monitor the reports as they come in and gather all evidence before the election canvass, which is set to take place on November 30, 2020.

Biden Campaign Statement on latest AZ Ruling

Statement from Geoff Burgan, the Biden Campaign's Arizona Communications Director:
"This lawsuit was frivolous and rightfully dismissed. Arizona's election was well-run and transparent, and far-right fringes of the Arizona Republican Party should stop trying to undermine Arizonans' faith in free and fair elections. This ruling is a win for Arizonans who turned out in record numbers this fall. It's time for Governor Ducey and others to move forward and recognize the will of the voters, given the pressing issues Arizona is facing with COVID-19."

Rep. Teller Isolating After COVID-19 Diagnosis

PHOENIX – Rep. Arlando Teller announced today that he has tested positive for COVID-19. He is isolating and recovering at home in Chinle.
"On Wednesday afternoon I was informed that I had tested positive for COVID-19 after experiencing mild symptoms. I want to thank my family, colleagues and friends for the outpouring of support I have received. I have been taking precautions throughout the pandemic – which has had a devastating impact on the communities I serve – but this virus is very contagious, very real, and I am unsure where I contracted it. I urge Arizonans to take all precautions – wear a mask at all times while out, keep physical distance, and stay at home if you can."

Phoenix, Tucson, Flagstaff, and Tolleson Mayors Hold Press Conference on the Rise of COVID-19 Cases Across the State

Arizona Mayors Regina Romero, Kate Gallego, Coral Evans, and Anna Tovar concerned about rise in COVID-19 cases statewide
WHAT: Arizona Mayors Regina Romero, Kate Gallego, Coral Evans, and Anna Tovar hold virtual press conference on rise of COVID-19 cases across the state.
WHEN: Friday, November 20, 2020 at 8:30 am
WHERE: The virtual press conference will be via Zoom**:**
https://zoom.us/j/93909958096?pwd=clVGaU1ISWJON0Y1ZDdvdE9YRmxEdz09
Meeting ID: 939 0995 8096
Passcode: 039357
Members of the press, please RSVP to myriam.cruz@tucsonaz.gov.
The press conference will also be live-streamed on Mayor Regina Romero's Facebook Page

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Department Of Health Services Strengthens Mask Wearing Requirement For Schools

Emergency Measure Aims To Improve Mitigation Measures On Campuses And Buses

PHOENIX — To protect the health of our school communities, the Arizona Department of Health Services (ADHS) today issued an emergency measure requiring district and charter schools to immediately mandate that masks are worn on school campuses, on school buses and during school-associated activities by all students, faculty, staff, contractors, and visitors.

"Keeping kids and teachers safe is one of our top priorities," said Governor Doug Ducey. "This emergency measure issued by ADHS addresses the serious threat COVID-19 poses to our communities. It requires schools to implement the simple step of mask-wearing to reduce transmission and keep our kids safe."

In July, Governor Ducey issued Executive Order 2020-51, which required all school districts and charter schools to develop and implement a policy to require masks for all staff and students. It also required ADHS and the Arizona Department of Education to work collaboratively to develop the Guidance for Safely Returning to Schools, based on the Roadmap for Reopening Schools.

As part of this guidance, schools must implement COVID-19 mitigation strategies, based on the school benchmarks, to keep students and staff safe on campuses. These mitigation strategies include mask-wearing, physical distancing, increased cleaning and disinfecting protocols, limiting the size of groups, and increased hand hygiene.

"Based on recently released data, we now know masks provide more protection than previously thought," said ADHS Director Dr. Cara Christ. "The new studies show that wearing a mask also protects the mask wearer, not just those around them. I encourage everyone to wear a mask whenever they are around people they don't live with."

Public health works closely with schools to provide technical assistance to schools on implementing mitigation measures, such as masks. To ensure everyone who needs a mask has access to one, ADHS has partnered with Hanes to provide five free masks to students and their families. Families and schools can go to azhealth.gov/ordermasks to have free masks shipped to them.

For more information, please visit azhealth.gov/COVID19.

Arizona Department of Health Services Releases Menu of Health Tips for Safer Holiday Gatherings

Smaller groups, moving dinner outside help reduce COVID-19 risk

Your menu may be the same this year, but other aspects of Thanksgiving may need to be different to reduce the risk of transmitting COVID-19.

That's why the Arizona Department of Health Services has developed a menu of precautions to take during holiday gatherings. Doing one makes your family and your guests safer. Doing more is even better.

"It's an unfortunate reality that household gatherings are contributing to the current rise in COVID-19 cases, percent positivity, and stress on our healthcare system," said Dr. Cara Christ, director of ADHSthe Arizona Department of Health Services. "The holidays can bring together more households and more generations, including older individuals who are more vulnerable to COVID-19 and young adults and children who are more likely to be asymptomatic carriers. Following these simple guidelines can help keep everyone safe during the holidays."

Recommendations for safer holiday gatherings

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I wish to respond by simply saying – I took an oath to support the Constitution of the United States and the Constitution and laws of the State of Arizona."

- Bowers, on the pressure he's facing to attempt to nullify the results of the presidential election

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, November 20, 2020 8:31:47 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Natural Resources, Energy & Water (Ranking Member)
Transportation

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *November 20, 2020*

Loss of moderate GOP lawmakers in Senate no boon for Dems
Arizona Capitol Times
Democrats picked up one new seat in the state Senate, but are headed into the 2021 legislative session with potentially less power to stop Republican legislation.

Court tosses GOP lawsuit challenging election
Capitol Media Services
A judge on Thursday removed the last legal hurdle to certifying the results of the election and handing Arizona's 11 electoral votes to Joe Biden — assuming there's no appeal.

Rising COVID-19 cases may spell trouble for Arizona economy
Capitol Media Services
Arizona added more than 4,100 new cases of COVID-19 on Thursday, part of a trend that could have a nasty effect on the state's economic health and unemployment situation.

Native American votes helped secure Biden's win in Arizona
Associated Press
Voting rights advocates had long argued that if Native Americans and other minority groups were mobilized, they could be decisive in a tight race.

AMERICAN OVERSIGHT

Arizona sees over 4,000 virus cases for 1st time since July
Associated Press
Arizona on Thursday reported 4,123 additional known COVID-19 cases, the most in a single day since July.

Senator-elect Kelly promises to get to work after daunting briefing on COVID surge
Arizona Daily Sun
As coronavirus cases mount across Arizona, U.S. Senator-elect Mark Kelly held a virtual briefing with advisors on Thursday to discuss actions he might take to combat the pandemic once he is sworn into office.

Phoenix has never seen a hot spell like this so late in the year before
Pinal Central
A late-season hot spell is setting records across drought-stricken Arizona, creating a fire danger heading into the weekend.

'Accountability is Dead': Phoenix City Council Stalls Police Oversight Office
Phoenix New Times
The push to establish Phoenix's first police oversight office has hit a major roadblock.

Republicans reject perfect election accuracy testing, demand hand recount of Biden's win
Arizona Mirror
As representatives from Maricopa County political parties observed the standard post-election accuracy test on Wednesday, Arizona Republican Party Chair Kelli Ward doubled down on calls for a complete hand count of the nearly 2.1 million votes cast in the county in a continued attempt by Republican officials to reverse President Donald Trump's loss in Arizona.

Video evidence that Rudy Giuliani was at one time ... sane
Arizona Republic (Opinion, EJ Montini)
We have to go back to the time when Giuliani, in 1989, lost the election for mayor of New York City to David Dinkins.

Is Gov. Doug Ducey OK with 1,200 additional COVID-19 deaths by February?
Arizona Republic (Opinion, EJ Montini)
The projections are scary, and because we've been through this before, they seem accurate. So, why not act?

Now 0 for 3 in lawsuits, the Republican Party just will not accept that Trump lost Arizona
Arizona Republic (Opinion, Laurie Roberts)
Shame on all the Republican officials who claim to want to make America great again then work to weaken very thing that makes America great.

Rep. Andy Biggs' descent into a partisan brawler has been painful to watch
Arizona Republic (Opinion, Robert Robb)
Andy Biggs was once one of Arizona's most powerful lawmakers and a conservative thought leader in Congress. Now, he's just a partisan brawler.

Arizona just enacted a statewide mask mandate ... and most people missed it
Arizona Republic (Opinion, Joanna Allhands)
The Arizona Department of Health Services has issued a statewide mask mandate with enforcement, effective immediately in district and charter schools.

Did Trump just hand over a general accused of helping drug cartels to repay a favor?
Arizona Republic (Opinion, Elvia Diaz)
Releasing retired Gen. Salvador Cienfuegos erodes confidence that Mexico will ever rein in the dangerous drug cartels that sell on American streets.

Let's set the record straight about Republicans, COVID-19 and face masks
Arizona Republic (Op-ed, John B. Shadegg)
After David Bossie tested positive for COVID-19, I quarantined. And, yes, I regularly wear a mask. I don't appreciate the assertion otherwise.

Joe Biden won. Waiting to accept that is a serious misstep, former Republican leaders say
Arizona Republic (Op-ed, Judith Allen, Daniel Barker and others)
Not all of us voted for Joe Biden. But the election is over. Delaying the transition could be dangerous for our nation.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, December 1, 2020 5:32:51 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 12-1-20.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow SheetNov December 1, 2020

THE MOMENT THE MACHINE TURNED ON DUCEY

When he silenced the president's call, the tide turned on Ducey as Trump and his followers at the Legislature and AZGOP launched a sustained attack on the governor who until yesterday, did everything in his power to appease the president.

AMERICAN OVERSIGHT

IF YOUR BILLS GET A HEARING, THEY'LL PROBABLY GET A VETO
Several members of Republican leadership at the Capitol were on the election fraud panel as Giuliani and Trump led the crowd in booing the governor for certifying the election results – a bold stand that railbirds likened to suicide for their legislative priorities.

PERP WALK PROGRAM COMING SOON TO SEVENTH FLOOR…
Yesterday's 10-hour election fraud panel finished with Finchem coyly addressing the possibility of a future run for secretary of state.

…FOR THINGS THAT HAPPENED IN 2020
LD6 Senator-elect Wendy Rogers wants to increase penalties retroactively for voter fraud, seemingly unaware that doing so would be a flagrant violation of the US Constitution.

IF YOUR IDEA OF SAFETY IS MASKLESS LAWMAKERS
As questions around how to open the Legislature safely continue to swirl at the Capitol, House Republican leadership implemented a number of new safety measures to combat COVID-19 ahead of the upcoming session.

DOING FOR MELANIA WHAT SHE DID FOR HORNE AND GOWAN
Citing administration loyalists who were speaking out to protect the first lady, New York Post columnist Miranda Devine yesterday penned a scathing takedown of Stephanie Grisham that argued she tanked Melania Trump's potential to be a more popular asset to the administration.

CROSSING THE AISLE, STAFF EDITION
Sinema hired Austin Kennedy, an alumnus of four former Republican Arizona senators, to be her new legislative liaison.

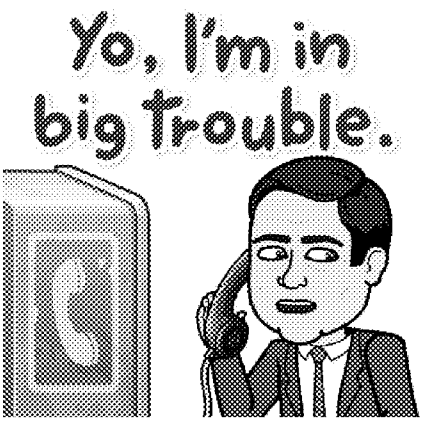
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, December 01, 2020

·NEWS NOTES AND GOSSIP·

THE MOMENT THE MACHINE TURNED ON DUCEY



When he silenced the president's call, the tide turned on Ducey as Trump and his followers at the Legislature and AZGOP launched a sustained attack on the governor who until yesterday, did everything in his power to appease the president. In case you somehow missed it, Trump fired off a series of tweets attacking Ducey shortly after our deadline. "Why is he rushing to put a Democrat in office, especially when so many horrible things concerning voter fraud are being revealed at the hearing going on right now. @OANN What is going on with @dougducey? Republicans will long remember!" Trump posted last night, following up with a retweet saying Ducey "has betrayed the people of Arizona" and other attacks. He called in to the election fraud hearing to falsely claim the election was rigged and lambast Ducey, leading the crowd in a round of booing the governor. Trump's lawyer, Rudy Giuliani, joined in, calling Ducey corrupt and complaining that Ducey ignored his text. "Governor Ducey of Arizona refuses to meet with me," he tweeted. "He doesn't want to explain that he selected a foreign corrupt Voting Machine company to count the vote. I understand his reluctance, but just call a special session. Let's find out how crooked your election really was?" Ducey spent Trump's only term in office as a loyal ally, patting the president on the back at every opportunity. That relationship blossomed during the pandemic – ironically, the only reason we know that the White House was calling is because Ducey bragged about how closely he's working with the Trump administration through the pandemic. Ducey didn't go down quietly, defending his oath of office and following the law in a nine-tweet thread last night that didn't mention Trump by name, though it was a clear response to Trump's attacks (LINK). "#STHU #ElectionIntegrity is missing in Arizona. Period," AZGOP Chair Kelli Ward said in a retweet of Ducey's thread.

IF YOUR BILLS GET A HEARING, THEY'LL PROBABLY GET A VETO

Several members of Republican leadership at the Capitol were on the election fraud panel as Giuliani and Trump led the crowd in booing the governor for certifying the election results – a bold stand that railbirds likened to suicide for their legislative priorities. "[Ducey's] not the vindictive type," one railbird joked. "I think he'll let that slide." It would be one thing if the panel were just Finchem and other fringe lawmakers who don't control committees or have standing with the Ninth Floor, but the panel included several who are influential players and up until yesterday were seen as allies of the governor. For example, Gowan is Senate Appropriations chair and has worked closely with Ducey's office on the budget, S Allen runs the Senate Education Committee and has helped push Ducey's education agenda, while Borrelli and Biasiucci are majority whips. And yesterday's event served as a forum for lawmakers' grievances with House and Senate leaders – namely that Bowers and Fann would not allow them a committee with subpoena power to audit the results of the election, further dividing them from their leadership and setting the stage for an ugly 2021. "I'm appalled by the inept actions and the rudeness … (of) leaders of our own party and the body," Cook said at last night's panel, his voice raised. At one point, he apologized to Giuliani on behalf of the governor for ignoring his calls. Townsend called the government despotic and tyrannical, and added that it was "the right of the people and their duty to throw off such government, to throw off those leaders who are saying no."

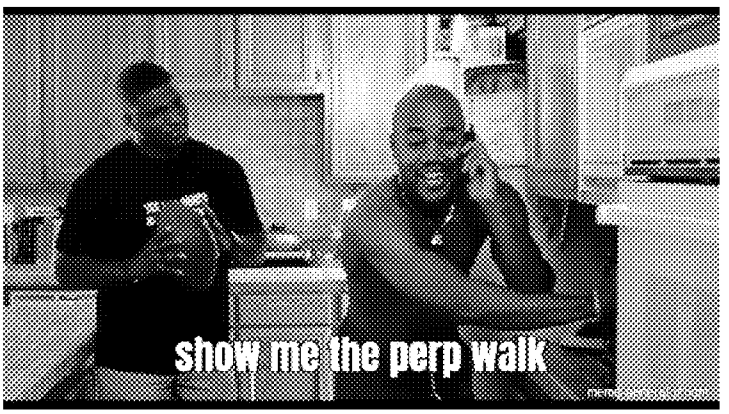
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000145

ARZN_REV00068451_12-1-20.pdf

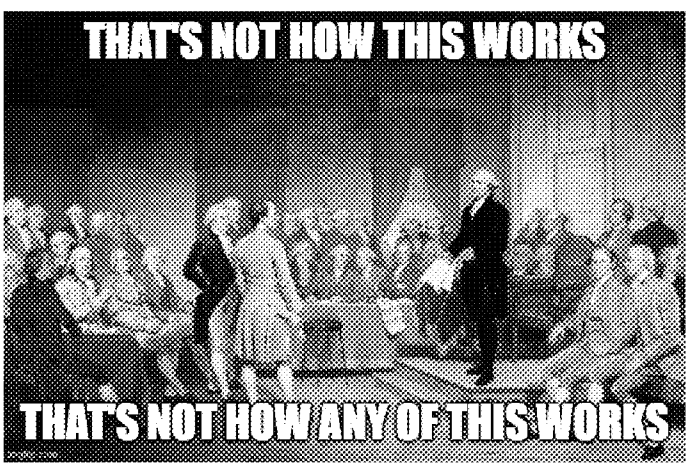
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PERP WALK PROGRAM COMING SOON TO SEVENTH FLOOR…



Yesterday's 10-hour election fraud panel finished with Finchem coyly addressing the possibility of a future run for secretary of state, a job that might make sense given his role as the de facto thought leader for a group of Trump-aligned legislative Republicans determined to cast doubt on the validity of the November election. The remarks came after Finchem's closing statement, in which he made repeated references to armed revolution a la 1776 – a persistent theme throughout the day – and encouraged the patriots in the audience to "put on the full armor of God and be prepared to fight." Borrelli, who also attended the panel, chimed in: "I don't know about you folks, but I think he would be a great secretary of state," an idea that generated considerable applause. "I think I'll have to have a conversation with somebody at home before that happens," Finchem said, half-jokingly. Townsend has also been rumored to be considering a run for the state's top elections job. She gave something that could resemble her pitch to voters in her closing remarks, calling for federal grand juries to investigate fraud and new leadership to allow that process to play out. Finchem put it perhaps more succinctly. "It's time to start perp walking people."

...FOR THINGS THAT HAPPENED IN 2020



LD6 Senator-elect Wendy Rogers wants to increase penalties retroactively for voter fraud, seemingly unaware that doing so would be a flagrant violation of the US Constitution. Rogers, who is set to become the vice chair of the Senate Judiciary Committee, has spent the past several days agitating for criminal charges against an unspecified number of people who she believes – with no evidence – have been engaged in electoral fraud. (She maintains that her own election, the first race she won after a decade of trying, was entirely legitimate because her district doesn't include Maricopa or Pima counties (LINK).) Rogers shifted from proclaiming that "heads will roll" to announcing that she expects to see multiple arrests and perp walks. And if current law doesn't bring the charges or penalties she envisions, she wants to change the law. "One of my new top priorities will be to stop election fraud and to toughen penalties for election fraud and conspiracy to commit election fraud. We will make this retroactive to 2020 to get the perpetrators here in Arizona!" she wrote on a Republican website. Of course, the US Constitution explicitly forbids Congress and the states from passing ex post facto laws, or, in common English, criminal laws that apply retroactively. Courts can't charge someone for doing something that wasn't illegal at the time they did it, and they can't apply penalties harsher than the criminal penalties that would have applied for that crime when it was committed.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000146

ARZN_REV00068451_12-1-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF YOUR IDEA OF SAFETY IS MASKLESS LAWMAKERS

As questions around how to open the Legislature safely continue to swirl at the Capitol, House Republican leadership implemented a number of new safety measures to combat COVID-19 ahead of the upcoming session. The new safety precautions range from acrylic partitions on the floor, socially distanced seating in the galleries, a dozen new hand sanitizer stations, air purifiers, a no-touch body temperature scanner and staggered work schedules for House staff, among other changes. Bowers is reviewing a full list of proposals for new safety protocols – installing partitions in hearing rooms, for example – from lawmakers and could finalize a list of precautions as early as the end of this week, spokesman Andrew Wilder told our reporter. At least some of these proposals came from Democrats, though it's difficult to say whether they will be adopted as written. Bolding, the incoming Democratic minority leader, said his caucus has made several suggestions, but paramount is to "ensure that members of the public are safe but there's not a lack of public participation." This could mean using video call technology to hold hybrid hearings, he suggested. He also said the House needs a mask mandate, even for lawmakers. The list of changes from the House GOP mentions the availability of masks and gloves for lawmakers and visitors alike, but does not address the possibility of an enforceable mandate.

DOING FOR MELANIA WHAT SHE DID FOR HORNE AND GOWAN

Citing administration loyalists who were speaking out to protect the first lady, *New York Post* columnist Miranda Devine yesterday penned a scathing takedown of Stephanie Grisham that argued she tanked Melania Trump's potential to be a more popular asset to the administration. "Grisham has managed to keep Melania Trump isolated from friends, staff and the media, and she has alienated potential allies and created drama for the president with her weirdly combative approach," Devine wrote in a column titled "Our great first lady Melania Trump had awful support" (LINK). The catalyst for her column, Devine wrote, was an election-night party where Grisham left her phone and White House badge sitting out. Noting that Grisham has twice been arrested for DUI, Devine wrote that the badge and phone incident sparked a formal investigation from the Office of Administration. "Lawyers have interviewed a half-dozen staffers, including Secret Service agents, and made a recommendation for further action, according to those with knowledge of the case," Devine wrote. Much like her final months as Gowan's spokeswoman (LINK), Grisham has "checked out" of her White House job. "She is rarely seen in the White House, having been clocked into the East Wing fewer than 30 times since taking on the job in April. According to four insiders, Grisham has moved to Kansas and has not attended a single senior staff meeting in the past seven months," Devine wrote. But perhaps the most interesting nugget is that Devine implies that Grisham was the source of the leak that Trump was rushed into an underground bunker when protesters gathered at the White House in May, and possibly other leaks. Devine paints Grisham as an incompetent spokeswoman who was the "least visible and most combative representative of any first lady in living memory." She rarely responds to questions – a notable exception being to *The New York Times'* Maggie Haberman, who got the scoop on the bunker, Devine noted. "Only three staffers — Grisham, Trump loyalist director of social media Dan Scavino and Trump's bodyman, Nick Luna — knew about the incident, according to one former senior White House official."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000147
ARZN_REV00068451_12-1-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

CROSSING THE AISLE, STAFF EDITION

Sinema hired Austin Kennedy, an alumnus of four former Republican Arizona senators, to be her new legislative liaison. Kennedy most recently served as McSally's legislative liaison, after stints as Jon Kyl's state outreach director and John McCain's legislative liaison, along with a year in Flake's office. He said the gig will be based in Arizona and focused on Arizona specific issues in DC. Although he's crossing the aisle, he expects to continue the approach that he's taken on behalf of the Republican senators. "Each one of them appreciates someone who can just focus on what's important for Arizona," he said. He started his career in Joe Lieberman's office, so it's not his first time crossing the aisle. "Obviously Arizona is trending a different way now, and I've always been very close to the middle, and to me it's about serving Arizona rather than a party," he said.

·PRESS RELEASES AND NEWS CLIPS·

TOMORROW: Sen.-Elect Mark Kelly to Take Oath of Office

This week, Senator-elect Mark Kelly is in Washington, D.C. where he will be sworn in as Arizona's next United States Senator. See the information below.
WEDNESDAY: Senator-elect Mark Kelly Swearing-In Ceremony - Washington, D.C.
WHAT: Senator-elect Mark Kelly will be sworn in to the United States Senate.
WHEN: Wednesday, December 2, 2020 at 2:00 p.m. ET / 12:00 p.m. AZ
WHERE: Senate chamber; viewable on CSPAN-2
CONTACT: press@markkelly.com

Rep. Kirkpatrick Voices Support for Tucson Mayor Regina Romero's Curfew Request to Curb the Spread of COVID-19

Cites need to take vigorous action against the alarming rate of spread in Southern Arizona
(Washington, D.C.) – Today, Representative Kirkpatrick released the following statement in support of Tucson Mayor Romero's request for the establishment of a mandatory curfew to curb the spread of COVID-19.
"I stand in solidarity with Mayor Romero's decision to request a nightly curfew to help stop the spread of this deadly virus," **said Rep. Kirkpatrick.** "In a time of crisis, we need to rely and base decisions on facts. The truth of the matter is that COVID-19 is spreading at an increasingly alarming rate throughout Tucson and Southern Arizona, and something must be done."
There are now 40,000 reported cases in Tucson and there have been 700 deaths. The city has witnessed a record number of cases per day, and hospitals could reach their capacities this week. The Mayor's requested curfew would start at 8 p.m. beginning Tuesday, December 1 and would be in place through December 22. It would prohibit all persons from being present on any public street or in any public place, with exceptions for law enforcement, emergency and medical personnel, people performing essential functions, and unhoused people.
"We are at an inflection point, and our actions today will determine what happens in the next three weeks," **announced Mayor Romero**. "My colleagues on the council and I are asking each and every Tucsonan to do their part to slow the spread, especially for our family and friends working in our hospitals. We need statewide action, and I strongly urge Governor Ducey to act swiftly to protect the health of Arizonans."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Mayor Romero has shown strong leadership throughout the entirety of the pandemic, and as a result, she has been more successful in slowing the spread than the Governor has at the state level," **added Rep. Kirkpatrick.** "We've seen the data. Masks work. Social distancing works. Small measures advised to us by health experts go a long way in stopping the spread of this disease. The Mayor's suggested curfew will have positive and critical long-term effects on our community, and I hope that City Council will approve this measure for the benefit of all Tucsonans."

Congressman Biggs Requests DOJ Investigation of U.S. Representative Bill Pascrell for Possible Civil Rights Violations

WASHINGTON, D.C. – Congressman Andy Biggs sent a letter to U.S. Attorney General William Barr, urging him to investigate U.S. Representative Bill Pascrell for possible civil rights violations in his efforts to obtain the disbarment of certain members of President Trump's legal counsel in Arizona, Michigan, Nevada, New York, and Pennsylvania, solely because those attorneys attempted to represent President Trump in his efforts to secure the integrity of the 2020 Presidential Election.

Representatives Warren Davidson (OH-08), Andy Harris (MD-01), Debbie Lesko (AZ-08), and Randy Weber (TX-14) co-signed the letter.

Read the text of the letter

NAIOP ARIZONA BOARD OF DIRECTORS ELECTS NEW OFFICERS, BOARD MEMBERS FOR 2021

PHOENIX, ARIZONA (December 1, 2020) – The Arizona Chapter of NAIOP, the Commercial Real Estate Development Association, elected officers and board members for 2021.

The 2021 Executive Committee of NAIOP Arizona comprises Danny Swancey, Chairman, ViaWest Group; Rusty Kennedy, Vice Chairman, CBRE, Inc.; Cathy Thuringer, Treasurer, Trammell Crow Company; John Orsak, Programs Chair, Lincoln Property Company; Phil Breidenbach, Secretary, Colliers International; Jim Wentworth, Wentworth Property Company, Immediate Past Chairman; and Molly Carson, Ryan Companies US, Inc., Past Chair once removed.

New 2021 board members include Chris Anderson, Hines; Jeff Moloznik, RED Development LLC; Mike Olsen, Globe Corporation; and Mike Strittmatter, CBRE, Inc. (Developing Leaders representative, 1-year term).

Returning members of the board of directors are Chris Burson, Alliance Bank of Arizona; Bryon Carney, Cushman & Wakefield; Danielle Feroleto, Small Giants; Derek Flottum, Irgens; Jeff Foster, Prologis; Tom Jarvis, Willmeng Construction; Kate Morris, Transwestern; CJ Osbrink, Newmark Knight Frank; Darren Pitts, Velocity Retail Group; and Candace Rosauro, Layton Construction.

Andrew Cheney, Lee & Associates Arizona, is the board member who is rolling off the leadership team after serving as Board Chairman of NAIOP Arizona in 2018.

"The resilience, creativity and commitment of our members and corporate sponsors made 2020 a great year for our organization despite the unusual conditions," Swancey said. "We look forward to building upon the successes of 2020 as we enter a new year and are fortunate to have such a highly-qualified and engaged board of directors to help us accomplish this."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I don't know about you folks, but I think he would be a great secretary of state."

- Borrelli, on Finchem

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000150

ARZN_REV00068451_12-1-20.pdf

Sender: rgabaldon@azleg.gov
Sent: Thursday, December 3, 2020 3:51:28 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 12-3-20.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet December 3, 2020

100 BALLOTS AIN'T GONNA SWAY THIS ELECTION, KELLI
AZGOP Chair Kelli Ward's hunt for messed-up duplicate ballots turned up nine out of the more than 1,600 ballots inspected, Maricopa County election day director Scott Jarrett testified in court today.

THEY MADE IT, THEY CAN TAKE IT BACK
Townsend wants the Legislature to take control of the election integrity unit after Brnovich declined to investigate allegations of election fraud from a 10-hour meeting between lawmakers and Trump's attorney at a hotel this week.

ON BIGFOOT, LOST KEYS AND STOLEN ELECTIONS
Former Republican lawmaker turned Cochise County Recorder David Stevens told our reporter today that while he hasn't seen any hard evidence of systemic election fraud, he's not convinced it didn't happen.

IT'S GONNA BE A BUSY SESSION
Stevens has been helping lawmakers vet election bills, and expects lawmakers

AMERICAN OVERSIGHT

to file dozens of election reform bills in the coming session.

NO BILLS TO INVESTIGATE HUGO CHAVEZ, AT LEAST
Kavanagh confirmed he's working on a host of election law changes, and said he expects some of them to receive bipartisan support.

GOV MAKES PROMISE – WHAT HAPPENS NEXT WILL SHOCK YOU!
Some Arizona schools could have to cut millions from their budgets because Ducey isn't fulfilling his pledge to keep state per pupil funding cuts to just 2 percent.

THERE'S A PIZZAGATE JOKE IN HERE SOMEWHERE
Conservative protesters led by former Senate candidate Daniel McCarthy and the recognizably tattooed, headdress-clad Q-Anon conspiracy theorist Jake Angeli barged into the House lobby this afternoon calling for "Rusty Cowers" to come down and address them.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, December 03, 2020

·NEWS NOTES AND GOSSIP·

100 BALLOTS AIN'T GONNA SWAY THIS ELECTION, KELLI

AZGOP Chair Kelli Ward's hunt for messed-up duplicate ballots turned up nine out of the more than 1,600 ballots inspected, Maricopa County election day director Scott Jarrett testified in court today. One ballot was erroneously counted for Biden rather than Trump. Others went uncounted as overvotes or undervotes, including six from voters who chose Trump and two from voters who backed Biden. Ward is seeking to throw out the 2020 election results, or appoint Trump electors instead of Biden electors, based on a theory that there was significant fraud connected to mailed ballots and duplicated ballots in Maricopa County. Instead, she has so far found a negligible number of errors. Arguments in the case were ongoing at our deadline, but Maricopa County Superior Court Judge Randall Warner had already dismissed a significant portion of Ward's suit early in the day. A key element of her case rested on complaints that partisan poll observers couldn't stand close enough to observe signature verification, and therefore couldn't trust that election staff accurately verified signatures on ballot envelopes. If Ward wanted that claim addressed, she would have needed to file suit far earlier, when that claim could have been addressed without throwing out the entire election, Warner said. (A separate lawsuit filed in federal court yesterday makes similar allegations about partisan poll watchers being unable to witness signature verification (YS, 12/2) – the judge will hear arguments about motions to dismiss that case on Monday or Tuesday.) Warner allowed arguments to proceed on the duplicated ballots, and Ward attorney Jack Wilenchik erroneously claimed that extrapolating those errors could lead to a Trump win, since Trump lost the state by 0.3 percent, while 0.5 percent of the duplicated ballots inspected had errors. In fact, the vast majority of the ballots cast in the state didn't need to be duplicated, and therefore wouldn't have the same kind of errors. Even if all duplicated ballots that had errors favored Trump, he could still only gain slightly more than 100 ballots, Jarrett said during his testimony.

THEY MADE IT, THEY CAN TAKE IT BACK

Townsend wants the Legislature to take control of the election integrity unit after Brnovich declined to investigate allegations of election fraud from a 10-hour meeting between lawmakers and Trump's attorney at a hotel this week. Townsend told our reporter she doesn't think Brnovich should control the unit if he's not going to investigate every complaint (she backed the 2019 law that created and funded the unit to the tune of $500,000, but said she originally wanted the Legislature to control the unit). "If we can't get them to investigate, then we shouldn't be funding it," she said. Townsend said she would try to move the unit under the Auditor General, who works for the Legislature and investigates financial issues. Her dispute with Brnovich began with Townsend sending Brnovich's office a YouTube link to the meeting and asking it to investigate every complaint. Assistant Attorney General Jennifer Wright explained that many of the allegations are part of ongoing litigation, and that anyone with concrete evidence of voter fraud can file a complaint with the office. The Attorney General also doesn't have the authority to issue subpoenas in election cases that aren't related to campaign finance or investigate election equipment, which is under control of county boards of supervisors, Wright said. (Ugenti-Rita announced today that Maricopa County Supervisor Steve Chucri told her he would support a full audit of Maricopa County's election equipment.)

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000153

ARZN_REV00068455_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ON BIGFOOT, LOST KEYS AND STOLEN ELECTIONS

Former Republican lawmaker turned Cochise County Recorder David Stevens told our reporter today that while he hasn't seen any hard evidence of systemic election fraud, he's not convinced it didn't happen. To restore voter confidence in the system, he thinks Maricopa County, at least, should conduct a full recount and forensic audit of the election results. Going forward, the state needs to beef up its automatic recount statutes and auditing laws, he said. Stevens took a somewhat nuanced view on election fraud, saying becoming a county recorder taught him a lot about election integrity that he never understood as a lawmaker, and even though there hasn't been any solid evidence, there have been serious allegations that authorities need to investigate to boost voter confidence. "The answer may be there is no fraud. If we did a forensic audit and there's no fraud, I'm on board – let's move on to 2022," he said. Stevens watched part of Monday's election fraud panel, and found some of the allegations raised credible, or at least worth investigating, especially the testimony from Col Phil Waldron, who argued that Dominion voting machines could, in theory, be hacked – though he didn't offer any proof they were. "There's enough questions in my mind, as an IT professional, cyber spook and county recorder, that it needs to be investigated," Stevens said. While he acknowledged there's no hard evidence of systemic fraud, he said the state wouldn't fully know until there's a thorough investigation. Stevens compared the hunt for election fraud to the hunt for lost house keys, saying it's always in the last place you look. When our reporter suggested a more apt comparison might be the hunt for Bigfoot – since, unlike voting fraud, we know keys exist – Stevens laughed and said that may be fair. "But just so you know, f*cking Bigfoot exists," he joked.

IT'S GONNA BE A BUSY SESSION

Stevens has been helping lawmakers vet election bills, and expects lawmakers to file dozens of election reform bills in the coming session. Blackman announced last week that he would hold a stakeholder's meeting with all 15 county recorders, and that Stevens would help him investigate fraud allegations and draft policy to overhaul Arizona's election laws, though Stevens said that meeting hasn't happened yet. "He wants to review the entire process, which is good, but quite a Herculean task," Stevens said. "I tried to get him to focus on the things that are just obviously wrong, or need fixing, but he wants to do it more holistically, which is fine." Stevens' top issue, he said, is figuring out a better method for removing dead people from the voter list. "I still use newspaper obituaries," he said, noting the state also subscribes to the ERIC system (LINK) that shows both death records and people registered in multiple states, among the 28 states that subscribe to the system. Still, he found two voters who died in September, but managed to fill out and sign ballots that weren't sent until October. He caught those, he said, because the voters were flagged as deceased and the signatures were clearly fraudulent, and he forwarded those on to law enforcement. Instead, he wants a list of deaths from the Bureau of Vital Records or mortuaries themselves. Still, he noted that's different from the kind of institutional fraud some are claiming. Other changes he's seeking include moving deadlines around, including moving up the date for write-in candidates to file. Currently, recorders send ballots overseas 45 days before the election, but write-in candidates are allowed to file up to 40 days before an election, he said. He also wants to change the Service Arizona website to a .gov address for added security and confidence for voters to know it's a government website. Besides his own priorities, Stevens has heard from a host of lawmakers seeking his input on bills, including about 12 from Ugenti-Rita and Kavanagh, and he said he heard Townsend already has 18 election bill folders open. "And I have a feeling that's the low number, not the high number," he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000154
ARZN_REV00068455_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

NO BILLS TO INVESTIGATE HUGO CHAVEZ, AT LEAST

Kavanagh confirmed he's working on a host of election law changes, and said he expects some of them to receive bipartisan support. He expects Democrats could sign on to new legislation to ensure ballots remain private as people walk around voting centers, and requirements for how county election officials inform voters how their machines work. The use of green and red buttons on Maricopa County machines confused some voters to the point that they showed up in multiple lawsuits. However, he doesn't expect Democrats will like all of his election bills. He said one issue at the top of his list is how to ensure that audits are capturing a "truly representative sample" of ballots, though he won't be sure how to do that until he meets with county recorders. He also wants to add new restrictions to the PEVL and allow recorders to do more culling of the list. "We would be looking into making sure that all of those who have mailed ballots are actually people who live in those addresses and have a pulse," he said. "I think that's where a little bit of partisan politics comes in, striking the balance between voter access and ballot security." Any bill he backs will require notifying voters before they're removed from the PEVL, he said. Currently, voters remain on the list until they request removal, cancel their voter registration or election materials are returned as undeliverable. Ugenti-Rita sought in 2019 to require that counties purge voters who skipped two primary and general elections in a row, but her S1188 (permanent early voting list) failed to pass the House (YS, 4/4/19). One Dem railbird told our reporter Democrats are bracing for a flood of "alternative reality" election legislation, but said they took some solace in Kavanagh heading up the Government and Elections Committee, saying while he's a partisan, he's not untethered from reality like some of his colleagues.

GOV MAKES PROMISE – WHAT HAPPENS NEXT WILL SHOCK YOU!

Some Arizona schools could have to cut millions from their budgets because Ducey isn't fulfilling his pledge to keep state per pupil funding cuts to just 2 percent. Schools were originally under the impression that the $370 million grant program Ducey announced in a June executive order (LINK) would count as a down payment and Ducey would ensure they received the full amount they needed to guarantee no more than a 2 percent cut in state funding, according to Chris Kotterman, director of governmental relations for the Arizona School Boards Association. "We really tried very hard to tamp down some apprehension about the (grant) program and sell it to districts as a way to get what they needed, which was predictability," he said. "And then to have the Governor's Office essentially not come through is a bummer. It's just not great for that relationship." Ducey spokesman CJ Karamargin didn't answer specific questions about how much funding will be provided compared to the amount requested, but said the requests exceeded the $370 million budgeted. Between June, when Ducey announced the program as a "guarantee" of a certain level of funding even as school enrollments, and August, when it posted the grant application, the Governor's Office quietly walked back its assurances. The grant application instead said grants would be provided "up to" the full amount calculated under a formula. Some districts, including Phoenix Union, received about as much as they expected. In others, award letters that arrived last Wednesday as schools left for Thanksgiving break were far less than expected. Tucson Unified School District, the second largest in the state, expected about $20 million but received about $15.5 million. Its rival for the second largest district, Chandler Unified School District, expects to get about $1.4 million less than anticipated. Gilbert Public Schools could be down $14 million. And while these numbers pale in comparison to a total school district's budget, they come at a time when expenses related to Covid are up and revenue from things like school lunches and campus events are down. In Tucson, board members could have to consider ending all-day kindergarten, which costs $7 million annually, or freezing teacher salaries, because raises cost a few million each year, outgoing board president Kristel Foster told our reporter.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000155

ARZN_REV00068455_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THERE'S A PIZZAGATE JOKE IN HERE SOMEWHERE

Conservative protesters led by former Senate candidate Daniel McCarthy and the recognizably tattooed, headdress-clad Q-Anon conspiracy theorist Jake Angeli barged into the House lobby this afternoon calling for "Rusty Cowers" to come down and address them. A video shared with our reporter by a railbird in the room shows Angeli screaming, "Come on down here Rusty Cowers, let's talk, baby!... We just want to talk, we'll be civil." McCarthy posted his own Facebook video as well (LINK). The protestors demanded an audit of the election, a request that Republican leaders have so far denied. The video shows DPS officers milling about the lobby as the protestors yell. The protestors barged into the lobby when pizza was delivered for the new-member orientation at the House. Most of the handful of protesters left to head toward the executive tower, though some stragglers remained as of around, according to another source in the building. A spokesman for the Dept of Public Safety said the protesters "showed up at the Capitol" but left on their own.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES AND NEWS CLIPS·

Ducey's New COVID Measures Show 'Failure of Leadership'

PHOENIX — Honest Arizona executive director Niles Harris released the following statement after Governor Doug Ducey announced essentially no changes to mitigate the rapidly worsening COVID situation in Arizona:

"Arizona public health officials laid out very clearly what actions the State must take to prevent an avoidable level of suffering, and Governor Ducey ignored them. Governor Ducey has failed to lead throughout this pandemic and now we're facing an out-of-control situation that he's refusing to address. Arizonans demand that Governor Ducey listen to the experts and take steps to keep them safe."

Medical professionals wrote to Ducey earlier this week outlining steps to mitigate the spread of COVID in Arizona following the Thanksgiving holiday. Ducey took none of the proposed steps and ignored health officials.

Rep. Kirkpatrick Fights for Land Ports of Entry Funding in Final FY2021 Funding Bill

Emphasizes urgent need for modernization of Arizona LPOEs

(Washington, DC) – Today, Rep. Kirkpatrick and her colleagues sent a letter to House and Senate leadership emphasizing the need to include $2.8 billion for land ports of entry (LPOE) modernization in the FY2021 appropriations funding bill.

In July, Rep. Kirkpatrick was successful in securing funding for Land Ports of Entry projects within the 2021 Fiscal budget, which passed the House in the summer and made its way to budget negotiations in the Senate.

"I have toured our Southern Arizona ports – it is clear they are no longer suitable for the high volume of traffic that flows through them every day," **said Rep. Kirkpatrick.** "Between commercial trade, cross-border tourism and economic activity, and CBP monitoring, it is clear we desperately need modernized ports, especially in Douglas. Securing the funding needed to modernize Arizona's land ports of entry has been my top priority since the start of the appropriations process, and I will continue fighting until we see it through."

"LPOEs are critical to national security and local economies," **expressed the Representatives**. "The vast majority of trade with Mexico and Canada – two of the nation's three largest trading partners – flows through LPOEs, which facilitate vital economic activity while providing Customs and Border Patrol (CBP) the facilities and tools necessary to regulate flow in and out of our country."

Many LPOEs have aged and are no longer suitable to process the volume of traffic that flows through them every day. Three of the fifteen LPOEs on the Financial Services and General Government's priority list are in Arizona: the San Luis Port of Entry and the commercial and non-commercial ports in Douglas.

"I was able to make strides in committee and get the funding passed in the House budget — but now it's time to carry out the mission through the end. I am fighting tooth and nail to get the funding LPOEs need all the way through and included in the final FY2021 budget," **explained Rep Kirkpatrick**.

"While we are aware of budget limitations, we believe that modernizing LPOEs should be a top priority," **the Representatives wrote in their letter.** "With modernized LPOEs, we will increase economic activity and development while enhancing border and national security. As such, we respectfully request that you work to include the House-passed language for LPOEs and support funding of $2.8 billion for this activity in the FY 2021 omnibus appropriations bill."

Read the full text of the letter here.

To view this press release on the website, click here.

Board Votes to Intervene in Election Case

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000157

ARZN_REV00068455_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Phoenix – The Maricopa County Board of Supervisors voted unanimously to intervene in the Ward v. Jackson litigation to facilitate the court's process and defend the integrity and accuracy of the county election. Supervisor Steve Gallardo, District 5, had to recuse himself because he is named in the lawsuit.
As part of evidentiary discovery on Tuesday, the Elections Department undertook an examination of 100 randomly selected ballots and 100 signatures on mail-in ballot affidavit envelopes per Judge Warner's order. Democrats and Republicans took part in the process. The ballots were a small sample from a group of 27,000 that the tabulation equipment could not read because:

- Almost 10,000 ballots were from military or overseas voters who returned their ballots via a secure portal;
- The ballots were in braille or large print;
- The ballots arrived damaged.

State law requires a tabulator count all ballots. Therefore, when the equipment is unable to read a ballot, Arizona law requires that it must be duplicated by two members of different parties under supervision of an inspector and Election Department staff. This human process is never perfect, but it is required by law.
The Board of Supervisors directed the County Attorney to offer to expand the duplicated ballot review by up to 2,500 ballots, or however many can be reviewed by the time the hearing in Ward v. Jackson begins Thursday. The Board did so in order to provide further clarity and confidence in the election results. The Board of Supervisors has been clear throughout this election that officials administered this election with integrity and transparency. The motion by the Board today is another step to ensure confidence in the election results by further opening up the elections process for public inspection.

Governor Ducey Announces Latest Actions To Fight COVID-19, Increase Hospital Staffing

PHOENIX — Governor Doug Ducey today announced a series of meaningful actions to fight the spread of COVID-19 in Arizona, support our hospitals and frontline health care workers, and provide the state's hard-hit restaurants with the resources needed to keep patrons and staff healthy.
Speaking at the State Public Health Laboratory, Governor Ducey outlined measures to ensure Arizonans have access to the vaccine and hospitals can meet the staffing demands of the recent rise in COVID-19 cases.
The Governor was joined by Arizona Department of Health Services (ADHS) Director Dr. Cara Christ, Arizona Department of Emergency and Military Affairs Director Major General Michael T. McGuire, Arizona Restaurant Association President and CEO Steve Chucri, and Town of Sahuarita Mayor Tom Murphy.
Today's actions:

- Update on vaccine distribution plan
- Executive Order ensuring all Arizonans receive the vaccine without financial barriers
- Executive Order easing regulations on outdoor dining
- $1.2 million more to support Arizona restaurants
- Executive Order enhancing health and safety requirements for large public events approved by local cities, towns and counties
- $60 million more to support hospital staffing

"With COVID-19 cases rising in Arizona and across the nation, we must remain vigilant," said Governor Ducey. "Many Arizonans and businesses have acted responsibly for many months to fight the spread of the virus, and we can't ease up now. Today's efforts will ensure getting the vaccine is free of charge for all Arizonans, help restaurants offer more outdoor seating, further crack down on large events, support our health care heroes and more. My thanks to partners across the state and at the federal level for the continued work to protect Arizonans and support frontline workers."

Vaccine Distribution

Arizona is expected to receive an initial shipment of COVID-19 vaccine doses in mid to late December, with more doses available in the weeks following. Once received, the state will promptly begin distribution. The distribution plan prioritizes health care workers, residents of long term care facilities, educators and vulnerable populations. ADHS Director Dr. Christ will provide updated details of the vaccination plan at a later date.
Additionally, the Governor today issued an Executive Order ensuring all Arizonans receive the vaccine without any financial barriers. The Governor's Office has worked closely with insurers to ensure cost-sharing requirements, such

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000158

ARZN_REV00068455_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

as co-pays and co-insurance, for the vaccine are waived.

Support For Restaurants

The Governor today issued an Executive Order easing red tape on outdoor dining, increasing opportunities for safer dining experiences. The order makes it easier for restaurants to expand outdoor dining spaces.

Previously, restaurants could not temporarily extend their premises and they were limited to the amount of space for which they could extend their premises. The existing barriers result in longer wait times and a more onerous process with the local governing body. This order provides temporary extensions after approval from the local governing body.

The Arizona Office of Tourism (AOT) is providing **$100,000** to the Arizona Lodging and Tourism Association (AzLTA) to expand its AZSAFE+CLEAN Certification program, helping restaurants and hotels strengthen sanitation and mitigation practices to further protect patrons and staff. With the funding, AzLTA will:

- Make public health and sanitation experts available to hotels and resorts;
- Develop a webinar in consultation with the Arizona Office of Tourism (AOT) and Arizona Commerce Authority (ACA) related to the AZSAFE+CLEAN Certification program, providing an overview of the program and marketing offerings in relation to the program; and
- Develop a statewide outreach campaign to encourage participation and make hotels and resorts aware of the cooperative membership grants available.

"The AzLTA AZSAFE+CLEAN Certification program is an innovative way to show guests and prospective travelers the hard work being done to keep our properties clean and safe for staff and guests," said AzLTA President and CEO Kim Sabow. "We want our guests to have peace of mind when they visit our hotels and resorts and know that our properties are going above and beyond to provide a healthy, safe and high-quality experience. We thank Governor Ducey and the Arizona Office of Tourism for the resources to expand this program to further strengthen sanitation practices throughout the state and help build consumer confidence."

Arizona is also providing an initial investment of **$1 million** to help restaurants and other dining establishments expand outdoor dining options, further protecting patrons and staff and making more space for customers. The funding will support the launch of the *Safest Outside Restaurant Assistance Program*, funding up to $10,000 per restaurant for items they need to extend their outdoor dining premise, including outdoor furniture, barriers, patio heaters, patio covers, and more.

Funding will be distributed on a first come, first served basis for eligible businesses that have been approved for an extension of premises. To be eligible, applicants must comply with all COVID-19 related Executive Orders; demonstrate a new extension of premises that has been approved by the local governing body and the Arizona Department of Liquor, if applicable; plan to extend the premises for a minimum of three months; must have fewer than 50 employees; must be Arizona owned and operated, and more. Additional requirements will be listed on the application. The application will open on Monday, December 7 and will be available HERE.

The funding for the *Safest Outside Restaurant Assistance Program* comes from the Crisis Contingency and Safety Net Fund, a bipartisan budget agreement signed by Governor Ducey that added $50 million for Arizona's COVID-19 response.

Additionally, AOT is providing **$100,000** to help restaurants and other dining establishments safely and effectively expand outdoor dining options for patrons. With the funding, the Arizona Restaurant Association (ARA) will provide direct consultation to any Arizona dining establishment interested in expanding its premises to increase physical distancing and maximize seating capacity amid the pandemic.

ARA will assist in navigating the local and state permitting process, and provide application review prior to restaurants submitting to local and state officials. Additionally, ARA will expand public health campaigns that inform Arizona restaurants of current public health best practices.

"Just like every other business, Arizona's restaurants are working hard to navigate the pandemic and protect employees and customers," said ARA President and CEO Steve Chucri. "The Arizona Restaurant Association continues to work with public health officials to make adjustments as needed, including moving many operations outdoors and strengthening sanitation measures. My thanks to Governor Ducey for the continued work to support restaurants across the state and their employees and customers."

Mitigation Requirements For Events

Governor Ducey also issued an Executive Order enhancing health and safety requirements for large public events approved by local cities, towns and counties.

Under Executive Order 2020-43 issued in June, organized public events with more than 50 attendees are prohibited in Arizona, with the option for local jurisdictions to selectively approve events of greater than 50 people only if they implemented enhanced mitigation measures.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000159

ARZN_REV00068455_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Beginning today, organized public events of more than 50 people may only be approved by local cities, towns and counties if they have determined that safety precautions consistent with guidance issued by both the U.S. Centers for Disease Control and Prevention (CDC) and ADHS are in place, and the event organizer has committed to implementing and enforcing these precautions.

If an event is approved by a local city, town or county, the local jurisdiction must publicly post the mitigation measures that the event organizer is required to implement and enforce on their website and submit a copy to ADHS. In addition, the jurisdiction must dedicate resources to enforcing mitigation measures that the organizer has agreed to implement during the event and any public health requirements currently applicable in the jurisdiction.

As was the case before, a local city, town or county may deny a request for an organized event due to public health concerns related to COVID-19.

Additional Dollars For Hospitals

The Governor is directing an additional **$60 million** to provide more staffing at Arizona hospitals. With the funding, ADHS is working to secure an additional 500 nurses through the end of the month, with additional staffing to last throughout January. The staffing boost will provide critical nursing resources to hospitals statewide amid the surge of COVID-19 patients.

Today's funding for staffing comes from the Coronavirus Relief Fund (CRF) as part of the federal CARES Act. It comes in addition to the $25 million from CRF announced last month to help hospitals address staffing needs and support current staff.

View a list of today's actions HERE.

"QUOTE OF THE DAY"

"But just so you know, f*cking Bigfoot exists."

- David Stevens, Cochise County Recorder and former lawmaker, on our reporter comparing the hunt for voter fraud to the hunt for Bigfoot

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, December 3, 2020 3:51:29 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 12-3-20.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet December 3, 2020

100 BALLOTS AIN'T GONNA SWAY THIS ELECTION, KELLI
AZGOP Chair Kelli Ward's hunt for messed-up duplicate ballots turned up nine out of the more than 1,600 ballots inspected, Maricopa County election day director Scott Jarrett testified in court today.

THEY MADE IT, THEY CAN TAKE IT BACK
Townsend wants the Legislature to take control of the election integrity unit after Brnovich declined to investigate allegations of election fraud from a 10-hour meeting between lawmakers and Trump's attorney at a hotel this week.

ON BIGFOOT, LOST KEYS AND STOLEN ELECTIONS
Former Republican lawmaker turned Cochise County Recorder David Stevens told our reporter today that while he hasn't seen any hard evidence of systemic election fraud, he's not convinced it didn't happen.

AMERICAN OVERSIGHT

IT'S GONNA BE A BUSY SESSION
Stevens has been helping lawmakers vet election bills, and expects lawmakers to file dozens of election reform bills in the coming session.

NO BILLS TO INVESTIGATE HUGO CHAVEZ, AT LEAST
Kavanagh confirmed he's working on a host of election law changes, and said he expects some of them to receive bipartisan support.

GOV MAKES PROMISE – WHAT HAPPENS NEXT WILL SHOCK YOU!
Some Arizona schools could have to cut millions from their budgets because Ducey isn't fulfilling his pledge to keep state per pupil funding cuts to just 2 percent.

THERE'S A PIZZAGATE JOKE IN HERE SOMEWHERE
Conservative protesters led by former Senate candidate Daniel McCarthy and the recognizably tattooed, headdress-clad Q-Anon conspiracy theorist Jake Angeli barged into the House lobby this afternoon calling for "Rusty Cowers" to come down and address them.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, December 03, 2020

·NEWS NOTES AND GOSSIP·

100 BALLOTS AIN'T GONNA SWAY THIS ELECTION, KELLI

AZGOP Chair Kelli Ward's hunt for messed-up duplicate ballots turned up nine out of the more than 1,600 ballots inspected, Maricopa County election day director Scott Jarrett testified in court today. One ballot was erroneously counted for Biden rather than Trump. Others went uncounted as overvotes or undervotes, including six from voters who chose Trump and two from voters who backed Biden. Ward is seeking to throw out the 2020 election results, or appoint Trump electors instead of Biden electors, based on a theory that there was significant fraud connected to mailed ballots and duplicated ballots in Maricopa County. Instead, she has so far found a negligible number of errors. Arguments in the case were ongoing at our deadline, but Maricopa County Superior Court Judge Randall Warner had already dismissed a significant portion of Ward's suit early in the day. A key element of her case rested on complaints that partisan poll observers couldn't stand close enough to observe signature verification, and therefore couldn't trust that election staff accurately verified signatures on ballot envelopes. If Ward wanted that claim addressed, she would have needed to file suit far earlier, when that claim could have been addressed without throwing out the entire election, Warner said. (A separate lawsuit filed in federal court yesterday makes similar allegations about partisan poll watchers being unable to witness signature verification (YS, 12/2) – the judge will hear arguments about motions to dismiss that case on Monday or Tuesday.) Warner allowed arguments to proceed on the duplicated ballots, and Ward attorney Jack Wilenchik erroneously claimed that extrapolating those errors could lead to a Trump win, since Trump lost the state by 0.3 percent, while 0.5 percent of the duplicated ballots inspected had errors. In fact, the vast majority of the ballots cast in the state didn't need to be duplicated, and therefore wouldn't have the same kind of errors. Even if all duplicated ballots that had errors favored Trump, he could still only gain slightly more than 100 ballots, Jarrett said during his testimony.

THEY MADE IT, THEY CAN TAKE IT BACK

Townsend wants the Legislature to take control of the election integrity unit after Brnovich declined to investigate allegations of election fraud from a 10-hour meeting between lawmakers and Trump's attorney at a hotel this week. Townsend told our reporter she doesn't think Brnovich should control the unit if he's not going to investigate every complaint (she backed the 2019 law that created and funded the unit to the tune of $500,000, but said she originally wanted the Legislature to control the unit). "If we can't get them to investigate, then we shouldn't be funding it," she said. Townsend said she would try to move the unit under the Auditor General, who works for the Legislature and investigates financial issues. Her dispute with Brnovich began with Townsend sending Brnovich's office a YouTube link to the meeting and asking it to investigate every complaint. Assistant Attorney General Jennifer Wright explained that many of the allegations are part of ongoing litigation, and that anyone with concrete evidence of voter fraud can file a complaint with the office. The Attorney General also doesn't have the authority to issue subpoenas in election cases that aren't related to campaign finance or investigate election equipment, which is under control of county boards of supervisors, Wright said. (Ugenti-Rita announced today that Maricopa County Supervisor Steve Chucri told her he would support a full audit of Maricopa County's election equipment.)

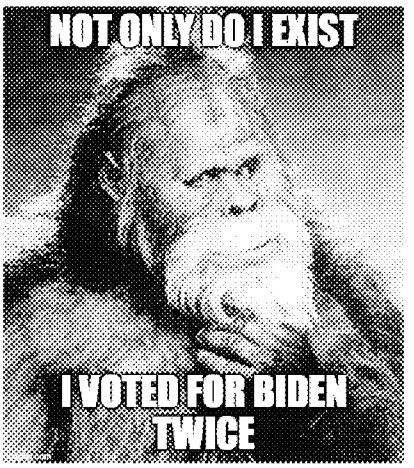
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000163

ARZN_REV00068457_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ON BIGFOOT, LOST KEYS AND STOLEN ELECTIONS



Former Republican lawmaker turned Cochise County Recorder David Stevens told our reporter today that while he hasn't seen any hard evidence of systemic election fraud, he's not convinced it didn't happen. To restore voter confidence in the system, he thinks Maricopa County, at least, should conduct a full recount and forensic audit of the election results. Going forward, the state needs to beef up its automatic recount statutes and auditing laws, he said. Stevens took a somewhat nuanced view on election fraud, saying becoming a county recorder taught him a lot about election integrity that he never understood as a lawmaker, and even though there hasn't been any solid evidence, there have been serious allegations that authorities need to investigate to boost voter confidence. "The answer may be there is no fraud. If we did a forensic audit and there's no fraud, I'm on board – let's move on to 2022," he said. Stevens watched part of Monday's election fraud panel, and found some of the allegations raised credible, or at least worth investigating, especially the testimony from Col Phil Waldron, who argued that Dominion voting machines could, in theory, be hacked – though he didn't offer any proof they were. "There's enough questions in my mind, as an IT professional, cyber spook and county recorder, that it needs to be investigated," Stevens said. While he acknowledged there's no hard evidence of systemic fraud, he said the state wouldn't fully know until there's a thorough investigation. Stevens compared the hunt for election fraud to the hunt for lost house keys, saying it's always in the last place you look. When our reporter suggested a more apt comparison might be the hunt for Bigfoot – since, unlike voting fraud, we know keys exist – Stevens laughed and said that may be fair. "But just so you know, f*cking Bigfoot exists," he joked.

IT'S GONNA BE A BUSY SESSION

Stevens has been helping lawmakers vet election bills, and expects lawmakers to file dozens of election reform bills in the coming session. Blackman announced last week that he would hold a stakeholder's meeting with all 15 county recorders, and that Stevens would help him investigate fraud allegations and draft policy to overhaul Arizona's election laws, though Stevens said that meeting hasn't happened yet. "He wants to review the entire process, which is good, but quite a Herculean task," Stevens said. "I tried to get him to focus on the things that are just obviously wrong, or need fixing, but he wants to do it more holistically, which is fine." Stevens' top issue, he said, is figuring out a better method for removing dead people from the voter list. "I still use newspaper obituaries," he said, noting the state also subscribes to the ERIC system (LINK) that shows both death records and people registered in multiple states, among the 28 states that subscribe to the system. Still, he found two voters who died in September, but managed to fill out and sign ballots that weren't sent until October. He caught those, he said, because the voters were flagged as deceased and the signatures were clearly fraudulent, and he forwarded those on to law enforcement. Instead, he wants a list of deaths from the Bureau of Vital Records or mortuaries themselves. Still, he noted that's different from the kind of institutional fraud some are claiming. Other changes he's seeking include moving deadlines around, including moving up the date for write-in candidates to file. Currently, recorders send ballots overseas 45 days before the election, but write-in candidates are allowed to file up to 40 days before an election, he said. He also wants to change the Service Arizona website to a .gov address for added security and confidence for voters to know it's a government website. Besides his own priorities, Stevens has heard from a host of lawmakers seeking his input on bills, including about 12 from Ugenti-Rita and Kavanagh, and he said he heard Townsend already has 18 election bill folders open. "And I have a feeling that's the low number, not the high number," he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000164
ARZN_REV00068457_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

NO BILLS TO INVESTIGATE HUGO CHAVEZ, AT LEAST

Kavanagh confirmed he's working on a host of election law changes, and said he expects some of them to receive bipartisan support. He expects Democrats could sign on to new legislation to ensure ballots remain private as people walk around voting centers, and requirements for how county election officials inform voters how their machines work. The use of green and red buttons on Maricopa County machines confused some voters to the point that they showed up in multiple lawsuits. However, he doesn't expect Democrats will like all of his election bills. He said one issue at the top of his list is how to ensure that audits are capturing a "truly representative sample" of ballots, though he won't be sure how to do that until he meets with county recorders. He also wants to add new restrictions to the PEVL and allow recorders to do more culling of the list. "We would be looking into making sure that all of those who have mailed ballots are actually people who live in those addresses and have a pulse," he said. "I think that's where a little bit of partisan politics comes in, striking the balance between voter access and ballot security." Any bill he backs will require notifying voters before they're removed from the PEVL, he said. Currently, voters remain on the list until they request removal, cancel their voter registration or election materials are returned as undeliverable. Ugenti-Rita sought in 2019 to require that counties purge voters who skipped two primary and general elections in a row, but her S1188 (permanent early voting list) failed to pass the House (YS, 4/4/19). One Dem railbird told our reporter Democrats are bracing for a flood of "alternative reality" election legislation, but said they took some solace in Kavanagh heading up the Government and Elections Committee, saying while he's a partisan, he's not untethered from reality like some of his colleagues.

GOV MAKES PROMISE – WHAT HAPPENS NEXT WILL SHOCK YOU!

Some Arizona schools could have to cut millions from their budgets because Ducey isn't fulfilling his pledge to keep state per pupil funding cuts to just 2 percent. Schools were originally under the impression that the $370 million grant program Ducey announced in a June executive order (LINK) would count as a down payment and Ducey would ensure they received the full amount they needed to guarantee no more than a 2 percent cut in state funding, according to Chris Kotterman, director of governmental relations for the Arizona School Boards Association. "We really tried very hard to tamp down some apprehension about the (grant) program and sell it to districts as a way to get what they needed, which was predictability," he said. "And then to have the Governor's Office essentially not come through is a bummer. It's just not great for that relationship." Ducey spokesman CJ Karamargin didn't answer specific questions about how much funding will be provided compared to the amount requested, but said the requests exceeded the $370 million budgeted. Between June, when Ducey announced the program as a "guarantee" of a certain level of funding even as school enrollments, and August, when it posted the grant application, the Governor's Office quietly walked back its assurances. The grant application instead said grants would be provided "up to" the full amount calculated under a formula. Some districts, including Phoenix Union, received about as much as they expected. In others, award letters that arrived last Wednesday as schools left for Thanksgiving break were far less than expected. Tucson Unified School District, the second largest in the state, expected about $20 million but received about $15.5 million. Its rival for the second largest district, Chandler Unified School District, expects to get about $1.4 million less than anticipated. Gilbert Public Schools could be down $14 million. And while these numbers pale in comparison to a total school district's budget, they come at a time when expenses related to Covid are up and revenue from things like school lunches and campus events are down. In Tucson, board members could have to consider ending all-day kindergarten, which costs $7 million annually, or freezing teacher salaries, because raises cost a few million each year, outgoing board president Kristel Foster told our reporter.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THERE'S A PIZZAGATE JOKE IN HERE SOMEWHERE

Conservative protesters led by former Senate candidate Daniel McCarthy and the recognizably tattooed, headdress-clad Q-Anon conspiracy theorist Jake Angeli barged into the House lobby this afternoon calling for "Rusty Cowers" to come down and address them. A video shared with our reporter by a railbird in the room shows Angeli screaming, "Come on down here Rusty Cowers, let's talk, baby!... We just want to talk, we'll be civil." McCarthy posted his own Facebook video as well (LINK). The protestors demanded an audit of the election, a request that Republican leaders have so far denied. The video shows DPS officers milling about the lobby as the protestors yell. The protestors barged into the lobby when pizza was delivered for the new-member orientation at the House. Most of the handful of protesters left to head toward the executive tower, though some stragglers remained as of around, according to another source in the building. A spokesman for the Dept of Public Safety said the protesters "showed up at the Capitol" but left on their own.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES AND NEWS CLIPS·

Ducey's New COVID Measures Show 'Failure of Leadership'

PHOENIX — Honest Arizona executive director Niles Harris released the following statement after Governor Doug Ducey announced essentially no changes to mitigate the rapidly worsening COVID situation in Arizona:
"Arizona public health officials laid out very clearly what actions the State must take to prevent an avoidable level of suffering, and Governor Ducey ignored them. Governor Ducey has failed to lead throughout this pandemic and now we're facing an out-of-control situation that he's refusing to address. Arizonans demand that Governor Ducey listen to the experts and take steps to keep them safe."
Medical professionals wrote to Ducey earlier this week outlining steps to mitigate the spread of COVID in Arizona following the Thanksgiving holiday. Ducey took none of the proposed steps and ignored health officials.

Rep. Kirkpatrick Fights for Land Ports of Entry Funding in Final FY2021 Funding Bill

Emphasizes urgent need for modernization of Arizona LPOEs
(Washington, DC) – Today, Rep. Kirkpatrick and her colleagues sent a letter to House and Senate leadership emphasizing the need to include $2.8 billion for land ports of entry (LPOE) modernization in the FY2021 appropriations funding bill.
In July, Rep. Kirkpatrick was successful in securing funding for Land Ports of Entry projects within the 2021 Fiscal budget, which passed the House in the summer and made its way to budget negotiations in the Senate.
"I have toured our Southern Arizona ports – it is clear they are no longer suitable for the high volume of traffic that flows through them every day," **said Rep. Kirkpatrick.** "Between commercial trade, cross-border tourism and economic activity, and CBP monitoring, it is clear we desperately need modernized ports, especially in Douglas. Securing the funding needed to modernize Arizona's land ports of entry has been my top priority since the start of the appropriations process, and I will continue fighting until we see it through."
"LPOEs are critical to national security and local economies," **expressed the Representatives**. "The vast majority of trade with Mexico and Canada – two of the nation's three largest trading partners – flows through LPOEs, which facilitate vital economic activity while providing Customs and Border Patrol (CBP) the facilities and tools necessary to regulate flow in and out of our country."
Many LPOEs have aged and are no longer suitable to process the volume of traffic that flows through them every day. Three of the fifteen LPOEs on the Financial Services and General Government's priority list are in Arizona: the San Luis Port of Entry and the commercial and non-commercial ports in Douglas.
"I was able to make strides in committee and get the funding passed in the House budget — but now it's time to carry out the mission through the end. I am fighting tooth and nail to get the funding LPOEs need all the way through and included in the final FY2021 budget," **explained Rep Kirkpatrick**.
"While we are aware of budget limitations, we believe that modernizing LPOEs should be a top priority," **the Representatives wrote in their letter.** "With modernized LPOEs, we will increase economic activity and development while enhancing border and national security. As such, we respectfully request that you work to include the House-passed language for LPOEs and support funding of $2.8 billion for this activity in the FY 2021 omnibus appropriations bill."
Read the full text of the letter here.
To view this press release on the website, click here.

Board Votes to Intervene in Election Case

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000167
ARZN_REV00068457_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Phoenix – The Maricopa County Board of Supervisors voted unanimously to intervene in the Ward v. Jackson litigation to facilitate the court's process and defend the integrity and accuracy of the county election. Supervisor Steve Gallardo, District 5, had to recuse himself because he is named in the lawsuit.
As part of evidentiary discovery on Tuesday, the Elections Department undertook an examination of 100 randomly selected ballots and 100 signatures on mail-in ballot affidavit envelopes per Judge Warner's order. Democrats and Republicans took part in the process. The ballots were a small sample from a group of 27,000 that the tabulation equipment could not read because:

- Almost 10,000 ballots were from military or overseas voters who returned their ballots via a secure portal;
- The ballots were in braille or large print;
- The ballots arrived damaged.

State law requires a tabulator count all ballots. Therefore, when the equipment is unable to read a ballot, Arizona law requires that it must be duplicated by two members of different parties under supervision of an inspector and Election Department staff. This human process is never perfect, but it is required by law.
The Board of Supervisors directed the County Attorney to offer to expand the duplicated ballot review by up to 2,500 ballots, or however many can be reviewed by the time the hearing in Ward v. Jackson begins Thursday. The Board did so in order to provide further clarity and confidence in the election results. The Board of Supervisors has been clear throughout this election that officials administered this election with integrity and transparency. The motion by the Board today is another step to ensure confidence in the election results by further opening up the elections process for public inspection.

Governor Ducey Announces Latest Actions To Fight COVID-19, Increase Hospital Staffing

PHOENIX — Governor Doug Ducey today announced a series of meaningful actions to fight the spread of COVID-19 in Arizona, support our hospitals and frontline health care workers, and provide the state's hard-hit restaurants with the resources needed to keep patrons and staff healthy.
Speaking at the State Public Health Laboratory, Governor Ducey outlined measures to ensure Arizonans have access to the vaccine and hospitals can meet the staffing demands of the recent rise in COVID-19 cases.
The Governor was joined by Arizona Department of Health Services (ADHS) Director Dr. Cara Christ, Arizona Department of Emergency and Military Affairs Director Major General Michael T. McGuire, Arizona Restaurant Association President and CEO Steve Chucri, and Town of Sahuarita Mayor Tom Murphy.
Today's actions:

- Update on vaccine distribution plan
- Executive Order ensuring all Arizonans receive the vaccine without financial barriers
- Executive Order easing regulations on outdoor dining
- $1.2 million more to support Arizona restaurants
- Executive Order enhancing health and safety requirements for large public events approved by local cities, towns and counties
- $60 million more to support hospital staffing

"With COVID-19 cases rising in Arizona and across the nation, we must remain vigilant," said Governor Ducey. "Many Arizonans and businesses have acted responsibly for many months to fight the spread of the virus, and we can't ease up now. Today's efforts will ensure getting the vaccine is free of charge for all Arizonans, help restaurants offer more outdoor seating, further crack down on large events, support our health care heroes and more. My thanks to partners across the state and at the federal level for the continued work to protect Arizonans and support frontline workers."

Vaccine Distribution

Arizona is expected to receive an initial shipment of COVID-19 vaccine doses in mid to late December, with more doses available in the weeks following. Once received, the state will promptly begin distribution. The distribution plan prioritizes health care workers, residents of long term care facilities, educators and vulnerable populations. ADHS Director Dr. Christ will provide updated details of the vaccination plan at a later date.
Additionally, the Governor today issued an Executive Order ensuring all Arizonans receive the vaccine without any financial barriers. The Governor's Office has worked closely with insurers to ensure cost-sharing requirements, such

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000168
ARZN_REV00068457_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

as co-pays and co-insurance, for the vaccine are waived.

Support For Restaurants

The Governor today issued an Executive Order easing red tape on outdoor dining, increasing opportunities for safer dining experiences. The order makes it easier for restaurants to expand outdoor dining spaces.

Previously, restaurants could not temporarily extend their premises and they were limited to the amount of space for which they could extend their premises. The existing barriers result in longer wait times and a more onerous process with the local governing body. This order provides temporary extensions after approval from the local governing body.

The Arizona Office of Tourism (AOT) is providing **$100,000** to the Arizona Lodging and Tourism Association (AzLTA) to expand its AZSAFE+CLEAN Certification program, helping restaurants and hotels strengthen sanitation and mitigation practices to further protect patrons and staff. With the funding, AzLTA will:

- Make public health and sanitation experts available to hotels and resorts;
- Develop a webinar in consultation with the Arizona Office of Tourism (AOT) and Arizona Commerce Authority (ACA) related to the AZSAFE+CLEAN Certification program, providing an overview of the program and marketing offerings in relation to the program; and
- Develop a statewide outreach campaign to encourage participation and make hotels and resorts aware of the cooperative membership grants available.

"The AzLTA AZSAFE+CLEAN Certification program is an innovative way to show guests and prospective travelers the hard work being done to keep our properties clean and safe for staff and guests," said AzLTA President and CEO Kim Sabow. "We want our guests to have peace of mind when they visit our hotels and resorts and know that our properties are going above and beyond to provide a healthy, safe and high-quality experience. We thank Governor Ducey and the Arizona Office of Tourism for the resources to expand this program to further strengthen sanitation practices throughout the state and help build consumer confidence."

Arizona is also providing an initial investment of **$1 million** to help restaurants and other dining establishments expand outdoor dining options, further protecting patrons and staff and making more space for customers. The funding will support the launch of the *Safest Outside Restaurant Assistance Program*, funding up to $10,000 per restaurant for items they need to extend their outdoor dining premise, including outdoor furniture, barriers, patio heaters, patio covers, and more.

Funding will be distributed on a first come, first served basis for eligible businesses that have been approved for an extension of premises. To be eligible, applicants must comply with all COVID-19 related Executive Orders; demonstrate a new extension of premises that has been approved by the local governing body and the Arizona Department of Liquor, if applicable; plan to extend the premises for a minimum of three months; must have fewer than 50 employees; must be Arizona owned and operated, and more. Additional requirements will be listed on the application. The application will open on Monday, December 7 and will be available HERE.

The funding for the *Safest Outside Restaurant Assistance Program* comes from the Crisis Contingency and Safety Net Fund, a bipartisan budget agreement signed by Governor Ducey that added $50 million for Arizona's COVID-19 response.

Additionally, AOT is providing **$100,000** to help restaurants and other dining establishments safely and effectively expand outdoor dining options for patrons. With the funding, the Arizona Restaurant Association (ARA) will provide direct consultation to any Arizona dining establishment interested in expanding its premises to increase physical distancing and maximize seating capacity amid the pandemic.

ARA will assist in navigating the local and state permitting process, and provide application review prior to restaurants submitting to local and state officials. Additionally, ARA will expand public health campaigns that inform Arizona restaurants of current public health best practices.

"Just like every other business, Arizona's restaurants are working hard to navigate the pandemic and protect employees and customers," said ARA President and CEO Steve Chucri. "The Arizona Restaurant Association continues to work with public health officials to make adjustments as needed, including moving many operations outdoors and strengthening sanitation measures. My thanks to Governor Ducey for the continued work to support restaurants across the state and their employees and customers."

Mitigation Requirements For Events

Governor Ducey also issued an Executive Order enhancing health and safety requirements for large public events approved by local cities, towns and counties.

Under Executive Order 2020-43 issued in June, organized public events with more than 50 attendees are prohibited in Arizona, with the option for local jurisdictions to selectively approve events of greater than 50 people only if they implemented enhanced mitigation measures.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000169

ARZN_REV00068457_12-3-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Beginning today, organized public events of more than 50 people may only be approved by local cities, towns and counties if they have determined that safety precautions consistent with guidance issued by both the U.S. Centers for Disease Control and Prevention (CDC) and ADHS are in place, and the event organizer has committed to implementing and enforcing these precautions.

If an event is approved by a local city, town or county, the local jurisdiction must publicly post the mitigation measures that the event organizer is required to implement and enforce on their website and submit a copy to ADHS. In addition, the jurisdiction must dedicate resources to enforcing mitigation measures that the organizer has agreed to implement during the event and any public health requirements currently applicable in the jurisdiction.

As was the case before, a local city, town or county may deny a request for an organized event due to public health concerns related to COVID-19.

Additional Dollars For Hospitals

The Governor is directing an additional **$60 million** to provide more staffing at Arizona hospitals. With the funding, ADHS is working to secure an additional 500 nurses through the end of the month, with additional staffing to last throughout January. The staffing boost will provide critical nursing resources to hospitals statewide amid the surge of COVID-19 patients.

Today's funding for staffing comes from the Coronavirus Relief Fund (CRF) as part of the federal CARES Act. It comes in addition to the $25 million from CRF announced last month to help hospitals address staffing needs and support current staff.

View a list of today's actions HERE.

"QUOTE OF THE DAY"

"But just so you know, f*cking Bigfoot exists."

- David Stevens, Cochise County Recorder and former lawmaker, on our reporter comparing the hunt for voter fraud to the hunt for Bigfoot

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, December 4, 2020 2:56:52 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 12-4-2020-1.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *December 4, 2020*

WHY WON'T YOU JUST RELEASE THE KRAKEN, KELLI?
This morning's portion of the hearing for AZGOP chair Kelli Ward's lawsuit to throw out the results of the presidential election, which featured witnesses for the Secretary of State and Maricopa County, proved less than promising for Ward's case.

AMERICAN OVERSIGHT

WHAT EVER HAPPENED TO THE RULE OF LAW REPUBLICANS?

After Trump's personal attorney Rudy Giuliani paid him a visit this week, Bowers fired off a statement today rebuking the "breathtaking" calls from fellow conservatives to withhold the state's 11 presidential electors.

NOW THAT'S A PODCAST

Finchem spent part of his morning continuing his attacks on Ducey and spreading misinformation about Arizona's election on former Trump advisor Steve Bannon's live podcast.

HE'S AN INFLUENCER NOW

Social media platforms banned Bannon after he said Anthony Fauci's head should be put on a pike in front of the White House "as a warning to bureaucrats" who oppose Trump – while Finchem's Twitter following has spiked following his election fraud meeting.

THOSE WHO DON'T LEARN HISTORY ARE DOOMED TO REPEAT IT

As 15 new lawmakers prepare to take their seats in January, the House held new-member orientation this week and screened a documentary about the 1991 AZScam scandal that led to the resignation of 1-in-10 lawmakers and seven bribery convictions.

PRAY FOR LEGISLATIVE STAFF

The new-member orientation also offered the House opportunity to show off its new acrylic dividers, but lawmakers are already refusing to wear masks.

A CLASSIC CASE OF TOO LITTLE, TOO LATE

The new measures Ducey announced this week will do little to mitigate the virus, experts say, and come too late to stop the expected Christmas spike.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, December 04, 2020

·NEWS NOTES AND GOSSIP·

WHY WON'T YOU JUST RELEASE THE KRAKEN, KELLI?

This morning's portion of the hearing for AZGOP chair Kelli Ward's lawsuit to throw out the results of the presidential election, which featured witnesses for the Secretary of State and Maricopa County, proved less than promising for Ward's case. Maricopa County Superior Court Judge Randall Warner said he expects to issue a ruling late this afternoon in Ward's quest to invalidate the election based on evidence that shows that election workers incorrectly duplicated 9 out of 1,626 ballots in errors that favored both Biden and Trump. It's worth noting that just as in every other election case heard so far, at no point did Ward's attorneys allege fraud occurred. To start, Ward attorney Jack Wilenchik relied on his handwriting expert, Laurie Hoeltzel, who is seeking a Ph.D. in psychoneurology and has worked with True the Vote, a Texas-based Tea Party group that has spent the past decade alleging fraud in various elections. Hoeltzel said she couldn't confirm that six of the signatures out of a selection of 100 that she analyzed matched voter files, because those voters only had one signature on file. However, Maricopa County elections director Rey Valenzuela explained that the county can use other tools to verify a ballot affidavit's accuracy, including comparing numbers in the phone number or date voters print on the ballot envelope. Maricopa County Election Day Director Scott Jarrett also refuted Thursday's afternoon testimony from Linda Brickman, interim chair of the Maricopa County Republican Party and a temporary election worker, who said she was reprimanded for reporting that she watched ballots for Trump changed to votes for Biden. Jarrett said he was part of the disciplinary meeting with Brickman, and it was about her taking photos of signed ballot envelopes.

WHAT EVER HAPPENED TO THE RULE OF LAW REPUBLICANS?

After Trump's personal attorney Rudy Giuliani paid him a visit this week, Bowers fired off a statement today rebuking the "breathtaking" calls from fellow conservatives to withhold the state's 11 presidential electors. He wrote that Trump attorneys Rudy Giuliani and Jenna Ellis have twice made their case "that the election was tainted by fraud" – once at Finchem's "unofficial public gathering" and again in a private meeting with legislative leadership – "but presented only theories, not proof." Even if there was evidence of fraud, Bowers wrote that there is no way to accomplish what Finchem and others want. The Legislature will not reach the bipartisan supermajority necessary for a special session, he said, and even if it did, the state must send its electors to the candidate who received the most votes, thanks to a law that Republicans helped pass three years ago. "Nothing in the U.S. Constitution or the decisions of the U.S. Supreme Court even suggests that the Arizona Legislature could retroactively appoint different electors who would cast their ballots for different candidates." This is Bowers' first thorough public statement on the allegations of election fraud from the Trump campaign and members of his caucus following his internal communications to other lawmakers explaining the legal reality (YS, 11/19). Still, despite his strong rhetoric – and his own insistence that Trump's attorneys have presented no proof – Bowers may be more open to theories of fraud than his statement would suggest. Today, he and Fann both signed a letter from Petersen and Ugenti-Rita calling for audits of Maricopa County election software and equipment, a proposal motivated by baseless conspiracy theories about Dominion Voting Systems (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000173

ARZN_REV00068459_12-4-2020-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

NOW THAT'S A PODCAST

Finchem spent part of his morning continuing his attacks on Ducey and spreading misinformation about Arizona's election on former Trump advisor Steve Bannon's live podcast. "This has turned into a fraud free for all. There's so much here in this thing that nobody knows really how to handle it," Finchem said (LINK). Among his weirder claims was his allegation that fraud happened in Navajo County because "a state representative received 16,000 more votes" this year than in 2018, which he assumed could only mean people in Colorado or New Mexico must have voted illegally in that race, likely referring to Teller or Tsosie in LD7. (Of course, turnout hit record numbers this year statewide, and Navajo County's 74 percent turnout was actually lower than the statewide average of roughly 80 percent.) Finchem and Bannon, who was an executive at *Breitbart* before working for Trump, teed off on Ducey, saying the governor knows the election was stolen, but refuses to stop it because he's secretly against Trump. "He's a McCain guy, he was trying to insult [Trump], there's no doubt about it," Bannon said. "I mean Ducey, that's the type of guy he is, he wants to suck up to the president when he thinks the president is in power. If the President's not going to be in power, he'll kick him to the curb." Finchem continued on to say he thinks Trump received 62 to 67 percent of the vote – something that hasn't happened since Ronald Reagan won Arizona in 1984. Finchem said in the conclusion to his marathon election fraud panel on Monday that he and his crack team of legislators would put together a resolution on the findings to present to leadership within 24 hours. However, as of this afternoon, the Liberty Caucus squad had yet to file anything with the House, GOP majority spokesman Andrew Wilder told our reporter.

THOSE WHO DON'T LEARN HISTORY ARE DOOMED TO REPEAT IT

As 15 new lawmakers prepare to take their seats in January, the House held new-member orientation this week and screened a documentary about the 1991 AZScam scandal that led to the resignation of 1-in-10 lawmakers and seven bribery convictions. Mike Shahin, assistant director at the Legislative Broadcast Center, produced the documentary alongside House Rules attorneys Tim Fleming and Krystle Fernandez with help from Bailey Netsch, deputy communications director for House Democrats. "Honestly, I didn't know what AZScam was," Shahin said of the mostly forgotten scandal (it doesn't even have a Wikipedia page). "I agreed to do it, and like two days later, Krystle called me from the Rules Office and she told me the whole story and I was so hooked." Shahin is a documentary filmmaker outside of his job at the Capitol, and said he's enthralled by the true crime genre. He tried to make the film in that style, splicing historical film from the sting operation where lawmakers took bribes with cinematic b-roll of the locations and new interviews with some of those involved, including Alston, former lawmakers Debbie McCune Davis, Pete Rios, Mark Killian, AZScam detective Jack Ballentine and prosecutor Rick Romley, among others. Stephanie Stahl Hamilton, an incoming Democratic lawmaker from Tucson, said she didn't know much about the scandal until the House screened the documentary yesterday, having lived in Massachusetts at the time. "It's a sobering reminder that truly this institution isn't about us, it's about the state of Arizona. And a good cautionary tale for us to take our roles seriously," she said. She said one part that stuck with her was a clip of former lawmaker Sue Laybe, who said the same things still happen today, but in a much more polite way. While the film currently serves as a training video for incoming lawmakers, Shahin said he hopes to shop the documentary, with a new ending, to the independent film circuit after a little more polishing – and hopefully a few additional original interviews with former lawmakers who were convicted of crimes. "They turned us down in the first round. But I think once they see it and realize our intentions are pure, they'll hopefully get on board," he said.

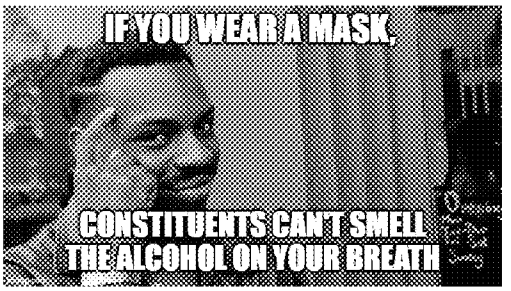
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000174

ARZN_REV00068459_12-4-2020-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRAY FOR LEGISLATIVE STAFF



The new-member orientation also offered the House opportunity to show off its new acrylic dividers, but lawmakers are already refusing to wear masks. Although the House has yet to officially adopt a mandatory mask policy, a copy of the agenda for the orientation obtained by our reporter says, in bold red font, "PPE is to be worn at all times." This already has been a challenge for some lawmakers, as multiple railbirds in the room pointed out that LD12 Rep-elect Jake Hoffman was at one stage just dangling the mask around his ear though he later put it on. Dalessandro, who's going through the orientation again because she's moving over to the House, shared that on day one "2.5" new lawmakers weren't wearing masks (Wendy Rogers had hers off on the House floor but put it on when they went to take a tour as a group). By today, a Dem railbird told our reporter that most new Republicans weren't wearing masks, and many refused to put them on when asked to do so during a presentation from the Joint Legislative Budget Committee.

A CLASSIC CASE OF TOO LITTLE, TOO LATE

The new measures Ducey announced this week will do little to mitigate the virus, experts say, and come too late to stop the expected Christmas spike. Dr. Andrew Carroll, the medical director at Atembis, told our reporter that he thought the restaurants expanding outdoor seating is a positive step, but the lack of limitation on public and private events was "pandering" to businesses, and his refusal to shutter bars and clubs means transmission rates will likely not start to decline anytime soon. "As a physician, I would like to have full shutdowns in areas with high disease incidents of certain industries which we know increase the transmission of the illness like bars and clubs," he said. "We're gonna have a horrible Christmas." He said hospitals are expecting to reach capacity in the next couple of weeks and at this point, nothing can be done to prevent it. "The lack of mask mandates, the lack of gathering sizes and industry shut down, especially over Thanksgiving holiday, is going to be the tsunami we're going to get hit with in the next two to three weeks and we're already flooded," Carroll said. Will Humble took a more critical approach, once again calling out Ducey and Dr. Cara Christ for slow walking their efforts to combat COVID-19. He agreed with Carroll that it's too late to prevent deaths, hospitalizations and more positive cases over the holidays. "[Ducey] could have done a full-on stay-at-home order, the likes of which we had in April, and we would still have a terrible hospital crisis," he said. Humble said a mask mandate with enforcement on the businesses rather than the individual would have been the smart move, but again, it's too late for it to have an impact likely before January. Instead, Humble said, Ducey is prioritizing making the businesses survive the pandemic rather than the individual.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000175

ARZN_REV00068459_12-4-2020-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES AND NEWS CLIPS·

Speaker Bowers Addresses Calls for the Legislature to Overturn 2020 Certified Election Results

STATE CAPITOL, PHOENIX – Arizona House Speaker Rusty Bowers today issued the following statement:
This week, Rudy Giuliani, Jenna Ellis, and others representing President Donald Trump came to Arizona with a breathtaking request: that the Arizona Legislature overturn the certified results of last month's election and deliver the state's electoral college votes to President Trump. The rule of law forbids us to do that.
Mr. Giuliani and Ms. Ellis made their case here at least twice—on Monday, at an unofficial public gathering hosted by a small group of legislators; and again on Tuesday, during a closed-door meeting at the State Capitol with Republican leaders from both chambers of the Legislature. Both times, the Trump team made claims that the election was tainted by fraud but presented only theories, not proof. U.S. Attorney General William P. Barr said on Tuesday that he, too, has "not seen fraud on a scale that could have effected a different outcome of the election."
Even if such evidence existed, the Arizona Legislature simply couldn't do what is being asked. Under our state's constitution, the Legislature can act only when it is in session, and the Legislature could call itself into a special session only with the support of a bipartisan supermajority of its members.
That won't materialize, but even if did, the Legislature couldn't provide the recourse the President's team seeks. The U.S. Constitution authorizes each state to appoint presidential electors "in such Manner as the Legislature thereof may direct." For decades, Arizona law has required that the voters elect the state's electors on Election Day—this year, on November 3rd. And under a law the Republican-led Legislature passed just three years ago, the state's electors are required to cast their votes for the candidates who received the most votes in the official statewide election canvass. Enacted after the 2016 presidential election, in which President Trump won the electoral college but not the popular vote, the law was aimed at ensuring that Arizona's electors would remain faithful to the vote of the people.
So under current Arizona law, the presidential electors who were elected on November 3 must, after the canvass is completed, vote for the winners of the popular vote. Nothing in the U.S. Constitution or the decisions of the U.S. Supreme Court even suggests that the Arizona Legislature could retroactively appoint different electors who would cast their ballots for different candidates. The Trump legal team has cited *McPherson v. Blacker* (1892), to claim that the legislature can "resume the power [to appoint electors] at any time." And it is true that the Arizona Legislature could alter the method of appointing electors prospectively. But it cannot undo the election of electors whom the voters already voted for. As the Supreme Court made clear in *Bush v. Gore* (2000), "[w]hen the state legislature vests the right to vote for President in its people, the right to vote as the legislature has prescribed is fundamental."
No election is perfect, and if there were evidence of illegal votes or an improper count, then Arizona law provides a process to contest the election: a lawsuit under state law. But the law does not authorize the Legislature to reverse the results of an election.
As a conservative Republican, I don't like the results of the presidential election. I voted for President Trump and worked hard to reelect him. But I cannot and will not entertain a suggestion that we violate current law to change the outcome of a certified election.
I and my fellow legislators swore an oath to support the U.S. Constitution and the constitution and laws of the state of Arizona. It would violate that oath, the basic principles of republican government, and the rule of law if we attempted to nullify the people's vote based on unsupported theories of fraud. Under the laws that we wrote and voted upon, Arizona voters choose who wins, and our system requires that their choice be respected.
Forty years ago next month, President Ronald Reagan reminded us that while the "orderly transfer of authority" is a "commonplace occurrence" for Americans, "[i]n the eyes of many in the world, this every-4-year ceremony we accept as normal is nothing less than a miracle." Now, Americans are being reminded once again never to take for granted what President Reagan correctly described as "the continuity which is the bulwark of our Republic."

Legislative Leaders call for audit of Maricopa County election software and equipment

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000176
ARZN_REV00068459_12-4-2020-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

(Phoenix, State Capitol) --- Senate President Karen Fann and Speaker of the House Rusty Bowers today called for an independent audit of the Dominion software and equipment used by Maricopa County in the 2020 General Election. The two leaders, along with incoming Senate Government Chair Michelle Ugenti-Rita and House Majority Leader Warren Petersen, had numerous phone calls with members of the Maricopa County Board of Supervisors.
"As a longtime advocate for improving and modernizing our election system, I am pleased to learn that the Maricopa County Board of Supervisors is supportive of conducting an independent audit of their voting software and equipment," said Sen. Ugenti-Rita. "It is important we maintain all of the voting public's confidence in our elections and this is a positive first step in the right direction."
"A significant number of voters believe that fraud occurred and with the number of irregularities it is easy to understand why," said House Majority Leader Petersen. "Especially concerning are the allegations made surrounding the vendor Dominion. It is imperative that the County immediately do a forensic audit on the Dominion software and equipment to make sure the results were accurate."
Legislators also emphasized to the supervisors how important it is to move expeditiously on this matter.

Navajo Nation extends stay-at-home lockdown and reimplements 57-hour weekend lockdown as hospitals reach a state of major crisis

WINDOW ROCK, Ariz. – On Thursday, Navajo Nation President Jonathan Nez and Vice President Myron Lizer hosted a virtual forum, in which several Navajo Area IHS medical and health care providers stated that the Navajo Nation is now in a major health care crisis and pleaded with the public to stay home and take precautions to help reduce the overwhelming surge in new COVID-19 cases and hospitalizations. As of Thursday, the Navajo reported a total of 17,310 positive cases and 663 deaths related to COVID-19 since the pandemic began. The entire forum is available online at: https://youtu.be/yfOg3RANG-A.
Dr. Loretta Christensen, Chief Medical Officer for Navajo Area Indian Health Service, stated that we are "truly in crisis mode" as hospitals continue to receive more and more hospital visits and hospitalizations related to COVID-19. The current situation is leading to a shortage of hospital beds, oxygen supplies, medical personnel, and increasing wait times to transfer severe COVID-19 patients to other hospital facilities in the region that are better equipped to assist.
"We have been in a state of emergency since the pandemic began here on the Navajo Nation, but that has now elevated to a major health care crisis. Our health care experts are now saying that the current wave or surge is far more severe and troublesome than the wave that we saw in April and May, perhaps four or five times larger according to projections. Our medical experts on the front lines are pleading with all of our Navajo people to stay home as much as possible in order to reduce and isolate the spread of COVID-19. We have not yet seen the full extent of this second wave, but we do know that the severity of this second wave relies completely on our individual actions. Because of this unprecedented rise in COVID-19 cases, we are extending the stay-at-home lockdown for three additional weeks beyond Dec. 6 and it will include 57-hour weekend lockdowns every weekend through Dec. 28.," said President Nez.
President Nez and Vice President Lizer also signed a letter on Thursday, requesting President Trump and the Federal Emergency Management Agency to issue a Major Disaster Declaration for the Navajo Nation for Individual Assistance Crisis Counseling, Disaster Case Management and Public Assistance Category B (Emergency Protective Measures) including Direct Federal Assistance for all Navajo Nation Chapters, our local units of government, and all other additional federal services and assistance allowed under a Major Disaster Declaration.
Public Health Emergency Order No. 2020-031 provisions go into effect on Monday, Dec. 7, 2020 until Monday, Dec. 28, 2020:

- Extends the Stay-At-Home Lockdown which requires all residents to remain at home 24-hours, seven days a week, with the exceptions of essential workers that must report to work, emergency situations, to obtain essential food, medication, and supplies, tend to livestock, outdoor exercising within the immediate vicinity of your home, wood gathering and hauling with a permit.
- Re-implements full 57-hour weekend lockdowns for three additional weekends that include: 8:00 P.M. MST through 5:00 A.M. MST on December 11, 2020 through December 14, 2020, and for the same hours on December 18, 2020 through December 21, 2020 and December 25, 2020 through December 28, 2020.
- Essential businesses including gas stations, grocery stores, laundromats, restaurants and food establishments that provide drive-thru and curbside services, and hay vendors can operate from 7:00 a.m. (MST) to 7:00 p.m., Monday through Friday only.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

· Refrain from gathering with individuals from outside your immediate household and requiring all residents to wear a mask in public, avoid public gatherings, maintain social (physical) distancing, remain in your vehicle for curb-side and drive-through services.

In addition, President Nez and Vice President Lizer issued Executive Order 011-20, to limit services and require Navajo Nation government and enterprises to remain closed through Sunday, Dec. 27, 2020, with the exception of essential employees as determined by division directors and enterprise management, to maintain essential services and functions of the government. This is due to the growing numbers of positive COVID-19 cases on the Navajo Nation.

"Our top priority is the health and well-being of the Navajo people and that should be everyone's priority. We are at a crossroads in terms of keeping our people safe and healthy and mitigating the major health care crisis that we are presently in. The good news is that we, the people, have the power to turn this upward trend in new cases around and reduce the spread of COVID-19 through our own actions. Hospital medical personnel including doctors, nurses, and many others are overworked because they are fighting for all of us every single day. Let's help them in this fight simply by staying home as much as possible to reduce the spread of COVID-19. Our health care providers are pleading with everyone at this point, so please continue to pray for them and to help them," Vice President Lizer stated.

To view Public Health Emergency Order No. 2020-031, please visit: https://www.ndoh.navajo-nsn.gov/COVID-19.

Arizona Supreme Court and State Bar of Arizona Wellness Program Earns National Award

PHOENIX – The Arizona Supreme Court and the State Bar of Arizona recently received a national award from the National Association of Bar Executives for a program co-developed in 2019 called "Are We OK?" The free three-part series was offered nationally through the State Bar of Arizona in October, November, and December of 2019. The series had a large national audience and the program was well received by bar associations, lawyer assistance programs, lawyers, and court personnel from all over Arizona and the country when originally aired.

The series received a 2020 LexisNexis Community and Educational Outreach Award for outstanding bar public service and law-related education. Arizonans are among those nationally who report an increase in depression during the COVID-19 pandemic, making the programs for recognizing and coping with stress, depression, and addiction timely and relevant throughout 2020. The programs were designed to offer lawyers guidance on ways to plan for positive change and well-being.

"Our collaboration with the Arizona Supreme Court was vital in our efforts to destigmatize these challenges and create a culture in the legal system where lawyers and judges can feel safe in admitting they need help, get it and then share their accounts to help others," said Roberta Tepper, Director of the State Bar of Arizona's Lawyer Assistance Programs.

Jeff Schrade, Director of the Education Services Division of the Arizona Supreme Court's Administrative Office of the Courts stated, "The Arizona Supreme Court is proud to continue its ongoing and award-winning collaboration with the State Bar of Arizona, providing a national model of partnership between the bench and the bar to address issues of mutual concern to both."

Lawyers and nonlawyers are encouraged to seek help and support in coping with stress and the challenges of personal and work issues. Local and state bar associations offer lawyer assistance programs. Lawyers and nonlawyers can receive information through the Court's website at https://azcourtcare.org/process-info/behavioral-health and through the Centers for Disease Control and Prevention at https://tinyurl.com/y5mbs7m.

Statement from Justice William G. Montgomery

PHOENIX – Arizona Supreme Court Associate Justice William G. Montgomery issues the following statement:

Just prior to my appointment in September of 2019 to the Arizona Supreme Court by Governor Doug Ducey, a bar complaint was filed against me. I have maintained that the complaint was frivolous and based on its timing, intended only to influence the appointment process. Nevertheless, it was the duty and responsibility of our Attorney Disciplinary System to thoroughly investigate the matter. On November 9, 2020, Independent Bar Counsel dismissed the complaint. The time for appealing the dismissal has expired and this matter is finally concluded. I am pleased

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

with the resolution and I will continue to devote my complete attention to serving the people of the State of Arizona as a Justice on the Arizona Supreme Court.

O'Halleran Urges Bipartisan, Bicameral Compromise on COVID-19 Relief

WASHINGTON—Today, Congressman Tom O'Halleran (AZ-01) joined his colleagues in the bipartisan Problem Solvers Caucus, a group of 25 Republicans and 25 Democrats focused on finding common ground on our nation's toughest challenges, at a press conference to present their $908 billion, four-month, COVID-19 emergency relief framework.

Following the event, O'Halleran released the following statement:

"This year, the COVID-19 pandemic has upended American life. Tens of millions are unemployed, beloved mom-and-pop businesses have closed their doors for good, and we've lost over 270,000 mothers, grandfathers, friends, and neighbors. Today, over 13 million individuals in the U.S. have tested positive for this virus, and our hospitals are reaching a breaking point yet again.

"This is long overdue; both houses of Congress are at the table to debate and discuss much-needed coronavirus aid, but this is only a starting point. Much more needs to be done to address this deadly pandemic in the coming months and I stand ready and willing to work with anyone to secure results for Arizona families. As I said at today's press conference, we cannot leave until we get this done."

A breakdown of the bipartisan, bicameral COVID-19 emergency relief framework can be found HERE.

"QUOTE OF THE DAY"

"Rudy Giuliani, Jenna Ellis, and others representing President Donald Trump came to Arizona with a breathtaking request: that the Arizona Legislature overturn the certified results of last month's election and deliver the state's electoral college votes to President Trump. The rule of law forbids us to do that."

- Bowers, on his personal visit from Giuliani

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, December 8, 2020 4:02:02 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fw: In Today's Yellow Sheet
Attachments: 12-8-20.pdf

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W Washington Street Rm 325
Phoenix AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Land, Agriculture & Rural Affairs (Ranking Member)
Local & International Affairs

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee.

About Contact

In Today's Yellow Sheet December 8, 2020

SURE, DRINK THE KOOL-AID, JUST DON'T TAKE ANYONE WITH YOU
Having failed to overturn the election through legal means, AZGOP is seeking martyrs for Trump's false conspiracy that the election was stolen, firing off a pair of tweets last night advocating violence and encouraging supporters to die for the cause.

IF THERE'S A CIVIL WAR, PUT THEM ON THE FRONT LINES
Legislative leaders shuttered the House and Senate buildings for a week following the possible mass exposure of lawmakers and staff from Rudy Giuliani and Jenna Ellis, but that didn't stop coup-promoting lawmakers from rallying unmasked yesterday on campus.

ONLY DEMOCRATS GET COVID
Capitol sources have repeatedly speculated that Republicans have been keeping their Covid diagnosis secret, as five legislative Democrats have publicly announced they contracted Covid, but only one Republican so far has

AMERICAN OVERSIGHT

volunteered that information when they were diagnosed.

PRAY FOR LEGISLATIVE STAFF, PART 109

Borrelli told our reporter he wears a mask at restaurants and bars to protect them from losing their business license, but that consideration doesn't extend to the people he works with at the Legislature.

BOYCOTT (FEDERAL FUNDS FOR) ARIZONA!

Stanton proposed ripping away federal Covid benefits to states that refuse to issue statewide mask mandates, including to his home state of Arizona.

RELEASING THE KRAKEN TAKES TIME

Two election lawsuits are dragging on after a federal judge declined to rule today on whether to dismiss a sprawling suit filed by Trump advocates.

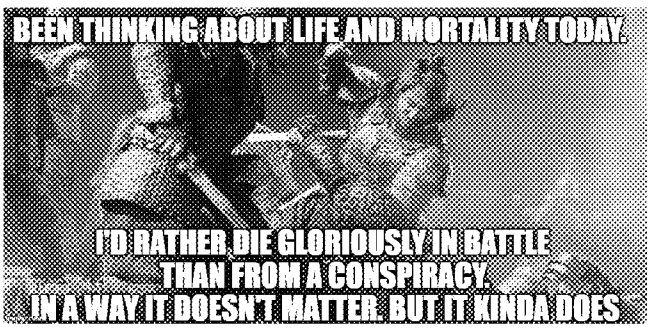
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, December 08, 2020

·NEWS NOTES AND GOSSIP·

SURE, DRINK THE KOOL-AID, JUST DON'T TAKE ANYONE WITH YOU



Having failed to overturn the election through legal means, AZGOP is seeking martyrs for Trump's false conspiracy that the election was stolen, firing off a pair of tweets last night advocating violence and encouraging supporters to die for the cause. (There's a sentence we never thought we'd have to write.) The state party retweeted a message from Ali Alexander (formerly Ali Akbar, who was convicted of felony theft and credit card fraud, and was once accused of discussing ways to rig the vote for John McCain (LINK)), that he is willing to "give my life for this fight." "He is. Are you?" AZGOP said in a retweet. Many Twitter users said they were, indeed, ready to die for the cause. (Others reported the tweet for promoting self-harm, and AZGOP later posted part of a message from Twitter saying the company is concerned about the account's user – that message usually includes links to suicide prevention resources or a note about the account being partially suspended.) The jaw-dropping call to arms also included a clip from the movie Rambo in which the protagonist says, "live for nothing or die for something. Your call." While the latter was deleted as of our deadline, the former remained online. Ducey this afternoon posted his own message that didn't directly condemn or even address AZGOP's tweet, but was clearly referencing it. "The Republican Party is the party of the Constitution and the rule of law. We prioritize public safety, law & order, and we respect the law enforcement officers who keep us safe. We don't burn stuff down. We build things up," he wrote. A handful of other Republicans chimed in to directly denounce AZGOP's call for martyrs. "'Die for Trump' is the official 'AZ GOP' twitter message? Really guys? Really?" Meghan McCain tweeted. Shope today chimed in "Hell no. Just saw this and it's a bullshit tweet and entirely unsurprising from the cast of characters there."

IF THERE'S A CIVIL WAR, PUT THEM ON THE FRONT LINES

Legislative leaders shuttered the House and Senate buildings for a week following the possible mass exposure of lawmakers and staff from Rudy Giuliani and Jenna Ellis, but that didn't stop coup-promoting lawmakers from rallying unmasked yesterday on campus. Lawmakers stoked calls for violence and declared, without evidence, that the election was stolen. "We are in a war right now," Blackman said, standing in front of a monument to war heroes like Ira Hayes on D-Day while arguing patriots have a responsibility to shed blood to protect democracy from the rigged election. "Years from now, our children are going to look at us and they're going to say one of two things: Thank you for fighting for a cause so I can live in the type of country you do, or they're going to say why didn't you fight?" Borrelli, standing in front of a sign reading "Ducey is a crook," compared the risks facing signers of the Declaration of Independence to the persecution of those who believe the election was rigged. "They were considered traitors. They were considered rebels. They could have been hung. But they risked their lives… As this marine will tell you, surrender is not in our creed," he said. Fillmore compared the election theft to Pearl Harbor. "America was attacked. Today we are under attack from an enemy more insidious, destructive, conniving and dangerous. An enemy within our own shores. They operate under the disguise of Americans and patriots and they are not," he said. "Seventy-some odd years ago, when America stood up on that day in infamy and we had a lot of people die protecting the right to vote – that day will come again."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000182

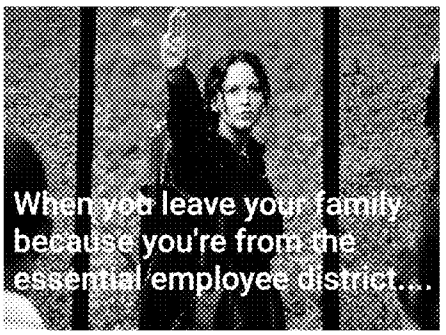
ARZN_REV00068461_12-8-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ONLY DEMOCRATS GET COVID

Capitol sources have repeatedly speculated that Republicans have been keeping their Covid diagnosis secret, as five legislative Democrats have publicly announced they contracted Covid, but only one Republican so far has volunteered that information when they were diagnosed. Lobbyists previously speculated to our reporter that Borrelli caught the virus, and it turns out they were right. Borrelli had Covid in June but didn't feel like sharing that information until Democrats were trolling him on Twitter yesterday, he told our reporter. "Been there, done that. Survived," he tweeted yesterday in response to somebody who predicted Giuliani infected lawmakers (LINK). His abrupt announcement spooked some in the Capitol community, who questioned whether they'd unknowingly met with Borrelli while he was contagious. He assured our reporter that he hadn't met anybody while contagious, and he's fairly certain he contracted the disease at the hospital. A family member was involved in a car accident in June, and Borrelli stayed with him at the hospital for three days before taking him home to recover. A couple weeks later, after having had no contact with anybody else, he started feeling symptoms he associated with a summer cold and didn't think it was Covid until he ordered a pizza he thought tasted nasty. He got a test, received positive results several days after he was feeling better and stayed home for another couple weeks until contact tracers cleared him, he said. He felt compelled to share that he had the illness because of snide comments on Twitter, he said. "I wasn't going to go out and brag that I had Covid. It's no big deal. The cold I had in March was worse." Kern also attended the Giuliani event last week, and told *AZFamily's* Dennis Welch his wife tested positive for Covid in May, and that he had it, but did not get tested – the first time he announced it publicly. Kern, or the others, are not immune as it's possible to contract the virus twice. Both Kern and Borrelli were at the Capitol last night unmasked.

PRAY FOR LEGISLATIVE STAFF, PART 109



Borrelli told our reporter he wears a mask at restaurants and bars to protect them from losing their business license, but that consideration doesn't extend to the people he works with at the Legislature. Legislative staff has been required to wear masks since the spring, and many belong to high-risk groups or have family members who are at risk of serious effects of Covid. But the rules that apply to them aren't enforced for lawmakers. "They have their rules. We have our rules," Borrelli told our reporter. Meanwhile, legislative Democrats in a Zoom press conference today argued their Republican colleagues are being selfish, reckless and irresponsible by continuing to not wear a mask and potentially spreading the virus around the Capitol. Friese, a physician working with Covid patients in Tucson, said people's refusal to take the virus seriously has broader implications, as hospitals are overwhelmed and elective surgeries and surgeries for cancer patients have to be put on the backburner so doctors and nurses can care for those with Covid. "Simply because you had the misfortune to get the virus but the great fortune to do well and survive, that's not what happens to everyone." Bolding reiterated that any Covid safety rules at the Capitol must be enforced if they're going to mean anything. "We cannot gamble with the lives of our members, of our staff, of those college students, those pages who are down there to support us," he said.

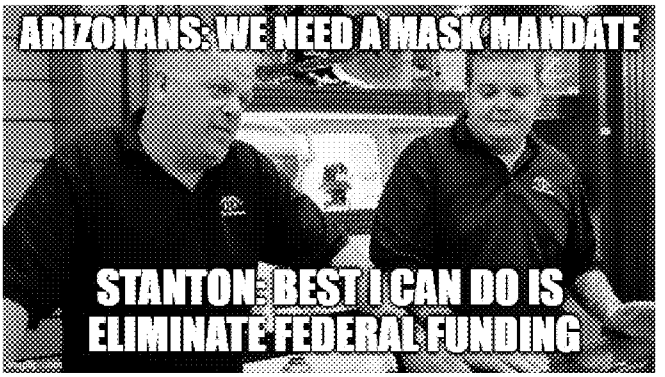
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000183

ARZN_REV00068461_12-8-20.pdf

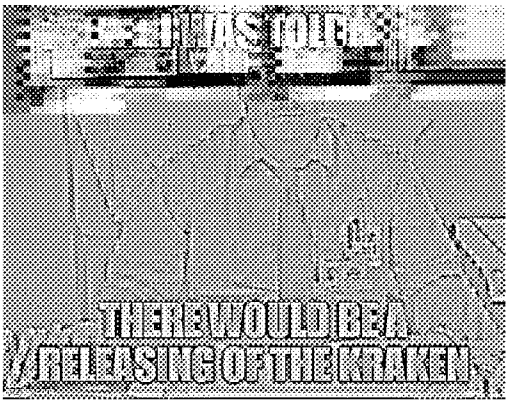
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOYCOTT (FEDERAL FUNDS FOR) ARIZONA!



Stanton proposed ripping away federal Covid benefits to states that refuse to issue statewide mask mandates, including to his home state of Arizona. "As the COVID crisis reaches new heights, Congress can't ignore that some governors have made things worse by thwarting science and refusing to adopt mask mandates," he wrote (LINK). "It's time for a new policy: If states and cities want federal relief funds, they must mandate masks." Arizona's Covid cases are spiking to unprecedented levels: today brought 12,000 new cases, crushing the previous high, the 7-day average is at close to 6,000 per day and ICU numbers continue to climb. Stanton said that governors like Ducey who are not responsible enough to issue mask mandates are "not responsible enough to manage relief funds." He claimed his proposal wouldn't affect cities and counties with their own orders, saying those jurisdictions would "split what the Ducey Administration would otherwise receive." Republicans and the media, predictably, ripped Stanton's idea, alike. "Stanton should be fighting right now to provide relief that is desperately needed right now, not to label our state a 'bad actor' in order to score political points. And yet here we are," wrote *Arizona Republic* columnist Laurie Roberts (LINK). The Ninth Floor and its allies shared the column, agreeing that it was not the brightest idea. Just 14 states, including Arizona, have not issued a statewide mask mandate. But as the Ninth Floor has repeatedly hammered, cities have also been reluctant to enforce their own mandates. Health experts have already said that a statewide mandate wouldn't bring down Arizona's new cases or hospitalizations for at least a month, and without any enforcement, a mask mandate may not even have an impact.

RELEASING THE KRAKEN TAKES TIME



Two election lawsuits are dragging on after a federal judge declined to rule today on whether to dismiss a sprawling suit filed by Trump advocates. US District Court Judge Diane Humetawa said she expects to have a ruling by tomorrow afternoon; if she decides the case can proceed, plaintiffs can make their case that the ghost of Hugo Chavez is haunting Arizona's election on Thursday. Meanwhile, as of our deadline, the Arizona Supreme Court hadn't issued its own ruling in a separate case filed by Kelli Ward that was dismissed by the Maricopa County Superior Court last week. Another lawsuit filed by a group of random Arizonans appeared on the horizon over the weekend, but its attorneys withdrew it yesterday after Hobbs' attorneys noted that they would be requesting attorney fees if the case failed. Hobbs' lawyers asked for more than $18,000 in fees from AZGOP for its failed lawsuit seeking a new hand audit last month. "They brought a meritless claim, prosecuted it in truly amateurish fashion by failing to seek necessary relief and half-heartedly seeking to enjoin Maricopa County's canvass, and thought so strongly of their claim that they didn't appeal when it was dismissed with prejudice," Hobbs attorney Roopali Desai wrote. "Their motives were transparent: delay final election results and sow doubt about the integrity of Arizona's elections system."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000184
ARZN_REV00068461_12-8-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES AND NEWS CLIPS·

Superintendent Hoffman and Cox Communications Announce Temporary Increase in Internet Speeds for Low-Income Families

Connect2Compete plan available to families of Arizona K-12 students participating in a government assistance program

Phoenix, AZ – Superintendent of Public Instruction Kathy Hoffman and Cox Communications today announced a critical increase in the speed of Cox's Connect2Compete internet service. Starting this Friday, December 11th, Cox will temporarily **double the Connect2Compete speed to 50 mbps**/download for the remainder of the 2020-2021 school year in all Cox markets, giving families and students peace of mind to complete schoolwork, communicate with teachers, and have the same opportunities to access information as their classmates. The Connect2Compete plan is a low-cost internet plan designed to augment the educational opportunities of low-income children who do not have a reliable and affordable internet connection at home. This Cox internet package is offered to students and families receiving government assistance such as reduced or free school lunch, SNAP benefits, or public housing.

"During the current COVID-19 spike, many students and teachers are returning to distance learning, once again needing to rely on their at-home internet service provider," said Superintendent Hoffman. "I am thankful that Cox Communications promptly responded to my request to provide low-income students and families with higher internet speeds."

At the onset of COVID-19, Cox moved quickly to enhance their offer of Connect2Compete internet service to eliminate restrictions on enrollment and to provide two months of free service for all new families who have enrolled in the service. Currently, thousands of Arizona students are receiving Connet2Compete internet service in communities which Cox serves in the metro Phoenix area, Pinal County and Southern Arizona.

"Cox remains committed to ensuring that all kids in our service areas have access to broadband connectivity so that they can do homework, communicate with their teachers and have the same opportunities to access information as their classmates," said John Wolfe, Southwest Regional General Manager, Cox Communications. "We thank Superintendent Hoffman for her leadership and partnership in working with the Cox team to advocate for the unique needs of our students during the COVID-19 pandemic."

Superintendent Hoffman and Cox Communications look forward to continuing to find innovative solutions to support students throughout the COVID-19 crisis, and beyond.

Families can qualify for Connect2Compete easily from anywhere whether on their mobile device or desktop by visiting cox.com/c2c . Eligible participants signing up before December 31, 2020 will receive two months of free service and pay $9.95 monthly going forward.

AG Brnovich Leads 20-State Amicus Brief Supporting Kentucky AG's Defense of State Laws in Federal Court

WASHINGTON, D.C. – Attorney General Mark Brnovich announced today that Arizona led a 20-state amicus brief urging the Supreme Court of the United States (SCOTUS) to reverse a decision by the Sixth Circuit Court of Appeals that prevented the Kentucky Attorney General from intervening to defend a state law after the state official named declined to continue defending the law through the appellate process.

"Arizonans know first-hand how elected officials can fail to respect the law," said General Brnovich. "Attorneys General have a duty to ensure state laws receive a faithful defense regardless of the inaction of other government officials."

The matter of strategic capitulation in litigation is not reserved to Kentucky. The Arizona Attorney General's Office, for example, has had to intervene in several important elections cases over the past year after the Arizona Secretary of State failed to defend challenged laws. One such prominent case, *Brnovich v DNC*, is now before SCOTUS.

The issue of whether an Attorney General can intervene in federal court to continue the defense of a challenged state law is an important component of our democratic system of governance. Public officials are not empowered to repeal duly enacted state laws unilaterally. Federal courts must permit Attorneys General to continue the defense of state law when others will not. This rule respects the voters' ability to elect legislators separately from executive officials and

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

preserves the checks balances within the state's legislative process.
In the Kentucky case, the Attorney General defended the state law on behalf of the Cabinet for Health and Family Services (CHFS). The Secretary of CHFS is appointed by the Governor. When the CHFS chose not to seek further review of a Sixth Circuit Court of Appeals decision, the Kentucky Attorney General moved to intervene in the case and continue defending the law. However, the Sixth Circuit did not allow the Kentucky Attorney General to intervene. The Kentucky Attorney General is asking SCOTUS to consider whether a state attorney general should be allowed to intervene to defend a state law, after a federal court of appeals invalidates it and no other state official will defend it.
Attorney General Brnovich was joined in the brief by Attorneys General representing the following states: Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and West Virginia

ARIZONA PHYSICIAN BLASTS ASSOCIATION OF AMERICAN PHYSICIANS AND SURGEONS LEADER FOR PROMOTING DANGEROUS DISINFORMATION AT U.S. SENATE COMMITTEE HEARING

TUCSON, AZ — Today, the U.S. Senate Committee on Governmental Affairs and Homeland Security, chaired by Sen. Ron Johnson (R-WI) held a hearing featuring the testimony of Dr. Jane M. Orient, a Tucson physician. Dr. Orient is the executive director of the American Association of Physicians and Surgeons, a small fringe group of doctors that has expressed numerous controversial beliefs including opposition to mandatory vaccination and that Medicare is "evil." She herself has tried to cast doubt on the safety of vaccines and has pushed for the use of hydroxychloroquine to treat COVID-19, even though evidence shows it is not beneficial and can cause harm. Dr. Eve Shapiro, a pediatrician in Tucson released the following statement in response to Dr. Orient being invited to testify before the Committee:
"As the COVID-19 pandemic continues to ravage our state and push our health care system to the brink of its capacity, it is beyond irresponsible for Dr. Orient to be pushing dangerous information about the safety and efficacy of vaccines as well as the use of hydroxychloroquine, which is not recommended for treating COVID-19. With so many Arizonans and Americans already dead from the pandemic, all doctors and elected leaders should be joining forces and following the evidence to promote vaccination against the deadly COVID-19 disease, and not to give people false hope about unproven methods of treating it at home. We want the people of Arizona to know that Dr. Orient certainly does not speak for all Arizona doctors, as the majority of us are committed to using the facts, and promoting the COVID-19 vaccine, in order to save the lives of our patients, neighbors, friends, and family."

Jennings Strouss Selected as a "Best Places to Work" in 2020

Phoenix, AZ (December 8, 2020) – Jennings, Strouss & Salmon, P.L.C., a leading Phoenix-based law firm, is pleased to announce that the Firm has earned the distinction of being named as one of *Phoenix Business Journal*'s 2020 "Best Places to Work." This is the ninth year Jennings Strouss has been ranked a "Best Places to Work" and is the only law firm ranked in the midsize company category of 100-249 employees.
"We are immensely proud to be included in the 'Best Places to Work' list this year. This honor is especially meaningful to us and is reflective of the consistent emphasis we place upon workplace culture," stated John C. Norling, Managing Attorney. "To be included, undoubtedly provides all members of the Jennings Strouss family with a sense of pride."
The "Best Places to Work" list was started in 2003, recognizing Valley companies through a third-party administered employee survey where people rank their respective companies on their feelings about the workplace. The areas surveyed are varied life, including workplace environment, leadership direction, culture, and management practices. Jennings Strouss was once again acknowledged for creating an enjoyable corporate culture and work environment that fosters personal and professional growth for its employees.
Winners were announced at the "Best Places to Work" virtual award event held earlier today.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"They have their rules. We have our rules."

- Borrelli, on the requirement that legislative staff wear masks, which doesn't apply to lawmakers

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000187

ARZN_REV00068461_12-8-20.pdf

Sender: rgabaldon@azleg.gov
Sent: Wednesday, December 9, 2020 4:54:45 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 12-9-20.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *Dec. 9, 2020*

ELECTION FRAUD PROTESTERS TARGET BOWERS' HOME
Somebody shared Bowers' house address and personal phone number on Twitter yesterday and people angry about election results began protesting outside.

SHOPE, TOMA, GRANTHAM: IT'S NOT COOL
Shope, Toma and Grantham condemn any behavior that escalates to protests outside someone's home, they told our reporter today.

ARE YOU SURE YOU'RE READY FOR 2021?
With just over a month until members of the 55th Legislature take their seats, Ugenti-Rita pre-filed the first bill of the 2021 session.

YOU'VE GOT TWO YEARS UNTIL THE NEXT ELECTION
Mesnard wanted S1001 for an election bill he plans to introduce to send a signal to voters that the Legislature takes their concerns about election security seriously, he told our reporter.

AMERICAN OVERSIGHT

ARIZONA'S VACCINE DOSES TO ARRIVE DEC. 13
The first shipments of the COVID-19 vaccine will arrive in Arizona sometime next week and will first be distributed in Maricopa and Pima counties, state officials said today.

ARIZONA, STATES TARGET FACEBOOK IN ANTITRUST LAWSUIT
Brnovich's office is joining 47 other states in filing an antitrust lawsuit against Facebook, he announced today.

CONGRESSMEN'S FAVORITE PASTIME
Stanton isn't the first Arizona congressman to propose boycotting Arizona in response to an action – or inaction – on the part of the state.

TOVAR KEEPS DUNN'S POLICY ADVISOR
Commissioner-elect Anna Tovar is already picking her Corp Comm staff and she doesn't have to go far for her policy advisor.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. **Wednesday, December 09, 2020**

·NEWS NOTES AND GOSSIP·

ELECTION FRAUD PROTESTERS TARGET BOWERS' HOME

Somebody shared Bowers' house address and personal phone number on Twitter yesterday and people angry about election results began protesting outside. Another protest is expected this evening. Bowers and Fann both have their own Dept of Public Safety security detail, and Maricopa County Sheriff's deputies monitored his property last night because of the protest. One of Townsend's Twitter followers shared Bowers' Mesa address in response to a Townsend tweet about House Chief of Staff Michael Hunter thwarting her attempts to hold an election hearing that Bowers had not given her permission to have. (Only the Speaker or Senate President can authorize committee hearings outside of their regularly scheduled time during the regular session.) Nicole Garcia, a candidate for Phoenix City Council who will proceed to a runoff election this spring, separately tweeted Bowers' personal phone number last night. Addresses are a matter of public record – unless one of the residents is eligible to have the address protected because he or she is a judge or a victim of stalking or domestic violence, for example. Elected officials' addresses, which are required on candidate filing forms and financial disclosures, are easier to find online, but it still takes a certain level of work to get that information. In response to the doxxing, Townsend tweeted this morning: "I cannot condone this action" (LINK). When another Twitter user responded that she could not condone Bowers' lack of action, Townsend responded, "Me either" (LINK). Townsend did not return a phone call from our reporter by our deadline.

SHOPE, TOMA, GRANTHAM: IT'S NOT COOL

Shope, Toma and Grantham condemn any behavior that escalates to protests outside someone's home, they told our reporter today. While they were referring to Bowers, they said their concern extends beyond the speaker's case. Shope publicly called the doxxing and protests of the House Speaker "gross" and "crappy" in separate Twitter posts. He told our reporter it's "not acceptable" to do this to anyone, including to Hobbs or Mitch McConnell. "You shouldn't have to fear for your safety at your own home," he said. Shope said Townsend's tweet about not condoning the "action" is not enough, but "it's a good start." Toma, who will serve as the next Majority Leader, shared the same sentiment as Shope. "Obviously, it concerns me and it should concern anybody. For me, I think it's crossing the line," he told our reporter. He called it "un-American." "We don't do this as Republicans. It's one thing to make your displeasure known to someone in their official capacity – showing up at the Capitol and protesting and what not. It's quite another to try to terrorize their family at their home," he said. Toma said he was on the phone with Bowers as it happened and could hear cars honking in the background. Grantham, who will serve as speaker pro tem, told our reporter he condemns the behavior, as well. "Escalating to that level is inappropriate and I condemn it," he said via text.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000190

ARZN_REV00068463_12-9-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ARE YOU SURE YOU'RE READY FOR 2021?

With just over a month until members of the 55th Legislature take their seats, Ugenti-Rita pre-filed the first bill of the 2021 session. Her S1001 (breast implant surgery; informed consent) is a retrod of last year's S1439 (breast implant surgery; informed consent), which passed the Senate unanimously and was approved by House hel-hu ser but never received a final vote in the House. Senators will have until Jan. 19 and representatives until Feb. 5 to request bills be drafted, and all 2021 bills must be introduced in the Senate by Feb. 1 and the House by Feb. 8. Friday, Feb. 19, is the last day to hear bills in committees in their chamber of origin, while March 26 will be the last day to hear bills in committees in the opposing chamber. The 100th day of session will fall on April 20.

YOU'VE GOT TWO YEARS UNTIL THE NEXT ELECTION

Mesnard wanted S1001 for an election bill he plans to introduce to send a signal to voters that the Legislature takes their concerns about election security seriously, he told our reporter. Ugenti-Rita, however, beat him to the number. Mesnard said it will still be his first bill of the year. The measure would require that counties audit 5 percent of their ballots, as opposed to the current statutory requirement that they audit 2 percent. It would also allow the Attorney General, Secretary of State or Legislative Council to require that an individual county further increase the audit percentage. Brnovich asked Maricopa County to increase its audit to 5 percent this year, but he didn't have any authority to require it. Mesnard's bill would also allow anyone to request a full recount – provided he or she pays for it. Many other states have this feature in place, but Arizona only permits recounts in extraordinarily close races. In a presidential race, the state's recount laws would only get triggered if the difference between candidates is less than 200 votes, or 1/10 of 1 percent of the votes cast, whichever number is smaller. In legislative races, the recount threshold shrinks to either 50 votes or 1/10 of 1 percent. Mesnard acknowledged that his bill won't do anything to address complaints about the 2020 election, but he said it could help build voter confidence in future elections. "We need to bend over backwards, even if it costs a little bit of extra money and takes a little extra effort, to remove as much distrust as possible," he said.

ARIZONA'S VACCINE DOSES TO ARRIVE DEC. 13

The first shipments of the COVID-19 vaccine will arrive in Arizona sometime next week and will first be distributed in Maricopa and Pima counties, state officials said today. The state is expecting 383,750 doses by the end of December and will prioritize "health care workers, residents of long-term care facilities, educators and vulnerable populations." The announcement from Dept of Health Services and Ducey's office (LINK) provides more clarity on the vaccination plan officials outlined last week. One week after the state's two largest counties receive shipments of 47,000 doses to Maricopa and roughly 11,000 for Pima, all 15 counties, at least four tribes and some nursing facilities will receive doses, as well. It's important to note that receiving shipments of the vaccine is not the same thing as people being able to line up to receive it. Doctors told our reporter that next summer seems to be the target for when the virus will be "under control," and Dr. Cara Christ said as much on *KTAR* this morning (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000191

ARZN_REV00068463_12-9-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ARIZONA, STATES TARGET FACEBOOK IN ANTITRUST LAWSUIT

Brnovich's office is joining 47 other states in filing an antitrust lawsuit against Facebook, he announced today. The bipartisan suit targets Facebook's purchases of smaller competitors, such as Instagram, and its blocking of some services from third-party apps that could become competitors. "Facebook's dominant market power has been illegally achieved at the cost of consumer choice, market innovation, and consumer privacy," Brnovich said in a news release. The lawsuit alleges that Facebook holds an "unprecedented, virtually 360-degree view of users and their contacts, interests, preferences, and activities" that allows it to continue making money from its users even when it's against those users' interests. The 48 suing states are seeking a court order to prevent Facebook from continuing to block third-party apps and require that the company give notice before it spends more than $10 million to acquire another company. In an email, Jennifer Newstead, Facebook's vice president and general counsel, called the lawsuit "revisionist history," and a "chilling warning to American business that no sale is ever final." "Antitrust laws exist to protect consumers and promote innovation, not to punish successful businesses," Newstead said, adding Instagram and WhatsApp became "incredible products" because Facebook invested billions of dollars to develop features and better experiences for users. "People and small businesses don't choose to use Facebook's free services and advertising because they have to, they use them because our apps and services deliver the most value. We are going to vigorously defend people's ability to continue making that choice," she said.

CONGRESSMEN'S FAVORITE PASTIME

Stanton isn't the first Arizona congressman to propose boycotting Arizona in response to an action – or inaction – on the part of the state. In 2010, Grijalva proposed a boycott after the state enacted SB1070, Russell Pearce's hardline immigration law. Grijalva's boycott drew a swift backlash, and in the election that year, the veteran legislator faced a political novice, Republican Ruth McClung, who gave him a run for his money. McClung won 44 percent of the vote to Grijalva's 50 percent in what many view as a rebuke of the Democrat's boycott. Grijalva had traditionally won 60 percent of his district's vote in past elections. He has since recovered. He won this year's election with 65% of the vote. Stanton this week said "bad-actor states and cities" that refuse to impose mask mandates should not get federal aid. "Congress has a responsibility to put resources in the hands of those who are taking this crisis seriously and these bad actors can't be trusted," Stanton said in a news release.

TOVAR KEEPS DUNN'S POLICY ADVISOR

Commissioner-elect Anna Tovar is already picking her Corp Comm staff and she doesn't have to go far for her policy advisor. Tovar said she plans to keep Erin Ford Faulhaber, who currently serves in that role for Commissioner Boyd Dunn. One GOP railbird said it is unusual for a policy advisor to jump from a member of one party to the next. Tovar didn't comment further on what made her decide to keep Faulhaber on staff.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000192

ARZN_REV00068463_12-9-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES AND NEWS CLIPS·

Sinema, Kelly: $13 Million in COVID-19 Federal Relief Heads to Arizona

Arizona Senators Kyrsten Sinema and Mark Kelly announced today that $13 million in federal COVID relief funds is heading to the Arizona Department of Health Services to reimburse the state for purchases of gowns, coveralls, disposable thermometers, gloves, and N95 masks to prevent the spread of COVID-19.

"Today's funding will help shore up budgets in Arizona and continue to help slow the spread of COVID-19 and protect frontline health workers caring for Arizona families during the pandemic," **said Sinema.**

"These funds are important to ensure Arizona can continue getting our health care workers the protective equipment they need to safely treat patients as we face a rise in COVID-19 cases and hospitalizations. To slow that rise, all Arizonans should follow public health guidance including wearing masks and social distancing," **said Kelly.**

The Department of Homeland Security and Federal Emergency Management Agency funds cover 75% of the cost share, meaning that a total of $17,716,359.41 was spent on reimbursable costs from May 7, 2020 to June 26, 2020 for Arizona Department of Health Services' response to the COVID-19 pandemic.

These funds were made possible through Sinema's urging of the President to issue a Major Disaster Declaration for Arizona, which allows the state to access more public safety resources to combat the coronavirus outbreak.

###

Thursday Virtual Roundtable: On the 5th Anniversary of the Paris Climate Accord: Arizona is still in!

(Arizona) - On Thursday, December 10th at 2:00 pm., notable Arizona civic, science and youth leaders including **Tempe Mayor Corey Woods**; **Sonja Klinsky**, Senior Sustainability Scientist, Global Institute of Sustainability and Innovation at Arizona State University; **State Senator-elect Kirsten Engel**; and **Daniella Lopez**, a 15-year-old youth climate leader from Mesa, will gather for a virtual roundtable discussion about the Paris Climate Agreement and what it means for Arizona communities and families.

This Saturday, December 12th, marks the 5-year anniversary of the landmark Accords that are aimed at limiting the impacts of climate change. Sadly, on November 4th, less than 2 months ago, the United States officially left the agreement and abandoned our position of leadership. President-elect Joe Biden has said he'll rejoin the Paris Agreement on day 1, which will mark drastic change in course on climate change policy in the United States.

What does this mean for Arizona? Our panelists will provide some necessary insight and expertise to help that question.

Who:

- **State Senator-elect Kirsten Engel**
- **Mayor Corey Woods**, City of Tempe
- **Sonja Klinsky**, Senior Sustainability Scientist, Global Institute of Sustainability and Innovation at Arizona State University
- **Daniella Lopez**, co-lead for Arizona Youth Climate Coalition

What: Virtual Roundtable

Where:

- Online via Zoom with RSVP, *please email adam@sagecreeksolutions.com*

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Facebook Live: https://www.facebook.com/events/1700505300111228/

When: Thursday, December 10th at 2:00 PM MST

Contacts:

- Sandy Bahr, Sierra Club - Grand Canyon Chapter: (602) 999-5790 sandy.bahr@sierraclub.org
- Adam Pimley, Sage Creek Solutions: (406) 579-6524 adam@sagecreeksolutions.com

###

AG Brnovich Joins Multistate Lawsuit Seeking to End Facebook's Alleged Illegal Monopoly

Facebook is Accused of Thwarting Competition, Reduced Consumer Privacy for Profits

WASHINGTON, D.C. - Attorney General Mark Brnovich today joined a bipartisan coalition of 48 attorneys general in filing an antitrust lawsuit against Facebook Inc., alleging that the company has and continues to stifle competition to protect its monopoly power illegally. The lawsuit alleges that Facebook violated Section 2 of the Sherman Act and Section 7 of the Clayton Act by illegally acquiring competitors in a predatory manner and cutting services to smaller threats, depriving users of the benefits of competition and reducing privacy protections along the way — all to boost its bottom line through increased advertising revenue.

"Facebook's dominant market power has been illegally achieved at the cost of consumer choice, market innovation, and consumer privacy," said General Mark Brnovich. "Our bipartisan coalition of Attorneys General is committed to standing up for all of the consumers and hardworking small businesses that have been harmed along the way."

In an effort to "build a competitive moat" around the company and maintain its market dominance, Facebook employs a variety of methods to impede competition. The two most utilized strategies have been to (i) acquire smaller rivals and potential rivals before they could threaten Facebook's dominance and (ii) suffocate and squash third-party developers that Facebook invited to utilize its platform. These illegal tactics enable Facebook to maintain its monopoly over the social networking market.

Reduced Privacy and Fewer Options

Facebook's unlawful monopoly gives it broad discretion to set the terms for how its users' private information is collected and used to further its business interests. When Facebook cuts off integration to third-party developers, users cannot easily move their own information — such as their lists of friends — to other social networking services. This decision forces users to either stay put or start their online lives from scratch if they want to try an alternative.

The volume, velocity, and variety of Facebook's user data give it an unprecedented, virtually 360-degree view of users and their contacts, interests, preferences, and activities. The more users Facebook can acquire and convince to spend additional time on its platforms, the more data Facebook can accumulate by surveilling the activities of its users and thereby increase its monopolistic revenues through advertising.

Because Facebook users have nowhere else to go, the company is able to make decisions about how to curate content on the platform and use the personal information it collects from users to further its business interests, even if those choices conflict with the interests and preferences of Facebook users.

Since taking office, General Brnovich has prioritized consumer data privacy. In March 2018, General Brnovich sent a letter to Facebook discussing his obligation as Attorney General to help "ensure that the privacy of the people of Arizona is respected and preserved." He also raised concerns about Facebook allowing third-party application developers to not only access personal data from Facebook users but also acquire comprehensive data about friends of those Facebook users.

Acquisition of Competitive Threats

Facebook employs unique data-gathering tools to monitor new apps all in an effort to see what is gaining traction with users. That data helps Facebook select acquisition targets that pose the greatest threats to Facebook's dominance. Once selected, Facebook offers the heads of these companies vast amounts of money — that greatly inflate the values of the apps to avoid any competition for Facebook in the future.

The two most obvious examples of this successful strategy were Instagram and WhatsApp — of which posed a unique and direct threat to Facebook's monopoly.

Purchase of Instagram

After initially trying to build its own version of Instagram with relatively low traction, Facebook acquired Instagram for $1 billion, despite the company not having a single cent of revenue and valuing itself at only $500 million.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Facebook offered double the purported valuation of Instagram even though Mark Zuckerberg previously described the $500 million value as "crazy."

Purchase of WhatsApp

While Facebook initially focused on several emerging mobile messaging services, WhatsApp was viewed as the "category leader" with over 400 million active users worldwide in 2014. Accordingly, WhatsApp, provided the greatest threat.

Facebook feared WhatsApp eroding its monopoly power, and also was concerned that WhatsApp could ultimately be bought by a competing behemoth, Google, that had previously shown interest in social networking.

This led Facebook, in February 2014, to acquire WhatsApp for nearly $19 billion — wildly more than the extravagant price CEO Zuckerberg had recommended paying a few months earlier and the $100 million another competitor offered to buy the company two years earlier.

Cutting Competitors Off from Facebook Overnight

The multistate complaint further alleges that Facebook targets competitors with a 'buy or bury' approach. If they refuse to be bought out, Facebook used an "open first–closed later" strategy to stop competitive threats, or deter them from competing at the inception. Facebook opened its platform to apps created by third-party developers in an effort to increase functionality on the site and, subsequently, increase the number of users on Facebook. Facebook also drove traffic to third-party sites by making it easier for users to sign in, so that Facebook could capture valuable data about its users' off-Facebook activity and enhance its ability to target advertising.

After years of promoting open access to its platform, in 2011, Facebook began to rescind and block access to the site to apps that Facebook viewed as actual or potential competitive threats. Facebook understood that an abrupt termination of established access to the site can be devastating to an app — especially one still relatively new to the market. Some of these companies experienced almost overnight drop-off in user engagement and downloads, and their growth stalled.

Remedies

The bipartisan coalition of states requests that the court halt Facebook's illegal, anticompetitive conduct and block the company from continuing this behavior in the future. Additionally, the coalition asks the court to restrain Facebook from making further acquisitions valued at or in excess of $10 million without advance notice. The court is also asked to require divestiture or restructuring of illegally acquired companies, or other current Facebook assets along with any additional, appropriate relief.

The complaint was filed in the U.S. District Court for the District of Columbia.

Separately, but in coordination with the multistate coalition, the Federal Trade Commission (FTC) today filed a complaint against Facebook in the U.S. District Court for the District of Columbia.

This case is being handled by Unit Chief Dana Vogel and Assistant Attorney General Christina Grey from the Civil Litigation Division.

Copy of the complaint.

###

AG Brnovich Leads 20-State Amicus Brief Supporting Kentucky AG's Defense of State Laws in Federal Court

WASHINGTON, D.C. - Attorney General Mark Brnovich announced today that Arizona led a 20-state amicus brief urging the Supreme Court of the United States (SCOTUS) to reverse a decision by the Sixth Circuit Court of Appeals that prevented the Kentucky Attorney General from intervening to defend a state law after the state official named declined to continue defending the law through the appellate process.

"Arizonans know first-hand how elected officials can fail to respect the law," said General Brnovich. "Attorneys General have a duty to ensure state laws receive a faithful defense regardless of the inaction of other government officials."

The matter of strategic capitulation in litigation is not reserved to Kentucky. The Arizona Attorney General's Office, for example, has had to intervene in several important elections cases over the past year after the Arizona Secretary of State failed to defend challenged laws. One such prominent case, *Brnovich v DNC*, is now before SCOTUS.

The issue of whether an Attorney General can intervene in federal court to continue the defense of a challenged state law is an important component of our democratic system of governance. Public officials are not empowered to repeal

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

duly enacted state laws unilaterally. Federal courts must permit Attorneys General to continue the defense of state law when others will not. This rule respects the voters' ability to elect legislators separately from executive officials and preserves the checks balances within the state's legislative process.

In the Kentucky case, the Attorney General defended the state law on behalf of the Cabinet for Health and Family Services (CHFS). The Secretary of CHFS is appointed by the Governor. When the CHFS chose not to seek further review of a Sixth Circuit Court of Appeals decision, the Kentucky Attorney General moved to intervene in the case and continue defending the law. However, the Sixth Circuit did not allow the Kentucky Attorney General to intervene. The Kentucky Attorney General is asking SCOTUS to consider whether a state attorney general should be allowed to intervene to defend a state law, after a federal court of appeals invalidates it and no other state official will defend it.

Attorney General Brnovich was joined in the brief by Attorneys General representing the following states: Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and West Virginia.

Copy of Amicus Brief.

###

Screening Meeting Information for Maricopa County Commission on Trial Court Appointments

The Maricopa County Commission on Trial Court Appointments will meet to review 22 applications for two vacancies on the Superior Court in Maricopa County created by the retirement of Judges Douglas Gerlach and Jeanne Garcia.

The meeting agenda, public meeting notice and the applications can be viewed online at the Commission's website, https://www.azcourts.gov/jnc.

The meeting will begin at 9:30 a.m. on Friday, December 11, 2020, in conference room 345 of the Arizona State Courts Building, 1501 W. Washington, Phoenix, AZ 85007. Public comment is accepted at this meeting, however, in order to maintain social distance, there is very limited seating. We highly encourage speakers to call-in at 602-452-3533, the meeting access code is 994 353 478.

If you wish to speak at this meeting, you must send your information and the subject of your comments to Blanca Moreno, at bmoreno@courts.az.gov by 8:30 a.m. on Friday, December 11, 2020.

###

Congressman Biggs Votes Against the NDAA Conference Report

WASHINGTON, D.C. – Tonight, the U.S. House of Representatives passed the *Conference Report to Accompany H.R. 6395 – Mac Thornberry National Defense Authorization Act*. Congressman Biggs voted against this conference report and issued the following statement:

"I support our military and have voted in support of the National Defense Authorization Act in previous years. However, this year's version of the NDAA was chalked full of special and anti-American interests that I could not, in good conscience, vote to support. Both the policies and the process are broken for this NDAA, and the House must begin to consider this bill under an open rule process. The considerations under the NDAA are too important for them not to warrant honest and open debate.

"The NDAA fails to prioritize strong border security operations along the southern border. It allows our endless wars to continue into perpetuity. It did not include my amendment that would have required the Department of Defense to report to Congress on defense spending by allied countries. And it authorizes the repeal of the Chief Management Officer position – one of the only offices at DOD that saves us money.

"Due to these reasons, and others, I was forced to oppose this conference report. I support President Trump's promise to veto this legislation once it reaches his desk, and I will do everything in my power to ensure that Congress will not be able to override his veto. We can and must do much better for our troops. I hope my Democrat colleagues will come back to the table and work with us to give our troops the very best from the United States Congress."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

###

Sinema Hosts Call with Arizona Mayors and County Leaders to Answer Coronavirus Surge

Sinema continues holding regular calls with Arizona mayors and county leaders, Tribal communities, non-profit leaders, small business owners, and first responders

WASHINGTON – Arizona senior Senator Kyrsten Sinema hosted a call with Arizona mayors and county leaders about their coronavirus-related concerns, the importance of slowing the spread of the virus across Arizona, and what Sinema is fighting for in a next coronavirus-relief legislative package.

"Working directly with local leaders to stop the spread of the coronavirus and deliver coronavirus relief to communities in need will help save Arizona lives and jobs, and set our economy up for a full recovery," said Sinema.

Mayors and county leaders from across Arizona joined Sinema on today's call to discuss how to stop the spread of coronavirus, provide updates on a next coronavirus-relief package, and hear how to access coronavirus relief resources. Sinema has held regular calls with Arizona non-profit leaders, small business owners, and first responders.

Sinema has also added a resources page to her website, www.sinema.senate.gov/corona, for Arizonans looking for the latest information on coronavirus.

###

Arizona Transportation Electrification Forum to highlight the adoption of clean electric vehicles across the state

PHOENIX – The second annual Arizona Transportation Electrification Forum will bring together the key players in Arizona's growing electric vehicle (EV) sector, including EV manufacturers, policymakers, utilities, educators and innovators. **The Forum will convene virtually on Friday, December 11, 2020.**

The event will feature a virtual EV ride and drive, and address a variety of topics, including an overview of the EV market nationwide and how the market is active and growing in Arizona. The event will also dive into the synergy between transportation electrification policies in Arizona and economic recovery policy efforts. U.S. Rep. Greg Stanton will be featured as the keynote speaker, highlighting what Arizona can expect from the federal level on transportation electrification policies. The Forum will also include an awards ceremony for those leading the electric vehicle transition in Arizona, as well as videos from EV drivers in the state. The event will conclude with a series of concurrent case studies focused on including equity considerations in any transportation electrification policies and programs, fleet electrification, programs for the public and private sectors, and policies cities can adopt to advance transportation electrification.

Come learn about the benefits of electrified transportation and what Arizona is already doing to support more EVs on the roads, and how Arizona can accelerate the adoption of electric vehicles.

WHAT: Arizona Transportation Electrification Forum

WHEN: Friday, December 11, 8 am—2:00 pm MST

WHERE: Virtually on Zoom, registration at azteforum.com

WHO: Presented by Plug In America, the Energy Policy Innovation Council at Arizona State University, and the Southwest Energy Efficiency Project. Participating organizations include American Lung Association Arizona, Arizona PIRG Education Fund, Arizona Public Service, Atlas Public Policy, the Electrification Coalition, EVgo, Lucid Motors, City of Phoenix, Salt River Project, Siemens, Tucson Electric Power, and Western Resource Advocates. U.S. Rep. Greg Stanton of Arizona Congressional District 9 is also our featured speaker. See full agenda.

About Plug In America: Plug In America is the nation's leading independent consumer voice for accelerating the use of plug-in electric vehicles in the United States. Formed as a non-profit in 2008, Plug In America provides practical,

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

objective information collected from our coalition of plug-in vehicle drivers, through public outreach and education, policy work and a range of technical advisory services. Our expertise represents the world's deepest pool of experience of driving and living with plug-in vehicles. We drive electric. You can too. PlugInAmerica.org

About Energy Policy Innovation Council at Arizona State University:

The Energy Policy Innovation Council at Arizona State University informs and educates policymakers on current, complex issues in energy policy that impact Arizona and beyond. We are housed within the School for the Future of Innovation in Society and the College of Global Futures at Arizona State University in Tempe, Arizona.
Visit: www.sustainability.asu.edu/energy-policy/

About the Southwest Energy Efficiency Project:

The Southwest Energy Efficiency Project is a public interest organization promoting greater energy efficiency in Arizona, Colorado, Nevada, New Mexico, Utah, and Wyoming. For more information, visit www.swenergy.org.

"QUOTE OF THE DAY"

"It's crossing the line."

- Toma, on behavior that escalates and leads to protests outside someone's home.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, December 9, 2020 4:54:46 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 12-9-20.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *Dec. 9, 2020*

ELECTION FRAUD PROTESTERS TARGET BOWERS' HOME
Somebody shared Bowers' house address and personal phone number on Twitter yesterday and people angry about election results began protesting outside.

SHOPE, TOMA, GRANTHAM: IT'S NOT COOL
Shope, Toma and Grantham condemn any behavior that escalates to protests outside someone's home, they told our reporter today.

ARE YOU SURE YOU'RE READY FOR 2021?
With just over a month until members of the 55th Legislature take their seats, Ugenti-Rita pre-filed the first bill of the 2021 session.

YOU'VE GOT TWO YEARS UNTIL THE NEXT ELECTION
Mesnard wanted S1001 for an election bill he plans to introduce to send

AMERICAN OVERSIGHT

a signal to voters that the Legislature takes their concerns about election security seriously, he told our reporter.

ARIZONA'S VACCINE DOSES TO ARRIVE DEC. 13
The first shipments of the COVID-19 vaccine will arrive in Arizona sometime next week and will first be distributed in Maricopa and Pima counties, state officials said today.

ARIZONA, STATES TARGET FACEBOOK IN ANTITRUST LAWSUIT
Brnovich's office is joining 47 other states in filing an antitrust lawsuit against Facebook, he announced today.

CONGRESSMEN'S FAVORITE PASTIME
Stanton isn't the first Arizona congressman to propose boycotting Arizona in response to an action – or inaction – on the part of the state.

TOVAR KEEPS DUNN'S POLICY ADVISOR
Commissioner-elect Anna Tovar is already picking her Corp Comm staff and she doesn't have to go far for her policy advisor.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. **Wednesday, December 09, 2020**

·NEWS NOTES AND GOSSIP·

ELECTION FRAUD PROTESTERS TARGET BOWERS' HOME

Somebody shared Bowers' house address and personal phone number on Twitter yesterday and people angry about election results began protesting outside. Another protest is expected this evening. Bowers and Fann both have their own Dept of Public Safety security detail, and Maricopa County Sheriff's deputies monitored his property last night because of the protest. One of Townsend's Twitter followers shared Bowers' Mesa address in response to a Townsend tweet about House Chief of Staff Michael Hunter thwarting her attempts to hold an election hearing that Bowers had not given her permission to have. (Only the Speaker or Senate President can authorize committee hearings outside of their regularly scheduled time during the regular session.) Nicole Garcia, a candidate for Phoenix City Council who will proceed to a runoff election this spring, separately tweeted Bowers' personal phone number last night. Addresses are a matter of public record – unless one of the residents is eligible to have the address protected because he or she is a judge or a victim of stalking or domestic violence, for example. Elected officials' addresses, which are required on candidate filing forms and financial disclosures, are easier to find online, but it still takes a certain level of work to get that information. In response to the doxxing, Townsend tweeted this morning: "I cannot condone this action" (LINK). When another Twitter user responded that she could not condone Bowers' lack of action, Townsend responded, "Me either" (LINK). Townsend did not return a phone call from our reporter by our deadline.

SHOPE, TOMA, GRANTHAM: IT'S NOT COOL

Shope, Toma and Grantham condemn any behavior that escalates to protests outside someone's home, they told our reporter today. While they were referring to Bowers, they said their concern extends beyond the speaker's case. Shope publicly called the doxxing and protests of the House Speaker "gross" and "crappy" in separate Twitter posts. He told our reporter it's "not acceptable" to do this to anyone, including to Hobbs or Mitch McConnell. "You shouldn't have to fear for your safety at your own home," he said. Shope said Townsend's tweet about not condoning the "action" is not enough, but "it's a good start." Toma, who will serve as the next Majority Leader, shared the same sentiment as Shope. "Obviously, it concerns me and it should concern anybody. For me, I think it's crossing the line," he told our reporter. He called it "un-American." "We don't do this as Republicans. It's one thing to make your displeasure known to someone in their official capacity – showing up at the Capitol and protesting and what not. It's quite another to try to terrorize their family at their home," he said. Toma said he was on the phone with Bowers as it happened and could hear cars honking in the background. Grantham, who will serve as speaker pro tem, told our reporter he condemns the behavior, as well. "Escalating to that level is inappropriate and I condemn it," he said via text.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000201

ARZN_REV00068465_12-9-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ARE YOU SURE YOU'RE READY FOR 2021?

With just over a month until members of the 55th Legislature take their seats, Ugenti-Rita pre-filed the first bill of the 2021 session. Her S1001 (breast implant surgery; informed consent) is a retrod of last year's S1439 (breast implant surgery; informed consent), which passed the Senate unanimously and was approved by House hel-hu ser but never received a final vote in the House. Senators will have until Jan. 19 and representatives until Feb. 5 to request bills be drafted, and all 2021 bills must be introduced in the Senate by Feb. 1 and the House by Feb. 8. Friday, Feb. 19, is the last day to hear bills in committees in their chamber of origin, while March 26 will be the last day to hear bills in committees in the opposing chamber. The 100th day of session will fall on April 20.

YOU'VE GOT TWO YEARS UNTIL THE NEXT ELECTION

Mesnard wanted S1001 for an election bill he plans to introduce to send a signal to voters that the Legislature takes their concerns about election security seriously, he told our reporter. Ugenti-Rita, however, beat him to the number. Mesnard said it will still be his first bill of the year. The measure would require that counties audit 5 percent of their ballots, as opposed to the current statutory requirement that they audit 2 percent. It would also allow the Attorney General, Secretary of State or Legislative Council to require that an individual county further increase the audit percentage. Brnovich asked Maricopa County to increase its audit to 5 percent this year, but he didn't have any authority to require it. Mesnard's bill would also allow anyone to request a full recount – provided he or she pays for it. Many other states have this feature in place, but Arizona only permits recounts in extraordinarily close races. In a presidential race, the state's recount laws would only get triggered if the difference between candidates is less than 200 votes, or 1/10 of 1 percent of the votes cast, whichever number is smaller. In legislative races, the recount threshold shrinks to either 50 votes or 1/10 of 1 percent. Mesnard acknowledged that his bill won't do anything to address complaints about the 2020 election, but he said it could help build voter confidence in future elections. "We need to bend over backwards, even if it costs a little bit of extra money and takes a little extra effort, to remove as much distrust as possible," he said.

ARIZONA'S VACCINE DOSES TO ARRIVE DEC. 13

The first shipments of the COVID-19 vaccine will arrive in Arizona sometime next week and will first be distributed in Maricopa and Pima counties, state officials said today. The state is expecting 383,750 doses by the end of December and will prioritize "health care workers, residents of long-term care facilities, educators and vulnerable populations." The announcement from Dept of Health Services and Ducey's office (LINK) provides more clarity on the vaccination plan officials outlined last week. One week after the state's two largest counties receive shipments of 47,000 doses to Maricopa and roughly 11,000 for Pima, all 15 counties, at least four tribes and some nursing facilities will receive doses, as well. It's important to note that receiving shipments of the vaccine is not the same thing as people being able to line up to receive it. Doctors told our reporter that next summer seems to be the target for when the virus will be "under control," and Dr. Cara Christ said as much on *KTAR* this morning (LINK).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000202
ARZN_REV00068465_12-9-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ARIZONA, STATES TARGET FACEBOOK IN ANTITRUST LAWSUIT

Brnovich's office is joining 47 other states in filing an antitrust lawsuit against Facebook, he announced today. The bipartisan suit targets Facebook's purchases of smaller competitors, such as Instagram, and its blocking of some services from third-party apps that could become competitors. "Facebook's dominant market power has been illegally achieved at the cost of consumer choice, market innovation, and consumer privacy," Brnovich said in a news release. The lawsuit alleges that Facebook holds an "unprecedented, virtually 360-degree view of users and their contacts, interests, preferences, and activities" that allows it to continue making money from its users even when it's against those users' interests. The 48 suing states are seeking a court order to prevent Facebook from continuing to block third-party apps and require that the company give notice before it spends more than $10 million to acquire another company. In an email, Jennifer Newstead, Facebook's vice president and general counsel, called the lawsuit "revisionist history," and a "chilling warning to American business that no sale is ever final." "Antitrust laws exist to protect consumers and promote innovation, not to punish successful businesses," Newstead said, adding Instagram and WhatsApp became "incredible products" because Facebook invested billions of dollars to develop features and better experiences for users. "People and small businesses don't choose to use Facebook's free services and advertising because they have to, they use them because our apps and services deliver the most value. We are going to vigorously defend people's ability to continue making that choice," she said.

CONGRESSMEN'S FAVORITE PASTIME

Stanton isn't the first Arizona congressman to propose boycotting Arizona in response to an action – or inaction – on the part of the state. In 2010, Grijalva proposed a boycott after the state enacted SB1070, Russell Pearce's hardline immigration law. Grijalva's boycott drew a swift backlash, and in the election that year, the veteran legislator faced a political novice, Republican Ruth McClung, who gave him a run for his money. McClung won 44 percent of the vote to Grijalva's 50 percent in what many view as a rebuke of the Democrat's boycott. Grijalva had traditionally won 60 percent of his district's vote in past elections. He has since recovered. He won this year's election with 65% of the vote. Stanton this week said "bad-actor states and cities" that refuse to impose mask mandates should not get federal aid. "Congress has a responsibility to put resources in the hands of those who are taking this crisis seriously and these bad actors can't be trusted," Stanton said in a news release.

TOVAR KEEPS DUNN'S POLICY ADVISOR

Commissioner-elect Anna Tovar is already picking her Corp Comm staff and she doesn't have to go far for her policy advisor. Tovar said she plans to keep Erin Ford Faulhaber, who currently serves in that role for Commissioner Boyd Dunn. One GOP railbird said it is unusual for a policy advisor to jump from a member of one party to the next. Tovar didn't comment further on what made her decide to keep Faulhaber on staff.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000203

ARZN_REV00068465_12-9-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES AND NEWS CLIPS·

Sinema, Kelly: $13 Million in COVID-19 Federal Relief Heads to Arizona

Arizona Senators Kyrsten Sinema and Mark Kelly announced today that $13 million in federal COVID relief funds is heading to the Arizona Department of Health Services to reimburse the state for purchases of gowns, coveralls, disposable thermometers, gloves, and N95 masks to prevent the spread of COVID-19.

"Today's funding will help shore up budgets in Arizona and continue to help slow the spread of COVID-19 and protect frontline health workers caring for Arizona families during the pandemic," **said Sinema.**

"These funds are important to ensure Arizona can continue getting our health care workers the protective equipment they need to safely treat patients as we face a rise in COVID-19 cases and hospitalizations. To slow that rise, all Arizonans should follow public health guidance including wearing masks and social distancing," **said Kelly.**

The Department of Homeland Security and Federal Emergency Management Agency funds cover 75% of the cost share, meaning that a total of $17,716,359.41 was spent on reimbursable costs from May 7, 2020 to June 26, 2020 for Arizona Department of Health Services' response to the COVID-19 pandemic.

These funds were made possible through Sinema's urging of the President to issue a Major Disaster Declaration for Arizona, which allows the state to access more public safety resources to combat the coronavirus outbreak.

###

Thursday Virtual Roundtable: On the 5th Anniversary of the Paris Climate Accord: Arizona is still in!

(Arizona) - On Thursday, December 10th at 2:00 pm., notable Arizona civic, science and youth leaders including **Tempe Mayor Corey Woods**; **Sonja Klinsky**, Senior Sustainability Scientist, Global Institute of Sustainability and Innovation at Arizona State University; **State Senator-elect Kirsten Engel**; and **Daniella Lopez**, a 15-year-old youth climate leader from Mesa, will gather for a virtual roundtable discussion about the Paris Climate Agreement and what it means for Arizona communities and families.

This Saturday, December 12th, marks the 5-year anniversary of the landmark Accords that are aimed at limiting the impacts of climate change. Sadly, on November 4th, less than 2 months ago, the United States officially left the agreement and abandoned our position of leadership. President-elect Joe Biden has said he'll rejoin the Paris Agreement on day 1, which will mark drastic change in course on climate change policy in the United States.

What does this mean for Arizona? Our panelists will provide some necessary insight and expertise to help that question.

Who:

- **State Senator-elect Kirsten Engel**
- **Mayor Corey Woods**, City of Tempe
- **Sonja Klinsky**, Senior Sustainability Scientist, Global Institute of Sustainability and Innovation at Arizona State University
- **Daniella Lopez**, co-lead for Arizona Youth Climate Coalition

What: Virtual Roundtable

Where:

- Online via Zoom with RSVP, *please email adam@sagecreeksolutions.com*

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Facebook Live: https://www.facebook.com/events/1700505300111228/

When: Thursday, December 10th at 2:00 PM MST

Contacts:

- Sandy Bahr, Sierra Club - Grand Canyon Chapter: (602) 999-5790 sandy.bahr@sierraclub.org
- Adam Pimley, Sage Creek Solutions: (406) 579-6524 adam@sagecreeksolutions.com

###

AG Brnovich Joins Multistate Lawsuit Seeking to End Facebook's Alleged Illegal Monopoly

Facebook is Accused of Thwarting Competition, Reduced Consumer Privacy for Profits

WASHINGTON, D.C. - Attorney General Mark Brnovich today joined a bipartisan coalition of 48 attorneys general in filing an antitrust lawsuit against Facebook Inc., alleging that the company has and continues to stifle competition to protect its monopoly power illegally. The lawsuit alleges that Facebook violated Section 2 of the Sherman Act and Section 7 of the Clayton Act by illegally acquiring competitors in a predatory manner and cutting services to smaller threats, depriving users of the benefits of competition and reducing privacy protections along the way — all to boost its bottom line through increased advertising revenue.

"Facebook's dominant market power has been illegally achieved at the cost of consumer choice, market innovation, and consumer privacy," said General Mark Brnovich. "Our bipartisan coalition of Attorneys General is committed to standing up for all of the consumers and hardworking small businesses that have been harmed along the way."

In an effort to "build a competitive moat" around the company and maintain its market dominance, Facebook employs a variety of methods to impede competition. The two most utilized strategies have been to (i) acquire smaller rivals and potential rivals before they could threaten Facebook's dominance and (ii) suffocate and squash third-party developers that Facebook invited to utilize its platform. These illegal tactics enable Facebook to maintain its monopoly over the social networking market.

Reduced Privacy and Fewer Options

Facebook's unlawful monopoly gives it broad discretion to set the terms for how its users' private information is collected and used to further its business interests. When Facebook cuts off integration to third-party developers, users cannot easily move their own information — such as their lists of friends — to other social networking services. This decision forces users to either stay put or start their online lives from scratch if they want to try an alternative.

The volume, velocity, and variety of Facebook's user data give it an unprecedented, virtually 360-degree view of users and their contacts, interests, preferences, and activities. The more users Facebook can acquire and convince to spend additional time on its platforms, the more data Facebook can accumulate by surveilling the activities of its users and thereby increase its monopolistic revenues through advertising.

Because Facebook users have nowhere else to go, the company is able to make decisions about how to curate content on the platform and use the personal information it collects from users to further its business interests, even if those choices conflict with the interests and preferences of Facebook users.

Since taking office, General Brnovich has prioritized consumer data privacy. In March 2018, General Brnovich sent a letter to Facebook discussing his obligation as Attorney General to help "ensure that the privacy of the people of Arizona is respected and preserved." He also raised concerns about Facebook allowing third-party application developers to not only access personal data from Facebook users but also acquire comprehensive data about friends of those Facebook users.

Acquisition of Competitive Threats

Facebook employs unique data-gathering tools to monitor new apps all in an effort to see what is gaining traction with users. That data helps Facebook select acquisition targets that pose the greatest threats to Facebook's dominance. Once selected, Facebook offers the heads of these companies vast amounts of money — that greatly inflate the values of the apps to avoid any competition for Facebook in the future.

The two most obvious examples of this successful strategy were Instagram and WhatsApp — of which posed a unique and direct threat to Facebook's monopoly.

Purchase of Instagram

After initially trying to build its own version of Instagram with relatively low traction, Facebook acquired Instagram for $1 billion, despite the company not having a single cent of revenue and valuing itself at only $500 million.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Facebook offered double the purported valuation of Instagram even though Mark Zuckerberg previously described the $500 million value as "crazy."

Purchase of WhatsApp

While Facebook initially focused on several emerging mobile messaging services, WhatsApp was viewed as the "category leader" with over 400 million active users worldwide in 2014. Accordingly, WhatsApp, provided the greatest threat.

Facebook feared WhatsApp eroding its monopoly power, and also was concerned that WhatsApp could ultimately be bought by a competing behemoth, Google, that had previously shown interest in social networking.

This led Facebook, in February 2014, to acquire WhatsApp for nearly $19 billion — wildly more than the extravagant price CEO Zuckerberg had recommended paying a few months earlier and the $100 million another competitor offered to buy the company two years earlier.

Cutting Competitors Off from Facebook Overnight

The multistate complaint further alleges that Facebook targets competitors with a 'buy or bury' approach. If they refuse to be bought out, Facebook used an "open first–closed later" strategy to stop competitive threats, or deter them from competing at the inception. Facebook opened its platform to apps created by third-party developers in an effort to increase functionality on the site and, subsequently, increase the number of users on Facebook. Facebook also drove traffic to third-party sites by making it easier for users to sign in, so that Facebook could capture valuable data about its users' off-Facebook activity and enhance its ability to target advertising.

After years of promoting open access to its platform, in 2011, Facebook began to rescind and block access to the site to apps that Facebook viewed as actual or potential competitive threats. Facebook understood that an abrupt termination of established access to the site can be devastating to an app — especially one still relatively new to the market. Some of these companies experienced almost overnight drop-off in user engagement and downloads, and their growth stalled.

Remedies

The bipartisan coalition of states requests that the court halt Facebook's illegal, anticompetitive conduct and block the company from continuing this behavior in the future. Additionally, the coalition asks the court to restrain Facebook from making further acquisitions valued at or in excess of $10 million without advance notice. The court is also asked to require divestiture or restructuring of illegally acquired companies, or other current Facebook assets along with any additional, appropriate relief.

The complaint was filed in the U.S. District Court for the District of Columbia.

Separately, but in coordination with the multistate coalition, the Federal Trade Commission (FTC) today filed a complaint against Facebook in the U.S. District Court for the District of Columbia.

This case is being handled by Unit Chief Dana Vogel and Assistant Attorney General Christina Grey from the Civil Litigation Division.

Copy of the complaint.

###

AG Brnovich Leads 20-State Amicus Brief Supporting Kentucky AG's Defense of State Laws in Federal Court

WASHINGTON, D.C. - Attorney General Mark Brnovich announced today that Arizona led a 20-state amicus brief urging the Supreme Court of the United States (SCOTUS) to reverse a decision by the Sixth Circuit Court of Appeals that prevented the Kentucky Attorney General from intervening to defend a state law after the state official named declined to continue defending the law through the appellate process.

"Arizonans know first-hand how elected officials can fail to respect the law," said General Brnovich. "Attorneys General have a duty to ensure state laws receive a faithful defense regardless of the inaction of other government officials."

The matter of strategic capitulation in litigation is not reserved to Kentucky. The Arizona Attorney General's Office, for example, has had to intervene in several important elections cases over the past year after the Arizona Secretary of State failed to defend challenged laws. One such prominent case, *Brnovich v DNC*, is now before SCOTUS.

The issue of whether an Attorney General can intervene in federal court to continue the defense of a challenged state law is an important component of our democratic system of governance. Public officials are not empowered to repeal

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

duly enacted state laws unilaterally. Federal courts must permit Attorneys General to continue the defense of state law when others will not. This rule respects the voters' ability to elect legislators separately from executive officials and preserves the checks balances within the state's legislative process.

In the Kentucky case, the Attorney General defended the state law on behalf of the Cabinet for Health and Family Services (CHFS). The Secretary of CHFS is appointed by the Governor. When the CHFS chose not to seek further review of a Sixth Circuit Court of Appeals decision, the Kentucky Attorney General moved to intervene in the case and continue defending the law. However, the Sixth Circuit did not allow the Kentucky Attorney General to intervene. The Kentucky Attorney General is asking SCOTUS to consider whether a state attorney general should be allowed to intervene to defend a state law, after a federal court of appeals invalidates it and no other state official will defend it.

Attorney General Brnovich was joined in the brief by Attorneys General representing the following states: Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and West Virginia.

Copy of Amicus Brief.

###

Screening Meeting Information for Maricopa County Commission on Trial Court Appointments

The Maricopa County Commission on Trial Court Appointments will meet to review 22 applications for two vacancies on the Superior Court in Maricopa County created by the retirement of Judges Douglas Gerlach and Jeanne Garcia.

The meeting agenda, public meeting notice and the applications can be viewed online at the Commission's website, https://www.azcourts.gov/jnc.

The meeting will begin at 9:30 a.m. on Friday, December 11, 2020, in conference room 345 of the Arizona State Courts Building, 1501 W. Washington, Phoenix, AZ 85007. Public comment is accepted at this meeting, however, in order to maintain social distance, there is very limited seating. We highly encourage speakers to call-in at 602-452-3533, the meeting access code is 994 353 478.

If you wish to speak at this meeting, you must send your information and the subject of your comments to Blanca Moreno, at bmoreno@courts.az.gov by 8:30 a.m. on Friday, December 11, 2020.

###

Congressman Biggs Votes Against the NDAA Conference Report

WASHINGTON, D.C. – Tonight, the U.S. House of Representatives passed the *Conference Report to Accompany H.R. 6395 – Mac Thornberry National Defense Authorization Act*. Congressman Biggs voted against this conference report and issued the following statement:

"I support our military and have voted in support of the National Defense Authorization Act in previous years. However, this year's version of the NDAA was chalked full of special and anti-American interests that I could not, in good conscience, vote to support. Both the policies and the process are broken for this NDAA, and the House must begin to consider this bill under an open rule process. The considerations under the NDAA are too important for them not to warrant honest and open debate.

"The NDAA fails to prioritize strong border security operations along the southern border. It allows our endless wars to continue into perpetuity. It did not include my amendment that would have required the Department of Defense to report to Congress on defense spending by allied countries. And it authorizes the repeal of the Chief Management Officer position – one of the only offices at DOD that saves us money.

"Due to these reasons, and others, I was forced to oppose this conference report. I support President Trump's promise to veto this legislation once it reaches his desk, and I will do everything in my power to ensure that Congress will not be able to override his veto. We can and must do much better for our troops. I hope my Democrat colleagues will come back to the table and work with us to give our troops the very best from the United States Congress."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

###

Sinema Hosts Call with Arizona Mayors and County Leaders to Answer Coronavirus Surge

Sinema continues holding regular calls with Arizona mayors and county leaders, Tribal communities, non-profit leaders, small business owners, and first responders

WASHINGTON – Arizona senior Senator Kyrsten Sinema hosted a call with Arizona mayors and county leaders about their coronavirus-related concerns, the importance of slowing the spread of the virus across Arizona, and what Sinema is fighting for in a next coronavirus-relief legislative package.

"Working directly with local leaders to stop the spread of the coronavirus and deliver coronavirus relief to communities in need will help save Arizona lives and jobs, and set our economy up for a full recovery," said Sinema.

Mayors and county leaders from across Arizona joined Sinema on today's call to discuss how to stop the spread of coronavirus, provide updates on a next coronavirus-relief package, and hear how to access coronavirus relief resources. Sinema has held regular calls with Arizona non-profit leaders, small business owners, and first responders.

Sinema has also added a resources page to her website, www.sinema.senate.gov/corona, for Arizonans looking for the latest information on coronavirus.

###

Arizona Transportation Electrification Forum to highlight the adoption of clean electric vehicles across the state

PHOENIX – The second annual Arizona Transportation Electrification Forum will bring together the key players in Arizona's growing electric vehicle (EV) sector, including EV manufacturers, policymakers, utilities, educators and innovators. **The Forum will convene virtually on Friday, December 11, 2020.**

The event will feature a virtual EV ride and drive, and address a variety of topics, including an overview of the EV market nationwide and how the market is active and growing in Arizona. The event will also dive into the synergy between transportation electrification policies in Arizona and economic recovery policy efforts. U.S. Rep. Greg Stanton will be featured as the keynote speaker, highlighting what Arizona can expect from the federal level on transportation electrification policies. The Forum will also include an awards ceremony for those leading the electric vehicle transition in Arizona, as well as videos from EV drivers in the state. The event will conclude with a series of concurrent case studies focused on including equity considerations in any transportation electrification policies and programs, fleet electrification, programs for the public and private sectors, and policies cities can adopt to advance transportation electrification.

Come learn about the benefits of electrified transportation and what Arizona is already doing to support more EVs on the roads, and how Arizona can accelerate the adoption of electric vehicles.

WHAT: Arizona Transportation Electrification Forum

WHEN: Friday, December 11, 8 am—2:00 pm MST

WHERE: Virtually on Zoom, registration at azteforum.com

WHO: Presented by Plug In America, the Energy Policy Innovation Council at Arizona State University, and the Southwest Energy Efficiency Project. Participating organizations include American Lung Association Arizona, Arizona PIRG Education Fund, Arizona Public Service, Atlas Public Policy, the Electrification Coalition, EVgo, Lucid Motors, City of Phoenix, Salt River Project, Siemens, Tucson Electric Power, and Western Resource Advocates. U.S. Rep. Greg Stanton of Arizona Congressional District 9 is also our featured speaker. See full agenda.

About Plug In America: Plug In America is the nation's leading independent consumer voice for accelerating the use of plug-in electric vehicles in the United States. Formed as a non-profit in 2008, Plug In America provides practical,

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000208

ARZN_REV00068465_12-9-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

objective information collected from our coalition of plug-in vehicle drivers, through public outreach and education, policy work and a range of technical advisory services. Our expertise represents the world's deepest pool of experience of driving and living with plug-in vehicles. We drive electric. You can too. PlugInAmerica.org

About Energy Policy Innovation Council at Arizona State University:

The Energy Policy Innovation Council at Arizona State University informs and educates policymakers on current, complex issues in energy policy that impact Arizona and beyond. We are housed within the School for the Future of Innovation in Society and the College of Global Futures at Arizona State University in Tempe, Arizona.
Visit: www.sustainability.asu.edu/energy-policy/

About the Southwest Energy Efficiency Project:

The Southwest Energy Efficiency Project is a public interest organization promoting greater energy efficiency in Arizona, Colorado, Nevada, New Mexico, Utah, and Wyoming. For more information, visit www.swenergy.org.

"QUOTE OF THE DAY"

"It's crossing the line."

- Toma, on behavior that escalates and leads to protests outside someone's home.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, December 15, 2020 8:03:14 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *December 15, 2020*

Electors vote as lawmakers hold hearing on election
Capitol Media Services
Arizona's 11 Democrat electors cast their votes Monday for Joe Biden even as a Senate panel raised questions about the accuracy of the vote that gave the Democrat the edge over President Trump.

Lawsuits challenging AZ election results continue despite Electoral College vote
Capitol Media Services
A Pinal County judge is being urged to toss out the latest — and possibly the last — challenge to the results of the presidential race in Arizona and the awarding of the state's 11 electoral college votes to Joe Biden.

Pima County to start COVID-19 vaccinations Thursday
Arizona Daily Star
Pima County health-care workers and residents of long-term care facilities will begin to receive the first doses of the COVID-19 vaccine Thursday, Dec. 17, public health officials announced Monday.

GOP election rift engulfs Mesa lawmakers
East Valley Tribune
Two Mesa lawmakers and a congressman are at the epicenter of a widening schism in Arizona's Republican Party over President Donald Trump's defeat in the state.

AMERICAN OVERSIGHT

Forest Service agrees to boost spotted owl monitoring
Payson Roundup
The U.S. Forest Service has agreed to undertake a comprehensive monitoring plan to figure out whether Mexican spotted owls are declining because of things like logging, forest restoration projects, controlled burns and other activities.

Ducey at Odds With White House Task Force, Medical Leaders on COVID-19 Policy
Phoenix New Times
During the course of the COVID-19 pandemic, Governor Doug Ducey has repeatedly pointed to the White House Coronavirus Task Force as his gold standard for advice on how to respond to the coronavirus outbreak in Arizona.

This Week in COVID: 542 Arizonans on Ventilators, Ducey Ignores Expert Guidance
Phoenix New Times
It's Tuesday, December 15. More than 420,000 Arizonans have contracted COVID-19 and more than 7,350 have died as a result.

Arizona Senate will subpoena Maricopa County for election audit
Arizona Mirror
Amid false claims of election fraud spread by President Donald Trump and Arizona Republican leaders, the Arizona Senate will issue subpoenas to inspect and audit ballot counting machines in Maricopa County, a top Republican senator announced Monday at the conclusion of a six-hour-long legislative hearing into the November election.

Will Republicans help to heal America before people get killed?
Arizona Republic (Opinion, EJ Montini)
President-elect Joe Biden said he would be the president for 'all Americans.' But that can't happen unless all Americans start acting like Americans.

Here is one GOP senator's response to Biden's win in Arizona: 'Buy more ammo'
Arizona Republic (Opinion, Laurie Roberts)
Remember the self-proclaimed patriots who claim to put America First. What they really mean is not country first or even party first, but self-interest first and thus, Trump first.

Fake Arizona electors vote for Trump. Real Arizona legislators ask Congress to accept them
Arizona Republic (Opinion, Laurie Roberts)
A group of Republican legislators want Congress to accept 'alternate' electoral votes for Trump. They have completely lost their grip on reality.

Mark Kelly is right about threats to public lands. He can lead Senate on protections
Arizona Republic (Op-ed, Jannine Mathis)
Provisions to protect the Grand Canyon and other public lands were stripped from a House bill. Will Mark Kelly broker a better deal in the Senate?

Bowers stands tall amid fumbling MAGA-teers
East Valley Tribune (Opinion, David Leibowitz)
A sculptor and artist by trade, a politician by choice, Speaker of the Arizona House Russell “Rusty” Bowers has long been a puzzle.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, December 15, 2020 3:59:21 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 12-15-20.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Tuesday, December 15, 2020 4:56 PM
To: .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>; .Senate Democratic Staff

About Contact

In Today's Yellow Sheet *December 15, 2020*

STOP THE STEAL (OF BOYER'S DIGITAL SIGNATURE)
Boyer accused Townsend of fraudulently using his signature on a letter calling for Congress to recognize Trump electors, saying he never signed the letter that included 30 current and future lawmakers and didn't agree with its premise.

AMERICAN OVERSIGHT

A DAY IN THE LIFE OF PAUL "SWAMP CREATURE" BOYER
After distancing himself from Townsend's letter, Boyer issued an outwardly anodyne defense of constitutional norms and accomplished the rare feat of drawing fire from both Republicans and Democrats over the course of a few hours.

REPUBLICANS EAT THEIR OWN, PART 297
The American Post-Gazette, a fringe newsletter penned by Russell Pearce and his allies, has turned on Kelli Ward, accusing her of being a toady for Ducey and other "McCainiacs" and urging new leadership within AZGOP.

WHATEVER, JUST PICK A POLICY
Ugenti-Rita has been all over the map in the debate over curing ballots with missing signatures, but after attempting to require counties to cure the ballots, then attempting to bar them from doing so, her legislation this year lands somewhere in the middle.

IF YOU CAN'T WIN IN PINAL, MAYBE TRY MOHAVE
A Pinal County judge threw out an attempt to overturn election results in what was dubbed "Arizona Kraken 2.0" after the main plaintiff turned out to not be a registered voter.

WHY DON'T THE PRISONERS JUST LEAVE?
Prison locks are once again on the agenda of tomorrow's Joint Committee on Capital Review.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, December 15, 2020

·NEWS NOTES AND GOSSIP·

STOP THE STEAL (OF BOYER'S DIGITAL SIGNATURE)

Boyer accused Townsend of fraudulently using his signature on a letter calling for Congress to recognize Trump electors, saying he never signed the letter that included 30 current and future lawmakers and didn't agree with its premise. Boyer told our reporter he agreed to sign on to a previous version of the letter, drafted last week while some court cases were still pending, that asked that no electors be appointed for Arizona until outstanding issues were resolved. Townsend's assistant sent a new version of her letter Monday afternoon and asked lawmakers who wanted to sign to send their signatures. The new version instead asked Congress to recognize Trump electors or nullify the Electoral College vote entirely, while Boyer said he wanted electoral votes to ultimately go to the winner of the election, even if an audit delayed that process. Boyer said he didn't respond and asked his assistant not to either. But Townsend took his lack of response as a continued endorsement of her message and attached Boyer's signature to the letter, though she announced last night that she would retract his name. In an email Boyer asked that she immediately delete his digital signature and never use it again. "For someone who is so concerned with fraud, you have fraudulently used my signature without my permission," he wrote. Even without Boyer's signature, a majority of next year's Republican lawmakers have signed on to Townsend's call to subvert the will of Arizona's voters and recognize Trump electors instead. For the most part, those Republican lawmakers who didn't sign the letter have stayed quiet about the election or appeared to encourage rumors of fraud by calling for investigations.

A DAY IN THE LIFE OF PAUL "SWAMP CREATURE" BOYER

After distancing himself from Townsend's letter, Boyer issued an outwardly anodyne defense of constitutional norms and accomplished the rare feat of drawing fire from both Republicans and Democrats over the course of a few hours. Boyer's signature on Townsend's letter after two years of being viewed as a rare moderate in the Legislature drew attention from Dems, independents and rational Republicans who were initially upset over his inclusion. "Remember when @PaulDBoyer seemed reasonable for a short period? Good times," one Democratic activist tweeted (LINK). Yesterday evening, after telling Townsend to remove his name from her letter, Boyer shared a simple message about the election that set many of his fellow Republicans against him. "I support the rule of law. The election is certified. The process should move forward per the constitution," he tweeted (LINK), sparking another brutal round of backlash. Nicole Garcia, the Phoenix city council candidate who doxed Bowers, referred to Boyer as a "weak beta male," "ignorant swamp creature" and "TRAITOR" and accused him of benefitting from the Chinese communists she believes run America (LINK). In a subsequent tweet, Garcia also criticized Boyer's bowtie, seemingly unaware that coming after a lawmaker's neckwear is political suicide. (Former Regent Greg Patterson resigned his post in 2017 after mocking Finchem's Sunday-go-to-meeting tie as a "costume" that didn't work.) Finchem, who survived the tie incident and is now leading the charge to overturn the 2020 election, claimed Boyer is ignorant of the Constitution – though dozens of court cases and opinions of attorneys would suggest Finchem's interpretation is the wrong one (LINK).

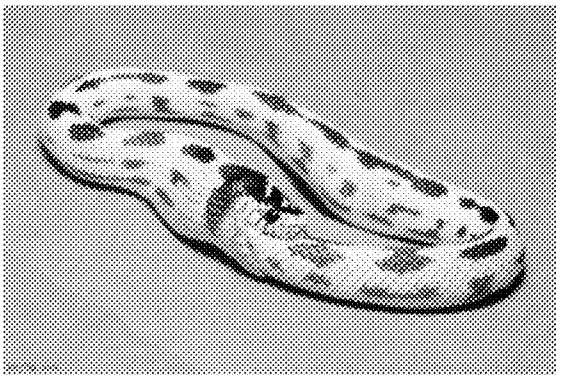
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000214

ARZN_REV00068474_12-15-20.pdf

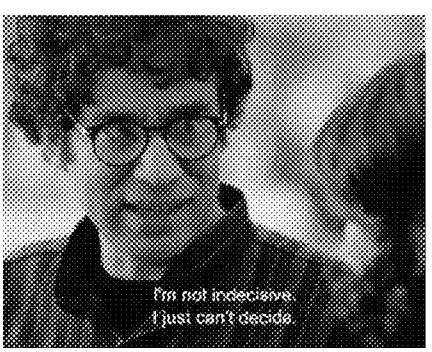
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

REPUBLICANS EAT THEIR OWN, PART 297



The American Post-Gazette, a fringe newsletter penned by Russell Pearce and his allies, has turned on Kelli Ward, accusing her of being a toady for Ducey and other "McCainiacs" and urging new leadership within AZGOP. In the latest entry, Samuel Adams, one of the many anonymous authors who use founding fathers as a moniker, wrote that Ward has been "another elected disappointment." Besides accusing Ward of "kowtowing" to Ducey and his allies, the anonymous entry opens up old wounds about how she treated "warrior-patriot" Russell Pearce badly by dismissing him from his State Resolutions Committee position (YS, 1/24). It also attacks her fundraising prowess – or lack thereof – saying Ward's fundraising fell woefully short of expectations and "was not a winner at this." All of this was to endorse Bob Lettieri as the next AZGOP chair. Lettieri is, to date, the only person to express interest in the position and rumors have been swirling for a while that Ward wouldn't even run for a second term. One Republican PC told our reporter Ward wasn't going to run and there's been further speculation it's because she wants a higher post – Congress, Senate or governor. It's worth noting that despite running twice for US Senate, Ward has never won a statewide primary, let alone a general election. She lost to McCain in 2016 and McSally in 2018. While the Post-Gazette thought Ward's efforts to challenge the Arizona election results are "commendable," it was not enough to salvage their faith. "Ward wasn't a proven fighter for conservative causes. And her activities up to now have proven she isn't," it said. "Lettieri will bring a sense of dependability and professionalism that has been missing for years."

WHATEVER, JUST PICK A POLICY



Ugenti-Rita has been all over the map in the debate over curing ballots with missing signatures, but after attempting to require counties to cure the ballots, then attempting to bar them from doing so, her legislation this year lands somewhere in the middle. Her S1003 (early voting; signature required; notice) seeks to codify the current practice that ballots with missing signatures can only be cured up until the time polls close on election day, unlike ballots with iffy signatures, which can be cured until up to five days after the election. The debate spun out of the 2018 election, when some counties allowed voters to add signatures after the fact, creating a patchwork of processes that Republicans argued violates the Equal Protection Clause of the US Constitution (YS, 11/8/18). The next year, Ugenti-Rita sponsored legislation specifically allowing counties to cure missing signatures until five days after the election (LINK) but the version of the bill that was signed into law was silent on missing signatures, only allowing inconsistent signatures to be cured after election day. In 2020, she introduced S1032 (early voting; signature required; notice) to specifically bar counties from curing missing signatures after election day – in fact, it went further, barring counties from curing mail-in ballots without signatures even if they arrive before election day. (The Navajo Nation brought a lawsuit earlier this year arguing voters should have the ability to sign until five days after the election, and while a district court agreed, the Ninth Circuit Court of Appeals put a stay on that ruling, saying the state was likely to win its arguments (YS, 10/6).) This year's version of the bill would require recorders to make a "reasonable effort" to contact voters who mail in their ballots without signatures before election day, but would tie the deadline for curing missing signatures to the polls closing.

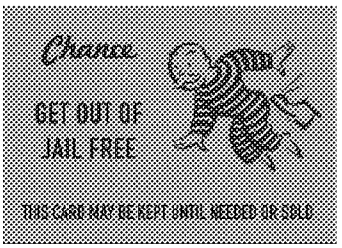
AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF YOU CAN'T WIN IN PINAL, MAYBE TRY MOHAVE

A Pinal County judge threw out an attempt to overturn election results in what was dubbed "Arizona Kraken 2.0" after the main plaintiff turned out to not be a registered voter. The lawsuit was largely a copy of the suit thrown out in Maricopa County Superior Court, a decision that the Arizona Supreme Court unanimously upheld. Attorney Roopali Desai, representing Hobbs' office, filed a motion to dismiss the suit yesterday based on the fact that the plaintiff, Staci Burk, had not been a registered voter in Arizona for more than 10 years. Burk, who represented herself in Pinal County Superior Court, also filed the lawsuit after the 5-day deadline to file a lawsuit after certification.

WHY DON'T THE PRISONERS JUST LEAVE?



Prison locks are once again on the agenda of tomorrow's Joint Committee on Capital Review. It's been roughly 18 months since lawmakers have been allocating money to fix the locks at Lewis Prison and the job is still not complete. Lawmakers allocated the Dept of Corrections $30 million in FY21 for locks. It spent $14.1 million of that in September, and will ask for authority to spend an additional $8.9 million tomorrow. The request from DOC puts total allocation through FY20 and FY21 at $47 million (LINK). The locks will go to the Morey Unit, which began receiving allocations to fix broken locks in June 2019. Dept of Corrections predicts Morey will be complete come January and that the overall project will finish in August 2022, with Lewis' Buckley Unit to be completed in May, the Rast Unit completed in December as well as the Bachman and Stiner Detention Units and then Yuma Prison's Dakota and Cheyenne Units will be finished August 2022.

PRESS RELEASES AND NEWS CLIPS

SCOTUS Reinstates Death Sentence for Arizona Man Who Murdered Friend

WASHINGTON, D.C. – Attorney General Mark Brnovich announced today that the Supreme Court of the United States (SCOTUS) has reinstated a death sentence for Arizona inmate George Kayer. Yesterday's opinion reverses a Ninth Circuit decision that granted *habeas* relief to Kayer.

In 1994, Kayer brutally murdered his friend, Delbert Haas, to rob Haas of his belongings. Kayer shot Haas in the back of the head while pulled over alongside the Interstate in Yavapai County. Kayer has now exhausted all of his appeals.

"We have a solemn obligation to uphold our laws and be a voice for those who can no longer speak for themselves," said General Brnovich. "We must always ensure that justice is served for the victims, their families, and our communities."

The Arizona courts consistently denied relief to Kayer, including on his claim that his attorneys erred by not presenting certain evidence at sentencing. The Ninth Circuit, however, granted *habeas* relief based on Kayer's attorneys' alleged sentencing error and concluded that he was entitled to a new sentencing trial.

In reversing this ruling, SCOTUS found that the Ninth Circuit had "resolved this case in a manner fundamentally inconsistent" with the Anti-terrorism and Effective Death Penalty Act (AEDPA), which requires federal courts to defer to state-court decisions. Under an appropriately deferential review, the Arizona courts had reasonably rejected Kayer's challenge to his death sentence, and he was not entitled to a new sentencing trial.

This decision is a victory not only for the victims of Kayer's crime but also for the rule of law. SCOTUS has once again confirmed that "state courts play the leading role in assessing challenges to state sentences based on federal law," and that federal courts cannot second guess state court decisions unless an inmate satisfies AEDPA's stringent

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000216
ARZN_REV00068474_12-15-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

standards.
Copy of per curiam opinion.

Barbara LaWall's Retirement Celebration

The Covid-19 pandemic has certainly upturned the apple cart completely this year, making it impossible to gather together to say goodbye and express our thanks in person to Pima County Attorney Barbara LaWall as she departs the Office.
However, despite the pandemic, we have created a fun celebration and acknowledgment of Barbara's 24 years of leadership as our County Attorney, and her 44 years in the prosecutor's office.
We have organized a **Honk! Hoot and Holler! Downtown Car Parade**. Sheriff Mark Napier and PCSO Deputies will lead the parade, and numerous other police agencies and fire departments are joining in as well. The short parade route is below.
Barbara LaWall will be standing in front of the old J.P. Courthouse waving as the cars go by. Ms. LaWall is very excited and looking forward to the parade. This will be celebratory and a lot of fun!

Senator Kelly Speaks with Governor Ducey about COVID-19, Arizona Priorities

Today, Senator Mark Kelly spoke with Governor Doug Ducey about the rising COVID-19 cases and hospitalizations in Arizona, the strain that is putting on hospitals and health care workers, and what can be done to slow the spread of the virus.
Kelly and Ducey also discussed plans for distributing the COVID-19 vaccine in Arizona, priorities for growing Arizona's economy including semiconductor manufacturing, and progress on bipartisan COVID relief from Washington.
"Today, Governor Ducey and I spoke about how we're combatting the virus in Arizona, including vaccine distribution in the state and the strain that rising COVID-19 cases and hospitalizations are putting on our health care system," **said Senator Kelly.** "I reiterated my support for additional mitigation efforts to slow the spread of the virus, including what I have heard from Mayors about ensuring they have the tools to protect their communities and additional staffing needs in Arizona's hospitals."
Kelly continued, "This week I am continuing to work with both Republicans and Democrats to find a compromise on additional COVID-19 relief for Arizona, and as we navigate this crisis and beyond I look forward to speaking often with Governor Ducey about ways we can work together for Arizona."

Monitoring the Future Study: No Increase in Youth Marijuana Use Following Statewide Legalization

Self-reported rates of lifetime marijuana use by young people remained largely unchanged over the past year and has not increased over the better part of the last decade, according to survey data released by the University of Michigan.
NORML's Deputy Director Paul Armentano said: "The 2020 MTF findings add to the growing body of scientific literature showing that legalization policies can be implemented in a manner that provides access for adults while simultaneously limiting youth access and misuse. Furthermore, these findings stand in sharp contrast to the sensational claims often made by legalization opponents, claims that thus far have proven to be baseless."
Year-over-year, "the use of marijuana in all forms … by adolescents [nationwide] did not significantly change in any of the three grades [8th grade, 10th grade, and 12th grade] for lifetime use, past 12-month use, past 30-day use, [or] daily use," the National Institute on Drug Abuse stated in a news release.
Since 2012, when Colorado and Washington became the first two states in the nation to legalize the retail adult-use market, lifetime use by adolescents has fallen approximately three percent nationwide.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

remained largely unchanged during this time period, while self-reported use by adolescents over the past 30-days has fallen.
The Monitoring the Future findings are consistent with numerous other studies – such as those here, here, here, and here– concluding that statewide marijuana legalization policies are not associated with any significant rise in either the use of marijuana by young people or in their ability to access it.

HighGround Public Affairs Announces Staff Changes

Jessica Blazina joins firm as Senior Government Affairs Executive;
Patrick J. Cunningham transitions to Senior Advisor on Water Management Issues

PHOENIX (December 14, 2020) – HighGround, Inc., the oldest public affairs firm in the State of Arizona, kicked off its 25th year of operation with a new addition the team and a change in roles for one of its leading team members. Today, the firm was pleased to announce the addition of Jessica Blazina as its new Senior Government Affairs Executive and the evolution of Patrick J. Cunningham's role to Senior Advisor on Water Management Issues. The addition of Ms. Blazina strengthens HighGround's lobbying capacity and will help the firm in developing deeper relationships and improving client services for new and existing clients. She will officially start with the firm on 12/28/20 and will principally work with Douglas Cole, Scott A. Smith and Jeffrey Kros in representing the firm's deep roster of government relations and lobbying clients.
"With her fourteen plus years of government relations work at the local and state level, Jessica Blazina will complement our team's existing skills and permit HighGround to continue to grow our diverse portfolio of clients," said Douglas Cole, the Chief Operating Officer of HighGround. Inc., "We are incredibly excited to have her join the firm and bring even greater expertise to the service of our clients."
"Through her years of experience, Jessica has developed confidence and trust wherever she has worked. In our practice, our clients depend upon our deep historical knowledge of state and local government and the wisdom that we can provide to accomplish our client's goals. Jessica is a fantastic addition to our team," said Scott A. Smith, Senior Vice President of Government Relations.
Jeffrey Kros, General Counsel to HighGround said, "I have worked with Jessica on many difficult projects during the past 15 years and found her to be a reliable source of accurate information and a trustworthy advocate for her clients. She will be a great asset to our team here at HighGround."
"I'm delighted to be joining HighGround and look forward to utilizing my local and state government experience to further enhance the team," said Ms. Blazina.
"I am thrilled to have someone of Jessica's character, knowledge, and experience join our team. I know she will make us all better," explained J. Charles "Chuck" Coughlin, President & CEO.
In addition, HighGround also announced the next iteration of Patrick J. Cunningham's extended career at the firm with his transition from his role in "Public Affairs Consulting – General Counsel Emeritus" to a more policy focused role as "Senior Advisor on Water Management Issues."
Coughlin explained, "Mr. Cunningham joined our firm eight years ago as a public affairs professional and our general counsel. In June of 2019, our colleague began his first steps toward retirement when the firm added Jeff Kros as our new general counsel. Mr. Cunningham stepped into a consulting and advisory role that has been extremely beneficial to the firm as Mr. Kros has picked up more of the general counsel duties and worked together with Mr. Cunningham on client services."
"Patrick is continuing to evolve his role at HighGround as he steps into a new advisory position on water management and policy issues. Mr. Cunningham will continue to work with the firm and its clients to provide his expertise in developing policy options for Arizona's growing need for water and water conservation," continued Coughlin.
"In this transition, he will work closely with all of the client service personnel at HighGround so the firm can benefit from his deep source of knowledge and relationships throughout the state. We are extremely fortunate to have someone of Patrick's caliber on our team and grateful for his continued work with the firm," concluded Coughlin.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"For someone who is so concerned with fraud, you have fraudulently used my signature without my permission."

- Boyer, to Townsend, after she signed his name to a letter he had not agreed to sign

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000219

ARZN_REV00068474_12-15-20.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, December 16, 2020 8:08:08 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Wake Up Call

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

Wake Up Call *December 16, 2020*

Religious matters forbidden for courts, judges rule
Capitol Media Services
The question of whether Mormons are "Christians" may be a thought-provoking debate for theologians.

Arizona Senate issues subpoena demanding access to 2 million-plus ballots cast
Capitol Media Services
Maricopa County supervisors were served Tuesday with subpoenas from the state Senate demanding access to copies of the more than 2 million ballots cast by Maricopa County voters in the Nov. 3 election.

Gov. Ducey won't block Pima County, Tucson curfews for now
Capitol Media Services
County Administrator Chuck Huckelberry told Capitol Media Services that the ordinance is not an effort to pick a fight with the governor over the scope of his powers.

AMERICAN OVERSIGHT

Disqualified Coolidge mayor candidate part of transcript in Pinal election lawsuit
Coolidge Examiner
A former failed candidate for mayor of Coolidge was part of a transcript filed in a Pinal County lawsuit seeking to overturn the 2020 Presidential election in Arizona.

Biasiucci, Cobb eye upcoming legislative session
Mohave Valley Daily News
District 5 State Reps. Regina Cobb and Leo Biasiucci discussed their priorities for the upcoming Arizona legislative session Monday during a teleconference with Kingman city officials.

8th lawsuit fails to overturn presidential vote in Arizona
Associated Press
A judge dismissed another lawsuit Tuesday that sought to decertify Democratic President-elect Joe Biden's win in Arizona, marking the eighth failed case that challenged the election results in the state.

Lawsuits seek to overturn Prop. 208's payday for schools
Payson Roundup
Two lawsuits have been filed seeking to overturn Proposition 208, which would have provided roughly $1 billion annually for districts statewide – with most of the money earmarked for teachers salary, training and recruitment.

Former Paperboy Sues Arizona Republic Over Child Sex Abuse Ring
Phoenix New Times
If it weren't for a TV ad, Gregory Brown might not have known he had a chance to obtain justice.

Arizona Republic Lacked Safeguards, Says Ex-Employee Convicted of Molestation
Phoenix New Times
The Arizona Republic should have done more to regulate contact between paperboys and their adult bosses, says a former employee who in 1980 admitted to molesting 10 paperboys.

Our Favorite Phoenix New Times Police Misconduct Stories From 2020
Phoenix New Times
Even amid the devastating COVID-19 pandemic, there was no shortage of outrageous, maddening, and eye-popping police misconduct and scandal in Phoenix and broader Arizona this past year.

Four decades and counting — the GOP's shift to the right is bigger than the Democrats' shift left
Roll Call (Opinion, Stuart Rothenberg)
Republican critics of the progressive "squad" are quick to ignore their own lunatic right.

Local experience shows election-fraud believers won't be satisfied
Arizona Daily Star (Opinion, Tim Steller)
As the board dawdled over releasing election records, a gathered crowd grew unruly.

New administration must fix access to higher ed
Arizona Daily Star (Opinion, Katya Mendoza)
I am a Latinx millennial, and I consider myself to have lived a life of privilege.

A call for healing elicits a 'day of reckoning' threat
Arizona Republic (Opinion, EJ Montini)
Party leaders will have to tone down the rhetoric and it should start, preferably (but not likely) with Donald Trump.

AMERICAN OVERSIGHT

Rep. Andy Biggs again unmasks his own ignorance
Arizona Republic (Opinion, EJ Montini)
The representative continues angling for the title of most anti-science, anti-Constitution member of Congress.

Senate demands an audit of Maricopa County's vote machines. Will it accept the findings?
Arizona Republic (Opinion, Laurie Roberts)
I'm all for auditing Maricopa County's election equipment. As long as Republicans pay for the audit and abide by its findings.

Yes, Arizona can manage this COVID-19 spike without more shutdowns. Here's how.
Arizona Republic (Opinion, Robert Robb)
We shouldn't throw thousands of low-skilled workers out of work and shutter hundreds of small businesses for uncertain gains.

There is no crisis. Trump is no threat to democracy in Arizona or the US
Arizona Republic (Opinion, Phil Boas)
When there's a real crisis you can smell the fear. There is no fear today.

No, these innovative efforts are not an attempt to dismantle public district schools
Arizona Republic (Op-ed, Emily Anne Gullickson)
Some advocates claim that innovative efforts to better deliver education are an existential threat to public education. They are not.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, December 17, 2020 8:54:34 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *December 17, 2020*

GOP lawmaker introduces legislation to curtail governor's emergency powers
Capitol Media Services
A veteran state lawmaker is moving to strip Gov. Doug Ducey of the powers he assumed when he declared an emergency 10 months ago.

Mesnard seeks immunity from Shooter lawsuit
Capitol Media Services
The Arizona Supreme Court has agreed to decide the scope of immunity provided to state lawmakers.

Vaccinations begin in AZ as COVID cases spike
Capitol Media Services
A record number of Arizonans are now hospitalized for COVID-19 as the state retains its dubious distinction as the place where the virus is spreading faster than anywhere else in the country.

Pima County's health director tests positive for COVID-19
Arizona Daily Sun
A total of 11 department employees at the headquarters building on East Ajo Way have tested positive for the virus in the past week.

AMERICAN OVERSIGHT

Local lawmakers say roads, water on agenda for legislative session
Today's News-Herald
Lake Havasu City's state representatives are forming their plans for the next Arizona legislative session.

Sen. Kelly discusses virus, vaccine with Fort Huachuca commander, Sierra Vista mayor
Herald Review
Newly elected Sen. Mark Kelly spoke with city and Fort Huachuca officials this week in an effort to zero in on some of the pressing issues the leaders are faced with.

Even With Weed Legalized in Arizona, You Can Still Be Fired for Getting High
Phoenix New Times
In the November 2020 general election, Arizona voters approved, by a large margin, Proposition 207, a ballot measure that would legalize recreational marijuana.

No New Measures to Slow Current Outbreak as Vaccines Offer Distant Hope
Phoenix New Times
This evening, nine frontline workers will be injected with their first dose of the COVID-19 vaccine.

Bill would permit outside parties to pay for election recounts
Arizona Mirror
Anyone who thinks a recount of an election might change the outcome would have the opportunity to put their money where their mouth is under a new bill filed for the 2021 legislative session.

Phoenix officials release video showing police fatally shooting former NFL player
The Hill
Phoenix police released a body camera video this week showing police fatally shooting a former NFL player.

Is COVID-19 inaction leading Arizona to 'death panels'?
Arizona Republic (Opinion, EJ Montini)
It's an ugly description for the untenable position we may be putting our heroic health care professionals in.

Gov. Doug Ducey should give his annual State of the State address from a cemetery
Arizona Republic (Opinion, EJ Montini)
Staging a packed event in the State House would be deadly. And given what we've been through and the lack of mitigation to suppress it …

President Donald Trump finally delivers the poke we really needed
Arizona Republic (Opinion, Laurie Roberts)
Because of President Donald Trump's Warp Speed initiative, we can now look forward to a sharp poke in the arm and a measure of hope at a time when we need it.

What Gov. Doug Ducey got right - and wrong - about how we should handle COVID-19
Arizona Republic (Opinion, Joanna Allhands)
Arizona government won't force us to be personally responsible in our own homes. But that doesn't mean our current efforts are working.

Resuming executions in Arizona by lethal injection poses big legal and public health risks
Arizona Republic (Op-ed, Arthur Rizer and Camille Infantolino)
If the Arizona government restarts lethal injection executions, it has two choices, both of which involve breaking the law.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, December 17, 2020 3:47:33 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 12-17-20.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *December 17, 2020*

WAIT, ARE YOU SURE YOU WEREN'T HACKED?
Rodriguez likes and comments on a lot of pornography on his secondary Twitter account, but when our reporter asked him about it, he didn't try to insist he was hacked or deny it was his account – instead, his response was shockingly frank.

AMERICAN OVERSIGHT

CAN WE SEE YOUR ONLYFANS RECEIPTS?
One progressive woman who saw Rodriguez's posts argued that even though she agreed with his stance on sex work, his Twitter feed doesn't reflect the kind of model citizen that voters expect from their elected officials.

IT'S FESTIVUS SEASON
House Republicans today held a four-hour closed caucus meeting to hash out their problems as Bowers attempts to unify the divided caucus into a functioning majority.

MAYBE LATER, EDDIE
Maricopa County supervisors will meet again tomorrow to decide how to handle Senate subpoenas for election equipment and ballot images after failing to reach an agreement during a nearly five-hour executive session yesterday.

SO MUCH FOR THE SECRET BALLOT
Farnsworth's request for ballot images appears to fly in the face of a state law that protects ballot images from physical and electronic access.

MAYBE LATER, MITZI
Republican lawmakers on the Joint Legislative Audit Committee shut down Epstein's request for an audit of the state's unemployment system after some initially said they supported the idea.

THAT SOUNDS LIKE A JOB FOR CONGRESS
Increasing Arizona's paltry $240-per-week unemployment benefits remains a top priority for Democrats, but that's almost certainly not going to happen in the Republican-controlled Legislature.

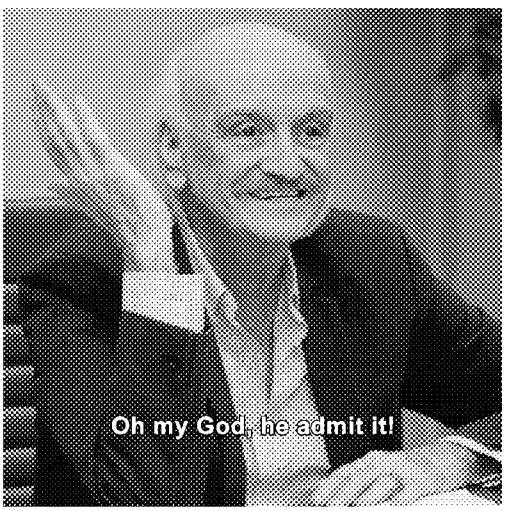
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. **Thursday, December 17, 2020**

·NEWS NOTES AND GOSSIP·

WAIT, ARE YOU SURE YOU WEREN'T HACKED?



Rodriguez likes and comments on a lot of pornography on his secondary Twitter account, but when our reporter asked him about it, he didn't try to insist he was hacked or deny it was his account – instead, his response was shockingly frank. After initially arguing the graphic images he has liked and commented on from his second account, @drod3897, aren't pornography and that his Twitter isn't a story, Rodriguez owned up to his online activity, saying he expected a call from a reporter someday. "Americans always have this puritanical hang-up with sexuality," he said. "I get it, and I guess it's salacious, but why do we give power to this attitude of morality and judging? If I was advocating something illegal, that would be different, I guess, like overthrowing the government." Essentially, Rodriguez argued that lawmakers are people – and people look at pornography. He noted that Trump paid adult actress Stormy Daniels hush money from his campaign funds, and argued that many Republicans' stance of moral purity is pure hypocrisy (think former lawmaker and youth pastor Steve Montenegro's sexting affair with a legislative staffer – a scandal he initially attempted to flat-out lie about). "How many other lawmakers are comfortable being honest? Would you rather have me lie to my constituents?" he said. "I would like to think that my approach of being honest about who I am is far superior from someone who pretends to be one way and then acts in another and then denies it." Rodriguez noted that he supports the legalization of sex work, and argued that expressions of sexuality in an open and healthy way shouldn't make people feel ashamed. The images Rodriguez liked and commented on are of women, often tattooed and fully nude in very salacious poses, to which he has offered comments like "This pic is Hall of Fame" or "this feels amazing." Those posts are interspersed between tweets about Arizona politics. While most lawmakers take caution to not leave an easily visible digital trail of their pornography viewing habits, Rodriguez said he's not ashamed of viewing porn and noted he's not doing it on his main account, and isn't posting it himself. (Our reporter previously noticed him replying with fire emojis from his legislative account to a picture of a bikini-clad woman, though we couldn't find any pornography likes or comments there in a review today.) Asked if he plans to delete the account or unlike posts, he said he probably not – adding he's sure our reporter took screenshots, so doing so would be pointless. "If the point of this story is that 'Oh, he feels guilty,' you're not going to get that," he said.

CAN WE SEE YOUR ONLYFANS RECEIPTS?

One progressive woman who saw Rodriguez's posts argued that even though she agreed with his stance on sex work, his Twitter feed doesn't reflect the kind of model citizen that voters expect from their elected officials. And she argued that if he's going to use the feminist, sex-positive argument as a shield, "he better be ready to show receipts that the content he's viewing is sourced from a place where they pay their sex workers fair wages with a safe working environment and health benefits." A Democratic man who tipped our reporter off to the account, which several lawmakers and politicos follow, said Rodriguez's response was "refreshingly honest" but the account is still "pervy." "Some of that sh*t is weird," the source said.

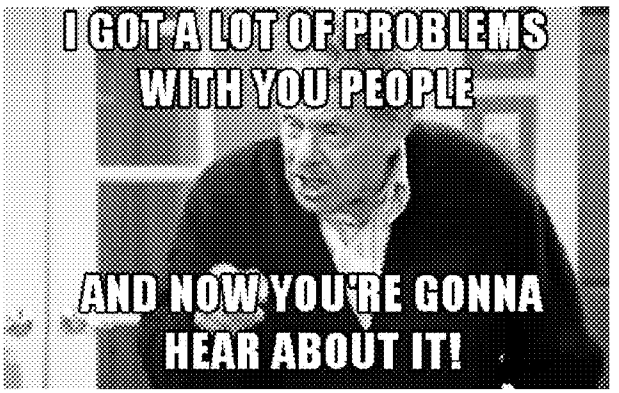
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000227

ARZN_REV00068491_12-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S FESTIVUS SEASON



House Republicans today held a four-hour closed caucus meeting to hash out their problems as Bowers attempts to unify the divided caucus into a functioning majority. The mandatory caucus meeting wasn't an organizational meeting, meaning Republicans didn't have the chance to hold another vote for their leadership team. And it wasn't an attempt to take lawmakers to the woodshed, one source said, but rather, a chance to talk the caucus' problems through and hopefully come to a truce before the issue festers in the 2021 session. The meeting wrapped up shortly before our deadline, and it's unclear if the anti-Bowers faction of the caucus pledged to support him, but one lawmaker described it as "productive, long and a kumbaya." House Republicans are also holding a caucus retreat tonight at a dude ranch in Pima County tonight, where there's a mandatory 10 pm curfew as Covid cases spike statewide. The retreat, which lawmakers do every year, won't focus on policy and instead will be a chance to bond for those who show up. (It's unclear if Roberts will be there and Finchem is not expected to attend, though it's unclear if that's due to his battle with the speaker or his recent Covid diagnosis (YS, 12/11).) Toma, the House majority leader, told our reporter today all events will be outside and lawmakers will be required to wear masks and comply with any other precautions that the venue requires. He said he expects some of the dissident lawmakers to show up and is cautiously optimistic that Republicans can start to repair some of the riffs that have formed since the election, though he doesn't expect to attempt any trust falls. "I'm not a big fan of that sort of thing – I think talking and having an open conversation is the best way to form camaraderie," he said.

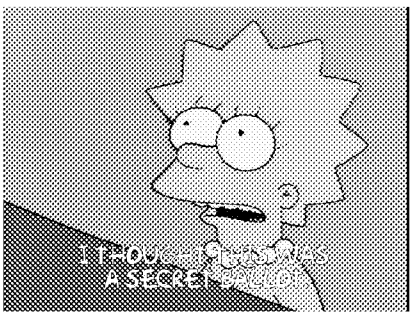
MAYBE LATER, EDDIE

Maricopa County supervisors will meet again tomorrow to decide how to handle Senate subpoenas for election equipment and ballot images after failing to reach an agreement during a nearly five-hour executive session yesterday. E Farnsworth demanded that the county turn over images of all mailed and absentee ballots and provide access to all election equipment no later than 5 pm on Friday. It's unclear whether Farnsworth even has the authority to demand that information, as state statutes governing the Legislature's subpoena power primarily refers to witnesses appearing before a committee and producing papers and documents. The Senate believes it has that authority. "The U.S. Supreme Court has repeatedly held since the 1700s that the legislative power to conduct investigations is inherent in the legislative process and that the power is very broad," Senate GOP spokesman Mike Philipsen said in an email. He repeatedly ignored questions about who will conduct the audit of the machines. Rudy Giuliani's hotel hearing presented so-called expert witnesses who lacked qualifications to investigate election equipment – including a retired Army colonel who volunteered to inspect the equipment during Giuliani's event (YS, 11/30). Maricopa County is prepared to hire its own auditors, board chair Clint Hickman said during a legislative hearing on Monday, but it can't do so until ongoing litigation ends because the machines are considered evidence.

AMERICAN OVERSIGHT

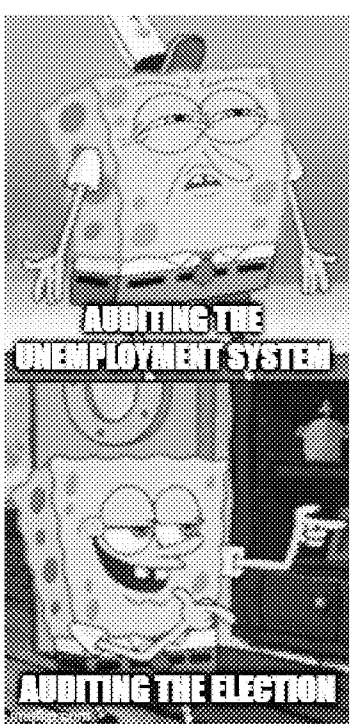
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SO MUCH FOR THE SECRET BALLOT



Farnsworth's request for ballot images appears to fly in the face of a state law that protects ballot images from physical and electronic access. Griffin's Laws 2017, Chapter 107 (ballot: electronic data; digital images) dictates that electronic images of ballots must be kept just as secure as paper ballots. Outside of the statutory hand count audit and any court-ordered recounts, both physical ballots and their electronic versions must be locked down. This also came up in one of Kelli Ward's post-election lawsuits, as attorneys sparred over whether they could show images of the ballots Ward's team had been given leave to inspect. Those exhibits were kept under seal, visible to the attorneys and judge but not in publicly accessible court documents. Cochise County Elections Director Lisa Marra told our reporter many voters make identifying marks on their ballots, meaning that in some cases it's possible to deduce who the voter was. Some voters leave their initials if they make and correct an error, the way they would on a contract, and some write their own names or their spouse's names as write-in candidates. "So many people write letters on their ballots. They write notes. They sign them. And we saw more of that this year because people kept calling to say 'When did you count my ballot? I need to know exactly when you counted my ballot,'" Marra said. In other cases, even if voters don't leave identifying marks on their ballots, someone could try to deduce who cast a ballot based on marks showing what precinct it's from, or whether the voter used a special machine for voters with disabilities.

MAYBE LATER, MITZI



Republican lawmakers on the Joint Legislative Audit Committee shut down Epstein's request for an audit of the state's unemployment system after some initially said they supported the idea. Epstein requested a two-pronged audit, to be completed by Oct 31, 2021, that would assess how to improve processing of unemployment claims and determine whether the computer system the state's unemployment insurance division uses is up to the task. Lawmakers from both parties have described spending much of the pandemic trying to help constituents, many of whom have never before been unemployed or underemployed, navigate the unemployment system. As of early November, the most recent period for which the Joint Legislative Budget Committee reported employment figures, more than 95,000 Arizonans were out of work and collecting unemployment benefits. A year ago, that number was around 20,000. Epstein's proposal relied on changing a planned review of the School Facilities Board to an internal audit, giving the Auditor General the time and resources to conduct its own review of the unemployment system. Republicans including J Allen objected to that, arguing that the School Facilities Board needs special attention. "Maybe we ought to look at the schedule a little more carefully and find somebody else to move around, but the School Facilities Board is one of those ones that I've always viewed as a loose cannon," he said. Allen voted against the proposal because he said issues with the unemployment system should be handled by the full Legislature in committees, while Gray said he would have supported the audit if its deadline were six months later. When Epstein asked for a new motion on an audit to be completed by April 30, 2022, instead, Gray said he would still vote against it because the previous motion had already passed and failed.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THAT SOUNDS LIKE A JOB FOR CONGRESS

Increasing Arizona's paltry $240-per-week unemployment benefits remains a top priority for Democrats, but that's almost certainly not going to happen in the Republican-controlled Legislature. Cobb spent much of her time during this morning's *Arizona Capitol Times* Morning Scoop event on unemployment explaining that increases to unemployment benefits wouldn't fly. Replenishing the state's unemployment insurance fund – which is down to roughly $90 million from a high of $1.1 billion at the start of the year – will be a priority next year, Cobb said. She suggested Ducey allocate the remaining roughly $313 million from the CARES Act, which he must spend by the end of the year, to the state's unemployment fund, and said lawmakers will likely appropriate more money during the legislative session. But Cobb balked at the idea of increasing unemployment taxes on employers, either to replenish the fund or grow benefits. "We do not want to put an extra tax on our small business people," she said. The average tax rate employers pay per employee is 1.73 percent, while actual rates can be as low as 0.05 percent, according to JLBC. However, the new stimulus package Congress is mulling over might provide some relief. Lawmakers in DC appear to be closing in on a deal for a $900 billion stimulus package that would provide an additional $300 per week of federal funding for the next 10 weeks, down from the $600 per week that the first stimulus package offered (LINK).

PRESS RELEASES AND NEWS CLIPS

Congressman Biggs Urges President Trump to Veto the End-of-Year Omnibus Spending Bill

WASHINGTON, D.C. – Last night, Congressman Andy Biggs led a letter to President Donald J. Trump, urging him to veto the end-of-year omnibus spending bill expected to pass through Congress in the coming days.
Representatives Chip Roy (TX-21), Jody Hice (GA-10), Ted Budd (NC-13), Warren Davidson (OH-08), Jeff Duncan (SC-03), Michael Cloud (TX-27), Ralph Norman (SC-05), Scott Perry (PA-10), Steve King (IA-04), Randy Weber (TX-14), Paul A. Gosar, D.D.S. (AZ-04), Ted S. Yoho D.V.M. (FL-03), and Louie Gohmert (TX-01) co-signed the letter.
Read the text of the letter

Senator Kelly Meets with COVID-19 Working Group for Update on Pandemic

Today, Senator Mark Kelly met for the second time in two weeks with his COVID-19 working group, made up of public health and health care experts from Arizona's universities and health care providers. The group discussed the

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000230
ARZN_REV00068491_12-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

steep rise in COVID-19 cases and hospitalizations in Arizona, how that is putting a tremendous strain on hospitals and health care workers, and the difficult road ahead for the state without significant mitigation measures. Kelly has continually voiced his support for a statewide mask requirement to leaders across the state.
"What I heard from public experts today is that Arizona has one of the highest rates of COVID-19 spread in the country, and that if the spread continues at this pace our health care system will be stretched past the breaking point. Already we are in a worse position than we were earlier this year, and there are fewer mitigation measures in place. That is why I urge all Arizonans: stay home as much as possible, don't gather in large groups, and wear a mask when you have to go out." **– Senator Mark Kelly**
Kelly's first meeting as a Senator was with Arizonans directly impacted by COVID-19, and he continues to work with his Republican and Democratic colleagues in Washington towards an emergency relief package that would bring resources to Arizonans and small businesses who are struggling.

AG Mark Brnovich Joins Multistate Lawsuit Seeking to End Google's Illegal Monopoly in Search

Bipartisan Coalition Alleges Google Illegally Maintains a Monopoly & Has Created Insurmountable Barriers to Entry for Competitors

WASHINGTON, D.C. – Attorney General Mark Brnovich is part of a bipartisan coalition of 38 attorneys general in suing Google LLC for anticompetitive conduct in violation of Section 2 of the Sherman Act. As a member of the Executive Committee, the Arizona Attorney General's Office (AGO) has played a key role in the investigation and development of the lawsuit.
The attorneys general allege that Google illegally maintains its monopoly power over general search engines and related advertising markets through a series of anticompetitive exclusionary contracts and conduct. As a result, Google has deprived consumers of competition that could lead to greater choice, innovation, and better privacy protections. Furthermore, Google has exploited its market position to accumulate and leverage data to the detriment of consumers.
"Google's quest to build a monopoly has led to less privacy, stifled innovation, and reduced choice for consumers," said Attorney General Brnovich. "I'm not interested in micromanaging businesses, but consumer privacy must be protected. Our bipartisan antitrust lawsuit against Google is targeted to stop illegal conduct and improve consumer welfare."
In many ways the states' complaint is consistent with the lawsuit filed by the U.S. Department of Justice on October 20, which alleged that Google improperly maintains its monopoly power in general search and advertising through the use of exclusionary agreements. However the states' filing asserts additional allegations and describes Google's monopoly maintenance scheme as a multi-part effort. The states' lawsuit alleges that Google:

- Uses exclusionary agreements and other practices to limit the ability of rival general search engines and potential rivals to reach consumers. This conduct cements Google as the go-to search engine on computers and mobile devices.
- Disadvantages users of its search-advertising management tool, SA360, by promising that it would not favor Google search advertising over that of competing search engines such as Bing. Instead, Google continuously favors advertising on its own platform, inflating its profits to the detriment of advertisers and consumers.
- Discriminates against specialized search sites – such as those that provide travel, home repair, or entertainment services – by depriving them access to prime "real estate" in the search results pages because these competing sites threaten Google's revenue and dominant position.

The attorneys general argue that more competition in the general search engine market would benefit consumers, for example, through improved privacy protections and more targeted results and opportunities for consumers. Competitive general search engines also could offer better quality advertising and lower prices to advertisers.
The attorneys general expand on the U.S. DOJ's allegation that Google's anticompetitive conduct continues. As explained in the complaint, the company seeks to deploy the same exclusionary contracting tactics to monopolize the emerging ways consumers access general search engines, such as through their home smart speakers, televisions, or in their cars ("voice assistants"). In so doing, Google is depriving consumers of competitive choices and blocking innovation.
The states also go further than the U.S. DOJ in explaining how Google's acquisition and command of vast amounts of data – obtained in increasing part because of consumers' lack of choice – has fortified Google's monopoly and created

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000231
ARZN_REV00068491_12-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

significant barriers for potential competitors and innovators.
The bipartisan coalition is asking the court to halt Google's illegal conduct and restore a competitive marketplace. The states also seek to unwind any advantages that Google gained as a result of its anticompetitive conduct, including the divestiture of assets as appropriate. Finally, the court is asked to provide any additional relief it determines appropriate, as well as reasonable fees and costs to the states.
The complaint was filed in the U.S. District Court for the District of Columbia, in conjunction with a Motion to Consolidate seeking to combine this case with the pending U.S. DOJ case.
For Arizona, this case is being handled by Solicitor General Beau Roysden, Deputy Solicitor General Michael Catlett, Competition, Innovation & Privacy Unit Chief Dana Vogel, Assistant Attorney General Christopher Sloot, and Legal Assistant Project Specialist Amber Daniels.
The states' investigation was led by an executive committee made up of the attorneys general of Arizona, Colorado, Iowa, Nebraska, New York, North Carolina, Tennessee, and Utah. The executive committee is joined by the attorneys general of Alaska, Connecticut, Delaware, Hawaii, Idaho, Illinois, Kansas, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, Washington, West Virginia, Wyoming, the District of Columbia, and the territories of Guam and Puerto Rico.
Copy of the Multistate Complaint.

Judge Diane M. Johnsen (ret.) Named James A. Walsh Outstanding Jurist

PHOENIX – The Board of Governors of the State Bar of Arizona named retired Judge Diane M. Johnsen of the Arizona Court of Appeals, Division One, as the 2020 recipient of the James A. Walsh Outstanding Jurist Award.
The award recognizes "that judge whose career exemplifies the highest standards of judicial conduct for integrity and independence; who is knowledgeable of the law and faithful to it; who is unswayed by partisan interests, public clamor or fear of criticism; who is patient, dignified and courteous to all who appear before that judge; and who endeavors to improve the administration of justice and public understanding of, and respect for, the role of law in our society."
The award recognition notes Judge Johnsen's early career as a political reporter and editor at the Arizona Daily Star in Tucson. Judge Johnsen clerked for Judge Ben Duniway on the Ninth Circuit Court of Appeals before entering private practice in the areas of complex commercial litigation, environmental law, insurance coverage, commercial torts, and media law. Judge Johnsen was appointed to Division One of the Arizona Court of Appeals in 2006 and served as Chief Judge from 2014 to 2016. Judge Johnsen retired from the bench in February 2020 and works part-time as a Special Projects Attorney for the court. In semiretirement, Judge Johnsen is training to become a Court Appointed Special Advocate in Maricopa County.
The James A. Walsh Outstanding Jurist Award is named in honor of James Augustine Walsh (1906-1991), who was a Maricopa County judge and was nominated by President Harry S. Truman to a seat on the United States District Court for the District of Arizona. Walsh served as chief judge of that court from 1961 to 1972. After many years of service, Walsh assumed senior status and continued in semiretirement until his death in 1991.
For a complete list of the 2020 State Bar Annual Awards recipients, see https://azbar.org/about-us/board-of-governors/state-bar-annual-awards/.

ARIZONA CRIMINAL JUSTICE COMMISSION ANNOUNCES DIRECTOR LEFEVRE'S ELECTION AS VICE PRESIDENT OF THE NATIONAL CRIMINAL JUSTICE ASSOCIATION

Phoenix, AZ, Thursday, December 17, 2020 – Today, the Arizona Criminal Justice Commission (ACJC) announced that Executive Director Andrew T. LeFevre has been elected as Vice President of the National Criminal Justice Association (NCJA).
"We are very proud of Director LeFevre for being elected as Vice President of the NCJA Board of Directors," stated ACJC Chairwoman Sheila Polk. "Through his leadership over the years, he has played a vital role in raising

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000232
ARZN_REV00068491_12-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona's position on issues in the southwest around Criminal Justice Reform to the national level. This gives Arizona a voice in issues that directly impact our state on policy issues."

NCJA is one of the nation's leading voices in shaping and implementing criminal justice policy. Representing state, tribal and local criminal and juvenile justice practitioners, the NCJA works to promote a balanced approach to communities' complex public safety and criminal justice system problems by coordinating juvenile justice, criminal justice and other federal programs to use limited federal funds most effectively. Its governing body is comprised of high-level state and county officials and regional representatives from across the country.

"I am honored at being elected Vice President of NCJA by my peers around the nation," said Director LeFevre. "One of the strengths of our organization is the diverse collection of experience, knowledge, and opinions on criminal justice issues that are represented by our members and staff. I look forward to working in my new position to enhance NCJA's leadership role in important criminal justice conversations."

Prior to serving as the Vice President for NCJA, Director LeFevre served on the organization's executive committee as the elected chair of the western region and as chair of the National Forum Planning Committee and as an active member of the Finance and Audit Committee.

"It is important to me and the criminal justice stakeholders that ACJC represents that Arizona has a strong voice on the NCJA board," said LeFevre. "As a southwestern border state, we bring important issues to the national stage and provide a voice for our unique challenges."

To learn more about NCJA, visit www.ncja.org

"QUOTE OF THE DAY"

"If the point of this story is that 'Oh, he feels guilty,' you're not going to get that."

- Rodriguez, on his penchant for commenting on and liking pornography from his second Twitter account

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Friday, December 18, 2020 9:33:38 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Senate Clippings: December 18, 2020
Attachments: December 18 ,2020.docx

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Damage from new Ariz. border wall: Blown-up mountains, toppled cacti
- Snags on COVID relief may force weekend sessions
- Virus's spread is 'substantial' in Pima County, say AZ officials
- Proposed Ariz. law would allow anyone to demand vote recount if they pay for it
- Asked about election irregularities, voters point to saguaros, roadrunners

Arizona Republic

- 'A glimmer of hope'
- Second virus vaccine gets panel's approval
- Sinema's New Year's wish: A functional U.S. Congress
- Arizona reports more than 5,800 new COVID-19 cases
- Final stretch is in sight for relief deal
- Subpoena voting machines? Note irony

KTAR News

- Valley fire leaders receive coronavirus vaccine, hope others will follow
- Arizona reports 7,635 new coronavirus cases, 142 more deaths
- Health expert says more approvals will speed up Arizona virus immunizations
- Some states say Pfizer vaccine allotments cut for next week
- Pence, wife Karen, surgeon general get COVID-19 vaccines
- Arizona state trooper shot at during traffic stop in Phoenix

Arizona Daily Sun

- Arizona reports over 100 virus deaths for 3rd straight day
- ASU to begin construction of multi-purpose arena in January
- Coconino County Year in Review: COVID-19 response and countywide changes
- Coconino County Manager James Jayne to retire in July 2021
- Power plant stacks that loomed over Arizona come down

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Damage from new Ariz. border wall: Blown-up mountains, toppled cacti

By Anita Snow
Arizona Daily Star
December 18, 2020

Work crews ignite dynamite blasts in the remote and rugged southeast corner of Arizona, forever reshaping the landscape as they pulverize mountaintops in a rush to build more of President Trump's border wall before his term ends next month.

Each blast in Guadalupe Canyon releases puffs of dust as workers level land to make way for 30-foottall steel columns near the New Mexico line. Heavy machines crawl over roads gouged into rocky slopes while one tap-tap-taps open holes for posts on U.S. Bureau of Land Management property.

Trump has expedited border wall construction in his last year, mostly in wildlife refuges and Indigenous territory the government owns in Arizona and New Mexico, avoiding the legal fights over private land in busier crossing areas of Texas. The work has caused environmental damage, preventing animals from moving freely and scarring

The new border wall leads to a dynamited mountaintop as seen from Douglas. Construction, mostly on wildlife refuges and Indigenous territory, has led to environmental damage.

DAMAGE

unique mountain and desert landscapes that conservationists fear could be irreversible. The administration says it's protecting national security, citing it to waive environmental laws in its drive to fulfill a signature immigration policy.

Environmentalists hope President-elect Joe Biden will stop the work, but that could be difficult and expensive to do quickly and may still leave pillars towering over sensitive borderlands.

The worst damage is along Arizona's border, from century-old saguaros toppled in the western desert to shrinking ponds of endangered fish in eastern canyons. Recent construction has sealed off what was the Southwest's last major undammed river. It's more difficult for desert tortoises, the occasional ocelot and the world's tiniest owls to cross the boundary.

'Interconnected landscapes that stretch across two countries are being converted into industrial wastelands,' said Randy Serraglio of the Center for Biological Diversity in Tucson.

In the San Bernardino National Wildlife Refuge near Guadalupe Canyon, biologist Myles Traphagen said field cameras have captured 90% less movement by animals like mountain lions, bobcats and javelinas over the past three months.

'This wall is the largest impediment to wildlife movement we've ever seen in this part of the world,' said Traphagen of the nonprofit Wildlands Network. 'It's altering the evolutionary history of North America.'

AMERICAN OVERSIGHT

The U.S. Fish and Wildlife Service in 1982 established the nearly 4-squaremile refuge to protect water resources and endangered native fish. Diverse hummingbirds, bees, butterflies and bats also live there.

Since contractors for U.S. Customs and Border Protection began building a new stretch of wall there in October, environmentalists estimate that millions of gallons of groundwater have been pumped to mix cement and spray down dusty dirt roads.

Solar power now pumps water into a shrinking pond underneath rustling cottonwood trees. Bullfrogs

croak and Yaqui topminnows wiggle through the pool once fed solely by natural artesian wells pulling water from an aquifer.

A 3-mile barrier has sealed off a migratory corridor for wildlife between Mexico's Sierra Madre and the Rocky Mountains to the north, threatening species like the endangered Chiricahua leopard frog.

The Trump administration says it's completed 430 miles of the $15 billion wall and promises to reach 450 miles by year's end.

Biden transition officials say he stands by his campaign promise — 'not another foot' of wall. It's unclear how Biden would stop construction, but it could leave projects half-finished, force the government to pay to break contracts and anger those who consider the wall essential to border security.

'Building a wall will do little to deter criminals and cartels seeking to exploit our borders,' Biden's transition team has said. It says Biden will focus on 'smart border enforcement efforts, like investments in improving screening infrastructure at our ports of entry, that will actually keep America safer.'

Environmentalists hope for an ally in Alejandro Mayorkas, Biden's nominee to lead the Department of Homeland Security, which oversees Customs and Border Protection.

Until construction is stopped, 'every day, it will be another mile of borderlands being trashed,' Serraglio said.

Environmental law attorney Dinah Bear said Biden's administration could terminate building contracts, which would allow companies to seek settlements. What that would cost isn't clear because the contracts aren't public, but Bear said it would pale in comparison to the price of finishing and maintaining the wall. Military funds reappropriated under a national emergency declared by Trump are now funding the work.

Bear, who worked at the White House's Council on Environmental Quality, said she wants to see Congress set aside money to repair damage by removing the wall in critical areas, buying more habitat and replanting slopes.

Ecologists say damage could be reversed in Organ Pipe Cactus National Monument, where thousands

of tree-like saguaros were bulldozed, with some reportedly replanted elsewhere.

AMERICAN OVERSIGHT

With Mexico on the right, crews stand in a pathway cleared by explosives to make way for border wall construction in Guadalupe Canyon. The Trump administration says it's completed 430 miles of the $15 billion wall.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Snags on COVID relief may force weekend sessions

By Andrew Taylor
Arizona Daily Star
December 18, 2020

It's a hurry up and wait moment on Capitol Hill as congressional negotiators on a must-pass, almost $1 trillion COVID-19 economic relief package struggled through a handful of remaining snags on Thursday.

The holdups mean a weekend session now appears virtually certain, along with a stopgap

spending bill to avert a partial government shutdown at midnight Friday.

All sides appeared hopeful that the wrangling would not derail the legislation from becoming law. The central elements of a hard-fought compromise appeared in place: more than $300 billion in aid to businesses; a $300-per-week bonus federal jobless benefit and renewal of soon-to-expire state benefits; $600 direct payments to individuals; vaccine distribution funds; and money for renters,

schools, the Postal Service and people needing food aid.

The hangups involve an effort by GOP conservatives to curb emergency lending programs by the Treasury Department and Federal Reserve, a Democratic

CONGRESS

demand to eliminate local government matching requirements for COVID-related disaster grants, and myriad smaller disagreements over non-pandemic add-ons, lawmakers and aides said.

The delays aren't unusual for legislation of this size and importance, but lawmakers are eager to leave Washington for the holidays and are getting antsy.

'Do we want to lapse into politics as usual and let negotiations lose steam? Do we want to haggle and spar like this was an ordinary political exercise?' asked Senate Majority Leader Mitch McConnell, R-Ky.

The pending bill is the first significant legislative response to the pandemic since the landmark CARES Act passed virtually unanimously in March, delivering $1.8 trillion in aid and more generous $600 per week bonus jobless benefits and $1,200 direct payments to individuals.

AMERICAN OVERSIGHT

The CARES legislation passed at a moment of great uncertainty and unprecedented shutdowns in a failed attempt to stymie the coronavirus, but after that, many Republicans focused more on loosening social and economic restrictions as the key to recovery instead of more taxpayer- funded aid.

Now, Republicans are motivated chiefly to extend business subsidies and some jobless benefits, and provide money for schools and vaccines. Democrats have focused on bigger economic stimulus measures and more help for those struggling economically during the pandemic.

The emerging package falls well short of the

$2 trillion- plus Democrats were demanding this fall before the election, but President- elect Joe Biden is eager for an aidpackage to prop up the economy and help the jobless and hungry. While Biden says more economic stimulus will be needed early next year, some Republicans say the current package maybe the last.

'If we address the critical needs right now, and things improve next year as the vaccine gets out there and the economy starts to pick up again, you know, there may be less of a need,' said No. 2 Senate Republican John Thune of South Dakota.

The details were still being worked out, but the measure includes a second round of 'paycheck protection' payments to especially hard-hit businesses, $25 billion to help struggling renters with their payments, $45 billion for airlines and transit systems, a temporary 15% or so increase in food stamp benefits, additional farm subsidies, and a $10 billion bailout for the Postal Service.

Some Democrats also mourned the exclusion of a $500 million aid package to help states run their elections. The money was seen as urgent this summer to help states more safely administer their elections in the middle of the pandemic. But with the election over, momentum for the money has gone away.

The emerging package was serving as a magnet for adding on other items, and the two sides continued to swap offers. It was apparent that another temporary spending bill would be needed to prevent a government shutdown. That was likely to pass easily, though possibly not until the last minute.

The emerging package would combine the $900billion in COVID-19 relief with

a $1.4 trillion government-wide funding bill. Then there are numerous unrelated add-ons that are catching a ride, known as 'ash and trash' in appropriations panel shorthand.

One leading candidate is an almost 400-page water resources bill that targets $10 billion for 46 Army Corps of Engineers flood control, environmental and coastal protection projects. Another potential addition would extend a batch of soon-toexpire tax breaks, including one for craft brewers, wineries and distillers.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Virus's spread is 'substantial' in Pima County, say AZ officials

Arizona Daily Star
December 18, 2020

Half of the counties in Arizona are seeing 'substantial' spread of COVID-19, state health officials said Thursday while reporting 5,817 new cases and 147 more deaths throughout the state.

Weekly metrics released by the Arizona Department of Health Services listed eight counties in Southern and Eastern Arizona, including Pima, with a substantial number of cases. Arizona's other seven counties, including Maricopa, remained classified as moderate.

In Pima County, there have been 55,801 cases of coronavirus, up 844 from the previous day. There have been 853 deaths in Pima County, up 17 from the previous day. Gov. Doug Ducey has resisted a return to business closures and a stay-home order he imposed in the early stages of the outbreak, saying it's up to people to take personal responsibility for slowing the spread. He reiterated that view Wednesday, saying 'we are doing everything that we can.'

Dr. Cara Christ, the state's top health official, has advised people to wear a mask, maintain social distancing and try to stay outside whenever socializing with people with whom they don't live.

Officials say Arizona has seen a total of 435,036 confirmed cases and 7,677 deaths since March. The number of infections is thought to be far higher because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

The state health agency's dashboard shows Apache, Cochise, Graham, Greenlee, Navajo, Pima, Santa Cruz and Yavapai counties now experiencing substantial coronavirus spread.

Arizona on Wednesday had reported 108 additional deaths, and the state's seven-day rolling average of daily deaths rose to 64.1 from 30.7 on Dec. 2.

In addition, the number of hospitalized COVID-19 patients increased to 3,884 on Wednesday while available hospital beds shrank to 7%, a low during the pandemic.

'Oftentimes we get told, especially in our staffing meetings, that we have A, B and C patients waiting for rooms,' Eddy De La Torre, an intensive-care nurse at a Phoenix-area hospital, told ABC15.com. 'They can be waiting for a couple hours.'

The metrics were created during Arizona's summer coronavirus surge to gauge when businesses would be allowed to reopen, but there's no requirement for closures now that the numbers are again bleak. The metrics are also a guide for school administrators to make decisions about partially or fully allowing in-person instruction.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Proposed Ariz. law would allow anyone to demand vote recount if they pay for it

By Howard Fischer
Arizona Daily Star
December 18, 2020

Political candidates and their supporters unhappy with the results of an election could demand a recount under a proposal to be considered this coming year by the state Senate.

But they'd have to be willing to put their money where their mouths are.

The proposal by Sen. J.D. Mesnard, R-Chandler, would permit any individual to demand a recount of any race in any county or statewide. The only requirement would be that they provide the money to cover the costs.

Mesnard conceded that even if his Senate Bill 1010 is enacted, it wouldn't necessarily quell all doubts and complaints about election returns. But he called it an 'effective component' of restoring confidence in the electoral system.

Not everyone sees it that way.

'It's unnecessary and stupid,' said outgoing Maricopa County Recorder Adrian Fontes.

He said all Mesnard is doing is catering to the complaints — none of which have been proven in court — that there was something wrong with the results reported in the presidential race. Fontes also said a hand recount, which is one of the options under Mesnard's proposal, would

take weeks to conduct. Arizona law now requires a recount only when the difference in votes between the candidates is within a certain margin.

Sen. J.D. Mesnard

RECOUNT

So, for example, in a statewide race the loser would have to come within 200 votes. Ditto in the case of a statewide ballot measure.

That is nowhere near Joe Biden's 10,457-vote edge over President Trump in the official tally in Arizona.

And for other races, the spread between candidates has to be even smaller: 50 votes for legislative seats and just 10 for local elections.

Under Mesnard's proposal, a person seeking a recount when it's not automatic would be required to post a bond with a court 'in a form and in an amount as determined by the court to be sufficient to provide for full reimbursement of the costs of conducting the recount.'

He said he wants to be sure 'the taxpayers aren't on the hook.'

The dollar figure could be substantial, depending on the kind of recount sought.

AMERICAN OVERSIGHT

The recounts that now occur automatically under state law are done by putting the ballots into an automated counting machine. That is a relatively simple procedure, one that might take about a week on a statewide basis.

But Mesnard's legislation would permit the person seeking the recount to request it be done by hand, assuming the person is willing to pay the additional costs involved. Those costs would depend on how many ballots, and how many counties, are involved.

'This is about instilling confidence in the election system, the results in particular in this case,' Mesnard said. 'And I'd much rather err on the side of greater counting than not.'

Fontes, a Democrat who lost his own reelection

campaign in the Nov. 3 election, said Mesnard's plan is the wrong cure for the problem.

'There's better ways to instill confidence,' he said. 'For example, getting his people to stop denying the outcome of the (presidential) election.'

There already is a procedure in place for what might be called an automatic mini-recount. It requires having officials from both parties select ballots from 2% of the precincts or voting centers, pick certain races and then have those ballots counted by hand by party workers.

In Maricopa County that involved more than 47,000 ballots. And Fontes said that in each case the results were found to be 100% consistent with the machine count.

Fontes said that hand count took close to a day. Extrapolate that out over more than 2 million ballots in Maricopa County — the kind of count that SB 1010 would permit — and a hand tally would take more than a month, meaning the results would not be known and finalized until after the current date in state law to certify the returns.

'What he's asking for is injecting more doubt, more uncertainty, take longer to figure these things out instead of standing up to the people who are actually wrong,' Fontes said.

As to whether a recount would satisfy those who continue to insist there were improprieties with the just-conducted election, Mesnard said: 'Well, I think we need to do everything we can to try.'

He said this is about more than just a few folks trying to cast doubt on how the vote was conducted and counted.

'I would say hundreds of thousands of people in the state believe something was wrong with the election,' Mesnard said.

Why they believe that — and even the veracity of their beliefs — is irrelevant, he said.

'Whether you agree with them or not or think it's conspiracy theories or sore loser or legitimate fraud or irregularity is somewhat immaterial,' Mesnard said.

AMERICAN OVERSIGHT

He said the fact remains that, for whatever reason, they don't trust the results. 'And that is an existential threat to the democratic electoral process we must confront,' he said.

'We cannot dismiss it,' Mesnard continued. 'It's irresponsible to dismiss it, even if you think they're wrong.'

Still, Mesnard conceded, even allowing for a full hand count is unlikely to satisfy all doubters.

'Is it the silver bullet? No,' he said. 'Is there a silver bullet? I don't know. But I think this is an effective component of that.'

The National Conference of State Legislatures reports that Arizona is one of only nine states that do not have a process in place to let people request a recount. But even in some of the states that do permit such demanded recounts, there are constraints.

For example, in Georgia a losing candidate may seek a recount only when the results are within 0.5% of the total votes cast for the office.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Asked about election irregularities, voters point to saguaros, roadrunners

Arizona Daily Star
December 18, 2020

You might have heard of people claiming there were irregularities in the recent election.

Well, Arizona Senate President Karen Fann set up an email address for people to report irregularities, and boy did they.

Hundreds and hundreds of emails went to the address 2020election@azleg. gov, but most of them did not support Trump loyalists' claims of fraud. They were angry at Fann and the GOP for perpetuating fraud claims. Many were along the lines of this email: 'Donald Trump lost the election. Sad. The only malfeasance is that he is attempting

a coup and the entire GOP is letting him do it.'

The Star requested the emails to the address after Fox 10 in Phoenix and Arizona Public Media reported them. Some of the emails reported alarming, possibly psychedelic voting incidents.

'When I went to check in to vote I was asked if I was a Republican or Democrat and I told them I was really a saguaro cactus and then they didn't let me vote. FRAUD FRAUD FRAUD' 'There were some roadrunners voting in Tucson. I swear on Rudy's hair dye.'

'I believe I was the victim, along with our great president, of voter fraud. Standing in line

AMERICAN OVERSIGHT

waiting I noticed all the poll workers giving voters black pens to fill out their ballots, but when it was my turn they handed me a Mr. Sketch scented marker. I believe it was the watermelon scent, which I found highly offensive as I hate watermelon. No doubt they knew that by tracking me with their 5G towers. Anyways, I'm sure they did that to me because of my KAG hat and 12 guns I was holding at the time. I don't believe my vote for Trump was counted as the watermelonscented marker is a lite pink color.'

NOTEBOOK

Tim Steller

NOTEBOOK

'I saw a guy voting and he looked like he shouldn't have been voting in Arizona. Big guy. Corn-cob pipe and button nose. Two eyes made out of coal. Dumb hat too.'

And finally, there was this alarming one from the Old Pueblo: 'I voted in person in Tucson on Nov. 3rd. In the booth next to me, I observed a very large lizard voting for Democrats! The individual tried to hide their tail under a large overcoat and they wore a wig and hat, but a lizard he was, and lizards are not allowed to vote!'

Alas, there were some serious claims made. The Senate Republicans reported they sent several dozen such emails on to the Arizona Attorney General's Office election integrity unit.

Speaker's race up in the air thanks to LD11 rep

A Republican Southern Arizona legislator is planning to turn the normally routine vote for House speaker into a possible free-for-all when the Legislature convenes Jan. 11.

Rep. Bret Roberts, of Legislative District 11, announced on Twitter Monday that he plans not to vote for Rusty Bowers for speaker. Bowers won the Republican caucus vote for leadership in early November, beating Roberts' seatmate from Oro Valley, Mark Finchem.

'We need someone with the ability to unite our caucus and provide strong leadership that will help ensure the next two years are successful,' Roberts said. 'Unfortunately, I have come to the conclusion that Rusty Bowers is not the right person for the job and therefore will be withholding my vote.'

Roberts cited an ethics investigation of Rep. David Cook, the way Bowers handled last year's recess,

allegations that the speaker was not allowing some members to use staff to send press releases, and Bowers' management of election-fraud allegations.

Republicans hold a 31-29 edge in the chamber during the coming session, meaning that a decision normally made by acclamation may have to be worked out through horse trading.

AMERICAN OVERSIGHT

Rep. T.J. Shope, a Coolidge Republican who will join the Senate when the Legislature convenes again, said Roberts' decision hands power to Democrats. Bowers may need Democrats' votes in order to win the speakership, which would give Democrats power to make demands of their own from him.

'Barring a sleeper candidate who can unify the caucus, you have to go to the other side,' Shope said.

He said it's ironic that Democrats spent so many millions of dollars to win the state House majority, only to lose it narrowly, then be handed power through an internal GOP dispute.

The conflict has been brewing. After Finchem challenged Bowers for the speakership and lost, Bowers rearranged the House committees, eliminating altogether the Federal Relations committee chaired by Finchem.

'This has been coming for a while,' Shope said. 'That we were able to keep it together for two years was a minor miracle.'

New county attorney announces team

Incoming Pima County Attorney Laura Conover announced her leadership in a meeting with staff this week. The members are:

• Chief deputy: Tamara Mulembo

• Chief criminal deputy: Dan South

• Chief civil deputy: Andy Flagg

• Assistant to the county attorney and public health liaison: David Contreras

• Communications director: Joe Watson

• Transition manager: Martha Durkin

• Fraud unit and conviction integrity unit chief:

Gabriel 'Jack' Chin

• Community outreach manager: Patrick Robles 'I can't believe I've reached this point in my career where I'm able to convene such a team,' Conover said Thursday. 'They're so talented and skillful.'

Fountain named for outgoing Pima County Recorder

The fountain in the courtyard of Pima County's Historic Courthouse will be named in honor of retiring County Recorder F. Ann Rodriguez after a unanimous vote by the Board of Supervisors.

After serving as Pima County recorder for nearly three decades, Rodriguez will retire in January and hand the reins over to recently elected Gabriella Cázares-Kelly.

AMERICAN OVERSIGHT

'You've been a fixture in this community and you have managed it well,' Board Chairman Ramón Valadez told Rodriguez during Tuesday's meeting. 'You have conducted yourself with honor and respect and always upheld the integrity of our elections.'

Rodriguez's office was located at the Historic Courthouse from 1993 to 2015, a building that she has long referred to as 'the pink palace.'

County Administrator Chuck Huckelberry said Rodriguez was the first Hispanic female to be elected to a Pima County office, in 1992.

'It's only fitting that the Board name the fountain in her honor for her years and years of service,' he said.

Star reporter Jasmine Demers

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

'A glimmer of hope'

Vaccinations begin at Maricopa County sites
Rachel Leingang and Alison Steinbach
Arizona Republic
December 18, 2020

Emily Beck came off the night shift at Banner University Medical Center in Phoenix, where she's an ICU nurse, and joined the line at the Arizona State Fairgrounds to get one of Maricopa County's first COVID-19 vaccine doses.

The air buzzed with excitement as health care workers on the front lines gathered in their cars, awaiting the vaccine that brought them hope the end of the pandemic was, finally, in sight.

Banner Health nurse Diane Cluxton prepares a COVID-19 vaccination at the Arizona State Fairgrounds in Phoenix on Thursday

Nurse Roxanne Flynn vaccinates critical care nursing educator Jenae McVicker on Thursday at HonorHealth in Phoenix.

"We have seen more people in our ICU than probably ever before. We've seen a lot of death. We've seen patients without their family members present go through some of the worst experiences of their life. And we don't want it to be that way," Beck said.

Across the Valley, a similar energy filled the air as health care workers and first responders began making their way through a drive-thru to receive their long-awaited shot.

Twin brothers and emergency medicine physician colleagues Kris and Robin Samaddar got vaccinated together Thursday and said it was the first real sign of hope they have felt since the start of the pandemic.

Jenae McVicker, a critical care nursing educator at HonorHealth, was one of the first to get a shot. In a year of so much pain, she views the vaccine as a "silver lining" and "finally, a glimmer of hope."

As a critical care nurse, she's been long looking forward to a vaccine. But it still didn't fully hit her until she got in line and realized she was among the first handful of people in Maricopa County to be vaccinated.

"It's surreal. To wake up this morning and know that you're going to be part of history is not something I ever imagined," McVicker said.

Beck received the first shot at the Arizona State Fairgrounds, one of a handful of sites administering the vaccines to health care workers in the first phase of its rollout.

AMERICAN OVERSIGHT

Outside an agricultural building at the fairgrounds, white tents were set up to shade cars as they arrived at the site after navigating a parking lot full of bright green safety cones. Inside the building, a team of people prepared the vaccine, filled out paperwork and administered shots to the people who had signed up.

The fairgrounds site became a COVID- 19 testing drive-thru in March and will provide vaccines to about 1,000 people per day once it's fully ramped up. The first day, about 165 shots were expected to be delivered at the site.

A similar setup is run by Honor-Health in northeast Maricopa County, which is where McVicker and the Samaddars received their doses. The site will be able to administer up to 1,000 vaccinations daily but plans to start more slowly. The HonorHealth drivethru site expects to administer 15,000 initial doses in the coming weeks.

Maricopa County launched the first two vaccine distribution sites run by Banner and HonorHealth on Thursday, with three more expected to open next week.

For now, only priority workers who are prescreened and preregistered can get vaccinated at the sites, with public vaccination to come later next year.

Vaccines also are being distributed in other programs. A 94-year-old veteran at the Phoenix VA was one of the state's first patients to receive the vaccine, through a federal allocation sent directly to the Department of Veterans Affairs. Health care workers on the Navajo Nation also received vaccinations earlier this week through a supply sent directly to the tribe.

On Wednesday evening, 10 health care workers and first responders received the vaccine at the state's public health lab, including Dr. Cara Christ, the director of the Arizona Department of Health Services, who has led the state's pandemic response.

Leading by example

Dr. Marjorie Bessel, the chief clinical officer for Banner, administered the shot to Beck and other health care workers on the first day at the fairgrounds. She said she wanted to show recognition for their hard work and show that she believes the vaccine is safe and effective.

"I think this is another testament that we feel confident about the vaccine," said Bessel, who was wearing a festive dress with candy canes, holly and evergreens.

The festive mood was shared by Marcy Flanagan, the director of public health for Maricopa County, who witnessed the first shots at the fairgrounds on Thursday morning. It "feels like Christmas to me," she said. When the vaccines arrived on Monday, she felt relief, her tense shoulders easing for the first time in months.

Both Bessel and Flanagan urged vigilance now, though, as cases and hospitalizations continue to rise here. Bessel said hospitalization rates are higher than they were in the summer. We're in the "worst part of the pandemic" right now, despite the historic and exciting vaccine rollout on Thursday, Bessel said.

AMERICAN OVERSIGHT

“We can all do our part. It is no fun to get sick. It’s no fun to be hospitalized. It’s no fun to be in our Intensive Care Unit,” Bessel said.

Neither Bessel nor Flanagan yet qualified to get the vaccine but said they would join the line as soon as they could. But there wasn’t enough to go around yet, and front-line health care workers like those who got the vaccine on Thursday needed it most.

“You have a lot of health care professionals here today, first in line, some brilliant individuals that have worked in medicine for a lot of years, that are confident in the safety of the vaccine. So I think all of those should be signs for the

public that it’s safe,” Flanagan said.

McVicker, the HonorHealth nurse, was eager to get the vaccine. She wants to be able to see her grandparents and hopes next year can start to be more normal at work again.

But she also wants to lead by example to show her colleagues and the public that the vaccine is safe and a positive step forward.

“I think part of being a nurse is being a leader with your community and within your own personal practice. Sharing my experience with people … especially nurses on the front line, if anybody’s on the fence, I hope that they’re able to see the benefits of vaccination and how this can really positively impact us.”

The Samaddar twins are both in leadership positions at HonorHealth Scottsdale Shea Medical Center and said they wanted to get the vaccine to protect their families, be able to continue to help others in the ER and set an example.

“This is the first thing that really has given us hope against COVID-19,” Robin Samaddar said.

“People just need a hope because there hasn’t been any,” he said. “You read the newspapers and people are dying and you see that the numbers have surpassed what they had been over the summer. This is the chance.”

He said for months he’s treated COVID- 19 patients in the ER, but much of the treatment has been supportive care. Doctors can give antibodies, oxygen, steroids or other treatments, but the vaccine is different because hopefully it can prevent COVID-19, he said.

“We’re still going to see COVID, but hopefully we’ll just see a lot less of it,” he said.

Kris Samaddar said the vaccine finally puts a possible end on the pandemic.

“When we started in February and March, we said it’s going to go until the summer. And then the summer hit, we surged July 7th. And then we felt good about two months ago, but we knew something was going to happen, and it’s happening now.”

What vaccination looks like

AMERICAN OVERSIGHT

Just before Beck received the first shot, music boomed, playing Pitbull and Christina Aguilera's "Feel This Moment." People swayed to the beat and bounced up and down.

Before it got to Beck's arm, the vaccine was stored in ultra-cold freezers in a tent inside the agricultural building, which Gov. Doug Ducey had toured the day before. It then moved to a refrigerator to thaw. Then, workers extracted a dose from each tiny vial, no larger than a thumb. A vial contains five doses, plus a little bit extra. Saline is added. All parts are checked and double-checked, labels are added, paperwork is filed.

Once ready, the syringe was set into a small colored bin to be walked over to a vehicle filled with an eager patient, sleeve rolled up.

Bessel was "very thorough," Beck said, explaining the vaccine and potential side effects. As she administered the shot, Bessel announced that Beck was the first person to receive the vaccine at this site.

"Emily, are you ready? One, two, three. And you're done," Bessel said to Beck.

The crowd cheered and applauded, smiling behind their face masks and shields and tearing up. Beck got a blue sticker that said, "I got my COVID-19 vaccine!"

She headed to a recovery area outside to wait the required 15 minutes to ensure there were no immediate side effects that would call for medical assistance.

"I'm just hopeful that this is the beginning of the end," Beck said as she waited in the recovery area.

It was time to go home, get to sleep, then wake up again tomorrow to continue treating patients in the ICU, where she and her colleagues have worked tirelessly for 10 months.

"I think we were all waiting for the vaccine, just kind of chomping at the bit to hear when we were going to get it and when it was going to be available. So now it's just a feeling of excitement that it's finally here," she said.

The Samaddar brothers said they are ready for the vaccine to make a widespread impact. For now, though, it will be another positive memory of twinhood.

"As twins, there's going to be things that we always remember, like things that happened to us as kids, things that happened to us in college. I'd probably put this up there as being something that we'll always remember," Kris Samaddar said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Second virus vaccine gets panel's approval

Matthew Perrone and Lauran Neergaard
Arizona Republic
December 18, 2020

AMERICAN OVERSIGHT

A government advisory panel endorsed a second COVID-19 vaccine Thursday, paving the way for the shot to be added to the U.S. vaccination campaign.

The Food and Drug Administration is expected to follow the recommendation for the vaccine from Moderna and the National Institutes of Health. The FDA advisers, in a 20-0 vote, agreed the benefits of the vaccine outweighed the risks for those 18 years old and up.

The FDA's green light for emergency use is expected quickly. Moderna would then begin shipping millions of doses, earmarked for health workers and nursing home residents, to boost the largest vaccination effort in U.S. history.

The campaign kicked off this week with the first vaccine OK'd in the U.S., developed by Pfizer and BioNTech. Moderna's shot showed similarly strong protection, providing 94% protection against COVID-19 in the company's ongoing study of 30,000 people.

After seven hours of debate over technical details of the company's study and follow-up plans, nearly all panelists backed making the vaccine available to help fight the pandemic. One panel member abstained.

"The evidence that has been studied in great detail on this vaccine highly outweighs any of the issues we've seen," said Dr. Hayley Gans of Stanford University Medical Center.

A second vaccine is urgently needed as coronavirus infections, hospitalizations and deaths climb to new highs ahead of the holidays. The U.S. leads the world in virus totals, with more than 1.6 million confirmed cases.

Moderna's vaccine uses the same groundbreaking technology as Pfizer-BioNTech's shot. Most traditional vaccines use dead or weakened virus, but both of the new vaccines use snippets of COVID-19's genetic code to train the immune system to detect and fight the virus. Both require two doses, several weeks apart.

Thursday's review came days after reports of apparent allergic reactions to the Pfizer-BioNTech vaccine in two Alaska health workers. One person had a severe reaction, including shortness of breath; the other had less serious side effects, including lightheadedness.

While the two vaccines use the same technology, they're not identical, cautioned Moderna chief medical officer Dr. Tal Zaks. In particular, some of the lipids, or fats, used to coat the two vaccines are different.

"I would not necessarily assume" that any reactions would be the same, he said.

The FDA found no severe allergic reactions in Moderna's data but flagged a slightly higher rate of less serious side effects – rash, hives, itching – among participants who got the vaccine, compared with those receiving a dummy shot.

There were also three cases of Bell's palsy, which temporarily paralyzes facial muscles, among vaccine recipients, compared with one among those getting a dummy shot. The FDA review said the role of the shot in the vaccine group "cannot be ruled

out."

AMERICAN OVERSIGHT

An unanswered question is whether the vaccine also prevents people from symptomless infection – but Moderna found a hint that it may. Study participants had their noses swabbed prior to the second dose of either vaccine or placebo. At that one point, swabs from 14 vaccine recipients and 38 placebo recipients showed evidence of asymptomatic infection, said Moderna's Dr. Jacqueline Miller.

After the FDA acts, U.S. officials plan to move out an initial shipment of nearly 6 million Moderna doses. The vaccine needs to be stored at regular freezer temperatures, not the ultra-cold required for Pfizer-BioNTech's shot.

Hundreds of millions of additional shots eventually will be needed to vaccinate the public, which isn't expected until the spring or summer. The government's Operation Warp Speed program has orders for 200 million doses of Moderna's vaccine. That's on top of 100 million doses of the Pfizer-BioNTech vaccine. Officials are negotiating to buy more doses of that vaccine.

Like the first vaccine, Moderna's vaccine will remain experimental as the company continues a twoyear study needed to answer key questions, including how long protection lasts.

One of the trickiest issues panelists debated was how to keep study volunteers who received a dummy shot from dropping out to get the real shot once it's authorized. Their participation is critical in order to have a comparison for long-term safety and effectiveness.

Moderna proposed immediately alerting all those volunteers of their status and offering them the vaccine. The company said more than 25% of its participants are health workers and some are already leaving to get the first vaccine.

But an invited expert from Stanford University urged Moderna to adopt Pfizer's approach. Pfizer plans to vaccinate people in its placebo group based on when they would have normally had access to the vaccine, as priority groups are established.

But most panelists acknowledged it will be hard to keep volunteers from leaving the Moderna study if they have to wait to get the vaccine.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Sinema's New Year's wish: A functional U.S. Congress

Ronald J. Hansen
Arizona Republic
December 18, 2020

More than coronavirus, more than the parallel recession, Sen. Kyrsten Sinema sees cooperative, functional government as the biggest task for Congress in the new year.

Sinema, D-Ariz., spoke at length to The Arizona Republic on Thursday about what could be in the virus relief bill emerging from negotiations on Capitol Hill, and her continued wish that Gov. Doug Ducey would help enforce greater compliance with the sciencebased restrictions during the pandemic.

AMERICAN OVERSIGHT

But, when asked about the biggest challenge facing lawmakers in 2021, Sinema said it was the need to return to a more civil politics.

“I think the largest issue ... is less of an actual issue and more of a process question: Will the Congress begin to work again?” she said ahead of the change in administrations from President Donald Trump to President-elect Joe Biden.

The Democratic majority in the House of Representatives will shrink in January and Republicans could still lose their majority in the Senate after the runoff elections in Georgia next month.

“We have, unfortunately, been sidelined by intense partisanship — and I do not blame just one party for this — and a rigidity and a resistance to finding compromise and common ground. I believe there are members of both political parties to blame for this.”

Trump will leave office as only the third president to be impeached and with a pair of protracted government shutdowns that reflect the deep partisan divisions in Washington.

Sinema embraced the “happy warrior” label hung on her in the past and said her hopes for a better atmosphere are also tempered by reality.

“I think this challenge is actually quite difficult and becoming more difficult by the influence of misinformation and disinformation that occurs in our community,” she said.

“But I also believe that we can overcome it. ... I am optimistic, but I’m not naive.”

If there is a change in Washington, Sinema said, it only will happen with compromise and sacrifice, qualities often missing in recent years.

Sinema said the virus relief legislation still being negotiated will help Arizonans on several fronts. The package is likely to include direct payments to “middle-income and working- class” taxpayers of about $600 per person.

That would be about half the level of the first payments.

It also could include $300 extra in weekly unemployment aid available for about three months.

“These are not numbers that can be taken to the bank, so to speak,” she said of the deal that was in progress. “They are still fluid.”

She said she was hopeful the negotiations will include more funds for small businesses, known as the Paycheck Protection Program.

That could include a provision of hers, along

with Sen. Kevin Cramer, RN. D., to make it easy to forgive loans to businesses that received $150,000 or less from the program.

AMERICAN OVERSIGHT

"The PPP is a real lifeline for small businesses that got a PPP in the spring, have used that money to mitigate some of their losses or to stay afloat, and are looking for further relief," she said.

The virus aid deal likely will include provisions for rental relief, extension of an eviction moratorium for several months and a pause in student loans as well, she said. The deal could be finalized by Thursday night, voted on in the House today and in the Senate on Saturday, she said, adding that it remained uncertain.

Sinema repeated her wish that Ducey would "implement a statewide mask policy that's backed up by enforcement."

Biden has said he plans to seek a federal mask mandate for his first 100 days in office. That only would begin, however, in January.

"We know that that will raise the level of compliance," she said. "Studies show that mask-wearing successfully slows the spread of transmission. And a recent (U.S. Centers for Disease Control and Prevention) study in Arizona showed that cases decreased by 75% when mask wearing was implemented by local cities and counties after the governor chose not to do so."

Sinema favors closing some indoor public areas, such as indoor bars and gyms, and limiting the numbers allowed to gather inside other venues. Sinema called again on Ducey to disperse more federal funds to Arizona's smaller localities, as Congress had intended.

"I think this challenge is actually quite difficult and becoming more difficult by the influence of misinformation and disinformation that occurs in our community."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports more than 5,800 new COVID-19 cases

Stephanie Innes
Arizona Republic
December 18, 2020

Arizona reported more than 5,800 new COVID-19 cases and 147 new known deaths on Thursday as hospitalizations for the disease hit the highest level recorded since the pandemic began.

The number of patients hospitalized statewide for known or suspected COVID- 19 cases was at 3,884 on Wednesday a record high, up by 75 patients from the previous record of 3,809 set on Tuesday. The highest number of COVID- 19 patients hospitalized in a single day during the summer surge was 3,517 on July 13.

The state data dashboard shows 91% of all ICU beds and 92% of all inpatient beds in Arizona were in use Wednesday, with 51% of ICU beds and 45% of non-ICU beds occupied by COVID-19 patients.

Thursday's 5,817 new cases brought the total number of identified COVID-19 cases in the state to 435,036. As of Thursday, 7,677 Arizonans are known to have died from the disease, according to the

AMERICAN OVERSIGHT

data dashboard from the Arizona Department of Health Services. One hundred and forty-seven known deaths were reported Thursday.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 899 on Wednesday the most ICU beds in use in a single day since July 16. The level is below what it was in mid-July, when ICU beds in use for COVID-19 reached 970.

The number of Arizonans with confirmed and suspected COVID-19 on ventilators was at 618 on Wednesday, the most ventilators in use in a single day since July 19. In mid-July, as many as 687 patients across the state with confirmed or suspected COVID-19 were on ventilators.

Thursday's numbers

Reported cases in Arizona: 435,036.

Cases increased by 5,817, or 1.35%, from Wednesday's 429,219 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 269,744 in Maricopa, 55,801 in Pima, 23,550 in Yuma, 22,926 in Pinal, 10,030 in Navajo, 9,595 in Coconino, 9,253 in Mohave, 8,696 in Yavapai, 6,673 in Apache, 5,622 in Cochise, 5,158 in Santa Cruz, 3,826 in Gila, 2,706 in Graham, 1,114 in La Paz and 342 in Greenlee, according to state numbers.

The Navajo Nation reported 20,095 cases and 731 confirmed deaths as of Wednesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have extended a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 5,490 inmates had tested positive for COVID-19 as of Wednesday, including 1,314 in Tucson, 963 in Eyman, 844 in Yuma and 815 in Douglas; 42,422 inmates statewide have been tested. A total of 1,517 prison staff members have self-reported testing positive, the department said. Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID-19, with seven additional deaths under investigation.

Reported deaths

Deaths by county: 4,542 in Maricopa, 853 in Pima, 448 in Yuma, 317 in Pinal, 295 in Navajo, 291 in Mohave, 213 in Apache, 194 in Coconino, 154 in Yavapai, 115 in Gila, 101 in Cochise, 85 in Santa Cruz, 41 in Graham, 25 in La Paz and three in Greenlee.

The global death toll as of Thursday morning was 1,652,906 and the U.S. had the highest death count of any country in the world, at 307,770, according to Johns Hopkins University. Arizona's death total of 7,677 deaths represents 2.49% of COVID-19 deaths in the U.S. as of Wednesday.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Final stretch is in sight for relief deal

Andrew Taylor
Arizona Republic
December 18, 2020

Congressional negotiators on the long-delayed $900 billion COVID-19 economic relief package worked through a handful of remaining holdups Thursday as they labored to seal a final agreement to provide more help to businesses and the unemployed and new stimulus payments to most Americans.

Top congressional leaders also finally acknowledged they will have to pass a temporary governmentwide funding bill to avoid a partial shutdown Friday at midnight, though House leaders haven't scheduled a vote yet.

The central elements of the hardfought aid compromise appeared in place: more than $300 billion in aid to businesses; a $300-per-week bonus federal jobless benefit and renewal of soon-to-expire state benefits; $600 direct payments to individuals; vaccine distribution funds and money for renters, schools, the U.S. Postal Service and people needing food aid.

But hang-ups involving Federal Reserve powers, state and local government matching requirements for disaster grants, and myriad smaller disagreements over non-pandemic add-ons have slowed progress, aides involved in the negotiations said.

A top negotiator warned that the current set of problems could knock the talks off track.

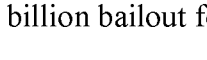
"Do we want to lapse into politics as usual and let negotiations lose steam? Do we want to haggle and spar like this was an ordinary political exercise?" asked Senate Majority Leader Mitch McConnell, R-Ky. "Or, on the other hand, after months of inaction, do we want to move swiftly and with unusual bipartisanship to close out our issues, seal the deal and write text that can quickly pass into law?"

McConnell's warning came as negotiators sought to fine-tune compromises to complete the second major relief package of the pandemic. It's the first significant legislative response to the pandemic since the landmark CARES Act in March, which delivered $1.8 trillion in aid and more generous jobless benefits and direct payments to individuals. Since then, Democrats have repeatedly called for further major steps to provide relief and battle the pandemic, while Republicans have sought to more fully reopen the economy and to avoid further padding the government's $27 trillion debt.

President-elect Joe Biden is eager for an aid package to prop up the economy and deliver direct aid to the jobless and hungry, even though the package falls short of what Democrats want. He called the emerging version "an important down payment" and promised more help next year.

"We made some progress this morning," said House Speaker Nancy Pelosi, D-Calif., as she entered the Capitol on Thursday.

The details were still being worked out, but more than $300 billion in subsidies for business, including a second round of "paycheck protection" payments to especially hard-hit businesses, is locked in, as is $25 billion to help struggling renters with their payments, a temporary 15% or so increase in food stamp benefits, additional farm subsidies and a $10 billion bailout for the Postal Service.



AMERICAN OVERSIGHT

Return to the table of contents

Subpoena voting machines? Note irony

Arizona Republic
December 18, 2020

The state Senate on Tuesday slapped not one but two subpoenas on Maricopa County, demanding that county elections officials turn over the 2.1 million ballots cast in last month's election along with all Dominion Voting Systems machinery and software.

No word on whether the Senate has the authority to order the county to turn over equipment for an audit or who will pick up the tab.

The subpoenas came just a day after state and county officials spent six hours explaining to legislators why the various conspiracy theories about how Arizona's election was stolen are a load of horsepucky.

So naturally, at the conclusion of Monday's marathon meeting, Senate Judiciary Chairman Eddie Farnsworth announced he would issue subpoenas to audit the tabulation machines used in Maricopa County.

"There is evidence of tampering," the Gilbert Republican flatly stated. "There is evidence of fraud."

There is also evidence that some Republicans are now completely and utterly untethered to reality.

It remains to be seen whether one state legislator has the power to order an audit of what people had for lunch, much less an examination of all 359 voting machines used by another branch of government.

According to state law, the chamber's presiding officer or a legislative committee chair can subpoena witnesses to appear before his or her committee. It says nothing about subpoenas that force other branches of government to conduct audits.

But on Tuesday, Senate President Karen Fann announced that Farnsworth sent the county two subpoenas with her blessing: one calling for a "scanned ballot audit" to collect electronic images of all mail-in ballots and another calling for "a full forensic audit" of tabulation machines along with the software, election management system used in the election and all administrative passwords and security fobs.

She wants it all by 5 p.m. on Friday.

The irony of what Republicans are seeking, however, is worth noting.

Maricopa County officials were actually planning an audit of the county's Dominion Voting Systems machinery earlier this month, along with a hand count of all votes, to try to satisfy the concerns of Republicans who continue to believe that skullduggery was afoot.

But Clint Hickman, chairman of the Board of Supervisors, said he had to put it on hold because state GOP Chairwoman Kelli Ward keeps dragging the county into court, crying fraud. The machines and

AMERICAN OVERSIGHT

ballots would be considered evidence, and no lawyer worth his salt is going to allow them to be audited while the lawsuits continue.

But I digress. Monday's Senate Judiciary Committee hearing was ... well, it was educational if you actually listened to the various public officials who took great pains to answer Republican legislators' questions.

Arizona Mirror's Jim Small and Laura Gómez did a solid rundown of the hearing, in which the Senate panel heard from Supervisor Hickman as well as the county's election director, a deputy county attorney who handled elections issues and two people from the Attorney General's Election Integrity Unit.

All five testified that there was no evidence of fraud, manipulation, tampering or any hint of the various nefarious plots dreamed up by Republicans to explain Trump's loss.

"I want voters to be 100% confident, to be as confident as I am in this process," said Scott Jarrett, who was appointed by the GOP-dominated Board of Supervisors to oversee the county's election.

He and the other four witnesses addressed a variety of conspiracies floating about. Among them: Were Republican election observers shut out?

Actually, there were more observers from both parties in this election than ever before, according to Jarrett, and they witnessed every part of the election process. They were there when early ballots were collected from drop boxes, to verify that the seals placed on the boxes to prevent tampering were intact. And though public health protocols required them to maintain a six-foot distance, they were there for the verification of signatures and the counting of early ballots.

What about those late "spikes" of votes for Biden you hear about on social media? Didn't happen in Arizona, Jarrett said. In fact, it was Trump, not Biden, who surged among the ballots counted late in the process.

What about rigged voting machinery? Jarret said Dominion's tabulation machines passed every preand post-election test in all three elections in 2020 (the presidential preference, the primary and the general).

He ran down the county safeguards that would prevent Dominion employees from altering the election results or secretly programming the machines to flip Trump votes to Biden.

For one thing, the machines aren't connected to the internet.

In order to operate, each machine must have two identical memory cards that were programmed at the same time or it won't read votes. And seals are placed over the memory-card

slots so that if someone tampers with them, it'll be detected.

The machines also are under video surveillance 24 hours a day, seven days a week. The camera feed is even streamed online.

To access a machine, you would need a security fob, an administration password and a unique PIN.

AMERICAN OVERSIGHT

“There is,” Jarrett said, “no possible way for the program to be changed during the course of the election.”

Ah, but did anyone double-check the results to make sure votes weren’t flipped? If the machines were rigged, Jarrett said that would have turned up in the hand-count audit and accuracy testing conducted after the election.

The batches of votes to be sampled, a set number required by law, were chosen by officials from both political parties.

Every one of those audits and accuracy tests in all three 2020 elections – including 47,000 votes audited after the general election – showed a 100% match between the votes counted by hand and the votes counted by the machines.

What about all those people who voted illegally? Trump lawyer Rudy Giuliani suggested that several hundred thousand immigrants who are in this country illegally voted in Arizona.

Assistant Attorney General Jennifer Wright said the Election Integrity Unit culled through thousands of vague election complaints about the election, filed via an online form, to come up with something it could actually investigate. The unit is now looking into claims that 38 people voted illegally in Arizona.

Trump lost the state by more than 10,000 votes.

Or not, according to the true believers who were moved not one iota of an inch after hearing six hours of assurances that Arizona's election was freely and fairly held.

“Nothing's 100% secure. If people want to cheat they're going to cheat,” observed Sen. Sonny Borrelli.

And if people are going to believe the election was stolen after eight unsuccessful lawsuits, I'm guessing that not even a clean audit will change that. Next, they'll want something else.

But hey, audit away. I'm all for it as long as Republicans agree to abide by the results of the audit (and the party can pay for it, too).

Farnsworth says his legislative subpoenas will help restore confidence that Arizona elections was free of “tampering, manipulation and fraud.”

Maybe his subpoenas also will restore sanity after six weeks of absolute chaos and an absence of any evidence that the fix was in.

But I wouldn’t count on it.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Valley fire leaders receive coronavirus vaccine, hope others will follow

By Ali Vetnar
KTAR News
December 18, 2020

Three leaders from the fire service in Arizona rolled up their sleeves Thursday morning for their first doses of the Pfizer coronavirus vaccine.

Scottsdale Fire Chief Tom Shannon drove the group through the point of distribution vaccination site in north Phoenix. In collaboration with Mayo Clinic, HonorHealth expects to vaccinate 1,000 people a day at the site going forward.

"I shouldn't be first in line, but I really felt it was important to show my troops – hey let's go do this and be on the front side of this thing and protect the public," Shannon said after he received his vaccine.

The Scottsdale Fire Department has been hit hard by the coronavirus pandemic. The department has had 70 firefighters have tested positive for COVID-19.

Four members have fallen critically ill with the virus, including one who may have their career ended due to lasting side effects.

Phoenix Fire Captain Bryan Willingham, who serves as the Vice President for the United Phoenix Firefighters Local 393 union, was also part of the group to receive the vaccine. He contracted the virus just weeks ago. Even though he has since recovered, he has been eager to get the vaccine for many reasons.

"It's my responsibility as a father, to protect my crew – it's my responsibility as a captain, to protect our firefighters and the community because it's my responsibility as a union leader," Willingham said.

Willingham said he's worried about bringing the virus home because he's married to a cancer survivor and has five children – one of which he described as immunocompromised. With the vaccine, he feels more confident working on the front lines.

Willingham noted some firefighters who are part of the United Phoenix Firefighters Association are wary to get the vaccine.

"There are some that are hesitant about it, that's another major reason I wanted to come down and demonstrate to our firefighter brother and sisters on the job that this is safe," he said. "I don't blame some people for not trusting it, but you can also get the answers to your questions if you do your research."

AMERICAN OVERSIGHT

United Scottsdale Firefighters Association President Sasha Weller also received his first dose of the COVID-19 vaccine Thursday morning.

He wanted to set an example alongside his fire chief for other members to follow in their footsteps.

"Our members are out there on the front lines every single day; they're dealing with the sickest people that are out there in the community and we want them to be protected," Weller said.

The three men had no side effects following their first doses.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 7,635 new coronavirus cases, 142 more deaths

KTAR News
December 18, 2020

Mesa Fire Department Capt. Jeff Stieber receives the Pfizer-BioNTech vaccine for COVID-19 at the Arizona Department of Health Services State Laboratory from nurse Machrina Leach, Wednesday, Dec. 16, 2020, in Phoenix. (AP Photo/Ross D. Franklin)

This is a regularly updated story with the latest information about the coronavirus and its impact in Arizona and beyond for Dec. 18, 2020.

Arizona health officials on Friday reported 7,635 new coronavirus cases and 142 additional deaths, while the state's hospitals continued to fill up.

It was the third consecutive day with at least 100 deaths reported. Until Thursday, there'd never been back-to-back days in triple digits.

The state's documented totals increased to 442,671 COVID-19 infections and 7,819 fatalities, according to the Arizona Department of Health Services.

While the vaccine rollout was starting this week, multiple COVID-19 metrics in Arizona were at or approaching the highest levels of the pandemic.

The number of Arizona's confirmed or suspected COVID-19 hospital inpatients was up to 3,931 on Thursday, the seventh consecutive record-setting day.

The number of Arizona's confirmed or suspected COVID-19 patients in ICU beds was 915, the most since July 16 and closing in on the July 13 record of 970.

Ducey pleads with Arizonans to get coronavirus vaccine when available
Statewide, suspected or confirmed COVID-19 patients took up a record-high 46% of all inpatient beds as well as 52% of all ICU beds.

AMERICAN OVERSIGHT

Overall, inpatient beds were 93% filled, tying the previous day's record, and ICU beds were also 93% filled, a new record high. The number of remaining inpatient beds (618) and ICU beds (128) were both at record low points for the pandemic.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is showing signs of leveling off.

Through 63,019 tests this week, the positivity rate was 17%. The rate, which was 18% the previous two weeks, peaked at 21% at the end of June.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported cases was 6,786.71 for Thursday, according to tracking by The Associated Press, the second-highest ever.

The seven-day average of newly reported deaths has surged this month. It was at 74.71 for Thursday, tripling since Dec. 1 to the highest level since Aug. 2. The weekly death average peaked July 30 at 94.

The Arizona health department's daily reports present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Health expert says more approvals will speed up Arizona virus immunizations

By Kaci Demarest
KTAR News
December 18, 2020

Nurse Machrina Leach preps the first dose of the Pfizer-BioNTech vaccine for COVID-19 at the Arizona Department of Health Services State Laboratory, Wednesday, Dec. 16, 2020, in Phoenix. The Pfizer vaccine was almost 95 percent effective at preventing patients from contracting COVID-19 and caused no major side effects in a trial of nearly 44,000 people. (AP Photo/Ross D. Franklin)

AMERICAN OVERSIGHT

PHOENIX – A prominent Arizona health official said as more coronavirus vaccines start to gain approval from the Food and Drug Administration, it will be easier to ramp up vaccinations across the state.

Arizona Public Health Association Executive Director Will Humble told KTAR News 92.3 FM's Gaydos & Chad on Thursday that the more people who receive the coronavirus vaccine, the faster the community will be able to achieve herd immunity against the virus.

"You have to add on all those people that have been infected and recovered because they're vaccinated too, they're vaccinated by the real virus and recovered," Humble said.

"If you had 60% of the public vaccinated and another 15% probably 20% [infected] in Arizona given the way we're going, then you're up to 80% and that's probably herd immunity for this virus."

Health officials have urged people to get the coronavirus vaccine as soon as it becomes available to them; however, mass vaccination for the general population isn't expected until the spring.

The first Pfizer-BioNTech coronavirus vaccines were distributed in Arizona this week and larger-scale operations are starting to ramp up to vaccinate health care workers and residents in long-term care facilities.

"This is emergency, it's not full approval," Humble said. "The difference is for the full approval of the vaccine, they'll have to follow the people in the clinical trials for a couple more months, but I support going with emergency use authorization because we're in such a pickle."

Humble, who was formerly the director of the Arizona Department of Health Services, noted that as additional vaccines gain emergency approval it will ease the strain of attempting to accomplish the largest vaccination effort in U.S. history.

An FDA panel endorsed a second COVID-19 vaccine, Moderna, on Thursday, paving the way for the shot to be added to the U.S. vaccination campaign. The agency is expected to issue emergency authorization shortly for the vaccine.

Johnson & Johnson and Oxford-Astrazeneca's coronavirus vaccines are expected to be the next coronavirus vaccines in line to ask for emergency use authorization from the federal agency. Those hearings could come after the first of the year.

Humble noted that vaccines from Moderna and Astrazeneca that don't have to be kept as cold as the Pfizer vaccine could open the door to more easily vaccinating those in more rural parts of the state.

He said Astrazeneca could be a "game changer" for the U.S. because the company has a large contract with the federal government and is able to mass produce its vaccine.

Additionally, it only has to be refrigerated, which would pave the way to vaccinating people in clinical settings like doctor's offices and community health centers.

AMERICAN OVERSIGHT

The distribution of the coronavirus vaccine this week has provided a light at the end of the tunnel as infections continue to surge in Arizona and across the country.

On Thursday, state health officials reported 5,817 new coronavirus cases and 147 additional deaths, bringing the documented totals to 435,036 COVID-19 infections and 7,677 fatalities.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Some states say Pfizer vaccine allotments cut for next week

KTAR News
December 18, 2020

Several states say they have been told to expect far fewer doses of the Pfizer-BioNTech COVID-19 vaccine in its second week of distribution, prompting worries about potential delays in shots for health care workers and long-term care residents.

But senior Trump administration officials on Thursday downplayed the risk of delays, citing a confusion over semantics, while Pfizer said its production levels have not changed.

The first U.S. doses were administered Monday, and already this week, hundreds of thousands of people, mostly health care workers, have been vaccinated. The pace is expected to increase next week, assuming Moderna gets federal authorization for its vaccine.

Efforts to help ward off the coronavirus come amid a staggering death toll that surpassed 300,000 on Monday. Johns Hopkins University says about 2,400 people are dying daily in the U.S., which is averaging more than 210,000 cases per day.

In recent days, governors and health leaders in more than a dozen states have said the federal government has told them that next week's shipment of the Pfizer-BioNTech vaccine will be less than originally projected.

Little explanation was offered, leaving many state officials perplexed.

"This is disruptive and frustrating," Washington Gov. Jay Inslee, a Democrat, wrote on Twitter Thursday after learning from the Centers for Disease Control and Prevention that the state's allocation would be cut by 40%. "We need accurate, predictable numbers to plan and ensure on-the-ground success."

California, where an explosion in cases is straining intensive care units to the breaking point, will receive 160,000 fewer vaccine doses than state officials had anticipated next week — a roughly 40% reduction.

AMERICAN OVERSIGHT

California hospitals began vaccinations this week from the first Pfizer shipment of 327,000 doses and had expected even more to arrive next week. Instead, officials have been told to expect about 233,000 doses, said Erin Mellon, a spokeswoman for Gov. Gavin Newsom.

Missouri's health director, Dr. Randall Williams, said his state will get 25% to 30% less of the vaccine next week than anticipated. A statement from the Iowa Department of Public Health said its allocation will be "reduced by as much as 30%, however we are working to gain confirmation and additional details from our federal partners."

Michigan's shipment will drop by about a quarter. Connecticut, Georgia, Illinois, Kansas, Montana, Nebraska, Nevada, New Hampshire and Indiana also have been told to expect smaller shipments.

"States need clear and precise updates and information from the federal government as we continue the large and complex process of distributing this critical COVID-19 vaccine across the nation and here in Nevada," the state's Democratic Gov. Steve Sisolak, said in a statement after his state's second allocation was cut 42% to 17,550 doses. "To slash allocations for states – without any explanation whatsoever – is disruptive and baffling."

Hawaii's health department said as much as 40% of its doses will be delayed, but it still expects to receive nearly 46,000 doses by the end of the month.

Gov. Brian Kemp on Thursday said Georgia is in line to receive 60,000 doses next week after initially expecting 99,000. Still, the Republican governor has had little but praise for the vaccination effort and did not strongly object to the decreased amount.

"I wish it were a lot more, but it could be zero right now if you look at the past history of vaccines," Kemp said.

In Washington, D.C., two senior Trump administration officials who spoke on condition of anonymity to discuss internal planning said states will receive their full allocations, but misunderstandings about vaccine supply and changes to the delivery schedule may be creating confusion.

One official said the initial numbers of available doses that were provided to states were projections based on information from the manufacturers, not fixed allocations. Some state officials may have misunderstood that, the official said.

The two officials also said that changes the federal government made to the delivery schedule, at the request of governors, may be contributing to a mistaken impression that fewer doses are coming. The key change involves spacing out delivery of states' weekly allocations over several days to make distribution more manageable.

"They will get their weekly allocation, it just won't come to them on one day," one official said.

Pfizer made it clear that as far as production goes, nothing has changed.

AMERICAN OVERSIGHT

"Pfizer has not had any production issues with our COVID-19 vaccine, and no shipments containing the vaccine are on hold or delayed," spokesman Eamonn Nolan said in an email. "We are continuing to dispatch our orders to the locations specified by the U.S. government."

The company said in a written statement that this week it "successfully shipped all 2.9 million doses that we were asked to ship by the U.S. Government to the locations specified by them. We have millions more doses sitting in our warehouse but, as of now, we have not received any shipment instructions for additional doses."

The senior administration officials said Pfizer's statement about doses awaiting shipping instructions, while technically accurate, conveniently omits the explanation: It was planned that way.

The federal officials said Pfizer committed to provide 6.4 million doses of its vaccine in the first week after approval. But the federal Operation Warp Speed had already planned to distribute only 2.9 million of those doses right away. Another 2.9 million were to be held at Pfizer's warehouse to guarantee that individuals vaccinated the first week would be able to get their second shot later to make protection fully effective. Finally, the government is holding an additional 500,000 doses as a reserve against unforeseen problems.

Pfizer said it remains confident it can deliver up to 50 million doses globally this year and up to 1.3 billion doses in 2021.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Pence, wife Karen, surgeon general get COVID-19 vaccines

KTAR News
December 18, 2020

Vice President Mike Pence became the highest ranking U.S. official to receive the first dose of the COVID-19 vaccine on Friday in a live-television event aimed at reassuring Americans the shot is safe. He celebrated the milestone as "a medical miracle" that could eventually contain the raging pandemic.

Conspicuously missing from the victory lap: President Donald Trump, who has remained largely out of sight five days into the largest vaccination campaign in the nation's history.

Pence, meanwhile, has taken an increasingly visible role in highlighting the safety and efficacy of the shots, including touring a vaccine production facility this week. House Speaker Nancy Pelosi and Senate Majority Leader Mitch McConnell both said Thursday that they will get vaccinated in the next few days. President-elect Joe Biden expects to receive his shot as soon as next week.

"I didn't feel a thing. Well done," Pence told the technicians from Walter Reed National Military Medical Center who administered his Pfizer-BioNTech shot early Friday morning. Pence didn't flinch during the quick prick, nor did his wife, Karen, or Surgeon General Jerome Adams, who also received shots during the televised White House event in the Eisenhower Executive Office Building.

AMERICAN OVERSIGHT

“Hope is on the way,” Pence later said. “The American people can be confident: We have one and perhaps within hours two safe vaccines,” he added, referring to the FDA’s expected authorization of a second vaccine by Moderna.

He did not respond to shouted questions about why the president wasn’t headlining a similar event.

Adams, who is Black, emphasized the “the importance of representation” in outreach to at-risk communities and encouraged Americans to avoid disinformation around the vaccines.

Five days into the largest vaccination campaign in the nation’s history, Trump has been largely absent from the effort to sell the American public on what aides hope will be a key part of his legacy. He has held no public events to trumpet the rollout. He hasn’t been inoculated himself. And he has tweeted fewer than a handful of times about the shot.

Trump’s relative silence comes as he continues to stew about his defeat in the Nov. 3 election and embraces increasingly extreme efforts to overturn the people’s will. He’s pushed aside the plans of aides who wanted him to be the public face of the vaccination campaign, eschewing visits to labs and production facilities to thank workers, or hosting efforts to build public confidence in the shot, according to people familiar with the conversations.

The sheepish approach has been surprising, especially for a president rarely shy to take credit, said Lawrence Gostin, a professor at Georgetown Law who focuses on public health.

“The president’s relatively low profile on the COVID response since the election is curious and counter to Mr. Trump’s own interests,” he said. Gostin, who has criticized Trump’s handling of the pandemic in the past, said that he “deserves a great deal of credit” for Operation Warp Speed and placing a bet on two vaccines that use groundbreaking mRNA technology.

“Having exhibited leadership in the vaccines’ development, he should take great pride in publicly demonstrating his trust in COVID vaccines,” he said.

Trump did appear at a White House “summit” ahead of the Food and Drug Administration’s approval of the Pfizer vaccine last week. That event included an introductory video highlighting the past comments of those — including top government infectious-disease expert Dr. Anthony Fauci — who doubted a shot would be ready this year.

Trump “will continue to update the country through a variety of means while giving medical professionals and hardworking staff at OWS the space to do their jobs and save lives,” said White House deputy press secretary Brian Morgenstern.

But many Trump aides are puzzled by his low profile now that the vaccine is actually being injected. They see it as a missed opportunity for the president, who leaves office at noon on Jan. 20, to claim credit for helping oversee the speedy development and deployment of the vaccine that is expected to finally contain the virus that has killed more than 310,000 Americans.

Trump himself has tried to minimize any credit that might go to his successor, Biden, who will preside over the bulk of the nationwide injection campaign next year.

AMERICAN OVERSIGHT

“Don’t let Joe Biden take credit for the vaccines,” Trump has told reporters. “Don’t let him take credit for the vaccines because the vaccines were me, and I pushed people harder than they’ve ever been pushed before.”

Despite Trump’s claims, FDA scientists were the ones who came up with the idea for Operation Warp Speed, the White House-backed effort through which millions of doses of coronavirus vaccines and treatments are being manufactured even as they are still being evaluated. And much of the groundwork for the shots was laid over the past decade, including through research on messenger RNA, or mRNA, used in the vaccines developed by both Pfizer and Moderna. Pfizer developed its vaccine outside Operation Warp Speed but is partnering with the federal government on manufacturing and distribution.

Trump’s low-key approach could have an impact on public health. Dr. Anthony Fauci, the nation’s top infectious disease expert, told NBC News this week that 75% to 85% of the nation needs to be vaccinated to achieve “herd immunity,” making the public education campaign about the vaccine’s safety all the more pressing.

A survey from The Associated Press-NORC Center for Public Affairs Research found that only about half of Americans want to get the vaccine as soon as possible. Another quarter of the public isn’t sure, while the remaining quarter say they aren’t interested. Some simply oppose vaccines in general. Others are concerned that the injections have been rushed and want to see how the rollout goes.

Trump, who was hospitalized with COVID-19 in October, has yet to indicate when or if he will receive the shot.

According to guidance from the Centers for Disease Control and Prevention, there is not yet enough information to determine whether those who have had COVID-19, like Trump, should get the vaccine. Still, Fauci recommended that Trump take it publicly without delay.

“Even though the president himself was infected, and he has, likely, antibodies that likely would be protective, we’re not sure how long that protection lasts. So, to be doubly sure, I would recommend that he get vaccinated as well as the vice president,” Fauci told ABC News.

White House press secretary Kayleigh McEnany told reporters this week that Trump, who has previously spread misinformation about other vaccines “wants to send a parallel message which is, you know, our long-term care facility residents and our front-line workers are paramount in importance,” she said.

Gostin disagreed. “It will be enormously damaging to public trust in the vaccine if President Trump isn’t visibly enthusiastic, including getting his shot on national television,” he argued. “It simply isn’t good enough to have Vice President Pence as a proxy.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona state trooper shot at during traffic stop in Phoenix

KTAR News
December 18, 2020

An Arizona Department of Public Safety trooper was shot at by a bystander during a traffic stop in Phoenix early Friday morning, authorities said.

The incident occurred around 12:30 a.m. near 27th Avenue and McDowell Road, according to the Phoenix Police Department.

Related Links
Police searching for suspect in connection to deadly Arizona bar fight
DPS educating Arizona drivers about upcoming texting and driving ban
The trooper was conducting a traffic stop when a man standing across the street shot at him, police said.

The trooper and the driver in the traffic stop did not suffer any injuries during the incident.

A 33-year-old man was arrested in connection with the shooting, authorities said.

An investigation into the incident is ongoing.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Coconino County Year in Review: COVID-19 response and countywide changes

Kaitlin Olson
Arizona Daily Sun
December 18, 2020

Coconino County has been a leader in local COVID-19 response from the beginning, with its health department collecting specimen samples for COVID-19 testing, conducting contact tracing, and reporting numbers from throughout the county in a daily data dashboard as county leaders strive to continue the organization's normal operations and services. Here are some of the top county stories of 2020:

COVID-19 early response
The Coconino Country Board of Supervisors declared a State of Emergency due to the outbreak of COVID-19 on March 18 -- the same day the first local presumptive positive case was recorded -- to allow the county to provide and request emergency resources. Coconino County Health and Human Services (CCHHS) had created a COVID-19 Incident Command Team to prepare for the pandemic in January and in March established an Emergency Operations Center.

Coconino County became the first state agency to set up COVID-19 drive-up specimen collection sites, which began operating March 16 to allow allowing individuals with doctors' orders to be tested for the disease using nasal swabs. For a short time, two specimen sites were available, at both Fort Tuthill and Coconino Community College's Fourth Street campus, but the CCC site was phased out and Fort Tuthill

AMERICAN OVERSIGHT

eventually opened to everyone interested in testing, which was later expanded to use saliva samples through a partnership with Arizona State University and the Arizona Department of Health Services.

Coconino County declares state of emergency for COVID-19
In a special session Wednesday morning, the Coconino County Board of Supervisors declared a …

Hotel Aspen
Among its COVID-19 response efforts, one of Coconino County's most costly initiatives was to support individuals experiencing homelessness through a partnership with Hotel Aspen to provide shelter for low-risk COVID-19 patients to allow them to social distance and free up beds in the hospital.

Between March 19 and Sept. 4, the county spent a total of $1.7 million on Hotel Aspen, a cost not reimbursed by the state, leading the county to end the partnership this fall and instead work to support Flagstaff Shelter Services' own efforts to provide hotel rooms at another location for its clients who tested positive.

County closes Hotel Aspen to partner with Flagstaff Shelter Services
Marva Tsosie can see the world bustling from her window. But for now, her only goal is to quarantine until she recovers from the fever, drowsiness and indigestion after testing positive for COVID-19.

New Leaders
In the November general election, Patrice Horstman, Matt Ryan and Judy Begay were selected to fill the three contested seats for four-year terms on the Coconino County Board of Supervisors, joining incumbents Liz Archuleta and Lena Fowler, who ran unopposed for their districts.

Ryan will begin his seventh term on the board in January, while Horstman will replace District 1's Art Babbott, who has served two terms on the board, while Begay will replace Jim Parks of District 4, who served one term.

Joanne Keene, previously Northern Arizona University's executive vice president and chief of staff, was named deputy county manager in February to fill the position vacated by Mike Townsend. As one of three deputy county managers, she works with the Information Technology, Human Resources and Facilities Management departments.

To fill Townsend's other role as county director of finance/chief financial officer, the board appointed Siri Mullanney, a certified public accountant, in June. Both Keene and Mullanney previously worked for the county.

Democrats Horstman, Ryan, Begay take Coconino County Supervisor seats
Democrats Patrice Horstman, Matt Ryan and Judy Begay will fill the three contested seats for…

Joanne Keene named Deputy County Manager
Coconino County has appointed Joanne Keene as its new deputy manager to fill the position va…

Staff departures
In addition to Supervisors Babbott and Parks, other leaders announced they would be leaving this year.

AMERICAN OVERSIGHT

Deputy County Manager Marie Peoples announced in November she would be exiting her position in early 2021 to accept the role as city manager for Webster Groves, Missouri. She has been with the county for seven years, serving as chief health officer until she was appointed deputy county manager in 2018.

In early April, CCHHS Director Thomas Pristow resigned from the county after just seven months in the role, leaving Deputy Director Michael Oxtoby to fill the position in the interim. Director of Special Initiatives Kim Musselman also assumed Pristow's role as deputy incident commander for the county's COVID response.

County Manager James Jayne announced his July 2021 retirement in December, launching a search process for his replacement who he will advise until he retires. Jayne joined the county in August 2017 and was appointed county manager about a year later. He previously served as Navajo County manager.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Coconino County Manager James Jayne to retire in July 2021

Arizona Daily Sun
December 18, 2020

Coconino County Manager James Jayne will be retiring from county service effective July 2, 2021 after decades of public service.

Jayne previously served as Navajo County Manager.

"I understand this may be a surprise to many - my season is changing, and I am excited to spend more time with my family, including my two granddaughters," Jayne said in a press release. "I am proud of my 30 years of public service at the federal, state and local government level that has afforded me a richness of community and a depth of service for which I will always be grateful. Coconino County has been a pinnacle of my career and is a special place for me."

The Board of Supervisors will now develop a search process and recruitment for the next County Manager. After a new manager is selected, Jayne will continue serving in an advisory capacity, supporting the board and new manager until his retirement.

"County Manager Jayne has had an exemplary career and is the embodiment of a true public servant," said Coconino County Board Chairwoman, Liz Archuleta. "He has a deep caring for our team members and residents. Coconino County has benefited greatly from his wisdom, expertise and stewardship. During his time, he has led our County through some significant challenges – the Tinder and Museum Fires as well as the ongoing COVID-19 pandemic response. We are grateful for the leadership of Manager Jayne. His accomplishments and commitment to public service has made an enduring impression on Coconino County."

The County will announce its search process for the County Manager when finalized by the Board of Supervisors.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Power plant stacks that loomed over Arizona come down

By Felicia Fonseca
Arizona Daily Sun
December 18, 2020

Three towering concrete stacks that were the most visual reminders of a coal-fired power plant that operated for decades along the Arizona-Utah state line came down Friday.

The 775-foot (236-meter) structures loomed over the Navajo Generating Station, a 2,250 megawatt plant that closed last year as natural gas became a cheaper alternative for electricity. Their flashing lights became a beacon in the community and a sign to travelers in a remote area that they were approaching Page.

“I have mixed emotions because I've spent most of my life as a constructor, and now I'm wearing a different hat in the demolition mode,” said Gary Barras, a project management director for the Salt River Project, the Arizona utility that operated the plant. “I know personally how hard it was to design and build those stacks.”

A series of booms echoed through the region that includes iconic tourist destinations such as Lake Powell, slot canyons and Horseshoe Bend as the stacks fell one by one. Clouds of dust covered what's left of the power plant, sitting low on the landscape before drifting away.

Thousands of people lined roadways and gathered in parking lots to watch it happen.

Environmentalists and some members of the Navajo and Hopi tribes fought years to shut down the plant that was among the largest in the West in favor of a switch to renewable energy.

“We are witnessing an artifact of a time when a coal-fired power plant was preferable to damming the Grand Canyon,” said Roger Clark of the Grand Canyon Trust. “We’ve since learned that cooking the planet to keep Phoenicians cool is a bad idea.”

The power plant was built to power the Southwest and a canal system that delivers Colorado River water to Arizona’s major metropolitan areas. It shut down in November 2019.

The stacks came down in a way that's similar to cutting down a tree. Crews sawed the back side of the stacks so they would fall to the northeast largely on to concrete pads where water treatment, ash handling and brine concentrator systems once stood.

Crews also gutted transformers, wiring and elevators from the first 30 feet (9 meters) of the stacks to prepare. Small blocks of concrete were cut and knocked out of the structures to weaken them. Windows and vents were removed and reinforced to keep the stacks from twisting, said Nathan Betts, construction manager for Tetra Tech, the company overseeing contractors on site.

AMERICAN OVERSIGHT

To prevent the stacks from falling earlier, crews didn't release the last bit of tension until Friday morning before detonating about 1,530 pounds (694 kilograms) of dynamite.

The stacks fell sequentially within seconds of one another. Crews will come in after the dust settles to separate rebar from concrete and recycle what they can.

No one was allowed within a 2,000-foot (609-meter) radius of the stacks for safety reasons. The original stacks were the same size but had been reduced to 220 feet (67 meters). They came down earlier this year.

The work is part of a $150 million decommissioning of the plant that is on land leased by the Navajo Nation. The buildings that housed the boilers — what Barras called the proverbial tea kettles — will go next, he said.

Environmentalists said they'll keep close watch to ensure the plant is cleaned up as required before the land is turned over to the Navajo Nation.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports over 100 virus deaths for 3rd straight day

By Paul Davenport
Arizona Daily Sun
December 18, 2020

Arizona on Friday reported over 100 additional known COVID-19 deaths for the third straight day along with one of the largest daily increases in cases during the current surge.

The Department of Health Services reported 142 additional known deaths and 7,635 additional known cases, increasing the statewide totals to 7,819 deaths and 442,671 cases.

COVID-19-related hospitalizations in Arizona reached 3,931 on Thursday, the latest in a string of pandemic records started earlier this month. Before the current surge, the previous daily hospitalization record was 3,517 on July 13 during the state's summer surge.

Arizona hospitals are nearly at capacity, with only 7% of beds available and not in use.

Arizona's coronavirus outbreak was already surging before the Thanksgiving holiday weekend but accelerated since, and a senior official of a Phoenix-based hospital chain urged people to avoid gatherings and take other precautions during upcoming holidays.

"We're all feeling fatigued and ready for life to get back to normal, but if we follow safety guidelines we'll get there sooner rather than later," Dr. Marjorie Bessel, Banner Health's chief clinical officer, said Thursday night in an email.

Arizona on Wednesday reported 108 additional deaths, followed by 147 on Thursday.

AMERICAN OVERSIGHT

The state on Dec. 8 reported a record high of 12,314 additional confirmed coronavirus cases. The next highest daily reports were 11,795 on Dec. 14, 10,322 on Dec. 1 and 8,076 on Dec. 12.

Seven-day rolling averages for three key COVID-19 metrics continued to increase over the past two weeks, according to data from Johns Hopkins University and The COVID Tracking Project.

The rolling average of daily new cases rose from 4,585 on Dec. 3 to 6,786 on Thursday as the rolling average of daily deaths rose from 36.1 to 74.7 and the rolling average of daily COVID-19 testing positivity rose from 13% to 14.5%.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

Return to the table of contents

ASU to begin construction of multi-purpose arena in January

Arizona Daily Sun
December 18, 2020

Arizona State University plans next month to start construction of a multi-purpose arena that will be the home venue for several Sun Devils sports teams and also be available for concerts, conferences and youth competitions.

The Athletics Department said Wednesday the facility to be located south of Rio Salado Parkway and east of Packard Drive on the Tempe campus will be home for the men's ice hockey, wrestling and women's gymnastics.

Completion is scheduled for December 2022, azfamily.com reported.

The 5,000-seat facility will have 20 luxury suites, two group sites and a large club lounge. There will be a a social deck on the east side of the 300-level and a 942-seat student section on the west side.

The arena will a locker room for ASU athletes and eight additional locker rooms for use by visiting teams, youth programs, ASU club programs, and live events.

“This venue will not only provide an elite student-athlete experience, but will be an asset to our community,” Vice President for University Athletics Ray Anderson said in a statement.

Return to the table of contents

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, December 18, 2020 9:33:39 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Senate Clippings: December 18, 2020
Attachments: December 18 ,2020.docx

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings
Friday, December 18, 2020

Arizona Daily Star

- Damage from new Ariz. border wall: Blown-up mountains, toppled cacti
- Snags on COVID relief may force weekend sessions
- Virus's spread is 'substantial' in Pima County, say AZ officials
- Proposed Ariz. law would allow anyone to demand vote recount if they pay for it
- Asked about election irregularities, voters point to saguaros, roadrunners

Arizona Republic

- 'A glimmer of hope'
- Second virus vaccine gets panel's approval
- Sinema's New Year's wish: A functional U.S. Congress
- Arizona reports more than 5,800 new COVID-19 cases
- Final stretch is in sight for relief deal
- Subpoena voting machines? Note irony

KTAR News

- Valley fire leaders receive coronavirus vaccine, hope others will follow
- Arizona reports 7,635 new coronavirus cases, 142 more deaths
- Health expert says more approvals will speed up Arizona virus immunizations
- Some states say Pfizer vaccine allotments cut for next week
- Pence, wife Karen, surgeon general get COVID-19 vaccines
- Arizona state trooper shot at during traffic stop in Phoenix

Arizona Daily Sun

- Arizona reports over 100 virus deaths for 3rd straight day
- ASU to begin construction of multi-purpose arena in January
- Coconino County Year in Review: COVID-19 response and countywide changes
- Coconino County Manager James Jayne to retire in July 2021
- Power plant stacks that loomed over Arizona come down

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Damage from new Ariz. border wall: Blown-up mountains, toppled cacti

By Anita Snow
Arizona Daily Star
December 18, 2020

Work crews ignite dynamite blasts in the remote and rugged southeast corner of Arizona, forever reshaping the landscape as they pulverize mountaintops in a rush to build more of President Trump's border wall before his term ends next month.

Each blast in Guadalupe Canyon releases puffs of dust as workers level land to make way for 30-foottall steel columns near the New Mexico line. Heavy machines crawl over roads gouged into rocky slopes while one tap-tap-taps open holes for posts on U.S. Bureau of Land Management property.

Trump has expedited border wall construction in his last year, mostly in wildlife refuges and Indigenous territory the government owns in Arizona and New Mexico, avoiding the legal fights over private land in busier crossing areas of Texas. The work has caused environmental damage, preventing animals from moving freely and scarring

The new border wall leads to a dynamited mountaintop as seen from Douglas. Construction, mostly on wildlife refuges and Indigenous territory, has led to environmental damage.

DAMAGE

unique mountain and desert landscapes that conservationists fear could be irreversible. The administration says it's protecting national security, citing it to waive environmental laws in its drive to fulfill a signature immigration policy.

Environmentalists hope President-elect Joe Biden will stop the work, but that could be difficult and expensive to do quickly and may still leave pillars towering over sensitive borderlands.

The worst damage is along Arizona's border, from century-old saguaros toppled in the western desert to shrinking ponds of endangered fish in eastern canyons. Recent construction has sealed off what was the Southwest's last major undammed river. It's more difficult for desert tortoises, the occasional ocelot and the world's tiniest owls to cross the boundary.

'Interconnected landscapes that stretch across two countries are being converted into industrial wastelands,' said Randy Serraglio of the Center for Biological Diversity in Tucson.

In the San Bernardino National Wildlife Refuge near Guadalupe Canyon, biologist Myles Traphagen said field cameras have captured 90% less movement by animals like mountain lions, bobcats and javelinas over the past three months.

'This wall is the largest impediment to wildlife movement we've ever seen in this part of the world,' said Traphagen of the nonprofit Wildlands Network. 'It's altering the evolutionary history of North America.'

AMERICAN OVERSIGHT

The U.S. Fish and Wildlife Service in 1982 established the nearly 4-squaremile refuge to protect water resources and endangered native fish. Diverse hummingbirds, bees, butterflies and bats also live there.

Since contractors for U.S. Customs and Border Protection began building a new stretch of wall there in October, environmentalists estimate that millions of gallons of groundwater have been pumped to mix cement and spray down dusty dirt roads.

Solar power now pumps water into a shrinking pond underneath rustling cottonwood trees. Bullfrogs

croak and Yaqui topminnows wiggle through the pool once fed solely by natural artesian wells pulling water from an aquifer.

A 3-mile barrier has sealed off a migratory corridor for wildlife between Mexico's Sierra Madre and the Rocky Mountains to the north, threatening species like the endangered Chiricahua leopard frog.

The Trump administration says it's completed 430 miles of the $15 billion wall and promises to reach 450 miles by year's end.

Biden transition officials say he stands by his campaign promise — 'not another foot' of wall. It's unclear how Biden would stop construction, but it could leave projects half-finished, force the government to pay to break contracts and anger those who consider the wall essential to border security.

'Building a wall will do little to deter criminals and cartels seeking to exploit our borders,' Biden's transition team has said. It says Biden will focus on 'smart border enforcement efforts, like investments in improving screening infrastructure at our ports of entry, that will actually keep America safer.'

Environmentalists hope for an ally in Alejandro Mayorkas, Biden's nominee to lead the Department of Homeland Security, which oversees Customs and Border Protection.

Until construction is stopped, 'every day, it will be another mile of borderlands being trashed,' Serraglio said.

Environmental law attorney Dinah Bear said Biden's administration could terminate building contracts, which would allow companies to seek settlements. What that would cost isn't clear because the contracts aren't public, but Bear said it would pale in comparison to the price of finishing and maintaining the wall. Military funds reappropriated under a national emergency declared by Trump are now funding the work.

Bear, who worked at the White House's Council on Environmental Quality, said she wants to see Congress set aside money to repair damage by removing the wall in critical areas, buying more habitat and replanting slopes.

Ecologists say damage could be reversed in Organ Pipe Cactus National Monument, where thousands

of tree-like saguaros were bulldozed, with some reportedly replanted elsewhere.

AMERICAN OVERSIGHT

With Mexico on the right, crews stand in a pathway cleared by explosives to make way for border wall construction in Guadalupe Canyon. The Trump administration says it's completed 430 miles of the $15 billion wall.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Snags on COVID relief may force weekend sessions

By Andrew Taylor
Arizona Daily Star
December 18, 2020

It's a hurry up and wait moment on Capitol Hill as congressional negotiators on a must-pass, almost $1 trillion COVID-19 economic relief package struggled through a handful of remaining snags on Thursday.

The holdups mean a weekend session now appears virtually certain, along with a stopgap

spending bill to avert a partial government shutdown at midnight Friday.

All sides appeared hopeful that the wrangling would not derail the legislation from becoming law. The central elements of a hard-fought compromise appeared in place: more than $300 billion in aid to businesses; a $300-per-week bonus federal jobless benefit and renewal of soon-to-expire state benefits; $600 direct payments to individuals; vaccine distribution funds; and money for renters,

schools, the Postal Service and people needing food aid.

The hangups involve an effort by GOP conservatives to curb emergency lending programs by the Treasury Department and Federal Reserve, a Democratic

CONGRESS

demand to eliminate local government matching requirements for COVID-related disaster grants, and myriad smaller disagreements over non-pandemic add-ons, lawmakers and aides said.

The delays aren't unusual for legislation of this size and importance, but lawmakers are eager to leave Washington for the holidays and are getting antsy.

'Do we want to lapse into politics as usual and let negotiations lose steam? Do we want to haggle and spar like this was an ordinary political exercise?' asked Senate Majority Leader Mitch McConnell, R-Ky.

The pending bill is the first significant legislative response to the pandemic since the landmark CARES Act passed virtually unanimously in March, delivering $1.8 trillion in aid and more generous $600 per week bonus jobless benefits and $1,200 direct payments to individuals.

AMERICAN OVERSIGHT

The CARES legislation passed at a moment of great uncertainty and unprecedented shutdowns in a failed attempt to stymie the coronavirus, but after that, many Republicans focused more on loosening social and economic restrictions as the key to recovery instead of more taxpayer- funded aid.

Now, Republicans are motivated chiefly to extend business subsidies and some jobless benefits, and provide money for schools and vaccines. Democrats have focused on bigger economic stimulus measures and more help for those struggling economically during the pandemic.

The emerging package falls well short of the

$2 trillion- plus Democrats were demanding this fall before the election, but President- elect Joe Biden is eager for an aidpackage to prop up the economy and help the jobless and hungry. While Biden says more economic stimulus will be needed early next year, some Republicans say the current package maybe the last.

'If we address the critical needs right now, and things improve next year as the vaccine gets out there and the economy starts to pick up again, you know, there may be less of a need,' said No. 2 Senate Republican John Thune of South Dakota.

The details were still being worked out, but the measure includes a second round of 'paycheck protection' payments to especially hard-hit businesses, $25 billion to help struggling renters with their payments, $45 billion for airlines and transit systems, a temporary 15% or so increase in food stamp benefits, additional farm subsidies, and a $10 billion bailout for the Postal Service.

Some Democrats also mourned the exclusion of a $500 million aid package to help states run their elections. The money was seen as urgent this summer to help states more safely administer their elections in the middle of the pandemic. But with the election over, momentum for the money has gone away.

The emerging package was serving as a magnet for adding on other items, and the two sides continued to swap offers. It was apparent that another temporary spending bill would be needed to prevent a government shutdown. That was likely to pass easily, though possibly not until the last minute.

The emerging package would combine the $900billion in COVID-19 relief with

a $1.4 trillion government-wide funding bill. Then there are numerous unrelated add-ons that are catching a ride, known as 'ash and trash' in appropriations panel shorthand.

One leading candidate is an almost 400-page water resources bill that targets $10 billion for 46 Army Corps of Engineers flood control, environmental and coastal protection projects. Another potential addition would extend a batch of soon-toexpire tax breaks, including one for craft brewers, wineries and distillers.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Virus's spread is 'substantial' in Pima County, say AZ officials

Arizona Daily Star
December 18, 2020

Half of the counties in Arizona are seeing 'substantial' spread of COVID-19, state health officials said Thursday while reporting 5,817 new cases and 147 more deaths throughout the state.

Weekly metrics released by the Arizona Department of Health Services listed eight counties in Southern and Eastern Arizona, including Pima, with a substantial number of cases. Arizona's other seven counties, including Maricopa, remained classified as moderate.

In Pima County, there have been 55,801 cases of coronavirus, up 844 from the previous day. There have been 853 deaths in Pima County, up 17 from the previous day. Gov. Doug Ducey has resisted a return to business closures and a stay-home order he imposed in the early stages of the outbreak, saying it's up to people to take personal responsibility for slowing the spread. He reiterated that view Wednesday, saying 'we are doing everything that we can.'

Dr. Cara Christ, the state's top health official, has advised people to wear a mask, maintain social distancing and try to stay outside whenever socializing with people with whom they don't live.

Officials say Arizona has seen a total of 435,036 confirmed cases and 7,677 deaths since March. The number of infections is thought to be far higher because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

The state health agency's dashboard shows Apache, Cochise, Graham, Greenlee, Navajo, Pima, Santa Cruz and Yavapai counties now experiencing substantial coronavirus spread.

Arizona on Wednesday had reported 108 additional deaths, and the state's seven-day rolling average of daily deaths rose to 64.1 from 30.7 on Dec. 2.

In addition, the number of hospitalized COVID-19 patients increased to 3,884 on Wednesday while available hospital beds shrank to 7%, a low during the pandemic.

'Oftentimes we get told, especially in our staffing meetings, that we have A, B and C patients waiting for rooms,' Eddy De La Torre, an intensive-care nurse at a Phoenix-area hospital, told ABC15.com. 'They can be waiting for a couple hours.'

The metrics were created during Arizona's summer coronavirus surge to gauge when businesses would be allowed to reopen, but there's no requirement for closures now that the numbers are again bleak. The metrics are also a guide for school administrators to make decisions about partially or fully allowing in-person instruction.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Proposed Ariz. law would allow anyone to demand vote recount if they pay for it

By Howard Fischer
Arizona Daily Star
December 18, 2020

Political candidates and their supporters unhappy with the results of an election could demand a recount under a proposal to be considered this coming year by the state Senate.

But they'd have to be willing to put their money where their mouths are.

The proposal by Sen. J.D. Mesnard, R-Chandler, would permit any individual to demand a recount of any race in any county or statewide. The only requirement would be that they provide the money to cover the costs.

Mesnard conceded that even if his Senate Bill 1010 is enacted, it wouldn't necessarily quell all doubts and complaints about election returns. But he called it an 'effective component' of restoring confidence in the electoral system.

Not everyone sees it that way.

'It's unnecessary and stupid,' said outgoing Maricopa County Recorder Adrian Fontes.

He said all Mesnard is doing is catering to the complaints — none of which have been proven in court — that there was something wrong with the results reported in the presidential race. Fontes also said a hand recount, which is one of the options under Mesnard's proposal, would

take weeks to conduct. Arizona law now requires a recount only when the difference in votes between the candidates is within a certain margin.

Sen. J.D. Mesnard

RECOUNT

So, for example, in a statewide race the loser would have to come within 200 votes. Ditto in the case of a statewide ballot measure.

That is nowhere near Joe Biden's 10,457-vote edge over President Trump in the official tally in Arizona.

And for other races, the spread between candidates has to be even smaller: 50 votes for legislative seats and just 10 for local elections.

Under Mesnard's proposal, a person seeking a recount when it's not automatic would be required to post a bond with a court 'in a form and in an amount as determined by the court to be sufficient to provide for full reimbursement of the costs of conducting the recount.'

He said he wants to be sure 'the taxpayers aren't on the hook.'

The dollar figure could be substantial, depending on the kind of recount sought.

AMERICAN OVERSIGHT

The recounts that now occur automatically under state law are done by putting the ballots into an automated counting machine. That is a relatively simple procedure, one that might take about a week on a statewide basis.

But Mesnard's legislation would permit the person seeking the recount to request it be done by hand, assuming the person is willing to pay the additional costs involved. Those costs would depend on how many ballots, and how many counties, are involved.

'This is about instilling confidence in the election system, the results in particular in this case,' Mesnard said. 'And I'd much rather err on the side of greater counting than not.'

Fontes, a Democrat who lost his own reelection

campaign in the Nov. 3 election, said Mesnard's plan is the wrong cure for the problem.

'There's better ways to instill confidence,' he said. 'For example, getting his people to stop denying the outcome of the (presidential) election.'

There already is a procedure in place for what might be called an automatic mini-recount. It requires having officials from both parties select ballots from 2% of the precincts or voting centers, pick certain races and then have those ballots counted by hand by party workers.

In Maricopa County that involved more than 47,000 ballots. And Fontes said that in each case the results were found to be 100% consistent with the machine count.

Fontes said that hand count took close to a day. Extrapolate that out over more than 2 million ballots in Maricopa County — the kind of count that SB 1010 would permit — and a hand tally would take more than a month, meaning the results would not be known and finalized until after the current date in state law to certify the returns.

'What he's asking for is injecting more doubt, more uncertainty, take longer to figure these things out instead of standing up to the people who are actually wrong,' Fontes said.

As to whether a recount would satisfy those who continue to insist there were improprieties with the just-conducted election, Mesnard said: 'Well, I think we need to do everything we can to try.'

He said this is about more than just a few folks trying to cast doubt on how the vote was conducted and counted.

'I would say hundreds of thousands of people in the state believe something was wrong with the election,' Mesnard said.

Why they believe that — and even the veracity of their beliefs — is irrelevant, he said.

'Whether you agree with them or not or think it's conspiracy theories or sore loser or legitimate fraud or irregularity is somewhat immaterial,' Mesnard said.

AMERICAN OVERSIGHT

He said the fact remains that, for whatever reason, they don't trust the results. 'And that is an existential threat to the democratic electoral process we must confront,' he said.

'We cannot dismiss it,' Mesnard continued. 'It's irresponsible to dismiss it, even if you think they're wrong.'

Still, Mesnard conceded, even allowing for a full hand count is unlikely to satisfy all doubters.

'Is it the silver bullet? No,' he said. 'Is there a silver bullet? I don't know. But I think this is an effective component of that.'

The National Conference of State Legislatures reports that Arizona is one of only nine states that do not have a process in place to let people request a recount. But even in some of the states that do permit such demanded recounts, there are constraints.

For example, in Georgia a losing candidate may seek a recount only when the results are within 0.5% of the total votes cast for the office.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Asked about election irregularities, voters point to saguaros, roadrunners

Arizona Daily Star
December 18, 2020

You might have heard of people claiming there were irregularities in the recent election.

Well, Arizona Senate President Karen Fann set up an email address for people to report irregularities, and boy did they.

Hundreds and hundreds of emails went to the address 2020election@azleg. gov, but most of them did not support Trump loyalists' claims of fraud. They were angry at Fann and the GOP for perpetuating fraud claims. Many were along the lines of this email: 'Donald Trump lost the election. Sad. The only malfeasance is that he is attempting

a coup and the entire GOP is letting him do it.'

The Star requested the emails to the address after Fox 10 in Phoenix and Arizona Public Media reported them. Some of the emails reported alarming, possibly psychedelic voting incidents.

'When I went to check in to vote I was asked if I was a Republican or Democrat and I told them I was really a saguaro cactus and then they didn't let me vote. FRAUD FRAUD FRAUD' 'There were some roadrunners voting in Tucson. I swear on Rudy's hair dye.'

'I believe I was the victim, along with our great president, of voter fraud. Standing in line

AMERICAN OVERSIGHT

waiting I noticed all the poll workers giving voters black pens to fill out their ballots, but when it was my turn they handed me a Mr. Sketch scented marker. I believe it was the watermelon scent, which I found highly offensive as I hate watermelon. No doubt they knew that by tracking me with their 5G towers. Anyways, I'm sure they did that to me because of my KAG hat and 12 guns I was holding at the time. I don't believe my vote for Trump was counted as the watermelonscented marker is a lite pink color.'

NOTEBOOK

Tim Steller

NOTEBOOK

'I saw a guy voting and he looked like he shouldn't have been voting in Arizona. Big guy. Corn-cob pipe and button nose. Two eyes made out of coal. Dumb hat too.'

And finally, there was this alarming one from the Old Pueblo: 'I voted in person in Tucson on Nov. 3rd. In the booth next to me, I observed a very large lizard voting for Democrats! The individual tried to hide their tail under a large overcoat and they wore a wig and hat, but a lizard he was, and lizards are not allowed to vote!'

Alas, there were some serious claims made. The Senate Republicans reported they sent several dozen such emails on to the Arizona Attorney General's Office election integrity unit.

Speaker's race up in the air thanks to LD11 rep

A Republican Southern Arizona legislator is planning to turn the normally routine vote for House speaker into a possible free-for-all when the Legislature convenes Jan. 11.

Rep. Bret Roberts, of Legislative District 11, announced on Twitter Monday that he plans not to vote for Rusty Bowers for speaker. Bowers won the Republican caucus vote for leadership in early November, beating Roberts' seatmate from Oro Valley, Mark Finchem.

'We need someone with the ability to unite our caucus and provide strong leadership that will help ensure the next two years are successful,' Roberts said. 'Unfortunately, I have come to the conclusion that Rusty Bowers is not the right person for the job and therefore will be withholding my vote.'

Roberts cited an ethics investigation of Rep. David Cook, the way Bowers handled last year's recess,

allegations that the speaker was not allowing some members to use staff to send press releases, and Bowers' management of election-fraud allegations.

Republicans hold a 31-29 edge in the chamber during the coming session, meaning that a decision normally made by acclamation may have to be worked out through horse trading.

AMERICAN OVERSIGHT

Rep. T.J. Shope, a Coolidge Republican who will join the Senate when the Legislature convenes again, said Roberts' decision hands power to Democrats. Bowers may need Democrats' votes in order to win the speakership, which would give Democrats power to make demands of their own from him.

'Barring a sleeper candidate who can unify the caucus, you have to go to the other side,' Shope said.

He said it's ironic that Democrats spent so many millions of dollars to win the state House majority, only to lose it narrowly, then be handed power through an internal GOP dispute.

The conflict has been brewing. After Finchem challenged Bowers for the speakership and lost, Bowers rearranged the House committees, eliminating altogether the Federal Relations committee chaired by Finchem.

'This has been coming for a while,' Shope said. 'That we were able to keep it together for two years was a minor miracle.'

New county attorney announces team

Incoming Pima County Attorney Laura Conover announced her leadership in a meeting with staff this week. The members are:

• Chief deputy: Tamara Mulembo

• Chief criminal deputy: Dan South

• Chief civil deputy: Andy Flagg

• Assistant to the county attorney and public health liaison: David Contreras

• Communications director: Joe Watson

• Transition manager: Martha Durkin

• Fraud unit and conviction integrity unit chief:

Gabriel 'Jack' Chin

• Community outreach manager: Patrick Robles 'I can't believe I've reached this point in my career where I'm able to convene such a team,' Conover said Thursday. 'They're so talented and skillful.'

Fountain named for outgoing Pima County Recorder

The fountain in the courtyard of Pima County's Historic Courthouse will be named in honor of retiring County Recorder F. Ann Rodriguez after a unanimous vote by the Board of Supervisors.

After serving as Pima County recorder for nearly three decades, Rodriguez will retire in January and hand the reins over to recently elected Gabriella Cázares-Kelly.

AMERICAN OVERSIGHT

'You've been a fixture in this community and you have managed it well,' Board Chairman Ramón Valadez told Rodriguez during Tuesday's meeting. 'You have conducted yourself with honor and respect and always upheld the integrity of our elections.'

Rodriguez's office was located at the Historic Courthouse from 1993 to 2015, a building that she has long referred to as 'the pink palace.'

County Administrator Chuck Huckelberry said Rodriguez was the first Hispanic female to be elected to a Pima County office, in 1992.

'It's only fitting that the Board name the fountain in her honor for her years and years of service,' he said.

Star reporter Jasmine Demers

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

'A glimmer of hope'

Vaccinations begin at Maricopa County sites
Rachel Leingang and Alison Steinbach
Arizona Republic
December 18, 2020

Emily Beck came off the night shift at Banner University Medical Center in Phoenix, where she's an ICU nurse, and joined the line at the Arizona State Fairgrounds to get one of Maricopa County's first COVID-19 vaccine doses.

The air buzzed with excitement as health care workers on the front lines gathered in their cars, awaiting the vaccine that brought them hope the end of the pandemic was, finally, in sight.

Banner Health nurse Diane Cluxton prepares a COVID-19 vaccination at the Arizona State Fairgrounds in Phoenix on Thursday

Nurse Roxanne Flynn vaccinates critical care nursing educator Jenae McVicker on Thursday at HonorHealth in Phoenix.

"We have seen more people in our ICU than probably ever before. We've seen a lot of death. We've seen patients without their family members present go through some of the worst experiences of their life. And we don't want it to be that way," Beck said.

Across the Valley, a similar energy filled the air as health care workers and first responders began making their way through a drive-thru to receive their long-awaited shot.

Twin brothers and emergency medicine physician colleagues Kris and Robin Samaddar got vaccinated together Thursday and said it was the first real sign of hope they have felt since the start of the pandemic.

Jenae McVicker, a critical care nursing educator at HonorHealth, was one of the first to get a shot. In a year of so much pain, she views the vaccine as a "silver lining" and "finally, a glimmer of hope."

As a critical care nurse, she's been long looking forward to a vaccine. But it still didn't fully hit her until she got in line and realized she was among the first handful of people in Maricopa County to be vaccinated.

"It's surreal. To wake up this morning and know that you're going to be part of history is not something I ever imagined," McVicker said.

Beck received the first shot at the Arizona State Fairgrounds, one of a handful of sites administering the vaccines to health care workers in the first phase of its rollout.

AMERICAN OVERSIGHT

Outside an agricultural building at the fairgrounds, white tents were set up to shade cars as they arrived at the site after navigating a parking lot full of bright green safety cones. Inside the building, a team of people prepared the vaccine, filled out paperwork and administered shots to the people who had signed up.

The fairgrounds site became a COVID- 19 testing drive-thru in March and will provide vaccines to about 1,000 people per day once it's fully ramped up. The first day, about 165 shots were expected to be delivered at the site.

A similar setup is run by Honor-Health in northeast Maricopa County, which is where McVicker and the Samaddars received their doses. The site will be able to administer up to 1,000 vaccinations daily but plans to start more slowly. The HonorHealth drivethru site expects to administer 15,000 initial doses in the coming weeks.

Maricopa County launched the first two vaccine distribution sites run by Banner and HonorHealth on Thursday, with three more expected to open next week.

For now, only priority workers who are prescreened and preregistered can get vaccinated at the sites, with public vaccination to come later next year.

Vaccines also are being distributed in other programs. A 94-year-old veteran at the Phoenix VA was one of the state's first patients to receive the vaccine, through a federal allocation sent directly to the Department of Veterans Affairs. Health care workers on the Navajo Nation also received vaccinations earlier this week through a supply sent directly to the tribe.

On Wednesday evening, 10 health care workers and first responders received the vaccine at the state's public health lab, including Dr. Cara Christ, the director of the Arizona Department of Health Services, who has led the state's pandemic response.

Leading by example

Dr. Marjorie Bessel, the chief clinical officer for Banner, administered the shot to Beck and other health care workers on the first day at the fairgrounds. She said she wanted to show recognition for their hard work and show that she believes the vaccine is safe and effective.

"I think this is another testament that we feel confident about the vaccine," said Bessel, who was wearing a festive dress with candy canes, holly and evergreens.

The festive mood was shared by Marcy Flanagan, the director of public health for Maricopa County, who witnessed the first shots at the fairgrounds on Thursday morning. It "feels like Christmas to me," she said. When the vaccines arrived on Monday, she felt relief, her tense shoulders easing for the first time in months.

Both Bessel and Flanagan urged vigilance now, though, as cases and hospitalizations continue to rise here. Bessel said hospitalization rates are higher than they were in the summer. We're in the "worst part of the pandemic" right now, despite the historic and exciting vaccine rollout on Thursday, Bessel said.

AMERICAN OVERSIGHT

“We can all do our part. It is no fun to get sick. It’s no fun to be hospitalized. It’s no fun to be in our Intensive Care Unit,” Bessel said.

Neither Bessel nor Flanagan yet qualified to get the vaccine but said they would join the line as soon as they could. But there wasn’t enough to go around yet, and front-line health care workers like those who got the vaccine on Thursday needed it most.

“You have a lot of health care professionals here today, first in line, some brilliant individuals that have worked in medicine for a lot of years, that are confident in the safety of the vaccine. So I think all of those should be signs for the

public that it’s safe,” Flanagan said.

McVicker, the HonorHealth nurse, was eager to get the vaccine. She wants to be able to see her grandparents and hopes next year can start to be more normal at work again.

But she also wants to lead by example to show her colleagues and the public that the vaccine is safe and a positive step forward.

“I think part of being a nurse is being a leader with your community and within your own personal practice. Sharing my experience with people … especially nurses on the front line, if anybody’s on the fence, I hope that they’re able to see the benefits of vaccination and how this can really positively impact us.”

The Samaddar twins are both in leadership positions at HonorHealth Scottsdale Shea Medical Center and said they wanted to get the vaccine to protect their families, be able to continue to help others in the ER and set an example.

“This is the first thing that really has given us hope against COVID-19,” Robin Samaddar said.

“People just need a hope because there hasn’t been any,” he said. “You read the newspapers and people are dying and you see that the numbers have surpassed what they had been over the summer. This is the chance.”

He said for months he’s treated COVID- 19 patients in the ER, but much of the treatment has been supportive care. Doctors can give antibodies, oxygen, steroids or other treatments, but the vaccine is different because hopefully it can prevent COVID-19, he said.

“We’re still going to see COVID, but hopefully we’ll just see a lot less of it,” he said.

Kris Samaddar said the vaccine finally puts a possible end on the pandemic.

“When we started in February and March, we said it’s going to go until the summer. And then the summer hit, we surged July 7th. And then we felt good about two months ago, but we knew something was going to happen, and it’s happening now.”

What vaccination looks like

AMERICAN OVERSIGHT

Just before Beck received the first shot, music boomed, playing Pitbull and Christina Aguilera's "Feel This Moment." People swayed to the beat and bounced up and down.

Before it got to Beck's arm, the vaccine was stored in ultra-cold freezers in a tent inside the agricultural building, which Gov. Doug Ducey had toured the day before. It then moved to a refrigerator to thaw. Then, workers extracted a dose from each tiny vial, no larger than a thumb. A vial contains five doses, plus a little bit extra. Saline is added. All parts are checked and double-checked, labels are added, paperwork is filed.

Once ready, the syringe was set into a small colored bin to be walked over to a vehicle filled with an eager patient, sleeve rolled up.

Bessel was "very thorough," Beck said, explaining the vaccine and potential side effects. As she administered the shot, Bessel announced that Beck was the first person to receive the vaccine at this site.

"Emily, are you ready? One, two, three. And you're done," Bessel said to Beck.

The crowd cheered and applauded, smiling behind their face masks and shields and tearing up. Beck got a blue sticker that said, "I got my COVID-19 vaccine!"

She headed to a recovery area outside to wait the required 15 minutes to ensure there were no immediate side effects that would call for medical assistance.

"I'm just hopeful that this is the beginning of the end," Beck said as she waited in the recovery area.

It was time to go home, get to sleep, then wake up again tomorrow to continue treating patients in the ICU, where she and her colleagues have worked tirelessly for 10 months.

"I think we were all waiting for the vaccine, just kind of chomping at the bit to hear when we were going to get it and when it was going to be available. So now it's just a feeling of excitement that it's finally here," she said.

The Samaddar brothers said they are ready for the vaccine to make a widespread impact. For now, though, it will be another positive memory of twinhood.

"As twins, there's going to be things that we always remember, like things that happened to us as kids, things that happened to us in college. I'd probably put this up there as being something that we'll always remember," Kris Samaddar said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Second virus vaccine gets panel's approval

Matthew Perrone and Lauran Neergaard
Arizona Republic
December 18, 2020

AMERICAN OVERSIGHT

A government advisory panel endorsed a second COVID-19 vaccine Thursday, paving the way for the shot to be added to the U.S. vaccination campaign.

The Food and Drug Administration is expected to follow the recommendation for the vaccine from Moderna and the National Institutes of Health. The FDA advisers, in a 20-0 vote, agreed the benefits of the vaccine outweighed the risks for those 18 years old and up.

The FDA's green light for emergency use is expected quickly. Moderna would then begin shipping millions of doses, earmarked for health workers and nursing home residents, to boost the largest vaccination effort in U.S. history.

The campaign kicked off this week with the first vaccine OK'd in the U.S., developed by Pfizer and BioNTech. Moderna's shot showed similarly strong protection, providing 94% protection against COVID-19 in the company's ongoing study of 30,000 people.

After seven hours of debate over technical details of the company's study and follow-up plans, nearly all panelists backed making the vaccine available to help fight the pandemic. One panel member abstained.

"The evidence that has been studied in great detail on this vaccine highly outweighs any of the issues we've seen," said Dr. Hayley Gans of Stanford University Medical Center.

A second vaccine is urgently needed as coronavirus infections, hospitalizations and deaths climb to new highs ahead of the holidays. The U.S. leads the world in virus totals, with more than 1.6 million confirmed cases.

Moderna's vaccine uses the same groundbreaking technology as Pfizer-BioNTech's shot. Most traditional vaccines use dead or weakened virus, but both of the new vaccines use snippets of COVID-19's genetic code to train the immune system to detect and fight the virus. Both require two doses, several weeks apart.

Thursday's review came days after reports of apparent allergic reactions to the Pfizer-BioNTech vaccine in two Alaska health workers. One person had a severe reaction, including shortness of breath; the other had less serious side effects, including lightheadedness.

While the two vaccines use the same technology, they're not identical, cautioned Moderna chief medical officer Dr. Tal Zaks. In particular, some of the lipids, or fats, used to coat the two vaccines are different.

"I would not necessarily assume" that any reactions would be the same, he said.

The FDA found no severe allergic reactions in Moderna's data but flagged a slightly higher rate of less serious side effects – rash, hives, itching – among participants who got the vaccine, compared with those receiving a dummy shot.

There were also three cases of Bell's palsy, which temporarily paralyzes facial muscles, among vaccine recipients, compared with one among those getting a dummy shot. The FDA review said the role of the shot in the vaccine group "cannot be ruled

out."

AMERICAN OVERSIGHT

An unanswered question is whether the vaccine also prevents people from symptomless infection – but Moderna found a hint that it may. Study participants had their noses swabbed prior to the second dose of either vaccine or placebo. At that one point, swabs from 14 vaccine recipients and 38 placebo recipients showed evidence of asymptomatic infection, said Moderna's Dr. Jacqueline Miller.

After the FDA acts, U.S. officials plan to move out an initial shipment of nearly 6 million Moderna doses. The vaccine needs to be stored at regular freezer temperatures, not the ultra-cold required for Pfizer-BioNTech's shot.

Hundreds of millions of additional shots eventually will be needed to vaccinate the public, which isn't expected until the spring or summer. The government's Operation Warp Speed program has orders for 200 million doses of Moderna's vaccine. That's on top of 100 million doses of the Pfizer-BioNTech vaccine. Officials are negotiating to buy more doses of that vaccine.

Like the first vaccine, Moderna's vaccine will remain experimental as the company continues a twoyear study needed to answer key questions, including how long protection lasts.

One of the trickiest issues panelists debated was how to keep study volunteers who received a dummy shot from dropping out to get the real shot once it's authorized. Their participation is critical in order to have a comparison for long-term safety and effectiveness.

Moderna proposed immediately alerting all those volunteers of their status and offering them the vaccine. The company said more than 25% of its participants are health workers and some are already leaving to get the first vaccine.

But an invited expert from Stanford University urged Moderna to adopt Pfizer's approach. Pfizer plans to vaccinate people in its placebo group based on when they would have normally had access to the vaccine, as priority groups are established.

But most panelists acknowledged it will be hard to keep volunteers from leaving the Moderna study if they have to wait to get the vaccine.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Sinema's New Year's wish: A functional U.S. Congress

Ronald J. Hansen
Arizona Republic
December 18, 2020

More than coronavirus, more than the parallel recession, Sen. Kyrsten Sinema sees cooperative, functional government as the biggest task for Congress in the new year.

Sinema, D-Ariz., spoke at length to The Arizona Republic on Thursday about what could be in the virus relief bill emerging from negotiations on Capitol Hill, and her continued wish that Gov. Doug Ducey would help enforce greater compliance with the sciencebased restrictions during the pandemic.

AMERICAN OVERSIGHT

But, when asked about the biggest challenge facing lawmakers in 2021, Sinema said it was the need to return to a more civil politics.

“I think the largest issue ... is less of an actual issue and more of a process question: Will the Congress begin to work again?” she said ahead of the change in administrations from President Donald Trump to President-elect Joe Biden.

The Democratic majority in the House of Representatives will shrink in January and Republicans could still lose their majority in the Senate after the runoff elections in Georgia next month.

“We have, unfortunately, been sidelined by intense partisanship — and I do not blame just one party for this — and a rigidity and a resistance to finding compromise and common ground. I believe there are members of both political parties to blame for this.”

Trump will leave office as only the third president to be impeached and with a pair of protracted government shutdowns that reflect the deep partisan divisions in Washington.

Sinema embraced the “happy warrior” label hung on her in the past and said her hopes for a better atmosphere are also tempered by reality.

“I think this challenge is actually quite difficult and becoming more difficult by the influence of misinformation and disinformation that occurs in our community,” she said.

“But I also believe that we can overcome it. ... I am optimistic, but I’m not naive.”

If there is a change in Washington, Sinema said, it only will happen with compromise and sacrifice, qualities often missing in recent years.

Sinema said the virus relief legislation still being negotiated will help Arizonans on several fronts. The package is likely to include direct payments to “middle-income and working- class” taxpayers of about $600 per person.

That would be about half the level of the first payments.

It also could include $300 extra in weekly unemployment aid available for about three months.

“These are not numbers that can be taken to the bank, so to speak,” she said of the deal that was in progress. “They are still fluid.”

She said she was hopeful the negotiations will include more funds for small businesses, known as the Paycheck Protection Program.

That could include a provision of hers, along

with Sen. Kevin Cramer, RN. D., to make it easy to forgive loans to businesses that received $150,000 or less from the program.

AMERICAN OVERSIGHT

"The PPP is a real lifeline for small businesses that got a PPP in the spring, have used that money to mitigate some of their losses or to stay afloat, and are looking for further relief," she said.

The virus aid deal likely will include provisions for rental relief, extension of an eviction moratorium for several months and a pause in student loans as well, she said. The deal could be finalized by Thursday night, voted on in the House today and in the Senate on Saturday, she said, adding that it remained uncertain.

Sinema repeated her wish that Ducey would "implement a statewide mask policy that's backed up by enforcement."

Biden has said he plans to seek a federal mask mandate for his first 100 days in office. That only would begin, however, in January.

"We know that that will raise the level of compliance," she said. "Studies show that mask-wearing successfully slows the spread of transmission. And a recent (U.S. Centers for Disease Control and Prevention) study in Arizona showed that cases decreased by 75% when mask wearing was implemented by local cities and counties after the governor chose not to do so."

Sinema favors closing some indoor public areas, such as indoor bars and gyms, and limiting the numbers allowed to gather inside other venues. Sinema called again on Ducey to disperse more federal funds to Arizona's smaller localities, as Congress had intended.

"I think this challenge is actually quite difficult and becoming more difficult by the influence of misinformation and disinformation that occurs in our community."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports more than 5,800 new COVID-19 cases

Stephanie Innes
Arizona Republic
December 18, 2020

Arizona reported more than 5,800 new COVID-19 cases and 147 new known deaths on Thursday as hospitalizations for the disease hit the highest level recorded since the pandemic began.

The number of patients hospitalized statewide for known or suspected COVID- 19 cases was at 3,884 on Wednesday a record high, up by 75 patients from the previous record of 3,809 set on Tuesday. The highest number of COVID- 19 patients hospitalized in a single day during the summer surge was 3,517 on July 13.

The state data dashboard shows 91% of all ICU beds and 92% of all inpatient beds in Arizona were in use Wednesday, with 51% of ICU beds and 45% of non-ICU beds occupied by COVID-19 patients.

Thursday's 5,817 new cases brought the total number of identified COVID-19 cases in the state to 435,036. As of Thursday, 7,677 Arizonans are known to have died from the disease, according to the

AMERICAN OVERSIGHT

data dashboard from the Arizona Department of Health Services. One hundred and forty-seven known deaths were reported Thursday.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 899 on Wednesday the most ICU beds in use in a single day since July 16. The level is below what it was in mid-July, when ICU beds in use for COVID-19 reached 970.

The number of Arizonans with confirmed and suspected COVID-19 on ventilators was at 618 on Wednesday, the most ventilators in use in a single day since July 19. In mid-July, as many as 687 patients across the state with confirmed or suspected COVID-19 were on ventilators.

Thursday's numbers

Reported cases in Arizona: 435,036.

Cases increased by 5,817, or 1.35%, from Wednesday's 429,219 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 269,744 in Maricopa, 55,801 in Pima, 23,550 in Yuma, 22,926 in Pinal, 10,030 in Navajo, 9,595 in Coconino, 9,253 in Mohave, 8,696 in Yavapai, 6,673 in Apache, 5,622 in Cochise, 5,158 in Santa Cruz, 3,826 in Gila, 2,706 in Graham, 1,114 in La Paz and 342 in Greenlee, according to state numbers.

The Navajo Nation reported 20,095 cases and 731 confirmed deaths as of Wednesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have extended a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 5,490 inmates had tested positive for COVID-19 as of Wednesday, including 1,314 in Tucson, 963 in Eyman, 844 in Yuma and 815 in Douglas; 42,422 inmates statewide have been tested. A total of 1,517 prison staff members have self-reported testing positive, the department said. Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID-19, with seven additional deaths under investigation.

Reported deaths

Deaths by county: 4,542 in Maricopa, 853 in Pima, 448 in Yuma, 317 in Pinal, 295 in Navajo, 291 in Mohave, 213 in Apache, 194 in Coconino, 154 in Yavapai, 115 in Gila, 101 in Cochise, 85 in Santa Cruz, 41 in Graham, 25 in La Paz and three in Greenlee.

The global death toll as of Thursday morning was 1,652,906 and the U.S. had the highest death count of any country in the world, at 307,770, according to Johns Hopkins University. Arizona's death total of 7,677 deaths represents 2.49% of COVID-19 deaths in the U.S. as of Wednesday.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Final stretch is in sight for relief deal

Andrew Taylor
Arizona Republic
December 18, 2020

Congressional negotiators on the long-delayed $900 billion COVID-19 economic relief package worked through a handful of remaining holdups Thursday as they labored to seal a final agreement to provide more help to businesses and the unemployed and new stimulus payments to most Americans.

Top congressional leaders also finally acknowledged they will have to pass a temporary governmentwide funding bill to avoid a partial shutdown Friday at midnight, though House leaders haven't scheduled a vote yet.

The central elements of the hardfought aid compromise appeared in place: more than $300 billion in aid to businesses; a $300-per-week bonus federal jobless benefit and renewal of soon-to-expire state benefits; $600 direct payments to individuals; vaccine distribution funds and money for renters, schools, the U.S. Postal Service and people needing food aid.

But hang-ups involving Federal Reserve powers, state and local government matching requirements for disaster grants, and myriad smaller disagreements over non-pandemic add-ons have slowed progress, aides involved in the negotiations said.

A top negotiator warned that the current set of problems could knock the talks off track.

"Do we want to lapse into politics as usual and let negotiations lose steam? Do we want to haggle and spar like this was an ordinary political exercise?" asked Senate Majority Leader Mitch McConnell, R-Ky. "Or, on the other hand, after months of inaction, do we want to move swiftly and with unusual bipartisanship to close out our issues, seal the deal and write text that can quickly pass into law?"

McConnell's warning came as negotiators sought to fine-tune compromises to complete the second major relief package of the pandemic. It's the first significant legislative response to the pandemic since the landmark CARES Act in March, which delivered $1.8 trillion in aid and more generous jobless benefits and direct payments to individuals. Since then, Democrats have repeatedly called for further major steps to provide relief and battle the pandemic, while Republicans have sought to more fully reopen the economy and to avoid further padding the government's $27 trillion debt.

President-elect Joe Biden is eager for an aid package to prop up the economy and deliver direct aid to the jobless and hungry, even though the package falls short of what Democrats want. He called the emerging version "an important down payment" and promised more help next year.

"We made some progress this morning," said House Speaker Nancy Pelosi, D-Calif., as she entered the Capitol on Thursday.

The details were still being worked out, but more than $300 billion in subsidies for business, including a second round of "paycheck protection" payments to especially hard-hit businesses, is locked in, as is $25 billion to help struggling renters with their payments, a temporary 15% or so increase in food stamp benefits, additional farm subsidies and a $10 billion bailout for the Postal Service.

AMERICAN OVERSIGHT

Return to the table of contents

Subpoena voting machines? Note irony

Arizona Republic
December 18, 2020

The state Senate on Tuesday slapped not one but two subpoenas on Maricopa County, demanding that county elections officials turn over the 2.1 million ballots cast in last month's election along with all Dominion Voting Systems machinery and software.

No word on whether the Senate has the authority to order the county to turn over equipment for an audit or who will pick up the tab.

The subpoenas came just a day after state and county officials spent six hours explaining to legislators why the various conspiracy theories about how Arizona's election was stolen are a load of horsepucky.

So naturally, at the conclusion of Monday's marathon meeting, Senate Judiciary Chairman Eddie Farnsworth announced he would issue subpoenas to audit the tabulation machines used in Maricopa County.

"There is evidence of tampering," the Gilbert Republican flatly stated. "There is evidence of fraud."

There is also evidence that some Republicans are now completely and utterly untethered to reality.

It remains to be seen whether one state legislator has the power to order an audit of what people had for lunch, much less an examination of all 359 voting machines used by another branch of government.

According to state law, the chamber's presiding officer or a legislative committee chair can subpoena witnesses to appear before his or her committee. It says nothing about subpoenas that force other branches of government to conduct audits.

But on Tuesday, Senate President Karen Fann announced that Farnsworth sent the county two subpoenas with her blessing: one calling for a "scanned ballot audit" to collect electronic images of all mail-in ballots and another calling for "a full forensic audit" of tabulation machines along with the software, election management system used in the election and all administrative passwords and security fobs.

She wants it all by 5 p.m. on Friday.

The irony of what Republicans are seeking, however, is worth noting.

Maricopa County officials were actually planning an audit of the county's Dominion Voting Systems machinery earlier this month, along with a hand count of all votes, to try to satisfy the concerns of Republicans who continue to believe that skullduggery was afoot.

But Clint Hickman, chairman of the Board of Supervisors, said he had to put it on hold because state GOP Chairwoman Kelli Ward keeps dragging the county into court, crying fraud. The machines and

AMERICAN OVERSIGHT

ballots would be considered evidence, and no lawyer worth his salt is going to allow them to be audited while the lawsuits continue.

But I digress. Monday's Senate Judiciary Committee hearing was ... well, it was educational if you actually listened to the various public officials who took great pains to answer Republican legislators' questions.

Arizona Mirror's Jim Small and Laura Gómez did a solid rundown of the hearing, in which the Senate panel heard from Supervisor Hickman as well as the county's election director, a deputy county attorney who handled elections issues and two people from the Attorney General's Election Integrity Unit.

All five testified that there was no evidence of fraud, manipulation, tampering or any hint of the various nefarious plots dreamed up by Republicans to explain Trump's loss.

"I want voters to be 100% confident, to be as confident as I am in this process," said Scott Jarrett, who was appointed by the GOP-dominated Board of Supervisors to oversee the county's election.

He and the other four witnesses addressed a variety of conspiracies floating about. Among them: Were Republican election observers shut out?

Actually, there were more observers from both parties in this election than ever before, according to Jarrett, and they witnessed every part of the election process. They were there when early ballots were collected from drop boxes, to verify that the seals placed on the boxes to prevent tampering were intact. And though public health protocols required them to maintain a six-foot distance, they were there for the verification of signatures and the counting of early ballots.

What about those late "spikes" of votes for Biden you hear about on social media? Didn't happen in Arizona, Jarrett said. In fact, it was Trump, not Biden, who surged among the ballots counted late in the process.

What about rigged voting machinery? Jarret said Dominion's tabulation machines passed every preand post-election test in all three elections in 2020 (the presidential preference, the primary and the general).

He ran down the county safeguards that would prevent Dominion employees from altering the election results or secretly programming the machines to flip Trump votes to Biden.

For one thing, the machines aren't connected to the internet.

In order to operate, each machine must have two identical memory cards that were programmed at the same time or it won't read votes. And seals are placed over the memory-card

slots so that if someone tampers with them, it'll be detected.

The machines also are under video surveillance 24 hours a day, seven days a week. The camera feed is even streamed online.

To access a machine, you would need a security fob, an administration password and a unique PIN.

AMERICAN OVERSIGHT

“There is,” Jarrett said, “no possible way for the program to be changed during the course of the election.”

Ah, but did anyone double-check the results to make sure votes weren’t flipped? If the machines were rigged, Jarrett said that would have turned up in the hand-count audit and accuracy testing conducted after the election.

The batches of votes to be sampled, a set number required by law, were chosen by officials from both political parties.

Every one of those audits and accuracy tests in all three 2020 elections – including 47,000 votes audited after the general election – showed a 100% match between the votes counted by hand and the votes counted by the machines.

What about all those people who voted illegally? Trump lawyer Rudy Giuliani suggested that several hundred thousand immigrants who are in this country illegally voted in Arizona.

Assistant Attorney General Jennifer Wright said the Election Integrity Unit culled through thousands of vague election complaints about the election, filed via an online form, to come up with something it could actually investigate. The unit is now looking into claims that 38 people voted illegally in Arizona.

Trump lost the state by more than 10,000 votes.

Or not, according to the true believers who were moved not one iota of an inch after hearing six hours of assurances that Arizona's election was freely and fairly held.

“Nothing's 100% secure. If people want to cheat they're going to cheat,” observed Sen. Sonny Borrelli.

And if people are going to believe the election was stolen after eight unsuccessful lawsuits, I'm guessing that not even a clean audit will change that. Next, they'll want something else.

But hey, audit away. I'm all for it as long as Republicans agree to abide by the results of the audit (and the party can pay for it, too).

Farnsworth says his legislative subpoenas will help restore confidence that Arizona elections was free of “tampering, manipulation and fraud.”

Maybe his subpoenas also will restore sanity after six weeks of absolute chaos and an absence of any evidence that the fix was in.

But I wouldn’t count on it.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Valley fire leaders receive coronavirus vaccine, hope others will follow

By Ali Vetnar
KTAR News
December 18, 2020

Three leaders from the fire service in Arizona rolled up their sleeves Thursday morning for their first doses of the Pfizer coronavirus vaccine.

Scottsdale Fire Chief Tom Shannon drove the group through the point of distribution vaccination site in north Phoenix. In collaboration with Mayo Clinic, HonorHealth expects to vaccinate 1,000 people a day at the site going forward.

"I shouldn't be first in line, but I really felt it was important to show my troops – hey let's go do this and be on the front side of this thing and protect the public," Shannon said after he received his vaccine.

The Scottsdale Fire Department has been hit hard by the coronavirus pandemic. The department has had 70 firefighters have tested positive for COVID-19.

Four members have fallen critically ill with the virus, including one who may have their career ended due to lasting side effects.

Phoenix Fire Captain Bryan Willingham, who serves as the Vice President for the United Phoenix Firefighters Local 393 union, was also part of the group to receive the vaccine. He contracted the virus just weeks ago. Even though he has since recovered, he has been eager to get the vaccine for many reasons.

"It's my responsibility as a father, to protect my crew – it's my responsibility as a captain, to protect our firefighters and the community because it's my responsibility as a union leader," Willingham said.

Willingham said he's worried about bringing the virus home because he's married to a cancer survivor and has five children – one of which he described as immunocompromised. With the vaccine, he feels more confident working on the front lines.

Willingham noted some firefighters who are part of the United Phoenix Firefighters Association are wary to get the vaccine.

"There are some that are hesitant about it, that's another major reason I wanted to come down and demonstrate to our firefighter brother and sisters on the job that this is safe," he said. "I don't blame some people for not trusting it, but you can also get the answers to your questions if you do your research."

AMERICAN OVERSIGHT

United Scottsdale Firefighters Association President Sasha Weller also received his first dose of the COVID-19 vaccine Thursday morning.

He wanted to set an example alongside his fire chief for other members to follow in their footsteps.

"Our members are out there on the front lines every single day; they're dealing with the sickest people that are out there in the community and we want them to be protected," Weller said.

The three men had no side effects following their first doses.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 7,635 new coronavirus cases, 142 more deaths

KTAR News
December 18, 2020

Mesa Fire Department Capt. Jeff Stieber receives the Pfizer-BioNTech vaccine for COVID-19 at the Arizona Department of Health Services State Laboratory from nurse Machrina Leach, Wednesday, Dec. 16, 2020, in Phoenix. (AP Photo/Ross D. Franklin)

This is a regularly updated story with the latest information about the coronavirus and its impact in Arizona and beyond for Dec. 18, 2020.

Arizona health officials on Friday reported 7,635 new coronavirus cases and 142 additional deaths, while the state's hospitals continued to fill up.

It was the third consecutive day with at least 100 deaths reported. Until Thursday, there'd never been back-to-back days in triple digits.

The state's documented totals increased to 442,671 COVID-19 infections and 7,819 fatalities, according to the Arizona Department of Health Services.

While the vaccine rollout was starting this week, multiple COVID-19 metrics in Arizona were at or approaching the highest levels of the pandemic.

The number of Arizona's confirmed or suspected COVID-19 hospital inpatients was up to 3,931 on Thursday, the seventh consecutive record-setting day.

The number of Arizona's confirmed or suspected COVID-19 patients in ICU beds was 915, the most since July 16 and closing in on the July 13 record of 970.

Ducey pleads with Arizonans to get coronavirus vaccine when available
Statewide, suspected or confirmed COVID-19 patients took up a record-high 46% of all inpatient beds as well as 52% of all ICU beds.

AMERICAN OVERSIGHT

Overall, inpatient beds were 93% filled, tying the previous day's record, and ICU beds were also 93% filled, a new record high. The number of remaining inpatient beds (618) and ICU beds (128) were both at record low points for the pandemic.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is showing signs of leveling off.

Through 63,019 tests this week, the positivity rate was 17%. The rate, which was 18% the previous two weeks, peaked at 21% at the end of June.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported cases was 6,786.71 for Thursday, according to tracking by The Associated Press, the second-highest ever.

The seven-day average of newly reported deaths has surged this month. It was at 74.71 for Thursday, tripling since Dec. 1 to the highest level since Aug. 2. The weekly death average peaked July 30 at 94.

The Arizona health department's daily reports present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Health expert says more approvals will speed up Arizona virus immunizations

By Kaci Demarest
KTAR News
December 18, 2020

Nurse Machrina Leach preps the first dose of the Pfizer-BioNTech vaccine for COVID-19 at the Arizona Department of Health Services State Laboratory, Wednesday, Dec. 16, 2020, in Phoenix. The Pfizer vaccine was almost 95 percent effective at preventing patients from contracting COVID-19 and caused no major side effects in a trial of nearly 44,000 people. (AP Photo/Ross D. Franklin)

AMERICAN OVERSIGHT

PHOENIX – A prominent Arizona health official said as more coronavirus vaccines start to gain approval from the Food and Drug Administration, it will be easier to ramp up vaccinations across the state.

Arizona Public Health Association Executive Director Will Humble told KTAR News 92.3 FM's Gaydos & Chad on Thursday that the more people who receive the coronavirus vaccine, the faster the community will be able to achieve herd immunity against the virus.

"You have to add on all those people that have been infected and recovered because they're vaccinated too, they're vaccinated by the real virus and recovered," Humble said.

"If you had 60% of the public vaccinated and another 15% probably 20% [infected] in Arizona given the way we're going, then you're up to 80% and that's probably herd immunity for this virus."

Health officials have urged people to get the coronavirus vaccine as soon as it becomes available to them; however, mass vaccination for the general population isn't expected until the spring.

The first Pfizer-BioNTech coronavirus vaccines were distributed in Arizona this week and larger-scale operations are starting to ramp up to vaccinate health care workers and residents in long-term care facilities.

"This is emergency, it's not full approval," Humble said. "The difference is for the full approval of the vaccine, they'll have to follow the people in the clinical trials for a couple more months, but I support going with emergency use authorization because we're in such a pickle."

Humble, who was formerly the director of the Arizona Department of Health Services, noted that as additional vaccines gain emergency approval it will ease the strain of attempting to accomplish the largest vaccination effort in U.S. history.

An FDA panel endorsed a second COVID-19 vaccine, Moderna, on Thursday, paving the way for the shot to be added to the U.S. vaccination campaign. The agency is expected to issue emergency authorization shortly for the vaccine.

Johnson & Johnson and Oxford-Astrazeneca's coronavirus vaccines are expected to be the next coronavirus vaccines in line to ask for emergency use authorization from the federal agency. Those hearings could come after the first of the year.

Humble noted that vaccines from Moderna and Astrazeneca that don't have to be kept as cold as the Pfizer vaccine could open the door to more easily vaccinating those in more rural parts of the state.

He said Astrazeneca could be a "game changer" for the U.S. because the company has a large contract with the federal government and is able to mass produce its vaccine.

Additionally, it only has to be refrigerated, which would pave the way to vaccinating people in clinical settings like doctor's offices and community health centers.

AMERICAN OVERSIGHT

The distribution of the coronavirus vaccine this week has provided a light at the end of the tunnel as infections continue to surge in Arizona and across the country.

On Thursday, state health officials reported 5,817 new coronavirus cases and 147 additional deaths, bringing the documented totals to 435,036 COVID-19 infections and 7,677 fatalities.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Some states say Pfizer vaccine allotments cut for next week

KTAR News
December 18, 2020

Several states say they have been told to expect far fewer doses of the Pfizer-BioNTech COVID-19 vaccine in its second week of distribution, prompting worries about potential delays in shots for health care workers and long-term care residents.

But senior Trump administration officials on Thursday downplayed the risk of delays, citing a confusion over semantics, while Pfizer said its production levels have not changed.

The first U.S. doses were administered Monday, and already this week, hundreds of thousands of people, mostly health care workers, have been vaccinated. The pace is expected to increase next week, assuming Moderna gets federal authorization for its vaccine.

Efforts to help ward off the coronavirus come amid a staggering death toll that surpassed 300,000 on Monday. Johns Hopkins University says about 2,400 people are dying daily in the U.S., which is averaging more than 210,000 cases per day.

In recent days, governors and health leaders in more than a dozen states have said the federal government has told them that next week's shipment of the Pfizer-BioNTech vaccine will be less than originally projected.

Little explanation was offered, leaving many state officials perplexed.

"This is disruptive and frustrating," Washington Gov. Jay Inslee, a Democrat, wrote on Twitter Thursday after learning from the Centers for Disease Control and Prevention that the state's allocation would be cut by 40%. "We need accurate, predictable numbers to plan and ensure on-the-ground success."

California, where an explosion in cases is straining intensive care units to the breaking point, will receive 160,000 fewer vaccine doses than state officials had anticipated next week — a roughly 40% reduction.

AMERICAN OVERSIGHT

California hospitals began vaccinations this week from the first Pfizer shipment of 327,000 doses and had expected even more to arrive next week. Instead, officials have been told to expect about 233,000 doses, said Erin Mellon, a spokeswoman for Gov. Gavin Newsom.

Missouri's health director, Dr. Randall Williams, said his state will get 25% to 30% less of the vaccine next week than anticipated. A statement from the Iowa Department of Public Health said its allocation will be "reduced by as much as 30%, however we are working to gain confirmation and additional details from our federal partners."

Michigan's shipment will drop by about a quarter. Connecticut, Georgia, Illinois, Kansas, Montana, Nebraska, Nevada, New Hampshire and Indiana also have been told to expect smaller shipments.

"States need clear and precise updates and information from the federal government as we continue the large and complex process of distributing this critical COVID-19 vaccine across the nation and here in Nevada," the state's Democratic Gov. Steve Sisolak, said in a statement after his state's second allocation was cut 42% to 17,550 doses. "To slash allocations for states – without any explanation whatsoever – is disruptive and baffling."

Hawaii's health department said as much as 40% of its doses will be delayed, but it still expects to receive nearly 46,000 doses by the end of the month.

Gov. Brian Kemp on Thursday said Georgia is in line to receive 60,000 doses next week after initially expecting 99,000. Still, the Republican governor has had little but praise for the vaccination effort and did not strongly object to the decreased amount.

"I wish it were a lot more, but it could be zero right now if you look at the past history of vaccines," Kemp said.

In Washington, D.C., two senior Trump administration officials who spoke on condition of anonymity to discuss internal planning said states will receive their full allocations, but misunderstandings about vaccine supply and changes to the delivery schedule may be creating confusion.

One official said the initial numbers of available doses that were provided to states were projections based on information from the manufacturers, not fixed allocations. Some state officials may have misunderstood that, the official said.

The two officials also said that changes the federal government made to the delivery schedule, at the request of governors, may be contributing to a mistaken impression that fewer doses are coming. The key change involves spacing out delivery of states' weekly allocations over several days to make distribution more manageable.

"They will get their weekly allocation, it just won't come to them on one day," one official said.

Pfizer made it clear that as far as production goes, nothing has changed.

AMERICAN OVERSIGHT

"Pfizer has not had any production issues with our COVID-19 vaccine, and no shipments containing the vaccine are on hold or delayed," spokesman Eamonn Nolan said in an email. "We are continuing to dispatch our orders to the locations specified by the U.S. government."

The company said in a written statement that this week it "successfully shipped all 2.9 million doses that we were asked to ship by the U.S. Government to the locations specified by them. We have millions more doses sitting in our warehouse but, as of now, we have not received any shipment instructions for additional doses."

The senior administration officials said Pfizer's statement about doses awaiting shipping instructions, while technically accurate, conveniently omits the explanation: It was planned that way.

The federal officials said Pfizer committed to provide 6.4 million doses of its vaccine in the first week after approval. But the federal Operation Warp Speed had already planned to distribute only 2.9 million of those doses right away. Another 2.9 million were to be held at Pfizer's warehouse to guarantee that individuals vaccinated the first week would be able to get their second shot later to make protection fully effective. Finally, the government is holding an additional 500,000 doses as a reserve against unforeseen problems.

Pfizer said it remains confident it can deliver up to 50 million doses globally this year and up to 1.3 billion doses in 2021.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Pence, wife Karen, surgeon general get COVID-19 vaccines

KTAR News
December 18, 2020

Vice President Mike Pence became the highest ranking U.S. official to receive the first dose of the COVID-19 vaccine on Friday in a live-television event aimed at reassuring Americans the shot is safe. He celebrated the milestone as "a medical miracle" that could eventually contain the raging pandemic.

Conspicuously missing from the victory lap: President Donald Trump, who has remained largely out of sight five days into the largest vaccination campaign in the nation's history.

Pence, meanwhile, has taken an increasingly visible role in highlighting the safety and efficacy of the shots, including touring a vaccine production facility this week. House Speaker Nancy Pelosi and Senate Majority Leader Mitch McConnell both said Thursday that they will get vaccinated in the next few days. President-elect Joe Biden expects to receive his shot as soon as next week.

"I didn't feel a thing. Well done," Pence told the technicians from Walter Reed National Military Medical Center who administered his Pfizer-BioNTech shot early Friday morning. Pence didn't flinch during the quick prick, nor did his wife, Karen, or Surgeon General Jerome Adams, who also received shots during the televised White House event in the Eisenhower Executive Office Building.

AMERICAN OVERSIGHT

“Hope is on the way,” Pence later said. “The American people can be confident: We have one and perhaps within hours two safe vaccines,” he added, referring to the FDA’s expected authorization of a second vaccine by Moderna.

He did not respond to shouted questions about why the president wasn’t headlining a similar event.

Adams, who is Black, emphasized the “the importance of representation” in outreach to at-risk communities and encouraged Americans to avoid disinformation around the vaccines.

Five days into the largest vaccination campaign in the nation’s history, Trump has been largely absent from the effort to sell the American public on what aides hope will be a key part of his legacy. He has held no public events to trumpet the rollout. He hasn’t been inoculated himself. And he has tweeted fewer than a handful of times about the shot.

Trump’s relative silence comes as he continues to stew about his defeat in the Nov. 3 election and embraces increasingly extreme efforts to overturn the people’s will. He’s pushed aside the plans of aides who wanted him to be the public face of the vaccination campaign, eschewing visits to labs and production facilities to thank workers, or hosting efforts to build public confidence in the shot, according to people familiar with the conversations.

The sheepish approach has been surprising, especially for a president rarely shy to take credit, said Lawrence Gostin, a professor at Georgetown Law who focuses on public health.

“The president’s relatively low profile on the COVID response since the election is curious and counter to Mr. Trump’s own interests,” he said. Gostin, who has criticized Trump’s handling of the pandemic in the past, said that he “deserves a great deal of credit” for Operation Warp Speed and placing a bet on two vaccines that use groundbreaking mRNA technology.

“Having exhibited leadership in the vaccines’ development, he should take great pride in publicly demonstrating his trust in COVID vaccines,” he said.

Trump did appear at a White House “summit” ahead of the Food and Drug Administration’s approval of the Pfizer vaccine last week. That event included an introductory video highlighting the past comments of those — including top government infectious-disease expert Dr. Anthony Fauci — who doubted a shot would be ready this year.

Trump “will continue to update the country through a variety of means while giving medical professionals and hardworking staff at OWS the space to do their jobs and save lives,” said White House deputy press secretary Brian Morgenstern.

But many Trump aides are puzzled by his low profile now that the vaccine is actually being injected. They see it as a missed opportunity for the president, who leaves office at noon on Jan. 20, to claim credit for helping oversee the speedy development and deployment of the vaccine that is expected to finally contain the virus that has killed more than 310,000 Americans.

Trump himself has tried to minimize any credit that might go to his successor, Biden, who will preside over the bulk of the nationwide injection campaign next year.

AMERICAN OVERSIGHT

“Don’t let Joe Biden take credit for the vaccines,” Trump has told reporters. “Don’t let him take credit for the vaccines because the vaccines were me, and I pushed people harder than they’ve ever been pushed before.”

Despite Trump’s claims, FDA scientists were the ones who came up with the idea for Operation Warp Speed, the White House-backed effort through which millions of doses of coronavirus vaccines and treatments are being manufactured even as they are still being evaluated. And much of the groundwork for the shots was laid over the past decade, including through research on messenger RNA, or mRNA, used in the vaccines developed by both Pfizer and Moderna. Pfizer developed its vaccine outside Operation Warp Speed but is partnering with the federal government on manufacturing and distribution.

Trump’s low-key approach could have an impact on public health. Dr. Anthony Fauci, the nation’s top infectious disease expert, told NBC News this week that 75% to 85% of the nation needs to be vaccinated to achieve “herd immunity,” making the public education campaign about the vaccine’s safety all the more pressing.

A survey from The Associated Press-NORC Center for Public Affairs Research found that only about half of Americans want to get the vaccine as soon as possible. Another quarter of the public isn’t sure, while the remaining quarter say they aren’t interested. Some simply oppose vaccines in general. Others are concerned that the injections have been rushed and want to see how the rollout goes.

Trump, who was hospitalized with COVID-19 in October, has yet to indicate when or if he will receive the shot.

According to guidance from the Centers for Disease Control and Prevention, there is not yet enough information to determine whether those who have had COVID-19, like Trump, should get the vaccine. Still, Fauci recommended that Trump take it publicly without delay.

“Even though the president himself was infected, and he has, likely, antibodies that likely would be protective, we’re not sure how long that protection lasts. So, to be doubly sure, I would recommend that he get vaccinated as well as the vice president,” Fauci told ABC News.

White House press secretary Kayleigh McEnany told reporters this week that Trump, who has previously spread misinformation about other vaccines “wants to send a parallel message which is, you know, our long-term care facility residents and our front-line workers are paramount in importance,” she said.

Gostin disagreed. “It will be enormously damaging to public trust in the vaccine if President Trump isn’t visibly enthusiastic, including getting his shot on national television,” he argued. “It simply isn’t good enough to have Vice President Pence as a proxy.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona state trooper shot at during traffic stop in Phoenix

KTAR News
December 18, 2020

An Arizona Department of Public Safety trooper was shot at by a bystander during a traffic stop in Phoenix early Friday morning, authorities said.

The incident occurred around 12:30 a.m. near 27th Avenue and McDowell Road, according to the Phoenix Police Department.

Related Links
Police searching for suspect in connection to deadly Arizona bar fight
DPS educating Arizona drivers about upcoming texting and driving ban
The trooper was conducting a traffic stop when a man standing across the street shot at him, police said.

The trooper and the driver in the traffic stop did not suffer any injuries during the incident.

A 33-year-old man was arrested in connection with the shooting, authorities said.

An investigation into the incident is ongoing.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Coconino County Year in Review: COVID-19 response and countywide changes

Kaitlin Olson
Arizona Daily Sun
December 18, 2020

Coconino County has been a leader in local COVID-19 response from the beginning, with its health department collecting specimen samples for COVID-19 testing, conducting contact tracing, and reporting numbers from throughout the county in a daily data dashboard as county leaders strive to continue the organization's normal operations and services. Here are some of the top county stories of 2020:

COVID-19 early response
The Coconino Country Board of Supervisors declared a State of Emergency due to the outbreak of COVID-19 on March 18 -- the same day the first local presumptive positive case was recorded -- to allow the county to provide and request emergency resources. Coconino County Health and Human Services (CCHHS) had created a COVID-19 Incident Command Team to prepare for the pandemic in January and in March established an Emergency Operations Center.

Coconino County became the first state agency to set up COVID-19 drive-up specimen collection sites, which began operating March 16 to allow allowing individuals with doctors' orders to be tested for the disease using nasal swabs. For a short time, two specimen sites were available, at both Fort Tuthill and Coconino Community College's Fourth Street campus, but the CCC site was phased out and Fort Tuthill

AMERICAN OVERSIGHT

eventually opened to everyone interested in testing, which was later expanded to use saliva samples through a partnership with Arizona State University and the Arizona Department of Health Services.

Coconino County declares state of emergency for COVID-19
In a special session Wednesday morning, the Coconino County Board of Supervisors declared a …

Hotel Aspen
Among its COVID-19 response efforts, one of Coconino County's most costly initiatives was to support individuals experiencing homelessness through a partnership with Hotel Aspen to provide shelter for low-risk COVID-19 patients to allow them to social distance and free up beds in the hospital.

Between March 19 and Sept. 4, the county spent a total of $1.7 million on Hotel Aspen, a cost not reimbursed by the state, leading the county to end the partnership this fall and instead work to support Flagstaff Shelter Services' own efforts to provide hotel rooms at another location for its clients who tested positive.

County closes Hotel Aspen to partner with Flagstaff Shelter Services
Marva Tsosie can see the world bustling from her window. But for now, her only goal is to quarantine until she recovers from the fever, drowsiness and indigestion after testing positive for COVID-19.

New Leaders
In the November general election, Patrice Horstman, Matt Ryan and Judy Begay were selected to fill the three contested seats for four-year terms on the Coconino County Board of Supervisors, joining incumbents Liz Archuleta and Lena Fowler, who ran unopposed for their districts.

Ryan will begin his seventh term on the board in January, while Horstman will replace District 1's Art Babbott, who has served two terms on the board, while Begay will replace Jim Parks of District 4, who served one term.

Joanne Keene, previously Northern Arizona University's executive vice president and chief of staff, was named deputy county manager in February to fill the position vacated by Mike Townsend. As one of three deputy county managers, she works with the Information Technology, Human Resources and Facilities Management departments.

To fill Townsend's other role as county director of finance/chief financial officer, the board appointed Siri Mullanney, a certified public accountant, in June. Both Keene and Mullanney previously worked for the county.

Democrats Horstman, Ryan, Begay take Coconino County Supervisor seats
Democrats Patrice Horstman, Matt Ryan and Judy Begay will fill the three contested seats for…

Joanne Keene named Deputy County Manager
Coconino County has appointed Joanne Keene as its new deputy manager to fill the position va…

Staff departures
In addition to Supervisors Babbott and Parks, other leaders announced they would be leaving this year.

AMERICAN OVERSIGHT

Deputy County Manager Marie Peoples announced in November she would be exiting her position in early 2021 to accept the role as city manager for Webster Groves, Missouri. She has been with the county for seven years, serving as chief health officer until she was appointed deputy county manager in 2018.

In early April, CCHHS Director Thomas Pristow resigned from the county after just seven months in the role, leaving Deputy Director Michael Oxtoby to fill the position in the interim. Director of Special Initiatives Kim Musselman also assumed Pristow's role as deputy incident commander for the county's COVID response.

County Manager James Jayne announced his July 2021 retirement in December, launching a search process for his replacement who he will advise until he retires. Jayne joined the county in August 2017 and was appointed county manager about a year later. He previously served as Navajo County manager.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Coconino County Manager James Jayne to retire in July 2021

Arizona Daily Sun
December 18, 2020

Coconino County Manager James Jayne will be retiring from county service effective July 2, 2021 after decades of public service.

Jayne previously served as Navajo County Manager.

"I understand this may be a surprise to many - my season is changing, and I am excited to spend more time with my family, including my two granddaughters," Jayne said in a press release. "I am proud of my 30 years of public service at the federal, state and local government level that has afforded me a richness of community and a depth of service for which I will always be grateful. Coconino County has been a pinnacle of my career and is a special place for me."

The Board of Supervisors will now develop a search process and recruitment for the next County Manager. After a new manager is selected, Jayne will continue serving in an advisory capacity, supporting the board and new manager until his retirement.

"County Manager Jayne has had an exemplary career and is the embodiment of a true public servant," said Coconino County Board Chairwoman, Liz Archuleta. "He has a deep caring for our team members and residents. Coconino County has benefited greatly from his wisdom, expertise and stewardship. During his time, he has led our County through some significant challenges – the Tinder and Museum Fires as well as the ongoing COVID-19 pandemic response. We are grateful for the leadership of Manager Jayne. His accomplishments and commitment to public service has made an enduring impression on Coconino County."

The County will announce its search process for the County Manager when finalized by the Board of Supervisors.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Power plant stacks that loomed over Arizona come down

By Felicia Fonseca
Arizona Daily Sun
December 18, 2020

Three towering concrete stacks that were the most visual reminders of a coal-fired power plant that operated for decades along the Arizona-Utah state line came down Friday.

The 775-foot (236-meter) structures loomed over the Navajo Generating Station, a 2,250 megawatt plant that closed last year as natural gas became a cheaper alternative for electricity. Their flashing lights became a beacon in the community and a sign to travelers in a remote area that they were approaching Page.

“I have mixed emotions because I've spent most of my life as a constructor, and now I'm wearing a different hat in the demolition mode,” said Gary Barras, a project management director for the Salt River Project, the Arizona utility that operated the plant. “I know personally how hard it was to design and build those stacks.”

A series of booms echoed through the region that includes iconic tourist destinations such as Lake Powell, slot canyons and Horseshoe Bend as the stacks fell one by one. Clouds of dust covered what's left of the power plant, sitting low on the landscape before drifting away.

Thousands of people lined roadways and gathered in parking lots to watch it happen.

Environmentalists and some members of the Navajo and Hopi tribes fought years to shut down the plant that was among the largest in the West in favor of a switch to renewable energy.

“We are witnessing an artifact of a time when a coal-fired power plant was preferable to damming the Grand Canyon,” said Roger Clark of the Grand Canyon Trust. “We’ve since learned that cooking the planet to keep Phoenicians cool is a bad idea.”

The power plant was built to power the Southwest and a canal system that delivers Colorado River water to Arizona’s major metropolitan areas. It shut down in November 2019.

The stacks came down in a way that's similar to cutting down a tree. Crews sawed the back side of the stacks so they would fall to the northeast largely on to concrete pads where water treatment, ash handling and brine concentrator systems once stood.

Crews also gutted transformers, wiring and elevators from the first 30 feet (9 meters) of the stacks to prepare. Small blocks of concrete were cut and knocked out of the structures to weaken them. Windows and vents were removed and reinforced to keep the stacks from twisting, said Nathan Betts, construction manager for Tetra Tech, the company overseeing contractors on site.

AMERICAN OVERSIGHT

To prevent the stacks from falling earlier, crews didn't release the last bit of tension until Friday morning before detonating about 1,530 pounds (694 kilograms) of dynamite.

The stacks fell sequentially within seconds of one another. Crews will come in after the dust settles to separate rebar from concrete and recycle what they can.

No one was allowed within a 2,000-foot (609-meter) radius of the stacks for safety reasons. The original stacks were the same size but had been reduced to 220 feet (67 meters). They came down earlier this year.

The work is part of a $150 million decommissioning of the plant that is on land leased by the Navajo Nation. The buildings that housed the boilers — what Barras called the proverbial tea kettles — will go next, he said.

Environmentalists said they'll keep close watch to ensure the plant is cleaned up as required before the land is turned over to the Navajo Nation.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports over 100 virus deaths for 3rd straight day

By Paul Davenport
Arizona Daily Sun
December 18, 2020

Arizona on Friday reported over 100 additional known COVID-19 deaths for the third straight day along with one of the largest daily increases in cases during the current surge.

The Department of Health Services reported 142 additional known deaths and 7,635 additional known cases, increasing the statewide totals to 7,819 deaths and 442,671 cases.

COVID-19-related hospitalizations in Arizona reached 3,931 on Thursday, the latest in a string of pandemic records started earlier this month. Before the current surge, the previous daily hospitalization record was 3,517 on July 13 during the state's summer surge.

Arizona hospitals are nearly at capacity, with only 7% of beds available and not in use.

Arizona's coronavirus outbreak was already surging before the Thanksgiving holiday weekend but accelerated since, and a senior official of a Phoenix-based hospital chain urged people to avoid gatherings and take other precautions during upcoming holidays.

"We're all feeling fatigued and ready for life to get back to normal, but if we follow safety guidelines we'll get there sooner rather than later," Dr. Marjorie Bessel, Banner Health's chief clinical officer, said Thursday night in an email.

Arizona on Wednesday reported 108 additional deaths, followed by 147 on Thursday.

AMERICAN OVERSIGHT

The state on Dec. 8 reported a record high of 12,314 additional confirmed coronavirus cases. The next highest daily reports were 11,795 on Dec. 14, 10,322 on Dec. 1 and 8,076 on Dec. 12.

Seven-day rolling averages for three key COVID-19 metrics continued to increase over the past two weeks, according to data from Johns Hopkins University and The COVID Tracking Project.

The rolling average of daily new cases rose from 4,585 on Dec. 3 to 6,786 on Thursday as the rolling average of daily deaths rose from 36.1 to 74.7 and the rolling average of daily COVID-19 testing positivity rose from 13% to 14.5%.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

Return to the table of contents

ASU to begin construction of multi-purpose arena in January

Arizona Daily Sun
December 18, 2020

Arizona State University plans next month to start construction of a multi-purpose arena that will be the home venue for several Sun Devils sports teams and also be available for concerts, conferences and youth competitions.

The Athletics Department said Wednesday the facility to be located south of Rio Salado Parkway and east of Packard Drive on the Tempe campus will be home for the men's ice hockey, wrestling and women's gymnastics.

Completion is scheduled for December 2022, azfamily.com reported.

The 5,000-seat facility will have 20 luxury suites, two group sites and a large club lounge. There will be a a social deck on the east side of the 300-level and a 942-seat student section on the west side.

The arena will a locker room for ASU athletes and eight additional locker rooms for use by visiting teams, youth programs, ASU club programs, and live events.

“This venue will not only provide an elite student-athlete experience, but will be an asset to our community,” Vice President for University Athletics Ray Anderson said in a statement.

Return to the table of contents

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, December 18, 2020 4:25:21 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 12-17-20.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *December 18, 2020*

MAYBE NEVER, EDDIE
Maricopa County will challenge E Farnsworth's subpoenas in a complaint in superior court and in a letter to Fann, county supervisors decided on a 4-1 vote this afternoon.

WHO CAN TURN THIS MAGENTA COUNTY BLUE?

AMERICAN OVERSIGHT

Maricopa County Dems will vote for a new chair tomorrow in what appears to be a two-way race between Nancy Schriber, the LD28 Dem chair, and Damián Preciado, a vice chair of the Arizona Democratic Party.

BUT AMEND IT TO INCLUDE ONE YELLOW SHEET REPORTER
Bowie will try again to create a citizen task force to review all tax credits, state revenue and expenses compared to other states.

THE LEGISLATIVE EQUIVALENT OF POURING ONE OUT FOR KERN
Kavanagh wants to limit all future ballot initiatives to a single-subject, reviving a Kern referendum that died last session due to the pandemic.

THERE CERTAINLY OUGHT TO BE A LAW
Barto reintroduced a bill she ran last year to keep doctors from performing invasive physical exams on unconscious women.

YOUR ELECTION WAS FAKE, MINE WAS LEGIT
Corporation Commissioner-elect Jim O'Connor thinks there was massive election fraud in Maricopa County – a county that helped make him the first statewide candidate in history to win an election after winning a primary write-in campaign.

WE HEAR HOWIE HAS 31 VOTES IN THE BAG
Our request Wednesday for potential non-lawmaker candidates for the next speaker of the House netted some good replies, including from one elected Republican who offered up perhaps the most obvious choice: "The Donald."

THE TACOS WON'T BE THE SAME WITHOUT YOU
Lynn Rita Moreno, the always-friendly co-owner of one of our favorite Capitol haunts, Taqueria El Chino, died of Covid.

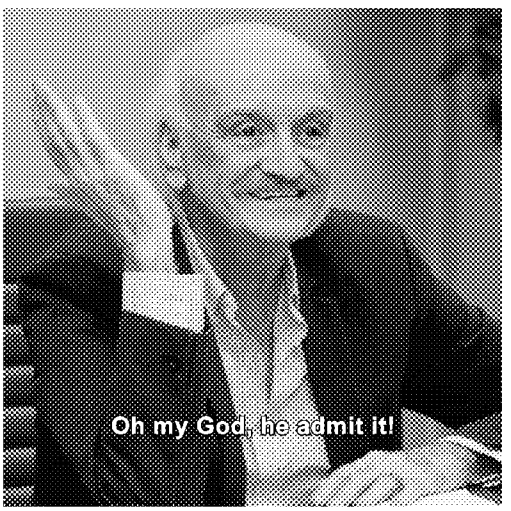
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, December 17, 2020

·NEWS NOTES AND GOSSIP·

WAIT, ARE YOU SURE YOU WEREN'T HACKED?



Rodriguez likes and comments on a lot of pornography on his secondary Twitter account, but when our reporter asked him about it, he didn't try to insist he was hacked or deny it was his account – instead, his response was shockingly frank. After initially arguing the graphic images he has liked and commented on from his second account, @drod3897, aren't pornography and that his Twitter isn't a story, Rodriguez owned up to his online activity, saying he expected a call from a reporter someday. "Americans always have this puritanical hang-up with sexuality," he said. "I get it, and I guess it's salacious, but why do we give power to this attitude of morality and judging? If I was advocating something illegal, that would be different, I guess, like overthrowing the government." Essentially, Rodriguez argued that lawmakers are people – and people look at pornography. He noted that Trump paid adult actress Stormy Daniels hush money from his campaign funds, and argued that many Republicans' stance of moral purity is pure hypocrisy (think former lawmaker and youth pastor Steve Montenegro's sexting affair with a legislative staffer – a scandal he initially attempted to flat-out lie about). "How many other lawmakers are comfortable being honest? Would you rather have me lie to my constituents?" he said. "I would like to think that my approach of being honest about who I am is far superior from someone who pretends to be one way and then acts in another and then denies it." Rodriguez noted that he supports the legalization of sex work, and argued that expressions of sexuality in an open and healthy way shouldn't make people feel ashamed. The images Rodriguez liked and commented on are of women, often tattooed and fully nude in very salacious poses, to which he has offered comments like "This pic is Hall of Fame" or "this feels amazing." Those posts are interspersed between tweets about Arizona politics. While most lawmakers take caution to not leave an easily visible digital trail of their pornography viewing habits, Rodriguez said he's not ashamed of viewing porn and noted he's not doing it on his main account, and isn't posting it himself. (Our reporter previously noticed him replying with fire emojis from his legislative account to a picture of a bikini-clad woman, though we couldn't find any pornography likes or comments there in a review today.) Asked if he plans to delete the account or unlike posts, he said he probably not – adding he's sure our reporter took screenshots, so doing so would be pointless. "If the point of this story is that 'Oh, he feels guilty,' you're not going to get that," he said.

CAN WE SEE YOUR ONLYFANS RECEIPTS?

One progressive woman who saw Rodriguez's posts argued that even though she agreed with his stance on sex work, his Twitter feed doesn't reflect the kind of model citizen that voters expect from their elected officials. And she argued that if he's going to use the feminist, sex-positive argument as a shield, "he better be ready to show receipts that the content he's viewing is sourced from a place where they pay their sex workers fair wages with a safe working environment and health benefits." A Democratic man who tipped our reporter off to the account, which several lawmakers and politicos follow, said Rodriguez's response was "refreshingly honest" but the account is still "pervy." "Some of that sh*t is weird," the source said.

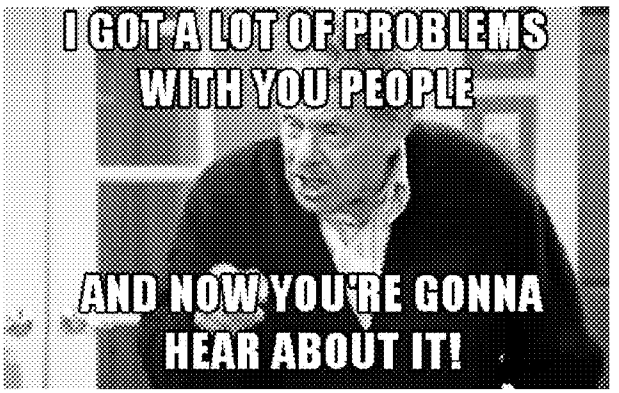
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000322

ARZN_REV00068497_12-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S FESTIVUS SEASON



House Republicans today held a four-hour closed caucus meeting to hash out their problems as Bowers attempts to unify the divided caucus into a functioning majority. The mandatory caucus meeting wasn't an organizational meeting, meaning Republicans didn't have the chance to hold another vote for their leadership team. And it wasn't an attempt to take lawmakers to the woodshed, one source said, but rather, a chance to talk the caucus' problems through and hopefully come to a truce before the issue festers in the 2021 session. The meeting wrapped up shortly before our deadline, and it's unclear if the anti-Bowers faction of the caucus pledged to support him, but one lawmaker described it as "productive, long and a kumbaya." House Republicans are also holding a caucus retreat tonight at a dude ranch in Pima County tonight, where there's a mandatory 10 pm curfew as Covid cases spike statewide. The retreat, which lawmakers do every year, won't focus on policy and instead will be a chance to bond for those who show up. (It's unclear if Roberts will be there and Finchem is not expected to attend, though it's unclear if that's due to his battle with the speaker or his recent Covid diagnosis (YS, 12/11).) Toma, the House majority leader, told our reporter today all events will be outside and lawmakers will be required to wear masks and comply with any other precautions that the venue requires. He said he expects some of the dissident lawmakers to show up and is cautiously optimistic that Republicans can start to repair some of the riffs that have formed since the election, though he doesn't expect to attempt any trust falls. "I'm not a big fan of that sort of thing – I think talking and having an open conversation is the best way to form camaraderie," he said.

MAYBE LATER, EDDIE

Maricopa County supervisors will meet again tomorrow to decide how to handle Senate subpoenas for election equipment and ballot images after failing to reach an agreement during a nearly five-hour executive session yesterday. E Farnsworth demanded that the county turn over images of all mailed and absentee ballots and provide access to all election equipment no later than 5 pm on Friday. It's unclear whether Farnsworth even has the authority to demand that information, as state statutes governing the Legislature's subpoena power primarily refers to witnesses appearing before a committee and producing papers and documents. The Senate believes it has that authority. "The U.S. Supreme Court has repeatedly held since the 1700s that the legislative power to conduct investigations is inherent in the legislative process and that the power is very broad," Senate GOP spokesman Mike Philipsen said in an email. He repeatedly ignored questions about who will conduct the audit of the machines. Rudy Giuliani's hotel hearing presented so-called expert witnesses who lacked qualifications to investigate election equipment – including a retired Army colonel who volunteered to inspect the equipment during Giuliani's event (YS, 11/30). Maricopa County is prepared to hire its own auditors, board chair Clint Hickman said during a legislative hearing on Monday, but it can't do so until ongoing litigation ends because the machines are considered evidence.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000323

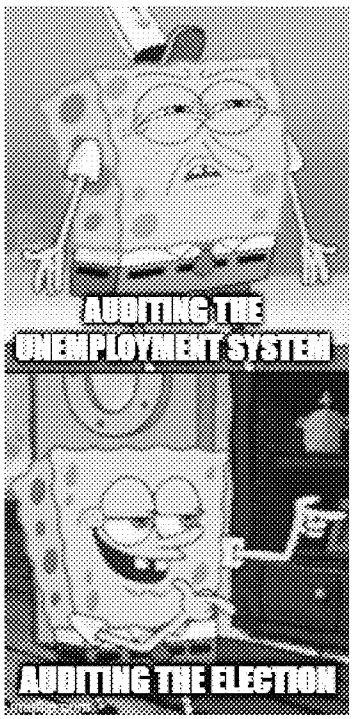
ARZN_REV00068497_12-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SO MUCH FOR THE SECRET BALLOT

Farnsworth's request for ballot images appears to fly in the face of a state law that protects ballot images from physical and electronic access. Griffin's Laws 2017, Chapter 107 (ballot: electronic data; digital images) dictates that electronic images of ballots must be kept just as secure as paper ballots. Outside of the statutory hand count audit and any court-ordered recounts, both physical ballots and their electronic versions must be locked down. This also came up in one of Kelli Ward's post-election lawsuits, as attorneys sparred over whether they could show images of the ballots Ward's team had been given leave to inspect. Those exhibits were kept under seal, visible to the attorneys and judge but not in publicly accessible court documents. Cochise County Elections Director Lisa Marra told our reporter many voters make identifying marks on their ballots, meaning that in some cases it's possible to deduce who the voter was. Some voters leave their initials if they make and correct an error, the way they would on a contract, and some write their own names or their spouse's names as write-in candidates. "So many people write letters on their ballots. They write notes. They sign them. And we saw more of that this year because people kept calling to say 'When did you count my ballot? I need to know exactly when you counted my ballot,'" Marra said. In other cases, even if voters don't leave identifying marks on their ballots, someone could try to deduce who cast a ballot based on marks showing what precinct it's from, or whether the voter used a special machine for voters with disabilities.

MAYBE LATER, MITZI



Republican lawmakers on the Joint Legislative Audit Committee shut down Epstein's request for an audit of the state's unemployment system after some initially said they supported the idea. Epstein requested a two-pronged audit, to be completed by Oct 31, 2021, that would assess how to improve processing of unemployment claims and determine whether the computer system the state's unemployment insurance division uses is up to the task. Lawmakers from both parties have described spending much of the pandemic trying to help constituents, many of whom have never before been unemployed or underemployed, navigate the unemployment system. As of early November, the most recent period for which the Joint Legislative Budget Committee reported employment figures, more than 95,000 Arizonans were out of work and collecting unemployment benefits. A year ago, that number was around 20,000. Epstein's proposal relied on changing a planned review of the School Facilities Board to an internal audit, giving the Auditor General the time and resources to conduct its own review of the unemployment system. Republicans including J Allen objected to that, arguing that the School Facilities Board needs special attention. "Maybe we ought to look at the schedule a little more carefully and find somebody else to move around, but the School Facilities Board is one of those ones that I've always viewed as a loose cannon," he said. Allen voted against the proposal because he said issues with the unemployment system should be handled by the full Legislature in committees, while Gray said he would have supported the audit if its deadline were six months later. When Epstein asked for a new motion on an audit to be completed by April 30, 2022, instead, Gray said he would still vote against it because the previous motion had already passed and failed.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THAT SOUNDS LIKE A JOB FOR CONGRESS

Increasing Arizona's paltry $240-per-week unemployment benefits remains a top priority for Democrats, but that's almost certainly not going to happen in the Republican-controlled Legislature. Cobb spent much of her time during this morning's *Arizona Capitol Times* Morning Scoop event on unemployment explaining that increases to unemployment benefits wouldn't fly. Replenishing the state's unemployment insurance fund – which is down to roughly $90 million from a high of $1.1 billion at the start of the year – will be a priority next year, Cobb said. She suggested Ducey allocate the remaining roughly $313 million from the CARES Act, which he must spend by the end of the year, to the state's unemployment fund, and said lawmakers will likely appropriate more money during the legislative session. But Cobb balked at the idea of increasing unemployment taxes on employers, either to replenish the fund or grow benefits. "We do not want to put an extra tax on our small business people," she said. The average tax rate employers pay per employee is 1.73 percent, while actual rates can be as low as 0.05 percent, according to JLBC. However, the new stimulus package Congress is mulling over might provide some relief. Lawmakers in DC appear to be closing in on a deal for a $900 billion stimulus package that would provide an additional $300 per week of federal funding for the next 10 weeks, down from the $600 per week that the first stimulus package offered (LINK).

·PRESS RELEASES AND NEWS CLIPS·

Congressman Biggs Urges President Trump to Veto the End-of-Year Omnibus Spending Bill

WASHINGTON, D.C. – Last night, Congressman Andy Biggs led a letter to President Donald J. Trump, urging him to veto the end-of-year omnibus spending bill expected to pass through Congress in the coming days.
Representatives Chip Roy (TX-21), Jody Hice (GA-10), Ted Budd (NC-13), Warren Davidson (OH-08), Jeff Duncan (SC-03), Michael Cloud (TX-27), Ralph Norman (SC-05), Scott Perry (PA-10), Steve King (IA-04), Randy Weber (TX-14), Paul A. Gosar, D.D.S. (AZ-04), Ted S. Yoho D.V.M. (FL-03), and Louie Gohmert (TX-01) co-signed the letter.
Read the text of the letter

Senator Kelly Meets with COVID-19 Working Group for Update on Pandemic

Today, Senator Mark Kelly met for the second time in two weeks with his COVID-19 working group, made up of public health and health care experts from Arizona's universities and health care providers. The group discussed the

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000325
ARZN_REV00068497_12-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

steep rise in COVID-19 cases and hospitalizations in Arizona, how that is putting a tremendous strain on hospitals and health care workers, and the difficult road ahead for the state without significant mitigation measures. Kelly has continually voiced his support for a statewide mask requirement to leaders across the state.
"What I heard from public experts today is that Arizona has one of the highest rates of COVID-19 spread in the country, and that if the spread continues at this pace our health care system will be stretched past the breaking point. Already we are in a worse position than we were earlier this year, and there are fewer mitigation measures in place. That is why I urge all Arizonans: stay home as much as possible, don't gather in large groups, and wear a mask when you have to go out." **– Senator Mark Kelly**
Kelly's first meeting as a Senator was with Arizonans directly impacted by COVID-19, and he continues to work with his Republican and Democratic colleagues in Washington towards an emergency relief package that would bring resources to Arizonans and small businesses who are struggling.

AG Mark Brnovich Joins Multistate Lawsuit Seeking to End Google's Illegal Monopoly in Search

Bipartisan Coalition Alleges Google Illegally Maintains a Monopoly & Has Created Insurmountable Barriers to Entry for Competitors

WASHINGTON, D.C. – Attorney General Mark Brnovich is part of a bipartisan coalition of 38 attorneys general in suing Google LLC for anticompetitive conduct in violation of Section 2 of the Sherman Act. As a member of the Executive Committee, the Arizona Attorney General's Office (AGO) has played a key role in the investigation and development of the lawsuit.
The attorneys general allege that Google illegally maintains its monopoly power over general search engines and related advertising markets through a series of anticompetitive exclusionary contracts and conduct. As a result, Google has deprived consumers of competition that could lead to greater choice, innovation, and better privacy protections. Furthermore, Google has exploited its market position to accumulate and leverage data to the detriment of consumers.
"Google's quest to build a monopoly has led to less privacy, stifled innovation, and reduced choice for consumers," said Attorney General Brnovich. "I'm not interested in micromanaging businesses, but consumer privacy must be protected. Our bipartisan antitrust lawsuit against Google is targeted to stop illegal conduct and improve consumer welfare."
In many ways the states' complaint is consistent with the lawsuit filed by the U.S. Department of Justice on October 20, which alleged that Google improperly maintains its monopoly power in general search and advertising through the use of exclusionary agreements. However the states' filing asserts additional allegations and describes Google's monopoly maintenance scheme as a multi-part effort. The states' lawsuit alleges that Google:

- Uses exclusionary agreements and other practices to limit the ability of rival general search engines and potential rivals to reach consumers. This conduct cements Google as the go-to search engine on computers and mobile devices.
- Disadvantages users of its search-advertising management tool, SA360, by promising that it would not favor Google search advertising over that of competing search engines such as Bing. Instead, Google continuously favors advertising on its own platform, inflating its profits to the detriment of advertisers and consumers.
- Discriminates against specialized search sites – such as those that provide travel, home repair, or entertainment services – by depriving them access to prime "real estate" in the search results pages because these competing sites threaten Google's revenue and dominant position.

The attorneys general argue that more competition in the general search engine market would benefit consumers, for example, through improved privacy protections and more targeted results and opportunities for consumers. Competitive general search engines also could offer better quality advertising and lower prices to advertisers.
The attorneys general expand on the U.S. DOJ's allegation that Google's anticompetitive conduct continues. As explained in the complaint, the company seeks to deploy the same exclusionary contracting tactics to monopolize the emerging ways consumers access general search engines, such as through their home smart speakers, televisions, or in their cars ("voice assistants"). In so doing, Google is depriving consumers of competitive choices and blocking innovation.
The states also go further than the U.S. DOJ in explaining how Google's acquisition and command of vast amounts of data – obtained in increasing part because of consumers' lack of choice – has fortified Google's monopoly and created

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000326
ARZN_REV00068497_12-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

significant barriers for potential competitors and innovators.
The bipartisan coalition is asking the court to halt Google's illegal conduct and restore a competitive marketplace. The states also seek to unwind any advantages that Google gained as a result of its anticompetitive conduct, including the divestiture of assets as appropriate. Finally, the court is asked to provide any additional relief it determines appropriate, as well as reasonable fees and costs to the states.
The complaint was filed in the U.S. District Court for the District of Columbia, in conjunction with a Motion to Consolidate seeking to combine this case with the pending U.S. DOJ case.
For Arizona, this case is being handled by Solicitor General Beau Roysden, Deputy Solicitor General Michael Catlett, Competition, Innovation & Privacy Unit Chief Dana Vogel, Assistant Attorney General Christopher Sloot, and Legal Assistant Project Specialist Amber Daniels.
The states' investigation was led by an executive committee made up of the attorneys general of Arizona, Colorado, Iowa, Nebraska, New York, North Carolina, Tennessee, and Utah. The executive committee is joined by the attorneys general of Alaska, Connecticut, Delaware, Hawaii, Idaho, Illinois, Kansas, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, Washington, West Virginia, Wyoming, the District of Columbia, and the territories of Guam and Puerto Rico.
Copy of the Multistate Complaint.

Judge Diane M. Johnsen (ret.) Named James A. Walsh Outstanding Jurist

PHOENIX – The Board of Governors of the State Bar of Arizona named retired Judge Diane M. Johnsen of the Arizona Court of Appeals, Division One, as the 2020 recipient of the James A. Walsh Outstanding Jurist Award.
The award recognizes "that judge whose career exemplifies the highest standards of judicial conduct for integrity and independence; who is knowledgeable of the law and faithful to it; who is unswayed by partisan interests, public clamor or fear of criticism; who is patient, dignified and courteous to all who appear before that judge; and who endeavors to improve the administration of justice and public understanding of, and respect for, the role of law in our society."
The award recognition notes Judge Johnsen's early career as a political reporter and editor at the Arizona Daily Star in Tucson. Judge Johnsen clerked for Judge Ben Duniway on the Ninth Circuit Court of Appeals before entering private practice in the areas of complex commercial litigation, environmental law, insurance coverage, commercial torts, and media law. Judge Johnsen was appointed to Division One of the Arizona Court of Appeals in 2006 and served as Chief Judge from 2014 to 2016. Judge Johnsen retired from the bench in February 2020 and works part-time as a Special Projects Attorney for the court. In semiretirement, Judge Johnsen is training to become a Court Appointed Special Advocate in Maricopa County.
The James A. Walsh Outstanding Jurist Award is named in honor of James Augustine Walsh (1906-1991), who was a Maricopa County judge and was nominated by President Harry S. Truman to a seat on the United States District Court for the District of Arizona. Walsh served as chief judge of that court from 1961 to 1972. After many years of service, Walsh assumed senior status and continued in semiretirement until his death in 1991.
For a complete list of the 2020 State Bar Annual Awards recipients, see https://azbar.org/about-us/board-of-governors/state-bar-annual-awards/.

ARIZONA CRIMINAL JUSTICE COMMISSION ANNOUNCES DIRECTOR LEFEVRE'S ELECTION AS VICE PRESIDENT OF THE NATIONAL CRIMINAL JUSTICE ASSOCIATION

Phoenix, AZ, Thursday, December 17, 2020 – Today, the Arizona Criminal Justice Commission (ACJC) announced that Executive Director Andrew T. LeFevre has been elected as Vice President of the National Criminal Justice Association (NCJA).
"We are very proud of Director LeFevre for being elected as Vice President of the NCJA Board of Directors," stated ACJC Chairwoman Sheila Polk. "Through his leadership over the years, he has played a vital role in raising

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000327
ARZN_REV00068497_12-17-20.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona's position on issues in the southwest around Criminal Justice Reform to the national level. This gives Arizona a voice in issues that directly impact our state on policy issues."

NCJA is one of the nation's leading voices in shaping and implementing criminal justice policy. Representing state, tribal and local criminal and juvenile justice practitioners, the NCJA works to promote a balanced approach to communities' complex public safety and criminal justice system problems by coordinating juvenile justice, criminal justice and other federal programs to use limited federal funds most effectively. Its governing body is comprised of high-level state and county officials and regional representatives from across the country.

"I am honored at being elected Vice President of NCJA by my peers around the nation," said Director LeFevre. "One of the strengths of our organization is the diverse collection of experience, knowledge, and opinions on criminal justice issues that are represented by our members and staff. I look forward to working in my new position to enhance NCJA's leadership role in important criminal justice conversations."

Prior to serving as the Vice President for NCJA, Director LeFevre served on the organization's executive committee as the elected chair of the western region and as chair of the National Forum Planning Committee and as an active member of the Finance and Audit Committee.

"It is important to me and the criminal justice stakeholders that ACJC represents that Arizona has a strong voice on the NCJA board," said LeFevre. "As a southwestern border state, we bring important issues to the national stage and provide a voice for our unique challenges."

To learn more about NCJA, visit www.ncja.org

"QUOTE OF THE DAY"

"If the point of this story is that 'Oh, he feels guilty,' you're not going to get that."

- Rodriguez, on his penchant for commenting on and liking pornography from his second Twitter account

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, December 18, 2020 4:31:26 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 12-18-20-1.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Here is today's attached YS

About Contact

In Today's Yellow Sheet *December 18, 2020*

MAYBE NEVER, EDDIE
Maricopa County will challenge E Farnsworth's subpoenas in a complaint in superior court and in a letter to Fann, county supervisors decided on a 4-1 vote this afternoon.

WHO CAN TURN THIS MAGENTA COUNTY BLUE?

AMERICAN OVERSIGHT

Maricopa County Dems will vote for a new chair tomorrow in what appears to be a two-way race between Nancy Schriber, the LD28 Dem chair, and Damián Preciado, a vice chair of the Arizona Democratic Party.

BUT AMEND IT TO INCLUDE ONE YELLOW SHEET REPORTER
Bowie will try again to create a citizen task force to review all tax credits, state revenue and expenses compared to other states.

THE LEGISLATIVE EQUIVALENT OF POURING ONE OUT FOR KERN
Kavanagh wants to limit all future ballot initiatives to a single-subject, reviving a Kern referendum that died last session due to the pandemic.

THERE CERTAINLY OUGHT TO BE A LAW
Barto reintroduced a bill she ran last year to keep doctors from performing invasive physical exams on unconscious women.

YOUR ELECTION WAS FAKE, MINE WAS LEGIT
Corporation Commissioner-elect Jim O'Connor thinks there was massive election fraud in Maricopa County – a county that helped make him the first statewide candidate in history to win an election after winning a primary write-in campaign.

WE HEAR HOWIE HAS 31 VOTES IN THE BAG
Our request Wednesday for potential non-lawmaker candidates for the next speaker of the House netted some good replies, including from one elected Republican who offered up perhaps the most obvious choice: "The Donald."

THE TACOS WON'T BE THE SAME WITHOUT YOU
Lynn Rita Moreno, the always-friendly co-owner of one of our favorite Capitol haunts, Taqueria El Chino, died of Covid.

AMERICAN OVERSIGHT

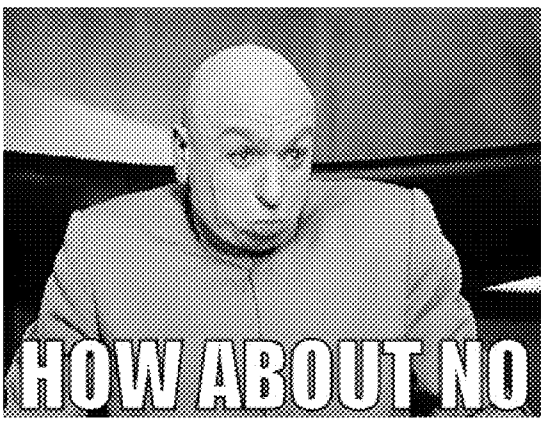
YELLOW SHEET REPORT

ARIZONA CAPITOL REPORTS

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved.
Friday, December 18, 2020

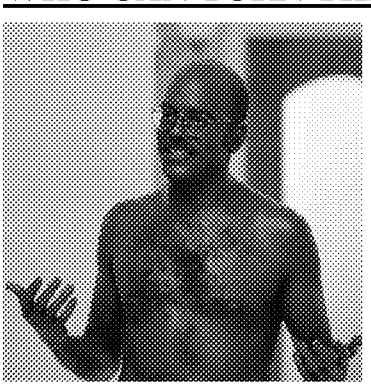
·NEWS NOTES AND GOSSIP·

MAYBE NEVER, EDDIE



Maricopa County will challenge E Farnsworth's subpoenas in a complaint in superior court and in a letter to Fann, county supervisors decided on a 4-1 vote this afternoon. Farnsworth gave the county until 5 pm today to respond to his subpoenas for ballot images and access to all voting machines, though it's legally unclear whether those materials fall under the Senate's subpoena power. Supervisors reiterated their intent to conduct their own forensic audit of election equipment, but only after ongoing court cases conclude. They'll work through Christmas if necessary to restore public faith in the election system, board chair Clint Hickman said. Hickman noted that he spent six hours participating in Monday's Senate Judiciary hearing, and county staff, including election day director Scott Jarrett, also spent hours answering lawmakers' questions. Instead of listening to his answers, E Farnsworth responded by sending subpoenas, he said. "To be slapped with two subpoenas, I feel that was a slap in the face," Hickman said. Supervisor Steve Gallardo, the sole Democrat on the board, also offered an awkward criticism for the Senate and Farnsworth's "out-of-bounds" subpoena. "He is one of the smartest members of the Legislature, and he knows better," Gallardo said. He added that he and his fellow supervisors support an audit, but they want it to be done correctly, "not in the middle of a legislative circus and not in the middle of a sideshow." A Senate GOP spokeswoman declined to comment, saying Fann hasn't yet received the letter. But the "stop the steal" crowd is up in arms. Ugenti-Rita tweeted that not complying with the subpoenas is "a slap in the face to the voters of Maricopa County" (LINK). AZGOP referred to the decision as "a travesty of epic proportions" (LINK). Townsend continued her quixotic quest to bring the Legislature back to a special session, claiming it only needs a simple majority to return if the special session is related to a presidential election (LINK).

WHO CAN TURN THIS MAGENTA COUNTY BLUE?



Maricopa County Dems will vote for a new chair tomorrow in what appears to be a two-way race between Nancy Schriber, the LD28 Dem chair, and Damián Preciado, a vice chair of the Arizona Democratic Party. The seat is open after current chair Steven Slugocki announced he would not seek another term. The county Dems had a rough go this election cycle after not picking up any county-wide offices or Board of Supervisors seats and losing the County Recorder's Office – despite the county favoring Joe Biden overall. Schriber has received endorsements from Stanton and Anna Tovar, among others, and has a solid track record of flipping a House seat and the Senate seat in LD28 over the past two election cycles. Preciado, on the other hand, has support from Jermaine, Brianna Westbrook, and other non-elected Dems lower on the totem pole than Stanton and Tovar. The vote for chair and other executive members will commence on Zoom tomorrow afternoon.

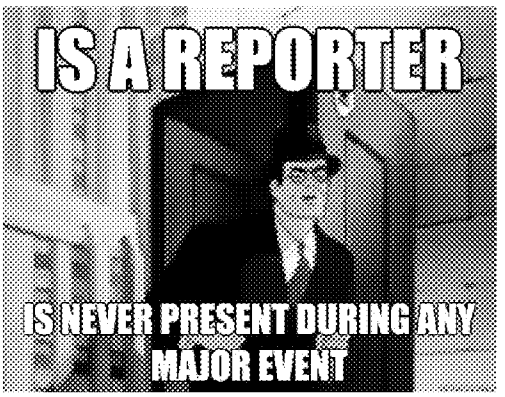
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000331

ARZN_REV00068501_12-18-20-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BUT AMEND IT TO INCLUDE ONE YELLOW SHEET REPORTER



Bowie will try again to create a citizen task force to review all tax credits, state revenue and expenses compared to other states. His S1004 (state finance review; task force) would create a 22-person committee with members from the Legislature, government agencies, the business sector and education groups. The bill hasn't caught traction in previous sessions, something Bowie attributes to some of his GOP colleagues not being fond of requiring new reports, but he said he's had some promising conversations with Republicans including Mesnard – who is not a fan of tax credits and targeted tax breaks. Tax credits are supposed to be reviewed on a rolling basis by the Joint Legislative Income Tax Credit Review Committee, but the group has only met once in the past five years (YS, 12/20/19). At that sole meeting, Cobb, Mesnard and Dems complained that the Arizona Commerce Authority expected them to trust that business tax credits are being used as promised. Bowie said a task force created through his S1004 could help lawmakers identify tax credits that aren't bringing the state economic benefits and repurpose that money for more important expenditures without fighting a losing battle to raise taxes. "It shines more of a light on reforms that we could make that would allow us to have a clearer budget picture and allow us to invest more in education, infrastructure and all these areas that we want to invest in," he said.

THE LEGISLATIVE EQUIVALENT OF POURING ONE OUT FOR KERN

Kavanagh wants to limit all future ballot initiatives to a single-subject, reviving a Kern referendum that died last session due to the pandemic. Kavanagh filed HCR2001 (initiatives; single subject; title) yesterday, which moved through the House on party lines before dying after Senate jud passed it to the Senate. It's viewed as an attack on the initiative process since a lot of ballot propositions do more than one thing – especially one in 2016 (Proposition 206) where most Republicans were against. That passed on a slim margin and increased the minimum wage to its current $12 per hour as well as addressing sick leave. Article 4, Part 2 Section 13 of the Arizona Constitution requires all acts to contain just one subject. However, during the legal battle over Prop 206, the Arizona Supreme Court declared (LINK) that the rule only applied to acts of the Legislature, not initiatives. Not one referendum made it out of the legislature this year, so it's widely expected that there will be more attempts to change the process of getting propositions on the ballot and likely more difficult for them to pass, as well.

THERE CERTAINLY OUGHT TO BE A LAW

Barto reintroduced a bill she ran last year to keep doctors from performing invasive physical exams on unconscious women. Her S1017 (informed consent; pelvic examinations) is a carbon copy of legislation both she and Carter ran last year that would bar doctors and medical students from practicing pelvic exams on women who have not explicitly consented. For decades, medical students and residents have learned how to examine women's sexual organs by practicing on women who were anesthetized for other treatment. It's only in the past few years that patients and medical students have spoken out about the troubling practice of touching unconscious women's private parts – something that would be sexual assault in any other context. At least 17 other states have recently outlawed the practice (LINK).

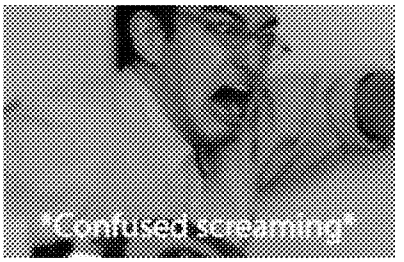
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000332

ARZN_REV00068501_12-18-20-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YOUR ELECTION WAS FAKE, MINE WAS LEGIT



Corporation Commissioner-elect Jim O'Connor thinks there was massive election fraud in Maricopa County – a county that helped make him the first statewide candidate in history to win an election after winning a primary write-in campaign. In a press release announcing some staff additions, O'Connor, a Republican, repeated the unfounded and debunked claims of voter fraud, then sentences later, thanked the 1.4 million-plus voters who selected him to sit on the five-member commission. (He placed third to Democrat Anna Tovar and Republican Lea Marquez Peterson.) "The behavior of so many elected officials associated with the process was shameful. I remain deeply concerned for our citizens' freedom and liberty. I join with all those praying for our state and our nation, for only with God's help will we have a prayer of righting this treasonous wrong," he wrote. Commissioner Justin Olson drafted O'Connor to run a write-in bid in the August primary after four Republicans were tossed out over signature requirements and ensuing legal battles. O'Connor also announced he hired two top staffers. Tom Broderick, the former utilities director of Corp Comm, will serve as his senior policy advisor and Shelli Boggs, a controversial figure who lost her bid for Maricopa Community Colleges governing board last month, will serve as his deputy advisor and administrative assistant. Politicos may know Boggs as the "AR-15 lady" after a mailer depicted her in a red tank top holding the assault rifle with the caption "Shelli Boggs couldn't be trusted with children in a classroom. We can't trust her on the Maricopa Community Colleges Board!" Boggs resigned from a job at EVIT after the governing board prepared a statement of charges documenting accusations that she bullied students and mocked their clothes.

WE HEAR HOWIE HAS 31 VOTES IN THE BAG

Our request Wednesday for potential non-lawmaker candidates for the next speaker of the House (YS, 12/16) netted some good replies, including from one elected Republican who offered up perhaps the most obvious choice: "The Donald." "Since even the craziest of us know at this point that on January 20, he'll be out of a job," the source added. Other fun names include former House GOP spokeswoman turned White House spokeswoman Stephanie Grisham (in fact, two railbirds floated that name), former lawmaker Don Shooter ("f*ck it, why not?") and McSally, who "has time on her hands" and "is used to dealing with Democrats in power." Railbirds also offered a few seemingly serious picks like veteran lobbyist Kevin DeMenna, firefighters' lobbyist Bryan Jeffries and former lawmaker Bruce Wheeler, who one railbird said has the "experience and ability to work with both sides of the aisle."

THE TACOS WON'T BE THE SAME WITHOUT YOU

Lynn Rita Moreno, the always-friendly co-owner of one of our favorite Capitol haunts, Taqueria El Chino, died of Covid. *The Republic's* Emily Wilder reported the sad news today (LINK), writing that Ralph Ung, her husband and business partner, has suffered three other Covid deaths among close friends since the summer, and his mother passed away, though not from Covid. "Oh, she thought she was real funny," Ung said of his wife. "She always had a smile on her face." Despite taking precautions against the virus, Moreno became sick and went to urgent care, which sent her to the ICU, where she died about two weeks later without any family by her side. The family has set up a GoFundMe account to help pay for the cost of the funeral (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000333

ARZN_REV00068501_12-18-20-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

CORRECTION: SHE'S A DOCTOR, JUST NOT THAT KIND OF DOCTOR

Due to a miscommunication with the Ninth Floor, Wednesday's report erroneously stated that Dept of Health Services Director Cara Christ is not a medical doctor. She is a licensed doctor, although she does not personally care for any patients and is not a practicing physician.

·PRESS RELEASES AND NEWS CLIPS·

Speaker Bowers Announces Statutory Committee Assignments

STATE CAPITOL, PHOENIX – Speaker Rusty Bowers today announced House member assignments to statutory committees for the 55th Legislature.

Joint Legislative Budget Committee (JLBC)
Rep. Regina Cobb **Chair during 2021*
Rep. Ben Toma
Rep. Shawnna Bolick
Rep. John Kavanagh
Rep. Joanne Osborne
Rep. Randall Friese
Rep. Charlene Fernandez
Rep. César Chávez

Joint Committee on Capital Review (JCCR)
Rep. Regina Cobb **Chair during 2022*
Rep. Ben Toma
Rep. John Kavanagh
Rep. Joanne Osborne
Rep. Reginald Bolding
Rep. Randall Friese
Rep. Aaron Lieberman

Legislative Council
Rep. Rusty Bowers **Chair during 2022*
Rep. Ben Toma
Rep. Becky Nutt
Rep. Travis Grantham
Rep. Reginald Bolding
Rep. Athena Salman
Rep. Raquel Terán

Joint Legislative Audit Committee (JLAC)
Rep. Joanne Osborne **Chair during 2022*
Rep. Tim Dunn
Rep. Steve Kaiser
Rep. Pamela Powers Hannley
Rep. Jennifer Longdon

DES Announces Child Care Scholarship Program for Essential Workers

PHOENIX - (December 18, 2020) The Arizona Department of Economic Security (DES) announced a new program aimed at providing child care resources to essential frontline workers combating COVID-19.
The Essential Workers Child Care Relief Scholarship Program will be open to:

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000334
ARZN_REV00068501_12-18-20-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- First responders
- Critical health care workers
- Essential government operations workers
- Grocery store and food bank workers
- Licensed/certified child care workers

"Our frontline workers continue to protect and serve Arizonans — and we want to make sure they have the support they need," said Governor Doug Ducey. "The Department of Economic Security's new program will ensure Arizona's working families have safe and secure child care while they work to protect public health. Thank you to all Arizonans who continue to help one another during the pandemic."

DES is partnering with contracted child care providers to offer child care so Arizona can remain focused on keeping children safe and supporting families and providers. Participants will select child care from DES contracted child care providers. Arizona Child Care Resource & Referral can assist parents in finding and selecting care.

"Early in the pandemic, the Arizona Enrichment Centers were critical to providing first responders and essential workers with the child care they needed to support our state through the public health emergency," said DES Director Michael Wisehart. "This new program builds upon this success and continues support for those bravely serving on the frontlines. We are grateful for Governor Ducey's partnership in the continuation of support for Arizona's essential workers."

In addition to qualifying as serving an essential function, parent eligibility requires the following:

- Critical job functions cannot be completed remotely (telework);
- Household income is $65,000 or less annually; and
- The parent does not have access to child care and/or in person school services, or there is a health or safety concern with the child attending in person school services.

Individuals can apply for the Essential Workers Child Care Relief Scholarship here. All applicants will receive an email confirmation once their application has been submitted and received, and will be notified of the application approval by email. Upon notification of approval, applicants need to register their child(ren) at the child care provider they selected in their application, and follow the step-by-step instructions.

For additional information, including a list of answers to Frequently Asked Questions (FAQ), please visit: des.az.gov/services/child-and-family/child-care.

###

Sinema, Kelly: $49.4 Million Coming to Valley Metro's Northwest Light Rail Extension

Federal transportation funding will help complete the Northwest Light Rail Extension, advancing and strengthening Arizona's infrastructure

Arizona Senators Kyrsten Sinema and Mark Kelly applauded $49.4 million from the U.S. Department of Transportation to help fund Valley Metro's Northwest Light Rail Extension.

"Today's funding announcement represents a critical next step in the Northwest Light Rail Extension. Investing in Arizona's infrastructure creates jobs, expands transportation options, and grows Arizona's economy. I'll continue supporting infrastructure investment in our state and creating opportunities for all Arizonans," **said Sinema.**

"This expansion of Valley Metro Light Rail will further connect the region with affordable transportation options and lead to greater economic growth. Investing in infrastructure is key to bringing more jobs to our state and rebuilding a stronger economy for the future," **said Kelly.**

Today's funding announcement comes as a Capital Investment Grant from the Federal Transit Administration (FTA), and it marks another stage in the project's advancement towards readiness to receive a construction grant agreement. The funding follows a recent funding announcement for the South Central Light Rail Extension of $530 million from the FTA's Capitol Investment Grants Program and $108 million from the Federal Highway Administration.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Sinema, Kelly: Arizona Health Providers Receiving $115 Million in Coronavirus Relief Funds

Provider Relief Funds will help Arizona health providers make up for lost revenue due to the coronavirus pandemic

Arizona Senators Kyrsten Sinema and Mark Kelly announced over $115 million in Provider Relief Funds for Arizona health providers. These funds will help Arizona health providers make up for lost revenue from the first half of 2020.

"Today's funding supports Arizona hospitals, nursing homes, and care facilities to continue operating as they fight to save Arizonans' lives," **said Sinema.**

"Arizona hospitals and providers are struggling under the weight of this pandemic and it is critical they continue to receive support like this so they can keep taking care of Arizonans," **said Kelly.**

NALEO Educational Fund is Disappointed in Supreme Court's Decision to Dismiss Case Against Trump Administration's Attempt to Manipulate Census 2020 Apportionment Data

We will continue to fight any effort by the Administration to proceed with this illegal and unconstitutional action

WASHINGTON, D.C. – The National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund today released the following statement from CEO Arturo Vargas in response to the Supreme Court's decision to dismiss a case against the Trump Administration's effort to exclude undocumented immigrants from the apportionment count it will deliver to Congress following the 2020 Census:

"While we are disappointed that the Supreme Court failed to rule on the merits in this case, we are confident that the language of the Constitution will prevail if and when this matter returns to the Court.

"Although the majority of the justices felt it was not the right time to decide on the merits, the Fourteenth Amendment of the Constitution, ratified 152 years ago, continues to fortify protections against any efforts to change the definition of '*persons*' for purposes of apportionment, without exception for race, gender, age, citizenship, or immigration status. While the majority decided this case was premature as there was insufficient clarity for them as to how the Administration's memo would affect the apportionment count, there is no right time to violate the Constitution. The three dissenting justices ruled that case was not premature and that the President's policy is unlawful. Should the matter return to the Court, it should rule against the Administration.

"The Administration's intent and goals are clear: to provide unfair partisan advantages in apportionment and redistricting. This would undermine our democratic values. The American people and the Court have enough information to reasonably conclude this. Despite this reality, the census continues to face other challenges, making it critical that Congress pass legislation before the end of the year, extending the reporting deadlines for the apportionment counts and the redistricting data.

"The decennial census is the foundation of our democracy. A failed census is not an option. An undercount of Latinos, the second-largest population group in the United States, would lead to that failure, which is unacceptable. NALEO Educational Fund continues to remain committed to a fair and accurate census that includes all persons living in the United States."

MALDEF STATEMENT ON SUPREME COURT'S DISMISSAL OF CENSUS CASE

(LOS ANGELES) – The U.S. Supreme Court today declined to rule on the Trump administration's impending attempt to exclude undocumented immigrants from the 2020 Census count used to allocate seats in the U.S. House of Representatives.

The court dismissed the case in an unsigned opinion, stating that it was too early for the nine justices to decide the merits of the case.

Thomas A. Saenz, president and general counsel of MALDEF (Mexican American Legal Defense and Educational Fund) issued the following statement in response to the Supreme Court dismissal of the case:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Today, a majority of the Supreme Court perpetuated the damaging chaos that characterizes the outgoing Trump administration in its approach to well-established democratic principle under the United States Constitution. In the face of an unequivocal, public, and written declaration by Donald Trump that he would violate federal statute and the Constitution by seeking to subtract some portion of the resident undocumented population from the Census 2020 count for congressional reapportionment, the Court majority held that the legal challenges to this imminent violation are not yet ripe for federal court decision.

"Yet, as curious as the majority decision may be, the illegality of Trump's stated intention is patently obvious. One outcome of the Civil War was a constitutional amendment eliminating the abominable three-fifths rule from our original Constitution; ever since the Fourteenth Amendment, our Constitution has treated every person as equal in the apportionment count, regardless of the rights held or denied to any class of persons. Moreover, as noted by the Court today, there are serious questions about how much of the undocumented population can be ascertained by 'actual enumeration,' as the Constitution requires, as opposed to unconstitutional conjecture or estimation. Finally, if only a fraction of the undocumented population can be verified, as is plainly the case, subtracting any persons would be unconstitutional because a fractional count is not an 'actual enumeration.'

"A sensible executive would abandon his plans in light of clear constitutional mandate. Unfortunately, Donald Trump regularly ignores the Constitution when it inconveniently undermines his personal interests and predilections. Trump's intended actions on apportionment are as much a threat to American democracy as his ongoing and deranged refusal to concede his massive election loss in both popular vote and electoral college. Today, the Supreme Court majority eschewed an opportunity to shore up democracy in response to Trump's ongoing chaotic attempts to undermine it.

"Today, our nation needed a resolute Court, and we didn't get that."

"QUOTE OF THE DAY"

"To be slapped with two subpoenas, I feel that was a slap in the face."

- Clint Hickman, chair of the Maricopa County Board of Supervisors, on legislative subpoenas that the board intends to fight

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000337

ARZN_REV00068501_12-18-20-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, December 21, 2020 9:26:39 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: December 19-21, 2020
Attachments: December 21, 2020.docx

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Navajo coal stacks come down, altering landscape
- Attorney general: Local gov'ts can't stop employees from donating to local candidates
- Maricopa supervisors reject subpoenas for election materials, opt to sue instead
- Arizona reports over 100 virus deaths for 3rd straight day
- Yuma prison warden dies as his facility fights virus outbreak
- Health chief alters rules to protect AZ businesses
- Ariz. tribal leaders, activists thrilled by Biden's Interior pick
- Some Pima County employees told to stay home for three weeks to reduce virus spread
- Driven by pandemic, protests, Arizona gun sales hit record
- Santa Cruz River flows north of downtown Tucson again

Arizona Republic

- Coal plant stacks felled
- Charter's PPP loan called into question
- More vaccines given out on Navajo Nation
- County supervisors go to court over election subpoenas from AZ Senate
- New 'proof' 700K votes were stolen is just silly
- Arizona hospital be ds 93% full as COVID-19 hospitalizations rise
- 5,560 new COVID-19 cases reported in Ariz.
- Arizona faces vaccine shortfall of 28K doses
- Phoenix police chief has virus, is isolating
- State education department projects schools will lose millions in funding
- New autism screening to address barriers
- Arizona's COVID-19 hospitalizations decline from peak

KTAR News

- Kyrsten Sinema, Mark Kelly receive first dose of coronavirus vaccine
- UArizona says contact tracing app has reduced coronavirus cases by 12%
- Arizona reports 5,560 new coronavirus cases, 118 more deaths
- Valley among top places where small business outlook is positive for 2021
- Arizona reports 5,366 new coronavirus cases, 34 more deaths
- 13 Arizona school districts face high financial risk, according to new report
- Arizona reports 7,748 new coronavirus cases, 1 additional death

AMERICAN OVERSIGHT

Arizona Daily Sun

- Arizona paid widely varying prices for critical medical gear
- Arizona public, charter schools to face budget deficit
- Arizona continues string of record COVID-19 hospitalizations
- Arizona utility restarts effort to get more power from solar

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Navajo coal stacks come down, altering landscape

Felicia Fonseca
Arizona Daily Star
December 19, 2020

Three towering concrete stacks that were the most visual reminders of a coal-fired power plant that operated for decades along the Arizona- Utah state line came down Friday.

The 775-foot structures loomed over the Navajo Generating Station, a 2,250 megawatt plant that closed last year as natural gas became a cheaper alternative for electricity.

Their flashing lights became a beacon in the community and a sign to travelers in a remote area that they were approaching Page.

'I have mixed emotions because I've spent most of my life as a constructor, and now I'm wearing a different hat in the demolition mode,' said Gary Barras, a project management director for the Salt River Project, the Arizona utility that operated the plant.

'I know personally how hard it was to design and build those stacks.'

A series of booms echoed through the region that includes iconic tourist destinations such as Lake Powell, slot canyons and Horseshoe Bend as the stacks fell one by one.

Clouds of dust covered what's left of the power plant, sitting low on the landscape before drifting away.

Thousands of people lined roadways and gathered in parking lots to watch it happen.

Environmentalists and some members of the Navajo and Hopi tribes fought years to shut down the plant that was among the largest in the West in favor of a switch to renewable energy.

'We are witnessing an artifact of a time when a coal-fired power plant was preferable to damming the Grand Canyon,' said Roger Clark of the Grand Canyon Trust. 'We've since learned that cooking the planet to keep Phoenicians cool is a bad idea.'

The power plant was built to power the Southwest and a canal system that delivers Colorado River water to Arizona's major metropolitan areas. It shut down in November 2019.

The stacks came down in a way that's similar to cutting down a tree. Crews sawed the back side of the stacks so they would fall to the northeast largely on to concrete pads where water treatment, ash handling and brine concentrator systems once stood.

Crews also gutted transformers, wiring and elevators from the first 30 feet of the stacks to prepare. Small blocks of concrete were cut and knocked out of the structures to weaken them. Windows and vents were removed and reinforced to keep the stacks from twisting, said Nathan Betts, construction manager for Tetra Tech, the company overseeing contractors on site.

AMERICAN OVERSIGHT

To prevent the stacks from falling earlier, crews didn't release the last bit of tension until Friday morning before detonating about 1,530 pounds of dynamite.

The stacks fell sequentially within seconds of one another. Crews will come in after the dust settles to separate rebar from concrete and recycle what they can.

No one was allowed within a 2,000-foot radius of the stacks for safety reasons. The original stacks were the same size but had been reduced to 220 feet. They came down earlier this year.

The work is part of a $150 million decommissioning of the plant that is on land leased by the Navajo Nation.

The buildings that housed the boilers — what Barras called the proverbial tea kettles — will go next, he said.

Environmentalists said they'll keep close watch to ensure the plant is cleaned up as required before the land is turned over to the Navajo Nation.

Return to the table of contents

Attorney general: Local gov'ts can't stop employees from donating to local candidates

Howard Fischer
Arizona Daily Star
December 19, 2020

Local governments cannot stop their employees from donating to candidates for local offices, Attorney General Mark Brnovich says in a formal legal opinion.

Brnovich said the no-donations policy put in place by Pima County supervisors nearly 30 years ago, barring contributions to county candidates, violates the First Amendment rights of the workers. He acknowledged that the purpose behind the policy was to ensure that there was no link between whether a worker donates and decisions by a supervisor about that employee's status and salary. That is a legitimate concern, Brnovich said.

But in his 13-page opinion, he said there are less intrusive ways to achieve that goal than quashing the ability of county employees to contribute to candidates of their choice.

Also, Brnovich opined that the amount of money involved — there is a $6,250 limit on donations — is not enough to cause concern.

What he did not note, however, is that state lawmakers changed the statutes several years ago to allow officials serving four-year terms to collect more than that from any individual.

They revised the law to make the limit apply to any two-year election cycle.

AMERICAN OVERSIGHT

That effectively allows a supervisor, sheriff, mayor or council member in a four-year term to take in $12,500. And if the employee is married, the limit is $25,000. That fact did not escape Pima County Administrator Chuck Huckelberry. 'It should have put the number in and it should have put 'by cycle' and it should have put 'spouse,'' he said. 'You add those together and you get the real money.'

The cap was not the sole reason Brnovich said a ban is unnecessary, though.

'State law prohibits (county) employees from using the authority of their positions to influence the vote or political activities of any subordinate employee,' Brnovich noted.

He said the county already has other policies about holding financial or personal interests that could negatively affect the interests of the county, bars using official positions for personal gain or financial advantage, and prohibits employees from accepting 'anything of economic value' designed to influence their conduct.

'These laws and policies reduce the likelihood that an elected official will improperly influence the vote or reward any county employee who contributed to the official's campaign,' the Republican attorney general wrote.

Less clear is the legal effect of the opinion.

Unlike a court order, an opinion does not order the county to change its policy.

Nor, unlike some other reviews of local laws by the attorney general, does it come with a threat to withhold state aid for failing to fall in line.

Huckelberry said the county attorney will present the opinion to the supervisors, likely at their second meeting in January, and let them decide what to do.

There is a legitimate reason for the policy, he said.

'This is kind of returning to a time when you bought your job based on political contributions rather than earning it based on qualifications,' Huckelberry said.

The reason Brnovich got involved was a request for a formal opinion by state Rep. Vince Leach, R-Tucson.

Leach said he had received inquiries from some county workers who question why that status keeps them from donating dollars to help elect those running for supervisor, sheriff, assessor, recorder or any other county position.

He wanted a formal opinion from Brnovich to back

up his position that money is the same as speech and that a ban on contributions is effectively a ban on speech.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Maricopa supervisors reject subpoenas for election materials, opt to sue instead

Howard Fischer
Arizona Daily Star
December 19, 2020

Maricopa County supervisors voted Friday to not comply with subpoenas for election materials issued by the chairman of the state Senate Judiciary Committee.

The subpoenas demanded access to copies of the more than 2 million ballots cast by Maricopa County voters in the Nov. 3 election, and for access to the equipment used to tabulate those ballots and the software that ran the equipment.

The 4-1 vote to refuse, following a nearly three-hour executive session with attorneys, came amid concerns that at least some of what is being demanded by Sen. Eddie Farnsworth, R-Gilbert, would expose private information on voters.

There also were questions about whether the county has the legal right to give that information to outsiders. Instead, the board members in the majority on the vote — three Republicans and one Democrat — directed their attorneys to file suit and have a judge determine whether the subpoenas are legally valid.

The legal papers, filed late Friday, said the subpoenas are not authorized by any law. Legislative panels can subpoena people to testify, but these seek actual materials, said attorney Steve Tully, hired by the county, who is himself a former lawmaker.

More significant, Tully said the subpoenas 'serve no valid legislative purpose.'

'There is no legislative authority to audit election results,' he said. Nor is there authority to examine ballots or conduct forensic audits of election equipment, he said. That paves the way for what could be a legal showdown over the rights of state lawmakers to make such demands, and the rights of county supervisors, who have the information they want, to refuse.

Board Chairman Clint Hickman also suggested that Farnsworth and lawmakers are not really interested in hearing how the election was conducted.

Hickman pointed out that he, county Elections Director Scott Jarrett and deputy Maricopa County Attorney Tom Liddy testified earlier this week for about six hours, answering all the questions from the Judiciary Committee. That, he said, included questions about the machinery and the software.

'And then to be slapped with the two subpoenas,' Hickman said. 'That could be viewed as a slap in the face.'

In fact, he said, the subpoenas are asking for information that was never part of the questions that he and the other county officials were asked.

'I had to then feel those subpoenas were predetermined, no matter what I went there to say ... and no matter what Mr. Jarrett had to say,' Hickman said. 'To me, that's kind of telling.'

AMERICAN OVERSIGHT

Supervisor Steve Chucri cast the lone dissenting vote.

But Chucri said it wasn't that he agrees the information should be surrendered. Instead, he wanted the refusal to be tied with an immediate vote by his colleagues to conduct their own election audit.

Hickman said there will be such a review — but not until all the outstanding lawsuits challenging the election are resolved. There are still three active cases.

One subpoena seeks copies of all mail-in and absentee ballots — and in multiple digital formats — along with various reports and logs and tapes of the ballot scanning and tabulation equipment.

The other demands were that the county give access to a yet-to-be-chosen analyst to the ballot tabulation equipment from both the individual voting centers and the central counting system as well as the software used.

Farnsworth also wants a report on rejected ballots, audit trail logs, usernames and passwords of anyone who has access to the system and anyone from Dominion Voting Systems who could get into the system.

The subpoena also commands the county to turn over daily and cumulative voter records which include the name, address and birthdate of each voter, where and when they voted, their party affiliation and any information about when they requested an early ballot, when it was sent, when it was voted and, if applicable, when it was canceled.

All that angered Supervisor Bill Gates.

'Let's be clear: These subpoenas that have been issued and are before this body are truly extraordinary in the breadth of information that they're looking for,' he said.

'As a conservative, I feel strongly about individual private information, of individuals, of voters,' Gates said. 'I'm going to fight to protect that information before we turn it over.'

Farnsworth said none of the information sought would be made public but that it's part of providing an outside auditor the means to verify the election results.

Tully, in his legal papers, said there is no legitimate legislative purpose for the subpoenas. Instead, he said, they are 'to provide the information for counsel for the losing candidate so that he might attempt to use it to overturn the election results.'

Farnsworth denied that the subpoenas are designed to affect the outcome of the election or the pending lawsuits.

'This has nothing to do with the Trump campaign,' he said. 'This has to do with the concern by the Legislature that there are enough allegations of inappropriateness or not being able to engage in the process or anomalies that exist.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona reports over 100 virus deaths for 3rd straight day

Paul Davenport
Arizona Daily Star
December 19, 2020

Arizona reported over 100 additional known coronavirus deaths for the third straight day Friday and one of the largest daily increases in cases during the current surge.

The Department of Health Services reported 142 additional known deaths and 7,635 new confirmed cases, bringing the statewide totals to 7,819 deaths and 442,671 cases.

Virus-related hospitalizations in Arizona reached 3,931 on Thursday, the latest in a string of pandemic records started earlier this month. Before the current surge, the previous daily hospitalization record was 3,517 on July 13 during the state's summer surge.

In Pima County, there have been 57,250 cases of coronavirus, up 1,449 cases from the previous day. There have been 875 deaths in Pima County, up 22 from the previous day.

Arizona hospitals are nearly at capacity, with only 7% of beds available and not in use.

Arizona's COVID-19 outbreak

was already growing before the Thanksgiving holiday weekend but has accelerated since. A senior official of a Phoenix-based hospital chain urged people to avoid gatherings and take further precautions during the upcoming holidays.

'We're all feeling fatigued and ready for life to get back to normal, but if we follow safety guidelines we'll get there sooner rather than later,' Dr. Marjorie Bessel, Banner Health's chief clinical officer, said Thursday night in an email.

Dr. Cara Christ, the state's top public-health official, said many people infected with COVID-19 have apparently dropped their guard in private dinners and similar settings.

'Our 600 contact tracers point again and again to situations where people socialize without taking the precautions that are required in most public places,' Christ said, referring to social distancing and masking.

Arizona on Wednesday reported 108 additional deaths, followed by 147 on Thursday.

The state on Dec. 8 reported a record high of 12,314 additional confirmed virus cases. The next highest daily reports were 11,795 on Dec. 14, 10,322 on Dec. 1 and 8,076 on Dec. 12.

Seven-day rolling averages for three key COVID-19 metrics continued to rise over the past two weeks, according to data from Johns Hopkins University and The COVID Tracking Project.

The rolling average of daily new cases rose from 4,585 on Dec. 3 to 6,786 on Thursday as the rolling average of daily deaths rose from 36.1 to 74.7 and the rolling average of daily COVID-19 testing positivity increased from 13% to 14.5 % .

AMERICAN OVERSIGHT

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Yuma prison warden dies as his facility fights virus outbreak

Arizona Daily Star
December 19, 2020

The warden of an Arizona state prison that has seen a major COVID-19 outbreak has died after being hospitalized over the weekend, the state Department of Corrections said.

Edwin Jensen was a warden at the Arizona State Prison Complex in Yuma, which houses more than 4,400 incarcerated people near the U.S.-Mexico border.

Department spokesperson Bill Lamoreaux said 'we will not be issuing a statement at this time, out of respect for his family and the ADCRR who continue to grieve.'

Yuma County sheriff's Lt. Sam Pavlak said Jensen was hospitalized at Yuma Regional Medical Center over the weekend.

The county medical examiner's office confirmed Jensen's death but said it would not be determining the cause of death or making a report due to federal privacy rules.

Arizona Corrections Association President Clinton Roberts said Jensen was an open-minded colleague who was able to help solve staff issues and called his passing 'a great loss.'

The prison is currently in the midst of the largest COVID-19 outbreak within the state's prison system, with more than 600 inmates testing positive for the virus last week, officials said.

More than 1,500 employees have also self-reported contracting the virus since the pandemic began in March. Employees at the Yuma prison have said they believe most members of the staff had been infected.

No official numbers are publicly available.

The number of infections is thought to be far higher because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some — especially older adults and people with existing health problems — it can cause more severe illness, including pneumonia and death.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Health chief alters rules to protect AZ businesses

Howard Fischer
Arizona Daily Star
December 20, 2020

The state's top health official acknowledged Friday she has altered the standards governing business operations in the pandemic to the point that none will have to close, no matter how serious the infection rate gets.

The reason, said Dr. Cara Christ, is that she does not believe businesses are a major source of the COVID-19 infections that currently have nearly 4,000 people in Arizona hospitals and the number of intensive care beds available in the state down to 128, just 7% of capacity.

She also said the implications of shutting down a business are greater than those for leaving them open.

Christ said she does not foresee a situation where the spread of infection from businesses will get to a point where she would change her mind.

She acknowledged that she effectively scrapped the 'substantial risk of spread' category from the benchmarks she adopted earlier this year.

But now, the business standards are the same for substantial risk as they are for 'moderate' risk of spread.

That's significant because, using Christ's own standards, certain businesses, including bars, movie theaters and gyms, are not allowed to operate when a county is placed in the substantial-risk category.

That category is based on more than 100 cases per 100,000 residents, more than 10% of tests coming back positive, and more than 10% of people showing up at hospitals having COVID-like illness.

All counties but Greenlee currently have all three indicators above that level, some by quite substantial margins, according to data from Christ's Arizona Department of Health Services.

In Pima County, for example, the infection rate is 607 per 100,000 residents and 17.9% of tests for the coronavirus are positive.

Pinal and Cochise Counties have comparable positivity rates but with 548 cases per 100,000 in Pinal and 727 in Cochise per 100,000.

And Yavapai County has a positivity rate of 566 per 100,000 with 21% of tests being positive.

But with the change in definition, Christ conceded, there is no longer any risk of any business in any county getting shuttered.

Christ said her decision is justified because those benchmarks were designed to show when businesses that were closed early in the pandemic, because they were in areas of substantial risk of spread, could reopen — specifically, when the virus levels reached moderate levels.

AMERICAN OVERSIGHT

There are now 'mitigation strategies' in place to reduce the risk, Christ said, such as requirements for restaurants and bars that operate like restaurants — no dancing, patrons staying at their tables — be limited to 50% occupancy.

Anyway, Christ said these businesses are not a major source of virus cases.

Her department says information from 'contact tracing' of people who have come down with the disease found that just 14% said they might have gotten it by attending large group settings outside their homes.

That points 'to spread occurring in households and small gatherings,' her department says.

But the numbers may be higher than that.

The most recent contact tracing data from Pima County, for example, finds that 26% of those questioned say they had recently been to a bar or restaurant. Christ was not impressed.

'So that would mean than 74% of those individuals that they interviewed did not say they were at a restaurant or bar,' she said.

She said those businesses are supposed to be operating under mitigation strategies enacted this past summer, like requiring everyone to wear masks when not eating and drinking, and limiting indoor seating.

'We also have to take a look at the whole health of the community,' she said. 'Housing and food access and health insurance and access to a job all play a role in the overall health and long-term outcome of our community.'

'Losing a house or income has a significant impact on (a person's) overall health,' she said. 'So we are taking all that into account.'

Christ said there are ripple effects.

'If I close down a restaurant, these are individuals that are now going to find a job somewhere else because they have to work,' she said. She said that's potentially more harmful.

Christ was asked if there is any percentage or number of cases that would persuade her to rethink the idea that she won't close any business.

'I can't say that there's not a number,' she responded. 'But there are other strategies that would come in before that, before we would recommend closing.'

Those include beefing up enforcement of existing rules for businesses and doing more to urge people to avoid large gatherings, she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Ariz. tribal leaders, activists thrilled by Biden's Interior pick

Tony Davis
Arizona Daily Star
December 20, 2020

Newly elected Pima County Recorder Gabriela Cazares-Kelly, the product of a U.S. Bureau of Indian Affairs education herself, is thrilled that fellow Native American U.S. Rep. Deb Haaland is a Senate confirmation away from becoming Interior secretary.

'We are the only group of people, Native Americans, that have a division of the government dedicated just to them. But we have never had a Native American in charge of this division,' said Cazares-Kelly, who attended a school run by the Bureau of Indian Affairs, which is part of the Interior Department.

Being named interior secretary is 'groundbreaking' for somebody like Haaland who has lived these experiences and who champions native issues such as land and education that are housed within Interior, Cazares-Kelly said Friday. She spoke a day after President-elect Joe Biden nominated the New Mexico Democrat to the post.

Groundbreaking. A historic day for Native Americans. A first real chance for tribes to have a voice in Washington. A seismic change.

Those are some reactions to Haaland's nomination from Indigenous leaders and from activists to her being selected not only the first tribal interior secretary, but the first Native American to hold any U.S. Cabinet slot. Her nomination comes two years after Haaland became one of the first two Native American women elected to Congress.

'It's a little bit more than inspiring. I think it's that there's a lot of Indian people who are supporting her and they believe in her. They trust her judgment because she's a mom, because she is Native, because she has had a lot of similar experiences as other Natives in the U.S.,' said April Ignacio, an O'Odham who chairs the Arizona Democratic Party's Native American caucus.

She and Cazares-Kelly are co-founders of Indivisible Tohono, a grassroots group that provides tribal members opportunities for civic education and works on issues affecting tribal members.

'She grew up without running water. She grew up without electricity. She knows what it's like to be a champion for Native people,' Ignacio said of Haaland. 'It's also about representation. It's about looking at this Cabinet that looks like America and it includes the original, the first people. For the very first time, we feel like we finally have a seat at the table.'

Haaland's nomination is a 'seismic change,'said Mary Jo Tippeconic Fox, a University of Arizona professor of American Indian studies.

'The nomination of Rep. Deborah Haaland is historic, and even more significant because she is a woman (doubly invisible in an already invisible population),' Fox wrote in an email to the Star. 'The possibility of having a Native American woman at the presidential Cabinet level with the opportunity to speak and act from a Native perspective on behalf of a population that is largely invisible to the federal government and mainstream society is sensational.

AMERICAN OVERSIGHT

'Native Nations are hopeful that Rep. Haaland's appointment will improve tribal consultation and have a transformative impact on the way the Department of the Interior handles Indian affairs,' Fox said.

Haaland will bring a unique and long overdue perspective to the department, 'as well as a fierce determination to protect our environment and the rights of Indigenous people,' Tohono O'Odham Nation Chairman Ned Norris Jr. said in a news release. 'The Nation urges the Senate to quickly hold hearings and approve her nomination so she can get to work right away.'

Young Native Americans can look up to Haaland and see her as a role model, said Aresta Tsosie-Paddock, an assistant professor at the University of Arizona's Department of American Indian studies and in the Linguistics Department.

'I'm very elated and excited for this new appointment. When I read that she was picked there's a lot of emotions attached to it,' Tsosie-Paddock said. 'She's going to be the steward of lands and also of Native issues. Knowing that she understands the philosophy of land and its connection to people, and her being raised in that matter, that speaks volumes.

'She's a win-win for everyone. Not just Indigenous people, but those of us who have a relationship with Mother Earth or with the earth in that capacity,' Tsosie-Paddock added.

As U.S. Rep. Raúl Grijalva sees it, Haaland's interior secretary nomination takes U.S. history full circle.

'You have a Department of Interior created primarily as we went west, but also created to disenfranchise

the tribes across this country, across the land and cultures themselves, from boarding schools on, and the legacy of that,' Grijalva, who is the House Natural Resources Committee chairman, told the Star Friday.

'And all of a sudden, in charge of this agency that was created to oppress Indigenous people, you have an Indigenous woman who happens to be an advocate — rightly a Native American in charge of it.

'To me, that's icing on the cake,' said Grijalva, a Tucson Democrat who pushed for her nomination.

POTENTIAL FOR CONTROVERSY

But Haaland's nomination brings more than an uplifting story about Native American achievement and an apparent end to what tribal leaders see as a legacy of official neglect of their interests in Washington, D.C.

Her confirmation would return Interior to the un-abashedly pro-environmental policies of former Interior secretary and former Arizona Gov. Bruce Babbitt — and then some. It will replace one set of controversies spurred by President Trump's pro-extractive industry policies with another set.

During the Clinton administration from 1993 to 2001, Babbitt ushered in a wave of new national monuments and efforts at overhauling grazing and mining policies across the West that triggered major opposition.

Haaland is a close Grijalva ally in Congress and serves as vice-chair of his committee.

AMERICAN OVERSIGHT

As secretary, she would likely reverse the Trump administration's decidedly pro-business public-lands policies.

The administration has dramatically scaled back previously created national monuments such as Bears Ears and Escalante-Grand Staircase in southern Utah, limited the reach of the Endangered Species Act and put the screws to enforcement of the Migratory Bird Treaty Act, among many other things.

Haaland's congressional website contains recent news releases advocating ocean conservation; blasting what she says is Interior's failure to meet a legal deadline to name lands to be conserved under recent federal legislation boosting the Land and Water Conservation Fund; and supporting expansion of clean energy infrastructure. She is a co-sponsor of Green New Deal legislation.

Grijalva told NBC News last week that while he hopes Republican senators will give Haaland a chance during the confirmation process, he sees the potential for opposition.

'The fact that she's not coming in with Zinke's or Bernhardt's agendas, that she brings a whole different and more inclusive perspective into how that agency functions, I think that's going to be one area of opposition,' said Grijalva, referring to current Interior Secretary David Bernhardt and his predecessor Ryan Zinke.

With issues facing Interior such as Bears Ears, possible uranium mining near the Grand Canyon and proposed copper and nickel mining at the edge of the Boundary Waters wilderness area in Minnesota, 'Yes, there is going to be controversy' with Haaland at the helm, Grijalva told the Star.

'But the fact remains that I think there is external public will outside of Congress to do something about climate change and the role land and water are going to have with this that will offset some of the controversy,' he said. 'I believe that given something solid and well done, people can get behind the initiatives' Haaland is likely to propose, he said.

If she can get confirmed and gets full decision-making authority from Biden, Haaland could make a huge difference in Interior Department policy, said Randy Serraglio, a conservation advocate for the Tucson-based Center for Biological Diversity.

'The federal government has been playing cowboys and Indians with public lands for 150 years, and the cowboys have always won. It's about time to change,' Serraglio said.

A LIFE STORY THAT INSPIRES

Debra Anne Haaland, who is 60, is a member of the Pueblo of Laguna that lies just west of Albuquerque. She calls herself a 35th generation resident of New Mexico.

Born in Winslow and daughter of a 30-year combat Marine father and a Navy veteran mother, she has a life story that has drawn many to her side.

She attended 13 different public schools while growing up because her family moved around the country during her late father's military service. He received a Silver Star for his service in the Vietnam War.

Haaland raised a daughter as a single mother who 'has lived paycheck to paycheck' and at times relied on food stamps to support them, says the official biography on her congressional website.

AMERICAN OVERSIGHT

She earned two University of New Mexico degrees, including one from its law school. She and her daughter, also a UNM graduate, continue to pay off student loans, her biography says.

She used to run a small business for several years producing and canning what she calls 'Pueblo Salsa.' She later became the first female chair of the Laguna Development Corporation board of directors, in which she oversaw operations of a major tribal gaming enterprise.

She was also a tribal administrator for nearly three years during the 2010s for the San Felipe Pueblo in northern New Mexico. She also ran a

local social service agency that helped people with developmental disabilities.

In Congress, Haaland has sponsored or co-sponsored numerous bills to protect or enhance tribal rights and economic development.

Just Friday, she blasted Trump on Twitter for 'gutting' the Endangered Species Act before leaving office, in reaction to his having just adopted a new rule that could shrink the size of critical habitats that are federally established to prevent extinction of imperiled species. On Thursday, after her nomination announcement, she tweeted, 'Growing up in my mother's Pueblo household has made me fierce. I'll be fierce for all of us, our planet and all of our protected land.'

ACTIVIST STANCES CONCERN RANCHERS

A discordant note about Haaland's nomination came from Patrick Bray, a longtime Arizona cattle growers activist and now executive vice president of the Arizona Farm and Ranch Group, representing both industries.

Bray says he finds it sad that so much attention is being focused on Haaland and other Biden nominees' ethnic backgrounds and skin colors instead of their qualifications.

'Whether she's Native American or not doesn't bother me. The question is, does she have the qualifications to run a major agency?'

Her activist stances concern Bray.

'We need to know that she's going to work with those permittees that have to live and work out there and produce a product in this economy,' Bray said of ranchers whose cattle graze public lands. 'If she can see that side, great. If she's unable to, that's going to be problematic.'

Grijalva said Haaland is well qualified for the secretary's job. 'I have seen firsthand the passion and dedication she puts into these issues that are at the forefront of the Interior Department,' he said. 'She understands that climate and environmental policy are really about all of us — the people of this country and this planet — ending environmental and economic exploitation in all its forms and building a more sustainable and more inclusive economy.'

THRILLED TO MEET 'AUNTIE DEB'

To Cazares-Kelly and Ignacio in Southern Arizona, Haaland is 'Auntie Deb.'

AMERICAN OVERSIGHT

'It's a term of endearment. It's an acknowledgment of like, someone older, like a social courtesy, acknowledging that she's the older, like she knows more,' said Ignacio, of Sells. 'It's just in our own culture of how we have a way for us to be connected. It's just what we do. It is a respect thing.'

Ignacio met Haaland shortly after the New Mexican took her congressional seat, at a lobbying training with the Sierra Club in Washington, D.C., she recalled.

'She was coming out of the elevator; I saw her and I screamed, 'Auntie Deb," Ignacio recalled. 'She stopped in her tracks and kind of looked around.

'Being able to see her in her element was very much an emotional experience for me. She stopped and I cried,' Ignacio said.

In July 2020, Ignacio introduced Haaland at an online Native American Democratic Caucus meeting, and told her how proud Indian Country is of her being in Congress.

'She was moved by that. Her eyes did water. She had tears in her eyes although she wasn't sobbing,' Ignacio said.

Another O'Odham activist who met Haaland is Amy Juan, community programs coordinator and office manager for the International Indian Treaty Council, a national group that recently moved its headquarters to Tucson.

Juan met Haaland in January 2019, when they joined hundreds of others in the Indigenous Peoples March on the National Mall in Washington, D.C. Haaland was one of many speakers at the event, which also included prayers, dance and songs.

'Getting to speak and talk with her, I was really impressed with her presence and energy, especially with her being a big figure there. She was really humble and reminded me of one of my aunts,' Juan said Saturday.

'She smiled at everybody. She made time for everybody. Everybody rushed her when she came, but she was very open. She had a really good grace about her to really connect with everybody,' Juan recalled.

Cazares-Kelly and Ignacio recalled that during the 2016 protests at the Standing Rock Sioux Reservation in the Dakotas against construction of the Dakota Access Pipeline, Haaland attended and made green chile stew and tortillas

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Some Pima County employees told to stay home for three weeks to reduce virus spread

Jasmine Demers
Arizona Daily Star
December 21, 2020

AMERICAN OVERSIGHT

Many Pima County employees will have to use leave or be put on furlough for the next three weeks as part of an effort to reduce the transmission of COVID-19 within county departments.

Starting Monday, Dec. 21, about 20% of the county's 7,000 employees will be under a stay-at-home order through Jan. 10, according to County Administrator Chuck Huckelberry.

Pima County has reported more than 320 cases of COVID-19 among employees since the pandemic began in February. More than 60 of those cases have occurred in the last two weeks.

Employees who are not considered essential will be advised to use any available compensatory, pandemic, sick or vacation leave. Those who do not have leave available, or who run out during the stay-athome plan, will be furloughed or may request a temporary assignment to another essential position in the county if they are qualified, which could include assignments such as contact tracing.

'The goal is to depopulate the buildings to reduce the spread of COVID-19 among employees and reduce their risk,' Huckleberry said. 'Anyone who is considered nonessential or might be staying home could use all of their leave banks, and if they don't have leave, we will make arrangements to have them work so they can get a paycheck.'

The decision to implement the stay-at-home order came from the County Administrator's office and was reportedly not subject to approval by the Pima County Board of Supervisors.

Each department was advised to submit stayat- home plans last week, but it's unclear exactly how many employees will take leave, who will be reassigned and who will be furloughed. Huckleberry said many employees were already scheduled to take leave over the holidays.

Starting Monday, the Pima County Public Library will close 12 of its branches for the next three weeks as part of the county's stay-athome plan. In addition, the Pima County Sheriff's Department issued a notice that it would close public lobbies of Patrol District Offices.

For Supervisor Betty Villegas, while decreasing the transmission of the virus among employees is an important goal, the stay-athome plan felt rushed. She said she had received several emails and phone calls from employees who were concerned about the impact, especially since many of them were already furloughed due to the pandemic in April.

'I felt that it was too early for us to even consider since no one has submitted their individual plans and we didn't know the extent of how many people would be affected,' she said.

In an email to the Board of Supervisors on Monday, county employee Paul Lovelis pointed to the potential mental health impacts on workers who have to take unpaid time off.

'Many of these employees may have been previously furloughed back in April and/or May, and therefore may not have leave. … This would leave some employees without pay, and in a study from the University of Cambridge that was published in July of this year, it was found that individuals who were placed on full furlough were twice as likely to fall into an 'at risk' category for poor mental health,' wrote Lovelis, who also serves as the Chair of Pima County's Substance Misuse Community Prevention Coalition.

AMERICAN OVERSIGHT

During a meeting last week, some supervisors advocated for the expansion of the county's telecommuting plan, saying it would keep some employees from having to take furlough.

They ultimately voted to 'allow all Pima County employees who are able to telecommute to do so with the permission of their manager or appointing authority.' However, according to Huckelberry, this does not differ much from the current policy and practice.

The county currently permits about 10% of its workforce — 699 employees — to work from home. Many of these employees are required to telecommute because they have compromising medical conditions, are caring for someone with a compromising medical condition, are over 65 years of age or have children who are impacted by school closures.

Huckleberry estimates that about 70% of Pima County employees are essential and are not able to do their jobs remotely, including road workers, park operators, Sheriff deputies and other critical infrastructure positions.

'There are certain tasks and jobs that simply can't be provided by telework, and we just need to recognize that … those who can telecommute, probably already are,' he said. 'The issue is you have to have equipment, internet connection and the judgment from the department head that the employee can telecommute at all. I doubt it's going to change very much at all.'

Villegas was joined by Supervisor Sharon Bronson in saying the county should do more to make sure employees have the resources they need to telecommute effectively.

'There are things that can be done from home,' said Supervisor Villegas. 'The bottom line is that Mr. Huckelberry is not a fan of teleworking, for whatever reason. Maybe somebody took advantage of it in the past. But we're in a pandemic, and he understands that from the top; why he's not willing to make better or more thoughtful decisions for employees is mind-boggling to me.'

Huckleberry also pointed to the fact that teleworking is not equitable for all employees, specifying that it typically only caters to white-collar, highly compensated employees rather than blue-collar workers.

Supervisor Bronson, however, said not assisting employees whenever and wherever they can would be irresponsible. She also voiced concern for the county's ability to continue supporting its workforce through the pandemic, pointing to the $900 billion relief package being negotiated by the U.S. government, which does not include federal funding for employees who have to stay home to protect themselves and others.

'What is really frustrating is the current stimulus deal in D.C. does not extend emergency paid sick leave to employees, which is how we were able to pay them to stay home before,' she said. 'There's going to be no money in the stimulus deal coming directly to local jurisdictions to help slow the spread of COVID-19.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Driven by pandemic, protests, Arizona gun sales hit record

Calah Schlabach
Arizona Daily Star
December 21, 2020

Background checks for gun purchases in Arizona hit their highest level in 2020, driven by an unprecedented convergence of a pandemic, a summer of national unrest and a presidential election, experts said.

Through November, 610,911 background checks had been performed in the state, well over the 372,912 done in all of 2019, according to FBI data. The Arizona spike is part of a nationwide increase, said Kelly Drane, research director at Giffords Law Center, a gun control advocacy group.

She estimated there was a nearly 90% increase in gun sales nationally from March to October this year compared to last year, with early data indicating 'a substantial number of these purchases were made by new gun owners.'

Veerachart Murphy said that is what he has seen at Ammo AZ, the Phoenix gun store he owns, where there has been a 'huge uptick in first-time buyers.'

'Between the election and COVID and shutdowns and riots — it was enough to get them off the couch and come in and actually make their first purchase,' Murphy said of 'people that were kind of maybe on the fence' about buying a gun.

He said his biggest spike in sales came early this year as COVID-19 began dominating the news, with a 400% increase in sales from January to February. He attributes it to anxiety about a possible pandemic-related lockdown.

Sales remained relatively high, he said, until another spike in the summer, when clashes between police and protesters were in the headlines.

That experience tracks the FBI's data, which shows that Arizona had the highest number of

background checks in March, with nearly 83,000, followed by June and July, which had 74,000 and 60,000 background checks, respectively.

Murphy said he has seen similar spikes since he got into the gun business in 2013, usually after active-shooter incidents or mass shootings — and before the 2016 presidential election when sales jumped in anticipation of a win by Democrat Hillary Clinton. Sales tailed off then after gun-friendly President Trump took office.

Sales through November 2020 were already 47% higher than in all of 2016, which had been the record for the state.

'It's almost like the stock market, where something doesn't actually have to happen to set off this market. It's the threat of something, or the potential that something happens that will trigger this market,' Murphy said.

AMERICAN OVERSIGHT

During past gun-sale spikes, however, people were buying up AR-15s, thinking they would get taken away after mass shootings or by Democratic administrations, Murphy said. Now, he said, 'people are buying everything.'

'It doesn't matter — whatever you can get your hands on. People are literally buying everything, handguns, rifles, shotguns,' he said. 'Everything is going.'

It's a 'hoarding mentality' he compared to stocking up on toilet paper and hand sanitizer at the beginning of the COVID-19 pandemic.

But guns are not toilet paper, and Drane said increased gun sales have coincided with increased gun violence in U.S. cities and more calls to domestic violence and suicide

hotlines. Such correlations are well known from previous research, she said, but may be more dangerous during the pandemic — which is worsening this winter.

'The risks posed by these new firearm purchases may be particularly severe when coupled with the risks for gun violence exacerbated by the pandemic, such as economic uncertainty, unemployment, and social isolation,' Drane said. 'These conditions have historically been associated with increased suicide attempts and deaths.'

Drane said 90% of suicide attempts with a firearm end in death, and domestic violence victims are five times more likely to be killed when their abuser has a gun. With more people stuck at home, she said, domestic violence victims may not have access to supportive services, and with more children at home, there is a greater risk of unintentional shootings with improperly stored guns.

'While the gun lobby uses fear to promote the panic-buying of guns, all Americans should be aware of the risks of having a gun in the home,' Drane said.

But Murphy said gun-buying he has seen has been a nonpartisan exercise, with liberals in his store

for the first time. He said his neighbor in Scottsdale — who he called an 'uber-liberal huge (Joe) Biden supporter' — bought his first gun after the unrest there this summer.

Drane said the bottom line is, 'if you do decide to purchase a gun, we encourage you to learn about and practice safe gun storage, which is a foundational part of being a responsible gun owner.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Santa Cruz River flows north of downtown Tucson again

Tony Davis
Arizona Daily Star
December 21, 2020

Prolonged droughts can kill rivers, but Tucson's current dry spell has actually helped the Santa Cruz River flow farther north than it had been.

AMERICAN OVERSIGHT

Reclaimed water discharged into the river by Tucson Water's Heritage Project is now flowing well north of Speedway. Three months ago, it was stopping between Congress Street and St. Mary's Road, almost a mile south of where it flows now.

But after an up-and-down series of effluent releases into the river, Tucson Water isn't putting more water there than before. The river flows farther now because dry weather has made it harder for the water to seep into the aquifer, thus prolonging its flow for longer distances, utility officials say.

For this, credit the bright green algae that populates much of the river now.

'It's called soil clogging and is fairly common,'

Tucson Water spokesman Fernando Molina said of the algae's impact on the river's flow.

Algae forms because the lack of rainfall allows for very little scouring of the riverbed by storm runoff, Molina said.

'Scouring' refers to the force of heavy flows of water moving the top layers of sediments, removing algae, and opening up pore spaces.

So algae forms naturally in the river channel. It clogs pores in the riverbed through which the reclaimed water normally seeps into the aquifer, Molina said.

Now the water runs farther, even though the utility is still releasing the same 800 gallons per minute of reclaimed water that it has been since September.

While the northern half of the wet section of river doesn't contain any visible algae, algae is often found in sediments below the water, Molina said.

This algae-clogging effect has been documented nationally in a number of studies, and some scholars have characterized it as a problem for artificial recharge projects such as the one Tucson Water is conducting on the Santa Cruz.

But once more rainfall returns to the Tucson area, and 'once we have some scouring of the channel taking place and the algae is removed,' the water should seep more quickly into the aquifer and not flow as far on the surface, Molina said.

In September, the city slashed releases into the Santa Cruz to their current level from 1,900 gallons per minute. It was done to prevent the aquifer from recharging so fast and so high as to potentially undercut a downtown-area landfill west of the river, which had been a concern off and on for months.

Before that cutback, the river water was flowing to about halfway between Speedway and Grant Road.

The utility started discharging reclaimed water into the river just north of 29t Street in late June 2019.

Besides the algae formation, the river also flows farther now because the weather is cooler and evaporation rates are lower, Molina said. Plus, notches that were installed in concrete during channel renovation work last spring are keeping the water centered in the channel, he said.

AMERICAN OVERSIGHT

Historically, the Santa Cruz used to flow north of Tucson to as far as Red Rock in Pinal County, but now turns dry in northern Pima County.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Coal plant stacks felled

Environmentalists celebrate change, but former employees of Navajo Generating Station feel loss

Ryan Randazzo
Arizona Republic
December 19, 2020

Three massive emissions stacks at the Navajo Generating Station coal-fired power plant near Page came down Friday with thundering detonations that erased them from the skyline they dominated for decades.

The demolition of the largest coal burner in the West is a milestone for environmentalists who fought, and continue to fight, to shift the country to renewable energy. But it was a somber moment for the hundreds of people who worked at the plant, some following multiple generations of family members before them, who benefited from the good-paying jobs.

When the plant was running at full capacity, the

775-foot-tall stacks were the third-largest source of greenhouse gas emissions in the nation, but the coal-burning days for the station ended last year as utilities decided to purchase cheaper power

"I watched it not feeling particularly excited or happy, and not feeling sad. It more or less just felt like something that needed to happen. At least there was a sense of closure." Nicole Horseherder Director of Tó Nizhóní Ání

When the plant was running at full capacity, the 775-foot-tall stacks were the third-largest source of greenhouse gas emissions in the nation.

Now the stacks will no longer linger in the background of tourists' photos at the famous Antelope Canyon slot canyons and Lake Powell.

The coal plant, and mine 80 miles away that fed it, employed about 750 people before operations began to wind down two years ago, and nearly all of the workers were Navajo and Hopi.

Hundreds of people lined the highways and cliff sides outside Page on Friday to watch the demolition, which sent a huge plume of dust creeping across the landscape.

Among those who braved the freezing morning temperatures to watch the demolition was Melanie Howard of Kaibito, who teaches Navajo language and culture to third and fourth graders in Tuba City, about 80 miles away.

"This is going to be part of my lesson plan," she said sitting on a rock a few miles from the plant waiting for the detonation.

She offered students extra credit to watch the event.

"This is Navajo culture," she said.

AMERICAN OVERSIGHT

Howard's son worked as a welder at the power plant, and her daughter was a pipe fitter there.

Both now need to travel from the region for work. Howard ticks off several other family members who worked at the plant.

Besides the jobs, the plant, mine and railroad between them are landmarks for the people living in the region. Howard said she often woke to the sound of the early morning trains, using them as an alarm clock.

"This is a landmark," she said of the emissions stacks. "When you drive in from Big Water (Utah), you see it and you know you are close to home."

But environmentalists have urged the plant's closure for years, noting its contribution to climate-warming greenhouse gasses, the impact from the coal mine on the land and water, and the other pollutants that came out of the emissions stacks creating haze over the region.

"I'm relieved," said Hopi environmental activist

Dennis Howard after the stacks toppled. "It's been a struggle for a long time."

Howard, a board member of the Black Mesa Trust, made the long drive from Second Mesa to watch the demolition.

"I don't feel remorse," he said. "I do feel for the people of Page."

Dennis said his group and others have long urged officials to develop more renewable solar and wind in the region, and the demolition of the plant should signal a turning point in that direction.

Plant helped develop Page

The plant site is on Navajo land just outside the city of Page, which is perhaps better known today for its tourism industry that lodges and feeds people visiting Lake Powell, the Grand Canyon and other parts of the scenic region.

Construction of the coal plant helped the Page population grow after construction of the Glen Canyon Dam finished in the 1960s.

The U.S. Bureau of Reclamation had established Page as a work camp to build the dam.

The Navajo Generating Station was built to power pumps that move water uphill from the Colorado River to Phoenix and Tucson in the Central Arizona Project canal.

The U.S Bureau of Reclamation, Salt River Project, Arizona Public Service Co., Tucson Electric Power, NV Energy and Los Angeles Department of Water and Power all shared its power, which it began producing in 1974.

Los Angeles ended its participation in the plant before the remaining utilities voted to close the plant in 2017 in favor of cheaper power from natural-gas fired plants.

AMERICAN OVERSIGHT

The canal also has begun getting some of its power from solar in the absence of the coal plant.

And the utilities, including SRP and APS, have made big commitments to using more solar and large batteries to store the power from sunlight to provide electricity in the evening.

Demolition only part of large job

The huge job of removing the power plant from the landscape was delayed

this year because of the pandemic, but work has picked back up.

“We saw an epic event,” said Gary Barras, director of major projects for SRP, as dust from the stacks still lingered in the air Friday. “Today was really a major milestone for our project.”

The original stacks were replaced in the 1990s to accommodate emission controls, and because the new stacks were built right next to the originals, the older ones couldn’t be knocked over with detonations. Workers instead chipped away at them with jackhammers for weeks, grinding them down to just over 200 feet in height. The remnants of those original stacks were demolished earlier this year.

“This time it took less than a minute,” Barras said of the demolition.

A company called Tetra Tech Inc. is in charge of the decommissioning, and Independence Excavating Inc. of Ohio and Dykon Blasting Corp. of Oklahoma were brought in for Friday’s project.

“We remain committed to restoring the land as a vital par t of the mining process. Reclamation has been hampered this year by COVID-19 related delays and governmental restrictions.”

Peabody Energy spokesperson

In a statement about the Kayenta Mine

Next to be destroyed are the three boiler buildings, each about 230 feet tall, which are scheduled to come down in March, Barras said.

About 100 to 150 people work on the plant decommissioning at a time, depending what work is being done, he said.

SRP estimates it will cost about $150 million to return the 1,000 acres of Navajo land to a condition something like it was before 48 million pounds of coal were burned there every day for more than 40 years.

Sometime by the fall of 2023, everything should be returned to its natural state, except for the buildings, power lines, water pumps and railroad the Navajo Nation wants to keep. Barras said SRP anticipates finishing early.

But the ash landfill must be monitored for three decades to ensure it isn’t leaking. That monitoring is scheduled to end Dec. 22, 2054, and the lease will end and the site is not expected to require further pollution monitoring.

AMERICAN OVERSIGHT

SRP estimates 105,000 tons of steel will be salvaged. That's in addition to 1,900 tons of copper and 350 tons of aluminum. Ninety percent of the material on the site will be recycled or repurposed.

The stacks will never leave the site. SRP plans to grind them to pieces and use them to rebuild natural-looking contours to the land.

Coal mine needs reclamation, too

Cleaning up after the plant is only half of the job.

Eighty miles away, it will cost an estimated

$188 million to remove the coal mine infrastructure and fill in huge pits in the earth at Peabody Energy's Kayenta Mine on Navajo and Hopi land.

When the mine closed, it left about 4 square miles, including some buildings, to be reclaimed. The company has reclaimed some previously mined lands over the years. The massive pits at the mine stretch for miles as heavy equipment has followed the underground coal seams over the years.

The U.S. Office of Surface Mining Reclamation and Enforcement, which permits the mine, requires the reclamation to approximate the original contours of the land and be suitable habitat for wildlife, grazing livestock and plants, including species that have cultural significance to Native Americans in the region.

The U.S. Office of Surface Mining Reclamation and Enforcement had concerns with Peabody's clean-up schedule in a letter earlier this year. It noted that Peabody's reclamation plan was deficient because it didn't explain why the acreage being graded and top soiled in 2020 were less than those to be reclaimed in subsequent years.

Peabody declined to say how many people were working on mine reclamation at Kayenta today, only providing a statement to say the work has been delayed.

"We remain committed to restoring the land as a vital part of the mining process," a Peabody spokesperson said this week via email. "Reclamation has been hampered this year by COVID-19 related delays and governmental restrictions."

A report from an environmental group, Western Organization of Resource Councils, recently found that thousands of jobs across the West, including several hundred in Arizona, would be created if coal mines were not putting off reclamation projects for shuttered mines.

The report showed that as many as 200 of the more than 300 people who previously worked at the Kayenta Mine could be working full time to remediate the land.

Nicole Horseherder, director of the Navajo community and environmental organization Tó Nizhóní Áni, said it was frustrating to see the pits remain on the landscape while people remain out of work.

"They are doing no job at all," Horseherder said Friday, adding that she was fearful Peabody would not fulfill its obligations.

"Or they will try to do some cleanup, but they won't do a really thorough and robust cleanup," she said.

AMERICAN OVERSIGHT

Horseherder said she almost didn't watch Friday's demolition, until her children urged her to.

"It's actually my children who said, 'Hey, you've been doing this work for a long time, why don't you just go and watch,' " she said. "I watched it not feeling particularly excited or happy, and not feeling sad. It more or less just felt like something that needed to happen. At least there was a sense of closure ... I feel like this can only open the door to other opportunities, and another way of doing work on the Nation, and another way of life."

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Charter's PPP loan called into question

School gave shareholder company a $10M bonus
Craig Harris
Arizona Republic
December 19, 2020

Primavera online charter school, like many businesses this spring, sought help from the federal Paycheck Protection Program to weather the economic disruption of the COVID-19 pandemic.

The Chandler-based school received a PPP loan of nearly $2.2 million, the largest forgivable loan among the 132 Arizona charter schools that obtained them.

But Primavera's loan appears to have been more of a bonus than a lifeline.

The school, which like all Arizona public schools didn't lose state funding because of the pandemic, ended its fiscal year on June 30 with $8.8 million in the bank — almost double the annual payroll costs for its 85 teachers, records show.

The school also shipped $10 million to its lone shareholder: StrongMind, an affiliated company owned by Primavera's founder and former CEO Damian Creamer.

The school's annual audit indicates

Creamer controls both Primavera and Strong-Mind, noting he has "the ability to influence the school's operations for the benefit of Strong-Mind." Primavera paid StrongMind nearly $23 million this past fiscal year for software and curriculum services, records show.

Creamer declined to comment.

An Arizona Republic review of more than 100 charter school financial records, audits and federal Small Business Administration documents found the overwhelming majority of the Arizona charter schools that obtained PPP loans didn't need the money.

John Todd, a longtime auditor of Arizona charter schools, said there are numerous problems with fully funded charter schools getting PPP loans intended to help struggling businesses.

"The PPP loans are taxpayer dollars intended to help the needy, not the greedy," Todd said.

AMERICAN OVERSIGHT

A few charters, including Legacy Traditional Schools, repaid several million dollars worth of PPP loans after The Republic reported in August that Legacy and other operators had millions of dollars in the bank when they received loans.

Were loans needed?

The Republic found that most of the charter schools getting PPP funds padded their cash balances (savings accounts), and a few for-profit charter operations, like Primavera, gave money away to shareholders that matched or exceeded their PPP loan amounts.

Meanwhile, tens of thousands of small businesses have permanently closed because of COVID- 19.

Further, The Republic found that PPP loans didn't significantly enhance teacher pay at schools that received them. The 132 Arizona charter school loan recipients, on average, paid their teachers several thousands dollars less than the statewide average. The 132 charter schools receiving PPP loans increased teacher pay by an average of 5% — an amount similar to all 555 charter operations and 263 school districts.

Arizona public schools saw no major job losses or layoffs this year because the state Legislature fully funded schools and gave them additional money to raise teacher pay. A 2018 Republic investigation found the state's charter school industry, which gets more than $1 billion annually from the state general fund, has produced several multimillionaires through selfdealing and lax oversight.

Creamer is among the prominent figures who've made millions of dollars operating Arizona charter schools. His online alternative school boasts more than 20,000 fulland part-time students. Primavera paid Creamer $10.1 million in 2017 and 2018. A spokesman for StrongMind declined to say how much the company paid Creamer.

Ian Kidd, superintendent of Pima Prevention Partnership, said financially strong charter schools that took PPP loans open themselves to criticism and scrutiny.

"I don't subscribe to making money off of students. It's not appropriate," Kidd said.

Kidd said he obtained PPP loans for his three charter schools, but the money was used to cover social and behavioral services for low-income, atrisk kids. His three charters had a combined negative $7,031 in cash balances, even after getting PPP loans.

How it worked

Businesses across the country in April and May obtained SBA-backed loans from private banks, which received processing fees of up to 5% of the loans' value. The program's goal was to save jobs as the national economy was cratering during the early months of the pandemic.

The federal government promised to forgive the loans if at least 60% of the cash was used to keep workers on payroll, with the rest used for legitimate business expenses. Otherwise, the loans would be repaid at 1% interest. The SBA, under pressure from news outlets, recently released specific figures for all PPP loan recipients. Previously, it released only the names of the borrowers and loan ranges above $150,000.

AMERICAN OVERSIGHT

The earlier SBA records had indicated about 100 Arizona charter schools had received up to $100 million in PPP loans. The new data shows about 30 more charter schools got loans.

Several watchdog groups, including Accountable. Us, have panned the loan program for enriching companies that didn't need the money while shutting out many minority- and women-owned businesses.

Kyle Herrig, president of Accountable.Us, which compiled a database of all PPP recipients, said there has been widespread fraud and abuse of the program, including celebrities and wealthy companies getting loans.

"The Trump admini-stration's faulty design and mismanagement of the Paycheck Protection Program let thousands of mom-and-pop businesses slip through the cracks without adequate aid while charter schools cashed in," Herrig said.

Herrig's organization said that the PPP loans given to Creamer's interests "merit further investigation" because his "businesses seem to have fared well throughout the pandemic." Cody Bendix, a spokesman for Strong-Mind, said the company has and will continue to follow all SBA rules and regulations. He declined to answer additional questions.

'Very excessive'

Miryam Barajas, an SBA spokeswoman, said the agency does not comment on individual PPP loans. However, she said any loan over $150,000 would be looked at closely and recipients would be required "to prove the loan was used appropriately."

"The loan is not automatically forgiven. There is an audit and review process to show how the funds were used for the loan to be forgiven," she said. Arizona Schools Superintendent Kathy Hoffman, who also is a member of the Charter Board, said she was astonished by The Republic's findings.

"It saddens me those dollars are not going to students," she said. "It's very excessive. These dollars should be going where they are needed most, and that's the students and instructional needs." Hoffman, a Democrat, said Republican Gov. Doug Ducey and the GOPcontrolled Legislature should consider reducing state funding for fulltime virtual charter schools like Primavera, which receives nearly the same per-student funding as brick-and-mortar schools that have more costs. Ducey, at a news conference Wednesday, declined to answer questions regarding Hoffman's proposal. He also declined to answer whether charter schools that received the PPP loans should return the money or have their state funding reduced by an amount equal to the loans. Ducey said the PPP loans were a federal issue, but added: "I want to make sure all public schools have available funding."

Creamer has been a major political donor to Ducey, records show.

Creamer spent at least $137,650 during the past two elections to mostly help conservative Repub- retain control of the Legislature. There has been no significant effort by Republicans in the Legislature to change the funding formula for online charter schools. A few of those lawmakers have financial interests in charter schools.

Paying shareholders

AMERICAN OVERSIGHT

In addition to Primavera, at least three other charter school operators that received PPP loans paid distributions to shareholders. Most of the rest put large sums in savings. The Republic found:

- The average Arizona charter school PPP loan was $393,055. Nationally, at least 5.2 million loans for small businesses were approved totaling $525 billion, with the average loan being $100,729, according to the SBA.
- The year-end cash balance for the 132 Arizona charter schools that received $51.8 million in PPP loans in April and May, increased by $62.6 million. Individually, cash balances increased for 87% of the loan recipients.

- Twenty-one charter schools that received PPP loans increased their cash reserves by at least $1 million, with Primavera seeing a $3.3 million increase.

Educational Options Foundation of Peoria, which got a $278,292 loan, saw its cash balance increase by $2 million to $13.7 million. The school has enough money to operate for four years without additional money. The state Charter Board only requires schools to have one month of cash liquidity. A call to the school was not returned.

For-profit charters Humanities and Sciences Academy in Tempe and Accelerated Learning Center in Phoenix made shareholder distributions of $388,770 and $230,000 this past fiscal year, respectively. Both amounts exceed the charters' PPP loans.

The Montessori Schoolhouse of Tucson gave a shareholder distribution of $92,372, equal to about 72% of its PPP loan.

Calls to the three schools were not returned.

Jim Hall, a former public school administrator who runs Arizonans for Charter School Accountability, compiled financial records from charter schools that received PPP loans and said he concluded that they didn't need the money. Hall said those loans should have gone to small businesses that have struggled to make payroll or mortgage payments. He said several of the charter operators engaged in "unmitigated greed."

Legacy repays $4.1M

Legacy Traditional Schools, which had more than $30 million in reserves to start this past school year, obtained $6.2 million in PPP loans for six of its campuses and its management company, Vertex Education.

While the program was designed to help businesses with fewer than 500 employees, The Republic on Aug. 3, reported that 656 employees worked at those six campuses and the management firm, putting Legacy over the SBA threshold for a forgivable loan. Other large charter operators like Basis and Great Hearts said they didn't seek PPP loans belicans cause as they read the SBA rules on employee counts, they were too big.

Corey Kennedy, Vertex Education's chief of staff, said this summer that the money was needed because of financial uncertainty.

AMERICAN OVERSIGHT

But Legacy's school board, which manages all of those schools and several others, reversed course, voting in mid-October to repay $4.1 million in PPP loans for the six schools, records show.

Board meeting minutes say the federal government quickly rolled out the loan program with "little initial guidance" and that updated guidance determined that "the Legacy schools that received PPP loans were not eligible for the funds after all."

Kennedy declined to comment for this story.

Matt Benson, a spokesman for Legacy, said Legacy hasn't determined whether Vertex will also repay its $2.1 million PPP loan.

Southwest Leadership Academy in south Phoenix, Highland Prep in Surprise and Madison Highland Prep in Phoenix also repaid their loans, records show.

A rarely enforced state charter school law prohibits taxpayers from paying "twice to educate the same pupils." The law requires a school that has been twice compensated to have its base-level funding reduced by an equal amount if additional federal or state monies received by the school were "intended for the basic maintenance and operations of the school."

The Auditor General's Office subsequently ruled that Arizona charter schools that received PPP forgivable loans can keep the money and not have any of their state funding cut.

But Joe Thomas, president of the Arizona Education Association, said charter schools should consider sending their PPP loans back, or the state should reduce their education funding by the same amount as the loans.

"That would reward the charter school owners who are playing by the rules and being ethical," Thomas said. "There is no way to defend this. It's not ethical, and it doesn't provide one more educational opportunity for students, reduce class sizes or invest in teachers. It's greed. That's all it is, and it's shameful."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

More vaccines given out on Navajo Nation

BrieAnna J. Frank
Arizona Republic
December 19, 2020

Residents and staff at a nursing facility in Chinle have started receiving COVID- 19 vaccinations days after the first doses of the shot were delivered to the Navajo Nation.

Chinle Nursing Home, an 80-bed facility in the center of the Navajo Nation, currently houses 59 residents, according to CEO Sharon Joe.

As of Friday afternoon, Joe said 48 of those residents had been vaccinated. She said employees discussed the virus and the vaccine with residents and their families and that one opted not to take it.

AMERICAN OVERSIGHT

People wait in line at the Dr. Guy Gorman Senior Care Home to receive the Pfizer COVID-19 vaccine on the Navajo Nation in Chinle on Friday.

She said, for the most part, residents have been "excited" to get vaccinated because it's the first step in restoring "a little bit of freedom."

Most residents have been staying in their rooms for much of the day, as group dining and other activities were canceled or heavily restricted in light of COVID-19. Families have had to visit their loved ones at the facility through windows, and holiday celebrations were scaled back or canceled.

Joe said one or two employees have left the facility since the pandemic began but staff members have overwhelmingly stayed on board to support the residents.

"In our culture, in our Navajo ways, everybody is related to everybody," she said. "I think that's what keeps everybody together."

Joe was vaccinated on Friday morning and as of early afternoon said she felt "great."

There hadn't been any reports of adverse reactions to the vaccine at the facility by that point, she said.

Residents and staff who were vaccinated this week will receive their second dose starting on Jan. 8, Joe said.

'I'll be able to finally do my job without having to worry'

Donna Platerio, a nurse at the facility, said receiving her first dose of the vaccine on Friday made her feel relieved.

"It makes me feel like I'll be able to finally do my job without having to worry," she said.

She said it's been most difficult to see residents try to fight off both the virus and the feelings of isolation and depression that came with it.

Though it's been a difficult nine months, Platerio said there was a feeling of hopefulness that washed over residents and patients alike with the vaccine's arrival.

"I'm just so glad that our little facility on the reservation was selected to be a part of everything," she said.

Platerio said an end to the virus means a return to Navajo traditions that couldn't be done safely during the pandemic.

"You touch them, you shake their hands, you greet them, so that's what I think everybody's missing also," she said.

When Platerio herself was in quarantine after a resident tested positive for COVID-19, she said her granddaughter visited her through a window — much like her patients' families did.

AMERICAN OVERSIGHT

"I thought, 'Gosh, this isn't supposed to be this way,' " she said. "I should be able to hold her in my arms and hug her."

She said she felt the pandemic drew attention to the problems faced in tribal communities around the country, such as a lack of water and electricity, that would be quickly resolved if they happened elsewhere.

"With hurricanes and things elsewhere, everybody rushes to fix all those things but nobody rushes here," she said.

Nearly 8,000 more doses expected next week

Officials at the Chinle Comprehensive Health Care Facility confirmed some of their workers received the shot on Monday and Tuesday and more would get vaccinated throughout the week.

The first health care worker from Chinle to receive the vaccine was Ronald Begay. He received the vaccination at the facility on Monday.

The Navajo Nation received 3,900 doses of the COVID-19 vaccine, which officials with the Navajo Area Indian Health Service distributed to several health care facilities.

About 7,900 doses of the Moderna vaccine are expected to arrive next week, pending emergency use approval by the federal government.

Those vaccines will cover health care workers, emergency medical staff, traditional practitioners working in Indian Health Service facilities, tribal facilities, and the staff and patients in long-term nursing facilities, Dr. Loretta Christensen, the chief medical officer for the Navajo Area Indian Health Service, previously told The Arizona Republic.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

County supervisors go to court over election subpoenas from AZ Senate

Jen Fifield and Andrew Oxford
Arizona Republic
December 19, 2020

The Maricopa County Board of Supervisors did not send the state Senate election materials in response to subpoenas before a 5 p.m. deadline Friday.

Instead, the supervisors voted 4-1 on Friday to file a court complaint in response, after raising concerns that the state Legislature's demands

are too broad and violate voters' privacy. Supervisor Steve Chucri cast the opposing vote.

The complaint, filed in Maricopa County Superior Court on Friday, says the subpoenas are unlawful and asks the court to quash them.

AMERICAN OVERSIGHT

The complaint describes several problems the supervisors see with the subpoenas, including that:

- The Senate Judiciary Committee did not have the right to issue them.
- The subpoenas violate Arizona laws for ballot secrecy and access to ballots.
- The subpoenas did not provide sufficient time for the supervisors to comply.

The complaint calls the subpoenas "a draconian abuse of power."

The state Senate's subpoenas were sweeping, demanding the county turn over digital images of every mail ballot counted during November's general election, along with a list of logs and reports.

The legal demand comes as some Republicans in the state Legislature continue to claim widespread election fraud and misconduct, despite reassurances from the Republican-controlled supervisors that the election was fair, and despite multiple audits showing the county counted votes accurately.

Board of Supervisors Chairman Clint Hickman, a Republican, said Friday that the timeline on the subpoenas was unrealistic, the request was an intrusion into voters' privacy, and fulfilling them would require breaking state law.

Supervisor Steve Gallardo, the only Democrat on the board, went a step further, calling the subpoenas a political circus. "I'm not interested in a political sideshow," Gallardo said.

The supervisors reiterated that they believed the election was fair and accurate.

Senate seeks election audit

Senate President Karen Fann, RPrescott, previously indicated that the materials would be used to perform an independent audit of the county's election, which Republican legislative leaders have been calling for the supervisors to perform since shortly after the election.

County election officials already conducted a routine bipartisan audit, counting a sample of ballots by hand to double-check the results. Maricopa County reported that it got a 100% match.

Republican legislators have nonetheless claimed there were widespread irregularities during the election. Judges have rejected those claims in court but that has not deterred lawmakers, who have sought to rally their base by insisting fraud occurred.

The supervisors have indicated that they support doing another independent audit, but only after all of the court challenges related to the election are complete.

Hickman said that he will continue to do everything he can "so our voters can become confident again" in the voting process, but he believes there are several constitutional issues with the subpoenas, and he is not willing to respond until he gets guidance from the court.

The subpoenas

AMERICAN OVERSIGHT

One subpoena calls for images of every mail-in ballot and another calls for the county to provide access to a range of election equipment for "forensic analysis."

It's not clear who precisely would undertake the analysis or how much it might cost, financially or in staff hours, as the state Legislature prepares for its session in January.

County officials have said machinery cannot be accessed while litigation over the election is ongoing, as equipment could be considered evidence in a case.

Along with the ballots and election equipment, one of the subpoenas asked for voter information, including voters' date of birth, address, party affiliation and other related information.

Supervisor Bill Gates said, as a conservative, he believes in protecting this voter information. "I'm going to fight to protect that information," Gates said.

Complaint outlines problems

The court complaint says that the subpoenas are invalid because the state Legislature only has the right to subpoena in certain instances.

That includes if the subpoena is authorized by ordinance or similar enactment, if it serves a valid legislative purpose, and if the witnesses or material subpoenaed are pertinent to the subject matter of an investigation.

None of these are the case, according to the complaint. The subpoenas are not authorized by any statute or other law, there is no legislative authority to audit election results, examine ballots, or conduct elections, and there is no relevant investigation, the complaint states.

The complaint also states that turning over the ballots and ballot images to the committee "unquestionably compromises the secrecy of the ballots," required under state law, and violates the state law that requires the county to keep the ballots "in a secure facility managed by the treasurer, who shall keep it unopened and unaltered," for a certain time frame.

"These deficiencies, the unreasonable notice, and the unsupported threat of contempt — and the implicit threat of imprisonment that comes with it — evidences a draconian abuse of power in an attempt to obtain the personal information of voters, voting records, ballots, and tabulation machines," the complaint states. "These are all things that the Senate has no right to possess, and some of which would be illegal for them to possess."

Hearing on election integrity

The Senate issued the subpoenas on Tuesday, the day after a six-hour Judiciary Committee hearing on the election that included county officials.

The hearing did not turn up any evidence of fraud or widespread problems and many of the questions asked by lawmakers were queries about basic procedures in place long before the election. Other questions stemmed from claims that officials could quickly fact check. When committee members asked about observers, election officials said there were more observers involved this year than in any previous election and described in detail the areas and processes they could observe.

AMERICAN OVERSIGHT

Gallardo said that "every question was answered" in the hearing and "any type of allegation of fraud or election tampering was debunked and knocked down and that was fact."

Senate Judiciary Committee Chair Eddie Farnsworth, R-Gilbert, said during the legislative hearing on Monday that the subpoenas were in no way "intended to cast aspersions on the county board, anybody in the elections department or to be construed as an allegation of wrongdoing." He described the subpoenas as a mechanism to ensure an audit of the county's election.

Hickman said Friday, however, that the committee seemed intent on issuing the subpoenas even before the meeting and that the committee's demands came as a "slap in the face."

Farnsworth and a spokesman for Senate Republicans did not respond to messages seeking comment on Friday.

Arizona Secretary of State Katie Hobbs said she supported the county board's decision and argued the Legislature was overreaching its authority. "Using a fabricated crisis to rationalize an alarming abuse of power is unconscionable. If this assertion is not challenged, it will set us down a dangerous path," said Hobbs, a Democrat. "The real threats are the misinformation and manipulation intended to disenfranchise citizens, denigrate a strong election process and disrupt the peaceful transfer of power."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New 'proof' 700K votes were stolen is just silly

Laurie Roberts
Arizona Republic
December 19, 2020

Reps. Paul Gosar, state GOP Chairwoman Kelli Ward and a group of leading lights in the once-Grand Old Party march on in their efforts to try to steal the election from Joe Biden.

After eight lawsuits in which judges found not one shred of evidence that Arizona's election was stolen, these Republicans now claim — surprise! — to have new proof of fraud.

Proof that, if true, means that Trump didn't just win Arizona. He won in a landslide the likes of which has never before been seen in state history.

That is how far off the rails Gosar and his far-right pals have gone.

They're even planning a "Stop the Coup" rally at the state Capitol on Saturday to celebrate their newfound "evidence."

"Arizona," state Rep. Mark Finchem, R-Oro Valley, tweets, "can save the Republic."

"Bring flags," tweets Gosar. "Bring a warrior's heart. Bring your demands for election justice. We've got a message to share: 'Don't tread on us' " Bring meds. Please.

AMERICAN OVERSIGHT

I assume this "NEW evidence" is the load of horsepucky unloaded onto the internet on Thursday, which Gosar breathlessly pronounced as proof that more than 700,000 Arizona votes were stolen from President Donald Trump.

"America! Watch this. A detailed explanation using official AZ Secretary of State raw data. Over 700,000 votes stolen from @realDonaldTrump and given to Biden. #StopTheSteaI @DonaldJTrumpJr @MarkMeadows @MarkFinchem @kelliwardaz @AZGOP @ali @Cernovich" The "evidence" is contained in a seven-minute video entitled "Voter Fraud 101," one that demonstrates only one thing: These particular "data analysts" spent a good deal of time cutting class.

Basically, the video points to the fact that Biden had a large lead in early ballot results posted on Election Day but that Trump then took the lead in early balloting later on, something the narrator claims is statistically suspicious.

"Wow, these numbers are astounding," he says, as he shows bar charts showing the extent of

Biden's lead in the initial count of early ballots. "You can clearly see how these initial absentee ballot release can have an impact on the overall election."

Of course, anyone who followed the election knows that Democrats voted early in huge numbers this year, which is why Biden dominated in the initial early ballot count. Republicans, being suspicious of the Post Office, dropped their ballots off on Election Day and thus they were counted later.

But hey, don't let reality get in the way of a good conspiracy theory … or the mass hysteria now under way in the far-right ranks for the Republican Party.

Cue the video Gosar is so excited about: "We've identified 790,175 laundered votes that were injected into the system," it says.

Among those 790,175 votes, 409,486 Pima County votes were stolen from Trump and given to Biden, we are told.

This is a particularly neat trick, given that Biden only won 304,981 total votes in Pima County.

But let's say this "data analysis" is correct.

If Trump really got another 790,175 votes, that would mean he won a whopping 72% of Arizona's vote while Biden got a piddling 26%.

That would make Arizona the reddest state in the country, with Biden getting fewer votes than John Kerry did in 2004, here in one of the fastestgrowing states in America.

That would mean that Trump — with a supposed 46 percentage-point victory here — had the most lopsided win of any presidential candidate in state history. (Franklin D. Roosevelt won Arizona by 43 points in 1936.) As I said, horsepucky. One big, steaming pile of it.

Or, Garrett Archer, the ABC15's guru of all things data-driven and an expert in how Arizona's elections work, put it after watching the video demonstration of "the steal": "Apparently Trump won Arizona by

AMERICAN OVERSIGHT

over 40 points …," Archer tweeted. "I can't even find a statewide race in the last few decades that a Republican won +40 points."

In addition to Finchem, Gosar and Ward, those who apparently will attend Saturday's "Stop the Coup" rally include Rep. Andy Biggs, Pinal County Sheriff Mark Lamb and Ali Alexander, the guy who inspired the state GOP to ask people if they were willing to die for Donald Trump.

I'm thinking Attorney General Mark Brnovich should attend Saturday's rally, as well.

The state Republican Party is putting out daily fundraising emails, telling the party faithful that Trump really won the election.

"If we don't stay vigilant, though, and keep up this fight for our nation, the left-wing media and

every corrupt official in the D.C. Swamp will try to hastily usher in a Biden presidency, and do grave damage to our electoral system in the process!

"It's going to be up to patriots like you to help us, keep up this fight – can we count on you to answer the call today? Chip in $5 for election integrity. Chip in $10 for election integrity. Chip in any amount."

At what point does delusion become consumer fraud?

Return to the table of contents

Arizona hospital be ds 93% full as COVID-19 hospitalizations rise

Alison Steinbach
Arizona Republic
December 19, 2020

Arizona reported more than 7,600 new COVID-19 cases and 142 new known deaths on Friday as hospitalizations for the disease hit the highest level recorded since the pandemic began and just 7% of all hospital beds remain available.

The state data dashboard shows 93% of all ICU beds and 93% of all inpatient beds in Arizona were in use Thursday, with 52% of ICU beds and 46% of non-ICU beds occupied by COVID- 19 patients.

The number of patients hospitalized statewide for known or suspected COVID-19 cases was at 3,931 on Thursday, a record high. The highest number of COVID-19 patients hospitalized in a single day during the summer surge was 3,517 on July 13.

Arizona's average rate of new cases in the past week ranks among the highest in the nation, behind only Tennessee, Oklahoma and Rhode Island, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

Friday's 7,635 new cases brought the total number of identified COVID- 19 cases in the state to 442,671. As of Friday, 7,819 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services. One hundred and forty-two known deaths were reported Friday.

AMERICAN OVERSIGHT

The state on Monday reported the second-highest daily tally of new cases since the start of the pandemic, with 11,795 new COVID-19 cases, shy only of last Tuesday's 12,314 reported cases. Friday's case report was among the highest since the start of the pandemic.

New cases have eclipsed 2,000 for 28 of the past 30 days, with 22 of those days seeing more than 4,000 new cases. Arizona and the U.S. have been reporting record-high daily new cases of late.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 915 on Thursday, the most ICU beds in use in a single day since July 16. During the summer surge in mid-July, ICU beds in use for COVID-19 reached 970.

The number of Arizonans with confirmed and suspected COVID-19 on ventilators was at 601 on Thursday, down from 618 on Wednesday, which was the most ventilators in use in a single day since July 19. In mid-July, as many as 687 patients across the state with confirmed or suspected COVID-19 were on ventilators.

Friday's numbers

Reported cases in Arizona: 442,671.

Cases increased by 7,635, or 1.76%, from Thursday's 435,036 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 274,026 in Maricopa, 57,250 in Pima, 24,103 in Yuma, 23,143 in Pinal, 10,116 in Navajo, 9,744 in Coconino, 9,536 in Mohave, 8,936 in Yavapai, 6,731 in Apache, 5,746 in Cochise, 5,228 in Santa Cruz, 3,886 in Gila, 2,740 in Graham, 1,139 in La Paz and 347 in Greenlee, according to state numbers.

The Navajo Nation reported 20,395 cases and 732 confirmed deaths as of Thursday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 5,598 inmates had tested positive for COVID-19 as of Thursday, including 1,314 in Tucson, 970 in Eyman, 844 in Yuma and 822 in Douglas; 42,506 inmates statewide have been tested.

A total of 1,548 prison staff members have self-reported testing positive, the department said. Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID- 19, with seven additional deaths under investigation.

Reported deaths

Deaths by county: 4,610 in Maricopa, 875 in Pima, 455 in Yuma, 324 in Pinal, 299 in Mohave, 296 in Navajo, 215 in Apache, 195 in Coconino, 170 in Yavapai, 117 in Gila, 106 in Cochise, 86 in Santa Cruz, 42 in Graham, 26 in La Paz and three in Greenlee.

AMERICAN OVERSIGHT

The global death toll as of Friday morning was 1,665,474 and the U.S. had the highest death count of any country in the world, at 310,806, according to Johns Hopkins University. Arizona's death total of 7,819 deaths represents 2.52% of COVID-19 deaths in the U.S. as of Friday.

Return to the table of contents

5,560 new COVID-19 cases reported in Ariz.

BrieAnna J. Frank
Arizona Republic
December 20, 2020

Arizona reported more than 5,500 new COVID-19 cases and 118 new known deaths on Saturday as hospitalizations for the disease hit the highest level recorded since the pandemic began.

The state data dashboard shows 92% of all ICU beds and 92% of all inpatient beds in Arizona were in use Friday, with 53% of ICU beds and 47% of non-ICU beds occupied by COVID-19 patients.

The number of patients hospitalized statewide for known or suspected COVID- 19 cases was at 4,014 on Friday, a record high. The highest number of COVID- 19 patients hospitalized in a single day during the summer surge was 3,517 on July 13.

Arizona's average rate of new cases in the past week, at 94.6 cases per 100,000 people, ranks among the highest in the nation, behind only Tennessee, Oklahoma, Rhode Island and California, according to the Centers for Disease Control and Prevention's COVID Data Tracker. The national average for new cases in the past week in 66.1 cases per 100,000 people.

Saturday's 5,560 new cases brought the total number of identified COVID-19 cases in the state to 448,231. As of Saturday, 7,937 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services. One hundred and eighteen known deaths were reported Friday.

The state on Monday reported the second-highest daily tally of new cases since the start of the pandemic, with 11,795 new COVID-19

cases, shy only of last Tuesday's 12,314 reported cases. Friday's case report was among the highest since the start of the pandemic.

New cases have eclipsed 2,000 for 29 of the past 31 days, with 23 of those days seeing more than 4,000 new cases.

Arizona and the U.S. have been reporting record-high daily new cases of late.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 939 on Friday, the most ICU beds in use in a single day since July 16.

During the summer surge in mid-July, ICU beds in use for COVID-19 reached 970.

AMERICAN OVERSIGHT

The number of Arizonans with confirmed and suspected COVID-19 on ventilators was at 612 on Friday, just shy of Wednesday's 618, which was the most ventilators in use in a single day since July 19.

Saturday's numbers

Reported cases in Arizona: 448,231.

Cases increased by 5,560, or 1.26%, from Friday's 442,671 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 277,071 in Maricopa, 58,046 in Pima, 24,341 in Yuma, 23,483 in Pinal, 10,197 in Navajo, 9,857 in Coconino, 9,765 in Mohave, 9,137 in Yavapai, 6,793 in Apache, 5,988 in Cochise, 5,313 in Santa Cruz, 3,960 in Gila, 2,768 in Graham, 1,158 in La Paz and 354 in Greenlee, according to state numbers.

The Navajo Nation reported

20,569 cases and 742 confirmed deaths as of Friday.

The Arizona Department of Corrections reported 5,639 inmates had tested positive for COVID-19 as of Friday, including 1,314 in Tucson, 970 in Eyman, 844 in Yuma and 822 in Douglas; 42,506 inmates statewide have been tested. A total of 1,593 prison staff members have self-reported testing positive, the department said. Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID-19, with seven additional deaths under investigation.

Deaths by county: 4,661 in Maricopa, 901 in Pima, 465 in Yuma, 331 in Pinal, 301 in Mohave, 300 in Navajo, 218 in Apache, 199 in Coconino, 175 in Yavapai, 118 in Gila, 107 in Cochise, 87 in Santa Cruz, 43 in Graham, 28 in La Paz and three in Greenlee.

The global death toll as of Saturday morning was 1,677,706 and the U.S. had the highest death count of any country in the world, at 313,672, according to Johns Hopkins University. Arizona's death total of 7,937 deaths represents 2.53% of COVID-19 deaths in the U.S. as of Friday.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona faces vaccine shortfall of 28K doses

BrieAnna J. Frank, Stephanie Innes and Alison Steinbach
Arizona Republic
December 20, 2020

The Arizona Department of Health Services confirmed that the state is one of many around the country that did not get the expected allocation of Pfizer-BioNTech vaccines for the week of Dec. 20.

The state expected to order 70,200 doses of the vaccine for the week but was only able to order 41,925.

AMERICAN OVERSIGHT

ADHS spokesman Steve Elliot wrote in an email that the department had asked the Centers for Disease Control and Prevention for an explanation for the difference and was awaiting a response.

The Moderna vaccine should still arrive in the next few days, allowing for COVID-19 vaccinations in all 15 counties.

Other states last week found themselves scrambling to adjust as they received word they would get between 20% and 40% less vaccine this week than they had been told as late as Dec. 9.

States were given estimates that turned out to be based on vaccine doses produced, not those that had completed quality control and were releasable.

Only on Wednesday and later were states informed of the actual numbers.

The department anticipates receiving 119,400 Moderna vaccine doses between Monday and Wednesday. Of those, Maricopa County will receive 18,500 and Pima County will receive 17,000, Elliot said.

The CDC Long Term Care

Facility/ Pharmacy Partnership has been allocated 37,300 Moderna doses from those available the week of Dec. 20.

Residents and staff in skilled nursing facilities will start the week of Dec. 27, Elliot said.

The Moderna vaccine is easier for smaller or more rural counties because it comes in smaller batches than the Pfizer orders, Dr. Cara Christ, director of the Arizona Department of Health Services, said.

"We will continue to work with our partners and our federal partners to identify why we got a decreased allocation, but it looks like it's happening to states nationwide," Christ said.

In addition to the statewide program, vaccines are being distributed in other ways as well. The Phoenix VA, for example, got its own shipment through a federal allocation from the Department of Veterans Affairs. Health care workers on the Navajo Nation began getting vaccinated earlier this week through a supply sent directly to the tribe.

Maricopa County launched two drive-thru vaccination sites on Thursday and plans to open three more on Monday. The five sites are spread across the county and run by health care systems.

The sites launched Thursday by Banner Health and HonorHealth vaccinated a combined about 1,000 health care workers and first responders. When fully ramped up, each site will be able to vaccinate about 1,000 people daily for a countywide tally of about 5,000 shots a day.

Some health care workers have expressed frustrations with delays in getting appointments scheduled, but the process is expected to speed up as more vaccine doses arrive and the sites ramp up capacity.

County public health Director Marcy Flanagan asked for patience and said additional appointments will be added as more doses arrive and more distribution sites open. Flanagan said "tens of thousands of people" have been prescreened and appointment notification depends on factors such as "risk of

AMERICAN OVERSIGHT

exposure, age, chronic conditions, occupation, work setting, location you are assigned, the amount of demand and the appointment availability."

Eligible workers in Phase 1A can sign up online through the county to get prescreened for an appointment time.

"We are asking everybody to remain patient," said Dr. Marjorie Bessel, chief clinical officer for Banner Health, on Friday.

The biggest hurdle in distribution is the challenge of continuing to ramp up, she said. More than 20,000 front-line Banner Health workers alone are in the prioritized tier of Phase 1A, she said.

"This is a new vaccine. It has to be handled very carefully, and of course we're following every single step to make sure the vaccine is distributed exactly as it needs to be," Bessel said.

Return to the table of contents

Phoenix police chief has virus, is isolating

Uriel J. Garcia
Arizona Republic
December 20, 2020

Phoenix Police Chief Jeri Williams and Executive Assistant Chief Michael Kurtenbach have tested positive for COVID- 19, according to a Police Department statement released Friday.

Williams is currently isolating and working from home, the Police Department said. Kurtenbach will return to work next week from isolating, Sgt. Andy Williams, a spokesperson for the Police Department, said in the statement.

The spokesperson described the chief's symptoms as mild.

The statement did not say when Williams or Kurtenbach tested positive.

Assistant Chief Patrick Connolly is the designated acting police chief, the Police Department said. "The City of Phoenix follows strict notification protocols when an employee is diagnosed with COVID-19, including notifying close contacts," the spokesperson said in the statement. "We encourage all community members to do their part to stop the spread of COVID-19, including wearing a mask, remaining socially distanced, washing hands regularly and staying home if you are feeling sick."

Arizona cases of COVID-19, the disease caused by the new coronavirus, now approach 442,700, with 7,819 known deaths, according to numbers released Friday by the state.

Arizona's identified cases rose to 442,671. That's an increase of 7,635 reported confirmed cases since Thursday, when the state reported 435,036 identified cases and 7,677 deaths.

COVID-19 has been the leading cause of death in the law-enforcement community across the country. As of Dec. 18, 164 police officers have died because of the virus.

AMERICAN OVERSIGHT

That's nearly four times the number of law enforcement officers who died from gunfire, the second-leading cause of death, according to the Officer Down Memorial Page, a nonprofit organization that tracks line-of-duty deaths.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

State education department projects schools will lose millions in funding

Lily Altavena
Arizona Republic
December 21, 2020

Arizona public district and charter schools will face a $266 million funding gap because the state funds distance learning at a lower rate than inperson learning. It's a gap that only will be partially filled by federal money.
The Arizona Department of Education released numbers last week showing how much schools will need to cut their budgets by for this school year.

Mesa Public Schools, the largest district in the state, will see its budget cut by $16 million.

Chandler Unified will lose $12 million.

Tucson Unified will lose $11.9 million.

School funding is calculated per student in Arizona.

In June, Gov. Doug Ducey made an executive order that declared distance learning equivalent to online school.

Under state law, online school students are funded at a rate 5% less than in-person students.

Arizona school budgets also were hit this year because an estimated 50,000 fewer students than usual enrolled.

The lower distance learning rate and enrollment declines are a one-two punch for schools.

"Schools already struggling to maintain operations and meet their students' needs during the COVID-19 pandemic cannot afford cuts to their budgets," schools Superintendent Kathy Hoffman said in a statement.

Federal CARES Act money allocated to schools by Ducey is meant to make up the funding gap created by distance learning and enrollment declines.

However, those grants

have come up short, bringing in less than anticipated for some schools because of higher enrollment losses than anticipated.

Still, Arizona K-12 schools have received $716 million in federal funds.

AMERICAN OVERSIGHT

C.J. Karamargin, a spokesperson for Ducey's office, said that funding for education is a top priority for the administration.

He had no specific comment about why distance learning was funded at a lower rate than in-person learning.

Because of the unpredictable nature of this school year, officials did not know how many students would end up attending school online and how many would attend in person.

Numbers out this week are an estimate for the year, and the amounts could fluctuate slightly as the year continues, according to Chuck Essigs, director of government relations at the Arizona Association of School Business Officials.

Essigs said the state could have avoided such a shortfall by funding distance learning at the same rate as in-person learning.

"Districts are staffing distance learning just the same way they are staffing when kids come to school," he said.

Hoffman added that the state is relying on federal funding to make up school budget shortfalls, even with $1 billion in its rainy day fund.

"There's no excuse to not be funding our schools at appropriate levels and funding students at 100%," she said in an interview with The Arizona Republic.

"Schools already struggling to maintain operations and meet their students' needs during the COVID-19 pandemic cannot afford cuts to their budgets." Kathy Hoffman Schools Superintendent

Return to the table of contents

New autism screening to address barriers

Going undiagnosed can create lifelong problems
Brie Anna J. Frank
Arizona Republic
December 21, 2020

As a kid, Noelia Gardea said she'd cry often. Her family didn't understand why, and she couldn't express what was wrong.

That difficulty with verbalizing thoughts and emotions stayed with the now 32-year-old Gardea. She was diagnosed with autism when she was 31. She said she's had "difficulties" throughout her life that she attributes to going undiagnosed for decades. "It's been very exhausting not knowing how to express yourself," she said. "Especially when you get older, it kind of puts you back some years because ... I'm an adult but you kind of don't feel like it because you don't know how to say this or that."

AMERICAN OVERSIGHT

The Southwest Autism Research and Resource Center in recent weeks launched a new autism screening tool in the hopes of preventing situations like Gardea's.

Its goal is to lower the average age of diagnosis for autism, which currently stands between 4 and 5 years old.

Gardea said her family started learning about autism when her nephew was diagnosed with it at the age of 3.

She said she realized that much of his behaviors, including difficulties with expressing emotion and sensory processing issues, reflected her own. Gardea, who was in her early 20s at the time, didn't immediately pursue getting an evaluation for herself.

But after nearly another decade of struggling to hold down jobs, Gardea decided it was time.

"I was tired of struggling so much,"

One-year-old Paiton Aiello, pictured in his home in Gilbert, Ariz., is on the autism spectrum. PHOTOS BY NICK OZA/THE REPUBLIC

Danny and Kyleen Aiello with their children Jaxon (center), Kaliya and Paiton. she said. "I realized I need to get evaluated because I don't know what's going on with me."

When she first brought it up with her primary doctor, she said he didn't want to refer her to get a diagnosis and questioned what good it would do given her age.

She said she felt "overlooked," attributing that in part to a gender disparity that leads to girls getting diagnosed with autism later in life than their male counterparts.

Dr. Christopher Smith, the center's vice president and research director, said early intervention is important so children with autism have the resources and support they need to flourish. However, problems including variability among pediatricians and discrepancies among race and gender lines have meant that many people with autism, like Gardea, go years without a diagnosis and support.

A preliminary SARRC study, which Smith intends to submit to scientific journals, found that standardizing autism screenings and making them accessible could lower the average age of diagnosis to less than 3.

Though she said it's been "quite a journey," Gardea said getting a diagnosis has been imperative toward understanding herself and what she needs.

"Everything makes sense now," she said. "I have the verbiage to say what I need to say a little bit better than I used to."

She said an earlier diagnosis "would've changed my life" and though it's too late for her, it's not for others.

"The kids can still be themselves, but at least get that assistance to grow a little bit better so they're not so lost by the time they're 18," she said.

AMERICAN OVERSIGHT

Removing barriers that prevent diagnoses SARRC's over-the-phone screening questionnaire hopes to remove some of the barriers associated with getting an autism diagnosis.

That includes varying diagnosis procedures among pediatricians, such as when, how and whether they refer a child for testing, Smith said.

Historically, that variation has led to girls getting diagnosed with autism later in life than boys do — if they get diagnosed at all.

"Girls are often missed because early warning signs can certainly be more subtle in girls, and they tend to be overlooked by parents and pediatricians," he said.

Racial disparities also exist when it comes to diagnosing autism. Black children with autism are less likely than white children to be evaluated by the time they are 3 years old, the Centers for Disease Control and Prevention reported this year.

Smith said some parents who notice signs of autism or have concerns about their child's development may wait until their next pediatrician visit to bring it up, even though it could be several months away.

"That's a pretty significant time period when you're talking about a 15month old," he said. "What we want to do is identify kids and get them into treatment while that brain is still in that really significant developmental timeframe."

The Easy Access Autism Screening program will be offered for free, without need for insurance, through a grant by the Community Foundation of Southern Arizona.

A focus on typical, not atypical, behaviors

The screening itself takes place during a phone call that should average about 10 minutes, but may require more or less time depending on the child's age and the parent or caregiver's responses.

SARRC staff will ask parents questions about their child's development using the Communication and Symbolic Behavior Scales assessment to see if they're demonstrating typical play and communication skills for their age group. Smith said the SARRC screening focuses on typical behaviors for children instead of atypical behaviors that often indicate autism, like hand-flapping or bouncing.

He said that's because some children with autism may not display those classic outward signs and would be overlooked by screenings that only consider atypical behaviors.

Smith said the SARRC screening will ask questions like whether parents know when their child is happy or upset, whether their child does things to make them laugh and whether their child shows them objects without giving it to them — skills that he said children should be demonstrating throughout childhood.

If they're not, the staff member on the phone with the parent will recommend a more comprehensive evaluation. Smith said they can provide a list of professionals who can diagnose autism or refer them to SARRC's diagnostic resources.

AMERICAN OVERSIGHT

There's currently no medical test for autism. Diagnoses are made based on observations of developmental history and behavior, leaving room for disparity.

Smith said they'd received a small handful of calls in the week since the program launched, but that he sees that number increasing with more awareness.

"People just need to see things multiple times from multiple sources before they give it the credibility it deserves," he said. "That's really been the big push so far."

The program will cost about $25,000 to run in its pilot year, but Smith said SARRC may need to make a "considerable investment" in it if it takes off.

'I'm getting my daughter back'

Kyleen Aiello, 27, got her 18-monthold son Paiton evaluated for autism on Thursday. It led to a diagnosis.

His sister, 3-year-old Kaliya Aiello, was also diagnosed through SARRC in April 2019.

Aiello said she saw indicators of autism in her son that her daughter had displayed. She said she is "incredibly grateful" that her daughter received an early diagnosis and wants the same for her son.

"Their little minds are so able to absorb stuff at this young age," she said. "If you wait too long, you miss out on opportunities for them to learn. It's been a really huge blessing for us to get her evaluated as early as we did and we hope the same goes for Paiton."

Aiello knew about autism even before becoming a mother to autistic children, telling The Arizona Republic she has family members on the spectrum and has worked in special needs classrooms for the past decade.

She said that has made

her family "pretty attuned" to the signs of autism, which made her notice when Kaliya, then 15 months old, began regressing.

Aiello said her daughter was developing at a typical pace. She was making short sentences, saying "I love you," and had a vocabulary between 20 and 30 words when she suddenly stopped talking completely.

"It was kind of like this fog came over her," Aiello said. "She wasn't interested by normal shows or normal toys. She didn't respond emotionally to us. We would play peek-a-boo or tickle her and she would look at us like we weren't even there."

Aiello called SARRC in February 2019 and was able to get Kaliya a last-minute spot in a trial to test an eye movement tracking software as a diagnostic tool, which ultimately led to a diagnosis that April.

By May, Kaliya started receiving Applied Behavioral Analysis, or ABA, therapy at home.

AMERICAN OVERSIGHT

ABA therapy focuses on improving social, communication and learning skills and is frequently used to treat people on the autism spectrum.

Kaliya has 40 hours of ABA therapy per week, on top of speech and occupational therapy sessions.

Though it's a lot of therapy, Aiello said her daughter has had "a lot of breakthroughs."

She now uses cards and sign language to express herself, completes puzzles without assistance and follows directions. Aiello said her daughter wasn't doing any of those things before she started the various therapies.

She added that she uses play-based therapy models because she didn't want therapists "drilling her at a table, going over the same stuff for eight hours."

"We're incorporating those goals of independence and communication while still allowing her to be a child," she said. "We're not impeding on the fact that she's still 3."

Whereas Kaliya shifted dramatically from regular childhood progression to complete silence, Aiello said her son Paiton's development has been more gradual. He hasn't spoken any words, isn't always responsive to his name and flaps his arms when he's excited. Aiello plans to get him set up with the same therapies as his older sister now that he has been diagnosed.

She hopes parents and caregivers with concerns about their children will spare no time in getting them evaluated and connected with any services they may need. "Autism doesn't have to be a label, it doesn't have to define your child," she said. "It's just that bridge between getting them the help they might need versus letting them struggle."

Though some may hesitate to get their child diagnosed or sign them up for hours of intensive therapy, Aiello said she knows it's been worth it.

"My bubbly daughter who used to play with me wasn't there and the therapy is bringing her back to me, and that's what I'm most grateful for, is I'm getting my daughter back," she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona's COVID-19 hospitalizations decline from peak

Chelsea Curtis
Arizona Republic
December 21, 2020

Arizona reported more than 5,300 new COVID-19 cases and 34 new known deaths on Sunday as hospitalizations for the disease dropped slightly, a day after reaching the highest levels recorded since the pandemic began.

The state data dashboard shows 91% of all ICU beds and 92.5% of all inpatient beds in Arizona were in use Saturday, with 50% of ICU beds and 46% of non-ICU beds occupied by COVID-19 patients.

AMERICAN OVERSIGHT

The number of patients hospitalized statewide for known or suspected COVID- 19 cases was at 3,899 on Saturday. The highest number of COVID-19 patients hospitalized in a single day during the summer surge was 3,517 on July 13.

Arizona's average rate of new cases in the past week, at 95.9 cases per 100,000 people, ranks among the highest in the nation, behind only Tennessee, Texas, Oklahoma and California, according to the Centers for Disease Control and Prevention's COVID Data Tracker. The national average for new cases in the past week was 73 cases per 100,000 people.

Sunday's 5,366 new cases brought the total number of identified COVID-19 cases in the state to 453,597. As of Sunday, 7,971 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services. Thirtyfour known deaths were reported Sunday. The state last Monday reported the second-highest daily tally of new cases since the start of the pandemic, with 11,795

new COVID-19 cases, shy only of the 12,314 cases reported on Dec. 8.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 885 on Saturday, a drop from a peak of 939 ICU beds in use on Friday. During the summer surge in mid-July, ICU beds in use for COVID-19 reached 970.

The number of Arizonans with confirmed and suspected COVID-19 on ventilators was at 595 on Saturday, less than Wednesday's 618, which was the most ventilators in use in a single day since July 19. In mid-July, as many as 687 patients across the state with confirmed or suspected COVID-19 were on ventilators.

Sunday's numbers

Reported cases in Arizona: 453,597.

Cases increased by 5,366, or 1.2%, from Saturday's 448,231 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 279,885 in Maricopa, 59,116 in Pima, 24,592 in Yuma, 23,742 in Pinal, 10,301 in Navajo, 9,993 in Coconino, 9,937 in Mohave, 9,366 in Yavapai, 6,862 in Apache, 6,122 in Cochise, 5,362 in Santa Cruz, 4,005 in Gila, 2,795 in Graham, 1,165 in La Paz and 354 in Greenlee, according to state numbers.

The Navajo Nation reported 20,810 cases and 745 confirmed deaths as of Saturday. The Navajo Nation includes parts of Arizona, New

Mexico and Utah. Tribal leaders have implemented a stayat- home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 5,639 inmates had tested positive for COVID-19 as of Friday, including 1,314 in Tucson, 970 in Eyman, 844 in Yuma and 822 in Douglas; 42,506 inmates statewide have been tested. A total of 1,593 prison staff members have self-reported testing positive, the

AMERICAN OVERSIGHT

department said. Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID-19, with seven additional deaths under investigation.

Reported deaths: 7,971

Deaths by county: 4,684 in Maricopa, 905 in Pima, 465 in Yuma, 331 in Pinal, 302 in Mohave, 300 in Navajo, 218 in Apache, 199 in Coconino, 175 in Yavapai, 119 in Gila, 107 in Cochise, 87 in Santa Cruz, 46 in Graham, 30 in La Paz and three in Greenlee.

Arizona's death total of 7,971 deaths represents 2.51% of COVID-19 deaths in the U.S. as of Sunday.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Kyrsten Sinema, Mark Kelly receive first dose of coronavirus vaccine

Rachel Gossen
KTAR News
December 19, 2020

U.S. Sen. Kyrsten Sinema and U.S. Sen. Mark Kelly of Arizona became the latest Washington officials to receive the first dose of the Pfizer coronavirus vaccine Friday.

"These vaccines are safe, effective, and will save lives and help Arizona's economic recovery," Sinema said in a statement. "As more doses become available, I encourage all Arizonans to join me, and a growing number of leaders in both parties, in getting vaccinated and protecting ourselves and our loved ones from this deadly virus that has caused so much damage to Arizona lives and livelihoods."

Both senators say they will continue to follow CDC guidelines such as wearing a mask and social distancing, according to a press releases from their respective offices.

"This, along with the other mitigation steps like wearing a mask, social distancing, washing your hands – this is what is going to get us out of this horrible situation we've been in," Kelly said. "So I want to encourage folks to get vaccinated when you can, and encourage your friends and family members to be vaccinated too."

House Speaker Nancy Pelosi and Senate Majority Leader Mitch McConnell received the shot Friday hours after Vice President Mike Pence was vaccinated on live television.

As Arizonans await their chance for the vaccination, the Department of Health Services announced that the state did not receive its full allotment of COVID-19 vaccine doses from Pfizer for the upcoming week.

Health officials said in a press release Friday that the state expected to order 70,200 vaccine doses, but was only able to order 41,925.

The department contacted the Centers for Disease Control and Prevention for an explanation but are awaiting a response, according to a release.

Arizona health officials on Friday reported 7,635 new coronavirus cases and 142 additional deaths, increasing the state's documented totals to 442,671 COVID-19 infections and 7,819 fatalities.

It was the third consecutive day with at least 100 deaths reported. Until Thursday, there'd never been back-to-back days in triple digits.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

UArizona says contact tracing app has reduced coronavirus cases by 12%

KTAR News
December 19, 2020

A COVID-19 contact tracing app launched by the University of Arizona in August has reduced coronavirus transmission by 12%, according to university analysts.

"A 12% reduction in that transmission doesn't just mean that you have a reduction in that next wave of cases but every subsequent wave of cases," College of Public Health professor Kacey Ernst said in a press release. "If one in eight can benefit from this, that's pretty good. It's easy to use, and the benefit keeps increasing as more people use it."

The COVID Watch Arizona app is fully anonymous and works by exchanging random codes between app users' phones via Bluetooth when they are near each other instead of tracking users' locations.

When someone tests positive for coronavirus, they can enter a verification code into the app, which then sends an alert to users who were near the infected person and may have been exposed.

The estimated reduction in spread is based on the app's download rates, answers from infected individuals interviewed by the school's manual contact tracers and the number of positive verification codes given out by Campus Health.

Nearly half of those interviewed said they had downloaded the app and 26% of those with the app said they had input the verification code to alert others.

"If 26% of COVID-positive app users entered a verification code into the app and 47% of the people they infected had the app and received the exposure alert, that would translate to about 12% of infected people receiving an exposure notification from the person who infected them," the school said in the release.

If the 12% of infected people quarantined in enough time to stop the spread, the average number of people infected would drop.

Analysts noted that the 12% reduction could be lower or higher depending on if people chose to quarantine after receiving exposure alerts or if they didn't have their phones with them when they were exposed.

Campus Health providers said more students are using the app because they like the anonymous features. Around 14,000 people on UArizona's campus have downloaded the app, according to the university.

The university has been using the app in conjunction with human contact tracers in order to make sure everyone with a potential infection is notified.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona reports 5,560 new coronavirus cases, 118 more deaths

KTAR News
December 19, 2020

Arizona health officials on Saturday reported 5,560 new coronavirus cases and 118 additional deaths, as the virus surge continues to put a strain on hospitals.

It was the fourth consecutive day with at least 100 deaths reported. Until Thursday, there'd never been back-to-back days in triple digits.

The state's documented totals increased to 448,231 COVID-19 infections and 7,937 fatalities, according to the Arizona Department of Health Services.

While the vaccine rollout was starting this week, multiple COVID-19 metrics in Arizona were at or approaching the highest levels of the pandemic.

The number of Arizona's confirmed or suspected COVID-19 hospital inpatients was 4,014 on Friday, the eighth consecutive record-setting day.

The number of Arizona's confirmed or suspected COVID-19 patients in ICU beds was 939, the most since July 12 and closing in on the July 13 record of 970.

Statewide, suspected or confirmed COVID-19 patients took up 47% of all inpatient beds as well as 53% of all ICU beds.

Overall, inpatient beds were 92% filled and ICU beds were also 92% filled.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is showing signs of leveling off.

Through 87,777 tests this week, the positivity rate was 18%. The rate, which was 18% the previous two weeks, peaked at 21% at the end of June.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported cases was 6,879.86 for Friday, according to tracking by The Associated Press, the second-highest ever.

The seven-day average of newly reported deaths has surged this month. It was at 82 for Friday, tripling since Dec. 1 to the highest level since Aug. 2. The weekly death average peaked July 30 at 94.

The Arizona health department's daily reports present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

AMERICAN OVERSIGHT

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Valley among top places where small business outlook is positive for 2021

Torrence Dunham
KTAR News
December 19, 2020

The start of a new year appears generally bright for small businesses in the Valley after a tough 2020 amid the coronavirus pandemic.

Analyzing data from The Census Bureau's Small Business Pulse Survey, Smart Asset determined the Phoenix-Mesa-Chandler metro area has the 14th-most positive small business sentiment in the country heading into 2021.

The website compared 50 of the largest U.S. metro areas with data collected between Nov. 30 and Dec. 6 using four metrics: percentage of small businesses operating at normal levels, percentage that do not expect a return to normal levels within six months or ever, percentage looking to hire new employees and percentage with three or more months of cash on hand.

The report showed that 29.3% of Valley small businesses are looking to hire new employees, the fifth-highest percentage among the top 20 cities listed, and 31.2% are operating at normal levels, the eighth-best percentage.

A negative mark, however, is only 21% of Valley small businesses have three or more months of cash on hand, which the study says is the minimum safety net recommended for a business.

The number of small businesses with a safety net isn't far off from the national average of 25.4%.

The study found 47.4% of Valley small businesses do not expect to recover in six months.

Small businesses on the east coast have the best outlook for 2021, Smart Asset determined, with eight of the top ten metro areas located east of the Mississippi River.

Raleigh-Cary, N.C., was considered the brightest spot for small businesses heading into 2021.

It was found in the survey that less than 2% of small businesses closed during the coronavirus pandemic, but over half nationally don't expect to return to normal operation for at least six months, if ever.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 5,366 new coronavirus cases, 34 more deaths

AMERICAN OVERSIGHT

KTAR News
December 20, 2020

Arizona health officials on Sunday reported 5,366 new coronavirus cases and 34 additional deaths, as the virus surge continues to put a strain on hospitals.

The state's documented totals increased to 453,597 COVID-19 infections and 7,971 fatalities, according to the Arizona Department of Health Services.

While the vaccine rollout was starting this week, multiple COVID-19 metrics in Arizona were at or approaching the highest levels of the pandemic.

The number of Arizona's confirmed or suspected COVID-19 hospital inpatients was 3,899 on Saturday, a decrease from the record-setting 4,014 the day prior.

The number of Arizona's confirmed or suspected COVID-19 patients in ICU beds was 885, also slightly down from the day before.

Statewide, suspected or confirmed COVID-19 patients took up 46% of all inpatient beds as well as 50% of all ICU beds.

Overall, inpatient beds were 92% filled and ICU beds were 91% filled.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is showing signs of leveling off.

Through 116,478 tests this week, the positivity rate was 17%. The rate, which was 18% the previous two weeks, peaked at 21% at the end of June.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported cases was 6,520.29 for Saturday, according to tracking by The Associated Press.

The seven-day average of newly reported deaths has surged this month. It was at 87.86 for Saturday, tripling since Dec. 1 to the highest level since July 31. The weekly death average peaked July 30 at 94.

The Arizona health department's daily reports present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

13 Arizona school districts face high financial risk, according to new report

Griselda Zetino
KTAR News
December 21, 2020

More than a dozen school districts in Arizona are facing financial troubles, according to a new report by the Arizona Auditor General.

The report lists 13 school districts that are at higher financial risk than others based on their current and potential future financial difficulties.

"We looked at 10 financial risk measures," Deputy Auditor General Melanie Chesney told KTAR News 92.3 FM. "Those measures relate to a district's overall risk of not being able to operate within its available cash resources and budget constraints.

"What we found is that for some of those 13 school districts, they've already exceeded their budget limits and others have deficit balances or negative cash balances in their operating funds," Chesney said.

The highest-risk districts include three from the metro Phoenix area: Apache Junction Unified, Isaac Elementary and Murphy Elementary.

Tucson Unified School District is the largest one on the list. The rest are in rural parts of the state.

Chesney said for some of these school districts that were already struggling financially, enrollment declines this fall "put them right over the edge into becoming high risk." That's because school funding is tied to enrollment.

Isaac Elementary School District's student count has dropped by 27% over the last four years, the most compared to other districts across the state. Meanwhile, Apache Junction Unified and Murphy Elementary have both seen a 21% decline.

Chesney said if these highest-risk school districts don't make budget cuts or find other revenue sources, they run the risk of having the Arizona State Board of Education appoint "a receiver." This person, rather than the governing board, would temporarily make all financial decisions.

There are currently two districts in this situation, the Murphy Elementary and Cedar Unified districts. Three other school districts have been appointed a receiver since 2005.

"This is a very dire, last resort kind of consequence," Chesney said. "We really would urge these school district governing boards to look at these 10 financial risk measures and take a really hard look at what sort of actions they can take to stay within their means."

♦◊ ♦◊♦◊ ♦◊

AMERICAN OVERSIGHT

Return to the table of contents

Arizona reports 7,748 new coronavirus cases, 1 additional death

KTAR News
December 21, 2020

Arizona health officials on Monday reported 7,748 new coronavirus cases and one additional death, while hospitalizations ticked up again after one day of declines.

The state's documented totals increased to 461,345 COVID-19 infections and 7,972 fatalities, according to the Arizona Department of Health Services.

Multiple COVID-19 metrics in Arizona remain at or near pandemic highs, although Saturday was the first day in over a week without record hospitalization numbers.

The number of Arizona's confirmed or suspected COVID-19 hospital inpatients was at 3,925 on Sunday, up 26 from the previous day and the third-highest ever.

The number of Arizona's confirmed or suspected COVID-19 patients in ICU beds was 904, up 19 from the previous day and also the third-highest ever.

Statewide, suspected or confirmed COVID-19 patients took up a 46% of all inpatient beds and 51% of all ICU beds.

Overall, inpatient beds were 92% filled and ICU beds were also 92% filled.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is also showing signs of leveling off.

Through 137,303 tests for last week, the positivity rate was 18%, matching the rate from the previous two weeks.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The Arizona health department's daily reports present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Information about testing locations can be found on the Arizona Department of Health Services website.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Arizona paid widely varying prices for critical medical gear

Bob Christie
Arizona Daily Sun
December 19, 2020

In the early months of the coronavirus pandemic, Arizona officials bought more than $59 million worth of masks, gowns, gloves and other personal protective equipment intended for hospital employees and other frontline workers.

Cost didn't seem to be their top concern — they needed the supplies.

That's clear from purchase data obtained by The Associated Press, which shows a widely varying range of prices paid for large stocks of personal protective equipment. The Health Services Department bought from longtime medical suppliers and companies that popped up almost overnight.

Some of the largest state purchases were for N95 masks, which filter fine particles and are the standard equipment for health care workers who are regularly exposed to the virus.

Arizona bought nearly 20 million N95 masks, many for quick shipment but others on long-term order. One of the orders was from Honeywell International, which set up a factory in Phoenix to help meet the nationwide shortage.

Arizona got a relatively good deal from Honeywell, paying 78 cents each on April 28 for more than 6 million masks it will receive over a 12-month period. Other deals weren't so sweet for the taxpayer: The state paid one company, Mesa-based Odyssey Global, $5.43 each for a shipment of 368,000 N95 masks. Total cost: Nearly $2 million. The Honeywell deal for 6.4 million masks cost $5 million.

Health Services spokeswoman Holly Poynter said the wide variation in price was caused by a global run on protective gear early in the pandemic. The competition led to restricted supplies and fluctuating delivery timetables.

"While prices varied for PPE, the primary objective of the department was to ensure we sourced critical PPE to meet our immediate and long term needs in Arizona," Poynter said in written responses to questions from the AP.

Across the nation, the AP tallied more than $7 billion in coronavirus purchases by states this spring for personal protective equipment and high-demand medical devices such as ventilators and infrared thermometers. The data covers the period from the emergence of COVID-19 in the U.S. in early 2020 to the start of summer.

The AP's data, obtained through open records requests, is the most comprehensive accounting to date of how much states were buying, what they were spending and the vendors they were paying during a chaotic spring when inadequate national stockpiles left state governments scrambling for hard-to-get supplies. States were competing against each other, hospitals, the federal government and even other countries. In many cases, they suspended normal competitive bidding requirements.

AMERICAN OVERSIGHT

The data shows a sharp increase in personal protective equipment prices as the virus began spreading throughout the country. Before the pandemic, an N95 mask that filters out tiny particles might have cost around 50 cents. This spring, states paid an average of $3 for each N95, according to the AP's analysis, and some paid more than $10 per mask to get them quickly.

The AP's data also shows that millions of dollars flowed from states to businesses that had never before sold personal protective equipment.

In Arizona, regular suppliers were unable to provide the needed equipment, forcing the state to find alternative sources on the fly. Poynter said they were all vetted to ensure they were legitimate, and so far none have failed to deliver.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona public, charter schools to face budget deficit

Arizona Daily Sun
December 19, 2020

Arizona public and charter schools will face a $266 million budget deficit because the state gives money to remote learning schools at a lower rate than they do to in-person schools.

The state Department of Education has released data that shows how much schools will need to cut their budgets by this school year, the Arizona Republic reported Friday.

Mesa Public Schools, the largest district in Arizona, will lose $16 million. Chandler Unified School will have its budget cut by $12 million. Tucson Unified School District will lose $11.9 million.

Under state law, online schools are funded at a rate 5% lower than in-person schools, per student.

The state has also experienced a sharp decline in the number of students enrolled in its schools. The state reported an estimated 50,000 fewer students than usual for the fall semester of 2020.

"Schools already struggling to maintain operations and meet their students' needs during the COVID-19 pandemic cannot afford cuts to their budgets," Superintendent Kathy Hoffman said in a statement.

Federal coronavirus relief funds were given to schools to fill the deficit, but those grants have yielded less money than expected.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona continues string of record COVID-19 hospitalizations

Arizona Daily Sun
December 19, 2020

AMERICAN OVERSIGHT

Arizonans need to “shrink their circles" of personal contacts and gatherings to help the state's health care system from being overrun by the state's current surge of COVID-19 cases, a senior official of the state's major hospital chain says.

State and local governments also need to do more to reduce the coronavirus' spread, the effect of which have forced one of Banner Health's hospitals to start using a refrigerated truck trailer to augment its now-full morgue, said Dr. Marjorie Bessel, the Phoenix-based hospital chain's chief clinical officer.

“When health care systems become overrun, all care is jeopardized,” Bessel said during a Friday briefing. “When health care systems become overrun, patients will not get the same timely delivery of care. When health care systems become overrun, patients will suffer higher death rates. This could mean the car accident victim, the heart attack victim, the stroke patient, or the child with a severe asthma attack."

Arizona on Saturday reported another record number of COVID-19 related hospitalizations along with over 5,500 new confirmed infections and a fourth straight day of triple-digit deaths because of the state’s current coronavirus surge.

The Department of Health Services reported 5,560 additional known cases and 118 additional deaths, increasing the statewide totals to 448,231 cases and 7,937 deaths.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

The state's 4,104 COVID-19-related hospitalizations reported as of Friday was the latest in a string of pandemic-high hospitalizations reported starting earlier this month. The previous pandemic hospitalization record was 3,517 on July 13 during Arizona’s summer surge.

According to the state’s coronavirus dashboard, only 8% of all hospital beds and of ICU beds were available and not in use.

Bessel said Banner was adding staff and beds to cope with the outbreak, which she said has seen ICU occupancy rise from 75% of peak winter capacity at the start of November to 150% now. During that same period, COVID-19 patients' use of all ICU beds went from 25% use to 55%, she said.

“In addition to more mitigation and enforcement, we need all of you to shrink your circles to include only those you live with and have regular close contact with. When you are with others outside of your circle, we need you to mask up at all times," Bessel said. “Please adjust your holiday plans to not include travel or gathering with others who are outside of your household."

”These actions are absolutely necessary," she added.

While Banner has taken steps authorized by state regulators to increase capacity during the pandemic, the state crisis plan's provision to guide clinical decisions on providing care to patients when the system is overloaded and short of staff and critical equipment hasn't been activated. Bessel said.

“We sincerely hope to not get there. We want to continue to provide care to all those who need it. And we are doing everything within our power to prevent a triage situation." she said.

AMERICAN OVERSIGHT

However, patients can expect delays in waiting to be seen, and elective surgeries are being delayed in some areas, she said.

“These are the types of ripple effects that we can expect and also the type of ripple effect that we can expect to continue to get worse as the surge descends upon us," Bessel said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona utility restarts effort to get more power from solar

Arizona Daily Sun
December 21, 2020

A fire and explosion in April 2019 halted the expansion of batteries for Arizona Public Service Co., but the state’s largest utility has restarted the effort to get more of its power from solar panels.

The fire at one of APS’ first battery installations in Surprise injured several first responders and put plans on hold while the utility investigated and took other steps to ensure the batteries are safe.

Utility-scale batteries can store electricity generated during daylight hours from solar panels and that energy can feed into the power grid in the evening.

That can allow APS to use more renewable, solar energy and match the power supply with the demand.

“We have made steady progress since setting our clean energy goal in January,” APS Vice President of Resource Management Brad Albert told the Arizona Republic. “Moving ahead with our energy storage plans, our recent purchase of more clean wind generation, and our expanded voluntary energy conservation program all support meeting the needs of our growing customer base with reliable, affordable and increasingly cleaner resources.”

APS has set a goal to get 65% of its energy from carbon-free sources by 2030 and to be 100% carbon-free by 2050.

The company also plans to end all coal-fired generation by 2031.

APS wants to install large batteries at six of its existing solar plants in Maricopa and Yuma counties and is seeking bids for two others in Yavapai and Pinal counties.

The 600 megawatt-hours of battery storage that APS will have after all eight batteries are installed is enough to supply about 150,000 homes for an hour.

Those eight battery installations are only a portion of the battery capacity APS announced it would build and that it eventually will need to meet its clean energy goals, according to the Republic.

APS also is seeking requests for proposals for more renewable energy. The request is open to projects that address electricity supply and demand.

The Republic reported that could include technologies that help customers conserve power during peak demand, when the strain on the power grid is greatest.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Wednesday, December 23, 2020 8:12:37 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Senate Clippings: December 23, 2020
Attachments: December 23, 2020.docx

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Ariz. lawmaker says she will ignore face covering mandate at state Capitol
- Equipment used to tally Maricopa votes demanded by GOP senators
- State, county policies affected rejected-ballot rate, review finds
- Arizona virus death toll tops 8K with 2nd-largest daily rise

Arizona Republic

- Bill extends eviction ban to Jan. 31; aid for rent in billions
- Phoenix rejected civilian review board for police.
- 3 Arizona GOP congressmen vote against COVID-19 aid bill
- AZ Patriots leader OKs plea deal in ID theft
- Arizona Senate will require wearing masks in next session
- Arizona's COVID-19 deaths top 8,000

KTAR News

- Arizona Senate building COVID-19 protocols include mask requirement
- 3 Arizona Republican congressmen vote against COVID-19 relief bill
- Hilton opens new hotel in Glendale's Westgate Entertainment District
- Arizona health expert says new virus mutation may already be in the US
- Maricopa County receives 18,000 doses of Moderna COVID-19 vaccine

Arizona Daily Sun

- Arizona Senate to require masks next legislative session
- Arizona virus death toll tops 8K with 2nd-largest daily rise
- Navajo Nation reports 151 new coronavirus cases, 7 deaths

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Ariz. lawmaker says she will ignore face covering mandate at state Capitol

Howard Fischer
Arizona Daily Star
December 23, 2020

An incoming state senator said she has no intention with complying with a newly issued directive that anyone entering the building must be masked.

Kelly Townsend, R-Mesa, told Capitol Media Services she has no intention of complying with the policy created by Senate President Karen Fann. Townsend contends the Prescott Republican has no authority in this area.

And Townsend is prepared for a fight.

'I've already told them where I stand,' she said. 'What are they going to do? Arrest me?'

What can be done, if the rules are followed, is simply refuse to allow Townsend into the building.

'They're going to physically block me from the building?' she asked. 'Well, that'd be fun,' promising to invite a reporter there when she attempts entry.

Townsend pointed out that there is no formal rule requiring masks — or, for that matter, any particular attire. And formal rules require a majority vote of the chamber.

But Fann believes she's on solid ground, citing an existing — and approved — formal rule which gives her, as president, not just control of the Senate chamber but 'all of parts of the Senate wing and all other areas and buildings used exclusively by the Senate.'

Fann, however, indicated she's unlikely to back down — even if it brings legislative action to a halt.

'Failure to adhere (to these rules) could result in lack of quorums, inability to conduct voting and other work we need to accomplish,' Fann warned. And the ultimate result, Fann said, would be shutting down the session. In her memo to senators, Fann acknowledged that the issue of masks has become a political lightning rod. But the senate president said she hopes that having these rules will put that issue to bed — at least for legislative business — and 'eliminate some of the divisiveness we have encountered throughout this pandemic.'

That does not appear to be working.

The rules are designed to facilitate actual committee meetings, including allowing members of the public to participate in hearings.

But it remains doubtful that supporters or foes of legislation will be able to pack hearing rooms as was done in the past. That's because visitors will be allowed into the building only to actually participate in a committee hearing or for a prescheduled meeting with a senator or staffer.

AMERICAN OVERSIGHT

The House is expected to announce its own rules this coming week.

They are expected to be similar, with Fann saying the Senate rules 'were developed in collaboration with the House for uniformity and consistency for all within the Capitol community that participate in legislative proceedings.'

The rules come as lawmakers grapple with how to conduct business amid the continued threat of infection from the coronavirus.

It starts with the idea of limiting the chances that someone who is infected will even enter the building. Under the rules, anyone wishing entry, including lawmakers, staff and visitors, will be subject to temperature checks.

Then there's the requirement for masks.

A legislator or staffer in his or her own individual closed office will be free to unmask. And there even are allowances for people who have their own dedicated work space, which can include a desk or cubicle.

'However, if one person enters another person's dedicated work space, then everyone in that space must wear a mask or other appropriate face covering,' the rules read. 'There are no exceptions.'

And not just any mask or piece of cloth covering just part of the face.

'Masks or other face covering must cover the nose and mouth and should fit snugly against the sides of the face,' according to the policy.

There is a provision for those who are 'medically unable' to wear a mask according to their doctor. They are required to wear a face shield that covers the mouth and nose.

But that's not a preferred solution, with the rules urging these people to work remotely.

There is a separate rule for 'social distancing' of 6 feet between individuals, along with no shaking hands or other physical contact.

The rules also create a new duty for Senate pages, requiring them to disinfect hearing rooms and the caucus rooms after each meeting.

And there will be free testing for staffers and lawmakers during certain hours of each day.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Equipment used to tally Maricopa votes demanded by GOP senators

Howard Fischer
Arizona Daily Star
December 23, 2020

Republican state senators are going on the legal offensive in their bid to get access to Maricopa County voting equipment and materials — and to do so ahead of the date Congress is set to ratify that Arizona's electoral votes go to Joe Biden.

A new lawsuit asks Maricopa County Superior Court Judge Randall Warner to order the county to produce everything in two subpoenas issued by Senate no later than Dec. 29.

The senators' attorney, Kory Langhofer, figures that whichever side loses in front of Warner is likely to seek review by the Arizona Supreme Court. And that could take at least a day or two, at best.

The real goal is having the case fully resolved — and, if the senators get their way, the documents and equipment reviewed and audited — before Jan. 6.

That's the day Congress is set to review the Electoral College vote, in which, under the state's certified election results, Biden gets Arizona's 11 votes.

But if the Republican- controlled Judiciary Committee concludes there was something amiss in the Maricopa County ballot counting, that could provide fodder for either legislative action or a move in Congress by some supporters of President Trump to reject the official tally and instead award the state's electoral votes to the incumbent.

The official tally shows that Biden won Arizona by 10,457 votes. In Maricopa County, he bested the president by about 45,000 votes.

The new lawsuit comes as committee chairman Sen. Eddie Farnsworth, R-Gilbert, continues to say the purpose of the two subpoenas is not to influence the outcome of the election.

He said the committee just wants to get to the bottom of various rumors and reports that the ballots were not properly counted, whether through human error or problems with the Dominion Voting Systems hardware or software. That is one of the oversight roles the Legislature plays, Farnsworth said.

He also said what the audit finds could form the basis for changes in state election laws and procedures for future years.

'It's not designed to' undo the 2020 election results, Farnsworth said. 'But I told you all along if it comes out that there's fraud, then this election somebody might use that. ... If there's been fraud, at that point the legislature can decide what to do.'

'There are multiple purposes here,' he said. 'But the main one is to reinstill and ensure that we have confidence in the system.'

But not everyone involved in litigation is simply looking for clarity.

AMERICAN OVERSIGHT

Attorneys for the 11 Republicans who would have served as Trump's electors have filed their own legal papers asking Warner to uphold the subpoenas and order the county to produce what the Judiciary Committee has demanded. And their issues are strictly political.

Those would-be electors have a separate lawsuit pending before the U.S. Supreme Court asking that the justices allow the Republican- controlled Legislature to designate who are the state's 11 electors 'instead of merely accepting the slate certified by (Secretary of State Katie) Hobbs.'

Farnsworth, for his part, said he's not working with the electors, the Arizona Republican Party or state

GOP Chairwoman Kelli Ward. But he said he presumes the results of the audit would be a public record, meaning anyone would then be free to use them in any fashion.

At a hearing Tuesday, Warner said he has questions about whether he even has the authority to order the county to produce what the senators are demanding.

He pointed out that state law already gives the Legislature the power not only to issue subpoenas but also to find people in contempt for failing to comply. That statute allows for someone who refuses to be arrested and jailed.

The hearing before the judge will continue Wednesday, Dec. 23.

Return to the table of contents

State, county policies affected rejected-ballot rate, review finds

Sam Kmack
Arizona Daily Star
December 23, 2020

Election officials didn't count 27,327 ballots cast by Arizona voters in the November election, rejecting more than twice the 10,457 votes that flipped the state for President- elect Joe Biden — the closest raw vote margin of any state in the nation.

The uncounted votes, which are legally rejected by officials for reasons such as a missing signature, don't indicate fraud or election irregularities. Courts in Arizona and across the U.S. have rejected claims of widespread voter fraud, citing a lack of evidence presented by Republican groups that have sought to overturn the election outcome.

The rejected ballots show that Arizona's election system worked as intended: Voters who were eligible to vote and followed state laws had their ballots counted.

But election experts said some of those laws can make it harder for Arizona voters to cast a ballot and have it counted, in part because of the state's registration deadline — nearly a month before Election Day — and by not giving voters extra time to correct a missing signature. Adding to these barriers are county-level policies that, because of limited resources in areas such as Apache County, can increase the scenarios in which voters have their ballots thrown out, according to AZCIR interviews with experts, election officials and a review of county- by-county rejected ballot data.

AMERICAN OVERSIGHT

The November election marked the first time a Democratic candidate won the state's presidential ticket since 1996, and election experts said down-ballot Republican victories suggest Arizona will maintain its battleground status with the potential for narrow vote margins moving forward. This means the tens-of-thousands of ballots consistently rejected by elections officials in Arizona could make the difference between a candidate winning or losing in future races.

'We can pretty reliably consider (Arizona) to be one of the battlegrounds or swing states in these elections,' said Matthew Weil, director of the Elections Project at the Bipartisan Policy Center, a nonpartisan think tank based in Washington, D.C. 'What happens there with respect to policy, and if we're going to see more restrictions on voting and how that affects the electorate, will certainly matter from a national perspective.'

Arizona experienced an overall decrease in the rate of rejected ballots in November despite the COVID-19 pandemic and late-changing registration deadlines ahead of the election, something experts have called a victory. The rejected ballot rate here has trended downward since at least 2012, AZCIR's analysis shows, following increased voter education efforts, new laws and improvements to election administration.

'This election was a good example of what states could do to expand access,' said Thessalia Merivaki, an expert in election administration and assistant professor of American politics at Mississippi State University. 'Instead of thinking about ways to restrict access they should think about positive developments this election put out and utilize them, build on them.'

STATE LAWS HELPED AND HURT VOTERS

Statewide, 63% of all votes rejected by election officials — or more than 17,200 ballots — were cast by voters who weren't registered or had an issue with their registration, such as missing the state deadline. Voter registration problems are the most common reason ballots were rejected in each of Arizona's three previous presidential elections.

'On Election Day I went to the polling place and they told me I wasn't registered anywhere and that I could still do a provisional ballot,' said Ermon Cosay, a Gila County voter whose ballot was rejected because he was not registered by the state's deadline. 'I thought my vote was counted all this time. I guess it was not.'

Arizona's registration deadline changed twice ahead of the November election after court battles that involved national Republican groups, Arizona officials and two advocacy organizations, Mi Familia Vota and Arizona Coalition for Change. The advocacy groups claimed they faced difficulties registering voters because of COVID-19 restrictions and asked a court to extend the registration deadline.

The state's deadline was originally Oct. 5, but it was extended by 18 days, to Oct. 23, following the first court's ruling. Republican groups led an appeal to overturn the extension that was later joined by state officials, resulting in the deadline changing yet again, to Oct. 15.

More than 35,000 people registered during the 10 day extension, according to the Arizona Secretary of State.

AMERICAN OVERSIGHT

Voters in 19 other states have same day registration, meaning a voter can both register to vote and cast a ballot that will count on Election Day.

'If you want to count every vote you need to make sure we have election day registration, so that if people aren't registered, that they have the opportunity to register and vote on election day,' said Tammy Patrick, former Maricopa County election official and now a senior adviser at the Democracy Fund, a nonpartisan foundation working to improve the election process for voters.

Ongoing voter education efforts will also help decrease ballot rejections due to registration issues, according to Gina Roberts of Arizona's Citizens Clean Elections Commission, a nonpartisan state agency dedicated to educating voters. She said more resources will help election officials reach voters with critical information, such as registration deadlines.

'I think what we need to do is increase our resources behind voter education,' Roberts said. 'You have your election officials, their budgets go toward administering the election — that's their focus. But of course informing the voters about how to participate is equally important.'

In Maricopa County, for example, election officials texted voters if there was a problem with the signature on their ballot, such as not matching what the officials had on file. These communications helped voters fix or confirm nearly 19,000 ballots that could have otherwise been rejected.

A 2019 change to state election law, passed with bipartisan support, also gave voters five business days after an election to fix a mismatched signature, something experts said contributed to the decrease in early ballot rejections. This change does not apply to ballots that voters forgot to sign.

Unlike Florida, where voters have extra time to fix missing signatures after the election, Arizona automatically rejects such ballots after the state's 7 p.m. election night deadline. Officials here rejected more than 2,000 no-signature ballots this November.

'(Florida) crafted their election administration policy procedures to reflect the fact that they knew they were going to be a very closely divided state for a very long period of time,' said Weil from the Bipartisan Policy Center. 'I think that states like Arizona that are newly moving into the swing state category should look at what Florida has done and the mistakes they've made. They've tried to make sure they've addressed those issues and Arizona would be wise to do that as well.'

COUNTY-SPECIFIC VOTING MODELS CAN AFFECT REJECTED BALLOTS

Maricopa and La Paz counties used 'vote centers' in the November election, which let voters cast ballots at any official voting location in their county of residence. In previous elections, voters had to cast their ballots at assigned voting precincts based on their home address. If a ballot was submitted in the wrong precinct, it would later be rejected by officials.

The 2020 change reduced the combined number of rejected ballots in Maricopa and La Paz counties by 2,200, when compared to the 2016 presidential election. The voting model was used successfully by Yuma, Yavapai, Cochise and Navajo counties in 2016.

Graham, Greenlee, Gila, Santa Cruz and Coconino counties used a 'hybrid- model' in which voters were assigned precincts but also had vote centers available to cast a ballot.

AMERICAN OVERSIGHT

Mohave, Pinal, Pima and Apache counties maintained the precinct-based voting system on Election Day. More than 1,400 ballots were rejected in these counties because they were cast in the wrong precinct.

Some precinct-based counties could start using vote centers after investing in upgraded technology, such as machines that can print different ballot types based on a voter's eligibility to cast a ballot in specific races.

In Apache County, which contains large portions of the Navajo Nation, costly improvements to infrastructure are needed before vote centers could be considered. The county experienced the highest overall rate of rejected ballots in the state's November election.

'There are towns on the Navajo Nation that have no internet access, not even over a cellphone because there's not a cell tower anywhere near. Because of that we're not able to go to full vote centers,' said Bowen Udall, the chief deputy recorder in Apache County.

Udall believes it would cost tens of millions of dollars to make vote centers possible.

'Honestly, if I could get rid of every single provisional because it was out-of-precinct, I would be very happy — not only because it causes us work, but because it would make voters happier,' he said.

Return to the table of contents

Arizona virus death toll tops 8K with 2nd-largest daily rise

Paul Davenport
Arizona Daily Star
December 23, 2020

Arizona's death toll from the coronavirus outbreak passed the 8,000 mark on Tuesday as the state reported an additional 153 known deaths, the second-highest daily increase during the pandemic.

The 5,869 additional known COVID-19 cases reported Tuesday by the Department of Health Services increased the pandemic's total to 467,215 cases along with 8,125 deaths.

In Pima County, there have been 61,344 cases of coronavirus, up 984 from the previous day. There have been 938 deaths in Pima County, up 33 from the previous day.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

According to the state coronavirus dashboard, there were 4,019 COVID-19-related hospitalizations as of Monday, the latest in a string of pandemic-highs recorded this month during the fall surge that is continuing into winter.

The dashboard reported that only 9% of hospital beds statewide were not in use and available. Bed availability has hovered at that approximate level since earlier this month as the surge accelerated after Thanksgiving because of gatherings and travel.

AMERICAN OVERSIGHT

The Pima County Health Department on Monday warned that metro Tucson's health care system was 'in danger of being overwhelmed' by the surge. ospital officials and public health officials in metro Phoenix also have issued similar warnings.

The 153 deaths reported statewide Tuesday was behind only the 172 deaths reported on July 30 during the summer surge.

The state reported only one additional COVID-19 death Monday, but the seven-day rolling average of daily deaths in Arizona as of Monday stood at 87.7, up from 44.4 on Dec. 7.

The seven-day rolling average of daily new cases in Arizona also rose over the past two weeks, going from from 5,575.14 to 5,871, while the positivity rate from COVID-19 testing in Arizona dropped from 14.9% to 13.1%.

COVID-19 vaccinations that began last week in Arizona's large metro areas have now begun in outlying areas of the state.

In Yuma County, 20 of the county's initial vaccinations were administered to frontline heath care providers in a test conducted Monday by Yuma Regional Medical Center, the Yuma Sun reported.

In a related development, the Maricopa County Department of Public Health announced that it received its first shipment of the Moderna vaccine, the second COVID-19 vaccine authorized for emergency use in the United States.

The department said it was earmarking doses of the Moderna vaccine for long-term care facilities.

Also Tuesday, Gov. Doug Ducey announced that the state will distribute $40.2 million of federal funding to help people facing homelessness and to mitigate the spread of COVID-19 among vulnerable populations.

Planned uses for the money will include expanding shelters, adding transitional housing and providing emergency payments of rent, utility, food and clothing for families and individuals, Ducey's office said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Bill extends eviction ban to Jan. 31; aid for rent in billions

Federal proposal pledges $25B for tenants who are struggling

Catherine Reagor
Arizona Republic
December 23, 2020

Arizona renters facing eviction because they can't pay their landlords during the pandemic would be covered for another month under the roughly $900 billion COVID-19 relief bill.

President Donald Trump had been expected to sign into law the bill, which Congress approved Monday night. But, late Tuesday, the president expressed displeasure that stimulus checks for Americans weren't larger and indicated he might not sign the bill.

The relief bill calls for extending the Centers for Disease Control and Prevention eviction ban until Jan. 31. The eviction ban had been scheduled to expire Dec. 31.

The relief bill is also providing another $25 billion to pay rent for tenants struggling because of income lost from COVID-19. No state will get less than $200 million, according to the legislation. Arizona housing advocates are cheering the additional help, as an estimated 250,000 renters across the state could have faced eviction next month.

"I am relieved to know that help is on the way for struggling families and individuals," said Patricia Garcia Duarte, CEO of the metro Phoenix housing nonprofit Trellis. "Unfortunately, the effects of the pandemic are taking longer than expected, so the assistance needs to keep up with the need."

There are concerns about whether the $25 billion is enough money, and if it can get to landlords fast enough.

Housing and landlord advocates had hoped for as much as $100 billion in rental aid to the millions of renters facing eviction nationwide.

Arizona property owner advocates want this next round of money distributed to struggling landlords much faster.

The state's first eviction prevention fund, handled through the Arizona Housing Department, has been criticized for taking too long to process applications and to pay landlords who aren't receiving rent.

"If the last nine months have taught us anything, it's that the amount of eviction relief is secondary to how quickly and efficiently these funds get to renters and property owners who continue to struggle," said Courtney Gilstrap LeVinus, CEO of the Arizona Multihousing Association. "The state and many cities and counties were slow to deploy earlier rounds of eviction relief dollars."

She said the group's hope is that the new funds will be moved to landlords and renters much quicker.

If not, she said, "We run the risk of many property owners facing bankruptcy and foreclosure early in 2021."

AMERICAN OVERSIGHT

Help running out for renters

The new federal aid would come as Arizona is running out of money to help renters.

Less than $5 million is left in rental aid for metro Phoenix renters from the more than $90 million in federal CARES Act funds made available through the state, counties and cities.

Research from October showed Arizona renters owe at least $178 million to their landlords, according to the National Council of State Housing Agencies.

The research also projected Arizona had 170,000 to 250,000 renters in danger of being evicted.

Renters who have been able to miss rent payments through the CDC ban and the Arizona eviction moratorium would owe all of their back payments on Jan. 1 if the ban is not extended.

A look at rules for new renter help

This round of federal relief money to help tenants and landlords would come with more rules and potential oversights.

h Similar to current guidelines for renter aid, tenants must either show they were unemployed, experienced another financial hardship because of COVID 19 or are at risk of becoming homeless.

h Renters can apply for up to 15 months in aid under the new $25 billion plan, but they must do it in three-month increments.

h Like most Arizona rental aid programs during COVID, the payments will go directly to landlords. But both landlords and renters can apply for the money.

h The U.S. Treasury Department must provide states with the rental funding within 30 days of the bill going into effect.

h About 90% of the money going to states must go directly to help struggling households.

h Renters making 50% or less than an area's median household income must receive first priority for the funds.

h The Treasury must conduct quarterly reporting of the renter-aid money and how it's being spent. That is currently not required.

"We're grateful that Congress has finally moved to make additional support available to so many families who continue to struggle," said Cynthia Zwick, executive director of the nonprofit Wildfire: Igniting Community Action to End Poverty in Arizona. "No one should be forced to spend Christmas on the streets."

Stimulus/unemployment checks could help

About 12 million people are set to lose unemployment benefits the day after Christmas.

AMERICAN OVERSIGHT

The new stimulus deal includes restarting a $300 boost to the federal unemployment insurance benefit and a $600 direct payment to most Americans.

Studies show many renters hurt by the pandemic relied on $1,200 stimulus checks and bigger unemployment checks from the CARES Act to pay their landlords starting in April.

Housing advocates want the eviction moratorium extended until the end of March to help renters and to provide enough time to distribute the funds.

Most are looking to President-elect Joe Biden for more renter help.

"The eviction moratorium extended for another month gives renters a sigh of relief, to potentially enjoy their holidays," said Joan Serviss, executive director of the Arizona Housing Coalition. "Although that's tempered by job loss, and many won't have presents under the tree or will have to work shifts, as renters are in the service or health care setting."

Serviss called the roughly $900 billion relief plan "the first important step of many to address housing instability made worse by the virus."

Return to the table of contents

Phoenix rejected civilian review board for police.

City Council narrowly votes down allowing residents to investigate brutality claims
Jen Fifield and Uriel J. Garcia
Arizona Republic
December 23, 2020

As protesters marched Phoenix streets this year calling for more just treatment from the city's police force, the city was considering a solution that some considered extreme: allowing civilians to independently investigate complaints of police brutality.

Over time, though, as officials crafted the plan for a new Office of Accountability and Transparency and accompanying Civilian Review Board, it failed to live up to activists' hopes that it would offer truly independent investigations.

The proposal lost support from the activists, and then from a key council member.

In November, the vote to finalize the office and its review board failed.

Activists and police representatives alike now wonder what happened, and where the city goes from here.

The answer to what happened depends on who you ask: Council member Michael Nowakowski, the deciding vote on the proposal, gives one reason for his vote, but council member Carlos Garcia, the main advocate for the proposal, suspects something different.

AMERICAN OVERSIGHT

A proposal for an accountability office and review board could come back again, when a new council member is elected to Nowakowski's seat in the spring, or if a proposed ballot initiative moves forward.

For now, Phoenix, the fifth-largest city in the country, remains one of the only large U.S. cities without civilian oversight of its police department. And Mayor Kate Gallego , along with activists, say they have moved on, focusing their eyes on other potential changes.

Gallego told The Arizona Republic this month that her goal remains creating a safe city "where our officers come home safely, our residents come home safely."

"We want to have the best department possible and build trust with our community," she said.

An idea rejected by a flip vote

Advocates of the proposed office say that allowing outsiders into investigations of police misconduct would increase trust, hold officers accountable, and possibly help prevent violent encounters.

Garcia, a newer council member who came from an advocacy background, was the strongest proponent for the idea. Garcia viewed the accountability office as a place where residents could have their complaints about police behavior investigated independently from the department.

Activists have pushed for more accountability, in part because, in the past decade, Phoenix has had a high rate of police shootings, compared with similarsized cities. The city also has paid out a number of legal settlements involving officers' use of force.

Public outcry grew after a May 2019 viral cellphone video showed a white police officer pointing a gun at a Black man and his family in connection with a shoplifting report.

Britt London, president of the Phoenix Law Enforcement Association, the largest union representing rank-and-file officers in the city, says that while police try to respond to incidents without using physical force, it sometimes is needed to "gain or retain control of a situation, to ensure public safety, and in self-defense."

Family and friends of those shot dead or harmed in confrontations with officers called on city leaders to create a way they could file a complaint to someone else besides the Police Department.

Garcia shocked many in February by winning over a council majority to his plan, which, out of those proposed, would give the proposed review board the most power to investigate residents' complaints about police misconduct.

The council pledged $3 million to the effort four months later.

But in November, when the final operational plan returned to the council for approval, Nowakowski, who had voted for both the concept and its budget, flipped his vote and the measure to create the accountability office and its civilian review board was defeated 5-4 on Nov. 18.

Garcia vs. Nowakowski

AMERICAN OVERSIGHT

Nowakowski explains his vote this way: This fall, he heard for the first time that the activists who wanted the new office were now opposed to it.

While activists had supported the plan in February, at the time, they said they didn't realize that it would not have full investigatory powers, including the right to ask accused officers questions or subpoena related documents.

When they saw how the plan was written in the fall, they came out against it.

Before his vote, at the November council meeting, Nowakowski questioned whether city officials could have better explained to the community what the office would do.

In an interview with The Republic, he was more direct. He said Garcia was "cutting a deal that he couldn't do" when he promised the community investigatory powers.

"You can't go behind closed doors and promise people stuff," he said.

Garcia said that he knew back in February that the office's powers would be limited. Garcia said he didn't make any promises to advocates; he was "always clear" with the community on what the proposal was, and he has always understood that he is only one of nine votes on the council.

Garcia said that city attorneys had advised the council before then that the city's charter and police union contract wouldn't allow residents to independently investigate claims of police brutality.

Garcia said he wishes he could have proposed something stronger, but he thinks "there were victories" in the proposal that came forward.

He said he doesn't believe Nowakowski cares about what the community wants. Instead, he said, Nowakowski has always had concerns about the cost and plan for the office.

"He is used to getting away with these political lies," Garcia said.

In his interview with The Republic, Nowakowski said he would have voted for the proposal if the community was supportive.

But he also spent most of the interview talking about how he believes three boards the city already has in place that allow residents to be involved in investigations of police misconduct could be sufficient to address residents' concerns, and about how the office was expensive for no reason.

Nowakowski said the city could make changes on its existing boards to give residents more power and transparency, while also making sure that the makeup of the boards was fair.

Garcia said the three boards already in place don't offer an independent look at claims of police brutality and don't offer an independent office for residents to take their claims.

The 3 boards already reviewing police misconduct

PLEA, the police union, opposes Garcia's proposal and believes the civilian review board would have been stacked against police, and that the accountability office would have been expensive, London said.

AMERICAN OVERSIGHT

PLEA pointed out that the department already allows residents to be involved in officer disciplinary cases by serving on three boards: a Use of Force Board, a Disciplinary Review Board and a Civil Service Board.

Right now, if a resident complains about a police officer's conduct, the Police Department's Professional Standards Bureau Unit investigates whether the officer followed city policy.

Simultaneously, the Disciplinary Review Board recommends to the chief whether the officer should be disciplined. There are seven people on that board: two residents and five officers.

If an officer used force in the incident, the Use of Force Board also considers whether the officer's actions followed city policy, and submits its findings to the chief. That board comprises three residents and three officers.

The police chief picks the residents for these two boards.

The chief ultimately decides whether an officer is disciplined. If a discipline decision is appealed, the Civil Service Board hears the appeal. That's a fivemember civilian panel selected by the council to hear any city employee's appeal of punishments or firings. Critics point out how the Civil Service Board commonly overturns the police chief 's firing of an officer or lessens the officer's discipline.

If an officer's actions could have violated the law, a criminal investigation is done simultaneously but separately from the city's disciplinary process.

London said PLEA understands the community's desire for civilian oversight and he can "understand the mistrust" of having police investigate themselves.

The organization would support a board, he said, "as long as things are fair and not stacked against us," and as long as residents serving on the board were trained to conduct police investigations.

Lt. Ben Leuschner, president of the Phoenix Police Sergeants and Lieutenants Association, said some police leaders are not opposed to more oversight of police, including civilian review.

An idea that has been brought up by stakeholders, he said, would allow selected residents to review interviews of an officer under investigation before a report is finalized to make sure that detectives captured all of the evidence.

"They get the same bite of the apple, so to speak," Leuschner said. "So, by the time you have a finalized product, you may not have everyone agreeing, but by then, you have all the party holders chimed in."

Are civilian review boards effective?

Phoenix is the only city besides San Antonio out of the 10 most populous U.S. cities that doesn't have a civilian oversight office, said Liana Perez, director of operations for the National Association for Civilian Oversight of Law Enforcement. Many cities launched their civilian boards in the 1980s or 1990s.

AMERICAN OVERSIGHT

For cities to give these boards full investigatory powers is rare. Phoenix's research shows only New York City and San Francisco offer that.

In some cases, Perez said, police union contracts prevent jurisdictions from having an effective civilian oversight office or having one at all.

Sharon Fairley, a professor at the University of Chicago Law School and former federal prosecutor, said that civilian oversight offices, regardless of the model, do not necessarily solve the issues of disproportionate force that police use on communities of color.

What it does, depending on the strengths of the office, is provide a layer of accountability and transparency that builds trust, said Fairley, who once led the civilian oversight office in Chicago.

"I've always sort of found this as a conundrum in terms of why law enforcement doesn't seem to get this," she said. "The idea that when you have a robust and effective accountability system, all that does is help them — because when people and citizens believe in the accountability system, they're much more likely to see police as legitimate and have trust in the process."

Other reforms in Phoenix

Beyond the accountability office and its review board, Phoenix has moved forward with several other changes to policing, following a five-point plan that Chief Jeri Williams ushered forward and changes to use-of-force practices that Gallego encouraged.

The city already has increased officer training on how to de-escalate situations and how to interact with those with mental health issues, purchased bodyworn cameras for most officers and changed several use-of-force practices such as eliminating the use of the carotid control hold, a technique meant to cut the flow of blood to the brain.

The Police Department said it also improved tracking of when officers use force, including anytime an officer points his firearm at a person, in part to identify and intervene earlier on problematic behavior.

Gallego said she has a few other ideas for how to address problems she sees with policing in the next city budget.

She wants to add money to the budget, for example, to expand a city program that has clinicians respond to certain calls for police, such as those that are related to mental health issues. When there's no need for sworn law enforcement to respond, someone else should, she said.

Among the groups originally pushing for a Civilian Review Board was Poder in Action, an advocacy group that wants to reduce policing.

Ben Laughlin, an organizer of the group, said it is now focused on advocating against some changes to the city's contract with PLEA, which would be approved during the upcoming budget process.

PLEA proposed several changes to its contract.

Poder argues that some will reduce officer accountability, including one that would delay any investigations into police misconduct to give officers more time before being questioned, and others

AMERICAN OVERSIGHT

would improve officers' access to evidence related to the investigation, including body camera footage, written statements, audio and video.

The public was given a chance to comment on PLEA's proposal on Wednesday. Viri Hernandez, executive director of Poder, told the council that PLEA's requests were unacceptable.

She said that the residents involved in police incidents are not awarded the same right to delay interviews and get access to evidence.

Could Garcia's proposal return?

Advocacy groups say that if the City Council takes up the accountability office and review board proposal again, they will only support it if it has investigative powers.

That's looking unlikely. There is a chance, though, that Garcia's proposal could come back around.

Nowakowski will leave his District 7 seat this spring, after facing term limits. The new person in his seat could be the vote Garcia needs to move his proposal forward.

Yassamin Ansari, a climate activist with experience working on local and national Democratic campaigns, and Cinthia Estela, a longtime resident of the district with years of experience in community organizing and volunteering, were the top two vote-getters in November's primary election, and will face off in a March runoff.

Ansari says she would have voted for the office as it was proposed in November. Estela says she would have voted against it.

Ansari is endorsed by Gallego and Estela is endorsed by the Arizona Police Association and the Phoenix Police Sergeants and Lieutenants Association.

Ansari said she believes the office would have been an important part of the effort to rebuild trust and engage the community.

Estela said residents in her district have told her they don't want the new office.

"They feel there is already transparency," she said. "They already feel there are boards in place that are doing the exact same thing."

Estela said she isn't opposed to more accountability and transparency for police, and she doesn't believe police are opposed to that either. But the office as proposed was the wrong way to go about it, she said.

Both candidates said their district needs more officers, not fewer, as it continues to grow.

An alternative form of the accountability office and review board also could move forward, led by council member Sal DiCiccio, who has said Garcia's proposal would have been a biased operation meant to "destroy" police that would ultimately make the city less safe.

AMERICAN OVERSIGHT

DiCiccio wants the council to send his proposal to the ballot for voters to decide. His proposal will be considered along with a similar citizen initiative petition during January's Land Use and Livability Subcommittee meeting. The soonest the topic could be on the ballot is next fall.

DiCiccio's proposal strips the board of its right to "participate" in police investigations and limits the information that the board can get from the city. It also reduces the initial funding for the office from $3 million to $500,000.

Garcia said he assumes that DiCiccio's proposal is "their attempt to put a nail in the coffin."

Return to the table of contents

3 Arizona GOP congressmen vote against COVID-19 aid bill

Lack of transparency, cost lead to opposition
Ronald J. Hansen
Arizona Republic
December 23, 2020

Three of Arizona's four congressional Republicans voted Monday against a $900 billion coronavirus aid bill that would avert a government shutdown as well as provide direct cash to taxpayers and more financial help to the jobless.

Reps. Andy Biggs, Paul Gosar and David Schweikert were among the dozens of lawmakers from both parties who protested a hastily written measure that would be the federal government's first significant new help in battling the pandemic since Congress passed a pair of bills in the spring.

Rep. Raúl Grijalva, D-Ariz., voted against the first of two votes on the measure.

Despite the pushback, the legislation passed the House of Representatives in a pair of lopsided votes, 327-85 and 359-53. The Senate overwhelmingly passed the bill late Monday, 92-6. Including its regular budgetary spending as well, the bill is expected to cost $2.3 trillion.

"The whole package is a sell out. I'm voting no," Gosar said in a Twitter message about the package, which is one of the largest bills in the nation's history. "Dozens of problems. 5,500 pages long and 2 hours to review. This is nonsense."

Biggs had telegraphed his disapproval of it for days, citing the cost and lack of transparency on what was in it.

"Congress continues to fail the American people & bankrupt our grandchildren's future," he said in a tweet after the vote that passed the bill.

The final package reflects the political reality of a Washington in flux, with President Donald Trump set to leave office in January and Democrats set to have their House majority trimmed. Control of the Senate hinges on two runoff elections next month in Georgia.

Rep. Greg Stanton, D-Ariz., captured the disappointment, especially among Democrats, that the legislation didn't happen long ago or do more to help.

AMERICAN OVERSIGHT

“It has been nearly nine months since the Senate has been willing to pass COVID relief, and frankly, the American people expected more than what this package delivered,” he said. “We can’t allow this to be the last relief package for the American people. We need to immediately get to work on another plan to deliver additional much-needed support to workers and families first thing in January.”

Schweikert, R-Ariz., supported some parts of the measure, but voted against both bills.

“This package should have been approved months ago, as many of our small businesses are closing permanently and too many hard-working Americans are still out of work,” he said. “I urge my colleagues to focus on targeted solutions in our appropriations measures to help support government operations and the American people.”

Ahead of the final vote in the Senate, both of Arizona’s senators indicated they supported the measure.

Sen. Kyrsten Sinema, D-Ariz., said the bipartisan deal “is a necessary next step providing critical support to Arizona families, employers, and front line health workers —and more must be done. As I’ve said for months, the only way to stop the spread of the coronavirus and save Arizona jobs is through bipartisan cooperation.”

Sen. Mark Kelly, D-Ariz., agreed that more cooperation is needed.

“For many Arizonans I’ve spoken with, this help is coming far too late, and it’s clear that more is needed,” he said in a written statement. “The partisanship that blocked this relief for months can only be beaten by finding common ground, and that’s why I’m already talking with my Republican and Democratic colleagues about how we can work together on the next steps to tackle this virus and get our economy back on track.”

Trump had been expected to sign the bill into law. But, late Tuesday, the president expressed displeasure that stimulus checks for Americans weren’t larger and indicated he might not sign. If Trump signs, that would clear the way for the Treasury Department to begin sending out within days direct, onetime payments of up to $600 per person. That would be half of what people received in the spring. Once again, the payment tapers for those who earned more than $75,000 in 2019, and those who were paid more than $99,000 that year don’t qualify for the help.

The legislation also would add $300 in weekly unemployment assistance to the current aid for the jobless. That extra support would last at least until mid-March and could be especially significant in Arizona, which caps jobless aid at $240 per week, the second-lowest total in the nation.

The legislation would extend unemployment assistance to contract workers as well. The extra federal money also would be half the earlier aid level that expired last summer.

The legislation would provide funding to pay for coronavirus vaccines, en- suring they remain free to all who qualify to receive one at the moment.

The bill would provide another $284 billion for the Paycheck Protection Program that provides aid to small businesses and nonprofits. Additionally, there is $15 billion set aside for artsrelated businesses, such as theaters, to receive aid.

AMERICAN OVERSIGHT

The deal would extend a moratorium on evictions by another month, until Jan. 31. It also would provide funds to help renters.

All the other members of Arizona's House delegation voted for the measure.

The compromise deal came about after days of negotiations by leadership in the House and Senate.

It doesn't include direct payments to local governments, as Democrats had wanted. It also doesn't provide businesses with virus-liability protection, which Republicans had sought.

The legislation also would avert a federal government shutdown in the midst of a pandemic and recession. The bill funds the government through the end of the federal fiscal year, which ends in October 2021.

Return to the table of contents

AZ Patriots leader OKs plea deal in ID theft

She faced felony charge over use of hotel points
Richard Ruelas
Arizona Republic
December 23, 2020

Jennifer Harrison, the AZ Patriots leader who has led protests against illegal immigration and railed against government restrictions in response to COVID-19, has agreed to enter a diversion program to escape felony charges of identity theft.

Harrison became a high-profile political activist largely by posting selfnarrated videos of herself at rallies and events, often hosted by those with opposing views. She had faced a felony charge of identity theft for using hotel points that belonged to the parents of her exhusband.

Surprise police initially arrested her in October 2019, according to a police report that described her kicking a trash can in a police station and using profanity.

Charges were not brought in her case until September, nearly a year later, as prosecutors pursued higher-priority cases amid the pandemic.

Under the agreement, Harrison will undergo "education and treatment" through a Phoenix counseling center contracted by the Maricopa County Attorney's Office. Prosecution will be deferred for two years. If the counseling center attests she has completed its program, her case, under the agreement, will be permanently dismissed.

Harrison did not return a message Tuesday seeking comment.

Harrison signed the agreement Dec. 9, admitting she committed the crime she was charged with. The agreement was filed with the court by prosecutors on Friday.

Police said Harrison used hotel points that belonged to her ex-in-laws to book a hotel room in Sacramento for a string of days in October 2019. She was attending the three-day Aftershock music

AMERICAN OVERSIGHT

festival that featured Slipknot, Blink-182 and Tool. She reviewed and photographed the event for an online magazine run by her boyfriend, Michael Pavlock.

The value of the points was not disclosed, and the plea agreement does not require her to make restitution.

Carol Harrison, the ex-mother-inlaw of Jennifer Harrison, had previously told The Republic that the hotel points in her account were used to pay for three nights in Sacramento. The balance of points remaining, she said, were not enough for a fourth night.

The Surprise police detective noted a pattern of deceptive behavior on Harrison's part, noting that she had also created a phony media credential that mentioned the international group Reporters Without Borders. Harrison, the detective said, has no affiliation with that group. Harrison used the credential to attend a political rally headlined by Donald Trump Jr.

Harrison became a political figure in Arizona beginning in September 2017, when she began using her cell phone and megaphone to announce her presence and political views at various events. She had not registered to vote in Arizona until the 2016 election, when she was motivated by the candidacy of Donald Trump. But her inexperience did not deter her drive.

Harrison and Patriot Movement AZ started a novel tactic: They would crash events put on by other groups they disagreed with and made themselves a loud nuisance, raising ire among attendees and garnering attention from reporters and camera crews.

The Republic reviewed thousands of postings from a closed Patriot Movement AZ social media group and found that many of the group's beliefs and conspiratorial theories were founded on philosophies of Islamophobia, racism and general hate.

Harrison, though she moderated the group and participated in the chats, had told the Republic previously she did not spend much time in the Facebook group.

Harrison split from the Patriot Movement AZ group and started her own page, AZ Patriots. That page was pulled from Facebook as part of the social media company's drive to eliminate what it saw as hate speech and disinformation.

Starting in December 2018, Harrison and members of her previous group, Patriot Movement AZ, spread a false conspiracy involving churches that were helping migrants from Central America resettle in the U.S.

Harrison filmed government buses dropping off the asylum-seeking migrants at churches. Volunteers had agreed to house families for a few days until other arrangements could be made. But Harrison and others became convinced they were witnessing a human trafficking operation and shouted accusations outside the churches and through streaming videos.

The churches, aided by the Southern Poverty Law Center and the American Civil Liberties Union, filed a federal civil rights lawsuit. Harrison and the others agreed to take down the videos and not harass the churches further.

AMERICAN OVERSIGHT

In August 2019, Harrison was the subject of a viral video she didn't make. She attended a Tucson City Council meeting and started angrily denouncing members who were entertaining a proposal deeming the city a sanctuary for illegal immigrants. As she spoke, a man clad in a green polo shirt – which would earn him the nickname Green Shirt Guy – nearly fell out of his chair laughing.

Harrison has continued her video activism. She filmed a video on Saturday from the Arizona State Capitol to protest the election results. In that video, she announced a possible further entry into the political process: a run for office.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Senate will require wearing masks in next session

Associated Press
Arizona Republic
December 23, 2020

The Arizona Senate has announced a new set of COVID-19 safety guidelines for the upcoming legislative session in January, including requiring masks.

Arizona Senate President Karen Fann told the senators and staff on Monday that anyone who enters the Senate building must have their temperature checked and be wearing masks at all times.

The guidelines also require 6 feet of social distancing when possible and prohibits handshakes or any physical contact during committee hearings and gatherings.

"This was not the scenario I had hoped for the 55th Legislature, but it is necessary to ensure we conduct legislative business and avoid disruption of the process to the best of our ability," Fann said.

Fann warned that failing to comply with the rules could result in an early end of the session. Lawmakers shut down their buildings last month and cut the 2020 session short because of the pandemic.

"Failure to adhere could result in lack of quorums, inability to conduct voting and other work we need to accomplish, or ultimately session shutdown," Fann said. Senate security has been tasked with enforcing the protocols.

The policy bans anyone who is sick or has knowingly been exposed to COVID- 19 but doesn't show symptoms from entering the building and requires staff to notify supervisors if they're sick or test positive. Similar notification requirements are also made of visitors and senators.

Senate Comptroller Susie Myers will oversee the chamber's virus safety guidelines and conduct internal contact tracing if lawmakers contract COVID-19. The Senate will highly encourage staff and lawmakers to be tested once a week and provide free tests on site when tests are more readily available, she said.

The Senate will allow visitors, but only to attend scheduled meetings with lawmakers or staff, or to attend committee hearings, officials said. Visitors will only be allowed in 10 minutes before hearings, and must leave the building immediately after it's over.

AMERICAN OVERSIGHT

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some — especially older adults and people with existing health problems — it can cause more severe illness, including pneumonia, and death.

Return to the table of contents

Arizona's COVID-19 deaths top 8,000

Ronald J. Hansen
Arizona Republic
December 23, 2020

Arizona has topped 8,000 deaths from COVID-19 and the state added more than 5,800 new cases on Monday alone, according to daily figures released Tuesday.

The state data dashboard shows 91% of all ICU beds and 91% of all inpatient beds in Arizona were in use Monday, with 53% of ICU beds and 47% of non-ICU beds occupied by COVID-19 patients.

The number of patients hospitalized statewide for known or suspected COVID-19 cases was at 4,019 on Monday, an increase from 3,925 the day before. The highest number of COVID-19 patients hospitalized in a single day during the summer surge was 3,517 on July 13.

Arizona has the sixth-highest rate of new cases in the past week, trailing only Oklahoma, Tennessee, Texas, California and Rhode Island, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

Tuesday's update of 5,859 new cases brought the total number of identified COVID-19 cases in the state to 467,215. As of Tuesday, 8,125 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services. There were 153 new known deaths reported Tuesday.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 943 on Monday. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

The number of Arizonans with confirmed and suspected COVID-19 on ventilators was at 644 on Monday. It was the most ventilators in use for COVID- 19 in a single day since July 17. In mid-July, as many as 687 patients across the state with confirmed or suspected COVID-19 were on ventilators.

Tuesday's numbers

Reported cases in Arizona: 467,215.

Cases increased by 5,859, or 1.3%, from Monday's 461,356 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 287,646 in Maricopa, 61,344 in Pima, 25,265 in Yuma, 24,600 in Pinal, 10,548 in Navajo, 10,475 in Mohave, 10,237 in Coconino, 9,707 in Yavapai, 6,964 in Apache, 6,412 in Cochise,

AMERICAN OVERSIGHT

5,482 in Santa Cruz, 4,096 in Gila, 2,873 in Graham, 1,196 in La Paz and 359 in Greenlee, according to state numbers.

The Navajo Nation reported 21,177 cases and 748 confirmed deaths as of Monday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 6,246 inmates had tested positive for COVID-19 as of Monday, including 1,422 in Tucson, 1,189 in Yuma, 984 in Eyman and 832 in Douglas; 42,655 inmates statewide have been tested. A total of 1,611 prison staff members have self-reported testing positive, the department said. Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID- 19, with seven additional deaths under investigation.

Reported deaths

Deaths by county: 4,754 in Maricopa, 938 in Pima, 480 in Yuma, 339 in Pinal, 307 in Navajo, 305 in Mohave, 221 in Apache, 201 in Coconino, 181 in Yavapai, 120 in Gila, 112 in Cochise, 87 in Santa Cruz, 47 in Graham, 30 in La Paz and three in Greenlee.

The global death toll as of Tuesday morning was 1,706,513 and the U.S. had the highest death count of any country in the world, at 319,827, according to Johns Hopkins University. Arizona's death total of 8,125 deaths represents 2.5% of COVID-19 deaths in the U.S. as of Tuesday.

The COVID-19 death rate in Arizona was 111 per 100,000 people as of Monday, according to the CDC, putting it 13th in the country in a state ranking that separates New York City and New York state.

Ahead of Arizona are New York City at 294 deaths per 100,000 people, followed by New Jersey, Massachusetts, North Dakota, Connecticut, South Dakota, Rhode Island, Louisiana, Mississippi, Illinois, Michigan and Iowa.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona Senate building COVID-19 protocols include mask requirement

Associate Press
KTAR News
December 23, 2020

The Arizona Senate has announced a new set of COVID-19 safety guidelines for the upcoming legislative session in January, including requiring masks.

Arizona Senate President Karen Fann told the senators and staff on Monday that anyone who enters the Senate building must have their temperature checked and be wearing masks at all times.

The guidelines also require 6 feet of social distancing when possible and prohibits handshakes or any physical contact during committee hearings and gatherings.

"This was not the scenario I had hoped for the 55th Legislature, but it is necessary to ensure we conduct legislative business and avoid disruption of the process to the best of our ability," Fann said.

Fann warned that failing to comply with the rules could result in an early end of the session. Lawmakers shut down their buildings last month and cut the 2020 session short because of the pandemic.

"Failure to adhere could result in lack of quorums, inability to conduct voting and other work we need to accomplish, or ultimately session shutdown," Fann said.

Senate security has been tasked with enforcing the protocols.

The policy bans anyone who is sick or has knowingly been exposed to COVID-19 but doesn't show symptoms from entering the building and requires staff to notify supervisors if they're sick or test positive. Similar notification requirements are also made of visitors and senators.

Senate Comptroller Susie Myers will oversee the chamber's virus safety guidelines and conduct internal contact tracing if lawmakers contract COVID-19. The Senate will highly encourage staff and lawmakers to be tested once a week and provide free tests on site when tests are more readily available, she said.

The Senate will allow visitors, but only to attend scheduled meetings with lawmakers or staff, or to attend committee hearings, officials said. Visitors will only be allowed in 10 minutes before hearings, and must leave the building immediately after it's over.

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some — especially older adults and people with existing health problems — it can cause more severe illness, including pneumonia, and death.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

3 Arizona Republican congressmen vote against COVID-19 relief bill

KTAR News
December 23, 2020

Three of Arizona's Republican U.S. House representatives voted against the $900 billion coronavirus relief package that was ultimately passed by Congress Monday night.

Reps. David Schweikert, Andy Biggs and Paul Gosar were among 50 House Republicans who voted no on the measure.

"It was actually one of the more difficult votes I've ever had to make," Rep. David Schweikert told KTAR News 92.3 FM's Arizona's Morning News Tuesday.

The legislation to deliver much-needed assistance to individuals and hard-hit businesses was packaged with a $1.4 trillion spending bill to avoid a government shutdown.

Schweikert said the bill included pieces he has worked to get approved, such as the ability for Americans to deduct more medical expenses from their taxes.

However, he couldn't justify voting for the whole bill due to its 5,593-page length and the limited time to read all of it.

"If it was an honest piece of legislation, this typically would have been about seven different votes over about a 10-day period and instead to wait until the last moment, the last night, the single largest spending bill in U.S. history, the largest bill by number of pages in U.S. history and then to drop it on you, 'hey you have a couple hours, just go vote yes,'" Schweikert said.

The bill passed in the House 359-53 and the Senate 92-6.

"That was hard because we had so many wins for Arizona in it, but we were coming across so many things that were just bad for the people of Arizona and at certain points you have to make the decision," Schweikert said of his no vote.

Gosar tweeted a statement saying he could not support the bill as it "fails to compensate small and medium sized businesses while providing only meager relief to the American people."

Biggs also tweeted his displeasure with the legislation's passing.

Rep. Debbie Lesko was the only House Republican from Arizona to vote yes on the measure.

On the other side of the aisle, all five of Arizona's Democratic representatives, as well as Sens. Kyrsten Sinema and Mark Kelly, voted to approve the bill.

Rep. Greg Stanton said in a statement that although this bill passed, Congress needs to begin working on an additional package now to deliver further support to Americans next month.

"We can't allow this to be the last relief package for the American people," he said.

♦◊ ♦◊♦◊ ♦◊

AMERICAN OVERSIGHT

Return to the table of contents

Hilton opens new hotel in Glendale's Westgate Entertainment District

KTAR News
December 23, 2020

A new Hilton hotel near the Westgate Entertainment District in Glendale is now open for business, the company announced Tuesday.

Tru by Hilton is located near 95th and Maryland avenues, within walking distance of Gila River Arena, State Farm Stadium and the Tanger Outlets.

"We are incredibly honored to join the Tru by Hilton brand and introduce travelers to this innovative type of lodging," general manager Ryan McKenzie said in a press release.

"Our ideal location, a unique set of offerings and affordable price make us a top choice for guests visiting the Phoenix area."

The 114-room hotel features efficiently designed rooms with moveable desks and spacious bathrooms, complimentary breakfast, a fitness center, free WiFi and a 24/7 market that sells gourmet snacks.

Guests can bypass the front desk with mobile check-in and digital keys.

The lobby boasts large, comfortable areas for guests to lounge, work, eat or play games.

The Phoenix Glendale Westgate addition is now the fourth Tru hotel in the Phoenix-metro area.

Return to the table of contents

Arizona health expert says new virus mutation may already be in the US

Kaci Demarest
KTAR News
December 23, 2020

A prominent Arizona health expert says a mutation of the coronavirus recently discovered in the United Kingdom may already be in the United States but it's not worrying.

Arizona Public Health Association Executive Director Will Humble told KTAR News 92.3 FM's The Gaydos & Chad Show on Tuesday that the SARS-CoV-2 coronavirus mutates all the time, but the latest mutation is believed to make it easier for the virus to transmit.

"It's decent evidence that the change has made this virus potentially easier to transmit because it makes it easier for the virus to latch on to your cells in the respiratory system and latch onto the part of the cell that lets it in so it can replicate its RNA," Humble said.

AMERICAN OVERSIGHT

The United Kingdom identified the variant, which has been discovered mainly in London and the southeast of England in recent weeks, and has taken precautions to mitigate the spread of the virus by implementing stricter lockdown measures.

Other European countries and Canada have closed their borders in response to the discovery.

Humble, who was formerly the director of the Arizona Department of Health Services, noted that while the mutation of the virus may already be in the United States and even Arizona, the coronavirus vaccine should still work against it.

"I'm not super concerned about it and I'm not concerned that it's going mess up the vaccine either," Humble said.

The news of the coronavirus mutation comes as the United States and Arizona continue to see surging coronavirus numbers. On Tuesday, Arizona health officials reported 5,859 new coronavirus cases and 153 additional deaths bringing the documented totals to 467,215 COVID-19 infections and 8,125 fatalities.

Humble said with people traveling and gathering for Christmas, January is almost a lock to be the worst part of the pandemic so far.

That projection is unlikely to change unless leaders like Arizona Gov. Doug Ducey and Arizona Department of Health Services Director Dr. Cara Christ enact meaningful change to the slow the spread of the virus, Humble said.

"The virus responds to policy decisions that elected officials make that drive better decisions among the public," Humble said.

"It's going to keep getting worse because I don't think that the governor nor Dr. Christ have the interest in doing any kind of interventions that will make it demonstrably difference."

Return to the table of contents

Maricopa County receives 18,000 doses of Moderna COVID-19 vaccine

Kevin Stone
KTAR News
December 23, 2020

The first shipment of the Moderna COVID-19 vaccine, the second coronavirus vaccine approved for use in the U.S., arrived in Maricopa County on Tuesday.

The county said it received approximately 18,000 doses of the new vaccine, which gained emergency use authorization from the Food and Drug Administration on Friday.

The Maricopa County Department of Public Health said the first Moderna shipment will be used for residents and staff at long-term care facilities that aren't part of the U.S. Centers for Disease Control and Prevention's Pharmacy Partnership.

AMERICAN OVERSIGHT

Facilities that enrolled in the CDC program will receive on-site vaccinations secured and provided by pharmacy partners CVS and Walgreens.

The Moderna vaccine will supplement the Pfizer vaccine, which the county started giving last week to health care workers classified in phase 1A of the distribution plan.

The Moderna vaccines are more easily distributed to multiple sites because they can be stored in regular freezers.

The Pfizer vaccine, which is being given at five locations across metro Phoenix, has to be kept at extremely cold temperatures in specially designed freezers.

Maricopa County said it had given more than 8,000 vaccines as of Tuesday.

Both the Pfizer and Moderna vaccines require two doses spaced out by several weeks.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Arizona Senate to require masks next legislative session

Associated Press
Arizona Daily Sun
December 23, 2020

The Arizona Senate has announced a new set of COVID-19 safety guidelines for the upcoming legislative session in January, including requiring masks.

Arizona Senate President Karen Fann told the senators and staff on Monday that anyone who enters the Senate building must have their temperature checked and be wearing masks at all times.

The guidelines also require 6 feet of social distancing when possible and prohibits handshakes or any physical contact during committee hearings and gatherings.

“This was not the scenario I had hoped for the 55th Legislature, but it is necessary to ensure we conduct legislative business and avoid disruption of the process to the best of our ability,” Fann said.

Fann warned that failing to comply with the rules could result in an early end of the session. Lawmakers shut down their buildings last month and cut the 2020 session short because of the pandemic.

“Failure to adhere could result in lack of quorums, inability to conduct voting and other work we need to accomplish, or ultimately session shutdown,” Fann said.

Senate security has been tasked with enforcing the protocols.

The policy bans anyone who is sick or has knowingly been exposed to COVID-19 but doesn't show symptoms from entering the building and requires staff to notify supervisors if they’re sick or test positive. Similar notification requirements are also made of visitors and senators.

Senate Comptroller Susie Myers will oversee the chamber’s virus safety guidelines and conduct internal contact tracing if lawmakers contract COVID-19. The Senate will highly encourage staff and lawmakers to be tested once a week and provide free tests on site when tests are more readily available, she said.

The Senate will allow visitors, but only to attend scheduled meetings with lawmakers or staff, or to attend committee hearings, officials said. Visitors will only be allowed in 10 minutes before hearings, and must leave the building immediately after it’s over.

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some — especially older adults and people with existing health problems — it can cause more severe illness, including pneumonia, and death.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona virus death toll tops 8K with 2nd-largest daily rise

Paul Davenport
Arizona Daily Sun
December 23, 2020

Arizona's death toll from the coronavirus outbreak passed the 8,000 mark on Tuesday as the state reported an additional 153 known deaths, the second-highest daily increase during the pandemic.

The 5,869 additional known COVID-19 cases reported Tuesday by the Department of Health Services increased the pandemic's total to 467,215 cases along with 8,125 deaths.

Coconino County added 95 cases and two deaths in Tuesday's report, bringing its totals to 10,025 positive cases and 188 deaths.

According to the state coronavirus dashboard, there were 4,019 COVID-19-related hospitalizations as of Monday, the latest in a string of pandemic-highs recorded this month during the fall surge that is continuing into winter.

The dashboard reported that only 9% of hospital beds statewide were not in use and available. Bed availability has hovered at that approximate level since earlier this month as the surge accelerated after Thanksgiving because of gatherings and travel.

The Pima County Health Department on Monday warned that metro Tucson's health care system was “in danger of being overwhelmed" by the surge.

“In the last week, there have been multiple times when there have been no ICU beds available in Pima County; at different times, hospital medical/surgical beds have also reached capacity," the department said in a public health advisory update.

The advisory called for mask wearing, distancing, limiting gatherings, reducing business occupancies and adhering to the county's nightly curfew.

Hospital officials and public health officials in metro Phoenix also have issued similar warnings.

The 153 deaths reported statewide Tuesday was behind only the 172 deaths reported on July 30 during the summer surge.

The state reported only one additional COVID-19 death Monday, but the seven-day rolling average of daily deaths in Arizona as of Monday stood at 87.7, up from 44.4 on Dec. 7.

The seven-day rolling average of daily new cases in Arizona also rose over the past two weeks, going from from 5,575.14 to 5,871, while the positivity rate from COVID-19 testing in Arizona dropped from 14.9% to 13.1%.

COVID-19 vaccinations that began last week in Arizona's large metro areas have now begun in outlying areas of the state.

AMERICAN OVERSIGHT

In Yuma County in southwestern Arizona, 20 of the county's initial vaccinations were administered to frontline heath care providers in a test conducted Monday by Yuma Regional Medical Center, the Yuma Sun reported.

In a related development, the Maricopa County Department of Public Health announced that it received its first shipment of the Moderna vaccine, the second COVID-19 vaccine authorized for emergency use in the United States.

The department said it was earmarking doses of the Moderna vaccine for long-term care facilities.

In other news:

-- The Navajo Nation is reporting 151 new coronavirus cases and seven more deaths from COVID-19.

The latest figures reported Tuesday by the Navajo Department of Health bring the total number of cases on the reservation that extends into Arizona, New Mexico and Utah to 21,327. The Navajo Nation has reported 755 deaths since the pandemic hit.

The Health Department says the first doses of the recently approved vaccine made by Moderna have arrived at the Navajo Area Indian Health Service.

The Navajo Nation is in a three-week lockdown requiring all residents to stay home except for emergencies, shopping for essentials like food and medicine or traveling to an essential job.

“With the arrival of the first shipment of Moderna vaccines today, we have another weapon to help us fight COVID-19, but it will take time," Navajo Nation President Jonathan Nez said in a statement. “Until the vaccine is widely available, we have to keep our guard up and not let down.”

-- Also Tuesday, Gov. Doug Ducey announced that the state will distribute $40.2 million of federal funding to help people facing homelessness and to mitigate the spread of COVID-19 among vulnerable populations.

Planned uses for the money will include expanding shelters, adding transitional housing and providing emergency payments of rent, utility, food and clothing for families and individuals, Ducey's office said in a statement.

-- The Arizona Senate has announced a new set of COVID-19 safety guidelines for the upcoming legislative session in January, including requiring masks.

Arizona Senate President Karen Fann told the senators and staff on Monday that anyone who enters the Senate building must have their temperature checked and be wearing masks at all times.

The guidelines also require 6 feet of social distancing when possible and prohibits handshakes or any physical contact during committee hearings and gatherings.

“This was not the scenario I had hoped for the 55th Legislature, but it is necessary to ensure we conduct legislative business and avoid disruption of the process to the best of our ability,” Fann said.

AMERICAN OVERSIGHT

Fann warned that failing to comply with the rules could result in an early end of the session. Lawmakers shut down their buildings last month and cut the 2020 session short because of the pandemic.

“Failure to adhere could result in lack of quorums, inability to conduct voting and other work we need to accomplish, or ultimately session shutdown,” Fann said.

Senate security has been tasked with enforcing the protocols.

The policy bans anyone who is sick or has knowingly been exposed to COVID-19 but doesn't show symptoms from entering the building and requires staff to notify supervisors if they’re sick or test positive. Similar notification requirements are also made of visitors and senators.

Senate Comptroller Susie Myers will oversee the chamber’s virus safety guidelines and conduct internal contact tracing if lawmakers contract COVID-19. The Senate will highly encourage staff and lawmakers to be tested once a week and provide free tests on site when tests are more readily available, she said.

The Senate will allow visitors, but only to attend scheduled meetings with lawmakers or staff, or to attend committee hearings, officials said. Visitors will only be allowed in 10 minutes before hearings, and must leave the building immediately after it’s over.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Navajo Nation reports 151 new coronavirus cases, 7 deaths

Associated Press
Arizona Daily Sun
December 23, 2020

The Navajo Nation is reporting 151 new coronavirus cases and seven more deaths from COVID-19.

The latest figures reported Tuesday by the Navajo Department of Health bring the total number of cases on the reservation that extends into Arizona, New Mexico and Utah to 21,327. The Navajo Nation has reported 755 deaths since the pandemic hit.

The Health Department says the first doses of the recently approved vaccine made by Moderna have arrived at the Navajo Area Indian Health Service.

The Navajo Nation is in a three-week lockdown requiring all residents to stay home except for emergencies, shopping for essentials like food and medicine or traveling to an essential job.

“With the arrival of the first shipment of Moderna vaccines today, we have another weapon to help us fight COVID-19, but it will take time," Navajo Nation President Jonathan Nez said in a statement. “Until the vaccine is widely available, we have to keep our guard up and not let down.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, December 23, 2020 8:12:39 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Senate Clippings: December 23, 2020
Attachments: December 23, 2020.docx

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Ariz. lawmaker says she will ignore face covering mandate at state Capitol
- Equipment used to tally Maricopa votes demanded by GOP senators
- State, county policies affected rejected-ballot rate, review finds
- Arizona virus death toll tops 8K with 2nd-largest daily rise

Arizona Republic

- Bill extends eviction ban to Jan. 31; aid for rent in billions
- Phoenix rejected civilian review board for police.
- 3 Arizona GOP congressmen vote against COVID-19 aid bill
- AZ Patriots leader OKs plea deal in ID theft
- Arizona Senate will require wearing masks in next session
- Arizona's COVID-19 deaths top 8,000

KTAR News

- Arizona Senate building COVID-19 protocols include mask requirement
- 3 Arizona Republican congressmen vote against COVID-19 relief bill
- Hilton opens new hotel in Glendale's Westgate Entertainment District
- Arizona health expert says new virus mutation may already be in the US
- Maricopa County receives 18,000 doses of Moderna COVID-19 vaccine

Arizona Daily Sun

- Arizona Senate to require masks next legislative session
- Arizona virus death toll tops 8K with 2nd-largest daily rise
- Navajo Nation reports 151 new coronavirus cases, 7 deaths

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Ariz. lawmaker says she will ignore face covering mandate at state Capitol

Howard Fischer
Arizona Daily Star
December 23, 2020

An incoming state senator said she has no intention with complying with a newly issued directive that anyone entering the building must be masked.

Kelly Townsend, R-Mesa, told Capitol Media Services she has no intention of complying with the policy created by Senate President Karen Fann. Townsend contends the Prescott Republican has no authority in this area.

And Townsend is prepared for a fight.

'I've already told them where I stand,' she said. 'What are they going to do? Arrest me?'

What can be done, if the rules are followed, is simply refuse to allow Townsend into the building.

'They're going to physically block me from the building?' she asked. 'Well, that'd be fun,' promising to invite a reporter there when she attempts entry.

Townsend pointed out that there is no formal rule requiring masks — or, for that matter, any particular attire. And formal rules require a majority vote of the chamber.

But Fann believes she's on solid ground, citing an existing — and approved — formal rule which gives her, as president, not just control of the Senate chamber but 'all of parts of the Senate wing and all other areas and buildings used exclusively by the Senate.'

Fann, however, indicated she's unlikely to back down — even if it brings legislative action to a halt.

'Failure to adhere (to these rules) could result in lack of quorums, inability to conduct voting and other work we need to accomplish,' Fann warned. And the ultimate result, Fann said, would be shutting down the session. In her memo to senators, Fann acknowledged that the issue of masks has become a political lightning rod. But the senate president said she hopes that having these rules will put that issue to bed — at least for legislative business — and 'eliminate some of the divisiveness we have encountered throughout this pandemic.'

That does not appear to be working.

The rules are designed to facilitate actual committee meetings, including allowing members of the public to participate in hearings.

But it remains doubtful that supporters or foes of legislation will be able to pack hearing rooms as was done in the past. That's because visitors will be allowed into the building only to actually participate in a committee hearing or for a prescheduled meeting with a senator or staffer.

AMERICAN OVERSIGHT

The House is expected to announce its own rules this coming week.

They are expected to be similar, with Fann saying the Senate rules 'were developed in collaboration with the House for uniformity and consistency for all within the Capitol community that participate in legislative proceedings.'

The rules come as lawmakers grapple with how to conduct business amid the continued threat of infection from the coronavirus.

It starts with the idea of limiting the chances that someone who is infected will even enter the building. Under the rules, anyone wishing entry, including lawmakers, staff and visitors, will be subject to temperature checks.

Then there's the requirement for masks.

A legislator or staffer in his or her own individual closed office will be free to unmask. And there even are allowances for people who have their own dedicated work space, which can include a desk or cubicle.

'However, if one person enters another person's dedicated work space, then everyone in that space must wear a mask or other appropriate face covering,' the rules read. 'There are no exceptions.'

And not just any mask or piece of cloth covering just part of the face.

'Masks or other face covering must cover the nose and mouth and should fit snugly against the sides of the face,' according to the policy.

There is a provision for those who are 'medically unable' to wear a mask according to their doctor. They are required to wear a face shield that covers the mouth and nose.

But that's not a preferred solution, with the rules urging these people to work remotely.

There is a separate rule for 'social distancing' of 6 feet between individuals, along with no shaking hands or other physical contact.

The rules also create a new duty for Senate pages, requiring them to disinfect hearing rooms and the caucus rooms after each meeting.

And there will be free testing for staffers and lawmakers during certain hours of each day.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Equipment used to tally Maricopa votes demanded by GOP senators

Howard Fischer
Arizona Daily Star
December 23, 2020

Republican state senators are going on the legal offensive in their bid to get access to Maricopa County voting equipment and materials — and to do so ahead of the date Congress is set to ratify that Arizona's electoral votes go to Joe Biden.

A new lawsuit asks Maricopa County Superior Court Judge Randall Warner to order the county to produce everything in two subpoenas issued by Senate no later than Dec. 29.

The senators' attorney, Kory Langhofer, figures that whichever side loses in front of Warner is likely to seek review by the Arizona Supreme Court. And that could take at least a day or two, at best.

The real goal is having the case fully resolved — and, if the senators get their way, the documents and equipment reviewed and audited — before Jan. 6.

That's the day Congress is set to review the Electoral College vote, in which, under the state's certified election results, Biden gets Arizona's 11 votes.

But if the Republican- controlled Judiciary Committee concludes there was something amiss in the Maricopa County ballot counting, that could provide fodder for either legislative action or a move in Congress by some supporters of President Trump to reject the official tally and instead award the state's electoral votes to the incumbent.

The official tally shows that Biden won Arizona by 10,457 votes. In Maricopa County, he bested the president by about 45,000 votes.

The new lawsuit comes as committee chairman Sen. Eddie Farnsworth, R-Gilbert, continues to say the purpose of the two subpoenas is not to influence the outcome of the election.

He said the committee just wants to get to the bottom of various rumors and reports that the ballots were not properly counted, whether through human error or problems with the Dominion Voting Systems hardware or software. That is one of the oversight roles the Legislature plays, Farnsworth said.

He also said what the audit finds could form the basis for changes in state election laws and procedures for future years.

'It's not designed to' undo the 2020 election results, Farnsworth said. 'But I told you all along if it comes out that there's fraud, then this election somebody might use that. ... If there's been fraud, at that point the legislature can decide what to do.'

'There are multiple purposes here,' he said. 'But the main one is to reinstill and ensure that we have confidence in the system.'

But not everyone involved in litigation is simply looking for clarity.

AMERICAN OVERSIGHT

Attorneys for the 11 Republicans who would have served as Trump's electors have filed their own legal papers asking Warner to uphold the subpoenas and order the county to produce what the Judiciary Committee has demanded. And their issues are strictly political.

Those would-be electors have a separate lawsuit pending before the U.S. Supreme Court asking that the justices allow the Republican- controlled Legislature to designate who are the state's 11 electors 'instead of merely accepting the slate certified by (Secretary of State Katie) Hobbs.'

Farnsworth, for his part, said he's not working with the electors, the Arizona Republican Party or state

GOP Chairwoman Kelli Ward. But he said he presumes the results of the audit would be a public record, meaning anyone would then be free to use them in any fashion.

At a hearing Tuesday, Warner said he has questions about whether he even has the authority to order the county to produce what the senators are demanding.

He pointed out that state law already gives the Legislature the power not only to issue subpoenas but also to find people in contempt for failing to comply. That statute allows for someone who refuses to be arrested and jailed.

The hearing before the judge will continue Wednesday, Dec. 23.

Return to the table of contents

State, county policies affected rejected-ballot rate, review finds

Sam Kmack
Arizona Daily Star
December 23, 2020

Election officials didn't count 27,327 ballots cast by Arizona voters in the November election, rejecting more than twice the 10,457 votes that flipped the state for President- elect Joe Biden — the closest raw vote margin of any state in the nation.

The uncounted votes, which are legally rejected by officials for reasons such as a missing signature, don't indicate fraud or election irregularities. Courts in Arizona and across the U.S. have rejected claims of widespread voter fraud, citing a lack of evidence presented by Republican groups that have sought to overturn the election outcome.

The rejected ballots show that Arizona's election system worked as intended: Voters who were eligible to vote and followed state laws had their ballots counted.

But election experts said some of those laws can make it harder for Arizona voters to cast a ballot and have it counted, in part because of the state's registration deadline — nearly a month before Election Day — and by not giving voters extra time to correct a missing signature. Adding to these barriers are county-level policies that, because of limited resources in areas such as Apache County, can increase the scenarios in which voters have their ballots thrown out, according to AZCIR interviews with experts, election officials and a review of county- by-county rejected ballot data.

AMERICAN OVERSIGHT

The November election marked the first time a Democratic candidate won the state's presidential ticket since 1996, and election experts said down-ballot Republican victories suggest Arizona will maintain its battleground status with the potential for narrow vote margins moving forward. This means the tens-of-thousands of ballots consistently rejected by elections officials in Arizona could make the difference between a candidate winning or losing in future races.

'We can pretty reliably consider (Arizona) to be one of the battlegrounds or swing states in these elections,' said Matthew Weil, director of the Elections Project at the Bipartisan Policy Center, a nonpartisan think tank based in Washington, D.C. 'What happens there with respect to policy, and if we're going to see more restrictions on voting and how that affects the electorate, will certainly matter from a national perspective.'

Arizona experienced an overall decrease in the rate of rejected ballots in November despite the COVID-19 pandemic and late-changing registration deadlines ahead of the election, something experts have called a victory. The rejected ballot rate here has trended downward since at least 2012, AZCIR's analysis shows, following increased voter education efforts, new laws and improvements to election administration.

'This election was a good example of what states could do to expand access,' said Thessalia Merivaki, an expert in election administration and assistant professor of American politics at Mississippi State University. 'Instead of thinking about ways to restrict access they should think about positive developments this election put out and utilize them, build on them.'

STATE LAWS HELPED AND HURT VOTERS

Statewide, 63% of all votes rejected by election officials — or more than 17,200 ballots — were cast by voters who weren't registered or had an issue with their registration, such as missing the state deadline. Voter registration problems are the most common reason ballots were rejected in each of Arizona's three previous presidential elections.

'On Election Day I went to the polling place and they told me I wasn't registered anywhere and that I could still do a provisional ballot,' said Ermon Cosay, a Gila County voter whose ballot was rejected because he was not registered by the state's deadline. 'I thought my vote was counted all this time. I guess it was not.'

Arizona's registration deadline changed twice ahead of the November election after court battles that involved national Republican groups, Arizona officials and two advocacy organizations, Mi Familia Vota and Arizona Coalition for Change. The advocacy groups claimed they faced difficulties registering voters because of COVID-19 restrictions and asked a court to extend the registration deadline.

The state's deadline was originally Oct. 5, but it was extended by 18 days, to Oct. 23, following the first court's ruling. Republican groups led an appeal to overturn the extension that was later joined by state officials, resulting in the deadline changing yet again, to Oct. 15.

More than 35,000 people registered during the 10 day extension, according to the Arizona Secretary of State.

AMERICAN OVERSIGHT

Voters in 19 other states have same day registration, meaning a voter can both register to vote and cast a ballot that will count on Election Day.

'If you want to count every vote you need to make sure we have election day registration, so that if people aren't registered, that they have the opportunity to register and vote on election day,' said Tammy Patrick, former Maricopa County election official and now a senior adviser at the Democracy Fund, a nonpartisan foundation working to improve the election process for voters.

Ongoing voter education efforts will also help decrease ballot rejections due to registration issues, according to Gina Roberts of Arizona's Citizens Clean Elections Commission, a nonpartisan state agency dedicated to educating voters. She said more resources will help election officials reach voters with critical information, such as registration deadlines.

'I think what we need to do is increase our resources behind voter education,' Roberts said. 'You have your election officials, their budgets go toward administering the election — that's their focus. But of course informing the voters about how to participate is equally important.'

In Maricopa County, for example, election officials texted voters if there was a problem with the signature on their ballot, such as not matching what the officials had on file. These communications helped voters fix or confirm nearly 19,000 ballots that could have otherwise been rejected.

A 2019 change to state election law, passed with bipartisan support, also gave voters five business days after an election to fix a mismatched signature, something experts said contributed to the decrease in early ballot rejections. This change does not apply to ballots that voters forgot to sign.

Unlike Florida, where voters have extra time to fix missing signatures after the election, Arizona automatically rejects such ballots after the state's 7 p.m. election night deadline. Officials here rejected more than 2,000 no-signature ballots this November.

'(Florida) crafted their election administration policy procedures to reflect the fact that they knew they were going to be a very closely divided state for a very long period of time,' said Weil from the Bipartisan Policy Center. 'I think that states like Arizona that are newly moving into the swing state category should look at what Florida has done and the mistakes they've made. They've tried to make sure they've addressed those issues and Arizona would be wise to do that as well.'

COUNTY-SPECIFIC VOTING MODELS CAN AFFECT REJECTED BALLOTS

Maricopa and La Paz counties used 'vote centers' in the November election, which let voters cast ballots at any official voting location in their county of residence. In previous elections, voters had to cast their ballots at assigned voting precincts based on their home address. If a ballot was submitted in the wrong precinct, it would later be rejected by officials.

The 2020 change reduced the combined number of rejected ballots in Maricopa and La Paz counties by 2,200, when compared to the 2016 presidential election. The voting model was used successfully by Yuma, Yavapai, Cochise and Navajo counties in 2016.

Graham, Greenlee, Gila, Santa Cruz and Coconino counties used a 'hybrid- model' in which voters were assigned precincts but also had vote centers available to cast a ballot.

AMERICAN OVERSIGHT

Mohave, Pinal, Pima and Apache counties maintained the precinct-based voting system on Election Day. More than 1,400 ballots were rejected in these counties because they were cast in the wrong precinct.

Some precinct-based counties could start using vote centers after investing in upgraded technology, such as machines that can print different ballot types based on a voter's eligibility to cast a ballot in specific races.

In Apache County, which contains large portions of the Navajo Nation, costly improvements to infrastructure are needed before vote centers could be considered. The county experienced the highest overall rate of rejected ballots in the state's November election.

'There are towns on the Navajo Nation that have no internet access, not even over a cellphone because there's not a cell tower anywhere near. Because of that we're not able to go to full vote centers,' said Bowen Udall, the chief deputy recorder in Apache County.

Udall believes it would cost tens of millions of dollars to make vote centers possible.

'Honestly, if I could get rid of every single provisional because it was out-of-precinct, I would be very happy — not only because it causes us work, but because it would make voters happier,' he said.

Return to the table of contents

Arizona virus death toll tops 8K with 2nd-largest daily rise

Paul Davenport
Arizona Daily Star
December 23, 2020

Arizona's death toll from the coronavirus outbreak passed the 8,000 mark on Tuesday as the state reported an additional 153 known deaths, the second-highest daily increase during the pandemic.

The 5,869 additional known COVID-19 cases reported Tuesday by the Department of Health Services increased the pandemic's total to 467,215 cases along with 8,125 deaths.

In Pima County, there have been 61,344 cases of coronavirus, up 984 from the previous day. There have been 938 deaths in Pima County, up 33 from the previous day.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

According to the state coronavirus dashboard, there were 4,019 COVID-19-related hospitalizations as of Monday, the latest in a string of pandemic-highs recorded this month during the fall surge that is continuing into winter.

The dashboard reported that only 9% of hospital beds statewide were not in use and available. Bed availability has hovered at that approximate level since earlier this month as the surge accelerated after Thanksgiving because of gatherings and travel.

AMERICAN OVERSIGHT

The Pima County Health Department on Monday warned that metro Tucson's health care system was 'in danger of being overwhelmed' by the surge. ospital officials and public health officials in metro Phoenix also have issued similar warnings.

The 153 deaths reported statewide Tuesday was behind only the 172 deaths reported on July 30 during the summer surge.

The state reported only one additional COVID-19 death Monday, but the seven-day rolling average of daily deaths in Arizona as of Monday stood at 87.7, up from 44.4 on Dec. 7.

The seven-day rolling average of daily new cases in Arizona also rose over the past two weeks, going from from 5,575.14 to 5,871, while the positivity rate from COVID-19 testing in Arizona dropped from 14.9% to 13.1%.

COVID-19 vaccinations that began last week in Arizona's large metro areas have now begun in outlying areas of the state.

In Yuma County, 20 of the county's initial vaccinations were administered to frontline heath care providers in a test conducted Monday by Yuma Regional Medical Center, the Yuma Sun reported.

In a related development, the Maricopa County Department of Public Health announced that it received its first shipment of the Moderna vaccine, the second COVID-19 vaccine authorized for emergency use in the United States.

The department said it was earmarking doses of the Moderna vaccine for long-term care facilities.

Also Tuesday, Gov. Doug Ducey announced that the state will distribute $40.2 million of federal funding to help people facing homelessness and to mitigate the spread of COVID-19 among vulnerable populations.

Planned uses for the money will include expanding shelters, adding transitional housing and providing emergency payments of rent, utility, food and clothing for families and individuals, Ducey's office said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Bill extends eviction ban to Jan. 31; aid for rent in billions

Federal proposal pledges $25B for tenants who are struggling

Catherine Reagor
Arizona Republic
December 23, 2020

Arizona renters facing eviction because they can't pay their landlords during the pandemic would be covered for another month under the roughly $900 billion COVID-19 relief bill.

President Donald Trump had been expected to sign into law the bill, which Congress approved Monday night. But, late Tuesday, the president expressed displeasure that stimulus checks for Americans weren't larger and indicated he might not sign the bill.

The relief bill calls for extending the Centers for Disease Control and Prevention eviction ban until Jan. 31. The eviction ban had been scheduled to expire Dec. 31.

The relief bill is also providing another $25 billion to pay rent for tenants struggling because of income lost from COVID-19. No state will get less than $200 million, according to the legislation. Arizona housing advocates are cheering the additional help, as an estimated 250,000 renters across the state could have faced eviction next month.

"I am relieved to know that help is on the way for struggling families and individuals," said Patricia Garcia Duarte, CEO of the metro Phoenix housing nonprofit Trellis. "Unfortunately, the effects of the pandemic are taking longer than expected, so the assistance needs to keep up with the need."

There are concerns about whether the $25 billion is enough money, and if it can get to landlords fast enough.

Housing and landlord advocates had hoped for as much as $100 billion in rental aid to the millions of renters facing eviction nationwide.

Arizona property owner advocates want this next round of money distributed to struggling landlords much faster.

The state's first eviction prevention fund, handled through the Arizona Housing Department, has been criticized for taking too long to process applications and to pay landlords who aren't receiving rent.

"If the last nine months have taught us anything, it's that the amount of eviction relief is secondary to how quickly and efficiently these funds get to renters and property owners who continue to struggle," said Courtney Gilstrap LeVinus, CEO of the Arizona Multihousing Association. "The state and many cities and counties were slow to deploy earlier rounds of eviction relief dollars."

She said the group's hope is that the new funds will be moved to landlords and renters much quicker.

If not, she said, "We run the risk of many property owners facing bankruptcy and foreclosure early in 2021."

AMERICAN OVERSIGHT

Help running out for renters

The new federal aid would come as Arizona is running out of money to help renters.

Less than $5 million is left in rental aid for metro Phoenix renters from the more than $90 million in federal CARES Act funds made available through the state, counties and cities.

Research from October showed Arizona renters owe at least $178 million to their landlords, according to the National Council of State Housing Agencies.

The research also projected Arizona had 170,000 to 250,000 renters in danger of being evicted.

Renters who have been able to miss rent payments through the CDC ban and the Arizona eviction moratorium would owe all of their back payments on Jan. 1 if the ban is not extended.

A look at rules for new renter help

This round of federal relief money to help tenants and landlords would come with more rules and potential oversights.

h Similar to current guidelines for renter aid, tenants must either show they were unemployed, experienced another financial hardship because of COVID 19 or are at risk of becoming homeless.

h Renters can apply for up to 15 months in aid under the new $25 billion plan, but they must do it in three-month increments.

h Like most Arizona rental aid programs during COVID, the payments will go directly to landlords. But both landlords and renters can apply for the money.

h The U.S. Treasury Department must provide states with the rental funding within 30 days of the bill going into effect.

h About 90% of the money going to states must go directly to help struggling households.

h Renters making 50% or less than an area's median household income must receive first priority for the funds.

h The Treasury must conduct quarterly reporting of the renter-aid money and how it's being spent. That is currently not required.

"We're grateful that Congress has finally moved to make additional support available to so many families who continue to struggle," said Cynthia Zwick, executive director of the nonprofit Wildfire: Igniting Community Action to End Poverty in Arizona. "No one should be forced to spend Christmas on the streets."

Stimulus/unemployment checks could help

About 12 million people are set to lose unemployment benefits the day after Christmas.

AMERICAN OVERSIGHT

The new stimulus deal includes restarting a $300 boost to the federal unemployment insurance benefit and a $600 direct payment to most Americans.

Studies show many renters hurt by the pandemic relied on $1,200 stimulus checks and bigger unemployment checks from the CARES Act to pay their landlords starting in April.

Housing advocates want the eviction moratorium extended until the end of March to help renters and to provide enough time to distribute the funds.

Most are looking to President-elect Joe Biden for more renter help.

"The eviction moratorium extended for another month gives renters a sigh of relief, to potentially enjoy their holidays," said Joan Serviss, executive director of the Arizona Housing Coalition. "Although that's tempered by job loss, and many won't have presents under the tree or will have to work shifts, as renters are in the service or health care setting."

Serviss called the roughly $900 billion relief plan "the first important step of many to address housing instability made worse by the virus."

Return to the table of contents

Phoenix rejected civilian review board for police.

City Council narrowly votes down allowing residents to investigate brutality claims
Jen Fifield and Uriel J. Garcia
Arizona Republic
December 23, 2020

As protesters marched Phoenix streets this year calling for more just treatment from the city's police force, the city was considering a solution that some considered extreme: allowing civilians to independently investigate complaints of police brutality.

Over time, though, as officials crafted the plan for a new Office of Accountability and Transparency and accompanying Civilian Review Board, it failed to live up to activists' hopes that it would offer truly independent investigations.

The proposal lost support from the activists, and then from a key council member.

In November, the vote to finalize the office and its review board failed.

Activists and police representatives alike now wonder what happened, and where the city goes from here.

The answer to what happened depends on who you ask: Council member Michael Nowakowski, the deciding vote on the proposal, gives one reason for his vote, but council member Carlos Garcia, the main advocate for the proposal, suspects something different.

AMERICAN OVERSIGHT

A proposal for an accountability office and review board could come back again, when a new council member is elected to Nowakowski's seat in the spring, or if a proposed ballot initiative moves forward.

For now, Phoenix, the fifth-largest city in the country, remains one of the only large U.S. cities without civilian oversight of its police department. And Mayor Kate Gallego , along with activists, say they have moved on, focusing their eyes on other potential changes.

Gallego told The Arizona Republic this month that her goal remains creating a safe city "where our officers come home safely, our residents come home safely."

"We want to have the best department possible and build trust with our community," she said.

An idea rejected by a flip vote

Advocates of the proposed office say that allowing outsiders into investigations of police misconduct would increase trust, hold officers accountable, and possibly help prevent violent encounters.

Garcia, a newer council member who came from an advocacy background, was the strongest proponent for the idea. Garcia viewed the accountability office as a place where residents could have their complaints about police behavior investigated independently from the department.

Activists have pushed for more accountability, in part because, in the past decade, Phoenix has had a high rate of police shootings, compared with similarsized cities. The city also has paid out a number of legal settlements involving officers' use of force.

Public outcry grew after a May 2019 viral cellphone video showed a white police officer pointing a gun at a Black man and his family in connection with a shoplifting report.

Britt London, president of the Phoenix Law Enforcement Association, the largest union representing rank-and-file officers in the city, says that while police try to respond to incidents without using physical force, it sometimes is needed to "gain or retain control of a situation, to ensure public safety, and in self-defense."

Family and friends of those shot dead or harmed in confrontations with officers called on city leaders to create a way they could file a complaint to someone else besides the Police Department.

Garcia shocked many in February by winning over a council majority to his plan, which, out of those proposed, would give the proposed review board the most power to investigate residents' complaints about police misconduct.

The council pledged $3 million to the effort four months later.

But in November, when the final operational plan returned to the council for approval, Nowakowski, who had voted for both the concept and its budget, flipped his vote and the measure to create the accountability office and its civilian review board was defeated 5-4 on Nov. 18.

Garcia vs. Nowakowski

AMERICAN OVERSIGHT

Nowakowski explains his vote this way: This fall, he heard for the first time that the activists who wanted the new office were now opposed to it.

While activists had supported the plan in February, at the time, they said they didn't realize that it would not have full investigatory powers, including the right to ask accused officers questions or subpoena related documents.

When they saw how the plan was written in the fall, they came out against it.

Before his vote, at the November council meeting, Nowakowski questioned whether city officials could have better explained to the community what the office would do.

In an interview with The Republic, he was more direct. He said Garcia was "cutting a deal that he couldn't do" when he promised the community investigatory powers.

"You can't go behind closed doors and promise people stuff," he said.

Garcia said that he knew back in February that the office's powers would be limited. Garcia said he didn't make any promises to advocates; he was "always clear" with the community on what the proposal was, and he has always understood that he is only one of nine votes on the council.

Garcia said that city attorneys had advised the council before then that the city's charter and police union contract wouldn't allow residents to independently investigate claims of police brutality.

Garcia said he wishes he could have proposed something stronger, but he thinks "there were victories" in the proposal that came forward.

He said he doesn't believe Nowakowski cares about what the community wants. Instead, he said, Nowakowski has always had concerns about the cost and plan for the office.

"He is used to getting away with these political lies," Garcia said.

In his interview with The Republic, Nowakowski said he would have voted for the proposal if the community was supportive.

But he also spent most of the interview talking about how he believes three boards the city already has in place that allow residents to be involved in investigations of police misconduct could be sufficient to address residents' concerns, and about how the office was expensive for no reason.

Nowakowski said the city could make changes on its existing boards to give residents more power and transparency, while also making sure that the makeup of the boards was fair.

Garcia said the three boards already in place don't offer an independent look at claims of police brutality and don't offer an independent office for residents to take their claims.

The 3 boards already reviewing police misconduct

PLEA, the police union, opposes Garcia's proposal and believes the civilian review board would have been stacked against police, and that the accountability office would have been expensive, London said.

AMERICAN OVERSIGHT

PLEA pointed out that the department already allows residents to be involved in officer disciplinary cases by serving on three boards: a Use of Force Board, a Disciplinary Review Board and a Civil Service Board.

Right now, if a resident complains about a police officer's conduct, the Police Department's Professional Standards Bureau Unit investigates whether the officer followed city policy.

Simultaneously, the Disciplinary Review Board recommends to the chief whether the officer should be disciplined. There are seven people on that board: two residents and five officers.

If an officer used force in the incident, the Use of Force Board also considers whether the officer's actions followed city policy, and submits its findings to the chief. That board comprises three residents and three officers.

The police chief picks the residents for these two boards.

The chief ultimately decides whether an officer is disciplined. If a discipline decision is appealed, the Civil Service Board hears the appeal. That's a fivemember civilian panel selected by the council to hear any city employee's appeal of punishments or firings. Critics point out how the Civil Service Board commonly overturns the police chief 's firing of an officer or lessens the officer's discipline.

If an officer's actions could have violated the law, a criminal investigation is done simultaneously but separately from the city's disciplinary process.

London said PLEA understands the community's desire for civilian oversight and he can "understand the mistrust" of having police investigate themselves.

The organization would support a board, he said, "as long as things are fair and not stacked against us," and as long as residents serving on the board were trained to conduct police investigations.

Lt. Ben Leuschner, president of the Phoenix Police Sergeants and Lieutenants Association, said some police leaders are not opposed to more oversight of police, including civilian review.

An idea that has been brought up by stakeholders, he said, would allow selected residents to review interviews of an officer under investigation before a report is finalized to make sure that detectives captured all of the evidence.

"They get the same bite of the apple, so to speak," Leuschner said. "So, by the time you have a finalized product, you may not have everyone agreeing, but by then, you have all the party holders chimed in."

Are civilian review boards effective?

Phoenix is the only city besides San Antonio out of the 10 most populous U.S. cities that doesn't have a civilian oversight office, said Liana Perez, director of operations for the National Association for Civilian Oversight of Law Enforcement. Many cities launched their civilian boards in the 1980s or 1990s.

AMERICAN OVERSIGHT

For cities to give these boards full investigatory powers is rare. Phoenix's research shows only New York City and San Francisco offer that.

In some cases, Perez said, police union contracts prevent jurisdictions from having an effective civilian oversight office or having one at all.

Sharon Fairley, a professor at the University of Chicago Law School and former federal prosecutor, said that civilian oversight offices, regardless of the model, do not necessarily solve the issues of disproportionate force that police use on communities of color.

What it does, depending on the strengths of the office, is provide a layer of accountability and transparency that builds trust, said Fairley, who once led the civilian oversight office in Chicago.

"I've always sort of found this as a conundrum in terms of why law enforcement doesn't seem to get this," she said. "The idea that when you have a robust and effective accountability system, all that does is help them — because when people and citizens believe in the accountability system, they're much more likely to see police as legitimate and have trust in the process."

Other reforms in Phoenix

Beyond the accountability office and its review board, Phoenix has moved forward with several other changes to policing, following a five-point plan that Chief Jeri Williams ushered forward and changes to use-of-force practices that Gallego encouraged.

The city already has increased officer training on how to de-escalate situations and how to interact with those with mental health issues, purchased bodyworn cameras for most officers and changed several use-of-force practices such as eliminating the use of the carotid control hold, a technique meant to cut the flow of blood to the brain.

The Police Department said it also improved tracking of when officers use force, including anytime an officer points his firearm at a person, in part to identify and intervene earlier on problematic behavior.

Gallego said she has a few other ideas for how to address problems she sees with policing in the next city budget.

She wants to add money to the budget, for example, to expand a city program that has clinicians respond to certain calls for police, such as those that are related to mental health issues. When there's no need for sworn law enforcement to respond, someone else should, she said.

Among the groups originally pushing for a Civilian Review Board was Poder in Action, an advocacy group that wants to reduce policing.

Ben Laughlin, an organizer of the group, said it is now focused on advocating against some changes to the city's contract with PLEA, which would be approved during the upcoming budget process.

PLEA proposed several changes to its contract.

Poder argues that some will reduce officer accountability, including one that would delay any investigations into police misconduct to give officers more time before being questioned, and others

AMERICAN OVERSIGHT

would improve officers' access to evidence related to the investigation, including body camera footage, written statements, audio and video.

The public was given a chance to comment on PLEA's proposal on Wednesday. Viri Hernandez, executive director of Poder, told the council that PLEA's requests were unacceptable.

She said that the residents involved in police incidents are not awarded the same right to delay interviews and get access to evidence.

Could Garcia's proposal return?

Advocacy groups say that if the City Council takes up the accountability office and review board proposal again, they will only support it if it has investigative powers.

That's looking unlikely. There is a chance, though, that Garcia's proposal could come back around.

Nowakowski will leave his District 7 seat this spring, after facing term limits. The new person in his seat could be the vote Garcia needs to move his proposal forward.

Yassamin Ansari, a climate activist with experience working on local and national Democratic campaigns, and Cinthia Estela, a longtime resident of the district with years of experience in community organizing and volunteering, were the top two vote-getters in November's primary election, and will face off in a March runoff.

Ansari says she would have voted for the office as it was proposed in November. Estela says she would have voted against it.

Ansari is endorsed by Gallego and Estela is endorsed by the Arizona Police Association and the Phoenix Police Sergeants and Lieutenants Association.

Ansari said she believes the office would have been an important part of the effort to rebuild trust and engage the community.

Estela said residents in her district have told her they don't want the new office.

"They feel there is already transparency," she said. "They already feel there are boards in place that are doing the exact same thing."

Estela said she isn't opposed to more accountability and transparency for police, and she doesn't believe police are opposed to that either. But the office as proposed was the wrong way to go about it, she said.

Both candidates said their district needs more officers, not fewer, as it continues to grow.

An alternative form of the accountability office and review board also could move forward, led by council member Sal DiCiccio, who has said Garcia's proposal would have been a biased operation meant to "destroy" police that would ultimately make the city less safe.

AMERICAN OVERSIGHT

DiCiccio wants the council to send his proposal to the ballot for voters to decide. His proposal will be considered along with a similar citizen initiative petition during January's Land Use and Livability Subcommittee meeting. The soonest the topic could be on the ballot is next fall.

DiCiccio's proposal strips the board of its right to "participate" in police investigations and limits the information that the board can get from the city. It also reduces the initial funding for the office from $3 million to $500,000.

Garcia said he assumes that DiCiccio's proposal is "their attempt to put a nail in the coffin."

Return to the table of contents

3 Arizona GOP congressmen vote against COVID-19 aid bill

Lack of transparency, cost lead to opposition
Ronald J. Hansen
Arizona Republic
December 23, 2020

Three of Arizona's four congressional Republicans voted Monday against a $900 billion coronavirus aid bill that would avert a government shutdown as well as provide direct cash to taxpayers and more financial help to the jobless.

Reps. Andy Biggs, Paul Gosar and David Schweikert were among the dozens of lawmakers from both parties who protested a hastily written measure that would be the federal government's first significant new help in battling the pandemic since Congress passed a pair of bills in the spring.

Rep. Raúl Grijalva, D-Ariz., voted against the first of two votes on the measure.

Despite the pushback, the legislation passed the House of Representatives in a pair of lopsided votes, 327-85 and 359-53. The Senate overwhelmingly passed the bill late Monday, 92-6. Including its regular budgetary spending as well, the bill is expected to cost $2.3 trillion.

"The whole package is a sell out. I'm voting no," Gosar said in a Twitter message about the package, which is one of the largest bills in the nation's history. "Dozens of problems. 5,500 pages long and 2 hours to review. This is nonsense."

Biggs had telegraphed his disapproval of it for days, citing the cost and lack of transparency on what was in it.

"Congress continues to fail the American people & bankrupt our grandchildren's future," he said in a tweet after the vote that passed the bill.

The final package reflects the political reality of a Washington in flux, with President Donald Trump set to leave office in January and Democrats set to have their House majority trimmed. Control of the Senate hinges on two runoff elections next month in Georgia.

Rep. Greg Stanton, D-Ariz., captured the disappointment, especially among Democrats, that the legislation didn't happen long ago or do more to help.

AMERICAN OVERSIGHT

“It has been nearly nine months since the Senate has been willing to pass COVID relief, and frankly, the American people expected more than what this package delivered,” he said. “We can’t allow this to be the last relief package for the American people. We need to immediately get to work on another plan to deliver additional much-needed support to workers and families first thing in January.”

Schweikert, R-Ariz., supported some parts of the measure, but voted against both bills.

“This package should have been approved months ago, as many of our small businesses are closing permanently and too many hard-working Americans are still out of work,” he said. “I urge my colleagues to focus on targeted solutions in our appropriations measures to help support government operations and the American people.”

Ahead of the final vote in the Senate, both of Arizona’s senators indicated they supported the measure.

Sen. Kyrsten Sinema, D-Ariz., said the bipartisan deal “is a necessary next step providing critical support to Arizona families, employers, and front line health workers —and more must be done. As I’ve said for months, the only way to stop the spread of the coronavirus and save Arizona jobs is through bipartisan cooperation.”

Sen. Mark Kelly, D-Ariz., agreed that more cooperation is needed.

“For many Arizonans I’ve spoken with, this help is coming far too late, and it’s clear that more is needed,” he said in a written statement. “The partisanship that blocked this relief for months can only be beaten by finding common ground, and that’s why I’m already talking with my Republican and Democratic colleagues about how we can work together on the next steps to tackle this virus and get our economy back on track.”

Trump had been expected to sign the bill into law. But, late Tuesday, the president expressed displeasure that stimulus checks for Americans weren’t larger and indicated he might not sign. If Trump signs, that would clear the way for the Treasury Department to begin sending out within days direct, onetime payments of up to $600 per person. That would be half of what people received in the spring. Once again, the payment tapers for those who earned more than $75,000 in 2019, and those who were paid more than $99,000 that year don’t qualify for the help.

The legislation also would add $300 in weekly unemployment assistance to the current aid for the jobless. That extra support would last at least until mid-March and could be especially significant in Arizona, which caps jobless aid at $240 per week, the second-lowest total in the nation.

The legislation would extend unemployment assistance to contract workers as well. The extra federal money also would be half the earlier aid level that expired last summer.

The legislation would provide funding to pay for coronavirus vaccines, en- suring they remain free to all who qualify to receive one at the moment.

The bill would provide another $284 billion for the Paycheck Protection Program that provides aid to small businesses and nonprofits. Additionally, there is $15 billion set aside for artsrelated businesses, such as theaters, to receive aid.

AMERICAN OVERSIGHT

The deal would extend a moratorium on evictions by another month, until Jan. 31. It also would provide funds to help renters.

All the other members of Arizona's House delegation voted for the measure.

The compromise deal came about after days of negotiations by leadership in the House and Senate.

It doesn't include direct payments to local governments, as Democrats had wanted. It also doesn't provide businesses with virus-liability protection, which Republicans had sought.

The legislation also would avert a federal government shutdown in the midst of a pandemic and recession. The bill funds the government through the end of the federal fiscal year, which ends in October 2021.

Return to the table of contents

AZ Patriots leader OKs plea deal in ID theft

She faced felony charge over use of hotel points
Richard Ruelas
Arizona Republic
December 23, 2020

Jennifer Harrison, the AZ Patriots leader who has led protests against illegal immigration and railed against government restrictions in response to COVID-19, has agreed to enter a diversion program to escape felony charges of identity theft.

Harrison became a high-profile political activist largely by posting selfnarrated videos of herself at rallies and events, often hosted by those with opposing views. She had faced a felony charge of identity theft for using hotel points that belonged to the parents of her exhusband.

Surprise police initially arrested her in October 2019, according to a police report that described her kicking a trash can in a police station and using profanity.

Charges were not brought in her case until September, nearly a year later, as prosecutors pursued higher-priority cases amid the pandemic.

Under the agreement, Harrison will undergo "education and treatment" through a Phoenix counseling center contracted by the Maricopa County Attorney's Office. Prosecution will be deferred for two years. If the counseling center attests she has completed its program, her case, under the agreement, will be permanently dismissed.

Harrison did not return a message Tuesday seeking comment.

Harrison signed the agreement Dec. 9, admitting she committed the crime she was charged with. The agreement was filed with the court by prosecutors on Friday.

Police said Harrison used hotel points that belonged to her ex-in-laws to book a hotel room in Sacramento for a string of days in October 2019. She was attending the three-day Aftershock music

AMERICAN OVERSIGHT

festival that featured Slipknot, Blink-182 and Tool. She reviewed and photographed the event for an online magazine run by her boyfriend, Michael Pavlock.

The value of the points was not disclosed, and the plea agreement does not require her to make restitution.

Carol Harrison, the ex-mother-inlaw of Jennifer Harrison, had previously told The Republic that the hotel points in her account were used to pay for three nights in Sacramento. The balance of points remaining, she said, were not enough for a fourth night.

The Surprise police detective noted a pattern of deceptive behavior on Harrison's part, noting that she had also created a phony media credential that mentioned the international group Reporters Without Borders. Harrison, the detective said, has no affiliation with that group. Harrison used the credential to attend a political rally headlined by Donald Trump Jr.

Harrison became a political figure in Arizona beginning in September 2017, when she began using her cell phone and megaphone to announce her presence and political views at various events. She had not registered to vote in Arizona until the 2016 election, when she was motivated by the candidacy of Donald Trump. But her inexperience did not deter her drive.

Harrison and Patriot Movement AZ started a novel tactic: They would crash events put on by other groups they disagreed with and made themselves a loud nuisance, raising ire among attendees and garnering attention from reporters and camera crews.

The Republic reviewed thousands of postings from a closed Patriot Movement AZ social media group and found that many of the group's beliefs and conspiratorial theories were founded on philosophies of Islamophobia, racism and general hate.

Harrison, though she moderated the group and participated in the chats, had told the Republic previously she did not spend much time in the Facebook group.

Harrison split from the Patriot Movement AZ group and started her own page, AZ Patriots. That page was pulled from Facebook as part of the social media company's drive to eliminate what it saw as hate speech and disinformation.

Starting in December 2018, Harrison and members of her previous group, Patriot Movement AZ, spread a false conspiracy involving churches that were helping migrants from Central America resettle in the U.S.

Harrison filmed government buses dropping off the asylum-seeking migrants at churches. Volunteers had agreed to house families for a few days until other arrangements could be made. But Harrison and others became convinced they were witnessing a human trafficking operation and shouted accusations outside the churches and through streaming videos.

The churches, aided by the Southern Poverty Law Center and the American Civil Liberties Union, filed a federal civil rights lawsuit. Harrison and the others agreed to take down the videos and not harass the churches further.

AMERICAN OVERSIGHT

In August 2019, Harrison was the subject of a viral video she didn't make. She attended a Tucson City Council meeting and started angrily denouncing members who were entertaining a proposal deeming the city a sanctuary for illegal immigrants. As she spoke, a man clad in a green polo shirt – which would earn him the nickname Green Shirt Guy – nearly fell out of his chair laughing.

Harrison has continued her video activism. She filmed a video on Saturday from the Arizona State Capitol to protest the election results. In that video, she announced a possible further entry into the political process: a run for office.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Senate will require wearing masks in next session

Associated Press
Arizona Republic
December 23, 2020

The Arizona Senate has announced a new set of COVID-19 safety guidelines for the upcoming legislative session in January, including requiring masks.

Arizona Senate President Karen Fann told the senators and staff on Monday that anyone who enters the Senate building must have their temperature checked and be wearing masks at all times.

The guidelines also require 6 feet of social distancing when possible and prohibits handshakes or any physical contact during committee hearings and gatherings.

"This was not the scenario I had hoped for the 55th Legislature, but it is necessary to ensure we conduct legislative business and avoid disruption of the process to the best of our ability," Fann said.

Fann warned that failing to comply with the rules could result in an early end of the session. Lawmakers shut down their buildings last month and cut the 2020 session short because of the pandemic.

"Failure to adhere could result in lack of quorums, inability to conduct voting and other work we need to accomplish, or ultimately session shutdown," Fann said. Senate security has been tasked with enforcing the protocols.

The policy bans anyone who is sick or has knowingly been exposed to COVID- 19 but doesn't show symptoms from entering the building and requires staff to notify supervisors if they're sick or test positive. Similar notification requirements are also made of visitors and senators.

Senate Comptroller Susie Myers will oversee the chamber's virus safety guidelines and conduct internal contact tracing if lawmakers contract COVID-19. The Senate will highly encourage staff and lawmakers to be tested once a week and provide free tests on site when tests are more readily available, she said.

The Senate will allow visitors, but only to attend scheduled meetings with lawmakers or staff, or to attend committee hearings, officials said. Visitors will only be allowed in 10 minutes before hearings, and must leave the building immediately after it's over.

AMERICAN OVERSIGHT

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some — especially older adults and people with existing health problems — it can cause more severe illness, including pneumonia, and death.

Return to the table of contents

Arizona's COVID-19 deaths top 8,000

Ronald J. Hansen
Arizona Republic
December 23, 2020

Arizona has topped 8,000 deaths from COVID-19 and the state added more than 5,800 new cases on Monday alone, according to daily figures released Tuesday.

The state data dashboard shows 91% of all ICU beds and 91% of all inpatient beds in Arizona were in use Monday, with 53% of ICU beds and 47% of non-ICU beds occupied by COVID-19 patients.

The number of patients hospitalized statewide for known or suspected COVID-19 cases was at 4,019 on Monday, an increase from 3,925 the day before. The highest number of COVID-19 patients hospitalized in a single day during the summer surge was 3,517 on July 13.

Arizona has the sixth-highest rate of new cases in the past week, trailing only Oklahoma, Tennessee, Texas, California and Rhode Island, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

Tuesday's update of 5,859 new cases brought the total number of identified COVID-19 cases in the state to 467,215. As of Tuesday, 8,125 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services. There were 153 new known deaths reported Tuesday.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 943 on Monday. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

The number of Arizonans with confirmed and suspected COVID-19 on ventilators was at 644 on Monday. It was the most ventilators in use for COVID- 19 in a single day since July 17. In mid-July, as many as 687 patients across the state with confirmed or suspected COVID-19 were on ventilators.

Tuesday's numbers

Reported cases in Arizona: 467,215.

Cases increased by 5,859, or 1.3%, from Monday's 461,356 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 287,646 in Maricopa, 61,344 in Pima, 25,265 in Yuma, 24,600 in Pinal, 10,548 in Navajo, 10,475 in Mohave, 10,237 in Coconino, 9,707 in Yavapai, 6,964 in Apache, 6,412 in Cochise,

AMERICAN OVERSIGHT

5,482 in Santa Cruz, 4,096 in Gila, 2,873 in Graham, 1,196 in La Paz and 359 in Greenlee, according to state numbers.

The Navajo Nation reported 21,177 cases and 748 confirmed deaths as of Monday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 6,246 inmates had tested positive for COVID-19 as of Monday, including 1,422 in Tucson, 1,189 in Yuma, 984 in Eyman and 832 in Douglas; 42,655 inmates statewide have been tested. A total of 1,611 prison staff members have self-reported testing positive, the department said. Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID- 19, with seven additional deaths under investigation.

Reported deaths

Deaths by county: 4,754 in Maricopa, 938 in Pima, 480 in Yuma, 339 in Pinal, 307 in Navajo, 305 in Mohave, 221 in Apache, 201 in Coconino, 181 in Yavapai, 120 in Gila, 112 in Cochise, 87 in Santa Cruz, 47 in Graham, 30 in La Paz and three in Greenlee.

The global death toll as of Tuesday morning was 1,706,513 and the U.S. had the highest death count of any country in the world, at 319,827, according to Johns Hopkins University. Arizona's death total of 8,125 deaths represents 2.5% of COVID-19 deaths in the U.S. as of Tuesday.

The COVID-19 death rate in Arizona was 111 per 100,000 people as of Monday, according to the CDC, putting it 13th in the country in a state ranking that separates New York City and New York state.

Ahead of Arizona are New York City at 294 deaths per 100,000 people, followed by New Jersey, Massachusetts, North Dakota, Connecticut, South Dakota, Rhode Island, Louisiana, Mississippi, Illinois, Michigan and Iowa.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona Senate building COVID-19 protocols include mask requirement

Associate Press
KTAR News
December 23, 2020

The Arizona Senate has announced a new set of COVID-19 safety guidelines for the upcoming legislative session in January, including requiring masks.

Arizona Senate President Karen Fann told the senators and staff on Monday that anyone who enters the Senate building must have their temperature checked and be wearing masks at all times.

The guidelines also require 6 feet of social distancing when possible and prohibits handshakes or any physical contact during committee hearings and gatherings.

"This was not the scenario I had hoped for the 55th Legislature, but it is necessary to ensure we conduct legislative business and avoid disruption of the process to the best of our ability," Fann said.

Fann warned that failing to comply with the rules could result in an early end of the session. Lawmakers shut down their buildings last month and cut the 2020 session short because of the pandemic.

"Failure to adhere could result in lack of quorums, inability to conduct voting and other work we need to accomplish, or ultimately session shutdown," Fann said.

Senate security has been tasked with enforcing the protocols.

The policy bans anyone who is sick or has knowingly been exposed to COVID-19 but doesn't show symptoms from entering the building and requires staff to notify supervisors if they're sick or test positive. Similar notification requirements are also made of visitors and senators.

Senate Comptroller Susie Myers will oversee the chamber's virus safety guidelines and conduct internal contact tracing if lawmakers contract COVID-19. The Senate will highly encourage staff and lawmakers to be tested once a week and provide free tests on site when tests are more readily available, she said.

The Senate will allow visitors, but only to attend scheduled meetings with lawmakers or staff, or to attend committee hearings, officials said. Visitors will only be allowed in 10 minutes before hearings, and must leave the building immediately after it's over.

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some — especially older adults and people with existing health problems — it can cause more severe illness, including pneumonia, and death.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

3 Arizona Republican congressmen vote against COVID-19 relief bill

KTAR News
December 23, 2020

Three of Arizona's Republican U.S. House representatives voted against the $900 billion coronavirus relief package that was ultimately passed by Congress Monday night.

Reps. David Schweikert, Andy Biggs and Paul Gosar were among 50 House Republicans who voted no on the measure.

"It was actually one of the more difficult votes I've ever had to make," Rep. David Schweikert told KTAR News 92.3 FM's Arizona's Morning News Tuesday.

The legislation to deliver much-needed assistance to individuals and hard-hit businesses was packaged with a $1.4 trillion spending bill to avoid a government shutdown.

Schweikert said the bill included pieces he has worked to get approved, such as the ability for Americans to deduct more medical expenses from their taxes.

However, he couldn't justify voting for the whole bill due to its 5,593-page length and the limited time to read all of it.

"If it was an honest piece of legislation, this typically would have been about seven different votes over about a 10-day period and instead to wait until the last moment, the last night, the single largest spending bill in U.S. history, the largest bill by number of pages in U.S. history and then to drop it on you, 'hey you have a couple hours, just go vote yes,'" Schweikert said.

The bill passed in the House 359-53 and the Senate 92-6.

"That was hard because we had so many wins for Arizona in it, but we were coming across so many things that were just bad for the people of Arizona and at certain points you have to make the decision," Schweikert said of his no vote.

Gosar tweeted a statement saying he could not support the bill as it "fails to compensate small and medium sized businesses while providing only meager relief to the American people."

Biggs also tweeted his displeasure with the legislation's passing.

Rep. Debbie Lesko was the only House Republican from Arizona to vote yes on the measure.

On the other side of the aisle, all five of Arizona's Democratic representatives, as well as Sens. Kyrsten Sinema and Mark Kelly, voted to approve the bill.

Rep. Greg Stanton said in a statement that although this bill passed, Congress needs to begin working on an additional package now to deliver further support to Americans next month.

"We can't allow this to be the last relief package for the American people," he said.

♦◊ ♦◊♦◊ ♦◊

AMERICAN OVERSIGHT

Return to the table of contents

Hilton opens new hotel in Glendale's Westgate Entertainment District

KTAR News
December 23, 2020

A new Hilton hotel near the Westgate Entertainment District in Glendale is now open for business, the company announced Tuesday.

Tru by Hilton is located near 95th and Maryland avenues, within walking distance of Gila River Arena, State Farm Stadium and the Tanger Outlets.

"We are incredibly honored to join the Tru by Hilton brand and introduce travelers to this innovative type of lodging," general manager Ryan McKenzie said in a press release.

"Our ideal location, a unique set of offerings and affordable price make us a top choice for guests visiting the Phoenix area."

The 114-room hotel features efficiently designed rooms with moveable desks and spacious bathrooms, complimentary breakfast, a fitness center, free WiFi and a 24/7 market that sells gourmet snacks.

Guests can bypass the front desk with mobile check-in and digital keys.

The lobby boasts large, comfortable areas for guests to lounge, work, eat or play games.

The Phoenix Glendale Westgate addition is now the fourth Tru hotel in the Phoenix-metro area.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona health expert says new virus mutation may already be in the US

Kaci Demarest
KTAR News
December 23, 2020

A prominent Arizona health expert says a mutation of the coronavirus recently discovered in the United Kingdom may already be in the United States but it's not worrying.

Arizona Public Health Association Executive Director Will Humble told KTAR News 92.3 FM's The Gaydos & Chad Show on Tuesday that the SARS-CoV-2 coronavirus mutates all the time, but the latest mutation is believed to make it easier for the virus to transmit.

"It's decent evidence that the change has made this virus potentially easier to transmit because it makes it easier for the virus to latch on to your cells in the respiratory system and latch onto the part of the cell that lets it in so it can replicate its RNA," Humble said.

AMERICAN OVERSIGHT

The United Kingdom identified the variant, which has been discovered mainly in London and the southeast of England in recent weeks, and has taken precautions to mitigate the spread of the virus by implementing stricter lockdown measures.

Other European countries and Canada have closed their borders in response to the discovery.

Humble, who was formerly the director of the Arizona Department of Health Services, noted that while the mutation of the virus may already be in the United States and even Arizona, the coronavirus vaccine should still work against it.

"I'm not super concerned about it and I'm not concerned that it's going mess up the vaccine either," Humble said.

The news of the coronavirus mutation comes as the United States and Arizona continue to see surging coronavirus numbers. On Tuesday, Arizona health officials reported 5,859 new coronavirus cases and 153 additional deaths bringing the documented totals to 467,215 COVID-19 infections and 8,125 fatalities.

Humble said with people traveling and gathering for Christmas, January is almost a lock to be the worst part of the pandemic so far.

That projection is unlikely to change unless leaders like Arizona Gov. Doug Ducey and Arizona Department of Health Services Director Dr. Cara Christ enact meaningful change to the slow the spread of the virus, Humble said.

"The virus responds to policy decisions that elected officials make that drive better decisions among the public," Humble said.

"It's going to keep getting worse because I don't think that the governor nor Dr. Christ have the interest in doing any kind of interventions that will make it demonstrably difference."

Return to the table of contents

Maricopa County receives 18,000 doses of Moderna COVID-19 vaccine

Kevin Stone
KTAR News
December 23, 2020

The first shipment of the Moderna COVID-19 vaccine, the second coronavirus vaccine approved for use in the U.S., arrived in Maricopa County on Tuesday.

The county said it received approximately 18,000 doses of the new vaccine, which gained emergency use authorization from the Food and Drug Administration on Friday.

The Maricopa County Department of Public Health said the first Moderna shipment will be used for residents and staff at long-term care facilities that aren't part of the U.S. Centers for Disease Control and Prevention's Pharmacy Partnership.

AMERICAN OVERSIGHT

Facilities that enrolled in the CDC program will receive on-site vaccinations secured and provided by pharmacy partners CVS and Walgreens.

The Moderna vaccine will supplement the Pfizer vaccine, which the county started giving last week to health care workers classified in phase 1A of the distribution plan.

The Moderna vaccines are more easily distributed to multiple sites because they can be stored in regular freezers.

The Pfizer vaccine, which is being given at five locations across metro Phoenix, has to be kept at extremely cold temperatures in specially designed freezers.

Maricopa County said it had given more than 8,000 vaccines as of Tuesday.

Both the Pfizer and Moderna vaccines require two doses spaced out by several weeks.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Arizona Senate to require masks next legislative session

Associated Press
Arizona Daily Sun
December 23, 2020

The Arizona Senate has announced a new set of COVID-19 safety guidelines for the upcoming legislative session in January, including requiring masks.

Arizona Senate President Karen Fann told the senators and staff on Monday that anyone who enters the Senate building must have their temperature checked and be wearing masks at all times.

The guidelines also require 6 feet of social distancing when possible and prohibits handshakes or any physical contact during committee hearings and gatherings.

“This was not the scenario I had hoped for the 55th Legislature, but it is necessary to ensure we conduct legislative business and avoid disruption of the process to the best of our ability,” Fann said.

Fann warned that failing to comply with the rules could result in an early end of the session. Lawmakers shut down their buildings last month and cut the 2020 session short because of the pandemic.

“Failure to adhere could result in lack of quorums, inability to conduct voting and other work we need to accomplish, or ultimately session shutdown,” Fann said.

Senate security has been tasked with enforcing the protocols.

The policy bans anyone who is sick or has knowingly been exposed to COVID-19 but doesn't show symptoms from entering the building and requires staff to notify supervisors if they’re sick or test positive. Similar notification requirements are also made of visitors and senators.

Senate Comptroller Susie Myers will oversee the chamber’s virus safety guidelines and conduct internal contact tracing if lawmakers contract COVID-19. The Senate will highly encourage staff and lawmakers to be tested once a week and provide free tests on site when tests are more readily available, she said.

The Senate will allow visitors, but only to attend scheduled meetings with lawmakers or staff, or to attend committee hearings, officials said. Visitors will only be allowed in 10 minutes before hearings, and must leave the building immediately after it’s over.

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some — especially older adults and people with existing health problems — it can cause more severe illness, including pneumonia, and death.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona virus death toll tops 8K with 2nd-largest daily rise

Paul Davenport
Arizona Daily Sun
December 23, 2020

Arizona's death toll from the coronavirus outbreak passed the 8,000 mark on Tuesday as the state reported an additional 153 known deaths, the second-highest daily increase during the pandemic.

The 5,869 additional known COVID-19 cases reported Tuesday by the Department of Health Services increased the pandemic's total to 467,215 cases along with 8,125 deaths.

Coconino County added 95 cases and two deaths in Tuesday's report, bringing its totals to 10,025 positive cases and 188 deaths.

According to the state coronavirus dashboard, there were 4,019 COVID-19-related hospitalizations as of Monday, the latest in a string of pandemic-highs recorded this month during the fall surge that is continuing into winter.

The dashboard reported that only 9% of hospital beds statewide were not in use and available. Bed availability has hovered at that approximate level since earlier this month as the surge accelerated after Thanksgiving because of gatherings and travel.

The Pima County Health Department on Monday warned that metro Tucson's health care system was “in danger of being overwhelmed" by the surge.

“In the last week, there have been multiple times when there have been no ICU beds available in Pima County; at different times, hospital medical/surgical beds have also reached capacity," the department said in a public health advisory update.

The advisory called for mask wearing, distancing, limiting gatherings, reducing business occupancies and adhering to the county's nightly curfew.

Hospital officials and public health officials in metro Phoenix also have issued similar warnings.

The 153 deaths reported statewide Tuesday was behind only the 172 deaths reported on July 30 during the summer surge.

The state reported only one additional COVID-19 death Monday, but the seven-day rolling average of daily deaths in Arizona as of Monday stood at 87.7, up from 44.4 on Dec. 7.

The seven-day rolling average of daily new cases in Arizona also rose over the past two weeks, going from from 5,575.14 to 5,871, while the positivity rate from COVID-19 testing in Arizona dropped from 14.9% to 13.1%.

COVID-19 vaccinations that began last week in Arizona's large metro areas have now begun in outlying areas of the state.

AMERICAN OVERSIGHT

In Yuma County in southwestern Arizona, 20 of the county's initial vaccinations were administered to frontline heath care providers in a test conducted Monday by Yuma Regional Medical Center, the Yuma Sun reported.

In a related development, the Maricopa County Department of Public Health announced that it received its first shipment of the Moderna vaccine, the second COVID-19 vaccine authorized for emergency use in the United States.

The department said it was earmarking doses of the Moderna vaccine for long-term care facilities.

In other news:

-- The Navajo Nation is reporting 151 new coronavirus cases and seven more deaths from COVID-19.

The latest figures reported Tuesday by the Navajo Department of Health bring the total number of cases on the reservation that extends into Arizona, New Mexico and Utah to 21,327. The Navajo Nation has reported 755 deaths since the pandemic hit.

The Health Department says the first doses of the recently approved vaccine made by Moderna have arrived at the Navajo Area Indian Health Service.

The Navajo Nation is in a three-week lockdown requiring all residents to stay home except for emergencies, shopping for essentials like food and medicine or traveling to an essential job.

“With the arrival of the first shipment of Moderna vaccines today, we have another weapon to help us fight COVID-19, but it will take time," Navajo Nation President Jonathan Nez said in a statement. “Until the vaccine is widely available, we have to keep our guard up and not let down.”

-- Also Tuesday, Gov. Doug Ducey announced that the state will distribute $40.2 million of federal funding to help people facing homelessness and to mitigate the spread of COVID-19 among vulnerable populations.

Planned uses for the money will include expanding shelters, adding transitional housing and providing emergency payments of rent, utility, food and clothing for families and individuals, Ducey's office said in a statement.

-- The Arizona Senate has announced a new set of COVID-19 safety guidelines for the upcoming legislative session in January, including requiring masks.

Arizona Senate President Karen Fann told the senators and staff on Monday that anyone who enters the Senate building must have their temperature checked and be wearing masks at all times.

The guidelines also require 6 feet of social distancing when possible and prohibits handshakes or any physical contact during committee hearings and gatherings.

“This was not the scenario I had hoped for the 55th Legislature, but it is necessary to ensure we conduct legislative business and avoid disruption of the process to the best of our ability,” Fann said.

AMERICAN OVERSIGHT

Fann warned that failing to comply with the rules could result in an early end of the session. Lawmakers shut down their buildings last month and cut the 2020 session short because of the pandemic.

“Failure to adhere could result in lack of quorums, inability to conduct voting and other work we need to accomplish, or ultimately session shutdown,” Fann said.

Senate security has been tasked with enforcing the protocols.

The policy bans anyone who is sick or has knowingly been exposed to COVID-19 but doesn't show symptoms from entering the building and requires staff to notify supervisors if they’re sick or test positive. Similar notification requirements are also made of visitors and senators.

Senate Comptroller Susie Myers will oversee the chamber’s virus safety guidelines and conduct internal contact tracing if lawmakers contract COVID-19. The Senate will highly encourage staff and lawmakers to be tested once a week and provide free tests on site when tests are more readily available, she said.

The Senate will allow visitors, but only to attend scheduled meetings with lawmakers or staff, or to attend committee hearings, officials said. Visitors will only be allowed in 10 minutes before hearings, and must leave the building immediately after it’s over.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Navajo Nation reports 151 new coronavirus cases, 7 deaths

Associated Press
Arizona Daily Sun
December 23, 2020

The Navajo Nation is reporting 151 new coronavirus cases and seven more deaths from COVID-19.

The latest figures reported Tuesday by the Navajo Department of Health bring the total number of cases on the reservation that extends into Arizona, New Mexico and Utah to 21,327. The Navajo Nation has reported 755 deaths since the pandemic hit.

The Health Department says the first doses of the recently approved vaccine made by Moderna have arrived at the Navajo Area Indian Health Service.

The Navajo Nation is in a three-week lockdown requiring all residents to stay home except for emergencies, shopping for essentials like food and medicine or traveling to an essential job.

“With the arrival of the first shipment of Moderna vaccines today, we have another weapon to help us fight COVID-19, but it will take time," Navajo Nation President Jonathan Nez said in a statement. “Until the vaccine is widely available, we have to keep our guard up and not let down.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, December 28, 2020 9:45:20 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: December 24-28, 2020
Attachments: December 24-28, 2020.docx

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate
Recent News Clippings

Arizona Daily Star

- TEP bills to increase average of $5 a month
- US layoffs remain elevated as 803,000 seek jobless aid
- Arizona reports over 5,000 new known COVID cases for 7th day
- Judge rejects GOP lawmakers' bid to get voting records, equipment
- Arizona reports 6th day of more than 100 virus deaths in 9 days
- Upending every aspect of life, virus is AZ's top story of year
- Arizona's jobless recovery rate in Nov. among nation's worst
- Arizona gets$40 million in US funding for homeless shelters, rental assistance
- Arizona on track to net another US House seat, census shows
- Pima program speeding up inmates' chances at new life
- With teen suicides on the rise, educators struggle to address students' mental health
- Biden's border-wall duty: Repair damage to S. Arizona
- Arizona law on texting while driving will get real teeth in 2021

Arizona Republic

- Arizona becomes key state this year
- Arizona gets more fed money for housing, shelters
- COVID-19 in AZ: Only 1 day worse for ICU
- Ariz. adds over 7,000 new COVID-19 cases
- Ariz. universities end terms with overall low COVID-19 numbers
- Cindy McCain: 'I did it for my country'
- AZ Senate ballot demand dismissed
- COVID-19 vaccines to begin at Arizona nursing homes
- Ariz. reports nearly 1,300 new COVID-19 cases and 3 deaths

KTAR News

- Arizona reports 6,106 new coronavirus cases, 15 more deaths
- Arizona reports 1,296 new coronavirus cases, 3 more deaths
- Arizona surpasses 500,000 coronavirus cases, adds 42 deaths

AMERICAN OVERSIGHT

Arizona Daily Sun

- Navajo Nation reports 122 new COVID-19 cases, 10 more deaths
- COVID-19 patients fill more than half of Arizona ICU beds
- Number of total COVID-19 cases in Arizona now over 500,000
- AZ Gov thanks virus workers, volunteers; deaths remain high

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

TEP bills to increase average of $5 a month

Regulators reject bid to delay rate hike during the pandemic
David Wichner
Arizona Daily Star
December 24, 2020

Customers of Tucson Electric Power Co. will see their monthly home bills rise by an average of just over $5 per month, or about 6%, while business customers will see a decrease starting with the new year, after state regulators approved new rates for the utility late Tuesday.

The Arizona Corporation

Commission rejected proposals to delay the rate increase to ease customers' financial burden during the COVID-19 pandemic.

But more TEP customers will qualify for the company's low-income discount rates as the utility panel voted to increase the income threshold for such programs.

And TEP business customers will see average rate decreases as regulators move to reduce the subsidies business customers have long made to residential rates.

The new rates will increase the average monthly bill for TEP residential customers on its most-popular basic rate plan by about $5.20 per month over the year. The actual impact will vary monthly with usage, and customers who use more energy will see a larger increase.

For typical residential customers using TEP's Time-of-Use, Demand or Demand Time-of-Use pricing plans, the proposed rates would increase average bills by $6.01 per month compared to 2020 bills, TEP said.

To help low-income customers, monthly discounts under TEP's Lifeline program will increase from $15 to $18 and will be available to families with household income up to 200% of the federal poverty level – an increase from the previous 150% cap.

Most TEP business customers are expected to pay lower bills under the new rates, the company said.

The average bill for a typical Small General Service customer on TEP's basic pricing plan is expected to decrease by about $14 per month compared to 2020 bills. Decreases are expected to average about $50 monthly for a typical Medium General Service customer and $560 for businesses that use TEP's Large General Service pricing plans, though TEP noted the savings will vary widely depending on usage.

RATE CASE TIMING

In the rate case filed by TEP in April 2019, the utility requested new rates that would boost revenues by $99.5 million and — partly offset by a $38.9 million reduction in charges for fuel costs — to start recovering $1.2 billion in system improvement costs since its last rate case.

AMERICAN OVERSIGHT

That would have increased the average monthly residential bill by about $7, or about 7%, including a proposed $2 increase in the current $13 monthly basic service charge paid by most customers.

But the commission's staff and consumer advocates had pushed for a much smaller increase and successfully cut TEP's allowed expenses and profit and kept the basic monthly charge at $13.

The new rates were approved on a 3-2 vote, with Republican Commissioner Lea Marquez Peterson and Commissioner Sandra Kennedy voting against the final order after Marquez Peterson's amendment to delay the effective date of the increase by nine months to Oct. 1 failed.

Marquez Peterson, the only Tucsonan on the ACC, and Kennedy, the panel's lone Democrat, said it was not appropriate to increase rates when many families are struggling with the financial impact of COVID-19.

TEP President and CEO David Hutchens told commissioners during the virtual open meeting that the utility's rate case had already been delayed by six months and delaying the rate increases would cost the utility about $50 million it would have to recover later.

He cited the current state-ordered moratorium on utility disconnections during the pandemic and noted that the company has doubled its donations to low-income assistance programs to $300,000, and sister utility UniSource Energy Services has donated $1 million to local COVID-19 relief efforts.

TEP says the increase will help cover the cost of flexible new generating resources, more resilient energy systems and other upgrades that are already serving customers.

'TEP is on track to provide 30% of our power from renewable resources next year with rates that reflect our commitment to safe, efficient operations,' said Hutchens, who is stepping down as chief at TEP at the end of the year to become CEO of TEP's Canadian parent, Fortis Inc.

'We're now well-positioned to provide affordable, reliable and sustainable service for years to come,' he said.

The new rates, originally requested more than 20 months ago, are projected to produce a revenue increase that amounts to less than 1% per year since TEP's last base rate increase in February 2017, the company said.

'We're doing everything possible to keep our service affordable as we build a smarter, stronger grid with lower emissions and more wind and solar resources,' TEP President and Chief Operating Officer Susan M. Gray, who will succeed Hutchens as CEO on Jan. 1, said in prepared remarks.

In its rate filing, TEP said its residential electric rates have increased about 1% per year, on average, over the past 20 years, and when adjusted for inflation over that period, its rates have actually fallen by about 1% per year.

But from 2010 to this year, TEP's average residential rate rose an average 2.7% annually, from about 9.6 cents per kilowatt hour to 12.2 cents in 2018.

COMMUNITIES IN NEED

AMERICAN OVERSIGHT

A provision in the rate decision pushed by Kennedy directs TEP to participate in planned stakeholder workshops examining how utilities can help the Navajo Nation and the Hopi Tribe and other communities hit hard economically by the retirement of coal-fired power plants such as the Navajo Generating Station, which was shutdown last year.

TEP had a minority ownership in the plant, which served several utilities in the region and was operated by the Salt River Project.

'Our transition to cleaner, less carbon-intensive resources should include investments in the sustainable economic growth of the communities that have supported our generating operations,' Gray said.

During an open meeting that ran into Tuesday night, Marquez Peterson said the rate increase should be delayed until October to help customers during the pandemic, vowing to vote against the rate proposal if the effective date wasn't postponed.

'I understand this rate case before the pandemic, but struggle with the impact on customers in this pandemic,' she said.

Kennedy read several letters from consumers relating how they are struggling to pay their bills because of financial problems caused by COVID-19.

But Hutchens said delaying the new rates would be unwise and likely lead to an immediate downgrade of the TEP's credit rating, which would lead to higher borrowing costs that would ultimately be passed on to ratepayers.

'By the time we hang up, we will have a downgrade message in our email,' Hutchens said during the commission's virtual open meeting where the proposed delay failed on a 2-3 vote.

REJECTED PROPOSALS

Hutchens also objected to a proposal by Commissioner Justin Olson to cut TEP's allowed return on equity — a critical measure of profit based on the value of a utility's assets.

TEP had sought a return on equity of 10%, up from 9.75%, but after rate-case hearings an administrative law judge had recommended a return of 9.35%.

Olson wanted to cut that to 8.97%, citing findings by the state Residential Utility Consumer Office that TEP had overstated its market risk and future borrowing costs.

But Hutchens said Olson's proposal would have a 'severe impact' on TEP by raising its borrowing costs as it invests increasingly large sums in the transition to cleaner solar and wind power generation.

'It will absolutely cause our debt costs to increase, which will be passed along to customers, which means we can't do as much with renewable energy as we have in our resource plan,' he said, adding that even the 9.35% was too low.

Olson's proposal failed to attract support of the other commissioners.

AMERICAN OVERSIGHT

Another failed proposal by Olson would have greatly expanded a pilot 'buythrough' program allowing commercial customers to buy power from third-party generators.

'All customers ought to have the right to participate in that program,' said Olson, who proposed adopting an expansive buy-through plan floated by a group of third-party power marketers based on a pilot program adopted by Arizona Public Service Co.

But TEP attorney Michael Patten said the proposal went far beyond the APS pilot and was inappropriate for a utility of TEP's size, estimating lost sales under the Olson proposal would shift an estimated $11 million in costs to other customers.

Commissioners Kennedy and Boyd Dunn said the proposal was a form of retail competition that requires more discussion on a statewide policy.

The Corporation Commission adopted rules to make retail power markets competitive in 1999 but dropped the effort after a state appellate court found the rules unconstitutional.

The commission also voted down an amendment offered by Kennedy to take two of TEP's most recent natural gas-fired additions to its generating portfolio out of the rate base used to determine rates.

She cited research by the Sierra Club that TEP's $165 million purchase under option of the 550-megawatt Gila River Unit gas-fired power plant, and a 180-MW bank of gas reciprocating internal-combustion engines at the H. Wilson Sundt power plant in Tucson were imprudent and the company could have saved money in the long run by adding more solar farms with battery storage.

But TEP says the quick-starting plants are a key part of its plan to add massive amounts of renewables, since they can quickly ramp up to supply power as the sun goes down or when the wind doesn't blow.

Though both the Gila River and Sundt plants went into initial service last year, after the test year of 2018 used to set rates in the case, TEP said that it had a right to begin recovering their costs.

Hutchens said TEP analyzed the costs of adding solar with batteries instead of the gas plants and found that the comparable amount of renewables, plus supplemental power, would cost hundreds of millions of dollars more than the gas plants he described as a bargain.

Return to the table of contents

US layoffs remain elevated as 803,000 seek jobless aid

Paul Wiseman
Arizona Daily Star
December 28, 2020

The number of Americans seeking unemployment benefits fell by 89,000 last week to a still-elevated 803,000, evidence that the job market remains under stress nine months after the coronavirus outbreak sent the U.S. economy into recession and caused millions of layoffs.

The latest figure, released Wednesday by the Labor Department, shows that many employers are still cutting jobs as the pandemic tightens business restrictions and leads many consumers to stay home.

AMERICAN OVERSIGHT

Before the virus struck, jobless claims typically numbered around 225,000 a week before shooting up to 6.9 million in early spring when the virus — and efforts to contain it — flattened the economy. The pace of layoffs has since declined but remains historically high in the face of the resurgence of COVID-19 cases.

'The fact that more than nine months into the crisis, initial claims are still running at such a high level is, in absolute terms, bad news,' Joshua Shapiro, chief U.S. economist at the economic consulting firm Maria Fiorini Ramirez Inc., wrote in a research note. 'With the pandemic again worsening, it is likely that claims will remain quite elevated for some time.'

The latest data on unemployment claims came on the same day that the government reported that consumer spending — the principal driver of the economy — fell in November for the first time since April. The 0.4% drop, coming in the midst of the crucial holiday shopping season, added to concerns that weak consumer spending will slow the economy in coming months. Economists suggested that the viral crisis, combined with diminished income and colder weather, likely led Americans to pull back in November.

Also on Wednesday, the government said that sales of new single-family homes sank 11% from October to November, though purchases remain up nearly 21% from a year ago. Boosted by rock-bottom mortgage rates, housing has proved resilient since the health crisis erupted last spring.

Another report Wednesday showed that orders to U.S. factories for high-cost manufactured goods rose a moderate 0.9% in November, with a key category that tracks business investment plans showing a gain. The rise in orders for durable goods, which are items that are expected to last at least three years, followed even stronger gains in recent months. The pace of orders has now nearly regained its pre-pandemic level.

In its report on applications for unemployment aid, the government said the total number of people who are receiving traditional state benefits fell to 5.3 million for the week that ended Dec. 12 from a week earlier. That figure had peaked in early May at nearly 23 million. The steady decline since then means that some unemployed Americans are finding work and no longer receiving aid.

But it also indicates that many of the unemployed have used up their state benefits, which typically expire after six months.

Millions more jobless Americans are now collecting checks under two federal programs that were created in March to ease the economic pain inflicted by the pandemic. Those programs had been set to expire the day after Christmas. On Monday, Congress agreed to extend them as part of a $900 billion pandemic rescue package.

On Tuesday night, though, President Donald Trump suddenly raised doubts about that aid and other federal money by attacking Congress' rescue package as inadequate and suggesting that he might not sign it into law.

The supplemental federal jobless benefit in Congress' new measure has been set at $300 a week — only half the amount provided in March — and will expire in 11 weeks. A separate benefits program for jobless people who have exhausted their regular state aid and another benefits program for self-employed and gig workers will also be extended only until early spring, well before the economy will likely have fully recovered.

AMERICAN OVERSIGHT

A tentative economic recovery from the springtime collapse has been faltering in the face of a resurgence of COVID-19 cases: An average of more than 200,000 confirmed cases a day, up from fewer than 35,000 in early September. Hiring in November slowed for a fifth straight month, with employers adding the fewest jobs since April. Nearly 10 million of the 22 million people who lost jobs when the pandemic hit in the spring are still unemployed.

According to the data firm Womply, closings are rising in some hard-hit businesses. For example, 42% of bars were closed as of Dec. 16, up from 33% at the start of November. Over the same period, closures rose from 25% to 29% at restaurants and from 27% to 35% at salons and other health and beauty shops.

The number of jobless people who are collecting aid from one of the two federal extended-benefit programs — the Pandemic

Unemployment Assistance program, which offers coverage to gig workers and others who don't qualify for traditional benefits — rose by nearly 27,000 to 9.3 million in the week that ended Dec. 5.

The number of people receiving aid under the second program — the Pandemic Emergency Unemployment Compensation program, which provides federal jobless benefits to people who have exhausted their state aid — fell by nearly 8,200 to 4.8 million.

All told, 20.4 million people are now receiving some type of unemployment benefits. (Figures for the two pandemic-related programs aren't adjusted for seasonal variations.)

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports over 5,000 new known COVID cases for 7th day

Paul Davenport
Arizona Daily Star
December 24, 2020

Arizona reported at least 5,000 new known coronavirus infections for the seventh straight day Wednesday as the state's current surge continued to set pandemic- high records for COVID-19 hospitalizations.

The state coronavirus dashboard reported a record 4,163 inpatients being treated for COVID-19 as of Tuesday, including a record 972 in intensive care unit beds. The 673 patients using ventilators neared the record of 687 set July 16 during the summer surge.

Only 8% of all hospital beds and 7% of adult intensive care unit beds were not in use and available statewide, according to the dashboard.

The state reported 6,058 new known COVID-19 cases and 54 deaths, increasing the state's totals to 473,273 cases and 8,179 deaths.

The number of infections is thought to be far higher than reported because many people have not been tested, and people can be infected with without feeling sick.

AMERICAN OVERSIGHT

Arizona ranks among the states with the most spread of the coronavirus. It has the fourth-highest rate of new cases per capita in the past 14 days and the fifth-highest diagnosis rate over the past week.

Arizona's seven-day rolling averages for daily new cases and daily deaths both increased over the past two weeks while the state's rolling average of COVID-19 testing positivity decreased, according to data from Johns Hopkins University and the COVID Tracking Project.

The rolling average of daily new cases rose from 5,859.7 on Dec. 8 to6,119 on Tuesday as the rolling average of daily deaths rose from 40.9 to 100.4 and the rolling average of testing positivity dropped from 20% to 13.6%.

In Pima County, there have been 62,159 cases of coronavirus, up 815 cases from the previous day. There have been 946 deaths in Pima County, up 8 from the previous day.

In other developments, hospital officials in Mohave County said the coronavirus surge in that part of northwestern Arizona was straining the health-care system, not only due to the growing number of patients but also because many infected people were hospital staff members, Today's News-Herald reported.

'What that indicates is the surge is real, and we are seeing many more covid-positive patients. That has now transitioned into our own staff from a community spread perspective,' said Kingman Regional Medical Center CEO Will McConnell. 'Essentially this month we have had 96 staff members test positive — 47 in the last week. About 40% of that is bedside support — nurses, nursing assistants and those kinds of people.'

Return to the table of contents

8 abuse lawsuits filed against Ariz. Boy Scout councils

Jacques Billeaud
Arizona Daily Star
December 24, 2020

Eight lawsuits filed Monday allege that Boy Scout leaders in Arizona had sexually abused children dating back decades, signaling what is expected to be a flood of lawsuits in the state before the end of the year for childhood sex abuse victims who now are 30 years of age or older.

Arizona joined several other states last year in extending the rights of childhood sexual abuse victims to sue their alleged assailants and any churches, youth groups or other institutions that turned a blind eye to the abuse.

Lawmakers gave victims until their 30th birthday to sue — a decade longer than before — and opened a onetime window for victims who've missed the cutoff, who now have until the end of 2020 to file suit. Arizona has no deadline for criminal charges in child sexual abuse cases.

Michael Pfau, a Seattle attorney who filed the eight lawsuits against local Boy Scout councils in Arizona and expects to file four more in the state by year's end, said the Boy Scouts systematically failed to keep

AMERICAN OVERSIGHT

sexual predators who were Scout leaders from preying on children. 'They weren't warning Scouts and their families of the dangers,' Pfau said.

Tim Kosnoff, an attorney who founded the national group Abuse in Scouting, said his group will file 250 to 300 sex abuse lawsuits against local Boy Scout councils in Arizona before the end of 2020.

The Boy Scouts of America filed for bankruptcy protection in February in the first step toward creating a compensation fund for men who were molested as youngsters decades ago by scoutmasters or other leaders. Close to 90,000 sexual abuse claims have been filed against the Boy Scouts of America.

Among the contentious issues still to be addressed in the Boy Scouts bankruptcy case is the extent to which the Boy Scouts' local councils contribute to the compensation fund.

In its bankruptcy filing, the national organization said the councils, which have extensive property holdings and other assets, are separate legal entities and should not be included as debtors in the case.

Of the eight lawsuits Monday, four were filed in Maricopa County, three in Pima County and one in Mohave County.

The Boy Scout's Grand Canyon and Catalina councils issued statements saying the groups apologize to the children who were harmed during their time in scouting and said they were outraged that their programs were used by people to abuse innocent children.

'We believe victims, we support them, we pay for counseling by a provider of their choice and we encourage them to come forward,' the statements said.

The Las Vegas Area Council didn't immediately respond to a request to comment on a sexual abuse lawsuit filed against it in Mohave County.

The Associated Press doesn't typically publish the names of sex abuse victims, but Donald Calmes, who alleged in a lawsuit that a Scout leader sexually

abused him in the mid-1980s in Arizona, agreed to speak on the record to let victims know that it's all right to talk about the abuse they suffered.

Calmes alleges in his lawsuit that the Scout leader used his position of trust and authority to sexually abuse him during Scout camping trips when he was in his early teens.

The lawsuit said the Boy Scouts should have known the Scout leader was likely to sexually abuse children and had been charged with five child molestation counts in 1983 in California, at least one year before he abused Calmes.

Now 49, Calmes told the AP that he spent more than 30 years trying to forget the abuse but that it left him always on guard and unable to form real bonds with people.

A year ago, when he met the woman who would become his wife, Calmes said he decided to finally talk about what happened to him. 'We didn't choose for this to happen to us,' Calmes said.

AMERICAN OVERSIGHT

Pfau, one of the lawyers representing Calmes, said the Scout leader in question was never criminally charged with abusing Calmes, though he pleaded guilty to one misdemeanor child molestation charge in 1983 in Stockton, California, was removed from Scouting in 1988, and died in 2011.

Return to the table of contents

Judge rejects GOP lawmakers' bid to get voting records, equipment

Howard Fischer
Arizona Daily Star
December 25, 2020

A judge has refused to order Maricopa County supervisors to comply with a legislative subpoena demanding access to various voting records and equipment.

In a ruling late Wednesday, Judge Randall Warner said he finds nothing in the Arizona Constitution which specifically allows him to enforce such a subpoena. And the judge rejected arguments by attorney Kory Langhofer that lawmakers have 'implicit' power to ask a court to enforce their demand.

'Whatever implied power the Constitution might confer on the Legislature, neither the federal cases cited, nor any provision of the Arizona Constitution cited, supports a grant of such implied power to individual legislators or legislative leadership,' he wrote following legal arguments that afternoon.

Clint Hickman, who chairs the supervisors, immediately issued a press release saying that the decision backs the board's decision to refuse to comply with the subpoenas 'to protect both voter privacy and the integrity of our elections.'

But Hickman's victory statement may prove premature.

While rejecting Langhofer's arguments about the right of lawmakers to seek judicial intervention, the judge said another of his legal theories may have merit. That, said Warner, is based on a separate state law which says when a public officer is authorized to issue a subpoena, that person can ask a judge to enforce.

'This is a plausible argument,' the judge said.

Only thing is that Langhofer never mentioned that statute in his legal pleadings, meaning Warner could not rule on it.

But the judge told Langhofer he is free to file a new legal complaint, this time making that argument, at which point he will consider it — with no guarantee he will rule in his favor.

The legal fight is over a pair of subpoenas issued by Sen. Eddie Farnsworth, R-Gilbert, who chairs the Senate Judiciary Committee which is looking into complaints about how the election was conducted in Maricopa County, whether the Dominion Voting Systems equipment used gave a proper count and whether there are any indications of fraud or misconduct.

AMERICAN OVERSIGHT

One seeks copies of all mail-in and absentee ballots and related logs and tapes of the ballot scanning and tabulation equipment.

The other demands that the county give access to a yet-to-be-chosen analyst to the ballot tabulation equipment as well as the software used. There also is a command for the county to turn over daily and cumulative voter records which include the name, address and date of birth of each voter, where and when they voted, their party affiliation and any information about when they requested an early ballot, when it was sent, when it was voted and, if applicable, when it was canceled.

The supervisors balked, arguing that much, if not all, that information was confidential.

Even if Warner subsequently says the Legislature can ask him to enforce a subpoena, that still doesn't guarantee that he will agree to do it. That goes to another legal question: Who, exactly, can issue a subpoena?

'It's an absurd notion that any committee chair can seize all the documents they want,' attorney Steve Tully, who represents the board, told the judge on Wednesday. And he pointed out to Warner that this isn't just about producing records.

'It's that they allow some agent of theirs to go in and physically examine some of the machinery,' Tully said. 'So the idea that any chair, out of

session, can demand this type of access and give it to whoever they want as an agent and then turn it over to whoever they want and then review it on their own is something that I'm quite certain that the courts would soundly reject.'

Langhofer countered that state laws allow the Legislature to issue subpoenas.

In fact, he argued, that lawmakers don't even need a specific reason and could go on a 'fishing expedition.'

'Like a grand jury, it can do that,' Langhofer said, though he said Farnsworth had reason based on calls of concern from constituents to inquire into the election process.

And he said that lawmakers need to find out what, if anything, went wrong this year so they can craft changes to state election laws when the new session starts.

But even if Warner agrees, he still has to decide if the statute dealing with refusing a legislative subpoena is as broad as Langhofer claims.

It says if a someone does not comply, 'the Senate or the House may, by resolution entered into the journal, commit him for contempt.' There is, however, no such resolution, with the Senate not in session, but only the permission to issue the subpoena granted to Farnsworth by Senate President Karen Fann, R-Prescott.

The law also says that the sergeant-at-arms can arrest someone for refusing to obey. But here, too, the statute appears to require a signed Senate-passed resolution.

Once Langhofer files the new legal papers, Warner will schedule a new hearing.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 6th day of more than 100 virus deaths in 9 days

Paul Davenport
Arizona Daily Star
December 25, 2020

Arizona on Thursday reported over 100 additional coronavirus deaths for the sixth time in nine days as state public- health officials urged caution to prevent the further spread of the virus during the holidays.

The state Department of Health Services reported 7,046 additional known COVID-19 cases and 115 deaths, increasing its totals to 480,319 cases and 8,294 deaths.

In Pima County, there have been 63,472 coronavirus cases, up 1,313 from the previous day. There have been 962 deaths in Pima County, up 16 from the previous day. Arizona had the thirdworst COVID-19 diagnosis rate among U.S. states over the past week, behind Tennessee and California. The diagnosis rate is calculated by dividing the total state population by the number of new cases over the past week.

The state had a record 4,221 people hospitalized for COVID-19 on Wednesday, according to the coronavirus dashboard — the latest in series of pandemic- highs set this month.

Coronavirus patients on Wednesday were using a record 50% of all hospital beds, while the 965 COVID-19 patients in intensive care unit beds were below the state's record of 972 set Tuesday.

Only 8% of all hospital inpatient beds were available and not in use, including 7% of ICU beds, according to the dashboard.

Department officials urged caution during the holidays. 'If you gather with people from outside your household, take the same precautions you'd follow in public: #MaskUpAZ, distance, wash/sanitize hands,' the department said on Twitter.

People attending religious services should wear masks and distance, particularly if there's singing, while not hugging, shaking hands or drinking from communal cups, said Dr. Cara Christ, the department's director. Arizona's seven-day rolling average of daily deaths rose from 49.9 deaths on Dec. 9 to 92.7 on Wednesday as the seven-day rolling average of daily new cases rose from 5,946 to 9,293.4, according to data from Johns Hopkins University and The COVID-Tracking Project.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

In another development, Prescott announced Wednesday it would deny permission for public events on city property effective immediately for 90 days because of the current virus surge and its crowding of area hospitals, The Daily Courier reported.

'This is the right decision at this time,' Mayor Gregg Mengarelli said in a statement.

AMERICAN OVERSIGHT

'Large public events and gatherings require additional police and fire protection. We do not believe this is the best allocation of these resources during this pandemic.'

Organizers of the annual New Year's Eve Whiskey Row Boot Drop held in downtown Prescott on Wednesday announced the cancellation of the Dec. 31 and Jan. 1 event.

Return to the table of contents

Upending every aspect of life, virus is AZ's top story of year

Bob Christie
Arizona Daily Star
December 26, 2020

What began as a single case of a new coronavirus infecting someone affiliated with Arizona State University on Jan. 26 turned into a vast outbreak afflicting hundreds of thousands of Arizonans. As the end of the year approached, the virus had killed more than 8,000 people in the state.

The coronavirus pandemic was Arizona's top news story of the year.

The disease disrupted the economy, schools, government and the lives of nearly every state resident. Gov. Doug Ducey was forced to shut down schools in March and then much of the economy in an effort to slow the virus's spread. Ducey eased restrictions in mid-May and watched as the virus surged across the state. By that time, the Navajo Nation had massive numbers of infections.

The entire state became a national hot spot for the virus in June. The Republican governor, long resistant to reimposing restrictions, finally closed nightclubs, and let cities and counties require masks, which slowed the virus's spread. Meanwhile, the staggering death toll steadily rose, hitting 1,000 on June 5; 2,000 on July 9; 3,000 on July 23; and 4,000 on Aug. 9.

Schools reopened in August, and the state appeared set for a prolonged fight against the pandemic as business closure orders eased. Pressure grew for Ducey to completely reopen the economy. As September's relative lull passed, October saw a rise in cases and, by mid-December, the state was breaking new records for daily case counts, hospitalizations and deaths.

The death toll days ahead of Christmas topped 8,000, with the number of cases approaching 500,000. As newly developed vaccines began trickling into the state in mid-December, virus experts said they expected Arizona's hospitals to fill up by Christmas and the virus to continue raging for months to come.

Here are the other top stories of 2020:

PURPLE ARIZONA

Voters choose a Democrat for president for only the second time since the 1940s and sent a second Democratic U. S. senator to Washington in a historic shift that shows the state no longer is a Republican stronghold. President-elect Joe Biden's slim victory came after a decade of speculation that the state's changing demographics and influx of new residents would chip away at the GOP's dominance. Biden won Arizona's 11 electoral votes despite Republican efforts to challenge his victory in court. Meanwhile, former astronaut Mark Kelly defeated Republican Sen. Martha McSally to become

AMERICAN OVERSIGHT

Arizona's second Democratic senator. Arizona hasn't had two Democrats in the U.S. Senate since Earnest McFarland lost his reelection bid in 1952.

LEGAL POT, SCHOOLS TAX

Arizona voters approved the only two initiatives that managed to make the ballot in a pandemic-affected election year — recreational marijuana and a new tax on high-earning residents to boost school funding. Approval of the marijuana measure, Proposition 207, came four years after voters narrowly defeated a recreational pot legalization proposal. Arizona Gov. Doug Ducey and fellow Republicans in the Legislature had refused to change Arizona's tough marijuana

laws. And the passage of Proposition 208, which levies a 3.5% income tax on individuals' income over $250,000 a year and on couples' income over $500,000, also was a rebuke by voters of Ducey and GOP lawmakers who have been criticized for not adequately funding K-12 schools.

RACIAL INJUSTICE

Tens of thousands of Arizonans protested racial injustice after the May 25 death of George Floyd after a Minneapolis police officer pressed his knee on Floyd's neck. The protests were mainly peaceful, but a Scottsdale mall was targeted by rioters who broke store windows and stole goods. Damage to public buildings in downtown Phoenix in the early days of the protests led Gov. Doug Ducey to impose a curfew and call out the National Guard. The protests slowly ebbed, but calls for police and criminal justice reforms continue in Arizona and across the nation.

ASSESSOR CONVICTED

Former Maricopa County Assessor Paul Peterson pleaded guilty in three states to running an illegal adoption scheme that involved women he flew to the U.S. from the Marshall Islands. Peterson was sentenced in federal court in Arkansas on Dec. 1 to more than six years in prison and faces sentencing for his admitted crimes in Arizona and Utah next month. Peterson admitted illegally paying at least 70 pregnant women to come to the U.S. and give up their children for adoptions he arranged.

FORMER GOV. HULL DIES

Jane Hull, the first woman elected governor of Arizona and part of the 'Fab Five' celebrated as the first all-female elected state executive branch leadership group, died April 16 at age 84. She was also the first female speaker of the Arizona House and was serving as secretary of state in 1997 when her predecessor as governor stepped down after a fraud conviction. She won a full term in 1998. Former Gov. Jan Brewer praised Hull for taking on everything she did 'full strength' and making sure it was 'done diligently and done right.'

SANCTUARY CITIES

Gov. Doug Ducey abruptly pulled a proposal to put a constitutional amendment on the ballot banning sanctuary cities on Feb. 21 amid political blowback and pressure from the business community. The governor's plan was a key part of his 2020 agenda. He announced it in January's state of the state address, but it fell victim to real-world politics and warnings from Democrats about the return 'to one of the darkest years in Arizona history,' a reference to the passage in 2010 of the tough-on-immigrants law

AMERICAN OVERSIGHT

known as SB1070. Arizona cities are already barred under state law from enacting policies giving sanctuary to immigrants without legal status in the country.

BORDER WALL

The Trump administration was racing in its final month to complete more miles of border wall in Southern Arizona that environmental advocates say has caused vast damage, closed off eons-old wildlife corridors and forever scarred the landscape as mountaintops are blasted away to carve a path for the barrier. The Trump administration says it's completed 430 miles of the $15 billion wall along the U.S.-Mexico border and promises to reach 450 miles by year's end.

Doug Ducey shut down schools and then much of the economy to slow the virus's spread. He eased restrictions in mid-May and watched as the virus surged across the state.

Return to the table of contents

Arizona's jobless recovery rate in Nov. among nation's worst

Jamie Landers
Arizona Daily Star
December 26, 2020

As the United States moves further from the spring's record high unemployment rates, a WalletHub study found Arizona is falling behind.

Arizona has the ninthworst November unemployment recovery rate in the country, according to the rankings issued Friday.

The state has struggled to keep up with the demand for unemployment benefits, which hit a high in April.

Overall, the United States gained 245,000 jobs in November, making the national unemployment rate 6.7%, compared with the nearly historic high of 14.7% at the spring peak, the WalletHub study said.

To rank individual states with the best recovery from unemployment, WalletHub compared states based on four key metrics:

•The change in each state's unemployment during November compared with November 2019

•The change in each state's unemployment during November compared with January • Seasonally adjusted claims in November 2020 compared with November 2019

• Each state's overall unemployment rate The WalletHub study found there were 273,365 unemployed Arizonans in November 2020 versus

154,572 in November 2019 and 167,687 in January.

Forecasters from both the University of Arizona and Arizona State University predict the state will recover much of the jobs lost in 2020 next year, depending on vaccines and further federal aid.

AMERICAN OVERSIGHT

Arizona lost nearly 295,000 jobs from February to April with many businesses closing to slow the spread of the virus. Lee McPheters, director of the JPMorgan Chase Economic Outlook Center at ASU, said Arizona has since recouped roughly 194,000, or 65.8%, of those positions.

That's better than the national job-recovery rate so far of 54.5%.

According to the WalletHub study, the state's unemployment rate remains at 7.6%, the 10th-highest unemployment rate in the nation.

THE TOP 5 FOR RECOVERY:

• Iowa

• Vermont

• Nebraska

• South Dakota

• Missouri

THE BOTTOM 5 FOR RECOVERY:

• New York

• Texas

• New Jersey

• Nevada

• Hawaii

Arizona lost nearly 295,000 jobs from February to April, with many businesses closing to slow the spread of COVID-19. By November, 273,365 Arizonans were unemployed. While construction employment has weakened, housing permit activity has surged.

Return to the table of contents

Arizona gets$40 million in US funding for homeless shelters, rental assistance

Jessica Boehm
Arizona Daily Star
December 26, 2020

Gov. Doug Ducey announced that Arizona will spend more than $40 million of federal funding to support people experiencing homelessness and to prevent others from losing their homes in the COVID-19 economic fallout.

AMERICAN OVERSIGHT

The money comes from a new disbursement of funds from the U.S. Department of Housing and Urban Development to help people impacted by COVID-19 with housing and shelter.

In this week's announcement, the Governor's Office laid out broad categories in which the money will be spent:

•Support for existing emergency homeless shelters.

•Creation of more emergency homeless shelters.

•Aid for people on the brink of homelessness.

Arizona has dire needs in each category. Homeless shelters and nonprofit agencies that serve people experiencing homelessness have had more people seek help this year and the cost to serve them has grown because of new CDC-recommended health protocols.

Arizona had a severe emergency shelter shortage even before the pandemic. In Maricopa County alone, more than 3,700 people experiencing homelessness are sleeping outside of a shelter.

Arizona renters have fallen behind on rental payments since the start of the pandemic. Research from October showed Arizona renters owe at least $178 million to landlords and as many as 250,000 renters in the state could face eviction when federal eviction moratoriums end, according to the National Council of State Housing Agencies.

The $40 million announced Tuesday is expected to broadly assist with those issues, but how the money actually will be spent remains to be seen. The state has allocated about $5 million for homeless shelters and nonprofits, but the remaining funds will be distributed through a grant application process in early 2021.

Cities and nonprofits can request grant funding to provide housing assistance or to acquire new homeless shelters.

$3.8 MILLION ALLOCATED FOR SHELTER SERVICES

'We want to make sure Arizonans have access to resources that will keep them safe and healthy, especially as we enter the new year,' Ducey said in a statement.

The state has notified 40 shelters and nonprofit programs that work with people experiencing homelessness that they will receive funding to provide better quality shelter, street outreach to get more people engaged with services and homelessness prevention programs.

A total of $3.8 million is allocated for shelter services, $171,000 is for street outreach, $750,000 is for homelessness prevention and $200,000 is to assist nonprofits with management.

The 40 nonprofits are scattered across the state, from Bisbee Coalition for the Homeless to Kingman Aid to Abused People.

AMERICAN OVERSIGHT

Arizona Department of Economic Security spokesman Brett Bezio said the department selected which organizations to fund based on a survey of all shelters in the state about their funding gaps.

The average awarded amount was about $125,000, though larger shelter programs received up to $395,000.

An additional $11 million remains for shelter and outreach, but it will be distributed through a grant process. Organizations working in the sphere of emergency shelter, Rapid Re-Housing, street outreach, homeless prevention and data management can apply for a grant beginning in mid-January, Bezio said.

CITIES, NONPROFITS WILL RUN PROGRAM

The $40 million allocation also includes $2.5 million for food, clothing, housing or utility assistance for Arizona families impacted by COVID-19.

The state won't be distributing this money directly. Beginning this week, local governments and nonprofits can apply for the money from the state and then those entities will distribute the funds to people in need.

The Arizona Department of Housing is broadening the number of nonprofits and local governments that can disburse funds to include more than just rental assistance, said spokeswoman Janelle Johnsen.

Previously, the state set aside $7 million for rental assistance. About $1.2 million remains in the eviction protection fund. Renters can apply directly on the department's website.

MONEY FOR SHELTER REHABS AVAILABLE

The Department of Housing will offer $13,069,520 to local governments, nonprofits or for-profit entities to acquire, convert or rehab facilities into emergency shelter or transitional housing.

About $5.6 million will be reserved for rural areas of Arizona. The remainder can be used anywhere in the state.

The shelter must prevent, prepare for or respond to COVID-19, Johnsen said.

One of several hurdles of building homeless shelters is the cost. The grant opportunity aims to ease that burden.

Application information for nonprofits, businesses and local governments is on the Arizona Department of Housing's website.

The remaining $8 million is reserved to help cities or counties access money Federal Emergency Management Agency Public Assistance grants. FEMA provides money to local governments after disasters, like the COVID-19 pandemic. But the agency requires the local government to match the grant amount, either through its own revenue or state dollars.

Arizona will reserve the $8 million to provide those matches on future housing or homelessness related FEMA grants.

AMERICAN OVERSIGHT

Coverage of housing insecurity in The Arizona Republic is supported by a grant from the Arizona Community Foundation.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona on track to net another US House seat, census shows

Howard Fischer
Arizona Daily Star
December 27, 2020

All those folks fleeing to Arizona from elsewhere put the state on track to pick up a 10th seat in the U.S. House of Representatives beginning in 2022.

That's going to result in political jockeying among current and would-be federal lawmakers, as current members of Congress weigh whether to seek reelection in their own redrawn district or run in another.

There's also the potential for political musical chairs, as there will be not just an open race for governor, but GOP lawmakers eyeing a chance

to oust newly elected U.S. Sen. Mark Kelly in 2022.

All that is the result of new preliminary estimates from the U.S. Census Bureau that show Arizona's population has increased by slightly more than a million since the official decennial count in 2010.

That's a growth rate of 16.1%, the fifth-highest in the nation.

By contrast, the entire country grew at just 6.7%. Only Utah, Texas, Idaho and Nevada had greater decade- over-decade growth than the Grand Canyon State.

That's important because the House has a fixed number of representatives at 435. So if Arizona is growing much faster than much of the rest of the country, it should get a bigger voice in that chamber. And states that haven't grown as fast or whose populations have shrunk would lose.

Only thing is, it's not a matter of simple math.

On paper, the current national population of nearly 329,500,000 would translate out neatly to individual congressional districts of about 757,434 people.

But the U.S. Constitution requires that each state have at least one representative, points out Kimball Brace, president of Election Data Services.

So Vermont gets one, as do Wyoming, North Dakota and Alaska.

There's also the fact that the population of the District of Columbia, estimated at about 713,000, effectively doesn't count as it is not entitled to any representation at all.

AMERICAN OVERSIGHT

Factoring all that out, Brace figures Arizona with its growth of more than a million people since 2010 will get one more seat.

The biggest gainer is expected to be Texas, which Kimball figures will add three seats, bringing its representation in the House up to 39. That's based on adding more than 4.2 million new residents in the past decade.

Florida also is likely to pick up two more seats, moving to 29 representatives.

And along with Arizona, other states gaining a seat are Colorado, Montana, North Carolina and Oregon.

But where there are winners — and a 435-seat maximum — there have to be losers.

Brace said New York, which lost more than 41,000 residents, according to the latest estimate, will drop at least one of its 27 seats in the House. And he figures it actually could be a net loss of two.

That's due to the Trump administration's bid to exclude from the count those people who are not lawfully present in the United States.

The U.S. Supreme Court late last week sidestepped the legality of that move, with the majority of the justices concluding the case was not ripe for review because the administration had not said which individuals it wanted to exclude from the count. That potentially paves the way for a future ruling.

Brace figures if undocumented individuals are excluded, that likely would cost New York a second seat. And the winner in that scenario appears to be Alabama, which might be able to hang on to all of its seven representatives.

California also is likely to lose a representative, leaving it with 52 members in the House. That still leaves it far ahead of anywhere else.

Also declining would be Minnesota, Michigan, Illinois, Ohio, West Virginia, Pennsylvania and Rhode Island.

The analysis by Election Data Services of the newly released data shows that if Arizona gets 10 seats in the House, that means 10 districts each with about 742,000 residents to meet the legal mandate for equal population.

But the fact is that all parts of the state haven't grown equally fast in the past decade.

The biggest growth rates have been in the Phoenix metropolitan area, extending into parts of Pinal County. So it's likely that a new congressional seat would have to be carved into that area.

That means even more clout for Central Arizona: Six of the state's nine congressional districts include parts of Maricopa County; add Pinal into the mix and it's seven.

It ultimately will be up to Arizona's Independent Redistricting Commission to decide how to redivide the state.

AMERICAN OVERSIGHT

The bipartisan voter- created panel is required to consider a variety of factors, like respecting communities of interest and using county boundaries when possible.

Commissioners also are required to create as many politically competitive districts as possible. That means there is a mandate of sorts to take what have proven to be 'safe' districts, like those occupied by Republican Andy Biggs and Democrat Raúl Grijalva, and find ways to try to even them up by party registration.

The new lines, by definition, won't match the existing districts. So incumbents will have to decide whether to continue to run in the district where they live, or another district, as nothing in federal law requires a member of Congress to live in her or his district, though that is usually politically advisable.

Complicating matters is what else is up for grabs in 2022.

Kelly, a Tucson Democrat elected this year to serve the last two years of the term of Sen. John McCain, will have to seek his own six-year term. And that could prove tempting to Republicans in Congress such as Biggs and David Schweikert.

On the Democratic side, there is the chance that U.S. Rep. Greg Stanton might choose to run for governor — it will be an open seat, as Republican Doug Ducey is unable by law to serve a third term — rather than seek another two years in Congress. And with Ducey out of the way, GOP members of Congress might also eye the Governor's Office.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Pima program speeding up inmates' chances at new life

Caitlin Schmidt
Arizona Daily Star
December 27, 2020

Phillip Bernard was sitting in a Pima County jail cell in August 2019 believing his life was over.

With a string of arrests and two prior theft convictions already on his record, Bernard had just been caught after being on the lam for a few months.

Now 32, he'd been struggling with drug addiction that started when he was 14 years old.

'I did a lot of things I'm not very proud of,' Bernard said. 'I put my family through a lot.'

Despite help through COPE Community Services, without a stable place to live, a job or sense of purpose, it didn't take long before he was back to his old ways. Yet as he sat on the concrete booking benches at the Pima County jail, Bernard knew something had to give. 'I made a pact with God

that if he helped me through it, I'd never turn my back on him again,' Bernard said. 'Then here comes Cindy.'

Cindy Buchler offered Bernard away out.

AMERICAN OVERSIGHT

After getting out of jail, Phillip Bernard got assistance from Pima County's Housing First program and now lives in an apartment with his dog, Xena. Knowing he has a roof over his head has helped him stay sober, he says.

'She was asking me where I was planning on going and I said, 'I don't have any place to go. I'm done with this but I don't have a place to go," Bernard said. Buchler works for Pima County's Pretrial Services Division. She referred Bernard to the Housing First program, which is for people who are homeless, have a substance abuse or mental health issue, and have been booked into jail at least twice in the past 12 months.

The program was launched a few months before Bernard's arrest in May 2019. It's a collaboration between the county's Criminal Justice Reform Unit and Old Pueblo Community Services. In addition to overseeing day-to-day operations, OPCS also handles mental health and medical services. The city of Tucson provides housing vouchers for Bernard and other residents.

By October 2019, Bernard had received the keys to his new apartment and by extension, a new life.

'This time around, it's been quite different for me,' Bernard said. 'It was a godsend. I don't know if I would be alive today or in prison if it wasn't for the support of Pretrial Services and my public defender and April at Old Pueblo.'

'IT WAS THE RIGHT THING TO DO'

Since moving into his apartment, Bernard has been able to make amends with his family, spend time with his children and take serious steps toward a better future.

It hasn't all been easy.

In March, Bernard started a new job at P.F. Chang's, thanks to a car he was able to buy with help from his mother. A few days after he began, Tucson Mayor Regina Romero ordered the shutdown of 'nonessential' services within the city limits to mitigate the spread of the coronavirus.

The restaurant eventually reopened. But by then Bernard's car had broken down and he lost his job.

Unlike many other unemployed Tucsonans, Bernard doesn't have to worry about losing his home, thanks to Housing First.

Knowing he has a roof over his head has helped Bernard stay sober.

'I haven't even had the thought of using through all these struggles,' Bernard said. 'The old me would have wanted to give up and get high, but this time around I didn't give up. I said I'd keep fighting through it.'

Bernard is one of thousands of people who have received help through programs within the county's Criminal Justice Reform Unit, including Housing First, the Jail Population Review Committee, U-MATTER and others.

AMERICAN OVERSIGHT

Officials with the CJRU say Bernard is one of many success stories in their ongoing effort to reduce the jail population for the past several years, including more recently to help reduce the spread of the coronavirus.

All of the 467 people released from custody through the Jail Population Review Committee as of Dec. 1 received assistance and services to help them stay out of jail and to address their underlying issues.

The committee, which was formed in 2019, assesses the custody status of inmates and identifies safe and effective release conditions while balancing public- safety concerns. The group meets every week and does its best to help make sure those who are released have their basic needs met, said Wendy Petersen, assistant county administrator for justice and law enforcement.

'We make valiant efforts to try to make sure people are housed,' Petersen said. 'If they don't have housing through Housing First, they get wraparound services through other service providers that are members of the meeting.'

Wraparound services can include transportation assistance, help in finding employment or enrolling in government benefits, peer mentoring, court supervision and other evidence- based interventions.

'WHOLE PERSON' ASPECT

The meetings are run by Kate Vesely, the director of justice reform initiatives, who signed onto the position in February. Vesely was previously director of specialty court initiatives at the Pima County Attorney's Office.

The video conference meetings are a collaborative effort to balance public safety and individual rights. Prosecutors and public defenders are the main decisions makers, Vesely said.

The committee receives information from treatment providers, law enforcement, community service officers, homeless outreach advocates and anyone else who may have information on the individual up for review before making its decision.

'It's the 'whole person' aspect that we try really hard to address,' Vesely said.

The committee is made up of employees from the county, Superior Court, the city and agencies that include residential, addiction and mental health services.

'We take great strides to represent community safety in our conversations,' Vesely said.

Petersen said housing and peer support have been game-changers for a number of people who have come through the program.

'I cannot stress the value of having a person to say, 'I made it; you can make it too,' Petersen said. 'I think the results speak for themselves.'

From a data perspective, the program is still 'really young,' Petersen said, having not even hit the twoyear mark.

AMERICAN OVERSIGHT

But data provided by the county show that the 467 people released through the committee have saved the county 21,479 days in jail. That equates to more than $2 million in savings.

Of those 467 people, 150 said they were homeless and 19 said they were veterans.

'We have promising results about how many jail days we've saved, but we also have demonstrated the recidivism rate is much lower and represents a very low portion of that community.'

'WE'RE NOT GOING BACK TO THE BAD OLD DAYS'

In early March, when County Administrator Chuck Huckelberry asked the CJRU to step up their efforts, the task of finding housing fell upon Vesely.

'It was intense,' Vesely said of the several-week push in which she was able to find housing for 50 people. 'We didn't want them in hospitals and shelters, and we definitely didn't want them out in the elements.'

Petersen called the work that went into housing all 50 people a 'remarkable effort' by Vesely and others involved.

'Folks were scrambling to take care of this,' Petersen said. 'It was the right thing to do, the moral thing to do. And from a health standpoint, it was absolutely mandatory that we do this.'

Petersen said that regardless of the pandemic, now is the time to focus on issues like reentry and keeping people out of jail to begin with.

'It's a national trend. Chuck (Huckelberry) says whenever we worry about the money, 'We're never going back, we're just going forward," Petersen said. 'We're not going back to the bad old days.'

In addition to being the right thing to do, jail releases can save the community a tremendous amount of money when done correctly, Vesely said.

'Correctly' means implementing a thorough decision- making process, and receiving community input and feedback from public- safety representatives and treatment providers.

'Why not release them with this level of support and intervention?' Vesely asked. 'It makes the community more safe than if they'd been released on their own accord.'

'RELEASE BAGS' CONTAIN NARCAN

In addition to support, those released from custody under the program get 'release bags' to help them reintegrate to life out of jail, a brainchild of Mayra Ramos, program coordinator for the county's United Medication Assisted Treatment Targeted Engagement Response, or U-MATTER, program.

U-MATTER was established in October 2018 as a partnership between Pima County, the Tucson Police Department, local service providers and the University of Arizona's Southwest Institute for Research on Women. The grant-funded program focuses on medication- assisted treatment for people dealing with opioid abuse.

AMERICAN OVERSIGHT

Pima County's Public Defense Services saw the idea being used elsewhere and brought the idea to the CJRU, who tasked Ramos with implementing the program in Tucson. Ramos worked with U-MATTER's peer support specialists to come up with what would go into the bags.

The bags include about 20 items, as well as printed information about the coronavirus and how to access community resources. Items include masks, hand sanitizer, socks, toiletries and Narcan, which is used to reverse an opioid overdose.

'Initially we did not include Narcan. But we know individuals being released from jail are at higher risk rates for opiate use and related deaths,' Ramos said, adding that the Narcan comes through the county's partnership with Sonoran Prevention Works. 'That's something that is going to be very meaningful and impactful as we continue to see advisories in community regarding opioid related deaths.'

The bags are given to people who are released through the JPRC, have been deflected to medication-assisted treatment through TPD, are part of the U-MATTER program or are contacted during follow-up outreach after experiencing an opioid overdose.

Initial funding paid for 300 bags, which Ramos hopes to go through 'rather quickly' and begin looking for funding for more.

Since U-MATTER's inception, more than 1,550 people have been kept out of jail.

'On the cost savings aspect, that is huge to both the city of Tucson and Pima County, but also in regards to the number of individuals we've been able to connect to services,' Ramos said.

Sept. 30 marked the end of Year 2 of the three-year grant period, with Ramos saying they're looking to sustain the program past 2021.

The numbers show successes. Upon intake, 20% of people surveyed reported drug use in the past 30 days. During three-month follow-up visits, the number of people reporting drug use in the previous 30 days dropped to 9.2% and at six months, the number dropped to 4.1%.

'This speaks volumes about the high-quality evidence- based clinical services CODAC provides, but also kudos and props need to go out to our peer support specialists in the field,' Ramos said.

'On a daily basis we still try to break the stigma of substance use and medication- assisted treatment,' Ramos said. 'That is a high priority among us.'

HELPING NEWCOMERS IS A 'REPRIEVE' TO HIM

While Bernard is still looking to find work, he's also getting ready to go back to school. He plans to start at Pima Community College in January, taking classes toward earning his GED while also taking classes to later transfer to a four-year school.

He's aiming for law school and says the judge gave him a way to have his convictions set aside or expunged. It's an offer he says is good up to three years after his convictions.

He's also sponsoring people through Narcotics Anonymous and Alcoholics Anonymous, and passing along what he learned through COPE and his own experiences.

AMERICAN OVERSIGHT

'We can only keep what we have by giving it away,' Bernard said. 'Helping newcomers out every chance I get it is a daily reprieve for me.' Bernard admits he has a long road ahead of him, but says life itself is a work in progress and nothing happens overnight.

'This has all really been a life-changing experience and it wouldn't have ever been possible without Cindy and Pretrial Services and everything that had to come together to save somebody like me,' he said.

Return to the table of contents

With teen suicides on the rise, educators struggle to address students' mental health

Danyelle Khmara
Arizona Daily Star
December 27, 2020

Thousands of Tucson children are preparing to begin a new semester of school online only despite concerns about students' mental health and educators' ability to identify those in need of help via virtual platforms.

Most Tucson-area school districts have opted to push pause on hybrid in-person learning, returning to remote instruction as COVID-19 continues its rapid spread in Pima County. The decision eliminates the limited face-to-face contact many students had become accustomed to in the fall.

Referrals to mental health agencies that treat children and teens are up, sometimes prolonging the time it takes to receive services. Teachers struggle to balance academics and prepare kids for standardized testing in the spring while still prioritizing their emotional needs. Some school counselors, stretched thin even before COVID, are being asked to cancel meetings and classes with students to substitute for staff who are out sick or in quarantine.

The death of an eighthgrade student by suicide in November shocked the Vail School District.

'This is the kid that would pop into his old teacher's classroom during passing period and just say hello and get a big hug,' says Vail spokeswoman Darcy Mentone. 'This was a kid that the principal knew super well and adored. You know those kids — the happy, friendly kids. This was one of those kids.'

Vail Unified had two students die from suicide this year. The other was a high school student who died in September.

Pima County has seen a 67% increase in suicides this year among children ages 12 to 17, according to the Pima County Health Department. And across the state, 43 children had died by suicide by mid-November, compared to 38 for all of 2019, according to the Arizona Department of Health Services.

The eighth-grader in Vail, who had been a student in the district since kindergarten, had just begun attending in-person classes two days a week after doing remote learning since schools closed in March. His new teachers had only seen him a couple times. And because of COVID-19 precautions, he wasn't able to see his old teachers, who knew him well.

AMERICAN OVERSIGHT

His teachers are all asking themselves: What if they had seen him? Would they have seen that something was wrong?

'We've done a lot of speculation on that,' Mentone says. 'When something like that happens, you look at everything that you're doing and then question everything you're doing and ask yourself if there's

anything I could have done differently.'

PRIORITIZING ACADEMICS OVER SOCIAL-EMOTIONAL WELL- BEING

In a classroom, it's easy to read a kid's body language or physical appearance to see if something is wrong; On Zoom that's much more difficult, says Tucson Education Association President Margaret Chaney.

And it's not just the lack of traditional schooling and corresponding social supports that's affecting children's well-being. The pandemic also has caused serious issues such as parents being laid off, pending evictions and homelessness, and relatives getting sick with coronavirus and even dying.

Public school classrooms in Arizona also have one of the highest student-teacher ratios in the country, according to data from the National Center for Education Statistics. And the state's counselor-to-student ratio is the worst in the nation.

School counselors have multiple responsibilities, including helping students with academics and now, in some cases, monitoring students using on-site learning spaces for vulnerable kids.

'There are so many issues, and counselors in particular, their caseloads range between 250 to 500 or 800 kids a piece,' Chaney said. 'How do you address all of their needs at any one time? It just seems impossible to me. This country has the means to address it; this country simply hasn't addressed it.' At the beginning of the school year, Chaney pushed for the Tucson Unified

governing board to put the academic curriculum aside for the first five weeks so teachers could spend time checking on students' emotional stability, looping in counselors and social workers as needed.

Chaney says one of the reasons that didn't happen is because preparing students for the upcoming AzMERIT and other state standardized tests means prioritizing social-emotional well-being over academics.

AzMERIT test scores have broad impacts, including the A-F School Accountability System, both state and federal funding and teachers' performance- based compensation.

In an informal teacher survey recently conducted by the Star, many of the 84 teachers who responded said state testing should be canceled so teachers can focus on students' emotional health.

'We're stuck with this crash-course trajectory of state testing and grades and so forth and no way to mitigate all of the other issues that are so clear to the average person that really need to be addressed … whether or not you eat, whether or not you're sleeping. Do you have a place to live? Are you about to be evicted?' Chaney said.

AMERICAN OVERSIGHT

In a normal year, when Andrea Rickard, a fourthgrade teacher at Myers Ganoung Elementary, prepares her students for the standardized tests, she encourages them to meet or exceed the district average. But this year, she's not even bringing up AzMERIT.

With kids learning from home, 'no standardized test is standardized,' Rickard says. There are great disparities in students' situations while learning from home, from kids who have no parental support and are caring for younger siblings to those who have two parents both available to help.

'We're living through a time that is historically unsettling and dangerous, and to carry on business- as-usual with testing, it feels ludicrous to me,' Rickard says.

She hopes standardized tests will be canceled, but regardless, she has already prioritized her students' emotional well-being. She has kids go into breakout rooms on Zoom so they can just hang out together. She also lets them interact with each other by typing in the chat while she's teaching — the remote equivalent of passing notes in class.

'Some of these kids never see anybody, and so I just feel like they need to socialize and interact with one another,' she says.

Renee Quihuis, a thirdgrade teacher in the Sunnyside School District, is worried about her students falling behind academically but says, 'If we only focus on curriculum, then we've already lost them.' Her students are behind where they would be in a normal year, but making time for them to have fun has improved morale.

'Connections are more important than the curriculum right now with everything that's going on,' she said. 'The standardized tests might not look very pretty, but at least they're learning something. If I stopped the games, if I stopped that time when they get to talk to each other, I think they would be checked out completely.'

SCHOOL COUNSELORS' 24/7 WORKLOAD

Access to school counselors varies by school and by district.

Since COVID-19, counselors are even more overloaded with students in need. And in TUSD, some are being called away from those duties, being asked to monitor vulnerable kids using in-person learning spaces when staff are out sick or have to quarantine,.

When Nicole Walsh, an elementary school counselor in TUSD, was told she had to leave her regular duties to fill in for a monitor, she refused. Filling in would have meant canceling counseling lessons and individual sessions with students.

'I just feel ethically I can't do that,' she said. 'If I start being inconsistent and not showing up, they're not going to show up either.'

COVID-19 has doubled Walsh's job. With a caseload of about 500 kids, she often works from 8a.m. until she crashes at midnight. She works weekends, and she expects to hear from families and students over the winter break.

AMERICAN OVERSIGHT

Walsh does weekly 30-minute classes on social- emotional skills for every grade level, as well as groups, individual sessions with students, and a lot of communication with teachers and parents.

She saw depression really set in with some of her third- through fifthgrade students in the last month, since the district announced schools would stay closed indefinitely as COVID-19 spikes in the broader community.

'They're not this resilient bunch of kids that this is going to have no impact on them,' she said. 'It's gonna have a big impact on several kids and a so-so impact on others. … This is like your parents getting divorced, if not worse. You've basically been divorced from your friends for a year.'

Walsh has referred many students to mental-health agencies, but said due to increased need, there is a longer wait for services.

La Frontera, one of the region's major providers of mental health services, has seen an exponential increase in the need for therapy services, and the requests for in-person therapy is sky high, says Adrienne Trees, director of children's integrated care and therapy services.

Trees says the agency is hiring more mental health professionals to accommodate the influx.

Mental health service provider Intermountain Centers has seen a 25% increase in referrals of children and teens since COVID-19, says spokesman Paul O'Rourke.

Ann Conway, a TUSD high school counselor with a caseload of about 450 students, is seeing a huge increase in symptoms of depression and anxiety in the students she works with.

'We've also heard a lot from parents that they're trying to get their kid into a counseling therapy, but there's nobody accepting new patients or the waiting lists of different places are several months out.'

Conway is trying to help kids and parents access limited community resources while also giving them tips and techniques to manage their emotional and academic needs.

If kids are suicidal or in immediate crisis, she refers them to the Crisis Response Center or Palo Verde Behavioral Health's Intensive Outpatient Program. Conway estimates she's making double or triple the amount of these referrals as before COVID-19.

MAXIMIZING LIMITED MENTAL HEALTH SERVICES

School districts are doing what they can to reinforce mental health services for students and make them more robust.

Apart from the regular counseling services, Sunnyside is giving classes on social-emotional skills and providing students with coping strategies. The district is also in the third year of a three-year grant facilitating support groups, where all the high school students were invited, and those who were interested could join.

The district also offered suicide prevention training to all high school freshman and reached about 275 students. In TUSD, apart from the work the counselors are doing with students and referrals to

AMERICAN OVERSIGHT

community resources, schools offer a food pantry, clothing bank, hygiene pantry, online support groups, and online classes/ workshops for parents, says spokeswoman Leslie Lenhart.

Marana Unified has a certified school counselor at every campus and a crisis response team.

In response to COVID-19, the district sent a 'family needs assessment' to all families at the beginning of the pandemic. It asked about children's mental, social and emotional health, as well as any other needs the family had. The district followed up with those who needed assistance.

Through a pilot program in Vail schools, Empire High students answered a questionnaire, developed in conjunction with university researchers, meant to gauge emotional well-being and available support systems.

From the data collected on that survey, Empire

staff did three suicide interventions, says Vail spokeswoman Mentone. While schools are essentially closed, staff will also be calling and checking in on students.

Vail is also referring students to counseling services with faith leaders and giving families a list of local places where they can easily access mental health services.

'That is essentially what we are trying to do with all of our schools,' Mentone says. 'To try to identify the kids that are struggling and don't have resources.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Biden's border-wall duty: Repair damage to S. Arizona

Tim Steller
Arizona Daily Star
December 27, 2020

From the New Mexico border to the Barry Goldwater bombing range, workers are busily destroying Southern Arizona's borderlands.

Night and day, week after week, they're blasting, grading, tearing up, digging down — all to throw up as much border wall as they can before President Trump leaves office Jan. 20.

It's a disgraceful campaign of ecological destruction, carried out for profit in fulfillment of a political slogan: 'Build the Wall.'

Many of the places where the wall is going up now — like Guadalupe Canyon in Cochise County, the Pajarita Wilderness in Santa Cruz County and the Tinajas Altas mountains in Yuma County — are largely impenetrable by vehicle and a very difficult climb and walk anyway, especially in summer. The wall itself is practically redundant there. But the contractors have just this one shot to make their buck. Southwest Valley Constructors, a division of New Mexico-based Kiewit, has a $2.2 billion contract to build 88 miles of wall in southeastern Arizona. North Dakota-based Fisher Sand and Gravel is carrying out a $1.8 billion contract to build 74 miles of wall south and west of Tucson.

AMERICAN OVERSIGHT

So they're blasting rock, sucking up water and pouring concrete as the clock ticks down.

President-elect Joe Biden said in August: 'There will not be another foot of wall constructed in my administration.'

The Army Corps of Engineers has estimated that the federal government would save $2.6 billion in border-wall spending if Biden stops construction when he takes office, the Washington Post reported.

A total of $3.3 billion would be left to spend, but it would cost about $700 million to wind down operations and pay off contractors.

All of this, of course, is money allocated to the Defense Department that was hijacked by Trump by declaring an emergency,because he promised his supporters a wall. Mexico is not, as he promised, paying for thewall — we are.

The whole money grab may eventually be declared unconstitutional by the Supreme Court, which is to hear the case next year, but even then it would only happen long after the damage is done. With all this money pouring into environmental destruction and the blocking of wildlife migration, the news from the omnibus spending bill passed last week added insult to injury: Congress has allocated an additional $1.375 billion to building border walls.

This was simply a compromise position between Democrats and Republicans that was imported from last year's spending bill in order to get this one passed in a hurry. But still, it's an extreme misuse of our taxpayer money, on top of Trump's possibly illegal spending. Unless ...

I've been speaking with some Cochise County property owners, and they're outraged at the destruction, but they're also worried about the future.

The wall itself is likely to contribute to flooding in places like the San Pedro River, Guadalupe Canyon, and other sites where water flows across the border. It has also caused massive damage to the land and the vegetation.

'We want the construction to stop and we want restoration to start on Jan. 22,' said Diana Hadley, a Tucson resident who owns a ranch near the border in southeastern Cochise County. It's not just the wall itself that is the problem, though it does threaten to block migration patterns for many mammals, including the jaguars that Hadley has fought for years to protect.

'The roads are just these huge scars on the landscape,' Hadley said. 'Presumably, in a place like Guadalupe Canyon, they won't get all the work done in the next month, but all the scars are still going to be there. If we get a big monsoon rain, imagine all the rock that's going to fall down.'

She envisions a Civilian Conservation Corps-style program to reduce the damage.

Valer Clark, who owns properties on both sides of the border as part of the Cuenca Los Ojos conservation project, said 'emergency measures' are required to protect and restore water flows.

AMERICAN OVERSIGHT

Cuenca Los Ojos has been improving water retention on a property in Mexico, just across the border from the San Bernardino National Wildlife Refuge, which is east of Douglas. Now she expects the southward flow to be blocked.

'The wall goes into the ground,' she said. 'The water flowing between the two countries — it's not going to flow.'

While the damage has happened quickly, the recovery will take a long time.

'It's like turning a big ship around,' she went on. 'It's going to take awhile, and there's going to be a lot of discussion as to what damage has been done.'

Now, the $1.375 billion isn't formally dedicated to ecological restoration, but it is dedicated to 'construction of a barrier system along the southwest border.'

First of all, the money doesn't have to be spent at all. But if it is spent, there's a good argument to put significant money toward repairing some of the damage from what may by then be the illegal, rushed construction of numerous roads as well as border barriers, using Defense Department money.

U.S. Rep. Raúl Grijalva, the Tucson Democrat who chairs the House Natural Resources Committee, thinks so, too.

'The Biden administration has big discretion,' he said. The new administration could 'redirect the money to restoration in some areas, mitigation in other areas, because the damage has been done.'

'Along that scar in Southern Arizona there is some damage that has to be remediated.'

Unfortunately, the contractors are going to squeeze every buck they can out of their taxpayer-funded destruction until then.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona law on texting while driving will get real teeth in 2021

Howard Fischer
Arizona Daily Star
December 28, 2020

A 2019 state law about driving while texting becomes real in a few days.

It technically has been illegal since April 2019 for drivers in Arizona to use a handheld cell phone.

But until now, the law allowed police to issue only a warning, though some communities, including Tucson, have had their own bans. All that changes Friday when the state law gets real teeth.

How real?

AMERICAN OVERSIGHT

A first-time offense would result in a fine of up to $149, though it could be no less than $75. Subsequent violations could lead to fines up to$250.

Local laws will be repealed when the state law takes effect.

The statewide ban almost did not happen.

Many Republicans favored a different measure that was aimed at distracted driving.

Proponents of that version argued that the problem with simply focusing on texting and cell phone use is that it fails to address other things that people do.

'I've seen people going down the road brushing their teeth, which I don't really understand,' Rep. Travis Grantham, R-Gilbert, argued during the 2019 debate.

'There's people eating burritos who are swerving because they're trying to put sauce on their food,' Grantham said. 'Anything can cause a distraction.'

But that version contained what some advocates of a hard ban on texting while driving considered a poison pill: Police could stop and cite a motorist only if the vehicle was being driven 'in a manner that is an immediate hazard to person or property' or the driver does not 'exercise reasonable control' to avoid hitting someone or something.

This law, however, says an officer is free to stop someone who is seen operating a vehicle while holding an electronic device, regardless of how well — or poorly — that person is driving.

Rep. Noel Campbell, R-Prescott, one of the champions of that version, told colleagues the strict enforcement is appropriate — and long overdue.

'We are only one of three states in the entire nation that does not ban text messaging and driving even though we know the frightening statistics,' he said.

Grantham, however, argued the language is overly broad. He pointed out that, as approved, it does more than make it illegal for a motorist to have a cell phone in hand. It would also be a violation if someone 'supports (a cell phone) with any part of the person's body' unless the motorist is also using a hands-free device.

'That could be sitting in your lap,' he said. 'That's way too restrictive.'

House Majority Leader Warren Petersen, R-Gilbert, said it would be one thing if the legislation was limited to things like texting or checking social media. But he said there's nothing inherently dangerous with talking on a cell phone, even without a hands-free device.

'There have been people who have driven their whole lives holding their phone up, talking on their phone, that have not had an accident, myself included,' he said. 'We're going to make an awful lot of people lawbreakers with this bill.'

That argument that some people can talk and drive did not impress Rep. Randy Friese, D-Tucson.

AMERICAN OVERSIGHT

'That doesn't mean it's safe,' he said.

But Rep. David Cook, R-Globe, said HB 2318 actually can lead to less safety.

He pointed out that people get Amber alerts about missing children, and silver alerts on missing seniors, on their cell phones, information that includes a description of the vehicle being sought.

'That life is just as important,' Cook said, with this law barring people from checking out these messages while driving.

The final House vote on the matter occurred with family members of those killed by texting motorists watching in the gallery. House Minority Leader Charlene Fernandez, D-Yuma, specifically addressed the survivors of Clayton Townsend, an officer with the Salt River Police Department who was killed in January 2019 when he was struck by a texting motorist while conducting a traffic stop.

'We're going to get it done today,' she told them.

'I understand the pain of what happened, of losing these officers,' said Rep. Anthony Kern, R-Glendale. But he voted against the measure, saying 'it goes a little bit too far.'

Gov. Doug Ducey, in signing the legislation, gave credit to Toni Townsend, Clayton's mother.

'I think everyone just saw this as such an avoidable death,' the governor said. 'And when somebody comes down (to the Legislature) and speaks with the power and passion of a mom on behalf of her fallen son, how could they not deliver this to the governor's desk?'

Toni Townsend said she and the family actually celebrated approval of the bill the day before Ducey's signing ceremony, on Easter Sunday, with the family going to the cemetery and sharing pictures.

'So it's been a joyous couple of days,' she said, even if it came 'out of some horrible tragedy.'

'No good can ever come from that,' Townsend said. 'But we can have a positive, and we can at least have a legacy for Clayton.'

Among those who were unaware of — or ignored — the hazards was the governor himself.

Ducey, who is now driven almost all the time by his security detail, confessed to his own practices before he took office in 2015.

'I'm sorry to say that I did,' he said, though it never resulted in an accident. Still, the governor said, that's not the point.

'Now I know it's not about being good about working your phone and driving, it's that you shouldn't be on your phone while driving,' Ducey said. 'So my behavior will change as well.'

Some Arizona communities already prohibited texting while driving, but the new state law calls for a fine of up to $149 for a first-time offense.

AMERICAN OVERSIGHT

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Arizona becomes key state this year

Election sees polarizing battles, some surprises
Ronald J. Hansen
Arizona Republic
December 24, 2020

If there is anything that both sides of the political spectrum can agree on this year, it is this: 2020 won't soon be forgotten.

In Arizona, as across the U.S., politics and the elections held our attention as Americans sought refuge from the pandemic and the recession and settled on the nation's leaders for the next term.

For the first time really ever, Arizona was a full-blown swing state in the presidential race. It also had one of the nation's few truly competitive Senate races, with control of that chamber hanging in the balance.

The polarizing atmosphere that has charged the nation's politics for years was as prevalent here as anywhere. And Sen. John McCain, R-Ariz., who died in 2018, somehow seemed to remain central to the state's evolving political equation.

Here are the 20 election-related stories that stood out in Arizona in 2020.

New mayors in Tempe, other key cities

There was plenty of political upheaval in Arizona in 2020, but some of the most visible changes that Valley residents will recognize in the future will grow out of their decision to change mayors in three key cities.

In March, Tempe elected Corey Woods, the city's first Black mayor. He replaced Mark Mitchell, who held the office for eight years.

In November, David Ortega won a run-off election in Scottsdale to succeed Mayor Jim Lane, who was term-limited out of office.

Meanwhile, Brigette Peterson won the run-off election in Gilbert to replace Mayor Jenn Daniels, who didn't seek another term.

Kate Gallego reelected in Phoenix

Phoenix Mayor Kate Gallego tightened her grip on the city in 2020, winning reelection. The city was the center of the pandemic in Arizona and social unrest in the summer. Through it all, voters in the state's most populous city signaled they wanted to keep the former City Council member in the job she first won in 2019.

A breakthrough for Native Americans

AMERICAN OVERSIGHT

There were 14 Native Americans on the ballot in Arizona running for state and local offices and 11 of them won. In a year when tribal areas were ravaged by the coronavirus, many Native Americans became more politically engaged.

Maricopa County prosecutor wins election, suffers brain bleed

Maricopa County Attorney Allister Adel won a nail-biting campaign in November to become the first woman elected to the job but collapsed with bleeding in her brain on election night. Adel remained hospitalized more than a month after the election as she recovered from a clot that required surgery.

Long shadow of SB 1070 touches election

Ten years after Arizona passed its polarizing immigration-enforcement law known as Senate Bill 1070, both sides of the debate squared off for political control of the state. Seen in racial, generational and partisan terms, Arizona once again was pulled into the heart of a debate over immigration and border-control policy. It pitted a new wave of activists against an old one and galvanized the Latino vote, which continues to grow as part of the state's electoral equation.

QAnon's roots include a slain Arizona man

One of the recurring subtexts to the Trump era is a belief in conspiracy theories by many of his supporters. The roots of QAnon, perhaps the most prominent conspiracy, includes the 2001 death of William Cooper in eastern Arizona. Here's the truth behind the myth.

Violent memes come to define GOP

As President Donald Trump sought to undo the presidential election results, the Arizona Republican Party passed along a tweet asking who was willing to die for his cause. But calls to violence are part of a long-simmering brew of xenophobia, racism and political extremism stoked online in conservative circles in Arizona.

Sharpiegate kicks off challenges

When President-elect Joe Biden won Arizona, it touched off a series of conspiracies about how the election was stolen from Republicans long accustomed to winning the Grand Canyon State. Perhaps none took off faster or went wider than the false claim that election officials allowed voters to foul their ballots using Sharpie pens.

Dem headquarters in Phoenix burned

In July, as the nation saw regular clashes between police and protesters and as politics continued to reach frenzied passions, Arizona's Democratic Party headquarters were set ablaze in downtown Phoenix.

Within days, authorities determined a disgruntled former Democratic activist intentionally set the fire, helping cool anxieties that Arizona politics

had taken a more destructive turn.

AMERICAN OVERSIGHT

Propositions 207, 208: Enjoy marijuana, tax the wealthy

Arizona voters passed a pair of ballot measures in 2020 that further eroded the state's conservative reputation.

Proposition 207 legalized recreational marijuana and put Arizona in the company of 11 other states dropping prohibitions on the drug. It won in a landslide and, its supporters hope, will help provide the state with new revenues.

Proposition 208, which raises the income tax on wealthy Arizona taxpayers to pay for education salaries, passed by a far narrower margin.

Doug Ducey's difficulties

Gov. Doug Ducey won't miss 2020. In January, he was booed into silence by Republicans upset over his support for temporary restrictions to guns for those deemed a danger. The year went downhill from there.

He was pilloried for what he did and for what he didn't do in managing the pandemic in Arizona. When the state voted narrowly for Biden, Ducey was hammered again for certifying the results of the election, with Republicans leading a recall effort against him.

The House rebukes David Schweikert

For more than two years, Rep. David Schweikert battled allegations of unethical spending by his campaign and his congressional office. Throughout that expensive affair, Schweikert denied there were problems, or blamed it on his former chief of staff.

In July, however, the House of Representatives formally reprimanded the Arizona Republican for 11 ethics violations and fined him $50,000. But the House noted that the uncooperative Schweikert's foot-dragging and evasiveness did help him and prevented the case from being even worse.

Cindy McCain weighs in for Biden

Cindy McCain, the woman whom Republicans wanted to make first lady in 2008, delivered one of the more decisive blows to Trump's election prospects in Arizona, and perhaps elsewhere.

She endorsed Biden, a longtime friend, over a president who continues to hurl insults at her late husband, John McCain. In the closest presidential election in Arizona's history, it doubtless made a difference.

GOP holds power in statehouse, Maricopa County

The chorus of conspiracies from conservatives following the election have largely obscured an important fact: Republicans overall did very well.

For months, Republicans braced for Democrats to take control of the state House of Representatives and to sweep power in Maricopa County, the state's population center.

AMERICAN OVERSIGHT

But it didn't happen. The GOP held power, elected more-conservative members and avoided the kind of losses that would have done the most to redefine the state's political agenda.

Purple power: Arizona as battleground state

Even in a pandemic, Arizona got the most attention it has ever seen from presidential candidates. The national media discovered Arizona's political contours and voters here were wooed in a way usually reserved for diners in Iowa and factory workers in Ohio.

Trump and Vice President Mike Pence made a combined 14 stops in Arizona throughout the year, and two more in 2019. Biden and Vice President-elect Kamala Harris each paid Arizona a visit in the fall after months in quarantine.

From Bullhead City to Yuma to Phoenix, Arizona got the swing state treatment in 2020.

GOP infighting intensifies

In a flurry of December

tweets that had the feeling of watching a family fight in public, high-profile Republicans from Arizona to the White House began dunking each other, ostensibly over vaccinations against the coronavirus. But the bickering goes much deeper, to include recriminations over the 2020 election and to elections still to come.

Trump piled on before and after, extending and deepening the fissure within conservatives.

Turnout spikes; voters voted

Love him or hate him, Trump intensified interest in politics. Even so, voting in 2020 was risky business because of the pandemic.

But voters adapted to the current conditions and still made their voices heard at the ballot box. Turnout in November was more than 79%, the highest in Arizona since 1964, when Sen. Barry Goldwater, R-Ariz., was on the ballot. Mail-in balloting was the main reason in 2020, and voters turned to it despite concerns about postal slowdowns and other worries.

Arizona cour ts reject election challenges

Arizona wound up being the closest state in the country by the number of votes separating Trump from Biden. Trump and Republicans sought to close that 10,000-vote gap with several lawsuits that flopped in Arizona courts, as they did in other swing states.

Lawyers promised to "release the Kraken," but judges only saw cases "sorely wanting of relevant or reliable evidence."

Arizona Secretary of State Katie Hobbs also made a splash on national TV as she cut through the clatter of conspiracy theories to help calmly deliver the election result. Along the way, she set aside threats of violence to guide the process to its conclusion.

AMERICAN OVERSIGHT

While the baseless cases went nowhere in court, they may have a more lasting doubt on election fairness.

2 Dems in Senate: Kelly defeats McSally

Democrat Mark Kelly ousted Republican Martha McSally from the U.S. Senate in a race that kept alive Democrats' hopes for controlling the chamber at the dawn of the Biden administration.

Kelly gives the state its first pair of Democratic senators since 1953, just before Goldwater began his Senate career. McSally's loss owed to a shift in Arizona's political loyalties in the suburbs and to overwhelming opposition in her home city of Tucson.

Arizona goes blue for Biden

Biden's win in Arizona was both tiny and historic.

Arizona provided the narrowest margin in the country, extending the swing state intrigue that hung over it throughout the year. It also stands as only the second time since 1948 that a Democrat has carried the state.

Maybe the result came to pass because there were fewer third-party options. Maybe it was largely a pushback against Trump and his polarizing politics. Perhaps it was a fluke because of a once-in-a-lifetime pandemic. Or maybe it heralds a more competitive political climate for a generation to come.

However you see it, the state's presidential evolution was the biggest political story of 2020 in Arizona.

Return to the table of contents

Arizona gets more fed money for housing, shelters

Jessica Boehm
Arizona Republic
December 25, 2020

Gov. Doug Ducey announced that Arizona will spend more than $40 million of federal funding to support people experiencing homelessness and to prevent others from losing their homes in the COVID-19 economic fallout.

The money comes from a new disbursement of funds from the U.S. Department of Housing and Urban Development to help people impacted by COVID- 19 with housing and shelter.

In Tuesday's announcement, the Governor's Office laid out broad categories in which the money will be spent:

- Support for existing emergency homeless shelters.
- Creation of more emergency homeless shelters.

AMERICAN OVERSIGHT

- Aid for people on the brink of homelessness.

Arizona has dire needs in each category.

Homeless shelters and nonprofit agencies that serve people experiencing homelessness have had more people seek help this year and the cost to serve them has grown because of new CDCrecommended health protocols.

Arizona had a severe emergency shelter shortage even before the pandemic. In Maricopa County alone, more than 3,700 people experiencing homelessness are sleeping outside of a shelter.

Arizona renters have fallen behind on rental payments since the start of the pandemic. Research from October showed Arizona

renters owe at least $178 million to landlords and as many as 250,000 renters in the state could face eviction when federal eviction moratoriums end, according to the National Council of State Housing Agencies.

The $40 million announced Tuesday is expected to broadly assist with those issues, but how the money actually will be spent remains to be seen. The state has allocated about $5 million for homeless shelters and nonprofits, but the remaining funds will be distributed through a grant application process in early 2021.

Cities and nonprofits can request grant funding to provide housing assistance or to acquire new homeless shelters.

“We want to make sure Arizonans have access to resources that will keep them safe and healthy, especially as we enter the new year,” Ducey said in a statement.

Nonprofits get $5 million to start

The state has notified 40 shelters and nonprofit programs that work with people experiencing homelessness that they will receive funding to provide better quality shelter, street outreach to get more people engaged with services and homelessness prevention programs.

A total of $3.8 million is allocated for shelter services, $171,000 is for street outreach, $750,000 is for homelessness prevention and $200,000 is to assist nonprofits with management.

The 40 nonprofits are scattered across the state, from Bisbee Coalition for the Homeless to Kingman Aid to Abused People.

Arizona Department of Economic Security spokesman Brett Bezio said the department selected which organizations to fund based on a survey of all shelters in the state about their funding gaps.

The average awarded amount was about $125,000, though larger shelter programs received up to $395,000.

AMERICAN OVERSIGHT

An additional $11 million remains for shelter and outreach, but it will be distributed through a grant process. Organizations working in the sphere of emergency shelter, Rapid Re-Housing, street outreach, homeless prevention and data management can

apply for a grant beginning in mid-January, Bezio said.

Cities, nonprofits will run rental assistance program

The $40 million allocation also includes $2.5 million for food, clothing, housing or utility assistance for Arizona families impacted by COVID-19.

The state won't be distributing this money directly. Beginning this week, local governments and nonprofits can apply for the money from the state and then those entities will distribute the funds to people in need.

Arizona Department of Housing spokesperson Janelle Johnsen said the department is broadening the number of nonprofits and local governments that can disburse funds to include more than just rental assistance.

Previously, the state set aside $7 million for rental assistance. About $1.2 million remains in the eviction protection fund. Renters can apply directly on the department's website.

Money for new, rehabbed shelter available

The Department of Housing will offer $13,069,520 to local governments, nonprofits or for-profit entities to acquire, convert or rehab facilities into emergency shelter or transitional housing.

About $5.6 million will be reserved for rural areas of Arizona. The remainder can be used anywhere in the state.

The shelter must prevent, prepare for or respond to COVID-19, Johnsen said.

One of several hurdles of building homeless shelters is the cost. The grant opportunity aims to ease that burden.

Application information for nonprof-its, businesses and local governments is on the Arizona Department of Housing's website.

$8 million set aside for FEMA match

The remaining $8 million is reserved to help cities or counties access money Federal Emergency Management Agency Public Assistance grants.

FEMA provides money to local governments after disasters, like the COVID- 19 pandemic. But the agency requires the local government to match the grant amount, either through its own revenue or state dollars.

Arizona will reserve the $8 million to provide those matches on future housing or homelessness related FEMA grants.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

COVID-19 in AZ: Only 1 day worse for ICU

Ronald J. Hansen
Arizona Republic
December 25, 2020

Arizona reported more than 6,000 new COVID-19 cases on Wednesday, another day of rising cases and 54 new deaths added to the state's coronavirus casualties.

The state data dashboard shows 93% of all ICU beds and 92% of all inpatient beds in Arizona were in use Tuesday, with 55% of ICU beds and 49% of non-ICU beds occupied by COVID-19 patients.

The number of patients hospitalized statewide for known or suspected COVID- 19 cases was at 4,163 on Tuesday, setting another record high for Arizona. By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

Taken as a whole, the latest numbers suggest the latest surge in the disease has not begun to recede as holiday gatherings continue.

Arizona's seven-day new-case average ranks fifth-highest in the nation. Only Tennessee, Oklahoma, California and Rhode Island have higher rates over the past week, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

Tuesday's 6,058 new cases brought the total number of identified COVID-19 cases in the state to 473,273. As of Tuesday, 8,179 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

While Arizona's new-case rate continues to rise, Tennessee remains the nation's worst hot spot, with the sevenday average rate of 137.1 per 100,000 people as of Tuesday, according to the CDC's numbers. By comparison, Arizona's rate was 81.9.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 972 on Sunday. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

The number of Arizonans

with confirmed and suspected COVID-19 on ventilators was at 673 on Tuesday. It was the most ventilators in use for COVID-19 since the single-day record July 16 of 687 patients.

Wednesday's numbers

Reported cases in Arizona: 473,273.

Cases increased by 6,058, or 1.3%, from Tuesday's 467,215 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

AMERICAN OVERSIGHT

Cases by county: 291,412 in Maricopa; 62,159 in Pima; 25,588 in Yuma; 24,789 in Pinal; 10,699 in Mohave; 10,650 in Navajo; 10,303 in Coconino; 9,902 in Yavapai; 7,004 in Apache; 6,559 in Cochise; 5,536 in Santa Cruz; 4,141 in Gila; 2,931 in Graham; 1,225 in La Paz; and 364 in Greenlee, according to state numbers.

The Navajo Nation reported 21,327 cases and 755 confirmed deaths as of Tuesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have implemented a stayat- home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 6,249 inmates had tested positive for COVID-19 as of Tuesday, including 1,422 in Tucson, 1,189 in Yuma, 984 in Eyman, and 832 in Douglas; 42,654 inmates statewide have been tested. A total of 1,655 prison staff members have self-reported testing positive, the department said. Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID-19, with eight additional deaths under investigation.

Arizona as of Tuesday had the 21st highest overall case rate in the country since Jan. 21. Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Wisconsin, Iowa, Nebraska, Utah, Tennessee, Rhode Island, Idaho, Wyoming, Montana, Minnesota, Illinois, Kansas, Indiana, Oklahoma, Nevada, Arkansas, Alabama and Mississippi, according to the CDC.

Arizona's infection rate is 6,433 cases per 100,000 people, the CDC said. The national average is 5,494 cases per 100,000 people, though the rates in states hard hit early on in the pandemic may be an undercount because of a lack of available testing in March and April.

Reported deaths: 8,179.

Deaths by county: 4,781 in Maricopa, 946 in Pima, 482 in Yuma, 338 in Pinal, 311 in Mohave, 309 in Navajo, 221 in Apache, 201 in Coconino, 181 in Yavapai, 124 in Gila, 114 in Cochise, 90 in Santa Cruz, 47 in Graham, 31 in La Paz and three in Greenlee.

The global death toll as of Wednesday morning was 1,723,502 and the U.S. had the highest death count of any country in the world, at 323,510, according to Johns Hopkins University. Arizona's death total of 8,179 deaths represents 2.53% of COVID-19 deaths in the U.S. as of Wednesday.

The COVID-19 death rate in Arizona was 111 per 100,000 people as of Wednesday, according to the CDC, putting it 13th in the country in a state ranking that separates New York City from New York state. The U.S. average is 97 deaths per 100,000 people, the CDC said.

New York City has the highest death rate, at 294 deaths per 100,000 people. After that, New Jersey, Massachusetts, North Dakota, Connecticut, Rhode Island, South Dakota, Louisiana, Mississippi, Illinois, Michigan and Iowa.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ariz. adds over 7,000 new COVID-19 cases

AMERICAN OVERSIGHT

Alison Steinbach
Arizona Republic
December 25, 2020

Arizona reported more than 7,000 new COVID-19 cases and 115 new known deaths on Thursday, continuing weekslong trends of high cases, hospitalizations and deaths due to the disease.

The state data dashboard shows 93% of all ICU beds and 92% of all inpatient beds in Arizona were in use Wednesday, with 54% of ICU beds and 50% of non-ICU beds occupied by COVID-19 patients. Statewide, there were 132 ICU beds and 711 non-ICU beds available.

The number of patients hospitalized statewide for known or suspected COVID- 19 cases was at 4,221 on Wednesday, setting another record high for Arizona. By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

Taken as a whole, the recent numbers suggest the latest surge in the disease has not begun to recede as holiday gatherings continue. December has seen the state's highest daily case reports since the pandemic began.

Arizona's seven-day new-case average ranks fourth-highest in the nation. Only Tennessee, California and Oklahoma have higher rates over the past week, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

Thursday's 7,046 new cases brought the total

number of identified COVID-19 cases in the state to 480,319. As of Thursday, 8,294 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

New cases have eclipsed 2,000 for 28 of the past 30 days, with 24 of those days seeing more than 4,000 new cases. Arizona and the U.S. have been reporting record-high daily new cases of late. While Arizona's new-case rate continues to rise, Tennessee remains the nation's worst hot spot, with the sevenday average rate of 127.9 per 100,000 people as of Wednesday, according to the CDC's numbers.

By comparison, Arizona's rate was 84.1.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 965 on Wednesday, down from 972 on Tuesday. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

The number of Arizonans with confirmed and suspected COVID-19 on ventilators was at 620 on Wednesday, down from 673 on Tuesday, which was the most ventilators in use for COVID-19 since the single-day record of 687 patients on July 16.

Thursday's numbers

Reported cases in Arizona: 480,319.

AMERICAN OVERSIGHT

Cases increased by 7,046, or 1.5%, from Wednesday's 473,273 identified cases since the outbreak began. These daily cases are

grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 295,379 in Maricopa, 63,472 in Pima, 25,732 in Yuma, 25,317 in Pinal, 10,927 in Mohave, 10,752 in Navajo, 10,407 in Coconino, 10,091 in Yavapai, 7,083 in Apache, 6,724 in Cochise, 5,605 in Santa Cruz, 4,182 in Gila, 2,999 in Graham, 1,284 in La Paz, and 365 in Greenlee, according to state numbers.

The Navajo Nation reported 21,513 cases and 755 confirmed deaths as of Wednesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 6,386 inmates had tested positive for COVID-19 as of Wednesday, including 1,516 in Tucson, 1,199 in Yuma, 984 in Eyman, and 853 in Douglas.

Return to the table of contents

Ariz. universities end terms with overall low COVID-19 numbers

Emily Wilder and Salma Reyes
Arizona Republic
December 26, 2020

Arizona State University, Grand Canyon University and the University of Arizona ended their fall terms with relatively few COVID-19 cases, according to data released by each institution.

Both Arizona State University and the University of Arizona reported slight increases in positive tests in recent days, but closed off their semesters with overall positivity rates well below 5%, which is considered an indication that spread is under control.

ASU: Number of COVID-19 cases among employees hits peak

Arizona State University witnessed a slight increase in positive cases among its community within the last week, the school's latest update shows. This followed an end of the semester marked by low positivity rates.

ASU reports a total of 461 known positive cases considered active as of Dec. 21, with 358 students and 103 faculty and staff.

The number of positive cases among ASU's faculty and staff is up by 18 since last Monday and at the highest it's been all semester, while the number of positive cases among students is up by 21.

The university has reported a total of 4,021 positive cases since the start of the semester on Aug. 1. Of these, 3,698 were students and 323 were employees.

AMERICAN OVERSIGHT

However, ASU ended the semester with a low overall positivity rate of 2.3%. A positivity rate under 5% is considered an indication that the virus is under control.

GCU: Closes semester with 30 active cases

Grand Canyon University closed their fall semester Dec. 20 with only 28 active COVID-19 cases on campus: 23 students and five employees.

An announcement Dec. 15 said that the occupancy at GCU Hotel, where students are placed for isolation or quarantine, was only 10%. Additionally, Canyon and Cypress Halls, which have been designated as quarantine overflow areas, were vacant.

The university had reported 90 active cases on Dec. 2.

This update is the latest continuation of a declining trend in cases at GCU. Ever since surpassing the 1,000 mark in cases in late November, GCU has witnessed a stabilization in its number of active cases.

A positivity rate cannot be determined as GCU does not release the total number of tests administered.

UA: As term ends, positivity rate slightly increases

The University of Arizona's latest COVID- 19 data shows their positivity rate and number of new positive cases continue to increase slightly following the end of the term on Thursday.

Data from Monday show that 177 of the 7,038 tests administered to members of the community over the previous 10 days were positive for COVID-19.

On Monday alone, 40 of the 930 tests administered were positive, representing a positivity rate of 4.3%, the highest since September. However, the ten-day positivity rate was 2.5%, and the overall positivity rate since the university began collecting data in August is 3%. A positivity rate under 5% is considered an indication that the virus is under control.

UA hit its peak the week of Sept. 13 with 880 positive cases, but has since seen a stabilized decrease. From the weeks of Sept. 27 through Nov. 22, positive cases remained under 100 per week.

However, cases rose to 130 the week of Nov. 29 and only fell to 107 the following week.

In a statement on the last day of the fall semester, University President Rob Robbins thanked students for their adherence to public health guidance and announced that the university had surpassed 100,000 tests since Aug. 4.

He also outlined measures the university will be taking at the beginning of the spring semester, including a testing blitz beginning Jan. 6.

NAU: Overall positivity rate of 4.5%

Northern Arizona University concluded its testing for the fall 2020 semester more than three weeks ago. The school has announced that testing will resume in January.

AMERICAN OVERSIGHT

Over the course of the semester, NAU reported 1,530 positive results out of the total 33,882 administered from Sept. 2 up to the last day of classes on Nov. 24. This reflects an overall positivity rate of 4.5%.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Cindy McCain: 'I did it for my country'

She urged Republicans in AZ to vote for Biden
Ronald J. Hansen
Arizona Republic
December 26, 2020

Lots of people can, and have, laid claim to narrowly turning Arizona for President-elect Joe Biden last month. But there are few who can do so more convincingly than Cindy McCain.

Her respectful support for Biden, coming from a lifelong Republican and widow to the late Sen. John McCain, who dominated Arizona politics

for decades, arguably helped push just enough GOP women into the Democrat's column to win what turned out to be the closest state in the country.

Biden defeated President Donald Trump in Arizona by fewer than 11,000 votes.

It was only the second win for a Democrat in Arizona since 1948.

In an interview with The Arizona Republic, McCain said she had been

reluctant to get involved but is satisfied with the result and looking ahead to seeing Republicans have a seat at the table in the Biden administration, perhaps including her.

"Like everyone else, I couldn't sit still any longer. I had to do something," she said Wednesday. "When I did it, I jumped in with all fours. I did all the

"I would say that her endorsement gave those voters the permission perhaps they were seeking to vote for a Democrat nominee for perhaps the first time in a very long time — or ever."

McCain commercials. I did over 50 interviews in a one-month period, which is pretty intense."

"I obviously wanted us to win Arizona, and I think I had some effect on some of the other states, too," McCain said. "I'm very happy with what happened and I'm very proud to have played a small part in all of this to bring him over the finish line."

On Sept. 22 — two weeks before voting got underway in Arizona — McCain publicly endorsed Biden, citing her long-standing friendship and respect for someone who usually disagreed with her husband, but never wavered in his love of country.

AMERICAN OVERSIGHT

“I made a plea like so many others. ‘Look, I’m a Republican, I’m going to remain a Republican, but we deserve better,’ ” she said.

Coming from McCain, the woman whom Republicans wanted to make first lady in 2008, it received national attention and wound up as part of the argument Democrats made to urge Republicans to cross over because of Trump’s polarizing politics.

McCain appeared in ads for Unite the Country, a political action committee that advocated for Biden’s election and targeted what it considered a million persuadable veterans in battleground states, such as Pennsylvania and Arizona.

“The response we got was phenomenal, in terms of people watching them to the finish,” said Steven Schale, the executive director of the PAC.

“When you would test the efficacy of the spots, they were doing really well with focus groups that a couple of groups were doing. You know, I think the thing about Mrs. McCain is she could validate Joe Biden as a person in a way that very few people could.

“The message we were able to eventually get up on TV in Pennsylvania and also in the digital world I think just provided the answer to that real important last-minute reassurance to voters who probably were the types of voters who voted for Trump and didn’t really want to do it again.”

If McCain found it odd to be working with a Democrat, the same could be said for Schale: He directed former President Barack Obama’s 2008 campaign against John McCain in Florida and was an adviser to Obama’s 2012 reelection campaign.

“Despite the fact that I worked like hell against his run for president, I’m actually an old McCain fan,” Schale said. “I got to meet him right after college. I’ve always been an admirer. It was kind of a cool opportunity”to work with Cindy McCain.

Political scientists and campaign operatives are still sifting through the election results to make sense of it.

Arizona will be among the hardest puzzles to decipher.

Trump lost, and so did former Sen. Martha McSally, R-Ariz. But elsewhere, Republicans did well, especially in Maricopa County.

Some, such as Rep. Paul Gosar, R-Ariz., and Kelli Ward, who chairs the state’s Republican Party, have suggested the election was stolen from Trump.

To many others, it suggests a personal rejection of Trump.

Consider, for example, the area near McCain’s north-central Phoenix neighborhood.

State Rep. Kate Brophy McGee, a Republican,

Kirk Adams

AMERICAN OVERSIGHT

Former chief of staff to Gov. Doug Ducey lost her reelection bid in the district that includes that part of Phoenix and Paradise Valley by about 500 votes. By contrast, Trump lost there by nearly 15,000. In 2016, Democrat Hillary Clinton won there by about 5,000.

It suggests that McCain's broader neighborhood alone delivered enough votes to sink Trump statewide even as they largely remained loyal to another Republican further down the ballot.

David Wasserman, House editor of the nonpartisan Cook Political Report, is skeptical about the impact of any one person, whether it is Cindy McCain or former Sen. Jeff Flake, R-Ariz., or former Rep. Jim Kolbe, who is now an independent.

"My sense is that it was more emblematic than influential," Wasserman said. "I don't think the endorsements necessarily were hugely impactful in switching votes, but when you have a margin as close as this, you can point to just about anything as the deciding factor."

Wasserman pointed to one of them.

Biden did better among white seniors in Arizona than Clinton, especially in places such as Sun City, Wasserman said.

"There are a lot of voters who feel politically homeless," he said. "They felt at home with John McCain for many decades. They never really felt comfortable with Trump."

Kirk Adams, the former chief of staff to Gov. Doug Ducey, said Cindy McCain still has a critical bond with people in Arizona that can't be overlooked.

"When you account for the margin of error, it was essentially a neck-and-neck race, and that is how it ended up," Adams said. "In a race like that, there's a lot of factors. But of all those factors, the legacy of John McCain

still looms large in this state. He's still very popular, as is Cindy, with those swing voters who made the difference for Joe Biden in Arizona.

"I would say that her endorsement gave those voters the permission perhaps they were seeking to vote for a Democrat nominee for perhaps the first time in a very long time — or ever."

For her part, McCain said she "assumed I was going to get huge blowback" from Republicans. That mostly didn't happen, she said.

"I just thought I would be the Lone Ranger sitting out there, and I was not. It was anything but that," she said.

In the weeks since the election, McCain has been making recommendations — she calls it "a huge list" — to the transition team of Republicans she thinks would make a positive contribution to the incoming administration. She declined to discuss who they are.

McCain has been mentioned as a candidate for a diplomatic post. Media outlets in the United Kingdom, where her son, Jimmy, lives, have suggested she could be in line for ambassador to the U.K.

AMERICAN OVERSIGHT

"I just want the people of Arizona to know I didn't do this for that," she said. "I did this because I believe in my country and I did it for my country."

Asked whether she would accept a position in the administration, McCain said: "Well, I think that depends on what's happening and what my role — how I can best benefit this administration — but I also have to consider my grandchildren and things going on now that are new to me. So we'll see what happens."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AZ Senate ballot demand dismissed

Republicans are trying to audit election results
Andrew Oxford
Arizona Republic
December 26, 2020

A Maricopa County Superior Court judge dismissed Wednesday the state Senate's request that he order Maricopa County officials to turn over images of ballots and piles of other election records it demanded in subpoenas last week.

The decision is just the latest twist in an effort by Republican lawmakers to pull off their own audit of the county's election results, even though the routine audit the county already conducted went flawlessly and challenges to the outcome alleging irregularities and fraud have failed in court.

Bucking the Senate's 5 p.m. Friday deadline, the Maricopa County Board of Supervisors sued to stop the subpoenas, charging that the Legislature was overreaching and citing a state law the supervisors maintain prohibits them from turning over copies of ballots.

Senate Judiciary Committee Chairman Eddie Farnsworth, R-Gilbert, filed his own lawsuit Monday along with Senate President Karen Fann, asking a judge to force the county to comply with the subpoenas he had issued.

But while the senators were asking the court to issue what is known as a writ of mandamus — an order to force government officials to do something — Judge Randall Warner said that is not a proper way of enforcing a subpoena from the Legislature. The court cannot issue that kind of order just because the people served with the subpoenas are public officials, the judge said.

Warner noted the senators did not follow the Legislature's own procedures, pointing to laws that say the Senate can enforce its subpoenas by passing a resolution holding the subject of the subpoena in contempt — a class two misdemeanor. Dramatically, another part of state law says the Senate could then dispatch its sergeantat- arms to haul in subpoenaed witnesses.

The Legislature is not in session, however, and has not passed any such resolution.

Still, Warner's decision on Wednesday may not be the final word.

The judge suggested that the Senate could have a plausible argument under a different law its lawyers cited that deals with the enforcement of subpoenas issued by public officers.

AMERICAN OVERSIGHT

He allowed the Senate to amend its case to seek action under that law.

The decision days before the Christmas holiday is a setback for Senate Republicans, though, who had wanted the county to turn over piles of records last week as many of them refuse to accept President Donald Trump's defeat and continue to allege, without evidence, election irregularities.

In their lawsuit on Monday, Farnsworth and Fann indicated they hoped to complete some sort of investigation before the certification of Electoral College votes by Congress on Jan. 6.

Warner questioned during a hearing earlier Wednesday if there is even time. Kory Langhofer, a lawyer representing the senators, said the Legislature wants the records regardless, arguing it could use the files to craft new laws on elections.

Christopher Viskovic, a lawyer representing the Republican Party's slate of presidential electors, told the judge that the Jan. 6 date still mattered and noted that many GOP legislators had signed a letter urging Congress to reject the Democratic slate of presidential electors chosen by Arizona voters.

Langhofer also said there is a broader question of the state Senate's authority at stake, accusing the county of thumbing its nose at the Legislature.

Lawyers for the county have argued that a few legislators cannot force the county to turn over records they maintain are protected by law. The lawsuit filed by Farnsworth and Fann contends they "may demand of any person the production of any document or record with respect to any subject matter."

"It's almost sort of an absurd notion a committee chair can seize all the documents they want from any group," said Stephen Tully, a lawyer representing the county and a former majority leader in the state House of Representatives.

The county's lawsuit to stop the subpoenas is still pending.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

COVID-19 vaccines to begin at Arizona nursing homes

Pharmacists will give shots on site starting Monday
Anne Ryman
Arizona Republic
December 28, 2020

With COVID-19 cases on the rise and hospitalizations at record levels, health care workers from two well-known pharmacies will begin fanning out across Arizona to administer long-awaited vaccines at nursing homes.

The federal government is partnering with CVS Health and Walgreens to offer on-site vaccinations at nursing homes beginning Monday with assisted-living facilities to follow.

AMERICAN OVERSIGHT

Arizona has an estimated 27,000 residents and staff at skilled nursing homes and another 67,000 in assisted-living facilities.

Facilities were asked to choose either CVS or Walgreens as a vaccine provider. Details from Walgreens were not available, but both companies confirmed vaccines would begin in Arizona this week.

How vaccinations will begin

Each morning, CVS teams overseen by pharmacists will head out in separate cars to nursing homes, with Moderna vaccines packed into coolers. The Moderna vaccine, unlike a similar one made by Pfizer, does not need to be stored at ultra-low temperatures before use.

A pharmacist from CVS will be on site along with nurses, pharmacy technicians and pharmacy interns wearing full protective gear.

Each facility will get three visits: once to give the first vaccine, a second time to administer a booster 28 days later and a third visit to tie up loose ends.

Tobin Zdarko, regional director for CVS Health, said there was great interest in the program among CVS staff for the large-scale vaccine initiative, an effort that has never been done before.

“We had pretty much every hand possible go up when we talked about who would be interested in doing this,” he said.

Residents and staff at some long-term facilities in Nevada last week gave the CVS teams standing ovations when they arrived, he said. Others greeted them with balloons.

“They are really celebrating,” he said. “This is literally Christmas for them. This is something that can give them the ability to enjoy their lives to the fullest again.”

COVID-19 devastated nursing homes

Arizona has given priority for vaccines to long-term care facilities because of the devastating impact the virus has had on residents.

COVID-19, the highly infectious respiratory disease caused by the new coronavirus, can spread rapidly through such facilities, where residents often live close together and are cared for by the same staff.

The vaccine has already arrived at nursing facilities on the Navajo Nation. Indian Health Services distributed 3,900 doses to several health care facilities, including a nursing home in Chinle.

In Maricopa County, more than 9,400 residents and staff have been infected at nursing homes and assisted- living facilities since March. More than 1,400 people have died.

Mark Parkinson, president and CEO of the American Health Care Association, has asked states to set a March 1 goal for having two doses administered to residents and staffers.

“If government officials are able to do this, we will save tens of thousands of lives,” said Parkinson, whose group advocates for long-term care facilities.

AMERICAN OVERSIGHT

David Voepel, executive director for the Arizona Health Care Association, said he expects the process to go "pretty quick" for the approximately 145 skilled nursing facilities in the state.

The biggest challenge is convincing people to get vaccinated, he said. The COVID-19 vaccine is new, and there may be some trepidation among caregivers and certified-nursing assistants, he said. Vaccinations aren't mandatory but are highly encouraged.

"Nobody really wants to be the first. They want to be third," he said. "I'm sure that will start to go away as the vaccine starts to roll out."

Coronavirus dangers remain

Voepel, like other industry officials, cautions that the arrival of vaccines doesn't mean an end to the coronavirus. It will take time to administer the shots and for immunity to fully develop.

As a result, the Centers for Medicare & Medicaid Services, the federal regulatory body for nursing homes, has not relaxed guidelines designed to control the spread of COVID-19.

Facilities are still required to test residents and staff for COVID-19 with the frequency dependent on how prevalent the virus is in the local area. Visitor restrictions are also still in place.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ariz. reports nearly 1,300 new COVID-19 cases and 3 deaths

Chelsea Curtis
Arizona Republic
December 28, 2020

Arizona reported more than 1,200 new COVID-19 cases and three new known deaths on Sunday as the number of patients with suspected or known COVID-19 in intensive care units across Arizona reached a record high.

The state data dashboard shows 90% of all ICU beds and 89% of all inpatient beds in Arizona were in use Saturday, with 56% of ICU beds and 49% of non-ICU beds occupied by COVID- 19 patients. Statewide, there were 177 ICU beds and 922 non-ICU beds available.

The number of patients hospitalized statewide for known or suspected COVID-19 cases was at 4,190 on Saturday, up from Friday's 4,165 but less than Thursday's record-setting 4,226. By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

Arizona's seven-day new-case average ranks fourth-highest in the nation. Only California, Tennessee and Oklahoma have higher rates over the past week, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

AMERICAN OVERSIGHT

Sunday's 1,296 new cases brought the total number of identified COVID- 19 cases in the state to 494,337. As of Sunday, 8,427 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

New cases have eclipsed 2,000 for 30 of the past 32 days, with 26 of those days seeing more than 4,000 new cases. Arizona and the U.S. have been reporting record-high daily new cases of late.

While Arizona's new-case rate continues to rise, California was the nation's worst hot spot, with the sevenday average rate of 100.5 per 100,000 people as of Saturday, according to the CDC's numbers. By comparison, Arizona's rate was 86.9 and the national average was 57.6.

The number of patients with suspected or known COVID-19 in intensive care units across Arizona was at 988 on Saturday, a new record. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

The number of Arizonans with confirmed and suspected COVID-19 on ventilators was at 667 on Saturday, up from Friday's 652. It was the second most ventilators in use for COVID-19 since the single-day record July 16 of 687 patients.

Saturday's numbers

Reported cases in Arizona: 494,337.

Cases increased by 1,296, or 0.26%, from Saturday's 493,041 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 302,707 in Maricopa; 65,915 in Pima; 26,586 in Yuma; 26,242 in Pinal; 11,351 in Mohave; 10,886 in Navajo; 10,777 in Coconino; 10,740 in Yavapai; 7,192 in Apache; 7,052 in Cochise; 5,779 in Santa Cruz; 4,295 in Gila; 3,109 in Graham; 1,327 in La Paz; and 379 in Greenlee, according to state numbers.

The Navajo Nation reported 22,155 cases and 767 confirmed deaths in total as of Saturday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

An estimated 32% of all COVID-19 cases statewide involve people who are white, 29% are Hispanic or Latino, 5% are Native American, 3% are Black and 1% are Asian/Pacific Islander. Race and ethnicity is unknown for 26% of all cases.

Of those who have tested positive in Arizona since the start of the pandem-ic,

15% were younger than 20, 45% were 20-44, 15% were 45-54, 12% were 55-64 and 13% were over age 65.

Reported deaths

AMERICAN OVERSIGHT

Deaths by county: 4,907 in Maricopa, 983 in Pima, 498 in Yuma, 346 in Pinal, 325 in Mohave, 324 in Navajo, 225 in Apache, 205 in Coconino, 192 in Yavapai, 126 in Gila, 119 in Cochise, 93 in Santa Cruz, 48 in Graham, 33 in La Paz and three in Greenlee.

The global death toll as of Sunday morning was 1,759,794 and the U.S. had the highest death count of any country in the world, at 331,930, according to Johns Hopkins University. Arizona's death total of 8,424 deaths represents 2.55% of COVID-19 deaths in the U.S. as of Saturday.

The COVID-19 death rate in Arizona was 115 per 100,000 people as of Saturday, according to the CDC, putting it 14th in the country in a state ranking that separates New York City from New York state and includes Washington D.C.

The U.S. average is 99 deaths per 100,000 people, the CDC said.

New York City has the highest death rate, at 296 deaths per 100,000 people. After that, New Jersey, Massachu-setts, North Dakota, Connecticut, South Dakota, Rhode Island, Louisiana, Mississippi, Illinois, Michigan, Iowa and Pennsylvania.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona reports 6,106 new coronavirus cases, 15 more deaths

KTAR News
December 28, 2020

This is a regularly updated story with the latest information about the coronavirus and its impact in Arizona and beyond for Dec. 26, 2020.

Arizona health officials reported 6,106 new coronavirus cases and 15 additional deaths on Saturday.

The state's documented totals increased to 493,041 COVID-19 infections and 8,424 fatalities, according to the Arizona Department of Health Services dashboard.

Multiple COVID-19 metrics in Arizona have been at or near pandemic highs.

The number of Arizona's confirmed or suspected COVID-19 hospital inpatients fell to 4,165 on Friday after an all-time high of 4,226 on Thursday.

However, the number of COVID-19 patients in the state's ICU beds increased to 983, setting a record for the third time in the last four days.

Statewide, suspected or confirmed COVID-19 patients took up 49% of all inpatient beds, down from a record 50% in the two previous days, and 55% of all ICU beds.

Overall, inpatient beds were 89% filled and ICU beds were 91% full. The state had 154 unused ICU beds Friday, 23 more than the previous day.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, was 22% through 76,331 tests for this week. If that holds up, it will break the record of 21% from the week starting June 28.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported cases was 6,323 for Friday, according to tracking by The Associated Press, nearly 150 lower than Thursday.

The seven-day average of newly reported COVID-19 deaths was 84.29 for Friday, declining for the third consecutive day but still the ninth-highest ever.

The daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

AMERICAN OVERSIGHT

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 1,296 new coronavirus cases, 3 more deaths

KTAR News
December 27, 2020

Arizona health officials reported 1,296 new coronavirus cases and three additional deaths on Sunday.

The state's documented totals increased to 494,337 COVID-19 infections and 8,427 fatalities, according to the Arizona Department of Health Services dashboard.

Multiple COVID-19 metrics in Arizona have been at or near pandemic highs.

The number of Arizona's confirmed or suspected COVID-19 hospital inpatients reached 4,190 on Saturday, after a decrease from the all-time high of 4,226 on Thursday.

The number of COVID-19 patients in the state's ICU beds increased to 988, setting a record for the third time in the last four days.

Statewide, suspected or confirmed COVID-19 patients took up 49% of all inpatient beds, down from a record 50% in the two previous days, and 55% of all ICU beds.

Overall, inpatient beds were 89% filled and ICU beds were 90% full. The state had 177 unused ICU beds Saturday, 23 more than the previous day.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, was 22% through 87,461 tests for this week. If that holds up, it will break the record of 21% from the week starting June 28.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported cases was 6,401.43 for Saturday, according to tracking by The Associated Press.

The seven-day average of newly reported COVID-19 deaths was 69.57 for Saturday, declining for the fourth consecutive day.

The daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

AMERICAN OVERSIGHT

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Information about testing locations can be found on the Arizona Department of Health Services website.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona surpasses 500,000 coronavirus cases, adds 42 deaths

KTAR News
December 27, 2020

Arizona health officials reported 10,086 new coronavirus cases and 42 additional deaths on Monday, as the number of cases in the state reached half a million.

The state's documented totals increased to 504,423 COVID-19 infections and 8,469 fatalities, according to the Arizona Department of Health Services dashboard.

The new case report, which was the third highest for a single day, included additions from several days over the holiday weekend, the department said.

With the holiday weekend, multiple days of #COVID19 case review were completed yesterday, resulting in higher numbers than usual added to the ADHS dashboard today. For 12/28, 10,086 cases and 42 deaths will be shown. 2/2 pic.twitter.com/8Hz2kyTViA

— AZ Dept of Health (@AZDHS) December 28, 2020

Multiple COVID-19 metrics in Arizona have been at or near pandemic highs.

The number of Arizona's confirmed or suspected COVID-19 hospital inpatients climbed to an all-time high of 1,007 on Sunday, reaching quadruple digits for the first time.

The number of COVID-19 patients in the state's ICU beds increased to a record 4,390 on Sunday, a jump of 200 in 24 hours.

Statewide, suspected or confirmed COVID-19 patients took up a record 52% of all inpatient beds and a record-tying 57% of all ICU beds.

Overall, inpatient beds were 90% filled and ICU beds were 91% full.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, was 23% through 94,911 tests for last week. If that holds up, it will break the record of 21% from the week starting June 28.

AMERICAN OVERSIGHT

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported cases was 5,820 for Sunday, according to tracking by The Associated Press, the lowest since Dec. 7.

The seven-day average of newly reported COVID-19 deaths was 65.14, the lowest since Dec. 16.

The state's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Information about testing locations can be found on the Arizona Department of Health Services website.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Navajo Nation reports 122 new COVID-19 cases, 10 more deaths

Arizona Daily Sun
December 28, 2020

The Navajo Nation has reported 122 new coronavirus cases and 10 more deaths.

The latest figures released Sunday by the Navajo Department of Health bring the total number of cases on the reservation that extends into Arizona, New Mexico and Utah to 22,277. The death toll from the pandemic now stands at 777.

According to the tribe, 11,402 people have recovered from COVID-19.

The Navajo Nation renewed a mandated lockdown Monday requiring all residents to stay home except for emergencies, shopping for essentials like food and medicine or traveling to an essential job. The lockdown is slated to last until Jan. 11.

The tribe also issued full weekend lockdowns for the weekend after New Year's Day and the weekend starting Jan. 8. Essential businesses like grocery stores, gas stations and restaurants can only operate Monday through Friday between 7 a.m. and 7 p.m.

Return to the table of contents

COVID-19 patients fill more than half of Arizona ICU beds

Arizona Daily Sun
December 28, 2020

A record number of COVID-19 patients are in the ICU in Arizona.

A new high of 988 patients with the disease are occupying intensive care unit beds Sunday, accounting for 56% of the beds statewide, according to the Arizona Department of Health Services. Arizona is having its worst surge since July, when 970 people with the virus were in the ICU — accounting for 57% of available beds.

The number of available ICU beds is about 10%.

Daily cases have been much higher in December, while deaths have been much lower than the triple-digit daily death tolls reported in July.

The health department recorded three deaths Sunday, bringing the toll to 8,427. An additional 1,296 confirmed cases were also reported, bringing the state's total since the pandemic began to 494,337.

The number of infections is thought to be far higher because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Number of total COVID-19 cases in Arizona now over 500,000

Arizona Daily Sun
December 28, 2020

The number of COVID-19 cases in Arizona since the pandemic began has now surpassed 500,000 as hospitals deal with a record high of hospitalizations.

The Arizona Department of Health Services on Monday reported 10,086 new coronavirus cases and 42 related deaths. The total number of cases now stands at 504,423 and the total deaths at 8,469.

The agency also reported 1,007 intensive care unit patients with COVID-19, the highest that figure has ever been. Only 9% of ICU beds statewide remain available.

COVID-19 patients account for 4,390 hospitalizations overall, which is also an all-time high.

Daily cases have been much higher in December, while deaths have been much lower than the triple-digit daily death tolls reported in July.

The number of infections is thought to be far higher because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

Several health care organizations have called on Gov. Doug Ducey to implement stricter measures including closing bars and nightclubs and temporarily banning indoor dining. The governor has resisted such calls. Ducey has said he will not take actions that result in more people losing their jobs.

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some — especially older adults and people with existing health problems — it can cause more severe illness, including pneumonia, and death.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AZ Gov thanks virus workers, volunteers; deaths remain high

Arizona Daily Sun
December 28, 2020

Gov. Doug Ducey's Christmas Day message encourages Arizonans to safetly connect with loved ones and thanks residents for their work during the pandemic.

“I hope all Arizonans find a way to safely spend time with friends and family, celebrate their faith, and look forward to the New Year. It’s important that we take time to connect with our loved ones this Christmas, especially in a year as challenging as this one," Ducey said in a statement Friday.

The state reported 115 deaths attributed to COVID-19 for the second day in a row. It was the seventh time in ten days the figure has been in the triple digits. The death toll now stands at 8,409. The Arizona

AMERICAN OVERSIGHT

Department of Health Services reported additional 6,616 cases increasing the total to 486,935 cases since the start of the pandemic.

Ducey thanked responders, frontline workers, and volunteers who have helped mitigate the impacts of the virus.

“Educators have found creative ways to engage with struggling students. Parents have become at-home tutors. Neighbors have picked up groceries for each other. Truck drivers have driven hundreds of miles to ensure shelves are stocked with food and goods. Volunteers have worked double time. The list goes on,” he said.

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some — especially older adults and people with existing health problems — it can cause more severe illness, including pneumonia, and death.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, January 4, 2021 10:05:58 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: December 31, 2020; January 1-4, 2020
Attachments: December 31, 2020; January 1-4, 2020.docx

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

0

Arizona Daily Star

- AZ revamps COVID-19 vaccine plan to speed up inoculations
- State fails to deliver on promises after rape at care facility
- 'Anyone who wants it' can get antibody test through the UA
- When numbers are tabulated, hate crimes in AZ are expected to show an uptick
- Attorney General's Office urges judge to enforce election material subpoenas
- US justices agree to hear arguments on Arizona's 'ballot harvesting' ban
- Attorney: Pence opposes Arizona GOP chair's suit over issue with electoral votes
- AZ officials: COVID rise could force hospitals to use triage
- These AZ companies saw massive gains in stock prices
- Lawmaker asks Brnovich to look into the legality of Pima County creating a curfew
- Inflation at national level the reason for increase in Arizona's minimum wage
- Not the 'blue wave' they hoped for, but Dems made gains
- Drought, heat put Tucson in climate vise in '20
- Tucson's driest year on record leaves its plants, animals parched
- Pima County working on plan to vaccinate older residents with shots yet to come
- Judge tosses Arizona GOP's election suit against Pence
- Schools chief: Keep schools closed to in-person instruction for 2 weeks

Arizona Republic

- Valley hospitals refuse new patients
- Several wells built for Navajo families
- AZ reports 5,267 new virus cases, 78 deaths
- Ducey recall effort dropped as COVID-19 cases surge
- Ducey steps in after slow vaccine rollout
- AZ hospital beds are 93% full as surge continues
- County treasurer resigns early, cites environment
- Fired revenue director takes issue with Ducey's claims
- Supreme Court set to consider ballot law
- Maricopa County Attorney Adel is home after brain surgery
- How COVID-19 left mark on AZ
- Nearly 9K new virus cases reported in AZ
- Hoffman to Ducey: Order schools to stay online

AMERICAN OVERSIGHT

- Ducey extends his order protecting nursing homes
- Teachers may stage sickouts in East Valley school districts
- Arizona became key state in 2020
- State AG enters election dispute
- Meghan McCain and Kelli Ward battle over insult
- Arizona reports 17K new COVID-19 cases, a new record high

KTAR News

- Arizona reports 5,158 new COVID-19 cases, 3 more deaths
- Maricopa County Attorney Adel home from hospital after brain bleed
- Arizona coronavirus vaccination efforts steadily picking up pace
- Arizona ranks middle of pack in identity theft, fraud metrics
- Ducey extends lawsuit protection for Arizona COVID health care workers

Arizona Daily Sun

- High court sets hearing for Arizona 'ballot harvesting' law
- Health officials: Arizona COVID-19 triage care again likely
- Ducey rejects request for 2-week school 'quarantine'
- Arizona hits new daily high in COVID-19 cases, but no deaths
- Arizona increases minimum wage to $12.15 an hour

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

AZ revamps COVID-19 vaccine plan to speed up inoculations

Cost of delays 'too great'; state to take more active role

Howard Fischer
Arizona Daily Star
December 31, 2020

The state is revamping its COVID-19 vaccine distribution system in hopes of getting more people inoculated faster.

State health director Dr. Cara Christ acknowledged Wednesday that only about 18% of the more than 314,000 doses received by this week actually have ended up in the arms of Arizonans.

Christ said some of that is due to the fact that some of the rural counties are just getting their inoculation systems up and running.

But she conceded that allowing each county to run its own program, with minimal state oversight, has created certain inefficiencies. So now the state will

take a more active role in how the program is run, complete with the authority to take possession of vaccines rather than simply pass them along to counties.

The move comes with the blessing of Gov. Doug Ducey who issued an executive order giving Christ and her agency the additional powers.

'Any delay in the vaccine getting to Arizonans, any dose that sits in a freezer rather than reaching the arm of a health-care worker or long-term-care resident, carries too great a cost,' the governor said in a prepared statement.

'This is a health emergency, and we need all levels of government and our health system operating as such,' Ducey continued. 'Vaccines don't do any good sitting in a freezer.'

Christ said the new system also should make it easier for individuals to keep informed about when they will be eligible to get vaccinated.

She promised that the state will post information on its website about what is the current stage of distribution. That is critical as people are divided into priority groups based on everything from where they work to age and their own medical risk.

And Christ said her agency will have a single point of contact where any Arizonan can learn where they can get vaccinated anywhere in the state.

But one of the biggest changes is going to be that Christ and her agency will be taking possession of some of the state's allocation.

'Our county health departments really know their community providers the best,' she said.

AMERICAN OVERSIGHT

Christ said, however, that doesn't always work. She said that companies like CVS and Walgreens, both of which are administering the vaccines throughout Arizona, 'need to work on a statewide basis.'

'We'll be allocating some of the vaccine directly to them as it becomes available,' she said. And that, said Christ, will ensure that each of the vaccination sites being run by those companies have the vaccines they need rather than having to rely on seeking something from each of the 15 counties who have their own allocations.

'We want people to know that when Walgreens has vaccines it's going to be Walgreens across the state and not just the Walgreens in Maricopa or Pima counties,' she said. Christ said the state needs to 'really have a consistent approach so that people know where to get the information about when they should get vaccinated, where they should get vaccinated, so that we can target those very vulnerable, high-risk populations and get them done quickly.'

So, for example, the state will have a single website where people can find out when it's their turn.

For example, the current vaccines are being offered to those in what's called the 1-A category. These are health-care workers and staffers in long-term care facilities.

Christ said about 57,000 of the 274,000 people in that category already have gotten the first dose.

What's next is the 1-B group, that includes educators and child-care workers, public safety workers and, recently added, those 75 and older.

That website, Christ said, will not only say when a county has hit 1-B — each county may be at a slightly different stage — but provide instructions on how to sign up.

Then there's the question of what people will need.

So, for example, someone who is at least 75 would need a driver's license or other proof of age. For others, it's a little less clear.

'For essential workers it would likely be you attend an employer-based vaccination site,' she said. 'Or if you were going to a pharmacy or using a retail outlet or your physician, you would need to show a badge or some type of proof that you were one of the essential employees.'

Christ figures, though, 1-B inoculations are unlikely to start until as many in the 1-A category who want get immunized, something likely to take well into January if not early February.

Still, she said, it's possible that once a county has vaccinated everyone in the 1-A category who wants immunization that it could start offering appointments to those in the next category down As it goes further down the priority list, that raises different questions.

For example, the 1-C category includes adults with high-risk medical conditions. Christ said that should not necessarily require a doctor's note to get vaccinated, particularly if a patient is getting the shot in the physician's office.

AMERICAN OVERSIGHT

And state health officials are hoping that by that point there will be so many doses of vaccine available that restricting people by priority won't be an issue.

That leaves the question of when — if ever — Arizona will reach the point that enough people are vaccinated or have recovered from the virus to achieve 'herd immunity,' the point at which the threat of rapid spread pretty much evaporates.

'There's a lot of different things that have to come together for us to do that,' Christ said. But she said she remains optimistic.

'And I think as you look over the next couple of weeks, as we continue to add (vaccine) locations, and as we continue to get more vaccine into the state we're going to see significant increases in the amount of vaccinations provided,' Christ continued. 'And we'll be able to meet that by the summer is what we're hoping.'

The change comes as Arizona continues to set new records in the number of beds in intensive-care units occupied by people with confirmed or suspected cases of COVID-19. With 78 new deaths reported Wednesday, that brings the statewide total to 8,718, with more than 512,000 Arizonans having contracted the virus since the pandemic began.

Return to the table of contents

State fails to deliver on promises after rape at care facility

Amy Silverman
Arizona Daily Star
December 31, 2020

On New Year's Eve 2018, an Arizona long-term-care facility became a crime scene.

A 29-year-old resident with disabilities so profound she could not talk, walk or care for herself shocked staff when she gave birth to a boy. No one had even noticed she was pregnant. Immediately it was clear she had been raped.

In the national outrage that followed the incident at Hacienda HealthCare in Phoenix, Arizona promised to do better. The state, which prized itself on its reputation for providing top-notch services to people with intellectual and developmental disabilities, took action immediately.

Republican Gov. Doug Ducey created a task force charged with finding ways to improve services and protections for some of Arizona's most vulnerable residents. The task force, made up of more than 40 agency heads, legislators, health care providers, group home operators and advocates, delivered its recommendations more than a year ago. Most of them were supposed to be implemented by the end of 2020.

But a review by ProPublica and the Arizona Daily Star shows that only a third of the 30 recommendations have been fully enacted, with others months or years from completion.

AMERICAN OVERSIGHT

The task force recommended the creation of a central registry to track abusers of children, vulnerable adults and people with developmental disabilities in a single database. That hasn't happened.

Another goal: training providers, family members and others on how to recognize signs of abuse among people with developmental and intellectual disabilities. That, too, remains incomplete.

Jon Meyers, a task force member and the executive director of The Arc of Arizona, an advocacy group for people with intellectual and developmental disabilities, said many advocates are frustrated by the slow pace of reform.

The most important changes recommended by the task force require money. For instance, it suggested the state may need to increase pay to hire well-qualified care providers and abuse investigators to reduce turnover and foster a safe environment for those with developmental disabilities.

But state agencies — hampered by the demands of the pandemic — have not requested any budget increase for more staff workers or higher pay levels, and there is no sign the state Legislature is willing to boost funds.

'That's so obviously not going to happen it's a wonder we could include it with a straight face,' Meyers said.

Advocates who served on the task force said the Division of Developmental Disabilities, or DDD, the agency charged with caring for people with intellectual and developmental disabilities, ignored recommendations for increased transparency and accountability.

The agency created a website 'dashboard' to provide more insight for families and clients. However, it lists only the most basic information about the safety of government-funded residential settings.

Adult Protective Services, which investigates allegations of abuse against people with developmental disabilities, redesigned its website, too. But it's still not possible to get detailed information, such as the complaint history of a facility.

A spokesman for DDD and Adult Protective Services said the agencies are providing as much information as is legally allowed. But advocates dispute the agencies' interpretation. They point to other government agencies that require nursing homes and hospitals to disclose far more data.

'At a real practical level, a family member who is considering a group home environment should be able to look at all the complaints that have been filed and the resolutions to get the compliance history for that individual home and that individual provider,' said Will Humble, the executive director of the Arizona Public Health Association and father of a grown son with Down syndrome.

One achievement: The state's Medicaid agency has accomplished its task of rewriting contracts, including a provision requiring that group homes and other facilities post signs informing people with developmental disabilities, their loved ones and staffers about how to report physical and sexual abuse.

But two years later, there are no signs to hang. DDD officials are redesigning them after self-advocates reported that the signs were too hard to understand.

AMERICAN OVERSIGHT

State officials responsible for implementing task force guidelines said that more than half of the task force recommendations were either complete or in the process.

'I actually am really proud of the work that the task force has done,' said Jami Snyder, director of the Arizona Health Care Cost Containment System, the agency that took the lead on the task force. 'I think the agencies have done a lot of really phenomenal work since that time. I think we have more work to do.'

Christina Corieri, senior policy adviser to Ducey, said she was impressed with the work of the task force, formally known as the Governor's Abuse and Neglect Prevention Task Force.

'We have implemented many of (the recommendations). We are committed to implementing all of them,' Corieri said.

The Department of Economic Security, which oversees the DDD, said it remained 'committed to ensuring the health and safety of vulnerable individuals.'

'We support the work and recommendations of the Task Force and have strong collaboration across state agencies and with stakeholders in the joint commitment to improve the quality of life for vulnerable Arizonans,' the department said.

THE WHEELS OF GOVERNMENT

This fall, DDD released instructions to show staff workers how to recognize abuse, to avoid retraumatizing a victim and to seek out whistleblower status. But with no funding to accompany the mandate, it will be difficult to actually conduct the four-hour training sessions, said Gina Griffiths, director of programs for The Opportunity Tree, a Phoenix-based company that runs group homes and a day treatment program. Griffiths sat on some of the task force work groups.

'I don't know why any of this has taken as long as it's taken,' Griffiths said. 'The wheels of government really do turn slowly.'

The task force called for all Adult Protective Services investigators to receive training to better recognize signs of sexual abuse in people with developmental disabilities. A spokesman for the agency said that training is underway and should be completed by June 2021.

Task-force members did not even address some long-term problems with Arizona's system. DDD relies upon support coordinators to meet with families and clients to make sure clients are receiving the services and medical care they need. Despite issues of low pay, high turnover and a lack of training, the support coordinators were not even mentioned in the recommendations.

Diedra Freedman worked on the task force and also serves as the chair of an independent oversight committee, which is supposed to safeguard the rights of DDD clients. Her son has autism.

'In two years of work, the bureaucracy has created a flowchart that explains the system, but they have not in any way improved the system,' Freedman said.

PANDEMIC PROBLEMS

AMERICAN OVERSIGHT

The pandemic, of course, helps to explain many of the delays. Members of the task force, including state officials, have been forced to postpone meetings in order to deal with medical crises.

But advocates like Erica Mc-Fadden, executive director of the Arizona Developmental Disabilities Planning Council and a task force member, said that instead of slowing work down, COVID-19 should have sped it up.

The isolation faced by people in group homes and other settings that shut down to visitors in early 2020 makes the possibility of abuse more serious, she said.

If state leaders took seriously the lessons of Hacienda, McFadden said, they 'would have ensured how to proactively react to members at this time.'

'This should not be a fight,' she said.

Another challenge for the task force was that several key members left their state jobs, taking valuable institutional knowledge with them. They include the directors of the Department of Economic Security, the DDD and Adult Protective Services.

Other members lost interest, convinced they were not going to make a difference.

G'Kyshia Hughes, who works in social services and is guardian to her brother, who has autism, said she stopped attending meetings when she realized the task force could not accomplish much without funding.

'What's the point of putting these things together if you don't know for sure that the Legislature is going to give you funding for it?' she asked. 'It's just a document with no teeth.'

Dana Kennedy, state director for AARP Arizona and a member of the task force, said that improving safety for those with developmental disabilities is not a high priority for lawmakers in the upcoming 2021 legislative session.

'It's just maddening to me because we already had a Hacienda. We didn't get anything done through the Legislature. And now here we are starting another legislative session and ... nobody's talking about it.'

A HEALTHY CHILD

A little boy turns 2 on Dec. 31. He is being raised by his grandparents on the San Carlos Apache Reservation near the town of Globe.

His mother has left Hacienda, where she was raped, and now lives in a smaller facility in Phoenix, said John Micheaels, her attorney.

Family members would have liked to have her closer to them, but there are no suitable residential facilities nearby.

Micheaels has now settled lawsuits against Hacienda, the state of Arizona and one of the woman's physicians. The state settled for $7.5 million. Hacienda did not release the amount, nor did the physician. None admitted wrongdoing.

AMERICAN OVERSIGHT

Nathan Sutherland, the Hacienda worker arrested in late January 2019 and charged with sexual assault and abuse of the woman, is awaiting trial.

He has pleaded not guilty. His lawyer did not return a call for comment.

Micheaels said that the little boy's grandparents are raising him as if he were their son, with help from his mother's six siblings. He said the boy is healthy, despite concerns over the strong medications his mother was taking to help control seizures.

The family has not spoken with the media, and the latest request from the Arizona Daily Star and ProPublica was rejected by the boy's grandmother.

Said Micheaels: 'She told me that thinking about it gives her a pit in her stomach.'

This article was produced in partnership with ProPublica Local Reporting Network, of which the Arizona Daily Star is a member. ProPublica is a nonprofit newsroom that investigates abuses of power. Contact reporter Amy Silverman at

Return to the table of contents

'Anyone who wants it' can get antibody test through the UA

Howard Fischer
Arizona Daily Star
December 31, 2020

A program at the University of Arizona to test 250,000 people to see if they're immune to COVID-19 hasn't gotten the public demand that was expected.

In April, UA President Robert Robbins announced the school would be offering the blood tests, first to students and the staff, and later to front-line medical personnel and first responders.

Robbins, who is a medical doctor, said someone who shows a positive test for antibodies likely is immune from getting the virus again. And that, he said, could allow people to decide if they feel safe when doing their jobs.

But Deepta Bhattacharya, a professor of immunobiology at the UA College of Medicine, told Capitol Media Services on Wednesday that only about 50,000 tests have been administered.

'The 'take rate' (among first responders) when we first started was pretty low,' he said.

The flip side of that, Bhattacharya said, is that there are still tests available.

'So now it's available to anyone who wants it,' he said.

Anyone interested can sign up at tucne.ws/1ggv All this comes as Gov. Doug Ducey on Wednesday doled out another $115 million of money he is getting from the federal government through the

AMERICAN OVERSIGHT

Coronavirus Aid, Relief and Economic Security Act, this time to help the state's three universities.

That includes $46 million for the UA, money that Ducey press aide C.J. Karamargin said is designed to reimburse the school for expenses already incurred.

An identical amount is going to Arizona State University. It has embarked on its own program of saliva tests for the virus itself, available to the general community, which provides a less invasive method than the swab up the nose to determine if someone is currently infected.

Northern Arizona University is getting $23 million.

In all case, Karamargin said reimbursement of the the expenditures fits within what is eligible for funding under the federal Coronavirus Aid, Relief and Economic Security Act.

In the meantime, Bhattacharya said the UA will continue to make the antibody tests available. 'People have their own reasons for wanting to or not wanting to get the test,' he said. But Bhattacharya said he is expecting the demand to increase.

'Now that the vaccines are starting to roll out there are going to be people that want to confirm that they mounted a good antibody response to the vaccine,' he said, meaning they will have immunity for some period of time.

That, in turn, leaves the question of how long immunity — whether from a vaccine or having a bout of COVID-19 — will last.

'Well, it's lasted as long as we've been able to look,' Bhattacharya said.

'We've looked out seven months post infection and we still see antibodies,' he said. 'So at this point

I don't think there's going to be any reason to think that people will be susceptible soon after they recovered.'

Reinfection, Bhattacharya said, is possible. But he said it's not likely or frequent.

Return to the table of contents

When numbers are tabulated, hate crimes in AZ are expected to show an uptick

Olivia Munson
Arizona Daily Star
January 31, 2020

Hate crimes in Arizona bounced back in 2019 after a sharp drop the year before, and advocates say they fear the numbers are only going to continue to rise when the tumult of 2020 is reported.

Despite a steep increase from the 173 hate crimes recorded in Arizona in 2018, the state's 217 hate crimes in 2019 were just below average for the past decade, according to data from the FBI's Uniform Crime Report.

AMERICAN OVERSIGHT

But advocates note that the latest FBI numbers do not include events from 2020, including Black Lives Matter protests and the COVID-19 pandemic, which led to reports of anti- Asian violence for what President Trump repeatedly called the 'Wuhan virus.' These numbers are likely to surge again when 2020 results are reported next year, they said.

'We have seen a surge in hate crimes and hate incidents against Asian Americans in connection with COVID-19, our community is being wrongly blamed,' said Marita Etcubañez, director of strategic initiatives for Asian Americans Advancing Justice. 'The numbers we just got (from the FBI) are for 2019, so none of the COVID-19 data will have been captured in the numbers just released.'

And none of the Black Lives Matter protests that followed the police killing of George Floyd in Minneapolis are captured in the 2019 numbers either, said Lecia Brooks, chief of staff at the Southern Poverty Law Cente r.

'We're kind of still in the midst of this racial reckoning that the country's been going through, recognizing that systemic racism and anti-Black racism is real,' Brooks said.

According to the FBI, a hate crime is 'criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.'

Crimes motivated by race, ethnicity, and ancestry continued to make up the bulk of hate crimes in Arizona in 2019, accounting for 143 of the total 217 incidents reported. While that was not the highest number of racially motivated hate crimes in a year, it was the highest percentage of the total in the past decade.

Religion was the second- most-frequent reason for a hate crime, with 36 reported crimes, ahead of the 30 crimes motivated by the victim's sexual orientation. That is a shift from earlier years, when sexual orientation is typically the second-biggest category of hate crime in Arizona.

The most hate crimes recorded in the past 10 years was in 2017, when 288 were reported. The fewest was 155 in 2013.

Nationally, hate crimes rose by 2.72% from 7,120 in 2018 to 7,314 in 2019. As in Arizona, race-based crimes made up the bulk of the national numbers. Brooks said the vast majority of these crimes were directed at Blacks, while hate crimes against Latinos continued to rise.

'This is the fourth consecutive year that there's been an increase on hate crimes against Latinos, so that right there is pause for concern,' said Carlos Galindo-Elvira, director of community engagement and partnerships for Chicanos Por La Causa in Arizona.

Phoenix's 159 reported hate crimes was the most in the state in 2019, followed by Tucson with 16. Of the 17 police departments participating, six reported just one hate crime last year, while Glendale, Apache Junction and Mesa each reported several incidents.

When asked about the rise in hate crimes, the Phoenix Police Department responded with a statement that the department is working to 'ensure the safety' for everyone in the city.

AMERICAN OVERSIGHT

'Bias-related crimes affect not only the security of our community members but more importantly the trust within that community,' said a statement from Sgt. Mercedes Fortune, a Phoenix police spokeswoman. 'We encourage our community

to report all crimes in whole or in part, as a result of a prejudice or bias toward an individual or group based on race, religion, ethnicity, gender, gender identity, sexual orientation, or disability.'

But some advocates say police are not doing enough to make sure people feel safe enough to report these incidents.

Tammy Gillies, interim regional director of the Anti-Defamation League in Arizona, said that hate crimes traditionally tend to be underreported, and Etcubañez agreed.

'There are a range of reasons why people would not want to contact law enforcement at all,' Etcubañez said, such as their immigration status or ability to speak English.

'Contacting law enforcement is not going to be something that everyone is comfortable with or willing to do.'

Galindo-Elvira said that the FBI report may not represent every hate crime that occurred in 2019, because the police – or even the victim – may not always see a bias motivation behind an attack. Without that, he said, 'an assault can only be viewed as an assault.'

'Those are only the reported hate crimes, so we know that there have to be more that have happened across the spectrum,' he said.

Brooks said there 'needs to be better training of law enforcement with respect to what is a hate crime, what do you look for, how do you investigate it and, more importantly, how do you support people in your community.'

Data in the Uniform Crime Reporting Program is self-reported by police departments, not all of which participate. But it is still widely cited by advocates, despite its flaws.

And advocates urge people to remember the communities affected by the numbers and statistics in the report.

'These community members are reminded of what they experience every day,' Brooks said.

'It's a sad commentary that we have to recognize what we go through by viewing statistics that come out of the FBI annually as opposed to recognizing that people from these communities are impacted by racism, xenophobia, anti- Semitism every day.'

'While there might be a single victim, really the ripple effect is that it instills fear in the whole community,' Gillies said.

Return to the table of contents

Attorney General's Office urges judge to enforce election material subpoenas

AMERICAN OVERSIGHT

Howard Fischer
Arizona Daily Star
December 31, 2020

The state's top prosecutor is siding with Republican legislators in their demand for access to election materials from Maricopa County.

In legal papers filed Wednesday, a top aide to Republican Attorney General Mark Brnovich urges a judge to enforce the subpoenas issued by Senate President Karen Fann and Sen. Eddie Farnsworth.

The judge 'should recognize the Arizona Legislature's broad authority to issue and enforce legislative subpoenas,' wrote the aide, Michael Catlett, a deputy solicitor general.

But even Brnovich's backing may not be enough to convince Maricopa County Superior

Court Judge Timothy Thomason that he should — or has the authority to — order Maricopa County to turn over a host of materials related to the election. These include information on voters and duplicates of ballots, as well as access to the counting equipment.

Attorneys for the county are not necessarily denying that the Legislature has subpoena power.

But the two subpoenas were not issued by a vote of the full Legislature, which is authorized in a section of Arizona laws. Instead, they were issued by Fann and Farnsworth, the Senate Judiciary Committee chairman.

The committee is looking into the handling of the Nov. 3 election, and Farnsworth said its work could form the basis for changes in state law to tighten up procedures.

But he acknowledged that if the committee finds evidence of fraud or misconduct, that could be used by others who are trying to get the courts — or Congress — to void the election results in Arizona and hand the state's 11 electoral votes to President Trump despite Joe Biden's win in the certified popular vote.

Catlett, in his legal papers on behalf of Brnovich, wrote: 'The Legislature is presumed to have all power not granted to another branch of government or expressly prohibited in the constitution.'

And in this case, he said, no other branch of government can issue legislative subpoenas 'and legislative subpoenas are not expressly prohibited.'

More specifically, Catlett said Thomason should not closely examine why Farnsworth wants the information, but instead should give the Legislature wide berth.

'A legislative subpoena is valid even if one of the several objectives for the subpoena is alleged to be unlawful,' he wrote.

'In other words, so long as the subpoena can be construed to relate to a subject upon which legislation might be had, the subpoena is valid,' Catlett continued. 'The Legislature need not include an express avowal about the purpose for the subpoena and it need not point to actual legislation that it plans to enact.'

AMERICAN OVERSIGHT

Beyond that, he said lawmakers can issue subpoenas for any 'authorized investigation.'

Catlett also pointed out that the county's powers to run elections exist only because they were delegated by the Legislature.
'The Arizona Legislature should be permitted to issue subpoenas to determine whether government officials who have been delegated authority to administer elections have faithfully discharged those duties and to determine whether current law regarding election administration should remain the same or be amended,' he wrote.

'The Arizona Legislature has the power to keep election laws the same or to change those laws, and the court should recognize that the Arizona Legislature has the authority to issue subpoenas to obtain information to help it choose the best path forward for Arizona.'

An earlier bid by the Senate to get an order to enforce its subpoenas was rejected by a different judge.

Judge Randall Warner said he found nothing in the Arizona Constitution that specifically allows him to enforce such subpoenas. He rejected arguments that lawmakers have 'implicit' power to ask a court to enforce their demand.

Thomason has not yet scheduled a hearing on the latest bid.

Election workers sort ballots in Maricopa County, which has been subpoenaed to turn over election materials.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

US justices agree to hear arguments on Arizona's 'ballot harvesting' ban

Howard Fischer
Arizona Daily Star
January 1, 2021

Attorney General Mark Brnovich will get one last chance to defend the legality of an Arizona law outlawing 'ballot harvesting.'

The U.S. Supreme Court on Thursday agreed to let Brnovich try to convince them that a lower court ruling declaring the ban is illegal. The justices set March 2 for the hearing.

Just because the court agreed to take the case does not mean the ban will be upheld. But it does take at least four of the nine justices to be interested enough in the issue to have it be one of the few cases they actually take each year.

Brnovich has laid out for the justices why he believes the 9th U.S. Circuit Court of Appeals got it wrong last year when it declared that the state acted illegally in making it a crime to return someone else's early ballot. He contends the state had a good reason to act in a way to prevent the potential for fraud and intimidation of voters by political operatives who were collecting these ballots.

At the heart of the issue is that most Arizonans receive early ballots that can be filled out and mailed back or delivered to polling places on Election Day.

AMERICAN OVERSIGHT

Political and civic groups had for years gone into neighborhoods, asking people if they have returned their ballots and, if not, offering to take the ballots to polling places on their behalf.

Republican legislators voted in 2016 to make that a felony, concluding the practice created too many opportunities for mischief. They did agree for exceptions for family members, others in the household and caregivers.

During the debate though, proponents could not cite a single confirmed incident where a ballot was altered or did not get delivered. Brnovich, in his legal briefs, told the high court that is irrelevant.

'Prohibiting unlimited third-party ballot harvesting is a commonsense means of protecting the secret ballot and preventing undue influence, voter fraud, ballot tampering and voter intimidation,' he wrote.

And Brnovich rejected the contention that the law is simply an attempt by Republicans who control the Legislature to get a political edge. He pointed to the 2005 recommendations of the Commission on Federal Elections Reform, cochaired by former President Jimmy Carter, a Democrat, that said states should prohibit outsiders from handling absentee ballots of others.

'There's 20 states that have similar measures,' Brnovich said. Anyway, Brnovich said, there are exceptions on who can handle ballots, ranging from election officials and mail carriers to family and household members and caregivers.

The 9th U.S. Circuit Court of Appeals did not buy that logic, with the majority concluding the law was 'racially motivated' and designed to suppress minority votes. And Judge William Fletcher, writing for the majority, said the record shows it has had that effect.

In reaching that conclusion, Fletcher cited comments by then-Sen. Don Shooter, R-Yuma, who attempted to get colleagues to enact a similar law in 2011. That was after he won his 2010 election with just 53% of the vote – receiving 83% of the non-minority vote but only 20% of the Hispanic vote. Fletcher said Shooter was 'in part motivated by a desire to eliminate what had become an effective Democratic GOTV (get out the vote) strategy.'

And he said that, in finally enacting the laws in 2016, 'Republican legislators were motivated by the unfounded and often farfetched allegations of ballot collect fraud made by former Sen. Shooter.'

More significant, Fletcher said the record from the trial shows that before the 2016, law minorities were more likely than nonminorities to get someone else to turn in their ballots.

'The district court found that, in contrast, the Republican Party has not significantly engaged in ballot collection as a Get Out the Vote strategy,' Fletcher wrote.

'The base of the Republican Party in Arizona is white,' he continued. 'Individuals who engaged in ballot collection in past elections observed that voters in predominantly white areas were not as interested in ballot-collection services.'

In his court filings, Brnovich did not dispute what the 9th Circuit said was evidence of historical racism in Arizona. But he said most of the incidents cited by the appellate court are ancient history, with some going back to territorial days.

AMERICAN OVERSIGHT

And Brnovich said the appellate judges ignored other nonracial reasons why minorities are more likely impacted by ballot harvesting laws, including poverty, employment, homeownership, health and how they have their mail delivered.

While the 9th Circuit found the law illegal, it has allowed the state to continue to enforce it pending Supreme Court review. That is what allowed Brnovich to get indictments in late December of two Yuma women who are accusing of collecting four ballots during the state's August primary election and putting them in a ballot box where they were counted.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Attorney: Pence opposes Arizona GOP chair's suit over issue with electoral votes

Howard Fischer
Arizona Daily Star
January 1, 2021

Vice President Mike Pence will not cooperate with a bid by the Arizona Republican Party chairwoman and others to put him in a position to keep President Trump in the White House for another four years.

The complaint filed by Kelli Ward against the vice president is flawed, said John Coghlan, an attorney with the U.S. Justice Department which is representing Pence, in legal papers filed late Thursday.

Coghlan noted that Ward wants a federal judge to rule that the procedures for counting electoral votes from the various states do not comply with constitutional provisions. According to Ward and other Republicans who claim they are the rightful electors, that gives Pence, as the presiding officer of the Senate, the power to unilaterally decide whether to accept or reject Arizona's 11 electoral votes, which are designated for Joe Biden.

'But these plaintiffs' suit is not a proper vehicle for addressing those issues because plaintiffs have sued the wrong defendant,' wrote Coughlan. 'The vice president — the only defendant in this case — is ironically the very person whose power they seek to promote.'

He told the judge that if Ward and her allies have a legal complaint about the procedure to count electoral votes they should be suing the U.S. Senate and House of Representatives, not Pence.

The opposition is a crucial setback forWard, who was hoping for a quick and unopposed order from the judge directing Pence to decide which electoral votes to count from each state where Trump allies contend the president won the popular vote, despite the results in each of those states being certified for Biden.

U.S. District Judge Jeremy Kernodle is giving Ward and her attorneys through Friday, Jan. 1, to file a response. So far, though, he has declined to schedule a hearing on the bid, suggesting he may dismiss it without oral arguments.

Ward and her attorneys are relying on the Twelfth Amendment to the U.S. Constitution. It says after each state has voted and chosen its electors, Congress convenes in joint session on Jan. 6 to certify the count, normally a routine procedure conducted under the 1887 Electoral Control Act.

AMERICAN OVERSIGHT

But U.S. Rep. Louie Gohmert, R-Texas, a plaintiff in the lawsuit along with Ward, said he intends to object to the delegates from Arizona and several other states won by Biden.

The lawsuit is based on the premise that once that happens, the Constitution empowers the vice president to unilaterally decide whether to count the 11 electoral votes for Biden from Arizona or instead accept an alternate 'slate' chosen by Republicans in an unofficial and unsanctioned meeting, who would vote for Trump.

Ward would be just as happy if Pence were to reject both slates from Arizona and other states.

That would throw the decision to the U.S. House, where each state gets only one vote, a point Ward herself emphasized by noting there are more states with Republican- controlled delegations than with Democrats in the majority.

Coghlan told the judge there are other problems with the lawsuit.

He said that Ward and the other nonofficial Arizona 'electors' — she is one of them — claim they have a right to sue because of a 'theoretical injury in the debasement of their votes.'

But Coghlan said that even if the judge were to rule that Pence has certain powers, that doesn't guarantee that they will get the outcome they want.

'They do not seek an order requiring that the presidential election be resolved by the House of Representatives, or that the Republican electors' votes from Arizona be counted,' Coghlan said.

Finally, he noted that Pence is being sued in his capacity as presiding officer of the Senate.

But Coghlan noted that the U.S. Constitution prohibits other branches of government from questioning Congress in connection with 'legislative acts.'

Ward and her allies had hoped Pence would not oppose the lawsuit, potentially allowing the judge to

simply enter an order against him.

In paperwork filed earlier this week, William L. Sessions, the lead attorney for those filing suit, acknowledged that he had a teleconference with Pence's council in 'a meaningful attempt to resolve the underlying legal issues by agreement,' complete with telling the vice president's lawyers he would sue if there was no deal.

'Those discussions were not successful in reaching an agreement and this lawsuit was filed,' Sessions wrote.

There are two other cases pending before the U.S. Supreme Court.

One, by all 11 Republican 'electors,' contains various allegations of fraud and misconduct they claim should require the official count of the Arizona vote be thrown out.

AMERICAN OVERSIGHT

That case was dismissed by U.S. District Judge Diane Humetewa, who said the allegations 'fail in their particularity and plausibility.'

Ward has a separate case before the nation's high court in which she contends she was denied her legal right to inspect all the ballots cast in the general election so she could properly prepare her claim that the results are not valid.

In that case, Maricopa County Superior Court Judge Randall Warner acknowledged that there were some human errors made when ballots that could not be read by machines due to marks or other problems were duplicated by hand. But he said the random sample he allowed Ward to review showed even if this error rate played out, there were not enough mistakes to change the outcome of the election.

Return to the table of contents

AZ officials: COVID rise could force hospitals to use triage

Anita Snow
Arizona Daily Star
January 2, 2021

Arizona health-care leaders say hospitals may soon have to make tough decisions about the treatment of COVID-19 patients amid surging cases that are crowding intensive care units.

The state's largest hospital chain, Phoenix-based Banner Health, suspended elective surgeries starting Friday to free up room for treating

COVID-19 patients as new records for infections and hospitalizations are being set regularly.

Some of its hospitals are among those sending away ambulance transports or halting transfers from other hospitals, while still accepting walk-in patients needing emergency care.

Now, hospitals may have to prioritize care among patients, deciding who first gets access to limited resources.

'Triage may soon be necessary if volumes continue to increase like they did this past week,' said Dr. Marjorie Bessel, Banner Health's chief clinical officer.

On Friday, Arizona reported over 10,000 additional confirmed COVID-19 cases.

Bessel said Wednesday that the rate of COVID-19 hospitalizations is increasing exponentially in Arizona, with bed occupancy jumping in December by 150%.

'It might not be for another week, but we do seem headed that way,' Will Humble, Arizona Public Health Association director and a former state health services director, said Thursday.

WHAT'S HAPPENING NOW?

AMERICAN OVERSIGHT

Humble said Arizona hospitals since early December have already been under 'contingency standards of care' that are one step before more drastic rules aimed at helping decide such things as which patients should be admitted or get an ICU bed.

Governed by a committee of health professionals and government officials, the protocols also give hospitals some liability protection as they grapple to provide the best care they can in a difficult situation.

Faced with a shortage of beds, Humble said under the current guidelines hospital personnel may now opt to keep a patient in the emergency department for overnight observation rather than admit them, or place a candidate for intensive care in a regular hospital bed until an ICU bed opens up.

'This is by far one of the most difficult things for me and my colleagues, sending a patient home when we would normally admit them,' Dr. Frank LoVecchio, an emergency room physician at Arizona's Valleywise Health, said Thursday. 'But you reach that point when the needs exceed what is available.'

WHAT'S COMING NEXT?

Health-care officials say the more serious 'crisis standards of care' for Arizona hospitals could be activated by the medical advisory committee that oversees them if providers become increasingly overwhelmed.

LoVecchio noted that Arizona was the first state following the virus outbreak to adopt the triage protocols for a period in July until closures of businesses such as gyms and restaurants helped bring infection numbers down.

'Haven't we learned anything?' he asked, noting the state has not ordered certain businesses to close again despite rising numbers of infections, deaths and hospitalizations. 'It's incredible this could happen again.'

Bessel said patients with the disease already account for half of all people hospitalized in the Banner system in Arizona, with the hospitals collectively reporting 104% of licensed bed capacity. ICU bed occupancy by COVID-19 patients has increased by 600% since Nov. 1, she said.

'These COVID-19 patients are very very sick,' said Bessel. 'They require a great deal of care and much longer stays in the ICU compared to the typical ICU patient. Many of them also require the support of a ventilator.'

WHO'S TREATED FIRST?

Under 'crisis standards of care,' triage protocols take effect and put patients less likely to suffer organ failure and more likely to live longer first in line for treatment.

All decisions are supposed to be made based on long-term outcomes, without consideration of such things as ethnicity, color, national origin, religion, sex, age and sexual orientation.

'What triage would look like would be that we might — if we got to that point — be unable to care for everybody,' Bessel said. 'Please help us never get to triage. Shrink your circle, and wear your mask.'

AMERICAN OVERSIGHT

Gov. Doug Ducey, right, recently issued an executive order to speed up COVID-19 vaccine inoculations. Arizona has administered about 80,000 doses over the last two weeks.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

These AZ companies saw massive gains in stock prices

Russ Wiles
Arizona Daily Star
January 2, 2021

Many Americans are looking forward to a much better economic year in 2021. Thousands of small businesses struggled or closed their doors permanently during 2020, and millions of Americans lost jobs or saw their savings dry up.

But for hundreds of larger corporations around the nation, including a few dozen in Arizona, the year was a good one — and in some cases among the best ever. After the economy skidded into recession when the COVID-19 pandemic arrived, revenues and profits eventually recovered.

Among larger Arizona-based corporations worth at least $1 billion at the start of 2020, twothirds finished in the stock-market plus column during 2020.

Arizona's most valuable corporation, used-car seller Carvana, doubled in price, and the No. 2 firm, Freeport-McMoRan, nearly did so.

Here were some of the more prominent local winners during a year when the broad market, as represented by the Wilshire 5000 index, rose 20%, adding $6.9 trillion in wealth. The index notched 39 all-time highs during 2020.

COPPER STAGES A COMEBACK

Mining giant Freeport-McMo-Ran meandered for a half-dozen tough years coming out of the Great Recession as the company grappled with slumping commodity prices, a controversial expansion strategy into oil and gas, and a huge debt overlay. But the Phoenix-based corporation has bounced back well from the recession brought on by the coronavirus pandemic, with especially strong results in recent months.

Helped by recent improvement in the economy of China, a major copper buyer, and by expanding applications for copper in delivering green energy, Freeport-Mc-MoRan sold the metal at a realized average price of $3.01 a pound in the third quarter, up from $2.62 a pound over the same stretch in 2019.

The company also produces gold, where recent price increases were even more dramatic — $1,902 an ounce in the third quarter, compared to $1,487 an ounce over the comparable stretch in 2019.

Strong cash flows, higher than expected commodity prices and lower production/ delivery costs all factored into a $329 million profit for Freeport-McMo-Ran in the third quarter, reversing a loss of $207 million one year earlier.

AMERICAN OVERSIGHT

Investors have gained a greater appreciation for copper's role in electric vehicles and power generation. Electric vehicles use up to four times more copper than conventional cars and trucks, according to the company. The proportion is even higher for solar and wind electricity generation compared to plants powered by fossil fuels. Freeport-McMoRan's stock price vaulted 99% in 2020.

ALTERNATIVE ENERGY SIZZLES

Another way to bet on the expansion of alternative energy is by investing in companies that make solar power panels and other equipment.

First Solar, one of the world's largest makers of photovoltaic solar modules, is a major player in the field. The Tempe-based corporation enjoyed rising sales and profitability in 2020, thanks to market expansion, higher profit margins on its products and improving sales volumes.

Over the nine months through Sept. 30, First Solar reported net income of nearly $283 million on $2.1 billion in sales. That compared to a loss of $56 million on $1.66 billion in sales over the same nine-month stretch in 2019. The increase was partly the result of rising revenue from international power projects.

Solar power and other renewable energy sources clearly have a future. This industry was one of five sectors identified by analysts at researcher Morningstar Inc. as having above-average investment potential at least through 2030. Travis Miller, the Morningstar analyst who tracks alternative energy, cited First Solar as one of his three favorite stocks in the field, and the only one from Arizona.

First Solar shares were up 78% in 2020.

HOMEBUILDERS DEFY THE ODDS

One surprising trend of 2020 was the robust strength of the housing market in the wake of a recession, with both home prices and sales volume pushing higher. Millions of Americans have suffered from the COVID-19 pandemic and economic-shutdown measures to contain it, yet millions

of others felt confident enough to buy new dwellings.

Low interest rates have made mortgages more affordable, and the industry is benefiting from other trends, including the overnight popularity of workingfrom- home arrangements.

The COVID-19 pandemic sparked a telecommuting shift that has given workers the flexibility to move away from city centers to the suburbs, with some even relocating to smaller, more affordable towns, noted the National Association of Home Builders in a recent analysis.

Scottsdale-based Taylor Morrison Home Corp., the nation's fifth-largest homebuilder, had trouble bringing higher revenue to the bottom line earlier in the year but reported a 71% profit gain during its most recent quarter ending Sept. 30, sparking a 19% gain for the company's stock in 2020. Taylor Morrison's revenue was up 39% over the first nine months of 2020. The company operates in southern and western states.

AMERICAN OVERSIGHT

Fellow homebuilder Meritage Homes Corp., also of Scottsdale, had an even better year, with net income up 86% over the first nine months of 2020. This company also focuses on growing markets in the South and West. Meritage stock jumped 37% in 2020.

CARVANA HITS THE ACCELERATOR

The auto 'vending machine' built by Carvana overlooking Loop 202 in Tempe might be a high-profile marketing ploy, but there's nothing gimmicky about the company's ability to reinvent the used-car business.

The past year was one marked by unrelenting growth for the Tempe- based corporation, which enjoyed a 33% revenue spurt over the first nine months of 2020 amid rising vehicle sales, higher margins per vehicle and other impressive results pegged to customer-friendly features, including a seven-day free return policy.

'We are firmly on the path to change the way people buy cars,' wrote CEO Ernie Garcia III and Chief Financial Officer Mark Jenkins in their latest shareholder letter.

Carvana is still losing money — $108 million in red ink over the first nine months of 2020 — but the deficits are declining as investors focus on growth metrics. Among them: Carvana now buys more cars from the public than it sells, helping to cement good customer relations while securing a reliable pipeline of new inventory.

Thanks to a 162% stockprice surge in 2020, Carvana now ranks as Arizona's most valuable corporation with a market capitalization near $41 billion. That spurt also has cemented the position of dominant shareholder Ernest Garcia II as the state's wealthiest person, with a net worth estimated by Forbes at around $15 billion. His son, the company's chairman and CEO, is next at $7 billion.

SEMICONDUCTOR STOCKS POWER UP

When the economy imploded with the arrival of the COVID-19 virus in early 2020, it slowed shipments of microcontrollers and other semiconductor products used in virtually all electronic products from smart phones and automotive power windows to kitchen appliances and garage- door openers.

With the subsequent economic resurgence, the companies that supply the brains of these devices also have rebounded.

'With inventories at lean levels and indications of a broad-based recovery, we believe cyclical semiconductor stocks will continue to benefit and outperform into 2021,' wrote John Vinh, an analyst at KeyBanc Capital Markets, in a December update. Most end users of semiconductor products, from automakers to cell-phone manufacturers, have seen a business uptick, he noted.

Two of his favorite semiconductor stocks are Microchip Technology of Chandler and Phoenix-based ON Semiconductor. Both stocks were up better than 30% in 2020, propelled by rising profits later in the year. (Another of Vinh's favorites, NXP Semiconductors, isn't based here but recently completed a 5G factory upgrade in Chandler.) The new year will mark an important transition for Microchip in particular as Steve Sanghi assumes the new role of executive chairman after leading the company for nearly 30 years and guiding it to a market value of $37 billion. He will be succeeded as CEO by the current president and chief operating officer, Ganesh Moorthy.

AMERICAN OVERSIGHT

OTHER SUCCESS STORIES

These examples don't paint the full picture. Many other Arizona-based corporations also had a great year as measured by financial improvement and stock-market gains for their shareholders.

Axon Enterprise, the Scottsdale-based provider of stun guns, body armor and other law-enforcement products and services, became a hot stock amid national protests over police violence, with the company striving to develop more non-lethal handgun alternatives. Axon's stock surged 68% in 2020.

Cable One, a Phoenix company that provides broadband services in 21 states, logged a 33% profit jump in its latest quarter, helped by recent acquisitions. The stock jumped 51% in 2020.

Even some smaller corporations did well, including TPI Composites, which makes giant blades for wind turbines and other applications. Shares of the Scottsdale company surged 188% in 2020, helped by revenue gains.

Return to the table of contents

Lawmaker asks Brnovich to look into the legality of Pima County creating a curfew

Howard Fischer
Arizona Daily Star
January 3, 2021

A state legislator is asking Attorney General Mark Brnovich to investigate whether Pima County is acting illegally in establishing and maintaining a curfew.

Rep. Bret Roberts, R-Maricopa, is questioning the authority of the county supervisors to tell people they cannot be out between 10 p.m. and 5 a.m. except for certain specified reasons.

He said the curfew may conflict with the executive orders issued by Gov. Doug Ducey as part of his declared state of emergency during the pandemic, which say that no local government can have rules or regulations that are stricter.

Roberts, who said twothirds of his legislative district is in Pima County, said he believes the supervisors are acting without legal authority.

'I fully support the personal choices and efforts made by individuals to help curb the public spread of the coronavirus,' he said. 'But I absolutely reject government mandates that erode personal liberty or punish businesses who may already be financially struggling as it is.'

The Board of Supervisors' 3-2 vote came after county officials cited a surge in the number of COVID-19 cases and the threat of hospitals in Pima County running out of space. It directs the Health Department to enforce the curfew until the rate of spread of the virus drops below a certain level. People are still allowed to go to work and shop for groceries and at drugstores.

Similarly, they remain free to go to drive-up windows at fast-food outlets no matter the hour.

AMERICAN OVERSIGHT

County Administrator Chuck Huckelberry said the curfew is aimed primarily at bars, as well as restaurants which, after 10 p.m., he believes are little more than bars where the virus can spread easily.

Roberts said that goes to his point about harming business. 'Bars and restaurants have employees that are dependent upon that income,' he said.

Some are privately owned by people who have their life savings tied up in the business, Roberts said.

'What Pima County has done is put something in place that's preventing those individuals essentially from providing for their families and their livelihoods,' he said.

Nor does the fact that it's only a partial curfew convince him that the order is proper.

'Any limitation that's being put in place that's over and above what is stipulated shouldn't be put in place,' Roberts said, calling the order 'a clear case of dangerous government overreach.'

Huckelberry's position is that the board, through its powers over public health, has inherent powers to take the actions necessary to curb the spread of disease. Enforcement can be accomplished by the power of the Health Department to revoke county-issued operating permits or licenses of businesses that do not comply, he said.

Complicating the legal issue is Ducey's directive.

'No county, city or town may make or issue any order, rule or regulation that conflicts with or is in addition to the policy, directives or intent of this executive order,' the Republican governor mandated in May.

An opinion by Brnovich one way or the other would have no legal force or effect. Even if Brnovich were to conclude the county is acting illegally, it would require a court action to overturn the curfew.

Roberts suggested he was looking for guidance to 'help inform me and other legislators whether legislative action is needed.'

There is no legal deadline for Brnovich to act.

Return to the table of contents

Inflation at national level the reason for increase in Arizona's minimum wage

Russ Wiles
Arizona Daily Star
January 3, 2021

Arizona's minimum wage — which already had risen four times in the past four years and ranks among the nation's highest — increased by 15 cents an hour effective Jan. 1, thanks to a small whiff of inflation at the national level.

AMERICAN OVERSIGHT

The modest increase to $12.15 an hour is attributable to a 1.3% rise in the Consumer Price Index over the 12 months through August. Arizona's minimum wage will adjust further in future years pegged to inflation at the national level.

The Industrial Commission of Arizona, which oversees minimum-wage and related laws, announced the change in August. Arizona's wage increases based on inflationary changes are rounded in 5-cent increments.

ARIZONA'S WAGE AMONG HIGHEST BUT RANKING FALLS IN 2021

Proposition 206, a statewide ballot measure passed by voters in 2016, boosted Arizona's minimum wage from$8.05 an hour to $10 in 2017, followed by increases to $10.50 in 2018, $11 in 2019 and $12 in 2020.

At the end of 2020, Arizona was tied for the fifth-highest minimum wage in the country, according to the National Conference of State Legislatures.

At the start of 2021, Arizona is tied again, with Maine, for the seventh- highest minimum wage among states and Washington, D.C., as Colorado and New York move up the list.

The District of Columbia leads the list at $15 an hour, followed by California, Washington and Massachusetts.

Oregon and Connecticut will pass Arizona at different dates during the summer of 2021, ultimately giving the Grand Canyon State the ninth-highest such wage among states in the country.

At the bottom, 21 states follow the federal minimum of $7.25 an hour.

Some cities have adopted higher minimums including Flagstaff, where the 2020 minimum of $13 an hour rises to $15 in January.

Proposition 206 also mandated a minimum of five paid sick days per year in Arizona at larger employers.

MINIMUM-WAGE EXCEPTIONS

Arizona's minimum wage doesn't apply to some workers. These include casual babysitters, people employed by a parent or sibling, federal workers, Arizona state workers and those employed by certain small businesses with annual revenue below $500,000.

These and other requirements are spelled out on posters that employers are required to display in break rooms or other prominent locations.

Employers may pay servers and other tipped workers up to $3 an hour less than the minimum wage if tip income at least makes up up the difference.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Not the 'blue wave' they hoped for, but Dems made gains

Catherine Fusillo
Arizona Daily Star
January 3, 2021

For years, Democrats have argued that Arizona was about to turn blue, and this year they came closer than they had in decades, winning the presidential race and unseating an incumbent Republican senator.

Close, but not the 'blue wave' Democrats had been hoping for.

While they grabbed the top two races on the ballot, Democrats made little to no headway in state, local or other congressional races.

'This year's election does not signify a blue wave because Democrats didn't win up and down the ballot in Arizona,' said Kim Fridkin, foundation professor of political science at Arizona State University.

Or, as Republican political consultant Jason Rose put it, the blue wave was more of 'a wave that you might see at the bay, not the ocean.'

Still, Democrats see progress in the two big wins they did get. Yara Marin, the Arizona state political director for Mi Familia Vota, said even though 'the blue wave didn't trickle down the ballot, I want to really … state that this still is a historic moment.'

That historic moment was highlighted last month when Sen. Mark Kelly, a Democrat, was sworn in to the seat that had been held by Republican Sen. Martha McSally and, before her, by Sen. John McCain, a Republican icon. Kelly joins Sen. Kyrsten Sinema to give the state two Democratic senators for the first time in almost 70 years.

And, despite desperate attempts by state Republicans to block it, the state cast its 11 Electoral College votes for President-elect Joe Biden, who beat President Donald Trump by 10,457 votes, the first time a Democratic presidential candidate has won in Arizona since 1996.

Despite those wins, the rest of the ballot stayed mostly red. Democrats still hold five of nine congressional seats, but missed what many thought was their best chance to knock off a Republican

this year when Rep. David Schweikert, R-Fountain Hills, beat well-funded Democratic challenger Hiral Tipirneni by more than 18,000 votes.

Statewide, Democrats picked up a seat on the Arizona Corporation Commission and in the Arizona Senate. But Republicans still hold a majority in those two bodies and in the Arizona House of Representatives – even though it's now only a one-vote edge in all three.

In Maricopa County, the state's largest jurisdiction, Democrats saw election night leads in county attorney, school superintendent and board of supervisors slip away, while the GOP unseated County Recorder Adrian Fontes, a Democrat.

The kind of split-ticket voting that gives a state two Democratic senators but a GOP-controlled Legislature is new, Rose said.

AMERICAN OVERSIGHT

'It shows you how pronounced some of the frustrations were with the president,' he said. 'It also speaks not just negatively but positively about a candidate like Mark Kelly, who is a political rock star in any cycle.'

But Fridkin argues that 'prior to the rise of polarization during the last few election cycles, we did see a fair amount of ticket splitting.'

'It could be the case in this election that independents and Republicans – and maybe some Democrats – who voted for Biden wanted Biden to win, but they also wanted Republicans in Congress to be able to control Biden somewhat,' she said.

While the blue wave did not ultimately materialize, the possibility made Arizona highly prized battleground state. Trump visited the state seven times this year, and the Phoenix television market became one of the most-saturated with campaign ads in the country. The Kelly-McSally race was the most expensive in state history and one of the most expensive in the country, raising a combined $173.9 million.

Jessica Taylor, Senate and governors editor for the Cook Political Report, argues part of the state's newly found competitiveness can be attributed to changing demographics.

'It was clearly a shifting state in terms of demographics, and one that started to flip in 2018 after decades of not doing so,' Taylor said. 'I think, clearly, Democrats … thought it's right for both the presidential level and the Senate level, and I think that paid off for them.'

Extending the 2020 gains could be a challenge, said Rose, who noted that Kelly is up for re-election in 2022 and will have to keep fighting for the seat.

'Just because the Democrats did well this year, that doesn't guarantee them those same votes in a couple of years,' he said. 'The political pendulum might come back against him.

'The political marketplace often convulses and it corrects,' Rose said. 'In this case, I mean, we had a mixed result, with the Democrats certainly doing well in Arizona at the top of the ticket, but struggling a little bit down.'

Marin agreed that Democrats will have to keep fighting. She said the work of community organizations to reach minority communities within the state 'helped bring what blue wave we did see in November.'

'This election is kind of evidence and a result of those years of hard work. It just didn't go all the way down the ballot,' she said.

Arizona backed a Democratic presidential candidate for the first time in 24 years in 2020. But Democrats made little to no headway in state or other

Return to the table of contents

Drought, heat put Tucson in climate vise in '20

Tony Davis

AMERICAN OVERSIGHT

Arizona Daily Star
January 3, 2021

Think Phoenix. Think Yuma. Think Las Vegas. Think Abu Dhabi, even Riyadh.

From a drought standpoint, 2020 in Tucson resembled those rain-starved desert cities far more than itself during our driest year on record.

Pounded by the twin forces of a nonexistent summer monsoon and a La Niña fall-winter event, Tucson got only 4.17 inches of rain last year. That's more than 6 inches below the average annual total of 10.59 inches.

The previous record low rainfall came 96 years ago — 5.07 inches in 1924, the National Weather Service said. The service's records for Tucson date to 1895.

Every month last year got less rainfall than normal. It was the first time that happened since the weather service started keeping such records for Tucson in the early 1950s, said the service's annual Tucson climate report.

The summer monsoon rainfall of 1.62 inches made for the second-driest monsoon season on record. That was one one-hundredth of an inch more rain than in the driest monsoon on record, in 1924.

Ratcheting up the discomfort level, the drought was coupled with Tucson's second- hottest year on record. The city's average annual temperature of 72.6 degrees trailed only 2017's annual average of 73.3 degrees, the weather service said.

Not only did Tucson have its largest number of 100-plus degree days on record last year 108 — it also had the most 105-degree plus days on record — 57.

Tucson's 35 days in which low temperatures hit at least 80 degrees and 75 days where they hit 75 degrees or more far exceeded previous records.

But extreme heat in Tucson is hardly shocking now. Eight of the city's hottest years on record have occurred starting in 2009.

Rainfall in 2020 here, however, followed two years of above-normal annual Tucson totals. It was also:

•Almost an inch less than the 5 inches that fell in Phoenix last year, and almost 3 inches less than the Valley of the Sun gets in a normal year.

• Only 0.05 inch more than what normally falls annually in Las Vegas. Its 2020 rainfall was much lower than ours at 2.35 inches.

•Only 0.02 inch more than what normally falls in Yuma, and barely a halfinch more than Yuma's 2020 total rainfall.

•Only an inch more than what normally falls annually in Abu Dhabi, United Arab Emirates, and 0.17 of an inch more than what falls in Riyadh, Saudi Arabia.

AMERICAN OVERSIGHT

'The first part of the year we got some rain. Although it was still below normal, we still had storms,' said John Glueck, a senior weather service meteorologist in Tucson, in explaining last year's record drought here. 'When we got into summer, high pressure for the most part sat over the state. It was not a favorable flow for the monsoon.

'Now, with La N iña conditions, there are normally dry conditions associated with that,' Glueck said, referring to a winter weather phenomena triggered by major variations in sea-surface temperatures across much of the equatorial Pacific Ocean.

He noted that Phoenix got only 15 days of rain, compared to Tucson's 30. But Phoenix had two days with more than an inch each of rainfall, whereas Tucson's biggest storm produced only 0.78 of an inch and half of its 30 days of rain produced 0.1 of an inch or less.

Glueck couldn't account for those differences, or for why Tucson's 2020 weather was much drier compared to normal than Phoenix's weather last year. 'You can't explain it. It's just one of those things,' he said.

Personally, Glueck, who regularly compiles Tucson's annual weather statistics and has worked for the weather service here 24 years, said he's gotten used to the extreme heat.

But he granted that the way the 'nonsoon' worked out this year was depressing. 'A lot of people really, after our winter storms, then the initial heat waves in May and June, they look forward to the lightning events and rain after that. But the cooling we look forward to, (that accompanies the monsoon), that just wasn't there last year.'

As for 2021, the weather service predicts the dry weather accompanying La Niña should last into early summer, while higher-than-normal temperatures are expected indefinitely.

While the weather service predicts an equal chance of above- or below-normal precipitation starting in six months, Glueck said he thinks this year's monsoon season won't be as bad as last year's.

Records show a 'mixed bag' of wet and dry monsoon

seasons following La N iña, but there have been more wet post-La Niña monsoons overall, he said.

'Considering what last year was, you can't get any worse,' Glueck said.

As for the long term, Tucson last year had its 22nd straight year of above-normal temperatures. Climate scientists here and elsewhere expect it will continue getting hotter over the coming decades.

'It is just a matter of how hot it will be. We just all can hope and cross our fingers that we have an active monsoon,' Glueck said.

Glueck declined to say, however, whether he thinks Tucson's in a long-term drought, a point of contention among many climate scientists.

'I'd just rather not answer that question,' he said.

♦◊ ♦◊♦◊ ♦◊

AMERICAN OVERSIGHT

Return to the table of contents

Tucson's driest year on record leaves its plants, animals parched

Tony Davis
Arizona Daily Star
January 3, 2021

Tucson had its driest year on record in 2020 — and the Sonoran Desert and Catalina Mountains showed it in more ways than one.

The city's official rainfall monitoring station, Tucson International Airport, got only 4.17 inches of rain for the year. That broke a record low rainfall of 5.07 inches in1924.

As a result, streams that regularly flow fairly often, including the

creek in Tucson-area landmark Sabino Canyon, dried up more than 100 straight days at a time. Sabino had its most dry days in at least30 years.

Out in the desert, some cacti, trees and shrubs are withering or emaciated. Others have been nibbled for their water by thirsty deer and javelina.

The Catalina Mountains, long a refuge from Tucson's searing summer heat, became a no-man's land last summer due to a record-setting fire triggered at least in part by our continuing drought.

The lack of rain has put all the Tucson metropolitan area into the exceptional drought category — the driest condition possible — since Nov. 10, as ranked by the federal government.

Roughly 72.7% of all Arizona is in exceptional drought, says the federal Drought Monitor report.

But it still remains a subject of scientific debate as to whether this drought is simply a product of natural variability in year-to-year rainfall totals or is caused by long-term global climate change triggered by the burning of fossil fuels.

There's no disagreement among climate scientists, however, that the drought's impacts on plants, water and fires are aggravated by continuous warming in the region.

In the short term, forecasts are for more of the same from the National Weather Service's parent agency, the National Oceanic and Atmospheric Administration.

It predicts a greater- than-average chance of below-normal rainfall in the entire Southwest through May-June 2021. The forecast is for an equal chance of above- or below-normal rainfall through November 2021.

Tucson's record-dry 2020 contrasted with 2019's relatively lush 13.62 inches and the 30-year average annual rainfall of 11.59 inches.

The picture is actually bleaker than that if you consider the second half of 2020, typically dominated by heavy monsoon rains. This year, however, more than half the annual rainfall, or 2.15 inches, fell from January through June.

AMERICAN OVERSIGHT

The Southern Arizona monsoon season, dismissed by many this year as a 'nonsoon,' received only 1.62 inches, the second lowest monsoon total on record after 1924's 1.59 inches.

Normally, the airport gets 6.08 inches, or more than half the annual total, during the June 15- Sept. 30 monsoon season.

Here are some impacts of the Tucson area's dry 2020:

DRYING STREAMS

Today, rocks and sand, not water, dominate the view of Sabino Creek as it passes through the heavily traveled Sabino Canyon Recreation Area northeast of Tucson.

That scene has become increasingly common in the creek over the last several decades.

A clear trend toward more 'zero flow' days has been evident since the early 1990s, compared to the flows of the 1930s through the 1970s, federal records show. Those records were compiled in a graph by David Lazaroff, an amateur naturalist and author of a Sabino Canyon natural history book.

Looking strictly at recent statistics, last year's total of 216 dry days was the biggest number since at least 1990, measurements taken at the U.S. Geological Survey stream gauge at Sabino Dam show.

In 2020, Sabino Creek ran dry on 216 days, including 130 straight days starting Aug. 23, according to the U.S. Geological Survey's stream gauge at Sabino Dam, which lies east of the Sabino Canyon Visitors Center.

That was the most days of zero flow in the creek for at least the last 30 years, a Star analysis of USGS records found. By contrast, in 1993, at the peak of Tucson's last wet cycle, Sabino ran dry 64 days. In 2019, when the airport received more than three times 2020's rainfall, it ran dry 133 days.

Last year's 131 straight dry days is the sixth-longest stretch of zero flow in Sabino Creek since records started being kept in the 1980s.

But the dry creek didn't do damage to Sabino's rich riparian woodlands, and 'it has been quite a beautiful fall,' said Lazaroff.

'The trees along Sabino Creek depend for survival on water beneath the surface, not above it, and so far there has always been underflow even in the driest times.'

He's more concerned about aquatic communities, such as the endangered fish Gila chub, which needs surface water yearround. Wildlife biologists transferred 900 chub from the creek to other locations during the summer's Bighorn Fire to keep them from being smothered if ash flowed down Sabino after the fire ended, which didn't happen.

Overall, 'so far there have been enough perennial pools to keep the population going,' Lazaroff said. 'However, flooding in this century has filled many former pools with sand, so it's likely becoming more difficult for numbers of the fish to survive dry periods like the present.'

AMERICAN OVERSIGHT

Another species present in and around the canyon, the red toad, has reproduction that's been historically tied to the presence of flowing water during the monsoon season, he said.

'How will that population respond if there are multiple 'nonsoons' like this year? Only time will tell,' he said.

Some other creeks that normally carry water parts of the year ran dry even longer in 2020. There was no water for 302 days for Tanque Verde Creek, leading from the Rincon Mountains towhere it merges with the Pantano Wash to form the Rillito River.

Rincon Creek, which flows through the Rincon Valley southeast of Tucson, ran dry for 280 days.

Pima County's Cienega Creek Natural Preserve southeast of Vail had only 1 wet mile of stream out of its total 9.5 miles when measured in June, typically the driest time of the year here.

In 1984, long before the current dry spell began, there was water in the entire stretch of preserve yearround. Since 2012, the creek has had a range of 0.9 to 1.9 miles of wet flows in June, says the Pima Association of Governments.

Farther south, Cienega Creek near Sonoita, while staying wet all year, never carried more than barebones flows during the year, ranging from 0.15 to 1.77 cubic feet per second, USGS records show.

Looking at smaller tributaries to streams like Rincon and Tanque Verde that lie in Saguaro National Park, 'I would say in most of the streams in the park, particularly in the Tanque Verde watershed, I've never seen them so dry this time of year,' said Don Swann, a National Park Service biologist who works at Saguaro.

'These are small tributaries that flow into Tanque Verde Creek, like Wild Horse Canyon and Steam Tank Canyon. We normally do frog surveys in the fall there and we saw very few canyon tree frogs,' he said.

In some areas, park officials also saw some Sonoran mud turtle shells that indicated mortality, Swann said.

DESERT PLANTS AND WILDLIFE

In Saguaro Park's East and West units, and in sections of desert in between, it is obvious that the plant life is stressed, biologists and other plant experts say.

Even stretches of desert landscaping along Interstate 10 through Tucson, which receive artificial irrigation, are showing signs of stress, with some plants dead or dying.

Part of the cause involves problems with the irrigation system used by the Arizona Department of Transportation, but heat and drought were also factors, ADOT spokesman Geoff Garin said.

On Tumamoc Hill, Desert Laboratory Director Ben Wilder pointed during a December tour to prickly pear cacti pads with entire sides sheared off. He's 'fairly confident' that was the work of javelina predation of the plants to get their water, Wilder said.

AMERICAN OVERSIGHT

'They're very opportunistic when it comes to water, but when it gets dry, they'll go for water in the cactus,' he said.

Another prickly pear had about 20 pads scattered about on the sands lying next to the paved road leading uphill to the Desert Lab.

A third prickly pear looked droopy. 'This arm leans a bit,' said Wilder. 'Usually, when they're full of water, they are upright and swollen.'

Palo verde trees looked healthier, but even there Wilder pointed to some dead branches on one tree, while others had browning tips of their branches. He's also seen bite marks on some branches, indicating they'd been bitten by packrats nesting in them in search of food and moisture.

'Remember that the palo verde is one of the most drought tolerant, drought adaptive (desert) species,' he said. 'That's crazy — a pack rat eating the bark off a palo verde.'

And near the lab buildings halfway up the hill, he pointed to a barrel cactus from which some creature, most likely a deer, had scooped out about a 3-inch deep, oval-shaped hole to get moisture and nutrients.

Wilder said he'd never before seen either palo verde trees with bark bitten off or barrel cacti scooped out by wildlife.

Parts of some cholla cacti have been gobbled up by packrats, and he's never seen that before, either. The ends of a staghorn cholla looked bitten off.

If this drought continues, conditions in the desert could get a lot worse, 'but I'm not panicking,' Wilder said.

He blames the damage to desert plants on a combination of record-setting drought and having most recent years landing on the list of Tucson's 10 hottest years on record.

On a lot of the saguaros, he's seeing black specks, which he thinks are drought-aborted buds that had tried to flower back in the early fall when many saguaros were flowering at an unusual time for them. They normally flower in late spring and summer.

'They were tricked into thinking it was May and June, that it was time to flower,' Wilder said. 'Many of them put on buds and they quickly aborted.'

In Saguaro National Park, 'a lot of the cactus don't look very good, particularly the staghorn cholla,' Swann said. 'They turn a kind of deep purple color. They are obviously really stressed and starting to lose branches.

'We're seeing the same kind of things on the prickly pears. This time of year they're normally being filled out and green; instead, they are starting to shrivel up,' Swann said.

'Obviously, they look like they are not holding much moisture. Some individual pads are falling off,' he said.

AMERICAN OVERSIGHT

Park officials also saw a drop-off in bird breeding activity among Western yellow-billed cuckoos, a federally protected species that prefers to nest along riparian areas, Swann said.

He's also concerned about the impacts on other wildlife. An intern working for the park noticed, for instance, that when the area got some rain on Dec. 10, at least six desert tortoises were drinking in an area of bedrock where water pools up.

'I've never seen them come out before,' Swann said. 'They definitely came out to drink water. Maybe that helped them flush out their systems and rehydrate. It's hard to say.'

If the drought continues, it could seriously affect tortoises, maybe causing some deaths, because they need to come out in the open periodically and drink to flush salts out of their bodies, he said.

'If they don't get hard rain which typically comes in the summer, they can't do that,' he said. 'If they don't get summer rains they can die of

dehydration. We have seen that in the summers in the past.' It's hard to say what will happen to plant life if the drought continues, he said. A lot of cacti such as saguaros are very drought-tolerant and can store large amounts of water.

But 'we may lose' some chollas, prickly pear and perennial shrubs such as brittlebush, which lack the saguaro and palo verde's ability to mitigate for drought's effects, the park biologist added.

WILDFIRE

Drought was a major factor contributing to the spread of the lightning- sparked Bighorn Fire in the Catalinas. It burned nearly 120,000 acres and lasted from June 5 to July 23.

It triggered the closing of all but three of 60 Coronado National Forest hiking trails in the Catalinas for several months, at least. Although many of those trails have since reopened, 24 trails lying in areas with scars from burned or scorched vegetation remain closed. The Forest Service's official closure order for them doesn't expire until May 21.

While fire is a natural part of forest ecosystems, it won't be known until more extensive study is done if the Bighorn Fire's impacts will be more severe or longer- lasting than those of wildfires in the past, before the impacts were aggravated by recent trends of extreme heat and drought.

WATER

While the federal government defines exceptional drought as a condition that's high in fire risk and

threatens water shortages that could lead to water emergencies, the Tucson area has no water shortages today and none are forecast for the near future.

That's because a huge portion of our drinking water supply doesn't come from local sources that are vulnerable in the short term to droughts. It comes from the Colorado River via the 336-mile-long Central Arizona Project canal. The river continues to carry enough water to serve those having legal rights to it, including Tucson, as it has since CAP went permanently online here in 2001.

AMERICAN OVERSIGHT

But even that isn't a sure thing for the long term. The river's flows have been declining for two decades now, and reservoirs where drinking water is stored are also well below normal.

As of late December, 74.8% of the Lower Colorado River Basin, which includes Arizona, is in exceptional drought. About 54% of the Upper Colorado River Basin is in exceptional drought, the NOAA says. The Upper Basin is where most of the water comes from that ends up in the CAP canal system.

Eventually, continued drought could result in cutbacks in water deliveries, but none are planned until at least 2022. Those cuts wouldn't affect Tucson and would largely fall upon farmers in Pinal County north of Tucson and other places.

Return to the table of contents

Pima County working on plan to vaccinate older residents with shots yet to come

Carmen Duarte
Arizona Daily Star
January 3, 2021

Older adults age 75 and up who live at home will have to wait weeks before they get a chance to get the COVID-19 vaccine in Arizona, including Tucson.

These seniors were moved up in the Phase 1 tier for vaccine prioritization behind health-care workers, and staff and residents at long-term care facilities.

The seniors are now in a group that also includes health-care workers who did not make the higher prioritization list, adults living in congregate settings, law enforcement, educators, child care workers, and essential service and critical industry workers.

Dr. Theresa Cullen, county public health director, said the timeline for the rollout of vaccinations to the priority groups is dependent upon vaccine availability, which is still limited in the county.

The county Health Department will regularly update the arrivals of shipments of vaccine, and as more arrives here, there will be more distribution sites, including clinics and doctors' offices.

Cullen said health-care teams that will administer vaccines to seniors ages 75 and older are anticipated to include teams from CVS and Walgreens, among other vaccination teams.

She said she is hoping health-care teams can go to people's houses to vaccinate high-risk populations, and the Health Department is working with Pima Council on Aging to figure out how that can happen. Cullen said the Health Department has historically gone to people's homes with the influenza vaccines and she is hoping the same can be done with the administering of the COVID-19 vaccine.

Cullen said PCOA, an agency that advocates for older adults and their families, is helping the Health Department with data from the U.S. Census about seniors living in the county.

W. Mark Clark, president and chief executive officer of PCOA, said the 2019 Census data shows there are 1,047,209 seniors living in Pima County. He said 212,596 are age 65 and older, which is 20.3% of

AMERICAN OVERSIGHT

the population. There are 93,000 adults, or 8.8% of the population, age 75 and older. However, not all are living at home.

'We have been talking with health department staff for a couple of weeks about homebound older adults who have meals delivered to them, and those living in adult complexes and other housing,' Clark said. He said PCOA is advocating for homebound older adults to also receive priority when it comes to the coronavirus vaccinations.

'We are working with the county so they can identify those folks and pass on the information to those doing the vaccinations, so they know where the people are and how the process will work,' said Clark. He said he hopes a strategy will be developed so health-care teams can administer the vaccine to those who cannot or have a difficult time leaving their home.

'I know people are anxious and concerned, but this is a complex process. I hope that people will be patient as we get some clarity about these issues as we move ahead. There is a lot of work to do and I have great faith in the leadership and in the staff of the county Health Department,' said Clark.

Gov. Doug Ducey and the state Department of Health Services approved the change regarding the prioritization of seniors age 75 and older who live at home a week ago after a recommendation by an advisory panel of the federal Centers for Disease Control and Prevention.

'This updated prioritization will get older Arizonans vaccinated sooner, further protecting those most atrisk and relieving the strain on our hardworking health care professionals,' said

Ducey in a news release.

The recommendation is intended to protect those most at risk from hospitalization and death, and to reduce strain on the state hospitals. According to the CDC, those 75 years of age and older are eight times more likely to be hospitalized and 220 times more likely to die compared to younger adults, states the release.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Judge tosses Arizona GOP's election suit against Pence

Howard Fischer
Arizona Daily Star
January 3, 2021

A federal judge has tossed out a bid by Kelli Ward and other Arizona would-be Republican electors to force Vice President Mike Pence to use a different procedure when counting electoral votes on Wednesday.

In a 13-page order, Judge Jeremy Kernodle said Ward, who is chair of the Arizona Republican Party, and her fellow plaintiffs lack standing to even sue Pence in the first place.

He said what they want is for him to order the vice president to ignore procedures set forward in the federal Electoral Count Act, one that should result in a finding that Democrat Joe Biden won the race with 306 electoral votes versus 232 for President Trump. That would set the set the stage for Pence, as

AMERICAN OVERSIGHT

presiding officer of the U.S. Senate, to reject the election results, certified by Gov. Doug Ducey, which found that Biden had beaten Trump in Arizona by 10,457 votes.

Kernodle said that, in the minds of the Arizona challengers, that would open the door for Pence to decline to give the state's 11 electoral votes to Biden — and possibly do the same in other states where Biden won. At that point, the way Ward and the other GOP 'electors' see it, Pence could either count their votes for Trump despite the fact they're not the electors certified by the governor, or refuse to count either slate, setting the stage for the House, with one vote per state, to choose the president.

But the judge said their lawsuit is based on the premise that Ducey unlawfully certified and transmitted the votes of the Biden electors. And even if that were true, Kernodle said it wouldn't be the fault of Pence, who is named as the sole defendant in the lawsuit.

'Plaintiffs do not allege that the vice president had any involvement in the certification and transmission of a competing slate of electors,' he said.

That was done by Ducey, who is a third party not before the court, the judge continued. 'The vice president's anticipated actions on Jan. 6 will not affect the decision of Gov. Ducey regarding the certification of presidential electors.'

Kernodle also pointed out that what Ward and the other electors want him to do is order Pence to follow a certain procedure when opening the votes, one they contend gives the vice president the 'exclusive authority and sole discretion in

determining which electoral votes to count for a given state.'

Even if he were to do that, it still wouldn't guarantee they will get the result they want: rejection of the 11 Democratic votes, whether by Pence or the full Congress. And that, Kernodle said, means they lack legal standing to bring the lawsuit.

The judge reached a similar conclusion that Republican Congressman Louie Gohmert of Texas, who also is part of the lawsuit, lacks standing to sue.

He said Gohmert intends to raise an objection on Wednesday when the electoral votes are counted for Arizona and several other states where voters chose Biden over Trump.

The Electoral Count Act then requires each member of the House and Senate to vote to resolve the objections. But Gohmert contends that violates the 12th Amendment, which he said requires state-by-state voting with each state having one vote, a process that likely would favor Trump.

'Members of Congress lack standing to bring a claim for an injury suffered solely because they are members of Congress,' Kernodle wrote. 'And that is all Congressman Gohmert is alleging here.'

He said Gohmert is not alleging that he was denied the right to vote in the 2020 presidential election.

'Rather, he asserts that under the Electoral Count Act, he will not be able to vote as a congressional representative in accordance with the Twelfth Amendment,' the judge wrote, something Kernodle said he is legally powerless to address.

AMERICAN OVERSIGHT

The judge also said Gohmert's claim suffers from the same flaw as does the one by Ward and the other would-be GOP electors: It is based on what Gohmert believes would happen in 'a series of hypothetical — but by no means certain — events.'

That ranges from what Pence will do on Wednesday in opening and counting the votes, whether any member of Congress would object, how members of Congress would vote individually if that were the process and how a one-vote-per-state result might be different.

Attorneys representing Ward, the other would-be Arizona GOP electors and Gohmert already have filed notice they intend to seek review by the 5th U.S. Circuit Court of Appeals.

This is the second federal court defeat for Ward and that Republican 'slate.'

Last month, Judge Diane Humetewa tossed out claims of fraud and irregularities based on theories that Secretary of State Katie Hobbs conspired with various foreign and domestic individuals and companies to manipulate the results and allow Biden to win.

'The allegations they put forth to support their claim of fraud fail in their particularity and plausibility,' the judge wrote.

'The various affidavits and expert reports are largely based on anonymous witnesses, hearsay and irrelevant analysis of unrelated elections.'

That is among more than four dozen lawsuits filed by Trump or his supporters that have been rejected by state and federal courts. The U.S. Supreme Court also has turned away several appeals, though Ward is involved with two more which technically remain on the court's docket.

Return to the table of contents

Schools chief: Keep schools closed to in-person instruction for 2 weeks

Howard Fischer
Arizona Daily Star
January 4, 2021

The state's top school official wants Gov. Doug Ducey to keep schools closed to in-person learning for two weeks following the explosion of COVID-19 cases in the state.

Most Tucson school districts already have chosen to remain or scale back to online learning when the new semester starts Monday. That includes Tucson Unified, Sunnyside, Flowing Wells, Sahuarita, Amphi, Vail and Tanque Verde. Many private and charter schools plan to continue in-person instruction.

'Given the severity of our state's situation and the virus' trajectory after the holiday period, Gov. Doug Ducey should order schools to remain in distance learning for a limited twoweek period,' Kathy Hoffman said Saturday afternoon. She said opening schools immediately after the Christmas holidays given the level of infection would be 'reckless.'

AMERICAN OVERSIGHT

Hoffman pointed out that the Department of Health Services has found that the risk of infection in the state is considered 'substantial.' That includes an average of 648 cases per 100,000 residents, far above what is considered in the moderate risk range of anything below 100 cases.

She also noted that 17.5% of the tests for the virus are coming back positive and that more than 14% of hospital visits are for COVID-like illness.

Even more significant is that the figures the health department uses to determine current risk levels in Arizona actually are two weeks old. Since that time all of the numbers have gone even higher and hospitals are at record-low level of beds to care for patients.

But an aide to the governor said he has no interest in doing that.

'Governor Ducey will not be considering this request or issuing this kind of mandate,' said spokesman C.J. Karamargin. More to the point, he said there is no need for such an action.

'This is a local decision,' Karamargin said. And even if it were not, he said that Ducey doesn't think keeping schools closed any longer makes sense.

'The governor has repeatedly made his preference clear: Kids have already lost out on a lot of learning and he wants schools opened, safely,' Karamargin said.

Hoffman said the two-week period she is suggesting is designed to coincide with a standard quarantine period after people may have been exposed. She said she understands that nothing in either state law or gubernatorial guidance precludes a local school board from unilaterally extending online learning for another two weeks.

But the schools chief said a broader mandate is appropriate.

'We're coming back from the holidays and cases are through the roof,' Hoffman said. 'Right now it seems reckless for any schools to be offering in-person instruction.'

The most recent data shows another 46 deaths were reported Saturday, bringing the statewide total of 9,061. And another 8,883 new cases puts the statewide tally at more than 539,000.

Even with all that, Hoffman said some districts are not listening to the recommendations of their local health departments, which have warned of the spread of the virus if students go back to class.

Anyway, Hoffman said, it's not like she proposing that schools remain shuttered for an indefinite period.

'It's just for two weeks,' she said. And Hoffman said schools still are generally required to provide a safe place for students during the day, even if all learning is remote.

What makes it more dangerous, Hoffman said, is that Arizona hospitals are filling up.

More than 60% of beds in intensive- care units are occupied by patients with confirmed or suspected cases of COVID-19. When other non-COVID patients are added to the mix, that leaves just 132 ICU beds available statewide for those who need it, just 7% of capacity.

AMERICAN OVERSIGHT

In-patient bed usage also remains at record levels, with just a 7% vacancy rate.

And there are more patients on ventilators now than there have been since the pandemic began.

Banner Health Systems, the state's largest hospital network, already is turning away ambulances and transfers from other hospitals, though it is still accepting walk-in patients who need emergency care.

Several hospitals also have stopped doing elective procedures, those that doctors determine can wait a few weeks without endangering the life or health of the patient.

'Our teachers who are being asked to go teach in person despite the very high risk and high spread of COVID in the community are very fearful,' she said. 'If they get sick are they going to be able to get care in a medical facility?'

The schools chief noted there is another reason that a delay may help stop the spread.

She pointed out that the priority that state health officials have set for who gets the vaccine puts teachers and school staff into the 1-B category, second behind health care workers and staffers in long-term care facilities. That 1-B category also includes child-care workers, public safety personnel and those age 75 and older.

State health officials have said they hope to begin administering to those in the 1-B category this month, though for the moment that will include only the first of what needs to be a two-shot regimen. But there is believed to be some protection offered from just that first inoculation.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Valley hospitals refuse new patients

Stressed sites close doors to emergencies, transfers
Alison Steinbach
Arizona Republic
December 31, 2021

Phoenix area hospitals have started temporarily closing their doors to incoming emergency transports and hospital transfers because of overwhelming patient counts.

Between six and 10 hospitals in the region were diverting patients at various times on Monday and Tuesday, according to Banner Health, the state's largest health care system.

Arizona hospitals are under more pressure than any time in the pandemic as the number of cases continues to surge, filling hospital beds with a record number of patients. COVID-19 patients in hospital beds, ICUs and on ventilators across Arizona are at their highest levels ever reported.

And hospitalizations show no sign of abating, hitting records nearly every day. The need for inpatient care is likely to grow as case counts escalate.

Arizona's seven-day new-case average ranks second-highest in the nation as of Tuesday, behind only California, and public health experts expect the virus to spread further because of personal contact over the holidays.

Diversion does not apply to patients who walk into hospitals for emergency care, according to Banner. It just diverts ambulances to the next closest emergency center. Diversion status can change quickly based on capacity and patient changes.

Hospitals, which are following the state's crisis care plan, are hoping to avoid the crisis level that involves triaging of care for patients based on factors such as their likelihood of survival.

Hospitals are "absolutely" in the worst situations they have been in all year, Dr. Marjorie Bessel, chief clinical officer for Banner Health, told The Arizona Republic Tuesday.

"Please help us," she said, imploring Arizonans to act responsibly and avoid gatherings over the New Year's holiday so that hospitals have room for COVID- 19 patients and others who need urgent care.

Bessel said forecasting models predict a peak around the second or third week in January, meaning the coming weeks could be even more difficult for hospital systems statewide.

Why hospitals are diverting patientsArizona hospitals have reported a stream of patients in the past 48 hours, causing several hospitals to go on "diversion" to restrict incoming emergency transports and hospital transfers to handle patient backlogs, Banner Health posted in a series of tweets Tuesday morning.

Six Phoenix-area hospitals closed their doors to those patients for parts of Tuesday, according to Banner. Up to 10 area hospitals were diverting patients Monday, including Banner and non-Banner hospitals.

AMERICAN OVERSIGHT

Bessel said diversions are implemented when hospitals or emergency departments, or both, "become overwhelmed where they feel like they cannot safety take any more ambulance traffic ... (so that) ambulance traffic to be diverted away from that hospital to another hospital that may have a little bit more bandwidth."

That gives the diverting hospital some hours to decompress, with the goal of coming off diversion as fast as possible, she said.

Local hospital systems try to work together to make sure a region's hospitals don't all go on diversion at the same time, Bessel said. During an especially bad flu season in 2017, for example, hospitals collaborated to do "rolling diversions" where health systems took turns diverting patients for a few hours so patients could still get care and ambulance transports could stay efficient.

She said those same conversations are happening now.

Valleywise Health Medical Center has gone on and off diversion for the past few days because its hospital is at capacity, Dr. Michael White, Valleywise Health chief clinical officer, said. He expects that will continue as hospitals feel the effects of holiday gatherings.

HonorHealth has also in recent days had to implement diversion at a few hospitals, given shortages with beds and staff.

"We save that as a very, very last resort if we have no capacity at a certain hospital, but we have actually done that a couple times in the recent past just based on number of beds at a couple of our sites," said Kim Post, HonorHealth's executive vice president and chief operations officer.

"We do not like to do diversion, we don't like to shut things down, because we realize we're a lifeline to patients, not just within HonorHealth, but within the state," she said.

Hospitals sometimes go on diversion in the winter because of higher patient counts, but Banner said it's "unusual" for so

many hospitals to be diverting patients at the same time, a challenge worsened by the "length of stay and complexity of care for COVID-19 patients" in hospitals. Banner wrote that the situation "must be quickly and carefully addressed through balancing of patients and resources between hospitals, increasing staffing, pausing elective procedures and expediting discharges for those who no longer need hospital care."

Hospitalizations outpacing summer peak levels

Diversions are tied to the ever-increasing number of COVID-19 patients filling up hospital beds.

Statewide, 91% of all ICU beds and 91% of all inpatient beds were in use Monday, with 59% of ICU beds and 53% of non-ICU beds occupied by COVID-19 patients, but bed capacity differs by hospital. There were 154 ICU beds and 765 non-ICU beds available across Arizona as of Monday.

AMERICAN OVERSIGHT

Bessel said Banner Health had a "very busy weekend post-Christmas" and into this week, with large numbers of patient visits to emergency rooms, increasing hospitalizations and seriously ill COVID-19 patients.

An added challenge is that hospital employees are becoming sick as well given the high levels of community spread, she said.

COVID-19 patients make up just under 40% of all Banner hospital patients, Bessel said. The current number of COVID- 19 patients is the highest the system has seen since the pandemic began.

"We are absolutely exceeding what we experienced in the summer and yet we're not even at the peak yet, unfortunately, because we're going to feel the effects of the holidays here in the next couple of weeks and we've got stacked holidays," Bessel said, whereas summer holidays were spread out.

White said Valleywise, the Valley's only safety net health care system and public teaching hospital, is currently at capacity and working to add beds.

The central Arizona region of Maricopa, Pinal and Gila counties has 10% of medical/surgical beds available and 9% of ICU beds available, according to data from Maricopa County.

A record high of about 3,170 COVIDpositive patients are in the central region hospitals, with 723 of the 1,131 total ICU beds filled by COVID-19 patients.

The Pima County Health Department said hospitals hit an all-time high for beds in use on Monday. Only 33 hospital beds were available in the county, a record low 2% of all beds.

For ICU beds, only nine were available, meaning 98% of ICU beds were in use countywide, even though 20 ICU beds were added in the past week and hospitals are working to add more.

The county said a record 27 COVID-19 ICU admissions took place in a single day Monday, and county hospitals reported 19 COVID-19 deaths on Dec. 25.

Phoenix's major hospital systems stressed Post said HonorHealth, which operates six hospitals in metro Phoenix, hit its highest-recorded COVID-19 patient count on Monday. The approximately 400 COVID-positive patients spread across the hospitals make up about half of HonorHealth's adult inpatients.

"We're just preparing for the continued elevation, and we have our overcapacity plans all laid out," she said.

Post said the most challenging aspect for HonorHealth continues to be staffing. Because community spread is so high, there are many sick calls from staff, she said. And because so many states are now in a surge, it's harder for Arizona hospital systems to compete for travel staff than it was during the summer when Arizona stood out as a hot spot.

Hospitals are running low on capacity due to the combination of many patients in few beds and the difficulty for existing doctors and nurses to care for them all.

Post said HonorHealth hospitals have overcapacity plans to prepare for 10%, 25% or 50% surges by adding spaces for patient care, assigning more patients to caregivers and doubling up rooms. So far,

AMERICAN OVERSIGHT

capacity overflow at individual hospitals has been managed by sharing the load with other hospitals in the system because all six hospitals haven't yet been impacted at the same time, she said.

HonorHealth will "definitely" hit at least 10% overcapacity in the coming weeks, Post said.

"Probably in the next two weeks if it keeps going like this, we would definitely be in the 10%. Some of our sites would even have to move to the 25% if we continue to increase each day like we have in the last few days."

She said triage and crisis care will depend on how well the state can balance transfers and available beds.

"I don't see that tomorrow or in the very near future, but if our numbers keep growing significantly past our capacity, then yes," Post said.

Dignity Health has also seen an increase in COVID- 19 patients and is concerned about the weeks ahead, spokesperson Abby Friedemann wrote in an email.

"We are concerned for the health of our community and the increased staffing needs that will be required to provide care as we continue to see an increase in COVID-19 cases," she wrote. "We continue to follow our established plans to adjust our staffing levels as quickly as possible to provide safe and effective care while adapting to changes in hospital capacity."

Dignity Health also said it has not yet reached the indicators to start crisis care under state guidelines. Its hospitals are currently in the "surge" tier of the crisis plan and Dignity Health is focused on preventing the triage of patients, Friedemann wrote.

Bessel said she expects Banner Health hospitals to be even more busy in January.

The health system is bringing in contracted labor, transferring Banner staff from Colorado, training current employees for additional duties and moving ventilators around the hospital system to where they're needed most.

Banner Health is already operating in its crisis standards of care, which allows things like changing pediatric ICUs into adult ICUs, putting two patients in one room and streamlining electronic medical record documentation, some of which their hospitals are already doing.

Bessel said Banner hospitals have done studies and drills to prepare for triage care if it becomes necessary.

Health systems are collaborating to move around patients and do rolling diversions to balance community needs across all hospitals so that no single hospital has to triage, she said.

"It's everybody's desire to never get to a point where we have to triage," she said. "It's our absolute intent and desire to not get there and do everything we can to stretch to avoid that."

Bessel said the public can help, especially with the upcoming New Year's holiday, by socially distancing, avoiding groups and wearing masks.

AMERICAN OVERSIGHT

"These things absolutely work, and if we actually were much more exquisite in paying better attention to that, we could bend the curve so that we avoid triage, don't even get close to it," she said. "We can bend the curve so we can get off of some of these crisis standards that we're already doing; we can bend the curve so we don't have to do more activities under crisis standards of care; and also just keep less people feeling ill, having a terrible illness."

State's surge line helps move patients

The Arizona COVID-19 surge line, a state effort since April, works to distribute patients across the state so no one facility is overloaded, patients receive appropriate care and resources remain available even as hospitals are in a surge.

Over the past six weeks, the surge line facilitated 1,645 patients, according to the Arizona Department of Health Services.

Of those transfers, 84% were for patients needing a higher level of care and 15% were for patients going from acute care to skilled nursing setting.

While patients were sent from across the state, 76% of the transfers ended up in the central Arizona/Phoenix area.

The state does not have information on how often transfers for a higher level of care are due to bed capac-ity, staff constraints or available medical specialties, department spokeswoman Holly Poynter wrote in an email.

Post of HonorHealth said the surge line has been important, but it does increase the burden on hospitals especially in greater Phoenix and Tucson because that's where the medical expertise and resources are centered.

Post said HonorHealth has been "very active" in receiving patients through the surge line but that no HonorHealth patients have been transferred out of the system since the pandemic began.

Banner and Valleywise are also on the receiving end of the surge line, getting patients from across the state.

"The surge line has been one of the shining stars that we have seen throughout the pandemic," White said, adding that it's an essential piece of every health care system's goal of not having any one hospital or system be overwhelmed with COVID-19 patients.

Return to the table of contents

Several wells built for Navajo families

$3.46M grant for project came from CARES Act
Shondiin Silversmith
Arizona Republic
January 1, 2021

AMERICAN OVERSIGHT

Walking along the run-down wire fence of her family's farm plot, Eileen Tohonnie recalls a time when her family was able to plant every spring.

The family's plot sits along the Little Colorado River in Black Falls, Arizona, on the Navajo Nation. Black Falls is about an hour north of Flagstaff, near Wupatki National Monument.

Tohonnie, 59, said her mother loved to plant corn, and when the river was flowing, her older brother Ronald Tohonnie would help pump water for their crops directly from the river. In months when water wasn't flowing, the family could easily dig to the water table.

"While my mother was gardening, we'd be over there digging up water," Tohonnie said, pointing to the river bank about 10 feet away. "It was really clear. You just dig a hole and the water would fill up and it tastes really good."

But their water supply, always seasonal, has become even more limited in dry years.

Now their farm plot is filled with bushes and dunes. Once they lost access to the water, they couldn't plant without having to haul water from sources over 30 miles away.

Water typically only flows through the Little Colorado River during the spring snowmelt and summer monsoon, but for much of the year, it is dry.

It's been over 10 years since the Tohonnie family has tried to grow anything on their farm plot along the river bank, but that's about to change.

A non-profit organization is drilling wells along the Little Colorado River that will provide water for communities along the river from Leupp to Cameron.

Tolani Lake Enterprises (TLE) provides food-and water-security systems as well as technical support for community farm and ranch projects in the western region of the Navajo Nation. They've been in operation since 2000.

TLE was awarded $3.46 million for this project and has fast-tracked its production to be completed by the end of the year. The grant is funded by the Navajo Nation Department of Water Resources' CARES Act budget.

This sort of project would normally take a year to plan. Instead, they're working to get it done in about two months, because of the CARES Act, TLE Executive Director Stephanie Hall said.

With a project deadline this week, Hall said, "We are working frantically to get that all completed."

TLE has worked on projects with departments on the Navajo Nation in the past but this is the largest project they've conducted so far, Hall said. This project is a culmination of various smaller initiatives that have been happening over the course of 10 years in the Little Colorado River region of the Navajo Nation.

"We've been working systematically on creating awareness, education and projects around strengthening our water and economic systems," Hall added. "We only got the funding about a month ago. We've been working really hard to meet those objectives."

AMERICAN OVERSIGHT

TLE is working to establish wells, watering points, water catchment systems and delivery strategies that will bring water to families living without access to water for their homes, farms and livestock in the Little Colorado River region.

The group plans to have seven well sites established by the end of the year. There will be six along the Little Colorado River between Leupp and Cameron. The last site will be near Coal Mine Canyon, south of Tuba City.

Hall said the location of the wells came from community input over the years. TLE has attended chapter house meetings and grazing community meetings within all these communities along the Little Colorado River to get an idea of what their needs are.

After the locations were set, the group worked with hydrologists and engineers to determine if wells in those areas would yield water.

Hall said test sites helped determine the depth and quality of the groundwater.

"In some instances, there's not as much water as we hoped and in other instances, there's more water than expected," she said. In Black Falls, the team only dug about 200 feet before hitting a reliable water source.

Benson Willie is coordinating the Black Falls well efforts for TLE, and he said that they started construction of the two wells in the area right after Thanksgiving. By Dec. 23, they had generators delivered and the well location set up for the water tanks and pipeline to be installed.

"The wells are very strong, stronger than we thought they would be," he added. "We're pleasantly surprised that we didn't have to go excessively deep."

Willie said it's all moving fast and once they get the pipelines put in the ground, all they'll need to do is power up the generators and water will start to come out of the pump.

One well site will be used for agricultural needs and the other for water distribution for community members, Willie said.

When people run out of water here, they often have to travel 70 miles round trip for drinkable water, Willie said, and this well site changes that.

Each well site will have its own power supply, a water storage tank and a water delivery system. The storage tanks will hold up to 150,000 gallons of water that can be used for irrigation, livestock and wildlife.

Willie believes that once all the wells are up and running, it'll feel like prayers have been answered.

Being able to have access to water for livestock will bring some much-needed relief to community members in Black Falls, including 77-year-old Eleanor Peshlakai.

Peshlakai said in Navajo that she would often dig up water along the Little Colorado River for her sheep and cattle. Now, water in the area is scarce.

AMERICAN OVERSIGHT

The last time she was able to get water from the river was about 12 years ago, Peshlakai said in Navajo.

When TLE announced to the Black Falls community they would be getting a well site, Tohonnie said Peshlaki was happy.

"She was very happy that we found water here," Tohonnie said. "She's filled with a lot of hope for the changes it will bring."

Fellow Black Falls resident Leslie Shephard feels the same way. With water coming in, "there is hope now," he said.

Shephard has lived in Black Falls all his life and he's always wanted to be a rancher and farmer, but with no reliable source of water, it hasn't been possible.

"If we can get it and have access to it, yes, we will use it," He said. "All these families around here. They're farmers. They want to farm."

He said he feels abandoned by the Navajo Nation government because of a history of frozen development in the region.

Chapters along the Little Colorado River are located within the boundaries of the so-called Bennett Freeze. The Bennett Freeze was a development ban implemented by the U.S. Federal Government on 1.5 million acres of Navajo land.

Named the then-Commissioner of Indian Affairs Robert Bennett, the ban started in 1966 as an effort to promote negotiations over a land dispute between the Navajo and Hopi Tribes. The ban lasted until 2009.

During the Bennett Freeze, no development of any kind could occur in the frozen area. Nine chapters on the Navajo Nation were impacted by the freeze: Bodaway- Gap, Cameron, Coalmine Canyon, Coppermine, Kaibeto, Leupp, Tolani Lake, Tonalea and Tuba City.

Tohonnie said being part of the Bennett Freeze for 43 years impacted their community in Black Falls, which is near Leupp, with no development helping people in the area.

"We are the forgotten people and therefore we cannot really sustain ourselves," Shepard said. When the land was "thawed out," Tohonnie said they still didn't have access to any water and community members had to drive long distances to get their water.

Now, "these wells would really help our elders and the people that live here to get the water that they need," Tohonnie said. "They don't have to drive for miles and miles to get water."

"This is a lot of hope for us now, even during this horrible pandemic,' she added.

For remote homesites within the communities near the well sites, TLE said they will be constructing rooftop water catchment systems. They've built 30 systems so far and added water purification systems to those with existing catchments.

AMERICAN OVERSIGHT

Hall is hoping that in a "handful of weeks" community members along the Little Colorado River will be able to pull up to the well sites and fill their water tanks with water.

Hall said the basic systems were to be in place by Dec. 30, but that extra funding will let them begin laying out irrigation lines next year.

The project also supports an initiative to build hoop houses, structures made of a series of large hoops and covered with heavy greenhouse plastic. The group will build the hoop house greenhouses at some locations that will allow community members access to growing their own food.

TLE plans on assembling six new hoop houses in Ganado, Dilkon, Beaver Farms, Teesto, and Chi'shie Farm near Leupp. They hope to start producing nutritious food they can share with families in need.

"We want to have increased food and water security," Hall said. "We want our communities to have increased access to clean water and we want increased access to nutrient-dense, fresh food."

Black Falls will be getting a hoop house through Choice Humanitarian on the Navajo Nation.

Director Marilyn Reed, from Cameron, said they're going to build the hoop house for Black Falls to support a community garden and bring people together.

"We want to be able to support what they're doing," Reed said. "We're here for the long run."

With water coming in, Tohonnie and other Black Falls community members are looking forward to rebuilding their farmlands and livestock.

They even hope it inspires the younger generation of Navajo people to get involved and come home.

"I'm very grateful for the water and moving the community forward," Tohonnie said. "Let's do this. We need this."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AZ reports 5,267 new virus cases, 78 deaths

Alison Steinbach
Arizona Republic
December 31, 2021

The number of patients hospitalized for COVID-19 across Arizona again reached a new record as the state reported more than 5,200 new cases of the virus and 78 new known deaths on Wednesday.

Arizona's seven-day new-case average ranks second-highest in the nation, and public health experts expect the virus to spread further because of personal contact over the holidays.

Only California had a higher rate over the past week, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

AMERICAN OVERSIGHT

Phoenix-area hospitals have started temporarily closing to incoming emergency transports and hospital transfers because of overwhelming patient counts. Hospital leaders say they are in the worst position since the pandemic began.

The state data dashboard shows 90% of all ICU beds and 92% of all inpatient beds in Arizona were in use Tuesday, with 61% of ICU beds and 53% of non-ICU beds occupied by COVID- 19 patients.

Statewide, there were 178 ICU beds and 698 non-ICU beds available.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 4,526 on Tuesday. The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,076 on Tuesday, a new record.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 750 on Tuesday, a record for most ventilators in use for COVID-19.

Tuesday marked a single-day record for emergency room visits for COVID- 19, with 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Wednesday's 5,267 new cases brought the total number of identified COVID-19 cases in the state to 512,489. As of Wednesday, 8,718 Arizonans were known to have died from the disease, according to the Arizona Department of Health Services.

Cases by county: 314,464 in Maricopa, 68,437 in Pima, 27,191 in Pinal, 27,115 in Yuma, 12,108 in Mohave, 11,196 in Navajo, 11,101 in Yavapai, 10,982 in Coconino, 7,336 in Apache, 7,324 in Cochise, 5,857 in Santa Cruz, 4,419 in Gila, 3,180 in Graham, 1,387 in La Paz and 392 in Greenlee, according to state numbers.

The rate of cases per 100,000 people is highest in Yuma County, followed by Santa Cruz, Apache and Navajo counties. The rate in Yuma County is 11,791 cases per 100,000 people. By comparison, the U.S. average rate as of Tuesday was 5,793 cases per 100,000 people, according to the CDC.

The Navajo Nation reported 22,526 cases and 781 confirmed deaths in total as of Tuesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

Deaths by county: 5,051 in Maricopa, 1,039 in Pima, 510 in Yuma, 357 in Pinal, 335 in Navajo, 335 in Mohave, 231 in Apache, 213 in Yavapai, 208 in Coconino, 132 in Gila, 126 in Cochise, 95 in Santa Cruz, 50 in Graham, 33 in La Paz and three in Greenlee.

Return to the table of contents

Ducey recall effort dropped as COVID-19 cases surge

Maria Polletta
Arizona Republic
January 1, 2021

AMERICAN OVERSIGHT

A nonpartisan group that sought to recall Arizona Gov. Doug Ducey over his handling of the COVID-19 pandemic has suspended its efforts, deeming it "impossible" to safely gather enough signatures as infections surge.

Accountable Arizona would need to collect more than 400,000 additional signatures by Jan. 16 to force a special election.

It took the group three-plus months to gather the roughly 150,000 signatures it already has.

"Our organization is all volunteer, and we do not feel comfortable continuing to send our volunteers out to collect signatures," the campaign said in a statement released Tuesday, stressing that "40% of the total COVID-19 cases in Arizona this year have come in the last five weeks alone."

"It is clear to us Ducey and (state Department of Health Services Director Dr. Cara) Christ have no desire to slow the spread of COVID-19, and their only strategy is one of willful fecklessness," the group said. "Meanwhile, Arizonans are being required to just accept thousands of their friends, family, and neighbors will die each month."

The group also noted volunteers had faced other threats to their safety, including being "met with harassment from anti-maskers at every signing location we hold."

Tensions over Ducey's management of the crisis have run high for months, with Democrats and Republicans alike disappointed with his approach — albeit for different reasons.

U.S. Rep. Paul Gosar, R-Ariz., who has consistently downplayed the severity of the pandemic, promoted Accountable Arizona's effort earlier in December after Ducey certified the state's presidential election results with Joe Biden winning in the presidential race.

And while Accountable Arizona argued the governor hadn't done enough to prevent the spread of the virus, another unsuccessful recall effort launched in May contended Ducey had overstepped his authority in issuing an "unconstitutional" stay-at-home order to curb infections.

Ducey backs narrow mitigation efforts

Within weeks of the governor relaxing that order, Arizona became one of the world's worst COVID-19 hotspots. The state now faces another spike exacerbated by the holiday season — the second worst in the nation behind California — with at least 8,718 Arizonans lost to the disease.

Climbing caseloads also are overwhelming hospitals, spurring some Phoenix-area

facilities to temporarily reject incoming emergency transports and hospital transfers.

A team of University of Arizona researchers wrote in a memo to the state Department of Health Services in November that without additional public health interventions, Arizona "risks a catastrophe on a scale of the worst natural disaster the state has ever experienced."

Earlier this month, leaders of six major medical and public health groups in Arizona asked Ducey to take more aggressive action to prevent needless COVID-19 deaths, such as banning indoor dining, limiting

AMERICAN OVERSIGHT

public gatherings to no more than 25 people and implementing a statewide and enforceable mask mandate.

The governor has largely dismissed calls for dramatic interventions, instead implementing narrower measures such as expanding health and safety requirements for public events approved by cities and counties; relaxing regulations on restaurants to encourage a shift from indoor to outdoor dining; and declaring that businesses that repeatedly disregard safety guidelines would face closure.

He also has continued to emphasize personal responsibility, saying during an early December news conference that "Arizonans are smart, and given the facts of how they can protect themselves and their loved ones, by and large, they will do that."

Accountable Arizona said Tuesday that it would "continue our mission to hold Ducey accountable for his failures during COVID-19" but did not elaborate on what future efforts may entail.

"We aren't done fighting for Arizona, and you shouldn't be, either," the group said.

The Governor's Office did not immediately respond to a request for comment.'

Return to the table of contents

Ducey steps in after slow vaccine rollout

Alison Steinbach and Maria Polletta
Arizona Republic
January 1, 2021

Arizona has been slow to roll out COVID- 19 vaccinations, so far distributing about one in five doses received from the federal government.

About 57,000 of the more than 314,000 doses shipped to the state have been injected into Arizonans' arms so far, Dr. Cara Christ, director of the Arizona Department of Health

Services, said Wednesday afternoon.

As Christ was providing her update, Gov. Doug Ducey was unveiling a new executive order mandating the creation of a statewide vaccine allocation system after attributing vaccination delays to piecemeal county plans.

The slower-than-optimal rollout comes as hospital leaders throughout the state say they are stretched even thinner than they were during the summer, when Arizona emerged as one of the worst virus hot spots in the world.

The rest of the nation is also struggling with delays: As of Wednesday, 12.4 million Pfizer and Moderna doses had been dispersed across the U.S., but only 2.6 million people had been vaccinated with their first dose, according to a Centers for Disease Control and Prevention tracker.

The tracker may have a several day reporting lag, but the pace has caused concern.

AMERICAN OVERSIGHT

The federal government had promised 20 million vaccinations during December but now expects to deliver about 15 million doses by the end of the year.

“This is a monumental task,” Christ said Wednesday. “We do vaccination all the time, but this is the vaccination of the entire population. While the vaccine is still coming in and limited, it is going to seem like it’s moving very, very slowly.”

Christ said vaccinations will pick up speed and reach more Arizonans as counties ramp up distribution and inoculations continue at long-term care facilities. Ducey’s order will create a more streamlined and consistent process, she said.

“Looking across the country, we’re not last,” Christ said. “I think everyone is figuring this out as we go, and so we will continue to make improvements and identify new opportunities as we continue to move forward.”

‘Vaccines don’t do any good sitting in a freezer’

Ducey’s Wednesday order, which will allow state Department of Health Services officials to reallocate distributed doses, aims to “ensure a uniform approach to the vaccination of high-risk and high-priority Arizonans,” according to the Governor’s Office.

“Any delay in shots being given to Arizonans is unacceptable,” Ducey said in a statement released alongside the order. “The development of the vaccine was called Operation Warp Speed, and the distribution of the vaccine should follow that same sense of urgency.”

The Republican leader went on to remind Arizonans the state has been under an emergency declaration since early March, saying “all levels of government and our health system” should be “operating as such.”

“Vaccines don’t do any good sitting in a freezer,” he said.

The directive requires local health departments to “prominently display” vaccination information on their websites.

They also must notify state health officials before proceeding to the next phase of vaccine distribution, according to the directive, and the state must publish daily distribution updates.

Christ said the changes will provide a more consistent and clear process for

Arizonans to know when, how and where they can get vaccinated. The state had been working with counties already, she said, but officials identified the need for a more uniform approach.

Working with pharmacy chains that will distribute vaccines can’t happen effectively on a county-by-county basis, for instance, so the state needs to take the lead there.

“We want to make sure that we’ve got vaccine available, from a statewide perspective, in as many places as we can,” she said. “We’re still going to work with our counties on getting the vaccine to where they feel it’s needed most.”

AMERICAN OVERSIGHT

Slow start to vaccinations in Maricopa County

Maricopa and Pima counties received the state's first batches of the Pfizer-BioNTech vaccine the week of Dec. 13. All counties received Moderna doses the week of Dec. 20.

Vaccinations at long-term care facilities began across the state on Monday through a federal government partnership with CVS Health and Walgreens.

Christ said the state set some of its doses aside for that program, which contributed to the low distribution rate. As vaccinations occur at about 150 longterm care facilities over the next three weeks, that rate will improve, she said.

Each county also is vaccinating eligible Phase 1A health care workers, Christ said, and about 20% of the eligible population for that phase has received initial doses so far.

Maricopa and Pima counties have been vaccinating priority workers mostly at large distribution sites, while other counties have allocated doses directly to large hospitals.

Maricopa County officials said Wednesday that since Dec. 17, more than half of eligible front line health care workers in the county either had received initial doses or been prescreened to get vaccinated at its five distribution sites. Partners at those sites have administered about 6,000 vaccinations a day this week, for a total of more than 36,000 doses. Another 41,000 health care workers are scheduled or in line for appointments, according to the county.

The first week had some scheduling issues and then demand dropped over the Christmas holiday, but the sites are now vaccinating at a high rate, a Maricopa County spokesperson said.

Banner Health had administered more than 17,500 vaccines as of Wednesday, according to Dr. Marjorie Bessel, chief clinical officer for the state's largest health care system. But she said Arizona "absolutely must vaccinate more quickly."

"It's going to take a very concerted effort to do that, and we are meeting and collaborating on a daily basis," she said. "We know that widespread vaccination is our way out of this pandemic."

Where does Arizona land in the vaccination process?

The state is following a phased approach to vaccine distribution by prioritizing individuals who are at the highest risk.

The timeline for each phase is not yet certain; it will depend on how much vaccine the state gets and what the demand looks like. Logistics also will vary by county.

Christ said she hopes the state will finish Phase 1A in January and start Phase 1B in mid- to late January, but that may vary by county, with some rural counties possibly moving on to 1B earlier than urban counties.

Pinal County, for example, said Wednesday it is finishing 1A groups and starting to notify 1B individuals through organizations and by allowing those 75 years of age or older to register for vaccination.

AMERICAN OVERSIGHT

The state's goal is to have 70% of the population get vaccinated.

Here are the phases as planned:

- Phase 1A (now): Health care workers, emergency medical services workers and long-term care facility residents and staff.

- Phase 1B: Adults 75 and over, education and child-care workers, those in protective services occupations, essential services workers, critical industry workers and adults with high-risk medical conditions living in congregate settings.
- Phase 1C: Adults 65 and over, adults with high-risk medical conditions and adults living in congregate settings.

- Phase 2 (spring to summer): Any remaining Phase 1 populations, additional high-risk or critical populations and the general population.

- Phase 3 (summer and beyond): Any remaining Phase 1 or 2 populations and the general population.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AZ hospital beds are 93% full as surge continues

Alison Steinbach
Arizona Republic
January 1, 2021

Arizona has just 7% of all hospital beds available as the COVID-19 surge continues, with more than 7,700 new cases of the virus and 146 new known deaths reported Thursday.

The state data dashboard shows 93% of all ICU beds and 93% of all inpatient beds in Arizona were in use Wednesday, with 58% of ICU beds and 53% of non-ICU beds occupied by COVID-19 patients.

Statewide, there were 121 ICU beds and 581 non-ICU beds available, the fewest number of available hospital beds since the pandemic began.

Arizona's seven-day new-case average ranks thirdhighest in the nation, and public health experts expect the virus to spread further because of personal contact over the holidays.

Only California and Tennessee had higher rates over the past week, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

Phoenix-area hospitals have started temporarily closing to incoming emergency transports and hospital transfers because of overwhelming patient counts. Hospital leaders say they are in the worst position since the pandemic began.

AMERICAN OVERSIGHT

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 4,564 on Wednesday, up from 4,526 on Tuesday and a new record high.

The number of patients with suspected or known COVID-19 in ICUs across

Arizona was at 1,028 on Wednesday, down slightly from the record high 1,076 on Tuesday.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 746 on Wednesday, just shy of 750 on Tuesday, the record for most ventilators in use for COVID-19.

Wednesday saw 2,304 emergency room visits for COVID-19, just shy of Tuesday's single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Thursday's 7,718 new cases brought the total number of identified COVID-19 cases in the state to 520,207. As of Thursday, 8,864 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

More numbers of note

Cases by county: 318,827 in Maricopa, 69,522 in Pima, 27,649 in Pinal, 27,366 in Yuma, 12,573 in Mohave, 11,319 in Yavapai, 11,296 in Navajo, 11,126 in Coconino, 7,480 in Cochise, 7,438 in Apache, 6,002 in Santa Cruz, 4,517 in Gila, 3,228 in Graham, 1,464 in La Paz and 400 in Greenlee, according to state numbers.

The rate of cases per 100,000 people is highest in Yuma County, followed by Santa Cruz, Apache and Navajo counties. The rate in Yuma County is 11,900 cases per 100,000 people. By comparison, the U.S. average rate as of Wednesday was 5,853 cases per 100,000 people, according to the CDC.

The Navajo Nation reported 22,776 cases and 783 confirmed deaths in total as of Wednesday. The Navajo Nation includes parts

of Arizona, New Mexico and Utah. Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

Deaths by county: 5,110 in Maricopa, 1,064 in Pima, 519 in Yuma, 367 in Pinal, 344 in Mohave, 342 in Navajo, 237 in Apache, 218 in Yavapai, 210 in Coconino, 135 in Gila, 130 in Cochise, 98 in Santa Cruz, 51 in Graham, 35 in La Paz and four in Greenlee.

Return to the table of contents

County treasurer resigns early, cites environment

Jen Fifield
Arizona Republic
January 1, 2021

Outgoing Maricopa County Treasurer Royce Flora resigned early Wednesday, citing a "toxic environment" in county government.

AMERICAN OVERSIGHT

Flora, who has been treasurer since 2016, said in his resignation letter that his last day is Thursday.

Flora was set to leave office in mid-January, but said that he was unable to complete his term in part because "the political environment at the county has become so toxic I have no desire to endure further abuse."

State Rep. John Allen defeated Flora in the Republican primary and went on to win the general election in November.

While new county terms typically begin Jan. 1, Allen said Thursday that the county attorney has advised him that under state law he cannot take

office as treasurer until his legislative term expires Jan. 11, and so Flora's term would not end until then.

The county Board of Supervisors on Thursday voted in an emergency session to accept Flora's resignation and to appoint Shelby Scharbach, an assistant county manager and chief financial officer, as interim treasurer until Jan. 11.

Russell Pearce, a former state lawmaker who had been serving as Flora's deputy treasurer, has retired, according to county officials.

Flora and the supervisors have had a tense relationship and clashed most recently when Flora attempted to make changes to his office and Flora said he was not given proper legal representation.

Board of Supervisors Chairman Clint Hickman said Thursday that he doesn't know what Flora is talking about when he says there is a toxic environment in county government.

"Maricopa County is a great place to work," Hickman said. "Filled with hardworking people, servicing the needs of the fastest growing county in the United States." Hickman said the supervisors look forward to welcoming and working with Allen.

Allen said Thursday that Flora's statements upon resignation are unsurprising, given how Allen said Flora focused his time in office on making political points and not on serving the public.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Fired revenue director takes issue with Ducey's claims

Maria Polletta
Arizona Republic
January 2, 2021

Gov. Doug Ducey on Tuesday abruptly ousted the state Department of Revenue director for taking a "policy position" on a new voter-approved tax hike that conflicted with the governor's stance on the education funding initiative.

AMERICAN OVERSIGHT

But Carlton Woodruff says neither he nor the department he led until this week ever weighed in on the merits of the measure, including in the court filing that spurred his dismissal.

Instead, he said, the department was simply trying to do its job.

"The agency needed time to prepare to implement any change in law, and that is what we were doing," he told The Arizona Republic on Wednesday. "But we were taking no stance on the proposition, either for or against." Arizonans in November approved Proposition 208, formally known as the Invest in Education Act, despite prominent Republicans such as Ducey and state Treasurer Kimberly Yee campaigning against it. Its higher tax rates, which target the state's wealthiest earners to boost K-12 education funding, are set to take effect Friday.

Earlier this month, several GOP lawmakers sued the state claiming the act was unconstitutional, naming Woodruff among the defendants. They asked a judge to block the Department of Revenue from implementing Proposition 208 until the court could weigh the merits of the lawsuit.

Brian Bergin, an attorney representing the Department of Revenue, argued in response that state law did not allow judges to prohibit "collecting an imposed or levied tax."

The agency had no way to stop taxpayers from accounting for the increase "through payroll withholding or voluntary estimated tax payments" after the new rates take effect, Bergin wrote in a court filing.

He also cautioned against "imposing unreasonable restrictions" on Arizonans' ability to make their own laws, saying Proposition 208 appeared to reflect "the voters' belief that the State's educational system is underfunded and requires additional permanent funding that the Legislature has been unable, or unwilling, to provide."

The governor apparently interpreted the filing as a public showing of Department of Revenue support for the proposition itself.

Though a Ducey spokesman declined to explicitly comment on "personnel matters" Tuesday, he said the "role of state agencies is not to take policy positions but to implement the law."

The Governor's Office did not immediately respond to Woodruff's comments Wednesday.

'The department ... did not take a stand either way'

Woodruff said the Attorney General's Office hired Bergin from an outside firm, not his department — something the attorney general sometimes does for staffing reasons or to avoid conflicts of interest.

His agency's "only intention was to ask for nominal party status," Woodruff said.

Indeed, court records show the parties agreed to dismiss Woodruff from the case and name the Department of Revenue as a party instead.

"Again, we wanted to be a nominal party and just make sure that, whatever the result was, we were prepared," Woodruff told The Republic.

AMERICAN OVERSIGHT

“The department, under my leadership, did not take a stand either way on the proposition. Our job is only to administer whatever is set forth in law.”

Though affected taxpayers can voluntarily begin withholding or setting aside funds for Proposition 208 as soon as 2021 begins, the department won’t enforce payment until after April 15, 2022, when 2021 income taxes are due.

If a judge ultimately deems the increase unconstitutional, according to court records, the department would issue refunds to any Arizonans who’d already paid.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Supreme Court set to consider ballot law

State law restricts who can turn in early ballots
Arizona Republic
January 4, 2021

The 9th U.S. Circuit Court of Appeals struck down Arizona’s ban on so-called 'ballot harvesting' nearly a year ago, ruling that it violated the Voting Rights Act, disproportionately affects Black, Latino and Indigenous voters and was enacted with discriminatory intent. The court also struck down a state law disqualifying ballots cast in the wrong precinct.

Swirling around the case,

Brnovich v. Democratic National Committee , are questions about how exactly judges should

decide whether election policies are discriminatory and have a significant impact on communities that are supposed to be protected under the Voting Rights Act. The outcome could have national implications.

The 9th Circuit ruling also noted Arizona’s

'long history of race-based voting discrimination.' Attorney General Mark Brnovich, a Republican, has argued that the ban is a basic means of curbing the potential of fraud or tampering during an election.

Democrats, who challenged the ban, have defended the practice as particularly important for voters who do not have transportation, a nearby polling place or timely mail service, contending that the ban effectively criminalizes people for helping neighbors vote. The ban on ballot collection remained in place through the election. The 9th Circuit put its decision on hold while the state appeals.

The law was used as recently as December, when a grand jury indicted two people in Yuma County for collecting four ballots from others and depositing those votes into a ballot box during the primary election.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Maricopa County Attorney Adel is home after brain surgery

BrieAnna J. Frank and Lauren Castle
Arizona Republic
January 2, 2021

Adel signed her oath of office and 'looks forward to serving' as county attorney, according to an email Chief Deputy Ken Vick and Chief of Staff Candice Copple sent to MCAO employees. The email also said Adel will continue focusing on her recovery from home.

'She is so appreciative of everyone's well wishes and looks forward to seeing all of you in the new year,' the email said.

Hospitalized on election night Adel was hospitalized and had emergency surgery on the night of the Nov. 3 election, after she fell and hit her head at home, according to Jennifer Liewer, a spokesperson for the office.

She was transferred to Barrow Neurological Institute in Phoenix two days later, on Nov. 5.

Adel in early December released a statement saying she was still recovering in the hospital. She thanked the community for its support, saying the well wishes brought her and her family 'much comfort during this time.'

'I feel stronger every day, and while I know that recovering from a brain injury is a slow and steady process, I look forward to working with my medical team to ensure a safe and full recovery,' she said in the statement.

Adel won the November race against Julie Gunnigle, a Democrat, making her the first woman elected into the office.

Adel was appointed to the position in Oct. 2019 by the Board of Supervisors after former county attorney Bill Montgomery became a justice on the Arizona Supreme Court.

Return to the table of contents

How COVID-19 left mark on AZ

Virus affected health and livelihoods, inspired discoveries, spurred on heated debates in 2020
Rachel Leingang
Arizona Republic
January 4, 2021

A once-in-a-lifetime pandemic reverberated through 2020 and changed the world in profound ways.

Efforts to stop the virus ground us to a halt. The disease killed thousands of Arizonans and more than 1 million people worldwide. It sickened millions more. The fallout from lockdowns, layoffs and limited travel shocked the economy.

AMERICAN OVERSIGHT

COVID-19 spread and spread and spread. The Arizona Republic has followed the virus's spread, how it affected our health and livelihoods, the scientific discoveries it inspired

Joel Hernandez Valdez, the 100th patient to recover from COVID-19 at Banner

Baywood Medical Center, is discharged on June 5 in Mesa. SEAN LOGAN/THE REPUBLIC

Pascua Yaqui family members mourn Jose Luis M. Gomez, an EMT paramedic who helped transport patients on the Navajo Reservation. NICK OZA/THE REPUBLIC Inside: For the second day in a row, Arizona set a record for the most ventilators in use for COVID-19. 3A the heated debates it encouraged throughout the year.

During the summer, Arizona became one of the world's hot spots for the disease. Moves to shut down places where people could gather in groups and pushes for more personal responsibility put the state in decline only for cases to surge again, beating the summer spikes, in December.

Finally, a vaccine started to roll out in mid-December, offering hope that 2021's list of top stories includes fewer on this pandemic.

Here are the themes and stories involving COVID-19 in Arizona that resonated last year.

Arizonans lost loved ones to COVID-19

More than 9,000 Arizonans have died from complications of COVID-19, leaving behind grieving loved ones. The state's first death came in March — Phoenix aviation employee Trevor Bui. The disease tore through a Winslow family, taking the matriarch of a loving home. It made its way through nursing homes and prisons throughout the state, places where deaths from the virus were more likely to occur. Small towns, such as Miami, lost some of their longtime residents. Some, like Kristin Urquiza, lost a family member and turned to accountability. It could be quite some time before we fully understand the number of deaths, as there have been increases in pneumonia deaths that may not be included in COVID- 19 case counts.

The pandemic affected Arizonans' health

One of the nation's first cases arrived in Arizona — an Arizona State University community member returning from Wuhan, China, where the virus originated. Most people who contract the virus recover, and many have only mild symptoms or none at all. It became clear that the way COVID-19 affects an individual is highly variable, from no symptoms to months in the hospital to death. Some young people, who started contracting the virus at higher rates in Arizona's summer spikes, grew much sicker than they thought they would. One local 23-year-old gained attention in sharing how he had a stroke after contracting the disease. And others, dubbed "longhaulers," had symptoms linger for months.

Health care systems were strained by virus patients

At first, there wasn't enough of anything to go around: Health care workers begged for personal protective equipment while Arizonans begged for more accessible, faster COVID-19 testing. Arizona's early spread stayed relatively low, until the summer hit, bringing with it a wave of cases and hospitalizations that threatened to overrun our health care systems. At Valleywise Health Medical Center in Phoenix, they treated the sickest of the sick and saw so much death. At Tucson Medical

AMERICAN OVERSIGHT

Center, it was eerily silent as health care workers cared for critically ill patients hooked up to various machines. Nurses who fought the virus in early hot spots worked in Arizona over the summer, in a year that was the hardest they'd ever had at work. One Yuma doctor, working hard in a city hit hard at multiple points last year, claimed he lost his job for speaking out about how the system was taxed.

Arizona's booming economy faltered as businesses shut down

The year was a series of closings and reopenings. Efforts to curb the virus' spread meant many businesses shuttered, either temporarily or entirely, leaving employees hurting. Arizona's economy faltered, as did the nation's, an abrupt change after several years of growth. Initially, people started hoarding basic supplies such as toilet paper as stay-at-home orders started. Many people got used to working from home, affecting how offices operate. Some businesses, like gyms, fought back against closure orders. Because this economic shock was so unexpected, the measures economists monitored for recovery were different, too. And some businesses thrived through it all.

Some wanted stronger response from the government, while others thought it went too far

The pandemic required strong and steady leadership, which sometimes was hard to find. It required balancing health and the economy and disparate factions with vastly different goals. No one was untouched by the pandemic and its effects. Arizona became a global hot spot, and some attributed that to inaction by its leaders. Shutting down the economy bought the state time to prepare, but it wasn't clear it was used wisely. Throughout the year, health care workers and elected officials pleaded with Gov. Doug Ducey to take more action. But the state never instituted a mask mandate, relying on local decifews sion-making and personal responsibil-ity, and the governor took a long time to wear one himself.

Our science and understanding of COVID-19 continued to grow, culminating in a vaccine

A new virus calls for new science to understand how it works, how it affects our bodies and how we can stop it. Scientists came together in astounding ways last year, creating vaccines in record speed. Volunteers stepped up, offering their arms to test them. Scientists worked to understand why some got really sick, while others didn't. They investigated a possible link between vitamin D deficiency and the disease. One company tested a possible short-term vaccine alternative. We learned more and more about how the disease played out in the body. Universities used wastewater to detect early signs of the virus, fending off an outbreak at the University of Arizona.

Marginalized communities were hit harder with COVID-19 and economic stressors

COVID-19 hit people of color harder, both their health and livelihoods, as longtime barriers to care exacerbated inequalities. In Maryvale, people waited up to 13 hours just to get tested for the virus. The rate of COVID-19 among Latinos soared. The rate of Native Americans who contracted the virus was particularly disproportionate to the size of the population. In the midst of the pandemic, uprisings over police brutality against Black people grew. And for people at highest risk of complications, it was a long and lonely road. People with disabilities wondered whether the public cared about them, and some adapted after their gym closed.

Native communities saw early spikes, but moved quickly to stop the virus

Early in the pandemic, the Navajo Nation saw its cases grow quickly, initially spreading from a church rally in Chilchinbeto. The hospital in Tuba City was perpetually busy. Water shortages exacerbated the

AMERICAN OVERSIGHT

problem, both for the Navajo Nation and the White Mountain Apache Tribe, both of which were hit hard. One man said it didn't feel real until he contracted it himself. A Pascua Yaqui man who wanted to share his culture with a new love couldn't. But the Navajo Nation took measures to curb the spread, instituting lockdowns and curand to slow it down. Its aggressive response exceeded Arizona's. For the White Mountain Apache Tribe, robust contact tracing saved lives. The vaccine started rolling out first on the Navajo Nation this month, as the virus again started to increase there.

Unemployment rolls swelled, and the state struggled to help Arizonans

The economic downturn associated with the virus's spread and subsequent measures to keep it under control left many without a paycheck. The federal government kicked in money to boost unemployment amounts, but that eventually dissipated. The number of people receiving unemployment skyrocketed, but some were left behind, waiting on necessary funds. Problems persisted for months. Efforts to prevent fraud slowed the process more and erroneously kicked some off the program. People struggled to get state Department of Economic Security employees on the phone for help. And a moratorium on evictions wasn't always properly heeded.

Campuses shut down, then reopened

Students saw their education upended by the pandemic as well. In mid-March, classes went remote for K-12 and university students. Schools doled out food and computers for students who needed meals and internet access to attend. But some students vanished, as schools struggled to keep track of kids. Aging buildings exacerbated pandemicreadiness problems. Educators died, including Kim Byrd. Some students went back to K-12 schools this fall, although some still haven't returned to classrooms in person since the pandemic began. Once universities opened, cases on campuses started to rise, making some students uneasy. The moves heightened anxiety, leading to a hoax that a professor had died.

Nursing homes became deadly hot spots, and accountability was lacking

Early in the pandemic, it became clear that nursing homes were a pandemic hot spot, a site where many deaths would occur. The Republic analyzed locations with infection-control violations and fought the state to try to get more data on cases in these settings. A judge blocked the release of such data, but the federal government started releasing more information. An executive order made it harder for families to hold nursing homes accountable. Rules on visitation created confusion for families. Some who live in nursing homes waited weeks for test results. Some places, like Sapphire in Tucson and a nursing home in Sierra Vista, saw outbreaks.

COVID-19 inspired Arizonans on all sides to debate constantly

The very existence of the virus — and the validity of the measures taken

to combat it — inspired heated debates all year. Counties mandated masks, and people protested. Schools were closed, and people protested. The governor instituted a stay-at-home order, and people protested. When the order was lifted, people protested that it was too soon. A tip line set up to receive complaints about COVID-19 scofflaws got complaints about the people who would complain. At one protest, a nurse wearing a face mask stood in defiance as unmasked protesters yelled at her, captured in a viral photo. At another protest, a Scottsdale City Council member commented, "I can't breathe," about masks, seen as a derogatory comment toward protests stemming from the killing of George Floyd by police in Minneapolis.

AMERICAN OVERSIGHT

Arizona's tourism and travel industry ground to a halt

The ways we moved through the world were hindered by the virus, as staying safe meant staying home. A Tucson bridge tournament that brought in people from out of town had one of the earliest cases. Travel restrictions among countries and states piled up and changed frequently. People traveled locally and went outdoors. The tourism industry, an Arizona mainstay, faltered. Rental car lots piled up with cars. Airlines turned to cargo as passengers disappeared. Some winter visitors are still coming to the state, though. And the tourism industry made plans for a rebound. Through it all, we found ways to be grateful for our home, Arizona, and for the many natural and man-made wonders nearby.

Restaurants and venues adapted or closed for good

Restaurants shuttered abruptly or moved solely to takeout orders. Some closed for good. Making the closures even more painful was that Phoenix's food scene was on fire before the pandemic. A Scottsdale promoter was the second confirmed case in Arizona. Some proprietors fell ill. Music venues shut down but tried to adapt. Scottsdale's entertainment areas became a ghost town. Bars struggled to reopen. Farmers said COVID-19 was straining our food system. Longtime staple restaurants readjusted to the pandemic. We learned to make our own food, including dalgona coffee and cloud bread. We even started growing our own.

At prisons across the state, COVID-19 spread quickly and inmates felt left behind

Like other congregate settings, prisons and jails saw the virus spread uncontrolled, creating large outbreaks. People who were incarcerated wrote letters to The Republic, saying there wasn't enough being done to protect them. A Tucson unit saw a massive outbreak. Concerns over a lack of running water made matters worse in Perryville, and outbreaks plagued units in Yuma. Immigration detention centers also saw big outbreaks. Advocates demanded more action as inmates and employees died. They wanted masks and more testing. Families worried and stressed over their loved ones on the inside.

Reach reporter Rachel Leingang by email at rachel.leingang@gannett.com or by phone at 602-444-8157, or find her on Twitter and Facebook.

More than 9,000 Arizonans have died from complications of COVID-19, leaving behind grieving loved ones. The state's first death came in March — Phoenix aviation employee Trevor Bui.

A health care worker tests a person for COVID-19 on July 2 at South Mountain Community College in Phoenix.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Nearly 9K new virus cases reported in AZ

BrieAnna J. Frank
Arizona Republic
January 4, 2021

For the second day in a row, Arizona set a record for the most ventilators in use for COVID-19 as the outbreak surge continues, with more than 8,800 new cases and 46 new known deaths reported Saturday.

AMERICAN OVERSIGHT

The state data dashboard shows 93% of all ICU beds and 93% of all inpatient beds in Arizona were in use Friday, with 61% of ICU beds and 52% of non-ICU beds occupied by COVID-19 patients. Statewide, there were 132 ICU beds and 607 non-ICU beds available.

Arizona's seven-day new-case average ranks fourth-highest in the nation, and public health experts expect the virus to spread further because of personal contact over the holidays.

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 4,484 on Friday, down from 4,501 on Thursday. By comparison, the highest number of COVID- 19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,074 on Friday, up slightly from Thursday's 1,074 but below the record high of 1,076 seen on Tuesday. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 761 on Friday, setting a record for the most ventilators in use for COVID-19 in the state so far. Thursday's 759 was the previous record. During the summer surge, July 16 was the peak day for ventilator use with 687 patients.

Friday saw 2,066 emergency room visits for COVID-19, following Tuesday's single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

New cases in Arizona have eclipsed 5,000 for 27 of the past 31 days.

Saturday's 8,883 new cases brought the total number of identified COVID-19 cases in the state to 539,150. As of Friday, 9,061 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

Arizona's positivity rate also continues to rise. This week, it stands at 26%. For the week prior to that, it was 20%, according to the state, which has a unique way of calculating percent positivity. Percent positivity was at 4% for several weeks during August, September and October, according to state data.

Johns Hopkins University calculates Arizona's seven-day moving average of percent positives at 13.6% as of Saturday. It shows the state's percent positivity peaked at 24.2% earlier this month but may now be generally declining.

A positivity rate of 5% is considered a good benchmark that the spread of the disease is under control.

Saturday's numbers

Reported cases in Arizona: 539,150.

Cases increased by 8,883, or 1.68%, from Friday's 530,267 identified cases since the outbreak began. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 331,233 in Maricopa, 71,894 in Pima, 28,482 in Pinal, 28,375 in Yuma, 13,057 in Mohave, 11,678 in Yavapai, 11,582 in Navajo, 11,437 in Coconino, 7,673 in Cochise, 7,661 in Apache,

AMERICAN OVERSIGHT

6,176 in Santa Cruz, 4,596 in Gila, 3,370 in Graham, 1,525 in La Paz and 409 in Greenlee, according to state numbers.

The Navajo Nation reported 23,429 cases and 813 confirmed deaths in total as of Friday.

The Arizona Department of Corrections reported 7,146 inmates had tested positive for COVID-19 as of Thursday. A total of 1,863 prison staff members have self-reported testing positive, the department said. Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID-19, with 10 additional deaths under investigation.

Reported deaths in Arizona: 9,061 Deaths by county: 5,239 in Maricopa, 1,084 in Pima, 528 in Yuma, 371 in Pinal, 350 in Mohave, 347 in Navajo, 244 in Apache, 221 in Yavapai, 214 in Coconino, 136 in Gila, 136 in Cochise, 101 in Santa Cruz, 51 in Graham, 35 in La Paz and four in Greenlee.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Hoffman to Ducey: Order schools to stay online

Governor's spokesperson says it is a 'local decision'
Lily Altavena
Arizona Republic
January 4, 2021

Arizona schools' Superintendent Kathy Hoffman called for Gov. Doug Ducey to order all schools to remain in distance learning for two weeks after winter break as the state weathers its worst surge in COVID-19 cases yet.

"I can't stand by when we see that we're losing Arizonans by the thousands," Hoffman said in an interview with The Republic Saturday.

The state's health metrics designed for schools recommend virtual learning in every county while the COVID-19 spread is substantial. But the metrics are optional, and the decision to remain in virtual learning is up to the individual school.

Hoffman's call to return to virtual learning for two weeks came in a series of tweets Saturday.

C.J. Karamargin, a spokesperson for Ducey's office, said the governor "will not be considering this request."

"This is a local decision, the online option is already available, and the governor has repeatedly made his preference clear: Kids have already lost out on a lot of learning and he wants schools opened, safely," Karamargin wrote in a text message.

Many big school districts, including Mesa Public Schools and Deer Valley Unified, already are mandating virtual learning in the weeks after winter break. Others, like Queen Creek Unified and Chandler Unified, plan to start 2021 with in-person learning.

AMERICAN OVERSIGHT

Teachers in Chandler and in the Gilbert school district may call in sick to protest returning in-person right after break. Gilbert Public Schools plans to return with a hybrid learning model in which students alternate what days they're on campus.

Some school superintendents have expressed frustration at a lack of action from the state as they face pressure from the community on both sides.

Arizona reported nearly 9,000 new COVID-19 cases on Saturday, and 46 new known deaths.

Officials are bracing for the tidal wave of cases to persist, with more people expected to test positive after gathering for the holidays.

"Coming back from the holidays now is a very appropriate time for there to be a two-week period that allows for everyone to self-quarantine," Hoffman said.

Research on whether a school setting spreads COVID-19 is still sparse, but new data is emerging. Researchers in Washington and Michigan found in a study published in December that inperson school in those states did not contribute to elevated COVID-19 rates when community spread was minimal but does make an impact when the spread is substantial.

"Research shows that it's safer for younger grades to be in-person," Hoffman said. "I think that's another conversation we need to be having and studying."

Debates over reopening have been imbued with political undertones since

the summer. Suburban districts have seen larger swaths of parents rally for an in-person option, while districts with higher low-income populations have remained virtual through the entire pandemic with support from the community.

As cases increased in November, more districts shifted back to online learning, to the frustration of some parents. Students have struggled, with many facing mental health and academic crises.

"There's, of course, a million reasons why we want our kids to be in the classroom," Hoffman said. "There just doesn't seem to be a way right now to safely have had adults and communities coming back into the school setting."

Hoffman added in her message Saturday that there is "a light at the end of this tunnel."

Teachers are among those prioritized for the vaccine in the early stages. Hoffman said vaccinations could be underway as early as mid-January.

This coming week, the Arizona Department of Education will send information to schools about that process, she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ducey extends his order protecting nursing homes

Anne Ryman and Caitlin McGlade

AMERICAN OVERSIGHT

Arizona Republic
January 4, 2021

Arizona Gov. Doug Ducey's move to extend an executive order protecting health care workers also will make it harder for families to sue health care institutions for COVID-19-related care, including long-term care facilities.

Ducey on Thursday announced a three-month extension to the Good Samaritan executive order from April. The order was touted as a way to shield health care professionals from liability, including retired volunteers who might step in to help during the COVID-19 crisis.

Ducey, in a statement, said the extension of the executive order will help maintain staffing levels in hospitals and ensure medical professionals are protected when acting in good faith in emergency situations.

But attorneys and health-care experts who have reviewed the order for The Arizona Republic said it sets a higher bar for civil lawsuits related to COVID-19, raising it from negligence to "gross negligence or reckless or willful misconduct."

The executive order was set to expire Dec. 31 but is now extended until March 31.

An Arizona Republic investigation found government inspectors have observed staff at 64 nursing homes make mistakes that could spread COVID-19. While some discipline records may not have been publicly posted, so far, state and federal records show just five nursing homes receiving fines for infection control errors.

Shannon Parys, whose father died after getting

COVID-19 at a nursing home this spring, said taking legal action is often the only way families can hold facilities accountable because the state doesn't do enough.

"Nobody wants to get in lawsuits. It's emotionally draining, it's exhausting, it's upsetting, you get angry that you have to go through this," she said. "But people are backed into the corner because the state does nothing."

Families who sue over COVID-19 care have to prove nursing homes weren't merely failing to use reasonable care, but that administrators or employees knowingly and voluntarily disregarded reasonable care standards or were recklessly indifferent to the result or the rights and safety of others.

The order will make it more difficult for families to get settlements or even get a lawsuit heard by a jury. A judge could dismiss a lawsuit if the plaintiff 's attorney cannot demonstrate the nursing home's conduct was extreme.

Some families told The Republic that the order has deterred them from suing their loved ones' nursing homes, even though they believed the facility mishandled the situation.

The order does not provide blanket protection.

AMERICAN OVERSIGHT

Jenna Bailey, an attorney representing several families against nursing homes, said the order only technically applies to situations in which medical facilities are treating patients for COVID- 19. If a resident is at a nursing home for any other reason and gets COVID- 19 or is neglected or abused, the order shouldn't make a difference, she believes.

But a judge has yet to rule on the scope of the order, she added.

Bailey is representing Parys in a lawsuit against her father's nursing home because, as Parys said, "they left him for dead."

Parys encouraged others not to be deterred by the order.

"Don't be afraid. Speak up," she said. "If you have evidence, don't be afraid to seek the truth and hold these people accountable for your loved ones' neglect, death, suffering."

Emails obtained by The Republic through a public-records request show lobbyists and officials for Arizona's health care industry contacted Ducey's office repeatedly in the days before he signed the order in April.

Ducey's office has said U.S. Health and Human Services Secretary Alex Azar recommended states consider Good Samaritan policies and that the Governor's Office worked closely with hospitals and medical groups to develop Arizona's order. Officials don't expect the Good Samaritan order to stop patients' families from filing legitimate lawsuits because the order is narrowly tailored.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Teachers may stage sickouts in East Valley school districts

Lily Altavena
Arizona Republic
January 4, 2021

Gilbert and Chandler unified school districts are facing potential teacher sickouts next week when school resumes.

Gilbert Public Schools plans to put substitute teachers on standby in case teachers call in sick to protest teaching in-person. The first day of school for the district is Tuesday.

"Our goal will be to ensure appropriate coverage for all classes and no disruption to student learning," Dawn Antestenis, a spokesperson for Gilbert Public Schools, wrote in a statement. "We will keep our parents and families informed as needed."

Chandler Unified teachers may also call in sick, according to a statement from the district's teacher association, the Chandler Education Association.

"Many of our educators agree with state and county health officials that it's worth the temporary challenges to follow other East Valley districts and temporarily shift to full-time virtual instruction to allow for COVID to come back under control," educators wrote in the statement.

AMERICAN OVERSIGHT

Both districts are reopening for in-person instruction school immediately following winter break. Gilbert is partially reopening in a hybrid model where students alternate what days they're on campus. Chandler is opening in-person, but it has given families the option of going virtual for the first two weeks, in case they opt to quarantine after traveling for the holiday.

However, many other districts across metro Phoenix, like Mesa, are starting school virtually in light of spiking COVID-19 case numbers.

Chandler's administration plans to meet the day before school is set to begin, on Monday, to "review metrics, gather input, and discuss COVID mitigation strategies," according to a letter sent to district parents. A school board meeting has also been scheduled Wednesday. It's unclear what action district officials will take, or how many teachers would need to call in sick to force schools to close.

The Chandler Education Association reported that 65% of 1,200 staff members surveyed did not feel comfortable returning to school in-person on Tuesday.

Ultimately, the decision to go back in-person is up to individual school leaders.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona became key state in 2020

Ronald J. Hansen
Arizona Republic
January 4, 2021

If there is anything that both sides of the political spectrum can agree on, it is this: 2020 won't soon be forgotten.

In Arizona, as across the U.S., politics and the elections held our attention as Americans sought refuge from the pandemic and the recession and settled on the nation's leaders for the next term.

For the first time really ever, Arizona was a full-blown swing state in the presidential race. It also had one of the nation's few truly competitive Senate races, with control of that chamber hanging in the balance.

The polarizing atmosphere that has charged the nation's politics for years was as prevalent here as anywhere. And Sen. John McCain, R-Ariz., who died in 2018, somehow seemed to remain central to the state's evolving political equation.

Here are the top election-related stories that stood out in Arizona in 2020.

New mayors in key Valley cities

There was plenty of political upheaval in Arizona in 2020, but some of the most visible changes that Valley residents will recognize in the future will grow out of their decision to change mayors in three key cities.

AMERICAN OVERSIGHT

In March, Tempe elected Corey Woods, the city's first Black mayor. He replaced Mark Mitchell, who held the office for eight years.

In November, David Ortega won a run-off election in Scottsdale to succeed Mayor Jim Lane, who was termlimited out of office. Meanwhile, Brigette Peterson won the run-off election in Gilbert to replace Mayor Jenn Daniels, who didn't seek another term.

Kate Gallego reelected in Phoenix

Phoenix Mayor Kate Gallego tightened her grip on the city in 2020, winning reelection. The city was the center of the pandemic in Arizona and social unrest in the summer. Through it all, voters in the state's most populous city signaled they wanted to keep the former City Council member in the job she first won in 2019.

A breakthrough for Native Americans

There were 14 Native Americans on the ballot in Arizona running for state and local offices and 11 of them won. In a year when tribal areas were ravaged by the coronavirus, many Native Americans became more politically engaged.

Maricopa County prosecutor wins election, suffers brain bleed

Maricopa County Attorney Allister Adel won a nail-biting campaign in November to become the first woman elected to the job but collapsed with bleeding in her brain on election night. Adel was hospitalized for weeks after the election as she recovered from a clot that required surgery.

Violent memes come to define GOP

As President Donald Trump sought to undo the presidential election results, the Arizona Republican Party passed along a tweet asking who was willing to die for his cause. But calls to violence are part of a long-simmering brew of xenophobia, racism and political extremism stoked online in conservative circles in Arizona.

Sharpiegate kicks off challenges

When President-elect Joe Biden won Arizona, it touched off a series of conspiracies about how the election was stolen from Republicans long accustomed to winning the Grand Canyon State. Perhaps none took off faster or went wider than the false claim that election officials allowed voters to foul their ballots using Sharpie pens.

Dem headquarters in Phoenix burned

In July, as the nation saw regular clashes between police and protesters and as politics continued to reach frenzied passions, Arizona's Democratic Party headquarters were set ablaze in downtown Phoenix.

Within days, authorities determined a disgruntled former Democratic activist intentionally set the fire, helping cool anxieties that Arizona politics had taken a more destructive turn.

AMERICAN OVERSIGHT

Propositions 207, 208: Enjoy marijuana, tax the wealthy

Arizona voters passed a pair of ballot measures in 2020 that further eroded the state's conservative reputation.

Proposition 207 legalized recreational marijuana and put Arizona in the company of 11 other states dropping prohibitions on the drug. It won in a landslide and, its supporters hope, will help provide the state with new revenues.

Proposition 208, which raises the income tax on wealthy Arizona taxpayers to pay for education salaries, passed by a far narrower margin.

Doug Ducey's difficulties

Gov. Doug Ducey won't miss 2020. In January, he was booed into silence by Republicans upset over his support for temporary restrictions to guns for those deemed a danger.

The year went downhill from there.

He was pilloried for what he did and for what he didn't do in managing the pandemic in Arizona.

When the state voted narrowly for Biden, Ducey was hammered again for certifying the results of the election, with Republicans leading a recall effort against him.

The House rebukes David Schweikert

For more than two years, Rep. David Schweikert battled allegations of unethical spending by his campaign and his congressional office. Throughout that expensive affair, Schweikert denied there were problems, or blamed it on his former chief of staff.

In July, however, the House of Representatives formally reprimanded the Arizona Republican for 11 ethics violations and fined him $50,000.

Cindy McCain weighs in for Biden

Cindy McCain, the woman whom Republicans wanted to make first lady in 2008, delivered one of the more decisive blows to Trump's election prospects in Arizona, and perhaps elsewhere.

She endorsed Biden, a longtime friend, over a president who continues to hurl insults at her late husband, John McCain. In the closest presidential election in Arizona's history, it doubtless made a difference.

GOP holds power in statehouse, Maricopa County

The chorus of conspiracies from conservatives following the election largely obscured an important fact: Republicans overall did very well.

For months, Republicans braced for Democrats to take control of the state House of Representatives and to sweep power in Maricopa County, the state's population center.

AMERICAN OVERSIGHT

But it didn't happen. The GOP held power, elected more-conservative members and avoided the kind of losses that would have done the most to redefine the state's political agenda.

Purple power: Arizona as battleground state

Even in a pandemic, Arizona got the most attention it has ever seen from presidential candidates. The national media discovered Arizona's political contours and voters here were wooed in a way usually reserved for diners in Iowa and factory workers in Ohio.

Trump and Vice President Mike Pence made a combined 14 stops in Arizona throughout the year, and two more in 2019. Biden and Vice President-elect Kamala Harris each paid Arizona a visit in the fall after months in quarantine.

From Bullhead City to Yuma to Phoenix, Arizona got the swing state treatment in 2020.

GOP infighting intensifies

In a flurry of December tweets that had the feeling of watching a family fight in public, high-profile Republicans from Arizona to the White House began dunking each other, ostensibly over vaccinations against the coronavirus.

But the bickering goes much deeper, to include recriminations over the 2020 election and to elections still to come.

Trump piled on before and after, extending and deepening the fissure within conservatives.

Turnout spikes; voters voted

Love him or hate him, Trump intensified interest in politics. Even so, voting in 2020 was risky business because of the pandemic.

But voters adapted to the current conditions and still made their voices heard at the ballot box. Turnout in November was more than 79%, the highest in Arizona since 1964, when Sen. Barry Goldwater, R-Ariz., was on the ballot. Mail-in balloting was the main reason in 2020, and voters turned to it despite concerns about postal slowdowns and other worries.

Arizona cour ts reject election challenges

Arizona wound up being the closest state in the country by the number of votes separating Trump from Biden. Trump and Republicans sought to close that 10,000-vote gap with several lawsuits that flopped in Arizona courts, as they did in other swing states.

Lawyers promised to "release the Kraken," but judges only saw cases "sorely wanting of relevant or reliable evidence."

Arizona Secretary of State Katie Hobbs also made a splash on national TV as she cut through the clatter of conspiracy theories to help calmly deliver the election result. Along the way, she set aside threats of violence to guide the process to its conclusion.

AMERICAN OVERSIGHT

2 Dems in Senate: Kelly defeats McSally

Democrat Mark Kelly ousted Republican Martha McSally from the U.S. Senate in a race that kept alive Democrats' hopes for controlling the chamber at the dawn of the Biden administration.

Kelly gives the state its first pair of Democratic senators since 1953, just before Goldwater began his Senate career. McSally's loss owed to a shift in Arizona's political loyalties in the suburbs and to overwhelming opposition in her home city of Tucson.

Arizona goes blue for Biden

Biden's win in Arizona was both tiny and historic.

Arizona provided the narrowest margin in the country, extending the swing state intrigue that hung over it throughout the year. It also stands as only the second time since 1948 that a Democrat has carried the state.

Maybe the result came to pass because there were fewer third-party options. Maybe it was largely a pushback against Trump and his polarizing politics. Perhaps it was a fluke because of a once-in-a-lifetime pandemic. Or maybe it heralds a more competitive political climate for a generation to come.

However you see it, the state's presidential evolution was the biggest political story of 2020 in Arizona.

Return to the table of contents

State AG enters election dispute

Says state senators can subpoena election info
Jen Fifield and Maria Polletta
Arizona Republic
January 4, 2021

Arizona Attorney General Mark Brnovich has waded into a legal battle between Republican state senators and Maricopa County election officials as the Senate seeks to perform an independent audit of the November election.

In a brief filed in Maricopa County Superior Court last week, Brnovich's office said the Senate had the authority to issue two subpoenas demanding the county's Board of Supervisors turn over election materials and machinery earlier this month.

The Dec. 15 subpoenas gave the supervisors three days to respond and produce a voluminous amount of material from the general election, including images of all mail-in ballots, detailed voter information and machines used to count votes.

The supervisors did not respond to the subpoenas by the deadline and instead sued to stop them, saying state law prohibits the county from turning over copies of ballots and arguing the state Legislature was overreaching its powers.

AMERICAN OVERSIGHT

Brnovich's brief, however, claims the supervisors misunderstood the scope of the Legislature's sweeping authority to issue and enforce subpoenas. It contends the county's position is "inconsistent with constitutional structure, governmental tradition and practice, the plain meaning of an Arizona statute, and binding Arizona Supreme Court case law."

Board of Supervisors Chairman Clint Hickman said in response that Brnovich's brief addressed whether the Senate could issue subpoenas for the purpose of deciding what new election laws to make, but it didn't address whether it could issue subpoenas in an attempt to overturn the election. "What is at issue in the court is whether a legislative subpoena is the proper constitutional mechanism for the state Senate to take custody of the voting machines and voter database and millions of ballots for purpose of determining whether it wants to throw out the November 3, 2020 election results and impose their preferred slate of presidential electors," Hickman said. "Unfortunately, the (Attorney General's) brief declined to address that issue."

A judge on Monday will discuss scheduling for the lawsuit.

Final attempt to challenge election

President-elect Joe Biden came out ahead in both Arizona and Maricopa County in November. The subpoenas are part of the latest attempt by some Republicans in the state to challenge or overturn the results.

Multiple audits have shown the county counted votes accurately, and the Republican-controlled supervisors have repeatedly attempted to reassure the Legislature and public that the election was fair. But some members of the GOP continue to claim widespread election fraud and misconduct.

In addition to the Senate proceedings, Republicans have unsuccessfully filed at least eight other lawsuits in Arizona to challenge election procedures and results, none of which have succeeded in court. A handful are awaiting appeal. Last week, Judge Randall Warner dismissed a lawsuit from Senate Judiciary Committee Chairman Eddie Farnsworth, R-Gilbert, and Senate President Karen Fann, R-Prescott, asking the court to demand that the county respond to the subpoenas. The judge ruled that a lawsuit was not a proper way to enforce a subpoena from the Legislature.

In their lawsuit, Farnsworth and Fann indicated they hoped to complete some sort of investigation before the certification of Electoral College votes by Congress on Jan. 6.

Warner questioned last week whether there would be time.

Authority to issue the subpoenas

The county said in its lawsuit that the subpoenas are invalid because the state Legislature only has the right to subpoena in certain instances.

That includes if the subpoena is authorized by ordinance or similar enactment, if it serves a valid legislative purpose, and if the witnesses or material subpoenaed are pertinent to the subject matter of an investigation. None of these are the case, according to the county complaint.

Brnovich said Legislative bodies or committee chairs can issue summonses either to inform future legislation or to "investigate whether a particular governmental entity properly discharged its functions,"

AMERICAN OVERSIGHT

state attorneys wrote. The judge should therefore treat the subpoenas in question with "deference and respect."

Brnovich's office also worked to dismantle the county's "separation of powers" argument — the idea that, because the Legislature has granted the Secretary of State and counties authority to administer elections, lawmakers have largely forfeited oversight of election proceedings. The brief argues the opposite: Because the Legislature gives counties their election-related powers, it says, it can "grant or take away" county authority as it sees fit.

"For example, the Legislature may require additional protections related to use of electronic tabulating machines, such as modifying the hand-count audit procedures to require a higher percentage of ballots be hand counted," the attorneys wrote. Separation of powers does not "insulate a subordinate division of government … from oversight in the

administration of something as fundamental to American democracy as elections," the brief states.

County argues subpoenas are unlawful

Though Brnovich's brief supports the Senate's overall authority to issue the subpoenas, it does not address their contents. One subpoena calls for images of every mail-in ballot, other county logs and voter information, including voters' date of birth, address, party affiliation and other related information. Another calls for the county to provide access to a range of election equipment for "forensic analysis."

The county claims that, by asking for the detailed voter information and copies of ballots, the subpoenas violate Arizona laws for ballot secrecy and access to ballots.

The county said in its lawsuit that turning over the ballots and ballot images to the committee "unquestionably compromises the secrecy of the ballots," required under state law, and violates the state law that requires the county to keep the ballots "in a secure facility managed by the treasurer, who shall keep it unopened and unaltered," for a certain time frame.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Meghan McCain and Kelli Ward battle over insult

Jamie Landers
Arizona Republic
January 4, 2021

Meghan McCain and Kelli Ward went head to head on Twitter Saturday after the Arizona Republican Party declared it is leaving the days of the late Sen. John McCain behind.

The exchange started when "The View" co-host responded to the initial tweet from the Arizona Republican Party's official account stating in part, "As the sun sets on 2020, remember

that we're never going back to the party of Romney, Flake, and McCain."

The tweet referenced 2012 GOP presidential candidate Mitt Romney and two former Arizona senators, the late 2008 GOP presidential candidate John McCain and Jeff Flake.

AMERICAN OVERSIGHT

Meghan McCain quoted the tweet twice.

"Honestly whomever is running this Twitter account can go to hell," she wrote first. The second post, six minutes later, said,

"How'd that work out on election day in Arizona?"

One minute later, Ward, Arizona's GOP chairwoman, said "Good job, @AZGOP! Someone is #Triggered!"

Ward has been consistently outspoken about her desire to overturn the results of the presidential election, making baseless claims of fraud.

McCain shot back: "You just lost Arizona both Senate seats to Democrats, the general election to Biden and turned the state blue for the (first) time in generations."

Ward, along with a handful of other Arizona politicians, most recently joined Texas Congressman Louie Gohmert in suing Vice President Mike Pence to force him to intervene in the Electoral College vote count.

On Saturday, a federal appeals court dismissed Gohmert's case. Ward responded with "I think that was you and your mom ... voted for Uncle Joe? Who wants to be Kamala's Ambassador to England? Who didn't campaign for Republicans but instead backstabbed everyone from President @realDonald-Trump to me? That was ALL YOU. You're a family of frauds." Cindy McCain, who endorsed Democrat Joe Biden for president, is credited for helping to influence Arizona's shift to Biden in 2020 from Donald Trump in 2016.

Media outlets in the United Kingdom have suggested Cindy McCain could be in line for ambassador to the United Kingdom. Cindy McCain has not accepted a position in the administration.

From Meghan McCain: "You admit that my mother is more influential than you in Arizona."

An ongoing feud Ward has attacked John McCain on social media before, and the McCains haven't forgotten.

On Aug. 25, 2018, the day of John McCain's death, Ward suggested the statement issued about ending his treatment for brain cancer was intended to hurt her U.S. Senate campaign.

McCain died hours after her remarks.

At the time, Ward was in a three-way race for the Republican U.S. Senate nomination, which she ultimately lost.

Ward wrote on Facebook that "I think they wanted to have a particular narrative that they hope is negative to me."

AMERICAN OVERSIGHT

Her comment was made under a Facebook post by one of her campaign staffers, who questioned if it was "just a coincidence" that the McCain family released the statement the same day that Ward was kicking off her campaign bus tour, "or if it was a plan to take media attention off her campaign?"

On learning of McCain's passing, Ward posted her condolences on Twitter, writing, "May God grant the McCain family comfort and peace during this difficult time."

Ward had challenged McCain in the 2016 GOP primary, losing handily to the longtime senator.

Meghan McCain trashes state party

In December, Meghan McCain responded to another tweet from the Arizona Republican Party when a post asked followers if they were willing to die for the cause of overturning the presidential election results. On Dec. 8, the party's official Twitter account shared a post from Ali Alexander, an activist with an organization called "Stop the Steal" that has protested election results.

"I am willing to give my life for this fight," Alexander wrote. When sharing his comment, the GOP asked followers: "He is. Are you?" While some comments were people confirming they were indeed willing to give their lives to the cause, a majority consisted of backlash against the violent rhetoric. Meghan McCain called the move "stupid and embarrassing."

"You admit that my mother is more influential than you in Arizona." Meghan McCain to Kelli Ward

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 17K new COVID-19 cases, a new record high

Chelsea Curtis
Arizona Republic
January 4, 2021

Arizona reported a record high of more than 17,200 new COVID-19 cases and no new known deaths on Sunday as hospitalization numbers continued to worsen across the state.

Sunday marked the highest number of new COVID-19 cases reported in a single day since the pandemic began. It toppled the state's previous record of more than 12,300 new cases on Dec. 8 by nearly 5,000 new cases.

The record follows the New Year's holiday weekend.

'The Friday holiday likely is contributing, but the numbers are higher at the point we'd expect to see an increase due to Christmas gatherings,' Arizona Department of Health Services spokesperson Steve Elliott said of Sunday's new cases.

The state data dashboard shows 93% of all ICU beds and 93% of all inpatient beds in Arizona were in use Saturday, with 61% of ICU beds and 53% of non-ICU beds occupied by COVID-19 patients. Statewide, there were 132 ICU beds and 607 non-ICU beds available.

AMERICAN OVERSIGHT

Arizona's seven-day new-case average ranks fourth-highest in the nation, and public health experts expect the virus to spread further because of personal contact over the holidays.

Phoenix-area hospitals have started temporarily closing to incoming emergency transports and hospital transfers because of overwhelming patient counts.

Hospital leaders say facilities are in their worst position since the pandemic began.

New cases in Arizona have eclipsed 5,000 for 28 of the past 32 days.

Sunday's 17,234 new cases brought the total number of identified COVID-19 cases in the state to 556,384.

As of Saturday, 9,061 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

She said hospitals are doing everything they can to avoid reaching a crisis point where they have to ration implement triage or rationing of care, but that Arizonans need to play a larger role in reducing spread to help hospitals.

Leaders of six major medical and public health groups in Arizona earlier this month asked Gov. Doug Ducey to take more aggressive action against the spread of COVID-19, including banning indoor dining, limiting public gatherings to no more than 25 people and implementing a statewide and enforceable mask mandate.

Sunday's numbers

Reported cases in Arizona: 556,384.

Cases since the outbreak began increased by 17,234, or 3.25%, from Saturday's 8,883 identified cases.

These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 342,994 in Maricopa, 74,108 in Pima, 29,093 in Pinal, 28,921 in Yuma, 13,590 in Mohave, 11,691 in Yavapai, 11,865 in Navajo, 11,691 in Coconino, 7,873 in Cochise, 7,758 in Apache, 6,262 in Santa Cruz, 4,684 in Gila, 3,414 in Graham, 1,609 in La Paz and 415 in Greenlee, according to state numbers.

The Navajo Nation reported 23,581 cases and 816 confirmed deaths in total as of Saturday.

The Navajo Nation includes parts of Arizona, New Mexico and Utah.

Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the 'uncontrolled spread' of COVID-19 in the tribe's communities.

Reported deaths:

AMERICAN OVERSIGHT

Deaths by county: 5,239 in Maricopa, 1,084 in Pima, 528 in Yuma, 371 in Pinal, 350 in Mohave, 347 in Navajo, 244 in Apache, 221 in Yavapai, 214 in Coconino, 136 in Gila, 136 in Cochise, 101 in Santa Cruz, 51 in Graham, 35 in La Paz and four in Greenlee.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona reports 5,158 new COVID-19 cases, 3 more deaths

KTAR News
January 4, 2021

Arizona health officials on Monday reported 5,158 new coronavirus cases and three additional deaths, while hospitalization numbers reached record highs.

The state's documented totals moved to 561,542 COVID-19 infections and 9,064 fatalities, according to the Arizona Department of Health Services dashboard.

Multiple COVID-19 metrics in Arizona remain at or near pandemic highs.

The number of Arizona's confirmed or suspected COVID-19 hospital inpatients climbed to 4,647 on Sunday, the most ever reported by more than 80.

The number of COVID-19 patients in the state's ICU beds increased to 1,082 on Sunday, breaking the previous day's record by one.

Statewide, suspected or confirmed COVID-19 patients took up 54% of all inpatient beds, a new high, and a record-tying 61% of all ICU beds.

Overall, inpatient beds were 92% full and ICU beds were a record-tying 93% full.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, soared to a record level last week, when 26% of people tested got a positive result. That's 5 percentage points above the previous high mark.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported cases soared to a new high of 8,863.86 for Sunday, eclipsing 8,000 for the first time, according to tracking by The Associated Press.

The seven-day average of newly reported COVID-19 deaths was 90.57 for Sunday, the fourth-highest ever.

The state's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

AMERICAN OVERSIGHT

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County Attorney Adel home from hospital after brain bleed

Kaci Demarest
KTAR News
January 2, 2021

Maricopa County Attorney Allister Adel has returned home from the hospital and is recovering after emergency surgery for a brain bleed on election night.

Chief Deputy Ken Vick and Chief of Staff informed Maricopa County Attorney Office employees of Adel's progress in a letter on Thursday.

"She is so appreciative of everyone's well wishes and looks forward to seeing all of you in the New Year," the statement said.

The letter noted Adel has signed her oath of office following her win in November's election and "looks forward to serving as county attorney."

Adel was rushed to the hospital on Nov. 3 after she fell and hit her at her home. She underwent emergency surgery for bleeding in the brain.

Adel, a Republican, wound up defeating Julie Gunnigle by about 35,000 votes to become the first woman elected as Maricopa County attorney.

She's been in the post since October 2019, when she was appointed to fill the vacancy created when Bill Montgomery's was named to the Arizona Supreme Court.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona coronavirus vaccination efforts steadily picking up pace

KTAR News
January 3, 2021

After the second full week of coronavirus vaccinations in Arizona, the state has taken strides to better distribute doses to health care workers, according to the Arizona Department of Health Services.

AMERICAN OVERSIGHT

With over 70 vaccination sites active in the state, more than 80,000 doses of the Pfizer and Moderna vaccines combined have been administered.

"The state and local partners are making solid progress, but there is considerable work ahead," Arizona Department of Health Services Director Dr. Cara Christ said in a press release Friday.

"We will continue identifying and surmounting challenges because there is too great a cost for every minute that any dose of vaccine isn't used."

Rural and tribal communities have started to ramp up vaccination efforts as well.

Additionally, CVS and Walgreens started to vaccinate residents and staff in nursing facilities with 24 locations served to date. That initiative received nearly 40,000 doses from the state's allocation at the end of December to vaccinate the facilities over the next three weeks, according to the release.

Last week, Gov. Doug Ducey issued an executive order aimed at speeding up the rate of vaccination and streamlining communication about how eligible Arizonans can access the vaccine.

At the time, Arizona had received around 315,000 doses since distribution began earlier in December.

In most of the state, health care workers, emergency medical service workers and long-term care facility staff and residents are being vaccinated as part of phase 1A of the state's vaccination plan.

Arizona expects to transition into phase 1B, which includes teachers, childcare staff, protective service workers and individuals 75 and older, in most counties by mid to late January. Christ told KTAR News 92.3 FM last week that some counties may start phase 1B sooner.

The increased vaccinations efforts come as coronavirus cases continue to hit record levels in the state.

On Sunday, Arizona health officials reported a single-day record of 17,234 new coronavirus cases and no new deaths, bringing the state's documented totals to 556,384 infections and 9,061 fatalities.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona ranks middle of pack in identity theft, fraud metrics

Tom Kuebel
KTAR News
January 3, 2021

New methods of identity theft and fraud are developed each year, leaving personal information exposed and vulnerable.

According to an article by WalletHub.com, Arizonans are fairly well protected.
The state ranks slightly above-average in protecting its citizens from identity theft and fraud, coming in at No. 31 in the country.

Arizona ranks No. 28 in the country for most identity theft and No. 18 in the country for most fraud.

AMERICAN OVERSIGHT

Identity theft rankings were compiled based on complaints per capita and average amount of money lost.

Fraud rankings were compiled based complaints per capita, median amount of money lost, people arrested for fraud per capita and e-commerce attack rates.

Florida was ranked as the state with the most identity theft and the state with the most overall identity theft and fraud.

Delaware was ranked as the state with the most fraud.

The article also suggests ways to prevent identity theft and fraud.

Those steps include creating two-step verification for emails, signing up for credit monitoring, updating contact information, avoiding emails from untrustworthy sources and avoiding websites that don't begin with "https" in the URL.

Return to the table of contents

Ducey extends lawsuit protection for Arizona COVID health care workers

Kevin Stone
KTAR News
January 3, 2021

Arizona Gov. Doug Ducey on Thursday extended an executive order that prevents health care professionals from being sued over their work on the front lines of the COVID-19 pandemic in most cases.

The "Good Samaritan" order protects health care workers and facilities from civil liability in their treatment of COVID-19 patients if they "acted in good faith."

The order was issued April 9 and had previously been renewed on June 25 through the end of 2020. The latest extension runs through March 31.

"The extension of the 'Good Samaritan' order will help maintain staffing levels in our hospitals and ensure our medical professionals are protected when acting in good faith in emergency situations," Ducey said in a press release.

The order doesn't apply in cases of gross negligence and reckless or willful misconduct. For example, a health care worker who was drunk or under the influence of an intoxicating drug would not be protected against lawsuits.

The move came one day after Ducey announced three actions related to the coronavirus pandemic more patients were being hospitalized for COVID-19 on than ever before.

First, Ducey revealed that Arizona's three public universities are receiving $115 million for their ongoing pandemic efforts. The money is coming from the coronavirus relief fund as part of the federal CARES Act.

AMERICAN OVERSIGHT

Then he deferred renewals for standard driver licenses that expire between March 1, 2020, and Feb. 28, 2021, by one year. That extended a September order that originally covered expiration dates through Thursday.

Finally, he issued an order aimed at speeding up distribution of the coronavirus vaccine.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

High court sets hearing for Arizona 'ballot harvesting' law

Arizona Daily Sun
January 1, 2021

The U.S. Supreme Court said it will hear arguments in March on an Arizona law that prohibits anyone but a family member, household member or caregiver from returning another person's early election ballot.

A federal appeals court in January 2020 struck down Arizona's ban on so-called "ballot harvesting," ruling that it violated the Voting Rights Act, disproportionately affects Black, Latino and Indigenous voters and was enacted with discriminatory intent, The Arizona Republic reported Thursday.

The appeals court also found that the state's policy of discarding ballots if a voter went to the wrong precinct violates the law.

The case began after Republicans in Arizona passed the law making it a felony to return someone else's ballot to election officials in most cases and Democrats sued, arguing the practice is important for voters who do not have transportation, a nearby polling place or timely mail service.

Attorney General Mark Brnovich, a Republican, argued that the ban is a basic means of curbing the potential of fraud or tampering during an election.

The law remained in effect through the presidential election in November. The appeals court held its decision while the Supreme Court was asked to take the case.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Health officials: Arizona COVID-19 triage care again likely

Anita Snow
Arizona Daily Sun
January 1, 2021

Arizona health care leaders say hospitals may soon have to make tough decisions about the treatment of COVID-19 patients amid surging cases that are crowding intensive care units.

The state's largest hospital chain, Phoenix-based Banner Health, suspended elective surgeries starting Friday to free up room for treating COVID-19 patients as new records for infections and hospitalizations are being set regularly.

Some of its hospitals are among those sending away ambulance transports or halting transfers from other hospitals, while still accepting walk-in patients needing emergency care.

AMERICAN OVERSIGHT

Now, hospitals may have to prioritize care among patients, deciding who first gets access to limited resources.

“Triage may soon be necessary if volumes continue to increase like they did this past week,” said Dr. Marjorie Bessel, Banner Health's chief clinical officer.

On Friday, Arizona reported over 10,000 additional confirmed COVID-19 cases.

Bessel said Wednesday that the rate of COVID-19 hospitalizations is increasing exponentially in Arizona, with bed occupancy jumping in December by 150%.

“It might not be for another week, but we do seem headed that way,” Will Humble, Arizona Public Health Association director and a former state health services director, said Thursday.

WHAT'S HAPPENING NOW?

Humble said Arizona hospitals since early December have already been under “contingency standards of care" that are one step before more drastic rules aimed at helping decide such things as which patients should be admitted or get an ICU bed.

Governed by a committee of health professionals and government officials, the protocols also give hospitals some liability protection as they grapple to provide the best care they can in a difficult situation.

Faced with a shortage of beds, Humble said under the current guidelines hospital personnel may now opt to keep a patient in the emergency department for overnight observation rather than admit them, or place a candidate for intensive care in a regular hospital bed until an ICU bed opens up.

“This is by far one of the most difficult things for me and my colleagues, sending a patient home when we would normally admit them,” Dr. Frank LoVecchio, an emergency room physician at Arizona's Valleywise Health, said Thursday. “But you reach that point when the needs exceed what is available.”

WHAT'S COMING NEXT?

Health care officials say the more serious “crisis standards of care" for Arizona hospitals could be activated by the medical advisory committee that oversees them if providers become increasingly overwhelmed.

LoVecchio noted that Arizona was the first state following the virus outbreak to adopt the triage protocols for a period in July until closures of businesses such as gyms and restaurants helped bring infection numbers down.

“Haven't we learned anything?" he asked, noting the state has not ordered certain businesses to close again despite spiraling numbers of infections, deaths and hospitalizations. "It’s incredible this could happen again.”

Bessel said patients with the disease already account for half of all people hospitalized in the Banner system in Arizona, with the hospitals collectively reporting 104% of licensed bed capacity. ICU bed occupancy by COVID-19 patients has increased by 600% since Nov. 1, she said.

AMERICAN OVERSIGHT

“These COVID-19 patients are very very sick," said Bessel. “They require a great deal of care and much longer stays in the ICU compared to the typical ICU patient. Many of them also require the support of a ventilator.”

WHO'S TREATED FIRST?

Under “crisis standards of care,” triage protocols take effect and put patients less likely to suffer organ failure and more likely to live longer first in line for treatment.

All decisions are supposed to be made based on long term outcomes, without consideration of such things as ethnicity, color, national origin, religion, sex, age and sexual orientation.

“What triage would look like would be that we might -- if we got to that point -- be unable to care for everybody,” Bessel said. “Please help us never get to triage. Shrink your circle, and wear your mask.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ducey rejects request for 2-week school 'quarantine'

Paul Davenport
Arizona Daily Sun
January 4, 2021

Despite the state's surge of coronavirus cases, Arizona Gov. Doug Ducey on Saturday rejected the state's top education official's call for him to order public schools to use only distance learning for the next two weeks unless they have waivers from health officials.

“Given the severity of our state’s situation and the virus’s trajectory after the holiday period," schools need a “two-week quarantine period" for education leaders and local officials to use local health data “to decide the appropriate instruction model for their communities," Superintendent of Public Instruction Kathy Hoffman said in a Twitter thread.

Hoffman called for the two-week “quarantine period" for schools after the Department of Health Services on Saturday — the second day of the new year — reported nearly 8,900 additional known COVID-19 cases, giving the state a two-day pandemic high for new cases.

However, Ducey spokesman C.J. Karamargin said the governor “will not be considering this request or issuing this kind of mandate. This is a local decision. The online option is already available, and the governor has repeatedly made his preference clear: Kids have already lost out on a lot of learning, and he wants schools opened, safely."

Ducey, a Republican, and Hoffman, a Democrat, were aligned last spring when he ordered schools closed because of the coronavirus, but she voiced reservations during the fall as he urged schools to provide in-person learning.

Guidelines issued by Ducey's administration during the fall let students remain in in-person classes beyond what earlier guidance would have recommended.

AMERICAN OVERSIGHT

Many Arizona school districts in recent months have provided hybrid learning that includes both distanced and in-person instruction, while others either were already on remote learning or returning to it this month.

Many schools are set to resume classes in the coming week after the winter holidays.

Hoffman noted that educators are among groups included in a large category planned to be eligible fairly early for vaccinations against COVID-19, and she said she will continue to advocate that school personnel are prioritized for the shots “so that our schools can safely provide in-person instruction as quickly as possible.""

“I look forward to a safe return of our teachers and students to the classroom. But now, we must do everything possible to help our health care workers and keep our teachers and students safe," Hoffman added.

Added to the 10,060 COVID-19 cases that the state reported Friday, the 8,883 cases reported Saturday produced a two-day total of 18,943. The state's previous two-day high was 17,649 on Dec. 13-14.

The statewide overall tally of cases since the pandemic began now stands at 539,150.

Arizona also reported 46 deaths on Saturday, increasing the pandemic's total to 9,061.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

Arizona had the second-worst COVID-19 diagnosis rate over the past week, behind only California. The diagnosis rate is calculating by dividing the state’s population by the number of new cases over the past week.

Hospital occupancy has surged during December due to the outbreak, and hospitals statewide remain nearly full, with only 7% of all inpatient beds available and not in use, according to the state's coronavirus dashboard.

There were 4,484 hospitalized COVID-19 patients as of Friday, down from the pandemic-high record of 4,564 on Wednesday, according to the dashboard.

COVID-19 patients were in three of every five intensive care beds statewide and about half of all hospital inpatient beds.

The crush of COVID-19 patients has caused some hospitals in metro Phoenix and Tucson areas to suspend elective surgeries and some have resorted to turning away patients being transported by ambulance or being transferred from other hospitals while still accepting walk-patients needing emergency care.

Hospital officials also have said the crush of COVID-19 patients may force imposition of triage protocols that the state could order to help hospitals decide how to decide which patients gets access to limited resources.

AMERICAN OVERSIGHT

Return to the table of contents

Arizona hits new daily high in COVID-19 cases, but no deaths

Arizona Daily Sun
January 3, 2021

Arizona health officials reported a big jump in coronavirus pandemic numbers on Sunday, including a record daily high of more than 17,200 new confirmed cases — a number they say could be partially inflated by a lag in reporting during the holiday weekend.

Just 7% of hospital beds were available statewide and 61% of intensive care unit beds were occupied by 1,081 patients fighting the virus, according to the Arizona Department of Health Services.

Department spokesman Steve Elliott told the Arizona Republic the jump in daily cases could be due to a reporting lag as well as the spread of the virus during Christmas gatherings.

The single-day total of 17,234 new confirmed cases topped the previous daily record of 12,314 set Dec. 8.

Arizona is among U.S. states with the highest numbers of coronavirus cases. The AZfamily group of Phoenix television stations, noted the more than 200,000 new cases COVID-19 reported in December was double the number of cases reported for the month of November.

The statewide overall tally of known cases since the pandemic began was 556,384. The death toll stands at 9,061.

The number of infections is thought to be higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

The crush of COVID-19 patients has caused some Phoenix and Tucson-area hospitals to suspend elective surgeries and turn away ambulance patients or transfers from other hospitals, while still accepting walk-patients needing emergency care.

Hospital officials have discussed triage protocols that the state could order to decide which patients gets access to limited resources.

Return to the table of contents

Arizona increases minimum wage to $12.15 an hour

Arizona Daily Sun
January 2, 2021

The law took effect on New Year's Day.

In Flagstaff, wages increased to $15 an hour. Arizona is among 21 states that have increased their minimum wages in 2021, KSAZ-TV reported Wednesday.

AMERICAN OVERSIGHT

Last year, Arizona's minimum wage went from $11 to $12 hour. The minimum wage has increased every year since 2017, when the minimum was $10 an hour.

The wage increases have been done as a result of Proposition 206, which voters approved in 2016.

Flagstaff's new $15 wage is the result of a city proposition passed by voters in 2016 and amended by the city council in 2017.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Wednesday, January 6, 2021 4:25:45 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 1-6-21.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *January 6, 2021*

DEMOCRACY – IT WAS FUN WHILE IT LASTED
As armed Trump supporters battled police in the streets and stormed the US Capitol today, thousands of protesters showed up at the Arizona Capitol, bringing a guillotine and following a member of the press corps around accusing him of being an undercover Antifa member.

BETTER LATE THAN NEVER
Meanwhile, a handful of Republicans forcibly condemned the rioting in DC, including the governor.

IT'S ALL FUN AND GAMES UNTIL THEY STORM YOUR BUILDING
Some of Arizona's most fervent conspiracy spreaders in Congress – the same lawmakers who have been urging their supporters to "hold the line" and be ready to fight for the country's soul – are locked down and tweeting for their supporters to go home.

IT'S CRAZY EVERYWHERE

AMERICAN OVERSIGHT

Amid the protests happening at the Arizona Capitol, new security measures have already been put into place for the Executive Tower to limit access into the building for everyone.

TRUMP'S END IS NOT THE END OF TRUMPISM

Kelli Ward last night announced that she would seek re-election as chair of AZGOP, saying Trump told her she needed to run.

OLD ENOUGH TO REMEMBER WHEN JEFF FLAKE MATTERED

At their organizational meeting this weekend, Maricopa County Republicans will debate resolutions to demand lawmakers end Ducey's emergency orders, "support God's plan of two genders" and oppose gay marriage and urge Jeff Flake to become a Democrat.

NOTHING HERE IS AGING WELL

Russell Pearce, the recalled former Senate president, authored a trio of resolutions for debate at the Maricopa County Republicans meeting, including the gay marriage resolution that claims God created two genders "and quit after that for good reason."

ON A SLOWER DAY, WE WOULD HAVE ROASTED HER PROPERLY

State health director Cara Christ invited the media to come watch her receive her second dose of the Pfizer vaccine this morning, but did not stick around for any questions.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, January 06, 2021

·NEWS NOTES AND GOSSIP·

DEMOCRACY – IT WAS FUN WHILE IT LASTED

As armed Trump supporters battled police in the streets and stormed the US Capitol today, thousands of protesters showed up at the Arizona Capitol, bringing a guillotine and following a member of the press corps around accusing him of being an undercover Antifa member. Congress is supposed to certify the results of the Electoral College today, sparking protests across the country and violent insurrection in DC. The *Arizona Mirror's* Jerod MacDonald-Evoy tweeted this morning that a militia member told him protesters believe he's an undercover agent of Antifa. "Now it appears I'm being followed around the event," he wrote. Armed militia members have set up at the state Capitol building, and protesters were chanting "f*ck Joe Biden" and urging their ranks to stand up to the government "like they did in DC." Finchem, who is in DC for the riot there, egged on protesters and supported their attempt to violently overthrow Congress. "What happens when the People feel they have been ignored, and Congress refuses to acknowledge rampant fraud," Finchem tweeted. The protests in Arizona have so far remained peaceful, if tense, and have paled in comparison to the violent insurrection happening in DC. However, Kelli Ward and incoming Sen Wendy Rogers are both expected to speak at the Phoenix rally later, and Capitol denizens are concerned that the protest and violence could ramp up after Ward arrives. Ward, her communications director Zachery Henry and the official AZGOP Twitter have shared multiple tweets justifying the action in DC. "You know what could have prevented this? #ElectionIntegrity and full transparent investigations into 2020 fraud," Ward said in one tweet. "Funny to hear Democrats saying that people are 'desecrating' the Capitol. What did they say when BLM & Antifa vandalized, looted, terrorized, and burned? Seems like similar behavior called very different things," she said in another. The AZGOP twitter just last month asked its followers if they were ready to die for this cause. Meanwhile, the Senate sent its staff home after protesters began to pound on the doors of the House and Senate buildings. Hobbs, who has become accustomed to election-related threats, told her staff to stay home today in anticipation that the protests at the Capitol could get out of control.

BETTER LATE THAN NEVER

Meanwhile, a handful of Republicans forcibly condemned the rioting in DC, including the governor. "The scene at the United States Capitol right now is wrong and has no place in our form of government. All should denounce, and it should end now," Ducey tweeted. His denouncement did little to quell those within his own party, and only enraged Democrats, who accused him of being spineless and complicit with Trump's manufactured claims of fraud. Brnovich chimed in that people should demonstrate peacefully. "This is America. We do not destroy buildings and institutions in order to save them," he tweeted, still implying that protesters are attempting to save the nation from electoral fraud, despite his official stance that there has been no evidence of fraud in Arizona's election. Shope, Weninger, Osborn, Boyer and Carter are among a handful of legislators who denounced the rioters. "I support people there using their 1st amendment rights. But if you're being violent or vandalizing anything or breaking into congressional buildings, that is disgusting & I hope you are found & prosecuted," Weninger tweeted (LINK). Boyer joined in the call for prosecutions, tweeting "Arrest and prosecute those who trespassed and committed crimes in our nation's capitol. Conclude the proceeding and confirm" (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000630

ARZN_REV00068556_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S ALL FUN AND GAMES UNTIL THEY STORM YOUR BUILDING

Some of Arizona's most fervent conspiracy spreaders in Congress – the same lawmakers who have been urging their supporters to "hold the line" and be ready to fight for the country's soul – are locked down and tweeting for their supporters to go home. Gosar, who has been a vocal supporter of unfounded election fraud claims and subsequent protests, is suddenly not supportive of what his followers are doing in DC. "Ok. I said let's do an audit. Let's not get carried away here. I don't want anyone hurt. We are protesting the violation of our laws. We are builders not destroyers. BLM burns and loots. We build. If anyone on the ground reads this and is beyond the line come back," he tweeted. On the alt-right social media platform Parlor, he took a different tone, posting a photo of protesters climbing the walls of the Capitol and adding, "Americans are upset." Biggs, the state's other chief conspiracy theorist, has neither condemned the violence nor added more fuel to the fire today, and has been silent on social media. Lesko, who has been among Trump's top supporters, but has stopped short of going full-blown conspiracy theory about the election results, condemned the violence, saying, "Violence and breaking into the U. S. Capitol is dangerous and totally unacceptable."

IT'S CRAZY EVERYWHERE

Amid the protests happening at the Arizona Capitol, new security measures have already been put into place for the Executive Tower to limit access into the building for everyone. A Dept of Public Safety spokesman told our reporter they were monitoring the "stop the steal" rally at the Capitol, but sources inside said things have been relatively quiet and nothing like what is happening in DC. The Dept of Administration, however, has already been leading an effort to beef up security measures – mostly for the protection of Ducey and Hobbs, who've been dealing with their own threats and harassment over the November election. Nobody will have access to the basement, seventh, eighth or ninth floors of the building without an escort. Media and members of the public used to be able to access all but the ninth floor without a security badge. Neither DPS nor ADOA would provide our reporter with specific information on the new security measures that took effect on Dec 14 and will be in place indefinitely. "Security procedures at the State Capitol have been enhanced not for any one specific event but just to ensure the safety of the public. ... Our policy is not to discuss specific security measures," a DPS spokesman said.

TRUMP'S END IS NOT THE END OF TRUMPISM

Kelli Ward last night announced that she would seek re-election as chair of AZGOP, saying Trump told her she needed to run. "I'll be honest, even at that point, I was on the fence. But I thought I owed it to the president to give it some serious consideration," she said in a video posted to Twitter (LINK). She described her fellow Republicans who have refused to go along with unfounded conspiracies that the election was stolen as "cower(ing) to the mob" and pledged to continue fighting them. "There's some potentially dark days ahead of us in the Republican Party because we've been let down and abandoned by some of the people we elected and supported who refused to investigate allegations of fraud in our elections," she said. Democrats were giddy at the prospect of another term, arguing Ward is their best weapon to show how far from reality the GOP has roamed. Despite the fact that Republicans lost the presidential election and their final Senate seat under her leadership, even her Republican opponents argued she is probably unbeatable. So far, the only potential challenger we've heard of is AZGOP treasurer Bob Lettieri.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000631

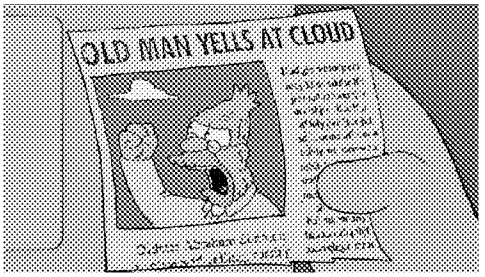
ARZN_REV00068556_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

OLD ENOUGH TO REMEMBER WHEN JEFF FLAKE MATTERED

At their organizational meeting this weekend, Maricopa County Republicans will debate resolutions to demand lawmakers end Ducey's emergency orders, "support God's plan of two genders" and oppose gay marriage and urge Jeff Flake to become a Democrat. The Flake resolution states he has used his membership in the party to become a de facto spokesman for Democrats to the mass media and that he "purports to be a conservative but his endorsements prove otherwise." After noting that he backed Biden this year, the resolution resolves that Maricopa County Republican Committee "commends you, former Senator Flake, for standing up for your principles, but recognizes that those are not the principals of the Republican Party." The resolution encourages Flake to "take the next important step and join a party that is more in line with your endorsements, your actions, and your votes: the Democratic Party." Another resolution declares Ducey's stay-at-home order is an "unlawful mandate used to harass and intimidate citizens and businesses." That resolution states categorizing businesses as essential or not favors large corporations, and urges lawmakers to immediately repeal all of Ducey's emergency executive orders, as well as any local orders, and "allow unrestricted commerce to freely occur."

NOTHING HERE IS AGING WELL



Russell Pearce, the recalled former Senate president, authored a trio of resolutions for debate at the Maricopa County Republicans meeting, including the gay marriage resolution that claims God created two genders "and quit after that for good reason." The resolution states that the party believes "that marriage is to be one man and one woman" and states the left's support or tolerance of gender-neutral positions "is extremely harmful to our youth, and to families, and to the purpose of life." Among the whereases in that resolution is the gem that "whereas it is apparent that some of the millennials (in general) have no clue." Pearce is also pushing a resolution to defend the Electoral College, stating, "The chosen electors are bound by custom or by law in many states to support the presidential candidate who won their state's popular vote." His third resolution "condemns political malfeasance" that reads like an old school Pearce rant. "Whereas enough is enough. Mob violence under the name of protests. Policies that limit police enforcement, officials ignoring the law, damage to the rule of law, maimings, murders, costs to taxpayers and Whereas when are we going to hold our public officials accountable for their refusal to enforce our laws and honor their oath of office?" the resolution states, ironically, in light of today's developments. A copy of all resolutions proposed for debate Saturday can be found in our "documents" section (LINK).

ON A SLOWER DAY, WE WOULD HAVE ROASTED HER PROPERLY

State health director Cara Christ invited the media to come watch her receive her second dose of the Pfizer vaccine this morning, but did not stick around for any questions. Reporters showed up to ask for more information on the vaccine rollout, which has been slow so far but picking up speed, and why there still is not a full dashboard in place for important information. Christ's communications director told reporters minutes before she came to speak that there will be no time for questions because Christ had a meeting to attend. *AZ Family's* Dennis Welch followed Christ out of the room attempting to get a response from her, but she scurried away (LINK). Christ – or Ducey – has not been publicly available for questions since their

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000632
ARZN_REV00068556_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

last briefing on Dec 16. Christ gives the media some time via a weekly Zoom call on Fridays to update on the vaccine, but it is not open to the public.

·WAKE UP CALL·

GOP lawmaker pushes legislation to give Trump AZ win
Capitol Media Services
A Trump supporter in the state legislature has crafted legislation designed to give the president the state's 11 electoral votes even as some GOP lawmakers in Washington work to keep Congress from certifying the election Wednesday for Joe Biden.

Arizona Supreme Court upholds dismissal of election challenge in Pinal
Capitol Media Services
The Arizona Supreme Court late Tuesday threw out the last remaining legal challenge in state courts to the choice of voters here of Joe Biden for president.

Arizona Corporation Commission elects new department chair
Associated Press
The Arizona Corporation Commission has voted to elect Republican Lea Márquez Peterson to serve as chair of the state body that sets rates and policies for utilities.

Arizona reports record deaths, leads nation in new case rate
Associated Press
Arizona on Tuesday reported a record number of additional COVID-19 deaths along with new hospitalization highs, leaving the state with the worst rate of new infections nationwide.

Known migrant deaths in Southern Arizona reached 227 last year
Arizona Daily Star
The known death toll among migrants crossing the harsh terrain along Arizona's border with Mexico reached 227 last year, the highest yearly total on record, according to recently released statistics.

COVID-19 vaccine rollout across Tucson gaining momentum after slow start
Arizona Daily Star
With a slow rollout of COVID-19 vaccine distribution throughout Arizona, Pima County officials said they are looking to take a more "aggressive" approach, which could mean opening up additional inoculation sites at places like the Tucson Convention Center, Kino Sports Complex or Rillito Racetrack.

Tucson bars file lawsuit to overturn Pima County COVID-19 curfew
Arizona Daily Star
A group of Tucson bars filed a state lawsuit on Tuesday seeking to overturn Pima County's mandatory 10 p.m. curfew order as unconstitutional, discriminatory and ineffective at combating the spread of COVID-19.

Agriculture study reveals economic effect of ranching and farming
Copper Era
A recently released University of Arizona study wanted to see what kind of an impact a one-time 20% reduction in water would have on Graham and Greenlee counties and the picture that emerged is not a pretty one, not only for the farmers and ranchers, but for the communities in which they live.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Snow flurries can't douse 'exceptional drought'
Payson Roundup
Don't let a few snow flurries get your hopes up — we're still stuck in the kind of drought that likely caused civilizations across the Southwest to collapse six centuries ago.

This Week in COVID: Full Hospitals Divert Ambulances as Ducey's Son Parties
Phoenix New Times
It's Tuesday, January 5. More than 567,400 Arizonans have been infected with COVID-19 and more than 9,317 have died as a result.

Dozens of GOP lawmakers to reject certifying Biden as president
Arizona Mirror
The final step in a turmoil-filled 2020 presidential election is set for Wednesday, when Congress will certify election results showing that Joe Biden defeated President Donald Trump.

Inmate COVID vaccinations expected to begin by early March
Arizona Mirror
Inmates in Arizona's prison system are slated to receive COVID-19 vaccinations in the last part of phase one of the state's vaccination plan.

Top CEOs consider pulling GOP support over lawmakers' plan to challenge election results
The Hill
More than 30 CEOs are considering pulling their financial support for the Republicans who plan to challenge the Electoral College results in Congress, according to Yale School of Management's Jeffrey Sonnenfeld.

How Joe Biden made history in Arizona
The Hill (Opinion, Ruben Gallego)
If you want to know how the 2020 presidential election was won, come to South Phoenix.

Jeff Flake: 'Trump Can't Hurt You. But He Is Destroying Us.'
New York Times (Opinion, Jeff Flake)
My fellow Republicans, there is power in standing up to the rank corruptions of a demagogue.

Americans will die following Donald Trump's superspreader event in D.C. It's guaranteed
Arizona Republic (Opinion, EJ Montini)
It's sad to think about how many people will be lost in service to a losing presidential candidate's ego.

Did Arizona's Republican lawmakers waste $530,000 on an election fraud unit?
Arizona Republic (Opinion, EJ Montini)
A Republican-initiated budget expenditure creating a unit run by Republicans that Republicans who don't like the results choose to ignore.

Time is running out for Trump to make Mexico pay for his border wall
Arizona Republic (Opinion, Elvia Diaz)
President Trump has just a few more days to make Mexico pay for his border wall – and if not, he shouldn't call it a promise met.

Ignore the noise about lethal injection drugs. Arizona can and should resume executions
Arizona Republic (Op-ed, Mark Brnovich)
Out-of-state critics say executions are unlawful because a doctor can't ethically prescribe lethal-injection drugs. That's simply wrong.

Pro-Trump extremists pose as electoral victims to steal your vote
Arizona Daily Star (Opinion, Tim Steller)
Arizonans voted freely in a November election that was clean. Extremists are trying to disenfranchise them.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES·

Arizona Senate Democrats' Statement on Coup Attempt at our Nation's Capitol

Arizona Senate Democratic leadership released the following statement on the attempted coup happening at our Nation's Capitol.

PHOENIX-"Our nation's Capitol buildings and our democracy have been shattered today. America is in disgrace as armed traitors have violently overrun our nation's Capitol. This is the consequence of Trump and right wing, anti-American radicals refusing to acknowledge the laws of our democracy and honor a fair and legal election. While the American people made their voices clear and elected President Joe Biden, our current president encouraged and unleashed this violent coup attempt at our Capitol. This is a dark day in American history and these events fly in the face of our free and fair democracy. We condemn with the utmost urgency these shameful and despicable actions, and urge our Republican colleagues to immediately condemn these rioters and demand they be prosecuted according to the full extent of the law. We know our American democracy is strong and resilient. Although this is a disturbing day in our history, we have confidence that democracy, justice and the rule of law will prevail."

House Democrats Condemn Violent Extremist Coup Attempt in DC

PHOENIX— House Democratic Leadership team of Reginald Bolding, D-Phoenix, Assistant Leader Jennifer Longdon, D-Phoenix, and Whip Domingo DeGrazia, D-Tucson, released the following statement about the violent attempted coup in Washington DC today.

"Today we witnessed a violent, unlawful, seditious and un-American coup attempt in our nation's Capital. It's important to restate that there has been no credible evidence of election fraud brought forward in nearly 100 separate lawsuits throughout our country, and absolutely no justifications for armed extremists to break into the Capitol and try to disrupt the peaceful transfer of power that has defined our nation from its beginning. This is an insurrection based on lies. More importantly, their disgraceful efforts will not work. Our Democracy will prevail, and Joe Biden will be sworn in as our next President, and our nation will be better for it. The Republican elected officials and party leaders, including members of our own Arizona State Legislature and Congressional delegations, who participated, planned and incited this behavior should bow their heads in shame and must be held accountable."

Jack Sellers Elected Chairman of Maricopa County Board of Supervisors

January 6, 2021 – PHOENIX – Jack Sellers, the newly-elected Chairman of the Board of Supervisors, says he's focused on building a brighter future for Maricopa County.

Watch the Full Speech>

Arizona Recognizes Human Trafficking Prevention Month

PHOENIX — Governor Doug Ducey today announced Arizona is once again recognizing Human Trafficking Prevention Month by lighting the State Capitol Dome blue every evening through January 31.

"Arizona remains a national leader in combating human trafficking, but we have much more work to do," said Governor Ducey. "My sincere gratitude goes to Arizona Human Trafficking Council Co-Chair Cindy McCain, all members of the Council, and everyone working to bring an end to human trafficking through increased intervention, awareness training, prevention, and support for victims. We will continue to work with community leaders, partners and service providers to protect Arizonans and bring human trafficking to an end."

Under the leadership of Co-Chairs Cindy McCain and Arizona Department of Homeland Security Director Gil Orrantia, the Arizona Human Trafficking Council (the Council) leads targeted statewide human trafficking prevention and awareness efforts and works to expand victim-centered services and support.

"I am pleased that Governor Ducey has once again proclaimed January as Human Trafficking Prevention Month in Arizona and appreciate the symbolic lighting of Arizona's Capitol and agency buildings blue to highlight the issue of human trafficking in our state," said Cindy McCain. "I am very proud of the work that the Arizona Human Trafficking Council continues to do to prevent human trafficking in Arizona, expand trauma-informed services available to victims and strengthen the ability to prosecute traffickers. The Council is adapting to meet the increased challenges and vulnerabilities of trafficked victims during the global pandemic, and working with our partners throughout the

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000635

ARZN_REV00068556_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

state to share best practices and available resources. We have made tremendous progress in our state and there is much more to do and we are dedicated to continuing the fight."

In 2020, the Council conducted a statewide Human Trafficking Needs Assessment to evaluate services for victims and identify barriers to providing services. It also worked with victim service providers on best practices to adapt services amid the COVID-19 pandemic in support of vulnerable populations. Additional highlights include:

- **STRENGTH Court**: The Strength Through Resilience – Empower New Growth Through Hope (STRENGTH) Court, which focuses on the needs of child victims of trafficking, has continued operations during the pandemic by utilizing video and telephonic conferencing. Since STRENGTH Court's inception in 2018, there has been a significant decline in the number of minor victims who have fled placement and returned to the streets.
- **Training**: The Council helped expand awareness and facilitate training to more than 3,900 stakeholders and community members, including educators, social workers, and juvenile and adult probation officers.

Learn more about the Arizona Human Trafficking Council HERE.

To report trafficking or get help, contact the National Human Trafficking Hotline at 1-888-373-7888.

View a PDF of the Human Trafficking Prevention Month Proclamation HERE and below

Arizona State Treasurer Kimberly Yee Releases Second Year Accomplishments, Record Earnings

PHOENIX, AZ – Treasurer Kimberly Yee announced new historic state performance records that were reached during the second year of her administration.

"In this second year in office, my administration has seen record earnings, growth in investments, and increased distributions to schools, state agencies, and local governments, even during an unpredictable global pandemic," said Arizona Treasurer Kimberly Yee. "My top priority is to protect Arizona taxpayers and increase earnings, so communities benefit statewide. We increased local governments assets under management by 10.5% in 2020. Since taking office, we have increased the assets in the LGIP by 28.7%."

Arizona's Permanent Land Endowment Trust Fund (PLETF) hit a record high of $6.95 billion on the last day of 2020. This means more money for the 13 PLETF beneficiaries, including the state's K-12 public schools. In addition, Arizona's operating balance reached an all-time high of $4.6 billion in December, excluding CARES Act funds. Recognizing the importance of all Arizona communities, Treasurer Yee continued to speak with local government clients and constituents across the state.

"In addition to our investment records, I am proud to be the new Administrator of AZ529, Arizona's Education Savings Plan. My focus is to expand the Plan's outreach to underprivileged families who may not have the resources or long-term planning for future educational opportunities like college or workforce training," said Treasurer Kimberly Yee.

As Arizona's chief banking and investment officer, Treasurer Yee is a statewide constitutional officer serving a four-year term. Treasurer Yee safeguards approximately $20 billion in assets and stewards the cash management of Arizona's $40 billion state budget and related payments to state agencies, local governments and public schools.

Please see below for a report of Treasurer Kimberly Yee's second year of accomplishments in office as the Arizona State Treasurer. The report is also available here: bit.ly/2MrZQDn

President Trump Signs Congressman Biggs' Bill to Honor Fallen Chandler Hero

WASHINGTON, D.C. – Tonight, President Donald Trump signed H.R. 4983 – To designate the Department of Veterans Affairs community-based outpatient clinic in Gilbert, Arizona, as the "Staff Sergeant Alexander W. Conrad Veterans Affairs Health Care Clinic." This legislation unanimously passed the U.S. House on September 23 and the U.S. Senate on December 10.

On June 8, 2018, Staff Sergeant Conrad, of Chandler, died in Somalia from injuries sustained from indirect enemy fire, while assigned to the 1st Battalion, 3rd Special Forces Group, in support of Operation Octave Shield. His service includes two tours in Afghanistan in support of Operation Enduring Freedom. He was posthumously awarded the Purple Heart, Bronze Star with Valor, and Meritorious Service Medal. This legislation was endorsed by the Veterans of Foreign Wars – Department of Arizona, Vietnam Veterans of America – Arizona State Council, Concerned

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000636

ARZN_REV00068556_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Veterans for America – Arizona, Disabled American Veterans – Department of Arizona, Military Officers Association of America – Arizona Council of Chapters, and the American Legion – Department of Arizona.
Congressman Biggs issued the following statement:
"I'm grateful to President Donald Trump for signing this bill that honors one of the East Valley's finest, Sgt. Alexander W. Conrad. I'm thankful for all of the members of Arizona's congressional delegation and all the members of the House and Senate who supported this legislation. Sgt. Conrad was an American hero, who gave his life in defense of our great nation. I look forward to seeing the name change on the Southeast VA Clinic for Arizonans to always remember and honor Sgt. Conrad's sacrifice."

"QUOTE OF THE DAY"

"Arrest and prosecute those who trespassed and committed crimes in our nation's capitol. Conclude the proceeding and confirm."

- Boyer, on Trump's supporters rioting in DC as congress attempts to certify the Electoral College

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000637

ARZN_REV00068556_1-6-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, January 6, 2021 4:25:51 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 1-6-21.pdf

Rosanna Gabaldón
AZ State Senator-elect
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *January 6, 2021*

DEMOCRACY – IT WAS FUN WHILE IT LASTED
As armed Trump supporters battled police in the streets and stormed the US Capitol today, thousands of protesters showed up at the Arizona Capitol, bringing a guillotine and following a member of the press corps around accusing him of being an undercover Antifa member.

BETTER LATE THAN NEVER
Meanwhile, a handful of Republicans forcibly condemned the rioting in DC, including the governor.

IT'S ALL FUN AND GAMES UNTIL THEY STORM YOUR BUILDING
Some of Arizona's most fervent conspiracy spreaders in Congress – the same lawmakers who have been urging their supporters to "hold the line" and be ready to fight for the country's soul – are locked down and tweeting for their supporters to go home.

AMERICAN OVERSIGHT

IT'S CRAZY EVERYWHERE
Amid the protests happening at the Arizona Capitol, new security measures have already been put into place for the Executive Tower to limit access into the building for everyone.

TRUMP'S END IS NOT THE END OF TRUMPISM
Kelli Ward last night announced that she would seek re-election as chair of AZGOP, saying Trump told her she needed to run.

OLD ENOUGH TO REMEMBER WHEN JEFF FLAKE MATTERED
At their organizational meeting this weekend, Maricopa County Republicans will debate resolutions to demand lawmakers end Ducey's emergency orders, "support God's plan of two genders" and oppose gay marriage and urge Jeff Flake to become a Democrat.

NOTHING HERE IS AGING WELL
Russell Pearce, the recalled former Senate president, authored a trio of resolutions for debate at the Maricopa County Republicans meeting, including the gay marriage resolution that claims God created two genders "and quit after that for good reason."

ON A SLOWER DAY, WE WOULD HAVE ROASTED HER PROPERLY
State health director Cara Christ invited the media to come watch her receive her second dose of the Pfizer vaccine this morning, but did not stick around for any questions.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, January 06, 2021

·NEWS NOTES AND GOSSIP·

DEMOCRACY – IT WAS FUN WHILE IT LASTED

As armed Trump supporters battled police in the streets and stormed the US Capitol today, thousands of protesters showed up at the Arizona Capitol, bringing a guillotine and following a member of the press corps around accusing him of being an undercover Antifa member. Congress is supposed to certify the results of the Electoral College today, sparking protests across the country and violent insurrection in DC. The *Arizona Mirror's* Jerod MacDonald-Evoy tweeted this morning that a militia member told him protesters believe he's an undercover agent of Antifa. "Now it appears I'm being followed around the event," he wrote. Armed militia members have set up at the state Capitol building, and protesters were chanting "f*ck Joe Biden" and urging their ranks to stand up to the government "like they did in DC." Finchem, who is in DC for the riot there, egged on protesters and supported their attempt to violently overthrow Congress. "What happens when the People feel they have been ignored, and Congress refuses to acknowledge rampant fraud," Finchem tweeted. The protests in Arizona have so far remained peaceful, if tense, and have paled in comparison to the violent insurrection happening in DC. However, Kelli Ward and incoming Sen Wendy Rogers are both expected to speak at the Phoenix rally later, and Capitol denizens are concerned that the protest and violence could ramp up after Ward arrives. Ward, her communications director Zachery Henry and the official AZGOP Twitter have shared multiple tweets justifying the action in DC. "You know what could have prevented this? #ElectionIntegrity and full transparent investigations into 2020 fraud," Ward said in one tweet. "Funny to hear Democrats saying that people are 'desecrating' the Capitol. What did they say when BLM & Antifa vandalized, looted, terrorized, and burned? Seems like similar behavior called very different things," she said in another. The AZGOP twitter just last month asked its followers if they were ready to die for this cause. Meanwhile, the Senate sent its staff home after protesters began to pound on the doors of the House and Senate buildings. Hobbs, who has become accustomed to election-related threats, told her staff to stay home today in anticipation that the protests at the Capitol could get out of control.

BETTER LATE THAN NEVER

Meanwhile, a handful of Republicans forcibly condemned the rioting in DC, including the governor. "The scene at the United States Capitol right now is wrong and has no place in our form of government. All should denounce, and it should end now," Ducey tweeted. His denouncement did little to quell those within his own party, and only enraged Democrats, who accused him of being spineless and complicit with Trump's manufactured claims of fraud. Brnovich chimed in that people should demonstrate peacefully. "This is America. We do not destroy buildings and institutions in order to save them," he tweeted, still implying that protesters are attempting to save the nation from electoral fraud, despite his official stance that there has been no evidence of fraud in Arizona's election. Shope, Weninger, Osborn, Boyer and Carter are among a handful of legislators who denounced the rioters. "I support people there using their 1st amendment rights. But if you're being violent or vandalizing anything or breaking into congressional buildings, that is disgusting & I hope you are found & prosecuted," Weninger tweeted (LINK). Boyer joined in the call for prosecutions, tweeting "Arrest and prosecute those who trespassed and committed crimes in our nation's capitol. Conclude the proceeding and confirm" (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000640

ARZN_REV00068558_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S ALL FUN AND GAMES UNTIL THEY STORM YOUR BUILDING

Some of Arizona's most fervent conspiracy spreaders in Congress – the same lawmakers who have been urging their supporters to "hold the line" and be ready to fight for the country's soul – are locked down and tweeting for their supporters to go home. Gosar, who has been a vocal supporter of unfounded election fraud claims and subsequent protests, is suddenly not supportive of what his followers are doing in DC. "Ok. I said let's do an audit. Let's not get carried away here. I don't want anyone hurt. We are protesting the violation of our laws. We are builders not destroyers. BLM burns and loots. We build. If anyone on the ground reads this and is beyond the line come back," he tweeted. On the alt-right social media platform Parlor, he took a different tone, posting a photo of protesters climbing the walls of the Capitol and adding, "Americans are upset." Biggs, the state's other chief conspiracy theorist, has neither condemned the violence nor added more fuel to the fire today, and has been silent on social media. Lesko, who has been among Trump's top supporters, but has stopped short of going full-blown conspiracy theory about the election results, condemned the violence, saying, "Violence and breaking into the U. S. Capitol is dangerous and totally unacceptable."

IT'S CRAZY EVERYWHERE

Amid the protests happening at the Arizona Capitol, new security measures have already been put into place for the Executive Tower to limit access into the building for everyone. A Dept of Public Safety spokesman told our reporter they were monitoring the "stop the steal" rally at the Capitol, but sources inside said things have been relatively quiet and nothing like what is happening in DC. The Dept of Administration, however, has already been leading an effort to beef up security measures – mostly for the protection of Ducey and Hobbs, who've been dealing with their own threats and harassment over the November election. Nobody will have access to the basement, seventh, eighth or ninth floors of the building without an escort. Media and members of the public used to be able to access all but the ninth floor without a security badge. Neither DPS nor ADOA would provide our reporter with specific information on the new security measures that took effect on Dec 14 and will be in place indefinitely. "Security procedures at the State Capitol have been enhanced not for any one specific event but just to ensure the safety of the public. ... Our policy is not to discuss specific security measures," a DPS spokesman said.

TRUMP'S END IS NOT THE END OF TRUMPISM

Kelli Ward last night announced that she would seek re-election as chair of AZGOP, saying Trump told her she needed to run. "I'll be honest, even at that point, I was on the fence. But I thought I owed it to the president to give it some serious consideration," she said in a video posted to Twitter (LINK). She described her fellow Republicans who have refused to go along with unfounded conspiracies that the election was stolen as "cower(ing) to the mob" and pledged to continue fighting them. "There's some potentially dark days ahead of us in the Republican Party because we've been let down and abandoned by some of the people we elected and supported who refused to investigate allegations of fraud in our elections," she said. Democrats were giddy at the prospect of another term, arguing Ward is their best weapon to show how far from reality the GOP has roamed. Despite the fact that Republicans lost the presidential election and their final Senate seat under her leadership, even her Republican opponents argued she is probably unbeatable. So far, the only potential challenger we've heard of is AZGOP treasurer Bob Lettieri.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000641

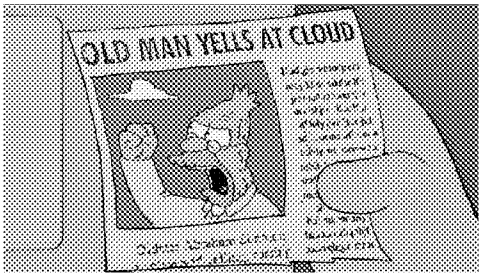
ARZN_REV00068558_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

OLD ENOUGH TO REMEMBER WHEN JEFF FLAKE MATTERED

At their organizational meeting this weekend, Maricopa County Republicans will debate resolutions to demand lawmakers end Ducey's emergency orders, "support God's plan of two genders" and oppose gay marriage and urge Jeff Flake to become a Democrat. The Flake resolution states he has used his membership in the party to become a de facto spokesman for Democrats to the mass media and that he "purports to be a conservative but his endorsements prove otherwise." After noting that he backed Biden this year, the resolution resolves that Maricopa County Republican Committee "commends you, former Senator Flake, for standing up for your principles, but recognizes that those are not the principals of the Republican Party." The resolution encourages Flake to "take the next important step and join a party that is more in line with your endorsements, your actions, and your votes: the Democratic Party." Another resolution declares Ducey's stay-at-home order is an "unlawful mandate used to harass and intimidate citizens and businesses." That resolution states categorizing businesses as essential or not favors large corporations, and urges lawmakers to immediately repeal all of Ducey's emergency executive orders, as well as any local orders, and "allow unrestricted commerce to freely occur."

NOTHING HERE IS AGING WELL



Russell Pearce, the recalled former Senate president, authored a trio of resolutions for debate at the Maricopa County Republicans meeting, including the gay marriage resolution that claims God created two genders "and quit after that for good reason." The resolution states that the party believes "that marriage is to be one man and one woman" and states the left's support or tolerance of gender-neutral positions "is extremely harmful to our youth, and to families, and to the purpose of life." Among the whereases in that resolution is the gem that "whereas it is apparent that some of the millennials (in general) have no clue." Pearce is also pushing a resolution to defend the Electoral College, stating, "The chosen electors are bound by custom or by law in many states to support the presidential candidate who won their state's popular vote." His third resolution "condemns political malfeasance" that reads like an old school Pearce rant. "Whereas enough is enough. Mob violence under the name of protests. Policies that limit police enforcement, officials ignoring the law, damage to the rule of law, maimings, murders, costs to taxpayers and Whereas when are we going to hold our public officials accountable for their refusal to enforce our laws and honor their oath of office?" the resolution states, ironically, in light of today's developments. A copy of all resolutions proposed for debate Saturday can be found in our "documents" section (LINK).

ON A SLOWER DAY, WE WOULD HAVE ROASTED HER PROPERLY

State health director Cara Christ invited the media to come watch her receive her second dose of the Pfizer vaccine this morning, but did not stick around for any questions. Reporters showed up to ask for more information on the vaccine rollout, which has been slow so far but picking up speed, and why there still is not a full dashboard in place for important information. Christ's communications director told reporters minutes before she came to speak that there will be no time for questions because Christ had a meeting to attend. *AZ Family's* Dennis Welch followed Christ out of the room attempting to get a response from her, but she scurried away (LINK). Christ – or Ducey – has not been publicly available for questions since their

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000642
ARZN_REV00068558_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

last briefing on Dec 16. Christ gives the media some time via a weekly Zoom call on Fridays to update on the vaccine, but it is not open to the public.

·WAKE UP CALL·

GOP lawmaker pushes legislation to give Trump AZ win
Capitol Media Services
A Trump supporter in the state legislature has crafted legislation designed to give the president the state's 11 electoral votes even as some GOP lawmakers in Washington work to keep Congress from certifying the election Wednesday for Joe Biden.

Arizona Supreme Court upholds dismissal of election challenge in Pinal
Capitol Media Services
The Arizona Supreme Court late Tuesday threw out the last remaining legal challenge in state courts to the choice of voters here of Joe Biden for president.

Arizona Corporation Commission elects new department chair
Associated Press
The Arizona Corporation Commission has voted to elect Republican Lea Márquez Peterson to serve as chair of the state body that sets rates and policies for utilities.

Arizona reports record deaths, leads nation in new case rate
Associated Press
Arizona on Tuesday reported a record number of additional COVID-19 deaths along with new hospitalization highs, leaving the state with the worst rate of new infections nationwide.

Known migrant deaths in Southern Arizona reached 227 last year
Arizona Daily Star
The known death toll among migrants crossing the harsh terrain along Arizona's border with Mexico reached 227 last year, the highest yearly total on record, according to recently released statistics.

COVID-19 vaccine rollout across Tucson gaining momentum after slow start
Arizona Daily Star
With a slow rollout of COVID-19 vaccine distribution throughout Arizona, Pima County officials said they are looking to take a more "aggressive" approach, which could mean opening up additional inoculation sites at places like the Tucson Convention Center, Kino Sports Complex or Rillito Racetrack.

Tucson bars file lawsuit to overturn Pima County COVID-19 curfew
Arizona Daily Star
A group of Tucson bars filed a state lawsuit on Tuesday seeking to overturn Pima County's mandatory 10 p.m. curfew order as unconstitutional, discriminatory and ineffective at combating the spread of COVID-19.

Agriculture study reveals economic effect of ranching and farming
Copper Era
A recently released University of Arizona study wanted to see what kind of an impact a one-time 20% reduction in water would have on Graham and Greenlee counties and the picture that emerged is not a pretty one, not only for the farmers and ranchers, but for the communities in which they live.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000643

ARZN_REV00068558_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Snow flurries can't douse 'exceptional drought'
Payson Roundup
Don't let a few snow flurries get your hopes up — we're still stuck in the kind of drought that likely caused civilizations across the Southwest to collapse six centuries ago.

This Week in COVID: Full Hospitals Divert Ambulances as Ducey's Son Parties
Phoenix New Times
It's Tuesday, January 5. More than 567,400 Arizonans have been infected with COVID-19 and more than 9,317 have died as a result.

Dozens of GOP lawmakers to reject certifying Biden as president
Arizona Mirror
The final step in a turmoil-filled 2020 presidential election is set for Wednesday, when Congress will certify election results showing that Joe Biden defeated President Donald Trump.

Inmate COVID vaccinations expected to begin by early March
Arizona Mirror
Inmates in Arizona's prison system are slated to receive COVID-19 vaccinations in the last part of phase one of the state's vaccination plan.

Top CEOs consider pulling GOP support over lawmakers' plan to challenge election results
The Hill
More than 30 CEOs are considering pulling their financial support for the Republicans who plan to challenge the Electoral College results in Congress, according to Yale School of Management's Jeffrey Sonnenfeld.

How Joe Biden made history in Arizona
The Hill (Opinion, Ruben Gallego)
If you want to know how the 2020 presidential election was won, come to South Phoenix.

Jeff Flake: 'Trump Can't Hurt You. But He Is Destroying Us.'
New York Times (Opinion, Jeff Flake)
My fellow Republicans, there is power in standing up to the rank corruptions of a demagogue.

Americans will die following Donald Trump's superspreader event in D.C. It's guaranteed
Arizona Republic (Opinion, EJ Montini)
It's sad to think about how many people will be lost in service to a losing presidential candidate's ego.

Did Arizona's Republican lawmakers waste $530,000 on an election fraud unit?
Arizona Republic (Opinion, EJ Montini)
A Republican-initiated budget expenditure creating a unit run by Republicans that Republicans who don't like the results choose to ignore.

Time is running out for Trump to make Mexico pay for his border wall
Arizona Republic (Opinion, Elvia Diaz)
President Trump has just a few more days to make Mexico pay for his border wall – and if not, he shouldn't call it a promise met.

Ignore the noise about lethal injection drugs. Arizona can and should resume executions
Arizona Republic (Op-ed, Mark Brnovich)
Out-of-state critics say executions are unlawful because a doctor can't ethically prescribe lethal-injection drugs. That's simply wrong.

Pro-Trump extremists pose as electoral victims to steal your vote
Arizona Daily Star (Opinion, Tim Steller)
Arizonans voted freely in a November election that was clean. Extremists are trying to disenfranchise them.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES·

Arizona Senate Democrats' Statement on Coup Attempt at our Nation's Capitol

Arizona Senate Democratic leadership released the following statement on the attempted coup happening at our Nation's Capitol.

PHOENIX-"Our nation's Capitol buildings and our democracy have been shattered today. America is in disgrace as armed traitors have violently overrun our nation's Capitol. This is the consequence of Trump and right wing, anti-American radicals refusing to acknowledge the laws of our democracy and honor a fair and legal election. While the American people made their voices clear and elected President Joe Biden, our current president encouraged and unleashed this violent coup attempt at our Capitol. This is a dark day in American history and these events fly in the face of our free and fair democracy. We condemn with the utmost urgency these shameful and despicable actions, and urge our Republican colleagues to immediately condemn these rioters and demand they be prosecuted according to the full extent of the law. We know our American democracy is strong and resilient. Although this is a disturbing day in our history, we have confidence that democracy, justice and the rule of law will prevail."

House Democrats Condemn Violent Extremist Coup Attempt in DC

PHOENIX— House Democratic Leadership team of Reginald Bolding, D-Phoenix, Assistant Leader Jennifer Longdon, D-Phoenix, and Whip Domingo DeGrazia, D-Tucson, released the following statement about the violent attempted coup in Washington DC today.

"Today we witnessed a violent, unlawful, seditious and un-American coup attempt in our nation's Capital. It's important to restate that there has been no credible evidence of election fraud brought forward in nearly 100 separate lawsuits throughout our country, and absolutely no justifications for armed extremists to break into the Capitol and try to disrupt the peaceful transfer of power that has defined our nation from its beginning. This is an insurrection based on lies. More importantly, their disgraceful efforts will not work. Our Democracy will prevail, and Joe Biden will be sworn in as our next President, and our nation will be better for it. The Republican elected officials and party leaders, including members of our own Arizona State Legislature and Congressional delegations, who participated, planned and incited this behavior should bow their heads in shame and must be held accountable."

Jack Sellers Elected Chairman of Maricopa County Board of Supervisors

January 6, 2021 – PHOENIX – Jack Sellers, the newly-elected Chairman of the Board of Supervisors, says he's focused on building a brighter future for Maricopa County.

Watch the Full Speech>

Arizona Recognizes Human Trafficking Prevention Month

PHOENIX — Governor Doug Ducey today announced Arizona is once again recognizing Human Trafficking Prevention Month by lighting the State Capitol Dome blue every evening through January 31.

"Arizona remains a national leader in combating human trafficking, but we have much more work to do," said Governor Ducey. "My sincere gratitude goes to Arizona Human Trafficking Council Co-Chair Cindy McCain, all members of the Council, and everyone working to bring an end to human trafficking through increased intervention, awareness training, prevention, and support for victims. We will continue to work with community leaders, partners and service providers to protect Arizonans and bring human trafficking to an end."

Under the leadership of Co-Chairs Cindy McCain and Arizona Department of Homeland Security Director Gil Orrantia, the Arizona Human Trafficking Council (the Council) leads targeted statewide human trafficking prevention and awareness efforts and works to expand victim-centered services and support.

"I am pleased that Governor Ducey has once again proclaimed January as Human Trafficking Prevention Month in Arizona and appreciate the symbolic lighting of Arizona's Capitol and agency buildings blue to highlight the issue of human trafficking in our state," said Cindy McCain. "I am very proud of the work that the Arizona Human Trafficking Council continues to do to prevent human trafficking in Arizona, expand trauma-informed services available to victims and strengthen the ability to prosecute traffickers. The Council is adapting to meet the increased challenges and vulnerabilities of trafficked victims during the global pandemic, and working with our partners throughout the

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000645

ARZN_REV00068558_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

state to share best practices and available resources. We have made tremendous progress in our state and there is much more to do and we are dedicated to continuing the fight."

In 2020, the Council conducted a statewide Human Trafficking Needs Assessment to evaluate services for victims and identify barriers to providing services. It also worked with victim service providers on best practices to adapt services amid the COVID-19 pandemic in support of vulnerable populations. Additional highlights include:

- **STRENGTH Court**: The Strength Through Resilience – Empower New Growth Through Hope (STRENGTH) Court, which focuses on the needs of child victims of trafficking, has continued operations during the pandemic by utilizing video and telephonic conferencing. Since STRENGTH Court's inception in 2018, there has been a significant decline in the number of minor victims who have fled placement and returned to the streets.
- **Training**: The Council helped expand awareness and facilitate training to more than 3,900 stakeholders and community members, including educators, social workers, and juvenile and adult probation officers.

Learn more about the Arizona Human Trafficking Council HERE.

To report trafficking or get help, contact the National Human Trafficking Hotline at 1-888-373-7888.

View a PDF of the Human Trafficking Prevention Month Proclamation HERE and below

Arizona State Treasurer Kimberly Yee Releases Second Year Accomplishments, Record Earnings

PHOENIX, AZ – Treasurer Kimberly Yee announced new historic state performance records that were reached during the second year of her administration.

"In this second year in office, my administration has seen record earnings, growth in investments, and increased distributions to schools, state agencies, and local governments, even during an unpredictable global pandemic," said Arizona Treasurer Kimberly Yee. "My top priority is to protect Arizona taxpayers and increase earnings, so communities benefit statewide. We increased local governments assets under management by 10.5% in 2020. Since taking office, we have increased the assets in the LGIP by 28.7%."

Arizona's Permanent Land Endowment Trust Fund (PLETF) hit a record high of $6.95 billion on the last day of 2020. This means more money for the 13 PLETF beneficiaries, including the state's K-12 public schools. In addition, Arizona's operating balance reached an all-time high of $4.6 billion in December, excluding CARES Act funds. Recognizing the importance of all Arizona communities, Treasurer Yee continued to speak with local government clients and constituents across the state.

"In addition to our investment records, I am proud to be the new Administrator of AZ529, Arizona's Education Savings Plan. My focus is to expand the Plan's outreach to underprivileged families who may not have the resources or long-term planning for future educational opportunities like college or workforce training," said Treasurer Kimberly Yee.

As Arizona's chief banking and investment officer, Treasurer Yee is a statewide constitutional officer serving a four-year term. Treasurer Yee safeguards approximately $20 billion in assets and stewards the cash management of Arizona's $40 billion state budget and related payments to state agencies, local governments and public schools.

Please see below for a report of Treasurer Kimberly Yee's second year of accomplishments in office as the Arizona State Treasurer. The report is also available here: bit.ly/2MrZQDn

President Trump Signs Congressman Biggs' Bill to Honor Fallen Chandler Hero

WASHINGTON, D.C. – Tonight, President Donald Trump signed H.R. 4983 – To designate the Department of Veterans Affairs community-based outpatient clinic in Gilbert, Arizona, as the "Staff Sergeant Alexander W. Conrad Veterans Affairs Health Care Clinic." This legislation unanimously passed the U.S. House on September 23 and the U.S. Senate on December 10.

On June 8, 2018, Staff Sergeant Conrad, of Chandler, died in Somalia from injuries sustained from indirect enemy fire, while assigned to the 1st Battalion, 3rd Special Forces Group, in support of Operation Octave Shield. His service includes two tours in Afghanistan in support of Operation Enduring Freedom. He was posthumously awarded the Purple Heart, Bronze Star with Valor, and Meritorious Service Medal. This legislation was endorsed by the Veterans of Foreign Wars – Department of Arizona, Vietnam Veterans of America – Arizona State Council, Concerned

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000646

ARZN_REV00068558_1-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Veterans for America – Arizona, Disabled American Veterans – Department of Arizona, Military Officers Association of America – Arizona Council of Chapters, and the American Legion – Department of Arizona.
Congressman Biggs issued the following statement:
"I'm grateful to President Donald Trump for signing this bill that honors one of the East Valley's finest, Sgt. Alexander W. Conrad. I'm thankful for all of the members of Arizona's congressional delegation and all the members of the House and Senate who supported this legislation. Sgt. Conrad was an American hero, who gave his life in defense of our great nation. I look forward to seeing the name change on the Southeast VA Clinic for Arizonans to always remember and honor Sgt. Conrad's sacrifice."

"QUOTE OF THE DAY"

"Arrest and prosecute those who trespassed and committed crimes in our nation's capitol. Conclude the proceeding and confirm."

- Boyer, on Trump's supporters rioting in DC as congress attempts to certify the Electoral College

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000647

ARZN_REV00068558_1-6-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, January 11, 2021 8:48:22 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: Janurary 9-11, 2021
Attachments: January 9-11, 2021.docx

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Natural Resources, Energy & Water (Ranking Member)
Transportation

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Led by Pelosi, Democrats lay plans for swift Trump impeachment
- US loses 140,000 jobs, first monthly drop since spring
- Ariz. health chief says next priority group should be able to get shots in about a week
- Survivors in 2011 Giffords attack see parallels to storming of US Capitol
- Emergency powers, elections on Ariz. Legislature's agenda
- After taking part in insurrection, Rep. Finchem needs to be removed
- Experts hold their breath, hope rate of infections peaked in late December
- COVID-19 outbreak changes rules to see lawmakers during legislative sessions
- Making laws in Arizona differs from what you learned in school
- Education top issue for Arizona voters, poll finds

Arizona Republic

- Three ways lawmakers could help Arizonans
- Groups that stormed Capitol have AZ roots
- County supervisors threatened over election
- Arizona adds about 11,650 new COVID-19 cases, 197 deaths
- State's virus deaths hit 10,000
- AZ man in fur hat arrested in DC riot
- AZ surpasses 600K coronavirus cases
- Ongoing surge to overload hospitals
- A State of the State speech like no other
- County GOP discusses censure of Cindy McCain

KTAR News

- Arizona Legislature kicks off 2021 session amid virus surge
- Arizona reports 11,094 new COVID-19 cases, 98 more deaths
- Arizona reports 11,201 new COVID-19 cases, 105 more deaths
- Arizona GOP to vote on censuring Cindy McCain for endorsing Biden
- Report shows 'child care deserts' hit poor, rural Arizona families hardest
- Flags to fly at half-staff in Arizona in honor of US Capitol Police officers
- Arizona reports 8,995 new COVID-19 cases, 6 more deaths

Arizona Daily Sun

- Arizona GOP to vote on resolution to censure Cindy McCain

AMERICAN OVERSIGHT

- Arizona governor to open Legislature's 2021 session remotely
- Arizona Legislature kicks off 2021 session amid virus surge

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

SATURDAY

Led by Pelosi, Democrats lay plans for swift Trump impeachment

Lisa Mascaro, Mary Clare Jalonick and Zeke Miller
Arizona Daily Star
January 9, 2021

Democrats laid plans Friday for impeaching President Trump, even as he's headed out of the White House, and House Speaker Nancy Pelosi said she had spoken to the chairman of the Joint Chiefs of Staff about preventing an 'unhinged' Trump from ordering a nuclear strike in his final days.

Pelosi and the Democrats are considering swift impeachment — beginning Monday — after the deadly siege of the U.S. Capitol by a pro-Trump mob that shocked the nation and the world.

'We must take action,' Pelosi declared on a private conference call with Democrats.

She said she had also spoken with Gen. Mark Milley 'to discuss available precautions for preventing an unstable president from initiating military hostilities or accessing the launch codes' for nuclear war. She said Milley assured her longstanding safeguards are in place.

The president has sole authority to order the launch of a nuclear weapon, but a military commander could refuse the order if it were determined to be illegal. Trump has not publicly made such threats, but some lawmakers are sounding alarms that he could do great damage on military or other issues on his way out.

The attack on the Capitol left five dead, including a protester and a police officer. Trump is to leave office Jan. 20 when Democrat Joe Biden is sworn in, and he has said he will not attend the inauguration.

'This unhinged president could not be more dangerous,' Pelosi said of the current situation.

If Trump were to be impeached by the House and convicted by the Senate, he might also be prevented from running again for the presidency in 2024 or ever holding public office again. He would be only the president twice impeached.

A person granted anonymity to discuss the private call said Pelosi also discussed other ways Trump might be forced to resign.

Biden, meanwhile, said he is focused on his job as he prepares to take office. Asked about impeachment, he said, 'That's a decision for the Congress to make.'

Conviction in the Republican Senate at this late date would seem unlikely, though in a sign of Trump's shattering of the party many Republicans were silent on the
One Trump ally, Republican Minority Leader Rep. Kevin McCarthy of California, said 'impeaching the president with just 12 days left in his term will only divide our country more. '

AMERICAN OVERSIGHT

McCarthy said he has reached out to Biden and plans to speak with the Democratic president-elect about working together to 'lower the temperature.'

The final days of Trump's presidency are spinning toward a chaotic end as he holes up at the White House, abandoned by many aides, leading Republicans and Cabinet members. Twitter banned Trump's account Friday, citing 'the risk of further incitement of violence.'

Twitter has long given Trump and other world leaders broad exemptions from its rules against personal attacks, hate speech and other behaviors. But in a lengthy explanation posted on its blog Friday, the company said recent Trump tweets amounted to glorification of violence when read in the context of the Capitol riot and plans circulating online for future armed protests during Biden's inauguration.

Calls are mounting for legal action after the Capitol attack, in which one protester was shot to death by Capitol police and Capitol police officer Brian Sicknick died. Three other people died from 'medical emergencies' during the demonstration.

Strong criticism of Trump, who urged the protesters to march to the Capitol, continued unabated.

'Every day that he remains in office, he is a danger to the Republic,' said Rep. Adam Schiff, D-Calif.

Schiff, who led Trump's impeachment in 2019, said in a prepared statement that Trump 'lit the fuse which exploded on Wednesday at the Capitol.'

Articles of impeachment are expected to be introduced on Monday, with a House vote as soon as Wednesday, according to two people familiar with the planning and granted anonymity to discuss it.

A draft of the impeachment resolution charges Trump with abuse of power, saying he 'willfully made statements that encouraged — and foreseeably resulted in — imminent lawless action at the Capitol.'

Pelosi and Democratic Senate leader Chuck Schumer have called on Vice President Mike Pence and the Cabinet to invoke the 25th Amendment to force Trump from office. It's a process for removing the president and installing the vice president to take over.

But action by Pence or the Cabinet now appears unlikely, especially after two top officials, Education Secretary Betsy DeVos and Transportation Secretary Elaine Chao suddenly resigned in the aftermath of the violence at the Capitol and would no longer be in the Cabinet to make such a case.

Speaker of the House Nancy Pelosi said she talked with the chairman of the Joint Chiefs of Staff about preventing the president from ordering a nuclear strike in his final days.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

US loses 140,000 jobs, first monthly drop since spring

Christopher Rugaber
Arizona Daily Star
January 9, 2021

AMERICAN OVERSIGHT

U.S. employers shed jobs last month for the first time since April, cutting 140,000 positions, clear evidence that the economy is faltering as the viral pandemic tightens its grip on consumers and businesses.

At the same time, the unemployment rate stayed at 6.7%, the first time it hasn't fallen since April.

Friday's figures from the Labor Department depict a sharply uneven job market, with losses concentrated among restaurants, bars, hotels and entertainment venues, many of them affecting low-income employees, while most other sectors are still adding workers. Still, the nation has nearly 10 million fewer jobs than it did before the pandemic sent it into a deep recession nearly a year ago, having recovered just 56% of the jobs lost in the spring.

The pandemic will likely continue to weaken the economy through winter and perhaps early spring, and further job losses are possible in the coming months. But many economists say that once coronavirus vaccines are more widely distributed, a broader recovery should take hold in the second half of the year. The incoming Biden administration, along with a now fully Democratic- led House and Senate, is also expected to push more rescue aid and spending measures that could accelerate growth.

'Hopefully it is indeed darkest before the dawn,' said Leslie Preston, senior economist at TD Bank. 'We've got the vaccine and the stimulus, which are imminent, and which we do expect to turn things around.'

Andrew Walcott had to furlough four employees at his New York restaurant just before Christmas, after the state stopped allowing indoor dining.

For now, the renewed surge in virus cases, as well as cold weather, has caused millions of consumers to avoid eating out, shopping and traveling. Re-imposed business restrictions have shut down numerous restaurants, bars, and other venues. Economists at TD Securities estimate that more than half the states have restricted gatherings to 10 or fewer people, up from about a quarter in September. New York and California, among others, placed strict new limits on restaurants last month.

New viral cases continue to set daily records. And on Thursday, the nation registered more COVID-19 deaths in a single day than ever before, topping 4,000. The virus is surging in several states, with California, the largest state, hit particularly hard. Skyrocketing caseloads there are threatening to force hospitals to ration care.

Last month, restaurants, bars, hotels, casinos,

movie theaters and other entertainment venues shed nearly 500,000 jobs, the most since April, when nationwide shutdowns triggered 7.6 million layoffs. While those employers will regain some jobs as the economy recovers, changing consumer habits will likely mean that a portion will be gone for good. Business travel, for example, may not return to pre-pandemic levels.

Most other industries added jobs in December, with manufacturers, construction companies, and higher-paying professional services such as architecture, engineering and accounting hiring more workers. The huge disparities among industries are sure to exacerbate economic inequality, given that most of the job losses are in lower-paid industries, while middle- and higher-paid workers have largely remained employed.

AMERICAN OVERSIGHT

Andrew Walcott had to furlough four employees at his restaurant, Fusion East in Brooklyn, just before Christmas, after New York state stopped allowing indoor dining. He has shifted to takeout and delivery. Yet customers aren't even allowed into

his restaurant to pick up their food; they have to wait for it outside.

'That's a hard sell when it's snowing outside and it's 25 degrees in New York City,' Walcott said.

In September, his restaurant was allowed to seat diners up to 25% of capacity. With that, along with takeout and delivery and a food truck, his revenue reached 60% of pre-pandemic levels. He brought back half his 15-person staff.

But after last month's layoffs, only Walcott himself, plus a manager and a head chef, with occasional part-time help, are left.

'It's really horrible,' he said. 'You still got to pay rent, you still got to pay insurance, you still got to pay real estate taxes. You still have fixed bills every month.'

Friday's data suggests that the pandemic economy is continuing to benefit some sectors, with transportation and warehousing adding nearly 47,000 jobs. Delivery jobs rose 37,000.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ariz. health chief says next priority group should be able to get shots in about a week

Howard Fischer
Arizona Daily Star
January 10, 2021

The state's top health official says people in the next priority category, including educators, public safety workers and those 75 and older, should be able to get vaccinated at pharmacies in five Arizona counties — including Pima — starting in a little more than a week.

But Dr. Cara Christ also said Friday that she sees no reason to impose additional restrictions on Arizonans, as available hospital beds drop to 7%, the total number of state COVID-19 deaths is poised to hit 10,000, and the state tops the world in current rates of new coronavirus cases.

Christ, director of the Arizona Department of Health Services, said there was a spike in coronavirus rates following the Christmas holiday, and that Arizona should look for another increase in the weeks following celebrations for New Year's Eve.

But she said she remains convinced that has to do with people spreading COVID-19 through small group gatherings and acting in unsafe manners like not wearing masks. She pointed out that the restrictions put in place last year, such as occupancy limits on indoor restaurant dining, remain in place.

Christ said she's not convinced stronger measures would make a difference.

AMERICAN OVERSIGHT

'California has some of the strictest mitigation strategies,' she said. 'And they've even got less hospital capacity and higher numbers than Arizona.'

Instead, her department is focused on getting more people vaccinated against COVID-19.

As of Friday, Christ said there were 126,090 doses administered. Most were first doses, though about 2,000 included people who got the required second dose.

She also said that by the middle of this coming

week the state's two most populous counties, Maricopa and Pima, should be in the 1-B stage. That opens the door for inoculating educators, child-care workers, public safety workers, adults in nursing homes and other congregate-care facilities with high-risk medical conditions, and individuals who are 75 and older, regardless of medical condition.

Gila, Mohave and Pinal counties already are at that point.

Christ conceded that just 45% of individuals statewide in Phase 1-A have been vaccinated. These are the front-line health-care workers.

Despite that, the health chief said she is not alarmed.

She said some of the lag may be due to people having to schedule appointments. And, even as the state moves into the 1-B category and beyond, those front-line workers remain eligible, she said.

Christ acknowledged that even among healthcare workers there may be some hesitation.

'We know that as more and more people get vaccinated and talk about their experience, people who may have not been comfortable getting vaccinated early on may opt to get vaccinated later,' she said.

Christ also announced the state will open a 24/7 inoculation site at State Farm Stadium in Glendale. She figures that could move about 6,000 people a day through the system.

However, it will be available solely to those who fit within the 1-B category and to those in the 1-A category who remain eligible. It requires an appointment that can be set up on the health department's website or by calling the 2-1-1 referral line.

Other areas of the state 'are all working on strategies,' Christ said.

Some of those strategies will be handled through county health departments.

Also, she said, the U.S. Centers for Disease Control and Prevention already is working directly with pharmacies where eligible residents will be able to get inoculated when each county goes into the 1-B phase.

Christ figures those pharmacies will be able to start offering vaccines beginning the week of Jan. 18. That, she said, will mean that 'individuals can go get vaccinated, just like they do with the flu.'

AMERICAN OVERSIGHT

Pima County is looking to create additional mass vaccination sites and extend the hours at some, she said.

The best bet, said Christ, is checking with azhealth. gov/findvaccine, where individuals can find out what stage their county is in, locations for vaccinations and links to preregister.

It will be late February or early March before Christ believes those in the 1-C category will be able to get in line. That includes anyone 65 and older, adults of any age with high-risk medical conditions, and adults living in congregate care settings.

'And it's probably the spring before we'll be moving into the general population,' she said. In the meantime, most Arizonans will remain susceptible to contracting the virus. But Christ said she remains convinced that mandates like those imposed in some other states, like masks, curfews and business closures, will make no difference here.

'As you're looking at what's going on in the other states, there's not a best practices model,' she said.

'You've got Florida who has no mitigation strategies that's in the same boat,' Christ said. 'You've got California who has stricter mitigation strategies that is in the same boat.'

Christ said the answer is getting people to follow the protocols in place, like not spending time with groups of people you don't know.

'We're still seeing small-gathering spread,' she said.

'We know that people got together, we know that they let their guard down on Christmas and Christmas Eve,' Christ said. 'We saw the results after that,' with Arizona recording its highest peak in infections in the three to five days after the holiday.

'The spike from New Year's will likely come this coming weekend,' she said.

Christ said the best way to curb the spread is for people to wear masks. Although Gov. Doug Ducey, her boss, has refused to issue a statewide mandate, she said that 91% of the state is covered by some sort of local mask ordinance.

'There's not local enforcement going on,' Christ said, though she said her department is going out and checking establishments over which it has some power, like fitness centers.

While the health director has done weekly briefings, the governor, who actually decides any restrictions, has not faced the media since Dec. 16. Christ said that shouldn't be a surprise, as her briefings are focused on technical aspects of the virus and the vaccines, even though she is the one put in the position of also answering policy questions.

'It's probably not the best use of the governor's time to be here with me,' she said, adding that she is in 'daily communications' with Ducey's team.

All this comes as the latest numbers show just 131 of the state's 1,690 beds in intensive- care units are available, as a majority are occupied by COVID-19 patients.

AMERICAN OVERSIGHT

Arizona has the highest rate of newly confirmed COVID-19 cases over the past seven days, according to Johns Hopkins University.

The 197 new deaths from the virus reported Friday brought the statewide total to 9,938 .

Return to the table of contents

Survivors in 2011 Giffords attack see parallels to storming of US Capitol

Jonathan J. Cooper
Arizona Daily Star
January10, 2021

As a pro-Trump mob laid siege to the U.S. Capitol this week, former Rep. Gabrielle Giffords could only wait nervously for news about her husband, Mark Kelly, who was barely a month into his job as a senator from Arizona.

A decade earlier it was Kelly enduring the excruciating wait for news about Giffords, who was shot in the head in an attempted assassination that, like Wednesday's siege, shocked the nation and prompted a reckoning about the state of politics and discourse in the United States.

For some who survived the attack 10 years ago Friday, the violence inside the U.S. Capitol this week was a painful reminder of that day, when a gunman with paranoid schizophrenia killed six and injured

12, in addition to Giffords, who was meeting with constituents in a grocery store parking lot in Tucson.

'It oftentimes gets forgotten because we are in a heightened and really vitriolic place in politics — every single one of those people, whether they were a staffer, security guard, member, is

With Sen. Mark Kelly escorted to a safe location, his wife wrote on Twitter: 'I couldn't stop thinking about what you must have gone through 10 years ago this week.' a human being,' said Daniel Hernandez, the Giffords intern who was credited with saving her life when he put pressure on her bleeding head wound while waiting for paramedics.

The storming of the Capitol 'was a stark reminder that at any moment we could go from having a congressional event that we all think is held to a different standard, and yet in five minutes we had people on the (Senate) floor, people in Nancy Pelosi's office,' said Hernandez, who is now a Democratic state lawmaker representing part of Tucson in the Arizona Legislature.

The county is set to commemorate the 10-year anniversary Friday and dedicate a memorial to those slain and injured.

The shooting of Giffords, her staff and the constituents who arrived to speak to their congresswoman rattled the nation in the aftermath of the bitter and contentious 2010 election, which saw the tea-party movement sweep Democrats from office around the country. Giffords had barely retained her seat.

It prompted an extraordinary show of unity. At President Barack Obama's State of the Union address a little more than two weeks later, Republicans and Democrats sat side by side instead of clustering on opposite sides of the chamber.

AMERICAN OVERSIGHT

It was short-lived. The country is more polarized than ever. Congress was threatened.

Kelly was in the Senate chamber on Wednesday when the mob breached the Capitol, and he was escorted to a safe location, his spokesman, Jacob Peters, said.

'As I sat waiting for information about @Sen-MarkKelly's safety today, I couldn't stop thinking about what you must have gone through 10 years ago this week,' Giffords wrote on Twitter Wednesday after it was clear lawmakers were unharmed. 'I'm so glad you and your staff are safe. I love you, sweetie.'

The shooting a decade ago left Giffords with limited motion on one side and aphasia, a verbal disability. She can think clearly but struggles to form the words and sentences to express her thoughts. Still, with significant help from her speech therapist, she's advanced considerably since the early days of her recovery, when she could say just one word: chicken.

The nation glimpsed her progress at the Democratic National Convention in August, when she delivered a poignant 90-second speech in support of President- elect Joe Biden, her longest public speech since the shooting. She regularly gave brief remarks to introduce her husband at key moments in his 2020 campaign.

Giffords left Congress after the shooting to focus on her recovery, cutting short a political career that many in Arizona believe would have included a run for governor or U.S. Senate.

She went on to create, along with Kelly, a political group that lobbies for tougher gun laws and works to elect state and federal lawmakers who will support them.

'She has probably touched many more lives in a positive sense than if she had been able to, say, become senator or governor,' said Pam Simon, a Giffords friend and former staffer who was shot in the chest. 'She has touched lives worldwide. She's inspired survivors all across the country. She's inspired people with disabilities.'

The new memorial in front of a restored downtown courthouse features gardens named for each of the six people killed and tells the stories of the victims and survivors. There are also tributes to first responders and Tucson's history.

The dead included John Roll, Arizona's chief federal judge, who'd stopped to thank Giffords for her help to address a crush of border- enforcement cases. A new courthouse has since been built in Yuma and named for Roll. Gabe Zimmerman, Giffords' community outreach director, was the first congressional staffer killed on the job in the United States.

'Gabe was actually my closest friend and he was my person that I bounced my ideas off of,' said his father, Ross Zimmerman. 'So losing him is a problem on multiple levels for me.'

Dorothy Morris, Dorwin Stoddard and Phyllis Schneck also were killed.

The gunman, Jared Lee Loughner, is serving a life sentence at a federal medical center in Rochester, Minnesota, according to federal prison records.

AMERICAN OVERSIGHT

Days after the shooting, President Barack Obama flew to Tucson to console a grieving city and nation. In his plea for civility, he homed in on Christina-Taylor Green, a 9-year-old victim who'd recently been elected to the student council and was just beginning to understand the meaning of democracy. She went to see her congresswoman with a child's optimism and a belief that public service is exciting and hopeful.

A decade later, in the aftermath of an insurrection at the U.S. Capitol, his words carry new meaning.

'I want our democracy to be as good as Christina imagined it,' Obama said. 'I want America to be as good as she imagined it. All of us — we should do everything we can to make sure this country lives up to our children's expectations.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Emergency powers, elections on Ariz. Legislature's agenda

Howard Fischer
Arizona Daily Star
January 10, 2021

The 2021 legislative session is being brought to you by the letter E.

As in emergency powers, election legislation and education funding. The session will get off to a quick start as one of the lawmakers' first acts will be to determine whether it's time to pull the plug on the state of emergency that Republican Gov. Doug Ducey declared 10 months ago because of the pandemic.

If there's a majority vote in the GOP-controlled Legislature to end the declaration, the governor cannot veto it.

Sen. Michelle Ugenti-Rita, R-Scottsdale, already has the language crafted. Her measure, SCR 1001, seeks to take advantage of a provision in the law that gave Ducey the power to unilaterally declare an emergency in the first place. It says the emergency ends when the governor says it does — or when a majority of legislators vote to say it's over.

Legislators haven't been able to debate the issue until now because they weren't in session. It takes either a gubernatorial call, one Ducey was not going to provide, or a two-thirds vote to end the emergency declaration.

Now, with the session starting Monday, Jan. 11, Ugenti-Rita will need 16 senators and 31 representatives to side with her.

But there's no clear law about whether the governor can simply turn around and declare a new one and reinstate all the provisions, including which businesses can be open and under what conditions.

That possibility has Rep. John Kavanagh, R-Fountain Hills, asking Republican Attorney General Mark Brnovich whether that would require the Legislature to take another vote to swat down the governor. He also wants to know whether that would automatically terminate any reinstated actions 'or would a court have to issue an order?'

AMERICAN OVERSIGHT

Then there's the question of whether lawmakers have other options. For example, Kavanagh wants to know whether the Legislature could impose a self-destruct measure into an existing emergency declaration, such as saying it has to end when hospitalizations or coronavirus case numbers drop below a certain level.

Ducey, in an interview with Capitol Media Services, said pulling the plug on his declaration would be a bad idea.

'We're still in that public- health emergency,' he said. 'That's why state law and the constitution provide for executive emergency authorities in situations like that.'

Even if a majority of legislators won't immediately quash the emergency declaration, there is broader support to reviewing the underlying laws that allowed Ducey to declare it in the first place.

Rep. Mark Finchem, R-Oro Valley, wants a constitutional amendment sent to the ballot to require governors to get 'advice and consent' of the Legislature within a certain period, perhaps 14 days, of declaring an emergency.

He said the state's chief executive would need to provide lawmakers with 'evidence that an emergency exists' under that proposal.

Even those who may look for less drastic measures think the law needs to be revisited.

Senate President Karen Fann, R-Prescott, and House Speaker Russell Bowers, R-Mesa, put together a special panel to review the statutes.

Their specific goal is to determine if there's the proper balance between the needs of the governor to respond to unforeseen events, and the role of the Legislature in providing oversight. Fann said she's not sure that lawmakers, in adopting the original laws, had in mind what Ducey has done.

'The assumption (was it) would be a Rodeo-Chediski Fire,' she said, referring to the 2002 blaze that burned more than 468,000 acres in Eastern Arizona, 'or a 9/11 or something that would last a short duration.'

'Nobody foresaw that it would be something like this that could potentially go on for months,' Fann said.

Ducey said he's willing to listen.

'I'm open to ways we can improve our laws or policies in light of the knowledge that we have, having gone through our first pandemic in the history of the state,' he said.

The National Conference of State Legislatures says that in six states the expanded power of the governor in an emergency has a built-in expiration date of between two and 60 days, depending on the state and the type of emergency.

ELECTION LAWS

State election laws present a different set of issues.

AMERICAN OVERSIGHT

Arizona already has statutes designed to prevent fraud and determine the accuracy of vote counts.

For example, unlike in some states, early ballots are mailed only to those who request them, whether on an election-by-election basis or signing up for the permanent early voter list.

And the law requires a hand count of the votes from 2% of precincts or vote centers, comparing what the machines tallied with what humans determine.

'I do think we do elections well,' Ducey said.

Still, there are suggestions for change.
Sen. J.D. Mesnard, R-Chandler, wants the hand count increased to 5%, and to add provisions allowing the attorney general, the secretary of state or the legislative council to demand more.

Potentially more sweeping, Mesnard also wants to allow anyone with enough money to cover the costs to demand a full recount of any election. Now, the only way that happens is if the margin of victory falls within certain margins, like 200 votes for a statewide race.

There is some discussion about tightening up the permanent early voter list, requiring names be purged if people don't vote in two election cycles and don't respond to a postcard asking if they want to continue to get early ballots.

And then there are proposals that stem from the 2020 election controversies.

Take 'Sharpiegate.' That's the claim that felttipped pens used in some counties at polling places bled through to the other side of the two-sided ballots, affecting votes and resulting in some ballots not being counted.

Sen. Kelly Townsend, R-Mesa, wants to bar county officials from mandating the use of any specific marker.

Maricopa County officials said Sharpies are the marker recommended by the manufacturer of the counting machines because the ink dries quickly while other pens leave smears in the machines, which require them to be taken offline and cleaned. And races on the back of the ballot are offset so that a stray bleedthrough on one side could not affect choices on the back, they said.

Townsend conceded to Capitol Media Services she has an ulterior motive.

'In order to comply with the legislation, they will have to terminate their lease with Dominion (Voting Systems) and go with a different company,' she said, saying those other firms don't allow use of Sharpies. Dominion has been the target of various conspiracy theories, all unproved in multiple lawsuits, that its hardware and software were programmed to add votes for Joe Biden and to not count all of the votes cast for President Trump.

Ducey, when asked about state election laws, said, 'I am concerned with the amount of distrust and the erosion of trust that's happening in elections across the country.'

The governor said he's open to ideas to make elections here more secure.

AMERICAN OVERSIGHT

But Ducey said he believes some of the issues undermining confidence in the state's election returns — the returns he certified as accurate — are a matter of public education.

'We need to do a good job of communicating how we do things in Arizona that differentiates us from places like Pennsylvania, Nevada or Michigan,' he said.

The issue of education funding involves what Sen. Paul Boyer, R-Phoenix, says is a broken promise.

When the pandemic hit, schools went to online learning. But the state funding formula provides fewer dollars for each child who is not sitting in a classroom. On top of that, some students didn't come back, leaving districts with fixed costs but less state aid, which is based on the number of students.

Ducey announced in June that he was setting aside $370 million to guarantee that schools this academic year would have at least 98% of the funding they were getting last year. But that money ran out, leaving many districts with less.

'I really think we need to make sure we deliver on our promises,' said Boyer, who chairs the Senate Education Committee.

But Ducey said not to look for him to supplement that $370 million appropriation. That, he said, was the commitment.

'That's been sent to schools,' he said. 'Unfortunately, districts saw much higher declines in enrollment than they originally anticipated.'

Anyway, the governor said, there are other dollars that have been sent to schools. Boyer acknowledged there is additional federal funding for education. But he said that is earmarked for Title I schools, those where a large percentage of children come from low-income families.

'It doesn't help the non-Title I schools,' he said.

Boyer said he is still trying to figure out how much more schools need, either because of the lower reimbursement for online learning or declining enrollment.

Each district is different. Boyer said the Glendale district, where he lives, lost about $8 million.

'That's a huge number,' Boyer said.

He said that, whatever the amount is owed to schools statewide, it's not fair to provide less than promised.

'The principle for me is holding schools harmless,' he said.

Return to the table of contents

After taking part in insurrection, Rep. Finchem needs to be removed

This time, we can't avert our eyes and shake our heads.

Arizona Daily Star

AMERICAN OVERSIGHT

January10, 2021

For years, Rep. Mark Finchem, the Oro Valley Republican, has allied with militant groups and postured as a freedom fighter against government tyranny.

When he came into office in 2015 he was a member of the Oath Keepers, a right-wing militant group.

In office, he became Arizona coordinator of the Coalition of Western States — a network that supported the occupation of a wildlife refuge in Oregon and was led by a Washington legislator so extreme that his Legislature accused him of participating in domestic terrorism.

Throughout Finchem's legislative career he's pushed conspiracy theories, too. Like the one about

Hezbollah using training camps in northern Mexico to join with La Raza activists and Muslim student associations to attack Southern Arizona.

That was laughable. This isn't.

For weeks, Finchem has been conspiring to disenfranchise you, me and every other Arizona voter by claiming electoral fraud occurred and justifies the Legislature picking the state's presidential electors — Trump's electors, in case you had any doubt.

Last week, Finchem topped that by promoting and attending the Jan. 6 insurrection against the U.S. government and Constitution in Washington, D.C. Finchem, a retired Kalamazoo, Michigan, police officer, claims not to have participated in any of the property damage or violence, but at this stage, it doesn't really matter. He should resign.

I have no reason to think he would, though. Finchem seems completely convinced of his delusions, as is the movement he belongs to. Barring resignation, he should be removed from office in whatever way is legally possible.

It's not just me, an anti- Trump columnist, saying this. Here's what Adam Kwasman, the conservative Republican who held the Legislative District 11 seat before Finchem, said this week on Twitter: Mark Finchem 'should be expelled from the AZ House immediately for participating in a violent riot against the United States.'

On social media, Finchem denied that he had gone into the Capitol or participated in crimes. In fact, he ridiculously blamed the violence on 'Antifa.'

I say ridiculously, because many of the rioters either posted their exploits on social media or were arrested and identified later. Long social-media histories showed they were Trump supporters, not leftists posing as MAGA enthusiasts.

When I talked with him Friday, Kwasman, now an attorney in Phoenix, was unapologetic about his call for Finchem's expulsion.

Finchem, he said, 'whether or not he crossed the barricade into the sanctum of the Capitol, participated openly in inciting subversion against our democracy and the federal government. That's a violation of the oath of office any state legislator takes.'

AMERICAN OVERSIGHT

Since the Nov. 3 election, Finchem has been eagerly amplifying whatever election-fraud conspiracy theory has come along.

He held a public meeting Nov. 30 at which Trump supporters claiming to be experts concluded the president had been robbed.

Trump himself called in to the meeting.

Since then, he's gained some fame and been feeding on the attention.

This past week, here's what Finchem, who did not return a call for this column, has said publicly on social media about what he did.

On Jan. 3, Finchem posted on Twitter a promotion for the Wednesday event. He wrote, 'Show your support for free & fair elections. Our republic can't be left to die because if [sic] an ongoing criminal enterprise.'

On Jan. 4, Finchem celebrated the fact that President Trump read a letter from him at a rally in Georgia for the GOP Senate candidates, both of whom have since conceded they lost.

On Jan. 6, Finchem was in Washington, D.C. At 1:16 p.m. Eastern time, he posted a picture of a large group on the Capitol steps waving Trump flags. His comment: 'What happens when the People feel they have been ignored, and Congress refuses to acknowledge rampant fraud.

#stopthesteal' Within about an hour, the crowd was breaking into the Capitol. Soon after, the congressional process of confirming the presidential winner was suspended, and people began losing their lives — five eventually died.

What exactly he did during that time is unclear.

That night, Finchem was not the slightest bit regretful on social media about the violence and destruction. He retweeted messages by President Trump and a photo of the Trump supporter who was shot and killed by police in the Capitol. At 7:48 p.m. he complained about the difficulty of getting food in D.C., where a curfew went into effect at 6 p.m.

'DCPD refuses GrubHub access to hotels in DC to deliver food to people staying in hotels where restaurants were shut down by commie Mayor of DC,' he tweeted.

As the week has gone on, he's complained about the fact that he is losing followers on Twitter, which he sees as a sign the platform is deliberately sabotaging him. In a tweet about that on Friday, Finchem said 'welcome to Soviet America.'

He also wondered 'where is the gulag in America?'

Yes, Finchem compared the loss of some followers, probably the automated accounts called bots that Twitter constantly culls, to deadly forced labor in Siberian prison camps. As is common in the movement he belongs to, Finchem's sense of persecution is entirely divorced from the comfortable reality he lives in.

AMERICAN OVERSIGHT

One person that this retired police officer never mentioned in his social-media feed is Brian Sicknick, the Capitol Police officer killed in the insurrection Finchem helped foment. He appears to have glossed over that incident.

I would love for all this to mean that the House considers expelling Finchem when it resumes Monday.

But that is unlikely, at least at first. House Speaker Russell Bowers is set to be voted back into his position as speaker Monday, but only if the 31 Republicans stick together.

Finchem ran against Bowers for speaker and lost. His seatmate, Bret Roberts, has threatened not to vote for Bowers, potentially robbing the speaker of his majority. If any more Republicans stray, Bowers' position could be threatened.

That doesn't mean nothing can or should be done.

A censure by the House is a no-brainer and hardly merits mentioning. Expulsion should be considered.

In the case of Matt Shea, the founder of the Coalition of Western States who calls Finchem a 'friend' on social media, the Washington Legislature hired an outside firm to investigate him. They found he had participated in 'domestic terrorism,' and the Republican caucus removed him from the caucus as well as all committee assignments. Something like that could be appropriate for Finchem.

But the cleanest remedy of all for a democratically elected legislator who wants to overturn democracy is recall.

I learned Friday that voters in Legislative District 11 are beginning to pursue a recall. That can't happen soon enough or to a more deserving extremist.

Return to the table of contents

Experts hold their breath, hope rate of infections peaked in late December

Alex Devoid
Arizona Daily Star
January 10, 2021

The number of COVID-19 cases in Arizona spiked in the last week of December, setting a new statewide record after a lull the prior week of Christmas, according to the Arizona Department of Health Services' chart.

During the week of Christmas, a temporary dip in testing likely explains the simultaneous dip in cases, but a rise in statewide and countywide cases the very next week far outpaced testing.

The virus was so widespread in the final week of December that about 8 in every 1,000 people were infected across the state. Countywide, about 7 in every 1,000 people were infected.

AMERICAN OVERSIGHT

'The big question should be: Have we seen the peak yet and is this as bad as it's going to get? And part of me says, 'probably," said Pima County's chief medical officer, Dr. Francisco Garcia, adding that this doesn't mean, by any stretch of the imagination, that cases are going to quickly drop off.

Cases in Pima County surged the week after Christmas but didn't set a record at the county level, according to the ADHS's chart of cases by day.

When case counts in Pima County are reported for this past week, it's hard for Garcia to see them breaking another record, he said. But he still wonders if we'll see a spike in cases following New Year's Eve. 'The mitigation strategies are actually kind of working,' he said. 'And so I'm actually holding my breath to see what happens.'

But the county has implemented all of the mitigation policies it can, Garcia said. Going forward, he is focusing on the vaccine.

He said the county's goal is to get 300,000 vaccines administered within the first 90 days of the year.

Dr. Joe Gerald, an associate professor with the University of Arizona's College of Public Health, has a different outlook for the next two months.

He said he is seeing no signs of a plateau. In fact, he said the virus is spreading so rapidly that Arizona may reach herd immunity by the time any substantial portion of the population is vaccinated.

If the virus spreads really fast, 'then it might be early February where this will begin to collapse under its own weight,' he said. 'At the pace we're churning through cases right now, February looks like it's going to be the worst month.'

It could be twice as bad as January, maybe even four times as bad, he said. 'Darker days are ahead.'

Since early vaccines are generally going to be prioritized for those at the greatest risk of death, we may be able to mitigate the ultimate death toll, but not the case counts and likely not the hospitalizations either, Gerald said.

Week-to-week cases in Pima County increased by 28% to 7,413 in the last week of December, while the number of diagnostic tests remained effectively flat, with a slight bump of 5%, according to the ADHS data, as of Friday.

Over the same time frame, new cases also increased statewide by 40% to 56,805, while diagnostic tests increased by 19%.

The percentage of positive diagnostic tests also increased from 20% to 24% countywide. And it rose from 20% to 25% statewide. It's difficult to reproduce these percentages provided by ADHS because the department only includes results reported to it electronically, whereas its case counts include results reported both electronically and non-electronically. In other words, ADHS doesn't include all test results when calculating the percentage of positive diagnostic tests.

Coronavirus hospitalizations recently set another record in Arizona and Pima County during the week of Christmas, jumping 9% statewide to 3,208 and 8% countywide to 458.

AMERICAN OVERSIGHT

The Arizona Daily Star typically waits two weeks for hospitalizations and deaths to show up in the data, but the data from one week ago already show another record number of statewide hospitalizations in the last week of 2020.

Additionally, hospitals have remained crowded. Only 7% of inpatient beds and 8% of ICU beds were available on Friday in Arizona, according to ADHS's chart of hospital bed usage and availability, as of Saturday.

As the hospitals in Arizona become even more overwhelmed, we won't know where the weak links are until they break, Gerald said. In other words, we don't know what will go wrong until it happens.

Countywide, week-toweek COVID-19 deaths fell 18% to 94 during the week of Christmas, according to data from the Pima County Health Department.

The COVID-19 death tally on the ADHS chart of deaths by date also showed 622 deaths during the same week, which would be a 10% decline.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

COVID-19 outbreak changes rules to see lawmakers during legislative sessions

Howard Fischer
Arizona Daily Star
January 11, 2021

If you thought you'd be going to the Capitol to keep tabs on your lawmakers when the new legislative session begins at noon Monday, think again.

Rules instituted this year due to the COVID-19 outbreak are going to keep the public out of the Senate, at least for the time being, and likely the House, too.

And that includes those who want to testify on bills.

Legislative leaders, however, are making arrangements to allow for what will amount to virtual testimony. It will, however, require access to a computer with a camera and, presumably, enough bandwidth.

But you will have to make at least one trip to the Capitol or the legislative office in Tucson to sign up.

Senate President Karen Fann said this is not about doing business in secret. And the Prescott

Republican told Capitol Media Services this is not necessarily how the entire session will be run.

'We're basically going to take it one or two weeks at a time,' she said. 'We'll adjust as needed.'

But for right now, Fann said, she and House Speaker Rusty Bowers are taking a cautious approach.

'We have huge spikes going on,' she said. 'They're not looking good.'

AMERICAN OVERSIGHT

That creates hurdles.

'I am going to try and do everything in my power to get as much work done as we can, as faithfully as we can,' she said.

Fann said that starts by limiting access to the buildings to members and staff. Even then, they will get their temperature taken. And anyone with a fever of 100.4 degrees or higher will not be allowed to enter.

Committees will be run with members and staff only. And that gets to how everyone else can weigh in — or at least monitor the proceedings.

It all starts with the legislative website at protect-us.mimecast.com/s/oTU3CZ6G2Vi7V1x5ASz-4jTM?domain=azleg.gov.

That provides a series of options. One is 'Bills' with a subcategory of 'Bill information' where individual measure can be tracked. Not sure of the bill number? Enter a keyword in the search.

So, for example, if you were to put in the word 'election,' 10 bills already filed for the session would pop up. These range from SB 1002 saying ballot envelopes can't identify the voter's political affiliation to SB 1023, which deals with the kind of markers that can be used on ballots.

More bills can — and will — be filed in the next few weeks.

What's actually up for discussion on any day is under the 'Calendar & News' category under the subgroup of ALIS Today, short for Arizona Legislative Information System. That has committee and floor agendas at least for the next few days. Check back often for updates.

That, then, gets to the question of how to weigh in, given that in-person testimony appears to be off the table for the time being.

Agendas for committees with no public testimony will have an email address. The first step is to create an account in the legislature's 'request to speak' system.

Unfortunately, that requires a trip to the Capitol to use a kiosk just inside the doors of the House or Senate. There also is a kiosk at the legislative office in Tucson.

Once you have an ID, then you can click on any bill and request to testify. But it's not that simple. It also requires an email to the committee — the address is on each agenda — at least 24 hours ahead of the meeting making a request to testify.

That RTS system also allows users to simply submit written comments that lawmakers will see when they are voting on measures.

And, to be totally honest about it, understand what lobbyists already know: It's helpful to contact lawmakers ahead of any vote, whether in person,by mail or phone. Very often by the time the committee actually meets most legislators already have made up their minds.

AMERICAN OVERSIGHT

Just interested in watching? There's no need to sign up in that RTS system. There is a link off the main legislative page, under the House button, to click on 'live proceedings.' You will, however, need to know in which room the hearing is taking place, information that can come from the agenda.

Oh, on that prospect of contacting lawmakers directly, the main legislative web page has office phone numbers and links to direct email under both the House and Senate member lists.

One more thing: Legislators are likely to be far more responsive to inquiries and messages that come from their own constituents.

But if you're not sure who represents you, there's also a 'find my legislator' button on both the House and Senate membership pages.

If that's not an option, there's one more ultimate fallback: The legislature maintains a toll-free number at 800-352-8404. You can not only dial a lawmaker by name or number but can reach the House or Senate operator who can help figure out who represents you.

Return to the table of contents

Making laws in Arizona differs from what you learned in school

Howard Fischer
Arizona Daily Star
January 11, 2021

Think you know how a bill becomes law in Arizona?

Well, it isn't exactly how the Schoolhouse Rock song, 'I'm just a bill on Capitol Hill,' says it happens.

Yes, Arizona has a House, a Senate and a governor.

And, yes, there are committees and floor debates.

But what actually happens at the state Capitol? It ain't textbook.

Textbook: A constituent goes to a legislator and suggests a change in law to deal with a problem.

How it happens: Many more bills come from — and are actually written by — special interest groups and their lobbyists, people who may have helped elect the lawmaker who agreed to put his or her name on it.

Textbook: The Senate president or House speaker assigns the bill to an appropriate committee for a hearing.

How it happens: If the president or speaker doesn't like the proposal, it gets assigned to a committee — or two or three — where is it likely to die. Conversely, a bill leadership wants will be put into a friendly committee, even if it belongs somewhere else.

AMERICAN OVERSIGHT

Textbook: The committee chair schedules each bill for a hearing, then takes extensive testimony from all sides and carefully weighs the merits of each proposal.

How it happens: The committee chair can kill a measure simply by refusing to hear it. Few bills by Democrats are heard. And most measures get little more than a cursory review, with testimony often limited to a few minutes per speaker and committees approving a dozen or more bills within two hours.

Textbook: During floor debate, amendments are proposed by those seeking to improve the legislation.

How it happens: Amendments are just as often offered by foes of the original measure to undermine the bill — or even try to embarrass other legislators to have to go on record on a controversial issue with a forced roll-call vote.

Textbook: If a bill fails to get the votes, that's the end of it for the session.

How it happens: That isn't always the case for those sponsored by a member of the majority party. It can be resurrected by attaching the provision onto another bill that has not yet been to committee or the floor.

Textbook: When there are differences between the House and Senate versions of the bill, the final version is weighed and debated by members of a conference committee.

How it happens: The fix usually is in before the conference committee even meets. That's because the House speaker and the Senate president determine who serves on the committee and pick people who will support the version desired by leadership.

Textbook: Any measure that survives goes to the governor, who signs or vetoes it based solely on what is sound public policy.

How it happens: Or what caters to the governor's base or contributors.

Gov. Doug Ducey signs a bill into law that would ban the use of hand-held electronic devices while driving in 2019. Three days earlier he had vetoed a bill that would have created a law against distracted driving.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Education top issue for Arizona voters, poll finds

Danyelle Khmara
Arizona Daily Star
January 11, 2021

Education is still the top issue for Arizona voters, according to a poll from Expect More Arizona.

Statewide, 28% of 600 likely voters surveyed said education was their top issue, followed by health care and the economy and jobs. Education has surfaced as the top issue for six consecutive years.

AMERICAN OVERSIGHT

Digging further into what education issues are important to people, 26% said a general lack of funding for schools topped the list, and 17% said teacher pay and support for teachers was most important.

Additionally, 16% of people said concerns around remote learning and a desire to get students back into classrooms were their top concern. Respondents agreed that the inequity and opportunity gaps outside of school often impacts student success in the classroom and that problem has been exacerbated by the COVID-19 pandemic.

'Voters recognize that a strong economic future isn't possible without having difficult conversations about what it will take to close persistent opportunity gaps,' says Ron Butler, chair of the board of Expect More Arizona.

One of the most prevalent opportunity gaps is lack of access to internet or technology for online learning, along with food insecurity, housing insecurity and parental help with online learning at home.

While 66% of respondents said K-12 funding in the state is too low, only 29% of voters surveyed said schools would have enough funding as a result of Proposition 208, the Invest in Education Act passed by voters in November to raise close to $1 billion for education yearly from a surcharge on the state's most wealthy residents.

Also significant, 79% of respondents said teachers salaries were too low.

The top education issues where respondents would like to see more investment is increasing teacher pay, funding to improve lower performing schools and funding for student support services, as well as supporting access to quality early learning opportunities.

Last year's poll found that 42% of people said education was their top issue. That percentage likely dropped this year because health care has climbed in importance because of the widespread impact of the ongoing COVID-19 pandemic, says Christine M. Thompson, president and Twenty-six percent of likely Arizona voters said a general lack of funding for schools topped their list of education concerns.

'But it's telling that people with and without children at home are still likely to name education as the top issue facing the state,' Thompson says. 'Voters in Arizona clearly understand the importance of education and the value schools add to our communities.'

'These poll results shouldn't surprise anyone. Arizona voters recognize the daunting challenges facing our students and education systems — from quality early learning through higher education. While voters agree that parent, family and community engagement in schools is essential to the success of our students, they are also sending a clear message that meaningful investments are just as critical,' she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Three ways lawmakers could help Arizonans

Unemployed, renters and schools seek relief

Andrew Oxford
Arizona Republic
January 9, 2021

The Arizona Legislature has not met in more than six months, and in that time nearly 10,000 Arizonans are dead from COVID-19. The unemployment rate is at its highest level in at least eight years.

Many legislators are eager to get back to the Capitol, but not necessarily to address those issues.

Instead, plenty remain focused on President Donald Trump's defeat in the election and are urging changes to the state's election process — or reversing the results altogether.

Others are looking to pick up the unfi nished business of the last session, which was cut short by the pandemic, scuttling a range of legislation. The state is also on track to end the fi scal year with a surplus, a prospect that bucks forecasts from the start of the pandemic.

Still, for many Arizonans, COVID-19 and its economic impact remain perhaps the most tangible and immediate issues that legislators could address when they reconvene on Monday for their 2021 session.

The Legislature remains narrowly divided between Republicans and Democrats, and lawmakers' responses to the pandemic could not diff er more radically. Some have mocked measures to stop the spread of COVID-19, and the disease has nearly killed other legislators.

While a few Republicans have called for lifting the emergency order Gov. Doug Ducey instituted at the start of the pandemic and, in turn, ending some of the public health precautions that have been in place around Arizona, Democrats have called for more precautions, such as a statewide mask mandate and measures such as an extended eviction moratorium.

Amid the rancor, there are a few areas — such as aid for the unemployed, funding for schools and assistance for renters — where the Legislature can take steps to support needs that have emerged during the pandemic in Arizona.

While they still involve what often are hot-button political issues, these proposals could muster interest from both sides of the aisle.

Help for unemployment insurance At $240 a week, Arizona's maximum unemployment insurance benefit is among the lowest in the country. Democrats have called for raising that limit, but the idea has met concerns about straining the state's unemployment insurance trust fund, among other objections.

One potential compromise might be to not increase the payments but instead increase the amount of money recipients can earn on the side without seeing their benefits cut.

Under current law, anyone receiving unemployment insurance who makes more than $30 a week sees their payment cut dollar for dollar for what they earned over that limit.

AMERICAN OVERSIGHT

Critics argue this eliminates assistance to tens of thousands of Arizonans and means that those receiving unemployment insurance might lose all of their weekly payment if they take a part-time gig to make ends meet.

If the cap were lifted to $160 a week, as some propose, a minimum wage employee working 31 hours a week would still qualify for about $68 in unemployment insurance under the 2020 rate. And for now, the federal government would add $300 a week to the payment.

The Grand Canyon Institute estimated last year raising the cap to that level would cost the state about $5 million, which proponents argue is a small price for the help it could provide for those behind on rent or struggling on sharply reduced hours.

Rep. Mitzi Epstein, D-Tempe, said she is working on legislation to raise the cap to the threshold.

Epstein argued the change would boost the amount of money Arizonans could make each week and provide a better incentive for workers to take part-time work.

"The longer a person is not employed, the less likely they are to get a job," she said. "If you give people an adequate amount in their payments, they can pay their rent, make their car payments."

Raising the cap to $160 a week would still leave it lower than many other states. Georgia, for example, raised its cap to $300 a week in the early months of the pandemic.

Epstein also said she will sponsor legislation to raise the maximum unemployment insurance payment amount from $240 a week to $350 a week. Epstein said she would prefer to raise the cap to $500, but the lower amount may be more politically feasible and would equal the rate of North Carolina.

Still, lawmakers are raising concerns about the swift depletion of the unemployment insurance trust fund, making unlikely any changes that might add further costs.

Gov. Doug Ducey signaled Friday, though, that he might be open to changes that could incentivize those out of work to take a job.

"As we come through the pandemic and now we're starting to get these vaccines into people's arms and headed back to normal, I want to make sure that anything that we do in public policy incents people to work in the state of Arizona and doesn't pay people to stay home when there's a job available," he said in an interview.

"So if people want to talk about policy around that, those are things I'm going to engage in. But just to raise a dollar number for an unnecessary reason is not something that's a priority."

Online education hur ting districts

School districts and charter schools faced a $266 million funding shortfall as of mid-December because the state funds distance learning — which many have turned to during the pandemic — at a lower rate than in-person learning.

AMERICAN OVERSIGHT

School funding is calculated per student. Ducey issued an order in June declaring students participating in distance learning would be counted as enrolled in online instructional programs, a pre-pandemic system of online schooling. But under state law, online school students are funded at a rate of 5% less than in-person students.

Meanwhile, Arizona school budgets also were hit when an estimated 50,000 fewer students than usual enrolled last year.

Together, the changes amount to a one-two punch for school finances.

Federal funds will fill part of the gap, but not all of it.

The problem may seem like a possible wash if schools face lower bills for some expenses that come from opening campuses every day. But legislators say it is not so simple.

“Our expenses have gone up, not down, with virtual learning,” said Sen. Lela Alston, a Democrat from Phoenix who also is president of the governing board of the Phoenix Union High School District.

Some districts need to furnish students with devices for distance learning or provide access to the internet. Teachers also need training to conduct lessons using equipment and programs some don’t have experience using.

Lawmakers have raised concerns about adjusting the funding levels, though.

“Doing so probably incentivizes not doing in-person learning,” said Sen.-elect T.J. Shope, a Republican from Coolidge and a former member of the Coolidge Unified School District governing board.

Shope said he would not support financially penalizing districts that have adjusted over the past year to virtual learning but is cooler to proposals of a permanent, prospective change in funding levels that he suggested could encourage making virtual learning a long-term arrangement.

Expanding housing assistance

More than 31,000 households have applied for rental assistance through a state program. Only 3,108 households, about 10%, had received aid as of Friday.

While Ducey launched the program in March with an initial $5 million and supplemented it with more funds, the slow distribution of that money has frustrated applicants and confounded lawmakers.

“It’s a black box at this point,” Alston said.

Even as the program is slow to roll out funding, the demand could easily outstrip the available cash. Ducey set up the fund with an initial $5 million in March and added $2 million in October.

Nearly 4,600 applications were under review at the end of December.

If only half of those applications were approved and given the average amount of aid, the fund could easily be exhausted within a few months.

AMERICAN OVERSIGHT

And the need would remain.

While the federal government has extended a moratorium on evictions at properties with federally backed mortgages, lawmakers still expect an increase in people living on the streets or moving in with family.

Arizona renters owe at least $178 million to their landlords, and as many as 250,000 renters could be facing eviction, according to the National Council of State Housing Agencies.

All of this is likely to renew interest in setting aside more funding for housing assistance.

Republic reporter Maria Polletta contributed to this article.

Return to the table of contents

Groups that stormed Capitol have AZ roots

QAnon believers, Patriot members active in state
Rob O'Dell and Richard Ruelas
Arizona Republic
January 9, 2021

Jake Angeli, in his recognizable fur bonnet with horns, became notorious for his role as part of the mob that attacked the U.S. Capitol on Wednesday.

Much of the nation saw him for the first time that day. He became the first person of interest listed by the Metropolitan Police in a list of photos of those involved.

But his demonstrations and those of other militant patriot groups have deep roots in Arizona.

The Arizona Republic explored them in an investigation in 2020, which found that their movement has been motivated, at least partly, by dark and hatefilled beliefs.

The Arizona Republic reviewed thousands of posts, comments, photos and videos from a members-only Facebook page where Patriots developed their beliefs and planned activities over more than two years. The posts contained Islamophobic and racist rhetoric, and followers traded in conspiracies and false information.

The group also dabbled in QAnon, which falsely imagines a child-sex crime ring run by high-level politicians, with Trump on a mission to expose it.

About QAnon

Angeli is profiled in a report on QAnon, false flags and conspiracy theories. While there's no basis in fact, these ideas have helped build community among their followers.

Hate speech in closed settings

AMERICAN OVERSIGHT

Our report documented how online disinformation led members to tumble down the rabbit hole of hate and conspiracy.

Jennifer Harrison and Lesa Antone The series revealed the rise and eventual collapse of a duo that drove Patriot activity in Arizona.

Extremist influence on the GOP

It also detailed the Patriot movement's influence within Arizona Republican politics, which has been building for years. That influence has shaped party governance, school policy and life-and-death decisions at the highest levels of state government.

The origins of QAnon-style conspiracy theories

The series also traced the roots of hate and conspiracy in Arizona by profiling the life

and posthumous influence of William Cooper, a shortwave radio host who planted the seeds of the QAnon conspiracy theory and died in a hail of bullets outside his compound above Eager, Arizona.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

County supervisors threatened over election

Jen Fifield
Arizona Republic
January 9, 2021

The Maricopa County Sheriff's Office is investigating a comment posted this week to a local political website that threatened the county supervisors in response to the general election results.

The comment on Republican Briefs, a website and private newsletter, references building a hangman's scaffolding outside the Capitol and says "some of the supervisors and others involved in our elections have earned an old fashion neck tie party."

Frosty Taylor, who runs the Republican Briefs website, removed the comment on Thursday after The Arizona Republic reached out.

The brief, in the opinions section of the site, was posted the day before rioters stormed the U.S. Capitol as Congress attempted to certify the results of November's election. Congress members were in the midst of debating Arizona's results when they were evacuated because of the rioting.

Detectives with the Sheriff's Office are investigating the comment, along with "a large amount of these types of posts that are similar in nature," according to Sgt. Joaquin

Enriquez, a Sheriff's Office spokesperson.

"We will continue to monitor the merit of the posts," Enriquez said.

AMERICAN OVERSIGHT

The Maricopa County Board of Supervisors, a Republican-controlled board that helps oversee elections, has faced its share of pressure in the wake of the election. Trump supporters have called on the board to complete additional independent audits of the results, claiming widespread fraud but producing no evidence. The court has dismissed several related lawsuits.

Fields Moseley, a county spokesperson, said that some supervisors have received added security at various times during the past two months.

Supervisors Chairman Jack Sellers said Thursday that the brief is one of many threats he and the supervisors have received recently, starting with implementation of a countywide mask mandate as COVID-19 surged in June and then with the election.

Sellers said maybe he should take the threats more seriously than he does, but he is more focused on moving the county forward.

“I can’t have all my focus on crazy people,” he said. “I need to be focused on moving us forward.”

Brief claims election fraud along with threat

The brief was attributed to John Powelson, who identifies himself elsewhere online as a former Republican district chairperson.

In the comment, Powelson says he believes the election system was “manipulated” and “votes were taken from Trump and given to Biden” in Arizona and other states.

Powelson did not return a phone call or email for comment. On another post on Arizona Freedom Alliance’s website, Powelson identifies himself as a former chairperson for legislative district 13, a district which represents parts of western Glendale,

Litchfield Park, Buckeye, and parts of Yuma.

This isn’t the first time someone has threatened to hang an Arizona politician.

In 2015, Stewart Rhodes, the founder of the pro-Constitution organization Oath Keepers was recorded saying that U.S. Sen. John McCain, R-Ariz., should be tried for treason, convicted and “hung by the neck until dead.”

Taylor, who runs the Republican Briefs website and is a former spokesperson for the county Republican Party, said Thursday that she reads reader comments before she posts them.

“I thought he was just blowing off steam,” she said in an email.

When posting opinion comments, she includes a disclaimer that says the comments “are not necessarily those of the briefs.”

Gates: Leaders must not stand for ‘hateful, violence inciting rhetoric’

The vitriol toward the supervisors has extended to social media.

AMERICAN OVERSIGHT

When Supervisor Bill Gates tweeted on Wednesday about the rioting at the U.S. Capitol, the replies were harsh.

"Our great nation has a long history of peaceful transfers of power," Gates wrote. "We are better than this. Shame on those who led us to this disgraceful point. Cooler heads must prevail."

Those who responded on social media included Nicole Garcia, a candidate for Phoenix City Council in March's runoff election and a Trump supporter.

"Shut the hell up," Garcia wrote. "Shame on YOU for covering up blatant voter fraud! I'm circulating a petition to have you recalled you FRAUD."

Gates said Thursday that the replies to his tweet "represent some of those in my district on the fringes."

"I believe the majority of my constituents want representatives who use responsible rhetoric and who can be the 'adult in the room' when dealing with the tough issues," he said.

He said he has seen the rhetoric worsen in the last year, and "certain elected leaders" have allowed it to fester.

"There are many things which have caused today's political rhetoric: social media, distrust in mainstream media, and others," he said, "But the one cause that has the easiest fix is we must have strong elected and appointed leaders in this country that do not stand for hateful, violence inciting rhetoric."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona adds about 11,650 new COVID-19 cases, 197 deaths

Alison Steinbach
Arizona Republic
January 9, 2021

Arizona is approaching 10,000 known deaths due to COVID-19 as case counts and hospitalizations continue to rise, with more than 11,600 new cases reported Friday.

The 197 new known deaths reported by the state on Friday brought the known death count from COVID-19 to 9,938.

The state's seven-day new-case average ranks second-highest nationwide after ranking first for three days in a row, according to the Centers for Disease Control and Prevention's COVID Data Tracker as of Thursday.

Arizona's rate of new positive cases over the last seven days was 122.1 cases per 100,000 people, trailing only New Jersey with 136.7 new cases per 100,000 people over the last seven days, per the CDC. The U.S. average for new cases is 68.7 cases per 100,000 people.

AMERICAN OVERSIGHT

The state data dashboard shows 93% of all ICU beds and 93% of all inpatient beds in Arizona were in use Thursday, with 63% of ICU beds and 57% of non-ICU beds occupied by COVID-19 patients. Statewide, there were 131 ICU beds and 619 non-ICU beds available.

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 4,907 on Thursday, slightly below the record-high of 4,920 on Wednesday. By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,122 on Thursday, above the previous record of 1,101 on Wednesday. During the summer surge in mid-July, ICU beds in use for COVID- 19 peaked at 970.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 799 on Thursday, passing the previous record high of 782 ventilators in use on Sunday. During the summer surge, July 16 was the peak day for ventilator use with 687 patients.

Thursday saw 2,188 emergency room visits for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

New cases in Arizona have eclipsed 5,000 for 25 of the past 30 days. Public health experts expect the virus to spread further because of personal contact over the holidays.

Friday's 11,658 new cases brought the total number of identified COVID-19 cases in the state to 596,251. As of Friday, 9,938 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

Friday's numbers

Reported cases in Arizona: 596,251.

Cases since the outbreak began increased by 11,658, or 1.99%, from Thursday's 584,593 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 367,856 in Maricopa, 79,190 in Pima, 32,178 in Pinal, 30,368 in Yuma, 14,699 in Mohave, 13,020 in Yavapai, 12,368 in Coconino, 12,242 in in Navajo, 8,533 in Cochise, 8,119 in Apache, 6,507 in Santa Cruz, 4,964 in Gila, 3,966 in Graham,

1,788 in La Paz and 451 in Greenlee, according to state numbers.

The Navajo Nation reported 24,521 cases and 844 confirmed deaths in total as of Thursday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 7,815 inmates had tested positive for COVID-19 as of Thursday, including 1,573 in Tucson, 1,526 in Yuma, 1,272 in Eyman and 911 in Douglas; 43,023 inmates statewide have been tested. A total of 2,007 prison staff members have self-reported testing

AMERICAN OVERSIGHT

positive, the department said. Twentysix incarcerated people in Arizona have been confirmed to have died of COVID- 19, with 14 additional deaths under investigation.

Deaths by county: 5,695 in Maricopa, 1,216 in Pima, 574 in Yuma, 414 in Pinal, 384 in Mohave, 372 in Navajo, 265 in Yavapai, 259 in Apache, 231 in Coconino, 163 in Cochise, 152 in Gila, 115 in Santa Cruz, 55 in Graham, 39 in La Paz and four in Greenlee.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

State's virus deaths hit 10,000

Rachel Leingang
Arizona Republic
January 10, 2021

Tara Swanigan's father, Charles Henry Krebbs, an avid gardener from Glendale who enjoyed reading and jazz music, is one of the 10,000. So is Jeri Whooley's father, Lou Immediato, her "big, strong, Italian, military dad," who lived in Surprise.

José "Lolo" Hernandez, the patriarch of the Hernandez family is among them, too, a man who treated all visitors like family and greeted them with a shot of tequila at his Phoenix home.

The list includes parents and grandparents, sons and daughters, aunts and uncles. Spouses, siblings, friends, coworkers, acquaintances are on it. People who loved and were loved.

It now has the names of more than 10,000 Arizonans, as of Saturday.

In Arizona, 10,036 people have died from complications of COVID-19, the disease caused by the new coronavirus, according to the Arizona Department of Health Services.

The appalling milestone comes as the virus continues its accelerating path through the state in a second wave that's proving harsher than the first.

Nationally, the number of American lives claimed by COVID-19 is 368,953.

The state arrived at 10,000 deaths with increasing speed. The jump from 9,000 happened in just eight days.

Arizona likely reached 10,000 deaths days or even weeks ago, though. Death certificate matching and delays in reporting mean deaths are reported well after they occur in some cases.

Hundreds of thousands more have tested positive for the virus, with most recovering at home. But hospitalizations are on the rise, reaching levels that are taxing Arizona hospitals worse than they did in the summer surge.

Those who have lost loved ones to COVID-19 share similar warnings: You don't want to lose a family member this way. It's grueling, isolating and increasingly politicized. Grieving proves difficult with

AMERICAN OVERSIGHT

rituals interrupted, and guilt comes along with it. Frustration and anger bubble up at people who don't follow rules and governments that don't enforce them.

"When I see people now posting about not wanting to wear a mask or thinking this is just the flu, it's like, I lost my father. I'm still sick. A lot of my friends are still sick. It's very troubling and very hurtful for me to see those kind of comments posted," Whooley said.

Pace of death quickens over time

Arizona's first known death, a Phoenix aviation director, was recorded on March 17. It took 70 days to reach 1,000 deaths, including the loss of the matriarch of a Winslow family who warned others they didn't want to suffer this fate. That was May 26.

Arizona's summer surge, one of the world's worst, quickened the pace of deaths. Arizona reached 2,000 deaths on June 28. July 24 marked 4,000; 5,000 came on Aug. 11.

An ebbing caseload slowed the pace of death, for a time. It took 64 days to reach 6,000 deaths, on Oct. 14.

But the second wave of infections rose locally and nationally. Arizona reached 7,000 deaths on Nov. 28, two days after Thanksgiving.

The state surpassed 9,000 on Jan. 1.

And now, 10,000 has come.

Throughout the course of the pandemic, a classroom in rural Arizona lost a teacher. Health care workers died. Individuals have lost multiple loved ones. The virus tore through Arizona's Latino and Native American communities at higher rates.

Some, like Kristin Urquiza, turned grief into action, advocating for a better response from the government and finding comfort in their shared pain, through a group called Marked by COVID.

About three-fourths of the deaths are among people 65 and older, though hundreds of young people have died as well. Nearly 60% of those who died were men.

Grief and guilt come together

Whooley, a 66-year-old retired respiratory therapist, was in a "bubble" with her husband and her father, who lived just a couple blocks away from her. They all saw each other, but hardly anyone else.

She saw her father on Sundays, their tradition to help stave off loneliness after her mother died about six years ago. She always followed precautions, like wearing a mask and washing her hands. She hadn't attended any gatherings.

She saw her dad, Lou Immediato, on a Sunday in early December. The next day, she started feeling some symptoms of COVID-19. A few days later, her dad felt tired and lost his appetite.

AMERICAN OVERSIGHT

Immediato didn't want to go to the hospital. At 87, he felt like he may be cast aside if hospitals were too busy. Whooley treated him at home to the extent possible, urging him to go to a hospital. He waited, and waited, and waited, until he gasped for air and his lips started turning blue. Finally, he relented.

By the time he went to the hospital on Dec. 23, his oxygen levels were dangerously low. He was placed on a ventilator. Whooley called every morning and night for updates. His organs started to fail. She was given one 15-minute visit in person to say goodbye.

He died on Jan. 1. He had a plan for his burial, but the funeral home is so backed up that he won't be buried until Jan. 14, Whooley said.

She's grieving her beloved father, whom she went to spring training games with every year at Surprise Stadium, who should be sitting in his recliner and watching TV.

Whooley still feels COVID-19 symptoms herself, more than a month after they first appeared — lingering shortness of breath, muscle pain, high blood pressure.

And she's flooded with guilt. If she hadn't visited on that Sunday, maybe he wouldn't have gotten sick. If only she had realized the sniffles she had that day, which were common for her asthma, were something more.

"I think I might still have my dad if I just wouldn't have gone over there that day," she said. "So I'm trying to reconcile the fact that this is my fault. And that I lost him because of an innocent mistake."

An anchor gone for Hernandez family

Browse through GoFundMe and you'll find hundreds of families missing a member and seeking help for lost income and unexpected funeral expenses.

Among them is the family of José Hernandez, "Lolo" or "El Cocinero" to those who knew him, who died from COVID-19 on Jan. 6 at age 61.

He came to Arizona from Mexico at 16, worked hard to make a life for his family, for his four children. He and his wife, Justina, gained citizenship in 2000. He lost one of his four children last year, when he was shot and killed by Phoenix police.

Lolo and Justina both contracted the disease. Justina recovered, but Lolo went to the hospital, a place he hesitated to go because he would be alone, his children said.

There were glimmers of hope, moments when it seemed like he would pull through, his children said. But his condition deteriorated, and he would have had to live on a respirator for the rest of his life, something his children knew he didn't want.

"We wanted to honor his wishes, and we hoped for a miracle, but we were able to be with him in his last moments," said José Hernandez, Lolo's eldest son, who lives in New Orleans.

The younger José, his sisters Anna and Lupe, and their mother, Justina, all said goodbye in person at the hospital. Other family members joined by FaceTime. They showed videos and shared memories.

AMERICAN OVERSIGHT

Lupe will miss hearing him sing her happy birthday and the way he adored her children, his grandchildren. Anna will miss watching baseball with him; he taught her to love the game. Jose learned from his dad how to value family above all else.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AZ man in fur hat arrested in DC riot

Richard Ruelas and Craig Harris
Arizona Republic
January10, 2021

He had long dressed as a warrior in Phoenix, donning an animal fur hat topped with horns, painting his face and emerging bare-chested to show off his intricate tattoos.

Jake Angeli told federal authorities he traveled to the U.S. Capitol this week to answer the call from his president, who had asked his supporters to muster in Washington, D.C., on the day Congress met to certify the election defeat of Donald Trump. That protest devolved into a riot that left five people dead, including a Capitol police officer.

Angeli surrendered himself to federal authorities Saturday and was arrested for his role in that rush on the Capitol. He faces charges including violent entry and disorderly conduct.

Angeli had been on a list of people sought by Washington, D.C., police. Aware authorities were looking for him, Angeli called the FBI earlier in the week to identify himself as the man photographed in the Capitol rotunda and, briefly, on the dais of the U.S. Senate.

Records released following Angeli's arrest Saturday showed his mindset before and during the raid on the U.S. Capitol.

Angeli told the FBI that he came to D.C. "as part of a group effort, with other 'patriots' from Arizona, at the request of the President that all 'patriots' come to D.C. on January 6, 2021," according to a sworn statement of facts filed in order to secure an arrest warrant.

In the statement of facts, a Capitol Police special agent said he was able to identify Angeli through his "unique attire and extensive tattoos covering his arms and left side of his torso."

Angeli called the FBI to identify himself Thursday, according to federal officials. A magistrate issued a warrant for Angeli's arrest on Friday, and Angeli turned himself in Saturday morning at the Phoenix field office.

Angeli was charged with knowingly entering or remaining in any restricted building or grounds without lawful authority and with violent entry and disorderly conduct on Capitol grounds.

The FBI turned Angeli over to the U.S. Marshals Service around noon, and he was being detained in an undisclosed location, according to U.S. Marshal David Gonzales.

No immediate release

AMERICAN OVERSIGHT

Gonzales told The Arizona Republic that Angeli would face an extradition hearing on Monday morning in U.S. District Court in Phoenix via a video conference because of court restrictions related to the COVID-19 pandemic.

Angeli was expected to be sent back to Washington, D.C., where he faces charges that could keep him in federal prison for "years and years," Gonzales said.

Gonzales said there's no chance Angeli would be released before Monday's hearing.

"He's not going anywhere," Gonzales said.

Federal authorities have arrested and charged several people this week, including people like Angeli, whose images were widely seen in newspapers, on television and on websites.

Those include a Florida man who was seen carrying a lectern belonging to House Speaker Nancy Pelosi and an Arkansas man who was seen with his feet up on her desk. A West Virginia assemblyman was also arrested Saturday, authorities announced. He resigned his office shortly afterward.

In a conference call of federal officials on Jan. 8, Steven D'Antuono, assistant director in

charge of the FBI Washington field office, said, "Just because you've left the D.C. region, you can still expect a knock on your door if we find out you were part of the criminal activity at the Capitol."

The Justice Department's news release announcing Angeli's arrest described him in the way many people across the country saw him: "dressed in horns, a bearskin headdress, red, white and blue face paint, shirtless, and tan pants. This individual carried a spear, approximately 6 feet in length, with an American flag tied just below the blade."

In Phoenix, that garb was well known.

A fixture at Arizona rallies

For the past two years, Angeli had become a fixture at political rallies, marches and protests. Besides his attention- getting outfit, Angeli has a booming voice that, without need of amplification, could be easily heard among a crowd.

The Republic interviewed Angeli during 2020 as part of a series of stories and a mini-documentary on the Patriot movement in Arizona, the increasingly powerful right-wing of the Republican Party. Some adherents, including Angeli, promoted conspiracy theories including the baseless idea known as QAnon.

Angeli, 33, lived in Phoenix, but it was not clear what he did for a living.

He was listed on a webpage as available to hire as a voice-over actor. He also conducted online courses in shamanism. He also said he volunteered for an arts organization in Phoenix that worked with at-risk youth.

AMERICAN OVERSIGHT

Though he identified himself publicly as Angeli, court records show he petitioned to have his name legally changed to Jacob Anthony Angeli Chansley in 2005, adopting the last name of the stepfather who raised him.

The Justice Department identified him as "Jacob Anthony Chansley, a.k.a. Jake Angeli, of Arizona."

A few days a week — when the spirit moved him, Angeli told The Republic in a 2020 interview — he would stand alone outside the Arizona state Capitol and shout diatribes at the buildings, regardless of whether the Legislature was in session or not.

During the 2020 campaign, Angeli was at nearly every march, rally or protest in the Phoenix area. After Election Day, Angeli was among the crowd that protested outside elections headquarters as the counting went on inside. He seemed to take a leadership role, often being one of the featured speakers.

Angeli typically carried a cardboard sign that looked intentionally weathered. It read: Q Sent Me.

It was a reference to the QAnon conspiracy theory that Angeli believed and wished to share with others.

QAnon is a wide-ranging conspiracy theory. But its central belief is this: A government official with top-secret "Q" clearance has been anonymously posting cryptic clues about secret investigations being conducted by Trump. Arrests are imminent. Followers are told to "believe the plan."

Angeli said he had long used the Internet to research secretive groups he believes control the world — Illuminati, Trilateral Commission and Bilderberg group, among others. The QAnon movement dovetailed, he said, with what he already had found.

"When you really do enough research," he said, "it all ties together."

Angeli, reached on his cellphone on the night of the Capitol invasion, refused an interview with The Republic.

However, he did speak with NBC News on Thursday, as he was beginning his return trip to Arizona.

He told NBC he didn't do anything wrong by entering the U.S. Capitol. "I walked through an open door, dude," he said.

The raid on the building resulted in deaths, injuries and damage. Outside the building, police deployed tear gas. Inside, Representative and Senators were hustled out of the chamber and into a secure area, some after donning gas masks At one point, Angeli was pictured at the dais of the U.S. Senate, where Vice President Pence had stood earlier in the day presiding over the session that would certify Trump's defeat.

Angeli took position and posed for a photo. He stood triumphant, holding a spear in one hand. His face was painted, his chest bare, as he raised the other arm and flexed his muscle.

Return to the table of contents

AZ surpasses 600K coronavirus cases

AMERICAN OVERSIGHT

BrieAnna J. Frank
Arizona Republic
January 10, 2021

Arizona surpassed 10,000 known deaths and 600,000 cases of COVID-19 as the state once again is worst in the nation for new cases.

The nearly 100 new known deaths reported by the state on Saturday brought the known death count from COVID-19 to 10,036.

The state's seven-day new-case average is back to the highest nationwide after being ranked second on Friday. Prior to that, Arizona ranked first for three days in a row, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

Arizona's rate of new positive cases over the last seven days was 126.4 cases per 100,000 people, per the CDC. The U.S. average for new cases is 68.7 cases per 100,000 people.

The state reported more than 17,200 new cases on Sunday, the highest number of new COVID-19 cases reported in a single day since the pandemic began, toppling the state's previous record from Dec. 8 by nearly 5,000 cases. The record follows the Christmas and New Year's holiday weekends.

The state data dashboard shows 92% of all ICU beds and 93% of all inpatient beds in Arizona were in use Thursday, with 54% of ICU beds and 57% of non-ICU beds occupied by COVID-19 patients. Statewide, there were 138 ICU beds and 633 non-ICU beds available.

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 4,918 on Friday, slightly below the record-high of 4,920 on Wednesday.

By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,121 on Friday, one below Thursday's record-high 1,122. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 791 on Friday, down from Thursday's record-high 799. During the summer surge, July 16 was the peak day for ventilator use with 687 patients.

Saturday's 11,094 new cases brought the total number of identified COVID-19 cases in the state to 607,345. There were 98 additional deaths reported Saturday, bringing the known total of Arizonans who have died from the disease to 10,036, according to the data dashboard from the Arizona Department of Health Services.

Saturday's numbers

Reported cases in Arizona: 607,345.

AMERICAN OVERSIGHT

Cases since the outbreak began increased by 11,094, or 1.86%, from Friday's 596,251 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 374,740 in Maricopa, 80,642 in Pima, 32,960 in Pinal, 30,847 in Yuma, 15,027 in Mohave, 13,293 in Yavapai, 12,610 in Coconino, 12,370 in in Navajo, 8,737 in Cochise, 8,201 in Apache, 6,620 in Santa Cruz, 5,006 in Gila, 4,012 in Graham,

1,821 in La Paz and 459 in Greenlee, according to state numbers.

The Navajo Nation reported 24,776 cases and 866 confirmed deaths in total as of Friday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have implemented a stayat-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 7,823 inmates had tested positive for COVID-19 as of Friday, including 1,571 in Tucson, 1,530 in Yuma, 1,272 in Eyman and 911 in Douglas; 43,055 inmates statewide have been tested.

A total of 2,007 prison staff members have self-reported testing positive, the department said.

Twenty-six incarcerated people in Arizona have been confirmed to have died of COVID-19, with 15 additional deaths under investigation.

Reported deaths in Arizona: 10,036 Deaths by county: 5,767 in Maricopa, 1,219 in Pima, 573 in Yuma, 417 in Pinal, 389 in Mohave, 372 in Navajo, 275 in Yavapai, 259 in Apache, 233 in Coconino, 164 in Cochise, 154 in Gila, 116 in Santa Cruz, 55 in Graham, 39 in La Paz and four in Greenlee.

Return to the table of contents

Ongoing surge to overload hospitals

Doctor: 'January is going to be a very rough time'
Stephanie Innes
Arizona Republic
January 11, 2021

A dwindling number of ICU beds.

An increase in patients waiting in emergency departments for an inpatient bed to open up.

More patients double bunking in hospital rooms

meant for one person.

Welcome to the "surge within a surge" in Arizona.

AMERICAN OVERSIGHT

Patients began filling up Arizona hospitals about two weeks after Thanksgiving, and the crunch is expected to grow in the next few weeks because of holiday travel and gatherings over Christmas and New Year's.

"The next few weeks are going to be bad. I'll be blunt. Unless a miraculous turn occurs, we're going to see things continue on the rise from the last two holidays through the month of January," said Dr. Ross Goldberg, a general surgeon in Phoenix who is president of the Arizona Medical Association.

"The concern is that January is going to be a very rough time."

The dire warnings are now coming with indications that care is being compromised.

Some hospitals have stopped elective surgeries; there's a need for more front-line workers; and Phoenix area hospitals last week started temporarily closing to incoming emergency transports and hospital transfers because of overwhelming patient counts.

Arizona's daily rate of new COVID-19 cases led the country on Wednesday for a third day in a row at 118.3 cases per 100,000 people, the Centers for Disease Control and Prevention's COVID Tracker said.

Johns Hopkins University data shows that Arizona has the highest number of COVID-19 cases per day in the world when normalized by population, said Dr. Marjorie Bessel, chief clinical officer for Banner Health, which is Arizona's largest health care delivery system.

"Currently, our ICU occupancy is 70% higher than it was at the same time last year," Bessel said in a briefing on Wednesday. "The current state of care in our hospitals cannot be defined as usual and customary. It is stretching us to our limits, and our predictive models indicate that it will only get worse."

Three percent of the ICU beds in Pima County were available Tuesday morning. At one point, 95 patients ill enough to need hospital admissions were being cared for in southern Arizona emergency rooms because inpatient beds were not available for them.

About 60 of those patients were positive for COVID-19, said Dr. Theresa Cullen, Pima County Health Department director.

"What that means is we back up the whole clinical care system," she said. "People waiting for beds is not unusual. You hear of patients who have been in emergency rooms prior to COVID, their families report them waiting 12 hours to get a bed. It's not uncommon. ... It's the number that we're seeing, which is higher than we would normally have seen."

Banner Health is also reporting patients waiting in emergency rooms for inpatient beds. In some cases, those patients may need to be transported to another hospital that has better availabil-ity, officials said. Discharges are slower than usual because COVID-19 patients, once they are hospitalized, tend to stay in the hospital for longer than non-COVID patients.

"It is not an unusual scenario when we're in a winter season with a lot of patients for patients to be waiting in an emergency department for their inpatient bed," Bessel said. "What is very different at this time is that the overload is felt widely across all Banner hospitals at this time. ... The overloading of our hospitals is forecasted to last for many, many, many more weeks."

AMERICAN OVERSIGHT

Not a single ICU bed was available at Valleywise Health Medical Center in central Phoenix on Wednesday morning, and two patients were in the emergency department awaiting a hospital bed. Those waits for a bed can vary from a few hours to two days, said Dr. Michael White, Valleywise's chief medical officer.

"It depends on how many patients we're able to discharge from the hospital or transition to an extended care facility or a long-term care facility," White said during a Wednesday briefing. "The wait may be anywhere from two hours to upwards of 24 to 48 hours.

"If we are holding patients in the emergency department, it means that we do not have the ability, from usually a staffing perspective,to take care of patients outside of an emergency setting."

Hospitals in Arizona are typically busy during the winter months because of winter visitors and flu season. While the flu has been minimal this season, COVID-19 is stretching hospitals because patients tend to be much sicker than those who are ill with the flu.

The average time on a ventilator for a patient with COVID-19 has been 11 days within Banner Health, compared with three to four days for non-COVID patients.

As of Tuesday, a record 4,877 patients with confirmed or suspected COVID- 19 were hospitalized across Arizona, which is 28% higher than the peak of the summer surge. As of Wednesday, 61% of all ICU beds in Arizona were occupied by COVID-19 patients.

"Certainly, 60% of the beds in the intensive care units are attributed to patients with COVID-19, and of course that is not sustainable," said Joshua LaBaer, director of the ASU Biodesign Institute and leader of the university's COVID-19 research efforts.

"Hospitals right now are basically primarily managing patients with COVID- 19, and of course we know that hospitals are really there to manage all the other illnesses that typically occur, particularly at this time of year. ... They are getting crowded out by COVID-19."

Hospitals keep adding beds and hiring more nurses and respiratory therapists, front-line workers are skipping vacations and adding extra shifts, and the number of COVID-19 patients continues to rise.

Some health care providers are concerned that Arizona could experience difficulties providing care that are happening in Los Angeles County, where officials are trying to ration medical supplies and space, according to media reports.

The Los Angeles Emergency Medical Services Agency issued two memos on Monday instructing emergency responders to limit the use of supplemental oxygen and not to transport patients who cannot be resuscitated in the field, USA TODAY reported this week.

Arizona is 'the hottest hot spot for COVID'

Health care leaders from across the state have asked Arizona Gov. Doug Ducey and Arizona Department of Health Services Director Dr. Cara Christ for more aggressive mitigation measures that they say will decrease the chances of COVID-19 transmission, including a ban on indoor dining, a ban on gatherings of more than 25 people and a statewide mask mandate.

AMERICAN OVERSIGHT

Individual jurisdictions are making their own mask requirements, but there's currently no universal statewide policy.

"The fact that we have not limited to a great extent our indoor dining and some of the other mitigation factors that we had recommended in December, that is also likely leading to some of this increase transmission," White said Wednesday. "Certainly mitigation in early December would have helped us decrease the burden that we are likely going to see now."

White was one of eight Arizona health leaders who sent a letter to Christ on Dec. 2 that called for stricter interventions amid the current surge, including a statewide curfew, a ban on youth sports tournaments, a prohibition on gatherings of more than 25 people and a ban on indoor dining.

"The state of Arizona has now become the hottest hot spot for COVID. ... We are not doing a good job with this virus at this time during this surge of the pandemic," said Banner Health's Bessel, who also signed the letter.

"We need additional mitigation. We need enforcement of those mitigation activities. And we need everybody to do their own part. Please, you, shrink your circle, and wear your mask."

In a separate letter, six other major medical and health group leaders in Arizona on Dec. 17 asked Ducey for additional interventions for six to eight weeks, including a ban on indoor dining; closure of bars and nightclubs; except for essential services, a limit on public gatherings to no more than 25 people; and implementation of a statewide and enforceable face-covering mandate that focuses on business compliance rather than individuals.

"If there was action taken on the letter, I'm not aware of it," said Dr. Lee Ann Kelley, president of the Maricopa County Medical Society and one of those who signed it. "It didn't need to be this way. Action could have been taken and it wasn't. Restaurants are open for dining and they shouldn't be. They should only be open for delivery or carryout. ... Bars are still open."

If actions were taken now, including a statewide mask mandate, closing bars, limiting restaurants to carryout and delivery, the state would emerge more quickly from the crisis in February, Kelley said.

"Any interventions done today will show benefits in about a month in terms of limiting this cascade. The longer the bars stay open and the invitation to engage in that risky behavior is present, the more our case numbers will continue to amplify," she said.

Ducey has repeatedly said he has made decisions on COVID-19 mitigations based on what works best for Arizonans. He has noted adverse economic consequences of putting people out of work and has stressed there are other public health issues at play with taking more stringent measures, including suicide attempts, depression, social disconnection, child abuse and domestic violence.

"I'm listening to the smartest and best people in the medical profession and making the policy decisions that I believe in my heart are best for all the people of Arizona," he said on Dec. 2.

'People don't seem to either believe us or care'

AMERICAN OVERSIGHT

Arizona reported more than 17,200 new cases on Sunday, the highest number of new COVID-19 cases reported in a single day since the pandemic began, toppling the state's previous record from Dec. 8 by nearly 5,000 cases.

Sunday's record follows the Christmas and New Year's holiday weekends, which is troubling but not unexpected, said Goldberg, the surgeon.

"Unfortunately, I will tell you there is not a health care worker in the state that is surprised by what we are seeing right now given what we were watching the last couple of months. ... We predicted something like this happening and we weren't listened to," he said. "Look at California and how bad it is in LA County. That's a worrisome future if we can't kind of get ahead of this. The way our numbers are going up, it's very concerning. In our hospitals, we don't know what our limits are, but we don't want to find out, either."

At the same time, health care workers report feeling discouraged by members of the public who dispute the severity of the pandemic with remarks on social media, or by flouting social distancing measures like wearing masks and staying 6 feet apart from others, Goldberg said.

"It's frustrating that people don't seem to either believe us or care," he said. "The only way to break that is to grab them and pull them into one of our COVID units and let them see the isolated patients on a ventilator with all the tubes coming out of them. But we can't do that for lots of reasons. I don't know how else to get it across. We see it every day, and I don't know why they would think we would lie about this."

'I am sure there is a breaking point'

The COVID-19 death rate in Arizona was 128 per 100,000 people as of Wednesday, according to the CDC, putting it 13th in the country in a state ranking that separates New York City from New York state. The U.S. average is 107 deaths per 100,000 people, the CDC said. As of Wednesday, Arizona had reported 9,444 known deaths from COVID-19.

But deaths are a lagging indicator. First cases go up, then hospitalizations, and two to four weeks later deaths historically have spiked. The peak of Arizona's second surge remains unclear. So far, hospitalizations have continued to go up without hitting any obvious plateau.

"In many cases, the belief is that the breaking point is more related to staff than to beds," Pima County's Cullen said. "For instance, we know there are enough ventilators. ... Is there a breaking point? I am sure there is a breaking point. I don't know what it is."

Everybody has a breaking point, echoed Bessel of Banner Health.

"Every hospital has a ceiling," she said. "It is our absolute hope and desire to not hit the ceiling, to not get much closer to the ceiling, and certainly not to break through that ceiling. But we can't do it by ourselves."

Officials in Pima County say that a county curfew combined with a public health advisory appears to be having a positive effect, with reports of bar and restaurant use down 3% over the last month, as well as slight decreases in travel and gatherings of 10 or more people, Pima County Medical Director Dr. Francisco Garcia said Tuesday.

AMERICAN OVERSIGHT

"We can tell you that the behaviors of people in Pima County have changed modestly in the right direction," Garcia said. "Does that translate into decreases in infections? Right now, it's too early to tell," he said. "We're not that far out. These actions were taken on Dec. 7. But at least in terms of reported behav-iors, they are trending in the right direction."

A public health advisory issued in Pima County on Dec. 21 warned that the health care system was in danger of being overwhelmed and among other things asked all businesses to reduce their occupancy to 25%.

"This isn't just about COVID anymore and whether you think it's a real problem or not. The patients filling these hospitals are absolutely real. And if you have a heart attack, or if you get into a car accident, or your appendix bursts, there is a real possibility that you may not get the timely care you need to save your life if we don't get control of this virus," Cullen said at the time.

"People are dying, yet many of those deaths are preventable if the people of this community stay home, wear their masks and avoid people they don't live with as much as possible," Cullen added.

White of Valleywise Health said the vaccine is a hopeful sign, but it will be "months" before Arizonans will be able to decrease social distancing measures.

"If we don't continue to do this, we are in danger of overwhelming our clinical departments and our hospitals," he said. "It's not just COVID care. It's the other care that we may not have the ability to deliver if our resources are overwhelmed."

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

A State of the State speech like no other

Ducey faces Arizona as COVID-19 skyrockets
Maria Polletta
Arizona Republic
January 11, 2021

With COVID-19 ravaging Arizona, Gov. Doug Ducey's annual "State of the State" address will look a lot different this year.

Rather than presenting his legislative priorities to a packed crowd of lawmakers and advocates at the Arizona House of Representatives today, he'll deliver a virtual address broadcast live from his Capitol office.

It'll probably sound different, too.

While 2020's upbeat address painted the state as a model for the nation, Ducey this year will take the stage as Arizona faces one of the worst COVID- 19 outbreaks in the world, with more than 10,000 of his constituents dead so far.

Gov. Doug Ducey takes the stage as Arizona faces one of the worst COVID-19 outbreaks in the world.

AMERICAN OVERSIGHT

And while the governor largely expected his priorities to move easily through the Legislature last year before the virus shut it down, he now confronts a harder-right GOP caucus with fewer allies. Indeed, the Republican governor has drawn criticism from lawmakers of all political stripes over the past 10 months, upsetting both those who believed he could do much more to protect residents from the virus and those who felt he overstepped his authority in implementing mitigation measures.

That lack of political capital means Ducey likely doesn't have the votes to push forward any major legacy projects during his penultimate year as governor.

But post-election fractures within the GOP — combined with narrow splits in both chambers — could make room for bipartisan coalitions of moderates, a dynamic that Ducey acknowledged Friday during the Arizona

Chamber of Commerce and Industry's annual pre-session luncheon. "There's some negativity or concern that we can't get things done, because the margins are so slim," Ducey said during a question-and-answer session, before brushing off the criticism with: "This isn't Washington, D.C." "I met today with legislative leadership from both sides of the aisle, Republican and Democrat, and I'm confident there's a lot of things that we can do," Ducey said. "We're going to bring the best ideas and move them forward."

Will Arizona give more help to jobless?

Many lawmakers agree with Ducey on one major point heading into the new session: Pandemic recovery should be front and center. That's something the governor is sure to bring up during his address.

In an interview with The Arizona Republic on Friday, Ducey said he believes most Arizonans are "concerned about their children and where they are in terms of education and grade level" during the pandemic, as well as "their own jobs and careers and the state of the economy." "Government is coming together to try to, along with our health care community, do battle for our citizens," he said. Officials already are clashing over the best way to go about providing relief, however.

The governor could find some common ground with those on the right if he supports efforts to expand liability protections for businesses. Democrats, on the other hand, want to raise Arizona's maximum weekly unemployment insurance cap. It's one of the lowest in the nation at $240. Ducey told The Republic increasing the weekly dollar amount alone "is not something that's a priority" when it comes to the state's recovery, but he would be open to discussing policies around unemployment.

"I want to make sure that anything that we do in public policy incents people to work in the state of Arizona and doesn't pay people to stay home when there's a job available," he said.

One thing that could facilitate pandemic relief talks is the state's unexpectedly healthy financial picture. Budget officials projected huge shortfalls early in the crisis, but those dire predictions never materialized.

"Arizona's in a much different position than other states," Ducey told The Republic, something he's likely to tout Monday.

AMERICAN OVERSIGHT

“We came into 2020 with a record balance in our general fund, the rainy day fund at $1 billion and an economy that was booming,” he said. “We still have money in our general fund. We still have $1 billion or very close in our rainy day fund. We were top five in January as a state economy, and we’re coming out of this as a top-five state.”

Speaking of the rainy day fund: Ducey has faced criticism during the pandemic for hesitating to lean on it to provide additional assistance to Arizonans , instead calling on Congress to step in.

On Friday, he clarified the money “was never, ever off limits” but was meant to be a last resort for efforts the state can’t “somehow fund or resource elsewhere.”

Senate President Karen Fann, RPrescott, has

said lawmakers are working to develop a “skinny budget” in the event the pandemic again cuts the session short but has not elaborated on whether it may include rainy day funds. Ducey is expected to unveil his proposed budget Friday.

What about everything not related to COVID-19?

Given uncertainty surrounding vaccination timelines and other elements of the pandemic, it’s unclear how far the governor will wade into territory unrelated to COVID-19 during his State of the State.

Issues that typically feature heavily in his annual speeches, such as infrastructure improvements and education, are likely to come up in the context of the pandemic. On the infrastructure front, for example, Ducey and lawmakers of both parties have discussed the importance of reliable broadband as students learn from afar.

It’s also unclear what tone the governor will take with the many GOP lawmakers who have publicly criticized him for his handling of both the pandemic and the November election. In the past, he hasn’t shied away from throwing his weight around — such as in 2018, when he vetoed 10 bills to force passage of a budget and teacher pay plan — but he’s now on shakier footing with his party.

Tensions boiled over after he refused to play ball with Republican lawmakers who peddled baseless election fraud theories and sought to undermine Arizonans’ faith in a system Ducey defended. On Friday, the governor indicated he’s unlikely to embrace any election legislation that doesn’t aim to make voting easier and fraud “even more difficult.”

“Part of the reason I have such confidence (in Arizona’s system) is, we’ve been at it for over 20-plus years in terms of improvements and reforms,” he told The Republic. “I think many people need to better understand or we need to better communicate the difference of how we do it in Arizona.”

Ducey appeared more receptive to legislation clarifying executive powers during extended crises, despite some lawmakers’ attempts to use the committee created on the topic to undo some of his pandemic-related decisions. He acknowledged the laws related to executive authority during disasters likely weren’t written with “a pandemic that could last 10-plus months” in mind.

“If we want to look and improve how that would work going forward, that would be something that would be up to the Legislature, and I would be open to it,” he said.

AMERICAN OVERSIGHT

He's not open to debating the emergency declaration he issued last spring, however — something a handful of GOP lawmakers want to overturn.

"The reason there's a public health emergency (declaration) is because we're in a public health emergency," he said.

Return to the table of contents

County GOP discusses censure of Cindy McCain

BrieAnna J. Frank
Arizona Republic
January 11, 2021

Some at a Maricopa County Republican Committee meeting on Saturday wanted to censure Cindy McCain for her support of Democratic President-elect Joe Biden, but the proposal did not move forward, according to Marcus Milam, who was acting secretary at the event.

The county GOP did censure former U.S. Sen. Jeff Flake, who did not seek a second term in 2018 and who also endorsed Biden over Republican President Donald Trump.

The resolution, mockingly, commended Flake "for standing up for your principles, but recognizes that those principles are not those of the Republican Party."

It encouraged Flake to "join a party that is more in line with your endorsements, your actions, and your votes: the Democratic Party."

A video of the meeting shows that Walt Steiner, a GOP officer from the southwest Valley's Legislative District 4, proposed to add the widow of six-term Sen. John McCain, R-Ariz., to the resolution against Flake. The proposal drew cheers and applause from a largely unmasked crowd gathered for the meeting at Dream City Church in Glendale.

Steiner told The Arizona Republic on Sunday that the same principle leading to Flake's censure should apply to McCain. The crowd booed Matthew Whetstine, a GOP official from Legislative district 20 in north Phoenix, who mentioned McCain's work for the church foundation, for the state and on the issue of human trafficking.

The resolution eventually passed in a 1,064-to-382 vote, but Milam clarified Saturday night that the censure pertained only to Flake because the resolution was not properly amended.

The state Republican Party initially tweeted that the county GOP had censured McCain, but later acknowledged its mistake, going on to say: "The @AZGOP will vote on a "Censure McCain" resolution on Jan 23."

What does censuring mean?

Censure carries no consequence beyond a statement of disapproval from the party's conservative base activists.

AMERICAN OVERSIGHT

This talk of censure — now expected at the state GOP meeting on Jan. 23 — isn't the first go-around between the McCain family and further-right Republicans in the state. The county and state GOP rebuked John McCain as too liberal years ago.

Arizona Republicans censured John McCain in 2014, citing his "continued disservice to our state and nation." The party painted him as being too liberal on issues such as immigration reform, gun control and health care.

"If anything, it fires me up," John McCain told Politico after the censure, which came two weeks after the Maricopa County Republican Party also passed a resolution to censure him.

Daughter Meghan McCain came to her mom's defense on Saturday.

"Oh how will she ever survive such a thing?!?" Meghan McCain posted on Twitter.

"And this is THE REAL problem facing the Arizona GOP, my mom! A few days after a domestic terror attack led by maniac Trump supporters," her tweet went on to say.

Cindy McCain has said she endorses Biden's character

Cindy McCain very publicly came out in support of Biden's presidency, endorsing him in September. With her help, Biden became only the second Democrat to carry Arizona since 1948. She appeared in a prerecorded video at the Democratic National Convention that emphasized the longtime friendship between their families.

"I am a proud lifelong Republican and will continue to support candidates who put country over party and stand for the rule of law," Cindy McCain tweeted on Saturday.

When endorsing Biden for president, she said in an interview with The Arizona Republic she would remain a registered Republican. She attributed the endorsement in part to the character she sees in Biden, whom she has known for four decades, as well as his alliance with military families.

Trump publicly criticized John McCain prior to and after his death in August 2018.

McCain was known as a Republican maverick, a nickname that stemmed from his reputation for bipartisan politics. He often took stances against his party, including his 2017 thumbs-down vote against scaling back the Affordable Care Act.

The Congressional Management Foundation posthumously awarded McCain its Lifetime Achievement Democracy Award in 2019, adding to a slew of other awards, honors and military decorations that have been bestowed on him.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona Legislature kicks off 2021 session amid virus surge

KTAR News
January 11, 2021

The Arizona Legislature begins its 2021 session on Monday in the midst of a pandemic that is once again enveloping the state and carries the potential to derail action for the second consecutive year.

But Republican and Democratic leaders of the House and Senate are already eyeing their top priorities for the session that includes rapidly pushing through legislation derailed when last year's session was cut short, plus a raft of other issues that lawmakers consistently prioritize.

The most important fact is this: Republicans maintained control of both chambers in a year when Democrats were hopeful they would be in charge for the first time in decades. And moderate Republicans, like Sens. Kate Brophy McGee and Heather Carter, are out. Both chambers have more conservative GOP members than in years past.

That leaves Democrats aware that they hold little power, but hopeful they can at least steer some issues, most importantly relief for people and small businesses affected by the pandemic.

"COVID-19 response is extremely important for us," House Minority Leader Reginald Bolding said.

The coronavirus will be the overarching presence at the Capitol. The public will be mainly kept out of the House and Senate buildings; senators and representatives will be able to vote and attend meetings remotely from their offices; most hearings will be held without live testimony and the media will have sharply limited access.

Masks will be mandatory in the Senate and House, although the House plans some leeway for members — if they are 6 feet from anyone else or sitting at their desks on the House floor.

Both Senate President Karen Fann and House Speaker Russell "Rusty" Bowers said they're not afraid to shut down the session if an outbreak occurs. With Arizona the world's virus hot spot, that is a big possibility.

The Legislature abruptly put its 2020 session on hold because of COVID-19 on March 23 after passing a basic budget, then briefly returned a month later and ended the session on May 26.

One of the Democrats' top priorities will be boosting the state's maximum $240 per week unemployment payments, but Fann said that's a non-starter, at least for this year.

Another issue that is a top priority for many Republicans is reviewing the 2020 election that saw President-elect Joe Biden prevail in Arizona in a victory that President Donald Trump has said without evidence was fraudulent. There is no evidence that Arizona's election was improperly run, but Fann has backed subpoenas seeking election records from Maricopa County and intends to continue that effort.

AMERICAN OVERSIGHT

“If there were no irregularities, or fraud or anything else we can show the voters, say ‘look here you go, here’s the proof, it didn’t happen,’” Fann said. “If there are problems there we need to be aware of it and we need to fix it. But we won’t know until we do an audit.”

Democrats fear the end result will be voter suppression.

“Its frightening and it’s unfortunate,” Senate Minority Leader Rebecca Rios said. “Because again, they are so adamant in feeding into conspiracy theories and claiming an election was stolen that I think they’ll go to any means possible to pass legislation that further suppresses the vote in an effort to ensure they have a better chance of winning next time.”

The Legislature’s top task each year is passing a state budget. Many feared a huge budget deficit at the end of last year’s session but it did not materialize. That’s partly because Republican Gov. Doug Ducey used $400 million in federal coronavirus relief funds to boost state agency funding and partly because revenue has continued to grow despite mass layoffs and business closures caused by the pandemic.

The state has a $1 billion rainy day fund and may get close to a $500 million surplus for the budget year starting July 1.

And as usual, Republicans are likely to try to cut taxes, despite years of underfunded state agencies, low pay for public safety workers and a still-underfunded education system.

“I do know that there are some conversations going on about the possibility of tax reform,” Fann said. “We know that there’s always some strong conversations about tax reforms or tax reductions.”

Republicans are angry that voters in November approved a new tax on high-earning Arizonans to boost school funding that is expected to bring in about $900 million a year starting in 2022. They’re fighting Proposition 208 in court, while vowing to cut taxes again this year.

“Public education in Arizona continues to be at the bottom of the priority list,” Rios said. “And my fear is they’re going to continue to do that under the guise of ‘well Prop 208 has passed,’ while at the same time trying to dismantle Prop 208.”

Top on Bolding’s priority list are reforming an unemployment system that was overwhelmed by hundreds of thousands of claims, beefing up the depleted unemployment compensation fund, pushing cash into the state housing trust fund, boosting broadband funding so that low-income Arizonans can access schools and helping small businesses.

And both parties are eying criminal justice reform, although it’s unlikely that Arizona’s stiff sentencing laws will be revised.

Other issues expected to get big attention include trying to increase the state’s water supply, a GOP proposal to shield businesses, schools and other institutions from liability for COVID-19 cases, and Republican concerns that schools are not providing in-person instruction to students and efforts to limit ballot initiatives.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona reports 11,094 new COVID-19 cases, 98 more deaths

KTAR News
January 9, 2021

Arizona health officials on Saturday reported 11,094 new coronavirus cases and 98 additional deaths from COVID-19.

The state's documented totals moved to 607,345 COVID-19 infections and 10,036 fatalities, according to the Arizona Department of Health Services dashboard.

As of Friday, Arizona had the highest coronavirus case rate, and second-highest death rate per capita nationally in the last seven days, according to the U.S. Centers for Disease Control.

Arizona's hospitals continued to see record or near-record numbers of confirmed or suspected COVID-19 patients.

The number of Arizona's COVID-19 hospital inpatients rose by 11 to 4,918 on Friday, two below the record set a day earlier and the second-most ever.

The number of COVID-19 patients in the state's ICU beds fell to 1,121, down 1 from the number in use on Thursday.

Statewide, suspected or confirmed COVID-19 patients took up a record-tying 57% of all inpatient beds and 62% of all ICU beds.

Overall, inpatient beds beds were each 93% full, matching the pandemic high, with 92% of ICU bed in use. Only 138 ICU beds were unused.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is the highest it's ever been.

So far this week, 25% of the 105,565 people who were tested got a positive result. The percent positivity was a record 25% last week.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported coronavirus cases was 9,426.29 for Friday, the highest ever and the second-consecutive day above 9,000, according to tracking by The Associated Press.

The seven-day average of newly reported COVID-19 deaths was 131.86 for Friday, more than six higher than the previous day's record.

The state's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

AMERICAN OVERSIGHT

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

Return to the table of contents

Arizona reports 11,201 new COVID-19 cases, 105 more deaths

KTAR News
January 10, 2021

Arizona health officials on Sunday reported 11,201 new coronavirus cases and 105 additional deaths from COVID-19.

The state's documented totals moved to 618,546 COVID-19 infections and 10,141 fatalities, according to the Arizona Department of Health Services dashboard.

As of Saturday, Arizona had the second-highest coronavirus case rate and death rate per capita nationally in the last seven days, according to the U.S. Centers for Disease Control.

Arizona's hospitals continued to see record or near-record numbers of confirmed or suspected COVID-19 patients.

The number of Arizona's COVID-19 hospital inpatients rose by 70 to 4,988 on Sunday. The number of COVID-19 patients in the state's ICU beds rose to 1,122 on Sunday.

Statewide, suspected or confirmed COVID-19 patients took up a record-breaking 58% of all inpatient beds and 63% of all ICU beds.

Overall, inpatient beds beds were each 92% full, with 91% of ICU bed in use. Only 152 ICU beds were unused.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is the highest it's ever been.

So far this week, 24% of the 139,341 people who were tested got a positive result. The percent positivity was a record 25% last week.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

AMERICAN OVERSIGHT

The rolling seven-day average for the health department's newly reported coronavirus cases was 9,742.14 for Saturday, the highest ever and the third-consecutive day above 9,000, according to tracking by The Associated Press.

The seven-day average of newly reported COVID-19 deaths was 139.29 for Saturday, more than seven higher than the previous day's record.

The state's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

Return to the table of contents

Arizona GOP to vote on censuring Cindy McCain for endorsing Biden

KTAR News
January 11, 2021

The Arizona Republican Party will vote later this month on a resolution to censure Cindy McCain for publicly endorsing President-elect Joe Biden, a Democrat.

On Saturday afternoon, the party reported the Maricopa County GOP had voted and passed a resolution to censure McCain, the widow of former Arizona Sen. John McCain.

The state party later said in statement that "there was a call, a second, and near unanimous cheering/approval – but resolutions can't be amended from the floor."

The Arizona GOP will hold a vote on Jan. 23 for the resolution.

Cindy McCain tweeted that she is "a proud lifelong Republican and will continue to support candidates who put country over party and stand for the rule of law."

She publicly endorsed Biden in September 2020 in his run for president. She noted that she was not switching political parties but said she was backing the Democratic nominee because Biden is what this country needs.

When Biden was in Arizona campaigning, Cindy McCain joined him and Vice President-elect Kamala Harris at the Heard Museum in Phoenix to meet with Arizona tribal leaders as part of the campaign stop.

AMERICAN OVERSIGHT

John McCain was censured in 2014 by the party for what they saw as an insufficiently conservative voting record. He died in 2018.

Arizona Sen. Mark Kelly called the move to censure Cindy McCain "embarrassing and shameful," adding that she "has always done what she thinks is right for Arizona and our country. That's something we should all admire, no matter which party we belong to."

Return to the table of contents

Report shows 'child care deserts' hit poor, rural Arizona families hardest

Olivia Munson
KTAR News
January 11, 2021

Arizona has 304,180 infants and toddlers who need child care but only 234,270 slots to accommodate them, with poor and rural families most likely to be left out, a recent study said.

Arizona child care advocates said they were not surprised by the numbers in the Bipartisan Policy Center study, which they said has inspired them to push harder for accessible care.

"Some people can afford to put their children in high-quality care and their children will get that and we don't have to worry about those kids, fortunately," said Marilee Dal Pra, CEO of First Things First, a Phoenix-based children's advocacy group.

"Unfortunately, in a state like Arizona that has such a high poverty level, especially for the zero to 5 (year old) population, these families don't have those resources," Dal Pra said.

The report by the Bipartisan Policy Center's early childhood initiative looked at 25 states – an initial plan to get data from all 50 states was derailed by the COVID-19 pandemic – to analyze gaps in child care across the country.

While Arizona fell short, its nearly 70,000-slot deficit was not the worst in the nation. Arizona fell about in the middle of the 25 states, both in terms of whole numbers and percentage shortfall.

North Carolina had just under 200,000 slots for the more than 459,000 children in need of care there, according to the report, which said California had about 1 million slots to accommodate demand from about 1.7 million children. Only Texas had a supply of child care slots that slightly exceeded its need, according to the report.

The gap in Arizona was no surprise to state advocates: A yearlong assessment by the Arizona Department of Education in 2018 found vast inequalities in access to child care, especially for rural and tribal communities.

"In some of our opportunity zones, in particular in our tribal communities and some of our rural communities, that gap was as high as 74% and even in some areas 100%," said Lori Masseur, director of early childhood education and Head Start state collaboration director for the Arizona Department of Education.

AMERICAN OVERSIGHT

In Arizona, according to the Bipartisan Policy Center report, Greenlee County had the smallest deficit between childcare supply and demand, with a gap of 12.2%. Most of the other counties were at 30% or higher, with Graham County posting the highest gap in the state at 72%.

These "child care deserts," or areas without sufficient supply of licensed child care, are based in part on the average distance between families and facilities. For metropolitan areas, acceptable day care must be within a 3.5-mile radius to be considered accessible, and for rural areas the radius is 7.5 miles, the center's report said.

Advocates worry these gaps may only grow worse as a result of COVID-19.

One-third of the state's licensed and regulated child care providers were forced to close due to the pandemic, according to the Arizona Early Childhood Alliance. Those that remained open were only serving 38% of the number of children they were prior to COVID-19, adding another hurdle for at-risk children to overcome, experts said.

"We had a learning gap before, but now there is data and sources showing that the gap continues and that we really need to close that gap," said Amy Corriveau, chief program officer for First Things First.

An early investment in child care – or a lack of it – could have a larger impact on the state than some may believe, the advocates said, potentially affecting everything from high school graduation rates to life productivity and grade performance.

"If we can invest early and get them (young children) the access to the supports around language and literacy that will set them up for success," said Terri Clark, Arizona literacy director for Read On Arizona, "it will minimize the impact that the long-term COVID-19 pandemic will have on Arizona."

Nicol Russell, director of Head Start research and support and an advisory committee member to the Bipartisan Policy Center study, said everyone should be concerned that there is not more being done to secure funding to prevent any other disadvantages or damages to children.

"It's an everybody problem because children don't live in isolated worlds," Russell said. "They live in the world in general. All our communities are full of children and their families."

Dal Pra echoed that sentiment.

"We all pay the cost of not ensuring that children are where they need to be in their youngest years," she said.

Return to the table of contents

Flags to fly at half-staff in Arizona in honor of US Capitol Police officers

Arizona Gov. Doug Ducey ordered flags lowered to half-staff on all state buildings in honor of the U.S. Capitol police officers who died last week.

KTAR News
January 11, 2021

AMERICAN OVERSIGHT

Ducey said Sunday the flags would remain at half-staff through Wednesday at sunset.

Five people were killed and dozens of officers were injured during mob violence at the nation's capital on Jan. 6.

Officer Brian Sicknick died after he was hit in the head with a fire extinguisher as rioters descended on the Capitol building as lawmakers began their work to affirm President-elect Joe Biden's victory.

Officer Howard Liebengood died off-duty Saturday, U.S. Capitol police said in a statement. He had been assigned to the Senate Division.

"Officers Sicknick and Liebengood were tasked with protecting the living symbol of our democratic form of government," Ducey said in a statement Sunday.

"They will be foremost in our thoughts as we vow to recommit to our shared values as Americans and to making sure something like this never happens again."

Return to the table of contents

Arizona reports 8,995 new COVID-19 cases, 6 more deaths

KTAR News
January 11, 2021

Arizona health officials on Monday reported 8,995 new coronavirus cases and six additional deaths from COVID-19.

The state's documented totals moved to 627,541 COVID-19 infections and 10,147 fatalities, according to the Arizona Department of Health Services dashboard.

As of Sunday, Arizona had the highest coronavirus rates per capita nationally for cases and deaths in the last seven days, according to the U.S. Centers for Disease Control.

Arizona's hospitals continue to see record numbers of confirmed or suspected COVID-19 patients.

The number of Arizona's COVID-19 hospital inpatients climbed to a record 4,997 on Sunday. The number of COVID-19 patients in the state's ICU beds rose to a record 1,158.

Statewide, suspected or confirmed COVID-19 patients took up a record-tying 58% of all inpatient beds and a record-breaking 65% of all ICU beds.

Overall, inpatient beds and ICU beds were each 92% full, slightly below the pandemic highs.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, has been surging.

Of the 165,946 people who were tested last week, 23% received a positive result, down 1 percentage point from the previous week's record level.

AMERICAN OVERSIGHT

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the health department's newly reported coronavirus cases was 8,880.20 for Sunday, according to tracking by The Associated Press, falling from the previous day's record of more than 9,700.

The seven-day average of newly reported COVID-19 deaths set a record for the fifth consecutive day Sunday at 154.29.

The state's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Arizona GOP to vote on resolution to censure Cindy McCain

Arizona Daily Sun
January 10, 2021

The Arizona Republican Party will vote Jan. 23 on a resolution to censure Cindy McCain for publicly endorsing President-elect Joe Biden, a Democrat.

On Saturday afternoon, the party reported the Maricopa County GOP had voted and passed a resolution to censure McCain, the widow of former Arizona Sen. John McCain.

But the state party later said in statement that "there was a call, a second, and near unanimous cheering/approval - but resolutions can't be amended from the floor."

Cindy McCain tweeted that she is "a proud lifelong Republican and will continue to support candidates who put country over party and stand for the rule of law."

John McCain was censured in 2014 by the party for what they saw as an insufficiently conservative voting record. He died in 2018.

Arizona Sen. Mark Kelly called the move to censure Cindy McCain "embarrassing and shameful," adding that she "has always done what she thinks is right for Arizona and our country. That's something we should all admire, no matter which party we belong to."

Return to the table of contents

Arizona governor to open Legislature's 2021 session remotely

Bob Christie
Arizona Daily Sun
January 10, 2021

Arizona Gov. Doug Ducey will present his annual state of the state address Monday remotely as the Legislature foregoes its ceremonial opening day joint session because of the coronavirus pandemic.

Unprecedented security measures are also in place around the Capitol in the wake of mob violence by insurrectionist backers of President Donald Trump who broke into Congress last week in Washington, D.C.

The entire state Capitol complex is now ringed by a double-layer of fencing and the general public will not be allowed into the Senate or House or into the plaza between the two buildings. Only a limited number of invited guests will be on hand as the 90 lawmakers are sworn into office and formal elections for House speaker and Senate president are held.

Republicans who control both chambers have already chosen their leaders but it's possible some GOP House members may not back Rusty Bowers for speaker. Although Republicans backed him after the

AMERICAN OVERSIGHT

election, some are angry Bowers refused to back Trump's unfounded claims that he won Arizona's electoral votes.

With the GOP holding just 31 of 60 House seats, just one defection during Monday's formal vote would mean Bowers would need backing from Democrats to be elected speaker. It's unclear if he could muster that without cutting some sort of deal.

Ducey will deliver his speech via video and has not announced an intent to make an in-person appearance.

Ducey said in an interview Friday that his annual address will largely focus on the pandemic that has killed more than 10,000 Arizonans and sickened more than 600,000.

The Republican governor said the policies and priorities he'll announce Monday will include a focus on education and proposals on how to get children back to in-person learning and caught up from months of mainly remote classes. He didn't give many other details of his planned speech, which is schedule for 2 pm.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Legislature kicks off 2021 session amid virus surge

Bob Christie
Arizona Daily Sun
January 9, 2021

The Arizona Legislature begins its 2021 session on Monday in the midst of a pandemic that is once again enveloping the state and carries the potential to derail action for the second consecutive year.

But Republican and Democratic leaders of the House and Senate are already eyeing their top priorities for the session that includes rapidly pushing through legislation derailed when last year's session was cut short, plus a raft of other issues that lawmakers consistently prioritize.

The most important fact is this: Republicans maintained control of both chambers in a year when Democrats were hopeful they would be in charge for the first time in decades. And moderate Republicans, like Sens. Kate Brophy McGee and Heather Carter, are out. Both chambers have more conservative GOP members than in years past.

That leaves Democrats aware that they hold little power, but hopeful they can at least steer some issues, most importantly relief for people and small businesses affected by the pandemic.

"COVID-19 response is extremely important for us," House Minority Leader Reginald Bolding said.

The coronavirus will be the overarching presence at the Capitol. The public will be mainly kept out of the House and Senate buildings; senators and representatives will be able to vote and attend meetings remotely from their offices; most hearings will be held without live testimony and the media will have sharply limited access.

AMERICAN OVERSIGHT

Masks will be mandatory in the Senate and House, although the House plans some leeway for members — if they are 6 feet from anyone else or sitting at their desks on the House floor.

Both Senate President Karen Fann and House Speaker Russell "Rusty" Bowers said they're not afraid to shut down the session if an outbreak occurs. With Arizona the world's virus hot spot, that is a big possibility.

The Legislature abruptly put its 2020 session on hold because of COVID-19 on March 23 after passing a basic budget, then briefly returned a month later and ended the session on May 26.

One of the Democrats' top priorities will be boosting the state's maximum $240 per week unemployment payments, but Fann said that's a non-starter, at least for this year.

Another issue that is a top priority for many Republicans is reviewing the 2020 election that saw President-elect Joe Biden prevail in Arizona in a victory that President Donald Trump has said without evidence was fraudulent. There is no evidence that Arizona's election was improperly run, but Fann has backed subpoenas seeking election records from Maricopa County and intends to continue that effort.

"If there were no irregularities, or fraud or anything else we can show the voters, say 'look here you go, here's the proof, it didn't happen,'" Fann said. "If there are problems there we need to be aware of it and we need to fix it. But we won't know until we do an audit."

Democrats fear the end result will be voter suppression.

"Its frightening and it's unfortunate," Senate Minority Leader Rebecca Rios said. "Because again, they are so adamant in feeding into conspiracy theories and claiming an election was stolen that I think they'll go to any means possible to pass legislation that further suppresses the vote in an effort to ensure they have a better chance of winning next time."

The Legislature's top task each year is passing a state budget. Many feared a huge budget deficit at the end of last year's session but it did not materialize. That's partly because Republican Gov. Doug Ducey used $400 million in federal coronavirus relief funds to boost state agency funding and partly because revenue has continued to grow despite mass layoffs and business closures caused by the pandemic.

The state has a $1 billion rainy day fund and may get close to a $500 million surplus for the budget year starting July 1.

And as usual, Republicans are likely to try to cut taxes, despite years of underfunded state agencies, low pay for public safety workers and a still-underfunded education system.

"I do know that there are some conversations going on about the possibility of tax reform," Fann said. "We know that there's always some strong conversations about tax reforms or tax reductions."

Republicans are angry that voters in November approved a new tax on high-earning Arizonans to boost school funding that is expected to bring in about $900 million a year starting in 2022. They're fighting Proposition 208 in court, while vowing to cut taxes again this year.

AMERICAN OVERSIGHT

“Public education in Arizona continues to be at the bottom of the priority list,” Rios said. “And my fear is they’re going to continue to do that under the guise of ‘well Prop 208 has passed,’ while at the same time trying to dismantle Prop 208.”

Top on Bolding's priority list are reforming an unemployment system that was overwhelmed by hundreds of thousands of claims, beefing up the depleted unemployment compensation fund, pushing cash into the state housing trust fund, boosting broadband funding so that low-income Arizonans can access schools and helping small businesses.

And both parties are eying criminal justice reform, although it’s unlikely that Arizona's stiff sentencing laws will be revised.

Other issues expected to get big attention include trying to increase the state's water supply, a GOP proposal to shield businesses, schools and other institutions from liability for COVID-19 cases, and Republican concerns that schools are not providing in-person instruction to students and efforts to limit ballot initiatives.

Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, January 13, 2021 8:45:09 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *January 13, 2021*

Redistricting commission to pick leader
Arizona Capitol Times
Arizona's next decade of congressional and legislative lines are one step closer to becoming a reality, as Secretary of State Katie Hobbs called for a meeting of the new Independent Redistricting Commission to commence on Jan. 14.

State Senate issues new subpoenas to examine election equipment, voter records
Arizona Capitol Times
Senate Republicans demanded late today that Maricopa County officials turn over election equipment by 9 a.m. Wednesday, right as the two groups head back to court to tangle over whether the Senate has the legal authority to request that information.

Activists challenge court ruling on open meetings laws for legislators
Capitol Media Services
A coalition of rights groups and their members is trying to overturn a trial judge's ruling which essentially says that the Arizona Legislature is subject to the state's Open Meeting Law that it adopted only when it chooses to do so -- and people can't sue over violations.

AMERICAN OVERSIGHT

Supreme Court hears Tucson election case
Capitol Media Services
An attorney for the city of Tucson asked Arizona Supreme Court Tuesday to slap back yet another effort by state lawmakers to tell charter cities when they have to hold their elections.

Arizona man charged in Capitol riot appears in court
Associated Press
An Arizona man who took part in the insurrection at the U.S. Capitol while sporting face paint, no shirt and a furry hat with horns made his first court appearance Monday.

Supreme Court to hear case on virus relief for tribes
Associated Press
The U.S. Supreme Court will hear a case that centers on who gets a share of $8 billion in federal coronavirus relief allocated for Native American tribes.

Pima County releases plan to 'accelerate' COVID vaccinations
Arizona Daily Star
The Pima County Health Department released a plan Tuesday that will eventually include vaccinating up to 12,200 people per day against COVID-19 and could be expanded to more than 16,000 per day in the near future.

Convicted murderer from Tucson kills self in prison, officials say
Arizona Daily Star
Jason Edward Dean was serving a life sentence for first-degree murder.

Arizona Republicans vote for more investigation of state's presidential votes
Payson Roundup
Four members of the Arizona congressional delegation including Rep. Paul Gosar voted to set aside the results of the state's presidential election until the state can perform a forensic audit of the election.

This Week in COVID: "Please Do Not Put Us in the Position to Ration Care"
Phoenix New Times
It's Tuesday, January 12. More than 636,000 Arizonans have contracted COVID-19 and more than 10,480 have died as a result.

Scottsdale Prosecutors Seek to Revoke Baked Alaska's Release Due to Capitol Livestream
Phoenix New Times
Scottsdale prosecutors are seeking to revoke the pre-trial release of an alt-right livestreamer after he posted a video of himself at last week's U.S. Capitol riot.

Capitol riot fueled by deep network of GOP statehouse support
Politico
Stolen election lie had backing from party's governing class at every level, extending far beyond Congress and the White House.

Can the family of the last Arizonan to die of COVID-19 sue Gov. Doug Ducey?
Arizona Republic (Opinion, EJ Montini)
'The virus is mowing through AZ like a sharpened scythe …'

Trump enablers like Rep. Paul Gosar try (and fail) to blame antifa for their failed coup
Arizona Republic (Opinion, EJ Montini)
How pathetic is it that some political provocateurs don't even have the guts to own the insurrection they instigated?

Don't let Rep. David Schweikert weasel out of his liability in the failed coup attempt

AMERICAN OVERSIGHT

Arizona Republic (Opinion, EJ Montini)
Schweikert hid out during the vote to certify Arizona's Electoral College votes, but he went along with the other Republicans voting not to accept the votes from Pennsylvania.

As COVID-19 savages the state, Gov. Doug Ducey announces his plan to do ... nothing
Arizona Republic (Opinion, Laurie Roberts)
Arizona Gov. Doug Ducey on Monday lauded his 'measured, steady, responsible approach' to COVID-19. That was a joke, right?

Rep. Andy Biggs is a class A jerk for refusing to wear a mask during the Capitol lockdown
Arizona Republic (Opinion, Laurie Roberts)
To heck with common decency. Rep. Andy Biggs acted like a jerk by refusing to wear a mask when hiding from the Trump mob that stormed the Capitol.

Reps. Biggs, Gosar and Lesko will - surprise! - stand by their man on impeachment
Arizona Republic (Opinion, Laurie Roberts)
Donald Trump will be held to account for his role in last week's storming of the Capitol during Wednesday's impeachment vote. But he is not the only one who should be held accountable.

Give Gov. Doug Ducey credit. He set Arizona up for a post-COVID rebound
Arizona Republic (Opinion, Robert Robb)
Gov. Doug Ducey was vague about a post-vaccination agenda. But Arizona has more options than most - and credit for that largely goes to Ducey.

Call out the attack on Calvin Goode's funeral. Staying silent only lets this racism fester
Arizona Republic (Opinion, Elvia Diaz)
What kind of people would hack the virtual funeral of a beloved African American icon to yell the N-word and other slurs?

Impeach and convict Trump now. It's not revenge. It's justice
Arizona Republic (Opinion, Elvia Diaz)
If Congress won't impeach Trump, corporate America must not ever reward him or his lead instigators again.

Arizona House should grow to give constituents better access
Arizona Daily Star (Opinion, Tim Steller)
Arizona has too few legislators for so much population, columnist says.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, January 14, 2021 6:31:14 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes January `14, 2021

Rosanna Gabaldon
AZ State Senator-elect
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window

Arizona Legislative Report

Today's News Notes

January 14, 2020

IMPORTANT: *The Arizona Legislative Report is fully digital and may be accessed at ArizonaLegislativeReport.com. Your log-in credentials from last year should still work. If you have trouble logging in, please let us know. In addition, please let us know if there are any changes to your account, such as a new email or a new contact person. You may call or email Scott Newell at 602-258-7145 or snewell@azcapitoltimes.com, or Mitch Stead at*

AMERICAN OVERSIGHT

mstead@azcapitoltimes.com or 602-889-7140. For any questions about subscription payments, please contact Shannon Wass at 717-323-5234 or swass@bridgetowermedia.com.

Please note that subscribers to the News Notes email will get the News Notes around 3 p.m.

Regular subscribers will be alerted via email once the Daily Report is posted on ArizonaLegislativeReport.com. If you would like to get the News Notes early, please let us know. The cost for the News Notes is an additional $50 per month.

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until Tuesday, January 19, at 1:15 p.m.

THE SENATE IS ADJOURNED until Thursday, January 19, at 1:30 p.m.

COMMITTEE AGENDAS

NEW HEARINGS

House Commerce

Tuesday 01/19/21 at 2:00 PM, House Rm. 3

H2044: INSURANCE; OMNIBUS

H2045: CIVIL RIGHTS; AMENDMENTS

H2049: EMINENT DOMAIN; EXISTING CONTRACTS

H2050: LIQUOR OMNIBUS

H2085: REAL ESTATE; EMPLOYEES; RENT COLLECTION

AMERICAN OVERSIGHT

H2108: TELECOMMUNICATIONS; PUBLIC HIGHWAYS; USE; FEES

H2109: BINGO; CONDUCT; LICENSES

H2120: TIMESHARES; PUBLIC REPORTS; PURCHASE CONTRACTS

H2160: OCCUPATIONAL SAFETY; ADVISORY COMMITTEE; ENFORCEMENT

H2161: TOURISM MARKETING AUTHORITIES

House Education

Tuesday 01/19/21 at 2:00 PM, House Rm. 1

H2015: APPROPRIATIONS; PRESCHOOL DEVELOPMENT GRANTS

H2055: CAREER, TECHNICAL EDUCATION; PROJECTS FUND

H2061: CTEDS; NONPROFITS; POSTSECONDARY INSTITUTIONS; AGREEMENTS

H2117: TEACHERS ACADEMY; SERVICE REQUIREMENT

H2121: SCHOOLS; SUPERINTENDENTS; SEVERANCE PACKAGES; PROHIBITION

H2123: CTEDS; FOURTH-YEAR FUNDING

H2124: CTEDS; AVERAGE DAILY MEMBERSHIP

H2135: SCHOOLS; STATE BOARD; RULES; MODULARIZATION

H2137: LITERACY; DYSLEXIA SCREENING; APPROPRIATIONS

HCR2005: ENGLISH LANGUAGE EDUCATION; REQUIREMENTS

Senate Education

Tuesday 01/19/21 at 2:00 PM, Senate Rm. 1

S1028: ALTERNATIVE ASSESSMENT; SPECIAL EDUCATION

S1097: PUPILS; EXCUSED ABSENCES; MENTAL HEALTH

S1139: CLASSROOM SITE FUND; DISTRIBUTION

S1148: COMMON SCHOOL DISTRICTS; UNIFICATION; BUDGET

Senate Finance

AMERICAN OVERSIGHT

Wednesday 01/20/21 at 9:00 AM, Senate Rm. 109

S1041: STOS; AGGREGATE CAP INCREASE

S1042: WORKERS' COMPENSATION; SETTINGS; DEFINITION

S1044: CREDIT FOR REINSURANCE

S1046: MEMBER DISTRIBUTIONS; DEFERRED RETIREMENT; TRANSFERS

S1051: ASRS; EMPLOYER PAYMENTS; INELIGIBLE CONTRIBUTIONS

S1052: ASRS; REQUIRED BEGINNING DATE; DISTRIBUTIONS

S1053: ASRS; NONPARTICIPATORY EMPLOYER LIABILITY

S1054: ASRS; SELF-INSURANCE PROGRAM

REVISED HEARINGS

Senate Appropriations

Tuesday 01/19/21 at 2:00 PM, Senate Rm. 109 ***REVISED [01/14/21]***

S1014: AHCCCS; CHIROPRACTIC CARE; REPORT

S1024: ENDURING FREEDOM MEMORIAL; APPROPRIATION

S1027: APPROPRIATION; STATE ROUTE 88; REPAIR

S1124: CONTRIBUTIONS IN AID OF CONSTRUCTION

S1126: APPROPRIATION; BEHAVIORAL RISK FACTOR SURVEY

S1128: LIBRARY; ARCHIVES; PUBLIC RECORDS; MUSEUM

NEWS NOTES

FANN FEELS SAFE

Fann told our reporter she feels safe at the state Capitol and has yet to see any reason to pause the session. She has the same response as she did to requests to immediately recess for COVID-19 after the first day of session: "As long as we can keep this building open and the members safe and we can try and get the people's business done, that's what we're going to do," she said. If people are determined to riot, she can't stop them, she said, but barriers and

AMERICAN OVERSIGHT

extra security should make them think twice. “I hope that this is temporary, and that, after next Thursday, we can all go back to being normal again,” Fann said.

RIOS ISN’T TAKING CHANCES

DPS will brief Democratic leaders tomorrow about potential threats related to inauguration day, Rios said. It could be as bad as what happened in DC, but it’s also possible that things could fizzle out and any protests next week could look more like Monday’s gathering of about a dozen people outside the Capitol fence line, she said. Legislators will go back to work after the holiday weekend since the House and Senate approved that return date. But Rios said lawmakers and staff shouldn’t feel obligated to come in if the Capitol is too dangerous a destination on Tuesday. “If we drive up Tuesday and it’s chaotic, my recommendation to anybody would be just keep on driving. Nobody needs to put themselves in danger. There is nothing that can’t be put off for an additional few days,” she said.

FINCHEM FACES COMPLAINT

Chavez filed an ethics complaint Thursday morning against Finchem, alleging he violated his oath of office by “supporting the violent attempt to stop members of Congress from certifying the Electoral College vote as provided in the United States Constitution.” In a letter to Nutt, who chair House Ethics this year, Chavez wrote that Finchem “has demonstrated that he may lack the ethical and moral values to be an elected member of this body.” Chavez is asking the committee to investigate Finchem’s actions, “and should it find that he supported the violent overthrow of our government, the ethics committee should recommend immediate expulsion.” The request comes a day after all House and Senate Democrats signed a letter to the FBI asking it to investigate Finchem, who was in Washington D.C. last week to support efforts to stop certification of the Electoral Vote. He denied witnessing any of the violence or doing anything illegal and said he learned hours after the fact about the mob that stormed the U.S. Capitol. He declined to comment on Wednesday’s letter and didn’t immediately respond to a request for comment on Tuesday’s complaint. Nutt’s office referred our reporter to House GOP spokesman Andrew Wilder, who said the first step is for the chairman to receive and review the complaint, and then decide what steps to take next. Kavanagh doesn’t seem to think the complaint will go anywhere. “I hope he (Chavez) got a fishing

AMERICAN OVERSIGHT

license from Game and Fish before he made that complaint," Kavanagh said.

FINCHEM GOES AFTER SOCIAL MEDIA PLATFORMS

Finchem filed a bill Tuesday that seeks to penalize social media companies that censor content for "politically biased reasons." H2180 (online content; publishers; liability; fee) says such companies will be deemed a "publisher," not a "platform" and can be held "liable for damages suffered by an online user because of the person's actions." The bill would also require "publishers" to pay the Attorney General a yearly fee for each user in Arizona authorized to upload publicly accessible content to their service. H2180 does not define what politically biased reasons are or who would determine that, although it says censoring pornography, libel or content promoting violence would not turn one into a publisher. Conservatives have long complained that social media giants, such as Facebook and Twitter, are biased against them - complaints that have only grown since Twitter suspended President Trump's account last week.

ANY ETHICS COMPLAINT AGAINST ROGERS, TOWNSEND IS LIKELY DOA

Senate Democrats still haven't decided whether they want to do anything beyond personally condemning Rogers and Townsend for their statements and tweets about the election, and they're not going to find a willing ear in Fann if they try. Fann described the possibility of ethics complaints as "politics at its worst" and said her members have freedom of speech. She hasn't seen anything that would rise to the level of inciting a riot, she emphasized. "At this point, I don't know that the Senate has a problem. True, there's things that a lot of people tweet. There's some things, God bless them, that some of the Democratic members have tweeted over the years that probably were not appropriate either, but I certainly didn't jump on those because it's politics. We say things, we tweet things, and are they always the best thing? Maybe not, but it's freedom of speech."

MORE WORDS MEANS LESS CONFUSION, RIGHT?

Mesnard is introducing two citizen initiative changes inspired by last year's ballot measures. S1105 (ballot measures; 200-word description) would double the length of initiative descriptions, following multiple court cases over whether 100-word descriptions were incomplete or misleading. A second, which he has yet to introduce, would require that petition signature gatherers read the

AMERICAN OVERSIGHT

description to voters before they can sign the form. “I’m of the opinion that you need to have enough space to present your proposal to the voter, and you need to actually tell the voter what it does. Not your spin on it, but what it actually, factually does per the description,” he said.

MESNARD: VOTERS DIDN’T UNDERSTAND PROP 208

Prop 208’s close margin of victory and a belief that many of its voters didn’t understand or truly want the new tax justifies Republican attempts to offset the new law’s effects, Mesnard told our reporter. He and other Republicans are still brainstorming how they want to undermine the new law, though Mesnard said his S1108 (tax omnibus) could be one vehicle for tax law changes. Prop 208 won with 51.7% of the vote, a slim margin like those of Marsh (50.2%), Boyer (52.3%) and Mesnard himself (52.5%). Mesnard added that he talked to many voters who supported Prop 208 and said they would have preferred an alternative, but that their priority is getting more funding for education. “Now that that’s passed, more money will be going to K-12, short of a repeal or something. It’s still a surcharge on the books and it’s voter-protected. And so how we maneuver going forward is not necessarily in conflict with that,” he said.

RIOS: REALLY, JD?

Rios said Mesnard’s justification for trying to undermine Prop 208 is a repeat of arguments Republicans use every time an initiative they don’t like passes. “It’s the sore loser mentality where they either try and disenfranchise the will of the voter or explain it away by saying that voters didn’t know what they were doing, which is just so offensive,” she said. Her Republican colleagues need to acknowledge that Arizonans knew what Prop 208 would do and passed it because the Republican-led Legislature didn’t adequately fund public education, she said.

NEWS RELEASES

Governor Ducey Nominates Clay Hernandez To Arizona Game And Fish Commission

PHOENIX — Governor Doug Ducey today announced the nomination of Clay Hernandez, a Tucson attorney and avid outdoorsman, to the Arizona Game and Fish Commission.

AMERICAN OVERSIGHT

“Clay’s dedication to wildlife conservation and to his community make him a great fit for the Game and Fish Commission,” said Governor Ducey. “I look forward to his service on the commission and know that he will serve Arizona well."

Clay is a longtime hunter and angler, and has dedicated nearly 30 years to wildlife conservation. He is a member of Trout Unlimited, the National Wild Turkey Federation, the Arizona Elk Society, the Arizona Antelope Foundation, and Project Healing Waters of Southern Arizona. Clay has served as President of the Old Pueblo (Tucson) chapter of Trout Unlimited. He was on the board of the Tucson Chapter of the National Wild Turkey Federation. He has volunteered as a fly fishing guide for Project Healing Waters in Arizona, Colorado and Alaska. He also volunteered for four years in an Outdoor Studies class for a Tucson High School.

“I am humbled and honored to be able to serve the Game and Fish community of Arizona in such an impactful way and am ready to hit the ground running,” said Clay Hernandez. “I look forward to working with my fellow commissioners, and I thank Governor Ducey for this opportunity.”

Clay has called Arizona home for more than 40 years. He has been a practicing attorney in Tucson since 1986. Clay received a Bachelor of Science degree from Arizona State University in 1981 and his Juris Doctorate from the University of Arizona in 1986. He is a licensed pilot and speaks Spanish.

His nomination is pending confirmation by the Arizona Senate.

* * * * *

Governor Ducey To Attend 2021 Presidential Inauguration

PHOENIX — The Governor’s Office today announced Governor Doug Ducey will travel to Washington next week to attend the inauguration of President-elect Joe Biden and Vice President-elect Kamala Harris.

“In America, we believe in the peaceful transition of power. It doesn't matter who you supported in the election — once the election is over, we put country before party. Never has it been more important than right now to observe these traditions for the whole world to see," said Governor Ducey. “I was honored to represent Arizona at the inauguration of President Trump in 2017, and I am

AMERICAN OVERSIGHT

honored to represent our state at the 59th Inaugural Ceremonies next week. President-elect Biden is assuming office at a critical time in our nation's history, and I wish him well. I will not agree with him on everything and I certainly will not hesitate to share my views on the public policy issues that matter to Arizonans, but I believe President-elect Biden is a good man and wants to serve his country. I look forward to working with his administration and advocating for the people of Arizona."

* * * * *

Strong Demand For COVID-19 Vaccine Paves Way For Second State Site At Phoenix Municipal Stadium

State Farm Stadium Site Fully Booked For January; More Appointments Coming Soon

PHOENIX — Governor Doug Ducey and the Arizona Department of Health Services (ADHS) today announced the launch of a second state vaccination site following the success of Arizona's first 24/7 state vaccination site in Glendale.

"Arizona's vaccine site at State Farm Stadium has been a game changer," said Governor Ducey. "This week has demonstrated Arizonans are ready for the COVID-19 vaccine. We're going to do our part to make sure they get it. I've said that vaccines do no one any good sitting in a freezer, and I'm grateful to the team at the Arizona Department of Health Services and Arizona Department of Emergency and Military Affairs who have worked tirelessly to ramp up distribution."

All appointments at the state's 24/7 vaccination site at State Farm Stadium for January have been filled, demonstrating strong demand for the COVID-19 vaccine. Registration for more appointments in February will open Tuesday, January 19 at 9 a.m.

Governor Ducey and ADHS announced Arizona is dramatically expanding vaccine site capacity:

ADHS will launch a new additional state vaccine site in the East Valley on Feb. 1 to further expand appointment availability. Registration for appointments at a new Phoenix Municipal Stadium location will also begin on Tuesday, Jan. 19,

AMERICAN OVERSIGHT

at 9 a.m.

The State Farm Stadium site will continue to operate at full capacity through the end of January providing the first of two doses of the Pfizer vaccine. Beginning in February, the State Farm Stadium site will begin offering second dose appointments in addition to the site's current capacity for first doses.

County health departments across the state are also working to expand appointment availability at their sites.

Arizona has activated the Centers for Disease Control and Prevention's (CDC) Retail Pharmacy Program which will add up to 100 pharmacy stores providing vaccine over the next few weeks. When the program is fully activated, more than 800 pharmacies will have COVID-19 vaccine available in Arizona.

There are over 200 vaccination sites statewide that have received vaccine, including 45 community health centers.

ADHS will open a new vaccine site at Phoenix Municipal Stadium in partnership with Arizona State University and the Arizona Department of Emergency and Military Affairs on February 1. This site will be open during daytime hours. The number of appointments available at the site will depend on the number of vaccine doses available at that time. Registration for this new site opens on Tuesday, Jan. 19 at 9 a.m.

"The second state site at Phoenix Municipal Stadium will dramatically boost the number of Arizonans who can get this vaccine," Governor Ducey said.

"This is positive, encouraging news as we scale up our vaccination capacity in Arizona," said ADHS Director Dr. Cara Christ. "It's clear that Arizonans are excited about the opportunity to receive the COVID-19 vaccine. We're working around the clock to meet that demand. As the federal government ships more vaccine doses to Arizona, we will have more vaccine sites and appointments available soon."

The biggest limiting factor on appointments is the limited supply of vaccine doses. Arizona receives weekly allocations from the federal government, which determines how many vaccine doses the state has and how many appointments can be offered. Arizona will continue to add additional vaccine sites as more vaccine is allocated to Arizona, including community health

AMERICAN OVERSIGHT

centers and pharmacies.

“We are hopeful the supply of vaccine doses from the federal government will continue to increase,” Dr. Christ said. “We will be ready to add even more appointments and additional sites as the state receives more vaccine doses.”

ADHS is putting out all of the doses Arizona receives from the federal government and distributing them to Arizonans at these state sites, county sites, medical facilities, and long-term care facilities, such as Skilled Nursing Facilities and Assisted Living Facilities. The CDC’s Pharmacy Partnership for Long-Term Care with CVS and Walgreens is allocated vaccine doses to vaccinate the residents and staff of long term care facilities enrolled in the program.

As of Wednesday evening, 12,570 people have already been vaccinated at the 24/7 State Farm Stadium vaccination site ADHS and partners launched this week.

Nearly 190,000 doses of the safe and effective COVID-19 vaccine have been administered to almost 171,000 Arizonans, including 17,000 who have received both doses.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A): and protective services workers, educators and childcare workers, and adults 75 and older (prioritized Phase 1B). As of Tuesday, Jan. 19, an estimated 750,000 additional Arizonans 65 and older will be able to register for a vaccination appointment in counties that are in prioritized Phase 1B. Each county’s current vaccine phase is listed on our website, which is updated daily.

Starting Tuesday, Jan. 19, those in groups prioritized for vaccination can register for available appointments at State Farm Stadium and multiple other vaccination sites at podvaccine.azdhs.gov. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group, such as someone 75 and older.

Those scheduled for vaccination will need to show identification upon arrival to

AMERICAN OVERSIGHT

the vaccination site demonstrating they qualify for phases 1A or priority 1B.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

* * * * *

Governor's Office Announces Art Harding As Deputy Director Of Legislative Affairs

PHOENIX — The Governor's Office today announced that Art Harding has joined the team as a Deputy Director of Legislative Affairs. Art joins a talented team that includes Katie Ratlief and Darbi Jenkins. In this role, he will work with the legislature to ensure state government focuses on policies that best serve Arizonans during the pandemic and beyond.

"Art brings a wealth of knowledge and experience in public policy, community engagement and organizational efficiency," said Governor Doug Ducey. "I'm grateful for his commitment to continue serving the state of Arizona, and I look forward to his contributions to our team."

Before joining the Governor's Office, Art worked at the U.S. Department of Agriculture (USDA) as the Executive Secretary of the Office of the Executive Secretariat. In that role, he reorganized the executive department of USDA, achieved 75% decrease in processing time for congressional correspondence, boosted efficiencies and customer service, and more.

Prior to his service at USDA, Art served as Director of Policy for the Executive Office of the President and Director of Policy for the First Lady of the United States for two years. In that role, he focused on policy development, engagement strategies, and youth advocacy.

"I'm thrilled to join the team on the 9th Floor," said Art Harding. "From developing policy to ensuring constituents' needs are met, restructuring teams to work efficiently and more, I have worked for years to serve and help others. I look forward to serving in this new role, and am grateful for the opportunity."

Art also served as a Program Analyst for United States Agency for International Development, Chief Legislative Liaison for the Arizona Department of Corrections, Rehabilitation and Recovery (then named the

AMERICAN OVERSIGHT

Arizona Department of Corrections), Director of State Government Affairs for the Arizona Office of the Attorney General, and Deputy Associate Superintendent of State Government Affairs for the Arizona Department of Education.

Art has also been involved in multiple community and professional associations, including the Arizona Criminal Justice Commission Legislative Committee, the Arizona Attorney General's Office Open Meeting Law Enforcement Team, the Arizona Fallen Correctional Employees Memorial Committee, and more. He earned a Bachelor of Arts in Political Science from the University of Arizona.

* * * * *

School Counselors to State Leaders: Prioritize Mental Health

January 14, 2021, Phoenix, AZ --- Arizona's School Counselors have done everything in their power to ensure the academic, career and social/emotional needs of our students are met. Our counselors will continue to be dedicated in service to our students, whether remote or in person, but need that same dedication from our leaders.

"To paraphrase Governor Ducey: These aren't just statistics. These are people in our lives. Our parents, our kids, our friends, our neighbors and our coworkers," said Bill Lucas, counselor at Agua Fria High School and Assistant Executive Chair with the Arizona School Counselors Association (AzSCA). "We have to support them and provide them with the support they need to get through this and thrive."

There are many aspects to this public health crisis, but as counselors we know that without prioritizing social emotional learning and mental health in schools our students will just fall farther behind. As such, the Arizona School Counselors Association calls on our Governor and legislators to bring this important topic - the mental health of our students as well as educators - to the forefront of their discussions this session.

The most concrete form support for mental health can take is in the form of a budget that reflects it as a priority. Budgets are moral documents, and utilizing part of our current surplus towards training, interventions, and staffing to tackle this issue head on would be in the best interests of our students.

AMERICAN OVERSIGHT

Arizona already has one of the highest student-to-school counselor ratios in the country. The Governor and legislature made a historic first investment two years ago to start to bring that down. However, the pandemic has increased the need for the in-school services that School Counselors provide. We need creative thinking and resources for the boots on the ground to provide those one-on-one services. Together we can collaborate to start the healing process that our students desperately need.

* * * * *

Lesko Selected for House Committee on Energy and Commerce

WASHINGTON, D.C.—Today, U.S. Congresswoman Debbie Lesko (AZ-08) was appointed to the prestigious House Committee on Energy and Commerce for the 117th Congress.

"It is an honor to be selected by my colleagues to serve on the Energy and Commerce Committee," said Congresswoman Lesko. "I look forward to working with Ranking Member McMorris Rodgers and the other members of the committee to tackle the pressing issues facing our nation. I am eager to be a strong voice for common-sense healthcare, increased manufacturing and commerce across our country, consumer protections, telecom reforms, and America's energy independence."

"Congresswoman Debbie Lesko is going to be a great asset to our team on the Energy and Commerce Committee. It's the most influential committee in the House and especially for Arizona. Congresswoman Lesko is a proven leader and strong advocate for those she serves. I look forward to working with her to advance priorities like protecting free speech," said Committee Ranking Member Cathy McMorris Rodgers (WA-05).

The Committee on Energy and Commerce is the oldest standing legislative committee in the U.S. House of Representatives and is vested with the broadest jurisdiction of any congressional authorizing committee. The committee has responsibility for matters including telecommunications, consumer protection, food and drug safety, public health and research, environmental quality, energy policy, and interstate and foreign commerce among others.

NEWS CLIPS

AMERICAN OVERSIGHT

Ducey seeks expansion of gaming to allow sports betting

By Howard Fischer Capitol Media Services
01-14-21

Gov. Doug Ducey wants to open the door to allowing Arizonans to bet on — or against — the Diamondbacks and the Cardinals.

And maybe even the Wildcats and Sun Devils.

He also wants wagering on fantasy leagues and even instant keno games. And the governor wants to allow mobile devices to be used to place bets. (To read more, click here).

* * * * *

Arizona state GOP moves to censure Cindy McCain, Jeff Flake

By Jordan Williams The Hill
01-14-21

The Arizona GOP is expected to vote to censure Cindy McCain, the widow of the late Sen. John McCain (R), and former Sen. Jeff Flake (R) after both supported President-elect Joe Biden in the 2020 presidential election.

The party first disclosed its "Censure McCain" resolution last Sunday after it was mistakenly reported that the Maricopa County Republican Party voted to censure her. The county-level party only discussed censuring McCain but did vote to censure Flake. (To read more, click here).

* * * * *

Arizona Republicans vote for more investigation of state's presidential votes

By Pete Aleshire Payson Roundup
01-14-21

Four members of the Arizona congressional delegation including Rep. Paul Gosar voted to set aside the results of the state's presidential election until the state can perform a forensic audit of the election.

AMERICAN OVERSIGHT

The House and Senate rejected that notion on an overwhelming, bipartisan vote. (To read more, click here).

* * * * *

It makes no sense to give Arizona schools letter grades this year. Suspend it

By Heather Mace Arizona Republic 01-14-21

Arizona's teachers and students have started the second semester of a school year that has been impacted profoundly by COVID-19. As a teacher mentor and parent of three school-aged children, I've had a firsthand view of teachers supporting students during this time.

I've watched a first-grade teacher spend her entire lunch break consoling a crying 6-year-old over Zoom. I've marveled as a teacher instructed online students to create artwork from common kitchen ingredients. And when my family contracted COVID-19 in November, I witnessed the kindness of my son's teacher when she quietly dropped off a care package on our porch. (To read more, click here).

End.

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Wednesday, January 20, 2021 3:02:52 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes January 21, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

.....

Arizona Legislative Report

Today's News Notes

January 21, 2020

IMPORTANT: *The Arizona Legislative Report is fully digital and may be accessed at ArizonaLegislativeReport.com. Your log-in credentials from last year should still work. If you have trouble logging in, please let us know. In addition, please let us know if there are any changes to your account, such as a new email or a new contact person. You may call or email Scott Newell at 602-258-7145 or snewell@azcapitoltimes.com, or Mitch Stead at mstead@azcapitoltimes.com or 602-889-7140. For any questions*

AMERICAN OVERSIGHT

about subscription payments, please contact Shannon Wass at 717-323-5234 or swass@bridgetowermedia.com.

Please note that subscribers to the News Notes email will get the News Notes around 3 p.m.

Regular subscribers will be alerted via email once the Daily Report is posted on ArizonaLegislativeReport.com. If you would like to get the News Notes early, please let us know. The cost for the News Notes is an additional $50 per month.

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

Senate Transportation & Technology

Monday 01/25/21 at 2:00 PM, Senate Rm. 109

S1096: COMMERCIAL DRIVER LICENSES; THIRD PARTIES

S1146: ELECTRONIC CERTIFICATES OF TITLE

Senate Government

Monday 01/25/21 at 2:00 PM, Senate Rm. 1

S1084: STATE OF EMERGENCY; AUTOMATIC TERMINATION

SCR1001: STATE OF EMERGENCY DECLARATION; TERMINATION

SCR1003: EXECUTIVE ORDERS; EMERGENCIES; REAUTHORIZATION; TERMINATION

SCR1010: LEGISLATIVE SPECIAL SESSION; EMERGENCIES

SCR1014: AUTOMATIC TERMINATION; STATE OF EMERGENCY

AMERICAN OVERSIGHT

House Land, Agriculture & Rural Affairs

Monday 01/25/21 at 2:00 PM, House Rm. 3

H2142: AGRICULTURAL WORKFORCE PROGRAM; APPRENTICES; APPROPRIATION

H2188: PEST MANAGEMENT; UNLICENSED BUSINESS ACTIVITIES

H2246: G&F; PRIVATE LANDS; TRESPASSING

H2289: CITRUS RESEARCH COUNCIL; FEE INCREASE

H2372: AGRICULTURAL OPERATIONS; NUISANCE; LIABILITY

HR2003: FORESTS; PROPER MANAGEMENT

House Military Affairs & Public Safety

Monday 01/25/21 at 2:00 PM, House Rm. 1

H2294: YIELDING TO EMERGENCY VEHICLES; PENALTIES

H2295: LAW ENFORCEMENT OFFICERS; DATABASE; RULES

H2297: MILITARY LEAVES OF ABSENCE; DURATION

HCR2003: LAW ENFORCEMENT; FIRST RESPONDERS; HONORING

HR2002: SEMELE MASSACRE; ASSYRIAN MARTYRS DAY

NEWS NOTES

BRACE YOURSELVES

After at least two House staffers tested positive for Covid, rumors are flying around the Capitol that more staffers or lawmakers are sick. House GOP spokesman Andrew Wilder told our reporter that he is bracing for more questions about the representatives who were absent from the floor yesterday. The House didn't have a quorum after Dems decided to not show up over security concerns and a few Republicans were absent, although officially none of those absences was related to Covid. On the Senate side, Shope was excused yesterday and told our reporter he was isolating while waiting on test results, which came back negative early this afternoon.

DEMS TO FILLMORE: WHY AREN'T YOU IN QUARANTINE?

Democrats attending yesterday's House gov meeting said the committee should, as some others have done, take remote testimony due to the danger of Covid and

AMERICAN OVERSIGHT

criticized some Republican members for being lax about mask use. Earlier in the meeting, some Democrats brought up that one of Fillmore's aides had tested positive for Covid and questioned why he isn't quarantining for two weeks, noting the US Centers for Disease Control and Prevention's guidelines (LINK). "We do have people who are concerned for their safety both physical safety and health safety who want to testify on these bills but are unable due to our current circumstances," Terán said. Kavanagh said Fillmore's potential exposure happened seven days ago and House rules only require a member to quarantine for five days.

NOW THAT JOE BIDEN IS OFFICIALLY THE PRESIDENT

Fann announced today that she has reached an agreement with the Maricopa County Board of Supervisors to inspect election equipment and perform an audit. The board agreed to turn over all the materials the Senate subpoenaed and conceded that the Legislature holds the authority to issue subpoenas, she said. The audit announcement, which came after President Joe Biden took his oath of office, does not materially change anything about the election, though some Arizona voters and lawmakers remain convinced it will turn up damning information that several failed lawsuits over election results did not.

BFF WANT BRNO TO PROBE FB, TWITTER OVER USER DATA

Biasucci, Fillmore and Finchem yesterday called on Brnovich to open an antitrust investigation into Facebook, Twitter and other social media giants, alleging they are monopolies that harvest users' data for profit and suppress conservative opinions. "Most alarming is how these monopolies have taken action against a certain segment of society with an array of dissenting opinions, appearing to act in a coordinated manner to de-platform, delete, shadow ban, and restrict platform speech of users from their publicly available offering," Finchem said in a news release. "Such actions are outrageous and should not be permitted in a free society." Finchem also introduced H2180 (online content; publishers; liability; fee), which seeks to penalize social media companies that censor content for political reasons. "When the media outlets have free reign to exclude an entire segment of society by abridging their voice in the public square, we no longer have a free society, but have entered a new era where citizens of this nation are told in not so many words, 'Sit down and shut up,'" Fillmore said. Brnovich spokeswoman Katie Conner said the office is aware of the request but could not confirm or deny any specific investigation and had no further comment on it. That said, Conner pointed to several instances where Brnovich "has served as a leader amongst attorneys general in holding Big Tech accountable, having already initiated action against several tech giants." Arizona is already co-leading an antitrust lawsuit against Google and is part of one against Facebook involving 48 states. Brnovich was the first AG to file a consumer fraud suit against Google.

COMMITTEE PRESERVES SEVERANCE PACKAGES FOR

AMERICAN OVERSIGHT

SUPERINTENDENTS

House educ voted down a bill yesterday that would ban future severance packages for school superintendents. Bolick, who sponsored H2121 (schools; superintendents; severance packages; prohibitions), said she was inspired to introduce it after constituents in the Paradise Valley Unified School District contacted her to complain about a severance package of more than $400,000 that a departing superintendent received last year. She also said she had heard of similarly generous severance packages in a few other school districts. "I came down to the Legislature to serve the taxpayers to be a watchdog and this is one good way to be a watchdog," Bolick said. Her bill would bar school districts from giving a superintendent a severance package moving forward unless the superintendent is entitled to one by federal law. The bill isn't retroactive, so the ones already promised wouldn't get affected. The bill's opponents said it goes against the concept of local control. The committee voted, 4-5, rejected the bill with John joining Dems to kill it. Pratt was absent yesterday.

AND THERE'S ALWAYS NEXT YEAR IF IT DOESN'T PASS THIS YEAR

A proposal to put a measure on the next general election ballot to repeal Arizona's English-only education requirement made it out of House educ for the third year in a row yesterday afternoon. Fillmore's HCR2005 (English language education; requirements) received a unanimous vote, although Nguyen said he might change his vote on the House floor. The proposal would, if approved by voters, repeal 2000's Prop 203, which says students can only be taught English through English-language instruction in English-language classrooms, allowing for different types of English-language instruction and for dual language immersion programs. Fillmore carried the proposal for the last two years, and it has broad support in both political parties and among education stakeholders. In 2019, it passed the House but didn't make it through the Senate before *sine die*, and, in 2020, it passed House educ but was held in House Rules by then-Chairman Kern, who lost his re-election bid last year.

BILL TO SPIKE DEAD PEOPLE FROM VOTER ROLLS ADVANCES

House gov voted mostly along party lines yesterday to advance a bill that seeks to strike dead people from the voter rolls. Supporters say it will help prevent voter fraud, but opponents fear it will unintentionally remove people who are very much alive and eligible to vote. H2054 (voter registration database; death records), which Kaiser is sponsoring, would only change one word, saying the Secretary of State "shall" compare death records with the statewide voter registration database instead of "may." Pawlik joined the GOP in voting to advance the bill out of committee, although she said she may change her vote on the House floor. The bill's Republican supporters cast it as a common-sense measure. "To oppose ensuring the integrity of our elections by removing dead people annually is just insane," Hoffman said. Before the debate started, some of them joked about how Chicago, Georgia and California wouldn't be

AMERICAN OVERSIGHT

happy with the measure. Democrats countered that most counties are checking anyway and pointed out that it doesn't include any way for people who are wrongly removed from the rolls to cast even a provisional ballot. Jermaine said she has constituents who were unable to vote because they were believed to be dead and taken off the rolls.

MODEL LEGISLATION

Barto's S1237 (fertility fraud; civil; criminal action), introduced today, appears to be trying to solve the same problem as Steele's S1055 (reproductive procedures; consent; violation; liability). Steele's S1055 hasn't yet been assigned to a committee, often a sign that Fann wants to kill a bill. Both measures would make it a Class 6 felony for a fertility doctor to use his own sperm – or sperm from any other donor the future parents didn't choose – to impregnate a patient and enable the parents or child to sue that doctor. Steele was inspired by a pending lawsuit against a fertility doctor in Tucson, and there have been dozens of other such lawsuits nationwide. Barto did not immediately return a call from our reporter. Steele told our reporter she was initially frustrated to find out that Barto appears to have usurped her legislation, but if having a Republican sponsor gets the bill passed, she's OK with that. "What is encouraging is it'll be done by a Republican, so it'll sail through. OK, fine. I will support this. That's not happy news, but we get to the same goal however we get there," she said. Something similar happened last year, when Carter introduced her S1027 (informed consent; pelvic examinations) and Barto followed suit with her identical H2051 three days later. At the time, the two were running against each other in a GOP primary and both trying to prove they were the right choice for a health care senator.

ANDRADE SEEKS REPEAL OF ARIZONA'S RIGHT TO WORK PROVISION

Andrade, a locomotive engineer by profession and a longtime union member, filed several workers' rights-related measures. Notably, HCR2007 (right to work; repeal), would ask voters in 2022 to repeal the "right to work" amendment added in 1948 to the Arizona Constitution. An accompanying bill – H2191 (repeal; right to work) – would implement the change if approved by voters. H2195 (employment; conditions; labor organizations; discrimination) would add some additional protections to workers injured on the job, as well as extend anti-discrimination protections in employment to cover sexual orientation and gender identity. Arizona's larger cities, including Phoenix, already adopted local ordinances banning discrimination in employment, public accommodations and, in some, cases, housing based on sexual orientation or gender identity, but state statutes provide no such protections. While Arizona laws don't extend employment protections based on sexual orientation, the US Supreme Court ruled last year that the Civil Rights Act's anti-discrimination provisions extend to gay, lesbian and transgender employees. H2192 (call center relocation) would require an employer intending to relocate a call center from Arizona to another state or a foreign country to give at least 120 days' notice and bar the company from getting state grants or loans for five years. H2196 (overtime pay) would increase the number

AMERICAN OVERSIGHT

of salaried workers who qualify for overtime pay, and H2194 (misclassification; tax fraud; task force) would create an Employee Misclassification and Payroll Tax Fraud Advisory Task Force to look into employee misclassification and payroll tax fraud in the construction industry. Andrade also introduced H2193 (railroads; annual safety inspections), which requires the Corporation Commission to conduct yearly safety inspections of all railroads and railroad tracks in Arizona.

BLACKMAN PURSUES BAN ON SEX ED FOR SOME STUDENTS

Blackman wants to put more restrictions on sex education in Arizona schools, including banning it for students below 6th grade and requiring written permission from a student's parents before they can take part in sex ed or learn about AIDS and HIV. H2184 (sex education; parental consent; schools) would also require schools to make all sex education materials available for parents to review and to notify them where it is available before the parent provides written permission for a child to take part in sex ed. It would also require school boards to review and approve all sex ed courses and, before approving them, make the materials available to the public for review and comment. Last year, Blackman told Senate educ that he had to "deprogram" his 7-year-old son after he was brainwashed by what he learned in school in California. He made the comment during a hearing on a Senate bill similar to his proposal this year. Senate leadership decided to not advance last year's bill.

NEWS RELEASES

Arizona passes 300,000 mark in COVID-19 vaccine doses administered

State vaccination site in Glendale helps boost numbers, with another state site coming Feb. 1

PHOENIX – Almost 320,000 doses of COVID-19 vaccine have been administered in Arizona, reflecting strong momentum over the past week in getting more vaccine into the community.

"Vaccine distribution is accelerating in Arizona, especially with the addition of the State Farm Stadium vaccination site. Late last week, we celebrated passing 200,000 doses administered and now we've surpassed 300,000," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "Arizona has been working to get these vaccines out of cold storage and into the arms of prioritized individuals."

To date, Arizona has administered 319,984 to 270,127 individuals, including 44,004 who have received both doses.

About 46,000 doses have been administered through this morning at the state's first 24/7 vaccination site since it opened on Monday, Jan. 11. The

AMERICAN OVERSIGHT

State Farm Stadium vaccination site is operated by ADHS and partners, including the Arizona Department of Emergency and Military Affairs, Arizona Cardinals, Arizona State University, Walgreens, Blue Cross Blue Shield of Arizona, the Ben and Catherine Ivy Foundation, American Medical Response (AMR), and the Arizona Department of Public Safety.

Nearly 150,000 appointments available in February for first doses have been booked at the two state-run COVID-19 vaccination sites, including one opening Feb. 1 at Phoenix Municipal Stadium. In addition to the appointments made yesterday, ADHS has reserved February appointments for those who receive their first doses of the Pfizer vaccine at State Farm Stadium. Those individuals will receive emailed invitations to register for this reserved block of second dose appointments.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A): and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). As of Tuesday, an estimated 750,000 additional Arizonans 65 and older became eligible to register for a vaccination appointment. Each county's current vaccine phase is listed on the ADHS website, which is updated daily.

Over the past week, Governor Ducey and ADHS announced more ways that Arizona is dramatically expanding vaccine site capacity:

- ADHS will launch a new additional state vaccine site at Phoenix Municipal Stadium, near Tempe, on Feb. 1 to further expand appointment availability. Registration for appointments at this new location began yesterday. All February appointments are now booked.
- The State Farm Stadium site will continue to operate at full capacity through February providing the Pfizer vaccine. Registration opened yesterday for appointments beginning Feb. 1. All February appointments are now booked.
- County health departments across the state are also working to expand appointment availability at their sites.
- Arizona has activated the Centers for Disease Control and Prevention's (CDC) Retail Pharmacy Program which will add up to 100 pharmacy stores providing vaccine over the next few weeks. When the program is fully activated, more than 800 pharmacies will have COVID-19 vaccine available in Arizona.
- There are over 200 vaccination sites statewide that have received vaccine, including 45 Community Health Centers.

AMERICAN OVERSIGHT

As Arizona receives more vaccine doses and adds more appointments, those in groups prioritized for vaccination can register for appointments at State Farm Stadium and multiple other vaccination sites at podvaccine.azdhs.gov. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. **Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group, such as someone 75 and older.**

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

* * * * *

Nearly 150,000 February appointments booked at two state COVID-19 vaccination sites

Facilities will offer additional appointments as federal partners increase Arizona's allocation

PHOENIX – More than 5,200 Arizonans will receive their first doses of the COVID-19 vaccine every day next month at State Farm Stadium and Phoenix Municipal Stadium.

"The nearly 150,000 appointments available in February for first doses have been booked at the two state-run COVID-19 vaccination sites," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "It's clear from this response that there is great demand for COVID-19 vaccine, and that's great news for Arizona,"

"The only limitation to how much we can expand our capacity is the number of doses our federal partners make available to Arizona," Dr. Christ continued. "When more vaccine is available, we will further ramp up our efforts and provide more appointments at the state's two vaccination sites."

In addition to the appointments made today, ADHS has reserved February appointments for those who receive their first doses of the Pfizer vaccine at State Farm Stadium. Those individuals will receive emailed invitations to register for this reserved block of second dose appointments.

Since Monday, Jan. 11, more than 40,000 Arizonans have been vaccinated at the 24/7 State Farm Stadium site. The state will open a second vaccination site on Feb. 1 at Phoenix Municipal Stadium, with appointments available during daytime hours.

AMERICAN OVERSIGHT

Across the state, more than 297,000 doses of the COVID-19 vaccine have been administered so far to 255,275 Arizonans, including 36,375 who have received both doses.

Governor Ducey and ADHS have taken other steps over the past week to dramatically expand vaccination capacity:

County health departments across the state are also working to expand appointment availability at their sites.

Arizona has activated the Centers for Disease Control and Prevention's (CDC) Retail Pharmacy Program which will add up to 100 pharmacy stores providing vaccine over the next few weeks. When the program is fully activated, more than 800 pharmacies will have COVID-19 vaccine available in Arizona.

There are over 200 vaccination sites statewide that have received vaccine, including 45 Community Health Centers.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A): and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). As of Tuesday, Jan. 19, an estimated 750,000 additional Arizonans 65 and older became eligible to register for a vaccination appointment. Each county's current vaccine phase is listed on the ADHS website, which is updated daily.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

* * * * *

Sinema Statement on the Presidential Inauguration

WASHINGTON - Arizona senior Senator Kyrsten Sinema released the following statement on the Inauguration of Joe Biden as the 46th President of the United States:

"Today's Inauguration marks a renewed commitment for our country to remain the shining light and model for democracy and peaceful transitions of power, where the people's voice is the law of land. Now is also the time to deliver on the needs of everyday Americans struggling with the health and economic consequences of the pandemic. President Biden and I do not agree on every issue, and I will always vote based on what's right for Arizona. I pledge to continue working across the aisle, seeking compromise instead of sowing division - because we are in this together. Regardless of who each of us voted

AMERICAN OVERSIGHT

for, Americans deserve a government that is worthy of us and working for us."

* * * * *

STATEMENT: U.S. Sen. Mark Kelly on the Inauguration of Joe Biden and Kamala Harris

Today, United States Senator Mark Kelly and his wife Gabrielle Giffords, former Arizona congresswoman, attended the 59th Inaugural Ceremony of President Joe Biden and Vice President Kamala Harris in Washington, D.C. Kelly offered the following statement following today's Inauguration:

"One of the hallmarks of our country is the peaceful transition of power from one administration to the next. Today, I was honored to take part in that sacred tradition. I want to congratulate President Joe Biden and Vice President Kamala Harris on this historic day for our nation.

"We now continue the work needed to heal and move our country forward. As Senator, I remain committed to working in a bipartisan manner to meet the needs of Arizonans who continue to struggle through this pandemic and economic crisis. I look forward to working with the Biden administration, as well as my Republican and Democratic colleagues, to rebuild our economy, effectively distribute the COVID-19 vaccine, invest in infrastructure, and create a more prosperous future for all Arizonans."

* * * * *

Rep. Kirkpatrick Reacts to Inauguration Ceremony

Welcomes In President Biden & Vice President Harris

(WASHINGTON, DC) -- Today, the Office of Rep. Kirkpatrick released the following statement after the swearing in of President Biden and Vice President Harris.

"Watching our new President and first ever woman Vice President take their oaths of office this morning brought me, and millions of Americans, feelings of joy, hope, and renewed faith in our democracy," **Rep. Kirkpatrick said.**

"There is no question that our country has been tested over the last four years, but our healing and hard work begins today. As we move forward, we need to focus on our collective mission: defeating this virus, getting families back to work and school, and ultimately, restoring the honor of our country, both at home and abroad.

"Now more than ever, let us follow the wise words of Inaugural Poet Amanda

AMERICAN OVERSIGHT

Gorman, and be brave enough to both '*see* and *be* the light.' With a new White House at the helm, anything is possible if we put our minds and hearts to work. I am looking forward to developing a close working relationship with the new administration, and devoting our service together to building back better, and stronger, than ever."

* * * * *

Congressman Schweikert Releases Statement Following 59th Inauguration Ceremony

WASHINGTON, DC - Congressman David Schweikert released the following statement after the 59th Inaugural Ceremony for the incoming Biden-Harris Administration.

"Congratulations to President Biden and Vice President Harris. I look forward to the 117th Congress getting to work on behalf of the millions of Americans we represent, many still facing extreme hardships due to the last year of unprecedented challenges. The American people sent a stronger Republican minority to Congress, showing they want the House to be focused on solving problems together as a body. We must recognize how we can build upon the success created by the previous Administration, where pro-growth policies have proven to benefit our economy, reducing unemployment, increasing wages, and creating job growth. I look forward to working with my Democratic colleagues in the House, Senate, and Administration to advance policy to secure a strong and prosperous future for all Americans."

* * * * *

Align Technology Establishes New Global Corporate Headquarters In Tempe, Arizona

Align Technology, Inc. (Nasdaq: ALGN) today announced that it established its new global corporate headquarters in Tempe, Arizona, effective January 1, 2021. The company's San Jose campus remains the hub for its global innovation, product, and marketing organization and will become home to its new Digital Innovation Center, currently under construction. As part of the new corporate headquarters move, Align Technology President and CEO Joe Hogan, CFO and Senior Vice President, Global Finance John Morici, Senior Vice President, Chief Legal and Regulatory Officer Julie Coletti, and Senior Vice President, Global HR Stuart Hockridge have relocated their offices to Tempe. Approximately 150 employees, mostly in corporate general and administrative (G&A) roles, have been offered relocation packages. These employees have the option to relocate to Tempe or to continue working from

AMERICAN OVERSIGHT

their current locations. Relocation is not required and there are no layoffs associated with this move.
Align CEO Joe Hogan commented on the company's new global corporate headquarters, "Innovation is the heart of Align and core to who we are as an organization. As leaders in digital orthodontics and dentistry, we must continue to invest in new products and technology that benefit our doctor customers and their patients. This change will afford many new opportunities for Align to expand its industry-leading digital capabilities through innovation in San Jose while achieving greater, long-term operating efficiencies in Arizona. Our employees are key to our continued success, and throughout this change we remain committed to supporting all employees, whether they decide to relocate or remain in their current locations. We chose Tempe for our new corporate headquarters for many reasons, including its proximity to San Jose, favorable corporate operating environment, low cost of living, and overall quality of life."

"Arizona is proud to welcome Align Technology's corporate headquarters to our state," said Governor Doug Ducey. "Today's announcement is a testament to our unmatched business climate, top-notch talent and unbeatable quality of life. We thank Align for the jobs the company will create for our citizens, and for choosing Arizona as its new home."

"We're thrilled to welcome Align Technology to Arizona -- the latest industry leader to be drawn to our state's business-friendly, pro-innovation environment," said Sandra Watson, President & CEO of the Arizona Commerce Authority. "We're grateful for this investment in Arizona, which will create more than a hundred new jobs for our residents, and we thank Align for its commitment to our state."

"Tempe is proud to welcome the Align Technology corporate headquarters and its 150 jobs to our tech-based business community," said Tempe Mayor Corey Woods. "The move of this company from San Jose to Tempe – especially in the midst of a pandemic – demonstrates Tempe's continued strength as a hub for medical device technology. We look forward to working with Align and celebrating their success in our community."

"Align Technology establishing its global corporate headquarters in Greater Phoenix further solidifies the region's standing as a premier market with the workforce availability, collaborative spirit and modern infrastructure to support innovative, high-growth companies," said Chris Camacho, president & CEO of the Greater Phoenix Economic Council. "We're excited to welcome Align to Tempe and the creation of high-quality jobs at a critical time."

Align's new corporate headquarters address is located in the Watermark Tempe: 410 North Scottsdale Road, Suite 1300, Tempe, Arizona

AMERICAN OVERSIGHT

85281 https://go.azcommerce.com/e/629661/--/y2s85/343422022?h=KpH6UzJ75opjxXmPcacmkqZPrrn_iX8JhoP3smjRF2Q.

* * * * *

Statement from Senate President Fann on agreement with Maricopa County Board of Supervisors

"I am pleased to announce that after a hard-fought battle to seek information on behalf of Arizona voters regarding the integrity of the 2020 election, we have reached a favorable agreement with the Maricopa County Board of Supervisors. Not only has the Board agreed to turn over all the relevant information we sought in our subpoenas so that we may perform an audit, but they also acknowledge that the Legislature is a sovereign power of the state and that the county is a political subdivision, and as such, the Legislature has the constitutional and statutory authority to issue subpoenas. Chairman Jack Sellers was instrumental in facilitating this agreement and I appreciate his efforts. I look forward to continuing our work to restore integrity and faith in our election process."

* * * * *

Governor Ducey Includes $2 Million In Executive Budget For Arizona Commission On The Arts

PHOENIX, Ariz. (Jan. 20, 2021): Arizona Citizens for the Arts Executive Director Joseph Benesh lauded Arizona Governor Doug Ducey's inclusion of a $2 million allocation in his 2022 executive budget for the Arizona Commission on the Arts.

The one-time appropriation from the General Fund, announced this week as part of his $12.6 billion spending plan for the fiscal year that begins July 1, will enable the Commission to offer grants to nonprofit arts and culture organizations throughout the state.

"This is a great first step of many to support arts and culture in Arizona as we work together to climb out of the impact of the coronavirus pandemic and re-energize the community that brings so much joy to so many people," Benesh said. "We believe that state funding in support of Arizona's amazing arts and culture sector is critical as the Legislature and the Governor begin their annual budget negotiations."

Benesh added that arts advocates across the state will "continue our efforts to increase the allocation to the $5 million that the Commission submitted in their budget request to put us closer to pre-recession levels."

AMERICAN OVERSIGHT

For more information, visit www.azcitizensforthearts.org.

more prosperous future for all Arizonans."

NEWS CLIPS

Recreational marijuana could be available within days

By Howard Fischer Capitol Media Services 01-20-21

Arizona adults could be purchasing legal weed for recreational use by the end of the week.

State health officials began accepting applications Tuesday to run some of the more than 120 recreational sites that voters agreed to allow in November to sell marijuana to anyone. (To read more, click here).

* * * * *

Army Corps reverses pledge to consult with tribes over Rosemont Mine authority

By Tony Davis Arizona Daily Star 01-20-21

The U.S. Army Corps of Engineers has pulled back from a previous pledge to consult with three Arizona tribes before deciding whether to abandon its authority over the Rosemont Mine site southeast of Tucson.

The decision could lead to removal of a significant legal hurdle for the proposed mine. (To read more, click here).

* * * * *

Vaccine roll out for Tucson educators off to slow and confusing start

By Danyelle Khmara Arizona Daily Star 01-20-21

School staff are starting to get vaccinated against COVID-19 in Tucson, but the roll out is off to a slow and confusing start.

Last week, the Pima County Health Department said more than 2,200 K-12 school staff would be getting vaccinated this week at the new University of Arizona super site. But on Tuesday, the UA sent out a press release saying

AMERICAN OVERSIGHT

that number would actually be around only 650. And school districts don't seem to be getting the same information from the county health department. (To read more, click here).

* * * * *

Predicted Arizona dry year could impact trees, cause fires

By Staff Associated Press 01-20-21

Experts have predicted another dry year for Arizona following 2020, when the driest year on record stressed forests across the state's northern region.

The dry conditions could have significant impacts on the health of trees and increase wildfire danger, Arizona Daily Sun reported Saturday. (To read more, click here).

* * * * *

Kelli Ward Gets Cease-and-Desist Letter Over Election Tech Fraud Claims

By Josh Kelety Phoenix New Times 01-20-21

Kelli Ward, the chairwoman of the Arizona Republican Party, has received a cease-and-desist letter from attorneys representing Dominion Voting Systems over her claims that the company's voting technology was rigged.

Ward and over 100 other people were sent "cease-and-desist notices and warnings to preserve documents" related to claims that Dominion's technology was biased against President Donald Trump, according to the Washington Post , which broke the story on Monday. MyPillow chief executive Mike Lindell, who recently visited Trump at the White House, also received a warning of "imminent" legal action and a demand to make a "public apology." (To read more, click here).

* * * * *

Gov. Doug Ducey has boosted education funding. But his budget ideas need a lot of work

By Robert Robb Arizona Republic 01-20-21

AMERICAN OVERSIGHT

The most distorted discussion in Arizona politics has to be about Gov. Doug Ducey and K-12 education funding.

When Ducey was first elected governor, state revenues were still in the basement and the temporary 1% sales tax voters approved had expired. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, January 20, 2021 3:02:53 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes January 21, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Arizona Legislative Report

Today's News Notes

January 21, 2020

IMPORTANT: *The Arizona Legislative Report is fully digital and may be accessed at ArizonaLegislativeReport.com. Your log-in credentials from last year should still work. If you have trouble logging in, please let us know. In addition, please let us know if there are any changes to your account, such as a new email or a new contact person. You may call or email Scott Newell at 602-258-7145 or snewell@azcapitoltimes.com,*

AMERICAN OVERSIGHT

or Mitch Stead at mstead@azcapitoltimes.com or 602-889-7140. For any questions about subscription payments, please contact Shannon Wass at 717-323-5234 or swass@bridgetowermedia.com.

Please note that subscribers to the News Notes email will get the News Notes around 3 p.m.

Regular subscribers will be alerted via email once the Daily Report is posted on ArizonaLegislativeReport.com. If you would like to get the News Notes early, please let us know. The cost for the News Notes is an additional $50 per month.

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

Senate Transportation & Technology

Monday 01/25/21 at 2:00 PM, Senate Rm. 109

S1096: COMMERCIAL DRIVER LICENSES; THIRD PARTIES

S1146: ELECTRONIC CERTIFICATES OF TITLE

Senate Government

Monday 01/25/21 at 2:00 PM, Senate Rm. 1

S1084: STATE OF EMERGENCY; AUTOMATIC TERMINATION

SCR1001: STATE OF EMERGENCY DECLARATION; TERMINATION

SCR1003: EXECUTIVE ORDERS; EMERGENCIES; REAUTHORIZATION; TERMINATION

SCR1010: LEGISLATIVE SPECIAL SESSION; EMERGENCIES

AMERICAN OVERSIGHT

SCR1014: AUTOMATIC TERMINATION; STATE OF EMERGENCY

House Land, Agriculture & Rural Affairs

Monday 01/25/21 at 2:00 PM, House Rm. 3

H2142: AGRICULTURAL WORKFORCE PROGRAM; APPRENTICES; APPROPRIATION

H2188: PEST MANAGEMENT; UNLICENSED BUSINESS ACTIVITIES

H2246: G&F; PRIVATE LANDS; TRESPASSING

H2289: CITRUS RESEARCH COUNCIL; FEE INCREASE

H2372: AGRICULTURAL OPERATIONS; NUISANCE; LIABILITY

HR2003: FORESTS; PROPER MANAGEMENT

House Military Affairs & Public Safety

Monday 01/25/21 at 2:00 PM, House Rm. 1

H2294: YIELDING TO EMERGENCY VEHICLES; PENALTIES

H2295: LAW ENFORCEMENT OFFICERS; DATABASE; RULES

H2297: MILITARY LEAVES OF ABSENCE; DURATION

HCR2003: LAW ENFORCEMENT; FIRST RESPONDERS; HONORING

HR2002: SEMELE MASSACRE; ASSYRIAN MARTYRS DAY

NEWS NOTES

BRACE YOURSELVES

After at least two House staffers tested positive for Covid, rumors are flying around the Capitol that more staffers or lawmakers are sick. House GOP spokesman Andrew Wilder told our reporter that he is bracing for more questions about the representatives who were absent from the floor yesterday. The House didn't have a quorum after Dems decided to not show up over security concerns and a few Republicans were absent, although officially none of those absences was related to Covid. On the Senate side, Shope was excused yesterday and told our reporter he was isolating while waiting on test results, which came back negative early this afternoon.

DEMS TO FILLMORE: WHY AREN'T YOU IN QUARANTINE?

AMERICAN OVERSIGHT

Democrats attending yesterday's House gov meeting said the committee should, as some others have done, take remote testimony due to the danger of Covid and criticized some Republican members for being lax about mask use. Earlier in the meeting, some Democrats brought up that one of Fillmore's aides had tested positive for Covid and questioned why he isn't quarantining for two weeks, noting the US Centers for Disease Control and Prevention's guidelines (LINK). "We do have people who are concerned for their safety both physical safety and health safety who want to testify on these bills but are unable due to our current circumstances," Terán said. Kavanagh said Fillmore's potential exposure happened seven days ago and House rules only require a member to quarantine for five days.

NOW THAT JOE BIDEN IS OFFICIALLY THE PRESIDENT

Fann announced today that she has reached an agreement with the Maricopa County Board of Supervisors to inspect election equipment and perform an audit. The board agreed to turn over all the materials the Senate subpoenaed and conceded that the Legislature holds the authority to issue subpoenas, she said. The audit announcement, which came after President Joe Biden took his oath of office, does not materially change anything about the election, though some Arizona voters and lawmakers remain convinced it will turn up damning information that several failed lawsuits over election results did not.

BFF WANT BRNO TO PROBE FB, TWITTER OVER USER DATA

Biasucci, Fillmore and Finchem yesterday called on Brnovich to open an antitrust investigation into Facebook, Twitter and other social media giants, alleging they are monopolies that harvest users' data for profit and suppress conservative opinions. "Most alarming is how these monopolies have taken action against a certain segment of society with an array of dissenting opinions, appearing to act in a coordinated manner to de-platform, delete, shadow ban, and restrict platform speech of users from their publicly available offering," Finchem said in a news release. "Such actions are outrageous and should not be permitted in a free society." Finchem also introduced H2180 (online content; publishers; liability; fee), which seeks to penalize social media companies that censor content for political reasons. "When the media outlets have free reign to exclude an entire segment of society by abridging their voice in the public square, we no longer have a free society, but have entered a new era where citizens of this nation are told in not so many words, 'Sit down and shut up,'" Fillmore said. Brnovich spokeswoman Katie Conner said the office is aware of the request but could not confirm or deny any specific investigation and had no further comment on it. That said, Conner pointed to several instances where Brnovich "has served as a leader amongst attorneys general in holding Big Tech accountable, having already initiated action against several tech giants." Arizona is already co-leading an antitrust lawsuit against Google and is part of one against Facebook involving 48 states. Brnovich was the first AG to file a consumer fraud suit against Google.

AMERICAN OVERSIGHT

COMMITTEE PRESERVES SEVERANCE PACKAGES FOR SUPERINTENDENTS

House educ voted down a bill yesterday that would ban future severance packages for school superintendents. Bolick, who sponsored H2121 (schools; superintendents; severance packages; prohibitions), said she was inspired to introduce it after constituents in the Paradise Valley Unified School District contacted her to complain about a severance package of more than $400,000 that a departing superintendent received last year. She also said she had heard of similarly generous severance packages in a few other school districts. "I came down to the Legislature to serve the taxpayers to be a watchdog and this is one good way to be a watchdog," Bolick said. Her bill would bar school districts from giving a superintendent a severance package moving forward unless the superintendent is entitled to one by federal law. The bill isn't retroactive, so the ones already promised wouldn't get affected. The bill's opponents said it goes against the concept of local control. The committee voted, 4-5, rejected the bill with John joining Dems to kill it. Pratt was absent yesterday.

AND THERE'S ALWAYS NEXT YEAR IF IT DOESN'T PASS THIS YEAR

A proposal to put a measure on the next general election ballot to repeal Arizona's English-only education requirement made it out of House educ for the third year in a row yesterday afternoon. Fillmore's HCR2005 (English language education; requirements) received a unanimous vote, although Nguyen said he might change his vote on the House floor. The proposal would, if approved by voters, repeal 2000's Prop 203, which says students can only be taught English through English-language instruction in English-language classrooms, allowing for different types of English-language instruction and for dual language immersion programs. Fillmore carried the proposal for the last two years, and it has broad support in both political parties and among education stakeholders. In 2019, it passed the House but didn't make it through the Senate before *sine die*, and, in 2020, it passed House educ but was held in House Rules by then-Chairman Kern, who lost his re-election bid last year.

BILL TO SPIKE DEAD PEOPLE FROM VOTER ROLLS ADVANCES

House gov voted mostly along party lines yesterday to advance a bill that seeks to strike dead people from the voter rolls. Supporters say it will help prevent voter fraud, but opponents fear it will unintentionally remove people who are very much alive and eligible to vote. H2054 (voter registration database; death records), which Kaiser is sponsoring, would only change one word, saying the Secretary of State "shall" compare death records with the statewide voter registration database instead of "may." Pawlik joined the GOP in voting to advance the bill out of committee, although she said she may change her vote on the House floor. The bill's Republican supporters cast it as a common-sense measure. "To oppose ensuring the integrity of our elections by removing dead people annually is just insane," Hoffman said. Before the debate

AMERICAN OVERSIGHT

started, some of them joked about how Chicago, Georgia and California wouldn't be happy with the measure. Democrats countered that most counties are checking anyway and pointed out that it doesn't include any way for people who are wrongly removed from the rolls to cast even a provisional ballot. Jermaine said she has constituents who were unable to vote because they were believed to be dead and taken off the rolls.

MODEL LEGISLATION

Barto's S1237 (fertility fraud; civil; criminal action), introduced today, appears to be trying to solve the same problem as Steele's S1055 (reproductive procedures; consent; violation; liability). Steele's S1055 hasn't yet been assigned to a committee, often a sign that Fann wants to kill a bill. Both measures would make it a Class 6 felony for a fertility doctor to use his own sperm – or sperm from any other donor the future parents didn't choose – to impregnate a patient and enable the parents or child to sue that doctor. Steele was inspired by a pending lawsuit against a fertility doctor in Tucson, and there have been dozens of other such lawsuits nationwide. Barto did not immediately return a call from our reporter. Steele told our reporter she was initially frustrated to find out that Barto appears to have usurped her legislation, but if having a Republican sponsor gets the bill passed, she's OK with that. "What is encouraging is it'll be done by a Republican, so it'll sail through. OK, fine. I will support this. That's not happy news, but we get to the same goal however we get there," she said. Something similar happened last year, when Carter introduced her S1027 (informed consent; pelvic examinations) and Barto followed suit with her identical H2051 three days later. At the time, the two were running against each other in a GOP primary and both trying to prove they were the right choice for a health care senator.

ANDRADE SEEKS REPEAL OF ARIZONA'S RIGHT TO WORK PROVISION

Andrade, a locomotive engineer by profession and a longtime union member, filed several workers' rights-related measures. Notably, HCR2007 (right to work; repeal), would ask voters in 2022 to repeal the "right to work" amendment added in 1948 to the Arizona Constitution. An accompanying bill – H2191 (repeal; right to work) – would implement the change if approved by voters. H2195 (employment; conditions; labor organizations; discrimination) would add some additional protections to workers injured on the job, as well as extend anti-discrimination protections in employment to cover sexual orientation and gender identity. Arizona's larger cities, including Phoenix, already adopted local ordinances banning discrimination in employment, public accommodations and, in some, cases, housing based on sexual orientation or gender identity, but state statutes provide no such protections. While Arizona laws don't extend employment protections based on sexual orientation, the US Supreme Court ruled last year that the Civil Rights Act's anti-discrimination provisions extend to gay, lesbian and transgender employees. H2192 (call center relocation) would require an employer intending to relocate a call center from Arizona to another state or a foreign country to give at least 120 days' notice and bar the company from getting

AMERICAN OVERSIGHT

state grants or loans for five years. H2196 (overtime pay) would increase the number of salaried workers who qualify for overtime pay, and H2194 (misclassification; tax fraud; task force) would create an Employee Misclassification and Payroll Tax Fraud Advisory Task Force to look into employee misclassification and payroll tax fraud in the construction industry. Andrade also introduced H2193 (railroads; annual safety inspections), which requires the Corporation Commission to conduct yearly safety inspections of all railroads and railroad tracks in Arizona.

BLACKMAN PURSUES BAN ON SEX ED FOR SOME STUDENTS

Blackman wants to put more restrictions on sex education in Arizona schools, including banning it for students below 6th grade and requiring written permission from a student's parents before they can take part in sex ed or learn about AIDS and HIV. H2184 (sex education; parental consent; schools) would also require schools to make all sex education materials available for parents to review and to notify them where it is available before the parent provides written permission for a child to take part in sex ed. It would also require school boards to review and approve all sex ed courses and, before approving them, make the materials available to the public for review and comment. Last year, Blackman told Senate educ that he had to "deprogram" his 7-year-old son after he was brainwashed by what he learned in school in California. He made the comment during a hearing on a Senate bill similar to his proposal this year. Senate leadership decided to not advance last year's bill.

NEWS RELEASES

Arizona passes 300,000 mark in COVID-19 vaccine doses administered

State vaccination site in Glendale helps boost numbers, with another state site coming Feb. 1

PHOENIX – Almost 320,000 doses of COVID-19 vaccine have been administered in Arizona, reflecting strong momentum over the past week in getting more vaccine into the community.

"Vaccine distribution is accelerating in Arizona, especially with the addition of the State Farm Stadium vaccination site. Late last week, we celebrated passing 200,000 doses administered and now we've surpassed 300,000," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "Arizona has been working to get these vaccines out of cold storage and into the arms of prioritized individuals."

To date, Arizona has administered 319,984 to 270,127 individuals, including 44,004 who have received both doses.

About 46,000 doses have been administered through this morning at the

AMERICAN OVERSIGHT

state's first 24/7 vaccination site since it opened on Monday, Jan. 11. The State Farm Stadium vaccination site is operated by ADHS and partners, including the Arizona Department of Emergency and Military Affairs, Arizona Cardinals, Arizona State University, Walgreens, Blue Cross Blue Shield of Arizona, the Ben and Catherine Ivy Foundation, American Medical Response (AMR), and the Arizona Department of Public Safety.

Nearly 150,000 appointments available in February for first doses have been booked at the two state-run COVID-19 vaccination sites, including one opening Feb. 1 at Phoenix Municipal Stadium. In addition to the appointments made yesterday, ADHS has reserved February appointments for those who receive their first doses of the Pfizer vaccine at State Farm Stadium. Those individuals will receive emailed invitations to register for this reserved block of second dose appointments.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A): and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). As of Tuesday, an estimated 750,000 additional Arizonans 65 and older became eligible to register for a vaccination appointment. Each county's current vaccine phase is listed on the ADHS website, which is updated daily.

Over the past week, Governor Ducey and ADHS announced more ways that Arizona is dramatically expanding vaccine site capacity:

- ADHS will launch a new additional state vaccine site at Phoenix Municipal Stadium, near Tempe, on Feb. 1 to further expand appointment availability. Registration for appointments at this new location began yesterday. All February appointments are now booked.
- The State Farm Stadium site will continue to operate at full capacity through February providing the Pfizer vaccine. Registration opened yesterday for appointments beginning Feb. 1. All February appointments are now booked.
- County health departments across the state are also working to expand appointment availability at their sites.
- Arizona has activated the Centers for Disease Control and Prevention's (CDC) Retail Pharmacy Program which will add up to 100 pharmacy stores providing vaccine over the next few weeks. When the program is fully activated, more than 800 pharmacies will have COVID-19 vaccine available in Arizona.
- There are over 200 vaccination sites statewide that have received vaccine, including 45 Community Health Centers.

AMERICAN OVERSIGHT

As Arizona receives more vaccine doses and adds more appointments, those in groups prioritized for vaccination can register for appointments at State Farm Stadium and multiple other vaccination sites at podvaccine.azdhs.gov. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. **Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group, such as someone 75 and older.**

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

* * * * *

Nearly 150,000 February appointments booked at two state COVID-19 vaccination sites

Facilities will offer additional appointments as federal partners increase Arizona's allocation

PHOENIX – More than 5,200 Arizonans will receive their first doses of the COVID-19 vaccine every day next month at State Farm Stadium and Phoenix Municipal Stadium.

"The nearly 150,000 appointments available in February for first doses have been booked at the two state-run COVID-19 vaccination sites," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "It's clear from this response that there is great demand for COVID-19 vaccine, and that's great news for Arizona,"

"The only limitation to how much we can expand our capacity is the number of doses our federal partners make available to Arizona," Dr. Christ continued. "When more vaccine is available, we will further ramp up our efforts and provide more appointments at the state's two vaccination sites."

In addition to the appointments made today, ADHS has reserved February appointments for those who receive their first doses of the Pfizer vaccine at State Farm Stadium. Those individuals will receive emailed invitations to register for this reserved block of second dose appointments.

Since Monday, Jan. 11, more than 40,000 Arizonans have been vaccinated at the 24/7 State Farm Stadium site. The state will open a second vaccination site on Feb. 1 at Phoenix Municipal Stadium, with appointments available during daytime hours.

AMERICAN OVERSIGHT

Across the state, more than 297,000 doses of the COVID-19 vaccine have been administered so far to 255,275 Arizonans, including 36,375 who have received both doses.

Governor Ducey and ADHS have taken other steps over the past week to dramatically expand vaccination capacity:

County health departments across the state are also working to expand appointment availability at their sites.

Arizona has activated the Centers for Disease Control and Prevention's (CDC) Retail Pharmacy Program which will add up to 100 pharmacy stores providing vaccine over the next few weeks. When the program is fully activated, more than 800 pharmacies will have COVID-19 vaccine available in Arizona.

There are over 200 vaccination sites statewide that have received vaccine, including 45 Community Health Centers.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A): and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). As of Tuesday, Jan. 19, an estimated 750,000 additional Arizonans 65 and older became eligible to register for a vaccination appointment. Each county's current vaccine phase is listed on the ADHS website, which is updated daily.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

* * * * *

Sinema Statement on the Presidential Inauguration

WASHINGTON - Arizona senior Senator Kyrsten Sinema released the following statement on the Inauguration of Joe Biden as the 46th President of the United States:

"Today's Inauguration marks a renewed commitment for our country to remain the shining light and model for democracy and peaceful transitions of power, where the people's voice is the law of land. Now is also the time to deliver on the needs of everyday Americans struggling with the health and economic consequences of the pandemic. President Biden and I do not agree on every issue, and I will always vote based on what's right for Arizona. I pledge to continue working across the aisle, seeking compromise instead of sowing division - because we are in this together. Regardless of who each of us voted

AMERICAN OVERSIGHT

for, Americans deserve a government that is worthy of us and working for us."

* * * * *

STATEMENT: U.S. Sen. Mark Kelly on the Inauguration of Joe Biden and Kamala Harris

Today, United States Senator Mark Kelly and his wife Gabrielle Giffords, former Arizona congresswoman, attended the 59th Inaugural Ceremony of President Joe Biden and Vice President Kamala Harris in Washington, D.C. Kelly offered the following statement following today's Inauguration:

"One of the hallmarks of our country is the peaceful transition of power from one administration to the next. Today, I was honored to take part in that sacred tradition. I want to congratulate President Joe Biden and Vice President Kamala Harris on this historic day for our nation.

"We now continue the work needed to heal and move our country forward. As Senator, I remain committed to working in a bipartisan manner to meet the needs of Arizonans who continue to struggle through this pandemic and economic crisis. I look forward to working with the Biden administration, as well as my Republican and Democratic colleagues, to rebuild our economy, effectively distribute the COVID-19 vaccine, invest in infrastructure, and create a more prosperous future for all Arizonans."

* * * * *

Rep. Kirkpatrick Reacts to Inauguration Ceremony

Welcomes In President Biden & Vice President Harris

(WASHINGTON, DC) -- Today, the Office of Rep. Kirkpatrick released the following statement after the swearing in of President Biden and Vice President Harris.

"Watching our new President and first ever woman Vice President take their oaths of office this morning brought me, and millions of Americans, feelings of joy, hope, and renewed faith in our democracy," **Rep. Kirkpatrick said.**

"There is no question that our country has been tested over the last four years, but our healing and hard work begins today. As we move forward, we need to focus on our collective mission: defeating this virus, getting families back to work and school, and ultimately, restoring the honor of our country, both at home and abroad.

"Now more than ever, let us follow the wise words of Inaugural Poet Amanda

AMERICAN OVERSIGHT

Gorman, and be brave enough to both '*see* and *be* the light.' With a new White House at the helm, anything is possible if we put our minds and hearts to work. I am looking forward to developing a close working relationship with the new administration, and devoting our service together to building back better, and stronger, than ever."

* * * * *

Congressman Schweikert Releases Statement Following 59th Inauguration Ceremony

WASHINGTON, DC - Congressman David Schweikert released the following statement after the 59th Inaugural Ceremony for the incoming Biden-Harris Administration.

"Congratulations to President Biden and Vice President Harris. I look forward to the 117th Congress getting to work on behalf of the millions of Americans we represent, many still facing extreme hardships due to the last year of unprecedented challenges. The American people sent a stronger Republican minority to Congress, showing they want the House to be focused on solving problems together as a body. We must recognize how we can build upon the success created by the previous Administration, where pro-growth policies have proven to benefit our economy, reducing unemployment, increasing wages, and creating job growth. I look forward to working with my Democratic colleagues in the House, Senate, and Administration to advance policy to secure a strong and prosperous future for all Americans."

* * * * *

Align Technology Establishes New Global Corporate Headquarters In Tempe, Arizona

Align Technology, Inc. (Nasdaq: ALGN) today announced that it established its new global corporate headquarters in Tempe, Arizona, effective January 1, 2021. The company's San Jose campus remains the hub for its global innovation, product, and marketing organization and will become home to its new Digital Innovation Center, currently under construction. As part of the new corporate headquarters move, Align Technology President and CEO Joe Hogan, CFO and Senior Vice President, Global Finance John Morici, Senior Vice President, Chief Legal and Regulatory Officer Julie Coletti, and Senior Vice President, Global HR Stuart Hockridge have relocated their offices to Tempe. Approximately 150 employees, mostly in corporate general and administrative (G&A) roles, have been offered relocation packages. These employees have the option to relocate to Tempe or to continue working from

AMERICAN OVERSIGHT

their current locations. Relocation is not required and there are no layoffs associated with this move.
Align CEO Joe Hogan commented on the company's new global corporate headquarters, "Innovation is the heart of Align and core to who we are as an organization. As leaders in digital orthodontics and dentistry, we must continue to invest in new products and technology that benefit our doctor customers and their patients. This change will afford many new opportunities for Align to expand its industry-leading digital capabilities through innovation in San Jose while achieving greater, long-term operating efficiencies in Arizona. Our employees are key to our continued success, and throughout this change we remain committed to supporting all employees, whether they decide to relocate or remain in their current locations. We chose Tempe for our new corporate headquarters for many reasons, including its proximity to San Jose, favorable corporate operating environment, low cost of living, and overall quality of life."

"Arizona is proud to welcome Align Technology's corporate headquarters to our state," said Governor Doug Ducey. "Today's announcement is a testament to our unmatched business climate, top-notch talent and unbeatable quality of life. We thank Align for the jobs the company will create for our citizens, and for choosing Arizona as its new home."

"We're thrilled to welcome Align Technology to Arizona -- the latest industry leader to be drawn to our state's business-friendly, pro-innovation environment," said Sandra Watson, President & CEO of the Arizona Commerce Authority. "We're grateful for this investment in Arizona, which will create more than a hundred new jobs for our residents, and we thank Align for its commitment to our state."

"Tempe is proud to welcome the Align Technology corporate headquarters and its 150 jobs to our tech-based business community," said Tempe Mayor Corey Woods. "The move of this company from San Jose to Tempe – especially in the midst of a pandemic – demonstrates Tempe's continued strength as a hub for medical device technology. We look forward to working with Align and celebrating their success in our community."

"Align Technology establishing its global corporate headquarters in Greater Phoenix further solidifies the region's standing as a premier market with the workforce availability, collaborative spirit and modern infrastructure to support innovative, high-growth companies," said Chris Camacho, president & CEO of the Greater Phoenix Economic Council. "We're excited to welcome Align to Tempe and the creation of high-quality jobs at a critical time."

Align's new corporate headquarters address is located in the Watermark Tempe: 410 North Scottsdale Road, Suite 1300, Tempe, Arizona

AMERICAN OVERSIGHT

85281 https://go.azcommerce.com/e/629661/--/y2s85/343422022?h=KpH6UzJ75opjxXmPcacmkqZPrrn_iX8JhoP3smjRF2Q.

* * * * *

Statement from Senate President Fann on agreement with Maricopa County Board of Supervisors

"I am pleased to announce that after a hard-fought battle to seek information on behalf of Arizona voters regarding the integrity of the 2020 election, we have reached a favorable agreement with the Maricopa County Board of Supervisors. Not only has the Board agreed to turn over all the relevant information we sought in our subpoenas so that we may perform an audit, but they also acknowledge that the Legislature is a sovereign power of the state and that the county is a political subdivision, and as such, the Legislature has the constitutional and statutory authority to issue subpoenas. Chairman Jack Sellers was instrumental in facilitating this agreement and I appreciate his efforts. I look forward to continuing our work to restore integrity and faith in our election process."

* * * * *

Governor Ducey Includes $2 Million In Executive Budget For Arizona Commission On The Arts

PHOENIX, Ariz. (Jan. 20, 2021): Arizona Citizens for the Arts Executive Director Joseph Benesh lauded Arizona Governor Doug Ducey's inclusion of a $2 million allocation in his 2022 executive budget for the Arizona Commission on the Arts.

The one-time appropriation from the General Fund, announced this week as part of his $12.6 billion spending plan for the fiscal year that begins July 1, will enable the Commission to offer grants to nonprofit arts and culture organizations throughout the state.

"This is a great first step of many to support arts and culture in Arizona as we work together to climb out of the impact of the coronavirus pandemic and re-energize the community that brings so much joy to so many people," Benesh said. "We believe that state funding in support of Arizona's amazing arts and culture sector is critical as the Legislature and the Governor begin their annual budget negotiations."

Benesh added that arts advocates across the state will "continue our efforts to increase the allocation to the $5 million that the Commission submitted in their budget request to put us closer to pre-recession levels."

AMERICAN OVERSIGHT

For more information, visit www.azcitizensforthearts.org.

more prosperous future for all Arizonans."

NEWS CLIPS

Recreational marijuana could be available within days

By Howard Fischer Capitol Media Services 01-20-21

Arizona adults could be purchasing legal weed for recreational use by the end of the week.

State health officials began accepting applications Tuesday to run some of the more than 120 recreational sites that voters agreed to allow in November to sell marijuana to anyone. (To read more, click here).

* * * * *

Army Corps reverses pledge to consult with tribes over Rosemont Mine authority

By Tony Davis Arizona Daily Star 01-20-21

The U.S. Army Corps of Engineers has pulled back from a previous pledge to consult with three Arizona tribes before deciding whether to abandon its authority over the Rosemont Mine site southeast of Tucson.

The decision could lead to removal of a significant legal hurdle for the proposed mine. (To read more, click here).

* * * * *

Vaccine roll out for Tucson educators off to slow and confusing start

By Danyelle Khmara Arizona Daily Star 01-20-21

School staff are starting to get vaccinated against COVID-19 in Tucson, but the roll out is off to a slow and confusing start.

Last week, the Pima County Health Department said more than 2,200 K-12 school staff would be getting vaccinated this week at the new University of Arizona super site. But on Tuesday, the UA sent out a press release saying

AMERICAN OVERSIGHT

that number would actually be around only 650. And school districts don't seem to be getting the same information from the county health department. (To read more, click here).

* * * * *

Predicted Arizona dry year could impact trees, cause fires

By Staff Associated Press 01-20-21

Experts have predicted another dry year for Arizona following 2020, when the driest year on record stressed forests across the state's northern region.

The dry conditions could have significant impacts on the health of trees and increase wildfire danger, Arizona Daily Sun reported Saturday. (To read more, click here).

* * * * *

Kelli Ward Gets Cease-and-Desist Letter Over Election Tech Fraud Claims

By Josh Kelety Phoenix New Times 01-20-21

Kelli Ward, the chairwoman of the Arizona Republican Party, has received a cease-and-desist letter from attorneys representing Dominion Voting Systems over her claims that the company's voting technology was rigged.

Ward and over 100 other people were sent "cease-and-desist notices and warnings to preserve documents" related to claims that Dominion's technology was biased against President Donald Trump, according to the Washington Post , which broke the story on Monday. MyPillow chief executive Mike Lindell, who recently visited Trump at the White House, also received a warning of "imminent" legal action and a demand to make a "public apology." (To read more, click here).

* * * * *

Gov. Doug Ducey has boosted education funding. But his budget ideas need a lot of work

By Robert Robb Arizona Republic 01-20-21

AMERICAN OVERSIGHT

The most distorted discussion in Arizona politics has to be about Gov. Doug Ducey and K-12 education funding.

When Ducey was first elected governor, state revenues were still in the basement and the temporary 1% sales tax voters approved had expired. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, January 20, 2021 3:39:28 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 1-20-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *January 20, 2021*

"PLUS ONE" SOUNDS MUCH BETTER THAN "CUTTING IN LINE"
Although un-advertised, Dept of Health Services allows people to receive Covid vaccines if they are in the same car as someone who has an appointment at State Farm Stadium.

IF YOU WANT A VACCINE, YOU GOTTA WORK FOR IT
The state still lags behind in inoculations even after opening up the opportunity for more Arizonans to receive the vaccine in Phase 1B.

AMERICAN OVERSIGHT

THE DOJ AND FBI HAVE BIGGER FISH TO FRY

Commissioner Sandra Kennedy wants the FBI and Dept of Justice to investigate her colleague, Commissioner Justin Olson, to see if he had any direct involvement in the Jan 6 riot in DC.

UHHHH, I DON'T THINK YOU UNDERSTAND HOW MEDIA WORKS

Fillmore, Finchem and Biasucci yesterday called on Brnovich to open an antitrust investigation into Facebook, Twitter and other social media giants, alleging they are monopolies that harvest users' data for profit and suppress conservative opinions.

IF THEY ALREADY GOT COVID, THEY PROBABLY DON'T CARE

After at least two House staffers tested positive for Covid, rumors are flying around the Capitol that more staffers or lawmakers are sick. House GOP spokesman Andrew Wilder told our reporter that he is bracing for more questions about the ...

THEY'RE AGREEING TO DISAGREE ON THAT

Fann announced today that she has reached an agreement with the Maricopa County Board of Supervisors to inspect election equipment and perform an audit, but the county disagreed.

IT'S A PROMOTION TO A *HIGHER* POSITION

Maricopa County attorney candidate Julie Gunnigle announced on Twitter yesterday she will be joining NORML Arizona as its director of politics and civic engagement. "I'm thrilled to work with this incredible

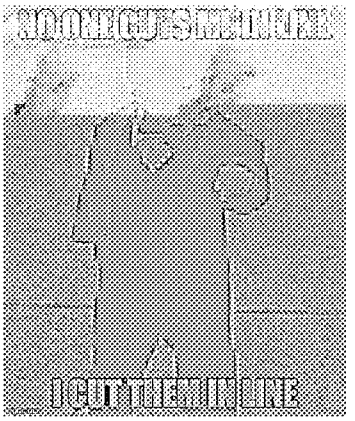
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, January 20, 2021

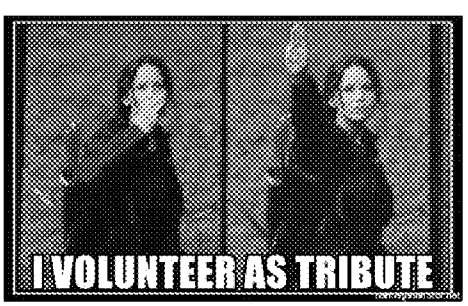
·NEWS NOTES AND GOSSIP·

"PLUS ONE" SOUNDS MUCH BETTER THAN "CUTTING IN LINE"



Although un-advertised, Dept of Health Services allows people to receive Covid vaccines if they are in the same car as someone who has an appointment at State Farm Stadium. DHS said it's not a nefarious plot for people to jump the line, but rather a way to prevent vaccines from potentially going to waste. DHS spokesman Steve Elliott told our reporter several factors make the "plus one program" possible. "On occasion, the registration lead for the site will make the clinical decision to offer a vaccine to a person in a vehicle in addition to the patient with an appointment," Elliott said. "It depends in part on the ready-to-go vaccine supply at that moment – it is a national best practice to provide doses to patients rather than risk them expiring in the limited time they can be used after thawing." He added some people scheduled to get the vaccine don't show up at the site, freeing up a dose. "The clinical decision also can include whether the additional person is a caretaker, in a vulnerable group, etc," he said. Elliott did not respond to further questions on how many vaccines were administered this way or if any vaccines have gone to waste in Arizona, as they have in other states. He confirmed it's also possible to receive the vaccine earlier than a scheduled appointment if with another person whose appointment is during that time. "In that case, they might both be offered a dose at the same time so they don't have to come back the next day," he said. "(But) because we can only guarantee vaccine availability for patients with an appointment, we do not recommend bringing additional individuals with the expectation they will get vaccinated."

IF YOU WANT A VACCINE, YOU GOTTA WORK FOR IT



The state still lags behind in inoculations even after opening up the opportunity for more Arizonans to receive the vaccine in Phase 1B. Arizona administered about 36 percent of available doses so far and just crossed the 300,000th dose. Appointments for February booked up in about 12 hours yesterday at both State Farm Stadium and Phoenix Municipal Stadium (which will begin offering vaccines on Feb 1). DHS reported roughly 150,000 people scheduled appointments. The registration site is still having issues, and the state has yet to publish a full vaccine dashboard despite the Ninth Floor promising to have one ASAP more than two weeks ago and several long-term care facilities have not begun administering vaccines to elderly who have qualified since Day One. The "plus one program" is not the only unadvertised way to receive the vaccine earlier than expected, though. Arizona State University and Blue Cross Blue Shield of Arizona, which are coordinating volunteers at State Farm Stadium, will allow all volunteers – clinical or otherwise – to receive a vaccine at the end of their eight-hour shift, even if they are not technically eligible in the current phase. "They are receiving vaccines so they can continue to care for the community," Elliott said, adding it's a way for the state vaccine center to attract as many workers as possible to help ensure that things run smoothly. Elliott did not respond to further questions about if volunteers must have certain qualifications or if it is open to everyone.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000765

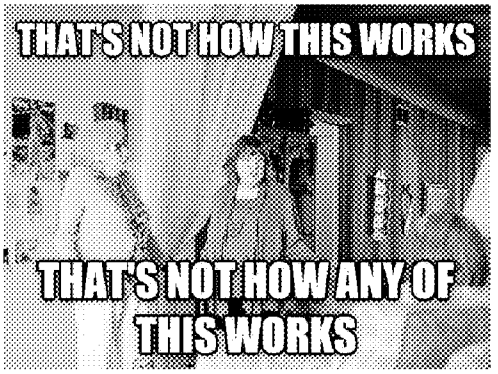
ARZN_REV00068611_1-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE DOJ AND FBI HAVE BIGGER FISH TO FRY

Commissioner Sandra Kennedy wants the FBI and Dept of Justice to investigate her colleague, Commissioner Justin Olson, to see if he had any direct involvement in the Jan 6 riot in DC. In a press release sent late last night, Kennedy requested the two federal agencies to look into Olson and Turning Point USA, and its affiliates. Olson serves as the CFO of Turning Point USA whose political action committee, Turning Point Action, was a sponsor of the Jan 6 rally and sent seven buses with 350 students on each (LINK). *Reuters* quoted a Turning Point spokesman as saying the group didn't organize the event but became a sponsor after Christmas upon the request of Women for America First. *Reuters* also reported the group as saying it "condemns political violence." "After the events of January 6, Turning Point USA's 501(c)(3)'s status as a charitable entity should be fully investigated, along with its financial and other relationships with Turning Point Action and any other affiliates including the now defunct Students for Trump," Kennedy wrote. She added that Arizonans deserve to know what involvement, if any, the group and Olson had in attempting to overturn the 2020 election results. "The fact that sitting Corporation Commissioner Justin Olson, who has sworn to uphold the Constitution and protect the people of Arizona and the United States, is the CFO of this organization is incredibly troubling. I call upon Commissioner Olson to cooperate fully with any federal and state investigation." Olson previously deflected any involvement by saying he is only involved with TPUSA and not the PAC Turning Point Action and that he condemns violence of any kind. Even though his name is not attached to the PAC, it provides funding for TPUSA, for which he is the chief financial officer. Kennedy and Olson already do not have a great working relationship, usually coming at a cross for voting on Commission business. Kennedy voted for Lea Marquez Peterson as the Corp Comm chair, a position Olson also vied for.

UHHHH, I DON'T THINK YOU UNDERSTAND HOW MEDIA WORKS



Fillmore, Finchem and Biasucci yesterday called on Brnovich to open an antitrust investigation into Facebook, Twitter and other social media giants, alleging they are monopolies that harvest users' data for profit and suppress conservative opinions. "Most alarming is how these monopolies have taken action against a certain segment of society with an array of dissenting opinions, appearing to act in a coordinated manner to de-platform, delete, shadow ban, and restrict platform speech of users from their publicly available offering," Finchem said in a news release. "Such actions are outrageous and should not be permitted in a free society." Finchem also introduced H2180 (online content; publishers; liability; fee), which seeks to penalize social media companies that censor content for political reasons. "When the media outlets have free reign to exclude an entire segment of society by abridging their voice in the public square, we no longer have a free society, but have entered a new era where citizens of this nation are told in not so many words, 'Sit down and shut up,'" Fillmore said. Brnovich spokeswoman Katie Conner said the office is aware of the request but could not confirm or deny any specific investigation and had no further comment on it. That said, Conner pointed to several instances where Brnovich "has served as a leader amongst attorneys general in holding Big Tech accountable, having already initiated action against several tech giants." Arizona is already co-leading an antitrust lawsuit against Google and is part of one against Facebook involving 48 states. Brnovich was the first AG to file a consumer fraud suit against Google.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF THEY ALREADY GOT COVID, THEY PROBABLY DON'T CARE

After at least two House staffers tested positive for Covid, rumors are flying around the Capitol that more staffers or lawmakers are sick. House GOP spokesman Andrew Wilder told our reporter that he is bracing for more questions about the representatives who were absent from the floor yesterday. The House didn't have a quorum after Dems decided to not show up over security concerns and a few Republicans were absent, although officially none of those absences was related to Covid. On the Senate side, Shope was excused yesterday and told our reporter he was isolating while waiting on test results, which came back negative early this afternoon. Democrats attending yesterday's House Education meeting said the committee should, as some others have done, take remote testimony due to the danger of Covid and criticized some Republicans for being lax about mask use. Democrats noted that one of Fillmore's aides tested positive for Covid and questioned why he isn't quarantining for two weeks, noting the US Centers for Disease Control and Prevention' guidelines. "We do have people who are concerned for their safety both physical safety and health safety who want to testify on these bills but are unable due to our current circumstances," Teran said. Kavanagh said Fillmore's potential exposure had been seven days ago and that House rules only require a member to quarantine for five days.

THEY'RE AGREEING TO DISAGREE ON THAT

Fann announced today that she has reached an agreement with the Maricopa County Board of Supervisors to inspect election equipment and perform an audit, but the county disagreed. Fann said the board agreed to turn over all the materials the Senate subpoenaed and conceded that the Legislature holds the authority to issue subpoenas, but Board Chairman Jack Sellers put out a statement later in the day saying they were "working toward" an agreement that would deliver some of the requested documents while protecting voter privacy and the integrity of voting equipment. Even once the two sides reach an agreement, the Legislature's additional audit is not likely to materially change anything about the election, though some Arizona voters and lawmakers remain convinced it will turn up damning information that several failed lawsuits over election results did not.

IT'S A PROMOTION TO A *HIGHER* POSITION

Maricopa County attorney candidate Julie Gunnigle announced on Twitter yesterday she will be joining NORML Arizona as its director of politics and civic engagement. "I'm thrilled to work with this incredible board to protect patients, end the harmful and racially disparate impacts of marijuana prohibition, and continue the work of Mikel Weisser," she wrote. Weisser, whose work had a lasting impact on the marijuana industry in Arizona, died last year. Gunnigle ran a tight race, but ultimately lost to Allister Adel in November. Gunnigle told our reporter she already has her sights set on Kavanagh's H2084 (DUI; marijuana; impairment), which aims to add a DUI factor to marijuana now that recreational marijuana is legal in the state. "That bill needs to die," she said.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Recreational marijuana could be available within days
Capitol Media Services
Arizona adults could be purchasing legal weed for recreational use by the end of the week.

Army Corps reverses pledge to consult with tribes over Rosemont Mine authority
Arizona Daily Star
The U.S. Army Corps of Engineers has pulled back from a previous pledge to consult with three Arizona tribes before deciding whether to abandon its authority over the Rosemont Mine site southeast of Tucson.

Vaccine roll out for Tucson educators off to slow and confusing start
Arizona Daily Star
Pima County Health Department hopes to be up to speed in a couple days

Predicted Arizona dry year could impact trees, cause fires
Associated Press
Experts have predicted another dry year for Arizona following 2020, when the driest year on record stressed forests across the state's northern region.

Biasiucci pushes AG to investigate Twitter, Facebook, Amazon
Today's News-Herald
State Rep. Leo Biasiucci joined fellow legislators Mark Finchem and John Fillmore in calling on the Arizona Attorney General's office to open an antitrust investigation into technology companies such as Amazon, Facebook and Twitter.

Kelli Ward Gets Cease-and-Desist Letter Over Election Tech Fraud Claims
Phoenix New Times
Kelli Ward, the chairwoman of the Arizona Republican Party, has received a cease-and-desist letter from attorneys representing Dominion Voting Systems over her claims that the company's voting technology was rigged.

Tucson Diocese being sued for racketeering over alleged sex abuse
Arizona Mirror
A federal lawsuit accuses the Tucson Diocese and Los Angeles Diocese of violating Arizona's racketeering laws by burying allegations that some priests sexually abused children and moving those priests from parish to parish instead of turning them over to law enforcement.

Republican lawmakers apparently don't even want Republicans to vote
Arizona Republic (Opinion, EJ Montini)
If you can't win with your ideas, you try to eliminate those who voted against you, even if it costs you some of your own.

Dominion should sue Kelli Ward for defamation. Let her put her money where her big mouth is
Arizona Republic (Opinion, Laurie Roberts)
Arizona Republican Party Chairwoman Kelli Ward has spent two months peddling the lie that America's election was stolen. There should be a penalty for that.

Gov. Doug Ducey has boosted education funding. But his budget ideas need a lot of work
Arizona Republic (Opinion, Robert Robb)
Ducey's track record on education funding is better than he is given credit for. But some of his recent ideas need considerable work.

Pay attention to that moment when Kamala Harris and Sonia Sotomayor make history
Arizona Republic (Opinion, Elvia Diaz)
It'll be a ray of hope for women and people of color when Sonia Sotomayor, the first Latina Supreme Court justice, swears in Kamala Harris as vice president.

Arizona Reps. Paul Gosar and Andy Biggs asked Trump for a pardon? Just resign now
Arizona Republic (Opinion, Elvia Diaz)

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Republican Reps. Paul Gosar and Andy Biggs asked Trump for a pardon? But wait - didn't they say they did nothing wrong?

Arizona Reps. Paul Gosar and Andy Biggs asked Trump for a pardon? Just resign now
Arizona Republic (Opinion, Elvia Diaz)
Arizona Republican Reps. Paul Gosar and Andy Biggs asked Trump for a pardon? But wait - didn't they say they did nothing wrong?

Black women should be there for Biden-Harris inauguration. It's Trump's fault they aren't
Arizona Republic (Opinion, Greg Moore)
COVID-19 and riot concerns make it unsafe for Black women to gather in D.C. for Joe Biden's and Kamala Harris's inauguration. That's too bad.

The solution to homelessness is not to simply boot all homeless from public spaces
Arizona Republic (Op-ed, Ricardo Millhouse)
Phoenix has an opportunity to transform its public areas to be more accommodating to unsheltered people, both in design and their access and use.

Pro-Trump 'real Americans' now must acknowledge anti-Trump America
Arizona Daily Star (Opinion, Tim Steller)
On Joe Biden and Kamala Harris' inauguration day, it's the Trump supporters' turn to accept there is another "real America" out there

TODAY'S PRESS RELEASES

Arizona passes 300,000 mark in COVID-19 vaccine doses administered

State vaccination site in Glendale helps boost numbers, with another state site coming Feb. 1

PHOENIX – Almost 320,000 doses of COVID-19 vaccine have been administered in Arizona, reflecting strong momentum over the past week in getting more vaccine into the community.

"Vaccine distribution is accelerating in Arizona, especially with the addition of the State Farm Stadium vaccination site. Late last week, we celebrated passing 200,000 doses administered and now we've surpassed 300,000," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "Arizona has been working to get these vaccines out of cold storage and into the arms of prioritized individuals."

To date, Arizona has administered 319,984 to 270,127 individuals, including 44,004 who have received both doses. About 46,000 doses have been administered through this morning at the state's first 24/7 vaccination site since it opened on Monday, Jan. 11. The State Farm Stadium vaccination site is operated by ADHS and partners, including the Arizona Department of Emergency and Military Affairs, Arizona Cardinals, Arizona State University, Walgreens, Blue Cross Blue Shield of Arizona, the Ben and Catherine Ivy Foundation, American Medical Response (AMR), and the Arizona Department of Public Safety.

Nearly 150,000 appointments available in February for first doses have been booked at the two state-run COVID-19 vaccination sites, including one opening Feb. 1 at Phoenix Municipal Stadium. In addition to the appointments made yesterday, ADHS has reserved February appointments for those who receive their first doses of the Pfizer vaccine at State Farm Stadium. Those individuals will receive emailed invitations to register for this reserved block of second dose appointments.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A): and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). As of Tuesday, an estimated 750,000 additional Arizonans 65 and older became eligible to register for a vaccination appointment. Each county's current vaccine phase is listed on the ADHS website, which is updated daily.

Over the past week, Governor Ducey and ADHS announced more ways that Arizona is dramatically expanding vaccine site capacity:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- ADHS will launch a new additional state vaccine site at Phoenix Municipal Stadium, near Tempe, on Feb. 1 to further expand appointment availability. Registration for appointments at this new location began yesterday. All February appointments are now booked.
- The State Farm Stadium site will continue to operate at full capacity through February providing the Pfizer vaccine. Registration opened yesterday for appointments beginning Feb. 1. All February appointments are now booked.
- County health departments across the state are also working to expand appointment availability at their sites.
- Arizona has activated the Centers for Disease Control and Prevention's (CDC) Retail Pharmacy Program which will add up to 100 pharmacy stores providing vaccine over the next few weeks. When the program is fully activated, more than 800 pharmacies will have COVID-19 vaccine available in Arizona.
- There are over 200 vaccination sites statewide that have received vaccine, including 45 Community Health Centers.

As Arizona receives more vaccine doses and adds more appointments, those in groups prioritized for vaccination can register for appointments at State Farm Stadium and multiple other vaccination sites at podvaccine.azdhs.gov. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. **Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group, such as someone 75 and older.**
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Nearly 150,000 February appointments booked at two state COVID-19 vaccination sites

Facilities will offer additional appointments as federal partners increase Arizona's allocation
PHOENIX – More than 5,200 Arizonans will receive their first doses of the COVID-19 vaccine every day next month at State Farm Stadium and Phoenix Municipal Stadium.
"The nearly 150,000 appointments available in February for first doses have been booked at the two state-run COVID-19 vaccination sites," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "It's clear from this response that there is great demand for COVID-19 vaccine, and that's great news for Arizona," "The only limitation to how much we can expand our capacity is the number of doses our federal partners make available to Arizona," Dr. Christ continued. "When more vaccine is available, we will further ramp up our efforts and provide more appointments at the state's two vaccination sites."
In addition to the appointments made today, ADHS has reserved February appointments for those who receive their first doses of the Pfizer vaccine at State Farm Stadium. Those individuals will receive emailed invitations to register for this reserved block of second dose appointments.
Since Monday, Jan. 11, more than 40,000 Arizonans have been vaccinated at the 24/7 State Farm Stadium site. The state will open a second vaccination site on Feb. 1 at Phoenix Municipal Stadium, with appointments available during daytime hours.
Across the state, more than 297,000 doses of the COVID-19 vaccine have been administered so far to 255,275 Arizonans, including 36,375 who have received both doses.
Governor Ducey and ADHS have taken other steps over the past week to dramatically expand vaccination capacity:
County health departments across the state are also working to expand appointment availability at their sites.
Arizona has activated the Centers for Disease Control and Prevention's (CDC) Retail Pharmacy Program which will add up to 100 pharmacy stores providing vaccine over the next few weeks. When the program is fully activated, more than 800 pharmacies will have COVID-19 vaccine available in Arizona.
There are over 200 vaccination sites statewide that have received vaccine, including 45 Community Health Centers.
Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A): and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). As of Tuesday, Jan. 19, an estimated 750,000 additional Arizonans 65 and older became eligible to register for a vaccination appointment. Each county's current vaccine phase is listed on the ADHS website, which is updated daily.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Sinema Statement on the Presidential Inauguration

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WASHINGTON - Arizona senior Senator Kyrsten Sinema released the following statement on the Inauguration of Joe Biden as the 46th President of the United States:
"Today's Inauguration marks a renewed commitment for our country to remain the shining light and model for democracy and peaceful transitions of power, where the people's voice is the law of land. Now is also the time to deliver on the needs of everyday Americans struggling with the health and economic consequences of the pandemic. President Biden and I do not agree on every issue, and I will always vote based on what's right for Arizona. I pledge to continue working across the aisle, seeking compromise instead of sowing division - because we are in this together. Regardless of who each of us voted for, Americans deserve a government that is worthy of us and working for us."

STATEMENT: U.S. Sen. Mark Kelly on the Inauguration of Joe Biden and Kamala Harris

Today, United States Senator Mark Kelly and his wife Gabrielle Giffords, former Arizona congresswoman, attended the 59th Inaugural Ceremony of President Joe Biden and Vice President Kamala Harris in Washington, D.C. Kelly offered the following statement following today's Inauguration:
"One of the hallmarks of our country is the peaceful transition of power from one administration to the next. Today, I was honored to take part in that sacred tradition. I want to congratulate President Joe Biden and Vice President Kamala Harris on this historic day for our nation.
"We now continue the work needed to heal and move our country forward. As Senator, I remain committed to working in a bipartisan manner to meet the needs of Arizonans who continue to struggle through this pandemic and economic crisis. I look forward to working with the Biden administration, as well as my Republican and Democratic colleagues, to rebuild our economy, effectively distribute the COVID-19 vaccine, invest in infrastructure, and and create a more prosperous future for all Arizonans."

Rep. Kirkpatrick Reacts to Inauguration Ceremony

Welcomes In President Biden & Vice President Harris

(WASHINGTON, DC) -- Today, the Office of Rep. Kirkpatrick released the following statement after the swearing in of President Biden and Vice President Harris.
"Watching our new President and first ever woman Vice President take their oaths of office this morning brought me, and millions of Americans, feelings of joy, hope, and renewed faith in our democracy," **Rep. Kirkpatrick said.**
"There is no question that our country has been tested over the last four years, but our healing and hard work begins today. As we move forward, we need to focus on our collective mission: defeating this virus, getting families back to work and school, and ultimately, restoring the honor of our country, both at home and abroad.
"Now more than ever, let us follow the wise words of Inaugural Poet Amanda Gorman, and be brave enough to both '*see* and *be* the light.' With a new White House at the helm, anything is possible if we put our minds and hearts to work. I am looking forward to developing a close working relationship with the new administration, and devoting our service together to building back better, and stronger, than ever."

Congressman Schweikert Releases Statement Following 59th Inauguration Ceremony

WASHINGTON, DC - Congressman David Schweikert released the following statement after the 59th Inaugural Ceremony for the incoming Biden-Harris Administration.
"Congratulations to President Biden and Vice President Harris. I look forward to the 117th Congress getting to work on behalf of the millions of Americans we represent, many still facing extreme hardships due to the last year of unprecedented challenges. The American people sent a stronger Republican minority to Congress, showing they want the House to be focused on solving problems together as a body. We must recognize how we can build upon the success created by the previous Administration, where pro-growth policies have proven to benefit our economy, reducing unemployment, increasing wages, and creating job growth. I look forward to working with my Democratic colleagues in the House, Senate, and Administration to advance policy to secure a strong and prosperous future for all Americans."

Align Technology Establishes New Global Corporate Headquarters In Tempe, Arizona

Align Technology, Inc. (Nasdaq: ALGN) today announced that it established its new global corporate headquarters in Tempe, Arizona, effective January 1, 2021. The company's San Jose campus remains the hub for its global

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

innovation, product, and marketing organization and will become home to its new Digital Innovation Center, currently under construction. As part of the new corporate headquarters move, Align Technology President and CEO Joe Hogan, CFO and Senior Vice President, Global Finance John Morici, Senior Vice President, Chief Legal and Regulatory Officer Julie Coletti, and Senior Vice President, Global HR Stuart Hockridge have relocated their offices to Tempe. Approximately 150 employees, mostly in corporate general and administrative (G&A) roles, have been offered relocation packages. These employees have the option to relocate to Tempe or to continue working from their current locations. Relocation is not required and there are no layoffs associated with this move.

Align CEO Joe Hogan commented on the company's new global corporate headquarters, "Innovation is the heart of Align and core to who we are as an organization. As leaders in digital orthodontics and dentistry, we must continue to invest in new products and technology that benefit our doctor customers and their patients. This change will afford many new opportunities for Align to expand its industry-leading digital capabilities through innovation in San Jose while achieving greater, long-term operating efficiencies in Arizona. Our employees are key to our continued success, and throughout this change we remain committed to supporting all employees, whether they decide to relocate or remain in their current locations. We chose Tempe for our new corporate headquarters for many reasons, including its proximity to San Jose, favorable corporate operating environment, low cost of living, and overall quality of life."

"Arizona is proud to welcome Align Technology's corporate headquarters to our state," said Governor Doug Ducey. "Today's announcement is a testament to our unmatched business climate, top-notch talent and unbeatable quality of life. We thank Align for the jobs the company will create for our citizens, and for choosing Arizona as its new home."

"We're thrilled to welcome Align Technology to Arizona -- the latest industry leader to be drawn to our state's business-friendly, pro-innovation environment," said Sandra Watson, President & CEO of the Arizona Commerce Authority. "We're grateful for this investment in Arizona, which will create more than a hundred new jobs for our residents, and we thank Align for its commitment to our state."

"Tempe is proud to welcome the Align Technology corporate headquarters and its 150 jobs to our tech-based business community," said Tempe Mayor Corey Woods. "The move of this company from San Jose to Tempe – especially in the midst of a pandemic – demonstrates Tempe's continued strength as a hub for medical device technology. We look forward to working with Align and celebrating their success in our community."

"Align Technology establishing its global corporate headquarters in Greater Phoenix further solidifies the region's standing as a premier market with the workforce availability, collaborative spirit and modern infrastructure to support innovative, high-growth companies," said Chris Camacho, president & CEO of the Greater Phoenix Economic Council. "We're excited to welcome Align to Tempe and the creation of high-quality jobs at a critical time."

Align's new corporate headquarters address is located in the Watermark Tempe: 410 North Scottsdale Road, Suite 1300, Tempe, Arizona 85281 https://go.azcommerce.com/e/629661/--/y2s85/343422022?h=KpH6UzJ75opjxXmPcacmkqZPrrn_jX8JhoP3smjRF2Q.

Statement from Senate President Fann on agreement with Maricopa County Board of Supervisors

"I am pleased to announce that after a hard-fought battle to seek information on behalf of Arizona voters regarding the integrity of the 2020 election, we have reached a favorable agreement with the Maricopa County Board of Supervisors. Not only has the Board agreed to turn over all the relevant information we sought in our subpoenas so that we may perform an audit, but they also acknowledge that the Legislature is a sovereign power of the state and that the county is a political subdivision, and as such, the Legislature has the constitutional and statutory authority to issue subpoenas. Chairman Jack Sellers was instrumental in facilitating this agreement and I appreciate his efforts. I look forward to continuing our work to restore integrity and faith in our election process."

Governor Ducey Includes $2 Million In Executive Budget For Arizona Commission On The Arts

PHOENIX, Ariz. (Jan. 20, 2021): Arizona Citizens for the Arts Executive Director Joseph Benesh lauded Arizona Governor Doug Ducey's inclusion of a $2 million allocation in his 2022 executive budget for the Arizona Commission on the Arts.

The one-time appropriation from the General Fund, announced this week as part of his $12.6 billion spending plan for the fiscal year that begins July 1, will enable the Commission to offer grants to nonprofit arts and culture organizations throughout the state.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"This is a great first step of many to support arts and culture in Arizona as we work together to climb out of the impact of the coronavirus pandemic and re-energize the community that brings so much joy to so many people," Benesh said. "We believe that state funding in support of Arizona's amazing arts and culture sector is critical as the Legislature and the Governor begin their annual budget negotiations."
Benesh added that arts advocates across the state will "continue our efforts to increase the allocation to the $5 million that the Commission submitted in their budget request to put us closer to pre-recession levels."
For more information, visit www.azcitizensforthearts.org.
more prosperous future for all Arizonans."

Terrazas Returns to Willetta Partners

The newest member of the Willetta Partners, Inc (WPI) team is a familiar face. Angélica Terrazas, is returning to the firm where she got her start in politics more than six years ago. Terrazas will be deployed across a wide variety of the firm's clients in both a support and lead role.
"Angélica did a terrific job for us when we hired her six years ago," said WPI Partner Brian Tassinari. 'We are looking forward to working with her again. She has hit the ground running and we have every confidence she will be an important part of our firm for many years to come."
Willetta Partners, Inc is a full service government relations firm with almost 40 clients ranging from pharmaceutical and construction to professional associations and technology. The firm was founded in 2013 by Tom Farley, Mike Haener and Brian Tassinari.

New opioid treatment facility highlights 'forgotten epidemic'

Community Medical Services Clinic Expanding Access to Treatment in Arizona
Phoenix, Ariz.– Community Medical Services (CMS) is pleased to announce the opening of a new 24-hour opioid treatment facility in Phoenix, as new CDC data recorded 81,230 fatal drug deaths in a 12-month period through May 2020, a new record.
The CMS facility will open its doors 24 hours per day, 7 days per week, and provide all 3 FDA-approved medications for opioid addiction treatment. CMS is the first Opioid Treatment Program (OTP) agency in the country to open 24/7 Opioid Treatment on Demand centers (OTOD).
"There is a consensus in the healthcare space that we have lost significant ground in the fight against the opioid crisis as any healthcare system is not equipped to fight two wars on two separate fronts," CMS CEO Nick Stavros said. "Now, more importantly than ever before, we must step up the fight against the drug epidemic that has ravaged our country for decades. And that means expanding access to treatment to those who are suffering from addictions to opioids and other illicit substances."
The Phoenix clinic will operate a full-time staff of nurses, medical providers, and counselors around the clock. The clinic will also conduct outreach to local hospitals, harm reduction agencies, justice system and correctional health entities, and crisis system partners to help navigate people into treatment.
"We understand that when those suffering from an opioid use disorder make the decision to seek treatment, time is of the essence," Stavros said. "They might change their mind within a matter of hours, so it is absolutely imperative that we give them access to treatment at any given time. We are proud to participate in this opportunity to give new treatment options to people who may badly need it."

Easing the health care burden in Arizona

CMS has stayed true to its mission of expanding access to care. The new location in Phoenix brings CMS' total number of clinics to 44 and CMS is currently opening an additional five clinics throughout the country. The new facilities have been planned to address critical needs statewide health care systems.
According to government figures, every $1 spent on Medication-Assisted Treatment (MAT) results in $4-$7 in societal savings due to decreased crime rates and justice system costs and up to $12 in societal costs when health care costs are included in the equation. "Emergency Departments are expending high costs as a result of the lack of treatment options during off-peak hours," CMS' Director of Medical Operations Jenn Mason said. "This center will hopefully offset many of these costs to EDs and will ultimately help save the Arizona health care system from unnecessary expenditures."
CMS also has closely collaborated with Arizona's health care leadership to address the need for a centrally located 24-hour multi-approach facility.
"At our Phoenix location, no matter the time, no matter the day, we will be here to guide individuals through the process and remove reduce barriers to treatment," Jesus Godinez, the clinic's manager, said. "Every client will be

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

afforded the same opportunities to address their opioid use, by using modalities best suited for the client. Medical providers, counselors, case managers, and peer support specialists will work one-on-one with clients to ensure that their individualized treatments needs are met. As we continue to break through the stigma of addiction, we offer a safe place for anyone looking to start their recovery journey with us; in recovery there is hope, and hope is a wonderful thing."

The Phoenix center opened on Jan. 4, 2021 and is located at 2806 West Cactus Road.

Forgotten Epidemic

CDC data shows that more than 450,000 Americans died from an opioid overdose between 1999-2018 and recently released data shows that the epidemic began to spike in 2019. Additionally, data from the American Medical Association suggests that the opioid epidemic has been substantially exacerbated by COVID-19.

"The last few months have been disheartening as our country has been struggling to deal with the COVID-19 pandemic which to date, has killed more than 228 thousand Americans," Dr. Robert Sherrick, Chief Medical Officer for CMS, said. "However, we must not forget the co-occurring opioid epidemic which has ravished our country and doesn't seem to have an end in sight."

More information

OTPs provide MAT in the forms of methadone, buprenorphine (Suboxone/Subutex), and Vivitrol, in conjunction with psycho-social counseling and medical support for individuals diagnosed with opioid use disorder (OUD).

SAMHSA, along with the Centers for Disease Control and numerous other medical and behavioral health agencies such as American Society of Addiction Medicine have said that opioid-agonist treatment (buprenorphine and methadone), is the gold standard of treatment for those suffering from OUD. Additionally, the World Health Organization and the US Department of Justice recommend methadone and buprenorphine as the standard of care for incarcerated individuals suffering from OUD. Injectable Naltrexone, a newer medication being used in combating the epidemic, has shown promising results in studies involving justice-system involved individuals as well. Research has shown that MAT, particularly methadone treatment, decreases overdose mortality risk by up to 75%.

"QUOTE OF THE DAY"

"It is a national best practice to provide doses to patients rather than risk them expiring in the limited time they can be used after thawing."

- *Steve Elliott, Dept of Health Services spokesman, on the agency's Plus One Program*

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, January 21, 2021 11:27:49 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: January 20-21, 2021
Attachments: January 20, 2021.docx;January 21, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Navajo Nation reports 94 new COVID-19 cases, 11 more deaths
- Governor appoints new three judges for Pima County
- University of Arizona to continue limited in-person classes at least 2 more weeks, opens vaccination site

Arizona Republic

- 'A new day in America': Arizona's politicians react to Biden-Harris inauguration
- Maricopa County is preparing for a new audit of election results. Here's how it might go
- As COVID-19 ravages Arizona, some committees at Legislature require public to testify in person
- Trump pardons former U.S. Rep. Rick Renzi of Arizona over land swap
- Clerk of the Court Jeff Fine returns to hospital with pneumonia, a complication of COVID-19 battle
- Arizona again ranks highest in U.S. for weekly COVID-19 case rate; 4,845 new cases, 262 deaths reported
- ASU, UA, NAU start spring terms with COVID-19 positivity rates lower than Arizona's
- Mayor who led Prescott after 19 Yarnell Hill firefighters' deaths dies at 86
- 'Coherent' response: How President Joe Biden could affect COVID-19 in Arizona

KTAR News

- ASU health expert pushes for more testing as coronavirus cases surge
- Arizona Gov. Ducey asks Washington to look to states for path forward
- Maricopa County, Arizona Senate still working to end election fight
- Trump pardons ex-strategist Steve Bannon, 2 Arizona men, others
- State bill would provide $45 million for pre-K programs in Arizona
- Phoenix researchers examine how common cold antibodies fight COVID
- UArizona requiring on-campus students to take 2 weekly COVID tests

Arizona Daily Sun

- Navajo Nation reports 94 new COVID-19 cases, 11 more deaths
- Maricopa County, Senate working to end election fight
- Arizona measure would expand tax funds for private schools
- More testing urged in Arizona as new COVID-19 cases persist
- Ex-Arizona official to head to prison for illegal adoptions

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Navajo Nation reports 94 new COVID-19 cases, 11 more deaths

Associated Press
Arizona Daily Star
January 20, 2021

Navajo Nation health officials on Wednesday reported 94 new COVID-19 cases and 11 more deaths.

The latest figures bring the total reported coronavirus cases on the reservation to 26,612 with 933 known deaths.

Navajo Nation President Jonathan Nez said in a statement that while people are getting vaccinated, it's crucial to keep in mind that another variant of the virus has been found in nearby regions.

The Navajo Department of Health has identified 75 communities with uncontrolled spread of COVID-19 from Jan. 1-14.

The five newest communities added to the list were Bread Springs, Hard Rock, Jeesto, Cove and Mexican Springs.

Nez said residents still need to remain vigilant and practice health safety measures like staying home.

The number of infections is thought to be higher than reported because many people haven't been tested.

Studies suggest people can be infected with the virus without feeling sick.

Tribal officials said more than 225,000 people on the vast reservation have been tested for COVID-19 and nearly 14,000 have recovered.

The Navajo Nation extends into Arizona, New Mexico and Utah.

Return to the table of contents

Governor appoints new three judges for Pima County

Carol Ann Alaimo
Arizona Daily Star
January 20, 2021

Three local attorneys are joining the Pima County Superior Court bench as new judges.

The appointments of attorneys Lisa Abrams, Gary Cohen and Jeffrey Sklar were announced Tuesday by Gov. Doug Ducey.

The three will fill positions left vacant by recent retirements of Judges Gus Aragon and Leslie Miller and the promotion of Judge John Hinderaker to the federal bench.

AMERICAN OVERSIGHT

Abrams started out in the Pima County Public Defender's Office, then went into private practice where her former clients included Tucson Unified School District. She has been a superior court commissioner since 2010 and volunteers with animal welfare organizations including the Humane Society of Southern Arizona, where she is a former board member. She also serves on the Arizona Supreme Court's Commission on Minorities in the Judiciary.

Cohen is a partner at the law firm Mesch Clark Rothschild and since 2004 has served as a superior court judge pro tem as a mediator for civil lawsuits. He was an honorary commander at Davis-Monthan Air Force Base from 2017 to 2019 and has served on nonprofit boards including Children's Museum Tucson, the Tucson Jewish Community Center and Make-A-Wish Foundation Southern Arizona.

Sklar is a partner at Lewis Roca Rothgerber Christie where he specialized in business litigation and has served since 2018 as a superior court judge pro tem handling settlement conferences for civil and family law cases. He does pro bono work for Southern Arizona Legal Aid and Step up to Justice, two organizations that serve low-income clients, and is board member for Interfaith Community Services, which serves the elderly, people with disabilities and those in financial crisis.

Return to the table of contents

University of Arizona to continue limited in-person classes at least 2 more weeks, opens vaccination site

UA hopes to administer 60,000 vaccines by April.
Arizona Daily Star
January 21, 2021

The UA will remain with limited in-person classes for at least the next two weeks because of the pandemic, as it also begins ramping up as a vaccination site for employees, child-care workers and K-12 educators.

President Robert Robbins said the university will continue to test students living on campus twice a week. Much of the student population is taking online classes but about 3,800 students attend a limited number of classes on campus.

The school will remain in the first stage of its reentry efforts this week and next week, he said in a weekly briefing, citing the fact that Arizona remains one of the "hottest" states in the country in terms of COVID-19 positivity rates.

The UA, Robbins said, is in a "relatively good position" when it comes to positive cases and available testing resources but that changes in the school's reentry plans won't occur until overall community rates decline.

The school had 167 positive cases out of 9,329 COVID-19 tests given from Jan. 11-18, a positivity rate of about 1.8%. Robbins said 28 students who tested positive for the virus are in the school's isolation dorms.

AMERICAN OVERSIGHT

On Friday, the UA opened its drive-thru vaccination distribution site on the east side of the mall, working with the Pima County Health Department to dispense shots to people in the Phase 1B group. Inauguration Day fashion: Who wore what and why it matters

Robbins said the UA site will focus on K-12 personnel, child-care workers and higher education employees, including its own and Pima Community College personnel. In fact, the school said the UA site vaccinated its first K-12 educator on Tuesday.

About 1,000 K-12 personnel are expected to be vaccinated at the UA site this week; about 250 child-care workers and 250 K-12 educators are expected to be vaccinated at the site Friday. UA employees will also be receiving shots on campus this week, with 42 employees scheduled to be vaccinated Wednesday and Thursday, the school said.

The school hopes to provide a total of about 60,000 vaccines at the campus site by April, Robbins said.

He said while the school is a vaccination location, the Pima County is overseeing the efforts including registering people to receive their shots. The county is the "gatekeeper," Robbins said. "We have to have a little patience. We want to vaccinate as many people as we can as quickly as we can."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

'A new day in America': Arizona's politicians react to Biden-Harris inauguration

Yvonne Wingett Sanchez
Ronald J. Hansen
Arizona Republic
January 20, 2021

President Joe Biden waits to sign his first executive order in the Oval Office of the White House on Jan. 20, 2021, in Washington. Behind him is a bust of Arizona native and civil rights leader Cesar Chavez. When Gov. Doug Ducey was in Washington last summer for a presidential event, he caught flak for attending a mass gathering that further divided the nation.

On Wednesday, Ducey, a Republican, sought to help unite a wounded nation by taking part — safely — in President Joe Biden's inauguration after a bitter campaign and the shocking riot at the U.S. Capitol two weeks ago.

It was a symbolic gesture of the power of the presidency and the continuity of a government recently shaken.

"It was just truly an American inaugural for all our citizens," Ducey told The Arizona Republic after the event.

For a moment, many of Arizona's most prominent politicians set aside their partisan differences to witness the change in administrations, from former President Donald Trump to Biden.

Sen. Kyrsten Sinema, D-Ariz., sat next to her colleague, Sen. Mitt Romney, R-Utah, above and behind Biden and Vice President Kamala Harris throughout the ceremony.

"President Biden and I do not agree on every issue, and I will always vote based on what's right for Arizona," Sinema said later in a written statement. "I pledge to continue working across the aisle, seeking compromise instead of sowing division — because we are in this together. Regardless of who each of us voted for, Americans deserve a government that is worthy of us and working for us."

Sen. Mark Kelly attended the swearing in with his wife, former Rep. Gabrielle Giffords, D-Ariz.,who retired from Congress after the 2011 shooting that left six dead and herself injured. The couple knows the Bidens well: Giffords knew Biden from her service in the House during his first term as vice president, and after the shooting, Biden was among the many who offered support.

In a statement, Kelly said he looked forward to working with Biden's administration to improve the economy and distribute the COVID-19 vaccine.

"We now continue the work needed to heal and move our country forward," he said.

The Biden and Harris inauguration drew applause and measured optimism from Arizonans on both sides of the aisle, some of whom attended the scaled-back ceremony in person, and others who watched it on TV.

AMERICAN OVERSIGHT

Democrats expressed hope the new administration would usher in a more traditional style of governing on Capitol Hill, while Republicans sought signs of common ground that could actually produce the type of unity Biden urged in a divided time.

Rep. Raúl Grijalva, D-Ariz., called the arrival of the Biden administration “a new day in America.”

“It's a day for all Americans who love this country, love their neighbors, and want to see everyone not just scraping by to survive, but thrive,” he said in a tweet.

Rep. Debbie Lesko, R-Ariz., was the first of the state’s congressional Republicans to acknowledge Biden and say she wants to work cooperatively with the new administration — where she can.

“Congratulations to President Joe Biden on his inauguration. Although I didn't support his candidacy, I will work with him and his administration on items that we can agree on for the good of all Arizonans and Americans,” Lesko wrote in a tweet after the inaugural.

Still, the partisan division that has defined national politics for years seemed to be simmering beneath the surface on Wednesday.

Rep. Andy Biggs, R-Ariz., posted tweets praising Trump for four great years and repeating a video message from former first lady Melania Trump. He made no mention of Biden.

Rep. Paul Gosar, R-Ariz., another Trump ally who has said Biden’s election win was “illegitimate,” remained silent on Twitter throughout the historic shift in power.

Former Vice President Dan Quayle, who served with President George H.W. Bush between 1989 and 1993 and lives in Paradise Valley, was on the platform to witness history.

Quayle has been to every inauguration since 1977, when he was a new member of Congress watching on as Jimmy Carter was sworn in. Ahead of the ceremony, Quayle told The Arizona Republic it was an "important rite of passage" he did not want to miss.

“One, it just shows the importance of the peaceful transfer of power to show bipartisan support, and hopeful we’ll be able to come together” as a country, he said. “I’ve known Joe Biden for over 40 years, so I hope to be able to wish him well.”

Quayle said Biden will work to try to quickly move his agenda through the Democratic-controlled House of Representatives and Senate, but presumed it could be gummed-up in short order by politics.

“I know he’s going to have a big challenge, particularly from the hard-core left of his party, but he can hopefully be able to do it,” Quayle said.

Former Sen. Jon Kyl, R-Ariz., who served three terms in the Senate from 1995 to 2013 and then again on an interim basis after Sen. John McCain’s death in 2018, watched the inauguration from his home in Arizona.

He welcomed the broad themes of Biden’s remarks but said it could be immensely challenging for him and his administration to achieve.

AMERICAN OVERSIGHT

“It’s a lot easier to talk about unity than it is to actually take actions to seek it,” Kyl said. “And I think both his speechwriters and some of his aides are going to have to back off of the Trump derangement syndrome, which seems to occupy a lot of their time if this talk about unity is really going to work.”

Kyl said Biden must reach out to Republicans, namely Senate Minority Leader Mitch McConnell, R-Ky., to develop a productive working relationship.

Kyl recalled working with the Obama administration in 2012 as several tax and spending decisions were set to lapse and create new fiscal pressure. Biden, a veteran of the Senate whose staff had already built trust with McConnell, helped negotiate with McConnell and the GOP to reconcile the nation’s immediate financial challenges.

“I think what that shows is that it's not just the two of them themselves, but the staff makes a huge difference," Kyl said. "So if the president's staff are willing to work with Republicans in the Senate, for example, I think they could achieve the same kind of compromises that they’ve accomplished before."

Now it is Republicans such as Ducey who will see if they, too, can find acceptable solutions.

“The call today was for unity, but it was also a message that we can disagree and still move forward on the people’s work,” Ducey said. “The things that can bring us together — the things that need action now — are things like infrastructure, like broadband, things that don't fall so easily into partisan definitions, but are things that have a sense of urgency, that have been talked about for some time, but we haven’t been able to get anywhere with them.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County is preparing for a new audit of election results. Here's how it might go

Jen Fifield
Arizona Republic
January 20, 2021

The Maricopa County Board of Supervisors is preparing to release election material to the Arizona Senate in response to its subpoenas, so that the Senate can perform an audit.

The supervisors said in a statement on Wednesday that they continue to negotiate with the Senate on how to respond to the subpoenas, while Senate President Karen Fann put out a statement on Wednesday that said the Senate and supervisors had come to an agreement.

The announcement of a potential agreement comes the day President Joe Biden was inaugurated and as a legal battle between the supervisors and Senate has lasted more than a month.

A list provided by Senate Republicans shows what could be included in the agreement, including, but not limited to:

The county will provide images of ballots.

AMERICAN OVERSIGHT

An audit will be performed including a logic and accuracy test on a random sample of tabulation machines and a review of the source code on a random sample of tabulation machines.
The audit will only examine material related to the "2020 election."

The auditor will be certified by the U.S. Election Assistance Commission and will have access to a "random sample of desktops, servers, and routers" in a way that wouldn't disrupt county operations.
Only authorized parties would have access to data or materials provided by the county.
The parties will "work together in good faith" to resolve issues arising during the audit.

The supervisors declined to confirm the terms of the potential agreement.

The Senate first issued two subpoenas to the supervisors on Dec. 15 after repeatedly calling on them to complete an additional independent audit of general election results, even though the routine audit the county conducted went flawlessly and challenges to the outcome alleging irregularities and fraud failed in court.

The subpoenas gave the supervisors three days to respond and produce a voluminous amount of material from the general election, including images of all mail-in ballots, detailed voter information and machines used to count votes.

Instead of responding, the supervisors sued to stop the subpoenas, saying, in part, that state law prohibits the county from turning over copies of ballots and arguing the Senate was overreaching its powers. The supervisors asked the court to decide whether they had to respond.

Potential agreement reached regarding subpoenas
More recently, though, Supervisors Chairman Jack Sellers authorized attorneys to negotiate with the Senate, according to county spokesperson Fields Moseley.

Once there is a final plan, the board will vote on it, Moseley said.

In a letter to state Sen. Paul Boyer, Supervisor Bill Gates said that the supervisors, "stand ready to work with the Arizona Senate to provide additional documents and material responsive to the January subpoena."

"In these challenging times, we believe that we can best represent our shared constituents by working together to determine how our state's election system can be further improved to ensure that every valid vote is counted," Gates wrote.

Senate Republicans consider the negotiations complete.

"I am pleased to announce that after a hard-fought battle to seek information on behalf of Arizona voters regarding the integrity of the 2020 election, we have reached a favorable agreement with the Maricopa County Board of Supervisors," Fann wrote in her statement on Wednesday. "Not only has the Board agreed to turn over all the relevant information we sought in our subpoenas so that we may perform an audit, but they also acknowledge that the Legislature is a sovereign power of the state and that the county is a political subdivision, and as such, the Legislature has the constitutional and statutory authority to issue subpoenas."

AMERICAN OVERSIGHT

On Jan. 19, Sellers wrote a letter to Fann acknowledging that the county "holds none of the sovereign power in the state," and that each legislative body "has power to issue legislative subpoenas by statute and as provided by the Constitution."

His letter seems to adhere to another one of the terms of the potential agreement with the county that states, "The County will acknowledge the legislature's authority to issue investigatory subpoenas."

Judge had asked county, Senate to come to agreement
The supervisors, four Republicans and one Democrat, help oversee general elections in the county and are responsible for certifying election results. The supervisors voted on Nov. 20 to certify the results of November's elections, after spending hours asking county officials questions about the integrity of the election results.

Since the subpoenas were issued, Maricopa County Superior Court judges have considered the intent of the subpoenas, in part to determine whether the Senate had power to issue them.

County attorneys have argued that the subpoenas were a last-ditch attempt to try to overturn the results of the election, in which Arizona voted to elect President Joe Biden, to which Superior Court Judge Timothy Thomason said last week, "that ship has clearly sailed."

Senate attorneys argued that the subpoenas were intended to give the lawmakers access to election materials that will be important as they consider whether to pass new election-related laws.

Attorney General Mark Brnovich weighed in, telling the court in a brief that the Senate had the authority to issue the subpoenas.

Brnovich wrote that the supervisors misunderstood the scope of the Legislature's sweeping authority to issue and enforce subpoenas. The brief contends the county's position is "inconsistent with constitutional structure, governmental tradition and practice, the plain meaning of an Arizona statute, and binding Arizona Supreme Court case law."

At a court hearing last week, though, Thomason said that the subpoenas were now moot, because the Legislature that issued the subpoenas adjourned and a new Legislature has convened.

Perhaps understanding that this could become an issue, the Senate issued a new subpoena a day before that court hearing, with the same demands.

A county attorney urged Thomason to wait to see how the county responded to the new request, saying that he was "fully confident" that the county could work with the Legislature on the request.

Thomason did not make a decision on the case and instead told the lawyers that the county and the Legislature should come to a solution outside of court.

"I do wonder why the senators and county officials can't sit down and work this out," he said. "It just seems, as responsible government officials, it is incumbent upon them to sit down and work this out."

A court hearing scheduled for Wednesday morning was vacated.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

As COVID-19 ravages Arizona, some committees at Legislature require public to testify in person

Andrew Oxford
Arizona Republic
January 20, 2021

Don't let the fence and barbed wire —or the raging pandemic — put you off.

If you want to testify in front of some committees at the Arizona House of Representatives, you'll have to go in person.

While the state Senate has reworked its procedures to take public testimony on legislation remotely in this age of videoconferencing and social distancing, House committee chairs have broad latitude to decide whether to let the public comment virtually.

In the House Government and Elections Committee, Chairman John Kavanagh, R-Fountain Hills, will allow only those who come in person will get to give oral testimony, an approach on display during a hearing on Wednesday morning.

Kavanagh said the committee will take testimony "same as we always did."

Kavanagh's committee will debate bills dealing with how Arizonans vote and how their votes are counted, and it also is likely to take up some of the most controversial and wide-reaching bills of the session.

The House did not previously allow people who could not physically travel to the Capitol to testify or offer public comment via Zoom, he argued.

Anyone wishing to speak can attend the hearing in person, Kavanagh said. Otherwise, anyone wishing to weigh in on a bill can send an email or a letter, he added.

And Kavanagh argued the House has never gotten more input that it does now.

"Anybody can look at our meetings online. Anybody can watch archived recordings of our meetings going back years," he said. "I don't think input is a problem."

Others don't see it that way as many legislators continue to flout basic public health guidelines, inspiring little confidence among other lawmakers that visiting the Capitol is safe.

"In just the first week of the session, we have already seen examples of the public being shut out of testifying on important legislation," said David Lujan, a former Democratic lawmaker and the director of the Arizona Center for Economic Progress.

The issue has loomed as a problem for the advocates and activists who would ordinarily flock to the Capitol this time of year to monitor legislation, testify and lobby lawmakers.

AMERICAN OVERSIGHT

On one hand, staff and many legislators are concerned about the prospect of the session turning into a superspreader event. But many are also leery of the pandemic limiting public participation in the session. And the place was made more forbidding by a fence erected due to security concerns, turning the state's seat of government into something resembling a fortress.

The House and Senate have issued guidelines with some precautions, such as requiring masks and temperature checks on entry.

But in an open letter to legislative leaders, a coalition of groups called for remote and widely accessible options to participate in public hearings, streamlining the public comment process, allowing pre-recorded and written testimony and notice of any hearings or agenda changes as far in advance as possible.

The groups also called for the Legislature to adhereto all public health guidelines.

“We have a right to be at the table when important decisions are being made about our lives,” said Phil Pangrazio, president and CEO at Ability360, one of the groups that signed on to the letter.

Pangrazio noted some people with disabilities may be at heightened risk of COVID-19 and while that may mean many are unable to travel to the Capitol.

The coalition included more than 50 organizations, including the Arizona Center for Disability Law, UnidosUS and the League of Women Voters.

Plenty of committees are allowing public testimony online and many lawmakers are also working remotely.

But the letter pointed out that parts of the system the Senate and many House committees are using to facilitate virtual testimony still require the public to travel to the Capitol.

For example, people wishing to speak at committee hearings need to sign up in advance using an online system. But speakers can only create an account for that system in person at the Capitol, not remotely.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Trump pardons former U.S. Rep. Rick Renzi of Arizona over land swap

Andrew Oxford and Ronald J. Hansen
Arizona Republic
January 21, 2021

In his final hours in office, President Donald Trump pardoned former Rep. Rick Renzi of Arizona, who had been convicted in 2013 on racketeering, money laundering and other federal charges related to a land swap scheme.

The pardon, one of 73 issued by Trump, was requested by Renzi for years and gained renewed attention recently from Rep. Paul Gosar, R-Ariz. Trump also commuted the sentences of another 70 people.

AMERICAN OVERSIGHT

Renzi was one of two Arizonans to receive clemency. Scott Conor Crosby received a full pardon after a 1992 conviction in a bank robbery.

Released from prison in 2017 after serving a three-year sentence, Renzi has maintained that he was the victim of a politically motivated prosecution and said in a statement Tuesdaythat he was wrongfully incarcerated.

Rick Renzi (right) arrives at U.S. District Court in a 2008 photo.
"After almost 14 years of fighting for my innocence, it took a real man of action and courage in President Trump to finally relieve me of the horrific deceit of being wrongly convicted by a Department of Justice that engaged in witness tampering, illegal wiretapping, and gross prosecutorial misconduct," said Renzi, a Republican.

Renzi was convicted on 17 counts, including extortion, in connection with a federal land-exchange proposal involving the long-controversial plans for a mine at Oak Flat.

He threatened to scuttle the project if mine executives didn't purchase land from a former business partner who owed him money.

Prosecutors also said Renzi looted a family insurance business to help pay for his first campaign.

He was not convicted of illegally using money from the firm, however.

Instead, Renzi was convicted of filing false statements with regulators after failing to use premiums collected from nonprofit groups to buy policies.

Renzi, a Republican, represented the congressional district that spanned northeastern Arizona from 2003 to 2009.

He was indicted in February 2008 after a probe of the land swap and decided not to pursue a fourth term. Instead, Rep. Ann Kirkpatrick, D-Ariz., won her first term that year.

Gosar defeated Kirkpatrick in 2010. He switched to an adjacent district that spans northwestern Arizona in 2012.

His political career stalled, Renzi was convicted in 2013 and his prison sentence was upheld on appeal.

The White House statement said Renzi's pardon was supported by Gosar as well as several former colleagues in the House.

"His constituents considered him a strong advocate for better housing, quality education, and improved healthcare — especially for the underprivileged and Native Americans. He is the father of 12 children and a loving and devoted husband," the White House statement said.

Rallying support for pardon
But as he has cast himself as a victim and echoed many of the president's own claims about politically motivated federal investigators, Renzi has found support among the president's backers.

AMERICAN OVERSIGHT

An organization he founded, Abuse of Power, released a seven-minute video last year about Renzi's fall that features Sidney Powell, the lawyer who figured prominently in Trump's efforts to overturn the results of the presidential election.

And last month, Gosar sent a letter to Trump reiterating his support for pardoning Renzi, alleging the former lawmaker was a victim of "corruption and persecution."

"Congressman Renzi was a rising Republican star in Arizona — easily winning reelection in his district," Gosar wrote. "At the time, he was considered a top GOP candidate for governor in the 2006 election and likely would have beat Democrat Janet Napolitano. However, this changed with his wrongful indictment and conviction."

Renzi thanked Gosar for his efforts before the pardon.

"I am grateful to Congressman Gosar for his continued support and especially for the courage President Trump has shown in exposing the criminal actors within the Department of Justice," Renzi said in a written statement to The Arizona Republic.

2nd Arizona man gets pardon
Those who received pardons or who had sentences commuted by Trump included some lower-profile individuals, including Crosby, whose pardon was supported by former U.S. Sen. Martha McSally of Arizona, Mesa Mayor John Giles and the bishop of his church. They cited his community service and upstanding character.

"In 1992, Mr. Crosby made a 'spur of the moment poor decision' to participate in a co-worker's plan to commit a bank robbery. Mr. Crosby was arrested the same day and cooperated with the authorities. Since his release from prison, he has spent significant time volunteering at his church, mentoring youth, and has earned a certification as an Emergency Medical Technician," the White House statement said.

Others pardoned or receiving commuted sentences included Steve Bannon, a former key Trump strategist; Elliott Broidy, a top fund-raiser for Trump; Kwame Kilpatrick, a former Detroit mayor; and rapper Lil Wayne, born Dwayne Michael Carter Jr.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Clerk of the Court Jeff Fine returns to hospital with pneumonia, a complication of COVID-19 battle

Emily Wilder
Arizona Republic
January 20, 2021

Maricopa County Superior Court clerk Jeff Fineon Tuesday returned to the hospital for treatment of pneumonia, a complication of COVID-19 he developed following his battle with the infection earlier this month, the office announced Wednesday.

Fine contracted COVID-19 around Christmas and was initially hospitalized at Banner Boswell Medical Center in Sun City when he contracted pneumonia for the first time on Jan 1.

AMERICAN OVERSIGHT

He was released last Wednesdayto continue recovery at home, where he came down with a case of bacterial pneumonia, "a complication which can occur as the lungs recover from acute disease," his office wrote in a statement.

"Out of an abundance of caution, he was re-admitted to Banner Boswell Hospital to undergo treatment for pneumonia," the statement said.

He was responding well to the treatment and expected to return home soon.

"My energy and ability to exert myself continue to be dictated by my lungs, which are not yet fully functioning," Fine said in the statement. "I would like to extend many thanks to everyone for their thoughts and prayers as my healing continues."

Fine has dedicated his life to public service, serving in Operations Desert Shield and Desert Storm as a security forces airman in the U.S. Air Force. Before becoming the clerk, he served in various roles including police officer for the city of Goodyear and court administrator for the Maricopa County Justice Courts.

As the clerk, Fine is responsible for the administration and record keeping of the Superior Court. He was elected in 2018.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona again ranks highest in U.S. for weekly COVID-19 case rate; 4,845 new cases, 262 deaths reported

Alison Steinbach
Arizona Republic
January 20, 2021

Arizona's new-case rate again ranked highest in the country on Wednesday as the state reported about 4,800 new COVID-19 cases and 262 new known deaths from the disease.

The state's seven-day new-case average ranked first among all states Wednesday after ranking first and second the past two weeks, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

Arizona's rate of new positive cases over the last seven days was 101.6 cases per 100,000 people, per the CDC. The U.S. average for new cases is 62.8 cases per 100,000 people.

Arizona's average daily COVID-19 deaths per 100,000 people over the past seven days was second in the nation as of Wednesday, CDC data show.

The state surpassed 11,000 known deaths from COVID-19 on Friday after passing 10,000 deaths just six days earlier. Many of the deaths occurred days or weeks prior, due to reporting delays and death certificate matching.

AMERICAN OVERSIGHT

The state reported more than 17,200 new cases on Jan. 3, the highest number of new COVID-19 cases reported in a single day since the pandemic began, toppling the state's previous record from Dec. 8 by nearly 5,000 cases. The record followed the Christmas and New Year's holiday weekends.

The Arizona data dashboard shows 92% of all ICU beds and 92% of all inpatient beds in the state were in use Monday, with 59% of ICU beds and 54% of non-ICU beds occupied by COVID-19 patients. Statewide, 144 ICU beds and 714 non-ICU beds were available.

Hospital leaders say it's possible they may need to prioritize medical care with a triage system if COVID-19 continues to spread in Arizona at its current levels.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 4,663 on Tuesday, below last Monday's record 5,082 inpatients. By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,050 on Tuesday, below the record high of 1,183 last Monday. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 778 on Tuesday, below the record high 821 reached on Jan. 13. During the summer surge, July 16 was the peak day for ventilator use, with 687 patients.

Tuesday saw 2,006 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

New cases in Arizona have eclipsed 5,000 for 27 of the past 30 days.

Wednesday's 4,845 new cases brought the total number of identified COVID-19 cases in the state to 690,544. As of Wednesday, 11,528 Arizonans are known to have died from the disease, according to the data dashboard from ADHS. Of the 262 newly reported deaths, 193 are from death certificate matching, per the department.

Percent positivity, which refers to the percent of COVID-19 diagnostic tests that are positive, is still near a peak high, which many health experts consider an early indicator of a spike in illnesses.

Last week, Arizona's percent positivity stood at 20%. For the week prior to that, it was 22%, according to the state, which has a unique way of calculating percent positivity. Percent positivity was at 4% for several weeks during August, September and October, according to state data.

Johns Hopkins University calculates Arizona's seven-day moving average of percent positives at 13.8% as of Wednesday. It shows the state's percent positivity peaked at 24.2% last month.

A positivity rate of 5% is considered a good benchmark that the spread of the disease is under control.

Arizona began its first COVID-19 vaccinations for Phase 1A the week of Dec. 14, but the process has moved slowly. Registration is open in multiple counties for priority Phase 1B individuals and opened in some places for those 65 and older this week. Gov. Doug Ducey said the vaccine will be free for anyone.

AMERICAN OVERSIGHT

Reported cases in Arizona: 690,544.

Cases since the outbreak began increased by 4,845, or 0.71%, from Tuesday's 685,699 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 428,624 in Maricopa, 92,519 in Pima, 37,762 in Pinal, 33,567 in Yuma, 16,979 in Mohave, 15,106 in Yavapai, 14,224 in Coconino, 13,624 in Navajo, 9,750 in Cochise, 8,727 in Apache, 7,134 in Santa Cruz, 5,474 in Gila, 4,493 in Graham, 2,066 in La Paz and 495 in Greenlee, according to state numbers.

The rate of cases per 100,000 people is highest in Yuma County, followed by Santa Cruz, Apache and Navajo counties. The rate in Yuma County is 14,597 cases per 100,000 people. By comparison, the U.S. average rate as of Wednesday was 7,224 cases per 100,000 people, according to the CDC.

The Navajo Nation reported 26,517 cases and 922 confirmed deaths in total as of Tuesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders have implemented a stay-at-home lockdown and reinstated weekend curfews due to what officials have called the "uncontrolled spread" of COVID-19 in the tribe's communities.

The Arizona Department of Corrections reported 8,778 inmates had tested positive for COVID-19 as of Tuesday, including 1,811 in Yuma, 1,742 in Tucson, 1,279 in Eyman and 1,118 in Douglas; 43,396 inmates statewide have been tested. A total of 2,254 prison staff members have self-reported testing positive, the department said. Twenty-nine incarcerated people in Arizona have been confirmed to have died of COVID-19, with 16 additional deaths under investigation.

Race/ethnicity is unknown for 23% of all COVID-19 cases statewide, but 35% of people are white, 29% are Hispanic or Latino, 5% are Native American, 3% are Black and 1% are Asian/Pacific Islander.

Of those who have tested positive in Arizona since the start of the pandemic, 16% were younger than 20, 44% were 20-44, 15% were 45-54, 12% were 55-64 and 13% were over age 65.

Laboratories have completed 3,255,275 diagnostic tests on unique individuals for COVID-19, 14.4% of which have come back positive. That number includes both PCR and antigen testing. The percentage of positive tests had increased since mid-May but began decreasing in July and held steady around 4% for several weeks, per the state. It was at 20% for the last full week. The state numbers leave out data from labs that do not report electronically.

The Arizona Department of Health Services has started including probable cases as anyone with a positive antigen test, another type of test to determine current infection. Antigen tests (not related to antibody tests) are a newer type of COVID-19 diagnostic test that use a nasal swab or another fluid sample to test for current infection. Results are typically produced within 15 minutes.

A positive antigen test result is considered very accurate, but there's an increased chance of false-negative results, the Mayo Clinic says. Depending on the situation, Mayo Clinic officials say a doctor may recommend a PCR (polymerase chain reaction) test to confirm a negative antigen test result.

AMERICAN OVERSIGHT

Arizona as of Wednesday had the 9th highest overall case rate in the country since Jan. 21, 2020. Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Utah, Tennessee, Rhode Island, Wisconsin, Iowa and Nebraska, according to the CDC.

Arizona's infection rate is 9,332 cases per 100,000 people, the CDC said. The national average is 7,224 cases per 100,000 people, though the rates in states hard hit early on in the pandemic may be an undercount because of a lack of available testing in March and April.

Reported deaths in Arizona: 11,528
Deaths by county: 6,548 in Maricopa, 1,495 in Pima, 648 in Yuma, 509 in Pinal, 454 in Mohave, 399 in Navajo, 334 in Yavapai, 280 in Apache, 250 in Coconino, 196 in Cochise, 170 in Gila, 135 in Santa Cruz, 58 in Graham, 47 in La Paz and five in Greenlee.

People age 65 and older made up 8,595 of the 11,528 deaths, or 75%. Following that, 15% of deaths were in the 55-64 age group, 6% were 45-54 and 4% were 20-44 years old.

While race/ethnicity was unknown for 8% of deaths, 48% of those who died whose race/ethnicity were known were white, 29% were Hispanic or Latino, 9% were Native American, 3% were Black and 1% were Asian/Pacific Islander, the state data show.

The global death toll as of Wednesday morning was 2,061,272 and the U.S. had the highest death count of any country in the world, at 402,269, according to Johns Hopkins University. Arizona's death total of 11,528 deaths represents 2.9% of COVID-19 deaths in the U.S. as of Wednesday.

The COVID-19 death rate in Arizona since the pandemic began was 154 per 100,000 people as of Wednesday, according to the CDC, putting it 11th in the country in a state ranking that separates New York City from New York state. The U.S. average is 119 deaths per 100,000 people, the CDC said.

New York City has the highest death rate, at 311 deaths per 100,000 people. After that follows New Jersey, Massachusetts, Rhode Island, South Dakota, Connecticut, Mississippi, North Dakota, Louisiana and Illinois.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

ASU, UA, NAU start spring terms with COVID-19 positivity rates lower than Arizona's

Jamie Landers
Arizona Republic
January 20, 2021

Just over a week into the spring semester, Arizona State University, Grand Canyon University and the University of Arizona are recording relatively few COVID-19 cases, according to data released by each institution.

University of Arizona started its term with a positivity rate well below 5%, which is considered an indication that spread is under control. Grand Canyon University's known positive cases have increased slightly since the end of the fall semester, but still remain at or under 100.

AMERICAN OVERSIGHT

However, Northern Arizona University's positivity rate has risen to nearly 7%, and Arizona State University's is at 5.5%.

In comparison, Arizona's percent positivity last week was 20% and the week prior was 22%, according to the state. The state's seven-day, new-case average ranked first among all states Sunday, according to the U.S. Centers for Disease Control and Prevention.

"NAU is reinforcing that we are in this together and that students, faculty, and staff must wear masks, physically distance, use good hygiene, and avoid large gatherings," the university wrote on its website.

ASU reports 5.5% positivity rate during first week back
Arizona State University reported 600 known positive cases among its 74,500 students in a university data update Monday.

ASU also reported 163 cases among its 21,400 employees.

That number was down from data released the first day of classes, Jan. 11, when the university reported 900 positive cases considered active. Of those, 728 were students and 172 were employees.

Latest data shows ASU tested approximately 72% of on-campus students and 12% of off-campus students since Jan. 1.

With 1,099 positive cases out of 20,092 tests since Jan. 1, ASU has a positivity rate of 5.5% this semester. A rate of 5% or less is a good benchmark that the spread of the virus is under control.

UA starts semester with 1.7% positivity rate
The University of Arizona, which started classes on Jan. 13, reported 194 positive test results out of the 11,713 tests performed in the last 10 days as of Monday night.

This latest update reflected a 1.7% positivity rate.

The university reported 3,646 tests returned positive out of the 127,198 tests administered since Aug. 4, reflecting a 2.9% positivity rate over the course of the fall semester and into spring.

UA hit its peak the week of Sept. 13 with 880 positive cases, but it saw a stabilized decrease throughout the end of the fall term. From the weeks of Sept. 27 through Nov. 22, positive cases remained under 100 per week.

NAU semester starts with positivity rate of 6.7%
Northern Arizona University ended its fall semester with a positivity rate of 4.5% and has continued to increase since spring data was first released on Jan. 3.

In the week of Jan. 3, NAU reported 97 known positive cases out of 1,781 tests, reflecting a positivity rate of 5.4%.

In the week of Jan. 10, with classes starting Jan. 11, positive cases increased to 100 out of 1,495 tests, a positivity rate of 6.7%.

AMERICAN OVERSIGHT

GCU: Continuing with fall trend, spring starts with only 72 cases
Grand Canyon University reported 72 positive cases considered active as of Monday. Of these, 66 are students and six are employees.

Since Jan. 1, there have been 131 positive COVID-19 cases connected to the GCU campus community. Of those, 108 are students and 23 are employees, data shows. Classes began on Jan. 11.

It was not possible to determine a positivity rate for GCU as the university does not release numbers of tests performed.

Ever since surpassing the 1,000 mark in cases in late November, GCU sawa stabilization in its number of active cases.

GCU ended its fall semester Dec. 20 with only 28 active COVID-19 cases on campus: 23 students and five employees.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Mayor who led Prescott after 19 Yarnell Hill firefighters' deaths dies at 86

Associated Press
Arizona Republic
January 21, 2021

Marlin Kuykendall, the former mayor of Prescott whose tenure included the tumultuous months following the deaths of 19 firefighters in a 2013 wildfire, has died.

Prescott city officials confirmed on Tuesday that Kuykendall died Sunday at his home.

He was 86.

His son, Patrick, told the Daily Courier that Kuykendall had been dealing with cancer for the past three years.

Prescott Mayor Marlin Kuykendall
Kuykendall, a local businessman, served on the Prescott City Council in the '70s and '90s. He became mayor in 2009 and was re-elected twice more.

It was his campaign for a third term in 2013 that was his toughest.

Kuykendall and the city faced harsh criticism daily over their refusal to extend full benefits to the families of all the firefighters killed in the Yarnell Hill Fire that summer.

Thirteen of the Granite Mountain Hotshots were classified as temporary employees, which does not include full survivors' benefits. The city said it could not legally do so.

Some of the men's widows fought against the city's stance and secured benefits through the Arizona Public Safety Personnel Retirement System.

AMERICAN OVERSIGHT

The issue sharply divided the community and eroded most of the unity in the days after the tragedy.

Ultimately, family and friends say Kuykendall will be remembered as an "ambassador for Prescott."

Besides his son, Kuykendall also is survived by his wife.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

'Coherent' response: How President Joe Biden could affect COVID-19 in Arizona

Stephanie Innes
Arizona Republic
January 21, 2021

President-elect Joe Biden could help speed up the vaccine rollout in Arizona, where the effort has had a slow start, but it's unclear how much effect he will have here on mitigating the spread of COVID-19.

Arizona as of Sunday had the highest rate of new COVID-19 cases in the country and one of the lowest rates of COVID-19 vaccine doses administered, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

The state's hospitals continue to see near-capacity numbers of patients. As of Monday, 61% of Arizona's intensive care unit beds were occupied by patients with suspected or confirmed COVID-19, according to the Arizona Department of Health Services' daily COVID-19 dashboard.

Some experts say that the Biden administration could help speed up administration of the COVID-19 vaccine, which has had a rocky rollout nationwide, including in Arizona, where state health officials have said they want the process to speed up. Arizona as of Tuesday was reporting nearly 300,000 doses of the vaccine had been administered, and 36,375 Arizonans have received two doses and completed the vaccination process.

"I think that there is a real will and an interest in moving aggressively and moving quickly. I think that is what we have been missing all this time," said Swapna Reddy, a clinical assistant professor at Arizona State University's College of Health Solutions. "There's just been a real hesitancy for a coherent, evidence-based, national response. We have 50 states, we've had 50 different responses.

"Having a vaccine is not the same as vaccinating. We have to figure out how to vaccinate the population, and I don't know how you accomplish that type of public health undertaking without the heft and the capacity of a federal government."

The states are critically important to the COVID-19 vaccine response, Reddy emphasized, but without national oversight, leadership, consistent messaging and science- and evidence-based information, it's difficult to accomplish.

"We're not clairvoyant, so we don't know exactly what will get done, it's impossible to say ... But I think it looks really promising," Reddy said. "The federal government really has the ability to take on a public health need as large as this."

AMERICAN OVERSIGHT

Ducey 'won't hesitate' to work with Biden, spokesman says
The Biden administration could help with the efficiency of vaccine distribution and clarity about the rollout of the vaccine, agreed Will Humble, executive director of the Arizona Public Health Association. Biden's commitment to using the Defense Production Act to expand production is also a positive, Humble said.

The Defense Production Act, enacted at the start of the Korean War, allows the use of presidential authorities to speed production of needed supplies from private industry. Biden has identified suppliers who could be tapped under the federal act to prevent potential shortages of glass vials, stoppers, syringes and needles that could delay getting shots in arms, USA TODAY reported Jan. 15.

"The areas where I think we'll see the biggest improvement are in communication, guidance ... using evidence to drive decision-making, less drama, and then in terms of the vaccine — distribution communication with states and that kind of thing," Humble said. "Where I don't see the Biden administration making much difference is in terms of what happens with mitigation measures that we desperately need."

CJ Karamargin, a spokesman for Arizona Gov. Doug Ducey, on Tuesday said the Governor's Office "won't hesitate to work with the incoming administration on policies that could benefit Arizona, and clearly beating COVID-19 is something every American and Arizona has an interest in."

Ducey traveled to Washington, D.C., to attend Biden's inauguration this week.

Biden could encourage governors to implement mitigation measures and strengthen enforcement at bars and nightclubs, but the governors hold all of the authority when it comes to those kinds of interventions, Humble said.

"The change of leadership I don't see having much of an effect on the decisions that impact the spread of the virus," he said. "The governors hold all the authority on what they are going to do on mitigation, and Gov. Ducey and Director (Dr. Cara) Christ have decided what they are doing, which is nothing."

Humble and other health leaders in Arizona have repeatedly asked Ducey and Christ for additional measures to stop the spread of the SARS-CoV-2 virus that causes COVID-19, among them a prohibition on indoor dining in restaurants, and a statewide, enforceable face-covering mandate that focuses on business compliance rather than individuals.

Arizona does not have a statewide mask mandate. Individual jurisdictions may make their own rules on face coverings, and most members of the population in Arizona live in an area that has one, the Governor's Office has said.

Biden has talked about a national mask mandate but recently amended that plan because of what appear to be limits on how broadly he would be allowed to make such a requirement. He has recently said he would limit a federal mask requirement to federal property and interstate transportation.

Even if it's limited, a national mask mandate is among many ways the Biden administration has the potential for clear, consistent communication to Americans, Reddy said.

"I'm very hopeful for a Biden administration as it relates to a COVID-19 response, mainly because there has been such an inconsistent and, frankly, incoherent, federal response to date," Reddy said.

AMERICAN OVERSIGHT

"The Biden administration is not only saying, 'I have a plan,' but they have given some details of that plan. They seem to have a really good group of external, scientific experts that are not just themselves."

One possible route for more consistent COVID-19 mitigation measures nationwide is conditioning federal aid on certain policy measures, Humble said. For example, during the Reagan administration, the federal government wanted to raise the drinking age to 21 and tied federal highway funds to states passing laws that raised the drinking age.

With COVID-19, that could mean, as an example, a $600 million slush fund from the federal government would be given to states that put in place meaningful mitigation measures against COVID-19, Humble said.

"It's the power of the purse at the federal level," Humble said. "If there is a leverage, it's not Biden. It's Congress, to put levers in place to compel governors to make better decisions."

The Biden-Harris transition team has shared a vaccination plan that includes creating new, federally supported community vaccination centers across the country. The program would be scaled based on what is working best on the ground for state and local partners and the communities they serve, according to the plan. Biden also has said he will be asking Congress to approve a $1.9 trillion COVID-19 relief plan that includes, among other things, a national vaccine plan.

Biden also has said he wants to speed up COVID-19 vaccine distribution with 100 million doses in his first 100 days in office, a goal that Christ said the state of Arizona would be eager to help him meet.

“We’ve heard that there’s another bill that Biden would propose to provide more funding and more vaccine to states. We’re very excited if that’s going to occur because we’ll always be able to use additional funding and additional resources," Christ said Friday.

"We would be probably looking at administering 2% — Arizona’s population is about 2% of the U.S. population — so, looking to get 2 million doses administered in 100 days, I would imagine. We always try to rise to the challenge, so we’ll continue to increase our vaccination to help him meet his goal.”

States cannot fight the pandemic and handle vaccinations on their own, ASU's Reddy said. It requires a national effort.

"Obviously, the states are really good at certain things and the federal government is really good at certain things," she said. "The federal government also has more resources than the states. So really leveraging what is the best from both seems to be a promising approach."

Nationally, the U.S. marked a somber milestone on Tuesday when it surpassed 400,000 deaths from COVID-19.

Arizona's known death toll from COVID-19 as of Tuesday was 11,266.

Biden and Vice President-elect Kamala Harris led the nation in a COVID-19 memorial from Washington on Tuesday afternoon and encouraged churches nationwide to ring their bells 400 times, once for every 1,000 deaths from the new coronavirus.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

ASU health expert pushes for more testing as coronavirus cases surge

Associated Press
KTAR News
January 20, 2021

As Arizona remains the worst state in the nation for the rate of new COVID-19 cases, a public health expert warned Wednesday that more people in the state need to get tested.

"If we're raging with that many cases in the state, we should be testing 80,000, 100,000 tests a day to really identify cases and get people isolated," Dr. Joshua LaBaer, director of the Biodesign Institute research center at Arizona State University, said during a briefing with reporters.

"I know some people don't really want to find out they're positive because it means they have to stay home for two weeks. That's how we stop the spread."

LaBaer estimates that only about 15,000 COVID-19 tests are being administered each day across the state, a figure that is low considering Arizona is "one of the hotspots in the country if not the world."

The Arizona Department of Health Services on Wednesday tallied 4,845 additional virus cases and 262 related deaths, bringing Arizona's totals since the pandemic began to 690,544 cases and 11,528 deaths.

The U.S. Centers for Disease Control and Prevention's COVID Data Tracker shows Arizona has a seven-day new-case average of 97.4 cases per 100,000 people. The U.S. average is 60.1 per 100,000 people.

The number of infections in Arizona is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

LaBaer thinks one reason for the drop in testing is reluctance on the part of people. At ASU, appointment slots for COVID-19 saliva testing typically filled when infections increased. But recently, LaBaer noticed there have been numerous open slots.

"I'm worried that people are just getting fatigued with it all and they just don't want to know," he said. "Our recommendation is anybody that has a public-facing job of any kind … those folks should get tested on a weekly basis."

Hospitalizations, meanwhile, continued to trend downward for a ninth day. Officials say 4,663 people were hospitalized due to COVID-19 on Tuesday. Within that group, 1,050 were in ICUs.

LaBaer cautioned against taking that as a sign that Arizona is turning a corner.

"First of all, those numbers fluctuate day to day. I wouldn't read too much into a little bit here and a little bit there," he said.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Gov. Ducey asks Washington to look to states for path forward

Jake Anderson
KTAR News
January 20, 2021

On the same day as the inauguration of President Joe Biden and Vice President Kamala Harris, Arizona Gov. Doug Ducey penned an editorial on Wednesday asking for Washington to look to the states and their governors for a path forward.

"Both our new president and elected leaders in Washington would be wise to look beyond the Potomac — to state capitols across the country, where governors have been working across party lines to produce results for their constituents," Ducey wrote in The Hill, a political news outlet.

"President-elect Biden and I have numerous differences about the size, scope and role of government," Ducey added. "I will never hesitate to share my views about the policies that impact Arizona, but ultimately, even if we don't agree, I think our new president wants to serve our country. I'm honored to attend his inauguration and represent Arizona."

The Arizona governor announced last week that he would be in attendance for the inauguration of the 46th president of the U.S., which was held in a limited capacity due to the coronavirus pandemic and the riots at the Capitol building on Jan. 6.

"The ceremony will hopefully stand in sharp contrast to the sad spectacle we saw on Jan. 6. Violence and destruction have no place in a building dedicated to debate and deliberation. This is something else all of us can agree on. It must never happen again."

Ducey pointed to problems that the U.S. will still have to face both nationally and at the state level as a new administration begins to take over. The Arizona governor brought up issues such as coronavirus pandemic, job creation, aging infrastructure and preparing children for the future.

"Defeating the COVID-19 pandemic must be at the top of our national to-do list, and on this states and the new administration can surely find common ground," Ducey said. "… Tackling these problems will require something that has been all too rare in Washington: common sense and problem-solving."

Ducey brought up how "evenly divided" Arizona is between registered voters and how it has shaped the state's approach to public policy.

"There are extremes at both ends of the spectrum, to be sure," he said. "But our willingness to cross the aisle for the greater good has enabled us to achieve once-in-a-generation water conservation reform, American civics as a requirement to graduate from high school and the nation's first universal recognition of occupational licensing."

Ducey also wrote about Biden's relationship with the late-Arizona Sen. John McCain.

AMERICAN OVERSIGHT

"In the tearful eulogy Biden delivered at the Arizona lawmaker's funeral, he said they were both 'cockeyed optimists' who shared the belief that there wasn't a single thing America couldn't achieve," Ducey wrote.

"After a year like 2020, we all could use a healthy dose of optimism. And we could all benefit from recalling the words of Sen. McCain when he conceded the hard-fought presidential election of 2008 to Sen. Barack Obama: 'Whatever our differences, we are fellow Americans.'"

Return to the table of contents

Maricopa County, Arizona Senate still working to end election fight

Associated Press
KTAR News
January 21, 2021

Maricopa County officials and the Republican-controlled Arizona Senate on Wednesday agreed to avoid further court hearings while they work on a deal to get the Senate a raft of data from November's election.

The move could lead to an end of a bitter dispute over subpoenas issued by the lawmakers, many of whom who question how President Joe Biden won Arizona.

A deal, if it is finalized, would end a three-week fight in which the Republican-majority county board said the Senate's requests were far out of bounds and likely to expose private voter information for political reasons.

The Senate, led by GOP President Karen Fann, had pressed ahead, saying they needed to audit the election results to ensure the county ran the election correctly and to craft new legislation addressing the concerns of Republicans.

County supervisors had sought court orders to block the subpoenas. They argued that lawmakers sought election information that was illegal to share. The Senate countered by asking a judge to issue orders requiring the county to comply. Last week, a judge urged the two sides to settle the case.

Fann claimed victory on Wednesday, saying the Senate was getting everything it wanted.

"Not only has the Board agreed to turn over all the relevant information we sought in our subpoenas so that we may perform an audit, but they also acknowledge that the Legislature is a sovereign power of the state and that the county is a political subdivision, and as such, the Legislature has the constitutional and statutory authority to issue subpoenas," Fann said in a statement.

But Tom Liddy, the deputy county attorney representing the Board of Supervisors, said no final agreement has been reached, let alone one that hands over everything the Senate originally sought.

"The only agreement between the board and the Senate is that both have agreed to work together in good faith to get the senators any information that they need to perform their proper constitutional function of writing new laws or amending existing laws," Liddy said. "What we're committing to doing is working together .. and try to resolve these issues."

AMERICAN OVERSIGHT

Fann thanked Board Chairman Jack Sellers for, according to her, reaching the agreement. Sellers sent Fann an unusual letter in which he acknowledged the county is a subdivision of the state and subject to its powers.

That acknowledgement was one of 10 points outlined in a tenative agreement released by the Senate. Other items on the list include security arrangements and a provision that anyone who audits election machines or software is certified by the U.S. Election Assistance Commission. Also included is a "logic and accuracy test" on election equipment, a review that was done before and after the election as required by state law.

Many Republicans have made unsubstantiated claims that the election results were fraudulent, despite multiple court rulings rejecting such allegations. The state Senate Judiciary Committee and Fann have said they are seeking election files to try to prove or disprove those claims.

In an interview, Fann said she had no evidence that anything went wrong. But she insisted it was important that questions raised about the election be answered.

"We have said from Day One, we are not alleging fraud, we are not alleging anything," Fann said. "What we are saying there are a lot of questions."

They also pushed for an audit of voting machines and the software used to count the ballots, despite numerous checks and hand-count audits done by county and state officials before and after the election.

Attorneys for the Senate previously acknowledged in court papers that they also sought the information to provide Congress with information that might prevent Biden from taking office.

That point was rendered moot when Congress confirmed his Electoral College victory on Jan. 6 after mobs supporting then-President Donald Trump stormed the Capitol in an effort to prevent the final act of certifying Biden's victory.

The Democratic president took the oath of office at the Capitol Wednesday without Trump present.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Trump pardons ex-strategist Steve Bannon, 2 Arizona men, others

Associated Press
KTAR News
January 20, 2021

President Donald Trump pardoned former chief strategist Steve Bannon as part of a flurry of clemency action in the final hours of his White House term that benefited more than 140 people, including rap performers, ex-members of Congress and other allies of him and his family.

The last-minute clemency, announced Wednesday morning, follows separate waves of pardons over the past month for Trump associates convicted in the FBI's Russia investigation as well as for the father of his son-in-law.

AMERICAN OVERSIGHT

Two Arizonans were included: former U.S. Rep. Rick Renzi and Scott Conor Crosby, who was convicted in 1992 for bank robbery.

To be sure, the latest list was heavily populated by more conventional candidates whose cases had been championed by criminal justice activists. One man who has spent nearly 24 years in prison on drug and weapons charges but had shown exemplary behavior behind bars had his sentence commuted, as did a former Marine sentenced in 2000 in connection with a cocaine conviction.

But the names of prominent Trump allies nonetheless stood out.

Besides Bannon, other pardon recipients included Elliott Broidy, a Republican fundraiser who pleaded guilty last fall in a scheme to lobby the Trump administration to drop an investigation into the looting of a Malaysian wealth fund, and Ken Kurson, a friend of Trump son-in-law Jared Kushner who was charged last October with cyberstalking during a heated divorce.

Bannon's pardon was especially notable given that the prosecution was still in its early stages and any trial was months away. Whereas pardon recipients are conventionally thought of as defendants who have faced justice, often by having served at least some prison time, the pardon nullifies the prosecution and effectively eliminates any prospect for punishment.

"Steve Bannon is getting a pardon from Trump after defrauding Trump's own supporters into paying for a wall that Trump promised Mexico would pay for," Democratic Rep. Adam Schiff said on Twitter. "And if that all sounds crazy, that's because it is. Thank God we have only 12 more hours of this den of thieves."

And while other presidents have issued controversial pardons at the ends of their administration, perhaps no commander in chief has so enjoyed using the clemency authority to benefit not only friends and acquaintances but also celebrity defendants and those championed by allies.

Wednesday's list includes its share of high-profile defendants. Among them were rappers Lil Wayne and Kodak Black, both convicted in Florida on weapons charges. Wayne, whose real name is Dwayne Michael Carter, has frequently expressed support for Trump and recently met with the president on criminal justice issues. Others on the list included Death Row Records co-founder Michael Harris and New York art dealer and collector Hillel Nahmad.

Renzi, a Republican, served three years for corruption, money laundering and other charges. Former Rep. Duke Cunningham of California was convicted of accepting $2.4 million in bribes from defense contractors. Cunningham, who was released from prison in 2013, received a conditional pardon.

Crosby, from the Phoenix area, was granted a full pardon.

"Mr. Crosby is supported by Senator Martha McSally, the Mayor and Vice Mayor of Mesa, Arizona, and the Bishop of his church, all of whom attest to Mr. Crosby's service to his community and upstanding character," the White House said in a press release.

"In 1992, Mr. Crosby made a "'spur of the moment' poor decision" to participate in a co-worker's plan to commit a bank robbery. Mr. Crosby was arrested the same day and cooperated with the authorities. Since his release from prison, he has spent significant time volunteering at his church, mentoring youth,

AMERICAN OVERSIGHT

and has earned a certification as an Emergency Medical Technician. Mr. Crosby's civil rights were restored by the State of Arizona in 2003, and this action restores his Federal civil rights," the release read.

Trump also commuted the prison sentence of former Detroit Mayor Kwame Kilpatrick, who has served about seven years behind bars for a racketeering and bribery scheme.

Bannon has been charged with duping thousands of donors who believed their money would be used to fulfill Trump's chief campaign promise to build a wall along the southern border. Instead, he allegedly diverted over a million dollars, paying a salary to one campaign official and personal expenses for himself.

Bannon did not respond to questions Tuesday.

Trump has already pardoned a slew of longtime associates and supporters, including his former campaign chairman, Paul Manafort; Charles Kushner, the father of his son-in-law; his longtime friend and adviser Roger Stone; and his former national security adviser Michael Flynn.

A voice of nationalist, outsider conservatism, Bannon — who served in the Navy and worked at Goldman Sachs and as a Hollywood producer before turning to politics — led the conservative Breitbart News before being tapped to serve as chief executive officer of Trump's 2016 campaign in its critical final months.

He later served as chief strategist to the president during the turbulent early days of Trump's administration and was at the forefront of many of its most contentious policies, including its travel ban on several majority-Muslim countries.

But Bannon, who clashed with other top advisers, was pushed out after less than a year. And his split with Trump deepened after he was quoted in a 2018 book making critical remarks about some of Trump's adult children. Bannon apologized and soon stepped down as chairman of Breitbart. He and Trump have recently reconciled.

In August, he was pulled from a luxury yacht off the coast of Connecticut and brought before a judge in Manhattan, where he pleaded not guilty. When he emerged from the courthouse, Bannon tore off his mask, smiled and waved to news cameras. As he went to a waiting vehicle, he shouted, "This entire fiasco is to stop people who want to build the wall."

The organizers of the "We Build The Wall" group portrayed themselves as eager to help the president build a "big beautiful" barrier along the U.S.-Mexico border, as he promised during the 2016 campaign. They raised more than $25 million from thousands of donors and pledged that 100% of the money would be used for the project.

But according to the criminal charges, much of the money never made it to the wall. Instead, it was used to line the pockets of group members, including Bannon.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

State bill would provide $45 million for pre-K programs in Arizona

Griselda Zetino
KTAR News
January 20, 2021

A bill making its way through the Arizona State Legislature aims to help get more young children through pre-kindergarten programs.

"House Bill 2015 calls for Arizona to fund high-quality pre-K programs for kids throughout the state who wouldn't have access otherwise," Democratic State Rep. Lorenzo Sierra told KTAR News 92.3 FM about the bill he introduced.

If approved, the bill would allocate $45 million state dollars for pre-K programs over the next three years.

"I believe we should be investing in our youngest scholars," Sierra said. "We start out at $7.5 million in the first year, $15 million in the next year, and all the way up to $22.5 million."

HB 2015 cleared the House Education Committee on Tuesday and was scheduled to go before the House Appropriations Committee on Wednesday.

The bill mirrors HB 2806 that was introduced last year but was halted when the legislative session was cut short by the coronavirus pandemic.

Sierra said his bill would help replace federal pre-K funding that the state lost two years ago. He adds it's a good investment for the state.

"A high-quality pre-K program offers a return on investment anywhere from $8 for every dollar invested all the way up to $17 for every dollar investment," he said. "That is the investment that we get in terms of those children being able to live full, healthy lives."

Supporters of the bill include State Superintendent of Public Instruction Kathy Hoffman, who stated in a tweet on Tuesday that "access to early childhood education is a proven way to invest in the future of our state."

Numerous early child advocacy groups, including Stand for Children and Children's Action Alliance, have also voiced support for the bill.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Phoenix researchers examine how common cold antibodies fight COVID

Peter Samore
KTAR News
January 20, 2021

Researchers at the Translational Genomics Research Institute in Phoenix are studying how common cold antibodies might be able to ward off COVID-19, potentially boosting immunity to the new disease.

AMERICAN OVERSIGHT

"The potential for them to be bad is if, somehow, the response is distracting, and instead of being tuned to the new virus, it's hung up on the common cold coronavirus," TGen researcher John Altin said.

Altin and his team are studying six coronavirus relatives, including two deadly ones that ran through the Middle East and Asia in 2003 and 2012.

He's hopeful the antibodies will be the "Achilles Heel" for COVID-19 and more.

"If there's another future coronavirus outbreak, or if this virus mutates in some way, these conserved regions could be really important in forming a broadly protective response," Altin said.

Altin's lab is isolating the antibodies to learn how they'll work.

"We made this discovery by profiling the antibody response to the Coronavirus," he explained. "Instead of looking at the whole virus, we chopped up the virus into tiny little pieces and profiled the antibody response against each of those fragments."

TGen is developing a blood test to determine which common cold antibodies we already have. If they work, Altin sees great possibilities for COVID-19 treatments, like monoclonal antibody injections and convalescent plasma treatments.

"When you take plasma and give it to someone who's sick, you really don't know what's in there," Altin said. "Profiling these antibody responses in some detail will disentangle what's actually protective."

These treatments could fight coronavirus mutations, too, but the research continues.

TGen's COVID Immunity Study is collecting small blood samples from anyone who wishes to give them.

The antibody study is open to anyone 18 and older who has had COVID-19 and recovered, which means they have built up antibodies in their immune system,

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

UArizona requiring on-campus students to take 2 weekly COVID tests

Gabriel Gamino
KTAR News
January 20, 2021

The University of Arizona is now requiring students who live on campus to take a COVID-19 test twice a week as spring semester kicks into gear.

UArizona President Dr. Robert Robbins said Tuesday during a weekly briefing on the university's coronavirus response that the new measure will help better control spread of the coronavirus within the community.

AMERICAN OVERSIGHT

The testing will use the "more accurate, less expensive and certainly more pleasant PCR saline garage test," according to Robbins. Using the gargle test also allows the university to triple its testing capacity from about 1,000 to 3,000 a week.

UArizona remains in Phase 1 of its reentry plan with only about 3,800 students attending in-person essential courses while all others remain online.

"We've got to see the numbers come down before we can transition into further stages," Robbins said, adding the state can't vaccine its way out of the pandemic in the short term.

In the meantime, the university will serve as a point of distribution for Pima County focusing on K-12, university faculty, staff and child care workers.

Pima County has scheduled 132 K-12 teachers to receive the vaccine Tuesday through Thursday along with 42 university employees Wednesday and Thursday.

"On Friday, 250 child care providers and 250 K-12 employees will be vaccinated at the UArizona site," Robbins said.

Once fully operational, the university hopes to administer 1,000 doses of the Pfizer vaccine a day, aiming to administer 60,000 doses of the vaccine by April 1.

Registration for vaccines at UArizona are managed through Pima County and information can be found here.

For Arizona vaccine information, visit azdhs.gov/findvaccine.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Navajo Nation reports 94 new COVID-19 cases, 11 more deaths

Associated Press
Arizona Daily Sun
January 20, 2021

Navajo Nation health officials on Wednesday reported 94 new COVID-19 cases and 11 more deaths.

The latest figures bring the total reported coronavirus cases on the reservation to 26,612 with 933 known deaths.

Navajo Nation President Jonathan Nez said in a statement that while people are getting vaccinated, it's crucial to keep in mind that another variant of the virus has been found in nearby regions.

The Navajo Department of Health has identified 75 communities with uncontrolled spread of COVID-19 from Jan. 1-14.

The five newest communities added to the list were Bread Springs, Hard Rock, Jeesto, Cove and Mexican Springs.

Nez said residents still need to remain vigilant and practice health safety measures like staying home.

The number of infections is thought to be higher than reported because many people haven't been tested.

Studies suggest people can be infected with the virus without feeling sick.

Tribal officials said more than 225,000 people on the vast reservation have been tested for COVID-19 and nearly 14,000 have recovered.

The Navajo Nation extends into Arizona, New Mexico and Utah.

Return to the table of contents

Maricopa County, Senate working to end election fight

Bob Christie
Arizona Daily Sun
January 20, 2021

Maricopa County officials and the Republican-controlled Arizona Senate on Wednesday agreed to avoid further court hearings while they work on a deal to get the Senate a raft of data from November's election.

The move could lead to an end of a bitter dispute over subpoenas issued by the lawmakers, many of whom who question how President Joe Biden won Arizona.

AMERICAN OVERSIGHT

A deal, if it is finalized, would end a three-week fight in which the Republican-majority county board said the Senate's requests were far out of bounds and likely to expose private voter information for political reasons.

The Senate, led by GOP President Karen Fann, had pressed ahead, saying they needed to audit the election results to ensure the county ran the election correctly and to craft new legislation addressing the concerns of Republicans.

County supervisors had sought court orders to block the subpoenas. They argued that lawmakers sought election information that was illegal to share. The Senate countered by asking a judge to issue orders requiring the county to comply. Last week, a judge urged the two sides to settle the case.

Fann claimed victory on Wednesday, saying the Senate was getting everything it wanted.

“Not only has the Board agreed to turn over all the relevant information we sought in our subpoenas so that we may perform an audit, but they also acknowledge that the Legislature is a sovereign power of the state and that the county is a political subdivision, and as such, the Legislature has the constitutional and statutory authority to issue subpoenas,” Fann said in a statement.

But Tom Liddy, the deputy county attorney representing the Board of Supervisors, said no final agreement has been reached, let alone one that hands over everything the Senate originally sought.

“The only agreement between the board and the Senate is that both have agreed to work together in good faith to get the senators any information that they need to perform their proper constitutional function of writing new laws or amending existing laws,” Liddy said. “What we’re committing to doing is working together .. and try to resolve these issues.”

Fann thanked Board Chairman Jack Sellers for, according to her, reaching the agreement. Sellers sent Fann an unusual letter in which he acknowledged the county is a subdivision of the state and subject to its powers.

That acknowledgement was one of 10 points outlined in a tenative agreement released by the Senate. Other items on the list include security arrangements and a provision that anyone who audits election machines or software is certified by the U.S. Election Assistance Commission. Also included is a “logic and accuracy test” on election equipment, a review that was done before and after the election as required by state law.

Many Republicans have made unsubstantiated claims that the election results were fraudulent, despite multiple court rulings rejecting such allegations. The state Senate Judiciary Committee and Fann have said they are seeking election files to try to prove or disprove those claims.

In an interview, Fann said she had no evidence that anything went wrong. But she insisted it was important that questions raised about the election be answered.

“We have said from Day One, we are not alleging fraud, we are not alleging anything,” Fann said. “What we are saying there are a lot of questions.”

AMERICAN OVERSIGHT

They also pushed for an audit of voting machines and the software used to count the ballots, despite numerous checks and hand-count audits done by county and state officials before and after the election.

Attorneys for the Senate previously acknowledged in court papers that they also sought the information to provide Congress with information that might prevent Biden from taking office.

That point was rendered moot when Congress confirmed his Electoral College victory on Jan. 6 after mobs supporting then-President Donald Trump stormed the Capitol in an effort to prevent the final act of certifying Biden's victory.

The Democratic president took the oath of office at the Capitol Wednesday without Trump present.

Return to the table of contents

Arizona measure would expand tax funds for private schools

Jonathan J. Cooper
Arizona Daily Sun
January 20, 2021

Arizona lawmakers are considering legislation to quadruple the size of a program that allows people to use tax money for private school tuition for foster children and students with disabilities.

The measure is the latest proposed expansion of Arizona's wide-ranging programs to aid private and religious schools with public money.

Republicans advanced the measure out of a Senate committee in a party-line vote Wednesday, saying the program creates more choices for parents who couldn't otherwise afford private school tuition.

“Having that ability to move around to different schools to find the best fit is what we should be focused on, and how do we get every child in the environment so they can succeed,” said Sen. David Livingston, a Peoria Republican who sponsored the legislation, SB1041.

Democrats said the state shouldn't be further siphoning money from the state treasury that could be used to pay for public schools, especially as Republican Gov. Doug Ducey pushes for a $600 million-per-year tax cut.

“Our public schools are really struggling with all of what they need to do to survive given the pandemic, and this is not the time to expand a tax credit that goes to private schools,” said Sen. Kirsten Engel, a Democrat from Tucson.

Arizona has four tax credits that allow for the diversion of tax money from the state's treasury to cover private school tuition. Instead of paying their tax bill, individuals or businesses can donate to “school tuition organizations" that hand out scholarships for private school students. Donors can recommend that their money benefit a particular child but can't require it.

The scholarships can fund up to 90% of what the state would have spent to educate the child in a public school.

AMERICAN OVERSIGHT

For all four credits, just under $205 million was diverted from the treasury in the 2019 fiscal year, the most recent year for which the Arizona Department of Revenue has published data.

Livingston's bill would expand the cap on the smallest of the four tax credits, which applies to any child who has ever been in foster care or ever had a disability. There are no income limits.

The cost is currently capped at $5 million. His bill would take the cap to $20 million over the next three years.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

More testing urged in Arizona as new COVID-19 cases persist

Terry Tang
Arizona Daily Sun
January 21, 2021

As Arizona remains the worst state in the nation for the rate of new COVID-19 cases, a public health expert warned Wednesday that more people in the state need to get tested.

Only about 15,000 COVID-19 tests are being administered each day across the state, a figure that is low considering Arizona is "one of the hotspots in the country if not the world," said Dr. Joshua LaBaer, director of the Biodesign Institute research center at Arizona State University.

"If we're raging with that many cases in the state, we should be testing 80,000, 100,000 tests a day to really identify cases and get people isolated," LaBaer said during a briefing with reporters. "I know some people don't really want to find out they're positive because it means they have to stay home for two weeks. That's how we stop the spread."

The state Department of Health Services on Wednesday tallied 4,845 additional virus cases and 262 related deaths, bringing Arizona's totals since the pandemic began to 690,544 cases and 11,528 deaths.

The U.S. Centers for Disease Control and Prevention's COVID Data Tracker shows Arizona has a seven-day new-case average of 97.4 cases per 100,000 people. The U.S. average is 60.1 per 100,000 people.

The number of infections in Arizona is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

LaBaer thinks one reason for the drop in testing is reluctance on the part of people. At ASU, appointment slots for COVID-19 saliva testing typically filled when infections increased. But recently, LaBaer noticed there have been numerous open slots.

"I'm worried that people are just getting fatigued with it all and they just don't want to know," he said. "Our recommendation is anybody that has a public-facing job of any kind ... those folks should get tested on a weekly basis."

AMERICAN OVERSIGHT

Hospitalizations, meanwhile, continued to trend downward for a ninth day. Officials say 4,663 people were hospitalized due to COVID-19 on Tuesday. Within that group, 1,050 were in ICUs.

LaBaer cautioned against taking that as a sign that Arizona is turning a corner.

"First of all, those numbers fluctuate day to day. I wouldn't read too much into a little bit here and a little bit there," he said.

In other developments:

— A Pima County Superior Court judge on Tuesday issued a preliminary injunction against a curfew that county officials declared last month to help slow the spread of COVID-19. Judge Kellie Johnson said the curfew from 10 p.m. to 5 a.m. violated Gov. Doug Ducey's executive order prohibiting cities and counties from imposing tougher restrictions than the state.

The county Board of Supervisors approved the mandatory curfew after seeing numerous businesses fail to voluntarily follow it. Owners of businesses including bars and restaurants argued that a curfew would cause irreparable financial damage.

Return to the table of contents

Ex-Arizona official to head to prison for illegal adoptions

Jacques Billeaud
Arizona Daily Sun
January 20, 2021

A former Arizona politician must report to prison Thursday to begin serving the first of three sentences for running an illegal adoption scheme that paid pregnant women from the Marshall Islands to come to the U.S. to give up their babies.

Paul Petersen, a Republican who served as Maricopa County assessor for six years and also worked as an adoption attorney, was sentenced to six years after pleading guilty in federal court in Arkansas to conspiring to commit human smuggling.

Petersen, who has acknowledged running the adoption scheme, is awaiting sentencing in state courts in Arizona for fraud convictions and in Utah for human smuggling and other convictions. Sentencing dates have not yet been set for those cases.

Prosecutors have said Petersen illegally paid women from the Pacific island nation to give up their babies in at least 70 adoption cases in Arizona, Utah and Arkansas. Marshall Islands citizens have been prohibited from traveling to the U.S. for adoption purposes since 2003.

Petersen's attorney, Kurt Altman, did not immediately respond to phone and email messages seeking comment.

Petersen will serve his sentence in the Arkansas case at a federal prison near El Paso, Texas.

AMERICAN OVERSIGHT

The judge gave him two years longer in prison than sentencing guidelines recommended, describing Petersen's adoption practice as a "criminal livelihood" and saying Petersen knowingly made false statements to immigration officials and state courts in carrying out the scheme.

Petersen has appealed the punishment.

In Arizona, he pleaded guilty to fraud charges for submitting false applications to the state's Medicaid system so the birth mothers could receive state-funded health coverage — even though he knew they didn't live in Arizona — and for providing documents to a juvenile court that contained false information.

Petersen has said he has since paid back to the state $670,000 of more than $800,000 in health care costs that prosecutors cited in his indictment.

Earlier in his life, Petersen, who is a member of The Church of Jesus Christs of Latter-day Saints, had completed a proselytizing mission in the Marshall Islands, a collection of atolls and islands in the eastern Pacific, where he became fluent in the Marshallese language.

He quit his elected job as Maricopa County's assessor last year amid pressure from other county officials to resign. As assessor, Petersen was responsible for determining property values in the county that encompasses Phoenix.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- States report vaccine shortages, having to cancel appointments
- Judge permits Tucson bars to stay open past 10 p.m., at least for now
- Virus mutations may dampen vaccine effectiveness
- Maricopa supervisors to turn over election materials to Senate panel
- Arizona lawmaker Payne wants to require notarized signatures on mail-in ballots
- ASU researcher says not enough Arizonans are getting tested
- Vaccine rollout for Tucson educators off to rough start
- Biden sworn in as president on day of 'renewal, resolve'

Arizona Republic

- Vaccination site lets some get shot early
- Maricopa County may supply election material for audit
- Trump pardons former US Rep. Renzi of Ariz.
- Arizona adds 4,845 new COVID-19 cases, 262 known deaths
- Inaugural address: 'This is America's day'
- Arizona politicians show signs of unity at ceremony

KTAR News

- Arizona reports 9,398 new COVID-19 cases, 244 more deaths
- Pinal County seeing coronavirus vaccine appointments book up fast
- Arizona dispensaries could start recreational cannabis sales next week
- New health-conscious, innovative fire station opens in Goodyear
- Downtown Phoenix music venue ordered to close after weekend concert

Arizona Daily Sun

- NAU to repay salary reductions with CARES funding
- Advocates push for vaccination priority for Coconino County homeless residents
- Convicted former Flagstaff Rep. Renzi receives last-minute pardon from President Trump

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

States report vaccine shortages, having to cancel appointments

Michael Hill and Jennifer Peltz
Arizona Daily Star
January 21, 2021

The push to inoculate Americans against the coronavirus is hitting a roadblock: A number of states are reporting they are running out of vaccine, and tens of thousands of people who managed to get appointments for a first dose are seeing them canceled.

Karen Stachowiak, a first grade teacher in the Buffalo, New York, area, spent almost five hours on the state hot line and website to land an appointment for Wednesday, only to be told it was canceled. The Erie County Health Department said it scratched vaccinations for over 8,000 people in the past few days because of inadequate supply.

'It's stressful because I was so close. And my other friends that are teachers, they were able to book appointments for last Saturday,' Stachowiak said. 'So many people are getting theirs in, and then it's like, 'Nope, I've got to wait." The reason for the apparent mismatch between supply and demand in the U.S. was unclear, but last week the Health and Human Services Department suggested that states had unrealistic expectations for how much vaccine was on th eway.

In any case, new shipments go out every week, and both the government and the drugmakers have said there are large quantities in the pipeline.

The shortages are coming as states dramatically ramp up their vaccination drives, at the federal government's direction, to reach people 65 and older, along with certain others.

President Biden, who was inaugurated on Wednesday, immediately came under pressure to fix things. He has made it clear that his administration will take a stronger hand in attacking the crisis, and he vowed to administer 100 million shots in his first 100 days.

Less than half of the 36 million doses distributed to the states by the federal government have been administered so far, according to the Centers for Disease Control and Prevention. Public-health officials have said the gap could reflect record- keeping delays as well as disarray and other failings at various levels of government in actually getting shots into arms.

In a statement, HHS said that jurisdictions actually received about a 5% increase in vaccine allocations this week from what they got in the past couple of weeks.

Countries across Europe are also having problems getting enough doses to provide protection against a virus that is now appearing in new, more contagious variants around the globe.

Pfizer said last week that it would temporarily reduce deliveries to Europe and Canada while it upgrades capacity at its plant in Belgium, which supplies all shots delivered outside the United States. Pfizer's primary site for manufacturing vaccine for the U.S. is in Kalamazoo, Michigan.

AMERICAN OVERSIGHT

In the U.S., some states have suggested they may run out by Thursday and are unclear when new doses will arrive.

New York Mayor Bill de Blasio said Wednesday that the city had to cancel 23,000 appointments for people awaiting their first dose this week. The New York Police Department suspended first-shot vaccinations for its officers.

New York Gov. Andrew Cuomo said he expects the state to exhaust its supply of vaccine within two or three days for people seeking their first dose.

'What's clear now is we'll be going from week to week, and you will see a

constant pattern of basically running out, waiting for the next week's allocation, and starting up again,' he said. He urged health-care facilities not to schedule appointments to dispense vaccine they haven't been allocated yet.

In Florida, local media reported a similar problem in the Miami area, where the Baptist Health care system canceled appointments for first doses.

'I could have blown the top of my head off with steam,' 76-year-old Charlotte Reeve told The Miami Herald. 'I'm also a fairly recent widow. To me, having to be locked up in my house alone is just devastating to me. ... I feel like I just got cut off at the knees, again.'

San Francisco's health department said it is likely to run out of vaccine Thursday, in part because the state pulled back on administering a batch of Moderna shots after several health workers suffered what may have been a bad reaction. The county health department received 12,000 doses last week but fewer than 2,000 this week.

In a statement, Moderna said that it is on track to deliver 100 million doses by the end of the first quarter of the year and 200 million by the end of the second quarter.

Pfizer, the maker of the other vaccine used in the U.S., said it duly filled the government's orders over the past two weeks.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Judge permits Tucson bars to stay open past 10 p.m., at least for now

David Wichner
Arizona Daily Star
January 21, 2021

Bars in Pima County can stay open after 10 p.m. for now — and people can move about Pima County freely in general — after a judge issued a temporary order halting enforcement of a curfew imposed by the county to combat the spread of COVID-19.

But the Pima County Board of Supervisors has authorized the county attorney to appeal the ruling, and the county's top medical officer urged all businesses to voluntarily comply with the curfew, citing spiraling COVID-19 infection rates.

AMERICAN OVERSIGHT

Pima County Superior Court Judge Kellie Johnson granted the plaintiff bar owners a preliminary injunction, finding that the curfew resolution adopted by the Pima County Board of Supervisors on Dec.15 is illegal and violates executive orders issued by Gov. Doug Ducey.

The order, filed late Tuesday and made publicly available Wednesday, prohibits the county from enforcing the 10 p.m.-5 a.m. curfew pending resolution of the main case, which has yet to be scheduled for trial.

The owners of Cobra Arcade Bar, HighWire Lounge, The Maverick, the Union Public House, Reforma Modern Mexican and Proof Artisanal Pizza& Pasta filed a state lawsuit on Jan. 5, alleging that Pima County acted without legal authority when the Board of Supervisors imposed the curfew for all but essential purposes on a 3-2 vote.

Grant Krueger, owner of The Maverick and Union Public House, called the ruling a win for the employees and others who have lost their jobs or have seen a severe cutback in their wages because of the curfew.

'This isn't about ownership; this is about people like the single mom that works for me as a cocktail waitress who suddenly had her income cut by 75%,' Krueger said. 'It's about the cooks and dishwashers, the security guards and DJs, and what's happened to all those careers overnight. All based on a curfew that doesn't seem to be backed by science.'

In a prepared statement, Board of Supervisors Chair Sharon Bronson said the county was disappointed in the judge's ruling.

'It is the county's firm belief that state law empowers the Health Department to take specific actions such as the curfew to mitigate and halt the spread of infectious diseases,' Bronson said Wednesday.

In the meantime, Pima County Chief Medical Officer Dr. Francisco Garcia urged all businesses to continue to voluntarily adhere to the curfew and limit gatherings.

Bronson noted that the resolution specified that the curfew would be lifted when the COVID-19 infection rate in the county fell below what is considered 'substantial spread' of the disease, or 100 cases per 100,000 people, but the current county infection rate is 10 times that.

Attorneys for the bars allege that the county's curfew is illegal, unconstitutional and discriminatory, and violates Ducey's COVID-19 executive orders, which have stopped short of imposing a curfew or mask mandates while barring local governments from adopting stricter mandates.

The plaintiffs say the county has no evidence that operating after 10 p.m. poses any additional risk of spreading COVID-19.

The county contends that it was well within its broad regulatory authority over public-health matters and contends that Ducey exceeded his authority in his orders by prohibiting local governments from enacting stricter COVID-19 measures.

During a hearing Friday, Jan. 15, the bar owners said they follow all COVID-19 safety guidelines and were denied due process of showing they can operate safely after 10 p.m.

AMERICAN OVERSIGHT

The bar owners say they have adapted to keep their businesses going, following safety measures like mask wearing, 50% seating capacity limits and social distancing.

But they said they have been typically operating at 30% to40% of capacity because of space limitations, have had to lay off most of their workers and will go out of business permanently if the curfew remains in effect.

In her order, Johnson found that all Arizona counties are bound by the governor's executive orders and the state has primary authority over emergency response to public-health crises.

The judge found that that county's curfew violated constitutional guarantees of equal treatment under the law because it disadvantaged businesses that generate much of their business after 10 p.m., as well as due-process rights because the bars were given no process to appeal their closure.

Johnson also said Pima County failed to prove that COVID-19 can spread any more easily after 10p.m., given the same safety measures in place before 10 p.m. are followed.

Johnson acknowledged that there are widely varied opinions regarding COVID-19 safety measures, with many contending current mitigation measures are unreasonable and over-restrictive and others believing they fall short of protecting public health and need to be more restrictive.

'It is undisputed COVID-19 is a serious public health concern that must be controlled,' she wrote.

However, she said, it is not her role to decide or opine about whether it agrees or disagrees with the county's resolution.

Johnson ruled that the county's curfew resolution 'is not statutorily authorized and violates the governor's executive order, and that the plaintiffs have demonstrated the possibility of harm,' finding the plaintiffs were entitled to the injunction.

The judge also ordered the plaintiff bars to post a $10,000 bond with the court, as requested by the county to cover a potential increase in costs for COVID-19 contact tracing and case investigation.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Virus mutations may dampen vaccine effectiveness

Marilynn Marchione
Arizona Daily Star
January 21, 2021

Scientists are reporting troubling signs that some recent mutations of the virus that causes COVID-19 may modestly curb the effectiveness of two current vaccines, although they stress that the shots still protect against the disease.

Researchers expressed concern Wednesday about the preliminary findings, in large part because they suggest that future mutations could undermine vaccines. The research tested coronaviruses from the

AMERICAN OVERSIGHT

United Kingdom, South Africa and Brazil, and was led by Rockefeller University in New York with scientists from the National Institutes of Health and elsewhere.

A different, more limited study out Wednesday gave encouraging news about one vaccine's protection against some of the mutations.

One way vaccines work is to prompt the immune system to make antibodies that block the virus from infecting cells. The Rockefeller researchers got blood samples from 20 people who had received either the Moderna or Pfizer vaccine and tested their antibodies against various virus mutations in the lab.

With some, the antibodies didn't work as well against the virus, depending on the mutation, said the study leader, Rockefeller's Dr. Michel Nussenzweig.

'It's a small difference but it is definitely a difference,' he said. The antibody response is 'not as good' at blocking the virus.

Earlier research established that the two vaccines are about 95% effective in preventing COVID-19 illness.

The latest findings were posted late Tuesday on an online website for researchers and have not yet been published in a journal or reviewed by other scientists. Nussenzweig is paid by the Howard Hughes Medical Institute, which also supports science coverage at The Associated Press.

The university has applied for a patent related to his work.

The coronavirus has been growing more genetically diverse, and scientists say the high rate of new cases is the main reason. Each new infection gives the virus a chance to mutate as it makes copies of itself.

Recent variants, or versions of the virus that emerged in the U.K., South Africa and Brazil seem to spread more easily and scientists say that will lead to more cases, deaths and hospitalizations. The variants do not seem to cause more serious disease, but their ability to eventually undercut vaccines is a concern.

E. John Wherry, an immunology expert at the University of Pennsylvania, said the Rockefeller scientists are 'among the very best in the world' at this work and their results are concerning.

'We don't want people thinking that the current vaccine is already outdated. That's absolutely not true,' he said. 'There's still immunity here ... a good level of protection,' but the mutations 'do in fact reduce how well our immune response is recognizing the virus.'

The news comes at 'a really important time in the pandemic,' said Dr. Buddy Creech, a vaccine specialist at Vanderbilt University, 'We've got an arms race between the vaccines and the virus. The slower we roll out vaccine around the world, the more opportunities we give this virus to escape' and develop mutations, he said. Dr. Drew Weissman, a University of Pennsylvania scientist whose work helped lead to the Moderna and Pfizer vaccines, said the antibody findings are worrisome but noted that vaccines also protect in other ways, such as spurring responses from other parts of the immune system. The new work involved only 20 people and not a huge range of ages or races, 'and all of that matters' in how generalizable the results are, he said.

AMERICAN OVERSIGHT

On Wednesday, Pfizer and its German partner BioNTech reported a second round of reassuring findings about its vaccine against one of the variants.

Earlier this month, Pfizer and researchers at the University of Texas Medical Branch said that the vaccine remained effective against a mutation called N501Y from new variants found in the U.K. and South Africa. Likewise, there was no sign of trouble when they tested some additional mutations.

The latest work tested all the mutations from the variant from the U.K. at once rather than one-byone. Tests from 16 vaccine recipients showed no big difference in the ability of antibodies to block the virus, the researchers said in a repor t.

Pfizer didn't immediately comment about the Rockefeller findings, but its chief scientific officer, Dr. Philip Dormitzer, previously said next steps include testing the vaccine against additional mutations found in the variant from South Africa.

It's 'wishful thinking' to believe that first-generation vaccines will be enough, or that vaccines alone will solve our problems, said Mayo Clinic vaccine expert Dr. Gregory Poland.

While expressing worry about the findings, researchers also noted that vaccines protect in other ways, such as spurring responses from other parts of the immune system.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa supervisors to turn over election materials to Senate panel

Howard Fischer
Arizona Daily Star
January 21, 2021

Facing a contempt vote in the Senate and a possible adverse court ruling, Senate President Karen Fann said Maricopa County supervisors agreed Wednesday to give lawmakers pretty much everything they are demanding in election materials and access to voting equipment.

Fann said the deal guarantees that the Senate Judiciary Committee will get copies of every ballot cast in the Nov. 3 general election. While the subpoena asked for the original ballots, Fann told Capitol Media Services this will suffice.

'We don't want to break any rules,' she said.

Fann said the duplicates will allow for a full audit of the returns, comparing the duplicate paper ballots with the official machine tally.

Potentially more significant, the deal, as outlined by Fann, gives the Senate access to the equipment used by Maricopa County to perform a 'logic and accuracy' test on a random sample of tabulation machines as well as a review of the 'source codes.' And there will be access to desktop servers and routers as needed by an auditor.

In a prepared statement, Jack Sellers, who chairs the supervisors, did not dispute the points made by Fann. But he said the county and the Senate are 'working toward an agreement which delivers some of

AMERICAN OVERSIGHT

the requested documents and information while protecting voter privacy and the integrity of election equiptment.'

All that paves the way for a deep dive into what happened in Arizona's largest county and whether the vote tallies reported were accurate. Democrat Joe Biden bested incumbent Donald Trump by 10,457 votes statewide, with a 45,109 edge for Biden in Maricopa County offsetting results elsewhere where Trump outpolled the Democrat.

It also provides an opportunity to have an independent check into various allegations fueled by Trump and his allies that the Dominion Voting Systems software and equipment were deliberately rigged to give more votes to Biden than were actually cast.

In turn, however, the Senate has agreed to have all the examinations performed by an auditor who is certified by the U.S. Election Assistance Commission. And the documents and equipment produced will be accessible only to those authorized.

That is a crucial point as county officials had been concerned that at least one purpose behind the subpoenas issued last month, before the election results were certified by Congress, was to turn information over to Trump attorney Rudolph Giuliani or others associated with the Trump reelection campaign.

There was a basis for that conclusion.

In a Dec. 29 court filing on behalf of the Senate, attorney Kory Langhofer wrote that one of the desires of his client was 'to potentially transmit its findings to the United States Congress in advance of its consideration of the Electoral College returns on Jan. 6.' And that could have provided fuel to convince federal lawmakers not to accept the results giving the state's 11 electoral votes to Biden.

All that is purely academic, with the deal coming hours before Biden was formally sworn in as president.

Fann said there were two main goals of the subpoenas.

'This was all about reinstilling the confidence in the electoral system with the voters to ensure there wasn't any problem with the machines,' she said. And if there are irregularities, intended or not, Fann said the review will enable lawmakers to decide whether changes are needed in state election laws to prevent future problems.

With the compliance, Fann said she hopes an auditor can be selected within days. And the Senate president said she wants the examination completed within a matter of days or weeks, not months.

Any findings by the Judiciary Committee are expected to be made public.

'I am hoping there were no errors,' she said. But Fann said there might be some 'minor' ones, like someone who cast a ballot who was not entitled to vote.

'If we find those irregularities, how do we fix that,' she said.

Still, Fann said, it is possible that the audit will come up with something more serious.

AMERICAN OVERSIGHT

'If, for some reason, we actually did uncover some major problems that would have affected the outcome of the election, it's our duty to send that information on to the Congress or whomever,' she said. 'We can't just stay silent on that,' Fann continued. 'We have to provide that information to the federal authorities' who are in a position to deal with it, 'whether it's criminal action, whether it's cartel, whatever.'

None of this, she said, will affect the fact that Joe Biden was sworn in on Wednesday.

'He is the president,' she said.

The deal is about more than Senate access to the equipment and materials. As part of the pact, county officials have agreed to acknowledge the Legislature's authority to issue investigatory subpoenas, something they had fought in court.

Maricopa County Superior Court Judge Timothy Thomason had scheduled a hearing for Wednesday on the legal dispute. The judge suggested he was ready to rule in favor of the Senate, saying at a previous hearing he believes the subpoena served a legitimate legislative purpose.

And there was something else hanging over the supervisors.

Fann conceded her staff had prepared a resolution to hold the county officials in contempt. Such a vote would have allowed the Senate president to send the sergeant-at-arms to arrest someone — presumably Sellers — for refusing to comply.

This, Fann said, is a much better solution. And she thanked the supervisors for agreeing to the deal.

Legal authority aside, Fann said concerns of the county about the security of the equipment had no basis.

'We've said from Day 1 we certainly did not expect them to bring the machines down to the state Capitol or to hand over any information to anyone who is not authorized to do it,' she said.

Return to the table of contents

Arizona lawmaker Payne wants to require notarized signatures on mail-in ballots

Howard Fischer
Arizona Daily Star
January 21, 2021

A plan by a Peoria lawmaker to curb what he says is an opportunity for election fraud could end up throwing roadblocks in the paths of some who want to vote.

Republican Rep. Kevin Payne said something needs to be done to ensure that ballots returned by mail were cast by the individuals to whom they were originally addressed. He said the current system, in which election workers try to match signatures on ballot envelopes with what's on file, is far from foolproof.

His proposed solution: notaries.

AMERICAN OVERSIGHT

Payne's House Bill 2369 would require attestation by a notary that the person whose name is on the envelope was in fact the person who signed it. No notarization? No vote.

Payne conceded that some people don't have easy access to a notary. He said those likely include some residents of the Sun City retirement community in his legislative district, who may be too infirm to go out and find a notary who can attest to their signature.

But Payne told Capitol Media Services he is undeterred.

By law, anyone with an early ballot already has to sign the envelope. It is that signature that election workers review to see if it appears to match other signatures already on file.

Payne said he was besieged by emails before the Nov. 3 election — he estimated they were coming in at one point at five per minute — of people questioning whether all early ballots came from real voters.

Much of that doubt likely was fueled by claims of Donald Trump and Rudy Giuliani, his personal lawyer, that mail-in voting was subject to massive fraud.

Also, Fox News reported that someone apparently applied for and cast an early ballot for a man who used to live in Arizona but had since moved to Tennessee. Nashion Garrett told Laura Ingraham it appeared a mail-in ballot was sent to his old address, 'but I haven't lived in Arizona in over a year.'

Payne said there's no danger of that happening if a notary has to verify that the legally required signature on early ballot envelopes matches the person whose name is on there.

Democratic Secretary of State Katie Hobbs said she's not buying it.

Hobbs said a check of voter registration records does reveal a Nashion Garrett. But she said he was placed on the 'inactive voter' list after he didn't vote in several prior elections and mail to his residence was returned.

She was similarly unimpressed by various other claims of fraud, none proven in court. 'We cannot legislate based on misinformation that came out of this election,' she said.

Hobbs said the current system of matching signatures works.

'That doesn't mean that one person might not slip through the cracks,' she said. 'But we don't need to burden every single voter in our state because one person might have slipped through the cracks.'

Early voting is very popular in Arizona, at least in part because of its ease and simplicity. During the last presidential race more than 88% of the ballots were early ballots.

Voters can request an early ballot before each election. Or they can choose to be on a 'permanent early voting list' where they are guaranteed to get a ballot in the mail ahead of each election.

The safeguard is supposed to be the signature comparison done by county election workers. Payne said he's not convinced that's working.

AMERICAN OVERSIGHT

'They're not trained like a forensic scientist would be, or a handwriting analyst who sits down and looks at the loop on the L and the cross on the T, the close on the O or the close on the P,' he said.

Beyond that, Payne said doing the envelope-by-envelope checks is time consuming. A notarized signature, he said, would eliminate the need.

That leaves the question of whether his proposal would create a new burden on voters. 'That's certainly not my intention,' Payne said.

Hobbs, however, said that would be the result. 'Not everybody has access to a notary,' she said, so they would need to make a trip to a bank or post office or somewhere a notary might be present.

One option, Payne suggested, might be to provide incentives for notaries to go to the homes and apartments of voters who need signature verification.

Hobbs said that still leaves another hurdle — notaries charge fees. She said that would create what amounts to a 'poll tax,' in which people have to pay to exercise their right to vote.

Payne said that aspect could be avoided if the state picked up the tab, but that would require an unknown amount of tax dollars to administer. He said he remains open to suggestions.

If his proposal is approved, Arizona would become one of just a handful of states to impose a notary requirement on early ballots.

The strictest laws, according to the National Notary Association, are in Mississippi. Other states with requirements for a notary or someone else to witness a signature include Alaska, Alabama, Maine, Missouri, Oklahoma and South Dakota.

Payne's legislation also contains another provision that could make it harder for some people to cast early ballots.

Under a 2016 Arizona law — one now awaiting U.S. Supreme Court review — it is illegal to take someone else's voted ballot to a polling place. But an exception is provided for a family member or someone in the same household to drop off the ballot.

HB 2269 would remove both of those exemptions, leaving only a formal caregiver at someone's home, nursing care institution, assisted living center or similar facility as being the one who could handle that person's ballot.

Payne also introduced companion legislation to wipe out the permanent early voting list. But he acknowledged there's really no support among his colleagues for that.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

ASU researcher says not enough Arizonans are getting tested

Terry Tang
Arizona Daily Star
January 21, 2021

AMERICAN OVERSIGHT

As Arizona remains the worst state in the nation for the rate of new COVID-19 cases, a public-health expert warned Wednesday that more people in the state need to get tested.

Only about 15,000 COVID-19 tests are being administered each day across the state, a figure that is low considering Arizona is 'one of the hot spots in the country if not the world,' said Dr. Joshua LaBaer, director of the Biodesign Institute research center at Arizona State Unive rs i ty.

'If we're raging with that many cases in the state, we should be testing 80,000, 100,000 tests a day to really identify cases and get people isolated,' LaBaer said during a briefing with reporters. 'I know some people don't really want to find out they're positive because it means they have to stay home for two weeks. That's how we stop the spread.'

The state Department of Health Services on Wednesday tallied 4,845 additional virus cases and 262 related deaths, bringing Arizona's totals since the pandemic began to 690,544 cases and 11,528 deaths.

The U.S. Centers for Disease Control and Prevention's COVID Data Tracker shows Arizona has a seven- day new-case average of 97.4 cases per 100,000 people. The U.S. average is 60.1 per 100,000 people.

In Pima County, there have been 92,519 cases of coronavirus, up 779 from the previous day. There have been 1,495 deaths in Pima County, up 73 from the previous day. The number of infections in Arizona is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

LaBaer thinks one reason for the drop in testing is reluctance on the part of people. At ASU, appointment slots for COVID-19 saliva testing typically filled when infections increased. But recently, LaBaer noticed there have been numerous open slots.

'I'm worried that people are just getting fatigued with it all and they just don't want to know,' he said. 'Our recommendation is anybody that has a public- facing job of any kind ... those folks should get tested on a weekly basis.' Hospitalizations, meanwhile, continued to trend downward for a ninth day. Officials say 4,663 people were hospitalized due to COVID-19 on Tuesday. Within that group, 1,050 were in ICUs.

LaBaer cautioned against taking that as a sign that Arizona is turning a corner.

'Those numbers fluctuate day to day. I wouldn't read too much into a little bit here and a little bit there.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Vaccine rollout for Tucson educators off to rough start

Danyelle Khmara
Arizona Daily Star
January 21, 2021

School workers are starting to get vaccinated against COVID-19 in Tucson, but the rollout is off to a slow and confusing start.

AMERICAN OVERSIGHT

Last week, the Pima County Health Department said more than 2,200 K-12 school workers would be getting vaccinated this week at the new University of Arizona super-site. But on Tuesday, the UA sent out a press release saying that number would actually be around only 650. And school districts don't seem to be getting the same information from the county Health Department.

Sahuarita Unified said Tuesday afternoon that the district had no knowledge that it would be getting less than the 90 vaccines they were promised this week. But Catalina Foothills said the county Health Department informed the district Tuesday morning that each district would only be getting about 25% of their allotment. That would give Catalina Foothills just 20.

Sunnyside received 105 vaccine appointments for its staff this week rather than the 140 it was allotted, said spokeswoman Marisela Felix.

For its part, the UA says that it has met every timeline the county has set.

'The University of Arizona has met the timelines set by Pima County Health Department,' said spokeswoman Pam Scott. 'We appreciate the opportunity Pima County is providing us to play such a major role in vaccinating a portion of the 350,000 people estimated to be in Phase 1B.'

Beginning next week, the UA will expand its days and hours to administer 800 vaccines a day.

The county notified TUSD on Monday there were system issues, according to N ikki Steffan, the district's director of health services. Only 250 staffers were sent an invitation to register for the vaccine, although the district was guaranteed 780 for this week.

Those workers were assigned appointment times rather than being able to choose, Steffan says. Some of the appointments were Tuesday for workers who didn't even know they were up next to get the vaccine. So while some hurried and got it, others couldn't make it on time.

On Wednesday afternoon, TUSD Superintendent Gabriel Trujillo told reporters that the county said the UA will open more vaccination appointments this Saturday and Sunday and will work to get as many of the promised vaccines out this week as possible.

'If an individual was slotted to get the vaccine this week, they will not be told that they cannot get the vaccine next week,' Trujillo said. 'So they're going to be prioritized. Our 780 slots are our slots, and they're gonna work hard to cycle as many through between now and Sunday.'

This Friday, Jan. 22, a new system will be in place that allows employees prioritized by their district to choose a time slot once they get an email prompting them to do so, Monday through Saturday from 11a.m. to 6p.m., either drive-thru or walk-up.

The rollout is slower than expected because the county is piloting a couple of new internal computer processes, and it didn't want to see long lines like it did at the Kino vaccination site on Monday, Jan. 18, says Aaron Pacheco, county Health Department spokesman.

'We expect that we will be back at full speed within the next couple of days,' he said. 'We just didn't want to, essentially, start running full speed the very first day. So we're trying to make sure that everything is in place so that we can go faster as soon as we have those bugs and kinks worked out.'

AMERICAN OVERSIGHT

Vail School District will be getting only 60 vaccines this week instead of the 210 the district was promised, said Vail Superintendent John Carruth during a board meeting Tuesday.

'We've worked closely with Pima County Department of Health, and it pains me to say this but their rollout is less than stellar,' Carruth said. 'In fact, it's been an utter disappointment.'

Vail recently partnered with United Community Health and Rincon Valley Fire, and in less than 24 hours they set up a vaccine clinic at Old Vail Middle School and vaccinated 70 staff members who fell into the health-worker category.

Carruth pushed for the Health Department to allow them to repeat the process and get more people vaccinated, but the county said it would be vaccinating all K-12 staffers at the UA site.

'We have a proven track record that if we had those 210 doses, we would have them in arms of staff tomorrow,' Carruth says. 'It is unconscionable that we are not able to do that.'

There are also two Banner Health sites in Tucson that have limited vaccine appointments but are accepting requests from all school workers and other priority groups at bannerhealth.com/staying-well/healthand- wellness/wellness/ covid/pima- county- vaccine.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Biden sworn in as president on day of 'renewal, resolve'

Jonathan Lemire, Zeke Miller and Alexandra Jaffe
Associated Press

Joe Biden was sworn in as the 46th president of the United States on Wednesday, declaring that 'democracy has prevailed' and summoning American resilience and unity to confront the deeply divided nation's historic confluence of crises.

Biden took the oath at a U.S. Capitol that had been battered by an insurrectionist siege just two weeks earlier. On a cold Washington morning dotted with snow flurries, the quadrennial ceremony unfolded within a circle of security forces evocative of a war zone and devoid of crowds because of the coronavirus pandemic.

Instead, Biden gazed out over 200,000 American flags planted on the National Mall to symbolize those who could not attend in person.

'The will of the people has been heard, and the will of the people has been heeded. We've learned again that democracy is precious and democracy is fragile. At this hour, my friends, democracy has prevailed,' Biden said. 'This is America's day. This is democracy's day. A day in history and hope, of renewal and resolve.'

History was made at his side, as Kamala Harris became the first woman to be vice president.

AMERICAN OVERSIGHT

The former U.S. senator from California is also the first Black person and the first person of South Asian descent elected to the vice presidency and the highest-ranking woman ever to serve in the U.S. government.

Biden never mentioned his predecessor, who defied tradition and left town ahead of the ceremony, but his speech was an implicit rebuke of Donald Trump. The new president denounced 'lies told for power and for profit' and was blunt about the challenges ahead.

Central among them: the surging virus that has claimed more than 400,000 lives in the United States, as well as economic strains and a national reckoning over race.

With the U.S. Capitol in the background, Joe Biden is sworn in as the 46th president of the United States as Jill Biden holds the Bible and their children Ashley and Hunter watch.

'We have much to do in this winter of peril, and significant possibilities. Much to repair, much to restore, much to heal, much to build and much to gain,' Biden said. 'Few people in our nation's history have been more challenged, or found a time more challenging or difficult than the time we're in now.'

Biden was eager to go big early, with an ambitious first 100 days including a push to speed up the distribution of COVID-19 vaccinations to anxious Americans and pass a $1.9 trillion economic relief package. On Day One, as part of a push to roll back Trump administration initiatives, he signed a series of executive actions, including to reenter the Paris climate accord and to mandate mask wearing on federal property.

'There's no time to start like today,' Biden said as he signed the actions in the Oval Office.

The absence of Biden's predecessor from the inaugural ceremony underscored the national rift to be healed.

But a bipartisan trio of former presidents — Bill Clinton, George W. Bush and Barack Obama — were there to witness the ceremonial transfer of power. Trump, awaiting his second impeachment trial, was at his Florida resort by the time the swearing in took place.

Biden, in his third run for the presidency, staked his candidacy less on any distinctive political ideology than on galvanizing a broad coalition of voters around the notion that Trump posed an existential threat to American democracy. Four years after Trump's 'American carnage' speech painted a dark portrait of national decay, Biden warned that the fabric of the nation's democracy was tearing but expressed faith that it could be repaired.

'I know the forces that divide us are deep and they are real. But I also know they are not new. Our history has been a constant struggle between the American ideal that we are all created equal and the harsh, ugly reality that racism, nativism, fear, demonization have long torn us apart,' Biden said. 'This is our historic moment of crisis and challenge, and unity is the path forward and we must meet this moment as the United States of America.'

Swearing the oath with his hand on a 5-inch-thick Bible that has been in his family for 128 years, Biden came to office with a well of empathy and resolve born by personal tragedy as well as a depth of experience forged from more than four decades in Washington. At age 78, he is the oldest president inaugurated.

AMERICAN OVERSIGHT

Both he, Harris and their spouses walked the last short part of the route to the White House after an abridged parade. Biden then strode into the Oval Office, a room he knew well as vice president, for the first time as commander in chief.

Earlier, the two were sworn in during an inauguration ceremony with few parallels. Biden, like all those in attendance, wore a face mask except when speaking. And tens of thousands of National Guard troops were on the streets to provide security precisely two weeks after a violent mob of Trump supporters, incited by the Republican president, stormed the Capitol in an attempt to prevent the certification of Biden's victory.

'Here we stand, just days after a riotous mob thought they could use violence to silence the will of the people,' Biden said. 'To stop the work of our democracy. To drive us from this sacred ground. It did not happen. It will never happen. Not today, not tomorrow. Not ever. Not ever.'

The tense atmosphere evoked the 1861 inauguration of Abraham Lincoln, who was secretly transported to Washington to avoid assassins on the eve of the Civil War, or Franklin Roosevelt's inaugural in 1945, when he opted for a small, secure ceremony at the White House in the waning months of World War II.

But Washington, all but deserted downtown and in its federal areas, was quiet. And calm also prevailed outside heavily fortified state Capitol buildings across the nation after the FBI had warned of the possibility for armed demonstrations.

The day began with a reach across the political aisle after four years of bitter partisan battles under Trump. At Biden's invitation, congressional leaders from both parties bowed their heads in prayer in the socially distanced service just a fewblocks from the WhiteHouse.

Biden was sworn in by Chief Justice John Roberts; Harris by Justice Sonia Sotomayor, the first Latina member of the Supreme Court. Vice President Mike Pence, standing in for Trump, sat nearby as Lady Gaga, holding a golden microphone, sang the national anthem accompanied by the U.S. Marine Corps band.

When Pence, in a last act of the outgoing administration, left the Capitol, he walked through a door with badly cracked glass from the riot two weeks ago. Later, Biden, Harris and their spouses were joined by the former presidents to solemnly lay a wreath at the Tomb of the Unknown Soldier at Arlington National Ceremony.

Because of the pandemic, much of this year's parade was a virtual affair featuring performances from around the nation.

In the evening, in lieu of the traditional balls that welcome a new president to Washington, Biden was to take part in a televised concert that also marked the return of A-list celebrities to the White House orbit after they largely eschewed Trump. Among those in the lineup: Bruce Springsteen, Justin Timberlake and Lin-Manuel Miranda.

This was not an inauguration for the crowds. But Americans in the capital city nonetheless brought their hopes to the moment.

AMERICAN OVERSIGHT

'I feel so hopeful, so thankful,' said Karen Jennings Crooms, a D.C. resident who hoped to catch a glimpse of the presidential motorcade on Pennsylvania Avenue with her husband. 'It makes us sad that this is where we are but hopeful that democracy will win out in the end. That's what I'm focusing on.' Trump was the first president in more than a century to skip the inauguration of his successor. After a brief farewell celebration at nearby Joint Base Andrews, he boarded Air Force One for the final time as president.

Trump did adhere to one tradition and left a personal note for Biden in the Oval Office, according to the White House. Biden would only tell reporters that Trump 'wrote a very generous letter.'

After the inauguration, President Biden signed some executive actions, including to reenter the Paris climate accord and to mandate mask wearing on federal property. 'There's no time to start like today,' he said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Vaccination site lets some get shot early

Anne Ryman and Mar y Jo Pitzl
Arizona Republic
January 21, 2021

The thought of driving someone to a COVID-19 vaccination at State Farm Stadium may not sound like much fun. You may have to go in the middle of the night. You may have to wait in a long line.

But you also may wind up with an unexpected bonus: Some people are being offered doses of the coveted vaccine just for being in the same car as someone with an appointment — even if they are not health-care workers, teachers, or in the 65-and-older priority groups currently eligible for a shot.

The so-called "tagalong vaccines" come even as the state has an overwhelming demand for vaccines and a limited supply. Available appointments fill up fast, and hundreds of thousands of people over age 75 are still awaiting their first doses.

Volunteers at the State Farm site are sharing stories on social media of "plus ones" being allowed to register on site for a vaccine, even though some don't meet the criteria of the phase 1A and 1B priority groups. One volunteer reported she allowed about 100 of these walk-ins on a recent shift.

Dr. Cara Christ, director of the Arizona Department of Health Services, acknowledged to The Arizona Republic that tagalong vaccines are happening at the state-run vaccination site at State Farm Stadium. But state officials have a different name for them. They call them "appointment plus," meaning at least one person has an appointment and others in the car may be offered doses on a case-by-case basis.

On Wednesday, the department reiterated the practice in a tweet, saying "we offer it to +1s when possible."

Christ said the decision of who gets added depends on factors such as the amount of vaccines available, how many people are waiting in line and how many people were no-shows for appointments. She didn't have precise numbers but said a "couple hundred" of the 6,000 vaccines administered daily have been "appointment plus" or walkins.

"If we have vaccine available or expiring soon, we would rather get vaccine into arms than waste vaccine," she told the Republic on Tuesday.

For example, Christ said she was recently on the vaccination line and a younger person brought in two elderly parents. This person wasn't in the priority group of those eligible to receive a vaccine but was the parents' caretaker and translator. Christ said the younger person was offered a dose because there was vaccine available and getting her the vaccine would provide additional protection for her parents.

But Brian Lee, executive director of Families For Better Care, a nonprofit group that advocates for nursing home residents, said the general practice of allowing tagalong vaccines for people who aren't eligible is "absolutely wrong."

AMERICAN OVERSIGHT

He said a younger person who doesn't meet the state's criteria to receive a vaccination "is just stealing a dose from someone who needs it right now."

Everyone eventually will get an opportunity to receive the COVID-19 vaccine, he said, but it's critical for the elderly to receive the COVID-19 vaccination now. In Arizona, the vast majority of COVID-19 deaths — 74% — have been in the 65 and older age group.

Lee said if vaccines are having to be doled out to anyone because the doses are at risk of expiring, then the state needs to figure out a way to get them to the people who need them most. Those are the elderly, he said.

Among those hardest hit by COVID- 19 are long-term care residents and staff. More than 13,500 residents and staff have been infected since March and more than 2,000 have died from COVID-19-related complications, according to an analysis of county health and federal data by The Republic.

Nursing home and assisted-living residents have been prioritized by the state for COVID-19 vaccines through a federal program run by CVS and Walgreens. The majority of Arizona nursing homes have received their first doses with second doses starting at some facilities next week.

But tens of thousands of people are still waiting for their first doses at assisted- living facilities, where the program started on Monday. Arizona has an estimated 67,000 residents and staff in assisted-living facilities.

Dana Kennedy, state director for Arizona AARP, said the state doesn't have enough vaccine and needs to concentrate on the population hardest hit by the virus.

"That right now is 75 and older. We need to make sure all 75 and older have gotten the vaccine."

Christopher Bucholz of Scottsdale was frustrated when he learned people were getting vaccines by tagging along with others.

"It's not fair to those people who have been on their computer at all hours of the day, trying to get an appointment," said Bucholz, who has been trying unsuccessfully to get an appointment and learned Tuesday he is not yet eligible.

Bucholz thought he may be eligible because he had a liver transplant nearly a year ago. But even with his underlying health condition, he isn't eligible for a vaccine yet because he doesn't meet the age criteria, which for staterun sites is 65 years and older.

Despite the controversy over tagalong vaccines, Christ said the state isn't planning on changing its practices at this time.

If someone shows up with someone else who has an appointment, the person without an appointment may be offered a vaccine. But it's not guaranteed, she said, and there are limits.

"We would not do one appointment with nine or 10 tagalongs. That would probably shut down the ability for us, if people started doing this routinely, " she said.

AMERICAN OVERSIGHT

The protocol is different at the vaccination sites run by Maricopa County. In a statement, spokesman Fields Moseley said only people who have an appointment can receive the vaccine.

He said there are often some doses leftover at the end of the day. The Pfizer vaccine remains stable up to five days once thawed, so it can still be used the next day.

At the same time, " We want to make sure very little vaccine goes to waste, so we have treated medical volunteers at the sites as medical workers, and they have the opportunity to get vaccinated at the end of the day," he said.

At vaccination sites run by Banner Health, reservations are required and walk-ins are not permitted. Site volunteers are the only people vaccinated without an appointment.

"We send them out of line when they don't have an appointment," said Nancy Zismann, the chief clinical ser vices officer for Banner Health.

Unlike the State Farm site, which runs 24/7, Banner operates for 10 hours a day. That gives Banner the chance to plan, calibrating the number of Pfizer vaccines it takes out of the deep freeze with the number of reservations set up for the following day.

They overbook, knowing from experience that there will be a certain amount of no-shows. If there are vaccine doses left at the end of the day, people working are asked to contact community members to see if they can quickly get to the site for a shot.

"We do not throw away vaccine," Zismann said. "We are always able to find folks nearby who are willing and able to come over."

Banner administers 1,650 vaccines a day between its nine locations in Arizona. Two drive-through sites are in Maricopa County: At the state fairgrounds and one at Banner's Sun City hospital. There are two other drive-through sites in Pima County, and sites elsewhere. All require reservations.

She conceded there is confusion because the state-run site does allow walk-ins, although informally.

"It's hard when it's different rules at different places," she said, adding there has been some pushback from people who thought they could tag along with a person who has a reservation.

Return to the table of contents

Maricopa County may supply election material for audit

Jen Fifield
Arizona Republic
January 21, 2021

The Maricopa County Board of Supervisors is preparing to release election material to the Arizona Senate in response to its subpoenas, so that the Senate can perform an audit.

AMERICAN OVERSIGHT

The supervisors said in a statement on Wednesday that they continue to negotiate with the Senate on how to respond to the subpoenas, while Senate President Karen Fann put out a statement on Wednesday that said the Senate and supervisors had come to an agreement.

The announcement of a potential agreement comes on the day President Joe Biden was inaugurated and as a legal battle between the supervisors and Senate has lasted more than a month.

A list provided by Senate Republicans shows what could be included in the agreement, including, but not limited to:

The county will provide images of ballots.

An audit will be performed including a logic and accuracy test on a random sample of tabulation machines and a review of the source code on a random sample of machines.

The audit will only examine material related to the "2020 election."

The auditor will be certified by the U.S. Election Assistance Commission and will have access to a "random sample of desktops, servers, and routers" in a way that wouldn't disrupt county operations.

Only authorized parties would have access to data or materials provided by the county.

The parties will "work together in good faith" to resolve issues arising during the audit.

The supervisors declined to confirm the terms of the potential agreement.

The Senate first issued two subpoenas to the supervisors on Dec. 15 after repeatedly calling on them to complete an additional independent audit of general election results, even though the routine audit the county conducted went flawlessly and challenges to the outcome alleging irregularities and fraud failed in court.

The subpoenas gave the supervisors three days to respond and produce a voluminous amount of material from the general election, including images of all mail-in ballots, detailed voter information and machines used to count votes.

Instead of responding, the supervisors sued to stop the subpoenas, saying, in part, that state law prohibits the county from turning over copies of ballots and arguing the Senate was overreaching its powers. The supervisors asked the court to decide.

More recently, though, Supervisors Chairman Jack Sellers authorized attorneys to negotiate with the Senate, according to county spokesperson Fields Moseley.

Once there is a final plan, the board will vote on it, Moseley said.

In a letter to state Sen. Paul Boyer, Supervisor Bill Gates said that the supervisors, "stand ready to work with the Arizona Senate to provide additional documents and material responsive to the January subpoena."

AMERICAN OVERSIGHT

Senate Republicans consider the negotiations complete. “I am pleased to announce that after a hard-fought battle to seek information on behalf of Arizona voters regarding the integrity of the 2020 election, we have reached a favorable agreement with the Maricopa County Board of Supervisors,” Fann wrote in her statement on Wednesday. “Not only has the Board agreed to turn over all the relevant information we sought in our subpoenas so that we may perform an audit, but they also acknowledge that the Legislature is a sovereign power of the state and that the county is a political subdivision, and as such, the Legislature has the constitutional and statutory authority to issue subpoenas.”

On Jan. 19, Sellers wrote a letter to Fann acknowledging that the county “holds none of the sovereign power in the state,” and that each legislative body “has power to issue legislative subpoenas by statute and as provided by the Constitution.”

The supervisors, four Republicans and one Democrat, help oversee general elections in the county and are responsible for certifying election results. The supervisors voted on Nov. 20 to certify the results of November’s elections, after spending hours asking county officials questions about the integrity of the election results.

Since the subpoenas were issued, Maricopa County Superior Court judges have considered the intent of the subpoenas, in part to determine whether the Senate had power to issue them.

County attorneys have argued that the subpoenas were a last-ditch attempt to try to overturn the results of the election, in which Arizona voted to elect President Joe Biden, to which Superior Court Judge Timothy Thomason said last week, “that ship has clearly sailed.”

Senate attorneys argued that the subpoenas were intended to give the lawmakers access to election materials that will be important as they consider whether to pass new election-related laws.

Arizona Attorney General Mark Brnovich weighed in, telling the court in a brief that the Senate had the authority to issue the subpoenas.

At a court hearing last week, though, Thomason said that the subpoenas were now moot, because the Legislature that issued the subpoenas adjourned and a new Legislature has convened.

Perhaps understanding that this could become an issue, the Senate issued a new subpoena a day before that court hearing, with the same demands.

A county attorney urged Thomason to wait to see how the county responded to the new request.

Thomason did not make a decision on the case and instead told the lawyers that the county and the Legislature should come to a solution outside of court.

“I do wonder why the senators and county officials can’t sit down and work this out,” he said.

Return to the table of contents

AMERICAN OVERSIGHT

Trump pardons former US Rep. Renzi of Ariz.

Andrew Oxford and Ronald J. Hansen
Arizona Republic
January 21, 2021

In his final hours in office, President Donald Trump pardoned former Rep. Rick Renzi of Arizona, who had been convicted in 2013 on racketeering, money laundering and other federal charges related to a land swap scheme.

The pardon, one of 73 issued by Trump, was requested by Renzi for years and gained renewed attention recently from Rep. Paul Gosar, R-Ariz. Trump also commuted the sentences of another 70 people.

Renzi was one of two Arizonans to receive clemency. Scott Conor Crosby received a full pardon after a 1992 conviction in a bank robbery.

Released from prison in 2017 after serving a three-year sentence, Renzi has maintained that he was the victim of a politically motivated prosecution and said in a statement Tuesday that he was wrongfully incarcerated.

"After almost 14 years of fighting for my innocence, it took a real man of action and courage in President Trump to finally relieve me of the horrific deceit of being wrongly convicted by a Department of Justice that engaged in witness tampering, illegal wiretapping, and gross prosecutorial misconduct," said Renzi, a Republican.

Renzi was convicted on 17 counts, including extortion, in connection with a federal land-exchange proposal involving the long-controversial plans for a mine at Oak Flat.

He threatened to scuttle the project if mine executives didn't purchase land from a former business partner who owed him money.

Prosecutors also said Renzi looted a family insurance business to help pay for his first campaign.

He was not convicted of illegally using money from the firm, however.

Instead, Renzi was convicted of filing false statements with regulators after failing to use premiums collected from nonprofit groups to buy policies.

Renzi, a Republican, represented the congressional district that spanned northeastern Arizona from 2003 to 2009.

He was indicted in February 2008 after a probe of the land swap and decided not to pursue a fourth term. Instead, Rep. Ann Kirkpatrick, D-Ariz., won her first term that year.

Gosar defeated Kirkpatrick in 2010. He switched to an adjacent district that spans northwestern Arizona in 2012.

His political career stalled, Renzi was convicted in 2013 and his prison sentence was upheld on appeal.

AMERICAN OVERSIGHT

The White House statement said Renzi's pardon was supported by Gosar as well as several former colleagues in the House.

"His constituents considered him a strong advocate for better housing, quality education, and improved healthcare — especially for the underprivileged and Native Americans. He is the father of 12 children and a loving and devoted husband," the White House statement said.

Rallying support for pardon

But as he has cast himself as a victim and echoed many of the president's own claims about politically motivated federal investigators, Renzi has found support among the president's backers.

An organization he founded, Abuse of Power, released a seven-minute video last year about Renzi's fall that features Sidney Powell, the lawyer who figured prominently in Trump's efforts to overturn the results of the presidential election.

And Last month, Gosar sent a letter to Trump reiterating his support for pardoning Renzi, alleging the former lawmaker was a victim of "corruption and persecution."

"Congressman Renzi was a rising Republican star in Arizona — easily winning reelection in his district," Gosar wrote. "At the time, he was considered a top GOP candidate for governor in the 2006 election and likely would have beat Democrat Janet Napolitano. However, this changed with his wrongful indictment and conviction."

Renzi thanked Gosar for his efforts before the pardon.

"I am grateful to Congressman Gosar for his continued support and especially for the courage President Trump has shown in exposing the criminal actors within the Department of Justice," Renzi said in a written statement to The Arizona Republic.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona adds 4,845 new COVID-19 cases, 262 known deaths

Alison Steinbach
Arizona Republic
January 21, 2021

Arizona's new-case rate again ranked highest in the country on Wednesday as the state reported about 4,800 new COVID-19 cases and 262 new known deaths from the disease.

The state's seven-day new-case average ranked first among all states Wednesday after ranking first and second the past two weeks, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

Arizona's rate of new positive cases over the last seven days was 101.6 cases per 100,000 people, per the CDC. The U.S. average for new cases is 62.8 cases per 100,000 people.

AMERICAN OVERSIGHT

Arizona's average daily COVID-19 deaths per 100,000 people over the past seven days was second in the nation as of Wednesday, CDC data show.

The state surpassed 11,000 known deaths from COVID-19 on Friday after passing 10,000 deaths just six days earlier. Many of the deaths occurred days or weeks prior, due to reporting delays and death certificate matching.

The state reported more than 17,200 new cases on Jan. 3, the highest number of new COVID-19 cases reported in a single day since the pandemic began, toppling the state's previous record from Dec. 8 by nearly 5,000 cases. The record followed the Christmas and New Year's holiday weekends.

The Arizona data dashboard shows 92% of all ICU beds and 92% of all inpatient beds in the state were in use Monday, with 59% of ICU beds and 54% of non-ICU beds occupied by COVID-19 patients. Statewide, 144 ICU beds and 714 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 4,663 on Tuesday, below last Monday's record 5,082 inpatients. By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,050 on Tuesday, below the record high of 1,183 last Monday.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 778 on Tuesday, below the record high 821 reached on Jan. 13.

Tuesday saw 2,006 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Wednesday's 4,845 new cases brought the total number of identified COVID-19 cases in the state to 690,544. As of Wednesday, 11,528 Arizonans are known to have died from the disease, according to the data dashboard from ADHS. Of the 262 newly reported deaths, 193 are from death certificate matching, per the department.

Wednesday's numbers

Reported cases in Arizona: 690,544.

Cases since the outbreak began increased by 4,845, or 0.71%, from Tuesday's 685,699 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 428,624 in Maricopa, 92,519 in Pima, 37,762 in Pinal, 33,567 in Yuma, 16,979 in Mohave, 15,106 in Yavapai, 14,224 in Coconino, 13,624 in Navajo, 9,750 in Cochise, 8,727 in Apache, 7,134 in Santa Cruz, 5,474 in Gila, 4,493 in Graham, 2,066 in La Paz and 495 in Greenlee, according to state numbers.

The Navajo Nation reported 26,517 cases and 922 confirmed deaths in total as of Tuesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

AMERICAN OVERSIGHT

The Arizona Department of Corrections reported 8,778 inmates had tested positive for COVID-19 as of Tuesday, including 1,811 in Yuma, 1,742 in Tucson, 1,279 in Eyman and 1,118 in Douglas; 43,396 inmates statewide have been tested. A total of 2,254 prison staff members have self-reported testing positive, the department said. Twentynine incarcerated people in Arizona have been confirmed to have died of COVID- 19, with 16 additional deaths under investigation.

Deaths by county: 6,548 in Maricopa, 1,495 in Pima, 648 in Yuma, 509 in Pinal, 454 in Mohave, 399 in Navajo, 334 in Yavapai, 280 in Apache, 250 in Coconino, 196 in Cochise, 170 in Gila, 135 in Santa Cruz, 58 in Graham, 47 in La Paz and five in Greenlee.

Return to the table of contents

Inaugural address: 'This is America's day'
Arizona Republic
January 21, 2021

President Joe Biden, in his first address to the nation after being sworn in on Wednesday, delivered a message of hope for unity among the American people, reflecting on the challenges brought by the COVID-19 pandemic and urging healing.

Here is the full speech:

'The peaceful transfer of power'

Chief Justice Roberts, Vice President Harris, Speaker Pelosi, Leader Schumer, Leader McConnell, Vice President Pence, my distinguished guests, my fellow Americans: This is America's day. This is democracy's day, a day of history and hope, of renewal and resolve through a crucible for the ages. America has been tested anew, and America has risen to the challenge.

Today, we celebrate the triumph not of a candidate but of a cause, the cause of democracy. The people, the will of the people, has been heard, and the will of the people has been heeded. We've learned again that democracy is precious. Democracy is fragile. And at this hour, my friends, democracy has prevailed.

So now, on this hallowed ground, where just a few days ago, violence sought to shake the Capitol's very foundation, we come together as one nation, under God, indivisible, to carry out the peaceful transfer of power as we have for more than two centuries.

As we look ahead in our uniquely American way – restless, bold, optimistic – and set our sights on a nation we know we can be and we must be, I thank my predecessors of both parties for their presence here today. I thank them from the bottom of my heart. And I know, and I know the resilience of our Constitution and the strength, the strength of our nation, as does President Carter, who I spoke with last night who cannot be with us today, but whom we salute for his lifetime of service.

I've just taken the sacred oath each of those patriots have taken. The oath first sworn by George Washington. But the American story depends not on any one of us, not on some of us, but on all of us. On we the people who seek a more perfect union.

AMERICAN OVERSIGHT

‘Political extremism, white supremacy and domestic terrorism that we must confront’

This is a great nation. We are good people. And over the centuries through storm and strife, in peace and in war, we’ve come so far. But we still have far to go. We’ll press forward with speed and urgency, for we have much to do in this winter of peril and significant possibilities. Much to repair, much to restore, much to heal, much to build, and much to gain.

Few people in our nation’s history have been more challenged, or found the time more challenging or difficult than the time we’re in now. Once-in-acentury virus that silently stalks the country. It’s taken as many lives in one year as America lost in all of World War II. Millions of jobs have been lost. Hundreds of thousands of businesses closed. A cry for racial justice some 400 years in the making moves us. The dream of justice for all will be deferred no longer.

A cry of survival comes from the planet itself, a cry that can’t be any more desperate or any more clear. And now a rise of political extremism, white supremacy and domestic terrorism that we must confront and we will defeat.

To overcome these challenges, to restore the soul and secure the future of America, requires so much more than words. It requires the most elusive of all things in a democracy: unity. Unity.

In another January, on New Year’s Day, 1863, Abraham Lincoln signed the Emancipation Proclamation. When he put pen to paper, the president said, and I quote, “If my name ever goes down into history it will be for this act, and my whole soul is in it.”

My whole soul is in it. Today, on this January day, my whole soul is in this. Bringing America together, uniting our people, uniting our nation. And I ask every American to join me in this cause.

‘Unity is the path forward’

Uniting to fight the foes we face: anger, resentment and hatred, extremism, lawlessness, violence, disease, joblessness and hopelessness. With unity we can do great things, important things. We can right wrongs. We can put people to work in good jobs. We can teach our children in safe schools. We can overcome the deadly virus. We can reward work and rebuild the middle class and make health care secure for all. We can deliver racial justice and we can make America once again the leading force for good in the world.

I know speaking of unity can sound to some like a foolish fantasy these days. I know the forces that divide us are deep and they are real. But I also know they are not new. Our history has been a constant struggle between the American ideal that we all are created equal, and the harsh, ugly reality that racism, nativism, fear, demonization have long torn us apart.

The battle is perennial and victory is never assured. Through civil war, the Great Depression, world war, 9/11. Through struggle, sacrifice and setbacks, our better angels have always prevailed.

In each of these moments, enough of us, enough of us, have come together to carry all of us forward. And we can do that now. History, faith and reason show the way, the way of unity. We can see each other not as adversaries but as neighbors. We can treat each other with dignity and respect.

AMERICAN OVERSIGHT

We can join forces, stop the shouting and lower the temperature. For without unity, there is no peace, only bitterness and fury. No progress, only exhausting outrage. No nation, only a state of chaos.

This is our historic moment of crisis and challenge, and unity is the path forward. And we must meet this moment as the United States of America. If we do that, I guarantee you we will not fail. We have never ever, ever, ever failed in America when we've acted together.

'Every disagreement doesn't have to be a cause for total war'

And so today, at this time, in this place, let's start afresh, all of us. Let's begin to listen to one another again, hear one another, see one another, show respect to one another. Politics doesn't have to be a raging fire destroying everything in its path. Every disagreement doesn't have to be a cause for total war. And we must reject the culture in which facts themselves are manipulated and even manufactured.

My fellow Americans, we have to be different than this. America has to be better than this. And I believe America is so much better than this. Just look around. Here we stand, in the shadow of the Capitol dome, as was mentioned earlier, completed amid the Civil War, when union itself was literally hanging in the balance.

Yet we endured. We prevailed. Here we stand, looking out on the Great Mall where Dr. King spoke of his dream. Here we stand, where 108 years ago, at another inaugural, thousands of protesters tried to block brave women marching for the right to vote.

And today we mark the swearing-in of the first woman in American history elected to national office, Vice President Kamala Harris. Don't tell me things can't change.

Here we stand, across the Potomac from Arlington Cemetery, where heroes who gave the last full measure of devotion rest in eternal peace. And here we stand, just days after a riotous mob thought they could use violence to silence the will of the people, to stop the work of our democracy, to drive us from this sacred ground. It did not happen. It will never happen. Not today. Not tomorrow. Not ever. Not ever.

'I will be a president for all Americans. All Americans'

For all those who supported our campaign, I'm humbled by the faith you placed in us. To all those who did not support us, let me say this: Hear me out as we move forward. Take a measure of me and my heart. If you still disagree, so be it. That's democracy. That's America.

The right to dissent peaceably within the guardrails of our republic is perhaps our nation's greatest strength. Yet hear me clearly, disagreement must not lead to disunion. And I pledge this to you, I will be a president for all Americans. All Americans.

And I promise you I will fight for as hard for those who did not support me as for those who did.

Many centuries ago, St. Augustine, a saint of my church, wrote that a people was a multitude defined by the common objects of their love. Defined by the common objects of their love. What are the common objects we as Americans love? That define us as Americans? I think we know. Opportunity. Security. Liberty. Dignity. Respect. Honor. And yes, the truth.

AMERICAN OVERSIGHT

Recent weeks and months have taught us a painful lesson: There is truth and there are lies. Lies told for power and for profit. And each of us has a duty and a responsibility, as citizens, as Americans, and especially as leaders, leaders who have pledged to honor our Constitution and protect our nation, to defend the truth and defeat the lies.

Look, I understand that many of my fellow Americans view the future with fear and trepidation. I understand they worry about their jobs. I understand, like my dad, they lay in bed staring at night staring at the ceiling wondering, can I keep my health care? Can I pay my mortgage? Thinking about their families. About what comes next. I promise you, I get it.

But the answer is not to turn inward, to retreat into competing factions, distrusting those who don't look like you. Or worship the way you do. Or don't get their news from the same sources you do.

'We must end this uncivil war that pits red against blue'

We must end this uncivil war that pits red against blue. Rural vs. urban, conservative vs. liberal. We can do this if we open our souls instead of hardening our hearts. If we show a little tolerance and humility, and if we're willing to stand in the other person's shoes, as my mom would say, just for a moment, stand in their shoes. Because here's this thing about life: There's no accounting for what fate will deal you. Some days, when you need a hand, there are other days when we're called to lend a hand.

That's how it has to be. That's what we do for one another. And if we are this way, our country will be stronger, more prosperous, more ready for the future, and we can still disagree. My fellow Americans, in the work ahead of us, we're going to need each other. We need all our strength to persevere through this dark winter.

We're entering what may be the toughest and deadliest period of the virus. We must set aside politics and finally face this pandemic as one nation. One nation.

And I promise you this, as the Bible says, "We may endure for a night but joy cometh in the morning." We will get through this together! Together!

Look, folks, all my colleagues I served with in the House and Senate up there, we all understand the world is watching, watching all of us today. So here's my message to those beyond our borders: America has been tested and we've come out stronger for it. We will repair our alliances and engage with the world once again.

Not to meet yesterday's challenges, but today's and tomorrow's challenges. And we'll lead not merely by the example of our power but by the power of our example. We'll be a strong and trusted partner for peace, progress and security.

A silent prayer

Look, you all know we've been through so much in this nation. And in my first act as president, I'd like to ask you to join me in a moment of silent prayer, remember all of those who we've lost in this past year to the pandemic, those 400,000 fellow Americans, moms, dads, husbands, wives, sons, daughters, friends, neighbors and coworkers.

AMERICAN OVERSIGHT

We'll honor them by becoming the people and the nation we know we can and should be. So I ask you, let's say a silent prayer for those who have lost their lives and those left behind and for our country. Amen.

'Together we shall write an American story of hope, not fear'

Folks, this is a time of testing. We face an attack on our democracy and on truth. A raging virus. Growing inequity. The sting of systemic racism. A climate in crisis. America's role in the world. Any one of these would be enough to challenge us in profound ways, but the fact is we face them all at once, presenting this nation with one of the gravest responsibilities we've had.

Now we're going to be tested. Are we going to step up, all of us? It's time for boldness, for there's so much to do.

And this is certain: I promise you, we will be judged, you and I, by how we resolve these cascading crises of our era. We will rise to the occasion is the question, will we master this rare and difficult hour? Will we meet our obligation and pass along a new and better world to our children?

I believe we must. I'm sure you do as well. I believe we will. And when we do, we'll write the next great chapter in the history of the United States of America, the American story. A story that might sound something like a song that means a lot to me. It's called American Anthem.

And there's one verse that stands out, at least for me, and it goes like this: "The work and prayers of century have brought us to this day, what shall be our legacy, what will our children say? Let me know in my heart when my days are through. America, America, I gave my best to you."

Let's add, let's us add our own work and prayers to the unfolding story of our great nation. If we do this, then when our days are through, our children and our children's children will say of us, "They gave their best; they did their duty; they healed a broken land."

My fellow Americans, I close today where I began, with the sacred oath before God and all of you. I give you my word. I will always level with you. I will defend the Constitution. I'll defend our democracy. I'll defend America. And I'll give all, all of you, keep everything I do in your service, thinking not of power but of possibilities. Not of personal interest but the public good. And together we shall write an American story of hope, not fear. Of unity, not division. Of light, not darkness. A story of decency and dignity. Love and healing. Greatness and goodness.

May this be the story that guides us. The story that inspires us and the story that tells ages yet to come that we answered the call of history. We met the moment. Democracy and hope, truth and justice did not die in our watch, but thrive. That America secured liberty at home and stood once again as a beacon to the world. That is what we owe our forebearers, one another and generations to follow.

So, with purpose and resolve, we turn to those tasks of our time, sustained by faith, driven by conviction and devoted to one another and the country we love with all our hearts. May God bless America and may God protect our troops. Thank you, America.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona politicians show signs of unity at ceremony

Yvonne Wingett Sanchez and Ronald J. Hansen
Arizona Republic
January 21, 2021

When Gov. Doug Ducey was in Washington last summer for a presidential event, he caught flak for attending a mass gathering that further divided the nation.

On Wednesday, Ducey, a Republican, sought to help unite a wounded nation by taking part — safely — in President Joe Biden's inauguration after a bitter campaign and the shocking riot at the U.S. Capitol two weeks ago.

It was a symbolic gesture of the power of the presidency and the continuity of a government recently shaken.

"It was just truly an American inaugural for all our citizens," Ducey told The Arizona Republic after the event.

For a moment, many of Arizona's most prominent politicians set aside their partisan differences to witness the change in administrations, from former President Donald Trump to Biden.

Sen. Kyrsten Sinema, D-Ariz., sat next to her colleague, Sen. Mitt Romney, R-Utah, above and behind Biden and Vice President Kamala Harris throughout the ceremony.

"President Biden and I do not agree on every issue, and I will always vote based on what's right for Arizona," Sinema said later in a written statement. "I pledge to continue working across the aisle, seeking compromise instead of sowing division — because we are in this together. Regardless of who each of us voted for, Americans deserve a government that is worthy of us and working for us."

Sen. Mark Kelly attended the swearing in with his wife, former Rep. Gabrielle Giffords, D-Ariz.,who retired from Congress after the 2011 shooting that left six dead and herself injured.

The couple know the Bidens well: Giffords knew Biden from her service in the House during his first term as vice president, and after the shooting, Biden was among the many who offered support.

In a statement, Kelly said he looked forward to working with Biden's administration to improve the economy and distribute the COVID-19 vaccine.

"We now continue the work needed to heal and move our country forward," he said.

The Biden and Harris inauguration drew applause and measured optimism from Arizonans on both sides of the aisle, some of whom attended the scaled-back ceremony in person, and others who watched it on TV.

Democrats expressed hope the new administration would usher in a more traditional style of governing on Capitol Hill, while Republicans sought signs of common ground that could actually produce the type of unity Biden urged in a divided time.

Rep. Raúl Grijalva, D-Ariz., called the arrival of the Biden administration "a new day in America."

AMERICAN OVERSIGHT

“It’s a day for all Americans who love this country, love their neighbors, and want to see everyone not just scraping by to survive, but thrive,” he said in a tweet.

Rep. Debbie Lesko, R-Ariz., was the first of the state’s congressional Republicans to acknowledge Biden and say she wants to work cooperatively with the new administration — where she can.

“Congratulations to President Joe Biden on his inauguration. Although I didn’t support his candidacy, I will work with him and his administration on items that we can agree on for the good of all Arizonans and Americans,” Lesko wrote in a tweet after the inaugural.

Still, the partisan division that has defined national politics for years seemed to be simmering beneath the surface on Wednesday.

Rep. Andy Biggs, R-Ariz., posted tweets praising Trump for four great years and repeating a video message from former first lady Melania Trump. He made no mention of Biden.

Rep. Paul Gosar, R-Ariz., another Trump ally who has said Biden’s election win was “illegitimate,” remained silent on Twitter throughout the historic shift in power.

Former Vice President Dan Quayle, who served with President George H.W. Bush between 1989 and 1993 and lives in Paradise Valley, was on the platform to witness history.

Quayle has been to every inauguration since 1977, when he was a new member of Congress watching on as Jimmy Carter was sworn in.

Ahead of the ceremony, Quayle told The Arizona Republic it was an “important rite of passage” he did not want to miss.

“One, it just shows the importance of the peaceful transfer of power to show bipartisan support, and hopeful we’ll be able to come together” as a country, he said. “I’ve known Joe Biden for over 40 years, so I hope to be able to wish him well.”

Quayle said Biden will work to try to quickly move his agenda through the Democratic-controlled House of Representatives and Senate, but presumed it could be gummed-up in short order by politics.

“I know he’s going to have a big challenge, particularly from the hard-core left of his party, but he can hopefully be able to do it,” Quayle said.

Former Sen. Jon Kyl, R-Ariz., who served three terms in the Senate from 1995 to 2013 and then again on an interim basis after Sen. John McCain’s death in 2018, watched the inauguration from his home in Arizona.

He welcomed the broad themes of Biden’s remarks but said it could be immensely challenging for him and his administration to achieve.

“It’s a lot easier to talk about unity than it is to actually take actions to seek it,” Kyl said. “And I think both his speechwriters and some of his aides are going to have to back off of the Trump derangement syndrome, which seems to occupy a lot of their time if this talk about unity is really going to work.”

AMERICAN OVERSIGHT

Kyl said Biden must reach out to Republicans, namely Senate Minority Leader Mitch McConnell, R-Ky., to develop a productive working relationship.

Kyl recalled working with the Obama administration in 2012 as several tax and spending decisions were set to lapse and create new fiscal pressure.

Biden, a veteran of the Senate whose staff had already built trust with McConnell, helped negotiate with McConnell and the GOP to reconcile the nation's immediate financial challenges.

"I think what that shows is that it's not just the two of them themselves, but the staff makes a huge difference," Kyl said. "So if the president's staff are willing to work with Republicans in the Senate, for example, I think they could achieve the same kind of compromises that they've accomplished before."

Now it is Republicans such as Ducey who will see if they, too, can find acceptable solutions.

"The call today was for unity, but it was also a message that we can disagree and still move forward on the people's work," Ducey said. "The things that can bring us together — the things that need action now — are things like infrastructure, like broadband, things that don't fall so easily into partisan definitions, but are things that have a sense of urgency, that have been talked about for some time, but we haven't been able to get anywhere with them."

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona reports 9,398 new COVID-19 cases, 244 more deaths

KTAR News
January 21, 2021

Arizona health officials on Thursday reported 9,398 new coronavirus cases and 244 additional deaths from COVID-19.

That's the highest single-day case report since Jan. 10 and the second consecutive day with more than 240 deaths added.

The state's documented totals moved to 699,942 infections and 11,772 fatalities, according to the Arizona Department of Health Services' COVID-19 dashboard.

As of Wednesday's update from the U.S. Centers for Disease Control, Arizona continued to lead the nation in cases per capita over the last seven days but dropped from second to fourth for the death rate.

The state's COVID-19 hospitalizations have been trending downward since spiking to record levels early last week.

The number of Arizona's confirmed or suspected COVID-19 inpatients fell to 4,580 on Wednesday, the fewest since Jan. 2. The number of ICU beds used by COVID-19 patients edged up by eight overnight to 1,058, the second-fewest since Dec. 28.

Statewide, suspected or confirmed COVID-19 patients took up 53% of all inpatient beds and 59% of all ICU beds on Wednesday.

Overall, inpatient beds and ICU beds held steady at 92% full each.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, has fallen since hitting an all-time high two weeks ago.

Of the 177,673 people tested last week, 20% received a positive result, down 2 percentage points from the previous week. The rate was 20% through 36,520 people tested this week.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The rolling seven-day average for the state health department's newly reported coronavirus cases was at 6,973.57 for Wednesday, falling for the eighth consecutive day, according to tracking by The Associated Press.

After seeing a sharp decline a day earlier, the seven-day average of newly reported COVID-19 deaths increased to 142.67 for Wednesday.

AMERICAN OVERSIGHT

The state's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

The department also has a vaccine-finder page with a map of active and pending locations with information about registration.

Return to the table of contents

Pinal County seeing coronavirus vaccine appointments book up fast

Griselda Zetino
KTAR News
January 21, 2021

The public health director in Pinal County is pleading for more coronavirus vaccines as vaccination sites struggle to keep up with demand.

"Unfortunately, with the limited doses that we have, the appointments get booked up fast," Pinal County Health Services Director Dr. Tascha Spears said. "This is creating tremendous frustration, anger, and stress for people who are trying to get an appointment to get the COVID-19 vaccine."

The county has gotten 29,000 doses of coronavirus vaccines, according to the Arizona Department of Health Services. Spears said 10,000 of those were second doses. They are distributed among 26 vaccination sites.

"We were able to order 3,500 doses for this current week that we're in, and much of that shipment has not yet arrived," Spears said.

That caused appointments for vaccinations at public health clinics in the county to be fully booked by Wednesday evening.

The county is currently vaccinating people in phase 1A and phase 1B-1. That includes health care workers, long term care residents, first reconsiders and residents over the age of 75.

Those two phases combined total more than 75,000 people.

AMERICAN OVERSIGHT

Spears said with the county getting just 2,000 to 3,000 vaccine doses a week, they're not yet able to move on to the next phase, 1B-2, which covers people 65 to 74 years old and those with high-risk medical conditions.

"Clearly, with this amount of vaccine supply, it will take us several weeks to get to the 1B-2 group," she said.

The Pinal County Board of Supervisors has turned to the Centers for Disease Control and Prevention and ADHS Director Dr. Cara Christ for help.

They sent them a letter to "express the critical need for increased doses of COVID-19 vaccine allocations to Pinal County."

Spears said she has also relayed that message to the state health department.

For now, she's recommending residents who can't get an appointment through the county to go to one of the two state-run mass vaccination sites, which are providing vaccines to those 65 and older.

However, even those sites at State Farm Stadium and Phoenix Municipal Stadium are running out of vaccines.

All of the nearly 150,000 vaccine appoints at those sites for February were filled up Tuesday, about 14 hours after they became available.

Christ said in a press release that when more doses become available, more appointments will be offered.

"The only limitation to how much we can expand our capacity is the number of doses our federal partners make available to Arizona," she said.

"When more vaccine is available, we will further ramp up our efforts and provide more appointments at the state's two vaccination sites."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona dispensaries could start recreational cannabis sales next week

Peter Samore
KTAR News
January 21, 2021

Dispensaries are applying online for new licenses and Arizona's medicinal marijuana shops could be selling for adult recreational use in a week.

They get new FBI background checks and send $25,000 checks to Arizona's Department of Health Services as part of the process.

AMERICAN OVERSIGHT

“The health department already knows all of us,” said Lilach Mazor Power, owner of Giving Tree Dispensary in north Phoenix. “If we’re in good standing as a medical facility, everything should work fine for adult use.”

Next week, her shop is moving to a bigger location.

“We are expanding our cultivation, our manufacturing, our logistics, our packaging — everything is growing,” Power said.

She is also hiring 16 new people. Power expects a tripling in sales as Arizonans get more access — and more comfortable — with marijuana.

“Everybody realized that cannabis is safe, and that it’s safer than a lot of other things we put in our bodies,” Power said.

Power says more people are using cannabis to calm down — like they would with a glass of wine — during the pandemic.

In November, Arizona voters approved Prop 207 to legalize sales and possession of one ounce or less for non-medicinal purposes for people ages 21 and up.

Power expects all 120 of Arizona’s medicinal marijuana shops to become licensed for recreational use. Only a dozen new licenses are available outside of that.

“There are 50-100 groups out there that have scouring the county areas, and are well financed with lawyers, application specialists, and realtors that are going to be applying over the next few weeks,” said Demitri Downing, founder of the Arizona Marijuana Industry Trade Assn.

He also reports existing dispensaries are having easy times applying for new licenses.

“The Department of Health Services deserves all the credit in the world,” Downing said. “They’re navigating COVID and they’re turning the medicinal marijuana market and industry into an adult-use marketplace as we speak. It’s a pretty big lift.”

Downing calls the state’s $25,000 application fee “a drop in the bucket” for dispensaries anticipating large spikes in sales.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New health-conscious, innovative fire station opens in Goodyear

Jake Anderson
KTAR News
January 21, 2021

New year. New fire station.

The city of Goodyear announced on Tuesday that a new health-conscious and innovative fire station is now in service.

AMERICAN OVERSIGHT

Located northeast of Willis and Rainbow Valley roads, Goodyear Fire Station No. 186 is a 12,587-square-foot facility that was designed to ensure the long-term health and safety of firefighters.

The station has two corridors: one designated for firefighters to decontaminate their turnout gear immediately upon returning from a call and another that will allow firefighters to rid contaminants from their bodies as soon as possible.

Most fire stations don't have these facilities, as bigger fires usually feature teams that are solely in charge of firefighters' health and safety while on site.

"We have paid particular attention to the voices we're hearing from our firefighters, from the end-users," Goodyear Deputy Fire Chief Tom Cole said.

"We've worked hard on getting best practices from local experiences and then from experts around the country to try and integrate those best practices and ideas into cutting edge design."

Another safety feature of the facility is a vestibule that separates the two areas where firefighters eat/sleep and work.

The Goodyear City Council in December 2019 approved funding for the completion of two new fire stations, with a heavy emphasis on firefighters' safety and improving response times for the community.

The second of those stations — No. 181 on 143rd Avenue between Van Buren Street and Celebrate Life Way — is scheduled to be completed in the spring.

The new procedures go along with Goodyear's clean cab fire truck system that requires firefighters to keep their gear in separate compartments within apparatus in order to limit contaminant exposure.

"This fire station is a reflection of the Goodyear City Council's goals to make public safety a top priority for them," said Goodyear Fire Chief Paul Luizzi.

"This station will provide fire and EMS coverage to an area of current and future growth."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Downtown Phoenix music venue ordered to close after weekend concert

Kaci Demarest
KTAR News
January 21, 2021

The Arizona Department of Health Services issued a closure notice to a downtown Phoenix music venue on Wednesday, citing coronavirus violations for an hosting a large concert for rapper Polo G over the weekend.

ADHS ordered The Pressroom to immediately close for business after social media video surfaced showing the venue held a concert on Saturday that showed a lack of distancing and mask wearing.

AMERICAN OVERSIGHT

The venue also failed to file the required business attestation before opening, a form that establishments submit to ADHS saying they will comply with coronavirus mitigation guidelines.

The Arizona Department of Liquor License and Control also suspended the venue's liquor license.

Under state guidelines, bars not operating as restaurants are required to remain closed until community spread reaches a minimal level or receive an exemption from ADHS.

In December, Arizona Gov. Doug Ducey issued enhanced guidance for large public events, which are classified as more than 50 people, giving power to cities and towns to approve large events as long as coronavirus measures were in place.

The gathering at The Pressroom comes as coronavirus cases remain high in Arizona. On Wednesday, state health officials reported 4,845 new coronavirus cases and 262 additional deaths from COVID-19, bringing the state's documented totals to 690,544 infections and 11,528 fatalities.

Arizona continues to lead the nation in average daily coronavirus cases per 100,000 people over the last seven days, according to the Center for Disease Control and Prevention's COVID Data Tracker.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

NAU to repay salary reductions with CARES funding

Kaitlin Olson
Arizona Daily Sun
January 21, 2021

Using its latest CARES Act funds, Northern Arizona University is repaying the approximately 1,900 employees whose salaries were reduced this summer as the university prepared for lost enrollment revenue.

In a Dec. 30 letter to the campus community, NAU President Rita Cheng said the university was allocated $23 million in its latest Federal CARES Act funding for use in recovering "millions spent on unbudgeted expenditures" during the pandemic. She announced that salary reductions would stop the following day.

In another letter last week, Cheng informed staff that lost salaries would also be repaid. Reimbursement is scheduled for Jan. 29 paychecks.

"I am thankful that we have been afforded the opportunity to express our deep appreciation for your commitment to NAU and our students by compensating you for what you have done to ensure our NAU community remains strong," Cheng wrote.

NAU spokesperson Kimberly Ott said it will take approximately $2 million to restore salaries to all affected employees. Active employees as of Dec. 28 will be reimbursed the amount of salary that was withheld under the reduction program.

"The CARES funds reimbursed the university for COVID related expenses that occurred from March 2020 to December 2020," Ott said in an email. "That investment from the state allowed the university to redirect institutional funding to maintaining a high quality faculty and staff during this critical time, which remains an institutional priority."

Gov. Doug Ducey announced on Dec. 30 that Arizona's three public universities would receive a total $115 million in the latest CARES funding. NAU was allocated $23 million, while both Arizona State University and the University of Arizona were set to receive $46 million.

This brings NAU's total pandemic funding from the state to more than $24 million, versus ASU's $69.2 million and UA's $53.3 million, according to the Office of the Governor.

Pay reductions at NAU were established in July as university leaders worked to meet a $100 million projected budget shortfall for the 2021 fiscal year as a result of decreased enrollment. Reductions affected all employees making more than $50,000 on a tiered basis, with cuts ranging from 2.3% to 4.6%.

Instead of furloughs, the plan also included up to 10 personal flex-time days, which were paid at employees' reduced salaries. The 17 members of NAU's Executive Team took 10% pay cuts and they -- alongside deans, vice provosts and associate vice presidents earning more than $140,000 -- did not receive flex days.

AMERICAN OVERSIGHT

Just weeks before salary reductions occurred, as a result of the same enrollment and budgetary concerns, the university laid off dozens of full-time faculty and implemented a hiring freeze that left nearly 300 employee positions unfilled. Despite the new CARES funds, Ott said any decision to re-hire for these lost faculty positions would depend on if NAU experiences increased enrollment.

Cheng explained in her letter last week that calculating these salary refunds will be a complex process because it requires employees to repay any personal flex time taken.

According NAU's Human Resources webpage, personal flex time must be replaced by accrued sick, vacation or compensatory time because all compensation that was reduced through the program is being returned. Employees will be sent instructions on how to replace flex hours in early February.

Return to the table of contents

Advocates push for vaccination priority for Coconino County homeless residents

Adrian Skabelund
Arizona Daily Sun
January 21, 2021

As the coronavirus vaccine rollout in Coconino County continues, local service providers are pushing for people experiencing homelessness to be a top priority.

At the moment, vaccines are going to those in the category of Phase 1b (priority), which includes education and child care workers, law enforcement personnel, and adults 65 and older.

But Ross Altenbaugh, Flagstaff Shelter Services director, said she doesn't understand why some of the county's most vulnerable residents -- those experiencing homelessness -- have not been included as a priority population in Phase 1b.

"It is astonishing to me that that this group has not been prioritized," Altenbaugh told the Arizona Daily Sun. "They're not just our local neighbors in Flagstaff. I mean these are the same people that are going to be the sickest when they get COVID; they're going to be in the ICU, they're going to be just the most vulnerable."

A county spokesperson said residents experiencing homelessness are a priority population for the county's vaccination efforts within the overall 1b category based on state and federal guidance, but that doses are limited.

Altenbaugh said she understands the reality of limitations at the moment, but added that it is a frustrating situation to be in.

"Five hundred vaccines at this point might as well be five million because if they don't exist, they don't exist, and I get that," she said.

Altenbaugh said persons experiencing homelessness are particularly vulnerable to COVID-19 and have seen especially high positive case numbers in recent weeks.

AMERICAN OVERSIGHT

Unlike other populations, Altenbaugh said, the shelter's clients can't simply social distance at home, and it can be difficult to do so within the congregant living environment of the shelter. On top of that, mask enforcement is difficult within a shelter setting, especially when many of their clients might suffer from mental illness.

"Shoot, it can be a challenge for folks that don't have those issues to keep a mask on and above their nose," she said.

On Tuesday, the Daily Sun reported that Coconino County has met the benchmarks for "substantial community transmission" of COVID-19 for the last six weeks, and hospitals are nearing capacity for COVID-19 patients.

Altenbaugh said she believes that community spread could be reduced by as few as 500 vaccinations for people experiencing homelessness.

From almost the beginning of the pandemic, the Coconino County has been working with Flagstaff Shelter Services to provide hotel rooms to homeless people who are either awaiting test results or have tested positive and are recovering from COVID-19.

During a county meeting last week, interim Health and Human Services director Kim Musselman said those hotels have been at or above capacity often in recent weeks.

In an email, County Health Department spokesperson Trish Lee said the county is prioritizing those residents living in a shelter setting, depending on the presence of underlying health conditions in both Phase 1b and 1c of the vaccine rollout.

"Coconino County follows the most current COVID-19 vaccination guidance provided by Centers for Disease Control and Prevention, Arizona Department of Health Services, and the Vaccine and Antiviral Prioritization Advisory Committee," Lee wrote. "As vaccine supplies allow for the transition to the remainder of Phase 1b populations, [the county] will work with area shelters to ensure a smooth vaccination plan for the shelter population."

A large part of the problem is also the limited supply of the vaccine across the board. Lee says that at the moment, there are simply not enough shots available for all at-risk populations.

In a letter sent last week to Coconino County, the City of Flagstaff, Gov. Doug Ducey's office and several federal representatives, Altenbaugh still requested vaccine prioritization for homeless county residents.

That letter was also cosigned by other local service providers and housing advocates including Sandi Flores with Catholic Charities, Kathie Knapp of the Sunshine Rescue Mission, Devonna McLaughlin of Housing Solutions of Northern Arizona and Shaleen Seward with Northland Family Help Center.

On top of that, the letter was co-signed by Will Humble, executive director of the Arizona Public Health Association and a former director of the Arizona Department of Health Services.

Humble said that in his opinion, county officials could increase privatization for the vaccine. He also said he believed part of the problem was just how large the state has made the 1b category, which includes all essential workers as defined by the state.

AMERICAN OVERSIGHT

“The bigger problem is that they're just so damn many people in category 1b now,” Humble said.

Return to the table of contents

Convicted former Flagstaff Rep. Renzi receives last-minute pardon from President Trump

Adrian Skabelund
Arizona Daily Sun
January 21, 2021

Former Flagstaff Representative Rick Renzi was among a flurry of 73 pardons issued by President Donald Trump on his last day in office.

The Republican and former congressman had been campaigning for a pardon since 2019 after he was convicted and served time for corruption and fraud.

Despite the conviction, Renzi had maintained his innocence. In a statement, he thanked Trump for pardoning him.

“After almost 14 years of fighting for my innocence, it took a real man of action and courage in President Trump to finally relieve me of the horrific deceit of being wrongly convicted by a Department of Justice that engaged in witness tampering, illegal wiretapping, and gross prosecutorial misconduct,” Renzi said in the statement.

From 2003 to 2009, Renzi represented Arizona’s 1st Congressional District, which included large swaths of northern and eastern Arizona encompassing Flagstaff, Prescott and Winslow.

In 2013, Renzi was convicted by a Tucson jury for corruption including wire fraud, conspiracy, extortion and lying to insurance regulators.

According to the prosecutors, Renzi had used his position in Congress to enrich himself and help fund his 2002 political campaign by embezzling money from an insurance company and orchestrating a federal land swap.

Renzi appealed his conviction all the way to the Supreme Court, but the court decided against hearing the case, upholding his conviction in 2015. Renzi was sent to prison in February of that year and was released in January of 2017.

In pardoning Renzi, the Trump administration cited support from several current and former Republican members of Congress, including Arizona Rep. Paul Gosar and Rep. Tom Cole of Oklahoma.

"[Renzi's] constituents considered him a strong advocate for better housing, quality education, and improved healthcare — especially for the underprivileged and Native Americans," a statement from the Trump administration regarding the pardon read. "He is the father of 12 children and a loving and devoted husband."

AMERICAN OVERSIGHT

During Renzi's campaign for a presidential pardon, he alleged that investigators illegally wiretapped conversations between Renzi and his attorneys, concealed evidence and introduced false testimony into the trial.

That campaign also included the production of a short documentary arguing his case and a letter to the Justice Department asking for an investigation into the allegations of misconduct by prosecutors.

"Because I refused to plead guilty to a crime I did not commit, a prosecutor even resorted to suborning perjury in order to secure a fraudulent conviction," Renzi said in a statement. "I went to prison and was wrongfully incarcerated rather than cower and plead to the DOJ fabricated narrative that I was guilty."

In 2019, a spokesperson for the convicted congressman had drawn comparisons between the investigation of Renzi and Trump's own accusations of a "witch hunt" by the FBI. At the time, Trump was claiming the FBI had illegally spied on his 2016 presidential campaign, although there was no evidence to support that allegation.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, January 21, 2021 11:28:59 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *January 21, 2021*

Former Congressman Renzi pardoned
Arizona Capitol Times
President Trump issued pardons or commutations to 143 people on his last full day in office January 19, including a former Arizona congressman who served two years in prison after a 2013 conviction related to a land swap deal.

Renowned attorney speaks up for 'the guy in horns'
Missouri Lawyers Media
When you're accused of something as outrageous as participating in the storming of the U.S. Capitol while dressed in a horned headdress, you need a lawyer like Al Watkins.

County OKs access to ballot copies, equipment
Capitol Media Services
Facing a contempt vote in the Senate and a possible adverse court ruling, Senate President Karen Fann said Maricopa County supervisors agreed Wednesday to give lawmakers pretty much everything they are demanding in election materials and access to voting equipment.

Arizona lawmaker wants to require notarized signatures on mail-in ballots
Arizona Daily Star
A plan by a Peoria lawmaker to curb what he says is an opportunity for election fraud could end up throwing roadblocks in

AMERICAN OVERSIGHT

the paths of some who want to vote.

Biden to review Trump's changes to national monuments in Southwest
Associated Press
President Joe Biden said Wednesday he plans to review the Trump administration's downsizing of two sprawling national monuments in the American Southwest, including one on lands considered sacred to Native Americans who joined environmental groups in suing when the boundaries were redrawn in 2017.

Ex-Arizona official to head to prison for illegal adoptions
Associated Press
A former Arizona politician must report to prison Thursday to begin serving the first of three sentences for running an illegal adoption scheme that paid pregnant women from the Marshall Islands to come to the U.S. to give up their babies.

Arizona remains worst state in nation for virus
Today's News-Herald
513 new cases, 16 deaths reported in Mohave county; public health department expects to make vaccine announcement today

This Week in COVID: Vaccine Eligibility a Mess, Cases Numbers Dip Slightly
Phoenix New Times
It's Wednesday, January 20. More than 685,600 Arizonans have contracted COVID-19 and more than 11,260 have died as a result.

After 2020 Election, Arizona GOP Lawmakers Push Restrictions on Early Voting
Phoenix New Times
Republican state legislators are pushing bills that would make it harder to vote by mail in Arizona after the system helped put Democrats Mark Kelly in the U.S. Senate and Joe Biden in the White House.

Maricopa County will turn over election materials for legislative audit
Arizona Mirror
The Maricopa County Board of Supervisors on Wednesday agreed to drop its legal fight challenging sweeping subpoenas for voting machines, ballots and other election materials that the Arizona Senate issued and will instead turn over the requested items so lawmakers can conduct an audit of Joe Biden's win in the November election.

Arizona Republican's brothers say he is 'at least partially to blame' for Capitol violence
The Hill
The brothers of Rep. Andy Biggs (R-Ariz.) said their sibling is "at least partially to blame" for the deadly riots at the U.S. Capitol on Jan. 6.

The Three Types of Republicans Donald Trump Created
New York Times
Never Trumpers, the unlikeliest group of "RINOs" and Trump loyalists are fighting for the future of the party.

Rep. Andy Biggs predicts Joe Biden will do the damage Donald Trump already has done
Arizona Republic (Opinion, EJ Montini)
The congressman tried to make dire predictions about a Biden presidency by describing (unintentionally, one would hope) the damage his Dear Leader already has done.

Should the Senate drive a stake through Donald Trump's political heart?
Arizona Republic (Opinion, EJ Montini)
The U.S. Constitution has its own 'Dracula clause.' If convicted in an impeachment trial, Trump won't be able to run for office again. Arizona went through this once.

Maricopa County's election audit may be a go, and that's good news for Republicans. Or is it?
Arizona Republic (Opinion, Laurie Roberts)
It's a good thing that Maricopa County's election results will be audited. Or, if you're a Republican who has spent months creating chaos, it could be a terrible thing.

Sen. Ted Cruz had no business attending Joe Biden's inauguration
Arizona Republic (Opinion, Elvia Diaz)
Republican Sen. Ted Cruz had no shame showing up at Joe Biden's inauguration that only two weeks prior he and others tried and failed to overthrow.

Resolution Copper has been modified and vetted. We just need the opportunity to mine
Arizona Republic (Op-ed, Andrew Lye)

AMERICAN OVERSIGHT

Resolution Copper could generate millions in taxes each year for Arizona. And the mining would be done responsibly.

What the Biden era will feel like, six months in
Washington Post (Op-ed, Jeff Flake)
The Biden era is well underway by now.

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Thursday, January 21, 2021 5:41:25 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 1-21-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *January 21, 2021*

A RARE MOMENT OF BIPARTISAN AGREEMENT
Erika Neuberg will be the next chair of the IRC, serving as the all-powerful tie-breaking vote on decisions that will determine the state's political landscape for the next decade.

GREEN BEATS RED AND BLUE EVERY TIME
Neuberg is a psychologist who has contributed to the campaigns of both Republicans and Democrats through her work on American Israel Public Affairs Committee.

THEY LIKE HER NOW…
Democrats and Republicans cheered Neuberg's selection, though the state Dem Party has remained silent after advocating against her.

@AZHONEYBADGER IS OUR NEW FAVORITE THING TO GAB ABOUT
As Republicans decry the end of free speech over Twitter banning Trump and purging thousands of pro-QAnon accounts, Finchem and Townsend have

AMERICAN OVERSIGHT

voluntarily left Twitter.

ONLY THE REAL NEWS IS ALLOWED
The AZGOP will not allow reporters to attend its annual organizational meeting Saturday – at least reporters who haven't proven their fealty to Trump.

HE'S THE PAST PRESENT AND FUTURE, ALL ROLLED INTO ONE
Sergio Arellano, a late-comer to the AZGOP chairman race, told our reporter that he stepped up to challenge Ward after seeing Republicans leave the party discouraged and divided from her leadership and losses in the 2020 election.

FRAUD PROBABLY HAPPENED – GET OVER IT
Ward has garnered international attention for her disproven conspiracies about electoral fraud, and while Arellano said he would have taken a different approach to supporting the former president and stamping out electoral fraud, he doesn't fault Ward for staying true to Trump and having suspicions about the election results.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, January 21, 2021

·NEWS NOTES AND GOSSIP·

A RARE MOMENT OF BIPARTISAN AGREEMENT

Erika Neuberg will be the next chair of the IRC, serving as the all-powerful tie-breaking vote on decisions that will determine the state's political landscape for the next decade. The commission voted for her unanimously today and commissioners didn't even nominate anyone else. "I'm deeply honored by this selection and I truly view this as a collective vote of confidence in the legitimacy and independence of our process by all parties involved," Neuberg said after taking her oath of office. "I have the greatest belief Republicans, Democrats and independents will be very fairly represented and will have a voice in this process." Neuberg, who hails from Maricopa County, joins two Democrats – Shereen Lerner from Maricopa County and Derrick Watchman from Apache County – and two Republicans – David Mehl from Pima County and Douglas York from Maricopa County – who were selected by the legislative caucus leaders. She said she would view the new IRC as a success if it can avoid "chronic 3-2 votes." "If I'm your chair, some 3-2 votes might be necessary, but if it's always 3-2 – and especially if it's always in one direction – that's a warning sign," Neuberg said in her Jan 14 interview. There are six factors outlined in the state Constitution that the IRC must consider when drawing maps: staying in compliance with the US Constitution and the Voting Rights Act, ensuring all districts are roughly equal in population, ensuring districts are compact and contiguous, respecting communities of interest, incorporating visible geographic features, and drawing competitive districts. Neuberg said that the previous commission wrongly elevated competitiveness above all other factors. "I think they did a good job maybe creating a few competitive districts, but it certainly came at the expense of some of those other principles," she said. The full commission unanimously selected Watchman as the vice chair and decided to meet next on Feb 2 to select the commission's executive director.

GREEN BEATS RED AND BLUE EVERY TIME

Neuberg is a psychologist who has contributed to the campaigns of both Republicans and Democrats through her work on American Israel Public Affairs Committee. The Arizona Democratic Party highlighted her contributions to Ducey as a reason she should not be the chair, but conveniently left out that she has also contributed to plenty of Democrats, including to outgoing chair Felecia Rotellini – Neuberg contributed $100 to her 2014 AG campaign. She has also contributed to O'Halleran, Gallego, Kirkpatrick, Stanton, Biggs, Lesko and Sinema, as well as many former elected officials, including Jeff Flake, Kirk Adams and McSally. "I don't know if I've given more to one party or not," she said, adding that her checks came from a desire to advance the relationship between the US and Israel. She was a registered Republican until 2014, and pulled Republican ballots in the primaries until 2020, when she sat out the primary election, a GOP railbird with access to the voter file told our reporter. In her interview, Neuberg noted a potential weak spot of her application – that she is a white woman from Maricopa County, but noted she will try to make up for it by listening to people from around the state who "don't look like me." Last cycle, Colleen Mathis, Neuberg's predecessor, received death threats and was the subject of much scrutiny in a long process that involved her removal and reinstatement, but Neuberg said she's not adverse to conflict. "I think almost everything that I've done in terms of significant leadership and significant accomplishment comes with conflict. I'm just simply not afraid of it," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000863

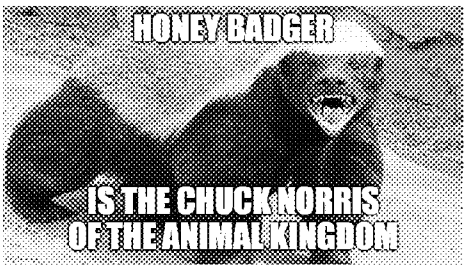
ARZN_REV00068617_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THEY LIKE HER NOW…

Democrats and Republicans cheered Neuberg's selection, though the state Dem Party has remained silent after advocating against her. Tony Cani, a Democratic operative, commended the IRC for selecting Neuberg due to her nonpartisan attributes. "The Commission's Dems & Reps unanimously selected the only candidate without an obvious partisan history: Erika Neuberg," Cani tweeted. GOP consultant Barrett Marson described her as "clearly the best choice." (LINK). D Hernandez hailed her as a "true independent" (Neuberg contributed to his campaign last year). Progress Arizona also jumped on the Neuberg bandwagon, saying the group expects transparency and fairness from her (LINK). All on the Line, an Obama-created group that focuses on ending partisan gerrymandering, sent out a statement about the Neuberg announcement, but didn't indicate whether it supported or opposed the selection (LINK).

@AZHONEYBADGER IS OUR NEW FAVORITE THING TO GAB ABOUT



As Republicans decry the end of free speech over Twitter banning Trump and purging thousands of pro-QAnon accounts, Finchem and Townsend have voluntarily left Twitter. The duo, who have spent the last two months using the social media application to blast out conspiracies, have earned huge followings on the site, skyrocketing from a few thousand followers each before the election to tens of thousands of followers before deactivating their accounts yesterday. With Parler shut down, both Finchem and Townsend have taken to Gab, which bills itself as the online home of free speech, but which is largely a haven for neo-Nazis and QAnon supporters who have been banned from more mainstream social media sites. Finchem goes by the name @AZHoneyBadger, and has "pro" status, meaning he's paying a minimum of $99 for a one-year plan. Since starting his Gab account on Jan 12, Finchem has warned of his pending departure from normal social media sites, trashed Republicans who voted to impeach Trump, tagged Ali Alexander, the creator of the #StopTheSteal movement, in a video calling Twitter CEO Jack Dorsey the new "propaganda minister" and pushed Q-aligned conspiracies about the next deep state information dump. He also pushed a prediction that Trump would run for Congress in Florida in 2022, become speaker of the House, impeach Biden and Harris, and then become president again. Townsend, so far, has only posted to Gab once – simply writing "Test" on Jan 10. "Your Qtown following loves and appreciates you," one follower replied.

ONLY THE REAL NEWS IS ALLOWED

The AZGOP will not allow reporters to attend its annual organizational meeting Saturday – at least reporters who haven't proven their fealty to Trump. The state party's organizational meeting is an "invite-only press event" and the only media allowed in will be organizations like *Right Side Broadcasting Network* and *OANN*, both of which have far outflanked *Fox News* as the official mouthpieces of Trump and the new far right. *Right Side Broadcasting Network* will stream portions of the event – though not the main attraction of the resolutions to censure Ducey, Jeff Flake and Cindy McCain. Reporters from local and traditional news outlets will be allowed to wander the church premises, but will not be allowed inside, AZGOP spokesman Zach Henry told our reporter. Henry had previously said that despite AZGOP's feigned outrage that reporters "leaked" the publicly available location of the meeting, the party was leaning toward allowing local and national reporters from actual news outlets to attend (YS, 1/13). The event has always been open to the press in the past.

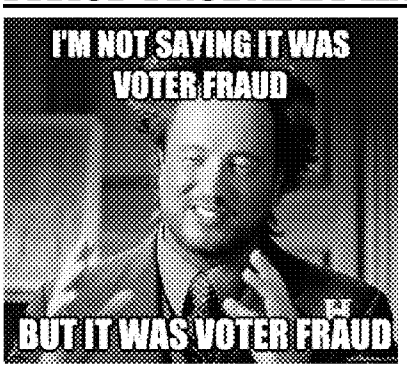
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000864
ARZN_REV00068617_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

HE'S THE PAST PRESENT AND FUTURE, ALL ROLLED INTO ONE

Sergio Arellano, a late-comer to the AZGOP chairman race, told our reporter that he stepped up to challenge Ward after seeing Republicans leave the party discouraged and divided from her leadership and losses in the 2020 election. Arellano, who is a former LD2 chair, RNC Arizona engagement director and Trump Latino advisory board member, said the fundamental flaws of Ward's leadership are a lack of coordinated leadership and communication and her desire to make the party "the Kelli Ward Show." "Dude, we can't have Kelli Ward. There's no way. We can't keep losing. I just can't do it," he said. Arellano, who would be the first Latino to lead the state party, said among his biggest strengths is the ability to communicate to Latinos on the many issues where they agree with the Republican Party, such as economics, personal responsibility and family values. He said the party's messaging isn't racist but, rather, uninformed as Latinos haven't been a traditional part of the GOP base, and electing a Latino as leader of the party would help change that. "The ability to build a small business, pay less taxes and achieve the American Dream is a message for all, not just Latinos. We just need to stand by that and bring it back to our values. It's the reason we all got involved, not running around screaming," he said. His weakness, he said, is that he hails from outside the "great state of Maricopa" and lacks the name ID of both Ward and Bob Lettieri, the AZGOP treasurer who is also seeking to unseat Ward. As the war for the soul of the GOP is getting underway in the post-Trump era, Arellano described his personal politics as somewhere between the old school chamber of commerce Republicans and the new Trumpian faction of the party. "I'm the future," he said.

FRAUD PROBABLY HAPPENED – GET OVER IT



Ward has garnered international attention for her disproven conspiracies about electoral fraud, and while Arellano said he would have taken a different approach to supporting the former president and stamping out electoral fraud, he doesn't fault Ward for staying true to Trump and having suspicions about the election results. Arellano has a background in election integrity in Santa Cruz County, where he formed a group and filed a lawsuit to successfully challenge election procedures in the county. While he stopped short of saying there definitely was massive fraud in Arizona's 2020 election, he suspects something fishy happened. "Yes, there's a possibility that that happened, for sure, but also I recognize we fell asleep at the wheel," he said, noting that the Maricopa County Republican Party leader didn't show up to the county's logic and accuracy test. "In my bones, yeah, I do [believe the election was stolen]... I'm not gonna go full blown and say everything was rigged, but something was off. But my job isn't to follow up on it – it's over." Instead, he said he would ensure the party was focused on vetting election procedures before the 2022 election to ensure "this doesn't happen again." He said at the end of the day, if there was fraud, it was on Ward to prove it and she couldn't. "Either furnish the proof or not – and in this instance, it wasn't there," he said. Arellano also walked a fine line on the resolutions to censure some of Arizona's most notable Republicans, including Jeff Flake, Cindy McCain and Ducey, saying that while the former probably deserve slaps on the wrists for supporting Biden, he doesn't think that Ducey has broken faith with the party.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000865

ARZN_REV00068617_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Former Congressman Renzi pardoned
Arizona Capitol Times
President Trump issued pardons or commutations to 143 people on his last full day in office January 19, including a former Arizona congressman who served two years in prison after a 2013 conviction related to a land swap deal.

Renowned attorney speaks up for 'the guy in horns'
Missouri Lawyers Media
When you're accused of something as outrageous as participating in the storming of the U.S. Capitol while dressed in a horned headdress, you need a lawyer like Al Watkins.

County OKs access to ballot copies, equipment
Capitol Media Services
Facing a contempt vote in the Senate and a possible adverse court ruling, Senate President Karen Fann said Maricopa County supervisors agreed Wednesday to give lawmakers pretty much everything they are demanding in election materials and access to voting equipment.

Arizona lawmaker wants to require notarized signatures on mail-in ballots
Arizona Daily Star
A plan by a Peoria lawmaker to curb what he says is an opportunity for election fraud could end up throwing roadblocks in the paths of some who want to vote.

Biden to review Trump's changes to national monuments in Southwest
Associated Press
President Joe Biden said Wednesday he plans to review the Trump administration's downsizing of two sprawling national monuments in the American Southwest, including one on lands considered sacred to Native Americans who joined environmental groups in suing when the boundaries were redrawn in 2017.

Ex-Arizona official to head to prison for illegal adoptions
Associated Press
A former Arizona politician must report to prison Thursday to begin serving the first of three sentences for running an illegal adoption scheme that paid pregnant women from the Marshall Islands to come to the U.S. to give up their babies.

Arizona remains worst state in nation for virus
Today's News-Herald
513 new cases, 16 deaths reported in Mohave county; public health department expects to make vaccine announcement today

This Week in COVID: Vaccine Eligibility a Mess, Cases Numbers Dip Slightly
Phoenix New Times
It's Wednesday, January 20. More than 685,600 Arizonans have contracted COVID-19 and more than 11,260 have died as a result.

After 2020 Election, Arizona GOP Lawmakers Push Restrictions on Early Voting
Phoenix New Times
Republican state legislators are pushing bills that would make it harder to vote by mail in Arizona after the system helped put Democrats Mark Kelly in the U.S. Senate and Joe Biden in the White House.

Maricopa County will turn over election materials for legislative audit
Arizona Mirror
The Maricopa County Board of Supervisors on Wednesday agreed to drop its legal fight challenging sweeping subpoenas for voting machines, ballots and other election materials that the Arizona Senate issued and will instead turn over the requested items so lawmakers can conduct an audit of Joe Biden's win in the November election.

Arizona Republican's brothers say he is 'at least partially to blame' for Capitol violence
The Hill

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000866
ARZN_REV00068617_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The brothers of Rep. Andy Biggs (R-Ariz.) said their sibling is "at least partially to blame" for the deadly riots at the U.S. Capitol on Jan. 6.

The Three Types of Republicans Donald Trump Created
New York Times
Never Trumpers, the unlikeliest group of "RINOs" and Trump loyalists are fighting for the future of the party.

Rep. Andy Biggs predicts Joe Biden will do the damage Donald Trump already has done
Arizona Republic (Opinion, EJ Montini)
The congressman tried to make dire predictions about a Biden presidency by describing (unintentionally, one would hope) the damage his Dear Leader already has done.

Should the Senate drive a stake through Donald Trump's political heart?
Arizona Republic (Opinion, EJ Montini)
The U.S. Constitution has its own 'Dracula clause.' If convicted in an impeachment trial, Trump won't be able to run for office again. Arizona went through this once.

Maricopa County's election audit may be a go, and that's good news for Republicans. Or is it?
Arizona Republic (Opinion, Laurie Roberts)
It's a good thing that Maricopa County's election results will be audited. Or, if you're a Republican who has spent months creating chaos, it could be a terrible thing.

Sen. Ted Cruz had no business attending Joe Biden's inauguration
Arizona Republic (Opinion, Elvia Diaz)
Republican Sen. Ted Cruz had no shame showing up at Joe Biden's inauguration that only two weeks prior he and others tried and failed to overthrow.

Resolution Copper has been modified and vetted. We just need the opportunity to mine
Arizona Republic (Op-ed, Andrew Lye)
Resolution Copper could generate millions in taxes each year for Arizona. And the mining would be done responsibly.

What the Biden era will feel like, six months in
Washington Post (Op-ed, Jeff Flake)
The Biden era is well underway by now.

-PRESS RELEASES-

AOTL STATEMENT: AZ'S INDEPENDENT REDISTRICTING COMMISSION MUST HOLD A TRANSPARENT PROCESS

IRC Hearings Must Be Accessible to All

With the selection of Erika Schupak Neuberg as the Chair and Derrick Watchman as Vice Chair of the Independent Redistricting Commission (IRC), the commission is complete and the next phase of Arizona's redistricting process begins. Hundreds of Arizonans submitted comments, concerns, and recommendations throughout the candidate evaluation process, and All On The Line (AOTL) applauds citizens from all backgrounds getting involved in the early stages of Arizona's redistricting process. AOTL further commends the public servants that have stepped up to serve this commission and work towards fair maps.

"Though the Census data may be delayed, the Commission has critical work they must do in the coming days and weeks. The commissioners must begin to further their understanding of the state and its diverse communities, and work to fairly incorporate public feedback to ensure that our maps are fair and people-driven. Upon hiring qualified and effective staff, commissioners should immediately start offering robust and accessible public hearings long before 2020 Census data reaches the state," **said Kendra Alvarez, AOTL Arizona State Director.**

These early hearings have traditionally served to help new commissioners hear from Arizonans and understand the local communities and geographies that must be reflected in the maps. AOTL AZ remains committed to the work of encouraging public involvement in the map drawing process, and calls on the five commissioners of the IRC to

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

demonstrate that they deserve the trust and faith of Arizona citizens by offering robust public hearings that are transparent and accessible to all Arizonans.

#NOHONEYMOON COALITION ACTION

Arizona organizers, activists, and working class leaders join to demand that President Joe Biden support the American people by backing and enacting necessary progressive policies.

On January 23, 2021, groups and community leaders including RootsAction.org, the Phoenix chapter of the Democratic Socialists of America, the Arizona Progressive People's Alliance, CODEPINK, the United Campus Workers of Arizona, and the Progressive Democrats of America – Arizona will lead a #NOHONEYMOON car caravan and social distancing rally to demand that President Joe Biden support and enact the following necessary progressive policies during his first 100 days:

➢ Medicare for all
➢ The green new deal
➢ A federal job guarantee
➢ Abolishing the electoral college
➢ Abolishing I.C.E. and ending the practice of detaining immigrants and refugees
➢ A moratorium on deportations
➢ A moratorium on evictions
➢ Rental relief for tenants who are out of work because of the pandemic
➢ Funding communities and defunding police
➢ $2000.00 monthly survival checks – retroactive to March 2020
➢ Complete student debt cancellation
➢ Ending the endless wars

The action will begin at 1:00pm MST as attendees gather in Madison Park (1440 E Glenrosa Ave, Phoenix, AZ 85014) to decorate cars and prepare for the caravan. After instructions and encouragement from the host organizations, attendees will depart in a caravan from Madison Park and circle Senator Mark Kelly's Phoenix office (2201 E Camelback Rd, Phoenix, AZ 85016) before gathering again for a socially distanced rally to be held outside of Senator Kelly's office building. Digital route maps will be made available to attendees and press upon request.

CURRENTLY, FORMERLY INCARCERATED PEOPLE AND THEIR FAMILIES DESCEND DIGITALLY ON THE ARIZONA CAPITOL, CALLING FOR CHANGE

Phoenix, AZ—On January 25, 2021, ***ReFraming Justice Day at the Capitol*** will bring the voices and stories of the individuals and families who bear the brunt of mass incarceration directly to those who have the power to change those laws.

ReFraming Justice Day (RFJ Day) is an annual event organized by the American Friends Service Committee (AFSC) of Arizona. It is an opportunity for people who have been personally impacted by Arizona's criminal justice system—including incarcerated people, formerly incarcerated people, and their families—to speak directly to the legislators on the need to change Arizona's outdated and unjust laws.

Due to the COVID pandemic, AFSC-Arizona is pioneering a new set of virtual actions to educate, engage and mobilize support for reform this year:

- **Digital Stories**: AFSC reached out to people who are *currently incarcerated* in Arizona's prisons and collected their stories demonstrating the need for criminal justice reform. These messages will be read by AFSC staff and edited into short videos that will be posted online in the lead-up to ReFraming Justice Day.
    - Follow us on Twitter and Instagram @AFSCAZ; https://www.facebook.com/AFSCArizona *#RFJDAY2021*
- **Postcard Campaign**: Anyone can fill out a postcard with a custom message of why they support sentencing reform via AFSC-Arizona's webpage: https://afscarizona.org/2020/12/18/afsc-arizona-postcard-generator/ These postcards will be physically printed and sent to AFSC, to be delivered to legislators.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000868

ARZN_REV00068617_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- **Visits with Legislators**: On January 25, 2021, formerly incarcerated people and family members will conduct virtual visits with Arizona legislators via Zoom meetings to share their stories and help our leaders understand the need for change in our sentencing laws.

"Our lawmakers take an oath to represent the interests of everyone in their district, and Arizonans overall," ReFraming Justice Program Coordinator Grace Gámez points out. "The fact that 1 in 13 Arizonans has a felony conviction means almost everyone knows someone whose life has been permanently altered by these policies. Even for those of us lucky enough to have escaped this dreadful lottery, we are still quite literally paying the price—our communities are torn apart, kids are growing up without parents, and we are siphoning off $1 billion to pay for this failed system instead of the things that really make us safer, like healthcare, education, and behavioral health treatment."

Arizona has the fifth highest incarceration rate in the nation. While the majority of other states have made efforts to reduce excessive sentences, expand opportunities for release from prison, and invested in programs and services that address the root causes of crime, Arizona remains stubbornly mired in the failed policies of the past. Legislative proposals put forward in previous years have been stonewalled by opposition, despite overwhelming, bipartisan support from the public for reform.

To arrange pre-event interviews with issue area experts or any of our RFJ Leaders for preview coverage of #RFJDAY2021, contact Jason Martinez, jmartinez@afsc.org; 520.309.8761.

Community Organizations Condemn Extreme Voter Suppression Bills Under Consideration by the Arizona State Legislature

At 2 pm today, the Senate Government Committee will hold a hearing on SB1069, a bill introduced by State Senator Michelle Ugenti-Rita that would purge hundreds of thousands of people from the permanent vote by mail list. The bill is one of a series of voter suppression bills currently under consideration by the Arizona state legislature, alongside:

HB2369 (Representative Kevin Payne): would require early ballots to be notarized, essentially establishing a poll tax

HB2370 (Representative Kevin Payne): would eliminate the permanent vote by mail list *entirely*

HCR2001 (Representative John Kavanagh): would undermine the citizen ballot initiative process by imposing a "single subject rule," making it easier to use a technicality to challenge a ballot measure

These proposals come just weeks after an armed attack on the US Capitol that attempted to overturn the results of the 2020 election. That attack was sparked by lies about the election, which multiple sitting Arizona federal and state lawmakers helped to spread.

In response to the proposed bills, a coalition of Arizona community organizations and voting rights groups issued the following statement:

"These bills are blatant attempts at voter suppression, part of a larger pattern of attacks on our democratic norms. Many of the lawmakers pushing these bills are the same lawmakers who spread lies about the 2020 election. Others have moved to limit participation in the legislative process by barring remote testimony during the COVID-19 pandemic. As Arizonans, we are determined to stop these bills. Together, we must uplift and reaffirm our state's commitment to democracy."

New Report: Clean Energy Could Save Arizona $2 Billion, Grow State Economy

Phoenix, Ariz. – Greater investment in clean energy, such as energy efficiency, solar, and batteries, consistent with the new "Energy Rules" approved by state utility regulators in November, could create an economic windfall of $2 billion for Arizona, according to a new major study.

The study was released today by the Southwest Energy Efficiency Project and conducted by Strategen Consulting, a leading energy modeling and research firm.

The report identifies the cheapest way for Arizona to meet its energy service needs over the next 15 years. Using data from Arizona Public Service (APS) and Tucson Electric Power (TEP) — two of the state's largest electric companies — Strategen built a model of Arizona's power system and determined the state's cheapest, most reliable mix of energy options moving forward.

The results were compared with new requirements approved by the Arizona Corporation Commission last fall. If fully implemented, the Energy Rules would direct APS and TEP to deliver 100 percent carbon-free power by 2050 – and demonstrate progress along the way — expand programs to help customers save energy, and boost investment in

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000869

ARZN_REV00068617_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

battery storage. The Rules were developed after years of analysis, more than a dozen public meetings, thousands of written comments, and hundreds of hours of engagement by stakeholders.
This new study finds that:

- Arizonans could save over $2 billion if APS and TEP meet and exceed the new clean energy requirements.
- Arizona's cheapest option is to invest in even greater levels of solar, energy efficiency, and battery storage than what is included in the Energy Rules.
- If utilities continue to pursue a greater use of solar, wind, and battery storage; make meaningful investments in energy efficiency; as well as take other measures consistent with the proposed Energy Rules, it would reduce electricity generation costs by more than $2 billion through 2035. This amount represents an 11 percent reduction in generation costs relative to a "business as usual" scenario.

"The results speak for themselves. Capitalizing on Arizona's untapped clean energy potential would deliver billions in savings for all Arizonans," **says Ellen Zuckerman, Co-Director of the Utility Program for SWEEP.** "We cannot afford to delay. Arizona Corporation Commissioners must act now to finalize and implement the Energy Rules."
To read the Energy Rules Analysis, click here or visit www.arizonaenergyrules.com.
For more information about Arizona's Corporation Commission's Energy Rules, click here.

"QUOTE OF THE DAY"

"Dude, we can't have Kelli Ward. There's no way. We can't keep losing. I just can't do it."

- Sergio Arellano, candidate for AZGOP chair

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000870
ARZN_REV00068617_1-21-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, January 21, 2021 5:41:27 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 1-21-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *January 21, 2021*

A RARE MOMENT OF BIPARTISAN AGREEMENT
Erika Neuberg will be the next chair of the IRC, serving as the all-powerful tie-breaking vote on decisions that will determine the state's political landscape for the next decade.

GREEN BEATS RED AND BLUE EVERY TIME
Neuberg is a psychologist who has contributed to the campaigns of both Republicans and Democrats through her work on American Israel Public Affairs Committee.

THEY LIKE HER NOW…
Democrats and Republicans cheered Neuberg's selection, though the state Dem Party has remained silent after advocating against her.

@AZHONEYBADGER IS OUR NEW FAVORITE THING TO GAB ABOUT

AMERICAN OVERSIGHT

As Republicans decry the end of free speech over Twitter banning Trump and purging thousands of pro-QAnon accounts, Finchem and Townsend have voluntarily left Twitter.

ONLY THE REAL NEWS IS ALLOWED

The AZGOP will not allow reporters to attend its annual organizational meeting Saturday – at least reporters who haven't proven their fealty to Trump.

HE'S THE PAST PRESENT AND FUTURE, ALL ROLLED INTO ONE

Sergio Arellano, a late-comer to the AZGOP chairman race, told our reporter that he stepped up to challenge Ward after seeing Republicans leave the party discouraged and divided from her leadership and losses in the 2020 election.

FRAUD PROBABLY HAPPENED – GET OVER IT

Ward has garnered international attention for her disproven conspiracies about electoral fraud, and while Arellano said he would have taken a different approach to supporting the former president and stamping out electoral fraud, he doesn't fault Ward for staying true to Trump and having suspicions about the election results.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, January 21, 2021

·NEWS NOTES AND GOSSIP·

A RARE MOMENT OF BIPARTISAN AGREEMENT

Erika Neuberg will be the next chair of the IRC, serving as the all-powerful tie-breaking vote on decisions that will determine the state's political landscape for the next decade. The commission voted for her unanimously today and commissioners didn't even nominate anyone else. "I'm deeply honored by this selection and I truly view this as a collective vote of confidence in the legitimacy and independence of our process by all parties involved," Neuberg said after taking her oath of office. "I have the greatest belief Republicans, Democrats and independents will be very fairly represented and will have a voice in this process." Neuberg, who hails from Maricopa County, joins two Democrats – Shereen Lerner from Maricopa County and Derrick Watchman from Apache County – and two Republicans – David Mehl from Pima County and Douglas York from Maricopa County – who were selected by the legislative caucus leaders. She said she would view the new IRC as a success if it can avoid "chronic 3-2 votes." "If I'm your chair, some 3-2 votes might be necessary, but if it's always 3-2 – and especially if it's always in one direction – that's a warning sign," Neuberg said in her Jan 14 interview. There are six factors outlined in the state Constitution that the IRC must consider when drawing maps: staying in compliance with the US Constitution and the Voting Rights Act, ensuring all districts are roughly equal in population, ensuring districts are compact and contiguous, respecting communities of interest, incorporating visible geographic features, and drawing competitive districts. Neuberg said that the previous commission wrongly elevated competitiveness above all other factors. "I think they did a good job maybe creating a few competitive districts, but it certainly came at the expense of some of those other principles," she said. The full commission unanimously selected Watchman as the vice chair and decided to meet next on Feb 2 to select the commission's executive director.

GREEN BEATS RED AND BLUE EVERY TIME

Neuberg is a psychologist who has contributed to the campaigns of both Republicans and Democrats through her work on American Israel Public Affairs Committee. The Arizona Democratic Party highlighted her contributions to Ducey as a reason she should not be the chair, but conveniently left out that she has also contributed to plenty of Democrats, including to outgoing chair Felecia Rotellini – Neuberg contributed $100 to her 2014 AG campaign. She has also contributed to O'Halleran, Gallego, Kirkpatrick, Stanton, Biggs, Lesko and Sinema, as well as many former elected officials, including Jeff Flake, Kirk Adams and McSally. "I don't know if I've given more to one party or not," she said, adding that her checks came from a desire to advance the relationship between the US and Israel. She was a registered Republican until 2014, and pulled Republican ballots in the primaries until 2020, when she sat out the primary election, a GOP railbird with access to the voter file told our reporter. In her interview, Neuberg noted a potential weak spot of her application – that she is a white woman from Maricopa County, but noted she will try to make up for it by listening to people from around the state who "don't look like me." Last cycle, Colleen Mathis, Neuberg's predecessor, received death threats and was the subject of much scrutiny in a long process that involved her removal and reinstatement, but Neuberg said she's not adverse to conflict. "I think almost everything that I've done in terms of significant leadership and significant accomplishment comes with conflict. I'm just simply not afraid of it," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000873

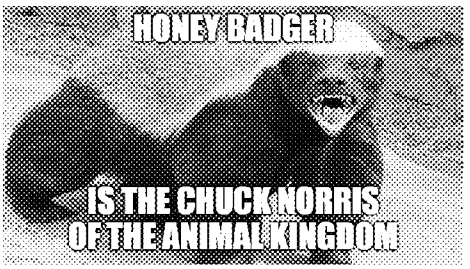
ARZN_REV00068619_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THEY LIKE HER NOW…

Democrats and Republicans cheered Neuberg's selection, though the state Dem Party has remained silent after advocating against her. Tony Cani, a Democratic operative, commended the IRC for selecting Neuberg due to her nonpartisan attributes. "The Commission's Dems & Reps unanimously selected the only candidate without an obvious partisan history: Erika Neuberg," Cani tweeted. GOP consultant Barrett Marson described her as "clearly the best choice." (LINK). D Hernandez hailed her as a "true independent" (Neuberg contributed to his campaign last year). Progress Arizona also jumped on the Neuberg bandwagon, saying the group expects transparency and fairness from her (LINK). All on the Line, an Obama-created group that focuses on ending partisan gerrymandering, sent out a statement about the Neuberg announcement, but didn't indicate whether it supported or opposed the selection (LINK).

@AZHONEYBADGER IS OUR NEW FAVORITE THING TO GAB ABOUT



As Republicans decry the end of free speech over Twitter banning Trump and purging thousands of pro-QAnon accounts, Finchem and Townsend have voluntarily left Twitter. The duo, who have spent the last two months using the social media application to blast out conspiracies, have earned huge followings on the site, skyrocketing from a few thousand followers each before the election to tens of thousands of followers before deactivating their accounts yesterday. With Parler shut down, both Finchem and Townsend have taken to Gab, which bills itself as the online home of free speech, but which is largely a haven for neo-Nazis and QAnon supporters who have been banned from more mainstream social media sites. Finchem goes by the name @AZHoneyBadger, and has "pro" status, meaning he's paying a minimum of $99 for a one-year plan. Since starting his Gab account on Jan 12, Finchem has warned of his pending departure from normal social media sites, trashed Republicans who voted to impeach Trump, tagged Ali Alexander, the creator of the #StopTheSteal movement, in a video calling Twitter CEO Jack Dorsey the new "propaganda minister" and pushed Q-aligned conspiracies about the next deep state information dump. He also pushed a prediction that Trump would run for Congress in Florida in 2022, become speaker of the House, impeach Biden and Harris, and then become president again. Townsend, so far, has only posted to Gab once – simply writing "Test" on Jan 10. "Your Qtown following loves and appreciates you," one follower replied.

ONLY THE REAL NEWS IS ALLOWED

The AZGOP will not allow reporters to attend its annual organizational meeting Saturday – at least reporters who haven't proven their fealty to Trump. The state party's organizational meeting is an "invite-only press event" and the only media allowed in will be organizations like *Right Side Broadcasting Network* and *OANN*, both of which have far outflanked *Fox News* as the official mouthpieces of Trump and the new far right. *Right Side Broadcasting Network* will stream portions of the event – though not the main attraction of the resolutions to censure Ducey, Jeff Flake and Cindy McCain. Reporters from local and traditional news outlets will be allowed to wander the church premises, but will not be allowed inside, AZGOP spokesman Zach Henry told our reporter. Henry had previously said that despite AZGOP's feigned outrage that reporters "leaked" the publicly available location of the meeting, the party was leaning toward allowing local and national reporters from actual news outlets to attend (YS, 1/13). The event has always been open to the press in the past.

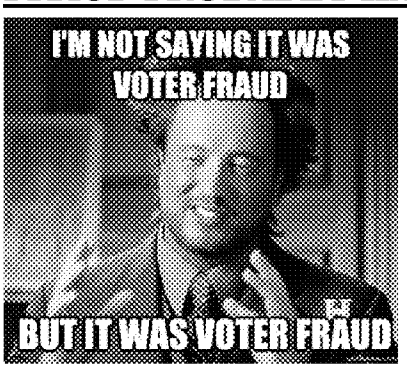
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000874
ARZN_REV00068619_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

HE'S THE PAST PRESENT AND FUTURE, ALL ROLLED INTO ONE

Sergio Arellano, a late-comer to the AZGOP chairman race, told our reporter that he stepped up to challenge Ward after seeing Republicans leave the party discouraged and divided from her leadership and losses in the 2020 election. Arellano, who is a former LD2 chair, RNC Arizona engagement director and Trump Latino advisory board member, said the fundamental flaws of Ward's leadership are a lack of coordinated leadership and communication and her desire to make the party "the Kelli Ward Show." "Dude, we can't have Kelli Ward. There's no way. We can't keep losing. I just can't do it," he said. Arellano, who would be the first Latino to lead the state party, said among his biggest strengths is the ability to communicate to Latinos on the many issues where they agree with the Republican Party, such as economics, personal responsibility and family values. He said the party's messaging isn't racist but, rather, uninformed as Latinos haven't been a traditional part of the GOP base, and electing a Latino as leader of the party would help change that. "The ability to build a small business, pay less taxes and achieve the American Dream is a message for all, not just Latinos. We just need to stand by that and bring it back to our values. It's the reason we all got involved, not running around screaming," he said. His weakness, he said, is that he hails from outside the "great state of Maricopa" and lacks the name ID of both Ward and Bob Lettieri, the AZGOP treasurer who is also seeking to unseat Ward. As the war for the soul of the GOP is getting underway in the post-Trump era, Arellano described his personal politics as somewhere between the old school chamber of commerce Republicans and the new Trumpian faction of the party. "I'm the future," he said.

FRAUD PROBABLY HAPPENED – GET OVER IT



Ward has garnered international attention for her disproven conspiracies about electoral fraud, and while Arellano said he would have taken a different approach to supporting the former president and stamping out electoral fraud, he doesn't fault Ward for staying true to Trump and having suspicions about the election results. Arellano has a background in election integrity in Santa Cruz County, where he formed a group and filed a lawsuit to successfully challenge election procedures in the county. While he stopped short of saying there definitely was massive fraud in Arizona's 2020 election, he suspects something fishy happened. "Yes, there's a possibility that that happened, for sure, but also I recognize we fell asleep at the wheel," he said, noting that the Maricopa County Republican Party leader didn't show up to the county's logic and accuracy test. "In my bones, yeah, I do [believe the election was stolen]... I'm not gonna go full blown and say everything was rigged, but something was off. But my job isn't to follow up on it – it's over." Instead, he said he would ensure the party was focused on vetting election procedures before the 2022 election to ensure "this doesn't happen again." He said at the end of the day, if there was fraud, it was on Ward to prove it and she couldn't. "Either furnish the proof or not – and in this instance, it wasn't there," he said. Arellano also walked a fine line on the resolutions to censure some of Arizona's most notable Republicans, including Jeff Flake, Cindy McCain and Ducey, saying that while the former probably deserve slaps on the wrists for supporting Biden, he doesn't think that Ducey has broken faith with the party.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000875

ARZN_REV00068619_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Former Congressman Renzi pardoned
Arizona Capitol Times
President Trump issued pardons or commutations to 143 people on his last full day in office January 19, including a former Arizona congressman who served two years in prison after a 2013 conviction related to a land swap deal.

Renowned attorney speaks up for 'the guy in horns'
Missouri Lawyers Media
When you're accused of something as outrageous as participating in the storming of the U.S. Capitol while dressed in a horned headdress, you need a lawyer like Al Watkins.

County OKs access to ballot copies, equipment
Capitol Media Services
Facing a contempt vote in the Senate and a possible adverse court ruling, Senate President Karen Fann said Maricopa County supervisors agreed Wednesday to give lawmakers pretty much everything they are demanding in election materials and access to voting equipment.

Arizona lawmaker wants to require notarized signatures on mail-in ballots
Arizona Daily Star
A plan by a Peoria lawmaker to curb what he says is an opportunity for election fraud could end up throwing roadblocks in the paths of some who want to vote.

Biden to review Trump's changes to national monuments in Southwest
Associated Press
President Joe Biden said Wednesday he plans to review the Trump administration's downsizing of two sprawling national monuments in the American Southwest, including one on lands considered sacred to Native Americans who joined environmental groups in suing when the boundaries were redrawn in 2017.

Ex-Arizona official to head to prison for illegal adoptions
Associated Press
A former Arizona politician must report to prison Thursday to begin serving the first of three sentences for running an illegal adoption scheme that paid pregnant women from the Marshall Islands to come to the U.S. to give up their babies.

Arizona remains worst state in nation for virus
Today's News-Herald
513 new cases, 16 deaths reported in Mohave county; public health department expects to make vaccine announcement today

This Week in COVID: Vaccine Eligibility a Mess, Cases Numbers Dip Slightly
Phoenix New Times
It's Wednesday, January 20. More than 685,600 Arizonans have contracted COVID-19 and more than 11,260 have died as a result.

After 2020 Election, Arizona GOP Lawmakers Push Restrictions on Early Voting
Phoenix New Times
Republican state legislators are pushing bills that would make it harder to vote by mail in Arizona after the system helped put Democrats Mark Kelly in the U.S. Senate and Joe Biden in the White House.

Maricopa County will turn over election materials for legislative audit
Arizona Mirror
The Maricopa County Board of Supervisors on Wednesday agreed to drop its legal fight challenging sweeping subpoenas for voting machines, ballots and other election materials that the Arizona Senate issued and will instead turn over the requested items so lawmakers can conduct an audit of Joe Biden's win in the November election.

Arizona Republican's brothers say he is 'at least partially to blame' for Capitol violence
The Hill

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000876
ARZN_REV00068619_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The brothers of Rep. Andy Biggs (R-Ariz.) said their sibling is "at least partially to blame" for the deadly riots at the U.S. Capitol on Jan. 6.

The Three Types of Republicans Donald Trump Created
New York Times
Never Trumpers, the unlikeliest group of "RINOs" and Trump loyalists are fighting for the future of the party.

Rep. Andy Biggs predicts Joe Biden will do the damage Donald Trump already has done
Arizona Republic (Opinion, EJ Montini)
The congressman tried to make dire predictions about a Biden presidency by describing (unintentionally, one would hope) the damage his Dear Leader already has done.

Should the Senate drive a stake through Donald Trump's political heart?
Arizona Republic (Opinion, EJ Montini)
The U.S. Constitution has its own 'Dracula clause.' If convicted in an impeachment trial, Trump won't be able to run for office again. Arizona went through this once.

Maricopa County's election audit may be a go, and that's good news for Republicans. Or is it?
Arizona Republic (Opinion, Laurie Roberts)
It's a good thing that Maricopa County's election results will be audited. Or, if you're a Republican who has spent months creating chaos, it could be a terrible thing.

Sen. Ted Cruz had no business attending Joe Biden's inauguration
Arizona Republic (Opinion, Elvia Diaz)
Republican Sen. Ted Cruz had no shame showing up at Joe Biden's inauguration that only two weeks prior he and others tried and failed to overthrow.

Resolution Copper has been modified and vetted. We just need the opportunity to mine
Arizona Republic (Op-ed, Andrew Lye)
Resolution Copper could generate millions in taxes each year for Arizona. And the mining would be done responsibly.

What the Biden era will feel like, six months in
Washington Post (Op-ed, Jeff Flake)
The Biden era is well underway by now.

-PRESS RELEASES-

AOTL STATEMENT: AZ'S INDEPENDENT REDISTRICTING COMMISSION MUST HOLD A TRANSPARENT PROCESS

IRC Hearings Must Be Accessible to All

With the selection of Erika Schupak Neuberg as the Chair and Derrick Watchman as Vice Chair of the Independent Redistricting Commission (IRC), the commission is complete and the next phase of Arizona's redistricting process begins. Hundreds of Arizonans submitted comments, concerns, and recommendations throughout the candidate evaluation process, and All On The Line (AOTL) applauds citizens from all backgrounds getting involved in the early stages of Arizona's redistricting process. AOTL further commends the public servants that have stepped up to serve this commission and work towards fair maps.

"Though the Census data may be delayed, the Commission has critical work they must do in the coming days and weeks. The commissioners must begin to further their understanding of the state and its diverse communities, and work to fairly incorporate public feedback to ensure that our maps are fair and people-driven. Upon hiring qualified and effective staff, commissioners should immediately start offering robust and accessible public hearings long before 2020 Census data reaches the state," **said Kendra Alvarez, AOTL Arizona State Director.**

These early hearings have traditionally served to help new commissioners hear from Arizonans and understand the local communities and geographies that must be reflected in the maps. AOTL AZ remains committed to the work of encouraging public involvement in the map drawing process, and calls on the five commissioners of the IRC to

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

demonstrate that they deserve the trust and faith of Arizona citizens by offering robust public hearings that are transparent and accessible to all Arizonans.

#NOHONEYMOON COALITION ACTION

Arizona organizers, activists, and working class leaders join to demand that President Joe Biden support the American people by backing and enacting necessary progressive policies.

On January 23, 2021, groups and community leaders including RootsAction.org, the Phoenix chapter of the Democratic Socialists of America, the Arizona Progressive People's Alliance, CODEPINK, the United Campus Workers of Arizona, and the Progressive Democrats of America – Arizona will lead a #NOHONEYMOON car caravan and social distancing rally to demand that President Joe Biden support and enact the following necessary progressive policies during his first 100 days:

➢ Medicare for all
➢ The green new deal
➢ A federal job guarantee
➢ Abolishing the electoral college
➢ Abolishing I.C.E. and ending the practice of detaining immigrants and refugees
➢ A moratorium on deportations
➢ A moratorium on evictions
➢ Rental relief for tenants who are out of work because of the pandemic
➢ Funding communities and defunding police
➢ $2000.00 monthly survival checks – retroactive to March 2020
➢ Complete student debt cancellation
➢ Ending the endless wars

The action will begin at 1:00pm MST as attendees gather in Madison Park (1440 E Glenrosa Ave, Phoenix, AZ 85014) to decorate cars and prepare for the caravan. After instructions and encouragement from the host organizations, attendees will depart in a caravan from Madison Park and circle Senator Mark Kelly's Phoenix office (2201 E Camelback Rd, Phoenix, AZ 85016) before gathering again for a socially distanced rally to be held outside of Senator Kelly's office building. Digital route maps will be made available to attendees and press upon request.

CURRENTLY, FORMERLY INCARCERATED PEOPLE AND THEIR FAMILIES DESCEND DIGITALLY ON THE ARIZONA CAPITOL, CALLING FOR CHANGE

Phoenix, AZ—On January 25, 2021, ***ReFraming Justice Day at the Capitol*** will bring the voices and stories of the individuals and families who bear the brunt of mass incarceration directly to those who have the power to change those laws.

ReFraming Justice Day (RFJ Day) is an annual event organized by the American Friends Service Committee (AFSC) of Arizona. It is an opportunity for people who have been personally impacted by Arizona's criminal justice system—including incarcerated people, formerly incarcerated people, and their families—to speak directly to the legislators on the need to change Arizona's outdated and unjust laws.

Due to the COVID pandemic, AFSC-Arizona is pioneering a new set of virtual actions to educate, engage and mobilize support for reform this year:

- **Digital Stories**: AFSC reached out to people who are *currently incarcerated* in Arizona's prisons and collected their stories demonstrating the need for criminal justice reform. These messages will be read by AFSC staff and edited into short videos that will be posted online in the lead-up to ReFraming Justice Day.
    - Follow us on Twitter and Instagram @AFSCAZ; https://www.facebook.com/AFSCArizona *#RFJDAY2021*
- **Postcard Campaign**: Anyone can fill out a postcard with a custom message of why they support sentencing reform via AFSC-Arizona's webpage: https://afscarizona.org/2020/12/18/afsc-arizona-postcard-generator/ These postcards will be physically printed and sent to AFSC, to be delivered to legislators.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- **Visits with Legislators**: On January 25, 2021, formerly incarcerated people and family members will conduct virtual visits with Arizona legislators via Zoom meetings to share their stories and help our leaders understand the need for change in our sentencing laws.

"Our lawmakers take an oath to represent the interests of everyone in their district, and Arizonans overall," ReFraming Justice Program Coordinator Grace Gámez points out. "The fact that 1 in 13 Arizonans has a felony conviction means almost everyone knows someone whose life has been permanently altered by these policies. Even for those of us lucky enough to have escaped this dreadful lottery, we are still quite literally paying the price—our communities are torn apart, kids are growing up without parents, and we are siphoning off $1 billion to pay for this failed system instead of the things that really make us safer, like healthcare, education, and behavioral health treatment."

Arizona has the fifth highest incarceration rate in the nation. While the majority of other states have made efforts to reduce excessive sentences, expand opportunities for release from prison, and invested in programs and services that address the root causes of crime, Arizona remains stubbornly mired in the failed policies of the past. Legislative proposals put forward in previous years have been stonewalled by opposition, despite overwhelming, bipartisan support from the public for reform.

To arrange pre-event interviews with issue area experts or any of our RFJ Leaders for preview coverage of #RFJDAY2021, contact Jason Martinez, jmartinez@afsc.org; 520.309.8761.

Community Organizations Condemn Extreme Voter Suppression Bills Under Consideration by the Arizona State Legislature

At 2 pm today, the Senate Government Committee will hold a hearing on SB1069, a bill introduced by State Senator Michelle Ugenti-Rita that would purge hundreds of thousands of people from the permanent vote by mail list. The bill is one of a series of voter suppression bills currently under consideration by the Arizona state legislature, alongside:

HB2369 (Representative Kevin Payne): would require early ballots to be notarized, essentially establishing a poll tax

HB2370 (Representative Kevin Payne): would eliminate the permanent vote by mail list *entirely*

HCR2001 (Representative John Kavanagh): would undermine the citizen ballot initiative process by imposing a "single subject rule," making it easier to use a technicality to challenge a ballot measure

These proposals come just weeks after an armed attack on the US Capitol that attempted to overturn the results of the 2020 election. That attack was sparked by lies about the election, which multiple sitting Arizona federal and state lawmakers helped to spread.

In response to the proposed bills, a coalition of Arizona community organizations and voting rights groups issued the following statement:

"These bills are blatant attempts at voter suppression, part of a larger pattern of attacks on our democratic norms. Many of the lawmakers pushing these bills are the same lawmakers who spread lies about the 2020 election. Others have moved to limit participation in the legislative process by barring remote testimony during the COVID-19 pandemic. As Arizonans, we are determined to stop these bills. Together, we must uplift and reaffirm our state's commitment to democracy."

New Report: Clean Energy Could Save Arizona $2 Billion, Grow State Economy

Phoenix, Ariz. – Greater investment in clean energy, such as energy efficiency, solar, and batteries, consistent with the new "Energy Rules" approved by state utility regulators in November, could create an economic windfall of $2 billion for Arizona, according to a new major study.

The study was released today by the Southwest Energy Efficiency Project and conducted by Strategen Consulting, a leading energy modeling and research firm.

The report identifies the cheapest way for Arizona to meet its energy service needs over the next 15 years. Using data from Arizona Public Service (APS) and Tucson Electric Power (TEP) — two of the state's largest electric companies — Strategen built a model of Arizona's power system and determined the state's cheapest, most reliable mix of energy options moving forward.

The results were compared with new requirements approved by the Arizona Corporation Commission last fall. If fully implemented, the Energy Rules would direct APS and TEP to deliver 100 percent carbon-free power by 2050 – and demonstrate progress along the way — expand programs to help customers save energy, and boost investment in

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000879

ARZN_REV00068619_1-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

battery storage. The Rules were developed after years of analysis, more than a dozen public meetings, thousands of written comments, and hundreds of hours of engagement by stakeholders.
This new study finds that:

- Arizonans could save over $2 billion if APS and TEP meet and exceed the new clean energy requirements.
- Arizona's cheapest option is to invest in even greater levels of solar, energy efficiency, and battery storage than what is included in the Energy Rules.
- If utilities continue to pursue a greater use of solar, wind, and battery storage; make meaningful investments in energy efficiency; as well as take other measures consistent with the proposed Energy Rules, it would reduce electricity generation costs by more than $2 billion through 2035. This amount represents an 11 percent reduction in generation costs relative to a "business as usual" scenario.

"The results speak for themselves. Capitalizing on Arizona's untapped clean energy potential would deliver billions in savings for all Arizonans," **says Ellen Zuckerman, Co-Director of the Utility Program for SWEEP.** "We cannot afford to delay. Arizona Corporation Commissioners must act now to finalize and implement the Energy Rules."
To read the Energy Rules Analysis, click here or visit www.arizonaenergyrules.com.
For more information about Arizona's Corporation Commission's Energy Rules, click here.

"QUOTE OF THE DAY"

"Dude, we can't have Kelli Ward. There's no way. We can't keep losing. I just can't do it."

- Sergio Arellano, candidate for AZGOP chair

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000880
ARZN_REV00068619_1-21-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, January 22, 2021 7:18:15 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: January 22, 2021
Attachments: January 22, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- AZ's jobless rate edges down; some retail sectors see gains
- GOP lawmakers advance changes to election laws after Trump's loss
- Dubious idea that election was stolen proves profitable for AZ Republicans

Arizona Republic

- Eviction ban extended; Arizona to get $492 million for renters
- Arizona adds 9,398 new COVID-19 cases, 244 deaths

KTAR News

- Arizona bill aimed at unrest called scare tactic by community organizers
- Arizona health expert slams Pfizer for offer to sell vaccines directly to states
- Navajo Nation extends stay-at-home order, lifts weekend lockdowns
- Former surgeon general says Arizona's vaccine troubles similar nationwide
- Chandler psychologist chosen to lead Arizona redistricting panel

Arizona Daily Sun

- Navajo Nation reports 166 new COVID-19 cases, 7 more deaths
- Brothers denounce lawmaker who challenged Biden victory
- Psychologist chosen to chair Arizona redistricting panel

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

AZ's jobless rate edges down; some retail sectors see gains

Howard Fischer
Arizona Daily Star
January 22, 2021

Arizona's seasonally adjusted jobless rate dropped a half point last month, to 7.5%.

Much of the increase in employment in December came in the area of online trade. That sector has been one of the continued bright points in the economy, not only in Arizona but nationally, as people continue to shift to e-commerce, a trend that has only accelerated with the pandemic and people depending more on having items delivered than going out and looking for them.

But Doug Walls, the research administrator for the Arizona Office of Economic Opportunity, also noted Thursday there were strong month-overmonth increases in employment among certain sectors of the retail trade industry.

Department-store employment is up 4.1% from November. There also were gains among retailers selling clothing and accessories as well as in furniture stores.

Some of that, he said, is likely due to the holidays. But not all.

'Things are changing,' said Walls, with brick-and-mortar retailers apparently now better prepared to serve in-person customers.

And perhaps there's something else.

The pandemic has resulted in a situation where people are going out less, spending less on gasoline, and, given the workat- home trend, possibly buying fewer new clothes as they sit home in sweatpants. In fact, on a national level, personal consumption expenditures dropped a whopping 12.3% between March and April.

But that, then, could lead to some pent-up demand.

'We wouldn't be able to tell why people are spending,' Walls said.

What he has seen through the pandemic is a shift in the spending mix, with people spending less on services — think of going out — versus actual products.

Thursday's jobless report also noted a sharp increase in the number of Arizonans filing for unemployment benefits early this month.

What makes that significant is that the 7.5% jobless rate for December is based on surveys of employers and individuals done in the second week of that month. If there has been a big jump in people laid off since then, as reflected in the request for benefits, that won't show up until the January unemployment rate is announced in early March.

AMERICAN OVERSIGHT

Overall, the state continues to try to gain back the jobs lost since February, right before the COVID-induced recession.

About three-fourths of the 282,900 jobs shed by the private sector have been recovered. But the fiscal healing has not been even across the board.

On one hand there's that strong showing in trade and transportation, the sector that includes those warehouse and delivery jobs that support e-commerce. It not only has recovered the 29,800 jobs originally lost but actually added another 9, 100 jobs on top of that.

By contrast, the state's construction industry has recaptured just a quarter of the jobs lost. Ditto for the information sector and manufacturing.

From a pure numbers standpoint, the state's leisure and hospitality industry remains the hardest hit. That largely includes bars, restaurants and, to a lesser extent, hotels, resorts and motels.

And things are not getting better, with bars and restaurants losing another 900 workers between November and December.

But as bad as the situation is in Arizona, Walls said it's worse a lot of other places: While the yearover-year decline is 13.3% in the leisure and hospitality industry, it actually is down 22.7% nationally.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

GOP lawmakers advance changes to election laws after Trump's loss

Howard Fischer
Arizona Daily Star
January 22, 2021

In the wake of protests over the election results in Arizona, Republicans on a state Senate panel approved two changes in election laws Thursday that would audit more votes and require automatic recounts in more situations.

'There are hundreds of thousands of people ... that think the election was fraudulent or full of irregularities or breakdowns in process,' said Sen. J.D. Mesnard, R-Chandler. Changing the laws on recounts and audits, he said, would increase voter confidence.

But Sen. Juan Mendez, D-Tempe, said the legislation approved on party-line votes by the Government Committee is built on the flawed assumption that more counting will change minds.

'There will always be people that are never going to accept election results because they just don't agree with their perception of reality,' he said. 'I could probably recommend a psychologist or something.'

Sen. Martin Quezada, D-Glendale, said the problem is even more basic than that. 'The reason that there's doubts out there about our elections right now is because of uncorroborated claims, misinformation and flat-out lies that have been told over and over again about this past election, from the president's office all the way down to this very body,' he said.

AMERICAN OVERSIGHT

The result, Quezada said, is what happened in Washington on Jan. 6 when rioters denying Joe Biden's win invaded the nation's Capitol.

That brought a sharp retort from Sen. Kelly Townsend, R-Mesa, who has been one of the Arizona lawmakers arguing that the reported results of the presidential election here were inaccurate.

'I do not want my speech curtailed,' she said.

'If I have something that I want to offer, that unless it's somehow injurious I don't want another member (of the Legislature) telling me what I can and cannot say.'

Mesnard suggested Democrats' opposition has a political component.

'I am a little dismayed at the seeming dismissiveness that I sense from people who have no problem with the outcome of the election or don't have any doubts but don't care that others do,' he said.

Mesnard is the sponsor of Senate Bill 1010, which would increase to 5% the number of precincts where there has to be a random hand count of votes following each election. The current figure is 2%.

He also wants to allow anyone who has the money to demand a full recount of the votes in any race.

He conceded that the only people who would likely take advantage of that are those who are on the losing side. But that does not make it a bad idea, Mesnard said.

Mendez doesn't see it that way.

'Allowing rich people to demand a recount simply because they can afford it will never restore confidence in our elections,' he said.

The same panel gave the go-ahead to SB 1083, which would alter the law on when there has to be an automatic recount.

In most cases, that occurs when the margin of difference between the top two candidates is no more than 0.1% or 200 votes, whichever is less. Sen. Michelle Ugenti-Rita, R-Scottsdale, wants to move that number up to 0.5%.

That change is significant.

Biden won Arizona and its 11 electoral votes by 10,457 votes over now-former President Donald Trump, a margin of 0.3%. Had this measure been in effect last year, it would have required a recount of the more than 3.3 million ballots cast.

Biden was the first Democratic presidential candidate to win Arizona since 1996.

The timing did not escape Quezada.

'The problem is we're bringing it forward in response to, again, people's mistrust of these election results and lack of confidence in these election results that are based on complete lies,' Quezada said.

AMERICAN OVERSIGHT

Ugenti-Rita said this has nothing to do with the most recent election.

'I have to dispel this idea that things were fine prior to 2020,' she said.

Separately, the same committee endorsed setting up a procedure to drop people off the state's 'permanent early voting list.'

Current law allows anyone to sign up to get mailed an early ballot ahead of each election. A voter remains on that list unless they are placed on an 'inactive' list for failing to vote at all for several election cycles or if the mailed notice to voters is returned as undeliverable.

SB 1069 would remove individuals from the list if they did not use an early ballot in two consecutive primary and general elections. Ugenti-Rita said it's just a matter of keeping the list as current as possible.

The measure drew criticism from various voting rights groups, which argued this would throw an additional hurdle in the paths of people who want to cast a ballot. They said the state should not penalize a decision by a voter to not cast an early ballot and instead decide to go to the polls for several races.

Quezada said there's something else. 'A nonvote is also a vote,' he said, saying that people may look at races and conclude they don't want to choose between 'the lesser of two evils.'

What happened in 2020, Quezada said, is people found someone to support. He said they might have lost that opportunity had this measure been in place last year.

But Ugenti-Rita said the change would not affect the right of someone to vote. She said those removed from the list could still go to the polls and cast a ballot in person and still could reapply to get early ballots in the mail.

All the measures go to the full Senate following a review by the Rules Committee of constitutional issues.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Dubious idea that election was stolen proves profitable for AZ Republicans

Tim Steller
Arizona Daily Star
January 22, 2021

The Arizona GOP's efforts to overturn the results of the presidential election may have been divisive, but they were also profitable.

The party reported more income in the period that ended after the general election than it did in any period before the general election.

For the period from Oct. 18 to Dec. 31, the party reported donations of $297,896, most of it coming in after the election. After spending

AMERICAN OVERSIGHT

$70,353 over the period, that left the party in the unexpectedly healthy post-election position of having a $640,870 cash balance.

By comparison, the party reported donations of $179,147 in the period ending Oct. 17, $184,469 in the period ending Sept. 30, and $77,598 in the period ending July 18.

After the election, party chair Kelli Ward and the rest of the party apparatus committed themselves to spreading the dubious idea that now-President Biden had stolen the election in Arizona and nationwide from then-President Donald Trump.

By Nov. 9, the party had filed the first of about a half-dozen suits it or Ward eventually filed or signed on to, and Ward began fundraising off the idea the election had been stolen.

Already using the hashtag #StopTheSteal, Ward said in a Nov. 9 email, 'Here in Arizona we're taking steps to ensure President Trump isn't robbed of a victory by fighting for election integrity.'

Time and again, judges threw out the GOP's or Ward's lawsuits either for procedural or evidentiary reasons, though one remains outstanding, but week after week the GOP continued pushing out emails with similar pitches. They worked.

Among the top donors after the election was an LLC or corporation associated with George and Nancy Records, founders of Oklahoma- based Midfirst Bank. They donated $25,000.

The push to contest the election divided the party, though. Ward and others have criticized fellow Republicans Gov. Doug Ducey and House Speaker Russell Bowers for not giving their complaints of election fraud more of a hearing.

On Saturday, the state party holds its annual meeting, including an election of new officers.

'Scholar' Finchem compares deplatforming to Holocaust

In February 2020, state Rep. Mark Finchem said this about the Holocaust during a House Judiciary Committee hearing: 'This is probably one of the most horrific things that has ever been done in modern man's history.'

He had not yet seen the deplatforming of U.S. Sen. Josh Hawley.

On Sunday, Finchem, the Oro Valley Republican representing LD11, tweeted his dismay that Loews Hotels had canceled a planned fundraiser in February for Hawley. He's the Missouri Republican senator who performatively objected to the certification of electoral votes in the Senate, from Arizona, among other states, amid the Capitol insurrection Jan. 6.

'Lowe's has permanently lost my business,' Finchem said, initially misspelling the name of the hotel chain. 'This is what Hitler and Stalin did, what's next camps? Ovens? Patriots you might want to #cancelLoews reservations.'

Finchem constituent Sidney Finkel, who traveled to the state Capitol to support a bill related to anti-Semitism last session, is a Holocaust survivor and was aghast at the comparison.

AMERICAN OVERSIGHT

'Him using the Holocaust as a political stunt minimizes the Holocaust,' he said. 'It makes a mockery of my mother and father and three sisters who died in the Holocaust.'

Finkel is the author of the autobiographical book 'Sevek and the Holocaust: The Boy who Refused to Die.'

Finchem is, by his own description, 'a scholar of history.' He is also facing a recall effort as a result of his attendance at the Jan. 6 rally that became an insurrection at the U.S. Capitol.

Recall leader attended DC event

The man who is chairing the effort to recall Tucson Mayor Regina Romero also attended the Jan. 6 event in D.C.

Joseph Morgan, who ran unsuccessfully for the GOP nomination for the U.S. House in Congressional District 2 last year, began the recall effort in September.

A devoted supporter of Trump, Morgan says the election was stolen from him and supports the effort to commit civil disobedience at the U.S. Capitol.

'I fully support the occupation,' Morgan said via text. 'Vandals and looters should be dealt with harshly.'

'That was a great day in America,' he said. 'The saddest part of that day was later on that evening.'

He was referring to the vote to certify the presidential election, not to the indisputably sad and frightening moments in the day.

Morgan, who held a demonstration outside Romero's home last year, said the recall effort has about half the signatures it needs in final, notarized form. The campaign needs a little under 25,000 valid signatures to force a recall.

Morgan contributed opinion columns to the Arizona Daily Star's editorial page until he decided to run for Congress.

Biggs' Tucson brothers call for his removal

U.S. Rep. Andy Biggs has been spearheading efforts to question the presidential election results, and his brothers in Tucson apparently are sick of it.

The Arizona Republic reported Wednesday that Biggs' brothers, Daniel and William, sent a letter to the editor decrying the Arizona congressman's actions.

'By attempting to cause uncertainty in the election's outcome, Andy is at least partially to blame for the riot at the Capital on January 6,' the Biggs brothers wrote in their letter, according to the Republic, which wrote a story about it but hadn't published the letter yet. 'Political ambition, peer pressure and fealty to (former President Donald) Trump proved to be too strong a drug to resist.

'These are violations of his oath of office and erode the trust of the American electorate. For these reasons we call for the timely removal of Congressman Biggs from office.'

AMERICAN OVERSIGHT

Coincidentally, Biggs' partner in the promotion of the election-fraud claim, fellow Arizona Republican U.S. Rep. Paul Gosar, has also been targeted by his siblings, who filmed an ad against him.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Eviction ban extended; Arizona to get $492 million for renters

Catherine Reagor
Arizona Republic
January 22, 2021

Help is on the way for struggling Arizona renters thanks to an extension of the national eviction ban plus almost $500 million in new federal assistance.

In one of his first actions, President Joe Biden added two months to the federal eviction moratorium. It now expires at the end of March, instead of January 31. This month, Arizona is expected to get $492 million of the $25 billion set aside for renter aid from the $900 billion stimulus package passed in late December, according to the U.S. Treasury Department.

At least 210,000 Arizona households are at risk of eviction, according to a report from the University of Arizona Innovation for Justice program and the National Low Income Housing Coalition. Plans for getting the Emergency

Rental Assistance Program money to renters and landlords across the state are in the works. Information on when the money will be available and how to apply for it hasn't been finalized.

CJ Karamargin, communications director for Gov. Doug Ducey's office, said the state is still waiting to see how much money it will receive, and which Arizona municipalities will opt to operate their own program at the local level.

"Arizona is working to set up a state program right now in anticipation of receiving funds so we can get this money to people as soon as possible," he said.

The state of Arizona is expected to get 55% of the $492 million, and housing advocates say its renter-aid program likely will be administered through the Arizona Department of Economic Security. That's different than last year, when renter aid at the state level was handled through the Arizona Department of Housing. That agency was criticized for not getting money to landlords fast enough.

Who can get help

This round of federal renter aid comes with more requirements than the 2020 CARES Act funding, which provided funded $90 million in programs for tenants and landlords across Arizona.

To receive aid in this round:

- Households must make 80% or less than the median income in an area to qualify, according to the Treasury Department.
- At least one person in a household must qualify for unemployment or

AMERICAN OVERSIGHT

have been hurt financially because of the pandemic.

- Applicants must prove they are at risk of homelessness.

The money can be used for unpaid and future rent and utilities. Eligible households can get up 15 months of assistance.

Getting the money out

States and municipalities are required to prioritize getting the money to households with incomes below 50% of an area's median income, and to those with one or more person who has been unemployed for at least 90 days.

Cities and counties must have a population of 200,000 to receive a share of the renter funds. The amount distributed is based on a municipality's population.

These Arizona cities and counties qualify for the renter aid money: Chandler, Gilbert, Glendale, Mesa, Phoenix, Scottsdale, Tucson and Maricopa, Mohave, Pima, Pinal, Yavapai and Yuma counties.

It's not clear if all the Arizona municipalities requested the federal funding. Any unclaimed funds in the $492 million will go to the state to administer.

Maricopa County has received notice that it will get $38.35 million from the

emergency rent fund, said Jennifer Franklin of the county's information center.

"The federal ERA program is much more prescriptive and detailed than the original CARES funding in terms of eligibility, payments and reporting requirements," she said.

"Several policy options are now being considered to ensure compliance and to get the funds out to renters in need of assistance, as well as landlords, as soon as possible."

Courtney Gilstrap LeVinus, CEO of the Arizona Multihousing Association, said the new funding must get to landlords and tenants faster than earlier rounds.

If not, she said, "We run the risk of many property owners facing bankruptcy and foreclosure early in 2021."

Research from October showed Arizona renters owe at least $178 million to their landlords, according to the National Council of State Housing Agencies.

Avoiding eviction with ban

To qualify for the national Centers for Disease Control and Prevention eviction ban that started in early September and now goes to March 31, tenants must sign a declaration saying:

- They lost income during the pandemic.

AMERICAN OVERSIGHT

- They can't make full rent payments.
- They will try to make partial rent payments.
- They applied for rental help.
- An eviction would leave them homeless or in cramped, unsafe living conditions.

Under the CDC rules, renters can't earn more than $99,000 a year to qualify. Couples, who file joint tax returns, can make twice that much and qualify.

"Tenants should not have to give their landlord a new declaration in order to receive the extension until the end of March," said Pamela Bridge, director of advocacy and litigation at Community Legal Services, an Arizona nonprofit that has CDC declaration forms for renters on its website.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona adds 9,398 new COVID-19 cases, 244 deaths

Alison Steinbach
Arizona Republic
January 22, 2021

Arizona reported about 9,400 newlyidentified COVID-19 cases and 244 new known deaths Thursday as the virus continues to spread rapidly in the state, although hospitalizations have been dropping slightly.

The state's seven-day new-case average ranked first among all states Wednesday after ranking first and second the past two weeks, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

Arizona's rate of new positive cases over the last seven days was 97.4 cases per 100,000 people, per the CDC. The U.S. average for new cases is 60.1 cases per 100,000 people.

Arizona's average daily COVID-19 deaths per 100,000 people over the past seven days was fourth in the nation as of Wednesday, CDC data show.

The state surpassed 11,000 known deaths from COVID-19 on Friday after passing 10,000 deaths just six days earlier.

Arizona is now approaching 12,000 known deaths from the disease.

Many of the deaths occurred days or weeks prior, due to reporting delays and death certificate matching.

The Arizona data dashboard shows 92% of all ICU beds and 92% of all inpatient beds in the state were in use Monday, with 59% of ICU beds and 53% of non-ICU beds occupied by COVID-19 patients. Statewide, 149 ICU beds and 692 non-ICU beds were available.

AMERICAN OVERSIGHT

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 4,580 on Wednesday, below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,058 on Wednesday, below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 731 on Wednesday, below the record high 821 reached on Jan. 13.

Wednesday saw 2,046 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Thursday's 9,398 new cases brought the total number of identified COVID-19 cases in the state to 699,942. As of Thursday, 11,772 Arizonans are known to have died from the disease, according to the data dashboard from ADHS.

Thursday's numbers

Reported cases in Arizona: 699,942.

Cases since the outbreak began increased by 9,398, or 1.36%, from Wednesday's 690,544 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 434,337 in Maricopa, 93,839 in Pima, 38,477 in Pinal, 33,707 in Yuma, 17,586 in Mohave, 15,248 in Yavapai, 14,362 in Coconino, 13,703 in Navajo, 9,883 in Cochise, 8,772 in Apache, 7,149 in Santa Cruz, 5,572 in Gila, 4,721 in Graham, 2,087 in La Paz and 498 in Greenlee, according to state numbers. The Navajo Nation reported 26,612 cases and 933 confirmed deaths in total as of Wednesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 8,778 inmates had tested positive for COVID-19 as of Wednesday, including 1,811 in Yuma, 1,742 in Tucson, 1,279 in Eyman and 1,118 in Douglas; 43,396 inmates statewide have been tested. A total of 2,281 prison staff members have self-reported testing positive, the department said. Twenty-nine incarcerated people in Arizona have been confirmed to have died of COVID-19, with 17 additional deaths under investigation.

Arizona as of Wednesday had the ninth highest overall case rate in the country since Jan. 21, 2020. Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Utah, Rhode Island, Tennessee, Wisconsin, Iowa and Nebraska, according to the CDC.

Arizona's infection rate is 9,421 cases per 100,000 people, the CDC said. The national average is 7,270 cases per 100,000 people, though the rates in states hard hit early on in the pandemic may be an undercount because of a lack of available testing in March and Apr

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona bill aimed at unrest called scare tactic by community organizers

Gabriel Gamino
KTAR News
January 22, 2021

A new Arizona bill that seeks harsher punishment for rioters is being described as a scare tactic by community organizers.

Introduced by Republican state Rep. Bret Roberts, HB 2309 seeks stricter penalties for those who participate in "unlawful and violent actions during rioting," according to a press release.

The bill comes after weeks of unrest last summer over the killings of George Floyd and Dion Johnson where protesters called for an end to police violence and racial inequality.

However, Bruce Frank Jr. with Mass Liberation Arizona told KTAR News 92.3 FM Thursday that the bill misses the real issue and is truly meant to "further target and prosecute protestors of police violence."

He added bills like HB2309 should not be tolerated.

"You can't rebuttal uprising and what's going on with problematic bills that speak to intimidation and silencing of those who speak up and speak out. And that's exactly what 2309 is… it's rhetoric," Frank Jr. said.

In the press release, Roberts said he introduced the bill in an "effort to keep our communities safe," yet Frank Jr. claims it's activists who suffer violence at the hand of police, not the other way around.

Instead, Frank Jr. believes police departments should be defunded and that money be used toward community programs to help solve the root of the issues.

"That's how we cut down on the harm that's been caused in our community by the system that created the harm in the first place," he said.

Return to the table of contents

Arizona health expert slams Pfizer for offer to sell vaccines directly to states

Peter Samore
KTAR News
January 22, 2021

A top Arizona health official is slamming coronavirus vaccine maker Pfizer for its offer to sell vaccines directly to states when it is only authorized to sell to the federal government.

AMERICAN OVERSIGHT

"You're going to have the states that have a budget surplus outbidding the states that don't," Arizona Public Health Association Director Will Humble said. "You know who suffers when that happens? Low-income people."

According to ABC News, Democratic New York Gov. Andrew Cuomo is considering Pfizer's offer in hopes of bringing more vaccines to the Empire State.

KTAR News 92.3 FM reached out to Republican Arizona Gov. Doug Ducey's office to see if he was exploring similar action, but calls were not returned.

Humble, who was previously the director of the Arizona Department of Health Services, said the federal government is doing a good job by ensuring safe supplies and fair sharing among the states.

"But it's counties and states that need to put together vaccination plans," Humble said. "The counties are public health retailers. Our state health department is our public health wholesaler."

Humble said they're responsible for hiccups in speedy deliveries. However, they're at the mercy of the vaccine supplies available to them.

He believes states like Arizona still struggle to distribute the doses they get.

"A lot of it had to do with a software system that people had to use to make appointments that wasn't working properly, that had a lot of bugs in the system," Humble said. "My understanding is that it's getting better."

Meanwhile, President Joe Biden is still promising 100 million COVID-19 vaccine doses in his first 100 days in office. Humble thinks he can pull it off.

"If I was President Biden, I'd have my FDA commissioner in my office asking him specific questions about the next two vaccines, which are AstraZeneca and Johnson & Johnson," Humble said.

Pfizer and Moderna's shots need storage in well below freezing temperatures. The other makers' shots do not.

"They could go into pharmacies, doctors offices, and community health centers with no problem at all," Humble said. "There's no freezing. They're refrigerator vaccines. The lot sizes are small."

However, Biden must depend on others to keep his promise: that the FDA will find the new vaccines safe, and that all levels of government can quickly get them into arms — including the second booster shot.

That means Arizona will need 50,000 shots a day through the spring.

Humble hopes the FDA will approve the AstraZeneca and Johnson & Johnson vaccines next month.

Return to the table of contents

Navajo Nation extends stay-at-home order, lifts weekend lockdowns

AMERICAN OVERSIGHT

Torrence Dunham
KTAR News
January 22, 2021

The Navajo Nation extended its stay-at-home order Thursday, but lifted weekend lockdowns to allow for more coronavirus vaccination events.

"By lifting the 57-hour weekend lockdown, our health care facilities on the Navajo Nation will be able to administer more COVID-19 vaccines on the weekends," Navajo Nation President Jonathan Nez said in a press release.

"Our goal is to vaccinate as many of our people as possible and this helps with that effort."

Going into effect on Monday and lasting through at least Feb. 15, the stay-at-home lockdown requires all residents to remain at home 24 hours a day, seven days a week, with the exception of essential workers, an emergency situation or to obtain food, medication or supplies.

A daily curfew is also in effect from 9 p.m. until 5 a.m. seven days a week, with essential businesses being allowed to operate from 7 a.m. until 8 p.m.

Essential businesses include gas stations, grocery stores, convenience stores, hardware stores, laundromats, restaurants, food establishments, banks and similar financial institutions, and hay vendors as long as they comply with provisions in the order.

The Navajo Nation on Thursday reported 166 new coronavirus cases and seven more deaths, bringing the totals to 26,782 infections and 940 fatalities since the pandemic began.

All residents are required to wear a mask in public and officials are asking people to avoid gathering with individuals outside the immediate household, maintain physical distancing and use curb-side and drive-through services to help stop the spread of the virus.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Former surgeon general says Arizona's vaccine troubles similar nationwide

Kaci Demarest
KTAR News
January 22, 2021

A former U.S. Surgeon General said the country's coronavirus vaccination execution feels like "50 states acting like 50 separate countries" instead of a cohesive unit because of a lack of former leadership and guidance from the federal level.

"There was a lack of direction federally. There was everything from conspiracy theorists, anti-vaccinators, so a lot of complicating factors in each state city has had to deal with," Dr. Richard Carmona told KTAR News 92.3 FM's Gaydos and Chad on Thursday.

AMERICAN OVERSIGHT

Carmona, who works with a team at the University of Arizona to study coronavirus trends, said Arizona Gov. Doug Ducey and Arizona Department of Health Services Director Dr. Cara Christ have done the best that they can given the circumstances.

He noted manpower and infrastructure issues have plagued the whole country's coronavirus vaccination execution; however, Arizona has a unique set of challenges in handling two metropolitan areas and a smattering of rural communities where it's difficult to deliver the vaccines to.

"It's not a simple issue," Carmona said. "It's extraordinarily complex one that it made it more difficult not having the appropriate leadership at the federal level to help guidance of these programs."

According to the Centers for Disease Control and Prevention, Arizona currently ranks 27th in the country in COVID-19 vaccine doses distributed per 100,000 people; however, the state ranks 43rd when it comes for the number of doses that have been administered per 100,000.

ADHS and local agencies have worked to speed up distribution of the coronavirus vaccines. ADHS has launched two mass vaccination sites at State Farm Stadium in Glendale and Phoenix Municipal Stadium in Tempe.

Vaccination appointments are being snatched up as quickly as they're posted. On Tuesday, 150,000 slots for February vaccinations at State Farm Stadium filled up within 14 hours.

Despite the hiccups, it's vital to get the majority of the population vaccinated.

"It's best that we all get vaccinated, unless you have a legitimate reason," Carmona siad. "There may be a religious preferences, maybe allergy, but that's a small part of the population the concerning part is when we have up to 30% or more of the population deciding they don't trust the government or they don't want to do it."

The coronavirus vaccination woes continue as Arizona continues to see high coronavirus metrics in the state. Carmona said he and his team are encouraged by the slight decrease or plateau in certain coronavirus metrics, like the number of ventilators and beds in use, coronavirus cases and fatalities.

"For now, it's looking better," Carmona said. "I hope we can sustain this, but based on the fact that we are really not even close to the amount of immunizations we need and the high degree of transmissibility, that would tell me that this is going to continue for some time."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Chandler psychologist chosen to lead Arizona redistricting panel

KTAR News
January 22, 2021

A psychologist was chosen Thursday as the independent chair of the commission that will redraw Arizona's political district lines this year.

The unanimous choice of Erika Neuberg of Chandler by the two Democrats and two Republicans already sworn in as members of the Arizona Independent Redistricting Commission dodged a potential

AMERICAN OVERSIGHT

political firestorm. Commissioners avoided choosing two other nominees to lead the panel who had been unsuccessfuly challenged in court by Democrats who believed they were too partisan.

The chair wields significant power, and it remains to be seen if the new commission will be able to avoid the contentious issues that dogged the panel in 2011. Neuberg applauded the unanimous vote that made her chair, calling it a sign the panel will seek consensus.

"I truly view this as a collective vote of confidence in the legitimacy and independence of our process by all parties involved," Neuberg said after being chosen. "And I have the greatest belief Republicans, Democrats and independents will be fairly represented and will have a voice in this process."

The redistricting commission was created by voters to limit political influence by the Legislature in redrawing congressional and legislative district maps. The process that follows each U.S. Census is politically important because redrawn district lines can limit how many legislative and U.S. House seats each party can realistically win.

The commission is designed to have five members — two Democrats, two Republicans and an independent who serves as chair. The partisan members are chosen by legislative leaders and the chair from a list created by a judicial appointment panel. The chair often acts as a tiebreaking vote.

Under the constitutional amendment approved by voters in 2000, the redistricting commission must consider population, voting rights, geographic features, communities of interest and competitiveness when drawing new districts.

Republicans generally liked the district maps drawn after the 2000 Census, and those done following the 2010 Census were regarded as more favorable to Democrats, prompting strong criticism from Republicans.

Then-Gov. Jan Brewer, a Republican, tried to oust that commission's chair, who sided with Democratic members on several key votes. The Arizona Supreme Court rejected Brewer's move.

The 2001 and 2011 maps led to prolonged court challenges, including a 2015 U.S. Supreme Court decision that upheld Arizona voters' decision to strip the redistricting process from the Legislature.

In addition to Neuberg, the other members of the panel are Republicans David Mehl of Pima County and Douglas York of Maricopa County, and Democrats Shereen Lerner of Maricopa County and Derrick Watchman of Apache County.

Members chose Watchman as the vice chair. They agreed to meet again on Feb. 2 to start the process of hiring an executive director and begin considering mapping consultants.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Navajo Nation reports 166 new COVID-19 cases, 7 more deaths

Arizona Daily Sun
January 22, 2021

Navajo Nation health officials on Thursday reported 166 new COVID-19 cases and seven more deaths.

The latest figures bring the total reported coronavirus cases on the reservation to 26,782 with 940 known deaths.

Navajo Nation President Jonathan Nez said in a statement that while people are getting vaccinated, it's crucial to keep in mind that another variant of the virus has been found in nearby regions.

The Navajo Department of Health this week has identified 75 communities with uncontrolled spread of COVID-19 from Jan. 1-14.

The five newest communities added to the list were Bread Springs, Hard Rock, Jeesto, Cove and Mexican Springs.

Nez said residents still need to remain vigilant and practice health safety measures like staying home.

The number of infections is thought to be higher than reported because many people haven't been tested.

Studies suggest people can be infected with the virus without feeling sick.

Tribal officials said more than 226,000 people on the vast reservation have been tested for COVID-19 and nearly 14,000 have recovered.

The Navajo Nation extends into Arizona, New Mexico and Utah.

Return to the table of contents

Brothers denounce lawmaker who challenged Biden victory

Arizona Daily Sun
January 22, 2021

The chair of the conservative House Freedom Caucus has been castigated by his two brothers over his efforts to cast doubt about President Joe Biden's victory.

The siblings of Republican Rep. Andy Biggs wrote in a letter to his hometown newspaper that Biggs is "at least partially to blame" for the violent riot at the U.S. Capitol this month and should be removed from office, The Arizona Republic reported Thursday.

AMERICAN OVERSIGHT

Biggs is one of former President Donald Trump's strongest defenders in Congress and was among dozens of Republicans who challenged the certification of electoral votes from Arizona and Pennsylvania on Jan. 6.

The organizer of the pro-Trump rally that turned violent that day has said Biggs and two other Republican lawmakers helped him plan the event — a claim that has been denied by a spokesman for Biggs.

“Political ambition, peer pressure and fealty to Trump proved to be too strong a drug to resist," William Biggs and Daniel Biggs wrote to The Arizona Republic.

Biggs violated his oath of office and eroded the trust of the electorate, they wrote. They also denounced the his refusal to wear a mask while in a secure room with other lawmakers during the siege.

A spokesman for Andy Biggs, Daniel Stefanski, did not respond to an email request for comment about the letter by the Biggs brother to the newspaper.

William Biggs told the newspaper that he’s a Democrat and isn’t close to the congressman but couldn’t continue to keep his feelings to himself after the Capitol riot.

“It just seemed like saying nothing just felt like tacit approval of the things that he’s done,” William Biggs told The Republic. “Always before on things big and small that he’s done I’ve just kind of kept my mouth shut and gritted my teeth. This just seemed like too big a moment to just sit on the sidelines and not say anything.”

Andy Biggs isn't the first Arizona congressman to be publicly chastised by his siblings.

Six brothers and sisters of Rep. Paul Gosar urged voters to replace him in an ad for his Democratic opponent in 2018, and some of them reiterated their criticism this month following the Capitol siege.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Psychologist chosen to chair Arizona redistricting panel
Bob Christie
Arizona Daily Sun
January 22, 2021

A psychologist was chosen Thursday as the independent chair of the commission that will redraw Arizona's political district lines this year.

The unanimous choice of Erika Neuberg of Chandler by the two Democrats and two Republicans already sworn in as members of the Arizona Independent Redistricting Commission dodged a potential political firestorm. Commissioners avoided choosing two other nominees to lead the panel who had been unsuccessfuly challenged in court by Democrats who believed they were too partisan.

AMERICAN OVERSIGHT

The chair wields significant power, and it remains to be seen if the new commission will be able to avoid the contentious issues that dogged the panel in 2011. Neuberg applauded the unanimous vote that made her chair, calling it a sign the panel will seek consensus.

“I truly view this as a collective vote of confidence in the legitimacy and independence of our process by all parties involved,” Neuberg said after being chosen. “And I have the greatest belief Republicans, Democrats and independents will be fairly represented and will have a voice in this process."

The redistricting commission was created by voters to limit political influence by the Legislature in redrawing congressional and legislative district maps. The process that follows each U.S. Census is politically important because redrawn district lines can limit how many legislative and U.S. House seats each party can realistically win.

The commission is designed to have five members — two Democrats, two Republicans and an independent who serves as chair. The partisan members are chosen by legislative leaders and the chair from a list created by a judicial appointment panel. The chair often acts as a tiebreaking vote.

Under the constitutional amendment approved by voters in 2000, the redistricting commission must consider population, voting rights, geographic features, communities of interest and competitiveness when drawing new districts.

Republicans generally liked the district maps drawn after the 2000 Census, and those done following the 2010 Census were regarded as more favorable to Democrats, prompting strong criticism from Republicans.

Then-Gov. Jan Brewer, a Republican, tried to oust that commission’s chair, who sided with Democratic members on several key votes. The Arizona Supreme Court rejected Brewer’s move.

The 2001 and 2011 maps led to prolonged court challenges, including a 2015 U.S. Supreme Court decision that upheld Arizona voters' decision to strip the redistricting process from the Legislature.

In addition to Neuberg, the other members of the panel are Republicans David Mehl of Pima County and Douglas York of Maricopa County, and Democrats Shereen Lerner of Maricopa County and Derrick Watchman of Apache County.

AMERICAN OVERSIGHT

Members chose Watchman as the vice chair. They agreed to meet again on Feb. 2 to start the process of hiring an executive director and begin considering mapping consultants.

The new maps should be in place for the 2022 elections, and Arizona is expected to gain a 10th U.S. House seat.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, January 22, 2021 7:36:00 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes January 21, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

January 21, 2020

IMPORTANT: *The Arizona Legislative Report is fully digital and may be accessed at ArizonaLegislativeReport.com. Your log-in credentials from last year should still work. If you have trouble logging in, please let us know. In addition, please let us know if there are any changes to your account, such as a new email or a new contact person. You may call or email Scott Newell at 602-258-7145 or*

AMERICAN OVERSIGHT

snewell@azcapitoltimes.com, or Mitch Stead at mstead@azcapitoltimes.com or 602-889-7140. For any questions about subscription payments, please contact Shannon Wass at 717-323-5234 or swass@bridgetowermedia.com.

Please note that subscribers to the News Notes email will get the News Notes around 3 p.m.

Regular subscribers will be alerted via email once the Daily Report is posted on ArizonaLegislativeReport.com. If you would like to get the News Notes early, please let us know. The cost for the News Notes is an additional $50 per month.

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

55th Legislature; 1st Regular Session

THE HOUSE IS STILL in session at our deadline.

THE SENATE IS ADJOURNED until Monday, January 25, at 1:30 p.m.

COMMITTEE AGENDAS

NEW HEARINGS

House Commerce

Tuesday 01/26/21 at 2:00 PM, House Rm. 3

H2118: FURNISHING TOBACCO; MINORS; ENTERPRISE PENALTIES

H2119: HEALTH CARE INSURANCE; AMENDMENTS

H2120: TIMESHARES; PUBLIC REPORTS; PURCHASE CONTRACTS

H2160: OCCUPATIONAL SAFETY; ADVISORY COMMITTEE; ENFORCEMENT

AMERICAN OVERSIGHT

H2161: TOURISM MARKETING AUTHORITIES

H2172: WIRELESS PROVIDERS; AUTHORITY; APPLICABILITY

H2243: OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE

H2267: PROFESSIONAL LICENSURE FEES; WAIVER; REDUCTION

HCR2014: UNITED STATES; TAIWAN; PARTNERSHIP

House Criminal Justice Reform

Tuesday 01/26/21 at 2:00 PM, House Rm. 1

H2137: LITERACY; DYSLEXIA SCREENING; APPROPRIATIONS

H2174: PROJECT ROCKET PILOT PROGRAM; APPROPRIATIONS

H2175: SCHOOLS; RESIDENCY DOCUMENTATION; POLICIES

H2183: PUBLIC SERVICE SCHOLARSHIP FUND

H2210: SCHOOL FUNCTIONS; FOOD; BEVERAGES

H2241: SCHOOLS; INSTRUCTION; HOLOCAUST; GENOCIDES

H2259: COMMON SCHOOL DISTRICTS; UNIFICATION; BUDGET

H2268: SCHOOLS; TOTAL COMPENSATION STATEMENTS

H2301: CTEDS; LETTER GRADES; EXCLUSION

H2402: SCHOOLS; TEST RESULTS; LETTER CLASSIFICATION

H2403: SCHOOLS; PERFORMANCE EVALUATIONS

House Education

Tuesday 01/26/21 at 2:00 PM, House Rm. 1

H2137: LITERACY; DYSLEXIA SCREENING; APPROPRIATIONS

H2174: PROJECT ROCKET PILOT PROGRAM; APPROPRIATIONS

AMERICAN OVERSIGHT

H2175: SCHOOLS; RESIDENCY DOCUMENTATION; POLICIES

H2183: PUBLIC SERVICE SCHOLARSHIP FUND

H2210: SCHOOL FUNCTIONS; FOOD; BEVERAGES

H2241: SCHOOLS; INSTRUCTION; HOLOCAUST; GENOCIDES

H2259: COMMON SCHOOL DISTRICTS; UNIFICATION; BUDGET

H2268: SCHOOLS; TOTAL COMPENSATION STATEMENTS

H2301: CTEDS; LETTER GRADES; EXCLUSION

H2402: SCHOOLS; TEST RESULTS; LETTER CLASSIFICATION

H2403: SCHOOLS; PERFORMANCE EVALUATIONS

House Natural Resources, Energy & Water

Tuesday 01/26/21 at 2:00 PM, House Rm. 4

H2040: DAM SAFETY STUDY COMMITTEE

H2248: CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES

H2388: WATER SUPPLY DEVELOPMENT FUND; APPROPRIATION

H2390: LAW CLINIC; STREAM ADJUDICATIONS; APPROPRIATION

Senate Education

Tuesday 01/26/21 at 2:00 PM, Senate Rm. 1

S1058: SCHOOLS; LEARNING MATERIALS; ACTIVITIES

S1148: COMMON SCHOOL DISTRICTS; UNIFICATION; BUDGET

S1164: SCHOOLS; AUDITS; FINANCIAL RECORDS; BUDGETS

S1165: SCHOOLS; PERFORMANCE EVALUATIONS

AMERICAN OVERSIGHT

S1178: SCHOOLS; TEST RESULTS; LETTER CLASSIFICATION

S1189: SPECIAL EDUCATION; GROUP B WEIGHTS

S1227: STUDY COMMITTEE ON CLASS SIZES

Senate Finance

Wednesday 01/27/21 at 9:00 AM, Senate Rm. 109

S1040: TAX CREDIT; EARNED INCOME

S1042: WORKERS' COMPENSATION; SETTINGS; DEFINITION

S1075: HEALTH CARE INSURANCE; AMENDMENTS

S1076: LOW-INCOME MULTIFAMILY HOUSING; VALUATION

S1077: FOSTER YOUTH EMPLOYMENT; TAX CREDIT

S1110: TPT; EXEMPTIONS; INDIAN TRIBES

S1111: CENTRALLY ASSESSED PROPERTY; VALUATION; PIPELINES

S1113: UNUSED TAX CREDIT; TERMINATION; TIME

S1135: INCOME TAX SUBTRACTION; 529 CONTRIBUTIONS

S1177: FOREST PRODUCTS; PROCESSING; TAX CREDIT

S1214: PSPRS; CORP; LOCAL BOARDS; CONSOLIDATION

S1216: TREASURER; INVESTMENT OF TRUST FUNDS

S1234: INSURANCE; CONTINUING EDUCATION; PROCTOR PROHIBITED

House Judiciary

Wednesday 01/27/21 at 9:00 AM, House Rm. 4

H2012: UNAUTHORIZED RACING MEETINGS; PENALTIES; RACKETEERING

AMERICAN OVERSIGHT

H2027: LEAVING ACCIDENT SCENE; PRIVATE PROPERTY

H2053: SUPERIOR COURT CLERK; SALARY

H2066: ARREST PROCEDURES; MAGISTRATES

H2070: ADOPTION; ORIGINAL BIRTH CERTIFICATE; RELEASE

H2073: RECORDS; CONFIDENTIALITY; ELIGIBLE INDIVIDUALS

H2075: SENTENCING; JUDGMENT OF GUILT; FINGERPRINTS

H2178: THEFT BY EXTORTION; DEFENSE

H2428: VICTIMS' PRIVACY; CRIMINAL CASE INFORMATION

HCR2002: SUPREME COURT; MAINTAIN NINE MEMBERS

REVISED HEARINGS

House Health & Human Services

Monday 01/25/21 at 2:00 PM, House Rm. 4 ***REVISED [01/20/21]***

H2010: ADOPTION; HEALTH INFORMATION; UPDATE

H2016: CHILD CARE ASSISTANCE; EDUCATION; TRAINING

H2047: INSURANCE; OPTOMETRISTS; CONTRACTS; COVERED SERVICES

H2126: RURAL PROVIDERS; LOAN REPAYMENT PROGRAM

H2258: DENTAL BOARD; LICENSES; CERTIFICATES; RENEWALS

H2266: MEDICAL ASSISTANTS; TRAINING REQUIREMENTS

H2290: HEALTH CARE INSTITUITIONS; ACCREDITATION; INSPECTIONS

H2291: AHCCCS; PREGNANT WOMEN; DENTAL CARE

H2292: PHYSICIANS ASSISTANTS; LICENSURE; BOARD

AMERICAN OVERSIGHT

H2298: MEDICAL MARIJUANA; RESEARCH; GRANTS

H2299: DHS; LONG-TERM FACILITY SURVEYORS

House Land, Agriculture & Rural Affairs

Monday 01/25/21 at 2:00 PM, House Rm. 3 ***REVISED [01/20/21]***

H2142: AGRICULTURAL WORKFORCE PROGRAM; APPRENTICES; APPROPRIATION

H2188: PEST MANAGEMENT; UNLICENSED BUSINESS ACTIVITIES

H2246: G&F; PRIVATE LANDS; TRESPASSING

H2289: CITRUS RESEARCH COUNCIL; FEE INCREASE

H2372: AGRICULTURAL OPERATIONS; NUISANCE; LIABILITY

HR2003: FORESTS; PROPER MANAGEMENT

House Military Affairs & Public Safety

Monday 01/25/21 at 2:00 PM, House Rm. 1 ***REVISED [01/20/21]***

H2294: YIELDING TO EMERGENCY VEHICLES; PENALTIES

H2295: LAW ENFORCEMENT OFFICERS; DATABASE; RULES

H2297: MILITARY LEAVES OF ABSENCE; DURATION

HCR2003: LAW ENFORCEMENT; FIRST RESPONDERS; HONORING

HR2002: SEMELE MASSACRE; ASSYRIAN MARTYRS DAY

Senate Government

Monday 01/25/21 at 2:00 PM, Senate Rm. 1 ***REVISED [01/20/21]***

S1084: STATE OF EMERGENCY; AUTOMATIC TERMINATION

SCR1001: STATE OF EMERGENCY DECLARATION; TERMINATION

AMERICAN OVERSIGHT

SCR1003: EXECUTIVE ORDERS; EMERGENCIES; REAUTHORIZATION; TERMINATION

SCR1010: LEGISLATIVE SPECIAL SESSION; EMERGENCIES

SCR1014: AUTOMATIC TERMINATION; STATE OF EMERGENCY

Senate Transportation & Technology

Monday 01/25/21 at 2:00 PM, Senate Rm. 109 ***REVISED [01/21/21]***

S1096: COMMERCIAL DRIVER LICENSES; THIRD PARTIES

S1146: ELECTRONIC CERTIFICATES OF TITLE

NEWS NOTES

HOUSE ALLOWS VIRTUAL ATTENDANCE

The House adopted a rule change yesterday that lets members be counted present for floor sessions if they attend virtually, instead of requiring them to be physically present on the floor. House Democrats' decision to not show up on Tuesday likely prompted the change. A few Republicans were also absent that day, leaving the House without a quorum to conduct business. Democrats, however, showed up yesterday and today, allowing the chamber to get through its agenda of bill readings and other business. Legislators stayed away following widespread reports that massive protests and potential violence could occur at state capitols in the run-up to President Joe Biden's inauguration, concerns heightened by the storming of the U.S. Capitol by Trump supporters on Jan. 6. The Arizona Capitol stayed peaceful this week.

STEELE HOPES CAPITOL REMAINS SAFE, WORRIES THE WORST IS COMING

Steele is still not fully confident the state Capitol is safe, although she's back today. She told our reporter she is relieved to see that the worst threats of inauguration-related violence didn't pan out. But she doesn't think the danger is over, she added. "I don't think just because something has not happened this week that something's not going to happen. If I was a really bad guy, and I wanted to hurt somebody to make a point, to go down in infamy, I'd wait until the big deal events were over and the security started relaxing. I don't think we've seen the worst yet, but I hope I'm wrong," she said.

AMERICAN OVERSIGHT

KERR, WHO TESTS NEGATIVE, WILL TAKE ANOTHER COVID TEST

All senators came back for today's session except for Kerr, who was also excused yesterday and had to cancel yesterday's nat res-energy-water when both she and Shope were out because of potential Covid exposure or similar symptoms. Kerr told our reporter she tested negative, but has to take another test to be able to return on Monday because she is still running a low fever. Meanwhile, a staffer in the Senate basement tested positive earlier this week and prompted the Senate to use its internal contact tracing system, as well as informing all other basement staff. Legislators and their staff have free daily access to rapid testing.

FINCHEM HAS A PLEXIGLASS QUESTION

Mask use has been a flashpoint in a couple of House committees this week, with Democrats calling out Republicans who don't wear them or who they believe don't take Covid precautions seriously enough. On Wednesday, Butler criticized Republicans in House gov who removed their masks to talk and said they should wear them over their noses and mouths even when speaking. Democrats on the panel also questioned whether Fillmore should be in the committee room since he recently was exposed to a staffer who tested positive for Covid and CDC guidelines say people under that scenario should quarantine for two weeks. Kavanagh replied that Fillmore was exposed seven days prior and House rules only require five days' quarantine, and Fillmore said even though House rules allowed his presence, he wore a mask for the benefit of members "traumatized by this pandemic." Cano brought up the same issue in nat res-energy-water today, pointing out that several of the committee's Republicans refused to wear masks, contrary to House policy that requires members to wear masks except when on the House floor and whenever social distancing isn't possible. Finchem, who was one of the maskless Republicans, said he has a health exemption and asked why members should have to wear them when plexiglass dividers exist between committee seats. "What's the point of having all this?" Finchem said. "What's the point of going through taxpayer expense to put all these up if they don't work?"

MO MONEY MO PROBLEMS

State revenue is once again much higher than expected, according to JLBC's latest monthly fiscal highlights. The state brought in $1.18 billion in December, $193.5 million over the October forecast and 12.9% over December 2019. And once more, construction and remote retail sales tax drove much of the increase, while the state's insurance premium tax posted record-high collections of $23.2 million for a reason

AMERICAN OVERSIGHT

budget analysts don't fully understand. Corporate income taxes are down year over year but not as much as expected, thereby boosting revenues above the October forecast. JLBC analysts and the team of private and public-sector economists on the Finance Advisory Committee will explain the latest budget predictions, which include between $13.9 billion and $14.3 billion in revenue and the ability to spend up to $400 million on new, ongoing expenses and up to $1.6 billion on new one-time costs during a meeting at noon tomorrow.

ELIOTT POLLACK: UP TO A THIRD OF PRE-COVID BUSINESSES ARE GONE FOR GOOD

Economist Elliott Pollack said thirty to 35 percent of businesses that existed pre-Covid are now dead for good, and predicted that economic growth will falter until society reaches levels of vaccine-caused herd immunity in late summer. At that time, he said, the economy will boom - thanks to pent-up demand. "Arizona is going into a two- or three-year boom," he said. But the economic boom could still end up helping some Arizonans more than others. If financial help isn't targeted at the "have-nots" - those who lost their jobs or took significant pay cuts, potentially lost their homes and have debt that has been in forbearance coming due soon – the state can face a K-shaped recovery that will help benefit some while others continue to suffer.

DECLINING ENROLLMENT MEANS $500 MILLION LESS FOR SCHOOLS

Lower enrollment could result in up to $500 million less for schools by the end of the school year, JLBC analysts shared during today's Finance Advisory Committee meeting. OSPB Director Matt Gress believes that number is $389 million, which the Ninth Floor intends to repurpose for remediation grants. JLBC calculate it at between $301 million and $500 million, and their baseline budget would return that money to the General Fund. That decrease in formula spending, plus lower state spending on Medicaid because of a higher federal match rate in effect at least until mid-March, clears at least $499 million and possibly much more for other spending, depending on whether the higher federal Medicaid rate continues and what happens to school enrollments.

MARICOPA COUNTY: WE DON'T HAVE AN AGREEMENT YET WITH THE SENATE

Fann jumped the gun on announcing that Maricopa County would turn over election materials, county supervisors said last night. In a statement, Chairman Jack Sellers said the board's lawyers continue to negotiate in good faith with Fann's attorney, but

AMERICAN OVERSIGHT

the two sides haven't reached an agreement yet. "The parties are working toward an agreement which delivers some of the requested documents and information while protecting voter privacy and the integrity of election equipment," he said. The county wants a forensic audit, but it's not willing to turn over all of the ballots and other information that the Legislature requested.

FIGHT OVER ELECTIONS LAWS TAKES SHAPE

House gov voted, 7-6, along party lines Wednesday to advance a constitutional amendment to add a "single subject rule" to citizen ballot initiatives. If passed, HCR2001 (initiatives; single subject; title) would appear on the ballot in 2022. Kavanagh, its sponsor, said a recent Arizona Supreme Court decision saying the single subject rule lawmakers follow for legislation doesn't apply to initiatives prompted the referral. He said it would prevent attempts to pass an unpopular policy via initiative by bundling it with popular ones and ensure voters aren't forced to make a decision on an initiative that might combine things they support and oppose. The measure's supporters include the Arizona Farm Bureau Federation and the Arizona Citizens Defense League, while progressive and labor groups, such as the Arizona Education Assn, the Sierra Club and ACLU Arizona oppose it. Don Johnsen, a lawyer, testified against the proposal at length, arguing it could lead to endless challenges from opponents of any initiative by arguing it violates a single subject rule. "If you want to pass a bill that creates employment for people like me, this is your bill," he said.

BILL ALLOWING SURVIVORS TO SUE TRAFFICKERS ADVANCES

House crim jus ref unanimously approved two bills yesterday afternoon. H2116 (human trafficking, civil action, liability) will let victims of human trafficking sue their traffickers for damages. The bill passed the House unanimously in 2020 but died in the Senate following the chaos of last year's session. "It's just some common sense, allowing those who have been trafficked to go after the entities or groups or individuals who trafficked them on the civil side," said Bolick, the bill's sponsor. H2162 (undesignated offenses; misdemeanor status; exceptions) will let judges, in some cases where people are convicted of Class 6 felonies, to either enter judgment as a class one misdemeanor upon sentencing or after the offender successfully completes probation. "What we found last year is judges had their hands tied a lot, so what we're doing is working toward a path to give judges more discretion in some cases to be able to exercise their judgment, if you will, and this is the start of many bills that will do that," said Blackman, who sponsored the bill.

CAROLL WANTS TO GIVE LEGISLATORS MAJOR ROLE IN AWARDING

AMERICAN OVERSIGHT

ELECTORAL VOTES

Carroll introduced a bill Wednesday to award most of Arizona's electoral votes according to the popular vote in each congressional district, and to award its two at-large electors, or the two each state gets for its U.S. senators, to whomever gets the most votes in the Legislature. Under the proposal, all 90 legislators will vote as one body. Most states, including Arizona currently, award all of their electoral votes to whichever presidential candidate wins the statewide popular vote; Nebraska and Maine award them by congressional district, although they also give the two at-large electors to whomever wins the statewide popular vote. Joe Biden narrowly carried Arizona in 2020, only the second Democrat to do so since Bill Clinton's victory in 1996. Had H2426 (presidential electors; congressional districts; at-large) been law last year, four of Arizona's nine congressional districts would have awarded their electoral votes to Donald Trump, and presumably the Republican-majority Legislature would have awarded him the state's two at-large electoral votes as well, which would mean six of Arizona's 11 electoral votes would have gone to Trump. Dunn also introduced a bill on Tuesday to establish ranked-choice voting in presidential primaries in Arizona.

NEWS RELEASES

Community Organizations Condemn Extreme Voter Suppression Bills Under Consideration by the Arizona State Legislature

At 2 pm today, the Senate Government Committee will hold a hearing on SB1069, a bill introduced by State Senator Michelle Ugenti-Rita that would purge hundreds of thousands of people from the permanent vote by mail list. The bill is one of a series of voter suppression bills currently under consideration by the Arizona state legislature, alongside:

HB2369 (Representative Kevin Payne): would require early ballots to be notarized, essentially establishing a poll tax

HB2370 (Representative Kevin Payne): would eliminate the permanent vote by mail list *entirely*

HCR2001 (Representative John Kavanagh): would undermine the citizen ballot initiative process by imposing a "single subject rule," making it easier to use a technicality to challenge a ballot measure

These proposals come just weeks after an armed attack on the US Capitol that

AMERICAN OVERSIGHT

attempted to overturn the results of the 2020 election. That attack was sparked by lies about the election, which multiple sitting Arizona federal and state lawmakers helped to spread.

In response to the proposed bills, a coalition of Arizona community organizations and voting rights groups issued the following statement:

"These bills are blatant attempts at voter suppression, part of a larger pattern of attacks on our democratic norms. Many of the lawmakers pushing these bills are the same lawmakers who spread lies about the 2020 election. Others have moved to limit participation in the legislative process by barring remote testimony during the COVID-19 pandemic. As Arizonans, we are determined to stop these bills. Together, we must uplift and reaffirm our state's commitment to democracy."

* * * * *

New Report: Clean Energy Could Save Arizona $2 Billion, Grow State Economy

Phoenix, Ariz. – Greater investment in clean energy, such as energy efficiency, solar, and batteries, consistent with the new "Energy Rules" approved by state utility regulators in November, could create an economic windfall of $2 billion for Arizona, according to a new major study.

The study was released today by the Southwest Energy Efficiency Project and conducted by Strategen Consulting, a leading energy modeling and research firm.

The report identifies the cheapest way for Arizona to meet its energy service needs over the next 15 years. Using data from Arizona Public Service (APS) and Tucson Electric Power (TEP) — two of the state's largest electric companies — Strategen built a model of Arizona's power system and determined the state's cheapest, most reliable mix of energy options moving forward.

The results were compared with new requirements approved by the Arizona Corporation Commission last fall. If fully implemented, the Energy Rules would direct APS and TEP to deliver 100 percent carbon-free power by 2050 -- and demonstrate progress along the way — expand programs to help customers save energy, and boost investment in battery storage. The Rules were developed after years of analysis, more than a dozen public meetings, thousands of written comments, and hundreds of hours of engagement by stakeholders.

AMERICAN OVERSIGHT

This new study finds that:

- Arizonans could save over $2 billion if APS and TEP meet and exceed the new clean energy requirements.
- Arizona's cheapest option is to invest in even greater levels of solar, energy efficiency, and battery storage than what is included in the Energy Rules.

- If utilities continue to pursue a greater use of solar, wind, and battery storage; make meaningful investments in energy efficiency; as well as take other measures consistent with the proposed Energy Rules, it would reduce electricity generation costs by more than $2 billion through 2035. This amount represents an 11 percent reduction in generation costs relative to a "business as usual" scenario.

"The results speak for themselves. Capitalizing on Arizona's untapped clean energy potential would deliver billions in savings for all Arizonans," **says Ellen Zuckerman, Co-Director of the Utility Program for SWEEP.** "We cannot afford to delay. Arizona Corporation Commissioners must act now to finalize and implement the Energy Rules."

To read the Energy Rules Analysis, click here or visit www.arizonaenergyrules.com.

For more information about Arizona's Corporation Commission's Energy Rules, click here.

* * * * *

Central AZ National Lawyers Guild (NLG) Statement Regarding The Insurrection On January 6, 2021 And Following Events

The National Lawyers Guild, whose membership includes lawyers, legal workers, jailhouse lawyers, and law students, was formed in 1937 as the United States first racially-integrated bar association to advocate for the protection of constitutional, human, and civil rights.

The Central Arizona National Lawyers Guild is outraged, but not surprised, by the insurrection and attempted overthrow of the U.S. government on January 6, 2021. The white supremacists and fascists emboldened by the sitting president have made it clear in the last year that they intend to "Make America Great Again" by preserving the racist, sexist, and colonial inequalities on which the U.S. was

AMERICAN OVERSIGHT

born. The "Proud Boys" have been clear that their goal is to eliminate "white genocide" and install a country where white interests are written into the law. Some of the insurrectionists made verbal statements against George Floyd and Breonna Taylor both Blacks murdered by police. Some videos have been recovered that federal prosecutors say involved a plot to capture and assassinate elected officials. The rioters were not there to exercise their First Amendment rights: They were there to overthrow a country. This marauding group sought to install their beliefs above the will of the voters – above the majority.

Arizona is heavily implicated in the January 6 insurrection.

An October, 2020 police report said that five Phoenix police officers heard Officer Steven Poulos threaten to shoot Mayor Kate Gallego if she "defunded the police." These comments were made at a squad briefing during work hours. He said,"If the mayor defunds the police, I'm going to shoot her." He also threatened to shoot up Gallego's house and then doubled down, calling the threat "a promise" and saying "someone's gonna do it." Phoenix police deemed the threat credible, and Gallego was given security detail. Yet the threatening officer was not prosecuted by the county attorney's office.

Arizona has a long history of failing to hold law enforcement accountable. ABC 15 reported about the colossal failure of the AZ law enforcement and prosecutors to document and track officers with histories of lying and criminal activity as required by law. Earlier, ABC 15 had reported 70 stories on police misconduct, excessive force, civil rights violations, racial bias, and failure of transparency and accountability.

Evidence is mounting that the January 6 insurrection was an "inside job" (e.g., the missing panic button in Massachusetts Representative Ayanna Pressley's office, the ability of the mob to find a hidden third floor office, and their knowledge of the interior layout). One of the insurrection organizers claims "Freedom Caucus" chair Andy Biggs and Paul Gosar of Arizona helped to plan and lead the January 6 insurrection. Lesko, Schweikert, Biggs, and Gosar all voted to overthrow the people's vote to install their own cult.

An Arizona state representative, Mark Finchem (R-Oro Valley) is the Arizona Coordinator for the Coalition of Western States (COWS), an organization accused of domestic terrorism for the armed occupation of the Malheur National Wildlife Refuge in Oregon in 2016. He is also a member of the radical violent gang "Oath Keepers." He was tweeting from the Capitol during the sedition and appears to be heavily involved.

AMERICAN OVERSIGHT

Congress had been warned.

Black police officers have warned for years about racist Capitol police, and Congress did nothing. Over 250 Black officers have sued the department since 2001. Black officers held 16 demonstrations against discrimination between 2013 and 2018. They were ignored. Black officers in the Capitol Police working on January 6 have since described racist attacks they faced including from persons claiming to be police and people wearing "Back the Blue" buttons. They described the group as "militarily trained." They outlined the difference in how BLM protesters were treated in the summer.

Congress deserves blame and must take serious action. The capitol police were not short on resources. They have a budget of $500,000 for 2,300 officers to guard a few buildings and fewer than 600 people.

For weeks insurrectionists have been talking about coming to the Capitol to do harm. The police knew. They were warned by both the FBI and the New York PD and took no action. At least 12 officers are under investigation for assisting the insurrectionists.

Law enforcement and military were heavily involved in the coup attempt.

Reports have confirmed that at least 28 law enforcement attended the insurrection on January 6. They were from TX, NH, PA, WA, KY, NY, MD, AZ, AR, and VA and included Secret Service agents. In addition the Constitutional Sheriffs and Peace Officers Association and the Chicago police union president made supporting statements afterwards.

Military veterans or active personnel were also identified, including an Air Force lieutenant colonel, another Air Force vet who was killed, a retired Navy SEAL, a couple of infantrymen, an active-duty warfare captain, and a former Marine. The Lt. Colonel was carrying zip ties and according to Assistant U.S. attorney Jay Weimer, "mean[t] to kidnap, restrain, perhaps try, perhaps execute members of the U.S. government."

While some have lamented the infiltration of police forces by white supremacists, others have pointed out that it is an impossibility because, "Policing" is "an institution that finds its roots in some of the worst oppressions this country has ever known, like slavery. Anywhite supremacist violence with police involved is the truest essence of policing historically and presently, not a deviation from it."

AMERICAN OVERSIGHT

Racism is evident in the response of law enforcement.

The racism in the different way law enforcement treated people of color in the Trump administration became obvious early on when on January 20, 2017 police were violent to protesters at the inauguration. Then they arrested over 200 people and charged them with breaking some windows and issued sentences up to 70 years!

But on January 6, 2021, police stood down. Of the over 2,000 capitol force, only 400 were present, in spite of the fact that the fascists had been advertising for weeks on their social media that they planned a violent event on January 6. Some officers opened the gates, others escorted them away from the capitol when they were done, and others giggled with them and took selfies. Yet nine days after the insurrection, law enforcement had managed to arrest only 100 of the white rioters.

Law enforcement is, and always has been, the body that carries out the brute force of the state's white supremacist violence. The arrest count as of January 15, 2021 is one-third that of arrests made in the summer in D.C. against BLM protests. Yet, "anti-terrorist" legislation will only harm communities of color through the expansion of the police and surveillance state.

The NLG is calling for consequences to white supremacist ideology as a whole, beginning with the political expulsion of all local, state, and federal officials who pushed the narrative of a stolen election, encouraging a pro-Trump attempt to seize power. At the same time, the NLG understands that impeachment is not enough and neither is a return to the status quo.

White supremacy is violence, and it is an ideology not easily reformed or rehabilitated. We must simultaneously address the roots of white supremacy and find ways to address its perpetrators in real-time. Prison is not the answer, but consequences are essential. Wealth redistribution in the form of reparations for slavery and Jim Crow, an end to prisons and policing, the abolition of the electoral college, and serious budget cuts to the Department of Defense are a start. In the meantime, the NLG will continue to work with grassroots movements for community support and healing justice.

Police use more force against citizens protesting for justice than insurrectionists mobs.

In a detailed report on January 14, data analyzed by the Guardian showed that police are three times more likely to use force against the political Left than the political Right. The data was based on over 13,000 protests since April of 2020, and "force"

AMERICAN OVERSIGHT

included tear gas and rubber bullets. The Guardian's analysis showed that "police used force at 4.7 percent of left-wing protests versus 1.4 percent of right-wing protests — 511 left-wing protests and 33 right-wing. When looking at protests that did not involve looting or vandalism, the disparity grew: Police were about 3.5 times more likely to use force at left-wing protests than right-wing protests, 1.8 percent and 0.5 percent, respectively."

The report also found that police were more than doubly likely to intervene or break up a left-wing protest than a right-wing one, using tactics like arrests. A similar analysis of the same data by *FiveThirtyEight*found the same.

In 2018, over 1,000 climate activists staged a peaceful sit in at Speaker Pelosi's office, and 143 were arrested. At the BLM protests, 289 were arrested including nine children. Police respond with violence when people protest pollution, environment degradation, and civil rights violations. For this coup attempt, they stood down.

The New York State Attorney sued New York City on January 14, 2021 for excessive force against BLM protesters in 2020. The lawsuit details page after page after page of incidents in which lawful and peaceful protesters were assaulted brutally by police. The suit is based on First and Fourteenth Amendment excessive force, due process, search and seizure, and under state law assault and battery, negligence, false imprisonment, and freedom of press.

Law enforcement has long been owned by white supremacists.

No one familiar with U.S. history should be surprised that law enforcement is full of white supremacists and neo-Nazis. American police were birthed from slave patrols chasing fleeing Blacks and from Pinkerton guards beating workers. The ties to white supremacists have been reported for years, but no action was taken. Even in 2016, in Sacramento, neo-Nazis stabbed 10 people; the stabbing victims were charged but not the neo-Nazis. The present goal is not law enforcement; it is keeping systemic racism in place.

Vida Johnson, an expert from Georgetown University, had just testified at Congress about the threat of white supremacists' infiltration of U.S. police. As she testified, there is a long history of racism in U.S. policing – a fact well known to African Americans. 92% of white police officers believe the country has done enough to ensure equal rights for Black Americans; only 29% of Black officers do and only 48% of the general public does including only 57% of white Americans. Law enforcement is far more racist than the general public. Giving them weapons and access to

AMERICAN OVERSIGHT

confidential information is very dangerous for people of color.

She also testified that since 2009 more than 100 police department in 49 states have faced scandals because of racist and white supremacists' activity – that includes Arizona where 50% of the Border Patrol officers were found to have posted on a racist Facebook page. It's not a bad apple; it's a rotten tree. Some police were outed as active members of the KKK. The FBI has reported for years that the greatest threat to the U.S. is white supremacists – but then spent their time and money inventing "black identity extremists" and investigating a delusion.

It is also no surprise that when whites riot, Blacks are blamed and punished. We have examples from RICO laws, the Oklahoma City bombing by a white man, and the Columbine school shooting not to mention Minneapolis after George Floyd was murdered. RICO was meant for the mafia. But it has been used against gangs and imagined gangs. A white motorcycle gang is not called a gang, while a Black neighborhood pick-up basketball team is.

After the Oklahoma bombing, penalties were increased and state habeas corpus cases were gutted. State habeas corpus is vital for Blacks especially in the South where law enforcement actions do not follow constitutional rights. The law also allowed for detention of immigrants though Timothy McVeigh was a white, home-grown bomber. Still, the punishment is focused on people of color and immigrants.

The Columbine shooting resulted in granting millions of dollars to school districts to put police in schools, starting the "school to prison pipeline," as police focused on children of color in urban schools rather than white kids in suburban schools where Columbine took place.

The Pentagon's infamous Prism program started in 2007 gathers electronic communications in the U.S. – even by you and me – because the Pentagon feared that environmental disasters might lead to a rise in anti-government protest. In 2008, the Pentagon created the Minerva Initiative, that was supposed to research mass movements, but could not tell the difference between law-abiding, peaceful protesters exercising their First Amendment rights and violent terrorists. In 2018, the Pentagon got scared of Gen Z, believing the group was launching a global cyber-campaign to expose injustice and corruption. While exposing injustice and corruption would seem like a good thing, the government tried to shut it down. In reality, the government seeks to maintain its power and control, not maintain justice and fairness under the law.

AMERICAN OVERSIGHT

Democratic and Republican regimes have supported these measures and states have brought it home with ever more repressive law against boycotts and protests and picketing. Since the public lynching of George Floyd, states have gone on a bender to increase penalties for all kinds

The call for more laws and surveillance is wrong.

The knee jerk response of creating another "no fly list" is wrongheaded. The existing list has been shown to be a dismal failure; rather than making anyone safer, it is simply used against people of color. Innocent people are targeted; people are forced to become informants; due process remains absent. We already have plenty of tools in the legal toolbox to deal with the criminality seen at the Capitol. Even the conservative Cato Institute opposes the "no fly" proposal as a knee-jerk response, agreeing that it will do more harm than good.

While it was the far Right that led and participated in the insurrection, both Congress and Arizona state legislature are are trying to pass bills to muzzle the Left who have engaged in lawful First Amendment protests against pollution, environmental destruction, and civil rights violations. Compare the response to Standing Rock, where indigenous peoples protested to stop environmental degradation of their land and water. They were met with military force using water cannons, bean bag rounds, tasers, concussion grenades, and attack dogs.

Though the Capitol police were warned of this coup attempt, no phalanxes of heavily armed police protected the Capitol or lined the streets as had been the case in protests against racism. The Capitol insurrections were met with bottled water and selfies.

A former FBI agent and whistleblower, Michael German, was very clear that law enforcement already has sufficient power to deal with these matters: They *chose*not to. Giving them more power is exactly the wrong action. The FBI said that the warnings had been shared with multiple law enforcement agencies. None were heeded. This is the kind of selective action German spoke about after his 16 years as an FBI agent working undercover with white supremacists and other right-wing gangs. He said sympathy for white supremacy and far-right groups has been a persistent problem. Since 2015, the FBI has warned about it internally as well.

But instead of focusing on the real threats of criminal action and physical harm, police focus on

political action that monied interests feel might harm their pocket. As German said,

AMERICAN OVERSIGHT

the system needs to be torn down. There is no fixing it. People are targeted for race or religion or because of the message but groups committing public violence for years are ignored. For 20 years, police have had no effective oversight and act in violation of the Constitution and law.

German asks why aren't the FBI and other law enforcement using the laws they already have to address the real problem? The FBI could prosecute federal hate crimes under one of five statutes but do not. There are 51 federal crime and terrorism statutes in addition to organized crime and conspiracy. There is no need for another law. Law enforcement is the problem, not the solution.

The existing culture of surveillance without suspicion that has been in play since 911 must be abandoned. Law enforcement should focus on actual criminal activities, not lawful political protests. Today 40% of homicides go unsolved; more than 64% of rapes that are reported go unsolved. Instead of solving real crimes, police waste their time trying to talk people out of protesting and punishing those who do.

of protests except for right-wingers who deliberately run over people with cars.

Conclusion

One thing is perfectly clear: law enforcement uses violence against Black and Brown people and other "enemies" of the white-supremacy state while allowing white supremacists to act freely. The evidence is visible in stark contrast today but has been the truth from the beginning. History teaches us so and reveals the reasons for the systemic inequity and its self-preservation methods. Do not be fooled, do not cater to cries for increased surveillance and "protection," and do not turn a blind eye to the overwhelming facts.

"Liberty lies in the hearts of men and women. When it dies there, no constitution, no law, no court can save it. No constitution, no law, no court can even do much to help it. While it lies there, it needs no constitution, no law, no court to save it."

* * * * *

Valley Partnership Friday Morning Breakfast: What are the economic and legal arguments against Prop 208?

PHOENIX, AZ— Valley Partnership is kicking off the 2021 Friday Morning Breakfast series with a discussion about one of the most controversial issues debated

AMERICAN OVERSIGHT

in the 2020 election cycle—Proposition 208. The ballot measure, which passed in November, increases the top individual income tax rate from 4.5% to 8%.

Economist Jim Rounds of Rounds Consulting Group and legal expert Jon Riches of the Goldwater Institute will discuss the impact of the tax increase on Arizona businesses and the economy as well as the on-going litigation about the constitutionality of Prop. 208.

The zoom webinar is scheduled for Friday, January 22nd at 8:00am, with guest registration available online at the Valley Partnership website.

"Arizona's economic competitiveness is dependent on policies that allow businesses and families to prosper, " said Cheryl Lombard, President & CEO of Valley Partnership. "Sound tax policy is a critical element in creating a strong economy. Although Proposition 208 passed in November, there is on-going debate about the economic ramifications and constitutionality of the measure. We look forward to this conversation with local experts."

WHAT: Valley Partnership January Friday Morning Breakfast Zoom Webinar

WHO: Jim Rounds, President, Rounds Consulting Group; Jon Riches, Director of National Litigation & General Counsel, Goldwater Institute; Cheryl Lombard, President & CEO, Valley Partnership (Moderator)

WHEN: Friday, January 22nd at 8:00am

MEDIA RSVP: Please RSVP to Lorna@elevatestrategiesaz.com to receive the webinar link.

* * * * *

Loop 202 (Santan Freeway) restrictions set this weekend in Chandler

Closures between I-10 and Loop 101 for SRP overhead line work

PHOENIX – Drivers should plan on overnight ramp closures and other restrictions affecting travel along Loop 202 (Santan Freeway) east of Interstate 10 on Saturday and Sunday nights, Jan. 23-24, for Salt River Project overhead power line installation.

Restriction schedules are subject to change due to inclement weather. According to the Arizona Department of Transportation, the following restrictions are scheduled for the

AMERICAN OVERSIGHT

SRP work:

- **All I-10 ramps to the eastbound Santan Freeway** and **the southbound Loop 101** (Price Freeway) **ramp to westbound Loop 202 closed from 7 p.m. Saturday to 4 a.m. Sunday** (Jan. 24) and **from 9 p.m. Sunday to 3 a.m. Monday** (Jan. 25). **Loop 202 also closed intermittently in both directions, up to 15 minutes each time, between Kyrene Road and McClintock Drive.** Eastbound Loop 202 on-ramp at Kyrene Road and westbound Loop 202 on-ramp at McClintock Drive closed intermittently as needed. **Note**: Intermittent closures will start after 10 p.m. Saturday night. **DETOUR**: Consider alternate routes including Chandler Boulevard.

The Sunday night closures are scheduled on an "if necessary" basis.

Real-time highway conditions are available on ADOT's Arizona Traveler Information site at az511.gov, by calling 511 and through ADOT's Twitter feed, @ArizonaDOT. When a freeway closure or other major traffic event occurs, our free app available at azdot.gov/ADOTalerts will send critical information directly to app users in affected areas - where possible, in advance of alternate routes.

* * * * *

AOTL STATEMENT: AZ'S INDEPENDENT REDISTRICTING COMMISSION MUST HOLD A TRANSPARENT PROCESS

IRC Hearings Must Be Accessible to All

With the selection of Erika Schupak Neuberg as the Chair and Derrick Watchman as Vice Chair of the Independent Redistricting Commission (IRC), the commission is complete and the next phase of Arizona's redistricting process begins. Hundreds of Arizonans submitted comments, concerns, and recommendations throughout the candidate evaluation process, and All On The Line (AOTL) applauds citizens from all backgrounds getting involved in the early stages of Arizona's redistricting process. AOTL further commends the public servants that have stepped up to serve this commission and work towards fair maps.

"Though the Census data may be delayed, the Commission has critical work they must do in the coming days and weeks. The commissioners must begin to further their understanding of the state and its diverse communities, and work to fairly incorporate public feedback to ensure that our maps are fair and people-driven. Upon hiring

AMERICAN OVERSIGHT

qualified and effective staff, commissioners should immediately start offering robust and accessible public hearings long before 2020 Census data reaches the state," **said Kendra Alvarez, AOTL Arizona State Director.**

These early hearings have traditionally served to help new commissioners hear from Arizonans and understand the local communities and geographies that must be reflected in the maps. AOTL AZ remains committed to the work of encouraging public involvement in the map drawing process, and calls on the five commissioners of the IRC to demonstrate that they deserve the trust and faith of Arizona citizens by offering robust public hearings that are transparent and accessible to all Arizonans.

NEWS CLIPS

Arizona Republican's brothers say he is 'at least partially to blame' for Capitol violence

By Jordan Williams The Hill 01-21-21

The brothers of Rep. Andy Biggs (R-Ariz.) said their sibling is "at least partially to blame" for the deadly riots at the U.S. Capitol on Jan. 6.

Biggs's brothers, William Biggs and Daniel Biggs, wrote in a letter to the editor to The Arizona Republic that he should be removed from office over what they viewed as his role in inciting the riot. (To read more, click here).

* * * * *

Arizona remains worst state in nation for virus

By Staff and Wire Reports Today's News Herald 01-21-21

Mohave County reported 513 new coronavirus cases and 16 deaths on Wednesday as Arizona remains the worst state in the nation for the rate of new cases.

Of the 513 cases reported locally, 169 involved Lake Havasu City residents. Seven of the county's 16 reported deaths were Havasu residents. (To read more, click here).

* * * * *

AMERICAN OVERSIGHT

Ex-Arizona official to head to prison for illegal adoptions

By Jacques Billeaud Associated Press 01-21-21

A former Arizona politician must report to prison Thursday to begin serving the first of three sentences for running an illegal adoption scheme that paid pregnant women from the Marshall Islands to come to the U.S. to give up their babies.
Paul Petersen, a Republican who served as Maricopa County assessor for six years and also worked as an adoption attorney, was sentenced to six years after pleading guilty in federal court in Arkansas to conspiring to commit human smuggling. (To read more, click here).

* * * * *

Renowned attorney speaks up for 'the guy in horns'

By Scott Lauck Missouri Lawyers Media 01-21-21

When you're accused of something as outrageous as participating in the storming of the U.S. Capitol while dressed in a horned headdress, you need a lawyer like Al Watkins.

Watkins, of St. Louis-based Kodner Watkins, is representing Jacob Anthony Chansley, of Arizona, who faces a six-count federal indictment for his alleged role in the January 6 demonstration. Chansley, also known as Jacob Angeli, instantly became a famous figure when he was seen on video inside the U.S. Senate chamber, bedecked in fur and face paint and carrying the American flag on a spear. (To read more, click here).

* * * * *

Former Congressman Renzi pardoned

By Nathan Brown Arizona Capitol Times 01-21-21

President Trump issued pardons or commutations to 143 people on his last full day in office January 19, including a former Arizona congressman who served two years in prison after a 2013 conviction related to a land swap deal.

AMERICAN OVERSIGHT

Rick Renzi, 62, a Republican who represented Arizona's 1st Congressional District from 2003 to 2009, was convicted on 17 of 32 counts, including wire fraud, conspiracy, extortion, racketeering, money laundering and making false statements to insurance regulators, the Associated Press reported at the time. Prosecutors said Renzi used his office for personal financial gain and looted a family insurance business to help pay for his 2002 campaign. Renzi was accused of holding hostage possible parcel swaps involving public land proposed as the site for an Arizona copper mine unless it included purchasing private land owned by a former business associate. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, January 22, 2021 11:05:36 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *January 22, 2021*

Fears of violence at Capitol fizzle as security ramped up
Arizona Capitol Times
Double layers of fences, increased police presence and mass Democratic absences from the House and Senate over fears of violence appear to have been for naught.

DHS allows tagalongs to get Covid vaccine
Arizona Capitol Times
Although not advertised, the Arizona Department of Health Services allows people to receive Covid vaccines if they are in the same car as someone with an appointment at State Farm Stadium.

Covid, threats make 'People's House' less friendly
Arizona Capitol Times
It's supposed to be "the people's house," or at least that's what legislators call it in their impassioned speeches.

Arizona GOP lawmakers advance changes to election laws in wake of Trump's loss
Capitol Media Services
In the wake of protests over the election results in Arizona, Republicans on a state Senate panel approved two changes in election laws Thursday that would audit more votes and require automatic recounts in more situations.

AMERICAN OVERSIGHT

Political Notebook: AZ GOP profits from election-fraud claims; plus more local fallout from the Jan. 6 D.C. disorder
Arizona Daily Star
The Arizona GOP's efforts to overturn the results of the presidential election may have been divisive, but they were also profitable.

Former Nogales customs officer sentenced to prison for taking bribe
Arizona Daily Star
A former customs officer in Nogales was sentenced to 30 months in federal prison after admitting to taking a $6,000 bribe to smuggle someone into the United States.

Psychologist chosen to chair Arizona redistricting panel
Associated Press
A psychologist was chosen Thursday as the independent chair of the commission that will redraw Arizona's political district lines this year.

Biden 'pauses' border wall building, but uncertainty remains at work sites in Santa Cruz County
Nogales International
As a thick fog rolled off the Patagonia Mountains on Thursday morning, construction vehicles were parked idly along the freshly widened and graded border road that stretched east toward Nogales.

Biden Backs DACA, Limits Deportations in Win for Arizona Immigration Advocates
Phoenix New Times
Democratic President Joe Biden's fast motions to reform federal immigration policy will have a significant impact on Arizona, which has a sizable population of undocumented immigrants.

Not On TV, Kari Lake Is Active on Site for Right-Wingers, Nazis
Phoenix New Times
FOX 10 anchor Kari Lake went viral in 2019 for bashing Phoenix New Times to a colleague while defending her affiliation with the far-right Twitter clone Parler.

What It Was Like Getting Vaccinated at State Farm Stadium
Phoenix New Times
We waited for someone to ask why we deserved a COVID-19 shot ahead of so many others. No one ever did.

We Have to Make the Republican Party Less Dangerous
New York Times (Opinion, Jamelle Bouie)
The crisis Trump set in motion is far from over.

Donald Trump on the coronavirus 1 year ago today: 'We have it totally under control'
Arizona Republic (Opinion, EJ Montini)
It's the kind of grim anniversary that should remind us of what really was the greatest failure, and greatest offense, of Trump's presidency.

Uh oh, Rep. Andy Biggs. Nearly half your district thinks you played a role in Capitol riot
Arizona Republic (Opinion, Laurie Roberts)
Arizona Rep. Andy Biggs has a major problem. A new poll says nearly half of voters in his district suspect he was involved in the Jan. 6 Stop the Steal rally-turned-riot.

Joe Biden is not going to pursue unity in office. And that's not even what we need
Arizona Republic (Opinion, Robert Robb)
Joe Biden made unity his inaugural theme, but he's not going to pursue a unity agenda. And unity isn't what we need to repair American democracy.

President Joe Biden is darn right to impose a 100-day deportation moratorium
Arizona Republic (Opinion, Elvia Diaz)
Some conservatives are already calling Biden's 100-day deportation moratorium a 'public safety nightmare.' It is not.

Arizona's confusing COVID-19 vaccine appointment website is just one problem to solve ASAP
Arizona Republic (Opinion, Editorial Board)
A confusing website, too few vaccination sites and too many hoops for volunteers are big problems that Arizona can't afford to let fester.

History chose Joe Biden to heal a 'broken land'
Arizona Republic (Opinion, Editorial Board)

AMERICAN OVERSIGHT

Newly sworn in President Joe Biden reached out to all Americans during his inauguration to try to end our 'uncivil war'.

Voters canceled the Trump reality show. It's time for us all to move on
Arizona Republic (Op-ed, Jon Gabriel)
Today, Donald Trump is sipping virgin daiquiris poolside at Mar-a-Lago and a lot of scribblers and talking heads need a new angle. Their audiences do too.

ASU's spring reopening during the COVID-19 surge is irresponsible
State Press (Opinion, Shradha Krishnamurthy)
ASU reopening in the throes of the current, worsened COVID-19 situation shows a lack of regard for student and public safety.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, January 22, 2021 3:32:12 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 1-22-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet January 22, 2021

12 ETHICS COMPLAINTS HAS TO BE A RECORD, RIGHT?
A dozen voters have sent formal complaints to Nutt, chair of the House Ethics Committee, asking her to investigate Finchem, who was in DC for the Jan 6 riot that left several dead, which Nutt forwarded to Ethics Committee members today without saying whether she intends to investigate.

AMERICAN OVERSIGHT

MO' MONEY MO' PROBLEMS
Lawmakers may have more money than they know what to do with this year, as the Joint Legislative Budget Committee predicts somewhere between $13.9 billion and $14.3 billion in revenue.

TOMORROW IS THE BIG DAY!
As Republicans prepare to convene for the AZGOP organizational meeting tomorrow, the candidates and their allies have been flooding state committeemen's inboxes with pleas for support, including from a host of county and LD chairs who called on Kelli Ward to drop out.

BUT DIDN'T HE TELL HER TO RUN?
Bob Lettieri, the AZGOP treasurer who likely has the best (but still long) shot at beating Ward, is hammering Ward with the former president's pledge that he'd "fire" Ward if he lost Arizona.

IT'S THE AZGOP ECONOMY, STUPID
Otherwise, Lettieri has largely based his pitch to state committeemen on his ability to raise desperately needed funds for the party.

THE FASTEST WAY TO CLIMB THE ADP LADDER IS TO LOSE A RACE
The Arizona Democratic Party is also set to elect its next leader, and Terán is the heavy favorite, racking up virtually every endorsement from an elected Democrat.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, January 22, 2021

·NEWS NOTES AND GOSSIP·

12 ETHICS COMPLAINTS HAS TO BE A RECORD, RIGHT?

A dozen voters have sent formal complaints to Nutt, chair of the House Ethics Committee, asking her to investigate Finchem, who was in DC for the Jan 6 riot that left several dead, which Nutt forwarded to Ethics Committee members today without saying whether she intends to investigate. "Unity and healing can truly only begin when justice is served and people who incited the violence, including Mark Finchem, are held accountable for their actions," wrote Misty Atkins, who lives in Finchem's LD11. (At least nine of the complainants appear to live in Finchem's district.) Some of the letters were form complaints from finchemrecall.com, accusing Finchem of violating his oath of office and supporting an insurrection. Ralph Atchue, a Democrat who ran for LD11 Senate seat in 2018, is heading the recall effort and filed his own complaint. That recall hasn't gotten off the ground yet, and organizers will have just 120 days after they pull the trigger on the campaign to gather around 30,000 signatures to force a recall election. Chávez filed the original complaint against Finchem a week ago (YS, 1/14), on the heels of a letter from every Democratic legislator urging the FBI to investigate his actions (YS, 1/13). Finchem has denied witnessing or taking part in violence or anything illegal.

MO' MONEY MO' PROBLEMS

Lawmakers may have more money than they know what to do with this year, as the Joint Legislative Budget Committee predicts somewhere between $13.9 billion and $14.3 billion in revenue. After accounting for baseline expenses, there would still be up to $400 million for new ongoing expenses and up to $1.6 billion for new one-time spending. That's higher than Ducey's office expects, though the executive revenue forecasts are higher than JLBC's in future years. JLBC predicts schools could lose up to $500 million in formula funding by the end of the year, compared to $389 million predicted by the governor's office. While the Ninth Floor intends to repurpose that money for remediation grants, the baseline prepared by JLBC would see that money returned to the General Fund. Higher-than-expected state revenues have bolstered rosy revenue forecasts over the past several months, including last month. The state brought in $1.18 billion in December, $193.5 million over the October forecast and 12.9 percent over December 2019. Once again, construction and remote retail sales tax drove much of the increase, while the state's insurance premium tax posted record-high collections of $23.2 million for a reason budget analysts don't fully understand. Corporate income taxes are down year over year but not as much as expected, boosting revenues above the October forecast. However, while the big-picture economy looks OK, economists on the Finance Advisory Committee this week continued to highlight problems plaguing some sectors. Economist Elliott Pollack said 30 to 35 percent of businesses that existed pre-Covid are now dead for good, and predicted economic growth will falter until society reaches levels of vaccine-caused herd immunity in late summer. At that time, he said, the economy will boom because of pent-up demand. "Arizona is going into a two- or three-year boom," he said. But the economic boom could still end up helping some Arizonans more than others. If financial help isn't targeted at the "have-nots" – those who lost their jobs or took significant pay cuts, potentially lost their homes and have debt that has been in forbearance coming due soon – the state can face a K-shaped recovery that will help benefit some while others continue to suffer.

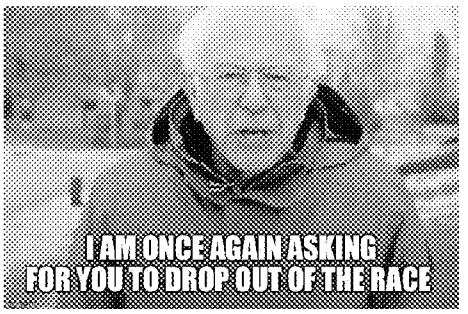
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000934

ARZN_REV00068626_1-22-2021.pdf

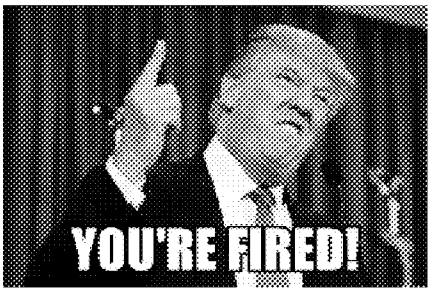
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

TOMORROW IS THE BIG DAY!



As Republicans prepare to convene for the AZGOP organizational meeting tomorrow, the candidates and their allies have been flooding state committeemen's inboxes with pleas for support, including from a host of county and LD chairs who called on Kelli Ward to drop out. The letter, signed by more than a dozen party players, including former Maricopa County Party chair Linda Brickman, Pima County past chairs Bill Beard and David Eppiheimer, former LD16 chair Jerry Clingman, former LD19 chair Kim Owens and consultant Constantin Querard, eviscerates Ward's record, saying her "egregious distortions of truth are disturbing and duplicitous." The distortions mentioned in the letter aren't about her lies about the "stolen" 2020 election but, rather, her mistruths about the party's fundraising ("the saddest part of this unfortunate reality is the cash flow of the state G.O.P. cannot sustain staff positions in the future without significant fundraising efforts") that the GOP is "hemorrhaging" registered voters and her tweet saying Republicans "need to consider replacing the Arizona G.O.P. party with a M.A.G.A party." "Endless errors and embarrassments have distracted us from our messaging and detracted from our efforts at the grassroots level." But more than the lies and embarrassments, the letter slams her for her inability to implement and execute a strategic plan, as evidenced by her abysmal fundraising and several high-profile losses, makes her unqualified to lead the party into the future. "You have lost two Senate races for yourself before the 2020 election. In the 2020 election cycle, Arizona failed to secure a win for our President, our Republican-held U.S. Senate seat and a Republican seat on the Corporation Commission," the letter reads. It goes on to say Republicans who won have said party support was non-existent, and that Trump, not the state party, pulled successful Republicans through. "The full gambit of fundraising, organization, recruitment, voter registration, training and communication must be redone and retooled for statewide wins in 2022," it states. "Please, for the sake of the Arizona Republican Party, stand down from the AZGOP Chairman's race," the letter concludes.

BUT DIDN'T HE TELL HER TO RUN?



Bob Lettieri, the AZGOP treasurer who likely has the best (but still long) shot at beating Ward, is hammering Ward with the former president's pledge that he'd "fire" Ward if he lost Arizona. "Kelli Ward failed President Trump and now it's time for AZGOP State Committeemen to do their job and FIRE KELLI WARD," he wrote. He noted her 2020 losses, including the presidency, that she was the first party chair since 1974 to lose "a majority of statewide races in a single election" and that Republicans lost another US Senate seat and a seat on Corp Comm and recounted the time Ward proposed a tax increase (YS, 4/25/19), before diving into her suggestion that Republicans abandon the party in favor of MAGAism. Ward "floated the idea of joining a third party, even as President Trump was the Republican nominee" and "has completely destroyed the AZGOP infrastructure," he wrote. Lettieri also held her feet to the fire for celebrating the Jan 6 riot at the Capitol "as it was happening." "On Twitter, she declared a strategic victory as the US Capitol was shut down," he wrote, noting that rioters murdered a police officer. Ward embarrassed Arizona Republicans by supporting some of the rioters and speaking with them at events, he said, "including the shirtless horned guy." "Kelli Ward is the most divisive, disruptive, and repulsive Chair in the history of the Arizona Republican Party. It is impossible for Republicans to unify with her. It won't happen. If Ward remains Chairwoman, Republicans will continue to leave the party and disassociate with Kelli Ward's crazy absurdity," he concluded.

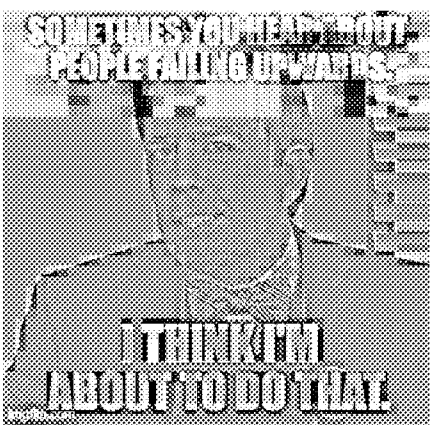
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000935
ARZN_REV00068626_1-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S THE AZGOP ECONOMY, STUPID

Otherwise, Lettieri has largely based his pitch to state committeemen on his ability to raise desperately needed funds for the party. In one of his several emails to state committeemen, Lettieri wrote that he knows the details of every event and donor who has contributed to our cause." "We've been outraised in-state by the Democrats by a margin of 8-1 even with the enthusiasm for President Trump's re-election. I wouldn't call that a success," he wrote. He noted that Ward has been misleading her fellow Republicans about their fundraising efforts. "The AZGOP didn't actually raise $23 million dollars by itself in this past election cycle as we have been led to believe. Nearly 80% of that money came from the RNC and our national political committees. It was already earmarked for Arizona no matter who the Chairman was," he wrote, adding that most of the contributions the party did receive were non-recurring and "driven by the excitement to re-elect our President" which means fundraising in 2022 will be even more difficult. He pledged to fill PC positions and bolster training for activists, and to reach out beyond just Republicans to independents and conservative Democrats. "The fact of the matter is that we aren't turning out our base Republican vote or targeting conservative Independents and conservative Democrats. My plan includes a get out the vote strategy that will target low-propensity Republicans, and Independent and unaffiliated voters," he wrote. And he proposed a bottom-up approach that would emphasize supporting down ballot candidates who are "our next generation of congressional and statewide officeholders." He said there's no reason Republicans, who outnumber Democrats in Maricopa County and statewide, should lose. "We've just been outworked and outsmarted by Democrats," he wrote.

THE FASTEST WAY TO CLIMB THE ADP LADDER IS TO LOSE A RACE



The Arizona Democratic Party is also set to elect its next leader, and Terán is the heavy favorite, racking up virtually every endorsement from an elected Democrat. She faces Sarah Tyree, who lost in her bid for the LD22 Senate last year. Several familiar faces are running for top positions within the party, as well. Paul Stapleton-Smith, who lost in the LD10 House primary, is one of three people running for 1st Vice Chair; Lynsey Robinson, who just lost to Petersen in the LD12 Senate race, is vying for one of the six vice chair positions along with Michael Slugocki, a vice chair in LD28, Suzanne Hug, a Dem candidate for LD25 House and Daniel Toporek, the losing candidate for Maricopa County Treasurer. Brianna Westbrook, a failed Congressional and legislative candidate, wants to be the educational coordinator and Karl Gentles, a failed CD6 candidate, wants to be the affirmative action moderator. The Party will also vote on a handful of resolutions like making racism a public health emergency, urging Kelly and Sinema to vote to convict Trump (House Speaker Nancy Pelosi will give the Dem-majority US Senate the articles of impeachment on Monday) as well as other agenda items, which can be found on the party's website (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000936

ARZN_REV00068626_1-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Fears of violence at Capitol fizzle as security ramped up
Arizona Capitol Times
Double layers of fences, increased police presence and mass Democratic absences from the House and Senate over fears of violence appear to have been for naught.

DHS allows tagalongs to get Covid vaccine
Arizona Capitol Times
Although not advertised, the Arizona Department of Health Services allows people to receive Covid vaccines if they are in the same car as someone with an appointment at State Farm Stadium.

Covid, threats make 'People's House' less friendly
Arizona Capitol Times
It's supposed to be "the people's house," or at least that's what legislators call it in their impassioned speeches.

Arizona GOP lawmakers advance changes to election laws in wake of Trump's loss
Capitol Media Services
In the wake of protests over the election results in Arizona, Republicans on a state Senate panel approved two changes in election laws Thursday that would audit more votes and require automatic recounts in more situations.

Political Notebook: AZ GOP profits from election-fraud claims; plus more local fallout from the Jan. 6 D.C. disorder
Arizona Daily Star
The Arizona GOP's efforts to overturn the results of the presidential election may have been divisive, but they were also profitable.

Former Nogales customs officer sentenced to prison for taking bribe
Arizona Daily Star
A former customs officer in Nogales was sentenced to 30 months in federal prison after admitting to taking a $6,000 bribe to smuggle someone into the United States.

Psychologist chosen to chair Arizona redistricting panel
Associated Press
A psychologist was chosen Thursday as the independent chair of the commission that will redraw Arizona's political district lines this year.

Biden 'pauses' border wall building, but uncertainty remains at work sites in Santa Cruz County
Nogales International
As a thick fog rolled off the Patagonia Mountains on Thursday morning, construction vehicles were parked idly along the freshly widened and graded border road that stretched east toward Nogales.

Biden Backs DACA, Limits Deportations in Win for Arizona Immigration Advocates
Phoenix New Times
Democratic President Joe Biden's fast motions to reform federal immigration policy will have a significant impact on Arizona, which has a sizable population of undocumented immigrants.

Not On TV, Kari Lake Is Active on Site for Right-Wingers, Nazis
Phoenix New Times
FOX 10 anchor Kari Lake went viral in 2019 for bashing Phoenix New Times to a colleague while defending her affiliation with the far-right Twitter clone Parler.

What It Was Like Getting Vaccinated at State Farm Stadium
Phoenix New Times
We waited for someone to ask why we deserved a COVID-19 shot ahead of so many others. No one ever did.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000937
ARZN_REV00068626_1-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

We Have to Make the Republican Party Less Dangerous
New York Times (Opinion, Jamelle Bouie)
The crisis Trump set in motion is far from over.

Donald Trump on the coronavirus 1 year ago today: 'We have it totally under control'
Arizona Republic (Opinion, EJ Montini)
It's the kind of grim anniversary that should remind us of what really was the greatest failure, and greatest offense, of Trump's presidency.

Uh oh, Rep. Andy Biggs. Nearly half your district thinks you played a role in Capitol riot
Arizona Republic (Opinion, Laurie Roberts)
Arizona Rep. Andy Biggs has a major problem. A new poll says nearly half of voters in his district suspect he was involved in the Jan. 6 Stop the Steal rally-turned-riot.

Joe Biden is not going to pursue unity in office. And that's not even what we need
Arizona Republic (Opinion, Robert Robb)
Joe Biden made unity his inaugural theme, but he's not going to pursue a unity agenda. And unity isn't what we need to repair American democracy.

President Joe Biden is darn right to impose a 100-day deportation moratorium
Arizona Republic (Opinion, Elvia Diaz)
Some conservatives are already calling Biden's 100-day deportation moratorium a 'public safety nightmare.' It is not.

Arizona's confusing COVID-19 vaccine appointment website is just one problem to solve ASAP
Arizona Republic (Opinion, Editorial Board)
A confusing website, too few vaccination sites and too many hoops for volunteers are big problems that Arizona can't afford to let fester.

History chose Joe Biden to heal a 'broken land'
Arizona Republic (Opinion, Editorial Board)
Newly sworn in President Joe Biden reached out to all Americans during his inauguration to try to end our 'uncivil war'.

Voters canceled the Trump reality show. It's time for us all to move on
Arizona Republic (Op-ed, Jon Gabriel)
Today, Donald Trump is sipping virgin daiquiris poolside at Mar-a-Lago and a lot of scribblers and talking heads need a new angle. Their audiences do too.

ASU's spring reopening during the COVID-19 surge is irresponsible
State Press (Opinion, Shradha Krishnamurthy)
ASU reopening in the throes of the current, worsened COVID-19 situation shows a lack of regard for student and public safety.

-PRESS RELEASES-

Representative Cook Introduces Legislation Promoting Efficient Water Use and Responsible Growth in Pinal County

STATE CAPITOL, PHOENIX – State Representative David Cook (R-8) announced today that he has sponsored and introduced a bill, HB 2239, that will help promote growth in the county by allowing older existing planned developments to be updated and modified to meet current building needs and to remain compliant with existing water planning safeguards in place to protect the citizens of Pinal County.
"We need to continue moving Pinal County forward in a responsible way for growth while balancing our water availability for the future," said Representative Cook. **"I am pleased with the proposed solutions that are being**

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

brought forth from the bi-partisan ad-hoc committee I chaired in the fall of 2019. My colleague, Representative Roberts, ran this legislation last year but it did not make it through due to the shortened session resulting from the COVID pandemic – I'm pleased to help see that it now receives full consideration."
Representative Cook expressed gratitude for those who have cosigned HB 2239: Representative Gail Griffin (R-14) and fellow Pinal County-area legislators, Representatives Frank Pratt (R-8), Mark Finchem and Bret Roberts (R-11), and John Fillmore and Jacqueline Parker (R-16).

Representative Cook Applauds Arizona's COVID Vaccine Distribution to Gila & Pinal Counties

STATE CAPITOL, PHOENIX – State Representative David Cook (R-8) today expressed appreciation for the state's ongoing efforts to manage distribution of the COVID-19 vaccine supply received from the federal government, and cited positive feedback that he has received from county constituents as a result:
"The Governor's office has been extremely responsive to me concerning issues I've raised with getting the vaccine out to residents in Gila and Pinal Counties. When I heard that Pinal County had recently run out of the vaccine, I contacted Governor Ducey's staff, and they immediately responded. Days later, a constituent in the district informed me that Pinal County sent a new supply of the vaccine to the Kearny clinic, thanking me for communicating up their concerns. That's just part of our job as legislators, and sometimes the biggest help to someone is simply helping their voice be heard.
"A week later, another constituent sent me a note saying they were concerned Gila County wasn't getting enough COVID vaccines and asked if I could do anything to help. Again, I reached out to the Governor's office and they were quick to explain the situation and share some positive news that the state was in the process of significantly increasing the number of doses available to rural counties because the state received a higher vaccine allocation. They noted that weekly supply numbers are subject to change based on actual distribution from the feds. It is extremely helpful to get information that I can convey back to my constituents in situations like this, which I did.
"I mention all this because, up until now, we've heard and read media reports that have been critical of vaccine distribution efforts. I felt that it was important to highlight some of positive that I've encountered. Our state's personnel are working hard and taking great care to ensure that the vaccine is distributed as widely and fairly as possible. I can testify that the process of government isn't always pretty, but here in Arizona it does work, and I've been genuinely impressed with the state and local efforts to get vaccine doses distributed as quickly as possible and the responsiveness to people's concerns. It gives me confidence that the situation will only get better as the supply our state receives from the feds continues to increase as it has."

AZ Resilient: Connected Arizona

PHOENIX — Governor Doug Ducey is urging the Legislature to strongly support his proposal to invest more than $40 million in a dramatic expansion of broadband in rural Arizona.
"Reliable, high-speed internet is crucial for health care, public safety, education and economic development," said Governor Ducey. "The broadband investments from our budget will decrease the cost of commercial broadband development and accelerate high-speed connectivity to our rural communities. This ensures that more Arizonans can connect to the digital tools that have become so essential."
Governor Ducey's broadband proposal is a central element of the state spending plan announced on Jan. 15. It includes investing $33.1 million to install broadband conduit and fiber from Flagstaff to the California border along I-40. The expansion will add approximately 195 miles of broadband conduit that will be available for commercial broadband development, and make it easier to connect communities along that corridor. This initiative builds on an investment of $40 million to install broadband conduit and fiber along I-17 and I-19, announced last year.
The Governor also proposed investing $10 million to renew and expand the Rural Broadband Development Grant Program, accelerating the development of rural broadband infrastructure directly to homes and businesses. In its first year, the program helped fund rural broadband expansion projects in the City of Page, Bullhead City, and the Town of Payson. This initiative more than triples the investment in the program compared to its first year.
The program will also support community broadband planning to help design effective broadband solutions. In its first year, the program funded planning grants in Coconino and Gila Counties, as well as the City of St. Johns and the Town of Springerville.
View Governor Ducey's policy priorities HERE.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

View Governor Ducey's budget priorities HERE.

Planned Parenthood Advocates of Arizona Statement to the Arizona Legislature: We Won't Back Down

Phoenix — On the 48th Anniversary of the landmark ruling Roe v Wade far-right Republicans in the Arizona legislature attempt to thwart the Constitution and humanity by proposing HB2650 which requires prosecutors to charge, imprison, and put to death those who have an abortion and medical professionals for performing an abortion. This is not the only egregious anti-abortion bill Republicans have introduced in this legislative session. SB1022 seeks to shame those who have an abortion by requiring a death certificate of the fetus and burial, and SCR1009 which urges Congress to investigate false claims babies who survive failed abortions are denied medical care, or SB1251 which guts Arizona's 211 hotline to prohibit referrals for abortion care, or SB1254 which ties the hands of Arizona's Department of Health from providing information to families about abortion care options available to them.
Planned Parenthood Advocates of Arizona Release the following Statement:"PPAA knows it is no coincidence that on the 48th anniversary of Roe v Wade and two days after the inauguration of a pro-reproductive rights administration, that far-right conservatives of the Arizona Legislature are seeking to violate our constitution and further stigmatize people who have abortions. PPAA knew this fight was coming and we are ready to halt all attempts to restrict abortion in Arizona.
Arizonans support abortion access 7 to 10.
We are not ashamed, we will not go back, we will not back down," **said Murphy Bannerman, Communications Manager of Planned Parenthood Advocates of Arizona.**

STATEMENT: U.S. Sen. Mark Kelly Will Vote to Confirm Lloyd Austin to Lead Department of Defense

Today, United States Senator and retired Navy Captain Mark Kelly offered the following statement about his decision to grant a congressional waiver to move Gen. Lloyd Austin's nomination forward and his vote to confirm Austin as the next Secretary of Defense:
"Civilian control over the military is a fundamental principle of our country, which is why waivers such as this must be carefully considered and rare. After meeting with Gen. Lloyd Austin last week and listening to his testimony, I believe he understands his responsibility to quickly restore the strong civilian leadership needed at the Pentagon. Our democracy was tested in recent weeks and it is necessary that competent leaders be expeditiously confirmed for the most crucial national security roles.
"General Austin is a decorated and crisis-tested leader. I look forward to confirming his historic nomination and working with him to strengthen Arizona's critical role in our national defense and respond to the COVID-19 crisis at home and the threats we face around the world."

Congressman Biggs Introduces Three Pieces of Pro-Life Legislation on Roe v Wade Anniversary

WASHINGTON, D.C. – This week, Congressman Andy Biggs commemorated the destructive anniversary of *Roe v Wade* by introducing two pro-life bills and one resolution in the U.S. House of Representatives. Today marks the 48th year since the U.S. Supreme Court decided the case, which has led to more than 62 million abortions in the United States, according to estimates.
Congressman Biggs introduced the *Abortion Is Not Health Care Act*, the *Pregnant Women Health and Safety Act*, and a *Resolution recognizing the importance of access to comprehensive, high-quality, life-affirming medical care for women of all ages*.
Congressman Biggs issued the following statement:
"This week, we remember and honor all of the lives ended by the heinous practice of abortion. We reflect on these innocent human beings and their God-given potentials extinguished by cruel instruments or medication. We mourn with the families who have experienced great regret over their abortions. We pray for healing for all of the mothers who have chosen the path of abortion for their little ones.
"But we resolve to end the practice of abortion and to value all innocent life as sacred. Since the contemptable Roe v Wade decision, Americans have made great strides across the nation to protect the lives of the unborn. I am pleased

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000940
ARZN_REV00068626_1-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to represent one of the most pro-life states in the union, Arizona, and to have had the privilege of fighting for life for decades. To this end, I have reintroduced three pieces of pro-life legislation to reaffirm our values and to ensure that mothers and their unborn children are protected.
"The next four years of the Biden administration will bring out the worst abortion policies and edicts that our nation has experienced since the Roe v Wade decision. However, the pro-life community will rise above these challenges to grow our movement and to bring about an end to abortion on-demand. I am fortunate to have an opportunity to fight for life in the U.S. Congress – the worthiest of causes one can be a part of in the course of public service."
Congressman Biggs reintroduced these three pieces of legislation:
Abortion Is Not Health Care Act
- This bill ends the Internal Revenue Service's treatment of out-of-pocket abortion costs as a medical expense.
Cosponsors: Jeff Duncan (SC-03), Ralph Norman (SC-05), Matt Gaetz (FL-01), Alex Mooney (WV-02), Ted Budd (NC-13), Mike Kelly (PA-16), Bob Gibbs (OH-07), David Rouzer (NC-07), Rick Allen (GA-12), Chip Roy (TX-21), Lance Gooden (TX-03), Bob Good (VA-05), Brian Babin (TX-36), Madison Cawthorn (NC-11), Doug Lamborn (CO-06), Barry Moore (AL-02), Markwayne Mullin (OK-02), Bill Johnson (OH-06), Matt Rosendale (MT-AL), Jim Banks (IN-03), Fred Keller (PA-12), Greg Steube (FL-17), Ronny Jackson (TX-13)
Pregnant Women Health and Safety Act
- This bill requires abortion providers to have admitting privileges to a local hospital and to adhere to basic safety standards.
Cosponsors: Jeff Duncan (SC-03), Ralph Norman (SC-05), Matt Gaetz (FL-01), Alex Mooney (WV-02), Ted Budd (NC-13), Bob Gibbs (OH-07), David Rouzer (NC-07), Lance Gooden (TX-03), Ashley Hinson (IA-01), Bob Good (VA-05), Madison Cawthorn (NC-11), Barry Moore (AL-02), Markwayne Mullin (OK-02), Bill Johnson (OH-06), Rick Allen (GA-12), Fred Keller (PA-12), Greg Steube (FL-17)
Resolution recognizing the importance of access to comprehensive, high-quality, life-affirming medical care for women of all ages.
- This resolution recognizes the high standards established by Pro Women's Healthcare Centers consortium as standards worth implementing nationwide.
Cosponsors: Jeff Duncan (SC-03), Ralph Norman (SC-05), Matt Gaetz (FL-01), Bob Gibbs (OH-07), David Rouzer (NC-07), Lance Gooden (TX-03), Bob Good (VA-05), Madison Cawthorn (NC-11), Barry Moore (AL-02), Bill Johnson (OH-06), Rick Allen (GA-12), Greg Steube (FL-17)

Representative Cook Introduces Legislation Promoting Efficient Water Use and Responsible Growth in Pinal County

STATE CAPITOL, PHOENIX – State Representative David Cook (R-8) announced today that he has sponsored and introduced a bill, HB 2239, that will help promote growth in the county by allowing older existing planned developments to be updated and modified to meet current building needs and to remain compliant with existing water planning safeguards in place to protect the citizens of Pinal County.
"We need to continue moving Pinal County forward in a responsible way for growth while balancing our water availability for the future," said Representative Cook. "I am pleased with the proposed solutions that are being brought forth from the bi-partisan ad-hoc committee I chaired in the fall of 2019. My colleague, Representative Roberts, ran this legislation last year but it did not make it through due to the shortened session resulting from the COVID pandemic – I'm pleased to help see that it now receives full consideration."
Representative Cook expressed gratitude for those who have cosigned HB 2239: Representative Gail Griffin (R-14) and fellow Pinal County-area legislators, Representatives Frank Pratt (R-8), Mark Finchem and Bret Roberts (R-11), and John Fillmore and Jacqueline Parker (R-16).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000941
ARZN_REV00068626_1-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"We've just been outworked and outsmarted by Democrats."

- Bob Lettieri, candidate for AZGOP chair, in an email to state committeemen

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000942

ARZN_REV00068626_1-22-2021.pdf

Sender: Rosanna Gabaldon <rgabaldon09@gmail.com>
Sent: Monday, January 25, 2021 8:33:45 AM
Recipient: Rosanna Gabaldon <rgabaldon@azleg.gov>
Subject: Fwd: SAWUA Legislative Tracking Report 1.23.21
Attachments: winmail.dat

Rosanna Gabaldón
AZ State Senator-elect, LD 2

Begin forwarded message:

From: Arturo Gabaldon <arturo@communitywater.com>
Date: January 25, 2021 at 9:23:27 AM MST
Subject: FW: SAWUA Legislative Tracking Report 1.23.21

From: Stuart Goodman <sgoodman@goodmanschwartz.com>
Sent: Sunday, January 24, 2021 2:24 PM
Subject: SAWUA Legislative Tracking Report 1.23.21

All,

I have attached the weekly legislative tracking report for the week ending January 22nd.

Bills of a more urgent nature or of greater interest are being sent separately.

Committee agendas are below. Please note that both the House and Senate Committees on Natural Resources, Energy and Water are being conducted remotely, through Zoom.

House Committee on Natural Resources,, Energy & Water - Tuesday, January 26th at 2:00 pm

HB 2388 - water development fund;
appropriation<https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.azleg.gov%2Flegtext%2F55leg%2F1R%2Fbills%2FHB2388P.pdf&data=04%7C01%7C%7C433a2ab5371f4359cf2d08d8c0ae549e%7C1b13fe5fa03e46eaa230c9fd0100d385%7C0%7C0%7C637471202298480993%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=PL56qeyUN9BtW3RxWaF7k7EL1LM2j%2BuC8EzBcRIIfcI%3D&reserved=0>
HB 2390 - law clinic; street adjudications;
appropriation<https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.azleg.gov%2Flegtext%2F55leg%2F1R%2Fbills%2FHB2390P.pdf&data=04%7C01%7C%7C433a2ab5371f4359cf2d08d8c0ae549e%7C1b13fe5fa03e46eaa230c9fd0100d385%7C0%7C0%7C637471202298490948%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=3ibjjdH2Imqg%2FcJr8b1L4vu4dl3pUga96sNWedXmTIk%3D&reserved=0>

Senate Committee on Natural Resources, Energy and Water - Wednesday, January 27th at 2:00 pm

SB 1056 - energy; water; savings
accounts<https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.azleg.gov%2Flegtext%2F55leg%2F1R%2Fbills%2FSB1056P.pdf&data=04%7C01%7C%7C433a2ab5371f4359cf2d08d8c0ae549e%7C1b13fe5fa03e46eaa230c9fd0100d385%7C0%7C0%7C637471202298490948%7CUnknown%7CTW

AMERICAN OVERSIGHT

FpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=9T5xGf%2FV02VsE8n%2FGvnewMWUBPkuOZmd493JxI%2Fs3ds%3D&reserved=0>
SB 1147 - water banking; storage credits; subcontractors<https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.azleg.gov%2Flegtext%2F55leg%2F1R%2Fbills%2FSB1147P.pdf&data=04%7C01%7C%7C433a2ab5371f4359cf2d08d8c0ae549e%7C1b13fe5fa03e46eaa230c9fd0100d385%7C0%7C0%7C637471202298500901%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=jBg%2FwjErtrNZyhmijUEmYVgwsA9b7oz9hHe5bGke24I%3D&reserved=0>
SB 1222 - conservation districts; water; invasive vegetation<https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.azleg.gov%2Flegtext%2F55leg%2F1R%2Fbills%2FSB1222P.pdf&data=04%7C01%7C%7C433a2ab5371f4359cf2d08d8c0ae549e%7C1b13fe5fa03e46eaa230c9fd0100d385%7C0%7C0%7C637471202298500901%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=uNTnoYxNb6cHpr5aVPHNtYc4oRl8Vj0PlTeg4Y19Tvk%3D&reserved=0>
SB 1274 - assured water supply; subdivisions<https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.azleg.gov%2Flegtext%2F55leg%2F1R%2Fbills%2FSB1274P.pdf&data=04%7C01%7C%7C433a2ab5371f4359cf2d08d8c0ae549e%7C1b13fe5fa03e46eaa230c9fd0100d385%7C0%7C0%7C637471202298510859%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=U9%2BltyNvWvUq7KHqTwg%2FaumDM3%2FOrPtXpsUUGPjvwaQ%3D&reserved=0>

As always, happy to answer any questions.

Stuart

Stuart Goodman
Goodman Schwartz Public Affairs
3200 North Central Avenue, Suite 2200
Phoenix, Arizona 85012

602-277-0911 Office
602-277-3506 Facsimile
602-617-5708 Mobile

sgoodman@goodmanschwartz.com<mailto:sgoodman@goodmanschwartz.com>

www.goodmanschwartz.com<http://www.goodmanschwartz.com>
[cid:52884500-3c83-4df6-8c19-4000ed636d5e@namprd22.prod.outlook.com]

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon <rgabaldon@azleg.gov>
Sent: Tuesday, January 26, 2021 5:21:28 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 1-26-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *Today's date*

WE REALLY WANT ONE OF THOSE AWARDS
Blackman, who is Rogers' seatmate and political foe, said he pointed the staffer she harassed to tears in the right direction to file a complaint with the Ethics Committee and the Equal Employment Opportunity Commission.

CLASSIC COOK – NOT WANTING TO PICK ANY FIGHTS
Lobbyists' tongues have been wagging about Cook's H2457 (lobbyists; conflict of interest; disclosure), which would prohibit lobbying firms from lobbying both for and against a bill on behalf of two different clients.

THE THREAT OF PROSECUTION, YOU SAY?
The Republic's Andrew Oxford tweeted, then deleted, a bizarre reply to his public records request for texts sent or received by Finchem and former lawmaker Anthony Kern on Jan 5 and 6, the day of the riot in DC.

DON'T DELETE YOUR TEXTS JUST YET!

AMERICAN OVERSIGHT

The House doesn't share Kolodin's view of public records, and is working to fulfil the request, though without the lawmakers' compliance, it will be difficult, as the chamber doesn't have access to their personal phones.

MONEY DOESN'T ALWAYS EQUAL VICTORY

State candidates and campaigns have filed their final campaign finance reports for the 2020 election, and Arizona hit record spending in many races.

THANK DUCEY AND LEGISLATIVE LEADERS, NOT WARD

Despite outspending the state GOP by a 9-1 margin, the Arizona Democratic Party was unable to push its legislative candidates across the victory line in the swath of districts Democrats had targeted.

WE COULD HAVE JUST GIVEN THE $40 MILLION TO SCHOOLS

Education groups and the Arizona Chamber of Commerce and its affiliated PACs spent a combined $40 million battling it out over Prop 208.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, January 26, 2021

·NEWS NOTES AND GOSSIP·

WE REALLY WANT ONE OF THOSE AWARDS

Blackman, who is Rogers' seatmate and political foe, said he pointed the staffer she harassed to tears in the right direction to file a complaint with the Ethics Committee and the Equal Employment Opportunity Commission. "I thought it was unbelievably inappropriate that that happened to him," Blackman said of the staffer's allegations, adding that he apologized to Michael Polloni on behalf of LD6's lawmakers and thought Rogers' alleged behavior goes against their core values as public servants and military veterans. (Polloni is also an LD6 resident.) "We should treat people with respect and dignity, particularly those that we serve," he said today. Blackman didn't support Rogers during the general election, and noted again today that she falsely claimed to have racked up endorsements, including from Blackman's hometown Snowflake (YS, 7/6/20). Fann hasn't talked to Rogers beyond telling her to talk to the Senate's attorney and laying out the ethics complaint process, she said during today's *Arizona Capitol Times* Morning Scoop with legislative leaders. (Our reporter, however, spotted Rogers and Kerr, chair of the Senate Ethics Committee, chatting on the floor today.) Rogers has until next Monday, Feb 1, to provide Kerr with a written response to the complaint. Rogers still has not responded to questions from our reporter or others who followed the story but announced yesterday that she still plans to hand out fake news awards. "I will still be giving out #FakeNews awards to bloggers who are opposition research agents for the DNC," she tweeted.

CLASSIC COOK – NOT WANTING TO PICK ANY FIGHTS

Lobbyists' tongues have been wagging about Cook's H2457 (lobbyists; conflict of interest; disclosure), which would prohibit lobbying firms from lobbying both for and against a bill on behalf of two different clients. It's an issue that pops up almost every year – the last firm we caught working both sides of an issue was Triadvocates (YS, 3/1/19). But the fact Cook is pushing the bill after being accused of being romantically involved with a lobbyist and sponsoring legislation to benefit her family, is ironic to say the least, multiple lobbyists said. Cook didn't see the irony when our reporter asked him about it. "Why irony?" he asked. "I tell you what, that bill must make some people nervous." The bill would allow a firm to work both sides only if it received written consent from its clients, and if it filed a copy of that consent with the Secretary of State's Office. While Cook wouldn't say which firm, exactly, sparked the bill ("You know me, I don't like picking fights"), the practice is unfair to the workers in those industries, he said. Our reporter said even if there was no romantic relationship between him and the agriculture lobbyist, (and it's worth noting, the House Ethics Committee ultimately didn't pursue penalties against him (YS, 7/8/20)) one could make the case that their very close friendship could be considered a conflict of interest. But Cook disagreed. "You have friendships before you become a lawmaker and in fact, maybe some of these lobbyists are the ones who talked you into running for office," he said. He noted that the "Rule of 10" (LINK) allows lawmakers to vote on legislation that impacts them personally, as long as it also impacts at least 9 other people, pointing to Gowan's fireworks legislation and Payne's food truck bills (Gowan slangs fireworks on the side and Payne owns a food truck). And he pointed the finger back at the lobbyists stirring the pot, saying some of them are probably engaging in the practice that he's trying to ban. "They just want to trash me again in your gossip rag," he said.

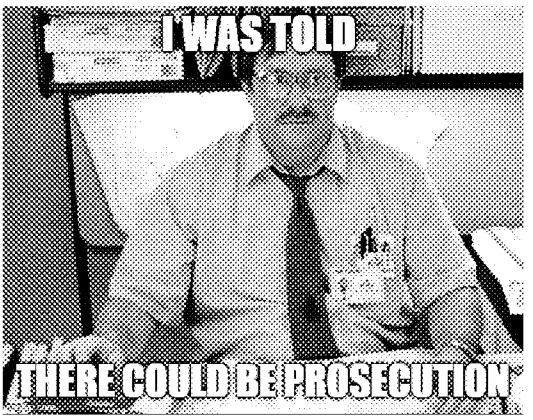
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000947

ARZN_REV00068636_1-26-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE THREAT OF PROSECUTION, YOU SAY?



The *Republic's* Andrew Oxford tweeted, then deleted, a bizarre reply to his public records request for texts sent or received by Finchem and former lawmaker Anthony Kern on Jan 5 and 6, the day of the riot in DC. The response, a nonsensical argument about why those records are not public, didn't come from the House, but from attorney and failed Senate candidate Alex Kolodin. "Documents made or received from Mr. Finchem and Mr. Kern's personal devices are not 'made or received by any governmental agency,'" Kolodin wrote, citing the definition of a public record in statue. Of course, the courts and the Attorney General's Office have held that it's the message, not the medium, that defines what is a public record – otherwise, public officials could simply do all their business on personal devices and keep it secret from the public. Kolodin went on to argue that records relating to their attendance at a rally is not connected with their official duties, which may be true, but Oxford's request didn't mention wanting texts related to the deadly rally (Kern and Finchem were both in DC), just texts from those dates. And Kolodin added that Kern "did not stand for reelection" presumably meaning that he didn't win re-election, but the fact remains that he was a lawmaker on Jan 5 and 6. But the most eyebrow-raising argument Kolodin offered was that because the FBI is looking for those responsible for the violence, and because Democrats sent a letter to the FBI requesting they investigate Finchem and Kern (YS, 1/13), they're not going to fulfil the request. "Even if the records you seek are public records, which they are not, the threat of criminal prosecution gives rise to certain Constitutional rights that may overcome the duty to disclose otherwise public documents," he wrote.

DON'T DELETE YOUR TEXTS JUST YET!

The House doesn't share Kolodin's view of public records, and is working to fulfil the request, though without the lawmakers' compliance, it will be difficult, as the chamber doesn't have access to their personal phones. Our reporter requested a copy of Oxford's request (which is itself a public record) and the letter he posted, and asked if the House had also denied the request. "The letter you emailed was from outside counsel representing Representatives Finchem and Kern and it does not represent the House's position," House public records attorney Justin Riches wrote in an email. Additionally, the House just recently warned lawmakers that using their private phones doesn't shield them from public records requests. In a memo dated Jan 12, Riches noted that he had received several questions about what qualifies as a public record. "Please keep in mind that virtually all communications related to official state business or activity are public records and could be subject to public disclosure, if requested. Importantly, it is the content of the communication that determines whether or not a communication is a public record, not the device used to create it or the account used to transmit it," he said, including an Attorney General opinion backing that up (LINK). "Accordingly, members and employees are strongly cautioned not to use private devices or accounts for the purpose of conducting official business as this would establish an affirmative duty to maintain those records and to disclose those records if requested. Pursuant to A.R.S. § 38-421, knowingly destroying, altering or falsifying a public record is a class-4 felony," Riches wrote in the memo.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000948

ARZN_REV00068636_1-26-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

MONEY DOESN'T ALWAYS EQUAL VICTORY

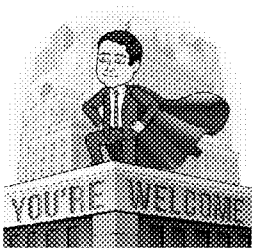
State candidates and campaigns have filed their final campaign finance reports for the 2020 election, and Arizona hit record spending in many races. Swing-district legislative Democrats and their outside backers spent more than $15 million to flip the House and Senate, final 2020 campaign finance tallies released today show, but netted only a single Senate seat. Rogers outraised and outspent every candidate this cycle, bringing in a total of $1.16 million and spending $1.15 million of it. The bulk of her spending went to Go Right Strategies, a Florida consulting firm run by her nephew, Spence. In total, the LD6 contest between Rogers and Democrat Felicia French cost $4.5 million. And LD6, where French, House candidate Coral Evans and their supporters spent more than $4.5 million to lose, was the most expensive district. Mesnard was both the biggest recipient and the biggest target of outside spending, though the $292,000 he spent on his own race barely cracked the top 10 of legislative candidates.

In total, Dems spent

- $1.6 million to replace Brophy McGee with Marsh. Marsh won with just under 500 votes, and Brophy McGee and her supporters spent about the same.
- $1.7 million, mostly targeted at Kern, to elect Schwiebert. Kern, Bolick and backers spent just over $1 million to keep the district.
- $2.3 million to beat Rogers, who won by 10 points. Rogers and backers spent $2.2 million.
- $623,000 to oust Leach, who won by 9 points. Leach and supporters spent $362,000.
- $2.1 million to oust Mesnard, who won by 5 points. Mesnard and backers spent $1.4 million
- $1.7 million to replace Boyer, who won by 5 points. Boyer and supporters spent $806,000.
- $2.2 million to elect Coral Evans, who came within 1 point of Barton. Barton, Blackman and backers spent $437,000.
- $426,000, mostly targeted at Cook, to elect Sharon Girard. She lost by 5 points.
- $673,000 to oust Finchem, who won by 3.5 points.
- $1.5 million, mostly targeted at Payne, to elect Kathy Knecht. She lost by 1.5 points.

And John picked up a House seat, preserving the GOP majority, by spending only $84,000 from his own campaign and benefitting from $143,000 in outside money. Peten and pro-Peten forces spent $117,000, including just $6.13 spent by a Planned Parenthood PAC to attack John.

THANK DUCEY AND LEGISLATIVE LEADERS, NOT WARD



Despite outspending the state GOP by a 9-1 margin, the Arizona Democratic Party was unable to push its legislative candidates across the victory line in the swath of districts Democrats had targeted. Arizona's Democratic Party raised $9.3 million and spent $9.7 million as of the year-end state campaign finance reports. In state races, Dems picked up a seat on Corp Comm, one seat in the state Senate and lost virtually everywhere else. (Of course, that doesn't include federal spending or Mark Kelly and Joe Biden's Arizona victories in federal races.) But even with the odds stacked against them, Republicans maintained down the ballot – keeping control of both chambers of the Legislature, Corp Comm and even picking up one seat in Maricopa County despite Trump's loss there. The AZGOP raised a measly $1.5 million in its state account. Maricopa County Dems nearly matched AZGOP, with $1.4 million raised this cycle. Instead of concentrating on legislative races, AZGOP focused its efforts on helping Trump get re-elected and McSally keeping her US Senate seat, both failures. While the most recent federal reports have not been uploaded yet, as of the post general election report, the AZGOP raised nearly $24 million through its federal committee, though it's debatable whether Ward deserves credit, considering massive portions came directly from the Trump Victory Fund or the RNC. In fact, those groups, Donald Trump's presidential PAC, McSally and the NRCC, provided the 30 largest contributions, ranging from $220,000 to $2.6 million per transaction. Arizona's Democratic Party outraised AZGOP at the federal level, too, bringing in $28.5 million as of the post general election report.

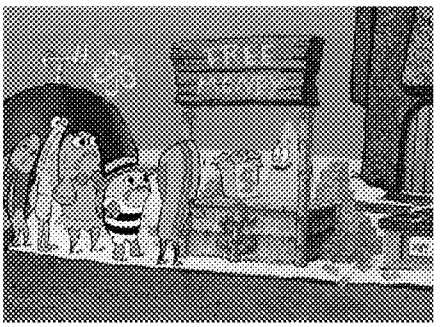
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000949

ARZN_REV00068636_1-26-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE COULD HAVE JUST GIVEN THE $40 MILLION TO SCHOOLS



Education groups and the Arizona Chamber of Commerce and its affiliated PACs spent a combined $40 million battling it out over Prop 208. While that spending didn't top 2018's clean energy initiative, Prop 127, no other ballot proposition has come close to the level of spending. The Chamber set up two PACs – Arizonans for Great Schools and a Strong Economy (which spent about $4.5 million) and No on 208 (which spent about $5 million). Records on the Secretary of State's campaign finance website show the remaining amount from the roughly $24 million against Prop 208 came directly from the Chamber's independent expenditure spending, for a total of $14.5 million to unsuccessfully defeat the proposition. On the pro side, Invest in Ed's single PAC spent roughly $20 million in total from start to finish, resulting in a 3.5 percentage point victory, (matching the percent levy it adds to Arizona's highest earners).

·WAKE UP CALL·

State Senate proposes $12.6B budget
Arizona Capitol Times
A $450 million tax cut, across-the-board raises for state employees and full funding for virtual students are among the highlights of a $12.9 billion Senate Republican budget proposal released today.

GOP lawmaker urges colleagues not to end Covid restrictions
Arizona Capitol Times
As a Senate panel prepares to vote on legislation that would immediately end Gov. Doug Ducey's Covid-caused state of emergency, an influential House Republican and legislative attorneys are warning it would have unintended consequences.

Senate takes 1st step to trim governor's emergency powers
Capitol Media Services
State lawmakers took the first steps Monday to trim the powers of the governor — this one and all successors — to enact and enforce unlimited emergency orders.

Officers going house-to-house in Florence searching for prison escapees
Pinal Central
State and local authorities are continuing a house-by-house search in the Florence area for two escaped inmates from Arizona State Prison Complex-Florence.

Year-end data shows extent of border-crossing declines
Nogales International
Traffic through the Dennis DeConcini Port of Entry last Friday afternoon was particularly light, with only a few cars crossing between the United States and Mexico and small numbers of people walking out of the pedestrian lanes every few minutes.

Rematch: Borrelli will face new challenge from Morgaine in 2022 race for State Senate
Today's News-Herald
Days after Kelli Ward was reelected as chair of the Arizona GOP, a Democrat from Ward's home district has announced plans to run for state Senate in 2022.

A year after first case in Arizona, covid-19 is now a leading killer
Cronkite News

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000950
ARZN_REV00068636_1-26-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Covid-19 is on the verge of becoming the leading cause of death in Arizona, surpassing cancer and closing in on heart disease, according to the latest data from the Arizona Department of Health Services.

Several Arizona Republicans Back Bill Requiring Homicide Charges for Abortions
Phoenix New Times
Republican state Representative Walt Blackman and a host of other GOP lawmakers have introduced a bill that would force county prosecutors to file homicide charges against women who receive abortions and the doctors who perform them.

GOP bill in House targets Black Lives Matter protests, critics say
Arizona Mirror
Republican lawmakers are responding to the weeks of protests in the dead of summer in 2020 denouncing the local and national deaths of Black people at the hands of police locally by looking to create felonies for people convicted of "violent or disorderly assembly."

Officials ask MLB to delay spring training in Arizona due to high infection rate
The Hill
Officials from the Cactus League and Arizona communities are asking MLB to delay spring training for 15 teams in the state due to the high COVID-19 infection rate.

GOP lawmaker wants to ban feds from funding collection of COVID-19 vaccine info
The Hill
Rep. Andy Biggs (R-Ariz.) introduced a bill on Monday to ban the federal government from funding efforts to collect information on those who are receiving the COVID-19 vaccine.

State-level Republicans wracked by division after Trump's loss
The Hill
Long-simmering tensions between Republicans at the state level are spilling into plain sight as conservative activists loyal to former President Trump look to cement their hold on the GOP.

Kyrsten Sinema is wrong to defend the Senate filibuster
Arizona Mirror (Opinion, Emily Kirkland)
As the 117th Congress begins, the US Senate is in chaos. And Senator Minority Leader Mitch McConnell is to blame.

Sen. Kyrsten Sinema stubbornly backs Senate gridlock by backing the filibuster
Arizona Republic (Opinion, EJ Montini)
The filibuster is not in the Constitution. It prevents stuff from getting done, and that Jimmy Stewart scene isn't how it works.

How mainstream Arizona Republicans can save themselves after Kelli Ward's re-election
Arizona Republic (Opinion, Laurie Roberts)
Nine years ago Arizona voters rejected a proposal to get rid of the state's partisan primary system. It's time to reconsider, Arizona.

Gov. Doug Ducey won't close anything to slow COVID-19, but he can still do this
Arizona Republic (Opinion, Joanna Allhands)
Even if Arizona Gov. Doug Ducey won't consider new restrictions to lower COVID-19 case volumes, there are other things he can – and should – do.

Mexico's president snubs Joe Biden and cozies up to Putin. This is bad news for us
Arizona Republic (Opinion, Elvia Diaz)
Mexico's president invited Vladimir Putin, not Joe Biden, to visit after Russia agreed to send COVID-19 vaccines. That could have a sinister impact on the border.

How President Joe Biden can win over Republicans to pass immigration reform
Arizona Republic (Opinion, Elvia Diaz)
President Joe Biden has his work cut out for him to get at least 10 Republican senators to pass immigration reform. Here's how he could do it.

HIV is up in Arizona, yet AHCCCS doesn't cover the drugs many patients need
Arizona Republic (Op-ed, Thanes Vanig)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000951
ARZN_REV00068636_1-26-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Single-tablet regimens are miracle drugs for many HIV patients. Yet Arizona's Medicaid program does not include them.

-PRESS RELEASES-

Statement from Chairman Jack Sellers on Election Audit Agenda Item

Court rulings, hand counts, and other checks and balances proved Maricopa County elections were administered with integrity throughout 2020. However, a significant number of voters want the additional assurance that a full forensic audit of election tabulation equipment might bring, especially given all the misinformation that spread following the November 3 General Election. Tomorrow, the Board of Supervisors will vote on whether to move forward with such an audit.

The agenda item proposes hiring two independent, qualified firms to independently audit tabulation hardware and software in a way that protects private voter information and our investment in the machines. It is my belief these audits will prove our machines were not vulnerable to hacking or vote switching.

While I am confident in our staff and our equipment, not all our residents are. This is a problem. A democracy cannot survive if enough of its people doubt elections are free and fair. Some will never be satisfied, but this vote is not about them. The best we can do, in my opinion, is to err on the side of transparency, to embrace the opportunity to once again show our work, and to put facts in their proper place at the center of public discourse instead of the periphery.

I invite members of the public to watch tomorrow's Board of Supervisors formal meeting at youtube.com/MaricopaCountyAZ. The agenda for the meeting can be found here.

Governor Ducey Issues Advisory To Accelerate COVID-19 Vaccine Distribution

'Now the federal government needs to do their part'

PHOENIX — Governor Doug Ducey today issued an advisory to accelerate the statewide distribution of the COVID-19 vaccine and move doses of vaccine to where they can be rapidly administered to the Arizonans.

"The COVID-19 vaccination is our best shot at returning to life as it should be. Over the last two weeks, the COVID-19 vaccination site at State Farm Stadium has become a national model for vaccine administration," said Governor Ducey. "With adequate vaccine doses, we can build on this success, both at our existing vaccination sites, and at additional sites across the state. This advisory will provide transparency in the pace of vaccination administration, and allow us to direct vaccine doses to where they will be most rapidly distributed."

The advisory requires healthcare providers and local health agencies who administer the COVID-19 vaccine to report data to the Arizona Department of Health Services (ADHS) indicating the pace of vaccination distribution. It also allows the state to reallocate vaccination doses to where they will be most rapidly distributed and extends the requirement for hospitals, testing laboratories, and other health care facilities to report detailed information about COVID-19.

"We're waging a heroic effort to get the COVID-19 vaccine distributed, and it's been a real team effort," Governor Ducey said. "It wouldn't have been possible without the partnerships we've formed with the Arizona Cardinals, Walgreens, Arizona State University, the Ivy Foundation, Blue Cross® Blue Shield® of Arizona, and American Medical Response. We owe a debt of gratitude to each of these organizations, and to all the healthcare workers on the frontlines."

"Now," Governor Ducey added, "our federal partners need to do their part. They need to prioritize quicker distribution of the vaccine to the states, so we can get the vaccine out of freezers, off of shelves, and into the arms of Arizonans."

Today's announcement builds on the success of the COVID-19 Vaccination Site at State Farm Stadium launched on Jan. 11. The site, administered by the State of Arizona and operated by ADHS and community partners, has dramatically expanded access and accelerated the administration of the COVID-19 vaccine.

In total, 486,338 vaccinations have been administered statewide. Local health agencies and healthcare providers have administered 407,757 doses of the vaccine to Arizonans since Dec. 16, at an average rate of 9,708 vaccines per day statewide. ADHS has administered 79,112 doses since Jan. 11 at an average rate of 5,247 per day, at just one site. ADHS will launch a second site on Feb. 1, at the Phoenix Municipal Stadium near Tempe.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000952
ARZN_REV00068636_1-26-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Both ADHS-operated sites are capable of administering 6,000-12,000 vaccinations per day, but with limited vaccine doses available, the sites are operating at partial capacity. Last week, the federal government denied a request by ADHS to allocate 300,000 additional vaccine doses per week to Arizona. As a result, the Phoenix Municipal Stadium will launch with just 500 appointments scheduled per day.

The advisory issued today provides better insight into the pace of vaccine distribution by local health agencies and healthcare providers. Current data indicates some providers reporting as much as 100% of their vaccine doses yet to be administered. This order will require local health agencies and healthcare providers to report their plans to administer unused doses and allow ADHS to redirect unused vaccine doses and accelerate delivery across the state. As additional vaccine doses are secured, ADHS aims to expand its vaccination sites in northern, central, and western regions.

Arizona executives named to lead statewide bioscience committee

Retired W.L. Gore's Eve Ross to serve as chair, former state legislator Heather Carter of Greater Phoenix Leadership as vice chair

PHOENIX—A medical-technology executive and a former state legislator have been named the new leaders of Arizona's statewide committee overseeing the advancement of the state's bioscience ecosystem.

Eve Ross, a retired W.L. Gore & Associates executive, is serving as chair and Heather Carter, executive vice president of Greater Phoenix Leadership, as vice chair of Arizona's Bioscience Roadmap Steering Committee, a body of more than 100 leaders from the private and public sectors in science, research, health care, business and industry, academia, policy, and workforce development.

The committee, which receives staffing support from the Flinn Foundation, works to pursue the goals of Arizona's Bioscience Roadmap, the long-term strategic plan to guide the growth and development of the state's bioscience sector.

"Eve Ross and Heather Carter are two of Arizona's most dynamic leaders, with expertise in health, commercialization, education, and public policy," said Tammy McLeod, Flinn Foundation president and CEO. "Their experience, enthusiasm and desire to partner and collaborate across our expanding ecosystem will lead to significant gains both for the committee and the biosciences in Arizona."

Ross has served as vice chair over the past two years and has been a steering committee member since 2003. Carter joined the committee in 2015 while serving in the Arizona Legislature.

"Members of the steering committee are eager to deploy strategies to support bioscience entrepreneurs, attract risk capital, develop talent, and advance public policy that will improve health outcomes and strengthen Arizona's economy," Ross said. "I am thrilled and honored to be chosen to lead this group for the next two years."

Ross, a retired global medical-technology executive and attorney, is experienced in the commercialization of new technologies, a public-policy advocate for the value of medical technology, and a statewide civic leader.

She led public-policy and strategic initiatives for the Flagstaff-based medical-device division of W.L Gore & Associates, Inc. until her retirement from the company in 2017. The global company has a large presence in Flagstaff, where it first expanded in the western United States more than a half-century ago, and a north Phoenix campus likewise dedicated to medical devices.

Carter began her role as executive vice president of Greater Phoenix Leadership in October. She is a former Arizona state senator and representative from north Phoenix who held legislative leadership roles on health and human services, higher education, and workforce development committees. She most recently served as associate director of the Arizona Center for Rural Health and assistant professor of practice in the Mel and Enid Zuckerman College of Public Health at the University of Arizona. Previously, she served as assistant dean of health and education policy at Arizona State University's Edson College of Nursing and Health Innovation and was a longtime clinical associate professor with Mary Lou Fulton Teachers College at ASU.

For the past two years, the committee was led by Mark Slater, vice president for research at HonorHealth and chief executive for the HonorHealth Research Institute. Slater, who joined the committee in 2007 and previously served as vice chair, remains a committee member.

The steering committee, formed in the early 2000s, is broadening its membership to a more inclusive range of organizations, companies, and individuals with critical roles in the state's bioscience ecosystem.

In April, the Flinn Foundation will host its annual Arizona's Bioscience Roadmap event highlighting the progress of Arizona's bioscience sector. Data on key bioscience metrics, which the Flinn Foundation has tracked for nearly two decades, will next be released in spring 2022.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Hernandez Revives Bill to Require Instruction on The Holocaust, Genocide

PHOENIX – Arizona students would be required to learn about the atrocities of The Holocaust and other genocides under a bill that cleared its first House committee today. Rep. Alma Hernandez has reintroduced House Bill 2241 this session after an identical bill that cleared the House last session when the session ended prematurely because of COVID-19. The bill passed the House Education Committee today 10-0 and is now poised for a floor debate..

The Arizona Department of Education has since added Holocaust and genocide education to its high school social studies and world history curriculum standards, but Hernandez said it's important that the changes be codified in law so that lessons of The Holocaust and its impact on humanity are never lost. Holocaust survivors who testified in Tuesday's committee agreed.

"It is critical to ensure future generations are educated on the atrocities of the Holocaust and other genocides," said Hernandez, D-Tucson. "It is alarming and shocking how little knowledge American millennials have on the Holocaust, and the increase of anti-Semitism proves the importance of public education."

Dr. Alex White, a 97-year-old Holocaust survivor from Scottsdale, provided written testimony to the Education Committee about his five years living under Nazi occupation as a teenager in Poland. White, a retired physician and U.S. Army veteran, was freed from a camp in Sudetenland in May of 1945.

"Germany had a constitution similar to the United States guaranteeing various freedoms even under some kings, but a constitution can only survive any onslaught when the people are reliable guardians of its provisions," White write. "A day after tomorrow on January 27th, the anniversary of liberation of the Auschwitz concentration camp, it will only be fitting for you, our elected representatives, to vote for this proposed educational legislation."

Hernandez, who is Jewish, has worked closely with the Phoenix Holocaust Association on this and a number of other issues. She recently coordinated with the Arizona Department of Health Services to secure COVID-19 vaccination appointments for 40 Arizona Holocaust survivors, six of whom received their first dosage last week. Hernandez is now working to schedule vaccine appointments for all Holocaust survivors in Pima County.

"The survivors are getting older and older, many passing away," said Hernandez. "We owe it to them and their memories to make sure students learn about what they endured. Thank you to everyone who has been involved in this bill, especially the many survivors that testified last year."

Endowment Hits Record High $7.1 Billion, Payments in FY 22 Hit $400 Million K-12 Receiving $1.17 Million More Per Month Starting in July 2021

PHOENIX, AZ – At today's State Board of Investment meeting, Arizona Treasurer Kimberly Yee announced the Permanent Land Endowment Trust Fund (PLETF) will pay a record distribution of $399.8 Million to all PLETF beneficiaries in FY 2022, a 3.9% increase from this fiscal year's $385 Million in distributions. The larger payout, which begins in July 2021, is a product of improved investment performance which led to increased PLETF market value. In January of this year, the Endowment surpassed $7.1 billion for the first time in state history.

"I am proud of my team's outstanding work to achieve these historical state records and monumental record-high distributions, despite the pandemic challenges. All these investment earnings mean more money to our beneficiaries and less taxes for Arizona taxpayers," Treasurer Kimberly Yee said.

As approved by the State Board of Investment during its meeting today, K-12 public schools will receive more than $372 Million of the new distribution amount. That number is nearly $14 Million more to schools than this year, or approximately $1.17 Million more per month, which is a 3.9% increase over FY 2021. Since Treasurer Yee's first year in office, the PLTEF has increased by 25.7% between December 31, 2018 to December 31, 2020, or $1.4 billion. Payouts from the Endowment have increased 15.7% between FY 2019 and FY 2022.

Treasurer Kimberly Yee stated, "Arizona K-12 public schools have received higher payments under my Administration. Schools are receiving $1.17 Million more per month for FY 2022 which is an increase of nearly 4% in just one year. These funds are on top of legislative appropriations and the additional money for public schools across Arizona will go a long way."

At statehood, Congress gave Arizona millions of acres of trust land as an endowment. When parcels are sold to strengthen Arizona's expanding economy, the Treasurer invests the proceeds in the PLETF and makes monthly distributions to 13 beneficiaries. The largest beneficiary is the K-12 public school system. All distributions are calculated yearly at 6.9% of the PLETF's five-year average market value.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-000954

ARZN_REV00068636_1-26-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Payments begin in July of each year, but the new distribution amount is calculated at the end of the previous calendar year.

Arizona Reaches Conditional Settlements of Johnson Utilities Cases, Paving Way for Sale of the Utility and Providing Over $40 Million in Ratepayer Benefits and Path to Reliable Water and Wastewater Services

PHOENIX (January 26, 2021) – Officials from the Arizona Corporation Commission (ACC) and the Arizona Department of Environmental Quality (ADEQ) announced today a series of settlement agreements to address historic Johnson Utilities, LLC water and wastewater violations to bring relief to about 62,000 water and 40,000 wastewater customers in the Florence, Queen Creek and San Tan Valley area. Johnson Utilities is the most cited private utility by ADEQ since 2017.

The agreements reached with ADEQ and the ACC are conditioned on EPCOR's purchase of Johnson Utilities and include the following key elements:

- EPCOR and Johnson Utilities must contribute 30 percent, in no event greater than $21 million of the cost of a new wastewater treatment facility within the Johnson Utilities service area, with that contribution **not to be passed on to utility customers**.
- $10.3 million dollars of eligible prior equipment expenses will be written-off by the utility and will not be included in the pending or future rate cases. This equates to roughly $22 million that will not be paid by ratepayers over the life of the equipment.
- Land valued at approximately $15 million will be contributed to EPCOR by Johnson Utilities and will not increase utility customer rates. Some portions of this land may be used to locate and/or generate revenue for a new wastewater treatment plant.
- EPCOR will bring Johnson Utilities' drinking water and wastewater facilities into compliance with all Arizona environmental regulations through a return to compliance plan.

ACC Chairwoman Lea Márquez Peterson said, "Execution of these agreements represents the end of a long chapter in Johnson Utilities' history and will ensure residents of San Tan Valley will have safe and reliable water and wastewater service moving forward and allow critical economic development in the area to continue. The ACC expresses significant gratitude to ADEQ Director Misael Cabrera for his patience and partnership in working with the ACC in an effort to bring much-needed relief and long-awaited resolution to the people and businesses of San Tan Valley."

ADEQ Director Misael Cabrera, P.E. said, "In addition to my deep appreciation for the partnership and assistance provided by the ACC, the Arizona Attorney General and Residential Utility Consumer Office staff in achieving this positive outcome, I give special thanks to Jorge "Jordy" Fuentes for his expert knowledge and dedication to consumer advocacy, which were critical to making this settlement possible."

ADEQ and EPCOR are confident in working together to develop and implement a firm schedule to bring the facility's water and wastewater services back into compliance. Since being installed as interim manager by the ACC in July 2018, and taking operational control of water and wastewater systems, EPCOR has made significant improvements (see EPCOR interim manager updates).

Pivotal to these agreements was the ACC's December 22, 2020 vote to conditionally approve EPCOR's purchase agreement of Johnson Utilities, which when complete, includes acquiring Johnson Utilities' assets, and transferring to EPCOR the associated certificate of convenience and necessity, i.e., the right and responsibility to provide service.

These agreements are the culmination of years of problem solving and compliance and assistance related to 57 counts listed in the ADEQ and the Arizona Attorney General's Office May 2019 civil case brought against Johnson Utilities, LLC, Hunt Mgt, LLC and Ultra Management, LLC in Arizona Superior Court.

Rep. Kirkpatrick Keeps Coveted Appropriations Committee Seat in 117th Congress

WASHINGTON, DC — The House Appropriations Committee Chair Rosa DeLauro (D-CT-03) announced the Democratic rosters for the House Appropriations Committee's 12 subcommittees in the 117th Congress, including the Subcommittee Chairs and full Committee Vice Chair who were elected by the Committee's Democratic Members. Rep. Kirkpatrick will continue serving on the House Appropriations Committee for a second term, as well as on the Defense, Energy and Water, and Financial Services and General Government Subcommittees.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Keeping my seat on Appropriations for a second term is crucial to my advocacy on behalf of Arizona, for Arizona," Rep Kirkpatrick said. *"We have many funding projects and priorities that need our hard work and dedication, and I am looking forward to working on the committee and my assigned subcommittees to continue delivering for my home state in areas of infrastructure, equitable healthcare, environmental projects, and more."*
After today's meeting, the Subcommittee Chairs and the Subcommittee rosters must be formally approved by the House Democratic Steering and Policy Committee and the House Democratic Caucus.
The 12 subcommittees and their chairs are:

- Agriculture, Rural Development, Food and Drug Administration, and Related Agencies – Rep. Sanford Bishop, Jr. (GA)
- Commerce, Justice, Science, and Related Agencies — Rep. Matt Cartwright (PA)
- Defense — Rep. Betty McCollum (MN)
- Energy and Water Development, and Related Agencies — Rep. Marcy Kaptur (OH)
- Financial Services and General Government — Rep. Mike Quigley (IL)
- Homeland Security — Rep. Lucille Roybal-Allard (CA)
- Interior, Environment, and Related Agencies — Rep. Chellie Pingree (ME)
- Labor, Health and Human Services, Education, and Related Agencies — Rep. Rosa DeLauro (CT)
- Legislative Branch — Rep. Tim Ryan (OH)
- Military Construction, Veterans Affairs, and Related Agencies — Rep. Debbie Wasserman Schultz (FL)
- State, Foreign Operations, and Related Programs — Rep. Barbara Lee (CA)
- Transportation, and Housing and Urban Development, and Related Agencies — Rep. David E. Price (NC)

"QUOTE OF THE DAY"

"They just want to trash me again in your gossip rag."

- Cook, on lobbyists throwing shade on his lobbying ethics bill

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, January 27, 2021 8:03:24 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *January 27, 2021*

County supervisors to approve audits of election equipment
Capitol Media Services
Maricopa County supervisors are set to approve two separate audits of election equipment Wednesday in a bid to satisfy questions about security and the 2020 results — and avoid further litigation with the state Senate.

Trump agreements with Arizona, others, seek to tie Biden's hands on immigration
Associated Press
During the Trump administration's final weeks, the Department of Homeland Security quietly signed agreements with Arizona and at least three other states that threaten to temporarily derail President Biden's efforts to undo his predecessor's immigration policies.

Despite pandemic's toll, GOP lawmakers want more tax cuts in governor's budget
Capitol Media Services
Democratic lawmakers want more money for pandemic relief.

Arizona ranks as 'least safe' state in pandemic
Payson Roundup
Arizona remains a national hotspot for the pandemic, but at least new cases have begun to fall from their peak – with a 22% decline in the past two weeks.

AMERICAN OVERSIGHT

Scottsdale Court Hides Baked Alaska Records After Followers Spam Site
Phoenix New Times
On the same day a Scottsdale judge issued a warrant for the arrest of alt-right troll Baked Alaska, Scottsdale City Court began receiving unusual court filings.

This Week in COVID: A Year After First Case, COVID-19 Is Leading Killer
Phoenix New Times
It's Tuesday, January 26. More than 732,600 Arizonans have contracted COVID-19 and more than 12,440 have died as a result.

David Schweikert Says 'Fact Tree' Determined His Votes on 2020 Election Results
Phoenix New Times
After a mob of Donald Trump supporters infamously stormed the Capitol on January 6 , Republican Arizona Congressman David Schweikert made some seemingly contradictory decisions.

McConnell: Sinema told me she won't nix the filibuster
The Hill
Senate Minority Leader Mitch McConnell (R-Ky.) said on Tuesday that Democratic Sen. Kyrsten Sinema (Ariz.) told him directly that she would not support nixing the 60-vote legislative filibuster.

80-year-old (former) Republican explains why the AZ GOP is going to hell
Arizona Republic (Opinion, EJ Montini)
'I was fed up with the idiocy of many Republican politicians blindly supporting Trump and now apparently being frightened to vote for conviction in the Senate…'

Reps. Biggs, Gosar and Lesko should resign if Maricopa County election audit comes up clean
Arizona Republic (Opinion, Laurie Roberts)
Maricopa County is prepared to audit the election results. Are Reps. Biggs, Gosar and Lesko - who tried to invalidate their own state's vote - prepared to resign if that audit is clean?

How to finally get immigration reform done (and do it the right way)
Arizona Republic (Opinion, Robert Robb)
It is good that President Biden wants to make an early run at comprehensive immigration reform. Unfortunately, his proposal isn't a sound start.

President Joe Biden is ending some private prison contracts. Why not all of them?
Arizona Republic (Opinion, Elvia Diaz)
President Joe Biden is phasing out federal contracts with private prisons but not privately run immigration detention centers. That makes no sense.

Strip Gov. Doug Ducey of power? That won't improve Arizona's COVID-19 response
Arizona Republic (Op-ed, John Kavanagh)
Plenty of people hate Arizona Gov. Doug Ducey's COVID-19 response. But stripping him of power could backfire - for both sides of this debate.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, January 27, 2021 8:40:54 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: News Clippings: January 27. 2021
Attachments: January 27, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Pima County monitoring vaccine amounts to ensure second shots, as officials 'lose sleep'
- UA-led asteroid mission announces May 10 departure date for spaceship's return trip to Earth
- 6 grocery stores across metro Tucson to be COVID-19 vaccination sites
- Maricopa County board set to OK audit of election equipment
- Navajo Nation reports 87 new COVID-19 cases, 8 more deaths

Arizona Republic

- US to increase vaccine supply
- Sinema, Kelly take center stage in 50-50 Senate chamber
- Ducey working to hasten COVID vaccines
- Ariz. man sent back to DC ahead of trial in riot
- Ariz. exceeds 732,000 COVID-19 cases 1 year after state's first case
- Scheduling 2nd dose of COVID vaccine proving tough for some
- Maricopa County supervisors to vote on 2nd election audit

KTAR News

- Phoenix food bank distributing historic amount of food during pandemic
- Phoenix councilman Sal DiCiccio in quarantine after positive COVID-19 test
- Maricopa County Board of Supervisors to vote on new election audit
- New I-10 interchange in Avondale completed and open to traffic
- Big storms will put dent in Arizona's drought, climate expert says

Arizona Daily Sun

- NAU joins Coconino County COVID-19 vaccination efforts
- New sawmill could be 'game changer' in forest restoration efforts
- Storm systems leave Flagstaff buried in more than two feet of snow
- Crews rescue 5 people in 2 incidents in snow-blanketed areas
- COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Pima County monitoring vaccine amounts to ensure second shots, as officials 'lose sleep'

Patty Machelor
Arizona Daily Star
January 27, 2021

Unless more vaccine starts arriving from the state, Pima County may need to reduce the number of people getting their first COVID-19 shot so second doses can be given.

That scenario is an ongoing worry for Dr. Francisco Garcia, who said county officials are monitoring vaccine amounts closely to see if they might eventually need to slow down the vaccination plan, at least for a while.

"We're losing sleep over this, even as we speak," said Garcia, the county's chief medical officer. "At what point do you either start telling people, 'I can't guarantee you a second dose,' or start coming up with an alternative strategy?"

It's not a problem limited to Pima County.

Other counties, states and countries, have started having a hard time getting the required second doses done, he said. Some have cut way back on first doses given while others have lengthened intervals between shots, or both.

The U.S. Centers for Disease Control and Prevention recently announced that people can wait six weeks between doses if they are not able to get the second one in the recommended time frame, which is 21 days after the first dose for Pfizer and 28 days after the first dose for Moderna.

Decreasing the number of first shots, or lengthening time between shots, are things they are trying to avoid here, Garcia said.

"We're making a contract with you when you come and get your first vaccination that we're going to stand on our heads if required in order to get you that second dose, and so we are doing our planning for that," Garcia said.

With the Tucson Convention Center and the University of Arizona inoculation sites now running, county officials want to keep increasing vaccination distribution but can't if that means outrunning the amount of vaccine that's coming in.

Quality journalism doesn't happen without your help.
Support local news coverage, and the people who report it, by subscribing to the Arizona Daily Star.

"If we keep getting 29,000 (doses) a week and are giving out 37,000, we would run out in two to three weeks," said Dr. Theresa Cullen, the county's public-health director.

AMERICAN OVERSIGHT

Pima County has received 107,000 vaccine doses so far and has administered more than 79,000. Of those, roughly 59,000 people have received the first dose and about 13,000 people have received both doses. An order of 29,100 doses is pending from the state and should arrive Wednesday, Jan. 27.

There are about 35,000 shots in the county that have not been given yet, Cullen said, and so the plan is to keep moving forward, but more slowly than she'd like.

This week the goal is to give 31,000 shots and next week, the county is planning to increase that amount to 35,000.

Gov. Doug Ducey on Tuesday issued a statewide advisory geared toward accelerating COVID-19 vaccine distribution. As part of that plan, he called on health-care providers and county health agencies to report data to Arizona's Department of Health Services to show the pace of vaccination distribution.

Counties and health-care providers will then get more vaccine if they are doing well.

Ducey's order also would allow the state to take back vaccine doses from entities that are not using them fast enough.

The state's 24-hour vaccination site at State Farm Stadium in Glendale has distributed nearly the same amount Pima County has overall: 78,112 vaccines since it opened two weeks ago.

This has been carried out with the help of hundreds of Blue Cross Blue Shield of Arizona volunteers as well as staffing from the Department of Emergency and Military Affairs, while Pima County has not received any assistance from the state, according to County Administrator Chuck Huckelberry.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

UA-led asteroid mission announces May 10 departure date for spaceship's return trip to Earth

Henry Brean
Arizona Daily Star
January 27, 2021

OSIRIS-REx is set to begin its two-year journey back to Earth on May 10, but the spacecraft has one last job to do first.

The University of Arizona-led mission announced plans Tuesday to send the unmanned probe on a final pass by the asteroid Bennu to gather some high-resolution pictures before heading home with its precious payload of rock samples.

Mission spokeswoman Erin Morton said the spacecraft was originally scheduled to head for home as soon as its departure window opens in March, but the team has since plotted out a new, more efficient return route. By waiting until May 10, the spaceship will save more than enough fuel for one last approach to the asteroid, while still arriving back at Earth as planned on Sept. 24, 2023.

AMERICAN OVERSIGHT

The proposed flyby in early April will give researchers a look at the scars left on Bennu's surface when the probe successfully touched down there in October.

The sampling arm on OSIRIS-REx made contact with the surface for about six seconds, just long enough to blast the asteroid with compressed nitrogen gas and send up a cloud of debris so big it surprised even the experts.

Morton said the mission team just couldn't pass up a chance to study the physics and the fallout of that man-made explosion one last time before heading home.

OSIRIS-REx has been slowly drifting away from Bennu since it made contact with the asteroid on Oct. 20. It is now about 1,250 miles from the spinning top of space rock.

The planned flyby would bring the craft back to within about 2 miles of Bennu.

The maneuver will also give the team a chance to test the spacecraft's cameras and other scientific equipment to see if it was clogged with dust during the sample collection maneuver. If the instruments are sufficiently clean, OSIRIS-REx could be sent on a bonus mission to a second asteroid after its scheduled rendezvous with Earth in 2023.

First, though, the spaceship must complete its primary objective.

The goal of NASA's first-ever asteroid sampling mission is to return to Earth with at least 60 grams — or just over 2 ounces — of pristine dust and pebbles that date back roughly 4.5 billion years and could hold clues to the formation of the solar system and the origins of life.

Team members believe they collected well over 60 grams of material. Those samples are now sealed away inside a return capsule roughly the size of a pizza box, which eventually will be jettisoned into Earth's atmosphere to parachute down to a designated landing site inside the U.S. Air Force's massive Utah Test and Training Range west of Salt Lake City.

Recovery of the return capsule will mark the end of the OSIRIS-REx mission, but the spacecraft could be sent out again with NASA's approval.

One possible target is an asteroid called Apophis, which is expected to pass within 20,000 miles of Earth in April 2029.

UA planetary scientist Dante Lauretta, who heads up the OSIRIS-REx mission as its principal investigator, recently told the website Space.com that the spacecraft could be put into orbit around Apophis roughly a week after its near miss of Earth.

There would be no sample collection the second time around, but the probe could beam back high-resolution images and other data from the asteroid, just as it did of Bennu.

"But that's all hypothetical," Morton said of a possible trip to Apophis or elsewhere. "We're so far away from actually looking at another mission. We need to get home first."

Right now, OSIRIS-REx is approximately 205 million miles away from Earth, on the opposite side of the sun.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

6 grocery stores across metro Tucson to be COVID-19 vaccination sites

Arizona Daily Star
January 27, 2021

Six grocery stores scattered across the metro Tucson area are in line to be able to provide the COVID-19 vaccine to customers, Pima County officials say.

The State Retail Pharmacy Program will allocate vaccine to the stores soon, according to a memo County Administrator Chuck Huckelberry sent to the Board of Supervisors this week.

While he said the reported allocation is not being done in conjunction with the county's health department, Huckelberry is pleased the locations are spread across the periphery of the metro area. He said the spread of locations could make it easier for seniors who face transportation issues to get vaccinated closer to home.

A date for the retail sites to open was not yet known.

Here are the stores Pima County says could be vaccination sites:
• Fry's, 3770 W. Ina Road;

Quality journalism doesn't happen without your help.
Support local news coverage, and the people who report it, by subscribing to the Arizona Daily Star.

• Fry's, 8080 S. Houghton Road;

• Fry's, 15950 S. Rancho Sahuarita Blvd., Sahuarita;

• Fry's, 12100 N. Thornydale Road;

• Albertson's/Safeway, 260 W. Continental Road, Green Valley;

• Albertson's/Safeway, 12122 N. Rancho Vistoso Blvd.

Meanwhile, Pima County residents eligible for the COVID-19 vaccine can go to www.pima.gov/covid19vaccineregistration to register for a vaccination appointment.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Maricopa County board set to OK audit of election equipment

Arizona Daily Star
January 27, 2021

Maricopa County supervisors are set Wednesday to approve an audit of election equipment in a bid to satisfy questions about security and vote counts — and avoid further litigation with the state Senate.

Supervisors Chairman Jack Sellers, a Republican, said Tuesday that he still believes the tally showing more votes for Democrat Joe Biden than Republican Donald Trump is correct. He said that accuracy was shown through a series of court rulings and a statutorily required hand count of a sample.

"However, a significant number of voters want the additional assurance that a full forensic audit of election tabulation equipment might bring, especially given all the misinformation that spread following the Nov. 3 general election," Sellers said.

So the board is scheduled to vote on Wednesday, Jan. 27, to authorize an audit, which two separate firms will conduct.

"It is my belief these audits will prove our machines were not vulnerable to hacking or vote switching," he said.

But several state senators told Capitol Media Services they're not convinced that an audit supervised by the county will be adequate.

"The Senate is moving forward with our own audit," said Sen. Kelly Townsend, R-Mesa, one of the Arizona legislators who has expressed doubt about the reported election returns. Sen. Warren Petersen, R-Gilbert, agreed the Senate still intends to do its own examination.

In both cases, they said that was being done with Senate President Karen Fann's approval.

Fann, however, said it's yet to be determined whether the Senate will do its own review. She wants to see exactly what the supervisors approve and the extent of the proposed audit.

"I'm waiting for a copy of that so I can see if that scope is everything that we were looking for," she said.

"And if it is, great," she said. "And if it's not, we'll have to have a conversation about what do we need to do to make sure we can truly put this thing to bed and answer all of these questions that so many of our constituents have."

Some Republicans have raised questions about the results of the presidential race in which Biden got Arizona's 11 electoral votes by besting then-President Trump by 10,457 votes statewide.

The focus has been primarily on Maricopa County, where Biden beat Trump by 45,109 votes, with many of the attacks based on unproven allegations that the Dominion Voting Systems hardware and software used there was either programmed or hacked in a way to move Trump votes into Biden's column.

Several lawsuits challenging the results were thrown out.

AMERICAN OVERSIGHT

One challenge filed in federal court resulted in a ruling by U.S. District Judge Diane Humetewa that "the allegations they put forth to support their claims of fraud fail in their particularity and plausibility."

And a state court judge tossed out a separate claim of irregularities after a random review of early ballots found the error rate was so small that it would not have changed the outcome of the vote.

That did not satisfy some lawmakers, with the Senate issuing a pair of subpoenas demanding access to items ranging from the raw ballots to the voting equipment. That landed the parties in court, as the Senate sought to enforce those subpoenas and attorneys for the county argued it would violate the law to give legislators access to everything they want.

Both sides agreed last week to shelve the litigation and see what they can work out.

The supervisors' planned vote Wednesday is designed to address that, but without losing control of the documents and the machinery.

"We are going to send an invite to the Senate and ask them to participate and give us feedback," said County Supervisor Steve Gallardo, a Democrat.

"We're doing one audit," he said. "But in terms of us turning over ballots and turning over machines, it ain't happening."

Fann said that, for the moment, she's satisfied with what the county is proposing.

"The whole reason we're doing this is to reinstill voter integrity and confidence," she said. "And so we have to make sure we do it right, do it independently, so that voters — hopefully 95% of them — will say, 'Yes, you have proven to us that it was done correctly and you have answered our questions.'"

A draft of the proposal before the supervisors shows a multipronged approach.

First, it would determine that the county's tabulation equipment is state- and federally certified. There also would be a check for malware on the system and a verification that the tabulation equipment was not connected to the internet during the general election.

Second is a "logic and accuracy" test to verify that the results being reported by the machinery match the votes on the submitted paper ballots. There were similar tests already performed before and after the November election.

Finally, auditors would verify that the Dominion software was leased according to state and county procurement regulations.

Fann said she has been doing extensive research on what it takes to verify accuracy of election equipment. She reached out to her counterpart in Georgia, another state where the results for Biden were questioned, to determine how they verified the results there.

Gallardo said he and his colleagues are willing to contract with outsiders for the audit if it will reinforce voter confidence and blunt the criticism of GOP legislators who have made repeat allegations of fraud and misconduct.

AMERICAN OVERSIGHT

"I think it's upon us to really push back to show that, no, our system is secure, it's accurate, it's safe," he said.

"We had a good system, we had a great election," Gallardo continued. "I'm sorry they don't like the results of it but, nonetheless, the results are what the results are."

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Navajo Nation reports 87 new COVID-19 cases, 8 more deaths

Arizona Daily Star
January 27, 2021

Navajo Nation health officials on Tuesday reported 87 new COVID-19 cases and eight more deaths.

The latest figures bring the total reported coronavirus cases on the reservation to 27,665 with 985 known deaths.

On Monday, the tribe extended its stay-at-home order with a revised nightly curfew to limit the spread of COVID-19.

The Navajo Department of Health has identified 53 communities with uncontrolled spread of the coronavirus, down from 75 communities in recent weeks.

The Navajo Nation also is lifting weekend lockdowns to allow more vaccination events.

The actions in the latest public health emergency order will run through at least Feb. 15.

The daily curfew will run daily from 9 p.m. to 5 a.m.

Tribal officials said nearly 230,000 people on the vast reservation have been tested for COVID-19 and more than 14,000 have recovered.

The Navajo Nation extends into Arizona, New Mexico and Utah.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

US to increase vaccine supply

Jonathan Drew and Zeke Miller
Arizona Republic
January 27, 2021

The Biden administration is boosting purchases of coronavirus vaccines to deliver enough to protect 300 million Americans by the end of the summer, as it surges deliveries to states for the next three weeks following complaints of shortages and inconsistent supplies.

President Joe Biden announced the surge in deliveries to states Tuesday, along with the news that the federal government is purchasing an additional 100 million doses each of the two approved coronavirus vaccines. With existing purchases, the White House expects to be able to deliver enough of the two-dose regimens to states to vaccinate 300 million people. "This is enough vaccine to vaccinate 300 million Americans by end of summer, early fall," Biden said, calling the push to increase supply a "wartime effort."

The purchases from drugmakers Pfizer and Moderna come as the Biden administration is trying to ramp up vaccine production and states' capacities to inject them into arms. Even more vaccine could be available if federal scientists approve a single-dose shot from Johnson & Johnson, which is expected to seek emergency authorization in the coming weeks.

Biden also announced a roughly 16% boost in deliveries to states over the coming weeks, amid complaints of shortages so severe that some vaccination sites around the U.S. had to cancel tens of thousands of appointments with people seeking their first shot.

Detailed figures posted on the Centers for Disease Control and Prevention website Tuesday showed that the government plans to make about 10.1 million first and second doses available next week, up from this week's allotment of 8.6 million. The figures represent doses of both the Pfizer and Moderna vaccines. It was not immediately clear how long the surge of doses could be sustained.

The increase comes amid complaints from governors and top health officials about inadequate supplies and the need for earlier and more reliable estimates of how much vaccine is on the way so that they can plan accordingly.

Seeking to those concerns, Biden's team pledged to provide states with firm vaccine allocations three weeks ahead of delivery to allow for accurate planning for injections during their first virus-related call with the nation's governors Tuesday.

"Until now, we've had to guess how much vaccine" each week," Biden said. "This is unacceptable. Lives are at stake."

Biden's announcement came a day after he grew more bullish about exceeding his vaccine pledge to deliver 100 million injections in his first 100 days in office, suggesting that a rate of 1.5 million doses per day could soon be achieved.

AMERICAN OVERSIGHT

The administration has also promised more openness and said it will hold news briefings three times a week, beginning Wednesday, about the outbreak that has killed over 420,000 Americans.

The setup inherited from the Trump administration has been marked by miscommunication and unexplained bottlenecks, with shortages reported in some places even as vaccine doses remain on the shelf.

Officials in West Virginia, which has had one of the best rates of administering vaccine, said they have fewer than 11,000 first doses on hand even after this week's shipment.

"I'm screaming my head off" for more, Republican Gov. Jim Justice said.

California, which has faced criticism over a slow vaccine rollout, announced Tuesday that it is centralizing its hodgepodge of county systems and streamlining appointment sign-up, notification and eligibility. Residents have been baffled by the varying rules in different counties.

And in Colorado, Democratic Gov. Jared Polis said that the limited supply of vaccine from the federal government is prompting the state to repurpose second doses as first doses, though he expects that people scheduled for their second shot will still be able to keep their appointments.

As of Tuesday afternoon, the CDC reported that just over half of the 44 million doses distributed to states have been put in people's arms. That is well short of the hundreds of millions of doses that experts say will need to be administered to achieve herd immunity and conquer the outbreak.

The U.S. ranks fifth in the world in the number of doses administered relative to the country's population, behind No. 1 Israel, United Arab Emirates, Britain and Bahrain, according to the University of Oxford.

The reason more of the available shots in the U.S. haven't been dispensed isn't entirely clear. But many vaccination sites are apparently holding large quantities of vaccine in reserve to make sure people who have already gotten their first shot receive the required second one on schedule.

Also, some state officials have complained of a lag between when they report their vaccination numbers to the government and when the figures are posted on the CDC website.

In the New Orleans area, Ochsner Health said Monday that inadequate supply forced the cancellation last week of 21,400 first-dose appointments but that second-dose appointments aren't affected.

In North Carolina, Greensboro-based Cone Health announced it is canceling first-dose appointments for 10,000 people and moving them to a waiting list because of supply problems.

Jesse Williams, 81, of Reidsville, North Carolina, said his appointment Thursday with Cone Health was scratched, and he is waiting to hear when it might be rescheduled. The former volunteer firefighter had hoped the vaccine would enable him to resume attending church, playing golf and seeing friends.

"It's just a frustration that we were expecting to be having our shots and being a little more resilient to COVID- 19," he said.

AMERICAN OVERSIGHT

The vaccine rollout across the 27-nation European Union has also run into roadblocks and has likewise been criticized as too slow. Pfizer is delaying deliveries while it upgrades its plant in Belgium to increase capacity. And AstraZeneca disclosed that its initial shipment will be smaller than expected.

The EU, with 450 million citizens, is demanding that the pharmaceutical companies meet their commitments on schedule.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Sinema, Kelly take center stage in 50-50 Senate chamber

Yvonne Wingett Sanchez
Arizona Republic
January 27, 2021

The success of President Joe Biden's agenda — from immigration reform to another COVID-19 relief package — could rest heavily with centrist

Sens. Kyrsten Sinema and Mark Kelly in the new 50-50 Senate.

Arizona's fragile status as a purple state and the relative caution of Sinema and Kelly, both Arizona Democrats, could mean they will help set the Senate's consensus as the Biden administration seeks to implement an agenda that mixes the urgency of pandemic aid with the long-term goal of overhauling systemic problems.

Sinema essentially put an end to a partisan fight over the split Senate's rules when she publicly reiterated Monday her opposition to eliminating the Senate's filibuster, a procedural maneuver that requires a 60-vote supermajority to pass legislation.

In doing so, she helped set the rules of engagement for the session and led Senate Minority Leader Mitch McConnell, R-Ky., to allow Democrats to take control of the chamber.

Kelly joined the Senate in December and helped torpedo former President Donald Trump's controversial nomination of Judy Shelton to the Federal Reserve. And while the filibuster's future remained unclear, Kelly during his 2020 Senate campaign declined to take a position on whether it should stay or go.

Arizona's senators had been watched in past years when Republicans John McCain and Jon Kyl wielded outsized clout in the chamber because of their seniority and because of Kyl's status as a GOP leader. Now, in a closely divided Senate, Sinema and Kelly's centrism could position them as power players despite their relative newness. Sinema took office in 2019.

"They are right in the middle of the fulcrum in the Senate," said Larry Sabato, the director of the University of Virginia's Center for Politics.

Arizona's competitive status will keep them there, he said, "given that those two seats are absolutely critical to Democrats retaining control of the Senate.

"… They're already prominent and they're going to be more prominent."

AMERICAN OVERSIGHT

Sinema's opposition to nixing the filibuster, along with that of Sen. Joe Manchin, D-W.Va., prompted McConnell to move forward with a power-sharing agreement with Majority Leader Chuck Schumer, D-N.Y., on how the chamber will be managed with a tied Senate, where Democratic Vice President Kamala Harris will cast the tie-breaking vote.

The leaders had been at an impasse on how the Senate would be managed in an evenly divided chamber, grinding much of the chamber's business to a halt and preventing new members like Kelly from receiving committee assignments.

Since taking control last week, Schumer had pushed back on McConnell's demand to guarantee that the filibuster, for most legislation, was preserved under Democratic control of the chamber.

Some Democrats had signaled an openness to killing the filibuster to make it easier to pass their priorities, a position supported by progressives pressuring them to do so. Other Democrats, including Sinema and Manchin, reiterated their long-held stances that the filibuster should be preserved as a way to drive compromise and bipartisanship.

On Monday, Sinema's spokesperson restated Sinema's long-held position that she opposes killing the legislative filibuster because the Washington Post inaccurately suggested Sinema could be open to the idea.

"Kyrsten is against eliminating the filibuster, and she's not open to changing her mind about eliminating the filibuster," Hannah Hurley said in a statement.

Her stance provoked fury from some partisan Democrats, who called on Arizona voters to "punish" her with a primary opponent when she's up for reelection in 2024. Progress Arizona, a progressive 501(c)4 nonprofit group, called on Sinema "to support ending the filibuster so that working families can get the assistance they desperately need.

"Allowing Republicans to hold relief hostage is not what Arizonans voted for when they elected two Democratic senators," the group said in a written statement.

Sinema's position has drawn the attention of the No Excuses political action committee, which is launching digital and radio ads in Arizona starting Wednesday that call on her to reverse her stance.

"Sen. Kyrsten Sinema seems to think things are working just fine in Washington, D.C." one ad from the group on Twitter said. "She's OK with the gridlock because it protects her. She thinks the filibuster should stay right where it is. … It's time Kyrsten Sinema stood up for the people and stood against the filibuster."

Corbin Trent, co-founder of the political action committee and former spokesman for Rep. Alexandria Ocasio-Cortez, D-N.Y., said the ads initially will run for a week in eight or nine markets around Arizona. "We're just trying to make sure Arizonans know their senator is standing in the way of progress," he said.

"We've got a Senate right now that is committed to gridlock; it's committed to its own dysfunction," he added. "Kyrsten Sinema and Joe Manchin have been the most vocal … as far as Democrats that have said essentially we would rather protect ancient Senate rules than clear the way for progress."

AMERICAN OVERSIGHT

The newly formed PAC pressured Manchin with ads last month to back $2,000 stimulus payments.

Sinema did not respond to the criticism.

With Sinema and Manchin backing the filibuster, McConnell agreed to proceed with a power-sharing deal.

McConnell said on the Senate floor on Tuesday that Sinema "informed me directly last night that under no circumstances, would she reverse course."

Sinema's office confirmed to The Arizona Republic that McConnell called her Monday night. During their conversation, she confirmed to him her long-held view that she opposes eliminating the legislative filibuster.

A spokesperson for Kelly, who is up for reelection in 2022, would not say where the senator stands on eliminating the legislative filibuster.

Throughout his 2020 run for the Senate, Kelly ran largely as a centrist candidate who would make decisions independent of the Democratic Party. He repeatedly did not take a position on the future of the filibuster during the campaign.

On Tuesday, Kelly seemed to indicate he was keeping his options open.

"Senator Kelly is focused on delivering results for Arizonans by finding common ground with Republicans and Democrats to address priorities like COVID- 19 relief and vaccinations," his spokesperson Jacob Peters said. "If this comes up for consideration, Senator Kelly will evaluate it based on what's best for getting things done for Arizona."

Kelly has become a member of a new bipartisan group of 16 senators working with Biden's administration to move his $1.9 trillion coronavirus relief proposal. The group, still in its early stages, is still assessing other policy areas they may tackle together. It is a continuation of the bipartisan group that helped get the COVID-19 emergency relief package passed in December, over the finish line.

On his first day in the Senate, Kelly spoke with Manchin about the group's progress and was in regular touch with Manchin, Sen. Mitt Romney, R-Utah, and Sen. Lisa Murkowski, R-Alaska, about Arizona priorities leading up to the passage of that package, Peters said.

The group includes Romney, Murkowski and Republican Sens. Susan Collins of Maine and Todd Young of Indiana. The Democratic senators include Manchin, Dick Durbin of Illinois and Jeanne Shaheen of New Hampshire. Sen. Angus King, an independent who caucuses with Democrats, also is part of the group.

In a written statement, Kelly said the conversation on Sunday with the White House's head of the National Economic Council and other Biden administration officials was productive. He said it could help ensure further economic relief and a plan to broaden vaccination distribution.

"I look forward to continue working with my Republican and Democratic colleagues, and the Biden administration, to support Arizonans through this pandemic and rebuild our economy," Kelly said.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ducey working to hasten COVID vaccines

Stephanie Innes
Arizona Republic
January 27, 2021

In a move intended to accelerate Arizona's lagging COVID-19 vaccine rollout, Gov. Doug Ducey on Tuesday issued new rules, including giving the state authority to take unused doses back from providers and reallocate them.

An enhanced COVID-19 surveillance advisory renewed by Ducey on Tuesday will include new reporting requirements that are meant to speed up what has been a slower-than-expected administration of COVID-19 vaccine in the state, Dr. Cara Christ, Arizona Department of Health Services director, told The Arizona Republic.

In addition to limiting factors in terms of the federal supply Arizona is receiving, Christ said some providers may not be using all their vaccine doses. And if that's the case, the state wants to take those doses back and use them as quickly as possible.

"It's going to require certain providers that have 40% or more of their doses being reported as

unused, they are going to have to submit a plan to the department that tells us how they are going to significantly increase and use that vaccine within the next seven days," Christ said of the new reporting requirements.

"If we don't agree they've got a great plan, we can take doses back at the state level."

Health providers in Arizona are either not reporting that they are admin-istering the COVID-19 vaccine, or they are just not administering it at the rate state officials want to see, Christ said.

The new requirements will give the state authority to take back unused doses from providers who don't have adequate plans to use them, she said.

Providers will be required to report the total number of doses administered since Dec. 17; the number of doses administered in the prior 24 hours; the total amount of vaccine doses remaining; appointment capacity and availability over the next seven days; the number of appointments scheduled over the next seven days and the date furthest out that they have appointments, Christ said.

"The COVID-19 vaccination is our best shot at returning to life as it should be. Over the last two weeks, the COVID-19 vaccination site at State Farm Stadium has become a national model for vaccine administration," Ducey said in a written statement.

"With adequate vaccine doses, we can build on this success, both at our existing vaccination sites, and at additional sites across the state. This advisory will provide transparency in the pace of vaccination administration, and allow us to direct vaccine doses to where they will be most rapidly distributed."

AMERICAN OVERSIGHT

There are providers with 40% or more doses that are not being used, Christ said, citing information from Arizona's immunization registry.

"At State Farm, we are administering what we're getting pretty quickly," Christ said, referring to a state-run site at State Farm Stadium in Glendale.

"But other providers are not doing that. We want to know, what is the provider's plan for those doses and how are you going to speed that up and get them into arms in the next seven days."

According to a tracker from Bloomberg, which lags slightly, Arizona ranks among the lower half of states nationwide for the percentage of shots used out of available doses. Seventeen states had administered a lower percentage of their vaccine supply, the tracker showed Monday.

Monday's numbers indicated Arizona had administered 55.3% of its supply.

"There will be additional reporting requirements and what these reporting requirements are designed to do is to look at the rate of (vaccine) administration in Arizona so that we can significantly ramp it up," Christ said.

"I want as much vaccine in the arms of Arizonans as possible. ... If there are 10,000 doses collectively sitting places that I can get to Phoenix Municipal Stadium, that's 10,000 appointments I could open up next week."

If providers are sitting on vaccine supply to stock up on second doses, or if they are stockpiling for other reasons, "that is not really an appropriate strategy," Christ said. The state would rather take those doses back and administer them at a more efficient site, she said.

Starting Feb. 1, the state plans to open a second site at Phoenix Municipal Stadium. State officials also are looking at opening state-run sites in southern Arizona, and in Coconino County, in addition to existing sites that counties are operating in those areas, she said. The State Farm model is a successful one that can be set up in other areas, she said.

The State Farm site is expected to be doing 10,000 to 12,000 doses per day in February, Christ said.

The Phoenix Municipal Stadium site is expected to start at 500 doses per day because of limited availability of doses.

Last week, the federal government denied a request from the state Department of Health Services to allocate 300,000 additional vaccine doses per week to Arizona, state officials said.

In total, 486,338 vaccine doses have been administered statewide. Both vaccines being administered — Pfizer-BioNTech and Moderna — require two doses.

Local health agencies and health care providers have administered 407,757 doses of the vaccine to Arizonans since Dec. 16, at an average rate of 9,708 doses per day statewide, the Department of Health Services said.

The department has administered 79,112 doses since Jan. 11 at an average rate of 5,247 per day at State Farm Stadium alone.

AMERICAN OVERSIGHT

Arizona has a population of about 7.4 million people.

Some health providers have been holding onto COVID-19 vaccines in preparation for an immunization event and the state is supportive of plans like that. But they want to make sure partners are using their doses appropriately and quickly, Christ said.

"What this is trying to do is allow us to more efficiently use the current supply that we have. ... It's a significant effort," Christ said of the new reporting requirements.

Christ said the state is looking at doing mobile vaccination sites to senior communities and areas that have been disproportionately impacted by COVID-19.

"We are going to be trying to make it easier," she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ariz. man sent back to DC ahead of trial in riot

Richard Ruelas
Arizona Republic
January 27, 2021

The man who traveled from Phoenix for the protest at the U.S. Capitol, then raided the building while wearing a fur hat with horns, has been transported by the U.S. Marshals Service back to Washington, D.C., to face criminal charges, the agency said Monday.

A federal judge ordered Jake Angeli, 33, held in custody while awaiting trial on six charges related to his incursion on Jan. 6.

Angeli briefly took the dais at the U.S. Senate chamber and posed for a photo while flexing a muscle and holding a spear, to which he had affixed a U.S. flag.

He then wrote a threatening note, which he showed to a journalist who captured the scene on video.

Angeli was initially charged in Phoenix, but a more extensive grand jury indictment was filed in D.C. As charged, Angeli would face 28 years in prison.

A spokesperson for the Marshals Service said the office would not release the specific location where Angeli was being held, citing security concerns.

The raid on the Capitol left five people dead, including a Capitol police officer. It also delayed for hours, but did not stop, the task Congress had that day: certifying the states' electoral votes for President Joe Biden.

Angeli, who was charged under his legal name, Jacob Chansley, had become a fixture at rallies and protests in Phoenix during 2020. He helped lead nightly protests in November outside the county building where election workers tallied votes.

AMERICAN OVERSIGHT

Before then, Angeli would often appear outside the Arizona State Capitol, starting one-man demonstrations. He delivered monologues in a booming voice that bounced off the buildings.

A self-proclaimed shaman, Angeli appeared shirtless, showing off elaborate tattoos on his chest. He wore face paint and the hat with horns that would make him a national topic of conversation.

Angeli told FBI agents he traveled to Washington D.C. because he felt called there by former President Donald Trump, according to court papers.

Angeli, according to law enforcement, was among the first people to breach security and enter the U.S. Capitol. Photos and videos taken by journalists showed him, in his instantly recognizable outfit, wandering the Rotunda before entering the U.S. Senate chamber, which had just been cleared of lawmakers.

Angeli left a note on the dais for Vice President Mike Pence, who had been presiding over the joint session of Congress. The note, according to a court filing, told Pence: "it's only a matter of time, justice is coming."

In an interview with NBC News the day after the raid, Angeli said he did nothing wrong. "I walked through an open door, dude," he said.

But prosecutors, in arguing he be held in custody, said he posed a danger to society, partly because he was divorced from reality. They argued, in a memo filed with the court, that Angeli had become one of the "leaders and mascots" of the QAnon conspiracy theory that imagined Trump was investigating the crimes of a secret global cabal.

Angeli, they said, was a flight risk because he shown an ability to somehow, without a job or assets, get himself across the country to D.C. Prosecutors pointed out that fundraisers had been started online to raise money for Angeli.

Magistrate Judge Deborah Fine also noted during a hearing in Phoenix that Angeli, despite being widely photographed, was unrecognizable as she appeared before him on a video mon-itor in court, dressed in the bright orange clothes of a man in custody and without his painted face or headdress.

"He has made himself notorious," Fine said from the bench, "but he also has the ability to be anonymous."

Return to the table of contents

Ariz. exceeds 732,000 COVID-19 cases 1 year after state's first case

Alison Steinbach
Arizona Republic
January 27, 2021

Exactly one year after Arizona announced its first confirmed case of COVID- 19, the state on Tuesday reported 4,748 new cases and 209 new known deaths and continued to rank highest nationwide for its weekly COVID-19 case and death rates.

AMERICAN OVERSIGHT

In the year since the first case, a total of 732,643 COVID-19 cases have been identified in Arizona. As of Tuesday, 12,448 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

Arizona's seven-day, new-case average ranked first among all states on Monday after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

Arizona's rate of new positive cases over the last seven days was 95.6 cases per 100,000 people, per the CDC. The U.S. average for new cases is 50.7 cases per 100,000 people.

The state's average daily COVID-19 deaths per 100,000 people over the past seven days also ranked first in the nation as of Monday, per the CDC.

Arizona on Friday surpassed 12,000 known deaths from the virus, just one week after it passed 11,000, which came six days after the state reported 10,000 deaths. Arizona's first known death from the disease occurred in mid-March.

Many of the deaths occurred days or weeks prior, due to reporting delays and death certificate matching.

The state reported more than 17,200 new cases on Jan. 3, the highest number of new COVID-19 cases reported in a single day since the pandemic began, toppling the state's previous record from Dec. 8 by nearly 5,000 cases. The record followed the Christmas and New Year's holiday weekends.

The Arizona data dashboard shows 91% of all ICU beds and 90% of all inpatient beds in the state were in use Sunday, with 57% of ICU beds and 49% of non-ICU beds occupied by COVID-19 patients. Statewide, 158 ICU beds and 844 non-ICU beds were available.

Hospitalizations for the disease have been dropping slightly over the last one to two weeks, but remain at very high levels.

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 4,221 on Monday, below the record 5,082 inpatients on Jan. 11. By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,028 on Monday, below the record high of 1,183 on Jan. 11. During the summer surge in mid-July, ICU

beds in use for COVID-19 peaked at 970.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 687 on Monday, below the record-high 821 reached on Jan. 13. During the summer surge, July 16 was the peak day for ventilator use, with 687 patients.

Monday saw 1,734 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

New cases in Arizona have eclipsed 5,000 for 27 of the past 30 days.

AMERICAN OVERSIGHT

Percent positivity, which refers to the percent of COVID-19 diagnostic tests that are positive, is still near a peak high, which many health experts consider an early indicator of a spike in illnesses.

Last week, Arizona's percent positivity stood at 19%. For the week prior to that, it was 20%, according to the state, which has a unique way of calculating percent positivity. Percent positivity was between 4% and 6% for much of August, September and October, according to state data. Johns Hopkins University calculates Arizona's seven-day moving average of percent positives at 13.5% as of Tuesday. It shows the state's percent positivity peaked at 24.2% last month.

A positivity rate of 5% is considered a good benchmark that the spread of the disease is under control.

Arizona began its first COVID-19 vaccinations for Phase 1A the week of Dec. 14, but the process has moved slowly. Registration is open in multiple counties for priority Phase 1B individuals and opened in some places for those 65 and older this week. Gov. Doug Ducey said the vaccine will be free for anyone.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Scheduling 2nd dose of COVID vaccine proving tough for some

Alison Steinbach
Arizona Republic
January 27, 2021

It hasn't been easy for some people who received their first COVID-19 vaccine to schedule the second shot needed to boost immunity.

They're frustrated and feeling overlooked and left behind, but health officials want to minimize concerns.

Appointments and second doses are guaranteed for those individuals who got their first shot at State Farm Stadium, Arizona's large-scale state run-site, officials say. And a change in approach should make the situation better for those who got shots there beginning Jan. 22.

The first group of people vaccinated between Jan. 11 and Jan. 21 at the stadium located in Glendale should receive an email from the Arizona Department of Health Services with an invitation to sign up for their second dose.

Some say they haven't received that email. Others have but say it directs them to the general registration website, which seems to show no available appointments. Still others said they made a phone call and stayed on the line to successfully schedule an appointment.

The state says that every dose administered at a state-run site has a second dose reserved, but some people are still concerned they won't be able to access theirs in time given the email they did or did not receive.

Two doses of the vaccine at a recommended interval are required for maximum protection against COVID-19.

AMERICAN OVERSIGHT

Eugene Washington, 77, got vaccinated with his wife at State Farm Stadium Jan. 16. He said they got an email from the state Sunday night to sign up for their second shots, but the website appeared to show no appointments.

"I'm sure this is a widespread problem that probably affects thousands of us," he said. "I'm feeling really frustrated. My wife and I, on the 6th of February, if we have an appointment or not, we're going to go back over to State Farm and see if we can get our second dose."

More than 40,000 people had made their second dose appointments at State Farm Stadium as of Monday, according to the state health department.

"While I don't know exactly what (they're) seeing (online), be sure to look for Glendale POD Dose 2," as the location once on the scheduling webpage, ADHS spokesperson Steve Elliott wrote in an email. "I'm seeing appointments toward Feb. 20. Search on each day to see what's available."

ADHS tweeted screenshots of the website to help walk people through the second dose registration process for State Farm Stadium. People should change the date to February and then choose the event called 'State of Arizona POD — Glendale Dose 2.' "For a number of reasons, there is a group that hasn't gotten an invitation to register for a second dose at the stadium. We are inviting them manually over the course of this week. In some cases, we will call," Elliott said.

Some people have said they've been able to schedule their second shots by calling the state health department and waiting on hold to register with a person.

The health department's COVID-19 hotline is 844-542-8201. Readers have also said they called 480-573-0332 and 602-542-1000 (numbers for technical help with registration) and were able to get through to a person to schedule their appointment through the state health department.

Carol Sue McDaniel, 70, said she called several times until she had her second shot in the books after not yet receiving an email to schedule one.

"We were supposedly guaranteed our second shot at State Farm Stadium, so I didn't want to take any chances that my second shot would exceed the recommended 21 days," she said.

McDaniel got her first shot on Jan. 19 as a "tagalong" with her 80-year-old friend. She said she's worried that people who got their first doses there between Jan. 11 and Jan. 21 are "falling into the crack of this system."

"That was my concern, so I was just very aggressive and proactive and just kept calling the helpline, and finally I got through to a person."

The state has adjusted its approach to make matters easier.

Since Friday, second-dose appointments at State Farm Stadium are being scheduled while patients wait in the wellness lot after receiving their first dose at the site.

McDaniel said it should have been that way from the very start so 10 days' worth of vaccinated individuals weren't "stuck in the middle" of a changing system.

AMERICAN OVERSIGHT

“It doesn’t seem right that the Arizona Department of Health Services decides in the middle of a vaccination rollout that they will just change their protocol,” she said. “That tells me that the Arizona Department of Health Services knows that there is something wrong with their protocol: that it is cumbersome, it is not user friendly, you cannot get onto their computer system.”

The second dose sign-up process is expected to run more smoothly now at the state-run sites.

Other vaccination locations are handling sign-ups in different ways. People should ask when they receive their first shot about how to sign up for the second. County health departments may also be able to help individuals register for second shots.

Some people who received their first doses at Maricopa County PODs also have reported stress in booking their second appointments.

Those who have not heard about their second dose sign up process can fill out a survey (https://www.survey monkey.com/r/1ADose2) to let the county know. Public health officials will contact individuals, prioritized based on first dose date, about how and where to schedule their appointment, including through the state’s registration system.

Those who were vaccinated at Chandler’s Dignity Health POD or Goodyear’s Abrazo POD sites will be emailed an invitation from the ADHS registration system to schedule their second dose, according to the county.

The county announced Monday a partnership with Grand Canyon University to open a POD site starting Tuesday that is dedicated to providing second doses for phase 1A and 1B individuals.

“We know that it has been tough to schedule second dose appointments with so much demand at public sites, so for the time being, the GCU site will be invitation-only to those who received a first dose at county-run PODs,” according to the county.

Individuals will be invited to schedule their second shot based on when they got their first dose to make sure people get vaccinated close to the recommended timeframe. The GCU site accommodates both drive-up and walkthrough options. The county last week said it was also working with health system partners, retail pharmacies and other vaccinators to establish vaccination events and other ways for people who can’t get their second dose at county PODs.

Individuals do not need to get their second dose at the same location as their first, but it does need to be the same type of vaccine (i.e. Pfizer or Moderna).

Statewide, more than 458,000 total vaccine doses had been administered as of Monday, including about 69,600 people who have received both doses, according to state data.

What’s the time frame for getting the 2nd shot?

The CDC recommends that the second dose be administered “as close to the recommended interval as possible.”

Pfizer shots are recommended to be 21 days apart; Moderna shots should be 28 days apart. A grace period of four days earlier than that is OK, according to the CDC.

AMERICAN OVERSIGHT

Second shots can be administered slightly later than the recommended interval of three or four weeks.

"If it is not feasible to adhere to the recommended interval, the second dose of Pfizer-BioNTech and Moderna COVID- 19 vaccines may be scheduled for administration up to 6 weeks (42 days) after the first dose," according to the CDC as of Jan. 21. "There are currently limited data on efficacy of mRNA COVID- 19 vaccines administered beyond this window. If the second dose is administered beyond these intervals, there is no need to restart the series."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County supervisors to vote on 2nd election audit

Jen Fifield
Arizona Republic
January 27, 2021

The Maricopa County Board of Supervisors will vote Wednesday on whether to conduct another audit on the county voting system in an attempt to placate any concerns of voter fraud or election misconduct during the 2020 general election.

The public can watch at 9:30 a.m. as the board considers an item at its public meeting that proposes "hiring two independent, qualified firms to independently audit tabulation hardware and software in a way that protects private voter information and our investment in the machines," according to a statement from Chairman Jack Sellers.

"It is my belief these audits will prove our machines were not vulnerable to hacking or vote switching," Sellers said.

The supervisors, four Republicans and one Democrat, are expected to approve the item, considering they have all for months now expressed an interest in performing another audit — even though a bipartisan postelection audit of results came back with 100% accuracy.

The supervisors would perform this audit voluntarily and separately from their response to the Arizona Senate, which issued subpoenas to the supervisors in December demanding the board turn over a myriad of election material, including images of all mail-in ballots, detailed voter information and machines used to count votes, so the Senate could conduct the audit. Fields Moseley, a county spokesperson, said the supervisors are still negotiating with the Senate, and still maintain the position that the 2020 ballots cannot be turned over to the Senate because it is against state law to unseal the ballots at this time. If approved, the county's audit would come far too late to overturn the results of November's general election, considering the board certified the results in November and President Joe Biden already has taken office.

Rather, it's an attempt to restore voter trust in the county's elections.

"While I am confident in our staff and our equipment, not all our residents are," Sellers said in his statement. "This is a problem. A democracy cannot survive if enough of its people doubt elections are free and fair. Some will never be satisfied, but this vote is not about them. The best we can do, in my opinion, is to err on the side of transparency, to embrace the opportunity to once again show our work,

AMERICAN OVERSIGHT

and to put facts in their proper place at the center of public discourse instead of the periphery." If approved, the audit would take place in February and March, according to a county document.

The county would pay for this additional audit. The county doesn't have a final estimate of how much it would cost at this time, Moseley said. The county will use the two companies that are certified by the U.S. Election Assistance Commission to conduct the audit. Those companies, according

to a commission spokesperson, are Pro V& V and SLI Compliance. Those companies declined to provide an estimate of their services to The Arizona Republic.

The proposed audit would do the following to ensure that the county's voting system worked properly in the general election, according to a county document:

- Analyze its hacking vulnerability.

- Verify that no malicious malware was installed.

- Test that tabulators were not sending or receiving information over the internet.

- Confirm that no vote switching occurred.

- Verify state and county procurement regulations were followed when leasing the equipment from Dominion Voting Systems.

Part of the scope would be conducting another logic and accuracy test to verify that the county's machines are counting votes correctly.

The supervisors have said for months that they are supportive of doing another audit of results, if that's what is needed to restore voter trust. But they didn't act fast enough for the Arizona Senate, which issued the two subpoenas to the supervisors last month.

Instead of responding to the subpoenas, the supervisors sued to stop the subpoenas, saying, in part, that state law prohibits the county from turning over copies of ballots and arguing the Senate was overreaching its powers. After negotiating, last week Senate President Karen Fann announced that the Senate and supervisors had reached an agreement regarding the audit. But the supervisors said at the time that nothing was final. The supervisors are hoping this audit will satisfy those with concerns about the election, including state senators, Moseley said.

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Phoenix food bank distributing historic amount of food during pandemic

ALI VETNAR
KTAR News
January 27, 2021

Since the start of the pandemic, St. Mary's Food Bank has experienced an unprecedented demand for food to feed families across Arizona.

In its 50-year history, the food bank now reports a record amount of food distributed.

"We never distributed 10 million pounds of food a month until COVID hit," Jerry Brown, director of public relations for St. Mary's Food Bank, told KTAR News 92.3 FM on Tuesday.

The Phoenix location is said to reach up to 1,000 families per day, with the location in Surprise estimated anywhere from 250-300 families. St. Mary's works to provide each family with a week's worth of food.

Located off the U.S. 60 at Bell Road, the food bank's location in Surprise often serves an older demographic that is retired and lives off Social Security.

But with hardships brought on by the economic downfall and uncertainty caused by the coronavirus, the dynamic of many of the households has changed.

A woman named Yvonne stood in the wet cold weather Tuesday morning waiting for food.

"I have grandkids and kids that live with me and he's lost his job, I don't make enough money – I'm retired and I work part-time," she said.

A similar story was told by Judy Sloan.

"I have three children at home with my daughter, my husband and me," Sloan said. "Sometimes we can't have money for groceries because I don't get enough for Social Security, but St. Mary's helps me out."

Dedicated to end hunger, St. Mary's exists to help feed hungry families throughout Phoenix and nine Arizona counties.

With additional dollars from the state, St. Mary's Food Bank is now able to delivery groceries by refrigerated trucks. Before the new trucks became available, volunteers drove the food in their own personal cars.

Due to the at-risk population and threats seniors face by COVID-19, St. Mary's has worked hard to increase its delivering capability.

AMERICAN OVERSIGHT

"We had about 1,100 home bound seniors before COVID that we delivered to because we were aware of their situation, that number has swelled to about 4,000 now," Brown said.

Return to the table of contents

Phoenix councilman Sal DiCiccio in quarantine after positive COVID-19 test

KTAR News
January 27, 2021

Phoenix City Councilman Sal DiCiccio is in quarantine after testing positive for coronavirus, he confirmed to KTAR News 92.3 FM on Tuesday.

The councilman said he has been quarantining away from his family for eight days after coming down with symptoms and later testing positive.

"It definitely feels like everybody describes it," DiCiccio said. "It feels like you're breathing through glass, sharp glass."

DiCiccio added that he is feeling better after experiencing mild symptoms, but stressed the importance of getting tested upon the onset of symptoms to help stop the spread of the virus.

"If you get tested positive, you have to quarantine," he said. "You have to stay away from your family. This is very contagious," he said. "You don't want to be responsible for giving it to your family or anyone else for that matter."

DiCiccio represents District 6 on Phoenix's city council.

Arizona health officials on Tuesday reported 4,748 new coronavirus cases, the lowest one-day increase of the new year, and 209 additional deaths from COVID-19.

The state's documented totals moved to 732,643 infections and 12,448 fatalities, according to the Arizona Department of Health Services' COVID-19 dashboard.

KTAR News 92.3 FM's Debra Dale contributed to this report.

Return to the table of contents

Maricopa County Board of Supervisors to vote on new election audit

DANNY SHAPIRO
KTAR News
January 27, 2021

The Maricopa County Board of Supervisors will vote Wednesday on whether to allow two independent firms to conduct an audit on the certified 2020 election results.

AMERICAN OVERSIGHT

The board will decide in the 9:30 a.m. meeting whether to allow the firms to audit tabulation hardware and software "in a way that protects private voter information and our investment in the machines," Chairman Jack Sellers said in a statement.

Sellers said he doesn't believe there were any vulnerabilities in the county's voting process but hopes an independent audit can put fraud claims to rest.

"While I am confident in our staff and our equipment, not all our residents are. This is a problem," Sellers said. "A democracy cannot survive if enough of its people doubt elections are free and fair. Some will never be satisfied, but this vote is not about them."

Maricopa County released a fact sheet Tuesday detailing its election integrity since October 2020.

That included a hand count audit of election results performed by Maricopa County political parties the day after the election, which yielded a 100% match to the vote tabulation machines.

Two weeks later, the Maricopa County Elections Department and the Arizona Secretary of State's Office performed a post-election logic and accuracy test on equipment to make sure it wasn't compromised during the election.

Members of all three political parties and a representative from the Arizona Attorney General's Office observed the test.

The board certified the county's election results two days after the logic and accuracy test.

Despite the certification, some Arizona lawmakers have pressed on asking for more election oversight.

Maricopa County officials and the Republican-controlled Arizona Senate last Wednesday agreed to avoid further court hearings while they work on a deal to get the Senate a raft of data from November's election.

The two sides fought for almost a month in which the Republican-majority county board said the Senate's requests were far out of bounds and likely to expose private voter information for political reasons.

"The best we can do, in my opinion, is to err on the side of transparency, to embrace the opportunity to once again show our work, and to put facts in their proper place at the center of public discourse instead of the periphery," Sellers said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New I-10 interchange in Avondale completed and open to traffic

KTAR News
January 27, 2021

The Fairway Drive traffic interchange along Interstate 10 in Avondale is now open to traffic, the city announced Monday.

AMERICAN OVERSIGHT

The interchange allows drivers to connect to and from I-10 via the on- and off-ramps.

Additionally, it gives truck drivers a more direct route to the Avondale Commerce Center which will ease traffic demands on Dysart Road and Avondale Boulevard, according to the city.

A bridge has also been added over I-10 at Fairway Drive, between Dysart Road and Avondale Boulevard.

"The Fairway Drive project, envisioned before I was elected to the City Council, is just one example of the long-range planning that takes place when it comes to capital projects. We're excited to have it open on schedule," Avondale Mayor Kenn Weise said in a press release.

The $30 million project broke ground in February 2019, reaching completion on schedule 14 months later.

In addition to the interchange, Fairway Drive was widened from three to five lanes between Garfield and Van Buren streets.

Street lighting, landscaping, striping, signage, landscape irrigation and electrical conduit were also added to the area.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Big storms will put dent in Arizona's drought, climate expert says

JIM CROSS
KTAR News
January 27, 2021

The storms that pounded Arizona's high country with snow and dropped heavy rain across the deserts were welcome, but the state still has a deep drought deficit, a climate expert said.

The first major rainfall of the year in metro Phoenix averaged .04 inches from Monday through Tuesday but snow fell in eye-popping numbers up north with up to 40 inches in some parts.

"The storms will take the edge off of this drought but won't erase the longer-term deficits that we have stacked up over the past nine months," University of Arizona climatologist Mike Crimmins told KTAR News 92.3 FM.

But almost 95% of the state is in extreme or exceptional drought after the hottest and driest summer on record followed by a dry and warmer than usual fall.

The snow in the upper elevations "will be good to help recharge soil moisture over the next couple of months," Crimmins said. "This is pretty well-timed precipitation."

Crimmins added he had worried La Nina conditions – the cooling of Pacific Ocean waters that typical bring drier winters to the Southwest – would affect chances of rain here.

AMERICAN OVERSIGHT

“[But] if it really dries out and warms way up in March and April, it may set us way back again,” he said.

Crimmins also believes the recent storms will help with fire danger later in the spring, but it’s too early to tell.

Arizona had one of its worst fire seasons on record last year with more than 950,000 acres burned.

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

NAU joins Coconino County COVID-19 vaccination efforts

Kaitlin Olson
Arizona Daily Sun
January 27, 2021

Northern Arizona University has distributed about 300 of the more than 12,000 total COVID-19 doses administered to date throughout Coconino County and has plans to continue to expand its vaccination efforts for staff and students as more allocations become available to the county.

NAU began administering the Moderna vaccine to members of its Phase 1a population on Jan. 15 at the Health and Learning Center. This group included faculty and students who are working in hospital or clinical settings, such as those in the Physician Assistant, Physical Therapy and Dental Hygiene programs.

Vaccinations are not required for any NAU employees and the campus vaccination site is currently only open to NAU employees who live and work in Coconino County.

In an email, Dr. Susan Smith, medical director of Campus Health Services, said the department expected to administer all 300 doses of its initial allocation by the end of the day Monday. All of these doses were designated for the phase 1a population, she said. Although in-person classes were offered remotely Monday due to inclement weather, the university announced COVID-19 vaccinations and testing would continue as scheduled.

Pending vaccine availability in the coming months, Smith said NAU would be able to distribute up to approximately 520 doses a day.

"Coconino County has a plan in place to expand vaccination opportunities and NAU is proud to be a partner in this critical effort by offering vaccinations to our faculty, staff and students," Smith said.

Appointments will begin for NAU's 1b group on Wednesday. This priority group covers all active NAU faculty, staff and student employees. When registration opened on Friday, all appointment slots were filled in about half an hour, NAU President Cheng said in a presentation to the Faculty Senate Monday afternoon. Additional vaccination appointments will open on a weekly basis.

"Please keep in mind that access to the vaccine continues to be limited and that NAU receives vaccines through Coconino County, which gets its allotment from the State of Arizona," Cheng wrote in a letter to staff Friday. "We will continue to advocate for increased supply in order to provide vaccine access to our community as quickly as possible. In the meantime, I ask for your patience."

Staff who miss the available slots for vaccine appointments have the options to be added to a waitlist. Christy Farley, Vice President of External Affairs and Partnerships, said during the Senate meeting Monday individuals who are on this list may be called the following week in the event Campus Health has an extra dose of the vaccine, which would otherwise be wasted because it is part of an open vial. Individuals on the waitlist will not be rolled over for a specific vaccination appointment the following week, though, and will have to attempt to sign up again.

AMERICAN OVERSIGHT

Each of the employees vaccinated at NAU will be eligible to receive their second dose 28 days after their first dose, the interval set for the Moderna vaccine, which is about 95% effective in preventing COVID-19 in adults.

The U.S. Food and Drug Administration has encouraged early vaccine recipients who are now becoming eligible for second doses to not skip these later shots, which were an essential part of the clinical trials supporting the effectiveness of both the Moderna and Pfizer vaccines. Within Coconino County, the county itself is distributing the Pfizer vaccine, due to a partnership with TGen providing needed ultra-low freezer storage, while partners such as NAU are distributing the Moderna vaccine.

Since reopening its COVID-19 testing site at the Fieldhouse Jan. 6, NAU has tested approximately 3,300 people, including community members. Positivity rate of testing last week was 4.4%. The university is currently managing 60 confirmed positive cases in on- and off-campus students.

On Monday, both the Fort Tuthill and Coconino Community College sites closed early due to inclement weather, but the NAU testing site remained open for its normal hours, 9 a.m. to 2 p.m. Cheng reported during the Senate meeting a total of 486 individuals came through the testing site Monday.

"Even in a snowstorm, or on holiday or in a vaccine world, we need to continue to test," Cheng said, noting that the site will remain open Tuesday as additional snowfall is expected.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New sawmill could be 'game changer' in forest restoration efforts

Adrian Skabelund
Arizona Daily Sun
January 27, 2021

It may be a good year for forest restoration efforts in northern Arizona after news that the former paper plant in Bellemont will become a sawmill.

The company Good Earth Power AZ, a subsidiary of NewLife Forest Products, announced the mill would be using the 425,000-square-foot facility to house a new sawmill that may employ as many as 200 people, according to a media release from the company.

That's more jobs than the number provided by the paper plant that previously occupied the facility. That operation, by the company Essity, formally called SCA, closed its doors in 2019.

Good Earth Power currently holds the largest contract with the United States Forest Service for logging operations associated with the Four Forest Restoration Initiative, also called 4FRI.

That project is meant to restore 2.4 million acres on the Apache-Sitgreaves, Coconino, Kaibab and Tonto National Forests to a healthier and more natural state with far fewer trees per acre than the current situation.

Healthier forests, where trees are more spread out from one another, are better able to survive droughts and reduce the risk of large catastrophic wildfires, Andrew Sanchez Meador, executive director of the

AMERICAN OVERSIGHT

Ecological Restoration Institute, told the Arizona Daily Sun last week. But after years of suppressing natural fire, forests across much of northern Arizona and the west have become overly dense.

"This is the most exciting and important project I have been involved with in my 40-year career in the forest products industry," NewLife Forest Products CEO Ted Dergousoff said in a statement. "This facility allows us to leapfrog in our scale as a company and as a vital local industry. […] The Bellemont sawmill will play a key role for keeping Coconino County protected from a catastrophic wildfire event."

The Bellemont facility is scheduled to open in late March and, according to the company, will house the sawmill, planer mill, kilns and engineered wood product lines, with space allowing for storage and movement of high-value products.

Good Earth Power also plans to build a rail spur connecting to the BNSF line, allowing products to be distributed cost effectively.

Despite currently holding the largest contract for 4FRI, Good Earth Power has struggled to get the job done. The scope of that contract includes treating 300,000 acres total, 30,000 each year. But so far, the company has in total treated a fraction of that.

But according to the company, the new mill could change that, providing the ability to process profitably smaller logs, and as many as 120 million board feet per year of lumber, and ramp up to forest thinning and harvesting to the target of 30,000 acres per year.

Jay Smith, forest restoration director for Coconino County, said the opening of the mill would be "the game changer in for Coconino County and this area" for restoration efforts.

Smith, who worked for Good Earth Power as the senior forester prior to joining the county, said such a facility should greatly accommodate local restoration efforts by providing a destination for the timber and a way for company's involved to make a profit.

For years, the lack of a local large scale sawmill has been a significant limiting factor on the profitability of restoration efforts, Smith said. And that won't just impact 4FRI, but the county's restoration efforts as well.

In December of 2020, the county completed the first phase of its forest restoration plan on Bill Williams Mountain, using helicopters to thin 300 acres of dense forest on steep slopes. That kind of an operation is expensive, but the lack of a mill could help reduce costs, Smith said.

"Part of the money that the county had to spend on Bill Williams was, we paid to get the helicopter logging done, to get the wood to a landing, then we had to pay to get the wood off the landing, because there's no place to take it," Smith said. "If you have a place that's close by that can consume the wood, that wants the wood, then all those costs get reduced."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Storm systems leave Flagstaff buried in more than two feet of snow

Adrian Skabelund
Arizona Daily Sun
January 27, 2021

Since the start of the weekend, Flagstaff received over 31 inches of snow while other parts of Coconino County received as much as 47 inches. That weather created dangerous driving conditions, and numerous roads and highways across the state closed as snow fell as far south as Tucson.

Still, as the inclement weather began to let up Tuesday afternoon, many of those roads, including Interstate 17 and 40, were cleared and travel was finally able to resume.

But just as the winter storm and hazardous driving conditions forced many off of the roads, others were jumping into action.

For local landscaping or handyman businesses, or just for individual residents, the heavy snowfall presented an opportunity to make some extra income by helping residents dig out in what may normally be the offseason.

Bobbie LaValley, who operates the remodeling service Myriad Restoration and Custom Creations, said she and her boyfriend had been hard at work shoveling driveways throughout Monday and Tuesday.

LaValley advertised the shoveling service on Facebook a few days before the snow and said on Tuesday alone she had received as many as 40 phone calls and online messages asking to hire her.

Thats a lot for just two people, and LaValley said they have been able to get to between six and 10 jobs each day.

She said when her normal remodeling work is pretty slow this time of year, making some extra money shoveling snow has been extremely helpful.

“I mean, we've made enough in the last two days where we gave, you know, half a day each day, to essentially make our rent payments. So it’s extremely profitable, essentially comparable to the remodeling work that we do full time,” LaValley said. “It’s really a good way to bridge that gap.”

While LaValley was out shoveling driveways, other companies were focusing on larger projects.

Crews with Major League Painting Inc. were busy keeping the parking lots and internal roads at Flagstaff Medical Center clear of snow through Monday and Tuesday, said Maria Campa, who helps coordinate the company’s show clearing efforts. She said they have contracts to plow the parking lots of nearly 50 businesses across the city, including the hospital.

Keeping the hospital clear of snow was no easy task, especially when this storm dumped snow almost continuously, Campa said.

“We had a few guys working from 5 a.m. Monday yesterday until 8 a.m. today, nonstop -- I mean, they take breaks, but we had a few guys work like 27 hours nonstop,” Campa said. “But with storms this big, we just can't stop.”

AMERICAN OVERSIGHT

With a lot of their clients, Campa said, by the time a crew finishes clearing the last area of snow, the first area needs to cleared all over again.

A large snowstorm blanketed Flagstaff with more of the white stuff as more work was done and more fun was had.

Meanwhile, Campa said her work mainly involves staying inside and telling their crews where to go next.

But she said she feels thankful for all the work of their crews, and the work of the city and county plow drivers, to keep roads clear. Campa said while she gets to sit in the warmth of the office or her home, those crews are out "just working their butt off to get the streets as safe as possible."

"And you don't know if they're gonna make it home safe. I mean, there's always tons of accidents, and they're always the first ones out to try to make the streets safer," Campa said.

Campa wasn't the only one who expressed appreciation for the people keeping the streets clear and helping others dig out.

At Mountain View Market in Doney Park, free cups of coffee, tea or cocoa were available to plow drivers and simple good Samaritans alike, courtesy of the market and DP Tractor Services.

Rebecca Rambo, who owns the market, said she and tractor services owner Brock Everly had the idea to partner up and offer free hot drinks to those who might need them and spread that message on Facebook.

"Whether they work for the county and are getting paid to plow, or if your neighbor is doing it out of the goodness of their heart to help a neighbor or helping elderly neighbors, coffee's on the house," Rambo said. "What's been kind of neat is that people do see the post, but there's a lot of locals out here that are not into social media, and they come in every day. And it's nice to be able to just surprise them today by saying, 'Hey, I know you didn't know this, but you get a free cup of coffee today.'"

"We've had a couple APS workers out here that have come in that, you know, they're not all piling snow, but they're still servicing their community. And so they get a free cup of coffee, for sure," Rambo added.

As with the the previous day, the storm canceled classes Tuesday for Flagstaff Unified School District and Northland Preparatory Academy. FUSD classes were set to resume on Wednesday.

Basis Flagstaff and Flagstaff Arts and Leadership Academy resumed classes online.

Coconino Community College campuses opened at 10 a.m. while virtual classes and services followed their normal schedule. Northern Arizona University also operated on a regular schedule.

As snow continued to fall in northern Arizona throughout Monday and into Tuesday morning, various organizations implemented closures for the sake of public safety.

AMERICAN OVERSIGHT

At different points on Monday and Tuesday, the Arizona Department of Transportation closed numerous state routes, highways, and Interstates 17 and 40. The interstates had been reopened by Tuesday afternoon as the storm system moved out of the area.

As of 7 p.m., the following highways were still closed, according to ADOT:

US 191 from mileposts 225 to 254 (just south of Alpine)
State Route 87 between Payson and Winslow
State Route 260 between Star Valley and Heber, and from east of Camp Verde to SR 87
State Route 89A between Sedona and Interstate 17; and from Jerome to Clarkdale
State Route 89 from north of Peeples Valley to just south of Prescott
State Route 288 westbound between SR 188 and Young
ADOT warned drivers to continue to avoid travel when possible, particularly given the below-freezing overnight temperatures in the forecast the next few nights that could lead to icy road conditions.

The COVID-19 testing site at CCC was closed Tuesday, but the vaccination site at Fort Tuthill remained open and on schedule.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Crews rescue 5 people in 2 incidents in snow-blanketed areas

Arizona Daily Sun
January 27, 2021

Crews in northern Arizona used a helicopter and a tracked vehicle to rescue a total of five people in two incidents in areas blanketed by heavy snow from a major storm, authorities said.

Major highways closed by the storm in Arizona reopened Tuesday as snowfall tapered off, the Arizona Department of Transportation said.

A National Guard UH-60 Blackhawk's crew on Tuesday hoisted up three climbers stranded in Haribo Canyon in the Sedona area. The crew also hoisted up four members of a local rescue team from the site, the National Guard said.

The climbers were reported stranded on Sunday but the storm made it difficult to reach the area to locate them, the Sedona Fire District said on Facebook.

Elsewhere, the Navajo County Sheriff's office said crews from several agencies rescued two Phoenix-area men with four dogs after their vehicle got stuck on a forest road at Black Canyon Lake near Heber-Overgaard. That rescue began late Monday and ended early Tuesday, officials said.

Rescuers cleared a path to reach the stranded vehicle but worsening weather conditions required use of a tracked vehicle provided by the Coconino County Sheriff's Office to complete the rescue, officials said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders

Adrian Skabelund
Arizona Daily Sun
January 27, 2021

Almost two months since Mark Kelly took his seat in the United States Senate, he took time to speak with the Arizona Daily Sun about priorities for northern Arizona.

Kelly said that in recent weeks he has been speaking with local mayors and leaders across the area to hear more about the issues they are facing and whom he might be able to help now that he has been sworn in officially.

He added he is also putting together advisory groups that can speak to challenges in northern and southern Arizona, and around Maricopa County.

Throughout January, according to a spokesperson, Kelly has participated in virtual meetings with the mayors of Winslow, Kingman, Sedona, Cottonwood, Show Low, Williams, Snowflake, Bullhead City, Lake Havasu, Prescott, and Chino Valley.

This week, Kelly will meet with the Fredonia and Clarkdale mayors. In addition, he has met with Navajo Nation President Jonathan Nez and Hopi Tribe Chairman Timothy Nuvangyaoma.

Those conversations have been dominated by discussion of COVID-19, Kelly said. The new senator is interested to hear how the pandemic and economic downturn stemming from it has impacted city finances, how budgets compare this year to 2019, and how the vaccination process is going.

“As an example, I think Winslow has about 10,000 people. They're getting 700 doses a week. So you know, 15 weeks in theory they could vaccinate everybody. That is not horrible," Kelly said. "In some places it is a lot worse than that. If you look at Yuma County, until recently they were getting 800 doses a week -- they have a lot more than 10,000 people."

Kelly said he is also telling mayors he wants communication with them and local leaders to be ungoing and hopes to assist communities with problems other than just those associated with COVID-19.

“These are often restructured priorities, roads, bridges,” Kelly said. "I'm trying to make sure that they understand that this isn't just like a one time. I’m reaching out to them to check in at the beginning of my my term in the United States Senate. I want to have open communication with our mayor's so I can be as strong as an advocate as possible for that entity in the United States Senate.”

Nonetheless, with Arizona seeing some of the highest case numbers in the world and many people out of work, the pandemic is top of mind.

Earlier this month, Congress passed a second COVID-19 relief bill providing Americans with an additional $600 stimulus check and extending the date for which CARES Act money sent to state and local governments could be spent. Kelly said the latter measure was especially important for northern Arizona tribal communities, some of which have been hit hard by the pandemic.

AMERICAN OVERSIGHT

The money the CARES Act provided tribes was important, Kelly said, but some tribes such as the Navajo Nation didn't have projects immediately ready to spend it on and were at risk of loosing that funding if the deadline hadn't been extended.

Kelly said that bill also included funding for improving infrastructure such as rural broadband -- which might assist rural tribal communities in getting health care and education despite necessary social distancing.

And Kelly said he and some of his senate colleagues know that additional support is needed, noting that he has been in communication with Senator Lisa Murkowski, R-Alaska, on some of those measures.

"We do need some more direct funding to tribes. That didn't happen in this last COVID-19 relief bill, because it became a negotiating point balanced against liability issues for businesses," Kelly said. "So, hopefully, we will address this here in the first quarter of this year."

Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, January 27, 2021 2:32:58 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes January 27, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window

Arizona Legislative Report

Today's News Notes

January 27, 2021

IMPORTANT: *The Arizona Legislative Report is fully digital and may be accessed at ArizonaLegislativeReport.com. Your log-in credentials from last year should still work. If you have trouble logging in, please let us know. In addition, please let us know if there are any changes to your account, such as a new email or a new contact person. You may call or email Scott Newell at*

AMERICAN OVERSIGHT

602-258-7145 or snewell@azcapitoltimes.com, or Mitch Stead at mstead@azcapitoltimes.com or 602-889-7140. For any questions about subscription payments, please contact Shannon Wass at 717-323-5234 or swass@bridgetowermedia.com.

Please note that subscribers to the News Notes email will get the News Notes around 3 p.m.

Regular subscribers will be alerted via email once the Daily Report is posted on ArizonaLegislativeReport.com. If you would like to get the News Notes early, please let us know. The cost for the News Notes is an additional $50 per month.

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until Thursday, January 28, at 9 a.m.

THE SENATE IS ADJOURNED until Thursday, January 28, at 1:30 p.m.

COMMITTEE AGENDAS

NEW HEARINGS

House Land, Agriculture & Rural Affairs

Monday 02/01/21 at 2:00 PM, House Rm. 3

H2080: AGRICULTURAL EMPLOYMENT RELATIONS BOARD; CONTINUATION

H2081: ARIZONA DEPARTMENT OF AGRICULTURE; CONTINUATION

H2127: APPROPRIATION; STATE PARKS; HERITAGE FUND

H2169: APPROPRIATION; TOURISM; DUDE RANCHES; PROMOTION

AMERICAN OVERSIGHT

H2304: APPROPRIATIONS; FIRE DISTRICTS; VERNON; SPRINGERVILLE

H2372: AGRICULTURAL OPERATIONS; NUISANCE; LIABILITY

House Military Affairs & Public Safety

Monday 02/01/21 at 2:00 PM, House Rm. 1

H2128: STATE LICENSING; FEE WAIVER

H2152: POLICE; CAMERA RECORDINGS; REQUIRED REDACTIONS

H2182: RAPID DNA TESTING; APPROPRIATION

H2288: APPROPRIATION; MILITARY INSTALLATION PROJECTS

H2293: VEHICLE IMPOUNDMENT; EXCEPTIONS; STORAGE CHARGES

H2295: LAW ENFORCEMENT OFFICERS; DATABASE; RULES

H2379: APPROPRIATION; SOUTHERN BORDER REGION REINFORCEMENT

Senate Government

Monday 02/01/21 at 2:00 PM, Senate Rm. 1

S1002: EARLY VOTING ENVELOPES; PARTY AFFILIATION

S1003: EARLY VOTING; SIGNATURE REQUIRED; NOTICE

S1020: VOTING LOCATIONS; ELECTIONEERING

S1068: ELECTIONS MANUAL; LEGISLATIVE COUNCIL; GRRC

S1105: BALLOT MEASURES; 200-WORD DESCRIPTION

S1116: STATE PERMITTING DASHBOARD

S1240: HAND COUNTS; PRECINCTS; PROCEDURES MANUAL

S1329: PROCEDURES MANUAL; JLAC APPROVAL

S1338: HISTORIC PRESERVATION; STATE MUSEUM; TRANSFER

S1358: RECORDERS; VOTER REGISTRATIONS; PUBLIC BUILDINGS

Senate Transportation & Technology

AMERICAN OVERSIGHT

Monday 02/01/21 at 2:00 PM, Senate Rm. 109

S1019: DEPENDENT CHILDREN; NONOPERATING IDENTIFICATION; PHOTOGRAPH

S1081: WISHES; CRITICALLY ILL CHILDREN; LICENSE PLATES

S1157: EMPOWERING TODAY'S YOUTH SPECIAL PLATES

S1235: VEHICLE ACCIDENTS; FINANCIAL RESPONSIBILITY VERIFICATION

S1310: SUPPORT CANCER VICTIMS SPECIAL PLATES

S1312: VETERANS; SPECIAL LICENSE PLATES; DESIGN

S1345: NEIGHBORHOOD ELECTRIC SHUTTLES

House Health & Human Services

Monday 02/01/21 at 2:00 PM, House Rm. 4

H2098: MISSING CHILDREN; MANDATORY REPORTING

H2392: AHCCCS; GRADUATE MEDICAL EDUCATION; REIMBURSEMENT

H2399: DEPARTMENT OF CHILD SAFETY; FEES

H2404: APPROPRIATIONS; FAMILY HEALTH PILOT PROGRAM

H2410: SAFE HAVENS; NEWBORN INFANT AGE

H2521: LONG-TERM CARE; HEALTH AIDES

H2531: AHCCCS; ELIGIBILITY DETERMINATION

H2585: OCCUPATIONAL THERAPISTS; FINGERPRINT CLEARANCES CARDS

H2615: EPINEPHRINE INJECTIONS; FIRST RESPONDERS IMMUNITY

H2620: HEALTH CARE WORKERS; ASSAULT; PREVENTION

H2621: PRIOR AUTHORIZATION; UNIFORM REQUEST FORMS

H2622: NONRETALIATION POLICIES; HEALTH CARE INSTITUTIONS

NEWS NOTES

BE SURE TO STRETCH, TAKE BREAKS, DRINK PLENTY OF WATER

AMERICAN OVERSIGHT

TOMORROW

The House plans go into the COW tomorrow morning for the first time this session after House rules advanced more than 50 bills earlier this week.

BOYER, PACE PICK UP CARTER'S VAPE FIGHT

Boyer and Pace are taking on former Sen. Heather Carter's battle against "big vape." S1402 (tobacco; retail; licensing) regulates vape pens and cartridges as identical to cigarettes and allows municipalities to impose their own potentially stricter limits on tobacco vendors. It's the latest salvo in a years-long battle between health officials and the tobacco industry over how to regulate e-cigarettes, and previous clashes have ended in a stalemate. The departure of tobacco industry champion John Allen and shuffling of senators and representatives between chambers make the fate of the bill less certain this year.

SOCIAL MEDIA GIANTS ARE THE FOUR HORSEMEN OF THE APOCALYPSE

Townsend, Borrelli, Bolick, Cook and Fillmore want anybody to have the ability to sue Twitter, Facebook and other social media sites if they delete or minimize the reach of posts. Townsend's S1428 (social media; censorship; civil action), introduced as an emergency measure that would need at least a two-thirds vote, would also define the word "shadowban" in state statute. The bill follows Townsend's abrupt exit from Twitter, as well as repeated complaints from her and fellow Republican lawmakers that the social media giants silence conservatives on their platforms.

WOKE NATION, THE CONSERVATIVE EDITION

Rogers wants to kick Planned Parenthood founder and longtime Tucsonan Margaret Sanger out of the Arizona Women's Hall of Fame, reviving a 30-year-old fight. Her SCR1026 (removal; Margaret Sanger) would strike Sanger from the list of more than 125 notable Arizona women. Sanger, a crusader for birth control, lived in Tucson with her second husband, J. Noah H. Slee, from 1937 until her death in 1966. She was arrested at least 8 times for speaking about birth control, according to her obituary in the *Daily Star*, but public opinion began to shift later in her life. Former *Star* publisher William R. Mathews described her as "one of the world's most noted women. Indeed her

AMERICAN OVERSIGHT

accomplishments on behalf of womanhood made her one of the great women of history." But Sanger also has her critics, particularly among those in the pro-life movement, in part because of her interest in the eugenics movement that was ascendant in the U.S. in the 1920s. Eugenics, a popular idea at the time, holds that the human race could be improved by encouraging people with "good" traits – such as intelligence, cleanliness and hard work to reproduce – while preventing others. After the thought experiment reached a horrendous extreme during the Holocaust, it fell out of favor in the rest of the world. Rogers cites Sanger's writings on the eugenics movement as proof she must be removed from the Arizona Women's Hall of Fame. Thirty years ago, legislators furious at Sanger's 1991 induction, stripped support from the Women's Hall of Fame over her role in promoting birth control, according to the Hall of Fame's website, and it took until 2002 for the director of the Arizona State Library to be allowed to resume nominations and inductions.

THE END OF VOTING CENTERS?

House gov yesterday advanced along party lines H2039 (elections; hand counts; five percent), which seeks to increase the number of precincts that must be randomly selected for a hand count of ballots. Currently, it stands at 2%. As amended, H2039 would increase it to either 5% or "the number of precincts required to achieve a statistical significance consisting of a ninety-nine percent confidence level with a margin of error of one percent" – whichever is greater. It would require counts to be conducted at the precinct level, specify voting centers are not precincts, and let the attorney general, secretary of state or the legislative council require a higher percentage or greater number of precincts be hand-counted for any specified county. "This is not because of a presidential election," said Hoffman, who proposed the strike everything amendment. "This is one of those good reforms that has been bubbling up to the surface, and it is time that we made that change so voters have confidence in the outcome of their elections." Mesnard is sponsoring a similar bill, S1010 (recount requests; amount; bond; procedure).

SPEECHIFY!

Some Republicans grumbled or started to leave as Salman spoke against H2039, prompting her to say members aren't allowed to leave during a roll-call vote. Although Hoffman tried to frame H2039 as a good government reform separate from the dispute over the 2020 presidential results in Arizona, not

AMERICAN OVERSIGHT

everyone on House gov saw it that way. Salman noted that nobody disputed results until the 2020 election, when former President Trump claimed election irregularities and insisted he won Arizona. “It doesn’t matter if we increase the percentage for the hand count audits from 5% to 100%,” Salman said. “The reality that we’re dealing with here today is the fact that there is a very fringe group of people that will never accept the outcome of an election if their candidate does not win.” Roberts said increasing the count threshold would help quash the fraud narrative. “We need to put their concerns at rest, and I think this is a good step in that direction,” he said.

ALL POLITICS ULTIMATELY BOILS DOWN TO THE US SUPREME COURT

House jud voted along party lines today to advance HCR2002 (Supreme Court; maintain nine members), a resolution supporting an amendment to the U.S. Constitution setting the size of the federal Supreme Court at nine members. Some Democrats have been floating the idea of increasing the court’s size to reduce the conservative majority that Trump solidified by appointing three new justices during his presidency. Republicans on House jud argued that freezing the court’s size would keep it from being politicized. “Our system of government is based on functioning checks and balances, and for the past 150 years we’ve had nine Supreme Court members,” said Hoffman, its main sponsor. (The number of justices changed six times – ranging from six to 10 – before settling on nine.) Democrats pointed to the 2016, Republican-supported expansion of the Arizona Supreme Court from five to seven judges, and argued such decisions should be made through the regular political process - with Congress enacting and the president signing any change to court’s composition - instead of freezing the court’s size in the U.S. Constitution. “I am completely unconvinced that this is divested from political interests,” DeGrazia said.

PANEL APPROVES MORMON MIGRATION MONUMENT

House gov voted 10-2 Wednesday morning to advance H2380 (Mormon Migration Monument; government mall) after some discussion of the separation of church and state and whether any state monies would be used to put up the proposed Mormon Migration Monument at the Capitol Mall. The monument would be privately funded, and its sponsor, Blackman, said it would commemorate the contributions of Arizona’s Latter-day Saint pioneers, comparing it to a monument celebrating the contributions of any other group

AMERICAN OVERSIGHT

that moved to Arizona. "It is not a monument to the religion. It is a monument to the migration and the participation that that group of people made to Arizona," he said. "I can't wait for the displaced New Yorkers' monument," Kavanagh joked. Salman, who joined Terán in voting "No," said she isn't opposed to the idea of the monument but believes the state should come up with a more holistic plan to decide what kind of monuments should be put up at the mall.

IMAGINE IF THE SENATE PRESIDENT AND SPEAKER ARE DEMOCRATS

As Maricopa County voted today to perform a post-election audit that doesn't meet Republican legislators' expectations, Borrelli and Petersen introduced legislation to prevent a future fight over access to election materials. Borrelli's S1444 (election data; legislative review authority) states that the Senate President and House Speaker must receive copies of election data and access to equipment between the time tabulation is finished and the state canvasses results, and a majority of the Legislature can receive access if they're in session. Meanwhile, Petersen's S1408 (legislative subpoenas; records; penalties) would state that no records can be protected from a legislative subpoena because of confidentiality concerns. S1408 would also provide for daily fines of $1,000 for anyone not complying with a legislative subpoena.

ALBERT HALE IS RECOVERING FROM COVID-19

Teller announced on the House floor Wednesday that former legislator Albert Hale is at home recovering from COVID-19 and asked House members to pray for him. Hale's wife, Teller said, is on a ventilator.

NEWS RELEASES

Board of Supervisors Approves Extensive Audit of Elections Equipment

Goal is to assure voters of election integrity, combat misinformation

The Maricopa County Board of Supervisors voted unanimously today to authorize a forensic audit of ballot tabulation equipment used in the 2020 elections. The audit is the culmination of a year-long effort by Maricopa County to ensure the accuracy of the federally- and state-certified hardware and software used to count votes (see 2020 Elections Fact Sheet or multimedia page).

AMERICAN OVERSIGHT

“Maricopa County elections were administered with integrity throughout 2020. That’s a fact. Multiple audits to date have proved as much, and multiple court rulings have concurred,” said Chairman Jack Sellers. “It’s also true that a significant number of voters want the additional assurance that a full forensic audit of tabulation equipment might bring, especially given all the misinformation that spread following the November 3 election. This audit shows our commitment to providing that assurance.”

The multi-layered forensic audit will dive into the tabulation equipment to analyze its hacking vulnerability, verify that no malicious malware was installed, and test that tabulators were not sending or receiving information over the internet.

As an added layer of assurance, the county will hire two independent firms certified by the U.S. Elections Assistance Commission, to each independently audit the tabulation equipment: Pro V&V and SLI Compliance.

The first audit will begin on February 2, and the second audit will begin on February 8.

“We’re doing the right thing, at the right time, in the right way,” said Vice Chairman Bill Gates, District 3. “The audit will be conducted in a way that safeguards private voter information and protects the investment made by county taxpayers in the tabulation equipment. My hope is that the audit results will ensure the residents of Maricopa County have the same confidence in our elections system that we have.”

“While I'm confident we ran good elections, I have been passionate about doing this audit,” said Supervisor Clint Hickman, District 4. “Every election-related decision and safeguard this Board has made over the past year has had voter and election integrity in mind. The upcoming forensic audit of election equipment will be no different, and I hope it puts to rest the notion that somehow we’ve got something to hide.”

In addition to the software and malware tests, one firm will also perform a logic and accuracy test of the county’s tabulation equipment to ensure it accurately counted ballots and confirm that no vote switching occurred.

As an added measure of transparency, the Board hired a reputable Certified Public Accountant firm to review county contracts with Dominion Voting

AMERICAN OVERSIGHT

Services and verify that the county leased the tabulation equipment according to state and county procurement regulations.

"I have been publicly supportive of an audit for over a month now and am glad to have this much needed vote," said Supervisor Steve Chucri, District 2. "Elections are the foundation of our democracy and the most important right we hold as Americans. It is paramount that the public has trust in our elections systems and equipment and that is why I wholeheartedly support an audit to ensure this equipment is above reproach. This thorough audit is what many of my constituents have been asking for. I am pleased we are conducting it and look forward to sharing the results."

Community stakeholders will be an important part of the forensic audit process. Leadership from both the House and Senate, members of all three political parties, and representatives from the Arizona Secretary of State's Office and Attorney General's Office will be invited to observe. We will also provide availability for media members as well, so they can fulfill their role informing the public.

"It's normal for people to complain about elections when they don't like the results, but people took it a step further this year. They spread lies and conspiracies about how our elections were conducted in an effort to overturn the will of the people," said Supervisor Steve Gallardo, District 5. "I know for a fact we ran three great, safe, and secure elections in 2020. I expect this audit to be the final word."

The results of the forensic audit will be shared publicly.

2020 Elections Fact Sheet

Transparency, accuracy and accountability are paramount to Maricopa County and its Elections Department. In September, the Elections Department met with the chairs of all three county political parties to outline important election dates and areas of involvement for party members. The following is an abridged timeline of steps taken to ensure the integrity of the November General Election:

- **On October 6**, the Elections Department and the Arizona Secretary of State's Office performed a logic and accuracy test on the tabulation equipment. The test date was published in the newspaper, open to the

AMERICAN OVERSIGHT

public and observed by political party representatives, city clerks, and school and health care district representatives. The law requires an errorless count before tabulators and software can be used in an election. The tests confirmed the equipment was tabulating ballots accurately, paving the way for the November General Election in which a record number of voters participated and lines at polling sites were kept to a minimum.

- **On November 4**, a hand count audit of election results performed by Maricopa County political parties law found a 100 percent match to the vote tabulation machines. The hand count audit, which is required by law, covered a statistically significant sample of ballots. The hand count was viewable on the Elections Department's website and the results were shared publicly.
- **On November 17**, then-Chairman Clint Hickman sent a letter to all Maricopa County voters addressing some of the misinformation circulating regarding elections. This letter was accompanied by a link to a fact page that provided more detail about election processes and is still available to any interested party.
- **On November 18**, the Elections Department and the Arizona Secretary of State's Office performed a post-election logic and accuracy test on the equipment to ensure it was not changed or tampered with during the election. Members of all three political parties and a representative from the Arizona Attorney General's Office observed the test.
- **On November 20**, the Board held a nearly three-hour public meeting to discuss concerns and questions raised by Maricopa County residents. Only after these questions were answered in a public forum did the Board certify the results of the election. This meeting was broadcast live and is still available for anyone to watch.
- **On December 14**, then-Chairman Clint Hickman and Elections Director Scott Jarrett appeared before the Senate Judiciary Committee and devoted six hours to fully answering questions by legislators.
- **On January 7, 2021**, the U.S. Congress confirmed the results of the Electoral College, finalizing the November 3, 2020 General Election.

Throughout the election, political party observers were present at every Vote Center, followed ballot courier routes and observed signature verification, ballot processing and every minute of tabulation. All rooms with ballots were under 24-7 cameras.

AMERICAN OVERSIGHT

Post-election court challenges

Many allegations about the November General Election made their way to court and Maricopa County clearly presented the facts to judges at both the local and federal level. Eleven different times complaints about election fraud, manipulation, or tampering in Maricopa County's 2020 election have been brought against this Board. Each case was dismissed by the courts or withdrawn by the plaintiffs.

Additional information about Maricopa County elections equipment

Election equipment went through extensive testing to receive its federal and state certification. Prior to November, there were no complaints about the accuracy of the county's tabulation equipment, which was also used in elections in March, May and August. The Elections Department also piloted the tabulation equipment in the November 2019 Madison School District election. To verify the accuracy of the equipment, the county also performed a 100 percent hand count of the Madison ballots. There was no discrepancy between the counts.

* * * * *

More than half million doses of COVID-19 vaccine administered in Arizona

State Farm Stadium site accounts for large share of this total, with more state-run sites coming

PHOENIX — More than a half million doses of the COVID-19 vaccine have been administered to Arizonans as of Wednesday morning, six weeks after the first doses of the life-saving vaccine became available.

"We've hit a major milestone in our battle against COVID-19," said Dr. Cara Christ, director of the Arizona Department of Health Services. "We've come a long way since mid-December, but we have a long road ahead of us. Our goal is to get the vaccine to every Arizonan who wants it as quickly and efficiently as possible."

The pace of distribution has dramatically increased since Jan. 11, when the state-run COVID-19 vaccination site at State Farm Stadium began operating 24 hours a day, seven days a week. Another state-run site at Phoenix

AMERICAN OVERSIGHT

Municipal Stadium is scheduled to open on Monday, Feb. 1.

"The State Farm Stadium vaccination site is an amazing success," Dr. Christ said. "It is a best-practice model that's attracted the attention not just of other states but the Federal Emergency Management Agency. With additional vaccine, we can add more appointments and get more vaccine into the arms of prioritized Arizonans."

To date, Arizona has administered 518,125 COVID-19 vaccine doses to 430,673 individuals, including 79,026 who have received both doses.

Of those doses, 84,360 have been administered at the State Farm Stadium site, operated by ADHS and partners. The Phoenix Municipal Stadium site opening Monday has its capacity limited to around 500 doses a day to start because of the limited vaccine supply coming from the federal government.

On Tuesday, Governor Doug Ducey issued an advisory to accelerate the statewide distribution of the COVID-19 vaccine and move doses of vaccine to where they can be rapidly administered to Arizonans. It allows the state to reallocate vaccination doses to where they will be most rapidly distributed and requires healthcare providers and local health agencies that administer the COVID-19 vaccine to report data to ADHS indicating the pace of vaccination distribution.

According to Bloomberg's COVID-19 Vaccine Tracker, which as of this morning had yet to reflect the state's total through Tuesday, Arizona has administered more doses than 36 other states.

ADHS last week requested an ongoing 300,000 additional doses weekly from the federal government. However, the request was denied, and the state, counties and tribal governments were only able to order 169,000 doses for this week.

The State Farm Stadium vaccination site is operated by ADHS and partners including the Arizona Department of Emergency and Military Affairs, Arizona Cardinals, Arizona State University, Walgreens, Blue Cross Blue Shield of Arizona, the Ben and Catherine Ivy Foundation, American Medical Response (AMR), and the Arizona Department of Public Safety.

All appointments at the two state-run sites are booked through February,

AMERICAN OVERSIGHT

though appointments have been reserved for those vaccinated at a state-run site to receive second doses.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A); and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). Each county's current vaccine phase is listed on the ADHS website, which is updated daily.

In addition to the state-run sites, Governor Doug Ducey and ADHS have announced more ways that Arizona is dramatically expanding vaccine site capacity:

- Arizona has activated the Centers for Disease Control and Prevention's (CDC) Retail Pharmacy Program, which will add up to 100 pharmacy stores providing vaccine over the next few weeks. When the program is fully activated, more than 800 pharmacies will have COVID-19 vaccine available in Arizona. Locations can be found by visiting azdhs.gov/findvaccine.
- There are over 400 vaccination sites statewide that have received vaccine, including 45 Community Health Centers.
- County health departments across the state are also working to expand appointment availability at their sites.

As Arizona receives more vaccine doses and adds more appointments, those in groups prioritized for vaccination can register for appointments at State Farm Stadium, Phoenix Municipal Stadium, and multiple other vaccination sites at podvaccine.azdhs.gov. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. **Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group.**

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

* * * * *

AMERICAN OVERSIGHT

Lesko Introduces Resolution to Protect Social Security and Medicare for Seniors

WASHINGTON, D.C.—U.S. Congresswoman Debbie Lesko (AZ-08) introduced a resolution recognizing Medicare and Social Security as an important benefit that must be protected for current enrollees and strengthened for the future. Lesko introduced the same resolution in the 115th and 116th Congresses.

"Today, I once again introduced a resolution to protect Social Security and Medicare for our seniors," said Congresswoman Lesko following the introduction of the resolution. "Throughout my time in office, this has been a legislative priority for my office, and I am proud to once again affirm my commitment to protecting this essential benefit for seniors across Arizona and the United States. This resolution is an important step to protecting this benefit and strengthening it for future generations."

Since 1935 and 1965 respectively, Social Security and Medicare have been essential for our nation's senior citizens. This resolution affirms the House of Representatives' obligation to fulfill promises made to seniors, reject changes to these critical programs that diminish benefits for current enrollees, commit to strengthen and preserve these programs, and support efforts to reduce waste, fraud, and abuse throughout these programs.

Congresswoman Lesko is joined by Representatives Gus Bilirakis (R-FL-12) and Morgan Griffith (R-VA-9) in introducing this resolution.

* * * * *

Wild Arizona Applauds President Biden's Commitment to Restore Balance on Public Lands and Waters, Invest in Clean Energy Future

Today's Executive will help restore balance on public lands and waters, create jobs, and provide a path to permanent protection for the Grand Canyon rim lands

ARIZONA – Wild Arizona welcomes President Biden's Executive Order today to conserve at least 30% each of our lands and waters by the year 2030, and to pause new oil and natural gas leasing on public lands and offshore waters, concurrent with a comprehensive review of the federal oil and gas program.

AMERICAN OVERSIGHT

The order represents a monumental step forward in protecting Arizona's land, wildlife, culture, and natural resources. The 30x30 plan will provide resources and guidance that will help slow the loss of nature, ameliorate the impacts of climate change, and address the disproportionate impact environmental degradation has had on communities of color and low-income communities.

As part of this effort, the Department of the Interior has said it will engage diverse stakeholders across the country, as well as conduct formal consultation with Tribes in recognition of the U.S. government's trust responsibilities.

Kelly Burke, executive director for Wild Arizona, said:

"Wild Arizona welcomes the Biden administration's Executive Order shifting our nation's focus on public lands to nature conservation and protecting Indigenous homelands. By sustaining and restoring forests, grasslands, rivers, and springs here in the Grand Canyon state, we're ensuring those life-giving habitats can buffer Arizona's diverse communities from the impacts of a changing climate and bolstering nature's own proven climate response strategy.

"We've learned during this global pandemic that human health and our activities are interconnected with the natural world and with each other. Environmental justice is thus central to achieving 30X30 goals. Every local action is indeed a global action.

"Community-based volunteer efforts like our Wild Stew stewardship program bring us together outside and inspire new advocates: to give back, restore, and raise our voices for critical places in Arizona like riparian areas along the Colorado River, national forest trails including the Arizona Trail, and always, working with local Indigenous communities to protect Grand Canyon from the threat of uranium mining—all of which collectively helps Arizona contribute to national 30x30 conservation goals."

* * * * *

Congressman Biggs Appointed to the House Committee on Oversight and Reform

GILBERT, ARIZONA – This week, Congressman Andy Biggs was appointed to serve on the House Committee on Oversight and Reform. Congressman

AMERICAN OVERSIGHT

Biggs issued the following statement:

"I am thankful to Ranking Member, James Comer, and the Republican Steering Committee for appointing me to the House Committee on Oversight and Reform. Over the next two years, House Republicans should use all of our power to hold the Biden administration accountable to the Constitution, the rule of law, and the American people. We must hold the line, and many of these efforts will start in this committee. I look forward to getting to work with my colleagues on this committee, and also continuing on the House Judiciary Committee."

* * * * *

Sinema Discusses Need for Bipartisan Solutions to Create Jobs and Grow Arizona's Economy With Commerce Secretary Nominee

WASHINGTON – Arizona senior Senator Kyrsten Sinema discussed the need to develop bipartisan solutions focused on creating jobs, expanding opportunities for Arizonans, and growing Arizona's economy in the Senate Commerce Committee's nomination hearing for the Commerce Secretary nominee, Rhode Island Governor Gina Raimondo.

"Arizona is one of the fastest growing states in the nation, and is a leader in creating jobs, economic growth, and opportunity for the people of our state... I look forward to working with my colleagues on this committee to develop bipartisan solutions to invest in Arizona and create the economic environment we need to continue to grow and succeed," said Sinema.

Sinema questioned Governor Raimondo on her plans to expand broadband to ensure rural and tribal communities across Arizona have needed connectivity. Sinema also discussed her bipartisan CHIPS Act and asked Governor Raimondo what her plans were to reassert America's leadership in the semiconductor manufacturing industry and bring jobs back to America.

* * * * *

February 3rd is Virtual 'Environmental Day' at the AZ State Capitol

(PHOENIX, AZ) More than 300 people from throughout Arizona will be meeting

AMERICAN OVERSIGHT

online for a socially distant Environmental Day at the Capital to meet with their legislators about key environmental issues, including climate change, water, and funding for parks. This year's theme is **"One Planet. One Future. Climate Justice Now!"**

Participants will include members from more than 20 organizations and at least five Arizona high schools, with each attending scheduled meetings with their local representatives and senators in the Arizona Legislature. Youth leaders will hold a news conference at 11:30 A.M. to read their "love letters to the Earth" and speak about some of the priority bills and issues for the session, including sustainability, climate, and protecting watersheds.

WHO: Legislators, youth, and others from throughout Arizona who care about protecting our

environment

WHEN: Wednesday, Feb. 3, 8:30 A.M. to 4:00 P.M. *News Conference at 11:30 A.M.

WHERE: Zoom (RSVP for Zoom link and password)

Groups participating in Environmental Day at the Capitol include the following:

* Animal Defense League of Arizona * Arizona Chapter of Elders Climate Action *

Arizona Faith Network Cherishing Creation Collaborative * Arizona Heritage Alliance

* Arizona Interfaith Power and Light * Arizona Poor People's Campaign * Arizona

Youth Climate Coalition * Care for Creation Ministry at the Franciscan Renewal

Center * Chispa Arizona * Citizen's Climate Lobby * Citizens Water Advocacy Group

* Coalition for Sonoran Desert Protection * Defend Our Future * Earth Justice

Ministry at UUCP * Ecomadres * Flagstaff Arts and Leadership Academy

AMERICAN OVERSIGHT

Environmental Coalition * Great Old Broads for Wilderness * Humane Voters of AZ *

Kids Climate Action Network * Phoenix Lobos-Rising Packtivist Group * Protect Our

Water Arizona * Sierra Club – Grand Canyon (Arizona) Chapter * Sky Islands High

School * Union of Concerned Scientists * Violence Impact Project Coalition *

Western Watersheds Project * Yuma Audubon Society *

NEWS CLIPS

Strip Gov. Doug Ducey of power? That won't improve Arizona's COVID-19 response

By John Kavanagh Arizona Republic 01-27-21

"Be careful what you wish for" is a sensible saying that opponents and proponents of the governor's COVID-19 restrictions should heed. Gov. Doug Ducey has charted a restrained strategy in implementing restrictions that inevitably and unfortunately has enraged people on both sides of the controversy.

Calls to end all restrictions in the name of individual freedom and calls to allow municipalities to issue their own more restrictive rules will make the situation worse for both sides. (To read more, click here).

* * * * *

How to finally get immigration reform done (and do it the right way)

By Robert Robb Arizona Republic 01-27-21

President Joe Biden wants to take a serious, early run at comprehensive immigration reform. That's good.

AMERICAN OVERSIGHT

Unfortunately, his initial proposal doesn't offer a sound starting point, substantively or politically.

Substantively, here's what should happen. (To read more, click here).

* * * * *

McConnell: Sinema told me she won't nix the filibuster

By Jordain Carney The Hill 01-27-21

Senate Minority Leader Mitch McConnell (R-Ky.) said on Tuesday that Democratic Sen. Kyrsten Sinema (Ariz.) told him directly that she would not support nixing the 60-vote legislative filibuster.

McConnell's disclosure, made during a floor speech, comes after he signaled on Monday night that he would agree to a power-sharing deal with Majority Leader Charles Schumer (D-N.Y.) to move forward in the Senate, where each party's caucus holds 50 seats. (To read more, click here).

* * * * *

Despite pandemic's toll, GOP lawmakers want more tax cuts in governor's budget

By Howard Fischer Capitol Media Services 01-27-21

Senate Republicans have a message to Gov. Doug Ducey about his plan for tax cuts.

We'll see your $200 million in proposed cuts for this coming budget year and raise you another $250 million. (To read more, click here).

* * * * *

Trump agreements with Arizona, others, seek to tie Biden's hands on immigration

By Elliot Spagat The Associated Press 01-27-21

AMERICAN OVERSIGHT

During the Trump administration's final weeks, the Department of Homeland Security quietly signed agreements with Arizona and at least three other states that threaten to temporarily derail President Biden's efforts to undo his predecessor's immigration policies.

The agreements say Arizona, Indiana, Louisiana and Texas are entitled to a 180-day consultation period before executive branch policy changes take effect. The Biden administration rejects that argument on grounds that immigration is solely the federal government's responsibility under the Constitution. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon <rgabaldon@azleg.gov>
Sent: Wednesday, January 27, 2021 4:05:00 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 1-27-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet January 27, 2021

THEY COULDN'T AFFORD THE REAL RUDY GIULIANI
The AZGOP has apparently tapped Alex Kolodin as its next general counsel, replacing Dennis Wilenchik, who served under Kelli Ward for the past two years.

YOU DO NOT WANT TO BE CALLED TO PRINCIPAL KIRK'S OFFICE
Former House Speaker Kirk Adams said while he has not read the Wendy Rogers ethics complaint in detail, he can confidently say that it's "incredibly important to protect the staff from mistreatment by the members."

STEP ONE – CALL OUT HER BULLSH*T
Like many conservatives, Adams was dismayed that Kelli Ward won the chairmanship, saying true conservatives must do their part to quiet the noise coming from Ward and her crew of conspiracy theorists by "call[ing] out their bullsh*t."

AMERICAN OVERSIGHT

SHE'S DOING ALRIGHT NOW
Talonya Adams, a Black attorney in the Senate successfully sued the chamber for discrimination and landed a $1 million verdict, is now among the top 10 highest paid employees in the Senate.

NO RUSH, WE'VE GOT TWO YEARS
Due to Covid and a mixture of Trump-related issues dating back to his fight over whether to count non-citizens, the US Census Bureau data has been delayed until April 30, which will have a trickledown effect on the Arizona IRC's ability to begin drawing maps.

INDULGE US WITH A TRIP DOWN MEMORY LANE
Yesterday's report noted that the House cited a 2017 attorney general opinion while pledging to fulfil a records request, to the extent possible, about Finchem and former lawmaker Anthony Kern's text messages on their personal phones – but we left out an interesting backstory about that opinion.

SHE FOUGHT RUSSELL PEARCE AND WON
Mary Lou Boettcher, a former Republican PC and key figure in the recall of former Senate President Russell Pearce, passed away on Friday.

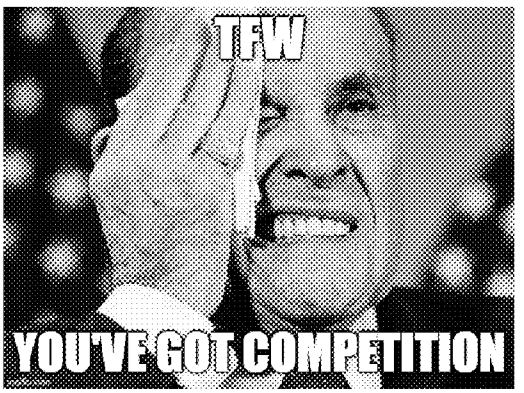
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, January 27, 2021

·NEWS NOTES AND GOSSIP·

THEY COULDN'T AFFORD THE REAL RUDY GIULIANI



The AZGOP has apparently tapped Alex Kolodin as its next general counsel replacing Dennis Wilenchik, who served under Kelli Ward for the past two years. Kolodin laughed when our reporter asked him to confirm the rumor. "How in the world?! How did you hear that?" he asked, before adding, "I am not authorized to comment on that publicly at this time." It's no surprise that Ward would want to scoop him up – Kolodin represented a host of conspiracy-peddling plaintiffs in court and was the lawyer responsible for the SharpieGate lawsuit and multiple attempts to overturn the election. He first came onto the political scene as a challenger to Ugenti-Rita in the LD23 primary last August, a race that he lost by a significant margin. "I've enjoyed having Chairwoman Ward as a client this past election season, and if that rumor is true, it would certainly be a great honor to work for her and on behalf of our party," Kolodin said. One GOP attorney told our reporter, essentially, better Kolodin than them. The lawyer said that Kolodin has become a favorite of Ward's for taking on the lawsuits no other attorney, our source included, is willing to touch. "He's willing to take the garbage, frankly. Even if they paid me well… I wouldn't go anywhere near Kelli Ward," the lawyer said, adding that Ward has been a disaster for the party for many reasons, "not least of which is for her lawsuits."

YOU DO NOT WANT TO BE CALLED TO PRINCIPAL KIRK'S OFFICE

Former House Speaker Kirk Adams said while he has not read the Wendy Rogers ethics complaint in detail, he can confidently say that it's "incredibly important to protect the staff from mistreatment by the members." Adams, who also served as Ducey's chief of staff, said that during his time at the helm of the chamber, he never had to take up an ethics investigation, but still had some "member behavior issues," including one time when two lawmakers nearly came to blows in the member lounge. But he never saw a lawmaker berate their staff in the manner Rogers is accused of doing. "It's rare for members to mistreat staff, particularly in the manner that's been reported," he said. "You have to take action that says, very very clearly this type of behavior is not tolerated." Since Rogers is elected and not an employee of the Senate, the Senate has fewer tools to handle her harassing and berating a staffer than would be available to a CEO in corporate America, he said. But there's always one tool at the chamber leader's fingertips: A stern scolding. "The first thing that you would do – and I had situations where I had to do this – you bring the member in, and you dress them down. And you say, 'This is unacceptable. You can't do this. You have to knock it off and you have to apologize,'" Adams said. Rogers has still not addressed the complaint publicly, which is out of character for her, based on how she conducts herself on social media, and Fann has not addressed it in detail, saying yesterday that she had a brief conversation with Rogers about it.

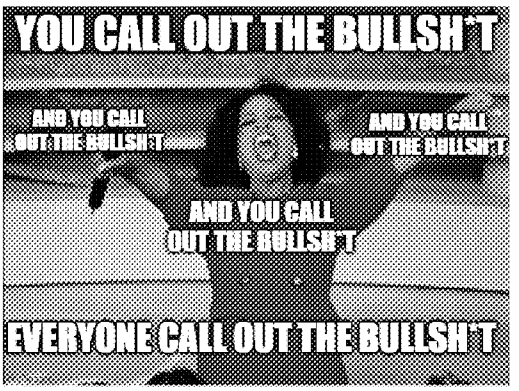
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001019

ARZN_REV00068642_1-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STEP ONE – CALL OUT HER BULLSH*T



Like many conservatives, Adams was dismayed that Kelli Ward won the chairmanship, saying true conservatives must do their part to quiet the noise coming from Ward and her crew of conspiracy theorists by "call[ing] out their bullsh*t." That's been his modus operandi lately, and Adams has been talking to just about any reporter who calls to say that Ward winning the chair again isn't an end to the Republican Party here, but it's not a good sign, and it's not reflective of all Republicans. "You have to let voters know that this is not a Republican brand. Or if they think it is, [explain that] there are a lot of other Republicans who don't think this way – give us a second look," he said. "But if we sort of 'See No Evil, Hear No Evil' we don't want to tick anybody off, then her style of politics becomes the Republican brand." Republicans are increasingly willing to vote for sufficiently moderate Democrats, such as Sinema and Kelly, and the GOP needs to court "Ducey-Sinema" voters, who are the voters of the future, he said, not simply rely on the fringe that Ward represents. Adams has made no bones about the fact that he thinks Ward is "crazy" and her "conspiracy theories" are "nuts" and said Republicans who still haven't made a point to come out publicly against Ward and her ilk are still learning to navigate the waters in a post-Trump world. "Others have governing responsibilities that need to be tended to as a first priority. So they're focused on that," he said, seemingly hinting at the criticism his former boss has received for not condemning Ward more strongly.

SHE'S DOING ALRIGHT NOW

Talonya Adams, a Black attorney in the Senate successfully sued the chamber for discrimination and landed a $1 million verdict, is now among the top 10 highest paid employees in the Senate. Our *Yellow Sheet* intern, Cameron Rubner, filed public records request for Senate salaries, which showed that Adams now earns $113,000, nearly double the $60,000 she earned per year during her first stint at the Senate. (She was fired after complaining about the pay – which she learned from a previous public records request from our reporter, was nearly $30,000 less than a Senate Majority policy advisor with a similar committee workload – then reinstated.) The document also shows that a handful of Senate staffers received five-figure raises without any adjustment in their titles in the last year. The only vacant position in the Senate, according to the document is Rogers' assistant, who said she harassed him so badly he felt scared for his safety and that the Senate forced him to resign. While suffering Rogers' verbal abuse and feeling her spittle on his face, he was earning $32,000.

NO RUSH, WE'VE GOT TWO YEARS

Due to Covid and a mixture of Trump-related issues dating back to his fight over whether to count non-citizens, the US Census Bureau data has been delayed until April 30, which will have a trickledown effect on the Arizona IRC's ability to begin drawing maps. The Census Bureau expected the data to be available around the end of February, but a top bureau official said today that is no longer the case (LINK). The IRC just named Erika Neuberg as its chair last week and is set to meet again on Feb 2 to plan the process of hiring an executive director and possibly address future hires, such as mapping consultants and legal teams. This IRC was already working far ahead of schedule compared to the last run a decade ago, and it's unclear how much the Census delay will affect statutory and constitutional deadlines, but the IRC will likely address those questions when it meets next week.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001020

ARZN_REV00068642_1-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

INDULGE US WITH A TRIP DOWN MEMORY LANE

Yesterday's report noted that the House cited a 2017 attorney general opinion while pledging to fulfil a records request, to the extent possible, about Finchem and former lawmaker Anthony Kern's text messages on their personal phones – but we left out an interesting backstory about that opinion. Back in late 2015, our reporter, and then-*Capitol Times* reporter Rachel Leingang, set out to learn how much of the state's business was being conducted on smartphones, via newer technologies like text messages, social media chats and third-party messenger applications. We filed a public records request with the House, Senate and Ninth Floor asking for electronic messages sent among top state elected officials of both parties and their top staff (LINK). After four months, House Republicans provided a handful of records. But Biggs, the Senate president at the time, refused, claiming that as long as the communication doesn't happen on a state-provided phone, it's not public record. (Lawmakers and Capitol staffer are issued an official state email address to conduct their business, but they're not issued a state cell phone.) The Senate GOP caucus was alone in flat-out refusing our request. So we asked then-lawmaker Steve Farley to request an Attorney General opinion on the topic, which, predictably, stated, "public officials cannot use private devices and accounts for the purpose of concealing official conduct." Longtime readers will recall this battle over public records happened back when the issue of elected officials' text messages exploded in Arizona after a clean energy watchdog group requested texts from then-Corporation Commissioner Bob Stump. The former commissioner regularly texted with a member of the state's utility consumer group, as well as APS representatives, leaders of dark money organizations and solar representatives, but deleted some of those texts and threw away his old phone, forcing Corp Comm to purchase software that would allow commissioners to plug in their phones every week or two and back up their messages. The Legislature has never adopted such a system, and still does not issue public phones for lawmakers to conduct their public business.

SHE FOUGHT RUSSELL PEARCE AND WON

Mary Lou Boettcher, a former Republican PC and key figure in the recall of former Senate President Russell Pearce, passed away on Friday. In a Facebook post eulogizing Boettcher, activist Randy Parraz wrote about teaming up to recall Pearce 10 years ago. "At the age of 76, she signed up to be our chairperson in Mesa for the historic effort to recall then Senate President Pearce (and author of SB 1070)," Parraz wrote. "When I told her we wanted to remove Pearce from office and asked her to get involved she said, 'Did I hear you correctly? You want to get rid of Russell Pearce? Yes! I can't stand him.'" They succeeded in collecting enough signatures, and Boettcher later filed a lawsuit (YS, 9/26/11) to have sham candidate Olivia Cortes thrown off the ballot. While Boettcher – and attorney Tom Ryan – technically lost the case, despite proving Olivia Cortes was a Pearce-plant, they did enough damage to her campaign that Jerry Lewis won the recall election to replace Pearce (LINK). Boettcher was also a member of the Arizona Education Assn. Both Ryan and Lewis, among others, praised Boettcher in memoriam. "Mary Lou Boettcher was a gentle yet brave giant … We owe a sincere debt of gratitude to her for her bravery!" Ryan tweeted (LINK). "She was a gentle, loving, determined, and hardworking soul. I hope I can learn from her example," Lewis responded.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001021
ARZN_REV00068642_1-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

County supervisors to approve audits of election equipment
Capitol Media Services
Maricopa County supervisors are set to approve two separate audits of election equipment Wednesday in a bid to satisfy questions about security and the 2020 results — and avoid further litigation with the state Senate.

Trump agreements with Arizona, others, seek to tie Biden's hands on immigration
Associated Press
During the Trump administration's final weeks, the Department of Homeland Security quietly signed agreements with Arizona and at least three other states that threaten to temporarily derail President Biden's efforts to undo his predecessor's immigration policies.

Despite pandemic's toll, GOP lawmakers want more tax cuts in governor's budget
Capitol Media Services
Democratic lawmakers want more money for pandemic relief.

Arizona ranks as 'least safe' state in pandemic
Payson Roundup
Arizona remains a national hotspot for the pandemic, but at least new cases have begun to fall from their peak – with a 22% decline in the past two weeks.

Scottsdale Court Hides Baked Alaska Records After Followers Spam Site
Phoenix New Times
On the same day a Scottsdale judge issued a warrant for the arrest of alt-right troll Baked Alaska, Scottsdale City Court began receiving unusual court filings.

This Week in COVID: A Year After First Case, COVID-19 Is Leading Killer
Phoenix New Times
It's Tuesday, January 26. More than 732,600 Arizonans have contracted COVID-19 and more than 12,440 have died as a result.

David Schweikert Says 'Fact Tree' Determined His Votes on 2020 Election Results
Phoenix New Times
After a mob of Donald Trump supporters infamously stormed the Capitol on January 6 , Republican Arizona Congressman David Schweikert made some seemingly contradictory decisions.

McConnell: Sinema told me she won't nix the filibuster
The Hill
Senate Minority Leader Mitch McConnell (R-Ky.) said on Tuesday that Democratic Sen. Kyrsten Sinema (Ariz.) told him directly that she would not support nixing the 60-vote legislative filibuster.

80-year-old (former) Republican explains why the AZ GOP is going to hell
Arizona Republic (Opinion, EJ Montini)
'I was fed up with the idiocy of many Republican politicians blindly supporting Trump and now apparently being frightened to vote for conviction in the Senate…'

Reps. Biggs, Gosar and Lesko should resign if Maricopa County election audit comes up clean
Arizona Republic (Opinion, Laurie Roberts)
Maricopa County is prepared to audit the election results. Are Reps. Biggs, Gosar and Lesko – who tried to invalidate their own state's vote – prepared to resign if that audit is clean?

How to finally get immigration reform done (and do it the right way)
Arizona Republic (Opinion, Robert Robb)
It is good that President Biden wants to make an early run at comprehensive immigration reform. Unfortunately, his proposal isn't a sound start.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

President Joe Biden is ending some private prison contracts. Why not all of them?
Arizona Republic (Opinion, Elvia Diaz)
President Joe Biden is phasing out federal contracts with private prisons but not privately run immigration detention centers. That makes no sense.

Strip Gov. Doug Ducey of power? That won't improve Arizona's COVID-19 response
Arizona Republic (Op-ed, John Kavanagh)
Plenty of people hate Arizona Gov. Doug Ducey's COVID-19 response. But stripping him of power could backfire – for both sides of this debate.

·PRESS RELEASES·

Board of Supervisors Approves Extensive Audit of Elections Equipment

Goal is to assure voters of election integrity, combat misinformation

The Maricopa County Board of Supervisors voted unanimously today to authorize a forensic audit of ballot tabulation equipment used in the 2020 elections. The audit is the culmination of a year-long effort by Maricopa County to ensure the accuracy of the federally- and state-certified hardware and software used to count votes (see 2020 Elections Fact Sheet or multimedia page).

"Maricopa County elections were administered with integrity throughout 2020. That's a fact. Multiple audits to date have proved as much, and multiple court rulings have concurred," said Chairman Jack Sellers. "It's also true that a significant number of voters want the additional assurance that a full forensic audit of tabulation equipment might bring, especially given all the misinformation that spread following the November 3 election. This audit shows our commitment to providing that assurance."

The multi-layered forensic audit will dive into the tabulation equipment to analyze its hacking vulnerability, verify that no malicious malware was installed, and test that tabulators were not sending or receiving information over the internet.

As an added layer of assurance, the county will hire two independent firms certified by the U.S. Elections Assistance Commission, to each independently audit the tabulation equipment: Pro V&V and SLI Compliance.

The first audit will begin on February 2, and the second audit will begin on February 8.

"We're doing the right thing, at the right time, in the right way," said Vice Chairman Bill Gates, District 3. "The audit will be conducted in a way that safeguards private voter information and protects the investment made by county taxpayers in the tabulation equipment. My hope is that the audit results will ensure the residents of Maricopa County have the same confidence in our elections system that we have."

"While I'm confident we ran good elections, I have been passionate about doing this audit," said Supervisor Clint Hickman, District 4. "Every election-related decision and safeguard this Board has made over the past year has had voter and election integrity in mind. The upcoming forensic audit of election equipment will be no different, and I hope it puts to rest the notion that somehow we've got something to hide."

In addition to the software and malware tests, one firm will also perform a logic and accuracy test of the county's tabulation equipment to ensure it accurately counted ballots and confirm that no vote switching occurred.

As an added measure of transparency, the Board hired a reputable Certified Public Accountant firm to review county contracts with Dominion Voting Services and verify that the county leased the tabulation equipment according to state and county procurement regulations.

"I have been publicly supportive of an audit for over a month now and am glad to have this much needed vote," said Supervisor Steve Chucri, District 2. "Elections are the foundation of our democracy and the most important right we hold as Americans. It is paramount that the public has trust in our elections systems and equipment and that is why I wholeheartedly support an audit to ensure this equipment is above reproach. This thorough audit is what many of my constituents have been asking for. I am pleased we are conducting it and look forward to sharing the results."

Community stakeholders will be an important part of the forensic audit process. Leadership from both the House and Senate, members of all three political parties, and representatives from the Arizona Secretary of State's Office and

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001023
ARZN_REV00068642_1-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Attorney General's Office will be invited to observe. We will also provide availability for media members as well, so they can fulfill their role informing the public.
"It's normal for people to complain about elections when they don't like the results, but people took it a step further this year. They spread lies and conspiracies about how our elections were conducted in an effort to overturn the will of the people," said Supervisor Steve Gallardo, District 5. "I know for a fact we ran three great, safe, and secure elections in 2020. I expect this audit to be the final word."
The results of the forensic audit will be shared publicly.
2020 Elections Fact Sheet
Transparency, accuracy and accountability are paramount to Maricopa County and its Elections Department. In September, the Elections Department met with the chairs of all three county political parties to outline important election dates and areas of involvement for party members. The following is an abridged timeline of steps taken to ensure the integrity of the November General Election:

- **On October 6**, the Elections Department and the Arizona Secretary of State's Office performed a logic and accuracy test on the tabulation equipment. The test date was published in the newspaper, open to the public and observed by political party representatives, city clerks, and school and health care district representatives. The law requires an errorless count before tabulators and software can be used in an election. The tests confirmed the equipment was tabulating ballots accurately, paving the way for the November General Election in which a record number of voters participated and lines at polling sites were kept to a minimum.
- **On November 4**, a hand count audit of election results performed by Maricopa County political parties law found a 100 percent match to the vote tabulation machines. The hand count audit, which is required by law, covered a statistically significant sample of ballots. The hand count was viewable on the Elections Department's website and the results were shared publicly.
- **On November 17**, then-Chairman Clint Hickman sent a letter to all Maricopa County voters addressing some of the misinformation circulating regarding elections. This letter was accompanied by a link to a fact page that provided more detail about election processes and is still available to any interested party.
- **On November 18**, the Elections Department and the Arizona Secretary of State's Office performed a post-election logic and accuracy test on the equipment to ensure it was not changed or tampered with during the election. Members of all three political parties and a representative from the Arizona Attorney General's Office observed the test.
- **On November 20**, the Board held a nearly three-hour public meeting to discuss concerns and questions raised by Maricopa County residents. Only after these questions were answered in a public forum did the Board certify the results of the election. This meeting was broadcast live and is still available for anyone to watch.
- **On December 14**, then-Chairman Clint Hickman and Elections Director Scott Jarrett appeared before the Senate Judiciary Committee and devoted six hours to fully answering questions by legislators.
- **On January 7, 2021**, the U.S. Congress confirmed the results of the Electoral College, finalizing the November 3, 2020 General Election.

Throughout the election, political party observers were present at every Vote Center, followed ballot courier routes and observed signature verification, ballot processing and every minute of tabulation. All rooms with ballots were under 24-7 cameras.
Post-election court challenges
Many allegations about the November General Election made their way to court and Maricopa County clearly presented the facts to judges at both the local and federal level. Eleven different times complaints about election fraud, manipulation, or tampering in Maricopa County's 2020 election have been brought against this Board. Each case was dismissed by the courts or withdrawn by the plaintiffs.
Additional information about Maricopa County elections equipment
Election equipment went through extensive testing to receive its federal and state certification. Prior to November, there were no complaints about the accuracy of the county's tabulation equipment, which was also used in elections in March, May and August. The Elections Department also piloted the tabulation equipment in the November 2019 Madison School District election. To verify the accuracy of the equipment, the county also performed a 100 percent hand count of the Madison ballots. There was no discrepancy between the counts.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001024
ARZN_REV00068642_1-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Maricopa County Recorder Statement on Forensic Audit

Below is a statement from Maricopa County Recorder Stephen Richer on a forensic audit of Maricopa County's tabulation equipment:

"It was my great honor that voters in November elected me to serve as the 30th Maricopa County Recorder. My vision for the office has been consistent: take the politics out of decision-making and focus on competently serving county residents.

A growing public distrust following the November 3 General Election has prompted me to take on a mission to "inspire confidence." Inspire confidence in our public documents; inspire confidence in our voter registration database; inspire confidence in our elections; and, hopefully, be part of a broader movement to inspire confidence in our public institutions.

To this end, since taking office just three weeks ago, I've worked with my partners in election administration, the Board of Supervisors, to design a forensic audit of the election tabulation equipment and software. The Board has statutory authority over the tabulation equipment, and it is therefore ultimately the Board's decision on whether or not to proceed. But I fully support the audit as designed; I applaud the Board's decision to hold a vote, and I will direct the Recorder's Office to assist with the audit where possible.

Such an audit is not required by law. Additionally, no significant problems have been identified by the numerous lawsuits filed and already-performed audits. In fact, the hand count audit of approximately 47,000 votes yielded a 100% match with the machine-tabulated results.

Nonetheless, I believe the Board's audit is needed to build confidence in the election process and to further improve election administration in our county, which is the second largest voting jurisdiction in the United States.

May this be the first step of many over the next four years to inspire confidence in the elections process. The Board of Supervisors joins me in this goal, and we all look forward to serving this County."

February 3rd is Virtual 'Environmental Day' at the AZ State Capitol

(PHOENIX, AZ) More than 300 people from throughout Arizona will be meeting online for a socially distant Environmental Day at the Capital to meet with their legislators about key environmental issues, including climate change, water, and funding for parks. This year's theme is **"One Planet. One Future. Climate Justice Now!"** Participants will include members from more than 20 organizations and at least five Arizona high schools, with each attending scheduled meetings with their local representatives and senators in the Arizona Legislature. Youth leaders will hold a news conference at 11:30 A.M. to read their "love letters to the Earth" and speak about some of the priority bills and issues for the session, including sustainability, climate, and protecting watersheds.**WHO: Legislators, youth, and others from throughout Arizona who care about protecting our environment**

WHEN: Wednesday, Feb. 3, 8:30 A.M. to 4:00 P.M. *News Conference at 11:30 A.M.

WHERE: Zoom (RSVP for Zoom link and password)

FPAA Supports the nomination of Thomas Vilsack as Sec. of Agriculture and Katherine Tai as U.S. Trade Representative

The Fresh Produce Association of the Americas joins letter in support for nominees in key USDA and USTR positions.

NOGALES, Az. (Jan. 27, 2021) – The Fresh Produce Association of the Americas (FPAA) joined the Food & Agriculture Associations letter addressed to the U.S. Senate Committee on Agriculture, Nutrition, & Forestry and the U.S. Senate Committee on Finance supporting Secretary of Agriculture nominee, Thomas Vilsack and U.S. Trade Representative nominee, Katherine Tai.

Vilsack who has been nominated to serve as Agriculture Secretary in the Biden Administration also served as Secretary of Agriculture during the Obama Administration and has since been involved with the Dairy Export Council. Additionally, Vilsack has a strong background in developing rural communities.

As U.S. Trade Representative, nominee Tai will work closely with President-elect Biden as his principal trade advisor and will also oversee trade negotiations with other countries. Tai has extensive experience in trade negotiations, and she also played a key role in the most recent United States-Mexico-Canada Agreement (USMCA.)

"Both Ms. Tai and Sec. Vilsack have an outstanding knowledge of the intricacies of trade, and the value of building meaningful and productive relationships with their peers in Mexico," said FPAA President Lance Jungmeyer. "These nominees will help fulfill the promise of USMCA."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001025

ARZN_REV00068642_1-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

As the new administration begins its preparations for the next four years, supporting nominees who support trade including tackling non-tariff barriers to trade is of great importance to the FPAA.

Congressman Biggs Appointed to the House Committee on Oversight and Reform

GILBERT, ARIZONA – This week, Congressman Andy Biggs was appointed to serve on the House Committee on Oversight and Reform. Congressman Biggs issued the following statement:

"I am thankful to Ranking Member, James Comer, and the Republican Steering Committee for appointing me to the House Committee on Oversight and Reform. Over the next two years, House Republicans should use all of our power to hold the Biden administration accountable to the Constitution, the rule of law, and the American people. We must hold the line, and many of these efforts will start in this committee. I look forward to getting to work with my colleagues on this committee, and also continuing on the House Judiciary Committee."

"QUOTE OF THE DAY"

"How in the world?! How did you hear that?"

- Alex Kolodin, on our reporter asking if he's the new lawyer for AZGOP

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001026

ARZN_REV00068642_1-27-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, January 28, 2021 6:58:48 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: January 28, 2021
Attachments: January 28, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- AZ households received billions in stimulus payments
- Bill would raise tax deductions for college savings plan deposits
- Despite pandemic's toll, GOP lawmakers want more tax cuts in governor's budget
- Addressing Legislature an uphill battle for the disabled

Arizona Republic

- Virus hospitalizing more Arizona kids
- Maricopa County OKs audit for election
- Arizona reports 5,918 new coronavirus cases
- Phoenix council member DiCiccio tests positive for COVID-19
- Stripping Ducey of emergency powers could backfire

KTAR News

- Arizona's COVID-19 death toll could top 18,000 in May with current restrictions
- Arizona Medal of Honor Row installed along Phoenix roads

Arizona Daily Sun

- COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders
- Nat White named CCC Board Chair

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

AZ households received billions in stimulus payments

Arizona Daily Star
January 28, 2021
By Russ Wiles

Nearly 3.5 million Arizona households shared in just under $6 billion from last year's first round of stimulus payments that the federal government disbursed to combat the economy-slowing measures of battling the coronavirus pandemic.

Payments from the stimulus round authorized by Congress in March and distributed through the end of 2020 averaged about $1,699 per household in Arizona, the Internal Revenue Service reported Jan. 26. Depending on income, individuals were eligible for up to $1,200 per person (or $2,400 per married couple), plus $500 per qualifying child.

Payments were sent to the employed as well as retirees and others who didn't file federal income- tax returns. About 30% of the Arizona recipients received payments for qualifying children, while the other 70% did not. Approximately 3.48 million Arizona households shared $5.92 billion from the first stimulus round.

NATIONAL AVERAGE OF $1,676

Overall, the federal government disbursed $271.4 billion in first-round stimulus payments nationally to

161.9 households, averaging about $1,676. Personal incomes are slightly lower in Arizona, helping to explain the higher average payments here.

Nationally as well as in Arizona, the majority of payments — roughly three in four — were made electronically. Most of the rest were paid with paper checks, with less than 1% of payments disbursed on debit cards.

Eligible recipients who didn't receive stimulus payments may apply for them upon preparing their 2020 federal income tax returns. The tax season is set to begin Feb. 12. More information on disbursements, known as Economic Impact Payments, can be viewed at irs.gov.

The tally announced by the IRS does not include a second stimulus round that began in late December. President Joe Biden and Democratic leaders in Congress are pushing for a third round, too.

Stimulus payments, along with expanded jobless benefits and other government assistance, are broadly credited with keeping millions of people financially afloat despite COVID-19 job losses that peaked at more than 22 million nationally last year.

In fact, millions of Americans managed to improve their finances during the year. The nation's personal savings rate nearly doubled last year to 12.9% (as of November), while average credit scores have risen, and credit card and other loan delinquencies have stabilized at modest levels. Also, consumer and business bankruptcies last year ebbed to their lowest levels in more than three decades.

AMERICAN OVERSIGHT

'Consumers have remained cautious about spending amid economic uncertainty and have leveraged their stimulus payments to help ensure they meet their obligations,' said Rob Strand, senior economist at the American Bankers Association, in announcing last week that credit card delinquencies hovered near record-low levels during the second and third quarters of 2020. (Fourth quarter figures have not been released.)

Return to the table of contents

Bill would raise tax deductions for college savings plan deposits

Arizona Daily Star
January 28, 2021
By Howard Fischer

Lawmakers are moving to let people deduct more from their state taxes to help their children and grandchildren attend college.

Questions remain about the cost to the state in reduced revenues, and whether this change in tax policy would really help only the more affluent.

Current law provides individuals with a deduction of up to $2,000 a year for all donations into a child's college savings plan. The figure is twice as much for married couples filing jointly.

Senate Bill 1135, approved Wednesday by the Senate Finance Committee, would make that deduction available for each separate deposit into what are called 529 accounts. Those accounts are named after the section of the Internal Revenue Code that allows them to grow, without tax on earnings, if used for educational purposes.

So a grandmother and grandfather putting money into the accounts of four grandchildren could deduct $16,000 from their adjusted state income, the amount used to compute what they owe in state taxes.

'You don't get penalized if you have multiple children,' said Sen. David Livingston, R-Peoria, who crafted the measure. He said the deduction is available to anyone.

Rep. Kirsten Engel, D-Tucson, said that's nice for those who can afford to set aside that much money each year. But she said this is an example where lawmakers are altering the tax code in a way that will benefit largely only certain groups.

'There's nothing neutral about this,' she said.

Livingston, however, said this isn't only for those at the upper end of the income scale, using his own experience with Dexter, his 2-year-old grandson.

'I did open up a 529 for him last year,' Livingston told Engel. 'And you know exactly what my salary is because it's equal to yours,' meaning the $24,000 legislators are paid. 'And so it's not just doctors that open these things. It's a lot of grandparents.'

'It's very nice of you to have done that,' Engel responded. But she was not convinced SB 1135 will be of equal tax benefit to all Arizonans.

AMERICAN OVERSIGHT

'I just really question the ability of our lower-income residents here to be able to take advantage of this,' Engel said.

Livingston conceded the point.

'Without a doubt, you have to have the ability to put money into the account,' he said, with $2,000 generally being an initial deposit. But Livingston said it is possible to open one with as little as $100.

The discussion of who would — and would not — benefit annoyed Sen. J.D. Mesnard, R-Chandler.

'I sense a class-warfare focus happening here which is unfortunate,' he said.

But Mesnard made income an issue himself.

'When it comes to those at the lower income levels, there typically is a lot more federal assistance,'

he said. 'There's a lot more, often, school assistance that they get that those at the higher end are often subsidizing through their fees but are certainly disqualified from getting.'

And then, Mesnard said, there's the debt that many students have after graduating. He called the expansion of the deduction 'a pretty nominal way of encouraging investment ahead of time.'

There's also the question of how much SB 1135 would reduce state revenues. Livingston said he has no idea.

Computing that out could be difficult.

The 529 deduction is not like a program aimed at encouraging people to make donations for scholarships to send children to private and parochial schools.

Those are actual dollar- for-dollar credits: For every dollar given, the donor reduces his or her tax liability to the state.

A deduction, however, is a reduction in an individual's adjusted gross income, the figure used to then compute the taxes owed. Livingston conceded he has no estimates. He said a lot of it may be unknowable because it would depend on how many people who now are maxed out at that $2,000/$4,000 limit on deductions might open or contribute to accounts of more of their children and grandchildren.

There was no immediate response from the Department of Revenue about the number of Arizonans now taking the deduction under the current law and the amount of money not collected.

The measure goes to the full Senate following a required review of its legality and constitutionality.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Despite pandemic's toll, GOP lawmakers want more tax cuts in governor's budget

Arizona Daily Star
January 28, 2021
By Howard Fischer

Senate Republicans have a message to Gov. Doug Ducey about his plan for tax cuts. We'll see your $200 million in proposed cuts for this coming budget year and raise you another $250 million.

Sen. David Gowan, R-Sierra Vista, told Capitol Media Services that revenues are running far ahead of anticipated expenses. In fact, legislative budget staffers anticipate what they believe will be a $2 billion surplus for the new fiscal year that begins July 1, even on top of Ducey's $12.6 billion spending plan.

So the GOP caucus figures the state can provide even more tax relief than the governor believes is appropriate.

But Gowan, who chairs the Senate Appropriations Committee, said Republicans are keenly aware of the changing nature of government finances. So unlike the plan for a permanent $200 million cut — one that D u c e y w a n t s increased over three years to$600 million — the additional tax cuts would be for one year only.

Sen. Vince Leach, R-Tucson, said who will get those dollars is yet to be decided. But he said the nature of providing onetime relief suggests that the beneficiaries will be certain kinds of small businesses.

So far, House Republicans have not put down their own markers on what kind of tax relief they want. But House Majority Leader Ben Toma, R-Peoria, said this not just about dollars and cents.

'We'd like to see a much broader discussion around economic development, period, when it comes to tax cuts,' he said. And Toma said he'd actually like to see even more tax cuts over a three-year stretch.

Gowan said that conforms with the GOP philosophy.

'As the economy gets a little stronger and stronger, we're seeing the dollars come back,' he said. 'We just thought it would be prudent to give back to the people who pay the taxes a portion of what they keep giving in,' he said.

Leach put his own spin on it, quoting President Calvin Coolidge.

'If you collect one more dollar than is necessary to run government it's robbery,' he said. Any move to cut revenues will get a fight from Democrats. They contend the state is not now providing sufficient dollars to fund needs, particularly with the financial hit that some people have taken because of the pandemic.

Then there's the larger question of whether it's prudent to make permanent cuts in state taxes given the up-and-down cycles in the economy. Reversing course is not a realistic option as it takes a two-thirds vote to raise taxes or even to cancel an already scheduled future tax cut.

Gowan, however, said state collections have been healthy for several years, even with the downturn in revenues linked to COVID-19 as some businesses have been shuttered or are operating at reduced capacity.

AMERICAN OVERSIGHT

At the same time, however, there have been offsets.

One is $32 billion in relief through the federal Coronavirus Aid, Relief and Economic Security Act. That provided $13 billion in business aid, $10 billion in additional unemployment benefits, $6 billion through the one-time $1,200-per-person stimulus checks and another $2 billion for hospitals.

And that doesn't include a new package approved by Congress last month, the one with the $600 individual checks.

But Senate Minority Leader Rebecca Rios, D-Phoenix, said there's another side to that. She noted that Ducey gave $400 million of the $1.9 billion in discretionary funding he got directly to state agencies. And they, in turn, returned $300 million they had received in state dollars.

Rios said those federal dollars should have gone to helping those affected by the pandemic rather than beefing up the state's bottom line to then use for tax cuts.

Gowan said nothing is being shorted.

'We've been collecting dollars a lot,' he said.

'The economy is doing well in our state,' Gowan continued. 'You can chalk that up to a lot of good Republican issues like deregulation and tax readjustment in the past that's helped our economy grow with jobs.

And the needs?

'We still have a lot of other dollars out there that we're still trying to heal the state with,' Gowan said. 'So we are doing that; we are being prudent I believe.'

Leach acknowledged the pitfalls of putting too much into place in permanent tax cuts. He said that's why some of the relief being considered would just be a one-time hit to revenues.

One issue of particular focus is based on changes in federal law. It allows companies to essentially carry back current losses against prior profits to get a tax break.

Leach said Arizona already allows major corporations to do that. But smaller companies with different organizational structures don't have that option under state law.

As to the form of other tax cuts, Leach said there is sentiment among Republicans to alter the state's individual income tax structure to 'flatten' the rates.

Right now the state has four tax brackets, with rates ranging from 2.59% for the first $26,000 of income for individuals to 4.5% for adjusted earnings about $159,000. That is down from five brackets just three years ago.

Leach said one option is to go to three brackets, a move that, depending on how it is crafted, could lower the tax bills overall, particularly for those near the top of the earning curve. And there is added push for that among many legislators who are hoping to at least partly offset Proposition 208 and its 3.5%

AMERICAN OVERSIGHT

surcharge on the incomes of $250,000 a year or over for individuals to add money for education funding.

Others, however, have different ideas.

Senate President Karen Fann, R-Prescott, said a good use of the funds might be to pay off the debt incurred by the state's Public Safety Personnel Retirement System. That, she said, will save the state millions in interest payments.

Then there's the fact that business property is assessed for tax purposes at 18% of what's considered its full cash value versus a 10% assessment ration for residential property. Sen. J.D. Mesnard, R-Chandler, said the idea would be to lower that business assessment ratio to 15%, making the state more competitive.

Only thing is, that would cause a shift in the burden of local and school taxes — the entities that depend on property tax — to homeowners, meaning voters. And that would make it politically unacceptable.

The plan would be to have the state use some of its revenues to backfill the difference to ensure that homeowners do not end up paying more.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Addressing Legislature an uphill battle for the disabled

Arizona Daily Star
January 28, 2021
Jon Meyers and Jason Snead

Arizonans deserve a better system to make their voices heard at our state Legislature.

Over the past year, the Arizona Legislature used the COVID-19 pandemic as a means of restricting the public's voice even more, dramatically limiting citizens' participation in the democratic process.

Since the pandemic began, the Senate and House lobbies have restricted access for walk-in visitors, who now must set up an appointment with their representative or senator in advance. It's a good thing safeguards are in place to keep the virus away. But it's added yet another barrier in a process that already has significant roadblocks for people with disabilities.

The primary way for Arizona citizens to provide input on proposed bills is through the Legislature's Request to Speak system, which allows people to state their positions, in person or in writing, on bills under consideration by members of the Senate and House of Representatives.

Even in normal times, registering for the RTS system is an archaic process. It requires everyone, including people with disabilities, to physically travel to the state Capitol in Phoenix — or to one kiosk in a Tucson government building — to manually complete the registration on a computer terminal. Right now, the system cannot be completed online.

Throughout 2020, the disability community and numerous other civic groups asked for the ability

AMERICAN OVERSIGHT

to register online to avoid more risk of getting COVID-19, for even if members of our community could physically attend a committee hearing, it would be dangerous to do so because of the potential health impacts of the pandemic. Those requests have gone unheeded.

Officially, the RTS system provides no alternative to the in-person procedure. A temporary patchwork solution is to call the House sergeant-at-arms, and a House staffer will be assigned to physically register for the person who cannot travel. But in a time of widespread identity fraud, few people trust a stranger with their personal information. This is not a reasonable accommodation.

One of us had a challenging personal experience registering for RTS that demonstrates its current inadequacy. Jason visited the Capitol in early 2020 to attend a House Judiciary Committee hearing. He uses a wheelchair and special software to type. He wanted to register on the RTS system to voice his opinion on a particular bill. There was only one accessible kiosk to accommodate his chair at the time — and it could not interface with his personal software. If it were not for his wife being there to assist with typing, he would have been unable to register.

If registration could be fully completed online, he would have been able to use equipment at home to accommodate his needs and complete the process independently.

More than two dozen bills have already been introduced that directly relate to the disability community. The RTS system must be updated immediately to allow residents to register online and utilize it from any corner of the state. If these changes are not made now, during the most isolating and politically unstable time in recent history, then when? There is no excuse, technological or otherwise, for further inaction.

As representatives of the statewide disability community and on behalf of all Arizonans, we call upon the Arizona Legislature to immediately address the need for improvements to the RTS system so every person in this state can truly be a participant in the political process we all cherish.

Despite civil unrest and pandemic concerns, Arizonans with disabilities still need access to the representative system and the process of crafting and providing feedback on proposed laws that impact their daily lives.

Jon Meyers is executive director of The Arc of Arizona. Jason Snead is a research and communication specialist for the Arizona Developmental Disabilities Planning Council.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Virus hospitalizing more Arizona kids

Arizona Republic
January 28, 2021
Stephanie Innes

The number of children hospitalized with COVID-19 has been rising as Arizona hospitals have treated unprecedented levels of COVID-19 patients during the latest surge.

Banner Health, Arizona's largest health care delivery system, has admitted 795 children ages 18 and younger with confirmed COVID-19 to its hospitals since Oct. 1, with the numbers steadily rising each month.

December's pediatric COVID-19 admissions in Banner's Arizona facilities were more than four times higher than the October numbers, according to data provided by the Phoenix-based nonprofit company.

More kids with COVID-19 are being admitted to hospitals in Banner Health's Arizona facilities than during the first surge, said Dr. David Moromisato, a pediatric critical care medicine specialist and chief medical officer for Banner Desert and Cardon Children's medical centers in Mesa.

That makes sense, he said, since the volume of adults hospitalized in Arizona for COVID-19 also has been higher during the second surge.

"It has increased exponentially since October," Moromisato said of the pediatric patients. "Starting in November it just really ramped up ... We want to make the community aware that children are affected and that they can get very sick from it. Even if they don't, they can also be spreaders."

In December, Banner admitted 342 pediatric patients with COVID-19-related illness to its Arizona hospitals. In January, Banner officials project that number will increase by 16% to 396. The peak of Arizona's summer surge occurred in the month of July, when 196 pediatric COVID-19 patients ages 18 and younger were admitted to Banner's Arizona hospitals, the Banner data shows.

Even before the second surge, Arizona's rate of pediatric COVID-19 hospitalizations appeared to be relatively high, according to a University of Minnesota study that looked at pediatric COVID-19 hospitalizations in a "geographically representative" sample of 22 states representing more than 29 million children. The study period went from May 15 through Nov. 15, and researchers found Arizona's pediatric hospitalization rate increased by 4,000% during that time.

That study found Arizona and South Dakota had the highest rates per 100,000 children, according to a research letter published in the medical journal JAMA Pediatrics this month.

"We want to make the community aware that children are affected and that they can get very sick from it." Dr. David Moromisato

A pediatric critical care medicine specialist and chief medical officer for Banner Desert and Cardon Children's medical centers in Mesa Juliet Hernandez, an 8-year-old Buckeye resident, was hospitalized

AMERICAN OVERSIGHT

with appendicitis and COVID-19 in November and spent 15 days at Banner Thunderbird Medical Center in Glendale. COURTESY OF BANNER HEALTH AND THE HERNANDEZ FAMILY

"Our results present concerning trends in pediatric hospitalizations," the researchers wrote "Adult, and especially geriatric, incidence of COVID-19 continues to dominate the national picture, but pediatric populations may require resources that are not readily available across the country."

The numbers may be small compared with COVID-19 infections of all ages, but they underscore the fact that Arizonans need to do better when it comes to protecting children and families from COVID- 19, he said.

"We're going to get to a better place in the next few months. I know people are COVID-weary, but we need to hang on a bit longer," Moromisato said.

"Please adhere to CDC guidelines with the masking, social distancing and other measures regarding keeping children physically separated and protected."

Phoenix Children's: We are seeing a spike

In addition to treating those with COVID- 19, Banner Health's Moromisato said he's treated more children than he'd anticipated for what appears to be a condition associated with COVID-19 known as multisystem inflammatory syndrome in children. In children with MIS-C, different body parts can become inflamed, including the heart, lungs, kidneys, brain, skin, eyes or gastrointestinal organs. Children with MIS-C who also have tested positive for the SARS-CoV-2 virus, which causes COVID-19, would be included in the Banner pediatric COVID- 19 data, Moromisato said.

He stressed that a majority of children in the COVID-19 hospital data had acute COVID infections, but that Banner alone has seen at least two dozen children with MIS-C, which is many more than Moromisato had expected.

It is still uncommon for children to have severe COVID-19 infection, said Dr. Wassim Ballan, a pediatric infectious disease specialist at Phoenix Children's Hospital. The 433-bed hospital would not share specific numbers of pediatric COVID-19 hospitalizations but confirmed there has been a spike reflective of what's happening at Banner Health and statewide with patients of all ages.

Hospitalizations for the disease in Arizona have been dropping slightly but remain at very high levels.

Arizona has had the highest rate of new daily overall COVID-19 infections in the country, according to the Centers for Disease Control and Prevention's COVID Tracker.

"We are seeing a spike, but that is not surprising to us because it's following the same trend we are seeing in the community. Even though I'm saying it's a small percentage of children that needs hospitalization, when you are looking at the whole state and how widespread the virus is, that percentage is going to translate into a higher absolute number of pediatric patients that are needing admission," Ballan said.

Families should not be panicked by the reported spikes, but it's important to be aware and to continue with prevention measures, Ballan said. When a COVID- 19 vaccine is approved for younger patients, families should get one for their child, he said.

AMERICAN OVERSIGHT

The Moderna vaccine is not approved for patients under the age of 18, and the Pfizer-BioNTech vaccine is only approved for patients 16 and older. Approval for younger people is expected after trials in pediatric patients are completed.

8-year-old had appendicitis and COVID-19

Suspected and confirmed pediatric COVID-19 hospitalization numbers would include patients hospitalized for a different reason like surgery, who also happened to test positive for COVID-19 as part of the admission process.

Juliet Hernandez, a normally healthy 8-year-old who lives with her family in Buckeye, was hospitalized Nov. 16 for appendicitis but tested positive for COVID- 19 when she was admitted. What was originally predicted to be a three- to five-day stay at Banner Thunderbird Medical Center in Glendale turned into 15 days, her family said.

Before surgery, the third grader complained that her chest hurt, said her mother, Mayra Hernandez, who was able to stay with her daughter throughout her hospitalization. Mayra tested positive for COVID-19 in July, but she isolated immediately and none of her three children or her husband contracted it at that time.

After the first of Juliet's two appendix surgeries, she had a fever and cough, her parents said. And though her recovery included walking, she was not allowed to leave her hospital room because of her positive test result. The family doesn't know whether Juliet's illness was a result of COVID-19, or if it just added another complication to her appendicitis.

"There's so much the doctors still don't know about COVID," said Juliet's father, Erick Hernandez Sr., an audio engineer whose job necessitates working outside their home. "She might have already had COVID and it caused inflammation that affected her appendix."

Mayra graduated from Arizona State University last year and wants to apply to law school. She's grateful that she delayed returning to school or working during the pandemic, as her family has needed her, particularly because the children are attending school from home.

"Typically the pediatric patients, the children who are at high risk for having a severe type of infection, are the patients who have a preexisting condition. Those are patients with heart and lung diseases, they are immunocompromised for whatever reason, they have obesity — similar to the other risk factors that put adults at high risk of complications."

Dr. Wassim Ballan A pediatric infectious disease specialist at Phoenix Children's Hospital

Erick Sr. tested positive for the virus and for influenza on Nov. 7. He's not sure where he got it and said he's always extremely careful about social distancing and wearing masks. His son, Erick Jr., who is 11, began showing symptoms and tested positive for COVID-19, and Mayra tested negative. Neither Juliet nor her 4year-old sister showed any symptoms and were not immediately tested.

Erick Sr. and his son immediately isolated in the home once they knew they were positive. Erick Sr. said Juliet must have begun developing COVID-19 before she was admitted to the hospital with severe

AMERICAN OVERSIGHT

stomach pains, even though she wasn't exhibiting telltale symptoms of COVID-19 like a shortness of breath or a fever. She was fatigued, but it seemed to be connected with her stomach issues.

"She was scared," Mayra said of Juliet. "It was overwhelming for us to know she had COVID and that she needed surgery ... I got really nervous."

Juliet and her mother were in the hospital over Thanksgiving and had to put off any celebrating. By the time Juliet was discharged on Nov. 30, she had tested negative for COVID-19.

Some children with COVID-19 require ventilators, external lungs Moromisato said children with COVID- 19 are being treated with steroids, and some of the older children get Remdesivir. Children who have MIS-C are often treated with IVIG, which stands for intravenous immunoglobulin. A small number need more aggressive interventions.

"If they are in the hospital, it's because they can't eat or drink, or they need IV fluids or they need certain therapies that can only be given IV," Moromisato said. "Some you could say are mild because they are going to be in and out within a few days, but the severity goes all the way through requiring a ventilator, and some have required what we call ECMO. Banner Children's has seen several reach that stage, where they either need a ventilator or ECMO."

ECMO stands for extracorporeal lung membrane oxygenation. It is a lastditch high-level treatment that works like an out-of-the-body, artificial lung by adding oxygen to the blood and removing carbon dioxide. It buys time for extremely ill patients whose lungs need to heal.

"There have been some deaths in the state for children as well," Moromisato said. "Children with risk factors like chronic diseases are at higher risk for getting sick with COVID.

It affects children with chronic disease at a higher rate, but because it still affects all children, most of the children who come in — probably two-thirds — actually are previously healthy."

Statewide, there had been 1,323 patients under the age of 20 hospitalized with COVID-19 since the onset of the pandemic, and 19 have died.

The percentages for the under-20 age group remain extremely low in proportion to overall hospitalizations and deaths from COVID-19 in Arizona. Patients younger than 20 comprise 2.7% of all patients who have been hospitalized for confirmed and suspected COVID-19 in Arizona since the pandemic began, and only 0.16% of all Arizona known COVID- 19 deaths, state data shows.

Children in general are healthier than adults, and while they have the same susceptibilities to COVID-19 infection, they are less likely to have symptoms or have severe symptoms from the infection, said Ballan, who is the associate medical director for infection prevention and control at Phoenix Children's.

"Yes, we are admitting patients and some of the pediatric patients need to be hospitalized for COVID-19 management, but that is still not the majority of patients that we are seeing at the hospital," Ballan said.

"Typically the pediatric patients, the children who are at high risk for having a severe type of infection, are the patients who have a preexisting condition. Those are patients with heart and lung diseases, they are immunocompromised for whatever reason, they have obesity — similar to the other risk factors that put adults at high risk of complications."

AMERICAN OVERSIGHT

Data on childhood COVID-19 illness is still being researched, Ballan said.

"The older the child, sometimes the more risk of developing pre-existing factors ... hence, why we are seeing the patients needing a higher level of care in the pediatric population are in their teenage years compared to the younger kids," he said.

"There are no specific data looking at the severity of illness broken down by small age groups within the pediatric population," he said. "Within the pediatric population, we are still gathering data. Not just Phoenix Children's, but the whole pediatric infectious disease community."

The good news is that the vast majority of pediatric patients who are hospitalized for acute COVID-19 and MIS-C have positive outcomes, he said. It's likely that older kids are more apt to get severe COVID-19 infection than younger children, but the evidence is still under review, he said.

Juliet Hernandez has made a full recovery and said she's thankful for the nurses and doctors who took care of her, and for her parents. Her dad dropped off care packages while she was hospitalized.

The medical staff at Banner Thunderbird had to wear masks and suits and face shields when they treated her, but they still took the time to sit on her bed and talk, Juliet said. Other hospital employees brought her toys and games, she said. In appreciation, she made friendship bracelets with dangling silver hearts and festive red and green key chains for the staff members who took care of her.

"My family and I thank you from the bottom of our hearts. Happy Holidays!" said the note accompanying the gifts.

Juliet's father is now coping with another fallout of the pandemic — his back surgery has been canceled twice because of a pause in elective surgeries. He acknowledges having some pain, but says he's grateful for the health system and extremely proud of his daughter.

"She's a champ," her father said. "She's a strong girl, and she's just doing wonderful."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County OKs audit for election Supervisors: End fears over integrity of vote

Arizona Republic
January 28, 2021
Jen Fifield

Maricopa County will conduct another audit of its voting systems in an attempt to satisfy those with concerns about the integrity of the 2020 general election.

The Maricopa County Board of Supervisors voted unanimously Wednesday to hire two independent companies to conduct an audit that will examine again whether the machines counted votes properly, whether they were hacked or tampered with, and whether the county used proper procedures when leasing its machines from Dominion Voting Systems.

AMERICAN OVERSIGHT

The supervisors said before the vote that they have full confidence the election ran smoothly and votes were counted accurately, after multiple audits and hand counts came back without errors and after election challenges were dismissed by the courts.

Chairman Jack Sellers said the audit is meant to alleviate the concerns of those who still "have serious doubts about our election process."

"I really want to alleviate their concerns and their issues with whatever it is we are doing and convince them that this was in fact truly an honest election with good integrity," he said.

It's unclear whether the audit will satisfy the demands of the Arizona Senate, which issued subpoenas to the supervisors in December demanding the board turn over a myriad of election material, including images of all mail-in ballots, detailed voter information and machines used to count votes, so the Senate could conduct the audit.

Senate President Karen Fann did not immediately return a phone call on Wednesday asking whether the county's audit satisfies the subpoenas. She had announced last week that the Senate and the supervisors had reached an agreement, but the supervisors said at the time that nothing was final.

If approved, the county's audit would come far too late to overturn the results of November's general election, considering the board certified the results in November and President Joe Biden already has taken office.

Audit may cost $50K to $100K

The audits of machines and software may cost between $50,000 and $100,000, according to county spokesperson Fields Moseley based on county estimates. The county's contracts with the audit companies are not yet final.

If approved, the audit would take place in February and March, according to a county document.

Sellers told The Arizona Republic on Tuesday that the supervisors feel "the amount of money that it is going to take to do this is worth it to try to calm people down and make people understand that the election is fair and honest and their votes do count and if there is anything wrong we want to be the first to know that."

The two companies the county will use for the audit declined to provide an estimate of their services to The Republic.

Steve Gallardo, the lone Democrat on the board, said while he was supporting the audit in order to prove one more time that the election was fair and accurate, it was a tough pill for him to swallow. He said this will not change anything for the people who continue to mistrust the system and spread conspiracy theories, even after all that has been done to prove its accuracy.

"We are never going to convince them," Gallardo said.

Scott Jarrett, director of election day and emergency voting for the Maricopa County Elections Department, told the supervisors on Wednesday that the new audit is another step to prove the election

AMERICAN OVERSIGHT

integrity, to prove the voting system is reliable, and to prove that residents can rely on the equipment moving forward.

"We know there is a lot of misinformation out there about this election," Jarrett said. "I am confident that those rumors aren't true. But there are a good number of people in our community who do have mistrust."

One of the key aspects of the audit is that it will not be performed by the county but by two companies that are certified by the U.S. Election Assistance Commission to conduct audits of voting systems. Those companies, according to a commission spokesperson, are Pro V& V and SLI Compliance.

The independence of the companies is key to performing a strong audit and restoring trust, Jarrett and the supervisors said.

"It was very important to us that we have totally independent qualified people do the audits for us," Sellers told The Republic on Tuesday. "It really is an interest on our part to be as transparent and open as we can be with this whole process and satisfy every one of the concerns that has been addressed to us as best we can."

The proposed audit would do the following to ensure that the county's voting system worked properly in the general election, Jarrett told the supervisors on Wednesday:

Analyze its hacking vulnerability.

Verify that no malicious malware was installed.

Test that tabulators were not sending or receiving information over the internet.

Confirm that no vote switching occurred.

Verify state and county procurement regulations were followed when leasing the equipment from Dominion Voting Systems.

Part of the scope would be conducting another logic and accuracy test to verify that the county's machines are counting votes correctly. That test will not use 2020 ballots, though, since under state law those must remain locked up for a period of time after the election.

The logic and accuracy test will ensure there was no "vote switching," Jarrett said.

County has performed audits

Jarrett outlined the steps the county has already taken since starting to use the new Dominion Voting Systems machines to ensure that the machines worked properly and votes were counted accurately in the general election.

That includes a 100% hand count of a previous election, the Madison School District Election, four separate hand counts and independent logic and accuracy tests for the general election. The hand counts are performed by the political parties themselves, not by county election officials, Jarrett explained.

AMERICAN OVERSIGHT

“We have done many tests. We have done audits. We have done hand counts,” Jarrett said.

The supervisors and Jarrett also talked about the number of public meetings they had before and after the election to ensure the election ran smoothly and to explain how votes were counted accurately and that there was no illegal tampering.

After the election, county officials went before members of the Arizona Legislature in a multiple-hour hearing to answer questions about the integrity of the election, and the supervisors asked staff questions for hours before certifying the results.

Supervisor Bill Gates said the reality is, people haven’t been paying attention.

Sellers told The Republic on Tuesday that the supervisors are attempting to address every concern about the election using the new audit.

“Whether or not that will satisfy everyone in the Senate, I don’t know,” Sellers said. “But we really are anxious for this to be the end of this discussion and move forward with regular business of Maricopa County.”

While much of the supervisors’ plan is in line with the Senate’s demands, there are a few major distinctions.

First, the county would not be handing over its election machines or materials to the Senate. This is something that the supervisors have argued could compromise voter information.

The county’s audit also will not study 2020 ballots, while the Senate had demanded copies of all mail-in ballots.

The audit would also not be performed by the Senate, but rather by the two private companies certified by the U.S. Election Assistance Commission.

Allowing people who aren’t qualified to use the machines to tamper with them could affect the integrity of the machines just before the county must use them in jurisdictional elections this winter and spring, Sellers said.

That said, Gates told The Republic on Tuesday that the supervisors were going to invite lawmakers to oversee the process and ask them for their input. He said the supervisors understand that part of the Senate’s interest is to mon-itor the audit in order to see which changes are needed to election law.

Gallardo said, as a former member of the state House, he sponsored several election-related bills and never needed to dismantle voting systems or to do his own audit to “do what is right for the people of Arizona to make sure our elections are clear and free.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona reports 5,918 new coronavirus cases

Arizona Republic
January 28, 2021
Alison Steinbach

Arizona reported about 5,900 new COVID-19 cases and 195 new known deaths on Wednesday as hospitalizations for the disease have been gradually declining but the state remained near first nationwide for its weekly COVID-19 case and death rates.

In about one year since the first case was announced in Arizona, a total of 738,561 COVID-19 cases have been identified across the state. As of Wednesday, 12,643 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

Arizona's seven-day, new-case average ranked second among all states on Tuesday, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The Arizona data dashboard shows 92% of all ICU beds and 91% of all inpatient beds in the state were in use Tuesday, with 57% of ICU beds and 49% of non-ICU beds occupied by COVID-19 patients. Statewide, 141 ICU beds and 805 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 4,250 on Tuesday, below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,024 on Tuesday, below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 686 on Tuesday, below the record-high 821 reached on Jan. 13.

Tuesday saw 1,922 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Reported cases in Arizona: 738,561.

Cases since the outbreak began increased by 5,918, or 0.81%, from Tuesday's 732,643 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 459,501 in Maricopa, 98,743 in Pima, 41,485 in Pinal, 34,637 in Yuma, 18,632 in Mohave, 15,989 in Yavapai, 14,959 in Coconino, 14,149 in Navajo, 10,295 in Cochise, 9,388 in Apache, 7,359 in Santa Cruz, 5,867 in Gila, 4,848 in Graham, 2,195 in La Paz and 514 in Greenlee, according to state numbers.

The Navajo Nation reported 27,665 cases and 985 confirmed deaths in total as of Tuesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 9,547 inmates had tested positive for COVID-19 as of Tuesday, including 1,825 in Tucson, 1,814 in Yuma, 1,581 in Eyman and 1,126 in Douglas; 43,447

AMERICAN OVERSIGHT

inmates statewide have been tested. A total of 2,429 prison staff members have self-reported testing positive, the department said. Thirty incarcerated people in Arizona have been confirmed to have died of COVID-19, with 17 additional deaths under investigation.

Arizona as of Tuesday had the seventh- highest overall case rate in the country since Jan. 21, 2020. Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Rhode Island, Utah, Tennessee and Wisconsin, according to the CDC.

Arizona's infection rate is 10,000 cases per 100,000 people, the CDC said. The national average is 7,576 cases per 100,000 people, though the rates in states hard hit early on in the pandemic may be an undercount because of a lack of available testing in March and April.

Deaths by county: 7,174 in Maricopa, 1,680 in Pima, 685 in Yuma, 579 in Pinal, 507 in Mohave, 419 in Navajo, 362 in Yavapai, 300 in Apache, 266 in Coconino, 217 in Cochise, 182 in Gila, 145 in Santa Cruz, 65 in Graham, 56 in La Paz and six in Greenlee.

The global death toll as of Wednesday morning was 2,160,850 and the U.S. had the highest death count of any country in the world, at 425,257, according to Johns Hopkins University. Arizona's death total of 12,643 deaths represents about 3% of COVID-19 deaths in the U.S. as of Wednesday.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Phoenix council member DiCiccio tests positive for COVID-19

Arizona Republic
January 28, 2021
Nicole Sadek and Jen Fifield

Phoenix City Council member Sal DiCiccio is quarantining after testing positive for COVID-19 earlier this month, according to his chief of staff, Sam Stone.

DiCiccio is feeling better after experiencing mild symptoms and will complete his quarantine period on Thursday, Stone said.

DiCiccio is the latest in a slew of metro-area officials who tested positive for the virus in the last two months.

Chandler Mayor Kevin Hartke tested positive last week, while Mesa City Councilmember Francisco Heredia and then-Gilbert Town Councilmember Jared Taylor contracted the virus in early January. Gilbert Councilmembers Laurin Hendrix and Scott September also recovered after testing positive for the virus in December.

The infections come amid a surge in cases across the state, with Arizona's seven-day, new-case average ranking highest in the United States on Monday, as it has for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID-19 Data Tracker.

DiCiccio has been the most outspoken voice on the council in opposition of a government shutdown or regulations on businesses during the pandemic. He was one of two council members who voted against a citywide mask mandate last June.

AMERICAN OVERSIGHT

He disagreed with the council's decision to prohibit youth sports tournaments from taking place in the city this winter and he has advocated for inperson learning in schools.

At Tuesday's council meeting, which was hosted virtually, DiCiccio said, "I'm still in quarantine hell, but I'm nearing the end of that thing."

DiCiccio believes he got the virus while attending a house event with five other people about two and a half weeks ago, Stone told The Arizona Republic on Tuesday.

Stone said that DiCiccio had gathered with the five friends indoors at a friend's house. Stone said he does not know if DiCiccio wore a mask.

DiCiccio started feeling sick on Jan. 14, with symptoms of a head cold, and he was sick for about a day before starting to feel better, Stone said.

Return to the table of contents

Stripping Ducey of emergency powers could backfire

Arizona Republic
January 28, 2021
John Kavanagh PhD

"Be careful what you wish for" is a sensible saying that opponents and proponents of the governor's COVID-19 restrictions should heed. Gov. Doug Ducey has charted a restrained strategy in implementing restrictions that inevitably and unfortunately has enraged people on both sides of the controversy.

Calls to end all restrictions in the name of individual freedom and calls to allow municipalities to issue their own more restrictive rules will make the situation worse for both sides.

There are those who believe that terminating the governor's COVID-19 state of emergency and related executive orders will end all restrictions and mandates on individuals, schools, organizations and businesses; eliminate mask mandates; cancel limits on public gatherings; and nullify other mitigating steps. They are mistaken.

This is because Arizona law gives similar emergency powers to the chairpersons of county boards of supervisors and to municipal mayors. Astoundingly, if county or municipal law also grants emergency powers to these chairs and mayors, as many do, they are free to act unilaterally without the approval of the their boards of supervisors, city councils and town councils.

So if the Legislature votes to terminate the governor's state of emergency by majority vote in the House and Senate, the chairs of 15 county boards of supervisors and the mayors of 91 municipalities could be free to unilaterally impose a cornucopia of new regulations or no regulation at all within their respective jurisdictions.

Such a result would be unprecedented within Arizona and the United States and would create a nightmare of conflicting and confusing regulations throughout the state. The unintended negative consequences of such an action would make the "alt fuel" fiasco look like prudent governance.

AMERICAN OVERSIGHT

Even though these board chairs and mayors currently possess these emergency powers, we don't have a mosaic of rules because state law prohibits them from enacting any rule inconsistent with an emergency rule promulgated by the governor. In other words, it is the existence of the governor's less restrictive and carefully worded emergency rules that constrain the many mayors who have been openly calling for stricter restrictions from imposing them.

Were the Legislature to terminate the governor's rules, mayors and board of supervisor chairs could do what they want without constraint.

The likely result of ending the governor's state of emergency will be that instead of being freed from COVID-19 regulations, most Arizona residents would find themselves governed by the same or even stricter regulations.

After all, the mayors of Arizona's three major cities have publicly criticized the governor's actions as not going far enough and I doubt they stand alone in that opinion. In addition, it was the Maricopa County Board of Supervisors who imposed that county's mask mandate and not the governor.

For those supportive of stricter mandates who might view terminating the governor's state of emergency as a way to get those stricter mandates implemented where they live, consider how that strategy might also backfire.

Were Arizona to become a mosaic of jurisdictions with conflicting restrictions ranging from the nonexistent to draconian, residents and visitors seeking relief from the tedium of the restricted areas would flock to the packed restaurants, bars and public events in the laissez-faire jurisdictions where they might become infected with COVID-19 — and, ironically, bring the disease back to those jurisdictions that tried the most to control it.

I believe the Legislature should consider entering into discussions with the governor, counties and municipalities concerning reasonable policies for dealing with the current and future pandemics, policies that involve less risk of creating the unintended negative consequences discussed here.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona's COVID-19 death toll could top 18,000 in May with current restrictions

KTAR News
January 28, 2021
Peter Samore

If current trends hold, Arizona could surpass 18,500 coronavirus deaths in May, and it could be more than that.

"The death total could reach 22,200 by May if there is any easing of current restrictions and mandates during that time," said Dr. Majorie Bessel, chief clinical officer at Banner Health.

She cited the latest forecast from University of Washington's Institute for Health Metrics and Evaluation.

Dr. Bessel says it doesn't account for more COVID-19 vaccines achieving FDA approval and entering the state, but they're slow to arrive anyway.

She told news reporters in a video news conference Wednesday that coronavirus deaths are usually lagging indicators of viral transmission, but that's changing.

"We typically see a rise in cases first, then a rise in hospitalizations, then a rise in ICU admissions, and ultimately, those going onto ventilators," Dr. Bessel explained.

Now, more people are dying before any of that. She also says hospitals statewide are still feeling the after-effects of the winter infection surge.

"We will experience many more weeks of high hospitalization volumes as we descend from the surge," Dr. Bessel said. "That will likely take us another 2-3 months to fully recover from."

Dr. Bessel says this is no time to stop wearing masks and to keep physical distance. She recommends thicker masks with no exhalation valves.

However, Dr. Simone Wildes, ABC News infectious disease expert, tells KTAR News 92.3 FM double masks or thicker masks could produce breathing problems.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Medal of Honor Row installed along Phoenix roads

KTAR News
January 28, 2021
Rachel Gossen

A new sign installation along Pinnacle Peak and Cave Creek roads aims to honor Arizona's recipients of the Medal of Honor, the nation's highest military medal.

The Arizona Medal of Honor Row features 37 signs representing each individual with ties to the state who has been awarded the medal for an act of valor while in service.

The signs were installed in early January near the National Memorial Cemetery of Arizona, according to the city of Phoenix.

"The Medal of Honor recognizes our country's most valiant men and women, with 37 of these honorees having ties to our state," Phoenix Mayor Kate Gallego said in a press release.

"This signage installation helps to bring awareness to these local heroes so that their sacrifices may never be forgotten."

Phoenix resident Archie Dicksion first came up with the idea for the signs and shared the concept with city councilman Jim Waring of District 2, the city said.

"Arizona throughout its history has had individuals that have stood head and shoulders above others in protecting those around them," Dicksion said in the release. "So that others may know their deeds, we dedicate this row to them."

A list of all of Arizona's Medal of Honor recipients can be found online.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders

Arizona Daily Sun
January 28, 2021
Adrian Skabelund

Sen. Mark Kelly, D-Ariz., with his wife, former Rep. Gabby Giffords, D-Ariz., participates in a re-enactment of his swearing-in Wednesday by Vice President Mike Pence in the Old Senate Chamber on Capitol Hill in Washington.

Almost two months since Mark Kelly took his seat in the U.S. Senate, he took time to speak with the Arizona Daily Sun about priorities for northern Arizona.

Kelly said in recent weeks he has been speaking with local mayors and leaders across the area to hear more about the issues they are facing and where he might be able to help now that he has been sworn in officially.

He added he is also putting together advisory groups that can speak to challenges in northern and southern Arizona, and around Maricopa County.

Throughout January, according to a spokesperson, Kelly has participated in virtual meetings with the mayors of Winslow, Kingman, Sedona, Cottonwood, Show Low, Williams, Snowflake, Bullhead City, Lake Havasu City, Prescott and Chino Valley.

This week, Kelly will meet with the Fredonia and Clarkdale mayors. In addition, he has sat down with Navajo Nation President Jonathan Nez and Hopi Tribe Chairman Timothy Nuvangyaoma.

Those conversations have been dominated by discussion of COVID-19, Kelly said. The new senator is interested to hear how the pandemic -- and economic downturn stemming from it -- has impacted city finances, how budgets compare this year to 2019 and how the vaccination process is going.

“As an example, I think Winslow has about 10,000 people. They're getting 700 doses a week. So you know, 15 weeks, in theory, they could vaccinate everybody. That is not horrible," Kelly said. "In some places it is a lot worse than that. If you look at Yuma County, until recently they were getting 800 doses a week -- they have a lot more than 10,000 people."

Kelly said he is also telling mayors he wants communication with them and local leaders to be ongoing and hopes to assist communities with problems other than just those associated with COVID-19.

“These are often restructured priorities, roads, bridges,” Kelly said. "I'm trying to make sure that they understand that this isn't just like a one-time thing. I’m reaching out to them to check in at the beginning of my my term in the United States Senate. I want to have open communication with our mayors so I can be as strong as an advocate as possible for that entity in the United States Senate.”

Nonetheless, with Arizona seeing some of the highest case numbers in the world and many people out of work, the pandemic is top of mind.

AMERICAN OVERSIGHT

Earlier this month, Congress passed a second COVID-19 relief bill providing Americans with an additional $600 stimulus check and extending the date by which CARES Act money sent to state and local governments could be spent. Kelly said the latter measure was especially important for northern Arizona tribal communities, some of which have been hit hard by the pandemic.

The money the CARES Act provided tribes was important, Kelly said, but some tribes such as the Navajo Nation didn't have projects immediately ready to spend it on and were at risk of losing that funding if the deadline hadn't been extended.

Kelly said that bill also included funding for improving infrastructure such as rural broadband -- which might assist rural tribal communities in getting healthcare and education amid necessary social distancing.

And Kelly said he and some of his colleagues in Congress know that additional support is needed, noting that he has been in communication with Sen. Lisa Murkowski, R-Alaska, on some of those measures.

"We do need some more direct funding to tribes. That didn't happen in this last COVID-19 relief bill, because it became a negotiating point balanced against liability issues for businesses," Kelly said. "So, hopefully, we will address this here in the first quarter of this year."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Nat White named CCC Board Chair

Arizona Daily Sun
January 28, 2021

Nathaniel White has been named the Chair of the District Governing Board for Coconino Community College.

The Coconino Community College District Governing Board voted unanimously Wednesday to name Nathaniel White as its next Chair.

White takes over for board member Patricia Garcia, who has filled the chair position for the last six years. White, who has been a member of the board since November 1998, represents District 1 for Coconino County, which covers part of Flagstaff and extends to Tusayan, Supai and the western edge of the county.

"It has been a pleasure to work under the calm, steady leadership of Governing Board Chair Patty Garcia and with my dedicated board members for the past several years," White said in a press release. "It is an honor, and I look forward to being a part of the Governing Board and the CCC family as we optimistically move ahead in 2021."

The board also voted unanimously to name member Joseph Smith, who represents District 5, as vice chair.

AMERICAN OVERSIGHT

“I am excited to serve as the vice chair of the CCC District Governing Board and to work alongside Chair White,” Smith said. “His many years of public service, including his extensive time on the District Governing Board, will be greatly beneficial to the board and the College as a whole.”

White and Smith began their leadership roles Monday during an annual budget retreat, and they will serve in those roles until January 2022.

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Thursday, January 28, 2021 7:32:37 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 1-28-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *January 28, 2021*

IT PUTS A WHOLE NEW SPIN ON #STOPTHESTEAL
Republicans have finally found true irregularities, inconsistencies and errors in the election, but not the election you would think.

ASK YOURSELF: WHICH ELECTION WAS MORE LIKELY STOLEN?
While Arellano and company repeatedly stressed that they're not outright claiming the election was stolen, they hinted that it's not impossible and outlined a host of concerns about the process.

IT DID HAVE A CHRISTMAS MORNING FEEL TO IT
The reaction from the chattering class was, predictably, thick with schadenfreude.

BUT CAN THEY PUT IT IN A SUBPOENA?
In their call for an audit, the Republicans have identified nine points that they

AMERICAN OVERSIGHT

want inspected.

THERE'S A LOT TO BE APPALLED ABOUT HERE
One former ethics chair described the allegations against Rogers as "absolutely appalling" and said the fact the former assistant was terminated is "equally as appalling."

THAT STUFF WOULDN'T FLY AT SHOPE'S IGA
Shope, another former ethics chair, told our reporter reading the details of the complaint against Rogers made him glad his father had him take on a managerial role in the family's grocery business at an early age.

SHE LOST THE ELECTION, BUT WON OUR DUMB TWEET AWARD
Julie Gunningle, the failed Democratic candidate for Maricopa County Attorney, is giving some of our favorite politicos a run for their money in the race to post the dumbest tweet.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, January 28, 2021

·NEWS NOTES AND GOSSIP·

IT PUTS A WHOLE NEW SPIN ON #STOPTHESTEAL

Republicans have finally found true irregularities, inconsistencies and errors in the election, but not the election you would think. In what can only be described as the height of irony, AZGOP Chair Kelli Ward is facing calls for an audit and recount of her victory Saturday, an election for which the party has still not provided an official vote count, for which observers say they weren't allowed to watch ballots be tabulated and which had at least one major error. Let's start this bizarrely fitting tale at the beginning. When AZGOP held its statutory meeting Saturday, Ward barred the media from attending – only Trumpian "news" outlets like Right Side Broadcasting were allowed in the room, and even they were kicked out before voting started. The vote for chairman was a four-way affair, and a majority of state committeemen backed candidates other than Ward, forcing a runoff. Ward (allegedly) won the runoff against Sergio Arellano. That was a somewhat surprising outcome, given that it appeared party faithful were divided into two distinct groups – Ward people and Never Ward people. (Of course, that outcome could be explained by the fact that many in the anti-Ward faction left after the first round of balloting, but that would be giving Ward the benefit of the doubt, and after the last two months, we're not feeling that generous.) Suspiciously, the party never publicly provided a hard vote count, instead only saying Ward won with 51.5 percent of the vote or a 42-vote margin. A few party activists grumbled about procedures and bylaws and that they didn't know the actual vote count, but the media outlets that were covering the event remotely moved on. Then Sandra Dowling, a former Maricopa County Supervisor, got a call saying that despite what was announced at the meeting, she had not, in fact, won the at-large committeeman seat for CD8, a flip that the party attributed to "human error." That set off alarm bells for many, including Arellano, and former Pima County GOP Chair Bill Beard, both longtime election integrity activists in southern Arizona, who quietly sent the party letters Monday calling for an audit of the election results. When the party responded with effective silence, their concern grew. Kim Owens, a state committeeman and former Corporation Commission candidate, had been posting on her Facebook all week about problems in the election, but it hadn't caught on. Then, moments after our deadline yesterday, Trey Terry, a state committeeman and former legislative candidate, put it on Twitter. Owens said her phone immediately started blowing up. "I'm not gonna lie to you, I had a press release ready to go out today to announce and we decided to hold it another day, because we thought, let's give them a chance, because truly we don't want to blow up our party," Owens told our reporter last night. "And my thing was if we're gonna do it, we gotta do it in time for *Yellow Sheet* deadline." Owens stressed that the calls for an audit aren't about any one candidate in the chairman's race, but about election integrity. "When the CD8 issue came up and then we found that there were no actual witnesses to watch the download of data, we felt that there was a need to ask for an audit of the election," she said. But Ward, who has been screaming about the need for another audit of the Maricopa County election, hasn't responded to their calls for an audit. "The silence is becoming deafening," Beard told our reporter today. He said he wants to give the party a chance to explain itself, and doesn't yet believe the vote was stolen. But after days of silence from the party, he's begrudgingly taking his case to the media. "If the process was manipulated and it can be proved in an audit, let the chips fall where they may," he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001055

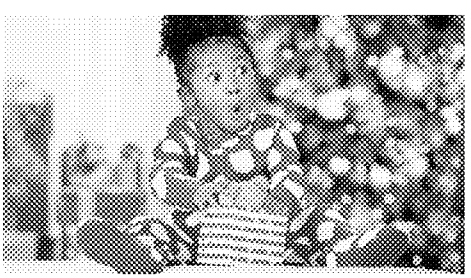
ARZN_REV00068646_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ASK YOURSELF: WHICH ELECTION WAS MORE LIKELY STOLEN?

While Arellano and company repeatedly stressed that they're not outright claiming the election was stolen, they hinted that it's not impossible and outlined a host of concerns about the process. Among their concerns are that boxes of ballots went unguarded all day; that candidates' designated representatives weren't allowed to watch the first round of tabulating votes; that they never received an official breakdown of how many votes were cast, counted, spoiled or printed in Saturday's election; that the credentials chair in charge of ensuring only state committeemen could vote had resigned and Ward ally Tyler Bowyer effectively ran the meeting; and that Dowling's race was wrongly called due to unspecified "human error." Still, Arellano, who previously told our reporter that in his heart, he believes the presidential election was stolen, wasn't ready to declare that his own race was stolen from him. At least not yet. "I don't feel there's anything shady, and I really hope there's nothing shady, but that's what the audit is for," Arellano told our reporter. "Is it too late? Who knows. Could they have slipped in ballots? Probably. Could they have done other modifications? Probably. But we won't know until we're there." And Arellano warned that he has a "secret weapon" in John Brakey, an election integrity crusader who cut his teeth in Pima County's 2006 Election Transit Authority debacle (LINK). "If there's something to find, Brakey will find it and really blow it out of the water," Arellano said.

IT DID HAVE A CHRISTMAS MORNING FEEL TO IT



The reaction from the chattering class was, predictably, thick with schadenfreude. Of course, there's no evidence that Ward stole the election, but after two months of hearing her spread baseless and debunked conspiracies about the national election, completely devoid of evidence, politicos on Twitter were happy to buy into this conspiracy, if just out of spite. Several politicos made the same Alanis Morissette "ironic" joke, but a few of the reactions stood out. "After months of baseless allegations of a stolen election, Kelli Ward finally found evidence of voter fraud – the election she rigged herself," Elise Terry tweeted while sharing her husband's post that sent politicos into a frenzy. Markos Moulitsas, founder of *Daily Kos,* chimed in, which helped the story reach a national audience. "Uh oh. Did they use sharpies?" he tweeted. Progressive lobbyist and expert Twitter dunker Geoff Esposito posted several times at Ward's expense. "The real GOP chair is the audits we did along the way," he wrote. Ryan Smith, the former Highground exec and son of former Mayor Scott Smith, said the news was like a wish come true. "The last time I wished so hard for something to be true, I was 10 years old and wanted to squeak out one more year believing in Santa Claus," he tweeted.

BUT CAN THEY PUT IT IN A SUBPOENA?

In their call for an audit, the Republicans have identified nine points that they want inspected. Below is the list of demands that they have sent to Ward and AZGOP.

1. All copies of the original Zero Tapes from each of the 8 scanners used in this election.
2. A complete count of all ballots printed for this election by type (round 1, 2 and caucus). A complete count of all ballots voted, spoiled and blank, and unused ballots. These numbers must equal the original printed number to ensure the integrity of the process.
3. A complete count of the number of credentialed voters that received ballots.

AMERICAN OVERSIGHT

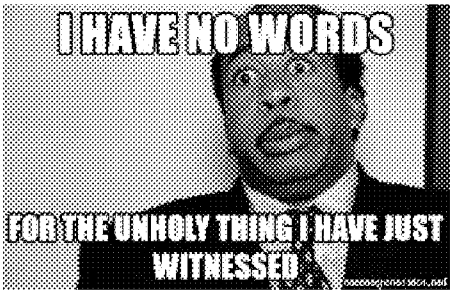
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001056

ARZN_REV00068646_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

4. Provide documentation that all election related materials including ballots voted, spoiled, unused, etc… computer printouts including 8 tapes from the scanners, thumb drives and other material used to transfer data between devices, etc… are in a secured, tamper proof storage container and under lock with access only in the presence of witnesses.
5. Provide a full chain of custody trail for all ballots and ballot data.
6. Provide a complete documentation of all election equipment hardware and software including chain of custody of the machinery to include names of individuals with access to same.
7. Names of witnesses and all individuals that had access to the ballots, ballot data, hardware, software, etc.. This should include the names of individuals tasked with monitoring spoiled ballots, where and how these were stored and documented.
8. Provide a complete vote count record to the body. This should include total votes, vote percentages, over/under votes, spoiled ballots, etc… This information should also be included in the official minutes of the body.
9. All of these materials must be available for complete review by independent auditors.

THERE'S A LOT TO BE APPALLED ABOUT HERE



One former ethics chair described the allegations against Rogers as "absolutely appalling" and said the fact the former assistant was terminated is "equally as appalling." "It's just shocking and how a member could be that out of control of themselves to treat someone that way is just – there are no words," the source said, adding that Kerr must conduct a thorough investigation. "To see a member treat a staff member that way is just unheard of … those facts need to be investigated and establish why the Senate moved to terminate him," the source said. (Michael Polloni, the former legislative assistant, was actually given a chance to resign or be fired and he chose the former so he could have another opportunity to work for the state again.) As a former ethics chair, the source had some advice for Kerr: She should rely heavily on outside help. Assuming Polloni's allegations are true, the source said, the chair would then have to gauge the caucus to see what type of punishment would suffice. There are basically three options the chair could pursue: censuring, expelling or a forced resignation. The source said while a censure might seem like a slap on the wrist, expelling is difficult because it requires votes from two-thirds of the chamber. If the votes are there to expel, it's still not the preferred option, as it means undoing the will of the voters. More often, lawmakers read the writing on the wall and resign themselves – a la former lawmakers David Stringer, Scott Bundgaard and Daniel Patterson. Former lawmaker Don Shooter is the only legislator in modern history to be expelled rather than resign.

THAT STUFF WOULDN'T FLY AT SHOPE'S IGA

Shope, another former ethics chair, told our reporter reading the details of the complaint against Rogers made him glad his father had him take on a managerial role in the family's grocery business at an early age. "I learned pretty quickly how you treat people and how you don't treat people that work for you," he said. "So, if at all true, I do find it really disturbing, but I think you have to give an opportunity to respond. There is due process here." Shope, who chaired the House ethics committee through the 2019 investigation into former Rep David Stringer and recused himself when it was Cook's turn for an investigation in 2020, said recent years show the ethics committee process works. Stringer resigned, former Rep Don Shooter was expelled and voters knew the results of a thorough investigation into Cook when they chose to re-elect him. "Mr. Shooter is not there. He was removed. Mr. Stringer, we had a full investigation, he's no longer there. Mr. Cook, we had an investigation, the information was put out there and the voters sent him back. I would say that the process works," Shope said. Kerr has a difficult task ahead of her, he said, and she'll have to protect herself, Rogers and her former assistant, Michael Polloni, while an investigation proceeds.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001057
ARZN_REV00068646_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SHE LOST THE ELECTION, BUT WON OUR DUMB TWEET AWARD

Julie Gunningle, the failed Democratic candidate for Maricopa County Attorney, is giving some of our favorite politicos a run for their money in the race to post the dumbest tweet. Gunnigle, who recently joined NORML Arizona after losing her race against Allister Adel, decided it would be a good idea to take a jab at Adel for working part-time while recovering from a brain injury that hospitalized her for nearly two months. "On the campaign trail, @allisteradel indicated her disdain for 'part-time prosecutors.' Today I learned that she has become one," Gunnigle began her Twitter thread including a short clip of Adel criticizing her during the campaign for only working as a prosecutor part-time. Gunnigle followed up with tweets about experience working part-time as a prosecutor while she raised her child on maternity leave, apparently what Adel was referencing when she attacked Gunnigle on the campaign trail. She said there is no shame in working less than full-time, permitting you are honest and transparent with employers/taxpayers. She then linked to a recent *Arizona Republic* article about Adel working part-time. Gunnigle highlighted an important, if uncomfortable, issue about one of the largest prosecutor's office in the country not having a full-time leader, but clouded it around a tone-deaf attack against her former foe. The Maricopa County Attorney's Office has been less than transparent about who was running things while Adel was unable to conduct official business as the county's top prosecutor. Gunnigle was predictably slammed for the remark. (Planned Parenthood board chair and attorney Chris Love also went after Adel for her part-time status after suffering a brain injury, but escaped the Twitter mob's wrath.) Lorna Romero, Adel's campaign spokeswoman; Thomas Galvin, an attorney at Rose Law Group; GOP consultant Barrett Marson and former *New Times* scribe Stephen Lemons were some of those firing back at Gunnigle. "In your pathetic attempt to remain relevant you have revealed that your disgusting behavior is not limited to the campaign trail. Shocking," Romero wrote. "If someone like Kelli Ward or Gosar said something like they'd be justifiably roasted for it in the public sphere. Gunnigle was almost our county's chief law enforcement official and she torched her reputation by mocking brain injuries," Galvin wrote in one of several posts on the topic. Brnovich communications director Ryan Anderson made jokes at Gunnigle's expense writing, "Julie Gunnigle: 'I like people who don't get brain injuries.'" Republican consultant Brian Anderson summed up the episode in one shining tweet. "At a time when we're all so divided, it was kind of @JulieGunnigle to unite everyone around the shared belief that she is a pile of garbage," he tweeted.

·WAKE UP CALL·

Census data for redistricting, apportionment delayed

Arizona Capitol Times

The Arizona Independent Redistricting Commission won't be able to draw new boundaries for congressional and legislative districts until April 30 at the earliest due to a delay of the U.S. Census data.

Proposal would allow Arizonans to deduct more from taxes to help kids attend college

Capitol Media Services

Not all lawmakers are convinced lower-income residents would be able to take advantage of proposed change in tax policy

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001058

ARZN_REV00068646_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Shifts for Shots: How Savvy Vaccine Seekers Worked the Volunteer System
Phoenix New Times
Before he was eligible for a COVID-19 vaccine, Mike Bucca got a text from a friend at a law firm, who told him that Blue Cross Blue Shield offered a shot for people who worked an eight-hour volunteer shift.

COVID a year later is the leading cause of death in Arizona
Arizona Mirror
It has been 366 days since a 26-year-old Arizona State University student became Arizona's first confirmed COVID-19 case, and the illness caused by the novel coronavirus has surpassed cancer and heart disease as the lead killer of Arizonans.

Why Did Julie Gunnigle Make This Baffling, Craven Post About Allister Adel's Recovery?
Phoenix New Times (Opinion, David Hudnall)
The evening of November 3, 2020, was weird and tense for everyone, but especially so for Julie Gunnigle.

Republican senators choose Donald Trump over 5 who died in the Capitol riot
Arizona Republic (Opinion, EJ Montini)
45 Republicans tried to prevent an impeachment trial from even taking place.

Move aside, Gov. Doug Ducey, the Legislature is here to rescue us from COVID-19 (Oh, no)
Arizona Republic (Opinion, Laurie Roberts)
Arizona is one of the nation's hotspots for COVID-19, and the Legislature wants to strip Gov. Doug Ducey of his emergency power to do anything about it. Genius move.

What's Kelli Ward going to do with a #StopTheSteal claim about her own election win?
Arizona Republic (Opinion, Elvia Diaz)
The joke now is on Kelli Ward and the Arizona Republican Party.

Abortion in Arizona could net women a murder charge? How is that 'pro-life?'
Arizona Republic (Op-ed, Jodi Liggett)
There are far more productive policies Arizona can pursue to be 'pro-life' than the anti-abortion House Bill 2650. Let's tell lawmakers so.

My 96-year-old mom died of COVID-19. Here's what we learned after she died
Arizona Republic (Opinion, Jodi Amendola)
She showed symptoms of the virus that are atypical, but not uncommon in elderly patients. Finally the test was performed, but not in time to help her.

PRESS RELEASES

Statement from Senator Shope on the capture of two inmates

"Arizona residents are breathing easier this afternoon with the capture of two hardened criminals who escaped from the state prison in Florence. These two felons were in prison serving long terms for molestation of a child, sexual abuse, kidnapping and second-degree burglary. Since their escape on Saturday evening, the people of my district have been living in fear, especially knowing that witnesses reported the men were still in the area, committing more crimes. The two escapees were captured and arrested this morning by Coolidge Police and the U.S. Marshall's Office. Today I want to thank the men and women in law enforcement who worked around the clock since this weekend in pursuit of the escapees. They once again showed the importance of public safety in our community, and we are all grateful that their hard work in this pursuit led to these apprehensions.
I also want to recognize three members of the public who safely assisted officers this morning. According to reports, one witness saw two men who he believed were the inmates and helped lead officers to them. A woman reported to police this morning two men broke into her parents' home, and another man told police he was pursuing the inmates on foot. This was truly a community-wide effort with a safe and successful ending."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001059
ARZN_REV00068646_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Announces New Appointments To AZPOST

PHOENIX — Governor Doug Ducey today announced five appointments to the Arizona Peace Officer Standards and Training Board:

- Jeri Williams, Phoenix Police Chief
- David Rhodes, Yavapai County Sheriff
- Christopher Vasquez, Eloy Police Chief
- Matthew Figueroa, Coconino County Detention Services Commander
- Kevin Robinson, Arizona State University Professor

"As always, the safety of Arizonans and our communities remains a top priority," said Governor Ducey. "It's crucial that AZPOST members and all law enforcement personnel have the resources, training, and knowledge needed to protect Arizonans and enforce the rule of law. Today's appointees bring a wealth of experience and knowledge to the Board, and I'm confident they will serve civilians and law enforcement professionals well."

The Arizona Peace Officer Standards and Training Board (AZPOST) is composed of 13 members and stands to foster public trust and confidence by establishing and maintaining standards of integrity, competence, and professionalism for Arizona peace officers and correctional officers.

AZPOST was established in 1968 to address the need for minimum peace officer selection, recruitment, retention and training standards, and to provide curriculum and standards for all certified law enforcement training facilities. Today, it provides services to approximately 159 law enforcement agencies encompassing over 14,500 sworn peace officers, 6,500 correctional officers, and 16 police training academies.

The Governor has been meeting with community leaders to understand ways the state can continue to foster trust between law enforcement and the community. One of the recommendations was to ensure that AZPOST better reflects the diversity of the community they serve. Today's appointments reflect that recommendation and will serve the community well.

Below are details on the appointees:

Jeri Williams serves as Chief of the Phoenix Police Department. Williams began her career at Phoenix PD as a patrol officer in 1989. In 2011 she joined the City of Oxnard Police Department as Police Chief, where she stayed until 2016 when she returned to Phoenix PD in her current role.

In her role, Williams handles executive leadership and direction of personnel and resources to provide police services to the community, including patrol, investigations, tactical unit, property, records, traffic enforcement, internal affairs, crime lab, crime analysis and central booking. She oversees approximately 4,000 sworn and civilian personnel as they work daily to improve the safety of all Phoenicians.

David Rhodes serves as Sheriff of Yavapai County and has 27 years of experience in areas ranging from community policing to criminal investigations, mental health diversion, jail development, and agency executive leadership. Rhodes was appointed to the Committee on Mental Health and the Justice System in August 2018. He also earned the Crisis Response Officer of Distinction Award – Mental Health Criminal Justice Advocacy Coalition, the ASU Center for Applied Behavioral Health Policy Award, and more.

Christopher Vasquez has served as Chief of the Eloy Police Department since 2017. In this role, he is responsible for the organization and direction of more than 50 police department employees and volunteer staff, committed to serving the community of Eloy.

Vasquez also served as the Interim Chief of Police of the Casa Grande and Kearny Police Departments, among numerous other roles.

Matthew Figueroa has served as Detention Services Commander of the Coconino County Sheriff's Office since 2014. In this role, he provides administrative leadership, supervision, training and direction, and assignment of duties of Detention personnel and supervisors in the daily operations of a 596-bed facility.

Figueroa also served as associate faculty with Coconino County Community College with the ability to instruct students in the areas of Administrative Justice. He joined the Coconino County Sheriff's Office in 1996 as a detention officer.

Kevin Robinson is an instructor and lecturer for the Arizona State University School of Criminology and Criminal Justice with more than 35 years of law enforcement experience. He teaches a wide range of classes including Race Ethnicity and Criminal Justice, Advanced Criminology Theory, Police Organization and Management, and more. Robinson holds a Bachelor of Arts from the University of Phoenix and Master of Public Administration from Arizona

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001060

ARZN_REV00068646_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

State University. He also completed a Delinquency Control Institute fellowship at the University of Southern California.

Representative Blackman's Earned Release Credit Legislation Incentivizes Inmate Rehabilitation, Lowers Recidivism

STATE CAPITOL, PHOENIX – State Representative Walt Blackman (R-6) has introduced HB 2713, bipartisan legislation that allows nonviolent state inmates to earn additional credits toward an earlier release from prison to community supervision if they complete drug treatment or major self-improvement programs or are actively participating in certain work programs.

"This is not a partisan issue or a red or blue issue – this is an Arizona issue, and a smart approach to incremental criminal justice reform," said Representative Blackman. **"Expanding earned credits opportunities for nonviolent inmates will save Arizona taxpayers millions of dollars which can be reinvested into critical programing, reentry and community supervision programming, or other important needs in the state. There is a real need for Arizona to prioritize public safety, and the best way to do that is smart criminal justice reform that is targeted at reducing crime and recidivism. This approach will incentivize inmates to truly rehabilitate themselves by offering credits for completion of programs that will equip them with the tools and skills necessary to lead a productive life."**

Allowing inmates to earn credits toward an earlier release is a proven policy used in many states. Unfortunately, Arizona is one of only three states that require nonviolent offenders to serve at least 85% of their sentences before becoming eligible for release to supervision, with the exception of drug possession offenders. HB 2713 would:

- Allow drug offenders to earn an additional 5 days for every 6 days (total of 50%), and allow other nonviolent offenders to earn an additional 2 days for every 6 days (total of 33%), for successfully completing meaningful programming or having actively participated in a qualified work program for at least 6 months. (Total percentages include the 15% that they are eligible to earn under current law). These credits would also apply to the current population who meet the qualifications under the bill.
- Not change the sentences of qualified inmates who earn additional earned release credits; those inmates would instead serve a larger percentage of their sentences under community supervision and would still be under correctional control rather than taking up valuable bed space within the Department of Corrections.
- Require the Department to make a functional literacy determination and, if necessary, provide the programming and standardized assessment test while ensuring that inmates are not held past their eligible release dates.
- Allow the Corrections Director to declare all or a portion of release credits earned by a prisoner to be forfeited for failure to adhere to the rules of the Department.
- Clarify when an inmate may apply for restoration of credits after a certain amount of time has passed.
- Require additional victim notification of the inmate's earliest release date.
- Add reporting requirements to better track the success of the additional credits.

It is estimated that at least 16,000 individuals convicted of a drug or other nonviolent offense could be eligible to earn additional release credits under the changes proposed in HB 2713. Any individual serving a sentence for a serious offense, a violent or aggravated felony, or a dangerous crime against children would not qualify for any additional earned release credits under this bill.

Representative Blackman's bill is supported by a bipartisan coalition of legislators, including Representatives Andrade (D-29), Biasiucci (R-5), Bolding (D-27), Bolick (R-20), Burges (R-1), Cano (D-3), Carroll (R-22), Fillmore (R-16), Alma Hernandez (D-3), John (R-4), Pawlik (D-17), Rodriguez (D-27), Shah (D-24), Sierra (D-19), Stahl Hamilton (D-10), Toma (R-22), and Wilmeth (R-15), and Senator Engel (D-10).

Arizona Treasurer Kimberly Yee Announces Results for Stress Test on Operating Cash and Endowment Distributions

PHOENIX, AZ – Arizona State Treasurer Kimberly Yee announced the release of the 'stress test' results on the State's Operating Cash and Permanent Land Endowment Trust Fund (PLETF) distributions. The annual stress tests estimate how long the state's cash balance would remain positive during an economic downturn and whether there would be a decrease in endowment distributions. This is the Arizona Treasurer's Office second annual stress test.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001061

ARZN_REV00068646_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"This stress test provides policymakers a view on how budgeting decisions today can affect taxpayers tomorrow," said Arizona Treasurer Kimberly Yee. "Despite the economic effects of the COVID-19 pandemic, the state's budget outlook is positive, tax revenues are growing, and the state's operating cash balance remains strong. For the first six months of FY 2021, operating cash is up 44% year over year to an average of $3.2 billion, excluding federal CARES Act funds," Treasurer Yee said.

Using nearly 30 years of historical data, the tests were designed to mirror different "what-if" scenarios from past recessionary periods of Arizona. These periods included the Great Financial Crisis of 2007-2009, the 2000 Tech Bubble Crash, 1987 Black Monday Crash and the 1980's recession.

"As policymakers consider budget decisions, I encourage continued efforts to solidify our much-improved financial position with this analysis. The great state of Arizona is in a strong economic position and has the ability to weather potential downturns," Yee added.

The full report including background, definitions, methodology, reasoning, and results is HERE.

"QUOTE OF THE DAY"

"If the process was manipulated and it can be proved in an audit, let the chips fall where they may."

- Bill Beard, former Pima County GOP chair, on calling for an audit of the AZGOP election results

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001062

ARZN_REV00068646_1-28-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, January 28, 2021 7:32:39 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 1-28-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *January 28, 2021*

IT PUTS A WHOLE NEW SPIN ON #STOPTHESTEAL
Republicans have finally found true irregularities, inconsistencies and errors in the election, but not the election you would think.

ASK YOURSELF: WHICH ELECTION WAS MORE LIKELY STOLEN?
While Arellano and company repeatedly stressed that they're not outright claiming the election was stolen, they hinted that it's not impossible and outlined a host of concerns about the process.

IT DID HAVE A CHRISTMAS MORNING FEEL TO IT
The reaction from the chattering class was, predictably, thick with schadenfreude.

AMERICAN OVERSIGHT

BUT CAN THEY PUT IT IN A SUBPOENA?
In their call for an audit, the Republicans have identified nine points that they want inspected.

THERE'S A LOT TO BE APPALLED ABOUT HERE
One former ethics chair described the allegations against Rogers as "absolutely appalling" and said the fact the former assistant was terminated is "equally as appalling."

THAT STUFF WOULDN'T FLY AT SHOPE'S IGA
Shope, another former ethics chair, told our reporter reading the details of the complaint against Rogers made him glad his father had him take on a managerial role in the family's grocery business at an early age.

SHE LOST THE ELECTION, BUT WON OUR DUMB TWEET AWARD
Julie Gunningle, the failed Democratic candidate for Maricopa County Attorney, is giving some of our favorite politicos a run for their money in the race to post the dumbest tweet.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, January 28, 2021

·NEWS NOTES AND GOSSIP·

IT PUTS A WHOLE NEW SPIN ON #STOPTHESTEAL

Republicans have finally found true irregularities, inconsistencies and errors in the election, but not the election you would think. In what can only be described as the height of irony, AZGOP Chair Kelli Ward is facing calls for an audit and recount of her victory Saturday, an election for which the party has still not provided an official vote count, for which observers say they weren't allowed to watch ballots be tabulated and which had at least one major error. Let's start this bizarrely fitting tale at the beginning. When AZGOP held its statutory meeting Saturday, Ward barred the media from attending – only Trumpian "news" outlets like Right Side Broadcasting were allowed in the room, and even they were kicked out before voting started. The vote for chairman was a four-way affair, and a majority of state committeemen backed candidates other than Ward, forcing a runoff. Ward (allegedly) won the runoff against Sergio Arellano. That was a somewhat surprising outcome, given that it appeared party faithful were divided into two distinct groups – Ward people and Never Ward people. (Of course, that outcome could be explained by the fact that many in the anti-Ward faction left after the first round of balloting, but that would be giving Ward the benefit of the doubt, and after the last two months, we're not feeling that generous.) Suspiciously, the party never publicly provided a hard vote count, instead only saying Ward won with 51.5 percent of the vote or a 42-vote margin. A few party activists grumbled about procedures and bylaws and that they didn't know the actual vote count, but the media outlets that were covering the event remotely moved on. Then Sandra Dowling, a former Maricopa County Supervisor, got a call saying that despite what was announced at the meeting, she had not, in fact, won the at-large committeeman seat for CD8, a flip that the party attributed to "human error." That set off alarm bells for many, including Arellano, and former Pima County GOP Chair Bill Beard, both longtime election integrity activists in southern Arizona, who quietly sent the party letters Monday calling for an audit of the election results. When the party responded with effective silence, their concern grew. Kim Owens, a state committeeman and former Corporation Commission candidate, had been posting on her Facebook all week about problems in the election, but it hadn't caught on. Then, moments after our deadline yesterday, Trey Terry, a state committeeman and former legislative candidate, put it on Twitter. Owens said her phone immediately started blowing up. "I'm not gonna lie to you, I had a press release ready to go out today to announce and we decided to hold it another day, because we thought, let's give them a chance, because truly we don't want to blow up our party," Owens told our reporter last night. "And my thing was if we're gonna do it, we gotta do it in time for *Yellow Sheet* deadline." Owens stressed that the calls for an audit aren't about any one candidate in the chairman's race, but about election integrity. "When the CD8 issue came up and then we found that there were no actual witnesses to watch the download of data, we felt that there was a need to ask for an audit of the election," she said. But Ward, who has been screaming about the need for another audit of the Maricopa County election, hasn't responded to their calls for an audit. "The silence is becoming deafening," Beard told our reporter today. He said he wants to give the party a chance to explain itself, and doesn't yet believe the vote was stolen. But after days of silence from the party, he's begrudgingly taking his case to the media. "If the process was manipulated and it can be proved in an audit, let the chips fall where they may," he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001065

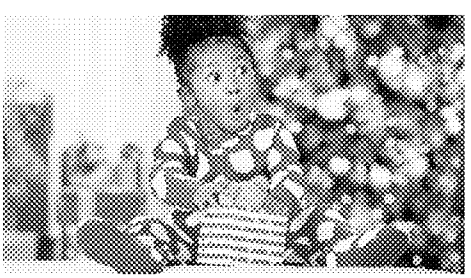
ARZN_REV00068648_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ASK YOURSELF: WHICH ELECTION WAS MORE LIKELY STOLEN?

While Arellano and company repeatedly stressed that they're not outright claiming the election was stolen, they hinted that it's not impossible and outlined a host of concerns about the process. Among their concerns are that boxes of ballots went unguarded all day; that candidates' designated representatives weren't allowed to watch the first round of tabulating votes; that they never received an official breakdown of how many votes were cast, counted, spoiled or printed in Saturday's election; that the credentials chair in charge of ensuring only state committeemen could vote had resigned and Ward ally Tyler Bowyer effectively ran the meeting; and that Dowling's race was wrongly called due to unspecified "human error." Still, Arellano, who previously told our reporter that in his heart, he believes the presidential election was stolen, wasn't ready to declare that his own race was stolen from him. At least not yet. "I don't feel there's anything shady, and I really hope there's nothing shady, but that's what the audit is for," Arellano told our reporter. "Is it too late? Who knows. Could they have slipped in ballots? Probably. Could they have done other modifications? Probably. But we won't know until we're there." And Arellano warned that he has a "secret weapon" in John Brakey, an election integrity crusader who cut his teeth in Pima County's 2006 Election Transit Authority debacle (LINK). "If there's something to find, Brakey will find it and really blow it out of the water," Arellano said.

IT DID HAVE A CHRISTMAS MORNING FEEL TO IT



The reaction from the chattering class was, predictably, thick with schadenfreude. Of course, there's no evidence that Ward stole the election, but after two months of hearing her spread baseless and debunked conspiracies about the national election, completely devoid of evidence, politicos on Twitter were happy to buy into this conspiracy, if just out of spite. Several politicos made the same Alanis Morissette "ironic" joke, but a few of the reactions stood out. "After months of baseless allegations of a stolen election, Kelli Ward finally found evidence of voter fraud – the election she rigged herself," Elise Terry tweeted while sharing her husband's post that sent politicos into a frenzy. Markos Moulitsas, founder of *Daily Kos,* chimed in, which helped the story reach a national audience. "Uh oh. Did they use sharpies?" he tweeted. Progressive lobbyist and expert Twitter dunker Geoff Esposito posted several times at Ward's expense. "The real GOP chair is the audits we did along the way," he wrote. Ryan Smith, the former Highground exec and son of former Mayor Scott Smith, said the news was like a wish come true. "The last time I wished so hard for something to be true, I was 10 years old and wanted to squeak out one more year believing in Santa Claus," he tweeted.

BUT CAN THEY PUT IT IN A SUBPOENA?

In their call for an audit, the Republicans have identified nine points that they want inspected. Below is the list of demands that they have sent to Ward and AZGOP.

1. All copies of the original Zero Tapes from each of the 8 scanners used in this election.
2. A complete count of all ballots printed for this election by type (round 1, 2 and caucus). A complete count of all ballots voted, spoiled and blank, and unused ballots. These numbers must equal the original printed number to ensure the integrity of the process.
3. A complete count of the number of credentialed voters that received ballots.

AMERICAN OVERSIGHT

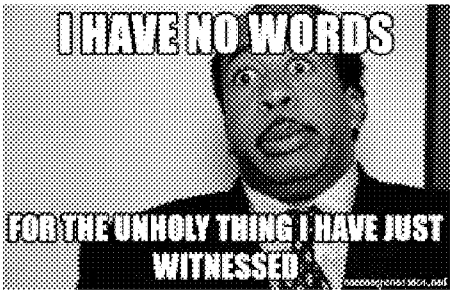
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001066

ARZN_REV00068648_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

4. Provide documentation that all election related materials including ballots voted, spoiled, unused, etc… computer printouts including 8 tapes from the scanners, thumb drives and other material used to transfer data between devices, etc… are in a secured, tamper proof storage container and under lock with access only in the presence of witnesses.
5. Provide a full chain of custody trail for all ballots and ballot data.
6. Provide a complete documentation of all election equipment hardware and software including chain of custody of the machinery to include names of individuals with access to same.
7. Names of witnesses and all individuals that had access to the ballots, ballot data, hardware, software, etc.. This should include the names of individuals tasked with monitoring spoiled ballots, where and how these were stored and documented.
8. Provide a complete vote count record to the body. This should include total votes, vote percentages, over/under votes, spoiled ballots, etc… This information should also be included in the official minutes of the body.
9. All of these materials must be available for complete review by independent auditors.

THERE'S A LOT TO BE APPALLED ABOUT HERE



One former ethics chair described the allegations against Rogers as "absolutely appalling" and said the fact the former assistant was terminated is "equally as appalling." "It's just shocking and how a member could be that out of control of themselves to treat someone that way is just – there are no words," the source said, adding that Kerr must conduct a thorough investigation. "To see a member treat a staff member that way is just unheard of … those facts need to be investigated and establish why the Senate moved to terminate him," the source said. (Michael Polloni, the former legislative assistant, was actually given a chance to resign or be fired and he chose the former so he could have another opportunity to work for the state again.) As a former ethics chair, the source had some advice for Kerr: She should rely heavily on outside help. Assuming Polloni's allegations are true, the source said, the chair would then have to gauge the caucus to see what type of punishment would suffice. There are basically three options the chair could pursue: censuring, expelling or a forced resignation. The source said while a censure might seem like a slap on the wrist, expelling is difficult because it requires votes from two-thirds of the chamber. If the votes are there to expel, it's still not the preferred option, as it means undoing the will of the voters. More often, lawmakers read the writing on the wall and resign themselves – a la former lawmakers David Stringer, Scott Bundgaard and Daniel Patterson. Former lawmaker Don Shooter is the only legislator in modern history to be expelled rather than resign.

THAT STUFF WOULDN'T FLY AT SHOPE'S IGA

Shope, another former ethics chair, told our reporter reading the details of the complaint against Rogers made him glad his father had him take on a managerial role in the family's grocery business at an early age. "I learned pretty quickly how you treat people and how you don't treat people that work for you," he said. "So, if at all true, I do find it really disturbing, but I think you have to give an opportunity to respond. There is due process here." Shope, who chaired the House ethics committee through the 2019 investigation into former Rep David Stringer and recused himself when it was Cook's turn for an investigation in 2020, said recent years show the ethics committee process works. Stringer resigned, former Rep Don Shooter was expelled and voters knew the results of a thorough investigation into Cook when they chose to re-elect him. "Mr. Shooter is not there. He was removed. Mr. Stringer, we had a full investigation, he's no longer there. Mr. Cook, we had an investigation, the information was put out there and the voters sent him back. I would say that the process works," Shope said. Kerr has a difficult task ahead of her, he said, and she'll have to protect herself, Rogers and her former assistant, Michael Polloni, while an investigation proceeds.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001067
ARZN_REV00068648_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SHE LOST THE ELECTION, BUT WON OUR DUMB TWEET AWARD

Julie Gunningle, the failed Democratic candidate for Maricopa County Attorney, is giving some of our favorite politicos a run for their money in the race to post the dumbest tweet. Gunnigle, who recently joined NORML Arizona after losing her race against Allister Adel, decided it would be a good idea to take a jab at Adel for working part-time while recovering from a brain injury that hospitalized her for nearly two months. "On the campaign trail, @allisteradel indicated her disdain for 'part-time prosecutors.' Today I learned that she has become one," Gunnigle began her Twitter thread including a short clip of Adel criticizing her during the campaign for only working as a prosecutor part-time. Gunnigle followed up with tweets about experience working part-time as a prosecutor while she raised her child on maternity leave, apparently what Adel was referencing when she attacked Gunnigle on the campaign trail. She said there is no shame in working less than full-time, permitting you are honest and transparent with employers/taxpayers. She then linked to a recent *Arizona Republic* article about Adel working part-time. Gunnigle highlighted an important, if uncomfortable, issue about one of the largest prosecutor's office in the country not having a full-time leader, but clouded it around a tone-deaf attack against her former foe. The Maricopa County Attorney's Office has been less than transparent about who was running things while Adel was unable to conduct official business as the county's top prosecutor. Gunnigle was predictably slammed for the remark. (Planned Parenthood board chair and attorney Chris Love also went after Adel for her part-time status after suffering a brain injury, but escaped the Twitter mob's wrath.) Lorna Romero, Adel's campaign spokeswoman; Thomas Galvin, an attorney at Rose Law Group; GOP consultant Barrett Marson and former *New Times* scribe Stephen Lemons were some of those firing back at Gunnigle. "In your pathetic attempt to remain relevant you have revealed that your disgusting behavior is not limited to the campaign trail. Shocking," Romero wrote. "If someone like Kelli Ward or Gosar said something like they'd be justifiably roasted for it in the public sphere. Gunnigle was almost our county's chief law enforcement official and she torched her reputation by mocking brain injuries," Galvin wrote in one of several posts on the topic. Brnovich communications director Ryan Anderson made jokes at Gunnigle's expense writing, "Julie Gunnigle: 'I like people who don't get brain injuries.'" Republican consultant Brian Anderson summed up the episode in one shining tweet. "At a time when we're all so divided, it was kind of @JulieGunnigle to unite everyone around the shared belief that she is a pile of garbage," he tweeted.

·WAKE UP CALL·

Census data for redistricting, apportionment delayed

Arizona Capitol Times

The Arizona Independent Redistricting Commission won't be able to draw new boundaries for congressional and legislative districts until April 30 at the earliest due to a delay of the U.S. Census data.

Proposal would allow Arizonans to deduct more from taxes to help kids attend college

Capitol Media Services

Not all lawmakers are convinced lower-income residents would be able to take advantage of proposed change in tax policy

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001068

ARZN_REV00068648_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Shifts for Shots: How Savvy Vaccine Seekers Worked the Volunteer System
Phoenix New Times
Before he was eligible for a COVID-19 vaccine, Mike Bucca got a text from a friend at a law firm, who told him that Blue Cross Blue Shield offered a shot for people who worked an eight-hour volunteer shift.

COVID a year later is the leading cause of death in Arizona
Arizona Mirror
It has been 366 days since a 26-year-old Arizona State University student became Arizona's first confirmed COVID-19 case, and the illness caused by the novel coronavirus has surpassed cancer and heart disease as the lead killer of Arizonans.

Why Did Julie Gunnigle Make This Baffling, Craven Post About Allister Adel's Recovery?
Phoenix New Times (Opinion, David Hudnall)
The evening of November 3, 2020, was weird and tense for everyone, but especially so for Julie Gunnigle.

Republican senators choose Donald Trump over 5 who died in the Capitol riot
Arizona Republic (Opinion, EJ Montini)
45 Republicans tried to prevent an impeachment trial from even taking place.

Move aside, Gov. Doug Ducey, the Legislature is here to rescue us from COVID-19 (Oh, no)
Arizona Republic (Opinion, Laurie Roberts)
Arizona is one of the nation's hotspots for COVID-19, and the Legislature wants to strip Gov. Doug Ducey of his emergency power to do anything about it. Genius move.

What's Kelli Ward going to do with a #StopTheSteal claim about her own election win?
Arizona Republic (Opinion, Elvia Diaz)
The joke now is on Kelli Ward and the Arizona Republican Party.

Abortion in Arizona could net women a murder charge? How is that 'pro-life?'
Arizona Republic (Op-ed, Jodi Liggett)
There are far more productive policies Arizona can pursue to be 'pro-life' than the anti-abortion House Bill 2650. Let's tell lawmakers so.

My 96-year-old mom died of COVID-19. Here's what we learned after she died
Arizona Republic (Opinion, Jodi Amendola)
She showed symptoms of the virus that are atypical, but not uncommon in elderly patients. Finally the test was performed, but not in time to help her.

PRESS RELEASES

Statement from Senator Shope on the capture of two inmates

"Arizona residents are breathing easier this afternoon with the capture of two hardened criminals who escaped from the state prison in Florence. These two felons were in prison serving long terms for molestation of a child, sexual abuse, kidnapping and second-degree burglary. Since their escape on Saturday evening, the people of my district have been living in fear, especially knowing that witnesses reported the men were still in the area, committing more crimes. The two escapees were captured and arrested this morning by Coolidge Police and the U.S. Marshall's Office. Today I want to thank the men and women in law enforcement who worked around the clock since this weekend in pursuit of the escapees. They once again showed the importance of public safety in our community, and we are all grateful that their hard work in this pursuit led to these apprehensions.
I also want to recognize three members of the public who safely assisted officers this morning. According to reports, one witness saw two men who he believed were the inmates and helped lead officers to them. A woman reported to police this morning two men broke into her parents' home, and another man told police he was pursuing the inmates on foot. This was truly a community-wide effort with a safe and successful ending."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001069
ARZN_REV00068648_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Announces New Appointments To AZPOST

PHOENIX — Governor Doug Ducey today announced five appointments to the Arizona Peace Officer Standards and Training Board:

- Jeri Williams, Phoenix Police Chief
- David Rhodes, Yavapai County Sheriff
- Christopher Vasquez, Eloy Police Chief
- Matthew Figueroa, Coconino County Detention Services Commander
- Kevin Robinson, Arizona State University Professor

"As always, the safety of Arizonans and our communities remains a top priority," said Governor Ducey. "It's crucial that AZPOST members and all law enforcement personnel have the resources, training, and knowledge needed to protect Arizonans and enforce the rule of law. Today's appointees bring a wealth of experience and knowledge to the Board, and I'm confident they will serve civilians and law enforcement professionals well."

The Arizona Peace Officer Standards and Training Board (AZPOST) is composed of 13 members and stands to foster public trust and confidence by establishing and maintaining standards of integrity, competence, and professionalism for Arizona peace officers and correctional officers.

AZPOST was established in 1968 to address the need for minimum peace officer selection, recruitment, retention and training standards, and to provide curriculum and standards for all certified law enforcement training facilities. Today, it provides services to approximately 159 law enforcement agencies encompassing over 14,500 sworn peace officers, 6,500 correctional officers, and 16 police training academies.

The Governor has been meeting with community leaders to understand ways the state can continue to foster trust between law enforcement and the community. One of the recommendations was to ensure that AZPOST better reflects the diversity of the community they serve. Today's appointments reflect that recommendation and will serve the community well.

Below are details on the appointees:

Jeri Williams serves as Chief of the Phoenix Police Department. Williams began her career at Phoenix PD as a patrol officer in 1989. In 2011 she joined the City of Oxnard Police Department as Police Chief, where she stayed until 2016 when she returned to Phoenix PD in her current role.

In her role, Williams handles executive leadership and direction of personnel and resources to provide police services to the community, including patrol, investigations, tactical unit, property, records, traffic enforcement, internal affairs, crime lab, crime analysis and central booking. She oversees approximately 4,000 sworn and civilian personnel as they work daily to improve the safety of all Phoenicians.

David Rhodes serves as Sheriff of Yavapai County and has 27 years of experience in areas ranging from community policing to criminal investigations, mental health diversion, jail development, and agency executive leadership. Rhodes was appointed to the Committee on Mental Health and the Justice System in August 2018. He also earned the Crisis Response Officer of Distinction Award – Mental Health Criminal Justice Advocacy Coalition, the ASU Center for Applied Behavioral Health Policy Award, and more.

Christopher Vasquez has served as Chief of the Eloy Police Department since 2017. In this role, he is responsible for the organization and direction of more than 50 police department employees and volunteer staff, committed to serving the community of Eloy.

Vasquez also served as the Interim Chief of Police of the Casa Grande and Kearny Police Departments, among numerous other roles.

Matthew Figueroa has served as Detention Services Commander of the Coconino County Sheriff's Office since 2014. In this role, he provides administrative leadership, supervision, training and direction, and assignment of duties of Detention personnel and supervisors in the daily operations of a 596-bed facility.

Figueroa also served as associate faculty with Coconino County Community College with the ability to instruct students in the areas of Administrative Justice. He joined the Coconino County Sheriff's Office in 1996 as a detention officer.

Kevin Robinson is an instructor and lecturer for the Arizona State University School of Criminology and Criminal Justice with more than 35 years of law enforcement experience. He teaches a wide range of classes including Race Ethnicity and Criminal Justice, Advanced Criminology Theory, Police Organization and Management, and more. Robinson holds a Bachelor of Arts from the University of Phoenix and Master of Public Administration from Arizona

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001070

ARZN_REV00068648_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

State University. He also completed a Delinquency Control Institute fellowship at the University of Southern California.

Representative Blackman's Earned Release Credit Legislation Incentivizes Inmate Rehabilitation, Lowers Recidivism

STATE CAPITOL, PHOENIX – State Representative Walt Blackman (R-6) has introduced HB 2713, bipartisan legislation that allows nonviolent state inmates to earn additional credits toward an earlier release from prison to community supervision if they complete drug treatment or major self-improvement programs or are actively participating in certain work programs.

"This is not a partisan issue or a red or blue issue – this is an Arizona issue, and a smart approach to incremental criminal justice reform," said Representative Blackman. **"Expanding earned credits opportunities for nonviolent inmates will save Arizona taxpayers millions of dollars which can be reinvested into critical programing, reentry and community supervision programming, or other important needs in the state. There is a real need for Arizona to prioritize public safety, and the best way to do that is smart criminal justice reform that is targeted at reducing crime and recidivism. This approach will incentivize inmates to truly rehabilitate themselves by offering credits for completion of programs that will equip them with the tools and skills necessary to lead a productive life."**

Allowing inmates to earn credits toward an earlier release is a proven policy used in many states. Unfortunately, Arizona is one of only three states that require nonviolent offenders to serve at least 85% of their sentences before becoming eligible for release to supervision, with the exception of drug possession offenders. HB 2713 would:

- Allow drug offenders to earn an additional 5 days for every 6 days (total of 50%), and allow other nonviolent offenders to earn an additional 2 days for every 6 days (total of 33%), for successfully completing meaningful programming or having actively participated in a qualified work program for at least 6 months. (Total percentages include the 15% that they are eligible to earn under current law). These credits would also apply to the current population who meet the qualifications under the bill.
- Not change the sentences of qualified inmates who earn additional earned release credits; those inmates would instead serve a larger percentage of their sentences under community supervision and would still be under correctional control rather than taking up valuable bed space within the Department of Corrections.
- Require the Department to make a functional literacy determination and, if necessary, provide the programming and standardized assessment test while ensuring that inmates are not held past their eligible release dates.
- Allow the Corrections Director to declare all or a portion of release credits earned by a prisoner to be forfeited for failure to adhere to the rules of the Department.
- Clarify when an inmate may apply for restoration of credits after a certain amount of time has passed.
- Require additional victim notification of the inmate's earliest release date.
- Add reporting requirements to better track the success of the additional credits.

It is estimated that at least 16,000 individuals convicted of a drug or other nonviolent offense could be eligible to earn additional release credits under the changes proposed in HB 2713. Any individual serving a sentence for a serious offense, a violent or aggravated felony, or a dangerous crime against children would not qualify for any additional earned release credits under this bill.

Representative Blackman's bill is supported by a bipartisan coalition of legislators, including Representatives Andrade (D-29), Biasiucci (R-5), Bolding (D-27), Bolick (R-20), Burges (R-1), Cano (D-3), Carroll (R-22), Fillmore (R-16), Alma Hernandez (D-3), John (R-4), Pawlik (D-17), Rodriguez (D-27), Shah (D-24), Sierra (D-19), Stahl Hamilton (D-10), Toma (R-22), and Wilmeth (R-15), and Senator Engel (D-10).

Arizona Treasurer Kimberly Yee Announces Results for Stress Test on Operating Cash and Endowment Distributions

PHOENIX, AZ – Arizona State Treasurer Kimberly Yee announced the release of the 'stress test' results on the State's Operating Cash and Permanent Land Endowment Trust Fund (PLETF) distributions. The annual stress tests estimate how long the state's cash balance would remain positive during an economic downturn and whether there would be a decrease in endowment distributions. This is the Arizona Treasurer's Office second annual stress test.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001071

ARZN_REV00068648_1-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"This stress test provides policymakers a view on how budgeting decisions today can affect taxpayers tomorrow," said Arizona Treasurer Kimberly Yee. "Despite the economic effects of the COVID-19 pandemic, the state's budget outlook is positive, tax revenues are growing, and the state's operating cash balance remains strong. For the first six months of FY 2021, operating cash is up 44% year over year to an average of $3.2 billion, excluding federal CARES Act funds," Treasurer Yee said.

Using nearly 30 years of historical data, the tests were designed to mirror different "what-if" scenarios from past recessionary periods of Arizona. These periods included the Great Financial Crisis of 2007-2009, the 2000 Tech Bubble Crash, 1987 Black Monday Crash and the 1980's recession.

"As policymakers consider budget decisions, I encourage continued efforts to solidify our much-improved financial position with this analysis. The great state of Arizona is in a strong economic position and has the ability to weather potential downturns," Yee added.

The full report including background, definitions, methodology, reasoning, and results is HERE.

"QUOTE OF THE DAY"

"If the process was manipulated and it can be proved in an audit, let the chips fall where they may."

- Bill Beard, former Pima County GOP chair, on calling for an audit of the AZGOP election results

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001072

ARZN_REV00068648_1-28-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Friday, January 29, 2021 8:17:45 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *January 29, 2021*

GOP bill would allow lawmakers to override electoral votes
Arizona Capitol Times
The chairwoman of the House Ways and Means Committee introduced a bill January 27 that would allow the Legislature to override the secretary of state's certification of the state's electoral votes.

Ward, Terán take different ways to lead parties
Arizona Capitol Times
In a state that has turned from red to purple, Arizona's Republican and Democratic parties continue to push away from the center – one opens the door for more voices to be heard and the other shuts out those who disagree.

Survey: Arizona Democrats more likely to get COVID-19 vaccine
Capitol Media Services
Nearly a month after vaccines have become available here, a quarter of Arizonans remain unwilling to get inoculated against COVID-19.

Arizona lawmakers advance bill targeting gross online food challenges
Capitol Media Services
Doing something gross with food that isn't yours in hopes of getting social media hits could

AMERICAN OVERSIGHT

soon land you behind bars.

Arizona bill seeks to provide patients more information before breast surgery
Capitol Media Services
Women considering breast enhancement surgery in Arizona would get more information about what could go wrong under the terms of legislation given preliminary Senate approval on Thursday.

Pascua Yaqui win water funds, first of $150 million for Arizona projects
Cronkite News
Pascua Yaqui Council members called it "a blessing."

Republicans seek audit of Arizona GOP chairwoman election
Associated Press
Arizona Republican Party chairwoman Kelli Ward faces questions about her reelection last Saturday after she spent months promoting unsubstantiated claims of election fraud by former President Donald Trump, officials said.

Gosar denounces violence – but still claims massive election fraud
Payson Roundup
Arizona Rep. Paul Gosar remains at the heart of a growing battle within the Arizona Republican Party over allegations of election fraud, election protests and the effort to purge or censure party members who did not support former President Trump's claims of election fraud.

State Senator Kelly Townsend Wants to Invalidate Mailed-In Ballots
Phoenix New Times
Another day, another bill pushed by Republican Arizona lawmakers that would restrict early voting in the state.

The Antipope of Mar-a-Lago
Politico
What a medieval religious schism can teach us about Donald Trump's unprecedented and radically antagonistic approach to the ex-presidency.

Money trail leads from D-Backs to Rep. Andy Biggs to QAnon Rep. Marjorie Taylor Greene
Arizona Republic (Opinion, EJ Montini)
If you've lived in Arizona for any amount of time you'd just assume there was a connection.

It's obvious that Kelli Ward stole the GOP election and no facts can change that, right?
Arizona Republic (Opinion, Laurie Roberts)
Arizona GOP chairwoman Kelli Ward isn't talking about suspicions calling into question her own election. But if she was, I would have just one question for her.

Rep. Shawnna Bolick says your vote for president shouldn't count (but hers should)
Arizona Republic (Opinion, Laurie Roberts)
While some legislators ponder how to make it more difficult to vote in presidential elections, Rep. Shawnna Bolick is proposing that your vote not even count.

Trump should be banned from running again. But that's just not an option
Arizona Republic (Opinion, Robert Robb)
Trump committed an impeachable offense deserving of a ban on future office. But disqualification independent of removal isn't a constitutional option.

What's Kelli Ward going to do with a #StopTheSteal claim about her own election win?
Arizona Republic (Opinion, Elvia Diaz)

AMERICAN OVERSIGHT

Can you believe Arizona GOP chairwoman Kelli Ward is now facing questions over her own election win? Ha ha ha ha ha.

Arizona's confusing vaccination website is in line for an upgrade (fingers crossed)
Arizona Republic (Opinion, Editorial Board)
Arizona is trying to nix confusion online and move COVID-19 vaccine doses where they can be used fastest. Will it pay off? Let's hope so.

Transgender athlete bill isn't a priority now. Why is Kathy Hoffman so worried?
Arizona Republic (Op-ed, Cathi Herrod)
The proposed Save Women's Sports Act in no way prohibits any student from playing sports. It merely clarifies on what team a student will play. All can play.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, January 29, 2021 8:17:46 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *January 29, 2021*

GOP bill would allow lawmakers to override electoral votes
Arizona Capitol Times
The chairwoman of the House Ways and Means Committee introduced a bill January 27 that would allow the Legislature to override the secretary of state's certification of the state's electoral votes.

Ward, Terán take different ways to lead parties
Arizona Capitol Times
In a state that has turned from red to purple, Arizona's Republican and Democratic parties continue to push away from the center – one opens the door for more voices to be heard and the other shuts out those who disagree.

Survey: Arizona Democrats more likely to get COVID-19 vaccine
Capitol Media Services
Nearly a month after vaccines have become available here, a quarter of Arizonans remain unwilling to get inoculated against COVID-19.

Arizona lawmakers advance bill targeting gross online food challenges

AMERICAN OVERSIGHT

Capitol Media Services
Doing something gross with food that isn't yours in hopes of getting social media hits could soon land you behind bars.

Arizona bill seeks to provide patients more information before breast surgery
Capitol Media Services
Women considering breast enhancement surgery in Arizona would get more information about what could go wrong under the terms of legislation given preliminary Senate approval on Thursday.

Pascua Yaqui win water funds, first of $150 million for Arizona projects
Cronkite News
Pascua Yaqui Council members called it "a blessing."

Republicans seek audit of Arizona GOP chairwoman election
Associated Press
Arizona Republican Party chairwoman Kelli Ward faces questions about her reelection last Saturday after she spent months promoting unsubstantiated claims of election fraud by former President Donald Trump, officials said.

Gosar denounces violence – but still claims massive election fraud
Payson Roundup
Arizona Rep. Paul Gosar remains at the heart of a growing battle within the Arizona Republican Party over allegations of election fraud, election protests and the effort to purge or censure party members who did not support former President Trump's claims of election fraud.

State Senator Kelly Townsend Wants to Invalidate Mailed-In Ballots
Phoenix New Times
Another day, another bill pushed by Republican Arizona lawmakers that would restrict early voting in the state.

The Antipope of Mar-a-Lago
Politico
What a medieval religious schism can teach us about Donald Trump's unprecedented and radically antagonistic approach to the ex-presidency.

Money trail leads from D-Backs to Rep. Andy Biggs to QAnon Rep. Marjorie Taylor Greene
Arizona Republic (Opinion, EJ Montini)
If you've lived in Arizona for any amount of time you'd just assume there was a connection.

It's obvious that Kelli Ward stole the GOP election and no facts can change that, right?
Arizona Republic (Opinion, Laurie Roberts)
Arizona GOP chairwoman Kelli Ward isn't talking about suspicions calling into question her own election. But if she was, I would have just one question for her.

Rep. Shawnna Bolick says your vote for president shouldn't count (but hers should)
Arizona Republic (Opinion, Laurie Roberts)
While some legislators ponder how to make it more difficult to vote in presidential elections, Rep. Shawnna Bolick is proposing that your vote not even count.

Trump should be banned from running again. But that's just not an option
Arizona Republic (Opinion, Robert Robb)
Trump committed an impeachable offense deserving of a ban on future office. But disqualification independent of removal isn't a constitutional option.

AMERICAN OVERSIGHT

What's Kelli Ward going to do with a #StopTheSteal claim about her own election win?
Arizona Republic (Opinion, Elvia Diaz)
Can you believe Arizona GOP chairwoman Kelli Ward is now facing questions over her own election win? Ha ha ha ha ha.

Arizona's confusing vaccination website is in line for an upgrade (fingers crossed)
Arizona Republic (Opinion, Editorial Board)
Arizona is trying to nix confusion online and move COVID-19 vaccine doses where they can be used fastest. Will it pay off? Let's hope so.

Transgender athlete bill isn't a priority now. Why is Kathy Hoffman so worried?
Arizona Republic (Op-ed, Cathi Herrod)
The proposed Save Women's Sports Act in no way prohibits any student from playing sports. It merely clarifies on what team a student will play. All can play.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, January 29, 2021 11:11:26 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: News Clippings; January 29, 2021
Attachments: January 29, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Questions looming for planned 24/7vaccine site in Tucson
- Virus variant from S. Africa detected in US for first time
- Biden opens sign-up window to help uninsured find coverage
- Guest Editorial: Simultaneous online and in-person learning burning out teachers
- Governors' virus orders meet pushback in state legislatures
- Dems to 'act big' on $1.9T aid; GOP wants plan split
- Democratic lawmakers seek race data to address disparities in vaccinations
- SC Senate passes bill outlawing most abortions
- US jobless claims drop; still at 847,000 as pandemic rages
- Toggle to Graphic display. Hold for 2 seconds to lock graphic mode
- US economy shrank 3.5% in 2020, the largest decline in 74 years
- Survey: Ariz. Democrats more likely than Republicans to get virus vaccine
- Pascua Yaqui win water funds, first of $150M for AZ projects
- Lawmakers push legislation targeting intentional acts of food contamination
- Bill requires doctors to disclose breast augmentation risks

Arizona Republic

- VP urges faster Ariz. vaccinations
- Law cuts funds for consumer protection
- Asylum seekers stuck in Mexico
- Apache County officials sued for not providing records on jail voting
- 2 escaped Florence prison inmates captured
- State GOP is asked to audit Kelli Ward's reelection as chair
- Arizona approaches 13K known COVID-19 deaths
- Should you buy an at-home COVID-19 test on Amazon?
- Biden opens sign-up window for uninsured
- Virus variant from South Africa in US
- Results show vaccines are safe
- Rollout sidelines family doctors
- Legislation boosts state schools' powers to discipline employees
- US economy shrank by 3.5% in 2020
- Over 500 affordable rentals under construction in Valley
- Guest Commnetary: Arizona is still putting up barriers to abortion
- Inside a new COVID-19 treatment that's keeping Arizonans out of the hospital
- Banner Health has started using an arthritis drug on some critically ill COVID-19 patients

AMERICAN OVERSIGHT

- Navajo Nation surpasses 1,000 COVID-19 deaths
- Phoenix-Mesa Gateway Airport aims to land job and shopping hub
- Republicans demand audit of Kelli Ward's narrow win for Arizona GOP chair
- 2020 was officially the 2nd driest and 2nd hottest year ever recorded in Arizona
- Here's what Vice President Kamala Harris told The Republic about COVID-19 relief plans
- Maricopa County supervisors approve another election audit to be 'transparent and open' about the vote count
- New antibody therapy being used for COVID-19 patients in Arizona
- Johnson's 1-dose shot prevents COVID-19, but less than some others

KTAR News

- Gov. Ducey taps 5 for Arizona Peace Officer Standards and Training Board
- Threats of harm come with the job, Arizona Sen. Mark Kelly says
- New antibody therapy being used for COVID-19 patients in Arizona

Arizona Daily Sun

- COVID-19 vaccine supply a concern for Coconino County
- COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders
- County Detention Services head named to state board
- County Detention Services head named to state board
- VIRUS TODAY: Lawmakers call for race data on vaccine access

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Questions looming for planned 24/7vaccine site in Tucson

County aims to use Rillito Racetrack for drive-thru; start date is pending

Patty Machelor
Arizona Daily Star
January 29, 2021

Pima County is planning to use the Rillito Racetrack as its largest site for dispensing COVID-19 vaccination shots but there's not a starting date as the county waits to hear how much help it can expect from the state.

The location, at 4502 N. First Ave., will be a drive-thru that could provide 5,000 vaccinations per day as a 24-hour site, like the one the state currently runs in Glendale. That location is operated with the help of hundreds of Blue Cross Blue Shield of Arizona volunteers as well as staffing from the state's Department of Emergency and Military Affairs.

A second state-operated site is scheduled to open Monday, Feb. 1 at Phoenix Municipal Stadium, although it will not be open 24 hours per day.

Some residents from Pima and other Southern Arizona counties have traveled to the state site rather than wait for an appointment where they live. And several people have emailed the

Arizona Daily Star asking why Pima County, with the second-largest population in the state, doesn't have a 24-hour site here.

It's something the county hopes to do now, if it can get enough vaccine allocated for it, and enough volunteers and workers to staff it.

'This location is ideally suited for a six-lane, drive-thru vaccination facility with ample parking and long approach and departure driveways,' County Administrator Chuck Huckelberry wrote in a recent letter to Arizona's Department of Health Services director, Cara Christ. 'We estimate this site could provide as many as 5,000 vaccinations per day if operated 24/7.'

Christ said during a news conference Jan. 22, that the state offered Pima County help with setting up a state point of distribution, or POD, and the county declined, but Huckelberry wrote in his letter that that's not true.

'I checked with both Deputy County Administrator and Chief Medical Officer Dr. Francisco Garcia and Health Department Director Dr. Theresa Cullen on this matter,' Huckleberry wrote to Christ on Jan. 26. 'They, as well as I, do not recall any conversation with a state official declining assistance in setting up a future state-operated POD.'

Pima County will hit 100,000 vaccinations in the next few days, Cullen said, and, if there is enough vaccine, is on target to deliver up to 450,000 vaccines during these first three months of its immunization plan. 'We are prepping Rillito with the expectation the state will accept our offer to have it operate a vaccination center there,' said Mark Evans, communications director for the county. 'We will

AMERICAN OVERSIGHT

have a readyto- go site plan and the infrastructure to operate a center there, including the IT infrastructure, such as robust Wi-Fi.'

Huckleberry said as the county works through the current phase, which includes those 75 years of age and older, teachers, childcare workers and protective service workers, 'we will need additional vaccination capacity to quickly accommodate those 65 years of age and older as well as those remaining qualified persons.'

He told Christ that Pima County would 'appreciate assistance in setting up a sixth center at Rillito Park at the current time.'

In an email exchange provided through a public records request to the Arizona Daily Star, Jessica Rigler, assistant director for the state's public health preparedness through ADHS, wrote to Cullen that if the state did decide to put a POD in Pima County, they'd let the county know: 'I let (Cullen) know this sounds great and that if we were to initiate POD planning in Pima, we would let her know.'

When the state opened its first drive-thru site Jan. 11, Cullen had asked if the state was going to do the same thing here.

'Dr. Cullen, in her inquiry, was alerting the state to the fact that we were in the process of standing up our own vaccine distribution system here and she wanted to find out whether the state was planning to do something similar to the stadium POD in Pima County because (the state) thought the county didn't have a plan to vaccinate enough people quickly,' Evans said.

Cullen, he said, let her know Pima County's plan.

'Dr. Cullen's email appears to have been misinterpreted by the state that we didn't want the state setting up a POD here,' he said. 'That's not correct. We are happy to have all the assistance the state wants to offer.'

Steve Elliott, spokesman for the state's DHS, said when more vaccine becomes available, this will be a consideration.

'We value our excellent working relationship with Pima County and applaud the county's vaccination efforts to date,' he said.

'We look forward to furthering this collaboration when available vaccine enables the state to expand its nationally recognized model for mass vaccination beyond the Phoenix area to include Pima County and other places around the state where such operations can step up the pace of administering these life-saving vaccines.'

Return to the table of contents

AMERICAN OVERSIGHT

Virus variant from S. Africa detected in US for first time

Michelle Liu and Mike Stobbe
Arizona Daily Star
January 29, 2021

A new variant of the coronavirus emerged Thursday in the United States, posing yet another public health challenge in a country already losing more than 3,000 people to COVID-19 every day.

The mutated version of the virus, first identified in South Africa, was found in two cases in South Carolina. Public health officials said it's almost certain that there are more infections that have not been identified yet.

Officials also are concerned that this version spreads more easily and that vaccines could be less effective against it.

The two cases were discovered in adults in different regions of the state and do not appear to be connected. Neither of the people infected has traveled recently, the South Carolina Department of Health and Environmental Control said Thursday.

'That's frightening,' because it means there could be more undetected cases within the state, said Dr. Krutika Kuppalli, an infectious diseases physician at the Medical University of South Carolina in Charleston. 'It's probably more widespread.'

The arrival of the variant shows that 'the fight against this deadly virus is far from over,' Dr. Brannon Traxler, South Carolina's interim public health director, said in a statement. 'While more COVID-19 vaccines are on the way, supplies are still limited. Every one of us must recommit to the fight by recognizing that we are all on the front lines now. We are all in this together.'

Viruses constantly mutate, and coronavirus variants are circulating around the globe, but scientists are primarily concerned with the emergence of three that researchers believe may spread more easily. Other variants first reported in the United Kingdom and Brazil were previously confirmed in the U.S.

As the variants bring a potential for greater infection risks in the U.S., pandemic- weary lawmakers in several states are pushing back against mask mandates, business closures and other protective restrictions ordered by governors.

States including Arizona, Michigan, Ohio, Maryland, Kentucky and Indiana are weighing proposals to limit their governors' abilities to impose emergency restrictions. Wisconsin's Republican- controlled Assembly had been expected to vote to repeal Democratic Gov. Tony Evers' mask mandate, but lawmakers abruptly called off the vote Thursday in the face of broad criticism and out of concern it would jeopardize more than $49 million in federal aid. Pennsylvania lawmakers are considering a constitutional amendment to strip the governor of many of his emergency powers.

Governors argue that they need authority to act swiftly in a crisis, and limitations could slow critical emergency responses.

Meanwhile, Nebraska health officials said the state could be days away from lifting restrictions on indoor gatherings, citing a low percentage of COVID-19 hospitalizations. Other states seeing declining

AMERICAN OVERSIGHT

infections are also loosening limitations on restaurants and other businesses, though experts have warned the public to stay vigilant about masks and social distancing or risk further surges.

In South Carolina, the state health agency said the variant was found in one person from the state's coastal region and another in its northeastern corner. The state gave little other information, citing privacy concerns, though Traxler said neither of the people was contagious any longer.

'Both were tested very early in the month, and my understanding is that both are doing well,' Traxler said.

South Carolina Gov. Henry McMaster, a Republican, loosened most of the state's remaining pandemic restrictions in the fall. Spokesman Brian Symmes said McMaster does not plan to order new restrictions based on the discovery of the variant.

'This is important information for South Carolinians to have,' McMaster said in a tweet, 'but it isn't a reason for panic.'

Scientists last week reported preliminary signs that some of the recent mutations may modestly curb the effectiveness of two vaccines, although they stressed that the shots still protect against the disease. There are also signs that some of the new mutations may undermine tests for the virus and reduce the effectiveness of certain treatments.

The coronavirus has already sickened millions and killed roughly 430,000 people in the United States.

The variant first found in South Africa was detected in October. Since then, it has been found in at least 30 other countries.

People wait inside their vehicles after receiving the COVID-19 vaccine at a mass vaccination site at The Forum in Inglewood, California.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Biden opens sign-up window to help uninsured find coverage

Ricardo Alonso-Zaldivar
Arizona Daily Star
January 29, 2021

President Biden on Thursday ordered government health insurance markets to reopen for a special sign-up window, offering uninsured Americans a haven as the spread of COVID-19 remains dangerously high and vaccines aren't yet widely available.

Biden signed an executive order directing the HealthCare.gov insurance markets to take new applications for subsidized benefits, something Donald

Trump's administration had refused to do. He also instructed his administration to consider reversing other Trump health-care policies, including curbs on abortion counseling and the imposition of work requirements for low-income people getting Medicaid.

AMERICAN OVERSIGHT

'There's nothing new that we're doing here other than restoring the Affordable Care Act and restoring Medicaid to the way it was before Trump became president,' Biden said as he signed the directives in the Oval Office. He declared he was reversing 'my predecessor's attack on women's health.'

The actions were only the first steps by Biden, who has promised to build out former President Barack Obama's health care law to achieve a goal of coverage for all. While Biden rejects the idea of a government- run system that Sen. Bernie Sanders has pushed for in his 'Medicare for All' proposal, his more centrist approach will require congressional buy-in. But opposition to 'Obamacare' runs deep among Republicans.

The most concrete shortterm impact of Biden's orders will come from reopening HealthCare. gov insurance markets as coverage has shrunk in the economic turmoil of the coronavirus pandemic. That's an executive action and no legislation is required.

The new 'special enrollment period' will begin Feb. 15 and run through May 15, the WhiteHouse said.

It will be coupled with a promotional campaign and a call for states that run their own insurance markets to match the federal sign-up opportunity.

The Biden administration has ample resources for marketing, said Karen Pollitz, a health insurance expert with the nonpartisan Kaiser Family Foundation. The foundation estimates that the Trump administration left unspent about $1.2 billion in user fees collected from insurers to help pay for running the marketplaces. 'The reason it wasn't spent is the Trump administration spent its time in office cutting services that support consumer enrollment,' Pollitz said. 'All the while the user fee revenue was coming in, (but) they were not allowed to spend it on anything other than marketplace operations.'

Created under the Obama-era Affordable Care Act, the marketplaces offer taxpayer-subsidized coverage regardless of a person's medical history or preexisting conditions, including COVID-19.

Biden also ordered the immediate reversal of a federal policy that bars taxpayer funding for international health-care nonprofits that promote or provide abortions.

Known as the Mexico City Policy, it can be switched on or off depending on whether Democrats or Republicans control the White House. Abortion rights supporters call it the 'global gag rule.'

Other directives Biden issued could take months to carry out.

He instructed the Department of Health and Human Services to consider rescinding Trump regulations that bar federally funded family planning clinics from referring women for abortions.

HHS will also reexamine a Trump administration policy that allows states to impose work requirements as a condition for low-income people to get Medicaid health insurance.

Work requirements have been blocked by federal courts, which found that they led to thousands of people losing coverage and violated Medicaid's legal charge to provide medical services. The Supreme Court has agreed to hear the issue.

And Biden directed HHS to review Trump policies

AMERICAN OVERSIGHT

that could undermine protections for people with health problems, such as a rule that facilitated the sale of short-term health insurance plans that don't have to cover preexisting medical conditions.

Such changes cannot happen overnight. Rescinding a federal regulation requires a new regulation, which has to follow an established legal process that involves considering different sides of an issue.

Former Trump health policy adviser Brian Blase said the Biden administration has to take care it doesn't throw out some policies intended to help solidly middle-class people who don't qualify for financial assistance under Obama's law.

'Obamacare plans are generally only attractive to people who receive large subsidies to buy them,' said Blase. He cited a Trump policy that allows employers to provide tax-free money for workers to buy individual plans.

President Biden has promised to build out former President Barack Obama's health-care law to achieve coverage for all.

Return to the table of contents

Guest Editorial: Simultaneous online and in-person learning burning out teachers

Kathy Scott
Arizona Daily Star
January 29, 2021

The following column is the opinion and analysis of the writer:

Arecent push to reopen schools to in-person learning is citing research showing that it is less likely children will become infected while in school as opposed to being in the community. An Arizona Daily Star Jan. 7 opinion column was headlined 'Virtual learning unnecessary, no sub for classroom learning.'

Both the headline and the writers were correct in that there is no substitute for in-person learning, but the premise that returning to schools is safe for all, or that in-person instruction following CDC guidelines will increase student achievement is just not reality. How children become infected, or how sick they will become, or how easily they infect those around them, including faculty or staff, or if they risk bringing home the virus to those living with them is debatable. But pushing teachers to the breaking point not just because of infection risk but because of increased workload is not.

Returning to in-person instruction following CDC guidelines is not going to increase student achievement significantly if teachers must teach both online and in-person synchronously. CDC guidelines mandate wearing masks and frequent hand-washing and avoiding large gatherings, but they also mandate social distancing. To achieve this last guideline, most schools have gone to hybrid teaching — meaning half the students come to school part of the week while the other half are home online, and then the two groups switch.

In many cases, teachers are expected to do both at the same time, and even when returning to full in-person instruction, charter, private and public schools are offering parents who do not feel comfortable about coming back to campus the option of staying online. One teacher I know currently has about 25

AMERICAN OVERSIGHT

elementary students in class and between three to five permanently online. She is expected to serve all equally.

Despite herculean efforts, it is simply not possible for one teacher to do both well at the same time. Another teacher I love who currently is teaching 100% online due to the infection spike but who spent most of this school year in a hybrid model texted me: 'In each of my four blocks I had 12 online and 12 in person at the same time. I had parents saying I paid too much attention to the kids in person and others saying I spent too much time with the kids online.'

One fake assumption is that by giving schools more money, the problem will be solved. After all, could they not use every inch of classroom space as well as additional areas on campus to spread out students so only half are in the classroom at the same time and then hire additional teachers and staff to instruct those in other locations? The answer is a resounding 'No.'

Most schools, especially those in rural areas, do not have superfluous space but more significantly, there is already a major teacher shortage and hiring appropriately certified teachers or even aides is not going to happen, regardless of how much federal COVID funding is tossed to schools.

In-person learning under these conditions will result in even more teachers leaving the classroom, either retiring a few years earlier than planned or simply deciding that the stress of having their workload double — not even taking into account their justified fear of infection — is simply not worth continuing. In-person instruction only works if there is an effective teacher in every classroom. By pushing in-person learning before every student will be in-person without online outliers is going to increase teacher shortages. Period.

Kathy Scott is the grants director at Nogales Unified School District.

Returning to in-person instruction following CDC guidelines won't increase student achievement significantly if teachers must teach online and in-person at the same time, writes Nogales educator Kathy Scott.

Return to the table of contents

Governors' virus orders meet pushback in state legislatures

David A. Lieb
Arizona Daily Star
January 29, 2021

Irritated by the sweeping use of executive orders during the COVID-19 crisis, state lawmakers around the U.S. are moving to curb the authority of governors and top health officials to impose emergency restrictions such as mask rules and business shutdowns.

The push is underway in such states as Arizona, Michigan, Ohio, Maryland, Kentucky, Indiana and Pennsylvania, where legislators are seeking a constitutional amendment to strip the governor of many of his emergency powers.

AMERICAN OVERSIGHT

Pennsylvania Republican Sen. Wayne Langerholc said the amendment would 'make it unequivocally clear that our General Assembly is a co-equal branch ... that we are not a monarchy and that our voices matter.'

Democratic Gov. Tom Wolf and some of his counterparts around the country have argued that they need authority to act quickly and decisively against the fast-changing threat.

State legislatures generally took on lesser roles after the pandemic hit, with many suspending work or adjourning. It has been governors or their top health officials who have set many of the policies — imposing mask mandates, limiting public gatherings and shutting down dine-in restaurants, gyms, hair salons and other businesses.

Lawmakers in more than half the states have filed bills this year to limit gubernatorial powers during the pandemic and other emergencies, according to the National Conference of State Legislatures. Most legislatures began their sessions this month.

Kentucky's Republican- led Legislature could consider as soon as next week whether to override Democratic Gov. Andy Beshear's

vetoes of several bills that would rein in his emergency powers.

Wisconsin's GOP-controlled Senate voted earlier this week to repeal Democratic Gov. Tony Evers' emergency health order, which would end the state's mask mandate. The Republican- controlled Assembly called off a similar vote Thursday in the face of criticism from health, school and business leaders and concern that it could jeopardize more than $49 million in federal aid.

Wisconsin Republicans have argued that Evers exceeded his authority by issuing multiple emergency declarations during the pandemic, which enabled him to extend the mask mandate beyond the 60 days allowed under the law without getting the Legislature's approval.

Evers contends that the changing nature of the pandemic warranted new emergency declarations.

The amendment Pennsylvania Republicans are seeking to place on the May ballot also would put a cap on the governor's disaster declarations — 21 days, unless lawmakers vote to extend them. The Legislature also could halt them at any time with a two-thirds vote.

Wolf has said that prematurely ending his disaster declaration would itself be 'disastrous' for the state and that requiring repeated legislative approval 'could slow down or halt emergency response when aid is most needed.'

In Michigan, House Republicans have threatened to withhold billions of dollars for schools unless Democratic Gov. Gretchen Whitmer cedes her administration's power to prohibit in-person instruction and sports to local health departments. Whitmer called the move 'cruel and reckless.' Whitmer was the target of an alleged kidnapping plot last fall by anti- government extremists upset over her coronavirus restrictions.

Though legislative resistance to executive coronavirus orders has fallen largely along partisan lines in some states, lawmakers elsewhere are pushing back against governors of their own parties.

AMERICAN OVERSIGHT

Republicans in the Arizona Senate want to end the broad emergency powers that Gov. Doug Ducey used to limit large gatherings and business capacities.

Ohio Sen. Rob McColley introduced a bill this week that could rescind emergency health orders issued by Gov. Mike DeWine, a fellow Republican. It would create a committee to retroactively review them. DeWine vetoed a similar bill last year.

McColley said the Legislature needs to take action 'when the relatively unfettered power of the executive branch during a time of emergency has lasted as long as it has.'

Plastic igloos used for outdoor dining line a street in downtown Pittsburgh. Lawmakers around the U.S. have filed bills this year to limit gubernatorial powers during the pandemic. Governors counter that they need authority to act quickly.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Dems to 'act big' on $1.9T aid; GOP wants plan split

Lisa Mascaro and Josh Boak
Arizona Daily Star
January 29, 2021

WASHINGTON — Democrats in Congress and the White House rejected a Republican pitch to split President Biden's $1.9 trillion COVID-19 rescue plan into smaller chunks on Thursday, with lawmakers appearing primed to muscle the sweeping economic and virus aid forward without GOP help.

Despite Biden's calls for unity, Democrats said the stubbornly high unemployment numbers and battered U.S. economy leave them unwilling to waste time courting Republican support that might not materialize. They also don't want to curb the size and scope of a package that they say will provide desperately needed money to distribute the vaccine, reopen schools and send cash to American households and businesses.

Biden has been appealing directly to Republican and Democratic lawmakers while signaling his priority to press ahead.

'We've got a lot to do, and the first thing we've got to do is get this COVID package passed,' Biden said Thursday in the Oval Office.

The standoff over Biden's first legislative priority is turning the new rescue plan into a political test — of his new administration, of Democratic control of Congress and of the role of Republicans in a post-Trump political landscape.

Success would give Biden a signature accomplishment in his first 100 days in office, unleashing $400 billion to expand vaccinations and to reopen schools, $1,400 direct payments to households, and other priorities, including a gradual increase in the federal minimum wage to $15 an hour. Failure would be a high-profile setback early in his presidency.

AMERICAN OVERSIGHT

Democrats in the House and Senate are operating as though they know they are on borrowed time. Senate Majority Leader Chuck Schumer and House Speaker Nancy Pelosi are laying the groundwork for a go-italone approach as soon as next week.

They are drafting a budget reconciliation bill that would start the process to pass the relief package with a simple 51-vote Senate majority — rather than the 60-vote threshold typically needed in the Senate to advance legislation. The goal would be passage by March, when jobless benefits, housing assistance and other aid is set to expire.

Schumer said he drew from Treasury Secretary Janet Yellen's advice to 'act big' to weather the COVID-19 economic crisis.

'Everywhere you look, alarm bells are ringing,' Schumer said from the Senate floor.

Senate Republicans in a bipartisan group warned their colleagues in a 'frank' conversation late Wednesday that Biden and Democrats are making a mistake by loading up the aid bill with other

priorities and jamming it through Congress without their support, according to a person familiar with the matter who spoke on condition of anonymity to discuss the private session.

Sen. Rob Portman, R-Ohio, a former White House budget director under George W. Bush, wants a deeper accounting of what funds remain from the $900 billion coronavirus aid package from December.

'Literally, the money has not gone out the door,' he said. 'I'm not sure I understand why there's a grave emergency right now.'

Biden spoke directly with Republican Sen. Susan Collins of Maine, who is leading a bipartisan group with Sen. Joe Manchin, D-W.Va., that is racing to strike a compromise. The emerging debate is highly reminiscent of the partisan divide over the 2009 financial rescue in the early months of the Obama administration, when Biden was vice president, echoing those battles over the appropriate level of government intervention.

Return to the table of contents

Democratic lawmakers seek race data to address disparities in vaccinations

Aaron Morrison
Arizona Daily Star
January 29, 2021

Democratic lawmakers are urging federal health officials to address racial disparity in vaccine access nationwide, as data from some states show hard-hit nonwhite Americans who are eligible to receive it are not getting COVID-19 vaccinations in proportion to their share of the population.

In a letter Thursday to acting Health and Human Services Secretary Norris Cochran IV, the lawmakers said the agency must work with states, municipalities and private labs to collect and publish demographic data of vaccine recipients.

AMERICAN OVERSIGHT

Without that information, policymakers and health workers cannot efficiently identify vaccine disparities in the hardest- hit communities, said the letter, signed by Rep. Ayanna Pressley and Sens. Elizabeth Warren and Edward Markey, all from Massachusetts.

'It is critical that the Black, Latinx, Indigenous, and immigrant communities that have been most impacted by this virus and have been more likely to contract, be hospitalized, and die from the disease have access to the vaccine,' said the letter, first shared with The Associated Press.

The appeal comes as the U.S. recorded nearly 26 million COVID-19 cases and more than 429,000 deaths since the onset of the pandemic nearly a year ago. The virus has taken a particularly severe toll on Black populations in the U.S. Along with Hispanic and Native American people, Black Americans are dying from COVID-19 at nearly three times the rate of white Americans.

The lawmakers said the recent distribution of the approved vaccines 'is a sign of hope that much needed recovery from this pandemic is near.' But, they said, an inadequate vaccine deployment campaign could make things worse for communities that have shouldered the greatest burden.

A spokesperson for HHS did not immediately respond to a request for comment Thursday. However, reducing racial and ethnic disparities in COVID-19 vaccination and treatment is a priority for President Biden, who has appointed a White House official to oversee that part of the government's overall response.

Pressley, who made early calls for racial case data last year, said communities of color cannot afford to wait longer for vaccine demographic data to become available.

'We've learned consistently throughout history that in the face of any public health crisis, communities of color disproportionately suffer — and this pandemic is no exception,' Pressley said in a statement to the AP.

'That which gets measured gets done, and the first step towards ensuring we are able to effectively address these disparities and direct lifesaving resources to our hardest-hit communities is for our government to collect and publish anonymized demographic data, including race and ethnicity, of vaccine recipients,' she said.

The United States has recorded nearly 26 million COVID-19 cases and more than 429,000 deaths since the onset of the pandemic nearly a year ago.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

SC Senate passes bill outlawing most abortions

Jeffrey Collins
Arizona Daily Star
January 29, 2021

COLUMBIA, S.C. — The South Carolina Senate on Thursday passed a bill that would outlaw almost all abortions in the state, overcoming years of hurdles thanks to Republicans winning new seats in last year's elections.

AMERICAN OVERSIGHT

The 30-13 vote is likely the final hurdle for the bill. It has passed the House easily in previous years and Gov. Henry McMaster has repeatedly said he will sign it as soon as he can.

'If this gets upheld by the courts, we will have saved thousands of lives in South Carolina every year. That is a tremendous victory,' said Senate Majority Leader Shane Massey, a Republican from Edgefield.

The 'South Carolina Fetal Heartbeat and Protection from Abortion Act' requires doctors to use an ultrasound to try to detect a fetal heartbeat if they think pregnant women are at least eight weeks along. If they find a heartbeat, and the pregnancy is not the result of rape or incest, they can't perform the abortion unless the mother's life is in danger.

Similar bills have passed in about a dozen other states but are tied up in courts. Both abortion rights advocates and opponents are waiting to see if the U.S. Supreme Court weighs in and rules any of the stricter bans are constitutional.

In the Bible Belt, South Carolina led the fight for stricter rules on abortions during the 1980s and 1990s. The state's current law bans abortions after 20 weeks and was once a conservative model.

But in recent years, some states have passed restrictions that ban nearly all abortions because most women don't know they are pregnant before about six weeks, when a fetal heartbeat can be detected.

The path for the bill cleared in South Carolina thanks in part to Trump. The divisive presidential race energized Republicans, who won three seats from Democrats in the 2020 elections and their new 30-16 advantage finally pushed the effort over a procedural hurdle that stopped the bill for years.

The vote was almost all along party lines. Sen. Sandy Senn of Charleston was the only Republican against it, and Sen. Kent Williams of Marion was the only Democrat to vote for the ban.

The bill now goes to the House, which if it makes changes — like removing the exceptions for rape and incest victims that some conservatives didn't want in the proposal in the first place — will trigger another fight in the Senate. At least two Republican senators said they could not support the bill without those exceptions.

South Carolina Rep. John McCravy and South Carolina Citizens for Life Executive Director Holly Gatling talk after the state Senate approved a bill that would ban most abortions.

Return to the table of contents

US jobless claims drop; still at 847,000 as pandemic rages

Paul Wiseman
Arizona Daily Star
January 29, 2021

The number of Americans applying for unemployment benefits fell but remained at a historically high 847,000 last week, a sign that layoffs keep coming as the coronavirus pandemic continues to rage.

AMERICAN OVERSIGHT

Last week's claims dropped by 67,000, from 914,000 the week before, the Labor Department said Thursday. Before the virus hit the United States hard last March, weekly applications for jobless aid had never topped 7 0 0,0 0 0.

Tempering last week's bigger- than-expected drop in claims: The four-week moving average — which smooths out week to week gyrations — rose by more than 16,000 last week to 868,000, highest since September.

Overall, nearly 4.8 million Americans received traditional state unemployment benefits the week of Jan. 16. That is down from nearly 5 million the week before and far below a staggering peak of nearly 25 million in May when the virus brought economic activity to a near halt. The drop suggests that some of the unemployed are finding new jobs and that others have exhausted state benefits.

There is optimism that COVID-19 vaccines will end the health crisis and help stabilize the economy, but that effort is moving forward haltingly and right now, the job market is stressed.

The United States is now recording just under 150,000 new coronavirus cases a day. That is down from nearly 250,000 a day early this month but still more than twice the levels seen from March until a resurgence in cases in late October. More than 425,000 Americans have died from the pandemic and health experts are warning the U.S. will hit 500,000 deaths.

The virus has forced state and local governments to restrict operations of restaurants, bars and other businesses and has discouraged Americans from venturing out of their homes.

Since February, the U.S. has lost 9.8 million jobs, including 140,000 in December.

Americans who lost work because of the pandemic can get aid from extended relief programs, which now offer up to 50 weeks of benefits, or from a new program that targets contractors and the self-employed. Altogether, 18.3 million people were receiving some type of unemployment benefit the week that ended Jan. 9, the latest period for which data is available.

A new government financial aid package provides, among other things, a $300-a-week federal unemployment benefit on top of regular state jobless aid. The new benefit runs through mid-March.

Once vaccines become more widely distributed, economists

Overall, nearly 4.8 million Americans received state unemployment benefits the week of Jan. 16. That's down from nearly 5 million the week before and far below a staggering peak of nearly 25 million in May when the virus brought economic activity to a near halt.

expect growth to accelerate in the second half of the year as Americans unleash pent-up demand for travel, dining out and visiting movie theaters and concert halls. Such spending could boost hiring.

But for now, the economy is floundering. Retail sales have fallen for three straight months. Restrictions on restaurants, bars and some stores, along with a reluctance of most Americans to shop, travel and eat out, have led to sharp spending cutbacks.

The Ultimate Kronos Group, a company that provides time-tracking software to small businesses, said the number of shifts worked by its clients dropped 2.5% in the second to last week of January from a

AMERICAN OVERSIGHT

month earlier. The drop was biggest — 4.3% — in the Southeast. 'As we near the end of January, it's clear that the national labor recovery is still struggling to return from the slow holiday season,' said David Gilbertson, vice president at UKG.

The data firm Womply reports that as of Jan. 21 spending at local businesses is down 23% from a year earlier and that 26% are closed, including 30% of restaurants and 42% of bars. Hotels report a 51% drop in revenue.

President Joe Biden has unveiled a $1.9 trillion coronavirus plan that would provide, among other things, $1,400 checks for most Americans, which, on top of the $600 checks already being distributed, would bring the total to $2,000 per adult.

The new plan would also make available $400 a week in federal benefits for jobless Americans and extend a moratorium on evictions and foreclosures through September. Biden's proposal will require congressional approval, and congressional Republicans are already balking at its size.

'Additional fiscal stimulus and broader vaccine diffusion should support an improved labor market in the spring,' economists Nancy Vanden Houten and Gregory Daco of Oxford Economics wrote in a research note. 'But claims are expected to remain high in the near term as the pandemic continues to restrict activity, with new strains of the virus a concern.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Toggle to Graphic display. Hold for 2 seconds to lock graphic mode

Twin bills curb ACC's ability to set energy standards
Bob Christie
Arizona Daily Star
January 29, 2021

The Arizona Legislature is fast-tracking a proposed law that would strip state utility regulators of their power to require electric utilities to get more of their power from solar and other clean energy power sources.

But Republican lawmakers who control the Senate and House are not proposing to enact any standards of their own to replace those now being considered by the Arizona Corporation Commission.

Instead, GOP lawmakers emboldened by a state Supreme Court decision that called the commission's powers into question simply will bar any new requirements above the existing standards requiring utilities to get 15% of their power supply from renewable supplies by 2025. The commission has proposed requiring regulated utilities to get half their power from solar, wind and other renewable sources by 2035 and 100% from clean energy, including nuclear, by 2050. Republican Gov. Doug Ducey, who has been critical of the commission's adoption of renewable-energy standards, has backed the effort to block the commission's power.

AMERICAN OVERSIGHT

'I want to see the Corporation Commission setting rates. And I want to see the state Legislature setting energy policy,' Ducey said during an Arizona Chamber of Commerce and Industry event on Jan. 8. 'And I hope we can straighten that out this legislative session.'

On Wednesday, a Senate committee dominated by Republicans approved the proposal on a 5-4 party-line vote. A House committee approved a mirror proposal on a 6-4 vote Tuesday with no Democratic support. The votes set the identical bills on track to swiftly move to debate and passage and then head to Ducey's desk.

Democrats railed against the proposal, noting that blocking the commission's proposal means there will be no mandate to grow renewable power, which is increasingly important in controlling carbon emissions that are blamed for climate change.

'Our job should be to listen to what the people of Arizona want — they are crystal clear on this topic,' Democratic Rep. Aaron Lieberman said at Tuesday's House hearing. 'They don't get to choose their power company, but they sure want renewable energy and they like a Corporation Commission that is actually standing up and fighting for them.'

Commissioners adopted the proposed standards on a 4-1 vote in November and can vote on final rules after a public comment period closes. That vote came after an extensive review with hours of hearings and thousands of public comments. Major utilities signed off on the plan.

If the proposal now being debated in the Legislature passes as appears likely, those rules won't take effect, barring a court fight.

Republican lawmakers have adopted Ducey's mantra that the commission acted outside its constitutional authority when it enacted the 15% mandate in 2006 and in proposing the new rules.

'It confirms the Corporation Commission's intended function at inception,' GOP Sen. Sine Kerr said at a hearing Wednesday. 'That is, exercising ratemaking authority to protect captive consumers against corporate abuse, while restoring the Legislature's paramount authority to regulate the public health, safety and welfare as recently affirmed by the Arizona Supreme Court.' In that unrelated July 2020 Arizona Supreme Court ruling, the high court took pains to decipher the complicated history of legal rulings about the commission's power. The ruling noted that setting rates was a power granted by the state constitution when the framers created the commission, but other authority it held was only with the permission of the Legislature.

Democratic Sen. Kirsten Engel said the GOP proposal was twisting the logic of the state Supreme Court ruling because it wasn't proposing any health and safety standards.

'This is all about preempting their permissive authority,' Engel said.

Two commissioners, Democrats Anna Tovar and Sandra Kennedy, presented testimony in oppositon to the plan at the hearings, with Kennedy calling the plan 'constitutional overreach.' The Republican who opposed the new energy standards in November, Commissioner Justin Olson, backed the legislative proposal, saying the commission had been overstepping its bounds.

AMERICAN OVERSIGHT

The plan to strip the commission's power was opposed by environmental groups and some business interests. It received backing from small-government groups such as the Goldwater Institute and the Free Enterprise Club.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

US economy shrank 3.5% in 2020, the largest decline in 74 years

Martin Crutsinger
Arizona Daily Star
January 29, 2021

Stuck in the grip of a viral pandemic, the U.S. economy grew at a 4% annual rate in the final three months of 2020 and shrank last year by the largest amount in 74 years.

For 2020 as a whole, a year when the coronavirus inflicted the worst economic freeze since the end of World War II, the economy contracted 3.5% and clouded the outlook for the coming year. The economic damage followed the eruption of the pandemic 10 months ago and the deep recession it triggered, with tens of millions of Americans left jobless.

Thursday's report from the government estimated that the nation's gross domestic product — its total output of goods and services — slowed sharply in the October-December quarter from a record 33.4% surge in the July- September quarter. That gain had followed a record-shattering 31.4% annual plunge in the April-June quarter, when the economy sank into a free-fall.

The outlook for 2021 remains hazy. Economists warn that a sustained recovery won't likely take hold until vaccines are distributed and administered nationwide and government-enacted rescue aid spreads through the economy — a process likely to take months. In the meantime, millions of Americans continue to struggle.

On Thursday, for example, the government reported that while applications for unemployment benefits declined last week, they remained at a historically high 847,000, evidence that companies keep cutting jobs as the pandemic continues to rage. Before the virus erupted in the United States in March, weekly applications for jobless aid had never topped 700,000, even during the Great Recession.

Even as the economy shrank last year, the stock market managed to rise sharply, with the S& P 500 index gaining 16%. The disparity between the two reflected a time-tested adage: The stock market is a forward-looking indicator, with investors focused on prospects for future corporate profits and economic health rather than on the current state of the economy.

So even as the economy was sinking last year, investors looked ahead to hopes for vaccines and government aid and to solid company profits, especially among tech companies, which drove last year's gains. The pandemic's blow to the economy early last spring ended the longest U.S. economic expansion on record — nearly 11 years. The damage from the virus caused the GDP to contract at a 5% annual rate in last year's January-March quarter. Since then, thousands of businesses have closed, nearly 10 million people remain out of work, and more than 400,000 Americans have died from the virus.

The government's report Thursday was its first of three estimates of growth last quarter; the figure will be revised twice in the coming weeks. The report showed that consumer spending, which accounts for

AMERICAN OVERSIGHT

about 70% of the economy, slowed sharply last quarter to a 2.5% annual gain from a 41% surge in the July-September quarter.

Last quarter's economy was instead driven in part by business investment and housing, which has been a star performer during the past year, reflecting record- low mortgage rates and a demand for more household space. Housing grew at a sizzling 33.5% annual rate, business investment at a 13.8% rate. Government spending, though, shrank at a 1.2% rate last quarter. State and local governments

have started to resort to layoffs in response to falling tax revenue.

The estimated drop in GDP for 2020 was the first such decline since a 2.5% fall in 2009, during the recession that followed the 2008 financial crisis. That was the deepest annual setback since the economy shrank 11.6% in 1946, when the economy was demobilizing after World War II.

The GDP report showed that former President Donald Trump ended his presidency with GDP averaging annual gains of 1% during his four years. That was lower than the 1.6% annual GDP gains during the Obama administration, a period that also included a recession.

In the coming months, as vaccines become widely distributed and administered, growth is expected to revive.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Survey: Ariz. Democrats more likely than Republicans to get virus vaccine

Howard Fischer
Arizona Daily Star
January 29, 2021

Nearly a month after vaccines have become available here, a quarter of Arizonans remain unwilling to get inoculated against COVID-19. And there is a political component to all of this.

A survey by OH Predictive Insights finds that those who identify as Democrats are more likely to roll up their sleeves for a vaccine approved by the federal Food and Drug Administration than Republicans. Just 17% of Democrats told pollster Mike Noble they have no intention of getting inoculated versus 29% of Republicans.

Still, the numbers in the survey conducted earlier this month show some progress. When Noble last ran the poll in September, before there was an approved vaccine, 38% of Arizonans said they wouldn't take it, even if offered for free.

But the director of the Arizona Public Health Association said that the 25% overall refusal rate that remains among Arizonans, even after inoculations have started, could delay the state reaching 'herd immunity.' That's the point at which sufficient people have either been vaccinated or already have contracted the virus to prevent wholesale spread among those who have not.

And Will Humble said this could become even more crucial now that new more contagious strains of the virus are beginning to pop up in the United States.

AMERICAN OVERSIGHT

Noble's poll shows much of the attitude about getting inoculated is linked to how much risk anyone Arizona Public Health Association Director Will Humble said that the 25% overall COVID-19 vaccine refusal rate that remains among Arizonans, even after inoculations have started, could delay the state reaching 'herd immunity.'

He found that 68% of those who are extremely or moderately concerned about contracting COVID-19 are willing to get vaccinated. By contrast, 44% of those who express only slight or no concern will agree to inoculation.

And that, Noble found, has a high correlation with politics: Fewer than half of Republicans say they're concerned, versus 82% of Democrats.

'Probably, a lot of that's tied back to the former president,' Humble said. 'He has made many statements suggesting that this was not a serious thing in terms of public health. And there are so many people who see him as an oracle of knowledge that they adopted what he has said.'

There have been efforts to convince people about the safety and effectiveness of the vaccine.

'Gov. (Doug) Ducey wants Arizonans to get vaccinated,' said C.J. Karamargin, press aide to the Republican governor. 'When it's his turn, the governor will be getting the vaccine.'

Ducey has in some ways staked his reputation in fighting the virus on people getting vaccinated.

He has refused to implement new mitigation measures and restrictions on individual and business activities even as the state entered a second wave of infection, relying on the virus being tamped down by Arizonans getting inoculated.

Through Wednesday, the Arizona Department of Health Services reported 459,399 individuals had received just their first of two doses. Another 85,533 had gotten both shots.

'It is, as the governor has said many times, the light at the end of the tunnel,' Karamargin said.

Steve Elliott, Health Department spokesman, said one thing that may build confidence is as more people get inoculated, they share their stories.

'Arizona will have large numbers of influencers sharing that the vaccines are safe and effective,' he said.

The agency will also have its own campaing explaining the benefits.

But Humble said none of that may matter among people who, vaccine safety or not, don't see COVID-19 as a risk.

'For people of a certain age that have established their opinion about this, I don't think there's much that can shift them short of perhaps former President (Donald) Trump sounding the alarm,' he said.

Noble agrees, suggesting that much of the change has to start at the national level but that it goes all the way down the chain.

AMERICAN OVERSIGHT

'It hinges very much on Republican leadership talking about the virus and the issues in order to ultimately mitigate or change perceptions of COVID among the GOP,' he said.

All that leaves the question of whether Arizona can reach herd immunity.

The good news, Humble said, is that COVID-19 is not as communicable as measles.

That disease, he said, requires a 95% vaccination rate to keep it from spreading like wildfire. And while there are families that decide not to vaccinate their children, 'the families that do vaccinate their kids carry the load.'

The same is true, Humble said, of what will happen with the coronavirus.

'Those of us who do get the vaccine are going to carry the load and those who have been infected,' he said. 'That's going to take us halfway to herd immunity.'

Still unclear, though is at what point the state and the country get there.

'What we had believed is that we needed to get to 65% to 70%,' Humble said. But that was before the virus started mutating into new, more contagious strains, with the UK variant believed to be 40% more transmissible.

'That might move our herd immunity up to 80%,' he said.

Humble said one other problem of getting to that point goes beyond personal desires.

He said it appears that many of the people who have managed to get appointments are those who may be more educated and affluent — and capable of navigating confusing websites and getting the slots as they have opened up.

'Well, if you're a working person or if you don't have good Wi-Fi or a new computer or any of the above, you missed your opportunity to get that February appointment,' Humble said.

'And even if you did get an appointment, these are mostly drive-up pods,' he said, further exacerbating the disparity between the haves and the have-nots.

The online opt-in survey of 1,022 individuals was conducted from Jan. 11 to Jan. 18 from a statewide voter registration sample and was weighted to reflect gender, region, age, party affiliation and ethnicity. It has a margin of error of 3.1%.

Return to the table of contents

Pascua Yaqui win water funds, first of $150M for AZ projects

Sarah Oven
Arizona Daily Star
January 29, 2021

Pascua Yaqui Council members called it 'a blessing.'

AMERICAN OVERSIGHT

They were talking about $900,000 in federal funds that will be used to bring water to the tribe's lands for irrigation, the first fruits of an effort last year by members of the state's congressional delegation to win $150million in federal funding for water projects around the state.

'Water is sacred to a lot of tribes and a lot of Arizonans. For us, it's a blessing,' Pascua Yaqui Chairman Peter Yucupicio said at a news conference Tuesday announcing the funding. 'We started looking at this, and we said, 'This will help us now and in the future.' ' The money comes from an Army Corps of Engineers fund dedicated to water infrastructure projects in Arizona. Under the bill, local governments can enter into agreements with the corps for water, wastewater treatment, environmental restoration and other projects. The Army would pay 75% of the cost of the project, and the local government would assume all operating costs once the work was completed.

The $150 million Arizona fund has no time limit and is available until all the money is spent. Rep. Greg Stanton, D-Phoenix, who was the lead sponsor of the measure, said it is based on similar programs that other states have enjoyed.

'The 75/25 cost-sharing model is the same as other states that benefit from this program,' said Stanton during Tuesday's news conference with Pascua Yaqui officials. 'Arizona will now be able to benefit from this existing program, and we're adopting the cost-sharing models that were already in place.'

The program started as a bill sponsored last spring by Stanton and four other Arizona House members, before it was rolled into a larger water-funding bill over the summer. Stanton ultimately got language from the bill incorporated into a 5,593-page budget bill that included the $900 billion COVID-19 stimulus package signed Dec. 27 by then-President Donald Trump.

The Pascua Yaqui project is not mentioned in the bill, which does specify several other projects in the state, including the Tres Rios wetlands and flood management projects for Rio de Flag, Tonto Creek, the Little Colorado and lower Santa

Cruz rivers, among others.

According to Stanton's office, the Pascua Yaqui reservation has no surface water or groundwater wells and gets its drinking water from the city of Tucson. But growth on the reservation is expected to stretch the supply of potable water to its limits. The plan to pipe in non-potable water from the Central Arizona Project for irrigation on the reservation is designed to relieve pressure on the drinking water supply.

'This project is a component of the tribe's efforts to protect and preserve its water to meet the growing needs across the entire reservation, and I am so excited that this will be the first project in Arizona to receive these critically important funds,' Stanton said Tuesday.

Tribal officials said they have been worrying for some time about how to meet their future water needs, and that Tuesday's announcement was 'a great day to really take a breath of fresh air.'

'We also have communities from Scottsdale, Guadalupe and all the way down the freeway from here, the reservation. We cannot ignore it,' Yucupicio said.

'If some day they all decide to move to the reservation then, you know, we're in trouble,' he said. 'But this is certainly helpful.'

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Lawmakers push legislation targeting intentional acts of food contamination

Howard Fischer
Arizona Daily Star
January 29, 2021

Doing something gross with food that isn't yours in hopes of getting social media hits could soon land you behind bars.

With only one dissenting vote, the Senate Commerce Committee voted Wednesday to make it a crime to intentionally contaminate food, drink, water or other products intended for consumption by another person.

Just the act itself would be a Class 2 misdemeanor, carrying up to four months in jail and a $750 fine.

But if someone else actually eats or drinks the product, the offenders are looking at up to six months in jail and up to $2,500 in financial penalties. And that same law would apply if the damage is more than $1,000, whether in food that needs to be tossed or loss of business for an establishment.

What this is all about is internet fame: Do something outrageous, post it online and then challenge other people to duplicate it.

Last year it was the Blue Bell Challenge which started with a girl taking a video of herself at a Texas store removing a container of ice cream off the shelf, licking it, and putting it back. Others followed suit and posted their own videos.

Sen. T.J. Shope, R-Coolidge, co-owner of the grocery store that bears his family name, said it has moved on from that.

'We've seen any number of viral challenges dealing with contaminating food products,' he said. He's not the only one.

Dan Bogert, chief operating officer at the Arizona Restaurant Association, told lawmakers of an incident two years ago when two individuals entered a restaurant.

'As the staff was attempting to refill the dispenser for the drink machines, these individuals taped themselves spitting into that ice bucket and then posting it on Facebook,' he said.

Bogert said the staffers saw what was happening, discarded the ice and sanitized everything.

Only thing is, the now-posted video was geotagged with the location of the restaurant. Bogert said it saw a huge decline in customers, 'upwards of tens of thousands of dollars' they lost over the next several months.

Sen. Sean Bowie, D-Phoenix, said he's not sure this activity merits creating an entirely new crime. And Sen. Tony Navarrete, D-Phoenix, said that perhaps a public education campaign might be more

AMERICAN OVERSIGHT

appropriate. But that idea drew criticism from Sen. Michelle Ugenti-Rita, R-Scottsdale, who said the idea that people shouldn't contaminate food is 'an absolute no-brainer.'

'I don't think you should put $2 into a public awareness campaign to tell people to stop licking ice cream that they grabbed out of a freezer that they are in the grocery store of and haven't purchased,' she said.

'If you don't know that, I'm concerned for you on a variety of different levels,' Ugenti-Rita said. 'It's disgusting.'

Sen. Tyler Pace, R-Mesa, said he understands the issue Shope is trying to address.

But he said the measure is crafted so broadly that it would make criminals not just someone in a grocery store or restaurant contaminating food for many others but also pull in others, perhaps 'friends who are no longer friends in high school and one spits in the friend's drink.'

'Obviously, that is wrong,' Pace said. 'But there's a difference between a restaurant or a place, or a couple, people who are making a bad choice.'

Sen. J.D. Mesnard, R-Chandler, also said that perhaps there should be different penalties based on not just what occurred but efforts to publicize it.

'An isolated incident where someone comes in and spits in whatever, it's gross and in the era of COVID certainly we're all much more sensitive,' he said. 'It's a form of vandalism and they should be punished.'

The 8-1 vote for the measure, with Navarrete dissenting, sends the measure to the full Senate.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Bill requires doctors to disclose breast augmentation risks

Howard Fischer
Arizona Daily Star
January 29, 2021

Women considering breast enhancement surgery in Arizona would get more information about what could go wrong under the terms of legislation given preliminary Senate approval on Thursday.

SB 1001 says that beginning next year doctors must provide women with the risks of the implants used in breast augmentation surgery. That also would include all the materials that manufacturers provide, including any warning requirements from the federal Food and Drug Administration.

A final roll-call vote will send it to the House.

Sen. Michelle Ugenti-Rita, R-Scottsdale, said she agreed to sponsor the measure after a constituent told her the story of having serious medical problems related to the implants. The woman was hospitalized and ultimately had to have them removed.

But Ugenti-Rita said this isn't some isolated incident.

AMERICAN OVERSIGHT

'There are thousands of women across Arizona and the country who do experience almost an adverse reaction, like an allergic reaction, if you will,' she said.

Ugenti-Rita said that should not be a surprise.

'If you can imagine putting something in your body that's foreign, not everyone responds to it the same way,' Ugenti-Rita said. 'On top of that, these implants are made from chemicals and compounds that are really not designed to be in your body.'

The measure also has the backing of Robyn Towt who had a double mastectomy in 2017 after

being diagnosed with breast cancer.

Towt has become a major proponent of the measure, which failed to clear the Legislature last year, telling lawmakers that her doctor told her the implants 'were perfectly safe.'

But the result, she said, was 'extreme health issues' which resolved themselves after she had them removed four months later.

Testifying this year to members of the Senate Health Committee, Towt told lawmakers there is now even more reason for them to act in ways to protect women. She pointed out that the FDA last year implemented a 'black box' warning to inform patients that implants have been associated with development of a type of cancer of the immune system.

This legislation seeks to go further.

It specifically requires the medical boards that oversee physicians to not only provide a description of the risks of the surgery and the implants, but to develop a checklist that would have to be provided to patients. At a minimum, the legislation says, that list must include information of breast implant illnesses and, specifically, implant associated anaplastic large cell lymphoma, a particularly rare and fast-spreading disease.

And patients would need to be told how they can report 'adverse events' to the FDA and other programs, as well as provided information about the National Breast Implant Registry which keeps track of not only devices that are implanted but also subsequent surgeries.

Sen. Sally Ann Gonzales, D-Tucson, said she had no idea that women were not getting this information.

Gonzales said she is sensitive to the issue as a breast-cancer survivor, though she does not have implants.

'I hope that this will help in all of those going forward to make the right decision for themselves,' she said.

Sen. Nancy Barto, R-Phoenix, said this kind of legislation is overdue.

'It's really a shame that people have to be hurt before the right thing is done and patients are fully informed,' she said.

AMERICAN OVERSIGHT

'Informed consent is a basic medical process,' Barto said. 'And information is absolutely critical when women and any patient makes a decision that potentially could be life-changing.'

Arizona's SB 1001 would require that women considering breast implants be given information about what could go wrong.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

VP urges faster Ariz. vaccinations

'Bold with big solutions': Community centers, mobile units would help speed vaccine delivery, Harris says

Stephanie Innes
Arizona Republic
January 29, 2021

As of Wednesday, slightly more than 1% of Arizonans had been fully vaccinated against COVID-19, and the White House says it wants to help the state do better.

Vice President Kamala Harris and two senior administration officials told The Arizona Republic on Thursday that the American Rescue Plan legislation backed by President Joe Biden's administration would not only offer economic relief to Arizona, but it would create a national vaccine program that will create community vaccination centers and mobile vaccination units.

They said the program would provide needed support to vaccinate Arizona residents at a more aggressive pace.

"We have the challenge of course of making sure everyone understands that they are safe, that we should take some pride that there are American scientists

who actually developed the vaccine and that we want people to get the vaccine as soon as they are able and eligible," said Harris, who received her second dose of vaccine on Wednesday.

"By getting this bill passed we can then have a national vaccination program, and that is extremely important. You know that in Arizona ... the federal government has got to support states to do what is necessary to have the infrastructure and the resources and the equipment to make sure that the largest number of people are getting vaccinated as quickly as possible."

Harris made the remarks during a video conference call with senior Arizona Republic editors and reporters.

As of Wednesday, nearly 80,000 Arizona adults had received two doses of COVID-19 vaccine and 518,125 doses altogether had been administered. Arizona has a population of 7.4 million.

While Arizona's recently high number of COVID-19 cases are showing a slight decline, the percent of positive tests remains high at 17% and there are still cases running through nursing homes, said Andy Slavitt, who is the senior adviser for the White House COVID-19 response effort.

The best thing for Arizonans to do right now is to follow guidelines from the Centers for Disease Control and Prevention and to make sure that they get vaccinated, Slavitt said. The Biden-Harris administration recently increased vaccine allocations to states by 16% and has provided more transparency about how much each state will be receiving, he said.

AMERICAN OVERSIGHT

“To be candid, while we would certainly like to produce more vaccine more quickly, states also have a significant challenge in making sure that those vaccines can get administered efficiently and equitably,” Slavitt said.

“Right now, the states require a significant amount of help that would come from the American Rescue Plan. ... We are at the beginning of a monumental effort. It has never before been accomplished, but with the vice president’s leadership and the president’s leadership, we are going to be able to vaccinate 100 million Americans in 100 days and hopefully that’s just the beginning and we can do well beyond that.”

The effort to beat back the virus is “not a solo act, it needs to be an orchestra,” Slavitt said.

The states, the federal government and Congress all need to collectively reassure Americans that, “we have their backs,” he said. The states can’t be left to struggle alone and the federal government can’t act alone, either, he said.

“Despite strong efforts by Arizona and local officials to distribute the vaccine, right now just 1% of the population has been fully vaccinated and only 6.5% of people have gotten their first vaccination. So, the American Rescue Plan will help the state accelerate that,” he said. “Vaccines are only useful when they are administered to people. They cannot sit in vials on the shelf.”

How the American Rescue Plan could help Biden’s coronavirus rescue relief package would help fix problems with vaccine distribution in Arizona and across the U.S., officials told The Republic.

“We are looking at a dire, painful time in our country where there has been extreme loss — loss of life, loss of normalcy, and folks deserve to have their government in a moment of crisis such as this, to step up and rescue those who are in many ways sinking and falling, and give them the support they need,” Harris said.

“We’ve got vaccines. Now we’ve got to make sure we get the vaccines to the people and that we vaccinate as many people as quickly as possible, but that requires resources. The American Rescue plan is about saving our country with speed and at scale.”

The plan would provide $20 billion to streamline and expedite the vaccination process and help bring the country closer to herd immunity within just a few months.

“Where there is a failure, we cannot afford to give up,” Harris said. “We can actually do something about it. ... We’ve got to get relief to people as quickly as possible and this bill will do that.”

Now that the plan is in place, Congress needs to act, regardless of their party, Harris said. The American Rescue Plan is needed for the U.S. to show its strength as a nation and to regain credibility around the world, she said.

“We have big problems right now, but we also have the ability to be bold with big solutions,” Harris said. “Think about this: In less than a year, two American companies developed vaccines that are saving lives as we speak. So now we need to show the world that we can distribute those vaccines and do that rapidly, widely and equitably.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Law cuts funds for consumer protection

Andrew Oxford
Arizona Republic
January 29, 2021

A bill backed by the insurance industry and rushed through the Arizona Legislature last year will cut a source of funding for the consumer protection agency tasked with policing insurance companies, state officials have warned.

While the Department of Insurance and Financial Institutions routinely inspects insurers' finances, new legislation means it can no longer pass on all the costs of those inspections to insurance companies, as it has in the past.

That change in policy may save those companies money but comes even as the department's director describes the department as operating with "bare-bones staffing."

"If the Department lacks the resources to identify systemic violations in insurer conduct, or problems with insurer financial conditions, all Arizonans suffer the consequences," Evan G. Daniels, director of the Department of Insurance and Financial Institutions, wrote in a budget request to Gov. Doug Ducey.

The change is just one of several tweaks to state insurance laws approved by the Legislature and signed by the governor in a sprawling 265page bill last year.

The bill's complexity was the butt of jokes among lawmakers, and the only people who spoke in favor of it were insurance industry lobbyists.

The bill's sponsor, Sen. David Livingston, R-Peoria, described the bill to colleagues as continuing with the merger of two state departments and cleaning up existing law.

"This is a bill we've been working 18 months on," he told the Senate Commerce Committee in a February 2020 hearing.

"Last year, we passed the bill that consolidated the Department of Insurance, Department of Financial Institutions and auto theft into the new department — DIFI. And this is a continuation bill of putting that into effect ..."

But the bill added two sentences to existing law that limit how the department can fund its work monitoring the finances of insurance companies.

Costs estimated at more than $600K

The work is tedious and often requires the state to hire outside special-ists, but it can catch mistakes and other problems inside insurance companies that end up costing consumers.

In the past few years, for example, the department caught a claims processing problem that led to a company erroneously balance billing patients for health care costs.

AMERICAN OVERSIGHT

The insurer had to pay back about $2.7 million to consumers who were overcharged and to health care providers, who were underpaid for their services as a result of the error.

The new law limits regulators to collecting the direct costs of examinations, such as the cost of paying examiners contracted by the state and their travel expenses.

The department has passed on other costs of this oversight to insurers, though, such as the cost of reviewing and targeting examinations. These are classified as indirect expenses.

In the budget request, Daniels said such indirect costs in the next budget year are expected to total about $660,000 and said the agency already has the lowest per capita staffing level of insurance departments around the country.

A spokesperson for the department said that estimate may decrease, as officials could reclassify some indirect expenses as direct expenses.

And the fund for examinations has enough money to absorb the change in the next fiscal year, which starts in July.

The department does not anticipate a reduction in staff or service connected to examinations.

But Daniels suggested the Legislature change state law again and increase certain fees on insurers.

Harvey Rosenfield, founder of the group Consumer Watchdog, cautioned that undercutting funding for such oversight could make such work more reliant on the state budget, putting more in the hands of a political process.

But he warned that undercutting the department's sources of funding could cost consumers through higher rates or erroneous bills.

"Every dollar in budget cuts at DIFI means dollars directly out of the pub-lic's pocket," Rosenfield said.

State Rep. Kelli Butler, D-Paradise Valley, said the department's request was troubling.

"It's pretty unusual to have a request like that and have a budget request make such a scathing commentary about their need," she said.

Ben Petersen, a spokesman for Gov. Doug Ducey, said he would not comment on pending legislation, even though there is no bill on the issue.

"What I can tell you is we will be working closely with the department to ensure it meets its statutory duties to Arizonans," Petersen said.

Livingston did not respond to a voicemail message or an email with questions about his bill. The senator has close ties to the insurance industry. Livingston previously owned a financial services business. About 30% of the donations raised by his reelection campaign and reported so far this year — about $17,000 — have come from insurance companies or lobbyists representing the industry, according to an analysis by The Arizona Republic.

AMERICAN OVERSIGHT

Livingston's bill sailed through the Senate, and the House of Representatives hurriedly voted on it before taking a long recess amid mounting public health concerns at the start of the COVID-19 pandemic. Some lawmakers raised alarms, however.

"This is a bill that is coming from insurance companies that want to write how their regulators are regulating them," Rep. Athena Salman, D-Tempe, said as the chamber voted.

Contact Andrew Oxford at andrew. oxford@arizonarepublic.com or on Twitter @andrewboxford.

"It's pretty unusual to have a request like that and have a budget request make such a scathing commentary about their need." State Rep. Kelli Butler, D-Paradise Valley

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Asylum seekers stuck in Mexico

Families grow close, await word from Biden
Rafael Carranza
Arizona Republic
January 29, 2021

Horns blared from a speaker and filled the living room with banda music. Elena Ramirez kept a close eye on the stove, occasionally stirring the few dishes cooking on the burners.

Next to her, Antonia Castillo improvised, using two large metal containers and a heavy strainer to make coffee, straining the boiling water from container to container over the sink.

"Ni que Starbucks ni nada," Ramirez said: Starbucks doesn't have anything on Castillo's coffee.

Osbaldo Estupiñan Garcia fled Cuba. U.S. border officials returned him to Nogales on Jan. 3, 2019.

"Anytime before going out, she always says, 'Let's drink coffee.' I'm really gonna miss drinking coffee with her and sharing breakfast with her," Ramirez added.

On the menu for this morning: chilaquiles in a creamy red sauce, eggs scrambled in a tomato sauce, and beans.

The two women worked seamlessly around each other. They've had plenty of practice.

Castillo fled violence in Honduras to seek refuge in the U.S., and has been in Nogales just under a year. U.S. border officials sent her with her 15-year-old daughter here, a city she had never set foot in before, under the Migrant Protection Protocols, also known as "Remain in Mexico."

Ramirez arrived in Nogales two months later, fleeing violence in the Mexican state of Guerrero after she denounced a cartel member of assaulting her. She uses an alias out of fear that the people she fled will find her here.

AMERICAN OVERSIGHT

She had also hoped to claim asylum in the U.S. But Ramirez and her 13-yearold son arrived here after former President Donald Trump's administration shut down asylum processing at the border in a bid to stop the spread of COVID- 19.

With nowhere to go and without any friends in Nogales, Ramirez turned to Castillo, who she met at a migrant aid center. At the time, Castillo had been living with two other Honduran women and their two children, who she had met on the journey to the border.

A few weeks later, the four women and their children moved into an apartment on the city's north side, just a few blocks from the border fence that separates Nogales from its twin city in Arizona. They pay what they can, usually with money from relatives living in the U.S., who are willing to take them in if they make it to the country.

Castillo and Ramirez have forged a close bond. As the two eldest in the group of nine — five women and four minors — living in the apartment, they have become motherly figures.

The two women have built a sense of community and family in a place far from home, and far from where they envision their future, in the United States.

"Each day is an adventure in this house, in this home. That's how we wait for asylum, thanks be to God," Ramirez said. "At least right now, because at first, God had to tell me 'Look, here's your new family so you can have patience, because this will take a while.'" As President Joe Biden's administration considers what to do about the nearly 70,000 asylum seekers that the U.S. government sent to Mexico under the Migrant Protection Protocols, migrants such as Castillo are already thinking of a life beyond the hardships they face at the U.S.-Mexico border.

That also means having tough conversations and the possibility of saying goodbye to people, like Ramirez, whom they have grown close to during their time in Mexico.

"I will miss her company a lot. Here we have ourselves; I tell her that we're like sisters," Castillo said.

"I would like to be able to meet up on the other side, all of us. Hoping that God will allow us to reunite and possibly give us the opportunity to even share a home on the other side," she added.

The U.S. Department of Homeland Security, in partnership with the U.S. Department of Justice, rolled out the Migrant Protection Protocols on Jan. 29, 2019, at the San Diego-Tijuana border region. It was one in a series of tools that President Donald Trump's administration implemented to crack down on asylum and unauthorized immigration at the U.S.-Mexico border.

Top officials such as former acting Homeland Security secretary Chad Wolf described it as a "game-changer." An agreement with the Mexican government has allowed U.S. border officials to send back more than 70,000 migrants to Mexico under the program, according to an analysis by the Transactional Records Access Clearinghouse at Syracuse University.

One year ago this January, the policy expanded to the entire southwestern U.S. border and the Department of Homeland Security began implementing it in Arizona. Since then, U.S. border officials have sent back 1,464 asylum seekers to Mexico through two Arizona border cities, San Luis and Nogales, government statistics showed.

AMERICAN OVERSIGHT

That includes Castillo and the other two Honduran women, Maira Sanchez and Alejandra Ramirez (unrelated to Elena Ramirez). The Arizona Republic interviewed the three just days after the U.S. sent them to Nogales, Sonora, on Jan. 27, 2020.

Alejandra Ramirez, 21, the youngest of the three, described the challenges in adapting to the frigid winter weather in the city. Her son Matias, just 8 months old at the time, was recovering from a respiratory infection.

"My son was shaking from the cold earlier and I felt very bad, so I laid down next to him and he fell asleep," she said. "But it has been difficult because where we lived it wasn't very cold, it's hot yearround."

Fast forward one year later, their situation, though still uncertain, has been a bit more stable as they've found a way to adapt, the three women told The Republic.

Originally, asylum seekers under "Remain in Mexico" were expected to attend their court hearings in U.S. border cities several weeks after they were sent back across the border. Alejandra Ramirez, Castillo and Sanchez traveled 340 miles to Ciudad Juárez for their first hearing in April, just as COVID-19 cases began to surge on both sides of the border.

By then, the U.S. government had frozen all court hearings for the Migrant Protection Protocols, so border officials gave them a notice with a new date. All hearings are postponed indefinitely, so there is a chance their upcoming hearing this March may be rescheduled again.

Migrant and human rights advocates are pushing for the Biden administration to immediately rescind the Migrant Protection Protocols and parole asylum seekers waiting in Mexico to the United States.

"There is great suffering here, there's great vulnerability here, and danger. And as a country we said we wouldn't do that, and we're doing it very intentionally. A lot of effort went into orchestrating all that suffering," said Sara Ritchie with the Kino Border Initiative, a nonprofit migrant aid center based in the twin cities of Ambos Nogales.

That is the center where Castillo and Elena Ramirez met. They provide meals, warm clothes and legal services, among other things, to deported and northbound migrants.

"What we see that is happening is that the U.S. is not upholding its very own law, and I think that is being overlooked," she added. "That is being ignored purposely. And I don't think a lot of people understand that."

For months, top officials in the Trump administration had warned against ending "Remain in Mexico" or any of the other border enforcement policies they have put in place.

Trump himself reiterated those warnings during his final visit to the U.S.-Mexico border as president on Jan. 12 .

"If our border security measures are reversed, it will trigger a tidal wave of illegal immigration, a wave like you've never seen before," Trump said, speaking next to the 30-foot wall installed by his administration in Alamo, Texas.

AMERICAN OVERSIGHT

“This will be an unmitigated calamity for national security, public safety, and public health,” Trump added.

On Biden’s first day in office, the Homeland Security Department announced it would immediately stop sending asylum seekers to Mexico under the “Remain in Mexico” policy as of Jan. 21. But the department emphasized that would only apply to new enrollments in the program.

Homeland Security officials also said they would keep all current restrictions at the border in place, for the moment. Additional details for asylum seekers already waiting in Mexico would be forthcoming, they said. “All current MPP participants should remain where they are, pending further official information from U.S. government officials.” the department said in a statement.

On his first day in office, Biden also announced a sweeping plan to reform the country’s immigration system, including boosting immigration judges and funding to tackle the asylum application backlog and resources to address the root causes of immigration in Central America, where most of the participants of “Remain in Mexico” are from.

Jake Sullivan, Biden’s incoming national security adviser, told Spanish news agency EFE in December that the administration would need time to develop the infrastructure at the U.S.Mexico border to boost asylum processing and develop COVID-19 safety guidelines before allowing any individuals waiting in Mexico to be processed at the border.

Up until Biden’s inauguration day, U.S. Customs and Border Protection, the country’s border enforcement agency,

had continued sending migrants back to Mexico under the Migrant Protection Protocols, even though hearings have been indefinitely frozen since March.

As of April, the first full month when COVID-19 restrictions on asylum at the border began, the U.S. government sent back at least 5,493 migrants to Mexico under the Migrant Protection Protocols, CBP statistics showed.

Data from TRAC showed that increasingly more of those migrants had been from Cuba, Venezuela and other parts of South America, although the program originally was intended for migrants from the Northern Triangle countries of Guatemala, Honduras and El Salvador.

Geovel Samá, 24, a Cuban migrant, was returned to Mexico through Arizona during the COVID-19 pandemic. He fled Cuba in November 2019 because his political activism against the government had led to increased repression.

He traveled to Nicaragua and then made his way north, across multiple countries, on his own. When he reached Mexico, he made his way in December 2019 to the border city of Sonoyta, across from Lukeville, because at the time they had not yet implemented “Remain in Mexico,” he said.

Samá spent several months in the area waiting for an opportunity to claim asylum at the small port of entry. But he got stuck in Sonoyta when the U.S. government implemented pandemic restrictions at the border in March.

AMERICAN OVERSIGHT

The city, which lies along a wellknown drug- and human-smuggling corridor, presented lots of risks. During his time there, a group of men robbed him of his remaining money, Samá said. He filed a police report, and that allowed him to get a humanitarian visa.

The constant exposure to extortion and violence along Mexico's border cities is one of the main reasons why migrant advocates want the incoming Biden administration to immediately end "Remain in Mexico."

In December, Human Rights First, a nonprofit human rights group, updated their list documenting instances of violence, kidnapping and extortion of asylum seekers sent to Mexico under the Migrant Protection Protocols in the past two years.

There are now over 1,300 entries. Kennji Kizuka, a senior researcher who helped compile the list remotely by reaching out to shelters, attorneys and migrants themselves, said the true number is much higher.

"The reason why we want to update it, of course, is to just have more up-todate information about what happened to people," he said. "But also in the hopes that the incoming administration will understand the gravity of the problems that they're facing, and in particular, just how dangerous the Migrant Protection Protocols have been."

Wary of those risks and the possibility that criminal groups would use force to recruit him, Samá said he crossed the border illegally into Arizona on July 10.

He walked for eight hours in the Sonoran Desert, when daytime temperatures hover over 110 degrees Fahrenheit, and without water, a situation that has contributed to the discovery of over 300 migrant remains in this particular stretch over the past 20 years, according to a mortality map managed by the nonprofit aid group Humane Borders.

"My intention was to find immigration, that is what I wanted," Samá said. "But I walked a lot because where I crossed, I'm not sure if they couldn't see me, or if it was too far. So I kept walking up because I didn't want to stay and wait."

A Pima County sheriff 's deputy eventually found him walking along a road and called the Border Patrol. He spent his 24th birthday in detention, he said. Agents sent him to Nogales under the Migrant Protection Protocols three days later.

In the city, the humanitarian visa he obtained after he was robbed has allowed him to work, and to apply for temporary residency in Mexico. Still, Samá said it's a struggle, and he depends on nonprofits like the Kino Border Initiative for support.

Over the past few months, he has closely followed election developments on social media. Biden's victory, and his promises to end the Migrant Protection Protocols have given him hope.

"I hope God allows everything to go well and that he truly does everything he promised, because it's not just me, many migrants are struggling," he said.

That hope is shared by thousands of other migrants waiting along the U.SMexico border, even though that could lead to some difficult decisions in the lives they have built in Mexico in the meantime.

AMERICAN OVERSIGHT

Osbaldo Estupiñan Garcia also fled political repression in Cuba. U.S. border officials returned him to Nogales on Jan. 3, 2020, after he spent three months waiting for his chance to claim asylum. He was among the first migrants enrolled in the Migrant Protection Protocols in Arizona.

One year later, his life had changed drastically. He spoke to The Republic from the home he has shared for the past seven months with his girlfriend, who is from Nogales, and her two children.

With the prospect of leaving Mexico soon, Estupiñan Garcia and his girlfriend have started talking about their next steps. He remains committed to seeking asylum in the U.S. and helping his family back in Cuba. His girlfriend has started looking into getting a U.S. visa.

As he waits for his day in court, whether it's from his hearing scheduled for March or if Biden acts before then, he said he refuses to lose hope.

"You never lose the faith," he said. "What does happen at certain times is that you feel demoralized. You think that it feels more difficult and farther away. You see the moment get farther away, but you know it's there, so you never lose faith."

As the incoming Biden administration moves forward in its push to overhaul the nation's immigration system, COVID-19 will remain one of the biggest roadblocks to fully ending the Migrant Protection Protocols.

Homeland Security officials made clear on Jan. 20 they would keep in place border restrictions, including Title 42. That policy has allowed the U.S. to turn back since March more than 393,000 migrants apprehended along the U.S.-Mexico border under an emergency authority from the U.S. Centers for Diseases Control and Prevention to prevent the spread of the virus, according to CBP.

States on both sides of the U.S.-Mexico border are in particularly bad shape, as the spread of COVID-19 continues unmitigated. Border states such as Arizona, California and Texas on the U.S. side, and Sonora, Coahuila and Baja California in Mexico, continue seeing significant spikes in cases.

Criteria set by the Homeland Security and Justice departments earlier in the pandemic called for the resumption of court hearings under the Migrant Protection Protocols once all 11 border states — four in the U.S. and six in Mexico — reduced the spread of the virus, which appears untenable given that infection rates continue rising.

Mark Morgan, the acting director for Customs and Border Protection, has been one of the most vocal critics of Biden's pledge to end the Migrant Protection Protocols. He told The Republic that resuming court hearings involved a challenging balance because of the virus.

"We need to look at what's happening globally with the pandemic, and so we need to be sure that the steps we're taking are methodical and thoughtful in balancing that very real issue with the global pandemic, but also the real issue that we need to reopen and start the process again," he said.

Asylum seekers can check the status of their cases, or their next scheduled court hearing, online at the DOJ's EOIR.

AMERICAN OVERSIGHT

Geovel Samá from Cuba was returned to Nogales, Sonora, in July under the Migrant Protection Protocols. With asylum processing frozen because of the pandemic, he said he will remain in Nogales until court hearings resume. NICK OZA/REPUBLIC

Automated Case Information site, or by calling an information hotline. Pending an overhaul of the program under Biden, CBP said that "when conditions are deemed safe," the Homeland Security and Justice departments will issue a public notification at least 15 days before court hearings resume, with "location-specific information" for asylum seekers.

Many migrant advocates are concerned that not all of the migrants sent to Mexico under the program will have the opportunity to have their day in court to make their claims for asylum.

TRAC data showed that 27,000 asylum seekers under the program had been regularly attending their hearings before the pandemic restrictions, while 12,000 more are waiting for their first hearing.

Others have given up and gone back to the countries they were fleeing, or moved elsewhere in Mexico in search of better economic opportunities or more safety.

Austin Kocher, a researcher with Syracuse University's Transactional Records Access Clearinghouse, said he was concerned in particular about the quality of the data and information that the U.S. federal government keeps, which could cause asylum seekers to fall through the cracks.

He pointed to issues with the family separation policy at the border, where the lack of proper data kept hundreds of parents from being reunited with their children. Over the course of his work at TRAC, Kocher said he has found all kinds of sloppiness with data management.

"One of the just really widespread issues is the government just does not care right now about the quality of its own data, of its own record keeping," Kocher said, adding that it was a disservice to the public's right now what their government is doing.

"We don't know because so many of their recordkeeping practices are either secretive, or they're sloppy. Or they're both, they're secretive and they're sloppy," he added.

Nico Palazzo, an attorney with Las Americas Immigrant Advocacy Center in El Paso, has similar concerns. He helps asylum seekers sent to Mexico under "Remain in Mexico" and says many of them either don't have access to the internet or don't know how to follow up.

Palazzo, like other immigration attorneys, has been relying on social media apps such as Whatsapp to stay in touch with clients in Mexico because of pandemic restrictions and concerns. Since March, he has successfully paroled only one individual enrolled in the program into the U.S.

Palazzo accused Trump of weaponizing the pandemic against asylum seekers and of creating a humanitarian crisis in border cities such as Juárez, which was also ravaged by virus. That has left many migrants in desperate situations, he added.

Migrant advocates have put together recommendations for the Biden administration on how to wind down the program. One of the key points Palazzo is pushing is for the government to parole more asylum seekers and release them into the custody of relatives, rather than hold them in immigration detention centers.

AMERICAN OVERSIGHT

“The fight against MPP has to be coupled against the mass detention of people who have committed no other crime than seeking asylum,” Palazzo said. “Yes, it’s great to get people of out MPP. But putting them into a detention center is not the solution, putting families in family detention center is not the solution.”

Back in their shared apartment in Nogales, Castillo and Elena Ramirez remained upbeat and optimistic as they sat down for the meal they cooked for the entire household.

Once everyone finished eating, they danced to punta — the traditional, percussion heavy music from Honduras — as Matias, now 20 months old, ran around the apartment, eliciting more laughter and smiles.

Challenges and concerns persist. For one, the three Honduran women only have temporary status in Mexico. Sanchez, who was missing on that morning, and Elena Ramirez are the only one working. And COVID- 19 remains a very real threat, on top of existing concerns over safety and security.

The four minors living in the house, the eldest of whom is now 15 years old, have missed an entire year of school. Like other migrant families waiting in Nogales, they are unable to enroll their kids in school in Mexico. Their hope is that their circumstances will change as Biden takes office.

Even Elena Ramirez, who is not enrolled in the Migrant Protection Protocols because the program does not apply to Mexicans, could also see relief. Biden has pledged to end the metering policy under which she would have to wait months before getting an asylum screening.

“Truthfully, my sense of urgency, rather than being about me is more about my son. Because there are no opportunities here. By that I mean safety, which is what I’ve come here seeking,” she said.

Amid such hardship over the past year in Nogales, in addition to the close ties they have forged with each other, the women have found purpose.

Sanchez in particular has been active in advocacy work at the border. She helped organize and even spoke at several rallies in Nogales, calling on the Biden administration to resume asylum processing.

“It’s important because we’re helping ourselves, and because we make ourselves heard, in case they forget about us or they don’t remember that they implemented this policy and they have us waiting here, separated from our families,” she said. “So through marches and through the work of reporters, we’re making ourselves heard.”

Now that Biden has taken office as the new president of the U.S., Sanchez and the women she’s grown close to vowed to keep the pressure on him until he keeps his word.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Apache County officials sued for not providing records on jail voting

Lauren Castle
Arizona Republic
January 29, 2021

The Apache County sheriff and recorder were hit with a lawsuit on Thursday after not responding for nearly a year to public records requests on how eligible inmates in jail have access to vote.

The Arizona Coalition to End Jail-Based Disenfranchisement studies access to elections among eligible voters in correctional facilities. The Campaign Legal Center, a partner of the coalition, began requesting public records in March from all of Arizona's 15 sheriffs and recorders to understand what voting procedures were in place for those incarcerated in jails and how many inmates had voted.

The coalition produced a report in July with the information it had received. However, not all sheriff 's offices and counties complied with the public records requests. The Campaign Legal Center continued its public records requests and used the information to produce reports on the August primary and November general election.

After not receiving the records from four recorders and three sheriffs, the Campaign Legal Center and the American Civil Liberties Union of Arizona sent demand letters last

week warning them of a potential lawsuit.

Dana Paikowsky, Equal Justice Works fellow for the Campaign Legal Center, said it has seen a constant problem of no transparency or responsiveness with its requests for almost a year.

"It has hindered the coalition's ability to do this really important oversight work and advocacy work to serve voters in jail," she said.

Sheriffs and recorders in Maricopa County and Yuma County complied with the demand letter. The Pima County Recorder's Office told the groups it would let them know when the records were coming.

However, Apache County never responded to the requests, according to the ACLU of Arizona.

The lawsuit was filed in Apache County Superior Court by the Campaign Legal Center and the ACLU of Arizona.

The county did not immediately respond to The Arizona Republic's request for comment.

Disenfranchisement inside jails among eligible voters is a common occurrence across the country including in Arizona, according to advocates.

One of the biggest reasons eligible voters in jails can't vote is because officials don't understand the law, according to Prison Policy.

The Arizona Secretary of State's Office addressed election procedures for inmates in jails in its 2019 Elections Procedures Manual for the first time. Counties are required to coordinate with the recorder's office, sheriff, public defenders and others to make plans and hold elections.

AMERICAN OVERSIGHT

Not every person incarcerated in Arizona loses the right to vote once in custody.

Many people in jail are waiting for their trials and do not have felony convictions. Therefore, they are eligible to vote.

According to a 2016 report by The Sentencing Project, at the time there were an estimated 13,970 people incarcerated in Arizona jails and only 1,341 of them were not eligible to vote because of felony convictions.

"I think it is important to remember when we are talking about the group of people who are most likely to be jailed, we are talking about those who are historically, disproportionately marginalized voters," Paikowsky said.

People of color, low-income people or people who lack access to education are disproportionately incarcerated and may face voter suppression.

People who are convicted of a misdemeanor keep their right to vote.

Voting rights restricted for felony convicts

According to The Sentencing Project, Arizona is one of 11 states with the toughest laws on restricting voting rights of people with convictions.

Once people are convicted of a felony and enter an Arizona prison, they lose their right to vote while they are in custody. Their civil rights may be restored when they are released.

There were 6.1 million people in the United States who did not have the right to vote because of a felony conviction in 2016.

It is estimated that 221,170 people do not have the right to vote in Arizona because of felony convictions, according to The Sentencing Project. Out of that population, 25,492 are Black.

If a person has only one felony conviction, they can have their civil rights restored automatically once they have completed probation or paid restitution.

A person with two or more felonies must petition the trial court that sentenced them to have their civil rights restored.

People sentenced to serve probation for life will not have their rights restored.

The Campaign Legal Center sent three public records requests to the Apache County sheriff and recorder offices starting on March 30.

According to the court records, county officials have not provided any explanation on why the documents are being withheld.

"Apache County Sheriff's Office and Apache County Recorder's Office have escaped public oversight for too long," the lawsuit stated. "Intervention from this Court is necessary to ensure that Defendants comply with the law and furnish the requested records immediately."

AMERICAN OVERSIGHT

Jared Keenan, a lawyer for the ACLU, said Arizona's public records law is important because it allows the public to know what officials are doing and hold them accountable.

"The ACLU is seeing, time and time again, government agencies just completely ignoring their duty to produce public records in a timely way which undermines the public trust in these institutions," he said.

In its reports on voting protocols inside the jails, the coalition gives ratings for each county. It gave Apache a "C" in its July 2020 report, but did not give it a rating in its September report because of the county not providing the public records.

The coalition stated in its July report that Apache County had strong voting and voter education tools in place during that time but lacked meaningful registration procedures.

According to the U.S. Census Bureau 2019 estimate, the county population is 75% Native American, 22.3% white, 0.6% Black and 0.5% Asian.

The coalition's July 2020 report documented a story of a man who was incarcerated in a Maricopa County jail in 2018. According to the man, he did not receive an absentee ballot for that year. The Recorder's Office told The Republic in August his ballots for the primary and general elections were mailed to the jail.

For the 2020 election, the Maricopa County Sheriff and Recorder offices worked on new initiatives to spread awareness on the eligibility to vote and prevent events from previous years.

However, the Campaign Legal Center and the ACLU continued to receive complaints from inmates on trying to vote during the 2020 election year.

Multiple inmates claimed they were denied pens from MCSO officers. A voter registration form is required to be completed with a pen if it is filled out offline.

The Elections Department told The Republic on Thursday it did not receive any complaints from inmates about the general election.

One inmate described the voting registration process as "stonewalling," according to the ACLU. He had to complete three registration forms before he was finally registered.

In March, a free phone line was created to connect inmates to the Early Voting Center inside the Elections Department. Inmates are able to call the line if they need special assistance or have questions.

According to an inmate, it took him weeks to inquire about his voter registration status. When he was on the phone with an elections office employee, an MCSO officer made him get off the phone and said the call needed to be done earlier in the day, according to the inmate.

The ACLU said some inmates reported MCSO officers provided false information about their voter eligibility or directed them to voting information that didn't exist.

AMERICAN OVERSIGHT

The Recorder's Office told The Republic in August it was providing the jails information to be downloaded on the inmates' tablets. It was the same educational materials and resources provided to the general public.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

2 escaped Florence prison inmates captured

Delaney White
Arizona Republic
January 29, 2021

Two escaped Florence prison inmates were captured and back in police custody, officials confirmed Thursday.

Upon capture, the men looked exhausted, weak and bloodied and wore ripped, dirty clothing.

The Coolidge Police Department received multiple calls about 9 a.m. Thursday from citizens about the prisoners, David T. Harmon and John B. Charpiot.

Two of the citizens said they believed they saw Harmon and Charpiot, the inmates who escaped from "medium custody" in the Arizona State Prison Complex in Florence last Saturday.

Coolidge Police Department said it was just eight minutes from call to capture. The men were in custody awaiting transport back to the Arizona Department of Corrections, Rehabilitation and Reentry as of Thursday afternoon.

A preliminary investigation revealed the men had breached the prison's fence line by using tools they retrieved from the prison's tool room, prison officials said. It was unclear when they retrieved the tools.

Shortly after escaping, the two men tried to rob a business in Florence on Saturday, according to the Arizona Department of Public Safety.

At a news conference on Thursday, authorities reported that the two inmates were back in custody within 110 hours, or about four and a half days. Authorities searched more than 800 houses over the last 16 hours during efforts to locate them.

On Thursday, five deputy U.S. marshals from Tucson went to Coolidge to work on an unrelated case when a Coolidge resident called to report a disturbance in a nearby cotton field, according to U.S. Marshal David Gonzales. Coolidge is about 10 miles southwest of Florence.

The deputy marshals went out to the field to investigate. They noticed people in the field and established a perimeter, Gonzales said.

The two inmates tried to run away, but they were in poor physical condition. They did not follow directions from law enforcement, and officers used a Taser to take both of them into custody, Gonzales said.

AMERICAN OVERSIGHT

The men told law enforcement, "Just shoot me," after being captured, officials said during the news conference.

The investigation is ongoing while authorities continue to look into where the men were during the last few days and what allowed them to escape.

A reward of $35,000 per escapee was offered for information leading to the arrest of the men. The process of rewarding money to the people who called in the tips leading to the arrest is ongoing, according to the state Department of Public Safety.

Charpiot was serving 35 years in prison and Harmon was serving 100 years, according to the Arizona Department of Corrections, Rehabilitation and Reentry.

Charpiot was imprisoned in 2011 after he was convicted in Maricopa County of molestation of a child and sexual abuse and sentenced to 35 years, the department said.

Harmon was imprisoned in 2012 after he was convicted in Maricopa County of kidnapping and second-degree burglary charges and sentenced to serve 100 years, the department said.

In 1992, Harmon was convicted in Maricopa County of escape in the second degree, according to the department's online records. He's had multiple convictions since 1987, including attempt to commit sexual assault and attempt to commit kidnapping, records show.

"This was an event that struck fear in several of our nearby close-knit communities," Coolidge Police Chief Harry Grizzle said in a statement. "We are thankful that no one was seriously injured during the apprehension."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

State GOP is asked to audit Kelli Ward's reelection as chair

Yvonne Wingett Sanchez and Ronald J. Hansen
Arizona Republic
January 29, 2021

After months of sounding the alarm on what she claimed was a stolen presidential election, Kelli Ward is facing questions about her own reelection Saturday as Arizona Republican Party chair.

Sergio Arellano, the southern Arizona businessman who narrowly lost to Ward in a runoff, has asked state party officials for an audit of the election results, said Kim Owens, a Republican consultant who is serving as his spokeswoman.

So far, that hasn't happened, adding to a growing sense of angst among GOP activists that the election had problems.

"This isn't about the chairman's race, this is about election integrity," Arellano said in a written statement provided by Owens to The Arizona Republic.

AMERICAN OVERSIGHT

In a statement issued hours later to the newspaper, Arellano said he did not expect the audit to lead to a reversal of wins for Ward and others.

Neither Ward nor other state party officials could be immediately reached for comment.

Doubts about the results of the chair's race started to swirl after the announced winner in another race, for the at-large committee member from the 8th Congressional District, was informed she had lost. Arellano said that error "created an environment where a number of state committeemen are raising concerns and asking me to ask for an audit because only a candidate for party office can do so. So I've done that and we're waiting for a response that lays out the when, where, and how of that process. I anticipate the State GOP will do a solid job here and provide election officials around the state with an example of how to conduct a timely audit and how important ballot security and paper backups are."

The elections played out Saturday at the party's annual meeting, an event that was closed to most of the media and drew rare national attention because of the deep division over whether Ward should guide the party for another two years after Arizona voters backed President Joe Biden and Democratic Sen. Mark Kelly.

Owens said that on Tuesday, Arellano and the two other Republicans who challenged Ward, sent another request asking for the audit to take place on Thursday. That request, which called for witnesses, had not generated a response as of Wednesday evening, she said. Owens declined to provide the letters.

Ward, a controversial figure who gained national attention for claiming the 2020 presidential election was stolen from former President Donald Trump, won her reelection bid by 42 votes after the election went to a runoff against Arellano. Trump endorsed her reelection.

Owens said of the challenge: "This is not about one person or one race, it's about the integrity of our elections. With the absence of the tapes from the machines or any documentation of where votes came from, and in most races, a lack of numbers, of tallies, we need to see evidence that everything is as it should be."

The race for chair isn't the only one in question.

Sandra Dowling, who ran for an at-large committee position in the 8th Congressional District, initially was announced as a winner, she said. She had left the meeting by the time the winners were announced.

"I start getting phone calls from everybody and their neighbor saying 'Congratulations, Sandra, you won, you won, you won,' " she recalled.

Ward told her friend after the meeting that Dowling had not won and blamed the mistake on "human error," she said.

Ward's reelection was considered nearly a foregone conclusion ahead of the race weeks ago, but many in the GOP had misgivings that Biden had carried Arizona and Republicans lost a longtime GOP-held Senate seat to Democrats during the 2020 cycle.

Those concerns only grew after the deadly riot at the U.S. Capitol on Jan. 6. That happened on the day that most GOP lawmakers voted to set aside election results in Arizona and Pennsylvania. Ward had

AMERICAN OVERSIGHT

been a prominent voice on social media and at post-election rallies in Arizona claiming they needed to "Stop the Steal."

Heading into the midterm elections, Republicans are looking to fortify the party's standing in a state they fear is slipping away from them.

In an unusual move, the Arizona Republican Party barred most reporters from attending the election portion of the statutorily required meeting. The election took place away from public view at Dream City Church.

Reach the reporter on Twitter and Facebook. Contact her at yvonne .wingett@arizonarepublic.com and 602-444-4712.

Subscribe for free to The Gaggle political podcast on Apple Podcasts, Overcast, or wherever you listen to audio content.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona approaches 13K known COVID-19 deaths

Alison Steinbach
Arizona Republic
January 29, 2021

Arizona reported more than 4,600 new COVID-19 cases and 176 new known deaths on Thursday as hospitalizations for the disease continued gradual declines but the state ranked first nationwide for its weekly COVID-19 case and death rates.

In about one year since the first case was announced in Arizona, a total of 743,232 COVID-19 cases have been identified across the state. As of Thursday, 12,819 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

Arizona's seven-day, new-case average ranked first among all states on Wednesday, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the last seven days was 92.1 cases per 100,000 people, per the CDC. The U.S. average for new cases was 50.2 cases per 100,000 people.

Arizona on Friday surpassed 12,000 known deaths from the virus, just one week after it passed 11,000, which came six days after the state reported 10,000 deaths. Arizona's first known death from the disease occurred in mid-March.

The Arizona data dashboard shows 91% of all ICU beds and 91% of all inpatient beds in the state were in use Wednesday, with 57% of ICU beds and 47% of non-ICU beds occupied by COVID- 19 patients. Statewide, 155 ICU beds and 746 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 4,087 on Wednesday, below the record 5,082 inpatients on Jan. 11.

AMERICAN OVERSIGHT

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,023 on Wednesday, below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 692 on Wednesday, below the recordhigh 821 reached on Jan. 13.

Wednesday saw 1,829 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Thursday's numbers Reported cases in Arizona: 743,232.

Cases since the outbreak began increased by 4,671, or 0.63%, from Wednesday's 738,561 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 462,580 in Maricopa, 99,441 in Pima, 41,829 in Pinal, 34,762 in Yuma, 18,741 in Mohave, 16,025 in Yavapai, 14,998 in Coconino, 14,178 in Navajo, 10,324 in Cochise, 9,472 in Apache, 7,383 in Santa Cruz, 5,900 in Gila, 4,872 in Graham, 2,211 in La Paz and 516 in Greenlee, according to state numbers.

The Navajo Nation reported 27,887 cases and 989 confirmed deaths in total as of Wednesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 9,704 inmates had tested positive for COVID-19 as of Wednesday, including 1,907 in Tucson, 1,852 in Yuma, 1,580 in Eyman and 1,127 in Douglas; 43,455 inmates statewide have been tested. A total of 2,444 prison staff members have self-reported testing positive, the department said. Thirtyone incarcerated people in Arizona have been confirmed to have died of COVID-19, with 17 additional deaths under investigation.

Arizona's infection rate is 10,066 cases per 100,000 people, the CDC said.

The national average is 7,621 cases per 100,000 people, though the rates in states hard hit early on in the pandemic may be an undercount because of a lack of available testing in March and April.

Deaths by county: 7,271 in Maricopa, 1,706 in Pima, 691 in Yuma, 590 in Pinal, 514 in Mohave, 425 in Navajo, 371 in Yavapai, 307 in Apache, 270 in Coconino, 220 in Cochise, 183 in Gila, 144 in Santa Cruz, 65 in Graham, 56 in La Paz and six in Greenlee.

Return to the table of contents

Should you buy an at-home COVID-19 test on Amazon?

Alex Brizee
Arizona Republic
January 29, 2021

AMERICAN OVERSIGHT

Online retailer Amazon is now selling at-home COVID-19 tests as cases rise across the nation and Arizona, the state now ranked as the highest for new cases in the United States.

The saliva-based test, produced by DxTerity, is self-administered and has been authorized by the Food and Drug Administration for people who are symptomatic or asymptomatic.

The test was authorized under an emergency use authorization. So far, no home-based COVID-19 tests have been FDA-approved.

"Asymptomatic testing is essential in limiting viral spread because a person can have COVID-19 without exhibiting any symptoms of the illness," according to a Jan. 5 news release by DxTerity.

The test is designed to detect viral genetic material, but it does not test for COVID-19 immunity or detect antibodies.

The kits can be purchased individually for $110 or in a 10-pack for $1,000 and are now available on Amazon.

It is unclear whether DxTerity will sell its tests on other online marketing sites and this one appears to be the only COVID-19 test sold on Amazon.

Meanwhile, Arizona is still offering free testing.

The Governor's Office has partnered with ASU to offer testing throughout the state. Still another option is Embry Women's Health, which is currently offering free drive-thru testing 24/7 with 40 different testing locations.

According to DxTerity's website, the test can be taken unsupervised.

Regarding home-based tests, the Centers for Disease Control and Prevention advises that the specimen collection and the testing can take place in a private location such as a personal residence. A laboratory does not perform the testing.

DxTerity asks that test users not to eat, drink (even water) or chew gum 30 minutes before use, then fill the tube with salvia to the line indicated. The tube is then sealed in the provided bag and dropped off at a FedEx dropbox the same day and not on a Saturday or Sunday.

DxTerity promises results within 24 to 48 hours after the sample is received.

Whether saliva testing is as effective as nasal swab testing is still a matter of debate, but saliva-based tests are becoming more widely accepted due to ease of use and the fewer PPE

items and supplies needed for testing.

A study conducted by ARUP Laboratories and the University of Utah Health has found that saliva-based tests are just as effective as deep nasal swab testing. An additional unpublished study suggests nasal swabs done from the front of the nose might be less effective than a deep nasal swab.

AMERICAN OVERSIGHT

CNN reported last April that while saliva tests can be accurate, a molecular test using a nasal swab is considered the best option, according to Dr. Robert H. Shmerling, a senior faculty editor for Harvard Health Publishing.

In its testing, DxTerity worked with 76 symptomatic subjects using both a saliva-based tube and a nasal swab. Out of the samples, the saliva-based sampling had three false-positives, and one sample did not match with the swab test where the saliva test was negative and the swab test was positive, according to the data DxTerity submitted for emergency use authorization to the FDA.

Overall, the study found DxTerity's saliva-based test and a nasal swab test provided similar results.

DxTerity's tests have been used by multiple Fortune 500 companies, pharmaceutical organizations and entertainment groups, according to the news release.

"We have demonstrated the reliability and quality of our COVID-19 testing solution with big business and now we want to expand access to customers at home and small businesses," said Bob Terbrueggen, founder and CEO of DxTerity in the news release.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Biden opens sign-up window for uninsured

Also reverses abortion restriction on foreign aid
Ricardo Alonso-Zaldivar
Arizona Republic
January 29, 2021

President Joe Biden on Thursday ordered government health insurance markets to reopen for a special sign-up window, offering uninsured Americans a haven as the spread of COVID-19 remains dangerously high and vaccines aren't yet widely available.

Biden signed an executive order directing the HealthCare.gov insurance markets to take new applications for subsidized benefits, something former President Donald Trump's administration had refused to do. He also instructed his administration to consider reversing other Trump health care policies, including curbs on abortion counseling and the imposition of work requirements for low-income people getting Medicaid.

"There's nothing new that we're doing here other than restoring the Affordable Care Act and restoring Medicaid to the way it was before Trump became president," Biden said as he signed the directives in the Oval Office. He declared he was reversing "my predecessor's attack on women's health."

The actions were only the first steps by Biden, who has promised to build out former President Barack Obama's health care law to achieve a goal of coverage for all. While Biden rejects the idea of a government-run system that Sen. Bernie Sanders has pushed for in his "Medicare for All" proposal, his more centrist approach will require congrespending sional buy-in. But opposition to "Obamacare" runs deep among Republicans.

AMERICAN OVERSIGHT

The most concrete short-term impact of Biden's orders will come from reopening HealthCare.gov insurance markets as coverage has shrunk in the economic turmoil of the coronavirus pandemic. That's an executive action and no legislation is required.

The new "special enrollment period" will begin Feb. 15 and run through May 15. It will be coupled with a promotional campaign and a call for states that run their own insurance markets to match the federal sign-up opportunity.

Biden also ordered the immediate reversal of a federal policy that bars taxpayer funding for international health care nonprofits that promote or provide abortions. Known as the Mexico City Policy, it can be switched on or off de- on whether Democrats or Republicans control the White House. Abortion rights supporters call it the "global gag rule."

His decision, while expected, was cheered by abortion-choice advocates and some humanitarian groups and denounced by anti-abortion groups.

The move also included a restoration of American funding to the U.N. Population Fund and withdraws the U.S. from an international accord that promotes anti-abortion policies.

Biden directed the State Department and Department of Health and Human Services to withdraw from the so-called Geneva Consensus, an October 2020 document signed by 34 countries that sought to promote anti-abortion policies and others deemed "profamily" worldwide.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Virus variant from South Africa in US

Arizona Republic
January 29, 2021

A new coronavirus variant identified in South Africa has been found in the United States for the first time, with two cases diagnosed in South Carolina, state health officials said Thursday.

The cases were discovered in adults in different regions of the state and do not appear to be connected. Neither of the people infected has traveled recently, the South Carolina Department of Health and Environmental Control said.

"That's frightening" because it means there could be more undetected cases, said Dr. Krutika Kuppalli, an infectious diseases physician at the Medical University of South Carolina in Charleston. "It's probably more widespread."

The arrival of the variant shows that "the fight against this deadly virus is far from over," said Dr. Brannon Traxler, South Carolina's interim public health director.

In other developments:

AMERICAN OVERSIGHT

COVID-19 deaths of nursing home residents in New York have been undercounted by about 50% as poor infection- control practices and understaffing fuel the coronavirus crisis, state Attorney General Letitia James reported Thursday.

An investigation found the state Department of Health's controversial policy to publicly report COVID-19 deaths of residents only inside nursing homes and withhold deaths of residents transferred to hospitals hindered attempts to understand the scope of the crisis and improve conditions inside the facilities.

The true COVID-19 death toll of nursing home residents is closer to 13,000, as opposed to the 8,677 reported to date by the Health Department, according to the investigation's findings.

h Nine Roman Catholic nuns in southern Michigan have died this month due to a COVID-19 outbreak at their retirement home, which had gone for months without a single case, a spokeswoman said Thursday. The women lived at the campus of the Adrian Dominican Sisters in Adrian, 75 miles southwest of Detroit.

COVID-19 has been cited in the deaths of dozens of retired or infirm nuns who lived in congregate settings in the U.S. Eight nuns in suburban Milwaukee died of virus complications in one week in December.

h As the variants bring a potential for greater infection risks in the U.S., pandemic-weary lawmakers in several states are pushing back against mask mandates and other protective restrictions ordered by governors.

States including Arizona, Michigan, Ohio, Maryland, Kentucky and Indiana are weighing proposals to limit their governors' abilities to impose emergency restrictions. The Wisconsin Legislature was expected to vote on repealing the governor's mask mandate. Pennsylvania lawmakers are considering a constitutional amendment to strip the governor of many of his emergency powers. Governors argue they need authority to act swiftly in a crisis, and limitations could slow critical emergency responses.

h Nebraska could soon eliminate all of its virus-related restrictions on gatherings if the number of people hospitalized with COVID-19 continues to decline, even though few people in the state have been vaccinated.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Results show vaccines are safe

Karen Weintraub
Arizona Republic
January 29, 2021

Early safety data from the first month of COVID-19 vaccination finds the shots are as safe as the studies suggested.

Everyone who experienced an allergic response has been treated successfully, and no other serious problems have turned up among the first 22 million people vaccinated, according to the Centers for Disease Control and Prevention. The data was collected from several tracking systems, including a

AMERICAN OVERSIGHT

voluntary one in which people who were vaccinated reported their symptoms via text. Another allows people who believe they have been harmed by a vaccine to contribute their information, and a third collects reports from medical records.

Although it's never possible to prove something is completely safe, data from these tracking systems suggests the vaccines are not causing large numbers of unusual or dangerous results. On Wednesday, Dr. Tom Shimabukuro, deputy director of the CDC's Immunization Safety Office, briefed a CDC advisory committee on the agency's review of safety data collected on the two authorized vaccines.

Health and patient safety coverage is made possible in part by a grant from the Masimo Foundation for Ethics, Innovation and Competition in Healthcare. The foundation does not provide editorial input.

Return to the table of contents

Biden COVID-19 relief plan faces hurdles

GOP against $1.9 trillion cost, some provisions not related to pandemic
Nicholas Wu and Rebecca Morin
Arizona Republic
January 29, 2021

Senate Minority Leader Mitch McConnell, R-Ky., wants a lower overall price tag.

Sen. Susan Collins, R-Maine, doesn't want a minimum wage increase included.

Senate Majority Leader Chuck Schumer, D-N.Y., still wants a "bold and robust" bill.

Competing interests, a thin House majority, and a Senate composition that gives an enormous amount of power to individual members mean President Joe Biden faces an uphill climb to pass his $1.9 trillion COVID-19 relief package.

More aid for Americans could be on the chopping block, including a oneyear expansion of the child tax credit, $1,400 checks and a proposal to raise the minimum wage to $15 per hour. The pending impeachment trial of former President Donald Trump and Republican resistance to the overall price tag also loom large.

The argument is centered on a key question: Are all of the bill's provisions related to the pandemic?

Rep. Tom Reed, R-N.Y., the co-chair of the moderate House Problem Solvers Caucus, told reporters Wednesday that the inclusion of the minimum wage increase could make the package seem like it was "contaminated" by partisans who wanted to use it as a vehicle to "legislate on things that are not related directly to the crisis."

And Sen. Lisa Murkowski, R-Alaska, a key moderate, said the minimum wage increase was important to Democrats but "really has nothing to do with COVID relief," pointing instead to provisions like the last package's $300 boost to unemployment benefits as a higherpriority agenda item.

Biden open to some negotiation.

AMERICAN OVERSIGHT

Biden's proposal includes a broad variety of policy priorities, including $20 billion for national vaccination program, expanding unemployment insurance supplemental payments to $400 per week, expanding to 14 weeks paid sick and family and medical leave, and allocating $25 billion in rental assistance and an additional $5 billion to cover home energy and water costs.

Biden and several administration officials have said they are open to negotiating the $1,400 check or the threshold around who will receive it.

"Well, there's a legitimate reason for people to say, 'Do you have the lines drawn the exact right way? Should it go to anybody making over X-number of dollars or why?' " Biden told reporters Monday. "I'm open to negotiate those things. That's all."

Senate Minority Leader Mitch McConnell, R-Ky., said Monday on the Senate floor that the first draft of Biden's proposal "misses the mark." He said he would support a "smart and targeted" package rather than what he called an "imprecise deluge of borrowed money."

And key Senate Republicans like Collins have concurred. She told reporters Monday she wanted a package that would "focus solely" on the pandemic rather than include a "wish list" of Democratic priorities like an increase to the minimum wage, though she said she would support debate over the minimum wage in a separate bill.

Despite the Biden administration's openness to negotiate, Biden indicated it might be difficult to take out certain policies from the package as they are "hand in glove" issues.

"I'm reluctant to cherry-pick and take out one or two items here, and then have to go through it again to – because these all are kind of – they go, sort of, hand in glove, each of these issues," he said.

Dems might go alone via reconciliation Schumer signaled Wednesday that he might move forward without Republican support anyway.

"We must not repeat the mistakes of 2008 and 2009, when Congress was too timid to confront the national crisis," he said, referring to the federal government's relief packages passed in the wake of the 2008 financial crisis that progressives derided as too small to fully restore the American economy.

The Senate is split 50-50 between Republicans and Democrats, with Vice President Kamala Harris available to break ties. That means that for most legislation, Democrats need to secure at least 10 Republican votes to pass a key procedural hurdle and break a potential filibuster. In the House, Democrats hold only a three-seat margin, leaving little room for error.

If they are unable to secure enough Republican support to break a filibuster, Democrats can skip that process if they use a procedure known as "budget reconciliation," where they can pass legislation with a simple majority but are subject to certain rules that could make it more difficult to include some Democratic priorities like the $15 minimum wage increase.

Both sides have used reconciliation to attempt to pass major legislation. Republicans tried to use the process to repeal the Affordable Care Act in 2017 but failed when three Republican senators voted with all Democrats to reject the repeal. Republicans succeeded in passing a major tax code change through reconciliation.

AMERICAN OVERSIGHT

Sen. Roy Blunt, R- Mo., a member of Senate Republican leadership, predicted Tuesday that litigation was possible if Democrats tried to force a minimum wage increase through the budget reconciliation process.

Sen. Rob Portman, R-Ohio, said it would be "irresponsible" for Democrats to push through a package through reconciliation while negotiations were ongoing. "Give us a chance," he said.

But progressives are unfazed by Republicans' opposition to using reconciliation. Sen. Bernie Sanders, I-Vt., who is the incoming chair of the Senate Budget Committee, told reporters Wednesday, "The minimum wage has got to be raised to 15 bucks; we think that can be done by reconciliation and I think I can get that done."

The Biden administration wants to pass the relief package in the next month. Biden said Monday that "time is of the essence."

"There's an urgency to moving it forward, and he certainly believes ... there needs to be progress in the next couple of weeks," White House press secretary Jen Psaki said Monday. She added that if the relief package was not passed soon, there would be a point where there would not be enough funding for vaccine distribution or funding to reopen schools this year.

Return to the table of contents

Rollout sidelines family doctors

Many say they're all set to start giving vaccines
Marion Callahan
Arizona Republic
January 29, 2021

Call your primary care doctor first.

That's the direction patients are typically given when they're facing a nonemergency medical situation.

But in the case of securing the COVID- 19 vaccine, many primary care physicians and their patients have been left in the dark.

Thousands of calls have flooded private doctors' offices across Pennsylvania since the rollout of the COVID-19 vaccine.

Yet primary care physicians who aren't affiliated with hospitals are among the last in line to receive and distribute the vaccine to patients, medical leaders say.

Dr. Keith Sadel, who owns and operates a private family practice in Upper Southampton, Pennsylvania, filed his paperwork to get the vaccine for his patients and submitted the required forms two months ago.

Still, no vaccine.

"When I see that some of my patients who are young and healthy and are not health care workers getting the vaccine at Rite Aids, while my patients 65 years and older can't get the vaccine and they look toward

AMERICAN OVERSIGHT

me, this is frustrating as you can imagine," said Sadel, who cares for about 4,000 patients, most of whom are elderly and have medical problems. "I do not understand why pharmacies are placed over physicians to deliver the vaccine."

He is not alone. The federal government has largely left vaccine rollout to the states and public health departments, and Pennsylvania, like many states, is relying on hospitals to be the main distribution points.

Pennsylvania last week opened up vaccine eligibility to anyone 65 and older and adults with pre-existing medical conditions, spiking demand despite dwindling supply. On Tuesday, Gov. Tom Wolf expressed frustration with the federal coronavirus vaccine rollout, saying Pennsylvania needs 6.5 million more individual doses just to complete full vaccination of everyone in the current 1A phase of the state's plan.

Yet there are questions about whether the state and its counties are making use of all the vaccines delivered so far.

A report from Becker's Hospital Review ranked Pennsylvania 42nd out of the 50 states in percentage of vaccine doses received that have been administered. Of the approximately 1.6 million vaccines delivered to the state, about 800,000 have not yet been given, according to data from the state and Centers for Disease Control and Prevention.

"If they gave us a thousand vaccines tonight, I'd have it in a thousand arms this week," said Hatboro family doctor Harris Cohen, who has the refrigeration and staff in place to give the Moderna vaccine, one of two that has received emergency use approval from the Food and Drug Administration.

Only a fraction of the vaccines distributed so far have gone to primary care physicians, according to the state's list of approved providers. At the same time, confusion about how to sign up for a shot has left many Pennsylvanians frustrated, and those at high risk of serious complications from COVID-19 continue to wait, with little news on when they'll be inoculated.

That confusion has translated into about a hundred calls a day flooding Cohen's family practice, Hatboro Medical Associates.

"This is the most important health issue we have right now, yet there are so many roadblocks," he said. "Every patient I see asks about it and I don't have an answer. It reminds me of the testing shortage in early March. Again, I feel paralyzed that I don't have the answer."

Pennsylvania Department of Health officials don't have the answers either. When asked, they lacked a detailed explanation for how the distribution of vaccines is being prioritized for nonhospital providers.

April Hutcheson, the Pennsylvania Department of Health's director of communications, said, "In terms of who becomes a provider to administer vaccine – first, it has to be within the scope of practice of the doctor to be able to provide injections. Then they enroll as a provider."

Hutcheson then provided the state's link for providers, outlining the application process and requirements.

Both Sadel and Cohen have met those requirements. Yet when they see who is receiving the vaccine in their region – such as a Bucks County dermatology office – more questions surface.

AMERICAN OVERSIGHT

On the national front, medical leaders are calling on President Joe Biden to direct states to get vaccines to physician practices. In a Jan.26 letter, Halee Fischer-Wright, CEO of Medical Group Management, cited a survey that showed 85% of independent practices and 45% of hospital or health systemowned practices actively seeking the COVID-19 vaccine for their patients reported having obtained none to date.

"Despite possessing the ability to identify and inoculate vulnerable patients, states have largely not leveraged physician practices in vaccine rollout efforts," she wrote.

"We strongly believe that medical groups have a critical role to play in COVID- 19 vaccination efforts due to their trusted role as providers within the community and ability to identify vulnerable patients," she said.

Not only are doctors having trouble getting vaccines for patients, many physicians and medical staff not employed by hospitals or health systems reported problems getting inoculated themselves, even though they are caring for patients in the top-priority group.

Cohen said he was able to get his vaccine through Doylestown Hospital, which under a state order is required to set aside 10% of vaccines for community front-line workers. But for doctors working to secure the vaccine for patients, it's been "a mad scramble."

Sadel, who applied as early as he could, has been calling the state health department to check on the status of his application. One woman, he said, inquired about his freezers and wanted the make and model numbers.

Two weeks later, he learned his application was "under consideration."

Many of his patients, he said, fear going to a pharmacy for the vaccine.

"I know my patients, and I'm much more equipped to give vaccine than a pharmacy," said Sadel, who has a defibrillator, IV fluid and other medications on hand in case someone has a reaction. "I'm capable of handling emergencies in ways pharmacies are not."

Return to the table of contents

Legislation boosts state schools' powers to discipline employees

Lily Altavena
Arizona Republic
January 29, 2021

State lawmakers in both chambers unanimously passed legislation on Thursday that will give Arizona education officials the power to investigate and discipline any school employee accused of sexual or other misconduct.

The Arizona State Board of Education currently has the power to discipline certified educators. But not everyone who works in a school is certified, including athletic coaches and paraprofessionals. And while

AMERICAN OVERSIGHT

state law forbids district schools from hiring teachers who are not certified, charter schools may hire noncertified teachers.

House Bill 2023, which awaits Gov. Doug Ducey's signature, gives the state the power to investigate employees who aren't certified. The bill was introduced by Rep. Michelle Udall, R-Mesa.

"We want to make sure that's not happening, so we don't have people moving from school to school who shouldn't be around our children," Udall said at a recent House Education committee meeting.

An investigation in 2019 by The Arizona Republic and KJZZ, Phoenix's public radio station, found that loopholes like this one in the state's system to discipline teachers come with devastating consequences. In one case, a Tucson teacher with an expired certificate bounced from one charter school to another, accused multiple times of inappropriately touching students. No one flagged his certificate because it was expired, and he did not need to be certified in charter schools.

This bill is just one of the reforms experts say is needed in the state's disciplinary system.

The state's system to discipline teachers begins at the Arizona Department of Education's investigative

unit, a small department within the education agency with four investigators. The State Board of Education votes on discipline: A teacher's certificate can be revoked for five years, permanently revoked in the case of a criminal offense, or an educator may face a suspension for a number of years.

With HB 2023, the state now will have the ability to discipline a broader swath of school employees: Anyone who is allowed to make contact with students without the supervision of a certified employee.

bout 40% of all charter school teachers, are not certified, according to 2018 data from the Department of Education.

The new law also would apply to athletic coaches across the state who are not certified teachers but work in schools.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

US economy shrank by 3.5% in 2020

Martin Crutsinger
Arizona Republic
January 29, 2021

Stuck in the grip of a viral pandemic, the U.S. economy shrank last year by the largest amount in 74 years, despite growing at a 4% annual rate in the final three months.

For 2020 as a whole, a year when the coronavirus inflicted the worst economic freeze since the end of World War II, the economy contracted 3.5% and clouded the outlook for the coming year. The economic damage followed the eruption of the pandemic 10 months ago and the deep recession it triggered, with tens of millions of Americans left jobless.

AMERICAN OVERSIGHT

Thursday's report from the government estimated that the nation's gross domestic product – its total output of goods and services – slowed sharply in the October-December quarter from a record 33.4% surge in the July-September quarter. That gain had followed a record-shattering 31.4% annual plunge in the April-June quarter, when the economy sank into a free-fall.

The outlook for 2021 remains hazy. Economists warn that a sustained recovery won't likely take hold until vaccines are distributed and administered nationwide and government-enacted rescue aid spreads through the economy – a process likely to take months. In the meantime, millions of Americans continue to struggle.

On Thursday, for example, the government reported that although applications for unemployment benefits declined last week, they remained at a historically high 847,000, evidence that companies keep cutting jobs as the pandemic continues to rage. Before the virus erupted in the United States in March, weekly applications for jobless aid had never topped 700,000.

Even as the economy shrank last year, the stock market managed to rise sharply, with the S& P 500 index gaining 16%. The disparity between the two reflected a time-tested adage: The stock market is a forward-looking indicator, with investors focused on prospects for future corporate profits and economic health rather than on the current state of the economy. So even as the economy was sinking last year, investors looked ahead to hopes for vaccines and government aid and to solid company profits, especially among tech companies, which drove last year's gains.

The pandemic's blow to the economy early last spring ended the longest U.S. economic expansion on record – nearly 11 years. The damage from the virus caused GDP to contract at a 5% annual rate in last year's January-March quarter. Since then, thousands of businesses have closed, nearly 10 million people remain out of work and more than 400,000 Americans have died from the virus.

The government's report Thursday was its first of three estimates of growth in the last quarter; the figure will be revised twice in the coming weeks. The report showed that consumer spending, which accounts for about 70% of the economy, slowed sharply last quarter to a 2.5% annual gain from a 41% surge in the July-September quarter. Last quarter's economy was instead driven in part by business investment and housing, which has been a star performer during the past year, reflecting record-low mortgage rates and a demand for more household space. Housing grew at a sizzling 33.5% annual rate, business investment at a 13.8% rate. Government spending, though, shrank at a 1.2% rate last quarter. State and local governments have started to resort to layoffs in response to falling tax revenue.

The estimated drop in GDP for 2020 was the first such decline since a 2.5% fall in 2009, during the recession that followed the 2008 financial crisis. That was the deepest annual setback since the economy shrank 11.6% in 1946, when the economy was demobilizing after World War II.

The GDP report showed that former President Donald Trump ended his presidency with GDP averaging annual gains of 1% during his four years. That was lower than the 1.6% annual GDP gains during the Obama administration, a period that also included a recession.

In the coming months, as vaccines become widely distributed and administered, growth is expected to revive. But until then, many Americans will struggle as consumers and businesses hunker down and hold back on spending, even though the economy will likely keep growing. Gregory Daco, chief economist at Oxford Economics, said he expects growth to weaken in the current quarter to a roughly 2% annual rate.

AMERICAN OVERSIGHT

But Daco foresees a brightening outlook for the rest of this year. His view assumes a widespread use of vaccines, increased government aid from Congress' approval of at least part of President Joe Biden's $1.9 trillion relief package and pent-up spending from a savings buildup among higher-income families during the pandemic. A $900 billion rescue aid package that the government enacted late last year is also providing some support.

"The vaccine rollout is essential," Daco said. "Without an improving health situation, we are not going to get any improvement in the economic situation."

Daco said he thinks an economic rebound will produce annual growth this year of 5%. Earlier this week, the International Monetary Fund forecast that the U.S. economy will grow 5.1% this year and 2.5% in 2022.

On Wednesday, the Federal Reserve took note of the economic threats. It kept its benchmark interest rate at a record low near zero and stressed that it would keep pursuing its low-rate policies until a recovery is well underway. The Fed acknowledged that the economy has faltered in recent months, with hiring weakening especially in industries affected by the raging pandemic, notably restaurants, bars, hotels and others involved in face-to-face public contact.

Hiring in the United States has slowed for six straight months, and employers shed jobs in December for the first time since April. The job market has sputtered as the pandemic and colder weather have discouraged Americans from traveling, shopping, dining out or visiting entertainment venues. Retail sales have declined for three straight months.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Over 500 affordable rentals under construction in Valley

Catherine Reagor
Arizona Republic
January 29, 2021

Much needed affordable housing is going up in the midst of a pandemic, eviction crisis and nonstop trend of rapidly rising home and rent prices in metro Phoenix.

More than 500 affordable homes are under construction in metro Phoenix, at a time they are needed most.

The projects launched during the uncertain times of COVID-19 include a new home community in Phoenix's Sunnyslope neighborhood where tenants can build equity through paying rent.

An "attainable" rental cabana project in south Scottsdale for people who don't qualify for low-income housing help but can't afford the Valley's many new upscale apartments will open in March.

And in central Phoenix's Eastlake Edison Choice neighborhood, a new complex with rents 30% below the average for nearby downtown Phoenix is under construction.

AMERICAN OVERSIGHT

Private developers, groups and start-up funds are behind this latest round of affordable housing. That is a strong sign Valley businesses, community leaders and residents understand the incredible need for the homes.

New Sunnyslope homes: Nonprofit Trellis is developing 43 new homes in Sunnyslope to help low-income families

buy a home, a key way to build stability for a family and savings through equity.

Residents of the community at Sixth Avenue and Mission Lane can accumulate value by paying rent through an equity/ rental credit arrangement, so they can buy their homes later on. Rents are still being finalized for the townhomes.

Home Matters to Arizona, a new fund that aims to grow to $100 million to help build 200,000 affordable homes across the state, is helping to finance the Sunnyslope project. The fund, launched with the help of health care firms in Arizona, aims to reduce home-lessness, address racial inequities in housing, lower medical costs for residents and advocate for affordable housing and renters' rights.

Workforce housing in Scottsdale:

Scottsdale-based Greenlight Communities plans to open its Cabana Hayden project with 89 rentals in March. The housing development, at Hayden Road and Oak Street, is one of seven new affordable apartment projects the developer is working on in metro Phoenix that are priced to be "attainable" for the area's workforce.

The developer defines attainable as rents priced to fill the void between affordable and luxury apartments. Rents at its Cabana projects range from $919 for a one-bedroom in central Phoenix to $1,500 for a two-bedroom in south Scottsdale. Cabana Hayden has studios, one-bedroom and two-bedroom apartments.

Apartments near downtown Phoenix, rents 30% lower: Construction on the St. Ambrose apartments at the southwest corner of 12th and Van Buren streets in Phoenix's Eastlake area started a few months ago.

Rents at the 235-unit complex start at about $1,050, at least 30% below the average rent for downtown Phoenix, said developer Michael Lafferty, partner at Scottsdale-based Defer Gain.

The complex will have 44 studios, 162 one-bedroom apartments and 35 twobedroom units.

Homebuyers, sellers donate

The Arizona Housing Fund, financed primarily from $25 contributions made by individuals buying or selling a home, has raised almost a half-billion dollars to help build more affordable homes across the state.

More than 800 volunteer donors have stepped up to help people who can't afford a home since the fund was launched in August 2019. The fund is working on its first projects.

Need for housing grows

AMERICAN OVERSIGHT

Before the pandemic, the shortage of affordable housing was a rapidly growing problem in metro Phoenix because rising rents and home prices was far outpacing increases in incomes.

The problem is now much worse, say housing advocates, and the numbers show why.

Median home prices in metro Phoenix have climbed 200% to a record $332,000 during the past decade.

The average monthly rent in metro Phoenix has climbed more than 60%, to $1,200, since 2010.

The Valley's median income has climbed 16% in the past 10 years.

Tens of thousands of new apartments have gone up in the Phoenix area during the past few years. But almost 90% of the area's new rentals have been in luxury complexes with rents far above what people making the area's median income can afford.

Return to the table of contents

Guest Commnetary: Arizona is still putting up barriers to abortion

Jodi Liggett
Arizona Republic
January 29, 2021

January marks the 48th anniversary of the Roe versus Wade decision. Prior to 1973, access to abortion wasn't considered a right in America.

Many women, especially poor women, were forced to choose between an untenable pregnancy, death or serious injury from a dangerous black-market abortion. Even if pregnancy itself was a threat to their life or health.

Sadly, for far too many in 2021, it might just as well be 1972.

Imagine getting off work from your minimum wage job and stopping at the grocery store to pick up a few things. You walk past the family planning aisle and it occurs to you that your period is late, in fact, it's two weeks late. Money is so tight you actually have to decide between a pregnancy test or milk for the week. You choose and purchase the pregnancy test; you rush to take it, hoping it's not positive. As the seconds slow to minutes, you wonder what you're going to do if it does indeed come back positive.

Time's up, you pick up the test, and there it is — positive.

While for many, this moment is an exciting new chapter in their lives, for others it is not. In Arizona, many people face this situation every day. If they choose to seek an abortion, they are met with several barriers intended to prevent them from exercising their constitutional right and shame them for their choice.

Our governor has bragged many times that Arizona is among the most "pro-life" states in the country. He, of course, is referring to the myriad regulations designed as barriers to those seeking abortion care in Arizona. Waiting periods, in-person visit requirements, admitting privileges conditions and more all combine to deny access to what is supposed to be constitutionally protected health care.

AMERICAN OVERSIGHT

None of these laws were enacted to protect women's health, despite what their authors may claim. None of them actually enhance the safety of abortion, which is one of the safest medical procedures there is. No. They are designed to thwart women's free will; to make abortion as humiliating, difficult and expensive as possible. This is how the extreme wing of the pro-life movement attempts to reduce the number of abortions. Power, control and stigma.

This unfortunate trend continues to this day. House Bill 2650, introduced by state Representative Walt Blackman would classify abortion as first-degree premeditated murder. In Arizona, that charge can be punished with the death penalty. Not exactly pro-life.

We believe the tenets of reproductive justice can create a truly pro-life Arizona. An Arizona where a single mom can earn enough to support her family. Where childcare is safe, high quality and affordable. Where teachers have the resources they need to prepare the next generation. Where Black people, Indigenous people and people of color have the same protections and opportunities as their white brethren.

Where a woman, wherever she lives, can access reproductive health care, including abortion. Wouldn't it be something if those opposed to abortion worked together with us to reduce unplanned pregnancies (and thereby abortions) in the first place?

We urge your readers to contact their legislator and tell them to stop the madness of bills like HB 2650. The conservative majority is fixated on trying to legislate abortion out of existence; ignoring urgent priorities like an historic pandemic devastating our state and families that are hurting.

Send our legislators the message that you want them to work together on sane policies that would actually make Arizona a "pro-life" state.

Jodi Liggett is founder of Arizona Center for Women's Advancement. Reach her at jodiliggett@azwomenadvance. org. Co-signers: American Association of University Women Arizona; Americans United for the Separation of Church and State, Greater Phoenix; Arizona Coalition to End Sexual and Domestic Violence; state Rep. Athena Salma; state Sen. Juan Mendez; Gabriella Goodrick, MD, Camelback Family Planning; Michael Soto, executive director, Equality Arizona; National Council of Jewish Women, Arizona; Planned Parenthood Advocates of Arizona; and NARAL Pro-Choice Arizona.

Return to the table of contents

Inside a new COVID-19 treatment that's keeping Arizonans out of the hospital

Stephanie Innes
Arizona Republic
January 29, 2021

Jannie Cox and David Syverson, Tucson residents who received monoclonal antibody infusions after they tested positive for COVID-19. Both are doing well now and credit the antibodies with speeding recovery. Jannie thinks they saved her husband's life.

AMERICAN OVERSIGHT

Her first symptoms — a scratchy throat and cough — were so mild that Jannie Cox "totally blew them off" on Dec. 27, when they first emerged.

Three days later, the 74-year-old Tucson resident could no longer deny it: She was sick.

Her throat had become fiercely sore, she had flu-like body aches, and it was clear she was either catching a cold, or worse. That same day, she tested positive for COVID-19 infection and her husband, 75-year-old David Syverson, was developing symptoms, too.

Cox, a retired health care foundation executive, knew what she wanted for herself and her husband: an intravenous infusion of a relatively new treatment therapy for outpatients with mild to moderate COVID-19 called monoclonal antibodies.

Early evidence shows it nips COVID-19 in the bud if caught in time, blocking the virus from replicating and turning into severe illness.

The treatment is becoming more widely available across Arizona and is one of several ways high risk COVID-19 patients are staying out of the hospital. Yet, more awareness is needed among members of the general public, health providers say.

Other programs to free up patient bed space during the pandemic that launched in recent months include a "COVID At Home" program operated by Phoenix-based Banner Health.

And last month, the Arizona Hospital and Healthcare Association began an at-home palliative care program with a $550,000 grant from the state health department, and $50,000 from Intel to help provide technology to patients who may not have their own.

The efforts are needed, even as hospitalizations statewide have begun to decline during the latest surge of the pandemic. Hospital leaders continue to be concerned about new variants of the coronavirus, including the more contagious U.K. variant, which they've said could lead to another surge of illness in March.

Get the Law & Order newsletter in your inbox.
The latest public-safety news in the Valley.

State data shows 4,250 patients with confirmed and suspected COVID-19 were hospitalized in Arizona hospitals as of Tuesday. It's lower than the peak on Jan. 11, when the number of hospitalized patients reached 5,082, but still 20.8% higher than patient levels at the peak of the July summer surge.

'Instead of you having to make the antibodies, we're just infusing them'

Two monoclonal antibody therapies were approved for emergency use authorization to treat mild to moderate new coronavirus disease in certain high-risk patients by the U.S. Food and Drug Administration in November — bamlanivimab from Eli Lilly and Co. and Regeneron, which combines the two monoclonal antibodies casirivimab and imdevimab.

Regeneron became more widely known when it was used to treat former President Donald Trump after he tested positive for COVID-19.

AMERICAN OVERSIGHT

Both monoclonal antibody therapies have shown promise for clearing the SARS-CoV-2 virus that causes COVID-19 and reducing illness when patients receive the medication within days of their first symptoms. It is a treatment for COVID-19, not preventive, health providers stress, citing some confusion among members of the public. Monoclonal antibodies are not the same as the COVID-19 vaccine rolling out right now.

For health leaders in Arizona, infusions of monoclonal antibodies are not just a way of impeding the progression of illness in patients with COVID-19, they are a way of keeping patients out of hospital beds at a time when resources are stretched.

The federal government recently set up a monoclonal antibody infusion center at Tucson Medical Center, and Banner Health has established centers in Tucson and Phoenix.

The Mayo Clinic in Arizona first opened its monoclonal antibody infusion center on Dec. 7 in a mobile unit at its Phoenix campus treating eight patients per day, and this week moved the program to expanded space with the ability to treat more patients in an area on its Scottsdale campus that had previously been used for furniture storage. The new space allows for 30 to 50 patients per day to get infusions.

Cigna Medical Group partnered with the state, the FDA and Operation Warp Speed to launch the pilot program to provide the monoclonal antibody infusion therapy for high-risk COVID-19 patients referred by a health provider at its four urgent care facilities around the Valley.

The pilot has started at CMG's Phoenix Central and Paseo Urgent Care sites and has initial capacity to provide two infusions a day at each location "to help free-up much needed hospital space and resources," officials said.

More data on outcomes is needed but some early research shows the monoclonal antibodies are effective at preventing hospitalizations. The idea is that they bind to the receptors of the spiked protein of the virus and block it from reproducing.

"As the number of admissions started going up, we were trying to find some way to decrease the pressure on our hospital," Dr. Robert Orenstein, chair of infectious diseases at the Mayo Clinic in Arizona, said of his hospital's decision to begin monoclonal antibody infusions.

"We believe how they work is they help the immune system control the virus quickly. Instead of you having to make the antibodies, we're just infusing them," he said.

Mayo officials are in ongoing discussions about how to get monoclonal antibodies to more Arizonans.

"Obviously, the number of people that could benefit is far more than what we're able to even do," Orenstein said. "The problem is the logistics of it, and getting the information to the people, and being able to ensure that the right people get it. ... We're looking at ways to try to expand and be of some value to the community beyond what we are currently doing."

'He's doing fantastic today; It's all behind us'

AMERICAN OVERSIGHT

For about two to three hours on New Year's Day, Cox and her husband each were infused with monoclonal antibodies at an infusion center set up by the federal government in partnership with Tucson Medical Center.

Cox's COVID-19 symptoms went away the day after her infusion, she said. Her husband, who has Parkinson's disease and rheumatoid arthritis, had more challenges and at one point was having stroke-like symptoms that ended up being related to his Parkinson's.

But he was never hospitalized for COVID-19, and Cox says he's doing well.

She can't know for certain but believes the monoclonal antibodies saved her husband's life.

"He's not just recovered, he's better than before," she said. "It was very, very rough for two weeks, but he's doing fantastic today. It's all behind us."

Cox, who is an avid cyclist and walker, has no way of knowing how the monoclonal antibodies changed the trajectory of her disease, either. Nonetheless, she said she feels blessed that the couple was able to get the infusions. Cox felt better the day after receiving the infusion and said she is 100% now.

Jannie Cox and David Syverson, Tucson residents who received infusions monoclonal antibodies after they tested positive for COVID-19. Both are doing well now and credit the antibodies with speeding recovery. Jannie thinks they saved her husband's life.
"It is impossible to know," she said.

Not everyone is eligible for the monoclonal antibodies, and various infusion centers have their own parameters about eligible patients.

TMC officials are using both the Regeneron and Eli Lilly products to treat adults and pediatric patients, 12 years of age and older who weigh at least 88 pounds, who have positive results of direct SARS-CoV-2 viral testing, and who are at high risk for progressing to severe COVID-19 and/or hospitalization.

High-risk adults must meet at least one of a list of criteria to be eligible for the TMC infusion center, including having a body mass index of 35 or greater; having chronic kidney disease, diabetes or immunosuppressive disease; undergoing immunosuppressive treatment; or is 65 or older.

Infusion centers do not accept walk-ins
The infusion itself takes about an hour, but Cox said medical providers spent a lot of time with her beforehand, going over the risks. Also, patients must remain for about an hour following the infusion to ensure patients are not having any reactions. Altogether the process from beginning to end is about three hours.

Since it opened earlier this month, the TMC center has infused 600 patients. None has had allergic reactions to the medication and anecdotally, about 1% have been admitted to the hospital, though actual outcome data is not yet available, said Mimi Coomler, the hospital's chief operating officer.

The highest number of patients TMC has infused with monoclonal antibodies is 57 in one day. The average is about 24 per day, Coomler said.

AMERICAN OVERSIGHT

The hospital has been infusing patients in a space with a separate entrance in its hospital but will be moving to a center at another hospital-owned property next week. A federal team that had been staffing the center be leaving next week, but Coomler said TMC officials have decided to sustain the program because of its success.

Patients must meet the criteria to get infusions. They also must have symptoms and a positive test. The hospital's urgent care network has been a key referral source, which is also true for Banner Health's infusion centers. TMC's Coomler emphasized that patients who get referrals can be infused quickly.

"We absolutely have availabilities same day, next day, because the criteria includes up to 10 days from diagnosis, there is a time sensitivity. We don't want patients to time out," she said.

Banner Health has a capacity for seeing 75 patients per day statewide at monoclonal antibody infusion centers located at Banner University Medical Center Phoenix, Banner Baywood Medical Center and Banner University Medical Center South in Tucson. All three locations are open seven days per week, said Dr. Jason Brown, chief medical officer for Banner Pharmacy Services.

It's important that patients do not show up at the infusion centers without an appointment, Brown emphasized. Firstly, there are criteria about who is allowed to get the infusions. Secondly, there are logistics and rules about having contagious COVID-19 patients in the facilities, which is why patients need to have appointments.

Banner Health's urgent care centers are handling referrals to the infusion centers for now, and patients may also talk to their doctor about getting a referral, Brown said.

Banner Health is using both the Eli Lilly and Regeneron products. The health system's pharmacy and therapeutics committee did their own clinical efficacy and safety reviews and does not feel that one product is superior to the other, Brown said.

'The earlier the better. That is the biggest challenge.'
Banner Health has an information page about monoclonal antibody treatment on its website, and Brown stressed the therapy is for people who are not already hospitalized. It's for newly symptomatic people who are at high risk of progressing to more severe COVID-19 and winding up in the hospital.

To be eligible at a Banner site, patients must test positive for COVID-19 and be less than 10 days from onset of symptoms, plus meet one of a set of criteria: be over 65 years old; be over 55 years old with comorbidities such as cardiovascular disease, high blood pressure or COPD/other chronic respiratory disease; or over 18 years old with comorbidities such as diabetes, immunosuppressive disease, chronic kidney disease or obesity.

Because of limited space and staffing in its infusion center, the Mayo Clinic in Arizona has been selecting patients for monoclonal antibodies based on a nightly review of the electronic medical records of those who tested positive for COVID-19 at their clinics, and choosing patients for the available infusions each day using a ranking system based on risk. Among those on the review panel were infectious disease physicians, a nurse, and an ethicist.

AMERICAN OVERSIGHT

"If you are immunocompromised you are obviously at a higher risk than somebody who is 65 but doesn't have any other risk factors," Orenstein said. "We had a scoring system that helped to stratify risk. And we only give it to people who are symptomatic."

Now that the Mayo Clinic has a larger infusion space, they are hoping to get a larger supply of medication and open up the monoclonal antibodies to anyone who meets the criteria set out in federal emergency use authorization for the therapies, including being 65 and older or having certain chronic health conditions, Orenstein said.

Although the emergency use authorization says the monoclonal antibodies should be given within 10 days of the onset of symptoms, Mayo officials have been saying seven days.

"The earlier the better," Orenstein said. "That's really the biggest challenge. Most people really don't feel all that bad until they get to about day six or seven and they are getting close to the point where it is already too late to get benefit from the antibodies."

COVID at Home: Patients up to age 70
In addition to monoclonal antibody treatments, Banner Health recently created a COVID at Home telehealth program, which allows shorter hospital stays for some new coronavirus patients between the ages of 18 and 70 who are hospitalized with COVID-19 but have not been in the intensive care unit.

The program is available at acute care Banner Health facilities that are caring for COVID-19 patients, including small rural hospitals. Nearly all the patients in the program so far have been in Arizona.

COVID at Home began in August after a lot of discussion with clinicians from various areas of the health system about the best way to free up hospital beds, said Dr. Michael Simons, medical director for telehealth at Banner Health. They decided to target COVID-19 patients who were already hospitalized at the end of their hospital stay and work on getting them home earlier than normal protocol would allow.

"We knew that every patient we got out one day early was an extra hospital day worth of capacity that we would open up," he said. "When we initially rolled out this program we developed a long list of inclusion and exclusion criteria, which were really meant to make sure that we had a pretty clean denominator of low risk patients and that they were reasonably well-controlled to be appropriately sent home."

Patients in the program are sent home with a pulse oximeter that they must use four times per day and at scripted intervals they must record both their heart rate and the oxygen levels in their blood into a software program that's downloaded on the patient's smart device, Simons explained. Before the patient leaves the hospital, medical staff make sure the software has been properly installed.

How trauma forged the origin story of Phoenix rapper Mega Ran
Glendale sold a key downtown property for $25K in 2018. What happened to it?
If you're a woman, you've heard this word before, I know I have
How this former ballerina became a cocktail powerhouse
A group of nurses monitors the patients' entries, troubleshoots, and reaches out when there are issues such as a low oxygen saturation or high heart rate. Part of the technology includes the ability to do daily virtual visits with a physician.

AMERICAN OVERSIGHT

"Our intent in trying to craft this program was to replicate as much of the hospital stay as we thought we could and was necessary for these patients that we were sending out one to two days earlier than they would otherwise go home," Simons said.

At the end of each day, patients must fill out a checklist asking about common symptoms such as nausea, vomiting or pain that could indicate a blood clot. Patients may call a centralized number if they do have any of those symptoms and a medical provider will help them with how to proceed.

The program is still relatively small. Thirty-one patients have gone through it. Now two to three are getting added per day, Simons said.

What program leaders did not want was to send people home and have them decompensate and need to be readmitted because they were sent home too early. So far, that hasn't happened. As of Jan. 12, no one from the program had been readmitted to the hospital.

"We are now tending to get patients out at least one day early and in some cases, two days early and that was our initial target," he said. "We wanted to be very cautious that we weren't impugning their safety by sending them home and we were really trying to limit this to the patients that can be safely discharged and monitored commensurate with their needs."

COVID-19 palliative care program could be helping more patients
The Arizona Hospital and Healthcare Association's recently launched palliative care is a another way of preventing COVID-19 patients from being admitted to the hospital by supporting them at home with telehealth, and helping them coordinate their care.

The program is for preventing COVID-19 patients who have been hospitalized from being readmitted, and targets people in underserved communities, organizers said.

Palliative care is often confused with hospice, but it's not the same thing. People who need palliative care need support and help coordinating their health care, and making a plan for their care, whether they are acutely ill or chronically ill.

Sometimes it is end-of-life care, but most of the time it's not, said Sandy Severson, senior vice president of care improvement at the Arizona Hospital and Healthcare Association, who spearheaded the COVID-19 palliative program.

The program finds patients solely by referral from a physician, nurse practitioner, long term care facility or other health provider. Instead of sending patients to a hospital, the program seeks to treat people where they are. The program went live Dec. 18 and so far is being used mainly by rural Arizonans, Severson said.

"A typical patient is someone who is just experiencing COVID now and is having shortness of breath and has been in to see their primary care doc repeatedly but they need supportive care, that extra layer of care. ... People want to be at home. They don't want to go to the hospital."

The program sets goals of care, establishes the resources the patient needs moving forward, and part of the protocol is including family members, Severson explained.

AMERICAN OVERSIGHT

"Some of these might be young people, some might be aging people and not have a lot of resources," Severson said of the patients. "We really talk about what their goals are and whether they need medication management changes or just emotional support, clergy, faith-based support, to make sure everyone knows what the plan is."

Another part of the program is helping patients plan for future care, whether that means ensuring they have a health care power of attorney lined up, or that they state their wishes about going on a ventilator or being resuscitated if they stop breathing or their heart stops beating.

If someone has already said they don't want to be on a ventilator, or don't want to be resuscitated, the support that patient needs typically would not require an acute care hospital, Severson said.

In other words, there's no point sending a patient to a hospital if there's nothing the hospital can do for them. That's where the palliative care program can help, by ensuring those patients safely get the support they need at their long-term care facility, or wherever they are living, rather than going to the hospital.

Severson is hoping to spread the word about the palliative care option. The program has four providers on contract who can consult with 30 to 40 patients per day but is not anywhere near that capacity now, Severson said.

Some of the patients who are in the program have been hospitalized for COVID-19 and are coping with the aftermath of health effects, including heart and lung issues. Several have the anxiety of not knowing whether they will recover, Severson said.

"These are people many times who are on oxygen who have complex issues but the intent is to keep them at home and not go back to the hospital," Severson said.

Reach health care reporter Stephanie Innes at Stephanie.Innes@gannett.com or at 602-444-8369. Follow her on Twitter @stephanieinnes.

Return to the table of contents

Banner Health has started using an arthritis drug on some critically ill COVID-19 patients

Stephanie Innes
Arizona Republic
January 29, 2021

Registered nurses Danielle Coates (left) and Alex Clark tend to a patient in one of the COVID-19 units at Valleywise Health Medical Center in Phoenix on Jan. 14, 2021. Much of the hospital has been converted to handle COVID-19 patients and they like many other hospitals throughout Maricopa County are at or near capacity.

Banner Health officials hope a drug used to treat rheumatoid arthritis will help improve outcomes in their most critically ill COVID-19 cases.

AMERICAN OVERSIGHT

The Phoenix-based nonprofit health system this month began using the anti-inflammatory drug tocilizumab to treat a specific subset of its sickest patients.

Tocilizumab has had mixed results on COVID-19 patients in numerous trials, and reports conflict about its usefulness in treating people infected with the new coronavirus.

The drug has not been approved by the U.S. Food and Drug Administration for treating COVID-19 patients, nor does it have a government Emergency Use Authorization.

But recent data on the drug's use in severely ill COVID-19 patients is giving Banner Health leaders some optimism for a select group of critically ill COVID-19 patients at risk of dying.

As of Monday, more than 1,000 patients with confirmed and suspected COVID-19 were in ICU beds in Arizona hospitals, and 687 were connected to mechanical ventilators. Many COVID-19 patients who are placed on a ventilator will linger for weeks but not survive.

The drug, when given according to a strict protocol to a specific population of COVID-19 patients hospitalized in intensive care units, may reduce the number of days those patients need breathing assistance, including from mechanical ventilators, said Dr. Jason Brown, chief medical officer for Banner Pharmacy Services.

Physicians and nurses have improved their knowledge of patients infected by the SARS-CoV-2 virus that causes the COVID-19 illness since the onset of the pandemic, and have adopted techniques like "proning" patients — placing them on their stomachs — to improve their oxygenation and improve their chances for survival.

But in terms of drug treatments to reduce mortality from COVID-19, few medications have been proven effective.

"Hydrocortisone is the only one that has been shown to reduce mortality," Brown said.

"This tocilizumab is used in combination with that. ... We don't have a lot in our tool belt and this does show some potential, but we are going to have to continue to be diligent about reviewing all the new literature that comes out, and make any adjustments."

Arizona hospitals make different decisions about treatment

Not all hospitals and hospital systems in Arizona are treating their COVID-19 patients with the arthritis drug right now.

Dignity Health, which is one of Arizona's largest health systems, is "not currently using tocilizumab or Interleukin 6 inhibitors for the treatment of COVID-19 as it is still under review and has not yet been granted either an FDA approval or an Emergency Use Authorization for treatment of COVID-19," Dignity spokeswoman Abby Friedemann wrote in email.

Since the "true effect on clinical outcomes of tocilizumab are not well-defined," it's being used on a case-by-case basis for COVID-19 patients at the Mayo Clinic in Arizona, critical care chief Dr. Ayan Sen wrote in an email.

AMERICAN OVERSIGHT

Mayo has used the drug in the past on COVID-19 patients with acute respiratory distress syndrome and will use the drug based on evolving evidence on a case-by-case basis, Sen said. Since studies have had varying results, more evidence is needed about the drug's benefits and harms on patients with COVID-19, he said.

The Arizona Department of Health Services' authority does not include regulating or requiring the use of certain drugs, spokeswoman Holly Poynter wrote in an email, and the agency encourages individuals to speak with their health care providers if they have questions about specific treatments, she said.

The National Institutes of Health recommends against the use of Interleukin 6 receptor antagonists such as sarilumab or tocilizumab for the treatment of COVID-19, except in a clinical trial, Poynter wrote.

Banner Health's position is that it is making the treatment option available for critically ill COVID-19 patients because recent literature has shown it may be beneficial for them.

"Banner continues to evaluate data for clinical safety and efficacy and will make adjustments to our criteria based on our clinical review," Brown said. "We are aware of other health systems in the U.S. that have started to or have plans to administer this drug to critically ill COVID-19 patients."

A COVID-19 patient who is intubated is positioned on his stomach in one of the COVID-19 units at Valleywise Health Medical Center in Phoenix on Jan. 14, 2021. Much of the hospital has been converted to handle COVID-19 patients and they like many other hospitals throughout Maricopa County are at or near capacity.

Study found tocilizumab improved survival in COVID-19 patients
A positive sign for Banner Health was a recent clinical trial of 800 patients that found that tocilizumab may benefit seriously ill COVID-19 patients, including reducing the relative risk of death, if administered quickly after development of critical illness.

The study led by British researchers was published Jan. 7 in the preprint server medRxiv. A preprint is a version of a scientific manuscript publicly posted prior to peer review, which is the standard for publication in a scientific journal.

The U.K. government and England's National Health Service on Jan. 8 issued updated guidance encouraging the use of tocilizumab in treatment of COVID-19 patients who are admitted to intensive care units.

Tocilizumab may successfully target the hyperinflammatory syndrome that some COVID-19 patients develop, Brown said.

The protocol Banner officials are following requires giving the medication, in combination with corticosteroids, to patients with COVID-19 within 24 hours of being placed on a CPAP (continuous positive airway pressure), BiPAP (bilevel positive airway pressure), high flow oxygen, mechanical ventilation or are requiring vasopressor medications to increase their blood pressure in an ICU setting, Brown explained.

"It's very sick patients; I think that is the key. The types of trials to date have been kind of variable in terms of the patient population or the degree of severity of the patients' illness," Brown said. "The most

AMERICAN OVERSIGHT

recent trial that came out was more promising in terms of the outcomes and the select patient population to use this specific medication in."

Banner's Pharmacy and Therapeutics Committee reviews all recent scientific literature on COVID-19 treatments on a frequent basis, Brown emphasized, and if there is any new literature about tocilizumab, the committee will adjust the criteria for use.

"The ideal hope is that it's going to reduce the number of days that patients are required to have respiratory or cardiovascular support," Brown said.

If patients have reduced days of needing help breathing, their chances for survival improve. Arizona's death rate from COVID-19 has been climbing during the latest surge and as of Monday had the highest rate of new deaths due to COVID-19 in the nation. Arizona on Tuesday was reporting 12,448 known COVID-19 deaths.

Reach health care reporter Stephanie Innes at Stephanie.Innes@gannett.com or at 602-444-8369. Follow her on Twitter @stephanieinnes.

Return to the table of contents

Navajo Nation surpasses 1,000 COVID-19 deaths

Arizona Republic
January 29, 2021

Navajo Nation health officials on Thursday reported 11 more COVID-19 deaths to reach the 1,000 mark since the pandemic began.

The tribe also reported 59 new coronavirus cases to bring the total reported cases on the reservation to 27,987.

On Monday, the tribe extended its stay-at-home order with a revised nightly curfew to limit the spread of COVID-19.

The Navajo Department of Health has identified 53 communities with uncontrolled spread of the coronavirus, down from 75 communities in recent weeks.

The Navajo Nation is also lifting weekend lockdowns to allow more vaccination events.

The actions in the latest public health emergency order will run through at least Feb. 15.

The daily curfew will run daily from 9 p.m. to 5 a.m.

Tribal officials said more than 231,000 people on the vast reservation have been tested for COVID-19 and over 14,000 have recovered.

The Navajo Nation extends into Arizona, New Mexico and Utah.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Phoenix-Mesa Gateway Airport aims to land job and shopping hub

Alison Steinbach
Arizona Republic
January 29, 2021

An Antonov cargo plane unloads outside four of the new hangars at Phoenix-Mesa Gateway Airport on Jan. 28, 2021.

Phoenix-Mesa Gateway Airport officials hope to further expand growth beyond aeronautics and create a job and shopping hub that would benefit residents in some of the large nearby neighborhoods, such as Eastmark and Cadence.

Airport officials are seeking a master developer to partner in building office, industrial and retail space on 400 acres east of the airport.

Mesa Mayor John Giles said the Gateway East project would bring southeast Mesa residents some long overdue development.

“For folks who live in Eastmark and Cadence and the other tens of thousands of people that have been drawn to that area in recent years, this is very welcome news," he said. "This will bring a lot of the retail and other infrastructure that will add to the quality of their lives.”

The airport's other recent expansions include a U.S.-Mexico customs hub, hangars, pilot training schools and a USDA Forest Service fire response center. Construction also recently began on a larger air traffic control tower to accommodate the growing airport that boasts three 10,000-foot runways and three airlines offering passenger service.

"(Phoenix-Mesa Gateway is) a 3,000-acre economic development project that just happens to have a thriving airport as part of its infrastructure," said Brian O’Neill, the airport's executive director and CEO.

When the former Williams Air Force Base reopened as Williams Gateway Airport in 1994, airport leaders knew it had more land than needed for an airport, so they began focusing on other uses, O'Neill said.

Today, the area is home to more than 40 companies that employ some 2,500 people, with 110 airport workers.

Proposed development project on east side
Gateway East is envisioned as an entirely non-aeronautical project on airport grounds.

"There's only so much aeronautical development that can occur directly around the perimeter of the airfield," O'Neill said. "We were left with a significant amount of acreage that didn’t have anything to do with the airport but was a significant revenue opportunity and economic development opportunity and job creation opportunity that most airports don’t have.”

AMERICAN OVERSIGHT

Officials see Gateway East as a mix of office, industrial and retail space that would provide stores, restaurants and high-wage jobs the area needs, O'Neill said.

A rendering of Gateway East, a proposed 400-acre retail and office development at Phoenix-Mesa Gateway Airport.
As the East Valley continues to grow east and south, airport leaders expect greater demand for a high-end office park so people can work closer to where they live.

Airport officials believe the site's location along busy Ellsworth Road and adjacent to State Route 24 and Loop 202 make it a prime spot for regional development.

Airport officials recently launched its search for a master developer to work with on the details and building of the development. They hope to select the developer by the end of the year.

The Gateway East project would border about 200 acres that eventually will be a new passenger terminal. O'Neill expects construction on a new terminal to begin within the next decade, depending on capacity at the existing terminal and when the airport is able to attract more airlines.

Customs hub at Gateway's Skybridge not yet fully operating
Gateway East is one of a handful of recent projects at Gateway.

SkyBridge Arizona covers 360 acres and is mostly focused on aeronautical development, logistics and air cargo. Two large buildings for industrial and hangar space are completed. "There's one tenant in the hangar, a private client, and they are in final negotiations with a few other tenants," an airport spokesperson said.

A hotel also is under construction, O'Neill said.

The SkyBridge development includes the first inland U.S.-Mexico joint cargo processing program, which aims to expedite the transfer of American goods across the border to Mexico. Mexican customs officials will work alongside U.S. officials to complete joint inspection of cargo, allowing planes to land at more Mexican airports since the goods will be pre-cleared before leaving the U.S.

Customs officials performing initial test runs on Skybridge's Unified Cargo Processing Program at Gateway Airport. Gateway is the only inland airport that currently offers such a program, according to airport officials.
The customs processing hub is not yet at full speed as the pandemic and a new administration in Mexico delayed the project, O'Neill said. Test shipments have gone well, but details are still being ironed out to make sure all the processes are in place so the program operates smoothly, he said.

"COVID has certainly not helped our development of this program, but I think the important thing is it hasn't gone as quickly as anyone had hoped, but it's still moving forward," he said. "Mexico's committed to it and the United States is committed to it, so we're hopeful that over the next 12, 18, 24 months, you'll be able to start to see some real progress with the pre-clearance of air cargo that's bound for Mexico."

Other new and in-progress private development projects on Gateway land include:

AMERICAN OVERSIGHT

Gateway Executive Airpark is going through Mesa's permitting process, according to O'Neill. Plans are for a 187,000 square-foot hangar facility that would attract companies and tenants. He expects building to begin in February or March.

Aviation Performance Solutions operates pilot training at the airport and will locate its corporate headquarters there, O'Neill said. The company is building a 65,000 square-foot hanger for their use and for other corporate aircrafts.

Wetta Ventures built a 50,000 square-foot hangar that it plans to lease for large planes and tenants. This a rendering of how the new air traffic control tower (left) will compare to the current tower (right). The new tower will stand at 190 feet tall and have double the amount of room inside for air traffic controllers.

The foundation also is being poured on a new $30 million air traffic control tower that will be significantly larger than the existing tower built in 1970. The new tower, which should be completed in 2022, will be able to seat eight instead of four controllers and will provide an unobstructed view of the field, O'Neill said.

"With those three 10,000 foot long runways and a brand new state of the art tower, I think we're going to be really the envy of every airport in the country," Giles said.

Diversification has helped weather the pandemic Phoenix-Mesa Gateway Airport, like other airports, saw passenger activity plummet early in the COVID-19 pandemic, but O'Neill says its recovery has been faster than many because of its focus on leisure travelers.

The airport's passenger activity in April 2020 was down 93% compared to April 2019. Now it's down 20-30%, while many airports are still down 60-80%, he said.

Passengers board an Allegiant Airlines flight at Phoenix-Mesa Gateway Airport in the Southeast Valley. That's largely because Gateway serves the low-cost leisure traveler rather than business, international or connecting flights. O'Neill said the leisure travel market has been returning faster as consumers gained confidence and chose to visit family and friends again.

"Because of the type of airport we are, we will continue to lead the nation out of this pandemic," O'Neill said, adding that only a small handful of airports have returned to 70-80% of their pre-pandemic activity levels.

He said the airport was able to maintain revenue even when commercial flight traffic was down, because of diverse revenue streamsfrom pilot training schools, corporate activities, the Forest Service and private development projects.

How trauma forged the origin story of Phoenix rapper Mega Ran Glendale sold a key downtown property for $25K in 2018. What happened to it?

"We've fared very well in 2020," he said. "Maybe we were down in one area, but because it was a long extended fire season, the fuel purchase by the U.S. Forest Service outweighed the lost revenue from our commercial activity. Because we have such diverse revenue streams, we were able to withstand the impacts of the pandemic much better than most airports."

AMERICAN OVERSIGHT

'An anchor for our community'

City and airport officials see the airport and the planned development on the east side as important puzzle pieces in the growth and prosperity of southeast Mesa and the city overall.

Gateway East "is going to be a huge generator of revenue and it'll help make Gateway a destination location," Mesa Councilmember Kevin Thompson said.

Mesa Mayor John Giles speaking at the groundbreaking of SkyBridge's first two buildings at Phoenix-Mesa Gateway Airport.

Giles praised the transformation from Williams Air Force Base to what the airport has become today.

"I'm always telling people, 'Take a mental picture, look around. You're not going to be able to see the horizon and the Superstition Mountains for much longer. This is the last frontier of Mesa, and the next time you drive out here, it's going to be covered with buildings and people and cars.'"

And that's all by design. The jobs and a lot of the economic activity that's going to be an anchor for our community is happening right now."

Return to the table of contents

Republicans demand audit of Kelli Ward's narrow win for Arizona GOP chair

Yvonne Wingett Sanchez
Ronald J. Hansen
Arizona Republic
January 29, 2021

After months of sounding the alarm on what she claimed was a stolen presidential election, Kelli Ward is facing questions about her own reelection Saturday as Arizona Republican Party chair.

Sergio Arellano, the southern Arizona businessman who narrowly lost to Ward in a runoff, has asked state party officials for an audit of the election results, said Kim Owens, a Republican consultant who is serving as his spokeswoman.

So far, that hasn't happened, adding to a growing sense of angst among GOP activists that the election had problems.

"This isn't about the chairman's race, this is about election integrity," Arellano said in a written statement provided by Owens to The Arizona Republic.

In a statement issued hours later to the newspaper, Arellano said he did not expect the audit to lead to a reversal of wins for Ward and others.

Neither Ward nor other state party officials could be immediately reached for comment.

Doubts about the results of the chair's race started to swirl after the announced winner in another race, for the at-large committee member from the 8th Congressional District, was informed she had lost.

AMERICAN OVERSIGHT

Arellano said that error "created an environment where a number of state committeemen are raising concerns and asking me to ask for an audit because only a candidate for party office can do so. So I've done that and we're waiting for a response that lays out the when, where, and how of that process. I anticipate the State GOP will do a solid job here and provide election officials around the state with an example of how to conduct a timely audit and how important ballot security and paper backups are."

The elections played out Saturday at the party's annual meeting, an event that was closed to most of the media and drew rare national attention because of the deep division over whether Ward should guide the party for another two years after Arizona voters backed President Joe Biden and Democratic Sen. Mark Kelly.

Owens said that on Tuesday, Arellano and the two other Republicans who challenged Ward, sent another request asking for the audit to take place on Thursday. That request, which called for witnesses, had not generated a response as of Wednesday evening, she said. Owens declined to provide the letters.

Ward, a controversial figure who gained national attention for claiming the 2020 presidential election was stolen from former President Donald Trump, won her reelection bid by 42 votes after the election went to a runoff against Arellano. Trump endorsed her reelection.

Owens said of the challenge: "This is not about one person or one race, it's about the integrity of our elections. With the absence of the tapes from the machines or any documentation of where votes came from, and in most races, a lack of numbers, of tallies, we need to see evidence that everything is as it should be."

The race for chair isn't the only one in question. Sandra Dowling, who ran for an at-large committee position in the 8th Congressional District, initially was announced as a winner, she said. She had left the meeting by the time the winners were announced.

"I start getting phone calls from everybody and their neighbor saying 'Congratulations, Sandra, you won, you won, you won,'" she recalled.

Ward told her friend after the meeting that Dowling had not won and blamed the mistake on "human error," she said.

Brnovich says deportation pause violates agreement between DHS, Arizona
Ward's reelection was considered nearly a foregone conclusion ahead of the race weeks ago, but many in the GOP had misgivings that Biden had carried Arizona and Republicans lost a longtime GOP-held Senate seat to Democrats during the 2020 cycle.

Those concerns only grew after the deadly riot at the U.S. Capitol on Jan. 6. That happened on the day that most GOP lawmakers voted to set aside election results in Arizona and Pennsylvania. Ward had been a prominent voice on social media and at post-election rallies in Arizona claiming they needed to "Stop the Steal."

Heading into the midterm elections, Republicans are looking to fortify the party's standing in a state they fear is slipping away from them.

AMERICAN OVERSIGHT

In an unusual move, the Arizona Republican Party barred most reporters from attending the election portion of the statutorily required meeting. The election took place away from public view at Dream City Church.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

2020 was officially the 2nd driest and 2nd hottest year ever recorded in Arizona

Chelsea Curtis
Arizona Republic
January 29, 2021

Arizona in 2020 saw its second hottest and second driest year on record with Phoenix seemingly leading the way, according to weather officials.

The year ended with an average temperature of 62.6 degrees, which was slightly below 2017's record of 63 degrees, according to Meteorologist Bianca Feldkircher with the National Weather Service in Phoenix.

Precipitation across the state in 2020 was 6.63 inches, making it the second driest year on record after 1956 with 6.04 inches of precipitation, Feldkircher said.

Although Arizona saw some precipitation at the beginning of the year, Feldkircher explained that a change in the monsoon pattern combined with an El Niño pattern over the winter months contributed to Arizona's dry and warm conditions this year.

The monsoon pattern "was pretty much suppressed southwards, so the high pressure was like right over us instead of being a little further north near the Four Corners, and that wasn't allowing any moisture to come in," she said.

"And then with high pressure just sitting on top of us, that was also resulting in those warm temperatures that we saw during the summer and all the records we broke."

EXTREME HEAT, LITTLE RELIEF: Will every Phoenix summer be as hot as this year?

Phoenix broke many heat records in 2020
Phoenix in particular experienced some of its hottest and driest conditions last year, according to a report from the Weather Service.

The year also marked the city's second hottest on record with an average temperature of 77.2 degrees, the report said.

The city set a new record for the most days in a year with high temperatures at or above 100 degrees, totaling 145 days, the report said. The previous record was 143 days in 1989.

Glendale renews city manager's contract, with $270K salary, for 4 more years
New Arizona law cuts consumer protection funding source
Arizona is a COVID-19 hot spot. Here's why restaurants are still open
How trauma forged the origin story of Phoenix rapper Mega Ran

AMERICAN OVERSIGHT

It also saw 53 days last year at or above 110 degrees, according to the report.

In July, Phoenix set a new record for the hottest month ever with an average temperature of 98.9 degrees; however, the record was toppled by August which saw an average temperature of 99.1 degrees, the report said.

The unusually hot August pushed 2020 to the unfortunate title of being the hottest summer ever recorded in Phoenix.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Here's what Vice President Kamala Harris told The Republic about COVID-19 relief plans

Ronald J. Hansen
Arizona Republic
January 29, 2021

Crowd cheers as Sen. Kamala Harris takes the stage at Phoenix Municipal Stadium on Oct. 28 2020.
Vice President Kamala Harris advocated for passage of the Biden administration's COVID relief legislation in a virtual meeting Thursday with Arizona Republic editors and reporters.

Here is a transcript of her remarks, which have been lightly edited for clarity:

"Good morning, everyone. Good morning. It is an honor, of course, to speak with you about this, which, of course, is an urgent matter.

"I will tell you that on my first full day in office, on my first full day in office, we are looking at a situation where you actually wrote about your frustration with vaccine distribution in Arizona and rightly.

"What we are dealing with in our country, and as you have pointed out, is that where there is a failure, we cannot afford to give up. And also, you have rightly pointed out we can actually do something about it. We can still get this done. We can still do it. And that's what I want to focus on today, which is our American Rescue Plan.

"We now know that the December relief effort was too little, too late, and not nearly enough. Just ask the child still learning remotely, and I know of which there are many children in Arizona, and the parents who are struggling to help them learn remotely. Look at the parents standing in food lines, parked for hours in food lines. Or anyone who has lost someone to COVID.

"We are looking at a dire, a painful time in our country where there has been extreme loss, loss of life, loss of normalcy. Folks deserve to have their government in a moment of crisis such as this step up and rescue those who are in many ways thinking and (inaudible) and give them the support they need.

"So we know that the December relief effort was, frankly, too little, too late and not nearly enough. Just ask, of course, that child that is still learning remotely and the parent who is still in the food line. And,

AMERICAN OVERSIGHT

you know, I was in the Senate when we passed that bill, but the situation is much worse now than it was then.

"Since that bill passed in December, 100,000 more people have died, 100,000 people have died, actually more than that since the bill passed in December. Since that bill passed in December, students have been out of classrooms for another month. Since that bill passed in December, lines at food banks are still reaching all-time highs. And there's one thing that is different now that is a good thing, which is we've got vaccines.

"I know what I just described does not come cheaply," President-elect Joe Biden said in outlining his "American Rescue Plan" on Thursday, "but we simply can't afford not to do what I'm proposing." "So now we need to make sure that we get the vaccines to the people, and that we vaccinate as many people as quickly as possible. But that requires resources.

"The American Rescue Plan is about saving our country with speed and at scale. It would get Americans vaccinated. It would get schools to reopen safely. It would get small businesses the relief they need and in particular through grants and sometimes loans. It would give them an additional $1,400 to families on top of the previous $600 check for a total of $2,000 per family.

"But we must also give relief to tribal communities, like those in Arizona, to help frontline workers and other public servants on the job. Vaccinations, let's talk about those more specifically. I actually got my second vaccination yesterday out at (the National Institutes of Health). And, you know, we have the challenge of making sure that everyone understands that they are safe,, that we, should take some pride, that there are American scientists who actually developed the vaccine and that we want people to get the vaccine as soon as they are able and eligible.

"But by getting this bill passed, we can then have a national vaccination program, and that's extremely important. You know that in Arizona. I know that you have opined about what is going on in the state, and frankly, your perspective on this is repeated by editorial boards around the country, which is what is happening in each of the states to get the vaccinations to as many people as quickly as possible. Frankly, in order for that to happen, the federal government has got to support states to do what is necessary to have the infrastructure and the resources and the equipment to make sure that the largest number of people are getting vaccinated as quickly as possible.

"So by getting this passed, we'll have a national vaccination program that will include community vaccination centers and mobile vaccination units. And, of course, as we promised, we're going to get 100 million shots in arms in 100 days, but we need to have the resources to make sure that we do more than that because of course, we are a population of people that is three times that size. So we want to make sure that we're getting vaccinations to everybody in our country, and it's a good start, 100 million in the first hundred days, but that's not going to be nearly enough.

"It's great to be with you and I want to just say that when we get this bill passed, we can make sure that everyone, including those who live in rural areas, get these shots. If we don't pass this bill, I'm going to be very candid with you: We know more people are going to die in our country. More people will lose their jobs and our children are going to miss more school. We've got to be here collectively to say that that is not an option in America. We've got to get relief to people as quickly as possible, and this bill will do that. As it relates to Congress, we have the plan and now we need the members of Congress to act.

AMERICAN OVERSIGHT

"This is not a partisan issue. The range of support includes the United States Chamber of Commerce, the (International Monetary Fund) and Moody's, and so we're urging all members of Congress, regardless of their party, to support this.

"My final point, you know, the world is watching us. I am spending a lot of time with the president as we focus on this and the many other urgent matters facing our country, including foreign policy. The world is watching us and we need to enact the American Rescue Plan to demonstrate our strength as a nation and to regain the credibility of our leadership in the world.

"In America, throughout our history, we have been bold. We have been fearless. We have been, yes, ambitious. And we have demonstrated our ability to see what can be unburdened by what has been.

"We have big problems right now, but we also have the ability to be bold with big solutions.

"You know, if you think about it, in less than a year, two American companies developed vaccines that are saving lives as we speak. Now we need to show the world that we can distribute those vaccines and do that rapidly, widely and equitably. And frankly, this is what I think of as American aspiration. And I do believe that's what we need to summon today."

Reach the reporter Ronald J. Hansen at ronald.hansen@arizonarepublic.com or 602-444-4493. Follow him on Twitter @ronaldjhansen.

Return to the table of contents

Maricopa County supervisors approve another election audit to be 'transparent and open' about the vote count

Jen Fifield
Arizona Republic
January 29, 2021

Maricopa County will conduct another audit of its voting systems in an attempt to satisfy those with concerns about the integrity of the 2020 general election.

The Maricopa County Board of Supervisors voted unanimously Wednesday to hire two independent companies to conduct an audit that will examine again whether the machines counted votes properly, whether they were hacked or tampered with, and whether the county used proper procedures when leasing its machines from Dominion Voting Systems.

The supervisors said before the vote that they have full confidence the election ran smoothly and votes were counted accurately, after multiple audits and hand counts came back without errors and after election challenges were dismissed by the courts.

Chairman Jack Sellers said the audit is meant to alleviate the concerns of those who still "have serious doubts about our election process."

Jack Sellers represents District 1 on the Maricopa County Board of Supervisors.

AMERICAN OVERSIGHT

"I really want to alleviate their concerns and their issues with whatever it is we are doing and convince them that this was in fact truly an honest election with good integrity," he said.

It's unclear whether the audit will satisfy the demands of the Arizona Senate, which issued subpoenas to the supervisors in December demanding the board turn over a myriad of election material, including images of all mail-in ballots, detailed voter information and machines used to count votes, so the Senate could conduct the audit.

Senate President Karen Fann did not immediately return a phone call Wednesday asking whether the county's audit satisfies the subpoenas. She had announced last week that the Senate and the supervisors had reached an agreement, but the supervisors said at the time that nothing was final.

If approved, the county's audit would come far too late to overturn the results of November's general election, considering the board certified the results in November and President Joe Biden already has taken office.

Audit may cost between $50K and $100K

The audits of machines and software may cost between $50,000 and $100,000, according to county spokesperson Fields Moseley based on county estimates. The county's contracts with the audit companies are not yet final.

If approved, the audit would take place in February and March, according to a county document.

Sellers told The Republic on Tuesday that the supervisors feel "the amount of money that it is going to take to do this is worth it to try to calm people down and make people understand that the election is fair and honest and their votes do count and if there is anything wrong we want to be the first to know that."

The two companies the county will use for the audit declined to provide an estimate of their services to The Republic.

Steve Gallardo, the lone Democrat on the board, said while he was supporting the audit in order to prove one more time that the election was fair and accurate, it was a tough pill for him to swallow.

He said this will not change anything for the people who continue to mistrust the system and spread conspiracy theories, even after all that has been done to prove its accuracy.

"We are never going to convince them," Gallardo said.

What the county's new audit will examine

Scott Jarrett (right), Maricopa County elections director of Election Day and emergency voting, talks to Kelli Ward (second from right), chair of the Arizona Republican Party, and other observers during a postelection logic and accuracy test with the tabulation machines at the Maricopa County elections tabulation center in Phoenix on Nov. 18, 2020.

Scott Jarrett, director of election day and emergency voting for the Maricopa County Elections Department, told the supervisors on Wednesday that the new audit is another step to prove the election

AMERICAN OVERSIGHT

integrity, to prove the voting system is reliable, and to prove that residents can rely on the equipment moving forward.

"We know there is a lot of misinformation out there about this election," Jarrett said. "I am confident that those rumors aren't true. But there are a good number of people in our community who do have mistrust."

One of the key aspects of the audit is that it will not be performed by the county but by two companies that are certified by the U.S. Election Assistance Commission to conduct audits of voting systems. Those companies, according to a commission spokesperson, are Pro V&V and SLI Compliance.

The independence of the companies is key to performing a strong audit and restoring trust, Jarrett and the supervisors said.

"It was very important to us that we have totally independent qualified people do the audits for us," Sellers told The Republic on Tuesday. "It really is an interest on our part to be as transparent and open as we can be with this whole process and satisfy every one of the concerns that has been addressed to us as best we can."

The proposed audit would do the following to ensure that the county's voting system worked properly in the general election, Jarrett told the supervisors on Wednesday:

Part of the scope would be conducting another logic and accuracy test to verify that the county's machines are counting votes correctly. That test will not use 2020 ballots, though, since under state law those must remain locked up for a period of time after the election.

The logic and accuracy test will ensure there was no "vote switching," Jarrett said.

County already has performed audits
Jarrett outlined the steps the county has already taken since starting to use the new Dominion Voting Systems machines to ensure that the machines worked properly and votes were counted accurately in the general election.

That includes a 100% hand count of a previous election, the Madison School District Election, four separate hand counts and independent logic and accuracy tests for the general election. The hand counts are performed by the political parties themselves, not by county election officials, Jarrett explained.

"We have done many tests. We have done audits. We have done hand counts," Jarrett said.

The supervisors and Jarrett also talked about the number of public meetings they had before and after the election to ensure the election ran smoothly and to explain how votes were counted accurately and that there was no illegal tampering.

After the election, county officials went before members of the Arizona Legislature in a multiple-hour hearing to answer questions about the integrity of the election, and the supervisors asked staff questions for hours before certifying the results.

Supervisor Bill Gates said the reality is, people haven't been paying attention.

AMERICAN OVERSIGHT

Sellers told The Republic on Tuesday that the supervisors are attempting to address every concern about the election using the new audit.

"Whether or not that will satisfy everyone in the Senate, I don't know," Sellers said. "But we really are anxious for this to be the end of this discussion and move forward with regular business of Maricopa County."

While much of the supervisors' plan is in line with the Senate's demands, there are a few major distinctions.

First, the county would not be handing over its election machines or materials to the Senate. This is something that the supervisors have argued could compromise voter information.

The county's audit also will not study 2020 ballots, while the Senate had demanded copies of all mail-in ballots.

The audit would also not be performed by the Senate, but rather by the two private companies certified by the U.S. Election Assistance Commission.

Allowing people who aren't qualified to use the machines to tamper with them could affect the integrity of the machines just before the county must use them in jurisdictional elections this winter and spring, Sellers said.

That said, Gates told The Republic on Tuesday that the supervisors were going to invite lawmakers to oversee the process and ask them for their input. He said the supervisors understand that part of the Senate's interest is to monitor the audit in order to see which changes are needed to election law.

Gallardo said that, as a former member of the state House of Representatives, he sponsored several election-related bills and never needed to dismantle voting systems or to do his own audit to "do what is right for the people of Arizona to make sure our elections are clear and free."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New antibody therapy being used for COVID-19 patients in Arizona

By Griselda Zetino
Arizona Republic
January 29, 2021

Doctors in Arizona are using a new COVID-19 treatment that's meant to help keep the most at-risk patients from being hospitalized.

It's called monoclonal antibody therapy.

"Usually that is a treatment they want to use very early on — right after diagnosis," Arizona Department of Health Services Director Dr. Cara Christ told KTAR News 92.3 FM.

AMERICAN OVERSIGHT

This new treatment is what former President Donald Trump was given when he was diagnosed with COVID-19. It is for patients who have mild to moderate COVID-19 symptoms and are considered high-risk for severe illness and hospitalization.

Arizona has been allocated 17,180 doses of Bamlanivimab and 3,550 doses of Regeneron. They are two kinds of monoclonal antibody therapies that the U.S. Food and Drug Administration approved for emergency use in November.

The therapies monoclonal antibodies can be used for is patients 65 years and older or for those who have certain chronic medical conditions. Patients who are hospitalized due to COVID-19 or require oxygen therapy due to the virus cannot use the treatment.

"We've been partnering with hospitals, as well as out-patient treatment centers and other urgent cares in order to get them the monoclonal antibodies that they need to treat people," Christ said.

She added her department is partnering with the Arizona Poison and Drug Information Center to set up a system that allows out-patient providers to identify where they can direct patients for this treatment.

Banner Health is among the health systems in Arizona offering monoclonal antibody therapies.

"This is given as an out-patient treatment for those that qualify in several different sites," Banner Health Chief Clinical Officer Dr. Marjorie Bessel told KTAR News 92.3 FM.

She added it's one of several COVID-19 treatments Banner Health has available.

Facilities from Dignity Health, HonorHealth, Mayo Clinic and Valleywise Health also offer monoclonal antibody therapies to COVID-19 patients in Arizona.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Johnson's 1-dose shot prevents COVID-19, but less than some others

Arizona Republic
January 29, 2021

This Sept. 2020 photo provided by Johnson & Johnson shows the investigational Janssen COVID-19 vaccine. Johnson & Johnson's long-awaited COVID-19 vaccine appears to protect against symptomatic illness with just one shot – not as strong as some two-shot rivals but still potentially helpful for a world in dire need of more doses. Johnson & Johnson said Friday, Jan. 29, 2021 that in the U.S. and seven other countries, the first single-shot vaccine appears 66% effective overall at preventing moderate to severe COVID-19. It was more protective against severe symptoms, 85%. (Cheryl Gerber/Johnson & Johnson via AP)

Johnson & Johnson's long-awaited vaccine appears to protect against COVID-19 with just one shot – not as strong as some two-shot rivals but still potentially helpful for a world in dire need of more doses.

AMERICAN OVERSIGHT

J&J said Friday that in the U.S. and seven other countries, the single-shot vaccine was 66% effective overall at preventing moderate to severe illness, and much more protective — 85% — against the most serious symptoms.

There was some geographic variation. The vaccine worked better in the U.S. — 72% effective against moderate to severe COVID-19 – compared to 57% in South Africa, where it was up against an easier-to-spread mutated virus.

"Gambling on one dose was certainly worthwhile," Dr. Mathai Mammen, global research chief for J&J's Janssen Pharmaceutical unit, told The Associated Press.

With vaccinations off to a rocky start globally, experts had been counting on a one-dose vaccine that would stretch scarce supplies and avoid the logistics nightmare of getting people to return for boosters.

But with some other competing vaccines shown to be 95% effective after two doses, at question is whether somewhat less protection is an acceptable tradeoff to get more shots in arms quickly.

"Frankly, simple is beautiful," said Dr. Matt Hepburn of Operation Warp Speed, the U.S. government's vaccine initiative.

The company said within a week, it will file an application for emergency use in the U.S., and then abroad. It expects to supply 100 million doses to the U.S. by June — and a billion doses globally by the end of the year. J&J wouldn't say exactly how much could be ready to ship as soon as U.S. authorities give the green light.

These are preliminary findings from a study of 44,000 volunteers that isn't completed yet. Researchers tracked illnesses starting 28 days after vaccination – about the time when, if participants were getting a two-dose variety instead, they would have needed another shot.

After day 28, no one who got vaccinated needed hospitalization or died regardless of whether they were exposed to "regular COVID or these particularly nasty variants," Mammen said. When the vaccinated did become infected, they had a milder illness.

Defeating the scourge that has killed more than 2 million people worldwide will require vaccinating billions, and the shots being rolled out in different countries so far all require two doses a few weeks apart for full protection. Early data is mixed on exactly how well all the different kinds work, but shots made by Pfizer and Moderna appear to be about 95% protective after the second dose.

That makes for a dilemma: Wouldn't people given a choice want a vaccine found to offer much more protection?

J&J's Mammen said direct comparisons are difficult because the Pfizer and Moderna vaccines weren't tested when the pandemic was so severe, with record levels of hospitalizations and deaths plus mutant versions of the virus sweeping some countries.

AMERICAN OVERSIGHT

Dr. Anthony Fauci, the top U.S. infectious disease official, called that a messaging challenge — because the priority is to protect people from hospitalization and death, which J&J's vaccine appears to do. Especially in places where it's hard to get people to return for their second dose, the one-dose version could play a key role.

Maybe more important is "a wake-up call" from the study that mutating viruses can challenge vaccines. And the best way to prevent more mutations is "by vaccinating as many people as you possibly can," Fauci said.

All COVID-19 vaccines train the body to recognize the new coronavirus, usually by spotting the spikey protein that coats it. But they're made in very different ways.

J&J's shot uses a cold virus like a Trojan horse to carry the spike gene into the body, where cells make harmless copies of the protein to prime the immune system in case the real virus comes along. It's the same technology the company used in making a successful Ebola vaccine.

Rival AstraZeneca makes a similar cold virus vaccine that requires two doses. Both the AstraZeneca and J&J vaccines can be stored in a refrigerator, making them easier to ship and to use in developing countries than the frozen kind made by Pfizer and Moderna.

It's not clear exactly how well the AstraZeneca version, being used in Britain and several other countries, works. Tests in Britain, South Africa and Brazil suggested two doses are about 70% effective although there are questions about how much protection older adults get. An ongoing U.S. study may provide more information.

J&J said its vaccine works consistently in a broad range of people: A third of participants were over age 60, and more than 40% had other illnesses putting them at risk of severe COVID-19, including obesity, diabetes and HIV.

J&J said the vaccine is safe, with reactions similar to other COVID-19 shots such as fever that occur when the immune system is revved up.

While it released few details, the company said there were no serious allergic reactions. But occasionally other COVID-19 vaccines trigger such reactions, which can be reversed if promptly treated – and authorities have warned people to be on the lookout regardless of which type of vaccine is used.

J&J had hedged its bets with a study of a two-dose version of its vaccine, which is still underway.

Friday's interim results come on the heels of another vaccine in final testing. Novavax reported this week that its vaccine appears 89% effective in a U.K. study and that it also seems to work — though not as well — against new mutated versions of the virus circulating in Britain and South Africa. A larger study in the U.S. and Mexico is still enrolling volunteers.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Gov. Ducey taps 5 for Arizona Peace Officer Standards and Training Board

KTAR News
January 29, 2021

Arizona Gov. Doug Ducey appointed five members to the Arizona Peace Officer Standards and Training Board on Thursday, including Phoenix Police Chief Jeri Williams.

Yavapai County Sheriff David Rhodes, Eloy Police Chief Christopher Vasquez, Coconino County Detention Services Commander Matthew Figueroa and Arizona State University Professor Kevin Robinson were also added to the board.

The 13-member board works to foster public trust through maintaining standards of integrity, competence and professionalism for the state's peace officers and correctional officers by providing a curriculum for all certified law enforcement training facilities, according to the release.

"As always, the safety of Arizonans and our communities remains a top priority," Ducey said in the release. "It's crucial that AZPOST members and all law enforcement personnel have the resources, training, and knowledge needed to protect Arizonans and enforce the rule of law.

"Today's appointees bring a wealth of experience and knowledge to the board, and I'm confident they will serve civilians and law enforcement professionals well."

Established in 1968, the board provides services to more than 150 agencies that encompass 14,500 sworn police officers, 6,500 correctional officers and 16 training academies, according to the release.

The board also works to address the need for minimum peace officer selection, recruitment and retention.

State Democrats in June asked for more diversity on the board amid protests following the in-custody deaths of George Floyd in Minneapolis and Dion Johnson in Arizona.

The release said Ducey met with community leaders where similar recommendations were stated and the appointments on Thursday reflect those recommendations.

Return to the table of contents

Threats of harm come with the job, Arizona Sen. Mark Kelly says

KTAR News
January 29, 2021

Protesters supporting U.S. President Donald Trump break into the U.S. Capitol on Jan. 6, 2021, in Washington, D.C. Congress held a joint session today to ratify President-elect Joe Biden's 306-232

AMERICAN OVERSIGHT

Electoral College win over President Donald Trump. Pro-Trump protesters entered the U.S. Capitol building during demonstrations in the nation's capital. (Getty Images Photo/Win McNamee)

U.S. Sen. Mark Kelly of Arizona is new to the job, but he isn't surprised he and his congressional colleagues are receiving threats three weeks after thousands of rioters stormed the U.S. Capitol.

A federal agency issued a terrorism bulletin this week warning of the potential for more politically-motivated violence from American extremists.

"Most of us right now are getting some kind of threat one way or the other. It's expected," freshman Sen. Mark Kelly (D-Ariz.) said Thursday on KTAR News 92.3 FM's Arizona's Morning News.

The Department of Homeland Security did not cite any specific plots, but pointed to "a heightened threat environment" across the United States that it believes "will persist" for weeks after President Joe Biden's Jan. 20 inauguration.

Supporters of then-President Donald Trump stormed the Capitol on Jan. 6, seeking to overturn the election. Five people were killed.

"When I decided to serve my country again by running for the U.S. Senate, I knew what I was getting myself into more than anybody else," Kelly said.

Kelly, a former Navy pilot and astronaut, was referring to the 2011 attempted assassination of his wife, Gabrielle Giffords, who was serving in the U.S. House of Representatives for Arizona.

Giffords was shot in the head and nearly died while hosting a public event in Tucson. Six people were killed and 18 others were injured that day in January.

"I feel safe," Kelly said. "There's National Guard doing a great job, Capitol Police … they're great individuals that really care about our country and care about protecting the Capitol."

The department was criticized for its handling of the attack. Rioters broke through barriers and got inside the building during Congress' official certification of electoral votes.

They ransacked offices and destroyed property. Federal authorities have charged more than 150 people in the siege.

Wednesday's alert was issued by acting Homeland Security Secretary David Pekoske.

"One concern I have is to what degree are various law enforcement organizations and even the military infested with people who want to function as domestic terrorists," former CIA analyst Paul Kinsinger of Phoenix told KTAR News 92.3 FM.

"That's an issue that several organizations are wrestling with as we've seen in the news since January 6."

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New antibody therapy being used for COVID-19 patients in Arizona

By Griselda Zetino
KTAR News
January 29, 2021

Doctors in Arizona are using a new COVID-19 treatment that's meant to help keep the most at-risk patients from being hospitalized.

It's called monoclonal antibody therapy.

"Usually that is a treatment they want to use very early on — right after diagnosis," Arizona Department of Health Services Director Dr. Cara Christ told KTAR News 92.3 FM.

This new treatment is what former President Donald Trump was given when he was diagnosed with COVID-19. It is for patients who have mild to moderate COVID-19 symptoms and are considered high-risk for severe illness and hospitalization.

Arizona reports 4,671 new COVID-19 cases, 176 more deaths
Arizona has been allocated 17,180 doses of Bamlanivimab and 3,550 doses of Regeneron. They are two kinds of monoclonal antibody therapies that the U.S. Food and Drug Administration approved for emergency use in November.

The therapies monoclonal antibodies can be used for is patients 65 years and older or for those who have certain chronic medical conditions. Patients who are hospitalized due to COVID-19 or require oxygen therapy due to the virus cannot use the treatment.

"We've been partnering with hospitals, as well as out-patient treatment centers and other urgent cares in order to get them the monoclonal antibodies that they need to treat people," Christ said.

She added her department is partnering with the Arizona Poison and Drug Information Center to set up a system that allows out-patient providers to identify where they can direct patients for this treatment.

Banner Health is among the health systems in Arizona offering monoclonal antibody therapies.

"This is given as an out-patient treatment for those that qualify in several different sites," Banner Health Chief Clinical Officer Dr. Marjorie Bessel told KTAR News 92.3 FM.

She added it's one of several COVID-19 treatments Banner Health has available.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

COVID-19 vaccine supply a concern for Coconino County

By: Kaitlin Olson
Arizona Daily Sun
January 29, 2021

Through a collective effort by Coconino County and healthcare providers, up to 1,300 COVID-19 vaccine doses could be distributed to county residents daily; however, fewer than 400 vaccines make it to community members each day due to lack of supply.

According to the latest model prepared by Coconino County, at this rate it will take a year to reach 80% of the county's population, the percentage at which the community is likely to develop herd immunity to COVID-19.

Just under 20,000 vaccine doses have been received by Coconino County Health and Human Services (CCHHS) since late December, about 12,000 of which are first doses, Interim CCHHS Director Kim Musselman told the Board of Supervisors during Tuesday's meeting.

The Arizona Department of Health Services reported Wednesday that 13,275 vaccines have been administered in Coconino County, of the 518,125 administered statewide. Coconino has the second highest vaccination rate per 100,000, behind Greenlee, which has administered 1,500 vaccines.

Weekly allocations have been arriving in batches containing anywhere from 600 to 2,500 doses. Of these total vaccines, about 38% is being distributed by CCHHS at its Fort Tuthill vaccination site, while the other 62% is sent to partners throughout the region.

Partners with the greatest capacity include North Country HealthCare's Flagstaff clinic, which can currently administer up to 200 vaccines per day, and Flagstaff Medical Center. When FMC opens its community vaccine clinic for eligible groups in early February, Musselman said it will be able to offer up to 500 vaccination appointments a day. In March, it will increase to 1,000.

Allocations to different areas within the county are based on population, the same way the state determines the county's allocation, Musselman said during a public vaccine update that was livestreamed Monday. Within Coconino County, Flagstaff has received about 13.5% of the total vaccine allocation, while Page has received 13% and the Grand Canyon has received about 12%.

During this update, county leaders encouraged community members to contact their senators, representatives and Gov. Doug Ducey to request more vaccines for Coconino County. Contact information for these individuals is now available on the county's vaccine webpage.

An estimated 98,665 county residents are eligible for the vaccine, based on age and location. Children under the age of 14 and individuals living on the Navajo Nation and Hopi Reservation, who receive their shots directly from the federal government, were excluded from the count.

Roughly 23% of this group, including the Phase 1a group and select members of Phase 1b, is currently eligible to receive the vaccine. The next priority group — the remaining Phase 1b essential workers and

AMERICAN OVERSIGHT

adults with high-risk conditions who live in congregate settings — is the largest, at an estimated 35,888 individuals, or 36% of the total eligible group.

The federal plan of distributing 100 million doses in 100 days, though, would only provide enough vaccines for 22% of the county population.

To date, the county has received 0.04% of the total national supply of vaccines, CCHHS Division Manager Sarah Schildecker said Tuesday, which would equate to about 40,000 vaccines, or 402 vaccine appointments daily, in the 100-day national distribution plan. At the time, she said the department had not yet received guidance from the state about how the federal administration's most recent plans to purchase another 100 million doses each of the Pfizer and Moderna vaccines would affect local allocations.

"Hopefully, if the Biden Administration is signing on to purchase more vaccine doses, we will see that subsequent increase. To what extent is going to depend upon how much is allocated to Arizona," Schildecker said, noting that the arrival of additional vaccines will likely occur in the same trickle the health department has seen in recent weeks.

Coconino County had a total reported 14,775 COVID-19 cases as of Wednesday, with 55 new additions since the previous day. Of the total cases, 24% have been among individuals who are 65 years or older or who have at least one chronic medical condition.

Health officials continue to encourage community members, including those who have received vaccine doses, to continue to follow the COVID-19 mitigation practices including wearing a face mask, distancing from others and washing hands frequently.

"When it's time to stop doing these mitigation measures, we're going to let you know, loud and clear, we're going to let you know that," Musselman said Monday. "But until then, please, please, even if you have your vaccine, continue to practice all of these things so that we can find our way out of this pandemic in shortest order as we possibly can."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders

Adrian Skabelund
Arizona Daily Sun
January 29, 2021

Almost two months since Mark Kelly took his seat in the U.S. Senate, he took time to speak with the Arizona Daily Sun about priorities for northern Arizona.

Kelly said in recent weeks he has been speaking with local mayors and leaders across the area to hear more about the issues they are facing and where he might be able to help now that he has been sworn in officially.

AMERICAN OVERSIGHT

He added he is also putting together advisory groups that can speak to challenges in northern and southern Arizona, and around Maricopa County.

Throughout January, according to a spokesperson, Kelly has participated in virtual meetings with the mayors of Winslow, Kingman, Sedona, Cottonwood, Show Low, Williams, Snowflake, Bullhead City, Lake Havasu City, Prescott and Chino Valley.

This week, Kelly will meet with the Fredonia and Clarkdale mayors. In addition, he has sat down with Navajo Nation President Jonathan Nez and Hopi Tribe Chairman Timothy Nuvangyaoma.

Those conversations have been dominated by discussion of COVID-19, Kelly said. The new senator is interested to hear how the pandemic -- and economic downturn stemming from it -- has impacted city finances, how budgets compare this year to 2019 and how the vaccination process is going.

“As an example, I think Winslow has about 10,000 people. They're getting 700 doses a week. So you know, 15 weeks, in theory, they could vaccinate everybody. That is not horrible," Kelly said. "In some places it is a lot worse than that. If you look at Yuma County, until recently they were getting 800 doses a week -- they have a lot more than 10,000 people."

Kelly said he is also telling mayors he wants communication with them and local leaders to be ongoing and hopes to assist communities with problems other than just those associated with COVID-19.

“These are often restructured priorities, roads, bridges,” Kelly said. "I'm trying to make sure that they understand that this isn't just like a one-time thing. I’m reaching out to them to check in at the beginning of my my term in the United States Senate. I want to have open communication with our mayors so I can be as strong as an advocate as possible for that entity in the United States Senate.”

Nonetheless, with Arizona seeing some of the highest case numbers in the world and many people out of work, the pandemic is top of mind.

Earlier this month, Congress passed a second COVID-19 relief bill providing Americans with an additional $600 stimulus check and extending the date by which CARES Act money sent to state and local governments could be spent. Kelly said the latter measure was especially important for northern Arizona tribal communities, some of which have been hit hard by the pandemic.

The money the CARES Act provided tribes was important, Kelly said, but some tribes such as the Navajo Nation didn’t have projects immediately ready to spend it on and were at risk of losing that funding if the deadline hadn’t been extended.

Kelly said that bill also included funding for improving infrastructure such as rural broadband -- which might assist rural tribal communities in getting healthcare and education amid necessary social distancing.

And Kelly said he and some of his colleagues in Congress know that additional support is needed, noting that he has been in communication with Sen. Lisa Murkowski, R-Alaska, on some of those measures.

AMERICAN OVERSIGHT

"We do need some more direct funding to tribes. That didn't happen in this last COVID-19 relief bill, because it became a negotiating point balanced against liability issues for businesses," Kelly said. "So, hopefully, we will address this here in the first quarter of this year."

Return to the table of contents

County Detention Services head named to state board

Arizona Daily Sun
January 29, 2021

Coconino County Detention Services Commander Matthew Figueroa was appointed by Governor Doug Ducey to the Arizona Peace Officer Standards and Training Board Thursday.

Figueroa was among five Arizonans from across the state who was appointed to the board by the governor.

Others chosen by the governor included Phoenix Police Chief Jeri Williams, Yavapai County Sheriff David Rhodes, Eloy Police Chief Christopher Vasquez and Kevin Robinson, a professor at Arizona State University.

"As always, the safety of Arizonans and our communities remains a top priority," said Governor Ducey. "It's crucial that AZPOST members and all law enforcement personnel have the resources, training, and knowledge needed to protect Arizonans and enforce the rule of law. Today's appointees bring a wealth of experience and knowledge to the Board, and I'm confident they will serve civilians and law enforcement professionals well."

The Arizona Peace Officer Standards and Training Board, or AZPOST, is composed of 13 members and stands to foster public trust and confidence by establishing and maintaining standards of integrity, competence, and professionalism for Arizona peace officers and correctional officers.

It provides and develops baseline standards for peace officer selection, recruitment, retention and training, and curriculum and standards for all certified law enforcement training facilities.

Return to the table of contents

County Detention Services head named to state board

Arizona Daily Sun
January 29, 2021

Coconino County Detention Services Commander Matthew Figueroa was appointed by Governor Doug Ducey to the Arizona Peace Officer Standards and Training Board Thursday.

Figueroa was among five Arizonans from across the state who was appointed to the board by the governor.

AMERICAN OVERSIGHT

Others chosen by the governor included Phoenix Police Chief Jeri Williams, Yavapai County Sheriff David Rhodes, Eloy Police Chief Christopher Vasquez and Kevin Robinson, a professor at Arizona State University.

"As always, the safety of Arizonans and our communities remains a top priority," said Governor Ducey. "It's crucial that AZPOST members and all law enforcement personnel have the resources, training, and knowledge needed to protect Arizonans and enforce the rule of law. Today's appointees bring a wealth of experience and knowledge to the Board, and I'm confident they will serve civilians and law enforcement professionals well."

The Arizona Peace Officer Standards and Training Board, or AZPOST, is composed of 13 members and stands to foster public trust and confidence by establishing and maintaining standards of integrity, competence, and professionalism for Arizona peace officers and correctional officers.

It provides and develops baseline standards for peace officer selection, recruitment, retention and training, and curriculum and standards for all certified law enforcement training facilities.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

VIRUS TODAY: Lawmakers call for race data on vaccine access

Arizona Daily Sun
January 29, 2021

Here's what's happening Thursday with the coronavirus pandemic in the U.S.:

THREE THINGS TO KNOW TODAY:

— Democratic lawmakers are urging federal health officials to address racial disparity in vaccine access nationwide in a letter sent to the acting Health and Human Services secretary, Norris Cochran IV. Data from some states has shown hard-hit nonwhite Americans who are eligible to get the vaccine are not receiving it in proportion to their share of the population. In the letter, Rep. Ayanna Pressley and Sens. Elizabeth Warren and Edward Markey, all of Massachusetts, say the agency must work with states, municipalities and private labs to collect and publish demographic data about vaccine recipients. Without that information, policymakers and health workers cannot efficiently identify vaccine disparities in the hardest-hit communities, the lawmakers say.

— New York may have undercounted COVID-19 deaths of nursing home residents by as much as 50%, the state's attorney general said in a report. Attorney General Letitia James has been examining discrepancies for months between the number of deaths being reported by the state's Department of Health, and the number of deaths reported by the homes themselves. Her investigators looked at a sample of 62 of the state's roughly 600 nursing homes. They reported 1,914 deaths of residents from COVID-19, while the state Department of Health logged only 1,229 deaths at those same facilities If that same pattern exists statewide, James' report said, it would mean the state is underreporting deaths by nearly 56%.

— State lawmakers around the U.S. are moving to curb the authority of governors and top health officials to impose emergency restrictions such as mask rules and business shutdowns. Many legislators

AMERICAN OVERSIGHT

are resentful of the way governors have issued sweeping executive orders. They are pushing back in states such as Arizona, Michigan, Ohio, Kentucky, Indiana and Pennsylvania. Some governors say they need authority to act quickly and decisively against the fast-changing threat.

THE NUMBERS: According to data through Jan. 27 from Johns Hopkins University, the seven-day rolling average for daily new cases in the U.S. did not increase over the past two weeks, going from 244,872.7 on Jan. 13 to 162,067.1 on Jan. 27. The seven-day rolling average for daily new deaths in the U.S. did not increase over the past two weeks, going from 3,356.9 on Jan. 13 to 3,287.3 on Jan. 27.

QUOTABLE: "We think, 'Well, OK, it's like men's shirts, right? I'll just have another place to make it.' It's just not that easy." Dr. Paul Offit of Children's Hospital of Philadelphia, a vaccine adviser to the U.S. government, on the slow and steady process of scaling up vaccine production.

ICYMI: A new coronavirus variant identified in South Africa has been found in the United States for the first time. South Carolina officials say two such cases have been diagnosed in the state. Viruses mutate constantly, and many variants of the coronavirus are circulating around the globe, but scientists are primarily concerned with three that appear to spread more easily. Other variants first reported in the United Kingdom and Brazil were already confirmed in the U.S. Researchers predicted it was only a matter of time before the variant identified in South Africa reached the United States as well.

ON THE HORIZON: In North Carolina's largest city, Magena Morris, Tyler Bone and Nic White are on a mission to help homeless people, a population that has grown during the pandemic and economic downturn. Once a month, they bring racks loaded with clothes into Charlotte's largest homeless encampment and invite residents to shop their free store. The idea behind the racks is to give residents of "tent city" the feeling of browsing a normal store and spare them having to dig through piles of secondhand apparel. Through donations collected in drop-boxes and online, they're providing not just clothes but much-needed goods from batteries to books.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, January 29, 2021 4:16:40 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 1-29-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *January 29, 2021*

BUT WHEN THE SESSION ENDS, ALL EYES WILL BE ON HER
Erika Neuberg, the new IRC chair, put a positive spin to the Census Bureau data being delayed two additional months, saying it gives her and the other four commissioners time to fully digest what they are in for.

IT' AIN'T THE PARTY OF MCCAIN AND KYL ANYMORE

AMERICAN OVERSIGHT

In a wide-ranging interview with our reporter today, Neuberg acknowledged that she used to be registered as a Republican before becoming an independent in 2016, saying she made the switch because she's not a partisan and didn't identify with the Republican Party anymore.

REMEMBER: HE STOOD WITH STRINGER AND SHOOTER

Former lawmaker Noel Campbell's wife told police he hit her in the face, pushed her to the ground and threatened to "ruin her life" if she told police.

IRONY HAS BEEN STABBED TO DEATH, SET ON FIRE AND BURRIED

AZGOP Chair Kelli Ward thinks that once an election is over, it's over, and the losers should shut up and move on – but only when it comes to her own election.

ANOTHER DAY, ANOTHER ATTACK ON DEMOCRACY

In what one Republican called "the worst bill of the year," Bolick yesterday filed legislation to allow the Legislature to vote to override the Secretary of State's certification of electoral votes any day until the inauguration.

THE WHATDEMIC?

After three full weeks of legislative business, Ducey has four bills awaiting his signature, but none have to do with his top priority – the pandemic.

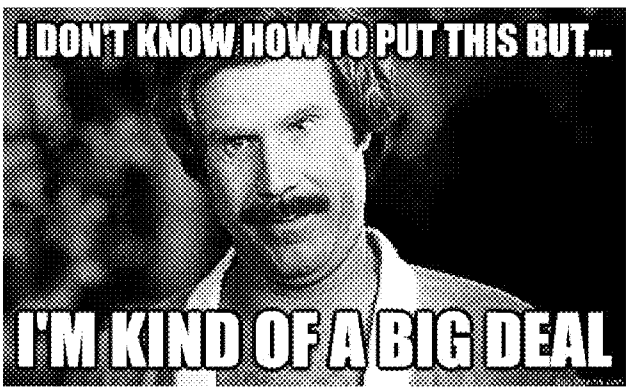
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, January 29, 2021

·NEWS NOTES AND GOSSIP·

BUT WHEN THE SESSION ENDS, ALL EYES WILL BE ON HER



Erika Neuberg, the new IRC chair, put a positive spin to the Census Bureau data being delayed two additional months, saying it gives her and the other four commissioners time to fully digest what they are in for over the next year-plus. Neuberg also said she appreciates the Legislature taking over the headlines because it provides the commission some cover to hunker down and get to work without the full media spotlight in the meantime. "There's a relief that there is so much state news and so much drama that it takes a ton of focus away from the IRC. And now that there's delays, there's less scrutiny, which gives us a little bit of time to kind of get our feet wet," she said. The IRC is set to meet on Feb 2 and will address the Census delay as well as plans to hire administrative and other potential roles within the commission, but none of those positions are required by statute or the constitution, so Neuberg said she really has no idea what kinds of employees the IRC will hire outside of likely an executive director, mapping consultant and legal team. (Last cycle, there were two legal teams – one for Democrats and the other for Republicans.) She said while the delay offers a reprieve, she's still not sure what the commission will do first, or what qualities her colleagues will look for in the next executive director, but personally, she wants "somebody of impeccable character, and some experience with how the government works." That candidate should have strong communication skills and should be "fiercely independent," she said, adding that she views "fiercely independent" to mean "not easily manipulated" by others. She reiterated what she said in her interview (YS, 1/21) – that she does not want to be a tie-breaking vote all the time, especially favoring one side of the aisle. To avoid that, she said she would lead in one of two ways – either let the other four commissioners hash things out to come to an agreement before she has to take a side, or she will act immediately to break the tie.

IT' AIN'T THE PARTY OF MCCAIN AND KYL ANYMORE

In a wide-ranging interview with our reporter today, Neuberg acknowledged that she used to be registered as a Republican before becoming an independent in 2016, saying she made the switch because she's not a partisan and didn't identify with the Republican Party anymore. She told our reporter that growing up in a deep-red Arizona in the days of Jon Kyl and John McCain shaped her political activity at a young age. "All of my political activity throughout my entire life has been singularly focused on advancing the US-Israel relationship and along those lines, I worked to develop relationships with elected leaders," she said. "The reality was that most of those relationships were within the Republican Party 20 years ago in Arizona." She acknowledged that she probably should have changed her registration "a long time ago" as Arizona began to change, but ultimately waited until 2016 – enough time for her to qualify as an independent for the redistricting process. She said it doesn't mean that she always voted Republican or contributed exclusively to Republican candidates (she has contributed to the campaign of many politicians from both major parties). Ultimately, she said she dropped the Republican label because she felt "it communicated something that wasn't accurate about me. I am not a party person. I reject identity politics. I focus on policy."

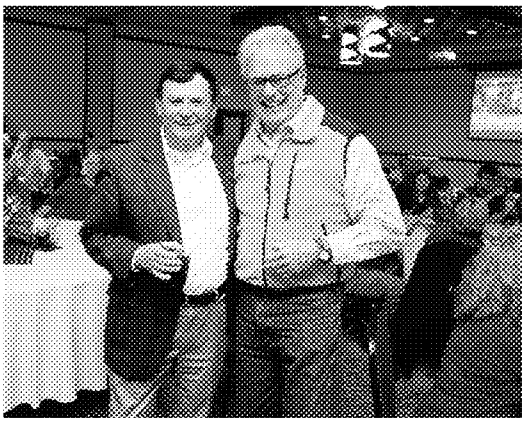
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001177

ARZN_REV00068654_1-29-21-1.pdf

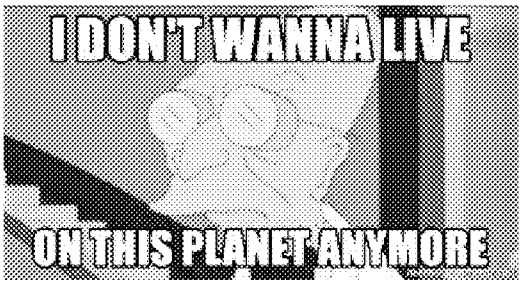
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

REMEMBER: HE STOOD WITH STRINGER AND SHOOTER



Former lawmaker Noel Campbell's wife told police he hit her in the face, pushed her to the ground and threatened to "ruin her life" if she told police. According to a police report (LINK) first obtained by *CopperState News'* Lynne LaMaster (she was the former editor of former Rep David Stringer's newspaper, *Prescott E-News*, and defended Stringer's white nationalism (LINK)), Mary Beth Hrin went to the Prescott police station on Dec 29 with red marks on her face, near her eye and on her neck from where she said Campbell had struck her multiple times. She was obviously scared and initially used a fake name. "The female advised me that she was scared of retaliation from the male, who … has political power," officer Chad Worthen wrote in his initial report. "I asked the female if by political power she means sitting on the City Council or higher. The female just looked at me and pointed her thumb in the up direction." She told police that she had been cooking for him over the holiday, but he wouldn't eat. When she told him she felt like she didn't have a good Christmas because of it, he became upset and pushed her and she fell to the ground. "Mary Beth then advised me that Campbell struck her multiple times in the neck and multiple times in the face," Worthen wrote. She told police that she warned Campbell that would be "the last time he would assault her" and that she was going to the police. She said he called her "f*cking pathetic." "Mary Beth advised me that Campbell stated to her that he would ruin her life and that the police can't do anything about it," Worthen wrote. In a supplemental report, officer Terry Carroll wrote that when police followed up the next day, Hrin, who identified herself as a former cop and prosecutor, refused to press charges, saying she believes Campbell is in the beginning stages of dementia. Police contacted Campbell at his house. "It should be noted that he appeared to be irritated once he realized we were law enforcement," the report states. Carroll wrote that he contacted the Prescott City Prosecutor's Office, but that it declined to immediately press charges "because we did not have enough information nor cooperation from the victim." Campbell is seeking a vacant seat on the Prescott City Council. Our reporter attempted to call Campbell today, but his old phone number has been disconnected.

IRONY HAS BEEN STABBED TO DEATH, SET ON FIRE AND BURRIED

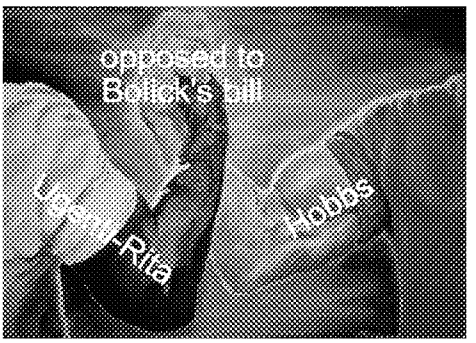


AZGOP Chair Kelli Ward thinks that once an election is over, it's over, and the losers should shut up and move on – but only when it comes to her own election. In an attempt to one-up the irony of problems plaguing the AZGOP election that she (allegedly) won and calls for the audit and recount of that election, Ward today went on James T. Harris' Conservative Circus radio show (LINK) to officially deny requests for an audit, saying "there is no way to challenge what happened." "There's no procedure, process, rules, that allow for it to be done," she said. "And you certainly don't allow a challenger who lost an election to demand something that they don't have the right to and we don't have the responsibility for providing. And you especially don't let that challenger who lost the election to determine how it will be done." Of course, that's exactly what Ward has been doing for the last two months, including calling on supporters to be willing to die for their conspiracy. She blamed the Republicans who are talking to "our enemies" in the media, saying they're just trying to take her down.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001178
ARZN_REV00068654_1-29-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ANOTHER DAY, ANOTHER ATTACK ON DEMOCRACY



In what one Republican called "the worst bill of the year," Bolick yesterday filed legislation to allow the Legislature to vote to override the Secretary of State's certification of electoral votes any day until the inauguration. Obviously, H2720 (ballots; election contests; certificates), which would scrap democracy as we know it, stems from bitterness over Trump losing a free and fair election, and it's worth noting Bolick's role with the CEO of ALEC last year over how state legislatures should handle challenging election results they don't agree with (LINK). The bill almost certainly isn't going anywhere, as even Ugenti-Rita has already chimed in on Twitter with what seems like a clear knock on the bill. "Sharpiegate + legislative power grab + eliminating voting options = bad news for Arizona voters," she tweeted (LINK) alongside a picture of Alex Kolodin, who filed the Sharpiegate lawsuit, Bolick, who sponsored H2720, and Blackman, who co-sponsored legislation to repeal the PEVL outright. "Each of these issues represent the wrong way to address election integrity, particularly voter confidence in our election system." (It's worth noting all three Republicans pictured worked to defeat Ugenti-Rita in the primary – Kolodin ran against her, and Blackman and Bolick endorsed him.) H2720 would also allow any "party to an election contest" to call for a full jury trial to decide a claim, compared to just allowing a judge to throw out a case if it lacks standing or merit, which is what is currently allowed. (Bolick's husband Clint is an Arizona Supreme Court justice who was part of a bench to deny all Nov 3 election challenges that came their way.) Her bill states, "a court may not grant a motion to dismiss or a motion for summary judgment that would result in dismissal" until after a jury reaches a verdict. And another provision would automatically fire county supervisors and county recorders and bar them from seeking re-election or any other political office for 10 years if there is any disruption to video coverage of counting ballots. The bill has already attracted national media attention, and Bolick, predictably, is blaming the media for blowing things out of proportion. "The mainstream media is using this elections bill as click bait to generate misleading headlines," she wrote. "It is a good, democratic check and balance."

THE WHATDEMIC?

After three full weeks of legislative business, Ducey has four bills awaiting his signature, but none have to do with his top priority – the pandemic. Ducey's communications director CJ Karamargin told our reporter that the Ninth Floor is "not going to legislate ourselves out of this pandemic," a play on Ducey's recent comments that we can "vaccinate our way out" of the pandemic. "The legislative session is just getting underway. We're confident they're gonna deal with the governor's agenda," he said. The Ninth Floor remains focused on managing the pandemic in other ways like the second state-run vaccine center set to open Feb 1. The bills on the governor's desk are bipartisan, but are wholly unrelated to the pandemic, which nearly every politician has pledged to make a top priority. In fact, according to our reporter's analysis, 135 pieces of legislation have made it out of committee (out of 1,442 total bills) and none focus on managing the ongoing crisis. The only Covid-related bills to clear committees so far have to do with limiting or overturning Ducey's executive authority. Among the four bills lawmaker fast-tracked to Ducey's desk is Udall's H2023 (schools; employees; employment; discipline), which would close a loophole to discipline non-certified teachers accused of misconduct. (Boyer introduced the same bill last year, but did not make headway before the pandemic shut down the session.) The legislation stemmed from a joint-investigative report *KJZZ* and *Arizona Republic* conducted about the loophole (LINK). Weninger's H2045 (civil rights; amendments) would crack down on workplaces discriminating against pregnant women. (It's also a re-run, which Mesnard and Weninger introduced last year.) "While pregnancy discrimination protections existed at the federal level, Arizona did not have similar protections until this

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001179
ARZN_REV00068654_1-29-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

bill," Brnovich, who is backing the bill, said in a press release. "This is an important step to help ensure women are not forced to choose between a career and motherhood." Griffin's H2036 (electric cooperatives; broadband service; fees), and Dunn's H2078 (groundwater; waterlogged area exemption; date) are also awaiting the governor's signature or veto.

·WAKE UP CALL·

GOP bill would allow lawmakers to override electoral votes
Arizona Capitol Times
The chairwoman of the House Ways and Means Committee introduced a bill January 27 that would allow the Legislature to override the secretary of state's certification of the state's electoral votes.

Ward, Terán take different ways to lead parties
Arizona Capitol Times
In a state that has turned from red to purple, Arizona's Republican and Democratic parties continue to push away from the center – one opens the door for more voices to be heard and the other shuts out those who disagree.

Survey: Arizona Democrats more likely to get COVID-19 vaccine
Capitol Media Services
Nearly a month after vaccines have become available here, a quarter of Arizonans remain unwilling to get inoculated against COVID-19.

Arizona lawmakers advance bill targeting gross online food challenges
Capitol Media Services
Doing something gross with food that isn't yours in hopes of getting social media hits could soon land you behind bars.

Arizona bill seeks to provide patients more information before breast surgery
Capitol Media Services
Women considering breast enhancement surgery in Arizona would get more information about what could go wrong under the terms of legislation given preliminary Senate approval on Thursday.

Pascua Yaqui win water funds, first of $150 million for Arizona projects
Cronkite News
Pascua Yaqui Council members called it "a blessing."

Republicans seek audit of Arizona GOP chairwoman election
Associated Press
Arizona Republican Party chairwoman Kelli Ward faces questions about her reelection last Saturday after she spent months promoting unsubstantiated claims of election fraud by former President Donald Trump, officials said.

Gosar denounces violence – but still claims massive election fraud
Payson Roundup
Arizona Rep. Paul Gosar remains at the heart of a growing battle within the Arizona Republican Party over allegations of election fraud, election protests and the effort to purge or censure party members who did not support former President Trump's claims of election fraud.

State Senator Kelly Townsend Wants to Invalidate Mailed-In Ballots
Phoenix New Times
Another day, another bill pushed by Republican Arizona lawmakers that would restrict early voting in the state.

The Antipope of Mar-a-Lago
Politico
What a medieval religious schism can teach us about Donald Trump's unprecedented and radically antagonistic approach to the ex-presidency.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001180

ARZN_REV00068654_1-29-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Money trail leads from D-Backs to Rep. Andy Biggs to QAnon Rep. Marjorie Taylor Greene
Arizona Republic (Opinion, EJ Montini)
If you've lived in Arizona for any amount of time you'd just assume there was a connection.

It's obvious that Kelli Ward stole the GOP election and no facts can change that, right?
Arizona Republic (Opinion, Laurie Roberts)
Arizona GOP chairwoman Kelli Ward isn't talking about suspicions calling into question her own election. But if she was, I would have just one question for her.

Rep. Shawnna Bolick says your vote for president shouldn't count (but hers should)
Arizona Republic (Opinion, Laurie Roberts)
While some legislators ponder how to make it more difficult to vote in presidential elections, Rep. Shawnna Bolick is proposing that your vote not even count.

Trump should be banned from running again. But that's just not an option
Arizona Republic (Opinion, Robert Robb)
Trump committed an impeachable offense deserving of a ban on future office. But disqualification independent of removal isn't a constitutional option.

What's Kelli Ward going to do with a #StopTheSteal claim about her own election win?
Arizona Republic (Opinion, Elvia Diaz)
Can you believe Arizona GOP chairwoman Kelli Ward is now facing questions over her own election win? Ha ha ha ha ha.

Arizona's confusing vaccination website is in line for an upgrade (fingers crossed)
Arizona Republic (Opinion, Editorial Board)
Arizona is trying to nix confusion online and move COVID-19 vaccine doses where they can be used fastest. Will it pay off? Let's hope so.

Transgender athlete bill isn't a priority now. Why is Kathy Hoffman so worried?
Arizona Republic (Op-ed, Cathi Herrod)
The proposed Save Women's Sports Act in no way prohibits any student from playing sports. It merely clarifies on what team a student will play. All can play.

PRESS RELEASES

Statement from Representative Bolick on HB 2720

STATE CAPITOL, PHOENIX – State Representative Shawnna Bolick issued a statement today regarding HB 2720, election reform legislation introduced this week.

"In two months alone, my office has received well over 30,000 emails, letters, and calls pertaining to the November election. Since August of 2020, I have taken potential election reform ideas from constituents and supporters on suggested changes to update current election-related statutes. I have spoken with election observers and poll watchers about securing, adjudicating and auditing ballots.

"House Bill 2720 amends parts of the state's election law pertaining to ballots, elections, and certificates. During the last election cycle, many individuals showed frustration not knowing exactly how many mail-in ballots were being printed, mailed, on-hand, etc. This bill offers transparency to address some of these issues. And, of course, until today, our office has received countless requests about an audit.

"The mainstream media is using this elections bill as click bait to generate misleading headlines. This bill would give the Arizona Legislature back the power it delegated to certify the electors. It is a good, democratic check and balance.

"At the end of the day, I hope we can all agree we need to have secure elections cast by legal registered voters across Arizona. Our constituents voted us in to restore the integrity of our elections."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001181
ARZN_REV00068654_1-29-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senator Shope commends settlement reached in Johnson Utilities case

(Phoenix, State Capitol) --- Nearly 70,000 water customers in Florence, Queen Creek and San Tan Valley have a more certain water future, after the Arizona Corporation Commission (ACC) and the Arizona Department of Environmental Quality (ADEQ) reached settlements in the Johnson Utilities case. Residents in the area have been dealing with water shortages and overflowing sewers for years. The ACC ordered a removal of management of Johnson Utilities in 2018, and EPCOR USA began serving as interim manager of the utility. In December, regulators approved a sale to EPCOR, and this week a settlement agreement was reached between the ACC, ADEQ and EPCOR to finalize the purchase. Many of these water customers live in LD-8, and Senator T. J. Shope believes they'll now have safe and reliable water service moving forward. "No one should have to go through what these folks have endured," said Senator Shope. "But this utility nightmare is finally over. The taps will work, and wastewater service will be reliable."

The agreement includes a financial plan for a new wastewater treatment facility, savings to ratepayers for prior equipment purchases, and a compliance plan for drinking water and wastewater facilities.

"We're very pleased to be moving forward with a new chapter for these customers and communities," said EPCOR USA President Joe Gysel. "Leaders like Senator Shope have been an important voice and advocate for their communities and customers throughout this process and we look forward to bringing the service and reliability these customers need and deserve."

Board of Supervisors Responds to Arizona Senate Election Audit Announcement

The Maricopa County Board of Supervisors respects the Arizona Senate's decision to hire a company to audit the elections data and documents the Board has provided to date. The Board through its legal team continues to work in good faith with representatives of the Arizona State Senate President Fann.

The Board continues to move forward with the forensic audits of the election tabulation machines approved Wednesday January 27, 2021. The Maricopa County Elections Department plans to hire the two companies that are certified voting system testing laboratories by the U. S. Election Assistance Commission. These are the only companies in our nation that have this certification.

The Department of Homeland Security designated tabulation equipment as critical Election Infrastructure. If the source code from our tabulation equipment is exposed and posted online, that could jeopardize the integrity of voting systems across the country. Therefore, the County prefers to use these companies.

Senate chooses its own qualified auditing firm to conduct forensic audit of Maricopa County election results

Today Senate President Fann announced that the Arizona State Senate has hired an independent, qualified, forensic auditing firm to analyze 2020 election results in Maricopa County.

President Fann: "There are two primary reasons we have determined the Senate needed to retain its own independent auditing firm. The Senate has consistently called for an auditor certified by the U. S. Election Assistance Commission (EAC). We have now learned the EAC does not certify auditors as such. The other primary reason is that the scope of the audit must be broader than the one proposed by the County's vendors. Our firm will perform everything we have required in the subpoenas. We must bring back confidence that the election results reported are how votes were legally cast. The Senate's forensic audit will bring accuracy and detail to the process, and with that restore integrity to the election process."

Senate Judiciary Chairman Warren Petersen: "Maricopa County has chosen two companies to audit their election. Unfortunately, their limited scope does not fulfill the demand of our subpoena, which called for a deep forensic audit. We need to do more than make basic checks on the machines to make sure they were working. We need to check the ballots and ballot scans for abnormalities. We need to look at the machines to see if there was any manipulation. We need to make sure there was no remote or local access that made changes to the results. I'm grateful the President has chosen a firm that will do that work. Only then will our voters feel confident about the results of the election."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001182

ARZN_REV00068654_1-29-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Hernandez Introduces "Breonna Taylor" Bill to Ban No-Knock Warrants

PHOENIX – Representative Alma Hernandez this week introduced Arizona's version of the "Justice for Breonna Taylor" Law, a bill to disallow police from using no-knock warrants like the officers who killed Taylor inside her Louisville, Kentucky, home during a botched raid last year. After the death of Ms. Breonna Taylor, a bipartisan group of lawmakers at the state and federal level have come together to ban No-Knock Warrants. At the federal level Republican Senator Rand Paul introduced a similar ban at the national level.

Hernandez' HB2751 would require officers to audibly provide notice to the occupants of a place being searched before executing a warrant. Officers would also be required to provide a copy of the search warrant to the person being searched or the owner of the home or location.

"What happened to Breonna Taylor was a travesty and a miscarriage of justice, and we must do all we can to prevent anything like that from happening here," said Hernandez, D-Tucson. "This is common-sense law enforcement reform that protects officers and the public from tragic mistakes. We know that this is a non-partisan issue to protect all Arizonans."

Media Advisory: Superintendent Hoffman to Deliver "State of Education" Address

PHOENIX – Arizona Superintendent of Public Instruction Kathy Hoffman will deliver the annual "State of Education" address to the Senate Education Committee on Tuesday, February 2nd, at approximately 2pm. She will speak to the hybrid committee virtually, press and the public can view via the livestream.

Live stream available: https://www.azleg.gov/liveproceedings/ (Select "Senate Education")

ADHS Continues Refusing to Issue New MMJ Licenses

Arizona Supreme Court has held that all counties must have one dispensary and ADHS must issue licenses whenever it can

Phoenix, January 29, 2021: Yesterday, the Arizona Department of Health Services (ADHS) answered a complaint filed in Maricopa County Superior Court alleging that ADHS unlawfully refused the plaintiffs' applications for a rural medical marijuana dispensary certificate. The companies are controlled by Mason Cave, a board member of the Arizona Cannabis Chamber of Commerce. In its answer, ADHS denies that the Arizona Medical Marijuana Act (AMMA) requires it to ensure that each county has at least one nonprofit medical marijuana dispensary registration certificate.

Judge Mikitish previously ruled against ADHS' motion to dismiss the complaint, finding that the Arizona Supreme Court's opinion in *Saguaro Healing LLC v. State* (2020) "requires ADHS to issue certificates and necessarily open the application process once it determines that an individual county does not have a dispensary." In the case Judge Mikitish referred to, *Saguaro Healing*, the supreme court held that the AMMA "requires that ADHS issue registration certificates, and necessarily open the application process, under two distinct circumstances: (1) if the allocation of dispensary certificates is below the one-in-ten ratio [of dispensaries to pharmacies] or (2) a county does not have a dispensary."

ADHS admits in its answer and on its website that four counties do not have a dispensary. It also admits in its answer that since at least 2017 there has been less than one dispensary for every ten pharmacies in the state.

Arizona NORML's Director of Politics and Civic Engagement, Julie Gunnigle, offered the following comment:

"For years, medical marijuana patients believed ADHS was neglecting its obligation to ensure that Arizona has the number of dispensaries required by law. ADHS' position in this case makes clear that their concerns were valid.

As medical marijuana patients know, Arizona has a critical shortage of dispensaries, leading to both limited choices for patients and artificially high prices. Further, the surging demand for marijuana as a result of recreational sales threatens to exacerbate these problems.

We are disappointed by ADHS' continued neglect of patients' needs and its refusal to accept the will of Arizona's voters as interpreted by the supreme court. Arizona's medical marijuana statutes are clear, and our supreme court's interpretation of them is even clearer. Instead of wasting taxpayer dollars by paying legal fees to a corporate law firm, ADHS should comply with its legal obligations and promptly issue new medical marijuana licenses to qualified applicants."

To schedule an interview with a member of Arizona NORML, contact **Jon Udell**, Communications Director of Arizona NORML. Mr. Udell also represents the plaintiffs in this case, along with his colleague Logan Elia, and his law firm, Rose Law Group pc.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001183

ARZN_REV00068654_1-29-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Phone: (480) 258-5597
Email: JonU@arizonanorml.or

Attorney General Brnovich Announces Passage of Pregnancy Discrimination Protections

Bill would add pregnancy discrimination to the Arizona Civil Rights Act, allowing state enforcement

PHOENIX – Attorney General Mark Brnovich, Representative Jeff Weninger, and Senator J.D. Mesnard announced today the passage of legislation that will prohibit pregnancy discrimination in the workplace under the Arizona Civil Rights Act (ACRA). Pregnancy discrimination is illegal in Arizona, but complaints can currently only be investigated by the U.S. Equal Employment Opportunity Commission (EEOC). If signed by the Governor, pregnancy discrimination will be enforceable under the ACRA and will authorize the Arizona Attorney General's Office (AGO) to investigate and enforce protections for this type of discrimination.

Representative Jeff Weninger and Senator J.D. Mesnard worked with the AGO to introduce HB2045 and SB1180 this legislative session. A bill was also introduced last session, but did not pass both chambers due to the shortened session. On Thursday, both the Arizona House of Representatives and the Arizona Senate passed companion bills with near unanimous support, leaving the Governor's signature as the last step necessary for the bill to become law. If HB2045 is signed by the Governor, Arizona will be the 28th state to enact state laws prohibiting employers from discriminating against pregnant women.

"While pregnancy discrimination protections existed at the federal level, Arizona did not have similar protections until this bill," said Attorney General Brnovich. "This is an important step to help ensure women are not forced to choose between a career and motherhood. I applaud our Civil Rights Division for identifying this gap in state law and working with the legislature to fix it."

The AGO enforces the ACRA which prohibits discrimination in employment based on race, color, national origin, religion, sex, age, genetic testing, disability, and retaliation. Before the passage of HB2045, when the AGO received a pregnancy discrimination complaint, the AGO had to send the complaint to the EEOC. This additional layer of bureaucracy added unnecessary delays and forced expectant mothers or women who recently gave birth who were discriminated against to risk delayed justice.

"It's time for Arizona to ensure women are protected in the workplace," said Representative Jeff Weninger. "I am proud to work with General Brnovich, Senator Mesnard, and my legislative colleagues to get this bill passed. As a business owner, pregnancy discrimination is not only illegal, but it also hurts women and families."

"When a woman is discriminated against because of her pregnancy, the entire family suffers," said Senator Mesnard. "It undermines what should be a purely celebratory time. As a husband and a new father, it is important to ensure Arizona does not tolerate pregnancy discrimination."

HB2045 stipulates that women affected by pregnancy, childbirth, or other related medical conditions will be treated the same for all employment-related purposes as other employees in their ability to work.

Sierra Bill Aims to Put Youth in Foster Care on Stronger Track for Success

PHOENIX – The statistics surrounding Arizona foster children after they leave state care at age 18 are stark. Fewer than half find employment, only one in 10 attend college and even fewer graduate, one in five become homeless, and far too many experience post-traumatic stress and get into trouble with the law.

Representative Lorenzo Sierra and foster care advocates believe a simple change to Arizona law could help reverse those statistics. On Wednesday Sierra proposed a bill to make it easier for kids to stay in the foster system beyond age 18 until they turn 21, which would put more former foster children on a path for success. If passed, Sierra's House Bill 2728 would automatically allow young people to stay in the foster system until they turn 21, unless they opt out when they turn 18. Currently foster children are expelled from the system at age 18 and have to take steps to opt back in, a decision too few make, Sierra said.

"We've found that so many kids who age out of the foster care system end up homeless or in the correctional system," said Sierra, D-Avondale. "We want to give them a bridge to be able to get into adulthood productively. We hope this bill will give them the extra lifeline they need."

The bill was inspired by the work of Naketa Ross, a certified clinical trauma specialist who grew up in foster care and now serves on the Phoenix Union High School Governing Board. Ross first proposed the change to Arizona law in her December 2020, white paper "From Foster Care to Resilience: Saving Lives by Changing the Foster Care Model" and in the opinion pages of *The Arizona Republic*.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"We want the structure to remain the same where the youth's voice is centered, but the approach would be different," said Ross, who founded the non-profit Resilient Me to help foster youth. "The State would agree to and offer partnership and support to the young adults during this critical development stage. If youth do not want extended assistance they can decline. And if in the future before the age of 21, they change their minds, they could still come back."

"QUOTE OF THE DAY"

"You certainly don't allow a challenger who lost an election to demand something that they don't have the right to and we don't have the responsibility for providing. And you especially don't let that challenger who lost the election to determine how it will be done."

- Kelli Ward, on the presidential election. Just kidding, on her own election

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001185

ARZN_REV00068654_1-29-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, January 29, 2021 5:43:15 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: News Clippings; January 29, 2021
Attachments: January 29, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Questions looming for planned 24/7vaccine site in Tucson
- Virus variant from S. Africa detected in US for first time
- Biden opens sign-up window to help uninsured find coverage
- Guest Editorial: Simultaneous online and in-person learning burning out teachers
- Governors' virus orders meet pushback in state legislatures
- Dems to 'act big' on $1.9T aid; GOP wants plan split
- Democratic lawmakers seek race data to address disparities in vaccinations
- SC Senate passes bill outlawing most abortions
- US jobless claims drop; still at 847,000 as pandemic rages
- Toggle to Graphic display. Hold for 2 seconds to lock graphic mode
- US economy shrank 3.5% in 2020, the largest decline in 74 years
- Survey: Ariz. Democrats more likely than Republicans to get virus vaccine
- Pascua Yaqui win water funds, first of $150M for AZ projects
- Lawmakers push legislation targeting intentional acts of food contamination
- Bill requires doctors to disclose breast augmentation risks

Arizona Republic

- VP urges faster Ariz. vaccinations
- Law cuts funds for consumer protection
- Asylum seekers stuck in Mexico
- Apache County officials sued for not providing records on jail voting
- 2 escaped Florence prison inmates captured
- State GOP is asked to audit Kelli Ward's reelection as chair
- Arizona approaches 13K known COVID-19 deaths
- Should you buy an at-home COVID-19 test on Amazon?
- Biden opens sign-up window for uninsured
- Virus variant from South Africa in US
- Results show vaccines are safe
- Rollout sidelines family doctors
- Legislation boosts state schools' powers to discipline employees
- US economy shrank by 3.5% in 2020
- Over 500 affordable rentals under construction in Valley
- Guest Commnetary: Arizona is still putting up barriers to abortion
- Inside a new COVID-19 treatment that's keeping Arizonans out of the hospital
- Banner Health has started using an arthritis drug on some critically ill COVID-19 patients

AMERICAN OVERSIGHT

- Navajo Nation surpasses 1,000 COVID-19 deaths
- Phoenix-Mesa Gateway Airport aims to land job and shopping hub
- Republicans demand audit of Kelli Ward's narrow win for Arizona GOP chair
- 2020 was officially the 2nd driest and 2nd hottest year ever recorded in Arizona
- Here's what Vice President Kamala Harris told The Republic about COVID-19 relief plans
- Maricopa County supervisors approve another election audit to be 'transparent and open' about the vote count
- New antibody therapy being used for COVID-19 patients in Arizona
- Johnson's 1-dose shot prevents COVID-19, but less than some others

KTAR News

- Gov. Ducey taps 5 for Arizona Peace Officer Standards and Training Board
- Threats of harm come with the job, Arizona Sen. Mark Kelly says
- New antibody therapy being used for COVID-19 patients in Arizona

Arizona Daily Sun

- COVID-19 vaccine supply a concern for Coconino County
- COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders
- County Detention Services head named to state board
- County Detention Services head named to state board
- VIRUS TODAY: Lawmakers call for race data on vaccine access

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Questions looming for planned 24/7vaccine site in Tucson

County aims to use Rillito Racetrack for drive-thru; start date is pending

Patty Machelor
Arizona Daily Star
January 29, 2021

Pima County is planning to use the Rillito Racetrack as its largest site for dispensing COVID-19 vaccination shots but there's not a starting date as the county waits to hear how much help it can expect from the state.

The location, at 4502 N. First Ave., will be a drive-thru that could provide 5,000 vaccinations per day as a 24-hour site, like the one the state currently runs in Glendale. That location is operated with the help of hundreds of Blue Cross Blue Shield of Arizona volunteers as well as staffing from the state's Department of Emergency and Military Affairs.

A second state-operated site is scheduled to open Monday, Feb. 1 at Phoenix Municipal Stadium, although it will not be open 24 hours per day.

Some residents from Pima and other Southern Arizona counties have traveled to the state site rather than wait for an appointment where they live. And several people have emailed the

Arizona Daily Star asking why Pima County, with the second-largest population in the state, doesn't have a 24-hour site here.

It's something the county hopes to do now, if it can get enough vaccine allocated for it, and enough volunteers and workers to staff it.

'This location is ideally suited for a six-lane, drive-thru vaccination facility with ample parking and long approach and departure driveways,' County Administrator Chuck Huckelberry wrote in a recent letter to Arizona's Department of Health Services director, Cara Christ. 'We estimate this site could provide as many as 5,000 vaccinations per day if operated 24/7.'

Christ said during a news conference Jan. 22, that the state offered Pima County help with setting up a state point of distribution, or POD, and the county declined, but Huckelberry wrote in his letter that that's not true.

'I checked with both Deputy County Administrator and Chief Medical Officer Dr. Francisco Garcia and Health Department Director Dr. Theresa Cullen on this matter,' Huckleberry wrote to Christ on Jan. 26. 'They, as well as I, do not recall any conversation with a state official declining assistance in setting up a future state-operated POD.'

Pima County will hit 100,000 vaccinations in the next few days, Cullen said, and, if there is enough vaccine, is on target to deliver up to 450,000 vaccines during these first three months of its immunization plan. 'We are prepping Rillito with the expectation the state will accept our offer to have it operate a vaccination center there,' said Mark Evans, communications director for the county. 'We will

AMERICAN OVERSIGHT

have a readyto- go site plan and the infrastructure to operate a center there, including the IT infrastructure, such as robust Wi-Fi.'

Huckleberry said as the county works through the current phase, which includes those 75 years of age and older, teachers, childcare workers and protective service workers, 'we will need additional vaccination capacity to quickly accommodate those 65 years of age and older as well as those remaining qualified persons.'

He told Christ that Pima County would 'appreciate assistance in setting up a sixth center at Rillito Park at the current time.'

In an email exchange provided through a public records request to the Arizona Daily Star, Jessica Rigler, assistant director for the state's public health preparedness through ADHS, wrote to Cullen that if the state did decide to put a POD in Pima County, they'd let the county know: 'I let (Cullen) know this sounds great and that if we were to initiate POD planning in Pima, we would let her know.'

When the state opened its first drive-thru site Jan. 11, Cullen had asked if the state was going to do the same thing here.

'Dr. Cullen, in her inquiry, was alerting the state to the fact that we were in the process of standing up our own vaccine distribution system here and she wanted to find out whether the state was planning to do something similar to the stadium POD in Pima County because (the state) thought the county didn't have a plan to vaccinate enough people quickly,' Evans said.

Cullen, he said, let her know Pima County's plan.

'Dr. Cullen's email appears to have been misinterpreted by the state that we didn't want the state setting up a POD here,' he said. 'That's not correct. We are happy to have all the assistance the state wants to offer.'

Steve Elliott, spokesman for the state's DHS, said when more vaccine becomes available, this will be a consideration.

'We value our excellent working relationship with Pima County and applaud the county's vaccination efforts to date,' he said.

'We look forward to furthering this collaboration when available vaccine enables the state to expand its nationally recognized model for mass vaccination beyond the Phoenix area to include Pima County and other places around the state where such operations can step up the pace of administering these life-saving vaccines.'

Return to the table of contents

AMERICAN OVERSIGHT

Virus variant from S. Africa detected in US for first time

Michelle Liu and Mike Stobbe
Arizona Daily Star
January 29, 2021

A new variant of the coronavirus emerged Thursday in the United States, posing yet another public health challenge in a country already losing more than 3,000 people to COVID-19 every day.

The mutated version of the virus, first identified in South Africa, was found in two cases in South Carolina. Public health officials said it's almost certain that there are more infections that have not been identified yet.

Officials also are concerned that this version spreads more easily and that vaccines could be less effective against it.

The two cases were discovered in adults in different regions of the state and do not appear to be connected. Neither of the people infected has traveled recently, the South Carolina Department of Health and Environmental Control said Thursday.

'That's frightening,' because it means there could be more undetected cases within the state, said Dr. Krutika Kuppalli, an infectious diseases physician at the Medical University of South Carolina in Charleston. 'It's probably more widespread.'

The arrival of the variant shows that 'the fight against this deadly virus is far from over,' Dr. Brannon Traxler, South Carolina's interim public health director, said in a statement. 'While more COVID-19 vaccines are on the way, supplies are still limited. Every one of us must recommit to the fight by recognizing that we are all on the front lines now. We are all in this together.'

Viruses constantly mutate, and coronavirus variants are circulating around the globe, but scientists are primarily concerned with the emergence of three that researchers believe may spread more easily. Other variants first reported in the United Kingdom and Brazil were previously confirmed in the U.S.

As the variants bring a potential for greater infection risks in the U.S., pandemic- weary lawmakers in several states are pushing back against mask mandates, business closures and other protective restrictions ordered by governors.

States including Arizona, Michigan, Ohio, Maryland, Kentucky and Indiana are weighing proposals to limit their governors' abilities to impose emergency restrictions. Wisconsin's Republican- controlled Assembly had been expected to vote to repeal Democratic Gov. Tony Evers' mask mandate, but lawmakers abruptly called off the vote Thursday in the face of broad criticism and out of concern it would jeopardize more than $49 million in federal aid. Pennsylvania lawmakers are considering a constitutional amendment to strip the governor of many of his emergency powers.

Governors argue that they need authority to act swiftly in a crisis, and limitations could slow critical emergency responses.

Meanwhile, Nebraska health officials said the state could be days away from lifting restrictions on indoor gatherings, citing a low percentage of COVID-19 hospitalizations. Other states seeing declining

AMERICAN OVERSIGHT

infections are also loosening limitations on restaurants and other businesses, though experts have warned the public to stay vigilant about masks and social distancing or risk further surges.

In South Carolina, the state health agency said the variant was found in one person from the state's coastal region and another in its northeastern corner. The state gave little other information, citing privacy concerns, though Traxler said neither of the people was contagious any longer.

'Both were tested very early in the month, and my understanding is that both are doing well,' Traxler said.

South Carolina Gov. Henry McMaster, a Republican, loosened most of the state's remaining pandemic restrictions in the fall. Spokesman Brian Symmes said McMaster does not plan to order new restrictions based on the discovery of the variant.

'This is important information for South Carolinians to have,' McMaster said in a tweet, 'but it isn't a reason for panic.'

Scientists last week reported preliminary signs that some of the recent mutations may modestly curb the effectiveness of two vaccines, although they stressed that the shots still protect against the disease. There are also signs that some of the new mutations may undermine tests for the virus and reduce the effectiveness of certain treatments.

The coronavirus has already sickened millions and killed roughly 430,000 people in the United States.

The variant first found in South Africa was detected in October. Since then, it has been found in at least 30 other countries.

People wait inside their vehicles after receiving the COVID-19 vaccine at a mass vaccination site at The Forum in Inglewood, California.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Biden opens sign-up window to help uninsured find coverage

Ricardo Alonso-Zaldivar
Arizona Daily Star
January 29, 2021

President Biden on Thursday ordered government health insurance markets to reopen for a special sign-up window, offering uninsured Americans a haven as the spread of COVID-19 remains dangerously high and vaccines aren't yet widely available.

Biden signed an executive order directing the HealthCare.gov insurance markets to take new applications for subsidized benefits, something Donald

Trump's administration had refused to do. He also instructed his administration to consider reversing other Trump health-care policies, including curbs on abortion counseling and the imposition of work requirements for low-income people getting Medicaid.

AMERICAN OVERSIGHT

'There's nothing new that we're doing here other than restoring the Affordable Care Act and restoring Medicaid to the way it was before Trump became president,' Biden said as he signed the directives in the Oval Office. He declared he was reversing 'my predecessor's attack on women's health.'

The actions were only the first steps by Biden, who has promised to build out former President Barack Obama's health care law to achieve a goal of coverage for all. While Biden rejects the idea of a government- run system that Sen. Bernie Sanders has pushed for in his 'Medicare for All' proposal, his more centrist approach will require congressional buy-in. But opposition to 'Obamacare' runs deep among Republicans.

The most concrete shortterm impact of Biden's orders will come from reopening HealthCare. gov insurance markets as coverage has shrunk in the economic turmoil of the coronavirus pandemic. That's an executive action and no legislation is required.

The new 'special enrollment period' will begin Feb. 15 and run through May 15, the WhiteHouse said.

It will be coupled with a promotional campaign and a call for states that run their own insurance markets to match the federal sign-up opportunity.

The Biden administration has ample resources for marketing, said Karen Pollitz, a health insurance expert with the nonpartisan Kaiser Family Foundation. The foundation estimates that the Trump administration left unspent about $1.2 billion in user fees collected from insurers to help pay for running the marketplaces. 'The reason it wasn't spent is the Trump administration spent its time in office cutting services that support consumer enrollment,' Pollitz said. 'All the while the user fee revenue was coming in, (but) they were not allowed to spend it on anything other than marketplace operations.'

Created under the Obama-era Affordable Care Act, the marketplaces offer taxpayer-subsidized coverage regardless of a person's medical history or preexisting conditions, including COVID-19.

Biden also ordered the immediate reversal of a federal policy that bars taxpayer funding for international health-care nonprofits that promote or provide abortions.

Known as the Mexico City Policy, it can be switched on or off depending on whether Democrats or Republicans control the White House. Abortion rights supporters call it the 'global gag rule.'

Other directives Biden issued could take months to carry out.

He instructed the Department of Health and Human Services to consider rescinding Trump regulations that bar federally funded family planning clinics from referring women for abortions.

HHS will also reexamine a Trump administration policy that allows states to impose work requirements as a condition for low-income people to get Medicaid health insurance.

Work requirements have been blocked by federal courts, which found that they led to thousands of people losing coverage and violated Medicaid's legal charge to provide medical services. The Supreme Court has agreed to hear the issue.

And Biden directed HHS to review Trump policies

AMERICAN OVERSIGHT

that could undermine protections for people with health problems, such as a rule that facilitated the sale of short-term health insurance plans that don't have to cover preexisting medical conditions.

Such changes cannot happen overnight. Rescinding a federal regulation requires a new regulation, which has to follow an established legal process that involves considering different sides of an issue.

Former Trump health policy adviser Brian Blase said the Biden administration has to take care it doesn't throw out some policies intended to help solidly middle-class people who don't qualify for financial assistance under Obama's law.

'Obamacare plans are generally only attractive to people who receive large subsidies to buy them,' said Blase. He cited a Trump policy that allows employers to provide tax-free money for workers to buy individual plans.

President Biden has promised to build out former President Barack Obama's health-care law to achieve coverage for all.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Guest Editorial: Simultaneous online and in-person learning burning out teachers

Kathy Scott
Arizona Daily Star
January 29, 2021

The following column is the opinion and analysis of the writer:

Arecent push to reopen schools to in-person learning is citing research showing that it is less likely children will become infected while in school as opposed to being in the community. An Arizona Daily Star Jan. 7 opinion column was headlined 'Virtual learning unnecessary, no sub for classroom learning.'

Both the headline and the writers were correct in that there is no substitute for in-person learning, but the premise that returning to schools is safe for all, or that in-person instruction following CDC guidelines will increase student achievement is just not reality. How children become infected, or how sick they will become, or how easily they infect those around them, including faculty or staff, or if they risk bringing home the virus to those living with them is debatable. But pushing teachers to the breaking point not just because of infection risk but because of increased workload is not.

Returning to in-person instruction following CDC guidelines is not going to increase student achievement significantly if teachers must teach both online and in-person synchronously. CDC guidelines mandate wearing masks and frequent hand-washing and avoiding large gatherings, but they also mandate social distancing. To achieve this last guideline, most schools have gone to hybrid teaching — meaning half the students come to school part of the week while the other half are home online, and then the two groups switch.

In many cases, teachers are expected to do both at the same time, and even when returning to full in-person instruction, charter, private and public schools are offering parents who do not feel comfortable about coming back to campus the option of staying online. One teacher I know currently has about 25

AMERICAN OVERSIGHT

elementary students in class and between three to five permanently online. She is expected to serve all equally.

Despite herculean efforts, it is simply not possible for one teacher to do both well at the same time. Another teacher I love who currently is teaching 100% online due to the infection spike but who spent most of this school year in a hybrid model texted me: 'In each of my four blocks I had 12 online and 12 in person at the same time. I had parents saying I paid too much attention to the kids in person and others saying I spent too much time with the kids online.'

One fake assumption is that by giving schools more money, the problem will be solved. After all, could they not use every inch of classroom space as well as additional areas on campus to spread out students so only half are in the classroom at the same time and then hire additional teachers and staff to instruct those in other locations? The answer is a resounding 'No.'

Most schools, especially those in rural areas, do not have superfluous space but more significantly, there is already a major teacher shortage and hiring appropriately certified teachers or even aides is not going to happen, regardless of how much federal COVID funding is tossed to schools.

In-person learning under these conditions will result in even more teachers leaving the classroom, either retiring a few years earlier than planned or simply deciding that the stress of having their workload double — not even taking into account their justified fear of infection — is simply not worth continuing. In-person instruction only works if there is an effective teacher in every classroom. By pushing in-person learning before every student will be in-person without online outliers is going to increase teacher shortages. Period.

Kathy Scott is the grants director at Nogales Unified School District.

Returning to in-person instruction following CDC guidelines won't increase student achievement significantly if teachers must teach online and in-person at the same time, writes Nogales educator Kathy Scott.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Governors' virus orders meet pushback in state legislatures

David A. Lieb
Arizona Daily Star
January 29, 2021

Irritated by the sweeping use of executive orders during the COVID-19 crisis, state lawmakers around the U.S. are moving to curb the authority of governors and top health officials to impose emergency restrictions such as mask rules and business shutdowns.

The push is underway in such states as Arizona, Michigan, Ohio, Maryland, Kentucky, Indiana and Pennsylvania, where legislators are seeking a constitutional amendment to strip the governor of many of his emergency powers.

AMERICAN OVERSIGHT

Pennsylvania Republican Sen. Wayne Langerholc said the amendment would 'make it unequivocally clear that our General Assembly is a co-equal branch ... that we are not a monarchy and that our voices matter.'

Democratic Gov. Tom Wolf and some of his counterparts around the country have argued that they need authority to act quickly and decisively against the fast-changing threat.

State legislatures generally took on lesser roles after the pandemic hit, with many suspending work or adjourning. It has been governors or their top health officials who have set many of the policies — imposing mask mandates, limiting public gatherings and shutting down dine-in restaurants, gyms, hair salons and other businesses.

Lawmakers in more than half the states have filed bills this year to limit gubernatorial powers during the pandemic and other emergencies, according to the National Conference of State Legislatures. Most legislatures began their sessions this month.

Kentucky's Republican- led Legislature could consider as soon as next week whether to override Democratic Gov. Andy Beshear's

vetoes of several bills that would rein in his emergency powers.

Wisconsin's GOP-controlled Senate voted earlier this week to repeal Democratic Gov. Tony Evers' emergency health order, which would end the state's mask mandate. The Republican- controlled Assembly called off a similar vote Thursday in the face of criticism from health, school and business leaders and concern that it could jeopardize more than $49 million in federal aid.

Wisconsin Republicans have argued that Evers exceeded his authority by issuing multiple emergency declarations during the pandemic, which enabled him to extend the mask mandate beyond the 60 days allowed under the law without getting the Legislature's approval.

Evers contends that the changing nature of the pandemic warranted new emergency declarations.

The amendment Pennsylvania Republicans are seeking to place on the May ballot also would put a cap on the governor's disaster declarations — 21 days, unless lawmakers vote to extend them. The Legislature also could halt them at any time with a two-thirds vote.

Wolf has said that prematurely ending his disaster declaration would itself be 'disastrous' for the state and that requiring repeated legislative approval 'could slow down or halt emergency response when aid is most needed.'

In Michigan, House Republicans have threatened to withhold billions of dollars for schools unless Democratic Gov. Gretchen Whitmer cedes her administration's power to prohibit in-person instruction and sports to local health departments. Whitmer called the move 'cruel and reckless.' Whitmer was the target of an alleged kidnapping plot last fall by anti- government extremists upset over her coronavirus restrictions.

Though legislative resistance to executive coronavirus orders has fallen largely along partisan lines in some states, lawmakers elsewhere are pushing back against governors of their own parties.

AMERICAN OVERSIGHT

Republicans in the Arizona Senate want to end the broad emergency powers that Gov. Doug Ducey used to limit large gatherings and business capacities.

Ohio Sen. Rob McColley introduced a bill this week that could rescind emergency health orders issued by Gov. Mike DeWine, a fellow Republican. It would create a committee to retroactively review them. DeWine vetoed a similar bill last year.

McColley said the Legislature needs to take action 'when the relatively unfettered power of the executive branch during a time of emergency has lasted as long as it has.'

Plastic igloos used for outdoor dining line a street in downtown Pittsburgh. Lawmakers around the U.S. have filed bills this year to limit gubernatorial powers during the pandemic. Governors counter that they need authority to act quickly.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Dems to 'act big' on $1.9T aid; GOP wants plan split

Lisa Mascaro and Josh Boak
Arizona Daily Star
January 29, 2021

WASHINGTON — Democrats in Congress and the White House rejected a Republican pitch to split President Biden's $1.9 trillion COVID-19 rescue plan into smaller chunks on Thursday, with lawmakers appearing primed to muscle the sweeping economic and virus aid forward without GOP help.

Despite Biden's calls for unity, Democrats said the stubbornly high unemployment numbers and battered U.S. economy leave them unwilling to waste time courting Republican support that might not materialize. They also don't want to curb the size and scope of a package that they say will provide desperately needed money to distribute the vaccine, reopen schools and send cash to American households and businesses.

Biden has been appealing directly to Republican and Democratic lawmakers while signaling his priority to press ahead.

'We've got a lot to do, and the first thing we've got to do is get this COVID package passed,' Biden said Thursday in the Oval Office.

The standoff over Biden's first legislative priority is turning the new rescue plan into a political test — of his new administration, of Democratic control of Congress and of the role of Republicans in a post-Trump political landscape.

Success would give Biden a signature accomplishment in his first 100 days in office, unleashing $400 billion to expand vaccinations and to reopen schools, $1,400 direct payments to households, and other priorities, including a gradual increase in the federal minimum wage to $15 an hour. Failure would be a high-profile setback early in his presidency.

AMERICAN OVERSIGHT

Democrats in the House and Senate are operating as though they know they are on borrowed time. Senate Majority Leader Chuck Schumer and House Speaker Nancy Pelosi are laying the groundwork for a go-italone approach as soon as next week.

They are drafting a budget reconciliation bill that would start the process to pass the relief package with a simple 51-vote Senate majority — rather than the 60-vote threshold typically needed in the Senate to advance legislation. The goal would be passage by March, when jobless benefits, housing assistance and other aid is set to expire.

Schumer said he drew from Treasury Secretary Janet Yellen's advice to 'act big' to weather the COVID-19 economic crisis.

'Everywhere you look, alarm bells are ringing,' Schumer said from the Senate floor.

Senate Republicans in a bipartisan group warned their colleagues in a 'frank' conversation late Wednesday that Biden and Democrats are making a mistake by loading up the aid bill with other

priorities and jamming it through Congress without their support, according to a person familiar with the matter who spoke on condition of anonymity to discuss the private session.

Sen. Rob Portman, R-Ohio, a former White House budget director under George W. Bush, wants a deeper accounting of what funds remain from the $900 billion coronavirus aid package from December.

'Literally, the money has not gone out the door,' he said. 'I'm not sure I understand why there's a grave emergency right now.'

Biden spoke directly with Republican Sen. Susan Collins of Maine, who is leading a bipartisan group with Sen. Joe Manchin, D-W.Va., that is racing to strike a compromise. The emerging debate is highly reminiscent of the partisan divide over the 2009 financial rescue in the early months of the Obama administration, when Biden was vice president, echoing those battles over the appropriate level of government intervention.

Return to the table of contents

Democratic lawmakers seek race data to address disparities in vaccinations

Aaron Morrison
Arizona Daily Star
January 29, 2021

Democratic lawmakers are urging federal health officials to address racial disparity in vaccine access nationwide, as data from some states show hard-hit nonwhite Americans who are eligible to receive it are not getting COVID-19 vaccinations in proportion to their share of the population.

In a letter Thursday to acting Health and Human Services Secretary Norris Cochran IV, the lawmakers said the agency must work with states, municipalities and private labs to collect and publish demographic data of vaccine recipients.

AMERICAN OVERSIGHT

Without that information, policymakers and health workers cannot efficiently identify vaccine disparities in the hardest- hit communities, said the letter, signed by Rep. Ayanna Pressley and Sens. Elizabeth Warren and Edward Markey, all from Massachusetts.

'It is critical that the Black, Latinx, Indigenous, and immigrant communities that have been most impacted by this virus and have been more likely to contract, be hospitalized, and die from the disease have access to the vaccine,' said the letter, first shared with The Associated Press.

The appeal comes as the U.S. recorded nearly 26 million COVID-19 cases and more than 429,000 deaths since the onset of the pandemic nearly a year ago. The virus has taken a particularly severe toll on Black populations in the U.S. Along with Hispanic and Native American people, Black Americans are dying from COVID-19 at nearly three times the rate of white Americans.

The lawmakers said the recent distribution of the approved vaccines 'is a sign of hope that much needed recovery from this pandemic is near.' But, they said, an inadequate vaccine deployment campaign could make things worse for communities that have shouldered the greatest burden.

A spokesperson for HHS did not immediately respond to a request for comment Thursday. However, reducing racial and ethnic disparities in COVID-19 vaccination and treatment is a priority for President Biden, who has appointed a White House official to oversee that part of the government's overall response.

Pressley, who made early calls for racial case data last year, said communities of color cannot afford to wait longer for vaccine demographic data to become available.

'We've learned consistently throughout history that in the face of any public health crisis, communities of color disproportionately suffer — and this pandemic is no exception,' Pressley said in a statement to the AP.

'That which gets measured gets done, and the first step towards ensuring we are able to effectively address these disparities and direct lifesaving resources to our hardest-hit communities is for our government to collect and publish anonymized demographic data, including race and ethnicity, of vaccine recipients,' she said.

The United States has recorded nearly 26 million COVID-19 cases and more than 429,000 deaths since the onset of the pandemic nearly a year ago.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

SC Senate passes bill outlawing most abortions

Jeffrey Collins
Arizona Daily Star
January 29, 2021

COLUMBIA, S.C. — The South Carolina Senate on Thursday passed a bill that would outlaw almost all abortions in the state, overcoming years of hurdles thanks to Republicans winning new seats in last year's elections.

AMERICAN OVERSIGHT

The 30-13 vote is likely the final hurdle for the bill. It has passed the House easily in previous years and Gov. Henry McMaster has repeatedly said he will sign it as soon as he can.

'If this gets upheld by the courts, we will have saved thousands of lives in South Carolina every year. That is a tremendous victory,' said Senate Majority Leader Shane Massey, a Republican from Edgefield.

The 'South Carolina Fetal Heartbeat and Protection from Abortion Act' requires doctors to use an ultrasound to try to detect a fetal heartbeat if they think pregnant women are at least eight weeks along. If they find a heartbeat, and the pregnancy is not the result of rape or incest, they can't perform the abortion unless the mother's life is in danger.

Similar bills have passed in about a dozen other states but are tied up in courts. Both abortion rights advocates and opponents are waiting to see if the U.S. Supreme Court weighs in and rules any of the stricter bans are constitutional.

In the Bible Belt, South Carolina led the fight for stricter rules on abortions during the 1980s and 1990s. The state's current law bans abortions after 20 weeks and was once a conservative model.

But in recent years, some states have passed restrictions that ban nearly all abortions because most women don't know they are pregnant before about six weeks, when a fetal heartbeat can be detected.

The path for the bill cleared in South Carolina thanks in part to Trump. The divisive presidential race energized Republicans, who won three seats from Democrats in the 2020 elections and their new 30-16 advantage finally pushed the effort over a procedural hurdle that stopped the bill for years.

The vote was almost all along party lines. Sen. Sandy Senn of Charleston was the only Republican against it, and Sen. Kent Williams of Marion was the only Democrat to vote for the ban.

The bill now goes to the House, which if it makes changes — like removing the exceptions for rape and incest victims that some conservatives didn't want in the proposal in the first place — will trigger another fight in the Senate. At least two Republican senators said they could not support the bill without those exceptions.

South Carolina Rep. John McCravy and South Carolina Citizens for Life Executive Director Holly Gatling talk after the state Senate approved a bill that would ban most abortions.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

US jobless claims drop; still at 847,000 as pandemic rages

Paul Wiseman
Arizona Daily Star
January 29, 2021

The number of Americans applying for unemployment benefits fell but remained at a historically high 847,000 last week, a sign that layoffs keep coming as the coronavirus pandemic continues to rage.

AMERICAN OVERSIGHT

Last week's claims dropped by 67,000, from 914,000 the week before, the Labor Department said Thursday. Before the virus hit the United States hard last March, weekly applications for jobless aid had never topped 7 0 0,0 0 0.

Tempering last week's bigger- than-expected drop in claims: The four-week moving average — which smooths out week to week gyrations — rose by more than 16,000 last week to 868,000, highest since September.

Overall, nearly 4.8 million Americans received traditional state unemployment benefits the week of Jan. 16. That is down from nearly 5 million the week before and far below a staggering peak of nearly 25 million in May when the virus brought economic activity to a near halt. The drop suggests that some of the unemployed are finding new jobs and that others have exhausted state benefits.

There is optimism that COVID-19 vaccines will end the health crisis and help stabilize the economy, but that effort is moving forward haltingly and right now, the job market is stressed.

The United States is now recording just under 150,000 new coronavirus cases a day. That is down from nearly 250,000 a day early this month but still more than twice the levels seen from March until a resurgence in cases in late October. More than 425,000 Americans have died from the pandemic and health experts are warning the U.S. will hit 500,000 deaths.

The virus has forced state and local governments to restrict operations of restaurants, bars and other businesses and has discouraged Americans from venturing out of their homes.

Since February, the U.S. has lost 9.8 million jobs, including 140,000 in December.

Americans who lost work because of the pandemic can get aid from extended relief programs, which now offer up to 50 weeks of benefits, or from a new program that targets contractors and the self-employed. Altogether, 18.3 million people were receiving some type of unemployment benefit the week that ended Jan. 9, the latest period for which data is available.

A new government financial aid package provides, among other things, a $300-a-week federal unemployment benefit on top of regular state jobless aid. The new benefit runs through mid-March.

Once vaccines become more widely distributed, economists

Overall, nearly 4.8 million Americans received state unemployment benefits the week of Jan. 16. That's down from nearly 5 million the week before and far below a staggering peak of nearly 25 million in May when the virus brought economic activity to a near halt.

expect growth to accelerate in the second half of the year as Americans unleash pent-up demand for travel, dining out and visiting movie theaters and concert halls. Such spending could boost hiring.

But for now, the economy is floundering. Retail sales have fallen for three straight months. Restrictions on restaurants, bars and some stores, along with a reluctance of most Americans to shop, travel and eat out, have led to sharp spending cutbacks.

The Ultimate Kronos Group, a company that provides time-tracking software to small businesses, said the number of shifts worked by its clients dropped 2.5% in the second to last week of January from a

AMERICAN OVERSIGHT

month earlier. The drop was biggest — 4.3% — in the Southeast. 'As we near the end of January, it's clear that the national labor recovery is still struggling to return from the slow holiday season,' said David Gilbertson, vice president at UKG.

The data firm Womply reports that as of Jan. 21 spending at local businesses is down 23% from a year earlier and that 26% are closed, including 30% of restaurants and 42% of bars. Hotels report a 51% drop in revenue.

President Joe Biden has unveiled a $1.9 trillion coronavirus plan that would provide, among other things, $1,400 checks for most Americans, which, on top of the $600 checks already being distributed, would bring the total to $2,000 per adult.

The new plan would also make available $400 a week in federal benefits for jobless Americans and extend a moratorium on evictions and foreclosures through September. Biden's proposal will require congressional approval, and congressional Republicans are already balking at its size.

'Additional fiscal stimulus and broader vaccine diffusion should support an improved labor market in the spring,' economists Nancy Vanden Houten and Gregory Daco of Oxford Economics wrote in a research note. 'But claims are expected to remain high in the near term as the pandemic continues to restrict activity, with new strains of the virus a concern.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Toggle to Graphic display. Hold for 2 seconds to lock graphic mode

Twin bills curb ACC's ability to set energy standards
Bob Christie
Arizona Daily Star
January 29, 2021

The Arizona Legislature is fast-tracking a proposed law that would strip state utility regulators of their power to require electric utilities to get more of their power from solar and other clean energy power sources.

But Republican lawmakers who control the Senate and House are not proposing to enact any standards of their own to replace those now being considered by the Arizona Corporation Commission.

Instead, GOP lawmakers emboldened by a state Supreme Court decision that called the commission's powers into question simply will bar any new requirements above the existing standards requiring utilities to get 15% of their power supply from renewable supplies by 2025. The commission has proposed requiring regulated utilities to get half their power from solar, wind and other renewable sources by 2035 and 100% from clean energy, including nuclear, by 2050. Republican Gov. Doug Ducey, who has been critical of the commission's adoption of renewable-energy standards, has backed the effort to block the commission's power.

AMERICAN OVERSIGHT

'I want to see the Corporation Commission setting rates. And I want to see the state Legislature setting energy policy,' Ducey said during an Arizona Chamber of Commerce and Industry event on Jan. 8. 'And I hope we can straighten that out this legislative session.'

On Wednesday, a Senate committee dominated by Republicans approved the proposal on a 5-4 party-line vote. A House committee approved a mirror proposal on a 6-4 vote Tuesday with no Democratic support. The votes set the identical bills on track to swiftly move to debate and passage and then head to Ducey's desk.

Democrats railed against the proposal, noting that blocking the commission's proposal means there will be no mandate to grow renewable power, which is increasingly important in controlling carbon emissions that are blamed for climate change.

'Our job should be to listen to what the people of Arizona want — they are crystal clear on this topic,' Democratic Rep. Aaron Lieberman said at Tuesday's House hearing. 'They don't get to choose their power company, but they sure want renewable energy and they like a Corporation Commission that is actually standing up and fighting for them.'

Commissioners adopted the proposed standards on a 4-1 vote in November and can vote on final rules after a public comment period closes. That vote came after an extensive review with hours of hearings and thousands of public comments. Major utilities signed off on the plan.

If the proposal now being debated in the Legislature passes as appears likely, those rules won't take effect, barring a court fight.

Republican lawmakers have adopted Ducey's mantra that the commission acted outside its constitutional authority when it enacted the 15% mandate in 2006 and in proposing the new rules.

'It confirms the Corporation Commission's intended function at inception,' GOP Sen. Sine Kerr said at a hearing Wednesday. 'That is, exercising ratemaking authority to protect captive consumers against corporate abuse, while restoring the Legislature's paramount authority to regulate the public health, safety and welfare as recently affirmed by the Arizona Supreme Court.' In that unrelated July 2020 Arizona Supreme Court ruling, the high court took pains to decipher the complicated history of legal rulings about the commission's power. The ruling noted that setting rates was a power granted by the state constitution when the framers created the commission, but other authority it held was only with the permission of the Legislature.

Democratic Sen. Kirsten Engel said the GOP proposal was twisting the logic of the state Supreme Court ruling because it wasn't proposing any health and safety standards.

'This is all about preempting their permissive authority,' Engel said.

Two commissioners, Democrats Anna Tovar and Sandra Kennedy, presented testimony in oppositon to the plan at the hearings, with Kennedy calling the plan 'constitutional overreach.' The Republican who opposed the new energy standards in November, Commissioner Justin Olson, backed the legislative proposal, saying the commission had been overstepping its bounds.

AMERICAN OVERSIGHT

The plan to strip the commission's power was opposed by environmental groups and some business interests. It received backing from small-government groups such as the Goldwater Institute and the Free Enterprise Club.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

US economy shrank 3.5% in 2020, the largest decline in 74 years

Martin Crutsinger
Arizona Daily Star
January 29, 2021

Stuck in the grip of a viral pandemic, the U.S. economy grew at a 4% annual rate in the final three months of 2020 and shrank last year by the largest amount in 74 years.

For 2020 as a whole, a year when the coronavirus inflicted the worst economic freeze since the end of World War II, the economy contracted 3.5% and clouded the outlook for the coming year. The economic damage followed the eruption of the pandemic 10 months ago and the deep recession it triggered, with tens of millions of Americans left jobless.

Thursday's report from the government estimated that the nation's gross domestic product — its total output of goods and services — slowed sharply in the October-December quarter from a record 33.4% surge in the July- September quarter. That gain had followed a record-shattering 31.4% annual plunge in the April-June quarter, when the economy sank into a free-fall.

The outlook for 2021 remains hazy. Economists warn that a sustained recovery won't likely take hold until vaccines are distributed and administered nationwide and government-enacted rescue aid spreads through the economy — a process likely to take months. In the meantime, millions of Americans continue to struggle.

On Thursday, for example, the government reported that while applications for unemployment benefits declined last week, they remained at a historically high 847,000, evidence that companies keep cutting jobs as the pandemic continues to rage. Before the virus erupted in the United States in March, weekly applications for jobless aid had never topped 700,000, even during the Great Recession.

Even as the economy shrank last year, the stock market managed to rise sharply, with the S& P 500 index gaining 16%. The disparity between the two reflected a time-tested adage: The stock market is a forward-looking indicator, with investors focused on prospects for future corporate profits and economic health rather than on the current state of the economy.

So even as the economy was sinking last year, investors looked ahead to hopes for vaccines and government aid and to solid company profits, especially among tech companies, which drove last year's gains. The pandemic's blow to the economy early last spring ended the longest U.S. economic expansion on record — nearly 11 years. The damage from the virus caused the GDP to contract at a 5% annual rate in last year's January-March quarter. Since then, thousands of businesses have closed, nearly 10 million people remain out of work, and more than 400,000 Americans have died from the virus.

The government's report Thursday was its first of three estimates of growth last quarter; the figure will be revised twice in the coming weeks. The report showed that consumer spending, which accounts for

AMERICAN OVERSIGHT

about 70% of the economy, slowed sharply last quarter to a 2.5% annual gain from a 41% surge in the July-September quarter.

Last quarter's economy was instead driven in part by business investment and housing, which has been a star performer during the past year, reflecting record- low mortgage rates and a demand for more household space. Housing grew at a sizzling 33.5% annual rate, business investment at a 13.8% rate. Government spending, though, shrank at a 1.2% rate last quarter. State and local governments

have started to resort to layoffs in response to falling tax revenue.

The estimated drop in GDP for 2020 was the first such decline since a 2.5% fall in 2009, during the recession that followed the 2008 financial crisis. That was the deepest annual setback since the economy shrank 11.6% in 1946, when the economy was demobilizing after World War II.

The GDP report showed that former President Donald Trump ended his presidency with GDP averaging annual gains of 1% during his four years. That was lower than the 1.6% annual GDP gains during the Obama administration, a period that also included a recession.

In the coming months, as vaccines become widely distributed and administered, growth is expected to revive.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Survey: Ariz. Democrats more likely than Republicans to get virus vaccine

Howard Fischer
Arizona Daily Star
January 29, 2021

Nearly a month after vaccines have become available here, a quarter of Arizonans remain unwilling to get inoculated against COVID-19. And there is a political component to all of this.

A survey by OH Predictive Insights finds that those who identify as Democrats are more likely to roll up their sleeves for a vaccine approved by the federal Food and Drug Administration than Republicans. Just 17% of Democrats told pollster Mike Noble they have no intention of getting inoculated versus 29% of Republicans.

Still, the numbers in the survey conducted earlier this month show some progress. When Noble last ran the poll in September, before there was an approved vaccine, 38% of Arizonans said they wouldn't take it, even if offered for free.

But the director of the Arizona Public Health Association said that the 25% overall refusal rate that remains among Arizonans, even after inoculations have started, could delay the state reaching 'herd immunity.' That's the point at which sufficient people have either been vaccinated or already have contracted the virus to prevent wholesale spread among those who have not.

And Will Humble said this could become even more crucial now that new more contagious strains of the virus are beginning to pop up in the United States.

AMERICAN OVERSIGHT

Noble's poll shows much of the attitude about getting inoculated is linked to how much risk anyone Arizona Public Health Association Director Will Humble said that the 25% overall COVID-19 vaccine refusal rate that remains among Arizonans, even after inoculations have started, could delay the state reaching 'herd immunity.'

He found that 68% of those who are extremely or moderately concerned about contracting COVID-19 are willing to get vaccinated. By contrast, 44% of those who express only slight or no concern will agree to inoculation.

And that, Noble found, has a high correlation with politics: Fewer than half of Republicans say they're concerned, versus 82% of Democrats.

'Probably, a lot of that's tied back to the former president,' Humble said. 'He has made many statements suggesting that this was not a serious thing in terms of public health. And there are so many people who see him as an oracle of knowledge that they adopted what he has said.'

There have been efforts to convince people about the safety and effectiveness of the vaccine.

'Gov. (Doug) Ducey wants Arizonans to get vaccinated,' said C.J. Karamargin, press aide to the Republican governor. 'When it's his turn, the governor will be getting the vaccine.'

Ducey has in some ways staked his reputation in fighting the virus on people getting vaccinated.

He has refused to implement new mitigation measures and restrictions on individual and business activities even as the state entered a second wave of infection, relying on the virus being tamped down by Arizonans getting inoculated.

Through Wednesday, the Arizona Department of Health Services reported 459,399 individuals had received just their first of two doses. Another 85,533 had gotten both shots.

'It is, as the governor has said many times, the light at the end of the tunnel,' Karamargin said.

Steve Elliott, Health Department spokesman, said one thing that may build confidence is as more people get inoculated, they share their stories.

'Arizona will have large numbers of influencers sharing that the vaccines are safe and effective,' he said.

The agency will also have its own campaing explaining the benefits.

But Humble said none of that may matter among people who, vaccine safety or not, don't see COVID-19 as a risk.

'For people of a certain age that have established their opinion about this, I don't think there's much that can shift them short of perhaps former President (Donald) Trump sounding the alarm,' he said.

Noble agrees, suggesting that much of the change has to start at the national level but that it goes all the way down the chain.

AMERICAN OVERSIGHT

'It hinges very much on Republican leadership talking about the virus and the issues in order to ultimately mitigate or change perceptions of COVID among the GOP,' he said.

All that leaves the question of whether Arizona can reach herd immunity.

The good news, Humble said, is that COVID-19 is not as communicable as measles.

That disease, he said, requires a 95% vaccination rate to keep it from spreading like wildfire. And while there are families that decide not to vaccinate their children, 'the families that do vaccinate their kids carry the load.'

The same is true, Humble said, of what will happen with the coronavirus.

'Those of us who do get the vaccine are going to carry the load and those who have been infected,' he said. 'That's going to take us halfway to herd immunity.'

Still unclear, though is at what point the state and the country get there.

'What we had believed is that we needed to get to 65% to 70%,' Humble said. But that was before the virus started mutating into new, more contagious strains, with the UK variant believed to be 40% more transmissible.

'That might move our herd immunity up to 80%,' he said.

Humble said one other problem of getting to that point goes beyond personal desires.

He said it appears that many of the people who have managed to get appointments are those who may be more educated and affluent — and capable of navigating confusing websites and getting the slots as they have opened up.

'Well, if you're a working person or if you don't have good Wi-Fi or a new computer or any of the above, you missed your opportunity to get that February appointment,' Humble said.

'And even if you did get an appointment, these are mostly drive-up pods,' he said, further exacerbating the disparity between the haves and the have-nots.

The online opt-in survey of 1,022 individuals was conducted from Jan. 11 to Jan. 18 from a statewide voter registration sample and was weighted to reflect gender, region, age, party affiliation and ethnicity. It has a margin of error of 3.1%.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Pascua Yaqui win water funds, first of $150M for AZ projects

Sarah Oven
Arizona Daily Star
January 29, 2021

Pascua Yaqui Council members called it 'a blessing.'

AMERICAN OVERSIGHT

They were talking about $900,000 in federal funds that will be used to bring water to the tribe's lands for irrigation, the first fruits of an effort last year by members of the state's congressional delegation to win $150million in federal funding for water projects around the state.

'Water is sacred to a lot of tribes and a lot of Arizonans. For us, it's a blessing,' Pascua Yaqui Chairman Peter Yucupicio said at a news conference Tuesday announcing the funding. 'We started looking at this, and we said, 'This will help us now and in the future.' ' The money comes from an Army Corps of Engineers fund dedicated to water infrastructure projects in Arizona. Under the bill, local governments can enter into agreements with the corps for water, wastewater treatment, environmental restoration and other projects. The Army would pay 75% of the cost of the project, and the local government would assume all operating costs once the work was completed.

The $150 million Arizona fund has no time limit and is available until all the money is spent. Rep. Greg Stanton, D-Phoenix, who was the lead sponsor of the measure, said it is based on similar programs that other states have enjoyed.

'The 75/25 cost-sharing model is the same as other states that benefit from this program,' said Stanton during Tuesday's news conference with Pascua Yaqui officials. 'Arizona will now be able to benefit from this existing program, and we're adopting the cost-sharing models that were already in place.'

The program started as a bill sponsored last spring by Stanton and four other Arizona House members, before it was rolled into a larger water-funding bill over the summer. Stanton ultimately got language from the bill incorporated into a 5,593-page budget bill that included the $900 billion COVID-19 stimulus package signed Dec. 27 by then-President Donald Trump.

The Pascua Yaqui project is not mentioned in the bill, which does specify several other projects in the state, including the Tres Rios wetlands and flood management projects for Rio de Flag, Tonto Creek, the Little Colorado and lower Santa

Cruz rivers, among others.

According to Stanton's office, the Pascua Yaqui reservation has no surface water or groundwater wells and gets its drinking water from the city of Tucson. But growth on the reservation is expected to stretch the supply of potable water to its limits. The plan to pipe in non-potable water from the Central Arizona Project for irrigation on the reservation is designed to relieve pressure on the drinking water supply.

'This project is a component of the tribe's efforts to protect and preserve its water to meet the growing needs across the entire reservation, and I am so excited that this will be the first project in Arizona to receive these critically important funds,' Stanton said Tuesday.

Tribal officials said they have been worrying for some time about how to meet their future water needs, and that Tuesday's announcement was 'a great day to really take a breath of fresh air.'

'We also have communities from Scottsdale, Guadalupe and all the way down the freeway from here, the reservation. We cannot ignore it,' Yucupicio said.

'If some day they all decide to move to the reservation then, you know, we're in trouble,' he said. 'But this is certainly helpful.'

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Lawmakers push legislation targeting intentional acts of food contamination

Howard Fischer
Arizona Daily Star
January 29, 2021

Doing something gross with food that isn't yours in hopes of getting social media hits could soon land you behind bars.

With only one dissenting vote, the Senate Commerce Committee voted Wednesday to make it a crime to intentionally contaminate food, drink, water or other products intended for consumption by another person.

Just the act itself would be a Class 2 misdemeanor, carrying up to four months in jail and a $750 fine.

But if someone else actually eats or drinks the product, the offenders are looking at up to six months in jail and up to $2,500 in financial penalties. And that same law would apply if the damage is more than $1,000, whether in food that needs to be tossed or loss of business for an establishment.

What this is all about is internet fame: Do something outrageous, post it online and then challenge other people to duplicate it.

Last year it was the Blue Bell Challenge which started with a girl taking a video of herself at a Texas store removing a container of ice cream off the shelf, licking it, and putting it back. Others followed suit and posted their own videos.

Sen. T.J. Shope, R-Coolidge, co-owner of the grocery store that bears his family name, said it has moved on from that.

'We've seen any number of viral challenges dealing with contaminating food products,' he said. He's not the only one.

Dan Bogert, chief operating officer at the Arizona Restaurant Association, told lawmakers of an incident two years ago when two individuals entered a restaurant.

'As the staff was attempting to refill the dispenser for the drink machines, these individuals taped themselves spitting into that ice bucket and then posting it on Facebook,' he said.

Bogert said the staffers saw what was happening, discarded the ice and sanitized everything.

Only thing is, the now-posted video was geotagged with the location of the restaurant. Bogert said it saw a huge decline in customers, 'upwards of tens of thousands of dollars' they lost over the next several months.

Sen. Sean Bowie, D-Phoenix, said he's not sure this activity merits creating an entirely new crime. And Sen. Tony Navarrete, D-Phoenix, said that perhaps a public education campaign might be more

AMERICAN OVERSIGHT

appropriate. But that idea drew criticism from Sen. Michelle Ugenti-Rita, R-Scottsdale, who said the idea that people shouldn't contaminate food is 'an absolute no-brainer.'

'I don't think you should put $2 into a public awareness campaign to tell people to stop licking ice cream that they grabbed out of a freezer that they are in the grocery store of and haven't purchased,' she said.

'If you don't know that, I'm concerned for you on a variety of different levels,' Ugenti-Rita said. 'It's disgusting.'

Sen. Tyler Pace, R-Mesa, said he understands the issue Shope is trying to address.

But he said the measure is crafted so broadly that it would make criminals not just someone in a grocery store or restaurant contaminating food for many others but also pull in others, perhaps 'friends who are no longer friends in high school and one spits in the friend's drink.'

'Obviously, that is wrong,' Pace said. 'But there's a difference between a restaurant or a place, or a couple, people who are making a bad choice.'

Sen. J.D. Mesnard, R-Chandler, also said that perhaps there should be different penalties based on not just what occurred but efforts to publicize it.

'An isolated incident where someone comes in and spits in whatever, it's gross and in the era of COVID certainly we're all much more sensitive,' he said. 'It's a form of vandalism and they should be punished.'

The 8-1 vote for the measure, with Navarrete dissenting, sends the measure to the full Senate.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Bill requires doctors to disclose breast augmentation risks

Howard Fischer
Arizona Daily Star
January 29, 2021

Women considering breast enhancement surgery in Arizona would get more information about what could go wrong under the terms of legislation given preliminary Senate approval on Thursday.

SB 1001 says that beginning next year doctors must provide women with the risks of the implants used in breast augmentation surgery. That also would include all the materials that manufacturers provide, including any warning requirements from the federal Food and Drug Administration.

A final roll-call vote will send it to the House.

Sen. Michelle Ugenti-Rita, R-Scottsdale, said she agreed to sponsor the measure after a constituent told her the story of having serious medical problems related to the implants. The woman was hospitalized and ultimately had to have them removed.

But Ugenti-Rita said this isn't some isolated incident.

AMERICAN OVERSIGHT

'There are thousands of women across Arizona and the country who do experience almost an adverse reaction, like an allergic reaction, if you will,' she said.

Ugenti-Rita said that should not be a surprise.

'If you can imagine putting something in your body that's foreign, not everyone responds to it the same way,' Ugenti-Rita said. 'On top of that, these implants are made from chemicals and compounds that are really not designed to be in your body.'

The measure also has the backing of Robyn Towt who had a double mastectomy in 2017 after

being diagnosed with breast cancer.

Towt has become a major proponent of the measure, which failed to clear the Legislature last year, telling lawmakers that her doctor told her the implants 'were perfectly safe.'

But the result, she said, was 'extreme health issues' which resolved themselves after she had them removed four months later.

Testifying this year to members of the Senate Health Committee, Towt told lawmakers there is now even more reason for them to act in ways to protect women. She pointed out that the FDA last year implemented a 'black box' warning to inform patients that implants have been associated with development of a type of cancer of the immune system.

This legislation seeks to go further.

It specifically requires the medical boards that oversee physicians to not only provide a description of the risks of the surgery and the implants, but to develop a checklist that would have to be provided to patients. At a minimum, the legislation says, that list must include information of breast implant illnesses and, specifically, implant associated anaplastic large cell lymphoma, a particularly rare and fast-spreading disease.

And patients would need to be told how they can report 'adverse events' to the FDA and other programs, as well as provided information about the National Breast Implant Registry which keeps track of not only devices that are implanted but also subsequent surgeries.

Sen. Sally Ann Gonzales, D-Tucson, said she had no idea that women were not getting this information.

Gonzales said she is sensitive to the issue as a breast-cancer survivor, though she does not have implants.

'I hope that this will help in all of those going forward to make the right decision for themselves,' she said.

Sen. Nancy Barto, R-Phoenix, said this kind of legislation is overdue.

'It's really a shame that people have to be hurt before the right thing is done and patients are fully informed,' she said.

AMERICAN OVERSIGHT

'Informed consent is a basic medical process,' Barto said. 'And information is absolutely critical when women and any patient makes a decision that potentially could be life-changing.'

Arizona's SB 1001 would require that women considering breast implants be given information about what could go wrong.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

VP urges faster Ariz. vaccinations

'Bold with big solutions': Community centers, mobile units would help speed vaccine delivery, Harris says

Stephanie Innes
Arizona Republic
January 29, 2021

As of Wednesday, slightly more than 1% of Arizonans had been fully vaccinated against COVID-19, and the White House says it wants to help the state do better.

Vice President Kamala Harris and two senior administration officials told The Arizona Republic on Thursday that the American Rescue Plan legislation backed by President Joe Biden's administration would not only offer economic relief to Arizona, but it would create a national vaccine program that will create community vaccination centers and mobile vaccination units.

They said the program would provide needed support to vaccinate Arizona residents at a more aggressive pace.

"We have the challenge of course of making sure everyone understands that they are safe, that we should take some pride that there are American scientists

who actually developed the vaccine and that we want people to get the vaccine as soon as they are able and eligible," said Harris, who received her second dose of vaccine on Wednesday.

"By getting this bill passed we can then have a national vaccination program, and that is extremely important. You know that in Arizona ... the federal government has got to support states to do what is necessary to have the infrastructure and the resources and the equipment to make sure that the largest number of people are getting vaccinated as quickly as possible."

Harris made the remarks during a video conference call with senior Arizona Republic editors and reporters.

As of Wednesday, nearly 80,000 Arizona adults had received two doses of COVID-19 vaccine and 518,125 doses altogether had been administered. Arizona has a population of 7.4 million.

While Arizona's recently high number of COVID-19 cases are showing a slight decline, the percent of positive tests remains high at 17% and there are still cases running through nursing homes, said Andy Slavitt, who is the senior adviser for the White House COVID-19 response effort.

The best thing for Arizonans to do right now is to follow guidelines from the Centers for Disease Control and Prevention and to make sure that they get vaccinated, Slavitt said. The Biden-Harris administration recently increased vaccine allocations to states by 16% and has provided more transparency about how much each state will be receiving, he said.

AMERICAN OVERSIGHT

“To be candid, while we would certainly like to produce more vaccine more quickly, states also have a significant challenge in making sure that those vaccines can get administered efficiently and equitably,” Slavitt said.

“Right now, the states require a significant amount of help that would come from the American Rescue Plan. ... We are at the beginning of a monumental effort. It has never before been accomplished, but with the vice president’s leadership and the president’s leadership, we are going to be able to vaccinate 100 million Americans in 100 days and hopefully that’s just the beginning and we can do well beyond that.”

The effort to beat back the virus is “not a solo act, it needs to be an orchestra,” Slavitt said.

The states, the federal government and Congress all need to collectively reassure Americans that, “we have their backs,” he said. The states can’t be left to struggle alone and the federal government can’t act alone, either, he said.

“Despite strong efforts by Arizona and local officials to distribute the vaccine, right now just 1% of the population has been fully vaccinated and only 6.5% of people have gotten their first vaccination. So, the American Rescue Plan will help the state accelerate that,” he said. “Vaccines are only useful when they are administered to people. They cannot sit in vials on the shelf.”

How the American Rescue Plan could help Biden’s coronavirus rescue relief package would help fix problems with vaccine distribution in Arizona and across the U.S., officials told The Republic.

“We are looking at a dire, painful time in our country where there has been extreme loss — loss of life, loss of normalcy, and folks deserve to have their government in a moment of crisis such as this, to step up and rescue those who are in many ways sinking and falling, and give them the support they need,” Harris said.

“We’ve got vaccines. Now we’ve got to make sure we get the vaccines to the people and that we vaccinate as many people as quickly as possible, but that requires resources. The American Rescue plan is about saving our country with speed and at scale.”

The plan would provide $20 billion to streamline and expedite the vaccination process and help bring the country closer to herd immunity within just a few months.

“Where there is a failure, we cannot afford to give up,” Harris said. “We can actually do something about it. ... We’ve got to get relief to people as quickly as possible and this bill will do that.”

Now that the plan is in place, Congress needs to act, regardless of their party, Harris said. The American Rescue Plan is needed for the U.S. to show its strength as a nation and to regain credibility around the world, she said.

“We have big problems right now, but we also have the ability to be bold with big solutions,” Harris said. “Think about this: In less than a year, two American companies developed vaccines that are saving lives as we speak. So now we need to show the world that we can distribute those vaccines and do that rapidly, widely and equitably.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Law cuts funds for consumer protection

Andrew Oxford
Arizona Republic
January 29, 2021

A bill backed by the insurance industry and rushed through the Arizona Legislature last year will cut a source of funding for the consumer protection agency tasked with policing insurance companies, state officials have warned.

While the Department of Insurance and Financial Institutions routinely inspects insurers' finances, new legislation means it can no longer pass on all the costs of those inspections to insurance companies, as it has in the past.

That change in policy may save those companies money but comes even as the department's director describes the department as operating with "bare-bones staffing."

"If the Department lacks the resources to identify systemic violations in insurer conduct, or problems with insurer financial conditions, all Arizonans suffer the consequences," Evan G. Daniels, director of the Department of Insurance and Financial Institutions, wrote in a budget request to Gov. Doug Ducey.

The change is just one of several tweaks to state insurance laws approved by the Legislature and signed by the governor in a sprawling 265page bill last year.

The bill's complexity was the butt of jokes among lawmakers, and the only people who spoke in favor of it were insurance industry lobbyists.

The bill's sponsor, Sen. David Livingston, R-Peoria, described the bill to colleagues as continuing with the merger of two state departments and cleaning up existing law.

"This is a bill we've been working 18 months on," he told the Senate Commerce Committee in a February 2020 hearing.

"Last year, we passed the bill that consolidated the Department of Insurance, Department of Financial Institutions and auto theft into the new department — DIFI. And this is a continuation bill of putting that into effect ..."

But the bill added two sentences to existing law that limit how the department can fund its work monitoring the finances of insurance companies.

Costs estimated at more than $600K

The work is tedious and often requires the state to hire outside special-ists, but it can catch mistakes and other problems inside insurance companies that end up costing consumers.

In the past few years, for example, the department caught a claims processing problem that led to a company erroneously balance billing patients for health care costs.

AMERICAN OVERSIGHT

The insurer had to pay back about $2.7 million to consumers who were overcharged and to health care providers, who were underpaid for their services as a result of the error.

The new law limits regulators to collecting the direct costs of examinations, such as the cost of paying examiners contracted by the state and their travel expenses.

The department has passed on other costs of this oversight to insurers, though, such as the cost of reviewing and targeting examinations. These are classified as indirect expenses.

In the budget request, Daniels said such indirect costs in the next budget year are expected to total about $660,000 and said the agency already has the lowest per capita staffing level of insurance departments around the country.

A spokesperson for the department said that estimate may decrease, as officials could reclassify some indirect expenses as direct expenses.

And the fund for examinations has enough money to absorb the change in the next fiscal year, which starts in July.

The department does not anticipate a reduction in staff or service connected to examinations.

But Daniels suggested the Legislature change state law again and increase certain fees on insurers.

Harvey Rosenfield, founder of the group Consumer Watchdog, cautioned that undercutting funding for such oversight could make such work more reliant on the state budget, putting more in the hands of a political process.

But he warned that undercutting the department's sources of funding could cost consumers through higher rates or erroneous bills.

"Every dollar in budget cuts at DIFI means dollars directly out of the pub-lic's pocket," Rosenfield said.

State Rep. Kelli Butler, D-Paradise Valley, said the department's request was troubling.

"It's pretty unusual to have a request like that and have a budget request make such a scathing commentary about their need," she said.

Ben Petersen, a spokesman for Gov. Doug Ducey, said he would not comment on pending legislation, even though there is no bill on the issue.

"What I can tell you is we will be working closely with the department to ensure it meets its statutory duties to Arizonans," Petersen said.

Livingston did not respond to a voicemail message or an email with questions about his bill. The senator has close ties to the insurance industry. Livingston previously owned a financial services business. About 30% of the donations raised by his reelection campaign and reported so far this year — about $17,000 — have come from insurance companies or lobbyists representing the industry, according to an analysis by The Arizona Republic.

AMERICAN OVERSIGHT

Livingston's bill sailed through the Senate, and the House of Representatives hurriedly voted on it before taking a long recess amid mounting public health concerns at the start of the COVID-19 pandemic. Some lawmakers raised alarms, however.

"This is a bill that is coming from insurance companies that want to write how their regulators are regulating them," Rep. Athena Salman, D-Tempe, said as the chamber voted.

Contact Andrew Oxford at andrew. oxford@arizonarepublic.com or on Twitter @andrewboxford.

"It's pretty unusual to have a request like that and have a budget request make such a scathing commentary about their need." State Rep. Kelli Butler, D-Paradise Valley

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Asylum seekers stuck in Mexico

Families grow close, await word from Biden
Rafael Carranza
Arizona Republic
January 29, 2021

Horns blared from a speaker and filled the living room with banda music. Elena Ramirez kept a close eye on the stove, occasionally stirring the few dishes cooking on the burners.

Next to her, Antonia Castillo improvised, using two large metal containers and a heavy strainer to make coffee, straining the boiling water from container to container over the sink.

"Ni que Starbucks ni nada," Ramirez said: Starbucks doesn't have anything on Castillo's coffee.

Osbaldo Estupiñan Garcia fled Cuba. U.S. border officials returned him to Nogales on Jan. 3, 2019.

"Anytime before going out, she always says, 'Let's drink coffee.' I'm really gonna miss drinking coffee with her and sharing breakfast with her," Ramirez added.

On the menu for this morning: chilaquiles in a creamy red sauce, eggs scrambled in a tomato sauce, and beans.

The two women worked seamlessly around each other. They've had plenty of practice.

Castillo fled violence in Honduras to seek refuge in the U.S., and has been in Nogales just under a year. U.S. border officials sent her with her 15-year-old daughter here, a city she had never set foot in before, under the Migrant Protection Protocols, also known as "Remain in Mexico."

Ramirez arrived in Nogales two months later, fleeing violence in the Mexican state of Guerrero after she denounced a cartel member of assaulting her. She uses an alias out of fear that the people she fled will find her here.

AMERICAN OVERSIGHT

She had also hoped to claim asylum in the U.S. But Ramirez and her 13-yearold son arrived here after former President Donald Trump's administration shut down asylum processing at the border in a bid to stop the spread of COVID- 19.

With nowhere to go and without any friends in Nogales, Ramirez turned to Castillo, who she met at a migrant aid center. At the time, Castillo had been living with two other Honduran women and their two children, who she had met on the journey to the border.

A few weeks later, the four women and their children moved into an apartment on the city's north side, just a few blocks from the border fence that separates Nogales from its twin city in Arizona. They pay what they can, usually with money from relatives living in the U.S., who are willing to take them in if they make it to the country.

Castillo and Ramirez have forged a close bond. As the two eldest in the group of nine — five women and four minors — living in the apartment, they have become motherly figures.

The two women have built a sense of community and family in a place far from home, and far from where they envision their future, in the United States.

"Each day is an adventure in this house, in this home. That's how we wait for asylum, thanks be to God," Ramirez said. "At least right now, because at first, God had to tell me 'Look, here's your new family so you can have patience, because this will take a while.'" As President Joe Biden's administration considers what to do about the nearly 70,000 asylum seekers that the U.S. government sent to Mexico under the Migrant Protection Protocols, migrants such as Castillo are already thinking of a life beyond the hardships they face at the U.S.-Mexico border.

That also means having tough conversations and the possibility of saying goodbye to people, like Ramirez, whom they have grown close to during their time in Mexico.

"I will miss her company a lot. Here we have ourselves; I tell her that we're like sisters," Castillo said.

"I would like to be able to meet up on the other side, all of us. Hoping that God will allow us to reunite and possibly give us the opportunity to even share a home on the other side," she added.

The U.S. Department of Homeland Security, in partnership with the U.S. Department of Justice, rolled out the Migrant Protection Protocols on Jan. 29, 2019, at the San Diego-Tijuana border region. It was one in a series of tools that President Donald Trump's administration implemented to crack down on asylum and unauthorized immigration at the U.S.-Mexico border.

Top officials such as former acting Homeland Security secretary Chad Wolf described it as a "game-changer." An agreement with the Mexican government has allowed U.S. border officials to send back more than 70,000 migrants to Mexico under the program, according to an analysis by the Transactional Records Access Clearinghouse at Syracuse University.

One year ago this January, the policy expanded to the entire southwestern U.S. border and the Department of Homeland Security began implementing it in Arizona. Since then, U.S. border officials have sent back 1,464 asylum seekers to Mexico through two Arizona border cities, San Luis and Nogales, government statistics showed.

AMERICAN OVERSIGHT

That includes Castillo and the other two Honduran women, Maira Sanchez and Alejandra Ramirez (unrelated to Elena Ramirez). The Arizona Republic interviewed the three just days after the U.S. sent them to Nogales, Sonora, on Jan. 27, 2020.

Alejandra Ramirez, 21, the youngest of the three, described the challenges in adapting to the frigid winter weather in the city. Her son Matias, just 8 months old at the time, was recovering from a respiratory infection.

"My son was shaking from the cold earlier and I felt very bad, so I laid down next to him and he fell asleep," she said. "But it has been difficult because where we lived it wasn't very cold, it's hot yearround."

Fast forward one year later, their situation, though still uncertain, has been a bit more stable as they've found a way to adapt, the three women told The Republic.

Originally, asylum seekers under "Remain in Mexico" were expected to attend their court hearings in U.S. border cities several weeks after they were sent back across the border. Alejandra Ramirez, Castillo and Sanchez traveled 340 miles to Ciudad Juárez for their first hearing in April, just as COVID-19 cases began to surge on both sides of the border.

By then, the U.S. government had frozen all court hearings for the Migrant Protection Protocols, so border officials gave them a notice with a new date. All hearings are postponed indefinitely, so there is a chance their upcoming hearing this March may be rescheduled again.

Migrant and human rights advocates are pushing for the Biden administration to immediately rescind the Migrant Protection Protocols and parole asylum seekers waiting in Mexico to the United States.

"There is great suffering here, there's great vulnerability here, and danger. And as a country we said we wouldn't do that, and we're doing it very intentionally. A lot of effort went into orchestrating all that suffering," said Sara Ritchie with the Kino Border Initiative, a nonprofit migrant aid center based in the twin cities of Ambos Nogales.

That is the center where Castillo and Elena Ramirez met. They provide meals, warm clothes and legal services, among other things, to deported and northbound migrants.

"What we see that is happening is that the U.S. is not upholding its very own law, and I think that is being overlooked," she added. "That is being ignored purposely. And I don't think a lot of people understand that."

For months, top officials in the Trump administration had warned against ending "Remain in Mexico" or any of the other border enforcement policies they have put in place.

Trump himself reiterated those warnings during his final visit to the U.S.-Mexico border as president on Jan. 12 .

"If our border security measures are reversed, it will trigger a tidal wave of illegal immigration, a wave like you've never seen before," Trump said, speaking next to the 30-foot wall installed by his administration in Alamo, Texas.

AMERICAN OVERSIGHT

“This will be an unmitigated calamity for national security, public safety, and public health,” Trump added.

On Biden’s first day in office, the Homeland Security Department announced it would immediately stop sending asylum seekers to Mexico under the “Remain in Mexico” policy as of Jan. 21. But the department emphasized that would only apply to new enrollments in the program.

Homeland Security officials also said they would keep all current restrictions at the border in place, for the moment. Additional details for asylum seekers already waiting in Mexico would be forthcoming, they said. “All current MPP participants should remain where they are, pending further official information from U.S. government officials.” the department said in a statement.

On his first day in office, Biden also announced a sweeping plan to reform the country’s immigration system, including boosting immigration judges and funding to tackle the asylum application backlog and resources to address the root causes of immigration in Central America, where most of the participants of “Remain in Mexico” are from.

Jake Sullivan, Biden’s incoming national security adviser, told Spanish news agency EFE in December that the administration would need time to develop the infrastructure at the U.S.Mexico border to boost asylum processing and develop COVID-19 safety guidelines before allowing any individuals waiting in Mexico to be processed at the border.

Up until Biden’s inauguration day, U.S. Customs and Border Protection, the country’s border enforcement agency,

had continued sending migrants back to Mexico under the Migrant Protection Protocols, even though hearings have been indefinitely frozen since March.

As of April, the first full month when COVID-19 restrictions on asylum at the border began, the U.S. government sent back at least 5,493 migrants to Mexico under the Migrant Protection Protocols, CBP statistics showed.

Data from TRAC showed that increasingly more of those migrants had been from Cuba, Venezuela and other parts of South America, although the program originally was intended for migrants from the Northern Triangle countries of Guatemala, Honduras and El Salvador.

Geovel Samá, 24, a Cuban migrant, was returned to Mexico through Arizona during the COVID-19 pandemic. He fled Cuba in November 2019 because his political activism against the government had led to increased repression.

He traveled to Nicaragua and then made his way north, across multiple countries, on his own. When he reached Mexico, he made his way in December 2019 to the border city of Sonoyta, across from Lukeville, because at the time they had not yet implemented “Remain in Mexico,” he said.

Samá spent several months in the area waiting for an opportunity to claim asylum at the small port of entry. But he got stuck in Sonoyta when the U.S. government implemented pandemic restrictions at the border in March.

AMERICAN OVERSIGHT

The city, which lies along a wellknown drug- and human-smuggling corridor, presented lots of risks. During his time there, a group of men robbed him of his remaining money, Samá said. He filed a police report, and that allowed him to get a humanitarian visa.

The constant exposure to extortion and violence along Mexico's border cities is one of the main reasons why migrant advocates want the incoming Biden administration to immediately end "Remain in Mexico."

In December, Human Rights First, a nonprofit human rights group, updated their list documenting instances of violence, kidnapping and extortion of asylum seekers sent to Mexico under the Migrant Protection Protocols in the past two years.

There are now over 1,300 entries. Kennji Kizuka, a senior researcher who helped compile the list remotely by reaching out to shelters, attorneys and migrants themselves, said the true number is much higher.

"The reason why we want to update it, of course, is to just have more up-todate information about what happened to people," he said. "But also in the hopes that the incoming administration will understand the gravity of the problems that they're facing, and in particular, just how dangerous the Migrant Protection Protocols have been."

Wary of those risks and the possibility that criminal groups would use force to recruit him, Samá said he crossed the border illegally into Arizona on July 10.

He walked for eight hours in the Sonoran Desert, when daytime temperatures hover over 110 degrees Fahrenheit, and without water, a situation that has contributed to the discovery of over 300 migrant remains in this particular stretch over the past 20 years, according to a mortality map managed by the nonprofit aid group Humane Borders.

"My intention was to find immigration, that is what I wanted," Samá said. "But I walked a lot because where I crossed, I'm not sure if they couldn't see me, or if it was too far. So I kept walking up because I didn't want to stay and wait."

A Pima County sheriff 's deputy eventually found him walking along a road and called the Border Patrol. He spent his 24th birthday in detention, he said. Agents sent him to Nogales under the Migrant Protection Protocols three days later.

In the city, the humanitarian visa he obtained after he was robbed has allowed him to work, and to apply for temporary residency in Mexico. Still, Samá said it's a struggle, and he depends on nonprofits like the Kino Border Initiative for support.

Over the past few months, he has closely followed election developments on social media. Biden's victory, and his promises to end the Migrant Protection Protocols have given him hope.

"I hope God allows everything to go well and that he truly does everything he promised, because it's not just me, many migrants are struggling," he said.

That hope is shared by thousands of other migrants waiting along the U.SMexico border, even though that could lead to some difficult decisions in the lives they have built in Mexico in the meantime.

AMERICAN OVERSIGHT

Osbaldo Estupiñan Garcia also fled political repression in Cuba. U.S. border officials returned him to Nogales on Jan. 3, 2020, after he spent three months waiting for his chance to claim asylum. He was among the first migrants enrolled in the Migrant Protection Protocols in Arizona.

One year later, his life had changed drastically. He spoke to The Republic from the home he has shared for the past seven months with his girlfriend, who is from Nogales, and her two children.

With the prospect of leaving Mexico soon, Estupiñan Garcia and his girlfriend have started talking about their next steps. He remains committed to seeking asylum in the U.S. and helping his family back in Cuba. His girlfriend has started looking into getting a U.S. visa.

As he waits for his day in court, whether it's from his hearing scheduled for March or if Biden acts before then, he said he refuses to lose hope.

"You never lose the faith," he said. "What does happen at certain times is that you feel demoralized. You think that it feels more difficult and farther away. You see the moment get farther away, but you know it's there, so you never lose faith."

As the incoming Biden administration moves forward in its push to overhaul the nation's immigration system, COVID-19 will remain one of the biggest roadblocks to fully ending the Migrant Protection Protocols.

Homeland Security officials made clear on Jan. 20 they would keep in place border restrictions, including Title 42. That policy has allowed the U.S. to turn back since March more than 393,000 migrants apprehended along the U.S.-Mexico border under an emergency authority from the U.S. Centers for Diseases Control and Prevention to prevent the spread of the virus, according to CBP.

States on both sides of the U.S.-Mexico border are in particularly bad shape, as the spread of COVID-19 continues unmitigated. Border states such as Arizona, California and Texas on the U.S. side, and Sonora, Coahuila and Baja California in Mexico, continue seeing significant spikes in cases.

Criteria set by the Homeland Security and Justice departments earlier in the pandemic called for the resumption of court hearings under the Migrant Protection Protocols once all 11 border states — four in the U.S. and six in Mexico — reduced the spread of the virus, which appears untenable given that infection rates continue rising.

Mark Morgan, the acting director for Customs and Border Protection, has been one of the most vocal critics of Biden's pledge to end the Migrant Protection Protocols. He told The Republic that resuming court hearings involved a challenging balance because of the virus.

"We need to look at what's happening globally with the pandemic, and so we need to be sure that the steps we're taking are methodical and thoughtful in balancing that very real issue with the global pandemic, but also the real issue that we need to reopen and start the process again," he said.

Asylum seekers can check the status of their cases, or their next scheduled court hearing, online at the DOJ's EOIR.

AMERICAN OVERSIGHT

Geovel Samá from Cuba was returned to Nogales, Sonora, in July under the Migrant Protection Protocols. With asylum processing frozen because of the pandemic, he said he will remain in Nogales until court hearings resume. NICK OZA/REPUBLIC

Automated Case Information site, or by calling an information hotline. Pending an overhaul of the program under Biden, CBP said that "when conditions are deemed safe," the Homeland Security and Justice departments will issue a public notification at least 15 days before court hearings resume, with "location-specific information" for asylum seekers.

Many migrant advocates are concerned that not all of the migrants sent to Mexico under the program will have the opportunity to have their day in court to make their claims for asylum.

TRAC data showed that 27,000 asylum seekers under the program had been regularly attending their hearings before the pandemic restrictions, while 12,000 more are waiting for their first hearing.

Others have given up and gone back to the countries they were fleeing, or moved elsewhere in Mexico in search of better economic opportunities or more safety.

Austin Kocher, a researcher with Syracuse University's Transactional Records Access Clearinghouse, said he was concerned in particular about the quality of the data and information that the U.S. federal government keeps, which could cause asylum seekers to fall through the cracks.

He pointed to issues with the family separation policy at the border, where the lack of proper data kept hundreds of parents from being reunited with their children. Over the course of his work at TRAC, Kocher said he has found all kinds of sloppiness with data management.

"One of the just really widespread issues is the government just does not care right now about the quality of its own data, of its own record keeping," Kocher said, adding that it was a disservice to the public's right now what their government is doing.

"We don't know because so many of their recordkeeping practices are either secretive, or they're sloppy. Or they're both, they're secretive and they're sloppy," he added.

Nico Palazzo, an attorney with Las Americas Immigrant Advocacy Center in El Paso, has similar concerns. He helps asylum seekers sent to Mexico under "Remain in Mexico" and says many of them either don't have access to the internet or don't know how to follow up.

Palazzo, like other immigration attorneys, has been relying on social media apps such as Whatsapp to stay in touch with clients in Mexico because of pandemic restrictions and concerns. Since March, he has successfully paroled only one individual enrolled in the program into the U.S.

Palazzo accused Trump of weaponizing the pandemic against asylum seekers and of creating a humanitarian crisis in border cities such as Juárez, which was also ravaged by virus. That has left many migrants in desperate situations, he added.

Migrant advocates have put together recommendations for the Biden administration on how to wind down the program. One of the key points Palazzo is pushing is for the government to parole more asylum seekers and release them into the custody of relatives, rather than hold them in immigration detention centers.

AMERICAN OVERSIGHT

“The fight against MPP has to be coupled against the mass detention of people who have committed no other crime than seeking asylum,” Palazzo said. “Yes, it’s great to get people of out MPP. But putting them into a detention center is not the solution, putting families in family detention center is not the solution.”

Back in their shared apartment in Nogales, Castillo and Elena Ramirez remained upbeat and optimistic as they sat down for the meal they cooked for the entire household.

Once everyone finished eating, they danced to punta — the traditional, percussion heavy music from Honduras — as Matias, now 20 months old, ran around the apartment, eliciting more laughter and smiles.

Challenges and concerns persist. For one, the three Honduran women only have temporary status in Mexico. Sanchez, who was missing on that morning, and Elena Ramirez are the only one working. And COVID- 19 remains a very real threat, on top of existing concerns over safety and security.

The four minors living in the house, the eldest of whom is now 15 years old, have missed an entire year of school. Like other migrant families waiting in Nogales, they are unable to enroll their kids in school in Mexico. Their hope is that their circumstances will change as Biden takes office.

Even Elena Ramirez, who is not enrolled in the Migrant Protection Protocols because the program does not apply to Mexicans, could also see relief. Biden has pledged to end the metering policy under which she would have to wait months before getting an asylum screening.

“Truthfully, my sense of urgency, rather than being about me is more about my son. Because there are no opportunities here. By that I mean safety, which is what I’ve come here seeking,” she said.

Amid such hardship over the past year in Nogales, in addition to the close ties they have forged with each other, the women have found purpose.

Sanchez in particular has been active in advocacy work at the border. She helped organize and even spoke at several rallies in Nogales, calling on the Biden administration to resume asylum processing.

“It’s important because we’re helping ourselves, and because we make ourselves heard, in case they forget about us or they don’t remember that they implemented this policy and they have us waiting here, separated from our families,” she said. “So through marches and through the work of reporters, we’re making ourselves heard.”

Now that Biden has taken office as the new president of the U.S., Sanchez and the women she’s grown close to vowed to keep the pressure on him until he keeps his word.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Apache County officials sued for not providing records on jail voting

Lauren Castle
Arizona Republic
January 29, 2021

The Apache County sheriff and recorder were hit with a lawsuit on Thursday after not responding for nearly a year to public records requests on how eligible inmates in jail have access to vote.

The Arizona Coalition to End Jail-Based Disenfranchisement studies access to elections among eligible voters in correctional facilities. The Campaign Legal Center, a partner of the coalition, began requesting public records in March from all of Arizona's 15 sheriffs and recorders to understand what voting procedures were in place for those incarcerated in jails and how many inmates had voted.

The coalition produced a report in July with the information it had received. However, not all sheriff 's offices and counties complied with the public records requests. The Campaign Legal Center continued its public records requests and used the information to produce reports on the August primary and November general election.

After not receiving the records from four recorders and three sheriffs, the Campaign Legal Center and the American Civil Liberties Union of Arizona sent demand letters last

week warning them of a potential lawsuit.

Dana Paikowsky, Equal Justice Works fellow for the Campaign Legal Center, said it has seen a constant problem of no transparency or responsiveness with its requests for almost a year.

"It has hindered the coalition's ability to do this really important oversight work and advocacy work to serve voters in jail," she said.

Sheriffs and recorders in Maricopa County and Yuma County complied with the demand letter. The Pima County Recorder's Office told the groups it would let them know when the records were coming.

However, Apache County never responded to the requests, according to the ACLU of Arizona.

The lawsuit was filed in Apache County Superior Court by the Campaign Legal Center and the ACLU of Arizona.

The county did not immediately respond to The Arizona Republic's request for comment.

Disenfranchisement inside jails among eligible voters is a common occurrence across the country including in Arizona, according to advocates.

One of the biggest reasons eligible voters in jails can't vote is because officials don't understand the law, according to Prison Policy.

The Arizona Secretary of State's Office addressed election procedures for inmates in jails in its 2019 Elections Procedures Manual for the first time. Counties are required to coordinate with the recorder's office, sheriff, public defenders and others to make plans and hold elections.

AMERICAN OVERSIGHT

Not every person incarcerated in Arizona loses the right to vote once in custody.

Many people in jail are waiting for their trials and do not have felony convictions. Therefore, they are eligible to vote.

According to a 2016 report by The Sentencing Project, at the time there were an estimated 13,970 people incarcerated in Arizona jails and only 1,341 of them were not eligible to vote because of felony convictions.

"I think it is important to remember when we are talking about the group of people who are most likely to be jailed, we are talking about those who are historically, disproportionately marginalized voters," Paikowsky said.

People of color, low-income people or people who lack access to education are disproportionately incarcerated and may face voter suppression.

People who are convicted of a misdemeanor keep their right to vote.

Voting rights restricted for felony convicts

According to The Sentencing Project, Arizona is one of 11 states with the toughest laws on restricting voting rights of people with convictions.

Once people are convicted of a felony and enter an Arizona prison, they lose their right to vote while they are in custody. Their civil rights may be restored when they are released.

There were 6.1 million people in the United States who did not have the right to vote because of a felony conviction in 2016.

It is estimated that 221,170 people do not have the right to vote in Arizona because of felony convictions, according to The Sentencing Project. Out of that population, 25,492 are Black.

If a person has only one felony conviction, they can have their civil rights restored automatically once they have completed probation or paid restitution.

A person with two or more felonies must petition the trial court that sentenced them to have their civil rights restored.

People sentenced to serve probation for life will not have their rights restored.

The Campaign Legal Center sent three public records requests to the Apache County sheriff and recorder offices starting on March 30.

According to the court records, county officials have not provided any explanation on why the documents are being withheld.

"Apache County Sheriff's Office and Apache County Recorder's Office have escaped public oversight for too long," the lawsuit stated. "Intervention from this Court is necessary to ensure that Defendants comply with the law and furnish the requested records immediately."

AMERICAN OVERSIGHT

Jared Keenan, a lawyer for the ACLU, said Arizona's public records law is important because it allows the public to know what officials are doing and hold them accountable.

"The ACLU is seeing, time and time again, government agencies just completely ignoring their duty to produce public records in a timely way which undermines the public trust in these institutions," he said.

In its reports on voting protocols inside the jails, the coalition gives ratings for each county. It gave Apache a "C" in its July 2020 report, but did not give it a rating in its September report because of the county not providing the public records.

The coalition stated in its July report that Apache County had strong voting and voter education tools in place during that time but lacked meaningful registration procedures.

According to the U.S. Census Bureau 2019 estimate, the county population is 75% Native American, 22.3% white, 0.6% Black and 0.5% Asian.

The coalition's July 2020 report documented a story of a man who was incarcerated in a Maricopa County jail in 2018. According to the man, he did not receive an absentee ballot for that year. The Recorder's Office told The Republic in August his ballots for the primary and general elections were mailed to the jail.

For the 2020 election, the Maricopa County Sheriff and Recorder offices worked on new initiatives to spread awareness on the eligibility to vote and prevent events from previous years.

However, the Campaign Legal Center and the ACLU continued to receive complaints from inmates on trying to vote during the 2020 election year.

Multiple inmates claimed they were denied pens from MCSO officers. A voter registration form is required to be completed with a pen if it is filled out offline.

The Elections Department told The Republic on Thursday it did not receive any complaints from inmates about the general election.

One inmate described the voting registration process as "stonewalling," according to the ACLU. He had to complete three registration forms before he was finally registered.

In March, a free phone line was created to connect inmates to the Early Voting Center inside the Elections Department. Inmates are able to call the line if they need special assistance or have questions.

According to an inmate, it took him weeks to inquire about his voter registration status. When he was on the phone with an elections office employee, an MCSO officer made him get off the phone and said the call needed to be done earlier in the day, according to the inmate.

The ACLU said some inmates reported MCSO officers provided false information about their voter eligibility or directed them to voting information that didn't exist.

AMERICAN OVERSIGHT

The Recorder's Office told The Republic in August it was providing the jails information to be downloaded on the inmates' tablets. It was the same educational materials and resources provided to the general public.

Return to the table of contents

2 escaped Florence prison inmates captured

Delaney White
Arizona Republic
January 29, 2021

Two escaped Florence prison inmates were captured and back in police custody, officials confirmed Thursday.

Upon capture, the men looked exhausted, weak and bloodied and wore ripped, dirty clothing.

The Coolidge Police Department received multiple calls about 9 a.m. Thursday from citizens about the prisoners, David T. Harmon and John B. Charpiot.

Two of the citizens said they believed they saw Harmon and Charpiot, the inmates who escaped from "medium custody" in the Arizona State Prison Complex in Florence last Saturday.

Coolidge Police Department said it was just eight minutes from call to capture. The men were in custody awaiting transport back to the Arizona Department of Corrections, Rehabilitation and Reentry as of Thursday afternoon.

A preliminary investigation revealed the men had breached the prison's fence line by using tools they retrieved from the prison's tool room, prison officials said. It was unclear when they retrieved the tools.

Shortly after escaping, the two men tried to rob a business in Florence on Saturday, according to the Arizona Department of Public Safety.

At a news conference on Thursday, authorities reported that the two inmates were back in custody within 110 hours, or about four and a half days. Authorities searched more than 800 houses over the last 16 hours during efforts to locate them.

On Thursday, five deputy U.S. marshals from Tucson went to Coolidge to work on an unrelated case when a Coolidge resident called to report a disturbance in a nearby cotton field, according to U.S. Marshal David Gonzales. Coolidge is about 10 miles southwest of Florence.

The deputy marshals went out to the field to investigate. They noticed people in the field and established a perimeter, Gonzales said.

The two inmates tried to run away, but they were in poor physical condition. They did not follow directions from law enforcement, and officers used a Taser to take both of them into custody, Gonzales said.

AMERICAN OVERSIGHT

The men told law enforcement, "Just shoot me," after being captured, officials said during the news conference.

The investigation is ongoing while authorities continue to look into where the men were during the last few days and what allowed them to escape.

A reward of $35,000 per escapee was offered for information leading to the arrest of the men. The process of rewarding money to the people who called in the tips leading to the arrest is ongoing, according to the state Department of Public Safety.

Charpiot was serving 35 years in prison and Harmon was serving 100 years, according to the Arizona Department of Corrections, Rehabilitation and Reentry.

Charpiot was imprisoned in 2011 after he was convicted in Maricopa County of molestation of a child and sexual abuse and sentenced to 35 years, the department said.

Harmon was imprisoned in 2012 after he was convicted in Maricopa County of kidnapping and second-degree burglary charges and sentenced to serve 100 years, the department said.

In 1992, Harmon was convicted in Maricopa County of escape in the second degree, according to the department's online records. He's had multiple convictions since 1987, including attempt to commit sexual assault and attempt to commit kidnapping, records show.

"This was an event that struck fear in several of our nearby close-knit communities," Coolidge Police Chief Harry Grizzle said in a statement. "We are thankful that no one was seriously injured during the apprehension."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

State GOP is asked to audit Kelli Ward's reelection as chair

Yvonne Wingett Sanchez and Ronald J. Hansen
Arizona Republic
January 29, 2021

After months of sounding the alarm on what she claimed was a stolen presidential election, Kelli Ward is facing questions about her own reelection Saturday as Arizona Republican Party chair.

Sergio Arellano, the southern Arizona businessman who narrowly lost to Ward in a runoff, has asked state party officials for an audit of the election results, said Kim Owens, a Republican consultant who is serving as his spokeswoman.

So far, that hasn't happened, adding to a growing sense of angst among GOP activists that the election had problems.

"This isn't about the chairman's race, this is about election integrity," Arellano said in a written statement provided by Owens to The Arizona Republic.

AMERICAN OVERSIGHT

In a statement issued hours later to the newspaper, Arellano said he did not expect the audit to lead to a reversal of wins for Ward and others.

Neither Ward nor other state party officials could be immediately reached for comment.

Doubts about the results of the chair's race started to swirl after the announced winner in another race, for the at-large committee member from the 8th Congressional District, was informed she had lost. Arellano said that error "created an environment where a number of state committeemen are raising concerns and asking me to ask for an audit because only a candidate for party office can do so. So I've done that and we're waiting for a response that lays out the when, where, and how of that process. I anticipate the State GOP will do a solid job here and provide election officials around the state with an example of how to conduct a timely audit and how important ballot security and paper backups are."

The elections played out Saturday at the party's annual meeting, an event that was closed to most of the media and drew rare national attention because of the deep division over whether Ward should guide the party for another two years after Arizona voters backed President Joe Biden and Democratic Sen. Mark Kelly.

Owens said that on Tuesday, Arellano and the two other Republicans who challenged Ward, sent another request asking for the audit to take place on Thursday. That request, which called for witnesses, had not generated a response as of Wednesday evening, she said. Owens declined to provide the letters.

Ward, a controversial figure who gained national attention for claiming the 2020 presidential election was stolen from former President Donald Trump, won her reelection bid by 42 votes after the election went to a runoff against Arellano. Trump endorsed her reelection.

Owens said of the challenge: "This is not about one person or one race, it's about the integrity of our elections. With the absence of the tapes from the machines or any documentation of where votes came from, and in most races, a lack of numbers, of tallies, we need to see evidence that everything is as it should be."

The race for chair isn't the only one in question.

Sandra Dowling, who ran for an at-large committee position in the 8th Congressional District, initially was announced as a winner, she said. She had left the meeting by the time the winners were announced.

"I start getting phone calls from everybody and their neighbor saying 'Congratulations, Sandra, you won, you won, you won,' " she recalled.

Ward told her friend after the meeting that Dowling had not won and blamed the mistake on "human error," she said.

Ward's reelection was considered nearly a foregone conclusion ahead of the race weeks ago, but many in the GOP had misgivings that Biden had carried Arizona and Republicans lost a longtime GOP-held Senate seat to Democrats during the 2020 cycle.

Those concerns only grew after the deadly riot at the U.S. Capitol on Jan. 6. That happened on the day that most GOP lawmakers voted to set aside election results in Arizona and Pennsylvania. Ward had

AMERICAN OVERSIGHT

been a prominent voice on social media and at post-election rallies in Arizona claiming they needed to "Stop the Steal."

Heading into the midterm elections, Republicans are looking to fortify the party's standing in a state they fear is slipping away from them.

In an unusual move, the Arizona Republican Party barred most reporters from attending the election portion of the statutorily required meeting. The election took place away from public view at Dream City Church.

Reach the reporter on Twitter and Facebook. Contact her at yvonne .wingett@arizonarepublic.com and 602-444-4712.

Subscribe for free to The Gaggle political podcast on Apple Podcasts, Overcast, or wherever you listen to audio content.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona approaches 13K known COVID-19 deaths

Alison Steinbach
Arizona Republic
January 29, 2021

Arizona reported more than 4,600 new COVID-19 cases and 176 new known deaths on Thursday as hospitalizations for the disease continued gradual declines but the state ranked first nationwide for its weekly COVID-19 case and death rates.

In about one year since the first case was announced in Arizona, a total of 743,232 COVID-19 cases have been identified across the state. As of Thursday, 12,819 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

Arizona's seven-day, new-case average ranked first among all states on Wednesday, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the last seven days was 92.1 cases per 100,000 people, per the CDC. The U.S. average for new cases was 50.2 cases per 100,000 people.

Arizona on Friday surpassed 12,000 known deaths from the virus, just one week after it passed 11,000, which came six days after the state reported 10,000 deaths. Arizona's first known death from the disease occurred in mid-March.

The Arizona data dashboard shows 91% of all ICU beds and 91% of all inpatient beds in the state were in use Wednesday, with 57% of ICU beds and 47% of non-ICU beds occupied by COVID- 19 patients. Statewide, 155 ICU beds and 746 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 4,087 on Wednesday, below the record 5,082 inpatients on Jan. 11.

AMERICAN OVERSIGHT

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 1,023 on Wednesday, below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 692 on Wednesday, below the recordhigh 821 reached on Jan. 13.

Wednesday saw 1,829 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Thursday's numbers Reported cases in Arizona: 743,232.

Cases since the outbreak began increased by 4,671, or 0.63%, from Wednesday's 738,561 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 462,580 in Maricopa, 99,441 in Pima, 41,829 in Pinal, 34,762 in Yuma, 18,741 in Mohave, 16,025 in Yavapai, 14,998 in Coconino, 14,178 in Navajo, 10,324 in Cochise, 9,472 in Apache, 7,383 in Santa Cruz, 5,900 in Gila, 4,872 in Graham, 2,211 in La Paz and 516 in Greenlee, according to state numbers.

The Navajo Nation reported 27,887 cases and 989 confirmed deaths in total as of Wednesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 9,704 inmates had tested positive for COVID-19 as of Wednesday, including 1,907 in Tucson, 1,852 in Yuma, 1,580 in Eyman and 1,127 in Douglas; 43,455 inmates statewide have been tested. A total of 2,444 prison staff members have self-reported testing positive, the department said. Thirtyone incarcerated people in Arizona have been confirmed to have died of COVID-19, with 17 additional deaths under investigation.

Arizona's infection rate is 10,066 cases per 100,000 people, the CDC said.

The national average is 7,621 cases per 100,000 people, though the rates in states hard hit early on in the pandemic may be an undercount because of a lack of available testing in March and April.

Deaths by county: 7,271 in Maricopa, 1,706 in Pima, 691 in Yuma, 590 in Pinal, 514 in Mohave, 425 in Navajo, 371 in Yavapai, 307 in Apache, 270 in Coconino, 220 in Cochise, 183 in Gila, 144 in Santa Cruz, 65 in Graham, 56 in La Paz and six in Greenlee.

Return to the table of contents

Should you buy an at-home COVID-19 test on Amazon?

Alex Brizee
Arizona Republic
January 29, 2021

AMERICAN OVERSIGHT

Online retailer Amazon is now selling at-home COVID-19 tests as cases rise across the nation and Arizona, the state now ranked as the highest for new cases in the United States.

The saliva-based test, produced by DxTerity, is self-administered and has been authorized by the Food and Drug Administration for people who are symptomatic or asymptomatic.

The test was authorized under an emergency use authorization. So far, no home-based COVID-19 tests have been FDA-approved.

"Asymptomatic testing is essential in limiting viral spread because a person can have COVID-19 without exhibiting any symptoms of the illness," according to a Jan. 5 news release by DxTerity.

The test is designed to detect viral genetic material, but it does not test for COVID-19 immunity or detect antibodies.

The kits can be purchased individually for $110 or in a 10-pack for $1,000 and are now available on Amazon.

It is unclear whether DxTerity will sell its tests on other online marketing sites and this one appears to be the only COVID-19 test sold on Amazon.

Meanwhile, Arizona is still offering free testing.

The Governor's Office has partnered with ASU to offer testing throughout the state. Still another option is Embry Women's Health, which is currently offering free drive-thru testing 24/7 with 40 different testing locations.

According to DxTerity's website, the test can be taken unsupervised.

Regarding home-based tests, the Centers for Disease Control and Prevention advises that the specimen collection and the testing can take place in a private location such as a personal residence. A laboratory does not perform the testing.

DxTerity asks that test users not to eat, drink (even water) or chew gum 30 minutes before use, then fill the tube with salvia to the line indicated. The tube is then sealed in the provided bag and dropped off at a FedEx dropbox the same day and not on a Saturday or Sunday.

DxTerity promises results within 24 to 48 hours after the sample is received.

Whether saliva testing is as effective as nasal swab testing is still a matter of debate, but saliva-based tests are becoming more widely accepted due to ease of use and the fewer PPE

items and supplies needed for testing.

A study conducted by ARUP Laboratories and the University of Utah Health has found that saliva-based tests are just as effective as deep nasal swab testing. An additional unpublished study suggests nasal swabs done from the front of the nose might be less effective than a deep nasal swab.

AMERICAN OVERSIGHT

CNN reported last April that while saliva tests can be accurate, a molecular test using a nasal swab is considered the best option, according to Dr. Robert H. Shmerling, a senior faculty editor for Harvard Health Publishing.

In its testing, DxTerity worked with 76 symptomatic subjects using both a saliva-based tube and a nasal swab. Out of the samples, the saliva-based sampling had three false-positives, and one sample did not match with the swab test where the saliva test was negative and the swab test was positive, according to the data DxTerity submitted for emergency use authorization to the FDA.

Overall, the study found DxTerity's saliva-based test and a nasal swab test provided similar results.

DxTerity's tests have been used by multiple Fortune 500 companies, pharmaceutical organizations and entertainment groups, according to the news release.

"We have demonstrated the reliability and quality of our COVID-19 testing solution with big business and now we want to expand access to customers at home and small businesses," said Bob Terbrueggen, founder and CEO of DxTerity in the news release.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Biden opens sign-up window for uninsured

Also reverses abortion restriction on foreign aid
Ricardo Alonso-Zaldivar
Arizona Republic
January 29, 2021

President Joe Biden on Thursday ordered government health insurance markets to reopen for a special sign-up window, offering uninsured Americans a haven as the spread of COVID-19 remains dangerously high and vaccines aren't yet widely available.

Biden signed an executive order directing the HealthCare.gov insurance markets to take new applications for subsidized benefits, something former President Donald Trump's administration had refused to do. He also instructed his administration to consider reversing other Trump health care policies, including curbs on abortion counseling and the imposition of work requirements for low-income people getting Medicaid.

"There's nothing new that we're doing here other than restoring the Affordable Care Act and restoring Medicaid to the way it was before Trump became president," Biden said as he signed the directives in the Oval Office. He declared he was reversing "my predecessor's attack on women's health."

The actions were only the first steps by Biden, who has promised to build out former President Barack Obama's health care law to achieve a goal of coverage for all. While Biden rejects the idea of a government-run system that Sen. Bernie Sanders has pushed for in his "Medicare for All" proposal, his more centrist approach will require congrespending sional buy-in. But opposition to "Obamacare" runs deep among Republicans.

AMERICAN OVERSIGHT

The most concrete short-term impact of Biden's orders will come from reopening HealthCare.gov insurance markets as coverage has shrunk in the economic turmoil of the coronavirus pandemic. That's an executive action and no legislation is required.

The new "special enrollment period" will begin Feb. 15 and run through May 15. It will be coupled with a promotional campaign and a call for states that run their own insurance markets to match the federal sign-up opportunity.

Biden also ordered the immediate reversal of a federal policy that bars taxpayer funding for international health care nonprofits that promote or provide abortions. Known as the Mexico City Policy, it can be switched on or off de- on whether Democrats or Republicans control the White House. Abortion rights supporters call it the "global gag rule."

His decision, while expected, was cheered by abortion-choice advocates and some humanitarian groups and denounced by anti-abortion groups.

The move also included a restoration of American funding to the U.N. Population Fund and withdraws the U.S. from an international accord that promotes anti-abortion policies.

Biden directed the State Department and Department of Health and Human Services to withdraw from the so-called Geneva Consensus, an October 2020 document signed by 34 countries that sought to promote anti-abortion policies and others deemed "profamily" worldwide.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Virus variant from South Africa in US

Arizona Republic
January 29, 2021

A new coronavirus variant identified in South Africa has been found in the United States for the first time, with two cases diagnosed in South Carolina, state health officials said Thursday.

The cases were discovered in adults in different regions of the state and do not appear to be connected. Neither of the people infected has traveled recently, the South Carolina Department of Health and Environmental Control said.

"That's frightening" because it means there could be more undetected cases, said Dr. Krutika Kuppalli, an infectious diseases physician at the Medical University of South Carolina in Charleston. "It's probably more widespread."

The arrival of the variant shows that "the fight against this deadly virus is far from over," said Dr. Brannon Traxler, South Carolina's interim public health director.

In other developments:

AMERICAN OVERSIGHT

COVID-19 deaths of nursing home residents in New York have been undercounted by about 50% as poor infection- control practices and understaffing fuel the coronavirus crisis, state Attorney General Letitia James reported Thursday.

An investigation found the state Department of Health's controversial policy to publicly report COVID-19 deaths of residents only inside nursing homes and withhold deaths of residents transferred to hospitals hindered attempts to understand the scope of the crisis and improve conditions inside the facilities.

The true COVID-19 death toll of nursing home residents is closer to 13,000, as opposed to the 8,677 reported to date by the Health Department, according to the investigation's findings.

h Nine Roman Catholic nuns in southern Michigan have died this month due to a COVID-19 outbreak at their retirement home, which had gone for months without a single case, a spokeswoman said Thursday. The women lived at the campus of the Adrian Dominican Sisters in Adrian, 75 miles southwest of Detroit.

COVID-19 has been cited in the deaths of dozens of retired or infirm nuns who lived in congregate settings in the U.S. Eight nuns in suburban Milwaukee died of virus complications in one week in December.

h As the variants bring a potential for greater infection risks in the U.S., pandemic-weary lawmakers in several states are pushing back against mask mandates and other protective restrictions ordered by governors.

States including Arizona, Michigan, Ohio, Maryland, Kentucky and Indiana are weighing proposals to limit their governors' abilities to impose emergency restrictions. The Wisconsin Legislature was expected to vote on repealing the governor's mask mandate. Pennsylvania lawmakers are considering a constitutional amendment to strip the governor of many of his emergency powers. Governors argue they need authority to act swiftly in a crisis, and limitations could slow critical emergency responses.

h Nebraska could soon eliminate all of its virus-related restrictions on gatherings if the number of people hospitalized with COVID-19 continues to decline, even though few people in the state have been vaccinated.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Results show vaccines are safe

Karen Weintraub
Arizona Republic
January 29, 2021

Early safety data from the first month of COVID-19 vaccination finds the shots are as safe as the studies suggested.

Everyone who experienced an allergic response has been treated successfully, and no other serious problems have turned up among the first 22 million people vaccinated, according to the Centers for Disease Control and Prevention. The data was collected from several tracking systems, including a

AMERICAN OVERSIGHT

voluntary one in which people who were vaccinated reported their symptoms via text. Another allows people who believe they have been harmed by a vaccine to contribute their information, and a third collects reports from medical records.

Although it's never possible to prove something is completely safe, data from these tracking systems suggests the vaccines are not causing large numbers of unusual or dangerous results. On Wednesday, Dr. Tom Shimabukuro, deputy director of the CDC's Immunization Safety Office, briefed a CDC advisory committee on the agency's review of safety data collected on the two authorized vaccines.

Health and patient safety coverage is made possible in part by a grant from the Masimo Foundation for Ethics, Innovation and Competition in Healthcare. The foundation does not provide editorial input.

Return to the table of contents

Biden COVID-19 relief plan faces hurdles

GOP against $1.9 trillion cost, some provisions not related to pandemic
Nicholas Wu and Rebecca Morin
Arizona Republic
January 29, 2021

Senate Minority Leader Mitch McConnell, R-Ky., wants a lower overall price tag.

Sen. Susan Collins, R-Maine, doesn't want a minimum wage increase included.

Senate Majority Leader Chuck Schumer, D-N.Y., still wants a "bold and robust" bill.

Competing interests, a thin House majority, and a Senate composition that gives an enormous amount of power to individual members mean President Joe Biden faces an uphill climb to pass his $1.9 trillion COVID-19 relief package.

More aid for Americans could be on the chopping block, including a oneyear expansion of the child tax credit, $1,400 checks and a proposal to raise the minimum wage to $15 per hour. The pending impeachment trial of former President Donald Trump and Republican resistance to the overall price tag also loom large.

The argument is centered on a key question: Are all of the bill's provisions related to the pandemic?

Rep. Tom Reed, R-N.Y., the co-chair of the moderate House Problem Solvers Caucus, told reporters Wednesday that the inclusion of the minimum wage increase could make the package seem like it was "contaminated" by partisans who wanted to use it as a vehicle to "legislate on things that are not related directly to the crisis."

And Sen. Lisa Murkowski, R-Alaska, a key moderate, said the minimum wage increase was important to Democrats but "really has nothing to do with COVID relief," pointing instead to provisions like the last package's $300 boost to unemployment benefits as a higherpriority agenda item.

Biden open to some negotiation.

AMERICAN OVERSIGHT

Biden's proposal includes a broad variety of policy priorities, including $20 billion for national vaccination program, expanding unemployment insurance supplemental payments to $400 per week, expanding to 14 weeks paid sick and family and medical leave, and allocating $25 billion in rental assistance and an additional $5 billion to cover home energy and water costs.

Biden and several administration officials have said they are open to negotiating the $1,400 check or the threshold around who will receive it.

"Well, there's a legitimate reason for people to say, 'Do you have the lines drawn the exact right way? Should it go to anybody making over X-number of dollars or why?' " Biden told reporters Monday. "I'm open to negotiate those things. That's all."

Senate Minority Leader Mitch McConnell, R-Ky., said Monday on the Senate floor that the first draft of Biden's proposal "misses the mark." He said he would support a "smart and targeted" package rather than what he called an "imprecise deluge of borrowed money."

And key Senate Republicans like Collins have concurred. She told reporters Monday she wanted a package that would "focus solely" on the pandemic rather than include a "wish list" of Democratic priorities like an increase to the minimum wage, though she said she would support debate over the minimum wage in a separate bill.

Despite the Biden administration's openness to negotiate, Biden indicated it might be difficult to take out certain policies from the package as they are "hand in glove" issues.

"I'm reluctant to cherry-pick and take out one or two items here, and then have to go through it again to – because these all are kind of – they go, sort of, hand in glove, each of these issues," he said.

Dems might go alone via reconciliation Schumer signaled Wednesday that he might move forward without Republican support anyway.

"We must not repeat the mistakes of 2008 and 2009, when Congress was too timid to confront the national crisis," he said, referring to the federal government's relief packages passed in the wake of the 2008 financial crisis that progressives derided as too small to fully restore the American economy.

The Senate is split 50-50 between Republicans and Democrats, with Vice President Kamala Harris available to break ties. That means that for most legislation, Democrats need to secure at least 10 Republican votes to pass a key procedural hurdle and break a potential filibuster. In the House, Democrats hold only a three-seat margin, leaving little room for error.

If they are unable to secure enough Republican support to break a filibuster, Democrats can skip that process if they use a procedure known as "budget reconciliation," where they can pass legislation with a simple majority but are subject to certain rules that could make it more difficult to include some Democratic priorities like the $15 minimum wage increase.

Both sides have used reconciliation to attempt to pass major legislation. Republicans tried to use the process to repeal the Affordable Care Act in 2017 but failed when three Republican senators voted with all Democrats to reject the repeal. Republicans succeeded in passing a major tax code change through reconciliation.

AMERICAN OVERSIGHT

Sen. Roy Blunt, R- Mo., a member of Senate Republican leadership, predicted Tuesday that litigation was possible if Democrats tried to force a minimum wage increase through the budget reconciliation process.

Sen. Rob Portman, R-Ohio, said it would be "irresponsible" for Democrats to push through a package through reconciliation while negotiations were ongoing. "Give us a chance," he said.

But progressives are unfazed by Republicans' opposition to using reconciliation. Sen. Bernie Sanders, I-Vt., who is the incoming chair of the Senate Budget Committee, told reporters Wednesday, "The minimum wage has got to be raised to 15 bucks; we think that can be done by reconciliation and I think I can get that done."

The Biden administration wants to pass the relief package in the next month. Biden said Monday that "time is of the essence."

"There's an urgency to moving it forward, and he certainly believes ... there needs to be progress in the next couple of weeks," White House press secretary Jen Psaki said Monday. She added that if the relief package was not passed soon, there would be a point where there would not be enough funding for vaccine distribution or funding to reopen schools this year.

Return to the table of contents

Rollout sidelines family doctors

Many say they're all set to start giving vaccines
Marion Callahan
Arizona Republic
January 29, 2021

Call your primary care doctor first.

That's the direction patients are typically given when they're facing a nonemergency medical situation.

But in the case of securing the COVID- 19 vaccine, many primary care physicians and their patients have been left in the dark.

Thousands of calls have flooded private doctors' offices across Pennsylvania since the rollout of the COVID-19 vaccine.

Yet primary care physicians who aren't affiliated with hospitals are among the last in line to receive and distribute the vaccine to patients, medical leaders say.

Dr. Keith Sadel, who owns and operates a private family practice in Upper Southampton, Pennsylvania, filed his paperwork to get the vaccine for his patients and submitted the required forms two months ago.

Still, no vaccine.

"When I see that some of my patients who are young and healthy and are not health care workers getting the vaccine at Rite Aids, while my patients 65 years and older can't get the vaccine and they look toward

AMERICAN OVERSIGHT

me, this is frustrating as you can imagine," said Sadel, who cares for about 4,000 patients, most of whom are elderly and have medical problems. "I do not understand why pharmacies are placed over physicians to deliver the vaccine."

He is not alone. The federal government has largely left vaccine rollout to the states and public health departments, and Pennsylvania, like many states, is relying on hospitals to be the main distribution points.

Pennsylvania last week opened up vaccine eligibility to anyone 65 and older and adults with pre-existing medical conditions, spiking demand despite dwindling supply. On Tuesday, Gov. Tom Wolf expressed frustration with the federal coronavirus vaccine rollout, saying Pennsylvania needs 6.5 million more individual doses just to complete full vaccination of everyone in the current 1A phase of the state's plan.

Yet there are questions about whether the state and its counties are making use of all the vaccines delivered so far.

A report from Becker's Hospital Review ranked Pennsylvania 42nd out of the 50 states in percentage of vaccine doses received that have been administered. Of the approximately 1.6 million vaccines delivered to the state, about 800,000 have not yet been given, according to data from the state and Centers for Disease Control and Prevention.

"If they gave us a thousand vaccines tonight, I'd have it in a thousand arms this week," said Hatboro family doctor Harris Cohen, who has the refrigeration and staff in place to give the Moderna vaccine, one of two that has received emergency use approval from the Food and Drug Administration.

Only a fraction of the vaccines distributed so far have gone to primary care physicians, according to the state's list of approved providers. At the same time, confusion about how to sign up for a shot has left many Pennsylvanians frustrated, and those at high risk of serious complications from COVID-19 continue to wait, with little news on when they'll be inoculated.

That confusion has translated into about a hundred calls a day flooding Cohen's family practice, Hatboro Medical Associates.

"This is the most important health issue we have right now, yet there are so many roadblocks," he said. "Every patient I see asks about it and I don't have an answer. It reminds me of the testing shortage in early March. Again, I feel paralyzed that I don't have the answer."

Pennsylvania Department of Health officials don't have the answers either. When asked, they lacked a detailed explanation for how the distribution of vaccines is being prioritized for nonhospital providers.

April Hutcheson, the Pennsylvania Department of Health's director of communications, said, "In terms of who becomes a provider to administer vaccine – first, it has to be within the scope of practice of the doctor to be able to provide injections. Then they enroll as a provider."

Hutcheson then provided the state's link for providers, outlining the application process and requirements.

Both Sadel and Cohen have met those requirements. Yet when they see who is receiving the vaccine in their region – such as a Bucks County dermatology office – more questions surface.

AMERICAN OVERSIGHT

On the national front, medical leaders are calling on President Joe Biden to direct states to get vaccines to physician practices. In a Jan.26 letter, Halee Fischer-Wright, CEO of Medical Group Management, cited a survey that showed 85% of independent practices and 45% of hospital or health systemowned practices actively seeking the COVID-19 vaccine for their patients reported having obtained none to date.

"Despite possessing the ability to identify and inoculate vulnerable patients, states have largely not leveraged physician practices in vaccine rollout efforts," she wrote.

"We strongly believe that medical groups have a critical role to play in COVID- 19 vaccination efforts due to their trusted role as providers within the community and ability to identify vulnerable patients," she said.

Not only are doctors having trouble getting vaccines for patients, many physicians and medical staff not employed by hospitals or health systems reported problems getting inoculated themselves, even though they are caring for patients in the top-priority group.

Cohen said he was able to get his vaccine through Doylestown Hospital, which under a state order is required to set aside 10% of vaccines for community front-line workers. But for doctors working to secure the vaccine for patients, it's been "a mad scramble."

Sadel, who applied as early as he could, has been calling the state health department to check on the status of his application. One woman, he said, inquired about his freezers and wanted the make and model numbers.

Two weeks later, he learned his application was "under consideration."

Many of his patients, he said, fear going to a pharmacy for the vaccine.

"I know my patients, and I'm much more equipped to give vaccine than a pharmacy," said Sadel, who has a defibrillator, IV fluid and other medications on hand in case someone has a reaction. "I'm capable of handling emergencies in ways pharmacies are not."

Return to the table of contents

Legislation boosts state schools' powers to discipline employees

Lily Altavena
Arizona Republic
January 29, 2021

State lawmakers in both chambers unanimously passed legislation on Thursday that will give Arizona education officials the power to investigate and discipline any school employee accused of sexual or other misconduct.

The Arizona State Board of Education currently has the power to discipline certified educators. But not everyone who works in a school is certified, including athletic coaches and paraprofessionals. And while

AMERICAN OVERSIGHT

state law forbids district schools from hiring teachers who are not certified, charter schools may hire noncertified teachers.

House Bill 2023, which awaits Gov. Doug Ducey's signature, gives the state the power to investigate employees who aren't certified. The bill was introduced by Rep. Michelle Udall, R-Mesa.

"We want to make sure that's not happening, so we don't have people moving from school to school who shouldn't be around our children," Udall said at a recent House Education committee meeting.

An investigation in 2019 by The Arizona Republic and KJZZ, Phoenix's public radio station, found that loopholes like this one in the state's system to discipline teachers come with devastating consequences. In one case, a Tucson teacher with an expired certificate bounced from one charter school to another, accused multiple times of inappropriately touching students. No one flagged his certificate because it was expired, and he did not need to be certified in charter schools.

This bill is just one of the reforms experts say is needed in the state's disciplinary system.

The state's system to discipline teachers begins at the Arizona Department of Education's investigative

unit, a small department within the education agency with four investigators. The State Board of Education votes on discipline: A teacher's certificate can be revoked for five years, permanently revoked in the case of a criminal offense, or an educator may face a suspension for a number of years.

With HB 2023, the state now will have the ability to discipline a broader swath of school employees: Anyone who is allowed to make contact with students without the supervision of a certified employee.

bout 40% of all charter school teachers, are not certified, according to 2018 data from the Department of Education.

The new law also would apply to athletic coaches across the state who are not certified teachers but work in schools.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

US economy shrank by 3.5% in 2020

Martin Crutsinger
Arizona Republic
January 29, 2021

Stuck in the grip of a viral pandemic, the U.S. economy shrank last year by the largest amount in 74 years, despite growing at a 4% annual rate in the final three months.

For 2020 as a whole, a year when the coronavirus inflicted the worst economic freeze since the end of World War II, the economy contracted 3.5% and clouded the outlook for the coming year. The economic damage followed the eruption of the pandemic 10 months ago and the deep recession it triggered, with tens of millions of Americans left jobless.

AMERICAN OVERSIGHT

Thursday's report from the government estimated that the nation's gross domestic product – its total output of goods and services – slowed sharply in the October-December quarter from a record 33.4% surge in the July-September quarter. That gain had followed a record-shattering 31.4% annual plunge in the April-June quarter, when the economy sank into a free-fall.

The outlook for 2021 remains hazy. Economists warn that a sustained recovery won't likely take hold until vaccines are distributed and administered nationwide and government-enacted rescue aid spreads through the economy – a process likely to take months. In the meantime, millions of Americans continue to struggle.

On Thursday, for example, the government reported that although applications for unemployment benefits declined last week, they remained at a historically high 847,000, evidence that companies keep cutting jobs as the pandemic continues to rage. Before the virus erupted in the United States in March, weekly applications for jobless aid had never topped 700,000.

Even as the economy shrank last year, the stock market managed to rise sharply, with the S& P 500 index gaining 16%. The disparity between the two reflected a time-tested adage: The stock market is a forward-looking indicator, with investors focused on prospects for future corporate profits and economic health rather than on the current state of the economy. So even as the economy was sinking last year, investors looked ahead to hopes for vaccines and government aid and to solid company profits, especially among tech companies, which drove last year's gains.

The pandemic's blow to the economy early last spring ended the longest U.S. economic expansion on record – nearly 11 years. The damage from the virus caused GDP to contract at a 5% annual rate in last year's January-March quarter. Since then, thousands of businesses have closed, nearly 10 million people remain out of work and more than 400,000 Americans have died from the virus.

The government's report Thursday was its first of three estimates of growth in the last quarter; the figure will be revised twice in the coming weeks. The report showed that consumer spending, which accounts for about 70% of the economy, slowed sharply last quarter to a 2.5% annual gain from a 41% surge in the July-September quarter. Last quarter's economy was instead driven in part by business investment and housing, which has been a star performer during the past year, reflecting record-low mortgage rates and a demand for more household space. Housing grew at a sizzling 33.5% annual rate, business investment at a 13.8% rate. Government spending, though, shrank at a 1.2% rate last quarter. State and local governments have started to resort to layoffs in response to falling tax revenue.

The estimated drop in GDP for 2020 was the first such decline since a 2.5% fall in 2009, during the recession that followed the 2008 financial crisis. That was the deepest annual setback since the economy shrank 11.6% in 1946, when the economy was demobilizing after World War II.

The GDP report showed that former President Donald Trump ended his presidency with GDP averaging annual gains of 1% during his four years. That was lower than the 1.6% annual GDP gains during the Obama administration, a period that also included a recession.

In the coming months, as vaccines become widely distributed and administered, growth is expected to revive. But until then, many Americans will struggle as consumers and businesses hunker down and hold back on spending, even though the economy will likely keep growing. Gregory Daco, chief economist at Oxford Economics, said he expects growth to weaken in the current quarter to a roughly 2% annual rate.

AMERICAN OVERSIGHT

But Daco foresees a brightening outlook for the rest of this year. His view assumes a widespread use of vaccines, increased government aid from Congress' approval of at least part of President Joe Biden's $1.9 trillion relief package and pent-up spending from a savings buildup among higher-income families during the pandemic. A $900 billion rescue aid package that the government enacted late last year is also providing some support.

"The vaccine rollout is essential," Daco said. "Without an improving health situation, we are not going to get any improvement in the economic situation."

Daco said he thinks an economic rebound will produce annual growth this year of 5%. Earlier this week, the International Monetary Fund forecast that the U.S. economy will grow 5.1% this year and 2.5% in 2022.

On Wednesday, the Federal Reserve took note of the economic threats. It kept its benchmark interest rate at a record low near zero and stressed that it would keep pursuing its low-rate policies until a recovery is well underway. The Fed acknowledged that the economy has faltered in recent months, with hiring weakening especially in industries affected by the raging pandemic, notably restaurants, bars, hotels and others involved in face-to-face public contact.

Hiring in the United States has slowed for six straight months, and employers shed jobs in December for the first time since April. The job market has sputtered as the pandemic and colder weather have discouraged Americans from traveling, shopping, dining out or visiting entertainment venues. Retail sales have declined for three straight months.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Over 500 affordable rentals under construction in Valley

Catherine Reagor
Arizona Republic
January 29, 2021

Much needed affordable housing is going up in the midst of a pandemic, eviction crisis and nonstop trend of rapidly rising home and rent prices in metro Phoenix.

More than 500 affordable homes are under construction in metro Phoenix, at a time they are needed most.

The projects launched during the uncertain times of COVID-19 include a new home community in Phoenix's Sunnyslope neighborhood where tenants can build equity through paying rent.

An "attainable" rental cabana project in south Scottsdale for people who don't qualify for low-income housing help but can't afford the Valley's many new upscale apartments will open in March.

And in central Phoenix's Eastlake Edison Choice neighborhood, a new complex with rents 30% below the average for nearby downtown Phoenix is under construction.

AMERICAN OVERSIGHT

Private developers, groups and start-up funds are behind this latest round of affordable housing. That is a strong sign Valley businesses, community leaders and residents understand the incredible need for the homes.

New Sunnyslope homes: Nonprofit Trellis is developing 43 new homes in Sunnyslope to help low-income families

buy a home, a key way to build stability for a family and savings through equity.

Residents of the community at Sixth Avenue and Mission Lane can accumulate value by paying rent through an equity/ rental credit arrangement, so they can buy their homes later on. Rents are still being finalized for the townhomes.

Home Matters to Arizona, a new fund that aims to grow to $100 million to help build 200,000 affordable homes across the state, is helping to finance the Sunnyslope project. The fund, launched with the help of health care firms in Arizona, aims to reduce home-lessness, address racial inequities in housing, lower medical costs for residents and advocate for affordable housing and renters' rights.

Workforce housing in Scottsdale:

Scottsdale-based Greenlight Communities plans to open its Cabana Hayden project with 89 rentals in March. The housing development, at Hayden Road and Oak Street, is one of seven new affordable apartment projects the developer is working on in metro Phoenix that are priced to be "attainable" for the area's workforce.

The developer defines attainable as rents priced to fill the void between affordable and luxury apartments. Rents at its Cabana projects range from $919 for a one-bedroom in central Phoenix to $1,500 for a two-bedroom in south Scottsdale. Cabana Hayden has studios, one-bedroom and two-bedroom apartments.

Apartments near downtown Phoenix, rents 30% lower: Construction on the St. Ambrose apartments at the southwest corner of 12th and Van Buren streets in Phoenix's Eastlake area started a few months ago.

Rents at the 235-unit complex start at about $1,050, at least 30% below the average rent for downtown Phoenix, said developer Michael Lafferty, partner at Scottsdale-based Defer Gain.

The complex will have 44 studios, 162 one-bedroom apartments and 35 twobedroom units.

Homebuyers, sellers donate

The Arizona Housing Fund, financed primarily from $25 contributions made by individuals buying or selling a home, has raised almost a half-billion dollars to help build more affordable homes across the state.

More than 800 volunteer donors have stepped up to help people who can't afford a home since the fund was launched in August 2019. The fund is working on its first projects.

Need for housing grows

AMERICAN OVERSIGHT

Before the pandemic, the shortage of affordable housing was a rapidly growing problem in metro Phoenix because rising rents and home prices was far outpacing increases in incomes.

The problem is now much worse, say housing advocates, and the numbers show why.

Median home prices in metro Phoenix have climbed 200% to a record $332,000 during the past decade.

The average monthly rent in metro Phoenix has climbed more than 60%, to $1,200, since 2010.

The Valley's median income has climbed 16% in the past 10 years.

Tens of thousands of new apartments have gone up in the Phoenix area during the past few years. But almost 90% of the area's new rentals have been in luxury complexes with rents far above what people making the area's median income can afford.

Return to the table of contents

Guest Commnetary: Arizona is still putting up barriers to abortion

Jodi Liggett
Arizona Republic
January 29, 2021

January marks the 48th anniversary of the Roe versus Wade decision. Prior to 1973, access to abortion wasn't considered a right in America.

Many women, especially poor women, were forced to choose between an untenable pregnancy, death or serious injury from a dangerous black-market abortion. Even if pregnancy itself was a threat to their life or health.

Sadly, for far too many in 2021, it might just as well be 1972.

Imagine getting off work from your minimum wage job and stopping at the grocery store to pick up a few things. You walk past the family planning aisle and it occurs to you that your period is late, in fact, it's two weeks late. Money is so tight you actually have to decide between a pregnancy test or milk for the week. You choose and purchase the pregnancy test; you rush to take it, hoping it's not positive. As the seconds slow to minutes, you wonder what you're going to do if it does indeed come back positive.

Time's up, you pick up the test, and there it is — positive.

While for many, this moment is an exciting new chapter in their lives, for others it is not. In Arizona, many people face this situation every day. If they choose to seek an abortion, they are met with several barriers intended to prevent them from exercising their constitutional right and shame them for their choice.

Our governor has bragged many times that Arizona is among the most "pro-life" states in the country. He, of course, is referring to the myriad regulations designed as barriers to those seeking abortion care in Arizona. Waiting periods, in-person visit requirements, admitting privileges conditions and more all combine to deny access to what is supposed to be constitutionally protected health care.

AMERICAN OVERSIGHT

None of these laws were enacted to protect women's health, despite what their authors may claim. None of them actually enhance the safety of abortion, which is one of the safest medical procedures there is. No. They are designed to thwart women's free will; to make abortion as humiliating, difficult and expensive as possible. This is how the extreme wing of the pro-life movement attempts to reduce the number of abortions. Power, control and stigma.

This unfortunate trend continues to this day. House Bill 2650, introduced by state Representative Walt Blackman would classify abortion as first-degree premeditated murder. In Arizona, that charge can be punished with the death penalty. Not exactly pro-life.

We believe the tenets of reproductive justice can create a truly pro-life Arizona. An Arizona where a single mom can earn enough to support her family. Where childcare is safe, high quality and affordable. Where teachers have the resources they need to prepare the next generation. Where Black people, Indigenous people and people of color have the same protections and opportunities as their white brethren.

Where a woman, wherever she lives, can access reproductive health care, including abortion. Wouldn't it be something if those opposed to abortion worked together with us to reduce unplanned pregnancies (and thereby abortions) in the first place?

We urge your readers to contact their legislator and tell them to stop the madness of bills like HB 2650. The conservative majority is fixated on trying to legislate abortion out of existence; ignoring urgent priorities like an historic pandemic devastating our state and families that are hurting.

Send our legislators the message that you want them to work together on sane policies that would actually make Arizona a "pro-life" state.

Jodi Liggett is founder of Arizona Center for Women's Advancement. Reach her at jodiliggett@azwomenadvance. org. Co-signers: American Association of University Women Arizona; Americans United for the Separation of Church and State, Greater Phoenix; Arizona Coalition to End Sexual and Domestic Violence; state Rep. Athena Salma; state Sen. Juan Mendez; Gabriella Goodrick, MD, Camelback Family Planning; Michael Soto, executive director, Equality Arizona; National Council of Jewish Women, Arizona; Planned Parenthood Advocates of Arizona; and NARAL Pro-Choice Arizona.

Return to the table of contents

Inside a new COVID-19 treatment that's keeping Arizonans out of the hospital

Stephanie Innes
Arizona Republic
January 29, 2021

Jannie Cox and David Syverson, Tucson residents who received monoclonal antibody infusions after they tested positive for COVID-19. Both are doing well now and credit the antibodies with speeding recovery. Jannie thinks they saved her husband's life.

AMERICAN OVERSIGHT

Her first symptoms — a scratchy throat and cough — were so mild that Jannie Cox "totally blew them off" on Dec. 27, when they first emerged.

Three days later, the 74-year-old Tucson resident could no longer deny it: She was sick.

Her throat had become fiercely sore, she had flu-like body aches, and it was clear she was either catching a cold, or worse. That same day, she tested positive for COVID-19 infection and her husband, 75-year-old David Syverson, was developing symptoms, too.

Cox, a retired health care foundation executive, knew what she wanted for herself and her husband: an intravenous infusion of a relatively new treatment therapy for outpatients with mild to moderate COVID-19 called monoclonal antibodies.

Early evidence shows it nips COVID-19 in the bud if caught in time, blocking the virus from replicating and turning into severe illness.

The treatment is becoming more widely available across Arizona and is one of several ways high risk COVID-19 patients are staying out of the hospital. Yet, more awareness is needed among members of the general public, health providers say.

Other programs to free up patient bed space during the pandemic that launched in recent months include a "COVID At Home" program operated by Phoenix-based Banner Health.

And last month, the Arizona Hospital and Healthcare Association began an at-home palliative care program with a $550,000 grant from the state health department, and $50,000 from Intel to help provide technology to patients who may not have their own.

The efforts are needed, even as hospitalizations statewide have begun to decline during the latest surge of the pandemic. Hospital leaders continue to be concerned about new variants of the coronavirus, including the more contagious U.K. variant, which they've said could lead to another surge of illness in March.

Get the Law & Order newsletter in your inbox.
The latest public-safety news in the Valley.

State data shows 4,250 patients with confirmed and suspected COVID-19 were hospitalized in Arizona hospitals as of Tuesday. It's lower than the peak on Jan. 11, when the number of hospitalized patients reached 5,082, but still 20.8% higher than patient levels at the peak of the July summer surge.

'Instead of you having to make the antibodies, we're just infusing them'

Two monoclonal antibody therapies were approved for emergency use authorization to treat mild to moderate new coronavirus disease in certain high-risk patients by the U.S. Food and Drug Administration in November — bamlanivimab from Eli Lilly and Co. and Regeneron, which combines the two monoclonal antibodies casirivimab and imdevimab.

Regeneron became more widely known when it was used to treat former President Donald Trump after he tested positive for COVID-19.

AMERICAN OVERSIGHT

Both monoclonal antibody therapies have shown promise for clearing the SARS-CoV-2 virus that causes COVID-19 and reducing illness when patients receive the medication within days of their first symptoms. It is a treatment for COVID-19, not preventive, health providers stress, citing some confusion among members of the public. Monoclonal antibodies are not the same as the COVID-19 vaccine rolling out right now.

For health leaders in Arizona, infusions of monoclonal antibodies are not just a way of impeding the progression of illness in patients with COVID-19, they are a way of keeping patients out of hospital beds at a time when resources are stretched.

The federal government recently set up a monoclonal antibody infusion center at Tucson Medical Center, and Banner Health has established centers in Tucson and Phoenix.

The Mayo Clinic in Arizona first opened its monoclonal antibody infusion center on Dec. 7 in a mobile unit at its Phoenix campus treating eight patients per day, and this week moved the program to expanded space with the ability to treat more patients in an area on its Scottsdale campus that had previously been used for furniture storage. The new space allows for 30 to 50 patients per day to get infusions.

Cigna Medical Group partnered with the state, the FDA and Operation Warp Speed to launch the pilot program to provide the monoclonal antibody infusion therapy for high-risk COVID-19 patients referred by a health provider at its four urgent care facilities around the Valley.

The pilot has started at CMG's Phoenix Central and Paseo Urgent Care sites and has initial capacity to provide two infusions a day at each location "to help free-up much needed hospital space and resources," officials said.

More data on outcomes is needed but some early research shows the monoclonal antibodies are effective at preventing hospitalizations. The idea is that they bind to the receptors of the spiked protein of the virus and block it from reproducing.

"As the number of admissions started going up, we were trying to find some way to decrease the pressure on our hospital," Dr. Robert Orenstein, chair of infectious diseases at the Mayo Clinic in Arizona, said of his hospital's decision to begin monoclonal antibody infusions.

"We believe how they work is they help the immune system control the virus quickly. Instead of you having to make the antibodies, we're just infusing them," he said.

Mayo officials are in ongoing discussions about how to get monoclonal antibodies to more Arizonans.

"Obviously, the number of people that could benefit is far more than what we're able to even do," Orenstein said. "The problem is the logistics of it, and getting the information to the people, and being able to ensure that the right people get it. ... We're looking at ways to try to expand and be of some value to the community beyond what we are currently doing."

'He's doing fantastic today; It's all behind us'

AMERICAN OVERSIGHT

For about two to three hours on New Year's Day, Cox and her husband each were infused with monoclonal antibodies at an infusion center set up by the federal government in partnership with Tucson Medical Center.

Cox's COVID-19 symptoms went away the day after her infusion, she said. Her husband, who has Parkinson's disease and rheumatoid arthritis, had more challenges and at one point was having stroke-like symptoms that ended up being related to his Parkinson's.

But he was never hospitalized for COVID-19, and Cox says he's doing well.

She can't know for certain but believes the monoclonal antibodies saved her husband's life.

"He's not just recovered, he's better than before," she said. "It was very, very rough for two weeks, but he's doing fantastic today. It's all behind us."

Cox, who is an avid cyclist and walker, has no way of knowing how the monoclonal antibodies changed the trajectory of her disease, either. Nonetheless, she said she feels blessed that the couple was able to get the infusions. Cox felt better the day after receiving the infusion and said she is 100% now.

Jannie Cox and David Syverson, Tucson residents who received infusions monoclonal antibodies after they tested positive for COVID-19. Both are doing well now and credit the antibodies with speeding recovery. Jannie thinks they saved her husband's life.
"It is impossible to know," she said.

Not everyone is eligible for the monoclonal antibodies, and various infusion centers have their own parameters about eligible patients.

TMC officials are using both the Regeneron and Eli Lilly products to treat adults and pediatric patients, 12 years of age and older who weigh at least 88 pounds, who have positive results of direct SARS-CoV-2 viral testing, and who are at high risk for progressing to severe COVID-19 and/or hospitalization.

High-risk adults must meet at least one of a list of criteria to be eligible for the TMC infusion center, including having a body mass index of 35 or greater; having chronic kidney disease, diabetes or immunosuppressive disease; undergoing immunosuppressive treatment; or is 65 or older.

Infusion centers do not accept walk-ins
The infusion itself takes about an hour, but Cox said medical providers spent a lot of time with her beforehand, going over the risks. Also, patients must remain for about an hour following the infusion to ensure patients are not having any reactions. Altogether the process from beginning to end is about three hours.

Since it opened earlier this month, the TMC center has infused 600 patients. None has had allergic reactions to the medication and anecdotally, about 1% have been admitted to the hospital, though actual outcome data is not yet available, said Mimi Coomler, the hospital's chief operating officer.

The highest number of patients TMC has infused with monoclonal antibodies is 57 in one day. The average is about 24 per day, Coomler said.

AMERICAN OVERSIGHT

The hospital has been infusing patients in a space with a separate entrance in its hospital but will be moving to a center at another hospital-owned property next week. A federal team that had been staffing the center be leaving next week, but Coomler said TMC officials have decided to sustain the program because of its success.

Patients must meet the criteria to get infusions. They also must have symptoms and a positive test. The hospital's urgent care network has been a key referral source, which is also true for Banner Health's infusion centers. TMC's Coomler emphasized that patients who get referrals can be infused quickly.

"We absolutely have availabilities same day, next day, because the criteria includes up to 10 days from diagnosis, there is a time sensitivity. We don't want patients to time out," she said.

Banner Health has a capacity for seeing 75 patients per day statewide at monoclonal antibody infusion centers located at Banner University Medical Center Phoenix, Banner Baywood Medical Center and Banner University Medical Center South in Tucson. All three locations are open seven days per week, said Dr. Jason Brown, chief medical officer for Banner Pharmacy Services.

It's important that patients do not show up at the infusion centers without an appointment, Brown emphasized. Firstly, there are criteria about who is allowed to get the infusions. Secondly, there are logistics and rules about having contagious COVID-19 patients in the facilities, which is why patients need to have appointments.

Banner Health's urgent care centers are handling referrals to the infusion centers for now, and patients may also talk to their doctor about getting a referral, Brown said.

Banner Health is using both the Eli Lilly and Regeneron products. The health system's pharmacy and therapeutics committee did their own clinical efficacy and safety reviews and does not feel that one product is superior to the other, Brown said.

'The earlier the better. That is the biggest challenge.'
Banner Health has an information page about monoclonal antibody treatment on its website, and Brown stressed the therapy is for people who are not already hospitalized. It's for newly symptomatic people who are at high risk of progressing to more severe COVID-19 and winding up in the hospital.

To be eligible at a Banner site, patients must test positive for COVID-19 and be less than 10 days from onset of symptoms, plus meet one of a set of criteria: be over 65 years old; be over 55 years old with comorbidities such as cardiovascular disease, high blood pressure or COPD/other chronic respiratory disease; or over 18 years old with comorbidities such as diabetes, immunosuppressive disease, chronic kidney disease or obesity.

Because of limited space and staffing in its infusion center, the Mayo Clinic in Arizona has been selecting patients for monoclonal antibodies based on a nightly review of the electronic medical records of those who tested positive for COVID-19 at their clinics, and choosing patients for the available infusions each day using a ranking system based on risk. Among those on the review panel were infectious disease physicians, a nurse, and an ethicist.

AMERICAN OVERSIGHT

"If you are immunocompromised you are obviously at a higher risk than somebody who is 65 but doesn't have any other risk factors," Orenstein said. "We had a scoring system that helped to stratify risk. And we only give it to people who are symptomatic."

Now that the Mayo Clinic has a larger infusion space, they are hoping to get a larger supply of medication and open up the monoclonal antibodies to anyone who meets the criteria set out in federal emergency use authorization for the therapies, including being 65 and older or having certain chronic health conditions, Orenstein said.

Although the emergency use authorization says the monoclonal antibodies should be given within 10 days of the onset of symptoms, Mayo officials have been saying seven days.

"The earlier the better," Orenstein said. "That's really the biggest challenge. Most people really don't feel all that bad until they get to about day six or seven and they are getting close to the point where it is already too late to get benefit from the antibodies."

COVID at Home: Patients up to age 70
In addition to monoclonal antibody treatments, Banner Health recently created a COVID at Home telehealth program, which allows shorter hospital stays for some new coronavirus patients between the ages of 18 and 70 who are hospitalized with COVID-19 but have not been in the intensive care unit.

The program is available at acute care Banner Health facilities that are caring for COVID-19 patients, including small rural hospitals. Nearly all the patients in the program so far have been in Arizona.

COVID at Home began in August after a lot of discussion with clinicians from various areas of the health system about the best way to free up hospital beds, said Dr. Michael Simons, medical director for telehealth at Banner Health. They decided to target COVID-19 patients who were already hospitalized at the end of their hospital stay and work on getting them home earlier than normal protocol would allow.

"We knew that every patient we got out one day early was an extra hospital day worth of capacity that we would open up," he said. "When we initially rolled out this program we developed a long list of inclusion and exclusion criteria, which were really meant to make sure that we had a pretty clean denominator of low risk patients and that they were reasonably well-controlled to be appropriately sent home."

Patients in the program are sent home with a pulse oximeter that they must use four times per day and at scripted intervals they must record both their heart rate and the oxygen levels in their blood into a software program that's downloaded on the patient's smart device, Simons explained. Before the patient leaves the hospital, medical staff make sure the software has been properly installed.

How trauma forged the origin story of Phoenix rapper Mega Ran
Glendale sold a key downtown property for $25K in 2018. What happened to it?
If you're a woman, you've heard this word before, I know I have
How this former ballerina became a cocktail powerhouse
A group of nurses monitors the patients' entries, troubleshoots, and reaches out when there are issues such as a low oxygen saturation or high heart rate. Part of the technology includes the ability to do daily virtual visits with a physician.

AMERICAN OVERSIGHT

"Our intent in trying to craft this program was to replicate as much of the hospital stay as we thought we could and was necessary for these patients that we were sending out one to two days earlier than they would otherwise go home," Simons said.

At the end of each day, patients must fill out a checklist asking about common symptoms such as nausea, vomiting or pain that could indicate a blood clot. Patients may call a centralized number if they do have any of those symptoms and a medical provider will help them with how to proceed.

The program is still relatively small. Thirty-one patients have gone through it. Now two to three are getting added per day, Simons said.

What program leaders did not want was to send people home and have them decompensate and need to be readmitted because they were sent home too early. So far, that hasn't happened. As of Jan. 12, no one from the program had been readmitted to the hospital.

"We are now tending to get patients out at least one day early and in some cases, two days early and that was our initial target," he said. "We wanted to be very cautious that we weren't impugning their safety by sending them home and we were really trying to limit this to the patients that can be safely discharged and monitored commensurate with their needs."

COVID-19 palliative care program could be helping more patients

The Arizona Hospital and Healthcare Association's recently launched palliative care is a another way of preventing COVID-19 patients from being admitted to the hospital by supporting them at home with telehealth, and helping them coordinate their care.

The program is for preventing COVID-19 patients who have been hospitalized from being readmitted, and targets people in underserved communities, organizers said.

Palliative care is often confused with hospice, but it's not the same thing. People who need palliative care need support and help coordinating their health care, and making a plan for their care, whether they are acutely ill or chronically ill.

Sometimes it is end-of-life care, but most of the time it's not, said Sandy Severson, senior vice president of care improvement at the Arizona Hospital and Healthcare Association, who spearheaded the COVID-19 palliative program.

The program finds patients solely by referral from a physician, nurse practitioner, long term care facility or other health provider. Instead of sending patients to a hospital, the program seeks to treat people where they are. The program went live Dec. 18 and so far is being used mainly by rural Arizonans, Severson said.

"A typical patient is someone who is just experiencing COVID now and is having shortness of breath and has been in to see their primary care doc repeatedly but they need supportive care, that extra layer of care. ... People want to be at home. They don't want to go to the hospital."

The program sets goals of care, establishes the resources the patient needs moving forward, and part of the protocol is including family members, Severson explained.

AMERICAN OVERSIGHT

"Some of these might be young people, some might be aging people and not have a lot of resources," Severson said of the patients. "We really talk about what their goals are and whether they need medication management changes or just emotional support, clergy, faith-based support, to make sure everyone knows what the plan is."

Another part of the program is helping patients plan for future care, whether that means ensuring they have a health care power of attorney lined up, or that they state their wishes about going on a ventilator or being resuscitated if they stop breathing or their heart stops beating.

If someone has already said they don't want to be on a ventilator, or don't want to be resuscitated, the support that patient needs typically would not require an acute care hospital, Severson said.

In other words, there's no point sending a patient to a hospital if there's nothing the hospital can do for them. That's where the palliative care program can help, by ensuring those patients safely get the support they need at their long-term care facility, or wherever they are living, rather than going to the hospital.

Severson is hoping to spread the word about the palliative care option. The program has four providers on contract who can consult with 30 to 40 patients per day but is not anywhere near that capacity now, Severson said.

Some of the patients who are in the program have been hospitalized for COVID-19 and are coping with the aftermath of health effects, including heart and lung issues. Several have the anxiety of not knowing whether they will recover, Severson said.

"These are people many times who are on oxygen who have complex issues but the intent is to keep them at home and not go back to the hospital," Severson said.

Reach health care reporter Stephanie Innes at Stephanie.Innes@gannett.com or at 602-444-8369. Follow her on Twitter @stephanieinnes.

Return to the table of contents

Banner Health has started using an arthritis drug on some critically ill COVID-19 patients

Stephanie Innes
Arizona Republic
January 29, 2021

Registered nurses Danielle Coates (left) and Alex Clark tend to a patient in one of the COVID-19 units at Valleywise Health Medical Center in Phoenix on Jan. 14, 2021. Much of the hospital has been converted to handle COVID-19 patients and they like many other hospitals throughout Maricopa County are at or near capacity.

Banner Health officials hope a drug used to treat rheumatoid arthritis will help improve outcomes in their most critically ill COVID-19 cases.

AMERICAN OVERSIGHT

The Phoenix-based nonprofit health system this month began using the anti-inflammatory drug tocilizumab to treat a specific subset of its sickest patients.

Tocilizumab has had mixed results on COVID-19 patients in numerous trials, and reports conflict about its usefulness in treating people infected with the new coronavirus.

The drug has not been approved by the U.S. Food and Drug Administration for treating COVID-19 patients, nor does it have a government Emergency Use Authorization.

But recent data on the drug's use in severely ill COVID-19 patients is giving Banner Health leaders some optimism for a select group of critically ill COVID-19 patients at risk of dying.

As of Monday, more than 1,000 patients with confirmed and suspected COVID-19 were in ICU beds in Arizona hospitals, and 687 were connected to mechanical ventilators. Many COVID-19 patients who are placed on a ventilator will linger for weeks but not survive.

The drug, when given according to a strict protocol to a specific population of COVID-19 patients hospitalized in intensive care units, may reduce the number of days those patients need breathing assistance, including from mechanical ventilators, said Dr. Jason Brown, chief medical officer for Banner Pharmacy Services.

Physicians and nurses have improved their knowledge of patients infected by the SARS-CoV-2 virus that causes the COVID-19 illness since the onset of the pandemic, and have adopted techniques like "proning" patients — placing them on their stomachs — to improve their oxygenation and improve their chances for survival.

But in terms of drug treatments to reduce mortality from COVID-19, few medications have been proven effective.

"Hydrocortisone is the only one that has been shown to reduce mortality," Brown said.

"This tocilizumab is used in combination with that. ... We don't have a lot in our tool belt and this does show some potential, but we are going to have to continue to be diligent about reviewing all the new literature that comes out, and make any adjustments."

Arizona hospitals make different decisions about treatment
Not all hospitals and hospital systems in Arizona are treating their COVID-19 patients with the arthritis drug right now.

Dignity Health, which is one of Arizona's largest health systems, is "not currently using tocilizumab or Interleukin 6 inhibitors for the treatment of COVID-19 as it is still under review and has not yet been granted either an FDA approval or an Emergency Use Authorization for treatment of COVID-19," Dignity spokeswoman Abby Friedemann wrote in email.

Since the "true effect on clinical outcomes of tocilizumab are not well-defined," it's being used on a case-by-case basis for COVID-19 patients at the Mayo Clinic in Arizona, critical care chief Dr. Ayan Sen wrote in an email.

AMERICAN OVERSIGHT

Mayo has used the drug in the past on COVID-19 patients with acute respiratory distress syndrome and will use the drug based on evolving evidence on a case-by-case basis, Sen said. Since studies have had varying results, more evidence is needed about the drug's benefits and harms on patients with COVID-19, he said.

The Arizona Department of Health Services' authority does not include regulating or requiring the use of certain drugs, spokeswoman Holly Poynter wrote in an email, and the agency encourages individuals to speak with their health care providers if they have questions about specific treatments, she said.

The National Institutes of Health recommends against the use of Interleukin 6 receptor antagonists such as sarilumab or tocilizumab for the treatment of COVID-19, except in a clinical trial, Poynter wrote.

Banner Health's position is that it is making the treatment option available for critically ill COVID-19 patients because recent literature has shown it may be beneficial for them.

"Banner continues to evaluate data for clinical safety and efficacy and will make adjustments to our criteria based on our clinical review," Brown said. "We are aware of other health systems in the U.S. that have started to or have plans to administer this drug to critically ill COVID-19 patients."

A COVID-19 patient who is intubated is positioned on his stomach in one of the COVID-19 units at Valleywise Health Medical Center in Phoenix on Jan. 14, 2021. Much of the hospital has been converted to handle COVID-19 patients and they like many other hospitals throughout Maricopa County are at or near capacity.

Study found tocilizumab improved survival in COVID-19 patients
A positive sign for Banner Health was a recent clinical trial of 800 patients that found that tocilizumab may benefit seriously ill COVID-19 patients, including reducing the relative risk of death, if administered quickly after development of critical illness.

The study led by British researchers was published Jan. 7 in the preprint server medRxiv. A preprint is a version of a scientific manuscript publicly posted prior to peer review, which is the standard for publication in a scientific journal.

The U.K. government and England's National Health Service on Jan. 8 issued updated guidance encouraging the use of tocilizumab in treatment of COVID-19 patients who are admitted to intensive care units.

Tocilizumab may successfully target the hyperinflammatory syndrome that some COVID-19 patients develop, Brown said.

The protocol Banner officials are following requires giving the medication, in combination with corticosteroids, to patients with COVID-19 within 24 hours of being placed on a CPAP (continuous positive airway pressure), BiPAP (bilevel positive airway pressure), high flow oxygen, mechanical ventilation or are requiring vasopressor medications to increase their blood pressure in an ICU setting, Brown explained.

"It's very sick patients; I think that is the key. The types of trials to date have been kind of variable in terms of the patient population or the degree of severity of the patients' illness," Brown said. "The most

AMERICAN OVERSIGHT

recent trial that came out was more promising in terms of the outcomes and the select patient population to use this specific medication in."

Banner's Pharmacy and Therapeutics Committee reviews all recent scientific literature on COVID-19 treatments on a frequent basis, Brown emphasized, and if there is any new literature about tocilizumab, the committee will adjust the criteria for use.

"The ideal hope is that it's going to reduce the number of days that patients are required to have respiratory or cardiovascular support," Brown said.

If patients have reduced days of needing help breathing, their chances for survival improve. Arizona's death rate from COVID-19 has been climbing during the latest surge and as of Monday had the highest rate of new deaths due to COVID-19 in the nation. Arizona on Tuesday was reporting 12,448 known COVID-19 deaths.

Reach health care reporter Stephanie Innes at Stephanie.Innes@gannett.com or at 602-444-8369. Follow her on Twitter @stephanieinnes.

Return to the table of contents

Navajo Nation surpasses 1,000 COVID-19 deaths

Arizona Republic
January 29, 2021

Navajo Nation health officials on Thursday reported 11 more COVID-19 deaths to reach the 1,000 mark since the pandemic began.

The tribe also reported 59 new coronavirus cases to bring the total reported cases on the reservation to 27,987.

On Monday, the tribe extended its stay-at-home order with a revised nightly curfew to limit the spread of COVID-19.

The Navajo Department of Health has identified 53 communities with uncontrolled spread of the coronavirus, down from 75 communities in recent weeks.

The Navajo Nation is also lifting weekend lockdowns to allow more vaccination events.

The actions in the latest public health emergency order will run through at least Feb. 15.

The daily curfew will run daily from 9 p.m. to 5 a.m.

Tribal officials said more than 231,000 people on the vast reservation have been tested for COVID-19 and over 14,000 have recovered.

The Navajo Nation extends into Arizona, New Mexico and Utah.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Phoenix-Mesa Gateway Airport aims to land job and shopping hub

Alison Steinbach
Arizona Republic
January 29, 2021

An Antonov cargo plane unloads outside four of the new hangars at Phoenix-Mesa Gateway Airport on Jan. 28, 2021.

Phoenix-Mesa Gateway Airport officials hope to further expand growth beyond aeronautics and create a job and shopping hub that would benefit residents in some of the large nearby neighborhoods, such as Eastmark and Cadence.

Airport officials are seeking a master developer to partner in building office, industrial and retail space on 400 acres east of the airport.

Mesa Mayor John Giles said the Gateway East project would bring southeast Mesa residents some long overdue development.

“For folks who live in Eastmark and Cadence and the other tens of thousands of people that have been drawn to that area in recent years, this is very welcome news," he said. "This will bring a lot of the retail and other infrastructure that will add to the quality of their lives.”

The airport's other recent expansions include a U.S.-Mexico customs hub, hangars, pilot training schools and a USDA Forest Service fire response center. Construction also recently began on a larger air traffic control tower to accommodate the growing airport that boasts three 10,000-foot runways and three airlines offering passenger service.

"(Phoenix-Mesa Gateway is) a 3,000-acre economic development project that just happens to have a thriving airport as part of its infrastructure," said Brian O’Neill, the airport's executive director and CEO.

When the former Williams Air Force Base reopened as Williams Gateway Airport in 1994, airport leaders knew it had more land than needed for an airport, so they began focusing on other uses, O'Neill said.

Today, the area is home to more than 40 companies that employ some 2,500 people, with 110 airport workers.

Proposed development project on east side
Gateway East is envisioned as an entirely non-aeronautical project on airport grounds.

"There's only so much aeronautical development that can occur directly around the perimeter of the airfield," O'Neill said. "We were left with a significant amount of acreage that didn’t have anything to do with the airport but was a significant revenue opportunity and economic development opportunity and job creation opportunity that most airports don’t have.”

AMERICAN OVERSIGHT

Officials see Gateway East as a mix of office, industrial and retail space that would provide stores, restaurants and high-wage jobs the area needs, O'Neill said.

A rendering of Gateway East, a proposed 400-acre retail and office development at Phoenix-Mesa Gateway Airport.
As the East Valley continues to grow east and south, airport leaders expect greater demand for a high-end office park so people can work closer to where they live.

Airport officials believe the site's location along busy Ellsworth Road and adjacent to State Route 24 and Loop 202 make it a prime spot for regional development.

Airport officials recently launched its search for a master developer to work with on the details and building of the development. They hope to select the developer by the end of the year.

The Gateway East project would border about 200 acres that eventually will be a new passenger terminal. O'Neill expects construction on a new terminal to begin within the next decade, depending on capacity at the existing terminal and when the airport is able to attract more airlines.

Customs hub at Gateway's Skybridge not yet fully operating
Gateway East is one of a handful of recent projects at Gateway.

SkyBridge Arizona covers 360 acres and is mostly focused on aeronautical development, logistics and air cargo. Two large buildings for industrial and hangar space are completed. "There's one tenant in the hangar, a private client, and they are in final negotiations with a few other tenants," an airport spokesperson said.

A hotel also is under construction, O'Neill said.

The SkyBridge development includes the first inland U.S.-Mexico joint cargo processing program, which aims to expedite the transfer of American goods across the border to Mexico. Mexican customs officials will work alongside U.S. officials to complete joint inspection of cargo, allowing planes to land at more Mexican airports since the goods will be pre-cleared before leaving the U.S.

Customs officials performing initial test runs on Skybridge's Unified Cargo Processing Program at Gateway Airport. Gateway is the only inland airport that currently offers such a program, according to airport officials.
The customs processing hub is not yet at full speed as the pandemic and a new administration in Mexico delayed the project, O'Neill said. Test shipments have gone well, but details are still being ironed out to make sure all the processes are in place so the program operates smoothly, he said.

"COVID has certainly not helped our development of this program, but I think the important thing is it hasn't gone as quickly as anyone had hoped, but it's still moving forward," he said. "Mexico's committed to it and the United States is committed to it, so we're hopeful that over the next 12, 18, 24 months, you'll be able to start to see some real progress with the pre-clearance of air cargo that's bound for Mexico."

Other new and in-progress private development projects on Gateway land include:

AMERICAN OVERSIGHT

Gateway Executive Airpark is going through Mesa's permitting process, according to O'Neill. Plans are for a 187,000 square-foot hangar facility that would attract companies and tenants. He expects building to begin in February or March.

Aviation Performance Solutions operates pilot training at the airport and will locate its corporate headquarters there, O'Neill said. The company is building a 65,000 square-foot hanger for their use and for other corporate aircrafts.

Wetta Ventures built a 50,000 square-foot hangar that it plans to lease for large planes and tenants. This a rendering of how the new air traffic control tower (left) will compare to the current tower (right). The new tower will stand at 190 feet tall and have double the amount of room inside for air traffic controllers.

The foundation also is being poured on a new $30 million air traffic control tower that will be significantly larger than the existing tower built in 1970. The new tower, which should be completed in 2022, will be able to seat eight instead of four controllers and will provide an unobstructed view of the field, O'Neill said.

"With those three 10,000 foot long runways and a brand new state of the art tower, I think we're going to be really the envy of every airport in the country," Giles said.

Diversification has helped weather the pandemic Phoenix-Mesa Gateway Airport, like other airports, saw passenger activity plummet early in the COVID-19 pandemic, but O'Neill says its recovery has been faster than many because of its focus on leisure travelers.

The airport's passenger activity in April 2020 was down 93% compared to April 2019. Now it's down 20-30%, while many airports are still down 60-80%, he said.

Passengers board an Allegiant Airlines flight at Phoenix-Mesa Gateway Airport in the Southeast Valley. That's largely because Gateway serves the low-cost leisure traveler rather than business, international or connecting flights. O'Neill said the leisure travel market has been returning faster as consumers gained confidence and chose to visit family and friends again.

"Because of the type of airport we are, we will continue to lead the nation out of this pandemic," O'Neill said, adding that only a small handful of airports have returned to 70-80% of their pre-pandemic activity levels.

He said the airport was able to maintain revenue even when commercial flight traffic was down, because of diverse revenue streamsfrom pilot training schools, corporate activities, the Forest Service and private development projects.

How trauma forged the origin story of Phoenix rapper Mega Ran Glendale sold a key downtown property for $25K in 2018. What happened to it?

"We've fared very well in 2020," he said. "Maybe we were down in one area, but because it was a long extended fire season, the fuel purchase by the U.S. Forest Service outweighed the lost revenue from our commercial activity. Because we have such diverse revenue streams, we were able to withstand the impacts of the pandemic much better than most airports."

AMERICAN OVERSIGHT

'An anchor for our community'

City and airport officials see the airport and the planned development on the east side as important puzzle pieces in the growth and prosperity of southeast Mesa and the city overall.

Gateway East "is going to be a huge generator of revenue and it'll help make Gateway a destination location," Mesa Councilmember Kevin Thompson said.

Mesa Mayor John Giles speaking at the groundbreaking of SkyBridge's first two buildings at Phoenix-Mesa Gateway Airport.

Giles praised the transformation from Williams Air Force Base to what the airport has become today.

"I'm always telling people, 'Take a mental picture, look around. You're not going to be able to see the horizon and the Superstition Mountains for much longer. This is the last frontier of Mesa, and the next time you drive out here, it's going to be covered with buildings and people and cars.'"

And that's all by design. The jobs and a lot of the economic activity that's going to be an anchor for our community is happening right now."

Return to the table of contents

Republicans demand audit of Kelli Ward's narrow win for Arizona GOP chair

Yvonne Wingett Sanchez
Ronald J. Hansen
Arizona Republic
January 29, 2021

After months of sounding the alarm on what she claimed was a stolen presidential election, Kelli Ward is facing questions about her own reelection Saturday as Arizona Republican Party chair.

Sergio Arellano, the southern Arizona businessman who narrowly lost to Ward in a runoff, has asked state party officials for an audit of the election results, said Kim Owens, a Republican consultant who is serving as his spokeswoman.

So far, that hasn't happened, adding to a growing sense of angst among GOP activists that the election had problems.

"This isn't about the chairman's race, this is about election integrity," Arellano said in a written statement provided by Owens to The Arizona Republic.

In a statement issued hours later to the newspaper, Arellano said he did not expect the audit to lead to a reversal of wins for Ward and others.

Neither Ward nor other state party officials could be immediately reached for comment.

Doubts about the results of the chair's race started to swirl after the announced winner in another race, for the at-large committee member from the 8th Congressional District, was informed she had lost.

AMERICAN OVERSIGHT

Arellano said that error "created an environment where a number of state committeemen are raising concerns and asking me to ask for an audit because only a candidate for party office can do so. So I've done that and we're waiting for a response that lays out the when, where, and how of that process. I anticipate the State GOP will do a solid job here and provide election officials around the state with an example of how to conduct a timely audit and how important ballot security and paper backups are."

The elections played out Saturday at the party's annual meeting, an event that was closed to most of the media and drew rare national attention because of the deep division over whether Ward should guide the party for another two years after Arizona voters backed President Joe Biden and Democratic Sen. Mark Kelly.

Owens said that on Tuesday, Arellano and the two other Republicans who challenged Ward, sent another request asking for the audit to take place on Thursday. That request, which called for witnesses, had not generated a response as of Wednesday evening, she said. Owens declined to provide the letters.

Ward, a controversial figure who gained national attention for claiming the 2020 presidential election was stolen from former President Donald Trump, won her reelection bid by 42 votes after the election went to a runoff against Arellano. Trump endorsed her reelection.

Owens said of the challenge: "This is not about one person or one race, it's about the integrity of our elections. With the absence of the tapes from the machines or any documentation of where votes came from, and in most races, a lack of numbers, of tallies, we need to see evidence that everything is as it should be."

The race for chair isn't the only one in question. Sandra Dowling, who ran for an at-large committee position in the 8th Congressional District, initially was announced as a winner, she said. She had left the meeting by the time the winners were announced.

"I start getting phone calls from everybody and their neighbor saying 'Congratulations, Sandra, you won, you won, you won,'" she recalled.

Ward told her friend after the meeting that Dowling had not won and blamed the mistake on "human error," she said.

Brnovich says deportation pause violates agreement between DHS, Arizona
Ward's reelection was considered nearly a foregone conclusion ahead of the race weeks ago, but many in the GOP had misgivings that Biden had carried Arizona and Republicans lost a longtime GOP-held Senate seat to Democrats during the 2020 cycle.

Those concerns only grew after the deadly riot at the U.S. Capitol on Jan. 6. That happened on the day that most GOP lawmakers voted to set aside election results in Arizona and Pennsylvania. Ward had been a prominent voice on social media and at post-election rallies in Arizona claiming they needed to "Stop the Steal."

Heading into the midterm elections, Republicans are looking to fortify the party's standing in a state they fear is slipping away from them.

AMERICAN OVERSIGHT

In an unusual move, the Arizona Republican Party barred most reporters from attending the election portion of the statutorily required meeting. The election took place away from public view at Dream City Church.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

2020 was officially the 2nd driest and 2nd hottest year ever recorded in Arizona

Chelsea Curtis
Arizona Republic
January 29, 2021

Arizona in 2020 saw its second hottest and second driest year on record with Phoenix seemingly leading the way, according to weather officials.

The year ended with an average temperature of 62.6 degrees, which was slightly below 2017's record of 63 degrees, according to Meteorologist Bianca Feldkircher with the National Weather Service in Phoenix.

Precipitation across the state in 2020 was 6.63 inches, making it the second driest year on record after 1956 with 6.04 inches of precipitation, Feldkircher said.

Although Arizona saw some precipitation at the beginning of the year, Feldkircher explained that a change in the monsoon pattern combined with an El Niño pattern over the winter months contributed to Arizona's dry and warm conditions this year.

The monsoon pattern "was pretty much suppressed southwards, so the high pressure was like right over us instead of being a little further north near the Four Corners, and that wasn't allowing any moisture to come in," she said.

"And then with high pressure just sitting on top of us, that was also resulting in those warm temperatures that we saw during the summer and all the records we broke."

EXTREME HEAT, LITTLE RELIEF: Will every Phoenix summer be as hot as this year?

Phoenix broke many heat records in 2020
Phoenix in particular experienced some of its hottest and driest conditions last year, according to a report from the Weather Service.

The year also marked the city's second hottest on record with an average temperature of 77.2 degrees, the report said.

The city set a new record for the most days in a year with high temperatures at or above 100 degrees, totaling 145 days, the report said. The previous record was 143 days in 1989.

Glendale renews city manager's contract, with $270K salary, for 4 more years
New Arizona law cuts consumer protection funding source
Arizona is a COVID-19 hot spot. Here's why restaurants are still open
How trauma forged the origin story of Phoenix rapper Mega Ran

AMERICAN OVERSIGHT

It also saw 53 days last year at or above 110 degrees, according to the report.

In July, Phoenix set a new record for the hottest month ever with an average temperature of 98.9 degrees; however, the record was toppled by August which saw an average temperature of 99.1 degrees, the report said.

The unusually hot August pushed 2020 to the unfortunate title of being the hottest summer ever recorded in Phoenix.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Here's what Vice President Kamala Harris told The Republic about COVID-19 relief plans

Ronald J. Hansen
Arizona Republic
January 29, 2021

Crowd cheers as Sen. Kamala Harris takes the stage at Phoenix Municipal Stadium on Oct. 28 2020.
Vice President Kamala Harris advocated for passage of the Biden administration's COVID relief legislation in a virtual meeting Thursday with Arizona Republic editors and reporters.

Here is a transcript of her remarks, which have been lightly edited for clarity:

"Good morning, everyone. Good morning. It is an honor, of course, to speak with you about this, which, of course, is an urgent matter.

"I will tell you that on my first full day in office, on my first full day in office, we are looking at a situation where you actually wrote about your frustration with vaccine distribution in Arizona and rightly.

"What we are dealing with in our country, and as you have pointed out, is that where there is a failure, we cannot afford to give up. And also, you have rightly pointed out we can actually do something about it. We can still get this done. We can still do it. And that's what I want to focus on today, which is our American Rescue Plan.

"We now know that the December relief effort was too little, too late, and not nearly enough. Just ask the child still learning remotely, and I know of which there are many children in Arizona, and the parents who are struggling to help them learn remotely. Look at the parents standing in food lines, parked for hours in food lines. Or anyone who has lost someone to COVID.

"We are looking at a dire, a painful time in our country where there has been extreme loss, loss of life, loss of normalcy. Folks deserve to have their government in a moment of crisis such as this step up and rescue those who are in many ways thinking and (inaudible) and give them the support they need.

"So we know that the December relief effort was, frankly, too little, too late and not nearly enough. Just ask, of course, that child that is still learning remotely and the parent who is still in the food line. And,

AMERICAN OVERSIGHT

you know, I was in the Senate when we passed that bill, but the situation is much worse now than it was then.

"Since that bill passed in December, 100,000 more people have died, 100,000 people have died, actually more than that since the bill passed in December. Since that bill passed in December, students have been out of classrooms for another month. Since that bill passed in December, lines at food banks are still reaching all-time highs. And there's one thing that is different now that is a good thing, which is we've got vaccines.

"I know what I just described does not come cheaply," President-elect Joe Biden said in outlining his "American Rescue Plan" on Thursday, "but we simply can't afford not to do what I'm proposing." "So now we need to make sure that we get the vaccines to the people, and that we vaccinate as many people as quickly as possible. But that requires resources.

"The American Rescue Plan is about saving our country with speed and at scale. It would get Americans vaccinated. It would get schools to reopen safely. It would get small businesses the relief they need and in particular through grants and sometimes loans. It would give them an additional $1,400 to families on top of the previous $600 check for a total of $2,000 per family.

"But we must also give relief to tribal communities, like those in Arizona, to help frontline workers and other public servants on the job. Vaccinations, let's talk about those more specifically. I actually got my second vaccination yesterday out at (the National Institutes of Health). And, you know, we have the challenge of making sure that everyone understands that they are safe,, that we, should take some pride, that there are American scientists who actually developed the vaccine and that we want people to get the vaccine as soon as they are able and eligible.

"But by getting this bill passed, we can then have a national vaccination program, and that's extremely important. You know that in Arizona. I know that you have opined about what is going on in the state, and frankly, your perspective on this is repeated by editorial boards around the country, which is what is happening in each of the states to get the vaccinations to as many people as quickly as possible. Frankly, in order for that to happen, the federal government has got to support states to do what is necessary to have the infrastructure and the resources and the equipment to make sure that the largest number of people are getting vaccinated as quickly as possible.

"So by getting this passed, we'll have a national vaccination program that will include community vaccination centers and mobile vaccination units. And, of course, as we promised, we're going to get 100 million shots in arms in 100 days, but we need to have the resources to make sure that we do more than that because of course, we are a population of people that is three times that size. So we want to make sure that we're getting vaccinations to everybody in our country, and it's a good start, 100 million in the first hundred days, but that's not going to be nearly enough.

"It's great to be with you and I want to just say that when we get this bill passed, we can make sure that everyone, including those who live in rural areas, get these shots. If we don't pass this bill, I'm going to be very candid with you: We know more people are going to die in our country. More people will lose their jobs and our children are going to miss more school. We've got to be here collectively to say that that is not an option in America. We've got to get relief to people as quickly as possible, and this bill will do that. As it relates to Congress, we have the plan and now we need the members of Congress to act.

AMERICAN OVERSIGHT

"This is not a partisan issue. The range of support includes the United States Chamber of Commerce, the (International Monetary Fund) and Moody's, and so we're urging all members of Congress, regardless of their party, to support this.

"My final point, you know, the world is watching us. I am spending a lot of time with the president as we focus on this and the many other urgent matters facing our country, including foreign policy. The world is watching us and we need to enact the American Rescue Plan to demonstrate our strength as a nation and to regain the credibility of our leadership in the world.

"In America, throughout our history, we have been bold. We have been fearless. We have been, yes, ambitious. And we have demonstrated our ability to see what can be unburdened by what has been.

"We have big problems right now, but we also have the ability to be bold with big solutions.

"You know, if you think about it, in less than a year, two American companies developed vaccines that are saving lives as we speak. Now we need to show the world that we can distribute those vaccines and do that rapidly, widely and equitably. And frankly, this is what I think of as American aspiration. And I do believe that's what we need to summon today."

Reach the reporter Ronald J. Hansen at ronald.hansen@arizonarepublic.com or 602-444-4493. Follow him on Twitter @ronaldjhansen.

Return to the table of contents

Maricopa County supervisors approve another election audit to be 'transparent and open' about the vote count

Jen Fifield
Arizona Republic
January 29, 2021

Maricopa County will conduct another audit of its voting systems in an attempt to satisfy those with concerns about the integrity of the 2020 general election.

The Maricopa County Board of Supervisors voted unanimously Wednesday to hire two independent companies to conduct an audit that will examine again whether the machines counted votes properly, whether they were hacked or tampered with, and whether the county used proper procedures when leasing its machines from Dominion Voting Systems.

The supervisors said before the vote that they have full confidence the election ran smoothly and votes were counted accurately, after multiple audits and hand counts came back without errors and after election challenges were dismissed by the courts.

Chairman Jack Sellers said the audit is meant to alleviate the concerns of those who still "have serious doubts about our election process."

Jack Sellers represents District 1 on the Maricopa County Board of Supervisors.

AMERICAN OVERSIGHT

"I really want to alleviate their concerns and their issues with whatever it is we are doing and convince them that this was in fact truly an honest election with good integrity," he said.

It's unclear whether the audit will satisfy the demands of the Arizona Senate, which issued subpoenas to the supervisors in December demanding the board turn over a myriad of election material, including images of all mail-in ballots, detailed voter information and machines used to count votes, so the Senate could conduct the audit.

Senate President Karen Fann did not immediately return a phone call Wednesday asking whether the county's audit satisfies the subpoenas. She had announced last week that the Senate and the supervisors had reached an agreement, but the supervisors said at the time that nothing was final.

If approved, the county's audit would come far too late to overturn the results of November's general election, considering the board certified the results in November and President Joe Biden already has taken office.

Audit may cost between $50K and $100K
The audits of machines and software may cost between $50,000 and $100,000, according to county spokesperson Fields Moseley based on county estimates. The county's contracts with the audit companies are not yet final.

If approved, the audit would take place in February and March, according to a county document.

Sellers told The Republic on Tuesday that the supervisors feel "the amount of money that it is going to take to do this is worth it to try to calm people down and make people understand that the election is fair and honest and their votes do count and if there is anything wrong we want to be the first to know that."

The two companies the county will use for the audit declined to provide an estimate of their services to The Republic.

Steve Gallardo, the lone Democrat on the board, said while he was supporting the audit in order to prove one more time that the election was fair and accurate, it was a tough pill for him to swallow.

He said this will not change anything for the people who continue to mistrust the system and spread conspiracy theories, even after all that has been done to prove its accuracy.

"We are never going to convince them," Gallardo said.

What the county's new audit will examine
Scott Jarrett (right), Maricopa County elections director of Election Day and emergency voting, talks to Kelli Ward (second from right), chair of the Arizona Republican Party, and other observers during a postelection logic and accuracy test with the tabulation machines at the Maricopa County elections tabulation center in Phoenix on Nov. 18, 2020.

Scott Jarrett, director of election day and emergency voting for the Maricopa County Elections Department, told the supervisors on Wednesday that the new audit is another step to prove the election

AMERICAN OVERSIGHT

integrity, to prove the voting system is reliable, and to prove that residents can rely on the equipment moving forward.

"We know there is a lot of misinformation out there about this election," Jarrett said. "I am confident that those rumors aren't true. But there are a good number of people in our community who do have mistrust."

One of the key aspects of the audit is that it will not be performed by the county but by two companies that are certified by the U.S. Election Assistance Commission to conduct audits of voting systems. Those companies, according to a commission spokesperson, are Pro V&V and SLI Compliance.

The independence of the companies is key to performing a strong audit and restoring trust, Jarrett and the supervisors said.

"It was very important to us that we have totally independent qualified people do the audits for us," Sellers told The Republic on Tuesday. "It really is an interest on our part to be as transparent and open as we can be with this whole process and satisfy every one of the concerns that has been addressed to us as best we can."

The proposed audit would do the following to ensure that the county's voting system worked properly in the general election, Jarrett told the supervisors on Wednesday:

Part of the scope would be conducting another logic and accuracy test to verify that the county's machines are counting votes correctly. That test will not use 2020 ballots, though, since under state law those must remain locked up for a period of time after the election.

The logic and accuracy test will ensure there was no "vote switching," Jarrett said.

County already has performed audits
Jarrett outlined the steps the county has already taken since starting to use the new Dominion Voting Systems machines to ensure that the machines worked properly and votes were counted accurately in the general election.

That includes a 100% hand count of a previous election, the Madison School District Election, four separate hand counts and independent logic and accuracy tests for the general election. The hand counts are performed by the political parties themselves, not by county election officials, Jarrett explained.

"We have done many tests. We have done audits. We have done hand counts," Jarrett said.

The supervisors and Jarrett also talked about the number of public meetings they had before and after the election to ensure the election ran smoothly and to explain how votes were counted accurately and that there was no illegal tampering.

After the election, county officials went before members of the Arizona Legislature in a multiple-hour hearing to answer questions about the integrity of the election, and the supervisors asked staff questions for hours before certifying the results.

Supervisor Bill Gates said the reality is, people haven't been paying attention.

AMERICAN OVERSIGHT

Sellers told The Republic on Tuesday that the supervisors are attempting to address every concern about the election using the new audit.

"Whether or not that will satisfy everyone in the Senate, I don't know," Sellers said. "But we really are anxious for this to be the end of this discussion and move forward with regular business of Maricopa County."

While much of the supervisors' plan is in line with the Senate's demands, there are a few major distinctions.

First, the county would not be handing over its election machines or materials to the Senate. This is something that the supervisors have argued could compromise voter information.

The county's audit also will not study 2020 ballots, while the Senate had demanded copies of all mail-in ballots.

The audit would also not be performed by the Senate, but rather by the two private companies certified by the U.S. Election Assistance Commission.

Allowing people who aren't qualified to use the machines to tamper with them could affect the integrity of the machines just before the county must use them in jurisdictional elections this winter and spring, Sellers said.

That said, Gates told The Republic on Tuesday that the supervisors were going to invite lawmakers to oversee the process and ask them for their input. He said the supervisors understand that part of the Senate's interest is to monitor the audit in order to see which changes are needed to election law.

Gallardo said that, as a former member of the state House of Representatives, he sponsored several election-related bills and never needed to dismantle voting systems or to do his own audit to "do what is right for the people of Arizona to make sure our elections are clear and free."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New antibody therapy being used for COVID-19 patients in Arizona

By Griselda Zetino
Arizona Republic
January 29, 2021

Doctors in Arizona are using a new COVID-19 treatment that's meant to help keep the most at-risk patients from being hospitalized.

It's called monoclonal antibody therapy.

"Usually that is a treatment they want to use very early on — right after diagnosis," Arizona Department of Health Services Director Dr. Cara Christ told KTAR News 92.3 FM.

AMERICAN OVERSIGHT

This new treatment is what former President Donald Trump was given when he was diagnosed with COVID-19. It is for patients who have mild to moderate COVID-19 symptoms and are considered high-risk for severe illness and hospitalization.

Arizona has been allocated 17,180 doses of Bamlanivimab and 3,550 doses of Regeneron. They are two kinds of monoclonal antibody therapies that the U.S. Food and Drug Administration approved for emergency use in November.

The therapies monoclonal antibodies can be used for is patients 65 years and older or for those who have certain chronic medical conditions. Patients who are hospitalized due to COVID-19 or require oxygen therapy due to the virus cannot use the treatment.

"We've been partnering with hospitals, as well as out-patient treatment centers and other urgent cares in order to get them the monoclonal antibodies that they need to treat people," Christ said.

She added her department is partnering with the Arizona Poison and Drug Information Center to set up a system that allows out-patient providers to identify where they can direct patients for this treatment.

Banner Health is among the health systems in Arizona offering monoclonal antibody therapies.

"This is given as an out-patient treatment for those that qualify in several different sites," Banner Health Chief Clinical Officer Dr. Marjorie Bessel told KTAR News 92.3 FM.

She added it's one of several COVID-19 treatments Banner Health has available.

Facilities from Dignity Health, HonorHealth, Mayo Clinic and Valleywise Health also offer monoclonal antibody therapies to COVID-19 patients in Arizona.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Johnson's 1-dose shot prevents COVID-19, but less than some others

Arizona Republic
January 29, 2021

This Sept. 2020 photo provided by Johnson & Johnson shows the investigational Janssen COVID-19 vaccine. Johnson & Johnson's long-awaited COVID-19 vaccine appears to protect against symptomatic illness with just one shot – not as strong as some two-shot rivals but still potentially helpful for a world in dire need of more doses. Johnson & Johnson said Friday, Jan. 29, 2021 that in the U.S. and seven other countries, the first single-shot vaccine appears 66% effective overall at preventing moderate to severe COVID-19. It was more protective against severe symptoms, 85%. (Cheryl Gerber/Johnson & Johnson via AP)

Johnson & Johnson's long-awaited vaccine appears to protect against COVID-19 with just one shot – not as strong as some two-shot rivals but still potentially helpful for a world in dire need of more doses.

AMERICAN OVERSIGHT

J&J said Friday that in the U.S. and seven other countries, the single-shot vaccine was 66% effective overall at preventing moderate to severe illness, and much more protective — 85% — against the most serious symptoms.

There was some geographic variation. The vaccine worked better in the U.S. — 72% effective against moderate to severe COVID-19 – compared to 57% in South Africa, where it was up against an easier-to-spread mutated virus.

"Gambling on one dose was certainly worthwhile," Dr. Mathai Mammen, global research chief for J&J's Janssen Pharmaceutical unit, told The Associated Press.

With vaccinations off to a rocky start globally, experts had been counting on a one-dose vaccine that would stretch scarce supplies and avoid the logistics nightmare of getting people to return for boosters.

But with some other competing vaccines shown to be 95% effective after two doses, at question is whether somewhat less protection is an acceptable tradeoff to get more shots in arms quickly.

"Frankly, simple is beautiful," said Dr. Matt Hepburn of Operation Warp Speed, the U.S. government's vaccine initiative.

The company said within a week, it will file an application for emergency use in the U.S., and then abroad. It expects to supply 100 million doses to the U.S. by June — and a billion doses globally by the end of the year. J&J wouldn't say exactly how much could be ready to ship as soon as U.S. authorities give the green light.

These are preliminary findings from a study of 44,000 volunteers that isn't completed yet. Researchers tracked illnesses starting 28 days after vaccination – about the time when, if participants were getting a two-dose variety instead, they would have needed another shot.

After day 28, no one who got vaccinated needed hospitalization or died regardless of whether they were exposed to "regular COVID or these particularly nasty variants," Mammen said. When the vaccinated did become infected, they had a milder illness.

Defeating the scourge that has killed more than 2 million people worldwide will require vaccinating billions, and the shots being rolled out in different countries so far all require two doses a few weeks apart for full protection. Early data is mixed on exactly how well all the different kinds work, but shots made by Pfizer and Moderna appear to be about 95% protective after the second dose.

That makes for a dilemma: Wouldn't people given a choice want a vaccine found to offer much more protection?

J&J's Mammen said direct comparisons are difficult because the Pfizer and Moderna vaccines weren't tested when the pandemic was so severe, with record levels of hospitalizations and deaths plus mutant versions of the virus sweeping some countries.

AMERICAN OVERSIGHT

Dr. Anthony Fauci, the top U.S. infectious disease official, called that a messaging challenge — because the priority is to protect people from hospitalization and death, which J&J's vaccine appears to do. Especially in places where it's hard to get people to return for their second dose, the one-dose version could play a key role.

Maybe more important is "a wake-up call" from the study that mutating viruses can challenge vaccines. And the best way to prevent more mutations is "by vaccinating as many people as you possibly can," Fauci said.

All COVID-19 vaccines train the body to recognize the new coronavirus, usually by spotting the spikey protein that coats it. But they're made in very different ways.

J&J's shot uses a cold virus like a Trojan horse to carry the spike gene into the body, where cells make harmless copies of the protein to prime the immune system in case the real virus comes along. It's the same technology the company used in making a successful Ebola vaccine.

Rival AstraZeneca makes a similar cold virus vaccine that requires two doses. Both the AstraZeneca and J&J vaccines can be stored in a refrigerator, making them easier to ship and to use in developing countries than the frozen kind made by Pfizer and Moderna.

It's not clear exactly how well the AstraZeneca version, being used in Britain and several other countries, works. Tests in Britain, South Africa and Brazil suggested two doses are about 70% effective although there are questions about how much protection older adults get. An ongoing U.S. study may provide more information.

J&J said its vaccine works consistently in a broad range of people: A third of participants were over age 60, and more than 40% had other illnesses putting them at risk of severe COVID-19, including obesity, diabetes and HIV.

J&J said the vaccine is safe, with reactions similar to other COVID-19 shots such as fever that occur when the immune system is revved up.

While it released few details, the company said there were no serious allergic reactions. But occasionally other COVID-19 vaccines trigger such reactions, which can be reversed if promptly treated – and authorities have warned people to be on the lookout regardless of which type of vaccine is used.

J&J had hedged its bets with a study of a two-dose version of its vaccine, which is still underway.

Friday's interim results come on the heels of another vaccine in final testing. Novavax reported this week that its vaccine appears 89% effective in a U.K. study and that it also seems to work — though not as well — against new mutated versions of the virus circulating in Britain and South Africa. A larger study in the U.S. and Mexico is still enrolling volunteers.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Gov. Ducey taps 5 for Arizona Peace Officer Standards and Training Board

KTAR News
January 29, 2021

Arizona Gov. Doug Ducey appointed five members to the Arizona Peace Officer Standards and Training Board on Thursday, including Phoenix Police Chief Jeri Williams.

Yavapai County Sheriff David Rhodes, Eloy Police Chief Christopher Vasquez, Coconino County Detention Services Commander Matthew Figueroa and Arizona State University Professor Kevin Robinson were also added to the board.

The 13-member board works to foster public trust through maintaining standards of integrity, competence and professionalism for the state's peace officers and correctional officers by providing a curriculum for all certified law enforcement training facilities, according to the release.

"As always, the safety of Arizonans and our communities remains a top priority," Ducey said in the release. "It's crucial that AZPOST members and all law enforcement personnel have the resources, training, and knowledge needed to protect Arizonans and enforce the rule of law.

"Today's appointees bring a wealth of experience and knowledge to the board, and I'm confident they will serve civilians and law enforcement professionals well."

Established in 1968, the board provides services to more than 150 agencies that encompass 14,500 sworn police officers, 6,500 correctional officers and 16 training academies, according to the release.

The board also works to address the need for minimum peace officer selection, recruitment and retention.

State Democrats in June asked for more diversity on the board amid protests following the in-custody deaths of George Floyd in Minneapolis and Dion Johnson in Arizona.

The release said Ducey met with community leaders where similar recommendations were stated and the appointments on Thursday reflect those recommendations.

Return to the table of contents

Threats of harm come with the job, Arizona Sen. Mark Kelly says

KTAR News
January 29, 2021

Protesters supporting U.S. President Donald Trump break into the U.S. Capitol on Jan. 6, 2021, in Washington, D.C. Congress held a joint session today to ratify President-elect Joe Biden's 306-232

AMERICAN OVERSIGHT

Electoral College win over President Donald Trump. Pro-Trump protesters entered the U.S. Capitol building during demonstrations in the nation's capital. (Getty Images Photo/Win McNamee)

U.S. Sen. Mark Kelly of Arizona is new to the job, but he isn't surprised he and his congressional colleagues are receiving threats three weeks after thousands of rioters stormed the U.S. Capitol.

A federal agency issued a terrorism bulletin this week warning of the potential for more politically-motivated violence from American extremists.

"Most of us right now are getting some kind of threat one way or the other. It's expected," freshman Sen. Mark Kelly (D-Ariz.) said Thursday on KTAR News 92.3 FM's Arizona's Morning News.

The Department of Homeland Security did not cite any specific plots, but pointed to "a heightened threat environment" across the United States that it believes "will persist" for weeks after President Joe Biden's Jan. 20 inauguration.

Supporters of then-President Donald Trump stormed the Capitol on Jan. 6, seeking to overturn the election. Five people were killed.

"When I decided to serve my country again by running for the U.S. Senate, I knew what I was getting myself into more than anybody else," Kelly said.

Kelly, a former Navy pilot and astronaut, was referring to the 2011 attempted assassination of his wife, Gabrielle Giffords, who was serving in the U.S. House of Representatives for Arizona.

Giffords was shot in the head and nearly died while hosting a public event in Tucson. Six people were killed and 18 others were injured that day in January.

"I feel safe," Kelly said. "There's National Guard doing a great job, Capitol Police … they're great individuals that really care about our country and care about protecting the Capitol."

The department was criticized for its handling of the attack. Rioters broke through barriers and got inside the building during Congress' official certification of electoral votes.

They ransacked offices and destroyed property. Federal authorities have charged more than 150 people in the siege.

Wednesday's alert was issued by acting Homeland Security Secretary David Pekoske.

"One concern I have is to what degree are various law enforcement organizations and even the military infested with people who want to function as domestic terrorists," former CIA analyst Paul Kinsinger of Phoenix told KTAR News 92.3 FM.

"That's an issue that several organizations are wrestling with as we've seen in the news since January 6."

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New antibody therapy being used for COVID-19 patients in Arizona

By Griselda Zetino
KTAR News
January 29, 2021

Doctors in Arizona are using a new COVID-19 treatment that's meant to help keep the most at-risk patients from being hospitalized.

It's called monoclonal antibody therapy.

"Usually that is a treatment they want to use very early on — right after diagnosis," Arizona Department of Health Services Director Dr. Cara Christ told KTAR News 92.3 FM.

This new treatment is what former President Donald Trump was given when he was diagnosed with COVID-19. It is for patients who have mild to moderate COVID-19 symptoms and are considered high-risk for severe illness and hospitalization.

Arizona reports 4,671 new COVID-19 cases, 176 more deaths
Arizona has been allocated 17,180 doses of Bamlanivimab and 3,550 doses of Regeneron. They are two kinds of monoclonal antibody therapies that the U.S. Food and Drug Administration approved for emergency use in November.

The therapies monoclonal antibodies can be used for is patients 65 years and older or for those who have certain chronic medical conditions. Patients who are hospitalized due to COVID-19 or require oxygen therapy due to the virus cannot use the treatment.

"We've been partnering with hospitals, as well as out-patient treatment centers and other urgent cares in order to get them the monoclonal antibodies that they need to treat people," Christ said.

She added her department is partnering with the Arizona Poison and Drug Information Center to set up a system that allows out-patient providers to identify where they can direct patients for this treatment.

Banner Health is among the health systems in Arizona offering monoclonal antibody therapies.

"This is given as an out-patient treatment for those that qualify in several different sites," Banner Health Chief Clinical Officer Dr. Marjorie Bessel told KTAR News 92.3 FM.

She added it's one of several COVID-19 treatments Banner Health has available.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

COVID-19 vaccine supply a concern for Coconino County

By: Kaitlin Olson
Arizona Daily Sun
January 29, 2021

Through a collective effort by Coconino County and healthcare providers, up to 1,300 COVID-19 vaccine doses could be distributed to county residents daily; however, fewer than 400 vaccines make it to community members each day due to lack of supply.

According to the latest model prepared by Coconino County, at this rate it will take a year to reach 80% of the county's population, the percentage at which the community is likely to develop herd immunity to COVID-19.

Just under 20,000 vaccine doses have been received by Coconino County Health and Human Services (CCHHS) since late December, about 12,000 of which are first doses, Interim CCHHS Director Kim Musselman told the Board of Supervisors during Tuesday's meeting.

The Arizona Department of Health Services reported Wednesday that 13,275 vaccines have been administered in Coconino County, of the 518,125 administered statewide. Coconino has the second highest vaccination rate per 100,000, behind Greenlee, which has administered 1,500 vaccines.

Weekly allocations have been arriving in batches containing anywhere from 600 to 2,500 doses. Of these total vaccines, about 38% is being distributed by CCHHS at its Fort Tuthill vaccination site, while the other 62% is sent to partners throughout the region.

Partners with the greatest capacity include North Country HealthCare's Flagstaff clinic, which can currently administer up to 200 vaccines per day, and Flagstaff Medical Center. When FMC opens its community vaccine clinic for eligible groups in early February, Musselman said it will be able to offer up to 500 vaccination appointments a day. In March, it will increase to 1,000.

Allocations to different areas within the county are based on population, the same way the state determines the county's allocation, Musselman said during a public vaccine update that was livestreamed Monday. Within Coconino County, Flagstaff has received about 13.5% of the total vaccine allocation, while Page has received 13% and the Grand Canyon has received about 12%.

During this update, county leaders encouraged community members to contact their senators, representatives and Gov. Doug Ducey to request more vaccines for Coconino County. Contact information for these individuals is now available on the county's vaccine webpage.

An estimated 98,665 county residents are eligible for the vaccine, based on age and location. Children under the age of 14 and individuals living on the Navajo Nation and Hopi Reservation, who receive their shots directly from the federal government, were excluded from the count.

Roughly 23% of this group, including the Phase 1a group and select members of Phase 1b, is currently eligible to receive the vaccine. The next priority group — the remaining Phase 1b essential workers and

AMERICAN OVERSIGHT

adults with high-risk conditions who live in congregate settings — is the largest, at an estimated 35,888 individuals, or 36% of the total eligible group.

The federal plan of distributing 100 million doses in 100 days, though, would only provide enough vaccines for 22% of the county population.

To date, the county has received 0.04% of the total national supply of vaccines, CCHHS Division Manager Sarah Schildecker said Tuesday, which would equate to about 40,000 vaccines, or 402 vaccine appointments daily, in the 100-day national distribution plan. At the time, she said the department had not yet received guidance from the state about how the federal administration's most recent plans to purchase another 100 million doses each of the Pfizer and Moderna vaccines would affect local allocations.

"Hopefully, if the Biden Administration is signing on to purchase more vaccine doses, we will see that subsequent increase. To what extent is going to depend upon how much is allocated to Arizona," Schildecker said, noting that the arrival of additional vaccines will likely occur in the same trickle the health department has seen in recent weeks.

Coconino County had a total reported 14,775 COVID-19 cases as of Wednesday, with 55 new additions since the previous day. Of the total cases, 24% have been among individuals who are 65 years or older or who have at least one chronic medical condition.

Health officials continue to encourage community members, including those who have received vaccine doses, to continue to follow the COVID-19 mitigation practices including wearing a face mask, distancing from others and washing hands frequently.

"When it's time to stop doing these mitigation measures, we're going to let you know, loud and clear, we're going to let you know that," Musselman said Monday. "But until then, please, please, even if you have your vaccine, continue to practice all of these things so that we can find our way out of this pandemic in shortest order as we possibly can."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders

Adrian Skabelund
Arizona Daily Sun
January 29, 2021

Almost two months since Mark Kelly took his seat in the U.S. Senate, he took time to speak with the Arizona Daily Sun about priorities for northern Arizona.

Kelly said in recent weeks he has been speaking with local mayors and leaders across the area to hear more about the issues they are facing and where he might be able to help now that he has been sworn in officially.

AMERICAN OVERSIGHT

He added he is also putting together advisory groups that can speak to challenges in northern and southern Arizona, and around Maricopa County.

Throughout January, according to a spokesperson, Kelly has participated in virtual meetings with the mayors of Winslow, Kingman, Sedona, Cottonwood, Show Low, Williams, Snowflake, Bullhead City, Lake Havasu City, Prescott and Chino Valley.

This week, Kelly will meet with the Fredonia and Clarkdale mayors. In addition, he has sat down with Navajo Nation President Jonathan Nez and Hopi Tribe Chairman Timothy Nuvangyaoma.

Those conversations have been dominated by discussion of COVID-19, Kelly said. The new senator is interested to hear how the pandemic -- and economic downturn stemming from it -- has impacted city finances, how budgets compare this year to 2019 and how the vaccination process is going.

“As an example, I think Winslow has about 10,000 people. They're getting 700 doses a week. So you know, 15 weeks, in theory, they could vaccinate everybody. That is not horrible," Kelly said. "In some places it is a lot worse than that. If you look at Yuma County, until recently they were getting 800 doses a week -- they have a lot more than 10,000 people."

Kelly said he is also telling mayors he wants communication with them and local leaders to be ongoing and hopes to assist communities with problems other than just those associated with COVID-19.

“These are often restructured priorities, roads, bridges,” Kelly said. "I'm trying to make sure that they understand that this isn't just like a one-time thing. I’m reaching out to them to check in at the beginning of my my term in the United States Senate. I want to have open communication with our mayors so I can be as strong as an advocate as possible for that entity in the United States Senate.”

Nonetheless, with Arizona seeing some of the highest case numbers in the world and many people out of work, the pandemic is top of mind.

Earlier this month, Congress passed a second COVID-19 relief bill providing Americans with an additional $600 stimulus check and extending the date by which CARES Act money sent to state and local governments could be spent. Kelly said the latter measure was especially important for northern Arizona tribal communities, some of which have been hit hard by the pandemic.

The money the CARES Act provided tribes was important, Kelly said, but some tribes such as the Navajo Nation didn’t have projects immediately ready to spend it on and were at risk of losing that funding if the deadline hadn’t been extended.

Kelly said that bill also included funding for improving infrastructure such as rural broadband -- which might assist rural tribal communities in getting healthcare and education amid necessary social distancing.

And Kelly said he and some of his colleagues in Congress know that additional support is needed, noting that he has been in communication with Sen. Lisa Murkowski, R-Alaska, on some of those measures.

AMERICAN OVERSIGHT

"We do need some more direct funding to tribes. That didn't happen in this last COVID-19 relief bill, because it became a negotiating point balanced against liability issues for businesses," Kelly said. "So, hopefully, we will address this here in the first quarter of this year."

Return to the table of contents

County Detention Services head named to state board

Arizona Daily Sun
January 29, 2021

Coconino County Detention Services Commander Matthew Figueroa was appointed by Governor Doug Ducey to the Arizona Peace Officer Standards and Training Board Thursday.

Figueroa was among five Arizonans from across the state who was appointed to the board by the governor.

Others chosen by the governor included Phoenix Police Chief Jeri Williams, Yavapai County Sheriff David Rhodes, Eloy Police Chief Christopher Vasquez and Kevin Robinson, a professor at Arizona State University.

"As always, the safety of Arizonans and our communities remains a top priority," said Governor Ducey. "It's crucial that AZPOST members and all law enforcement personnel have the resources, training, and knowledge needed to protect Arizonans and enforce the rule of law. Today's appointees bring a wealth of experience and knowledge to the Board, and I'm confident they will serve civilians and law enforcement professionals well."

The Arizona Peace Officer Standards and Training Board, or AZPOST, is composed of 13 members and stands to foster public trust and confidence by establishing and maintaining standards of integrity, competence, and professionalism for Arizona peace officers and correctional officers.

It provides and develops baseline standards for peace officer selection, recruitment, retention and training, and curriculum and standards for all certified law enforcement training facilities.

Return to the table of contents

County Detention Services head named to state board

Arizona Daily Sun
January 29, 2021

Coconino County Detention Services Commander Matthew Figueroa was appointed by Governor Doug Ducey to the Arizona Peace Officer Standards and Training Board Thursday.

Figueroa was among five Arizonans from across the state who was appointed to the board by the governor.

AMERICAN OVERSIGHT

Others chosen by the governor included Phoenix Police Chief Jeri Williams, Yavapai County Sheriff David Rhodes, Eloy Police Chief Christopher Vasquez and Kevin Robinson, a professor at Arizona State University.

"As always, the safety of Arizonans and our communities remains a top priority," said Governor Ducey. "It's crucial that AZPOST members and all law enforcement personnel have the resources, training, and knowledge needed to protect Arizonans and enforce the rule of law. Today's appointees bring a wealth of experience and knowledge to the Board, and I'm confident they will serve civilians and law enforcement professionals well."

The Arizona Peace Officer Standards and Training Board, or AZPOST, is composed of 13 members and stands to foster public trust and confidence by establishing and maintaining standards of integrity, competence, and professionalism for Arizona peace officers and correctional officers.

It provides and develops baseline standards for peace officer selection, recruitment, retention and training, and curriculum and standards for all certified law enforcement training facilities.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

VIRUS TODAY: Lawmakers call for race data on vaccine access

Arizona Daily Sun
January 29, 2021

Here's what's happening Thursday with the coronavirus pandemic in the U.S.:

THREE THINGS TO KNOW TODAY:

— Democratic lawmakers are urging federal health officials to address racial disparity in vaccine access nationwide in a letter sent to the acting Health and Human Services secretary, Norris Cochran IV. Data from some states has shown hard-hit nonwhite Americans who are eligible to get the vaccine are not receiving it in proportion to their share of the population. In the letter, Rep. Ayanna Pressley and Sens. Elizabeth Warren and Edward Markey, all of Massachusetts, say the agency must work with states, municipalities and private labs to collect and publish demographic data about vaccine recipients. Without that information, policymakers and health workers cannot efficiently identify vaccine disparities in the hardest-hit communities, the lawmakers say.

— New York may have undercounted COVID-19 deaths of nursing home residents by as much as 50%, the state's attorney general said in a report. Attorney General Letitia James has been examining discrepancies for months between the number of deaths being reported by the state's Department of Health, and the number of deaths reported by the homes themselves. Her investigators looked at a sample of 62 of the state's roughly 600 nursing homes. They reported 1,914 deaths of residents from COVID-19, while the state Department of Health logged only 1,229 deaths at those same facilities If that same pattern exists statewide, James' report said, it would mean the state is underreporting deaths by nearly 56%.

— State lawmakers around the U.S. are moving to curb the authority of governors and top health officials to impose emergency restrictions such as mask rules and business shutdowns. Many legislators

AMERICAN OVERSIGHT

are resentful of the way governors have issued sweeping executive orders. They are pushing back in states such as Arizona, Michigan, Ohio, Kentucky, Indiana and Pennsylvania. Some governors say they need authority to act quickly and decisively against the fast-changing threat.

THE NUMBERS: According to data through Jan. 27 from Johns Hopkins University, the seven-day rolling average for daily new cases in the U.S. did not increase over the past two weeks, going from 244,872.7 on Jan. 13 to 162,067.1 on Jan. 27. The seven-day rolling average for daily new deaths in the U.S. did not increase over the past two weeks, going from 3,356.9 on Jan. 13 to 3,287.3 on Jan. 27.

QUOTABLE: "We think, 'Well, OK, it's like men's shirts, right? I'll just have another place to make it.' It's just not that easy." Dr. Paul Offit of Children's Hospital of Philadelphia, a vaccine adviser to the U.S. government, on the slow and steady process of scaling up vaccine production.

ICYMI: A new coronavirus variant identified in South Africa has been found in the United States for the first time. South Carolina officials say two such cases have been diagnosed in the state. Viruses mutate constantly, and many variants of the coronavirus are circulating around the globe, but scientists are primarily concerned with three that appear to spread more easily. Other variants first reported in the United Kingdom and Brazil were already confirmed in the U.S. Researchers predicted it was only a matter of time before the variant identified in South Africa reached the United States as well.

ON THE HORIZON: In North Carolina's largest city, Magena Morris, Tyler Bone and Nic White are on a mission to help homeless people, a population that has grown during the pandemic and economic downturn. Once a month, they bring racks loaded with clothes into Charlotte's largest homeless encampment and invite residents to shop their free store. The idea behind the racks is to give residents of "tent city" the feeling of browsing a normal store and spare them having to dig through piles of secondhand apparel. Through donations collected in drop-boxes and online, they're providing not just clothes but much-needed goods from batteries to books.

Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Saturday, January 30, 2021 3:37:20 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes January 29, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

January 29, 2021

IMPORTANT: *The Arizona Legislative Report is fully digital and may be accessed at ArizonaLegislativeReport.com. Your log-in credentials from last year should still work. If you have trouble logging in, please let us know. In addition, please let us know if there are any changes to your account, such as a new email or a new contact person. You may call or email*

AMERICAN OVERSIGHT

Scott Newell at 602-258-7145 or snewell@azcapitoltimes.com, or Mitch Stead at mstead@azcapitoltimes.com or 602-889-7140. For any questions about subscription payments, please contact Shannon Wass at 717-323-5234 or swass@bridgetowermedia.com.

Please note that subscribers to the News Notes email will get the News Notes around 3 p.m.

Regular subscribers will be alerted via email once the Daily Report is posted on ArizonaLegislativeReport.com. If you would like to get the News Notes early, please let us know. The cost for the News Notes is an additional $50 per month.

COPYRIGHT 2021 Arizona Capitol Reports

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until Monday, February 1, at 1:15 p.m.

THE SENATE IS ADJOURNED until Monday, February 1, at 1:30 p.m.

COMMITTEE AGENDAS

NEW HEARINGS

Senate Judiciary

Thursday 02/04/21 at 9:00 AM, Senate Rm. 1

S1248: ELECTRONIC COMMUNICATIONS; SOCIAL MEDIA POST

S1249: CONVICTION; SET ASIDE; TRAFFIC VIOLATIONS

S1256: VICTIMS' PRIVACY; CRIMINAL CASE INFORMATION

S1261: JUSTIFICATION; CRIMINAL OFFENSE

S1265: COURT RULES; SIGNATURES; COURT DOCUMENTS

S1266: COMPETENCY EVALUATION; RECORDS; APPOINTMENTS

S1267: RECORD OF PROCEEDING; ELECTRONIC RECORDING

S1322: EVICTION PROCEEDINGS; VIRTUAL APPEARANCES

AMERICAN OVERSIGHT

S1332: EMANCIPATED MINORS; ORDERS; EMPLOYMENT RIGHTS

S1381: DISABILITY-SELECTION ABORTION; PROHIBITED

S1382: ESSENTIAL BUSINESSES; FIREARMS; AMMUNITION; SALES

S1407: DUI; INCARCERATION CREDITS; CALCULATION

S1409: ZONING ORDINANCES; PROPERTY RIGHTS; COSTS

S1415: GUARDIANSHIP PROCEEDINGS; SEALING OF RECORDS

S1457: ABORTION; UNBORN CHILD; GENETIC ABNORMALITY

NEWS NOTES

HOUSE COMMITTEES FINALLY JOIN 21ST CENTURY

Three House committees that had not been letting members of the public testify on bills remotely will all start to do so starting Monday, House GOP spokesman Andrew Wilder said. Committee chairs have the power to set testimony rules in their committees, and Bolding, who supports allowing both in-person and virtual testimony, said he hopes they follow through. “In the event that they don’t - that would be one big area of pushback from our caucus,” Bolding said.

BOLDING SEES IMPROVEMENT IN ADHERING TO COVID-19 PROTOCOLS

Bolding told our reporter this week that has seen a “slight improvement” among Republican members following new House rules meant to minimize the risk of contracting COVID-19. However, he said lawmakers still need to get better at it. Although most of the floor sessions so far this year have been short, the House spent more than an hour in COW and third reading yesterday. As the session goes on and long floor sessions become more common, Bolding said Democrats might make it an issue if members aren’t following mask rules more closely. “It’s going to be important that people are taking safety precautions,” Bolding said.

BOLICK: IT’S THE MEDIA’S FAULT

Bolick this afternoon accused the media of generating a “misleading headline”

AMERICAN OVERSIGHT

in reports about her H2720 (ballots; election contests; certificates), which gives the Legislature the ability to, at any point before Inauguration Day, effectively revoke the Secretary of State's certification of the state's electoral votes. "The mainstream media is using this elections bill as click bait to generate misleading headlines. This bill would give the Arizona Legislature back the power it delegated to certify the electors," she said in a news release. "It is a good, democratic check and balance." Bolick said her office has been flooded with emails, letters and calls regarding the November election, and that she collated ideas for election "reform." She added that her bill offers transparency to issues ranging from ballots to certificates to how many mail-in ballots were being printed or mailed, on-hand.

SHOPE SPRINGS ETERNAL

Shope expressed optimism that this session will produce funding to widen I-10 after Covid prevented the Legislature from approving even a portion of the roughly $30 million Ducey requested in last year's State of the State. His S1461 (appropriations; widening; I-10) seeks $50 million to widen the highway between Chandler and Casa Grande. Shope said it's important to move ahead now, as the state currently has a good negotiating relationship with Gila River Indian Community Gov. Stephen Roe Lewis. And the most recent snowstorms over the weekend again highlighted the need for I-10, a secondary route for commercial traffic that can't make it across I-40 in northern Arizona in the snowy weather. "When we have these major snowstorms up north, maybe once a year, interstate commerce along I-40 grinds to a complete halt and all that traffic gets rerouted. We need to make sure that we're operating at full capacity," he said. Roughly 60% of Casa Grande residents work in the Phoenix metro area and commute in on I-10 each day.

MESNARD WADES INTO SHORT-TERM RENTAL FIGHT

Mesnard is wading into the short-term rental fight with S1379 (vacation rentals; short-term rentals; enforcement). The bill would give cities and towns the authority to restrict how many adults can occupy a vacation rental property and require owners to maintain liability insurance of at least $500,000. The bill doesn't go nearly as far as recent attempts by Kavanagh and former Sen. Kate Brophy McGee to give cities the power to regulate short-term rentals. Mesnard said he hopes his proposal would find a common ground between short-term rental owners and the neighbors who don't want them

AMERICAN OVERSIGHT

around. “Some will not want to do anything, some will think this doesn't go far enough, and so we’re working through where we might land,” he said.

EARLY RELEASE CREDITS TAKE CENTER STAGE

A bipartisan group of lawmakers is pushing to let nonviolent prisoners earn additional early release credits if they complete drug treatment or take part in certain self-improvement or work programs. Blackman persuaded Toma, Bolding and 16 others to cosponsor the measure. The people who signed up to support H2713 (release credits; prisoners) similarly run the gamut and included both Families Against Mandatory Minimums and the fiscally conservative Americans for Prosperity Arizona. Blackman said the bill would encourage inmates to rehabilitate themselves and learn tools and skills to live a productive life. “This is not a partisan issue or a red or blue issue – this is an Arizona issue, and a smart approach to incremental criminal justice reform,” he said. “Expanding earned credits opportunities for nonviolent inmates will save Arizona taxpayers millions of dollars, which can be reinvested into critical programing, re-entry and community supervision programming, or other important needs in the state.” The bill has been scheduled for a hearing in Blackman’s committee at 2 p.m. Wednesday.

DITTO FOR SENTENCING FLEXIBILITY

House crim jus ref has a busy agenda on Wednesday, when the committee will hear 12 bills, as well as Blackman’s H2713. Some proposals would make major changes to sentencing practices, such as H2673 (mandatory minimum sentences; judicial discretion), which would let judges hand out sentences lower than a mandatory minimum in statute if the facts warrant, or H2318 (sentencing; repetitive offenders), which would relax the state’s repetitive offender sentencing law. Another bill, H2168 (use of force; reports; analysis), would require law enforcement agencies to report data on use of force incidents. Others deal with tweaks to the juvenile justice system or with prisoner re-entry. House leaders from both parties have expressed hope that criminal justice reform would attract bipartisan agreements this year.

FINCHEM SEEKS BAN ON POLITICAL ADVOCACY IN CLASSROOMS

Finchem seeks a ban on political advocacy in the classroom. His HCR2030 (teachers; ethics standards; rules) would put a measure on the 2022 ballot to bar teachers from political advocacy in the classroom, including supporting or

AMERICAN OVERSIGHT

opposing any political candidate, legislation or executive action or taking a stand on any partisan politician issue or in a pending court case. The measure spells out warnings and penalties for violating its provisions, including suspension of a teaching certificate. It contains an exception for activity in the context of discussing a historical matter, where legislation or court case is more than 50 years old, where a candidate last ran or a politician left office more than 50 years ago or where a political party hasn't existed for more than 50 years. Finchem also introduced two immigration-related measures this week. HCR2031 (technical correction; illegal aliens) appears to be a striker vehicle. As currently drafted, it makes a negligible change to the section of the Arizona Constitution that deals with barring illegal immigrants from receiving any punitive damages in court. The same is true for H2719 (technical correction; employment of aliens), which currently deals with the statutes barring non-citizens from state and local government employment.

HERNANDEZ WANTS WHITE NATIONALIST GROUPS TREATED AS TERRORISTS

A few legislators are taking a stand on hot-button topics. Hernandez's HCR2033 (white supremacists; domestic terrorists) denounces "totalitarian impulses, violent terrorism, xenophobic biases and bigoted ideologies that are promoted by white nationalists and neo-Nazis." The resolution also calls for treating such groups as a terrorist organization and "pursuing the criminal elements of these domestic terrorist organizations in the same manner and with the same fervor used to protect the United States from other manifestations of terrorism." The resolution points to the violence in Charlottesville, Va. in 2017 and at the U.S. Capitol on Jan. 6, calls out the "alt-right" as essentially another manifestation of white nationalism and says that, "while free speech is a bedrock value for Americans, white nationalist and neo-Nazi groups promote agendas that are in irreconcilable conflict with our nation's foundational principles of liberty and justice for all."

FANN, PETERSEN HIRE OWN AUDITORS

Fann and Petersen today announced the hiring of their own auditor to investigate Maricopa County's elections, but key details — including the name of the firm, how much it will be paid and even what exactly will be audited — remain unclear. Part of the reason might be that the county hasn't agreed to hand over equipment and ballots. Maricopa County's board of supervisors

AMERICAN OVERSIGHT

voted unanimously Wednesday to authorize another full audit of its voting system, hiring two independent firms, Pro V&V and SLI Compliance. But some people reluctant to accept the results of the election immediately began speculating that the county chose auditors who are somehow involved in a mass conspiracy. In a statement, Fann and Petersen said their auditor will do a more thorough audit than either of the two chosen by the county. "I'm grateful the President has chosen a firm that will do that work. Only then will our voters feel confident about the results of the election," Petersen said.

IT'S ALMOST LIKE A NORMAL YEAR

Lawmakers have introduced 1,355 bills by the end of the third week of session, and four bills sailed through both chambers yesterday, ready for Ducey's signature. The Senate's bill introduction deadline is Monday at 5 p.m., while House members have until the following Monday. The first four bills to pass are all House measures substituted for identical Senate bills during third reading yesterday. The House still needs to officially transmit them to the governor: Weninger and Mesnard's H2045 (civil rights; amendments), Udall and Boyer's H2023 (schools; employees; employment; discipline), Griffin and Borrelli's H2036 (electric cooperatives; broadband service; fees) and Dunn/Kerr's H2078 (groundwater; waterlogged area exemption; date). The House sent 33 bills to the Senate and the Senate forwarded 25 to the House, but no bills have yet been assigned to committees in the second chamber. Ten Senate bills are ready for third reads and another 13 are ready for the consent or COW calendars, along with 18 bills in the House. In the Senate, 56 bills are ready for rules compared to 79 in the House. Senate committees have 412 bills to schedule for hearings, and the House has 339 assigned to committees. Bowers has 333 bills left to assign to committees, while Fann has 120.

NEWS RELEASES

Statement from Representative Bolick on HB 2720

STATE CAPITOL, PHOENIX – State Representative Shawnna Bolick issued a statement today regarding HB 2720, election reform legislation introduced this week.

"In two months alone, my office has received well over 30,000 emails, letters,

AMERICAN OVERSIGHT

and calls pertaining to the November election. Since August of 2020, I have taken potential election reform ideas from constituents and supporters on suggested changes to update current election-related statutes. I have spoken with election observers and poll watchers about securing, adjudicating and auditing ballots.

“House Bill 2720 amends parts of the state’s election law pertaining to ballots, elections, and certificates. During the last election cycle, many individuals showed frustration not knowing exactly how many mail-in ballots were being printed, mailed, on-hand, etc. This bill offers transparency to address some of these issues. And, of course, until today, our office has received countless requests about an audit.

“The mainstream media is using this elections bill as click bait to generate misleading headlines. This bill would give the Arizona Legislature back the power it delegated to certify the electors. It is a good, democratic check and balance.

“At the end of the day, I hope we can all agree we need to have secure elections cast by legal registered voters across Arizona. Our constituents voted us in to restore the integrity of our elections.”

* * * * *

Senate chooses its own qualified auditing firm to conduct forensic audit of Maricopa County election results

Today Senate President Fann announced that the Arizona State Senate has hired an independent, qualified, forensic auditing firm to analyze 2020 election results in Maricopa County.

President Fann: "There are two primary reasons we have determined the Senate needed to retain its own independent auditing firm. The Senate has consistently called for an auditor certified by the U. S. Election Assistance Commission (EAC). We have now learned the EAC does not certify auditors as such. The other primary reason is that the scope of the audit must be broader than the one proposed by the County's vendors. Our firm will perform everything we have required in the subpoenas. We must bring back confidence that the election results reported are how votes were legally cast. The Senate's forensic audit will bring accuracy and detail to the process, and

AMERICAN OVERSIGHT

with that restore integrity to the election process."

Senate Judiciary Chairman Warren Petersen: "Maricopa County has chosen two companies to audit their election. Unfortunately, their limited scope does not fulfill the demand of our subpoena, which called for a deep forensic audit. We need to do more than make basic checks on the machines to make sure they were working. We need to check the ballots and ballot scans for abnormalities. We need to look at the machines to see if there was any manipulation. We need to make sure there was no remote or local access that made changes to the results. I'm grateful the President has chosen a firm that will do that work. Only then will our voters feel confident about the results of the election."

* * * * *

Senator Shope commends settlement reached in Johnson Utilities case

(Phoenix, State Capitol) --- Nearly 70,000 water customers in Florence, Queen Creek and San Tan Valley have a more certain water future, after the Arizona Corporation Commission (ACC) and the Arizona Department of Environmental Quality (ADEQ) reached settlements in the Johnson Utilities case. Residents in the area have been dealing with water shortages and overflowing sewers for years. The ACC ordered a removal of management of Johnson Utilities in 2018, and EPCOR USA began serving as interim manager of the utility. In December, regulators approved a sale to EPCOR, and this week a settlement agreement was reached between the ACC, ADEQ and EPCOR to finalize the purchase.

Many of these water customers live in LD-8, and Senator T. J. Shope believes they'll now have safe and reliable water service moving forward. "No one should have to go through what these folks have endured," said Senator Shope. "But this utility nightmare is finally over. The taps will work, and wastewater service will be reliable."

The agreement includes a financial plan for a new wastewater treatment facility, savings to ratepayers for prior equipment purchases, and a compliance plan for drinking water and wastewater facilities.

"We're very pleased to be moving forward with a new chapter for these customers and communities," said EPCOR USA President Joe

AMERICAN OVERSIGHT

Gysel. "Leaders like Senator Shope have been an important voice and advocate for their communities and customers throughout this process and we look forward to bringing the service and reliability these customers need and deserve."

* * * * *

New TPT and Excise Tax Law for Adult Use Marijuana

In the November 3, 2020 General Election, voters approved the Smart and Safe Arizona Act (Proposition 207), which the Secretary of State certified on November 30, 2020. With this approval, the Smart and Safe Arizona Act has become effective to govern the possession, sale, and taxation of adult use marijuana in Arizona.

In Arizona, any business that wishes to sell medical marijuana or adult use marijuana products must first hold a license issued by the Arizona Department of Health Services (ADHS). Once the business has been issued a license from ADHS, the Arizona Department of Revenue is prepared to support businesses and register them to start collecting transaction privilege tax (TPT) and excise tax. Marijuana establishments are liable for retail TPT and Marijuana Excise Tax (MET) on adult use marijuana products immediately upon being licensed by ADHS to make such sales to Arizona consumers.

To apply for a license to report TPT, excise and withholding tax, dispensaries must complete the Medical, Adult Use or Dual License Transaction Privilege/Use/Excise Tax Application (Form JTM-1) and email it to AZTaxHelp@azdor.gov.

If a business already holds a TPT license, it must contact ADOR to make the necessary changes to the license that will allow it to file and pay taxes on sales of marijuana products. Please note, the business will **not** be able to properly report its taxes without first contacting ADOR.

Medical Marijuana

Medical marijuana dispensaries in Arizona are subject to state and local retail TPT on their sales of medical marijuana and other products sold at the dispensaries. They must hold a current TPT license with ADOR and file and pay retail TPT on these sales.

AMERICAN OVERSIGHT

Medical marijuana dispensaries that have been filing and paying TPT on their sales must contact ADOR because such sales need to be reported using a new Medical Marijuana business code on Form TPT-2. Dispensaries will only be allowed to use this code after contacting ADOR.

Adult Use (Non-medical) Marijuana

Adult use marijuana businesses in Arizona are subject to state and local retail TPT on their sales of adult use marijuana and other products. Adult use marijuana retailers must report such sales using a new Adult Use Marijuana business code on Form TPT-2.

In addition to retail TPT, adult use marijuana retail sales are also subject to a 16% state marijuana excise tax (MET). This tax must be reported on Form MET-1, which is separate from and in addition to Form TPT-2. To file and pay MET, an adult use marijuana retailer must register with ADOR in addition to applying for a TPT license.

For Assistance

You can find information on starting a new business at https://azdor.gov/business. For questions or assistance, contact AZTaxHelp@azdor.gov.

To receive Arizona marijuana taxation updates, be sure to subscribe to the "AZ Marijuana Taxation" list.

* * * * *

Phoenix Law Enforcement Association Statement Regarding the Charging Decision in the Ryan Whitaker Case

The Phoenix Law Enforcement Association (PLEA) President Michael "Britt" London issued the following statement regarding the charging decision in the Ryan Whitaker case:

"Each day, our men and women in uniform encounter dangerous situations, many resulting in split-second decisions. In circumstances where a deadly weapon is involved, our officers try to deescalate the situation but must also defend themselves and protect others at risk.

"Any time there is an officer-involved shooting, after an in-depth criminal

AMERICAN OVERSIGHT

investigation, the Maricopa County Attorney's Office makes a charging decision based on the facts. We recognize these decisions are not easy, any loss of life is a tragedy, but we agree with the decision by the Maricopa County Attorney to not seek criminal charges against the officer in this case."

* * * * *

Lesko Reintroduces Bill to Protect Unborn Babies

WASHINGTON, D.C.—Today, U.S. Congresswoman Debbie Lesko (AZ-08) reintroduced the *Dismemberment Abortion Ban Act* to prohibit dismemberment abortions and allow a woman who undergoes a dismemberment abortion to file a civil action against the person who knowingly performs the procedure. Lesko also introduced this legislation in the 116th Congress.

"I am proud to reintroduce this important legislation to end the despicable practice of dismemberment abortion," said Congresswoman Lesko. "This bill saves the lives of unborn babies and protects them from the pain of this horrific procedure. In the wake of the 48th anniversary of the tragic *Roe v. Wade* decision, I remain committed to defending the sanctity of life in Congress and fighting for the right to life for defenseless unborn babies."

This bill prohibits a physician from knowingly performing a dismemberment abortion. This method is used during the second and third trimesters when a baby can feel the pain of an abortion. The bill also allows a woman or a parent of a minor who undergoes a dismemberment abortion to file a civil action for damages against an individual who performs this procedure. Under this legislation, any physician who performs a dismemberment abortion is subject to a criminal fine, up to two years in prison, or both, unless the procedure was necessary to save the mother's life. This legislation also bars a woman who undergoes a dismemberment abortion from criminal prosecution.

Lesko was joined by Representatives Rick Allen (R-GA-12), Brian Babin (R-TX-36), Jim Banks (R-IN-03), Andy Biggs (R-AZ-05), Ted Budd (R-NC-13), Steve Chabot (R-OH-01), Jeff Duncan (R-SC-03), Matt Gaetz (R-FL-01), Glenn Grothman (R-WI-06), Yvette Herrell (R-NM-02), Jody Hice (R-GA-10), Ronny Jackson (R-TX-13), Mike Johnson (R-LA-04), John Joyce (R-PA-13), Doug Lamborn (R-CO-05), Bob Latta (R-OH-05), Mike Kelly (R-PA-16), Alex Mooney (R-WV-02), Ralph Norman (R-SC-05), Gary Palmer (R-AL-06), Greg Steube (R-FL-17), Chris Stewart (R-UT-02), Randy Weber (R-TX-14), Joe

AMERICAN OVERSIGHT

Wilson (R-SC-02), and Ron Wright (R-TX-06) in introducing this legislation.

* * * * *

Lesko Reintroduces Bill to Allow States to Set Their Own Education Policy

WASHINGTON, D.C.—U.S. Congresswoman Debbie Lesko (AZ-08) reintroduced her Make Education Local Act to put individual states in charge of their education policies by allowing individual states to submit their own education plans, known as a State Management Decision, to the Secretary of Education and consolidating their funding from the federal government under one grant. Lesko also introduced this legislation in the 115th and 116th Congresses.

"Decisions about our children's education should be made at home, not by some bureaucrat in Washington, D.C.," said Congresswoman Lesko. "Arizona is known for empowering local schools and parents and as a result, our students are thriving. This bill takes that success and applies it at the national level by reducing federal intrusion in education."

This bill puts states back in the driver seat of their education policy and reduces federal intrusion and regulation on public schools. The bill directs federal funding right to students and teachers instead of being spent to comply with federal regulations. It also requires each state to focus on student achievement and outcomes, while letting the states figure out how to do that best and how to spend those dollars.

Lesko was joined by Representatives Andy Biggs (R-AZ-05), Paul Gosar (R-AZ-04), and David Schweikert (R-AZ-06) in introducing this legislation.

* * * * *

Chair Grijalva Announces Naomi Miguel as Staff Director of Subcommittee for Indigenous Peoples of the United States, Ariana Romeo as Professional Staffer

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today announced the promotion of Naomi Miguel to staff director of the Subcommittee for Indigenous Peoples of the United States (SCIP) and Ariana Romeo to

AMERICAN OVERSIGHT

professional staffer at the Subcommittee. Miguel had been a professional staffer and Romeo had been a policy aide.

Grijalva noted Miguel's central role in directing SCIP's policy work over the past two years, including her leadership in organizing oversight hearings on climate change impacts on tribal communities, combating the epidemic of missing and murdered indigenous women in Indian Country, elevating the voices of tribal communities put at risk by the Trump administration's neglect of Native Americans during the coronavirus pandemic, ensuring tribal consultation in federal policymaking, and reviewing Bureau of Indian Education school reopening policies during the pandemic, among other issues.

At the end of the previous Congress, she led the production of a staff report entitled *Repairing the Trump Administration's Damage to U.S. Indigenous Communities and Charting a Better Way Forward*.

In addition to her policy work and more than 10 years of professional experience, Miguel is a frequent speaker on federal and local issues facing Native Americans, and was recently a featured panelist at the 2020 Rural Assembly Everywhere event titled *Rural Women Building Climate Resilience: Their challenges and successes*. She received her undergraduate degree in Political Science from Mount St. Mary's University in Los Angeles and her Master's Degree in Public Administration and Policy from American University. Romeo received her undergraduate degree in History from Williams College.

"Naomi and Ariana are two of the best policy minds in Congress on Native American issues, and I'm proud to have them both on my staff," Grijalva said today. "Whether the Committee is considering how to support tribes economically, protect sacred lands from exploitation, aid tribes in improving their health care quality, or restoring their rightful government-to-government relationship as sovereign nations with federal agencies, the entire committee trusts both Indigenous women's analysis and leadership without hesitation. Tribes know they can trust them, their colleagues know they can rely on them, and we're all looking forward to the continued benefits of their expertise in the new Congress."

Chris Kaumo, who had been staff director of the subcommittee, will retain his role as deputy staff director of the full Committee.

AMERICAN OVERSIGHT

* * * * *

Sinema Reintroduces Bipartisan Bill Increasing Coronavirus Resources for Navajo Nation's Water and Sanitation Facilities

Sinema continues her efforts with Senator Romney to boosts funding for the Sanitation Facilities Construction Program to support Navajo Nation during COVID-19 pandemic

WASHINGTON – Arizona senior Senator Kyrsten Sinema and Republican Senator Mitt Romney (Utah) reintroduced bipartisan legislation that invests $1.3 billion in strengthening the Sanitation Facilities Construction Program to support water and sanitation projects for tribal communities. Congressman Tom O'Halleran (AZ-01) also introduced similar legislation in the U.S. House.

"COVID-19 continues to spread across Arizona, and has devastated Tribal communities like the Navajo Nation. Strengthening the Sanitation Facilities Construction Program ensures Tribal communities have access to safe running water and adequate sanitation to help stop the spread of COVID-19," said Sinema.

"With some of the highest COVID-19 infection rates in the country, the Navajo Nation faces a dire situation—due in large part to a lack of water infrastructure and sanitation facilities," Senator Romney said. "Our legislation will address this issue head on by authorizing the construction and renovation of water and sewer sanitation facilities in Native communities in Utah and throughout the country."

In last year's end-of-the-year spending bills that were signed into law, Sinema secured funding to help the Indian Health Services address the lack of running water for many communities on tribal reservations. Last May, Sinema urged Congressional leaders to include increased resources for water and sanitation projects for Tribal communities in future coronavirus relief legislation.

An estimated 130,000 homes on Indian reservations lack access to running water and adequate sanitation. Additionally, the Navajo Nation, where 30 percent of the reservation population lacks access to running water, has one of the highest rates of COVID-19 infections per capita when compared to states throughout the country. Sinema underscored that this deficiency makes Tribal residents more susceptible to COVID-19 and other illnesses due to their

AMERICAN OVERSIGHT

inability to take basic preventative measures like handwashing. Sinema called on Congressional leaders to provide additional funding for the Indian Health Service's Sanitation Facilities Construction Program to address drinking water and sanitation deficiencies on Indian reservations.

NEWS CLIPS

Survey: Arizona Democrats more likely to get COVID-19 vaccine

By Howard Fischer Capitol Media Services 01-29-21

Nearly a month after vaccines have become available here, a quarter of Arizonans remain unwilling to get inoculated against COVID-19.

And there is a political component to all of this.

A survey by OH Predictive Insights finds that those who identify as Democrats are more likely to roll up their sleeves for a vaccine approved by the federal Food and Drug Administration than Republicans. Just 17% of Democrats told pollster Mike Noble they have no intention of getting inoculated versus 29% of Republicans. (To read more, click here).

* * * * *

Arizona lawmakers advance bill targeting gross online food challenges

By Howard Fischer Capitol Media Services 01-29-21

Doing something gross with food that isn't yours in hopes of getting social media hits could soon land you behind bars. (To read more, click here).

* * * * *

Pascua Yaqui win water funds, first of $150 million for Arizona projects

By Sarah Oven Cronkite News 01-29-21

AMERICAN OVERSIGHT

They were talking about $900,000 in federal funds that will be used to bring water to the tribe's lands for irrigation, the first fruits of an effort last year by members of the state's congressional delegation to win $150 million in federal funding for water projects around the state.

"Water is sacred to a lot of tribes and a lot of Arizonans. For us, it's a blessing," Pascua Yaqui Chairman Peter Yucupicio said at a news conference Tuesday announcing the funding. "We started looking at this, and we said, 'This will help us now and in the future.'" (To read more, click here).

* * * * *

Gosar denounces violence – but still claims massive election fraud

By Pete Aleshire Payson Roundup 01-29-21

Arizona Rep. Paul Gosar remains at the heart of a growing battle within the Arizona Republican Party over allegations of election fraud, election protests and the effort to purge or censure party members who did not support former President Trump's claims of election fraud.

Gosar received an ovation at the Arizona Republican Party convention last weekend, where he said he did not condone violent protest but also repeated claims of election fraud that have been rejected in nine different court cases. (To read more, click here).

* * * * *

Arizona's confusing vaccination website is in line for an upgrade (fingers crossed)

By Editorial Board Arizona Republic 01-29-21

Good news: Arizona's COVID-19 vaccine registration portal may finally become more intuitive and user-friendly.

A slew of changes are expected to go live on Jan. 29. Bugs should be fixed that kept some from scheduling their second vaccine doses, state health director Cara Christ says. (To read more, click here).

AMERICAN OVERSIGHT

* * * * *

Transgender athlete bill isn't a priority now. Why is Kathy Hoffman so worried?

By Cathi Herrod Arizona Republic 01-29-21

Arizona Superintendent of Public Instruction Kathy Hoffman and I can agree that state lawmakers face critical issues this legislative session. COVID-19 presents challenges regarding how to educate a million students, how to regrow the economy, and much more.

So many yearn for a sense of normalcy. Athletics can provide that to many young Arizonans. Hoffman and I can probably agree on that too. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, February 1, 2021 8:02:20 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *February 1, 2021*

Voter Protection Act blocking bipartisan bill
Arizona Capitol Times
Rep. Leo Biasiucci was waiting his turn to fight a parking ticket in court when the idea came to him.

Senate to do its own audit of election equipment
Capitol Media Services
Unhappy with what Maricopa County has proposed, state senators are going ahead with their own audit of the general election, a move that could lead to a new court fight and even potentially a contempt vote.

Arizona Republican Party chair rejects election audit call
Associated Press
Arizona Republican Party Chairwoman Kelli Ward, who faces questions about her reelection, said the party lacks the structure to perform an audit of the election results, but said she welcomed input to improve future elections.

Arizona police union wants anti-cop videos removed from Google
Herald-Review
The Arizona Fraternal Order of Police wants Google to stop providing a platform for individuals who record law enforcement and then post videos on YouTube badmouthing the cops.

AMERICAN OVERSIGHT

The FBI Has Now Connected Local Troll Baked Alaska To a 2016 Election Fraud Scheme
Phoenix New Times
It turns out that joining the January 6 riot at the U.S. Capitol wasn't the first time that Baked Alaska tried to disrupt the democratic process.

Repairman Said He'd Beat Black Veteran in Avondale 'Like a F*ing Slave'**
Phoenix New Times
Ricky Barnes, a Black Avondale resident and U.S. Air Force veteran, was hoping to get the refrigerator in his garage fixed on the afternoon of January 20.

Maricopa County Attorney: No Charges for Phoenix Cop Who Killed Ryan Whitaker
Phoenix New Times
Maricopa County Attorney Allister Adel won't file charges in the fatal shooting of Ryan Whitaker, a 40-year-old man who was shot by a Phoenix police officer last summer.

AG Brnovich wants to cancel Biden's 100-day pause on deportations
Arizona Mirror
Hours after a federal judge in Texas wrote that agreement between the Department of Homeland Security and the attorney general there raises constitutional issues, Arizona Attorney General Mark Brnovich asked DHS to comply with a nearly identical agreement with his office related to immigration enforcement.

Some low-level offenders wouldn't have to register as a sex offender for life under new plan
Arizona Mirror
House Speaker Rusty Bowers is taking another shot at passing legislation making it easier for some people to get their names off the state's sex offender registry.

Arizona governor says state GOP's censuring him is 'of very little consequence'
Politico
"I think that the state party chairman should focus on winning races," Gov. Doug Ducey said.

Arizona Gov. Doug Ducey Sees a 'Fever' in the State GOP. Others See the Future
Wall Street Journal
After the state went for Democrats in top races, the GOP debates whether the governor is the problem or the solution to regaining lost ground.

Denying Washington, D.C., statehood is partisan, prejudicial and worse ... un-American
Arizona Republic (Opinion, EJ Montini)
If you go by the numbers it's a no-brainer. But then there's partisan politics. And prejudice.

Reps. Paul Gosar & Andy Biggs can't shake their links to extremists. That is a good thing
Arizona Republic (Opinion, EJ Montini)
They shouldn't be allowed to. It's a hole they dug for themselves.

Fed up with the Arizona Republican Party? Then let's talk about a top-two primary
Arizona Republic (Opinion, Robert Robb)
Punishing the Arizona Republican Party isn't the best argument for a top-two primary system. But the party's descent does make passage more likely.

What new data tell us about COVID-19 outbreaks in Maricopa County schools
Arizona Republic (Opinion, Joanna Allhands)
New data reveal important insights on the COVID-19 outbreaks in Maricopa County schools - and what we should do about them.

Joe Biden has one job: Ignore the extremes to fix the mess that Trump left us
Arizona Republic (Opinion, Greg Moore)
Joe Biden was elected to clean up Donald Trump's mess, first and foremost on COVID-19. He's doing that so far by sticking to his base.

Maricopa County's election audit isn't about 2020. It's about the future
Arizona Republic (Op-ed, Jack Sellers and Stephen Richer)
Hiring independent auditors to audit Maricopa County's election hardware and software is a small price to pay to ensure voter confidence.

Mexican consular IDs are secure and make us safer. It's time Arizona recognized them

AMERICAN OVERSIGHT

Arizona Republic (Op-ed, Jorge Mendoza Yescas)
A Consular ID program would not only improve public safety in our state, but it also would strengthen ties between Arizona and Mexico.

Mail-in voting isn't broken in Arizona. Lawmakers should stop trying to 'fix' it
Arizona Republic (Op-ed, Grant Woods)
Bills ranging from the comically absurd to the patently prejudicial are an effort to chip away at Arizona voters' basic rights.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, February 1, 2021 11:17:03 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: News Clippings: January 30 - February 1, 2021
Attachments: January 30 - February 1, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Sunday, January 31, 2021
Saturday, January 30, 2021

Arizona Daily Star

- City to double its funding for residential street repair in '22 fiscal year
- Anxiety worsens for long-term care facilities awaiting COVID-19 vaccines
- Partial reopening of schools could leave out millions of students in US
- For emerging adults, pandemic serves up unique challenges for their futures
- FDA approves 1st long-acting HIV drug combo, monthly shots
- Tucson airport saw traffic drop in '20 due to flight cuts
- BLine closes, joins downtown restaurants shut down for good
- ADOT to customers: Never click links in unsolicited emails or texts
- Smartphone app could let students conduct own tests for COVID at UA
- Nearly one-third of K-12 staff receive 1st COVID shot
- Many lessons learned since AZ got first look at killer virus a year ago
- For day traders on Reddit, this is the moment they've dreamed of
- Mental health days for students an idea that's catching on in US
- Introducing Pima County Libertarians' new leader
- COVID-19 cases fall for 2nd week in a row in county and AZ, providing 'glimmer' of hope
- Tucson's 911 system 'critical but stable' after department boss's sudden exit
- New one-shot vaccine effective as concern about mutations rise
- Proposed law would let Legislature overturn presidential election results
- AZ Senate changes mind, will conduct own audit of Maricopa County election results
- A look at the election law changes sought by critical AZ Republicans

Arizona Republic

- 2020 was 2nd hottest, 2nd driest year in Arizona
- Nursing home that made sick staffers work to be reviewed
- Sky Harbor is 4th for guns found with flyers
- Maricopa County cancels annual homeless count
- Arizona worst in nation for weekly new-case rate
- Arizona surpasses 750K COVID-19 case
- Heat-related deaths reach record
- UK coronavirus variant confirmed in Arizona
- One-dose shot looks promising
- State Senate leader: Election audit plans aren't broad enough
- AARP Arizona demands data on COVID vaccinations for seniors
- Lawmakers aim to block Arizona's clean-energy rules

AMERICAN OVERSIGHT

- Novavax vaccine effective, but less so against variants
- How new Canadian travel restrictions affect Arizona
- Memorial held for ASU police officer

KTAR News

- Thousands of Arizona voters drop Republican affiliation after Capitol riot
- Peoria mayor acknowledges reality and prevalence of cancer in fire service
- Some Arizona parents want AIA to remove fan restriction at away games
- Phoenix metro home values grew by 13.5% in 2020
- State Farm Stadium passes 100K vaccinations as Phoenix Muni opens
- Arizona's overall death toll grew 25% in 2020 amid coronavirus pandemic
- Gov. Ducey joins CNN to discuss Arizona GOP, COVID-19 vaccine plan
- Arizona regulators to weigh ban on trail cameras for hunting
- Arizona reports 5,025 new COVID-19 cases, 22 more deaths
- Bobcats get a new home with Valley conservation center, SRP partnership
- New building in Gilbert for aerospace giant Northrop Grumman completed
- First cases of faster-spreading COVID-19 variant detected in Arizona

Arizona Daily Sun

- Council ponders charter amendments in pursuit of clean elections
- Council sets state and federal legislative priorities for 2021
- COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders
- Previous coronaviruses affect antibodies, NAU-TGen study shows
- Convicted former Flagstaff Rep. Renzi receives last-minute pardon from President Trump
- GOP Bills Target Arizona Voting Laws After Trump's Loss
- COVID-19 safety lapses abound in US schools

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

City to double its funding for residential street repair in '22 fiscal year
Arizona Daily Star
Jasmine Demers
February 1, 2021

The Tucson City Council voted to invest an additional $14 million in neighborhood street repair next fiscal year, a move that aims to address the growing percentage of residential streets that are in failing condition.

Requested by Mayor Regina Romero, the additional funding, approved 5-2 on Thursday, will be included in the budget for fiscal year 2022, more than doubling the amount currently invested in local neighborhood street repair by the city. Approximately 76% of Tucson's residential roads are failing, according to Romero.

There was approximately $12 million allocated for road repair this year from the statewide Highway User Revenue Fund and Proposition 101, a five-year, half-cent sales tax approved by Tucson voters in 2016. The additional $14 million will likely come from both the city's general fund and HURF, although the exact distribution plans have not yet been finalized.

'This critical investment more than doubles current funding for local road maintenance, responds to one of the primary concerns we hear from constituents, and fulfills our City Charter requirement to provide core services,' said Romero. 'If we want the support of taxpayers on future ballot initiatives, we need to put our money where our mouths are and show our commitment to investing in our local streets. I hear Tucsonans loud and clear: Local roads cannot wait any longer.'

There was $12 million allocated for road repair this year from the Highway User Revenue Fund and Prop. 101.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Anxiety worsens for long-term care facilities awaiting COVID-19 vaccines
Tom Murphy
Arizona Daily Star
February 1, 2021

Frustration is building over the pace of COVID-19 vaccinations at long-term care sites, where some homes still await first shots while fending off a virus that can devastate their residents.

The major drugstore chains tasked with giving shots in these places are far along in vaccinating nursing home residents and staff. But some other types of group residences won't receive first doses until mid-February or later, despite being among the top priorities for shots.

AMERICAN OVERSIGHT

CVS and Walgreens have started a massive vaccination push in nearly all states, and they say they are proceeding on schedule. But resident advocates and experts are anxious about delays in delivering vaccines that have been available for more than a month.

'Every week that you wait and you're not vaccinating is a big deal here,' said David Grabowski, a health policy professor at Harvard Medical School. 'My sense is that this process is still going too slow.'

Government officials placed long-term care residents and staff among their top vaccination priorities after they authorized the emergency use of shots from Pfizer and Moderna late last year. That includes both nursing homes, where residents get 24-hour-a-day medical care; assisted living facilities, where people generally need less help; and other types of group homes.

Vaccinations then proceeded quickly in some states like West Virginia, which didn't rely on the drugstore chains, and Connecticut.

But — as with other aspects of the rollout — the results have been choppy overall. In many places, home operators and residents' relatives have watched with frustration as states opened vaccine eligibility to other populations before the work in long-term care homes was finished.

Laura Vuchetich says her elderly parents live in a Milwaukee assisted living community and need shots badly. But they have been told they won't get them until the middle of February even as pharmacies have started handing out hundreds of doses to younger people, including a friend of hers in good health.

'They're supposed to be at the front of the line,' she said. 'They're in the mid 80s, and my mom had a heart attack last year. It's just baffling to me.'

Such homes have been hit hard by the coronavirus.

A federal government study last fall found that an average of one death occurred among every five assisted living facility residents with COVID-19 in states that offered data. That compares with one death among every 40 people with the virus in the general population.

The government tasked CVS and Walgreens with administering the shots to long-term care locations in nearly every state. Each vaccine requires two shots a few weeks apart, and CVS and Walgreens say they have wrapped up first-dose clinics in nursing homes.

The chains plan three visits to each location. CVS spokesman TJ Crawford said most residents will be fully vaccinated after the second visit, and the vast majority of assisted living facilities and other residences will have their third visits by mid-March. Some clinics will wrap up in April.

While they wait, the people working and living in those locations are stuck in limbo, hoping the virus doesn't spread to them or return, said Nicole Howell, who runs a California- based non-profit that advocates for long-term care residents.

'They are essentially standing at the front door fighting this disease with sanitizer and limited staff,' said Howell, executive director of Ombudsman Services of Contra Costa, Solano, and Alameda counties.

AMERICAN OVERSIGHT

Severine Petras watched a COVID-19 outbreak develop at a Pennsylvania assisted living home her company operates a couple weeks before the first vaccines arrived. The Priority Life Care CEO said the recent outbreak hit a 'significant' amount of staff and some residents, including one person who died.

Vaccine scheduling has been slow in that state, she said.

'We should have had at least one round of vaccinations in there,' she said. 'It would have helped tremendously.'

Petras said she's frustrated in part because it was widely known that COVID-19 cases would surge after the holidays. She wishes vaccines had been scheduled sooner to protect against that.

As of Sunday morning, 3.5 million doses have been given in long-term care facilities, according to the Centers for Disease Control and Prevention. That's about one-third of the roughly 10 million vaccines that Grabowski estimates will be needed to fully protect residents and employees.

'It almost feels like we went about this backwards where they contracted with the pharmacies and let set up the schedule versus saying, 'Here's the schedule that you need to meet," he said.

The drugstore chains have faced several challenges. At some locations, a high percentage of staff have declined the shots on the initial visits. The companies also had to set up thousands of clinics and reschedule some at locations where COVID-19 outbreaks developed.

CVS and Walgreens say states determined when they could start giving shots at assisted-living facilities, and they have finished first-dose clinics when they were allowed to begin in December. But other states didn't allow them to start until mid-January. They also say they are pouring thousands of employees into the effort.

Even so, Grabowski and Howell say outside assistance still may be needed to speed up the effort in some areas.

In New York, the Empire State Association of Assisted Living contacted state regulators because some homes had initial clinics scheduled in March, Executive Director Lisa Newcomb said. Those clinic dates were then moved mostly to late January.

'We had some members who were very, very upset about having to wait until March,' she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Partial reopening of schools could leave out millions of students in US
Geoff Mulvihill, Adrian Sainz and Michael
Arizona Daily Star
February 1, 2021

President Joe Biden says he wants most schools serving kindergarten through eighth grade to reopen by late April, but even if that happens, it is likely to leave out millions of students, many of them minorities in urban areas.

AMERICAN OVERSIGHT

'We're going to see kids fall further and further behind, particularly low-income students of color,' said Shavar Jeffries, president of Democrats for Education Reform. ' There's potentially a generational level of harm that students have suffered from being out of school for so long.'

Like some other officials and education advocates, Jeffries said powerful teachers unions are standing in the way of bringing back students. The unions insist they are acting to protect teachers and students and their families.

In a call Thursday evening with teachers unions, Dr. Anthony Fauci, the federal government's top infectious disease expert, said the reopening

of K-8 classrooms nationally might not be possible on Biden's time frame. He cited concern over new variants of the virus that allow it to spread more quickly and may be more resistant to vaccines.

Biden is asking for $130 billion for schools to address concerns by unions and school officials as part of a broader coronavirus relief package that faces an uncertain fate in Congress. If his reopening goal is realized, millions of students might still have to keep learning from home, possibly for the rest of the school year.

California was an epicenter of infection in the first part of January, and public health officials say many of the state's districts are in areas where transmission remains too high to reopen. But a statewide group called Open Schools California is pushing for reopening as soon as public health standards are met.

'I think that data will bear out that the children who have been most disadvantaged are going to be low-income children, Black and brown children, children with special education, learning differences, homeless and foster youth,' said

Megan Bacigalupi, a mother of students in the Oakland public schools and one of the organizers.

It's hard to tally exactly how many schools are open in person now because of the size and diffuse nature of the nation's school system — and because districts' approaches change frequently.

By early January, about a third of students in a sample of 1,200 U.S. school districts were in schools where classes had been held exclusively online since last March — many of them in cities. By last week, more than half of students were enrolled in schools where in-person learning was at least an option, according to Burbio, a data service tracking school-opening policies.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

For emerging adults, pandemic serves up unique challenges for their futures
Holly Ramer
Arizona Daily Star
February 1, 2021

The coronavirus pandemic has been hard on both kids and adults. But what about those who are in between?

AMERICAN OVERSIGHT

Demographic shifts during the last century have given rise to a distinct developmental stage called 'emerging adulthood.' Spanning the late teens and early 20s, it's a volitional, transitional period marked by exploration of life and love, work and world views. But with the now nearly yearlong pandemic disrupting education, employment, housing and more, young people who are no longer adolescents but not quite adults are struggling to find their footing.

An 18-year-old in Florida selected a college sight unseen. A 23-year-old in Texas lost his job in his ideal industry. And for a 24-year-old in New Hampshire, the pandemic halted hard-won social and academic gains.

'This generation is losing out on this key transition period,' says Kathryn Sabella, director of research at the University of Massachusetts Medical School's Transitions to Adulthood Center for Research.

She has been studying the pandemic's effect on young people with mental health conditions and has found patterns of isolation, angst and uncertainty.

'We're seeing a lot of stress about school, about finding a job in the short term, and longer term, what does this look like?' she says. 'There's a sense of despair and hopelessness.'

Emerging adulthood is a key time to explore careers, but the pandemic is putting that on hold. While some of Sabella's study participants have picked up more hours in service sector jobs, others are struggling to work from home or are unemployed.

• Connor Payne, 23, of Austin, Texas, got laid off from his event planning job last week. Now, he's considering leaving that industry until the pandemic passes.

'Right now, I'm definitely sitting with the emotions and allowing myself to feel them,' he said. 'But I have confidence in the future, I'm very hopeful.'

• In Redlands, California, 19-yearold Hans Westenburg also is hopeful he can stay on track with his plans to become a physician though he worries that the quality of his education has deteriorated since classes went remote.

'It's not awful, but I do feel sort of grounded, like I can't really explore my ambitions,' says Westenburg, a University of California-Irvine sophomore.

• Augustus Bayard, meanwhile, is just eager to start his college career. He arrived at Brown University from Anna Maria Island, Florida, this month — a delayed start for the freshman class that wasn't announced until July.

'It's an awkward point in your life to suddenly have to put your life on pause,' he says.

At Boston University, Hyeouk Chris Hahm is researching how the pandemic is playing out among young people who make up a significant chunk of the current and future workforce.

Nearly half of her survey participants report depression, anxiety and loneliness, and an open-ended question that allowed participants to express anything on their minds produced a surprising torrent of negativity.

AMERICAN OVERSIGHT

'People really needed to vent someplace or somewhere,' she says. 'They want to be heard.'

Connor Payne, 23, moved to Austin in the summer of 2019 and was still getting to know the city and making new friends when the pandemic hit.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

FDA approves 1st long-acting HIV drug combo, monthly shots
Marilynn Marchione
Arizona Daily Star
February 1, 2021

U.S. regulators have approved the first long-acting drug combo for HIV, monthly shots that can replace the daily pills now used to control infection with the AIDS virus.

The approval this month of the two-shot combo called Cabenuva is expected to make it easier for people to stay on track with their HIV medicines and to do so with more privacy. It's a huge change from not long ago, when patients had to take multiple pills several times a day, carefully timed around meals.

'That will enhance quality of life' to need treatment just once a month, said Dr. Steven Deeks, an HIV

specialist at the University of California, San Francisco, who has no ties to the drug's makers. 'People don't want those daily reminders that they're HIV infected.'

Cabenuva combines rilpivirine, sold as Edurant by Johnson & Johnson's Janssen unit, and a new drug — cabotegravir, from ViiV Healthcare. They are packaged together and given as separate shots once a month. Dosing every two months also is being tested.

The U.S. Food and Drug Administration approved Cabenuva for use in adults who have had their disease well controlled by conventional HIV medicines and who have not shown signs of viral resistance to the two drugs in Cabenuva.

The agency also approved a pill version of cabotegravir to be taken with rilpivarine for a month before switching to the shots to be sure the drugs are well tolerated.

ViiV said the shot combo would cost $5,940 for an initial, higher dose and $3,960 per month afterward.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Tucson airport saw traffic drop in '20 due to flight cuts
David Wichner
Arizona Daily Star
February 1, 2021

AMERICAN OVERSIGHT

Passenger traffic at Tucson International Airport plummeted by more than half in 2020 — to levels not seen in nearly 40 years — as the COVID-19 pandemic prompted airlines to cancel flights and ground aircraft.

Fewer than 1.7 million travelers passed through TIA in 2020, the first time since 1982 that the airport served fewer than 2 million passengers, officials of the Tucson Airport Authority said during a hybrid virtual and socially distanced in-person annual meeting.

Total passengers at TIA for the calendar year fell to 1,698,777, down 55.3% from 3,797,201 in 2019.

Danette Bewley, the airport authority's president and CEO, said the TIA had four straight years of traffic growth and was looking forward to topping 4 million passengers for 2020 before the pandemic hit.

Despite the decline, Bewley told authority members that COVID-19 'has not beaten us, and we will persevere,' though she acknowledged that the airport's recovery 'may take a few years.'

Bewley credited the authority's 'TUS Cares' initiative for helping the airport maintain higher percentages of traveling passengers than most other airports and the national average.

The airport spent more than $250,000 on equipment and infrastructure improvements to improve cleaning and sanitization of the facility – an effort that earned TIA an accreditation for cleanliness from the Global Biorisk Advisory Council.

Bewley noted that the airport authority's effort to restore helped TIA recover all but five of 19 nonstop destinations served before the pandemic, and three more are due to be restored in February and March.

In October, Southwest added new nonstop flights between TIA and Houston Hobby Airport and in December the airline announced it would start new nonstop flights to Oakland, California, on March 11. Though all airlines at TIA reported declines, American remained the airport's busiest carrier last year, followed by Southwest, Delta and United.

During the annual meeting, the Tucson Airport Authority elected longtime board member Bruce Dusenberry chairman of the board for 2021, replacing Taunya Villicana to the rotating position.

Two new directors also were elected to the board: Sally Fernandez, president of Safety Dynamics Inc., and Todd Jackson, a partner in the law firm of Oden & Jackson, P.C.

Other board officers for 2021 are Vice Chair Mike Hammond, founder and principal of Cushman & Wakefield/PICOR Commercial Real Estate Services; Secretary Keri Silvyn, partner in Lazarus & Silvyn, P.C.; and second-term treasurer Bill Assenmacher, chief executive officer of CAID Industries.

A third-generation Tucsonan long active in local civic affairs and charitable organizations, Dusenberry was a business attorney for 17 years, and was president of Horizon Moving Systems for 20 years until the business was sold in 2013. He is now manager of Horizon Moving Group, a commercial real estate business.

In 1981, Dusenberry's mother, Katie, led the airport authority as its first woman president (the title for the board head used before 1998).

AMERICAN OVERSIGHT

Among three new members elected to join the airport authority, two — Tucson Mayor Regina Romero and Pima County Economic Development Director John Moffatt — were named 'advocacy members,' a new, non-voting membership created for local government officials. The new category is intended to 'recognize the growing roles played by local governments in economic development,' without veering from the authority's original intent as an independent, business- run group, the authority said.

The advocacy members will not count toward the maximum 60 active members that comprise TAA membership, and may not vote on authority matters or serve on its board.

The airport authority also elected one new active member — local real-estate executive Brandt Hazen, president of the commercial real-estate firm Hazen Enterprises.

Hazen is a past president of the Tucson Conquistadores and liaison with the PGA Tour and is chair of the Board of Directors of Intermountain Centers, which focuses on serving behavioral health issues of adjudicated juveniles.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

BLine closes, joins downtown restaurants shut down for good
Cathalena E. Burch
Arizona Daily Star
February 1, 2021

There is still the faint semblance of a sign on the building at 621 N. Fourth Ave. but there is no sign of life at The B Line restaurant, the hip-and-happening little joint that has long exuded coolness on an avenue known for hip and cool.

Nearly a year after pausing operations in response to the COVID-19 pandemic, the restaurant is closed for good.

The door and windows facing North Fourth Avenue are boarded up and the sign has been taken down, leaving an impression of the restaurant's name where raised letters once stood.

In an email, owner Peter Wilke, who also owns the nearby Time Market at 444 E. University Blvd., confirmed that he closed the restaurant, which opened in 2002.

'Right now no decisions have been made and I don't have any plans in place,' he said.

Last March, when restaurants were forced to close their dining rooms in response to the pandemic, B Line announced it was following the lead of many Tucson restaurants and shifting to takeout only. The following day, the restaurant announced on Facebook that it was 'suspending operations.'

'We hope the best possible curve for this pandemic and will re-open as soon as it is responsible to do so,' the Facebook post said. 'Thank you for your support. Stay home and stay healthy Tucson!'

B Line never reopened.

AMERICAN OVERSIGHT

For nearly 20 years, the B Line, known for its bistro-casual menu at diner prices, was a popular go-to restaurant for residents of the neighboring West University area student housing complexes. Most

were drawn to the restaurant by its price range — most meals were in the $9 and $10 price range — and the quality of its food, from the mahi tacos and salmon salad to steak tacos and tuna fish sandwich kicked up with horseradish and sweet raisins with slivered almonds for crunch.

The restaurant also earned raves on Yelp for its wide selection of pies, baked daily on premise.

'The B-Line is my favorite breakfast spot in Tucson. ... And where else can you have a slice of pie with breakfast?' Steve B. from the Catalina Foothills area posted on the crowd-sourced restaurant review site in 2019.

'Now, I can add this to my list of places I go specifically for desserts,' added Tucsonan Christine F. a few weeks later. 'Up close and center on their apple pie a la mode. Beautiful and delicious. Not too appley — not too mushy — just perfect. Apple pie a la mode. Almost too pretty to eat. ... Almost.'

B Line is the latest in a string of longtime downtown restaurants that have closed during the pandemic.

• Andreas Delfakis was the first to bow out, closing his Athens on Fourth Greek restaurant in June after a 30year run.

• In a dark two-week period in late fall, downtown said goodbye to Suzana Davila's legendary Café Poca Cosa, 110 E. Pennington St., when she announced on Oct. 16 that she was closing for good after nearly 40 years in business; and Elvira's Tequila, Cocina & Vino at 256 E. Congress St. — the Tucson outpost of the popular Tubac restaurant — which closed Oct. 21.

• On Oct. 29, celebrated James Beard Award-winning chef Janos Wilder announced that he was permanently shuttering his 10-year-ol Downtown Kitchen + Cocktails at 135 S. Sixth Ave.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

ADOT to customers: Never click links in unsolicited emails or texts
Arizona Daily Star
February 1, 2021

If you get a text asking you to update your driver's license, don't click.

It's a scam.

The Arizona Department of Transportation says scammers' are texting Arizonans asking them to click a link to update their driver's license. People who do so are tricked into revealing personal information.

'Do not open this text or any web address associated with it. This is a scam, and you should never click on unsolicited or suspicious links in texts or emails. The only ADOT website customers should conduct personal business on is azmvdnow. gov or ServiceArizona.com,' ADOT's warning said.

AMERICAN OVERSIGHT

By visiting the official ADOT platforms, customers can complete more than two-thirds of MVD services such as registration renewals; ordering a duplicate license; electronic title transfers; updating insurance information; and getting a motor vehicle record.

The customer already has a secure, free account with their driver and vehicle information linked to it.

'ADOT does not offer MVD services through phone solicitations, nor does it endorse or advertise for online businesses claiming to provide MVD services,' the department said.

But scams around the motor vehicle business are all too common for the department and Arizonans.

A phony mass email scam in November 2019 demanded recipients pay a civil traffic violation from the 'Department of Motor Vehicles' within 48 hours or face arrest.

And some fraudulent sites are visited by customers using simple Google searches online, especially with keywords such as MVD or DMV, according to ADOT.

'What might seem like a simple name difference can lead unsuspecting customers to unauthorized websites and scams when they're simply searching for ways to do business online with the Arizona Department of Transportation Motor Vehicle Division,' the department said in another warning in September 2020.

'That's because many people may reflexively do a web search for the 'Arizona DMV' or something similar, and that can lead them to websites that are not affiliated with ADOT.'

However, identifying the hoax is easy — if customers know what to look for.

First, the agency's official name in Arizona is the ADOT Motor Vehicle Division. Second, the MVD is not a law enforcement agency and has no authority to enforce traffic violations.

The Arizona Attorney General's Office, has offered several tips for consumers after being notified regularly of the scams.

•Check to see that the website has a 'lock' icon in the browser before you enter any personal information on a website — whether it is a governmental agency or a private business. Clicking on the lock icon will confirm that you are on the website you think you are and will

indicate that personal information you provide on the website is protected.

• Type website addresses into your internet browser rather than clicking on a link in an email. Be cautious of emails from governmental agencies.

•If you are not sure whether you are on the correct website of a government agency, call the agency on the phone to verify.

There are also legitimate third-party businesses authorized to conduct MVD services in-person. Find a list of these sites at azdot. gov/m vd .

AMERICAN OVERSIGHT

'Consumers may get emails or other communications from the MVD regarding such things as vehicle registration renewals or updates about new services we provide, but we don't enforce traffic violations or other criminal matters,' said Jennifer Bowser-Richards, ADOT's MVD Stakeholder Relations Manager.

Those claims by scammers should be reported to law enforcement agency's non-emergency line.

Return to the table of contents

Smartphone app could let students conduct own tests for COVID at UA
Shaq Davis
Arizona Daily Star
February 1, 2021

An inexpensive smartphone- based COVID-19 test that gives results in 10 minutes could one day let students conduct their own tests, University of Arizona administrators announced last week.

This method doesn't need a suite of laboratory equipment, the administration said, as it uses a smartphone microscope to analyze saliva samples and a wax-coated microfluidic paper to guide the liquid in the device.

With parts costing about $45, it is not only smaller, but cheaper than tests currently used. The next step is partnering with UA's testing centers to work out their adaptation to detect the disease.

'Ultimately, the researchers envision distributing the device to campus hubs so that the average person – such as a resident assistant in a dorm – could test saliva samples from groups of people,' UA said. 'Pending approval of the university's institutional review board, students who are already being tested on campus through other methods will have the option to provide written consent for their sample to be run through the smartphone- based testing device as well.'

It was developed by a UA research team led by Jeong-Yeol Yoon, a biomedical engineering professor, along with a large group of undergraduate and graduate students helping with the new detection method.

The test will be used in tandem with the saline gargle test the administration implemented this semester for regular testing.

It identifies the coronavirus infection when 'users introduce antibodies with fluorescent beads to a potentially contaminated water sample. If enough particles of the pathogen are present in the sample, several antibodies attach to each pathogen particle,' UA said.

By using the microscope, UA said, 'the pathogen particles show up as little clumps of fluorescent beads, which the user can then count.

The process — adding beads to the sample, soaking a piece of paper in the sample, then taking a smartphone photograph of it under a microscope and counting the beads – takes about 10 to 15 minutes.'

The group hopes to further their advancements into making the components with 3D-printed housing for the microscope attachment and microfluidic paper chip.

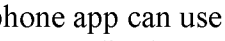
AMERICAN OVERSIGHT

It involves the same technology, but instead of a smartphone microscope and specially designed enclosure, users would download a smartphone app and use a microfluidic chip stamped with a QR code.

'Unlike the fluorescent microscope technique,

where you get the chip into just the right position, you just take a snapshot of the chip,' biomedical engineering master's student Pat Akarapipad said in the UA news release. 'No matter the angle or distance the photo is taken from, the smartphone app can use AI (artificial intelligence) and the QR code to account for variances and run calculations accordingly.

'The method requires no training, so, if perfected, it could potentially allow students to pick up microfluidic chips from a campus location and test their own samples,' Akarapipad said in the release.



Return to the table of contents

Nearly one-third of K-12 staff receive 1st COVID shot
Danyelle Khmara
Arizona Daily Star
February 1, 2021

About 7,000 K-12 educators and staff in Tucson have gotten a first dose of the COVID-19 vaccine in the last couple of weeks.

The Pima County Health Department estimates that is close to a third of K-12 staff in the county.

Based on the current pace of vaccinations at the University of Arizona and other vaccination pods in Tucson, another 7,000 to 10,000 K-12 staff could be vaccinated by the end of Friday, Feb. 5.

The county has changed the way it is allotting vaccines to school staff. Rather than the original plan of allotting a certain amount to each school district or school for prioritized staff, all school staff can make an appointment through the Pima County website, as appointments become available, for both the UA pod and the vaccination center at the Tucson Convention Center, says Dr. Francisco Garcia, Pima County's health director and chief medical officer.

School staff should be able to make both their initial appointment and appointment for the second dose at the same time.

Any school staff who were waiting for their school district to submit their names for a vaccine appointment should go ahead and make an appointment through the county website if they have not yet received an email to make one, Garcia says.

Additionally, school staff can make appointments to get vaccinated through Banner Health, which is vaccinating school staff, first responders and people over 75.

A vaccine rollout that's been slower than expected and the continued surge in COVID-19 cases is causing some Tucson school districts to push back their dates to resume in-person learning.

AMERICAN OVERSIGHT

Tucson Unified has yet to set a date to begin in-person instruction.

The district is considering a staggered return once the COVID-19 numbers are better, with the possibility of preschool through third-grade, as well as sixth-grade and 12th-grade coming back first, though the district will be surveying all high school parents to gauge the interest level in starting hybrid for all the high school grades.

Sunnyside, Tucson's second- largest district, will resume hybrid in-person learning on March 1, if the local public health data supports a safe return at that time.

Vail and Marana school districts both resumed in-person hybrid school this week.

Vail is doing a staggered return, with the lower grades resuming earlier this week, and high school scheduled to return on Feb. 8.

Both Amphitheater and Flowing Wells pushed their return date back to Feb. 15, citing the high coronavirus numbers in the region.

Sahuarita Unified is planning a phased return to hybrid, with elementary grades starting on Feb. 1, middle schools on Feb. 8 and high schools on Feb. 15.

Tanque Verde plans to have grades K-6 return to hybrid on Feb. 8, and the upper grades return on Feb. 15.

Catalina Foothill is still offering in-person classes, the only local unified school district that never returned to remote after winter break despite the Pima County Health Department recommending schools do so.

School staff can make an appointment to get vaccinated at the county-run UA site or the TCC at tucne.ws/c19reg.

They can also make an appointment through Banner Health at tucne.ws/bannerreg.

Return to the table of contents

Many lessons learned since AZ got first look at killer virus a year ago
Jasmine Demers
Arizona Daily Star
January 31, 2021

Less than a month after the Arizona Department of Health Services confirmed the state's first COVID-19 case on Jan. 26, 2020, Pima County public- health officials gathered for a news conference and said the threat to the community by the novel coronavirus was low.

Just 10 days later, Pima County would record its first known case, the sixth case in the state, and start on a path that no officials, scientists or doctors could have predicted.

AMERICAN OVERSIGHT

'It seemed pretty manageable back then,' said Dr. Joshua La-Baer, executive director of Arizona State University's Biodesign Institute. 'But we are much more aware now of the impact that a pandemic like this can have on the community.

'This virus is now the leading cause of death in Arizona, and every day that goes by, it builds distance between itself and heart disease, which was the former leading cause of death in the state. It's pretty sobering to realize that.'

More than 748,000 Arizonans have contracted COVID-19 and 13,022 have died since the virus arrived in the state just over a year ago. In Pima County alone, there have been more than 100,000 confirmed cases and 1,736 deaths.

While the pandemic is far from over, some local scientists and physicians are reflecting on the lessons, accomplishments and failures that have occurred this past year, and how they can be used to prepare for the future was identified in Wuhan, China, in December 2019. 'Back then, there was this discussion of this outbreak of infections in China. And honestly, I think we all were a little confused,' LaBaer said. 'But there's been a lot of evolution in our thought since then.'

The new coronavirus was originally thought to be similar to the flu and less severe, which is why many mitigation measures were centered on mostly hand hygiene and surface exposures.

But scientists would come to find that COVID-19 was different from influenza in several ways.

'We know now that the virus is much worse than the flu, in terms of overall mortality,' LaBaer said. 'But at the time, if you look back at some of the newspapers, they were showing graphs that plotted this as maybe tenfold less than the flu, so it was bad but not terrible, but really old people died from it and that's what we knew.'

Unlike other respiratory viruses, COVID-19 spreads mostly through aerosols, which is why masks quickly became an unexpected tool in the mitigation strategy, said Dr. Joe Gerald, a University of Arizona professor of epidemiology.

'Back in March, the CDC was not recommending face masks as a control measure, and over the ensuing weeks to months, they quickly reversed that position and face masks became a cornerstone of our public-health response,' he said.

In addition to questions about how to best protect yourself against the virus, there were also questions about symptoms and how contagious it was from person to person.

Unlike other similar illnesses, it was suspected that COVID-19 could be spread by people who were asymptomatic.

'The two closest viruses that we know to this virus — the original SARS virus and the MERS virus — are also deadly, but they are primarily spread by people who are very symptomatic and so you instantly know who has it,' LaBaer said.

One of the reasons why the spread of the virus became so devastating, he said, is because people infected with COVID-19 are contagious even before they start showing symptoms, if they even show symptoms at all.

AMERICAN OVERSIGHT

In addition to increasing discoveries about how the virus works, Dr. Christian Bime, ICU medical director at Banner-University Medical Center, said physicians have also learned more about how to combat the virus in critically ill patients.

'In terms of caring for our patients, we have learned what works and what doesn't work,' he said. 'For example, we are now understanding that for some patients, we could avoid putting them on a ventilator by giving them what we call high-flow oxygen. This is something we were not quite certain about at the beginning.'

What remains the largest accomplishment of the pandemic so far is the development of multiple successful vaccines in such a short amount of time, the scientists said.

'There have certainly been slip-ups, there's no doubt about it. But there have also been some remarkable successes,' La-Baer said. 'We have to kind of look at both and learn from the successes and learn from the failures. That's the whole concept of science.'

Logistically, the pandemic posed quite a few hurdles early on, including the rollout of testing, contact tracing, mitigation measures and access to protective equipment.

Even now, as vaccine distribution continues to take place throughout the state, community members struggle with inconsistent communication and conflicting information.

'The last government (administration) spent a lot of time thinking about testing the vaccine and manufacturing the vaccine, but did not really think a lot about the logistics from there,' LaBaer said. 'The initial plan was to sort of assign it to every county to manage it itself, which on one level sounds like it's a good idea because then you have lots of people simultaneously working, but it's also problematic because now you've got 30 completely different plans.'

In addition to these issues, the pandemic continues to raise several equity concerns, said Bime.

'We have also learned that there are disparities that exist and persist in the sense that minority groups such as Blacks, Hispanics and Native Americans are at higher risk of getting COVID-19, getting very sick from it and dying,' he said. 'Those disparities were identified early on and they have persisted.'

Along with minority communities, people over the age of 65 continue to be disproportionately affected by COVID-19-related hospitalizations and deaths. Of the many challenges that were posed by the pandemic over the last year, scientists said that the politicization of public-health measures remains one of Arizona's biggest hurdles.

'What we ran into was this unexpected politicization of wearing face masks and intertwining it with these notions of personal freedom and personal autonomy,' said Gerald. 'So while they were great potential intervention, because there wasn't as much public buy-in or even state leadership buy-in, they weren't as effective as they could have been.'

Bime agreed, saying there has been an extreme disconnect between public- health science and public-health policy.

AMERICAN OVERSIGHT

'From a public-health perspective, it takes everybody, all the community leaders, to be able to implement those policies, and communication becomes key,' Bime said. 'And I think there is a deficit of communication and trust across the board.'

With upward of six months left before vaccinations reach all eligible Arizonans, officials note there are still challenges ahead.

Vaccine availability and slow distribution continue to pose hurdles, especially as the state's most vulnerable residents, over age 65, anxiously await their chance to protect themselves against the virus.

'There still remains this period between now and the end of this summer in which it's still going to be important for us to emphasize all of these very key mitigation efforts,' Gerald said. 'And we can't let our guard down just because the vaccine is here, because it's not yet widely available. That's also why we need to work to improve our ability to deliver vaccines to the right people at the right time.'

While there are still a lot of unknowns about COVID-19 and how the virus will evolve, the scientists said they hope leaders and community members will turn all of the previous obstacles into lessons for the future.

For Gerald, the public- health system is historically rooted in being able to prevent the transmission of infectious disease and in the past has wiped out many childhood illnesses through vaccine programs.

'This virus really exposed how neglected our public-health infrastructure has been over the past 15 to 20 years and how it's atrophied in many regards and really hampered our ability to protect our communities from a transmissible communicable illness,' he said. While there is a federal pandemic plan, Gerald said states are the 'critical linchpin' in public-health response and many were unprepared and under-resourced for the scale of this pandemic.

'One of the things that I hope comes out of this is that there's some more TLC and love for state and local health departments, and making sure that they have the personnel and the resources and the administrative policies in place to respond to the next event.

'Our county health departments in particular are our front-line protectors for situations like this, and we were just woefully unprepared.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

For day traders on Reddit, this is the moment they've dreamed of
Paul Wiseman and Joseph Pisani
Arizona Daily Star
January 31, 2021

They've endured a financial crisis. Two deep recessions. Mounds of student debt. Stagnant pay. Costly health care. Dim job prospects.

They've seen the uberrich grow richer while a pandemic threw tens of millions of people out of work and left many more isolated and vulnerable at home.

AMERICAN OVERSIGHT

Now, they feel, it's payback time.

Nearly a decade after the Occupy protest movement left Wall Street more or less unscathed, the citadel of financial might faces a new assault.

Day traders, mobilized on a Reddit chatroom, have poured about all the money they can find into the stocks of a struggling video game retailer called GameStop and a few other beaten- down companies.

Their buying has swollen those companies' share prices beyond anyone's imagination — and, not coincidentally, inflicted huge losses on the hedge funds of the super-rich, who had placed bets that the stocks would drop.

Their strategy, of course, is freighted with risk. The prices of the stocks they've bought are now multiples above any level justified by revenue, earnings or future prospects.

The danger is that at any time, the stocks could collapse.

Maybe so. But as one Reddit user wrote Friday, asserting that hedge fund financiers would drink Champagne as they looked down upon Occupy Wall Street protesters in 2011: 'I'd rather lose it all than give them what they need to destroy me ... I'll burn it all down just to spite them.'

Their rage and hellbent drive to pick on powerful Wall Street financiers have sent shivers through ordinary investors and heightened fears about the fragility of the markets in general after a prolonged period of stock gains fueled by ultra-low interest rates. Those fears just caused the S& P 500 index to suffer its worst week of losses since October.

GameStop shares? They rocketed nearly 70% on Friday.

Over the past three weeks, they've delivered a stupefying 1,600% gain.

'They figured out how to play the way Wall Street has been playing for a long time,' said Robert Thompson, who has long tracked cultural trends as director of Syracuse University's Bleier Center for Television and Popular Culture. 'I'm amazed it didn't happen earlier.'

Feeding the frenzy have been young traders like 27-year-old Zach Weir, who this week bought five shares of GameStop.

'I'm a college student, so that's basically a month's rent for me,' said Weir, who is pursuing a master's degree in marketing.

He did it, he said, because he believes in the cause: Protecting a cherished game store, where he would hang out as a teenager on Friday nights, from financial tycoons who want the company to fail.

And if he loses his investment?

'If my account goes to zero, it goes to zero,' Weir said. 'At this point, it's not about the money. I think this is bigger than the money now.'

AMERICAN OVERSIGHT

Frustration and rage over widening financial inequities in the American economy have been mounting for years.

The richest 1% of Americans collected about 19% of the nation's total pretax income in 2019, up from less than 11% four decades earlier, according to the World Inequality Database, run by Emmanuel Saez and Gabriel Zucman, economists at the University of California, Berkeley, along with other researchers.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Mental health days for students an idea that's catching on in US
Sophia Eppolito
Arizona Daily Star
January 31, 2021

When she was growing up, Sophie Corroon struggled to get through a ballet class or soccer tryout without having an anxiety attack.

The idea of going to sleepovers or being home alone left her feeling panicked. Corroon's anxiety grew even more during high school in Salt Lake City, when the pressures of getting into college left her in tears at school or toiling for hours on assignments.

Corroon, now 20, has struggled with her mental health since fourth grade, and she's not alone. And now, the coronavirus pandemic has multiplied the pressures on kids — many have spent almost a year doing remote learning, isolated from their friends and classmates. The portion of children's emergency-room visits related to mental health was 44% higher in 2020, compared with the year before.

State lawmakers are increasingly seeking more support for kids. This year, legislation proposed in Utah and Arizona would add mental or behavioral health to the list of reasons students can be absent from class, similar to staying out with a physical illness. Similar laws have passed in Oregon, Maine, Colorado and Virginia in the past two years.

Offering mental health days can help children and parents communicate and prevent struggling students from falling behind in school or ending up in crisis, said Debbie Plotnick, vice president of the nonprofit advocacy group Mental Health America.

Plotnick said mental health days can be even more effective when paired with mental health services in schools.

'We know that this year has been extra hard, and we know that it's hard for young people,' Plotnick said. 'That's why it's so essential that students feel comfortable to come forward and say ... 'I need to take some actions to support my mental health." In Arizona, Democratic Sen. Sean Bowie has introduced a mental health day measure for the second time after legislation stalled in March as the pandemic took hold. Republican Gov. Doug Ducey has taken an interest in youth suicide and mental health, and Bowie said he's confident it will be signed into law. The bill passed the state Senate unanimously Thursday.

Conservative Utah passed a law in 2018 letting kids take time off school for a mental illness. A new proposal from Republican Rep. Mike Winder would allow absences for students to deal with other kinds of mental pressures to further normalize treating a mental health concern like a physical one.

AMERICAN OVERSIGHT

Under the Utah bill, mental health days would be treated like any other excused absence, Winder said. A parent would need to excuse their child, and students would still be expected to make up their schoolwork.

In Arizona, specific mental health day policies would be up to each school district, Bowie said.

Theresa Nguyen, a licensed clinical social worker, said she's concerned about the potential long-term mental and academic effects that students may face from the pandemic. In addition to growing reports of anxiety and depression, Nguyen said, many students say they don't feel like they're absorbing class material virtually and they're not getting enough support.

'They feel like, 'Nobody cares that I'm struggling, so I'm basically being communicated to that I need to just deal with it by myself," said Nguyen, Mental Health America's chief program officer. 'And for a lot of youth, that means increased self-harm and suicide.'

Return to the table of contents

Introducing Pima County Libertarians' new leader
Jonathan Hoffman
Arizona Daily Star
January 31, 2021

Much has been happening in party politics as of late. The Arizona Republicans reelected Kelli Ward who narrowly defeated Sergio Arellano. Closer to home, Shelley Kais now heads up the Pima County Republicans, and Dru Heaton was elected to lead the Pima County Libertarians. Pima County Democrats had their election in December.

I know that we Libertarians are not taken seriously or considered newsworthy by many, but the party has been around since the early 1970s, and has permanent ballot status in the state of Arizona. I say 'we' because I have been a registered Libertarian since 1980.

I thought it might be interesting to put down the popcorn and tune out the war between Republicans and Democrats for a moment and see what a local Libertarian had to say. So, I contacted Heaton and arranged to meet her for coffee and an informal interview. The interview quickly morphed into a couple of Libertarians conversing. I asked how she came to be a Libertarian. She said that she was an independent, but recognized the Libertarian Party as the party of principle, and principles such as 'live and let live,' 'freedom of choice,' 'individual freedom and responsibility' seemed natural to her.

I asked if she had any specific plans for Tucson and Pima County. Being newly elected, she is wisely starting with raising awareness of Libertarian principles through a variety of messaging avenues, then building from there. She has already issued some press releases.

Heaton said she is working with other activists in the party toward that end, saying, 'One of the reasons people do not know what the Libertarian message is is that Libertarians are not speaking it often enough or loudly enough.

That is something we are trying to change.'

AMERICAN OVERSIGHT

Here is a sample from one of her press releases: 'I know this will come as a shock to some, but science is not truth. Science is not an appeal to authority.

Science is the process of testing a hypothesis. Science is not consensus. No advancement in science or civilization has been made without challenging consensus.'

We talked about the merits of running candidates in local elections. There was a time when the local party believed that electing Libertarians was the way to go. Having been involved in a couple of those efforts, I can say that that ain't happening in Tucson, though running candidates does offer people an alternative to the two major parties and provides an opportunity to offer Libertarian perspectives on local issues.

We both made the observation that the structure of Tucson elections makes it extremely difficult to elect Republicans, much less Libertarians. The Tucson City Council elections, for example, involve primary elections by ward, but the general election is citywide.

In that way, the Democrats tend to win all the City Council races since they have a significant registration advantage citywide which helps Democrats win in otherwise Republican wards.

Heaton, who has lived in Tucson since 1997, told me about attending a Libertarian meeting at which a guy said that we Libertarians like to smoke pot.

Heaton disagreed saying, 'I'm a Libertarian, and I have never had any form of drugs, and I don't drink alcohol or coffee. What we have in common, the one thing we should absolutely agree on, is that we don't want the government running our lives.'

I pointed out that arguing with each other is what we Libertarians do best. That resulted in the biggest mutual laugh of the day.

I think that Dru Heaton possesses the smarts, knowledge, energy and humility to be an asset to the Pima County Libertarians, and to our community in whatever else she may pursue.

Return to the table of contents

COVID-19 cases fall for 2nd week in a row in county and AZ, providing 'glimmer' of hope
Alex Devoid
Arizona Daily Star
January 31, 2021

Total COVID-19 cases have fallen for two consecutive weeks in Arizona and Pima County. This, along with other improving metrics, provides some hope that Arizona is turning the corner, even though the pandemic is still considerably worse than it was during the summer surge.

'The absolute levels are terrible,' said Dr. Joe Gerald, an associate professor with the University of Arizona's College of Public Health. 'It's horrible. But there is a glimmer of good news because we're getting better. Hopefully next week we'll be just a little bit less horrible than we are this week.'

AMERICAN OVERSIGHT

Gerald can't explain why cases have fallen and other metrics have improved. While he and his colleagues have theories, 'no one knows,' he said. But he expects it to continue.

The COVID-19 variants that are more contagious could threaten this progress, Gerald said. For example, the variant that originated in the United Kingdom has recently been discovered in Arizona.

'They can be game changers, if they grab a foothold here. So far, there's no evidence that they have,' he said, adding that we should invest additional resources into our vaccination infrastructure to vaccinate more people faster.

Across the state, weekto- week cases decreased by 20% in the third week of January, dropping to 39,788, while the number of people tested for the virus fell by 13%. The percentage of positive diagnostic tests decreased from 20% to 19%.

Countywide, week-toweek cases decreased by 26% to 5,209 over the same period, while the number of people who were tested fell by 10%. The percentage of diagnostic tests that detected the virus also fell from 19% to 16%.

'I do believe that this is a real improvement. I really do. And I have been hesitant to say so up until this week,' said Dr. Francisco Garcia, Pima County's chief medical officer.

He is more confident that this won't be a short-lived improvement for a couple reasons.

First, the nation is also heading in a similar direction. Also, the three primary indicators he follows at the county level are all showing improvements. Case counts are falling. The percentage of COVID-19 tests coming back positive has now dropped for several consecutive weeks. And fewer people are showing up at the hospitals with a COVID-like illness.

'I think we can sustain it if we don't get sloppy again,' he said. 'And if we continue to do the common sense kinds of mitigation measures that we have tried to reinforce.'

In other words, keep wearing your mask.

He added that eventually vaccinations will be the game changer that will reduce hospitalizations and deaths.

In Pima County, 101,393 total vaccine doses have been administered, according to the Arizona Department of Health Services, as of Friday. That's 9,706 doses per 100,000 people. Many have not yet received the full two doses.

Statewide, a total of 592,288 vaccine doses have been administered, which is a rate of 8,239 per 100,000 people.

About 80,773 people have received the full two doses statewide, according to data from the Centers for Disease Control and Prevention, as of Friday. That's a rate of 1,110 people per 100,000 people.

On Wednesday, the director of the Biodesign Institute research center at Arizona State University, Dr. Joshua LaBaer, served up a reminder of how deadly the virus has been.

AMERICAN OVERSIGHT

'If you were to take the year from Feb. 1 to Feb. 1, COVID-19 is the number one cause of death in Arizona,' he said at a news conference. 'It's the leading killer in our state at the moment. It is outpacing heart disease, cancer and all other causes of death.'

Across the state, COVID-19 deaths fell by 7% to 845 in the second week of January, according to the ADHS chart of deaths by date.

In Pima County, 126 people died of COVID-19 in the second week of January, 13% fewer deaths than the week before, according to the data published by the county's health department.

Only 9% of both inpatient and ICU beds were available on Thursday across Arizona, according to an ADHS chart of hospital bed usage and availability, as of Friday. Statewide bed capacity hasn't changed much in the past week, but the percentage of beds taken by COVID-19 patients has decreased.

New coronavirus hospitalizations fell statewide by 34% to 2,455 in the second week of January.

In Pima County, coronavirus hospitalizations fell by 22% to 338, according to data published on Wednesday by the county health department.

The number of people who were hospitalized and died could increase as more data is potentially backfilled.

The Star waits two weeks to interpret these metrics to account for these delays, but sometimes the delays take longer.

'If we can stack three or four good weeks in a row together, then we can start talking about how we're in a much better place than we were,' Gerald said. 'So we're not out of trouble. Our house is still on fire. But we're starting to get containment of that fire and make some progress against it.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Tucson's 911 system 'critical but stable' after department boss's sudden exit
Carol Ann Alaimo
Arizona Daily Star
January 31, 2021

Tucson's troubled 911 system is in 'critical but stable' condition after the sudden resignation of its top boss after a year on the job, the new interim leader said.

Jamie O'Leary, director of the city's Public Safety Communications Department that operates 911, recently quit the $175,000-a-year post 14 months after she was hired.

'After much deliberation, I have decided to tender my resignation,' O'Leary's Jan. 12 letter to the city manager said. 'Compelling personal family needs require me to return to Oklahoma,' she wrote.

The city offered O'Leary $15,000 for moving expenses to relocate to Tucson from Oklahoma City, where she previously served as that city's 911 director.

AMERICAN OVERSIGHT

The timing of the departure coincides with an upcoming 90-day review of how much progress has been made in fixing numerous problems at the city's 911 center including high turnover, low morale, overcrowding and inadequate training and supervision.

The shortcomings were identified last fall in a $40,000 consultant's study in which 911 employees described O'Leary's leadership style as 'dominance, anger (and) sarcasm.'

City Manager Michael Ortega, who hired O'Leary, would not comment on whether the pending progress report was a factor in her exit. 'I do not comment on personnel matters,' he said.

For now, the 911 system, which handles about 4,000 calls a day, is being led by the Tucson Police Department's second-in-command, Deputy Chief Chad Kasmar.

'If I was a doctor, I would say we're critical but stable,' Kasmar said in an interview.

A high-functioning 911 system is supposed to be able to answer emergency calls within 10 seconds 90% of the time, but local operators are only able to reach that goal 75 to 80% of the time, Kasmar said.

'Right now we're asking for patience during peak call periods when it might take a little longer than we want,' for a 911 operator to answer, he said.

Kasmar said progress is underway but much work remains to fix problems that have festered since 2017, when the city consolidated police and fire dispatchers into one location without creating additional workspace for the resulting larger workforce. According to the consultant's report, employees reported having two very distinct cultures under one roof and 'an inherent rivalry between those serving the Tucson Police Department and the Tucson Fire Department.'

Lane Mandle, a city spokeswoman, said the construction project has been a complicated by the need to create false floors over intricate wiring and technical installations. The pandemic also created a work slowdown that affected the timing, she said.

Like many communities nationwide, Tucson suffers from a chronic 911 staffing shortage that has only grown worse during the pandemic, Kasmar said. The local system is authorized for 165 personnel, but only about 110 are available for duty in any 24-hour period, he said.

A number of workers have quit over lack of child care during the pandemic or due to concerns their cramped workplace 'makes it almost impossible to be socially distant,' he said. The department also had a coronavirus outbreak among employees last summer.

The larger quarters are expected to be ready in September. Kasmar said a package of other changes is being considered, including upgrades to training and recruitment practices and pay raises for personnel who now make $15.32 an hour for high-stress work.

The city has created a task force to monitor the 911 problems and report back to council on progress to date. The initial update was supposed to happen this month but has been switched to February because of the leadership change, Kasmar said.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New one-shot vaccine effective as concern about mutations rise
Lauran Neergaard and Linda A. Johnson
Arizona Daily Star
January 30, 2021

The first one-shot COVID-19 vaccine provides good protection against the illness, Johnson & Johnson reported in a key study released Friday, offering the world a potentially important new tool as it races to stay ahead of the rapidly mutating virus.

The pharmaceutical giant's preliminary findings suggest the single-dose option may not be as strong as Pfizer's or Moderna's two-dose formula, and was markedly weaker against a worrisome mutated version of the virus in South Africa.

But amid a rocky start to vaccinations worldwide, that may be an acceptable trade-off to get more people inoculated faster with an easier-to-handle shot that, unlike rival vaccines that must be kept frozen, can last months in the refrigerator.

'Frankly, simple is beautiful,' said Dr. Matt Hepburn, the U.S. government's COVID-19 vaccine response leader.

J& J plans to seek emergency use authorization in the U.S. within a week. It expects to supply 100 million doses to the U.S. by June — and a billion doses globally by year's end — but declined to say how much could be ready if the Food and Drug Administration gives the green light.

Defeating the scourge that has killed more than 2 million people worldwide will require vaccinating billions. The shots being rolled out in different countries so far all require two doses a few weeks apart for full protection. More than 21 million Americans have received a first dose of Pfizer or Moderna shots since vaccinations began last month, but just 4 million have gotten their second dose.

Also Friday, regulators cleared a third option, AstraZeneca's vaccine, for use throughout the European Union. The decision came amid criticism that the 27-nation bloc is not moving fast enough, as well as concern that there's not enough data to tell how well the vaccine works in older people.

Johnson & Johnson's preliminary findings suggest its single- dose option may not be as strong as two-dose formulas and was weaker against a mutated version of the virus.

South Africa. Interim results found the shot 66% effective overall at preventing moderate to severe COVID-19, and much more protective — 85% — against the most serious symptoms. There were no serious side effects.

'Gambling on one dose was certainly worthwhile,' Dr. Mathai Mammen, global research chief for J& J's Janssen Pharmaceutical unit, told The Associated Press.

The vaccine worked better in the U.S. — 72% effective against moderate to severe COVID-19 — compared with 66% in Latin America and 57% in South Africa, where a more contagious mutant virus is spreading.

AMERICAN OVERSIGHT

The reduced protection against that mutation is 'really a wake-up call,' said Dr. Anthony Fauci, the top U.S. infectious-disease expert.

The more the virus is allowed to spread, the more opportunities it has to mutate. Vaccine makers are looking into how to alter their shots if necessary.

For now, the findings are an incentive 'to vaccinate as many people as we possibly can,' Fauci stressed.

Data is mixed on how well other vaccines being used around the world work, but the Pfizer and Moderna shots were 95% protective in large U.S. studies.

It's not fair to compare studies done before the record surges of recent months and discovery of new mutants — they might not turn out the same today, cautioned Dr. Jesse Goodman of Georgetown University, a former FDA vaccine chief.

The J& J protection is 'good enough to help attack a pandemic,' Goodman said. 'The advantage of having more vaccine, in a single shot, would be significant.'

Researchers tracked illnesses starting 28 days after vaccination — about the time when, if participants were getting a two-dose variety instead, they would have needed another shot.

After Day 28, no one who got vaccinated needed hospitalization or died, regardless of whether they were exposed to the original virus or 'these particularly nasty variants,' Mammen said. When the vaccinated did become infected, they had a milder illness.

All COVID-19 vaccines train the body to recognize the new coronavirus, usually by spotting the spiky protein that coats it. But they're made in very different ways.

J& J's shot uses a cold virus like a Trojan horse to carry the spike gene into the body, where cells make harmless copies of the protein to prime the immune system in case the real virus comes along. It's the same technology the company used in making a successful Ebola vaccine.

That's similar to how AstraZeneca's two-dose vaccine is made, although it's not clear exactly how well that one works. Tests in Britain, South Africa and Brazil suggested two doses are about 70% effective. An ongoing U.S. study may provide more information.

Still another vaccine is in final testing: Novavax reported this week that its vaccine appears 89% effective in a British study and that it also seems to work — though not as well — against new mutated versions of the virus circulating in Britain and South Africa.

A larger study in the U.S. and Mexico is still enrolling volunteers.

Wall Street appeared dissatisfied with J& J's results, with shares dropping 4.2% in early trading, a rare big drop for the world's biggest maker of health-care products. Its stock was down $4.07, or 2.4%, at $165.09 in midmorning trading.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Proposed law would let Legislature overturn presidential election results
Howard Fischer
Arizona Daily Star
January 30, 2021

A Republican lawmaker wants to allow the Arizona Legislature to overturn the results of a presidential election, even after the count is formally certified by the governor and secretary of state — and even after Congress counts the state's electors.

The proposal by Rep. Shawnna Bolick of Phoenix contains a series of provisions designed to make it easier for those unhappy with elections to go to court.

Included would be allowing challengers to demand a jury trial and, more to the point, barring a trial judge or an appellate court from throwing out the case, even for lack of evidence, before the jurors get to rule.

That would affect the rules of court procedures that are set up and overseen by the Arizona Supreme Court, on which her husband, Clint Bolick, serves.

But the most sweeping provision would say that, regardless of any other law, the Legislature retains ultimate authority in deciding who the state's presidential electors are.

And it would spell out that lawmakers, by a simple majority, could revoke the formal certification of the election results and substitute their own decision at any time right up to the day a new president is inaugurated.

It's not clear exactly how that would work.

Congress counts each state's electoral votes and announces two weeks before Inauguration Day who was elected, which is Shawnna Bolick's proposed deadline for state lawmakers to make a final decision whether to change the electoral tally.

Absent Congress reconvening to recount the tally — something that may not be legal under federal law — there is noway to recount or change the vote.

Potentially more problematic, Bolick's House Bill 2720 says lawmakers could take that action 'without regard to whether the legislature is in regular or special session or has held committee or other hearings on the matter.'

That by itself would appear to violate the Arizona Constitution, which spells out when the Legislature is, in fact, in session and when it can act.

More practically, Bolick's proposal does not explain how there even could be a majority vote if there is no formal, on-the-record vote at a nonexistent legislative session.

Bolick did not respond to multiple requests to discuss her measure or answer questions.

AMERICAN OVERSIGHT

But Democratic Secretary of State Katie Hobbs wasted no time in reacting, calling the proposal 'breathtaking.'

'So really, we should just get rid of the presidential election altogether?' Hobbs said in a Twitter message. 'In reality, that's what this bill would do.'

Julie Erfle, a Democratic political consultant, was a bit more succinct, saying that Bolick 'gives AZ voters the middle finger.'

Bolick is not the first Republican to advance the argument that lawmakers can trump voter decisions.

Rep. Mark Finchem, R-Oro Valley, has repeatedly argued that the U.S. Constitution gives Arizona lawmakers 'plenary authority' to determine who gets the state's electoral votes.

But the Legislature was not in session and House Speaker Russell Bowers rebuffed his efforts to call a hearing of the House Federal Relations Committee, which Finchem chaired last year, to look at ways the 2020 election could have been tainted. Bowers said state law is clear that the electors are selected based on the certified voter count.

So Finchem and others decided to conduct their own unofficial hearing away from the state Capitol in late November to hear allegations from Donald Trump's legal team that the election was rigged. That event had all the legal authority and effect of a political rally.

Bolick seeks to get around that with her proposed law specifically authorizing a legislative override.

Aside from legislative veto of election results, Bolick's HB 2720 seeks to put into statute other ways that election results can be monitored.

For example, it would require counties to create digitized images of all ballots, which would be available to the public to review.

She also wants the public to be able to monitor what happens when a ballot cannot be read by tallying equipment, perhaps because of stray marks or because the individual voted for more than one candidate for an office.

That normally involves election workers from both parties reviewing the ballot, attempting to determine the voter's intent, and creating a new ballot that could be fed through the machine. Bolick wants the images of these duplicated ballots posted on a county website within 24 hours.

She also wants to expand an existing law that now allows for up to three observers representing candidates or political parties at the counting center. HB 2720 would require there also be at least 10 individuals from the general public who are registered voters in the county.

Then there's the issue of how courts have to handle election challenges.

There were a series of lawsuits following now President Biden's victory over then-President Donald Trump in Arizona. Those included one by Kelli Ward, who chairs the Arizona Republican Party, who contended there were mistakes made in the process of duplicating ballots.

AMERICAN OVERSIGHT

A trial judge agreed to have a review of a random sample of 1,626 of these duplicated ballots, which did turn up errors.

But the Arizona Supreme Court, reviewing that case, said the error rate was no more than 0.55%.

Chief Justice Robert Brutinel said extrapolating that out over the 27,869 ballots that had been duplicated would have gained Trump no more than 153 votes, which would not have affected the outcome of the Arizona election that Biden won by more than 10,000 votes.

The Arizona Supreme Court unanimously affirmed Biden's win in the state.

Bolick's bill would have required the case to go to a jury regardless of merits and precluded the trial judge — and, ultimately the Supreme Court — from concluding ahead of a jury trial that the case had no legal merit or practical chance to succeed.

The same would apply to challenges to future election returns if her bill becomes law.

Return to the table of contents

AZ Senate changes mind, will conduct own audit of Maricopa County election results
Howard Fischer
Arizona Daily Star
January 30, 2021

Unhappy with what Maricopa County has proposed, state senators are going ahead with their own audit of the general election, a move that could lead to a new court fight and potentially a contempt vote. Senate President Karen Fann had agreed to back down from her demand for a Senate audit after the county said it would conduct its own. The county review was supposed to include two separate auditors, individuals or firms certified by the U.S. Election Assistance Commission.

But Fann said it turns out the EAC does not certify auditors. So the Senate wants someone of its own choosing and in whom it has confidence, she told Capitol Media Services.

More significantly, Fann said the scope of the audit approved by the supervisors falls short of what she believes the Senate was promised. She said she also believes it won't be enough to answer all the questions about how the ballots were counted and whether the results, in which the edge went to now-President Biden over then-President Donald Trump, were accurate.

A lot if missing, according to attorney Kory Langhofer, who represents the Senate.

For example, he said, there is nothing in the county review to identify voters who may have cast more than one ballot. The Senate also wants a review of 'spoiled' ballots and what was done by election workers to determine the voter intent.

The Senate also wants a review of the cybersecurity of the voting and tabulation machines, he said.

AMERICAN OVERSIGHT

The county audit does contain a requirement for a review of whether machines were linked to the internet. But Langhofer said that's not enough, saying there needs to be a review of 'whether its hardware or software may have been modified through some means other than an internet connection.'

A lawsuit seeking to enforce a Senate subpoena for access to the equipment and ballots was placed on the back burner after the Board of Supervisors said it would agree to conduct its own review.

But Fann said the scope of the county audit doesn't live up to the agreement.

'We agreed that we would have two audits and they would be forensic audits so that we could verify to make sure that there were no irregularities or anything else,' Fann said.

So she said the decision was made for the Senate to hire and pay for someone of its choosing to conduct a deep dive into the process 'to make sure we get two, independent forensic audits.'

The board 'respects the Arizona Senate's decision to hire a company to audit the election data and documents the board has provided to date,' said county spokesman Fields Moseley in a prepared statement.

He also insisted, despite Langhofer's claims, that

the two companies the county hired are the only ones in the country that are EAC certified voting system testing laboratories.

Senators want to get into the hardware and software to look for evidence of tampering or other modifications that would or could have changed the outcome of the vote.

But Moseley said the U.S. Department of Homeland Security has designated vote-tabulation equipment as 'critical election infrastructure.'

'If the source code from our tabulation equipment is exposed and posted online, that could jeopardize the integrity of voting systems across the country,' he said. That is why the county wants to use the two companies it has chosen, he said.

Moseley said the question of access to the equipment 'remains a part of the negotiations' with the Senate. But he said the county isn't giving access to the actual ballots.

'The ballots from the 2020 election are sealed after certification of the election,' Moseley said.

Supervisor Steve Gallardo said as far as he's concerned, the audit the county is doing is sufficient and comports with the agreement with the Senate. Gallardo said he's not interested in making further deals, saying the Senate will never be satisfied.

'They have done everything they can with their lies, their conspiracies about the 2020 general election,' he told Capitol Media Services. 'And they continue those same conspiracies, now about the consultants that have been hired to do this audit.'

Gallardo, the lone Democrat on the Republican- controlled county board, said he is willing to listen to 'suggestions' from the Senate on the parameters of the audit.

AMERICAN OVERSIGHT

'But at the end of the day they're not going to be satisfied with the audit that is performed because the audit is not going to support what (state GOP Chair) Kelli Ward and many of the legislators and others are trying to make, and that is the election was compromised,' Gallardo said. 'And it wasn't.'

The next move is up to the county: provide the access the Senate is demanding or send the matter back to court. Fann said she hopes it doesn't come to that.

'We all agree that we wanted to get our constituents answers to their questions,' said Fann, a Prescott Republican.

'We have tens of thousands of voters who have questions, rightly so or not, about the electoral system in Arizona. And we just need to reinstill the confidence in that before we go on to another election,' she said.

Fann emphasized that's all this is about.

'We're not overturning an election,' she said, acknowledging prior efforts by some GOP lawmakers to void the certified results that showed Biden winning Arizona.

She said this isn't about seizing the equipment. The state-selected auditor will work at county offices, and can be overseen by county officials, she said.

'We want to make sure this is fully transparent and accountable,' Fann said.

Beyond renewed litigation, the other option if the county balks would be for the Senate to vote to hold the board in contempt. But while that would allow Fann to send the sergeantat- arms to arrest board members, it would not necessarily guarantee the access to the equipment.

So will a Senate-conducted audit satisfy everyone?

'Heavens, no,' Fann said. 'But I am hoping we can satisfy 90% or 95%. And I can't do anything about the other 5%.'

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

A look at the election law changes sought by critical AZ Republicans
Howard Fischer
Arizona Daily Star
January 30, 2021

President Biden's victory in Arizona in November has left some Republican lawmakers not just grumbling, but trying to change election laws.

Several of the measures are aimed at the early ballot process, one criticized by former President Donald Trump as an invitation to cheat.

AMERICAN OVERSIGHT

For example, Senate Bill 1503, sponsored by Sen. Kelly Townsend, R-Mesa, would continue to allow people to request an early ballot by mail. But the voter would have to return it to a polling place in person, ending the convenience of being able to drop it in the mail.

Sending it with someone else is not an option, as a 2016 law pushed through by GOP lawmakers makes it a felony to return someone else's ballot, with only a few exceptions for family members and caregivers.

Rep. Kevin Payne, R-Peoria, would preserve the ability to mail back ballots. But his House Bill 2369 would require a voter to seek out a notary to witness the legally required signature on the envelope.

Payne has since acknowledged the practical problems with that. But he told Capitol Media Services he is looking for other solutions, like requiring voters to send a photocopy of a driver's license.

Payne also is seeking to void the permanent early voting list, which allows individuals to automatically get an early ballot every election without having to make repeated requests.

Townsend has several other proposals, including requiring that voters who go to polling places be given a paper receipt to confirm that their ballot has been counted.

She also wants to preclude counties from telling voters the kind of markers they can use, amid concerns that bleed-through might result in some ballots not being counted.

Sen. J.D. Mesnard, R-Chandler, has a plan to increase the mandatory hand count from 2% of a precinct to at least 5%, and allow for certain officials to demand more.

And he wants to allow anyone unhappy with the results to demand a full recount as long as that person is willing to pick up the costs.

Sen. Michelle Ugenti-Rita, R-Scottsdale, has a related measure. It would require an automatic recount if the difference between the top candidates was less than 0.5%, up from 0.1%.

Biden's 10,457-vote edge over Trump in Arizona was just 0.3%.

Ugenti-Rita has several other election-related proposals, including prohibiting county recorders from conducting voter registration drives or similar events at any location other than a government-owned building.

She also wants a law to spell out that envelopes used for early voting cannot identify someone's political affiliation.

There's also a focus on voting equipment, fueled by claims by Trump and his attorney Rudolph Giuliani that hardware and software of Dominion Voting Systems were programmed to steal votes from the incumbent.

Dominion has since filed a defamation lawsuit against Giuliani, seeking damages of more than $1.3 billion.

AMERICAN OVERSIGHT

But the Trump team's allegations resulted in the state Senate issuing a subpoena to Maricopa County for access to the equipment and the raw ballots.

County supervisors balked, saying they cannot legally release that to outsiders.

So Sen. Warren Petersen, R-Gilbert, has introduced SB 1408, which would entitle legislators to subpoena any document, even overcoming the presumption of confidentiality that the supervisors have argued forbids them from giving the senators what they want.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

2020 was 2nd hottest, 2nd driest year in Arizona
Chelsea Curtis
Arizona Republic
February 1, 2021

Arizona in 2020 saw its second hottest and second driest year on record with Phoenix seemingly leading the way, according to weather officials.

The year ended with an average temperature of 62.6 degrees, which was slightly below 2017's record of 63 degrees, according to Meteorologist Bianca Feldkircher with the National Weather Service in Phoenix.

Precipitation across the state in 2020 was 6.63 inches, making it the second driest year on record after 1956 with 6.04 inches of precipitation, Feldkircher said.

Mason Williams drinks water during a break from football practice July 13 at Eastmark High School in Mesa. Arizona in 2020 saw its second hottest and second driest year on record.

Although Arizona saw some precipitation at the beginning of the year, Feldkircher explained that a change in the monsoon pattern combined with an El Niño pattern over the winter months contributed to Arizona's dry and warm conditions this year.

The monsoon pattern "was pretty much suppressed southwards, so the high pressure was like right over us instead of being a little further north near the Four Corners, and that wasn't allowing any moisture to come in," she said.

"And then with high pressure just sitting on top of us, that was also resulting in those warm temperatures that we saw during the summer and all the records we broke."

Phoenix in particular experienced some of its hottest and driest conditions last year, according to a report from the Weather Service.

The year also marked the city's second hottest on record with an average temperature of 77.2 degrees, the report said.

The city set a new record for the most days in a year with high temperatures at or above 100 degrees, totaling 145 days, the report said. The previous record was 143 days in 1989.

It also saw 53 days last year at or above 110 degrees, according to the report.

In July, Phoenix set a new record for the hottest month ever with an average temperature of 98.9 degrees; however, the record was toppled by August which saw an average temperature of 99.1 degrees, the report said.

The unusually hot August pushed 2020 to the unfortunate title of being the hottest summer ever recorded in Phoenix.

AMERICAN OVERSIGHT

Summers in the future will be more like 2020's

The bad news: The heat is likely here to stay.

Experts say it's possible last summer was an anomaly, but hasten to add that a combination of the urban

heat island effect and human-driven climate change will continue to worsen extreme, and sometimes deadly, heat.

Climate change sped up by humanmade emissions has led to a trend of increasing temperatures and contributed to extended drought throughout the Southwest. Phoenix's concrete, asphalt and buildings retain heat, keeping the city hotter through the night.

A study last year predicted that by 2100, Phoenix and Tucson will see an increase from five days of extreme heat per year to as many as 45 and 60, respectively.

According to a report from the National Oceanic and Atmospheric Administration, July tied for the secondhottest month ever recorded on Earth.

Record temperatures have public health consequences. Heat-related illnesses are common during the summer, and since 2009, more than 2,000 people have died from exposure to excessive natural heat in Arizona.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Nursing home that made sick staffers work to be reviewed
Caitlin McGlade
Arizona Republic
February 1, 2021

The state regulatory board that oversees nursing home administrators will consider investigating leadership at a Prescott facility that required employees to work while sick with COVID- 19.

The decision to review the case came after The Arizona Republic reported on the nursing home's safety violations, as par t of a months-long investigation.

State health inspectors had discovered in July that managers at Granite Creek Health and Rehabilitation Center required staffers to work despite positive COVID-19 tests and doctors' orders to isolate.

Some staffers were so ill that it was painful to breathe, or that they were "sweating and weak," but had to stay on shift, inspectors found.

One employee texted the staffing coordinator, the administrator and the director of nursing about having a headache, body aches, sore throat and chills. No one responded. The next day, the employee logged a fever on the facility's health screening. Still, management required working a full shift, according to the inspection report.

AMERICAN OVERSIGHT

Over the next several days, that employee grew more ill and received a positive COVID-19 test.

At one point, the employee's oxygen saturation level hit a dangerous 88 percent. The employee then went to the doctor, who said to immediately go to the emergency room. The staffing coordinator still required the employee to work, even given the doctor's note.

The employee worked 12 hours that day in the ward for residents who do not have COVID-19.

The inspector's notes say the employees they interviewed first developed COVID-19 symptoms in June.

According to data compiled by federal officials, Granite Creek, which is home to an average of just over 60 residents each week, reported its first confirmed resident case of COVID-19 the week ending June 21 — a week after it reported its first confirmed employee case.

Within the next month, 50 more residents got sick. Fifteen died.

The Arizona Department of Health Services fined the facility $500 for having sick employees care for residents.

A nursing home administrator did not respond to phone calls from The Republic requesting comment.

The inspectors found that the facility had put its residents in "immediate jeopardy," which means the facility's error put the health and safety of its residents at risk for serious injury, harm, impairment or death.

But Allen Imig, executive director of the board charged with licensing and disciplining nursing home administrators, said he was unaware of the case.

After a Republic reporter asked why the board had not reviewed the finding, he said he would put the state inspectors' findings on an agenda for the board to consider.

The board receives routine, automated records of some "deficiency" findings from the Arizona Department of Health Services. The Granite Creek report was never sent, he said.

"If it had, the board would have reviewed it," Imig said. The governor-appointed board, called the Arizona Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers, meets monthly. Their next meeting is Feb. 8.

Statewide, more than 2,000 people have died of COVID-19 in nursing homes and other long-term care facilities, according to a Republic analysis, making those residents among the most vulnerable to the disease.

Arizona inspectors cited 64 nursing homes for infection control violations that could have spread the virus during the pandemic from March through October. Twenty-two homes had errors during multiple inspections, including Granite Creek.

Just a month before inspectors found that Granite Creek employees worked with COVID-19, they cited the facility because staff were not wearing PPE appropriately.

AMERICAN OVERSIGHT

The administrators' board reviewed that report. It is unclear why the board never saw the one about sick employees on the job.

Imig, the board director, said the board "wants to review" all immediate jeopardies that resulted in penalties or mandates.

Because Granite Creek was cited for an immediate jeopardy and fined, the violation appears to meet the board's criteria. But Imig did not respond to follow- up questions seeking to clarify if the report should have been included in the state's automated releases to the board.

Steve Elliott, spokesman for the Arizona Department of Health Services, said in an email that the citation did not match the parameters that the board seeks.

In July, before the state's investigation was complete, Phoenix New Times reported about complaints of an outbreak at the facility. A Granite Creek administrator at the time told the paper that the facility might ask, but would not force, a sick employee to come to work.

The administrator said at the time that it was acceptable, based on CDC guidance, to put COVID-positive staff members to work with COVID-positive patients. But the state's report later concluded that multiple staffers had told managers they were sick, but were assigned to work shifts in the non-COVID unit.

Shannon Parys of Tempe, a member of the nationwide group "Voices for Seniors," which pushes for nursing home reforms, said the pattern of infections and deaths mars the entire industry.

"There is such a breakdown in this whole system and we need to get to the bottom of it, she said.

Parys, who lost her father to COVID- 19, is suing the nursing home where he contracted the virus. She said taking legal action is her only recourse, since the state does little to hold accountable facilities that put residents in harm's way.

"I feel like we were lied to," she said. "Here we thought our loved ones were safe, because they were in lockdown. Really it was the opposite. They weren't safe at all."

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Sky Harbor is 4th for guns found with flyers
Audrey Jensen
Arizona Republic
February 1, 2021

In the same year that Phoenix Sky Harbor International Airport saw low numbers of flyers due to COVID-19, it also had the fourth highest number of guns found on passengers or in carry-on bags at security checkpoints in 2020.

At Sky Harbor, the 13th busiest airport in the nation, the Transportation Security Administration found 124 firearms at security checkpoints with passengers or in carry-on bags last year.

AMERICAN OVERSIGHT

“The airport is considered a federal area at the TSA checkpoint, so therefore we will not allow (you) to have guns or any weapons.”

Travelers head to their gates in Terminal 4 at Phoenix Sky Harbor International Airport on Dec. 18. At Sky Harbor last year, TSA officials at security checkpoints found 124 firearms with passengers or in their bags.

TSA officers found twice as many firearms per 1 million passengers screened in airports last year compared to 2019, including at a higher rate than any other year in the history of TSA.

They caught approximately 10 firearms per 1 million people and found more than 3,200 firearms.

About 83% of the firearms found on passengers or carry-on bags in 2020 were also loaded, compared to 87% of more than 4,400 firearms that were loaded in 2019, according to TSA.

Sky Harbor is one of 234 airports nationwide where passengers with firearms at checkpoints were stopped.

Though the number of guns found in Phoenix was about the same number found in previous years, the amount of people screened at Sky Harbor security checkpoints dropped by half in 2020 — from 17.7 million to 8.9 million passengers, according to TSA.

Patricia Mancha, a spokesperson for TSA in the southwest, said there was an increase in gun purchases in 2020 across the nation, but awareness and culture also play a part in the high number of gun detection at airports like Sky Harbor, she said.

“What it comes down to is carelessness,” said Mancha. “One of the most often heard reasons why people bring a gun to a security checkpoint is, ‘I forgot it was in my bag,’ or ‘This bag isn’t mine, it’s my spouse’s.’ ” Passengers can travel with firearms if the gun is unloaded and packed in a locked hard-sided case in checked baggage and declared when they check their bags, according to TSA.

Ammunition also has to be in its original box and can be packed inside the hard-side case next to the firearm.

States like Arizona and Texas that have open-carry laws also have big gun cultures, Mancha said.

“People are so used to having their guns everywhere they go that they assume they can take them to the airport,” she said. “The airport is considered a federal area at the TSA checkpoint, so therefore we will not allow (you) to have guns or any weapons.”

According to the Associated Press, Jeffrey Price, who teaches aviation at the University of Denver, believes the higher rate of gun detection at airports could be due to increased gun sales, shorter TSA lines and an “apocalypse mindset.”

National Instant Criminal Background Check System saw significant increases last year for firearm background checks nationwide, according to the FBI.

Arizona had almost double the firearm background checks in 2020 compared to 2019, which had more than 372,000 background checks.

AMERICAN OVERSIGHT

Passengers can be fined $2,500 for an unloaded gun, $4,500 for a loaded gun

In addition to firearms, Mancha said Sky Harbor and other airports also find a variety of weapons such as knives, brass knuckles and firearm replicas like BB guns and gun parts, which people can't travel with and often voluntarily give to airports to save time on their flights.

If TSA locates a firearm or weapon on a passenger or in a carry-on bag, police will be called and the process of getting on the plane will stop for the passenger, Mancha said.

"If someone has a window of time to make a flight, it's very likely that they will miss it," she said.

The fine for a loaded firearm can be up to $4,500, or $2,500 for an unloaded gun. A passenger with a firearm can also be suspended from TSA pre-check, Mancha said.

For gun detection of passengers and carry-on bags, Sky Harbor sits below international airports in Dallas/Fort Worth, Houston and Atlanta, which had 220 firearms found by TSA last year.

Passengers can find more information about traveling with firearms on the TSA website or by downloading their mobile application.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County cancels annual homeless count
Jessica Boehm
Arizona Republic
February 1, 2021

Every January, more than 1,000 volunteers scatter across metro Phoenix before the sun has risen, with one goal: Count all of the people experiencing homelessness.

The annual Point-in-Time Count is required by the U.S. Department of Housing and Urban Development and is considered an important, but imperfect, tool for localities to evaluate the extent of their homelessness issues.

But this year, the count will look different in many cities — and won't happen at all in most of Maricopa County.

Maricopa Association of Governments, the organization that runs the annual count, opted out of conducting a Point-in-Time Count this January be-

Liz DaCosta with Community Bridges, left, completes a survey while talking to Natasha Castillo during Maricopa County's annual Point-in-Time count near Fourth Avenue and Monroe Street in Phoenix last year.

"The majority of nonprofit providers, outreach teams and municipal coordinators just did not feel comfortable ... due to the fact that of course COVID- 19 is very dangerous and the Pointin- Time Count takes over 1,000 volunteers," MAG Human Services Planner Sarah Kent said.

AMERICAN OVERSIGHT

HUD is allowing regions to forego the count without penalty because of COVID-19 safety concerns, and 57% of homeless services provider networks have either opted out or scaled back their counts, according to HUD Public Affairs Officer Ed Cabrera.

Homelessness has likely increased in Maricopa County in the past year. It has consistently increased for the past three years, and the economic consequences of COVID-19 have likely exacerbated this year's increase.

But without a Point-in-Time Count, the region likely won't know COVID- 19's true impact on homelessness for another year.

Kent said MAG is confident it can continue to track the homeless population in Maricopa County with other data.

Social workers, street outreach teams and other professionals who work with the homeless population use software called the Homeless Management Information System to track their interactions with people experiencing homelessness, she said.

This allows MAG and other groups to track people in real-time, which is often better than waiting for the once-ayear data that comes from the Point-in-Time Count, Kent said.

That said, the data collected by the Homeless Management Information System only tracks people who engage with street outreach and has other limitations. The Point-in-Time Count tracks a much larger swath of the population — though both collection mechanisms are known to undercount the true number of people experiencing homelessness.

The different methodologies make it hard to compare the two data sets to show an increase year-over-year.

For example, the 2020 Point-in-Time Count showed 7,419 people experiencing homelessness in Maricopa County. As of Jan. 27, the Homelessness Management Information System was tracking only 4,849 people.

Lisa Glow, CEO of Central Arizona Shelter Services, said the Point-in-Time Count allows for a controlled snapshot of the population, which is the best way to see year-over-year change.

"Not having that data won't give us that information," Glow said.

Some metro Phoenix cities have decided to hold their own Point-in-Time counts.

Tempe, Scottsdale and Litchfield Park wanted to conduct traditional counts with face-to-face interviews of people experiencing homelessness.

Avondale, Buckeye, Mesa, Surprise and Wickenburg planned to conduct an abbreviated count using only observations and no interviews.

Tempe Homeless Solutions Supervisor Nichole Stevens said the city decided to conduct its own count because "this is probably the most important year ever to do it due to the pandemic."

AMERICAN OVERSIGHT

"We know this year is different because of COVID, and we wanted to know how COVID impacted the people we serve who are experiencing home-lessness," Stevens said.

She said the city shortened the length of the typical Point-in-Time Count questionnaire and added a few new questions directly related to COVID- 19.

This allowed outreach teams to move through the count quickly and safely while still collecting important data.

Stevens said the outreach teams found a couple with a young child and a woman who was 39 weeks pregnant sleeping outside during the count. The teams were able to get them into shelter.

She said the data collected during the modified Point-in-Time Count will help Tempe understand the full extent of its homeless population and work on data-driven solutions.

"We are really committed to identifying and understanding the community we serve," Stevens said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona worst in nation for weekly new-case rate
Chelsea Curtis
Arizona Republic
February 1, 2021

Arizona reported more than 5,000 new cases of COVID-19 on Sunday, as hospitalizations continued gradual declines but the state again ranked highest nationwide for its case rate over the past week.

The state's newly reported 22 deaths brought the known death count to 13,120. The state surpassed 13,000 deaths on Friday, just one week after it passed 12,000 and two weeks after 11,000 deaths. The state exceeded 10,000 known deaths on Jan. 9. Arizona's first known death from the disease occurred in mid-March.

Arizona's seven-day, new-case average ranked first Saturday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the last seven days was 78.9 cases per 100,000 people, per the CDC, trailed by South Carolina with 73.4 cases per 100,000. The U.S. average for new cases was 46.3 cases per 100,000 people.

The state's average daily COVID-19 deaths per 100,000 people over the past seven days ranked second in the nation as of Saturday, per the CDC.

In about one year since the first case was announced in Arizona, a total of 758,404 COVID-19 cases have been identified across the state. As of Sunday, 13,120 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

AMERICAN OVERSIGHT

The Arizona data dashboard shows 90% of all ICU beds and 90% of all inpatient beds in the state were in use Saturday, with 54% of ICU beds and 42% of non-ICU beds occupied by COVID- 19 patients. Statewide, 170 ICU beds and 866 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 3,664 on Saturday, below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 979 on Saturday, below the record high of 1,183 on Jan. 11. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 663 on Saturday, below the record-high 821 reached on Jan. 13.

Saturday saw 1,634 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Cases since the outbreak began increased by 5,025, or 0.67%, from Saturday's 753,379 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 472,760 in Maricopa, 101,457 in Pima, 42,322 in Pinal, 35,127 in Yuma, 19,395 in Mohave, 16,236 in Yavapai, 15,228 in Coconino, 14,482 in Navajo, 10,452 in Cochise, 9,607 in Apache, 7,428 in Santa Cruz, 6,023 in Gila, 5,117 in Graham, 2,247 in La Paz and 523 in Greenlee, according to state numbers.

The Navajo Nation reported 28,217 cases and 1,014 confirmed deaths in total as of Saturday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 10,682 inmates had tested positive for COVID-19 as of Friday, including 1,907 in Tucson, 1,852 in Yuma, 1,964 in Eyman and 1,127 in Douglas; 43,474 inmates statewide have been tested.

A total of 2,488 prison staff members have self-reported testing positive, the department said. Thirty-one incarcerated people in Arizona have been confirmed to have died of COVID-19, with 17 additional deaths under investigation.

Arizona as of Saturday had the sixthhighest overall case rate in the country since Jan. 21, 2020.

Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Rhode Island, Utah and Tennessee, according to the CDC.

Arizona's infection rate is 10,280 cases per 100,000 people, the CDC said.

The national average is 7,765 cases per 100,000 people, though the rates in states hard hit early on in the pandemic may be an undercount because of a lack of available testing in March and April.

Reported deaths in Arizona: 13,120 Deaths by county: 7,462 in Maricopa, 1,740 in Pima, 697 in Yuma, 612 in Pinal (613 was reported Saturday), 519 in Mohave, 429 in Navajo, 381 in Yavapai, 311 in

AMERICAN OVERSIGHT

Apache, 276 in Coconino, 227 in Cochise, 188 in Gila, 149 in Santa Cruz, 65 in Graham, 58 in La Paz and six in Greenlee.

The global death toll as of Sunday morning was 2,222,403 and the U.S. had the highest death count of any country in the world, at 439,587, according to Johns Hopkins University. Arizona's death total of 13,120 deaths represents 3% of COVID-19 deaths in the U.S. as of Sunday.

Return to the table of contents

Arizona surpasses 750K COVID-19 case
BrieAnna J. Frank
Arizona Republic
January 31, 2021

Arizona surpassed 750,000 known cases of COVID-19 on Saturday, as hospitalizations continued gradual declines but the state again ranked highest nationwide for its case rate over the past week.

The state's newly reported 76 deaths brought the known death count to just under 13,100. The state surpassed 13,000 deaths on Friday, just one week after it passed 12,000 and two weeks after 11,000 deaths. The state exceeded 10,000 known deaths on Jan. 9. Arizona's first known death from the disease occurred in mid-March.

Arizona's seven-day, new-case average ranked first Friday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the last seven days was 85 cases per 100,000 people, per the CDC, trailed by South Carolina with 74 cases per 100,000. The U.S. average for new cases was 47.5 cases per 100,000 people.

In about one year since the first case was announced in Arizona, a total of 753,379 COVID-19 cases have been identified across the state.

As of Saturday, 13,098 Arizonans are known to have died from the disease, according to the data dashboard from the Arizona Department of Health Services.

The Arizona data dashboard shows 92% of all ICU beds and 90% of all inpatient beds in the state were in use Friday, with 55% of ICU beds and 44% of non-ICU beds occupied by COVID-19 patients.

Statewide, 141 ICU beds and 828 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID- 19 cases was at 3,828 on Friday, below the record 5,082 inpatients on Jan. 11 .

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 984 on Friday, below the record high of 1,183 on Jan. 11.

AMERICAN OVERSIGHT

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 645 on Friday, below the record-high 821 reached on Jan. 13.

Friday saw 1,747 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Saturday's numbers

Reported cases in Arizona: 753,379.

Cases since the outbreak began increased by 5,119,

or 0.68%, from Friday's 748,260 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 469,294 in Maricopa, 100,810 in Pima, 42,284 in Pinal, 34,990 in Yuma, 19,205 in Mohave, 16,152 in Yavapai, 15,144 in Coconino, 14,366 in Navajo, 10,413 in Cochise, 9,507 in Apache, 7,404 in Santa Cruz, 5,981 in Gila, 5,086 in Graham, 2,222 in La Paz and 521 in Greenlee, according to state numbers.

The Navajo Nation reported 28,075 cases and 1,011 confirmed deaths in total as of Friday.

The Arizona Department of Corrections reported 10,682 inmates had tested positive for COVID-19 as of Friday, including 1,907 in Tucson, 1,852 in Yuma, 1,964 in Eyman and 1,127 in Douglas; 43,474 inmates statewide have been tested.

A total of 2,488 prison staff members have self-reported testing positive, the department said. Thirty-one incarcerated people in Arizona have been confirmed to have died of COVID-19, with 17 additional deaths under investigation.

Arizona as of Friday had the sixthhighest overall case rate in the country since Jan. 21, 2020. Arizona's infection rate is 10,211 cases per 100,000 people, the CDC said. The national average is 7,716 cases per 100,000 people.

Reported deaths in Arizona: 13,098 Deaths by county: 7,442 in Maricopa, 1,738 in Pima, 697 in Yuma, 613 in Pinal, 519 in Mohave, 429 in Navajo, 381 in Yavapai, 311 in Apache, 276 in Coconino, 226 in Cochise, 188 in Gila, 149 in Santa Cruz, 65 in Graham, 58 in La Paz and six in Greenlee.

Arizona's death total of 13,098 deaths represents 3% of COVID-19 deaths in the U.S. as of Saturday.

Return to the table of contents

Heat-related deaths reach record
Ian James
Arizona Republic
January 31, 2021

AMERICAN OVERSIGHT

The number of heat-related deaths in Arizona soared to a new high last year as people endured the hottest summer on record and the complications of the pandemic.

The deaths of least 494 people were linked to heat during 2020, state health officials said this week, a preliminary number that may continue to grow as more deaths under investigation are resolved.

More than 300 heat-associated deaths have been confirmed in Maricopa County, a number that could also climb.

The statewide toll far surpassed the previous record of 283 heat-related deaths reported in 2019. Over the past five years, state figures show, heat has been linked to more than 1,500 deaths in Arizona.

With climate change pushing temperatures higher, experts say the growing number of lives lost underlines an urgent need to scale up efforts to protect those who are most vulnerable and mobilize government resources at the local and federal levels to mitigate this chronic hazard.

"The number of people who have died from heat in Arizona over the past year is a staggering increase over previous years," said David Hondula, an Arizona State University scientist who studies heat and health. "We believe that every one of those deaths is preventable."

A majority of victims suffer from deadly heat exposure outdoors, while others die indoors. People who are especially vulnerable include older residents, those living unsheltered on the streets, outdoor workers and people who live in mobile homes or without functioning air conditioning.

In Arizona and across the country, more people die from extreme temperatures than from all other weather-related hazards.

And in addition to the worsening death toll from extreme heat in Arizona, for each victim there are many others who suffer from health problems, some of whom end up in hospital emergency rooms.

Last summer, during Phoenix's hottest summer on record, the city broke records for the most days with temperatures of 100 degrees or hotter (53 days) and the most days that hit 110 or hotter (145 days).

The lack of monsoon rains made for the state's driest summer on record and contributed to heat.

Data on hospital visits in Maricopa County showed that on the hottest days, the number of heat-related ER visits spiked. Statewide figures also show hospitalizations for heat-related illnesses have been on the rise over the past decade.

The extreme heat of 2020 offered a preview of how the dangers could worsen in the coming years based on scenarios of rising temperatures with climate change.

"We've seen very significant warming take place. And so as those temperatures go up, we have more health impacts," said Paul Iñiguez, science and operations officer for the National Weather Service in Phoenix. Comparing the extreme heat of last year to projections of future temperatures, he said, "it is essentially what you would expect a typical summer or a typical year to be in just a couple of decades."

But worsening heatwaves aren't the only hazards. Though emergency room visits peak on hotter days, Iñiguez said, people are still showing up at hospitals for heat illness daily throughout the summer.

AMERICAN OVERSIGHT

“It doesn’t have to be 115 degrees outside for there to be heat illness,” Iñiguez said. “On the low and moderate days, you still can have people getting sick and people dying out there.”

Officials with Maricopa County Public Health, who are still working on an annual report on heat-associated deaths, confirmed 308 deaths in the county that were either caused by or related to heat, and 25 other deaths that are still under investigation.

More than half the victims in the county were homeless and living on the streets. According to the county health department, 59% of the deaths last year were people experiencing homelessness, an increase from 33% the previous year.

Public health officials and researchers are starting to examine the mix of factors that contributed to the rise in deaths.

Some of the ways the coronavirus crisis may have affected heat deaths remain unclear. But during the pandemic, many fewer cooling centers were operating.

In 2019, a total of 106 cooling centers were open during the summer in Maricopa County, Hondula said. Last year, the number of cooling centers with their doors open shrank to 19.

Hondula is involved in local workgroups that focus on mitigating heat and protecting people from harm.

“The heat in 2020 was not helpful in the least, and the global pandemic was not helpful as well,” Hondula said. “The connections between the pandemic and heat health are something we’re still thinking about and people will be studying for a long time to come.”

There is also a long-term trend of support for social service programs “moving in the wrong direction,” Hondula said. “That has probably contributed to an increase in the number of unsheltered people in the community, which is certainly a risk factor.”

Trends toward depression, addiction to drugs and alcohol, and social isolation are all considered to be factors that can increase risks of heat-related illness and death, Hondula said.

Then there are also the economic effects of the pandemic, including loss of income, which has made it tougher for some to afford rent or air conditioning, Hondula said.

He and other researchers have offered a number of ideas for potential solutions to protect people, including opening specialized COVID-19 cooling centers in areas where many people live in older mobile homes, expanding funding and assistance through the federal Low Income Home Energy Assistance Program (LIHEAP), increasing the supply of housing and allowing residents to defer rent and utility payments.

The Arizona Corporation Commission last year put in place a moratorium on power shutoffs for unpaid electricity bills, and it’s unclear how regulators will address the issue when they revisit these rules.

AMERICAN OVERSIGHT

Hondula said many solutions are known and what's needed is to work toward changes. For example, he said, "we are way behind in energy assistance" and home weatherization assistance for low-income people.

There needs to be a greater focus on heat as a hazard at all levels of government, Hondula said, and more funding to help reduce risks and protect people who are vulnerable.

"It is not clear in all of our jurisdictions here in Maricopa County who the point of contact is for heat management in the first place," Hondula said.

"We need more institutionalization of what it is we doing for heat right now. We are still a bit uncoordinated and ad hoc, although there is a lot of great work happening," he said. "I think we need people who are focused on this problem."

This past year has shown just how much efforts will need to be scaled up to save lives, Hondula said. If these efforts are ultimately successful, he said, they will "break the relationship between temperature and heat-related illness and death."

Patricia Solís, a researcher who leads ASU's Knowledge Exchange for Resilience, has studied factors that put some people at higher risk.

Using county data prior to last year, she and her colleagues found that people who live in mobile home parks are disproportionately likely to die, accounting for 40% of indoor heat-related deaths in 2019.

County data from before the pandemic also shows that Black and Native American Arizonans have disproportionately been among the victims, Solís said.

Many people living in poorly insulated mobile homes tend to be older and may live alone, which can put them at greater risk. They tend to have lower incomes, and some struggle to pay for the extra air-conditioning to keep cool.

"All of those things, they do have some correlation with income, because if you cannot pay your AC, you will not be using it," Solís said.

She and her colleagues have found "there are people who just did not turn on their AC because they knew that they couldn't afford it. And that to us is just unacceptable."

Examining heat-related deaths that occurred indoors, Solís found that in 16% of those deaths, officials determined the victims had no air conditioning. And of those who did have air conditioning, it wasn't working in 60% of cases. She said more assistance is needed to help people in such situations, and gaps between programs need to be filled.

"Part of that gap happens because they're not eligible for many of our solutions that we have," Solís said. "They're not eligible for LIHEAP because they are in structures that are on wheels and they're not considered homes according to the federal guidelines."

A greater focus on housing and mitigating vulnerability could help people "who are falling between the cracks," she said.

AMERICAN OVERSIGHT

“There’s not a one-size-fits-all silver bullet that can take care of this. There are many,” Solís said.

For example, she said, setting up a heat alert system in the home of someone who lives alone could help relatives keep tabs on the safety of loved ones on the other side of town.

Cities and electric utilities also have vital roles to play in planning to reduce risks, Solís said.

She and others say supporting the network of cooling centers is also a priority to prepare for the heat this year.

During the pandemic, shopping malls and other public places where people might go to cool down weren’t an option in many areas for much of the summer.

“When you’re supposed to shelter in place and then other places that you might normally go to are shut down, it just really puts a very high exposure in the middle of a very hot year,” Solís said. “Those are really, I think, some of the reasons why we are seeing that spike.”

Planning will be critical in getting ahead of the risks, Solís said, and dedicating funds to solutions, which can help reduce the costs of inaction later on. She cited a 2018 study by the National Institute of Building Sciences, which examined the results of federally funded mitigation projects over 23 years and found that every dollar spent on hazard mitigation can save $6 in future disaster costs.

“I don’t believe that there’s ever been a disaster in the United States declared for heat waves or extreme heat. We normally see that as something that just happens and we have to adjust to,” Solís said. “But if there was every year a hurricane coming through in which 200 people perished, we would call that a disaster, and we might declare a disaster.”

Addressing the deadly toll of heat, she said, requires that level of government focus and resources to move toward solutions.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

UK coronavirus variant confirmed in Arizona
Alison Steinbach and Stephanie Innes
Arizona Republic
January 31, 2021

A more transmissible variant of the new coronavirus has been detected in Arizona, state health officials confirmed Friday evening.

The variant first detected in the United Kingdom has been confirmed in three test samples from Arizona, according to the Arizona Department of Health Services, which reported the cases along with the Maricopa County Department of Public Health, the Pinal County Public Health Services District and Arizona State University.

The U.K. variant of the SARS-CoV-2 virus, or new coronavirus, that causes COVID-19 has been found to spread more easily and quickly between people. The U.K. variant strain is also known as B.1.1.7.

AMERICAN OVERSIGHT

It's not yet clear how widely the variant has spread in Arizona, state health officials said, and information about the three individuals was not immediately available.

"It is typical for viruses to change through mutation, and new variants of a virus are expected to occur over time. Sometimes new variants emerge and disappear. Other times, new variants appear and linger," Friday statement said.

"It isn't known how widely the variant may have spread in Arizona. ADHS is working with laboratory and public health partners, including the CDC, to monitor this situation.

Concern has been rising among public health and hospital leaders in the state about the impact new coronavirus variants could have on hospitalizations and vaccination efforts. The worry is that because some variants appear to be more contagious and spread faster, they could lead to another surge of illness and hospitalizations in Arizona.

As of Friday, nearly 750,000 COVID- 19 cases have been identified in Arizona in the past year, with more than 13,000 known deaths from the virus. Arizona's seven-day, new-case average has ranked first in the nation for much of January, according to the U.S. Centers for Disease Control and Prevention.

U.K. experts said this month that the variant may be linked to an increased death rate, but more studies are needed, according to the CDC. The B.1.1.7 variant was identified in the U.K. in the fall and first found in the U.S. at the end of December.

Hospital leaders in Arizona are concerned that if the more contagious variants spread here, hospitals may see a renewed onslaught of virus patients in a state that's already been through two dramatic surges that have stretched hospital capacity.

"These variants seem to spread more easily and quickly than other variants, which may lead to more cases of COVID- 19. An increase in the number of cases will put more strain on health care resources, lead to more hospitalizations, and potentially more deaths," according to the CDC. The existing vaccines seem effective against the U.K. variant, but research is ongoing.

As of Friday, 434 cases of the B.1.1.7 variant had been identified in 30 U.S. states by the CDC, including cases in Arizona's neighboring states. More than 100 cases of B.1.1.7 had been identified in California as of Friday, the CDC said.

CDC officials said the cases identified are based on a sampling of SARSCoV- 2-positive specimens and therefore do not represent the total number of B.1.1.7 cases that may be circulating in the U.S.

Arizona State University has been monitoring its saliva test samples for the U.K. variant. University researchers suspected earlier in January that several test samples could have been the variant. Variants are often detected through sequencing, which researchers say Arizona doesn't do enough.

Variants first identified in South Africa and Brazil are also of concern.

Neither has yet been identified in Arizona but both have popped up in one or two cases elsewhere in the United States. The vaccine may be slightly less effective against the South African variant.

AMERICAN OVERSIGHT

A study released last month by British researchers at the Center for Mathematical Modeling of Infectious Diseases at the London School of Hygiene and Tropical Medicine found that the U.K. variant is 56% more contagious than preexisting variants of SARS-CoV-2. The study has not yet gone through the peer-review process that self-regulates scientific journal articles.

The increase in transmissibility of the U.K. variant "is likely to lead to a large increase in incidence" of disease, the researchers wrote.

A recent CDC report said the U.K. variant of the new coronavirus could become the predominant U.S. variant in March.

"Increased SARS-CoV-2 transmission might threaten strained health care resources, require extended and more rigorous implementation of public health strategies, and increase the percentage of population immunity required for pandemic control," the report said.

"Taking measures to reduce transmission now can lessen the potential impact of B.1.1.7 and allow critical time to increase vaccination coverage."

Arizona hospital and health leaders said a good way to slow the spread of variants and the creation of new ones is to limit the amount of virus circulating in the community by getting vaccines, wearing masks, washing hands, social distancing and limiting interactions with others.

"The discovery of this variant in the state is yet another reason for Arizonans to follow the mitigation strategies proven to reduce the spread of COVID- 19," ADHS said Friday.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

One-dose shot looks promising
Arizona Republic
January 30, 2021

Johnson & Johnson says vaccine protects against COVID-19, but not as effectively as two-dose rivals

Johnson & Johnson's long-awaited vaccine appears to protect against COVID-19 with just one shot — not as strong as some two-shot rivals but still potentially helpful for a world in dire need of more doses. Vaccination programs are off to a rocky start globally.

h J& J said Friday that in the U.S. and seven other countries, the single-shot vaccine was 66% effective overall at preventing moderate to severe illness, and much more protective — 85% — against the most serious symptoms. h But with some other competing vaccines shown to be 95% effective after two doses, at question is whether somewhat less protection is an acceptable trade-off to get more shots in arms quickly.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Memorial held for ASU police officer
Michael McDaniel
Arizona Republic
January 30, 2021

Family and friends gathered Friday to remember ASU police Officer Joseph Montgomery, who tragically died riding to work on the morning of Jan. 14.

Touching remarks were given by his co-workers, chief of police, and his son Brett during a memorial service held at Arizona State University Polytechnic campus in Mesa.

"What a terrible thought to go through life so protected and free of loss that we never let anyone in. It's clear, this is not the path Joe chose for himself," said ASU Police Chief Michael Thompson. "He let people in, he made himself vulnerable, and as a result, made us open up and be vulnerable as well."

Montgomery was with the ASU police for 13 years. Thompson had many anecdotes of Montgomery's selfless service and dedication to the community. From his outreach and gifts to children during Christmas, to his dedication in providing for his family, the chief reminisced his officer.

Montgomery's son, Brett, shared cherished memories as well, from his picturesque family trip to Australia in 2016, where his father stayed by his side and nursed him to health after food poisoning, to his father's hilarious and somewhat reluctant acceptance of his son practicing nude Zoom yoga.

"Thank you to all of them (who) came out today to honor my dad, especially during these dire times," said Brett Montgomery. "I share these stories to highlight the many facets of my dad. If anyone out there has a story about dad to share, please reach out, it helps us remember."

Montgomery died following a crash while riding his motorcycle to work in Tempe. The crash occurred about 8:30 a.m. Jan. 14 on Loop 101 near University Drive.

ASU police will retire his badge number. He is survived by his wife Sandra and four children Allison, Brett, Seth and Natalie.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

State Senate leader: Election audit plans aren't broad enough
Jen Fifield
Arizona Republic
January 30, 2021

Two Arizona Senate leaders say they are not satisfied with the new audit of voting systems the Maricopa County Board of Supervisors approved earlier this week.

AMERICAN OVERSIGHT

Saying that the audit must be broader than the one proposed by the vendors the county plans to hire, Senate President Karen Fann, R-Prescott, announced Friday that the state Senate "has hired an independent, qualified, forensic auditing firm to analyze 2020 election results in Maricopa County."

Fann did not name the company and a spokesperson for Senate Republicans did not immediately respond to a request for information.

The county has not provided the Senate access to the 2020 ballots.

The county supervisors said in a statement on Friday that the board "respects the Arizona Senate's decision to hire a company to audit the elections data and documents the board has provided to date."

The board said its legal team continues to work "in good faith" with the Senate.

The Senate announcement continues the feud between Senate Republican leaders and the Republicancontrolled supervisors over the 2020 election results.

The Senate issued subpoenas to the supervisors in December demanding the board turn over a multitude of election material, including images of all mail-in ballots, detailed voter information and machines used to count votes, so the Senate could conduct an audit.

After attempting to negotiate with the Senate, on Wednesday the supervisors voted unanimously to hire two independent companies to conduct an audit of county voting systems. The supervisors said this was not in direct response to the subpoenas, but rather in an attempt to calm concerns about the integrity of the November general election.

The supervisors said before the vote that they still have full confidence the election ran smoothly and votes were counted accurately, after multiple audits and hand counts came back without errors and after election challenges were dismissed by the courts.

Why senators aren't happy with the county's new audit

There are a few distinctions between the type of audit the senators want to perform through the subpoenas and the type that the county approved.

The county's audit will not study November 2020 ballots, which it says state law requires to be locked up for a certain period after the election. Therefore, another hand count of those ballots will not be performed.

The audit will, according to the county:

h Analyze the county's voting system's hacking vulnerability.

h Verify that no malicious malware was installed.

h Test that tabulators were not sending or receiving information over the internet.

h Confirm that no vote switching occurred.

AMERICAN OVERSIGHT

h Verify state and county procurement regulations were followed when leasing the equipment from Dominion Voting Systems.

The county chose its own companies to perform the audit, rather than handing over material to the Senate. Those companies, the county says, are certified voting system testing laboratories by the U.S. Election Assistance Commission.

The Senate has called on the county to use auditors certified by the commission, but the commission does not certify auditors.

That's one reason why the Senate isn't satisfied, according to Fann.

"The other primary reason is that the scope of the audit must be broader than the one proposed by the County's vendors," Fann said in her statement. "Our firm will perform everything we have required in the subpoenas. We must bring back confidence that the election results reported are how votes were legally cast. The Senate's forensic audit will bring accuracy and detail to the process, and with that restore integrity to the election process."

Senate Judiciary Chairman Warren Petersen said Friday that the subpoenas "called for a deep forensic audit."

"We need to do more than make basic checks on the machines," Petersen said.

County audit may cost between $50K and $100K

It's unclear how much the Senate audit would cost.

The county's audits of machines and software may cost between $50,000 and $100,000, according to county spokesperson Fields Moseley based on county estimates. The county's contracts with the audit companies are not yet final.

The audit would take place in February and March, according to a county document.

In the board's meeting Wednesday, Scott Jarrett, director of election day and emergency voting for the Maricopa County Elections Department, outlined the steps the county already has taken since starting to use the new Dominion Voting Systems machines to ensure that the machines worked properly and votes were counted accurately in the general election.

That includes a 100% hand count of a previous election, the Madison School District Election, four separate hand counts and independent logic and accuracy tests for the general election. The hand counts are performed by the political parties themselves, not by county election officials, Jarrett explained.

Sellers told The Republic on Tuesday that the supervisors feel "the amount of money that it is going to take to do this is worth it to try to calm people down and make people understand that the election is fair and honest and their votes do count and if there is anything wrong we want to be the first to know that."

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AARP Arizona demands data on COVID vaccinations for seniors
Anne Ryman
Arizona Republic
January 30, 2021

The state's largest advocacy group for seniors called on Arizona Gov. Doug Ducey on Thursday to begin releasing information on how many older Arizonans, by race and ethnicity, have received the COVID-19 vaccine.

AARP also wants the state to release the percentage of residents and staff in long-term care facilities who have received first and second doses of the life-saving vaccine.

Without the data, AARP Arizona's letter said they can't know whether the most vulnerable are being prioritized. The group was also critical of the state website used to book vaccine appointments, saying it was difficult to use for older people who are not computer savvy.

"Our most vulnerable are basically being left behind in the vaccine process because they are not able to navigate the website, " said Dana Marie Kennedy, state director for AARP Arizona, in an interview with The Arizona Republic.

The Arizona Department of Health Services releases a daily summary of how many vaccine doses have been administered statewide — as of Wednesday it was 554,760. But it has not released data on the specific groups who are eligible and have received the vaccine — such as those over 65, residents and staff in long-term care facilities, teachers and health care workers.

AARP's concerns come six weeks into what has been a rocky vaccine distribution. An initial slow rollout by the counties led the governor to sign an executive order requiring a statewide vaccination allocation system.

Amid fanfare, the state transformed the parking lot of the State Farm Stadium in Glendale into a 24/7 drive-thru COVID-19 vaccination site on Jan. 12.

People have lauded the site for its friendly volunteers and its fast-moving administration of vaccines, but securing an appointment can be challenging. Others have complained the state's sign-up site to book vaccines is difficult to use.

Kennedy said some people report trying all day, or for multiple days, with no success. Call-in numbers designed to help people result in long holds that sometimes drop calls.

People who are fortunate enough to get their first doses have reported difficulty finding appointments for second doses. Some are handed a vaccination card and a date range for when to get their second doses, but no appointment times. Others are told they will get an email to sign up for an appointment, only to then be directed back to the state's sign-up site that says no appointments are available.

This is unacceptable, Kennedy wrote in the letter to the governor.

AMERICAN OVERSIGHT

Bob Dorfman, 75, of Phoenix was among those who had to hunt for a second dose. He received his first dose at a site run by Maricopa County Public Health in Chandler on Jan. 13. While there, he was told to come back to the same place for his second dose.

"We will send you an email when you can sign up," he said he was told.

He waited eagerly for the email. But when he received it, it directed to him a registration site that said no appointments were available. After first calling the county and then the state, he was able to secure an appointment time at a different site, State Farm Stadium, for mid-February at 3 a.m.

That would have been more than 30 days since his first vaccine, when the Centers for Disease Control and Prevention continues to recommend that people get the doses as close to the recommended interval as possible, which for the Pfizer-made version of the shot is three weeks.

He has since been able to book an earlier appointment on Feb. 4 at a Maricopa County-operated site at the Arizona State Fairgrounds at a much more reasonable time: 3:45 p.m.

The governor's office and ADHS did not respond to requests for comment on the AARP letter from The Arizona Republic. ADHS also has not responded to public- records requests from The Republic for detailed breakdowns on the number of vaccines that have been given in each of the groups eligible for vaccines, including a request for breakdowns by race and ethnicity.

Dr. Cara Christ, director of the state Department of Health Services, has said in recent news conferences that the state is making enhancements to its appointment processes and website. ADHS announced on Wednesday that people vaccinated at state-run sites, which include State Farm Stadium and Phoenix Municipal Stadium, can now schedule second dose appointments while in line to receive first doses.

Christ has said demand for vaccine has exceeded supply with the state advocating for additional vaccines from the federal government beyond what it receives in the weekly allotment.

"The biggest hurdle is the amount of vaccine that is coming into the state," she said at a Jan. 22 news conference.

State Farm Stadium is administering about 6,000 doses per day but has the capacity to vaccinate 12,000 or 16,000 people, she said last week. The state is launching a second site on Feb. 1 at Phoenix Municipal Stadium "with very, very few doses because of the limited supply," she said. Christ said that facility has the same capacity as State Farm.

"We could be doing 20,000 to 30,000 Arizonans a day if we had sufficient vaccine quantity," she said.

In addition to the state and county vaccine programs, a federal program is sending pharmacists to long-term care facilities to vaccinate residents and staff at long-term care facilities.

Through the federal program, nursing homes and assisted-living facilities chose either CVS Health or Walgreens to offer on-site vaccinations. Teams overseen by pharmacists visit each facility three times: Once to administer the first dose, again to give a second dose and a third clinic to pick up anyone who still needs a vaccine.

AMERICAN OVERSIGHT

Long-term care facilities are using the Moderna vaccine, which requires a 4-week wait between doses and is easier to store than Pfizer's. Each state must activate when to begin the federal program with those vaccine allocations then set aside from each state's supply.

ADHS greenlighted vaccines for nursing homes on Dec. 28, but officials didn't approve a similar program to begin for assisted-living facilities until three weeks later, on Jan. 18. When asked why all long-term care facilities didn't start at once, ADHS director Christ, blamed limited supply.

"Once we were guaranteed we would have ongoing vaccine, that's when we activated the assisted living," she said.

Residents of long-term care facilities — both nursing homes and assisted living centers — remain among the most vulnerable to the virus. An Arizona Republic analysis of county health records has found more than 2,200 people in those facilities have died from COVID- 19. As of now, less than half of those facilities have been visited for second doses.

Arizona AARP's Kennedy said the vaccination process for long-term care facilities is not going fast enough, though it is making progress.

All of the nearly 150 skilled nursing facilities have received first doses. Second doses began this week with CVS reporting that second doses are 30% complete at the 96 nursing homes that have partnered with the company.

Vaccines began last week at assisted-living facilities, and CVS estimates within the next week it will finish first doses at 50% of the 845 facilities under contract.

Walgreens, in a statement, said it was on track to administer vaccines with all skilled nursing facilities completed as of Jan. 25. Clinics in assisted-living facilities are underway with 315 facilities, or 34%, receiving the first dose.

Dave Voepel, executive director of the Arizona Health Care Association, a group that advocates for long-term care facilities, said the vaccine rollout is going "really well" so far.

"All these things take a little bit of time to ramp up," he said. "Once scheduling kicks in and they know how much Moderna (vaccine) they have, it gets kicked into high gear."

Return to the table of contents

Lawmakers aim to block Arizona's clean-energy rules
Ryan Randazzo
Arizona Republic
January 30, 2021

Republican lawmakers are trying to block Arizona's clean-energy rules by prohibiting energy regulators from forcing electric companies to shift to 100% carbon-free energy.

If the GOP proposals pass the Legislature and are signed into law they would not only block the requirement that utility regulators recently passed for electric companies to produce 100% of their

AMERICAN OVERSIGHT

energy with no carbon emissions by 2050, but also a host of other requirements such as how they plan for and build new power plants and other details included in the clean-energy rules.

The bills would leave that authority to the Legislature.

The measures, one of which passed the House Natural Resources, Energy and Water Committee on Tuesday, prohibit any new rules passed since June 2020 from taking effect.

In November, with three Republicans in support, the Arizona Corporation Commission passed rules that update the Renewable Energy Standard and Tariff that was implemented by an all- Republican commission in 2006.

Under the newest update to the rules, which is expected to get a final approval from the commission this year, electric companies will have to phase out coaland natural-gas-burning power plants, and they will need to start soon. The plan has interim requirements that utilities cut carbon emissions in half by 2032, and 75% by 2040.

After a last-minute amendment, the new rules do not require specific energy types such as renewables, but only require the energy be carbon free, which allows utilities to meet the demand with nuclear power and energy efficiency.

The bills at the Legislature would block the new rules passed in November from taking effect, but would not alter previous requirements, which are in place today. Those rules from 2006 require utilities to get 15% of their power from renewables such as solar and wind by 2025, and rules passed in 2010 require them to use efficiency measures to meet 22% of their energy demand by this year.

Some lawmakers want to take such rule-making authority away from the Corporation Commission, which sets rates and policies for electric, water and gas utilities, among other duties.

Rep. Gail Griffin, R-Hereford, is sponsoring House Bill 2248, which passed a committee vote 6-4 Tuesday, with Republicans supporting the bill and Democrats opposed.

Sen. Sine Kerr, R-Buckeye, is sponsoring Senate Bill 1175, which similarly passed a committee vote Wednesday along the same party lines.

Both bills will need votes from the full Legislature, but because they are identical, they can move through simultaneously.

The Corporation Commission passed the recent increase in clean-energy regulations after four years of workshops, hearings, testimony and revisions, leading to the bipartisan vote to move forward in November.

The new rules had wide support from the business community, and the efforts to block the rules face wide opposition.

Opponents to the bill include Lucid Motors, which just built an electric-vehicle factory in Arizona, Tesla Motors, which considered building a factory in Arizona, the Arizona Technology Council, which has 750 members in the state, and a host of environmental groups.

AMERICAN OVERSIGHT

Groups supporting the bills to block clean energy rules include Americans for Prosperity, the Goldwater Institute — which unsuccessfully sued to repeal the 2006 renewable-energy rules passed by the Corporation Commission — and the Home Builders Association of Central Arizona.

The five Corporation Commission members debated the legislative proposals earlier this month and voted 3-2 vote along party lines with Republicans in the majority to remain neutral and not weigh in.

Republicans Justin Olson and Jim O'Connor said they didn't support the new clean-energy rules because they do not include any guarantees against rate increases for customers.

"I'm really, really, truly interested in protecting ratepayers throughout our state on every and all occasions," O'Connor said when the commission discussed the matter Jan. 19.

Republican Chairwoman Lea Márquez Peterson said she didn't feel the need to weigh in with the Legislature.

Opposing the "neutral" stance were Commissioner Sandra Kennedy, who said she felt the Legislature was "overreaching" with the bills. Fellow Democrat Anna Tovar called it a "power grab."

Kennedy and Tovar both spoke at Tuesday's hearing in opposition to the House bill; Olson spoke in favor.

"I want to build a relationship with the state Legislature and continue our work, business as usual, on our energy rules, simultaneously," Márquez Peterson said at the commission meeting. "I don't think we need to weigh in with either strong opposition or strong support."

Kennedy said letting the lawmakers take away their authority over energy rules was improper.

"Maybe the majority should give up their seats and just walk away from the commission because they are not interested in being here," Kennedy said at the commission meeting.

Lawmakers spent considerable time Tuesday debating whether the bills are even legal under the state Constitution.

The commissioners also debated their constitutionality, including during a lengthy executive session.

Commission lawyer Robin Mitchell explained during the open portion of their meeting that a recent Arizona Supreme Court decision involving Johnson Utilities resulted in an 8-1 opinion that the commission has "permissive" authority to set rules and regulations for utilities, but that in matters involving public safety the Legislature's authority was supreme.

Mitchell said there would be a conflict between the Legislature and Commission if the bills passed. Kennedy asked her if the bills were constitutional.

"I would say it is questionable," Mitchell said.

Márquez Peterson said that there was no conflict until and if the bills passed commissioners could "address it at that time."

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Novavax vaccine effective, but less so against variants
Lauran Neergaard
Arizona Republic
January 30, 2021

Novavax Inc. said Thursday that its COVID-19 vaccine appears 89% effective based on early findings from a British study and that it also seems to work – though not as well – against new mutated versions of the virus circulating in that country and South Africa.

The announcement comes amid worry about whether a variety of vaccines being rolled out around the world will be strong enough to protect against worrisome new variants – and as the world desperately needs new types of shots to boost scarce supplies.

The study of 15,000 people in Britain is still underway. But an interim analysis found 62 participants have been diagnosed with COVID-19 – only six in the group that got vaccine and the rest who received dummy shots.

The infections occurred at a time when Britain was experiencing a jump in COVID-19 caused by a more contagious variant. A preliminary analysis found more than half of the trial participants who became infected had the mutated version. The numbers are small but Novavax said they suggest the vaccine is nearly 96% effective against the older coronavirus and nearly 86% effective against the new variant. The findings are based on cases that occurred at least a week after the second dose.

"Both those numbers are dramatic demonstrations of the ability of our vaccine to develop a very potent immune response," Novavax CEO Stanley Erck said in a call with investors late Thursday.

Scientists have been even more worried about a variant first discovered in South Africa that carries different mutations. Results from a smaller Novavax study in that country suggested the vaccine does work but not nearly as well as it does against the variant from Britain.

The South African study included some volunteers with HIV. Among the HIV-negative volunteers, the vaccine appears 60% effective. Including volunteers with HIV, overall, the protection was 49%, the company said. Although genetic testing still is underway, so far about 90% of the COVID-19 illnesses found in the South African study appear to be the result of the new variant.

"These are good results. There is reason to be optimistic" about the 60% effectiveness, said Glenda Gray, head of the South African Medical Research Council. Even against the new variant that now causes more than 90% of new cases in that country, "we're still seeing vaccine efficacy," she said.

More concerning is what the study showed about a totally different question – the chances of people getting COVID- 19 a second time, said the leader of the South African study, Shabir Madhi of the University of the Witwatersrand in Johannesburg. Tests suggested that nearly a third of study participants had been previously infected, yet rates of new infections in the placebo group were similar.

AMERICAN OVERSIGHT

Novavax said it needs some additional data before it can seek British authorization for the vaccine's use, sometime in the next month or so. A larger study in the U.S. and Mexico has enrolled slightly more than half of the needed 30,000 volunteers.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

How new Canadian travel restrictions affect Arizona
Melissa Yeager
Arizona Republic
January 30, 2021

Sweeping new international travel restrictions announced Friday in Canada could affect at least one route to Phoenix as the United States' northern neighbor works to prevent the spread of new variants of the novel coronavirus arriving from abroad.

During an address to his country on Jan. 29, Canadian Prime Minister Justin Trudeau said Air Canada, West Jet, Sunwing and Air Transat airlines would voluntarily suspend flights to "sun destinations" in Mexico and the Caribbean through April 30.

In addition, international travelers are required to arrive in Canada through just four cities: Vancouver, Toronto, Montreal and Calgary.

"With the challenges we currently face with COVID-19 both here at home and abroad, we all agree that now is just not the time to be flying," Trudeau said.

What Canada's travel restrictions mean for Phoenix

The suspension of the four airlines' flights does not affect Phoenix directly, but the requirement to arrive at specific Canadian airports stands to affect one Canada-to-metro Phoenix route.

Swoop airline offers a popular flight between

Phoenix-Mesa Gateway Airport and Edmonton, Alberta, which is not one of the airports approved for international arrivals. Phoenix Mesa-Gateway Airport spokesperson Ryan Smith said the airport is waiting to hear from Swoop about how the new requirements would affect that route.

When reached by email, a spokeswoman for Swoop told The Arizona Republic that the airline is seeking clarity from the Canadian government on how the new measures would affect its flight to Mesa.

Canada reports COVID-19 cases on flights to Phoenix

Canada has reported several cases of COVID-19 in passengers traveling between Canada and the United States, including on flights to Phoenix.

Canadian airlines are required to post information about flights on which passengers may have been exposed to COVID-19 through other passengers.

AMERICAN OVERSIGHT

The government website, which lists cases confirmed in the past two weeks, shows that airlines have reported three cases of COVID-19 confirmed in passengers on flights between Canada and Phoenix Sky Harbor International Airport.

Those are:

h Jan. 21: Air Canada Flight1057 from Phoenix to Calgary in rows 1 to 4.

h Jan. 18: American Airlines Flight 220 from Phoenix to Calgary in rows 17 to 23.

h Jan. 14: WestJet Flight 1403 from Phoenix to Calgary in rows 1 to 6 and 11 to 17.

Swoop has reported no confirmed cases on its flights between Canada and Mesa Gateway in recent weeks.

At the beginning of the pandemic, the airline reported two flights between Winnipeg and Mesa with confirmed cases. Those occurred on March 8 and March 12, 2020.

Other new Canadian travel restrictions

Along with obtaining a negative COVID-19 test before boarding their flights, passengers will receive a COVID-19 PCR test upon arrival in Canada and be required to quarantine at their own expense in a government- approved hotel while awaiting results.

Trudeau estimated the cost of that quarantine would be more than $2,000 Canadian (about $1,560 U.S.).

Those who receive a negative test result will be allowed to complete the remainder of the mandatory 14-day quarantine period at home under “increased surveillance and enforcement.”

Those who fail to quarantine could face penalties including six months in prison and/or up-to $750,000 Canadian in fines.

Those who test positive will be required to quarantine at a designated government facility. It was unclear from the announcement how long that quarantine would last and who would bear the cost of it.

Canada is also working to set up additional COVID-19 testing sites for entry at its land border.

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Thousands of Arizona voters drop Republican affiliation after Capitol riot
Gabriel Gamino
KTAR News
February 1, 2021

Thousands of Arizona GOP voters have switched their party affiliation since Jan. 6, according to data received from Arizona's secretary of state.

Just over 3,300 voters changed their registration between Jan. 6 and Jan. 15, immediately after the planned insurrection at the United States' Capitol as electoral college votes were counted by Congress.

From Jan. 13 to Jan. 24, a total of 4,356 changed their affiliation.

Political expert Emily Ryan, with Copper State Consulting, believes this is something that's been building for a while.

"Your average self-selected conservative just doesn't identify with a planned insurrection at the United States' Capitol," she said.

"Not only do they not identify with it, they don't want to be publicly associated with it," she said.

Ryan forecasts the switch in party affiliation will also impact how politicians campaign in upcoming elections, explaining independents can no longer be taken for granted moderates.

"Political candidates of all persuasions are going to have to recognize that group of independents now contains some die-hard purest conservatives who don't buy into the Trump agenda," she said.

In an email to KTAR News 92.3 FM, Sophia Solis with the secretary of state's office said "generally, there is a lot of shifting before and after elections."

However, Solis clarified the data provided "is not exactly precise" because the date the party affiliation is changed in their system could be different from the date a voter submitted their registration form, which might not be processed for several days.

Return to the table of contents

Peoria mayor acknowledges reality and prevalence of cancer in fire service
Ali Vetnar
KTAR News
February 1, 2021

For many years the bureaucracy of local government has blinded mayors and city councils from cancer in the fire service.

AMERICAN OVERSIGHT

But not for Peoria Mayor Cathy Carlat.

She took the podium Friday morning to honor fallen Peoria fire Capt. David Rehkne. The 59-year-old lost his battle with occupational cancer earlier this month after a near 10-year battle with the disease he contracted as a result of his job.

"Even after a lifetime of service he spent his retirement, his final years not only fighting an unrelenting disease but petitioning endlessly for the safety and security of the current and future firefighting families," Carlat said.

Rehnke served 30 years with the Peoria Fire Department before he was forced to retire due to his renal cell carcinoma, the most common form of kidney cancer found in adults.

During the memorial service, Carlat described an interaction she had with Rehnke seven years ago – when she first became Mayor.

"I sat down with Dave and asked him to help me understand the connection of his cancer and his profession," Carlat described.

Vocal in the fight for protections for firefighters, Rehnke showed the new mayor research about cancer-causing carcinogens firefighters are subjected to every day.

That's when Carlat's eyes were opened to the leading cause of death among firefighters.

She asked what she could do as mayor and Rehnke was very clear about the steps that could be taken to limit the exposure of Peoria firefighters.

Those steps include a second set of turnouts, the gear firefighters wear into housefires. It also included certain decontaminating measures for firefighters to shower after house fires to wash off carcinogens.

Those steps were taken and remain in place, all in remembrance of Rehnke's legacy.

"Mayors get to do a lot of good things, I have a very gratifying job," Carlat said. "But interventions that directly contribute to the health and longevity of life – those are rare. Dave gave me that opportunity and for that, I will forever be grateful to him."

Rehnke was instrumental in the fight to pass HB 2161 that ensures protection for health benefits of firefighters who contract cancer as a result of their job.

Although Gov. Doug Ducey signed the legislation into law, some cities continue to deny firefighters their benefits.

Advocates for firefighters have worked to close the loopholes insurance companies use to deny them their benefits, but no further legislation has been passed to date.

Rehnke is survived by his wife of 30 years, Brenda, his daughter Shannon and his son Dustin.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Some Arizona parents want AIA to remove fan restriction at away games
Griselda Zetino
KTAR News
February 1, 2021

Ivette Contreras started feeling nervous after seeing on a livestream her son fall to the ground during his soccer game.

"The game is over at this point, so they cut the feed," she told KTAR News 92.3 FM's The Mike Broomhead Show. "I don't know if my son got up or if he stayed on the ground."

Contreras couldn't attend the game because of new Arizona Interscholastic Association COVID-19 protocols. She immediately texted her 16-year-old, a student at Desert Ridge High School, to see if he was hurt.

"I had to wait until he was able to text me back and say 'yes, mom, I'm fine,'" she said. "Those were definitely a couple of minutes of anxiety."

The AIA prevents parents and guardians of a visiting team from attending the games as a way to reduce the spread of COVID-19. Parents and guardians can only attend the home games.

But some parents disagree with the move and through an online petition are asking the AIA to reverse its decision.

Contreras said she signed the petition and added it would be easy for parents to practice social distancing at soccer games.

"The bleachers, they're not exactly packed," she said. "We had one of our parents say we can have a 12-foot distance between parents because it's not packed, especially when you go to an away game."

The AIA declined a request for comment.

In a statement after the AIA's executive board voted Jan. 12 to reinstate the winter sports season and allow parents and guardians to only attend the home games, Executive Director David Hines said it was a "very difficult decision."

"We all want winter sports to happen, but it must be done safely," Hines stated.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Phoenix metro home values grew by 13.5% in 2020
Peter Samore
KTAR News
February 1, 2021

AMERICAN OVERSIGHT

Phoenix metro home values gained $67 billion last year – a 13.5% growth – making it the 14th-most valuable in the country, according to online real-estate list service Zillow.

Arizona wasn't the only place in the country to see home values increase in 2020.

The nation as a whole reported the greatest home value growth since before the great recession.

"That may be surprising in the context of a pandemic and a recession and tremendous job losses," Jeff Tucker, Zillow senior economist, told KTAR News 92.3 FM.

"Our forecast shows home price appreciation staying really strong at least late into 2021," Tucker said.

That is unless mortgage rates rise, cooling values and sales before then.

Tucker, however, doesn't see declines in the short term.

"More in the medium term, it just has to slow down," Tucker said. "We can't have a double-digit price appreciation in the value of housing stock every year."

Zillow calculates Phoenix metro housing stock at $563 billion, part of a nationwide value of $36.2 trillion.

The number is found by taking public sale data of homes and applying it to neighboring homes.

Return to the table of contents

State Farm Stadium passes 100K vaccinations as Phoenix Muni opens
Torrence Dunham
KTAR News
February 1, 2021

The state-run COVID-19 vaccination site at State Farm Stadium in Glendale administered its 100,000 dose over the weekend, with a second state-run site at ASU's Phoenix Municipal Stadium set to open Monday.

Arizona's first and only 24/7 COVID-19 vaccination site passed the milestone less than three weeks after opening.

"We're proud to have reached this milestone so quickly, but there is much more work to be done," Dr. Cara Christ, director of the Arizona Department of Health Services, said in a press release.

"Our only limitation is the amount of vaccine we have been allocated. As we get more doses into Arizona, we can replicate this nationally recognized model in even more places around the state."

Nearly 660,000 vaccines have been administered across the state as of Sunday morning's report, meaning one out of every six doses was given at State Farm Stadium.

AMERICAN OVERSIGHT

The site at State Farm Stadium on Monday will begin administering second doses to those vaccinated in January, according to the release, while administering just as many first doses.

Once at full capacity, the site will administer 10,000 to 12,000 doses each day.

The new state-run site at Phoenix Municipal Stadium has the same capacity as State Farm Stadium but has been limited to around 500 for the time being due to limited vaccine supply, according to the release.

Hours of operation will also be limited to daytime, unlike State Farm Stadium.

While all appointments at State Farm Stadium and Phoenix Municipal Stadium are booked through February, appointments have been reserved for those vaccinated at state-run sites to receive second doses.

More appointments will be added as the state receives more vaccines.

People can register for appointments at State Farm Stadium, Phoenix Municipal Stadium or any other vaccination sites in the state online. Individuals without computer access or who need extra help registering can call 1-844-542-8201.

Those in the Phase 1A and prioritized Phase 1B groups are eligible to receive vaccinations at state-run sites, this includes frontline health care workers; emergency services workers; residents and staff at long-term care facilities; protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older.

The state-run sites recently lowered the age of eligibility from 75 to 65, opening up opportunities for more than 750,000 Arizonans, the state health department confirmed.

Phases and requirements for county-run sites differ, however. Eligibility requirements for each county can be found online.

Additional vaccination sites available to provide 24/7 capacity like State Farm Stadium are being planned, according to the release.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona's overall death toll grew 25% in 2020 amid coronavirus pandemic
Molly Hudson
KTAR News
February 1, 2021

Total deaths in Arizona rose 25% in 2020 over the previous year, with some counties seeing increases approaching 50% for the year in which COVID-19 became the leading killer in the state.

While data on the causes of death is not expected until later this year, experts attribute the "exceptional increase" in deaths to COVID-19 as well as to fatalities that may be indirectly caused by the pandemic.

AMERICAN OVERSIGHT

"COVID appears to be the reason," said David Sklar, a professor at Arizona State University's College of Health Solutions. "Other problems have also increased, such as opioid-related deaths, and some have decreased, such as pedestrian-related deaths because people were driving less and were out less. But COVID has been a large contributor to our increase."

The Arizona Department of Health Services reported this month that there were 75,133 deaths in the state in 2020, an increase of 24.9% from the 60,161 deaths reported in 2019.

Holly Poynter, a spokesperson for the state health department, said while it's likely "COVID-19 deaths are a factor" in the increase in deaths, state officials will not be able to say for sure until complete data on cause of death is available later this year.

The increased death toll was not spread evenly across the state, with Apache and Yuma counties reporting increases of 48.9% and 48.8%, respectively. On the other end of the spectrum, deaths increased by 14.29% in Greenlee County and 16.2% in Cochise County.

In Apache County, where the total number of deaths rose from 734 in 2019 to 1,093 in 2020, county Health Director Preston Raban said COVID-19 was a driving force, but not the only factor in the increased deaths.

"If you put it down on paper, there was X amount of COVID deaths and then Y amount of regular deaths and so they were a contributing factor," Raban said. "But there was as many other deaths to really make you raise your eyebrow and say, 'Wow I wonder … 2020 was an interesting year,'"

Yuma County Communications Director Kevin Tunell was busy helping the county "in full vaccine mode" Wednesday and was not available for an interview. But he did say that "it's a fair stretch that COVID has had a large part in the number" of increased deaths in the county last year.

The report on the increase in deaths comes as COVID-19 surpassed cancer and heart disease to become the leading cause of death in Arizona last year. And Arizona is not the only state seeing such surges, said Justin Lessler, an associate professor of epidemiology at Johns Hopkins University's Bloomberg School of Public Health.

Lessler said 25% is "really an exceptional increase" that comes "because we have this new cause of death that … killed in the last year as many people as all but two other causes of death," Lessler said. "Only heart disease and cancer killed more people than COVID last year and it's almost up to the level that heart disease would kill in a normal year."

Lessler echoed others who said COVID-19 was not just a killer itself but may have contributed to other deaths in 2020.

"I could have heart disease and maybe I would have some chance of dying in the next few years," Lessler said as one example. "It was greater than the people around me, but because I got COVID, and had that heart disease made it more severe. So I die."

Lessler pointed to the possibility of a "more ancillary effect" from the pandemic, such as the social pressure of lockdowns leading to increases in overdose or suicide deaths, or overburdened hospitals being unable to deliver needed, and possibly life-saving, care to patients.

AMERICAN OVERSIGHT

Raban added that "in some instances, those who had the COVID virus died with COVID on board, but it wasn't necessarily the COVID virus that killed them."

Jeffrey Engel, the Council of State and Territorial Epidemiologists' senior adviser for the COVID-19 response, said what Arizona saw last year "may be be typical," but that it could have been felt more acutely in the state because of the relatively large number of seniors in the state.

People 65 and older accounted for 9,573 of the 12,819 COVID-19 deaths in Arizona, or 75% of the total, according to the latest data from the state health department.

"I think after this is over, this pandemic is over, we as a society will be looking ourselves in the mirror and really try to ask how we take care of our elderly," Engel said.

For the time being, he said, it's important that people not get numb to the rising numbers.

"There is a person behind all of them," he said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Gov. Ducey joins CNN to discuss Arizona GOP, COVID-19 vaccine plan
Tom Kuebel
KTAR News
February 1, 2021

Arizona Gov. Doug Ducey appeared on CNN on Sunday discussing the outlook of the Republican Party and COVID-19 vaccine distribution in the state.

Ducey talked about the state of Republican politics in Arizona after being shown a cartoon posted by Cindy McCain caricaturing the censorship of Ducey, McCain and Jeff Flake by Arizona Republican Chairman, Kelli Ward.

"The party in Arizona has had a long history of discontent," Ducey said.

"I think that the state party chairman should focus on winning races. That should be a top priority," he added. "I believe I was in good company in that cartoon."

Ducey had been criticized locally and publicly by Republican leaders, including by former President Donald Trump, for not doing enough to overturn election results in favor the GOP candidate.

Ducey defended his efforts saying that the election results would have had to be challenged through the judiciary after he certified the results. Those efforts fell unsuccessfully.

"I worked incredibly hard to deliver the state for Donald Trump, and red, up through Election Day," Ducey said.

The governor also defended the efforts by the state to implement and distribute COVID-19 vaccines efficiently, adding that Arizona had distributed 629,000 vaccines.

AMERICAN OVERSIGHT

Ducey said that the state is increasing its capability to administer vaccinations through 24/7 sites at State Farm Stadium and the site opening at Phoenix Municipal Stadium.

"What we need right now are more vaccines. We're in danger of running out of the vaccines we have," Ducey said.

"All we can do is distribute what we receive from the federal government and the private sector. So we are working with the Biden administration to get more vaccines."

Ducey was also asked if he would be running for U.S. Senate after his term of governor expired, which he reiterated that he will not.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona regulators to weigh ban on trail cameras for hunting
KTAR News
February 1, 2021

Arizona regulators plan to consider prohibiting motion-activated trail cameras for hunting, with supporters saying the ban would allow wildlife to reach watering holes and give animals a fighting chance to live another day.

Animals can be deterred from using scarce water sources in drought-stricken areas because so many people place and check on remote cameras, the Arizona Daily Star reported.

"The technology has gotten much cheaper, and it has been proliferating in use," said Kurt Davis, chairman of the Arizona Game and Fish Commission. "There are some that will have water holes with 30 to 40 cameras on them."

The commission plans to vote at a March 19 meeting in Bullhead City on a proposed rule that, if adopted, would not take effect before 2022.

The commission regulates all wildlife in Arizona, and the camera ban would apply to hunting activity on public and private land.

The rule would not affect the use of trail cameras for scientific studies, wildlife viewing or other purposes unrelated to hunting.

Davis said the commission has already received about 600 comments, most of them from hunters who favor the ban.

The commission in 2018 banned live cameras with transmitters, but it is now considering the broader ban because it received a petition signed by over 200 hunters calling for a total ban on all trail cameras in hunting areas.

The commission voted unanimously to begin drafting a broader rule, and message boards on hunting websites began lighting up.

AMERICAN OVERSIGHT

Some commenters said using trail cameras makes hunting too easy, while camera supporters said the devices are valuable for casual hunters who may not have the time or money to scout areas in person.

Others are worried about unintended consequences.

Longtime hunter Janet Drake said a camera ban may force her and her husband to choose between hunting and their volunteer work for the Game and Fish Department.

The Prescott Valley couple travel to remote sites to gather images from cameras that would still be allowed under a ban, but people they encounter might think they're breaking the law, she said.

"There are going to be people out there who are angry that they can't have their cameras anymore," Drake said.

She said she hopes to be drawn someday for a hunting tag for a bighorn sheep but a camera ban would mean she couldn't hunt in the same area where the couple collect camera data for the state.

"It's causing me to not want to do this volunteer work anymore," Drake said.

She also questioned how wildlife managers would enforce a ban. Despite the 2018 ban on cameras with transmitters, she said "thousands of them" are still out there being used.

Davis acknowledged that enforcing a broader camera ban wouldn't be easy but said few hunting regulations are and the vast majority of hunters follow the rules and keep an eye out for those who don't.

"We have 97% compliance," the Game and Fish Commission chairman said.

He said something needs to be done to rein in the number of trail cameras clustered around water holes during deer and elk season.

Convenience seems increasingly important in society "but hunting is not about instant results," Davis said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 5,025 new COVID-19 cases, 22 more deaths
KTAR News
January 31, 2021

Arizona health officials on Sunday reported 5,025 new coronavirus cases and 22 additional deaths from COVID-19.

The state's documented totals moved to 758,404 infections and 13,120 fatalities, according to the Arizona Department of Health Services' COVID-19 dashboard.

As of Saturday's update from the U.S. Centers for Disease Control, Arizona continued to lead the nation in average cases per capita over the last seven days and slipped behind Alabama to No. 2 in deaths.

AMERICAN OVERSIGHT

Key metrics indicate that the massive surge in Arizona that started in November is past its peak, mirroring national trends, but the virus remains widespread across the state.

The number of Arizona's confirmed or suspected COVID-19 inpatients fell to 3,664 on Saturday, the fewest since Dec. 13. The number of ICU beds used by COVID-19 patients dropped to 979, the fewest since Christmas Day.

Statewide, COVID-19 patients took up 42% of all inpatient beds and 54% of all ICU beds on Saturday. Overall, inpatient beds were 90% full and ICU beds were at 91% of capacity.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, has been receding but remains at a substantial level.

Of the 97,009 people tested so far this week, 16% received a positive result, which would be the fourth consecutive weekly decline. For 154,860 people tested last week, the positive rate is 19%.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The seven-day average for the state health department's newly reported coronavirus cases was at 5,431.71 for Saturday, according to tracking by The Associated Press, the second-lowest mark Dec. 5. The seven-day average of newly reported COVID-19 deaths declined to 132.57.

The state's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by 100 hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

The department also has a vaccine-finder page with a map of active and pending locations and information about registration.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Bobcats get a new home with Valley conservation center, SRP partnership
Torrence Dunham
KTAR News
January 31, 2021

A family of bobcats is once again free to wander the wild after being released into an SRP-managed habitat southeast of the Valley, according to a press release.

The bobcat family, consisting of a mother and her three kittens, were brought into the Southwest Wildlife Conservation Center where the kittens could grow and develop in a safe and supportive environment.

"This particular bobcat family was in the wrong place at the wrong time, and they didn't have a good place to grow up," Kim Carr, animal care manager at the conservation center, said in the release.

"They needed to be in the wild away from human development."

The bobcat family is the latest wildlife species to be released on one of nine SRP conservation properties that consist of approximately 3,000 acres along several Arizona waterways and upland habitats.

The electricity provider partnered with the conservation center last year to provide habitats that are suited for numerous wildlife.

"It is important we protect these resources for future generations, including the wildlife living in these areas," Heather English, senior environmental scientist at SRP, said in the release.

Other recent animals released to the habitats as part of the partnership include juvenile coyotes, juvenile foxes, juvenile raccoons and a badger, according to the release.

"It's really hard these days to find open habitat and suitable places for wild animals to be released after they have been rehabilitated," Carr said. "When SRP reached out to us to offer up some of their land for these releases it was amazing. It was almost too good to be true."

SRP said in the release it has made long-term commitments to implement conservation efforts for more than 15 wildlife species and has several different programs for protecting wildlife.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

New building in Gilbert for aerospace giant Northrop Grumman completed
KTAR News
January 31, 2021

The new administrative and engineering building in Gilbert that will house global aerospace and defense giant Northrop Grumman has been completed, according to a press release on Thursday.

AMERICAN OVERSIGHT

Near Elliot Road and Val Vista Drive, the more than 120,000-square-foot, two-story building expands Northrop Grumman's multi-building satellite manufacturing campus, which was already one of the largest of its kind in the nation.

Northrop Grumman, which has had a presence in Gilbert since the early 1990's, produces satellites for NASA, the U.S. Department of Defense and commercial customers at the facility.

The building features 15-foot floor-to-floor elevations with state-of-the-art workspaces and common areas, according to the release.

The expansion, which also includes a 100,000-square-foot addition to its existing satellite manufacturing facility, allows the company to double the current production capacity, according to a press release announcing the groundbreaking.

The company in November 2019 opened a neighboring 633,000-square-foot campus in Chandler on Price Road south of the Loop 202 Santan Freeway which is home to Northrop Grumman's launch vehicles business.

Northrop Grumman employs 97,000 people in the United States and around the world, ranking No. 96 in the Fortune 500 in 2020 and moving up 12 spots from the previous year.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

First cases of faster-spreading COVID-19 variant detected in Arizona
TORRENCE DUNHAM
KTAR News
January 30, 2021

The COVID-19 variant that spreads at a faster rate has been detected in Arizona, the Arizona Department of Health Services said in a press release Friday night.

AZDHS, the Maricopa County Department of Public Health, Pinal County Public Health Services and Arizona State University report the variant (B.1.1.7) has been confirmed in three test samples from the state.

While the variant spreads faster, according to the release, studies suggest the vaccines authorized to fight COVID-19 are still effective against the variant.

It isn't known how widely the variant may have spread in Arizona, according to the release.

The United Kingdom identified the new strain in the fall of 2020, with the first case of the variant being detected in the United States at the end of December.

Health officials say it's typical for viruses to change through mutation, with new variants of a virus expected to occur over time. Some new variants emerge and disappear, according to the release, while others appear and linger.

AMERICAN OVERSIGHT

The state's health department is working with laboratory and public health partners, including the Centers for Disease Control, to monitor the situation, according to the release.

Health officials are asking people to follow mitigation strategies proven to reduce the spread of COVID-19, including wearing a mask, maintaining physical distance and washing hands.

Arizona health officials on Friday reported 5,028 new coronavirus cases and 203 additional deaths from COVID-19.

The state's documented totals moved to 748,260 infections and 13,022 fatalities, according to the Arizona Department of Health Services' COVID-19 dashboard.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Council ponders charter amendments in pursuit of clean elections
Brady Wheeler
Arizona Daily Sun
February 1, 2021

The City of Flagstaff will organize a charter review committee to examine whether changes should be made to the way elections are run.

A charter review committee is "generally assembled to review and provide recommendations on possible amendments that should be forwarded to the voters," according to the Flagstaff City Council agenda.

Flagstaff Mayor Paul Deasy voiced concerns with the local election process at Tuesday's Council meeting, setting the stage for 2022 general election ballot measures amending the City Charter.

"I think it is relatively well known that I am very interested in re-looking at our City Charter with public input," Deasy said.

The mayor outlined three main issues to be addressed ahead of upcoming elections: the influx of dark money in local elections, the number of signatures required for a candidate to be placed on the ballot and the signature validation process.

"Dark money" usually refers to spending meant to influence political outcomes where the source of the money is not disclosed. Deasy voiced a desire to identify the source of independent expenditures used by third parties to fund candidates.

The concerns come a few months after a shaky election season in 2020 that saw mayoral candidate Victor Varela drop out of the race after admitting to submitting fraudulent signatures.

Votes for Varela were not counted, but because his name was still on the ballot, and some voters might have wasted their votes by casting them in support of Varela as opposed to another candidate. Deasy referred to the situation as "disenfranchisement" through "no fault of any government body."

The City Clerk's Office does not currently validate signatures submitted by candidates running for office, although signatures can be contested if a citizen files an objection. Signatures submitted for voter initiatives are validated by the office, however.

Councilmember Austin Aslan said he could see himself supporting a charter amendment to improve signature validation, noting that some members of the community are wary of the process.

"There is a narrative out there that you don't actually have to collect signatures in order to get on the ballot," Aslan said.

Council overall had varied thoughts on Deasy's proposals, though a majority agreed with Councilmember Adam Shimoni, who questioned whether the amendments should be a priority. Shimoni

AMERICAN OVERSIGHT

added that the previous Council's efforts to amend the charter were put on hold after the COVID-19 pandemic began.

"I just wonder if we can break it up and phase it in over general elections to come," Shimoni said.

Council considered preparing a special election to address charter amendments ahead of the 2022 general election, but a consensus was not reached following this week's discussion. Councilmembers cited both cost and timeliness as deterrents.

While the Council could circle back to a prospective special election at a later time, forgoing the planning of a special election on Tuesday increases the likelihood of the next election cycle running as-is. However, outlawing dark money may be possible by way of a city ordinance -- which is being explored by city attorneys.

As of now, it remains unclear whether such an ordinance is possible under state law. Deasy brought up a similar ordinance in Tempe that ultimately ran into legal questions.

In 2018, Tempe voters passed the Sunshine Ordinance requiring nonprofit groups making independent expenditures over $1,000 to disclose their organization's name and source of their campaign funding in city elections.

After an investigation, the state attorney general decided the voter-approved ordinance in Tempe did not violate state law. But there was a caveat: While the ordinance does not conflict with state law in itself, enforcing such disclosure on nonprofits would create a legal conflict, putting such ordinances in uncharted territory.

Return to the table of contents

Council sets state and federal legislative priorities for 2021
Brady Wheeler
Arizona Daily Sun
February 1, 2021

Flagstaff City Council approved a dynamic list of legislative priorities for both state and federal lobbying on Tuesday.

Discussion between councilmembers focused on additions to priorities presented by city staff, including matters of water infrastructure, housing, tourism and biomass energy.

Funding for COVID-19 relief topped the final lists at both the state and federal levels. Also included were key issues related to the economy, community, environment, and city and county infrastructure.

With the economy in a downturn following the pandemic, Flagstaff is seeking additional support toward COVID-19 relief efforts. Unemployment insurance, mortgage relief, eviction moratoriums, direct payments to cities and counties, and loans for small businesses are sought in response to declining revenues. The city might also pursue legislation to increase testing, education and broadband.

AMERICAN OVERSIGHT

Affordable housing was another burning issue included in legislative priorities. At the federal level, the city will look to expand funding for public housing and programs tied to the U.S. Housing and Urban Development department.

The city also aligned with state and federal efforts to increase broadband access and capacity in rural areas, asserting that expanded access encourages increased economic activity. Further, rural broadband access is said to support remote work and education, business attraction and revenue creation.

Council moved to include gun safety once again after it was added to last year's priorities. The city stated that it will oppose state legislation that limits local decision-making on gun regulation in publicly accessible buildings, and support state legislation that "ensures the protection of all people from gun violence, furthers gun reform laws and ensures background check loopholes are closed."

The city also seeks to support federal legislation that improves the lives of veterans and supports immigration reform. Moreover, Flagstaff will prioritize state legislature to enhance equity in the criminal justice system, such as alternative diversion programs, rehabilitative programming, mental health services and approaches that decrease reliance on prisons.

Council amended language in the list of federal priorities Tuesday to address a moratorium on uranium mining in areas surrounding the Grand Canyon National Park. It agreed that efforts to re-institute a moratorium should not be limited to the current 20-year time period, but instead seek permanent action.

Additionally, Flagstaff will "urge the Arizona Department of Transportation and/or the U.S. Department of Transportation" to improve uranium transport standards in an effort to reduce the possibility of contamination.

Other priorities focused on forest conservation: partnership opportunities, advocating for state and federal funding, and expanding regional projects such as the Four Forests Restoration initiative. The city will also leverage funds from the Flagstaff Watershed Protection Project and federal government to "maximize investments in community, watershed protection and forest health."

Flagstaff plans to advocate for federal funding in order to improve the Flagstaff Pulliam Airport in guidance with a five-year capital improvement plan. Improvement efforts are said to assist the airport in recovering from negative impacts related to the pandemic.

Renewing Amtrak infrastructure was included on the list, noting train services as a "generator" of economic development. Additionally, the city is looking to promote the restoration of the daily service for the Southwest Chief through Flagstaff.

Advocates will also seek federal funding for transportation infrastructure. Potential projects include the Milton corridor overpass, the Lone Tree overpass traffic interchange and the J.W Powell connection. Further, the city will look for support reflecting Flagstaff's "needs and values" regarding roads, highways, bridges, transit and climate change.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

COVID-19 top of mind as Sen. Kelly meets with northern Arizona leaders
Adrian Skabelund
Arizona Daily Sun
February 1, 2021

Almost two months since Mark Kelly took his seat in the U.S. Senate, he took time to speak with the Arizona Daily Sun about priorities for northern Arizona.

Kelly said in recent weeks he has been speaking with local mayors and leaders across the area to hear more about the issues they are facing and where he might be able to help now that he has been sworn in officially.

He added he is also putting together advisory groups that can speak to challenges in northern and southern Arizona, and around Maricopa County.

Throughout January, according to a spokesperson, Kelly has participated in virtual meetings with the mayors of Winslow, Kingman, Sedona, Cottonwood, Show Low, Williams, Snowflake, Bullhead City, Lake Havasu City, Prescott and Chino Valley.

This week, Kelly will meet with the Fredonia and Clarkdale mayors. In addition, he has sat down with Navajo Nation President Jonathan Nez and Hopi Tribe Chairman Timothy Nuvangyaoma.

Those conversations have been dominated by discussion of COVID-19, Kelly said. The new senator is interested to hear how the pandemic -- and economic downturn stemming from it -- has impacted city finances, how budgets compare this year to 2019 and how the vaccination process is going.

“As an example, I think Winslow has about 10,000 people. They're getting 700 doses a week. So you know, 15 weeks, in theory, they could vaccinate everybody. That is not horrible," Kelly said. "In some places it is a lot worse than that. If you look at Yuma County, until recently they were getting 800 doses a week -- they have a lot more than 10,000 people."

Kelly said he is also telling mayors he wants communication with them and local leaders to be ongoing and hopes to assist communities with problems other than just those associated with COVID-19.

“These are often restructured priorities, roads, bridges,” Kelly said. "I'm trying to make sure that they understand that this isn't just like a one-time thing. I’m reaching out to them to check in at the beginning of my my term in the United States Senate. I want to have open communication with our mayors so I can be as strong as an advocate as possible for that entity in the United States Senate.”

Nonetheless, with Arizona seeing some of the highest case numbers in the world and many people out of work, the pandemic is top of mind.

Earlier this month, Congress passed a second COVID-19 relief bill providing Americans with an additional $600 stimulus check and extending the date by which CARES Act money sent to state and local governments could be spent. Kelly said the latter measure was especially important for northern Arizona tribal communities, some of which have been hit hard by the pandemic.

AMERICAN OVERSIGHT

The money the CARES Act provided tribes was important, Kelly said, but some tribes such as the Navajo Nation didn't have projects immediately ready to spend it on and were at risk of losing that funding if the deadline hadn't been extended.

Kelly said that bill also included funding for improving infrastructure such as rural broadband -- which might assist rural tribal communities in getting healthcare and education amid necessary social distancing.

And Kelly said he and some of his colleagues in Congress know that additional support is needed, noting that he has been in communication with Sen. Lisa Murkowski, R-Alaska, on some of those measures.

"We do need some more direct funding to tribes. That didn't happen in this last COVID-19 relief bill, because it became a negotiating point balanced against liability issues for businesses," Kelly said. "So, hopefully, we will address this here in the first quarter of this year."

Return to the table of contents

Previous coronaviruses affect antibodies, NAU-TGen study shows
Kaitlin Olson
Arizona Daily Sun
February 1, 2021

Before the novel coronavirus that causes COVID-19, SARS-CoV-2, made these spiky viruses a household name, humans have faced other coronaviruses -- which a new study by Northern Arizona University and the Translational Genomics Research Institute has revealed could have an effect on how immune systems respond to COVID-19.

According to the Centers for Disease Control and Prevention, human coronaviruses were first identified in the 1960s. There are currently six known coronaviruses that can infect humans, in addition to SARS-CoV-2, including several that are considered common or endemic.

The NAU-TGen study, published in Cell Reports Medicine on Tuesday, Jan. 19, showed that not only are coronavirus antibodies cross-reactive, meaning they can recognize both endemic coronaviruses and SARS-CoV-2, they are also better at binding to the endemic proteins for those who have them, said Jason Ladner, the study's lead author and an assistant professor in NAU's Pathogen and Microbiome Institute.

Early last spring, as COVID-19 cases first appeared in the U.S., the team began to analyze a group of 55 convalescent plasma samples from COVID-19-positive patients as well as a negative control group to determine in which epitopes, or regions of the virus's proteins, the body's immune response was located.

Using an extensive collection of viral data that NAU and TGen researchers have been creating over the past several years, the team then compared these antibody responses to those of other known human-infecting coronaviruses, including both deadly coronaviruses such as the ones that caused previous outbreaks of Middle East Respiratory Syndrome (MERS) and Severe Acute Respiratory Syndrome (SARS), as well as older, endemic coronaviruses.

AMERICAN OVERSIGHT

At the time of the most recent study, despite the abundance of local nasal pharyngeal swab — and later saliva — testing for COVID-19, the group had to look to a colleague in Norway to find blood samples needed to conduct antibody testing.

Although Ladner noted that many antibody studies focus on coronaviruses' entire crown-like spike protein, this study instead looked at small chunks of the protein to determine specifically where antibody reactions were occurring. As mentioned in the report, these particulars of the antibody response could determine disease outcome.

"Not all antibodies are created equal. Some antibodies have strong neutralization potential, others do not. … Part of what we're trying to do with our approach is to tease apart these different classes of antibodies that we can understand the different impact of these different types of antibodies," Ladner said.

Even among samples from different people, the team discovered that these antibodies tended to target the same general regions to begin creating new antibodies or, in the case of a previous infection, to reactivate them.

"Our findings highlight sites at which the SARS-CoV-2 response appears to be shaped by previous coronavirus exposures, and which have potential to raise broadly neutralizing antibodies," said the study's senior author, John Altin, in a press release. Altin is an assistant professor in TGen's infectious disease branch.

More research is needed in this area, though, to determine exactly how these different antibody reactions may affect the severity of an individual's reaction to COVID-19.

"Those antibodies that are being boosted may not be as good at fighting SARS-CoV-2 infections as they might be if people hadn't previously experienced these other coronavirus infections," Ladner said. "It would take longer to generate the response if they didn't have previous exposure, but in the end, the response that's generated may have higher affinity in being able to bind more strongly to SARS-CoV-2 proteins than the result that we see given these previous exposures."

Age, too, also seems to play a role in how antibodies are formed. In the study, researchers saw higher antibody activity among the samples from older people. Ladner described that because older people generally have a greater history of viral exposures, they therefore have more diverse antibodies, although additional research is also needed in this area to determine how these antibodies, when activated by memory cells exposed to SARS-CoV-2, affect the immune response of older populations.

What the study did reveal is that future therapeutics and vaccines can take into account the cross-reactivity between coronavirus antibodies to offer broader protection against coronaviruses.

"If they have neutralization potential, then the antibodies that bind to that region have the potential to not only protect against SARS-CoV-2, but also other coronaviruses, and that could potentially be the theoretical SARS-CoV-3," Ladner said.

Additional contributors to the study include City of Hope National Medical Center, Walter Reed National Military Medical Center, Vitalant Research Institute, Sanford Burnham Prebys Medical

AMERICAN OVERSIGHT

Discovery Institute, Norwegian University of Science and Technology, St. Olavs Hospital and Encodia Inc.

Return to the table of contents

Convicted former Flagstaff Rep. Renzi receives last-minute pardon from President Trump
Adrian Skabelund
Arizona Daily Sun
February 1, 2021

Former Flagstaff Representative Rick Renzi was among a flurry of 73 pardons issued by President Donald Trump on his last day in office.

The Republican and former congressman had been campaigning for a pardon since 2019 after he was convicted and served time for corruption and fraud.

Despite the conviction, Renzi had maintained his innocence. In a statement, he thanked Trump for pardoning him.

“After almost 14 years of fighting for my innocence, it took a real man of action and courage in President Trump to finally relieve me of the horrific deceit of being wrongly convicted by a Department of Justice that engaged in witness tampering, illegal wiretapping, and gross prosecutorial misconduct,” Renzi said in the statement.

From 2003 to 2009, Renzi represented Arizona’s 1st Congressional District, which included large swaths of northern and eastern Arizona encompassing Flagstaff, Prescott and Winslow.

In 2013, Renzi was convicted by a Tucson jury for corruption including wire fraud, conspiracy, extortion and lying to insurance regulators.

According to the prosecutors, Renzi had used his position in Congress to enrich himself and help fund his 2002 political campaign by embezzling money from an insurance company and orchestrating a federal land swap.

Renzi appealed his conviction all the way to the Supreme Court, but the court decided against hearing the case, upholding his conviction in 2015. Renzi was sent to prison in February of that year and was released in January of 2017.

In pardoning Renzi, the Trump administration cited support from several current and former Republican members of Congress, including Arizona Rep. Paul Gosar and Rep. Tom Cole of Oklahoma.

"[Renzi's] constituents considered him a strong advocate for better housing, quality education, and improved healthcare — especially for the underprivileged and Native Americans," a statement from the Trump administration regarding the pardon read. "He is the father of 12 children and a loving and devoted husband."

AMERICAN OVERSIGHT

During Renzi's campaign for a presidential pardon, he alleged that investigators illegally wiretapped conversations between Renzi and his attorneys, concealed evidence and introduced false testimony into the trial.

That campaign also included the production of a short documentary arguing his case and a letter to the Justice Department asking for an investigation into the allegations of misconduct by prosecutors.

"Because I refused to plead guilty to a crime I did not commit, a prosecutor even resorted to suborning perjury in order to secure a fraudulent conviction," Renzi said in a statement. "I went to prison and was wrongfully incarcerated rather than cower and plead to the DOJ fabricated narrative that I was guilty."

In 2019, a spokesperson for the convicted congressman had drawn comparisons between the investigation of Renzi and Trump's own accusations of a "witch hunt" by the FBI. At the time, Trump was claiming the FBI had illegally spied on his 2016 presidential campaign, although there was no evidence to support that allegation.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

GOP Bills Target Arizona Voting Laws After Trump's Loss
Arizona Daily Sun
January 30, 2021

The Republican-controlled Arizona Legislature is considering a raft of bills to change the way Arizona conducts elections, including one that would allow lawmakers to overturn presidential election results, after Democratic President Joe Biden won the state and former President Donald Trump baselessly questioned the results.

The measures range from purging people from the permanent early voting list — or even doing away with the popular list entirely — to making it easier to recount election results. One would prohibit election workers from requiring that any specific type of pen be used on ballots — a response to the debunked "Sharpiegate" conspiracy theory.

A wide-ranging proposal filed late Wednesday would specifically allow the Legislature to override the will of a majority of Arizona voters and appoint members of the Electoral College to back the presidential candidate lawmakers want elected, among other things. If in place last year, Trump could have picked up the state's 11 electoral votes.

That proposal from Phoenix Rep. Shawnna Bolick, wife of a state Supreme Court justice, drew immediate responses from Democrats, including Secretary of State Katie Hobbs and U.S. Rep. Ruben Gallego. Hobbs tweeted that "we should just get rid of the presidential election altogether," since that's essentially what the proposal aims to accomplish. Gallego vowed to lead a campaign to repeal the measure at the ballot box if it passed.

Republicans say their bills are aimed at boosting trust in Arizona's elections and ensuring they run more smoothly. But Democrats and voting rights advocates see the legislation as attempts to make it harder for people to cast a ballot, a burden they say will fall especially hard on people of color and those with low incomes.

AMERICAN OVERSIGHT

“Conservative efforts to restrict voting rights and restrict voting accessibility have stretched back to the very founding of our nation,” Democratic Sen. Martin Quezada of Glendale said during a recent committee hearing.

Democratic President Joe Biden was the first Democrat to win Arizona since 1996, topping Trump by about 10,500 votes out of 3.3 million cast — about 0.3 percentage points.

As results were reported on election night, Biden opened a massive lead with the earliest ballots counted — early votes and mail ballots that were returned well before the election. Biden’s lead narrowed as mail ballots that arrived closer to election day, and especially ballots cast in person at traditional polling places, were counted and weighed more toward Trump.

Trump, his attorneys and some of his allies in the state Legislature cast doubt on Biden’s victory, asserting without evidence that the election was marred by fraud. Eight lawsuits were filed but rejected by judges. Much of their ire was directed at the early ballots that favored Biden.

Some of the GOP voting bills are unlikely to go far. Rep. Kevin Payne, R-Peoria, has acknowledged that his bill eliminating the permanent early voting list doesn’t have enough support to pass. He’s also introduced another bill with long odds that would require mail ballots to be notarized, introducing an extra time-consuming step.

A proposal filed this week by Rep. Kelly Townsend of Apache Junction would ban returning ballots by mail. Instead, voters would be required to return them by hand to a voting location. Townsend did not respond to messages Thursday and Friday seeking comment on the measure.

Some proposals have already cleared their first committee and are headed for votes in the full House or Senate.

That includes a bill that would purge people from the permanent early voter list if they skip the primary and general in two election cycles, which cleared the Senate Government Committee in a party-line vote last week. People who opt into the list, known as the PEVL, automatically get a ballot in the mail for every election.

Mail voting in Arizona has become extraordinarily popular over the past three decades. More than 8 in 10 votes are now cast with ballots that arrive in the mail and are returned either through the postal service, an official drop box or at a polling place on election day.

Sen. Michelle Ugenti-Rita, a Scottsdale Republican who sponsored SB1069, said her bill would only affect people who don’t seem to be interested in being on the PEVL.

“You’re not doing anything other than affirming how they’re already behaving, which is they’re not voting by mail,” Ugenti-Rita said.

Democratic Sen. Juan Mendez pushed back, saying voters are reacting to their choices.

“People choosing not to use their ballot means we as politicians are failing to give those voters a reason to vote,” said Mendez, a Tempe Democrat.

AMERICAN OVERSIGHT

Another bill, which was approved by a House committee, would require the secretary of state to use death records to cancel voter registrations, which supporters say would prevent people from fraudulently voting in the name of a dead person. Critics say such incidents are extremely rare, and purging the voting rolls could accidentally scrub living people.

Meanwhile, the Senate has also advanced two measures changing the state's recount laws and the post-election auditing process. One bill would change the threshold for an automatic recount, which is currently 200 votes for most races, including statewide races and the presidency. SB1083 would require an automatic recoun t when the candidates are separated by less than 0.5% — a threshold that would have require a recount of Biden's victory.

Another bill, SB1010, would allow people to request a recount at their own expense if one isn't automatically triggered. Arizona law does not currently allow for candidates or anyone else to request a recount. The bill would also increase the number of ballots that must be hand counted to verify the accuracy of voting machines.

"Lots of folks have lost faith in the election process and that should alarm us all," Sen. J.D. Mesnard, a Chandler Republican, said during the committee hearing.

Democrats shot back that the doubts about the election were planted by Trump and his GOP allies based on conspiracy theories that lack evidence.

"The way to fix those problems is not to run bills like this," Quezada said. "It's to tell the truth."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

COVID-19 safety lapses abound in US schools
Laura Ungar
Arizona Daily Sun
January 30, 2021

Computer science teacher Suzy Lebo saw COVID-19 dangers frequently in her Indiana high school: classes with about 30 students sitting less than 18 inches apart. Students crowding teachers in hallways. Students and staff members taking off their masks around others.

"I'm concerned," said Lebo, who teaches at Avon High School in the Indianapolis suburbs. "We're not controlling the virus in our county. We're not controlling it in our state. And we're not controlling it in our schools."

President Joe Biden's COVID-19 response proposes $130 billion to improve school safety, offers federal guidance for making schools safer and improves workplace protections to safeguard teachers and other workers from COVID-19.

This comes after many school districts and states holding in-person classes have ignored recommendations from public health officials or written their own questionable safety rules — creating a tinderbox where COVID-19 can sicken and kill.

AMERICAN OVERSIGHT

A KHN analysis of federal and state Occupational Safety and Health Administration data found more than 780 COVID-19-related complaints covering more than 2,000 public and private K-12 schools. But those pleas for help likely represent only a small portion of the problems, because a federal loophole prevents public school employees from lodging them in 24 states without their own OSHA agencies or federally approved programs for local and state employees.

Still, the complaints filed provide a window into the safety lapses: Employees reported sick children coming to school, maskless students and teachers less than 6 feet apart, and administrators minimizing the dangers of the virus and punishing teachers who spoke out.

KHN also found that practices contradicting safety experts' advice are codified into the patchwork of COVID-19 rules put out by states and districts. For instance, about half of states don't require masks for all students — including 11 that have exempted schoolchildren of various ages from mandatory masks, with New Hampshire excluding all K-12 students. Districts can craft stricter rules than their states but often don't.

"The response to the virus has been politicized," said Dr. Chandy John, an expert in pediatric infectious diseases at the Indiana University School of Medicine. "There's a willingness to ignore data and facts and go with whatever you're hearing from the internet or from political leaders who don't have any scientific knowledge."

But even with Biden's rollout of new school safety steps, struggles over balancing the need for education with COVID-19 safety are sure to continue, since it will be months before the nationwide vaccine rollout reaches all school staff members, and the shots haven't yet been approved for kids.

Meanwhile, the scope of COVID-19 in schools remains unknown. Biden's order calls for tracking it on the federal level, which wasn't happening. States haven't collected uniform data either. The Covid Monitor, a project launched by volunteers and public health researchers, has counted more than 505,000 cases in K-12 schools — more than a quarter of them among staffers. Although kids are less likely than adults to become seriously ill, recent research suggests they can spread the virus even if asymptomatic. The American Federation of Teachers estimates COVID-19 has killed at least 325 school employees, though it's unclear whether they caught it at school.

Among them was Susanne Michael, 47, a fourth-grade teacher at Harrisburg Elementary School in northeastern Arkansas. As a cancer survivor with diabetes, she rarely went anywhere outside her home this past fall, according to her husband, Keith. She told him she worried about catching the coronavirus while teaching, but she "went and did it because she loved it."

She tried her best to keep more than 20 students 6 feet apart, he said, but told him it was nearly impossible.

Though she always wore a mask, he doesn't know if every student did. According to the district's website, masks are required in grades 4-12 "when social distancing is not feasible," and "physical distancing will be practiced to the extent practical." District leaders did not respond to requests for comment.

Michael wound up hospitalized on a ventilator. Doctors let her husband visit in protective gear because he, too, had the virus. He held her hand as she slipped away Oct. 1.

AMERICAN OVERSIGHT

Doctors said COVID-19 risks can be drastically reduced by following straightforward safety practices.

“First and foremost, mask mandate, mask mandate, mask mandate,” said Dr. Jason Newland, a pediatrics and infectious diseases professor at Washington University in St. Louis.

But school employees across the nation complain such measures don’t exist or aren’t enforced.

“School officials openly scoff at COVID-19 and believe it is a hoax. This attitude trickles down to staff, so hardly anyone has been wearing their mask or wearing it correctly,” an unidentified employee of Hart Public Schools, in rural western Michigan, wrote in an OSHA complaint in September. The complaint also described large crowds of students sitting too close in cafeterias. The employee alleges being terminated for whistleblowing.

Hart Superintendent Mark Platt said in an email that he won’t comment on personnel matters, but “takes seriously its health and safety protocols for students and staff.”

At the public Avon Community School Corp. in Indiana, Lebo said, problems festered since the beginning of the fall semester in July, when an OSHA complaint was lodged. In addition to crowding in the halls and difficulty keeping students 6 feet apart in classrooms, Lebo said, the school’s many extracurricular activities — including football, wrestling and show choir — brought their own risks.

Avon schools spokesperson Kevin Carr wouldn’t comment except to say students and staff members have tried their best to abide by the district’s health and safety protocols.

Over the semester ending in December, Avon schools reported 346 COVID-19 cases among nearly 9,800 in-person students and staffers, a rate of 3.5% compared with 2.1% for 1,412 remote learners. The COVID-19 rate reached 5.5% at the high school, which went remote briefly in the fall after the number of people quarantining skyrocketed.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, February 1, 2021 2:39:16 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes February 1, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

February 1, 2021

IMPORTANT: *The Arizona Legislative Report is fully digital and may be accessed at ArizonaLegislativeReport.com. Your log-in credentials from last year should still work. If you have trouble logging in, please let us know. In addition, please let us know if there are any changes to your account, such as a new email or a new contact person. You may call or email Scott Newell at 602-258-7145 or* snewell@azcapitoltimes.com,

AMERICAN OVERSIGHT

or Mitch Stead at mstead@azcapitoltimes.com *or 602-889-7140. For any questions about subscription payments, please contact Shannon Wass at 717-323-5234 or swass@bridgetowermedia.com.*

Please note that subscribers to the News Notes email will get the News Notes around 3 p.m.

Regular subscribers will be alerted via email once the Daily Report is posted on ArizonaLegislativeReport.com. If you would like to get the News Notes early, please let us know. The cost for the News Notes is an additional $50 per month.

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

REVISED HEARINGS

House Education

Tuesday 02/02/21 at 2:00 PM, House Rm. 1 REVISED [01/29/21]

H2032: PUBLIC SCHOOLS; INNOVATION PLANS

H2125: SCHOOLS; PUPIL SUSPENSIONS AND EXPULSIONS

H2179: NEW SCHOOL FACILITIES; ADDITIONAL FUNDING

STRIKER: NEW SCHOOL FACILITIES; BASE COSTS

H2405: CONTINUING HIGH SCHOOL PROGRAM

H2494: ARIZONA HEALTH EDUCATION CENTERS; INCREASE

H2555: SFB; DEPARTMENT OF ADMINISTRATION

AMERICAN OVERSIGHT

H2638: EDUCATION PROGRAMS; COUNTY JAILS; APPROPRIATION

H2669: APPROPRIATION; ELEMENTARY SCHOOL DISTRICT

H2703: TECHNOLOGY-BASED SCHOOL READINESS PILOT PROGRAM

H2705: SCHOOLS; DRESS CODE; GRADUATION CEREMONIES

HCR2025: SCHOOL DISTRICTS; EXPENDITURE LIMIT; AUTHORIZATION

NEWS NOTES

TELLER JOINS BIDEN ADMINISTRATION

Teller resigned from the Legislature effective Sunday to take a job with the Biden administration. "I am honored and humbled to have been selected by President Biden to work for his administration," Teller wrote in the resignation letter he sent to Bowers. "I look forward to continuing my public service in this new role and am grateful for your sincere support and guidance during my time at the House." Teller didn't immediately return calls for comment. He didn't say which job he accepted. He worked in management for the Navajo Nation Division of Transportation before he first ran for the House in 2018, rising to the rank of deputy division director. Teller said he has been named Deputy Assistant Secretary for Tribal Affairs for the U.S. Dept of Transportation. He briefly spoke on the House floor Monday to say goodbye to his former colleagues, talking about his own and his mother's close relationship with some of them. "It has been nothing but a pleasure, a sincere pleasure working with all of you," he said. "Despite our disagreements, despite our party affiliations, at the end of the day, we have worked for our communities we represent." Fernandez will replace him on trans, and DeGrazia on land-agri-rural affairs. Teller's resignation jumpstarts the process of replacing him. Under ARS 41-1202, the secretary of state must notify the Apache County Board of Supervisors - Teller is from Chinle - of the vacancy. Within seven days of the vacancy notification, supervisors must appoint a citizens panel, which must then submit three names to the board within five days. The board will then appoint the replacement from the list.

SENATE CHANGES RULES TO ACCOMMODATE MORE PUBLIC TESTIMONY

The Senate has changed its rules for remote testifiers to now let them request to speak by 9 p.m. the day before a committee hearing. Starting this week, each committee agenda has been modified to note that people who wish to testify via Zoom must email

AMERICAN OVERSIGHT

a designated email address by 9 p.m. – not the 24-hours-notice they were expected to provide in prior weeks. Weekends and holidays are still excluded, so people who wish to comment on bills before the two Monday committees, gov and trans-tech, should still send in their requests by the preceding Friday.

PETERSEN TARGETS INDIVIDUAL INCOME TAXES

Petersen, who already introduced S1252 (corporate income tax; phase-out) to reduce corporate income taxes to $0 by 2031, now wants to send a measure to voters to end the individual income tax over the same timeframe. His SCR1040 (state income tax; phase-out) would put a constitutional amendment ending the state income tax on the 2022 ballot. Nine states - Alaska, Florida, Nevada, New Hampshire, South Dakota, Tennessee, Texas, Washington and Wyoming - have no income taxes. As a tradeoff, these states tend to have higher property or sales taxes than other states. Petersen also wants to make it more difficult for voters to approve future tax increases: If approved by voters, his SCR1024 (initiatives; tax increases; voter requirements) would require a two-thirds vote on any tax measures, and his SCR1028 (initiatives; tax increases; reauthorization) would require new elections every five years on whether to continue tax hikes caused by voter-approved legislation.

LAWMAKERS WANT TO WREST AWAY ELECTION MANUALS OVERSIGHT FROM GOV, AG

Senate gov today will take up two measures to give the Legislature oversight over the state's election procedures manual. Currently, the secretary of state is supposed to draft the manual before every election cycle and the governor and attorney general approve it, sometimes with edits. (Hobbs' predecessor, Michele Reagan, didn't produce one for the 2016 cycle and Ducey rejected her 2018 draft.) Ugenti-Rita's S1068 (elections manual; Legislative Council; GRRC) would give the Legislative Council and the Governor's Regulatory Review Council - not Brnovich and Ducey - the authority to approve or reject future procedures manuals. Gowan's S1329 (procedures manual; JLAC approval), also on today's agenda, would shift that authority to the Joint Legislative Audit Committee.

UDALL SEEKS $1.5 MILLION FOR PILOT PROGRAM DISCOURAGING ABORTION

House hel-hu serv is scheduled to hold a hearing at 2 p.m. on a bill to spend $1.5 million on a "family health pilot program" to encourage childbirth and discourage abortion. Udall's H2404 (appropriations; family health pilot program) would direct the

AMERICAN OVERSIGHT

money be given to a nonprofit "to encourage healthy childbirth, support childbirth as an alternative to abortion, promote family formation, aid successful parenting and increase families' economic self-sufficiency." Money could not be used for abortion referral services or given to "entities that promote, provide referrals for or perform abortions." The Center for Arizona Policy, which has successfully lobbied for numerous anti-abortion measures over the years, supports the bill, as does the Arizona Academy of Family Physicians, while its opponents include the American Coalition of Obstetricians and Gynecologists, the Arizona Family Health Partnership and the Secular Coalition for Arizona. Whatever nonprofit is chosen would have to demonstrate experience in marketing and serving eligible patients and that it can start serving clients statewide within 60 days of getting the money.

A HERNANDEZ PURSUES BAN ON NO-KNOCK WARRANTS

A bill to ban no-knock warrants should be getting a hearing in House crim jus ref, the sponsor tweeted Friday. A Hernandez's 2751 (search warrants; audible notice; requirements), which 21 other House Dems support, strikes a section of code allowing judges to authorize no-knock warrants under certain circumstances and replacing it with a requirement that a police officer "shall provide audible notice of the officer's authority and purpose" before entering a residence and also requiring the officer to provide a copy of the warrant to the resident upon entering. Hernandez said her bill is a state version of the federal "Justice for Breonna Taylor Act" that Sen. Rand Paul, R-Ky., introduced last year. She tweeted Blackman has agreed to hold a hearing on it and she hopes Arizona will become the fourth state to ban no-knock warrants. "What happened to Breonna Taylor was a travesty and a miscarriage of justice, and we must do all we can to prevent anything like that from happening here," Hernandez said. "This is common-sense law enforcement reform that protects officers and the public from tragic mistakes. We know that this is a non-partisan issue to protect all Arizonans."

ETCHED IN STONE

A new Rogers bill that would increase criminal penalties for damaging a monument also would prevent the state government from moving or altering monuments in the Capitol complex. S1640 (damaging; monuments; artifacts removal) says the state, counties or cities cannot move a monument unless it needs to be repaired. The bill comes after the United Daughters of the Confederacy moved a Confederate monument from Wesley Bolin Memorial Plaza this summer, while Ducey hedged about calls for his administration to get rid of the monument. While the Confederate memorial is

AMERICAN OVERSIGHT

gone, Wesley Bolin still holds at least two controversial memorials – a Vietnam veterans memorial that claims the U.S. won the war and that Walter Cronkite spread misinformation, as well as a 9/11 memorial Kavanagh sought to edit with a vetoed 2011 bill.

IF YOU SEE A PROTESTER ON CAMPUS, THAT'S PROBABLY UGENTI-RITA

Ugenti-Rita seeks to expand protest rights to school campuses – so long as they happen after school hours. Her S1606 (school property; peaceful protesting) spells out that anyone can protest on school property after school hours without needing to acquire a permit. It comes after Ugenti-Rita developed a new interim hobby of protesting school board meetings and pulling her children out of online classes as an act of protest against remote schooling.

MEMORIAL SERVICES FOR KACEY RAE BOWERS TO BE HELD FEB. 13

Bowers announced Monday that his daughter, Kacey Rae Bowers, died Thursday after a lengthy illness. "She is a marvelous and talented woman, a strong defender and vibrant advocate for her son, Lorenzo, 20, for her family and faith, and for the wonderful people she worked with in her counseling service work," Bowers wrote in a Facebook post. "How she loves you all, constantly speaking of growth and hope and successes her clients made. Please don't give up." Services will be held at 10 a.m. on Saturday, Feb. 13 at the Salt River Stake Center of the Church of Jesus Christ of Latter-day Saints in Mesa. Family and friends are invited to a viewing reception that morning, and Bowers said details of video linkage would be announced in the near future.

NEWS RELEASES

First Cases of UK COVID-19 Variant Detected in Arizona
Discovery provides another reason for Arizonans to follow mitigation steps

PHOENIX – The Arizona Department of Health Services (ADHS), the Maricopa County Department of Public Health (MCDPH), Pinal County Public Health Services District, and Arizona State University (ASU) reported today that the so-called U.K. COVID-19 variant, B.1.1.7, has been confirmed in three test samples from the state.

The United Kingdom (U.K.) identified this new strain in the fall 2020, and it was first detected in the U.S. at the end of December. Multiple variants of the virus that causes

AMERICAN OVERSIGHT

COVID-19 have been documented in the U.S. and globally. According to the Centers for Disease Control and Prevention (CDC), this variant of SARS-CoV-2 spreads at a faster rate; however, studies suggest that the vaccines currently authorized for use are effective against the UK COVID-19 variant, B.1.1.7.

It is typical for viruses to change through mutation, and new variants of a virus are expected to occur over time. Sometimes new variants emerge and disappear. Other times, new variants appear and linger. It isn't known how widely the variant may have spread in Arizona. ADHS is working with laboratory and public health partners, including the CDC, to monitor this situation.

The discovery of this variant in the state is yet another reason for Arizonans to follow the mitigation strategies proven to reduce the spread of COVID-19, starting with:

- **Wear a mask** over your nose and mouth around anyone who does not live with you.
- **Maintain physical distance** of at least 6 feet from those who aren't members of your household.
- **Wash your hands** often with soap and water for at least 20 seconds. If soap and water are not available, use an alcohol-based hand sanitizer that contains at least 60% alcohol.
- **Avoid touching** your eyes, nose, and mouth with unwashed hands.
- **Stay at home** when you are sick.
- **Cover your cough or sneeze** with a tissue or your sleeve (not your hands) and immediately throw the tissue in the trash.
- **Clean and disinfect frequently** touched objects and surfaces.
- If you are at higher risk for severe illness, you should avoid attending congregate settings. People at higher risk for severe illness include adults 65 or older and people of any age who have serious underlying medical conditions.

To learn more about COVID-19 in Arizona, please visit azdhs.gov/covid19.

* * * * *

Hernandez Introduces "Breonna Taylor" Bill to Ban No-Knock Warrants

PHOENIX – Representative Alma Hernandez this week introduced Arizona's version of the "Justice for Breonna Taylor" Law, a bill to disallow police from using no-knock warrants like the officers who killed Taylor inside her Louisville, Kentucky, home during a botched raid last year. After the death of Ms. Breonna Taylor, a bipartisan

AMERICAN OVERSIGHT

group of lawmakers at the state and federal level have come together to ban No-Knock Warrants. At the federal level Republican Senator Rand Paul introduced a similar ban at the national level.

Hernandez' HB2751 would require officers to audibly provide notice to the occupants of a place being searched before executing a warrant. Officers would also be required to provide a copy of the search warrant to the person being searched or the owner of the home or location.

"What happened to Breonna Taylor was a travesty and a miscarriage of justice, and we must do all we can to prevent anything like that from happening here," said Hernandez, D-Tucson. "This is common-sense law enforcement reform that protects officers and the public from tragic mistakes. We know that this is a non-partisan issue to protect all Arizonans."

* * * * *

PRESS RELEASE: Tanya Wheeless Named Chief Deputy Recorder

February 1, 2021 (Phoenix) – Maricopa County Recorder Stephen Richer has named Tanya Wheeless as Chief Deputy Recorder.

Wheeless joins the Recorder's Office from the Office of U.S. Senator Martha McSally, where Wheeless served as Deputy Chief of Staff and Director of State Operations. Prior to her government work, Wheeless held multiple leadership roles in the private sector, including President and CEO of the Arizona Bankers Association and Senior Vice President of Communications and Public Affairs for the Phoenix Suns.

Wheeless earned her Bachelor of Science and Juris Doctorate from Arizona State University, and she has served on several civic boards including the Arizona Chamber of Commerce and Industry, the Greater Phoenix Chamber of Commerce, and Phoenix Suns Charities. The Phoenix Business Journal previously named Wheeless to its "40 Under 40" list.

"We are incredibly lucky to have Tanya on the team. She's a leader; she's a collaborator; she's a person of integrity; she's talented; she's knowledgeable," said Maricopa County Recorder Stephen Richer. "Tanya has hit the ground running and is already working to the great benefit of Maricopa County."

"As a lifelong resident of Maricopa County, it's an honor to serve this great

AMERICAN OVERSIGHT

community at such a pivotal time," said Maricopa County Chief Deputy Recorder Tanya Wheeless. "I'm grateful to Recorder Richer for the opportunity."

* * * * *

Lesko Tapped by Scalise for Whip Team

WASHINGTON, D.C.—Today, U.S. Congresswoman Debbie Lesko (AZ-08) announced her appointment to the House Republican Whip Team, a prestigious position within the conference. Lesko will serve as an Assistant Whip to Republican Whip Steve Scalise (R-LA-1).

"It is an honor to be selected by Whip Scalise to serve as an Assistant Whip for the 117th Congress," said Congresswoman Lesko. "I look forward to working with the Whip and the rest of the Whip Team to advance conservative priorities that benefit Arizonans and all Americans."

"I'm very excited to welcome Debbie to the Whip Team for the 117th Congress," said House Republican Whip Steve Scalise. "Debbie knows how to get legislation across the finish line. She brings an established track record of getting things done — both in her extensive state government experience and her freshman term in the U.S. House of Representatives. Debbie is a team player with strong conservative bonafides and will make an immediate impact on our whip efforts. I'm excited to continue our work together over the coming two years."

Assistant Whips are hand-picked by Republican leadership and are responsible for helping the Whip get an accurate read on where members stand on important pieces of legislation. They work with members of the Republican Party to answer any questions or address any concerns that members may have with upcoming bills.

* * * * *

Arizona Recognizes Black History Month

PHOENIX — Governor Doug Ducey proclaimed February 2021 to be Black History Month in Arizona to recognize the accomplishments and significant contributions of the African American community.

"Black History Month is an excellent opportunity to celebrate the many ways the African American community influences Arizona and the entire nation," said Governor Ducey.

AMERICAN OVERSIGHT

Black History Month was established in 1976 by President Gerald R. Ford and has since been recognized by every U.S. President. Governor Ducey has issued a total of six Black History Month proclamations.

View a PDF of the proclamation HERE.

***

WHEREAS, Black History Month is an annual opportunity to recognize the central role of African Americans in the history of our state and nation; and

WHEREAS, during Black History Month, we celebrate the many achievements and contributions of African Americans to our economic, cultural, spiritual, social, and political development; and

WHEREAS, the national commemoration of black history in the United States dates back to 1926, and was initially observed the second week in February to coincide with the birthdays of Abraham Lincoln and Frederick Douglass; and

WHEREAS, by the late 1960s, the week had evolved into Black History Month, thanks in part to the Civil Rights movement and a growing awareness of the experiences of African Americans in our country; and

WHEREAS, Dr. Martin Luther King, Jr. famously said, "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character"; and

WHEREAS, Black History Month was officially established in 1976 by President Gerald R. Ford, who called on the public to, "seize the opportunity to honor the too-often neglected accomplishments of black Americans in every area of endeavor throughout our history," and has since been recognized by every U.S. President; and

WHEREAS, the State of Arizona honors the significant contributions and advances made by African Americans in our state, across our nation, and throughout the world, in such areas as education, medicine, art, culture, public service, economic development, politics, and human rights; and

WHEREAS, we see the greatness of America in those who have risen above injustice and enriched our society.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do

AMERICAN OVERSIGHT

hereby proclaim February 2021 as

BLACK HISTORY MONTH

and urge all Arizonans to join in celebrating the contributions of African Americans to our state and nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

GOVERNOR

DONE at the Capitol in Phoenix on this twenty-ninth day of January in the year Two Thousand and Twenty-One and of the Independence of the United States of America the Two Hundred and Forty-Fifth.

ATTEST:

SECRETARY OF STATE

* * * * *

Anti-Racism Project Uses Virtual Reality to Let People 'Walk in Someone Else's Shoes'

TUCSON, Ariz. — A University of Arizona researcher is embarking on a new project that uses virtual and augmented reality to re-create common experiences of racism and discrimination.

While the old idiom "to walk a mile in someone else's shoes" is a familiar reminder to empathize with others, it can be little more than an imaginative exercise. Using advanced immersive technology to place a person in a scenario can create a much more realistic experience, says Bryan Carter, director of the UArizona Center for Digital Humanities.

With $50,000 in Challenge Grant funding from the Office of Research, Innovation and Impact, Carter will lead a pilot project titled Anti-Racism Extended Reality Studio, or UA-ARXRS, to test the capacity of immersive and interactive "extended reality" tools, including volumetric video capture, virtual reality and digital narrative.

"Knowing the power of immersive education and knowing that the national

AMERICAN OVERSIGHT

conversation is about racism and inequality now, we're looking at leveraging this new technology to help with that dilemma," said Carter, an associate professor of Africana studies. "By creating these scenarios, we're hoping to engage people differently and help people step into the shoes of others by being an actual first-person observer. You're within a space and observing things that are happening around you and to you."

Designing scenarios to deliver extended-reality experiences "can alter perspectives and make possible more honest, concrete and productive discussions about racism than similar discussions initiated without the assistance of immersive technology," Carter said. "The invisibility of systemic racism can be uncloaked," he added.

The pilot project will center on creating two scenarios. The first will be a fully immersive experience, created with a high-resolution 360-degree camera. Wearing a headset, the participant will be placed as a first-person observer in an immersive video setting, such as a department meeting or classroom, with actors carrying out scripted interactions that convey common experiences of racism, such as snide comments and hostility.

"Those are the kinds of microaggressions that typically go unaddressed. They're difficult to track, and we want to take people into the world of someone who experiences things like that so they can differently understand what that experience is like," Carter said.

The second scenario will be an augmented experience, designed to be viewed through a mobile device or tablet. Geolocation software will allow the environment to play into the experience. For example, participants will be able to scan their physical area and, through augmented reality, view and interact with a police officer, to re-create a common interaction. Different responses will guide different interactions, and the first-person perspective will show what it's like to be treated unfairly, Carter said.

"We take it out of the realm of the cartoonish, so to speak," Carter said. "We're talking about real-life actors playing these roles, as opposed to avatars. We're hoping the visceral reaction people will have to something more realistic will have more of an impact."

The project combines elements of culture, art, community engagement, accessibility and research on immersive technology as a medium for personal transformation, Carter said. His collaborators on the project include Joseph Farbrook, associate professor of art; Cynthia Stokes, assistant professor of music; Sonja Lanehart, professor of linguistics; and Ash Black, director of the Eller College of Management's Tech Core

AMERICAN OVERSIGHT

team of student developers.

The researchers will be in development phase over the spring semester. They plan to conduct usability testing in the summer and launch a pilot to various groups next fall. The goal, Carter said, is to integrate the simulated experiences into orientations or diversity training on campus, for groups such as incoming faculty, resident assistants and new employees. It's designed to be one element of trainings, to be used alongside readings and discussions.

"We don't just want this to be someone putting on a headset and then going away when it's over. It's meant to be combined with other activities," Carter said. "The plan is after we've piloted this, we'll be able to invite community groups, students and faculty who have an idea or scenario, or a group they'd like to go through this, and we'll be able to assist them with the development of that idea."

Carter compared the project to the 1,000 Cut Journey project created by Courtney D. Cogburn of Columbia University. That project uses virtual reality to create an experience "through which a participant can viscerally embody an avatar who encounters various forms of racism." The various scenarios follow students through developmental years, showing how ongoing experiences of discrimination build on one another.

"We're taking that idea to the next level – to make this something that's realistic for adults and college students to help people understand how that sort of racism can be internalized," Carter said. "Now that we know this is a problem, how can we have others understanding that from their own perspective?"

Congressman Biggs Leads Delegation to the Southern Border

* * * * *

Congressman Biggs Leads Delegation to the Southern Border

WASHINGTON, D.C. – Last week, Congressman Andy Biggs, the co-chair of the Border Security Caucus, led a tour of the United States-Mexico border in southern Arizona with eight Members of Congress. U.S. Representatives Lauren Boebert, Warren Davidson, Bob Gibbs, Andrew Clyde, Matt Rosendale, Bob Good, Glenn Grothman, and Barry Moore joined Congressman Biggs on this trip to Sasabe, Nogales, and Sierra Vista. The congressional delegation met with Border Patrol agents, members of local law enforcement, customs officials, and a mother of a former City of

AMERICAN OVERSIGHT

Mesa police officer, who was killed by an illegal alien.

Congressman Biggs has led several congressional delegations to the southern border since taking office in January 2017, hosting 34 Members of Congress from 21 states.

Congressman Biggs and members of the recently completed delegation released the following statements:

"I am grateful for my eight colleagues, who took time to visit the U.S. border in Arizona. Thanks to the Trump administration, the United States made tremendous progress to secure the border. We have built the border wall along hundreds of miles of rugged terrain, including many miles where experts previously thought such a feat was impossible. We have constructed roads along many stretches of the wall, and increased our technology capabilities to help Border Patrol and members of local law enforcement safely and effectively do their jobs. The Trump administration also instituted key policies, working in conjunction with Mexico and Latin American nations, to discourage illegal immigration into the United States.

"The Trump administration's efforts to secure our border were working, but the new Biden administration is threatening to undo all progress that has been made over the last four years. They stopped construction on the border wall – even in dangerous drug smuggling corridors that were in the process of being sealed. And they are currently reversing the policies that have discouraged illegal immigration into our country. If the Biden administration persists with its open-borders policies, the United States will be overrun with an historic surge of illegal aliens, who are chasing amnesty and sanctuary from the rule of law. I hope this administration will stop pandering to the radical left when it comes to securing our border and enforcing our laws. Border security is national security, and I promise to keep fighting for border security in the U.S. House of Representatives." – Congressman Andy Biggs (AZ-05)

"I have always been a proponent of stronger borders and more rigorous enforcement of our immigration laws but seeing the problem and its effects up close was illuminating. A weak border and lax enforcement of our laws is not just a law enforcement problem, it is a humanitarian crisis. It was humbling to hear the stories from Americans who have been directly injured by a porous border, yet still have the compassion to help those with injury or illness crossing illegally. The empirical and anecdotal evidence makes it clear a physical barrier on the border combined with a variety of deterrent and enforcement measures can work. Continuing construction of the border wall is a no-brainer that helps Border Patrol, which is stretched thin. I thank Congressman Biggs for organizing this trip and I hope all of my colleagues, Democrat and Republican, take

AMERICAN OVERSIGHT

the time to understand this crisis firsthand." – Congressman Bob Gibbs (OH-07)

"Chairman Biggs and his entire team deserve thanks for getting boots on the ground so members of Congress can see these issues firsthand and the urgency of securing our southern border. Under President Trump's leadership, illegal immigration was the lowest it had been in 17 years. The Trump administration achieved this success because they understood the actual problems and addressed them. So far under President Biden, the only actions he has taken regarding immigration involve amnesty and implementing a ban on using the term 'illegal alien.' It's almost laughable, but what won't be a laughing matter is the increase of illegal drugs, violence and human trafficking that will result from Biden's amnesty policies and his unwillingness to secure the border." – Congresswoman Lauren Boebert (CO-03)

"No country can continue to exist if it allows unlimited illegal immigration. This is particularly true of wealthy countries with generous welfare systems. While I disagree with President Biden on many issues, his most dangerous ideas are those that undo the progress we've made to make the Southern border safer for both Americans and immigrants. I have yet to meet a border patrol agent, ICE agent or member of local law enforcement working on the Southern border who doesn't feel a wall is of paramount importance." – Congressman Glenn Grothman (WI-06)

"Border security is national security, and thanks to the Trump Administration, we have made great strides in securing our southern border. However, my trip was a stark reminder that there is much work left to be done. To keep Americans safe, President Biden must stop pandering to radical open-border advocates who encourage lawlessness and would have us left vulnerable to the insidious work of drug smugglers and cartels. I am incredibly grateful to the Border Patrol agents on the front lines who keep Americans safe. They will bear the brunt of President Biden's open border policies while remaining steadfast in their mission to protect the American people." – Congressman Barry Moore (AL-02)

"President Biden's radical decision to reverse the successful polices that secured our border, removed dangerous criminal aliens, and stopped deadly drugs from pouring into our communities is extremely dangerous for the future of our nation. Open-border policies are the breeding ground for crime. I strongly object to the radical left's agenda to put the needs of Americans last. It is my hope that the president will work with Congress, and put the needs of those he leads first." – Congressman Bob Good (VA-02)

"Last week I visited the Southern border with other members of Congress to see how

AMERICAN OVERSIGHT

the Biden Administration is already impacting our national security. We are already seeing how these policies are making the job harder for our frontline workers like the Border Patrol and how quickly we are seeing the progress of the last 4 years rolled back. I want to thank Representative Biggs for helping organize—our solutions will be better with the firsthand knowledge that we've gained on this trip." – Congressman Matt Rosendale (MT-AL)

"As I saw firsthand, the men and women of Customs and Border Patrol need support from Washington to protect Americans from cartels. There is no border between Arizona and Ohio that's going to stop dangerous drugs. We have to fight this battle at the border with proper infrastructure." – Congressman Warren Davidson (OH-08)

"The best way I can summarize what I learned from the Arizona border trip is that WALLS WORK! Period! The border wall system expands our Border Patrol's ability to cover more ground, gives our Customs officers the ability to prevent more dangerous drugs from entering the country, and protects citizens from cartel members and other dangerous criminals. I am deeply disappointed that President Biden chose to halt all border wall construction, leaving everyone from regular citizens to federal agents questioning what might happen next. We cannot return to the status quo where uncontrolled illegal immigration, drug smuggling, human trafficking, and rampant crime are allowed to pour over our porous border. Without a secure border, we do not have a secure nation." – Congressman Andrew Clyde (GA-09)

NEWS CLIPS

Arizona Gov. Doug Ducey Sees a 'Fever' in the State GOP. Others See the Future.

By Eliza Collins Wall Street Journal
02-01-21

PHOENIX—Arizona voted for Joe Biden for president and has sent two Democratic senators to Washington since 2018. To Republicans here, Gov. Doug Ducey is either the GOP's problem or the solution to regaining that lost ground.

Mr. Ducey enjoyed widespread Republican support, including from former President Donald Trump, for much of his five years in office. But simmering tensions in the party over Mr. Ducey's handling of the coronavirus pandemic, his certification of President Biden's win in the state and his attendance at the president's inauguration reached a boiling point last weekend. (To read more, click here).

AMERICAN OVERSIGHT

* * * * *

Arizona Republican Party chair rejects election audit call

By Staff The Associated Press 02-01-21

Arizona Republican Party Chairwoman Kelli Ward, who faces questions about her reelection, said the party lacks the structure to perform an audit of the election results, but said she welcomed input to improve future elections.

Ward said in a radio interview with KFYI that there were "no complaints from anyone, from any state committeeman" or those carrying proxy votes about the election last Saturday. (To read more, click here).

* * * * *

Arizona police union wants anti-cop videos removed from Google

By Lyda Longa Herald Review 02-01-21

The Arizona Fraternal Order of Police wants Google to stop providing a platform for individuals who record law enforcement and then post videos on YouTube badmouthing the cops. At least one local lawman agrees social media holds sway over some people against the police.

In a press release sent earlier this week, the AZFOP asks the public to sign a petition that calls on "video giant YouTube — owned by Google — to immediately de-platform the accounts of multiple so-called 'police auditors.' These video camera vigilantes regularly interfere in 911 emergency scenes on the streets of Tucson and around the country, harassing, threatening, and abusing police officers to create a video spectacle. The auditors then use YouTube channels like "Pigs Under Pressure" to post and livestream their profane rants, monetizing the videos through YouTube clicks and advertising." (To read more, click here).

* * * * *

Arizona governor says state GOP's censuring him is 'of very little consequence'

By Myah Ward Politico

AMERICAN OVERSIGHT

Arizona Gov. Doug Ducey on Sunday brushed off the state Republican Party's censure of him as an "action of very little consequence."

"The party in Arizona has had a long history of discontent. This is just the latest example," the Republican governor said on CNN's "State of the Union." (To read more, click here).

* * * * *

Fed up with the Arizona Republican Party? Then let's talk about a top-two primary

By Robert Robb Arizona Republic 02-01-21

The best argument for a top-two primary system isn't to punish the Arizona Republican Party for its disarray and anti-democratic actions.

But, in politics, context and timing are important. And the descension of the Republican Party in Arizona makes the 2022 ballot a ripe occasion to ask Arizona voters to reconsider the question. (To read more, click here).

* * * * *

Maricopa County's election audit isn't about 2020. It's about the future

By Jack Sellers, Stephen Richer Arizona Republic 02-01-21

The Board of Supervisors just voted to hire two qualified, independent firms to audit Maricopa County election tabulation hardware and software. As the chairman of the board and the county recorder, we want to explain why we support this effort.

This audit isn't meant to address every conspiracy theory that has surfaced since Nov. 3. We're not playing whack-a-mole with taxpayer dollars. (To read more, click here).

* * * * *

Mexican consular IDs are secure and make us safer. It's time Arizona recognized them

AMERICAN OVERSIGHT

By Jorge Mendoza Yescas Arizona Republic 02-01-21

In 2018, two-way trade between Mexico and Arizona exceeded $16 billion. Visitors from Mexico contributed more than $7 million every day shopping in Arizona stores, eating at local restaurants and staying in hotels.

Mexican nationals have always found Arizona to be a place of boundless opportunities, and Arizona in turn has been enriched by their innovative contributions. (To read more, click here).

* * * * *

Mail-in voting isn't broken in Arizona. Lawmakers should stop trying to 'fix' it

By Grant Woods Arizona Republic 02-01-21

On Jan. 6, I stared at my television horrified as thousands of people stormed the U.S. Capitol in Washington, D.C., resulting in the deaths of five people, including the murder of a Capitol Police officer. The insurrectionists were motivated based on lies about a stolen election. But the election wasn't stolen, and on Jan. 20 we witnessed the peaceful transition of power.

That transition was possible because there was no widespread fraud, and our electoral system worked to ensure that the "will of the people was heard." (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Monday, February 1, 2021 4:39:23 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-1-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *February 1, 2021*

SEEMS LEGIT, WENDY
In a two-page response to the complaint filed by her former legislative assistant, Rogers argued that the allegations against her aren't true, and that they wouldn't violate the Senate's ethics rules even if they were.

BETTER IDEA: A 1487 FOR THE LEGISLATURE
The Corporation Commission may be the next branch of government that legislators can force the Attorney General to investigate.

THE TRUMP TEAM WILL LEAD US INTO THE POST-TRUMP FUTURE
Ducey continued his recent national media blitz over the weekend, going on CNN's "State of the Union" with Dana Bash and offering an interview to the Wall Street Journal.

THOSE DEM PRESIDENTS ARE ALWAYS STEALING AZ TALENT
Teller resigned from the Legislature effective Sunday to take a job as assistant

AMERICAN OVERSIGHT

secretary for tribal affairs for the US Department of Transportation in the Biden administration.

WE JUST LOVE REMINISCING ON THIS ONE

The last time there was a vacancy in LD7, the Apache County Board of Supervisors filled it with Carlyle Begay, a Democrat who Democrats said was really a secret Republican and who later became a Republican.

AFTER PROP 208, THE CHAMBER COULDN'T AFFORD HIM

Glenn Hamer is leaving the Arizona Chamber of Commerce and Industry after 14 years to lead the Texas Assn of Business.

REST IN PEACE

Bowers announced Monday that his daughter, Kacey Rae Bowers, died Thursday after a lengthy illness.

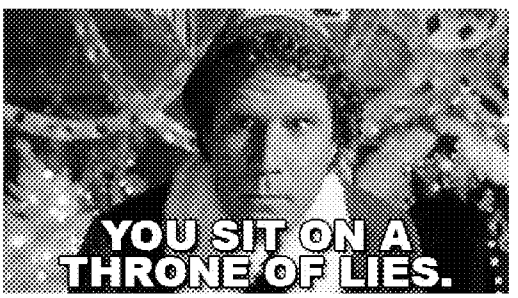
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, February 01, 2021

·NEWS NOTES AND GOSSIP·

SEEMS LEGIT, WENDY



In a two-page response to the complaint filed by her former legislative assistant, Rogers argued that the allegations against her aren't true, and that they wouldn't violate the Senate's ethics rules even if they were. Rogers' former assistant, Michael Polloni, alleged that she harassed him to work while he was out sick with Covid, berated him for his weight, asked him to work for her campaign on the state's time, screamed at him until her spittle hit him in the face and nearly broke his hand while slamming a door – all over the course of a single month working for the Legislature. Polloni was forced to resign on Jan 14. Rogers dismissed the complaint as "a complete fabrication by an outgoing, brand new employee who worked only one official day for the state of Arizona after the swearing in of senators." She cited a procedural issue with his complaint – that Polloni didn't name the law or Senate ethics rule she violated – as proof that the complaint should be dismissed. Senate ethics rules only prohibit violating state or federal law or "any improper conduct that adversely reflects upon the Senate," Rogers wrote, and she argues that the allegations against her don't rise to that level. (It is a violation of state law to campaign on state time, and federal and state law and Senate policies all prohibit workplace harassment.) Rogers further argued that the committee should dismiss the complaint because she doesn't believe it is true. "I believe the allegation by the Complainant alleging I created a hostile work environment is not true; therefore, the alleged, untrue allegations do not constitute improper conduct that adversely reflects upon the Senate. This alleged personnel matter is not a matter of Senate ethics," she concluded. A copy of her response is in our "documents" section (LINK).

BETTER IDEA: A 1487 FOR THE LEGISLATURE

The Corporation Commission may be the next branch of government that legislators can force the Attorney General to investigate. Parker, the new LD16 representative who formerly worked as Commissioner Justin Olson's assistant, introduced a bill that is identical to a 1487 complaint, but tailored to Corp Comm. Her H2737 (corporation commission actions; investigation) would allow any legislator to force the AG's Office to investigate Corp Comm for a decision the lawmaker thinks breaks state law or overreaches the commission's authority. It would also withhold 10 percent of its budget, if the AG found a violation and Corp Comm refused to make a change. Corp Comm voted to take a neutral stance on the measure, Commissioner Anna Tovar told our reporter today after commissioners met to discuss the legislation. Tovar said she and Sandra Kennedy are opposed, Olson and Jim O'Connor support the bill and Lea Marquez Peterson had some issues with language, including that it would only give the AG's Office 30 days to complete a full investigation and give Corp Comm a chance to fix any violations. "I think [the sponsors] are getting a directive from the governor," Tovar said. "I mean, when [Ducey] openly states what he wishes to happen at a chamber luncheon, I think it's clear where he is giving his orders in regards to what he wants to see happen at the Arizona Corporation Commission." At the luncheon, Ducey said the commission should stick to setting rates and let the Legislature set energy policy (LINK). Tovar also pointed to Olson as the possible source for the bill, noting that Parker worked for him before being elected. "At some point, you got to think someone is spoon-feeding her language to put into a bill," Tovar said. She called the governor and Republican commissioners "sore losers" and said she thinks Ducey is in favor of stripping away some of Corp Comm's power now that she flipped one seat and a Democratic agenda is closer to a reality.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001412

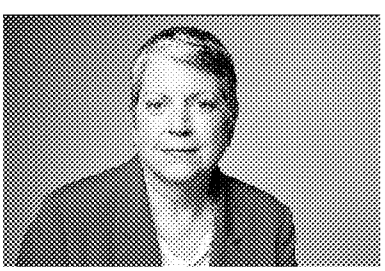
ARZN_REV00068669_2-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE TRUMP TEAM WILL LEAD US INTO THE POST-TRUMP FUTURE

Ducey continued his recent national media blitz over the weekend, going on *CNN*'s "State of the Union" with Dana Bash and offering an interview to the *Wall Street Journal.* While none of the news was truly newsy to *Yellow Sheet* readers (he mostly repeated the same talking points he's said for weeks), the fact that he's doing so much national media lately might be his way of reminding a wider audience that the Republican Party shouldn't be construed as Kelli Ward and her ilk. Chuck Coughlin, the president of HighGround, told our reporter Ducey is in a position to shape his own narrative now that Trump is no longer leading the Republican Party and that he and former VP Mike Pence are the ones who will try to reshape the Party for future elections. (It has long been rumored Pence and Ducey could be a potential presidential ticket in 2024, especially with Ducey denying he is going to run for US Senate, despite his specific choice of words leaving it open for interpretation (YS, 1/25).) Coughlin said he sees Ducey's newfound fondness of the national media as a way for Ducey to "elevate" himself on this national stage as chair of the Republican Governors Assn and that Ducey is likely trying to drown out the noise from Ward and other Trump loyalists. "I think the perception is that it elevates him above the fray of a Kelli Ward conversation. It makes her hill steeper because we know that the Ward constituency represents 30 percent of Republicans in general, and he's speaking to a broader audience," Coughlin said, adding that his advice is to never pick a fight with someone who is "smaller" than you, politically speaking.

THOSE DEM PRESIDENTS ARE ALWAYS STEALING AZ TALENT



Teller resigned from the Legislature effective Sunday to take a job as assistant secretary for tribal affairs for the US Department of Transportation in the Biden administration. "I am honored and humbled to have been selected by President Biden to work for his administration," Teller wrote in the resignation letter he sent to Bowers. "I look forward to continuing my public service in this new role and am grateful for your sincere support and guidance during my time at the House." Teller worked in management for the Navajo Nation Division of Transportation before he first ran for the House in 2018, rising to the rank of deputy division director. His replacement will be quick – the Secretary of State must notify the Apache County Board of Supervisors of the vacancy immediately, then they have seven days to appoint a citizen panel to vet applicants, and they must submit to the board a list of three qualified applicants within five days. Those applicants must be Democrats from the LD7 portion of the county. After that, the law is silent on how quickly the board of supervisors must make the appointment. Teller briefly spoke on the House floor Monday to say goodbye to his former colleagues. "It has been nothing but a pleasure, a sincere pleasure working with all of you," he said. "Despite our disagreements, despite our party affiliations, at the end of the day we have worked for our communities we represent." Teller said he will be working remotely out of Arizona for the time being, either out of his home in Chinle or in Phoenix, but expects to move to DC in April or May. He said his job will be to voice tribal transportation needs at DOT, giving as an example the many tribal school bus routes that operate on dirt roads and affect children's education. "This administration has elevated tribal concerns in an unprecedented time, so I am going to be serving a wonderful administration with a fantastic Department of Transportation secretary, Mr. Pete Buttigieg," Teller said.

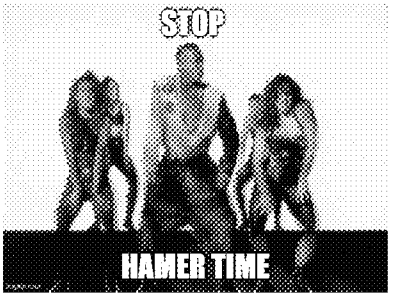
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001413
ARZN_REV00068669_2-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE JUST LOVE REMINISCING ON THIS ONE

The last time there was a vacancy in LD7, the Apache County Board of Supervisors filled it with Carlyle Begay, a Democrat who Democrats said was really a secret Republican and who later became a Republican. Jack Jackson Jr resigned from the Senate back in 2013 after accepting an appointment in the Obama administration as a senior advisor for Native American affairs within the US State Department. Begay was among the three names that a citizen board – rather than the Democratic PCs – chose to send to the board of supervisors. (If a district doesn't have at least 30 PCs, as is still the case in LD7, then PCs are cut out of the process, and a citizen board is created to vet possible appointees and send names to the county board.) Former lawmaker Albert Hale filed a lawsuit alleging Begay wasn't eligible to fill the appointment because he had spent the last seven years in Gilbert, not in the district (YS, 7/31/13), but was ultimately unsuccessful. After being the lone Democratic vote for the 2015 budget, which made massive cuts to public education and government services in general, Begay switched parties. He announced his new party flanked by John McCain, Jeff Flake and other then-prominent Republicans – the AZGOP even created a slick video of him explaining the switch, including an epic slow-motion shot of Begay riding a white horse through the snow (YS, 11/23/15). But his status as a shining star in the Republican Party was short-lived. Begay ran unsuccessfully for CD1 and later claimed to have scored a job with the Trump administration, which turned out to be not true (YS, 3/1/17).

AFTER PROP 208, THE CHAMBER COULDN'T AFFORD HIM



Glenn Hamer is leaving the Arizona Chamber of Commerce and Industry after 14 years to lead the Texas Assn of Business. "We have been so fortunate to have had Glenn at the helm of the Chamber for the last 14 years. The Arizona business community could not have asked for a more talented, dedicated advocate," Arizona Chamber chair Dawn Grove said in a press release (LINK). Hamer is one of Ducey's closest allies and cheerleaders and a top power broker in Arizona politics who has built up the chamber's reputation and contributed to the campaigns of Republicans across the board and business-friendly Democrats. Hamer will stay with the Chamber until Feb 18 when the chamber will announce an interim replacement.

REST IN PEACE

Bowers announced Monday that his daughter, Kacey Rae Bowers, died Thursday after a lengthy illness. "She is a marvelous and talented woman, a strong defender and vibrant advocate for her son, Lorenzo, 20, for her family and faith, and for the wonderful people she worked with in her counseling service work," Bowers wrote in a Facebook post. "How she loves you all, constantly speaking of growth and hope and successes her clients made. Please don't give up." Services will be held at 10 am on Saturday, Feb 13 at the Salt River Stake Center of the Church of Jesus Christ of Latter-day Saints in Mesa. Family and friends are invited to a viewing reception that morning, and Bowers said he would announce details of an online ceremony in the near future.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001414
ARZN_REV00068669_2-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Voter Protection Act blocking bipartisan bill
Arizona Capitol Times
Rep. Leo Biasiucci was waiting his turn to fight a parking ticket in court when the idea came to him.

Senate to do its own audit of election equipment
Capitol Media Services
Unhappy with what Maricopa County has proposed, state senators are going ahead with their own audit of the general election, a move that could lead to a new court fight and even potentially a contempt vote.

Arizona Republican Party chair rejects election audit call
Associated Press
Arizona Republican Party Chairwoman Kelli Ward, who faces questions about her reelection, said the party lacks the structure to perform an audit of the election results, but said she welcomed input to improve future elections.

Arizona police union wants anti-cop videos removed from Google
Herald-Review
The Arizona Fraternal Order of Police wants Google to stop providing a platform for individuals who record law enforcement and then post videos on YouTube badmouthing the cops.

The FBI Has Now Connected Local Troll Baked Alaska To a 2016 Election Fraud Scheme
Phoenix New Times
It turns out that joining the January 6 riot at the U.S. Capitol wasn't the first time that Baked Alaska tried to disrupt the democratic process.

Repairman Said He'd Beat Black Veteran in Avondale 'Like a F*ing Slave'**
Phoenix New Times
Ricky Barnes, a Black Avondale resident and U.S. Air Force veteran, was hoping to get the refrigerator in his garage fixed on the afternoon of January 20.

Maricopa County Attorney: No Charges for Phoenix Cop Who Killed Ryan Whitaker
Phoenix New Times
Maricopa County Attorney Allister Adel won't file charges in the fatal shooting of Ryan Whitaker, a 40-year-old man who was shot by a Phoenix police officer last summer.

AG Brnovich wants to cancel Biden's 100-day pause on deportations
Arizona Mirror
Hours after a federal judge in Texas wrote that agreement between the Department of Homeland Security and the attorney general there raises constitutional issues, Arizona Attorney General Mark Brnovich asked DHS to comply with a nearly identical agreement with his office related to immigration enforcement.

Some low-level offenders wouldn't have to register as a sex offender for life under new plan
Arizona Mirror
House Speaker Rusty Bowers is taking another shot at passing legislation making it easier for some people to get their names off the state's sex offender registry.

Arizona governor says state GOP's censuring him is 'of very little consequence'
Politico
"I think that the state party chairman should focus on winning races," Gov. Doug Ducey said.

Arizona Gov. Doug Ducey Sees a 'Fever' in the State GOP. Others See the Future
Wall Street Journal
After the state went for Democrats in top races, the GOP debates whether the governor is the problem or the solution to regaining lost ground.

Denying Washington, D.C., statehood is partisan, prejudicial and worse ... un-American
Arizona Republic (Opinion, EJ Montini)
If you go by the numbers it's a no-brainer. But then there's partisan politics. And prejudice.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Reps. Paul Gosar & Andy Biggs can't shake their links to extremists. That is a good thing
Arizona Republic (Opinion, EJ Montini)
They shouldn't be allowed to. It's a hole they dug for themselves.

Fed up with the Arizona Republican Party? Then let's talk about a top-two primary
Arizona Republic (Opinion, Robert Robb)
Punishing the Arizona Republican Party isn't the best argument for a top-two primary system. But the party's descent does make passage more likely.

What new data tell us about COVID-19 outbreaks in Maricopa County schools
Arizona Republic (Opinion, Joanna Allhands)
New data reveal important insights on the COVID-19 outbreaks in Maricopa County schools – and what we should do about them.

Joe Biden has one job: Ignore the extremes to fix the mess that Trump left us
Arizona Republic (Opinion, Greg Moore)
Joe Biden was elected to clean up Donald Trump's mess, first and foremost on COVID-19. He's doing that so far by sticking to his base.

Maricopa County's election audit isn't about 2020. It's about the future
Arizona Republic (Op-ed, Jack Sellers and Stephen Richer)
Hiring independent auditors to audit Maricopa County's election hardware and software is a small price to pay to ensure voter confidence.

Mexican consular IDs are secure and make us safer. It's time Arizona recognized them
Arizona Republic (Op-ed, Jorge Mendoza Yescas)
A Consular ID program would not only improve public safety in our state, but it also would strengthen ties between Arizona and Mexico.

Mail-in voting isn't broken in Arizona. Lawmakers should stop trying to 'fix' it
Arizona Republic (Op-ed, Grant Woods)
Bills ranging from the comically absurd to the patently prejudicial are an effort to chip away at Arizona voters' basic rights

·PRESS RELEASES·

Second state-run COVID-19 vaccination site launches at Phoenix Municipal Stadium

Patterned on State Farm Stadium site, operation is ready to scale up with vaccine supply

PHOENIX – The Arizona Department of Health Services (ADHS) and partners today launched a second COVID-19 vaccination site at Arizona State University's (ASU) Phoenix Municipal Stadium, building on a state model that has vaccinated more than 100,000 people since Jan. 11 at State Farm Stadium.

"We have drastically ramped up COVID-19 vaccination throughout the state thanks to our state-run site at State Farm Stadium, and we'll accelerate that momentum at our new Phoenix Municipal Stadium Site," said Governor Doug Ducey. "Arizonans want this life-saving vaccine and we have capacity to get it to them, but we need more doses from our federal partners. We will open up more sites across Arizona once we get more supply. My sincere thanks to ASU, Arizona Complete Care, the Arizona Diamondbacks, Walmart, and all partners who have been instrumental in expanding vaccinations at this site."

Unlike the 24/7 State Farm Stadium site, which vaccinates thousands a day, the Phoenix Municipal Stadium site will start out by offering 500 appointments a day seven days a week between the hours of 7 a.m. and 5 p.m. When additional vaccine doses are available from the federal government, the site can be quickly scaled up to the same capacity as the other state-run site.

"Opening this second state vaccination site is a story of partnership and potential," said ADHS Director Dr. Cara Christ. "Working closely with the Arizona Department of Emergency Management, we have established a model

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001416

ARZN_REV00068669_2-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

that's drawn attention from other states, the Federal Emergency Management Agency, and other federal partners. If Arizona is allocated additional vaccine in the future, we can rapidly expand this site, add appointments, and open even more sites around the state."

The Phoenix Municipal Stadium site, launched in partnership with ASU, Arizona Complete Care, the Arizona Diamondbacks, Walmart, and others, began serving those with appointments at noon today. The patients include healthcare workers, first responders, teachers, law enforcement officers, Arizonans over age 65, and others at the top of the priority list for vaccine distribution.

Volunteers with Arizona Complete Health and the Arizona Diamondbacks will be critical to operating the site.

"At Arizona Complete Health, our mission is transforming the health of the community, one person at a time," said Martha Smith, President and CEO of Arizona Complete Health. "We are humbled to be part of this public-private partnership at Phoenix Municipal vaccine distribution site, a model of our aligned mission. Striving toward improving our community's health means rolling up our sleeves, not just to get the vaccination when it is our turn, but also to be of service. For the next few months, our employees are honored to help check people in, collect paperwork, and direct traffic. These seemingly trivial functions will have a lasting impact in helping Arizona turn the corner on this pandemic and we are thrilled to do our part."

ADHS has contracted with Walmart to provide pharmacy support and ASU to provide operational support and additional staffing, supplies, and resources.

"ASU takes fundamental responsibility for the communities we serve, so when the state called and requested assistance in running its vaccination sites, we were quick to jump into action," said ASU President Michael M. Crow. "Our experience managing more than 100 COVID-19 testing sites across the state allowed us to quickly operationalize the State Farm vaccine site. In partnership with the Arizona Department of Health Services, we're now pleased to launch the Phoenix Municipal Stadium vaccine site and will support this effort through site staffing, traffic control, and clinicians to quickly deploy the COVID vaccines to more Arizonans. I would like to personally thank all of the staff and volunteers who are working 24/7 to help Arizona defend against COVID-19."

All appointments at the Phoenix Municipal Stadium and State Farm Stadium sites have been booked through February, though ADHS plans to make more appointments available as additional vaccine becomes available.

Registration is available for the vaccination sites at State Farm Stadium and Phoenix Municipal Stadium and several other sites throughout the state at podvaccine.azdhs.gov. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group, such as someone 65 and older.

For more information on COVID-19 vaccination, please visit azhealth.gov/COVID19vaccine.

February 3rd is Virtual 'Environmental Day' at the AZ State Capitol

(PHOENIX, AZ) More than 300 people from throughout Arizona will be meeting online for a socially distant Environmental Day at the Capital to meet with their legislators about key environmental issues, including climate change, water, and funding for parks. This year's theme is **"One Planet. One Future. Climate Justice Now!"**

Participants will include members from more than 20 organizations and at least five Arizona high schools, with each attending scheduled meetings with their local representatives and senators in the Arizona Legislature. Youth leaders will hold a news conference at 11:30 A.M. to read their "love letters to the Earth" and speak about some of the priority bills and issues for the session, including sustainability, climate, and protecting watersheds.

WHO: Legislators, youth, and others from throughout Arizona who care about protecting our environment

WHEN: Wednesday, Feb. 3, 8:30 A.M. to 4:00 P.M. *News Conference at 11:30 A.M.

WHERE: Zoom (RSVP for Zoom link and password)

* Animal Defense League of Arizona * Arizona Chapter of Elders Climate Action * Arizona Faith Network Cherishing Creation Collaborative * Arizona Heritage Alliance * Arizona Interfaith Power and Light * Arizona Poor People's Campaign * Arizona Youth Climate Coalition * Care for Creation Ministry at the Franciscan Renewal Center * Chispa Arizona * Citizen's Climate Lobby * Citizens Water Advocacy Group * Coalition for Sonoran Desert Protection * Defend Our Future * Earth Justice Ministry at UUCP * Ecomadres * Flagstaff Arts and Leadership Academy Environmental Coalition * Great Old Broads for Wilderness * Humane Voters of AZ * Kids Climate Action Network * Phoenix Lobos-Rising Packtivist Group * Protect Our Water Arizona * Sierra Club – Grand Canyon (Arizona) Chapter * Sky Islands High School * Union of Concerned Scientists * Violence Impact Project Coalition * Western Watersheds Project * Yuma Audubon Society *

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASE: Tanya Wheeless Named Chief Deputy Recorder

February 1, 2021 (Phoenix) – Maricopa County Recorder Stephen Richer has named Tanya Wheeless as Chief Deputy Recorder.

Wheeless joins the Recorder's Office from the Office of U.S. Senator Martha McSally, where Wheeless served as Deputy Chief of Staff and Director of State Operations. Prior to her government work, Wheeless held multiple leadership roles in the private sector, including President and CEO of the Arizona Bankers Association and Senior Vice President of Communications and Public Affairs for the Phoenix Suns.

Wheeless earned her Bachelor of Science and Juris Doctorate from Arizona State University, and she has served on several civic boards including the Arizona Chamber of Commerce and Industry, the Greater Phoenix Chamber of Commerce, and Phoenix Suns Charities. The Phoenix Business Journal previously named Wheeless to its "40 Under 40" list.

"We are incredibly lucky to have Tanya on the team. She's a leader; she's a collaborator; she's a person of integrity; she's talented; she's knowledgeable," said Maricopa County Recorder Stephen Richer. "Tanya has hit the ground running and is already working to the great benefit of Maricopa County."

"As a lifelong resident of Maricopa County, it's an honor to serve this great community at such a pivotal time," said Maricopa County Chief Deputy Recorder Tanya Wheeless. "I'm grateful to Recorder Richer for the opportunity."

Lieberman Introduces 5-Bill Climate and Green Energy Package

PHOENIX – To kick off Environment Week at the State Capitol Representative Aaron Lieberman has introduced a five-bill package to help Arizona contend with climate change and create more green-energy jobs. Maricopa County had some of the worst air quality in the nation and 2021 began with record-breaking air pollution in the Valley. December was also Arizona's most intense period of drought in the past 20 years with nearly 77 percent of the state impacted. Lieberman said ignoring climate change can no longer be an option.

The most simple and direct bill that Lieberman introduced is a one-sentence measure, HB2496, "develop a plan to address the effects of climate change on this state."

"We have a responsibility and obligation to leave this beautiful state to our kids and grandkids in at least in as good a shape as we found it," said Lieberman, D-Paradise Valley. "The state of Arizona should have a plan to deal with climate change, what could be simpler? We need it, let's do it."

In addition to creating a state climate plan, Lieberman's bills include:

- HB2286 – encourages more water-efficient plumbing fixtures.
- HB2287 – a $1.5 million appropriation to the Department of Education to provide grants for electric school buses.
- HB2498 – Increases renewable energy capacity with $5 million to create grant program to spur research and development of improved battery storage.
- HB2528 – supports roof-top solar by allowing customers to distribute power they generate back to public power utilities.

Arizona Recognizes Black History Month

PHOENIX — Governor Doug Ducey proclaimed February 2021 to be Black History Month in Arizona to recognize the accomplishments and significant contributions of the African American community.

"Black History Month is an excellent opportunity to celebrate the many ways the African American community influences Arizona and the entire nation," said Governor Ducey.

Black History Month was established in 1976 by President Gerald R. Ford and has since been recognized by every U.S. President. Governor Ducey has issued a total of six Black History Month proclamations.

View a PDF of the proclamation HERE.

Congressman Biggs Leads Delegation to the Southern Border

WASHINGTON, D.C. – Last week, Congressman Andy Biggs, the co-chair of the Border Security Caucus, led a tour of the United States-Mexico border in southern Arizona with eight Members of Congress. U.S. Representatives Lauren Boebert, Warren Davidson, Bob Gibbs, Andrew Clyde, Matt Rosendale, Bob Good, Glenn Grothman, and

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Barry Moore joined Congressman Biggs on this trip to Sasabe, Nogales, and Sierra Vista. The congressional delegation met with Border Patrol agents, members of local law enforcement, customs officials, and a mother of a former City of Mesa police officer, who was killed by an illegal alien.
Congressman Biggs has led several congressional delegations to the southern border since taking office in January 2017, hosting 34 Members of Congress from 21 states.
Congressman Biggs and members of the recently completed delegation released the following statements:
"I am grateful for my eight colleagues, who took time to visit the U.S. border in Arizona. Thanks to the Trump administration, the United States made tremendous progress to secure the border. We have built the border wall along hundreds of miles of rugged terrain, including many miles where experts previously thought such a feat was impossible. We have constructed roads along many stretches of the wall, and increased our technology capabilities to help Border Patrol and members of local law enforcement safely and effectively do their jobs. The Trump administration also instituted key policies, working in conjunction with Mexico and Latin American nations, to discourage illegal immigration into the United States.
"The Trump administration's efforts to secure our border were working, but the new Biden administration is threatening to undo all progress that has been made over the last four years. They stopped construction on the border wall – even in dangerous drug smuggling corridors that were in the process of being sealed. And they are currently reversing the policies that have discouraged illegal immigration into our country. If the Biden administration persists with its open-borders policies, the United States will be overrun with an historic surge of illegal aliens, who are chasing amnesty and sanctuary from the rule of law. I hope this administration will stop pandering to the radical left when it comes to securing our border and enforcing our laws. Border security is national security, and I promise to keep fighting for border security in the U.S. House of Representatives." **– Congressman Andy Biggs (AZ-05)**

"QUOTE OF THE DAY"

"I believe the complaint against me is a complete fabrication by an outgoing, brand new employee who worked only one official day for the state of Arizona after the swearing in of senators."

- Rogers, in her response to the ethics complaint by her former campaign volunteer and assistant

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, February 1, 2021 4:39:26 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-1-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *February 1, 2021*

SEEMS LEGIT, WENDY
In a two-page response to the complaint filed by her former legislative assistant, Rogers argued that the allegations against her aren't true, and that they wouldn't violate the Senate's ethics rules even if they were.

BETTER IDEA: A 1487 FOR THE LEGISLATURE
The Corporation Commission may be the next branch of government that legislators can force the Attorney General to investigate.

THE TRUMP TEAM WILL LEAD US INTO THE POST-TRUMP FUTURE
Ducey continued his recent national media blitz over the weekend, going on CNN's "State of the Union" with Dana Bash and offering an interview to the Wall Street Journal.

AMERICAN OVERSIGHT

THOSE DEM PRESIDENTS ARE ALWAYS STEALING AZ TALENT
Teller resigned from the Legislature effective Sunday to take a job as assistant secretary for tribal affairs for the US Department of Transportation in the Biden administration.

WE JUST LOVE REMINISCING ON THIS ONE
The last time there was a vacancy in LD7, the Apache County Board of Supervisors filled it with Carlyle Begay, a Democrat who Democrats said was really a secret Republican and who later became a Republican.

AFTER PROP 208, THE CHAMBER COULDN'T AFFORD HIM
Glenn Hamer is leaving the Arizona Chamber of Commerce and Industry after 14 years to lead the Texas Assn of Business.

REST IN PEACE
Bowers announced Monday that his daughter, Kacey Rae Bowers, died Thursday after a lengthy illness.

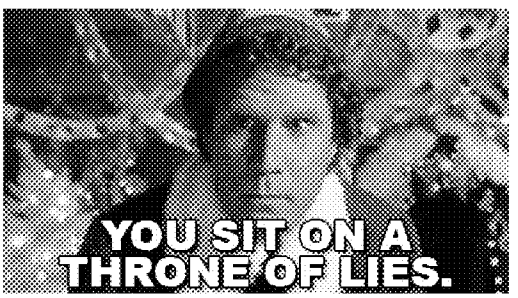
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, February 01, 2021

·NEWS NOTES AND GOSSIP·

SEEMS LEGIT, WENDY



In a two-page response to the complaint filed by her former legislative assistant, Rogers argued that the allegations against her aren't true, and that they wouldn't violate the Senate's ethics rules even if they were. Rogers' former assistant, Michael Polloni, alleged that she harassed him to work while he was out sick with Covid, berated him for his weight, asked him to work for her campaign on the state's time, screamed at him until her spittle hit him in the face and nearly broke his hand while slamming a door – all over the course of a single month working for the Legislature. Polloni was forced to resign on Jan 14. Rogers dismissed the complaint as "a complete fabrication by an outgoing, brand new employee who worked only one official day for the state of Arizona after the swearing in of senators." She cited a procedural issue with his complaint – that Polloni didn't name the law or Senate ethics rule she violated – as proof that the complaint should be dismissed. Senate ethics rules only prohibit violating state or federal law or "any improper conduct that adversely reflects upon the Senate," Rogers wrote, and she argues that the allegations against her don't rise to that level. (It is a violation of state law to campaign on state time, and federal and state law and Senate policies all prohibit workplace harassment.) Rogers further argued that the committee should dismiss the complaint because she doesn't believe it is true. "I believe the allegation by the Complainant alleging I created a hostile work environment is not true; therefore, the alleged, untrue allegations do not constitute improper conduct that adversely reflects upon the Senate. This alleged personnel matter is not a matter of Senate ethics," she concluded. A copy of her response is in our "documents" section (LINK).

BETTER IDEA: A 1487 FOR THE LEGISLATURE

The Corporation Commission may be the next branch of government that legislators can force the Attorney General to investigate. Parker, the new LD16 representative who formerly worked as Commissioner Justin Olson's assistant, introduced a bill that is identical to a 1487 complaint, but tailored to Corp Comm. Her H2737 (corporation commission actions; investigation) would allow any legislator to force the AG's Office to investigate Corp Comm for a decision the lawmaker thinks breaks state law or overreaches the commission's authority. It would also withhold 10 percent of its budget, if the AG found a violation and Corp Comm refused to make a change. Corp Comm voted to take a neutral stance on the measure, Commissioner Anna Tovar told our reporter today after commissioners met to discuss the legislation. Tovar said she and Sandra Kennedy are opposed, Olson and Jim O'Connor support the bill and Lea Marquez Peterson had some issues with language, including that it would only give the AG's Office 30 days to complete a full investigation and give Corp Comm a chance to fix any violations. "I think [the sponsors] are getting a directive from the governor," Tovar said. "I mean, when [Ducey] openly states what he wishes to happen at a chamber luncheon, I think it's clear where he is giving his orders in regards to what he wants to see happen at the Arizona Corporation Commission." At the luncheon, Ducey said the commission should stick to setting rates and let the Legislature set energy policy (LINK). Tovar also pointed to Olson as the possible source for the bill, noting that Parker worked for him before being elected. "At some point, you got to think someone is spoon-feeding her language to put into a bill," Tovar said. She called the governor and Republican commissioners "sore losers" and said she thinks Ducey is in favor of stripping away some of Corp Comm's power now that she flipped one seat and a Democratic agenda is closer to a reality.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001422

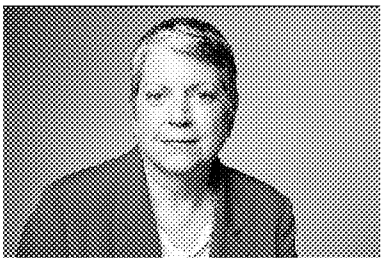
ARZN_REV00068671_2-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE TRUMP TEAM WILL LEAD US INTO THE POST-TRUMP FUTURE

Ducey continued his recent national media blitz over the weekend, going on *CNN*'s "State of the Union" with Dana Bash and offering an interview to the *Wall Street Journal.* While none of the news was truly newsy to *Yellow Sheet* readers (he mostly repeated the same talking points he's said for weeks), the fact that he's doing so much national media lately might be his way of reminding a wider audience that the Republican Party shouldn't be construed as Kelli Ward and her ilk. Chuck Coughlin, the president of HighGround, told our reporter Ducey is in a position to shape his own narrative now that Trump is no longer leading the Republican Party and that he and former VP Mike Pence are the ones who will try to reshape the Party for future elections. (It has long been rumored Pence and Ducey could be a potential presidential ticket in 2024, especially with Ducey denying he is going to run for US Senate, despite his specific choice of words leaving it open for interpretation (YS, 1/25).) Coughlin said he sees Ducey's newfound fondness of the national media as a way for Ducey to "elevate" himself on this national stage as chair of the Republican Governors Assn and that Ducey is likely trying to drown out the noise from Ward and other Trump loyalists. "I think the perception is that it elevates him above the fray of a Kelli Ward conversation. It makes her hill steeper because we know that the Ward constituency represents 30 percent of Republicans in general, and he's speaking to a broader audience," Coughlin said, adding that his advice is to never pick a fight with someone who is "smaller" than you, politically speaking.

THOSE DEM PRESIDENTS ARE ALWAYS STEALING AZ TALENT



Teller resigned from the Legislature effective Sunday to take a job as assistant secretary for tribal affairs for the US Department of Transportation in the Biden administration. "I am honored and humbled to have been selected by President Biden to work for his administration," Teller wrote in the resignation letter he sent to Bowers. "I look forward to continuing my public service in this new role and am grateful for your sincere support and guidance during my time at the House." Teller worked in management for the Navajo Nation Division of Transportation before he first ran for the House in 2018, rising to the rank of deputy division director. His replacement will be quick – the Secretary of State must notify the Apache County Board of Supervisors of the vacancy immediately, then they have seven days to appoint a citizen panel to vet applicants, and they must submit to the board a list of three qualified applicants within five days. Those applicants must be Democrats from the LD7 portion of the county. After that, the law is silent on how quickly the board of supervisors must make the appointment. Teller briefly spoke on the House floor Monday to say goodbye to his former colleagues. "It has been nothing but a pleasure, a sincere pleasure working with all of you," he said. "Despite our disagreements, despite our party affiliations, at the end of the day we have worked for our communities we represent." Teller said he will be working remotely out of Arizona for the time being, either out of his home in Chinle or in Phoenix, but expects to move to DC in April or May. He said his job will be to voice tribal transportation needs at DOT, giving as an example the many tribal school bus routes that operate on dirt roads and affect children's education. "This administration has elevated tribal concerns in an unprecedented time, so I am going to be serving a wonderful administration with a fantastic Department of Transportation secretary, Mr. Pete Buttigieg," Teller said.

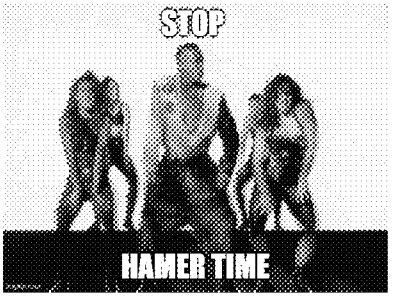
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001423
ARZN_REV00068671_2-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE JUST LOVE REMINISCING ON THIS ONE

The last time there was a vacancy in LD7, the Apache County Board of Supervisors filled it with Carlyle Begay, a Democrat who Democrats said was really a secret Republican and who later became a Republican. Jack Jackson Jr resigned from the Senate back in 2013 after accepting an appointment in the Obama administration as a senior advisor for Native American affairs within the US State Department. Begay was among the three names that a citizen board – rather than the Democratic PCs – chose to send to the board of supervisors. (If a district doesn't have at least 30 PCs, as is still the case in LD7, then PCs are cut out of the process, and a citizen board is created to vet possible appointees and send names to the county board.) Former lawmaker Albert Hale filed a lawsuit alleging Begay wasn't eligible to fill the appointment because he had spent the last seven years in Gilbert, not in the district (YS, 7/31/13), but was ultimately unsuccessful. After being the lone Democratic vote for the 2015 budget, which made massive cuts to public education and government services in general, Begay switched parties. He announced his new party flanked by John McCain, Jeff Flake and other then-prominent Republicans – the AZGOP even created a slick video of him explaining the switch, including an epic slow-motion shot of Begay riding a white horse through the snow (YS, 11/23/15). But his status as a shining star in the Republican Party was short-lived. Begay ran unsuccessfully for CD1 and later claimed to have scored a job with the Trump administration, which turned out to be not true (YS, 3/1/17).

AFTER PROP 208, THE CHAMBER COULDN'T AFFORD HIM



Glenn Hamer is leaving the Arizona Chamber of Commerce and Industry after 14 years to lead the Texas Assn of Business. "We have been so fortunate to have had Glenn at the helm of the Chamber for the last 14 years. The Arizona business community could not have asked for a more talented, dedicated advocate," Arizona Chamber chair Dawn Grove said in a press release (LINK). Hamer is one of Ducey's closest allies and cheerleaders and a top power broker in Arizona politics who has built up the chamber's reputation and contributed to the campaigns of Republicans across the board and business-friendly Democrats. Hamer will stay with the Chamber until Feb 18 when the chamber will announce an interim replacement.

REST IN PEACE

Bowers announced Monday that his daughter, Kacey Rae Bowers, died Thursday after a lengthy illness. "She is a marvelous and talented woman, a strong defender and vibrant advocate for her son, Lorenzo, 20, for her family and faith, and for the wonderful people she worked with in her counseling service work," Bowers wrote in a Facebook post. "How she loves you all, constantly speaking of growth and hope and successes her clients made. Please don't give up." Services will be held at 10 am on Saturday, Feb 13 at the Salt River Stake Center of the Church of Jesus Christ of Latter-day Saints in Mesa. Family and friends are invited to a viewing reception that morning, and Bowers said he would announce details of an online ceremony in the near future.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001424
ARZN_REV00068671_2-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Voter Protection Act blocking bipartisan bill
Arizona Capitol Times
Rep. Leo Biasiucci was waiting his turn to fight a parking ticket in court when the idea came to him.

Senate to do its own audit of election equipment
Capitol Media Services
Unhappy with what Maricopa County has proposed, state senators are going ahead with their own audit of the general election, a move that could lead to a new court fight and even potentially a contempt vote.

Arizona Republican Party chair rejects election audit call
Associated Press
Arizona Republican Party Chairwoman Kelli Ward, who faces questions about her reelection, said the party lacks the structure to perform an audit of the election results, but said she welcomed input to improve future elections.

Arizona police union wants anti-cop videos removed from Google
Herald-Review
The Arizona Fraternal Order of Police wants Google to stop providing a platform for individuals who record law enforcement and then post videos on YouTube badmouthing the cops.

The FBI Has Now Connected Local Troll Baked Alaska To a 2016 Election Fraud Scheme
Phoenix New Times
It turns out that joining the January 6 riot at the U.S. Capitol wasn't the first time that Baked Alaska tried to disrupt the democratic process.

Repairman Said He'd Beat Black Veteran in Avondale 'Like a F*ing Slave'**
Phoenix New Times
Ricky Barnes, a Black Avondale resident and U.S. Air Force veteran, was hoping to get the refrigerator in his garage fixed on the afternoon of January 20.

Maricopa County Attorney: No Charges for Phoenix Cop Who Killed Ryan Whitaker
Phoenix New Times
Maricopa County Attorney Allister Adel won't file charges in the fatal shooting of Ryan Whitaker, a 40-year-old man who was shot by a Phoenix police officer last summer.

AG Brnovich wants to cancel Biden's 100-day pause on deportations
Arizona Mirror
Hours after a federal judge in Texas wrote that agreement between the Department of Homeland Security and the attorney general there raises constitutional issues, Arizona Attorney General Mark Brnovich asked DHS to comply with a nearly identical agreement with his office related to immigration enforcement.

Some low-level offenders wouldn't have to register as a sex offender for life under new plan
Arizona Mirror
House Speaker Rusty Bowers is taking another shot at passing legislation making it easier for some people to get their names off the state's sex offender registry.

Arizona governor says state GOP's censuring him is 'of very little consequence'
Politico
"I think that the state party chairman should focus on winning races," Gov. Doug Ducey said.

Arizona Gov. Doug Ducey Sees a 'Fever' in the State GOP. Others See the Future
Wall Street Journal
After the state went for Democrats in top races, the GOP debates whether the governor is the problem or the solution to regaining lost ground.

Denying Washington, D.C., statehood is partisan, prejudicial and worse ... un-American
Arizona Republic (Opinion, EJ Montini)
If you go by the numbers it's a no-brainer. But then there's partisan politics. And prejudice.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Reps. Paul Gosar & Andy Biggs can't shake their links to extremists. That is a good thing
Arizona Republic (Opinion, EJ Montini)
They shouldn't be allowed to. It's a hole they dug for themselves.

Fed up with the Arizona Republican Party? Then let's talk about a top-two primary
Arizona Republic (Opinion, Robert Robb)
Punishing the Arizona Republican Party isn't the best argument for a top-two primary system. But the party's descent does make passage more likely.

What new data tell us about COVID-19 outbreaks in Maricopa County schools
Arizona Republic (Opinion, Joanna Allhands)
New data reveal important insights on the COVID-19 outbreaks in Maricopa County schools – and what we should do about them.

Joe Biden has one job: Ignore the extremes to fix the mess that Trump left us
Arizona Republic (Opinion, Greg Moore)
Joe Biden was elected to clean up Donald Trump's mess, first and foremost on COVID-19. He's doing that so far by sticking to his base.

Maricopa County's election audit isn't about 2020. It's about the future
Arizona Republic (Op-ed, Jack Sellers and Stephen Richer)
Hiring independent auditors to audit Maricopa County's election hardware and software is a small price to pay to ensure voter confidence.

Mexican consular IDs are secure and make us safer. It's time Arizona recognized them
Arizona Republic (Op-ed, Jorge Mendoza Yescas)
A Consular ID program would not only improve public safety in our state, but it also would strengthen ties between Arizona and Mexico.

Mail-in voting isn't broken in Arizona. Lawmakers should stop trying to 'fix' it
Arizona Republic (Op-ed, Grant Woods)
Bills ranging from the comically absurd to the patently prejudicial are an effort to chip away at Arizona voters' basic rights

·PRESS RELEASES·

Second state-run COVID-19 vaccination site launches at Phoenix Municipal Stadium

Patterned on State Farm Stadium site, operation is ready to scale up with vaccine supply

PHOENIX – The Arizona Department of Health Services (ADHS) and partners today launched a second COVID-19 vaccination site at Arizona State University's (ASU) Phoenix Municipal Stadium, building on a state model that has vaccinated more than 100,000 people since Jan. 11 at State Farm Stadium.

"We have drastically ramped up COVID-19 vaccination throughout the state thanks to our state-run site at State Farm Stadium, and we'll accelerate that momentum at our new Phoenix Municipal Stadium Site," said Governor Doug Ducey. "Arizonans want this life-saving vaccine and we have capacity to get it to them, but we need more doses from our federal partners. We will open up more sites across Arizona once we get more supply. My sincere thanks to ASU, Arizona Complete Care, the Arizona Diamondbacks, Walmart, and all partners who have been instrumental in expanding vaccinations at this site."

Unlike the 24/7 State Farm Stadium site, which vaccinates thousands a day, the Phoenix Municipal Stadium site will start out by offering 500 appointments a day seven days a week between the hours of 7 a.m. and 5 p.m. When additional vaccine doses are available from the federal government, the site can be quickly scaled up to the same capacity as the other state-run site.

"Opening this second state vaccination site is a story of partnership and potential," said ADHS Director Dr. Cara Christ. "Working closely with the Arizona Department of Emergency Management, we have established a model

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001426

ARZN_REV00068671_2-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

that's drawn attention from other states, the Federal Emergency Management Agency, and other federal partners. If Arizona is allocated additional vaccine in the future, we can rapidly expand this site, add appointments, and open even more sites around the state."

The Phoenix Municipal Stadium site, launched in partnership with ASU, Arizona Complete Care, the Arizona Diamondbacks, Walmart, and others, began serving those with appointments at noon today. The patients include healthcare workers, first responders, teachers, law enforcement officers, Arizonans over age 65, and others at the top of the priority list for vaccine distribution.

Volunteers with Arizona Complete Health and the Arizona Diamondbacks will be critical to operating the site.

"At Arizona Complete Health, our mission is transforming the health of the community, one person at a time," said Martha Smith, President and CEO of Arizona Complete Health. "We are humbled to be part of this public-private partnership at Phoenix Municipal vaccine distribution site, a model of our aligned mission. Striving toward improving our community's health means rolling up our sleeves, not just to get the vaccination when it is our turn, but also to be of service. For the next few months, our employees are honored to help check people in, collect paperwork, and direct traffic. These seemingly trivial functions will have a lasting impact in helping Arizona turn the corner on this pandemic and we are thrilled to do our part."

ADHS has contracted with Walmart to provide pharmacy support and ASU to provide operational support and additional staffing, supplies, and resources.

"ASU takes fundamental responsibility for the communities we serve, so when the state called and requested assistance in running its vaccination sites, we were quick to jump into action," said ASU President Michael M. Crow. "Our experience managing more than 100 COVID-19 testing sites across the state allowed us to quickly operationalize the State Farm vaccine site. In partnership with the Arizona Department of Health Services, we're now pleased to launch the Phoenix Municipal Stadium vaccine site and will support this effort through site staffing, traffic control, and clinicians to quickly deploy the COVID vaccines to more Arizonans. I would like to personally thank all of the staff and volunteers who are working 24/7 to help Arizona defend against COVID-19."

All appointments at the Phoenix Municipal Stadium and State Farm Stadium sites have been booked through February, though ADHS plans to make more appointments available as additional vaccine becomes available.

Registration is available for the vaccination sites at State Farm Stadium and Phoenix Municipal Stadium and several other sites throughout the state at podvaccine.azdhs.gov. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group, such as someone 65 and older.

For more information on COVID-19 vaccination, please visit azhealth.gov/COVID19vaccine.

February 3rd is Virtual 'Environmental Day' at the AZ State Capitol

(PHOENIX, AZ) More than 300 people from throughout Arizona will be meeting online for a socially distant Environmental Day at the Capital to meet with their legislators about key environmental issues, including climate change, water, and funding for parks. This year's theme is **"One Planet. One Future. Climate Justice Now!"**

Participants will include members from more than 20 organizations and at least five Arizona high schools, with each attending scheduled meetings with their local representatives and senators in the Arizona Legislature. Youth leaders will hold a news conference at 11:30 A.M. to read their "love letters to the Earth" and speak about some of the priority bills and issues for the session, including sustainability, climate, and protecting watersheds.

WHO: Legislators, youth, and others from throughout Arizona who care about protecting our environment

WHEN: Wednesday, Feb. 3, 8:30 A.M. to 4:00 P.M. *News Conference at 11:30 A.M.

WHERE: Zoom (RSVP for Zoom link and password)

* Animal Defense League of Arizona * Arizona Chapter of Elders Climate Action * Arizona Faith Network Cherishing Creation Collaborative * Arizona Heritage Alliance * Arizona Interfaith Power and Light * Arizona Poor People's Campaign * Arizona Youth Climate Coalition * Care for Creation Ministry at the Franciscan Renewal Center * Chispa Arizona * Citizen's Climate Lobby * Citizens Water Advocacy Group * Coalition for Sonoran Desert Protection * Defend Our Future * Earth Justice Ministry at UUCP * Ecomadres * Flagstaff Arts and Leadership Academy Environmental Coalition * Great Old Broads for Wilderness * Humane Voters of AZ * Kids Climate Action Network * Phoenix Lobos-Rising Packtivist Group * Protect Our Water Arizona * Sierra Club – Grand Canyon (Arizona) Chapter * Sky Islands High School * Union of Concerned Scientists * Violence Impact Project Coalition * Western Watersheds Project * Yuma Audubon Society *

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASE: Tanya Wheeless Named Chief Deputy Recorder

February 1, 2021 (Phoenix) – Maricopa County Recorder Stephen Richer has named Tanya Wheeless as Chief Deputy Recorder.

Wheeless joins the Recorder's Office from the Office of U.S. Senator Martha McSally, where Wheeless served as Deputy Chief of Staff and Director of State Operations. Prior to her government work, Wheeless held multiple leadership roles in the private sector, including President and CEO of the Arizona Bankers Association and Senior Vice President of Communications and Public Affairs for the Phoenix Suns.

Wheeless earned her Bachelor of Science and Juris Doctorate from Arizona State University, and she has served on several civic boards including the Arizona Chamber of Commerce and Industry, the Greater Phoenix Chamber of Commerce, and Phoenix Suns Charities. The Phoenix Business Journal previously named Wheeless to its "40 Under 40" list.

"We are incredibly lucky to have Tanya on the team. She's a leader; she's a collaborator; she's a person of integrity; she's talented; she's knowledgeable," said Maricopa County Recorder Stephen Richer. "Tanya has hit the ground running and is already working to the great benefit of Maricopa County."

"As a lifelong resident of Maricopa County, it's an honor to serve this great community at such a pivotal time," said Maricopa County Chief Deputy Recorder Tanya Wheeless. "I'm grateful to Recorder Richer for the opportunity."

Lieberman Introduces 5-Bill Climate and Green Energy Package

PHOENIX – To kick off Environment Week at the State Capitol Representative Aaron Lieberman has introduced a five-bill package to help Arizona contend with climate change and create more green-energy jobs. Maricopa County had some of the worst air quality in the nation and 2021 began with record-breaking air pollution in the Valley. December was also Arizona's most intense period of drought in the past 20 years with nearly 77 percent of the state impacted. Lieberman said ignoring climate change can no longer be an option.

The most simple and direct bill that Lieberman introduced is a one-sentence measure, HB2496, "develop a plan to address the effects of climate change on this state."

"We have a responsibility and obligation to leave this beautiful state to our kids and grandkids in at least in as good a shape as we found it," said Lieberman, D-Paradise Valley. "The state of Arizona should have a plan to deal with climate change, what could be simpler? We need it, let's do it."

In addition to creating a state climate plan, Lieberman's bills include:

- HB2286 – encourages more water-efficient plumbing fixtures.
- HB2287 – a $1.5 million appropriation to the Department of Education to provide grants for electric school buses.
- HB2498 – Increases renewable energy capacity with $5 million to create grant program to spur research and development of improved battery storage.
- HB2528 – supports roof-top solar by allowing customers to distribute power they generate back to public power utilities.

Arizona Recognizes Black History Month

PHOENIX — Governor Doug Ducey proclaimed February 2021 to be Black History Month in Arizona to recognize the accomplishments and significant contributions of the African American community.

"Black History Month is an excellent opportunity to celebrate the many ways the African American community influences Arizona and the entire nation," said Governor Ducey.

Black History Month was established in 1976 by President Gerald R. Ford and has since been recognized by every U.S. President. Governor Ducey has issued a total of six Black History Month proclamations.

View a PDF of the proclamation HERE.

Congressman Biggs Leads Delegation to the Southern Border

WASHINGTON, D.C. – Last week, Congressman Andy Biggs, the co-chair of the Border Security Caucus, led a tour of the United States-Mexico border in southern Arizona with eight Members of Congress. U.S. Representatives Lauren Boebert, Warren Davidson, Bob Gibbs, Andrew Clyde, Matt Rosendale, Bob Good, Glenn Grothman, and

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001428

ARZN_REV00068671_2-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Barry Moore joined Congressman Biggs on this trip to Sasabe, Nogales, and Sierra Vista. The congressional delegation met with Border Patrol agents, members of local law enforcement, customs officials, and a mother of a former City of Mesa police officer, who was killed by an illegal alien.
Congressman Biggs has led several congressional delegations to the southern border since taking office in January 2017, hosting 34 Members of Congress from 21 states.
Congressman Biggs and members of the recently completed delegation released the following statements:
"I am grateful for my eight colleagues, who took time to visit the U.S. border in Arizona. Thanks to the Trump administration, the United States made tremendous progress to secure the border. We have built the border wall along hundreds of miles of rugged terrain, including many miles where experts previously thought such a feat was impossible. We have constructed roads along many stretches of the wall, and increased our technology capabilities to help Border Patrol and members of local law enforcement safely and effectively do their jobs. The Trump administration also instituted key policies, working in conjunction with Mexico and Latin American nations, to discourage illegal immigration into the United States.
"The Trump administration's efforts to secure our border were working, but the new Biden administration is threatening to undo all progress that has been made over the last four years. They stopped construction on the border wall – even in dangerous drug smuggling corridors that were in the process of being sealed. And they are currently reversing the policies that have discouraged illegal immigration into our country. If the Biden administration persists with its open-borders policies, the United States will be overrun with an historic surge of illegal aliens, who are chasing amnesty and sanctuary from the rule of law. I hope this administration will stop pandering to the radical left when it comes to securing our border and enforcing our laws. Border security is national security, and I promise to keep fighting for border security in the U.S. House of Representatives." **– Congressman Andy Biggs (AZ-05)**

"QUOTE OF THE DAY"

"I believe the complaint against me is a complete fabrication by an outgoing, brand new employee who worked only one official day for the state of Arizona after the swearing in of senators."

- Rogers, in her response to the ethics complaint by her former campaign volunteer and assistant

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001429

ARZN_REV00068671_2-1-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, February 2, 2021 7:33:58 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: February 2, 2021
Attachments: February 2, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Gov. Ducey proposes plan to vastly expand legal gambling across state
- Durham resigns from City Council effective March 1
- University of Arizona vaccinating 800 people per day, Robbins says

Arizona Republic

- Another state-run vaccine site opens
- Teacher shortage plagues Arizona
- Hopi Tribe extends COVID-19 lockdown to March 1
- Arizona reports 3,741 new COVID-19 cases, 4 deaths
- Lawmakers need to stop messing with right to vote

KTAR News

- Arizona regaining jobs lost during the coronavirus pandemic
- Biden expands quick bid to undo Trump's immigration policies
- Arizona school voucher bill aims to expand current system
- Maricopa County to start forensic election audit on Tuesday

Arizona Daily Sun

- End of pandemic can't come soon enough for 2 Arizona towns

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Gov. Ducey proposes plan to vastly expand legal gambling across state

Arizona Daily Star
February 2, 2021
Howard Fischer

OK. So you think Cardinals quarterback Kyler Murray will rush for at least 75 yards in an upcoming game. Wanna bet on it? That would become legal in Arizona under a plan by Republican Gov. Doug Ducey, if the GOP-controlled Legislature approves. And you'd even be able bet from your phone.

Also look for legalized wagering on 'fantasy' leagues. If keno is your thing, that, too, would be available — but not everywhere.

And there could be more tribal casinos with more kinds of games.

It's all in the details obtained Monday by Capitol Media Services about the governor's multi-pronged proposal, which would vastly expand the kinds of legal wagering that could occur, both on and off reservations.

Most notably, the plan — and the deal Ducey has negotiated with tribes, which currently have the exclusive right to most forms of gaming in Arizona — would generate new dollars for the state while allowing the governor to keep his promise of not raising taxes.

In fact, depending on the revenues, they could help Ducey finally get closer to his multi-year promise of moving the state's income tax rate as close to zero as possible.

FEWER TRIPS TO LAS VEGAS?

It's a complex deal.

On one hand are the tribes.

Under the terms of a 2002 initiative they crafted and got voters to approve, tribes have been able to operate casinos in exchange for giving the state a share of the profits. That generated $31.7 million for the state in the most recent quarter.

State Sen. T.J. Shope, R-Coolidge, who is sponsoring one of the versions of the plan, said that more casinos and more games, like craps, might keep people in Arizona to gamble instead of traveling to Nevada.

'Obviously, the allure of Vegas is always going to be there,' Shope said. 'I, myself, go a handful of times a year.'

But he also figures there is an audience for local expanded gaming. Consider, Shope said, people who come to Arizona for spring training or the Phoenix Open.

AMERICAN OVERSIGHT

'For that person that is interested in doing something in the afternoon and evening when the ballgame's over, they're going to be able to go ahead and have that option,' he said.

The same revenue-sharing formula by the tribes would remain in place for the next 20 years. But more casinos and more games would presumably generate more dollars.

The really big bucks — no one from the Governor's Office is giving out figures — could come from the state's share of off-reservation gaming, if the Legislature authorizes it.

STATE WOULD GET SHARE OF FANTASY LEAGUE REVENUES

Shope acknowledged this would result in a sharp increase in legal types of gambling in Arizona. But he said that's, at least in part, an acknowledgment of reality.

Take fantasy league wagering. 'Fantasy sports has been played for years,' Shope noted.

In essence, players 'draft' real players for a fake team they have created. Then their team 'plays' another fake team, with the winner decided based on a point system.

The Arizona proposal would involve having the state license the major players like DraftKings and, presumably, get a share of the wagering.

And it's not just football and baseball. Those online sites permit wagering on everything from basketball and hockey to golf, soccer and NASCAR racing.

BIG CHANGE: BETTING ON COLLEGE, PROFESSIONAL GAMES

The bigger change would involve being able to bet on collegiate and professional games.

The door to that was opened in 2018 when the U.S. Supreme Court voided the 1992 Professional and Amateur Sports Protection Act, a federal law that made it illegal for states to legalize sports wagering.

Ducey said in 2019 he was interested in having Arizona move into that territory.

But that was not a legal option here as a result of the 2002 initiative, which not only gave tribes the right to operate casinos for the next 20 years, but also specifically barred the state from implementing any form of gambling that did not exist at the time.

As those compacts with tribes are now beginning to expire, the door opened for Ducey to renegotiate.

For college sports, the only permissible form would be betting on the outcome of a game.

But the plan also would allow 'prop bets' on professional games.

Short for 'proposition bets,' these encompass pretty much anything other than the ultimate result or point spread. They focus on the performance of an individual player.

WHERE THE BETTING COULD TAKE PLACE

AMERICAN OVERSIGHT

The 'where' of all that is a bit more complex.

Ducey's proposal involves 20 licenses, with half reserved for the tribes. The other half would be divided up among Arizona sports teams or franchises.

So the Cardinals would be able to get one, as would the Diamondbacks, the Suns, the Coyotes, NASCAR and the Professional Golf Association. And they, in turn, would contract with secondary locations to serve as off-track betting parlors.

There would also be the option to sit at home — or anywhere — and bet by phone. That pleases Shope.

'The ease of being able to do it by phone is something that is definitely a desire from I think the average person that does this sort of stuff,' he said.

Shope described himself as 'a big sporting nut.'

'Not everybody is going to do something like that,' he said. 'But there is an appetite, I believe, to engage in this out there.'

KENO WOULD BE EXCLUSIVE TO FRATERNAL ORGANIZATIONS

For those interested in something a bit different, the new deal negotiated by Ducey and now awaiting legislative approval also includes keno.

It's kind of a lottery game, with bettors choosing numbers, but conducted far more frequently, potentially multiple times per hour. Until now, like sports wagering, the 2002 tribal compacts forbid the state from offering it.

But don't look to be able to make those bets from anywhere, or even from where you can now buy a lottery ticket. The plan would give that exclusive right to 'fraternal organizations' like the Veterans of Foreign Wars, the Elks Club and other similar sites.

Shope said the restriction is justified. He said these organizations have been 'suffering across the country' as younger people — he is 35 — aren't 'into doing that kind of thing anymore.'

'That's why you see memberships in all these groups dwindling,' he said. Shope said he's willing to help out — and give them the exclusive right to make money off of keno —because 'they do a lot of good for the community.'

It would still be the Arizona Lottery ultimately running the games and spitting out the winning numbers. And, as with casino wagering, fantasy leagues and sports betting, the state would get a share of everything wagered.

HORSE TRACKS DON'T GET CASINOSTYLE GAMING OPTIONS

In some ways, the odd man out are the state's horse tracks. The deal Ducey negotiated with the tribes precludes the tracks from operating 'racinos,' or casino-style gaming such as slot machines.

But Shope said they had their chance.

AMERICAN OVERSIGHT

He pointed out the tracks put their own initiative on the 2002 ballot, one that would have given both them and the tribes the chance to operate casino games.

'It was resoundingly defeated,' Shope said.

Return to the table of contents

Durham resigns from City Council effective March 1

Arizona Daily Star
February 2, 2021
Jasmine Demers

Paul Durham is resigning from his position on the Tucson City Council, effective March 1, officials announced Monday.

Durham, who represents Ward 3, was on leave for several months last year after sustaining multiple rib fractures and announcing that his husband was undergoing treatment for terminal cancer. Ward 3 is made up of many neighborhoods on the city's northwest side, such as Flowing Wells, Amphi, Campus Farm and Balboa Heights.

The council member said this in his notice of resignation Monday: 'Representing the constituents of Ward 3 has been a profound privilege. However, in order to attend to personal matters, I am now compelled to resign from my position as the Ward 3 Councilmember prior to the expiration of my term. My resignation of elective office will be effective at the close of business on March 1, 2021.' According to the City Attorney's office, the Mayor and Council will select someone to fill the vacancy for the remainder of the existing term. That could be either 11 months or two years, depending on a decision by the Arizona Supreme Court about Tucson's election dates.

Since being elected in 2017, Durham has been a strong advocate for environmental issues and has emphasized the value of community.

He previously served as chief of staff to former Council Member Nina Trasoff and has volunteered with several local groups, including the Tucson-Pima County Metropolitan Energy Commission, where he has worked to promote solar energy.

Philippe, Durham's husband, is also the founder of Tucson Community Supported Agriculture, which supports local organic farming by bringing farm products directly to consumers.

Most recently, Durham helped lead the charge to declare a climate emergency in Tucson and begin the development of a 10-year climate action plan. He worked alongside Tucson Mayor Regina Romero to garner community support for the plan that will lead Tucson to carbon neutrality by 2030.

'I want to thank Council Member Paul Durham for his service to the City of Tucson,' Romero said in a statement Monday. 'Paul has been a dedicated advocate for the residents of Ward 3 and has truly exemplified what it means to be a public servant.'

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

University of Arizona vaccinating 800 people per day, Robbins says

Arizona Daily Star
February 2, 2021
Stephanie Casanova

The University of Arizona is ramping up its vaccination efforts, vaccinating more than 800 people daily on average.

The university has vaccinated almost 6,000 people so far and administered 810 vaccinations Saturday, UA President Robert C. Robbins said Monday. The university has a drive-through and a walk-through vaccination option for people in the 1B group, especially K-12 educators and university employees.

'The vaccine will help us reach herd immunity more quickly and have less illness and certainly less mortality in our population,' Robbins said 'So we are trying to push out, trying to encourage, trying to educate more people about the importance of getting vaccinated.'

Robbins said the UA's vaccination site is now running six days a week.

In the coming week, the Tucson Convention Center will be open as an additional vaccination site prioritizing educators, Robbins said.

He said his goal is that all UA employees are vaccinated by April 1, so the university can then focus on getting students vaccinated.

The university will remain in the first stage of its reentry plan for at least the next two weeks, Robbins said. In the stage only essential, hands-on classes are in-person.

A consistent decrease in transmissibility is promising, but people need to continue to take precautions to continue the trend, said Robbins and Dr. Richard Carmona, leader of UA's reentry task force.

University officials saw an increase in off-campus gatherings this week. The Campus Area Response team responded to 10 gatherings in the last week, an increase from seven the week prior. One of the recent parties had more than 100 people, said Carmona.

Five of the 10 parties had less than 20 people attending. Carmona said he's aware people are suffering from COVID exhaustion, but urged everyone to stick to only spending time with people in small groups.

'The data we have here from the number of incidents is still problematic,' Carmona said. 'Especially when we have groups of over 100 people. And it's only one, but nevertheless it's very dangerous. These are super-spreader events.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Another state-run vaccine site opens

Arizona Republic
February 2, 2021
Alison Steinbach

The Arizona Department of Health Services and partners began COVID-19 vaccinations Monday at a second staterun site at Phoenix Municipal Stadium, although operations are starting slow because of limited vaccine supply.

Phoenix Municipal Stadium for now will provide about 500 shots a day, but more available doses would allow the administration of 10,000 to 12,000 vaccines at the site daily, state health director Dr. Cara Christ said.

Christ marked the opening by administering second dose vaccines to a handful of educators and state troopers who got their first doses three weeks ago at the opening of the state's 24/7 drivethru site at State Farm Stadium in Glendale.

February appointments for both state-run sites opened Jan. 19 and were booked by the end of the day. Christ has said more appointments will become available as the state receives more doses.

More than 100,000 doses have been administered at the Glendale site in three weeks.

State officials hope to replicate the sites elsewhere, including in rural and tribal communities. There are also plans to allocate vaccine to more pharmacies, doctors' offices and community health centers as doses arrive in the state.

Arizona State University is lending its stadium grounds near the Phoenix Zoo and is overseeing staffing, logistics and operations at both state-run sites.

ASU President Michael Crow said vaccinations are one key tool in a longterm process to beat back the virus, which will require everyone to work together.

"This is an all-in, everyone-level thing," Crow said. "If you're not wearing a mask, it means you don't really care about the other people that are around you, period, end of conversation. If you're not getting vaccinated, that means that you're not concerned about whether or not you're going to actually die from this virus."

As of Monday, Arizona had administered about 671,500 total vaccine doses. The goal is 3.5 million people (nearly half of Arizona's population) vaccinated by July 1, according to Arizona Department of Emergency and Military Affairs director Major General Michael McGuire.

Alexandra Navrotsky, 77, an ASU professor and director of the Center for Materials of the Universe, got her second shot at the stadium site Monday.

AMERICAN OVERSIGHT

“I’m very happy because it’s also a passport to being a little bit freer,” she said. “Obviously I’ll mask, I’ll distance, but really since Thanksgiving I’ve been pretty much a recluse, trying to avoid people because there’s so much virus around.”

Other partners facilitating vaccination at the site include the Arizona Diamondbacks, Arizona Complete Health and Walmart.

More appointments depend on more vaccine

State officials hope to ramp up distribution at Phoenix Municipal and State Farm stadiums as well as allocating doses to a wide variety of partners and locations statewide.

The Phoenix Municipal Stadium site will initially run seven days a week between 7 a.m. and 5 p.m., unlike the 24/7 State Farm Stadium site.

It can be scaled up when more vaccine is available.

But when that happens depends on how many doses the state receives.

Gov. Doug Ducey said Sunday on CNN that Arizona is “in danger of running out of the vaccines we have. All we can do is distribute what we receive from the federal government and from the private sector.”

He said although Phoenix Municipal Stadium could do 12,000 vaccinations per day, it’s only doing 500 “because of the lack of inventory that we have.

“So, we need more. And we’re asking everyone to hustle it up because we want to get that vaccine in people’s arms. That’s the solution that presents itself. And Arizona wants to do the best job possible in getting it done,” Ducey said.

President Joe Biden has promised states a continual three-week window of what their upcoming allocations will look like so states can plan ahead.

“We have not been given our threeweek forecast,” Christ said Monday. “We’re waiting for that, but what we’re assuming is that the amount we got this week is probably stable over the next couple of weeks.”

The state expects to receive 160,000 to 170,000 additional doses this week and has been advocating for more vaccine from the federal level, she said.

“What we’ve been told is they think it’s a pretty steady supply for the next couple of weeks and then we’ll start to see increases with significant increases weeks after that, Christ said. “There’s a lot on the horizon. We know that both Moderna and Pfizer are increasing their production, so that will help as more doses get introduced into the market, but then as new manufacturers bring on new vaccine, that will just add more capacity.”

That will allow for more vaccination sites, state officials say.

AMERICAN OVERSIGHT

"Right now, we're focusing on building these mass vaccination sites to get as many Arizonans through as we can. The next phase that we're going to be looking at is smaller sites in communities where people who may not have access to a car can walk up, have it closer. We will also be getting it out to more pharmacies, more doctors' offices, community health centers, so people can also go where they're comfortable receiving their health care," Christ said.

"We're hoping to be able to open up appointments sooner rather than later, but it's really going to depend on what we find (about statewide administration) and what the supply looks like coming in."

In addition to registration at the state-run sites, many counties have their own registration processes and are in varied priority phases. Information is available at azhealth.gov/findvaccine and on county health department websites.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Teacher shortage plagues Arizona

Arizona Republic
February 2, 2021
Lily Altavena

Over 1,000 have resigned since school year began

This school year will be Courtney Schomaker's last teaching in Mesa Public Schools.

She'll continue teaching. But her next job will pay 25% more, comes with a travel stipend and reimburses her for rent.

Schomaker's next teaching job is in China.

Teaching in Arizona, as it stands, is not a sustainable path, she said.

"There are too many things that teachers are dealing with and it eventually becomes too much," Schomaker said.

The new year began with nearly 2,000 vacant teaching positions across the state, according to December 2020 survey data from the Arizona School Personnel Administrators Association. The state's struggle to hire and keep qualified teachers in the classroom is not new, but a problem that's persisted for more than a decade.

Now in a pandemic, where it has become even harder to teach in some circumstances, more teachers have resigned in the middle of the school year: 1,360 have severed employment since the beginning of the school year, compared with 987 last year, according to the data.

The numbers translate into a few repercussions: More people with less training are teaching Arizona kids. Class sizes are bigger. And the number of educators disciplined for misconduct in the classroom have soared.

AMERICAN OVERSIGHT

For students, the shortage means that some of the people teaching them core academic skills aren't prepared to do so. And an inadequate education could follow students for a lifetime.

The shortages aren't limited to teachers: Administrators also say they struggle to hire bus drivers, classroom aides and substitute teachers. There is no easy solution.

"I think it's going to get worse before it gets better," Paul Tighe, superintendent of the Saddle Mountain Unified School District in Tonopah, said.

Who leads the classroom?

According to Arizona School Personnel Administrators Association's data, administrators fill vacant teaching positions in the following ways:

-With long-term substitute teachers.
-With administrators or instructional coaches.
-By rearranging classes, making class sizes bigger.
-By eliminating planning periods for some teachers, so they can cover classes.

In addition to the vacant positions, more and more educators are coming in without traditional teacher training: 1,000 teachers in the 2019-2020 school year taught with an emergency teaching certificate or a provisional certificate, which allows anyone with a bachelor's degree to be certified, according to Arizona Department of Education data.

Nearly 13,000 Arizona educators, about 20% of the teaching force, had less than three years of experience.

Schomaker started teaching with her art history degree, with little classroom training. She enrolled in a program through Rio Salado College where she simultaneously taught while earning her teaching credentials. For two years, she taught under an intern certificate.

"I don't think I did an awful job my first year teaching, but I would have been a better teacher if I had taken those education courses first before I went into a classroom," she said.

Matt Dobesh, principal at Ruth Fisher Middle School, recruits new teachers all year round.

Two weeks before this school year began, a teacher unexpectedly left, leaving him to fill the position at the last minute.

Another recently left to move out of state.

He's tried to ensure classrooms are staffed with certified teachers, but it's an ongoing battle.

"It is a challenge, but at the same time. It's something that continues to happen," he said. "We kind of have an idea how to keep the learning going and make sure it's the best situations for students."

Patricia Ryan is filling one of the vacant positions at Dobesh's school. Ryan retired last year but came back to substitute after requests from the district. She taught math for 13 years — now she's teaching English.

AMERICAN OVERSIGHT

“I’m in a quandary trying to come up with stuff every day,” she said. “Being the long term sub, if you haven’t taught this subject ever or in a long time, I think you’re at a loss for what’s current, what’s going on, what does the district expect from you?”

Why does the shortage persist?

The state has poured hundreds of millions of dollars to raise teacher salaries since 2018, when tens of thousands of educators walked out of their classrooms to protest stagnant wages.

The state’s average teacher salary in district schools rose from $48,372 in the fiscal year 2017 to $52,441 in the fiscal year 2019. The increase is significant, but lags nationally.

In nearby Colorado, the average teacher’s salary is $57,746. In California, the average is $83,059.

Schomaker’s parents are both teachers. Their pay, on a pay scale abolished years ago, is more than she’ll ever be able to make on the district’s current pay scale, she said.

“When there are better-paying jobs elsewhere, people will go elsewhere,” she said. “Class sizes are way too large, there are too many things that teachers are dealing with, and it eventually becomes too much.”

Arizona’s class sizes are some of the highest in the nation, according to the National Center for Education Statistics.

State lawmakers are considering a bill that would study class sizes and devise ways to reduce them.

Tighe said, “We’ve got the highest class sizes, so we’re asking more of our teachers and we’re paying them less than other states.”

One of the bill’s sponsors, Sen. Christine Marsh, D-Phoenix, is also a teacher. She said during a committee hearing that her classroom has been so crowded, she had to add an extra row of seats using camping chairs, because they use less space.

“Just the physical limitations within some of these classrooms, it’s a challenge,” she said.

Coinciding with the teacher shortage is an increase in teacher disciplinary actions by the state, which most often revolve around sexual misconduct. Teachers typically either will surrender their certificates or the state will revoke them in disciplinary cases.

About 55 teachers were disciplined in 2012, compared with 179 in 2020, a 225% increase, according to Arizona State Board of Education data. Some of the increase was tied to a backlog in teacher disciplinary cases.

About 20% of those disciplined held a substitute teaching certificate Educators holding secondary education certificates — those who teach students in grades 6-12 — were disciplined at the highest rate, with 28% of cases.

The State Board plans to study in the future what share of educators who faced discipline were trained through a traditional teacher preparation program.

AMERICAN OVERSIGHT

At Arizona State University's Mary Lou Fulton Teachers College, students in their first year take several courses on ethical behavior, including one on ethical behavior of teachers using social media.

Instruction about maintaining boundaries between students and teachers has shifted dramatically over the past decade and is more in-depth.

Carole Basile, dean of Arizona State University's teaching college, said that effectively filling in the gaps caused by a shortage of teachers and stemming the crisis will take imagination.

"Let's find ways right where teachers can actually do what they really want to do, which is personalize and deepen learning for kids," she said.

In the past few years, ASU has championed a team-teaching model.

The new practice looks a little bit different in every district — a school in Kyrene assigned six adults, three of whom are teachers, to teach 100 kids in one massive classroom. The other three may be volunteers from the community, support specialists or student teachers.

At other schools, one lead teacher is assigned to oversee several student teachers who work and collaborate across a few different classrooms. That way, 50 to 60 students have three adults to turn to for help.

A change in the teaching model could also take some of the pressure off educators, Basile said. "Instead of saying, 'Here's your 30 kids' — and hoping that that one person in that classroom can be everything to those 30 kids and they just can't — it's just not humanly possible," she said. "We're not built to know everything or be good at everything."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Hopi Tribe extends COVID-19 lockdown to March 1

Arizona Republic
February 2, 2021
Nienke Onneweer

Hopi Tribe leaders on Monday extended the reservation's lockdown and curfew orders through March 1 in an effort to slow the spread of COVID-19.

The lockdown, which was first issued on Dec. 24, was previously extended from Jan. 11 to Feb. 1 at 5 a.m.

The order said the Hopi Reservation has continued to see a rise in positive COVID-19 cases in every village and community, with a positive test rate of 25.6% and 115 cases over the last 14 days, according to an executive order from the tribe shared on KUYI Hopi Public Radio's Facebook page.

According to the most recent report shared by the tribe's radio station on Tuesday, family and cultural gatherings continue to serve as a hot spot for COVID- 19 transmission.

AMERICAN OVERSIGHT

Major hot spots on the reservation included the Third Mesa area of Hotevilla, Bacavi and Oraibi with 8.7% where the population was actively infectious, Moenkopi with 3.36% and Kykotsmovi at nearly 3% as of Jan. 25.

The tribe had 1,092 total COVID-19 cases as of Jan. 25, according to the report. It does not appear to report COVID- 19 deaths.

According to the executive order by the Hopi Tribe, the lockdown requires masks to be worn at all times. A daily reservation-wide curfew extends from 8 p.m. to 5 a.m.

A 57-hour weekend curfew will be in effect for three consecutive weekends beginning Feb. 12, extending from Friday at 8 p.m. to Monday at 5 a.m. The Hopi Tribal Government will shut down from Feb. 8 to Feb. 15.

All residents are restricted from gathering with individuals they do not live with. Residents may only leave their homes to travel to and from work, seek medical care, care for an elder or resident needing assistance, and perform essential travel and activities like grocery shopping, hauling water, gathering hay and feed and procuring household heating supplies.

All businesses on the reservation except for defined essential businesses and services must cease all activities, said the order, and essential businesses must comply with social distancing requirements.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 3,741 new COVID-19 cases, 4 deaths

Arizona Republic
February 2, 2021
Alison Steinbach

Arizona reported more than 3,700 new cases of COVID-19 on Monday, as hospitalizations have been gradually declining while the state remains highest-ranked nationwide for its case rate over the past week.

Arizona's seven-day, new-case average ranked first Sunday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the last seven days was 74.6 cases per 100,000 people, per the CDC, trailed by South Carolina with 72.1 cases per 100,000. The U.S. average for new cases was 45 cases per 100,000 people.

The state's average daily COVID-19 deaths per 100,000 people over the past seven days ranked second in the nation as of Sunday, per the CDC.

Arizona's newly reported four deaths brought the known COVID-19 death count to 13,124. Few new deaths are typically reported on Mondays. The state surpassed 13,000 deaths on Friday, just one week after it passed 12,000 and two weeks after 11,000 deaths. The state exceeded 10,000 known deaths on Jan. 9. Arizona's first known death from the disease occurred in mid-March. In about one year since the

AMERICAN OVERSIGHT

first case was announced in Arizona, a total of 762,145 COVID-19 cases have been identified across the state.

The Arizona data dashboard shows 91% of all ICU beds and 90% of all inpatient beds in the state were in use Saturday, with 54% of ICU beds and 42% of non-ICU beds occupied by COVID- 19 patients. Statewide, 165 ICU beds and 843 non-ICU beds were available.

Hospitalizations for the disease have been dropping gradually for about three weeks, but remain at very high levels.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 3,654 on Sunday, below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 984 on Sunday, below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 662 on Sunday, below the record-high 821 reached on Jan. 13.

Sunday saw 1,481 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

New cases in Arizona have eclipsed 5,000 for 26 of the past 30 days.

More numbers of note

Reported cases in Arizona: 762,145 Cases since the outbreak began increased by 3,741, or 0.49%, from Sunday's 758,404 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 475,261 in Maricopa, 101,961

in Pima, 42,456 in Pinal, 35,184 in Yuma, 19,641 in Mohave, 16,325 in Yavapai, 15,274 in Coconino, 14,565 in Navajo, 10,469 in Cochise, 9,638 in Apache, 7,439 in Santa Cruz, 6,031 in Gila, 5,126 in Graham, 2,250 in La Paz and 525 in Greenlee, according to state numbers.

The rate of cases per 100,000 people is highest in Yuma County, followed by Santa Cruz, Apache, Graham and Navajo counties.

The rate in Yuma County is 15,300 cases per 100,000 people. By comparison, the U.S. average rate as of Sunday was 7,808 cases per 100,000 people, according to the CDC. The Navajo Nation reported 28,325 cases and 1,018 confirmed deaths in total as of Sunday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

Tribal leaders halted weekend lockdowns after Jan. 25, although a stay-athome order and nightly curfew remained in effect. Reported deaths in Arizona: 13,124 Deaths by county: 7,462 in Maricopa, 1,740 in Pima, 697 in Yuma, 612 in Pinal, 521 in Mohave, 429 in Navajo, 381 in Yavapai, 311 in Apache, 276 in Coconino, 227 in Cochise, 188 in Gila, 149 in Santa Cruz, 65 in Graham, 60 in La Paz and six in Greenlee.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Lawmakers need to stop messing with right to vote

Arizona Republic
February 2, 2021
Grant Woods Guest columnist

On Jan. 6, I stared at my television horrified as thousands of people stormed the U.S. Capitol in Washington, D.C. resulting in the deaths of five people, including the murder of a Capitol Police officer. The insurrectionists were motivated based on lies about a stolen election. But the election wasn't stolen, and on Jan. 20 we witnessed the peaceful transition of power.

That transition was possible because there was no widespread fraud, and our electoral system worked to ensure that the "will of the people was heard."

Here in Arizona, the very results themselves proved how absurd the fraud claims were. The majority of voters chose President Joe Biden, but they also voted to return all members of the state's U.S. House delegation and to give Republicans control of both chambers in the Arizona Legislature.

However, that simple truth isn't stopping some state lawmakers from threatening to undermine the very right to vote for millions of Arizonans.

Legislators have introduced a number of bills ranging from comically absurd to patently prejudicial in an effort to chip away at the rights of Arizonans.

One bill proposed by state Reps. Kevin Payne and Walt Blackman would eliminate the Permanent Early Voter List (or PEVL), which millions of Arizona voters of all political stripes have relied on to receive their mail-in ballots at their homes every election. Arizona's vote-by-mail system is so dependable and convenient that roughly 80% of Arizona voters return their ballots through the mail. Our state also has a large senior population, so taking away PEVL makes it harder for older Arizonans to vote.

Rep. Payne also introduced a bill to require voters to sign their mail-in ballots in-person with a notary present before they can be submitted. This would put an undue burden on millions of Arizona voters to find and schedule notary appointments in the few weeks between when ballots are mailed out and Election Day. The state already has a signature verification system, and voters whose signature doesn't match the signature on file are contacted by the state before their vote is counted.

Other bills being proposed are less radical but just as dangerous. A bill introduced this session by Sen. Michelle Ugenti-Rita seeks to purge voters off the Permanent Early Voters List if they haven't voted by mail in the past two election cycles. That bill applies to the thousands of Arizonans who received their ballot in the mail but chose to cast their ballot in person.

Many Arizonans enjoy the time honored tradition of voting in person on Election Day, but they trust having their ballot mailed to them in case they can't make it to the polls. Arizonans faced that choice in 2020 in the face of a deadly pandemic.

AMERICAN OVERSIGHT

Arizonans should know that the 2020 election was conducted fairly and above-board: candidates campaign, voters vote, and the will of the people is heard and heeded. That system has benefited candidates from both parties, Republicans and Democrats. Arizonans like the system we have, they trust the system we have and every claim or cry of fraud has proven false.

Those wanting to change the way we vote have one goal, and one goal only: to take away the power of Arizona voters to decide who their leaders are.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona regaining jobs lost during the coronavirus pandemic

KTAR News
February 2, 2021
Griselda Zetino

Thousands of Arizonans lost their job during the coronavirus pandemic but many are starting to regain them, and that's driving the state's unemployment rate down.

Before the pandemic, the state unemployment rate was holding steady at 4.5%. It jumped to a high of 13.4% in April and has been steadily declining ever since.

The latest data by the U.S. Bureau of Labor Statistics shows it was 7.5% in December.

"While we did lose a significant number of jobs, month after month and kind of a steady progression we have seen many of those jobs come back," said Doug Walls, labor market information director for the Arizona Office of Economic Opportunity.

The unemployment rate is affected by several factors, including the number of people employed and those actively looking for a job.

Walls said that when the pandemic started in March, there was a large decline in labor force participation nationwide.

"Here in Arizona, we have not seen the labor force declines quite like we've seen around the country," he said. "That's been one of the stronger indicators here in Arizona, showing the resiliency of the labor force through this pandemic period."

Compared to the rest of the country, Arizona has also recovered a larger share of the jobs lost during the pandemic.

Walls said Arizona lost nearly 295,000 jobs at the peak of the pandemic, and about 69% of those had been recovered as of December. He said the U.S. overall has seen a recovery rate of 56%.

"The losses from the economic downturn were spread throughout a number of industry sectors, though none were hit quite as hard as the leisure and hospitality industry," Walls said.

But there is some good news for the leisure and hospitality industry in Arizona, as it's starting to regain jobs lost. As of December, it has recovered 66% of the jobs that were lost during the pandemic.

The unemployment numbers for January will be released mid March.

Return to the table of contents

AMERICAN OVERSIGHT

Biden expands quick bid to undo Trump's immigration policies

KTAR News
February 2, 2021

The Biden administration on Tuesday announced steps to address harm to thousands of families that were separated at the U.S.-Mexico border, expanding efforts to quickly undo relentless changes to immigration policy over the last four years.

President Joe Biden planned to sign orders on family separation, border security and legal immigration, bringing to nine the number of executive actions on immigration during his first two weeks in office. Details were thin, but the moves aim to reverse many of former President Donald Trump's policies to deter immigration, both legal and illegal.

Alejandro Mayorkas, whose nomination as Homeland Security secretary awaits Senate confirmation, will lead a task force on family separation, focused largely on reuniting parents and children who remain apart. It is unclear how many, but about 5,500 children have been identified in court documents as having been separated during Trump's presidency, including about 600 whose parents have yet to be found by a court-appointed committee.

"The task force will report regularly to the President and recommend steps to prevent such tragedies from occurring again," the Biden administration said in a statement.

The American Civil Liberties Union, which sued to reunite families, has asked the administration for legal status in the United States for families that have been separated, as well as financial compensation for those families and attorneys at government expense. ACLU attorney Lee Gelernt said he would be "extremely disappointed" if the task force limits its scope to help finding parents of the remaining 600 children.

The review of border security includes a policy to make asylum-seekers wait in Mexican border cities for hearings in U.S. immigration court. It is a step toward fulfilling a campaign pledge to end the Remain in Mexico policy, known officially as Migrant Protection Protocols, which enrolled nearly 70,000 asylum-seekers since it began in January 2019.

The White House said it will "create a humane asylum system" by rescinding or reconsidering Trump policies that caused "chaos, cruelty and confusion." It warned that it will take time, which may cause grumbling among some pro-immigration advocates.

"The situation at the border will not transform overnight, due in large part to the damage done over the last four years." the White House said in a statement. "But the President is committed to an approach that keeps our country safe, strong, and prosperous and that also aligns with our values."

Roberta Jacobson, a top Biden aide on border issues, asked Spanish-language media on Friday to discourage audiences from coming to the U.S. border. "It is not the moment," she said in Spanish, adding that the journey was "very dangerous, and we are in the middle of creating a new system."

The White House will also do a "top-to-bottom review of recent regulations, policies, and guidance that have set up barriers to our legal immigration system." It will include a review of Trump's "public charge rule," which makes it more difficult for people who use government benefits to obtain green cards.

AMERICAN OVERSIGHT

The moves demonstrate that, just as Trump remade immigration policies from the White House, Biden can undo them with the stroke of a pen — some more easily than others. On his first day in office, Biden halted work on a border wall with Mexico, lifted a travel ban on several predominantly Muslim countries and reversed plans to exclude people in the country illegally from the 2020 census. He also ordered efforts to preserve the Deferred Action for Childhood Arrivals program, known as DACA, which has shielded hundreds of thousands of people who came to the U.S. as children from deportation.

More lasting changes must pass Congress, a daunting job that Trump and his predecessors Barack Obama and George W. Bush failed to achieve. Also on his first day in office, Biden proposed legislation to give legal status and a path to citizenship to everyone in the country who doesn't have it — an estimated 11 million people.

Biden promised far-reaching changes on immigration during his campaign, but it was unclear how quickly he would tackle the lightning-rod issue. His first-day actions delighted and surprised many pro-immigration advocates who are now being asked for patience.

It is unclear when Biden will lift bans on many temporary work visas and green cards that took effect after the coronavirus pandemic struck or when he will stop allowing authorities to immediately expel people at the border on public health grounds without an opportunity to seek asylum.

Esther Olavarria, deputy director of the White House Domestic Policy Council for immigration, said at a U.S. Conference of Mayors meeting last month that an executive order aimed at "restoring sanity at the U.S.-Mexico border" would end the Remain in Mexico policy and agreements that the Trump administration struck with Guatemala, El Salvador and Honduras for the U.S. to reject asylum applicants and instead send them to those Central American countries with an opportunity to seek protection there.

Olivarria told the mayors to expect an order that restores the U.S. refugee resettlement program after dramatic cuts under Trump but that measure was not included in Tuesday's announcements.

Return to the table of contents

Arizona school voucher bill aims to expand current system

KTAR News
February 2, 2021

Advocates of using public money for private education are pushing a wide-ranging new school voucher program that would vastly expand Arizona's current system just two years after state voters overwhelmingly rejected a universal voucher system.

The proposal from Glendale Republican Sen. Paul Boyer would make all children attending schools with a high percentage of low-income families or who qualify for free or reduced-price lunches eligible for the state's voucher program. Under the program, parents can take state funding and pay for religious or other private education and education costs.

Boyer said his proposal has taken on greater urgency as parents complain that their public schools are closed to in-person learning because of the pandemic.

AMERICAN OVERSIGHT

“They’re flipping mad right now and they’re pulling their kids out of schools, whether to home school or send them to charter schools that are open,” Boyer said Monday. “Or if they can afford it, to private schools.”

Public school advocates are trying to rally opposition to the plan, saying it is a clear rejection of the will of the voters when they defeated Proposition 305 in 2018 by a nearly 2-1 margin. They say the new voucher bill would cover nearly 70% of students in the state.

“The voters have been clear on this time and time and time again,” said Dawn Penich-Thacker, spokeswoman for Save Our Schools Arizona, the grassroots group that organized the 2018 effort to repeal the universal voucher law. “It’s just blatant disregard for what they know and what we know.

“Finding more ways to subsidize private schools is not the priority of Arizona voters,” she said.

Boyer’s proposal has other parts that go well beyond previous voucher expansion efforts. It would allow parents to use a separate program that funnels tax credits to them to fund private school tuition. It also would require school districts that don’t qualify for state cash because they have high local tax revenue to write a check to the state to pay for students who leave the district to use a voucher. And it takes sales tax revenue that voters approved for teacher pay and sends it to parents of voucher students, with no auditing required.

Boyer said all that makes sense, since parents are the ones who need to choose where they send their children to school.

“I want to fund parents who know the needs of their kids much better than I ever will and to give them the ability to get their kid educated the best they know how,” Boyer said.

The proposal, Senate Bill 1452, is set for its first hearing Tuesday before a Senate committee, and minority Democrats are expected to strongly oppose it. Two other school voucher expansion proposals have been introduced, but Boyer’s is backed by school choice advocates such as the Center for Arizona Policy, Arizona Catholic Conference and the Goldwater Institute.

The current voucher program, called Empowerment Scholarship Accounts, only applied to students with disabilities when it began in 2011 but has been greatly expanded over the years to cover many others, including children in low-performing schools or those living on Indian reservations.

Although that could cover tens of thousands of students, the most recent state report shows only about 9,700 students are currently using vouchers totaling about $145 million a year. More than half are disabled.

Parents get 90% of the state funds that normally go to their local public school to use for private school tuition and other education costs. Disabled students can receive up to $40,000 for specialized therapy.

The 2017 law repealed by voters in 2018 would have allowed all 1.1 million Arizona K-12 students to use the voucher program.

Save Our Schools Arizona was collecting signatures for a voter initiative early last year that would have limited program enrollment to 1% of the state’s 1.1 million schoolchildren and give disabled and

AMERICAN OVERSIGHT

existing enrollees priority. The pandemic forced backers to stop collecting signatures to qualify for the November's ballot.

If new expansions pass, Penich-Thacker said her group may try again to get an initiative on the ballot.

"Our heart is still in running an initiative to stop all of this for good, and write it in such a way that it cancels out this bill and any others that they attempt," she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County to start forensic election audit on Tuesday

KTAR News
February 2, 2021
Danny Shapiro

Maricopa County will begin a forensic audit of its tabulation equipment on Tuesday, less than a week after voting to move forward with the process despite continued defense of the integrity of the 2020 election.

The first of two independent firms will get underway with the audit at the Maricopa County Elections Department at 9 a.m., the department said in a press release.

The audit plan calls for both firms to analyze the equipment's hacking vulnerability, assure tabulators weren't sending or receiving information over the internet and confirm that no vote switching occurred during the election.

Audit work is expected to continue through February and March, according to the plan.

Exact information about the firms conducting the audit aren't known, but Clint Hickman, District 4 supervisor, told KTAR News 92.3 FM's The Mike Broomhead Show on Wednesday they would be from Alabama and Colorado.

Prior to last week's vote, the Maricopa County Board of Supervisors said they had trust in the election process but an audit would only further that belief.

Concerns about the Dominion voting systems, which serves Maricopa County, have been a commonality since the election despite no proof of fraud.

Maricopa County released a fact sheet Tuesday detailing its election integrity.

That included a hand count audit of results performed by Maricopa County political parties the day after the election, which yielded a 100% match to the vote tabulation machines.

Two weeks later, the county's elections department and the Arizona Secretary of State's Office performed a post-election logic and accuracy test on equipment to make sure it wasn't compromised during the election.

AMERICAN OVERSIGHT

Members of all three political parties and a representative from the Arizona Attorney General's Office observed the test.

The board certified the county's election results two days after the logic and accuracy test.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

End of pandemic can't come soon enough for 2 Arizona towns

Arizona Daily Sun
February 2, 2021

Some Arizona educators are hoping the arrival of COVID-19 vaccinations marks the beginning of the end for the pandemic.

That scenario can't come soon enough for the residents of Hayden and Winkelman.

The small neighboring eastern Arizona towns have been pummeled by the coronavirus with the school district's enrollment now down to about 300 students from 520 a few decades ago, the Arizona Republic reported.

The towns' residents have lost continued to lose neighbors since the pandemic began and everyone knows someone who died, according to the teachers and school staff members getting vaccinated.

In a place where the Hayden-Winkelman Unified School district is the heart of the community, everybody knew Kimberley Lopez Chavez Byrd, who taught several generations of students.

Byrd died in June after battling COVID-19 on a ventilator. She'd taught virtual summer school in the same classroom with two other teachers, who also became infected with the virus.

The Republic said Byrd's photo still hangs at the entrance of the Leonor Hambly School, where she taught first grade.

In the months since Byrd died, grief over the educator and others has only felt more acute to those who survived.

A retired Hayden-Winkelman teacher recently died and Frank Martinez, a man who used to wave to school staffers, died last month.

"The count of how many people I know that were affected or had the virus — I lost count at 12," Miloni Patel, a public health nurse, told the Republic.

Like many other Arizona school districts, Hayden-Winkelman students have gone to school online since the pandemic initially closed schools in March.

Because the community has been battered by COVID-19, teachers said they've heard few protests about the decision to remain closed to in-person learning. But the work of educating children continues.

Hayden-Winkelman teachers trained to teach online for a month straight in the summer, District Superintendent Jeff Gregorich said.

The district also is planning more intervention for struggling students, including summer school. Educators felt prepared for the job of remote teaching but are worried about their students.

AMERICAN OVERSIGHT

The first dose of the vaccine sets a path back to in-person learning, which will not resume until teachers receive the second dose and likely until community transmission rates decline.

“I’m just glad to see the beginning of the end,” Gregorich said after getting his shot.

Arizona health officials are reporting 3,741 new COVID-19 cases and four additional deaths.

The latest figures released Monday morning come as the state opens a second around-the-clock mass vaccination site at Phoenix Municipal Stadium.

Gov. Doug Ducey, appearing on CNN Sunday, said the state is poised to run out of vaccines. But officials are working with President Joe Biden's administration, he added.

Arizona now has seen 762,145 cases and 13,124 deaths since the pandemic began. Coconino County added 252 cases and zero deaths in Monday's report, which includes results from Friday, Saturday and Sunday. That brings the county's totals to 15,101 positive cases and 257 deaths. According to the county's dashboard, 11,583 people have recovered from COVID-19.

The U.S. Centers for Disease Control's data tracker on Sunday showed Arizona continuing to lead the nation in average cases per capita over the last seven days.

The number of people hospitalized, including in ICUs, is continuing to trend downward.

On Friday, the state announced that the COVID-19 variant first recorded in the United Kingdom was confirmed in tests from three people in Arizona.

State health officials are working with other public health agencies to monitor the situation.

Variants from the United Kingdom, South Africa and Brazil have already been confirmed in the U.S.

Navajo Nation health officials have reported 103 new COVID-19 cases and four more deaths.

The latest numbers released Sunday night raised the totals to 28,325 cases and 1,018 known deaths since the pandemic began.

The tribe has tribe extended its stay-at-home order with a revised nightly curfew to limit the spread of COVID-19.

The Navajo Department of Health on Monday identified 56 communities with uncontrolled spread of the coronavirus, down from 75 communities in recent weeks.

“We have to keep taking all precautions to protect ourselves from the virus, even if you receive the first and second doses of the vaccine,” Navajo Nation President Jonathan Nez said in a statement.

The Navajo Nation also is lifting weekend lockdowns to allow more vaccination events.

The actions in the latest public health emergency order will run through at least Feb. 15.

AMERICAN OVERSIGHT

Tribal officials say there have been more than 232,000 COVID-19 tests administered on the vast reservation and over 14,400 people have recovered.

Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, February 2, 2021 8:29:05 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *February 2, 2021*

Teller leaves Legislature to join Biden administration
Arizona Capitol Times
Rep. Arlando Teller, D-Chinle, has left the Legislature to take a job with the Biden administration.

Rogers claims accusations against her false
Arizona Capitol Times
A state senator accused of workplace harassment said Monday that a complaint filed against her isn't true, and it wouldn't violate Senate rules even if it were.

Details emerge on gambling expansion
Capitol Media Services
OK. So you think Cardinals quarterback Kyler Murray will rush for at least 75 yards in an upcoming game.

Historical society to preserve quilts dedicated to migrants who died crossing into Arizona
Arizona Daily Star
Tucson's Migrant Quilt Project was launched in 2007 to remember dead, spread awareness.

Ducey sounds hopeful note for post-pandemic Arizona

AMERICAN OVERSIGHT

East Valley Tribune
There was no tinkling of silverware, no low murmurs of conversations and, in fact, no food at the annual breakfast visit from the governor last Thursday hosted by the PHX East Valley Partnership and the region's chambers of commerce.

Biden ban on new private prison contracts will not reach Pinal ICE detainees
Cronkite News
President Joe Biden's order that the Justice Department stop contracting with private prisons could eventually affect thousands of inmates — but not the roughly 3,000 illegal immigrants being held in private facilities in Pinal County.

Advocates push wide-ranging new Arizona school voucher bill
Associated Press
Advocates of using public money for private education are pushing a wide-ranging new school voucher program that would vastly expand Arizona's current system just two years after state voters overwhelmingly rejected a universal voucher system.

Concern over winter visitors jumping the line for covid-19 vaccinations raised
Today's News-Herald
Mohave County following state's guidance that residence doesn't matter.

New Phoenix Vaccination Site Hamstrung by Short Supplies
Phoenix New Times
A festive scene greeted the public in a Phoenix Municipal Stadium parking lot on Monday as the Arizona Department of Health Services opened its second drive-up vaccination site.

Paul Gosar Allegedly Met With Oath Keepers and Said the U.S. is in a Civil War
Phoenix New Times
A member of the Yavapai County chapter of the Oath Keepers, an extremist right-wing militia group that was involved in the January 6 attack on the U.S. Capitol, claimed in a recent YouTube video that Arizona Congressman Paul Gosar met with them and said that the U.S. is in a civil war.

553 County Vaccine Doses Discarded Due To No-Shows, Technical Issues
Phoenix New Times
Even as demand for COVID-19 vaccines massively outstripped supply, 553 doses of the vaccine had to be discarded at Maricopa County sites in the first month that vaccines were available.

Kelli Ward demanded an audit of a local GOP leadership election before refusing one of her election
Arizona Mirror
Less than two months before refusing calls for an audit of her re-election to lead the Arizona Republican Party, AZGOP Chairwoman Kelli Ward demanded GOP leaders in a north Phoenix legislative district conduct an audit of the party's December organizing election.

Senate wants Maricopa County to set date to comply with election subpoena
Arizona Mirror
The Arizona Senate wants Maricopa County to say by noon on Tuesday when it will provide the equipment, materials and data it wants for a controversial audit of the 2020 general election.

Why Arizona's Senators May Collide With Democrats Who Elected Them
New York Times
Senators Kyrsten Sinema and Mark Kelly ran on bipartisan approaches to governing, but some Democrats in Arizona view their openness to Senate Republicans with skepticism.

Republicans want to make our democracy smaller. We can't let them.
Arizona Mirror (Op-ed, Katie Hobbs)
In 2020, we were challenged in many ways. The year challenged our healthcare system, our economy, our families. It also challenged our democracy.

Gov. Doug Ducey will veto any new election bill. Or was he lying?
Arizona Republic (Opinion, EJ Montini)
In December the governor laid out exactly why elections in Arizona are fair, efficient and secure. If he meant it, no new laws are necessary.

Blame Rep. Andy Biggs for the rise of Marjorie Taylor Greene, the GOP's latest kook
Arizona Republic (Opinion, Laurie Roberts)
In just under a month, Rep. Marjorie Taylor Green has already become a federal disaster area for the Republican Party. Why on earth did Rep. Andy Biggs urge this nut to run for Congress?

AMERICAN OVERSIGHT

Republican lawmakers in Arizona are scheming to block the 'wrong' sort of voters
Arizona Republic (Opinion, Laurie Roberts)
Not content with simply scheming to make it more difficult to vote, Arizona GOP lawmakers now are moving on to making it more difficult even to register to vote.

If more Colorado River water flows to Queen Creek now, that could start World War III
Arizona Republic (Opinion, Joanna Allhands)
A reversed recommendation on a proposed water transfer to Queen Creek couldn't have come about in a worse way ... and at the worst time for Arizona.

Republicans will never agree to a $15 federal minimum wage hike. Just do it, anyway
Arizona Republic (Opinion, Elvia Diaz)
Let's not kid ourselves. Republicans will never agree to raise the federal minimum wage to $15 per hour. Democrats must do it themselves.

Joe Biden can pass COVID relief and still unify our nation
Arizona Republic (Opinion, Editorial Board)
At the moment, Joe Biden's most important job is to work with Republicans to pass the American Rescue Plan, who also must show they are serious about COVID-19 relief.

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Tuesday, February 2, 2021 4:44:56 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-2-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet *February 2, 2021*

IT'S FEELING MORE AND MORE LIKE GOWAN'S HOUSE
The Senate deactivated our reporter's badge and barred our reporter, and the public, from attending the Rules Committee yesterday in a crackdown the chamber is attributing to protecting against Covid, but which conveniently followed our reporter's attempt last Monday to ask Rogers questions about the ethics complaint filed against her.

SPIES, LIES AND BS ALL AROUND
Fann also ordered Dems to close their caucus down after Rios had made an open video call for anyone who asks to participate.

IT COULD BE WORSE
Although today's meeting was only the second time the full IRC met, it already has an open meetings complaint.

OH, DON'T WORRY, IT'LL GET WORSE

AMERICAN OVERSIGHT

As the IRC was holding its first meeting, Colleen Mathis, the former IRC commissioner, offered a somber assessment of the job.

STAY MODERATE TO OWN THE MAGAS

As potential candidates from both political parties eye the 2022 field, HighGround's Paul Bentz has some suggestions about how to win – and the path to victory predictably includes courting independents.

WHY SHOULD THE PUBLIC KNOW YOUR BUSINESS?

Public officials were required to file their annual financial disclosure statements yesterday, but nearly a dozen didn't bother.

WE'VE HAD TOO MANY R.I.P. HEADLINES LATELY

Former lawmaker and Navajo Nation President Albert Hale, died Tuesday after battling with Covid, the Navajo Nation Council announced this afternoon.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, February 02, 2021

·NEWS NOTES AND GOSSIP·

IT'S FEELING MORE AND MORE LIKE GOWAN'S HOUSE

The Senate deactivated our reporter's badge and barred our reporter, and the public, from attending the Rules Committee yesterday in a crackdown the chamber is attributing to protecting against Covid, but which conveniently followed our reporter's attempt last Monday to ask Rogers questions about the ethics complaint filed against her. While the House broadcasts its Rules Committee and caucus meetings, the Senate holds those meetings in the camera-free first-floor caucus rooms. Unless a reporter is in the room, the public has no way to know the opinion of the attorneys hired to vet bills for constitutionality. Our reporter was booted from caucus last week, barred from Rules yesterday and discovered that the Senate deactivated our key card access to the building. Senate security eventually allowed our reporter into the building, but only while the Senate was on the floor, and only in the third-floor gallery. Security has been instructed to block us from the hallways – contradicting Fann's pledge before session that reporters could catch senators in the second-floor hallway (YS, 1/7). Senate GOP spokesman Mike Philipsen confirmed that the Senate has "temporarily" deactivated key card access to the building, and said he was unaware that Fann had promised reporters could lurk in the hallways. He said he hopes to reach a solution, such as allowing reporters to join the Zoom call that lawmakers attend during caucus, within the next few weeks. As for rules, Philipsen offered to tell our reporter what happened, and said he'd pass on our reporter's question about moving the meeting to one of the many other hearing rooms equipped for broadcasting. The Senate cited Covid risks in further restricting access to the building, though if our masked reporter is a Covid threat, the same could certainly be said for the Republicans who routinely wear their masks below their noses or take them off entirely to speak. Fann didn't return a call for comment, but has repeatedly complained that the press only covers the bad things lawmakers do and said if she's going to "bend over backwards" to give reporters access, she wants the press to "be fair" (YS, 1/25).

SPIES, LIES AND BS ALL AROUND

Fann also ordered Dems to close their caucus down after Rios had made an open video call for anyone who asks to participate. Both Contreras and Quezada confirmed that Fann gave the order, and said Democrats couldn't do anything to stop it. "They run this building. They make the rules in this building, and that's a rule we have to follow," Contreras told our reporter. Contreras said Dems were told caucuses should be closed as part of the new Covid restrictions in the building, though, of course, streaming a meeting cannot possibly contribute to spreading Covid. Quezada told our reporter he was unaware that reporters were being barred from the Rules Committee because he participates virtually. The committee should be held in Senate Hearing Room 1 and streamed, even during normal times, he said. "I've always had a huge issue with that," he said. "I don't think our Rules Committee should be held behind closed doors at all." He said his understanding is that Republicans can force Dems to follow their rules for caucuses because majority staff controls meeting links. "Now whether that's a bunch of BS or not, I'll let you write about that," he said. And Quezada said Dems are now unable to send an intern to safely sit in on the GOP caucus, because Republicans won't provide a Zoom link and Dems aren't going to send an intern into a crowded room of potentially unmasked Republicans. Since they're not allowed to stream their meetings, Dems plan to have their interns act as "spies" by taking notes on Dem caucus and posting them for the public to see.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001461

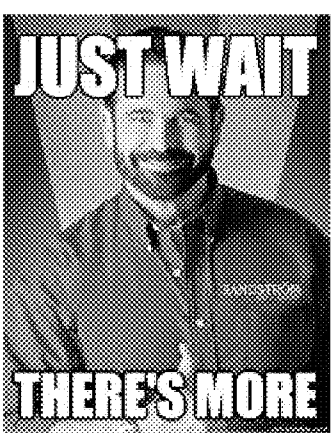
ARZN_REV00068676_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT COULD BE WORSE

Although today's meeting was only the second time the full IRC met, it already has an open meetings complaint. The complaint argued that the commission has moved into executive session without proper notice, and cut out the public due to technical difficulties with the video streaming system. Commissioners chalked the problems up to technical difficulties, but agreed to let an investigation play out. On top of the agenda today was hiring an administrative assistant and legal counsel, and updating the website, which still lists info about the 2011 commission. Andy Tobin, director of the Dept of Administration, which oversees the IRC, added some pressure for the IRC to start hiring, saying his employees won't be able to help out for too much longer due to their own restraints from Covid. The discussion over hiring legal counsel was the most interesting part of the mostly dull three-hour meeting, as there was a little contention over whether commissioners should hire two legal counsel teams – one for Democratic interests and another for Republican interests – as it has in the past, or if they can find one nonpartisan counsel that will be able to adequately represent both sides. Commissioners didn't settle on a decision, but said they are going to attempt for the latter while leaving open the possibility of hiring two firms. The commission voted on several different agenda items, and while the commission didn't make any substantial decisions, each vote was unanimous. For the foreseeable future, the IRC will meet every Tuesday between 9 am and noon. Next week's meeting will begin the process to open up applications to fill administrative roles.

OH, DON'T WORRY, IT'LL GET WORSE



As the IRC was holding its first meeting, Colleen Mathis, the former IRC commissioner, offered a somber assessment of the job. On *KJZZ's The Show* this morning (LINK) Mathis relived her tumultuous tenure as chair, saying it started friendly enough, but by the time she got her sea legs, the slings and arrows came out. "You're essentially starting up an administrative agency from zero. So it's a really big task… It's only when you start making those key hires that people really start to pay attention and decide whether they like who you hired or didn't and that's when the arrows start flying," she said. "Initially it's startling, frankly, because I hadn't anticipated all of the arrows that would be flying." She said while her fellow commissioners started out by trying to stay above the political fray and represent all Arizonans above their party, as time went on and "members of the commission were getting political pressure from their parties, perhaps, to behave in a certain way, or not trust the chair, maybe they started doing that." "The dynamic definitely changed," she said. She noted that one of her longstanding frustrations with coverage of the process is the assertion that she sided with the Democrats. "It's always been characterized as I sided with the Democrats, and I didn't they actually had to come around to my way of thinking if they wanted to have representation that they could live with," she said. "And that's what the independent has to do sometimes – you've got to put a line in the sand at some point if the four aren't agreeing on a particular item. The clock is ticking." Mathis noted that when voters first approved the IRC, only 18 percent of voters were registered independents, (though by the time she became chair, independents had crossed 30 percent) and the power of independents has only grown in the ensuing decades. The IRC chair role is not to remove partisanship, she said, but to represent those independents, just as the partisans represent their parties. "They're a fully engaged and functioning member of the commission representing the independent voice in this state," she said. "And their role is not to remove partisanship from the commission. That's impossible – four of the five members of the commission are partisans."

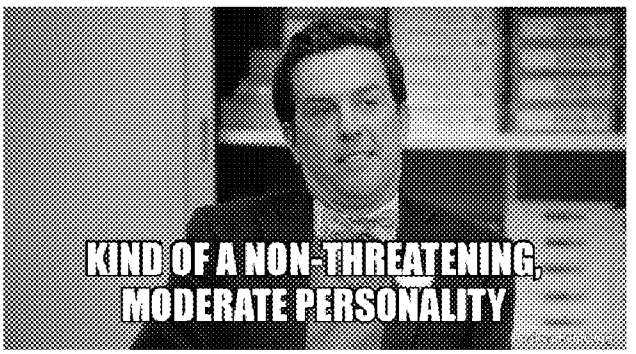
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001462

ARZN_REV00068676_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STAY MODERATE TO OWN THE MAGAS



As potential candidates from both political parties eye the 2022 field, HighGround's Paul Bentz has some suggestions about how to win – and the path to victory predictably includes courting independents. It's no secret that independent voters or persuadable "Ducey-Sinema'' voters are the ones who decide Arizona's elections, he noted. "Republicans must recognize that pandering to their base may get cheers in a district meeting or adoration on social media, but it destroys their ability to broaden the base," Bentz wrote on his blog today (LINK). But he also cautioned that Democrats "cannot assume [independents] will lean their way in 2022." In order to stay competitive in a still technically red state, Democrats must "avoid a messy free-for-all or electing far-left progressives who have proven time and again unelectable on a statewide level." And finally, as everyone tries to figure out what Republican Party looks like post-Trump, Bentz laid out a four-step process to salvaging the GOP's reputation: Stop suppressing Republican voters, unite the party, embrace early voting and stop trying to game the system. "Even with these steps, it may not be enough," he wrote. The best chance for Republican unification may be if the Biden agenda goes so far left as to create a Trump like environment which existed in 2016."

WHY SHOULD THE PUBLIC KNOW YOUR BUSINESS?

Public officials were required to file their annual financial disclosure statements yesterday, but nearly a dozen didn't bother. The two Democrats on the Corporation Commission – Sandra Kennedy and Anna Tovar – didn't file their disclosures yet, while a handful of lawmakers also haven't yet filed theirs. Two senators are late – Gonzales and Ugenti-Rita – while former Sen Eddie Farnsworth also hasn't filed his disclosure (because the reports cover the previous year, outgoing politicians must still file one.) In the House, only one sitting lawmaker didn't file their report: Blackman. Former lawmakers who are still required to file, but didn't, include Anthony Kern, Bob Thorpe, Jay Lawrence, and Geraldine Peten. Remembering the deadline seems harder for lawmakers than other officials – all 207 superior court judges who were required to submit financial disclosure statements filed theirs on time. The Secretary of State's Office sent letters to those who haven't filed warning that there is a $50 per day penalty, and that those who don't file within 30 days could face further enforcement.

WE'VE HAD TOO MANY R.I.P. HEADLINES LATELY

Former lawmaker and Navajo Nation President Albert Hale, died Tuesday after battling with Covid, the Navajo Nation Council announced this afternoon. Hale, 71, served as his tribe's assistant attorney general before he was elected president, serving from 1995 to 1998. He represented his LD7 (and its previous iteration, LD2), in the state Senate from 2004 to 2011 and in the House from 2011 to 2017. "The Navajo Nation prays for the family and relatives of our leader, Hon. Albert Hale," Council Speaker Seth Damon said in a statement. "As a former president of the Navajo Nation, he is remembered for his service and dedication to the Navajo People, which continued beyond the borders of the Nation when he was called to represent our district in the Arizona Legislature."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001463
ARZN_REV00068676_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Teller leaves Legislature to join Biden administration
Arizona Capitol Times
Rep. Arlando Teller, D-Chinle, has left the Legislature to take a job with the Biden administration.

Rogers claims accusations against her false
Arizona Capitol Times
A state senator accused of workplace harassment said Monday that a complaint filed against her isn't true, and it wouldn't violate Senate rules even if it were.

Details emerge on gambling expansion
Capitol Media Services
OK. So you think Cardinals quarterback Kyler Murray will rush for at least 75 yards in an upcoming game.

Historical society to preserve quilts dedicated to migrants who died crossing into Arizona
Arizona Daily Star
Tucson's Migrant Quilt Project was launched in 2007 to remember dead, spread awareness.

Ducey sounds hopeful note for post-pandemic Arizona
East Valley Tribune
There was no tinkling of silverware, no low murmurs of conversations and, in fact, no food at the annual breakfast visit from the governor last Thursday hosted by the PHX East Valley Partnership and the region's chambers of commerce.

Biden ban on new private prison contracts will not reach Pinal ICE detainees
Cronkite News
President Joe Biden's order that the Justice Department stop contracting with private prisons could eventually affect thousands of inmates — but not the roughly 3,000 illegal immigrants being held in private facilities in Pinal County.

Advocates push wide-ranging new Arizona school voucher bill
Associated Press
Advocates of using public money for private education are pushing a wide-ranging new school voucher program that would vastly expand Arizona's current system just two years after state voters overwhelmingly rejected a universal voucher system.

Concern over winter visitors jumping the line for covid-19 vaccinations raised
Today's News-Herald
Mohave County following state's guidance that residence doesn't matter.

New Phoenix Vaccination Site Hamstrung by Short Supplies
Phoenix New Times
A festive scene greeted the public in a Phoenix Municipal Stadium parking lot on Monday as the Arizona Department of Health Services opened its second drive-up vaccination site.

Paul Gosar Allegedly Met With Oath Keepers and Said the U.S. is in a Civil War
Phoenix New Times
A member of the Yavapai County chapter of the Oath Keepers, an extremist right-wing militia group that was involved in the January 6 attack on the U.S. Capitol, claimed in a recent YouTube video that Arizona Congressman Paul Gosar met with them and said that the U.S. is in a civil war.

553 County Vaccine Doses Discarded Due To No-Shows, Technical Issues
Phoenix New Times
Even as demand for COVID-19 vaccines massively outstripped supply, 553 doses of the vaccine had to be discarded at Maricopa County sites in the first month that vaccines were available.

Kelli Ward demanded an audit of a local GOP leadership election before refusing one of her election

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001464
ARZN_REV00068676_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Mirror
Less than two months before refusing calls for an audit of her re-election to lead the Arizona Republican Party, AZGOP Chairwoman Kelli Ward demanded GOP leaders in a north Phoenix legislative district conduct an audit of the party's December organizing election.

Senate wants Maricopa County to set date to comply with election subpoena
Arizona Mirror
The Arizona Senate wants Maricopa County to say by noon on Tuesday when it will provide the equipment, materials and data it wants for a controversial audit of the 2020 general election.

Why Arizona's Senators May Collide With Democrats Who Elected Them
New York Times
Senators Kyrsten Sinema and Mark Kelly ran on bipartisan approaches to governing, but some Democrats in Arizona view their openness to Senate Republicans with skepticism.

Republicans want to make our democracy smaller. We can't let them.
Arizona Mirror (Op-ed, Katie Hobbs)
In 2020, we were challenged in many ways. The year challenged our healthcare system, our economy, our families. It also challenged our democracy.

Gov. Doug Ducey will veto any new election bill. Or was he lying?
Arizona Republic (Opinion, EJ Montini)
In December the governor laid out exactly why elections in Arizona are fair, efficient and secure. If he meant it, no new laws are necessary.

Blame Rep. Andy Biggs for the rise of Marjorie Taylor Greene, the GOP's latest kook
Arizona Republic (Opinion, Laurie Roberts)
In just under a month, Rep. Marjorie Taylor Green has already become a federal disaster area for the Republican Party. Why on earth did Rep. Andy Biggs urge this nut to run for Congress?

Republican lawmakers in Arizona are scheming to block the 'wrong' sort of voters
Arizona Republic (Opinion, Laurie Roberts)
Not content with simply scheming to make it more difficult to vote, Arizona GOP lawmakers now are moving on to making it more difficult even to register to vote.

If more Colorado River water flows to Queen Creek now, that could start World War III
Arizona Republic (Opinion, Joanna Allhands)
A reversed recommendation on a proposed water transfer to Queen Creek couldn't have come about in a worse way ... and at the worst time for Arizona.

Republicans will never agree to a $15 federal minimum wage hike. Just do it, anyway
Arizona Republic (Opinion, Elvia Diaz)
Let's not kid ourselves. Republicans will never agree to raise the federal minimum wage to $15 per hour. Democrats must do it themselves.

Joe Biden can pass COVID relief and still unify our nation
Arizona Republic (Opinion, Editorial Board)
At the moment, Joe Biden's most important job is to work with Republicans to pass the American Rescue Plan, who also must show they are serious about COVID-19 relief.

·PRESS RELEASES·

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001465
ARZN_REV00068676_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Superintendent Hoffman Delivers 2021 State of Education Address

PHOENIX – Today, Arizona Superintendent of Public Instruction Kathy Hoffman delivered her annual "State of Education" address to the Senate Education Committee. Under the shadow of COVID-19 Superintendent Hoffman shared the incredible, unforeseen challenges Arizona's schools have faced because of the pandemic – but also highlighted the remarkable empathy, kindness, and innovation of our students, teachers and families.

The hardships felt by every Arizonan over the past year, have also deeply impacted our students. Too many of Arizona's youngest have coped as parents lost a job, struggled to learn over unreliable internet connections, and tragically too many have had to grieve the loss of a loved one to this virus.

We must get this virus under control, so we can fully focus on policies and investments to make our schools stronger. Our schools need predictable, sustainable funding to plan their budgets, to hire and fairly compensate every professional their students need, from reading specialists to school counselors.

Making Arizona's public schools stronger, also means supporting Arizona families. Over the past year, we have learned just how deeply tied our schools are to families and communities. Saying that, "The truth is that family-centered policies support our schools and benefit all communities," Superintendent Hoffman called the legislature to pass, bills like HB2015, SB1227, that will address pre-k, classroom size and, common-sense policies like SB 1756 that will provide paid-family leave to build stronger schools and stronger families.

But there is more work for the state to do to support our schools. Without predictable, on-going state funding, many public schools – particularly, small rural schools – will not be able to sustain their operations and provide a full range of services to students and families. "When the state sits on a billion-dollar rainy day fund and projects a two-billion-dollar surplus, there is no excuse to not fully fund every school," Superintendent Hoffman said, "There has never been a more urgent time to tap into our safety net and provide for Arizonans. Anyone who thinks it's not raining in Arizona right now needs to check their privilege."

The pressure on our schools this past year has been immense, but they have risen to the challenge, transitioning to new learning models, and a new reality, with innovation, quick-thinking, and adaptation. Proving, our schools can be the backbone of our state's recovery from this virus, in fact they must be.

A full transcript of Superintendent Hoffman's address can be found here. Also, please see attached audio files for your use.

ADHS To Open New Appointments At State-Run Phoenix Municipal Stadium Tomorrow

Additional Doses Pave The Way For 21,000 New Appointments Over 2 Weeks In February

PHOENIX — The Arizona Department of Health Services is opening up registration for 21,000 more appointments for the COVID-19 vaccine starting tomorrow, Wednesday, Feb. 3 at 9 a.m. This is part of the state's ongoing work to speed up the pace of vaccine distribution. These additional appointments will be available to prioritized Arizonans at the new state-run vaccination site at Arizona State University's Phoenix Municipal Stadium.

These 21,000 appointments are now available thanks to vaccine supply identified because of Governor Ducey's Executive Order last week. Appointments will be available from Friday, Feb. 5 through Thursday, Feb. 18, between the hours of 7 a.m. and 5 p.m. Those who receive their first vaccinations at State Farm Stadium or Phoenix Municipal Stadium will have a guaranteed appointment for second doses at the same vaccination site.

Last week, Governor Ducey issued Executive Order 2021-01 requiring all vaccine providers that have received more than 1,000 doses and had over 40% of those doses remaining unused to submit a plan to the Arizona Department of Health Services (ADHS). Plans submitted by counties and health care providers identified available doses of the Pfizer vaccine and allowed ADHS to open up additional appointments at Phoenix Municipal Stadium.

"Arizona acted quickly to ensure these vaccine doses will go to Arizonans with urgency, rather than sitting in a freezer," said Governor Doug Ducey. "With State Farm Stadium and our new Phoenix Municipal Stadium, Arizona has dramatically increased the number of COVID-19 vaccine doses administered each day. These vaccination sites have become a national model for other states and we will continue to look for ways to ensure Arizona's vaccine doses are being used."

In addition, Arizonans registering for these new appointments online will have a simpler, easier user experience. New improvements to the state's vaccine registration website recently went live at podvaccine.azdhs.gov. Among them: a feature that shows the next available appointment rather than requiring a user to search by day for appointments. Information about all the vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001466

ARZN_REV00068676_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

computer access or needing extra help registering can call 1-844-542-8201 to be connected with an operator who can assist. **Note: You can use the patient portal at** podvaccine.azdhs.gov **to make an appointment for someone else in a prioritized group, such as someone 65 and older.**

More than 702,664 doses of the COVID-19 vaccine have been administered so far to 579,225 Arizonans, including 109,617 who have received both doses. As of today, 123,242 Arizonans have been vaccinated at the state-run vaccination sites since the opening of State Farm Stadium on Jan. 11 and Phoenix Municipal Stadium on Feb. 1. In less than three weeks, State Farm Stadium has administered over 25% of the total vaccine given in Maricopa County, which includes sites that have had vaccine since Dec. 14. Over 95% of those vaccinated at the site are Maricopa County residents.

"We know the vaccine is in high demand, and we expect the appointments to fill quickly," said ADHS Director Dr. Cara Christ. "Building off of the success of the State Farm Stadium site, we are able to replicate these sites quickly to add capacity when we get vaccine. Our only limiting factor is the amount of vaccine we are receiving from our federal partners."

In an effort to add more appointments and in accordance with Executive Order 2021-01, ADHS will prioritize allocating limited vaccine resources to sites that have proven, efficient administration, including:

- Sites that are open 7 days a week;
- Sites that have extended hours of operation;
- Sites that have the capacity to administer large numbers of vaccine doses (greater than 4,000 per day);
- Sites that are using the vaccine they receive on a weekly basis and not stockpiling; and
- Sites that vaccinate the priority groups determined by the Vaccine and Antiviral Prioritization Advisory Committee (VAPAC), which includes vaccinating people between the ages of 65 and 74 as a part of the priority Phase 1B population.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A); and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). Each county's current vaccine phase is listed on the ADHS website, which is updated daily.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Fernandez Commends UPS for COVID-19 Response in Rural & Tribal Communities

YUMA, Ariz. – In the early months of the COVID-19 pandemic, Representative Charlene Fernandez encouraged delivery giant UPS to do more to help struggling communities, particularly the Navajo Nation and Somerton – in her district – which were among the hardest-hit in the nation.

UPS stepped up, donating and delivering shipments of badly needed masks and personal protective equipment to both locations. Today, Fernandez recognized the company for quietly continuing those efforts throughout the year, impacting tens of thousands of families in effort to slow the spread. Remarkably, UPS expanded its effort to include hundreds of thousands of dollars in education grants and scholarships for college-age youth in tribal communities.

"What began as an emergency request to literally help save lives has transformed into an effort by one company to transform lives," Fernandez said. "I can't commend UPS enough for the way in which their frontline workers and leaders threw their arms around our communities and our state at time when we really needed it. Thank you!"

Bruce DD Mac Rae, Vice President of U.S. Government Affairs for Ups, added, "We have a saying at UPSL Determined people working together can accomplish anything. We are all family here in Arizona, on the Navajo Nation, across the USA and the world. I personally thank former House Democratic Leader Charlene Fernandez for opening our eyes to the needs of the Navajo Nation. We are in this as one family, and we at UPS are honored to help out. May we all walk in friendship--always."

UPS COVID-19 support on the Navajo Nation and other rural and tribal Communities included:

- One truckload of mixed items containing water, hand sanitizer, emergency meals, dry goods, canned goods, hand soap and paper towels sent in March to support 300 people of the White Mountain Apache tribe in Fort Apache.
- 12,000 disaster relief meals to Partnership with Native Americans. These meals were assembled and packed by volunteers and donated to PWNA for its disaster relief program to tribal communities. They are stored in PWNA's warehouse in Phoenix and delivered with other relief supplies when tribes request assistance.
- 30,000-plus bottles of UPS hand sanitizer provided in one UPS truckload were delivered to Chinle, Arizona.
- 60,000 masks delivered to the Chinle School District/Navajo Nation were delivered in July from Good360.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001467
ARZN_REV00068676_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- 13,000 masks were transported by UPS to Yuma farm workers.
- Three truckloads of water including 4,000 five-Gallon emergency source water boxes delivered to Navajo Nations Donations center in Window Rock. Each truckload provides water for 5,000+ people – donated by Aquene Springs.
- Seven additional hand sanitizer shipments were sent to the Toolbank, Good 360 and Salvation Army in Phoenix. While not directly for Navajo Nation, if they receive donations from these NGOs, the products were most likely transported by UPS.

Education and Economic development funding provided by UPS included:

- $275,000 grant to American Indian College Fund in May 2020. Used for the UPS Foundation Scholarship ($175,000) providing 40 academic scholarships to Native American students attending tribal colleges and universities and Native Pathways Program ($100,000), to encourage students to pursue higher education.
- $75,000 grant to the National Center for American Indian Enterprise Development in March 2020. Goes toward development of Native Edge, an online business-development and training system supporting commerce between tribal nations, government entities and corporations across the United States.
- $10,000 sponsorship to the American Indian College Fund in March 2020. Provides sponsorship support of the American Indian College Fund, Epicurean Award to Support Scholars (EATSS), which replaced the Flame of Hope Gala.
- $30,000 to the National Center for American Indian Enterprise Development in March 2020. Provides sponsorship support of the Annual Reservation Economic Summit 2020 to be held in March.
- $75,000 Brigham Young University for 20 scholarships for Native American students for the 2020-2021 academic year.

Bolding Seeks Transparency and Accountability in Police Use-of-Deadly Force Probes, has AG Support

PHOENIX— House Democratic Leader Reginald Bolding on Monday introduced House Bill 2765 to require third-party oversight into an officer's use of deadly force with key support from Attorney General Mark Brnovich. Currently in Arizona, when a deadly officer-involved shooting or use-of-force incident occurs, the investigation is often conducted by the same law enforcement agency.

If enacted, the legislation would require an outside law enforcement agency, the Attorney General's Office, or a County Attorney from another county to investigate an officer's use of deadly force. After the investigation is complete, the results would be presented to the County Attorney of the county where the incident occurred. Similar legislation has recently been proposed and adopted in Utah, Illinois, and Wisconsin.

"If we are going to restore the trust between law enforcement and the communities that they are supposed to serve and protect, we must ensure that officers who engage in police brutality or improperly use deadly force are held accountable," said Bolding, D-Phoenix, who has proposed several police reform bills. "You cannot objectively say that's the case in Arizona. This is a simple, common-sense step in the right direction to avoid conflicts of interest and ensure fairness and accountability. We greatly appreciate Attorney General Brnovich's support in this effort."

"Transparency and accountability should not be partisan issues," said Attorney General Brnovich. "Our law enforcement officers work hard to protect us each day and they are required to make split second decisions in the line of duty. It is in everyone's best interest to maintain public confidence in the investigations following officer-involved shootings."

Last year, Representative Bolding along with several of his Democratic colleagues, called for a special session to address a number of police reform issues, including requiring the investigation of a law enforcement officer's use of deadly force to be conducted by a different jurisdiction from where the officer is employed.

Similarly, Attorney General Brnovich called for third party oversight in the investigations of officer-involved shootings and excessive use of force.

New Bill Allows the Return of Legal Sale of Alcohol to Go

Legislation Intended to Help Businesses Endure Hardships of COVID-19

PHOENIX (February 1, 2021) —Yesterday, Arizona state House Representative Jeff Weninger (R, District 17), introduced HB 2773, allowing for restaurants and bars across Arizona to once again sell to-go cocktails, legally.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001468
ARZN_REV00068676_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Bringing back one of the most popular features among consumers in the age of COVID-necessitated to-go dining, Weninger is hopeful this action will help the struggling hospitality industry recover from the challenges of 2020. "This is an important win all around," says Weninger. "This bill will allow local restaurants and bars to provide a service that their customers want while earning the vital additional business revenue to help them survive, now and into the future."

Since 2010, the importance of takeout or delivery food to customers has doubled, with 52 percent of adults saying that takeout or delivery is essential to the way they live, and the COVID-19 pandemic has only accelerated this trend. As the Arizona restaurant and bar industry looks to recover from the pandemic, the sale of to-go cocktails will play a key role — allowing customers access to their favorite alcoholic beverages to pair with their takeout food orders.

"As a restaurant and bar owner with a series 6 liquor license, I cannot overstate how important HB 2773 is to our industry," say Matt Fulton, owner of Pigtails and The Whining Pig in Phoenix. "Over the past year, the hospitality industry has endured incredible challenges. But one of the bright spots that has emerged is our customers' embrace of to-go cocktails. As the industry moves from survival to recovery, to-go cocktails will play a vital role in ensuring Arizona's place as a culinary and hospitality leader. I want to thank Rep. Weninger for bringing this important legislation forward."

HB 2773 will allow bars to sell to-go cocktails and give restaurants an opportunity to apply for and purchase an additional permit to sell to-go cocktails. The bill also creates a statutory structure for third-party delivery services to participate by allowing them to obtain a license from the Arizona Department of Liquor Licenses and Control and setting a strict set of standards for the delivery of any alcoholic beverage.

"We are grateful to Rep. Weninger for sponsoring HB 2773, which brings customers a new and convenient way to access craft cocktails," says Steve Chucri, president and CEO of the Arizona Restaurant Association. "This measure strikes a balance between respecting currently existing to-go privileges, which are the purview of certain license types, while presenting a brand-new way for patrons to support their favorite restaurant or bar."

The sale of to-go cocktails is a growing trend across the nation with eight other states having already passed legislation and another 12 others currently in the process. Arizona has historically been a leader in the food and beverage industry, and this important legislation ensures the State remains a prominent culinary destination.

About the Arizona Restaurant Association: Dedicated to helping its members become leaders in their communities through building customer loyalty, escalating awareness of food safety and healthy living, bolstering a thriving industry and rewarding workforce, and increasing financial success, the Arizona Restaurant Association is the brainchild behind events that support the state's culinary scene including Arizona Restaurant Week and the Foodist Awards. For more information, visit www.azrestaurant.org.

Congressman Biggs' Statement on Democrats' Looming Actions to Strip Republican Member of Committee Assignments

WASHINGTON, D.C. – Today, Congressman Andy Biggs released a statement in response to Democrats' plans to bring a resolution to the House floor to strip Congresswoman Marjorie Taylor Greene of her committee assignments:

"Since taking back the House majority in 2019, Speaker Nancy Pelosi and her Democrat conference have led the most radical agenda in our nation's history, stopping at nothing to overthrow and undermine the Trump presidency and to demonize fellow Republicans in Congress. They seek to silence and discontinue conservative voices, while expanding their progressive, anti-American schemes. The Left is aided by their allies in the mainstream media, who issue hours and binders of propaganda from their ivory towers.

"Many members of the radical left in Congress have advocated for violence, anti-Semitism, anti-law enforcement, and other sentiments that have violated rules of decorum and principles of American decency. The left, and their allies in the mainstream media, have ignored and buried these egregious statements, while projecting their sins upon Republicans. The American people are repulsed by this hypocritical double standard and overt attempt to remove Republicans from power.

"All Members of Congress have a duty to hold ourselves to a higher standard when it come to our language and actions. While Congress does have specific rules governing some of our actions and rhetoric, we all understand that our constituents are the final arbiters of our performances. The Democrats' moves to strip Congresswoman Greene of her committee assignments for thoughts and opinions she shared as a private citizen before coming to the U.S. House is unprecedented and unconstitutional, and these steps are a dangerous slope for our nation. All self-righteous Republicans beware: if this can happen to Congresswoman Marjorie Taylor Greene, it can happen to anyone of us.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001469
ARZN_REV00068676_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"I unequivocally oppose this tyrannical move from the Democrats, and I call on all of my colleagues to stand against these political ploys to undermine our conference. We can disagree with statements that Congresswoman Greene – or any one of us – may have made, but we must reject attempts from the Left and the mainstream media to trash the First Amendment and to divide our conference based on a frenzied narrative. If the Left proceeds with this unprecedented action, Republicans should have no choice but to reciprocate when we have regained the majority."

Statement: Senator Kelly Votes to Confirm Alejandro Mayorkas as DHS Secretary

Kelly spoke with Mayorkas about priorities including ports, vaccinations for CBP officers

Today, United States Senator and retired Navy Captain Mark Kelly voted to confirm Alejandro Mayorkas to serve as the next Secretary of the Department of Homeland Security.

Over the weekend, Kelly spoke with Mayorkas about the urgent need to get COVID-19 vaccinations to Customs and Border Patrol Officers and personnel working on the border and the critical need to ensure smart and strong border security that keeps communities safe and strengthens our economy, like modernizing and upgrading our Ports of Entry – both issues raised during Kelly's visit to the border in January. After that visit, Kelly wrote to the Department of Health and Human Services urging them to coordinate on-site vaccinations for CBP officers at field offices and ports of entry. Kelly and Mayorkas also spoke about the importance of restoring damage done by wall construction in environmentally sensitive areas of Arizona.

"I want to congratulate Secretary Mayorkas on today's historic and bipartisan confirmation. When I spoke with him a few days ago, I shared the unique challenges facing border communities and the burdens our state often faces due to a broken immigration system. I encouraged Secretary Mayorkas to partner closely with local stakeholders in Arizona to secure the border, improve trade, and protect Arizona's natural resources and way of life. I look forward to working with him on these priorities and to fix our broken immigration system in a way that is fair and humane and helps rebuild our economy."

"QUOTE OF THE DAY"

"They run this building. They make the rules in this building, and that's a rule we have to follow."

- Contreras, on Fann telling Senate Democrats they can no longer stream their caucus meetings

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001470

ARZN_REV00068676_2-2-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, February 2, 2021 4:44:58 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-2-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet *February 2, 2021*

IT'S FEELING MORE AND MORE LIKE GOWAN'S HOUSE
The Senate deactivated our reporter's badge and barred our reporter, and the public, from attending the Rules Committee yesterday in a crackdown the chamber is attributing to protecting against Covid, but which conveniently followed our reporter's attempt last Monday to ask Rogers questions about the ethics complaint filed against her.

SPIES, LIES AND BS ALL AROUND
Fann also ordered Dems to close their caucus down after Rios had made an open video call for anyone who asks to participate.

IT COULD BE WORSE
Although today's meeting was only the second time the full IRC met, it already has an open meetings complaint.

AMERICAN OVERSIGHT

OH, DON'T WORRY, IT'LL GET WORSE
As the IRC was holding its first meeting, Colleen Mathis, the former IRC commissioner, offered a somber assessment of the job.

STAY MODERATE TO OWN THE MAGAS
As potential candidates from both political parties eye the 2022 field, HighGround's Paul Bentz has some suggestions about how to win – and the path to victory predictably includes courting independents.

WHY SHOULD THE PUBLIC KNOW YOUR BUSINESS?
Public officials were required to file their annual financial disclosure statements yesterday, but nearly a dozen didn't bother.

WE'VE HAD TOO MANY R.I.P. HEADLINES LATELY
Former lawmaker and Navajo Nation President Albert Hale, died Tuesday after battling with Covid, the Navajo Nation Council announced this afternoon.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, February 02, 2021

·NEWS NOTES AND GOSSIP·

IT'S FEELING MORE AND MORE LIKE GOWAN'S HOUSE

The Senate deactivated our reporter's badge and barred our reporter, and the public, from attending the Rules Committee yesterday in a crackdown the chamber is attributing to protecting against Covid, but which conveniently followed our reporter's attempt last Monday to ask Rogers questions about the ethics complaint filed against her. While the House broadcasts its Rules Committee and caucus meetings, the Senate holds those meetings in the camera-free first-floor caucus rooms. Unless a reporter is in the room, the public has no way to know the opinion of the attorneys hired to vet bills for constitutionality. Our reporter was booted from caucus last week, barred from Rules yesterday and discovered that the Senate deactivated our key card access to the building. Senate security eventually allowed our reporter into the building, but only while the Senate was on the floor, and only in the third-floor gallery. Security has been instructed to block us from the hallways – contradicting Fann's pledge before session that reporters could catch senators in the second-floor hallway (YS, 1/7). Senate GOP spokesman Mike Philipsen confirmed that the Senate has "temporarily" deactivated key card access to the building, and said he was unaware that Fann had promised reporters could lurk in the hallways. He said he hopes to reach a solution, such as allowing reporters to join the Zoom call that lawmakers attend during caucus, within the next few weeks. As for rules, Philipsen offered to tell our reporter what happened, and said he'd pass on our reporter's question about moving the meeting to one of the many other hearing rooms equipped for broadcasting. The Senate cited Covid risks in further restricting access to the building, though if our masked reporter is a Covid threat, the same could certainly be said for the Republicans who routinely wear their masks below their noses or take them off entirely to speak. Fann didn't return a call for comment, but has repeatedly complained that the press only covers the bad things lawmakers do and said if she's going to "bend over backwards" to give reporters access, she wants the press to "be fair" (YS, 1/25).

SPIES, LIES AND BS ALL AROUND

Fann also ordered Dems to close their caucus down after Rios had made an open video call for anyone who asks to participate. Both Contreras and Quezada confirmed that Fann gave the order, and said Democrats couldn't do anything to stop it. "They run this building. They make the rules in this building, and that's a rule we have to follow," Contreras told our reporter. Contreras said Dems were told caucuses should be closed as part of the new Covid restrictions in the building, though, of course, streaming a meeting cannot possibly contribute to spreading Covid. Quezada told our reporter he was unaware that reporters were being barred from the Rules Committee because he participates virtually. The committee should be held in Senate Hearing Room 1 and streamed, even during normal times, he said. "I've always had a huge issue with that," he said. "I don't think our Rules Committee should be held behind closed doors at all." He said his understanding is that Republicans can force Dems to follow their rules for caucuses because majority staff controls meeting links. "Now whether that's a bunch of BS or not, I'll let you write about that," he said. And Quezada said Dems are now unable to send an intern to safely sit in on the GOP caucus, because Republicans won't provide a Zoom link and Dems aren't going to send an intern into a crowded room of potentially unmasked Republicans. Since they're not allowed to stream their meetings, Dems plan to have their interns act as "spies" by taking notes on Dem caucus and posting them for the public to see.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001473

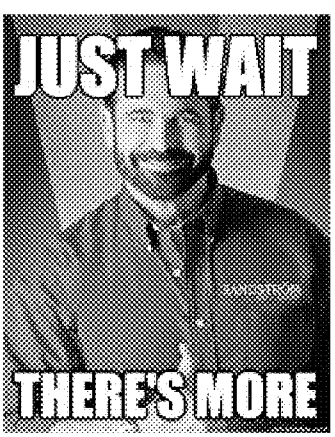
ARZN_REV00068678_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT COULD BE WORSE

Although today's meeting was only the second time the full IRC met, it already has an open meetings complaint. The complaint argued that the commission has moved into executive session without proper notice, and cut out the public due to technical difficulties with the video streaming system. Commissioners chalked the problems up to technical difficulties, but agreed to let an investigation play out. On top of the agenda today was hiring an administrative assistant and legal counsel, and updating the website, which still lists info about the 2011 commission. Andy Tobin, director of the Dept of Administration, which oversees the IRC, added some pressure for the IRC to start hiring, saying his employees won't be able to help out for too much longer due to their own restraints from Covid. The discussion over hiring legal counsel was the most interesting part of the mostly dull three-hour meeting, as there was a little contention over whether commissioners should hire two legal counsel teams – one for Democratic interests and another for Republican interests – as it has in the past, or if they can find one nonpartisan counsel that will be able to adequately represent both sides. Commissioners didn't settle on a decision, but said they are going to attempt for the latter while leaving open the possibility of hiring two firms. The commission voted on several different agenda items, and while the commission didn't make any substantial decisions, each vote was unanimous. For the foreseeable future, the IRC will meet every Tuesday between 9 am and noon. Next week's meeting will begin the process to open up applications to fill administrative roles.

OH, DON'T WORRY, IT'LL GET WORSE



As the IRC was holding its first meeting, Colleen Mathis, the former IRC commissioner, offered a somber assessment of the job. On *KJZZ's The Show* this morning (LINK) Mathis relived her tumultuous tenure as chair, saying it started friendly enough, but by the time she got her sea legs, the slings and arrows came out. "You're essentially starting up an administrative agency from zero. So it's a really big task… It's only when you start making those key hires that people really start to pay attention and decide whether they like who you hired or didn't and that's when the arrows start flying," she said. "Initially it's startling, frankly, because I hadn't anticipated all of the arrows that would be flying." She said while her fellow commissioners started out by trying to stay above the political fray and represent all Arizonans above their party, as time went on and "members of the commission were getting political pressure from their parties, perhaps, to behave in a certain way, or not trust the chair, maybe they started doing that." "The dynamic definitely changed," she said. She noted that one of her longstanding frustrations with coverage of the process is the assertion that she sided with the Democrats. "It's always been characterized as I sided with the Democrats, and I didn't they actually had to come around to my way of thinking if they wanted to have representation that they could live with," she said. "And that's what the independent has to do sometimes – you've got to put a line in the sand at some point if the four aren't agreeing on a particular item. The clock is ticking." Mathis noted that when voters first approved the IRC, only 18 percent of voters were registered independents, (though by the time she became chair, independents had crossed 30 percent) and the power of independents has only grown in the ensuing decades. The IRC chair role is not to remove partisanship, she said, but to represent those independents, just as the partisans represent their parties. "They're a fully engaged and functioning member of the commission representing the independent voice in this state," she said. "And their role is not to remove partisanship from the commission. That's impossible – four of the five members of the commission are partisans."

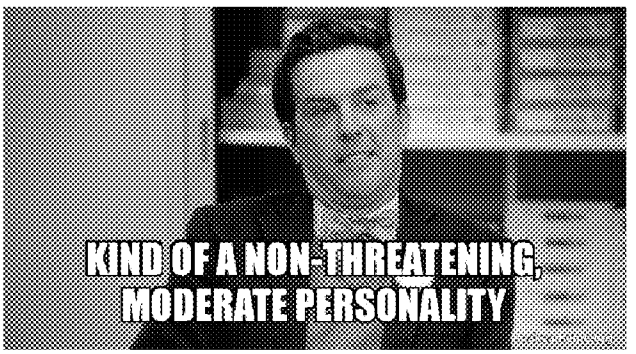
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001474

ARZN_REV00068678_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STAY MODERATE TO OWN THE MAGAS



As potential candidates from both political parties eye the 2022 field, HighGround's Paul Bentz has some suggestions about how to win – and the path to victory predictably includes courting independents. It's no secret that independent voters or persuadable "Ducey-Sinema'' voters are the ones who decide Arizona's elections, he noted. "Republicans must recognize that pandering to their base may get cheers in a district meeting or adoration on social media, but it destroys their ability to broaden the base," Bentz wrote on his blog today (LINK). But he also cautioned that Democrats "cannot assume [independents] will lean their way in 2022." In order to stay competitive in a still technically red state, Democrats must "avoid a messy free-for-all or electing far-left progressives who have proven time and again unelectable on a statewide level." And finally, as everyone tries to figure out what Republican Party looks like post-Trump, Bentz laid out a four-step process to salvaging the GOP's reputation: Stop suppressing Republican voters, unite the party, embrace early voting and stop trying to game the system. "Even with these steps, it may not be enough," he wrote. The best chance for Republican unification may be if the Biden agenda goes so far left as to create a Trump like environment which existed in 2016."

WHY SHOULD THE PUBLIC KNOW YOUR BUSINESS?

Public officials were required to file their annual financial disclosure statements yesterday, but nearly a dozen didn't bother. The two Democrats on the Corporation Commission – Sandra Kennedy and Anna Tovar – didn't file their disclosures yet, while a handful of lawmakers also haven't yet filed theirs. Two senators are late – Gonzales and Ugenti-Rita – while former Sen Eddie Farnsworth also hasn't filed his disclosure (because the reports cover the previous year, outgoing politicians must still file one.) In the House, only one sitting lawmaker didn't file their report: Blackman. Former lawmakers who are still required to file, but didn't, include Anthony Kern, Bob Thorpe, Jay Lawrence, and Geraldine Peten. Remembering the deadline seems harder for lawmakers than other officials – all 207 superior court judges who were required to submit financial disclosure statements filed theirs on time. The Secretary of State's Office sent letters to those who haven't filed warning that there is a $50 per day penalty, and that those who don't file within 30 days could face further enforcement.

WE'VE HAD TOO MANY R.I.P. HEADLINES LATELY

Former lawmaker and Navajo Nation President Albert Hale, died Tuesday after battling with Covid, the Navajo Nation Council announced this afternoon. Hale, 71, served as his tribe's assistant attorney general before he was elected president, serving from 1995 to 1998. He represented his LD7 (and its previous iteration, LD2), in the state Senate from 2004 to 2011 and in the House from 2011 to 2017. "The Navajo Nation prays for the family and relatives of our leader, Hon. Albert Hale," Council Speaker Seth Damon said in a statement. "As a former president of the Navajo Nation, he is remembered for his service and dedication to the Navajo People, which continued beyond the borders of the Nation when he was called to represent our district in the Arizona Legislature."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001475
ARZN_REV00068678_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Teller leaves Legislature to join Biden administration
Arizona Capitol Times
Rep. Arlando Teller, D-Chinle, has left the Legislature to take a job with the Biden administration.

Rogers claims accusations against her false
Arizona Capitol Times
A state senator accused of workplace harassment said Monday that a complaint filed against her isn't true, and it wouldn't violate Senate rules even if it were.

Details emerge on gambling expansion
Capitol Media Services
OK. So you think Cardinals quarterback Kyler Murray will rush for at least 75 yards in an upcoming game.

Historical society to preserve quilts dedicated to migrants who died crossing into Arizona
Arizona Daily Star
Tucson's Migrant Quilt Project was launched in 2007 to remember dead, spread awareness.

Ducey sounds hopeful note for post-pandemic Arizona
East Valley Tribune
There was no tinkling of silverware, no low murmurs of conversations and, in fact, no food at the annual breakfast visit from the governor last Thursday hosted by the PHX East Valley Partnership and the region's chambers of commerce.

Biden ban on new private prison contracts will not reach Pinal ICE detainees
Cronkite News
President Joe Biden's order that the Justice Department stop contracting with private prisons could eventually affect thousands of inmates — but not the roughly 3,000 illegal immigrants being held in private facilities in Pinal County.

Advocates push wide-ranging new Arizona school voucher bill
Associated Press
Advocates of using public money for private education are pushing a wide-ranging new school voucher program that would vastly expand Arizona's current system just two years after state voters overwhelmingly rejected a universal voucher system.

Concern over winter visitors jumping the line for covid-19 vaccinations raised
Today's News-Herald
Mohave County following state's guidance that residence doesn't matter.

New Phoenix Vaccination Site Hamstrung by Short Supplies
Phoenix New Times
A festive scene greeted the public in a Phoenix Municipal Stadium parking lot on Monday as the Arizona Department of Health Services opened its second drive-up vaccination site.

Paul Gosar Allegedly Met With Oath Keepers and Said the U.S. is in a Civil War
Phoenix New Times
A member of the Yavapai County chapter of the Oath Keepers, an extremist right-wing militia group that was involved in the January 6 attack on the U.S. Capitol, claimed in a recent YouTube video that Arizona Congressman Paul Gosar met with them and said that the U.S. is in a civil war.

553 County Vaccine Doses Discarded Due To No-Shows, Technical Issues
Phoenix New Times
Even as demand for COVID-19 vaccines massively outstripped supply, 553 doses of the vaccine had to be discarded at Maricopa County sites in the first month that vaccines were available.

Kelli Ward demanded an audit of a local GOP leadership election before refusing one of her election

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001476
ARZN_REV00068678_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Mirror
Less than two months before refusing calls for an audit of her re-election to lead the Arizona Republican Party, AZGOP Chairwoman Kelli Ward demanded GOP leaders in a north Phoenix legislative district conduct an audit of the party's December organizing election.

Senate wants Maricopa County to set date to comply with election subpoena
Arizona Mirror
The Arizona Senate wants Maricopa County to say by noon on Tuesday when it will provide the equipment, materials and data it wants for a controversial audit of the 2020 general election.

Why Arizona's Senators May Collide With Democrats Who Elected Them
New York Times
Senators Kyrsten Sinema and Mark Kelly ran on bipartisan approaches to governing, but some Democrats in Arizona view their openness to Senate Republicans with skepticism.

Republicans want to make our democracy smaller. We can't let them.
Arizona Mirror (Op-ed, Katie Hobbs)
In 2020, we were challenged in many ways. The year challenged our healthcare system, our economy, our families. It also challenged our democracy.

Gov. Doug Ducey will veto any new election bill. Or was he lying?
Arizona Republic (Opinion, EJ Montini)
In December the governor laid out exactly why elections in Arizona are fair, efficient and secure. If he meant it, no new laws are necessary.

Blame Rep. Andy Biggs for the rise of Marjorie Taylor Greene, the GOP's latest kook
Arizona Republic (Opinion, Laurie Roberts)
In just under a month, Rep. Marjorie Taylor Green has already become a federal disaster area for the Republican Party. Why on earth did Rep. Andy Biggs urge this nut to run for Congress?

Republican lawmakers in Arizona are scheming to block the 'wrong' sort of voters
Arizona Republic (Opinion, Laurie Roberts)
Not content with simply scheming to make it more difficult to vote, Arizona GOP lawmakers now are moving on to making it more difficult even to register to vote.

If more Colorado River water flows to Queen Creek now, that could start World War III
Arizona Republic (Opinion, Joanna Allhands)
A reversed recommendation on a proposed water transfer to Queen Creek couldn't have come about in a worse way ... and at the worst time for Arizona.

Republicans will never agree to a $15 federal minimum wage hike. Just do it, anyway
Arizona Republic (Opinion, Elvia Diaz)
Let's not kid ourselves. Republicans will never agree to raise the federal minimum wage to $15 per hour. Democrats must do it themselves.

Joe Biden can pass COVID relief and still unify our nation
Arizona Republic (Opinion, Editorial Board)
At the moment, Joe Biden's most important job is to work with Republicans to pass the American Rescue Plan, who also must show they are serious about COVID-19 relief.

·PRESS RELEASES·

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001477
ARZN_REV00068678_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Superintendent Hoffman Delivers 2021 State of Education Address

PHOENIX – Today, Arizona Superintendent of Public Instruction Kathy Hoffman delivered her annual "State of Education" address to the Senate Education Committee. Under the shadow of COVID-19 Superintendent Hoffman shared the incredible, unforeseen challenges Arizona's schools have faced because of the pandemic – but also highlighted the remarkable empathy, kindness, and innovation of our students, teachers and families.

The hardships felt by every Arizonan over the past year, have also deeply impacted our students. Too many of Arizona's youngest have coped as parents lost a job, struggled to learn over unreliable internet connections, and tragically too many have had to grieve the loss of a loved one to this virus.

We must get this virus under control, so we can fully focus on policies and investments to make our schools stronger. Our schools need predictable, sustainable funding to plan their budgets, to hire and fairly compensate every professional their students need, from reading specialists to school counselors.

Making Arizona's public schools stronger, also means supporting Arizona families. Over the past year, we have learned just how deeply tied our schools are to families and communities. Saying that, "The truth is that family-centered policies support our schools and benefit all communities," Superintendent Hoffman called the legislature to pass, bills like HB2015, SB1227, that will address pre-k, classroom size and, common-sense policies like SB 1756 that will provide paid-family leave to build stronger schools and stronger families.

But there is more work for the state to do to support our schools. Without predictable, on-going state funding, many public schools – particularly, small rural schools – will not be able to sustain their operations and provide a full range of services to students and families. "When the state sits on a billion-dollar rainy day fund and projects a two-billion-dollar surplus, there is no excuse to not fully fund every school," Superintendent Hoffman said, "There has never been a more urgent time to tap into our safety net and provide for Arizonans. Anyone who thinks it's not raining in Arizona right now needs to check their privilege."

The pressure on our schools this past year has been immense, but they have risen to the challenge, transitioning to new learning models, and a new reality, with innovation, quick-thinking, and adaptation. Proving, our schools can be the backbone of our state's recovery from this virus, in fact they must be.

A full transcript of Superintendent Hoffman's address can be found here. Also, please see attached audio files for your use.

ADHS To Open New Appointments At State-Run Phoenix Municipal Stadium Tomorrow

Additional Doses Pave The Way For 21,000 New Appointments Over 2 Weeks In February

PHOENIX — The Arizona Department of Health Services is opening up registration for 21,000 more appointments for the COVID-19 vaccine starting tomorrow, Wednesday, Feb. 3 at 9 a.m. This is part of the state's ongoing work to speed up the pace of vaccine distribution. These additional appointments will be available to prioritized Arizonans at the new state-run vaccination site at Arizona State University's Phoenix Municipal Stadium.

These 21,000 appointments are now available thanks to vaccine supply identified because of Governor Ducey's Executive Order last week. Appointments will be available from Friday, Feb. 5 through Thursday, Feb. 18, between the hours of 7 a.m. and 5 p.m. Those who receive their first vaccinations at State Farm Stadium or Phoenix Municipal Stadium will have a guaranteed appointment for second doses at the same vaccination site.

Last week, Governor Ducey issued Executive Order 2021-01 requiring all vaccine providers that have received more than 1,000 doses and had over 40% of those doses remaining unused to submit a plan to the Arizona Department of Health Services (ADHS). Plans submitted by counties and health care providers identified available doses of the Pfizer vaccine and allowed ADHS to open up additional appointments at Phoenix Municipal Stadium.

"Arizona acted quickly to ensure these vaccine doses will go to Arizonans with urgency, rather than sitting in a freezer," said Governor Doug Ducey. "With State Farm Stadium and our new Phoenix Municipal Stadium, Arizona has dramatically increased the number of COVID-19 vaccine doses administered each day. These vaccination sites have become a national model for other states and we will continue to look for ways to ensure Arizona's vaccine doses are being used."

In addition, Arizonans registering for these new appointments online will have a simpler, easier user experience. New improvements to the state's vaccine registration website recently went live at podvaccine.azdhs.gov. Among them: a feature that shows the next available appointment rather than requiring a user to search by day for appointments. Information about all the vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001478

ARZN_REV00068678_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

computer access or needing extra help registering can call 1-844-542-8201 to be connected with an operator who can assist. **Note: You can use the patient portal at** podvaccine.azdhs.gov **to make an appointment for someone else in a prioritized group, such as someone 65 and older.**

More than 702,664 doses of the COVID-19 vaccine have been administered so far to 579,225 Arizonans, including 109,617 who have received both doses. As of today, 123,242 Arizonans have been vaccinated at the state-run vaccination sites since the opening of State Farm Stadium on Jan. 11 and Phoenix Municipal Stadium on Feb. 1. In less than three weeks, State Farm Stadium has administered over 25% of the total vaccine given in Maricopa County, which includes sites that have had vaccine since Dec. 14. Over 95% of those vaccinated at the site are Maricopa County residents.

"We know the vaccine is in high demand, and we expect the appointments to fill quickly," said ADHS Director Dr. Cara Christ. "Building off of the success of the State Farm Stadium site, we are able to replicate these sites quickly to add capacity when we get vaccine. Our only limiting factor is the amount of vaccine we are receiving from our federal partners."

In an effort to add more appointments and in accordance with Executive Order 2021-01, ADHS will prioritize allocating limited vaccine resources to sites that have proven, efficient administration, including:

- Sites that are open 7 days a week;
- Sites that have extended hours of operation;
- Sites that have the capacity to administer large numbers of vaccine doses (greater than 4,000 per day);
- Sites that are using the vaccine they receive on a weekly basis and not stockpiling; and
- Sites that vaccinate the priority groups determined by the Vaccine and Antiviral Prioritization Advisory Committee (VAPAC), which includes vaccinating people between the ages of 65 and 74 as a part of the priority Phase 1B population.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A); and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). Each county's current vaccine phase is listed on the ADHS website, which is updated daily.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Fernandez Commends UPS for COVID-19 Response in Rural & Tribal Communities

YUMA, Ariz. – In the early months of the COVID-19 pandemic, Representative Charlene Fernandez encouraged delivery giant UPS to do more to help struggling communities, particularly the Navajo Nation and Somerton – in her district – which were among the hardest-hit in the nation.

UPS stepped up, donating and delivering shipments of badly needed masks and personal protective equipment to both locations. Today, Fernandez recognized the company for quietly continuing those efforts throughout the year, impacting tens of thousands of families in effort to slow the spread. Remarkably, UPS expanded its effort to include hundreds of thousands of dollars in education grants and scholarships for college-age youth in tribal communities.

"What began as an emergency request to literally help save lives has transformed into an effort by one company to transform lives," Fernandez said. "I can't commend UPS enough for the way in which their frontline workers and leaders threw their arms around our communities and our state at time when we really needed it. Thank you!"

Bruce DD Mac Rae, Vice President of U.S. Government Affairs for Ups, added, "We have a saying at UPSL Determined people working together can accomplish anything. We are all family here in Arizona, on the Navajo Nation, across the USA and the world. I personally thank former House Democratic Leader Charlene Fernandez for opening our eyes to the needs of the Navajo Nation. We are in this as one family, and we at UPS are honored to help out. May we all walk in friendship--always."

UPS COVID-19 support on the Navajo Nation and other rural and tribal Communities included:

- One truckload of mixed items containing water, hand sanitizer, emergency meals, dry goods, canned goods, hand soap and paper towels sent in March to support 300 people of the White Mountain Apache tribe in Fort Apache.
- 12,000 disaster relief meals to Partnership with Native Americans. These meals were assembled and packed by volunteers and donated to PWNA for its disaster relief program to tribal communities. They are stored in PWNA's warehouse in Phoenix and delivered with other relief supplies when tribes request assistance.
- 30,000-plus bottles of UPS hand sanitizer provided in one UPS truckload were delivered to Chinle, Arizona.
- 60,000 masks delivered to the Chinle School District/Navajo Nation were delivered in July from Good360.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001479
ARZN_REV00068678_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- 13,000 masks were transported by UPS to Yuma farm workers.
- Three truckloads of water including 4,000 five-Gallon emergency source water boxes delivered to Navajo Nations Donations center in Window Rock. Each truckload provides water for 5,000+ people – donated by Aquene Springs.
- Seven additional hand sanitizer shipments were sent to the Toolbank, Good 360 and Salvation Army in Phoenix. While not directly for Navajo Nation, if they receive donations from these NGOs, the products were most likely transported by UPS.

Education and Economic development funding provided by UPS included:

- $275,000 grant to American Indian College Fund in May 2020. Used for the UPS Foundation Scholarship ($175,000) providing 40 academic scholarships to Native American students attending tribal colleges and universities and Native Pathways Program ($100,000), to encourage students to pursue higher education.
- $75,000 grant to the National Center for American Indian Enterprise Development in March 2020. Goes toward development of Native Edge, an online business-development and training system supporting commerce between tribal nations, government entities and corporations across the United States.
- $10,000 sponsorship to the American Indian College Fund in March 2020. Provides sponsorship support of the American Indian College Fund, Epicurean Award to Support Scholars (EATSS), which replaced the Flame of Hope Gala.
- $30,000 to the National Center for American Indian Enterprise Development in March 2020. Provides sponsorship support of the Annual Reservation Economic Summit 2020 to be held in March.
- $75,000 Brigham Young University for 20 scholarships for Native American students for the 2020-2021 academic year.

Bolding Seeks Transparency and Accountability in Police Use-of-Deadly Force Probes, has AG Support

PHOENIX— House Democratic Leader Reginald Bolding on Monday introduced House Bill 2765 to require third-party oversight into an officer's use of deadly force with key support from Attorney General Mark Brnovich. Currently in Arizona, when a deadly officer-involved shooting or use-of-force incident occurs, the investigation is often conducted by the same law enforcement agency.

If enacted, the legislation would require an outside law enforcement agency, the Attorney General's Office, or a County Attorney from another county to investigate an officer's use of deadly force. After the investigation is complete, the results would be presented to the County Attorney of the county where the incident occurred. Similar legislation has recently been proposed and adopted in Utah, Illinois, and Wisconsin.

"If we are going to restore the trust between law enforcement and the communities that they are supposed to serve and protect, we must ensure that officers who engage in police brutality or improperly use deadly force are held accountable," said Bolding, D-Phoenix, who has proposed several police reform bills. "You cannot objectively say that's the case in Arizona. This is a simple, common-sense step in the right direction to avoid conflicts of interest and ensure fairness and accountability. We greatly appreciate Attorney General Brnovich's support in this effort."

"Transparency and accountability should not be partisan issues," said Attorney General Brnovich. "Our law enforcement officers work hard to protect us each day and they are required to make split second decisions in the line of duty. It is in everyone's best interest to maintain public confidence in the investigations following officer-involved shootings."

Last year, Representative Bolding along with several of his Democratic colleagues, called for a special session to address a number of police reform issues, including requiring the investigation of a law enforcement officer's use of deadly force to be conducted by a different jurisdiction from where the officer is employed.

Similarly, Attorney General Brnovich called for third party oversight in the investigations of officer-involved shootings and excessive use of force.

New Bill Allows the Return of Legal Sale of Alcohol to Go

Legislation Intended to Help Businesses Endure Hardships of COVID-19

PHOENIX (February 1, 2021) —Yesterday, Arizona state House Representative Jeff Weninger (R, District 17), introduced HB 2773, allowing for restaurants and bars across Arizona to once again sell to-go cocktails, legally.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001480
ARZN_REV00068678_2-2-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Bringing back one of the most popular features among consumers in the age of COVID-necessitated to-go dining, Weninger is hopeful this action will help the struggling hospitality industry recover from the challenges of 2020. "This is an important win all around," says Weninger. "This bill will allow local restaurants and bars to provide a service that their customers want while earning the vital additional business revenue to help them survive, now and into the future."

Since 2010, the importance of takeout or delivery food to customers has doubled, with 52 percent of adults saying that takeout or delivery is essential to the way they live, and the COVID-19 pandemic has only accelerated this trend. As the Arizona restaurant and bar industry looks to recover from the pandemic, the sale of to-go cocktails will play a key role — allowing customers access to their favorite alcoholic beverages to pair with their takeout food orders.

"As a restaurant and bar owner with a series 6 liquor license, I cannot overstate how important HB 2773 is to our industry," say Matt Fulton, owner of Pigtails and The Whining Pig in Phoenix. "Over the past year, the hospitality industry has endured incredible challenges. But one of the bright spots that has emerged is our customers' embrace of to-go cocktails. As the industry moves from survival to recovery, to-go cocktails will play a vital role in ensuring Arizona's place as a culinary and hospitality leader. I want to thank Rep. Weninger for bringing this important legislation forward."

HB 2773 will allow bars to sell to-go cocktails and give restaurants an opportunity to apply for and purchase an additional permit to sell to-go cocktails. The bill also creates a statutory structure for third-party delivery services to participate by allowing them to obtain a license from the Arizona Department of Liquor Licenses and Control and setting a strict set of standards for the delivery of any alcoholic beverage.

"We are grateful to Rep. Weninger for sponsoring HB 2773, which brings customers a new and convenient way to access craft cocktails," says Steve Chucri, president and CEO of the Arizona Restaurant Association. "This measure strikes a balance between respecting currently existing to-go privileges, which are the purview of certain license types, while presenting a brand-new way for patrons to support their favorite restaurant or bar."

The sale of to-go cocktails is a growing trend across the nation with eight other states having already passed legislation and another 12 others currently in the process. Arizona has historically been a leader in the food and beverage industry, and this important legislation ensures the State remains a prominent culinary destination.

About the Arizona Restaurant Association: Dedicated to helping its members become leaders in their communities through building customer loyalty, escalating awareness of food safety and healthy living, bolstering a thriving industry and rewarding workforce, and increasing financial success, the Arizona Restaurant Association is the brainchild behind events that support the state's culinary scene including Arizona Restaurant Week and the Foodist Awards. For more information, visit www.azrestaurant.org.

Congressman Biggs' Statement on Democrats' Looming Actions to Strip Republican Member of Committee Assignments

WASHINGTON, D.C. – Today, Congressman Andy Biggs released a statement in response to Democrats' plans to bring a resolution to the House floor to strip Congresswoman Marjorie Taylor Greene of her committee assignments:

"Since taking back the House majority in 2019, Speaker Nancy Pelosi and her Democrat conference have led the most radical agenda in our nation's history, stopping at nothing to overthrow and undermine the Trump presidency and to demonize fellow Republicans in Congress. They seek to silence and discontinue conservative voices, while expanding their progressive, anti-American schemes. The Left is aided by their allies in the mainstream media, who issue hours and binders of propaganda from their ivory towers.

"Many members of the radical left in Congress have advocated for violence, anti-Semitism, anti-law enforcement, and other sentiments that have violated rules of decorum and principles of American decency. The left, and their allies in the mainstream media, have ignored and buried these egregious statements, while projecting their sins upon Republicans. The American people are repulsed by this hypocritical double standard and overt attempt to remove Republicans from power.

"All Members of Congress have a duty to hold ourselves to a higher standard when it come to our language and actions. While Congress does have specific rules governing some of our actions and rhetoric, we all understand that our constituents are the final arbiters of our performances. The Democrats' moves to strip Congresswoman Greene of her committee assignments for thoughts and opinions she shared as a private citizen before coming to the U.S. House is unprecedented and unconstitutional, and these steps are a dangerous slope for our nation. All self-righteous Republicans beware: if this can happen to Congresswoman Marjorie Taylor Greene, it can happen to anyone of us.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"I unequivocally oppose this tyrannical move from the Democrats, and I call on all of my colleagues to stand against these political ploys to undermine our conference. We can disagree with statements that Congresswoman Greene – or any one of us – may have made, but we must reject attempts from the Left and the mainstream media to trash the First Amendment and to divide our conference based on a frenzied narrative. If the Left proceeds with this unprecedented action, Republicans should have no choice but to reciprocate when we have regained the majority."

Statement: Senator Kelly Votes to Confirm Alejandro Mayorkas as DHS Secretary

Kelly spoke with Mayorkas about priorities including ports, vaccinations for CBP officers

Today, United States Senator and retired Navy Captain Mark Kelly voted to confirm Alejandro Mayorkas to serve as the next Secretary of the Department of Homeland Security.

Over the weekend, Kelly spoke with Mayorkas about the urgent need to get COVID-19 vaccinations to Customs and Border Patrol Officers and personnel working on the border and the critical need to ensure smart and strong border security that keeps communities safe and strengthens our economy, like modernizing and upgrading our Ports of Entry – both issues raised during Kelly's visit to the border in January. After that visit, Kelly wrote to the Department of Health and Human Services urging them to coordinate on-site vaccinations for CBP officers at field offices and ports of entry. Kelly and Mayorkas also spoke about the importance of restoring damage done by wall construction in environmentally sensitive areas of Arizona.

"I want to congratulate Secretary Mayorkas on today's historic and bipartisan confirmation. When I spoke with him a few days ago, I shared the unique challenges facing border communities and the burdens our state often faces due to a broken immigration system. I encouraged Secretary Mayorkas to partner closely with local stakeholders in Arizona to secure the border, improve trade, and protect Arizona's natural resources and way of life. I look forward to working with him on these priorities and to fix our broken immigration system in a way that is fair and humane and helps rebuild our economy."

"They run this building. They make the rules in this building, and that's a rule we have to follow."

- Contreras, on Fann telling Senate Democrats they can no longer stream their caucus meetings

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001482

ARZN_REV00068678_2-2-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, February 3, 2021 8:02:07 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *February 3, 2021*

Bill gives Legislature some control of utility regulators
Arizona Capitol Times
The Arizona Corporation Commission may be the next branch of government that legislators can force the Attorney General to investigate.

Former lawmaker Hale dies
Arizona Capitol Times
Former Navajo Nation president Albert Hale, who also served as a state representative and senator, died Tuesday after battling with Covid, the Navajo Nation Council announced on its Facebook page this afternoon.

Bill targets human traffickers for lawsuits
Arizona Capitol Times
A Republican lawmaker's bill will allow victims of sex trafficking to sue their pimps and anyone else involved in the crime.

GOP senator starts contempt proceedings for county supervisors
Arizona Capitol Times
Election audit dispute could end with arrest of supervisors.

Senate panel OKs voucher expansion bill
Arizona Capitol Times

AMERICAN OVERSIGHT

A Senate panel on Tuesday advanced a school voucher expansion that supporters framed as a civil rights issue and opponents decried as a repudiation of Arizona voters who overwhelmingly rejected universal vouchers two years ago.

Hoffman asks lawmakers to fully fund distance learning
Capitol Media Services
Arizona's top education official told lawmakers Tuesday they need to ensure that schools get as much money for online courses as the law now provides them for kids in seats.

Arizona GOP lawmakers seek to limit some voter registration drives
Capitol Media Services
Senate Republicans are moving to approve new restrictions on the ability of county recorders to conduct voter registration drives.

Bill would provide $900,000 advertising boost to Arizona dude ranches
Capitol Media Services
State lawmakers voted Monday to spend $900,000 in tax dollars in a bid to convince Arizonans and others across the country to visit one of the state's remaining dude ranches.

Arizona doles out over half its vaccine supply; more coming
Associated Press
Arizona has administered more than half of its COVID-19 vaccine supply but is expected to get more than 1 million additional doses soon, health officials said Tuesday.

Apaches' fight over Pinal County copper mine goes before US court
Associated Press
A federal judge will hear arguments Wednesday from a group of Apaches that has been fighting a proposed copper mine in Pinal County.

Advocates, lawmakers hail Biden pledge to respect tribal sovereignty
Cronkite News
Native American policy experts and Arizona lawmakers welcomed President Joe Biden's order calling for stronger relations with tribal governments, with one saying it "goes right along with what Indian country has been asking for."

Arizona to embrace sports betting in deal with tribes
Associated Press
Arizonans would be allowed to bet on professional and college sports at tribal casinos and at sites owned by pro sports teams under a proposal that is part of an update to the state's deal that allows Native American tribes to run casinos.

This Week in COVID: Cases Are Down, but Infectious Variant Threatens Progress
Phoenix New Times
It's Tuesday, February 2. More than 765,000 Arizonans have contracted COVID-19 and more than 13,360 have died as a result.

21,000 New State Vaccine Appointments Open Up for February
Phoenix New Times
The Arizona Department of Health Service (DHS) is adding an additional 21,000 vaccination appointments at its recently opened Phoenix Municipal Stadium site.

Maricopa County rejects Senate election subpoena demands, spawning contempt charges
Arizona Mirror
The Maricopa County Board of Supervisors did not comply with the Arizona Senate's request to set a date for turning over materials that Republican lawmakers subpoenaed for a proposed audit of the 2020 general election.

U.S. Cities Are Vastly Undercounting Emissions, Researchers Find
New York Times
Inconsistent and flawed data is undercutting efforts to reduce greenhouse gas emissions from American cities, according to a new study.

Gov. Doug Ducey will veto any new election bill. Or was he lying?
Arizona Republic (Opinion, EJ Montini)
In December the governor laid out exactly why elections in Arizona are fair, efficient and secure. If he meant it, no new laws are necessary.

Proof that Donald Trump IS Richard Nixon and Joe Biden IS Gerald Ford

AMERICAN OVERSIGHT

Arizona Republic (Opinion, EJ Montini)
Jan Morris's 1974 essay on Washington D.C. isn't only a snapshot of who we were, but the spitting image of who we are.

Rep. Andy Biggs more or less tells Sen. Mitch McConnell to go pound salt
Arizona Republic (Opinion, EJ Montini)
Biggs comes to the defense of Marjorie Taylor Greene after Sen. McConnell correctly calls her 'loony.'

Democrats looking for an AOC to challenge Kyrsten Sinema in 2024? Are they nuts?
Arizona Republic (Opinion, Laurie Roberts)
A new progressive PAC is hoping to knock off Democratic Sen. Kyrsten Sinema. Is that Republicans I hear laughing their heads off?

Senate Republicans are losing their minds in election audit showdown. Jail? Really?
Arizona Republic (Opinion, Laurie Roberts)
Audit fever has engulfed the Arizona Senate as our leaders continue their quest to find proof of election fraud. Is there any Republican at the state Capitol willing to say, enough's enough?

Sen. Kyrsten Sinema is wrong about the virtual filibuster. It hurts bipartisanship
Arizona Republic (Opinion, Robert Robb)
Democrat plans to grossly abuse budget reconciliation pose a greater test of Sinema's commitment to bipartisanship.

Who's getting the COVID-19 vaccine? States should be required to tell us much more
Arizona Republic (Opinion, Elvia Diaz)
Only a few states have released race and ethnicity data for COVID-19 vaccinations. We need that to better tailor distribution and messaging efforts.

Defense contractors like Raytheon aren't blameless in Yemen crisis
Arizona Republic (Op-ed, Shayna Lewis)
The bombing of civilians in Yemen's civil war involves many actors, including defense contractors such as Raytheon in Tucson.

Why is SRP helping thin forests? Because wildfires threaten our water supply
Arizona Republic (Op-ed, Elvy Barton)
The ash and debris from devastating wildfires that wash into SRP's reservoirs reduces our water storage capacity and damages water infrastructure.

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Wednesday, February 3, 2021 2:34:45 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes February 3, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

.....

Arizona Legislative Report

Today's News Notes

February 3, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically*

AMERICAN OVERSIGHT

disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

House Land, Agriculture & Rural Affairs

Monday 02/08/21 at 2:00 PM, House Rm. 3

H2372: AGRICULTURAL OPERATIONS; NUISANCE; LIABILITY

H2760: MILITARY INSTALLATION FUND; PROPERTY CONVEYANCE

Senate Transportation & Technology

Monday 02/08/21 at 2:00 PM, Senate Rm. 109

S1009: STATE VEHICLE FLEET; ELECTRIC VEHICLES

S1127: VEHICLE SPEED LIMITS

S1291: VEHICLES AND LOADS; GROSS WEIGHT

S1336: VEHICLE IMPOUNDMENT; EXCEPTIONS; STORAGE CHARGES

S1406: AIRCRAFT REGISTRATION FEES; TAXATION; REPEAL

S1460: ADOT; STATE MOTOR VEHICLE FLEET

S1495: GRADUATED DRIVER LICENSES; EDUCATION PROGRAM

S1532: COUNTY TRANSPORTATION PLANNING ASSISTANT

S1551: DRIVER LICENSE SUSPENSIONS; RESTRICTIONS

House Health & Human Services

Monday 02/08/21 at 2:00 PM, House Rm. 4

H2155: EARLY CHILDHOOD MENTAL HEALTH; APPROPRIATIONS

H2300: GROUP HOMES; MONITORING; APPROPRIATION

H2311: LABORATORY PROCEDURES; CHIROPRACTORS

H2409: ADULT PROTECTIVE SERVICES; AUDIT; APPROPRIATION

AMERICAN OVERSIGHT

H2489: APPROPRIATION; AFFORDABLE HOUSING

H2533: STATEWIDE ADA COORDINATOR; APPROPRIATION

H2540: DEVELOPMENTAL DISABILITIES; SPINA BIFIDA

H2547: DENTAL HYGIENISTS; AFFILIATED PRACTICE

H2565: AREA AGENCIES ON AGING; APPROPRIATION

H2629: ARIZONA NURSES ACADEMY

H2640: BEHAVIORAL HEALTH; RATES; STUDY; APPROPRIATION

H2668: NUTRITION ASSISTANCE; BENEFIT MATCH; APPROPRIATION

H2682: PHARMACY BOARD; RULEMAKING AUTHORITY

House Military Affairs & Public Safety

Monday 02/08/21 at 2:00 PM, House Rm. 1

H2384: MEMBERSHIP; AZPOST

H2461: DPS; BODY CAMERAS; APPROPRIATIONS

H2462: CIVILIAN REVIEW BOARD MEMBERS; TRAINING

H2463: APPROPRIATION; DPS; SCHOOL SAFETY PROGRAM

H2504: APPROPRIATION; DPS; SALARY INCREASE

H2505: APPROPRIATIONS; CORRECTIONS OFFICERS; SALARY INCREASES

H2542: VETERAN SUICIDES; ANNUAL REPORT

H2672: PRISONERS; BRAILLE TRANSCRIBER TRAINING PROGRAM

H2706: APPROPRIATION; VETERANS' SERVICES; BENEFITS COUNSELORS

Senate Government

Monday 02/08/21 at 2:00 PM, Senate Rm. 1

S1063: ADMINISTRATIVE REVIEW OF AGENCY DECISIONS

S1074: LOCAL GOVERNMENTS; AUDITS; PUBLIC MEETING

S1104: CAMPAIGN FINANCE; CONTRIBUTION; DISCLOSURES; ITEMIZATION

S1106: VOTING RESIDENCY; INTENT TO REMAIN

S1107: REDISTRICTING; PETITION SIGNATURES; 2022 CANDIDATES

AMERICAN OVERSIGHT

S1241: VOTING EQUIPMENT; BALLOTS; RECEIPT

S1299: INCORPORATION; URBANIZED AREAS

S1351: FIRE DISTRICTS; AMENDMENTS

S1353: ANTI-RABIES VACCINATION; RABIES TITER

S1430: HIGHLY FATAL; DEFINITION

S1432: POLITICAL SIGNS; REMOVAL DATE

S1487: PRIVATE ATTORNEY RETENTION; MUNICIPALITIES; COUNTIES

S1492: ELECTION LAW AMENDMENTS

S1497: BALLOT MEASURES; PROPOSITION 105; DISCLOSURE

S1531: PETITION SIGNATURES; DESCRIPTION; INVALILDITY

S1601: MUNICIPAL ORDINANCES; PENALTIES; NOTICE

SCR1005: LEGISLATURE; NINTY HOUSE DISTRICTS

SCR1034: VOTER PROTECTION ACT; COURT DETERMINATIONS

REVISED HEARINGS

House Appropriations

Wednesday 02/03/21 at 2:00 PM, House Rm. 1 ***REVISED [01/29/21]***

H2048: COUNTIES; COMMITTED YOUTH CONTRIBUTIONS; REPEAL

H2127: APPROPRIATION; STATE PARKS; HERITAGE FUND

H2133: APPROPRIATION; GRAND AVENUE; SR 303

H2157: APPROPRIATION; LOOP 101 SLIP RAMP

H2166: CRIMINAL JUSTICE COMMISSION; DATA COLLECTION

H2182: RAPID DNA TESTING; APPROPRIATION

~~H2215: APPROPRIATIONS; ROUTE H60~~

H2288: APPROPRIATION; MILITARY INSTALLATION PROJECTS

H2379: APPROPRIATION; SOUTHERN BORDER REGION REINFORCEMENT

H2405: CONTINUING HIGH SCHOOL PROGRAM

H2407: APPROPRIATION; 67TH AVENUE; WIDENING; DRAINAGE

AMERICAN OVERSIGHT

H2562: TAX CREDIT; AFFORDABLE HOUSING

H2669: APPROPRIATION; ELEMENTARY SCHOOL DISTRICT

NEWS NOTES

SENATE CONTRAVENES OWN RULES, BARS PUBLIC FROM KEY MEETINGS

Contravening its own rules, the Senate has barred reporters, lobbyists and the public from accessing or viewing rules and caucus meetings all session. While the Legislature made itself exempt from the state's open meetings law, both chambers adopted portions of the law into their own rules. In the Senate, Rule 7 on committees requires that all committee meetings be open to other members of the Legislature, the press and the public "so long as the proper decorum is maintained." Rule 31, meanwhile, states that "all meetings of a party caucus consisting of members of the Senate shall be open to the public except organizational meetings to elect officers of the caucus and the Senate and meetings to discuss matters, including those permitted in executive session as set forth in section 38-431.03, Arizona Revised Statutes. Each caucus shall establish procedures for convening party caucuses." (The Senate modified the rules last January, when the Senate granted itself the right to hold closed caucuses for any reason. Prior to 2020, Senate rules only permitted closed meetings if the caucus elected leaders or for the limited executive session exemptions laid out in state open meetings law, such as discussing litigation.) While lawmakers approved a temporary emergency Rule 32 on the first day of session to address Covid safety, nothing in that rule eliminates public access to meetings. Rather, the new rules specify how legislators and members of the public can participate remotely, giving testimony on bills and voting from their offices.

SENATE ALSO BARS DEMS FROM MAKING MEETINGS PUBLICLY ACCESSIBLE

Senate Democrats tried to find a way to make their caucus meetings open to the public by sending video meeting invites to anyone who contacted the caucus's assistant. But after Rios shared this arrangement during a *Capitol Times* Morning Scoop last week, Fann ordered Democrats to close their caucus, as well. Contreras and Quezada both told our reporter they had to accept the rules because Republicans control the Senate. "They run this building. They make the rules in this building, and that's a rule we have to follow," Contreras said. He said Senate leadership told the Dems caucuses must be closed due to the new Covid restrictions in the building. Of course, streaming a meeting carries zero risk to spreading Covid. Quezada said his understanding is that majority staff controls meeting links. "Now whether that's a bunch of BS or not, I'll let you write about that," he said.

QUEZADA: WHAT ABOUT OUR 'SPY'?

AMERICAN OVERSIGHT

The caucus restrictions also prevent Dems from knowing what Republicans discuss in their caucus meetings, Quezada said. In normal years, Senate Dems would send an intern to the Republican caucus as a "spy" to take notes and report back on discussions. As far as Quezada knows, Dems can still dispatch an intern to the caucus room, but they don't feel comfortable sending an intern into a crowded room full of potentially mask-less Republicans. They can't get a Zoom link for their "spy" to watch remotely, even though several Republicans now take part in caucus by video call. Instead, Quezada said Dems will have their interns take notes on Democratic caucuses and publish those so the public gets at least some insight into discussions.

SENATE FAST-TRACKS RESOLUTION TO HOLD COUNTY SUPERVISORS IN CONTEMPT

Senate Rules met immediately after floor today to get permission for a late introduction of a resolution declaring the Maricopa County supervisors in contempt. SR1005 (Maricopa County; supervisors; contempt declaration), which Fann introduced, said the supervisors "repeatedly and willfully delayed and obstructed a vital and duly authorized investigation" by the Senate. IT also says Fann will take "all legal action" to enforce the subpoena. As noted above, the Senate Rules meeting was closed to the public. Members of Senate Rules traditionally meet in Caucus Room 1, which has no broadcast ability. Petersen announced yesterday that he was drafting the resolution shortly after Maricopa County supervisors again rejected the Senate's demands that the county turn over ballots for the Senate to perform its own audit. If it passes, it could result in the Senate sending its sergeant at arms to arrest county supervisors.

ELECTION BILLS DOMINATE HOUSE DEBATES

In the wake of last year's hotly contested presidential election, bills changing Arizona's voting system are shaping up to be some of the most controversial of the session, and those debates dominated much of today's House gov meeting. H2357 (attorney general; voter fraud; subpoenas), which would let the attorney general conduct investigations and issue subpoenas to further the work of the Election Integrity Unit, made it out of the committee on a party-line vote. Salman called the measure part of "a package of bills changing the way our elections operate based on no credible evidence," and added that former President Donald Trump made allegations about voter fraud for years without evidence and that almost all of his court challenges to the last election failed. She said the bill is "opening the floodgates to voter suppression in the future" and accused Jennifer Wright, the assistant attorney general in charge of the unit, of having a history of targeting and intimidating voters of color. "We are giving them the right to civilly subpoena and potentially harass voters, particularly voters who don't vote the way that certain elected officials want them to vote," Salman said. Hoffman said H2357 deals with the future, not past elections, and accused the bill's opponents of hyperbole and straw man arguments. "I find some of the conversations we have in the chamber here to be rather shocking," he said. After some debate along similar lines, the

AMERICAN OVERSIGHT

committee held H2358 (voter registration update; address change), which would cancel a voter's registration if the Post Office notifies a county that a voter has moved out of the county or state, to make some changes to it.

PRO-LIFE ACTIVIST BALKS AT FUNDING OUT-OF-STATE CRISIS PREGNANCY GROUP

An East Valley Republican activist's opposition to Barto's S1251 (appropriations; family health pilot program) caught Barto and Center for Arizona Policy President Cathi Herrod by surprise yesterday. S1251 is a rerun of a bill first introduced as a last-minute budget addition in 2019 that would have allocated state money to a nonprofit seeking to deter women from getting an abortion. When it was first introduced, the bill was intended to benefit one specific organization: the Human Coalition located in Plano, Texas. LD12 resident Christine Accurso, a Republican state committeeman who has been deeply involved in fights over the Dept of Education's handling of Empowerment Scholarship Accounts, wrote in a letter read by Alston that she was told when she visited the Human Coalition's headquarters that the organization doesn't expand to other states until funding is guaranteed as a line item in that state's budget. Accurso, who previously worked at a crisis pregnancy center and more recently at a consortium of anti-abortion health care providers, said pregnancy centers in the state already reach women, and S1251 will just give a non-Arizona business an unfair advantage while wasting $3 million in tax money. "The state legislature should not be picking winner and loser organizations to fund. That should be left for the private sector," she wrote.

TOWNSEND, A DOULA, EXPLORES POTENTIAL CONFLICT OF INTEREST

Townsend shared that she heard similar concerns from constituents, and she thinks it's possible she has a conflict of interest requiring recusal from voting on S1251 on the floor. She and Gowan earlier agreed she could vote it out of committee and then confer with attorneys about her possible conflict before the Senate debates the bill on the floor. Townsend said while she isn't interested in applying for the grant money provided by S1251, her doula business could be among a small group of Arizona organizations eligible for funding. Townsend's recusal, along with all Democrats voting no, would split the vote 15-15, assuming all the other Republicans support it, spelling its defeat.

CARTER AND BOYER, 2021 EDITION

Boyer took on this year's attempt to extend in-state tuition to undocumented immigrants as a favor to former Sen. Heather Carter. "She asked me if I would take it on, and after I thought about it for a little bit, I thought it's the right thing to do. I'm going to take it on and it's going to be challenging, but if we get it on the board, I believe it will pass." Shope and Udall signed on as Republican co-sponsors of

AMERICAN OVERSIGHT

SCR1044 (tuition; postsecondary education), and Boyer expects Fann to assign it to his education committee, easing its way to the Senate floor.

PAUL CHANNELS INNER TONY

Boyer also picked up former Rep. Tony Rivero's passion project of consular IDs. His S1420 (schools; universities; consular identification) would require the state, schools and universities to accept photo IDs printed by foreign consulates as valid forms of ID, provided the foreign government uses fingerprint and retina scans. Last year, Rivero's 2020 bill, H2604 (consular identification cards; permitted use) passed the House on a bipartisan 41-19 vote before dying because of the Covid-shortened session. Bowers and Fann have signed on to S1420.

PANEL ADVANCES BILL PENALIZING ANYONE WHO ENCOURAGES TEEN SUIDICE

H2459 (manslaughter; suicide assistance; violation), which would make it manslaughter if an adult intentionally encourages a minor to commit suicide – and the minor follows that advise – passed unanimously out of House jud this morning. Weninger sponsored a similar bill last year, as well, inspired by the case of a Chandler teenager who took his own life after discussing his suicidal thoughts on Reddit and being advised by users on how to take his own life. It also passed the House in 2020 but didn't make it through the process before the Covid-hastened end of the session.

DITTO FOR MEASURE ADDING SOCIAL MEDIA POSTS TO DEFINITION OF HARASSMENT

Meanwhile, Hoffman's H2568 (electronic communications; social media post) made it out of committee 7-3, with two Republicans expressing concern over its details but ultimately supporting it. It would add social media posts to the definition of electronic communications meant to harass people. "We don't want people to be able to terrify or attack or threaten our ... citizens," Hoffman said. Rodriguez said he worries about the lack of definitions in the bill and that it is silent on whether a retweet is an endorsement as far as criminal liability is concerned. "Without defining what constitutes a social media platform and putting some outside limitations on it, I think we are inviting sloppy application and experimenting on folks as they get into the system," Rodriguez said. Blackman and Finchem voted to advance the bill. Blackman mentioned he received a death threat yesterday but believes accountability needs to be balanced with protecting constitutional rights. Both expressed some reservations and indicated they might want to see changes to the final bill.

DUCEY ORDERS FLAG AT HALF-STAFF TO REMEMBER ALBERT HALE

Ducey ordered flags at state buildings to be flown at half-staff today to remember Albert Hale, a former state lawmaker and Navajo Nation president who died Tuesday

AMERICAN OVERSIGHT

after battling Covid. Hale, 71, served as his tribe's president from 1995 to 1998 and represented his legislative district, a massive swath of northern and eastern Arizona, in the state Senate from 2004 to 2011 and in the House from 2011 to 2017. "Hale proudly represented the Navajo Nation and state of Arizona for many years, and we are grateful for his dedication to serving others and contributions to our state," Ducey said. "My prayers and deepest condolences go to Hale's family, loved ones and community, and I've ordered flags be lowered to half-staff in honor of his life and service."

ONE LAST TIME: HALE YES!

The House observed a moment of silence in Hale's honor today, with both Tsosie and Friese speaking about him. "He was a very powerful representative," Friese said. "He stood strongly for his district and the tribal nations. He was jovial, well-liked by everybody in this body." Friese remembered how Hale used to say "Hale yes!" whenever he voted for a bill. "So for Mr. Hale, I say one final time, 'Hale yes!'" Condolences for the former legislator poured in Tuesday night. "A highly skilled attorney and negotiator, he was a respected, compassionate and effective leader for the people of the Navajo Nation and other rural northern Arizona communities he served," Bolding said. "He was also a devoted friend and beloved colleague to all who knew him. Our deepest condolences to his wife, Dr. Paula Hale, and his loving family." Tsosie called him "a mentor to many who looked to him for guidance, knowledge and leadership. His legacy will continue to be remembered for many years to come and his voice will continue to be heard in both chambers of the Arizona State Legislature. Albert Hale represented the Navajo Nation and the State of Arizona with respect, honesty and trust at all government levels. My prayers and condolences go to the Hale's wife, children and grandchildren." Hobbs, who served with Hale during her freshman term in the House, tweeted a story about a divisive debate over naming a state gun she and Hale were on the same side of, during which he "earned my eternal respect," she said. "He will be missed," she continued. "My thoughts go out to his family and loved ones."

NEWS RELEASES

Governor Ducey Orders Flags At Half-Staff To Honor Former Arizona State Legislator Albert Hale

PHOENIX — Governor Doug Ducey today ordered flags at all state buildings be lowered to half-staff from sunrise to sunset tomorrow, February 3, 2021, to honor former Arizona State Legislator and former President of the Navajo Nation Albert Hale.

"Arizona is saddened by the loss of respected Navajo leader and former state legislator Albert Hale," said Governor Ducey. "Hale proudly represented the Navajo Nation and state of Arizona for many years, and we are grateful for his dedication to serving others and contributions to our state. My prayers and deepest condolences go to Hale's family, loved ones and community, and I've ordered flags be lowered to half-staff in honor of his life and service."

AMERICAN OVERSIGHT

Hale served as President of the Navajo Nation from 1995 to 1998. He served in the Arizona State Senate from 2004 to 2011, and the Arizona State House of Representatives from 2011 to 2017.

* * * * *

Governor Ducey Pushes For More Vaccine Doses In Letter To Congressional Delegation

PHOENIX — Governor Doug Ducey is calling on Arizona's congressional delegation to help meet the urgent need for additional supplies of the COVID-19 vaccine and secure funding for its distribution.

"There could be no better use of your time or advocacy efforts than in helping to secure these vaccine doses for the people of Arizona to help end this pandemic for good," Governor Ducey wrote to the seven Democrats and four Republicans who represent Arizona in Washington.

As of February 2, Arizona administered 702,664 doses of the vaccine.

The State of Arizona recently requested an additional 300,000 doses of the life-saving vaccine, and an additional 300,000 doses a week. The request was denied.

Governor Ducey issued an Executive Order on December 30 to rapidly expand access to the COVID-19 vaccine by streamlining distribution throughout Arizona and establishing additional vaccination sites. He issued another Executive Order on January 26 to accelerate the statewide distribution of the COVID-19 vaccine and move doses of vaccine to where they can be rapidly administered to Arizonans.

Arizona's state-run 24/7 vaccination site at State Farm Stadium, which opened on January 11, administers approximately 6,000 vaccines per day. On February 1, the state opened its second site at Phoenix Municipal Stadium but can only administer 500 doses per day because of limited supplies.

State health officials say Arizona has the capacity to open more large-scale vaccination sites once more vaccine doses are available.

View the letter below.

***

Dear Member of Arizona's Congressional Delegation,

We are extremely grateful for the success of Operation Warp Speed in developing at least two safe and effective COVID vaccines in record time. It is a remarkable milestone and is only part of the key to ending this pandemic. As you know, the vaccine is only effective once it is administered to Americans. Arizona has been working diligently to administer the vaccine to key priority groups including healthcare workers, residents of long term care facilities, individuals aged 65 and over, teachers, and law enforcement personnel.

Because Arizona is a home rule state, the jurisdiction and responsibility for vaccine administration lies with our 15 counties. Some counties have been doing an exemplary job

AMERICAN OVERSIGHT

while others have lagged behind. For this reason, I issued Executive Orders 2020-62 and 2021-01 with the goal of scaling up vaccination by opening state run sites to augment the work being done by the counties and ensuring efficient use of the vaccine that has already been allocated to Arizona. The first state run site at State Farm Arena is now the most productive, high throughput site in Arizona, administering 6,000+ vaccinations per day. On February 1, 2021, we opened a second state run vaccination site at Phoenix Municipal Stadium, and we hope to open more sites like these across the state.

The demand for vaccination at these sites is extremely high. All appointments for first doses of the vaccine in the month of February at these state sites were taken within 13 hours of the appointments being made available to the public. As you well know, our state is home to many out-of-state residents during our beautiful winter months, leading to an even higher need for more vaccines. We want everyone in Arizona who wants a vaccine, to have the opportunity to get one. Unfortunately, due to the state's current allocation of vaccines from our federal partners, Phoenix Municipal Stadium, which has the capacity to match State Farm Stadium in terms of number of daily doses, will only open with 500 appointments a day rather than the 6,000 it could handle.

The single biggest limiting factor for opening more appointments at existing sites and creating new mass vaccination sites around the state is the number of vaccine doses allocated to Arizona by our federal partners. We have placed a federal resource request for an additional 300,000 vaccines immediately followed by 300,000 additional doses a week. We are confident that such an allocation increase would allow the state to replicate our successful mass vaccination sites throughout the state. Our resource request, however, has been denied.

I am writing today to request the Arizona Congressional delegation engage at every level to help secure additional COVID vaccine doses for the State of Arizona. There could be no better use of your time or advocacy efforts than in helping to secure these additional vaccine doses for the people of Arizona to help end this pandemic for good.

Additionally, as Congress contemplates further COVID relief measures, I urge you to place funding for vaccine distribution at the very top of the list. While we are grateful for the funding provided in the December relief package, mass vaccination sites, which have to be staffed with medical professionals, can cost hundreds of thousands of dollars a week. The state is looking to open several mass vaccination sites across the state, as well as smaller sites to target vulnerable and hard to reach populations so any additional funding that is provided, when done in conjunction with an increase in vaccine allocation, will help to expedite and sustain these efforts.

Thank you for your attention and consideration.

Sincerely,

Douglas A. Ducey

Governor

State of Arizona

* * * * *

Statement from the Health System Alliance of Arizona

AMERICAN OVERSIGHT

Regarding COVID-19 Vaccine Distribution

Phoenix, AZ-- The Health System Alliance of Arizona issued the following statement regarding the COVID-19 vaccine distribution:

"Member hospitals of the Health System Alliance of Arizona have been proud to assist the state and Maricopa County to jump start a large scale and county-wide COVID-19 vaccination system to vaccinate qualifying individuals including frontline health care workers, teachers and the elderly. At each of the Maricopa County vaccination PODs, careful precautions are taken to safeguard every allocated vaccine, resulting in virtually no vaccines going unused that could be used.

"The current COVID-19 vaccines require highly specialized storage and are packaged in multiple doses creating the potential for vaccine loss. We have made careful use of any and all vaccine supplies allocated to our PODs. Arizonans can have confidence in our PODs and the use of vaccines.

"We look forward to receiving more vaccines along with the creation of additional vaccination sites across the state to increase the number of Arizonans who can be vaccinated against COVID-19. We are grateful to the thousands of hospital employees and community volunteers at the county-led sites who have been working tirelessly to vaccinate Arizonans as quickly as possible."

* * * * *

Senate Education Committee approves school choice bill

SB 1452 would bring ESAs to low-income families

(Phoenix, State Capitol) ---- The Senate Committee on Education tonight approved a bill that would bring new education options to lower-income families in Arizona. With the onset of the COVID-19 pandemic, tens of thousands of students are falling months behind in school, because they don't have the options of children in higher income neighborhoods. These children have no in-person instruction, and because of a lack of internet connectivity, many are opting to stop attending school at all.

SB 1452 would help these parents and kids, by bringing new educational opportunities to them. Low-income families would become eligible to apply for an Empowerment Scholarship Account (ESA). ESAs open up all options to parents, so they can choose what's best for their family, according to their personal situation.

"The digital divide in Arizona is real and significant," said Senator Paul Boyer, sponsor of SB 1452. "And with COVID, the divide is getting worse. Homes in the poorer parts of our state often have no internet connectivity, so if the student can't learn in person, she also can't join virtually from home. Giving them an option to apply for an ESA could be a life-changer for these families."

ESAs help pay for nearly all education options outside of district schools: online schools, homeschooling, private schools, and tutors. They also help ease the burden of out-of-pocket

AMERICAN OVERSIGHT

education expenses, for books and curriculum.

“It’s imperative that we give relief to our low-income parents now and not allow children to slip any further behind,” said Senator Boyer. “They need immediate access to educational opportunities, school options and resources.”

* * * * *

Attorney General Mark Brnovich Files Lawsuit to Halt New DHS Immigration Policy that Could Endanger Arizonans

PHOENIX – Attorney General Mark Brnovich filed a lawsuit today against the U.S. Department of Homeland Security (DHS) and federal officials over its new policy to pause nearly all deportations for 100 days. The Attorney General’s Office (AGO) is asking the U.S. District Court in Arizona to rule the new policy violates federal law and Arizona’s existing agreement with DHS.\

Halting deportations for 100 days raises serious safety concerns for Arizona communities. Not only could the plan release individuals charged with or convicted of crimes into Arizona communities, but law enforcement officials have told the AGO they are concerned whether those being released are being tested for COVID-19. There are serious concerns that DHS’ new policy will further stress hospitals and social services at the local and county level.

“It is unconscionable for DHS to release potentially dangerous detainees into our state, especially when no efforts are made to coordinate with applicable courts and probation departments. I am asking the court to enforce the law,” said Attorney General Brnovich. “As a first-generation American I support the need for comprehensive immigration reform, but it cannot be achieved through untenable executive orders.”

Recently, a federal judge in Texas ruled the new DHS policy likely violates the law and imposed a 14-day nationwide temporary restraining order (TRO). The TRO was extended another 14 days and is now set to expire on February 23.

It has come to the AGO’s attention that within the first three days of the enacted policy (and before the TRO), DHS released 27 aliens in the Phoenix area. This is the third-highest number in the country. Law enforcement officials have told the AGO that many of the individuals released were not properly tested for COVID-19, nor did DHS try to coordinate with local health or police agencies.

“These new executive actions have restarted the mass flow of migrants to our border and will soon have a significant impact on the resources of local governments,” said Yuma County Sheriff Leon Wilmot. “Under this moratorium on deportations, hundreds, and soon to be thousands, of migrants will potentially be turned loose in Arizona as well as other Border communities without any means of testing for communicable diseases including COVID-19. Healthcare systems in many smaller communities are already operating at near-full capacity and potentially overwhelming them runs contrary to the COVID-19 mitigation plan we were promised.”

AGO Lawsuit Details

AMERICAN OVERSIGHT

On January 20, 2021, at the President's direction, DHS ordered a blanket halt on nearly all deportations for 100 days, including those charged with or convicted of crimes. Federal law requires when an alien is ordered removed, the U.S. Attorney General shall remove the individuals from the United States within 90 days.

The new DHS policy also violates its Memorandum of Understanding (MOU) with the AGO. The MOU requires DHS to provide Arizona with 180 days' written notice of proposed immigration actions and offer an opportunity to consult and comment on the proposed action before implementation. However, no contact was initiated by DHS. General Brnovich made two different requests to DHS to comply with the MOU, but DHS has refused.
The 100-Day Pause on Removals is a sudden and sharp departure from DHS's previous policy. Additionally, there is no indication that defendants considered the potential threats to public safety in Arizona. The U.S. Supreme Court (SCOTUS) has already ruled on this type of issue in an immigration case regarding the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) when the former administration tried to rescind the DAPA program. SCOTUS struck down the action for being arbitrary and capricious because it did not consider a more limited policy.
In today's filing, Attorney General Brnovich is asking the court to declare the DHS Immigration Pause Memorandum violates the MOU signed with Arizona, and several federal laws, including 8 U.S.C. § 1231.

Copy of AGO complaint

Copy of Exhibits

Copy of General Brnovich letter to DHS January 26, 2021

* * * * *

Congressman Biggs' Statement on the Biden Administration's Open-Borders Executive Orders

WASHINGTON, D.C. – Today, President Joe Biden signed three executive orders that will make the United States less secure and incentivize illegal aliens to enter the country. The orders start the process to: 1. Reward illegal alien parents who subjected their children to dangerous journeys to the border; 2. Allow illegal aliens to potentially remain in the United States for years while their asylum claims are pending, returning to catch and release; and 3. Roll back Trump administration policies that previously restored integrity to our immigration system.

Congressman Biggs, co-chair of the Border Security Caucus, released the following statement:

"In two weeks, the new Biden administration has reversed much of the progress that the Trump administration made to secure our border and enforce the rule of law, giving a green light to a massive surge of illegal aliens to enter the United States. The open-borders policies of this administration are destructive to America's security and sovereignty. These policies will lead to more human, sex, and drug trafficking across our southern border. These policies will inflame the humanitarian crisis of men, women, and children being led for hundreds of miles by dangerous members of cartels. And these policies will make law-abiding Americans more unsafe in their communities.

AMERICAN OVERSIGHT

"President Biden's actions against border security and the rule of law contradict the sacred words of the oath of office he took on January 20. An American president, no matter which party he belongs to, should uphold the rule of law and our Constitution. The Biden administration's radical border and immigration agenda dismantles both the Constitution and our rule of law, shatters the future of American sovereignty, and makes our communities less secure with safe haven for potentially violent illegal aliens and increased drug trafficking. I oppose these executive orders from the Biden administration, and I call on him to work with Congress to secure our border and to enforce our laws."

* * * * *

AG Brnovich and Representative Wilmeth Push for Strong Consumer Protections in the Health Club Industry

PHOENIX – Attorney General Mark Brnovich and Representative Justin Wilmeth are working together on de-regulation legislation that would allow Arizonans to more easily and safely cancel their gym memberships, correcting a major issue that surfaced during the COVID-19 public health crisis.

Last Spring, the Governor forced gyms to close in Arizona because of the COVID-19 pandemic. The Attorney General's Office (AGO) received a high number of complaints from consumers who could not cancel their membership despite the mandatory closures but were still charged their full dues. Additionally, countless consumers were not allowed to stop their membership because of unfair, outdated and onerous cancellation policies. When confronted by the AGO, gyms relied on the existing "Health Spa" statutes (ARS 44-1793) to support their unfair cancellation policies.

"I am proud to work with Representative Wilmeth to address this loophole in Arizona law," said General Brnovich. "I understand that health clubs and gyms are going through difficult times, but outdated cancellation policies that are unfriendly to consumers and may endanger the public are unacceptable."

"This legislation provides a reasonable protection for Arizona consumers who may need another option to cancel their membership – a problem highlighted during the COVID-19 pandemic," said Representative Wilmeth. "General Brnovich has always been a strong advocate for the protection of consumers and I'm proud to partner with him on this issue."

Representative Wilmeth is working to implement General Brnovich's proposed legislation to address this issue and protect health club consumers.

Under current Arizona law, gyms are only required to allow for cancellation of a membership if it is done in person or via certified mail. HB 2697 would update the law to allow for cancellation by regular U.S. mail, email or on a gym's website.

Representative Wilmeth introduced HB 2697 this legislative session. On Tuesday afternoon, the bill passed out of committee and will soon head to the House floor.

Background:

AMERICAN OVERSIGHT

In April 2020, the Attorney General's Office (AGO) sent letters to three gyms with locations in Arizona – Life Time Fitness, Mountainside Fitness, and Planet Fitness urging them to allow consumers to cancel their memberships remotely during the pandemic. At the time, each gym required consumers to cancel in-person even though gyms in Arizona were closed under the Governor's Executive Order.

* * * * *

Lesko Reintroduces Bipartisan Bill to Improve Transparency at Veterans Affairs Medical Facilities

WASHINGTON, D.C.—Today, U.S. Congresswoman Debbie Lesko (AZ-08) reintroduced the bipartisan *VA Medical Center Transparency Act* to increase transparency between Department of Veterans Affairs (VA) facilities, Congress, and veterans. Lesko once again introduced this legislation with Congresswoman Susie Lee (D-NV-3).

"I am excited to once again introduce this important legislation to help members of Congress and U.S. Senators better represent their veteran constituents by increasing transparency with VA medical facilities," said Congresswoman Lesko. "This legislation will help Congress track how VA medical facilities are performing and how they intend to better serve veterans in their area. Our veterans have dedicated their lives to our nation, and we must ensure they are receiving the best care possible."

The bill requires every director of a VA medical facility to publish an annual factsheet that includes statistical information on the facility including patient wait times, prevalent health concerns, and average wait times. The factsheet will also include what, if any, improvements have been made to patient care and service, and plans for future improvements. These factsheets will be distributed to the Secretary of the VA, members of the House and Senate Veterans' Affairs Committees, and members of Congress representing the facility. The factsheets will also be published on the facility's website and displayed in the facility.

Lesko and Lee were joined by Representatives Vicky Hartzler (R-MO-04) and Blaine Luetkemeyer (R-MO-03) in introducing this legislation.

* * * * *

Lesko Introduces Bill to Address Border Crisis

WASHINGTON, D.C.—U.S. Congresswoman Debbie Lesko (AZ-08) introduced the *Border Crisis Prevention Act* to address the root causes of our nation's border crisis, including issues with our asylum system, a lack of immigration judges, and barriers to detention.

"Our nation is experiencing a national security and humanitarian crisis at our border," said Congresswoman Lesko. "To address this crisis, we must address the root causes and fix our broken immigration system. For states like Arizona and others along the southern border, this crisis is an imminent threat to the safety and security of our communities, and it must be addressed swiftly."

The bill addresses six facets of immigration reform which Lesko previously addressed with stand alone bills in the 116th Congress.

AMERICAN OVERSIGHT

The first provision increases the integrity of the asylum system by increasing the credible fear standard for asylum claims. Under our current system, very few individuals who ask for asylum are ultimately granted asylum because they ask for asylum for the wrong reasons. Legitimate asylum claims are intended for vulnerable men, women, and children who have been persecuted or have a true fear for their lives in their home country.

Another provision permits the Secretary of Homeland Security to designate a country to be a safe third country and remove asylum seekers to safe third countries where they can apply for asylum without the need for bilateral agreements. This allows asylum seekers from Central America to be returned to Mexico and claim asylum there as long as the secretary designates Mexico to be a safe third country. Currently, Congress has the authority to designate another country to be a 'safe third country.' The United States and Canada currently have this agreement.

Next, the bill gives the resources necessary to enforce our immigration laws by authorizing funding for the amount of Immigration and Customs Enforcement bed space that the Secretary of Homeland Security determines necessary to enforce immigration laws.

The bill also addresses the immigration court backlog by providing an additional 100 immigration judges to reduce the asylum backlog.

To address issues with frivolous asylum applications, the bill states that if the Secretary of Homeland Security or the Attorney General of the United States determine that an alien has knowingly made a frivolous application for asylum, the alien will be permanently ineligible for asylum. It also adds more factors that can be used by the Department of Homeland Security to figure out if someone is frivolously applying for asylum. The department is also permitted to conduct necessary investigations surrounding asylum claims and their supporting documents to cut down on asylum fraud.

Lastly, the bill permits the detention of dangerous illegal immigrants. Currently, the United States is unable to remove an alien even if they have committed crimes. This bill will keep dangerous criminal immigrants off our streets. The bill specifies that a small segment of criminal immigrants may be detained for an extended period, including dangerous criminals and individuals who are threats to our national security. Their cases can be reviewed every six months.

* * * * *

Chair Grijalva: Biden Admin is Right to Release $1.3 Billion for Housing Relief in Puerto Rico – Hearing on Access to Federal Aid Coming This Spring

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today praised the Biden administration's swift release of $1.3 billion in Community Development Block Grants from the U.S. Department of Housing and Urban Development to help Puerto Rico rebuild infrastructure destroyed by Hurricane Maria and the removal of restrictions on another $4.9 billion established by the Trump administration. Grijalva said the Natural Resources Committee plans to hold a hearing this spring on the impacts of territories' unequal access to federal resources and a separate hearing on the pace of reconstruction in Puerto Rico.

AMERICAN OVERSIGHT

"The Trump administration's disregard for the residents of Puerto Rico made far too many Americans vulnerable and led to a serious population decline on the island," Grijalva said today. "The Biden administration recognizes that ending this cycle is a national priority and a fundamental question of justice. Removing restrictions and releasing federal disaster aid for infrastructure, economic development, and capacity building for NGOs and municipalities on the island is the right thing to do. My colleagues and I will ensure that funds appropriated by Congress are used to build new housing and a more resilient energy grid and help vulnerable communities across Puerto Rico."

The Committee's Office of Insular Affairs agenda for the 117th Congress includes advancing climate change legislation to address the planning, mitigation, adaptation, and resilience challenges of U.S. Territories and Freely Associated States; holding hearings on, and working to resolve, Puerto Rico's political status; and addressing the lack of voting rights and unequal access to existing federal programs suffered by residents of U.S. Territories.

* * * * *

Senator Kelly Will Continue Arizona's Legacy of Service on Senate Armed Services Committee

Other committee assignments include roles key to Arizona's economic recovery

Today, U.S. Senator and Navy veteran Mark Kelly announced that he will serve on the Senate Armed Services Committee during this congressional term, continuing the legacy of Arizona Senators advocating for the state's defense community and our national security on the committee. Kelly will also serve on the Energy and Natural Resources Committee, the Environment and Public Works Committee, the Special Committee on Aging, and the Joint Economic Committee.

A twenty-five year Navy veteran with experience as a combat pilot, test pilot, and astronaut, Kelly is prepared to advocate for Arizona's defense priorities that are central to the state's identity and economy, and important to our national security.

"Arizona trains some of the best pilots and intelligence officers in the world, it develops and tests many of the advanced weapons systems needed to outpace China and Russia, and it is home to a community committed to our national security and to supporting service members and military families. It's an honor to join the long legacy of Arizona Senators serving on the Armed Services Committee, and I look forward to working with Republicans and Democrats, and Arizona defense leaders, to protect and expand Arizona's role in our national defense and meet the threats we face around the world," **said Senator Kelly.**

Kelly's service on the Senate Special Committee on Aging, Energy and Natural Resources, Environment and Public Works, and Joint Economic Committees will also enable him to tackle issues facing seniors during the pandemic and work on priorities that are critical to Arizona's economic recovery such as solar energy, public lands, and infrastructure.

"Arizona seniors have been hit hard by COVID-19, and I'm going to be their advocate in Washington working to get them the support they need during and after this pandemic. I'm also going to be working to make the investments in infrastructure and renewable energy that are critical to our economic recovery and creating good-paying jobs across Arizona," **Kelly added.**

AMERICAN OVERSIGHT

Further background on Kelly's military experience and preparations to represent Arizona on the Senate Armed Services Committee:

Kelly's Military Service

Navy

- Kelly served in the U.S. Navy for 25 years, retiring with the rank of Captain (O-6) in 2011.
- Kelly was commissioned into the Navy in 1986 after graduating from the U.S. Merchant Marine Academy.
- He became a naval aviator, completing pilot training in Beeville, Texas before receiving initial training on the A-6E Intruder.
- Kelly was then assigned to Attack Squadron 115 in Atsugi, Japan, and made two deployments to the Arabian Gulf aboard the USS Midway. The second deployment was during Operation Desert Storm, and Kelly flew 39 combat missions over Iraq and Kuwait.
- After receiving his Master's Degree in Aeronautical Engineering from the U.S. Naval Postgraduate School, Kelly attended the U.S. Naval Test Pilot School from 1993-1994.
- Kelly became a U.S. Navy Test Pilot, and over the course of his career in the Navy logged more than 5,000 hours in more than 50 different aircraft and completed 375 carrier landings.

NASA

- Kelly entered the astronaut corps in 1996 in the same class as his twin brother, Scott Kelly.
- Senator Kelly's first of four flights to space was in 2001 as the pilot of Space Shuttle Endeavour.
- In 2011, Kelly commanded Space Shuttle Endeavour for its final mission into space.
- In total, Kelly traveled more than 22 million miles and orbited the earth more than 850 times.

Kelly Ready to Advocate for Arizona

Even before being named to the Senate Armed Services Committee, Kelly has been preparing to be an advocate for Arizona's defense community.

- Arizona is home to seven military installations:

o Luke Air Force Base in Glendale

o Davis-Monthan Air Force Base in Tucson

o Barry Goldwater Air Force Range

o Fort Huachuca in Cochise County

o Yuma Proving Ground in Yuma County

AMERICAN OVERSIGHT

- Camp Navajo in Flagstaff
- Marine Corps Air Station Yuma in Yuma County
  - Since being sworn in in early December, Kelly has met with the following groups and individuals:
- Senator Kelly's Defense Advisory Group, formed in December 2020
- General Lloyd Austin, Secretary of Defense
- Brig. Gen. Anthony Hale, Commanding General of Fort Huachuca
- Col. Patrick McFall, Commander Yuma Proving Ground
- General Charles Brown, Chief of Staff of the United States Air Force
- Barbara Barrett, former Secretary of the Air Force
- General Daniel Hokanson, Chief of the National Guard Bureau
- General John Raymond, Chief of Space Operations, United States Space Force
- Luke Air Force Base West Valley Partners
  - In the past two years, Kelly has visited
- Luke Air Force Base
- Yuma Proving Ground
- MCAS Yuma
  - In the coming months, Kelly will continue visiting Arizona's military installations and meeting with Arizona's defense community on priorities including protecting the A-10 mission at Davis-Monthan, supporting the F-35 programs at MCAS Yuma and Luke AFB, maintaining the Barry Goldwater Range as a critical location for training, continuing the intelligence missions at Fort Huachuca, and increasing the capability of Yuma Proving Ground for the Army and private sector partners in Arizona.

* * * * *

Mayor Romero and Council Member Durham Statements on the Proposed Appointment of Former Council Member Karin Uhlich for the Ward 3 Council Seat

Mayor Regina Romero and Council Member Paul Durham released the following statements after Mayor Romero announced a Special Meeting of Mayor & Council on Monday, March 1st at 5:30pm to fill the vacancy of Council Member Durham, whose resignation is effective at

AMERICAN OVERSIGHT

5:00pm earlier that day.

"Karin has previously been elected by the residents of Ward 3, knows the neighborhoods, understands city government, and can step into the role without a learning curve, which is particularly valuable during these unprecedented times," ***said Mayor Regina Romero***. "Council Member Durham and I believe Karin is the best choice, and we wanted to propose this early ahead of the March 1st Special Meeting to help ensure a smooth transition and avoid uncertainty. I also believe that we should not appoint someone who is running for the Ward 3 seat to avoid the perception of tipping the scale for any one candidate."

"I again want to thank Council Member Durham for his commendable service to the City of Tucson and tireless dedication to advocating on behalf of the residents of Ward 3."

"I support the nomination of Karin Uhlich to serve the remainder of my term," ***said Council Member Paul Durham***. "Karin knows the issues facing Ward 3, and will be able to step in and work with my staff to ensure the continuity of services. It has been an honor to serve the residents of Ward 3, and I know they will be in good hands with Karin."

* * * * *

CAMO AT THE CAPITOL: Arizona Outdoor Sporting Groups Hold Annual Day "at" the Capitol

MEDIA CONTACT: Scott Garlid, Executive Director of the Arizona Wildlife Federation, 480.487.4663, scott@azwildlife.org

WHAT: Camo at the Capitol is the annual gathering of leaders of outdoor sporting groups from across Arizona to discuss key conservation issues facing Arizona's public lands and outdoor recreation, provide legislative updates, and even give a live wild game cooking demonstration!

WHEN: Thursday, February 4th from 11am – 1pm

WHERE: Due to COVID-19, this year's Day "at" the Capitol will be held virtually over Zoom. To register for the event,
visit: https://us02web.zoom.us/meeting/register/tZYkfuyprT0pGNWSTR73KoTpgYVAzz4jNWEp

WHO: Speakers from the following organizations will be participating:

- Arizona Elk Society
- Scottsdale Ducks Unlimited
- Southern Arizona Quail Forever
- Yuma Valley Rod and Gun Club
- Arizona Antelope Foundation
- Arizona Predator Callers
- Trout Unlimited
- Arizona Backcountry Hunters and Anglers
- Arizona Fly Casters
- Valley of the Sun Quail Forever

AMERICAN OVERSIGHT

“Even though we can’t all be physically present at the Capitol as we’ve done in years past, our virtual Camo at the Capitol event will still bring hunters and anglers together to continue building an informed advocacy voice for Arizona,” said Scott Garlid, Executive Director of the Arizona Wildlife Federation. “As avid outdoor sporting groups, we are some of the best voices in the state to discuss commonsense conservation issues for our lands and wild game.”

We invite members of the media to join Arizona’s conservation and sporting organizations for the third annual Arizona Camo at the Capitol virtual event.

NEWS CLIPS

GOP senator starts contempt proceedings for county supervisors

By Julia Shumway Arizona Capitol Times 02-03-21

The chairman of the Senate judiciary committee is drafting a resolution that could end in Maricopa County supervisors being held in contempt and frog-marched to the capitol.

After the Maricopa County Board of Supervisors decided Wednesday afternoon to reject the Senate’s latest request to hand over 2.1 million ballots, Sen. Warren Petersen, R-Gilbert, announced on Twitter that he was drafting a resolution of contempt for the board. (To read more, click here).

* * * * *

Hoffman asks lawmakers to fully fund distance learning

By Howard Fischer Capitol Media Services 02-03-21

Arizona’s top education official told lawmakers Tuesday they need to ensure that schools get as much money for online courses as the law now provides them for kids in seats.

Kathy Hoffman said public schools are expected to lose up to $500 million in aid because the state law funds distance learning at 5% less than in-person instruction. (To read more, click here).

* * * * *

AMERICAN OVERSIGHT

Arizona GOP lawmakers seek to limit some voter registration drives

By Howard Fischer Capitol Media Services 02-03-21

Senate Republicans are moving to approve new restrictions on the ability of county recorders to conduct voter registration drives. (To read more, click here).

* * * * *

Bill would provide $900,000 advertising boost to Arizona dude ranches

By Howard Fischer Capitol Media Services 02-03-21

State lawmakers voted Monday to spend $900,000 in tax dollars in a bid to convince Arizonans and others across the country to visit one of the state's remaining dude ranches. (To read more, click here).

* * * * *

Arizona doles out over half its vaccine supply; more coming

By Staff The Associated Press 02-03-21

Arizona has administered more than half of its COVID-19 vaccine supply but is expected to get more than 1 million additional doses soon, health officials said Tuesday.

The Arizona Department of Health Services' daily vaccine report shows the state has given out 59% of its doses, or more than 702,000, so far. But 1.2 million doses were expected to be shipped this week. (To read more, click here).

* * * * *

AMERICAN OVERSIGHT

Arizona to embrace sports betting in deal with tribes

By Staff The Associated Press 02-03-21

Arizonans would be allowed to bet on professional and college sports at tribal casinos and at sites owned by pro sports teams under a proposal that is part of an update to the state's deal that allows Native American tribes to run casinos.

The wide-ranging proposal introduced in the Arizona House on Monday also would allow bets to be placed online, fantasy sports wagering, and add limited Keno games at off-track betting locations and social clubs like the American Legion. (To read more, click here).

* * * * *

Sen. Kyrsten Sinema is wrong about the virtual filibuster. It hurts bipartisanship

By Robert Robb Arizona Republic 02-03-21

Kyrsten Sinema has made bipartisanship her calling card. Virtually every press release she sends out describes whatever action to which she is calling attention as "bipartisan." The word is frequently used multiple times.

She recently took a tough position, and heat, that strongly buttressed her professed commitment. She became the second Democratic senator, after West Virginia's Joe Manchin, to publicly proclaim that she wouldn't vote to eliminate the virtual filibuster. That gave House Minority Leader Mitch McConnell the reassurance necessary to agree to rules governing the operation of an evenly divided Senate, thus giving Democrats the reins. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, February 3, 2021 2:34:46 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes February 3, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

.....

Arizona Legislative Report

Today's News Notes

February 3, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative*

AMERICAN OVERSIGHT

Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

House Land, Agriculture & Rural Affairs

Monday 02/08/21 at 2:00 PM, House Rm. 3

H2372: AGRICULTURAL OPERATIONS; NUISANCE; LIABILITY

H2760: MILITARY INSTALLATION FUND; PROPERTY CONVEYANCE

Senate Transportation & Technology

Monday 02/08/21 at 2:00 PM, Senate Rm. 109

S1009: STATE VEHICLE FLEET; ELECTRIC VEHICLES

S1127: VEHICLE SPEED LIMITS

S1291: VEHICLES AND LOADS; GROSS WEIGHT

S1336: VEHICLE IMPOUNDMENT; EXCEPTIONS; STORAGE CHARGES

S1406: AIRCRAFT REGISTRATION FEES; TAXATION; REPEAL

S1460: ADOT; STATE MOTOR VEHICLE FLEET

S1495: GRADUATED DRIVER LICENSES; EDUCATION PROGRAM

S1532: COUNTY TRANSPORTATION PLANNING ASSISTANT

S1551: DRIVER LICENSE SUSPENSIONS; RESTRICTIONS

House Health & Human Services

Monday 02/08/21 at 2:00 PM, House Rm. 4

H2155: EARLY CHILDHOOD MENTAL HEALTH; APPROPRIATIONS

H2300: GROUP HOMES; MONITORING; APPROPRIATION

H2311: LABORATORY PROCEDURES; CHIROPRACTORS

AMERICAN OVERSIGHT

H2409: ADULT PROTECTIVE SERVICES; AUDIT; APPROPRIATION

H2489: APPROPRIATION; AFFORDABLE HOUSING

H2533: STATEWIDE ADA COORDINATOR; APPROPRIATION

H2540: DEVELOPMENTAL DISABILITIES; SPINA BIFIDA

H2547: DENTAL HYGIENISTS; AFFILIATED PRACTICE

H2565: AREA AGENCIES ON AGING; APPROPRIATION

H2629: ARIZONA NURSES ACADEMY

H2640: BEHAVIORAL HEALTH; RATES; STUDY; APPROPRIATION

H2668: NUTRITION ASSISTANCE; BENEFIT MATCH; APPROPRIATION

H2682: PHARMACY BOARD; RULEMAKING AUTHORITY

House Military Affairs & Public Safety

Monday 02/08/21 at 2:00 PM, House Rm. 1

H2384: MEMBERSHIP; AZPOST

H2461: DPS; BODY CAMERAS; APPROPRIATIONS

H2462: CIVILIAN REVIEW BOARD MEMBERS; TRAINING

H2463: APPROPRIATION; DPS; SCHOOL SAFETY PROGRAM

H2504: APPROPRIATION; DPS; SALARY INCREASE

H2505: APPROPRIATIONS; CORRECTIONS OFFICERS; SALARY INCREASES

H2542: VETERAN SUICIDES; ANNUAL REPORT

H2672: PRISONERS; BRAILLE TRANSCRIBER TRAINING PROGRAM

H2706: APPROPRIATION; VETERANS' SERVICES; BENEFITS COUNSELORS

Senate Government

Monday 02/08/21 at 2:00 PM, Senate Rm. 1

S1063: ADMINISTRATIVE REVIEW OF AGENCY DECISIONS

S1074: LOCAL GOVERNMENTS; AUDITS; PUBLIC MEETING

S1104: CAMPAIGN FINANCE; CONTRIBUTION; DISCLOSURES; ITEMIZATION

S1106: VOTING RESIDENCY; INTENT TO REMAIN

AMERICAN OVERSIGHT

S1107: REDISTRICTING; PETITION SIGNATURES; 2022 CANDIDATES

S1241: VOTING EQUIPMENT; BALLOTS; RECEIPT

S1299: INCORPORATION; URBANIZED AREAS

S1351: FIRE DISTRICTS; AMENDMENTS

S1353: ANTI-RABIES VACCINATION; RABIES TITER

S1430: HIGHLY FATAL; DEFINITION

S1432: POLITICAL SIGNS; REMOVAL DATE

S1487: PRIVATE ATTORNEY RETENTION; MUNICIPALITIES; COUNTIES

S1492: ELECTION LAW AMENDMENTS

S1497: BALLOT MEASURES; PROPOSITION 105; DISCLOSURE

S1531: PETITION SIGNATURES; DESCRIPTION; INVALILDITY

S1601: MUNICIPAL ORDINANCES; PENALTIES; NOTICE

SCR1005: LEGISLATURE; NINTY HOUSE DISTRICTS

SCR1034: VOTER PROTECTION ACT; COURT DETERMINATIONS

REVISED HEARINGS

House Appropriations

Wednesday 02/03/21 at 2:00 PM, House Rm. 1 ***REVISED [01/29/21]***

H2048: COUNTIES; COMMITTED YOUTH CONTRIBUTIONS; REPEAL

H2127: APPROPRIATION; STATE PARKS; HERITAGE FUND

H2133: APPROPRIATION; GRAND AVENUE; SR 303

H2157: APPROPRIATION; LOOP 101 SLIP RAMP

H2166: CRIMINAL JUSTICE COMMISSION; DATA COLLECTION

H2182: RAPID DNA TESTING; APPROPRIATION

~~H2215: APPROPRIATIONS; ROUTE H60~~

H2288: APPROPRIATION; MILITARY INSTALLATION PROJECTS

H2379: APPROPRIATION; SOUTHERN BORDER REGION REINFORCEMENT

H2405: CONTINUING HIGH SCHOOL PROGRAM

AMERICAN OVERSIGHT

H2407: APPROPRIATION; 67TH AVENUE; WIDENING; DRAINAGE

H2562: TAX CREDIT; AFFORDABLE HOUSING

H2669: APPROPRIATION; ELEMENTARY SCHOOL DISTRICT

NEWS NOTES

SENATE CONTRAVENES OWN RULES, BARS PUBLIC FROM KEY MEETINGS

Contravening its own rules, the Senate has barred reporters, lobbyists and the public from accessing or viewing rules and caucus meetings all session. While the Legislature made itself exempt from the state's open meetings law, both chambers adopted portions of the law into their own rules. In the Senate, Rule 7 on committees requires that all committee meetings be open to other members of the Legislature, the press and the public "so long as the proper decorum is maintained." Rule 31, meanwhile, states that "all meetings of a party caucus consisting of members of the Senate shall be open to the public except organizational meetings to elect officers of the caucus and the Senate and meetings to discuss matters, including those permitted in executive session as set forth in section 38-431.03, Arizona Revised Statutes. Each caucus shall establish procedures for convening party caucuses." (The Senate modified the rules last January, when the Senate granted itself the right to hold closed caucuses for any reason. Prior to 2020, Senate rules only permitted closed meetings if the caucus elected leaders or for the limited executive session exemptions laid out in state open meetings law, such as discussing litigation.) While lawmakers approved a temporary emergency Rule 32 on the first day of session to address Covid safety, nothing in that rule eliminates public access to meetings. Rather, the new rules specify how legislators and members of the public can participate remotely, giving testimony on bills and voting from their offices.

SENATE ALSO BARS DEMS FROM MAKING MEETINGS PUBLICLY ACCESSIBLE

Senate Democrats tried to find a way to make their caucus meetings open to the public by sending video meeting invites to anyone who contacted the caucus's assistant. But after Rios shared this arrangement during a *Capitol Times* Morning Scoop last week, Fann ordered Democrats to close their caucus, as well. Contreras and Quezada both told our reporter they had to accept the rules because Republicans control the Senate. "They run this building. They make the rules in this building, and that's a rule we have to follow," Contreras said. He said Senate leadership told the Dems caucuses must be closed due to the new Covid restrictions in the building. Of course, streaming a meeting carries zero risk to spreading Covid. Quezada said his understanding is that majority staff controls meeting links. "Now whether that's a bunch of BS or not, I'll let you write about that," he said.

AMERICAN OVERSIGHT

QUEZADA: WHAT ABOUT OUR 'SPY'?

The caucus restrictions also prevent Dems from knowing what Republicans discuss in their caucus meetings, Quezada said. In normal years, Senate Dems would send an intern to the Republican caucus as a "spy" to take notes and report back on discussions. As far as Quezada knows, Dems can still dispatch an intern to the caucus room, but they don't feel comfortable sending an intern into a crowded room full of potentially mask-less Republicans. They can't get a Zoom link for their "spy" to watch remotely, even though several Republicans now take part in caucus by video call. Instead, Quezada said Dems will have their interns take notes on Democratic caucuses and publish those so the public gets at least some insight into discussions.

SENATE FAST-TRACKS RESOLUTION TO HOLD COUNTY SUPERVISORS IN CONTEMPT

Senate Rules met immediately after floor today to get permission for a late introduction of a resolution declaring the Maricopa County supervisors in contempt. SR1005 (Maricopa County; supervisors; contempt declaration), which Fann introduced, said the supervisors "repeatedly and willfully delayed and obstructed a vital and duly authorized investigation" by the Senate. IT also says Fann will take "all legal action" to enforce the subpoena. As noted above, the Senate Rules meeting was closed to the public. Members of Senate Rules traditionally meet in Caucus Room 1, which has no broadcast ability. Petersen announced yesterday that he was drafting the resolution shortly after Maricopa County supervisors again rejected the Senate's demands that the county turn over ballots for the Senate to perform its own audit. If it passes, it could result in the Senate sending its sergeant at arms to arrest county supervisors.

ELECTION BILLS DOMINATE HOUSE DEBATES

In the wake of last year's hotly contested presidential election, bills changing Arizona's voting system are shaping up to be some of the most controversial of the session, and those debates dominated much of today's House gov meeting. H2357 (attorney general; voter fraud; subpoenas), which would let the attorney general conduct investigations and issue subpoenas to further the work of the Election Integrity Unit, made it out of the committee on a party-line vote. Salman called the measure part of "a package of bills changing the way our elections operate based on no credible evidence," and added that former President Donald Trump made allegations about voter fraud for years without evidence and that almost all of his court challenges to the last election failed. She said the bill is "opening the floodgates to voter suppression in the future" and accused Jennifer Wright, the assistant attorney general in charge of the unit, of having a history of targeting and intimidating voters of color. "We are giving them the right to civilly subpoena and potentially harass voters, particularly voters who don't vote the way that certain elected officials want them to vote," Salman said. Hoffman said H2357 deals with the future, not past elections, and accused the bill's opponents of hyperbole

AMERICAN OVERSIGHT

and straw man arguments. "I find some of the conversations we have in the chamber here to be rather shocking," he said. After some debate along similar lines, the committee held H2358 (voter registration update; address change), which would cancel a voter's registration if the Post Office notifies a county that a voter has moved out of the county or state, to make some changes to it.

PRO-LIFE ACTIVIST BALKS AT FUNDING OUT-OF-STATE CRISIS PREGNANCY GROUP

An East Valley Republican activist's opposition to Barto's S1251 (appropriations; family health pilot program) caught Barto and Center for Arizona Policy President Cathi Herrod by surprise yesterday. S1251 is a rerun of a bill first introduced as a last-minute budget addition in 2019 that would have allocated state money to a nonprofit seeking to deter women from getting an abortion. When it was first introduced, the bill was intended to benefit one specific organization: the Human Coalition located in Plano, Texas. LD12 resident Christine Accurso, a Republican state committeeman who has been deeply involved in fights over the Dept of Education's handling of Empowerment Scholarship Accounts, wrote in a letter read by Alston that she was told when she visited the Human Coalition's headquarters that the organization doesn't expand to other states until funding is guaranteed as a line item in that state's budget. Accurso, who previously worked at a crisis pregnancy center and more recently at a consortium of anti-abortion health care providers, said pregnancy centers in the state already reach women, and S1251 will just give a non-Arizona business an unfair advantage while wasting $3 million in tax money. "The state legislature should not be picking winner and loser organizations to fund. That should be left for the private sector," she wrote.

TOWNSEND, A DOULA, EXPLORES POTENTIAL CONFLICT OF INTEREST

Townsend shared that she heard similar concerns from constituents, and she thinks it's possible she has a conflict of interest requiring recusal from voting on S1251 on the floor. She and Gowan earlier agreed she could vote it out of committee and then confer with attorneys about her possible conflict before the Senate debates the bill on the floor. Townsend said while she isn't interested in applying for the grant money provided by S1251, her doula business could be among a small group of Arizona organizations eligible for funding. Townsend's recusal, along with all Democrats voting no, would split the vote 15-15, assuming all the other Republicans support it, spelling its defeat.

CARTER AND BOYER, 2021 EDITION

Boyer took on this year's attempt to extend in-state tuition to undocumented immigrants as a favor to former Sen. Heather Carter. "She asked me if I would take it on, and after I thought about it for a little bit, I thought it's the right thing to do. I'm

AMERICAN OVERSIGHT

going to take it on and it's going to be challenging, but if we get it on the board, I believe it will pass." Shope and Udall signed on as Republican co-sponsors of SCR1044 (tuition; postsecondary education), and Boyer expects Fann to assign it to his education committee, easing its way to the Senate floor.

PAUL CHANNELS INNER TONY

Boyer also picked up former Rep. Tony Rivero's passion project of consular IDs. His S1420 (schools; universities; consular identification) would require the state, schools and universities to accept photo IDs printed by foreign consulates as valid forms of ID, provided the foreign government uses fingerprint and retina scans. Last year, Rivero's 2020 bill, H2604 (consular identification cards; permitted use) passed the House on a bipartisan 41-19 vote before dying because of the Covid-shortened session. Bowers and Fann have signed on to S1420.

PANEL ADVANCES BILL PENALIZING ANYONE WHO ENCOURAGES TEEN SUIDICE

H2459 (manslaughter; suicide assistance; violation), which would make it manslaughter if an adult intentionally encourages a minor to commit suicide – and the minor follows that advise – passed unanimously out of House jud this morning. Weninger sponsored a similar bill last year, as well, inspired by the case of a Chandler teenager who took his own life after discussing his suicidal thoughts on Reddit and being advised by users on how to take his own life. It also passed the House in 2020 but didn't make it through the process before the Covid-hastened end of the session.

DITTO FOR MEASURE ADDING SOCIAL MEDIA POSTS TO DEFINITION OF HARASSMENT

Meanwhile, Hoffman's H2568 (electronic communications; social media post) made it out of committee 7-3, with two Republicans expressing concern over its details but ultimately supporting it. It would add social media posts to the definition of electronic communications meant to harass people. "We don't want people to be able to terrify or attack or threaten our ... citizens," Hoffman said. Rodriguez said he worries about the lack of definitions in the bill and that it is silent on whether a retweet is an endorsement as far as criminal liability is concerned. "Without defining what constitutes a social media platform and putting some outside limitations on it, I think we are inviting sloppy application and experimenting on folks as they get into the system," Rodriguez said. Blackman and Finchem voted to advance the bill. Blackman mentioned he received a death threat yesterday but believes accountability needs to be balanced with protecting constitutional rights. Both expressed some reservations and indicated they might want to see changes to the final bill.

DUCEY ORDERS FLAG AT HALF-STAFF TO REMEMBER ALBERT HALE

AMERICAN OVERSIGHT

Ducey ordered flags at state buildings to be flown at half-staff today to remember Albert Hale, a former state lawmaker and Navajo Nation president who died Tuesday after battling Covid. Hale, 71, served as his tribe's president from 1995 to 1998 and represented his legislative district, a massive swath of northern and eastern Arizona, in the state Senate from 2004 to 2011 and in the House from 2011 to 2017. "Hale proudly represented the Navajo Nation and state of Arizona for many years, and we are grateful for his dedication to serving others and contributions to our state," Ducey said. "My prayers and deepest condolences go to Hale's family, loved ones and community, and I've ordered flags be lowered to half-staff in honor of his life and service."

ONE LAST TIME: HALE YES!

The House observed a moment of silence in Hale's honor today, with both Tsosie and Friese speaking about him. "He was a very powerful representative," Friese said. "He stood strongly for his district and the tribal nations. He was jovial, well-liked by everybody in this body." Friese remembered how Hale used to say "Hale yes!" whenever he voted for a bill. "So for Mr. Hale, I say one final time, 'Hale yes!'" Condolences for the former legislator poured in Tuesday night. "A highly skilled attorney and negotiator, he was a respected, compassionate and effective leader for the people of the Navajo Nation and other rural northern Arizona communities he served," Bolding said. "He was also a devoted friend and beloved colleague to all who knew him. Our deepest condolences to his wife, Dr. Paula Hale, and his loving family." Tsosie called him "a mentor to many who looked to him for guidance, knowledge and leadership. His legacy will continue to be remembered for many years to come and his voice will continue to be heard in both chambers of the Arizona State Legislature. Albert Hale represented the Navajo Nation and the State of Arizona with respect, honesty and trust at all government levels. My prayers and condolences go to the Hale's wife, children and grandchildren." Hobbs, who served with Hale during her freshman term in the House, tweeted a story about a divisive debate over naming a state gun she and Hale were on the same side of, during which he "earned my eternal respect," she said. "He will be missed," she continued. "My thoughts go out to his family and loved ones."

NEWS RELEASES

Governor Ducey Orders Flags At Half-Staff To Honor Former Arizona State Legislator Albert Hale

PHOENIX — Governor Doug Ducey today ordered flags at all state buildings be lowered to half-staff from sunrise to sunset tomorrow, February 3, 2021, to honor former Arizona State Legislator and former President of the Navajo Nation Albert Hale.

"Arizona is saddened by the loss of respected Navajo leader and former state legislator Albert Hale," said Governor Ducey. "Hale proudly represented the Navajo Nation and state of Arizona

AMERICAN OVERSIGHT

for many years, and we are grateful for his dedication to serving others and contributions to our state. My prayers and deepest condolences go to Hale's family, loved ones and community, and I've ordered flags be lowered to half-staff in honor of his life and service."

Hale served as President of the Navajo Nation from 1995 to 1998. He served in the Arizona State Senate from 2004 to 2011, and the Arizona State House of Representatives from 2011 to 2017.

* * * * *

Governor Ducey Pushes For More Vaccine Doses In Letter To Congressional Delegation

PHOENIX — Governor Doug Ducey is calling on Arizona's congressional delegation to help meet the urgent need for additional supplies of the COVID-19 vaccine and secure funding for its distribution.

"There could be no better use of your time or advocacy efforts than in helping to secure these vaccine doses for the people of Arizona to help end this pandemic for good," Governor Ducey wrote to the seven Democrats and four Republicans who represent Arizona in Washington.

As of February 2, Arizona administered 702,664 doses of the vaccine.

The State of Arizona recently requested an additional 300,000 doses of the life-saving vaccine, and an additional 300,000 doses a week. The request was denied.

Governor Ducey issued an Executive Order on December 30 to rapidly expand access to the COVID-19 vaccine by streamlining distribution throughout Arizona and establishing additional vaccination sites. He issued another Executive Order on January 26 to accelerate the statewide distribution of the COVID-19 vaccine and move doses of vaccine to where they can be rapidly administered to Arizonans.

Arizona's state-run 24/7 vaccination site at State Farm Stadium, which opened on January 11, administers approximately 6,000 vaccines per day. On February 1, the state opened its second site at Phoenix Municipal Stadium but can only administer 500 doses per day because of limited supplies.

State health officials say Arizona has the capacity to open more large-scale vaccination sites once more vaccine doses are available.

View the letter below.

***

Dear Member of Arizona's Congressional Delegation,

We are extremely grateful for the success of Operation Warp Speed in developing at least two safe and effective COVID vaccines in record time. It is a remarkable milestone and is only part of the key to ending this pandemic. As you know, the vaccine is only effective once it is administered to Americans. Arizona has been working diligently to administer the vaccine to key priority groups including healthcare workers, residents of long term care facilities,

AMERICAN OVERSIGHT

individuals aged 65 and over, teachers, and law enforcement personnel.

Because Arizona is a home rule state, the jurisdiction and responsibility for vaccine administration lies with our 15 counties. Some counties have been doing an exemplary job while others have lagged behind. For this reason, I issued Executive Orders 2020-62 and 2021-01 with the goal of scaling up vaccination by opening state run sites to augment the work being done by the counties and ensuring efficient use of the vaccine that has already been allocated to Arizona. The first state run site at State Farm Arena is now the most productive, high throughput site in Arizona, administering 6,000+ vaccinations per day. On February 1, 2021, we opened a second state run vaccination site at Phoenix Municipal Stadium, and we hope to open more sites like these across the state.

The demand for vaccination at these sites is extremely high. All appointments for first doses of the vaccine in the month of February at these state sites were taken within 13 hours of the appointments being made available to the public. As you well know, our state is home to many out-of-state residents during our beautiful winter months, leading to an even higher need for more vaccines. We want everyone in Arizona who wants a vaccine, to have the opportunity to get one. Unfortunately, due to the state's current allocation of vaccines from our federal partners, Phoenix Municipal Stadium, which has the capacity to match State Farm Stadium in terms of number of daily doses, will only open with 500 appointments a day rather than the 6,000 it could handle.

The single biggest limiting factor for opening more appointments at existing sites and creating new mass vaccination sites around the state is the number of vaccine doses allocated to Arizona by our federal partners. We have placed a federal resource request for an additional 300,000 vaccines immediately followed by 300,000 additional doses a week. We are confident that such an allocation increase would allow the state to replicate our successful mass vaccination sites throughout the state. Our resource request, however, has been denied.

I am writing today to request the Arizona Congressional delegation engage at every level to help secure additional COVID vaccine doses for the State of Arizona. There could be no better use of your time or advocacy efforts than in helping to secure these additional vaccine doses for the people of Arizona to help end this pandemic for good.

Additionally, as Congress contemplates further COVID relief measures, I urge you to place funding for vaccine distribution at the very top of the list. While we are grateful for the funding provided in the December relief package, mass vaccination sites, which have to be staffed with medical professionals, can cost hundreds of thousands of dollars a week. The state is looking to open several mass vaccination sites across the state, as well as smaller sites to target vulnerable and hard to reach populations so any additional funding that is provided, when done in conjunction with an increase in vaccine allocation, will help to expedite and sustain these efforts.

Thank you for your attention and consideration.

Sincerely,

Douglas A. Ducey

Governor

State of Arizona

AMERICAN OVERSIGHT

* * * * *

Statement from the Health System Alliance of Arizona Regarding COVID-19 Vaccine Distribution

Phoenix, AZ-- The Health System Alliance of Arizona issued the following statement regarding the COVID-19 vaccine distribution:

"Member hospitals of the Health System Alliance of Arizona have been proud to assist the state and Maricopa County to jump start a large scale and county-wide COVID-19 vaccination system to vaccinate qualifying individuals including frontline health care workers, teachers and the elderly. At each of the Maricopa County vaccination PODs, careful precautions are taken to safeguard every allocated vaccine, resulting in virtually no vaccines going unused that could be used.

"The current COVID-19 vaccines require highly specialized storage and are packaged in multiple doses creating the potential for vaccine loss. We have made careful use of any and all vaccine supplies allocated to our PODs. Arizonans can have confidence in our PODs and the use of vaccines.

"We look forward to receiving more vaccines along with the creation of additional vaccination sites across the state to increase the number of Arizonans who can be vaccinated against COVID-19. We are grateful to the thousands of hospital employees and community volunteers at the county-led sites who have been working tirelessly to vaccinate Arizonans as quickly as possible."

* * * * *

Senate Education Committee approves school choice bill

SB 1452 would bring ESAs to low-income families

(Phoenix, State Capitol) ---- The Senate Committee on Education tonight approved a bill that would bring new education options to lower-income families in Arizona. With the onset of the COVID-19 pandemic, tens of thousands of students are falling months behind in school, because they don't have the options of children in higher income neighborhoods. These children have no in-person instruction, and because of a lack of internet connectivity, many are opting to stop attending school at all.

SB 1452 would help these parents and kids, by bringing new educational opportunities to them. Low-income families would become eligible to apply for an Empowerment Scholarship Account (ESA). ESAs open up all options to parents, so they can choose what's best for their family, according to their personal situation.

"The digital divide in Arizona is real and significant," said Senator Paul Boyer, sponsor of SB 1452. "And with COVID, the divide is getting worse. Homes in the poorer parts of our state often have no internet connectivity, so if the student can't learn in person, she also can't join virtually from home. Giving them an option to apply for an ESA could be a life-changer for these families."

AMERICAN OVERSIGHT

ESAs help pay for nearly all education options outside of district schools: online schools, homeschooling, private schools, and tutors. They also help ease the burden of out-of-pocket education expenses, for books and curriculum.

"It's imperative that we give relief to our low-income parents now and not allow children to slip any further behind," said Senator Boyer. "They need immediate access to educational opportunities, school options and resources."

* * * * *

Attorney General Mark Brnovich Files Lawsuit to Halt New DHS Immigration Policy that Could Endanger Arizonans

PHOENIX – Attorney General Mark Brnovich filed a lawsuit today against the U.S. Department of Homeland Security (DHS) and federal officials over its new policy to pause nearly all deportations for 100 days. The Attorney General's Office (AGO) is asking the U.S. District Court in Arizona to rule the new policy violates federal law and Arizona's existing agreement with DHS.\

Halting deportations for 100 days raises serious safety concerns for Arizona communities. Not only could the plan release individuals charged with or convicted of crimes into Arizona communities, but law enforcement officials have told the AGO they are concerned whether those being released are being tested for COVID-19. There are serious concerns that DHS' new policy will further stress hospitals and social services at the local and county level.

"It is unconscionable for DHS to release potentially dangerous detainees into our state, especially when no efforts are made to coordinate with applicable courts and probation departments. I am asking the court to enforce the law," said Attorney General Brnovich. "As a first-generation American I support the need for comprehensive immigration reform, but it cannot be achieved through untenable executive orders."

Recently, a federal judge in Texas ruled the new DHS policy likely violates the law and imposed a 14-day nationwide temporary restraining order (TRO). The TRO was extended another 14 days and is now set to expire on February 23.

It has come to the AGO's attention that within the first three days of the enacted policy (and before the TRO), DHS released 27 aliens in the Phoenix area. This is the third-highest number in the country. Law enforcement officials have told the AGO that many of the individuals released were not properly tested for COVID-19, nor did DHS try to coordinate with local health or police agencies.

"These new executive actions have restarted the mass flow of migrants to our border and will soon have a significant impact on the resources of local governments," said Yuma County Sheriff Leon Wilmot. "Under this moratorium on deportations, hundreds, and soon to be thousands, of migrants will potentially be turned loose in Arizona as well as other Border communities without any means of testing for communicable diseases including COVID-19. Healthcare systems in many smaller communities are already operating at near-full capacity and potentially overwhelming them runs contrary to the COVID-19 mitigation plan we were promised."

AMERICAN OVERSIGHT

AGO Lawsuit Details

On January 20, 2021, at the President's direction, DHS ordered a blanket halt on nearly all deportations for 100 days, including those charged with or convicted of crimes. Federal law requires when an alien is ordered removed, the U.S. Attorney General shall remove the individuals from the United States within 90 days.

The new DHS policy also violates its Memorandum of Understanding (MOU) with the AGO. The MOU requires DHS to provide Arizona with 180 days' written notice of proposed immigration actions and offer an opportunity to consult and comment on the proposed action before implementation. However, no contact was initiated by DHS. General Brnovich made two different requests to DHS to comply with the MOU, but DHS has refused.
The 100-Day Pause on Removals is a sudden and sharp departure from DHS's previous policy. Additionally, there is no indication that defendants considered the potential threats to public safety in Arizona. The U.S. Supreme Court (SCOTUS) has already ruled on this type of issue in an immigration case regarding the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) when the former administration tried to rescind the DAPA program. SCOTUS struck down the action for being arbitrary and capricious because it did not consider a more limited policy.
In today's filing, Attorney General Brnovich is asking the court to declare the DHS Immigration Pause Memorandum violates the MOU signed with Arizona, and several federal laws, including 8 U.S.C. § 1231.

Copy of AGO complaint

Copy of Exhibits

Copy of General Brnovich letter to DHS January 26, 2021

* * * * *

Congressman Biggs' Statement on the Biden Administration's Open-Borders Executive Orders

WASHINGTON, D.C. – Today, President Joe Biden signed three executive orders that will make the United States less secure and incentivize illegal aliens to enter the country. The orders start the process to: 1. Reward illegal alien parents who subjected their children to dangerous journeys to the border; 2. Allow illegal aliens to potentially remain in the United States for years while their asylum claims are pending, returning to catch and release; and 3. Roll back Trump administration policies that previously restored integrity to our immigration system.

Congressman Biggs, co-chair of the Border Security Caucus, released the following statement:

"In two weeks, the new Biden administration has reversed much of the progress that the Trump administration made to secure our border and enforce the rule of law, giving a green light to a massive surge of illegal aliens to enter the United States. The open-borders policies of this administration are destructive to America's security and sovereignty. These policies will lead to more human, sex, and drug trafficking across our southern border. These policies will inflame the humanitarian crisis of men, women, and children being led for hundreds of miles by dangerous members of cartels. And these policies will make law-abiding Americans more

AMERICAN OVERSIGHT

unsafe in their communities.

"President Biden's actions against border security and the rule of law contradict the sacred words of the oath of office he took on January 20. An American president, no matter which party he belongs to, should uphold the rule of law and our Constitution. The Biden administration's radical border and immigration agenda dismantles both the Constitution and our rule of law, shatters the future of American sovereignty, and makes our communities less secure with safe haven for potentially violent illegal aliens and increased drug trafficking. I oppose these executive orders from the Biden administration, and I call on him to work with Congress to secure our border and to enforce our laws."

* * * * *

AG Brnovich and Representative Wilmeth Push for Strong Consumer Protections in the Health Club Industry

PHOENIX – Attorney General Mark Brnovich and Representative Justin Wilmeth are working together on de-regulation legislation that would allow Arizonans to more easily and safely cancel their gym memberships, correcting a major issue that surfaced during the COVID-19 public health crisis.

Last Spring, the Governor forced gyms to close in Arizona because of the COVID-19 pandemic. The Attorney General's Office (AGO) received a high number of complaints from consumers who could not cancel their membership despite the mandatory closures but were still charged their full dues. Additionally, countless consumers were not allowed to stop their membership because of unfair, outdated and onerous cancellation policies. When confronted by the AGO, gyms relied on the existing "Health Spa" statutes (ARS 44-1793) to support their unfair cancellation policies.

"I am proud to work with Representative Wilmeth to address this loophole in Arizona law," said General Brnovich. "I understand that health clubs and gyms are going through difficult times, but outdated cancellation policies that are unfriendly to consumers and may endanger the public are unacceptable."

"This legislation provides a reasonable protection for Arizona consumers who may need another option to cancel their membership – a problem highlighted during the COVID-19 pandemic," said Representative Wilmeth. "General Brnovich has always been a strong advocate for the protection of consumers and I'm proud to partner with him on this issue."

Representative Wilmeth is working to implement General Brnovich's proposed legislation to address this issue and protect health club consumers.

Under current Arizona law, gyms are only required to allow for cancellation of a membership if it is done in person or via certified mail. HB 2697 would update the law to allow for cancellation by regular U.S. mail, email or on a gym's website.

Representative Wilmeth introduced HB 2697 this legislative session. On Tuesday afternoon, the bill passed out of committee and will soon head to the House floor.

AMERICAN OVERSIGHT

Background:

In April 2020, the Attorney General's Office (AGO) sent letters to three gyms with locations in Arizona – Life Time Fitness, Mountainside Fitness, and Planet Fitness urging them to allow consumers to cancel their memberships remotely during the pandemic. At the time, each gym required consumers to cancel in-person even though gyms in Arizona were closed under the Governor's Executive Order.

* * * * *

Lesko Reintroduces Bipartisan Bill to Improve Transparency at Veterans Affairs Medical Facilities

WASHINGTON, D.C.—Today, U.S. Congresswoman Debbie Lesko (AZ-08) reintroduced the bipartisan *VA Medical Center Transparency Act* to increase transparency between Department of Veterans Affairs (VA) facilities, Congress, and veterans. Lesko once again introduced this legislation with Congresswoman Susie Lee (D-NV-3).

"I am excited to once again introduce this important legislation to help members of Congress and U.S. Senators better represent their veteran constituents by increasing transparency with VA medical facilities," said Congresswoman Lesko. "This legislation will help Congress track how VA medical facilities are performing and how they intend to better serve veterans in their area. Our veterans have dedicated their lives to our nation, and we must ensure they are receiving the best care possible."

The bill requires every director of a VA medical facility to publish an annual factsheet that includes statistical information on the facility including patient wait times, prevalent health concerns, and average wait times. The factsheet will also include what, if any, improvements have been made to patient care and service, and plans for future improvements. These factsheets will be distributed to the Secretary of the VA, members of the House and Senate Veterans' Affairs Committees, and members of Congress representing the facility. The factsheets will also be published on the facility's website and displayed in the facility.

Lesko and Lee were joined by Representatives Vicky Hartzler (R-MO-04) and Blaine Luetkemeyer (R-MO-03) in introducing this legislation.

* * * * *

Lesko Introduces Bill to Address Border Crisis

WASHINGTON, D.C.—U.S. Congresswoman Debbie Lesko (AZ-08) introduced the *Border Crisis Prevention Act* to address the root causes of our nation's border crisis, including issues with our asylum system, a lack of immigration judges, and barriers to detention.

"Our nation is experiencing a national security and humanitarian crisis at our border," said Congresswoman Lesko. "To address this crisis, we must address the root causes and fix our broken immigration system. For states like Arizona and others along the southern border, this crisis is an imminent threat to the safety and security of our communities, and it must be addressed swiftly."

AMERICAN OVERSIGHT

The bill addresses six facets of immigration reform which Lesko previously addressed with stand alone bills in the 116th Congress.

The first provision increases the integrity of the asylum system by increasing the credible fear standard for asylum claims. Under our current system, very few individuals who ask for asylum are ultimately granted asylum because they ask for asylum for the wrong reasons. Legitimate asylum claims are intended for vulnerable men, women, and children who have been persecuted or have a true fear for their lives in their home country.

Another provision permits the Secretary of Homeland Security to designate a country to be a safe third country and remove asylum seekers to safe third countries where they can apply for asylum without the need for bilateral agreements. This allows asylum seekers from Central America to be returned to Mexico and claim asylum there as long as the secretary designates Mexico to be a safe third country. Currently, Congress has the authority to designate another country to be a 'safe third country.' The United States and Canada currently have this agreement.

Next, the bill gives the resources necessary to enforce our immigration laws by authorizing funding for the amount of Immigration and Customs Enforcement bed space that the Secretary of Homeland Security determines necessary to enforce immigration laws.

The bill also addresses the immigration court backlog by providing an additional 100 immigration judges to reduce the asylum backlog.

To address issues with frivolous asylum applications, the bill states that if the Secretary of Homeland Security or the Attorney General of the United States determine that an alien has knowingly made a frivolous application for asylum, the alien will be permanently ineligible for asylum. It also adds more factors that can be used by the Department of Homeland Security to figure out if someone is frivolously applying for asylum. The department is also permitted to conduct necessary investigations surrounding asylum claims and their supporting documents to cut down on asylum fraud.

Lastly, the bill permits the detention of dangerous illegal immigrants. Currently, the United States is unable to remove an alien even if they have committed crimes. This bill will keep dangerous criminal immigrants off our streets. The bill specifies that a small segment of criminal immigrants may be detained for an extended period, including dangerous criminals and individuals who are threats to our national security. Their cases can be reviewed every six months.

* * * * *

Chair Grijalva: Biden Admin is Right to Release $1.3 Billion for Housing Relief in Puerto Rico – Hearing on Access to Federal Aid Coming This Spring

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today praised the Biden administration's swift release of $1.3 billion in Community Development Block Grants from the U.S. Department of Housing and Urban Development to help Puerto Rico rebuild infrastructure destroyed by Hurricane Maria and the removal of restrictions on another $4.9 billion established by the Trump administration. Grijalva said the Natural Resources Committee plans to hold a hearing

AMERICAN OVERSIGHT

this spring on the impacts of territories' unequal access to federal resources and a separate hearing on the pace of reconstruction in Puerto Rico.

"The Trump administration's disregard for the residents of Puerto Rico made far too many Americans vulnerable and led to a serious population decline on the island," Grijalva said today. "The Biden administration recognizes that ending this cycle is a national priority and a fundamental question of justice. Removing restrictions and releasing federal disaster aid for infrastructure, economic development, and capacity building for NGOs and municipalities on the island is the right thing to do. My colleagues and I will ensure that funds appropriated by Congress are used to build new housing and a more resilient energy grid and help vulnerable communities across Puerto Rico."

The Committee's Office of Insular Affairs agenda for the 117th Congress includes advancing climate change legislation to address the planning, mitigation, adaptation, and resilience challenges of U.S. Territories and Freely Associated States; holding hearings on, and working to resolve, Puerto Rico's political status; and addressing the lack of voting rights and unequal access to existing federal programs suffered by residents of U.S. Territories.

* * * * *

Senator Kelly Will Continue Arizona's Legacy of Service on Senate Armed Services Committee

Other committee assignments include roles key to Arizona's economic recovery

Today, U.S. Senator and Navy veteran Mark Kelly announced that he will serve on the Senate Armed Services Committee during this congressional term, continuing the legacy of Arizona Senators advocating for the state's defense community and our national security on the committee. Kelly will also serve on the Energy and Natural Resources Committee, the Environment and Public Works Committee, the Special Committee on Aging, and the Joint Economic Committee.

A twenty-five year Navy veteran with experience as a combat pilot, test pilot, and astronaut, Kelly is prepared to advocate for Arizona's defense priorities that are central to the state's identity and economy, and important to our national security.

"Arizona trains some of the best pilots and intelligence officers in the world, it develops and tests many of the advanced weapons systems needed to outpace China and Russia, and it is home to a community committed to our national security and to supporting service members and military families. It's an honor to join the long legacy of Arizona Senators serving on the Armed Services Committee, and I look forward to working with Republicans and Democrats, and Arizona defense leaders, to protect and expand Arizona's role in our national defense and meet the threats we face around the world," **said Senator Kelly.**

Kelly's service on the Senate Special Committee on Aging, Energy and Natural Resources, Environment and Public Works, and Joint Economic Committees will also enable him to tackle issues facing seniors during the pandemic and work on priorities that are critical to Arizona's economic recovery such as solar energy, public lands, and infrastructure.

"Arizona seniors have been hit hard by COVID-19, and I'm going to be their advocate in Washington working to get them the support they need during and after this pandemic. I'm also

AMERICAN OVERSIGHT

going to be working to make the investments in infrastructure and renewable energy that are critical to our economic recovery and creating good-paying jobs across Arizona," **Kelly added.**

Further background on Kelly's military experience and preparations to represent Arizona on the Senate Armed Services Committee:

Kelly's Military Service

Navy

- Kelly served in the U.S. Navy for 25 years, retiring with the rank of Captain (O-6) in 2011.
- Kelly was commissioned into the Navy in 1986 after graduating from the U.S. Merchant Marine Academy.
- He became a naval aviator, completing pilot training in Beeville, Texas before receiving initial training on the A-6E Intruder.
- Kelly was then assigned to Attack Squadron 115 in Atsugi, Japan, and made two deployments to the Arabian Gulf aboard the USS Midway. The second deployment was during Operation Desert Storm, and Kelly flew 39 combat missions over Iraq and Kuwait.
- After receiving his Master's Degree in Aeronautical Engineering from the U.S. Naval Postgraduate School, Kelly attended the U.S. Naval Test Pilot School from 1993-1994.
- Kelly became a U.S. Navy Test Pilot, and over the course of his career in the Navy logged more than 5,000 hours in more than 50 different aircraft and completed 375 carrier landings.

NASA

- Kelly entered the astronaut corps in 1996 in the same class as his twin brother, Scott Kelly.
- Senator Kelly's first of four flights to space was in 2001 as the pilot of Space Shuttle Endeavour.
- In 2011, Kelly commanded Space Shuttle Endeavour for its final mission into space.
- In total, Kelly traveled more than 22 million miles and orbited the earth more than 850 times.

Kelly Ready to Advocate for Arizona

Even before being named to the Senate Armed Services Committee, Kelly has been preparing to be an advocate for Arizona's defense community.

- Arizona is home to seven military installations:

o Luke Air Force Base in Glendale

o Davis-Monthan Air Force Base in Tucson

o Barry Goldwater Air Force Range

o Fort Huachuca in Cochise County

AMERICAN OVERSIGHT

- Yuma Proving Ground in Yuma County
- Camp Navajo in Flagstaff
- Marine Corps Air Station Yuma in Yuma County
    - Since being sworn in in early December, Kelly has met with the following groups and individuals:
- Senator Kelly's Defense Advisory Group, formed in December 2020
- General Lloyd Austin, Secretary of Defense
- Brig. Gen. Anthony Hale, Commanding General of Fort Huachuca
- Col. Patrick McFall, Commander Yuma Proving Ground
- General Charles Brown, Chief of Staff of the United States Air Force
- Barbara Barrett, former Secretary of the Air Force
- General Daniel Hokanson, Chief of the National Guard Bureau
- General John Raymond, Chief of Space Operations, United States Space Force
- Luke Air Force Base West Valley Partners
    - In the past two years, Kelly has visited
- Luke Air Force Base
- Yuma Proving Ground
- MCAS Yuma
    - In the coming months, Kelly will continue visiting Arizona's military installations and meeting with Arizona's defense community on priorities including protecting the A-10 mission at Davis-Monthan, supporting the F-35 programs at MCAS Yuma and Luke AFB, maintaining the Barry Goldwater Range as a critical location for training, continuing the intelligence missions at Fort Huachuca, and increasing the capability of Yuma Proving Ground for the Army and private sector partners in Arizona.

* * * * *

Mayor Romero and Council Member Durham Statements on the Proposed Appointment of Former Council Member Karin Uhlich for the Ward 3 Council Seat

Mayor Regina Romero and Council Member Paul Durham released the following statements

AMERICAN OVERSIGHT

after Mayor Romero announced a Special Meeting of Mayor & Council on Monday, March 1st at 5:30pm to fill the vacancy of Council Member Durham, whose resignation is effective at 5:00pm earlier that day.

"Karin has previously been elected by the residents of Ward 3, knows the neighborhoods, understands city government, and can step into the role without a learning curve, which is particularly valuable during these unprecedented times," ***said Mayor Regina Romero***. "Council Member Durham and I believe Karin is the best choice, and we wanted to propose this early ahead of the March 1st Special Meeting to help ensure a smooth transition and avoid uncertainty. I also believe that we should not appoint someone who is running for the Ward 3 seat to avoid the perception of tipping the scale for any one candidate."

"I again want to thank Council Member Durham for his commendable service to the City of Tucson and tireless dedication to advocating on behalf of the residents of Ward 3."

"I support the nomination of Karin Uhlich to serve the remainder of my term," ***said Council Member Paul Durham***. "Karin knows the issues facing Ward 3, and will be able to step in and work with my staff to ensure the continuity of services. It has been an honor to serve the residents of Ward 3, and I know they will be in good hands with Karin."

* * * * *

CAMO AT THE CAPITOL: Arizona Outdoor Sporting Groups Hold Annual Day "at" the Capitol

MEDIA CONTACT: Scott Garlid, Executive Director of the Arizona Wildlife Federation, 480.487.4663, scott@azwildlife.org

WHAT: Camo at the Capitol is the annual gathering of leaders of outdoor sporting groups from across Arizona to discuss key conservation issues facing Arizona's public lands and outdoor recreation, provide legislative updates, and even give a live wild game cooking demonstration!

WHEN: Thursday, February 4th from 11am – 1pm

WHERE: Due to COVID-19, this year's Day "at" the Capitol will be held virtually over Zoom. To register for the event,
visit: https://us02web.zoom.us/meeting/register/tZYkfuyprT0pGNWSTR73KoTpgYVAzz4jNWEp

WHO: Speakers from the following organizations will be participating:

- Arizona Elk Society
- Scottsdale Ducks Unlimited
- Southern Arizona Quail Forever
- Yuma Valley Rod and Gun Club
- Arizona Antelope Foundation
- Arizona Predator Callers
- Trout Unlimited
- Arizona Backcountry Hunters and Anglers
- Arizona Fly Casters

AMERICAN OVERSIGHT

- Valley of the Sun Quail Forever

"Even though we can't all be physically present at the Capitol as we've done in years past, our virtual Camo at the Capitol event will still bring hunters and anglers together to continue building an informed advocacy voice for Arizona," said Scott Garlid, Executive Director of the Arizona Wildlife Federation. "As avid outdoor sporting groups, we are some of the best voices in the state to discuss commonsense conservation issues for our lands and wild game."

We invite members of the media to join Arizona's conservation and sporting organizations for the third annual Arizona Camo at the Capitol virtual event.

NEWS CLIPS

GOP senator starts contempt proceedings for county supervisors

By Julia Shumway Arizona Capitol Times 02-03-21

The chairman of the Senate judiciary committee is drafting a resolution that could end in Maricopa County supervisors being held in contempt and frog-marched to the capitol.

After the Maricopa County Board of Supervisors decided Wednesday afternoon to reject the Senate's latest request to hand over 2.1 million ballots, Sen. Warren Petersen, R-Gilbert, announced on Twitter that he was drafting a resolution of contempt for the board. (To read more, click here).

* * * * *

Hoffman asks lawmakers to fully fund distance learning

By Howard Fischer Capitol Media Services 02-03-21

Arizona's top education official told lawmakers Tuesday they need to ensure that schools get as much money for online courses as the law now provides them for kids in seats.

Kathy Hoffman said public schools are expected to lose up to $500 million in aid because the state law funds distance learning at 5% less than in-person instruction. (To read more, click here).

AMERICAN OVERSIGHT

* * * * *

Arizona GOP lawmakers seek to limit some voter registration drives

By Howard Fischer Capitol Media Services 02-03-21

Senate Republicans are moving to approve new restrictions on the ability of county recorders to conduct voter registration drives. (To read more, click here).

* * * * *

Bill would provide $900,000 advertising boost to Arizona dude ranches

By Howard Fischer Capitol Media Services 02-03-21

State lawmakers voted Monday to spend $900,000 in tax dollars in a bid to convince Arizonans and others across the country to visit one of the state's remaining dude ranches. (To read more, click here).

* * * * *

Arizona doles out over half its vaccine supply; more coming

By Staff The Associated Press 02-03-21

Arizona has administered more than half of its COVID-19 vaccine supply but is expected to get more than 1 million additional doses soon, health officials said Tuesday.

The Arizona Department of Health Services' daily vaccine report shows the state has given out 59% of its doses, or more than 702,000, so far. But 1.2 million doses were expected to be shipped this week. (To read more, click here).

AMERICAN OVERSIGHT

* * * * *

Arizona to embrace sports betting in deal with tribes

By Staff The Associated Press 02-03-21

Arizonans would be allowed to bet on professional and college sports at tribal casinos and at sites owned by pro sports teams under a proposal that is part of an update to the state's deal that allows Native American tribes to run casinos.

The wide-ranging proposal introduced in the Arizona House on Monday also would allow bets to be placed online, fantasy sports wagering, and add limited Keno games at off-track betting locations and social clubs like the American Legion. (To read more, click here).

* * * * *

Sen. Kyrsten Sinema is wrong about the virtual filibuster. It hurts bipartisanship

By Robert Robb Arizona Republic 02-03-21

Kyrsten Sinema has made bipartisanship her calling card. Virtually every press release she sends out describes whatever action to which she is calling attention as "bipartisan." The word is frequently used multiple times.

She recently took a tough position, and heat, that strongly buttressed her professed commitment. She became the second Democratic senator, after West Virginia's Joe Manchin, to publicly proclaim that she wouldn't vote to eliminate the virtual filibuster. That gave House Minority Leader Mitch McConnell the reassurance necessary to agree to rules governing the operation of an evenly divided Senate, thus giving Democrats the reins. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, February 3, 2021 4:15:06 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 2-3-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet February 3, 2021

CAN YOU IMAGINE JOE KUBACKI ARRESTING SOMEONE?
Fann introduced SR1005 (Maricopa County; supervisors; contempt declaration) with her entire Senate GOP caucus cosponsoring, and the Senate poised to pass the resolution that could lead to Fann sending the Senate sergeant at arms to arrest county supervisors.

IF YOUR AUDITORS ARE SECRET, YOUR AUDIT IS A SHAM
Fann is also refusing to say who the Senate has selected to do the audit, or if it

AMERICAN OVERSIGHT

has selected a firm, but reporters have been able to suss out some of the conspiracy theorists in the running.

REMEMBER: YOU CAN'T DEFAME SOMEONE BY SPEAKING TRUTH

Failed US Senate candidate and constant butt of jokes Daniel McCarthy is suing conservative talk show host James T. Harris for calling him "unhinged, crazy, promoting violence, cavorting with shady thugs or thuggish types, possessing a 'goon squad' and whose actions were 'firghtening.'"

TO ERR IS HUMAN, TO NOT OWN IT IS POLITICS

A month after the Ninth Floor pledged a vaccine dashboard would be available "ASAP," no dashboard exists, and former state health director Will Humble has a theory about why: "It's incompetence," he told our reporter.

EVEN DANIEL PATTERSON DIDN'T STOOP QUITE THAT LOW

Several former legislative staffers told our reporter they were dismayed when hearing allegations against Rogers, saying they only had good – or sometimes weird – experiences with lawmakers and had never heard of a staffer being abused in the way her former assistant claims she treated him.

SIRI: HOW DO YOU DEPROGRAM EXTREMISTS?

Another former staffer said they had also never heard of such behavior by a lawmaker toward staff, saying lawmakers would yell occasionally during the busy season, but never berate staff.

AND HOUSE STAFFERS DON'T EVEN HAVE TO DEAL WITH ROGERS

A half-dozen House staffers received raises this year of $10,000 or more, with one Dem staffer jumping $26,000.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, February 03, 2021

·NEWS NOTES AND GOSSIP·

CAN YOU IMAGINE JOE KUBACKI ARRESTING SOMEONE?

Fann introduced SR1005 (Maricopa County; supervisors; contempt declaration) with her entire Senate GOP caucus cosponsoring, and the Senate poised to pass the resolution that could lead to Fann sending the Senate sergeant at arms to arrest county supervisors. Petersen first pledged to introduce the resolution yesterday shortly after the county supervisors again rejected Senate GOP demands that the county turn over ballots for an audit. The Senate and Maricopa County have been locked in a battle over the audit material since last December, even though both bodies are controlled by Republicans who want an audit. The county maintains that it can't provide confidential material, such as ballots that could contain voters' signatures and other identifying marks, to the Senate. The Senate, meanwhile, dismissed the county's ongoing forensic audit as too narrow to find proof of fraud. The Senate immediately recessed after going to the floor this afternoon so Fann could get permission to introduce her resolution. Fann stationed Sergeant at Arms Joe Kubacki outside the rules meeting room door to block our reporter, preventing us from knowing what was said in the allegedly open and public meeting. Quezada reported that the meeting was only about permission to introduce a late resolution, not the content of the resolution, and he, Rios and Alston voted no. The bill has been introduced but was not referred to a committee today. The Arizona Constitution requires bills be read on three separate days, a rule that can only be waived by a two-thirds vote, so it's unlikely the Senate will pass the bill before adjourning for the weekend (by which time, the two bodies might be able to work out an agreement). But given that all 16 Republican senators are cosponsors, it likely has the support to pass, if push comes to shove. If lawmakers pass the resolution, Fann can send Kubacki to arrest supervisors.

IF YOUR AUDITORS ARE SECRET, YOUR AUDIT IS A SHAM

Fann is also refusing to say who the Senate has selected to do the audit, or if it has selected a firm, but reporters have been able to suss out some of the conspiracy theorists in the running. At least one of the firms in the running to do the audit is Allied Special Operations Group, the group that employs the "military intelligence expert" formerly known as Spyder, AZFamily's Dennis Welch reported today (LINK). In case you missed it, the *Washington Post* found out that Spyder, who was named as an anonymous expert witness in several of Trump's failed Kraken lawsuits, is really Joshua Merritt, a 43-year-old information technology consultant and military washout with no military intelligence training (LINK). The other name cited by *Prescott E-News'* Lyle Rapacki is retired Army Col Phil Waldron, who followed Rudy Giuliani's post-election hotel tour and provided "expert" testimony that was quickly debunked by election officials in multiple states. While Fann hasn't publicly shared the name, she or Petersen apparently told former Sen Eddie Farnsworth, who tweeted "AZ Senate has hired a competent, experienced, and well-respected firm to perform a comprehensive audit" (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001536

ARZN_REV00068683_2-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

REMEMBER: YOU CAN'T DEFAME SOMEONE BY SPEAKING TRUTH

Failed US Senate candidate and constant butt of jokes Daniel McCarthy is suing conservative talk show host James T. Harris for calling him "unhinged, crazy, promoting violence, cavorting with shady thugs or thuggish types, possessing a 'goon squad' and whose actions were 'frightening.'" In a defamation claim filed in Maricopa County Superior Court yesterday evening, McCarthy demanded $120 million from Harris and the radio company that employs him, iHeartRadio, saying Harris mocking him on the popular conservative radio program – not his own bizarre actions on the campaign trail and since – cost him his political career (though it's not really a career if you're not elected) and permanently damaged his "integrity, virtue, and reputation." He said the conservative talk show host's ridicule has caused him severe emotional and mental distress and has forced him to live in a constant state of concern for his safety. According to McCarthy's telling, Harris turned on him after he overshadowed Harris at the Nov 7 "Stop the Steal" rally at the Capitol. "The gist of iHeartRadio and Harris' publications was that McCarthy engages in hostile and violent behavior, and that McCarthy is a candidate who is 'unhinged,' 'crazy,' and associated with 'thugs,' and 'shady' people," the claim states. Over the next two days after the rally, Harris tore into him on the radio (LINK) and (LINK), calling McCarthy, among other things, "a temper tantrum throwing juvenile," an "*ss hat" who will be trouble for Republicans, "downright frightening," a "sad example of a conservative" and a "lunatic." "The foregoing statements by iHeartRadio and Harris are false," McCarthy said in the claim, without providing evidence. One GOP attorney said McCarthy has a tough case, since the court of appeals has stated that political comments should be given wide berth and a defamation claim must involve an objective, verifiable defamatory fact, and not an opinion. "The allegedly defamatory statements outlined in the complaint appear to be just that: Mr. Harris' opinion," the lawyer said. A copy of the claim is available in our "documents" section (LINK).

TO ERR IS HUMAN, TO NOT OWN IT IS POLITICS

A month after the Ninth Floor pledged a vaccine dashboard would be available "ASAP," no dashboard exists, and former state health director Will Humble has a theory about why: "It's incompetence," he told our reporter. Humble has not been one to mince words on his criticism of Ducey or his successor, Cara Christ, and said Ducey's mantra about making "data-driven" decisions is just hot air, as the state is flying blind on many of its decisions, including its allocation of Covid vaccines. "Who wants to be in a cockpit without instruments?" he said. Creating a dashboard would allow the state to actually make data-driven decisions about where to allocate doses. "What's been distributed, which of your partners are the most efficient at getting vaccines out, what the rates are in the community," he said, noting that's the most basic information that Ducey and Christ need to make available to the public. "The only way that you can plan is when you have good information about what you have now and what's coming." He said he heard back in October that the state's internal vaccine management system, which tracks the necessary data, was not ready and wouldn't be for some time. "I don't think they're trying to be difficult, I think it's just incompetence," he said. "Just come out and say, 'You know what, we got behind the 8 ball on this VMS system. It's my fault. It's all hands on deck we're trying to fix it. This is something that we're going to learn from. And we'll give you an update in a few days about where we are with writing the code.' But this whole administration has a track record of never admitting when they're wrong or made a mistake," he said.

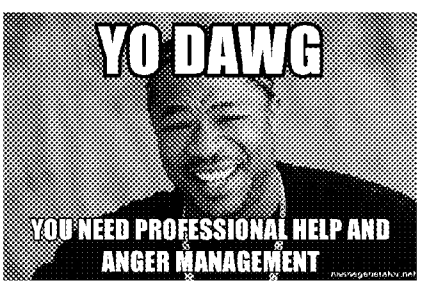
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001537
ARZN_REV00068683_2-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

EVEN DANIEL PATTERSON DIDN'T STOOP QUITE THAT LOW

Several former legislative staffers told our reporter they were dismayed when hearing allegations against Rogers, saying they only had good – or sometimes weird – experiences with lawmakers and had never heard of a staffer being abused in the way her former assistant claims she treated him. "I was horrified," to hear about Rogers' former assistant's experience, one former Senate staffer said. "It was like a family," one former Senate staffer said of their experience at the Senate in the early 2010s. "Everyone looked out for everyone out there always." The source said that like at many workplaces, the lawmakers would occasionally snap at staffers for petty reasons, but never to the level of berating someone for their weight or family or other issues. The former staffer told our reporter if the allegations are true, Rogers should not be allowed to have any staff for the session. "Answer her own phone calls, print her own fact sheets, get herself organized for every meeting, and every hearing. I think that would be an appropriate punishment," the source said, adding, "If they don't decide to expel her." The source also said the most memorable interaction with a lawmaker was former Sen Al Melvin saying pages should wear wool pants instead of khakis. "He wanted the staff to look nice. It wasn't a cruel, abusive perspective," the source recalled.

SIRI: HOW DO YOU DEPROGRAM EXTREMISTS?



Another former staffer said they had also never heard of such behavior by a lawmaker toward staff, saying lawmakers would yell occasionally during the busy season, but never berate staff. "It was just kind of something I've really never seen before in the workplace," the source said of the accusations against Rogers. "On a human level, I just thought it was sh*tty. I mean, you don't do that to somebody." The former staffer said that the part of the story that really got to them was Rogers breaking the staffer's Eagle Scout trophy. "That broke my heart for him, because I felt like that's just got to be something that is irreplaceable." As for what punishment Rogers should face if the Ethics Committee finds enough evidence, the source was realistic. "Part of me thinks that she should be kicked out, because I feel like there should be a very bright line that this behavior should not be tolerated," the source said, adding, "I'm sure they won't do expulsion." Still, Rogers needs to be made an example of, the former staffer said, so that other lawmakers realize her behavior is unacceptable. "And frankly, she sounds like she should be in anger management."

AND HOUSE STAFFERS DON'T EVEN HAVE TO DEAL WITH ROGERS

A half-dozen House staffers received raises this year of $10,000 or more, with one Dem staffer jumping $26,000. Paulino Valerio, a Dem policy advisor, scored the biggest raise of the year, $26,000, or a nearly 30 percent increase, to $105,000. He moved from being a policy advisor for the Government Committee to the Appropriations Committee. Research analyst Emily Bonner received a nearly $16,000 raise after moving up from assistant research analyst to a full analyst. Dem attorney and policy advisor Jane Ahern received a $10,000 raise with her promotion to deputy general counsel and senior policy advisor. GOP policy advisor Linsey Goodwin received an $11,000 raise, and assistant rules attorney Krystle Isvoranu (formerly Fernandez) received an $11,000 raise. The highest paid new employee in the chamber is Jorge Fuentes, a senior policy advisor and staff attorney who joined the House in December after leaving Corp Comm's Residential Utility Consumer Office, where he served as director since 2019 (YS, 12/11/20). A

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001538
ARZN_REV00068683_2-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

copy of House employee salaries (along with the Senate employee salaries we forgot to attach last week) are available in our "documents" section (LINK) and (LINK).

WAKE UP CALL

Bill gives Legislature some control of utility regulators
Arizona Capitol Times
The Arizona Corporation Commission may be the next branch of government that legislators can force the Attorney General to investigate.

Former lawmaker Hale dies
Arizona Capitol Times
Former Navajo Nation president Albert Hale, who also served as a state representative and senator, died Tuesday after battling with Covid, the Navajo Nation Council announced on its Facebook page this afternoon.

Bill targets human traffickers for lawsuits
Arizona Capitol Times
A Republican lawmaker's bill will allow victims of sex trafficking to sue their pimps and anyone else involved in the crime.

GOP senator starts contempt proceedings for county supervisors
Arizona Capitol Times
Election audit dispute could end with arrest of supervisors.

Senate panel OKs voucher expansion bill
Arizona Capitol Times
A Senate panel on Tuesday advanced a school voucher expansion that supporters framed as a civil rights issue and opponents decried as a repudiation of Arizona voters who overwhelmingly rejected universal vouchers two years ago.

Hoffman asks lawmakers to fully fund distance learning
Capitol Media Services
Arizona's top education official told lawmakers Tuesday they need to ensure that schools get as much money for online courses as the law now provides them for kids in seats.

Arizona GOP lawmakers seek to limit some voter registration drives
Capitol Media Services
Senate Republicans are moving to approve new restrictions on the ability of county recorders to conduct voter registration drives.

Bill would provide $900,000 advertising boost to Arizona dude ranches
Capitol Media Services
State lawmakers voted Monday to spend $900,000 in tax dollars in a bid to convince Arizonans and others across the country to visit one of the state's remaining dude ranches.

Arizona doles out over half its vaccine supply; more coming
Associated Press
Arizona has administered more than half of its COVID-19 vaccine supply but is expected to get more than 1 million additional doses soon, health officials said Tuesday.

Apaches' fight over Pinal County copper mine goes before US court
Associated Press

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001539
ARZN_REV00068683_2-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A federal judge will hear arguments Wednesday from a group of Apaches that has been fighting a proposed copper mine in Pinal County.

Advocates, lawmakers hail Biden pledge to respect tribal sovereignty
Cronkite News
Native American policy experts and Arizona lawmakers welcomed President Joe Biden's order calling for stronger relations with tribal governments, with one saying it "goes right along with what Indian country has been asking for."

Arizona to embrace sports betting in deal with tribes
Associated Press
Arizonans would be allowed to bet on professional and college sports at tribal casinos and at sites owned by pro sports teams under a proposal that is part of an update to the state's deal that allows Native American tribes to run casinos.

This Week in COVID: Cases Are Down, but Infectious Variant Threatens Progress
Phoenix New Times
It's Tuesday, February 2. More than 765,000 Arizonans have contracted COVID-19 and more than 13,360 have died as a result.

21,000 New State Vaccine Appointments Open Up for February
Phoenix New Times
The Arizona Department of Health Service (DHS) is adding an additional 21,000 vaccination appointments at its recently opened Phoenix Municipal Stadium site.

Maricopa County rejects Senate election subpoena demands, spawning contempt charges
Arizona Mirror
The Maricopa County Board of Supervisors did not comply with the Arizona Senate's request to set a date for turning over materials that Republican lawmakers subpoenaed for a proposed audit of the 2020 general election.

U.S. Cities Are Vastly Undercounting Emissions, Researchers Find
New York Times
Inconsistent and flawed data is undercutting efforts to reduce greenhouse gas emissions from American cities, according to a new study.

Gov. Doug Ducey will veto any new election bill. Or was he lying?
Arizona Republic (Opinion, EJ Montini)
In December the governor laid out exactly why elections in Arizona are fair, efficient and secure. If he meant it, no new laws are necessary.

Proof that Donald Trump IS Richard Nixon and Joe Biden IS Gerald Ford
Arizona Republic (Opinion, EJ Montini)
Jan Morris's 1974 essay on Washington D.C. isn't only a snapshot of who we were, but the spitting image of who we are.

Rep. Andy Biggs more or less tells Sen. Mitch McConnell to go pound salt
Arizona Republic (Opinion, EJ Montini)
Biggs comes to the defense of Marjorie Taylor Greene after Sen. McConnell correctly calls her 'loony.'

Democrats looking for an AOC to challenge Kyrsten Sinema in 2024? Are they nuts?
Arizona Republic (Opinion, Laurie Roberts)
A new progressive PAC is hoping to knock off Democratic Sen. Kyrsten Sinema. Is that Republicans I hear laughing their heads off?

Senate Republicans are losing their minds in election audit showdown. Jail? Really?
Arizona Republic (Opinion, Laurie Roberts)
Audit fever has engulfed the Arizona Senate as our leaders continue their quest to find proof of election fraud. Is there any Republican at the state Capitol willing to say, enough's enough?

Sen. Kyrsten Sinema is wrong about the virtual filibuster. It hurts bipartisanship
Arizona Republic (Opinion, Robert Robb)
Democrat plans to grossly abuse budget reconciliation pose a greater test of Sinema's commitment to bipartisanship.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Who's getting the COVID-19 vaccine? States should be required to tell us much more
Arizona Republic (Opinion, Elvia Diaz)
Only a few states have released race and ethnicity data for COVID-19 vaccinations. We need that to better tailor distribution and messaging efforts.

Defense contractors like Raytheon aren't blameless in Yemen crisis
Arizona Republic (Op-ed, Shayna Lewis)
The bombing of civilians in Yemen's civil war involves many actors, including defense contractors such as Raytheon in Tucson.

Why is SRP helping thin forests? Because wildfires threaten our water supply
Arizona Republic (Op-ed, Elvy Barton)
The ash and debris from devastating wildfires that wash into SRP's reservoirs reduces our water storage capacity and damages water infrastructure.

·PRESS RELEASES·

AG Brnovich and Representative Wilmeth Push for Strong Consumer Protections in the Health Club Industry

PHOENIX – Attorney General Mark Brnovich and Representative Justin Wilmeth are working together on de-regulation legislation that would allow Arizonans to more easily and safely cancel their gym memberships, correcting a major issue that surfaced during the COVID-19 public health crisis.
Last Spring, the Governor forced gyms to close in Arizona because of the COVID-19 pandemic. The Attorney General's Office (AGO) received a high number of complaints from consumers who could not cancel their membership despite the mandatory closures but were still charged their full dues. Additionally, countless consumers were not allowed to stop their membership because of unfair, outdated and onerous cancellation policies. When confronted by the AGO, gyms relied on the existing "Health Spa" statutes (ARS 44-1793) to support their unfair cancellation policies.
"I am proud to work with Representative Wilmeth to address this loophole in Arizona law," said General Brnovich. "I understand that health clubs and gyms are going through difficult times, but outdated cancellation policies that are unfriendly to consumers and may endanger the public are unacceptable."
"This legislation provides a reasonable protection for Arizona consumers who may need another option to cancel their membership – a problem highlighted during the COVID-19 pandemic," said Representative Wilmeth. "General Brnovich has always been a strong advocate for the protection of consumers and I'm proud to partner with him on this issue."
Representative Wilmeth is working to implement General Brnovich's proposed legislation to address this issue and protect health club consumers.
Under current Arizona law, gyms are only required to allow for cancellation of a membership if it is done in person or via certified mail. HB 2697 would update the law to allow for cancellation by regular U.S. mail, email or on a gym's website.
Representative Wilmeth introduced HB 2697 this legislative session. On Tuesday afternoon, the bill passed out of committee and will soon head to the House floor.

Governor Ducey Pushes For More Vaccine Doses In Letter To Congressional Delegation

PHOENIX — Governor Doug Ducey is calling on Arizona's congressional delegation to help meet the urgent need for additional supplies of the COVID-19 vaccine and secure funding for its distribution.
"There could be no better use of your time or advocacy efforts than in helping to secure these vaccine doses for the people of Arizona to help end this pandemic for good," Governor Ducey wrote to the seven Democrats and four Republicans who represent Arizona in Washington.
As of February 2, Arizona administered 702,664 doses of the vaccine.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001541
ARZN_REV00068683_2-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The State of Arizona recently requested an additional 300,000 doses of the life-saving vaccine, and an additional 300,000 doses a week. The request was denied.
Governor Ducey issued an Executive Order on December 30 to rapidly expand access to the COVID-19 vaccine by streamlining distribution throughout Arizona and establishing additional vaccination sites. He issued another Executive Order on January 26 to accelerate the statewide distribution of the COVID-19 vaccine and move doses of vaccine to where they can be rapidly administered to Arizonans.
Arizona's state-run 24/7 vaccination site at State Farm Stadium, which opened on January 11, administers approximately 6,000 vaccines per day. On February 1, the state opened its second site at Phoenix Municipal Stadium but can only administer 500 doses per day because of limited supplies.
State health officials say Arizona has the capacity to open more large-scale vaccination sites once more vaccine doses are available.

Attorney General Mark Brnovich Files Lawsuit to Halt New DHS Immigration Policy that Could Endanger Arizonans

PHOENIX – Attorney General Mark Brnovich filed a lawsuit today against the U.S. Department of Homeland Security (DHS) and federal officials over its new policy to pause nearly all deportations for 100 days. The Attorney General's Office (AGO) is asking the U.S. District Court in Arizona to rule the new policy violates federal law and Arizona's existing agreement with DHS.
Halting deportations for 100 days raises serious safety concerns for Arizona communities. Not only could the plan release individuals charged with or convicted of crimes into Arizona communities, but law enforcement officials have told the AGO they are concerned whether those being released are being tested for COVID-19. There are serious concerns that DHS' new policy will further stress hospitals and social services at the local and county level.
"It is unconscionable for DHS to release potentially dangerous detainees into our state, especially when no efforts are made to coordinate with applicable courts and probation departments. I am asking the court to enforce the law," said Attorney General Brnovich. "As a first-generation American I support the need for comprehensive immigration reform, but it cannot be achieved through untenable executive orders."
Recently, a federal judge in Texas ruled the new DHS policy likely violates the law and imposed a 14-day nationwide temporary restraining order (TRO). The TRO was extended another 14 days and is now set to expire on February 23.
It has come to the AGO's attention that within the first three days of the enacted policy (and before the TRO), DHS released 27 aliens in the Phoenix area. This is the third-highest number in the country. Law enforcement officials have told the AGO that many of the individuals released were not properly tested for COVID-19, nor did DHS try to coordinate with local health or police agencies.
"These new executive actions have restarted the mass flow of migrants to our border and will soon have a significant impact on the resources of local governments," said Yuma County Sheriff Leon Wilmot. "Under this moratorium on deportations, hundreds, and soon to be thousands, of migrants will potentially be turned loose in Arizona as well as other Border communities without any means of testing for communicable diseases including COVID-19. Healthcare systems in many smaller communities are already operating at near-full capacity and potentially overwhelming them runs contrary to the COVID-19 mitigation plan we were promised."

AGO Lawsuit Details

On January 20, 2021, at the President's direction, DHS ordered a blanket halt on nearly all deportations for 100 days, including those charged with or convicted of crimes. Federal law requires when an alien is ordered removed, the U.S. Attorney General shall remove the individuals from the United States within 90 days.
The new DHS policy also violates its Memorandum of Understanding (MOU) with the AGO. The MOU requires DHS to provide Arizona with 180 days' written notice of proposed immigration actions and offer an opportunity to consult and comment on the proposed action before implementation. However, no contact was initiated by DHS. General Brnovich made two different requests to DHS to comply with the MOU, but DHS has refused.
The 100-Day Pause on Removals is a sudden and sharp departure from DHS's previous policy. Additionally, there is no indication that defendants considered the potential threats to public safety in Arizona. The U.S. Supreme Court (SCOTUS) has already ruled on this type of issue in an immigration case regarding the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) when the former administration tried to rescind the DAPA program. SCOTUS struck down the action for being arbitrary and capricious because it did not consider a more limited policy.
In today's filing, Attorney General Brnovich is asking the court to declare the DHS Immigration Pause Memorandum

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001542
ARZN_REV00068683_2-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

violates the MOU signed with Arizona, and several federal laws, including 8 U.S.C. § 1231.
Copy of AGO complaint
Copy of Exhibits
Copy of General Brnovich letter to DHS January 26, 2021

Senate Education Committee approves school choice bill

SB 1452 would bring ESAs to low-income families

(Phoenix, State Capitol) ---- The Senate Committee on Education tonight approved a bill that would bring new education options to lower-income families in Arizona. With the onset of the COVID-19 pandemic, tens of thousands of students are falling months behind in school, because they don't have the options of children in higher income neighborhoods. These children have no in-person instruction, and because of a lack of internet connectivity, many are opting to stop attending school at all.

SB 1452 would help these parents and kids, by bringing new educational opportunities to them. Low-income families would become eligible to apply for an Empowerment Scholarship Account (ESA). ESAs open up all options to parents, so they can choose what's best for their family, according to their personal situation.

"The digital divide in Arizona is real and significant," said Senator Paul Boyer, sponsor of SB 1452. "And with COVID, the divide is getting worse. Homes in the poorer parts of our state often have no internet connectivity, so if the student can't learn in person, she also can't join virtually from home. Giving them an option to apply for an ESA could be a life-changer for these families."

ESAs help pay for nearly all education options outside of district schools: online schools, homeschooling, private schools, and tutors. They also help ease the burden of out-of-pocket education expenses, for books and curriculum.

"It's imperative that we give relief to our low-income parents now and not allow children to slip any further behind," said Senator Boyer. "They need immediate access to educational opportunities, school options and resources."

Governor Ducey Orders Flags At Half-Staff To Honor Former Arizona State Legislator Albert Hale

PHOENIX — Governor Doug Ducey today ordered flags at all state buildings be lowered to half-staff from sunrise to sunset tomorrow, February 3, 2021, to honor former Arizona State Legislator and former President of the Navajo Nation Albert Hale.

"Arizona is saddened by the loss of respected Navajo leader and former state legislator Albert Hale," said Governor Ducey. "Hale proudly represented the Navajo Nation and state of Arizona for many years, and we are grateful for his dedication to serving others and contributions to our state. My prayers and deepest condolences go to Hale's family, loved ones and community, and I've ordered flags be lowered to half-staff in honor of his life and service."

Hale served as President of the Navajo Nation from 1995 to 1998. He served in the Arizona State Senate from 2004 to 2011, and the Arizona State House of Representatives from 2011 to 2017.

Democratic Leaders Remember Former Member Albert Hale, Taken by COVID-19

PHOENIX— Representative Myron Tsosie and House Democratic Leader Reginald Bolding released the following statements regarding the passing of former Navajo Nation Tribal President – who also served in the Arizona House and Senate – Albert Hale. Hale died earlier today after contracting COVID-19 at age 71. Hale served as Navajo Nation President from 1995 to 1998, in the Arizona State Senate from 2004 to 2011 and in the Arizona House of Representatives from 2011 to 2017.

Rep. Myron Tsosie, D-Chinle:

"The State of Arizona mourns the loss of former State Senator and Representative – and former Navajo Nation President – Albert Hale. He was a mentor to many who looked to him for guidance, knowledge and leadership. His legacy will continue to be remembered for many years to come and his voice will continue to be heard in both chambers of the Arizona State Legislature. Albert Hale represented the Navajo Nation and the State of Arizona with respect, honesty and trust at all government levels. My prayers and condolences go to the Hale's wife, children and grandchildren."

House Democratic Leader Reginald Bolding, D-Laveen.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001543

ARZN_REV00068683_2-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Our caucus family is devastated by the loss of Albert Hale. A highly skilled attorney and negotiator, he was a respected, compassionate and effective leader for the people of the Navajo Nation and other rural Northern Arizona communities he served. He was also a devoted friend and beloved colleague to all who knew him. Our deepest condolences to his wife Dr. Paula Hale and his loving family."

"QUOTE OF THE DAY"

"This whole administration has a track record of never admitting when they're wrong or made a mistake."

- Will Humble, former director of Dept of Health Services, on Ducey's administration

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001544

ARZN_REV00068683_2-3-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, February 4, 2021 7:45:28 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: February 4, 2021
Attachments: February 4, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Arizona lawmakers seeking to reverse 4 decades of tough-on-crime policies
- Border Patrol often fails to help migrants in distress, says report by local aid groups
- GOP lawmakers act to lower property taxes for businesses
- Bill advances expansion of school vouchers despite earlier voter defeat
- Senate likely to hold supervisors in contempt
- Maricopa County discards over 500 doses of COVID-19 vaccines
- Navajo Nation reports 70 new virus cases, 6 deaths

Arizona Republic

- Arizonans avoid stays at hospital: Infusion of antibodies offers new treatment for fighting COVID-19
- Advocates hope for homeless funding: State bills would direct millions to aid services
- 21,000 additional Phoenix vaccine slots filled in less than 40 minutes
- Governor will veto any new election bill. Or was he lying?
- Arizona adds 2,296 new COVID-19 cases, 214 deaths

KTAR News

- ASU Biodesign director: Vaccine hasn't had effect on COVID numbers yet
- US ends deal with Arizona restricting Biden on immigration
- Senate unveils election contempt charge against Maricopa County
- Gov. Ducey presses Arizona's members of Congress for more vaccines
- Arizona attorney general sues over Biden's deportation moratorium

Arizona Daily Sun

- Ex-Navajo Nation president dies of coronavirus complications

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Arizona lawmakers seeking to reverse 4 decades of tough-on-crime policies

Arizona Daily Star
February 4, 2021
Howard Fischer

State lawmakers took the first bipartisan steps Wednesday to reversing decades of tough-on-crime policies.

Without a single dissent, the House Committee on Criminal Justice Reform voted to restore some of the discretion taken away from judges more than four decades ago to determine appropriate sentences.

House Bill 2673 would not scrap all of the mandatory sentencing laws.

In order to divert from the code, a judge would need to find that a mandatory sentence would be an injustice to the defendant, that it was not necessary to protect the public, and that the person was not convicted of a serious or dangerous offense. And judges would have to explain their decision on the record.

But lawmakers did not stop there. Committee members also approved:

•Barring the state from denying certain licenses to people solely because they were convicted of drug offenses;

• Curbing the ability of prosecutors to 'stack' charges from multiple offenses to be tried at the same time to get an enhanced sentence;

•Ensuring that female prisoners have access to hygiene products;

•And establishing an independent office of 'ombudsman' who would have oversight over the Department of Corrections, Rehabilitation and Reentry.

The measures approved by the panel still need to be debated by the full House.

Rep. Walt Blackman, R-Snowflake, who crafted the ombudsman proposal, said that in particular is crucial to making changes in the prison system.

'This is the beginning of reform,' he said. 'We can't fix something if we don't know what to fix.'

But the major shift would be in sentencing reform.

The state's policies on incarceration date to 1978, when lawmakers voted to impose mandatory prison terms for certain crimes.

Then, in 1993, they approved the 'truth in sentencing' law, which says criminals must serve at least 75% of their term before being eligible for release. That followed complaints that even when judges were imposing longer terms, inmates were getting out after serving only a fraction.

AMERICAN OVERSIGHT

Freshman Rep. Joel John, R-Arlington, said he became interested in the issue after meeting a constituent who had served two years in prison 'for some petty crimes he committed because he became addicted to painkillers from injuries he sustained on the job.'

After release, this man couldn't find a job and ended up working on a farm for John, the legislator told colleagues.

'He was subjected to the mandatory minimum sentences,' John said. 'And there were people that spent less time in prison than he did for more serious offenses. That didn't seem right to me.'

John said he sees no reason why a judge, who has met the defendant and examined the circumstances, should be precluded from imposing a sentence that appears more appropriate.

The measure also picked up support from Pinal County Attorney Kent Volkmer.

He told lawmakers that, officially, he is neutral on the measure.

'But I can tell you, this is good governance,' Volkmer said.

He acknowledged that the legislation would remove power from prosecutors in his office to bring charges and seek certain sentences.

'However, I can tell you there are individual cases in which people will come forward when an injustice occurred, a person got more time than they reasonably should have,' Volkmer continued. 'It's not common, but it does happen.'

Giving more discretion to judges to deal with those circumstances helps prevent that from happening, he said.

There's also a financial component.

The latest figures show more than 37,700 people in the care of the prison system. And the department's current budget now exceeds $1.2 billion a year, more than 10% of every dollar to run state government.

'It's a justice issue, if we save some money that we can reinvest in making the community safe,' said Molly Gill, representing Families Against Mandatory Minimums. But Gill, a former prosecutor, said the focus should be on doing what's right.

'Frankly, I got sick of sending people to prison who didn't need to be there, and putting people there who didn't need to be there that long,' she said.

Not everyone is pleased with the proposals.

Steve Twist, who was the assistant state attorney general during much of the time that lawmakers were tightening up sentencing laws, sent a letter to lawmakers expressing his opposition. He wrote that it would return Arizona to the days of indeterminate sentencing 'which result in great disparity, inequality and injustice.'

AMERICAN OVERSIGHT

'That system was rejected by a bipartisan overwhelming consensus in 1977 and we should not return to the mistakes of the past,' Twist said.

That did not impress Rep. Diego Rodriguez, D-Laveen.

'We live in 2021,' he said. 'And the people of Arizona have consistently come to us, individually and as a group, and asked us to move forward on criminal- justice reform.'

Yavapai County Attorney Sheila Polk did not appear at the hearing but entered a statement into the record in opposition.

'Arizona adopted sentencing ranges to promote uniformity,' she wrote. 'This bill takes us back to the days when who you are, where you live, and who your sentencing judge is will determine your sentence.'

Polk said if lawmakers are concerned about the sentences imposed, the answer is to revisit the sentencing framework that judges have to work within, not giving them more discretion.

House Bill 2319 deals with the problems some released inmates have in getting a job. It says that, with only a handful of exceptions, the conviction of a drug offense cannot be a barrier to getting certain state licenses.

'We know that employment is the key to breaking free of the cycle' of people winding up back behind bars,' said Dianne McCallister, representing the Opportunity Solutions Project.

She said ex-offenders are faced with multiple hurdles to getting a job. 'But Arizona's regulations should not be one of them,' McCallister said.

She said there are many jobs that require state licensing, such as working as a cosmetologist or at a pest-control firm, where a drug offense should not be a barrier.

There would be limits. For example, the measure still would not allow someone with a criminal record to get a certificate as a teacher, be in certain health profession jobs or be certified as a peace officer.

House Bill 2318 is designed to address situations where prosecutors 'stack' multiple charges from a single event.

Arizona law always has allowed enhanced sentences for those who are repeat offenders. But what happens, said Rep. Ben Toma, R-Peoria, is that prosecutors combine multiple separate offenses committed on separate occasions into a single trial and then use that to seek longer sentences for someone as a repeat offender.

His legislation would preclude that from happening.

Toma got a similar proposal through the legislature in 2019 only to have it vetoed by Republican Gov. Doug Ducey. He said the language in this one is more of a compromise.

AMERICAN OVERSIGHT

'It's a justice issue, if we save some money that we can reinvest in making the community safe. Frankly, I got sick of sending people to prison who didn't need to be there, and putting people there who didn't need to be there that long.'

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Border Patrol often fails to help migrants in distress, says report by local aid groups

Arizona Daily Star
February 4, 2021
Curt Prendergast

The Border Patrol too often fails to search for migrants in distress, even as the agency monopolizes search and rescue efforts in remote areas of Southern Arizona, Tucson-based humanitarian aid groups said in a report released Wednesday.

The report by No More Deaths and the Coalicion de Derechos Humanos came after the remains of 227 migrants were found in Southern Arizona last year, more than any year in the past two decades.

The Pima County Office of the Medical Examiner has handled the remains of nearly 3,400 migrants who died while crossing the border since 2001. The number of migrants who died while crossing the border but whose remains were never found is unknown.

The crisis was the result of the Border Patrol's strategy of forcing migrants away from border cities and into harsh, remote terrain, according to the report 'Left to Die: Border Patrol, Search and Rescue, and the Crisis of Disappearance.'

At the same time as the Border Patrol pushed migrants into hostile terrain, the agency also 'positioned itself as the primary and often sole responder to distress calls involving undocumented people,' it says.

The report was based in part on nearly 2,200 audio recordings of 911 calls the Pima County Sheriff's Department referred to the Border Patrol from 2016 to 2018, which the aid groups obtained through public records requests.

The report also drew on more than 450 emergency calls to the Coalicion de Derechos Humanos Migrant Crisis Line in 2015 and 2016, as well as interviews with officials at the Sheriff's Department and the Border Patrol.

Judging by the experiences of advocates and families of migrants documented in the report, 911 calls referred to the Border Patrol often end up with little to no search and rescue efforts for migrants in distress, a sharp contrast to the vast mobilization of local, state and federal resources when a hiker or foreign tourist gets lost in Southern Arizona, according to the report.

One of the main findings was that in 63% of 89 emergency requests made by advocates and families of migrants to the Border Patrol, the agency did not conduct any confirmed search and rescue efforts.

'For those of us who call 911 in our lives with a sense of certainty that someone would respond, I think it's important to imagine what it would feel like to have your distress call ignored or to know that there's

AMERICAN OVERSIGHT

at best a one-in-three chance that anyone would even attempt to come for you,' said Sophie Smith, a No More Deaths volunteer who cowrote the report.

'This is the reality for those who are crossing the border who are able to make a distress call when they come into a life-or-death situation,' Smith said.

One critique of the Border Patrol in the report was that the agency does not publicize how many of the 911 calls referred to the agency end up with some kind of search-and-rescue effort, which is the subject of a lawsuit filed Wednesday in federal court in New York.

For its part, Customs and Border Protection said in a statement that the agency 'remains committed to humanely securing the southern border of the United States and devotes the totality of its force to finding lost or injured individuals while also balancing the border security mission with which they are charged.'

The Border Patrol regularly sends out news releases announcing agents rescued migrants, including more than 1,000 rescues in the agency's Tucson Sector in 2019.

In July, agents carried a migrant down a mountain near Gila Bend after a 911 call was routed to the Border Patrol, according to a news release from the Border Patrol. The caller said he was injured and lost in the desert. He was taken to a hospital and then processed for immigration violations once he was medically fit.

In a news release in December, agents reported rescuing 25 people the previous weekend. 'Several incidents began as emergency calls from mothers who had been abandoned by their smugglers,' according to the news release.

The report on Wednesday cast many of these news releases as 'humanitarian propaganda,' such as a news release from December 2018 in which agents chased an 18-year-old Guatemalan man who fell into a cattle pond as he fled. The man struggled in the water and the agent pulled him out. The Border Patrol described the incident as a rescue.

The report called the incident an example of scenarios in which the 'Border Patrol 'rescued' people from life-threatening circumstances that were in fact created by the agency's own enforcement operations.'

CBP defines rescues as 'incidents where lack of intervention by the Border Patrol could result in death or serious bodily injury to suspected undocumented migrants,' said a statement from CBP. An incident reported as a rescue also could include 'rescues of Border Patrol Agents, U.S. citizens and other individuals lawfully in the United States.'

In their report, the aid groups recommended wholesale changes to the immigration system, such as repealing federal statutes that criminalize crossing the border without being inspected by U.S. officials at a port of entry.

With regard to search and rescue, they recommended an end to the Border Patrol's role as primary responders to emergencies.

AMERICAN OVERSIGHT

Instead, government agencies should create borderlands emergency response systems that are fully separate from immigration enforcement, who 'will scan the landscape with an empathetic eye rather than a punitive one,' the report said.

Agencies at all levels of government should 'end discriminatory treatment toward undocumented people reporting emergencies in the borderlands,' according to the report. Those emergencies, it said, should be treated with the same urgency that accompanies searches for lost hikers or foreign tourists.

Return to the table of contents

GOP lawmakers act to lower property taxes for businesses

Arizona Daily Star
February 4, 2021
Howard Fischer

Arizona Republican lawmakers are moving to lower property taxes on businesses.

But the chief proponent told members of the Senate Finance Committee on Wednesday that it is being done in a way not to shift the burden to homeowners, and without reducing revenues available to local governments and schools that depend on the levy.

What's behind SB 1108 is the somewhat unusual system in Arizona where property is valued for tax purposes based on its use.

Residential property, for example, is assessed at 10% of what's considered it's 'full cash value,' a figure that is supposed to roughly represent its market value. Most commercial businesses, by contrast, have an 18% assessment ratio. So a home valued at $250,000 would be assessed for tax purposes at $25,000. Everything else being equal, a $250,000 business would have a $45,000 assessed value.

That translates to a difference in taxes, as each jurisdiction's tax rate is levied based on that assessed value.

The legislation by Sen. J.D. Mesnard, R-Chandler, would drop the business assessment ratio in several steps to 17%. And he eventually wants to get it to 15%.

But here's the thing. Lowering the assessed value of businesses means an overall lower assessed value of the city, county or school district. At the same time, those entities determine what they need by dividing their budget into the total assessed valuation of the district.

Put simply, if there's less property value to tax, that means a higher tax rate. And the big losers in that scenario would be homeowners.

Mesnard's bill seeks to blunt that by essentially having the state pick up the difference that homeowners would pay in the form of lowering their property taxes. The net effect, he said, should be close to zero for the homeowners, though the state would have less cash.

But he contends that lowering business property taxes would pay off in boosting Arizona's ability to attract new companies.

AMERICAN OVERSIGHT

That conclusion is backed by lobbyist Sean McCarthy of the business-friendly Arizona Tax Research Association. He said states around Arizona don't have this multitiered assessment approach.

'We do think we have a regional competitiveness issue,' McCarthy told lawmakers.

Tim Lawless, who lobbies on behalf of companies that own commercial real estate, said it's also a question of fairness.

The way he figures it, commercial property makes up 20% of the total market value of all real estate in Arizona. But Lawless said they pay 35% of all property taxes, abut $8 billion a year.

Conversely, he said, residential property is 50% of total market value but picks up just 38% of the tax burden.

'We don't mind paying a little bit more in commercial property taxes than the average bear in the other class,' Lawless said. 'We just want to bring it down a bit to create more job creation.'

Chad Heinrich, director of the state chapter of the National Federation of Independent Businesses, said property taxes are the No. 2 concern of small-business owners, behind only federal income taxes.

'Why should a restaurant owner, a small manufacturer, or any other small business owner who needs commercial property to run their business be forced to pay an effective tax rate that is more than double what many other property classifications pay in Arizona?' he asked.

That refers to the fact that there actually are types of property that are assessed for tax purposes at less than 10% of their value. For example, certain noncommercial historic property has a 5% assessment ratio, as does both property and equipment in a foreign trade zone.

The 7-3 vote of the committee sends the measure to the full Senate.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Bill advances expansion of school vouchers despite earlier voter defeat

Arizona Daily Star
February 4, 2021
Howard Fischer

Four years after voters rejected expanding an education voucher program, Republican state lawmakers are trying again — and in a big way.

Senate Bill 1452 would allow any student who meets certain standards to get more than $4,300 a year of tax dollars to attend a private or parochial school. It also would permit parents to use those dollars for home schooling or forming a 'pod' with neighbors to teach their children.

The measure, approved late Tuesday by the Senate Education Committee, would enable a massive expansion of a program that started in 2011 as a small alternative for students with special physical or emotional needs their parents said could not be met at home. Since then, there has been a near- constant

AMERICAN OVERSIGHT

expansion of the eligibility list, which now includes foster children, children living on reservations, children of active duty military, and those attending public schools rated D or F. Sen. Paul Boyer, R-Phoenix, did not provide any estimates of what his legislation would mean in terms of student numbers.

But Aaron Wonders, lobbyist for the state Department of Education, estimated that about 250,000 students in Arizona are currently eligible for a voucher, formally known as an Empowerment Scholarship Account.

He figures SB 1452 could balloon that up to 700,000 of the state's 1.1 million students in public schools.

Boyer said his legislation is targeted at students from low-income families. But the wording appears to have a loophole that would open the door to students from well-to-do families simply because their children were attending a school where there were enough poor students to classify it as eligible for Title I services for the needy.

Income issues aside, Boyer said it's a matter of choice.

'IT'S ONLY A CHOICE IF IT'S FUNDED'

There already are options for parents.

Arizona does not require students to attend traditional public schools in their neighborhoods. They are free to enroll at other school districts if those have the space. Or, they can attend charter schools, which are public schools under Arizona law, without cost.

'But it's only a choice if it's funded,' Boyer said. 'It's only a choice if a student has access to the school. It's only a choice if they're not stuck on a wait list for years and years and told year after year after year, 'Just wait until we're fully funded, then it will get better.' ' Boyer, who is a teacher at a charter school, said he sees the issue as providing what a family thinks is best, rather than essentially telling children their only choice is the neighborhood school which may or may not be meeting their needs.

'It's cruel to tell a child you're stuck in your failing school, and we're going to fight you at every step along the way to make sure that you never leave,' he said.

FOR PUBLIC SCHOOLS, A 'CATCH-22'

Sen. Christine Marsh, D-Phoenix, said the discussion about needing vouchers to provide alternatives for students misses a key point.

'The irony is if we were funding our schools appropriately, we wouldn't have kids who felt or families who felt the need to leave, or certainly not as many,' she said.

When students leave the public school system, that reduces the state aid, which is funded on a per-student basis, leaving the schools even worse off.

'So it's like this Catch 22,' Marsh said.

The committee was divided along party lines.

AMERICAN OVERSIGHT

TAKES MONEY OUT OF A SYSTEM 'BARELY COPING'

However, there are some leaders in the business community, which traditionally aligned with GOP priorities, who find the voucher expansion idea unacceptable. Among them is Jim Swanson, CEO of Kitchell Corp., a major Arizona construction firm.

'Don't get me wrong,' he said. 'I support school choice through quality charters and open enrollment in our school districts.'

But this bill, Swanson said, is not the answer.

'The ESA expansion takes money out of an already underfunded, overburdened system, a system that is barely coping with teachers leaving and retiring, a shortage of counselors, and an over-reliance on bonds and overrides to fund school operations at the district level,' he said.

WOULD HELP STUDENTS AFFORD CATHOLIC HIGH SCHOOLS

The legislation involves more than a transfer of funds from public schools to private ones.

One provision in Boyer's legislation says that high schoolers could get not just a voucher but a separate scholarship financed by donations to school tuition organizations to help pay those private and parochial school expenses. That's crucial as donors get a dollar-for-dollar credit against income tax owed to the state, reducing overall state revenues for education and other priorities.

Ron Johnson, who lobbies for the state's Catholic bishops and the schools they run, said the move is necessary to keep kids in Catholic schools past the eighth grade.

He said many voucher-funded students go to public schools after eighth grade because they can't afford the higher tuition charged for high school. Combining vouchers and the tax-credit-financed scholarships can make up the difference, Johnson said.

The measure also would, for the first time, allow parents to use their vouchers to pay for public or commercial transportation between home and the student's chosen school.

OPPOSITION GROUP MIGHT TAKE IT AGAIN TO VOTERS

If Boyer gets his measure through the Legislature and signed by the governor, that is unlikely to be the last word.

Beth Lewis, co-founder of Save Our Schools Arizona, said her organization will take 'any action to right this wrong.'

One of those options would be to ask voters to void the law.

It was Lewis' group that gathered enough signatures in 2017, the last time lawmakers tried a major expansion, to put the issue on the ballot. Voters overrode the measure by a 2-1 margin.

AMERICAN OVERSIGHT

The other option, she said, is to challenge the measure on legal grounds. She said there are questions about a provision in Boyer's legislation that would take money from a voter-approved School Site Fund, financed by a 0.6-cent sales tax, to help finance the vouchers.

Return to the table of contents

Senate likely to hold supervisors in contempt

Arizona Daily Star
February 4, 2021
Bob Christie

Republicans who control the Arizona Senate are moving ahead with their threat to pass a contempt resolution finding Maricopa County has failed to comply with a subpoena demanding access to elections equipment and ballots cast in the November election.

The Senate introduced the resolution Wednesday afternoon. Timing on a full Senate vote is unclear, but all 16 Republican senators are listed as sponsors, meaning it is virtually certain to pass.

If the resolution is enacted, the five members of the county board could be arrested for failing to comply. It authorizes Senate President Karen Fann to take 'all legal action' needed to enforce the subpoena.

The Republican-dominated board on Tuesday again refused to comply with subpoenas GOP lawmakers issued as they try to show that fraud or other election misdeeds led to Democratic President Joe Biden's win in the state. Courts rejected eight lawsuits filed by backers of former President Donald Trump after his loss, finding there was no evidence that he did not lose.

The Senate has demanded access to voting machines and all 2.1 million ballots cast in the election. The board has said it can't comply because ballots are sealed by law, and the voting machines the Senate wants to examine need to remain secure.

Board Chairman Jack Sellers said Wednesday that he was frustrated the Senate was threatening to find the board in contempt, saying he met personally with Fann and thought both sides agreed to try to settle the issue.

'I want to be clear: The county will participate in any court hearing with the Senate if they plan to argue the restrictions on ballots should be waived,' Sellers said in a prepared statement.

'Instead of suggesting that we are violating the laws the Legislature wrote, they should turn their attention to finding a solution.

'If they truly believe in the legality of their position, they will join us in seeking a solution through the courts,' Sellers said.

Steve Gallardo, the only Democrat on the board, slammed the move.

'It's shameful that the Arizona Senate issued subpoenas based off unfounded conspiracies for an election that happened 92 days ago,' he said in a prepared statement.

AMERICAN OVERSIGHT

'It's worse that some members are now doubling down in pursuit of these falsehoods by considering contempt charges against a body they once promised to partner with.'

The supervisors have repeatedly pointed to tests of the voting machines done before and after the election and hand counts of a sample of ballots that showed the count was accurate.

They fought subpoenas issued in December by the Senate Judiciary Committee with the backing of Fann in court.

New subpoenas were issued after a new Legislature was sworn in on Jan. 11. No new proceedings have been initiated by either side.

Still, the board voted last week to do its own audits, checking to determine if the software in voting machines is intact and not subject to hacking or connected to the internet.

Republican Sen. Warren Peterson said that audit falls far short of what lawmakers want examined.

Documents released Wednesday by the county show that Fann has hired a firm with strong connections to the Trump campaign's efforts to overturn election results in multiple battleground states to do its audit.

The Allied Security Operations Group worked with Trump attorney Rudolph Giuliani to raise baseless allegations of election fraud and counting errors in Arizona and other states.

The documents outline the work the company would do for the Senate if it is allowed access to ballots and election equipment, including recounting at least 550,000 ballots and collecting 'forensic images' of software used in ballot counting machines.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County discards over 500 doses of COVID-19 vaccines

Arizona Daily Star
February 4, 2021

More than 500 unused doses of COVID-19 vaccines have been discarded in Arizona's most populous county, according to health officials who say doing so helps maintain quality.

The Maricopa County Department of Public Health had to waste 553 doses across five distribution sites between Dec. 17 and Jan. 20, KPHO-TV reported Tuesday with information gained from a public records request.

County spokesperson Fields Moseley says the health department works diligently to prevent unnecessary waste of vaccines, but he noted some waste is unavoidable.

The county said some people do not show up for appointments after the doses have already been thawed for the day, and some vials have more than five doses in them. Moseley said the county has administered leftover doses to volunteers and others who are eligible for the vaccine and on standby to help prevent waste.

AMERICAN OVERSIGHT

Dr. Cara Christ, director of the state Department of Health Services, said Wednesday vaccine doses with issues like damage from shipping or a flaw in a vial are what's accounting for most of the wastage.

Banner Health, the state's largest hospital system, works hard to minimize losing any doses, said Dr. Marjorie Bessel, the chief clinical officer. But they have run into issues like the ones Christ cited.

'Those vaccines are discarded for your safety,' Bessel said.

Dr. Will Humble, the executive director of the Arizona Public Health Association and former state health director, said the standard wastage is about 5% and the state has discarded 0.3%. Republican Gov. Doug Ducey said Tuesday on Twitter that vaccine doses going to waste is 'shocking and unacceptable' and that is must be prevented from happening.

The state on Wednesday reported 2,296 additional confirmed COVID-19 cases and 214 additional deaths.

In Pima County there have been 392 new cases reported Wednesday and 36 new deaths reported.

Return to the table of contents

Navajo Nation reports 70 new virus cases, 6 deaths

Arizona Daily Star
February 4, 2021

Navajo Nation health officials on Wednesday reported 70 new COVID-19 cases and six more deaths.

The latest numbers raised the totals to 28,544 cases and 1,038 deaths since the pandemic began.

On Tuesday, tribal officials said they received word that U.S. President Joe Biden had signed a long-awaited major disaster declaration for the Navajo Nation.

It will provide more federal resources and prompts the release of federal funds for the reimbursement of emergency funds expended to address the COVID-19 pandemic on the Navajo Nation which covers parts of Arizona, New Mexico and Utah.

The tribe has tribe extended its stay-at-home order with a revised nightly curfew to limit the spread of COVID-19.

The Navajo Department of Health has identified 56 communities with uncontrolled spread of the virus, down from 75 communities in recent weeks.

The Navajo Nation also is lifting weekend lockdowns to allow more vaccination events.

The actions in the latest public health emergency order will run through at least Feb. 15.

Tribal officials said there have been more than 234,000 tests administered on the vast reservation and nearly 15,000 people have recovered.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Arizonans avoid stays at hospital: *Infusion of antibodies offers new treatment for fighting COVID-19*

Arizona Republic
February 4, 2021
Stephanie Innes

Her first symptoms — a scratchy throat and cough — were so mild that Jannie Cox "totally blew them off" on Dec. 27, when they first emerged.

Three days later, the 74-year-old Tucson resident could no longer deny it: She was sick.

Her throat had become fiercely sore, she had flulike body aches, and it was clear she was either catching a cold, or worse. That same day, she tested positive for COVID-19 infection and her husband, 75-year-old David Syverson, was developing symptoms, too.

Cox, a retired health care foundation executive, knew what she wanted for herself and her husband: an intravenous infusion of a relatively new treatment therapy for outpatients with mild to moderate COVID-19 called monoclonal antibodies.

Early evidence shows it nips COVID-19 in the bud if caught in time, blocking the virus from replicating and turning into severe illness.

The treatment is becoming more widely available across Arizona and is one of several ways high risk COVID-19 patients are staying out of the hospital. Yet, more awareness is needed among members of the general public, health providers say.

Other programs to free up patient bed space during the pandemic that launched in recent months include a "COVID At Home" program operated by Phoenix-based Banner Health.

And in December, the Arizona Hospital and Healthcare Association began an at-home palliative care program with a $550,000 grant from the state health department, and $50,000 from Intel to help provide technology to patients who may not have their own.

The efforts are needed, even as hospitalizations statewide have begun to decline during the latest surge of the pandemic. Hospital leaders continue to be concerned about new variants of the coronavirus, including the more contagious U.K. variant, which they've said could lead to another surge of illness in March.

State data shows 3,456 patients with confirmed and suspected COVID-19 were hospitalized in Arizona hospitals as of Feb. 2. It's lower than the peak on Jan. 11, when the number of hospitalized patients reached 5,082, but for the entire month of

"We believe how (monoclonal antibody infusions) work is they help the immune system control the virus quickly. Instead of you having to make the antibodies, we're just infusing them." Dr. Robert

AMERICAN OVERSIGHT

Orenstein Chair of infectious diseases at the Mayo Clinic in Arizona 'We're just infusing them' January, COVID-19 hospitalizations in Arizona remained at a higher level than the July summer peak.

Two monoclonal antibody therapies were approved for emergency use authorization to treat mild to moderate new coronavirus disease in certain high-risk patients by the U.S. Food and Drug Administration in November — bamlanivimab from Eli Lilly and Co. and Regeneron, which combines the two monoclonal antibodies casirivimab and imdevimab. Regeneron became more widely known when it was used to treat former President Donald Trump after he tested positive for COVID-19.

Both monoclonal antibody therapies have shown promise for clearing the SARS-CoV-2 virus that causes COVID- 19 and reducing illness when patients receive the medication within days of their first symptoms. It is a treatment for COVID-19, not preventive, health providers stress, citing some confusion among members of the public. Monoclonal antibodies are not the same as the COVID-19 vaccine rolling out right now.

For health leaders in Arizona, infusions of monoclonal antibodies are not just a way of impeding the progression of illness in patients with COVID-19, they are a way of keeping patients out of hospital beds at a time when resources are stretched.

The federal government recently set up a monoclonal antibody infusion center at Tucson Medical Center, and Banner Health has established centers in Tucson and Phoenix.

The Mayo Clinic in Arizona first opened its monoclonal antibody infusion center on Dec. 7 in a mobile unit at its Phoenix campus treating eight patients per day, and last week moved the program to expanded space with the ability to treat more patients in an area on its Scottsdale campus that had previously been used for furniture storage. The new space allows for 30 to 50 patients per day to get infusions.

Cigna Medical Group partnered with the state, the FDA and Operation Warp Speed to launch the pilot program to provide the monoclonal antibody infusion therapy for high-risk COVID-19 patients referred by a health provider at its four urgent care facilities around the Valley.

The pilot has started at CMG's Phoenix Central and Paseo Urgent Care sites and has initial capacity to provide two infusions a day at each location "to help free-up much needed hospital space and resources," officials said.

More data on outcomes is needed but some early research shows the monoclonal antibodies are effective at preventing hospitalizations. The idea is that they bind to the receptors of the spiked protein of the virus and block it from reproducing.

"As the number of admissions started going up, we were trying to find some way to decrease the pressure on our hospital," Dr. Robert Orenstein, chair of infectious diseases at the Mayo Clinic in Arizona, said of his hospital's decision to begin monoclonal antibody infusions.

"We believe how they work is they help the immune system control the virus quickly. Instead of you having to make the antibodies, we're just infusing them," he said.

Mayo officials are in ongoing discussions about how to get monoclonal antibodies to more Arizonans.

AMERICAN OVERSIGHT

“Obviously, the number of people that could benefit is far more than what we’re able to even do,” Orenstein said. “The problem is the logistics of it, and getting the information to the people, and being able to ensure that the right people get it. ... We’re looking at ways to try to expand and be of some value to the community beyond what we are currently doing.”

‘He’s doing fantastic today. It’s all behind us’

For about two to three hours on New Year’s Day, Cox and her husband each were infused with monoclonal antibodies at an infusion center set up by the federal government in partnership with Tucson Medical Center.

Cox’s COVID-19 symptoms went away the day after her infusion, she said. Her husband, who has Parkinson’s disease and rheumatoid arthritis, had more challenges and at one point was having stroke-like symptoms that ended up being related to his Parkinson’s.

But he was never hospitalized for COVID- 19, and Cox says he’s doing well.

She can’t know for certain but believes the monoclonal antibodies saved her husband’s life.

“He’s not just recovered, he’s better than before,” she said. “It was very, very rough for two weeks, but he’s doing fantastic today. It’s all behind us.”

Cox, who is an avid cyclist and walker, has no way of knowing how the monoclonal antibodies changed the trajectory of her disease, either. Nonetheless, she said she feels blessed that the couple was able to get the infusions. Cox felt better the day after receiving the infusion and said she is 100% now.

“It is impossible to know,” she said.

Not everyone is eligible for the monoclonal antibodies, and various infusion centers have their own parameters about eligible patients.

TMC officials are using both the Regeneron and Eli Lilly products to treat adults and pediatric patients, 12 years of age and older who weigh at least 88 pounds, who have positive results of direct SARS-CoV-2 viral testing, and who are at high risk for progressing to severe COVID-19 and/or hospitalization.

High-risk adults must meet at least one of a list of criteria to be eligible for the TMC infusion center, including having a body mass index of 35 or greater; having chronic kidney disease, diabetes or immunosuppressive disease; undergoing immunosuppressive treatment; or is 65 or older.

Infusion centers do not accept walk-ins

The infusion itself takes about an hour, but Cox said medical providers spent a lot of time with her beforehand, going over the risks. Also, patients must remain for about an hour following the infusion to ensure patients are not having any reactions. Altogether the process from beginning to end is about three hours.

Since it opened in January, the TMC center has infused 600 patients. None has had allergic reactions to the medication and anecdotally, about 1% have been admitted to the hospital, though actual outcome data is not yet available, said Mimi Coomler, the hospital’s chief operating officer.

AMERICAN OVERSIGHT

The highest number of patients TMC has infused with monoclonal antibodies is 57 in one day. The average is about 24 per day, Coomler said.

The hospital has been infusing patients in a space with a separate entrance in its hospital but will be moving to a center at another hospital-owned property. A federal team that had been staffing the center was scheduled to leave in early February, but Coomler said TMC officials have decided to sustain the program because of its success.

Patients must meet the criteria to get infusions. They also must have symptoms and a positive test. The hospital's urgent care network has been a key referral source, which is also true for Banner Health's infusion centers. TMC's Coomler emphasized that patients who get referrals can be infused quickly.

"We absolutely have availabilities same day, next day, because the criteria includes up to 10 days from diagnosis, there is a time sensitivity. We don't want patients to time out," she said.

Banner Health has a capacity for seeing 75 patients per day statewide at monoclonal antibody infusion centers located at Banner University Medical Center Phoenix, Banner Baywood Medical Center and Banner University Medical Center South in Tucson. All three locations are open seven days per week, said Dr. Jason Brown, chief medical officer for Banner Pharmacy Services.

It's important that patients do not show up at the infusion centers without an appointment, Brown emphasized. Firstly, there are criteria about who is allowed to get the infusions. Secondly, there are logistics and rules about having contagious COVID-19 patients in the facilities, which is why patients need to have appointments.

Banner Health's urgent care centers are handling referrals to the infusion centers for now, and patients may also talk to their doctor about getting a referral, Brown said.

Banner Health is using both the Eli Lilly and Regeneron products. The health system's pharmacy and therapeutics committee did their own clinical efficacy and safety reviews and does not feel that one product is superior to the other, Brown said.

'The earlier the better. That is the biggest challenge'

Banner Health has an information page about monoclonal antibody treatment on its website, and Brown stressed the therapy is for people who are not already hospitalized. It's for newly symptomatic people who are at high risk of progressing to more severe COVID-19 and winding up in the hospital.

To be eligible at a Banner site, patients must test positive for COVID-19 and be less than 10 days from onset of symptoms, plus meet one of a set of criteria: be over 65 years old; be over 55 years old with comorbidities such as cardiovascular disease, high blood pressure or COPD/other chronic respiratory disease; or over 18 years old with comorbidities such as diabetes, immunosuppressive disease, chronic kidney disease or obesity.

Because of limited space and staffing in its infusion center, the Mayo Clinic in Arizona has been selecting patients for monoclonal antibodies based on a nightly review of the electronic medical records of those who tested positive for COVID-19 at their clinics, and choosing patients for the available

AMERICAN OVERSIGHT

infusions each day using a ranking system based on risk. Among those on the review panel were infectious disease physicians, a nurse, and an ethicist.

"If you are immunocompromised you are obviously at a higher risk than somebody who is 65 but doesn't have any other risk factors," Orenstein said. "We had a scoring system that helped to stratify risk. And we only give it to people who are symptomatic."

Now that the Mayo Clinic has a larger infusion space, they are hoping to get a larger supply of medication and open up the monoclonal antibodies to anyone who meets the criteria set out in federal emergency use authorization for the therapies, including being 65 and older or having certain chronic health conditions, Orenstein said.

Although the emergency use authorization says the monoclonal antibodies should be given within 10 days of the onset of symptoms, Mayo officials have been saying seven days.

"The earlier the better," Orenstein said. "That's really the biggest challenge. Most people really don't feel all that bad until they get to about day six or seven and they are getting close to the point where it is already too late to get benefit from the antibodies."

COVID at Home: Patients up to age 70

In addition to monoclonal antibody treatments, Banner Health recently created a COVID at Home telehealth program, which allows shorter hospital stays for some new coronavirus patients between the ages of 18 and 70 who are hospitalized with COVID-19 but have not been in the intensive care unit.

The program is available at acute care Banner Health facilities that are caring for COVID-19 patients, including small rural hospitals. Nearly all the patients in the program so far have been in Arizona.

COVID at Home began in August after a lot of discussion with clinicians from various areas of the health system about the best way to free up hospital beds, said Dr. Michael Simons, medical director for telehealth at Banner Health. They decided to target COVID-19 patients who were already hospitalized at the end of their hospital stay and work on getting them home earlier than normal protocol would allow.

"We knew that every patient we got out one day early was an extra hospital day worth of capacity that we would open up," he said. "When we initially rolled out this program we developed a long list of inclusion and exclusion criteria, which were really meant to make sure that we had a pretty clean denominator of low risk patients and that they were reasonably well-controlled to be appropriately sent home."

Patients in the program are sent home with a pulse oximeter that they must use four times per day and at scripted intervals they must record both their heart rate and the oxygen levels in their blood into a software program that's downloaded on the patient's smart device, Simons explained. Before the patient leaves the hospital, medical staff make sure the software has been properly installed.

A group of nurses monitors the patients' entries, troubleshoots, and reaches out when there are issues such as a low oxygen saturation or high heart rate. Part of the technology includes the ability to do daily virtual visits with a physician.

AMERICAN OVERSIGHT

“Our intent in trying to craft this program was to replicate as much of the hospital stay as we thought we could and was necessary for these patients that we were sending out one to two days earlier than they would otherwise go home,” Simons said.

At the end of each day, patients must fill out a checklist asking about common symptoms such as nausea, vomiting or pain that could indicate a blood clot. Patients may call a centralized number if they do have any of those symptoms and a medical provider will help them

“He’s not just recovered, he’s better than before. It was very, very rough for two weeks, but he’s doing fantastic today. It’s all behind us.”

Jannie Cox

Tucson resident talks about how monoclonal antibody infusions helped her husband as well as herself with how to proceed.

The program is still relatively small. Thirty-one patients have gone through it. Now two to three are getting added per day, Simons said.

What program leaders did not want was to send people home and have them decompensate and need to be readmitted because they were sent home too early. So far, that hasn’t happened. As of Jan. 12, no one from the program had been readmitted to the hospital.

“We are now tending to get patients out at least one day early and in some cases, two days early and that was our initial target,” he said. “We wanted to be very cautious that we weren’t impugning their safety by sending them home and we were really trying to limit this to the patients that can be safely discharged and monitored commensurate with their needs.”

COVID-19 palliative care program could be helping more patients

The Arizona Hospital and Healthcare Association’s recently launched palliative care is a another way of preventing COVID-19 patients from being admitted to the hospital by supporting them at home with telehealth, and helping them coordinate their care.

The program is also for preventing COVID-19 patients who have been hospitalized from being readmitted, and targets people in underserved communities, organizers said.

Palliative care is often confused with hospice, but it’s not the same thing. People who need palliative care need support and help coordinating their health care, and making a plan for their care, whether they are acutely ill or chronically ill.

Sometimes it is end-of-life care, but most of the time it’s not, said Sandy Severson, senior vice president of care improvement at the Arizona Hospital and Healthcare Association, who spearheaded the COVID-19 palliative program.

The program finds patients solely by referral from a physician, nurse practitioner, long term care facility or other health provider. Instead of sending patients to a hospital, the program seeks to treat people where they are. The program went live Dec. 18 and so far is being used mainly by rural Arizonans, Severson said.

AMERICAN OVERSIGHT

"A typical patient is someone who is just experiencing COVID now and is having shortness of breath and has been in to see their primary care doc repeatedly but they need supportive care, that extra layer of care. ... People want to be at home. They don't want to go to the hospital."

The program sets goals of care, establishes the resources the patient needs moving forward, and part of the protocol is including family members, Severson explained.

"Some of these might be young people, some might be aging people and not have a lot of resources," Severson said of the patients. "We really talk about what their goals are and whether they need medication management changes or just emotional support, clergy, faith-based support, to make sure everyone knows what the plan is."

Another part of the program is helping patients plan for future care, whether that means ensuring they have a health care power of attorney lined up, or that they state their wishes about going on a ventilator or being resuscitated if they stop breathing or their heart stops beating.

If someone has already said they don't want to be on a ventilator, or don't want to be resuscitated, the support that patient needs typically would not require an acute care hospital, Severson said.

In other words, there's no point sending a patient to a hospital if there's nothing the hospital can do for them. That's where the palliative care program can help, by ensuring those patients safely get the support they need at their long-term care facility, or wherever they are living, rather than going to the hospital.

Severson is hoping to spread the word about the palliative care option. The program has four providers on contract who can consult with 30 to 40 patients per day but is not anywhere near that capacity now, Severson said.

Some of the patients who are in the program have been hospitalized for COVID-19 and are coping with the aftermath of health effects, including heart and lung issues. Several have the anxiety of not knowing whether they will recover, Severson said.

"These are people many times who are on oxygen who have complex issues but the intent is to keep them at home and not go back to the hospital," Severson said.

Return to the table of contents

Advocates hope for homeless funding: *State bills would direct millions to aid services*

Arizona Republic
February 4, 2021
Jessica Boehm

Homeless services providers are hoping this is the year that the Legislature will dedicate significant funds to meet Arizona's growing needs for shelters and other programs.

In the first month of the legislative session, lawmakers introduced a flurry of bills.

AMERICAN OVERSIGHT

Many of them, introduced by Democrats, are not expected to gain traction.

But some have bipartisan support and could result in millions of dollars in dedicated funding to help the tens of thousands of Arizonans currently experiencing homelessness — and the tens of thousands more who could fall into homelessness once COVID-19 eviction moratoriums expire later this year.

Here's what to watch.

Eight of the top leaders of homeless programs in Arizona sent Gov. Doug Ducey a letter in December asking him to include at least an additional $5 million for homeless services in his budget proposal.

The state spends about $6 million on homeless services each year. Only $873,000 of that is state funding. The rest is from federal grants.

This money is allocated to homeless shelters throughout the state to assist with the everyday operations of running a shelter.

In the letter, they said that providers received temporary funding through the CARES Act, which allowed them to shelter more people in 2020.

The money was temporary — but the increased number of people seeking homelessness services is not, they said. Research by the University of Arizona projects a 30% rise in homelessness across Arizona because of the pandemic and corresponding eviction crisis.

"The rising number of people becoming homeless is pushing us to our limits and significantly more ongoing state government support is needed," the leaders said.

Although the pandemic has heightened the need, the leaders said the state has been underfunding the state's homeless system for years.

Funding for homeless services, allocated through the Arizona Department of Economic Services, has not increased for 13 years, despite a significant increase in the number of people experiencing homelessness during that time.

"Put simply, funding is needed to help us on the front lines to save people who are currently living on the streets or who will soon be faced with no choice but the streets. As front line providers, we know what works to help people. And, importantly, we have the infrastructure in place to help people get back into housing with support — we just need more resources," the leaders said.

Ducey's budget proposal did not include an increase for homeless services funding.

In an email, the governor's spokesperson CJ Karamargin said the state spends nearly $100 million in programs related to housing assistance and homelessness.

The majority of those funds, however, go toward rental assistance, foreclosure prevention and housing vouchers — not homeless services.

Karamargin did not address why the governor has not increased funding for homeless services and did not respond to the letter from the homeless providers.

AMERICAN OVERSIGHT

Central Arizona Shelter Services CEO Lisa Glow said there is still a possibility that their request could make it into the final budget that will be approved by the Legislature and signed by the governor this spring.

Glow said this money is important because her organization and others have the capacity to shelter more people, but they don't have the funding to operate new shelter programs.

Bill would fund West Valley senior shelter

Glow also is pushing a bill that would allocate funds to open a homeless shelter for people 55 and older in the West Valley.

On any given night, people 55 or older take up about 40% of the 450 emergency shelter beds at CASS, Glow said.

Glow has been advocating for a separate shelter for seniors experiencing homelessness that can better serve the needs of older people, get them away from the dangerous street conditions faster and protect them from the elements and people who take advantage of them.

She got the chance to pilot the idea with COVID-19 relief funding provided by Phoenix earlier this year.

CASS rented 65 rooms in a north Phoenix hotel and began placing the most vulnerable seniors in private rooms with their own bathrooms. The organization recently expanded the program with 20 additional rooms.

Caseworkers and medical professionals check in with residents weekly. CASS staff checks in daily and delivers meals.

From June-December, CASS served 157 seniors and vulnerable adults at the hotel, dubbed Project Haven. More than 65% of them have left the hotel program for permanent housing, according to a CASS report.

The program is funded through July 2021, but Glow hopes that with funding from the state, a permanent version of Project Haven can open in the West Valley, where unsheltered homelessness has increased more than 200% since 2016.

"What we're talking about is a closed model of specialized housing to get people off the streets," Glow said. "Our hope is to take the prototype of Project Haven hotel and have a permanent location for those highly vulnerable seniors."

Sen. David Livingston, R-Peoria, introduced a bill last year that would have allocated $5 million for a 200-bed senior shelter in the West Valley. The bill got some traction early in the session but was derailed because of the COVID-19 crisis.

Glow said Livingston plans to introduce a similar bill again this year. Rep. Amish Shah, D-Phoenix, already has introduced a version of the bill in the House.

AMERICAN OVERSIGHT

“We need to act now and have something permanent. We need many more permanent things. This is one important step,” Glow said.

Bill would create new funding stream for youth, family homelessness

Housing advocates are trying once again to find a dedicated revenue stream to support families and youth experiencing homelessness.

Two years ago, Native American Connections pushed a bill that would have allowed the Arizona Department of Revenue to collect certain taxes from out-of-state real estate investors. Those investors were paying capital gains taxes in their home state instead of Arizona, where they had purchased property.

The goal was to take the new revenue collected by the state and direct it toward shelter, transitional housing and rental assistance for youths and families experiencing homelessness.

When lawmakers passed the state budget in 2019, they included the portion of the bill that allows the Department of Revenue to collect the taxes from out-of-state investors, but they didn’t require the money to be spent on youth and family homelessness, Native American Connections lobbyist Kristen Boilini said.

This year, the organization is hoping the state will funnel the new revenue into the Housing Trust Fund and dedicate as much as $10 million to youth and family homelessness.

About five years ago, the U.S. Department of Housing and Urban Development cut funding for transitional housing to focus more attention on permanent housing, a strategy federal officials said was cheaper and more effective.

Native American Connections CEO Diana “Dede” Yazzie Devine said that the move by federal officials removed a major funding source for her organization’s youth homelessness programs, which is why the organization started pursuing a new revenue stream from the state.

Devine said many youth and families experiencing homelessness don’t need permanent supportive housing — they need temporary assistance to build their financial literacy and transition back into traditional housing. That’s what the new funding source would allow her organization and others to provide, she said.

“We know that if we can intervene now ... we’re going to stop their homeless trajectory and they won’t be in our chronic homeless system. It’s actually an intervention point where you can really turn their lives around,” Devine said.

A bill sponsored by Rep. Andrés Cano, D-Tucson, would dedicate the new revenue stream to homeless youth and families.

He said similar bills in the past have received bipartisan support, so he is hopeful that the House leadership will allow his bill to move forward.

“It would be a travesty if we let this bill sit on a desk and never be heard or assigned to a committee,” Cano said.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

21,000 additional Phoenix vaccine slots filled in less than 40 minutes

Arizona Republic
February 4, 2021
Alison Steinbach

Appointments for 21,000 additional COVID-19 vaccine slots were completely booked Wednesday morning less than 40 minutes after becoming available.

The state health department on Tuesday announced it was opening 21,000 more appointments at ASU's Phoenix Municipal Stadium starting Wednesday at 9 a.m.

All the new appointments were booked within 39 minutes, the Arizona Department of Health Services said.

"More appointments will be added as more vaccine becomes available," the department tweeted.

Some also may become available if people cancel.

State health director Dr. Cara Christ at a vaccine event Wednesday acknowledged the frustration with limited appointments.

"We are excited about the demand that there is for vaccine in Arizona," she said. "We understand that the limited amount of vaccine is really causing some frustration, so we're working to try to make sure that we're getting vaccine to our high-efficacy sites so that we can open up more appointments."

The new appointments for prioritized individuals at the state-run site were from Feb. 5 through Feb. 18 between 7 a.m. and 5 p.m.

Registration for state run and other sites, as appointments become available, is at podvaccine.azdhs.gov. People can also call 844-542-8201 for help registering for an appointment.

Phoenix Municipal Stadium opened as a drive-thru vaccination site on Monday with a planned 500 shots per day and the ability to ramp up to 10,000 to 12,000 a day as doses become available.

The additional doses are coming from elsewhere in the state where they have not been as efficiently used, as allowed under a new executive order from Gov. Doug Ducey last week. The order required vaccine providers with more than 1,000 doses and more than 40% of them unused to provide the state health department with a plan for administration.

Plans submitted by counties and providers "identified available doses of the Pfizer vaccine and allowed ADHS to open up additional appointments at Phoenix Municipal Stadium," according to the state.

Christ said Tuesday she expected the appointments to fill quickly and that "our only limiting factor is the amount of vaccine we are receiving from our federal partners."

AMERICAN OVERSIGHT

Individuals who get their first vaccine doses at State Farm or Phoenix Municipal stadiums will have guaranteed second-dose appointments at the same site, according to the state.

Groups currently prioritized to receive the vaccine are front-line health care workers, emergency services workers, long-term care facility residents and staff, protective services workers, educators and child care workers, and adults over 65. Phases vary slightly by county.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Governor will veto any new election bill. Or was he lying?

Arizona Republic
February 4, 2021
EJ Montini

Republicans unhappy with the results of the November election and who are hoping to ensure the success of future insurrections while requiring no violence have introduced dozens of voter suppression and election changes in the Arizona Legislature.

They range from the unnecessary to the completely absurd. From restricting or ending voting by mail to allowing the Legislature to completlely void the will of Arizona voters.

Gov. Doug Ducey will veto any of them that may pass unless ... he was lying in December.

There is simple proof that each of the Republican proposals in the Legislature is both unnecessary and sinister, an effort to disenfranchise Arizonans who may have the gall to vote for someone not aligned with the forces of Donald Trump and his minions at the state Capitol.

I don't need to offer that proof, however.

It's been done already.

Forcefully. Succinctly. Eloquently.

By Ducey.

After the election, when Trump and others questioned the legitimacy of Arizona's election the governor set the record straight with a blunt, honest nine-tweet explanation and defense of Arizona's process and procedures.

Ducey tweeted: I've been pretty outspoken about Arizona's election system, and bragged about it quite a bit, including in the Oval Office. And for good reason 1/ We've been doing early voting since 1992. Arizona didn't explore or experiment this year. We didn't cancel election day voting as some pushed for — we weren't going to disenfranchise any voter. 2/ In Arizona, we have some of the strongest election laws in the country, laws that prioritize accountability and clearly lay out procedures for conducting, canvassing, and even contesting the results of an election. 3/ We've got ID at the polls. We review EVERY signature (every single one) on early ballots — by hand — unlike other states that use computers. Prohibitions on ballot

AMERICAN OVERSIGHT

harvesting. Bipartisan poll observers. Clear deadlines, including no ballots allowed after Election Day. 4/ The problems that exist in other states simply don't apply here. I've also said all along, I'm going to follow the law. So here's what the law says… 5/ It requires the Secretary of State, in the presence of the Governor and the Attorney General, to canvass the election on the fourth Monday following the general election. That was today. 6/ This can ONLY be delayed if counties DECLINE to certify their results. ALL 15 counties in Arizona — counties run by both parties — certified their results. 7/ The canvass of the election triggers a 5-day window for any elector to bring a credible challenge to the election results in court. If you want to contest the results, now is the time. Bring your challenges. 8/ That's the law. I've sworn an oath to uphold it, and I take my responsibility seriously. 9/9 I hope Ducey meant that.

I hope he really does take his responsibility seriously.

We all hope so.

Return to the table of contents

Arizona adds 2,296 new COVID-19 cases, 214 deaths

Arizona Republic
February 4, 2021
Alison Steinbach

Arizona on Wednesday reported another relatively low number of new COVID-19 cases, at 2,296, and a high 214 new known deaths as hospitalizations continued to moderate but remain at high levels.

Arizona's seven-day, new-case average ranked third Tuesday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the last seven days was 67.2 cases per 100,000 people, per the CDC, trailing Texas with 71.7 and South Carolina with 68 cases per 100,000. The U.S. average for new cases was 43.4 cases per 100,000 people.

The state's average daily COVID-19 deaths per 100,000 people over the past seven days ranked fourth in the nation as of Tuesday, per the CDC.

Arizona's newly reported 214 deaths brought the known COVID-19 death count to 13,576. The state surpassed 13,000 deaths on Friday.

In about one year since the first case was announced in Arizona, a total of 767,379 COVID-19 cases have been identified across the state.

The Arizona data dashboard shows 89% of all ICU beds and 90% of all inpatient beds in the state were in use Tuesday, with 53% of ICU beds and 40% of non-ICU beds occupied by COVID- 19 patients. Statewide, 195 ICU beds and 853 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 3,456 on Tuesday, below the record 5,082 inpatients on Jan. 11.

AMERICAN OVERSIGHT

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 955 on Tuesday, below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 646 on Tuesday, below the record-high 821 reached on Jan. 13.

Tuesday saw 1,639 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

New cases in Arizona have eclipsed 5,000 for 24 of the past 30 days.

Percent positivity, which refers to the percent of COVID-19 diagnostic tests that are positive, is still near a peak high, which many health experts consider an early indicator of a spike in illnesses.

More numbers of note

Cases by county: 478,354 in Maricopa, 102,712 in Pima, 43,151 in Pinal, 35,318 in Yuma, 19,782 in Mohave, 16,407 in Yavapai, 15,376 in Coconino, 14,645 in Navajo, 10,500 in Cochise, 9,684 in Apache, 7,453 in Santa Cruz, 6,064 in Gila, 5,143 in Graham, 2,261 in La Paz and 527 in Greenlee, according to state numbers.

The rate of cases per 100,000 people is highest in Yuma County, followed by Santa Cruz, Apache, Graham and Navajo counties. The rate in Yuma County is 15,358 cases per 100,000 people. By comparison, the U.S. average rate as of Tuesday was 7,880 cases per 100,000 people, according to the CDC.

The Navajo Nation reported 28,471 cases and 1,032 confirmed deaths in total as of Tuesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah. Tribal leaders halted weekend lockdowns after Jan. 25, although a stay-at-home order and nightly curfew remained in effect.

The Arizona Department of Corrections reported 10,924 inmates had tested positive for COVID-19 as of Tuesday, including 2,068 in Tucson, 1,964 in Eyman, 1,862 in Yuma and 1,129 in Douglas; 43,581 inmates statewide have been tested.

A total of 2,526 prison staff members have self-reported testing positive, the department said.

Deaths by county: 7,672 in Maricopa, 1,831 in Pima, 719 in Yuma, 636 in Pinal, 550 in Mohave, 446 in Navajo, 403 in Yavapai, 317 in Apache, 282 in Coconino, 234 in Cochise, 196 in Gila, 155 in Santa Cruz, 66 in Graham, 63 in La Paz and six in Greenlee.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

ASU Biodesign director: Vaccine hasn't had effect on COVID numbers yet

KTAR News
February 4, 2021
Jake Anderson

The executive director for the Biodesign Institute at Arizona State University doesn't believe the coronavirus vaccine has had its effect on the state's COVID numbers just yet.

"I think the numbers are probably more reflecting the fact that we're kind of past the holidays, people are wearing their masks and keeping their distances," Dr. Joshua LaBaer told Gaydos & Chad on Wednesday. "But it is definitely trending in the right direction."

Arizona health officials on Wednesday reported 2,296 new coronavirus cases, the lowest daily case report since Dec. 27 and the third-lowest since November.

It also marked the first time since Nov. 16-17 that fewer than 3,000 cases were reported for two straight days.

LaBaer iterated that the new models "are not in any way" reflective of any variant coronavirus strains.

"Arizona State University recently detected a few cases of the U.K. strain, but we're not seeing a lot of that yet — at least not that we can observe," he said.

"So I think for now we're hoping that things continue in the right direction and as the summer comes and as we get more and more people vaccinated, that will definitely help us for sure."

LaBaer added that it's hard to say whether or not another wave similar to or even worse than last summer or this winter is coming.

"We're a little bit in a race between the potential new variants coming here and getting people vaccinated," he said. "I'm hoping that we can get people vaccinated to beat the new variants."

On Wednesday, all 21,000 of the available appointments for vaccines at Phoenix Municipal Stadium were snapped up in 39 minutes.

Return to the table of contents

US ends deal with Arizona restricting Biden on immigration

KTAR News
February 4, 2021

The U.S. Department of Homeland Security has terminated an unusual agreement that Arizona's top prosecutor signed with the agency in the waning days of the Trump administration to try to restrict President Joe Biden's ability to overhaul his predecessor's immigration policies.

AMERICAN OVERSIGHT

The agency's action was revealed Wednesday as Arizona Attorney General Mark Brnovich, a Republican, sued to stop newly confirmed Homeland Security Secretary Alejandro Mayorkas from carrying out Biden's 100-day moratorium on deportations. A federal judge in Texas has already put it on hold.

"Arizona's law enforcement community is particularly concerned that aliens who have been charged or convicted of crimes will be released as a result of DHS's 100-day moratorium," Brnovich said in the federal lawsuit.

He said authorities also worry "that releasing individuals during the COVID-19 pandemic will further stress hospitals and social services at the local and county level."

Brnovich sued after a court order last month temporarily barred the U.S. government from enforcing a pause in deportations. His filing revealed that Homeland Security canceled the immigration agreement he made with the agency, which was among at least nine quietly signed with state and local jurisdictions during the Trump administration's final weeks.

The agreements say the jurisdictions are entitled to a 180-day consultation period before executive branch policy changes take effect.

It's not clear what has happened with the agreements signed elsewhere. The Department of Homeland Security on Wednesday declined to comment, citing the pending litigation.

It comes the same week a whistleblower compliant revealed that then-Acting DHS Deputy Secretary Ken Cuccinelli also reached last-minute agreements with a union for Immigration and Customs Enforcement employees.

The Government Accountability Project said in a whistleblower complaint submitted Monday to Congress and two federal watchdogs that the labor agreements grant "extraordinary power and benefits" to the American Federation of Government Employees ICE Council 118, which represents about 7,500 employees and endorsed Trump in 2016 and 2020.

In addition to improved economic benefits, the agreements give the union the power to delay changes to immigration enforcement policies and practices, according to the letter the Government Accountability Project submitted on behalf of an undisclosed federal employee.

The agreements would remain in place for eight years unless Homeland Security moves to challenge them by Feb. 17, which is 30 days after Cuccinelli signed them.

"This abuse of authority is shocking," wrote David Seide, an attorney for the unidentified employee, noting Cuccinelli's "extraordinary involvement."

"It is clear that they are another example of the prior administration's effort in its waning hours to cement a legacy at taxpayer expense," he said.

Cuccinelli said in an email that he did nothing wrong.

AMERICAN OVERSIGHT

"With the advice and counsel of the Office of the General Counsel, I executed appropriate agreements to finally address many of these previously unresolved issues," he said. "As best I can tell, the primary basis for the complaint is that I did my job well, to the chagrin of the complainer."

Biden's Homeland Security leaders have not said whether they will move to annul the labor agreements.

The union official who signed them, Chris Crane, did not respond to requests for comment.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Senate unveils election contempt charge against Maricopa County

KTAR News
February 4, 2021

Republicans who control the Arizona Senate are moving ahead with their threat to pass a contempt resolution finding Maricopa County has failed to comply with a subpoena demanding access to elections equipment and ballots cast in the November election.

The Senate introduced the resolution Wednesday afternoon. Timing on a full Senate vote is unclear, but all 16 Republican senators are listed as sponsors, meaning it is virtually certain to pass.

If the resolution is enacted, the five members of the county board could be arrested for failing to comply. It authorizes Senate President Karen Fann to take "all legal action" needed to enforce the subpoena.

The Republican-dominated board on Tuesday again refused to comply with subpoenas GOP lawmakers issued as they try to show that fraud or other election misdeeds led to Democratic President Joe Biden's win in the state. Courts rejected eight lawsuits filed by backers of former President Donald Trump after his loss, finding there was no evidence that he did not lose.

The Senate has demanded access to voting machines and all 2.1 million ballots cast in the election. The board has said it can't comply because ballots are sealed by law and the voting machines the Senate wants to examine need to remain secure.

Board Chairman Jack Sellers said Wednesday he was frustrated that the Senate was threatening to find the board in contempt, saying he met personally with Senate President Karen Fann and thought both sides agreed to try to settle the issue.

"I want to be clear: the county will participate in any court hearing with the Senate if they plan to argue the restrictions on ballots should be waived," Sellers said in a statement. "Instead of suggesting that we are violating the laws the Legislature wrote, they should turn their attention to finding a solution.

"If they truly believe in the legality of their position, they will join us in seeking a solution through the courts," Sellers said.

Steve Gallardo, the only Democrat on the board, slammed the move.

"It's shameful that the Arizona Senate issued subpoenas based off unfounded conspiracies for an election that happened 92 days ago," he said in a statement. "It's worse that some members are now

AMERICAN OVERSIGHT

doubling down in pursuit of these falsehoods by considering contempt charges against a body they once promised to partner with."

The supervisors have repeatedly pointed to multiple tests of the voting machines done before and after the election and hand counts of a sample of ballots that showed the count was accurate. They fought subpoenas issued in December by the Senate Judiciary Committee with the backing of Senate President Karen Fann in court.

New subpoenas were issued after a new Legislature was sworn in on Jan. 11. No new proceedings have been initiated by either side.

Still, the board voted last week to do their own audits, checking to determine if the software in voting machines is intact and they were not subject to hacking or connected to the internet.

Republican Sen. Warren Peterson said that audit falls far short of what lawmakers want examined.

Documents released Wednesday by the county show that Fann has hired a firm with strong connections to the Trump campaign's efforts to overturn election results in multiple battleground states to do its audit. The Allied Security Operations Group worked with Trump attorney Rudy Giuliani to raise baseless allegations of election fraud and counting errors in Arizona and other states.

The documents outline the work the company would do for the Senate if they are allowed access to ballots and election equipment, including recounting at least 550,000 ballots and collecting "forensic images" of software used in ballot counting machines.

GOP county Supervisor Bill Gates issued a statement saying "I will never be in favor" of turning over ballots without a court order.

"Not only is it illegal under Arizona state law for this Board to turn over custody of the ballots, it is also unfathomable that the Arizona Senate has hired a known, and frequently debunked, conspiracy theorist to conduct their audit," he said in a statement that he also posted on Twitter.

Return to the table of contents

Gov. Ducey presses Arizona's members of Congress for more vaccines

KTAR News
February 4, 2021
Kevin Stone

Arizona Gov. Doug Ducey sent a letter to the state's congressional delegation requesting help acquiring more COVID-19 vaccines.

Ducey made the letter public in a press release Wednesday morning.

"I am writing today to request the Arizona Congressional delegation engage at every level to help secure additional COVID vaccine doses for the State of Arizona," the letter says.

AMERICAN OVERSIGHT

"There could be no better use of your time or advocacy efforts than in helping to secure these additional vaccine doses for the people of Arizona to help end this pandemic for good."

Ducey said the state put in a request for an additional 300,000 doses per week so it could open more mass vaccination sites. The state has opened two such sites so far, in Glendale at State Farm Stadium and at Phoenix Municipal Stadium, but they are operating below capacity because of the supply shortage.

"We are confident that such an allocation increase would allow the state to replicate our successful mass vaccination sites throughout the state. Our resource request, however, has been denied," he wrote.

Ducey also asked for vaccine distribution to be prioritized during ongoing negotiations over a coronavirus relief package.

Here is the full letter, per Ducey's press release:

Dear Member of Arizona's Congressional Delegation,

We are extremely grateful for the success of Operation Warp Speed in developing at least two safe and effective COVID vaccines in record time. It is a remarkable milestone and is only part of the key to ending this pandemic. As you know, the vaccine is only effective once it is administered to Americans. Arizona has been working diligently to administer the vaccine to key priority groups including healthcare workers, residents of long term care facilities, individuals aged 65 and over, teachers, and law enforcement personnel.

Because Arizona is a home rule state, the jurisdiction and responsibility for vaccine administration lies with our 15 counties. Some counties have been doing an exemplary job while others have lagged behind. For this reason, I issued Executive Orders 2020-62 and 2021-01 with the goal of scaling up vaccination by opening state run sites to augment the work being done by the counties and ensuring efficient use of the vaccine that has already been allocated to Arizona. The first state run site at State Farm Arena is now the most productive, high throughput site in Arizona, administering 6,000+ vaccinations per day. On February 1, 2021, we opened a second state run vaccination site at Phoenix Municipal Stadium, and we hope to open more sites like these across the state.

The demand for vaccination at these sites is extremely high. All appointments for first doses of the vaccine in the month of February at these state sites were taken within 13 hours of the appointments being made available to the public. As you well know, our state is home to many out-of-state residents during our beautiful winter months, leading to an even higher need for more vaccines. We want everyone in Arizona who wants a vaccine, to have the opportunity to get one. Unfortunately, due to the state's current allocation of vaccines from our federal partners, Phoenix Municipal Stadium, which has the capacity to match State Farm Stadium in terms of number of daily doses, will only open with 500 appointments a day rather than the 6,000 it could handle.

The single biggest limiting factor for opening more appointments at existing sites and creating new mass vaccination sites around the state is the number of vaccine doses allocated to Arizona by our federal partners. We have placed a federal resource request for an additional 300,000 vaccines immediately followed by 300,000 additional doses a week. We are confident that such an allocation increase would allow the state to replicate our successful mass vaccination sites throughout the state. Our resource request, however, has been denied.

AMERICAN OVERSIGHT

I am writing today to request the Arizona Congressional delegation engage at every level to help secure additional COVID vaccine doses for the State of Arizona. There could be no better use of your time or advocacy efforts than in helping to secure these additional vaccine doses for the people of Arizona to help end this pandemic for good.

Additionally, as Congress contemplates further COVID relief measures, I urge you to place funding for vaccine distribution at the very top of the list. While we are grateful for the funding provided in the December relief package, mass vaccination sites, which have to be staffed with medical professionals, can cost hundreds of thousands of dollars a week. The state is looking to open several mass vaccination sites across the state, as well as smaller sites to target vulnerable and hard to reach populations so any additional funding that is provided, when done in conjunction with an increase in vaccine allocation, will help to expedite and sustain these efforts.

Thank you for your attention and consideration.

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

Return to the table of contents

Arizona attorney general sues over Biden's deportation moratorium

KTAR News
February 4, 2021
Kevin Stone

Arizona's Republican attorney general sued the U.S. Department of Homeland Security on Wednesday over the new Democratic administration's 100-day deportation moratorium.

"It's really a straightforward lawsuit," Arizona Attorney General Mark Brnovich told KTAR News 92.3 FM. "We basically sued the Department of Homeland Security alleging that their new policy halting deportations is illegal and it's also contrary to an MOU [memorandum of understanding] that we have with Homeland Security."

Arizona is the second state to sue over the policy to pause most deportations, which was announced on President Joe Biden's first day in office.

Brnovich's complaint, which was filed in the U.S. District Court, District of Arizona, is similar to the suit Texas brought Jan. 22.

On Jan 26, a federal judge issued a temporary restraining order sought by Texas. The order has been extended until Feb. 23. U.S. District Judge Drew Tipton said the Biden administration had failed "to provide any concrete, reasonable justification for a 100-day pause on deportations."

AMERICAN OVERSIGHT

Arizona, like Texas, bases part of its argument on a deal between DHS and states that was reached late in the Trump administration. The agreement says DHS won't alter immigration enforcement without giving states a chance to consult and comment.

The Biden administration argued in court filings that the agreement between the states and DHS is unenforceable because "an outgoing administration cannot contract away that power for an incoming administration."

"Arizona, as a border state, will be directly impacted by Defendants' decision to flout their legal obligations," Brnovich's complaint says.

"Arizona's law enforcement community is particularly concerned that aliens who have been charged or convicted of crimes will be released as a result of DHS's 100-day moratorium."

Brnovich revealed his intentions to oppose the moratorium in a Jan. 26 letter to acting DHS Secretary David Pekoske.

Pekoske signed a memo on Jan. 20 directing immigration authorities to focus on national security and public safety threats as well as anyone apprehended entering the U.S. illegally after Nov. 1. That was a reversal from Trump administration policy that made anyone in the U.S. illegally a priority for deportation.

The 100-day moratorium went into effect Jan. 22 and applied to almost anyone who entered the U.S. without authorization before November.

Biden promised during his campaign to issue the moratorium. His plans for sweeping immigration overhaul also include a path to citizenship for the estimated 11 million people who are in the U.S. illegally.

Brnovich tweeted Wednesday that he supports "the need for comprehensive immigration reform, but it can't be achieved through unsafe and untenable executive orders."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Ex-Navajo Nation president dies of coronavirus complications

Arizona Daily Sun
February 4, 2021
Felicia Fonseca

Albert Hale, a former Navajo Nation president and Arizona lawmaker who was known for his commanding presence, sense of humor and advocacy for local government, has died.

Hale tested positive for the coronavirus in early January and was admitted to the hospital where he died Tuesday, said his daughter, April Hale. He was 70.

“We're thankful to the staff and care team at Arizona General Hospital for allowing us to say our goodbyes and to tell our father that we loved him, to tell him that we're proud of all his accomplishments, and we will carry on and honor his legacy," she told The Associated Press.

Hale served as the second president of the Navajo Nation after the tribe restructured its government under three branches to prevent power from being concentrated under a chairman. As a lawyer, he was key to that effort and championed giving Navajo communities or chapters autonomy from the central tribal government and taxing authority.

He helped secure rights for the Navajo Nation from the San Juan River basin in New Mexico. Hale urged all sides to sit down and negotiate, rather than the tribe asserting it owns everything in the river and others contending that Navajos waived the water rights, said former Navajo Attorney General Louis Denetsosie.

“Eventually, it evolved into the first big Navajo water rights settlement,” said Denetsosie, who ran a law firm with Hale for a few years.

Hale also was steadfast in promoting tribal sovereignty. He once suggested closing the borders of the vast reservation that stretches into Arizona, New Mexico and Utah in response to what he saw as unjust actions by the state of Arizona.

Coconino County Vice Chairwoman Lena Fowler offered a statement Wednesday on behalf of the Board of Supervisors:

"We are all deeply saddened and humbled by the passing of Albert Hale, former President of the Navajo Nation and Arizona State Legislator who represented much of Coconino County. Albert was a colleague and friend to many of us and his loss leaves a deep void in our hearts."

Many knew him by his nickname, Ahbihay, a mispronunciation of his name by a Navajo grandmother that's also a pronoun in the Navajo language. It stuck on the Navajo Nation, among elected officials and within his own family. He had a strong handshake, big smile and was rooted in Navajo culture and traditions, family and friends said.

“The thing that used to really impress me the most about him is he was a super sharp dresser, but he was about as traditional as they come,” said Patrick Sandoval, who worked with Hale on a number of

AMERICAN OVERSIGHT

initiatives including drastically cutting the number of Navajo Nation Council delegates. “He understood culture, language, history, the songs, everything. He knew how to wear a suit and tie also.”

A dark moment came in 1998 when Hale resigned from the Navajo presidency rather than face allegations he misused tribal funds. He denied wrongdoing but apologized to the Navajo people.

“I am sorry for my shortcomings and the wrongs that I may have committed while in office,” he said at the time.

Hale was as comfortable on the Navajo Nation as he was in the Arizona Legislature, where he served in the Senate from 2004-2011 and in the House from 2011 to 2017.

His former colleagues remembered him as gracious and respectful, and said he served his constituents well.

Arizona Gov. Doug Ducey ordered flags lowered at state buildings until sunset Wednesday in honor of Hale. On the Navajo Nation, President Jonathan Nez called for flags to be flown at half-staff from Wednesday through Saturday.

Hale was a longtime attorney and first president of the Navajo Nation Bar Association, most recently representing the Navajo Engineering and Construction Authority. Current association president Troy Eid considered him a brother.

Eid said he and his wife believed Hale was improving until they got a text early Tuesday from Hale's wife, Paula, saying otherwise.

“I can't begin to summarize his life or the sense of loss,” Eid said in a statement. “I loved him and always will. Yet I also know that so many of you are walking this same path with your loved ones, and that this is a mysterious and cruel and unjust disease.”

Eid told the AP that he and Hale had been planning a trip to Mongolia, partly because Hale wanted to explore the connections with the Navajo Nation and he only in recent years had free time to travel around the world. That plan was halted by the coronavirus pandemic.

Hale was born in 1950 in Ganado on the Navajo Nation. He often described surviving tuberculosis as a child as the best day of his life, Eid said, and told the story of being treated by well-known Navajo health crusader Annie Wauneka. Hale graduated from Fort Wingate High School, and earned a bachelor's degree from Arizona State University and a law degree from the University of New Mexico.

April Hale said the family is planning a drive-through memorial for their father but the details haven't been finalized.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, February 4, 2021 8:18:45 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *February 4, 2021*

Republican senators vote to find Maricopa County supervisors in contempt
Arizona Capitol Times
All 16 Republicans in the Arizona Senate signed on to a measure introduced Wednesday afternoon that could lead to sending the Senate's sergeant at arms to arrest Maricopa County's elected supervisors as early as Friday.

Push is on to lower business property taxes
Capitol Media Services
Republican lawmakers are moving to lower property taxes on businesses.

Arizona lawmakers seek to reverse four decades of tough-on-crime policies
Capitol Media Services
Without a single dissent, Arizona House committee votes to restore some sentencing discretion taken away from judges

Tucson border aid groups say Border Patrol often fails to help migrants in distress
Arizona Daily Star
Border Patrol counters that in 2019, for example, its agents conducted more than 1,000 rescues in the Tucson Sector

Arizona Chamber of Commerce & Industry CEO taking Texas job

AMERICAN OVERSIGHT

Associated Press
Glenn Hamer, the longtime president and CEO of the Arizona Chamber of Commerce & Industry, is leaving to take a similar position with the Texas Association of Business.

Ex-Navajo Nation president dies of coronavirus complications
Associated Press
Albert Hale, a former Navajo Nation president and Arizona lawmaker who was known for his commanding presence, sense of humor and advocacy for local government, has died.

Yuma Sector Border Patrol agents arrest a group of Iranians
Yuma Sun
Yuma Sector Border Patrol agents arrested a group of 11 Iranian citizens who illegally crossed the border into the United States Monday evening.

Call center inundated with vaccine requests
Payson Roundup
Struggling to make an appointment for a person 75 and older?

For Sale in Queen Creek: Trump Bus, Heavily Used
Phoenix New Times
An eye-popping tour bus decked out in pro-Donald Trump imagery and used at rallies and events across the country is for sale in Queen Creek with a $135,000 price tag.

Longshot Federal Gun Registration Bill Would Require Psych Exams
Phoenix New Times
A longshot bill in the U.S. House of Representatives that would require psychological examinations for gun owners and a publicly accessible list of ownership is causing a stir with Second Amendment advocates.

Fann picks Trump-allied firm with history of false election statements to audit Maricopa election
Arizona Mirror
Senate President Karen Fann has chosen a firm that produced a widely discredited report on voting in Michigan, and which includes a Trump campaign associate with a well-documented history of spreading false and baseless claims about the 2020 election, to conduct an audit of the election in Maricopa County, according to records obtained by Arizona Mirror.

Senate GOP all back arresting Maricopa County supervisors for contempt
Arizona Mirror
All 16 Republicans in the Arizona Senate co-sponsored a resolution calling for the Maricopa County Board of Supervisors to be held in contempt and arrested for refusing to comply with wide-ranging subpoenas for election equipment and materials.

Brnovich sues Dept. of Homeland Security over deportation pause
Arizona Mirror
In a lawsuit filed Wednesday, Attorney General Mark Brnovich said the Biden administration can't temporarily pause deportations because he signed an agreement with the U.S. Department of Homeland Security in the final days of the Trump administration that gives him broad powers to block changes in how the federal government enforces federal immigration laws.

Will Arizona's Republican representatives vote for QAnon or country?
Arizona Republic (Opinion, EJ Montini)
'When a person encourages talk about shooting a member in the head, they should lose the right to serve on any committee. That shouldn't be a radical idea.'

COVID-19 testing is feast or famine in Arizona. Here's how to do it better
Arizona Republic (Opinion, Joanna Allhands)
When COVID-19 cases begin to drop, Arizona should ramp up efforts to get more folks tested. That hasn't happened. But it should.

Good intentions aren't enough. Joe Biden must make real changes on immigration now
Arizona Republic (Opinion, Elvia Diaz)
The White House says it'll take time to clean up Trump's immigration mess. But studying how to move forward isn't the action we need now.

Forget Democrats. Independents should be most upset at bills targeting voting by mail
Arizona Republic (Opinion, Abe Kwok)
Voting trends suggest that independents - not Democrats - would be more hurt by Arizona lawmakers' efforts to limit who

AMERICAN OVERSIGHT

receives mail ballots.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, February 4, 2021 3:18:38 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes February 4, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

.....

Arizona Legislative Report

Today's News Notes

February 3, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

AMERICAN OVERSIGHT

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

House Commerce

Tuesday 02/09/21 at 2:00 PM, House Rm. 3

H2156: APPROPRIATIONS; BROADBAND GRANTS

H2367: SPECIAL EVENT LICENSES; CHARITABLE ORGANIZATIONS

H2507: LANDLORDS; DECEASED TENANT; PETS

H2508: MONEY TRANSMITTERS; EXEMPTIONS; AUTHORIZED DELEGATES

H2541: TELECOMMUNICATIONS FUND; REPORT; POSTING

H2544: BLOCKCHAIN AND CRYPTOCURRENCY STUDY COMMITTEE

H2545: CONTRACTOR LICENSE NUMBERS; ADVERTISING; EXCEPTION

H2546: HOME SOLICITATION SALES; DEFINITION

H2556: TOBACCO; VAPING; PENALTIES; LEGAL AGE

H2772: FANTASY SPORTS BETTING; EVENT WAGERING

H2773: SPIRITUOUS LIQUOR; DELIVERY; OFF-SALE PERMITS=

House Education

Tuesday 02/09/21 at 2:00 PM, House Rm. 1

H2063: SCHOOLS; STUDENT PROMOTIONS

H2151: EXPERIENCED TEACHER RETENTION; PILOT PROGRAM

H2418: GROUP B WEIGHT; GIFTED PUPILS

H2421: SCHOOLS; DISTANCE LEARNING COURSES; FUNDING

H2516: APPROPRIATION; LABORATORY; NAVAJO TECHNICAL UNIVERSITY

H2523: FOUR-YEAR DEGREES; COMMUNITY COLLEGES

H2754: SCHOOL SAFETY; SCHOOL RESOURCE OFFICERS

AMERICAN OVERSIGHT

HR2004: SUSPENDED STUDENTS; VIRTUAL EDUCATION; SUPPORT

House Natural Resources, Energy & Water

Tuesday 02/09/21 at 2:00 PM, House Rm. 4

H2614: REMEDIATED WATER; GROUNDWATER; USE

H2677: AGRICULTURAL MANAGEMENT PRACTICES; GENERAL PERMIT

H2691: TECH CORRECTION; GROUNDWATER PERMITS

H2737: CORPORATION COMMISSION ACTIONS; INVESTIGATION

H2758: EMISSIONS INSPECTION; COLLECTIBLE VEHICLES; DEALERS

H2778: STREAM ADJUDICATIONS; COOPERATIVE EXTENSION; APPROPRIATION

Senate Appropriations

Tuesday 02/09/21 at 2:00 PM, Senate Rm. 109

S1118: TECH CORRECTION; HERITAGE FUND; AUDIT

STRIKER: STO; SCHOLARSHIPS; INCREASE

S1150: AGRICULTURAL WORKFORCE PROGRAM; APPRENTICES; APPROPRIATION

S1321: APPROPRIATION; ADULT PROTECTIVE SERVICES

S1333: LAW ENFORCEMENT; BUDGET REDUCTION; PROHIBITION

S1369: APPROPRIATIONS; COORDINATED HUNGER SERVICES

S1387: CHILD CARE ASSISTANCE; EDUCATION; TRAINING

S1405: APPROPRIATION; TRANSPORTATION CONSTRUCTION PROJECTS; I-10

S1410: APPROPRIATION; NEW FACILITY; KIRKLAND ELEMENTARY

S1422: STATE BOARD; CHARTER SCHOOLS; APPROPRIATION

S1433: STUDENTS; DISTANCE LEARNING PLANS; FUNDING

S1440: APPROPRIATION; FINANCING AGREEMENT; DEFEASANCE; RETIREMENT

S1441: FINANCING AGREEMENT; RETIREMENT; DEFEASANCE; APPROPRIATION

S1443: MILITARY FAMILY RELIEF FUND

S1449: SCHOOLS; STATE AID; ADJUSTMENT

S1461: APPROPRIATION; WIDENING; I-10

AMERICAN OVERSIGHT

S1465: APPROPRIATION; CAMELBACK ROAD WIDENING

S1514: APPROPRIATION; EMERGENCY SHELTER BEDS; SENIORS

S1599: APPROPRIATION; INTEROPERABILITY COMMUNICATION SYSTEM

S1603: APPROPRIATION; REFUNDS; TRANSWESTERN PIPELINE LITIGATION

S1681: APPROPRIATION; OCOTILLO ROAD; BRIDGE; EXTENSION

SCR1001: STATE OF EMERGENCY DECLARATION; TERMINATION

Senate Education

Tuesday 02/09/21 at 2:00 PM, Senate Rm. 1

S1246: SCHOOL DISTRICTS; BOARDS; TERM LIMITS

S1294: COLLEGE COURSE CREDIT; DUAL ENROLLMENT

S1301: ARIZONA HEALTH EDUCATION CENTERS; INCREASE

S1303: EDUCATION PROGRAMS; COUNTY JAILS; APPROPRIATION

S1393: CONTINUING HIGH SCHOOL PROGRAM

S1400: SCHOOLS; COURSE EQUIVALENTS

S1401: ALTERNATIVE TEACHER DEVELOPMENT PROGRAM; EXTENSION

S1403: LITERACY; DYSLEXIA SCREENING

S1453: SCHOOL DISTRICTS; AGGREGATE EXPENDITURE LIMITATION

S1683: SCHOOLS; TRANSPORTATION SUPPORT; PROGRAMS; APPROPRIATION

S1685: SCHOOLS; ATTENDANCE BOUNDARIES; OPEN ENROLLMENT

SCR1020: ENGLISH LANGUAGE EDUCATION; REQUIREMENTS

SCR1021: AGGREGATE EXPENDITURE LIMITATION; SCHOOL DISTRICTS

SCR1022: SCHOOL DISTRICTS; EXPENDITURE LIMIT; AUTHORIZATION

House Judiciary

Wednesday 02/10/21 at 9:00 AM, House Rm. 4

H2069: GENETIC TESTING; PRIVATE PROPERTY

H2158: PROTECTIVE ORDERS; CENTRAL REPOSITORY; NOTIFICATION

H2187: DUI; ADMINISTRATIVE SUSPENSION; LICENSE

AMERICAN OVERSIGHT

H2355: ANIMAL ABUSER REGISTRATION; PENALTIES

H2383: TECH CORRECTION; DOUBLE PUNISHMENT

H2401: JUVENILE DEPENDENCY; STATE AID; APPROPRIATION

H2483: ANIMAL OWNERSHIP; POSSESSION; PROHIBITION

H2502: ELECTRONIC COMMUNICATIONS; PERSONAL INFORMATION; HARASSMENT

H2548: HIGH INTENSITY LASER POSSESSION; PROHIBITION

H2552: CRIMINAL DAMAGE: MONUMENTS; MEMORIALS; STATUES

H2579: LIMITED JURISDICTION COURTS; JUDGMENT ASSIGNMENT

H2618: PUBLIC NUISANCE; NOISE; EVIDENCE

H2648: RELIGIOUS SERVICES; ESSENTIAL SERVICES

H2674: SEX OFFENDER REGISTRATION; TERMINATION

Senate Finance

Wednesday 02/10/21 at 9:00 AM, Senate Rm. 109

S1142: SMI; EMPLOYMENT; INCOME TAX CREDITS

S1252: CORPORATE INCOME TAX; PHASE-OUT

STRIKER: CORPORATE INCOME TAX; SUBTRACTION

S1298: FIRE DISTRICTS; PENSION LIABILITY; FINANCING

S1330: TPT EXEMPTION; LIVESTOCK WATERING EQUIPMENT

S1348: ASRS; SUPPLEMENTAL EMPLOYEE DEFERRAL PLANS

S1350: INCOME TAX; RETURNS; FILING EXTENSION

S1352: ASRS; EMPLOYER; MEMBER; CONTRIBUTION

S1398: TPT DEDUCTIONS; COMPUTER DATA CENTERS

S1455: LENDING; CREDIT SUPPORT PROGRAMS; REPORT

S1463: DIFI; OMNIBUS

S1467: ELECTED OFFICIALS' RETIREMENT PLAN; APPROPRIATIONS

S1468: DPS; PENSION LIABILITY; SUPPLEMENTAL APPROPRIATION

AMERICAN OVERSIGHT

S1494: INCOME TAX; SUBTRACTION; FDIC PREMIUMS

S1534: COUNTY TREASURER; INVESTMENT EARNINGS; OPERATION

S1649: PSPRS; INVESTMENT REPORTING

S1659: FIRE DISTRICT ANNUAL BUDGET; SUMMARY

S1720: PEER-TO-PEER CAR SHARING

S1721: TPT; PRIME CONTRACTING CLASSIFICATION

SCR1024: INITIATIVES; TAX INCREASES; VOTE REQUIREMENT

STRIKER: SUPERMAJORITY VOTE REQUIREMENT; INITIATIVES

House Criminal Justice Reform

Wednesday 02/10/21 at 2:00 PM, House Rm. 4

H2165: PRISONERS; ELIGIBILITY

H2168: USE OF FORCE; REPORTS; ANALYSIS

H2190: CRIMINAL JUSTICE CASE INFORMATION; REPORTING

H2320: SEALING ARREST; LIABILITY; SENTENCING REORDS

H2491: WRONGFUL ARREST; RECORD CLEARANCE

H2601: SENTENCING; CREDIT; ELECTRONIC MONITORING

H2707: PROBATION FAILURE REDUCTION INCENTIVE PAYMENTS

H2713: RELEASE CREDITS; PRISONERS

H2751: SEARCH WARRANTS; AUDIBLE NOTICE; REQUIREMENTS

H2765: LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS

NEWS NOTES

WHAT ABOUT MOVING CAUCUS MEETINGS TO A ROOM WITH BROADCAST CAPABILITY?

Mesnard said he prefers that rules meetings and caucus meetings – outside of the ones that are specifically closed – be made available to the public. He said he knows Senate leaders are making the decision they think is in the best interest of the Senate, though he wouldn't do everything the same way. "I respect that there isn't always a black and white, right and wrong answer," he said. Mesnard said he'd be OK with moving caucus meetings to a different room with camera access – at least until the public is

AMERICAN OVERSIGHT

allowed back in, but he's not been part of discussions about the feasibility. "In the ideal world, we would find a way to accommodate that," he said. Townsend told our reporter she thinks of closed caucuses as nothing more than an executive session, and added that she assumes the Maricopa County Board of Supervisors has been meeting in executive session even more frequently than the Legislature. Of course executive sessions, unlike closed caucuses, are limited to a small number of reasons outlined in the laws, such as discussing litigation. However, Townsend said she's willing to pitch that the Senate broadcast its normal caucuses, where members discuss bills and effectively decide which measures ultimately get a vote on the floor.

SENATE MAJORITY MOVES TO SUSPEND RULES TO PASS CONTEMPT RESOLUTION

Senators this afternoon suspended their chamber's rules requiring all bills be assigned to a committee and COWed to send Fann's SR1005 into third reading, a rarely used parliamentary maneuver. A majority vote allows the Senate to suspend its own rules, though it takes a two-thirds vote to waive a constitutional requirement that bills be read on three separate days. All 16 Republicans voted for the motion, while all Democrats opposed it. (Otondo was absent on the floor). The rule suspension gives the majority the ability to rush the measure to a final vote on Monday with no committee hearing or substantial debate. Townsend told our reporter she doesn't want to comment on the contempt resolution while it's working its way through the process, comparing it to not commenting on ongoing litigation. Mesnard said he doesn't come quickly or lightly to the decision to support finding the Maricopa County supervisors in contempt. He considers the board members friends, but they're blocking the Legislature, he said. "It's February now, and I do feel very strongly that the legislative policy-making process constitutes looking into lots of different issues," he said. "We hear 'We want to work with you,' but the legal maneuvers would say otherwise."

HALE'S JOKE

Fann set off a firestorm yesterday with a story about former lawmaker and Navajo Nation president Albert Hale, who she served with in the House. The Future Farmers of America delivered plants to each senator's desk yesterday, which prompted Fann's memory. "Albert kept us laughing all the time, and one of the things he would say that made us laugh all the time is he would go, 'Give me back my land.' It just so happened one day the FFA had delivered all these plants, and a whole bunch of us took our plants over to his desk and said, 'Here, we're giving you back your land,' and we laughed forever about that. It's probably one of the nicest memories, amongst many, about what an amazing, amazing person he was," Fann said.

HALE'S PLANTS

Immediately after Fann's story, Borrelli delivered his plant to Peshlakai. Rogers placed

AMERICAN OVERSIGHT

her plant on Peshlakai's desk while she was out of the room, leaving her to return to a desk with three plants. Peshlakai told our reporter she brought the plants up to her office and has already watered and replanted them in Hale's honor. She plans to speak about Hale on the floor today, and she said she doesn't want to take a "negative approach" to anything that happened. "As the senator for LD7, I think I have to continue to teach and be a positive educator in his memory," Peshlakai said.

HALE'S LAND

Capitol watchers, and senators including Quezada and Mendez, who also served with Hale in the House, did not find Fann's story or Borrelli's and Rogers' plant deliveries amusing. In a 10-tweet thread, Quezada wrote about how Hale quickly became one of his favorite colleagues, and how he admired Hale as a strong advocate for indigenous people and who never shied away from forcefully reminding his colleagues about historic and current injustices committed against indigenous people. Hale had a self-deprecating sense of humor, Quezada said, but he didn't think Hale would have found yesterday's speech by Fann or actions by Borrelli funny. "Seeing that today made me realize just how much I'll miss my friend. Thank you for setting an example for me. It saddens me that despite your efforts, we still see insensitive bullsh*t like that happen to your memory and to my colleague @jamescita as if your history is a joke," Quezada wrote.

CRIMINAL JUSTICE BILLS ADVANCE

House crim jus ref voted Wednesday to advance more than a half-dozen bills, some of which would make major changes to Arizona's criminal justice system. Most of them had unanimous or nearly-unanimous support in the committee. Among them was H2167 (independent corrections ombudsman; oversight committee), which would create the new office to monitor prison conditions and inspect facilities, among many other duties. "This is the beginning of reform, ladies and gentlemen," said Blackman, the sponsor. "We can't fix something until we know what we need to fix." John's H2673 (mandatory minimum sentences; judicial discretion) would let judges sentence an offender to less than a required mandatory minimum in many cases if the judge determines adhering to the minimum would be unjust and the public won't be endangered. John said he was inspired to bring the bill after he got to know a man who worked on his farm and spent several years in prison for petty crimes he committed after he became addicted to painkillers, which he was originally prescribed for a work-related injury. "There were people who spent less time in prison than he did for more serious offenses, and that didn't seem right to me," John said. Another, H2319 (license denial; prohibition; drug convictions) says people can't be denied an occupational license due to a drug conviction, with a few exceptions, such as for teachers and police. Toma said it passed the House last year but it was one of the bills that "died in the Covid crater" when the Senate adjourned.

AMERICAN OVERSIGHT

COMPLAINTS TARGETS FINCHEM

Forty-three people have sent letters to House ethics asking for an investigation into Finchem, who was in Washington D.C. on Jan. 6 during a protest against the presidential election results that led to a pro-Trump mob storming the Capitol. The riot led to several deaths. Many of the complainants noted they are LD11 residents, while others said they live in Pima County, though not necessarily in Finchem's district. "If Finchem had admitted that traveling to Washington, D.C. was a mistake, we would not be writing but his continued refusal to acknowledge the role he played or to condemn the insurrectionists left us no choice," wrote Thomas and Jean Meconi of Tucson. "He has made false assertions that Antifa was responsible for the violence and has doubled down on his assertions that the AZ 2020 presidential election was fraudulent." Chávez filed the complaint against Finchem, who denied witnessing or taking part in violence or anything illegal, in mid-January. Chavez argued Finchem violated his oath of office by supporting efforts to stop Congress from certifying the electoral vote count. Nutt has not announced yet whether she plans to hold a hearing on the allegations, and Finchem has not filed a written response to the complaint.

BLACKMAN: I WASN'T EVEN THERE

One of the ethics complaints against Finchem demands an investigation into Roberts, his seatmate, saying he "violated his oath of office by participating in a misinformation/disinformation campaign designed to disenfranchise LD11 voters by casting doubt on our election systems without evidence." The complainants also asked the committee to investigate Blackman, Cook, Rogers, Townsend, Borelli and Livingston, saying they were all at the Jan. 6 rally in D.C. This was news to Blackman and Cook. "I wasn't even in Washington D.C. on Jan. 6, 2021," Cook wrote. "It looks like she's just trying to make trouble or waste your time." Blackman was a guest speaker at a prayer rally at the Arizona Capitol that day. "The event was attended by families and religious leaders from across the state," he wrote. "At no time did my speech refer to the events in Washington, D.C. I did not refer to or encourage anyone to participate in that terrible act."

NEWS RELEASES

Arizona Faith Leaders Urge Arizonans To Get The COVID-19 Vaccine

PHOENIX — Arizona faith leaders gathered today to share a strong message with their congregations and the public: the COVID-19 vaccine is safe and effective, and getting vaccinated is the best way to end this pandemic. Alongside Dr. Cara Christ, Director of the Arizona Department of Health Services (ADHS) and Maria Cristina Fuentes, Director of the Governor's Office of Youth, Faith & Family (GOYFF), the following faith leaders highlighted the importance of the COVID-19 vaccine at First Institutional Baptist Church in

AMERICAN OVERSIGHT

Phoenix this morning.

Dr. Warren H. Stewart, Sr., Lead Pastor at First Institutional Baptist Church and Chairperson for the African American Christian Clergy Coalition

Larrie Fraley, Lead Pastor of Global Outreach at Christ's Church of the Valley

Eduardo Nevares, Bishop of the Roman Catholic Diocese of Phoenix

Dr. Gloria J. Smith, Reverend at Encanto Community United Church of Christ

Jennifer Reddall, Sixth Episcopal Bishop of Arizona

Gary Kinnaman, Former Senior Pastor of World of Grace

John Linder, Rabbi at Temple Solel

Al Beasley, Reverend at First Christian Church of Globe (Disciples of Christ)

John Martinez, Reverend at New Beginnings Assembly of God

Roc Arnett, Representative of the Church of Jesus Christ of Latter-day Saints

Dr. Benjamin Thomas, Sr., Reverend at the Historic Tanner Chapel African Methodist Episcopal (AME) Church

Research suggests some groups are more hesitant to receive the COVID-19 vaccine and that targeted outreach to these groups is a key strategy to build confidence in vaccination efforts. Today's event represents one step in Arizona's work to ensure the COVID-19 vaccine is widely administered throughout our state. During the event, representatives from local religious communities - currently in prioritized groups - received their first dose of the COVID-19 vaccine from Dr. Christ.

"Faith, and other community leaders, are critical and trusted voices in their communities and their partnership and support continues to have a significant impact as we work together to keep our communities safe and healthy," said GOYFF Director Maria Cristina Fuentes. "We are grateful for faith leaders across the state who continue to raise awareness about the importance of everyone getting the COVID-19 vaccine."

"The importance of religious leaders in speaking to the safety and effectiveness of COVID-19 vaccines cannot be overstated," said ADHS Director Dr. Cara Christ. "As their turns come in vaccination priority, I hope more and more leaders share their experiences and encourage others to help develop the herd immunity we need to return to gathering safely in all settings."

AMERICAN OVERSIGHT

"As people of faith, we know caring for our neighbor is essential to both our spiritual and physical well-being and we are grateful for the development of revolutionary vaccine treatments that provide vital safety measures for ourselves and our loved ones," said Reverend Katie Sexton, Executive Director of the Arizona Faith Network. "As faith leaders representing a variety of spiritual traditions across Arizona, we unite for the common good and believe that this common good is achieved by each person getting vaccinated when it is their time to do so."

More than 736,000 doses of the COVID-19 vaccine have been administered so far to 601,630 Arizonans, including 121,397 who have received both doses. To date, 131,792 Arizonans have been vaccinated at the state-run vaccination sites since the opening of State Farm Stadium on Jan. 11 and Phoenix Municipal Stadium on Feb. 1. In less than three weeks, State Farm Stadium has administered over 25% of the total vaccine given in Maricopa County, which includes sites that have had vaccine since Dec. 14. Over 95% of those vaccinated at the site are Maricopa County residents.

Groups prioritized to date include: frontline healthcare workers, emergency services workers, and residents and staff at long-term care facilities (in Phase 1A); and protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older (prioritized Phase 1B). Each county's current vaccine phase is listed on the ADHS website, which is updated daily.

hose in groups prioritized for vaccination can register for available appointments at State Farm Stadium and multiple other vaccination sites at podvaccine.azdhs.gov. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group, such as someone 65 and older.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

* * * * *

Congressman Biggs Leads Border Security Letter to DHS Secretary Mayorkas

WASHINGTON, D.C. – Today, Congressman Andy Biggs led a letter to U.S.

AMERICAN OVERSIGHT

Department of Homeland Security Secretary Alejandro Mayorkas, urging him to continue to enforce the immigration laws passed by Congress, resume construction of the border wall system, and continue the Migrant Protection Protocols and the Asylum Cooperative Agreements.

Congressman Biggs was joined by co-signers **Gus M. Bilirakis (FL-12), Bob Good (VA-05), Lauren Boebert (CO-03), Bob Gibbs (OH-07), Thomas Tiffany (WI-07), Paul A. Gosar, D.D.S. (AZ-04), Chip Roy (TX-21), Neal P. Dunn, M.D. (FL-02), Russ Fulcher (ID-01), John Rose (TN-06), Richard Hudson (NC-08), Mo Brooks (AL-05), Tom Rice (SC-07), Madison Cawthorn (NC-11), Rick W. Allen (GA-12), Glenn Grothman (WI-06), Yvette Herrell (NM-02), Randy K. Weber (TX-14), Scott Perry (PA-10), Barry Moore (AL-02), Steven M. Palazzo (MS-04), Ben Cline (VA-06), Jodey C. Arrington (TX-19), Michael C. Burgess, M.D. (TX-26), Doug Lamborn (CO-05), Jim Hagedorn (MN-01).**

Read the text of the letter below:

The Honorable Alejandro Mayorkas

U.S. Department of Homeland Security

Washington, DC 20528

Dear Secretary Mayorkas:

We write to express our concern at the recent Executive Orders signed by President Biden regarding immigration and border security. These Executive Orders, as well as recent actions taken by the Department of Homeland Security (DHS), will weaken the integrity of our immigration system and encourage aliens to make the dangerous journey to our southern border and attempt to enter the United States illegally.

The decision to halt construction of the border wall system, the attempt to suspend deportations, and the decision to suspend enrolling aliens in the Migrant Protection Protocols (MPP) all send a message to aliens that the Biden Administration is not serious about border security or enforcing our immigration laws. These actions, coupled with Democrats' repeated talk of amnesty, will be a magnet for illegal immigration and will encourage aliens to place their safety in the hands of criminal organizations to try and reach the United States. This is not good for the aliens or the United States.

We urge you to resist the calls of the open borders advocates and to continue to enforce the immigration laws passed by Congress, resume construction of the border wall system, and continue MPP and the Asylum Cooperative

AMERICAN OVERSIGHT

Agreements. We hope that as you examine the policies that were enacted by the Trump Administration in an impartial manner you will come to realize the wisdom behind the policies and will work to refine them when necessary instead of rescinding them and returning to policies of open borders and catch and release.

We look forward to working with you to protect our nation and maintain the integrity of our immigration system.

Sincerely,

* * * * *

Latest Conservation in the West underscores importance of Arizona Wildlife Federation's work

PHOENIX – A new poll once again shows that Arizonans – and Americans across the West – are concerned about the future of our lands and wildlife and support those working to protect these critical natural resources.

"The latest Conservation in the West poll makes it clear that Arizonans of all political stripes want our elected leaders to put aside their partisan differences and come up with real solutions to protect our land, water and wildlife, said Scott Garlid, Executive Director of the Arizona Wildlife Federation. "Arizonans continue to see climate change as a serious concern and support actions that will create jobs and ensure our forests are more resilient to the increasing frequency and intensity of wildfires. We look forward to working with our state and federal leaders to support bold solutions to protect our public lands and wildlife heritage."

* * * * *

Legislative Rural Caucus Elects Leadership Team;

Rep. Dunn to Serve as Chair, Rep. Barton as Vice Chair

STATE CAPITOL, PHOENIX – The Legislative Rural Caucus has announced its leadership for the 2021-2022 legislative term. Representative Timothy Dunn (R-13) was elected to serve as Caucus chairman, and Representative Brenda Barton (R-6) was will serve as vice chairman.

The Legislative Rural Caucus is a bipartisan, bicameral group of state legislators who meet weekly to discuss common challenges and needs of rural communities and identify ideas to solve those challenges.

"I am honored to serve as chairman of the Rural Caucus and look forward to

AMERICAN OVERSIGHT

serving the people of my district as well as Arizonans across the state," said Representative Dunn. "The Caucus plays an important role in representing the common interests of rural Arizona in the legislature and through building stronger relationships across the state."

"I love the people and unmatched beauty of rural Arizona," said Representative Barton. "As a legislator, and as a member of the Legislative Rural Caucus, I am here to advance good public policy that serves our rural areas."

The Legislative Rural Caucus actively tracks legislation that might diminish the ability of rural counties to provide vital services to those who live outside of the large city centers of metro Phoenix, Tucson, and Flagstaff. Members of the Caucus recognize that there is a rich, untapped resource in the rural communities which, with the right support and infrastructure, can prosper and contribute greatly to the quality of life for all Arizonans and visitors.

* * * * *

Congressman Biggs Named Ranking Member of House Judiciary Subcommittee on Crime, Terrorism and Homeland Security

WASHINGTON, D.C. – This week, Congressman Andy Biggs was named the Ranking Member of the Subcommittee on Crime, Terrorism and Homeland Security for the United States House Committee on the Judiciary. Congressman Biggs released the following statement:

"I'm grateful to Ranking Member Jim Jordan for appointing me as a ranking member for this subcommittee. It has been an honor to serve on the Committee on the Judiciary since being sworn into the U.S. House in 2017 and to work with Ranking Member Jordan on many substantive issues. I am privileged to lead the Republican efforts for this important subcommittee to stand against the Democrats' dangerous agenda for the future of our nation."

Congressman Biggs was also appointed to the Subcommittee on Immigration and Citizenship for the U.S. House Committee on the Judiciary. Congressman Biggs also serves on the U.S. House Committee on Oversight and Reform.

* * * * *

AG Brnovich Reaches $573 Million Multistate Settlement with McKinsey & Company for Role in 'Turbocharging' Opioid Epidemic

Arizona to Receive More than $13 Million to Abate Harms

AMERICAN OVERSIGHT

PHOENIX – Attorney General Mark Brnovich, along with a coalition of attorneys general from 47 states, the District of Columbia, and five U.S. territories, have reached a $573 million settlement with one of the world's largest consulting firms, McKinsey & Company (McKinsey). The settlement resolves investigations into the company's role in working for opioid companies, helping those companies promote their drugs, and profiting from the opioid epidemic.

The settlement, after payment of costs, will be used to abate problems caused by opioids in participating states. Arizona will receive $13,350,614.04 from the settlement, pending court approval. This is the first multistate opioid settlement to result in a substantial opioid-related payment to the states to address the epidemic.

"This is just another step in the journey of holding companies accountable for their role in the opioid epidemic," said Attorney General Mark Brnovich. "Even though no amount of money can bring back the lives lost, I hope our settlement provides funding for programs to help those battling opioid addiction. We will continue to hold individuals and corporations responsible for putting profits over the health of Arizonans."

In addition to providing funds to address the crisis, the agreement calls for McKinsey to prepare tens of thousands of its internal documents detailing its work for Purdue Pharma and other opioid companies for public disclosure online. In addition, McKinsey agreed to adopt a strict document retention plan, continue its investigation into allegations that two of its partners tried to destroy documents in response to investigations of Purdue Pharma, implement a strict ethics code that all partners must agree to each year, and stop advising companies on potentially dangerous Schedule II and III narcotics.

Today's filings describe how McKinsey contributed to the opioid crisis by promoting marketing schemes and consulting services to opioid manufacturers, including OxyContin maker Purdue Pharma, for over a decade. The complaint details how McKinsey advised Purdue on how to maximize profits from its opioid products, including targeting high-volume opioid prescribers, using specific messaging to get physicians to prescribe more OxyContin to more patients, and circumventing pharmacy restrictions to deliver high-dose prescriptions.

When states began to sue Purdue's directors for their implementation of McKinsey's marketing schemes, McKinsey partners began emailing about deleting documents and emails related to their work for Purdue.

McKinsey's work for opioid manufacturers extended beyond Purdue. McKinsey

AMERICAN OVERSIGHT

collected millions of dollars designing and implementing marketing programs similar to those it created for Purdue for the country's largest opioid manufacturers, including Johnson & Johnson and Endo, increasing the sale and use of opioids in Arizona.

Copy of McKinsey & Company complaint

Copy of consent judgment

Background

Today's filing is the latest action that the Attorney General's Office (AGO) has taken to combat the opioid epidemic and hold bad actors accountable.

Consumer Fraud Lawsuit Against Insys Files AG Brnovich

AGO Reaches $9.5 Million Settlement with Former VP of Sales for Insys

AG Brnovich Obtains $2 Million from Former CEO of Opioid Manufacturer

AGO Takes Action Against Purdue Pharma

Former Cancer Center Employee Indicted and Accused of Opioid Prescription Fraud

11 Indicted in Opioid Ring

The AGO also offers a free opioid awareness and prevention program for the public. Additionally, the AGO launched training for faith leaders and law enforcement across Arizona on how to administer Narcan, a life-saving opioid overdose reversal medication. The faith leader training is part of a toolkit created by the AGO to help churches and places of worship better serve the needs of parishioners who are battling addiction.

SB 1379 means responsible reform for Arizona vacation rental marketplace

Statement by Philip Minardi, director, policy communications, Expedia Group

"Today's approval of SB 1379 by the Arizona Senate Commerce Committee is a good step to responsibly reform the vacation rental industry while preserving its importance as a driver of tourism and economic opportunity. Vacation rentals both empower Arizona homeowners to earn extra money with their own property and create a unique experience for guests to enjoy all that Arizona has to offer.

"We are mindful the growing popularity of vacation rentals has created

AMERICAN OVERSIGHT

concern in some communities, especially with regard to a relatively small number of nuisance properties. Through our Stay Neighborly initiative, we've instituted a no-tolerance policy toward hosts or guests who have abused the right to rent. We also continue to move swiftly to identify and remove bad actors from the platform, while employing risk-engine technology to flag problems during the booking process. Our support of SB 1379 represents Expedia Group's continued commitment to a balanced approach and smart reforms for the vacation rental marketplace.

"Specifically, SB 1379 establishes strict occupancy limits for host properties; authorizes local officials to impose stiff penalties for vacation-rental violations, and enables the state to suspend any property's tax license for repeated violations; requires vacation rental hosts to maintain at least $500,000 worth of insurance; and more. These provisions address some of the primary concerns raised by community members and local officials, but preserve the core of what has made Arizona among the nation's most successful markets for vacation-rental hosts and guests.

"We believe strongly that a vibrant vacation-rental industry can help lead Arizona's tourism recovery. Expedia Group looks forward to continued collaboration with our state and local officials."

* * * * *

SB 1379 means responsible reform for Arizona vacation rental marketplace

Statement by Philip Minardi, director, policy communications, Expedia Group

"Today's approval of SB 1379 by the Arizona Senate Commerce Committee is a good step to responsibly reform the vacation rental industry while preserving its importance as a driver of tourism and economic opportunity. Vacation rentals both empower Arizona homeowners to earn extra money with their own property and create a unique experience for guests to enjoy all that Arizona has to offer.

"We are mindful the growing popularity of vacation rentals has created concern in some communities, especially with regard to a relatively small number of nuisance properties. Through our Stay Neighborly initiative, we've instituted a no-tolerance policy toward hosts or guests who have abused the right to rent. We also continue to move swiftly to identify and remove bad actors from the platform, while employing risk-engine technology to flag problems during the booking process. Our support of SB 1379 represents Expedia Group's continued commitment to a balanced approach and smart

AMERICAN OVERSIGHT

reforms for the vacation rental marketplace.

"Specifically, SB 1379 establishes strict occupancy limits for host properties; authorizes local officials to impose stiff penalties for vacation-rental violations, and enables the state to suspend any property's tax license for repeated violations; requires vacation rental hosts to maintain at least $500,000 worth of insurance; and more. These provisions address some of the primary concerns raised by community members and local officials, but preserve the core of what has made Arizona among the nation's most successful markets for vacation-rental hosts and guests.

"We believe strongly that a vibrant vacation-rental industry can help lead Arizona's tourism recovery. Expedia Group looks forward to continued collaboration with our state and local officials."

* * * * *

Senator Kelly Speaks with Governor Ducey About Arizona's COVID-19 Response, Priorities

Today, United States Senator Mark Kelly spoke with Governor Doug Ducey about Arizona's response to the COVID-19 pandemic, the state's vaccination plan, and ensuring that Arizonans get the support and resources they need during this pandemic.

Kelly told Ducey that he supports his request for additional vaccines from the federal government, and will continue working with the congressional delegation and administration to advocate for more vaccinations for Arizona. Kelly also shared concerns he has heard from Arizona mayors and his Senior Citizen Advisory Group about inadequate vaccine supply in rural and border areas, and the difficulties that seniors and others with limited transportation options are having getting vaccinated.

"Getting Arizonans vaccinated is how we are going to beat this virus for good and get our economy back on track. Governor Ducey and I spoke about the state's vaccination program, issues that I have heard from Arizonans, and actions that need to be taken to get the vaccinations to the people who need them most," **said Senator Kelly.** "It is critical that we all work together, the governor, our congressional delegation, and local leaders, to get our communities the resources to get Arizonans vaccinated and continue to support those who need it most during this crisis."

Regarding relief, Kelly also raised casework issues that have come to his office including delays in rental and unemployment assistance reaching Arizonans, and the looming threat of evictions for families and individuals.

AMERICAN OVERSIGHT

Kelly last spoke with Ducey in December when they discussed the COVID-19 pandemic and the strain that rising cases and hospitalizations were putting on Arizona's health care system. During that call, Kelly reiterated his support for additional efforts to slow the virus's spread such as a statewide mask mandate.

Since that call, Kelly has joined a bipartisan working group of 8 Democrats and 8 Republicans working to find common ground on COVID-19 relief, including additional funding for vaccinations. He has also held a number of conversations with his COVID-19 Working Group made up of Arizona public health experts, his Senior Citizen Advisory Group made up of senior leaders and organizations, and mayors from the border to northern Arizona.

Kelly has previously written the Department of Health and Human Services urging them to coordinate on-site vaccinations for Customs and Border Protection officers.

* * * * *

Rep. Kirkpatrick Votes to Pass Budget Resolution, A Key Tool to Accelerate Passing COVID Relief for Americans

(WASHINGTON, DC) – Today, Rep. Kirkpatrick voted to pass H. Con. Res. 11, the FY 2021 Budget Resolution. Passing this budget ensures that Congress can act quickly and decisively in the weeks to come to deliver the robust relief that American families, workers and communities need to combat the coronavirus pandemic and strengthen the economy.

"For over a year, the COVID-19 pandemic and economic crises have destroyed Americans' lives and livelihoods, and Arizonans need to know that help is on the way," said Rep. Kirkpatrick. "In Arizona alone, upwards of 750,000 people have been infected, nearly 13,500 have died, and thousands remain unemployed as well as food and housing insecure. We must act swiftly and boldly, which is why I am proud to join my colleagues to pass this budget resolution."

In Congress, there is strong precedent for reconciliation bills, which have been passed on a bipartisan basis 17 times in recent years, including for the bipartisan, landmark Children's Health Insurance Program (CHIP). Democrats hope and expect that Republicans in Congress will support assistance that will bring relief to the communities they represent. Passing this budget does not preclude adopting Republican suggestions that would strengthen the package. But it does ensure that Congress can move forward in a timely way and meet Arizona families' urgent needs.

AMERICAN OVERSIGHT

Reports indicate that without immediate action, an entire cohort of young people in Arizona and across the country may have lower lifetime earnings because they were deprived of another semester of school. Millions of Arizona parents could be forced to stay at home, reducing their wages and future job prospects because they have no choice but to care for their kids. With interest rates at historic lows and the return on smart investments in the economy having never been higher, top economists are saying that now is the time for bold action.

The budget resolution passed today is an essential first step in Congress's efforts to deliver the comprehensive, strategic and science-based relief laid out in President Biden's robust American Rescue Plan:

Beat the virus and safely reopen schools – The plan will mount a national vaccination program that includes setting up community vaccination sites nationwide. It will also take complementary measures to combat the virus, including scaling up testing and tracing, addressing shortages of personal protective equipment and other critical supplies, investing in high-quality treatments and addressing health care disparities. The plan will also make the investments necessary to safely reopen schools.

Deliver immediate relief to working families bearing the brunt of the crisis – The plan will provide direct assistance to households across America by $1,400 per person, bringing the total (including the $600 down payment enacted in December) to $2,000. The plan will also provide direct housing and nutrition assistance to families struggling to get by, expand access to safe and reliable child care and affordable health care, extend and expand Unemployment Insurance so American workers can pay their bills and give families with children as well as childless workers a boost through enhanced tax credits.

Support communities struggling with the economic fallout – The plan will provide crucial support for the hardest-hit small businesses, especially those owned by entrepreneurs from racial and ethnic backgrounds that have experienced systemic discrimination. The plan also provides crucial resources to protect the jobs of first responders, frontline public health workers, teachers, transit workers and other essential workers that all Americans depend on.

"I hope to work with Members on both sides of the aisle to meet the urgent needs of our communities," continued Rep. Kirkpatrick. "But I will not sacrifice more time or the health and well-being of Arizona families at this critical junction. For hard-working Arizonans, the cost of continued inaction is too high."

* * * * *

AMERICAN OVERSIGHT

Sinema, Kelly: Over $38 Million in Housing Funds Headed to the Valley

WASHINGTON – Arizona Senators Kyrsten Sinema and Mark Kelly announced that Phoenix-area organizations will receive over $38 million in U.S. Department of Housing and Urban Development federal funds from the Continuum of Care Program to support Arizonans experiencing homelessness.

"Today's funding will help Valley residents who are experiencing homelessness quickly find housing solutions and resources," said Sinema.

"Especially during this pandemic, thousands of individuals and families are experiencing homelessness in Arizona, and this federal funding will give our state the tools to help them get housing and support," said Kelly.

The Continuum of Care Program aims to end homelessness by funding efforts by nonprofits, supporting state and local governments to quickly rehouse and minimize trauma and dislocation caused to homeless individuals, families, and communities, and optimizing self-sufficiency for families and individuals experiencing homeless.

Phoenix-area recipients:

RECIPIENT	City	Amount
Arizona Department of Housing / Against Abuse DV RRH	Phoenix	$221,997
Arizona Department of Housing / Arizona Veterans In Progress TH-PH/RRH	Phoenix	$368,979
Arizona Department of Housing / AZ-500 CoC Planning Project Application 2020	Phoenix	$129,716
Arizona Department of Housing / Casas Primeras	Phoenix	$184,866
Arizona Department of Housing / Catholic Charities Skypointe Consolidated	Phoenix	$142,922
Arizona Department of Housing / CBI Gila County PSH	Phoenix	$105,130
Arizona Department of Housing / Cochise County RRH	Phoenix	$133,607
Arizona Department of Housing / Coordinated Entry Hotline	Phoenix	$28,622

AMERICAN OVERSIGHT

Arizona Department of Housing / Good Shepherd Support Housing	Phoenix	$50,280
Arizona Department of Housing / HMIS Project	Phoenix	$213,140
Arizona Department of Housing / KAAP DV Bonus RRH	Phoenix	$208,173
Arizona Department of Housing / Little Colorado Housing Program	Phoenix	$91,226
Arizona Department of Housing / Mohave County Permanent Housing (Bridging Northern Arizona)	Phoenix	$233,646
Arizona Department of Housing / Mohave County PSH 2011 Fresh Start	Phoenix	$189,345
Arizona Department of Housing / New Start Housing Project PSH	Phoenix	$227,180
Arizona Department of Housing / Northern Sky Consolidated	Phoenix	$517,752
Arizona Department of Housing / Permanent Housing Yuma Consolidated	Phoenix	$804,310
Arizona Department of Housing / SPC Rural	Phoenix	$439,193
Arizona Department of Housing / Sycamore Canyon Consolidated	Phoenix	$387,623
Arizona Department of Housing / Victory Place Consolidated	Phoenix	$172,606
Arizona Department of Housing / SPC TRA Pima	Phoenix	$1,068,328
A New Leaf, Inc. / A New Leaf Transitional Housing & Rapid Rehousing Program	Mesa	$434,330
Arizona Behavioral Health Corporation / Another Chance	Phoenix	$1,641,691
Arizona Behavioral Health Corporation / Casa de Luz	Phoenix	$749,287
Arizona Behavioral Health Corporation / Casa Mia de Paz	Phoenix	$2,479,375
Arizona Behavioral Health Corporation / HUD 6108	Phoenix	$2,051,424
Arizona Behavioral Health Corporation / PSH 2009	Phoenix	$618,599
Arizona Behavioral Health Corporation / PSH	Phoenix	$1,344,194

AMERICAN OVERSIGHT

2016		
Arizona Behavioral Health Corporation / PSH 3109	Phoenix	$978,479
Arizona Behavioral Health Corporation / SPC 151	Phoenix	$2,147,174
Arizona Behavioral Health Corporation / SPC 189	Phoenix	$2,710,760
Arizona Behavioral Health Corporation / SPC 293	Phoenix	$4,179,298
Arizona Behavioral Health Corporation / Village	Phoenix	$2,526,696
ARM of Save the Family Foundation of Arizona / 209 W Jackson-PSH	Mesa	$792,888
Chicanos Por La Causa, Inc. / De Colores Rapid Rehousing FY2019	Phoenix	$324,746
City of Mesa Housing Authority / 2019 Shelter Plus Care	Mesa	$115,988
Community Bridges, Inc. / CBI PSH 37	Mesa	$660,761
Community Bridges, Inc. / CBI PSH 54	Mesa	$985,915
Community Bridges, Inc. / CBI PSH 75	Mesa	$1,334,671
Crisis Response Network, Inc. / CRN - Maricopa HMIS Project	Tempe	$400,921
Human Services Campus, Inc. / Regional Coordinated Entry MC	Phoenix	$552,600
Maricopa Association of Governments / AZ-502 CoC Planning Project Application 2020	Phoenix	$840,239
Native American Connections, Inc. / Camelback Pointe	Phoenix	$1,044,489
Native American Connections, Inc. / Stepping Stones	Phoenix	$91,043
Native American Connections, Inc. / Stepping Stones II	Phoenix	$669,140
Native American Connections, Inc. / Stepping Stones III	Phoenix	$413,081
Native American Connections, Inc. / Sunrise Circle	Phoenix	$36,674
Save the Family Foundation of Arizona / Homeless Families Intervention Project Rapid Re-housing	Mesa	$253,614

AMERICAN OVERSIGHT

UMOM New Day Centers, Inc. / Next Step Housing	Phoenix	$867,624
UMOM New Day Centers, Inc. / Next Step Housing 3 Consolidated	Phoenix	$746,205
UMOM New Day Centers, Inc. / Next Step Housing 4	Phoenix	$435,350
UMOM New Day Centers, Inc. / PSH for Youth Too	Phoenix	$309,840
UMOM New Day Centers, Inc. / Regional Coordinated Entry MC	Phoenix	$302,558
Total		**$38,958,295**

NEWS CLIPS

Arizona lawmakers seek to reverse four decades of tough-on-crime policies

By Howard Fischer Capitol Media Services 02-04-21

State lawmakers took the first bipartisan steps Wednesday to reversing decades of tough-on-crime policies.

Without a single dissent, the House Committee on Criminal Justice Reform voted to restore some of the discretion taken away from judges more than four decades ago to determine appropriate sentences. (To read more, click here).

* * * * *

Hoffman asks lawmakers to fully fund distance learning

By Curt Prendergast Arizona Daily Star 02-04-21

The Border Patrol too often fails to search for migrants in distress, even as the agency monopolizes search-and-rescue efforts in remote areas of Southern Arizona, Tucson-based humanitarian aid groups said in a report released Wednesday.

AMERICAN OVERSIGHT

The report by No More Deaths and the Coalicion de Derechos Humanos came after the remains of 227 migrants were found in Southern Arizona last year, more than any year in the past two decades. (To read more, click here).

* * * * *

Arizona Chamber of Commerce & Industry CEO taking Texas job

By Staff The Associated Press 02-04-21

Glenn Hamer, the longtime president and CEO of the Arizona Chamber of Commerce & Industry, is leaving to take a similar position with the Texas Association of Business.

Chamber officials said Monday that Hamer will remain in his role until Feb. 18 when an interim president and CEO will be named by the chamber's board of directors. a nationwide search will be conducted for a successor. (To read more, click here).

* * * * *

Forget Democrats. Independents should be most upset at bills targeting voting by mail

By Abe Kwok Arizona Republic 02-04-21

Efforts to restrict early voting understandably have Democrats' dander up.

After all, Donald Trump falsely equated early ballots to widespread fraud even before the November election and doubled down on the baseless claim when Joe Biden won.

Some Republicans enthusiastically perpetuated the lie and, in Arizona's case, have now taken up legislation to tinker with voting by mail. (To read more, click here).

End

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Thursday, February 4, 2021 7:05:53 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-4-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet February 4, 2021

BUT WE WANNA SEE JOE'S CUFFS!
Shope, whose name on the resolution to hold the Board of Supervisors in contempt surprised many people, told our reporter today that while he doesn't believe the "conspiracies" that the election was stolen, he believes in the power of legislative subpoenas.

LET'S HOPE IT'S A SHORT SESSION
If supervisors are, in fact, arrested, it wouldn't be the first time someone in Arizona was thrown in jail for not complying with a legislative subpoena, though the last time it happened appears to be more than a half-century ago.

SO LONG RECALL, HELLO EXPULSION RESOLUTION
The recall effort against Finchem is dead, at least for now, as the group behind the original push handed the reins over to Rural Arizona Action, a nonprofit that plans to have a lawmaker introduce a resolution to expel him Monday.

43 IS DEFINITELY A RECORD
The total number of ethics complaints filed against Finchem, who was in

AMERICAN OVERSIGHT

Washington DC on Jan 6 when a pro-Trump mob stormed the Capitol and killed a police officer, is now up to 43.

THE CLOCK IS TICKING
Ducey signed his first bill of the session today, a fast-tracked effort from Weninger and Mesnard to crack down on workplaces discriminating against pregnant women.

THE IRONY CONTINUES
Fourteen Republican representatives and four senators blasted Kelli Ward, their own party chair, in a letter pointing out her obvious hypocrisy in continuing to spew conspiracies about the presidential election while refusing calls to audit her own election.

RULES ARE FOR YOU AND ME, NOT SENATORS
Fann's move to bar reporters, lobbyists and the public from accessing or viewing rules and caucus meetings all session violates the Senate's own rules.

SO MANY BILLS, SO LITTLE TIME
K Hoffman hopes bills to restore funding for preschool programs, analyze overcrowded classrooms and provide family and medical leave insurance benefits make it to the governor's desk.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, February 04, 2021

·NEWS NOTES AND GOSSIP·

BUT WE WANNA SEE JOE'S CUFFS!

Shope, whose name on the resolution to hold the Board of Supervisors in contempt surprised many people, told our reporter today that while he doesn't believe the "conspiracies" that the election was stolen, he believes in the power of legislative subpoenas. That's a position informed by his battle as House Ethics Committee chair during the fight to subpoena former lawmaker David Stringer. "I don't completely agree with the underlying cause or reason we got here, but I do think subpoenas should be adhered to in some way, shape or form," he said, adding that he was prepared to hold Stringer in contempt for not complying with a subpoena, but he resigned. The Maricopa County Board of Supervisors has repeatedly said it cannot legally hand over those 2.1 million ballots to the Senate because it would violate the law and voter privacy, and Supervisor Bill Gates yesterday hammered the fact that the Senate's allegedly independent auditor is actually a "known and frequently debunked conspiracy theorist." Shope said he asked Fann yesterday point-blank about who is conducting the audit, and she told him nobody had been selected. A Senate press release on Jan 29 said Fann "has hired an independent, qualified forensic auditing firm," but Fann maintains nobody has been selected. At least one firm in the running is Allied Special Operations Group (YS, 2/3). Shope said he made it "very clear" that the chosen firm needs to be legitimate, but Fann offered no assurances of who she will pick. Shope said he believes Petersen is going to use the audit to look at potential election problems prospectively – and not veer into "fantasy land and conspiracy theory," – but if Petersen does, he'll lose Shope's support. "There's a line somewhere and if we cross over, we'll deal with it then," he said. That line seems to be somewhere between threatening to arrest the board of supervisors and actually arresting them, as Shope said the latter is off the table as far as he is concerned. "I think we all know we're not going to arrest anybody," he said. "That's over the top."

LET'S HOPE IT'S A SHORT SESSION

If supervisors are, in fact, arrested, it wouldn't be the first time someone in Arizona was thrown in jail for not complying with a legislative subpoena, though the last time it happened appears to be more than a half-century ago. In 1964, an attorney refused to produce records during a House investigation into the Corporation Commission, claiming attorney-client privilege. The House committee was digging for more information on a $25,000 transaction that may have been a campaign contribution – or a bribe. The case (*Buell v. Superior Court of Maricopa County*) made its way to the Arizona Supreme Court (LINK). The Court affirmed the Legislature's power to conduct investigations and issue subpoenas, as well as its power to hold recalcitrant witnesses in contempt and imprison them through the end of the legislative session. ARS 41-1155 states, "No term of imprisonment shall extend beyond final adjournment of the session." The ruling came shortly before impeachment proceedings for one of the sitting corporation commissioners, A.P. "Jack" Buzard (LINK). Buzard also failed to comply with a legislative subpoena during that legislative session, but William Rehnquist (yes, that William Rehnquist), who was working for the Senate, said it was too late in the session to bother with holding him in contempt, even though the issue arose after the Supreme Court ruling. (Buzard was ultimately acquitted.) Following the court ruling, it appears the previously imprisoned attorney testified in the impeachment proceedings.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001614

ARZN_REV00068692_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

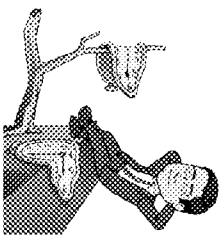
SO LONG RECALL, HELLO EXPULSION RESOLUTION

The recall effort against Finchem is dead, at least for now, as the group behind the original push handed the reins over to Rural Arizona Action, a nonprofit that plans to have a lawmaker introduce a resolution to expel him Monday. Ralph Atchu, the original organizer of the recall effort, told our reporter that he's not exactly thrilled that the recall morphed into an effort to expel the lawmaker, which he doesn't think is very realistic. "I don't know if they don't believe the group can get the recall done – you know it's a steep hill to climb," he said. "But I've let it go." Pablo Correa, the executive director of Rural Arizona Action, wouldn't say who, exactly, would introduce the resolution, but an email our reporter obtained shows the group scheduled a press conference at the Capitol Monday. One Dem railbird doesn't think the recall option is off the table, but that the coalition needs to lay the groundwork with a resolution to expel him, which would keep the pressure and media attention up and let fellow Republicans smell the "blood in the water" until a recall is possibly launched. And the source said effort to keep the attention on Finchem is already working. "Mark Finchem has been muzzled, not by leadership, but by his lawyer," the source said, adding that they think that shows "there's something there" about his possible involvement in the riot, which Finchem has denied.

43 IS DEFINITELY A RECORD

The total number of ethics complaints filed against Finchem, who was in Washington DC on Jan 6 when a pro-Trump mob stormed the Capitol and killed a police officer, is now up to 43. Many of the complainants noted they are LD11 residents, while others said they live in Pima County, though not necessarily in Finchem's district. "If Finchem had admitted that traveling to Washington, D.C. was a mistake, we would not be writing but his continued refusal to acknowledge the role he played or to condemn the insurrectionists left us no choice," wrote Thomas and Jean Meconi of Tucson. "He has made false assertions that Antifa was responsible for the violence and has doubled down on his assertions that the AZ 2020 presidential election was fraudulent." Chávez filed the original complaint against Finchem in mid-January. Chavez argued Finchem violated his oath of office by supporting efforts to stop Congress from certifying the electoral vote count. Nutt has not announced yet whether she plans to hold a hearing on the allegations and Finchem has not filed a written response to the complaint. He has denied witnessing or taking part in violence or anything illegal.

THE CLOCK IS TICKING



Ducey signed his first bill of the session today, a fast-tracked effort from Weninger and Mesnard to crack down on workplaces discriminating against pregnant women. Brnovich also backed the bill, which has been introduced for three sessions in a row before finally succeeding. Discrimination against pregnant women is already a federal crime, but the law will allow the AG to investigate potential violations and enforce it at the state level, as well. Ducey now has nine bills on his desk. During the session, the governor has five days after transmittal to sign or veto the legislation before it automatically becomes the law. That excludes Sundays. Three of those bills would have a signing deadline today.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001615
ARZN_REV00068692_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE IRONY CONTINUES

Fourteen Republican representatives and four senators blasted Kelli Ward, their own party chair, in a letter pointing out her obvious hypocrisy in continuing to spew conspiracies about the presidential election while refusing calls to audit her own election. The 18 Republican lawmakers noted that while the AZGOP election pales in comparison to the importance of the presidential election, the principals they hold about election integrity should apply to both elections. "For more than the last two months, we have all been joined together in a public call for transparency and accountability in our election process," they wrote. "Now, our collective message is being undermined by your insistence that none of these standards should apply to your election as AZ GOP Chairman. This inconsistency is simply not acceptable." They added that if Ward won't submit to an audit of the election that she (allegedly) won, she should "remove yourself from efforts to properly audit the elections" because she would be a "foil for the media to use to discredit our efforts to protect our state's voters." The fact that 18 Republican lawmakers signed on to the letter, which Payne spearheaded, is surprising to Shope, who noted that many of the signatories are natural allies of Ward's. "We went through Robert Graham and Jonathan Lines and I don't ever recall a single time where you've had this many Republicans openly grumbling. And we have a pretty conservative caucus and have had," he said. Asked if he plans to issue a subpoena for the AZGOP election results as well, Shope chuckled and said he's not sure he has the authority. "I wish she would have been defeated, and maybe she was, I don't know," he said. "We've already had one race overturned after everyone turned the lights out and left the building." He said that after so much losing at the top of the ballot, Ward should have had the grace to not run again, as Fernandez did over Democrats' failure to take the House. Ultimately, he said if Ward doesn't come back by Monday and agree to an audit of her (alleged) victory, she should resign. "That was probably unexpected," he said. "I'll give her the benefit of the doubt that she didn't see this coming."

RULES ARE FOR YOU AND ME, NOT SENATORS

Fann's move to bar reporters, lobbyists and the public from accessing or viewing rules and caucus meetings all session violates the Senate's own rules. While the Legislature has made itself exempt from the state's open meetings law, both chambers adopted portions of the law into their own rules. In the Senate, Rule 7 on committees requires that all committee meetings be open to other members of the Legislature, the press and the public "so long as the proper decorum is maintained." Rule 31, meanwhile, states "all meetings of a party caucus consisting of members of the Senate shall be open to the public except organizational meetings to elect officers of the caucus and the Senate and meetings to discuss matters, including those permitted in executive session as set forth in section 38-431.03, Arizona Revised Statutes. Each caucus shall establish procedures for convening party caucuses." (The Senate modified the rules last January, when the Senate granted itself the right to hold closed caucuses for any reason. Prior to 2020, Senate rules only permitted closed meetings if the caucus elected leaders or for the limited executive session exemptions laid out in state open meetings law, such as discussing litigation.) While lawmakers approved a temporary emergency Rule 32 on the first day of session to address Covid safety, nothing in that rule eliminates public access to meetings. Rather, the new rules specify how legislators and members of the public can participate remotely.

SO MANY BILLS, SO LITTLE TIME

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0466, 21-0469-D, 21-0466, 21-0640-E-001616
ARZN_REV00068692_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

K Hoffman hopes bills to restore funding for preschool programs, analyze overcrowded classrooms and provide family and medical leave insurance benefits make it to the governor's desk. She gave a shout out to the bills during her third State of Education address before the Senate Education Committee earlier this week, but her spokesman said the Dept of Education is also lobbying to kill a few bills – chief among them, another push for school voucher expansion. S1452 (Arizona empowerment scholarship accounts; revisions) would expand voucher eligibility to low-income students and students who attend Title I schools, a move some opponents say would effectively create the universal vouchers voters rejected in 2018. One concern is the added burden of administering the program to more students — those costs, ADE spokesman Richie Taylor said, have never been fully funded (LINK). He also pointed to voters' rejection of expanding the voucher program in 2018 with Prop 305. "We thought we should listen to the will of the voters," he said. In her speech, Hoffman pointed to teacher burnout as one reason for the teacher shortage. S1058 (schools; learning materials; activities) would probably add to that burnout, as it would require district and charter schools to provide learning materials to parents for their review. If parents disapprove, they would be able to request to pull their student from the class. Taylor says parents already have ways to review what their children are learning. "Parents do have the right to go and talk to teachers," he said, adding that school board meetings are public and have time for public comment. Next week, Hoffman will deliver her second annual State of Special Education speech to House Education, rather than repeat yesterday's speech as previous superintendents have. Taylor said the gist of her speech is that special education in Arizona needs some work.

·WAKE UP CALL·

Republican senators vote to find Maricopa County supervisors in contempt
Arizona Capitol Times
All 16 Republicans in the Arizona Senate signed on to a measure introduced Wednesday afternoon that could lead to sending the Senate's sergeant at arms to arrest Maricopa County's elected supervisors as early as Friday.

Push is on to lower business property taxes
Capitol Media Services
Republican lawmakers are moving to lower property taxes on businesses.

Arizona lawmakers seek to reverse four decades of tough-on-crime policies
Capitol Media Services
Without a single dissent, Arizona House committee votes to restore some sentencing discretion taken away from judges

Tucson border aid groups say Border Patrol often fails to help migrants in distress
Arizona Daily Star
Border Patrol counters that in 2019, for example, its agents conducted more than 1,000 rescues in the Tucson Sector

Arizona Chamber of Commerce & Industry CEO taking Texas job
Associated Press
Glenn Hamer, the longtime president and CEO of the Arizona Chamber of Commerce & Industry, is leaving to take a similar position with the Texas Association of Business.

Ex-Navajo Nation president dies of coronavirus complications
Associated Press
Albert Hale, a former Navajo Nation president and Arizona lawmaker who was known for his commanding presence, sense of humor and advocacy for local government, has died.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001617
ARZN_REV00068692_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Yuma Sector Border Patrol agents arrest a group of Iranians
Yuma Sun
Yuma Sector Border Patrol agents arrested a group of 11 Iranian citizens who illegally crossed the border into the United States Monday evening.

Call center inundated with vaccine requests
Payson Roundup
Struggling to make an appointment for a person 75 and older?

For Sale in Queen Creek: Trump Bus, Heavily Used
Phoenix New Times
An eye-popping tour bus decked out in pro-Donald Trump imagery and used at rallies and events across the country is for sale in Queen Creek with a $135,000 price tag.

Longshot Federal Gun Registration Bill Would Require Psych Exams
Phoenix New Times
A longshot bill in the U.S. House of Representatives that would require psychological examinations for gun owners and a publicly accessible list of ownership is causing a stir with Second Amendment advocates.

Fann picks Trump-allied firm with history of false election statements to audit Maricopa election
Arizona Mirror
Senate President Karen Fann has chosen a firm that produced a widely discredited report on voting in Michigan, and which includes a Trump campaign associate with a well-documented history of spreading false and baseless claims about the 2020 election, to conduct an audit of the election in Maricopa County, according to records obtained by Arizona Mirror.

Senate GOP all back arresting Maricopa County supervisors for contempt
Arizona Mirror
All 16 Republicans in the Arizona Senate co-sponsored a resolution calling for the Maricopa County Board of Supervisors to be held in contempt and arrested for refusing to comply with wide-ranging subpoenas for election equipment and materials.

Brnovich sues Dept. of Homeland Security over deportation pause
Arizona Mirror
In a lawsuit filed Wednesday, Attorney General Mark Brnovich said the Biden administration can't temporarily pause deportations because he signed an agreement with the U.S. Department of Homeland Security in the final days of the Trump administration that gives him broad powers to block changes in how the federal government enforces federal immigration laws.

Will Arizona's Republican representatives vote for QAnon or country?
Arizona Republic (Opinion, EJ Montini)
'When a person encourages talk about shooting a member in the head, they should lose the right to serve on any committee. That shouldn't be a radical idea.'

COVID-19 testing is feast or famine in Arizona. Here's how to do it better
Arizona Republic (Opinion, Joanna Allhands)
When COVID-19 cases begin to drop, Arizona should ramp up efforts to get more folks tested. That hasn't happened. But it should.

Good intentions aren't enough. Joe Biden must make real changes on immigration now
Arizona Republic (Opinion, Elvia Diaz)
The White House says it'll take time to clean up Trump's immigration mess. But studying how to move forward isn't the action we need now.

Forget Democrats. Independents should be most upset at bills targeting voting by mail
Arizona Republic (Opinion, Abe Kwok)
Voting trends suggest that independents – not Democrats – would be more hurt by Arizona lawmakers' efforts to limit who receives mail ballots.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES·

Pushing Back on Anti-Voters Bills, Democratic Legislators and Secretary of State Partner to Introduce Pro-Democracy Legislation

PHOENIX-- Senator Martin Quezada and Representative Athena Salman, working with Secretary of State Katie Hobbs, have introduced a package of pro-democracy bills to expand voting access, streamline election administration and enhance election security. After months of anti-democracy sentiment and false claims of election fraud from the former President and even Arizona Legislators, these bills will expand access to our Democracy for all Arizonans.

"Voting is at the core of American Democracy and we should be fighting to protect it, not attack it," Senator Quezada said. "While Republicans continue casting doubt onto a free and fair election, our slate of bills aim to expand access to democracy and remove hurdles Republicans have placed in front of voters."

"During Black History month, Republicans are dead set on making it harder to participate in an election for any eligible voter they perceive to be not worthy," Representative Salman said. "Elections should be a contest of ideas, not a test of how creatively one side can hold onto power without majority support. Our plan ensures that our government will still depend on the consent of the governed."

"Some of the election bills proposed by Republicans have no intended benefits and create burdens on election officials' ability to make voting as accessible as possible and make it more difficult for Arizonans to register and vote, added Secretary Hobbs. "Senator Quezada and Representative Salman worked with my office to find ways to reassure voters that elections in Arizona are secure and accurate. This is exactly what SB1667 and HB2797 are designed to do. It's time to take the lessons we learned and pass reforms that streamline election administration, expand voting rights, and enhance election security."

See below for the list of pro-democracy bills that have been introduced:

- **HB2797 election laws; revisions; appropriation and SB1667 election laws revisions. These Election Reform Omnibus Bills are mirror bills developed with the Arizona Secretary of State to improve election administration and security while expanding voter access.**
- **SCR1042 conduct of elections; voters; rights. Asks voters to enact an AZ Voters' Bill of Rights to allow registration without unnecessary barriers; Fair districts where voters choose candidates rather than candidates choosing voters; assurance that all Vote By Mail votes will count; Equal access to the ballot box; preserved power of the initiative; and a requirement that elected officials will serve voters, not special interests.**
- **SB1669 voter registration; youth pre-registration. Allows 16-year old voters to pre-register to vote. The registration becomes effective once they turn 18.**
- **SB1668 presidential preference caucuses; independent voters. Changes Arizona's Presidential Preference Election to a Caucus Election.**
- **SB1670 and HB2750 automatic voter registration; same day. Enacts a same day and automatic voter registration programs in Arizona.**
- **SB1671 early ballot collection; limitations; repeal. Repeals Arizona's unconstitutional ban on assisting fellow voters engage in the democratic process by ensuring their vote is counted.**
- **SB1672 early voting locations. Allows counties to operate early voting locations up until election day.**
- **SB1673 polling places; drop boxes; campuses. Requires polling place drop boxes at higher education campuses.**
- **HB2344 early voting; weekend hours. Keeps early voting locations open until 7 p.m. on the weekend and Monday before Election Day.**
- **HB2736 presidential preference election; independent voters. Allows voters without a political party to participate in the presidential preference election of their choice.**

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- **HB2343 voting centers; board of supervisors. Allows counties to use voting centers as polling places, and to stay open during the weekend before Election Day.**

Senator Shope and Representative Pratt help ensure economic growth in Pinal County through smart water management

(Phoenix, State Capitol) --- The Arizona House of Representatives today passed SB 1274, a bill harnessing smart water management to drive economic development and housing availability in Pinal County. This follows passage of the bill by the Senate on Wednesday.

A product of several years of discussions, the bill sponsored by Senator T.J. Shope implements locally driven solutions to encourage smart and efficient residential development. "I am proud to sponsor this bill as it is critical to Pinal County's economy," said Senator Shope. 'This will conserve water while protecting the county's continued growth, and it allows people in cities and towns great flexibility to protect their community."

"This legislation is the product of a lot of hard work on the part of many local, county and state leaders," said Representative Frank Pratt. "I strongly support it and am pleased that we're able to help continue the responsible growth underway in Pinal County and, potentially, other areas of the State."

With strong bipartisan support, the bill is now headed to the Governor for his signature.

Legislative Rural Caucus Elects Leadership Team; Rep. Dunn to Serve as Chair, Rep. Barton as Vice Chair

STATE CAPITOL, PHOENIX – The Legislative Rural Caucus has announced its leadership for the 2021-2022 legislative term. Representative Timothy Dunn (R-13) was elected to serve as Caucus chairman, and Representative Brenda Barton (R-6) was will serve as vice chairman.

The Legislative Rural Caucus is a bipartisan, bicameral group of state legislators who meet weekly to discuss common challenges and needs of rural communities and identify ideas to solve those challenges.

"I am honored to serve as chairman of the Rural Caucus and look forward to serving the people of my district as well as Arizonans across the state," said Representative Dunn. **"The Caucus plays an important role in representing the common interests of rural Arizona in the legislature and through building stronger relationships across the state."**

"I love the people and unmatched beauty of rural Arizona," said Representative Barton. **"As a legislator, and as a member of the Legislative Rural Caucus, I am here to advance good public policy that serves our rural areas."**

The Legislative Rural Caucus actively tracks legislation that might diminish the ability of rural counties to provide vital services to those who live outside of the large city centers of metro Phoenix, Tucson, and Flagstaff. Members of the Caucus recognize that there is a rich, untapped resource in the rural communities which, with the right support and infrastructure, can prosper and contribute greatly to the quality of life for all Arizonans and visitors.

Bill to Fund Pinal County Infrastructure Project Passes Transportation Committee

STATE CAPITOL, PHOENIX – A bill sponsored by State Representative David Cook (R-8) was passed today by the House Transportation Committee.

HB 2394 appropriates $4 million to pay for a tier 2 study of the proposed North-South Corridor highway project in Pinal County. Additionally, it provides $750,000 to the County to supplement a local match to acquire over $15 million in federal grant money to fund road and infrastructure improvements which would increase access to the area around the Nikola Motors plant.

"I am grateful to my colleagues for their bipartisan support in continuing this long-needed project serving the transportation needs in Pinal County and our state," said Representative Cook. **"With the passage of my amendment today, the bill would appropriate $750,000 to help enable Pinal County to receive over $15 million in federal money to fund infrastructure projects near the Nikola Motors plant. These projects will be an economic engine in Pinal County and create well-paying jobs for rural Arizona."**

The North-South Corridor is a proposed highway project that would improve transit in the Pinal County region.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001620

ARZN_REV00068692_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SB 1379 means responsible reform for Arizona vacation rental marketplace

Statement by Philip Minardi, director, policy communications, Expedia Group

"Today's approval of SB 1379 by the Arizona Senate Commerce Committee is a good step to responsibly reform the vacation rental industry while preserving its importance as a driver of tourism and economic opportunity. Vacation rentals both empower Arizona homeowners to earn extra money with their own property and create a unique experience for guests to enjoy all that Arizona has to offer.

"We are mindful the growing popularity of vacation rentals has created concern in some communities, especially with regard to a relatively small number of nuisance properties. Through our Stay Neighborly initiative, we've instituted a no-tolerance policy toward hosts or guests who have abused the right to rent. We also continue to move swiftly to identify and remove bad actors from the platform, while employing risk-engine technology to flag problems during the booking process. Our support of SB 1379 represents Expedia Group's continued commitment to a balanced approach and smart reforms for the vacation rental marketplace.

"Specifically, SB 1379 establishes strict occupancy limits for host properties; authorizes local officials to impose stiff penalties for vacation-rental violations, and enables the state to suspend any property's tax license for repeated violations; requires vacation rental hosts to maintain at least $500,000 worth of insurance; and more. These provisions address some of the primary concerns raised by community members and local officials, but preserve the core of what has made Arizona among the nation's most successful markets for vacation-rental hosts and guests.

"We believe strongly that a vibrant vacation-rental industry can help lead Arizona's tourism recovery. Expedia Group looks forward to continued collaboration with our state and local officials."

Senator Kelly Speaks with Governor Ducey About Arizona's COVID-19 Response, Priorities

Today, United States Senator Mark Kelly spoke with Governor Doug Ducey about Arizona's response to the COVID-19 pandemic, the state's vaccination plan, and ensuring that Arizonans get the support and resources they need during this pandemic.

Kelly told Ducey that he supports his request for additional vaccines from the federal government, and will continue working with the congressional delegation and administration to advocate for more vaccinations for Arizona. Kelly also shared concerns he has heard from Arizona mayors and his Senior Citizen Advisory Group about inadequate vaccine supply in rural and border areas, and the difficulties that seniors and others with limited transportation options are having getting vaccinated.

"Getting Arizonans vaccinated is how we are going to beat this virus for good and get our economy back on track. Governor Ducey and I spoke about the state's vaccination program, issues that I have heard from Arizonans, and actions that need to be taken to get the vaccinations to the people who need them most," **said Senator Kelly.** "It is critical that we all work together, the governor, our congressional delegation, and local leaders, to get our communities the resources to get Arizonans vaccinated and continue to support those who need it most during this crisis."

Regarding relief, Kelly also raised casework issues that have come to his office including delays in rental and unemployment assistance reaching Arizonans, and the looming threat of evictions for families and individuals.

Kelly last spoke with Ducey in December when they discussed the COVID-19 pandemic and the strain that rising cases and hospitalizations were putting on Arizona's health care system. During that call, Kelly reiterated his support for additional efforts to slow the virus's spread such as a statewide mask mandate.

Since that call, Kelly has joined a bipartisan working group of 8 Democrats and 8 Republicans working to find common ground on COVID-19 relief, including additional funding for vaccinations. He has also held a number of conversations with his COVID-19 Working Group made up of Arizona public health experts, his Senior Citizen Advisory Group made up of senior leaders and organizations, and mayors from the border to northern Arizona.

Kelly has previously written the Department of Health and Human Services urging them to coordinate on-site vaccinations for Customs and Border Protection officers.

Rep. Kirkpatrick Votes to Pass Budget Resolution, A Key Tool to Accelerate Passing COVID Relief for Americans

(WASHINGTON, DC) – Today, Rep. Kirkpatrick voted to pass H. Con. Res. 11, the FY 2021 Budget Resolution. Passing this budget ensures that Congress can act quickly and decisively in the weeks to come to deliver the robust

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001621

ARZN_REV00068692_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

relief that American families, workers and communities need to combat the coronavirus pandemic and strengthen the economy.

"For over a year, the COVID-19 pandemic and economic crises have destroyed Americans' lives and livelihoods, and Arizonans need to know that help is on the way," **said Rep. Kirkpatrick**. "In Arizona alone, upwards of 750,000 people have been infected, nearly 13,500 have died, and thousands remain unemployed as well as food and housing insecure. We must act swiftly and boldly, which is why I am proud to join my colleagues to pass this budget resolution."

In Congress, there is strong precedent for reconciliation bills, which have been passed on a bipartisan basis 17 times in recent years, including for the bipartisan, landmark Children's Health Insurance Program (CHIP). Democrats hope and expect that Republicans in Congress will support assistance that will bring relief to the communities they represent. Passing this budget does not preclude adopting Republican suggestions that would strengthen the package. But it does ensure that Congress can move forward in a timely way and meet Arizona families' urgent needs.

Reports indicate that without immediate action, an entire cohort of young people in Arizona and across the country may have lower lifetime earnings because they were deprived of another semester of school. Millions of Arizona parents could be forced to stay at home, reducing their wages and future job prospects because they have no choice but to care for their kids. With interest rates at historic lows and the return on smart investments in the economy having never been higher, top economists are saying that now is the time for bold action.

The budget resolution passed today is an essential first step in Congress's efforts to deliver the comprehensive, strategic and science-based relief laid out in President Biden's robust American Rescue Plan:

- **Beat the virus and safely reopen schools –** The plan will mount a national vaccination program that includes setting up community vaccination sites nationwide. It will also take complementary measures to combat the virus, including scaling up testing and tracing, addressing shortages of personal protective equipment and other critical supplies, investing in high-quality treatments and addressing health care disparities. The plan will also make the investments necessary to safely reopen schools.
- **Deliver immediate relief to working families bearing the brunt of the crisis –** The plan will provide direct assistance to households across America by $1,400 per person, bringing the total (including the $600 down payment enacted in December) to $2,000. The plan will also provide direct housing and nutrition assistance to families struggling to get by, expand access to safe and reliable child care and affordable health care, extend and expand Unemployment Insurance so American workers can pay their bills and give families with children as well as childless workers a boost through enhanced tax credits.
- **Support communities struggling with the economic fallout –** The plan will provide crucial support for the hardest-hit small businesses, especially those owned by entrepreneurs from racial and ethnic backgrounds that have experienced systemic discrimination. The plan also provides crucial resources to protect the jobs of first responders, frontline public health workers, teachers, transit workers and other essential workers that all Americans depend on.

"I hope to work with Members on both sides of the aisle to meet the urgent needs of our communities," **continued Rep. Kirkpatrick.** "But I will not sacrifice more time or the health and well-being of Arizona families at this critical junction. For hard-working Arizonans, the cost of continued inaction is too high."

Congressman Biggs Named Ranking Member of House Judiciary Subcommittee on Crime, Terrorism and Homeland Security

WASHINGTON, D.C. – This week, Congressman Andy Biggs was named the Ranking Member of the Subcommittee on Crime, Terrorism and Homeland Security for the United States House Committee on the Judiciary. Congressman Biggs released the following statement:

"I'm grateful to Ranking Member Jim Jordan for appointing me as a ranking member for this subcommittee. It has been an honor to serve on the Committee on the Judiciary since being sworn into the U.S. House in 2017 and to work with Ranking Member Jordan on many substantive issues. I am privileged to lead the Republican efforts for this important subcommittee to stand against the Democrats' dangerous agenda for the future of our nation."

Congressman Biggs was also appointed to the Subcommittee on Immigration and Citizenship for the U.S. House Committee on the Judiciary. Congressman Biggs also serves on the U.S. House Committee on Oversight and Reform.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001622

ARZN_REV00068692_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I think we all know we're not going to arrest anybody."

- Shope, on whether senators will follow through on their threat to arrest the Maricopa County Board of Supervisors

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, February 4, 2021 7:05:56 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-4-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet February 4, 2021

BUT WE WANNA SEE JOE'S CUFFS!
Shope, whose name on the resolution to hold the Board of Supervisors in contempt surprised many people, told our reporter today that while he doesn't believe the "conspiracies" that the election was stolen, he believes in the power of legislative subpoenas.

LET'S HOPE IT'S A SHORT SESSION
If supervisors are, in fact, arrested, it wouldn't be the first time someone in Arizona was thrown in jail for not complying with a legislative subpoena, though the last time it happened appears to be more than a half-century ago.

SO LONG RECALL, HELLO EXPULSION RESOLUTION
The recall effort against Finchem is dead, at least for now, as the group behind the original push handed the reins over to Rural Arizona Action, a nonprofit that plans to have a lawmaker introduce a resolution to expel him Monday.

AMERICAN OVERSIGHT

43 IS DEFINITELY A RECORD
The total number of ethics complaints filed against Finchem, who was in Washington DC on Jan 6 when a pro-Trump mob stormed the Capitol and killed a police officer, is now up to 43.

THE CLOCK IS TICKING
Ducey signed his first bill of the session today, a fast-tracked effort from Weninger and Mesnard to crack down on workplaces discriminating against pregnant women.

THE IRONY CONTINUES
Fourteen Republican representatives and four senators blasted Kelli Ward, their own party chair, in a letter pointing out her obvious hypocrisy in continuing to spew conspiracies about the presidential election while refusing calls to audit her own election.

RULES ARE FOR YOU AND ME, NOT SENATORS
Fann's move to bar reporters, lobbyists and the public from accessing or viewing rules and caucus meetings all session violates the Senate's own rules.

SO MANY BILLS, SO LITTLE TIME
K Hoffman hopes bills to restore funding for preschool programs, analyze overcrowded classrooms and provide family and medical leave insurance benefits make it to the governor's desk.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, February 04, 2021

·NEWS NOTES AND GOSSIP·

BUT WE WANNA SEE JOE'S CUFFS!

Shope, whose name on the resolution to hold the Board of Supervisors in contempt surprised many people, told our reporter today that while he doesn't believe the "conspiracies" that the election was stolen, he believes in the power of legislative subpoenas. That's a position informed by his battle as House Ethics Committee chair during the fight to subpoena former lawmaker David Stringer. "I don't completely agree with the underlying cause or reason we got here, but I do think subpoenas should be adhered to in some way, shape or form," he said, adding that he was prepared to hold Stringer in contempt for not complying with a subpoena, but he resigned. The Maricopa County Board of Supervisors has repeatedly said it cannot legally hand over those 2.1 million ballots to the Senate because it would violate the law and voter privacy, and Supervisor Bill Gates yesterday hammered the fact that the Senate's allegedly independent auditor is actually a "known and frequently debunked conspiracy theorist." Shope said he asked Fann yesterday point-blank about who is conducting the audit, and she told him nobody had been selected. A Senate press release on Jan 29 said Fann "has hired an independent, qualified forensic auditing firm," but Fann maintains nobody has been selected. At least one firm in the running is Allied Special Operations Group (YS, 2/3). Shope said he made it "very clear" that the chosen firm needs to be legitimate, but Fann offered no assurances of who she will pick. Shope said he believes Petersen is going to use the audit to look at potential election problems prospectively – and not veer into "fantasy land and conspiracy theory," – but if Petersen does, he'll lose Shope's support. "There's a line somewhere and if we cross over, we'll deal with it then," he said. That line seems to be somewhere between threatening to arrest the board of supervisors and actually arresting them, as Shope said the latter is off the table as far as he is concerned. "I think we all know we're not going to arrest anybody," he said. "That's over the top."

LET'S HOPE IT'S A SHORT SESSION

If supervisors are, in fact, arrested, it wouldn't be the first time someone in Arizona was thrown in jail for not complying with a legislative subpoena, though the last time it happened appears to be more than a half-century ago. In 1964, an attorney refused to produce records during a House investigation into the Corporation Commission, claiming attorney-client privilege. The House committee was digging for more information on a $25,000 transaction that may have been a campaign contribution – or a bribe. The case (*Buell v. Superior Court of Maricopa County*) made its way to the Arizona Supreme Court (LINK). The Court affirmed the Legislature's power to conduct investigations and issue subpoenas, as well as its power to hold recalcitrant witnesses in contempt and imprison them through the end of the legislative session. ARS 41-1155 states, "No term of imprisonment shall extend beyond final adjournment of the session." The ruling came shortly before impeachment proceedings for one of the sitting corporation commissioners, A.P. "Jack" Buzard (LINK). Buzard also failed to comply with a legislative subpoena during that legislative session, but William Rehnquist (yes, that William Rehnquist), who was working for the Senate, said it was too late in the session to bother with holding him in contempt, even though the issue arose after the Supreme Court ruling. (Buzard was ultimately acquitted.) Following the court ruling, it appears the previously imprisoned attorney testified in the impeachment proceedings.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001626

ARZN_REV00068694_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

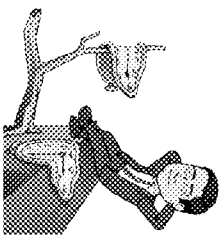
SO LONG RECALL, HELLO EXPULSION RESOLUTION

The recall effort against Finchem is dead, at least for now, as the group behind the original push handed the reins over to Rural Arizona Action, a nonprofit that plans to have a lawmaker introduce a resolution to expel him Monday. Ralph Atchu, the original organizer of the recall effort, told our reporter that he's not exactly thrilled that the recall morphed into an effort to expel the lawmaker, which he doesn't think is very realistic. "I don't know if they don't believe the group can get the recall done – you know it's a steep hill to climb," he said. "But I've let it go." Pablo Correa, the executive director of Rural Arizona Action, wouldn't say who, exactly, would introduce the resolution, but an email our reporter obtained shows the group scheduled a press conference at the Capitol Monday. One Dem railbird doesn't think the recall option is off the table, but that the coalition needs to lay the groundwork with a resolution to expel him, which would keep the pressure and media attention up and let fellow Republicans smell the "blood in the water" until a recall is possibly launched. And the source said effort to keep the attention on Finchem is already working. "Mark Finchem has been muzzled, not by leadership, but by his lawyer," the source said, adding that they think that shows "there's something there" about his possible involvement in the riot, which Finchem has denied.

43 IS DEFINITELY A RECORD

The total number of ethics complaints filed against Finchem, who was in Washington DC on Jan 6 when a pro-Trump mob stormed the Capitol and killed a police officer, is now up to 43. Many of the complainants noted they are LD11 residents, while others said they live in Pima County, though not necessarily in Finchem's district. "If Finchem had admitted that traveling to Washington, D.C. was a mistake, we would not be writing but his continued refusal to acknowledge the role he played or to condemn the insurrectionists left us no choice," wrote Thomas and Jean Meconi of Tucson. "He has made false assertions that Antifa was responsible for the violence and has doubled down on his assertions that the AZ 2020 presidential election was fraudulent." Chávez filed the original complaint against Finchem in mid-January. Chavez argued Finchem violated his oath of office by supporting efforts to stop Congress from certifying the electoral vote count. Nutt has not announced yet whether she plans to hold a hearing on the allegations and Finchem has not filed a written response to the complaint. He has denied witnessing or taking part in violence or anything illegal.

THE CLOCK IS TICKING



Ducey signed his first bill of the session today, a fast-tracked effort from Weninger and Mesnard to crack down on workplaces discriminating against pregnant women. Brnovich also backed the bill, which has been introduced for three sessions in a row before finally succeeding. Discrimination against pregnant women is already a federal crime, but the law will allow the AG to investigate potential violations and enforce it at the state level, as well. Ducey now has nine bills on his desk. During the session, the governor has five days after transmittal to sign or veto the legislation before it automatically becomes the law. That excludes Sundays. Three of those bills would have a signing deadline today.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001627
ARZN_REV00068694_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE IRONY CONTINUES

Fourteen Republican representatives and four senators blasted Kelli Ward, their own party chair, in a letter pointing out her obvious hypocrisy in continuing to spew conspiracies about the presidential election while refusing calls to audit her own election. The 18 Republican lawmakers noted that while the AZGOP election pales in comparison to the importance of the presidential election, the principals they hold about election integrity should apply to both elections. "For more than the last two months, we have all been joined together in a public call for transparency and accountability in our election process," they wrote. "Now, our collective message is being undermined by your insistence that none of these standards should apply to your election as AZ GOP Chairman. This inconsistency is simply not acceptable." They added that if Ward won't submit to an audit of the election that she (allegedly) won, she should "remove yourself from efforts to properly audit the elections" because she would be a "foil for the media to use to discredit our efforts to protect our state's voters." The fact that 18 Republican lawmakers signed on to the letter, which Payne spearheaded, is surprising to Shope, who noted that many of the signatories are natural allies of Ward's. "We went through Robert Graham and Jonathan Lines and I don't ever recall a single time where you've had this many Republicans openly grumbling. And we have a pretty conservative caucus and have had," he said. Asked if he plans to issue a subpoena for the AZGOP election results as well, Shope chuckled and said he's not sure he has the authority. "I wish she would have been defeated, and maybe she was, I don't know," he said. "We've already had one race overturned after everyone turned the lights out and left the building." He said that after so much losing at the top of the ballot, Ward should have had the grace to not run again, as Fernandez did over Democrats' failure to take the House. Ultimately, he said if Ward doesn't come back by Monday and agree to an audit of her (alleged) victory, she should resign. "That was probably unexpected," he said. "I'll give her the benefit of the doubt that she didn't see this coming."

RULES ARE FOR YOU AND ME, NOT SENATORS

Fann's move to bar reporters, lobbyists and the public from accessing or viewing rules and caucus meetings all session violates the Senate's own rules. While the Legislature has made itself exempt from the state's open meetings law, both chambers adopted portions of the law into their own rules. In the Senate, Rule 7 on committees requires that all committee meetings be open to other members of the Legislature, the press and the public "so long as the proper decorum is maintained." Rule 31, meanwhile, states "all meetings of a party caucus consisting of members of the Senate shall be open to the public except organizational meetings to elect officers of the caucus and the Senate and meetings to discuss matters, including those permitted in executive session as set forth in section 38-431.03, Arizona Revised Statutes. Each caucus shall establish procedures for convening party caucuses." (The Senate modified the rules last January, when the Senate granted itself the right to hold closed caucuses for any reason. Prior to 2020, Senate rules only permitted closed meetings if the caucus elected leaders or for the limited executive session exemptions laid out in state open meetings law, such as discussing litigation.) While lawmakers approved a temporary emergency Rule 32 on the first day of session to address Covid safety, nothing in that rule eliminates public access to meetings. Rather, the new rules specify how legislators and members of the public can participate remotely.

SO MANY BILLS, SO LITTLE TIME

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0466, 21-0469-D, 21-0466, 21-0640-E-001628
ARZN_REV00068694_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

K Hoffman hopes bills to restore funding for preschool programs, analyze overcrowded classrooms and provide family and medical leave insurance benefits make it to the governor's desk. She gave a shout out to the bills during her third State of Education address before the Senate Education Committee earlier this week, but her spokesman said the Dept of Education is also lobbying to kill a few bills – chief among them, another push for school voucher expansion. S1452 (Arizona empowerment scholarship accounts; revisions) would expand voucher eligibility to low-income students and students who attend Title I schools, a move some opponents say would effectively create the universal vouchers voters rejected in 2018. One concern is the added burden of administering the program to more students — those costs, ADE spokesman Richie Taylor said, have never been fully funded (LINK). He also pointed to voters' rejection of expanding the voucher program in 2018 with Prop 305. "We thought we should listen to the will of the voters," he said. In her speech, Hoffman pointed to teacher burnout as one reason for the teacher shortage. S1058 (schools; learning materials; activities) would probably add to that burnout, as it would require district and charter schools to provide learning materials to parents for their review. If parents disapprove, they would be able to request to pull their student from the class. Taylor says parents already have ways to review what their children are learning. "Parents do have the right to go and talk to teachers," he said, adding that school board meetings are public and have time for public comment. Next week, Hoffman will deliver her second annual State of Special Education speech to House Education, rather than repeat yesterday's speech as previous superintendents have. Taylor said the gist of her speech is that special education in Arizona needs some work.

·WAKE UP CALL·

Republican senators vote to find Maricopa County supervisors in contempt
Arizona Capitol Times
All 16 Republicans in the Arizona Senate signed on to a measure introduced Wednesday afternoon that could lead to sending the Senate's sergeant at arms to arrest Maricopa County's elected supervisors as early as Friday.

Push is on to lower business property taxes
Capitol Media Services
Republican lawmakers are moving to lower property taxes on businesses.

Arizona lawmakers seek to reverse four decades of tough-on-crime policies
Capitol Media Services
Without a single dissent, Arizona House committee votes to restore some sentencing discretion taken away from judges

Tucson border aid groups say Border Patrol often fails to help migrants in distress
Arizona Daily Star
Border Patrol counters that in 2019, for example, its agents conducted more than 1,000 rescues in the Tucson Sector

Arizona Chamber of Commerce & Industry CEO taking Texas job
Associated Press
Glenn Hamer, the longtime president and CEO of the Arizona Chamber of Commerce & Industry, is leaving to take a similar position with the Texas Association of Business.

Ex-Navajo Nation president dies of coronavirus complications
Associated Press
Albert Hale, a former Navajo Nation president and Arizona lawmaker who was known for his commanding presence, sense of humor and advocacy for local government, has died.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001629
ARZN_REV00068694_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Yuma Sector Border Patrol agents arrest a group of Iranians
Yuma Sun
Yuma Sector Border Patrol agents arrested a group of 11 Iranian citizens who illegally crossed the border into the United States Monday evening.

Call center inundated with vaccine requests
Payson Roundup
Struggling to make an appointment for a person 75 and older?

For Sale in Queen Creek: Trump Bus, Heavily Used
Phoenix New Times
An eye-popping tour bus decked out in pro-Donald Trump imagery and used at rallies and events across the country is for sale in Queen Creek with a $135,000 price tag.

Longshot Federal Gun Registration Bill Would Require Psych Exams
Phoenix New Times
A longshot bill in the U.S. House of Representatives that would require psychological examinations for gun owners and a publicly accessible list of ownership is causing a stir with Second Amendment advocates.

Fann picks Trump-allied firm with history of false election statements to audit Maricopa election
Arizona Mirror
Senate President Karen Fann has chosen a firm that produced a widely discredited report on voting in Michigan, and which includes a Trump campaign associate with a well-documented history of spreading false and baseless claims about the 2020 election, to conduct an audit of the election in Maricopa County, according to records obtained by Arizona Mirror.

Senate GOP all back arresting Maricopa County supervisors for contempt
Arizona Mirror
All 16 Republicans in the Arizona Senate co-sponsored a resolution calling for the Maricopa County Board of Supervisors to be held in contempt and arrested for refusing to comply with wide-ranging subpoenas for election equipment and materials.

Brnovich sues Dept. of Homeland Security over deportation pause
Arizona Mirror
In a lawsuit filed Wednesday, Attorney General Mark Brnovich said the Biden administration can't temporarily pause deportations because he signed an agreement with the U.S. Department of Homeland Security in the final days of the Trump administration that gives him broad powers to block changes in how the federal government enforces federal immigration laws.

Will Arizona's Republican representatives vote for QAnon or country?
Arizona Republic (Opinion, EJ Montini)
'When a person encourages talk about shooting a member in the head, they should lose the right to serve on any committee. That shouldn't be a radical idea.'

COVID-19 testing is feast or famine in Arizona. Here's how to do it better
Arizona Republic (Opinion, Joanna Allhands)
When COVID-19 cases begin to drop, Arizona should ramp up efforts to get more folks tested. That hasn't happened. But it should.

Good intentions aren't enough. Joe Biden must make real changes on immigration now
Arizona Republic (Opinion, Elvia Diaz)
The White House says it'll take time to clean up Trump's immigration mess. But studying how to move forward isn't the action we need now.

Forget Democrats. Independents should be most upset at bills targeting voting by mail
Arizona Republic (Opinion, Abe Kwok)
Voting trends suggest that independents – not Democrats – would be more hurt by Arizona lawmakers' efforts to limit who receives mail ballots.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES·

Pushing Back on Anti-Voters Bills, Democratic Legislators and Secretary of State Partner to Introduce Pro-Democracy Legislation

PHOENIX-- Senator Martin Quezada and Representative Athena Salman, working with Secretary of State Katie Hobbs, have introduced a package of pro-democracy bills to expand voting access, streamline election administration and enhance election security. After months of anti-democracy sentiment and false claims of election fraud from the former President and even Arizona Legislators, these bills will expand access to our Democracy for all Arizonans.

"Voting is at the core of American Democracy and we should be fighting to protect it, not attack it," Senator Quezada said. "While Republicans continue casting doubt onto a free and fair election, our slate of bills aim to expand access to democracy and remove hurdles Republicans have placed in front of voters."

"During Black History month, Republicans are dead set on making it harder to participate in an election for any eligible voter they perceive to be not worthy," Representative Salman said. "Elections should be a contest of ideas, not a test of how creatively one side can hold onto power without majority support. Our plan ensures that our government will still depend on the consent of the governed."

"Some of the election bills proposed by Republicans have no intended benefits and create burdens on election officials' ability to make voting as accessible as possible and make it more difficult for Arizonans to register and vote, added Secretary Hobbs. "Senator Quezada and Representative Salman worked with my office to find ways to reassure voters that elections in Arizona are secure and accurate. This is exactly what SB1667 and HB2797 are designed to do. It's time to take the lessons we learned and pass reforms that streamline election administration, expand voting rights, and enhance election security."

See below for the list of pro-democracy bills that have been introduced:

- **HB2797 election laws; revisions; appropriation and SB1667 election laws revisions. These Election Reform Omnibus Bills are mirror bills developed with the Arizona Secretary of State to improve election administration and security while expanding voter access.**
- **SCR1042 conduct of elections; voters; rights. Asks voters to enact an AZ Voters' Bill of Rights to allow registration without unnecessary barriers; Fair districts where voters choose candidates rather than candidates choosing voters; assurance that all Vote By Mail votes will count; Equal access to the ballot box; preserved power of the initiative; and a requirement that elected officials will serve voters, not special interests.**
- **SB1669 voter registration; youth pre-registration. Allows 16-year old voters to pre-register to vote. The registration becomes effective once they turn 18.**
- **SB1668 presidential preference caucuses; independent voters. Changes Arizona's Presidential Preference Election to a Caucus Election.**
- **SB1670 and HB2750 automatic voter registration; same day. Enacts a same day and automatic voter registration programs in Arizona.**
- **SB1671 early ballot collection; limitations; repeal. Repeals Arizona's unconstitutional ban on assisting fellow voters engage in the democratic process by ensuring their vote is counted.**
- **SB1672 early voting locations. Allows counties to operate early voting locations up until election day.**
- **SB1673 polling places; drop boxes; campuses. Requires polling place drop boxes at higher education campuses.**
- **HB2344 early voting; weekend hours. Keeps early voting locations open until 7 p.m. on the weekend and Monday before Election Day.**
- **HB2736 presidential preference election; independent voters. Allows voters without a political party to participate in the presidential preference election of their choice.**

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- **HB2343 voting centers; board of supervisors. Allows counties to use voting centers as polling places, and to stay open during the weekend before Election Day.**

Senator Shope and Representative Pratt help ensure economic growth in Pinal County through smart water management

(Phoenix, State Capitol) --- The Arizona House of Representatives today passed SB 1274, a bill harnessing smart water management to drive economic development and housing availability in Pinal County. This follows passage of the bill by the Senate on Wednesday.

A product of several years of discussions, the bill sponsored by Senator T.J. Shope implements locally driven solutions to encourage smart and efficient residential development. "I am proud to sponsor this bill as it is critical to Pinal County's economy," said Senator Shope. 'This will conserve water while protecting the county's continued growth, and it allows people in cities and towns great flexibility to protect their community."

"This legislation is the product of a lot of hard work on the part of many local, county and state leaders," said Representative Frank Pratt. "I strongly support it and am pleased that we're able to help continue the responsible growth underway in Pinal County and, potentially, other areas of the State."

With strong bipartisan support, the bill is now headed to the Governor for his signature.

Legislative Rural Caucus Elects Leadership Team; Rep. Dunn to Serve as Chair, Rep. Barton as Vice Chair

STATE CAPITOL, PHOENIX – The Legislative Rural Caucus has announced its leadership for the 2021-2022 legislative term. Representative Timothy Dunn (R-13) was elected to serve as Caucus chairman, and Representative Brenda Barton (R-6) was will serve as vice chairman.

The Legislative Rural Caucus is a bipartisan, bicameral group of state legislators who meet weekly to discuss common challenges and needs of rural communities and identify ideas to solve those challenges.

"I am honored to serve as chairman of the Rural Caucus and look forward to serving the people of my district as well as Arizonans across the state," said Representative Dunn. **"The Caucus plays an important role in representing the common interests of rural Arizona in the legislature and through building stronger relationships across the state."**

"I love the people and unmatched beauty of rural Arizona," said Representative Barton. **"As a legislator, and as a member of the Legislative Rural Caucus, I am here to advance good public policy that serves our rural areas."**

The Legislative Rural Caucus actively tracks legislation that might diminish the ability of rural counties to provide vital services to those who live outside of the large city centers of metro Phoenix, Tucson, and Flagstaff. Members of the Caucus recognize that there is a rich, untapped resource in the rural communities which, with the right support and infrastructure, can prosper and contribute greatly to the quality of life for all Arizonans and visitors.

Bill to Fund Pinal County Infrastructure Project Passes Transportation Committee

STATE CAPITOL, PHOENIX – A bill sponsored by State Representative David Cook (R-8) was passed today by the House Transportation Committee.

HB 2394 appropriates $4 million to pay for a tier 2 study of the proposed North-South Corridor highway project in Pinal County. Additionally, it provides $750,000 to the County to supplement a local match to acquire over $15 million in federal grant money to fund road and infrastructure improvements which would increase access to the area around the Nikola Motors plant.

"I am grateful to my colleagues for their bipartisan support in continuing this long-needed project serving the transportation needs in Pinal County and our state," said Representative Cook. **"With the passage of my amendment today, the bill would appropriate $750,000 to help enable Pinal County to receive over $15 million in federal money to fund infrastructure projects near the Nikola Motors plant. These projects will be an economic engine in Pinal County and create well-paying jobs for rural Arizona."**

The North-South Corridor is a proposed highway project that would improve transit in the Pinal County region.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001632

ARZN_REV00068694_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SB 1379 means responsible reform for Arizona vacation rental marketplace

Statement by Philip Minardi, director, policy communications, Expedia Group

"Today's approval of SB 1379 by the Arizona Senate Commerce Committee is a good step to responsibly reform the vacation rental industry while preserving its importance as a driver of tourism and economic opportunity. Vacation rentals both empower Arizona homeowners to earn extra money with their own property and create a unique experience for guests to enjoy all that Arizona has to offer.

"We are mindful the growing popularity of vacation rentals has created concern in some communities, especially with regard to a relatively small number of nuisance properties. Through our Stay Neighborly initiative, we've instituted a no-tolerance policy toward hosts or guests who have abused the right to rent. We also continue to move swiftly to identify and remove bad actors from the platform, while employing risk-engine technology to flag problems during the booking process. Our support of SB 1379 represents Expedia Group's continued commitment to a balanced approach and smart reforms for the vacation rental marketplace.

"Specifically, SB 1379 establishes strict occupancy limits for host properties; authorizes local officials to impose stiff penalties for vacation-rental violations, and enables the state to suspend any property's tax license for repeated violations; requires vacation rental hosts to maintain at least $500,000 worth of insurance; and more. These provisions address some of the primary concerns raised by community members and local officials, but preserve the core of what has made Arizona among the nation's most successful markets for vacation-rental hosts and guests.

"We believe strongly that a vibrant vacation-rental industry can help lead Arizona's tourism recovery. Expedia Group looks forward to continued collaboration with our state and local officials."

Senator Kelly Speaks with Governor Ducey About Arizona's COVID-19 Response, Priorities

Today, United States Senator Mark Kelly spoke with Governor Doug Ducey about Arizona's response to the COVID-19 pandemic, the state's vaccination plan, and ensuring that Arizonans get the support and resources they need during this pandemic.

Kelly told Ducey that he supports his request for additional vaccines from the federal government, and will continue working with the congressional delegation and administration to advocate for more vaccinations for Arizona. Kelly also shared concerns he has heard from Arizona mayors and his Senior Citizen Advisory Group about inadequate vaccine supply in rural and border areas, and the difficulties that seniors and others with limited transportation options are having getting vaccinated.

"Getting Arizonans vaccinated is how we are going to beat this virus for good and get our economy back on track. Governor Ducey and I spoke about the state's vaccination program, issues that I have heard from Arizonans, and actions that need to be taken to get the vaccinations to the people who need them most," **said Senator Kelly.** "It is critical that we all work together, the governor, our congressional delegation, and local leaders, to get our communities the resources to get Arizonans vaccinated and continue to support those who need it most during this crisis."

Regarding relief, Kelly also raised casework issues that have come to his office including delays in rental and unemployment assistance reaching Arizonans, and the looming threat of evictions for families and individuals.

Kelly last spoke with Ducey in December when they discussed the COVID-19 pandemic and the strain that rising cases and hospitalizations were putting on Arizona's health care system. During that call, Kelly reiterated his support for additional efforts to slow the virus's spread such as a statewide mask mandate.

Since that call, Kelly has joined a bipartisan working group of 8 Democrats and 8 Republicans working to find common ground on COVID-19 relief, including additional funding for vaccinations. He has also held a number of conversations with his COVID-19 Working Group made up of Arizona public health experts, his Senior Citizen Advisory Group made up of senior leaders and organizations, and mayors from the border to northern Arizona.

Kelly has previously written the Department of Health and Human Services urging them to coordinate on-site vaccinations for Customs and Border Protection officers.

Rep. Kirkpatrick Votes to Pass Budget Resolution, A Key Tool to Accelerate Passing COVID Relief for Americans

(WASHINGTON, DC) – Today, Rep. Kirkpatrick voted to pass H. Con. Res. 11, the FY 2021 Budget Resolution. Passing this budget ensures that Congress can act quickly and decisively in the weeks to come to deliver the robust

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001633
ARZN_REV00068694_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

relief that American families, workers and communities need to combat the coronavirus pandemic and strengthen the economy.

"For over a year, the COVID-19 pandemic and economic crises have destroyed Americans' lives and livelihoods, and Arizonans need to know that help is on the way," **said Rep. Kirkpatrick**. "In Arizona alone, upwards of 750,000 people have been infected, nearly 13,500 have died, and thousands remain unemployed as well as food and housing insecure. We must act swiftly and boldly, which is why I am proud to join my colleagues to pass this budget resolution."

In Congress, there is strong precedent for reconciliation bills, which have been passed on a bipartisan basis 17 times in recent years, including for the bipartisan, landmark Children's Health Insurance Program (CHIP). Democrats hope and expect that Republicans in Congress will support assistance that will bring relief to the communities they represent. Passing this budget does not preclude adopting Republican suggestions that would strengthen the package. But it does ensure that Congress can move forward in a timely way and meet Arizona families' urgent needs.

Reports indicate that without immediate action, an entire cohort of young people in Arizona and across the country may have lower lifetime earnings because they were deprived of another semester of school. Millions of Arizona parents could be forced to stay at home, reducing their wages and future job prospects because they have no choice but to care for their kids. With interest rates at historic lows and the return on smart investments in the economy having never been higher, top economists are saying that now is the time for bold action.

The budget resolution passed today is an essential first step in Congress's efforts to deliver the comprehensive, strategic and science-based relief laid out in President Biden's robust American Rescue Plan:

- **Beat the virus and safely reopen schools –** The plan will mount a national vaccination program that includes setting up community vaccination sites nationwide. It will also take complementary measures to combat the virus, including scaling up testing and tracing, addressing shortages of personal protective equipment and other critical supplies, investing in high-quality treatments and addressing health care disparities. The plan will also make the investments necessary to safely reopen schools.
- **Deliver immediate relief to working families bearing the brunt of the crisis –** The plan will provide direct assistance to households across America by $1,400 per person, bringing the total (including the $600 down payment enacted in December) to $2,000. The plan will also provide direct housing and nutrition assistance to families struggling to get by, expand access to safe and reliable child care and affordable health care, extend and expand Unemployment Insurance so American workers can pay their bills and give families with children as well as childless workers a boost through enhanced tax credits.
- **Support communities struggling with the economic fallout –** The plan will provide crucial support for the hardest-hit small businesses, especially those owned by entrepreneurs from racial and ethnic backgrounds that have experienced systemic discrimination. The plan also provides crucial resources to protect the jobs of first responders, frontline public health workers, teachers, transit workers and other essential workers that all Americans depend on.

"I hope to work with Members on both sides of the aisle to meet the urgent needs of our communities," **continued Rep. Kirkpatrick.** "But I will not sacrifice more time or the health and well-being of Arizona families at this critical junction. For hard-working Arizonans, the cost of continued inaction is too high."

Congressman Biggs Named Ranking Member of House Judiciary Subcommittee on Crime, Terrorism and Homeland Security

WASHINGTON, D.C. – This week, Congressman Andy Biggs was named the Ranking Member of the Subcommittee on Crime, Terrorism and Homeland Security for the United States House Committee on the Judiciary. Congressman Biggs released the following statement:

"I'm grateful to Ranking Member Jim Jordan for appointing me as a ranking member for this subcommittee. It has been an honor to serve on the Committee on the Judiciary since being sworn into the U.S. House in 2017 and to work with Ranking Member Jordan on many substantive issues. I am privileged to lead the Republican efforts for this important subcommittee to stand against the Democrats' dangerous agenda for the future of our nation."

Congressman Biggs was also appointed to the Subcommittee on Immigration and Citizenship for the U.S. House Committee on the Judiciary. Congressman Biggs also serves on the U.S. House Committee on Oversight and Reform.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001634
ARZN_REV00068694_2-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I think we all know we're not going to arrest anybody."

- Shope, on whether senators will follow through on their threat to arrest the Maricopa County Board of Supervisors

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001635

ARZN_REV00068694_2-4-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, February 5, 2021 8:26:24 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *February 5, 2021*

Senate panel moves bill to criminalize certain abortions
Arizona Capitol Times
A legislative panel voted February 4 to make it a crime to terminate the pregnancy of a fetus with a genetic abnormality by declaring that it has the same legal rights as anyone else.

Lawmakers' focus veers from Covid relief in 1st weeks of session
Arizona Capitol Times
After nearly four full weeks of session, none of the bills lawmakers sent to the governor's desk deals with the Covid pandemic, a shift in emphasis that's especially noticeable given lawmakers' insistence to help residents and businesses survive the crisis.

Ethics panel decides to probe allegations against Wendy Rogers
Arizona Capitol Times
The unanimous vote by three Republicans and two Democrats followed more than an hour of closed-door discussions in executive session, in which the members received legal advice.

House panel OKs criminal sentencing changes
Capitol Media Services
State lawmakers took the first steps February 3 to reversing decades of tough-on-crime policies.

AMERICAN OVERSIGHT

GOP lawmakers demand Ward allow audit of her election
Capitol Media Services
About a third of state Republican lawmakers are calling on newly re-elected state GOP Chair Kelli Ward to either agree to a recount of that vote or back off of her challenges to the presidential race.

US ends deal with Arizona restricting Biden on immigration
Associated Press
The U.S. Department of Homeland Security has terminated an unusual agreement that Arizona's top prosecutor signed with the agency in the waning days of the Trump administration to try to restrict President Joe Biden's ability to overhaul his predecessor's immigration policies.

Video: Apache made emotional appeal to court to halt proposed Pinal copper mine
Cronkite News
Members of the group Apache Stronghold told a federal district judge, in sometimes tearful testimony Wednesday, that a proposed Pinal County copper mine at Oak Flat would destroy a "holy place" for Native Americans and needs to be stopped.

Hobbs, other Arizona officials discuss 2020 election 'conspiracy circus'
Cronkite News
Arizona Secretary of State Katie Hobbs told a national panel Thursday that the best way to combat election misinformation is with truth, even if "there are some folks who are never going to believe anything I say."

Congressional Democrats want Ducey to explain why he banked COVID relief money
Arizona Mirror
All five of Arizona's House congressional Democrats have signed a letter urging Gov. Doug Ducey to spend more of the state's allocation of federal relief funds related to the coronavirus pandemic — and explain why it used $400 million of the money to offset existing government spending instead of fighting COVID-19.

Kelly focused on virus relief, shots in arms
Kingman Daily Miner
Sen. Mark Kelly (D-Ariz.) says he's focused on relief funding for cities and towns, and getting folks vaccinated.

Arizona GOP Lawmakers Tell Kelli Ward to Audit Her Own Election
Phoenix New Times
A group of Arizona Republican lawmakers are calling on Kelli Ward to allow an audit of the state party's January 23 vote that resulted in her reelection as state GOP chair.

Marjorie Taylor Greene vote verifies Arizona GOP's quixotic quartet of QAnon quacks
Arizona Republic (Opinion, EJ Montini)
Arizona's four Republican representatives in Congress were asked to choose between conservative values or conspiracy theories.

Uh-oh. Now Kelli Ward's own peeps are calling out her election audit hypocrisy
Arizona Republic (Opinion, Laurie Roberts)
Arizona Republican Party Chairwoman Kelli Ward's election audit hypocrisy is so glaring that even her own supporters see it.

Arizona Senate Republicans are abusing their subpoena power. Strip them of it
Arizona Republic (Opinion, Robert Robb)
Senate Republicans are demanding that supervisors break the law to assist an election review that won't be credible or trustworthy.

Sens. Mark Kelly and Kyrsten Sinema have no shame using immigrants as political pawns
Arizona Republic (Opinion, Elvia Diaz)
It says a lot about Sens. Mark Kelly and Kyrsten Sinema when they are willing to vote against immigrants in an effort to appear bipartisan.

Our tribe is not 'at the table shaping' Resolution Copper's mine. It's an abomination
Arizona Republic (Op-ed, Terry Rambler)
Let me say it flatly: There is no agreement between the San Carlos Apache Tribe and Resolution Copper. Its mine would destroy Oak Flat, which is sacred to us.

Lawmakers raided funds meant for recycling, raising fees or scaling back programs
Arizona Republic (Op-ed, Erin Murphy and Levi Helm)
A 25-cent fee for every ton sent to Arizona landfills is supposed to help cities sustain recycling programs. If only lawmakers honored the intent.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, February 5, 2021 8:26:46 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: February 5, 2021
Attachments: February 5, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Ineligible walk-ins able to get vaccinated at TCC this week
- Supply of vaccine to county plummets next week
- US rushes to catch up in race to detect mutations of virus
- Biden weighs executive action to forgive federal student debt
- Voting company sues Fox, Giuliani over spread of election fraud claims
- US ends AZ deal restricting Biden's immigration power

Arizona Republic

- Senate ramps up county conflict
- Greene loses committees; Ariz. delegation votes party line
- 5 problems slow vaccine rollout across state

KTAR News

- Arizona Senate panel OKs proposal to ban abortions for Down Syndrome
- Arizona Dems in Congress concerned with Ducey use of COVID relief funds
- Arizona's three public universities team up to detect COVID-19 mutations

Arizona Daily Sun

- Ethics panel to investigate Senator accused of harassment
- Navajo Nation hosting a memorial for late tribal president
- Arizona Senate fast-tracks contempt vote in election wrangle

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Ineligible walk-ins able to get vaccinated at TCC this week

By Patty Machelor
Arizona Daily Star
February 5, 2021

With only about 130 appointments scheduled in the computer system on both Wednesday and Thursday, the Tucson Convention Center COVID-19 vaccination site opened up to walk-ins for ineligible age groups.

The decision to allow first those ages 65-plus, which then changed to those 70-plus, was widely talked about Thursday on social media and through emails to the Arizona Daily Star from people confused about whether they should go to the TCC or take an aging parent.

Many were upset because they were waiting for their turn through the county process and felt offering it to those just lucky enough to hear about it through word of mouth was unfair. Only people 75 and older, or in certain jobs, were supposed to be currently eligible under county guidelines.

City of Tucson spokesman Andy Squire said although he understands there was some frustration, the workers did not want to waste resources, time or vaccines when there were far fewer than the 1,500 eligible people they could accommodate signed up early on.

'We have thrown away no doses. Zero. We have

wasted nothing,' Squire said.

Initially, the TCC, 260 S. Church Ave., was taking those age 65-plus in addition to eligible groups: K-12 and higher- education teachers, as well as protective service workers and licensed child care workers.

However, that was cut back to 70-plus before noon Thursday, when the line had become several hours long.

Under Pima County guidelines at the start of the day Thursday, people ages 65 to 75 were not eligible for COVID-19 vaccines unless they have one of the jobs that now qualify.

However, county officials announced later Thursday that it will start providing vaccines to those 70 and older on Monday, Feb. 8.

The TCC site will continue to take people 70-plus going forward, and Squire said no appointment is necessary for those who can come down as walk-ins Friday. After Friday, the TCC workers hope to have people show up by appointment only, but Squire said they are not sure how quickly that's going to happen.

If not enough people are registered early next week, he said TCC will still take walk-ins from those 70-plus, as well as K-12 and higher-education teachers, protective service workers and licensed child care workers.

AMERICAN OVERSIGHT

CONFUSION ATTRIBUTABLE TO COUNTY'S RULES VS. STATE'S

Squire and Mark Evans, communications director for the county, said no one from the county or the city sent out a

People line up for the COVID-19 vaccine at the Tucson Convention Center. Hundreds waited for as long as three hours Thursday. The age cutoff for vaccination was briefly lowered at the TCC to 65-plus.

notice to urge the otherwise ineligible age group to come to the TCC on Thursday, but word of the loophole there spread through social media sites.

Many people ages 65 and older have been showing up at the TCC because they were confused about the state rollout, Squire said.

The state-run drive-thru sites in Maricopa County, as well as some pharmacies in Tucson, are vaccinating those 65-plus now. That contrasts with the Pima County rollout, which still doesn't allow 65 and up, and just changed to 70 and up Thursday.

Gov. Doug Ducey in January moved up people 65 and older into the 1B priority group.

'Pima County, however, still restricted vaccinations to people 75 and older because they statistically have worse outcomes if they contract COVID-19, and because there are so many people in Pima County over age 65 (more than 212,000) allowing them all to register for appointments at once would have crashed the registration system,' said a news release Thursday from Dr. Theresa Cullen, county health director.

COUNTY'S RULES ARE CHANGING NOW

'We have made a lot of progress over the past six weeks in the 1A and 1B priority groups, vaccinating more than 130,000 people,' Cullen said. 'The pace of appointments for educators and protective services has slowed as we think we're nearing saturation of the people in those groups who want to be vaccinated, so we're opening appointments to 70 and older.'

According to the 2019 Csensus estimate for Pima County, there are more than 54,400 people between the ages of 70 and 74 in Pima County, the news

release said.

'We're only opening vaccination to 70-plus because we still have a lot of 75-plus people to vaccinate, and we don't want to overwhelm our registration system or create more demand than we have vaccine supply,' Cullen said.

COUNTY WILL TRY TO FILL MORE TCC ONLINE SLOTS Squire said TCC staffers told attendees Wednesday that they would allow 65plus again Thursday because they had so few appointments.

'We have never had a full slate of appointments,' he said. 'I have no idea why.'

In a separate news release Thursday, county health officials said they are trying to handle the situation differently going forward, in order to get more of the TCC's appointment slots filled by people in the 1B

AMERICAN OVERSIGHT

priority group now eligible in Pima County for the vaccine, which includes the people in certain qualifying jobs.

The county Health Department's news release said: 'Despite the ability to register for ample appointments available at TCC, educators and protective services 1B priority qualifiers have not been choosing TCC that often, only a few hundred a day when the site can handle as many as 1,500 a day.'

FALSE IMPRESSIONS CREATED, OFFICIALS SAY

Another issue, the news release said, is that at the end of the day at the TCC, 'there are occasionally 'leftover' doses in vaccine vials. To prevent wasting those doses, TCC has been vaccinating people who had learned from social media that they could hang around the TCC late in the day and they might be able to get vaccinated. That has ranged each day from a few dozen people to none.

'The TCC scheduling problem,

combined with the end-of-the-day shots, has created the public impression that anyone can walk up at the TCC and get vaccinated,' the news release says. 'Social media also has played a prominent role in encouraging people to go to the TCC to get vaccinated, including those over 65 the past few days.'

Lastly, the news release urged the public to 'get its information about vaccinations in Pima County from the Pima County Vaccination webpage, www.pima. gov/covid19vaccine, and not from anecdotal information on social media. Or they can call 520-222-0119.'

On Wednesday, the TCC site ended the day with 1,430 vaccines administered and was expected to reach at least 1,500 Thursday.

WORD SPREAD ON SOCIAL MEDIA

As an example of how word spread, a Tucson Racquet Club fitness instructor sent out an email Thursday saying those 65-plus could go to the TCC for shots without an appointment.

'A member in my 8 a.m. class (Thursday) said she got an email from her townhome association on Wednesday night telling the homeowners to go to the TCC for COVID vaccinations (Thursday). I passed it on to my class email list,' explained Renee Sitter. 'I had around 400 on the list because I included my instructors and my Racquetball League list.'

The upshot? 'I had many appreciative emails from members who were able to get the shot for either themselves, their spouses, fathers, mothers and friends,' Sitter said.

Return to the table of contents

AMERICAN OVERSIGHT

Supply of vaccine to county plummets next week

With 17,850 doses, focus will be on those needing 2nd shot

By Patty Machelor
Arizona Daily Star
February 5, 2021

The distribution of COVID-19 vaccine to Pima County will drop by nearly 60% next week, compared to the previous two weeks, forcing the county to temporarily focus more on second shots than getting new doses administered.

Pima County will get 17,850 doses next week instead of the nearly 30,000 received weekly for the last two weeks.

The decrease in vaccine being given to the county is because more was recently given to Pima County,

said C.J. Karamargin, spokesman for Gov. Doug Ducey.

'The thinking here is to keep fair and equitable,' he said. 'The decrease this week is to make up for the excess in doses' previously.

He said it's also because Pima County has 40,542 unused doses of the Moderna vaccine and 8,528 of the Pfizer.

Pima County will get 17,850 doses next week instead of the nearly 30,000 received weekly for the last two weeks.

SUPPLY

The Arizona Department of Health Services is 'working to make sure those doses get used and get reported as required under the (governor's) executive order,' Karamargin said. Getting shots to residents here is not an issue, said Mark Evans, communications director for Pima County.

'Every single one of those doses is accounted for with an appointment, including both first and last shots,' he said. 'Those aren't sitting on a shelf just gathering dust. They're accounted for.'

Evans said the sudden drop in doses means the county will now have to focus more on making sure second doses are accounted for and reducing the emphasis on first doses.

'We had hoped for an increasing vaccination

supply as in the past we typically received 12,500 vaccines per week,' Pima County Supervisor Sharon Bronson wrote Thursday in a letter to U.S. Sen. Mark Kelly, Ducey and U.S. Rep. Raúl Grijalva.

'This number had increased over the last two weeks to 29,850 vaccines, consistent with our increased vaccine delivery infrastructure as well as our priority population; however, this week we have been

AMERICAN OVERSIGHT

notified by the Arizona Department of Health Services that our allocation has now decreased to 17,850,' Bronson wrote.

'We have the vaccination infrastructure to significantly exceed this amount,' she said.

Pima County is poised to turn the Rillito Racetrack into its largest site for dispensing COVID-19 vaccination shots but that remains on hold. The location, at 4502 N. First Ave., will be a drive-thru that could provide 5,000 vaccinations

per day as a 24-hour site, like the one the state currently runs in Glendale. A second state-operated site opened Monday, Feb. 1 at Phoenix Municipal Stadium.

Some residents from Pima and other Southern Arizona counties have traveled to the state site rather than wait for an appointment where they live.

Out of 604,500 doses of Pfizer vaccine allocated to the state, the state's two drive-thru points of distribution, or PODs, in the state's most populous county, Maricopa, have received 200,850 while Pima County has received 64,350.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

US rushes to catch up in race to detect mutations of virus

By Mike Stobbe and Marion Renault
Arizona Daily Star
February 5, 2021

Despite its world-class medical system and its vaunted Centers for Disease Control and Prevention, the U.S. fell behind in the race to detect dangerous coronavirus mutations. And it's only now beginning to catch up.

The problem has not been a shortage of technology or expertise. Rather, scientists say, it's an absence of national leadership and coordination, plus a lack of funding and supplies for overburdened laboratories trying to juggle diagnostic testing with the hunt for genetic changes.

'We have the brains. We have the tools. We have the instruments,' said Ilhem Messaoudi, director of a virus research center at University of California, Irvine. 'It's just a matter of supporting that effort.'

Viruses mutate constantly. To stay ahead of the threat, scientists analyze samples, watching closely for mutations that might make the coronavirus more infectious or more deadly.

But such testing has been scattershot.

Less than 1% of positive specimens in the U.S. are being sequenced to determine whether they have worrisome mutations. Other countries do better — Britain sequences about 10% — meaning they can more quickly see threats coming at them. That gives them greater opportunity to slow or stop the

AMERICAN OVERSIGHT

problem, whether through more targeted contact tracing, possible adjustments to the vaccine, or public warnings.

CDC officials say variants have not driven recent surges in overall U.S. cases. But experts worry that what's happening with variants is not clear and say the nation should have been more aggressive about sequencing earlier in the epidemic that has now killed over 450,000 Americans.

'If we had evidence it was changing,' said Ohio State molecular biologist Dan Jones, 'maybe people would've acted differently.'

U.S. scientists have detected more than 500 cases of a variant first identified in Britain and expect it to become the cause of most of this country's new infections in a matter of weeks. Another troubling variant tied to Brazil and a third discovered in South Africa were detected last week in the U.S. and also are expected to spread.

The British variant is more contagious and is believed to more deadly than the original, while the South Africa one may render the vaccines somewhat less effective. The ultimate fear is that a variant resistant to existing vaccines and treatments could eventually emerge. Potentially worrisome versions may form inside the U.S., too. 'This virus is mutating, and it doesn't care of it's in Idaho or South Africa,' Messaoudi said.

But the true dimensions of the problem in the U.S. are not clear because of the relatively low level of sequencing.

'You only see what's under the lamppost,' said Kenny Beckman, director of the University of Minnesota Genomics Center, which started analyzing the virus's genetics last spring.

After the slow start, public- health labs in at least 33 states are now doing genetic analysis to identify emerging variants. Other states have formed partnerships with university or private labs to do the work. North Dakota, which began sequencing last week, was the most recent to start that work, according to the Association of Public Health Laboratories.

The CDC believes a minimum of 5,000 to 10,000 samples should be analyzed weekly in the U.S. to adequately monitor variants, said Gregory Armstrong, who oversees the agency's advanced molecular detection work. And it's only now

that the nation is hitting that level, he acknowledged.

Still, it is a jumble of approaches: Some public- health labs sequence every positive virus specimen. Some focus on samples from certain outbreaks or certain patients. Others randomly select samples.

On top of that, labs continue to have trouble getting needed supplies — like pipette tips and chemicals — used in both gene sequencing and diagnostic testing.

President Biden, who inherited the setup from the Trump administration, is proposing a $1.9 trillion COVID-19 relief package that calls for boosting federal spending on sequencing of the virus, though the amount has not been detailed and other specifics haveyet to be worked out.

AMERICAN OVERSIGHT

'We're 43rd in the world in genomic sequencing. Totally unacceptable,' White House coronavirus response coordinator Jeff Zients said.

Less than 1% of positive specimens in the United States are being sequenced to determine whether they have worrisome mutations. Britain sequences about 10%.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Biden weighs executive action to forgive federal student debt

By Collin Binkley
Arizona Daily Star
February 5, 2021

The Biden administration is reviewing whether it can take steps to provide student debt relief through executive action, even as it continues to call on Congress to pass legislation to help borrowers and their families.

A tweet by WhiteHouse press secretary Jen Psaki appeared to go further than her comments at a briefing earlier Thursday, when she said President Biden was looking to Congress to act next on student loan relief. Biden has said he supports up to $10,000 in student loan forgiveness per borrower.

'The President continues to support the cancelling of student debt to bring relief to students and families,' Psaki tweeted. 'Our team is reviewing whether there are any steps he can take through executive action and he would welcome the opportunity to sign a bill sent to him by Congress.'

That came hours after a group of Democrats urged Biden to use executive action to forgive $50,000

in federal student debt for all borrowers. The group, which included Senate Majority Leader Chuck Schumer of New York and Sen. Elizabeth Warren of Massachusetts, said that would boost the economy and help close the nation's racial wealth gap.

Biden previously had said he supports erasing up to $10,000 in student debt through legislation, but he had not shown interest in pursuing executive action. At a briefing before she issued her statement on Twitter, Psaki seemed to dismiss the idea of using presidential powers to erase debt, saying Biden had already paused student loan payments during the pandemic.

'He would look to Congress to take the next steps,' she said.

Legal scholars have fallen on either side of the issue of whether Biden has the power himself to address loan relief, with some saying the move would be unlikely to survive a legal challenge.

The Trump administration took steps to block broad debt cancellation in early

AMERICAN OVERSIGHT

January, issuing an Education Department memo concluding that the secretary lacked the authority to provide such assistance and that it would be up to Congress.

Schumer said he and Warren have researched the question and concluded that 'this is one of those things the president can do on his own.' Past presidents have cleared debt, Schumer said, although not at the scale being proposed.

Democrats are pressing the issue as a matter of racial justice. They draw on statistics showing that Black and Latino borrowers are more likely to take on student debt and to take longer repaying their loans.

Return to the table of contents

Voting company sues Fox, Giuliani over spread of election fraud claims

By Joshua Goodman
Arizona Daily Star
February 5, 2021

MIAMI — A voting technology company is suing Fox News, three of its hosts and two former lawyers for former President Donald Trump — Rudy Giuliani and Sidney Powell — for $2.7 billion, charging that the defendants conspired to spread false claims that the company helped 'steal' the U.S. presidential election.

The 285-page complaint filed Thursday in New York state court by Florida-based Smartmatic USA is one of the largest libel suits ever undertaken. On Jan. 25, a rival election- technology company — Dominion Voting Systems, which was also ensnared in Trump's baseless effort to overturn the election — sued Guiliani and Powell for $1.3 billion.

Unlike Dominion, whose technology was used in 24 states, Smartmatic's participation in the 2020 election was restricted to Los Angeles County, which votes heavily Democratic.

Smartmatic's limited role notwithstanding, Fox aired at least 13 reports falsely stating or implying the company had stolen the 2020 vote in cahoots with Venezuela's socialist government, according to the complaint. This alleged 'disinformation campaign' continued even after then-Attorney General

William Barr said the Department of Justice could find no evidence of widespread voter fraud.

For instance, a Dec. 10 segment by Lou Dobbs accused Smartmatic and its CEO, Antonio Mugica, of working to flip votes through a nonexistent backdoor in its voting software to carry out a 'massive cyber Pearl Harbor,' the complaint alleged.

'Defendants' story was a lie,' the complaint stated. 'But, it was a story that sold.'

The complaint also alleges that Fox hosts Dobbs, Maria Bartiromo and Jeanine Pirro also directly benefited from their involvement in the conspiracy. The lawsuit alleges that Fox went along with the 'well-orchestrated dance' due to pressure from newcomer outlets such as Newsmax and One America News, which were stealing away conservative, pro- Trump viewers.

AMERICAN OVERSIGHT

Roy Gutterman, a media law professor at Syracuse University, said the lawsuit is compelling and based on specific examples and facts, not frivolous claims.

'This is a perfect example of why we have the law of defamation law in first place,' said Gutterman, a former reporter.

Fox News Media, in a statement on behalf of

the network and its hosts, rejected the accusations. It said it is proud of its election coverage and would defend itself against the 'meritless' lawsuit in court.

Fox 'is committed to providing the full context of every story with indepth reporting and clear opinion,' the company said in a written statement.

Giuliani and Powell did not immediately respond to requests for comment.

For Smartmatic, the effects of the negative publicity were swift and devastating, the complaint alleges.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

US ends AZ deal restricting Biden's immigration power

By Anita Snow and Ben Fox
Arizona Daily Star
February 5, 2021

The U.S. Department of Homeland Security has terminated an unusual agreement that Arizona's top prosecutor signed with the agency in the waning days of the Trump administration to try to restrict President Biden's ability to overhaul his predecessor's immigration policies.

The agency's action was revealed Wednesday as Arizona Attorney General Mark Brnovich, a Republican, sued to stop newly confirmed Homeland Security Secretary Alejandro Mayorkas from carrying out Biden's 100-day moratorium on deportations. A federal judge in Texas has already put it on hold.

'Arizona's law enforcement community is particularly concerned that aliens who have been charged or convicted of crimes will be released as a result of DHS's 100-day moratorium,' Brnovich said in the federal lawsuit.

He said authorities also worry 'that releasing individuals during the COVID-19 pandemic will further stress hospitals and social services at the local and county level.'

Brnovich sued after a court order last month temporarily barred the U.S. government from enforcing a pause in deportations. His filing revealed that Homeland Security canceled the immigration agreement he made with the agency, which was among at least nine quietly signed with

AMERICAN OVERSIGHT

state and local jurisdictions during the Trump administration's final weeks. The agreements say the jurisdictions are entitled to a 180-day consultation period before executive branch policy changes take effect.

It's not clear what has happened with the agreements signed elsewhere. The Department of Homeland Security on Wednesday declined to comment, citing the pending litigation.

It comes the same week a whistleblower compliant revealed that then-Acting DHS Deputy Secretary Ken Cuccinelli also reached last-minute agreements with a union for Immigration and Customs Enforcement employees.

The Government Accountability Project said in a whistleblower complaint submitted Monday to Congress and two federal watchdogs that the labor agreements grant 'extraordinary power and benefits' to the American Federation of Government Employees ICE Council 118, which represents about 7,500 employees and endorsed Trump in 2016 and 2020.

In addition to improved economic benefits, the agreements give the union the power to delay changes to immigration enforcement policies and practices,

Suspected illegal immigrants are transferred out of the holding area after being processed at the Tucson Sector of the U.S. Customs and Border Protection headquarters in Tucson.

DEAL

according to the letter the Government Accountability Project submitted on behalf of an undisclosed federal employee.

The agreements would remain in place for eight years unless Homeland Security moves to challenge them by Feb. 17, which is 30 days after Cuccinelli signed them.

'This abuse of authority is shocking,' wrote David Seide, an attorney for the unidentified employee, noting Cuccinelli's 'extraordinary involvement.'

'It is clear that they are another example of the prior administration's effort in its waning hours to cement a legacy at taxpayer expense,' he said.

Cuccinelli said in an email that he did nothing wrong.

'With the advice and counsel of the Office of the General Counsel, I executed appropriate agreements to finally address many

of these previously unresolved issues,' he said. 'As best I can tell, the primary basis for the complaint is that I did my job well, to the chagrin of the complainer.'

Biden's Homeland Security leaders have not said whether they will move to annul the labor agreements.

The union official who signed them, Chris Crane, did not respond to requests for comment.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Senate ramps up county conflict

Push to vote on holding supervisors in contempt

By: Andrew Oxford and Jen Fifield
Arizona Republic
February 5, 2021

Republicans in the Arizona Senate have escalated their ongoing fight with the Maricopa County Board of Supervisors over the 2020 election.

On Wednesday, they introduced

a resolution to hold the board's members in contempt for not turning over — or at least providing access to — ballots along with other records. It's not clear exactly what a contempt finding against the supervisors would result in, though the resolution appears to allow for their arrest.

Republican lawmakers are intent on conducting their own audit of the county's election results after Democrat Joe Biden won the county and state.

They have issued subpoenas for ballots, voting equipment and more over the past two months.

But county supervisors have said state laws prevent them from providing many of the records sought in the subpoenas and they instead are conducting their own audit

That hasn't satisfied Senate Republicans, as all 16 have sponsored a resolution calling on the Senate president to take "all legal action" to enforce the subpoenas, citing a state law that allows the sergeant at arms to arrest anyone who disobeys a legislative subpoena and bring them before the Senate.

It would be the first time in decades — if ever — that the Senate has held anyone in contempt.

Senate President Karen Fann, RPrescott, said the chamber may vote on the measure on Monday if an agreement with the county is not reached. Senators voted along party lines on Thursday to waive the rules that allow for the vote without first holding hearings. The Senate could then go back to court or ask the attorney general to prosecute. Disobeying a legislative subpoena is a class 2 misdemeanor.

Fann said the Board of Supervisors could agree to an audit with the Senate at any time but said, "It's not going away."

"We have tens of thousands of voters who have questions about the county's election. Whether they're founded or unfounded, I don't know. We as a Senate body have an obligation to our constituents to get answers to their questions," Fann said.

Dems: Audit won't stop detractors

Democrats dismissed the suggestion that an audit would put to rest claims from Republican lawmakers that there were irregularities in the last election.

AMERICAN OVERSIGHT

While the campaign of former President Donald Trump and other Republicans filed a series of lawsuits in Arizona disputing the results of the election and its procedures, all fell apart in court.

“I don’t think they’re ever going to be satisfied, no matter what,” said

Sen. Lela Alston, D-Phoenix.

Alston raised concerns about allowing the Senate or an auditing firm it selects to access ballots and election equipment.

The Senate announced last week it had chosen a firm to conduct the audit and the county released documents Wednesday that showed the Senate has considered a firm, Allied Security Operations Group, with connections to the Trump campaign’s efforts to overturn election results in several states.

“We’re going to turn all our ballots over to someone when we have no idea about their credentials,” Alston said.

But Fann said on Wednesday that the Senate had not settled on any firm for the work and had not signed a contract with anyone.

Either way, Board of Supervisors Chairman Jack Sellers, a Republican , said state law simply does not allow him to give the Senate the kind of access it demands. The county has maintained that ballots are sealed until a court decides otherwise.

“It is our understanding that state law prohibits the release of the ballots once they have been sealed,” Sellers said in a statement. “There is nothing prohibiting the Senate and their lawyers from going into a courtroom and explaining to a judge why the Board should disregard state law and allow access to people’s ballots and personal information.”

Steve Gallardo, the only Democrat on the five-member board of supervisors, accused the Senate of operating on unfounded conspiracies. “The only contempt I see is what state senators have shown to Maricopa County voters since early November. Contempt for their privacy. Contempt for the way the majority voted. Contempt for the democratic process,” Gallardo said in a statement.

Republicans pointed to an issue beyond the election, though, arguing on Thursday that the county was undermining

the Legislature’s power and that the body had to respond.

“This is about a direct challenge to the authority of the Legislature,” Sen. Sonny Borrelli, R-Lake Havasu City said.

In that sense, Democrats said the measure amounted to a power play.

Besides, Democrats questioned how exactly the Senate planned on enforcing a contempt resolution.

Would they really send the sergeant at arms to arrest the Board of Supervisors, some wondered?

AMERICAN OVERSIGHT

"Where is he going to put them?" Sen. Sally Ann Gonzales, D-Tucson, asked.

County officials have said they had turned over hundreds of thousands of pages of documents to the Senate's lawyers, including voter registration information that can already be publicly requested and logs showing who accessed voting equipment.

Megan Gilbertson, communications director for the Maricopa County Elections Department, said no private voter information was released and tabulation equipment, as well as 2020 ballots, remain in the county's custody.

Meanwhile, the county started an audit on Tuesday, led by the two companies it hired.

That audit will not include ballots from 2020 or another recount. Instead, it will examine whether voting machines were tampered with and test the accuracy of those machines.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Greene loses committees; Ariz. delegation votes party line

By: Ronald J. Hansen
Arizona Republic
February 5, 2021

Arizona's U.S. representatives voted along party lines on Thursday to help strip controversial Rep. Marjorie Taylor Greene of her committee assignments.

Arizona's five Democratic House members joined with

everyone in their party to remove the freshman lawmaker from a pair of committees after learning she "liked" on Facebook a 2019 comment that suggested House Speaker Nancy Pelosi, D-Calif., should be executed.

Greene, R-Ga., also has reacted approvingly to a range of cultural conspiracies, including QAnon.

All four of Arizona's Republican House members were part of nearly unanimous GOP opposition to the historic rebuke. The measure passed 230-199 with 11 Republicans siding with every Democrat to take away Greene's assignments.

During the debate preceding the vote, Republicans warned the punishment against Greene — for actions taken before her political career began — could lead to similar reprisals when they again control the House.

"I'm afraid it's going to cascade," said Rep. Andy Biggs, R-Ariz., who noted that Democrats, including Pelosi, have overlooked their own comments that "dehumanize."

House Majority Leader Steny Hoyer, D-Md., said the House had to act because the GOP would not. He held aloft a placard with a Facebook post from Greene's campaign last year in which she was holding an

AMERICAN OVERSIGHT

AR-15 and included the faces of Democratic Reps. Alexandria Ocasio-Cortez of New York, Ilhan Omar of Minnesota and Rashida Tlaib of Michigan with a caption that read the "Squad's worst nightmare."

"I urge my colleagues to look at that image and ask what message it sends," he said.

Hoyer noted that in 2019 Republicans took the same action against former Rep. Steve King, R-Iowa, for questioning why "white supremacist" was considered an offensive term.

House Minority Leader Kevin McCarthy, R-Calif., cautioned Democrats over managing the work of the other party.

"You'll regret this, and you may regret this a lot sooner than you think," McCarthy said. "If that's the new standard, if people are held to what they said prior to even being in this House, if a majority party gets to decide who sits on what other committees, I hope you keep that standard because we have a long list."

Greene had been named to the House Budget Committee and the Education and Labor Committee.

Rep. Paul Gosar, R-Ariz., had criticism of the Democratic move.

"Today, House Democrats violated the Constitution by punishing Congresswoman Greene for words she spoke as a private citizen. This unprecedented power grab is a low point for America," he said in a written statement. "I support every American's right to exercise free speech and petition the Government for a redress of grievances without fear of punishment or reprisal, and Rep. Greene in particular for her steadfast support of an America First policy agenda."

The Democrats' action against Greene followed tense days in the GOP over what to do about Greene, as well as Rep. Liz Cheney, R-Wyo., the No. 3 ranking member in her party's House leadership who had come under heavy criticism for voting to impeach former President Donald Trump on a charge of inciting an insurrection in the Jan. 6 riot at the U.S. Capitol.

Behind closed doors on Wednesday, a divided Republican conference opted against stripping Cheney of her party duties. On Thursday, they publicly united behind Greene.

Biggs, who heads the conservative House Freedom Caucus, has emerged in recent days as one of Greene's strongest defenders, saying there was a "hypocritical double standard" at work.

"Many members of the radical left in Congress have advocated for violence, anti-Semitism, anti-law enforcement, and other sentiments that have violated rules of decorum and principles of American decency," he said in a statement earlier in the week.

Ahead of the votes against her, Greene, wearing a mask that said "free speech" on it, tried to walk back some of her positions and described herself as "a very regular American" who doesn't trust the government.

She admitted "regret" for believing in some conspiracies and said in 2018 she "stopped believing" the pro-Trump QAnon theory, which casts some celebrities, including former Secretary of State Hillary Clinton, as devil-worshiping pedophiles and cannibals.

AMERICAN OVERSIGHT

"Later in 2018 when I started finding misinformation, lies, things that were not true in these QAnon posts, I stopped believing it," she said. "Any source of information that is a mix of truth and a mix of lies is dangerous, no matter what it is saying, what party it is helping, anything or any country it's about. It's dangerous. And these are the things that happen on the left and the right."

On Thursday, Greene acknowledged "9/11 absolutely happened" though she had previously doubted the Pentagon was struck by a hijacked jet on Sept. 11, 2001.

She similarly said "school shootings are absolutely real," a message far different than the one she expressed when she agreed with someone online who called a 2018 school massacre in Florida a "false flag planned shooting."

In a newly surfaced 2019 video, Greene is seen badgering David Hogg, then a teenaged survivor of that shooting, calling him an "idiot" and saying, "He only talks when scripted."

That video was released a month before she entered her congressional race in Georgia.

The partisan division focused on what to do with Greene, but it also served as a sign the long-standing partisan gulf in Washington is unaltered by the Jan. 6 riot at the U.S. Capitol or a change in presidential administrations.

Republic reporter Rylee Kirk contributed to this article.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

5 problems slow vaccine rollout across state

By: Stephanie Innes and Alison Steinbach
Arizona Republic
February 5, 2021

Just 1.7% of Arizonans had been fully immunized with two doses of the COVID- 19 vaccine as of Thursday and the state's rollout has been plagued by computer hiccups and public frustration.

Ironing out some of the big problems could help the state meet its goal of vaccinating 3.5 million people, nearly half of Arizona's population, by July 1.

Here are five problems with the rollout that

have emerged so far: Arizona doesn't publicly share enough data about COVID-19 vaccinations.

Arizona's COVID-19 vaccine plan pledges to "equitably" distribute the vaccine.

Yet Arizona to date has not shared any demographic information about the people who have been vaccinated, though state health officials say they are working on making that data available on its website.

AMERICAN OVERSIGHT

The Kaiser Family Foundation, in a survey released Tuesday, found 23 states that were publicly reporting vaccination

data by race/ethnicity.

Arizona was not one of them.

“When we get into the general population, that (data) will become exquisitely important, because we won’t be doing by priority phases like health care workers, law enforcement, and we do want to make sure that it’s equitable and fairly distributed throughout the state,” Arizona health director Dr. Cara Christ said Monday at a vaccine event.

Data tracking age, ethnicity and

other demographic information is important in ensuring doses are reaching historically marginalized communities who may have issues accessing vaccines, or who may be experiencing vaccine hesitancy and need more information about the vaccine.

States are sharing varied degrees of information about the number of doses administered, and about who is getting those doses, including the age and ethnicity of the people who are vaccinated. Some states also include the number of instate and out-of-state residents they have vaccinated, which Arizona also is not doing.

“Vaccination programs can help end the COVID pandemic and help get us to a new normal. But vaccination programs need to use and transparently share information in order to maximize speed, safety and equity,” said Dr. Tom Frieden, a former director for the Centers for Disease Control and Prevention and president and CEO of Resolve to Save Lives, a global nonprofit organization.

Although the vast majority of states already make some data on their COVID-19 vaccine rollout available to the public, essential information is lacking in many states, Frieden’s organization found in a report released this week.

Stratified data on vaccine coverage by race or ethnicity is essential in the assessment of equity in vaccine distribution, particularly among historically marginalized groups, the report said.

People outside Maricopa County have fewer options

The only state-run vaccination sites in Arizona are in Maricopa County right now — State Farm Stadium in Glendale and Phoenix Municipal Stadium.

While about 60% of the state’s population lives in Maricopa County, there are approximately 3 million Arizonans living outside of the Phoenix area who need access to COVID-19 vaccinations, too. Vaccination rates are lagging in several rural counties, the state’s most recent data shows. Counties with the lowest rates of vaccinations administered per 100,000 people as of Wednesday were Apache, Mohave, Pinal and Graham counties.

Yuma County had administered the most of its vaccine supply, 91%, while Apache and La Paz counties had administered 46%, suggesting the need for more resources or vaccinators in those areas. While the state-run vaccination sites in Glendale and Phoenix operate seven days a week, and the State Farm

AMERICAN OVERSIGHT

Stadium site is open 24 hours a day, people living outside the Phoenix metro area have more limited appointment hours and options.

State officials say they plan to replicate the stadium models elsewhere in the state, including in rural and tribal communities, but there are no details yet. Christ said the state is focusing its efforts on the large vaccination sites at State Farm and Phoenix Municipal stadiums. The "next phase" will include smaller sites in communities as well as pharmacies, doctors' offices and community

health centers, she said.

Some Arizona counties don't have the same public health infrastructure that's available at the state level and in Maricopa County, making it difficult for them to set up vaccine sites. La Paz County health officials, for example, said as a "small county that's medically underserved," it's hard to find enough people who can administer vaccines, not to mention that the vaccine process adds stress on an already challenged and understaffed public health department busy also with contact tracing and testing.

Pima County officials have talked about setting up a large-scale vaccination site at the Rillito Racetrack in Tucson, but say they need more vaccine supply and resources to make that happen.

"We do believe that that is a great site that potentially can have a great impact in terms of the sheer number of vaccines that we could deliver at one location," Dr. Francisco Garcia, deputy county administrator for community and health services for Pima County, said during a briefing this week. "We remain hopeful resources and more importantly, that vaccine stock, will be more abundant and available for us to put into a location like that."

Process is confusing for Arizonans between 65 and 74

Initially, only those 75 and over were among prioritized individuals in the first part of Phase 1B. After federal recommendations to lower that bar to adults 65 and older, the state followed suit but many counties did not, as they did not have enough doses to accommodate even the 75 and older age group. Maricopa and Pima counties have not yet opened up appointments to those ages 65 to 74 because of supply constraints.

But that's created significant confusion among seniors, especially in Maricopa County, given that state-run sites in the county are vaccinating that age group but county- run sites are not. Because the state has not released any data on ages of those vaccinated, it's unclear how the phased priority process is going in Arizona and whether older individuals are getting adequate access.

Ongoing problems with the vaccine registration process

The state-run registration website has been far from user friendly, prompting frustration from those unable to schedule appointments even after hours of trying.

The health department slowly has implemented website improvements.

"We understand how frustrating our website was," Christ said Wednesday. "We have been working on enhancing it and making it better based on customer feedback and our own personal frustrating experience with the website."

AMERICAN OVERSIGHT

The website still leaves some behind. For many in the older age groups eligible, navigating a sign-up website is not an easy task, especially when the website is clunky and they have no one around to help. And online appointments

disappear in a flash, prioritizing people who are able to be on their computer at a specific time on short notice. The state released 21,000 new February appointments at Phoenix Municipal Stadium on Wednesday morning; all were gone within 40 minutes. There are phone lines, but many people have reported long periods on hold or said they've been unable to receive help if they're not booking at one of the two state-run sites. Maricopa County has a detailed website with vaccine information but does not clearly list a phone number people can call for help. Earlier this month, Yuma County Administrator Susan Thorpe publicly apologized that so many residents in her county had been getting stonewalled by the vaccine appointment process, both at a county and state level.

A county system for vaccine appointments "was not built to take hundreds of calls at once and we will be looking to outside resources for a system that will handle this prior to the next Health District Clinic sign up," Thorpe said. "The phone alternative was intended to assist individuals who have trouble with the state's portal. The portal itself also had problems. Resolving these issues will be our top priority."

Demand far exceeds vaccine supply

The overriding issue has been supply. Arizona is not receiving enough vaccine doses to meet demand, which has been an ongoing problem across the U.S. As of Wednesday, 62% of the state's vaccine supply has made it into arms. State officials say that pace needs to accelerate, but still point to vaccine supply as the main hold up. Gov. Doug Ducey said Sunday on CNN that Arizona is "in danger of running out of the vaccines we have. All we can do is distribute what we receive from the federal government and from the private sector." Christ said this week she'd like the state to be using "70 to 80% of what we've got in the state each week." In a letter to the U.S. Department of Health and Human Services and the Federal Emergency Management Agency dated Jan. 26, Sen. Kyrsten Sinema, D-Ariz., wrote that the state needs urgent help with getting more COVID-19 vaccine doses, as well as more people to administer those doses. "In speaking to state and county public health officials, all have identified the number of doses our state receives as the ultimate barrier to getting more Arizonans vaccinated and saving lives," she wrote.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona Senate panel OKs proposal to ban abortions for Down Syndrome

KTAR News
February 4, 2021

A proposal that would make it a felony in Arizona for a doctor to perform an abortion because the fetus has a genetic abnormality such as Down Syndrome was approved by a state Senate panel on Thursday. The measure also adds a slew of other provisions to the state's already tough anti-abortion laws.

Republican Sen. Nancy Barto of Phoenix said her proposal protects the most vulnerable and restores dignity to aborted fetuses by requiring that they be buried or cremated. It also repeals an old law allowing women to be charged for seeking an abortion, which Barto said was needed in case the U.S. Supreme Court overturns Roe vs. Wade, the 1973 decision that found women have a constitutional right to seek an abortion.

"This bill will stop abortions solely based on the child's genetic abnormalities," Barto said. "My bill also protects Arizona women. They deserve more than to have their health gambled to benefit the abortion industry's bottom line."

Democrats on the Senate Judiciary Committee all opposed the measure, which they said intrudes on a woman's right to make health decisions in consultation with her doctor.

"This will definitely chill that kind of medical advice because a doctor is potentially facing up to 8 years in prison for informing his patient of these abnormalities," Tucson Democratic Sen. Kirsten Engel said.

Doctors who perform abortions because the mother decides she does not want to carry a child with a genetic abnormality could face between two and nearly nine years in prison. There are exceptions for medical emergencies. The proposal also confers all civil rights to unborn children, allows the father of an aborted child to sue, and bans the spending of any state money with organizations that provide abortion care, while banning state universities from providing abortion care.

Another provision bans abortion-inducing medication from being delivered by mail. Cathi Herrod, president of the Center for Arizona Policy, which pushes anti-abortion bills each year at the state Legislature, claimed medical abortions are more dangerous than surgical ones.

"There's a nationwide push to send abortion pills through the mail," Herrod said. "Women who take chemical abortion pills are four times more likely to have complications than those that have surgical abortions."

The Guttmacher Institute, a pro-choice group that advocates for access to safe abortions, disputes Herrod's claim that medication abortion is more dangerous.

"The attacks we are seeing on medication abortion have nothing to do with safety, it's about politics, as the evidence shows that the risk of complications for abortion, including medication abortion is extremely low," said Elizabeth Nash, a spokeswoman for the organization.

Planned Parenthood also opposes the bill.

AMERICAN OVERSIGHT

"This bill is about restricting abortion care and banning abortion, and it's not about protecting those with disabilities as the sponsor would lead us to believe," said Marilyn Rodriguez of Planned Parenthood Advocates of Arizona. She called it "a cruel attempt to yet again limit abortion, this time by targeting families who seek this option after learning their fetus has developed a disability."

The proposal is one of several introduced in the Republican-controlled Legislature this year, including one that would require prosecutors to charge women who decide to get abortions and the doctors who perform the procedures with homicide. That proposal from GOP Rep. Walt Blackman has not been assigned to a committee.

Republican-dominated Legislatures in several states who have been emboldened by the possibility that a more conservative Supreme Court could overturn the Roe decision have embraced proposals that could completely ban abortion this year.

For instance, lawmakers in South Carolina are considering a "heartbeat bill" that would effectively ban abortion because most women are unaware they are pregnant before a fetal heartbeat can be detected.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Dems in Congress concerned with Ducey use of COVID relief funds

KTAR News
February 5, 2021

Arizona's five Democrats in Congress sent a letter Thursday to Gov. Doug Ducey with concerns about how the Republican governor has allocated coronavirus relief funding during the pandemic.

Reps. Ruben Gallego, Greg Stanton, Raul Grijalva, Ann Kirkpatrick and Tom O'Halleran called for transparency on Ducey's spending of $397 million of Arizona's allotted $1.86 billion from the CARES Act.

That money was used to offset operational costs at 11 state agencies and caused a budget surplus, moves the Democrats say were not what was intended for the relief money.

The Democrats also asked for transparency on how those funds were allocated since those details haven't been made public.

"As we fight in Congress to secure further relief for Arizona families, hospitals, schools and small businesses, it is important to ensure that relief funds allocated to our state are being spent transparently, consistent with Congressional intent and in the best interests of Arizonans who are struggling the most," the letter says.
Schools and housing relief were areas the Congress members said needed additional funding over the operational costs.

The Enrollment Stability Grant, which was supposed to cover schools' enrollment-based losses up to 98% due to the pandemic, fell short by $247 million.

Arizona has more than $950 million in its rainy day fund heading into fiscal year 2022.

AMERICAN OVERSIGHT

"Concerningly, your administration has cited the state's surplus, driven by your questionable use of federal relief funds, as justification to leave untouched a $1 billion 'rainy day fund' and to pursue FY2022 revenue cuts that will further harm Arizona's ability to respond and to recover from this pandemic," the letter says.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona's three public universities team up to detect COVID-19 mutations

Griselda Zetino
KTAR News
February 5, 2021

Scientists from Arizona's three public universities are joining forces to analyze test samples to detect dangerous COVID-19 mutations.

"The concern, of course, is you get one of these mutations that take hold and there's no vaccine that can protect you," Robert Robbins, president of the University of Arizona, said.

He noted that's what happened with HIV. There's no vaccine that prevents infection, only therapeutics.

Mutations of COVID-19 have been occurring with several variants already identified, including one first detected in the United Kingdom that's believed to be more contagious and deadly.

More than 600 cases of the UK variant have been identified in the United States, including a handful in Arizona. Labs run by Arizona State University helped detect the UK variant in the state last week.

ASU President Michael Crow said COVID-19 mutations are spreading quickly as scientists race to analyze samples for genetic changes.

"If we allow this virus to continue to evolve into the human species at scale, we will get mutations for which there is no defense," Crow said. "I want that to sink in — mutations for which there is no defense because it has worked its way around everything we can do."

The vaccines by Pfizer and Moderna authorized for use in the U.S. offer immunity to the UK variant, though they are less effective against another variant discovered in South Africa.

Robbins said a COVID-19 variant from Brazil "has people really concerned" because the vaccines may be even less effective against it. He added for now one of the best tools there is to fight off these variants is to "get as many people vaccinated as soon as possible."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Ethics panel to investigate senator accused of harassment

Arizona Daily Sun
February 5, 2021

The Arizona Senate Ethics Committee voted Thursday to open an investigation into allegations of workplace harassment against newly sworn-in Republican Sen. Wendy Rogers.

The panel of three Republicans and two Democrats spent more than an hour in executive session discussing the allegations made by Rogers' former assistant before unanimously voting to investigate further.

Rogers was accused by her former legislative assistant of berating him, making comments about his weight and other issues. Michael Polloni Jr., also accused the state senator of taking his belongings and breaking an Eagle Scout plaque.

In a written response, Rogers called the allegations "a complete fabrication by an outgoing, brand new employee who worked only one official day for the state of Arizona after the swearing in of senators."

Rogers was sworn in on Jan. 11, but Polloni was working for her on Jan. 3 when he tested positive for the virus. His complaint said he was fired on Jan. 13.

Rogers also said the complaint contains no allegations that she either broke the law or violated Senate ethics rules.

In his detailed, six-page ethics complaint against Rogers, Polloni said she repeatedly asked him to work while he was on sick leave, demanded that he illegally do campaign work for her on state time and removed and damaged some of his belongings from his office.

He also said Rogers doubted that he actually had the virus.

Polloni also alleged that Rogers almost hurt his hand when she slammed a door and that, during a tirade, she yelled at him so closely that he could feel spit hit his face.

Ethics complaints can lead to discipline or expulsion for a member found guilty of violations by the full Senate or House.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Navajo Nation hosting a memorial for late tribal president

Arizona Daily Sun
February 5, 2021

AMERICAN OVERSIGHT

The Navajo Nation is hosting a memorial event to honor the memory of former tribal president Albert Hale.

Tribal officials say the 70-year-old Hale died Tuesday because of complications from COVID-19.

Friday's event will be streamed live online and aired live on a Navajo language radio station.

Hale served as the Navajo Nation's president from 1995 to 1998 and was in the Arizona Legislature, where he served in the Senate from 2004 to 2011 and in the House from 2011 to 2017.

To honor Hale, tribal President Jonathan Nez has called for flags to be flown at half-staff through Saturday on the vast reservation that covers parts of Arizona, New Mexico and Utah.

Return to the table of contents

Arizona Senate fast-tracks contempt vote in election wrangle

Bob Christie
Arizona Daily Sun
February 5, 2021

Republicans who control the Arizona Senate voted Thursday to fast-track a resolution finding Maricopa County in contempt for failing to turn over elections equipment and ballots cast in the November election as a subpoena demanded.

The rules change brought furious opposition from minority Democrats, who called the effort further evidence that GOP senators have bought into unfounded conspiracy theories that President Joe Biden won Arizona because of problems with vote counting.

"The more we play along with this silly game the more we are lying to the people of Arizona about it," Sen. Martin Quezada, a Glendale Democrat, said. "We need to cut this out, and we need to cut it out now."

The 16-13 party-line vote to waive requirements for committee hearings and full debate sets up a formal vote on the resolution as soon as Monday. If it passes, county supervisors could be arrested for failing to comply with the subpoenas.

Republicans said they were not challenging the election results, noting that Biden is now president. Instead, they said they want to do their own audit of the county's voting machines and review ballots to restore confidence in the county's elections.

"What we are trying is to prove to the voters of Maricopa County that they can trust and count on their election process," GOP Sen. Rick Gray said during the vote. "I think that is reasonable. I think that is necessary."

The county Board of Supervisors held an emergency meeting shortly after the Senate adjourned for the day and voted unamimously to have their attorneys go to court "protect the integrity of the electoral process and the privacy of the ballots and of the voters of Maricopa county in the courts."

AMERICAN OVERSIGHT

The Senate introduced the resolution Wednesday afternoon, and all 16 Republican senators are listed as sponsors, meaning it is virtually certain to pass. It authorizes Senate President Karen Fann to take “all legal action" needed to enforce the subpoena.

Republican Sen. Sonny Borrelli said the county's refusal to allow access to its voting equipment was infuriating.

“This is a challenge, a direct challenge to your authority, to this body. And I’m really surprised you that you don’t recognize this and you’re making it a partisan issue,” Borrelli said. “We have a political subdivision literally spitting in the face of the state Senate.”

The Republican-dominated board on Tuesday again refused to comply with subpoenas GOP lawmakers issued as they try to show that fraud or other election misdeeds might have led to Biden's win in the state. Courts rejected eight lawsuits filed by backers of former President Donald Trump after his loss, finding there was no evidence that he did not lose.

The Senate has demanded access to voting machines and all 2.1 million ballots cast in the election. The board has said it can’t comply because ballots are sealed by law and the voting machines the Senate wants to examine need to remain secure.

The supervisors have repeatedly pointed to multiple tests of the voting machines done before and after the election and hand counts of a sample of ballots that showed the count was accurate. They fought subpoenas issued in December by the Senate Judiciary Committee with the backing of Fann in court. Still, the county is conducting two new voting machine audits.

New subpoenas were issued after a new Legislature was sworn in on Jan. 11. No new proceedings have been initiated by either side befoe the county action Thursday afternoon.

GOP county Supervisor Bill Gates issued a statement after the resolution was introduced saying “I will never be in favor” of turning over ballots without a court order.

“Not only is it illegal under Arizona state law for this Board to turn over custody of the ballots, it is also unfathomable that the Arizona Senate has hired a known, and frequently debunked, conspiracy theorist to conduct their audit,” he said in a statement that he also posted on Twitter.

Documents released Wednesday by the county show that Fann is considering hiring a firm with strong connections to the Trump campaign’s efforts to overturn election results in multiple battleground states to do its audit.

Fann said Thursday that no firm has been hired, and that arresting the supervisors isn't the only option if the resolution passes.

“First and foremost, the supervisors could pick up the phone and say you’re right, let’s get a third independent (auditor) and do that,” Fann said.

She listed other options, such as going again to court or asking the attorney general to intervene.

AMERICAN OVERSIGHT

Return to the table of contents

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Friday, February 5, 2021 3:44:04 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes February 5, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

Arizona Legislative Report

Today's News Notes

February 5, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

AMERICAN OVERSIGHT

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until Monday, February 8, at 1:15 p.m.

THE SENATE IS ADJOURNED until Monday, February 8, at 1:30 p.m.

NEWS NOTES

WHAT ABOUT PUBLIC TRANSPARENCY?

Fann is blaming Covid and media criticism of how Republicans have handled Covid for shutting down access to caucus and Rules Committee meetings despite the chamber's own rules requiring those meetings to be open to the public. Our reporter asked the Senate president to explain why she closed the public meetings and why she asked Dems to stop sending video links to their own caucuses. "It is because of Covid, particularly since the media has been critical of the Republicans not taking it serious enough," Fann replied in a text. It echoed comments she made to our sister publication, the *Yellow Sheet Report*, shortly before session started. At the time, Fann said she was going to allow reporters in the building and let them talk to senators in the hallways without an appointment, provided reporters wear masks and maintain a safe distance. But, she said, she expected reporters to "be fair" if she was going to "bend over backwards." "This is Covid. You guys are the first ones to report that we're not taking this seriously, and not doing this or not doing that. Obviously, we could have said you're not allowed in either, but I'm not going to do that – I want you. But remember, we're going to have to work together on this," Fann told the *Yellow Sheet Report*.

COUNTY SUPERVISORS HEAD TO COURT TO HEAD OFF CONTEMPT CHARGE

Maricopa County is headed back to court to try to head off the Senate's expected vote on Monday to find the supervisors in contempt. The county board went into an emergency meeting at 3:30 p.m. yesterday after Senate Republicans voted to suspend their rules to bypass committee hearings and floor debates and bring SR1005 (Maricopa County; supervisors; contempt declaration) into third reading on Monday. After an executive session, county supervisors voted unanimously to authorize the county attorney to "protect the integrity of the electoral process and the privacy of the ballots and the voters of Maricopa County in the courts." Meanwhile, *Republic* columnist Robert Robb praised the four Republican county board members as the "last bastion of sanity left in the Arizona Republican Party" and called for a citizen initiative to strip the Legislature of its power to arrest and incarcerate, adding that removing the Legislature's ability to issue subpoenas would be even better (LINK).

RAILBIRD: DO REPUBLICANS REALLY WANT TO HANDCUFF JACK SELLERS?

AMERICAN OVERSIGHT

A Capitol regular told our reporter that the Legislature's subpoena powers, when used narrowly, are well defined, well understood and effectively "bullet proof." "This power is absolute," the railbird said. "We've seen people go through this, and the Legislature always wins. But it always goes to court." That said, the source wondered whether this subpoena authority is as archaic as the three-day requirement in the Arizona Constitution to read bills. Back in Arizona's early days, three days would give legislators and the public enough time to go the Capitol and make a case. But, the source said, technology, specifically the Internet, has made that obsolete. The source said the framers of Arizona's constitution lived at the height of populism in America – hence, the lawmakers' subpoena powers and distrust of "the man." "The legislative framework works pretty good until about the 1980s, but now it has outgrown the state," the source said. The other complication is that nobody would have anticipated the Legislature deploying its subpoena authority in this way. "And it's happening in real time," the source said – meaning legislative leaders have less time to contemplate and consider the ramifications of their decisions.

AND KNEECAP THEIR OWN PARTY'S LEADERS?

The source also questioned the practical and political implications of "taking down four fellow Republicans" – meaning Maricopa County supervisors Clint Hickman, Jack Sellers, Steve Chucri and Bill Gates. All four are considered party stalwarts who are going places, the source said, recoiling at the prospect of sending the Senate's Sergeant-at-Arms to arrest them. "Do you really charge up this hill on behalf of your caucus? Most folks would think no," the source said.

ANOTHER RAILBIRD: WHY?

Another Capitol observer is struggling to comprehend the Senate's aim as it barrels down toward a confrontation that could end with the supervisors behind bars. "I'm struggling to point out why we are doing this. Is the Republican Party leadership intent on driving away the rest of the independents and moderates? Are we really going to send Joe (Kubacki) down and arrest the five supervisors?" the source said. It would have been a different matter if the issue arose from a legislative district race in which the victor won by only a few votes and the losing party claimed fraud, the source said, adding that, under that scenario, "then you are dealing with your own shop." The problem is that legislative Republicans, in fact, did better in legislative races than they could have hoped for, the source said, adding, "It's harming the Republican brand. Did they really think that they are enhancing the Republican brand by doing this?"

DEMOCRACY DIES IN DARKNESS

The source also lamented the Senate's decision to close its Rules Committee hearings and caucus meetings to the public. That decision, he said, further fuels people's suspicions of the legislative process. "It leads to people questioning the process itself,"

AMERICAN OVERSIGHT

the source said. The source added that the Legislature should be doing all it can to promote the quality of the legislative process and to emphasize to the public that that process is "good." "We are doing something that completely belies that. You are doing it in secret," the source said, referring to barring reporters – and by the extension the public – from attending the Rules Committee meeting on the contempt resolution. "We don't who you will hire as (auditors). We don't know what the problem is that you're trying to solve."

CONTEMPT CHARGES, ETHICS INQUIRIES AND IT'S ONLY FEBRUARY

As reported in the *Arizona Capitol Times* yesterday, Senate ethics voted unanimously Thursday evening to move ahead with an investigation into Rogers. For now, the only guarantee is that Rogers will get a public hearing within the next month. The committee plans to meet again next Thursday after floor. The committee can opt to retain outside counsel for an independent investigation, as happened during the investigations into Cook and former lawmakers Don Shooter and David Stringer, or deploy rules attorney Chris Kleminich as the committee's counsel. During the hearing, Senate rules grant Rogers the right to present evidence, cross-examine witnesses and be represented by her own attorneys. Under Senate rules, Rogers would be responsible for paying her own attorney, though Fann could authorize the Senate paying for her attorney as then-Speaker Mesnard did for Shooter, Rios and Ugenti-Rita when the House investigated complaints against them in 2019.

OUR LOLA TEAM SURVIVED. THANKS FOR ASKING.

The House gaveled in a little after 9 a.m. Thursday and stayed until almost 4 p.m. to tackle 17 bills in COW and passing 60 bills on third reading. The majority passed unanimously or with only a handful of "no" votes, but several measures exposed partisan divides in the chamber. HR2003 (supporting proper forest management) passed 33-26, with most Democrats opposed. The resolution lauds proper forest management but also blames a decline in logging spurred by environmentalist lawsuits for problems with forest fires. HCR2002 (Supreme Court; maintain nine members), which calls for a constitutional amendment setting the size of the U.S. Supreme Court at nine, passed on a 31-28 party-line vote. Twelve Republicans - Barton, Finchem, Bowers, Cobb, Gowan, Townsend, Pratt, Weninger, Mesnard, Petersen, Fann and Ugenti-Rita - voted for a GOP-backed plan to expand the Arizona Supreme Court in 2016, which Rodriguez brought up on the floor. "That gives rise to the inference, fairly or not, that we're being inconsistent, and it gives rise to accusations of hypocrisy," he said. H2012 (unauthorized racing meetings; penalties; racketeering), which makes holding an unauthorized race a Class 6 felony and a potential charge in racketeering prosecutions, passed on a similarly narrow 32-27 vote, with Rodriguez calling it "an unjustified expansion of police powers by the state."

BILL TARGETING CLEAN ELECTIONS ADVANCES

AMERICAN OVERSIGHT

The House also voted along party lines yesterday to pass H2014 (GRRC; petition to request review), which its Democratic critics said would give the governor too much power over the Citizens Clean Elections Commission, and voted 43-16 to pass H2110 (civil penalties; traffic; mitigation; restitution), which would give judges the option of sentencing people to do volunteer-type work to make restitution for traffic tickets instead of paying a fine. "This just gives an extra option to poor people, which I think is a good thing to do," Kavanagh said. However, opponents saw it as another way to undercut the Clean Elections Commission, which partially relies on traffic fines for funding. H2014 would let people petition the Governor's Regulatory Review Council to review any rules of the Citizens Clean Elections Commission on the grounds that a rule might violate state law or the state or federal constitution. Salman proposed amending both bills to require a three-quarters vote to pass them, arguing the Voter Protection Act requires the higher threshold. Salman also said by letting judges require labor as a penalty for civil violations of the law, H2110 might violate the 13th Amendment's prohibition on involuntary servitude "except as a punishment for a crime whereof the party shall have been duly convicted."

PESHLAKAI HONORS ALBERT HALE

As promised, Peshlakai delivered a floor speech yesterday about former lawmaker Albert Hale, who she considered a part of her family, and in response to Fann's story about plants that resulted in Borrelli and Rogers placing their potted plants on Peshlakai's desk. After hearing Fann's story, Peshlakai said she wanted to remind her colleagues of Hale's magnitude and immensity. "We should all be so honored to have even laid eyes upon him. He grew up in a time where the family traveled by wagon and by horseback. He grew up in a time where his family members died and he was almost left an orphan. He grew up in a time where he had no shoes, and he knew hunger. He grew up going to boarding school where his mouth was cleaned out with soap and his body was hit to learn the English language and forget about being Diné. But he endured that, and he rose to the highest ranks of government in this land," she said. Peshlakai added that she wanted her speech to be a teaching moment about what Hale meant when he would say "give me back my land." When Navajo code-talkers served during World War II, they called the land "shimá," which means "my mother." So when Hale said "give me back my land," he meant "give me back my mother," Peshlakai said. "I just want to make sure that everybody knows that when we, as legislators, as human beings, talk about the state of Arizona, when we talk about property, we're talking in Navajo about shimá, my mother. It's not just property. And when we stand here in the hallowed halls of this Legislature, we're also standing on the homeland of indigenous people."

COOK PURSUES HARSHER PENALTY FOR ESCAPING PRISON

With the House hurtling toward the bill introduction deadline on Monday, the bills introduced over the past couple of days include more election-related measures. But

AMERICAN OVERSIGHT

they also include a bipartisan bill to make escaping from prison a Class 2 felony, the highest level below murder. H2790 (prisoners; escape; classification), which has 10 Republicans sponsors plus Democrats Alston and Bowie, would make escape a felony carrying a sentence of 3 to 35 years in prison and require the sentence be served consecutively to the original sentence the inmate is serving. Cook, its main sponsor, said the recent escape of two inmates from Arizona State Prison Complex in Florence prompted him to introduce the bill. He said he is "dismayed to learn that they could only be charged with a Class 4 felony. It is only by the grace of God that nobody was injured, or worse, while these criminals were at large. The penalty needs to fit the crime and this change in statute does exactly that."

MORE THAN 100 BILLS NOW DEAL WITH ELECTIONS

As noted earlier, ballot access and election procedures are shaping up to be some of the most contentious debates of this year's legislative session, and the bills House members are introducing before the deadline are sticking with that theme, with eight bills from Republicans and one from Democrats just from Wednesday to Friday. Hoffman and Barton took the lead on the topic. Hoffman's H2792 (early ballots; request required) would bar delivering an early ballot to anyone who has not requested one unless they are on the Permanent Early Voting List, while H2793 (voter registration; request required) would bar any government agency from registering someone to vote unless that person affirmatively requests it; H2794 (election deadlines; modifications prohibited) would bar any modifications of voting-related deadlines and filing dates not explicitly authorized in statute; and H2811 (same day registration; prohibition) would ban same-day registration.

BILL GIVES LEGISLATORS VAGUE ABILITY TO QUESTION ELECTION RESULTS

Barton introduced three elections bills this week, notably H2800 (elections; legislative session; procedures manual), which would automatically call the Legislature into session the day of a primary or general election to review any alleged irregularities and vote to accept or reject the preliminary election results. In case legislators reject the election results, they will then forward their findings to the Attorney General's Office for "possible or criminal action." Her H2798 (early voting procedures; signature cards) would require voters on the PEVL to sign and return the election notice with a copy of their driver's license or other ID, while H2799 (voter registration rolls; electioneering) would require the state to establish a database from death records for counties to cancel voter registrations and expand the definition of prohibited electioneering near a polling place to include wearing, displaying or carrying an item showing support or opposition to a candidate or ballot question. Roberts' H2826 (elections; county canvass; legislative review) would require counties to report their vote canvasses to the Legislature and let it call itself into session to review and certify them.

AMERICAN OVERSIGHT

SALMAN: WHAT ABOUT INTERNATIONAL OBSERVERS?

The lone elections bill introduced by a Democrat in the past three days comes from Salman. Her H2797 (election laws, revisions, appropriation) would make a few changes to make it easier to vote, including some tweaks to make it more likely early voting ballots aren't rejected, making sure people in jail awaiting trial can vote absentee and restoring felons' voting rights upon final discharge – meaning completing parole as well as just being released from prison – as long as they pay any required restitution to their victims. It would also let a limited number of international observers observe Arizona's elections.

IT'S GONNA BE A LONG SESSION – OR A VERY SHORT ONE

Ahead of Monday's House bill introduction deadline, lawmakers have introduced 1,645 bills and passed 15 of them. Ducey signed one: Weninger's H2045 (civil rights; amendments). Three other bills transmitted Monday need the governor to take action by Saturday. Fann has just 13 measures waiting for committee assignments, though that tally includes SR1005 (Maricopa County; supervisors; contempt declaration), which will bypass the committee process. Bowers has 147 bills left to assign. In the House, 494 bills await committee hearings, compared to 685 in the Senate. The House has 105 bills ready for rules, 31 ready for consent or COW and three ready for third read. The Senate has 67 bills ready for rules, 35 for consent or COW and 15 ready for third read. Once both chambers gavel in Monday, the Senate will have 87 new House bills to deal with and the House will have 51 Senate bills.

NEWS RELEASES

Gosar Introduces Veterans Expedited TSA Screening (VETS) Safe Travel Act

WASHINGTON, D.C. – Today, U.S. Representative Paul Gosar, D.D.S. (AZ-04) released the following statement after introducing the bipartisan Veterans Expedited TSA Screening (VETS) Safe Travel Act. This legislation would provide expedited security screening under the Transportation Security Administration's (TSA) PreCheck® program to severely injured or disabled veterans.

Supported by the Wounded Warrior Project, Paralyzed Veterans of America, Disabled American Veterans & The Honor Flight Network

"The bravery and sacrifice of our veterans reminds us that freedom is never truly free. My gratitude for their service to our country cannot be fully expressed by words alone. To protect my most patriotic constituents from harassment and fees while traveling to war memorials, today I reintroduced the

AMERICAN OVERSIGHT

VETS Safe Travel Act, which would provide TSA PreCheck free of charge to disabled veterans. I hope that this bipartisan legislation can eliminate many of the challenges disabled veterans face when traveling through our nation's airports. No American veteran, particularly disabled veterans, should be hassled while traveling this free country," said Congressman Paul Gosar.

"Wounded Warrior Project believes that if enacted, the VETS Safe Travel Act will provide many severely injured and disabled veterans a more dignified experience when passing through airport security," stated the Wounded Warrior Project.

"Navigating the air travel process is already difficult enough for catastrophically disabled veterans. The VETS Safe Travel Act would provide a great benefit to Paralyzed Veterans of America members by significantly improving their airport security screening experience," stated Paralyzed Veterans of America.

"As many of our members have attested through the years, navigating airport security can be an extraordinary challenge for veterans with prosthetics or mobility devices. DAV enthusiastically supports the VETS Safe Travel Act and hopes to see it passed and signed into law to help make air travel easier and less stressful for our nation's severely injured veterans. We appreciate the leadership of Rep. Gosar for introducing this important legislation," stated Disabled American Veterans.

Original Cosponsors (24): Rep. Julia Brownley (CA-26); Rep. Ralph Norman (SC-05); Rep. Gerry Connolly (VA-11); Rep. Mike Thompson (CA-05); Rep. Greg Steube (FL-17); Rep. Doug LaMalfa (CA-01); Rep. Michael Waltz (FL-06); Rep. Andy Biggs (AZ-05); Rep. Lisa Blunt Rochester (DE-At Large); Rep. Dusty Johnson (SD-At Large); Rep. Diana Harshbarger (TN-01); Rep. Jerry Carl (AL-01); Rep. Seth Moulton (MA-06); Rep. Cathy McMorris Rodgers (WA-05); Rep. Fred Keller (PA-12); Rep. Jack Bergman (MI-01); Rep. Lou Correa (CA-46); Rep. Trent Kelly (MS-01); Rep. Conor Lamb (PA-17); Rep. Chrissy Houlahan (PA-06); Rep. Elissa Slotkin (MI-08); Rep. Michael San Nicolas (Guam-At Large); Rep. Greg Pence (IN-06); Rep. Mike Gallagher (WI-08)

Background:

There are approximately 70,000 veterans with an amputation and over 130,000 veterans who are legally blind in the United States. When many travel through airport security with their wheelchair, prosthetics, or other assistive devices, it can be challenging. Under this legislation, the Department of Veterans Affairs would certify that a veteran is severely injured and therefore eligible to apply for TSA PreCheck® free of charge. TSA would process the veteran's application, granting access to TSA PreCheck® provided they

AMERICAN OVERSIGHT

successfully pass the background check and interview process. This benefit is similar to what is already offered to Active Duty, Reserves, and National Guard servicemembers.

You can read the bill text HERE.

* * * * *

Mayor Romero Hosts Roundtable Discussion with Local Venues; Announces New City of Tucson REVS Initiative

This morning, Tucson Mayor Regina Romero hosted a roundtable discussion with local independent venues, arts & culture organizations, and representatives of industry workers. Speakers included representatives from the Arts Foundation for Tucson and Southern Arizona, as well as the National Independent Venue Association (NIVA) and the Music Policy Forum - two national organizations who helped craft the language for the Save Our Stages Act, which was included in the latest COVID-19 relief bill passed by Congress in December. You can view the full discussion on Mayor Romero's YouTube page.

Topics included details of the $15 billion included for "Shuttered Venue Operators" in the latest COVID-19 relief package, as well as a conversation about best practices for re-opening local venues once safe, and how local government can support. Mayor Romero also announced that the City of Tucson will be joining the Re-open Every Venue Safely (REVS) initiative, a national cohort of pilot cities sharing strategies and resources to best position their community for the reopening of live music. The Mayor's Office will be working in conjunction with the Arts Foundation for Tucson and Southern Arizona on this new initiative.

Last August, Mayor Romero joined more than 70 representatives of local venues and performing arts organizations in sending a letter to Arizona's Congressional Delegation advocating for the passage of the Save Our Stages Act. A copy of the letter is attached.

"Independent venues and performing arts organizations are economic multipliers, community builders, and beloved institutions that are at the heart of Tucson's cultural and economic fabric," ***said Mayor Regina Romero.*** "With the new REVS initiative, Tucson will be working alongside other cities and local stakeholders to share best practices and position ourselves to successfully re-open our local venues – who have been some of the hardest hit by the pandemic – as soon as it is safe."

"Our city has such a legacy of a thriving, influential, and economically

AMERICAN OVERSIGHT

expansive Arts ecosystem," ***said Adriana Gallego, Executive Director of the Arts Foundation for Tucson and Southern Arizona.*** "It not only employs a multitude of our creative sector workforce, engage audiences at all levels, and bring people together from all across our state and nation, but it also makes our city a landmark destination, consisting of spaces and organizations that identify Tucson as an arts and cultural destination. These spaces, venues, and organizations have been a sustained economic driver for our region, and the artistic expression they support are a source of community for Tucsonans."

"Local arts, venues and cultural institutions are the beating heart of Tucson. We are thrilled the City is joining our national effort to share resources and strategies with other communities simultaneously navigating these unprecedented times," ***said Michael Bracy, Music Policy Forum, Washington, DC***.

"Every time I visit Tucson, I am often struck by our similarities. More than climate, color palette and topography, we are similar in that the pedigree of our local arts scene is central to the identity of our cities. Albuquerque is thrilled that Tucson is joining the REVS community and we look forward to working together to get our venues up and running as quickly and safely as possible," ***said Hakim Bellamy, Deputy Director, Cultural Services, City of Albuquerque.***

"Supporting our venues as they get ready to reopen is one of the hardest things we've had to do in the Seattle entertainment community. The REVS initiative demonstrates local governments' commitment to protecting public health while helping our creative community get back on its feet," ***said Kate Becker, Creative Economy & Recovery Director, King County, WA.***

"It isn't enough to simply reopen our venues – we have to think about how we educate musicians, venue employees and audiences about what we are doing to keep them safe and have a great experience. We're thrilled that Tucson is joining our REVS community," ***said Dani Grant, Owner, Mishawaka Ampitheatre, Poudre Canyon CO***.

"Live music is how we celebrate, mourn, reflect and join together as a community. The REVS initiative is doing what we can to ensure our venues are ready to go as quickly and safely as possible when the science allows," ***said Ashlye Keaton, Ella Project, New Orleans, LA.***

* * * * *

New Legislation Toughens Penalties for Prison Escapees

AMERICAN OVERSIGHT

STATE CAPITOL, PHOENIX – State Representative David Cook (R-8) has sponsored new legislation, HB 2790, that would significantly toughen penalties for inmates who escape from a correctional facility.

"Following the recent successful capture of two dangerous escaped state prison inmates, I was dismayed to learn that they could only be charged with a Class 4 felony," said Representative Cook. **"It is only by the grace of God that nobody was injured, or worse, while these criminals were at large. The penalty needs to fit the crime and this change in statue does exactly that."**

HB 2790 increases the penalty for escape from a Class 4 to a Class 2 felony, giving prosecutors and judges a wider array of options and greater discretion when charging or sentencing an offender. A Class 2 felony is the highest non-murder felony classification in state law and carries a sentencing range of anywhere from 3-35 years imprisonment, depending on the offender's prior criminal history and whether a weapon was used. Under the law, any sentence for an escape conviction must be served consecutively to the sentence that the inmate was serving at the time of their escape.

"I commend the tremendous efforts by state and local law enforcement to protect the public and quickly apprehend the two escapees. HB 2790 respects their efforts and those of all who uphold public safety in our state. Moreover, it respects those who have been crime victim and their families who are likely to endure additional traumatic stress if their perpetrator escapes," added Representative Cook.

HB 2790 is cosigned by Representatives Kevin Payne (R-21), Frank Pratt (R-8), Bret Roberts (R-11), Ben Toma (R-22), and John Fillmore and Jacqueline Parker (R-16), as well as Senators Vince Leach (R-11), T.J. Shope (R-8), and Kelly Townsend (R-16).

* * * * *

Progress Arizona Launches Aggressive Billboard Campaign Condemning Attacks on Voting Rights

Progress Arizona is launching a new advertising campaign aimed at Arizona state lawmakers who have introduced voter suppression bills, including Representatives Shawnna Bolick and Kevin Payne and Senators Kelly Townsend and Michelle Ugenti-Rita. The campaign includes billboards in Tempe, Mesa, and Phoenix, beginning February 5. The billboards call out state lawmakers for introducing and championing legislation that undermines Arizonans' right to vote. A picture of the billboard is included below.

AMERICAN OVERSIGHT

"Republicans in our state legislature have introduced more than 30 bills that attack democratic norms and institutions," said Emily Kirkland, executive director of Progress Arizona. "This is a full-scale attack on the foundations of our democracy. We hope that this new campaign helps raise the alarm and prompts Arizonans to contact their legislators and demand that they protect voting rights and democratic ideals."

A list of proposed voter suppression and anti-democracy bills can be found here. Given that the deadline to introduce legislation has not yet passed, additional bills are likely to be added in the coming days.

Most of the bills have been scheduled for hearings or assigned to committees, and some are moving quickly through the legislative process. For instance, SB1069, which would purge 100,000+ voters from the permanent vote by mail list, passed through a Senate committee two weeks ago and could pass the full Senate next week. 68% of registered voters in Arizona are on the permanent vote by mail list.

These proposals come just weeks after an armed attack on the U.S. Capitol that attempted to overturn the results of the 2020 election. That attack was sparked by lies about the 2020 election, which multiple sitting Arizona federal and state lawmakers helped to spread.

* * * * *

Senator Kelly Continues Work to Get COVID-19 Relief to Arizona

Kelly helped lead bipartisan improvements as COVID-19 bill advances

Last night and into this morning, Senator Kelly supported bipartisan improvements to the COVID-19 relief bill that would create dedicated funding to help independent restaurants stay afloat, ensure Arizona's rural hospitals get their fair share of support as they treat patients, and allocate resources to increase public awareness about the effectiveness of the COVID-19 vaccine. The senate also passed a Kelly-sponsored amendment to ensure that direct relief gets to those who need it most with broad bipartisan support.

Early this morning, Kelly voted to advance the budget resolution that moves COVID-19 relief legislation that will provide another round of direct payments to most individuals, resources for vaccine distribution, and additional support for small businesses, schools, and local and tribal governments one step closer to becoming law.

"Getting additional support to Arizona during this pandemic is my top priority so that we can improve vaccine distribution, keep small businesses afloat, provide

AMERICAN OVERSIGHT

direct relief to families who need it most, and get resources to schools to reopen safely. I am going to continue working with Republicans and Democrats to find common ground to beat this virus and rebuild our economy." **– Senator Kelly**

* * * * *

People older than 70 in Pima County can start getting vaccinated Feb. 8

CLARIFICATION: *The earlier release state the County Call Center, 520-222-0119 offers registration assistance. It currently only answers the public's questions about vaccinations in general and about registration problems or concerns, but does not register people.*

PIMA COUNTY, Feb. 4, 2021 – The Pima County Health Department today announced that it will expand the 1B priority COVID-19 vaccination group to people over 70 years old. They can start today registering for appointments beginning on Feb. 8 on the Department's vaccine registration page, www.pima.gov/covid19vaccineregistration.

People 70 and older, educators, and people employed in protective services will be able to register for vaccination appointments at Tucson Medical Center, 5301 E. Grant Road, Banner UA Cancer Center, 3838 N. Campbell Ave., Banner UMC-South at the Kino Sports Complex, 2500 E. Ajo Way, and the Tucson Convention Center, 260 S. Church Ave. A fifth vaccination center at the University of Arizona, 1200 E. University Ave., is also under consideration. The UA POD is currently restricted to educators.

"We have made a lot of progress over the past six weeks in the 1A and 1B priority groups, vaccinating more than 130,000 people," said Dr. Theresa Cullen, the Health Department Director. "The pace of appointments for educators and protective services has slowed as we think we're nearing saturation of the people in those groups who want to be vaccinated, so we're opening appointments to 70 and older."

Arizona Gov. Doug Ducey in January moved up people 65 and older into the 1B priority group. Pima County, however, still restricted vaccinations to people 75 and older because they statistically have worse outcomes if they contract COVID-19, and because there are so many people in Pima County over age 65 (more than 212,000) allowing them all to register for appointments at once would have crashed the registration system. According to the 2019 Census estimate for Pima County, there are more than 54,400 people between the ages of 70 and 74 in Pima County.

"Were only opening vaccination to 70-plus because we still have a lot of 75+

AMERICAN OVERSIGHT

people to vaccinate and we don't want to overwhelm our registration system or create more demand than we have vaccine supply," Cullen said.

Vaccinations for people who are 65 to 69 years old may be able to start getting vaccinated by the end of February, depending on vaccine availability.

"Vaccine supply is *the* ultimate limiting factor in how many people we can get vaccinated and how quickly. We are wary of getting too far ahead of the available vaccine with our appointments," said Dr. Francisco Garcia, the County's Chief Medical Officer and a Deputy County Administrator. "It's hard to estimate how fast we can move to vaccinating 65 to 69 folks because the state's system for vaccine distribution is opaque, as evidenced by today's announcement that the state has reduced Pima County vaccine allotment by more than 12,000 doses next week, going from 29,000 this week to only 17,800 next week."

For more information about COVID-19 vaccinations, go to www.pima.gov/covid19vaccine, or call 520-222-0119.

NEWS CLIPS

GOP lawmakers demand Ward allow audit of her election

By Howard Fischer Capitol Media Services 02-05-21

About a third of state Republican lawmakers are calling on newly re-elected state GOP Chair Kelli Ward to either agree to a recount of that vote or back off of her challenges to the presidential race.

In an email Wednesday to Ward, the 14 representatives and four senators said they have been involved in a two-month effort to bring "transparency and accountability in our election process." (To read more, click here).

* * * * *

US ends deal with Arizona restricting Biden on immigration

By Anita Snow, Ben Fox Associated Press 02-05-21

The U.S. Department of Homeland Security has terminated an unusual agreement that Arizona's top prosecutor signed with the agency in the waning days of the Trump administration to try to restrict President Joe Biden's ability to overhaul his predecessor's immigration policies.

AMERICAN OVERSIGHT

The agency's action was revealed Wednesday as Arizona Attorney General Mark Brnovich, a Republican, sued to stop newly confirmed Homeland Security Secretary Alejandro Mayorkas from carrying out Biden's 100-day moratorium on deportations. A federal judge in Texas has already put it on hold. (To read more, click here).

* * * * *

Hobbs, other Arizona officials discuss 2020 election 'conspiracy circus'

By Ryan Knappenberger Cronkite News
02-05-21

Arizona Secretary of State Katie Hobbs told a national panel Thursday that the best way to combat election misinformation is with truth, even if "there are some folks who are never going to believe anything I say."

Her comments came during a call with election officials from the battleground states of Ohio, Michigan and Georgia, all of whom grappled last fall with what Hobbs described as a "conspiracy circus" targeting every part of the process, from filling out ballots to counting the votes. (To read more, click here).

* * * * *

Arizona Senate Republicans are abusing their subpoena power. Strip them of it

By Robert Robb Arizona Republic
02-05-21

Evaluating the ruction over a review of the 2020 election between the Arizona Legislature and the Maricopa County Board of Supervisors starts with two points, bluntly made:

First, the GOP members of the Maricopa County Board of Supervisors are the last bastion of sanity left in the Arizona Republican Party. (To read more, click here).

* * * * *

Our tribe is not 'at the table shaping' Resolution Copper's mine. It's an abomination

By Terry Rambler Arizona Republic 02-05-21

AMERICAN OVERSIGHT

The Jan. 21 guest opinion written by Resolution Copper Company's project director Andrew Lye grossly misleads the public when he states that "Native American tribes are very much at the table shaping this project."

As chairman of the San Carlos Apache Tribe, I unequivocally state that we, along with the National Congress of Indians and the Inter-Tribal Association of Arizona, remain vehemently opposed to the construction of the Resolution mine near Superior, 70 miles east of Phoenix. (To read more, click here).

* * * * *

Lawmakers raided funds meant for recycling, raising fees or scaling back programs

By Erin Murphy, Levi Helm Arizona Republic 02-05-21

In Arizona, municipalities are responsible for providing solid waste management services or partnering with industry to ensure these services are available.

Today, most citizens view recycling as a fundamental part of solid waste management. However, with limited annual budgets, municipalities often struggle to cover the high costs of capital investments or finance research and development. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, February 5, 2021 3:44:06 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes February 5, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

Arizona Legislative Report

Today's News Notes

February 5, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically*

AMERICAN OVERSIGHT

disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until Monday, February 8, at 1:15 p.m.

THE SENATE IS ADJOURNED until Monday, February 8, at 1:30 p.m.

NEWS NOTES

WHAT ABOUT PUBLIC TRANSPARENCY?

Fann is blaming Covid and media criticism of how Republicans have handled Covid for shutting down access to caucus and Rules Committee meetings despite the chamber's own rules requiring those meetings to be open to the public. Our reporter asked the Senate president to explain why she closed the public meetings and why she asked Dems to stop sending video links to their own caucuses. "It is because of Covid, particularly since the media has been critical of the Republicans not taking it serious enough," Fann replied in a text. It echoed comments she made to our sister publication, the *Yellow Sheet Report*, shortly before session started. At the time, Fann said she was going to allow reporters in the building and let them talk to senators in the hallways without an appointment, provided reporters wear masks and maintain a safe distance. But, she said, she expected reporters to "be fair" if she was going to "bend over backwards." "This is Covid. You guys are the first ones to report that we're not taking this seriously, and not doing this or not doing that. Obviously, we could have said you're not allowed in either, but I'm not going to do that – I want you. But remember, we're going to have to work together on this," Fann told the *Yellow Sheet Report*.

COUNTY SUPERVISORS HEAD TO COURT TO HEAD OFF CONTEMPT CHARGE

Maricopa County is headed back to court to try to head off the Senate's expected vote on Monday to find the supervisors in contempt. The county board went into an emergency meeting at 3:30 p.m. yesterday after Senate Republicans voted to suspend their rules to bypass committee hearings and floor debates and bring SR1005 (Maricopa County; supervisors; contempt declaration) into third reading on Monday. After an executive session, county supervisors voted unanimously to authorize the county attorney to "protect the integrity of the electoral process and the privacy of the ballots and the voters of Maricopa County in the courts." Meanwhile, *Republic* columnist Robert Robb praised the four Republican county board members as the "last bastion of sanity left in the Arizona Republican Party" and called for a citizen initiative to strip the Legislature of its power to arrest and incarcerate, adding that removing the Legislature's ability to issue subpoenas would be even better (LINK).

AMERICAN OVERSIGHT

RAILBIRD: DO REPUBLICANS REALLY WANT TO HANDCUFF JACK SELLERS?

A Capitol regular told our reporter that the Legislature's subpoena powers, when used narrowly, are well defined, well understood and effectively "bullet proof." "This power is absolute," the railbird said. "We've seen people go through this, and the Legislature always wins. But it always goes to court." That said, the source wondered whether this subpoena authority is as archaic as the three-day requirement in the Arizona Constitution to read bills. Back in Arizona's early days, three days would give legislators and the public enough time to go the Capitol and make a case. But, the source said, technology, specifically the Internet, has made that obsolete. The source said the framers of Arizona's constitution lived at the height of populism in America – hence, the lawmakers' subpoena powers and distrust of "the man." "The legislative framework works pretty good until about the 1980s, but now it has outgrown the state," the source said. The other complication is that nobody would have anticipated the Legislature deploying its subpoena authority in this way. "And it's happening in real time," the source said – meaning legislative leaders have less time to contemplate and consider the ramifications of their decisions.

AND KNEECAP THEIR OWN PARTY'S LEADERS?

The source also questioned the practical and political implications of "taking down four fellow Republicans" – meaning Maricopa County supervisors Clint Hickman, Jack Sellers, Steve Chucri and Bill Gates. All four are considered party stalwarts who are going places, the source said, recoiling at the prospect of sending the Senate's Sergeant-at-Arms to arrest them. "Do you really charge up this hill on behalf of your caucus? Most folks would think no," the source said.

ANOTHER RAILBIRD: WHY?

Another Capitol observer is struggling to comprehend the Senate's aim as it barrels down toward a confrontation that could end with the supervisors behind bars. "I'm struggling to point out why we are doing this. Is the Republican Party leadership intent on driving away the rest of the independents and moderates? Are we really going to send Joe (Kubacki) down and arrest the five supervisors?" the source said. It would have been a different matter if the issue arose from a legislative district race in which the victor won by only a few votes and the losing party claimed fraud, the source said, adding that, under that scenario, "then you are dealing with your own shop." The problem is that legislative Republicans, in fact, did better in legislative races than they could have hoped for, the source said, adding, "It's harming the Republican brand. Did they really think that they are enhancing the Republican brand by doing this?"

DEMOCRACY DIES IN DARKNESS

AMERICAN OVERSIGHT

The source also lamented the Senate's decision to close its Rules Committee hearings and caucus meetings to the public. That decision, he said, further fuels people's suspicions of the legislative process. "It leads to people questioning the process itself," the source said. The source added that the Legislature should be doing all it can to promote the quality of the legislative process and to emphasize to the public that that process is "good." "We are doing something that completely belies that. You are doing it in secret," the source said, referring to barring reporters – and by the extension the public – from attending the Rules Committee meeting on the contempt resolution. "We don't who you will hire as (auditors). We don't know what the problem is that you're trying to solve."

CONTEMPT CHARGES, ETHICS INQUIRIES AND IT'S ONLY FEBRUARY

As reported in the *Arizona Capitol Times* yesterday, Senate ethics voted unanimously Thursday evening to move ahead with an investigation into Rogers. For now, the only guarantee is that Rogers will get a public hearing within the next month. The committee plans to meet again next Thursday after floor. The committee can opt to retain outside counsel for an independent investigation, as happened during the investigations into Cook and former lawmakers Don Shooter and David Stringer, or deploy rules attorney Chris Kleminich as the committee's counsel. During the hearing, Senate rules grant Rogers the right to present evidence, cross-examine witnesses and be represented by her own attorneys. Under Senate rules, Rogers would be responsible for paying her own attorney, though Fann could authorize the Senate paying for her attorney as then-Speaker Mesnard did for Shooter, Rios and Ugenti-Rita when the House investigated complaints against them in 2019.

OUR LOLA TEAM SURVIVED. THANKS FOR ASKING.

The House gaveled in a little after 9 a.m. Thursday and stayed until almost 4 p.m. to tackle 17 bills in COW and passing 60 bills on third reading. The majority passed unanimously or with only a handful of "no" votes, but several measures exposed partisan divides in the chamber. HR2003 (supporting proper forest management) passed 33-26, with most Democrats opposed. The resolution lauds proper forest management but also blames a decline in logging spurred by environmentalist lawsuits for problems with forest fires. HCR2002 (Supreme Court; maintain nine members), which calls for a constitutional amendment setting the size of the U.S. Supreme Court at nine, passed on a 31-28 party-line vote. Twelve Republicans - Barton, Finchem, Bowers, Cobb, Gowan, Townsend, Pratt, Weninger, Mesnard, Petersen, Fann and Ugenti-Rita - voted for a GOP-backed plan to expand the Arizona Supreme Court in 2016, which Rodriguez brought up on the floor. "That gives rise to the inference, fairly or not, that we're being inconsistent, and it gives rise to accusations of hypocrisy," he said. H2012 (unauthorized racing meetings; penalties; racketeering), which makes holding an unauthorized race a Class 6 felony and a potential charge in racketeering prosecutions, passed on a similarly narrow 32-27 vote, with Rodriguez calling it "an

AMERICAN OVERSIGHT

unjustified expansion of police powers by the state."

BILL TARGETING CLEAN ELECTIONS ADVANCES

The House also voted along party lines yesterday to pass H2014 (GRRC; petition to request review), which its Democratic critics said would give the governor too much power over the Citizens Clean Elections Commission, and voted 43-16 to pass H2110 (civil penalties; traffic; mitigation; restitution), which would give judges the option of sentencing people to do volunteer-type work to make restitution for traffic tickets instead of paying a fine. "This just gives an extra option to poor people, which I think is a good thing to do," Kavanagh said. However, opponents saw it as another way to undercut the Clean Elections Commission, which partially relies on traffic fines for funding. H2014 would let people petition the Governor's Regulatory Review Council to review any rules of the Citizens Clean Elections Commission on the grounds that a rule might violate state law or the state or federal constitution. Salman proposed amending both bills to require a three-quarters vote to pass them, arguing the Voter Protection Act requires the higher threshold. Salman also said by letting judges require labor as a penalty for civil violations of the law, H2110 might violate the 13th Amendment's prohibition on involuntary servitude "except as a punishment for a crime whereof the party shall have been duly convicted."

PESHLAKAI HONORS ALBERT HALE

As promised, Peshlakai delivered a floor speech yesterday about former lawmaker Albert Hale, who she considered a part of her family, and in response to Fann's story about plants that resulted in Borrelli and Rogers placing their potted plants on Peshlakai's desk. After hearing Fann's story, Peshlakai said she wanted to remind her colleagues of Hale's magnitude and immensity. "We should all be so honored to have even laid eyes upon him. He grew up in a time where the family traveled by wagon and by horseback. He grew up in a time where his family members died and he was almost left an orphan. He grew up in a time where he had no shoes, and he knew hunger. He grew up going to boarding school where his mouth was cleaned out with soap and his body was hit to learn the English language and forget about being Diné. But he endured that, and he rose to the highest ranks of government in this land," she said. Peshlakai added that she wanted her speech to be a teaching moment about what Hale meant when he would say "give me back my land." When Navajo code-talkers served during World War II, they called the land "shimá," which means "my mother." So when Hale said "give me back my land," he meant "give me back my mother," Peshlakai said. "I just want to make sure that everybody knows that when we, as legislators, as human beings, talk about the state of Arizona, when we talk about property, we're talking in Navajo about shimá, my mother. It's not just property. And when we stand here in the hallowed halls of this Legislature, we're also standing on the homeland of indigenous people."

AMERICAN OVERSIGHT

COOK PURSUES HARSHER PENALTY FOR ESCAPING PRISON

With the House hurtling toward the bill introduction deadline on Monday, the bills introduced over the past couple of days include more election-related measures. But they also include a bipartisan bill to make escaping from prison a Class 2 felony, the highest level below murder. H2790 (prisoners; escape; classification), which has 10 Republicans sponsors plus Democrats Alston and Bowie, would make escape a felony carrying a sentence of 3 to 35 years in prison and require the sentence be served consecutively to the original sentence the inmate is serving. Cook, its main sponsor, said the recent escape of two inmates from Arizona State Prison Complex in Florence prompted him to introduce the bill. He said he is "dismayed to learn that they could only be charged with a Class 4 felony. It is only by the grace of God that nobody was injured, or worse, while these criminals were at large. The penalty needs to fit the crime and this change in statute does exactly that."

MORE THAN 100 BILLS NOW DEAL WITH ELECTIONS

As noted earlier, ballot access and election procedures are shaping up to be some of the most contentious debates of this year's legislative session, and the bills House members are introducing before the deadline are sticking with that theme, with eight bills from Republicans and one from Democrats just from Wednesday to Friday. Hoffman and Barton took the lead on the topic. Hoffman's H2792 (early ballots; request required) would bar delivering an early ballot to anyone who has not requested one unless they are on the Permanent Early Voting List, while H2793 (voter registration; request required) would bar any government agency from registering someone to vote unless that person affirmatively requests it; H2794 (election deadlines; modifications prohibited) would bar any modifications of voting-related deadlines and filing dates not explicitly authorized in statute; and H2811 (same day registration; prohibition) would ban same-day registration.

BILL GIVES LEGISLATORS VAGUE ABILITY TO QUESTION ELECTION RESULTS

Barton introduced three elections bills this week, notably H2800 (elections; legislative session; procedures manual), which would automatically call the Legislature into session the day of a primary or general election to review any alleged irregularities and vote to accept or reject the preliminary election results. In case legislators reject the election results, they will then forward their findings to the Attorney General's Office for "possible or criminal action." Her H2798 (early voting procedures; signature cards) would require voters on the PEVL to sign and return the election notice with a copy of their driver's license or other ID, while H2799 (voter registration rolls; electioneering) would require the state to establish a database from death records for counties to cancel voter registrations and expand the definition of prohibited electioneering near a polling place to include wearing, displaying or carrying an item showing support or opposition

AMERICAN OVERSIGHT

to a candidate or ballot question. Roberts' H2826 (elections; county canvass; legislative review) would require counties to report their vote canvasses to the Legislature and let it call itself into session to review and certify them.

SALMAN: WHAT ABOUT INTERNATIONAL OBSERVERS?

The lone elections bill introduced by a Democrat in the past three days comes from Salman. Her H2797 (election laws, revisions, appropriation) would make a few changes to make it easier to vote, including some tweaks to make it more likely early voting ballots aren't rejected, making sure people in jail awaiting trial can vote absentee and restoring felons' voting rights upon final discharge – meaning completing parole as well as just being released from prison – as long as they pay any required restitution to their victims. It would also let a limited number of international observers observe Arizona's elections.

IT'S GONNA BE A LONG SESSION – OR A VERY SHORT ONE

Ahead of Monday's House bill introduction deadline, lawmakers have introduced 1,645 bills and passed 15 of them. Ducey signed one: Weninger's H2045 (civil rights; amendments). Three other bills transmitted Monday need the governor to take action by Saturday. Fann has just 13 measures waiting for committee assignments, though that tally includes SR1005 (Maricopa County; supervisors; contempt declaration), which will bypass the committee process. Bowers has 147 bills left to assign. In the House, 494 bills await committee hearings, compared to 685 in the Senate. The House has 105 bills ready for rules, 31 ready for consent or COW and three ready for third read. The Senate has 67 bills ready for rules, 35 for consent or COW and 15 ready for third read. Once both chambers gavel in Monday, the Senate will have 87 new House bills to deal with and the House will have 51 Senate bills.

NEWS RELEASES

Gosar Introduces Veterans Expedited TSA Screening (VETS) Safe Travel Act

WASHINGTON, D.C. – Today, U.S. Representative Paul Gosar, D.D.S. (AZ-04) released the following statement after introducing the bipartisan Veterans Expedited TSA Screening (VETS) Safe Travel Act. This legislation would provide expedited security screening under the Transportation Security Administration's (TSA) PreCheck® program to severely injured or disabled veterans.

Supported by the Wounded Warrior Project, Paralyzed Veterans of America, Disabled American Veterans & The Honor Flight Network

"The bravery and sacrifice of our veterans reminds us that freedom is never

AMERICAN OVERSIGHT

truly free. My gratitude for their service to our country cannot be fully expressed by words alone. To protect my most patriotic constituents from harassment and fees while traveling to war memorials, today I reintroduced the VETS Safe Travel Act, which would provide TSA PreCheck free of charge to disabled veterans. I hope that this bipartisan legislation can eliminate many of the challenges disabled veterans face when traveling through our nation's airports. No American veteran, particularly disabled veterans, should be hassled while traveling this free country," said Congressman Paul Gosar.

"Wounded Warrior Project believes that if enacted, the VETS Safe Travel Act will provide many severely injured and disabled veterans a more dignified experience when passing through airport security," stated the Wounded Warrior Project.

"Navigating the air travel process is already difficult enough for catastrophically disabled veterans. The VETS Safe Travel Act would provide a great benefit to Paralyzed Veterans of America members by significantly improving their airport security screening experience," stated Paralyzed Veterans of America.

"As many of our members have attested through the years, navigating airport security can be an extraordinary challenge for veterans with prosthetics or mobility devices. DAV enthusiastically supports the VETS Safe Travel Act and hopes to see it passed and signed into law to help make air travel easier and less stressful for our nation's severely injured veterans. We appreciate the leadership of Rep. Gosar for introducing this important legislation," stated Disabled American Veterans.

Original Cosponsors (24): Rep. Julia Brownley (CA-26); Rep. Ralph Norman (SC-05); Rep. Gerry Connolly (VA-11); Rep. Mike Thompson (CA-05); Rep. Greg Steube (FL-17); Rep. Doug LaMalfa (CA-01); Rep. Michael Waltz (FL-06); Rep. Andy Biggs (AZ-05); Rep. Lisa Blunt Rochester (DE-At Large); Rep. Dusty Johnson (SD-At Large); Rep. Diana Harshbarger (TN-01); Rep. Jerry Carl (AL-01); Rep. Seth Moulton (MA-06); Rep. Cathy McMorris Rodgers (WA-05); Rep. Fred Keller (PA-12); Rep. Jack Bergman (MI-01); Rep. Lou Correa (CA-46); Rep. Trent Kelly (MS-01); Rep. Conor Lamb (PA-17); Rep. Chrissy Houlahan (PA-06); Rep. Elissa Slotkin (MI-08); Rep. Michael San Nicolas (Guam-At Large); Rep. Greg Pence (IN-06); Rep. Mike Gallagher (WI-08)

Background:

There are approximately 70,000 veterans with an amputation and over 130,000 veterans who are legally blind in the United States. When many travel through airport security with their wheelchair, prosthetics, or other assistive devices, it can be challenging. Under this legislation, the Department of

AMERICAN OVERSIGHT

Veterans Affairs would certify that a veteran is severely injured and therefore eligible to apply for TSA PreCheck® free of charge. TSA would process the veteran's application, granting access to TSA PreCheck® provided they successfully pass the background check and interview process. This benefit is similar to what is already offered to Active Duty, Reserves, and National Guard servicemembers.

You can read the bill text HERE.

* * * * *

Mayor Romero Hosts Roundtable Discussion with Local Venues; Announces New City of Tucson REVS Initiative

This morning, Tucson Mayor Regina Romero hosted a roundtable discussion with local independent venues, arts & culture organizations, and representatives of industry workers. Speakers included representatives from the Arts Foundation for Tucson and Southern Arizona, as well as the National Independent Venue Association (NIVA) and the Music Policy Forum - two national organizations who helped craft the language for the Save Our Stages Act, which was included in the latest COVID-19 relief bill passed by Congress in December. You can view the full discussion on Mayor Romero's YouTube page.

Topics included details of the $15 billion included for "Shuttered Venue Operators" in the latest COVID-19 relief package, as well as a conversation about best practices for re-opening local venues once safe, and how local government can support. Mayor Romero also announced that the City of Tucson will be joining the Re-open Every Venue Safely (REVS) initiative, a national cohort of pilot cities sharing strategies and resources to best position their community for the reopening of live music. The Mayor's Office will be working in conjunction with the Arts Foundation for Tucson and Southern Arizona on this new initiative.

Last August, Mayor Romero joined more than 70 representatives of local venues and performing arts organizations in sending a letter to Arizona's Congressional Delegation advocating for the passage of the Save Our Stages Act. A copy of the letter is attached.

"Independent venues and performing arts organizations are economic multipliers, community builders, and beloved institutions that are at the heart of Tucson's cultural and economic fabric," ***said Mayor Regina Romero.*** "With the new REVS initiative, Tucson will be working alongside other cities and local stakeholders to share best practices and position ourselves to successfully re-

AMERICAN OVERSIGHT

open our local venues – who have been some of the hardest hit by the pandemic – as soon as it is safe."

"Our city has such a legacy of a thriving, influential, and economically expansive Arts ecosystem," ***said Adriana Gallego, Executive Director of the Arts Foundation for Tucson and Southern Arizona.*** "It not only employs a multitude of our creative sector workforce, engage audiences at all levels, and bring people together from all across our state and nation, but it also makes our city a landmark destination, consisting of spaces and organizations that identify Tucson as an arts and cultural destination. These spaces, venues, and organizations have been a sustained economic driver for our region, and the artistic expression they support are a source of community for Tucsonans."

"Local arts, venues and cultural institutions are the beating heart of Tucson. We are thrilled the City is joining our national effort to share resources and strategies with other communities simultaneously navigating these unprecedented times," ***said Michael Bracy, Music Policy Forum, Washington, DC***.

"Every time I visit Tucson, I am often struck by our similarities. More than climate, color palette and topography, we are similar in that the pedigree of our local arts scene is central to the identity of our cities. Albuquerque is thrilled that Tucson is joining the REVS community and we look forward to working together to get our venues up and running as quickly and safely as possible," ***said Hakim Bellamy, Deputy Director, Cultural Services, City of Albuquerque.***

"Supporting our venues as they get ready to reopen is one of the hardest things we've had to do in the Seattle entertainment community. The REVS initiative demonstrates local governments' commitment to protecting public health while helping our creative community get back on its feet," ***said Kate Becker, Creative Economy & Recovery Director, King County, WA.***

"It isn't enough to simply reopen our venues – we have to think about how we educate musicians, venue employees and audiences about what we are doing to keep them safe and have a great experience. We're thrilled that Tucson is joining our REVS community," ***said Dani Grant, Owner, Mishawaka Ampitheatre, Poudre Canyon CO***.

"Live music is how we celebrate, mourn, reflect and join together as a community. The REVS initiative is doing what we can to ensure our venues are ready to go as quickly and safely as possible when the science allows," ***said Ashlye Keaton, Ella Project, New Orleans, LA.***

AMERICAN OVERSIGHT

* * * * *

New Legislation Toughens Penalties for Prison Escapees

STATE CAPITOL, PHOENIX – State Representative David Cook (R-8) has sponsored new legislation, HB 2790, that would significantly toughen penalties for inmates who escape from a correctional facility.

"Following the recent successful capture of two dangerous escaped state prison inmates, I was dismayed to learn that they could only be charged with a Class 4 felony," said Representative Cook. **"It is only by the grace of God that nobody was injured, or worse, while these criminals were at large. The penalty needs to fit the crime and this change in statue does exactly that."**

HB 2790 increases the penalty for escape from a Class 4 to a Class 2 felony, giving prosecutors and judges a wider array of options and greater discretion when charging or sentencing an offender. A Class 2 felony is the highest non-murder felony classification in state law and carries a sentencing range of anywhere from 3-35 years imprisonment, depending on the offender's prior criminal history and whether a weapon was used. Under the law, any sentence for an escape conviction must be served consecutively to the sentence that the inmate was serving at the time of their escape.

"I commend the tremendous efforts by state and local law enforcement to protect the public and quickly apprehend the two escapees. HB 2790 respects their efforts and those of all who uphold public safety in our state. Moreover, it respects those who have been crime victim and their families who are likely to endure additional traumatic stress if their perpetrator escapes," added Representative Cook.

HB 2790 is cosigned by Representatives Kevin Payne (R-21), Frank Pratt (R-8), Bret Roberts (R-11), Ben Toma (R-22), and John Fillmore and Jacqueline Parker (R-16), as well as Senators Vince Leach (R-11), T.J. Shope (R-8), and Kelly Townsend (R-16).

* * * * *

Progress Arizona Launches Aggressive Billboard Campaign Condemning Attacks on Voting Rights

Progress Arizona is launching a new advertising campaign aimed at Arizona state lawmakers who have introduced voter suppression bills, including Representatives Shawnna Bolick and Kevin Payne and Senators Kelly Townsend and Michelle Ugenti-Rita. The campaign includes billboards in

AMERICAN OVERSIGHT

Tempe, Mesa, and Phoenix, beginning February 5. The billboards call out state lawmakers for introducing and championing legislation that undermines Arizonans' right to vote. A picture of the billboard is included below.

"Republicans in our state legislature have introduced more than 30 bills that attack democratic norms and institutions," said Emily Kirkland, executive director of Progress Arizona. "This is a full-scale attack on the foundations of our democracy. We hope that this new campaign helps raise the alarm and prompts Arizonans to contact their legislators and demand that they protect voting rights and democratic ideals."

A list of proposed voter suppression and anti-democracy bills can be found here. Given that the deadline to introduce legislation has not yet passed, additional bills are likely to be added in the coming days.

Most of the bills have been scheduled for hearings or assigned to committees, and some are moving quickly through the legislative process. For instance, SB1069, which would purge 100,000+ voters from the permanent vote by mail list, passed through a Senate committee two weeks ago and could pass the full Senate next week. 68% of registered voters in Arizona are on the permanent vote by mail list.

These proposals come just weeks after an armed attack on the U.S. Capitol that attempted to overturn the results of the 2020 election. That attack was sparked by lies about the 2020 election, which multiple sitting Arizona federal and state lawmakers helped to spread.

* * * * *

Senator Kelly Continues Work to Get COVID-19 Relief to Arizona

Kelly helped lead bipartisan improvements as COVID-19 bill advances

Last night and into this morning, Senator Kelly supported bipartisan improvements to the COVID-19 relief bill that would create dedicated funding to help independent restaurants stay afloat, ensure Arizona's rural hospitals get their fair share of support as they treat patients, and allocate resources to increase public awareness about the effectiveness of the COVID-19 vaccine. The senate also passed a Kelly-sponsored amendment to ensure that direct relief gets to those who need it most with broad bipartisan support.

Early this morning, Kelly voted to advance the budget resolution that moves COVID-19 relief legislation that will provide another round of direct payments to most individuals, resources for vaccine distribution, and additional support for small businesses, schools, and local and tribal governments one step closer to

AMERICAN OVERSIGHT

becoming law.

“Getting additional support to Arizona during this pandemic is my top priority so that we can improve vaccine distribution, keep small businesses afloat, provide direct relief to families who need it most, and get resources to schools to reopen safely. I am going to continue working with Republicans and Democrats to find common ground to beat this virus and rebuild our economy.” **– Senator Kelly**

* * * * *

People older than 70 in Pima County can start getting vaccinated Feb. 8

CLARIFICATION: *The earlier release state the County Call Center, 520-222-0119 offers registration assistance. It currently only answers the public's questions about vaccinations in general and about registration problems or concerns, but does not register people.*

PIMA COUNTY, Feb. 4, 2021 – The Pima County Health Department today announced that it will expand the 1B priority COVID-19 vaccination group to people over 70 years old. They can start today registering for appointments beginning on Feb. 8 on the Department’s vaccine registration page, www.pima.gov/covid19vaccineregistration.

People 70 and older, educators, and people employed in protective services will be able to register for vaccination appointments at Tucson Medical Center, 5301 E. Grant Road, Banner UA Cancer Center, 3838 N. Campbell Ave., Banner UMC-South at the Kino Sports Complex, 2500 E. Ajo Way, and the Tucson Convention Center, 260 S. Church Ave. A fifth vaccination center at the University of Arizona, 1200 E. University Ave., is also under consideration. The UA POD is currently restricted to educators.

“We have made a lot of progress over the past six weeks in the 1A and 1B priority groups, vaccinating more than 130,000 people,” said Dr. Theresa Cullen, the Health Department Director. “The pace of appointments for educators and protective services has slowed as we think we’re nearing saturation of the people in those groups who want to be vaccinated, so we’re opening appointments to 70 and older.”

Arizona Gov. Doug Ducey in January moved up people 65 and older into the 1B priority group. Pima County, however, still restricted vaccinations to people 75 and older because they statistically have worse outcomes if they contract COVID-19, and because there are so many people in Pima County over age 65 (more than 212,000) allowing them all to register for appointments at once would have crashed the registration system. According to the 2019 Census

AMERICAN OVERSIGHT

estimate for Pima County, there are more than 54,400 people between the ages of 70 and 74 in Pima County.

"Were only opening vaccination to 70-plus because we still have a lot of 75+ people to vaccinate and we don't want to overwhelm our registration system or create more demand than we have vaccine supply," Cullen said.

Vaccinations for people who are 65 to 69 years old may be able to start getting vaccinated by the end of February, depending on vaccine availability.

"Vaccine supply is *the* ultimate limiting factor in how many people we can get vaccinated and how quickly. We are wary of getting too far ahead of the available vaccine with our appointments," said Dr. Francisco Garcia, the County's Chief Medical Officer and a Deputy County Administrator. "It's hard to estimate how fast we can move to vaccinating 65 to 69 folks because the state's system for vaccine distribution is opaque, as evidenced by today's announcement that the state has reduced Pima County vaccine allotment by more than 12,000 doses next week, going from 29,000 this week to only 17,800 next week."

For more information about COVID-19 vaccinations, go to www.pima.gov/covid19vaccine, or call 520-222-0119.

NEWS CLIPS

GOP lawmakers demand Ward allow audit of her election

By Howard Fischer Capitol Media Services 02-05-21

About a third of state Republican lawmakers are calling on newly re-elected state GOP Chair Kelli Ward to either agree to a recount of that vote or back off of her challenges to the presidential race.

In an email Wednesday to Ward, the 14 representatives and four senators said they have been involved in a two-month effort to bring "transparency and accountability in our election process." (To read more, click here).

* * * * *

US ends deal with Arizona restricting Biden on immigration

By Anita Snow, Ben Fox Associated Press 02-05-21

AMERICAN OVERSIGHT

The U.S. Department of Homeland Security has terminated an unusual agreement that Arizona's top prosecutor signed with the agency in the waning days of the Trump administration to try to restrict President Joe Biden's ability to overhaul his predecessor's immigration policies.

The agency's action was revealed Wednesday as Arizona Attorney General Mark Brnovich, a Republican, sued to stop newly confirmed Homeland Security Secretary Alejandro Mayorkas from carrying out Biden's 100-day moratorium on deportations. A federal judge in Texas has already put it on hold. (To read more, click here).

* * * * *

Hobbs, other Arizona officials discuss 2020 election 'conspiracy circus'

By Ryan Knappenberger Cronkite News
02-05-21

Arizona Secretary of State Katie Hobbs told a national panel Thursday that the best way to combat election misinformation is with truth, even if "there are some folks who are never going to believe anything I say."

Her comments came during a call with election officials from the battleground states of Ohio, Michigan and Georgia, all of whom grappled last fall with what Hobbs described as a "conspiracy circus" targeting every part of the process, from filling out ballots to counting the votes. (To read more, click here).

* * * * *

Arizona Senate Republicans are abusing their subpoena power. Strip them of it

By Robert Robb Arizona Republic
02-05-21

Evaluating the ruction over a review of the 2020 election between the Arizona Legislature and the Maricopa County Board of Supervisors starts with two points, bluntly made:

First, the GOP members of the Maricopa County Board of Supervisors are the last bastion of sanity left in the Arizona Republican Party. (To read more, click here).

* * * * *

Our tribe is not 'at the table shaping' Resolution Copper's mine. It's an

AMERICAN OVERSIGHT

abomination

By Terry Rambler Arizona Republic 02-05-21

The Jan. 21 guest opinion written by Resolution Copper Company's project director Andrew Lye grossly misleads the public when he states that "Native American tribes are very much at the table shaping this project."

As chairman of the San Carlos Apache Tribe, I unequivocally state that we, along with the National Congress of Indians and the Inter-Tribal Association of Arizona, remain vehemently opposed to the construction of the Resolution mine near Superior, 70 miles east of Phoenix. (To read more, click here).

* * * * *

Lawmakers raided funds meant for recycling, raising fees or scaling back programs

By Erin Murphy, Levi Helm Arizona Republic 02-05-21

In Arizona, municipalities are responsible for providing solid waste management services or partnering with industry to ensure these services are available.

Today, most citizens view recycling as a fundamental part of solid waste management. However, with limited annual budgets, municipalities often struggle to cover the high costs of capital investments or finance research and development. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Friday, February 5, 2021 4:42:45 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-5-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *February 5, 2021*

IT'S NOT THE COVID, IT'S THE COVERAGE
Fann is blaming Covid – or more specifically, the media coverage of how Republicans have handled Covid – for shutting down all access to caucus and rules meetings despite Senate rules that say those meetings must be open to the public.

WAIT, A SCANDAL WITHOUT ANY SEX IN IT?
The Senate Ethics Committee voted unanimously last night to launch a full-blown investigation into Rogers, prompting musings about which recent scandal Rogers' most closely mirrors.

HELP WANTED
The effort to recall Finchem may not be as dead as we reported yesterday, as the group now leading the charge, Rural Arizona Action, recently posted that it's seeking to hire a "Finchem Recall IE Campaign Manager."

AMERICAN OVERSIGHT

KEEPING THE MAJORITY MEANS SACRIFICING YOUR AUTHORITY

Ducey's PAC spent $2.4 million in independent expenditures to keep the Legislature in Republican control, but one-third of that went to lawmakers who are now trying to strip away Ducey's executive power.

WHEN YOU'VE LOST ROBB, YOU STILL HAVE 70% OF THE GOP

The Arizona Republic's conservative columnist, Robert Robb, penned a blistering rebuke to Senate Republicans, who voted yesterday to waive their own rules in order to fast-track a resolution that could end in arresting Maricopa County's supervisors.

MORE PEOPLE FOR THE LEGISLATURE TO ARREST!

Mesnard wants to add supervisor seats in large counties and to expand the number of state representatives by 30, but calling that an expansion of government is a "ridiculous" and "stupid" argument, he told our reporter.

IT'S GONNA BE A LONG YEAR

Ahead of Monday's House bill introduction deadline, lawmakers have introduced 1,645 bills – an all-time record.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, February 05, 2021

·NEWS NOTES AND GOSSIP·

IT'S NOT THE COVID, IT'S THE COVERAGE

Fann is blaming Covid – or more specifically, the media coverage of how Republicans have handled Covid – for shutting down all access to caucus and rules meetings despite Senate rules that say those meetings must be open to the public. Our reporter asked her to explain why she closed the public meetings, and why she asked Dems to stop sending video links to their own caucuses, as Covid doesn't spread electronically. "It is because of Covid particularly since the media has been critical of the Republicans not taking it serious enough," Fann responded by text, echoing comments she made shortly before session started. At the time, Fann said she was going to allow reporters in the building and let them talk to senators in the hallways without an appointment, provided we wear masks and maintain a safe distance. But she said that she expected reporters to "be fair" if she was going to "bend over backwards." "This is Covid. You guys are the first ones to report that we're not taking this seriously, and not doing this or not doing that. Obviously, we could have said you're not allowed in either, but I'm not going to do that – I want you. But remember, we're going to have to work together on this," Fann said (YS, 1/7).

WAIT, A SCANDAL WITHOUT ANY SEX IN IT?

The Senate Ethics Committee voted unanimously last night to launch a full-blown investigation into Rogers, prompting musings about which recent scandal Rogers' most closely mirrors. In the last decade, four lawmakers have been expelled or forced out under the threat of expulsion: Scott Bundgaard, Daniel Patterson, Don Shooter and David Stringer. Several others have come under ethics investigations, including Ugenti-Rita and Cook. One railbird posited that Rogers' scandal is in a way similar to the scandals that brought down Shooter and tarnished Ugenti-Rita, but Rogers' alleged behavior is in some ways more egregious than the other two. While the railbird took pains to note that neither Shooter nor Ugenti-Rita's alleged sexual harassment was acceptable, neither harassed staff, which the railbird said is a legally and morally different from harassing lobbyists or fellow lawmakers. "Rogers has created her own category to which future lawmakers could be compared," the source said, adding that the case against her is very typical for corporate workplaces, but surprisingly new for the Legislature in that no sex was involved. "This is horrible bosses Arizona Legislature-style." The fact that Rogers allegedly harassed an employee makes the case against her more serious, the source said, in part because it opens the Senate up to legal liability for her actions. And while that's a strong argument in favor of expulsion, it probably won't be enough, the source said, as Rogers hasn't had time to establish a pattern of behavior. Shooter was expelled only after a host of women came forward with their horror stories about him, the source noted. So what fate most likely awaits Rogers, should the investigation find the allegations against her are true? The railbird said perhaps mandated anger management counseling or training on how to treat staff, but noted that's hardly even a slap on the wrist. More meaningful but still realistic punishment would be not letting her have an assistant or use staff, the source said. "I think taking away your assistant really sucks. You gotta answer your own phones and your own emails," the source said. "Member assistants are their unsung heroes of the Arizona Legislature. That's a real punishment that has consequences and meaning." The Ethics Committee will meet again on Thursday, Feb 11.

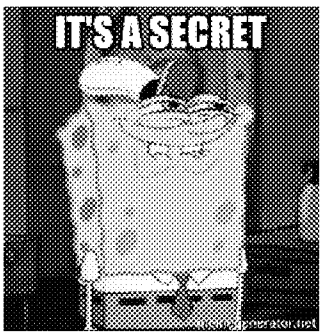
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001701

ARZN_REV00068703_2-5-21.pdf

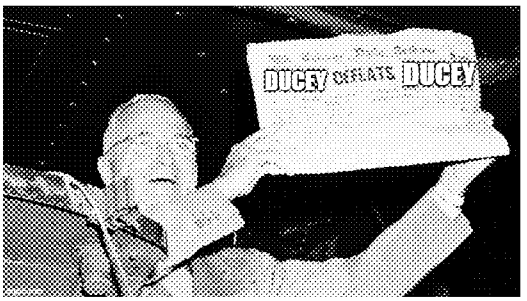
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

HELP WANTED



The effort to recall Finchem may not be as dead as we reported yesterday, as the group now leading the charge, Rural Arizona Action, recently posted that it's seeking to hire a "Finchem Recall IE Campaign Manager." The job duties include day-to-day running of campaign and field operations, and the annual salary is $75,000. However, the push to expel Finchem is still on, as one Dem told our reporter Salman plans to make a motion on Monday. Salman wouldn't confirm or deny if she is going to try to expel Finchem, but told our reporter to expect "something" soon. She did say House Democrats have not changed their opinion on Finchem and his alleged involvement in the US Capitol riot. "The caucus has been pretty consistent since the beginning that this is something that's really important to our districts and to Arizona," she said, adding that they want to get to the bottom of the role Finchem may have played in the insurrection. Finchem traveled to DC and posted photos as rioters were storming the Capitol grounds, but denied that he even knew it was happening. He said he learned about it hours after the fact and has since hired a personal attorney in Alex Kolodin to shield him from fulfilling records requests. "I can't go into more specifics than that, but you'll get more information on Monday," Salman told our reporter.

KEEPING THE MAJORITY MEANS SACRIFICING YOUR AUTHORITY



Ducey's PAC spent $2.4 million in independent expenditures to keep the Legislature in Republican control, but one-third of that went to lawmakers who are now trying to strip away Ducey's executive power. The PAC, Arizonans for Strong Leadership, mostly targeted hotly contested Senate races, spending huge sums to elect Rogers, Mesnard, Boyer and Leach. Excluding Boyer, who hasn't yet weighed in on if Ducey's state of emergency should be terminated, the other three benefitted from $827,000. Leach and Rogers are co-sponsors of SCR1001 (state of emergency declaration; termination) and S1084 (state of emergency; automatic termination), which aim to automatically terminate the emergency declaration, and terminate the emergency order after 21 days, and prevent the governor from issuing a similar declaration without legislative approval. Mesnard supported both bills in the Senate Government Committee. The Ninth Floor did not return a call from our reporter to talk about the irony of Ducey pouring money into electing lawmakers who are fighting to repeal his most consequential action to stymie the pandemic. Of course, not a single Democrat has voiced support for ending the emergency declaration, so had the PAC not spent as heavily in either of those races, he might be better positioned to fight off the attacks to his executive authority.

WHEN YOU'VE LOST ROBB, YOU STILL HAVE 70% OF THE GOP

The Arizona Republic's conservative columnist, Robert Robb, penned a blistering rebuke to Senate Republicans, who voted yesterday to waive their own rules in order to fast-track a resolution that could end in arresting Maricopa County's supervisors. Robb praised the four GOP county supervisors "as the last bastion of sanity left in the Arizona Republican Party" and noted that "too many" Senate Republicans "were complicit in Donald Trump's plot to remain in power despite losing the presidential election." (At least five – Townsend, Borrelli, Petersen, Rogers and Barto – signed on to a letter to Congress asking that Trump's electors be recognized even though Trump lost Arizona.) While he had largely positive words for the county board, Robb chided them for continuing with its own audit, which he deemed a tactical mistake. "The only path forward is for everyone else to move on and leave the Trumpeteers to their delusions," he

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001702
ARZN_REV00068703_2-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

wrote. He wrote that the Senate has been entirely partisan and opaque in its own process. (Fann yesterday continued to deny that she had ever said she hired a firm, even after our reporter shared a copy of a Senate press release in which both a headline and a quote from Petersen indicate she made a decision.) Robb concluded that the Legislature should not have subpoena power, saying he would support a citizen initiative to strip the Legislature of its ability to arrest or incarcerate, if not removing the subpoena power entirely. "This body has demonstrated that it cannot be entrusted with such authority," he wrote.

MORE PEOPLE FOR THE LEGISLATURE TO ARREST!

Mesnard wants to add supervisor seats in large counties and to expand the number of state representatives by 30, but calling that an expansion of government is a "ridiculous" and "stupid" argument, he told our reporter. In 2016, Mesnard successfully sponsored the legislation that added two seats to the Arizona Supreme Court (LINK). He said those who make the expanding government claim are either "just trying to be cute" or are "revealing a lack of understanding" for what "big government" really is. "It has referred to government intervention in your life like regulations and additional laws, and it has never referred to the idea that we have more representation in that government, ever," he said. Mesnard added that no one he knew of would argue for the reverse – paring down larger boards of supervisors to fewer seats. His S1498 (Board of Supervisors; membership) would add supervisor two seats in Pima County and four seats in Maricopa County, growing them to seven and nine members, respectively. Mesnard's arguments for this change are similar to those for his proposal that would lead to 30 more representatives in the House starting in 2031 (LINK). "It's time to spread out the power and the representation to more people," Mesnard said, noting that each Maricopa County supervisor represents more constituents than the average member of Congress. He said he brought up the idea to some supervisors a few years and about "a million people" ago, and most told him it was unnecessary. "I don't agree," he said.

IT'S GONNA BE A LONG YEAR

Ahead of Monday's House bill introduction deadline, lawmakers have introduced 1,645 bills – an all-time record. The previous high was set last year with 1,607 bills introduced. Ducey signed another three bills today: Udall's H2023 (schools; employees; employment; discipline), Griffin's H2036 (electric cooperatives; broadband service; fees) and Dunn's H2078 (groundwater; waterlogged area exemption; date). Another 11 are awaiting his signature or veto. The Senate has just 13 measures waiting for committee assignments, though that tally includes SR1005 (Maricopa County; supervisors; contempt declaration), which will bypass the committee process because of yesterday's vote to suspend several Senate rules. The House has 147 bills left to assign to committee. In the House, 494 bills await committee hearings, compared to 685 in the Senate. The House has 105 bills ready for rules, 31 ready for consent or COW and three ready for third read. The Senate has 67 bills ready for rules, 35 for consent or COW and 15 ready for third read. Once both chambers gavel in Monday, the Senate will have 87 new House bills to deal with and the House will have 51 Senate bills.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001703
ARZN_REV00068703_2-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Senate panel moves bill to criminalize certain abortions
Arizona Capitol Times
A legislative panel voted February 4 to make it a crime to terminate the pregnancy of a fetus with a genetic abnormality by declaring that it has the same legal rights as anyone else.

Lawmakers' focus veers from Covid relief in 1st weeks of session
Arizona Capitol Times
After nearly four full weeks of session, none of the bills lawmakers sent to the governor's desk deals with the Covid pandemic, a shift in emphasis that's especially noticeable given lawmakers' insistence to help residents and businesses survive the crisis.

Ethics panel decides to probe allegations against Wendy Rogers
Arizona Capitol Times
The unanimous vote by three Republicans and two Democrats followed more than an hour of closed-door discussions in executive session, in which the members received legal advice.

House panel OKs criminal sentencing changes
Capitol Media Services
State lawmakers took the first steps February 3 to reversing decades of tough-on-crime policies.

GOP lawmakers demand Ward allow audit of her election
Capitol Media Services
About a third of state Republican lawmakers are calling on newly re-elected state GOP Chair Kelli Ward to either agree to a recount of that vote or back off of her challenges to the presidential race.

US ends deal with Arizona restricting Biden on immigration
Associated Press
The U.S. Department of Homeland Security has terminated an unusual agreement that Arizona's top prosecutor signed with the agency in the waning days of the Trump administration to try to restrict President Joe Biden's ability to overhaul his predecessor's immigration policies.

Video: Apache made emotional appeal to court to halt proposed Pinal copper mine
Cronkite News
Members of the group Apache Stronghold told a federal district judge, in sometimes tearful testimony Wednesday, that a proposed Pinal County copper mine at Oak Flat would destroy a "holy place" for Native Americans and needs to be stopped.

Hobbs, other Arizona officials discuss 2020 election 'conspiracy circus'
Cronkite News
Arizona Secretary of State Katie Hobbs told a national panel Thursday that the best way to combat election misinformation is with truth, even if "there are some folks who are never going to believe anything I say."

Congressional Democrats want Ducey to explain why he banked COVID relief money
Arizona Mirror
All five of Arizona's House congressional Democrats have signed a letter urging Gov. Doug Ducey to spend more of the state's allocation of federal relief funds related to the coronavirus pandemic — and explain why it used $400 million of the money to offset existing government spending instead of fighting COVID-19.

Kelly focused on virus relief, shots in arms
Kingman Daily Miner
Sen. Mark Kelly (D-Ariz.) says he's focused on relief funding for cities and towns, and getting folks vaccinated.

Arizona GOP Lawmakers Tell Kelli Ward to Audit Her Own Election
Phoenix New Times
A group of Arizona Republican lawmakers are calling on Kelli Ward to allow an audit of the state party's January 23 vote that resulted in her reelection as state GOP chair.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001704
ARZN_REV00068703_2-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Marjorie Taylor Greene vote verifies Arizona GOP's quixotic quartet of QAnon quacks
Arizona Republic (Opinion, EJ Montini)
Arizona's four Republican representatives in Congress were asked to choose between conservative values or conspiracy theories.

Uh-oh. Now Kelli Ward's own peeps are calling out her election audit hypocrisy
Arizona Republic (Opinion, Laurie Roberts)
Arizona Republican Party Chairwoman Kelli Ward's election audit hypocrisy is so glaring that even her own supporters see it.

Arizona Senate Republicans are abusing their subpoena power. Strip them of it
Arizona Republic (Opinion, Robert Robb)
Senate Republicans are demanding that supervisors break the law to assist an election review that won't be credible or trustworthy.

Sens. Mark Kelly and Kyrsten Sinema have no shame using immigrants as political pawns
Arizona Republic (Opinion, Elvia Diaz)
It says a lot about Sens. Mark Kelly and Kyrsten Sinema when they are willing to vote against immigrants in an effort to appear bipartisan.

Our tribe is not 'at the table shaping' Resolution Copper's mine. It's an abomination
Arizona Republic (Op-ed, Terry Rambler)
Let me say it flatly: There is no agreement between the San Carlos Apache Tribe and Resolution Copper. Its mine would destroy Oak Flat, which is sacred to us.

Lawmakers raided funds meant for recycling, raising fees or scaling back programs
Arizona Republic (Op-ed, Erin Murphy and Levi Helm)
A 25-cent fee for every ton sent to Arizona landfills is supposed to help cities sustain recycling programs. If only lawmakers honored the intent.

PRESS RELEASES

Progress Arizona Launches Aggressive Billboard Campaign Condemning Attacks on Voting Rights

Progress Arizona is launching a new advertising campaign aimed at Arizona state lawmakers who have introduced voter suppression bills, including Representatives Shawnna Bolick and Kevin Payne and Senators Kelly Townsend and Michelle Ugenti-Rita.

The campaign includes billboards in Tempe, Mesa, and Phoenix, beginning February 5. The billboards call out state lawmakers for introducing and championing legislation that undermines Arizonans' right to vote. A picture of the billboard is included below.

"Republicans in our state legislature have introduced more than 30 bills that attack democratic norms and institutions," said Emily Kirkland, executive director of Progress Arizona. "This is a full-scale attack on the foundations of our democracy. We hope that this new campaign helps raise the alarm and prompts Arizonans to contact their legislators and demand that they protect voting rights and democratic ideals."

A list of proposed voter suppression and anti-democracy bills can be found here. Given that the deadline to introduce legislation has not yet passed, additional bills are likely to be added in the coming days.

Most of the bills have been scheduled for hearings or assigned to committees, and some are moving quickly through the legislative process. For instance, SB1069, which would purge 100,000+ voters from the permanent vote by mail list, passed through a Senate committee two weeks ago and could pass the full Senate next week. 68% of registered voters in Arizona are on the permanent vote by mail list.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001705
ARZN_REV00068703_2-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

These proposals come just weeks after an armed attack on the U.S. Capitol that attempted to overturn the results of the 2020 election. That attack was sparked by lies about the 2020 election, which multiple sitting Arizona federal and state lawmakers helped to spread.

Media Advisory: Superintendent Hoffman to Deliver "State of Special Education" Address

PHOENIX – Arizona Superintendent of Public Instruction Kathy Hoffman will deliver the annual "State of Special Education" address to the House Education Committee on Tuesday, February 9th, at approximately 2pm. She will speak to the hybrid committee virtually, press and the public can view via the livestream.
Live stream available: https://www.azleg.gov/liveproceedings/ (Select "House Education")

New Legislation Toughens Penalties for Prison Escapees

STATE CAPITOL, PHOENIX – State Representative David Cook (R-8) has sponsored new legislation, HB 2790, that would significantly toughen penalties for inmates who escape from a correctional facility.
"Following the recent successful capture of two dangerous escaped state prison inmates, I was dismayed to learn that they could only be charged with a Class 4 felony," said Representative Cook. **"It is only by the grace of God that nobody was injured, or worse, while these criminals were at large. The penalty needs to fit the crime and this change in statue does exactly that."**
HB 2790 increases the penalty for escape from a Class 4 to a Class 2 felony, giving prosecutors and judges a wider array of options and greater discretion when charging or sentencing an offender. A Class 2 felony is the highest non-murder felony classification in state law and carries a sentencing range of anywhere from 3-35 years imprisonment, depending on the offender's prior criminal history and whether a weapon was used. Under the law, any sentence for an escape conviction must be served consecutively to the sentence that the inmate was serving at the time of their escape.
"I commend the tremendous efforts by state and local law enforcement to protect the public and quickly apprehend the two escapees. HB 2790 respects their efforts and those of all who uphold public safety in our state. Moreover, it respects those who have been crime victim and their families who are likely to endure additional traumatic stress if their perpetrator escapes," added Representative Cook.
HB 2790 is cosigned by Representatives Kevin Payne (R-21), Frank Pratt (R-8), Bret Roberts (R-11), Ben Toma (R-22), and John Fillmore and Jacqueline Parker (R-16), as well as Senators Vince Leach (R-11), T.J. Shope (R-8), and Kelly Townsend (R-16).

Arizona legislators introduce resolutions to term limit Congress

Washington, D.C. – U.S. Term Limits applauds both chambers of the Arizona state legislature for introducing resolutions to term limit Congress. State senator Kelly Townsend (district 16) is the sponsor of Senate Concurrent Resolution 1025 (SCR1025). The related bill in the state house, House Concurrent Resolution 2015 (HCR 2015), was introduced by representative Ben Toma (district 22).
Under Article V of the Constitution of the United States, state legislatures may team up at a national convention to propose a congressional term limits amendment to the Constitution. The effort is supported by the nonpartisan, grassroots nonprofit, U.S. Term Limits.
Twenty-four members of the Arizona house and eleven members of the senate have signed a pledge to vote for and co-sponsor the measure.
A poll conducted by McLaughlin & Associates shows that 85% of likely voters in Arizona support term limits on Congress, including strong support across partly lines. 87% of Republicans, 83% of Democrats, and 85% of independents of those surveyed support the reform.
U.S. Term Limits' President Philip Blumel commended Sen. Townsend and Rep. Toma for putting forth the legislation. Blumel said, "The people of Arizona are lucky to have public servants who see what is going on in D.C. and are willing to take action to fix it. They know that Congress won't set term limits on itself. Therefore, it is the obligation of the states to do so."
Both resolutions have been assigned to their respective Government committees for a vote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001706
ARZN_REV00068703_2-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

If passed in both the state house and senate this session, Arizona will join other states at a national convention to propose a term limits on Congress amendment. 34 state legislatures are required to call the convention. The amendment must then be ratified by 38 states to become part of the U.S. Constitution.

"QUOTE OF THE DAY"

"The only path forward is for everyone else to move on and leave the Trumpeteers to their delusions."

- Bob Robb, Arizona Republic's conservative columnist on how to properly deal with claims of 2020 election fraud

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001707

ARZN_REV00068703_2-5-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, February 5, 2021 4:42:47 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-5-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *February 5, 2021*

IT'S NOT THE COVID, IT'S THE COVERAGE
Fann is blaming Covid – or more specifically, the media coverage of how Republicans have handled Covid – for shutting down all access to caucus and rules meetings despite Senate rules that say those meetings must be open to the public.

WAIT, A SCANDAL WITHOUT ANY SEX IN IT?
The Senate Ethics Committee voted unanimously last night to launch a full-blown investigation into Rogers, prompting musings about which recent scandal Rogers' most closely mirrors.

HELP WANTED
The effort to recall Finchem may not be as dead as we reported yesterday, as

AMERICAN OVERSIGHT

the group now leading the charge, Rural Arizona Action, recently posted that it's seeking to hire a "Finchem Recall IE Campaign Manager."

KEEPING THE MAJORITY MEANS SACRIFICING YOUR AUTHORITY

Ducey's PAC spent $2.4 million in independent expenditures to keep the Legislature in Republican control, but one-third of that went to lawmakers who are now trying to strip away Ducey's executive power.

WHEN YOU'VE LOST ROBB, YOU STILL HAVE 70% OF THE GOP

The Arizona Republic's conservative columnist, Robert Robb, penned a blistering rebuke to Senate Republicans, who voted yesterday to waive their own rules in order to fast-track a resolution that could end in arresting Maricopa County's supervisors.

MORE PEOPLE FOR THE LEGISLATURE TO ARREST!

Mesnard wants to add supervisor seats in large counties and to expand the number of state representatives by 30, but calling that an expansion of government is a "ridiculous" and "stupid" argument, he told our reporter.

IT'S GONNA BE A LONG YEAR

Ahead of Monday's House bill introduction deadline, lawmakers have introduced 1,645 bills – an all-time record.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, February 05, 2021

·NEWS NOTES AND GOSSIP·

IT'S NOT THE COVID, IT'S THE COVERAGE

Fann is blaming Covid – or more specifically, the media coverage of how Republicans have handled Covid – for shutting down all access to caucus and rules meetings despite Senate rules that say those meetings must be open to the public. Our reporter asked her to explain why she closed the public meetings, and why she asked Dems to stop sending video links to their own caucuses, as Covid doesn't spread electronically. "It is because of Covid particularly since the media has been critical of the Republicans not taking it serious enough," Fann responded by text, echoing comments she made shortly before session started. At the time, Fann said she was going to allow reporters in the building and let them talk to senators in the hallways without an appointment, provided we wear masks and maintain a safe distance. But she said that she expected reporters to "be fair" if she was going to "bend over backwards." "This is Covid. You guys are the first ones to report that we're not taking this seriously, and not doing this or not doing that. Obviously, we could have said you're not allowed in either, but I'm not going to do that – I want you. But remember, we're going to have to work together on this," Fann said (YS, 1/7).

WAIT, A SCANDAL WITHOUT ANY SEX IN IT?

The Senate Ethics Committee voted unanimously last night to launch a full-blown investigation into Rogers, prompting musings about which recent scandal Rogers' most closely mirrors. In the last decade, four lawmakers have been expelled or forced out under the threat of expulsion: Scott Bundgaard, Daniel Patterson, Don Shooter and David Stringer. Several others have come under ethics investigations, including Ugenti-Rita and Cook. One railbird posited that Rogers' scandal is in a way similar to the scandals that brought down Shooter and tarnished Ugenti-Rita, but Rogers' alleged behavior is in some ways more egregious than the other two. While the railbird took pains to note that neither Shooter nor Ugenti-Rita's alleged sexual harassment was acceptable, neither harassed staff, which the railbird said is a legally and morally different from harassing lobbyists or fellow lawmakers. "Rogers has created her own category to which future lawmakers could be compared," the source said, adding that the case against her is very typical for corporate workplaces, but surprisingly new for the Legislature in that no sex was involved. "This is horrible bosses Arizona Legislature-style." The fact that Rogers allegedly harassed an employee makes the case against her more serious, the source said, in part because it opens the Senate up to legal liability for her actions. And while that's a strong argument in favor of expulsion, it probably won't be enough, the source said, as Rogers hasn't had time to establish a pattern of behavior. Shooter was expelled only after a host of women came forward with their horror stories about him, the source noted. So what fate most likely awaits Rogers, should the investigation find the allegations against her are true? The railbird said perhaps mandated anger management counseling or training on how to treat staff, but noted that's hardly even a slap on the wrist. More meaningful but still realistic punishment would be not letting her have an assistant or use staff, the source said. "I think taking away your assistant really sucks. You gotta answer your own phones and your own emails," the source said. "Member assistants are their unsung heroes of the Arizona Legislature. That's a real punishment that has consequences and meaning." The Ethics Committee will meet again on Thursday, Feb 11.

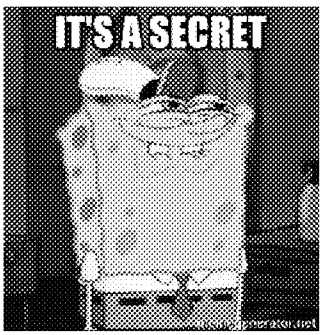
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001710

ARZN_REV00068705_2-5-21.pdf

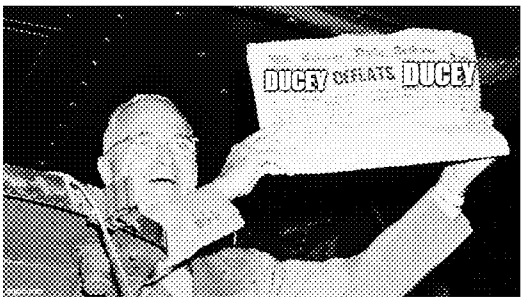
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

HELP WANTED



The effort to recall Finchem may not be as dead as we reported yesterday, as the group now leading the charge, Rural Arizona Action, recently posted that it's seeking to hire a "Finchem Recall IE Campaign Manager." The job duties include day-to-day running of campaign and field operations, and the annual salary is $75,000. However, the push to expel Finchem is still on, as one Dem told our reporter Salman plans to make a motion on Monday. Salman wouldn't confirm or deny if she is going to try to expel Finchem, but told our reporter to expect "something" soon. She did say House Democrats have not changed their opinion on Finchem and his alleged involvement in the US Capitol riot. "The caucus has been pretty consistent since the beginning that this is something that's really important to our districts and to Arizona," she said, adding that they want to get to the bottom of the role Finchem may have played in the insurrection. Finchem traveled to DC and posted photos as rioters were storming the Capitol grounds, but denied that he even knew it was happening. He said he learned about it hours after the fact and has since hired a personal attorney in Alex Kolodin to shield him from fulfilling records requests. "I can't go into more specifics than that, but you'll get more information on Monday," Salman told our reporter.

KEEPING THE MAJORITY MEANS SACRIFICING YOUR AUTHORITY



Ducey's PAC spent $2.4 million in independent expenditures to keep the Legislature in Republican control, but one-third of that went to lawmakers who are now trying to strip away Ducey's executive power. The PAC, Arizonans for Strong Leadership, mostly targeted hotly contested Senate races, spending huge sums to elect Rogers, Mesnard, Boyer and Leach. Excluding Boyer, who hasn't yet weighed in on if Ducey's state of emergency should be terminated, the other three benefitted from $827,000. Leach and Rogers are co-sponsors of SCR1001 (state of emergency declaration; termination) and S1084 (state of emergency; automatic termination), which aim to automatically terminate the emergency declaration, and terminate the emergency order after 21 days, and prevent the governor from issuing a similar declaration without legislative approval. Mesnard supported both bills in the Senate Government Committee. The Ninth Floor did not return a call from our reporter to talk about the irony of Ducey pouring money into electing lawmakers who are fighting to repeal his most consequential action to stymie the pandemic. Of course, not a single Democrat has voiced support for ending the emergency declaration, so had the PAC not spent as heavily in either of those races, he might be better positioned to fight off the attacks to his executive authority.

WHEN YOU'VE LOST ROBB, YOU STILL HAVE 70% OF THE GOP

The Arizona Republic's conservative columnist, Robert Robb, penned a blistering rebuke to Senate Republicans, who voted yesterday to waive their own rules in order to fast-track a resolution that could end in arresting Maricopa County's supervisors. Robb praised the four GOP county supervisors "as the last bastion of sanity left in the Arizona Republican Party" and noted that "too many" Senate Republicans "were complicit in Donald Trump's plot to remain in power despite losing the presidential election." (At least five – Townsend, Borrelli, Petersen, Rogers and Barto – signed on to a letter to Congress asking that Trump's electors be recognized even though Trump lost Arizona.) While he had largely positive words for the county board, Robb chided them for continuing with its own audit, which he deemed a tactical mistake. "The only path forward is for everyone else to move on and leave the Trumpeteers to their delusions," he

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001711
ARZN_REV00068705_2-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

wrote. He wrote that the Senate has been entirely partisan and opaque in its own process. (Fann yesterday continued to deny that she had ever said she hired a firm, even after our reporter shared a copy of a Senate press release in which both a headline and a quote from Petersen indicate she made a decision.) Robb concluded that the Legislature should not have subpoena power, saying he would support a citizen initiative to strip the Legislature of its ability to arrest or incarcerate, if not removing the subpoena power entirely. "This body has demonstrated that it cannot be entrusted with such authority," he wrote.

MORE PEOPLE FOR THE LEGISLATURE TO ARREST!

Mesnard wants to add supervisor seats in large counties and to expand the number of state representatives by 30, but calling that an expansion of government is a "ridiculous" and "stupid" argument, he told our reporter. In 2016, Mesnard successfully sponsored the legislation that added two seats to the Arizona Supreme Court (LINK). He said those who make the expanding government claim are either "just trying to be cute" or are "revealing a lack of understanding" for what "big government" really is. "It has referred to government intervention in your life like regulations and additional laws, and it has never referred to the idea that we have more representation in that government, ever," he said. Mesnard added that no one he knew of would argue for the reverse – paring down larger boards of supervisors to fewer seats. His S1498 (Board of Supervisors; membership) would add supervisor two seats in Pima County and four seats in Maricopa County, growing them to seven and nine members, respectively. Mesnard's arguments for this change are similar to those for his proposal that would lead to 30 more representatives in the House starting in 2031 (LINK). "It's time to spread out the power and the representation to more people," Mesnard said, noting that each Maricopa County supervisor represents more constituents than the average member of Congress. He said he brought up the idea to some supervisors a few years and about "a million people" ago, and most told him it was unnecessary. "I don't agree," he said.

IT'S GONNA BE A LONG YEAR

Ahead of Monday's House bill introduction deadline, lawmakers have introduced 1,645 bills – an all-time record. The previous high was set last year with 1,607 bills introduced. Ducey signed another three bills today: Udall's H2023 (schools; employees; employment; discipline), Griffin's H2036 (electric cooperatives; broadband service; fees) and Dunn's H2078 (groundwater; waterlogged area exemption; date). Another 11 are awaiting his signature or veto. The Senate has just 13 measures waiting for committee assignments, though that tally includes SR1005 (Maricopa County; supervisors; contempt declaration), which will bypass the committee process because of yesterday's vote to suspend several Senate rules. The House has 147 bills left to assign to committee. In the House, 494 bills await committee hearings, compared to 685 in the Senate. The House has 105 bills ready for rules, 31 ready for consent or COW and three ready for third read. The Senate has 67 bills ready for rules, 35 for consent or COW and 15 ready for third read. Once both chambers gavel in Monday, the Senate will have 87 new House bills to deal with and the House will have 51 Senate bills.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001712

ARZN_REV00068705_2-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Senate panel moves bill to criminalize certain abortions
Arizona Capitol Times
A legislative panel voted February 4 to make it a crime to terminate the pregnancy of a fetus with a genetic abnormality by declaring that it has the same legal rights as anyone else.

Lawmakers' focus veers from Covid relief in 1st weeks of session
Arizona Capitol Times
After nearly four full weeks of session, none of the bills lawmakers sent to the governor's desk deals with the Covid pandemic, a shift in emphasis that's especially noticeable given lawmakers' insistence to help residents and businesses survive the crisis.

Ethics panel decides to probe allegations against Wendy Rogers
Arizona Capitol Times
The unanimous vote by three Republicans and two Democrats followed more than an hour of closed-door discussions in executive session, in which the members received legal advice.

House panel OKs criminal sentencing changes
Capitol Media Services
State lawmakers took the first steps February 3 to reversing decades of tough-on-crime policies.

GOP lawmakers demand Ward allow audit of her election
Capitol Media Services
About a third of state Republican lawmakers are calling on newly re-elected state GOP Chair Kelli Ward to either agree to a recount of that vote or back off of her challenges to the presidential race.

US ends deal with Arizona restricting Biden on immigration
Associated Press
The U.S. Department of Homeland Security has terminated an unusual agreement that Arizona's top prosecutor signed with the agency in the waning days of the Trump administration to try to restrict President Joe Biden's ability to overhaul his predecessor's immigration policies.

Video: Apache made emotional appeal to court to halt proposed Pinal copper mine
Cronkite News
Members of the group Apache Stronghold told a federal district judge, in sometimes tearful testimony Wednesday, that a proposed Pinal County copper mine at Oak Flat would destroy a "holy place" for Native Americans and needs to be stopped.

Hobbs, other Arizona officials discuss 2020 election 'conspiracy circus'
Cronkite News
Arizona Secretary of State Katie Hobbs told a national panel Thursday that the best way to combat election misinformation is with truth, even if "there are some folks who are never going to believe anything I say."

Congressional Democrats want Ducey to explain why he banked COVID relief money
Arizona Mirror
All five of Arizona's House congressional Democrats have signed a letter urging Gov. Doug Ducey to spend more of the state's allocation of federal relief funds related to the coronavirus pandemic — and explain why it used $400 million of the money to offset existing government spending instead of fighting COVID-19.

Kelly focused on virus relief, shots in arms
Kingman Daily Miner
Sen. Mark Kelly (D-Ariz.) says he's focused on relief funding for cities and towns, and getting folks vaccinated.

Arizona GOP Lawmakers Tell Kelli Ward to Audit Her Own Election
Phoenix New Times
A group of Arizona Republican lawmakers are calling on Kelli Ward to allow an audit of the state party's January 23 vote that resulted in her reelection as state GOP chair.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001713
ARZN_REV00068705_2-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Marjorie Taylor Greene vote verifies Arizona GOP's quixotic quartet of QAnon quacks
Arizona Republic (Opinion, EJ Montini)
Arizona's four Republican representatives in Congress were asked to choose between conservative values or conspiracy theories.

Uh-oh. Now Kelli Ward's own peeps are calling out her election audit hypocrisy
Arizona Republic (Opinion, Laurie Roberts)
Arizona Republican Party Chairwoman Kelli Ward's election audit hypocrisy is so glaring that even her own supporters see it.

Arizona Senate Republicans are abusing their subpoena power. Strip them of it
Arizona Republic (Opinion, Robert Robb)
Senate Republicans are demanding that supervisors break the law to assist an election review that won't be credible or trustworthy.

Sens. Mark Kelly and Kyrsten Sinema have no shame using immigrants as political pawns
Arizona Republic (Opinion, Elvia Diaz)
It says a lot about Sens. Mark Kelly and Kyrsten Sinema when they are willing to vote against immigrants in an effort to appear bipartisan.

Our tribe is not 'at the table shaping' Resolution Copper's mine. It's an abomination
Arizona Republic (Op-ed, Terry Rambler)
Let me say it flatly: There is no agreement between the San Carlos Apache Tribe and Resolution Copper. Its mine would destroy Oak Flat, which is sacred to us.

Lawmakers raided funds meant for recycling, raising fees or scaling back programs
Arizona Republic (Op-ed, Erin Murphy and Levi Helm)
A 25-cent fee for every ton sent to Arizona landfills is supposed to help cities sustain recycling programs. If only lawmakers honored the intent.

PRESS RELEASES

Progress Arizona Launches Aggressive Billboard Campaign Condemning Attacks on Voting Rights

Progress Arizona is launching a new advertising campaign aimed at Arizona state lawmakers who have introduced voter suppression bills, including Representatives Shawnna Bolick and Kevin Payne and Senators Kelly Townsend and Michelle Ugenti-Rita.

The campaign includes billboards in Tempe, Mesa, and Phoenix, beginning February 5. The billboards call out state lawmakers for introducing and championing legislation that undermines Arizonans' right to vote. A picture of the billboard is included below.

"Republicans in our state legislature have introduced more than 30 bills that attack democratic norms and institutions," said Emily Kirkland, executive director of Progress Arizona. "This is a full-scale attack on the foundations of our democracy. We hope that this new campaign helps raise the alarm and prompts Arizonans to contact their legislators and demand that they protect voting rights and democratic ideals."

A list of proposed voter suppression and anti-democracy bills can be found here. Given that the deadline to introduce legislation has not yet passed, additional bills are likely to be added in the coming days.

Most of the bills have been scheduled for hearings or assigned to committees, and some are moving quickly through the legislative process. For instance, SB1069, which would purge 100,000+ voters from the permanent vote by mail list, passed through a Senate committee two weeks ago and could pass the full Senate next week. 68% of registered voters in Arizona are on the permanent vote by mail list.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

These proposals come just weeks after an armed attack on the U.S. Capitol that attempted to overturn the results of the 2020 election. That attack was sparked by lies about the 2020 election, which multiple sitting Arizona federal and state lawmakers helped to spread.

Media Advisory: Superintendent Hoffman to Deliver "State of Special Education" Address

PHOENIX – Arizona Superintendent of Public Instruction Kathy Hoffman will deliver the annual "State of Special Education" address to the House Education Committee on Tuesday, February 9th, at approximately 2pm. She will speak to the hybrid committee virtually, press and the public can view via the livestream.
Live stream available: https://www.azleg.gov/liveproceedings/ (Select "House Education")

New Legislation Toughens Penalties for Prison Escapees

STATE CAPITOL, PHOENIX – State Representative David Cook (R-8) has sponsored new legislation, HB 2790, that would significantly toughen penalties for inmates who escape from a correctional facility.
"Following the recent successful capture of two dangerous escaped state prison inmates, I was dismayed to learn that they could only be charged with a Class 4 felony," said Representative Cook. **"It is only by the grace of God that nobody was injured, or worse, while these criminals were at large. The penalty needs to fit the crime and this change in statue does exactly that."**
HB 2790 increases the penalty for escape from a Class 4 to a Class 2 felony, giving prosecutors and judges a wider array of options and greater discretion when charging or sentencing an offender. A Class 2 felony is the highest non-murder felony classification in state law and carries a sentencing range of anywhere from 3-35 years imprisonment, depending on the offender's prior criminal history and whether a weapon was used. Under the law, any sentence for an escape conviction must be served consecutively to the sentence that the inmate was serving at the time of their escape.
"I commend the tremendous efforts by state and local law enforcement to protect the public and quickly apprehend the two escapees. HB 2790 respects their efforts and those of all who uphold public safety in our state. Moreover, it respects those who have been crime victim and their families who are likely to endure additional traumatic stress if their perpetrator escapes," added Representative Cook.
HB 2790 is cosigned by Representatives Kevin Payne (R-21), Frank Pratt (R-8), Bret Roberts (R-11), Ben Toma (R-22), and John Fillmore and Jacqueline Parker (R-16), as well as Senators Vince Leach (R-11), T.J. Shope (R-8), and Kelly Townsend (R-16).

Arizona legislators introduce resolutions to term limit Congress

Washington, D.C. – U.S. Term Limits applauds both chambers of the Arizona state legislature for introducing resolutions to term limit Congress. State senator Kelly Townsend (district 16) is the sponsor of Senate Concurrent Resolution 1025 (SCR1025). The related bill in the state house, House Concurrent Resolution 2015 (HCR 2015), was introduced by representative Ben Toma (district 22).
Under Article V of the Constitution of the United States, state legislatures may team up at a national convention to propose a congressional term limits amendment to the Constitution. The effort is supported by the nonpartisan, grassroots nonprofit, U.S. Term Limits.
Twenty-four members of the Arizona house and eleven members of the senate have signed a pledge to vote for and co-sponsor the measure.
A poll conducted by McLaughlin & Associates shows that 85% of likely voters in Arizona support term limits on Congress, including strong support across partly lines. 87% of Republicans, 83% of Democrats, and 85% of independents of those surveyed support the reform.
U.S. Term Limits' President Philip Blumel commended Sen. Townsend and Rep. Toma for putting forth the legislation. Blumel said, "The people of Arizona are lucky to have public servants who see what is going on in D.C. and are willing to take action to fix it. They know that Congress won't set term limits on itself. Therefore, it is the obligation of the states to do so."
Both resolutions have been assigned to their respective Government committees for a vote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001715

ARZN_REV00068705_2-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

If passed in both the state house and senate this session, Arizona will join other states at a national convention to propose a term limits on Congress amendment. 34 state legislatures are required to call the convention. The amendment must then be ratified by 38 states to become part of the U.S. Constitution.

"QUOTE OF THE DAY"

"The only path forward is for everyone else to move on and leave the Trumpeteers to their delusions."

- Bob Robb, Arizona Republic's conservative columnist on how to properly deal with claims of 2020 election fraud

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001716

ARZN_REV00068705_2-5-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, February 8, 2021 8:14:37 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *February 8, 2021*

'Ambiguous' pick, redistricting leader is ready
Arizona Capitol Times
The Independent Redistricting Commission's new chairwoman is unfazed by the late start to the panel's work brought on by the delay of U.S. Census Bureau data.

Showdown over election audit looms on Monday
Capitol Media Services
The game of political chicken between the Arizona Senate and Maricopa County supervisors comes to a head Monday as lawmakers weigh holding board members in contempt, opening the door for the apparently unprecedented possibility of county officials being charged with a crime or even immediately locked up.

Finchem says Ducey can't legally negotiate with tribes to expand gambling
Capitol Media Services
Plans by Gov. Doug Ducey to allow statewide sports wagering, betting on fantasy leagues, keno and more tribal gambling could be undermined by a Pinal County lawmaker.

A race between vaccinations and more contagious coronavirus variants has begun in Arizona
Arizona Daily Star
New coronavirus variants could push herd immunity further from Arizona's reach.

AMERICAN OVERSIGHT

Colorado River outlook darkens dramatically in new study
Arizona Daily Star
In the gloomiest long-term forecast yet for the drought-stricken Colorado River, a new study warns that lower river basin states including Arizona may have to slash their take from the river up to 40% by the 2050s to keep reservoirs from falling too low.

Report: Trump campaign listed payment to Finchem's firm
Maricopa Monitor
Former President Donald Trump's unsuccessful reelection campaign reported it paid over $6,000 to a business belonging to a Pinal County legislator who sought to have the Legislature overturn Joe Biden's win in the state.

Majority Of Employees At Sierra Vista Police, Sheriff's Office Declining Vaccine
Herald-Review
The majority of personnel at the two largest local law enforcement agencies in Cochise County have not gotten the COVID vaccine thus far, officials at both agencies said recently.

A Legislator Unmasked Her Sexist Troll. He Was a Liberal Scottsdale Sports Announcer
Phoenix New Times
The tweet that put a Scottsdale sports announcer on a collision course with his state Senator, Michelle Ugenti-Rita, wasn't an unusual one for him.

A Tucson Man Shot by a Border Officer While Entering Mexico Has Filed a Lawsuit Against DHS
Phoenix New Times
A Tucson man who was shot in the head by a U.S. Customs officer while driving into Mexico in 2019 filed a federal civil-rights complaint this week against the U.S. Department of Homeland Security.

Annual homeless count canceled in Maricopa County because of COVID
Arizona Mirror
On one night at the beginning of the year, counties across the country attempt to count the number of homeless people in their area.

Maricopa County asks judge to strike down Senate subpoenas
Arizona Mirror
As the Arizona Senate prepares to vote on whether to hold the Maricopa County Board of Supervisors in contempt for refusing to comply with subpoenas for a trove of equipment, data and ballots from the 2020 general election, the county is asking a judge to quash the subpoenas, arguing that they're unlawful and invalid on several grounds.

More than 100 bills that would restrict voting are moving through state legislatures
CNN
State lawmakers across the US have filed more than 100 bills since the November election aimed at reforming election procedure and limiting voter access, according to a new report from the Brennan Center for Justice.

Albert Hale, Former President of Navajo Nation, Dies at 70
New York Times
Mr. Hale was a trailblazing lawyer and a vocal advocate for Indigenous rights and securing greater tax revenues for Arizona's tribal nations. He died of Covid-19.

1,009,832 voters created Arizona's 4 QAnon quacks
Arizona Republic (Opinion, EJ Montini)
Biggs, Gosar, Lesko and Schweikert could not have supported their QAnon colleague without first receiving your support.

Think Arizona's unemployment pay is a joke? If you want to raise it, speak up now
Arizona Republic (Opinion, Laurie Roberts)
The fate of a proposal to boost Arizona's unemployment pay is now in the hands of one man. He should do the right thing and give it a fair hearing.

What went wrong with GameStop stock (and how we stop it from happening again)
Arizona Republic (Opinion, Robert Robb)
Investment markets need protection against manipulation, by short-sellers and social-media mobs.

Trump rioter Jake Angeli gets organic food in jail. That's the epitome of white privilege
Arizona Republic (Opinion, Greg Moore)
Jake Angeli, the guy with the horns who raided the Capitol, points to a disconnect between the justice system and the people it presides over.

AMERICAN OVERSIGHT

What we don't know about Arizona COVID-19 vaccine distribution really does hurt us
Arizona Republic (Opinion, Editorial Board)
Arizona needs more COVID-19 vaccine doses. But we also need a lot more information about where the doses we do have are going, and who's getting them.

You no longer have to be a lawyer to practice law in Arizona. That's good and bad
Arizona Republic (Op-ed, Maya Steinitz and Victoria Sahani)
New rules in Arizona allow non-lawyers to practice law and invest in a lawfirm. There may be benefits but also plenty of unintended consequences.

My husband was injured in combat. The pandemic made caring for him more difficult
Arizona Republic (Op-ed, Bree Shields)
It's tough being the sole caregiver and provider for my husband, who was injured in combat - especially during a pandemic. Luckily, there is help.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, February 8, 2021 10:38:53 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: February 8, 2021
Attachments: Clippings February 8, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Sunday, February 07, 2021
Saturday, February 6, 2021

Arizona Daily Star

- A race between vaccinations and more contagious coronavirus variants has begun in Arizona
- Ash Wednesday in Tucson will have ashes, but not much else will be familiar
- Showdown over election audit looms on Monday
- Doses of the COVID-19 vaccines should not be mixed and matched
- Transit agencies provide training to help prevent human trafficking
- Arizona death toll from COVID-19 passes 14,000
- Remote-learning funding rate could cost local schools $30M
- Fear, frustration common for older residents wanting the COVID vaccine
- Officials plead: Don't let Super Bowl become superspreader event in US
- Kids can go back to in-person schooling now, but only we can keep them there
- Tucson 911 center kept dispatcher from Marana on hold during cardiac arrest call
- What we know about where, when you can get your vaccine, and how to register
- Support for Arizona's junior colleges is key to COVID-19 recovery
- Lawmaker seeks ruling that Ducey lacks authority to expand gambling
- Ariz. universities team up to keep tabs on evolving virus mutations
- AZ man who wore horns in Capitol riot moves to new jail
- Congressional Dems ask Ducey to explain use of CARES funds

Arizona Republic

- Student testing to return in April
- Arizona seniors giving up on COVID vaccine
- Bowers key to revising Arizona's jobless pay
- 'This is the busiest I've ever seen it': Arizona funeral homes stressed with second wave of COVID-19
- Shootings by police increased in 2020
- Q&A: Arizona Senate contempt vote
- State Capitol stormed month before DC riot
- Scottsdale schools moving forward from scandals that rocked the district a few years ago
- 5 Glendale elementary schools could close in response to low enrollment. Many oppose the plan
- Big differences between the COVID-19 vaccine rollout in the Phoenix area vs. rural Arizona
- Ariz. Republicans won't reveal Cheney vote
- Ethics panel to probe complaint against senator from Flagstaff
- More Valley Cities Resume Utility Shutoffs
- State tax credits proposed for affordable housing projects

AMERICAN OVERSIGHT

KTAR News

- President Biden, VP Harris to virtually tour State Farm Stadium vaccine site
- Kyrene School District making home visits to keep students connected
- Evidence has yet to prove vaccines stop the spread of COVID-19
- Teachers say kids are learning remotely, despite claims from critics
- COVID-19 pandemic exposed social inequities, Mayo specialists say
- Arizona nonprofit receives grants to help veterans with COVID hardships
- City Attorney to investigate alleged Phoenix police challenge coin
- UArizona among top 20 in public university research spending
- Mesa launches COVID-19 rent and utility assistance program
- Arizona GOP Congress members request more COVID vaccines for state
- Maricopa County asks court to quash Senate subpoena for ballot access

Arizona Daily Sun

- Navajo Nation confirms 23 new COVID-19 cases, 1 death
- City to investigate challenge coin after Phoenix protest
- Overcoming vaccine doubts, fears will require outreach and education, experts say
- How Arizona university students and faculty are joining the race in mask innovation
- Ethics panel to investigate senator accused of harassment
- Congressional Dems ask Ducey to explain use of COVID-19 cash
- Arizona Republican Party chair sees new heat on her election
- Arizona universities team up to detect COVID-19 mutations

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

A race between vaccinations and more contagious coronavirus variants has begun in Arizona

Alex Devoid
Arizona Daily Star
February 8, 2021

Health experts are warning we are in a race between vaccine distribution and new, more transmissible coronavirus variants.

While most measurements show the pandemic improving in Arizona, two new variants have been discovered here. Both are known to be more contagious.

If these variants establish a foothold in the state, they could prolong the pandemic in Arizona unless people get vaccinated faster. The question is whether we can take advantage of our head start.

"Let's all hope that we can get vaccination out in front," said Dr. Joshua LaBaer, director of the Biodesign Institute research center at Arizona State University. "But certainly the variants, there's risk that they could spread quickly."

Arizona has been one of the slowest states to vaccinate its residents, according to data from the Centers for Disease Control and Prevention.

In terms of the number of people who have received both vaccine doses, as of Friday, the state ranked 50th out of all states, territories and the District of Columbia — a group of 59 places.

Many health experts believe it's not a matter of "if," but "when" a more contagious variant will become the dominant strain.

"It's best to assume that it's here at low levels already," said Michael Worobey, head of the University of Arizona's Department of Ecology and Evolutionary Biology. "It's a matter of when and how fast this variant is going to replace other variants in Tucson."
In the nearly 232-year history of the US Senate, there have only been 11 Black senators

When the virus travels faster from person to person, this kicks herd immunity further down the road. As the virus spreads faster, the same vaccination rate becomes less effective at getting us there.

The mutations that evolve into new variants are no surprise, said David Engelthaler, head of the infectious-disease branch at Translational Genomics Research Institute, or TGen, an organization that screens for these new variants.

He pointed out that the coronavirus variant the world has been fighting for around a year was once a "new" supercharged variant. These newer ones just happen to be even more supercharged.

AMERICAN OVERSIGHT

One of the new variants detected in Arizona originated in the United Kingdom. Researchers traced it back to a case from Kent, in southeast England, in September. It soon became the dominant strain in the U.K. and then spread around the world.

So far, this U.K. variant, also known as B.1.1.7, has been detected in only a handful of cases in Arizona.

These cases occurred in Maricopa and Pinal counties, said Dr. Theresa Cullen, director of the Pima County Health Department. While this variant has not been detected in Pima County yet, she is on alert.

“The variant doesn’t know that there’s a border,” she said. “And it will cross if and when it wants to.”

Of the few cases of the U.K. variant that have been detected in Arizona, one patient seemed to have contracted it here in the state, while it’s likely the others contracted it while traveling, LaBaer said.

The other new variant here has spread further through the state than the U.K. variant. It originated much closer to home, in Southern California. While it’s also referred to by its place of origin, scientists know it as B.1.427 or B.1.429.

It has not been identified in Pima County, but Engelthaler said TGen is working with Pima County to screen more positive test samples for it.

Other variants from Brazil and South Africa have not been detected in Arizona yet. Both of those variants have a mutation that might reduce the efficacy of the vaccine, LaBaer said. He added that the vaccine still works for these variants, just not as well.

Dr. Joe Gerald, an associate professor with the University of Arizona’s College of Public Health, warns that just because we haven’t detected them yet doesn’t mean they’re not already here.

“We’re not looking very hard,” he said.

About 0.8% of all positive tests have been screened for new variants since the start of the pandemic, Engelthaler said, adding that it’s not much to boast about, but it’s more than the national average.

He wants to reach 5%, but said the state needs to fund the effort.

“We do have the capability here in Arizona to stand up an absolute world-class genomic surveillance system that can be modeled by other states,” he said. “It just will take that commitment at the top level to put the resources into this.”

Quality journalism doesn't happen without your help.

Support local news coverage, and the people who report it, by subscribing to the Arizona Daily Star.

US aims to expand hunt for coronavirus variants

In the meantime, other researchers are also monitoring wastewater for new variants of the virus.

At the University of Arizona, for example, Worobey is screening samples from Pima County’s Agua Nueva Water Reclamation Facility.

He hasn’t detected the U.K. variant yet, but he said the investigation is still in its preliminary stages.

While known cases of these new variants are still few, that can change fast, just as COVID-19 cases exponentially spiked for the first time nearly a year ago.

Exponential increases are tricky, LaBaer explained. “They don’t look like they’re growing that fast, but if you do the actual math, you can see they’re spreading exponentially and then suddenly they just take off.”

This transition to a new variant won’t happen overnight or within one week, Gerald said. “But in the moment, it will seem like it’s happening very, very rapidly.”

When new variants spread more rapidly, scientists say we need to vaccinate faster because we need a higher percentage of immune people in the population to reach herd immunity.

However, it’s difficult to quantify how many more immune people we need. This is because we still don’t know exactly how much more transmissible the new variants are.

Scientists don’t know, for example, if the Southern California variant is 20% or 50% more transmissible, Engelthaler said. “But suffice it to say, the California lineage, like many others, are becoming more effective at transmission.”

The same goes for the U.K. variant. Early estimates had it around 70% more transmissible, but that has been called into question, Gerald said. It may be less than 70%.

“We still don’t have a very tight, or confident understanding of what that true increase is,” he said.

Even for the variant we’ve been fighting for nearly a year, health experts may have different targets for the number of immune people needed for a community to achieve herd immunity.

Pima County’s chief medical officer, Dr. Francisco Garcia, has said 75% of the population. And on Friday, Cullen, the county’s Health Department director, suggested a target of 80%.

Gerald said that based on the current variant’s R0 value, pronounced “R-naught,” herd immunity could be reached when 60% to 65% of the people are immune.

The R0 is the “base reproduction number.” It tells us how many people a single infected person infects if no one is immune and one is trying to stop the virus from spreading.

For reference, the Rt measures the average number of people an infected person infects as the number of susceptible people changes. Infections slow when the Rt is below 1. The website Epiforecasts.io estimates the current Rt, or reproduction number, in Arizona is 0.81.

Herd immunity will happen when enough people get vaccinated or achieve natural immunity. To rely on natural immunity, however, would be a deadly decision that our health-care system could not absorb.

Lower estimates of natural immunity in Arizona are around 20%, Gerald said, but his is a little higher. He expects 30% to 33% of Arizonans have achieved it.

AMERICAN OVERSIGHT

Using Gerald's estimates, we would need to vaccinate 30% to 35% of the population to reach herd immunity while fighting the current variant.

When we are up against a new, more transmissible variant we may need to vaccinate 50% of the population, he said.

Arizona is nowhere near these estimated goals. About 1.6% of the population in Arizona has been fully vaccinated statewide, according to CDC data, as of Friday. For example, Cullen said the county may need 1.5 million doses, depending on the target for herd immunity. As of Friday, the county had administered 139,411 doses.

A spokeswoman for the Arizona Department of Health Services said in an email on Friday that the state has been ramping up vaccination efforts but needs more doses from the federal government.

"The belief is the quicker we get people vaccinated, the less COVID we have in the community. … And so we have decreased ability for a variant to take what we might call a foothold," Cullen said. "So that is the race."

The best way to reach herd immunity and combat new variants is to "turn up the spigot," she said. "Get more vaccine available into the community."

Return to the table of contents

Ash Wednesday in Tucson will have ashes, but not much else will be familiar

Stephanie Casanova
Arizona Daily Star
February 8, 2021

Like nearly everything else since the arrival of COVID-19, Ash Wednesday will be very different this year.

Instead of getting a cross of ashes on their forehead during an indoor mass, Tucson Roman Catholics will go outside and a masked priest will sprinkle ashes over their heads, no human contact allowed. Some parishes may do this at a certain time, others throughout the day.

Bishop Edward J. Weisenburger of the Roman Catholic Diocese of Tucson is reminding parishioners that "Ash Wednesday is not a Holy Day of Obligation." But he recognized its an important beginning to Lent.
Quality journalism doesn't happen without your help.

Support local news coverage, and the people who report it, by subscribing to the Arizona Daily Star.

In a recently published letter titled "Ash Wednesday Protocols," Weisenburger listed his recommendations for COVID-19 precautions on Ash Wednesday.

"The ashes are to be blessed by the priest and then may simply be sprinkled over the heads of the faithful, preventing physical touch," the letter says.

Weisenburger also suggests alternative application ideas, like handing out individual cotton balls or cotton swabs, and allowing priests, deacons, or lay ministers to distribute them in parking lots throughout the day to keep people distanced.

"I believe that a live-streamed and/or recorded Mass on Ash Wednesday, for those who do not ordinarily provide such, would be most important for our people," Weisenburger said.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Showdown over election audit looms on Monday

Arizona Daily Star
February 8, 2021

The game of political chicken between the Arizona Senate and Maricopa County supervisors comes to a head Monday as lawmakers weigh holding board members in contempt, opening the door for the apparently unprecedented possibility of county officials being charged with a crime or even immediately locked up.

Senate President Karen Fann says she remains hopeful the supervisors will realize they are obligated to provide what lawmakers are demanding, including access to voting equipment and ballots. Beyond that, Fann said in an interview Friday, it makes sense for them to cooperate in what the Prescott Republican says is an attempt to answer questions from constituents about the accuracy of the results of the Nov. 3 election.

But Fann got her answer as board attorney Steve Tully filed suit late Friday asking a judge to dismiss what he called a "sham subpoena."

Tully noted the senators are not asking board members to appear to answer questions. In fact, he said, there isn't a hearing even scheduled.

Instead, he said, the subpoena demands the county give access to the companies they hire to the voting equipment and the 2.1 million ballots cast.

And then there's the fact that the one firm that Fann has said she is considering, Allied Security Operations Group, was involved in efforts by the Trump campaign to overturn election results in Michigan.

"You don't just hire a bunch of clowns that run around for Trump," Tully charged.

Hanging in the balance is the extent of the power of state lawmakers to issue subpoenas to poke around into whatever they want.

The supervisors are trying to be careful in what legal fight they pick.

Tully said they acknowledge the Senate does have subpoena power. In fact, he said, the county already has turned over 11 gigabytes of data ranging from the voter registration database to computer logs and ballot tabulation reports associated with the November election.

AMERICAN OVERSIGHT

What they don't have, Tully said, is the authority to now say they want the auditor they hire to go out and poke around to see what the company can find. He now wants Maricopa County Superior Court Judge Joseph Mikitish to rule in the county's favor.

Fann bristled at questions about whether this all amounts to a fishing expedition.

"A fishing expedition is someone that's going out there purposely looking for something," she said, something that is not the case here.

"We are trying to dispel any of the allegations that are out there," the Senate president said. "We are trying to answer the constituents' questions about why they think something went wrong here or didn't go wrong."

That, however, still leaves the question of whether those questions are due to actual evidence of fraud or the fact that Trump told backers before the election the only way he would lose is if there was cheating and the voting machines were rigged, a theme he continues to repeat.

All that has had an effect. Some 26% of Arizonans and 54% of Republicans believe Trump won the election, a new OH Predictive Insights poll finds.

Fann said the posturing by Trump and his allies is irrelevant.

"With all due respect, four years ago it was a lot of Democrats who were questioning these machines," she said, with some national reports suggesting that Dominion Voting Systems equipment could be hacked. And Fann said perhaps if there were audits done at that time — like the kind she and senators now want — questions about the vulnerability of those machines would have been answered before the 2020 election.

"I'm not saying there was any fraud," she said of this year's results. And Fann said people keep asking questions because "we haven't had an audit."

That's not entirely true.

There were "logic and accuracy" tests both before and after the election, using premarked ballots to see whether the machines recorded the votes that were cast. Those tests, Tully said, came up with a 100% match.

Then, as required by state law, officials from both major parties selected ballots from random voting centers for a hand count. According to the audit report, a review of more than 47,000 ballots showed not a single difference between what the machines recorded and what the hand count revealed.

Separately, a judge let state GOP Chair Kelli Ward, who had filed suit, get a review of several thousand ballots which had to be duplicated by hand after the originals could not be read by machines. While there were some discrepancies, the judge found — and the state Supreme Court affirmed — that if the error rate were extrapolated out over all the duplicated ballots, it would have gained Trump no more than 153 votes, far short of the 10,457 vote margin of Biden over the former president.

And Ward's own expert witness was unable to find a single instance of a clearly forged signature on the envelopes of early ballots she reviewed.

AMERICAN OVERSIGHT

Fann was unimpressed, saying if the supervisors have nothing to hide "why are they refusing to let us do this."

"We've offered to pay for this ourselves," she said. Instead the county has hired two firms for its own review, one of which Fann said is not really qualified to do the kind of audit the Senate believes is necessary.

Anyway, she said, the Senate is not asking for the county to physically deliver the ballots or the machines to the Capitol but simply to give access to an auditor the Senate finds acceptable.

That, however, still leaves the question about Allied Security Operations Group and its link to trying to overturn Michigan voting results.

Fann insisted that firm has not yet been hired despite the fact that her attorney, Kory Langhofer, sent the supervisors a copy of a "scope of work" plan from Allied. Fann said she sent that because it was the only proposal she had at the time and that she continues to speak with other companies.

Still, she conceded that the firm's reputation of trying to help overturn election results for Trump does raise questions.

"My intention at this point is not to hire them," Fann said.

"I do believe that they are qualified, they do have the experience," she continued. "But the mere fact that the perception is out there that they have ties with Trump or they would be less than totally independent, then it would be very difficult for us to hire them."

All that comes back to the question of what happens Monday assuming all 16 Republicans vote to hold the board in contempt.

That would empower Fann to send out the sergeant-at-arms to arrest board members.

Only thing is, what the Senate wants now is not testimony from board members but access to those ballots and equipment. Tully said he is prepared to go to court to prevent board members from being arrested.

Another option is for Fann to ask Attorney General Mark Brnovich to file criminal charges against board members.

Disobeying a subpoena is a Class 2 misdemeanor, subject to four months in county jail.

That, however, could result in months of litigation and appeal.

What that could leave Fann is what Tully already started: taking the matter to a judge.

Mikitish has not set a hearing on that matter.

Return to the table of contents

AMERICAN OVERSIGHT

Doses of the COVID-19 vaccines should not be mixed and matched

Arizona Daily Star
February 8, 2021

Health officials say both doses you receive to battle COVID-19 should be of the same kind.

The COVID-19 vaccines in the United States, the United Kingdom and other parts of the world so far require two shots given a few weeks apart.

In the U.S. where vaccines from Pfizer and Moderna are being distributed, health officials say the two aren't interchangeable even though they're made similarly.

In 'exceptional situations' when the same kind isn't available or if it's not known what was given for the first shot, the U.S. Centers for Disease Control and Prevention said in recently updated guidance that it's OK to give whichever vaccine is available for the second shot.

The agency noted that the recommendations could be updated as more information becomes available, or if other types of vaccines are authorized for distribution.

The CDC also said the doses could be given up to six weeks apart if it's not possible to give the second dose at the recommended interval. For the Pfizer vaccine, the second dose is recommended three weeks after the first.

The second shot of the Moderna vaccine is supposed to be four weeks later. 'After posting our initial guidance, we received feedback that some flexibility in our language might be helpful,' CDC spokeswoman Kristen Nordlund said in an email.

The original recommendations on doses and timing should still be followed, but the agency didn't want

its guidance 'to be so rigid that it creates unintended barriers,' Nordlund said.

Officials in England, where shots by Pfizer and a different type of vaccine by AstraZeneca are available, also say the doses should be consistent.

But in rare cases, they say a mismatched dose is better than partial protection.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Transit agencies provide training to help prevent human trafficking

Arizona Daily Star
February 8, 2021

Arizona transportation officials say they're keeping tabs on human trafficking in the state and conducting more training to keep these crimes from taking place.

The Arizona Department of Transportation is continuing to enlist its officers to look out for signs of these crimes at the state's ports of entry with personnel from the Enforcement and Compliance Division.

AMERICAN OVERSIGHT

Training in this area was implemented for officers in 2019 to get them to understand the prevalence of these crimes, which affect 25 million people globally, according to the Department of Justice.

The group — made up partially of certified law enforcement officers — is assigned to the ports mainly to focus on commercial vehicle safety by collecting fees and enforcing truck weight limits but is also keeping its eye on defending against human trafficking, ADOT said.

Some of the signs of these crimes, ADOT said, are finding people with unusual tattoos, the person's unwillingness to speak to officer and those carrying large amounts of cash without being able to provide an explanation.

There are dozens of vehicles driven by division officers with bumper stickers to maybe direct someone who is in trouble to end sex trafficking. az.gov or 888-373-7888, to provide resources offered through the Governor's Office of Youth, Faith and Family, ADOT said.

ADOT is furthering its mission by developing online training that can be disbursed to the department's highway workers, so they will be able to spot any telltale signs of human trafficking.

For Tucson's Sun Tran, it will be using a $221,100 grant from the Federal Transit Administration's 'Human Trafficking Awareness and Public Safety Awareness Initiative'.

'Traffickers move their victims on all modes of transportation, and sometimes use public transit due to its low cost, greater anonymity in buying fare cards, and less direct interaction with government or transit officials,' a Sun Tran statement said.

The company serves approximately 15 million passenger trips annually and it will allow them to implement solutions 'to reduce human trafficking, protect transit operators from the risk of assault, and reduce crime on public transit vehicles,' the company said. There will be more eyes focusing on the three city transit centers to watch for human trafficking activity and report other criminal behavior with hopes of increasing safety.

Personnel training will help them identify signs of human trafficking and proper ways to report it to law enforcement. This training will come to all Tucson transit operators, the company said. It will also partner with the Arizona Transit Administration to help train other transportation service providers.

'The federal government successfully worked with the trucking industry to increase awareness and reporting of human trafficking incidents. Now they are looking to create a similar effort with select transit systems. With the support from our partners and the community, this is an opportunity for Sun Tran to enhance public safety in Tucson,' said Steve Spade, Sun Tran's general manager.

Sun Tran will promote a public awareness campaign following the trainings with the aim of educating the public about recognizing human trafficking activities.

To bolster responses to these types of crimes, Tucson Police Department's Special Crimes Unit will work with Sun Tran transit management 'to strengthen reporting protocol, collaborate on the training to all transit staff, and investigate suspected human trafficking activity,' Sun Tran said.

DOWN THE ROAD

AMERICAN OVERSIGHT

Broadway project restrictions: On Tuesday, both directions of Campbell Avenue will be shifted east of East Broadway to allow crews to install a new water line.

Crews will begin installing the water line on the west side of the intersection at 4 a.m. and will complete it Wednesday.

When the work reaches the east side of the intersection, Campbell will be shifted to the west side of the road by 4 a.m. Wednesday. Crews are scheduled to complete the work by Saturday, Feb. 20.

During the work, two travel lanes in each direction on Campbell will be open. Left turns will not be allowed for motorists traveling from Campbell to Broadway.

I-10, Ruthrauff project restrictions: Motorists using Interstate 10 near Ruthrauff Road should expect overnight delays Monday due to drainage work.

By 8 p.m., I-10 will be reduced to two lanes in each direction. I-10 will then be reduced to a single lane between 10 p.m. and 5 a.m.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona death toll from COVID-19 passes 14,000

Paul Davenport
Arizona Daily Star
February 8, 2021

Arizona's death toll from the pandemic passed 14,000 on Saturday as health officials urged football fans to forgo Super Bowl gatherings outside members of their own households to help combat spread of the coronavirus.

The Department of Health Services reported 3,471 additional known COVID-19 cases and 63 additional deaths, increasing the state's pandemic totals to 779,093 cases and 14,011 deaths.

In Pima County there were 565 new cases of COVID-10 reported Saturday and four deaths.

The number of infections in the state is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

Arizona, a national hot spot in the now-receding fall and winter surge, recently has seen its rates of additional cases, hospitalizations and deaths decrease with the passage of time since holidays increased exposures due to gatherings and travel.

However, public health officials have warned against complacency regarding the spread of the coronavirus and urged caution on Super Bowl weekend.

'Mixing households poses a high risk for spreading COVID-19. The safest way to watch the game is with those in your household only,' the Maricopa County Public Health Service said on Twitter.

AMERICAN OVERSIGHT

The U.S. Centers for Disease Control and Prevention said while it's safest to watch the game with only those in your household or remotely through a virtual party, the agency suggested that those attending an in-person outdoor viewing point use a projector screen to show the game and sit 6 feet apart from people outside the same household.

Seven-day rolling averages of daily new cases and daily deaths in Arizona continued to drop over the past two weeks, according to data from Johns Hopkins University and The COVID Tracking Project.

The rolling average of daily new cases dropped from 7,122.1 on Jan. 22 to 3,908.9 on Friday while the rolling average of death deaths dropped from 160.3 to 132.13 during the same period.

The number of hospitalized COVID-19 patients in Arizona also continued to drop, with 3,060 occupying inpatient beds as of Friday, down from the Jan. 11 pandemic high of 5,082 and also below the summer surge's peak of 3,517 on July 13, according to the state's coronavirus dashboard.

Arizona was the U.S. state with the worst COVID-19 diagnosis rate during much of January but as of Friday had the sixth-worst rate over the past week, with 1 in every 262 residents becoming newly infected.

Return to the table of contents

Remote-learning funding rate could cost local schools $30M

Danyelle Khmara
Arizona Daily Star
February 7, 2021

Tucson school districts could lose more than $30 million in state funding if state lawmakers don't change the law that funds online learning at a lower rate than in-person instruction.

Statewide, public schools doing remote learning at the direction of health officials are projected to lose up to $266 million because Arizona law funds distance learning at 5% less than in-person school, and they're losing another $200 million because of enrollment declines. At the same time, the state has billions of dollars in surplus and savings.

'When the state sits on a billion-dollar rainy-day fund and projects a $2 billion surplus, there is no excuse to not fully fund every school,' said Arizona schools chief Kathy Hoffman during her State of Education address on Feb. 2. 'There has never been a more urgent time to tap into a safety net and provide for Arizonans. Anyone who thinks it's not raining in Arizona right now needs to check their privilege.'

When schools closed last March, state lawmakers voted to fully fund remote learning for the rest of that school year.

Arizona's recently released Senate Republican budget framework proposes a temporary, one-year policy change to fund distance learners at 100% for the current school year. Senate President Karen Fann says the measure seems to have good support.

AMERICAN OVERSIGHT

It will be several weeks, at least, until a decision is made. And meanwhile school officials are holding their breaths, hoping they'll get enough funding to sustain themselves without making cuts.

While two federal relief packages are delivering schools one-time fiscal support, many public schools will not be able to stretch federal relief dollars to cover long existing gaps in their budgets on top of pandemic- related expenses and enrollment declines, Hoffman said.

'Without predictable, ongoing state funding, many public schools, particularly small schools, will not be able to sustain their operations and provide a full range of services to students and families in their communities,' she said.

It's hard for school districts to plan how to spend their money when they don't know how much they'll have, says Scott Little, chief financial officer for the Amphitheater School District, which serves nearly 11,000 children, 37% of whom qualify for free and reduced lunch — a measure of poverty — though that number is likely higher due to parents not applying during the pandemic.

'If the Legislature drags this issue out until May, all it does is make it harder and harder for us,' Little said.

Amphitheater, which opened for limited in-person classes before returning to remote learning under Pima County Health Department guidance as COVID-19 numbers spiked in December, stands to lose more than $3.1 million if remote learning is not fully funded.

The number of students in Tucson school districts who are remote learning is changing as some resume in-person learning. But based on Arizona Department of Education calculations, about 135,000, or 95% of students, were remote at the beginning of January.

Gov. Doug Ducey created grants for schools using funding from the first federal coronavirus relief package. The $370 million in Enrollment Stability Grants was meant to compensate schools for both enrollment losses and to fill the gap for remote learners being funded at a lower rate.

But those grants fell more than $250 million short of what schools were promised, in part, because of huge enrollment losses in public schools.

On top of that, the state put a $500 cap on each student lost. As a result, districts that saw the steepest enrollment declines received the least amount of money proportionally to cover those losses.

Tucson's nine major school districts fell more than $18 million short of what they were told to expect from the grant funds, a number that increases if you include the county's seven smaller school districts and 87 charter schools.

Preliminary enrollment data shows the average number of students enrolled in public schools daily throughout the state fell more than 33,000 short of this time last year, according to data from the Department of Education. This difference can be accounted for by kids switching to home schools, private schools, holding off on kindergarten a year and even stopping school entirely.

Preliminary data also shows a shift of families choosing charter schools over traditional school districts, which serve a larger body of students and students in need. Average daily membership in school districts was about 47,900 lower and about 14,700 higher in charter schools, some of which opened for in-person

AMERICAN OVERSIGHT

learning sooner than the state advised. Those numbers are not finalized and could change before official enrollment data is released in mid-March.

Collectively, Tucson's nine major school districts saw a loss of about 6,650 students on the 100th day of the school year, an important day in calculating funding for the year.

While enrollment declines in many school districts are not new, the problem is now so much greater, says school finance expert Chuck Essigs, with the Arizona Association of School Business Officials.

If you're a district and you lose a student, you lose the revenue for that student although the cost doesn't go down, Essigs says. Schools still need to pay for teachers, utilities, transportation and more.

'You can't go to the teacher and say, 'We're going to pay you 5% less because we're getting 5% less," he said. 'The teacher is going to get the same salary; the benefits for that teacher are the same, the insurance. What really makes this hurtful for schools is they're having funding reduced for expenses that aren't reduced, and in fact it's costing them more with all the expense of the technology and equipment they've had to buy.'

And even if a district lost enough kids this year to close a school, many are hoping that the students will return once the current crisis is over.

'Districts aren't getting what they were told they would get to address these very severe problems,' Essigs says.

For example, while Amphitheater received $5.6 million in grants to cover enrollment losses, if they were compensated the way the governor had originally laid out, they would have received nearly $10.5 million, according to calculations by the Arizona Department of Education.

'A lot of people made decisions on what to do for staffing based upon that grant, and the grant money didn't really materialize the way it was supposed to,' says Little, with the Amphitheater School District. 'And everyone's kind of holding the bag for it.'

Schools are expecting a second wave of federal relief dollars, which Little says will cover some of the Amphitheater's steepest losses. But, sharing Hoffman's sentiment, he says that money was meant for relief from steep costs associated with the pandemic and remote learning.

'That's money that's not available for us to do additional services to get kids caught up,' he said. 'We really want to use that money to do additional remediation work, additional summer stuff, things to get kids back on track. If we can't use that money for that, it just goes to cover the state.'

Sunnyside, Tucson's second largest school district, planned for an enrollment decline of about 600 students, which they say is largely due to an aging population rather than COVID-19. But it didn't plan for the state funding remote learners at a lower rate, and it's put the district in a situation where it could end next school year with close to no savings.

'So this is what we found ourselves in, is additional resources the federal government provided is being taken away by the state, and we're at net zero,' Chief Financial Officer Hector Encinas said at a Jan. 26 board meeting.

AMERICAN OVERSIGHT

Sunnyside stands to lose as much as $4.2 million in state aid with the reduction for remote learners, according to calculations by the Arizona Department of Education.

To put that into perspective, that could pay for the salaries of 80 first-year teachers, a year's worth of utilities, 3 years of liability insurance premiums or 120 additional custodians.

While Sunnyside was able to cover this shortfall with the one-time federal dollars, despite the governor's grants being about $1.8 million less than expected, it put the district in a position where that budget loss will have to be carried forward to cover next year's expenditures. While the district typically ends the year with a budget balance of between $2.5 million to about $5 million, next year it is projecting a budget balance of only $169,000.

'For fall next year, the projection basically is that we're gonna wipe out our savings,' Encinas said. 'At this point in time, hopefully, this is the worst-case scenario.'

TUSD, the city's largest school district with about 40,000 students, stands to lose more than $11.9 million because of remote learners being funded at a lower rate, and the district received about $6.2 million less than expected in grants.

Unlike the rest of Tucson's major school districts, Tucson Unified has remained entirely remote since the pandemic began with no firm date for students returning to the classroom even part time.

Even schools offering in-person learning stand to lose millions because most are still offering remote learning for the many parents who don't feel safe sending their children into classrooms while the virus continues at near-peak levels.

Catalina Foothills, the only Tucson school district that didn't return to remote learning after the winter break, stands to lose as much as $314,000 if remote learning is not fully funded, according to Department of Education calculations.

'We are very under-resourced to address the challenges of providing an education to our students this year,' said Superintendent Mary Kamerzell. 'Funding remote learners at less than 100% is disrespectful and perhaps ignorant of the work required of our educators. It's not like Arizona was a beacon of support for K-12 public education before this pandemic, but we have moved toanew low.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Fear, frustration common for older residents wanting the COVID vaccine

Patty Machelor and Jasmine Demers
Arizona Daily Star
February 7, 2021

One man dropped off his wife at the Tucson Convention Center after she'd tried unsuccessfully to register on their computer.

She waited in line five hours Friday to get an appointment, and now will go back Monday for her first COVID-19 shot. Her husband, over age 75, already got his first dose elsewhere.

AMERICAN OVERSIGHT

Another woman's parents, both 75, drove down Thursday hoping for walk-in spots, realized how long the line was, asked about options and were told to come back early the next morning as walk-ins. They did, and found an even longer line that was now for appointments, not shots.

They left after her father's blood pressure went dangerously high.

These stories are among hundreds that poured out Friday on social media, and in calls and emails to the Arizona Daily Star, illustrating the confusion, fear, and frustration many older residents in Pima County are experiencing as they try to get the vaccine that could save their lives.

There were also stories of success, people grateful and even ecstatic they finally got the first shot after trying, without success, to get an appointment scheduled online. Many heard about the TCC walk-in option through social media, the newspaper or word of mouth.

'The rollout of vaccine dissemination has been uneven and handled carelessly,' said Tucson resident Lyn Ramirez, who is over 70 and heard of the TCC walk-in doses secondhand, and too late, from an acquaintance. 'Extra doses are available, but it is byword of mouth to receive them. I have tried to get appointments but nothing is available.'

Initially, the TCC plan for Friday was to make sure there were enough people there to use up the 1,200plus appointments and vaccine, and so the city invited people over 70 to come as walk-ins. On Thursday, the TCC workers initially accepted those 65-plus as walk-ins until the line grew and grew, and so they bumped it up to 70-plus.

What happened Friday? The TCC's online appointments unexpectedly boomed Thursday night and, as of Friday morning, there were over 600 booked, far more than the typical 130 or so they'd seen daily earlier in the week.

But the offer of walk-ins was already out there and so, despite updates online, the site became swarmed with older people hoping for a shot.

While hospitalization and mortality rates are improving here, the number of people over age 65 who are sick enough to be hospitalized remains high.

Between Dec. 12, 2020, and Friday, Feb. 5, 1,016 people over age 65 were hospitalized for COVID-19 while, during the same period, 375 people under age 65 were hospitalized, county data show.

The older the person, of course, the higher the risk of hospitalization and death.

Since the pandemic started, 1,217 people over age 80 have been hospitalized while 1,855 people 65 to 79 have been hospitalized in Pima County. And there have been 824 deaths of residents 80 and older, and 698 deaths for people 65 to 79. In comparison, nine people ages 20 to 29 have died of COVID here and 48 ages 40 to 49.

Pima County officials said they understand the challenges older adults face when making these appointments and urge patience as they work to vaccinate the most vulnerable groups.

AMERICAN OVERSIGHT

Pima County was focused on those 75 and older until Thursday, when it rolled the age back to 70-plus. Registration for this new group started Thursday, said Mark Evans, county communications director, but appointments are not available until Monday.

After the state adopted Centers for Disease Control and Prevention guidelines and started offering shots to those 65 and older several weeks ago, Pima County still restricted vaccinations to people 75 and older because, county officials explained at the time, they statistically have worse outcomes if they contract COVID-19.

The county also has been slow to move the age limit because more than 212,000 residents here are over age 65 and allowing them all to register at once would have crashed the registration system.

That happened Thursday night, Evans said, when registration opened for those 70 and older.

With the available number of vaccines unreliable, and the current phase including people not just by age but also by occupation, some think there should be more emphasis on the most vulnerable.

'I've always believed that vaccine prioritization should focus on the public- health issue which is that age, not occupation, is the driving force for bad outcomes,' said Dr. Will Humble, executive director of the Arizona Public Health Association and former state health director.

Some see prioritizing key jobs before age as essential to keep society's gears from slipping, he added.

'I don't believe we're at risk for that and so I just disagree about adding essential workers (now). But that's just me,' Humble said.

What's been hard on the counties, he said, is that the state is 'taking vaccine 'off the top' for their staterun PODs (points of distribution) up here in Phoenix, which has the effect of shortchanging the county health departments that are rightly still focusing on the 75-plus population.'

Humble said it's also been made more challenging for counties because 'the state is vaccinating people between 65 and 74 years old. That vaccine is taken away from the 75-plus people that are at the highest risk in all counties, including Pima.'

'From a public-health perspective it would have been a lot better to focus on 75-plus first,' he said, 'and then, when that market was penetrated, press on with (the next younger set).'

For Tim Ingraham, a 72-year-old Pima County resident with severe underlying conditions, the vaccine rollout has been extremely frustrating.

While he waits for his chance to be protected against the virus, Ingraham said he's seen several people get vaccinated who are younger than him and not high-risk, including a chiropractor who no longer practices.

Ingraham was diagnosed with cancer in 2017 and had to go through extensive chemotherapy, which had a lasting impact on his immune system and heart. Even his wife, who is two years younger and doesn't have any underlying health conditions, was able to get the vaccine before him.

AMERICAN OVERSIGHT

Even though they aren't over 75, Ingraham and his wife both pre-registered for the vaccine in January, and while his wife managed to get an appointment for her first dose two weeks ago, he's been waiting for an email from MyChart, Tucson Medical Center's patient portal, since Jan. 16.

When he heard that the Tucson Convention Center was accepting walk-up appointments, Ingraham drove down there and saw a line all the way around the building. He knew there was no way he would be able to stand in line that long. As of Friday, the TCC is no longer accepting walk-up patients.

'The lack of communication is probably the most difficult part,' he said. 'I've sent two or three emails and there's just no answer whatsoever. I did get through on the help line. The lady I spoke with was very nice, but said all she could help me do was fill out the preregistration form, which of course, I had already done. She said she would contact MyChart immediately and give them my information and they would get back to me. They haven't.'

Additionally, many older adults face unique challenges when it comes to computer literacy and internet access. But in a pandemic that has claimed more lives of those 65 and older than any other age groups, the system developed to protect them was not made with these limitations in mind.

Similarly, 90-year-old Harry Kirshenbaum is also still waiting for a vaccine. His daughter, 60, and son-in-law, 74, said they had trouble navigating the county's registration system.

Because Kirshenbaum doesn't have his own email, they used his daughter's email to register him for the vaccine. They weren't aware that emails couldn't be used twice, and his daughter had already registered for the vaccine as a health-care worker.

Even with registration completed under a new email, Kirshenbaum and his family have yet to be contacted for an appointment.

His son-in-law, Don Cotton, said that while he understands there's limited vaccine doses available, the process was made even more difficult by a confusing registration system.

'I'm not really sure why it's so complicated getting a vaccine appointment set up for a 90-year-old,' said Cotton. 'It's a complete mess.'

According to Dr. Theresa Cullen, Pima County's public-health director, the Health Department continues to release appointment invitations via email as more vaccines become available.

On Thursday and Friday, approximately 8,000 invites were sent out via email.

'We know that there are still about 10,000 to 12,000 people over 75 in that queue that need to be released to get their MyChart invitation,' she said Friday, referring to the patient portal being used for shot appointments at certain sites.

The county has set up a call center to answer the public's questions regarding the registration process. On Jan. 27 alone, as an example, the call center handled 1,594 calls with an average wait time of six minutes.

In addition, the county is working to set up a number of mobile vaccination teams that will provide vaccines for homebound people, those in low-income senior housing and disadvantaged populations.

AMERICAN OVERSIGHT

The mobile clinic pilot was expected to begin on Saturday, Feb. 6, with a pilot site staffed by employees and volunteers from Tucson Medical Center and the county's Health Department.

Cullen and Dr. Francisco Garcia, the county's chief medical officer, have said repeatedly during news conferences that Pima County needs more vaccine doses to make these processes work better.

Not being able to count on the vaccine supply makes planning much more complicated, they've said, and that was compounded when the county learned it will only be receiving 17,850 doses this week compared to the nearly 30,000 doses it received weekly for the previous two weeks. 'Our goal is to safely vaccinate as many people as quickly as possible, and we have been ramping up our vaccination efforts across the state,' Holly Poynter, a spokeswoman with the Arizona Department of Health Services, said about Pima County receiving 40% less vaccine for the upcoming week.

'The current limitation on vaccine administration in Arizona is the number of doses made available by the federal government,' Poynter said. 'The number of doses we're receiving impacts all of our local allocators, including Pima County.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Officials plead: Don't let Super Bowl become super-spreader event in US

Heather Hollingsworth and Curt Anderson
Arizona Daily Star
February 7, 2021

Kansas City Chiefs superfan Ty Rowton hugged strangers in the streets of Miami last year after watching his team win the Super Bowl and then joined hundreds of thousands of fans back home at a victory parade, thinking little of a mysterious virus that his buddies were beginning to talk about.

The championship seems like a lifetime ago. Now the Chiefs are preparing to play in the Super Bowl again, and the virus has morphed into a once-ina- century pandemic that has health officials on edge as fans congregate at parties and bars for the game.

The nation's top health officials sounded the alarm this week about the Super Bowl being a potential superspreader event, and they urged people to gather with friends over Zoom, not in crowds. 'I'm worried about Super Bowl Sunday, quite honestly. People gather, they watch games together. We've seen outbreaks already from football parties,' said Rochelle Walensky, head of the Centers for Disease Control and Prevention. 'So I really do think that we need to watch this and be careful.'

The Super Bowl comes as the nation sees a dramatic drop in new virus cases — a sign that the infection spike from holiday gatherings is easing. The virus has killed more than 459,000 people in the U.S., but the seven-day rolling average for daily new cases went from 180,489 as of Jan. 22 to 125,854 as of Friday, according to data from Johns Hopkins University.

Health officials fear the game could seed new cases at exactly the wrong time. Just this week, the new coronavirus strain that spread quickly in the United Kingdom was confirmed in Kansas after turning up in several other states. Other highly contagious variants also have scientists worried. States are in a race to vaccinate before the newcomers become widespread and additional strains emerge.

AMERICAN OVERSIGHT

After a long year of shutdowns, it remains to be seen whether Americans will heed the warnings for an event that was watched by more than 100 million people last year. The fact that it's Tom Brady seeking his seventh Super Bowl victory against Kansas City's star quarterback, Patrick Mahomes, only adds to the intrigue surrounding the game.

Rowton won't be hugging strangers this year. But he won't exactly be following the advice of health officials either: He plans to eat barbecue and watch the game in a friend's basement 'man cave.' He will be unmasked with about 10 other fans.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Kids can go back to in-person schooling now, but only we can keep them there

Arizona Daily Star
February 7, 2021

Super Bowl Sunday — the day one of the biggest outcomes of the year is decided: Whether our kids will go back to school and stay.

In the Tucson area, most districts either already have in-person classes, or have set a date to resume. Only one district, the biggest, does not yet have a date.

The Tucson Unified School District governing board is scheduled to discuss a return to some form of in-person schooling at their meeting Tuesday.

I have a big investment in the outcome — my kids attend TUSD schools. And though they've done pretty well with remote learning, the dreariness of the online routine has worsened since the holidays.

They would do much better back in school.

But they can't go — or at least they can't go and stay — if we screwup on Super Bowl Sunday and other social occasions like it. We are finally in a position to know from local and international research that transmission of COVID-19 is minimal at schools as long as they take strong mitigation measures.

If everyone is masked and distanced, if heavily used surfaces are cleaned and people keep washing their hands, transmission barely happens at all in schools.

But outside of schools — that's a different story.

Four TUSD employees died of COVID-19 in the tragic week of Jan. 25-29, superintendent Gabriel Trujillo reported in a news conference Thursday. None of them got sick from school.

This pattern of illness has been true across Pima County school settings, said Brian Eller, the Pima County Health Department official in charge of monitoring the virus at schools and working with the districts on containing outbreaks.

AMERICAN OVERSIGHT

'The vast majority of transmission occurs in social settings or at home,' he said in an interview Friday. 'So when a kid gets sick, when a staff member gets diagnosed, it's because they've got it somewhere else 90-plus percent of the time.'

The last six weeks have been a time of excitement for Eller and others researching the impact of the virus at schools. On Jan. 26, scientists from the Centers for Disease Control and Prevention published a paper confirming the growing consensus.

'As many schools have reopened for in-person instruction in some parts of the US as well as internationally, school-related cases of COVID-19 have been reported, but there has been little evidence that schools have contributed meaningfully to increased community transmission,' the report said.

This is also what Eller and colleagues have increasingly concluded as they collected data and traced outbreaks at schools in Pima County over the last six months.

'We've always had this belief that schools are safe, especially if you're practicing strong mitigation,' Eller said.

'The big thing that has changed is we now have the actual data to show that schools are a safe place in terms of community-related transmission, and that even when we're in advanced states of community transmission, schools that are practicing robust mitigation within their settings continue to be a space of low spread.'

School districts have embraced a variety of approaches since this school year began. Catalina Foothills district, for example, has been open for in-person schooling the whole time.

Amphitheater district has gone from remote-only to a hybrid of in-person and remote teaching, and back to remote.

Since Eller and the department began collecting data last year, they've found only three cases of student-to-teacher transmission.

Many teachers and school staff members have remained reticent to return to school, worried about the safety of it, while families are ready to go. The Amphitheater district did a survey of students' families and of employees. A majority (56%) of the families who responded preferred to return to some form of in-person schooling. A plurality (40%) wanted to return to full-time in-person schooling, while 26% preferred a hybrid of in-person and remote learning. Twenty-six percent wanted to remain in remote learning. The majority of staff and teachers, though (52%), preferred to remain in remote learning, while 27% preferred a hybrid system, and 19% wanted to go to full-time in-person teaching. 'So when a kid gets sick, when a staff member gets diagnosed, it's because they've got it somewhere else 90-plus percent of the time,' says health department official Brian Eller.

High School, said her personal preference is to wait till the end of this quarter, March 15, then return to a hybrid model. Amphi is scheduled to go back to hybrid on Feb. 15.

Millerd, who is president of the Amphitheater Education Association, explained, 'Students need to be in classrooms. I don't think any of us would deny that. But we can't control what our families are doing outside school. It's happening outside, and that has an impact on quarantine.'

AMERICAN OVERSIGHT

That's one of the key aspects of returning to in-person schooling. When a teacher is exposed or becomes infected, they must go into quarantine, even if they're feeling fine. A quarantined teacher can keep teaching if they're doing it by computer, but not in person.

Exposures and subsequent quarantines can set off a chain reaction that leaves too few staff to cover classes.

'Some of the hardest hit ZIP codes with regard to COVID transmission are in TUSD's attendance boundaries,' TUSD superintendent Trujillo said in an email. 'When the adults contract the virus, particularly teachers, we can't staff and supervise classrooms.'

Quarantine requirements have shortened from 14 days to a minimum of eight since the pandemic began, Eller said, but they are still a key step in containing outbreaks and must be followed.

Vaccinations hold promise, and teachers are gradually getting their first shots. But reopening shouldn't wait for all teachers and staff to get both shots, Eller said, because conditions are safe enough in schools with strong mitigation, and it will take many weeks to get teachers their second vaccine and through their two-week post-vaccine period.

Trujillo acknowledged the county's guidance but also said TUSD's many losses — eight total employees and close community members since the pandemic began — have made the district cautious.

He said in an email: 'The loss of so many beloved campus and classroom leaders has devastated our community and has naturally resulted in our leadership team placing more of an emphasis on successful employee vaccination as a major portion of the overall criterion we will be examining to determine a start date for a return to in-person learning.'

The biggest factor endangering teachers, school staff, students and their families is spread of the virus in the community — and that's our responsibility.

'If you want kids in school, then the mitigation around you and your family has to be so strong,' said Dustin Williams, the Pima County superintendent of public instruction. That starts on days like Sunday, Super Bowl Sunday.

If you want your kids in school, as I do, you can't be crowded inside at house parties or bars, yelling at the TV. You have to keep your distance and your discipline.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Tucson 911 center kept dispatcher from Marana on hold during cardiac arrest call

Carol Ann Alaimo
Arizona Daily Star
February 7, 2021

A police department trying to summon help for a woman in cardiac arrest called twice and spent more than four minutes on hold with Tucson's 911 center before someone answered the call, a report from the center's interim 911 director said.

AMERICAN OVERSIGHT

The lapse in service during the medical call from Marana occurred two weeks before the director of Tucson's 911 suddenly quit her $175,000 position after 14 months on the job, public records show.

Besides serving Tucson, the city's 911 center dispatches fire and medical calls on a contract basis for Northwest Fire Department, which services such calls in Marana.

The situation illustrates the potential peril of 'critically low staffing levels' at the Tucson center, where an outside consultant found a multitude of problems including poor morale, infighting, cramped quarters, high turnover and lower wages than similar jobs pay elsewhere.

Those problems are the main reason 22 staffers were on duty instead of 32 on the day a Marana 911 dispatcher couldn't get through, a recent report to Tucson's city manager said.

The lapse in service occurred Dec. 28. On Jan. 15, Jamie O'Leary, the then-director of Tucson 911, resigned, citing 'compelling personal family needs.'

The first public account of the 911 lapse is contained in a Feb. 1 report to Tucson's city manager from Tucson Police Department Deputy Chief Chad Kasmar, who has temporarily replaced O'Leary as head of the city's Public Safety Communications Department, which operates 911.

Marana has its own 911 dispatch system for police calls but normally transfers fire and medical calls to Tucson's center for dispatch to Northwest Fire.

On the day of the incident, Marana 911 received a cardiac arrest call at about 3:45 p.m. — about the same time Tucson's short-staffed 911 center was seeing a steep surge in calls, the report said.

The Tucson center received 140 calls in 30 minutes, about 32% higher than normal for the period, the report said.

The Marana dispatcher trying to transfer the call spent three minutes on hold, hung up, called again and waited another minute and 15 seconds before someone in Tucson picked up the call, Kasmar said in an interview.

The Marana Police Department, which has officers trained in CPR who carry portable defibrillators, sent them to aid the cardiac arrest patient until Northwest Fire paramedics arrived.

'It is my understanding that the person in cardiac arrest ultimately did not make it,' Kasmar said.

The situation has not shaken Northwest Fire Department's faith in the Tucson 911 system, which has been dispatching calls for Northwest for about 20 years, said Brian Keeley, the department's division chief of administrative services.

'Unfortunately, nothing is perfect. There are failures that occur in the system but we don't see them on a regular or repetitive basis,' Keeley said in an interview.

'We have confidence that (Kasmar) is looking into this and any other issues,' he said.

Tucson's City Council has created a task force to monitor 911 problems and oversee improvements. Kasmar's report on the state of the department is due to be discussed Feb. 9 at the next council meeting.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

What we know about where, when you can get your vaccine, and how to register

Jasmine Demers
Arizona Daily Star
February 7, 2021

More than 140,000 Pima County residents have received at least their first dose of the COVID-19 vaccine since Dec. 17, but limited vaccine supply and kinks in the registration system remain a challenge.

In total, there are approximately 720,000 people who require vaccinations in Pima County, not including minors under 16 and an estimated 200,000 people who will likely decline a vaccine.

As of Feb. 6, Pima County is in Phase 1B of its vaccination plan and is currently inoculating people 70 and older, and law enforcement, education and child care providers. Other parts of the state may be vaccinating people 65 and older, but the Pima County Health Department has chosen to expand to additional age groups in phases to keep up with demand and ensure vaccine availability.

'The transparency, the supply chain, where (the vaccine) is going and what we can expect is what's the most difficult in this situation, and to be frank, we don't control that,' said Pima County's Public Health Director Dr. Theresa Cullen. 'We are at the end of the hose. We get the vaccine that's coming out and we use it as effectively and efficiently as we can.'

Here's the most recent information available about vaccine distribution and registration in Pima County:

PHASES AND TIMELINE

Because initial vaccine supplies are limited, doses are being allocated and administered in a multiphase distribution plan. Pima County has been hesitant to provide estimates for when each phase will be completed but has predicted to be near completion for both first and second doses of the vaccine by at least September.

PHASE 1B Pima County is currently in Phase 1B, more specifically 1B.1, of its COVID-19 vaccination plan, with special emphasis on communities that have been disproportionately impacted by the virus. In Phase 1A, the county vaccinated highrisk health-care workers.

Phase 1B.1 is divided into five groups, the first three of which have rolled out simultaneously. Here is a breakdown of these categories: Phase 1B.1.a — Adults 75 and older due to their higher risk for hospitalization, illness, and death from COVID 19.

Phase 1B.1.b — Protective service workers, which include law enforcement personnel, firefighters, emergency response staffers, and corrections and court personnel.

Phase 1B.1.c — Teachers and school staffers, educators in higher education and trade schools, and paid child care workers.

AMERICAN OVERSIGHT

Phase 1B.1.d.1 — Adults 70 years and older with an elevated risk of hospitalization, illness and death from COVID-19.

Phase 1B.1.d.2 — Adults 65 years and older with an elevated risk of hospitalization, illness and death from COVID-19.

Upon the completion of the groups in Phases 1B.1, the next priority groups to be vaccinated will be those in Phase 1B.2, which is divided into two groups: Phase 1B.2.a: Includes essential workers that ensure the smooth functioning of society, such as power and utility workers, food- and agriculture-related occupations (grocery stores, restaurants, farms, packaging and distribution) and transportation occupations.

Phase 1B.2.b: Includes adults in congregate settings with high-risk medical conditions.

For a more detailed list of these categories, visit www. pima.gov/covid19vaccine.

PHASE 1C This phase will include adults of any age with a high-risk medical condition, which may include cancer, kidney disease, COPD, Down syndrome, heart conditions, obesity and other conditions. In addition, adults in congregate settings, such as shelters, will continue to be vaccinated in this phase.

PHASE2& 3 The last phases of the county's distribution plan will include any remaining Phase 1 and Phase 2 populations, additional high-risk populations and members of the general population.

VACCINATION CENTERS AND HOURS Here are the facilities distributing vaccines in Pima County:

• Tucson Medical Center — 2597 N. WyattDrive, Lot 29

• Drive-thru appointments •Open Monday through Friday, 8 a.m. to 5 p.m., and Saturdays 8 a.m. to 2 p.m.

• Administering Pfizer and Moderna vaccines

• Vaccinating approximately 1,000 people per day

• Emphasis on older adults (70+)

• Banner North — 3838 N. Campbell Ave., Building 2

• Drive-thru appointments •Open Monday through Friday, 9 a.m. to 5 p.m., Saturdays 9 a.m. to 4 p.m. and Sundays 9 a.m. to 1 p.m.

• Administering Pfizer and Moderna vaccines

• Vaccinating approximately 800 people per day, will increase to 1,500 a day

• Emphasis on older adults (70+)

• Banner South Kino Stadium — 2500 E. Ajo Way

AMERICAN OVERSIGHT

• Drive-thru appointments •Open Monday through Friday, 9 a.m. to 5 p.m., Saturdays 9 a.m. to 4 p.m. and Sundays 9 a.m. to 1 p.m.

• Administering Moderna vaccines

• Capacity to vaccinate 1,000 people a day

• Emphasis on older adults (70+)

• Tucson Convention Center — 260 S. Church Ave.

• Walk-through appointments •Open Monday through Friday, 8 a.m. to 5 p.m.

• Administering Moderna vaccines

• Capacity to vaccinate 1,500 people a day

• Emphasis on law enforcement and older adults (70+)

• University of Arizona — 1737 E. University Blvd., Gittings Building, Room 129

• Walk-through and drive-thru appointments (UA Mall)

• Open Monday through Saturday, 10 a.m. to 4 p.m.

Emphasis on educators and child care workers Pima County is also looking to set up an additional vaccination center at Rillito Park. It will likely serve as a local 24 hour/seven-day operation consistent with the two facilities that have been set up in Maricopa County. If the county's vaccine allocation is increased and funding is provided by the state, this facility would have the capacity to vaccinate up to 5,000 a day.

ADDITIONAL VACCINE DISTRIBUTION POINTS

Community health centers and clinics are also distributing vaccines to eligible people but on a much smaller scale. The focus of these clinics is to provide vaccine access to Pima County's low-income and rural and semi-rural communities. They include El Rio, Marana Health Clinics, United Community Healthcare Centers and Desert- Senita.

If you are a veteran over the age of 75, you can be vaccinated through the Southern Arizona VA Health Care System. Eligible veterans are being contacted directly by the VA staff to schedule an appointment.

Prioritized Pima County residents can also receive a COVID-19 vaccine at select grocery stores, but appointment availability is extremely limited based on vaccine supply. According to the Department of Health Services, there are currently 10 pharmacies at Fry's and Safeway stores offering vaccines in Pima County through a federal Retail Pharmacy Program. The Fry's website says vaccines are being offered to people over 65, and the Safeway website says they are being offered to people over 75.

AMERICAN OVERSIGHT

More information about these pharmacies and registration information can be found at www.azdhs.com/findvaccine. Use the interactive map to find the closest pharmacy offering the COVID-19 vaccine and then follow the link or call the store to find out if appointments are available.

LONG-TERM- CARE AND ASSISTED LIVING FACILITIES

The Pharmacy Partnership for Long-Term Care Program, a federal partnership between the Centers for Disease Control, CVS and Walgreens, is facilitating on-site vaccination of residents and workers at over 2,000 Arizona skilled-nursing facilities.

According to Pima County officials, all of the county's long-term-care facilities have already received at least their first round of vaccinations and vaccinations at assisted-living facilities are underway. This will likely continue through April.

However, 'a substantial number' of assisted living facilities did not enroll in the federal vaccination program. The county is partnering with the state health department to develop a mobile outreach pilot plan to target assisted living facilities not covered by the CVS/Walgreens partnership as well as other elderly and disabled residents.

HOW TO REGISTER FOR A VACCINE

If you belong to a currently prioritized group, you can register to receive a vaccine. Because vaccine availability is limited, appointments may not be available immediately. After submitting your preregistration, be sure to continue checking your email for important updates.

If you filled out preregistration on Pima County's website and have been waiting longer than 17 days to be notified about an available appointment, the Pima County Health Department has advised that you fill out the registration form again with the same information.

The county currently has five vaccine distribution sites (listed above) and two registration portals. One registration portal is via Banner, where people can register at Banner-North or Banner-South Kino Stadium. The other vaccination portal is via TMC, where people can register at the TCC, TMC or the University of Arizona.

Here's what you should do: Adults who are 70 and older can register online or over the phone at 520-222-0119 (for non-Banner sites).

•Go to www.pima.gov/ covid19vaccineregistration

• Select age 70 and older

•Select your preferred location: Banner or TMC/ TCC .

•Banner: Fill out the registration screening form at the bottom of the page. This requires your own email address.

•Once the form is filled out, you will be taken to a separate page where you can choose to book an appointment at Banner-North or Banner-South Kino Stadium.

AMERICAN OVERSIGHT

•After a couple of questions, you'll be taken to the appointment page. If there are no appointments available, you'll see a notice at the top of the screen. Anyone who is registering through Banner will have to keep checking the site for appointments. They will not notify you when appointments are available.

•TMC/TCC: Fill out the Pima County Vaccine Pre-Registration Form. This requires your own email address.

• Once you send the form, wait for an email from TMC MyChart, which will send a confirmation email and a link to complete the registration process and schedule an appointment.

•If appointments are not immediately available, you'll receive an email that confirms the receipt of your preregistration form and notifies you that appointments are backed up. You'll receive a subsequent email when appointments become available.

•Go to www.pima.gov/ covid19vaccineregistration

• Select your category

•Select 'Make Your Appointment' • Fill out the Pima County Vaccine Pre-Registration Form and follow subsequent instructions to make an appointment. Appointments may not be available immediately.

I'm 65 to 69 years old and want to be vaccinated now. What are my options?

Once more vaccines become available, Pima County will expand its vaccine access to include 65 and over. Those who are eager to be vaccinated sooner, and who have available transportation can register at state-operated locations, including the 24/7-operated State Farm Stadium and Phoenix Municipal Stadium. Check azhealth.gov/ COVID19Testing for eligibility and scheduling availability.

Important links and contacts:

Pima County vaccine registration: www.pima. gov/covid19vaccineregistration Pima County registration help line: 520-222-0119 Monday through Sunday, 8:30 a.m.-8 p.m.

Vaccine distribution plan: www.pima.gov/ covid19vaccine COVID-19 testing: www. pima.gov/covid19testing Arizona Department of Health Services: www. azdhs.com/findvaccine

Return to the table of contents

Support for Arizona's junior colleges is key to COVID-19 recovery

Andrés Cano
Arizona Daily Star
February 6, 2021

For the third consecutive year, I have filed state legislation to restore funding to our state's community colleges.

AMERICAN OVERSIGHT

As Arizonans from all walks of life seek opportunity in a volatile economy and an international pandemic, it is imperative that our state legislature invest in proven workforce development and training for the current and next generation of learners.

Regrettably, my previous proposals to fund our community colleges have not made it to the governor's desk — much less received a single hearing in the GOP-led legislature. This is a political decision, not a matter of resources.

I'm not giving up, and that's why I've submitted House Bill 2207. The proposed legislation allocates $29.3 million to the state's network of 12 community colleges, and most importantly, it restores funding to Pima and Maricopa community colleges, who have not received ongoing state funding since 2015.

You might ask why this happened: In my opinion, Republican lawmakers had a temper tantrum when the independently elected governing boards of these institutions made a bold, critical decision to provide in-state tuition rates to undocumented learners eager to contribute to the communities they now call their own. It was self-defeating retaliation.

There are nearly 20,000 students enrolled at Pima Community College, and three Pima campuses are within Legislative District 3.

Institutions like Pima Community College nurture avid learners in the fields of math, arts, science, applied technology, nursing, aviation and much more — all of which are critical to our shared success. Our community colleges are beyond worthy of our investment. We have a billion- dollar surplus. Our state's finances are solvent in large part due to federal COVID-19 response dollars, and yet we are still holding our adult learners hostage by simply looking the other way. And when we get COVID-19 under control, economists predict a rebound fueled by pent-up demand.

I have a simple call to action to the business leaders of Southern Arizona who have Gov. Doug Ducey's ear: If you truly believe in an economy that prepares our workforce, let's get HB 2207 across the finish line. We need your help and advocacy.

To my GOP colleagues, let's give our community colleges the support they deserve. Arizonans are counting on you.

Andrés Cano, 28, is a Democrat representing Legislative District 3 in the Arizona House of Representatives. He was reelected to a second term in 2020.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Lawmaker seeks ruling that Ducey lacks authority to expand gambling

Howard Fischer
Arizona Daily Star
February 6, 2021

Plans by Gov. Doug Ducey to allow statewide sports wagering, betting on fantasy leagues, keno and m o r e tribal gambling could be undermined by a Southern Arizona lawmaker.

AMERICAN OVERSIGHT

Rep. Mark Finchem, R-Oro Valley, contends the governor lacks the authority to negotiate new gaming compacts with the tribes. Instead, he said that formulating gaming police is 'a quintessential legislative function.'

Finchem is doing more than just expressing his personal opinion.

He is asking Attorney General Mark Brnovich to review his arguments and issue a formal legal opinion declaring the issue of expanded tribal gaming beyond Ducey's reach.

Strictly speaking, a finding by Brnovich against the governor's powers would not halt legislative proposals to create new kinds of off-reservation gaming. Everyone, including Ducey, concedes he needs approval of state lawmakers to declare wagering on professional and college sports to be legal in Arizona.

But the existing gaming compacts give the tribes veto power over any expanded off-reservation gambling. It is only because the deal Ducey has negotiated gives them some additional gambling opportunities that they are willing to approve an enlargement of what happens beyond tribal borders.

If the governor cannot deliver on what he has promised the tribes because of a legal impediment — like a ruling that it is beyond his power — there cannot be new off-reservation gaming.

Finchem would not discuss his request, saying he wants to wait to see what Brnovich decides.

But Ducey aide Gretchen Conger said the governor believes the original 20-year gaming compacts, ratified by voters in 2002, specifically authorize him to negotiate amended compacts.

ORIGINAL GAMING COMPACTS ARE EXPIRING

The 2002 initiative pushed by the tribes and then-Gov. Jane Hull gave them the exclusive right to operate certain kinds of casino games for the next 20 years in exchange for sharing some of the profits with the state.

The state was allowed to continue any kind of gambling that was already legal, like the lottery and parimutuel racing. But the compacts have a 'poison pill,' saying if the state starts any new form of gaming, then the tribes are not bound by limits on machines and no longer have to share revenue with the state.

Track owners put their own alternative on the 2002 ballot that would have authorized slot machines at reservation casinos and off-reservation tracks. But voters rejected that alternative.

With the compacts expiring, Ducey and his staff have been in closed-door talks now for more than a year in what he called his bid to 'modernize' them. That resulted in the deal announced earlier this month, in which the tribes get new games like craps and roulette and more casinos in exchange for agreeing not to object to new kinds of off-reservation gaming like sports betting, wagering on fantasy leagues and keno.

PREVIOUS LAWSUIT CITED

The governor says only the changes in off-reservation gambling need legislative approval.

AMERICAN OVERSIGHT

Finchem doesn't see it that way, even to the point of arguing that Hull never had the authority to negotiate the first gaming compacts.

In fact, as Hull was negotiating the compacts in 2001, a federal judge in Phoenix ruled that the state law authorizing her to make a deal was unconstitutional, as it involved the Legislature illegally ceding its power to the governor.

That ruling was overturned by an appellate court, which said it was improper, not based on the law but because the tracks that filed the lawsuit never named the tribes as defendants in the case. Tribes could not be sued because of their own sovereign immunity.

FINCHEM: GOVERNOR HAS 'ONLY LIMITED POWER'

Finchem, in his arguments to Brnovich, contends the original trial court ruling is correct. He said the law authorizing the original negotiations is 'an indefinite and unqualified grant of power.'

Even assuming the original law is legal, Finchem said it does not follow that Ducey gets to decide, on his own, to let tribes do additional types of gaming and at more locations, regardless of whether they are agreeing not to challenge expanded off-reservation gaming.

'Formulating gaming policy is a quintessential legislative function; it is not embedded in the governor's constitutionally conferred executive powers,' he told Brnovich.

Finchem acknowledged there is another statute that deals with the terms of the current 'standard form' gaming compacts available to tribes. But that, he argued, still doesn't give Ducey thepower to makeanew deal with the tribes.

'The governor is afforded only limited authority to negotiate on discrete and largely ancillary contract terms,' Finchem said. 'Nothing in the statute empowers the governor to single-handedly forge the terms of a new compact that materially diverges from or expanded upon the terms specifically prescribed in (law).'

An aide to Brnovich said Finchem's request is being reviewed. He could not say when an opinion will be issued.

'HISTORIC HORSE RACING' BETS PROPOSED

There's another potential complication to Ducey's gaming plan, tied to another Southern Arizona lawmaker.

Sen. David Gowan, R-Sierra Vista, is trying to get the Legislature to legalize what's called 'historic horse racing.'

It would allow people using machines to wager on races that were run in the past, but would provide bettors only with a number and no information on the name of the horse or the date of the race. They would be given some data on that horse's historical record and handicap.

Then, if they want, the bettors could watch an animated reenactment of the race on which they wagered.

AMERICAN OVERSIGHT

In essence, this is a new method of generating additional revenues at horse tracks and the off-track betting facilities that they run, tracks that were largely left out of the new gaming compacts.

Lorna Romero, spokeswoman for a coalition of track operators and horse owners, insists that Gowan's Senate Bill 1794 has nothing to do with either tribal gaming or expanded off-reservation gambling.

She argues that it's just another form of parimutuel wagering — which existed before 2002 and is allowed under the original compacts — and does not require the tribes to agree to it.

But Brnovich in a 2018 ruling said allowing wagering on historic horse races would violate the gaming compacts with tribes because that kind of wagering was not allowed when the first compacts were signed in 2002. And while the new deals Ducey has negotiated with tribes expand on what can happen off reservation, like sports wagering, they do not include betting on historic races.

That raises the question of whether proponents, like Gowan, would seek to block expanded statewide gaming until they get what they want.

Gowan said it is appropriate to bring up the issue now, as lawmakers consider new types of off-reservation gaming options that could bring in new tax dollars.

Even if Gowan gets his measure through the Legislature, it still would have to be signed by the governor. And Conger, the Ducey aide, hinted that's not likely to happen.

'The voters decided in 2002 that they didn't want off-reservation casino- style gambling,' she said.

'Historic racing machines fall into the category of casino-style gambling,' Conger said. 'This issue has been decided.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ariz. universities team up to keep tabs on evolving virus mutations

Arizona Daily Star
February 6, 2021

Scientists from three public universities in Arizona have joined together to analyze test samples and detect COVID-19 mutations, officials said.

COVID-19 mutations have been occurring with several variants already identified, including one first detected in the United Kingdom that is seemingly more contagious, KTARFM reported Friday. More than 600 cases of the variant have been identified in the United States.

Now, University of Arizona, Arizona State University and Northern Arizona University are working to analyze samples for genetic anomalies.

'The concern, of course, is you get one of these mutations that take hold and there's no vaccine that can protect you,' University of Arizona President Robert Robbins said.

AMERICAN OVERSIGHT

Scientists at Arizona State University helped detect the U.K. variant in Arizona last week.

'If we allow this virus to continue to evolve into the human species at scale, we will get mutations for which there is no defense,' Arizona State University President Michael Crow said. 'I want that to sink in — mutations for which there is no defense because it has worked its way around everything we can do.'

The COVID-19 vaccines by Pfizer and Moderna authorized for use in the U.S. offer immunity to the U.K. variant. They are less effective against another variant discovered in South Africa.

'The longer we don't vaccinate people, the virus has a bigger chance to mutate,' Robbins said.

On Friday, Arizona reported 3,826 additional confirmed COVID-19 cases and 196 deaths.

In Pima County, 484 new cases of coronavirus have been confirmed, with 31 new deaths.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AZ man who wore horns in Capitol riot moves to new jail

Michael Balsamo
Arizona Daily Star
February 6, 2021

An Arizona man who stormed the U.S. Capitol while sporting face paint, no shirt and a furry hat with horns was moved to a jail in Virginia on Thursday after a federal judge ordered authorities to provide him with organic food while he's in custody.

Jacob Chansley was transferred to the Alexandria Detention Center after his attorney argued that his client had gone nine days without eating because organic food wasn't served at the jail in Washington. A judge ordered corrections officials to provide the special diet.

Chansley lost 20 pounds since being transferred from Arizona to Washington last week, his attorney, Albert Watkins, told the judge. Chansley, who calls himself the 'QAnon Shaman,' considers eating organic food to be part of his 'shamanic belief system and way of life,' the lawyer said.

On Thursday, U.S. District Judge Royce Lamberth said the U.S. Marshals Service told the court

that the District of Columbia Department of Corrections had asked for Chansley to be moved because they couldn't honor the court's order to feed him organic food.

The judge said jail officials in nearby Alexandria could accommodate the special diet.

Chansley was indicted on civil disorder, obstruction, disorderly conduct and other charges for his role in the riot at the Capitol on Jan. 6. He was among a group of hundreds of pro-Trump supporters who charged past outnumbered police officers and stormed the Capitol as Congress was meeting to vote to certify Joe Biden's electoral win.

Chansley told investigators he came to the Capitol 'at the request of the president that all 'patriots' come to D.C. on January 6,' according to court records.

AMERICAN OVERSIGHT

The FBI identified Chansley from images taken during the riot that showed his distinctive tattoos. Chansley was inside the Capitol and on the Senate dais as he carried a U.S. flag on a pole topped with a spear. Authorities said he also wrote a threatening note to then-Vice President Mike Pence.

Arizonan Jacob Chansley, who faces charges related to the violent raid on the U.S. Capitol, was moved to a jail in Virginia this week that could accommodate his diet.

Return to the table of contents

Congressional Dems ask Ducey to explain use of CARES funds

Bob Christie
Arizona Daily Star
February 6, 2021

All five Democratic members of Arizona's U.S. House delegation want Republican Gov. Doug Ducey to explain how his use of nearly $400 million in federal coronavirus relief money met the intent of Congress.

Ducey used more than 20% of the $1.86 billion the state received in federal CARES Act relief to backfill agency budgets, allowing them to return cash to the general fund.

The strategy contributed to a major state budget surplus that the governor now wants to use to cut income taxes by $600 million a year. He also plans to use $134 million in remaining federal cash to boost the state unemployment insurance fund, allowing businesses to avoid a small increase in the rate they pay to the program.

A letter sent by Reps. Raúl Grijalva, Ruben Gallego, Ann Kirkpatrick, Tom O'Halleran and Greg Stanton questions whether funding agency budgets met congressional intent to provide relief to businesses, schools, renters and others when it passed the massive CARES Act last spring.

The letter recognizes that Ducey gave some of the money to local governments and spent some to support COVID-19 testing, rental assistance, schools and other virus-related needs. But it says, 'these programs clearly require additional support to meet Arizonans' enormous need during this crisis,' and it questioned his use of the $397 million when those needs remain.

The letter notes that the Governor's Office didn't publicly disclose its use of the money, even as it has consistently touted expenditures that help the public.

Ducey spokesman C. J. Karamargin said Friday that the money was all used for COVID-related expenses as required by Congress.

Others have joined the House Democrats in questioning how the governor has been using the money.

Jared Walczak, vice president of state projects at the Tax Foundation's Center for State Tax Policy, told the Arizona Capitol Times when it first reported Ducey's diversions in November that Congress required states to uses CARES Act money to replace revenue lost due to the pandemic. Ducey was being particularly aggressive in how he interpreted the rules on its use, he said.

AMERICAN OVERSIGHT

'Most states have avoided what might be interpreted as directly disregarding the guidance, but many have been flexible in the interpretation of that guidance in hopes that ultimately the Treasury will be similarly flexible in the accountability standards,' Walczak said. 'Nonetheless, what's being proposed in Arizona is a very aggressive interpretation.'

Wednesday's letter from the members of Congress mentioned the possibility that the Treasury Department could force Ducey's administration to repay misspent cash.

It asked whether Ducey's office has talked with Treasury's inspector general to ensure the governor was correctly using the money 'and to prevent the severe harm that would come to the state if such money were to be recouped?'

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Student testing to return in April

Lily Altavena
Arizona Daily Star
February 8, 2021

Arizona students will take state standardized tests in April for the first time since 2019, perhaps offering the first statewide picture of how students have progressed — or regressed — academically since the pandemic began.

Students in grades three through eight and grade 10 will take a revamped version of the test, now called the AzM2. The state is working with schools to solve logistical challenges posed by the pandemic to administer the test to every student in-person, even those who have been in virtual class since the spring of 2020.

But the uncertainty that looms over the test and its results is spurring discussions on whether it's fair to assign school letter grades, which are partially based on the results, after what has been a traumatic school year.

A proposal in the Arizona Legislature would suspend the grading system for two school years.

"The pandemic has just shifted so much of educational landscape that it's really going to take some time to make up for the loss there in both teaching and learning," Erin Hart, senior vice president of Expect More Arizona, said. "We're in a crisis situation."

When will students take the state test?

The testing window opens on April 5 and ends in April or May, depending on grade level. While third- through eighth graders and 10th graders take the test, other students in grades do not.

The date a student will take the test, which includes a section for English and a section for math, depends on the school district or charter school.

While some districts have been closed for in-person school all year, the test must be administered to students physically present. The Arizona Department of Education is coordinating with schools to plan the process, according to Morgan Dick, a spokesperson with the agency.

Phoenix Union, which has been closed for in-person school since March 2020, will administer the tests in-person during the district's testing window, Spokesperson Richard Franco wrote in an email.

The Department of Education has provided schools with a list of suggestions to minimize the risk of spreading COVID-19. The suggestions include:

h Preparing baggies of scratch paper and pencils for students beforehand.

h Providing a "clean pen" container for students signing in, and wiping down pens that have been used.

AMERICAN OVERSIGHT

h Providing students with disposable gloves.

h Using larger rooms like gyms or auditoriums for testing.

h Administering the test separately to students who have been in virtual school all year and students who have been in-person, so the groups don't mingle.

h Administering the reading and math test on the same day, with a break in between, to limit days on-campus.

h Changes for Grades 3 through 8

Arizona's contract for the current test is up this year. It will be using a new testing company, Pearson, starting in 2022.

That means in 2022, students will take a different test.

Third- through eighth graders will take a new test, called Arizona's Academic Standards Assessment (AASA). That test will not be drastically different from AzM2 because it will be based on state standards, Audra Ahumada, deputy associate superintendent of assessments at ADE, said.

The difficulty level of the test in 2021 also should be the same as in previous years, Ahumada said. That should help the state get a solid picture of where students stand, even with the missed year.

"Overall, I've heard that it's really important to understand how three through eight is doing, because by the time they're in high school, they're on their way to their next step," she said. "We're most concerned about the three through eight and are they still on track?"

Ahumada added that the department also will survey educators to find out what instruction looked like through the school year, adding context around the test results.

The surveys and test results will help inform policy discussions and help educators target students who need help catching up. Lawmakers and Gov. Doug Ducey are also mulling over ways to send more funding to help the students who need the most intervention, including expanded summer school.

Ducey in his budget proposal pitched a $389 million intervention program, which would direct money to schools with high numbers of low-income students.

High school students are the ones most affected by the recent test shakeup.

In 2018, the state adopted a "menu of assessments" for students in high school grades to take rather than the Az-MERIT test, which included the SAT and the ACT. Schools could choose any of these tests to satisfy a state testing requirement.

But that was a problem for the federal government, which requires states to give the same assessment to high schoolers in at least one grade. The state came up with AzM2 for grade 10, which was supposed to be administered for the first time in 2020.

AMERICAN OVERSIGHT

In 2022, the state will make another, more permanent, switch.

Tenth graders won't take the test, and instead, ninth- and 11th graders will be assessed. Ninth graders will take the ACT Aspire test, which claims to help measure progress to college readiness. Eleventh graders will take the ACT.

When will school letter grades return?

School letter grades aren't likely to make an appearance this year and possibly next year.

House Bill 2402, recently passed out of the House Education Committee, would suspend the letter grades for this school year and the next school year.

The suspension is practical, lawmakers and education advocates say, because the data out of this year and next year will not be uniform, making it difficult to calculate the letter grades. The grades would not give an accurate picture of how well schools are serving students.

Letter grades for younger grades rely mostly on student growth on the state test from year to year. High school letter grades take growth on the test into account, along with a variety of college readiness factors, like the number of students who fill out a federal student aid FAFSA form.

The test shake-up will also make it difficult to accurately assign letter grades, since they depend on growth on the test year over year.

"Sometimes you need a pause to establish baseline-level data to make sure you have a valid and reliable system, and also to calculate growth," Catcher Baden, deputy director of the Arizona State Board of Education, told lawmakers during a recent hearing. "It's really to preserve the integrity of that system."

Under the proposed law, the state would still make data, like test scores, publicly available and easily accessible to parents while the letter grade system is paused. The state already publishes detailed data by school and district on its AZ School Report Cards website.

Hart said she hopes the state will be able to develop a stronger accountability system with the pause, one that helps officials send targeted funding and help to schools that need it. The current system, she said, can hurt schools that don't perform as well.

In Arizona, schools with higher letter grades receive millions in results-based funding every year.

But critics say schools deemed 'failing' in the grading system are disproportionately schools with more students of color and low-income students. They also argue that the test, given over a few days in an 180-day school year, offers a narrow picture of a student's achievement.

"It feels like the accountability system has has become more punitive, or become a way for high performers to get some additional funding," she said. "It might be time for us to take a look at the system overall and make sure it's really pointing towards towards equity."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona seniors giving up on COVID vaccine

Jamie Landers
Arizona Republic
February 8, 2021

Mesa resident Don Reville, 85, has a condition that causes frequent breathing issues. His partner, who is 84, has diabetes. If either were to catch COVID- 19, Reville fears they wouldn't make it.

Although he and his partner are eligible to receive vaccines, they don't have internet, so Reville "hides at home" and waits — waits for "the state to come up with something else, or death — whichever comes firsts," he said.

The state is in Phase 1B of its COVID- 19 vaccination plan, which prioritizes K-12 school staff and child care workers; law enforcement officers, cor-

"I need someone to know how bad ... we feel. I need to know someone out there knows we are here at all."

Even if Revilla had internet, he said neither of them knows how to use a computer. As of late last week, the Arizona Department of Health Services provided no other option to sign up for a vaccine appointment other than online.

"We are feeling absolutely left out and shunted to the point we think the only time we will get any attention is when we get the virus," Reville told The Arizona Republic, his voice cracking. "I need someone to know how bad and how left out we feel. I need to know someone out there knows we are here at all."

Reville added even if he were to get an appointment, he doesn't have adequate transportation to get to a vaccination site in Glendale or Phoenix.

"I can only use a car if my destination is a few miles from house," he said.

While both Uber and Lyft have expressed interest in providing free rides to and from distribution points, neither company has started the process.

Frustrations with vaccine signup are known; state is working on improvements

Seniors across the state have expressed similar frustrations. Some told The Republic they got to the final step of the registration process and were logged out. By the time they logged in again, every appointment was taken. Some don't have loved ones nearby to help. Others tried calling vaccination sites, but couldn't get through. And then there are those, like Reville, who are past frustration and feel like giving up.

Arizona began its first COVID-19 vaccinations for Phase 1A the week of Dec. 14, but the process has moved slowly. As of Friday, roughly 671,513 COVID-19 vaccine doses had been administered in Arizona, leaving only 1.6% of Arizonans fully immunized with two doses of the COVID-19 vaccine.

AMERICAN OVERSIGHT

The state released 21,000 new February appointments at Phoenix Municipal Stadium on Wednesday morning; all were gone within 40 minutes. On Wednesday, the health department said they were aware of the issues and are working to implement website improvements.

"We understand how frustrating our website was," Arizona health director Dr. Cara Christ said. "We have been working on enhancing it and making it better based on customer feedback and our own personal frustrating experience with the website."

'There has to be another way'

Jo Huntington, 80, lives with her husband who has a fatal lung disease, idiopathic pneumonia syndrome.

"He has four to five more years, but only if he doesn't get COVID," she said. "We both have to get vaccinated somehow because if I get it, he gets it. I don't want to be responsible for missing out on those years."

Huntington said she has tried "everything" to get an appointment, from calling friends for tips, rushing to try to get a leftover dose at a vaccination site and also trying local grocery and drug store pharmacies.

"Nothing has worked — but there isn't a day that goes by that we don't try something," Huntington said. "There has to be another way."

Huntington said her husband is very good with computers, but every time he finishes filling out the information and tries to confirm the appointment, it doesn't go through and he has to start the process all over again.

"We aren't too stupid to do this, we do lots of things online," she said.

After a knee replacement surgery last week, Huntington said she also doesn't know how she would get to a vaccination site from her home in Surprise without an "abundance of pain" and hassle. She said states should consider an alternative for older people without cars or people who don't feel comfortable driving long distances.

Maricopa County website runs into issues of its own

When Mike Alexander, 73, failed to schedule an appointment through ADHS five times, he turned to Maricopa County for help, which also has a website with vaccine information, though it does not list a phone number people can call for help.

Alexander tried to email the county and received an automated response.

"Due to the volume of submissions we are not able to respond to individual requests or inquiries," the email said. "Please consult the FAQs for common questions."

Both Alexander and Huntington said Maricopa County's website previously stated people should try to schedule appointments with local drugstores and grocery store pharmacies.

However, after reaching out to both Walgreens and Safeway, Alexander said he was told neither had vaccines to distribute.

AMERICAN OVERSIGHT

Huntington said she tried Albertsons, Fry's and Safeway. No luck.

"It's so scattered," Alexander said. "Everyone seems to have a different set of information about where we can get a vaccine and yet, none of those options were getting us anywhere."

Maricopa County has since changed their website to say "Public Health is actively working with state and local partners

to facilitate agreements that will allow vaccine to be allocated for additional distribution outside of POD operations, such as pharmacies and other providers."

Alexander eventually scheduled an appointment for him and his wife at a site in Prescott Valley, about an hour drive from his Phoenix home. They will finally receive the first dose on Sunday morning.

"It's worth it," he said. "I don't know what else would we do at this point."

Barbara Veltri, 65, is a professor at Northern Arizona University based in Scottsdale. When she tried to get a vaccine appointment Wednesday, she called three times, was put on hold and then disconnected each time.

"I called back three more times and was told by automated messaging that too many people overloaded the system," Veltri said. "That's one hour out of my day trying to get this done while I'm also simultaneously online trying to get it done."

As of last week Arizona's seven-day, new-case average ranked fourth among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker. In addition, the state's average daily COVID- 19 deaths per 100,000 people over the past seven days ranked fourth in the nation as of Thursday, per the CDC. Veltri said she's "lost at to why there isn't more urgency."

"We shouldn't be waiting at all," Veltri said. "This is a public health crisis that needs to be dealt with now. It is clear Arizona was unprepared for this process even though we are going on a year of this pandemic now."

Veltri said the lack of assistance and organization in the appointment process is a direct result of political officials in Arizona "prioritizing almost every other issue" besides helping Arizona obtain herd immunity.

"I mean, they had the Phoenix Waste Management Open even though our numbers are extremely high," she said. "Sure, they want an economic boom, but at what cost? You want students back in the classroom? You want lower transmission rates to get us out of this thing? Vaccinate their teachers. Vaccinate our seniors. It's our only way out."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Bowers key to revising Arizona's jobless pay

Arizona Republic
February 8, 2021

This is for every Arizonan who has been laid off or who worries how they would survive should that dark day arrive: Laser in on the Legislature this week.

A proposal to boost the state's woeful unemployment pay – one that has bipartisan support and an actual chance of passing – was introduced on Thursday in the Arizona House.

Now comes the tough part — getting the bill heard.

As hundreds of thousands of Arizonans can now attest, this state is a bad place to be out of work. We have among the highest hoops to jump through to collect unemployment and one of the lowest payouts, one that hasn't been raised in 17 years.

Only Mississippi offers less.

Every year, Democrats try to fix it and every year nothing changes because Republicans, who control the Capitol, don't see it as a priority. This year, however, things are different.

If there is any blessing at all in COVID- 19, it is that some Republicans have finally come to understand that families cannot live on $240 a week. That people, tossed out of work through no fault of their own, need a realistic safety net to stop their free fall onto the streets.

Rep. David Cook gets it. On Thursday, the Globe Republican introduced House Bill 2805. It is co-sponsored by every Democrat in the House, and oh happy day, even a few conservative Republicans.

The bill proposes to raise the state's maximum weekly unemployment benefit to $300, up from $240. It also would allow people to earn up to $160 a week to supplement their unemployment pay. The current cap is $30. After that, your unemployment check is reduced, dollar for dollar, by whatever amount you make in a side job.

Arizona employers would pick up the tab but it is miniscule when compared with the benefit.

The state's employers now pay among the lowest in unemployment taxes in the nation — an average of $148 a year per covered worker, according to the U.S. Department of Labor. That's well below the national average of $277.

Cook estimates his bill would cost about $15 to $16 per covered employee. That's per year.

That's not only a bargain, it's just common sense both for the state's workers and the state's economy.

If Cook can get his bill to the House floor, he believes he has the votes to pass it.

So now comes the tricky part.

What will House Speaker Rusty Bowers, R-Mesa, do?

AMERICAN OVERSIGHT

He could quietly put the bill in a drawer, never to be seen again. He could assign it to a committee or, worse, two committees stacked with Republicans who break out in hives at the mere mention of a tax increase, no matter how minimal it may be.

Or he could assign it to a single committee where it'll get a fair hearing.

The fate of this bill and, of Arizona's unemployment insurance program, is now in Bowers' hands.

"I'm proud that we got the bill drafted," Cook told me. "It has great bipartisan support and now it's in the leadership's hands of which committee it gets assigned to. I just want a hearing and a fair up and down vote for the people of Arizona."

If there is one thing 2020 taught us, it is that things can change in an instant.

But one thing has remained constant since 2004: our leaders' expectation that people can live on $240 a week.

After the year we've had, is anybody confident that they may not one day have to depend on Arizona's woefully out-of-date unemployment insurance program?

House Bill 2805. Pay attention, Arizona.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

'This is the busiest I've ever seen it': Arizona funeral homes stressed with second wave of COVID-19

Anne Ryman
Arizona Republic
February 8, 2021

When Jeri Whooley's mother, Geraldine Immediato, died in 2014, the family was able to hold a funeral service within two days at Holy Cross Catholic Cemetery and Funeral Home in Avondale.

This year, when her father, Lou, passed away on Jan. 1, she was unable to schedule his burial service for two weeks.

"That's incredible to have to wait that long to start putting everything to rest," she said.

The burial delay comes as large numbers of COVID-19 deaths are putting pressure and stress on Arizona funeral homes. Across the state, beginning in December, COVID-19 deaths have spiked to far higher than summer's peak rates.

As those deaths continue, funeral directors are working long hours, shuffling staff and vehicles to the busiest locations and dealing with staff shortages when employees become sick with COVID-19. Doctors, who are overwhelmed by the pandemic, aren't signing death certificates promptly in some cases, which results in further delays.

AMERICAN OVERSIGHT

The family of 87-year-old Lou Immediato waited two weeks to schedule a burial service at a Catholic cemetery in metro Phoenix.

Several funeral directors in the Phoenix area told The Arizona Republic they are serving 30% to 50% more families than the same time last year.

The Roman Catholic Diocese of Phoenix, which operates Holy Cross, declined to comment out of respect for the family's privacy but acknowledged in a statement that its cemeteries and funeral homes are busy, and "the Catholic burial rite with a funeral Mass can take more time than other options."

"There are many funeral homes that are working crazy hours, 24/7, just being worn out," said Judith Stapley, executive director of the Arizona State Board of Funeral Directors and Embalmers, the state agency that regulates funeral directors and funeral homes.

Judith Stapley, executive director of the Arizona Board of Funeral Directors and Embalmers, said she is fielding calls from funeral homes and crematories, seeking advice on how to properly store bodies awaiting cremation or burial.

In a recent survey by state regulators, 80 percent of Arizona funeral homes and crematories that responded said their coolers were 90 percent or more full of human remains and that they were having "a difficult time," Stapley said. Many have added temporary or permanent refrigeration space.

Stapley said she is fielding calls, seeking advice on how to properly store additional bodies as they await cremation or burial.

No funeral director wants to turn down a family's request for service, she said. But she tells them they must follow state law and funeral board rules that govern properly caring for human remains.

If they cannot do that because of space issues, "you simply have to deny the call," she tells them.

Funeral director: 'This is the busiest I've ever seen it'
Ethan Bueler is a third-generation funeral director. He and his brother, Sam, operate the family-owned Wyman Cremation & Burial Chapel in Mesa.

He is in regular contact with colleagues as president of the Arizona Funeral, Cemetery, and Cremation Association, a nonprofit group that advocates and provides training.

January and February are usually busy months for Arizona funeral homes in a normal year as winter visitors flock to the Southwest. But this year, with the COVID-19 pandemic, "This is the busiest I've ever seen it," Bueler said.

Get the Law & Order newsletter in your inbox.
The latest public-safety news in the Valley.

Delivery: Mon-Fri
jlyon@azleg.gov
Your Email
"Hospitals are calling us and saying, 'Our morgue is full, how soon can you be here?'"

He is averaging 12- to 14-hour days and has worked months without a full day off. Sam Bueler, who is also chairman of the state funeral board, recently told board members that one of his days ended at 3 a.m. He was back in the office at 6:30 a.m.

At one point, two employees came down with COVID-19 and were off work for several days, which put stress on the small business, Ethan Bueler said.

The volume of deaths has exacerbated a long-standing problem that can delay burials: Some doctors aren't signing death certificates within the 72 hours required by law.

Funeral directors need these signatures to get permits from the respective counties in order to cremate a body, bury it or ship it out of state. Without the doctor's signature, they are essentially in a "holding pattern," Bueler said.

"We have one (doctor), it's taken him three weeks to do anything," Bueler said.

His concerns were echoed by other funeral directors at the state funeral board's January meeting. One funeral home owner drove four hours from northwestern Arizona to Phoenix so he could tell the board about his frustrations.

John Hassett, owner of Desert Lawn funeral homes in Bullhead City, Mohave Valley and Parker, said funeral directors are having to wait on the phone and "chase doctors" to sign death certificates.

"Somebody has got to put their foot down," he said. "Who is putting pressure on the medical offices?" he asked.

The funeral board doesn't regulate doctors and can't discipline them; that duty falls to the Arizona Medical Board.

Stapley, the funeral board's executive director, indicated she is willing to talk with the medical board about delays. But she wants to gather statistics first on how many doctors aren't signing death certificates within the required time frame.

Messages left for the medical board's executive director from The Republic were not returned.

Officials with the Arizona Department of Health Services' Bureau of Vital Records told the board they are working to educate doctors about the law and the importance of signing death certificates promptly.

Catholic church: 'All we are doing is funerals' COVID-19 has upended the traditional funeral service around the country.

When the pandemic began, many states restricted large gatherings, which included funerals. Nearly a year later, some states have eased those restrictions, but many families are still forgoing large funerals in favor of smaller services. Those who attend must wear masks and remain socially distant. Hugging is discouraged.

"It's just difficult. We're just all praying for this thing to run its course so we can walk forward," said Mark Musgrove, a spokesman for the National Funeral Directors Association and a funeral director in Eugene, Oregon.

AMERICAN OVERSIGHT

St. Thomas Aquinas Catholic Church, a parish of about 5,000 members in Avondale, usually averages three to four funerals a month.

But during the latest wave of COVID-19, funerals have increased to about 10 a month, said the Rev. John Muir, the pastor. The first wave happened in September over a two- to three-week period, when staff remarked to him, "'Father, all we are doing is funerals.'"

The second wave began two weeks before Christmas and has continued into the new year.

"It's not showing any signs of slowing up," he said.

Rev. Chris Gossen (left) and Rev. John Muir, bless Marilyn Elizabeth Cervigni's cremated remains at St. Thomas Aquinas Catholic Church in Avondale on Feb. 3, 2021. Marilyn's husband Dino Cervigni (far left) prays during her funeral service. Cervigni died from COVID-19.
COVID-19 has changed the funeral ritual. The traditional Catholic funeral is three parts: an evening vigil or wake, followed by a funeral Mass and committal service at graveside. But with COVID-19, people are opting for just a funeral or graveside service, Muir said.

Not as many people are traveling to attend funerals. For families who hold services, funeral homes and churches have restrictions on the numbers allowed inside. The Diocese of Phoenix is limiting capacity to 35% in buildings and requiring physical distancing, he said.

Funerals are a powerful experience, Muir said, and people feel a spiritual isolation when they are unable to gather together.

"Death is hard enough," he said. "When people are isolated and separated, it's a real challenge."

Muir said the parish has started livestreaming more funeral services, which allows people unable to travel to view the service. He pointed to a recent example where 10 people attended in person while dozens more watched over the web from the Philippines.

It's not known yet how many of those deaths were related to COVID-19. But the pandemic has clearly taken a heavy toll as deaths in recent years have increased by just 1% to 4%.

Arizona began recording deaths with increasing speeds in January as COVID-19 cases spiked to record levels. The jump from 9,000 to 10,000 deaths happened in only eight days. The state recorded more than 13,000 known deaths by the end of January.

Messinger Mortuaries, with funeral homes in Scottsdale, Fountain Hills and Payson, has nearly doubled the number of families being served.

"It's still manageable," said Sabrina Messinger-Acevedo, the chief executive officer. "But we're definitely feeling the weight of COVID-19 and the impact it's having on the community."

She estimates one in five deaths is from COVID-19 complications at the Indian School Road location in Scottsdale.

Messinger also operates one of the largest crematories in Arizona and is seeing record cremations.

AMERICAN OVERSIGHT

Messinger had nearly 7,000 cremations in 2020, which was 800 more than the previous year, said Jim Ahearne, chief operating officer. In July, there were a record 753 cremations. That was eclipsed by a record 805 cremations in December.

Service Corporation International, a publicly traded company that operates more than two dozen funeral homes in the Valley under the Dignity Memorial network, has seen a larger demand for services as well.

Dan Salter, general manager of Sunland Memorial Park, Mortuary & Cremation Center in Sun City, which is part of the Dignity network, said the metro Phoenix locations are experiencing 30% to 40% increases in the number of families served compared with the same time last year.

Salter said being part of a larger network is helpful; funeral directors can move vehicles and personnel around to the busiest locations. Staff are working longer hours. But he hasn't had toturn families away like some funeral homes in states such as California.

"We are busier," he said. "We seem to be handling it."

Return to the table of contents

Shootings by police increased in 2020

Emily Wilder and Uriel J. Garcia
Arizona Republic
February 7, 2021

Jan. 29 would have been Ryan Whitaker's 41st birthday. Like Thanksgiving, Christmas and New Year's Eve, it was the first his family celebrated without him.

The family recently settled a civil suit against the city of Phoenix for his death at the hands of police for $3 million. But the family says that does little to dull their pain and won't curb their demands for accountability.

"Hard is not even the word for it," said Steven Whitaker, Ryan's brother. "There's not a day that my mom doesn't cry about it, for sure."

Maricopa County Attorney Allister Adel announced on Jan. 29 that Jeff Cooke, the Phoenix police officer who shot and killed Whitaker, would not face criminal charges in his death.

Cooke shot Whitaker late the night of May 21, 2020, after he answered their knocks on the door of his Ahwatukee Foothills apartment with a gun. Three seconds passed between Whitaker emerging from the doorway and the officer putting two bullets in his back.

Cooke, who was responding to a noise complaint from a neighbor, said that he feared for his life. His partner at the scene, Officer John Ferragamo, said he would have done the same. But Whitaker's family said officers shot him for no reason. And criminal justice advocates said his death was just another example of police recklessly shooting to kill.

AMERICAN OVERSIGHT

Whitaker was killed four days before an Arizona Department of Public Safety trooper fatally shot Dion Johnson on the side of Loop 101, the same day that George Floyd died under the knee of a Minneapolis police officer.

Their deaths were among several high-profile police shootings in 2020 that invigorated a protest movement against police violence in Arizona and across the country.

Despite a year of increased scrutiny on law enforcement and calls for reforming and defunding police, the number of Arizona police shootings in 2020 grew significantly from the year prior.

The Arizona Republic's yearly analysis identified 74 police shootings across the state throughout 2020, including 26 by Phoenix police. These numbers represent increases from 2019, which saw 56 statewide and 15 in Phoenix.

The number of shootings is roughly the same as the statewide average for the 10-year period measured by The Republic. The number still trails 2018, when Arizona police shot people in 118 different incidents, the most the state had seen in a single year since at least 2011. That year, Phoenix police shot 47 people and had the highest rate of any municipal police department in the country.

The Republic also found that in Phoenix, people of color were shot at higher rates than white people and officers most often used deadly force while in majority Black and Hispanic communities in 2020.

Shootings were proportionately less deadly across the board in 2020, with 40 deaths in the state. However, analysis shows both shootings and deaths picked up in the second half of the year — a trend persisting into the beginning of 2021.

Law enforcement leaders maintain that shooting trends are entirely unpredictable, determined by the behavior of the community rather than the actions of the officers.

Community advocates argue these shootings are an urgent issue that only can be remedied by shifts away from violent policing toward policies that hold officers accountable.

Arizona police shot 76 people in 74 separate incidents in 2020, The Republic found. This brought the state's total from 2011 through 2020 to 731 shootings. 2020's total was the fourth-highest since 2011 and a 32% increase from 2019's shootings. The average annual total statewide is about 73 shootings, according to The Republic's analysis.

Most people who were shot were armed, according to the police agencies. However, the definition of "armed" is often up for interpretation and determined by the officer at the scene. Firearms were the majority of the weapons reported, but weapons also included knives, cars, a BB gun, a saw and a metal bar.

Forty people were shot and killed by police across the state in 2020, up from 36 in 2019. In total, police fatally shot 428 people from 2011 through 2020.

Phoenix police accounted for 26 of 2020's police shootings. By comparison, Phoenix police shot 15 people in 2019 after the department's highly publicized 44 shootings in 2018. Last year's 26 shootings are the third-highest total for the department in a decade.

AMERICAN OVERSIGHT

In comparison, cities with similar size populations between 1.3 and 1.7 million had fewer shootings. Dallas had only five police shootings in 2020. San Diego had four. Philadelphia had eight. San Antonio had 19, according to data from each police department.

While 2020 saw a slightly above-average number of total police shootings in Phoenix, it was one of the less deadly years for the city over the past decade. The department had 11 fatal shootings in 2020, while 2018 had 22 deadly shootings and 2019 had 12. The city's 10-year total of fatal shootings is 131.

"The number of incidents was up slightly from the average of 24 over the last decade," Phoenix Police Department spokesperson Sgt. Mercedes Fortune wrote in an email to The Republic. "Of note ... is during the same 5-year evaluation, 2020 experienced the fewest number of fatal officer-involving shooting incidents."

Asked whether the department had an explanation for the increase in police shootings and other trends in 2020, Fortune said no.

Both fatal and nonfatal police shooting rates in Phoenix grew in the second half of the year, with about three-quarters of the department's shootings and killings occurring in and after June.

"Yeah, it was less deadly in the earlier part of the year. But that's not the trajectory they're on right now," said Ben Laughlin, policy director for Poder in Action, a local criminal justice advocacy group that independently tracks police shootings in Phoenix.

It's not clear whether the onset of the COVID-19 pandemic in March, or the end of Arizona's stay-at-home orders in May shortly before protests began, affected police shootings throughout the year.

"It's really hard to gauge those first couple of months of the year because of COVID. None of us have ever existed in those kinds of conditions," Laughlin said. "But what we did see is that there was actually an increase in officer-involved shootings as the protests and such ramped up."

According to The Republic's analysis, Phoenix police shot someone, on average, every 27 days from January through April 2020. The rate increased to once every 16 days from May through August. From September through the end of 2020, there was a Phoenix police shooting every eight days on average. This is the same rate as 2018.

Joe Clure, executive director of the Arizona Police Association, which advocates for officers' interests, said "these shootings are predicated 99% of the time on the actions and the conduct of the other individual involved in the contact."

"I think the responsibility lies largely and almost exclusively with the actions of the suspect," Clure said. "We have no way of knowing nor controlling how people are going to respond in an oftentimes violent, deadly manner toward police officers that prompts a deadly force response."

Phoenix police officers had more than 825,000 contacts with the public in 2020, the minority of which resulted in violence, said department spokesperson Fortune. She added the department recently launched the Center for Continuous Improvement to review "best practices in policing, including recommendations from the National Police Foundation and the US Conference of Mayor's Committee on Police Reform."

AMERICAN OVERSIGHT

In an opinion column Phoenix police Chief Jeri Williams published on AZFamily, she said that these recommendations include "creating a use of force data dashboard, evaluating tactics to ensure we are impartial in our policing, and building up our community policing programs."

Williams also detailed changes the department implemented in 2020, including "focusing on compassionate restraint training," requiring officers to intervene in instances of excessive force by a fellow officer, and expecting officers to provide first aid until paramedics arrive.

Phoenix police shot Black and Native American people at a higher rate than their percentage of the population, the department's data shows. In 2020, 25.9% of the people shot by the department were Black, 7.4% were Native American, 33.3% were Hispanic and 25.9% were white. The ethnicities and races were unknown for the remaining 7.4%.

The proportions of people who were Black or Native were more than triple each group's share of Phoenix's population. Phoenix is 42.6% Hispanic, 42.5% white, 7.1% Black and 2.1% Native, according to U.S. Census estimates from 2019.

The Republic found many Phoenix police shootings were concentrated in lower- to middle-class Census-defined neighborhoods where Hispanic people were the majority, consistent with findings of previous analysis.

In 2020, in one neighborhood near Interstate 17 north of downtown — the 0.35 square miles bordered by the freeway, Indian School Road, Campbell Avenue and 19th Avenue — police shot three people in five months, killing two. All three were Black.

Before 2020, police shot three people in this neighborhood from 2013 to 2018. With six people shot, it now has the highest number of police shootings in any Phoenix neighborhood in the past decade.

According to U.S. census data, of the 6,200 residents of the neighborhood, 91% are people of color, mostly Hispanic people, and 47% of people live below the poverty line, more than double the rate of Maricopa County's 13.8%.

Phoenix police maps show this area was the worst hot spot for crimes against both people and property in 2020.

In June, police fatally shot Donald Ward, a 27-year-old Black man, who police said held a gun to the head of a woman he was dating.

On Nov, 13, police shot and injured 35-year-old Brian Streeter, a Black man police said assaulted a woman and pointed a gun to his own head.

A week later, police shot and killed Ekom Udofia, another Black man and an ex-NFL player who had a history of mental health struggles. He had approached police cruisers with a BB gun as officers yelled, "Don't make me shoot you!"

During the height of the protests in June, the Phoenix City Council approved full funding for a civilian oversight office that would review police shootings and claims of excessive use of force. Phoenix is one of few large cities in the country that does not have such an office.

AMERICAN OVERSIGHT

However, the process was delayed indefinitely when an ordinance to establish the office failed in November. Councilmember Carlos Garcia, who has led the efforts for the Office of Accountability and Transparency, said he hopes to bring the ordinance back in April.

"I really would hope that my colleagues and the public would understand how important this issue is and that we need to do something about it. I don't know how else to get their attention when we've already seen literal partners, daughters, husbands, wives of victims of police violence come forward and tell their stories," Garcia said.

Currently, when a Phoenix police officer shoots someone, the Phoenix Police Department conducts an investigation. Afterward, the department submits its report to the Maricopa County Attorney's Office for prosecutors to determine whether criminal charges should be filed against the officer.

No officer has been charged in connection with any 2020 police shooting. The last officer in the state to have been charged for involvement in an on-duty shooting was ex-Mesa Officer Nathan Chisler in 2019, whose charges were dismissed by a Maricopa County Superior Court judge in December 2020. Before Chisler, only two officers had been charged in connection with a police shooting since 2010; one of those, ex-Phoenix Officer Richard Chrisman, was convicted.

Community advocates said the review process is what shields officers from liability for their actions and is part of the reason shootings continue to happen without intervention.

"When you delay real accountability, the people who need to be held accountable are just going to keep perpetuating the violence that we see in our commu-nities," said Black Lives Matter Phoenix Metro policy minister and public defender Jamaar Williams. Policymakers "have all given police this hall pass to shoot us and kill us in the streets."

The real solution to police shootings are resources and nonviolent responses to the underlying problems communities are facing, advocates agreed.

"These shootings are going to keep happening because we haven't met the needs of the community with the resources that would actually solve problems. We've met them with police officers and guns," said Laughlin with Poder in Action.

"That's why we don't see the police as a solution for safety in our neighborhoods. And that's why we push for these other types of resources that do contribute to the safety of neighborhoods, the strength of neighborhoods."

Local protest organizer Jacob Raiford said he and other activists are directing their organizing energy toward community- based programs.

"A lot of us are working with methods to create community or neighborhoodresponse programs for mental health, for the unsheltered community, for drug-related issues and dispatchers in order to take that responsibility away from the police and place that back on the community," Raiford said.

There have been 13 law enforcement shootings across the state in 2021 as of Saturday.

AMERICAN OVERSIGHT

Four shootings were by Phoenix police. The remaining were by the Chandler police, Avondale police, Glendale police, Payson police, Tucson police, the Maricopa County Sheriff's Office, the Yavapai County Sheriff 's Office and the Pima County Sheriff's Department. All but four were deadly.

In Chandler, officers shot 17-year-old Anthony Cano twice in the back after they alleged he displayed a gun at a police officer the night of Jan. 2. Cano died from his injuries after three weeks in critical condition at the hospital.

Body-worn camera footage from the incident posted on Facebook by the Chandler Police Department shows the officer following Cano in his patrol vehicle after noting that he was riding his bike without a headlight into lanes of traffic. The boy then ditched his bike and fled, and the officer followed on foot. The officer was not identified.

After a brief chase into Gazelle Meadows Park, the video shows Cano drop a handgun and stop to retrieve it.

"Weapon drawn! Get on the ground!" the officer yelled.

He then shot Cano in the back.

Seconds later, the officer fired a second shot into the boy's back while he laid on the ground.

Lorenzo Soria grew up with Cano in the neighborhood where he was shot. He told The Republic that Cano was likely on his way over to his house for a bonfire.

"I take care of Anthony, he's always with me and stuff, he's like a little brother to me," Soria said.

The family's GoFundMe for Cano has raised more than $7,000.

Poder in Action reposted the Go-FundMe on social media and said, "Police initially contacted Anthony because his bicycle had no headlight. Time and time again we see police target our neighborhoods and escalate interactions. We shouldn't have unnecessary contact between police and our community that lead to our death."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Q&A: Arizona Senate contempt vote

Jen Fifield and Andrew Oxford
Arizona Republic
February 7, 2021

The feud between the Arizona Senate and the Maricopa County Board of Supervisors over lawmakers' insistence that the county perform another hand count of 2020 general election results has escalated in the past few weeks.

Now, the Senate might take it even further.

AMERICAN OVERSIGHT

The Senate, controlled by Republicans, has threatened to hold the supervisors, nearly all Republicans, in contempt for not responding to subpoenas asking for copies of all the county's mail-in ballots and access to voting machines.

The Senate wants to perform its own audit.

Some senators have even threatened to arrest the supervisors over the matter, and the body could vote on the the contempt resolution as early as Monday.

If the lawmakers goes ahead with this, it could be a first in Arizona history. No legislator interviewed could remember the Senate ever passing such a resolution.

So, how did we get to this point? What does this actually mean?

It's complicated, and at times convoluted. But here's what we know:

How did this all start?

On Nov. 3 and in the days after the general election, Arizona was in the national spotlight.

Biden's win here was the closest in the nation. Maricopa County, in particular, was a tight margin of victory for Biden. The county also has the most voters in the state.

As former President Donald Trump and some of his supporters began to claim widespread fraud and vote tampering, the county became a target for lawsuits from the GOP and Trump campaign. They brought at least seven election- related lawsuits against the Board of Supervisors. Each was dismissed by the courts, or withdrawn.

Despite those dismissals, and despite reassurances from the supervisors that the county's election was fair and secure, some Republicans in the Arizona Senate began calling for the supervisors to perform another audit of the results.

Had the super visors already audited the election results?

Yes, in two ways.

State law requires counties to do two types of audits after an election: a hand count of ballots and a logic and accuracy test of voting machines.

For the hand count, the county examined ballots from 2% of vote centers, as well as 5,000 early ballots, and found that the county's voting machines counted the ballots with 100% accuracy. Political parties appointed representatives to select which vote centers to audit, and they helped perform the hand count.

The logic and accuracy test also found that machines operated without error.

Prior to certifying the results, the supervisors grilled county elections staff for hours about all of the concerns they had heard regarding the integrity of the election. They also appeared at a Senate Judiciary Hearing to answer lawmakers' questions for six hours.

AMERICAN OVERSIGHT

Supervisor Clint Hickman, board chairman at the time, said that "no matter how you voted, this election was administered with integrity, transparency, and most importantly in accordance with Arizona state laws."

What else does the Senate want? What did the subpoenas ask for?

In part, the Senate wants a more thorough hand count of ballots. And they want to do it themselves — or to choose who will.

In December, Senate Republicans issued two subpoenas to the supervisors that demanded images of every mail-in ballot, access to voting machines and software, and voter information, such as voter addresses, birth dates and party affiliation.

Instead of responding to the subpoenas, the supervisors filed a lawsuit Dec. 18 in Maricopa County Superior Court asking a judge to decide whether they should provide the information.

The county argued, in part, that the subpoenas violate Arizona laws regarding ballot secrecy and access to ballots.

What does state law say? Can the supervisors hand over the ballots?

Two state laws apply, and they are contradictory. That's partly why the supervisors filed the lawsuit — to gain clarity from the court.

First, state law gives the Legislature sweeping authority to issue subpoenas and conduct investigations. The Arizona Attorney General's Office weighed in on this, saying that legislative bodies or committee chairs can issue summonses either to inform future legislation or to "investigate whether a particular governmental entity properly discharged its functions."

But state law also requires that, after results are certified, ballots be kept "in a secure facility managed by the county treasurer, who shall keep it unopened and unaltered for twenty-four months for elections for a federal office."

That portion of the law also states that a court order could unseal the ballots.

Could attorneys for the county and the state work something out?

For a while there, it looked like they might. But this is where things really started to go sideways.

A Jan. 20 hearing on the court case was vacated and the Senate announced the same day that the county had agreed to its demands. But the supervisors responded by saying such an agreement was not made.

A week later, the supervisors voted unanimously to hire two firms to conduct another audit.

That audit is ongoing.

The companies are again examining whether the machines counted votes properly, whether they were hacked or tampered with, and whether the county used proper procedures when leasing its machines from Dominion Voting Systems.

AMERICAN OVERSIGHT

This has not satisfied the Senate, though, because the audit does not include another hand count of ballots (which the county still argues it cannot do since the ballots are locked away per state law).

In response, Senate President Karen Fann, R-Prescott, announced Jan. 29 that it had hired its own firm to do an audit that would include another hand count.

The problem: The Senate doesn't have ballots to audit. And a few days later Fann said the Senate had not actually hired anyone yet.

So, whatever happened to that court case?

In short, it's dead.

The judge eventually ruled that the Senate subpoenas were moot because the last Legislature that had issued them adjourned and a new one convened, according to a county court filing.

On Jan. 15, though, the Senate under the new Legislature issued new subpoenas to the supervisors, the Recorder's Office and the Treasurer.

Those are the subpoenas in question now.

What do those subpoenas ask for?

The Senate's demands in the new subpoenas were similar to the original subpoenas.

The county has provided myriad documents in response, such as publicly available voter information, election log files, ballot reports and the cast vote record.

But county officials still haven't handed over the ballots or the voting machines. And now the Senate is escalating their efforts through the threat of contempt.

What exactly does contempt mean here?

State law says if a witness does not obey a legislative subpoena, the Senate can pass a resolution committing the witness for contempt.

The sergeant at arms can then arrest the witness and bring them before the Senate.

Could super visors end up in jail?

Several lawmakers interviewed by The Arizona Republic said they could not recall the Senate ever approving such a resolution, much less locking up witnesses.

While acknowledging that law gives the Senate the authority to have the board of supervisors arrested, Fann downplayed the idea last week.

AMERICAN OVERSIGHT

She said the chamber might return to court or ask the attorney general to prosecute. Disobeying a legislative subpoena is a class two misdemeanor, after all.

But other legislators appear more than ready to send out a posse.

"Once that passes, the Senate president will instruct the sergeant at arms to go to their offices and arrest them," Rep. Mark Finchem, R-Oro Valley, told former Trump adviser Steve Bannon on Bannon's podcast Feb. 4.

Finchem as a member of the House of Representatives has no power or voice in actions taken by the Senate, it should be noted.

Still, Supervisor Bill Gates said Friday he was taken aback by the Senate's threat.

He also said that it's time for the lawmakers to be clear about where this is headed.

"It's time to stop playing games," he said. "I'm not sure what they are trying to accomplish."

What are super visors doing about the threat of arrest?

They've gotten their attorneys involved.

The supervisors on Friday filed a new lawsuit asking the court to issue an order quashing the January subpoenas, calling them unlawful.

The supervisors' attorneys didn't mince their words.

They said that while the Senate has the power to issue subpoenas, these are "sham" subpoenas.

The new subpoenas gave supervisors less than 24 hours to report to a hearing and bring about 2 million ballots and voting equipment. When Supervisors' Chairman Jack Sellers arrived, albeit without the ballots, he found there was no hearing scheduled and he was asked to leave, according to a county court filing.

The subpoenas were "commanding the presence of a witness at a hearing that does not exist, commanding the production of 2.1 million voted, secret ballots in violation of Arizona statute, and commanding the inspection of certified elections equipment by a team of uncertified laymen who have demonstrated a stunning lack of knowledge about election processes and election security," the attorneys wrote to the court.

So, while the senators have the right to issue subpoenas, the county attorneys say these subpoenas are unlawful and therefore the Senate "cannot demand, upon pain of imprisonment or a misdemeanor conviction, that its subpoenas be obeyed."

The complaint is awaiting action from the court.

Are there enough votes to find contempt?

AMERICAN OVERSIGHT

The Senate is narrowly divided, with Republicans holding a 16-14 majority.

And several Republicans would seem unlikely to support potentially arresting the Board of Supervisors.

But when Fann introduced the contempt resolution, every Republican in the Senate signed on as a co-sponsor and voted to fast-track the resolution for a vote as early as Monday.

That signals — though doesn't guarantee — there are enough votes for it to pass.

This aggressive move perhaps should not come as a surprise. The Republican caucus in the Senate has shifted much further to the right this year after Democrats ousted a relatively moderate GOP lawmaker in Paradise Valley and a conservative defeated another moderate lawmaker in the Republican primary.

Republican lawmakers also have argued that this is not about the last election but about the Legislature's power, describing the county's response as a direct challenge to the Senate's authority.

"We've got a county board that is literally defying your authority," Sen. Sonny Borrelli, R-Lake Havasu City, told the Senate on Thursday.

Gates said it was clear that lawmakers feel the supervisors are disrespecting them.

"We are not disrespecting them," he said. "We are respecting Arizona law. We have turned over everything that we can turn over."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

State Capitol stormed month before DC riot

Richard Ruelas
Arizona Republic
February 7, 2021

When the pizzas arrived and the sliding glass doors opened for the delivery, the group, including the man in the fur hat with horns, saw its chance to rush inside one of the buildings of the Arizona Capitol.

Bypassing security, they would squat in the lobby for hours, chanting, shouting and arguing with security.

The move was a desperate attempt to have Arizona lawmakers decree the November election fraudulent and declare a victory for then-President Donald Trump. In the end, state troopers would force them from the building and make two arrests.

It was Dec. 3, a little more than a month before the storming of the U.S. Capitol.

Before rushing into the House of Representatives, the group stood outside and heard a series of speeches meant to motivate them for days of occupation.

AMERICAN OVERSIGHT

Among the speakers was Jake Angeli, a self-designated shaman who would become one of the faces of the U.S. Capitol raid when he was photographed roaming the Rotunda and U.S. Senate chamber in his signature outfit of a fur hat topped with horns and face paint. Angeli was arrested and ordered held in custody in D.C. pending federal trial on six criminal charges that could get him more than 25 years in prison.

In December, outside Arizona's stone-walled Capitol museum, Angeli told the crowd that what they were about to do was a virtuous act.

"Civil disobedience, ladies and gentlemen, is our duty," he told the crowd, according to a video posted on Facebook. "It has been the most successful way of dealing with tyranny for millennia." Angeli compared the group's pending action to those of Jesus Christ, Ghandi and Martin Luther King Jr.

Daniel McCarthy, a failed U.S. Senate candidate who blamed his own primary loss on election fraud, warned the crowd that time didn't allow for mere speeches and rallies. Urgent action was needed, he said.

"Decide what you are willing to do," McCarthy told the group. "What is it you are willing to do to ensure your children don't live in Communism?"

The daylong "occupation" of the House lobby on Dec. 3, as participants labeled it, earned a smattering of mainstream media attention that mainly focused on the arrests that the Arizona Department of Public Safety reported the next day.

But, for at least one lawmaker, who was in the House building for an orientation meeting, the day's events took on greater significance after Jan. 6.

That day, Trump supporters, goaded on by speeches at a nearby rally, stormed into the U.S. Capitol, sending senators and representatives scurrying into secured areas.

Five people would die as result of that raid, including a Capitol Police officer.

Rep. Andrea Dalessandro, a Democrat representing Santa Cruz County in southern Arizona, recalled walking down the stairs with other incoming lawmakers from the second floor on Dec. 3 and spotting the group huddled on the other side of the lobby. Only later, after the raid at the U.S. Capitol, did she wonder whether the glass doors to the stairs were locked. Or whether the security guards stationed in the lobby were armed.

"I feel lucky that it didn't escalate in Phoenix," she said during an interview in late January. "It could have easily gone bad and someone could have been hurt."

Bryan Masche, one of the people who would be arrested as a result of the occupation of the Arizona House, said there was the possibility the situation could have gone awry had the group seen Dalessandro and others on the staircase that day. Masche said he would have politely approached the group. But, he said, he couldn't guarantee that all would have gone smoothly had he been trailed by the rest of the group in the lobby.

AMERICAN OVERSIGHT

That's why, Masche said, the group asked security to relay offers to House leaders to meet with representatives of the group. "Why not speak to three or four people," he said. "Quiet the whole crowd down."

Those requests, he said, were refused.

Masche said the movement would lose energy the next month.

"The sentiment of everyone was a little bit different than it is now," he said. "People were willing to almost stand up for what they believe in a little more."

Masche said the difference wasn't necessarily a reaction to the insurrection at the Capitol, or even the multiple arrests, including of Angeli. He said it was the fact that President Donald Trump was no longer in office.

Masche said it was only a temporary pause. "I think people are going to recalibrate, rest for a bit, then become politically active again," he said.

Stacy Gentile, a member of the newly formed Patriot Party group, said those who went to the U.S. Capitol in January had the same motivation as those, like him, who sat in the lobby in the Arizona House for hours. They were sure that the November election was rigged and felt they needed to press lawmakers into action.

"It's a fair sentiment to say: Across the country, people were upset," he said. "People generally want free and fair elections, regardless of the outcome. That strikes right at the heart at what it means to be an American."

Gentile said his group has never called for nor condoned violent action. He rejected any notion that his group held extremist views.

"We're not extremists. We're not radicals," he said. "We're just conservatives and we want the Constitution to be followed. … We're calm, levelheaded, pleasant people."

The Arizona Capitol had been the site for all manner of protests in recent months. Protesters demanding the state reopen and rescind orders to shut down businesses to prevent the spread of COVID- 19 held several rallies at the Capitol and the adjoining parklike Wesley Bolin Plaza. Activists decrying police brutality often marched from downtown Phoenix to the Capitol. Organizers held rallies near the Capitol for Save the Children, a movement that has been conflated with the QAnon conspiracy theory.

Following the general election, the Capitol would be the site of several protests related to baseless claims, often promoted by Republican Party leaders and officeholders, that the results of Arizona's election could not be trusted.

Among those leading those election protests was McCarthy, a real estate agent who, along with his wife, founded a company that made an eraser that easily removed cosmetics.

McCarthy declined a request to be interviewed for this story, asking instead to email a written response to questions. He did not send any answers.

AMERICAN OVERSIGHT

McCarthy had earlier claimed he spotted election corruption back in August, when, in his first run for office, he went up in the Republican primary against then-U.S. Sen. Martha McSally, who was seeking to retain that seat.

McCarthy, a candidate with little financial backing or name recognition, lost by a nearly 3-to-1 margin.

But McCarthy was convinced the election results were fraudulent. They didn't match exit polling conducted by the campaign, an adviser told The Republic the day after the election. Those polls showed McCarthy winning 4-to-1. Granted, the adviser said, the exit polls were taken by McCarthy volunteers in McCarthy garb, skewing who might agree to take the poll. Still, even accounting for that, the adviser said, the results didn't make sense.

McCarthy never conceded the election, though he never filed a challenge to it.

After the general election results showed Trump losing Arizona, McCarthy saw the same voter fraud rearing its head.

"It is what happened to us in my primary," McCarthy would tell the crowd at the Arizona Capitol that December day. "This is how they control the entire landscape of politics in this country."

McCarthy told the crowd of about 50, estimated from viewing on video footage, it needed to get familiar with their surroundings. "This is your new office now," he told them, according to video of his speech. "This is now an occupy situation."

Because of restrictions related to the COVID-19 pandemic, the Arizona House of Representatives building was closed. Only those with an appointment would be admitted.

There was no official business going on in the House, other than orientation for new members. For lunch, they would have pizza. And that's when McCarthy's group saw a literal opening into the building.

When security opened the sliding doors on the west end of the building to allow a delivery person to enter, a group of people "ran across the plaza" and entered the lobby before the doors could close, according to Andrew Wilder, a spokesperson for Republican House members.

The sliding doors are meant to be an exit. The designated entrance to the Arizona House leads to a metal detector.

"Their entry was unauthorized," Wilder wrote in an email, "and bypassed the security screening area."

The group made sure at least one person stood in the doorway, triggering the doors to remain open, Wilder said. That allowed others to enter, he wrote.

Security officials told the group to leave, Wilder said, but none complied. The officials then made sure the group remained contained on the west end of the lobby, he wrote.

Eventually, according to video of the incident, some Department of Public Safety troopers assisted with security.

AMERICAN OVERSIGHT

At about 12:20 p.m., Masche, a surgical nurse who had participated with McCarthy at protests of COVID-19-related shutdown orders, urged fellow Patriots to come to the state Capitol, through postings on Facebook and Twitter. "We have Patriots inside the House of Representatives NOW," he wrote on Facebook. "there has been a call for 'Occupying.'" Masche said he was still working, but would show up when he got off work at 2:30 p.m.

About 3 p.m., McCarthy streamed a video on his Facebook page also urging followers to come to the Capitol. He also seemed to urge both that people arrive armed and remain non-violent.

"This is a 2nd Amendment friendly group," he said, while describing the event as a peaceful protest. "We have to show everybody in the country the love Arizona has for its constitution."

On the campaign trail, McCarthy typically carried a handgun in his waistband. He did not answer a question about whether he was armed inside the House lobby that day.

While streaming video, McCarthy turned his phone around to let his fellow occupiers speak to his audience on Facebook.

"Now is the window of opportunity," Angeli said, standing in the back of the crowd, but plainly visible in his face paint and fur-and-horned bonnet. "Now is our time. Do you want to be a hero or a zero? Do you want to be a traitor or a liberator?"

McCarthy turned the camera onto a lawmaker, Rep. Kevin Payne, who stepped into the lobby. McCarthy, while mugging for the camera, asked Payne about whether he would support impeachment proceedings for Gov. Doug Ducey. Payne had his back to McCarthy and ignored those questions.

But Payne loaned his support to one of the group's stated aims: having lawmakers sign onto a document that asked the U.S. Senate to reject Arizona's slate of electors.

"We're going to get this done, hopefully," Payne said, while turned to the camera. "We're doing all we can."

McCarthy would later name three lawmakers who signed the document: Payne, Sen. Warren Petersen and Rep. Walt Blackman. None returned a request for comment from The Republic.

Masche got into a verbal tussle with a Department of Public Safety trooper who asked the group to not use amplified speech inside the lobby, saying it was a violation of posted rules.

Masche, according to a video of the encounter, approached the officer intending to explain how any such law violated both the U.S. and Arizona Constitutions. But, as he prepared to do so, someone with a megaphone hit a siren sound effect. Masche wheeled around and told the person to be silent so he could make his point.

Masche, who did not wear a face covering, was, at times, inches away from the face of the officer, who wore a surgical mask. Masche threatened that he would have the officer's badge should he try to arrest him for using the bullhorn.

"I can stand here with a mic and yell into it as loud as I want in the middle of a public facility," Masche told the officer, "and you can't do anything about it."

AMERICAN OVERSIGHT

About 7 p.m., according to another video, Masche reported that DPS troopers were assembling around a corner and he figured they would try to physically remove the group from the building. By then, the group had dwindled to about two dozen. Angeli cannot be seen in videos taken around this time.

Masche told people in the lobby: “If you don’t want to stay, go.”

McCarthy left the building, saying, on video he livestreamed, that he feared what would happen to him should he be arrested.

DPS troopers formed a line in front of the House building. McCarthy told them that, if needed, he could order those in the lobby to leave. “I can pull them out if it’s that time,” he told the troopers. Then, facing the camera, he told his viewers that his group was running out of options. “The challenge is,” he said, “our backs are against the wall.”

Inside, a DPS trooper read a notice that the group was being asked to leave.

Masche said that he was having a cordial conversation with the man who appeared to be leading the operation. But, at one point, the man gestured to the troopers that it was time to clear the lobby.

Masche said one trooper grabbed his arm and asked him if he was going to leave. Masche said he told the trooper to release his arm and that he would go.

On a video, Masche could be heard profanely complaining that a trooper touched him. “He’s losing his badge,” Masche said.

One woman was handcuffed and arrested. Someone told McCarthy she asked to be arrested. Everyone else walked out.

Masche called the group together at the plaza between the legislative buildings, near where the group had gathered that morning. He called for a muster and head count that Saturday at high noon of groups that purport to be citizen armies. He specifically named three groups and said he had been in touch with some of them.

“I’m calling forth all members of the Proud Boys, the Three Percenters, the Oath Keepers, any other militia groups,” he said.

At that point, McCarthy, who was standing next to him, interrupted and said, “Non-militia groups.”

Masche continued: “Send a final message to the government that you cannot certify a fraudulent election,” he said. “We have had enough of tyranny.”

Masche was arrested as he drove from the Capitol. During a speech a few days later, Masche would describe being pulled over and forcibly removed from his vehicle.

Charges of criminal trespass were terminated, according to a court document. Masche was given a citation for not having a valid driver’s license.

AMERICAN OVERSIGHT

The other person arrested, Josefina Mendoza-Poetzl, was booked on a count of criminal trespass. Her case was pending, though no charges have been filed, according to online records.

Both have been banned from the Arizona House of Representatives, Wilder said.

At the rally that weekend, Dec. 5, Mc-Carthy spoke to supporters who gathered at Wesley Bolin Plaza, the sprawling parklike area adjoining the Capitol. He told the crowd there were "only a few ways now to come to a peaceful resolution."

Among those, he said, were Gov. Ducey and Secretary of State Katie Hobbs resigning or being impeached. McCarthy also announced his candidacy for governor.

"I would never advocate for violence," he said. "There are no plans other than for peaceable protest. But, let me tell you something. You guys and I know what the deal is."

He talked about the possibility of government camps that people would be forced to enter for reeducation. "This is no game," he said.

Masche spoke later in the day, after McCarthy. During his speech, he said that the incident on Dec. 3 drove a wedge between the two men. Masche said that though he and McCarthy discussed together the calling out of the "militia" groups, McCarthy was backing away from it.

"We made that decision together," Masche told the crowd. "Now I'm being told he has to distance himself from that call." Masche also said he was running for governor.

Masche, in a phone interview on Monday, said that what he said next during his speech was not meant to come across as a threat of violence. He was still talking about political options, he said.

Masche, in his speech, said that Ducey needed to be removed from office by legal means, either by resigning or through impeachment. "Or, beyond that, it may come down to Plan B, and every single one of us needs to understand what that Plan B means."

Some in the crowd asked what Plan B was, according to video of Masche's speech. "We know what it means," Masche said. "I don't have to tell you what Plan B means. There are people here that know what Plan B means."

Masche described the DPS clearing the occupiers out of the House lobby as the opening salvo in a war.

"We are at the beginning of a war, literally," Masche said. "And I'm not calling us to charge the Capitol right now, but what I am saying is, depending on what happens, it might come to that. We don't know.

"Be prepared," he said, "because that day is coming for all of us not too far in the distant future.

"It may come to us having to square off with our government."

"I feel lucky that it didn't escalate in Phoenix. It could have easily gone bad and someone could have been hurt." State Rep. Andrea Dalessandro.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Scottsdale schools moving forward from scandals that rocked the district a few years ago

Aydali Campa
Arizona Republic
February 6, 2021

The Scottsdale Unified School District is turning the page on scandals that culminated in 2018 with the forced resignation of former Superintendent Denise Birdwell.

Laura Smith, the district's former chief financial officer during the tumultuous time, signed a plea deal at the close of 2020, pleading guilty to two misdemeanor conflict of interest charges.

The district is in its third and final year of review by the Auditor General, putting in place financial and auditing safeguards to avoid any repeat of the lax financial and procurement practices and conflicts of interest alleged under Birdwell's leadership.

And three new governing board members seated last month replace the last of the elected officials left from that era.

Dan Drake, a parent who was among those raising concerns about the district's procurement process in 2017, said that John Kreikard, the interim superintendent for two years after Birdwell's resignation, went a long way in restoring stability and credibility in the district.

Kreikard, who came out of retirement to temporarily lead the district, paved the way for a permanent superintendent, Scott Menzel, who arrived in the district seven months ago.

"We've got more steps left to complete," said resident Mike Norton. "But the steps that we've taken so far, each of them have been executed well."

Smith resigned as CFO in January 2018 after a district investigation identified conflicts of interest, a concern raised by teachers and residents for months before.

She would become the only district administrator charged by the Arizona Attorney General's Office after it launched an investigation into district finances, bidding practices and conflicts of interest.

Smith faced 12 felony charges for fraud and conflicts of interest stemming from her ownership in a consulting firm that did work for the district.

Smith pleaded guilty to two counts of conflict of interest as part of a plea deal on Dec. 18, leading to a $15 fine and three months of unsupervised probation.

"She just wants to get on with her life and move forward with no negativity whatsoever," said Richard Gaxiola, Smith's attorney.

AMERICAN OVERSIGHT

Gaxiola said the case was a “diversionary tactic” by others above Smith, but that the plea agreement “speaks volumes as to the strengths and merits of the case.”

“But really, the underlying investigation that began was not against Laura Smith,” said Gaxiola. “It was against others involved at higher positions than her. And I'll leave it at that.”

Katie Connor, a spokesperson for the AG's Office, would not confirm or deny that there are or will be investigations into the allegations against Birdwell.

Birdwell resigned in April 2018 after a district investigation concluded with a statement of charges that alleged she received money from an architecture firm she brought in to oversee district construction projects, and failed to disclose that substantial personal interest.

In all, the district had alleged Birdwell violated 16 different "policies, administrative regulations, statutes, rules and contract provisions."

The district, among its claims, said was aware of Smith’s family ties to a consulting group that did work for the district years before the investigations. It also alleged that Louis Hartwell, the chief operating officer Birdwell hired, did not have the degrees required for the job and is the brother of someone with whom she shared a bank account.

Get the Law & Order newsletter in your inbox.
The latest public-safety news in the Valley.

Delivery: Mon-Fri
jlyon@azleg.gov
Your Email
Smith's plea deal did not require that she testify against Birdwell if a case opened against her.

Governing Board President Jann-Michael Greenburg said that he hopes that individuals like Birdwell are “prosecuted accordingly” if the allegations are true and can be proven.

Installing safeguards
Since the AG’s review launched in 2018, the district has revised its procurement processes for acquiring outside goods and services and employees' annual conflict of interest disclosures. The district amended its bidding and purchasing procedures in 2019.

Norton said residents still are waiting for the appointment of a permanent CFO and hiring of an external auditor.

After an unsuccessful push in past years to hire a district auditor, who would be a watchdog on city finances and practices, district officials are in in talks with the City of Scottsdale to conduct its internal audits.

Greenburg said an agreement with the city is meant to be a "stepping stone" for the district eventually to have its own internal auditing team. The board decided against that for now as it faces a budget shortfall in the upcoming school year, he said.

AMERICAN OVERSIGHT

“We think that that helps preserve independence of the internal audit function and also allows us to leverage the skill and experience of the team that the City of Scottsdale has in a way that is mutually beneficial,” Menzel said.

The superintendent also said that he is pleased with the work of acting CFO Shannon Crosier. She is the third person in the role since Smith resigned three years ago. Crosier followed Jeff Gadd after he retired last year.

The district is in the process of determining next steps for appointing someone for the role permanently.

“Obviously a key aspect of the trust and strength of any organization is hiring the right people,” Greenburg said.

And electing the right people, too. Voters in November chose three new leaders to the five-member governing board.

Former teacher Julie Cieniawski and district parents Libby Hart-Wells and Zach Lindsay joined the school board last month, succeeding Allyson Beckham, Sandy Kravetz and Barbara Perleberg, none of whom sought reelection.

New leaders look ahead Menzel is among the district's new leaders. After overseeing three Michigan school districts for 18 years, he was hired as Scottsdale's superintendent last year.

He arrived in July.

Along with working to rebuild trust and implement safeguards, Menzel has faced the difficulties of the COVID-19 pandemic and its impact on schools.

Menzel said that the district is focused on reducing the spread of the virus and turning its attention to making SUSD a top-performing district nationally.

As for continuing to build trust, Menzel said the district will try to earn that through the responsible use of taxpayer resources and successful student outcomes.

“That's an ongoing challenge and effort, and something that we'll be working on every day,” he said.

Menzel started a Let’s Talk platform that parents can use to share their thoughts on a wide range of topics in the district.

Resident Susan Hughes says she likes what she has seen from Menzel.

“I think that he has been trying to reach out to the community and has done an admirable job in the face of everything right now with COVID,” she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

5 Glendale elementary schools could close in response to low enrollment. Many oppose the plan

Joshua Bowling
Arizona Republic
February 6, 2021

Glendale could lose five elementary schools over the next two years as part of a proposal from the Glendale Elementary School District to cut costs as enrollment drops dramatically.

District leaders, who say shutting schools and changing school boundaries is needed to remedy nosediving enrollment, could decide on closures as soon as March.

Opponents say school closures would further crowd already crowded classrooms elsewhere in the district.

The proposal, which was discussed at a Thursday district governing board meeting, would close and repurpose five schools in a multi-phase plan that stretches through 2023. It calls for:

Phase 1, 2021-2022. Close K-8 school Isaac E. Imes Elementary School, off 56th and Grand avenues. Reassign students to Glenn F. Burton Elementary School, Glendale Landmark and Harold W. Smith Elementary School.
Phase 1, 2021-2022. Close K-8 school Melvin E. Sine Elementary School, off 51st and Myrtle avenues. Reassign students to Glenn F. Burton and Horizon.
Phase 2, 2022-2023. Close K-8 school Coyote Ridge Elementary School off 75th Avenue and Bethany Home Road and repurpose the building into a "System of Care Center" offering health screenings, community support and professional development resources. Reassign students to Discovery Elementary School.
Phase 2, 2022-2023. Close K-3 school Desert Garden Elementary School off 71st Avenue and Ocotillo Road and repurpose the building into a preschool facility. Reassign students to Challenger or Don Mensendick and convert those schools from 4-8 to K-8.
Phase 2, 2022-2023. Close the grades 4-8 school Bicentennial North, off 72nd and Missouri avenues. Reassign students to Don Mensendick or Bicentennial South, which would be converted from K-3 to K-8.
Isaac E. Imes Elementary School, built in 1942, could permanently close as part of a Glendale Elementary School District proposal to close five schools in response to declining enrollment.
It also could shift boundaries within the district. The proposal would affect the following schools:

Sunset Vista Elementary School, off 75th and Orangewood avenues, no longer would take students from east of Grand Avenue.
Harold W. Smith and Desert Spirit would take on additional students.
Students from Glendale American, Horizon and Glenn F. Burton would be reassigned based on the new grid.
William C. Jack Elementary School and Don Mensendick Elementary School would become K-8 schools.

The governing board on Thursday unanimously approved a timeline to gather public feedback on the proposal. It will hear from the public at hearings and board meetings on Feb. 11 and Feb. 25.

The board could vote on the plan as soon as March 11 under the approved timeline.

AMERICAN OVERSIGHT

Leaders point to historically low enrollment
District leaders say the controversial changes are necessary because the district was seeing a drastic dip in enrollment, even before the COVID-19 pandemic.

The district's enrollment is lower than it was nearly 20 years ago in the 1995-96 school year, when it had 13 schools and 10,424 students, according to the district. It currently has 10,326 students across 17 schools that stretch from 83rd Avenue and Camelback Road to 43rd and Olive avenues.

District leaders at recent governing board meetings have pointed to a decline in the U.S. birth rate after the recession, metro Phoenix's rising cost of living and the growing number of charter schools in the area as contributing factors in the falling enrollment.

The issue isn't a new one for the elementary school district.

Its governing board in 2010 discussed closing Isaac E. Imes Elementary School, which was built in 1942, in response to the significant drop in enrollment that came in the Great Recession's aftermath.

The district also had to temporarily close two schools, Landmark and Challenger, in 2016 as structural deficiencies posed a safety hazard for students. The district is part of a lawsuit against the state and its School Facilities Board over what plaintiffs say is an unfair system for helping schools in disrepair.

Plans to close this many schools were first discussed in early 2019. The district regularly commissions a demographics company to project enrollment trends for the next several years. The reports found the district's enrollment was on an intense downward slide, said Mike Barragan, assistant superintendent for business and auxiliary services.

"For the last several years ... the administration had communicated this concern to the board and the public," Barragan said. "What the pandemic has done has really accelerated that. Our enrollment is a lot lower than projected."

Every public comment opposed the plan.

At a Thursday governing board meeting, nearly 30 people wrote in to oppose the district's proposal. None wrote in favor of the plan.

The statements came from a variety of people: teachers in the schools that could close; parents whose children go to the schools; and residents who don't have children in the district's schools but said strong schools are vital to healthy communities.

"I am a 19-year Glendale Elementary School District teacher as well as a product of Glendale elementary schools ... I am a true product of the west side," Isaac E. Imes teacher Sharyn Liddicoat wrote into the meeting Thursday. "I see not only my childhood being closed down indefinitely, but my career as well ... I see fear of the unknown casting a shadow over the future of our young children."

Seventeen people sent in the same form letter to the district governing board, asking the elected officials to hold off on making any major decisions until after the pandemic.

AMERICAN OVERSIGHT

"As a community member and lifelong Glendale resident, I believe it is important to wait and see the effect of the pandemic ... the district should not be making enrollment projections during this unprecedented time," the letter says. "The vote to close five schools could create a future crisis of overcrowded schools."

Barragan, the assistant superintendent, said he wants residents and parents to know that the current proposal was first discussed more than a year before the pandemic began.

The pandemic has worsened the school district's enrollment, he said, but the issues with enrollment existed before the pandemic.

Paula Driver's family has its roots in Glendale — her great-grandfather helped build the Landmark school building in the early 1900s and she helped open district preschools in the 1980s, she said. She's still friends with some of her old Glendale elementary classmates.

Driver, a retired GESD teacher, told The Arizona Republic she fears the district's proposal would further crowd classrooms.

She looks at the new housing developments coming to Glendale in the district's boundaries — like the 173 homes slated for the old Glen Lakes Golf Course — and envisions all the children that developments like that could bring to the area.

"The closures are going to mean there's more kids. The classrooms are going to be too big. They're already too big," she said, adding that crowding was already a problem when she retired from the district in 2009.

City Councilmember Jamie Aldama, who used to sit on the Glendale Elementary School District governing board, has been outspoken on social media about the proposed closures.

Aldama has shared several posts on his public Facebook page in the past week urging the board not to go forward with the proposed closures and asking members of the public to email the superintendent and governing board.

"WOW! Close Five Schools?" he posted on Jan. 31. "After the Glendale Community approved in 2018 a $35 Million Dollar Bond to save Glendale Schools. Glendale Elementary School District is proposing to close Five Schools in total."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Big differences between the COVID-19 vaccine rollout in the Phoenix area vs. rural Arizona

Stephanie Innes and Alison Steinbach
Arizona Republic
February 6, 2021

As the state of Arizona is quickly expanding its drive-thru COVID-19 vaccination sites in Maricopa County, some outlying counties are struggling with logistical challenges and an unreliable supply.

AMERICAN OVERSIGHT

Nearly 150,800 vaccines have been administered at the two state-operated sites — State Farm Stadium in Glendale, which opened Jan. 11, and Phoenix Municipal Stadium, which just opened Feb. 1. That's in addition to the 344,149 vaccinations administered at Maricopa County sites.

At the same time, officials in several outlying counties are struggling with a low and inconsistent supply of vaccine. They are having trouble planning ahead.

In Cochise County this week, officials were able to offer just 100 first-dose appointments because of a lower-than-expected allocation.

Some Cochise County residents are driving to the state-operated sites in Phoenix and Glendale, but that option "does insert some real inequities in access," said Alicia Thompson, Cochise County's health and social services director.

Last week Thompson said she felt sick to her stomach when she learned that the county's entire allocation was 1,100 doses. She immediately set aside 1,000 for pre-booked second-dose appointments, which left just 100 first-dose appointments available.

"We just don't have the vaccine and that is why I've been contacting state legislators and other people because it's just very, very erratic," said Dr. Edward Miller, chief medical officer for the Copper Queen Community Hospital in Bisbee, which is in Cochise County. "We get as high as 4,500 doses in one week and then this week we get 1,100, but 1,000 of those are designated as second doses ... So we can do 100 new vaccines this week and that's ridiculous."

Cochise County had administered 13,100 vaccines as of Friday and 1,664 people, about 1.3% of the county population, had been fully vaccinated with two doses. Statewide, about 2% of Arizona's population as of Friday had been fully immunized with the COVID-19 vaccine, state data showed.

Yavapai County also has had problems with supply and planning.

"Early on, we were told if we built this system, they (the Arizona Department of Health Services) would supply us with vaccine to hopefully push out vaccine in rural Arizona, not just in Maricopa and Pima counties," Yavapai County Community Health Services Director Leslie Horton said.

"It takes a lot of work on rural counties to pull together the resources, the staffing, the support, and we've done that. Now we just hope that they'll come through on their part and provide the vaccine that we need to run these."

State Farm Stadium in Glendale, which opened Jan. 11, administered 8,200 COVID-19 vaccine doses on Thursday and the state-run vaccine site at Phoenix Municipal Stadium increased its daily doses on Friday to 2,000, up from the 500 per day it was doing when it opened Feb. 1.

Arizona Department of Health Services officials say they'd like to ramp up to 12,000 doses per day at both sites. Both health department director Dr. Cara Christ and Arizona Gov. Doug Ducey say they have not forgotten about rural and outlying counties.

"We're focused on all of our counties. Maricopa may be getting more attention for the reason that it's the overwhelming majority population of our state. If you look at Maricopa and Pima you are talking about

AMERICAN OVERSIGHT

85% of our state, so of course, we are going to focus our resources on that because that is where the people are," Ducey said Friday during a visit to State Farm Stadium.

State officials say supply is a problem across Arizona, and they are optimistic that the situation will improve. And erratic supply is an issue across the U.S., not just in Arizona, Ducey said.

"What we need is supply. We're going to open up a site in Pima County later in February," Ducey said. "But what's the consistent theme when you talk to anybody here ... we're going to say we need more inventory."

Christ said the state is looking at Coconino and Yuma counties to set up large vaccination sites similar to State Farm Stadium and Phoenix Municipal Stadium. They could possibly be state-run or a state-county hybrid, she said.

A site in Yuma would be welcome news for Phoenix resident Stephanie Parra, who was born and raised in Yuma. Her family still lives there, including her aunt, who is hospitalized and critically ill with COVID-19, and her parents, who have not received a vaccine yet.

"I know there is a great need. There is an entire state we have to worry about. But Yuma has been hit hard. I'm just frustrated. Why do we continue to forget about other parts of the state?" said Parra, a Phoenix Union High School District Board member who is the executive director of a Phoenix nonprofit organization.

"I want answers. They continue to say this (State Farm vaccination site) is a replicable, scalable model. I'd love a 24/7 site in Yuma. There's plenty of space — a lot of wide-open space. Yuma is not being given the attention it deserves. It is literally being devastated."

Yuma County has had the highest rate of COVID-19 infection in Arizona since the pandemic began, at 15,431 cases per 100,000 people as of Friday. The U.S. rate of COVID-19 infection as of Friday was 7,989 cases per 100,000 people.

Some counties say their week-to-week allocations from the state vary widely, making it difficult to plan in advance and schedule appointments because the supply is not consistent or reliable.

Yavapai County had administered more than 30,000 total doses, 90% of its supply, as of Friday, according to state data. It has one of the higher vaccination rates per 100,000 residents among Arizona counties.

But it's been a "turbulent process," Horton, the health director, said.

The county's first allocation from the state in late December was a "sizable" 8,200 doses, Horton said, allowing a quick start to vaccinating health care workers and other phase 1A individuals. But after that, weekly allocations have varied from 3,900 to 12,200 to 5,000 to 2,400, she said, some of which the county was able to bump up after requesting more from AZDHS.

"We've had this very unsteady and ever-changing supply of vaccine each week," she said. "What's tough from my perspective is that instability of supply for planning purposes. To maintain these operations on a rural level, we need to know that we have a consistent supply coming, or at least have some sort of outlook on that supply so that we can plan for it."

AMERICAN OVERSIGHT

Cochise County officials face similar challenges. Cochise County has no problem getting shots into arms, with one of the highest rates of vaccine administration in the state. As of Friday, the county had administered 90% of its total supply. The problem is officials never know how many doses they'll be getting week to week.

"We place our order and then we are supposed to find out ideally on Wednesday afternoon how many of the requested doses the county is getting and then how much each provider or vaccinator is getting," Miller said.

Copper Queen Community Hospital, which is one of the county's vaccine partners, has been requesting 1,500 doses per week and has never received "anywhere near that," Miller said. The hospital system has enough medical assistance, nurses and volunteer nurses to administer the vaccines. The problem is supply, he said.

"We never know how many we're getting and that's really frustrating because we can't plan," said Thompson, the Cochise County health and social services director. "We can't tell our community, 'Well, this many new appointments are going to open up every week.'... It's really been variable. It just goes up and down."

Thompson said Cochise County would like to have a large drive-thru vaccination site at Buena High School in Sierra Vista, the county's largest city. The goal is to do 7,000 doses per week, but the county will need more vaccine supply and vaccinators to make that happen, she said.

She does remain hopeful. While this week was 1,100 doses, next week was initially 3,400, but then on Friday was increased to 5,400.

"Last week I was sick to my stomach, this week I'm doing the yippee skippy dance," Thompson. "We ask them to tell us how many doses they can get out and into arms in seven days and that's how many they ask for."

When Yavapai County got a weekly allocation of more than 12,000 doses, health care partners stood up three large points of dispensing, or POD, sites in Prescott, Prescott Valley and Cottonwood that combined could get out 2,000 doses each day, which Horton said took a lot of work in rural areas.

To maintain the sites and allocations to other providers, the county needed to continue to get at least 10,000 doses a week. But then the weekly allocations dropped — "a shot to the gut."

"That kind of sent us into a panic, because here we had POD sites set up. We had made appointments for folks hoping for around 10 to 12,000 vaccines," she said. “Everything that we need to provide mass vaccination on a local level is in place, but we’re just always waiting to find out for that coming week, what’s our supply going to be and is it going to be enough.”

When supply was low, the POD sites had to close down for a few days and stop scheduling appointments. Horton said it's especially hard to bear given the success at state-run POD sites.

“Those sites plan in advance, they make appointments just like we want to do, and they get a steady supply of vaccine to accommodate those appointments," Horton said.

AMERICAN OVERSIGHT

"That on a local level is a little hard to take because we've had such an unstable supply and yet we've set up, on a local level, these same types of resources without any additional state support at this point in time, just their prompting to say we need to do better on a local level. And so we did. We stepped it up. We did everything that we needed to do to set these things up but that supply has still been very unstable."

Horton says it's an "equity issue." She doesn't think it's fair that state sites appear to get stable allocations and can promise appointments while counties receive widely varying dose amounts each week.

'It's a scramble' to get doses administered, Gila County official says. Gila County health officials also said their weekly doses from the state have fluctuated, posing logistical challenges.

"We've had no two weeks that have been the same. I don't even know that we've had two weeks that have been within 200 (doses) of each other — they've all been completely different," said Josh Beck, deputy director of public health for Gila County.

That makes it hard for the health care partners running vaccine sites to plan their operations.

"Once you get the vaccine, logistically you have to get with your partners, find out how many they can administer, allocate the vaccines to them. ... When you get the vaccine in hand, you have to plan a clinic and get those administered within seven days to meet the governor's executive order," said Michael O'Driscoll, the county health director.

A Dignity Health register nurse fills a syringe with the Pfizer COVID-19 vaccine, at Chandler-Gilbert Community College, a Dignity Health's county POD site, on Feb. 4, 2021.
"We've had a lot of people step up to help us out, but once we get the vaccine in hand, it's a scramble to get those administered."

He said the county has been able to shuffle available doses between providers based on their capacity so that no vaccine has been taken back by the state for not being used.

O'Driscoll said his department has raised the concern with AZDHS and was told the county should get steadier weekly allocations moving forward.

La Paz County, a western Arizona county of about 21,000 residents, mushrooms with winter visitors each year, increasing the population up to five-fold. The already small public health department is facing added hurdles in rolling out a widespread vaccine program to reach year-round residents plus visitors.

"We're limited by two things: by the doses of vaccine, and because we are a small county that's medically underserved, it's hard for us to find vaccinators," said Greg Bachmann, La Paz County Health Department's Emergency Preparedness and Response Coordinator.

The health department is the smallest in the state, he said, with nine full-time staffers and two public health nurses. Juggling the vaccine rollout with ongoing tasks of contact tracing and monitoring individual cases is a "huge challenge." The county is working with fire departments, paramedics and National Guard members to recruit vaccinators.

AMERICAN OVERSIGHT

"We've been living COVID almost 24/7 since March, for almost a year now, so it's been a huge impact on this department," Bachmann said.

Other rural counties, such as Apache County, said they are doing fine with the vaccine rollout and have additional resources they can use if needed.

"Our current allocation has been sufficient for our needs," Apache County Public Health Services District Director Preston Raban wrote in an email.

He said no county doses have been allocated back to AZDHS.

"The state is doing their best to get the allocations to our counties based on our population sizes. None of our vaccine is being 'taken away' and sent down to their large vaccination events," Raban said.

Horton of Yavapai County said it's tough on residents to see the success at state-run sites in Maricopa County while Yavapai County remains low on doses. Managing expectations has been a big issue, she said.

"(Residents) see national news saying that we're getting hundreds of millions of doses of vaccine out, then they see the state news showing the big PODs vaccinating hundreds of thousands, and then on a local level, it just takes a lot of work and a lot of collaboration as well as a steady vaccine supply in order to accomplish what we aim to do," she said.

In Gila County, officials say they're getting doses out quickly but need more. Having available capacity but not enough doses to vaccinate faster means "a lot more calls into the call center and a lot more headaches," Beck said.

The county's health leaders said they're fine with the state focusing on its PODs in Maricopa County.

"Those state-run sites are helping the state meet the guidelines set forth by the CDC and their formula. I think there's a lot of pressure on everybody to get these vaccines out," O'Driscoll said. "The most logical places to have those large events is where the biggest population centers are, where you can just fill up these clinics 24/7 for weeks in advance."

Beck said vaccine efforts are easier at the rural level with fewer people. And, he said, county public health knows Gila County best, so "I think we can do a better job without the state coming in."

State officials say things will improve in regions outside the Phoenix area, which has consumed significant state attention in opening and operating state-run vaccine sites.

"Right now we're focusing on building these mass vaccination sites to get as many Arizonans through as we can," Christ said Monday at a vaccine event.

Ducey this week met virtually with other U.S. governors, along with Pfizer CEO Albert Bourla and with David Hering, who is Pfizer's North American Regional President for Vaccines, to discuss vaccine and distribution among the states. Ducey said he got some "very optimistic and hopeful answers."

AMERICAN OVERSIGHT

The message that Ducey wants manufacturers such as Pfizer and federal leaders to understand is that Arizona's winter population is larger than its year-round population. For that reason, the state should be getting a larger vaccine supply, he said.

"They've been sending us shares pro-rata by population. That sounds like a fair way to do it. The issue Arizona has is our population swells in the wintertime," Ducey said.

A public health nurse prepares a COVID-19 vaccination at Hayden High School in Winkelman, Ariz. on Jan. 21, 2021.

"If you recall the vaccine wasn't available until sometime in late December. Our snowbird population begins to migrate in October and November. Those folks are already here. They haven't been accounted for in the population statistics and we're helping the federal government and the manufacturers understand that."

O'Driscoll of Gila County said the state health department just started reaching out to local health departments to discuss possible regional vaccination sites.

“The next phase that we’re going to be looking at is smaller sites in communities where people who may not have access to a car can walk up, have it closer. We will also be getting it out to more pharmacies, more doctors’ offices, community health centers, so people can also go where they’re comfortable receiving their health care," Christ said.

Christ said the state expects to receive a 16% increase in Moderna doses in the coming week. Rural counties mostly get Moderna doses, as its quantity and storage requirements are less strict than the Pfizer vaccine. The boost in Moderna doses will help rural counties, Christ said.

Ducey, in a letter to Arizona’s congressional delegation this week, said counties are seeing varying levels of success in vaccine distribution.

“Because Arizona is a home rule state, the jurisdiction and responsibility for vaccine administration lies with our 15 counties. Some counties have been doing an exemplary job while others have lagged behind,” Ducey wrote.

The solution to counties lagging in vaccine administration has been to reroute doses not used “efficiently” to more high-performing sites, namely the state-run sites. The state is moving those doses to other locations that can administer them faster. But for some rural counties, that means they’re getting even fewer doses into arms.

The state this week opened an additional 21,000 vaccine appointments at Phoenix Municipal Stadium after doses were redistributed from elsewhere in the state.

The state is still working on a records request from The Republic this week detailing how many doses have been reallocated from which sites and to which other sites.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Ariz. Republicans won't reveal Cheney vote

Rylee Kirk
Arizona Republic
February 6, 2021

Arizona's four House Republicans voted by secret ballot on whether or not Rep. Liz Cheney could keep her leadership role in the party after voting to impeach then-President Donald Trump.

But so far they haven't disclosed how they voted on Cheney's status within the GOP.

A spokesperson for Rep. Paul Gosar said he would not be commenting.

Reps. Andy Biggs and David Schweikert did not respond to The Arizona Republic's requests for comment.

Rep. Debbie Lesko's media contact spoke with The Republic, but then did not answer subsequent calls.

All are members of the conservative House Freedom Caucus, which Biggs leads.

Rep. Liz Cheney, R-Wyo., voted to impeach Donald Trump.

She angered many of her fellow House Republicans with her vote to impeach Trump on a charge of inciting an insurrection that culminated in the Jan. 6 U.S. Capitol rampage by Trump supporters.

House GOP Conference members voted 145 to 61 and she was able to remain in her position, USA TODAY reported.

Nine other House Republicans also voted to impeach Trump.

While Biggs did not disclose his vote to The Republic , he previously called for Cheney's removal as GOP conference chair.

"I don't think she should be the chair of the Republican conference anymore," Biggs said Jan. 13 on Fox News.

"The reality is she's not representing the conference; she's not representing the Republican ideals," he said.

All four representatives from Arizona voted against impeachment and on Thursday all four voted against removing Rep. Marjorie Taylor Greene, R-Ga., from her committee assignments.

Taylor Greene has come under fire for making extreme statements on her social media accounts and for expressing support for various debunked conspiracy theories.

On a party-line vote, the House bounced Taylor Greene from her seats on the House Education and Labor Committee and the Budget Committee.

Biggs, Gosar and Lesko voted to object to the certification of the election results from Arizona and Pennsylvania; Schweikert voted to object to the certification of the results from Pennsylvania.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ethics panel to probe complaint against senator from Flagstaff

Andrew Oxford
Arizona Republic
February 6, 2021

The Arizona Senate's Ethics Committee voted Thursday to investigate a complaint that a state lawmaker created a hostile work environment for an aide, who said he also was forced to resign under duress.

The five-member committee's unanimous vote will cast new scrutiny on Sen. Wendy Rogers, R-Flagstaff, who is known for bombastic right-wing statements and was accused of nightmarish boss behavior just days into her first term.

The committee will investigate and Chairwoman Sine Kerr, R-Buckeye, set another meeting for 2 p.m. next Thursday.

In an ethics complaint filed Jan. 21, former Senate staffer Michael Polloni wrote that Rogers made comments about his religion, weight, appearance, sister's sexual orientation and family's political beliefs.

Polloni's brief time working with Rogers ended the day he returned to the Senate following 10 days of leave to quarantine and recover from a positive COVID- 19 test.

Polloni said Rogers asked him to work during each of those 10 days he was on leave.

"You work for me, if I text you and ask to get something down you get it done," she told him, according to Polloni's complaint. She also questioned whether he was sick, telling him her "bull---- detector is going off."

On returning to work, Polloni raised concerns about the belongings on his desk having been placed in drawers, which led to what Polloni said was Rogers yelling so closely at him that he "could feel her spit on my face."

"We are at war Mikey, do you not understand that?" she said, according to his complaint. "You were not told about what is going to be happening in the coming months."

Polloni said he asked a Senate page to join them in the office but that Rogers slammed the door in the page's face.

Later that day, Polloni said his employment with the Senate was terminated and he was offered the choice of resigning instead. He said he was not given any particular reason for the action.

Rogers denied the allegations in a written response she filed with the Ethics Committee on Monday.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

More Valley Cities Resume Utility Shutoffs

Arizona Republic
February 6, 2021

More than 50,000 Phoenix-area residents and businesses were past due on utility payments at the beginning of this year, according to the 12 largest Valley cities. Now, at least seven of the cities are vowing to cut customers off.

Nearly a year after most cities suspended water disconnections to thwart health concerns during the COVID-19 pandemic, more than $15 million was owed, mostly by residents. The percentage of delinquent accounts by city ranged from 1.5% to 17%, with Buckeye and Peoria maintaining the highest percentages of past-due accounts.

Utilities in most cities include water, sewer and trash services, which usually are self-sustaining and funded directly by customers, not taxes.

Buckeye Water Resources Director Alisha Solano said past-due balances can threaten cities' abilities to maintain the infrastructure used to administer utility services and could potentially prevent future water projects.

Mesa started cutting off water services on past-due accounts in October. Goodyear, Gilbert and Buckeye followed suit this month, while Avondale and Scottsdale plan to do so in February and Chandler expects to start sometime in the first half of 2021.

Phoenix ended disconnections for most residential customers permanent-ly, instead opting to place delinquent accounts on low-flow plans that supply the basic amount of water for cooking and cleaning. The city did not suspend disconnections for commercial accounts.

Peoria, Tempe, Surprise and Glendale have no current plans to start disconnecting customers, according to officials in those cities.

Buckeye and Peoria have highest percentage of delinquent accounts

Peoria reports 16% of its 60,000 customers owed more than $1.7 million as of Dec. 31. The average account owed $177, most of whom are residents, not businesses.

Peoria, like other cities, suspended shutoffs at the start of the pandemic and does not have plans to resume disconnections, although city spokesperson Kristina Perez said most of the delinquent accounts were not related to pandemic hardship.

Perez pointed out that 8,000 accounts, or about 13%, were already delinquent as of April 1, 2020, just more than a week after Arizona's governor issued a stay-at-home order.

The primary reason for Peoria's outstanding balance is customers who move and do not leave a forwarding address, Perez said. The city sends pastdue accounts to a collections agency, which tries to locate the customer, but she said customers "often won't pay even if we find them."

AMERICAN OVERSIGHT

Peoria residents who cannot afford their bill can apply for assistance and potentially receive up to $500 per month, Perez said. Residents also can work with the city to customize a payment plan.

Buckeye also reports utility customers owed $1.7 million. But instead of amongst 9,400 customers as in Peoria, it was owed by 5,600 customers, which is 17% of utility accounts in Buckeye.

City spokesperson Annie DeChance said the average balance on delinquent accounts was $300. Buckeye had 2,368 accounts eligible for shut off as of Jan. 1, meaning they owe more than $50 and are at least 60 days overdue.

Solano, head of water resources, acknowledged a genuine need for assistance among residents but also said Buckeye lacked a "culture of accountability," in which the city's "kinder, gentler" touch was a disincentive for residents to pay. She said the city was slower than others to implement measures to recoup late bills.

DeChance said years of fraught relations between residents and the city water department likely contributed to residents not paying when the city suspended disconnections and associated late fees and penalties in the pandemic.

In 2016, the city faced fierce backlash from residents who complained about suddenly higher water bills, some as high as $1,300. City officials contended most of the bills reflected actual use and cited dilapidated equipment and leaks as the source of the problem.

Solano, whose department oversees billing for all city utilities, said most of the delinquent accounts existed before the pandemic and that the accounts with years-old balances were mostly for sewer and trash services, which the city does not cut off.

Buckeye sent letters at the beginning of the month warning customers of water disconnections. Solano said payments have already begun pouring in, and she's confident the city will reduce the number of delinquent water accounts to pre-pandemic levels.

Only 1% of Buckeye's water accounts were shut off for not paying in December 2019, DeChance said.

But during the pandemic, some Buckeye customers who worried about losing their jobs started saving their money instead of paying water bills, knowing late fees wouldn't incur, Solano said.

Buckeye ordinances allow the city to place liens on the property of residents who don't pay their bill, but Solano said the city has been slow to do so in the past. She said the city isn't going to deploy such drastic measures during the pandemic but that her department is working to hold residents more accountable and recoup the money.

Solano said the city also hired a consumer advocate who reaches out to customers who might be experiencing irregularities to help them in advance.

The city offers utility assistance to residents based on income. Residents who need help paying utility bills should email assistance@buckeyeaz.gov.

AMERICAN OVERSIGHT

Customers also can work with the water department to get on a payment plan to avoid disconnection, DeChance said.

Delinquent accounts by city

Other Valley cities don't see as high a percentage of past-due utility accounts as in Peoria and Buckeye.

Here's a look at the percentage of delinquent utility accounts as of Dec. 31 around the Valley:

h Avondale: 2.5%. h Chandler: 3%.

h Gilbert: 1.5%. h Glendale: 3.9%. h Goodyear: 9.8%. h Mesa: 2.5%. h Phoenix: 2.9%. h Scottsdale: 4.2%. h Surprise: 6.3%. h Tempe: 5.5%.

How many accounts have cities cut off?

Avondale, Chandler, Gilbert, Goodyear, Mesa and Scottsdale have resumed disconnections or plan to within the first half of this year.

The most recent available data show 2,435 Valley customers had their water cut off as of Dec. 31 since disconnections resumed in each of the cities, with Mesa making up the majority of disconnections. Most of those disconnected have since been reconnected, according to city officials, but they could not provide information on how many were reconnected thanks to financial assistance or personal payment.

According to city officials:

h Avondale disconnected 20 customers in October and November and will resume additional disconnections in February; 12 of the 20 have been reconnected.

h Chandler has no disconnected customers but will resume disconnections in the first half of 2021.

h Gilbert resumed disconnections Jan. 5, cutting off 160 residential customers and five commercial customers. Customers are considered past due when $25 or more is owed 21 days after the billing date.

h Goodyear resumed disconnections Jan. 3 and cut off 97 accounts; 80 have since been reconnected.

h Mesa resumed disconnections in October and has since cut off 1,575 customers. City spokesperson Kevin Christopher said most have since been reconnected but did not specify how many.

h Phoenix disconnected 578 accounts from October through December, 516 of which were non-residential, 62 of which were multifamily accounts. Multifamily accounts occur when one individual pays for multiple dwelling units.

h Scottsdale will resume disconnections in February.

Glendale, Surprise and Tempe officials say their cities have not resumed disconnections and do not have plans for when they might resume.

AMERICAN OVERSIGHT

Buckeye, Peoria and other Phoenixarea cities have used local funds and federal coronavirus relief funds to assist residents impacted by the pandemic.

Peoria put $3.2 million of its federal coronavirus relief funding and $500,000 of city funds in the fiscal year 2021 to its Community Action Program, which helps residents in part with housing and utility assistance.

The Buckeye City Council in December approved $500,000 to help residents in need of utility assistance. The program, which has income limits and other qualifications for approval, provides customers with up to $500 to put toward late bills.

Here's a look at how many customers have been helped via such aid:

h Avondale: 3,192 accounts.

h Buckeye: 95 accounts.

h Chandler: 667 accounts.

h Glendale: 1,670 accounts, including electric bill assistance.

h Goodyear: 23 accounts, 12 still processing.

h Mesa: 8,816 accounts.

h Peoria: 3,331 accounts.

h Scottsdale: 37 accounts, 98 still processing.

h Surprise: 81 accounts.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

State tax credits proposed for affordable housing projects

Ralph Chapoco
Arizona Republic
February 6, 2021

State legislators have introduced bills to spur the development of affordable housing units in Arizona, offering a tool that could ease the growing burden of housing costs for residents.

Rep. Regina Cobb along with Sen. David Gowan, R-Sierra Vista, introduced legislation offering state tax credits to incentivize the construction of affordable housing units.

The two bills, HR 2562 and SB 1327, propose additional tax credits of at least 50% of the cost of development in addition to the federal tax credit for approved projects. They have garnered support of various groups, from housing proponents and developers, to those representing the interests of multifamily housing industry.

AMERICAN OVERSIGHT

“Of all the years that we need affordable housing, this is probably the year to get this moving,” Cobb, a Kingman Republican, said. “With the pandemic, with the eviction notices, and people out of jobs, and just trying to get people back into homes, that is probably the biggest thing.”

Market forces a decade in the making have led to rising rents and home values, putting many people in an increasingly perilous position.

Arizona experienced steady population growth for at least the better part of two decades. There were an estimated 5.1 million residents based on the 2000 Census.

That figure increased to almost 6.4 million according to the 2010 Census, and more than 7.2 million people during 2019.

As population grew, the number of affordable housing units didn’t keep pace.

According to the Maricopa County Regional Multiple Listing Service, the median home sales price at the end of fourth quarter 2011 was $117,000. By the end of 2016, that figure increased to more $200,000. By the end of 2020, it was $333,000.

In 2010 the median rent for Phoenix was $987, and a decade later it is $1,188, according to the Department of Numbers website. As a result, households are allocating a greater percentage of their income to housing. According to data obtained from the Eviction Lab, the typical family spent about 26% of their gross income for housing in 2000. That figure increased to slightly more than 30% by 2016. It is a percentage that is unsustainable for many residents, and that is what the affordable housing tax credit is meant to address.

The credit is designed to entice developers to construct housing targeted toward those least able to absorb the cost increases by capping the rent they are charged.

Sally Schwenn, Arizona Market president at affordable housing developer Gorman & Co., described the lowincome tax credit in a publication.

Under the program, the government allocates a certain amount of money annually to be used as a credit for a specific project. Developers then bid on the credits by proposing projects. They can then sell those credits to investors in exchange for capital. The investors can then use those credits to reduce their tax liabilities.

In some sense, the tax credit becomes the signature reason that affordable housing units are built.

“If you think of it in terms of a real estate industry that is geared toward maximizing their profits, there is just not as much incentive to build properties that might bring even just a slightly lower return,” said Corianne Scally, a principal research associate at the Urban Institute. “If you are trying to maximize profits, that is going to drive your business decisions.”

The tax credits serve as the mechanism that could entice investors to provide capital to a project despite the lower return on investment.

AMERICAN OVERSIGHT

The bills introduced would provide a state credit in addition to the federal tax credits the approved projects were allocated, further reducing investors' tax liabilities.

To qualify, developers must provide documentation to the Arizona Department of Housing that their project received approval for the federal tax credit.

It stipulates that if the credit exceeds an investor's tax liability for the year, then the remaining amount can be rolled over to the following year but not more than five years. The total amount of the credit is $8 million annually.

"Both of those things were negotiated," Cobb said of the benefit and the monetary allocation. "That is part of the reason, for a couple of years, the bills were not moving anywhere."

Passage was delayed as stakeholders negotiated the size and scope of the benefit, each hoping to influence the magnitude of the potential credit, along with the total cost of the program.

Negotiations concerning costs and the size of the benefit, along with the coronavirus pandemic, delayed progress on the two bills.

Should the bills pass, Arizona would join Colorado and several other states that offer tax credits to help address affordable housing shortages.

Some housing stakeholders are supporting the measure wholeheartedly.

"We have worked to create an Arizona Low Income Housing Tax Credit consistently since 2017 and we support this bill wholeheartedly," said Courtney LeVinus, president and chief executive officer of the Arizona Multihousing Association. "Arizona needs a private sector solution to our challenges with affordable housing that leverages public funding."

"Yes, I love it," said Joan Serviss of the Arizona

Housing Coalition, an advocacy group for housing stability. "We have a few legislative priorities, and this is our top legislative priority."

She referenced a report from Elliott D. Pollack & Co. assessing the economic impact when a similar bill was proposed in the 2020 legislative session. The report estimates it would incentivize the construction of 1,030 affordable housing units annually. Should the program continue for six years, it would be responsible for building more than 6,100 units.

That aligns with Cobb's estimate.

The report also claims it would boost the Arizona economy, contributing about $345.6 million in economic output through construction related activities each year and $137.8 million annually in operations.

The proposals were scheduled for review in both the House and Senate Appropriations committees.

Despite support from industry and housing advocacy groups, passage is not a foregone conclusion.

AMERICAN OVERSIGHT

“Some people believe in tax credits and some don’t,” Cobb said. “Some asked, ‘These are private individuals, why are we giving them a tax credit?’” Serviss is optimistic, however.

“If we can get this passed and nothing else, I am going to say that it was a success,” she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

President Biden, VP Harris to virtually tour State Farm Stadium vaccine site

Arizona Republic
February 8, 2021

President Joe Biden and Vice President Kamala Harris will virtually tour the state-run COVID-19 vaccination site at State Farm Stadium on Monday, the White House announced Sunday evening.

The two will tour the site at 12:30 p.m. Arizona time.

The vaccination site in Glendale administered its 100,000 COVID-19 dose on Jan. 30, less than three weeks after opening, with nearly one in six vaccinations in the state occurring in the stadium's parking lot.

"We're proud to have reached this milestone so quickly, but there is much more work to be done," Dr. Cara Christ, director of the Arizona Department of Health Services, said in a press release announcing the milestone.

"Our only limitation is the amount of vaccine we have been allocated. As we get more doses into Arizona, we can replicate this nationally recognized model in even more places around the state."

Health officials at State Farm Stadium on Feb. 1 began administering second doses to those vaccinated in January, according to the release, while administering just as many first doses.

Once at full capacity, the site will administer 10,000 to 12,000 doses each day.

All appointments at State Farm Stadium, and a second state-run site that opened Feb. 1 at Phoenix Municipal Stadium, are booked through February but appointments have been reserved for those vaccinated at state-run sites to receive second doses.

More appointments will be added as the state receives more vaccines.

Those in the Phase 1A and prioritized Phase 1B groups are receiving vaccinations at State Farm Stadium.

This includes frontline health care workers; emergency services workers; residents and staff at long-term care facilities; protective services workers; K-12, university, and community college educators; childcare workers; and adults 65 and older.

The state-run sites recently lowered the age of eligibility from 75 to 65, opening up opportunities for more than 750,000 Arizonans, the state health department confirmed.

Gov. Doug Ducey and Christ requested an emergency infusion of 300,000 COVID-19 vaccine doses and an increase of 300,000 doses weekly from the state's federal allotment, a request Ducey says was denied.

AMERICAN OVERSIGHT

Arizona's GOP Congress members and Rep. Greg Stanton, a Democrat, in response sent letters requesting more vaccines.

Ducey said the sites at State Farm Stadium and Phoenix Municipal Stadium are both operating below capacity due to the allocation of vaccines from federal partners.

Vaccine doses are the single biggest limiting factor to opening more appointments and creating new mass vaccination sites, according to Ducey, who said the state is looking to open several mass vaccination sites across Arizona along with smaller sites to target hard to reach populations.

State Farm Stadium is currently Arizona's only 24/7 vaccination site.

A $1 million grant from the Ben and Catherine Ivy Foundation helped make the stadium site possible, according to a press release. The Cardinals, Blue Cross Blue Shield of Arizona, Arizona State University and the Arizona Department of Emergency and Military Affairs aided in the effort to open and operate the stadium vaccine site.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Kyrene School District making home visits to keep students connected

Griselda Zetino
Arizona Republic
February 8, 2021

The Kyrene School District wants to make sure no student falls through the cracks, so the district is sending staff members to check on students at their homes if they haven't logged in virtually for classes in a while.

"When we get reports that a student has been excessively absent, we want to know why," Damian Nichols, the district's emergency management officer, told KTAR News 92.3 FM.

School counselors and security staff are among those from the district conducting the home visits. They've been doing this since the start of the school year.

But Nichols said the last few weeks have been "very busy." It's mainly because students went back to online learning in November and haven't returned to in-person classes.

District staff have conducted 90 home visits in the last two weeks.

"If we can set up an appointment ahead of time, that's always preferable," Nichols said. "We'll go out to the home and simply chat with the family and try to figure out exactly what the roadblock is. Why the students haven't been online."

The issues that arise from the visits range from students not having the right technology to not having the proper supervision. Some visits are also related to students facing mental health issues or needing access to meals.

AMERICAN OVERSIGHT

Nichols recalls for one of the recent home visits a few weeks ago, a student simply could not get up on time for class. The student was provided an alarm clock and has been up on time for class since then.

He added it's hard to know how students are doing right now since the district is fully virtual and school staff don't have a direct connection with the students and their families.

"That's why these home visits are important," Nichols said. "It's just a quick check-in to see what we can do for the family in order to ensure that their students can continue learning until we can get them back here in school."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Evidence has yet to prove vaccines stop the spread of COVID-19

Ali Vetnar
Arizona Republic
February 8, 2021

Most vaccines do not fully protect against infection. As a result, vaccinated people can unknowingly carry and spread germs.

Following the record-breaking speed of both the Pfizer and Moderna COVID-19 vaccine trials, there has yet to be any evidence that shows the vaccines can completely stop people from being infected.

"What we're trying to research right now is to see how much immunity and antibodies do these vaccines actually produce and how long does it last and whether or not that's enough to stop the spread," Dr. Shad Marvasti, associate professor and director at the University of Arizona College of Medicine in Phoenix, told KTAR News 92.3 FM on Thursday.

The evidence has led health professionals to believe people who have been vaccinated could still potentially get the virus and spread it. Marvasti said germs can hide out in the nose or the back of the throat and can infect others via sneezing, coughing, kissing or sharing utensils.

"So, you would never actually get sick as a vaccinated person, but you could technically give it to other people and technically be infected again without any symptoms," Marvasti said.

Those technicalities are brought to question because the strength and longevity of the antibodies within the Pfizer and Moderna vaccines are still unknown.

Recent news from AstraZeneca reported their vaccine shot may not only protect against the disease but also help prevent the spread of COVID-19. The study, however, has yet to be peer-reviewed.

Although there are questions that remain unanswered, it is known the vaccines decrease the risk of serious hospitalization and death from serve illness with COVID-19 related infections.

While studies continue regarding the efficacy of the vaccine's impact on transmission, public health officials have reiterated the importance of both masks and social distancing.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Teachers say kids are learning remotely, despite claims from critics

Gabriel Gamino
Arizona Republic
February 8, 2021

Two Valley teachers claim students are in fact learning through remote teaching, despite claims otherwise.

Tempe-based teacher Beth Lewis told KTAR News 92.3 FM's Think Tank her students have been able to overcome most of the challenges that come with distance learning.

"My students didn't know how to multiply, divide or recognize a fraction at the beginning of this year and they are knocking it out of the park," she claimed, adding other teachers have also seen growth.

While Scottsdale teacher and Arizona Sen. Christine Marsh agrees learning is happening, she acknowledged it's not at the same rate as before.

"Are they learning at the same academic level that they were pre-pandemic? Probably mostly not, but I'm sure some are," Marsh said.

Marsh explained the level of learning is impacted by the higher level of emotional turmoil that kids face amid uncertainty produced from the pandemic. She mentioned seeing that in her own children who now face higher levels of anxiety.

Marsh also takes issue with the claims students are falling behind because of remote learning.

"When people talk about falling behind, or that type of rhetoric, it's super annoying to me because falling behind what, some artificial test?" Marsh said, adding kids around the world are facing the same issues.

Both teachers agree students are working hard to keep learning.

Lewis said students today are learning life skills like perseverance, cooperation and unity as society comes together to fight the pandemic.

Skills, Lewis claims, students remember for the rest of their lives.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

COVID-19 pandemic exposed social inequities, Mayo specialists say

Samantha Molina
KTAR News
February 8, 2021

PHOENIX – From the importance of personal protective equipment to dealing with the harsh isolation of quarantined patients, the medical community learned countless lessons during the first year of COVID-19, a pandemic unprecedented in modern times.

"Limiting it to one (lesson), it is how profound it is that social inequity kills people," said Dr. Andrew Badley, infectious diseases specialist and head of the COVID-19 Research Task Force at Mayo Clinic in Rochester, Minnesota.

On Thursday, Badley was joined virtually by a panel of Mayo specialists in Arizona, Florida and other states to reflect on the first year of the COVID-19 pandemic and the medical community and their hospitals' response, sharing lessons they learned along the way.

Badley said disadvantaged populations are at risk because they work jobs deemed essential, which increases their potential for exposure to the coronavirus that causes COVID-19, and have less access to health care resources.

In Arizona, Mayo Clinic hospital medical director Dr. Alyssa Chapital said people who need care for ailments and conditions other than COVID-19 are not seeking treatment.

"Patients requiring hospitalization and, to some extent ICU, are dropping down," the Phoenix-based physician said. "What we are seeing right now is delayed care that we have to address. We have a backlog of surgical procedures, and we are going to have to meet the need of that in hospitals, as well as the acute-care needs that will come along."

The Arizona Department of Health Services reports more than 13,000 Arizonans have died since the first case was reported in the state in January 2020.

"I am hopeful for the future because we have learned lessons this past year," Chapital said. "We learned how to care for patients safely with infectious diseases along with the other folks who need to come and get other care."

Another challenge during the pandemic has been dealing with isolation and patients not being able to see family members, especially when a loved one is admitted to the hospital because of COVID-19.

To tackle this, hospitals used telehealth services and video calling to support patients and their families during their stays.

"The number of patients who passed away without their families there, I can assure you that they did not pass away alone," said Pam White, chief nursing officer of Mayo Clinic Health System in Wisconsin.

Badley, commenting on the current state of the pandemic in the U.S., recounted his experiences during the HIV/AIDS epidemic.

AMERICAN OVERSIGHT

"I grew up in an age of HIV, and to identify the virus and understand it's molecular biology, test agents and test drugs, took decades," he said. "The same process has occurred in less than a year for COVID."

Fast, effective care always is the aim of medicine, but doctors said the response to COVID-19 has been unlike any other.

"What the staff did to maintain the resiliency and willingness to be flexible and learn is just something I've never seen before," White said.

Badley added, "People who are into health care do so because they want to help people, and we saw this remarkably through COVID."

Return to the table of contents

Arizona nonprofit receives grants to help veterans with COVID hardships

KTAR News
February 7, 2021

The Arizona Coalition for Military Families announced Thursday it has received multiple grants from the Bob Woodruff Foundation to further support Arizona's service members, veterans and their families amid the COVID-19 pandemic.

The grants will go toward the organization's "Be Connected" program, which offers free concierge-style assistance to help veterans find solutions for their specific needs through a support line and resource-matching website.

Launched with the support of the late U.S. Sen. John McCain of Arizona, the program helps veterans with tasks like navigating the VA healthcare system, find housing and advance their careers, among other needs.

"The immediate and long-term impacts of COVID-19 on our veterans and their families is wide-ranging—including mental health challenges, economic concerns and the anxiety that comes from financial uncertainty," Thomas Winkel, veteran and founder of the Arizona Coalition for Military Families, said in a press release.

"With this generous support from the Bob Woodruff Foundation, we are able to offer additional support for the most pressing needs for our Arizona families during COVID-19, including housing, employment, transportation, access to basic needs like water and firewood and financial support."

The program will also use the grant to further expand offerings concentrated in northern Arizona, according to the release.

This includes offering no-cost transportation services to deliver essential items; provide water to the Hopi and Navajo reservations; aid with mortgage and rent assistance, car repairs and utility assistance; and identify additional resources to address food security.

AMERICAN OVERSIGHT

The grants to the Arizona Coalition for Military Families are part of a $1.6 million investment to organizations across the country dedicated to helping veterans by the Bob Woodruff Foundation, which was started in 2006 after reporter Bob Woodruff was hit by a roadside bomb covering the war in Iraq.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

City Attorney to investigate alleged Phoenix police challenge coin

KTAR News
February 7, 2021

The Phoenix City Manager has instructed the City Attorney to launch an outside investigation into claims of a challenge coin with inappropriate messaging and imagery being circulated among Phoenix police officers.

First reported by ABC 15, the coins show a man being shot in the groin on the front and have the date of an August 2017 protest on the back.

Police Chief Jeri Williams in a statement said the department would take disciplinary action against officers involved in illegal or unethical behavior.

"This is unacceptable and not in line with the behavior expected of my officers," Williams said. "I not only expect more but demand more from my officers.

"Hate speech in any form is unacceptable and even more so from officers who we rightfully hold to the highest standards of excellence. It will not be tolerated. We will take disciplinary action against officers involved in any illegal or unethical behavior."

City Manager Ed Zuercher echoed Williams.

"We must have an independent look at these disturbing allegations so we can take appropriate action," Zuercher said.

The protest formed following a visit from then-President Donald Trump and a rally at the Phoenix Convention Center.

Police said people started throwing rocks and bottles at officers. Law enforcement responded with pepper balls, pepper spray and tear gas to disperse the crowd.

Williams said at the time that tens of thousands of people were outside protesting in the downtown Phoenix area.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

UArizona among top 20 in public university research spending

Torrence Dunham
KTAR News
February 7, 2021

The University of Arizona spent more than $734 million in total research activity in fiscal year 2019, placing the school No. 19 among all public research institutions in the nation, according to data released last month.

Determined by the National Science Foundation's Higher Education Research and Development survey of more than 920 colleges and universities, the university's expenditures mark an increase of over $47 million from the previous year and a one-spot increase in the rankings.

Arizona State University, meanwhile, wasn't far behind, ranking No. 26 among public universities with $639 million. Northern Arizona spent $58 million, good for No. 139 among public universities.

Among both public and private universities, the University of Arizona comes in at the No. 34 spot.

"The University of Arizona's research enterprise continues to make innovative breakthroughs on a global scale," University of Arizona President Robert C. Robbins said in a press release.

"From the incredible OSIRIS-REx mission to our lifesaving medical research – including two novel tests for COVID-19 – University of Arizona researchers have far-reaching vision and tackle the most pressing of our current challenges. I am incredibly proud to see their innovation reflected in these rankings."

The survey found the University of Arizona continues to be one of the best schools in the country for astronomy and astrophysics research, as the university retained the top spot with expenditures of more than $113 million. The school also ranked No. 4 in physical sciences and No. 6 in NASA-funded activity.

The University of Michigan spent the most on research expenditures among public universities at $1.6 billion, while John Hopkins University took the top spot overall with nearly $3 billion.

Return to the table of contents

Mesa launches COVID-19 rent and utility assistance program

KTAR News
February 7, 2021

The City of Mesa is accepting applications for an emergency rental and utility assistance program to help those impacted by the coronavirus pandemic, according to a press release.

Residents of Mesa who went through a significant life-changing event such as loss of a job, reduced hours and medical expenses qualify for assistance if their household monthly gross income is at or below 80% of the median depending on the number of people in the house.

AMERICAN OVERSIGHT

Priority is given to applicants who have any household member unemployed for the last 90 days or longer due to the pandemic or the total household income is at or below 50% of the area median income.

Those eligible can apply online.

"Many people in Mesa are still facing serious financial challenges nearly a year after the pandemic began," Mesa Mayor John Giles said in the release.

"The rent and utility assistance provided through this program will offer much-needed relief to renters and homeowners most at risk."

Applicants to the program must have documentation including a photo ID, proof of income for all household members for the last 60 days and a current lease agreement and utility bill, according to the release.

Residents who need assistance can visit the Mesa Community Action Network on 635 N. Broadway Road, Monday through Friday between 8 a.m. and 5 p.m., call (480) 644-5440 or email ERAPinfo@mesaaz.gov.

The program is funded through the U.S. Consolidated Appropriations Act of 2021 and is aimed to prevent eviction and homelessness.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona GOP Congress members request more COVID vaccines for state

KTAR News
February 7, 2021

Arizona's four Republican members of Congress sent a letter Friday to the Federal Emergency Management Agency asking for more coronavirus vaccines after a request by Gov. Doug Ducey and Arizona's top health official was denied.

The letter – signed by Debbie Lesko, Paul Gosar, Andy Biggs and David Schweikert – supports the request made by Ducey and Arizona Department of Health Services Director Dr. Cara Christ for an emergency infusion of 300,000 COVID-19 vaccine doses and an increase of 300,000 doses weekly from the state's federal allotment.

The lawmakers in the letter said Arizona is home to a disproportionately large at-risk population, and health care facilities are ready to meet the demand but cannot access the vaccine needed.

Nearly 823,000 vaccines have been administered in Arizona as of the Friday daily update from the Arizona Department of Health Services, officially passing the number of infections (775,622) recorded in the state as of Friday.

"As fast as the state can get the vaccines, they are getting them into the arms of Arizonans," Lesko said in an email statement. "I urge the Biden Administration to grant this request so that anyone who wants a vaccine can get a vaccine."

AMERICAN OVERSIGHT

Arizona's total allocation was 1,195,000 on Monday, with 44% still unused. The state was down to 31% of its supply as of Friday. Arizona gets new vaccine shipments from the federal government each week.

The lawmakers' request comes after Ducey on Wednesday morning made his letter to the state's congressional delegation public, asking them to engage at every level to help secure additional vaccines.

"There could be no better use of your time or advocacy efforts than in helping to secure these additional vaccine doses for the people of Arizona to help end this pandemic for good," Ducey said.

Rep. Greg Stanton, a Democrat, on Sunday announced he had also sent a letter to the White House seeking approval for an immediate allocation of 300,000 vaccine doses as well as 300,000 additional doses per week.

The Republican governor urged the state's congressional delegation to place funding for vaccine distribution and allocation at the top of the list as Congress contemplates further COVID-19 relief measures.

Ducey in the letter said the state-run site at State Farm Stadium and a second state-run site that opened at Phoenix Municipal Stadium on Monday are both operating below capacity due to the allocation of vaccines from federal partners.

Vaccine doses are the single biggest limiting factor to opening more appointments and creating new mass vaccination sites, according to Ducey, who said the state is looking to open several mass vaccination sites across Arizona along with smaller sites to target hard to reach populations.

"We are confident that such an allocation increase would allow the state to replicate our successful mass vaccination sites throughout the state," Ducey said in the letter.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County asks court to quash Senate subpoena for ballot access

KTAR News
February 5, 2021

The Maricopa County Board of Supervisors asked a court late Friday to quash a state Senate subpoena that seeks access to 2.1 million ballots from November's election and access to its elections equipment, calling the effort by the Senate a sham.

The move comes as the Republican-controlled Senate is poised as early as Monday to find the five members of the GOP-dominated Board in contempt. They would then be subject to arrest and could conceivably be jailed until the end of the legislative session.

The developments follow Senate efforts to continue pushing reviews prompted by the many Republicans who subscribe to unfounded claims that President Joe Biden won Arizona because of problems with vote counting. GOP senators say they're just trying to boost voter confidence in elections.

AMERICAN OVERSIGHT

The board has already turned over a massive amount of data requested by the Senate as it seeks to perform an outside audit of the election that saw former President Donald Trump lose in the state. Republicans continue to raise unfounded claims of potential fraud or miscounts, which were rejected by a series of Arizona courts, including the state Supreme Court.

The supervisors say in their court filing that while they respect the power of the Legislature to issue subpoenas and have provided much of the information lawmakers seek, it would be illegal to turn over the ballots, and allowing access to voting machines by unqualified personnel would render them useless in future elections.

And they say board Chairman Jack Sellers complied with the subpoena asking him to appear at a Jan. 13 hearing with less that 24 hours notice last month, but no hearing was scheduled.

"This case is about the limited power of the Arizona Senate to issue a subpoena commanding the presence of a witness at a hearing that does not exist, commanding the production of 2.1 million voted, secret ballots in violation of Arizona statute, and commanding the inspection of certified elections equipment by a team of uncertified laymen who have demonstrated a stunning lack of knowledge about election processes and election security," the county's court filing says.

Republican Senate President Karen Fann announced last week that she had hired a firm to conduct an audit of the county's elections, but has since said she has not hired an auditor. But correspondence between Fann's lawyer and the county show Fann is proposing to use a firm with strong connections to the Trump campaign's efforts to overturn election results in multiple battleground states to do its audit.

The Allied Security Operations Group worked with Trump attorney Rudy Giuliani to raise baseless allegations of election fraud and counting errors in Arizona and other states. The documents outline the work the company would do for the Senate if they are allowed access to ballots and election equipment, including recounting at least 550,000 ballots and collecting "forensic images" of software used in ballot counting machines.

The supervisors have repeatedly pointed to multiple tests of the voting machines done before and after the election and hand counts of a sample of ballots that showed the count was accurate. They fought subpoenas issued in December by the Senate Judiciary Committee with the backing of Fann in court. Still, the county is conducting two new voting machine audits.

Fann said Thursday that arresting the supervisors isn't the only option if the resolution passes.

"First and foremost, the supervisors could pick up the phone and say you're right, let's get a third independent (auditor) and do that," Fann said.

She listed other options, such as going again to court or asking the attorney general to intervene.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Navajo Nation confirms 23 new COVID-19 cases, 1 death

Arizona Daily Sun
February 8, 2021

Navajo Nation health officials have reported 23 new COVID-19 cases and one death.

The latest numbers released Sunday raised the totals to 28,897 cases and 1,057 known deaths since the pandemic began.

U.S. President Joe Biden recently signed a long-awaited major disaster declaration for the Navajo Nation.

It will provide more federal resources and prompts the release of federal funds for the reimbursement of emergency funds expended to address the COVID-19 pandemic on the Navajo Nation which covers parts of Arizona, New Mexico and Utah.

The tribe has extended its stay-at-home order with a revised nightly curfew to limit the spread of COVID-19.

The Navajo Department of Health has identified 56 communities with uncontrolled spread of the coronavirus, down from 75 communities in recent weeks.

The Navajo Nation also is lifting weekend lockdowns to allow more vaccination events.

The actions in the latest public health emergency order will run through at least Feb. 15.

Tribal officials said there have been more than 235,900 COVID-19 tests administered on the vast reservation and over 15,000 people have recovered.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

City to investigate challenge coin after Phoenix protest

Arizona Daily Sun
February 7, 2021

City officials want an outside investigation into claims of a challenge coin with inappropriate messaging and imagery being circulated among Phoenix police officers.

The frontside of the coins show a man being shot in the groin with the date of an August 2017 protest on the backside.

The coin was apparently circulated among some members of the police department following a protest when officers used tear gas and bean bag rounds on protesters.

AMERICAN OVERSIGHT

One protester kicked a gas canister and then was shot in the groin with a pepper ball.

The protest formed following a visit from then-President Donald Trump and a rally at the downtown Phoenix Convention Center.

Police said people started throwing rocks and bottles at officers and law enforcement responded with pepper balls, pepper spray and tear gas to disperse the crowd.

Two activist groups later filed a federal lawsuit claiming police used excessive force while dispersing the crowd.

Police Chief Jeri Williams said in a statement Saturday that "hate speech in any form is unacceptable" and the department would take disciplinary action against officers involved in illegal or unethical behavior.

Return to the table of contents

Overcoming vaccine doubts, fears will require outreach and education, experts say

Jamie Landers
Arizona Daily Sun
February 6, 2021

As the daughter of a medical technician, Hanna Hyland was raised to put her faith in science. But Hyland, 18, also was raised as a person of color in a country with a health care system marred by historic instances of racism.

When it comes to deciding whether to get vaccinated against COVID-19 or not, the latter is winning out – for now.

"As an Asian American, I know the United States has had no issue with lucrative testing in marginalized groups," said Hyland, a freshman at Mesa Community College. "I have never had an issue with getting any sort of vaccination. In fact, I think getting fully vaccinated is important to personal safety and to protect those around you, but I am skeptical about this vaccine for many reasons."

Those reasons vary, but center on examples of medical experimentation on people of color – starting with nonconsensual surgeries performed on slaves in the U.S., the Tuskegee syphilis studies in which Black men went untreated for decades so researchers could observe the disease's progression, and the covert biological warfare research the Japanese army conducted on Chinese civilians in the 1940s.

Hyland isn't alone in her worries. As the nation undertakes an enormous vaccination effort to combat a disease that has cost the lives of some 450,000 Americans, medical experts are working to overcome skepticism and misinformation prompting some to think twice about getting the shots – from false claims the vaccines can cause infertility to concerns that they were approved too quickly to be safe.

Hyland said she considers these first vaccinations "a test trial, one that can be used to later develop the vaccine."

AMERICAN OVERSIGHT

“There are many COVID strains and mutations that have not been accounted for, so as progression of the virus continues, I am sure a more accurate vaccine will come out,” she said.

In a survey released by the Census Bureau, 51% of adults who had not yet gotten a COVID-19 vaccination said they planned to. Those numbers varied by age, race and ethnicity, however.

Although Black, Native American and Latino people all are more likely than white people to contract the virus, just 47% of Hispanics and 30% of Blacks in the survey said they would get vaccinated, compared with 55% of whites.

A Kaiser Family Foundation analysis of the most recent available data finds that vaccinations of people of color appear to be lagging behind those of whites. As of Jan. 19, 17 states were publicly reporting vaccination data by race or ethnicity. Among Black people, the share of vaccinations was smaller than their share of cases in 16 states and smaller than their share of deaths in 15 states.

Similarly, Hispanics accounted for a smaller share of vaccinations compared with their share of cases and deaths in most states reporting data. In contrast, vaccinations among white people were higher than their share of the total population in most states.

The Arizona Department of Health Services doesn’t report vaccination data by race and ethnicity. When asked why, or whether the department plans to in the future, a spokesperson declined to comment.

As of Feb. 2, an estimated 700,000 vaccine doses have been administered across the state, and about 100,000 people – or just more than 1% of the state’s population – have received both shots, according to the Department of Health Services.

Gov. Doug Ducey last week issued an advisory aiming to speed up the pace, as experts believe at least 80% of people in the United States need to get vaccinated to reach herd immunity against the coronavirus that causes COVID-19.

More and more organizations across the country have begun answering the call to promote vaccination.

On Jan. 22, the Mayo Clinic hosted a free virtual town hall to “build trust around vaccines and debunk the myths and misconceptions around COVID-19 in minority communities.” Experts on the panel said the best way to minimize fear is for medical professionals to listen to people’s concerns and connect them with correct and accessible information.

“We have to be transparent with people, we have to talk about stuff, but we always have to start by listening, understanding and trying to correct the distortions that people may be having,” said Dr. Francisco Moreno, professor of psychiatry at the University of Arizona’s College of Medicine.

Dr. Juan Gea-Banacloche, an infectious disease expert at the Mayo Clinic who served on a federal advisory committee that reviewed the Pfizer vaccine, said during the town hall that although vaccine data is limited, “the efficacy and the benefits clearly outweigh any risks.”

“You may feel very tired, you may have a headache, you may be unable to function at work for one day, but those are effects that usually last for 24 hours and they typically resolve within three days,” Gea-Banacloche said, adding that those side effects of the vaccine are “nothing compared with even a mild case of COVID.”

AMERICAN OVERSIGHT

The vaccine is just as effective in people of color, he said, noting that the process around authorization has been "extremely transparent" and that clinical trials included people from different racial and ethnic backgrounds. Pfizer reports 26% of participants in its vaccine trials identified as Hispanic or Latino and 10% as Black.

"It's very important to be aware that nothing has been under the table in the authorization of these vaccines," Gea-Banacloche said.

In an interview with Arizona Horizon, Gea-Banacloche added there has been "a big effort" on the part of the federal government to make vaccine information available to those who don't speak English; the U.S. Food and Drug Administration has fact sheets in more than 20 languages.

Charlene Tarver, head of the Black Arizona COVID-19 Task Force, said racist incidents of the past have dramatically decreased the willingness of people of color to participate in the vaccine process and that without more comprehensive outreach, they won't be signing up.

"Given historical disparities and distrust … there needs to be a much more intentional strategy around how to educate communities of color about COVID-19, about what the public health aspect of this looks like and how the vaccination would roll out, and I think we missed the mark on that," she said.

"I think that there needs to be a much more intentional public health campaign across the state … that speaks to the concerns and challenges of those communities."

That can start at home, Ivan Porter, a nephrology specialist at the Mayo Clinic in Jacksonville, Florida, said in the town hall, noting that everyone has an individual responsibility to protect those they care about through education and partnership.

"We have to concentrate on the data that we have," Porter said. "It is OK to be afraid about what we don't know, but that doesn't mean we can ignore the data that's in front of us. That is what we know."

Return to the table of contents

How Arizona university students and faculty are joining the race in mask innovation

Samantha Molina
Arizona Daily Sun
February 6, 2021

Since the onset of the pandemic, health experts have touted masks as the best way to reduce the spread of COVID-19, but wearing them in public met considerable resistance and was politicized in some places.

That was true in Arizona, where Gov. Doug Ducey initially opposed mask mandates sought by local officials.

AMERICAN OVERSIGHT

“Until we have a vaccine, masks are the single best defense against the virus,” Phoenix Mayor Kate Gallego said in November, joining mayors from across the state to call on Ducey to allow local governments to make their own rulings. Ducey, who has not imposed a statewide mandate, eventually relented.

Fast forward to earlier this month, when the Biden White House issued an executive order requiring masks to be worn in federal buildings and public modes of transportation, signaling a shift from the Trump administration on COVID-19 prevention.

As the virus and its variants have claimed more than 445,000 lives in the U.S. alone, the call for more personal protective equipment becomes greater. Now, universities and their students are imagining ways to not only improve public attitudes toward masks but also the technology behind them.

The University of California, San Diego recently made headlines with its design of a wearable test strip that changes color when it detects the SARS-CoV-2 virus that causes COVID-19 on the wearer’s breath or saliva.

The strips can be affixed to the front of any mask and are designed to detect proteases, or “protein-cleaving molecules,” produced from an infection of COVID-19.

“I guess part of the inspiration for (the mask) came from at-home pregnancy tests,” said Jesse Jokerst, professor of nanoengineering at the UCSD Jacobs School of Engineering and lead principal investigator of the project. “The concept of an easy-to-read, compact testing approach felt useful.”

The test strip is equipped with a blister pack that the user will squeeze, releasing nanoparticles that change color when proteases from the novel coronavirus are detected. Although the sensor strips do not replace a traditional COVID-19 test, they can be used to monitor exposure, researchers said.

“I always say to think of it like a smoke alarm,” Jokerst said. “When it goes off, it doesn’t necessarily tell you the fire is in your bathroom, kitchen or bedroom. Instead, it alerts you to take some action.”

The project, which received $1.3 million from the National Institutes of Health, plans to quickly collaborate with a manufacturer to produce the sensors for those in at-risk settings. For now, the team continues testing.

Jokerst said it’s too early to tell whether the sensors could detect the coronavirus in other settings, such as ventilation systems.

“I can tell you that I have had people reach out with other ideas for this technology that I had never even thought about,” he said with a laugh. “It’s exciting to think about what else this can be used for.”

Arizona State University’s Luminosity Lab recently won the XPRIZE Next-Gen Mask Challenge for designing a face mask to reduce the spread of COVID-19.

Developers of the FloeMask say it promotes a more “comfortable, functional, affordable – and even stylish” mask experience compared to traditional protective shields.

The ASU team includes Nikhil Dave, an undergraduate earning a double major in neuroscience and innovation in society; John Patterson, a graduate electrical engineering student; Jerina Gabriel, an

AMERICAN OVERSIGHT

undergraduate graphic design student; Tarun Suresh, a graduate industrial engineering student; and Katie Pascavis, an undergraduate mechanical engineering student who spoke with Cronkite News.

The competition, which gathered nearly 1,000 entries from more than 70 countries, asked young adults to create "more comfortable, functional and affordable" masks.

"We really wanted to look at the different reasons why people chose not to wear masks that XPRIZE surveyed and found," Pascavis said. "We were inspired by the fact that many found masks were too hot, too stuffy and hard to exercise in.

"What we've found is that most people tend to be nose breathers. As a result, the constant exchange of air gets trapped on their face."

To tackle these popular complaints, the team designed a bifurcated chamber that separates air exhaled from the nose from air exhaled from the mouth.

The $500,000 in prize money will be used to further devolop the FloeMask prototype. Its creators also will be connected to rapid manufacturing opportunities in the United States.

"Between juggling an actual pandemic, work and other classes on top of that doing this project, it's still so surreal that we won," Pascasvis said. "All of our hard work really paid off."

Return to the table of contents

Ethics panel to investigate senator accused of harassment

Arizona Daily Sun
February 5, 2021

The Arizona Senate Ethics Committee voted Thursday to open an investigation into allegations of workplace harassment against newly sworn-in Republican Sen. Wendy Rogers, who represents Legislative District 6, which includes Flagstaff and some surrounding areas.

The panel of three Republicans and two Democrats spent more than an hour in executive session discussing the allegations made by Rogers' former assistant before unanimously voting to investigate further.

Rogers was accused by her former legislative assistant of berating him, making comments about his weight and other issues. Michael Polloni Jr., also accused the state senator of taking his belongings and breaking an Eagle Scout plaque.

In a written response, Rogers called the allegations "a complete fabrication by an outgoing, brand new employee who worked only one official day for the state of Arizona after the swearing in of senators."

Rogers was sworn in on Jan. 11, but Polloni was working for her on Jan. 3 when he tested positive for the virus. His complaint said he was fired on Jan. 13.

Rogers also said the complaint contains no allegations that she either broke the law or violated Senate ethics rules.

AMERICAN OVERSIGHT

In his detailed, six-page ethics complaint against Rogers, Polloni said she repeatedly asked him to work while he was on sick leave, demanded that he illegally do campaign work for her on state time and removed and damaged some of his belongings from his office.

He also said Rogers doubted that he actually had the virus.

Polloni also alleged that Rogers almost hurt his hand when she slammed a door and that, during a tirade, she yelled at him so closely that he could feel spit hit his face.

Ethics complaints can lead to discipline or expulsion for a member found guilty of violations by the full Senate or House.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Congressional Dems ask Ducey to explain use of COVID-19 cash

Bob Christie
Arizona Daily Sun
February 5, 2021

All five Democratic members of Arizona's U.S. House delegation want Republican Gov. Doug Ducey to explain how his use of nearly $400 million in federal coronavirus relief funds met Congress' intent that the money be used only for pandemic relief.

Ducey used more than 20% of the $1.86 billion the state received in federal CARES Act relief to backfill agency budgets, allowing them to return cash to the general fund.

The strategy contributed to a major state budget surplus that the governor now wants to use to cut income taxes by $600 million a year. He also plans to use $134 million in remaining federal cash to boost the state unemployment insurance fund, allowing businesses to avoid a small increase in the rate they pay to the program.

A letter sent by Reps. Raul Grijalva, Ruben Gallego, Ann Kirkpatrick, Tom O'Halleran and Greg Stanton questions whether funding agency budgets met congressional intent to provide relief to businesses, schools, renters and others when it passed the massive CARES Act last spring.

The letter recognizes that Ducey gave some of the money to local governments and spent some to support COVID-19 testing, rental assistance, schools and other virus-related needs. But it says, "these programs clearly require additional support to meet Arizonans' enormous need during this crisis," and it questioned his use of the $397 million when those needs remain.

The letter notes that the governor's office didn't publicly disclose its use of the money, even as it has consistently touted expenditures that help the public.

Ducey spokesman C.J. Karamargin said Friday that the money was all used for COVID-related expenses as required by Congress.

Others have joined the House Democrats in questioning how the governor has been using the money.

AMERICAN OVERSIGHT

Jared Walczak, vice president of state projects at the Tax Foundation's Center for State Tax Policy, told the Arizona Capitol Times when it first reported Ducey's diversions in November that Congress required states to uses CARES Act money to replace revenue lost due to the pandemic. Ducey was being particularly aggressive in how he interpreted the rules on its use, he said.

"Most states have avoided what might be interpreted as directly disregarding the guidance, but many have been flexible in the interpretation of that guidance in hopes that ultimately the Treasury will be similarly flexible in the accountability standards," Walczak said. "Nonetheless, what's being proposed in Arizona is a very aggressive interpretation."

Wednesday's letter from the members of Congress mentioned the possibility that the Treasury Department could force Ducey's administration to repay misspent cash.

It asked whether Ducey's office has talked with Treasury's inspector general to ensure the governor was correctly using the money "and to prevent the severe harm that would come to the state if such money were to be recouped?"

In other news, scientists from three public universities in Arizona have joined together to analyze test samples and detect COVID-19 mutations, officials said.

COVID-19 mutations have been occurring with several variants already identified, including one first detected in the United Kingdom that is seemingly more contagious, KTAR-FM reported Friday. More than 600 cases of the variant have been identified in the United States.

Now, University of Arizona, Arizona State University and Northern Arizona University are working to analyze samples for genetic anomalies.

"The concern, of course, is you get one of these mutations that take hold and there's no vaccine that can protect you," University of Arizona president Robert Robbins said.

Scientists at Arizona State University helped detect the U.K. variant in Arizona last week.

"If we allow this virus to continue to evolve into the human species at scale, we will get mutations for which there is no defense," Arizona State University President Michael Crow said. "I want that to sink in — mutations for which there is no defense because it has worked its way around everything we can do."

The COVID-19 vaccines by Pfizer and Moderna authorized for use in the U.S. offer immunity to the UK variant. They are less effective against another variant discovered in South Africa.

"The longer we don't vaccinate people, the virus has a bigger chance to mutate," Robbins said.

Arizona on Friday reported 3,826 additional confirmed COVID-19 cases and 196 deaths.

Coconino County added 100 cases and two deaths in Friday's report, bringing its totals to 15,390 positive cases and 268 deaths.

AMERICAN OVERSIGHT

Navajo Nation health officials on Thursday night reported 110 new COVID-19 cases and nine more deaths. The latest numbers raised the totals to 28,668 cases and 1,047 known deaths since the pandemic began.

Return to the table of contents

Arizona Republican Party chair sees new heat on her election

Bob Christie
Arizona Daily Sun
February 5, 2021

Pressure is rising on the leader of the Arizona Republican Party to allow an audit of her recent reelection as she continues to question President Joe Biden's victory in the state.

A large group of GOP state lawmakers sent party Chair Kelli Ward a letter this week demanding that she allow an audit of her January reelection, which she won by 42 votes but is increasingly being challenged.

The letter demands that Ward either allow an audit or step aside from efforts to audit results in Maricopa County that saw Biden win.

“We urge you to heed the calls of your voters and allow for an immediate audit of the election that was held on January 23rd, in a manner that is fair and transparent,” said the letter signed by 18 state House and Senate lawmakers. “Or we would ask that you remove yourself from efforts to properly audit the elections held in Arizona on November 4th, 2020, as you would be an unwelcome distraction and foil for the media to use to discredit our efforts to protect our state’s voters.”

Rep. Kevin Payne, who used his House letterhead to send the missive, said Ward was trying to have it both ways and it didn't sit well with him and other Republicans.

“If you’re going to do one then you’ve gotta do both – that’s the way I look at it,” Payne said Friday. “That election didn’t go well on the 23rd - there were all kind of abnormalities about it, so we just want the same treatment. If you’re going to call out the national election, you’ve got to have integrity on her election.”

Ward has refused to allow an audit of the state party election, where questions immediately arose after she squeaked out a victory and held her post. She said in a Jan. 28 video that there was no mechanism for a recount of an audit.

“Because no once challenged the election on the day of the election, there was no complaints and actually there was a lot of unity that was claimed there at that meeting, these are the final, final result of that election,” she said.

Ward didn’t return immediately messages seeking comment on Friday.

Ward is a major backer of former President Donald Trump who has consistently questioned Arizona election results that saw him lose the state. She's been touting the state Senate's efforts to audit Maricopa

AMERICAN OVERSIGHT

County's election results and either she or the state party were plaintiffs in three of the eight failed post-election lawsuits that challenged Biden's Arizona victory.

Sergio Arellano, a southern Arizona businessman who narrowly lost to Ward in a runoff election, has asked state party officials for an audit of the election results.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona universities team up to detect COVID-19 mutations

Arizona Daily Sun
February 5, 2021

Scientists from three public universities in Arizona have joined together to analyze test samples and detect COVID-19 mutations, officials said.

COVID-19 mutations have been occurring with several variants already identified, including one first detected in the United Kingdom that is seemingly more contagious, KTAR-FM reported Friday. More than 600 cases of the variant have been identified in the United States.

Now, University of Arizona, Arizona State University and Northern Arizona University are working to analyze samples for genetic anomalies.

“The concern, of course, is you get one of these mutations that take hold and there’s no vaccine that can protect you,” University of Arizona president Robert Robbins said.

Scientists at Arizona State University helped detect the U.K. variant in Arizona last week.

“If we allow this virus to continue to evolve into the human species at scale, we will get mutations for which there is no defense,” Arizona State University President Michael Crow said. “I want that to sink in — mutations for which there is no defense because it has worked its way around everything we can do.”

The COVID-19 vaccines by Pfizer and Moderna authorized for use in the U.S. offer immunity to the UK variant. They are less effective against another variant discovered in South Africa.

“The longer we don’t vaccinate people, the virus has a bigger chance to mutate,” Robbins said.

Arizona on Friday reported 3,826 additional confirmed COVID-19 cases and 196 deaths.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, February 8, 2021 1:57:32 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes February 8, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window

Arizona Legislative Report

Today's News Notes

February 8, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

AMERICAN OVERSIGHT

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

REVISED HEARINGS

House Appropriations

Wednesday 02/10/21 at 2:00 PM, House Rm. 1 ***REVISED [02/08/21]***

H2053: SUPERIOR COURT CLERK; SALARY

STRIKER: SALARY; SUPERIOR COURT CLERK

H2068: APPROPRIATION; OVERPASS; STATE ROUTE 347

H2072: APPROPRIATION; STATE ROUTE 95; REPAVING

H2123: CTEDS; FOURTH-YEAR FUNDING

H2141: APPROPRIATIONS; ALTERNATIVE PROSECUTION; DIVERSION PROGRAM

H2151: EXPERIENCED TEACHER RETENTION; PILOT PROGRAM

H2156: APPROPRIATIONS; BROADBAND GRANTS

H2169: APPROPRIATION; TOURISM; DUDE RANCHES; PROMOTION

H2179: NEW SCHOOL FACILITIES; ADDITIONAL FUNDING

H2189: COORDINATED REENTRY PLANNING SERVICES PROGRAMS

H2263: APPROPRIATIONS; LAKE HAVASU CITY; BRIDGE

H2394: APPROPRIATION; NORTH-SOUTH CORRIDOR STUDY

H2404: APPROPRIATIONS; FAMILY HEALTH PILOT PROGRAM

H2409: ADULT PROTECTIVE SERVICES; AUDIT; APPROPRIATION

H2461: DPS; BODY CAMERAS; APPROPRIATIONS

H2463: APPROPRIATION; DPS; SCHOOL SAFETY PROGRAM

H2489: APPROPRIATION; AFFORDABLE HOUSING

AMERICAN OVERSIGHT

H2533: STATEWIDE ADA COORDINATOR; APPROPRIATION

H2555: SFB; DEPARTMENT OF ADMINISTRATION

H2565: AREA AGENCIES ON AGING; APPROPRIATION

H2577: APPROPRIATION; WATER SUPPLY STUDY

~~***Added*** *H2629: ARIZONA NURSES ACADEMY*~~

H2668: NUTRITION ASSISTANCE; BENEFIT MATCH; APPROPRIATION

H2672: PRISONERS; BRAILLE TRANSCRIBER TRAINING PROGRAM

H2706: APPROPRIATION; VETERANS' SERVICES; BENEFITS COUNSELORS

H2755: APPROPRIATION; ARIZONA ARTS TRUST FUND

House Criminal Justice Reform

Wednesday 02/10/21 at 2:00 PM, House Rm. 4 ***REVISED [02/08/21]***

H2165: PRISONERS; ELIGIBILITY

H2168: USE OF FORCE; REPORTS; ANALYSIS

Added *H2190: CRIMINAL JUSTICE CASE INFORMATION; REPORTING*

H2320: SEALING ARREST; LIABILITY; SENTENCING REORDS

H2491: WRONGFUL ARREST; RECORD CLEARANCE

H2601: SENTENCING; CREDIT; ELECTRONIC MONITORING

~~H2707: PROBATION FAILURE REDUCTION INCENTIVE PAYMENTS~~

H2713: RELEASE CREDITS; PRISONERS

~~H2751: SEARCH WARRANTS; AUDIBLE NOTICE; REQUIREMENTS~~

~~H2765: LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS~~

Senate Health & Human Services

Wednesday 02/10/21 at 8:30 AM, Senate Rm. 1 ***REVISED [02/08/21]***

AMERICAN OVERSIGHT

S1144: CHILD ONLY CASE; DEFINITION

S1253: PSYCHOLOGY BOARD; LICENSURE; FINGERPRINTING

S1255: ACUPUNCTURE BOARD; MEMBERS; AURICULAR ACUPUNCTURE

S1271: ASSOCIATE PHYSICIANS; LICENSURE; COLLABORATIVE PRACTICE

STRIKER: MEDICAL GRADUATE TRAINING PERMITS

S1278: HEALTH PROFESSIONALS; PRECEPTORSHIPS

S1282: NURSING CARE ADMINISTRATORS; CONTINUATION

S1283: PODIATRY BOARD; CONTINUATION

S1284: OCCUPATIONAL LICENSING; LICENSURE; FINGERPRINTING

S1300: OUTPATIENT FACILITIES; STANDARDS; DISCHARGE REQUIREMENTS

S1339: KRATOM PRODUCTS; ENFORCEMENT; FINANCIAL INSTITUTIONS

S1362: ABORTION; REFUSAL TO ASSIST

S1372: DENTAL BOARD; SEDATION ***STRIKER: SAME SUBJECT***

S1373: HEALTH FACILITIES; DUTY OF CARE

S1374: CRISIS STANDARDS OF CARE; REQUIREMENTS

~~S1458: SPEECH-LANGUAGE PATHOLOGISTS; ASSISTANTS~~

S1466: FAMILY CAREGIVER GRANT PROGRAM

S1604: REMOTE DISPENSING PHARMACIES; RURAL HOSPITALS

NEWS NOTES

SENATORS, SUPERVISORS STEP ON THE BRINK OF THE ABYSS

Fann's contempt charge is failing to garner 16 votes with Boyer voting "no." The Senate is still debating the measure as of our deadline, but if Boyer doesn't change his mind, the resolution will fail, 15-15. The vote this afternoon followed Fann's meeting with Maricopa County supervisors Bill Gates and Jack Sellers failed to end the stalemate between the Senate and the county. The Senate added a vote on its contempt resolution to today's calendar shortly before heading to the floor, after county supervisors and Fann tried in vain to head off the vote. This morning, Fann invited Gates and Sellers to meet to

AMERICAN OVERSIGHT

reach a resolution, but the chamber soon after sent a scathing press release about the county and the latter's efforts in court to block the Senate from voting on the concept resolution. The Senate press release, sent shortly after 9 a.m., accuses the county of grandstanding when it filed a new complaint Friday. "This new lawsuit is filled with a mischaracterization of facts to gain advantage with the courts and the media. Instead of making efforts to reach a resolution, the county is trying to score points," the Senate wrote.

COUNTY ASKS COURT TO STOP CONTEMPT VOTE

The county on Sunday evening pleaded for an expedited ruling on whether the Senate's subpoenas are valid, urging a judge to rule before the chamber could vote on its contempt resolution. "Plaintiff Maricopa County needs speedy access to the Court to have opportunity to litigate whether the challenged subpoena is lawful, because liberty interests and due process rights are at stake," the county's attorneys wrote. Today, the county's attorneys followed up with asking for a temporary restraining order to prevent the Senate from moving forward with holding the supervisors in contempt - including voting to do so - until the court rules on whether the legislative subpoenas are valid and whether they ensured that the supervisors were afforded due process, defined by county attorneys as adequate notice of how they have acted in contempt and a chance to address those allegations.

GAMESMANSHIP PUTS MODERATES BETWEEN A ROCK AND A HARD PLACE

Shope told our reporter he still hopes Fann and county supervisors reach an agreement before the contempt resolution comes up for a vote, but he's prepared to support it if it reaches the floor. He said the issue isn't so much about the audit itself as his belief that Senate subpoenas must be honored. As House ethics chair, Shope attempted to subpoena former Rep. David Stringer and was prepared to fight in court to enforce that subpoena, only to have Stringer resign while Shope was on the steps of the county courthouse ready to file his motion. If it were up to him, he said, he would have pursued that subpoena ruling up to the Supreme Court and gotten an opinion specifying the contours of the Arizona Legislature's powers to subpoena witnesses and documents.

POP THE CORN

Maricopa County Supervisor Steve Gallardo told our reporter this morning that allowing legislators to access ballots is not negotiable. In a news release, Gallardo said senators who would vote for the contempt charge against the county supervisors would also be "expressing their contempt for the will of the majority of Maricopa County residents. They will be thumbing their nose at democracy. They will be declaring that they are on the side of mob rule. That they are on the side of the insurrectionists who tried to stop the peaceful transfer of power." Gallardo also praised his Republican colleagues on the county board. "They are standing up for what's right. It's too bad it appears there are no Republicans in the Senate willing to put country over party and do

AMERICAN OVERSIGHT

the same," he said.

THOMAS 'DON'T BE A DOPE VOTE FOR SHOPE' SHOPE HAS A NICE RING TO IT

"Demand Daniel" McCarthy didn't win an election last year, but he inspired new legislation. A section of Shope's S1492 (election law amendments), up for a hearing in Senate gov today, says that names on the ballot may not include a slogan, promotional word or phrase or any word that doesn't actually constitute a nickname. Basically, Thomas "T.J." Shope or Geraldine "Gerae" Peten could have their nicknames printed on future ballots, but 2020 candidates Daniel "Demand Daniel" McCarthy and Alysia "ARIESUPTOP" McMillan, who respectively listed their campaign slogan and Instagram handle as their nicknames, would be out of luck. State law already prohibits candidates from including their professional, religious or military titles on ballots.

SALMAN, DEMOCRATS TILT AT FINCHEM WINDMILL

Salman and 22 other House Democrats want to kick Finchem out of the House and today introduced HR2006 (Mark Finchem; expulsion). "Every day the member remains in office is a threat to the Arizona House of Representatives, a threat to national security and a threat to our democracy," Salman said. Finchem was a vocal supporter after the election of efforts to overturn Biden's narrow win in Arizona. He was in Washington, D.C. to speak on Jan. 6, although he said he played no role in a pro-Trump mob's storming of the Capitol and blamed the violence on Antifa. Since then, Democrats have been trying to keep the spotlight on Finchem's alleged activities in DC, although so far House ethics hasn't acted on a complaint Chávez filed over a month ago. Salman acknowledged that the apparent disinclination by House Republicans to act on the Democrats' complaints could be an obstacle. "The conservative majority has made it very clear that they're not responding or even doing anything," she said. Finchem didn't immediately respond to a request for comment, and neither did a spokesman for the House Republicans.

GRAHAM: EXPULSION IS NOT GONNA HAPPEN

Finchem declined to comment, citing advice of counsel. Grantham, who hasn't seen the resolution as of Monday afternoon, said he would be happy to vote on it, but that he doesn't think it will go anywhere and believes its introduction is unfortunate. "Based on what I know after speaking with Mark, to my knowledge nothing occurred that warrants his expulsion," Grantham said.

APACHE COUNTY EXPECTS TO NAME TELLER'S REPLACEMENT THIS WEEK

News could be coming soon about Teller's successor in the House. Apache County supervisors named a citizens' committee, consisting of Malena Bazurto-Hannah, Arbin Mitchell and Patrick Sandoval, last week to pick names, and the committee may report back to supervisors tomorrow afternoon, said county board chair Joe Shirley Jr. Teller, who represented LD7, stepped down

AMERICAN OVERSIGHT

a week ago to become Deputy Assistant Secretary for Tribal Affairs with the U.S. Dept of Transportation. The panel will bring three names to supervisors who will then decide who to appoint. The replacement must be a Democrat who lives in Teller's county and district.

IN CASE YOU'RE WONDERING WHEN YOU TO TUNE IN OR TUNE OUT

House gov has a busy agenda for Wednesday, much of it due to the sort of election-related bills that have already proven controversial in the committee so far this year. Among them are H2793 (voter registration; request required) which would bar a state agency from registering someone to vote unless they affirmatively request to be registered, and H2792 (early ballots; request required) which, except for voters on the Permanent Early Voting List, would only allow early ballots to be delivered to voters who specifically request them. H2659 (elections; private funding; prohibition) would bar government entities from accepting private money to register voters or do anything else toward conducting an election. H2378 (ranked choice voting; presidential preference) would institute ranked-choice voting in any presidential preference election with three or more candidates on the ballot. One non-election related measure on Wednesday's agenda that could be controversial is HB2111 (2nd Amendment unenforceable federal laws), which would direct the state not to enforce any federal laws that violate the Second Amendment. House gov will also tackle three concurrent resolutions on Wednesday - HCR2016 (initiatives supermajority vote requirement), which proposes an amendment to the Arizona Constitution to require 60% voter approval for an initiative to pass; HCR2021 (electoral college; supporting), which affirms the Legislature's support for the Electoral College and opposition to the National Popular Vote Interstate Compact; and, HCR2023 (elections; state authority; infringement; opposition) which opposes House Resolution 1, a wide-ranging, Democrat-supported measure pending in Congress to require states to make voting easier, add additional campaign finance reporting requirements and require states to create independent commissions to draw congressional districts, among other measures.

NEWS RELEASES

Congressman Biggs Introduces Bill to Prevent COVID-19 Testing Federal Mandate for Domestic Air Travel

WASHINGTON, D.C. – Today, Congressman Biggs introduced legislation to prohibit the Secretary of Transportation from imposing Covid-19 testing mandates on air carriers for domestic flights. Congressman Biggs issued the following statement:

"It is outrageous that the Biden administration is contemplating new regulations or guidelines to require passengers to undergo COVID-19 testing before

AMERICAN OVERSIGHT

domestic air travel. This is another unscientific, bureaucratic action designed to control Americans' lives and increase dependence on government. Further, such a mandate would devastate the airline industry and destroy massive sectors of our recovering economy.

"I fly domestically regularly each month, and I observe the efforts of the airlines to make each passenger safe. The Biden administration should listen to the airline executives and heed the science of healthy air travel. This misguided idea should not become implemented policy under any circumstances."

* * * * *

Lesko Reintroduces Bill to Address Chinese Intellectual Property Theft

WASHINGTON, D.C.—U.S. Congresswoman Debbie Lesko (AZ-08) reintroduced her *Stop China's IP Theft Act* to ban visas into the United States for Chinese government officials, active duty members of the Chinese military and senior members of the Chinese Community Party and their family members. Lesko also introduced this legislation in the 116th Congress.

"We cannot continue to tolerate China's attempts to steal our intellectual property," said Congresswoman Lesko. "I am proud to reintroduce this important piece of legislation to prevent certain Chinese Communist Party officials and their families from entering our country until China stops its widespread efforts to steal American intellectual property. This legislation is critical in safeguarding our intellectual property and combating the global threat posed by the Chinese Communist Party."

The bill prohibits the issuance of visas to senior officials in the Chinese Communist Party, including the Politburo, the Central Committee, and each delegate to the 19th National Congress of the Chinese Communist Party, the spouses and children of these senior officials, members of the cabinet of the government of the People's Republic of China, and active duty members of the People's Liberation Army of China until the U.S. Director of National Intelligence certifies to the Committees on the Judiciary of the House of Representatives and the Senate that the government of the People's Republic of China has ceased sponsoring, funding, facilitating, and actively working to support efforts to infringe on the intellectual property rights of citizens and companies of the United States.

AMERICAN OVERSIGHT

Lesko was joined by Representatives Andy Biggs (R-AZ-05), Mo Brooks (R-AL-05), Matt Gaetz (R-FL-01), Scott Perry (R-PA-04), Greg Steube (R-FL-17), Tom Tiffany (R-WI-07), and Jeff Van Drew (R-NJ-02) in introducing this legislation.

* * * * *

Rep. Kirkpatrick Announces Milestone: More Than $2,600,000 Returned to Southern Arizona Constituents

Since January 2019, the Congresswoman & Her Staff Have Worked to Return Backlogged Payments & Benefits to Southern Arizona Residents Dealing with Federal Agencies

(Tucson, AZ) — Today, Rep. Kirkpatrick announced that her office has returned more than $2,600,000 to the people of southern Arizona.

Rep. Kirkpatrick and her staff have closed more than 2,200 constituent cases and **returned more than $2.6 million to Southern Arizonans.** Rep Kirkpatrick's office returned these dollars to Arizona taxpayers by cutting through federal red tape, expediting returns owed from the Internal Revenue Service (IRS), and securing backlogged benefits from federal agencies like the U.S. Department of Veterans Affairs (VA) and the U.S. Social Security Administration (SSA). Especially during the COVID-19 pandemic, the office has prioritized assisting constituents with issues relating to the economic and health effects of the crisis. In addition, her staff has helped constituents understand the benefits provided by Congress and offers direct calls with constituents to provide guidance on small business loan information, health care and financial resources.

Since early on in the pandemic, Rep. Kirkpatrick's constituent services team has held virtual casework office hours to engage with constituents directly and efficiently about what they might need assistance with. Since accessibility is at the cornerstone of Rep. Kirkpatrick's service, she built a team that knows advocates for, and lives in Southern Arizona — first and foremost.

"Having my office be accessible to Southern Arizonans has always been my top priority, and now more than ever, it is crucial that our community has access to our staff and all the resources we can provide," **said Rep. Kirkpatrick.** "Even with the restrictions on in-person gatherings, our congressional staff has been working tirelessly to stay responsive to the needs of our community as we

AMERICAN OVERSIGHT

weather this pandemic.

"I want Southern Arizonans to know that we are here for them. I encourage any individual, family, or business who needs assistance to reach out to my office with their questions or concerns. We will get through this, together."

Constituents with questions about how Rep. Kirkpatrick's office can provide assistance should visit **www.kirkpatrick.house.gov**.

* * * * *

Kelly, Sinema Urge Administration to Provide Arizona Additional Vaccines

Arizona Senators Mark Kelly and Kyrsten Sinema requested the administration provide an emergency additional vaccine allotment for Arizona.

"Arizona needs more vaccines to ramp up state vaccination sites while also ensuring that rural and border areas get enough to meet the capacity they have to vaccinate their communities. Getting Arizonans vaccinated is how we're going to beat this virus and get our economy back on track, and our state needs a larger allotment especially as we work to vaccinate those who are vulnerable and essential workers including farmworkers and Department of Homeland Security employees," said Kelly.

"Arizona suffers from one of the worst coronavirus outbreaks in the country. Our hospitals and vaccination sites are overwhelmed, and we need additional vaccine doses to save lives and provide immediate help to Arizona seniors, people with pre-existing conditions, frontline workers, and tribal communities," said Sinema.

Arizona is suffering from one of the worst coronavirus outbreaks in the country. Sinema has heard from Arizonans who are in 1A and 1B vaccination groups, but are waiting hours online or by phone to secure vaccination appointments, and many are unable to schedule appointments at all. The Senators are requesting 300,000 vaccine doses immediately and an increase of 300,000 doses in the weekly allocation of vaccines to the state from the federal government, consistent with the State of Arizona's request.

AMERICAN OVERSIGHT

Today's request follows Sinema's request from last week when she asked HHS and FEMA to provide more vaccination personnel, an immediate supplement of 300,000 vaccine doses, and an additional 300,000 doses added to Arizona's usual weekly allocations. Senator Sinema is helping vaccination sites find more volunteers and volunteering at sites herself. She continues to communicate Arizona's needs to federal partners, Pfizer, Moderna, and the new administration.

Read the Senators' letter **HERE**.

* * * * *

Congressman Schweikert Joins Effort to Address Fraudulent Unemployment Benefits in Tax Filings

WASHINGTON, DC - On Saturday, Congressman David Schweikert (AZ-06) signed onto a letter with colleagues to the Department of Labor (DOL) and Internal Revenue Service (IRS) to raise awareness regarding fraudulent unemployment insurance claims ahead of this year's tax filing season. The letter asks the agencies to protect taxpayers and reduce burdens placed on states who administer unemployment programs.

"I have seen first-hand the multitude of fraudulent unemployment claims that have been requested throughout our community. This is a very serious issue happening not only in Arizona, but all across the country. We must work to ensure taxpayers will be protected from fraud and ensure bad actors are held accountable."

Background:

Unemployment benefits are taxable income, and millions of Americans have had unemployment benefits fraudulently claimed in their names. These individuals have received, or will soon be receiving, their Forms 1099-G to report that income to the IRS. For many, this tax form may be the first notice they receive that they are victims of fraud. States are required to issue corrected Forms 1099-G, but there are concerns on whether states will be able to investigate all claims of fraud and transmit the corrected 1099-Gs before the April 15 filing deadline.

To read the full text of the letter, click **HERE**.

AMERICAN OVERSIGHT

NEWS CLIPS

FINCHEM SAYS DUCEY CAN'T LEGALLY NEGOTIATE WITH TRIBES TO EXPAND GAMBLING

By Howard Fischer Capitol Media Services 02-08-21

Plans by Gov. Doug Ducey to allow statewide sports wagering, betting on fantasy leagues, keno and more tribal gambling could be undermined by a Pinal County lawmaker.

Rep. Mark Finchem, R-Oro Valley, contends that the governor lacks the authority to negotiate new gaming compacts with the tribes. Instead, he said that formulating gaming police is "a quintessential legislative function." (To read more, click here).

* * * * *

A RACE BETWEEN VACCINATIONS AND MORE CONTAGIOUS CORONAVIRUS VARIANTS HAS BEGUN IN ARIZONA

By Alex Devoid Arizona Daily Star 02-08-21

Health experts are warning we are in a race between vaccine distribution and new, more transmissible coronavirus variants.

While most measurements show the pandemic improving in Arizona, two new variants have been discovered here. Both are known to be more contagious. (To read more, click here).

* * * * *

REPORT: TRUMP CAMPAIGN LISTED PAYMENT TO FINCHEM'S FIRM

By Staff Associated Press 02-08-21

Former President Donald Trump's unsuccessful reelection campaign reported it paid over $6,000 to a business belonging to a Pinal County legislator who

AMERICAN OVERSIGHT

sought to have the Legislature overturn Joe Biden's win in the state.

The campaign's latest financial disclosure include a Dec. 18 payment of $6,037 to a professional limited liability corporation belonging to Republican Rep. Mark Finchem for an expense labeled as "recount: legal consulting," the *Arizona Republic* reported Saturday. (To read more, click here).

* * * * *

MORE THAN 100 BILLS THAT WOULD RESTRICT VOTING ARE MOVING THROUGH STATE LEGISLATURES

By Kelly Mena CNN 02-08-21

State lawmakers across the US have filed more than 100 bills since the November election aimed at reforming election procedure and limiting voter access, according to a new report from the Brennan Center for Justice.

In all, 28 states have introduced, pre-filed or are advancing 106 restrictive bills for the 2021 legislative session, a significant spike from just 35 bills in 15 states in 2020, according to the Brennan Center analysis. The majority of bills look to restrict or put limitations on how and who can vote by mail, while others look to impose photo ID laws and take a more aggressive voter purge policy, according to the report. (To read more, click here).

* * * * *

WHAT WE DON'T KNOW ABOUT ARIZONA COVID-19 VACCINE DISTRIBUTION REALLY DOES HURT US

By Editorial Board Arizona Republic 02-08-21

The problem isn't that Arizona had no plan for COVID-19 vaccine distribution.

The state spent months creating a plan to distribute doses.

But there's a big difference between planning and putting the finer details into

AMERICAN OVERSIGHT

motion. Major components – like how many doses to expect from the feds each week – have changed markedly, forcing the state to build the plane while it's already in the air. (To read more, click here).

* * * * *

YOU NO LONGER HAVE TO BE A LAWYER TO PRACTICE LAW IN ARIZONA. THAT'S GOOD AND BAD

By Maya Steinitz, Victoria Sahani Arizona Republic 02-08-21

In Arizona, municipalities are responsible for providing solid waste management services or partnering with industry to ensure these services are available.

Today, most citizens view recycling as a fundamental part of solid waste management. However, with limited annual budgets, municipalities often struggle to cover the high costs of capital investments or finance research and development. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Monday, February 8, 2021 4:07:53 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-8-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *February 8, 2021*

SO CLOSE, YET SO FAR AWAY
Boyer single-handedly killed the Senate's resolution to declare the Maricopa County Board of Supervisors in contempt, sticking to his "no" vote despite a full-court press from his caucus.

LAWMAKER NEARLY BREAK YOUR HAND? BETTER CALL ADAM!
Former lawmaker Adam Kwasman has taken on the case of Michael Polloni, the former Rogers campaign volunteer turned staffer who accused the new lawmaker of harassing him and creating a hostile workplace.

22 IS A LONG WAY FROM 40
Salman and 22 other House Democrats introduced HR2006 (Mark Finchem; expulsion) today, but didn't make any effort to bring the legislation to the floor today or force a vote on expelling him.

AMERICAN OVERSIGHT

HE'S PROBABLY RESPONDING ON GAB
Finchem and Rogers are both subjects of ethics complaints, and they are also subjects of the wrath of a Dem operative who wants to shame the organizations that funded their rise to elected office.

IF APS DOESN'T BUY AZLEG, HOW CAN IT CONTROL CORP COMM?
APS contributed $500 to Finchem's campaign on Dec 31, months after Finchem became a leader in pushing baseless election conspiracy theories, and recently announced it is "reviewing" its political spending practices.

WHEN THE E-BOARD SPEAKS, DUCEY SHOULD LISTEN
The Republic's editorial board today hammered the point that we need more data about what's happening with vaccines.

"SHOCKING" MEANS YOU DIDN'T KNOW ABOUT IT
DHS and the Ninth Floor still won't answer whether the state is tracking how many vaccine doses are going to waste.

BARB WOULD LOL AT A HEADLINE ABOUT TRUMP KILLING HER
Barb Lubin, a longtime Democratic activist and party employee who served as the state party's spokeswoman for years, died over the weekend after a long battle with cancer.

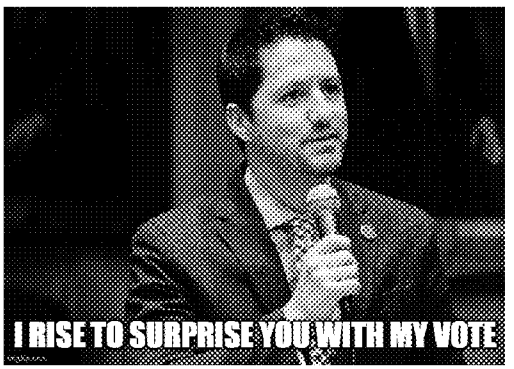
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, February 08, 2021

·NEWS NOTES AND GOSSIP·

SO CLOSE, YET SO FAR AWAY



Boyer single-handedly killed the Senate's resolution to declare the Maricopa County Board of Supervisors in contempt, sticking to his "no" vote despite a full-court press from his caucus. The move clearly got under Fann's skin, as she held the board open to pester the lone Republican against it, who had already been entertaining a host of visitors at his desk as Republicans pressured him to flip. "Needless to say, I would not have put this on the board if I hadn't been told we had 16 strong votes," she said. After Democrats failed to force a debate on the resolution, Fann was confident that it would pass and put the bill up on the board for an hourlong vote in which Democrats were mostly silent. Boyer said he planned to vote for the resolution when he went home last week, but he spent the weekend thinking it over during a missionary trip to Mexico, and decided he needed to vote "no" to give more time for the Senate and county to reach an agreement. "Today's 'no' vote merely provides a little bit more time for us to work together charitably and as friends for the sole purpose of gaining more clarity," Boyer said. "This is not a final determination, nor is this the end of the process." Although it was clear that the resolution didn't have the votes to pass, Republicans, including a semi-masked Leach, Gray, Petersen, Ugenti-Rita and Mesnard each spent several minutes kneeling at Boyer's desk urging him to flip. Fann summoned Boyer to her desk to lecture him privately before complaining publicly on mic that he didn't tell her he was a "no." She argued that the vote should have been bipartisan, as she believes that Democrats should have voted to defend the Legislature's authority to issue subpoenas. Several lawmakers called Boyer out by name, including Petersen. "When it comes to obstruction, lies and deception, the Maricopa County Board gets an A-plus," Petersen said, arguing that the county has no interest in working with the Senate. "They thought they could peel off one of our Republican Senators. It sounds like they may have. I hope that's not the case," he added. "They did," Townsend chimed in from Zoom. Townsend went even further with a comment on mic that several onlookers took as inciting violence against Boyer and county supervisors. "So, public, do what you gotta do," she said. When Boyer said that the allegations have gone too far, and that no elected official should face harassment at their homes or death threats, as members of the board have said they have received, Gowan chimed in from the back that they should "vote right." "These people are gonna get someone killed and only think they are further validated in their charade," Mendez tweeted during the vote.

LAWMAKER NEARLY BREAK YOUR HAND? BETTER CALL ADAM!

Former lawmaker Adam Kwasman has taken on the case of Michael Polloni, the former Rogers campaign volunteer turned staffer who accused the new lawmaker of harassing him and creating a hostile workplace. In a press release today, Kwasman's firm, Wagner and Kwasman, said Polloni had retained it and O'Steen & Harrison to jointly represent him in the ethics committee investigation and "forthcoming civil claims for wrongful termination and harassment by the State of Arizona and Sen. Rogers." "We look forward to not only fighting for Michael and getting him the justice he deserves, but also fighting for the people of Arizona, who deserve the best representation in their government officials and institutions," Kwasman said in the release. It also noted that Polloni put his enrollment at NAU on hold to work for Rogers, only to suffer "outrageous harassment that threatened his physical safety and mental health."

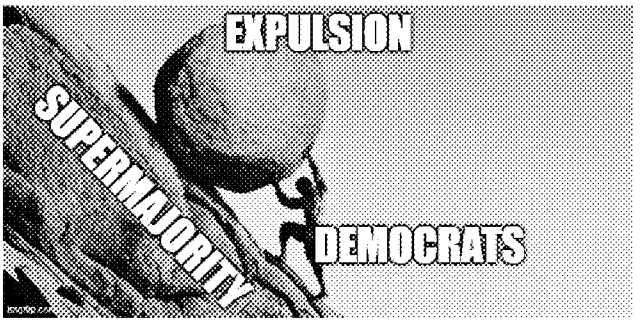
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001843

ARZN_REV00068716_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

22 IS A LONG WAY FROM 40



Salman and 22 other House Democrats introduced HR2006 (Mark Finchem; expulsion) today, but didn't make any effort to bring the legislation to the floor today or force a vote on expelling him. "Every day the member remains in office is a threat to the Arizona House of Representatives, a threat to national security and a threat to our democracy," Salman said at a press conference this morning. Finchem was in DC to speak on Jan 6, although he has said he played no role in a pro-Trump mob's storming of the Capitol trying to stop the certification of the electoral vote. He has falsely blamed the violence on Antifa. Since then, Democrats have been trying to keep the spotlight on Finchem's alleged role in the riot, although so far, the House Ethics Committee hasn't acted on a complaint Chávez filed over a month ago. Salman acknowledged that the apparent disinclination from House Republicans to act on the Democrats' complaints could be an obstacle. "The conservative majority has made it very clear that they're not responding or even doing anything," she said. And while five Democrats didn't get on board with the complaint, it might not be a sign that the caucus is divided on the issue. A Hernandez and DeGrazia told our reporter that they didn't sign because they're on the Ethics Committee, while Espinoza said that Salman was operating on a tight timeline, and he didn't have the chance to sign before that deadline. Expelling the lawmaker would require 40 votes.

HE'S PROBABLY RESPONDING ON GAB

Finchem and Rogers are both subjects of ethics complaints, and they are also subjects of the wrath of a Dem operative who wants to shame the organizations that funded their rise to elected office. National organizations, including Facebook and Microsoft, have already begun to ramp up accountability of their political spending after the DC riot last month but as that attention stayed on members of Congress and US Senate, Dem operative Tony Cani has tried to keep it local. Cani has been on a tweet storm since the Capitol insurrection on Jan 6 that resulted in the deaths of five, including a police officer, in an attempt to bring accountability – not just for the lawmakers, but for the groups and other people who helped put them in the positions of power. "While we all focus on the future, a reminder of the past that I'm not gonna let go until we know more. Rep. Mark Finchem used campaign donations to fly to DC for the insurrection," (LINK) he said in one of the dozens of tweets on the subject lately. Cani has put particular emphasis on outing Finchem's big donors since Finchem was in DC for the protest turned riot and has been among the chief spreaders of the big lie. (As is the recall campaign against him, which has a whole section of its website dedicated to detailing Finchem's major donors (LINK) which include the Arizona Diamondbacks, Wells Fargo, APS, Freeport McMoRan, Southwest Gas and others). "Being [state] legislators, they don't get the scrutiny locally that I wish that they got from even Democratic activists," Cani told our reporter. "We have these local people who did the identical stuff [as members of congress] if not worse. The truth of the matter is, most of these people who run these PACs, or who hang around the Legislature, are giving because it's a part of their business, [but] they know the kind of person that Mark Finchem is."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001844
ARZN_REV00068716_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF APS DOESN'T BUY AZLEG, HOW CAN IT CONTROL CORP COMM?

APS contributed $500 to Finchem's campaign on Dec 31, months after Finchem became a leader in pushing baseless election conspiracy theories, and recently announced it is "reviewing" its political spending practices. A company spokesperson told our reporter it hasn't settled on a new policy, and that the statement still reflects its status: "Political giving paused while review is underway." (Of course, this isn't exactly political contribution season.) CEO Jeff Guldner had already cracked down on the company's spending practices on regulators after his predecessor Don Brandt made a habit of meddling in those elections to get the commissioners who would be friendly to the company. Employees of Raytheon, which contributed $1,000 to Finchem's campaign last year, are pulling contributions from the company PAC, *Wall Street Journal* reported. "Dozens of employees have suspended their individual contributions to the company's PAC … Some of those employees said they don't want to finance Republicans who contested Mr. Biden's win," the *Journal* reported (LINK). Karrin Taylor Robson ran the Republican Legislative Victory Fund, which spent more than $80,000 independent expenditures to help elect Rogers and another $80,000 against Schwiebert, former Rep Anthony Kern's Democratic opponent who bested him in November. She told the *Republic* she will see how things progress with those involved in attempting to overturn the election and in the insurrection. "How they comport themselves, including in January, and including next week and next month and next year is going to dictate whether or not I'm going to write checks again," she said about Arizona's members of Congress. Robson also contributed $250 each to Finchem and Kern from her own pocket. Meanwhile, Arizona Diamondbacks owner Ken Kendrick, and his wife Randy, a top political donor in Arizona over the past decade-plus, also spent heavily on Finchem, Rogers and Kern. A spokesman for the team said it wouldn't comment.

WHEN THE E-BOARD SPEAKS, DUCEY SHOULD LISTEN

The *Republic's* editorial board today hammered the point that we need more data about what's happening with vaccines. We've been picking on the governor's office and DHS for a while now (YS, 1/5) about their failed promise to set up a vaccine dashboard with basic data about who, exactly, is receiving vaccines, when, where and under what circumstances (are they teachers, senior citizens, first responders?), and it seems the editorial board is also getting tired of the lack of answers. "The problem is Arizona has done a poor job of tabulating its construction progress. We remain largely in the dark about where shots are going and who's getting them, making it nearly impossible to know what's working and what needs improvement," the editorial board wrote today (LINK). "That needs to change." The editorial board framed it as a balance between ensuring speed and ensuring equity in distribution. The state is under tremendous pressure to get vaccines out, but needs to ensure they're actually getting to those the state has decided to prioritize – the old, the vulnerable and those with professions that put them in harm's way. That means detailing the age and ethnicity of those getting shots, to see if older and underprivileged groups are receiving adequate numbers of shots; releasing zip codes so the state and municipalities know where they should focus next; and showing data on how many doses the state has taken back, so policymakers can decide if that idea worked as intended. "It's possible that demographic and location information, once released and analyzed, will reveal major inequities in distribution. But we can't fix what we don't know," the board wrote. The Republic noted that the Ninth Floor and Dept of Health Services has repeatedly responded to these important questions with a stock answer that the state is trying to get more vaccines. "It's not enough to say we're lobbying the feds for more doses (though that certainly is important)," the board wrote. "Ducey and Christ must tell us more about the doses we already *have*... If they don't know, fine. Be upfront about that, too."

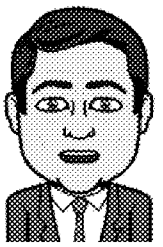
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001845

ARZN_REV00068716_2-8-21.pdf

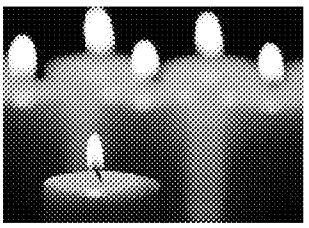
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"SHOCKING" MEANS YOU DIDN'T KNOW ABOUT IT



DHS and the Ninth Floor still won't answer whether the state is tracking how many vaccine doses are going to waste. *AZFamily* reported more than 500 vaccine doses were wasted in Maricopa County, information that it only received after a public records request, but nobody knows how many doses have gone to waste in Arizona's 14 other counties. The Ninth Floor told our reporter to ask DHS, who has repeatedly refused to answer that question for more than one month. Ducey tweeted that he was "shocked" about the news for Maricopa County, which *AZFamily* reported is not unusual with vaccine distribution. (Actually, the number wasted in Maricopa County is surprisingly low). But the fact that Ducey found the news shocking hints that the Ninth Floor doesn't know what's happening at the county distribution centers. Ducey also said no vaccines have gone to waste at State Farm Stadium, but it's unclear whether the state actually tracks that metric, as both the Ninth Floor and the Dept of Health Services have repeatedly dodged our reporter's questions about whether the state tracks that information. DHS spokesman Steve Elliott was off last week, so deferred our reporter to Holly Poynter, his deputy, who said in an email that "No doses of the COVID-19 vaccine have been allowed to expire at state-run vaccine sites," but failed to provide any answer whether the state is tracking wasted doses at the state or county level. Our reporter followed up with Poynter, who is off today, and posed the same original question to Elliott, who never responded.

BARB WOULD LOL AT A HEADLINE ABOUT TRUMP KILLING HER



Barb Lubin, a longtime Democratic activist and party employee who served as the state party's spokeswoman for years, died over the weekend after a long battle with cancer. The *Republic* penned an obit that did justice to Lubin's chops as a political insider, and, more importantly, her "wicked" sense of humor (LINK). Lubin was an excellent railbird, who would crack some of the best jokes of all our sources, and was always ready and willing to point reporters in the right direction, even after she had left the spokeswoman post. She had beat back a brain tumor in 2009, but when it ultimately returned in 2019, Lubin dubbed it "Donald Trump," a crack that she used so frequently, it made it into her obit.

·WAKE UP CALL·

'Ambiguous' pick, redistricting leader is ready
Arizona Capitol Times
The Independent Redistricting Commission's new chairwoman is unfazed by the late start to the panel's work brought on by the delay of U.S. Census Bureau data.

Showdown over election audit looms on Monday
Capitol Media Services
The game of political chicken between the Arizona Senate and Maricopa County supervisors comes to a head Monday

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001846
ARZN_REV00068716_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

as lawmakers weigh holding board members in contempt, opening the door for the apparently unprecedented possibility of county officials being charged with a crime or even immediately locked up.

Finchem says Ducey can't legally negotiate with tribes to expand gambling
Capitol Media Services
Plans by Gov. Doug Ducey to allow statewide sports wagering, betting on fantasy leagues, keno and more tribal gambling could be undermined by a Pinal County lawmaker.

A race between vaccinations and more contagious coronavirus variants has begun in Arizona
Arizona Daily Star
New coronavirus variants could push herd immunity further from Arizona's reach.

Colorado River outlook darkens dramatically in new study
Arizona Daily Star
In the gloomiest long-term forecast yet for the drought-stricken Colorado River, a new study warns that lower river basin states including Arizona may have to slash their take from the river up to 40% by the 2050s to keep reservoirs from falling too low.

Report: Trump campaign listed payment to Finchem's firm
Maricopa Monitor
Former President Donald Trump's unsuccessful reelection campaign reported it paid over $6,000 to a business belonging to a Pinal County legislator who sought to have the Legislature overturn Joe Biden's win in the state.

Majority Of Employees At Sierra Vista Police, Sheriff's Office Declining Vaccine
Herald-Review
The majority of personnel at the two largest local law enforcement agencies in Cochise County have not gotten the COVID vaccine thus far, officials at both agencies said recently.

A Legislator Unmasked Her Sexist Troll. He Was a Liberal Scottsdale Sports Announcer
Phoenix New Times
The tweet that put a Scottsdale sports announcer on a collision course with his state Senator, Michelle Ugenti-Rita, wasn't an unusual one for him.

A Tucson Man Shot by a Border Officer While Entering Mexico Has Filed a Lawsuit Against DHS
Phoenix New Times
A Tucson man who was shot in the head by a U.S. Customs officer while driving into Mexico in 2019 filed a federal civil-rights complaint this week against the U.S. Department of Homeland Security.

Annual homeless count canceled in Maricopa County because of COVID
Arizona Mirror
On one night at the beginning of the year, counties across the country attempt to count the number of homeless people in their area.

Maricopa County asks judge to strike down Senate subpoenas
Arizona Mirror
As the Arizona Senate prepares to vote on whether to hold the Maricopa County Board of Supervisors in contempt for refusing to comply with subpoenas for a trove of equipment, data and ballots from the 2020 general election, the county is asking a judge to quash the subpoenas, arguing that they're unlawful and invalid on several grounds.

More than 100 bills that would restrict voting are moving through state legislatures
CNN
State lawmakers across the US have filed more than 100 bills since the November election aimed at reforming election procedure and limiting voter access, according to a new report from the Brennan Center for Justice.

Albert Hale, Former President of Navajo Nation, Dies at 70
New York Times
Mr. Hale was a trailblazing lawyer and a vocal advocate for Indigenous rights and securing greater tax revenues for Arizona's tribal nations. He died of Covid-19.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001847

ARZN_REV00068716_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

1,009,832 voters created Arizona's 4 QAnon quacks
Arizona Republic (Opinion, EJ Montini)
Biggs, Gosar, Lesko and Schweikert could not have supported their QAnon colleague without first receiving your support.

Think Arizona's unemployment pay is a joke? If you want to raise it, speak up now
Arizona Republic (Opinion, Laurie Roberts)
The fate of a proposal to boost Arizona's unemployment pay is now in the hands of one man. He should do the right thing and give it a fair hearing.

What went wrong with GameStop stock (and how we stop it from happening again)
Arizona Republic (Opinion, Robert Robb)
Investment markets need protection against manipulation, by short-sellers and social-media mobs.

Trump rioter Jake Angeli gets organic food in jail. That's the epitome of white privilege
Arizona Republic (Opinion, Greg Moore)
Jake Angeli, the guy with the horns who raided the Capitol, points to a disconnect between the justice system and the people it presides over.

What we don't know about Arizona COVID-19 vaccine distribution really does hurt us
Arizona Republic (Opinion, Editorial Board)
Arizona needs more COVID-19 vaccine doses. But we also need a lot more information about where the doses we do have are going, and who's getting them.

You no longer have to be a lawyer to practice law in Arizona. That's good and bad
Arizona Republic (Op-ed, Maya Steinitz and Victoria Sahani)
New rules in Arizona allow non-lawyers to practice law and invest in a lawfirm. There may be benefits but also plenty of unintended consequences.

My husband was injured in combat. The pandemic made caring for him more difficult
Arizona Republic (Op-ed, Bree Shields)
It's tough being the sole caregiver and provider for my husband, who was injured in combat – especially during a pandemic. Luckily, there is help.

-PRESS RELEASES-

Statement from Senator Paul Boyer

"I voted 'no' today on SR 1005, a resolution to hold the Maricopa County Board of Supervisors in contempt for not complying with a Senate subpoena concerning an election audit.
It is my hope that the Board of Supervisors and the Arizona Senate can quickly go to the State Supreme Court together to give the Board the legal confidence they need to turn over the ballots for a transparent audit with the intent of informing future elections. My hope is a rejection of the contempt call will give the Board of Supervisors time to resolve itself on how to legally proceed with providing public records, while still protecting the private nature of an individual's vote. It is critical that the Senate and the Board find a way to amicably work together. I believe the Board has no policy disagreement with additional audits of the last election.
Oversight and review of government are the responsibilities of the Senate. It will happen when all parties have legal confidence, it should happen without contempt charges, and the legal process to proceed is underway.
Ultimately, today's vote to reject the resolution provides more time for us to work together for the sole purpose of gaining more clarity. It is NOT a final determination, nor is it the end of the process. My vote is about patience. It's about resolving disagreements civilly, and these are things that I believe all Senators can agree upon regardless of our respective votes today."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001848
ARZN_REV00068716_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Statement from Supervisor Steve Gallardo About AZ Senate Contempt Vote

"This is really simple. Arizona GOP senators have been complicit in a big lie about the election for three months now. This sham subpoena to get access to people's private ballots is all in service of the big lie. The big lie has always been about a single issue on the ballot—the presidential race—and the ego of the former President, who refused to accept that a majority of Americans and a majority of Arizonans and a majority of Maricopa County residents did not want him to serve a second term.

The November election was safe, secure, and accurate. The county's two independent audits will prove that as previous audits, hand counts, and court cases have done.

The senators who vote for contempt against the Board will be doing more than that; they will be expressing their contempt for the will of the majority of Maricopa County residents. They will be thumbing their nose at democracy. They will be declaring that they are on the side of mob rule, that they are on the side of the insurrectionists who tried to stop the peaceful transfer of power. They will be demonstrating, through action, that they believe power should be taken from the people not given by the people. They will be admitting that as much as they crow about voter integrity and freedom, they don't really want all the votes to count or everyone in the community to vote.

I have so much respect for the Republicans I serve with on the Board of Supervisors. They are standing up for what's right. It's too bad it appears there are no Republicans in the Senate willing to put country over party and do the same."

For questions, contact District 5 at 602-506-7092.

Statement from Senate Republicans on court filing by Maricopa County Board of Supervisors

"Friday evening the Maricopa County Board of Supervisors filed a complaint in Superior Court, seeking to quash our legal subpoenas calling for a true, independent and detailed audit of the 2020 election. In the stunning complaint, the county backtracks on several commitments made in an agreement with the Senate.

· In January, the county admitted the Senate had a valid legislative purpose to issue subpoenas. Now, in the complaint, the county denies a valid legislative purpose.

In January, the county agreed to produce ballot images to the Senate. Now, in the complaint, it claims it is legally prohibited from producing the images.

In December, the county adopted a clear view of the Senate's right to hold the Board of Supervisors in contempt. Now, in the complaint, the county asks the judicial branch to interfere with the legislative branch's previously conceded remedy of contempt.

This new lawsuit is filled with a mischaracterization of facts to gain advantage with the courts and the media. Instead of making efforts to reach a resolution, the county is trying to score points.

Arizonans are asking for a true, detailed audit of the vote. Any firm hired by the Senate will perform everything we have required in the subpoenas. We must bring back confidence and restore integrity to the election process. That's what our people want, not more grandstanding from the county."

Kelly, Sinema Urge Administration to Provide Arizona Additional Vaccines

Arizona Senators Mark Kelly and Kyrsten Sinema requested the administration provide an emergency additional vaccine allotment for Arizona.

"Arizona needs more vaccines to ramp up state vaccination sites while also ensuring that rural and border areas get enough to meet the capacity they have to vaccinate their communities. Getting Arizonans vaccinated is how we're going to beat this virus and get our economy back on track, and our state needs a larger allotment especially as we work to vaccinate those who are vulnerable and essential workers including farmworkers and Department of Homeland Security employees," said Kelly.

"Arizona suffers from one of the worst coronavirus outbreaks in the country. Our hospitals and vaccination sites are overwhelmed, and we need additional vaccine doses to save lives and provide immediate help to Arizona seniors, people with pre-existing conditions, frontline workers, and tribal communities," said Sinema.

Arizona is suffering from one of the worst coronavirus outbreaks in the country. Sinema has heard from Arizonans who are in 1A and 1B vaccination groups, but are waiting hours online or by phone to secure vaccination appointments, and many are unable to schedule appointments at all. The Senators are requesting 300,000 vaccine

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001849

ARZN_REV00068716_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

doses immediately and an increase of 300,000 doses in the weekly allocation of vaccines to the state from the federal government, consistent with the State of Arizona's request.
Today's request follows Sinema's request from last week when she asked HHS and FEMA to provide more vaccination personnel, an immediate supplement of 300,000 vaccine doses, and an additional 300,000 doses added to Arizona's usual weekly allocations. Senator Sinema is helping vaccination sites find more volunteers and volunteering at sites herself. She continues to communicate Arizona's needs to federal partners, Pfizer, Moderna, and the new administration.
Read the Senators' letter **HERE**.

Rep. Kirkpatrick Announces Milestone: More Than $2,600,000 Returned to Southern Arizona Constituents

Since January 2019, the Congresswoman & Her Staff Have Worked to Return Backlogged Payments & Benefits to Southern Arizona Residents Dealing with Federal Agencies

(Tucson, AZ) — Today, Rep. Kirkpatrick announced that her office has returned more than $2,600,000 to the people of southern Arizona.
Rep. Kirkpatrick and her staff have closed more than 2,200 constituent cases and **returned more than $2.6 million to Southern Arizonans.** Rep. Kirkpatrick's office returned these dollars to Arizona taxpayers by cutting through federal red tape, expediting returns owed from the Internal Revenue Service (IRS), and securing backlogged benefits from federal agencies like the U.S. Department of Veterans Affairs (VA) and the U.S. Social Security Administration (SSA). Especially during the COVID-19 pandemic, the office has prioritized assisting constituents with issues relating to the economic and health effects of the crisis. In addition, her staff has helped constituents understand the benefits provided by Congress and offers direct calls with constituents to provide guidance on small business loan information, health care and financial resources.
Since early on in the pandemic, Rep. Kirkpatrick's constituent services team has held virtual casework office hours to engage with constituents directly and efficiently about what they might need assistance with. Since accessibility is at the cornerstone of Rep. Kirkpatrick's service, she built a team that knows, advocates for, and lives in Southern Arizona — first and foremost.
"Having my office be accessible to Southern Arizonans has always been my top priority, and now more than ever, it is crucial that our community has access to our staff and all the resources we can provide," **said Rep. Kirkpatrick.** "Even with the restrictions on in-person gatherings, our congressional staff has been working tirelessly to stay responsive to the needs of our community as we weather this pandemic.
"I want Southern Arizonans to know that we are here for them. I encourage any individual, family, or business who needs assistance to reach out to my office with their questions or concerns. We will get through this, together."
Constituents with questions about how Rep. Kirkpatrick's office can provide assistance should visit **www.kirkpatrick.house.gov**.

FOR IMMEDIATE RELEASE
February 8, 2021

Congressman Biggs Introduces Bill to Prevent COVID-19 Testing Federal Mandate for Domestic Air Travel

WASHINGTON, D.C. – Today, Congressman Biggs introduced legislation to prohibit the Secretary of Transportation from imposing Covid-19 testing mandates on air carriers for domestic flights. Congressman Biggs issued the following statement:
"It is outrageous that the Biden administration is contemplating new regulations or guidelines to require passengers to undergo COVID-19 testing before domestic air travel. This is another unscientific, bureaucratic action designed to control Americans' lives and increase dependence on government. Further, such a mandate would devastate the airline industry and destroy massive sectors of our recovering economy.
"I fly domestically regularly each month, and I observe the efforts of the airlines to make each passenger safe. The Biden administration should listen to the airline executives and heed the science of healthy air travel. This misguided idea should not become implemented policy under any circumstances."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001850
ARZN_REV00068716_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Needless to say, I would not have put this on the board if I hadn't been told we had 16 strong votes."

- Fann, on the vote to hold the Maricopa County Board of Supervisors in contempt

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001851

ARZN_REV00068716_2-8-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, February 8, 2021 4:07:55 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-8-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *February 8, 2021*

SO CLOSE, YET SO FAR AWAY
Boyer single-handedly killed the Senate's resolution to declare the Maricopa County Board of Supervisors in contempt, sticking to his "no" vote despite a full-court press from his caucus.

LAWMAKER NEARLY BREAK YOUR HAND? BETTER CALL ADAM!
Former lawmaker Adam Kwasman has taken on the case of Michael Polloni, the former Rogers campaign volunteer turned staffer who accused the new lawmaker of harassing him and creating a hostile workplace.

22 IS A LONG WAY FROM 40
Salman and 22 other House Democrats introduced HR2006 (Mark Finchem;

AMERICAN OVERSIGHT

expulsion) today, but didn't make any effort to bring the legislation to the floor today or force a vote on expelling him.

HE'S PROBABLY RESPONDING ON GAB
Finchem and Rogers are both subjects of ethics complaints, and they are also subjects of the wrath of a Dem operative who wants to shame the organizations that funded their rise to elected office.

IF APS DOESN'T BUY AZLEG, HOW CAN IT CONTROL CORP COMM?
APS contributed $500 to Finchem's campaign on Dec 31, months after Finchem became a leader in pushing baseless election conspiracy theories, and recently announced it is "reviewing" its political spending practices.

WHEN THE E-BOARD SPEAKS, DUCEY SHOULD LISTEN
The Republic's editorial board today hammered the point that we need more data about what's happening with vaccines.

"SHOCKING" MEANS YOU DIDN'T KNOW ABOUT IT
DHS and the Ninth Floor still won't answer whether the state is tracking how many vaccine doses are going to waste.

BARB WOULD LOL AT A HEADLINE ABOUT TRUMP KILLING HER
Barb Lubin, a longtime Democratic activist and party employee who served as the state party's spokeswoman for years, died over the weekend after a long battle with cancer.

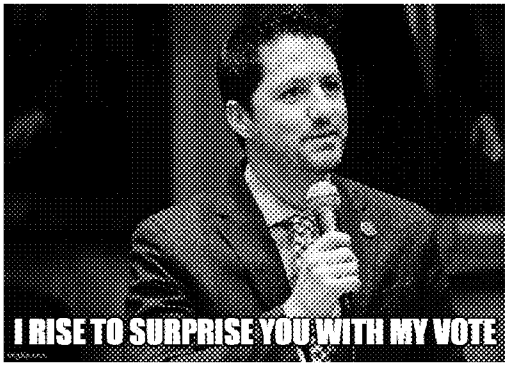
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, February 08, 2021

·NEWS NOTES AND GOSSIP·

SO CLOSE, YET SO FAR AWAY



Boyer single-handedly killed the Senate's resolution to declare the Maricopa County Board of Supervisors in contempt, sticking to his "no" vote despite a full-court press from his caucus. The move clearly got under Fann's skin, as she held the board open to pester the lone Republican against it, who had already been entertaining a host of visitors at his desk as Republicans pressured him to flip. "Needless to say, I would not have put this on the board if I hadn't been told we had 16 strong votes," she said. After Democrats failed to force a debate on the resolution, Fann was confident that it would pass and put the bill up on the board for an hourlong vote in which Democrats were mostly silent. Boyer said he planned to vote for the resolution when he went home last week, but he spent the weekend thinking it over during a missionary trip to Mexico, and decided he needed to vote "no" to give more time for the Senate and county to reach an agreement. "Today's 'no' vote merely provides a little bit more time for us to work together charitably and as friends for the sole purpose of gaining more clarity," Boyer said. "This is not a final determination, nor is this the end of the process." Although it was clear that the resolution didn't have the votes to pass, Republicans, including a semi-masked Leach, Gray, Petersen, Ugenti-Rita and Mesnard each spent several minutes kneeling at Boyer's desk urging him to flip. Fann summoned Boyer to her desk to lecture him privately before complaining publicly on mic that he didn't tell her he was a "no." She argued that the vote should have been bipartisan, as she believes that Democrats should have voted to defend the Legislature's authority to issue subpoenas. Several lawmakers called Boyer out by name, including Petersen. "When it comes to obstruction, lies and deception, the Maricopa County Board gets an A-plus," Petersen said, arguing that the county has no interest in working with the Senate. "They thought they could peel off one of our Republican Senators. It sounds like they may have. I hope that's not the case," he added. "They did," Townsend chimed in from Zoom. Townsend went even further with a comment on mic that several onlookers took as inciting violence against Boyer and county supervisors. "So, public, do what you gotta do," she said. When Boyer said that the allegations have gone too far, and that no elected official should face harassment at their homes or death threats, as members of the board have said they have received, Gowan chimed in from the back that they should "vote right." "These people are gonna get someone killed and only think they are further validated in their charade," Mendez tweeted during the vote.

LAWMAKER NEARLY BREAK YOUR HAND? BETTER CALL ADAM!

Former lawmaker Adam Kwasman has taken on the case of Michael Polloni, the former Rogers campaign volunteer turned staffer who accused the new lawmaker of harassing him and creating a hostile workplace. In a press release today, Kwasman's firm, Wagner and Kwasman, said Polloni had retained it and O'Steen & Harrison to jointly represent him in the ethics committee investigation and "forthcoming civil claims for wrongful termination and harassment by the State of Arizona and Sen. Rogers." "We look forward to not only fighting for Michael and getting him the justice he deserves, but also fighting for the people of Arizona, who deserve the best representation in their government officials and institutions," Kwasman said in the release. It also noted that Polloni put his enrollment at NAU on hold to work for Rogers, only to suffer "outrageous harassment that threatened his physical safety and mental health."

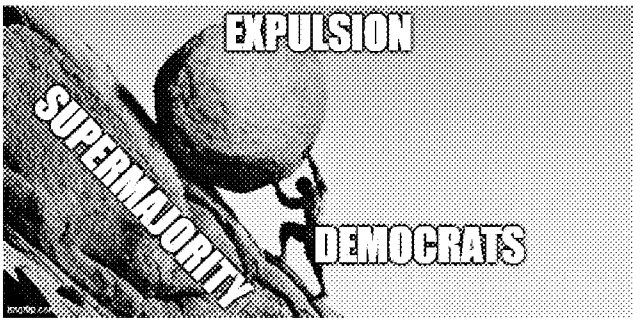
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001854

ARZN_REV00068718_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

22 IS A LONG WAY FROM 40



Salman and 22 other House Democrats introduced HR2006 (Mark Finchem; expulsion) today, but didn't make any effort to bring the legislation to the floor today or force a vote on expelling him. "Every day the member remains in office is a threat to the Arizona House of Representatives, a threat to national security and a threat to our democracy," Salman said at a press conference this morning. Finchem was in DC to speak on Jan 6, although he has said he played no role in a pro-Trump mob's storming of the Capitol trying to stop the certification of the electoral vote. He has falsely blamed the violence on Antifa. Since then, Democrats have been trying to keep the spotlight on Finchem's alleged role in the riot, although so far, the House Ethics Committee hasn't acted on a complaint Chávez filed over a month ago. Salman acknowledged that the apparent disinclination from House Republicans to act on the Democrats' complaints could be an obstacle. "The conservative majority has made it very clear that they're not responding or even doing anything," she said. And while five Democrats didn't get on board with the complaint, it might not be a sign that the caucus is divided on the issue. A Hernandez and DeGrazia told our reporter that they didn't sign because they're on the Ethics Committee, while Espinoza said that Salman was operating on a tight timeline, and he didn't have the chance to sign before that deadline. Expelling the lawmaker would require 40 votes.

HE'S PROBABLY RESPONDING ON GAB

Finchem and Rogers are both subjects of ethics complaints, and they are also subjects of the wrath of a Dem operative who wants to shame the organizations that funded their rise to elected office. National organizations, including Facebook and Microsoft, have already begun to ramp up accountability of their political spending after the DC riot last month but as that attention stayed on members of Congress and US Senate, Dem operative Tony Cani has tried to keep it local. Cani has been on a tweet storm since the Capitol insurrection on Jan 6 that resulted in the deaths of five, including a police officer, in an attempt to bring accountability – not just for the lawmakers, but for the groups and other people who helped put them in the positions of power. "While we all focus on the future, a reminder of the past that I'm not gonna let go until we know more. Rep. Mark Finchem used campaign donations to fly to DC for the insurrection," (LINK) he said in one of the dozens of tweets on the subject lately. Cani has put particular emphasis on outing Finchem's big donors since Finchem was in DC for the protest turned riot and has been among the chief spreaders of the big lie. (As is the recall campaign against him, which has a whole section of its website dedicated to detailing Finchem's major donors (LINK) which include the Arizona Diamondbacks, Wells Fargo, APS, Freeport McMoRan, Southwest Gas and others). "Being [state] legislators, they don't get the scrutiny locally that I wish that they got from even Democratic activists," Cani told our reporter. "We have these local people who did the identical stuff [as members of congress] if not worse. The truth of the matter is, most of these people who run these PACs, or who hang around the Legislature, are giving because it's a part of their business, [but] they know the kind of person that Mark Finchem is."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001855
ARZN_REV00068718_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF APS DOESN'T BUY AZLEG, HOW CAN IT CONTROL CORP COMM?

APS contributed $500 to Finchem's campaign on Dec 31, months after Finchem became a leader in pushing baseless election conspiracy theories, and recently announced it is "reviewing" its political spending practices. A company spokesperson told our reporter it hasn't settled on a new policy, and that the statement still reflects its status: "Political giving paused while review is underway." (Of course, this isn't exactly political contribution season.) CEO Jeff Guldner had already cracked down on the company's spending practices on regulators after his predecessor Don Brandt made a habit of meddling in those elections to get the commissioners who would be friendly to the company. Employees of Raytheon, which contributed $1,000 to Finchem's campaign last year, are pulling contributions from the company PAC, *Wall Street Journal* reported. "Dozens of employees have suspended their individual contributions to the company's PAC … Some of those employees said they don't want to finance Republicans who contested Mr. Biden's win," the *Journal* reported (LINK). Karrin Taylor Robson ran the Republican Legislative Victory Fund, which spent more than $80,000 independent expenditures to help elect Rogers and another $80,000 against Schwiebert, former Rep Anthony Kern's Democratic opponent who bested him in November. She told the *Republic* she will see how things progress with those involved in attempting to overturn the election and in the insurrection. "How they comport themselves, including in January, and including next week and next month and next year is going to dictate whether or not I'm going to write checks again," she said about Arizona's members of Congress. Robson also contributed $250 each to Finchem and Kern from her own pocket. Meanwhile, Arizona Diamondbacks owner Ken Kendrick, and his wife Randy, a top political donor in Arizona over the past decade-plus, also spent heavily on Finchem, Rogers and Kern. A spokesman for the team said it wouldn't comment.

WHEN THE E-BOARD SPEAKS, DUCEY SHOULD LISTEN

The *Republic's* editorial board today hammered the point that we need more data about what's happening with vaccines. We've been picking on the governor's office and DHS for a while now (YS, 1/5) about their failed promise to set up a vaccine dashboard with basic data about who, exactly, is receiving vaccines, when, where and under what circumstances (are they teachers, senior citizens, first responders?), and it seems the editorial board is also getting tired of the lack of answers. "The problem is Arizona has done a poor job of tabulating its construction progress. We remain largely in the dark about where shots are going and who's getting them, making it nearly impossible to know what's working and what needs improvement," the editorial board wrote today (LINK). "That needs to change." The editorial board framed it as a balance between ensuring speed and ensuring equity in distribution. The state is under tremendous pressure to get vaccines out, but needs to ensure they're actually getting to those the state has decided to prioritize – the old, the vulnerable and those with professions that put them in harm's way. That means detailing the age and ethnicity of those getting shots, to see if older and underprivileged groups are receiving adequate numbers of shots; releasing zip codes so the state and municipalities know where they should focus next; and showing data on how many doses the state has taken back, so policymakers can decide if that idea worked as intended. "It's possible that demographic and location information, once released and analyzed, will reveal major inequities in distribution. But we can't fix what we don't know," the board wrote. The Republic noted that the Ninth Floor and Dept of Health Services has repeatedly responded to these important questions with a stock answer that the state is trying to get more vaccines. "It's not enough to say we're lobbying the feds for more doses (though that certainly is important)," the board wrote. "Ducey and Christ must tell us more about the doses we already *have*... If they don't know, fine. Be upfront about that, too."

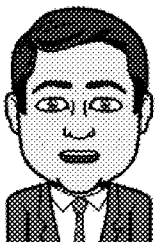
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001856

ARZN_REV00068718_2-8-21.pdf

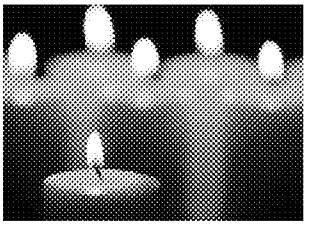
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"SHOCKING" MEANS YOU DIDN'T KNOW ABOUT IT



DHS and the Ninth Floor still won't answer whether the state is tracking how many vaccine doses are going to waste. *AZFamily* reported more than 500 vaccine doses were wasted in Maricopa County, information that it only received after a public records request, but nobody knows how many doses have gone to waste in Arizona's 14 other counties. The Ninth Floor told our reporter to ask DHS, who has repeatedly refused to answer that question for more than one month. Ducey tweeted that he was "shocked" about the news for Maricopa County, which *AZFamily* reported is not unusual with vaccine distribution. (Actually, the number wasted in Maricopa County is surprisingly low). But the fact that Ducey found the news shocking hints that the Ninth Floor doesn't know what's happening at the county distribution centers. Ducey also said no vaccines have gone to waste at State Farm Stadium, but it's unclear whether the state actually tracks that metric, as both the Ninth Floor and the Dept of Health Services have repeatedly dodged our reporter's questions about whether the state tracks that information. DHS spokesman Steve Elliott was off last week, so deferred our reporter to Holly Poynter, his deputy, who said in an email that "No doses of the COVID-19 vaccine have been allowed to expire at state-run vaccine sites," but failed to provide any answer whether the state is tracking wasted doses at the state or county level. Our reporter followed up with Poynter, who is off today, and posed the same original question to Elliott, who never responded.

BARB WOULD LOL AT A HEADLINE ABOUT TRUMP KILLING HER



Barb Lubin, a longtime Democratic activist and party employee who served as the state party's spokeswoman for years, died over the weekend after a long battle with cancer. The *Republic* penned an obit that did justice to Lubin's chops as a political insider, and, more importantly, her "wicked" sense of humor (LINK). Lubin was an excellent railbird, who would crack some of the best jokes of all our sources, and was always ready and willing to point reporters in the right direction, even after she had left the spokeswoman post. She had beat back a brain tumor in 2009, but when it ultimately returned in 2019, Lubin dubbed it "Donald Trump," a crack that she used so frequently, it made it into her obit.

·WAKE UP CALL·

'Ambiguous' pick, redistricting leader is ready
Arizona Capitol Times
The Independent Redistricting Commission's new chairwoman is unfazed by the late start to the panel's work brought on by the delay of U.S. Census Bureau data.

Showdown over election audit looms on Monday
Capitol Media Services
The game of political chicken between the Arizona Senate and Maricopa County supervisors comes to a head Monday

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001857
ARZN_REV00068718_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

as lawmakers weigh holding board members in contempt, opening the door for the apparently unprecedented possibility of county officials being charged with a crime or even immediately locked up.

Finchem says Ducey can't legally negotiate with tribes to expand gambling
Capitol Media Services
Plans by Gov. Doug Ducey to allow statewide sports wagering, betting on fantasy leagues, keno and more tribal gambling could be undermined by a Pinal County lawmaker.

A race between vaccinations and more contagious coronavirus variants has begun in Arizona
Arizona Daily Star
New coronavirus variants could push herd immunity further from Arizona's reach.

Colorado River outlook darkens dramatically in new study
Arizona Daily Star
In the gloomiest long-term forecast yet for the drought-stricken Colorado River, a new study warns that lower river basin states including Arizona may have to slash their take from the river up to 40% by the 2050s to keep reservoirs from falling too low.

Report: Trump campaign listed payment to Finchem's firm
Maricopa Monitor
Former President Donald Trump's unsuccessful reelection campaign reported it paid over $6,000 to a business belonging to a Pinal County legislator who sought to have the Legislature overturn Joe Biden's win in the state.

Majority Of Employees At Sierra Vista Police, Sheriff's Office Declining Vaccine
Herald-Review
The majority of personnel at the two largest local law enforcement agencies in Cochise County have not gotten the COVID vaccine thus far, officials at both agencies said recently.

A Legislator Unmasked Her Sexist Troll. He Was a Liberal Scottsdale Sports Announcer
Phoenix New Times
The tweet that put a Scottsdale sports announcer on a collision course with his state Senator, Michelle Ugenti-Rita, wasn't an unusual one for him.

A Tucson Man Shot by a Border Officer While Entering Mexico Has Filed a Lawsuit Against DHS
Phoenix New Times
A Tucson man who was shot in the head by a U.S. Customs officer while driving into Mexico in 2019 filed a federal civil-rights complaint this week against the U.S. Department of Homeland Security.

Annual homeless count canceled in Maricopa County because of COVID
Arizona Mirror
On one night at the beginning of the year, counties across the country attempt to count the number of homeless people in their area.

Maricopa County asks judge to strike down Senate subpoenas
Arizona Mirror
As the Arizona Senate prepares to vote on whether to hold the Maricopa County Board of Supervisors in contempt for refusing to comply with subpoenas for a trove of equipment, data and ballots from the 2020 general election, the county is asking a judge to quash the subpoenas, arguing that they're unlawful and invalid on several grounds.

More than 100 bills that would restrict voting are moving through state legislatures
CNN
State lawmakers across the US have filed more than 100 bills since the November election aimed at reforming election procedure and limiting voter access, according to a new report from the Brennan Center for Justice.

Albert Hale, Former President of Navajo Nation, Dies at 70
New York Times
Mr. Hale was a trailblazing lawyer and a vocal advocate for Indigenous rights and securing greater tax revenues for Arizona's tribal nations. He died of Covid-19.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001858

ARZN_REV00068718_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

1,009,832 voters created Arizona's 4 QAnon quacks
Arizona Republic (Opinion, EJ Montini)
Biggs, Gosar, Lesko and Schweikert could not have supported their QAnon colleague without first receiving your support.

Think Arizona's unemployment pay is a joke? If you want to raise it, speak up now
Arizona Republic (Opinion, Laurie Roberts)
The fate of a proposal to boost Arizona's unemployment pay is now in the hands of one man. He should do the right thing and give it a fair hearing.

What went wrong with GameStop stock (and how we stop it from happening again)
Arizona Republic (Opinion, Robert Robb)
Investment markets need protection against manipulation, by short-sellers and social-media mobs.

Trump rioter Jake Angeli gets organic food in jail. That's the epitome of white privilege
Arizona Republic (Opinion, Greg Moore)
Jake Angeli, the guy with the horns who raided the Capitol, points to a disconnect between the justice system and the people it presides over.

What we don't know about Arizona COVID-19 vaccine distribution really does hurt us
Arizona Republic (Opinion, Editorial Board)
Arizona needs more COVID-19 vaccine doses. But we also need a lot more information about where the doses we do have are going, and who's getting them.

You no longer have to be a lawyer to practice law in Arizona. That's good and bad
Arizona Republic (Op-ed, Maya Steinitz and Victoria Sahani)
New rules in Arizona allow non-lawyers to practice law and invest in a lawfirm. There may be benefits but also plenty of unintended consequences.

My husband was injured in combat. The pandemic made caring for him more difficult
Arizona Republic (Op-ed, Bree Shields)
It's tough being the sole caregiver and provider for my husband, who was injured in combat – especially during a pandemic. Luckily, there is help.

-PRESS RELEASES-

Statement from Senator Paul Boyer

"I voted 'no' today on SR 1005, a resolution to hold the Maricopa County Board of Supervisors in contempt for not complying with a Senate subpoena concerning an election audit.
It is my hope that the Board of Supervisors and the Arizona Senate can quickly go to the State Supreme Court together to give the Board the legal confidence they need to turn over the ballots for a transparent audit with the intent of informing future elections. My hope is a rejection of the contempt call will give the Board of Supervisors time to resolve itself on how to legally proceed with providing public records, while still protecting the private nature of an individual's vote. It is critical that the Senate and the Board find a way to amicably work together. I believe the Board has no policy disagreement with additional audits of the last election.
Oversight and review of government are the responsibilities of the Senate. It will happen when all parties have legal confidence, it should happen without contempt charges, and the legal process to proceed is underway.
Ultimately, today's vote to reject the resolution provides more time for us to work together for the sole purpose of gaining more clarity. It is NOT a final determination, nor is it the end of the process. My vote is about patience. It's about resolving disagreements civilly, and these are things that I believe all Senators can agree upon regardless of our respective votes today."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001859
ARZN_REV00068718_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Statement from Supervisor Steve Gallardo About AZ Senate Contempt Vote

"This is really simple. Arizona GOP senators have been complicit in a big lie about the election for three months now. This sham subpoena to get access to people's private ballots is all in service of the big lie. The big lie has always been about a single issue on the ballot—the presidential race—and the ego of the former President, who refused to accept that a majority of Americans and a majority of Arizonans and a majority of Maricopa County residents did not want him to serve a second term.

The November election was safe, secure, and accurate. The county's two independent audits will prove that as previous audits, hand counts, and court cases have done.

The senators who vote for contempt against the Board will be doing more than that; they will be expressing their contempt for the will of the majority of Maricopa County residents. They will be thumbing their nose at democracy. They will be declaring that they are on the side of mob rule, that they are on the side of the insurrectionists who tried to stop the peaceful transfer of power. They will be demonstrating, through action, that they believe power should be taken from the people not given by the people. They will be admitting that as much as they crow about voter integrity and freedom, they don't really want all the votes to count or everyone in the community to vote.

I have so much respect for the Republicans I serve with on the Board of Supervisors. They are standing up for what's right. It's too bad it appears there are no Republicans in the Senate willing to put country over party and do the same."

For questions, contact District 5 at 602-506-7092.

Statement from Senate Republicans on court filing by Maricopa County Board of Supervisors

"Friday evening the Maricopa County Board of Supervisors filed a complaint in Superior Court, seeking to quash our legal subpoenas calling for a true, independent and detailed audit of the 2020 election. In the stunning complaint, the county backtracks on several commitments made in an agreement with the Senate.

· In January, the county admitted the Senate had a valid legislative purpose to issue subpoenas. Now, in the complaint, the county denies a valid legislative purpose.

In January, the county agreed to produce ballot images to the Senate. Now, in the complaint, it claims it is legally prohibited from producing the images.

In December, the county adopted a clear view of the Senate's right to hold the Board of Supervisors in contempt. Now, in the complaint, the county asks the judicial branch to interfere with the legislative branch's previously conceded remedy of contempt.

This new lawsuit is filled with a mischaracterization of facts to gain advantage with the courts and the media. Instead of making efforts to reach a resolution, the county is trying to score points.

Arizonans are asking for a true, detailed audit of the vote. Any firm hired by the Senate will perform everything we have required in the subpoenas. We must bring back confidence and restore integrity to the election process. That's what our people want, not more grandstanding from the county."

Kelly, Sinema Urge Administration to Provide Arizona Additional Vaccines

Arizona Senators Mark Kelly and Kyrsten Sinema requested the administration provide an emergency additional vaccine allotment for Arizona.

"Arizona needs more vaccines to ramp up state vaccination sites while also ensuring that rural and border areas get enough to meet the capacity they have to vaccinate their communities. Getting Arizonans vaccinated is how we're going to beat this virus and get our economy back on track, and our state needs a larger allotment especially as we work to vaccinate those who are vulnerable and essential workers including farmworkers and Department of Homeland Security employees," said Kelly.

"Arizona suffers from one of the worst coronavirus outbreaks in the country. Our hospitals and vaccination sites are overwhelmed, and we need additional vaccine doses to save lives and provide immediate help to Arizona seniors, people with pre-existing conditions, frontline workers, and tribal communities," said Sinema.

Arizona is suffering from one of the worst coronavirus outbreaks in the country. Sinema has heard from Arizonans who are in 1A and 1B vaccination groups, but are waiting hours online or by phone to secure vaccination appointments, and many are unable to schedule appointments at all. The Senators are requesting 300,000 vaccine

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001860

ARZN_REV00068718_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

doses immediately and an increase of 300,000 doses in the weekly allocation of vaccines to the state from the federal government, consistent with the State of Arizona's request.
Today's request follows Sinema's request from last week when she asked HHS and FEMA to provide more vaccination personnel, an immediate supplement of 300,000 vaccine doses, and an additional 300,000 doses added to Arizona's usual weekly allocations. Senator Sinema is helping vaccination sites find more volunteers and volunteering at sites herself. She continues to communicate Arizona's needs to federal partners, Pfizer, Moderna, and the new administration.
Read the Senators' letter **HERE**.

Rep. Kirkpatrick Announces Milestone: More Than $2,600,000 Returned to Southern Arizona Constituents

Since January 2019, the Congresswoman & Her Staff Have Worked to Return Backlogged Payments & Benefits to Southern Arizona Residents Dealing with Federal Agencies
(Tucson, AZ) — Today, Rep. Kirkpatrick announced that her office has returned more than $2,600,000 to the people of southern Arizona.
Rep. Kirkpatrick and her staff have closed more than 2,200 constituent cases and **returned more than $2.6 million to Southern Arizonans.** Rep. Kirkpatrick's office returned these dollars to Arizona taxpayers by cutting through federal red tape, expediting returns owed from the Internal Revenue Service (IRS), and securing backlogged benefits from federal agencies like the U.S. Department of Veterans Affairs (VA) and the U.S. Social Security Administration (SSA). Especially during the COVID-19 pandemic, the office has prioritized assisting constituents with issues relating to the economic and health effects of the crisis. In addition, her staff has helped constituents understand the benefits provided by Congress and offers direct calls with constituents to provide guidance on small business loan information, health care and financial resources.
Since early on in the pandemic, Rep. Kirkpatrick's constituent services team has held virtual casework office hours to engage with constituents directly and efficiently about what they might need assistance with. Since accessibility is at the cornerstone of Rep. Kirkpatrick's service, she built a team that knows, advocates for, and lives in Southern Arizona — first and foremost.
"Having my office be accessible to Southern Arizonans has always been my top priority, and now more than ever, it is crucial that our community has access to our staff and all the resources we can provide," **said Rep. Kirkpatrick.** "Even with the restrictions on in-person gatherings, our congressional staff has been working tirelessly to stay responsive to the needs of our community as we weather this pandemic.
"I want Southern Arizonans to know that we are here for them. I encourage any individual, family, or business who needs assistance to reach out to my office with their questions or concerns. We will get through this, together."
Constituents with questions about how Rep. Kirkpatrick's office can provide assistance should visit **www.kirkpatrick.house.gov**.

FOR IMMEDIATE RELEASE
February 8, 2021

Congressman Biggs Introduces Bill to Prevent COVID-19 Testing Federal Mandate for Domestic Air Travel

WASHINGTON, D.C. – Today, Congressman Biggs introduced legislation to prohibit the Secretary of Transportation from imposing Covid-19 testing mandates on air carriers for domestic flights. Congressman Biggs issued the following statement:
"It is outrageous that the Biden administration is contemplating new regulations or guidelines to require passengers to undergo COVID-19 testing before domestic air travel. This is another unscientific, bureaucratic action designed to control Americans' lives and increase dependence on government. Further, such a mandate would devastate the airline industry and destroy massive sectors of our recovering economy.
"I fly domestically regularly each month, and I observe the efforts of the airlines to make each passenger safe. The Biden administration should listen to the airline executives and heed the science of healthy air travel. This misguided idea should not become implemented policy under any circumstances."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001861
ARZN_REV00068718_2-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Needless to say, I would not have put this on the board if I hadn't been told we had 16 strong votes."

- Fann, on the vote to hold the Maricopa County Board of Supervisors in contempt

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001862

ARZN_REV00068718_2-8-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, February 9, 2021 10:19:46 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: February 9, 2021
Attachments: February 9, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Arizona Senate falls vote short of holding Maricopa County supervisors in contempt
- Congress must alter women's violence laws on native lands
- Dems seek to remove Finchem over actions at US Capitol rally
- UA sees decline in COVID cases; to scale back test requirements for dorm residents

Arizona Republic

- Running out of room for state's COVID dead: Majority of Arizona funeral homes, crematories say they are 90% or more full of human remains
- 1 GOP 'no' vote fails contempt attempt over election audit
- Workers call for pay hike
- State reports 2,250 new COVID-19 cases, 7 deaths

KTAR News

- Arizona to receive just under 175K COVID-19 vaccines this week
- Pima County surprised with state-run vaccination site announcement
- Biden praises Arizona Gov. Ducey's cooperation with vaccine distribution
- Immigrants, activists worry Biden won't end Trump barriers

Arizona Daily Sun

- Salvaging COVID-19 vaccines: Flagstaff providers use waitlists to prevent waste

Commented [JL1]:

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Arizona Senate falls vote short of holding Maricopa County supervisors in contempt

Arizona Daily Star
February 9, 2021
Howard Fischer

A bid by Senate Republicans to hold Maricopa County supervisors in contempt faltered Monday as one GOP lawmaker balked. Sen. Paul Boyer, R-Glendale, said he believes the Senate does have the power to use its subpoena power to demand access to the county's voting machines and ballots from the Nov. 3 election.

'That authority is clear, and it will be used if necessary,' Boyer said. But he said he believes that power should be used 'sparingly and reluctantly.'

More to the point, Boyer said he believes the county is willing to conduct an additional audit of the presidential election results to answer questions about whether the reported results giving the edge to Joe Biden were accurate. What's needed, he said, is a judge to issue an order clearing the way for the access that senators seek, rather than a contempt citation.

'I believe the board (of supervisors) genuinely seeks the confidence and clarity of a court order to legally proceed,' Boyer said. And once that happens, he said, there will be no legal reason for the supervisors to claim that giving the Senate what it wants would violate the law.

That drew derision from Sen. Warren Petersen, R-Phoenix, who walked colleagues through a timeline of what he said has been an ever-changing stance by the supervisors over whether there would or would not be an audit; who has access to the ballots; and some apparently conflicting arguments about whether courts have authority over the enforcement of legislative subpoenas.

Senate President Karen Fann, R-Prescott, detailed for colleagues her own attempts to resolve the issue with the supervisors. In fact, Fann said she originally planned a contempt vote for 2 weeks ago but held off in hopes it wouldn't come to that.

Every effort to get a resolution, she said, was met with objections from the board.

'So I'm sorry to say, this is why we're at where we're at right now,' Fann said.

Sen. J.D. Mesnard, R-Chandler, said claims by the supervisors that they want this resolved ring hollow. He cited a filing Monday morning that sought a court order to block the Senate from voting on the contempt resolution.

In that filing, board attorney John Doran told a Maricopa County judge the scheduled contempt vote was part of 'politically charged paranoia' and a bid by the Senate to 'press ahead with a false narrative belied by the actual facts and evidence.'

Mesnard called that filing 'beyond outrageous. Their actions show they are dripping with contempt.'

AMERICAN OVERSIGHT

With the 30-member Senate having just 16 Republicans and the Democrats opposed, Boyer's decision left the majority one vote short of approving the contempt resolution.

A spokesman for the board said late Monday the supervisors had no comment.

What happens next is unclear.

There is still a Senate subpoena demanding access to the machines and the ballots.

The supervisors, four Republicans and one Democrat, have a pending lawsuit asking a judge to void the subpoena as invalid, saying state law prohibits the county from surrendering access.

Much of the dispute is over a section of state law that says after the post-election canvass, an envelope with the ballots is placed in a secure facility managed by the county treasurer 'who shall keep it unopened and unaltered for 24 months for elections for a federal office.' Tully contends the only exception is when there is a legal challenge by a candidate or a recount, neither of which is at play here.

Petersen said he doesn't read the law as precluding the supervisors from allowing legislators — or their designated agents — from looking at the ballots. But even if that were true, he said, another section of Arizona law says any evidence produced to comply with a legislative subpoena cannot be used against anyone to prosecute them.

'And just think about it practically,' Petersen told colleagues. 'Who's going to prosecute them? The county attorney? I doubt it.'

But the bottom line is about who ultimately is in charge.

'We issued a subpoena, and they have given us the finger,' Petersen said. He said that undermines the authority of lawmakers to issue subpoenas presumably backed by the power to enforce them.

'When we were given the authority under the state constitution to be lawmakers, we need to be able to collect facts, we need to be able to investigate,' he said.

'Otherwise, how are we going to know how to change the laws?' Petersen continued. 'How are we going to know how to make a law to fix something if we can never know what to fix?'

That presumes something went wrong with the election, despite the fact that not a single legal challenge to it was upheld.

Fann said she's not starting from that premise. But she said there are enough questions from constituents to require an inquiry.

The Senate president also said supervisors promised to do two independent audits of their own. But instead, she said, they hired firms that certify machines, not companies capable of doing the 'forensic audit' senators want.

'I've gotten tens of thousands of emails from people, voters in our county, that don't believe the system is working,' said Sen. Rick Gray, R-Sun City. 'I think it's egregious that we just blow them off.'

AMERICAN OVERSIGHT

Sen. Kelly Townsend, R-Mesa, questioned why the supervisors are expending energy trying to deny the Senate has absolute power to demand an audit and access to equipment and ballots.

'It leads the public to believe they are hiding something,' she said.

The issue of the subpoena aside, the next bit of fallout could be political.

Fann made it clear she would not have brought the resolution up for a vote had Boyer told her ahead of time he wouldn't go along.

'I think all my bills are now dead,' Boyer told Capitol Media Services, predicting his GOP colleagues who control both the Senate and House won't provide the votes.

Townsend all but confirmed that. 'If you say you're going to vote along with your caucus and then you do not, your word is never going to be trusted again,' she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Congress must alter women's violence laws on native lands

Arizona Daily Star
February 9, 2021
Patricia Lee Refo (Opinion)

A disturbing incident happened a few years ago at a casino near Tucson.

A female member of the Pascua Yaqui tribe was working at the tribal casino one evening, fixing slot machines, when a group of drunks began harassing her. She ignored the men at first, but when their behavior grew worse, she called security. As the men were being escorted out of the casino, one of them grabbed the woman's genitals and squeezed.

The assault was caught on surveillance video and the employee wanted to press criminal charges, but the tribe could not prosecute. The federal Violence Against Women Act allows Native American tribes to prosecute non-Indians for certain crimes in tribal courts, but only if the victim has a prior relationship with their non-Native attacker.

In this case, the casino employee had never met the assailant before he attacked her. The tribe had to let him go.

Sadly, this type of situation is not unusual. The 2013 re-authorization of the Violence Against Women Act — better known as VAWA — was a huge step forward for tribal law enforcement, but it has significant holes that allow violent people who are not tribal members to get away with crimes on Indian reservations and Indian lands.

It is time for Congress to close this gap.

Last year, Congress tried to pass an improved version of VAWA, but the effort failed. The new act would have allowed tribes to prosecute non-tribal members who commit crimes of domestic violence, dating violence, child abuse, elder abuse, sexual violence, stalking and sex trafficking on tribal land. It

AMERICAN OVERSIGHT

also would have allowed tribal prosecution for obstruction of justice and assaults against law enforcement and corrections officers in the course of pursuing VAWA crimes.

Incredibly, under the current law, a non-Indian could attack a tribal police officer who responds to a crime and walk away with no tribal charges at all. Non-Indians are effectively above the law in Indian country due to the tribes' lack of jurisdiction over them.

This poses a particular threat in Arizona, with our 22 Native American tribes. Arizona has the second-largest population of Native Americans in the country, and the Navajo Nation in northeast Arizona is one of the largest Indian lands in the United States. The American Bar Association supports a new Violence Against Women Act that recognizes the inherent authority of tribal governments to prosecute non-Indian perpetrators of crimes arising from gender-based violence, while ensuring that due process rights are protected. The ABA also supports expanding VAWA to Alaska native villages. The current act does not apply to native lands in Alaska because Congress in 2013 did not consider them part of 'Indian country.'

Today there is a new Congress with a new opportunity to empower Native Americans by giving tribal governments greater authority to police their own tribal lands.

Native Americans are victims of violent crime at twice the rate of other populations, and violence against Indian women is particularly troubling. Women on some reservations are murdered at a rate 10 times the national average. Congress has described the rate of violence suffered by Indian women as reaching 'epidemic proportions.'

It is time for members of Congress to come together to protect victims of violence on native lands. The new Violence Against Women Act will be re-introduced shortly. We urge Congress to pass it in 2021.

Patricia Lee Refo is president of the American Bar Association and a partner with the law firm Snell & Wilmer in Phoenix.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Dems seek to remove Finchem over actions at US Capitol rally

Arizona Daily Star
February 9, 2021
Howard Fischer

A majority of House Democrats are calling for the expulsion of Republican Mark Finchem based on what they say are his improper actions before and during the Jan. 6 raid on the U.S. Capitol.

Rep. Athena Salman, D-Tempe, who is leading the effort, conceded under questioning that many of the individual allegations detailed in what was introduced at HR 2006, by themselves, might not rise to the level of her contention that the conduct of the Oro Valley Republican 'was dishonorable and unbecoming of a member of the House.'

She also says his activities 'undermine the public confidence in this institution and violated the order and decorum necessary to complete the people's work.'

AMERICAN OVERSIGHT

'When you look at these things in a vacuum, sure, they can appear random,' she said, But Salman argued that, taken together, they amount to evidence that Finchem 'participated in, encouraged and incited the events of Jan.6,' making him complicit of 'insurrection and rebellion' and therefore unqualified to serve.

Finchem declined to comment 'on advice of counsel.'

He already has obtained legal representation in connection with at least one issue not now in Salman's bill of particulars: his refusal to turn over text messages sought as part of a public records

request. His attorney, Alexanader Kolodin — the same lawyer who filed lawsuits to challenge the results of the Arizona election — argued that the messages are on their own personal devices and therefore not public.

But Kolodin also noted in a letter to the Arizona Republic that the FBI continues to investigate the incursion at the Capitol, saying even if the records were public 'the threat of criminal prosecution gives rise to certain Constitutional rights that may overcome the duty to disclose otherwise public documents under Arizona's public records law.'

Salman said there is precedent for what she is doing, citing the 2018 expulsion of Rep. Don Shooter, R-Yuma, after the House concluded he was guilty of violating rules against sexual harassment.

And lawmakers were prepared to take action against Rep. David Stringer, R-Prescott, over perceived racist comments.

But he quit when it was revealed he had been charged years earlier with paying a minor for sex.

The difference, however, is that the effort against Finchem has more political overtones.

Salman is arguing it was wrong for Finchem to undermine public confidence in the election. But there are more than a handful of Republican legislators in the state who espouse the same thing.

She brushed aside the question, saying it should be posed to GOP leaders.

'But we're really entering dangerous territory about whether or not elected officials have the right to lie to the public,' Salman said.

There's another hurdle: It would take a two-thirds vote of the 60-member House to oust Finchem, meaning at least 11 of the 31 Republicans would need to go along with the 29 Democrats.

Still, Salman said she believes there is enough to say Finchem incited insurrection, including his membership in the Oath Keepers which was involved in the attack on the Capitol and which she said 'had the very clear intent to kill members of Congress, to kill the vice president.' And she said even if he didn't enter the Capitol, he did go past the barricades around the building.

Part of her complaint is based on Finchem's ties to Ali Alexander who has described himself at the 'father' of the 'Stop the Steal' movement that ultimately culminated with the attack on the Capitol.

Salman said that Alexander, who is being sought by the FBI, worked closely with Finchem to get people to the Washington rally that led to the invasion of the Capitol.

AMERICAN OVERSIGHT

Much of what is in HR 2006 is a matter of public record.

For example, he helped put together what Salman called a 'sham hearing' at a Phoenix hotel where Trump attorney Rudy Giuliani told a handful of GOP lawmakers the evidence he had of fraud in the election of Joe Biden.

The Arizona Republic has since reported that the Trump campaign paid a Finchem-owned company more than $6,000 for 'recount: legal consulting.' Finchem said it was for 'crowd control and security costs' for the Dec. 18 hearing.

Salman said that 'contributed to the lies and the incitement' that culminated in the Jan. 6 riot.

And on Jan. 6, as people marched from the rally at the White House to the Capitol, Finchem sent out a photo of people on the steps — beyond the barriers — saying this is 'what happens when the people feel they have been ignored and Congress refuses to acknowledge rampant fraud.'

Then as people began breaking into the building, Finchem sent out another photo, but with the caption, 'Trump supporters stop Antifa from breaking into Capitol.' He never provided any evidence to Capitol Media Services about the veracity of that statement.

But much of what is in HR 2006 comes down to what could be considered guilt by association because of the activity of the people who did show up in Washington, some at Finchem's behest.

'Members of the mob came prepared for violence, wearing military gear and carrying police and military tactical equipment, two way radios, bear mace and zip tie restraints, indicating planning and coordination in advance,' Salman's resolution charges. Then there are the people who brought Confederate flags into the Capitol, 'a traitorous act of betrayal to the United States of America, and pipe bombs planted at the national headquarters of the Republican and Democratic parties.

Rep. Cesar Chavez, D-Phoenix, filed a separate complaint last month with the House Ethics Committee saying that Finchem's activities in support of the riot amount to a violation of his oath of office and the U.S. Constitution, making him unfit for office. There has been no activity by Rep. Becky Nutt, R-Clifton, who chairs that panel.

And several Democrat lawmakers also have asked the FBI to look into the activities of Finchem and then-Rep. Anthony Kern, R-Glendale in Washington. Salman said Monday the only response from the agency was that it had received the letter.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

UA sees decline in COVID cases; to scale back test requirements for dorm residents

Arizona Daily Star
February 9, 2021
Stephanie Casanova

The University of Arizona will cut back its testing requirements for dorm residents after a drop in the COVID-19 positivity rate in the last week.

AMERICAN OVERSIGHT

Starting this week, all UA students will be required to get a coronavirus test once a week, UA President Robert C. Robbins said Monday in a news briefing. UA dorm residents had been required to test twice a week, but the university saw positivity rates drop from 1.18% to 0.52% last week, with 69 positive cases of the 13,179 tests administered.

Compliance for testing will be enforced starting Feb. 15. Any student attending class on campus has to get tested, and won't have access to the university's WiFi if they don't, Robbins said.

The university will also consider allowing classes of up to 50 people starting Feb. 22, if public health conditions allow for that, Robbins said.

The University has administered 9,866 vaccines so far, marinating a daily average rate of about 800 vaccines. The university is administering vaccines to mostly K-12 educators, but is accepting anyone eligible in the current Phase 1B, which includes people 70 and older and workers in law enforcement, education and child care.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Running out of room for state's COVID dead: *Majority of Arizona funeral homes, crematories say they are 90% or more full of human remains*

Arizona Republic
February 9, 2021
Anne Ryman

When Jeri Whooley's mother, Geraldine Immediato, died in 2014, the family was able to hold a funeral service within two days at Holy Cross Catholic Cemetery and Funeral Home in Avondale.

This year, when her father, Lou, passed away on Jan. 1, she was unable to schedule his burial service for two weeks.

"That's incredible to have to wait that long to start putting everything to rest," she said.

The burial delay comes as large numbers of COVID-19 deaths are putting pressure and stress on Arizona funeral homes. Across the state, beginning in December, COVID-19 deaths have spiked to far higher than summer's peak rates.

As those deaths continue, funeral directors are working long hours, shuffling staff and vehicles to the busiest locations and dealing with staff shortages when employees become sick with COVID- 19. Doctors, who are overwhelmed by the pandemic, aren't signing death certificates promptly in some cases, which results in further delays.

Several funeral directors in the Phoenix area told The Arizona Republic they are serving 30% to 50% more families than the same time last year.

The Roman Catholic Diocese of Phoenix, which operates Holy Cross, declined to comment out of respect for the family's privacy but acknowledged in a statement that its cemeteries and funeral homes are busy, and "the Catholic burial rite with a funeral Mass can take more time than other options."

"There are many funeral homes that are working crazy hours, 24/7, just being worn out," said Judith Stapley, executive director of the Arizona State Board of Funeral Directors and Embalmers, the state agency that regulates funeral directors and funeral homes.

In a recent survey by state regulators, 80 percent of Arizona funeral homes and crematories that responded said their coolers were 90 percent or more full of human remains and that they were having "a difficult time," Stapley said. Many have added temporary or permanent refrigeration space.

Stapley said she is fielding calls, seeking advice on how to properly store additional bodies as they await cremation or burial.

No funeral director wants to turn down a family's request for service, she said. But she tells them they must follow state law and funeral board rules that govern properly caring for human remains.

If they cannot do that because of space issues, "you simply have to deny the call," she tells them.

AMERICAN OVERSIGHT

Funeral director: ‘This is the busiest I’ve ever seen it’

Ethan Bueler is a third-generation funeral director. He and his brother, Sam, operate the family-owned Wyman Cremation & Burial Chapel in Mesa.

He is in regular contact with colleagues as president of the Arizona Funeral, Cemetery, and Cremation Association, a nonprofit group that advocates and provides training.

January and February are usually busy months for Arizona funeral homes in a normal year as winter visitors flock to the Southwest. But this year, with the COVID-19 pandemic,

“This is the busiest I’ve ever seen it,” Bueler said.

“Hospitals are calling us and saying, ‘Our morgue is full, how soon can you be here?’ ” He is averaging 12- to 14-hour days and has worked months without a full day off. Sam Bueler, who is also chairman of the state funeral board, recently told board members that one of his days ended at 3 a.m. He was back in the office at 6:30 a.m.

At one point, two employees came down with COVID-19 and were off work for several days, which put stress on the small business, Ethan Bueler said.

The volume of deaths has exacerbated a long-standing problem that can delay burials: Some doctors aren’t signing death certificates within the 72 hours required by law.

Funeral directors need these signatures to get permits from the respective counties in order to cremate a body, bury it or ship it out of state. Without the doctor’s signature, they are essentially in a “holding pattern,” Bueler said.

“We have one (doctor), it’s taken him three weeks to do anything,” Bueler said.

His concerns were echoed by other funeral directors at the state funeral board’s January meeting. One funeral home owner drove four hours from northwestern Arizona to Phoenix so he could tell the board about his frustrations.

John Hassett, owner of Desert Lawn funeral homes in Bullhead City, Mohave Valley and Parker, said funeral directors are having to wait on the phone and “chase doctors” to sign death certificates.

“Somebody has got to put their foot down,” he said. “Who is putting pressure on the medical offices?” he asked.

The funeral board doesn’t regulate doctors and can’t discipline them; that duty falls to the Arizona Medical Board.

Stapley, the funeral board’s executive director, indicated she is willing to talk with the medical board about delays. But she wants to gather statistics first on how many doctors aren’t signing death certificates within the required time frame.

Messages left for the medical board’s executive director from The Republic were not returned.

AMERICAN OVERSIGHT

Officials with the Arizona Department of Health Services' Bureau of Vital Records told the board they are working to educate doctors about the law and the importance of signing death certificates promptly.

Catholic church staff: 'All we are doing is funerals'

COVID-19 has upended the traditional funeral service around the country.

When the pandemic began, many states restricted large gatherings, which included funerals. Nearly a year later, some states have eased those restrictions, but many families are still forgoing large funerals in favor of smaller services. Those who attend must wear masks and remain socially distant. Hugging is discouraged.

"It's just difficult. We're just all praying for this thing to run its course so we can walk forward," said Mark Musgrove, a spokesman for the National Funeral Directors Association and a funeral director in Eugene, Oregon.

St. Thomas Aquinas Catholic Church, a parish of about 5,000 members in Avondale, usually averages three to four funerals a month.

But during the latest wave of COVID- 19, funerals have increased to about 10 a month, said the Rev. John Muir, the pastor. The first wave happened in September over a two- to three-week period, when staff remarked to him, " 'Father, all we are doing is funerals.' " The second wave began two weeks before Christmas and has continued into the new year.

"It's not showing any signs of slowing up," he said.

Return to the table of contents

1 GOP 'no' vote fails contempt attempt over election audit

Arizona Republic
February 9, 2021
Andrew Oxford and Jen Fifield

An attempt by Republican state senators to hold the Maricopa County Board of Supervisors in contempt failed on Monday as lawmakers seek to conduct their own audit of the presidential election results. Breaking with the GOP caucus and casting the crucial vote against the measure, which could have led to the supervisors' arrests, Sen. Paul Boyer said he wanted to give the county and Senate more time to work out their ongoing legal dispute over the Legislature's proposed audit.

"Today's vote merely provides a little bit more time for us to work together charitably and amicably as friends," Boyer, R-Glendale, told the Senate.

Boyer said the Board of Supervisors does not have any policy disagreement with additional audits of the last election and that his vote was not intended as an end of the process.

"My vote is about patience," he said.

AMERICAN OVERSIGHT

The Senate issued subpoenas in December and January demanding copies of all the county's mail-in ballots and access to voting machines. But county officials have not released the ballots or voting machines, contending that state law requires the ballots to be sealed unless a judge says otherwise.

The county has gone to court to quash the subpoenas.

But Republican lawmakers have continued to insist, without evidence, that there were widespread irregularities in the last election and have faced mounting calls from their party's grassroots to deliver on those claims.

Legislators also have described the county's response to the subpoenas as a direct challenge to the Senate's authority.

"We issued a subpoena and they have given us the finger," said Sen. Warren Petersen, R-Gilbert.

The county has turned over piles of records the Senate demanded, though, such as logs and voter registration records that can be requested by the public.

And the county has hired two firms to undertake an additional audit, which is ongoing. The companies are again examining whether the machines counted votes properly, whether they were hacked or tampered with, and whether the county used proper procedures when leasing its machines from Dominion Voting Systems.

This has not satisfied the Senate, though, because the audit does not include another hand count of ballots (which the county still argues it cannot do since the ballots are locked away per state law).

Boyer gives Democrats a victory

Democrats have argued that the contempt resolution was a political distraction fueled by conspiracy theories and that additional audits or hearings would not satisfy some Republicans after President Joe Biden's victory in the state.

The push has also underscored the focus of this legislative session on election policy, with lawmakers entertaining major changes to the state's elections.

"I think we have much more important things that we need to be doing," Sen. Kristen Engel, D-Tucson, said on Thursday. "We have Arizonans who are out of work. We have Arizonans who are sick. We have Arizonans who are trying to get the vaccine and having trouble with that."

Boyer may have seemed an unlikely lawmaker to support the contempt resolution in the first place, given his history of bucking Senate leadership and that he represents the only district where Republicans lost a House seat last year.

He also has shied away from much of the bombast at the Legislature following the election. On Monday, he raised concerns about the threats against local and state officials as pressure has mounted on them to overturn the results or otherwise intervene in the electoral process.

"No elected official, whether at the county board level or at the state legislative level, should have to have a police presence outside of their personal homes due to a sincere policy disagreement," he said.

AMERICAN OVERSIGHT

But Boyer joined every other member of the Senate Republican caucus last week in co-sponsoring the contempt resolution.

Vote surprises Senate president

His opposition clearly caught the Senate off guard.

Boyer and Senate President Karen Fann, R-Prescott, met with board Chairman Jack Sellers and Supervisor

Bill Gates on Monday before the Senate vote, according to Supervisor Steve Gallardo.

"I was under the impression we had 16 solid votes," Fann said as she appealed from the dais for Boyer to change his mind before closing voting.

Had the measure passed, it would have taken the Senate into something of uncharted territory. It would mark the first time in recent memory that the Senate had held anyone in contempt — a misdemeanor — and under state law, the Senate could have dispatched the sergeant at arms to round up the supervisors.

Lawmakers questioned where, exactly, they would hold the four Republicans and one Democrat who sit on the board.

Earlier in the day, with the Senate poised to take the highly unusual step, supervisors asked Maricopa County Superior Court to issue a restraining order to prevent the Senate from taking action.

In the request for a restraining order, the supervisors also asked the court to order the senators to appear in court and "show just cause" for why the subpoenas are valid. "The Supervisors recognize the lawful authority of the Senate to issue subpoenas, and understand that the Senate has the right to expect lawful subpoenas to be obeyed. But the Senate is not above the law, and it cannot demand, upon pain of imprisonment or a misdemeanor conviction, that its subpoenas be obeyed even when unlawful, as it does here," the attorneys wrote.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Workers call for pay hike

Arizona Republic
February 9, 2021
Audrey Jensen

A small group of about a dozen people gathered in the parking lot behind Sen. Kyrsten Sinema's Phoenix office on Monday to demand a $15 per hour minimum wage for all workers in Arizona.

Several gave speeches and chanted throughout the event to share their personal stories as business owners or tipped workers and why they support raising minimum and subminimum wages in Arizona, especially during the COVID-19 pandemic.

AMERICAN OVERSIGHT

“I was hosting (Tuesday) and I went home with $4. I went home and cried myself to sleep,” said Haley Holland, who works in the dining industry in Phoenix and is a new organizer for One Fair Wage.

She said that since the pandemic she estimates tips have been cut in half due to closures, restrictions and attitudes toward masks.

The Phoenix rally was one of several events across the nation to celebrate the Raise the Wage Act, which was introduced by House and Senate Democrats Jan. 26 as part of the Biden administration’s $1.9 trillion COVID-19 relief plan.

Protesters from groups such as One Fair Wage, Living United for Change in Arizona, Arizona Jews for Justice, business owners and workers at the Phoenix rally said the COVID-19 pandemic has exacerbated treatment of minimum wage and tipped workers.

Holland said it’s difficult to make $9 an hour and not get tips when she asks customers to wear masks due to COVID- 19 requirements in restaurants. When she asks customers to put on their mask, Holland said this sometimes results in no tips.

Masks also make serving and hosting difficult since people can’t see her face, she said.

Holland and others at the rally emphasized that working for tips can also create uncomfortable environments for women, who are sometimes harassed by customers.

“It’s accepting atrocious behavior, it’s accepting risking my life and hoping that I’m going to get a livable wage and that I’m going to get enough money to live and continue paying my bills that day,” Holland said.

Arizona’s current minimum wage is $12.15 an hour

The current federal minimum wage is $7.25 and the federal wage for tipped workers is $2.13, though several cities and states have voted in the past few years to gradually increase their minimum wages to $15.

Right now, 29 states have minimum wages higher than the federal requirement, according to the National Conference of State Legislatures.

Arizona’s minimum wage — which already had risen four times in the past four years and ranks among the nation’s highest — increased by 15 cents to $12.15 an hour this year. Employers may pay servers and other tipped workers up to $3 an hour less than the minimum wage if tip income at least makes up the difference.

Some cities have adopted higher minimums including Flagstaff, where the 2020 minimum of $13 an hour rose to $15 in January.

A federal minimum wage increase has not passed for more than 10 years and a federal increase for tipped workers has not increased since 1991.

According to the U.S. Bureau of Labor Statistics, nearly 2% of hourly paid workers, or 1.6 million workers, made at or below the federal minimum wage in 2019.

AMERICAN OVERSIGHT

Under the Raise the Wage Act, federal minimum wage would gradually increase to $15 per hour by 2025.

Wages for tipped workers would also increase to $15 by 2027 and would guarantee $15 an hour for all workers, including people who currently make subminimum wage such as youth workers and workers with disabilities, according to the Education and Labor committee.

Congress has made attempts in the last decade to raise the federal minimum wage, but nothing passed. The Raise the Wage Act was passed through the House in 2019, but did not pass through Senate.

Opponents of increasing minimum wage say that this could hurt small businesses and force them to lay off employees.

President Joe Biden recently said his proposal to increase the federal minimum wage to $15 an hour is unlikely to make it into the final $1.9 trillion COVID- 19 relief package after negotiations with Congress.

Small business owner: 'I know what the struggle was like'

At about 10:30 a.m., the Phoenix rally was featured in a live-stream of the national event, which aired on Service Employees International Union's Facebook page in partnership with One Fair Wage and the Poor People's Campaign.

Other cities that held rallies across the U.S. include Washington D.C., Denver, San Francisco, Chicago and New York.

Jessica Bueno, co-owner of Xanadu Coffee Co. in Phoenix, attended the rally in support of $15 minimum wage and to pressure others to support the act as well, she said.

"It's time we start pushing Congress to make that decision," she said. "As an employer and employee that, most of my career was in service industry, I know what the struggle was like and how it is not feeling worthy enough."

Bueno said her coffee shop already pays her baristas a starting wage of $15 an hour, but understands this isn't a livable wage in Phoenix.

"I really value our employees and I value the skill sets that hospitality workers have and I think it's time we start paying them and respecting them, especially during this pandemic."

Bueno and Holland said raising the minimum wage isn't just about money, but investing in employees and taking care of them.

"As an employer myself, I am willing to make that investment into my employees," Bueno said. "I know if I show them that I care, they in return take care of my business, they take care of my product. It's more of a collaborative effort and that's why I want to make sure they know they're valued and part of the family."

AMERICAN OVERSIGHT

Return to the table of contents

State reports 2,250 new COVID-19 cases, 7 deaths

Arizona Republic
February 9, 2021
Alison Steinbach

Arizona reported Monday a relatively low 2,250 new COVID-19 cases and seven new known deaths as hospitalizations for the disease continued gradual declines but remained at high levels.

Arizona's seven-day, new-case average ranked fifth on Sunday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

Arizona's newly reported seven deaths brought the known COVID-19 death count to 14,055. Few new deaths are typically reported on Mondays. The state surpassed 14,000 deaths on Saturday after passing 13,000 deaths on Jan. 29, just one week after it passed 12,000 and two weeks after 11,000 deaths. The state exceeded 10,000 known deaths on Jan. 9. Arizona's first known death from the disease occurred in mid-March.

In just over one year since the first case was announced in Arizona, a total of 782,887 COVID-19 cases have been identified across the state.

The Arizona data dashboard shows 87% of all ICU beds and 89% of all inpatient beds in the state were in use Sunday, with 46% of ICU beds and 33% of non-ICU beds occupied by COVID- 19 patients. Statewide, 235 ICU beds and 950 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 2,853 on Sunday, below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 828 on Sunday, below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 536 on Sunday, below the record-high 821 reached on Jan. 13.

Sunday saw 1,419 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Monday's numbers

Reported cases in Arizona: 782,887.

Cases since the outbreak began increased by 2,250, or 0.29%, from Sunday's 780,637 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 488,687 in Maricopa, 104,921 in Pima, 43,947 in Pinal, 35,751 in Yuma, 20,145 in Mohave, 16,590 in Yavapai, 15,735 in Coconino, 14,936 in Navajo, 10,611 in Cochise, 9,858 in

AMERICAN OVERSIGHT

Apache, 7,517 in Santa Cruz, 6,175 in Gila, 5,173 in Graham, 2,305 in La Paz and 536 in Greenlee, according to state numbers.

The Navajo Nation reported 28,897 cases and 1,057 confirmed deaths in total as of Sunday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 11,463 inmates had tested positive for COVID-19 as of Friday, including 2,134 in Tucson, 1,965 in Eyman, 1,862 in Yuma and 1,130 in Douglas; 43,586 inmates statewide have been tested. A total of 2,576 prison staff members have self-reported testing positive, the department said. Thirtyone incarcerated people in Arizona have been confirmed to have died of COVID- 19, with 18 additional deaths under investigation.

Arizona as of Sunday had the sixthhighest overall case rate in the country since Jan. 21, 2020. Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Rhode Island, Utah and Tennessee, according to the CDC.

Arizona's infection rate is 10,704 cases per 100,000 people, according to the CDC.

The national average is 8,061 cases per 100,000 people, though the rates in states hard hit early on in the pandemic may be an undercount because of a lack of available testing in March and April.

Reported deaths in Arizona: 14,055 Deaths by county: 7,979 in Maricopa, 1,904 in Pima, 734 in Yuma, 662 in Pinal, 566 in Mohave, 449 in Navajo, 412 in Yavapai, 326 in Apache, 288 in Coconino, 237 in Cochise, 200 in Gila, 159 in Santa Cruz, 68 in Graham, 65 in La Paz and six in Greenlee.

The global death toll as of Monday morning was 2,318,763 and the U.S. had the highest death count of any country in the world, at 463,483, according to Johns Hopkins University. Arizona's death total of 14,055 deaths represents 3% of COVID-19 deaths in the U.S. as of Monday.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona to receive just under 175K COVID-19 vaccines this week

KTAR News
February 9, 2021
Torrence Dunham

Arizona will receive an additional 174,800 COVID-19 vaccines this week, boosting the state's allotment up to 1.3 million.

The total, however, is below the amount requested by Gov. Doug Ducey, Arizona Department of Health Services Director Dr. Cara Christ and other state lawmakers.

Ducey and Christ recently requested an emergency infusion of 300,000 COVID-19 vaccine doses and an increase of 300,000 doses weekly from the state's federal allotment.

That request, Ducey said, was denied.

The governor wrote a letter last week pressing the state's congressional delegation to engage at every level to help secure additional vaccines for the state.

"There could be no better use of your time or advocacy efforts than in helping to secure these additional vaccine doses for the people of Arizona to help end this pandemic for good," Ducey said.

Arizona's four GOP Congress members and Rep. Greg Stanton, a Democrat, followed Ducey's request and sent letters requesting more vaccines.

Ducey said the current allocation of vaccines from federal partners is resulting in the state-run vaccination pods at State Farm Stadium and Phoenix Municipal Stadium to operate below capacity.

Around 9,000 vaccine doses are given daily at State Farm Stadium out of a capacity of 12,000, Christ said Monday.

All appointments at State Farm Stadium and Phoenix Municipal Stadium are booked through February, but appointments have been reserved for those vaccinated at state-run sites to receive second doses.

Ducey said vaccine doses are the single biggest limiting factor to opening more appointments and creating new mass vaccination sites, adding officials are looking to open several mass vaccination sites across Arizona.

President Joe Biden and Vice President Kamala Harris took a virtual tour of the State Farm Stadium site on Monday, hosted by Christ and other officials.

Ducey was not present for the tour, or named by Biden, but the president thanked the governor for his cooperation in distributing COVID-19 vaccines in the state. Ducey responded on Twitter thanking Biden and Harris for taking the time to tour the site and is glad the hard work front line workers are doing is being noticed.

AMERICAN OVERSIGHT

While Biden praised the site as being a model that others can follow around the country, he didn't address the request for more vaccines.

Biden in the tour offered to send more vaccinators if needed and is optimistic there is enough vaccine for over 300 million people to be vaccinated before the end of the summer.

Arizona is getting close to one million vaccines administered as 920,166 doses have been given so far with 33% of the state's supply remaining, according to the state health department's update on Monday evening.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Pima County surprised with state-run vaccination site announcement

KTAR News
February 9, 2021
Peter Samore

Arizona's top health official said Monday Pima County in two weeks could get the third state-run COVID-19 mass vaccination site – and that's news to Pima County.

Chuck Huckelberry, Pima County administrator, reports no direct communication between his fellow leaders and the Arizona Department of Health Services about expanding capacity by adding a facility.

"What's more urgently needed is a dependable supply of vaccine and an increase in the allocation," Huckelberry told KTAR News 92.3 FM on Monday.

The federal government determines supplies based on how fast manufacturers can produce them.

Pima County will receive just under 20,000 COVID-19 vaccine doses this week, increasing the county's allotment to 189,225. Nearly 154,000 vaccine doses have been administered to date in Pima County, according to the state health department's update on Monday, with the county's supply at 19%.

Huckelberry said the health department would welcome the state's help but, "It should not be done at the expense of the vaccine supply that we're able to adequately distribute among all the eligible residents of Pima County."

He calculates the vaccine supply that can be adequately distributed is 5,000 doses a day, or 85% of the county's allocation.

Arizona Department of Health Services Director Dr. Cara Christ made the new site announcement while she gave President Joe Biden and Vice President Kamala Harris a virtual tour of State Farm Stadium's mass vaccination site.

The Arizona Department of Health Services provided no additional details.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Biden praises Arizona Gov. Ducey's cooperation with vaccine distribution
KTAR News
February 9, 2021
Torrence Dunham

President Joe Biden on Monday thanked Arizona Gov. Doug Ducey for his cooperation in distributing COVID-19 vaccines in the state.

The comments came during a virtual tour of the State Farm Stadium coronavirus vaccine pod with Vice President Kamala Harris, Arizona Department of the Health Services Director Dr. Cara Christ and other officials.

Biden said he was sorry they were in the position that the governor could not join the tour, not mentioning Ducey by name.

He did, however, say the governor has been very helpful.

"He's stepped up and this is the kind of partnership between the federal and state governments that I think … help us vaccinate more people more quickly and to get ahead of this virus," Biden said of the Republican governor.

"There is no such thing as a red state or a blue state when it comes to COVID, there is no such thing as a Democrat or a Republican when it comes to COVID. When we stand united, there's not a damn thing we are unable to do."

It was said in the tour that Arizona was one of the first states to reach out and ask for federal help from the Biden administration. The Federal Emergency Management Agency deployed 25 staff members to State Farm Stadium to help operate the site 24/7.

Since opening Jan. 11, the vaccination site at State Farm Stadium has given more than 160,000 doses.

Ducey responded in a tweet Monday afternoon thanking the president and vice president for taking the time to tour the Glendale vaccination site.

Ducey and Christ previously requested an emergency infusion of 300,000 COVID-19 vaccine doses and an increase of 300,000 doses weekly from the state's federal allotment, a request Ducey says was denied.

The governor last week wrote a letter to the state's congressional delegation asking them to engage at every level to help secure additional vaccines for the state.

Arizona's four GOP Congress members and Rep. Greg Stanton, a Democrat, followed Ducey's request and sent letters requesting more vaccines.

Ducey in the letter said the state-run site at State Farm Stadium and a second state-run site that opened at Phoenix Municipal Stadium on Feb. 1 are both operating below capacity due to the allocation of vaccines from federal partners.

AMERICAN OVERSIGHT

Around 9,000 vaccine doses are given daily at State Farm Stadium out of a capacity of 12,000, Christ said.

Biden didn't address Ducey, Christ or the Arizona lawmakers' request for more vaccines during the tour but offered to send more vaccinators if needed and is optimistic there is enough vaccine in the pipeline to provide both COVID-19 vaccine shots for over 300 million people before the end of the summer.

This includes getting vaccines to pharmacies and vaccination pods like State Farm Stadium, according to Biden.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Immigrants, activists worry Biden won't end Trump barriers

KTAR News
February 9, 2021

For nearly 17 months, the Trump administration tried to deport the mother and daughter from El Salvador. The Biden administration may finish the job.

They are being held at a family detention center in remote Dilley, Texas, but have repeatedly been on the verge of deportation. The Friday before Christmas, both were driven to the San Antonio airport and put on a plane, only to be pulled off when lawyers working for immigrant advocacy groups filed new appeals.

"I have faith first in God and in the new president who has taken office, that he'll give us a chance," said the mother, who goes by the nickname "Barbi." Her daughter was 8 when they crossed the U.S. border in August 2019 and will turn 10 in a few weeks. "It's not been easy."

It's unlikely to get easier anytime soon.

President Joe Biden rushed to send the most ambitious overhaul of the nation's immigration system in a generation to Congress and signed nine executive actions to wipe out some of his predecessor's toughest measures to fortify the U.S.-Mexico border. But a federal court in Texas suspended Biden's 100-day moratorium on deportations, and the immigration bill is likely to be scaled back as lawmakers grapple with major coronavirus pandemic relief legislation as well a second impeachment trial for former President Donald Trump.

Even if Biden gets most of what he wants on immigration, fully implementing the kind of sweeping changes he's promised will take weeks, months — perhaps even years.

That means, at least for now, there is likely to be more overlap between the Biden and Trump immigration policies than many of the activists who backed the Democrat's successful presidential campaign had hoped.

"It's important that we pass policies that are not only transformative, inclusive and permanent but also that they are policies that do not increase the growth of deportation," said Genesis Renteria, programs director for membership services and engagement at Living United for Change in Arizona, which helped

AMERICAN OVERSIGHT

mobilized Democratic voters in the critical battleground state. “Our organizations will continue to hold the administration accountable.”

Federal law allows immigrants facing credible threats of persecution or violence in their home country to seek U.S. asylum. Biden has ordered a review of Trump policies that sent people from Central America, Cuba and other countries to Mexico while their cases were processed — often forcing them into makeshift tent camps mere steps from American soil. He also has formed a task force to reunite immigrant children separated from their parents and halted federal funding to expand walls along the U.S.-Mexico border.

On Saturday, the Biden administration said it was withdrawing from agreements with El Salvador, Guatemala and Honduras that restricted the ability of people to seek U.S. asylum.

But those orders likely won’t help Barbi and her daughter. They sought asylum but were denied because of a Trump administration rule barring such protections for people who crossed another country to reach the U.S. border — in their case Guatemala and Mexico.

That measure was struck down by a federal appeals court, shielding them from deportation so far.

Still, Barbi and her daughter, like others who have been held for months at Dilley, could be removed from the county at any time, perhaps even in the coming days. Elsewhere in the facility run by Immigration and Customs Enforcement, a dozen Hondurans were told to pack this past week, but not actually deported — yet.

“It’s very traumatic,” said Barbi, who left behind two other children in El Salvador and asked that her real name not be revealed so as not to draw the attention of criminal gangs there. “My daughter cries and says, ‘Why won’t they let us out?’”

As a candidate last summer, Biden suggested he’d do just that, declaring, “Children should be released from ICE detention with their parents immediately.”

Advocates who originally commended Biden for championing immigration reform now worry that not enough will be done. Omar Jadwat, director of the American Civil Liberties Union’s Immigrants’ Rights Project, called it “troubling” that Biden’s efforts “did not include immediate action to rescind and unwind more of the unlawful and inhumane policies that this administration inherited — and now owns.”

“We are tired, as Latinos and immigrants, that there is always another priority,” said Héctor Sánchez Barba, executive director and CEO of Mi Familia Vota, which led voting drives in Hispanic communities ahead of the November election. “Immigration should remain the top priority, especially given how our community was devastated, attacked, separated.”

Antonio Arellano, interim executive director of Jolt Action, which seeks to build the power and influence of young Latinos in Texas, said political pressure is already mounting as conservative forces mobilize to retake the House and Senate for Republicans in 2022.

“There will be electoral consequences if we fail to deliver,” Arellano said.

AMERICAN OVERSIGHT

Biden administration officials have pleaded for more time, saying that Trump's policies are too wide-reaching to be rescinded overnight. But simply returning to pre-Trump practices — if Biden is able to actually achieve that — won't be enough for many activists.

President Barack Obama was called the "deporter-in-chief" for removing a record number of immigrants during his eight years in office. His administration also built the detention center where Barbi is being held, as well as a similar facility in equally rural Karnes City, Texas, 95 miles to the east.

Biden has banned private prisons, but his order doesn't apply to lockups like those in Dilley and Karnes City. Far from advocating their closure previously, Biden as vice president flew to Guatemala during a 2014 surge of unaccompanied minors heading to the U.S. border and personally warned that his country would increase detention of families — which the Obama administration subsequently did.

Trump tried to seize on the issue during the presidential campaign, chiding Biden for being a part of an administration that originally put "kids in cages."

Biden responded that the Obama White House "took too long" to get immigration policy right, pointing to reform policies implemented later. As president, Biden already has taken steps to preserve some of those, including Obama-era legal protections for immigrants brought to the U.S. as children, while the legislation the president is promoting would provide a pathway to citizenship for the estimated 11 million people living in the country illegally.

Both the Karnes City and Dilley facilities were used to reunite families the Trump administration separated. But after the coronavirus outbreak, the Karnes center became a holding area for families from Haiti and far-flung countries that the Trump administration was seeking to expel under public health emergency rules — more policies the Biden administration has yet to touch.

Those date to last March, when Vice President Mike Pence, then head of the White House coronavirus task force, ordered the implementation of emergency health measures that sought to effectively bar immigrants entry into — or to impose their speedy removal from — the U.S. to prevent the virus' spread. Those restrictions have remained despite immigrants' pending asylum clams and little evidence that sealing borders slows the pandemic.

Some immigrants were sent to Karnes City because of the health order. But many others, especially from Central America, were expelled to Mexico. Federal authorities have now used pandemic health restrictions on the border to remove more than 183,000 immigrants since October. The number would have been even higher had not a federal court forbid removing unaccompanied immigrant children from the U.S, in November.

Expulsions under health limits at the border have continued unabated under Biden. A White House spokesperson said the goal was to return the full U.S. asylum process back to a pre-Trump normal "as much as possible," but noted that "we are living in the confines of the pandemic," which specifically limits "intake and processing" of asylum seekers at the border.

Kennji Kizuka, a senior researcher and policy analyst for refugee protection at Human Rights First, said "with people who are in danger, the U.S. has a legal obligation to not return them to a place where they would face persecution, or torture or other harm."

AMERICAN OVERSIGHT

"That's not something you can defer because it's inconvenient in your policy plan," Kizuka said. "It's both U.S. law and our treaty obligations, so you can't pass for that while you're thinking about how to reform the system."

Biden's pledges to make quick improvements had raised hopes that are now fading along the border. The day before his Jan. 20 inauguration, immigrants staged a protest in the Mexican city of Nogales that ended with some heading to a border crossing into Arizona and asking to be processed for U.S. asylum.

A Customs and Border Protection officer said no but added, "Try again tomorrow."

"We went back the next day," said Joanna Williams, director of education and advocacy for the Kino Border Initiative, which provides humanitarian assistance to immigrants and participated in the demonstration. "Of course they didn't process them that day, either."

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Salvaging COVID-19 vaccines: Flagstaff providers use waitlists to prevent waste

Arizona Daily Sun
February 9, 2021
Kaitlin Olson

The guidance for COVID-19 vaccine sites could be reduced to one simple message: don't waste doses.

But with appointment cancellations and occasionally overfilled vials, extra vaccine doses have come to be expected, leading local providers to create their own systems for getting these extra shots in the arms of Phase 1a and select 1b eligible community members.

After all, they only have six hours after puncturing a vial of the Moderna vaccine before the doses go bad.

"We kind of jokingly call it liquid gold, so we know we can't waste a dose," said Dr. April Alvarez-Corona, Chief Medical Officer of North Country HealthCare, which has created a standby list for its extra doses.

Corona said these extra doses occur, at most, only a few times each day at the Flagstaff clinic, which administers 500 doses a week.

Every day, 10 to 15 people willing to drop into the North Country clinic at a moment's notice are pulled from larger list of several thousand eligible individuals who asked to be notified of available vaccine appointments. Corona said at one point, this notification list had 11,000 names. Individuals are moved from this list to the standby list in the order they registered and then are called one by one until someone is able to receive the extra dose.

"We've found this to be the best utilized pathway because then we don't have to go hunting for people at the last minute," Corona said, noting that the practice has yet to waste any doses.

How to get COVID-19 vaccines in Coconino County

Appointment cancellations are rare, but Corona said there are instances where individuals cannot receive their dose when expected, thus opening up doses for others. Most commonly, doctors ask patients who have had a recent COVID-19 infection to consider delaying their vaccine because of the strong symptomatic reaction likely to be prompted by the shot.

"It's nice for that patient not to have to have that really intense experience and it's also nice because you're giving that dose to somebody who doesn't have any immune response," Corona said.

At the Fort Tuthill vaccination site, Coconino County Health and Human Services (CCHHS) has a call-down list of Phase 1a healthcare providers and Phase 1b emergency response staff who can arrive at the vaccine site on short notice.

AMERICAN OVERSIGHT

Trish Lees, CCHHS Public Information Officer, said in many cases, those on this list are scheduled for vaccination at a later time. If they do receive the extra dose, their appointments are canceled and opened for others who are in current eligible priority groups.

"Because the call-down mechanism is only used if vaccine is unused due to cancellations or no-shows and would otherwise go to waste, future vaccine supply is not impacted," Lees said in an email. "Vaccine supply remains low and Coconino County does not currently have sufficient doses to meet the current demand within eligible groups."

The county is committed to zero waste of the vaccine, she added, and as it moves through its priority vaccine groups, the individuals who can be added to the call-down list will also change.

Though the county advises its partner organizations not to waste vaccine, it does not manage their vaccination plans. Therefore, smaller local clinics targeting specific groups, such as Flagstaff Family Care Clinic, have set up their own procedures for extra doses.

The clinic is currently offering vaccines only to the 1,100 of its patients who are age 75 and older, said Practice Administrator Cindy Wade, and will eventually move to patients 65 and older.

"We're not catering to younger people only because they can drive and they can schedule their own appointments, they're computer savvy, they have technology and they're not the highest risk," Wade said. "We've got to take care. We could lose an entire generation if we don't manage this correctly and that would be very sad."

Although 10 doses per vial is the standard for the Moderna vaccine, Wade said vials in reality can contain anywhere from nine to 11 doses. She has not yet seen a vial with only nine doses, though she said the practice has been informed that if this occurs, Moderna will provide the practice with another vial in replacement.

The clinic's initial allocation was 100 doses, in which an additional three doses were discovered. Of these 100 appointments, there were no cancellations. This week the team will receive an additional 900 first doses and 100 second doses.

Flagstaff Family Care's waitlist currently includes about 700 individuals in the Phase 1a and 1b groups who agree to arrive at the clinic within an hour's notice to receive one of the rare extra doses.

FFCC Vaccine Clinic
Flagstaff Family Care Clinic's Amy Garcia, M.A., and Dr. Keith Arnold stand outside the practice after completing their first COVID Vaccine Clinic.

Keith Arnold, Courtesy Northern Arizona Healthcare, which opened a community vaccine clinic for eligible groups last week at the Elks Lodge, did not at the time have a specific plan for managing extra doses at the site, which has the capacity to distribute up to 1,000 vaccines a day, pending dose availability.

"If we have an extra vial at the end of the day that we can take back and open up additional appointments for another day, that's a win," Susan Huerta, NAH's interim practice manager for community vaccine clinics, said last week. "If mid-vial we're like, oh, wow, we have room for five more

AMERICAN OVERSIGHT

people, between the volunteers that are working here or whoever, we can get shots in arms. It won't go to waste."

Other vaccine providers who have announced having waitlists for eligible community members to receive extra doses include Vera Clinic and Northern Arizona University. Vera Clinic will only vaccinate employees of Coconino County, City of Flagstaff, Mountain Line, Flagstaff Unified School District, Coconino County Accommodation School District, Coconino Community College and Kachina Village Improvement District, while NAU is only offering vaccines to active employees.

According to the latest report from the Arizona Department of Health Services, dated Feb. 6, a total of 23,685 vaccine doses have been administered in Coconino County, or 106% of the county's allocation. This percent exceeds 100 because pharmacies and retail vaccination sites — such as Safeway and Albertsons stores, which recently opened local vaccine clinics — report their administered vaccines to the state, but do not place all their orders through the state.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, February 9, 2021 10:20:47 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *February 9, 2021*

Former Senate staffer likely to sue Rogers, attorney says
Arizona Capitol Times
Sen. Wendy Rogers may face a civil lawsuit alongside a Senate ethics investigation and federal workplace discrimination complaint, her former assistant's new attorney said Monday.

Democrats seek ouster of Republican Finchem
Arizona Capitol Times
Rep. Athena Salman and 22 other House Democrats introduced a resolution Monday to expel Rep. Mark Finchem from the body.

Boyer kills Senate bid to force supervisors to comply with subpoenas
Arizona Capitol Times
A Republican senator single-handedly killed a resolution that could have sent Maricopa county supervisors to jail, arguing that the Senate and the county need more time to reach a compromise over a proposed election audit.

Education advocates appeal to legislature to make up losses
White Mountain Independent
Gov. Doug Ducey's proposed budget will shortchange schools and child welfare programs, insist child advocacy groups.

AMERICAN OVERSIGHT

In Scottsdale, a Vaccination Clinic Opens in a Former Brewery
Phoenix New Times
Attention, people 75 years and older who've had trouble booking COVID-19 vaccinations in Arizona: As of today — Monday, February 8 — a new vaccination clinic is open in Scottsdale.

Former Ocasio-Cortez spokesperson: Manchin, Sinema should be primaried if 'they're going to stand in the way of progress'
The Hill
A former spokesperson for Rep. Alexandria Ocasio-Cortez (D-N.Y.) said his super-PAC intends to mount primary challenges to moderate and center-right Democratic senators who "stand in the way of promises that were made by Democrats."

Pedro Gomez, Barry Bonds and me: A baseball paean
Arizona Republic (Opinion, EJ Montini)
The recently deceased ESPN reporter and former Republic columnist had tenacity and talent. But they weren't his best quality.

Why didn't Donald Trump pardon his Capitol mob accomplices?
Arizona Republic (Opinion, EJ Montini)
He's done what he's always done with people he doesn't need anymore.

Sen. Michelle Ugenti-Rita didn't get mad at her internet troll. She got even by outing him
Arizona Republic (Opinion, Laurie Roberts)
How refreshing to see an internet troll - a guy who has spent months anonymously lobbing disgusting comments at an Arizona legislator - outed for all the world to see.

Paul Boyer saves the Arizona Senate, despite its best efforts to embarrass itself
Arizona Republic (Opinion, Laurie Roberts)
Behold sanity in the form of Sen. Paul Boyer, who on Monday refused to go along with the Republicans' ridiculous threat to slap handcuffs on the Maricopa County Board of Supervisors.

Biden praised Cara Christ's COVID-19 vaccination site, even if everything else is a mess
Arizona Republic (Opinion, Elvia Diaz)
President Joe Biden gave a huge shout-out to Dr. Cara Christ for her handling of Arizona's COVID-19 vaccination site.

This isn't the first time Sen. Paul Boyer went rogue. Will Republicans punish him for it?
Arizona Republic (Opinion, Abe Kwok)
Sen. Paul Boyer co-sponsored the resolution to arrest county supervisors if they balked a subpoena, then voted against it. Will there be payback?

Arizona prisons are squalid and unsafe. They need independent oversight
Arizona Republic (Op-ed, Milly Gill)
The state Department of Corrections has been plagued by broken locks, unsanitary conditions and substandard health care. A bill at the Arizona Legislature can change that.

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Tuesday, February 9, 2021 6:06:34 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-9-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *February 9, 2021*

NO WONDER IT TOOK SO LONG
The Dept of Health Services finally published a vaccine dashboard as part of its Covid dashboard after weeks of stalling and dodging media questions, and the dashboard shows white people have better access to vaccines than minorities.

WHEN THE E-BOARD SPEAKS, DUCEY REACTS
Will Humble, the former state health director, penned a blog post yesterday about what he thinks the dashboard should include – and the dashboard didn't live up to his hopes.

THE AP HAS GREAT LAWYERS
The national news picked up Townsend's comments yesterday that the public should "do what you gotta do" following the failed vote to hold the board in contempt, and Townsend is vaguely threatening several news organizations over their coverage.

AMERICAN OVERSIGHT

REMEMBER WHEN THIS WASN'T A NORMAL THING?
Boyer is on the lam after his vote to stop the contempt resolution against the Maricopa County Board of Supervisors, telling our reporter last night that he moved his family to an undisclosed location after he started receiving threats.

WE'VE NEVER HEARD OF A POLITICIAN LYING BEFORE
Boyer said he organized the meeting between Fann and county supervisors yesterday in hopes of calming things down, and thought that he had made clear that he didn't want to proceed with the contempt resolution.

NOT AUDITING ELECTIONS HAS CONSEQUENCES
Already, there's talk of primaries, censures and recalls against Boyer, though how serious that talk is remains to be seen.

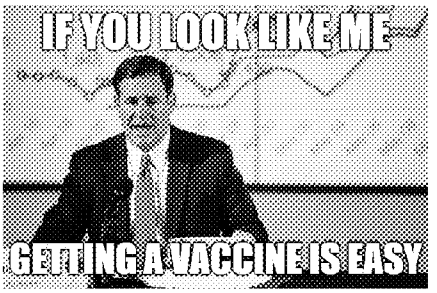
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, February 09, 2021

·NEWS NOTES AND GOSSIP·

NO WONDER IT TOOK SO LONG



The Dept of Health Services finally published a vaccine dashboard as part of its Covid dashboard after weeks of stalling and dodging media questions, and the dashboard shows white people have better access to vaccines than minorities. The dashboard (LINK) includes the ability to filter by county, or for the two State PODs, and some basic demographic breakdowns (age, gender and race). However, it is also missing a plethora of information the public has been seeking since vaccines began late last year. It doesn't include a breakdown of the reason someone was able to receive their shot – if they are a teacher, a front line worker, or a senior citizen, etc. It also doesn't include the number of doses that have gone to waste (YS, 2/8). It's unclear if the geographic information reflects where people live, or where they got their shots, meaning we still don't know how many rural Arizonans had to travel to a state-run facility to receive their shot. The information available on the new dashboard does, however, show what many feared – the state's vaccine program is overwhelmingly favoring white people and underserving Latinos and other minorities who are more at risk from the virus. White people make up nearly 50 percent of the total doses, 37 percent is other or race unknown, only 8 percent is Hispanic/Latino, 3 percent American Indian, nearly 2.5 percent Asian and less than 1.5 percent Black. The State PODs skew even more toward whites – a staggering 62 percent of those who have received shots at the state PODs are white, while Hispanic/Latinos received just 4 percent of shots at the state PODs. Looking further into county breakdowns shows young people (20 to 44 years old) make up the largest portion to receive the vaccine in Coconino County. That age group makes up 30 percent of the county's vaccine doses compared to 24 percent from the 65+ group. Maricopa and Pima counties have similar, though less pronounced, trends. It's possible the younger population in those counties are getting vaccinated at a higher rate because they are healthcare workers or first responders, or because those counties have large numbers of university employees, but it's impossible to know for certain unless DHS releases that breakdown.

WHEN THE E-BOARD SPEAKS, DUCEY REACTS

Will Humble, the former state health director, penned a blog post yesterday about what he thinks the dashboard should include – and the dashboard didn't live up to his hopes. Humble told our reporter he has a hypothesis that wealthier individuals are receiving the vaccine at higher rates, and the state has zip code data that could bore that out, but isn't releasing that data. "Arizona remains one of the very few states that still doesn't disclose this important information – info that the people can use to hold the state agency and the governor accountable for their decisions," Humble wrote in his latest blog post (LINK). "They are collecting important demographic fields, but they aren't using the data to inform their vaccine allocation and policy decisions. Why? Perhaps it's because they don't want to admit that the current appointment system favors the wealthy," he said. Another missing data point is the "denominator" so the public can see the vaccine rate in every county, Humble said. Arizona, based on national comparisons, has been in the lower tier for vaccines per 100,000 residents, but Ducey has only wanted to talk about Arizona being near the top for the number of vaccines put into arms. Humble gave the dashboard an overall grade of "C-plus," And he argued that without pressure from the press corps, the state would have never posted it. "Kudos to the Department for responding ... to an editorial of the statewide newspaper," Humble said, referencing yesterday's *Arizona Republic* editorial (LINK). "The First Amendment got this up."

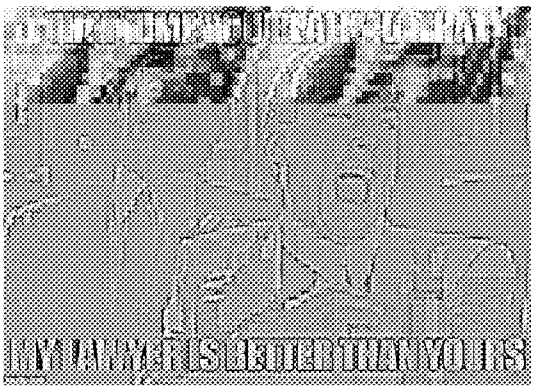
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001895

ARZN_REV00068723_2-9-21.pdf

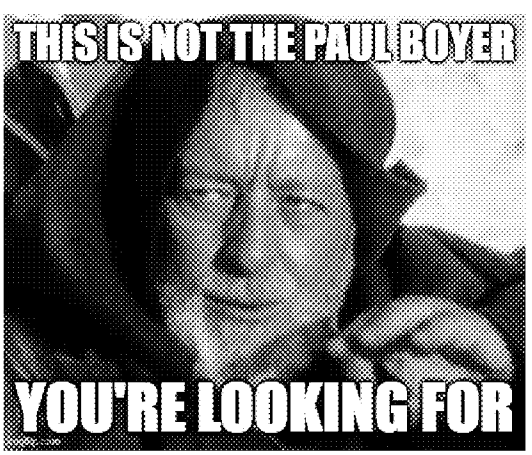
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE AP HAS GREAT LAWYERS



The national news picked up Townsend's comments yesterday that the public should "do what you gotta do" following the failed vote to hold the board in contempt, and Townsend is vaguely threatening several news organizations over their coverage. She told our reporter she's considering getting legal advice about whether she can sue the *AP's* Bob Christie, and on Facebook, she called Rachel Maddow's coverage on *MSNBC* "borderline libelous" and demanded a retraction and apology. Maddow played a clip of Townsend speaking on the floor and described it as a threat. "Now it's going to have to go into the hands of the public and right now the last place this needs to be is in a place where the public is so lathered up over all of this. We need to do this in a way that's professional, legal and proper – not that the public's not – but they shouldn't have to do this on our behalf. So public, do what you gotta do," Townsend said in the clip played on Maddow's show. Christie's article, distributed to *AP* member papers around the world, included a version of that quote, following a quote from Supervisor Steve Gallardo about how someone would get hurt if Senate Republicans didn't stop pushing the audit. "It was taken out of context because Bob Christie piecemealed my comments into a way that made it look like a threat," Townsend told our reporter. "That's not a threat, and if you see that as a threat, you're looking through the wrong lens."

REMEMBER WHEN THIS WASN'T A NORMAL THING?

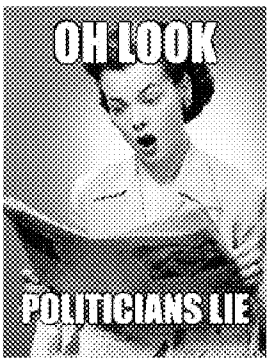


Boyer is on the lam after his vote to stop the contempt resolution against the Maricopa County Board of Supervisors, telling our reporter last night that he moved his family to an undisclosed location after he started receiving threats. Boyer said that shortly after the vote, he had more than a hundred text messages that he was scanning as quickly as possible to look for threats and forward them to the Dept of Public Safety. Part of the reason he's receiving such a volume of calls and texts is likely because Liz Harris, a failed LD17 Republican House candidate, posted his cell phone number on Twitter and urged her 10,400 followers to call and text him to change his vote. While Harris's tweet was reported and removed – sharing someone else's contact information violates Twitter's terms of service – Boyer's cell number, home address and wife's contact information were shared all over Twitter and right-wing sites including Gab and Twitter yesterday and today. A YouTube user named "Scottsdale Studios" titled a video that has been viewed more than 15,000 times "Az. Sen. Paul Boyer Text (cell number). He voted with the Democrats to block enforcing the Audit," meaning Boyer's cell number is broadcast again every time someone shares the video. Even other Paul Boyers are getting threats. A Twitter user posted a video of her voicemail machine today with the message "Guys my dad is not the AZ SENATOR PAUL BOYER HE JUST HAS THE SAME NAME. STOP DOXXING US AND CALLING US" (LINK). "If this is Paul Boyer's number, you're a piece of f*cking sh*t *sshole. You can go f*ck yourself," a caller said in the video.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001896
ARZN_REV00068723_2-9-21.pdf

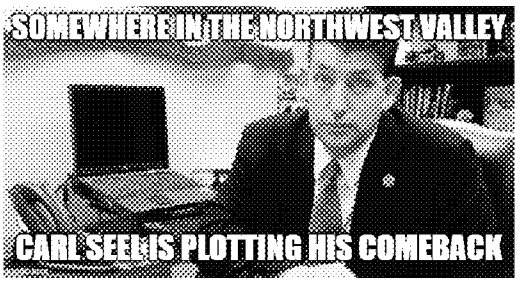
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE'VE NEVER HEARD OF A POLITICIAN LYING BEFORE



Boyer said he organized the meeting between Fann and county supervisors yesterday in hopes of calming things down, and thought that he had made clear that he didn't want to proceed with the contempt resolution. "You can ask Jack [Sellers] and Bill [Gates] – I said, 'what if we took contempt off the table?' I specifically said that," he said, though he acknowledged that message might not have been clear enough for Fann. Although Boyer said he supports the Senate's effort to conduct an audit, as he thought about the implications of the vote over the weekend, he realized his fellow senators were getting caught up in the heat of the moment, and he didn't want to look back on his vote and regret it. While he didn't believe that the Senate would ultimately arrest the supervisors even if the resolution passed, he didn't want to leave that decision in Fann's hands. "Karen would be the decider on that arrest or not. And all the pressure would be piling on her to arrest them. They'd be saying arrest those SOBs, and it's not beyond the realm of possibilities," he said. Fann pledged in the meeting with the supervisors that nobody would be arrested, Boyer said, but "she's lied to me before, to my face."

NOT AUDITING ELECTIONS HAS CONSEQUENCES



Already, there's talk of primaries, censures and recalls against Boyer, though how serious that talk is remains to be seen. GOP activist Christian Lamar, who is not a PC, pushed a censure at yesterday's LD20 meeting, which he said passed unanimously after the district PCs suspended their bylaws requiring a proper notice of agenda items. (Still, it's unclear if that was an official censure, as the meeting may not have had a quorum. Lamar and the district chair didn't respond to attempts to contact them today). The resolution, which Lamar thanked Bolick for giving him the floor to introduce, states that Boyer is refusing to uphold his oath of office, ignoring the will of Trump voters, and ignoring members of the military who fought and died for the right to vote, among other claims. "Paul Boyer does not represent the interests of his constituents, neither does he represent the interest of LD20 or nor does he represent the interests of the Arizona Republican Party," it reads, adding that Boyer "hides behind sanctimoniousness and the Democrat Party Media instead of representing 'We the people,' who elected him in good faith." It wouldn't be the first time the PCs have attempted to censure Boyer. In 2014, the PCs were up in arms that Boyer cracked to our reporter that former lawmaker Carl Seel's primary election loss was "good for the state…good for the party [and] good for everyone" (YS, 9/16/14). (That resolution ultimately failed (YS, 10/7/14).) Others are already predicting primary challenges. Former AZGOP spokesman Zach Henry predicted Kern would take on Boyer. "The establishment will align behind the incumbent; conservatives behind the challenger. Another Barto v. Carter scenario – albeit in a more competitive district. Either way, Boyer lost his seat today. Asinine vote," he tweeted yesterday. But that prediction misses an important point: The current LD20 won't exist after redistricting. And if the district that Boyer is in stays competitive, Republicans could be shooting themselves in the foot by nominating a Republican who's further right than Boyer, as Kern lost the district's second House seat to a Democrat this year.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001897

ARZN_REV00068723_2-9-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Former Senate staffer likely to sue Rogers, attorney says
Arizona Capitol Times
Sen. Wendy Rogers may face a civil lawsuit alongside a Senate ethics investigation and federal workplace discrimination complaint, her former assistant's new attorney said Monday.

Democrats seek ouster of Republican Finchem
Arizona Capitol Times
Rep. Athena Salman and 22 other House Democrats introduced a resolution Monday to expel Rep. Mark Finchem from the body.

Boyer kills Senate bid to force supervisors to comply with subpoenas
Arizona Capitol Times
A Republican senator single-handedly killed a resolution that could have sent Maricopa county supervisors to jail, arguing that the Senate and the county need more time to reach a compromise over a proposed election audit.

Education advocates appeal to legislature to make up losses
White Mountain Independent
Gov. Doug Ducey's proposed budget will shortchange schools and child welfare programs, insist child advocacy groups.

In Scottsdale, a Vaccination Clinic Opens in a Former Brewery
Phoenix New Times
Attention, people 75 years and older who've had trouble booking COVID-19 vaccinations in Arizona: As of today — Monday, February 8 — a new vaccination clinic is open in Scottsdale.

Former Ocasio-Cortez spokesperson: Manchin, Sinema should be primaried if 'they're going to stand in the way of progress'
The Hill
A former spokesperson for Rep. Alexandria Ocasio-Cortez (D-N.Y.) said his super-PAC intends to mount primary challenges to moderate and center-right Democratic senators who "stand in the way of promises that were made by Democrats."

Why didn't Donald Trump pardon his Capitol mob accomplices?
Arizona Republic (Opinion, EJ Montini)
He's done what he's always done with people he doesn't need anymore.

Sen. Michelle Ugenti-Rita didn't get mad at her internet troll. She got even by outing him
Arizona Republic (Opinion, Laurie Roberts)
How refreshing to see an internet troll – a guy who has spent months anonymously lobbing disgusting comments at an Arizona legislator – outed for all the world to see.

Paul Boyer saves the Arizona Senate, despite its best efforts to embarrass itself
Arizona Republic (Opinion, Laurie Roberts)
Behold sanity in the form of Sen. Paul Boyer, who on Monday refused to go along with the Republicans' ridiculous threat to slap handcuffs on the Maricopa County Board of Supervisors.

Biden praised Cara Christ's COVID-19 vaccination site, even if everything else is a mess
Arizona Republic (Opinion, Elvia Diaz)
President Joe Biden gave a huge shout-out to Dr. Cara Christ for her handling of Arizona's COVID-19 vaccination site.

This isn't the first time Sen. Paul Boyer went rogue. Will Republicans punish him for it?
Arizona Republic (Opinion, Abe Kwok)
Sen. Paul Boyer co-sponsored the resolution to arrest county supervisors if they balked a subpoena, then voted against it. Will there be payback?

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001898
ARZN_REV00068723_2-9-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona prisons are squalid and unsafe. They need independent oversight
Arizona Republic (Op-ed, Milly Gill)
The state Department of Corrections has been plagued by broken locks, unsanitary conditions and substandard health care. A bill at the Arizona Legislature can change that.

·PRESS RELEASES·

Superintendent Hoffman Delivers 2021 State of Special Education Address

PHOENIX – Today, Arizona Superintendent of Public Instruction Kathy Hoffman delivered her second "State of Special Education" address to the House Education Committee.
Superintendent Hoffman's address focused on the effects the pandemic has had on Arizona students, particularly students within special education. For many special education students, schools offer more than academics – providing essential wraparound services to support students' growth and success. As more students begin to return to in-person learning, some will need additional targeted supports to meet critical pieces of their individualized education plans. Superintendent Hoffman announced that the Arizona Department of Education would provide $5 million in CARES Act funding for compensatory services to help schools meet these needs.
Superintendent Hoffman also called on state leaders to continue taking COVID-19, its variants, and the vaccine rollout seriously so students can return to the classroom safely. "Our students are at the end of every public health decision," she said. Additionally, she called for predictable, stable funding for public schools and additional investments in special education funds – calling on lawmakers to support SB 1189, a bill that would allocate $5 million to the Extraordinary Special Education Needs Fund. She also urged lawmakers to continue to support HB 2015, which will provide funding for pre-k programs, a critical need for all students, particularly students receiving special education services.
"With a 1-billion-dollar rainy day fund and a projected 2-billion-dollar surplus, our state has a duty to support students of all backgrounds, abilities, and experiences to learn, grow, and succeed," said Superintendent Hoffman.
A full transcript of Superintendent Hoffman's address can be found here.

New Rep. Melody Hernandez Introduces Frontline Healthcare Workers Bill of Rights

PHOENIX – Freshman Representative Melody Hernandez – who works as paramedic on the frontlines of the COVID-19 pandemic – has made one of her first bills a response to the crisis that she sees up close every week. On Monday Hernandez introduced House Bill 2842, the Frontline Healthcare Workers Bill of Rights, a package of new protections for those putting themselves at risk to save lives on the pandemic frontlines.
"Since the beginning of this pandemic Arizona has done too little and too late to address the turmoil many are facing as a direct result of the COVID-19 crisis," said Hernandez, D-Tempe. "Many of us ran for office talking about the need for legislation to provide relief for Arizonans hit hard by the pandemic. Yet, since the beginning of the session, our healthcare workers have continued to work on the frontlines while the Legislature has failed to pass any semblance of COVID relief. That has to change. It's time we truly prioritized our healthcare workers by ensuring they have basic protections outlined in the Frontline Healthcare Workers Bill of Rights."
Hernandez' bill includes:

- **Hazard Pay** for healthcare workers performing COVID-19 essential functions.
- **Personal Protective Equipment** (new and unexpired) provided at no cost to essential healthcare workers.
- **Notification** for all health care employees and others on site after any potential COVID-19 exposure.
- **COVID-Related Sick Leave** (three weeks paid) for any health care employee who is unable to work because of a COVID-19 diagnosis, quarantine, or recovery.
- **Accommodations for Quarantine** for health care workers who come into direct contact with COVID-19 patients, or who test positive but don't require hospitalization, provided at low cost or no cost and close to medical facilities.
- **Whistleblower Protections** to protect against retaliation against any health care worker raising concerns about safety standards, or actions by an employer that put patients, employees or the public at risk.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001899
ARZN_REV00068723_2-9-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The bill was backed by Healthcare Rising, an organization dedicated to improving Arizona's healthcare system, and has 20 co-sponsors.

Governor Ducey Announces Rental Assistance Program To Provide Financial Assistance And Housing Stability

PHOENIX — Governor Doug Ducey today announced the Arizona Department of Economic Security will be launching a new Emergency Rental Assistance Program to provide financial assistance and housing stability.

"We want to make sure renters in Arizona have the resources and support they need," said Governor Ducey. "The rental assistance program will keep families and those in need in their homes and help them get back on their feet as we overcome the effects of the pandemic. We will continue to work closely with community and local government partners to efficiently deliver this relief."

As part of the COVID-19 relief package recently passed by Congress, the U.S. Department of Treasury provided a total of $492 million to the state of Arizona. The Arizona Department of Economic Security (DES) was awarded $289 million with the remaining balance going directly to large cities and counties. Funding will be used toward direct payments for rent, rental arrears, utilities, utility arrears, and other expenses related to housing stability incurred due to the COVID-19 pandemic.

DES will serve the following counties:

- Apache
- Cochise
- Coconino
- Gila
- Graham
- Greenlee
- La Paz
- Navajo
- Santa Cruz
- Pinal
- Mohave
- Yavapai

Renters residing in the counties listed above can apply for housing and utilities assistance via the DES portal starting **Tuesday, February 23**.

Several large counties and cities, including Maricopa County, Pima County and Yuma County, are receiving funding directly from the federal government. Those counties plan to launch their own rental assistance programs, which will be separate from this DES program. The DES portal will also direct renters living in these counties to their local jurisdictions so they can access similar programs.

"Households across the state continue to face economic challenges due to the COVID-19 pandemic, and we are pleased to be able to provide this new assistance program alongside the other services we have to offer at DES," said DES Director Michael Wisehart. "We will work quickly and diligently to provide rental and utility assistance to those in need."

View Emergency Rental Assistance Program payment details and eligibility requirements HERE.

Individuals in the twelve counties listed above will be able to apply online at des.az.gov/ERAP beginning **February 23, 2021**. The rental assistance portal will be available online 24/7, and will be mobile-friendly. Applicants can apply and check the status of their application through the portal. It will be available in English and Spanish

Arizona Comment on Today's Drop in Small Business Optimism

Home-made problems to an economic rebound need the Legislature's immediate attention

PHOENIX, Feb. 9, 2021—Not a whole lot to be optimistic about in today's release of the monthly Small Business Optimism Index from NFIB, and home-grown challenges to an economic rebound are not helping matters, said the Arizona state director for the association that conducted the Index poll.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"The small business half of the economy will start to improve when business owners have confidence looking to the future," said Chad Heinrich, Arizona state director for NFIB, the nation's leading small-business advocacy association. "Today, Arizona business owners see big risks in reopening due to potential COVID-19 legal liability, they've also pressed pause on plans to expand their businesses due to voters recently roping small businesses into paying for the largest tax increase in state history. If that's not enough, when business owners realize that the property tax rate they pay on business property is double the rate of what residential property pays, they will continue to think long and hard if it's even worth investing in Arizona. Our Legislature is meeting now and small business is hoping for reasonable leaders at the State Capitol to remedy these maladies. We will see if our elected leaders will rise to the challenge."

The Optimism Index declined in January to 95.0, down 0.9 from December and three points below the 47-year average of 98. Owners expecting better business conditions over the next six months declined seven points to a net negative 23%, the lowest level since November 2013. The net percent of owners expecting better business conditions has fallen 55 points over the past four months.

From NFIB chief economist Bill Dunkelberg

"As Congress debates another stimulus package, small employers welcome any additional relief that will provide a powerful fiscal boost as their expectations for the future are uncertain. The COVID-19 pandemic continues to dictate how small businesses operate and owners are worried about future business conditions and sales."

About the Small Business Economic Trends (SBET)

The NFIB Research Center has collected Small Business Economic Trends data with quarterly surveys since the 4th quarter of 1973 and monthly surveys since 1986. Survey respondents are drawn from a random sample of NFIB's membership. The report is released on the second Tuesday of each month. This survey was conducted in December 2020. For more information about NFIB, please visit NFIB.com.

The SBET's primary value is anticipating short-run fluctuations in economic activity. An additional value of the SBET is its measurement of small business activities and concerns over time. The benefit of a longitudinal data set offers an invaluable perspective on how policies and business cycles impact small businesses over time. The SBET is one of the few archival data sets on small business, particularly when research questions address business operations rather than opinions. Today, it's the largest, longest-running data set on small business economic conditions available.

Keep up with the latest on Arizona small business news at www.nfib.com/arizona or by following NFIB on Twitter @NFIB_AZ

Governor Ducey Statement On The Passing Of Michael K. Kennedy

PHOENIX — Governor Doug Ducey today released the following statement on the passing of attorney and community leader Michael K. Kennedy:

"I am deeply saddened by the loss of Michael Kennedy — a philanthropist and personal friend who was a tireless champion for the community that was his home.

"Mike left a lasting impression on everyone he met — including me. He was devoted to serving our community and helping those in need. For years, he dedicated his time to youth, conservation, education and numerous other charitable causes.

"Mike cared deeply for Arizona, and stopped at nothing to lift it up. He worked closely with Michael Bidwill and the Arizona Cardinals organization to help secure Super Bowls and College National Championships to our state. He served as Arizona Host Committee Chairman for Super Bowl XLII and was a member of the Executive Committee for the Arizona Host Committee for Super Bowl XLIX.

"He was involved in a number of groups and committees that support Arizona and draw people to our beautiful state. Mike was also a leader in the legal community — a member of the Maricopa County Bar Association Hall of Fame and co-founder of Gallagher & Kennedy.

"Mike's passing will be felt by many people across Arizona, and he will be dearly missed. Angela and I send our love, condolences and prayers to his wife Dawn and their children. May he rest in peace."

Michael was a co-founding partner, shareholder and member of the board of directors of Gallagher & Kennedy. He practiced in general civil litigation and served as local, regional and national counsel to a variety of business clients, including Arizona sports teams, law firms, retailers and energy companies.

He was a member of The Thunderbirds, served as Chairman of the Phoenix Open, President of the Arizona Diamondbacks Foundation since its inception, President of the Maricopa County Bar Association and the Arizona Association of Defense Counsel, and was an inaugural member of the Maricopa County Bar Association Hall of Fame. Mike was recognized as a "Best Lawyer" by *Best Lawyers in America* and by *Chambers USA*.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001901
ARZN_REV00068723_2-9-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Following Request from Kelly, Sinema, AZ Delegation, Navajo Nation's Major Disaster Declaration Approved

The administration approved the Navajo Nation's Major Disaster Declaration due to effects of COVID-19

Following the support of Arizona Senators Mark Kelly and Kyrsten Sinema and Arizona Representatives Tom O'Halleran (AZ-01), Ann Kirkpatrick (AZ-02), Raúl Grijalva (AZ-03), Andy Biggs (AZ-05), David Schweikert (AZ-06), Ruben Gallego (AZ-07), Debbie Lesko (AZ-08), and Greg Stanton (AZ-09), the administration approved Navajo Nation President Jonathan Nez's request for a Major Disaster Declaration from the federal government, which will allow the Nation to access additional resources to combat the coronavirus pandemic.

"The Navajo Nation has been resilient in the face of the pandemic, and has battled the virus with too little help from the federal government. This much-needed declaration from the administration will get the Navajo Nation additional funding and flexibility to address the spread of COVID-19 and begin to recover," said Kelly.

"I am pleased the administration took swift action on behalf of the Navajo Nation. Approving a Major Disaster Declaration will help save lives and livelihoods—and ensure the Nation can access critical resources to combat and reduce the spread of COVID-19," said Sinema.

Read the Delegation's original request **HERE**.

President Nez declared a public health emergency in response to the pandemic on March 11 before a single case was confirmed in the Nation. Despite proactive precautions, the Navajo Nation has confirmed over 28,000 COVID-19 infections and more than 1,000 deaths. Navajo Nation hospitals are operating at capacity levels greater than their previous peak in May. The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19, due to health and socioeconomic disparities for these communities.

"QUOTE OF THE DAY"

"The First Amendment got this up."

- Will Humble, former director of Dept of Health Services, on the state's new Covid vaccine dashboard

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001902

ARZN_REV00068723_2-9-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, February 9, 2021 6:06:36 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-9-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *February 9, 2021*

NO WONDER IT TOOK SO LONG
The Dept of Health Services finally published a vaccine dashboard as part of its Covid dashboard after weeks of stalling and dodging media questions, and the dashboard shows white people have better access to vaccines than minorities.

WHEN THE E-BOARD SPEAKS, DUCEY REACTS
Will Humble, the former state health director, penned a blog post yesterday about what he thinks the dashboard should include – and the dashboard didn't live up to his hopes.

THE AP HAS GREAT LAWYERS
The national news picked up Townsend's comments yesterday that the public should "do what you gotta do" following the failed vote to hold the board in

AMERICAN OVERSIGHT

contempt, and Townsend is vaguely threatening several news organizations over their coverage.

REMEMBER WHEN THIS WASN'T A NORMAL THING?
Boyer is on the lam after his vote to stop the contempt resolution against the Maricopa County Board of Supervisors, telling our reporter last night that he moved his family to an undisclosed location after he started receiving threats.

WE'VE NEVER HEARD OF A POLITICIAN LYING BEFORE
Boyer said he organized the meeting between Fann and county supervisors yesterday in hopes of calming things down, and thought that he had made clear that he didn't want to proceed with the contempt resolution.

NOT AUDITING ELECTIONS HAS CONSEQUENCES
Already, there's talk of primaries, censures and recalls against Boyer, though how serious that talk is remains to be seen.

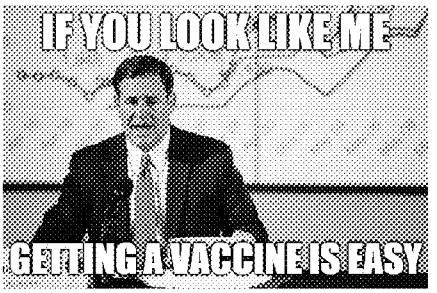
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, February 09, 2021

·NEWS NOTES AND GOSSIP·

NO WONDER IT TOOK SO LONG



The Dept of Health Services finally published a vaccine dashboard as part of its Covid dashboard after weeks of stalling and dodging media questions, and the dashboard shows white people have better access to vaccines than minorities. The dashboard (LINK) includes the ability to filter by county, or for the two State PODs, and some basic demographic breakdowns (age, gender and race). However, it is also missing a plethora of information the public has been seeking since vaccines began late last year. It doesn't include a breakdown of the reason someone was able to receive their shot – if they are a teacher, a front line worker, or a senior citizen, etc. It also doesn't include the number of doses that have gone to waste (YS, 2/8). It's unclear if the geographic information reflects where people live, or where they got their shots, meaning we still don't know how many rural Arizonans had to travel to a state-run facility to receive their shot. The information available on the new dashboard does, however, show what many feared – the state's vaccine program is overwhelmingly favoring white people and underserving Latinos and other minorities who are more at risk from the virus. White people make up nearly 50 percent of the total doses, 37 percent is other or race unknown, only 8 percent is Hispanic/Latino, 3 percent American Indian, nearly 2.5 percent Asian and less than 1.5 percent Black. The State PODs skew even more toward whites – a staggering 62 percent of those who have received shots at the state PODs are white, while Hispanic/Latinos received just 4 percent of shots at the state PODs. Looking further into county breakdowns shows young people (20 to 44 years old) make up the largest portion to receive the vaccine in Coconino County. That age group makes up 30 percent of the county's vaccine doses compared to 24 percent from the 65+ group. Maricopa and Pima counties have similar, though less pronounced, trends. It's possible the younger population in those counties are getting vaccinated at a higher rate because they are healthcare workers or first responders, or because those counties have large numbers of university employees, but it's impossible to know for certain unless DHS releases that breakdown.

WHEN THE E-BOARD SPEAKS, DUCEY REACTS

Will Humble, the former state health director, penned a blog post yesterday about what he thinks the dashboard should include – and the dashboard didn't live up to his hopes. Humble told our reporter he has a hypothesis that wealthier individuals are receiving the vaccine at higher rates, and the state has zip code data that could bore that out, but isn't releasing that data. "Arizona remains one of the very few states that still doesn't disclose this important information – info that the people can use to hold the state agency and the governor accountable for their decisions," Humble wrote in his latest blog post (LINK). "They are collecting important demographic fields, but they aren't using the data to inform their vaccine allocation and policy decisions. Why? Perhaps it's because they don't want to admit that the current appointment system favors the wealthy," he said. Another missing data point is the "denominator" so the public can see the vaccine rate in every county, Humble said. Arizona, based on national comparisons, has been in the lower tier for vaccines per 100,000 residents, but Ducey has only wanted to talk about Arizona being near the top for the number of vaccines put into arms. Humble gave the dashboard an overall grade of "C-plus," And he argued that without pressure from the press corps, the state would have never posted it. "Kudos to the Department for responding ... to an editorial of the statewide newspaper," Humble said, referencing yesterday's *Arizona Republic* editorial (LINK). "The First Amendment got this up."

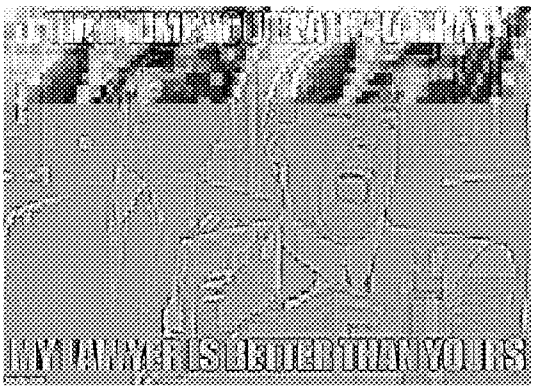
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001905

ARZN_REV00068725_2-9-21.pdf

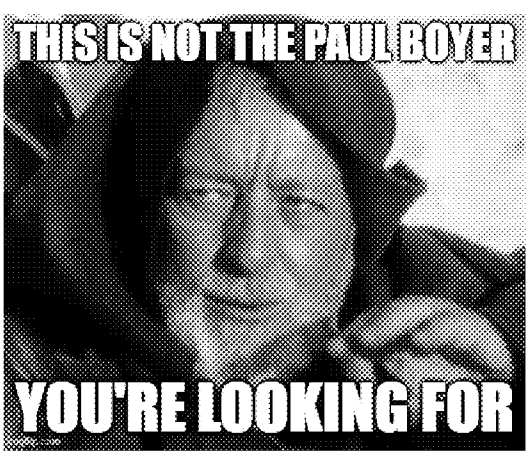
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE AP HAS GREAT LAWYERS



The national news picked up Townsend's comments yesterday that the public should "do what you gotta do" following the failed vote to hold the board in contempt, and Townsend is vaguely threatening several news organizations over their coverage. She told our reporter she's considering getting legal advice about whether she can sue the *AP's* Bob Christie, and on Facebook, she called Rachel Maddow's coverage on *MSNBC* "borderline libelous" and demanded a retraction and apology. Maddow played a clip of Townsend speaking on the floor and described it as a threat. "Now it's going to have to go into the hands of the public and right now the last place this needs to be is in a place where the public is so lathered up over all of this. We need to do this in a way that's professional, legal and proper – not that the public's not – but they shouldn't have to do this on our behalf. So public, do what you gotta do," Townsend said in the clip played on Maddow's show. Christie's article, distributed to *AP* member papers around the world, included a version of that quote, following a quote from Supervisor Steve Gallardo about how someone would get hurt if Senate Republicans didn't stop pushing the audit. "It was taken out of context because Bob Christie piecemealed my comments into a way that made it look like a threat," Townsend told our reporter. "That's not a threat, and if you see that as a threat, you're looking through the wrong lens."

REMEMBER WHEN THIS WASN'T A NORMAL THING?

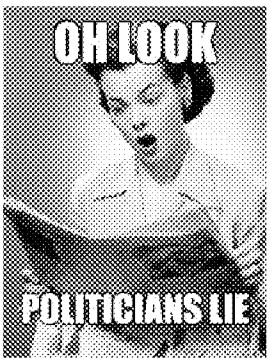


Boyer is on the lam after his vote to stop the contempt resolution against the Maricopa County Board of Supervisors, telling our reporter last night that he moved his family to an undisclosed location after he started receiving threats. Boyer said that shortly after the vote, he had more than a hundred text messages that he was scanning as quickly as possible to look for threats and forward them to the Dept of Public Safety. Part of the reason he's receiving such a volume of calls and texts is likely because Liz Harris, a failed LD17 Republican House candidate, posted his cell phone number on Twitter and urged her 10,400 followers to call and text him to change his vote. While Harris's tweet was reported and removed – sharing someone else's contact information violates Twitter's terms of service – Boyer's cell number, home address and wife's contact information were shared all over Twitter and right-wing sites including Gab and Twitter yesterday and today. A YouTube user named "Scottsdale Studios" titled a video that has been viewed more than 15,000 times "Az. Sen. Paul Boyer Text (cell number). He voted with the Democrats to block enforcing the Audit," meaning Boyer's cell number is broadcast again every time someone shares the video. Even other Paul Boyers are getting threats. A Twitter user posted a video of her voicemail machine today with the message "Guys my dad is not the AZ SENATOR PAUL BOYER HE JUST HAS THE SAME NAME. STOP DOXXING US AND CALLING US" (LINK). "If this is Paul Boyer's number, you're a piece of f*cking sh*t *sshole. You can go f*ck yourself," a caller said in the video.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001906
ARZN_REV00068725_2-9-21.pdf

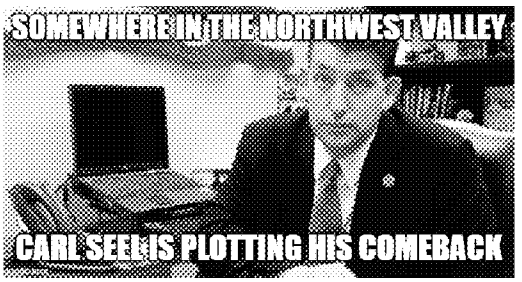
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE'VE NEVER HEARD OF A POLITICIAN LYING BEFORE



Boyer said he organized the meeting between Fann and county supervisors yesterday in hopes of calming things down, and thought that he had made clear that he didn't want to proceed with the contempt resolution. "You can ask Jack [Sellers] and Bill [Gates] – I said, 'what if we took contempt off the table?' I specifically said that," he said, though he acknowledged that message might not have been clear enough for Fann. Although Boyer said he supports the Senate's effort to conduct an audit, as he thought about the implications of the vote over the weekend, he realized his fellow senators were getting caught up in the heat of the moment, and he didn't want to look back on his vote and regret it. While he didn't believe that the Senate would ultimately arrest the supervisors even if the resolution passed, he didn't want to leave that decision in Fann's hands. "Karen would be the decider on that arrest or not. And all the pressure would be piling on her to arrest them. They'd be saying arrest those SOBs, and it's not beyond the realm of possibilities," he said. Fann pledged in the meeting with the supervisors that nobody would be arrested, Boyer said, but "she's lied to me before, to my face."

NOT AUDITING ELECTIONS HAS CONSEQUENCES



Already, there's talk of primaries, censures and recalls against Boyer, though how serious that talk is remains to be seen. GOP activist Christian Lamar, who is not a PC, pushed a censure at yesterday's LD20 meeting, which he said passed unanimously after the district PCs suspended their bylaws requiring a proper notice of agenda items. (Still, it's unclear if that was an official censure, as the meeting may not have had a quorum. Lamar and the district chair didn't respond to attempts to contact them today). The resolution, which Lamar thanked Bolick for giving him the floor to introduce, states that Boyer is refusing to uphold his oath of office, ignoring the will of Trump voters, and ignoring members of the military who fought and died for the right to vote, among other claims. "Paul Boyer does not represent the interests of his constituents, neither does he represent the interest of LD20 or nor does he represent the interests of the Arizona Republican Party," it reads, adding that Boyer "hides behind sanctimoniousness and the Democrat Party Media instead of representing 'We the people,' who elected him in good faith." It wouldn't be the first time the PCs have attempted to censure Boyer. In 2014, the PCs were up in arms that Boyer cracked to our reporter that former lawmaker Carl Seel's primary election loss was "good for the state…good for the party [and] good for everyone" (YS, 9/16/14). (That resolution ultimately failed (YS, 10/7/14).) Others are already predicting primary challenges. Former AZGOP spokesman Zach Henry predicted Kern would take on Boyer. "The establishment will align behind the incumbent; conservatives behind the challenger. Another Barto v. Carter scenario – albeit in a more competitive district. Either way, Boyer lost his seat today. Asinine vote," he tweeted yesterday. But that prediction misses an important point: The current LD20 won't exist after redistricting. And if the district that Boyer is in stays competitive, Republicans could be shooting themselves in the foot by nominating a Republican who's further right than Boyer, as Kern lost the district's second House seat to a Democrat this year.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001907

ARZN_REV00068725_2-9-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Former Senate staffer likely to sue Rogers, attorney says
Arizona Capitol Times
Sen. Wendy Rogers may face a civil lawsuit alongside a Senate ethics investigation and federal workplace discrimination complaint, her former assistant's new attorney said Monday.

Democrats seek ouster of Republican Finchem
Arizona Capitol Times
Rep. Athena Salman and 22 other House Democrats introduced a resolution Monday to expel Rep. Mark Finchem from the body.

Boyer kills Senate bid to force supervisors to comply with subpoenas
Arizona Capitol Times
A Republican senator single-handedly killed a resolution that could have sent Maricopa county supervisors to jail, arguing that the Senate and the county need more time to reach a compromise over a proposed election audit.

Education advocates appeal to legislature to make up losses
White Mountain Independent
Gov. Doug Ducey's proposed budget will shortchange schools and child welfare programs, insist child advocacy groups.

In Scottsdale, a Vaccination Clinic Opens in a Former Brewery
Phoenix New Times
Attention, people 75 years and older who've had trouble booking COVID-19 vaccinations in Arizona: As of today — Monday, February 8 — a new vaccination clinic is open in Scottsdale.

Former Ocasio-Cortez spokesperson: Manchin, Sinema should be primaried if 'they're going to stand in the way of progress'
The Hill
A former spokesperson for Rep. Alexandria Ocasio-Cortez (D-N.Y.) said his super-PAC intends to mount primary challenges to moderate and center-right Democratic senators who "stand in the way of promises that were made by Democrats."

Why didn't Donald Trump pardon his Capitol mob accomplices?
Arizona Republic (Opinion, EJ Montini)
He's done what he's always done with people he doesn't need anymore.

Sen. Michelle Ugenti-Rita didn't get mad at her internet troll. She got even by outing him
Arizona Republic (Opinion, Laurie Roberts)
How refreshing to see an internet troll – a guy who has spent months anonymously lobbing disgusting comments at an Arizona legislator – outed for all the world to see.

Paul Boyer saves the Arizona Senate, despite its best efforts to embarrass itself
Arizona Republic (Opinion, Laurie Roberts)
Behold sanity in the form of Sen. Paul Boyer, who on Monday refused to go along with the Republicans' ridiculous threat to slap handcuffs on the Maricopa County Board of Supervisors.

Biden praised Cara Christ's COVID-19 vaccination site, even if everything else is a mess
Arizona Republic (Opinion, Elvia Diaz)
President Joe Biden gave a huge shout-out to Dr. Cara Christ for her handling of Arizona's COVID-19 vaccination site.

This isn't the first time Sen. Paul Boyer went rogue. Will Republicans punish him for it?
Arizona Republic (Opinion, Abe Kwok)
Sen. Paul Boyer co-sponsored the resolution to arrest county supervisors if they balked a subpoena, then voted against it. Will there be payback?

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001908
ARZN_REV00068725_2-9-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona prisons are squalid and unsafe. They need independent oversight
Arizona Republic (Op-ed, Milly Gill)
The state Department of Corrections has been plagued by broken locks, unsanitary conditions and substandard health care. A bill at the Arizona Legislature can change that.

·PRESS RELEASES·

Superintendent Hoffman Delivers 2021 State of Special Education Address

PHOENIX – Today, Arizona Superintendent of Public Instruction Kathy Hoffman delivered her second "State of Special Education" address to the House Education Committee.
Superintendent Hoffman's address focused on the effects the pandemic has had on Arizona students, particularly students within special education. For many special education students, schools offer more than academics – providing essential wraparound services to support students' growth and success. As more students begin to return to in-person learning, some will need additional targeted supports to meet critical pieces of their individualized education plans. Superintendent Hoffman announced that the Arizona Department of Education would provide $5 million in CARES Act funding for compensatory services to help schools meet these needs.
Superintendent Hoffman also called on state leaders to continue taking COVID-19, its variants, and the vaccine rollout seriously so students can return to the classroom safely. "Our students are at the end of every public health decision," she said. Additionally, she called for predictable, stable funding for public schools and additional investments in special education funds – calling on lawmakers to support SB 1189, a bill that would allocate $5 million to the Extraordinary Special Education Needs Fund. She also urged lawmakers to continue to support HB 2015, which will provide funding for pre-k programs, a critical need for all students, particularly students receiving special education services.
"With a 1-billion-dollar rainy day fund and a projected 2-billion-dollar surplus, our state has a duty to support students of all backgrounds, abilities, and experiences to learn, grow, and succeed," said Superintendent Hoffman.
A full transcript of Superintendent Hoffman's address can be found here.

New Rep. Melody Hernandez Introduces Frontline Healthcare Workers Bill of Rights

PHOENIX – Freshman Representative Melody Hernandez – who works as paramedic on the frontlines of the COVID-19 pandemic – has made one of her first bills a response to the crisis that she sees up close every week. On Monday Hernandez introduced House Bill 2842, the Frontline Healthcare Workers Bill of Rights, a package of new protections for those putting themselves at risk to save lives on the pandemic frontlines.
"Since the beginning of this pandemic Arizona has done too little and too late to address the turmoil many are facing as a direct result of the COVID-19 crisis," said Hernandez, D-Tempe. "Many of us ran for office talking about the need for legislation to provide relief for Arizonans hit hard by the pandemic. Yet, since the beginning of the session, our healthcare workers have continued to work on the frontlines while the Legislature has failed to pass any semblance of COVID relief. That has to change. It's time we truly prioritized our healthcare workers by ensuring they have basic protections outlined in the Frontline Healthcare Workers Bill of Rights."
Hernandez' bill includes:

- **Hazard Pay** for healthcare workers performing COVID-19 essential functions.
- **Personal Protective Equipment** (new and unexpired) provided at no cost to essential healthcare workers.
- **Notification** for all health care employees and others on site after any potential COVID-19 exposure.
- **COVID-Related Sick Leave** (three weeks paid) for any health care employee who is unable to work because of a COVID-19 diagnosis, quarantine, or recovery.
- **Accommodations for Quarantine** for health care workers who come into direct contact with COVID-19 patients, or who test positive but don't require hospitalization, provided at low cost or no cost and close to medical facilities.
- **Whistleblower Protections** to protect against retaliation against any health care worker raising concerns about safety standards, or actions by an employer that put patients, employees or the public at risk.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001909
ARZN_REV00068725_2-9-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The bill was backed by Healthcare Rising, an organization dedicated to improving Arizona's healthcare system, and has 20 co-sponsors.

Governor Ducey Announces Rental Assistance Program To Provide Financial Assistance And Housing Stability

PHOENIX — Governor Doug Ducey today announced the Arizona Department of Economic Security will be launching a new Emergency Rental Assistance Program to provide financial assistance and housing stability.

"We want to make sure renters in Arizona have the resources and support they need," said Governor Ducey. "The rental assistance program will keep families and those in need in their homes and help them get back on their feet as we overcome the effects of the pandemic. We will continue to work closely with community and local government partners to efficiently deliver this relief."

As part of the COVID-19 relief package recently passed by Congress, the U.S. Department of Treasury provided a total of $492 million to the state of Arizona. The Arizona Department of Economic Security (DES) was awarded $289 million with the remaining balance going directly to large cities and counties. Funding will be used toward direct payments for rent, rental arrears, utilities, utility arrears, and other expenses related to housing stability incurred due to the COVID-19 pandemic.

DES will serve the following counties:

- Apache
- Cochise
- Coconino
- Gila
- Graham
- Greenlee
- La Paz
- Navajo
- Santa Cruz
- Pinal
- Mohave
- Yavapai

Renters residing in the counties listed above can apply for housing and utilities assistance via the DES portal starting **Tuesday, February 23**.

Several large counties and cities, including Maricopa County, Pima County and Yuma County, are receiving funding directly from the federal government. Those counties plan to launch their own rental assistance programs, which will be separate from this DES program. The DES portal will also direct renters living in these counties to their local jurisdictions so they can access similar programs.

"Households across the state continue to face economic challenges due to the COVID-19 pandemic, and we are pleased to be able to provide this new assistance program alongside the other services we have to offer at DES," said DES Director Michael Wisehart. "We will work quickly and diligently to provide rental and utility assistance to those in need."

View Emergency Rental Assistance Program payment details and eligibility requirements HERE.

Individuals in the twelve counties listed above will be able to apply online at des.az.gov/ERAP beginning **February 23, 2021**. The rental assistance portal will be available online 24/7, and will be mobile-friendly. Applicants can apply and check the status of their application through the portal. It will be available in English and Spanish

Arizona Comment on Today's Drop in Small Business Optimism

Home-made problems to an economic rebound need the Legislature's immediate attention

PHOENIX, Feb. 9, 2021—Not a whole lot to be optimistic about in today's release of the monthly Small Business Optimism Index from NFIB, and home-grown challenges to an economic rebound are not helping matters, said the Arizona state director for the association that conducted the Index poll.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"The small business half of the economy will start to improve when business owners have confidence looking to the future," said Chad Heinrich, Arizona state director for NFIB, the nation's leading small-business advocacy association. "Today, Arizona business owners see big risks in reopening due to potential COVID-19 legal liability, they've also pressed pause on plans to expand their businesses due to voters recently roping small businesses into paying for the largest tax increase in state history. If that's not enough, when business owners realize that the property tax rate they pay on business property is double the rate of what residential property pays, they will continue to think long and hard if it's even worth investing in Arizona. Our Legislature is meeting now and small business is hoping for reasonable leaders at the State Capitol to remedy these maladies. We will see if our elected leaders will rise to the challenge."

The Optimism Index declined in January to 95.0, down 0.9 from December and three points below the 47-year average of 98. Owners expecting better business conditions over the next six months declined seven points to a net negative 23%, the lowest level since November 2013. The net percent of owners expecting better business conditions has fallen 55 points over the past four months.

From NFIB chief economist Bill Dunkelberg

"As Congress debates another stimulus package, small employers welcome any additional relief that will provide a powerful fiscal boost as their expectations for the future are uncertain. The COVID-19 pandemic continues to dictate how small businesses operate and owners are worried about future business conditions and sales."

About the Small Business Economic Trends (SBET)

The NFIB Research Center has collected Small Business Economic Trends data with quarterly surveys since the 4th quarter of 1973 and monthly surveys since 1986. Survey respondents are drawn from a random sample of NFIB's membership. The report is released on the second Tuesday of each month. This survey was conducted in December 2020. For more information about NFIB, please visit NFIB.com.

The SBET's primary value is anticipating short-run fluctuations in economic activity. An additional value of the SBET is its measurement of small business activities and concerns over time. The benefit of a longitudinal data set offers an invaluable perspective on how policies and business cycles impact small businesses over time. The SBET is one of the few archival data sets on small business, particularly when research questions address business operations rather than opinions. Today, it's the largest, longest-running data set on small business economic conditions available.

Keep up with the latest on Arizona small business news at www.nfib.com/arizona or by following NFIB on Twitter @NFIB_AZ

Governor Ducey Statement On The Passing Of Michael K. Kennedy

PHOENIX — Governor Doug Ducey today released the following statement on the passing of attorney and community leader Michael K. Kennedy:

"I am deeply saddened by the loss of Michael Kennedy — a philanthropist and personal friend who was a tireless champion for the community that was his home.

"Mike left a lasting impression on everyone he met — including me. He was devoted to serving our community and helping those in need. For years, he dedicated his time to youth, conservation, education and numerous other charitable causes.

"Mike cared deeply for Arizona, and stopped at nothing to lift it up. He worked closely with Michael Bidwill and the Arizona Cardinals organization to help secure Super Bowls and College National Championships to our state. He served as Arizona Host Committee Chairman for Super Bowl XLII and was a member of the Executive Committee for the Arizona Host Committee for Super Bowl XLIX.

"He was involved in a number of groups and committees that support Arizona and draw people to our beautiful state. Mike was also a leader in the legal community — a member of the Maricopa County Bar Association Hall of Fame and co-founder of Gallagher & Kennedy.

"Mike's passing will be felt by many people across Arizona, and he will be dearly missed. Angela and I send our love, condolences and prayers to his wife Dawn and their children. May he rest in peace."

Michael was a co-founding partner, shareholder and member of the board of directors of Gallagher & Kennedy. He practiced in general civil litigation and served as local, regional and national counsel to a variety of business clients, including Arizona sports teams, law firms, retailers and energy companies.

He was a member of The Thunderbirds, served as Chairman of the Phoenix Open, President of the Arizona Diamondbacks Foundation since its inception, President of the Maricopa County Bar Association and the Arizona Association of Defense Counsel, and was an inaugural member of the Maricopa County Bar Association Hall of Fame. Mike was recognized as a "Best Lawyer" by *Best Lawyers in America* and by *Chambers USA*.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001911
ARZN_REV00068725_2-9-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Following Request from Kelly, Sinema, AZ Delegation, Navajo Nation's Major Disaster Declaration Approved

The administration approved the Navajo Nation's Major Disaster Declaration due to effects of COVID-19

Following the support of Arizona Senators Mark Kelly and Kyrsten Sinema and Arizona Representatives Tom O'Halleran (AZ-01), Ann Kirkpatrick (AZ-02), Raúl Grijalva (AZ-03), Andy Biggs (AZ-05), David Schweikert (AZ-06), Ruben Gallego (AZ-07), Debbie Lesko (AZ-08), and Greg Stanton (AZ-09), the administration approved Navajo Nation President Jonathan Nez's request for a Major Disaster Declaration from the federal government, which will allow the Nation to access additional resources to combat the coronavirus pandemic.

"The Navajo Nation has been resilient in the face of the pandemic, and has battled the virus with too little help from the federal government. This much-needed declaration from the administration will get the Navajo Nation additional funding and flexibility to address the spread of COVID-19 and begin to recover," said Kelly.

"I am pleased the administration took swift action on behalf of the Navajo Nation. Approving a Major Disaster Declaration will help save lives and livelihoods—and ensure the Nation can access critical resources to combat and reduce the spread of COVID-19," said Sinema.

Read the Delegation's original request **HERE**.

President Nez declared a public health emergency in response to the pandemic on March 11 before a single case was confirmed in the Nation. Despite proactive precautions, the Navajo Nation has confirmed over 28,000 COVID-19 infections and more than 1,000 deaths. Navajo Nation hospitals are operating at capacity levels greater than their previous peak in May. The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19, due to health and socioeconomic disparities for these communities.

"QUOTE OF THE DAY"

"The First Amendment got this up."

- Will Humble, former director of Dept of Health Services, on the state's new Covid vaccine dashboard

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Tuesday, February 9, 2021 6:25:50 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes February 9, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

.....

Arizona Legislative Report

Today's News Notes

February 9, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

AMERICAN OVERSIGHT

55th Legislature; 1st Regular Session

THE HOUSE IS STILL in session at our deadline.

THE SENATE IS ADJOURNED until Wednesday, February 10, at 1:30 p.m.

COMMITTEE AGENDAS

REVISED HEARINGS

House Government & Elections

Wednesday 02/10/21 at 9:00 AM, House Rm. 1 ***REVISED [02/09/21]***

H2111: 2ND AMENDMENT; UNENFORCEABLE FEDERAL LAWS

H2302: ELECTION LAWSUITS; SETTLEMENTS; APPROVALS

H2308: RECALL PETITIONS AND ELECTIONS; REVISIONS

~~H2358: VOTER REGISTRATION UPDATE; ADDRESS CHANGE~~

H2373: VOTER REGISTRATION GROUPS; FORMS; IDENTIFIERS ***STRIKER: SAME SUBJECT***

H2378: RANKED CHOICE VOTING; PRESIDENTIAL PREFERENCE

H2455: FIRE DISTRICTS; PENSION LIABILITY; FINANCING

H2481: SHORT-TERM RENTALS; ENFORCEMENT; PENALTIES

H2529: EARLY BALLOTS; ADDRESS; RETURN ***STRIKER: SAME SUBJECT***

H2551: MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES

H2569: ELECTIONS; PRIVATE FUNDING; PROHIBITION

H2570: LICENSES; PANDEMICS; REVOCATION PROHIBITION

H2590: DAY OF RACIAL HEALING; OBSERVED

~~H2619: HOMEOWNERS' ASSOCIATIONS; DECLARATION AMENDMENT; MAJORITY~~

H2696: GOVERNMENT ASSISTANCE; POINT OF CONTACT

H2700: COUNTY OFFICERS; SALARIES; INCREASE

H2723: CAMPAIGN FINANCE; REPORTS; CONTRIBUTION AMOUNT

H2725: STATE DOCUMENTS; SEX IDENTIFICATION

H2792: EARLY BALLOTS; REQUEST REQUIRED

AMERICAN OVERSIGHT

H2793: VOTER REGISTRATION; REQUEST REQUIRED

HCR2016: INITIATIVES; SUPERMAJORITY VOTE REQUIREMENT

HCR2021: ELECTORAL COLLEGE; SUPPORTING

HCR2023: ELECTIONS; STATE AUTHORITY; INFRINGEMENT; OPPOSITION

House Judiciary

Wednesday 02/10/21 at 9:00 AM, House Rm. 4 ***REVISED [02/08/21]***

H2069: GENETIC TESTING; PRIVATE PROPERTY

H2158: PROTECTIVE ORDERS; CENTRAL REPOSITORY; NOTIFICATION

H2187: DUI; ADMINISTRATIVE SUSPENSION; LICENSE

H2355: ANIMAL ABUSER REGISTRATION; PENALTIES

H2383: TECH CORRECTION; DOUBLE PUNISHMENT

STRIKER: ORGANIZED RETAIL THEFT TASK FORCE

H2401: JUVENILE DEPENDENCY; STATE AID; APPROPRIATION

H2483: ANIMAL OWNERSHIP; POSSESSION; PROHIBITION

H2502: ELECTRONIC COMMUNICATIONS; PERSONAL INFORMATION; HARASSMENT

H2548: HIGH INTENSITY LASER POSSESSION; PROHIBITION

H2552: CRIMINAL DAMAGE: MONUMENTS; MEMORIALS; STATUES

H2579: LIMITED JURISDICTION COURTS; JUDGMENT ASSIGNMENT

H2618: PUBLIC NUISANCE; NOISE; EVIDENCE

H2648: RELIGIOUS SERVICES; ESSENTIAL SERVICES

H2674: SEX OFFENDER REGISTRATION; TERMINATION

House Appropriations

Wednesday 02/10/21 at 2:00 PM, House Rm. 1 ***REVISED [02/09/21]***

H2053: SUPERIOR COURT CLERK; SALARY ***STRIKER: SALARY; SUPERIOR COURT CLERK***

H2068: APPROPRIATION; OVERPASS; STATE ROUTE 347

H2072: APPROPRIATION; STATE ROUTE 95; REPAVING

AMERICAN OVERSIGHT

H2123: CTEDS; FOURTH-YEAR FUNDING

H2141: APPROPRIATIONS; ALTERNATIVE PROSECUTION; DIVERSION PROGRAM

H2151: EXPERIENCED TEACHER RETENTION; PILOT PROGRAM

H2156: APPROPRIATIONS; BROADBAND GRANTS

~~H2169: APPROPRIATION; TOURISM; DUDE RANCHES; PROMOTION~~

~~H2179: NEW SCHOOL FACILITIES; ADDITIONAL FUNDING~~

H2189: COORDINATED REENTRY PLANNING SERVICES PROGRAMS

H2263: APPROPRIATIONS; LAKE HAVASU CITY; BRIDGE

H2394: APPROPRIATION; NORTH-SOUTH CORRIDOR STUDY

H2404: APPROPRIATIONS; FAMILY HEALTH PILOT PROGRAM

H2409: ADULT PROTECTIVE SERVICES; AUDIT; APPROPRIATION

H2461: DPS; BODY CAMERAS; APPROPRIATIONS

H2463: APPROPRIATION; DPS; SCHOOL SAFETY PROGRAM

~~H2489: APPROPRIATION; AFFORDABLE HOUSING~~

H2533: STATEWIDE ADA COORDINATOR; APPROPRIATION

H2555: SFB; DEPARTMENT OF ADMINISTRATION

H2565: AREA AGENCIES ON AGING; APPROPRIATION

H2577: APPROPRIATION; WATER SUPPLY STUDY

~~***Added*** *H2629: ARIZONA NURSES ACADEMY*~~

H2668: NUTRITION ASSISTANCE; BENEFIT MATCH; APPROPRIATION

H2672: PRISONERS; BRAILLE TRANSCRIBER TRAINING PROGRAM

H2706: APPROPRIATION; VETERANS' SERVICES; BENEFITS COUNSELORS

H2755: APPROPRIATION; ARIZONA ARTS TRUST FUND

Senate Finance

Wednesday 02/10/21 at 9:00 AM, Senate Rm. 109 ***REVISED [02/09/21]***

S1142: SMI; EMPLOYMENT; INCOME TAX CREDITS

S1252: CORPORATE INCOME TAX; PHASE-OUT ***STRIKER: CORPORATE INCOME TAX;***

AMERICAN OVERSIGHT

SUBTRACTION

S1298: FIRE DISTRICTS; PENSION LIABILITY; FINANCING

S1330: TPT EXEMPTION; LIVESTOCK WATERING EQUIPMENT

S1348: ASRS; SUPPLEMENTAL EMPLOYEE DEFERRAL PLANS

S1350: INCOME TAX; RETURNS; FILING EXTENSION

S1352: ASRS; EMPLOYER; MEMBER; CONTRIBUTION

S1398: TPT DEDUCTIONS; COMPUTER DATA CENTERS

S1455: LENDING; CREDIT SUPPORT PROGRAMS; REPORT

S1463: DIFI; OMNIBUS

S1467: ELECTED OFFICIALS' RETIREMENT PLAN; APPROPRIATIONS

S1468: DPS; PENSION LIABILITY; SUPPLEMENTAL APPROPRIATION

S1494: INCOME TAX; SUBTRACTION; FDIC PREMIUMS

S1534: COUNTY TREASURER; INVESTMENT EARNINGS; OPERATION

S1649: PSPRS; INVESTMENT REPORTING

S1659: FIRE DISTRICT ANNUAL BUDGET; SUMMARY

S1720: PEER-TO-PEER CAR SHARING

S1721: TPT; PRIME CONTRACTING CLASSIFICATION

SCR1024: INITIATIVES; TAX INCREASES; VOTE REQUIREMENT

STRIKER: SUPERMAJORITY VOTE REQUIREMENT; INITIATIVES

House Criminal Justice Reform

Wednesday 02/10/21 at 2:00 PM, House Rm. 4 ***REVISED [02/08/21]***

H2165: PRISONERS; ELIGIBILITY

H2168: USE OF FORCE; REPORTS; ANALYSIS

Added *H2190: CRIMINAL JUSTICE CASE INFORMATION; REPORTING*

H2320: SEALING ARREST; LIABILITY; SENTENCING REORDS ***STRIKER: SAME SUBJECT***

H2491: WRONGFUL ARREST; RECORD CLEARANCE

AMERICAN OVERSIGHT

H2601: SENTENCING; CREDIT; ELECTRONIC MONITORING

~~H2707: PROBATION FAILURE REDUCTION INCENTIVE PAYMENTS~~

H2713: RELEASE CREDITS; PRISONERS

~~H2751: SEARCH WARRANTS; AUDIBLE NOTICE; REQUIREMENTS~~

~~H2765: LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS~~

House Transportation

Wednesday 02/10/21 at 2:00 PM, House Rm. 3 ***REVISED [02/08/21]***

H2425: MOTOR CARRIERS; VIOLATIONS; PENALTIES

H2436: MOTOR FUEL TAXES; INFLATION ADJUSTMENT

H2437: FUEL; ELECTRIC CARS; HYBRIDS; TAXES

H2485: VIOLENT OR DISORDERLY ASSEMBLY; PENALTIES

STRIKER: URBAN AIR MOBILITY STUDY COMMITTEE

H2588: DRIVER LICENSES; FOSTER YOUTH

H2589: REAR-FACING CAR SEATS

H2596: ADOT; TELECOMMUNICATION FACILITIES INSTALLATION

H2692: DRIVING ON RIGHT; EDUCATION

H2694: VLT AND REGISTRATION FEE EXEMPTIONS

H2698: MOTOR VEHICLE DEALER ENFORCEMENT FUND

H2712: HIGHWAY ALIGNMENTS; ENVIRONMENTAL IMPACT STATEMENT

H2749: APPROPRIATION; CAMELBACK ROAD WIDENING

H2757: TRAFFIC SURVIVAL SCHOOL; ONLINE PROHIBITED

H2774: COUNTY TRANSPORTATION PLANNING ASSISTANT

Senate Natural Resources, Energy & Water

Wednesday 02/10/21 at 2:00 PM, Senate Rm. 109 ***REVISED [02/08/21]***

S1159: TECH CORRECTION; ELECTROMAGNETIC PULSE PREPAREDNESS

STRIKER: STATE LAND; AUCTIONS

S1224: AGRICULTURAL OPERATIONS; NUISANCE LIABILITY

AMERICAN OVERSIGHT

S1431: FLOOD CONTROL DISTRICTS; ADVISORY BOARD

SCR1046: ARIZONA'S OUTDOORS; RECREATION; SUPPORTING

NEWS NOTES

GONZALES, TOWNSEND FILE COMPLAINTS AGAINST EACH OTHER

Gonzales and Townsend filed dueling complaints about each other with the Senate comptroller yesterday after an encounter in the hallway in which Gonzales told Townsend to put on a mask. Senate GOP spokesman Mike Philipsen declined to share copies of the complaints, saying they are personnel issues. Townsend and Gonzales described the incident. This is Townsend's version of what happened: She was walking back to her office on the third floor when Gonzales passed and told her she needed to put on a mask. Townsend responded that she's exempt from the mask requirement – she declined to tell our reporter why she's exempt – but Gonzales didn't accept that excuse and told her that she doesn't care about Townsend's exemption and that her health is more important. "She continued to deride me and accost me verbally about how I need to be considerate of other people," Townsend said. At that point, Townsend said, she told Gonzales she would file a complaint about harassment. "She laughed so loud and said, 'I would love to see you do that,'" Townsend said. So, Townsend said, she went downstairs and filed a complaint, which she described as a complaint to HR and not an ethics complaint against a fellow lawmaker. She also asked the Senate comptroller to send an email reminding everyone who works in the building that some members have medical exemptions and people should talk to the Senate's comptroller instead of engaging them in verbal tussle. Townsend said a similar email went out earlier this year, though Senate staffers couldn't find copies of it. The Senate's Covid policies state that anyone deemed medically unable to wear a mask must at least wear a face shield that covers their mouth and nose.

BOYER HIDES FAMILY FOLLOWING THREATS

Boyer moved his family to an undisclosed location after he started receiving threats, he told our reporter last night. Boyer said he received more than a hundred text messages shortly after his "no" vote on Fann's resolution to hold Maricopa County supervisors in contempt, and he scanned them as quickly as possible to look for threats and forward them to the Dept of Public Safety. One potential reason for the flood of calls is that Liz Harris, a Republican House candidate from LD17 who lost her race, posted his cell phone number and address on Twitter and urged her 10,400 followers to call and text him to change his vote. While Harris's tweet was reported and removed – sharing someone else's contact information violates Twitter's terms of service – Boyer's cell number, home address and wife's contact information were shared all over Twitter and right-wing sites, including Gab and Twitter yesterday and today. A YouTube user named "Scottsdale Studios" titled a video that has been viewed more than 15,000 "Az.

AMERICAN OVERSIGHT

Sen. Paul Boyer Text (cell number). He voted with the Democrats to block enforcing the Audit." Even other Paul Boyers are getting threats. A Twitter user posted a video of her voicemail machine today with the message "Guys my dad is not the AZ SENATOR PAUL BOYER HE JUST HAS THE SAME NAME. STOP DOXXING US AND CALLING US."

TOWNSEND SAYS THREATS HAPPEN ALL THE TIME

Townsend responded to news that Boyer and his family had to leave their home because of threats by asking if our reporter knew that someone is casing her own house and taking pictures while she voted yesterday on Fann's contempt resolution. Boyer balked at the resolution, saying he hopes his "no" vote would give both sides time to find a compromise. Townsend reacted to Boyer's opposition by declaring: "So, public, do what you gotta do." Quezada and Mendez took her comments as inciting violence against Boyer and county supervisors. Townsend said a neighbor sent her photos of the car's license plate of whoever cased her house, and her assistant shared the info with DPS. Threats and people showing up outside lawmakers' houses happens all the time, Townsend said, adding that she was excoriated when she tried to stop it by introducing legislation six years ago to let candidates and lawmakers keep their addresses secret. At the time, Townsend said she was told that lawmakers need to keep their addresses public so constituents can verify they actually live in the district. "Now, suddenly, it's fair game, and people are shocked when someone shows up to your house," she said. She reintroduced the measure this year as S1818 (candidate's residence address; nondisclosure), which has yet to be scheduled for a hearing in Senate gov.

TOWNSEND BLAMES MEDIA

Townsend told our reporter she's considering getting legal advice because she blames *AP* writer Bob Christie for negative reactions to her comments on Boyer's "no" vote yesterday. She was also the subject of a two-minute segment on *MSNBC's Rachel Maddow Show* - Maddow played a clip of Townsend speaking on the floor and described it as a threat. "Now it's going to have to go into the hands of the public and right now the last place this needs to be is in a place where the public is so lathered up over all of this. We need to do this in a way that's professional, legal and proper - not that the public's not - but they shouldn't have to do this on our behalf. So public, do what you gotta do," Townsend said in the clip played on Maddow's show. Christie's article, distributed to *AP* member papers around the world, included a version of that quote, following a quote from Supervisor Steve Gallardo about how someone would get hurt if Senate Republicans didn't stop pushing the audit. "It was taken out of context because Bob Christie piecemealed my comments into a way that made it look like a threat," Townsend told our reporter. "That's not a threat, and if you see that as a threat, you're looking through the wrong lens."

BOYER SAYS FANN PROMISED NOBODY WOULD GET ARRESTED

AMERICAN OVERSIGHT

Boyer told our reporter he organized the meeting between Fann and county supervisors yesterday in hopes of calming things down, and thought that he had made clear that he didn't want to proceed with the contempt resolution. "You can ask Jack [Sellers] and Bill [Gates]. I said, 'What if we took contempt off the table?' I specifically said that," he said. Although Boyer said he supports the Senate's effort to conduct an audit, as he thought about the implications of the vote over the weekend, he realized his fellow senators are getting caught up in the heat of the moment and he doesn't want to look back on his vote and regret it. While he didn't believe that the Senate would ultimately arrest the supervisors even if the resolution passed, he didn't want to leave that decision in Fann's hands. "Karen would be the decider on that arrest or not. And all the pressure would be piling on her to arrest them. They'd be saying arrest those SOBs, and it's not beyond the realm of possibilities," he said. He added that Fann pledged in the meeting with the supervisors that nobody would be arrested, but "she's lied to me before, to my face."

BILL EXPANDING SIZE OF LEGISLATURE ADVANCES

Senate gov advanced Mesnard's SCR1005 (Legislature; ninety house districts) on a bipartisan 5-2 vote last night, with Mendez and Quezada joining Mesnard, Borrelli and Townsend to send it out of committee. Peshlakai and Ugenti-Rita voted against it. Mendez said the idea intrigues him, though he believes it probably should have originated in the House. He also wonders if adding more lawmakers would reduce the chances of increasing legislative stipends. (Voters last approved a raise for lawmakers 22 years ago.) Quezada said he's all in, though he would prefer that House districts not be nested in Senate districts. "I don't like being married to two House members," he said. Mesnard, who enjoys a close working relationship with seatmates Weninger and Pawlik, said he prefers that approach because it forces House and Senate slates to work together as a team, but that he is open to considering Quezada's input.

DITTO FOR BILL REQUIRING LAW ENFORCEMENT TRAINING BY CIVILIAN BOARDS

House mil-pub safety voted 8-6 along party lines Monday to advance H2462 (civilian review board members; training), which would require members of a civilian review board to complete a community college police academy and at least 20 hours of virtual law enforcement training. A few Republicans waited before voting on the first go-round, adding a bit of suspense to the final result, but they ended up supporting the bill. The bill's supporters said members of civilian review boards who have influence over police discipline should be trained in what police deal with and the decisions they have to make, while Tim Sperling, speaking on behalf of Arizona Attorneys for Criminal Justice, argued the training requirement would block members of communities most affected by the issue from joining review boards and "risk the board being co-opted by law enforcement and eventually rubber-stamping whatever investigation was already done by internal affairs." Several law enforcement organizations signed up to support

AMERICAN OVERSIGHT

the bill, while Sperling's group, the League of Arizona Cities and Towns and the cities of Phoenix and Tucson opposed it.

JUST IN CASE YOU'RE KEEPING TABS

House members introduced a total of 889 bills this year. The bill filing deadline was 5 p.m. Monday, and 68 measures were introduced in the House that day. While this may be high, it's not a record - there were 913 bills introduced in the House in 2020. House members introduced 760 in 2019. The last bill to make it in this year before the deadline was Biasucci's H2889 (sexual offenses; children; sentencing), which would impose a sentence of 20 to 40 years in prison for a first offense of a dangerous crime against children in the first degree involving molesting a child and life for a second offense. There have also been six concurrent memorials, 40 concurrent resolutions, one joint resolution, one memorial and eight resolutions introduced in the House.

NEWS RELEASES

Statement from Senator Paul Boyer

"I voted 'no' today on SR 1005, a resolution to hold the Maricopa County Board of Supervisors in contempt for not complying with a Senate subpoena concerning an election audit.

It is my hope that the Board of Supervisors and the Arizona Senate can quickly go to the State Supreme Court together to give the Board the legal confidence they need to turn over the ballots for a transparent audit with the intent of informing future elections. My hope is a rejection of the contempt call will give the Board of Supervisors time to resolve itself on how to legally proceed with providing public records, while still protecting the private nature of an individual's vote. It is critical that the Senate and the Board find a way to amicably work together. I believe the Board has no policy disagreement with additional audits of the last election.

Oversight and review of government are the responsibilities of the Senate. It will happen when all parties have legal confidence, it should happen without contempt charges, and the legal process to proceed is underway.

Ultimately, today's vote to reject the resolution provides more time for us to work together for the sole purpose of gaining more clarity. It is NOT a final determination, nor is it the end of the process. My vote is about patience. It's about resolving disagreements civilly, and these are things that I believe all Senators can agree upon regardless of our respective votes today."

* * * * *

AMERICAN OVERSIGHT

Governor Ducey Announces Rental Assistance Program To Provide Financial Assistance And Housing Stability

Governor Doug Ducey today announced the Arizona Department of Economic Security will be launching a new Emergency Rental Assistance Program to provide financial assistance and housing stability.

"We want to make sure renters in Arizona have the resources and support they need," said Governor Ducey. "The rental assistance program will keep families and those in need in their homes and help them get back on their feet as we overcome the effects of the pandemic. We will continue to work closely with community and local government partners to efficiently deliver this relief."

As part of the COVID-19 relief package recently passed by Congress, the U.S. Department of Treasury provided a total of $492 million to the state of Arizona. The Arizona Department of Economic Security (DES) was awarded $289 million with the remaining balance going directly to large cities and counties. Funding will be used toward direct payments for rent, rental arrears, utilities, utility arrears, and other expenses related to housing stability incurred due to the COVID-19 pandemic.

DES will serve the following counties:

- Apache
- Cochise
- Coconino
- Gila
- Graham
- Greenlee
- La Paz
- Navajo
- Santa Cruz
- Pinal
- Mohave
- Yavapai

Renters residing in the counties listed above can apply for housing and utilities assistance via the DES portal starting **Tuesday, February 23**.

Several large counties and cities, including Maricopa County, Pima County and Yuma County, are receiving funding directly from the federal government. Those counties plan to launch their own rental assistance programs, which will be separate from this DES program. The DES portal will also direct renters living in these counties to their local jurisdictions so they can access similar programs.

"Households across the state continue to face economic challenges due to the COVID-19 pandemic, and we are pleased to be able to provide this new assistance program alongside the other services we have to offer at DES," said

AMERICAN OVERSIGHT

DES Director Michael Wisehart. “We will work quickly and diligently to provide rental and utility assistance to those in need.”
View Emergency Rental Assistance Program payment details and eligibility requirements HERE.
Individuals in the twelve counties listed above will be able to apply online at des.az.gov/ERAP beginning **February 23, 2021**. The rental assistance portal will be available online 24/7, and will be mobile-friendly. Applicants can apply and check the status of their application through the portal. It will be available in English and Spanish.

* * * * *

DES Announces Emergency Rental Assistance Program to Provide Financial Assistance and Housing Stability

State and Local Municipalities Receive $492 Million to Assist Arizona Households

The Arizona Department of Economic Security (DES) announced today it will partner with Arizona counties to launch a new Emergency Rental Assistance Program (ERAP) to provide financial assistance and housing stability. Funding will be used toward direct payments for rent, rental arrears, utilities, utility arrears, and other expenses related to housing stability incurred due to the COVID-19 pandemic.

ERAP was established by the federal Consolidated Appropriations Act, 2021. Arizona will receive a total of $492 million from the U.S. Department of the Treasury for the implementation of the program. DES was awarded $289 million and will partner with twelve Arizona counties to distribute emergency rental and utility assistance. The remaining balance was awarded to municipalities with more than 200,000 people to distribute locally. DES will serve the following counties:

Counties Served

Apache

Graham

Navajo

Cochise

Greenlee

Pinal

AMERICAN OVERSIGHT

Coconino

La Paz

Santa Cruz

Gila

Mohave

Yavapai

*Several large counties and cities, including Maricopa County, Pima County and Yuma County, are receiving funding directly from the federal government. Those counties plan to launch their own rental assistance programs, which will be separate from this DES program. Renters residing in cities and counties other than those listed above are encouraged to contact their local jurisdictions for similar programs. The DES portal will also direct renters living outside these counties to their respective programs.

“Households across the state continue to face economic challenges due to the COVID-19 pandemic, and we are pleased to be able to provide this new assistance program alongside the other services we have to offer at DES,” said DES Director Michael Wisehart. “We will work quickly and diligently to provide rental and utility assistance to those in need.”

Emergency Rental Assistance Payment Details

Beginning February 23, 2021, Arizona households will be able to apply for up to $3,500 in rental and utility assistance for each month. Payments may also be made for rental and/or utility arrears. After their initial application, households may receive up to 12 months of assistance. After receiving 12 months of benefits, whether for arrears or future payments, the household may apply for a three-month extension of benefits upon providing documentation of eligibility to the Department.

Payments will be issued directly to landlords and/or utility companies on the renter’s behalf.

Eligibility Requirements

The ERAP is available to both landlords and renters. While both may apply for assistance, eligibility is based on the the renter’s address and ability to meet the following criteria:

The renter has a risk of homelessness, housing instability, or unsafe living

AMERICAN OVERSIGHT

conditions demonstrated by the following:

Eviction notice

Utility shutoff notice

Past due rent notice

Past due utility notice

Any other evidence of unsafe or unhealthy living conditions or housing instability

The renter or member of the renter's household is eligible for unemployment insurance benefits or has experienced a financial hardship as a result of the COVID-19 pandemic

The renter's household income is less than or equal to 80% of the Area Median Income (AMI)

Assistance priority will be given to renters with household incomes under 50% AMI and to those who have been unemployed 90 days or longer.

During their application, renters will need to provide a copy of lease/rental agreement, photo ID, electricity and/or gas bill, disconnection notice (if any), proof of income, eviction notice (if applicable) and proof of hardship, such as a termination letter.

Individuals may apply online at des.az.gov/ERAP beginning February 23, 2021.

* * * * *

Arizona House Speaker And Senate President Relaunch Republican Legislative Victory Fund

Phoenix, AZ— After protecting the House and Senate Republican Majorities in the 2020 elections, Arizona Speaker of the House Rusty Bowers and Arizona Senate President Karen Fann are pleased to relaunch the successful Republican Legislative Victory Fund team with a new addition of Yuma County Supervisor and former AZGOP Chairman Jonathan Lines. Businesswoman and entrepreneur Karrin Taylor Robson will once again serve as the group's chairman, with Supervisor Lines serving as co-chair.

Speaker Bowers said of the efforts in the 2020 elections and the addition of Jonathan Lines,

AMERICAN OVERSIGHT

"Our members in both the House and the Senate worked closely with our grassroots leaders in the 2020 elections. The Republican Legislative Victory Fund raised record amounts of dollars and was successful in picking up a seat with the addition of Representative Joel John in LD 4. Joel did an excellent job in the Yuma area. Chairman Lines' leadership in that region, his command of Spanish, expert work in outreach and strong commitment to the 2nd Amendment makes him a valuable addition to our Victory Fund team.

"We know that the millions of dollars that flooded our state from California and leftist groups will be back in Arizona; in fact, many have stayed put. Our members earned their seats in 2020 and we all have a commitment to be better informed, prepared and funded for the fight that is coming in 2022."

Senate President Karen Fann said of the Republican Legislative Victory Fund,

"Our Senate and House members worked incredibly hard to reach out to voters and hold Republican majorities in 2020. The left spent millions in our state to turn the legislature blue but we won by running smart, localized campaigns across the state. Under the leadership of Karrin Taylor Robson, RLVF was able to raise the funds to compete in each neighborhood in our targeted districts. We are honored that Karrin Taylor Robson will continue to Chair this committee and we look forward to our expansion with the added leadership of Jonathan Lines."

Chairman Taylor Robson said of the committee,

"It is essential that Republicans maintain and expand their majority in the Arizona legislature this cycle. Arizona values free enterprise, individual freedom, parental choice in education, and a strong economy. We protected our state from the onslaught of out of state liberal interests in 2020. We need to begin now, to push back on the efforts of the political left, who want to fundamentally change Arizona in 2022 and beyond."

Co-Chairman Jonathan Lines expressed excitement at joining the team,

"RLVF shocked the political world in 2020 by keeping both houses of the legislature in Republican hands. I'm incredibly excited to work with Chairman Taylor Robson, House and Senate leadership, and our grassroots supporters to expand our majorities and provide a voice for all Arizona communities. In a tough year for Republicans, RLVF stood out as a ray of light, and I am excited to be a part of the effort in 2022."

* * * * *

A Win For Teachers And Students: Court Rejects Initial Challenge To Prop 208 – Invest In Education Act

AMERICAN OVERSIGHT

With almost a billion dollars of education funding on the line, the legal challenge seeking to enjoin voter-approved Prop 208 - Invest in Ed has been rejected by the Superior Court of Arizona.

(PHOENIX)-- Today, the Superior Court of Arizona denied plaintiffs' request for a preliminary injunction to halt implementation of the new voter-approved tax on the wealthy to fund education. Passed in November, Prop 208 – Invest in Ed is expected to raise almost $1 billion for Arizona schools in its first year alone. In an attempt to undermine the will of the voters, opponents have tried to hold it up in court through a legal challenge that included a request for an immediate injunction.

The preliminary injunction would have prohibited the state government and the Department of Revenue from "taking any action to enforce Proposition 208 . . . levying any surcharge, or appropriating general fund public monies . . . to pay for costs associated with Proposition 208."

The court released its ruling this morning, "IT IS ORDERED the plaintiffs' request for preliminary injunctive relief is denied."

"This is a win for students and teachers," said Rebecca Gau, Executive Director of Stand for Children Arizona. "We think this is a very positive sign that the courts will do what is right and just, which is to uphold the voter-approved Invest in Education Act that our students and teachers so desperately need."

A recent Stand for Children opinion poll shows emphatic support for additional education funding and opposition to any attempt to bypass taxes from Prop 208 – Invest in Ed. 72% of Arizona voters believe there is still a need for additional funds for Arizona public schools, even with the additional funds from Prop 208 – Invest in Ed. Arizonans also oppose the legal challenge, as well as tax cuts on the wealthy to offset its impact. The full poll is available at http://stand.org/arizona/blog/annual-survey-arizonans-want-school-funds.

* * * * *

AG Brnovich & Arizona Food Marketing Alliance Partner on Program to Combat Gift Card Fraud

PHOENIX -- Attorney General Mark Brnovich and members of the Arizona Food Marketing Alliance (AFMA) are launching a new consumer fraud awareness program inside hundreds of neighborhood stores. Approximately 990 grocery and convenience stores throughout Arizona will have STOP signs at gift card displays, reminding customers that gift cards cannot be used to pay a government agency. Examples of the new program will be on display

AMERICAN OVERSIGHT

Wednesday morning at the Bashas' store below.

WHO: Attorney General Mark Brnovich and Bashas' Communications Director Ashley Shick are available for interviews to discuss the program and how it will help bring awareness and protection to Arizona consumers.

WHEN: Wednesday, February 10, 2021, between 10:00 AM - 11:00 AM. Interviews will be scheduled to avoid overcrowding during the ongoing pandemic and ensuring adherence to CDC guidelines.

Media members must RSVP with Katie Conner, Director of Media Relations, at (602) 339-5895 or Katie.Conner@azag.gov.

WHERE: Bashas' Supermarket at 8035 East Indian School Road, Scottsdale, AZ 85251. Masks will be required, and those in attendance will be asked to remain socially distanced.

WHY: To shed light on the growing problem of gift card scams in Arizona, especially a particularly prevalent scam involving government imposters who use aggressive threats to coerce consumers to pay off baseless debts.

* * * * *

Following Request from Sinema, Kelly, AZ Delegation, Navajo Nation's Major Disaster Declaration Approved

The administration approved the Navajo Nation's Major Disaster Declaration due to effects of COVID-19

WASHINGTON – Following the support of Arizona Senators Kyrsten Sinema and Mark Kelly and Arizona Representatives Tom O'Halleran (AZ-01), Ann Kirkpatrick (AZ-02), Raúl Grijalva (AZ-03), Andy Biggs (AZ-05), David Schweikert (AZ-06), Ruben Gallego (AZ-07), Debbie Lesko (AZ-08), and Greg Stanton (AZ-09), the administration approved Navajo Nation President Jonathan Nez's request for a Major Disaster Declaration from the federal government, which will allow the Nation to access additional resources to combat the coronavirus pandemic.

"I am pleased the administration took swift action on behalf of the Navajo Nation. Approving a Major Disaster Declaration will help save lives and livelihoods—and ensure the Nation can access critical resources to combat and reduce the spread of COVID-19," said Sinema.

"The Navajo Nation has been resilient in the face of the pandemic, and has battled the virus with too little help from the federal government. This much-

AMERICAN OVERSIGHT

needed declaration from the administration will get the Navajo Nation additional funding and flexibility to address the spread of COVID-19 and begin to recover," said Kelly.

Read the Delegation's original request HERE.

President Nez declared a public health emergency in response to the pandemic on March 11 before a single case was confirmed in the Nation. Despite proactive precautions, the Navajo Nation has confirmed over 28,000 COVID-19 infections and more than 1,000 deaths. Navajo Nation hospitals are operating at capacity levels greater than their previous peak in May. The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19, due to health and socioeconomic disparities for these communities.

* * * * *

School Counselors Lay Out Specifics For Mental Health Policy Priorities

February 9, 2021, Phoenix, AZ --- The Counselors in our schools cannot do more than anyone else to tackle COVID-19, but in these unusually divided and stressful times, one thing we can all agree on is that these professionals are on the front lines of responding to student needs in the fallout.

At the start of this legislative session, the Arizona School Counselors Association (AzSCA) called on our policymakers to prioritize mental health in their bills and in their budgets. We are thrilled to see legislation like Senator Sean Bowie's SB1376, which helps ensure mental health education takes place in our schools, moving through the process in a broad, bipartisan fashion. We hope other ideas like Representative Jennifer Pawlik's HB2732, which helps build the pipeline of qualified school counselors, social workers and psychologists for our students, will get a vote as well. Luckily, the chairs of the Education Committees, Senator Paul Boyer and Representative Michelle Udall, have prioritized this kind of legislation.

AzSCA is also grateful for the continued leadership of Superintendent Kathy Hoffman, who in her recent State of Education speech called for an additional $43 million investment in the wait list for the grant program created by Governor Doug Ducey that supports counselors. We remain hopeful that Republican leaders in the State Legislature will also see this critical need while developing their budget proposals.

Now more than ever, we need to work together to provide support to our students. Our school counselors are already working hard to serve the typical needs of students in their academic, career/college and social/emotional

AMERICAN OVERSIGHT

development.

We already know that youth suicides are on the rise here in Arizona because of this pandemic. Drug abuse and associated overdose deaths have spiked. Abuse goes on in the home, unseen and unreported. Add all this on top of the rise in homelessness and food insecurity, and we face a crisis of trauma that impacts not just adults, but will define a generation of Arizona's young people.

Students need not only the dedicated support and positive role modeling of all adults, but they need us to speak frankly about dealing with stress and overcoming difficult times. We need to work together to maintain connection and open dialogues. Our professional school counselors continue to lead the way, but require our elected leaders to model that behavior as well.

* * * * *

NO on SB 1452 - Invest in Black & Brown Youth at Public Schools, not Private Schools

WHAT: PRESS CONFERENCE and response to Senate Bill 1452

WHEN: 10 A.M. WEDNESDAY, FEBRUARY 10TH

WHERE: Arizona State Capitol - Rose Garden

PHOENIX -- The **Arizona Coalition for Change** will lead a press conference on Wednesday morning to **oppose Senate Bill 1452**, an effort to divert more state dollars to private schools at the expense of public school students.
SB 1452, sponsored by Repulican Senator Paul Boyer, will be a barrier for youth of color from historically underrepresented communities and limit access to necessary educational needs. This bill will increase student eligibility for so-called Empowerment Scholarship Accounts (aka vouchers), make ESA students eligible for publicly funded private-school Student Tuition Organization scholarships, extend the length of time ESA accounts remain open, create a new property tax to pay for ESA students, and most importantly, divert classroom site fund dollars to ESA accounts. The effect will be disastrous to public schools. Underserved communities across the state will be disproportionately impacted by having even less access to funding.

After similar legislation was proposed in 2018 and voters rejected this effort, Arizonans made it clear that we want state dollars to be spent on public schools and not diverted to private schools. We will continue to advocate for Black and Brown youth that inhabit our diverse communities of color across Arizona.

AMERICAN OVERSIGHT

The Coalition is a Black-led civic engagement organization that empowers everyday people to transform their community by building civic power, just and equitable schools, and safer neighborhoods. We work to uplift Black & Brown youth and are devoted to ensuring their access to an equitable education is inclusive, sustainable, & attainable.

Guest Speakers will include:

- The Honorable **Berdetta Hodge**, Governing Board Member in the Tempe Union High School District
- The Honorable **Devin Del Palacio,** Governing Board Member in the Tolleson Union High School District
- Reverend **Reginald Walton**, Civic Engagement Director for the African American Christian Clergy Coalition
- Dr. **Arleen Kennedy**, Balsz School District Superintendent

For more information about SB 1452, please refer to the Arizona Center for Economic Progress

Masks are required and social distancing will be observed.

* * * * *

Following Request from Kelly, Sinema, AZ Delegation, Navajo Nation's Major Disaster Declaration Approved

The administration approved the Navajo Nation's Major Disaster Declaration due to effects of COVID-19

Following the support of Arizona Senators Mark Kelly and Kyrsten Sinema and Arizona Representatives Tom O'Halleran (AZ-01), Ann Kirkpatrick (AZ-02), Raúl Grijalva (AZ-03), Andy Biggs (AZ-05), David Schweikert (AZ-06), Ruben Gallego (AZ-07), Debbie Lesko (AZ-08), and Greg Stanton (AZ-09), the administration approved Navajo Nation President Jonathan Nez's request for a Major Disaster Declaration from the federal government, which will allow the Nation to access additional resources to combat the coronavirus pandemic.

"The Navajo Nation has been resilient in the face of the pandemic, and has battled the virus with too little help from the federal government. This much-needed declaration from the administration will get the Navajo Nation additional funding and flexibility to address the spread of COVID-19 and begin to recover," said Kelly.

"I am pleased the administration took swift action on behalf of the Navajo Nation. Approving a Major Disaster Declaration will help save lives and

AMERICAN OVERSIGHT

livelihoods—and ensure the Nation can access critical resources to combat and reduce the spread of COVID-19," said Sinema.

Read the Delegation's original request **HERE**.

President Nez declared a public health emergency in response to the pandemic on March 11 before a single case was confirmed in the Nation. Despite proactive precautions, the Navajo Nation has confirmed over 28,000 COVID-19 infections and more than 1,000 deaths. Navajo Nation hospitals are operating at capacity levels greater than their previous peak in May. The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19, due to health and socioeconomic disparities for these communities.

* * * * *

Arizona Comment on Today's Drop in Small Business Optimism

Home-made problems to an economic rebound need the Legislature's immediate attention

PHOENIX, Feb. 9, 2021—Not a whole lot to be optimistic about in today's release of the monthly Small Business Optimism Index from NFIB, and home-grown challenges to an economic rebound are not helping matters, said the Arizona state director for the association that conducted the Index poll.

"The small business half of the economy will start to improve when business owners have confidence looking to the future," said Chad Heinrich, Arizona state director for NFIB, the nation's leading small-business advocacy association. "Today, Arizona business owners see big risks in reopening due to potential COVID-19 legal liability, they've also pressed pause on plans to expand their businesses due to voters recently roping small businesses into paying for the largest tax increase in state history. If that's not enough, when business owners realize that the property tax rate they pay on business property is double the rate of what residential property pays, they will continue to think long and hard if it's even worth investing in Arizona. Our Legislature is meeting now and small business is hoping for reasonable leaders at the State Capitol to remedy these maladies. We will see if our elected leaders will rise to the challenge."

The Optimism Index declined in January to 95.0, down 0.9 from December and three points below the 47-year average of 98. Owners expecting better business conditions over the next six months declined seven points to a net negative 23%, the lowest level since November 2013. The net percent of owners expecting better business conditions has fallen 55 points over the past

AMERICAN OVERSIGHT

four months.

From NFIB chief economist Bill Dunkelberg

"As Congress debates another stimulus package, small employers welcome any additional relief that will provide a powerful fiscal boost as their expectations for the future are uncertain. The COVID-19 pandemic continues to dictate how small businesses operate and owners are worried about future business conditions and sales."

About the Small Business Economic Trends (SBET)

The NFIB Research Center has collected Small Business Economic Trends data with quarterly surveys since the 4th quarter of 1973 and monthly surveys since 1986. Survey respondents are drawn from a random sample of NFIB's membership. The report is released on the second Tuesday of each month. This survey was conducted in December 2020. For more information about NFIB, please visit NFIB.com.

The SBET's primary value is anticipating short-run fluctuations in economic activity. An additional value of the SBET is its measurement of small business activities and concerns over time. The benefit of a longitudinal data set offers an invaluable perspective on how policies and business cycles impact small businesses over time. The SBET is one of the few archival data sets on small business, particularly when research questions address business operations rather than opinions. Today, it's the largest, longest-running data set on small business economic conditions available.

Keep up with the latest on Arizona small business news at www.nfib.com/arizona or by following NFIB on Twitter @NFIB_AZ

- Retweet this news release here
- Read it on the NFIB Arizona webpage

NEWS CLIPS

Education advocates appeal to legislature to make up losses

By Pete Aleshire White Mountain Independent 02-09-21

Gov. Doug Ducey's proposed budget will shortchange schools and child welfare programs, insist child advocacy groups.

AMERICAN OVERSIGHT

They have urged the state to use more promised federal money to make up for the heavy funding losses schools have suffered during the pandemic, rather than enact an additional $600-million income tax cut the budget proposal calls for. (To read more, click here).

* * * * *

Former Ocasio-Cortez spokesperson: Manchin, Sinema should be primaried if 'they're going to stand in the way of progress'

By Staff The Hill
02-09-21

A former spokesperson for Rep. Alexandria Ocasio-Cortez (D-N.Y.) said his super-PAC intends to mount primary challenges to moderate and center-right Democratic senators who "stand in the way of promises that were made by Democrats."

"[T]here are no excuses left for Democrats not to take action," Corbin Trent, founder of No Excuses PAC, said in a Monday Hill.TV interview, as Congress grapples with the next round of coronavirus relief legislation. "One of those excuses they're going to try to pull out is the filibuster, one of the other excuses is the fringe Democrats like Kyrsten Sinema or Joe Manchin," he added, referring to the senators from Arizona and West Virginia. (To read more, click here).

* * * * *

Arizona prisons are squalid and unsafe. They need independent oversight

By Molly Gil Arizona Republic
02-09-21

Former President Donald Trump's unsuccessful reelection campaign reported it paid over $6,000 to a business Arizona prisons are in crisis – in the last couple of years alone, there have been stories of broken locks, undrinkable water, substandard medical care and now, an unchecked COVID-19 outbreak.

It's almost unbelievable that there is no existing independent oversight for a state agency that costs $1.3 billion annually to taxpayers, employs thousands of Arizonans, protects public safety and holds the lives of 38,000 incarcerated people in its hands. (To read more, click here).

End

AMERICAN OVERSIGHT

Arizona Legislative Report
1835 W. Adams St., Phoenix, AZ 85007

You are receiving this email because you are a subscriber to Arizona Legislative Report. Click here to unsubscribe or manage the emails we send you.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, February 9, 2021 6:25:51 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes February 9, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

.....

Arizona Legislative Report

Today's News Notes

February 9, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

AMERICAN OVERSIGHT

55th Legislature; 1st Regular Session

THE HOUSE IS STILL in session at our deadline.

THE SENATE IS ADJOURNED until Wednesday, February 10, at 1:30 p.m.

COMMITTEE AGENDAS

REVISED HEARINGS

House Government & Elections

Wednesday 02/10/21 at 9:00 AM, House Rm. 1 ***REVISED [02/09/21]***

H2111: 2ND AMENDMENT; UNENFORCEABLE FEDERAL LAWS

H2302: ELECTION LAWSUITS; SETTLEMENTS; APPROVALS

H2308: RECALL PETITIONS AND ELECTIONS; REVISIONS

~~H2358: VOTER REGISTRATION UPDATE; ADDRESS CHANGE~~

H2373: VOTER REGISTRATION GROUPS; FORMS; IDENTIFIERS ***STRIKER: SAME SUBJECT***

H2378: RANKED CHOICE VOTING; PRESIDENTIAL PREFERENCE

H2455: FIRE DISTRICTS; PENSION LIABILITY; FINANCING

H2481: SHORT-TERM RENTALS; ENFORCEMENT; PENALTIES

H2529: EARLY BALLOTS; ADDRESS; RETURN ***STRIKER: SAME SUBJECT***

H2551: MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES

H2569: ELECTIONS; PRIVATE FUNDING; PROHIBITION

H2570: LICENSES; PANDEMICS; REVOCATION PROHIBITION

H2590: DAY OF RACIAL HEALING; OBSERVED

~~H2619: HOMEOWNERS' ASSOCIATIONS; DECLARATION AMENDMENT; MAJORITY~~

H2696: GOVERNMENT ASSISTANCE; POINT OF CONTACT

H2700: COUNTY OFFICERS; SALARIES; INCREASE

H2723: CAMPAIGN FINANCE; REPORTS; CONTRIBUTION AMOUNT

H2725: STATE DOCUMENTS; SEX IDENTIFICATION

H2792: EARLY BALLOTS; REQUEST REQUIRED

AMERICAN OVERSIGHT

H2793: VOTER REGISTRATION; REQUEST REQUIRED

HCR2016: INITIATIVES; SUPERMAJORITY VOTE REQUIREMENT

HCR2021: ELECTORAL COLLEGE; SUPPORTING

HCR2023: ELECTIONS; STATE AUTHORITY; INFRINGEMENT; OPPOSITION

House Judiciary

Wednesday 02/10/21 at 9:00 AM, House Rm. 4 ***REVISED [02/08/21]***

H2069: GENETIC TESTING; PRIVATE PROPERTY

H2158: PROTECTIVE ORDERS; CENTRAL REPOSITORY; NOTIFICATION

H2187: DUI; ADMINISTRATIVE SUSPENSION; LICENSE

H2355: ANIMAL ABUSER REGISTRATION; PENALTIES

H2383: TECH CORRECTION; DOUBLE PUNISHMENT

STRIKER: ORGANIZED RETAIL THEFT TASK FORCE

H2401: JUVENILE DEPENDENCY; STATE AID; APPROPRIATION

H2483: ANIMAL OWNERSHIP; POSSESSION; PROHIBITION

H2502: ELECTRONIC COMMUNICATIONS; PERSONAL INFORMATION; HARASSMENT

H2548: HIGH INTENSITY LASER POSSESSION; PROHIBITION

H2552: CRIMINAL DAMAGE: MONUMENTS; MEMORIALS; STATUES

H2579: LIMITED JURISDICTION COURTS; JUDGMENT ASSIGNMENT

H2618: PUBLIC NUISANCE; NOISE; EVIDENCE

H2648: RELIGIOUS SERVICES; ESSENTIAL SERVICES

H2674: SEX OFFENDER REGISTRATION; TERMINATION

House Appropriations

Wednesday 02/10/21 at 2:00 PM, House Rm. 1 ***REVISED [02/09/21]***

H2053: SUPERIOR COURT CLERK; SALARY ***STRIKER: SALARY; SUPERIOR COURT CLERK***

H2068: APPROPRIATION; OVERPASS; STATE ROUTE 347

H2072: APPROPRIATION; STATE ROUTE 95; REPAVING

AMERICAN OVERSIGHT

H2123: CTEDS; FOURTH-YEAR FUNDING

H2141: APPROPRIATIONS; ALTERNATIVE PROSECUTION; DIVERSION PROGRAM

H2151: EXPERIENCED TEACHER RETENTION; PILOT PROGRAM

H2156: APPROPRIATIONS; BROADBAND GRANTS

~~H2169: APPROPRIATION; TOURISM; DUDE RANCHES; PROMOTION~~

~~H2179: NEW SCHOOL FACILITIES; ADDITIONAL FUNDING~~

H2189: COORDINATED REENTRY PLANNING SERVICES PROGRAMS

H2263: APPROPRIATIONS; LAKE HAVASU CITY; BRIDGE

H2394: APPROPRIATION; NORTH-SOUTH CORRIDOR STUDY

H2404: APPROPRIATIONS; FAMILY HEALTH PILOT PROGRAM

H2409: ADULT PROTECTIVE SERVICES; AUDIT; APPROPRIATION

H2461: DPS; BODY CAMERAS; APPROPRIATIONS

H2463: APPROPRIATION; DPS; SCHOOL SAFETY PROGRAM

~~H2489: APPROPRIATION; AFFORDABLE HOUSING~~

H2533: STATEWIDE ADA COORDINATOR; APPROPRIATION

H2555: SFB; DEPARTMENT OF ADMINISTRATION

H2565: AREA AGENCIES ON AGING; APPROPRIATION

H2577: APPROPRIATION; WATER SUPPLY STUDY

~~***Added*** *H2629: ARIZONA NURSES ACADEMY*~~

H2668: NUTRITION ASSISTANCE; BENEFIT MATCH; APPROPRIATION

H2672: PRISONERS; BRAILLE TRANSCRIBER TRAINING PROGRAM

H2706: APPROPRIATION; VETERANS' SERVICES; BENEFITS COUNSELORS

H2755: APPROPRIATION; ARIZONA ARTS TRUST FUND

Senate Finance

Wednesday 02/10/21 at 9:00 AM, Senate Rm. 109 ***REVISED [02/09/21]***

S1142: SMI; EMPLOYMENT; INCOME TAX CREDITS

S1252: CORPORATE INCOME TAX; PHASE-OUT ***STRIKER: CORPORATE INCOME TAX;***

AMERICAN OVERSIGHT

SUBTRACTION

S1298: FIRE DISTRICTS; PENSION LIABILITY; FINANCING

S1330: TPT EXEMPTION; LIVESTOCK WATERING EQUIPMENT

S1348: ASRS; SUPPLEMENTAL EMPLOYEE DEFERRAL PLANS

S1350: INCOME TAX; RETURNS; FILING EXTENSION

S1352: ASRS; EMPLOYER; MEMBER; CONTRIBUTION

S1398: TPT DEDUCTIONS; COMPUTER DATA CENTERS

S1455: LENDING; CREDIT SUPPORT PROGRAMS; REPORT

S1463: DIFI; OMNIBUS

S1467: ELECTED OFFICIALS' RETIREMENT PLAN; APPROPRIATIONS

S1468: DPS; PENSION LIABILITY; SUPPLEMENTAL APPROPRIATION

S1494: INCOME TAX; SUBTRACTION; FDIC PREMIUMS

S1534: COUNTY TREASURER; INVESTMENT EARNINGS; OPERATION

S1649: PSPRS; INVESTMENT REPORTING

S1659: FIRE DISTRICT ANNUAL BUDGET; SUMMARY

S1720: PEER-TO-PEER CAR SHARING

S1721: TPT; PRIME CONTRACTING CLASSIFICATION

SCR1024: INITIATIVES; TAX INCREASES; VOTE REQUIREMENT

STRIKER: SUPERMAJORITY VOTE REQUIREMENT; INITIATIVES

House Criminal Justice Reform

Wednesday 02/10/21 at 2:00 PM, House Rm. 4 ***REVISED [02/08/21]***

H2165: PRISONERS; ELIGIBILITY

H2168: USE OF FORCE; REPORTS; ANALYSIS

Added *H2190: CRIMINAL JUSTICE CASE INFORMATION; REPORTING*

H2320: SEALING ARREST; LIABILITY; SENTENCING REORDS ***STRIKER: SAME SUBJECT***

H2491: WRONGFUL ARREST; RECORD CLEARANCE

AMERICAN OVERSIGHT

H2601: SENTENCING; CREDIT; ELECTRONIC MONITORING

~~H2707: PROBATION FAILURE REDUCTION INCENTIVE PAYMENTS~~

H2713: RELEASE CREDITS; PRISONERS

~~H2751: SEARCH WARRANTS; AUDIBLE NOTICE; REQUIREMENTS~~

~~H2765: LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS~~

House Transportation

Wednesday 02/10/21 at 2:00 PM, House Rm. 3 ***REVISED [02/08/21]***

H2425: MOTOR CARRIERS; VIOLATIONS; PENALTIES

H2436: MOTOR FUEL TAXES; INFLATION ADJUSTMENT

H2437: FUEL; ELECTRIC CARS; HYBRIDS; TAXES

H2485: VIOLENT OR DISORDERLY ASSEMBLY; PENALTIES

STRIKER: URBAN AIR MOBILITY STUDY COMMITTEE

H2588: DRIVER LICENSES; FOSTER YOUTH

H2589: REAR-FACING CAR SEATS

H2596: ADOT; TELECOMMUNICATION FACILITIES INSTALLATION

H2692: DRIVING ON RIGHT; EDUCATION

H2694: VLT AND REGISTRATION FEE EXEMPTIONS

H2698: MOTOR VEHICLE DEALER ENFORCEMENT FUND

H2712: HIGHWAY ALIGNMENTS; ENVIRONMENTAL IMPACT STATEMENT

H2749: APPROPRIATION; CAMELBACK ROAD WIDENING

H2757: TRAFFIC SURVIVAL SCHOOL; ONLINE PROHIBITED

H2774: COUNTY TRANSPORTATION PLANNING ASSISTANT

Senate Natural Resources, Energy & Water

Wednesday 02/10/21 at 2:00 PM, Senate Rm. 109 ***REVISED [02/08/21]***

S1159: TECH CORRECTION; ELECTROMAGNETIC PULSE PREPAREDNESS

STRIKER: STATE LAND; AUCTIONS

S1224: AGRICULTURAL OPERATIONS; NUISANCE LIABILITY

AMERICAN OVERSIGHT

S1431: FLOOD CONTROL DISTRICTS; ADVISORY BOARD

SCR1046: ARIZONA'S OUTDOORS; RECREATION; SUPPORTING

NEWS NOTES

GONZALES, TOWNSEND FILE COMPLAINTS AGAINST EACH OTHER

Gonzales and Townsend filed dueling complaints about each other with the Senate comptroller yesterday after an encounter in the hallway in which Gonzales told Townsend to put on a mask. Senate GOP spokesman Mike Philipsen declined to share copies of the complaints, saying they are personnel issues. Townsend and Gonzales described the incident. This is Townsend's version of what happened: She was walking back to her office on the third floor when Gonzales passed and told her she needed to put on a mask. Townsend responded that she's exempt from the mask requirement – she declined to tell our reporter why she's exempt – but Gonzales didn't accept that excuse and told her that she doesn't care about Townsend's exemption and that her health is more important. "She continued to deride me and accost me verbally about how I need to be considerate of other people," Townsend said. At that point, Townsend said, she told Gonzales she would file a complaint about harassment. "She laughed so loud and said, 'I would love to see you do that,'" Townsend said. So, Townsend said, she went downstairs and filed a complaint, which she described as a complaint to HR and not an ethics complaint against a fellow lawmaker. She also asked the Senate comptroller to send an email reminding everyone who works in the building that some members have medical exemptions and people should talk to the Senate's comptroller instead of engaging them in verbal tussle. Townsend said a similar email went out earlier this year, though Senate staffers couldn't find copies of it. The Senate's Covid policies state that anyone deemed medically unable to wear a mask must at least wear a face shield that covers their mouth and nose.

BOYER HIDES FAMILY FOLLOWING THREATS

Boyer moved his family to an undisclosed location after he started receiving threats, he told our reporter last night. Boyer said he received more than a hundred text messages shortly after his "no" vote on Fann's resolution to hold Maricopa County supervisors in contempt, and he scanned them as quickly as possible to look for threats and forward them to the Dept of Public Safety. One potential reason for the flood of calls is that Liz Harris, a Republican House candidate from LD17 who lost her race, posted his cell phone number and address on Twitter and urged her 10,400 followers to call and text him to change his vote. While Harris's tweet was reported and removed – sharing someone else's contact information violates Twitter's terms of service – Boyer's cell number, home address and wife's contact information were shared all over Twitter and right-wing sites, including Gab and Twitter yesterday and today. A YouTube user named "Scottsdale Studios" titled a video that has been viewed more than 15,000 "Az.

AMERICAN OVERSIGHT

Sen. Paul Boyer Text (cell number). He voted with the Democrats to block enforcing the Audit." Even other Paul Boyers are getting threats. A Twitter user posted a video of her voicemail machine today with the message "Guys my dad is not the AZ SENATOR PAUL BOYER HE JUST HAS THE SAME NAME. STOP DOXXING US AND CALLING US."

TOWNSEND SAYS THREATS HAPPEN ALL THE TIME

Townsend responded to news that Boyer and his family had to leave their home because of threats by asking if our reporter knew that someone is casing her own house and taking pictures while she voted yesterday on Fann's contempt resolution. Boyer balked at the resolution, saying he hopes his "no" vote would give both sides time to find a compromise. Townsend reacted to Boyer's opposition by declaring: "So, public, do what you gotta do." Quezada and Mendez took her comments as inciting violence against Boyer and county supervisors. Townsend said a neighbor sent her photos of the car's license plate of whoever cased her house, and her assistant shared the info with DPS. Threats and people showing up outside lawmakers' houses happens all the time, Townsend said, adding that she was excoriated when she tried to stop it by introducing legislation six years ago to let candidates and lawmakers keep their addresses secret. At the time, Townsend said she was told that lawmakers need to keep their addresses public so constituents can verify they actually live in the district. "Now, suddenly, it's fair game, and people are shocked when someone shows up to your house," she said. She reintroduced the measure this year as S1818 (candidate's residence address; nondisclosure), which has yet to be scheduled for a hearing in Senate gov.

TOWNSEND BLAMES MEDIA

Townsend told our reporter she's considering getting legal advice because she blames *AP* writer Bob Christie for negative reactions to her comments on Boyer's "no" vote yesterday. She was also the subject of a two-minute segment on *MSNBC's Rachel Maddow Show* - Maddow played a clip of Townsend speaking on the floor and described it as a threat. "Now it's going to have to go into the hands of the public and right now the last place this needs to be is in a place where the public is so lathered up over all of this. We need to do this in a way that's professional, legal and proper - not that the public's not - but they shouldn't have to do this on our behalf. So public, do what you gotta do," Townsend said in the clip played on Maddow's show. Christie's article, distributed to *AP* member papers around the world, included a version of that quote, following a quote from Supervisor Steve Gallardo about how someone would get hurt if Senate Republicans didn't stop pushing the audit. "It was taken out of context because Bob Christie piecemealed my comments into a way that made it look like a threat," Townsend told our reporter. "That's not a threat, and if you see that as a threat, you're looking through the wrong lens."

BOYER SAYS FANN PROMISED NOBODY WOULD GET ARRESTED

AMERICAN OVERSIGHT

Boyer told our reporter he organized the meeting between Fann and county supervisors yesterday in hopes of calming things down, and thought that he had made clear that he didn't want to proceed with the contempt resolution. "You can ask Jack [Sellers] and Bill [Gates]. I said, 'What if we took contempt off the table?' I specifically said that," he said. Although Boyer said he supports the Senate's effort to conduct an audit, as he thought about the implications of the vote over the weekend, he realized his fellow senators are getting caught up in the heat of the moment and he doesn't want to look back on his vote and regret it. While he didn't believe that the Senate would ultimately arrest the supervisors even if the resolution passed, he didn't want to leave that decision in Fann's hands. "Karen would be the decider on that arrest or not. And all the pressure would be piling on her to arrest them. They'd be saying arrest those SOBs, and it's not beyond the realm of possibilities," he said. He added that Fann pledged in the meeting with the supervisors that nobody would be arrested, but "she's lied to me before, to my face."

BILL EXPANDING SIZE OF LEGISLATURE ADVANCES

Senate gov advanced Mesnard's SCR1005 (Legislature; ninety house districts) on a bipartisan 5-2 vote last night, with Mendez and Quezada joining Mesnard, Borrelli and Townsend to send it out of committee. Peshlakai and Ugenti-Rita voted against it. Mendez said the idea intrigues him, though he believes it probably should have originated in the House. He also wonders if adding more lawmakers would reduce the chances of increasing legislative stipends. (Voters last approved a raise for lawmakers 22 years ago.) Quezada said he's all in, though he would prefer that House districts not be nested in Senate districts. "I don't like being married to two House members," he said. Mesnard, who enjoys a close working relationship with seatmates Weninger and Pawlik, said he prefers that approach because it forces House and Senate slates to work together as a team, but that he is open to considering Quezada's input.

DITTO FOR BILL REQUIRING LAW ENFORCEMENT TRAINING BY CIVILIAN BOARDS

House mil-pub safety voted 8-6 along party lines Monday to advance H2462 (civilian review board members; training), which would require members of a civilian review board to complete a community college police academy and at least 20 hours of virtual law enforcement training. A few Republicans waited before voting on the first go-round, adding a bit of suspense to the final result, but they ended up supporting the bill. The bill's supporters said members of civilian review boards who have influence over police discipline should be trained in what police deal with and the decisions they have to make, while Tim Sperling, speaking on behalf of Arizona Attorneys for Criminal Justice, argued the training requirement would block members of communities most affected by the issue from joining review boards and "risk the board being co-opted by law enforcement and eventually rubber-stamping whatever investigation was already done by internal affairs." Several law enforcement organizations signed up to support

AMERICAN OVERSIGHT

the bill, while Sperling's group, the League of Arizona Cities and Towns and the cities of Phoenix and Tucson opposed it.

JUST IN CASE YOU'RE KEEPING TABS

House members introduced a total of 889 bills this year. The bill filing deadline was 5 p.m. Monday, and 68 measures were introduced in the House that day. While this may be high, it's not a record - there were 913 bills introduced in the House in 2020. House members introduced 760 in 2019. The last bill to make it in this year before the deadline was Biasucci's H2889 (sexual offenses; children; sentencing), which would impose a sentence of 20 to 40 years in prison for a first offense of a dangerous crime against children in the first degree involving molesting a child and life for a second offense. There have also been six concurrent memorials, 40 concurrent resolutions, one joint resolution, one memorial and eight resolutions introduced in the House.

NEWS RELEASES

Statement from Senator Paul Boyer

"I voted 'no' today on SR 1005, a resolution to hold the Maricopa County Board of Supervisors in contempt for not complying with a Senate subpoena concerning an election audit.

It is my hope that the Board of Supervisors and the Arizona Senate can quickly go to the State Supreme Court together to give the Board the legal confidence they need to turn over the ballots for a transparent audit with the intent of informing future elections. My hope is a rejection of the contempt call will give the Board of Supervisors time to resolve itself on how to legally proceed with providing public records, while still protecting the private nature of an individual's vote. It is critical that the Senate and the Board find a way to amicably work together. I believe the Board has no policy disagreement with additional audits of the last election.

Oversight and review of government are the responsibilities of the Senate. It will happen when all parties have legal confidence, it should happen without contempt charges, and the legal process to proceed is underway.

Ultimately, today's vote to reject the resolution provides more time for us to work together for the sole purpose of gaining more clarity. It is NOT a final determination, nor is it the end of the process. My vote is about patience. It's about resolving disagreements civilly, and these are things that I believe all Senators can agree upon regardless of our respective votes today."

* * * * *

AMERICAN OVERSIGHT

Governor Ducey Announces Rental Assistance Program To Provide Financial Assistance And Housing Stability

Governor Doug Ducey today announced the Arizona Department of Economic Security will be launching a new Emergency Rental Assistance Program to provide financial assistance and housing stability.

"We want to make sure renters in Arizona have the resources and support they need," said Governor Ducey. "The rental assistance program will keep families and those in need in their homes and help them get back on their feet as we overcome the effects of the pandemic. We will continue to work closely with community and local government partners to efficiently deliver this relief."

As part of the COVID-19 relief package recently passed by Congress, the U.S. Department of Treasury provided a total of $492 million to the state of Arizona. The Arizona Department of Economic Security (DES) was awarded $289 million with the remaining balance going directly to large cities and counties. Funding will be used toward direct payments for rent, rental arrears, utilities, utility arrears, and other expenses related to housing stability incurred due to the COVID-19 pandemic.

DES will serve the following counties:

- Apache
- Cochise
- Coconino
- Gila
- Graham
- Greenlee
- La Paz
- Navajo
- Santa Cruz
- Pinal
- Mohave
- Yavapai

Renters residing in the counties listed above can apply for housing and utilities assistance via the DES portal starting **Tuesday, February 23**.

Several large counties and cities, including Maricopa County, Pima County and Yuma County, are receiving funding directly from the federal government. Those counties plan to launch their own rental assistance programs, which will be separate from this DES program. The DES portal will also direct renters living in these counties to their local jurisdictions so they can access similar programs.

"Households across the state continue to face economic challenges due to the COVID-19 pandemic, and we are pleased to be able to provide this new assistance program alongside the other services we have to offer at DES," said

AMERICAN OVERSIGHT

DES Director Michael Wisehart. “We will work quickly and diligently to provide rental and utility assistance to those in need.”
View Emergency Rental Assistance Program payment details and eligibility requirements HERE.
Individuals in the twelve counties listed above will be able to apply online at des.az.gov/ERAP beginning **February 23, 2021**. The rental assistance portal will be available online 24/7, and will be mobile-friendly. Applicants can apply and check the status of their application through the portal. It will be available in English and Spanish.

* * * * *

DES Announces Emergency Rental Assistance Program to Provide Financial Assistance and Housing Stability

State and Local Municipalities Receive $492 Million to Assist Arizona Households

The Arizona Department of Economic Security (DES) announced today it will partner with Arizona counties to launch a new Emergency Rental Assistance Program (ERAP) to provide financial assistance and housing stability. Funding will be used toward direct payments for rent, rental arrears, utilities, utility arrears, and other expenses related to housing stability incurred due to the COVID-19 pandemic.

ERAP was established by the federal Consolidated Appropriations Act, 2021. Arizona will receive a total of $492 million from the U.S. Department of the Treasury for the implementation of the program. DES was awarded $289 million and will partner with twelve Arizona counties to distribute emergency rental and utility assistance. The remaining balance was awarded to municipalities with more than 200,000 people to distribute locally. DES will serve the following counties:

Counties Served

Apache

Graham

Navajo

Cochise

Greenlee

Pinal

AMERICAN OVERSIGHT

Coconino

La Paz

Santa Cruz

Gila

Mohave

Yavapai

*Several large counties and cities, including Maricopa County, Pima County and Yuma County, are receiving funding directly from the federal government. Those counties plan to launch their own rental assistance programs, which will be separate from this DES program. Renters residing in cities and counties other than those listed above are encouraged to contact their local jurisdictions for similar programs. The DES portal will also direct renters living outside these counties to their respective programs.

“Households across the state continue to face economic challenges due to the COVID-19 pandemic, and we are pleased to be able to provide this new assistance program alongside the other services we have to offer at DES,” said DES Director Michael Wisehart. “We will work quickly and diligently to provide rental and utility assistance to those in need.”

Emergency Rental Assistance Payment Details

Beginning February 23, 2021, Arizona households will be able to apply for up to $3,500 in rental and utility assistance for each month. Payments may also be made for rental and/or utility arrears. After their initial application, households may receive up to 12 months of assistance. After receiving 12 months of benefits, whether for arrears or future payments, the household may apply for a three-month extension of benefits upon providing documentation of eligibility to the Department.

Payments will be issued directly to landlords and/or utility companies on the renter’s behalf.

Eligibility Requirements

The ERAP is available to both landlords and renters. While both may apply for assistance, eligibility is based on the the renter’s address and ability to meet the following criteria:

The renter has a risk of homelessness, housing instability, or unsafe living

AMERICAN OVERSIGHT

conditions demonstrated by the following:

Eviction notice

Utility shutoff notice

Past due rent notice

Past due utility notice

Any other evidence of unsafe or unhealthy living conditions or housing instability

The renter or member of the renter's household is eligible for unemployment insurance benefits or has experienced a financial hardship as a result of the COVID-19 pandemic

The renter's household income is less than or equal to 80% of the Area Median Income (AMI)

Assistance priority will be given to renters with household incomes under 50% AMI and to those who have been unemployed 90 days or longer.

During their application, renters will need to provide a copy of lease/rental agreement, photo ID, electricity and/or gas bill, disconnection notice (if any), proof of income, eviction notice (if applicable) and proof of hardship, such as a termination letter.

Individuals may apply online at des.az.gov/ERAP beginning February 23, 2021.

* * * * *

Arizona House Speaker And Senate President Relaunch Republican Legislative Victory Fund

Phoenix, AZ— After protecting the House and Senate Republican Majorities in the 2020 elections, Arizona Speaker of the House Rusty Bowers and Arizona Senate President Karen Fann are pleased to relaunch the successful Republican Legislative Victory Fund team with a new addition of Yuma County Supervisor and former AZGOP Chairman Jonathan Lines. Businesswoman and entrepreneur Karrin Taylor Robson will once again serve as the group's chairman, with Supervisor Lines serving as co-chair.

Speaker Bowers said of the efforts in the 2020 elections and the addition of Jonathan Lines,

AMERICAN OVERSIGHT

"Our members in both the House and the Senate worked closely with our grassroots leaders in the 2020 elections. The Republican Legislative Victory Fund raised record amounts of dollars and was successful in picking up a seat with the addition of Representative Joel John in LD 4. Joel did an excellent job in the Yuma area. Chairman Lines' leadership in that region, his command of Spanish, expert work in outreach and strong commitment to the 2nd Amendment makes him a valuable addition to our Victory Fund team.

"We know that the millions of dollars that flooded our state from California and leftist groups will be back in Arizona; in fact, many have stayed put. Our members earned their seats in 2020 and we all have a commitment to be better informed, prepared and funded for the fight that is coming in 2022."

Senate President Karen Fann said of the Republican Legislative Victory Fund,

"Our Senate and House members worked incredibly hard to reach out to voters and hold Republican majorities in 2020. The left spent millions in our state to turn the legislature blue but we won by running smart, localized campaigns across the state. Under the leadership of Karrin Taylor Robson, RLVF was able to raise the funds to compete in each neighborhood in our targeted districts. We are honored that Karrin Taylor Robson will continue to Chair this committee and we look forward to our expansion with the added leadership of Jonathan Lines."

Chairman Taylor Robson said of the committee,

"It is essential that Republicans maintain and expand their majority in the Arizona legislature this cycle. Arizona values free enterprise, individual freedom, parental choice in education, and a strong economy. We protected our state from the onslaught of out of state liberal interests in 2020. We need to begin now, to push back on the efforts of the political left, who want to fundamentally change Arizona in 2022 and beyond."

Co-Chairman Jonathan Lines expressed excitement at joining the team,

"RLVF shocked the political world in 2020 by keeping both houses of the legislature in Republican hands. I'm incredibly excited to work with Chairman Taylor Robson, House and Senate leadership, and our grassroots supporters to expand our majorities and provide a voice for all Arizona communities. In a tough year for Republicans, RLVF stood out as a ray of light, and I am excited to be a part of the effort in 2022."

* * * * *

A Win For Teachers And Students: Court Rejects Initial Challenge To Prop 208 – Invest In Education Act

AMERICAN OVERSIGHT

With almost a billion dollars of education funding on the line, the legal challenge seeking to enjoin voter-approved Prop 208 - Invest in Ed has been rejected by the Superior Court of Arizona.

(PHOENIX)-- Today, the Superior Court of Arizona denied plaintiffs' request for a preliminary injunction to halt implementation of the new voter-approved tax on the wealthy to fund education. Passed in November, Prop 208 – Invest in Ed is expected to raise almost $1 billion for Arizona schools in its first year alone. In an attempt to undermine the will of the voters, opponents have tried to hold it up in court through a legal challenge that included a request for an immediate injunction.

The preliminary injunction would have prohibited the state government and the Department of Revenue from "taking any action to enforce Proposition 208 . . . levying any surcharge, or appropriating general fund public monies . . . to pay for costs associated with Proposition 208."

The court released its ruling this morning, "IT IS ORDERED the plaintiffs' request for preliminary injunctive relief is denied."

"This is a win for students and teachers," said Rebecca Gau, Executive Director of Stand for Children Arizona. "We think this is a very positive sign that the courts will do what is right and just, which is to uphold the voter-approved Invest in Education Act that our students and teachers so desperately need."

A recent Stand for Children opinion poll shows emphatic support for additional education funding and opposition to any attempt to bypass taxes from Prop 208 – Invest in Ed. 72% of Arizona voters believe there is still a need for additional funds for Arizona public schools, even with the additional funds from Prop 208 – Invest in Ed. Arizonans also oppose the legal challenge, as well as tax cuts on the wealthy to offset its impact. The full poll is available at http://stand.org/arizona/blog/annual-survey-arizonans-want-school-funds.

* * * * *

AG Brnovich & Arizona Food Marketing Alliance Partner on Program to Combat Gift Card Fraud

PHOENIX -- Attorney General Mark Brnovich and members of the Arizona Food Marketing Alliance (AFMA) are launching a new consumer fraud awareness program inside hundreds of neighborhood stores. Approximately 990 grocery and convenience stores throughout Arizona will have STOP signs at gift card displays, reminding customers that gift cards cannot be used to pay a government agency. Examples of the new program will be on display

AMERICAN OVERSIGHT

Wednesday morning at the Bashas' store below.

WHO: Attorney General Mark Brnovich and Bashas' Communications Director Ashley Shick are available for interviews to discuss the program and how it will help bring awareness and protection to Arizona consumers.

WHEN: Wednesday, February 10, 2021, between 10:00 AM - 11:00 AM. Interviews will be scheduled to avoid overcrowding during the ongoing pandemic and ensuring adherence to CDC guidelines.

Media members must RSVP with Katie Conner, Director of Media Relations, at (602) 339-5895 or Katie.Conner@azag.gov.

WHERE: Bashas' Supermarket at 8035 East Indian School Road, Scottsdale, AZ 85251. Masks will be required, and those in attendance will be asked to remain socially distanced.

WHY: To shed light on the growing problem of gift card scams in Arizona, especially a particularly prevalent scam involving government imposters who use aggressive threats to coerce consumers to pay off baseless debts.

* * * * *

Following Request from Sinema, Kelly, AZ Delegation, Navajo Nation's Major Disaster Declaration Approved

The administration approved the Navajo Nation's Major Disaster Declaration due to effects of COVID-19

WASHINGTON – Following the support of Arizona Senators Kyrsten Sinema and Mark Kelly and Arizona Representatives Tom O'Halleran (AZ-01), Ann Kirkpatrick (AZ-02), Raúl Grijalva (AZ-03), Andy Biggs (AZ-05), David Schweikert (AZ-06), Ruben Gallego (AZ-07), Debbie Lesko (AZ-08), and Greg Stanton (AZ-09), the administration approved Navajo Nation President Jonathan Nez's request for a Major Disaster Declaration from the federal government, which will allow the Nation to access additional resources to combat the coronavirus pandemic.

"I am pleased the administration took swift action on behalf of the Navajo Nation. Approving a Major Disaster Declaration will help save lives and livelihoods—and ensure the Nation can access critical resources to combat and reduce the spread of COVID-19," said Sinema.

"The Navajo Nation has been resilient in the face of the pandemic, and has battled the virus with too little help from the federal government. This much-

AMERICAN OVERSIGHT

needed declaration from the administration will get the Navajo Nation additional funding and flexibility to address the spread of COVID-19 and begin to recover," said Kelly.

Read the Delegation's original request HERE.

President Nez declared a public health emergency in response to the pandemic on March 11 before a single case was confirmed in the Nation. Despite proactive precautions, the Navajo Nation has confirmed over 28,000 COVID-19 infections and more than 1,000 deaths. Navajo Nation hospitals are operating at capacity levels greater than their previous peak in May. The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19, due to health and socioeconomic disparities for these communities.

* * * * *

School Counselors Lay Out Specifics For Mental Health Policy Priorities

February 9, 2021, Phoenix, AZ --- The Counselors in our schools cannot do more than anyone else to tackle COVID-19, but in these unusually divided and stressful times, one thing we can all agree on is that these professionals are on the front lines of responding to student needs in the fallout.

At the start of this legislative session, the Arizona School Counselors Association (AzSCA) called on our policymakers to prioritize mental health in their bills and in their budgets. We are thrilled to see legislation like Senator Sean Bowie's SB1376, which helps ensure mental health education takes place in our schools, moving through the process in a broad, bipartisan fashion. We hope other ideas like Representative Jennifer Pawlik's HB2732, which helps build the pipeline of qualified school counselors, social workers and psychologists for our students, will get a vote as well. Luckily, the chairs of the Education Committees, Senator Paul Boyer and Representative Michelle Udall, have prioritized this kind of legislation.

AzSCA is also grateful for the continued leadership of Superintendent Kathy Hoffman, who in her recent State of Education speech called for an additional $43 million investment in the wait list for the grant program created by Governor Doug Ducey that supports counselors. We remain hopeful that Republican leaders in the State Legislature will also see this critical need while developing their budget proposals.

Now more than ever, we need to work together to provide support to our students. Our school counselors are already working hard to serve the typical needs of students in their academic, career/college and social/emotional

AMERICAN OVERSIGHT

development.

We already know that youth suicides are on the rise here in Arizona because of this pandemic. Drug abuse and associated overdose deaths have spiked. Abuse goes on in the home, unseen and unreported. Add all this on top of the rise in homelessness and food insecurity, and we face a crisis of trauma that impacts not just adults, but will define a generation of Arizona's young people.

Students need not only the dedicated support and positive role modeling of all adults, but they need us to speak frankly about dealing with stress and overcoming difficult times. We need to work together to maintain connection and open dialogues. Our professional school counselors continue to lead the way, but require our elected leaders to model that behavior as well.

* * * * *

NO on SB 1452 - Invest in Black & Brown Youth at Public Schools, not Private Schools

WHAT: PRESS CONFERENCE and response to Senate Bill 1452

WHEN: 10 A.M. WEDNESDAY, FEBRUARY 10TH

WHERE: Arizona State Capitol - Rose Garden

PHOENIX -- The **Arizona Coalition for Change** will lead a press conference on Wednesday morning to **oppose Senate Bill 1452**, an effort to divert more state dollars to private schools at the expense of public school students.
SB 1452, sponsored by Repulican Senator Paul Boyer, will be a barrier for youth of color from historically underrepresented communities and limit access to necessary educational needs. This bill will increase student eligibility for so-called Empowerment Scholarship Accounts (aka vouchers), make ESA students eligible for publicly funded private-school Student Tuition Organization scholarships, extend the length of time ESA accounts remain open, create a new property tax to pay for ESA students, and most importantly, divert classroom site fund dollars to ESA accounts. The effect will be disastrous to public schools. Underserved communities across the state will be disproportionately impacted by having even less access to funding.

After similar legislation was proposed in 2018 and voters rejected this effort, Arizonans made it clear that we want state dollars to be spent on public schools and not diverted to private schools. We will continue to advocate for Black and Brown youth that inhabit our diverse communities of color across Arizona.

AMERICAN OVERSIGHT

The Coalition is a Black-led civic engagement organization that empowers everyday people to transform their community by building civic power, just and equitable schools, and safer neighborhoods. We work to uplift Black & Brown youth and are devoted to ensuring their access to an equitable education is inclusive, sustainable, & attainable.

Guest Speakers will include:

- The Honorable **Berdetta Hodge**, Governing Board Member in the Tempe Union High School District
- The Honorable **Devin Del Palacio,** Governing Board Member in the Tolleson Union High School District
- Reverend **Reginald Walton**, Civic Engagement Director for the African American Christian Clergy Coalition
- Dr. **Arleen Kennedy**, Balsz School District Superintendent

For more information about SB 1452, please refer to the Arizona Center for Economic Progress

Masks are required and social distancing will be observed.

* * * * *

Following Request from Kelly, Sinema, AZ Delegation, Navajo Nation's Major Disaster Declaration Approved

The administration approved the Navajo Nation's Major Disaster Declaration due to effects of COVID-19

Following the support of Arizona Senators Mark Kelly and Kyrsten Sinema and Arizona Representatives Tom O'Halleran (AZ-01), Ann Kirkpatrick (AZ-02), Raúl Grijalva (AZ-03), Andy Biggs (AZ-05), David Schweikert (AZ-06), Ruben Gallego (AZ-07), Debbie Lesko (AZ-08), and Greg Stanton (AZ-09), the administration approved Navajo Nation President Jonathan Nez's request for a Major Disaster Declaration from the federal government, which will allow the Nation to access additional resources to combat the coronavirus pandemic.

"The Navajo Nation has been resilient in the face of the pandemic, and has battled the virus with too little help from the federal government. This much-needed declaration from the administration will get the Navajo Nation additional funding and flexibility to address the spread of COVID-19 and begin to recover," said Kelly.

"I am pleased the administration took swift action on behalf of the Navajo Nation. Approving a Major Disaster Declaration will help save lives and

AMERICAN OVERSIGHT

livelihoods—and ensure the Nation can access critical resources to combat and reduce the spread of COVID-19," said Sinema.

Read the Delegation's original request **HERE**.

President Nez declared a public health emergency in response to the pandemic on March 11 before a single case was confirmed in the Nation. Despite proactive precautions, the Navajo Nation has confirmed over 28,000 COVID-19 infections and more than 1,000 deaths. Navajo Nation hospitals are operating at capacity levels greater than their previous peak in May. The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19, due to health and socioeconomic disparities for these communities.

* * * * *

Arizona Comment on Today's Drop in Small Business Optimism

Home-made problems to an economic rebound need the Legislature's immediate attention

PHOENIX, Feb. 9, 2021—Not a whole lot to be optimistic about in today's release of the monthly Small Business Optimism Index from NFIB, and home-grown challenges to an economic rebound are not helping matters, said the Arizona state director for the association that conducted the Index poll.

"The small business half of the economy will start to improve when business owners have confidence looking to the future," said Chad Heinrich, Arizona state director for NFIB, the nation's leading small-business advocacy association. "Today, Arizona business owners see big risks in reopening due to potential COVID-19 legal liability, they've also pressed pause on plans to expand their businesses due to voters recently roping small businesses into paying for the largest tax increase in state history. If that's not enough, when business owners realize that the property tax rate they pay on business property is double the rate of what residential property pays, they will continue to think long and hard if it's even worth investing in Arizona. Our Legislature is meeting now and small business is hoping for reasonable leaders at the State Capitol to remedy these maladies. We will see if our elected leaders will rise to the challenge."

The Optimism Index declined in January to 95.0, down 0.9 from December and three points below the 47-year average of 98. Owners expecting better business conditions over the next six months declined seven points to a net negative 23%, the lowest level since November 2013. The net percent of owners expecting better business conditions has fallen 55 points over the past

AMERICAN OVERSIGHT

four months.

From NFIB chief economist Bill Dunkelberg

"As Congress debates another stimulus package, small employers welcome any additional relief that will provide a powerful fiscal boost as their expectations for the future are uncertain. The COVID-19 pandemic continues to dictate how small businesses operate and owners are worried about future business conditions and sales."

About the Small Business Economic Trends (SBET)

The NFIB Research Center has collected Small Business Economic Trends data with quarterly surveys since the 4th quarter of 1973 and monthly surveys since 1986. Survey respondents are drawn from a random sample of NFIB's membership. The report is released on the second Tuesday of each month. This survey was conducted in December 2020. For more information about NFIB, please visit NFIB.com.

The SBET's primary value is anticipating short-run fluctuations in economic activity. An additional value of the SBET is its measurement of small business activities and concerns over time. The benefit of a longitudinal data set offers an invaluable perspective on how policies and business cycles impact small businesses over time. The SBET is one of the few archival data sets on small business, particularly when research questions address business operations rather than opinions. Today, it's the largest, longest-running data set on small business economic conditions available.

Keep up with the latest on Arizona small business news at www.nfib.com/arizona or by following NFIB on Twitter @NFIB_AZ

- Retweet this news release here
- Read it on the NFIB Arizona webpage

NEWS CLIPS

Education advocates appeal to legislature to make up losses

By Pete Aleshire White Mountain Independent 02-09-21

Gov. Doug Ducey's proposed budget will shortchange schools and child welfare programs, insist child advocacy groups.

AMERICAN OVERSIGHT

They have urged the state to use more promised federal money to make up for the heavy funding losses schools have suffered during the pandemic, rather than enact an additional $600-million income tax cut the budget proposal calls for. (To read more, click here).

* * * * *

Former Ocasio-Cortez spokesperson: Manchin, Sinema should be primaried if 'they're going to stand in the way of progress'

By Staff The Hill
02-09-21

A former spokesperson for Rep. Alexandria Ocasio-Cortez (D-N.Y.) said his super-PAC intends to mount primary challenges to moderate and center-right Democratic senators who "stand in the way of promises that were made by Democrats."

"[T]here are no excuses left for Democrats not to take action," Corbin Trent, founder of No Excuses PAC, said in a Monday Hill.TV interview, as Congress grapples with the next round of coronavirus relief legislation. "One of those excuses they're going to try to pull out is the filibuster, one of the other excuses is the fringe Democrats like Kyrsten Sinema or Joe Manchin," he added, referring to the senators from Arizona and West Virginia. (To read more, click here).

* * * * *

Arizona prisons are squalid and unsafe. They need independent oversight

By Molly Gil Arizona Republic
02-09-21

Former President Donald Trump's unsuccessful reelection campaign reported it paid over $6,000 to a business Arizona prisons are in crisis – in the last couple of years alone, there have been stories of broken locks, undrinkable water, substandard medical care and now, an unchecked COVID-19 outbreak.

It's almost unbelievable that there is no existing independent oversight for a state agency that costs $1.3 billion annually to taxpayers, employs thousands of Arizonans, protects public safety and holds the lives of 38,000 incarcerated people in its hands. (To read more, click here).

End

AMERICAN OVERSIGHT

Arizona Legislative Report
1835 W. Adams St., Phoenix, AZ 85007

You are receiving this email because you are a subscriber to Arizona Legislative Report. Click here to unsubscribe or manage the emails we send you.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, February 11, 2021 7:20:05 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: February 11, 2021
Attachments: February 11, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Vaccination site at UA could go 24/7 when supply allows
- CDC study: 2 masks better than 1 against COVID-19
- Immigrant families cross border in greater numbers in Biden's first few weeks
- Ariz. lawmakers move to let more people carry guns in gov't buildings
- Tucson's largest school district to reopen campuses after spring break in late March
- Plan to expand legal gambling passes 1st hurdle, urged on by sports teams
- House committee votes to allow Arizona cities to regulate vacation rentals
- Voters may be asked to curb governor's emergency powers

Arizona Republic

- Accessibility is focus of vaccination event: People aided in the past by NOAH get invitations
- Phoenix plans public hearing on proposed water rate increase
- Navajo Nation gets FEMA help with vaccine shots
- Arizona approaches 14,500 known COVID-19 deaths
- Trump's attack on Ducey cited in impeachment trial

KTAR News

- State bill would expand Arizona school voucher program
- UArizona president wants more doses as campus gets COVID vaccine site
- Recorder assisting firms in audit of Maricopa County tabulation equipment
- Arizona Senate votes to limit governor's authority during crises
- Arizona passes 1 million vaccine doses administered Wednesday, Ducey says
- Apache County board appoints Blackwater-Nygren to Arizona House

Arizona Daily Sun

- FUSD board approves phased return to schools in March, pending benchmarks

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Vaccination site at UA could go 24/7 when supply allows

Arizona Daily Star
February 11, 2021
Patty Machelor

The University of Arizona will soon become the first state-operated COVID-19 vaccination site in Pima County, but when it becomes fully functional depends on one thing: vaccine supply.

Dr. Cara Christ, the state's health director, said officials are getting the UA site going now, even without enough vaccine available, in order to have the resources and staffing in place 'so when we do get more vaccine, the site is ready to go to full capacity.'

It will not open as a 24/7 operation to start but will have a 'soft launch' on Feb. 18, with the goal of being fully functioning by Feb. 22.

The UA site, like two other state-run sites now operating in Maricopa County, will provide shots for people age 65 and older, unlike the Pima County-run sites, which are currently focused on those 70 and older.

Those eligible can begin registering for appointments at the UA site at 9 a.m. Tuesday, Feb. 16.

Gov. Doug Ducey made the announcement Wednesday. He said the state's Department of Emergency and Military Affairs will partner with the UA and the county's Health Department to eventually vaccinate up to 6,000 people a day on the campus.

That will be a sizable jump from the 1,000 or so residents getting shots there now each day as the UA has been a county- run vaccination site.

The UA site will extend its hours to operate daily from 10 a.m. to 10 p.m. starting on Feb. 22, and could eventually be open all night once more vaccine becomes available. It will offer drive-up and walkin appointments.

People who are already signed up at the UA site through the county will retain their appointments.

The university was chosen over the previously discussed Rillito Racetrack site because it's already an operating point of distribution, or POD, said Christ.

STATE IS AGAIN ASKING U.S. FOR MORE DOSES

Pima County is only scheduled to receive 17,850 doses this week, and Christ said that will likely continue for the next couple of weeks until the state can obtain more vaccine from the federal government.

Pima County received about 30,000 doses a week for the last two weeks before this 40% cut.

AMERICAN OVERSIGHT

Pima County has immunized over 165,000 people so far and about 130,000 of those residents will need a second dose within the next month.

Christ said the state matches vaccine allocations to ensure second doses in counties around the state. But beyond that, she said, there's not much extra vaccine right now.

'We are matching those second doses,' she said Wednesday, 'and so they should be there.'

In January, Arizona requested 300,000 additional doses from the federal government to be followed by weekly allocations of 300,000, but Christ said that request was denied.

She said state officials have since re-submitted that request and are now waiting on an answer.

COUNTY MIGHT SOON OPEN SITES TO 65-UP, TOO

The current pace of vaccinations means Pima County could start vaccinating those 65 and older as early as next week if enough vaccine is available, said Dr. Theresa Cullen, the county's medical director.

The current priority restricts vaccinations to people age 70 and over along with police, firefighters, people working in the court systems, higher education workers, teachers and licensed child care providers.

The state will provide financial support, staffing help and technological support to get the UA site running, Christ said. However, nothing has been specified yet, according to county officials.

'Pima County has yet to receive any remuneration from the state for its considerable COVID-19 testing efforts, or for our enormous effort to vaccinate hundreds of thousands of Pima County residents as quickly as possible,' said Mark Evans, the county's communications director. 'We are quite anxious to receive word from either the state or the federal government about how county taxpayers can expect to be relieved of these substantial financial burdens caused by a global pandemic. In the meantime, we will continue to protect the public health,' he said.

ROBBINS SAYS SUPPLY IS PRESING CONCERN

Dr. Robert Robbins, the university's president, said he is 'thrilled' the state chose the UA as its next site.

'To be part of something that can help the whole community is pretty special,' he said.

However, he said the lack of vaccine is a pressing concern.

'If we're going to build this out and run a 24/7 operation, they've got to supply us the vaccine or else we'll just keep doing what we're doing,' he said.

Adherence to an appointment schedule will be important to prevent cars from getting backed up along the UA Mall, Robbins said, adding he's confident it won't be a problem.

Another concern is how much vaccine this could take away from county efforts to reach vulnerable populations, since many of the people who get shots at the state sites have been people with the resources to utilize them.

AMERICAN OVERSIGHT

TRYING TO MAKE SURE NO ONE IS LEFT BEHIND

County Administrator Chuck Huckelberry said he is concerned about shots being taken away from people already at a disadvantage for getting the vaccine, such as people with transportation difficulties, or who are homebound, or who don't have the technology needed to get appointments.

'We don't want them to get left behind. I caution everyone that without increased vaccine to operate this expanded POD and to maintain current county vaccinations efforts, vaccinating vulnerable and disadvantaged populations will be more difficult,' Huckelberry said. Christ said the state eventually plans to start working with faith-based leaders to do community points of distribution in hard-to-reach communities.

Return to the table of contents

CDC study: 2 masks better than 1 against COVID-19

Arizona Daily Star
February 11, 2021
Mike Stobbe

U.S. government researchers found that two masks are better than one in slowing coronavirus spread, but health officials stopped short of recommending that everyone double up.

The Centers for Disease Control and Prevention on Wednesday reported the results of a lab experiment that spaced two artificial heads 6 feet from each other and checked to see how many coronavirus-sized particles spewed by one were inhaled by the other.

The researchers found that wearing one mask — surgical or cloth — blocked around 40% of the particles coming toward the head that was breathing in. When a cloth mask was worn on top of a surgical mask, about 80% were blocked.

When both the exhaling and inhaling heads were double-masked, more than 95% of the particles were blocked, said the CDC's Dr. John Brooks.

Still, for now, health authorities acknowledge they have their hands full just trying to get more people to wear one mask and wear it correctly.

'The first challenge is to get as many as people as possible masking. And then for those that do mask, to help them get the best benefit out of that mask,' Brooks said.

Brooks said agency officials heard about people donning two masks and wanted to evaluate whether it was beneficial.

The study had many limitations: The researchers used one brand of surgical mask and one kind of cloth mask, and it's not clear if results would be the same with every product. But it echoes some earlier research that suggests two masks are better than one.

'It works,' Brooks said.

AMERICAN OVERSIGHT

The CDC updated its guidance, saying people can wear a clothmask on top of a disposable surgical mask 'for better fit and extra protection.' If done correctly, the combination can tighten the gaps around the mask's edges that can let virus particles in, the CDC said.

The agency also said it will take down a make-your-own mask page, which went up last year when masks were in short supply and the CDC was encouraging people to take steps to interrupt viral transmission.

Some Americans have started doubling up. Experts believe that's at least partly out of concern about new strains of coronavirus that have been found to spread more easily than the one that has driven the U.S. epidemic for the past year, CDC guidance has evolved over the course of the epidemic.

Mask-wearing has long been common in some countries during respiratory outbreaks, especially in parts of Asia, but not in the United States.

When the COVID-19 crisis began and masks disappeared from store shelves, U.S. health officials actively discouraged the general public from wearing them. 'Seriously people — STOP BUYING MASKS!' then-Surgeon General Jerome Adams wrote in a tweet almost a year ago.

Two months later, after it became clear that infected people who did not exhibit symptoms could spread the virus, the CDC began recommending people wear masks in public.

Mask-wearing increased and some places enforced mask mandates, but many Americans continue not to wear them. A recent University of California survey suggested that only about half of U.S. adults wear masks when in close contact with people outside their household.

Discussions about double- masking and higher- quality masks are important, said Dr. Isaac Bogoch, an infectious diseases scientist at the University of Toronto.

'But if a significant proportion of your populations isn't wearing a mask in the first place, then you're having the wrong conversation,' he added.

Some Americans have already started doubling up on masks. Experts believe that's at least partly out of concern about new strains of coronavirus.

Return to the table of contents

Immigrant families cross border in greater numbers in Biden's first few weeks

Arizona Daily Star
February 11, 2021
Nomaan Merchant

The day after she gave birth in a Texas border hospital, Nailet and her newborn son were taken by federal agents to a holding facility that immigrants often refer to as the 'icebox.'

AMERICAN OVERSIGHT

Inside, large cells were packed with women and their young children. Nailet and her son were housed with 15 other women and given a mat to sleep on, with little space to distance despite the coronavirus pandemic, she said. The lights stayed on round the clock. Children constantly sneezed and coughed.

Nailet, who kept her newborn warm with a quilt she got at the hospital, told The Associated Press that Border Patrol agents wouldn't tell her when they would be released. She and her son were detained for six days in a Border Patrol station. That's twice as long as federal rules generally allow.

'I had to constantly insist that they bring me wipes and diapers,' said Nailet, who left Cuba last year and asked that her last name be withheld for fear of retribution if she's forced to return.

Larger numbers of immigrant families have been crossing the U.S.-Mexico border in the first weeks of President Biden's administration. Warning signs are emerging of the border crises that marked former President Donald Trump's term: Hundreds of newly released immigrants are getting dropped off with nonprofit groups, sometimes unexpectedly, and accounts like Nailet's of prolonged detention in short-term facilities are growing.

Measures to control the virus have sharply cut space in holding facilities that got overwhelmed during a surge of arrivals in 2018 and 2019, when reports emerged of families packed into cells and unaccompanied children having to care for each other.

Most of the Border Patrol's stations aren't designed to serve children and families or hold people long term. To deal with the new influx, the agency on Tuesday reopened a large tent facility in South Texas to house immigrant families and children.

In a statement last week, U.S. Customs and Border Protection said some of its facilities had reached 'maximum safe holding capacity' and cited several challenges: COVID-19 protocols, changes in Mexican law and limited space to hold immigrants.

'We will continue to use all current authorities to avoid keeping individuals in a congregate setting for any length of time,' said the agency, which declined an interview request.

Meanwhile, long-term holding facilities for children who cross the border alone — some sent by parents forced to wait in Mexico — are 80% full. U.S. Health and Human Services, which runs those centers, will reopen a surge facility at a former camp for oil fieldworkers in Carrizo Springs, Texas, as early as Monday. It can accommodate about 700 teenagers. Surge facilities have an estimated cost of $775 per child per day, and Democrats sharply criticized them during the Trump years.

There's no clear driving factor for the increase in families and children crossing. Some experts and advocates believe more are trying to cross illegally now that Biden is president, believing his administration will be more permissive than Trump's.

Many have waited for a year or longer under Trump's 'Remain in Mexico' program that forces asylum seekers to stay south of the border while a judge considers their case.

The U.S. also has stopped sending back some immigrant families to parts of Mexico, particularly areas of Tamaulipas state across from south Texas. The change in practice appears to be uneven, with immigrants being expelled in other places and no clear explanation for the differences.

AMERICAN OVERSIGHT

A law has taken effect in Mexico that prohibits holding children in migrant detention centers. But Mexico's foreign ministry said agreements with the U.S. during the pandemic remain 'on the same terms.' The statement noted 'it is normal that there be adjustments at the local level, but that does not mean that the practice has changed or stopped.'

Some pregnant mothers, like Nailet, who have been refused entry to the U.S. cross again while in labor. Their children become U.S. citizens by birthright. The Border Patrol generally releases those families into the country, though reports have emerged of immigrant parents and U.S.-born children being expelled.

In Nailet's case, CBP said an unforeseen spike in the number of families crossing the border near Del Rio, about 150 miles west of San Antonio, led to her prolonged detention.

Advocates say officials should have released Nailet quickly, as well as other families with young children, and should speed up processing to avoid delays. Authorities have long resisted what they refer to as 'catch and release,' which they say inspires more immigrants to try to enter the country illegally, often through smugglers linked to transnational gangs.

Still in pain from giving birth, Nailet nursed her newborn in the cold cell. When she told border agents that the hospital said to return Feb. 1, she says they refused to take her.

CBP says Nailet and her son passed a health check Wednesday evening. She was released Thursday and taken to a hotel with help from a nonprofit group, the Val Verde Border Humanitarian Coalition.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ariz. lawmakers move to let more people carry guns in gov't buildings

Arizona Daily Star
February 11, 2021
Howard Fischer

State lawmakers are moving to let more people carry guns into government buildings. They also want to block local law enforcement from enforcing federal gun laws.

On a party-line vote, the House Committee on Government and Elections approved legislation that says if someone has a state-issued permit to carry a concealed weapon, they would be free to ignore 'no guns' signs posted on government doors.

The only way cities and counties could enforce a gun-free zone would be to install metal detectors and hire people to staff the equipment.

Rep. John Kavanagh, R-Fountain Hills, said that makes sense.

'Placing a sticker that says 'no weapons allowed' with a little red hash, that stops law-abiding citizens from bringing weapons into government buildings,' he said.

'It doesn't stop criminals, potentially dangerous criminals,' he said. 'So what you do is you create gun-free zones where the honest people are disarmed and the criminals can go in and have an advantage.'

AMERICAN OVERSIGHT

House 2551 does not contain any funds for local governments to buy and staff the equipment. Former Gov. Jan Brewer vetoed similar measures at least three times, citing concerns about the legislation being an 'unfunded mandate.'

But supporters of the measure said there is no such mandate. Let people bring their guns into government buildings, they said, or provide protection by keeping out everyone who might have a gun through screening by metal detectors. 'That's really a decision on the part of the facility,' said Rep. Frank Carroll, R-Sun City West. 'And they would be economically ahead by abiding by the law, for the amount of citizens that do attend these facilities, to allow them and put the trust back into people.'

Rep. Bret Roberts, R-Maricopa, had a simpler explanation of his support.

'No one's going to protect me better than I can protect myself,' he said.

'FALSE NARRATIVE,' OPPONENT SAYS

But Rep. Kelli Butler, D-Paradise Valley, said the legislation is built on a false narrative.

'This idea that there's a good guy with a gun that's going to be able to do something is totally not borne out by facts,' she said.

Butler cited a shooting incident at a Walmart. 'So many people pulled out guns that law enforcement wasn't sure who the shooter was,' she said.

'They didn't know who they should be following out of the building,' Butler continued. 'And it slowed down law enforcement ability to respond.'

The legislation does contain exceptions where possession of a gun would remain a crime. Those include bars and restaurants with liquor licenses, courts, schools, community colleges, universities and public transit. And Kavanagh said the owners of private businesses would retain the right to demand that patrons disarm themselves.

Rep. Athena Salman, D-Tempe, said that list falls short. For example, it does not include the Legislature, but some lawmakers have received threats, she said.

While Arizona law allows virtually any adult to carry a concealed weapon, HB 2551 would apply only to those who have concealed-carry permits issued by the state.

PREEMPTION AGAINST BIDEN ADMINISTRATION

The other measure, HB 2111, is designed to protect what Rep. Leo Biasiucci, R-Lake Havasu City, said is a threat of federal infringement on the gun rights of Arizonans.

Nothing in his legislation would preclude federal law enforcement officers from enforcing their own gun laws.

But it seeks to bar state and local officials and law enforcement from using their personnel or financial resources 'to enforce, administer or cooperate with any act, law, treaty, order, rule or regulation of the

AMERICAN OVERSIGHT

United States government that is inconsistent with any law of this state regarding the regulation of firearms.'

Biasiucci made it clear his aim is to thwart any move by the Biden administration to carry through with campaign promises of banning AR-15s and high-capacity magazines.

'If they try to take AR-15s from law-abiding citizens, that is something that is not going to be tolerated,' he said.

Butler questioned how all of that comports with the supremacy clause of the U.S. Constitution, which dictates that federal law is 'the supreme law of the land.'

Biasiucci said this isn't about voiding federal law but simply a decision to say the state won't cooperate in enforcing those laws. He said it's no different than the fact that Arizona legalized marijuana possession and won't be arresting and prosecuting people even though that remains a crime under federal law.

Salman balked at that comparison.

'I don't know anyone who has died from smoking pot,' she said. 'I don't think in a civilized society we should have military-grade weapons.'

Kavanagh, however, said the AR-15, while designed to look like an automatic weapon used by the military, is actually a semi-automatic rifle, no different than other legal rifles.

Both measures now require action by the full House.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Tucson's largest school district to reopen campuses after spring break in late March

Arizona Daily Star
February 11, 2021
Danyelle Khmara

After closing its doors nearly a year ago because of the COVID-19 pandemic, Tucson Unified plans to open schools for in-person instruction the week after spring break.

Several Governing Board members voiced support for the reopening plan, which includes full-time in-person instruction for the district's preschools, elementary and K-8 schools starting March 24, while middle and high schools will have weeks with four half-days starting March 25.

'Our understanding of COVID transmission and spread in our schools has definitely changed over time,' said Board Member Dr. Ravi Grivois-Shah. 'We are understanding that our schools — as long as we put together significant and sufficient mitigation strategies like social distancing, hand washing, hand sanitizing, masking — that our schools are not where people transmit COVID.'

Transmission rates within schools throughout Tucson is about 3%, based on data provided in December from the Pima County Health Department. A majority of cases where the virus was transmitted within

AMERICAN OVERSIGHT

schools included times where people were not wearing masks, such as eating together, or in a special education classroom where students can't always wear masks or social-distance because of their level of need.

All board members did not agree on the reopen date, as some wanted school to open sooner. Grivois-Shah pointed out that all other Tucson school districts have either opened for some form of in-person learning or set target reopen dates on or before March 1. Board member Sadie Shaw said the date was too soon.

But the decision on when to open schools is ultimately up to Superintendent Gabriel Trujillo, as the Governing Board voted last year to give him the power to open or close schools because of the pandemic, a decision he said he'd make in consultation with the board.

'I do hear loud and clear that there is a desire to open,' Trujillo said after a lengthy discussion by board members Tuesday night.

Opening after spring break will line up with the start of the fourth quarter and hopefully allow time for all K-12 staffers who want to get at least the first shot of the COVID-19 vaccine. TUSD is not requiring its workers to get vaccinated.

The new in-person plan includes five full-time on-campus school days for preschool, elementary schools and K-8 schools. For the middle and high schools, TUSD will offer four half-days on campus. There will still be a 100% fully remote option for all grade levels.

TUSD sent out two parent surveys last week. One went to pre-K through third grade as well as sixth grade, and the other went to ninth through 12th grades. Only certain grades were surveyed because the district was originally considering a staggered return with those grades coming back on campus before others, though it ultimately rejected that idea.

The survey of elementary- school parents received nearly 7,500 responses. More than 50% said they wanted to remain fully remote, nearly 36% said they wanted full-time instruction on campus, and the remainder of families chose one of two hybrid options on the survey, where children would have limited time on campus.

The fact that half of students' families said they would prefer to stay remote is what will allow the district to offer full-time school for the presumptive half who chooses it while still accounting for smaller class sizes that will allow for social distancing. Elementary- school teachers will be given either 100% remote assignments or 100% in-person assignments, Trujillo says.

'We heard a complete and utter rejection of the hybrid model in the surveys that we saw go out,' he said during the meeting. 'We have struggled logistically with the complexities of trying to implement a hybrid model … and giving the families what they've asked for right now is within our reach. It's feasible, especially with the trend of upwards of 50% of respondents saying that they're going to prefer to remain remote anyway.'

Middle and high schools are different because far fewer families chose the remote option, and students are switching classes throughout the day, making COVID-19 safety protocols more complicated.

AMERICAN OVERSIGHT

High school parents were surveyed, with nearly 16,800 responses. With such a high number of responses, it's possible that some people took the survey twice since there is no control for that, said district spokeswoman Leslie Lenhart.

Only about 18% of respondents chose the fully remote option while 78% chose full-time in-person. Only 5% chose hybrid, but 86% chose hybrid as their second option.

The hybrid model TUSD created for middle and high schools will allow students to keep the teachers they have now because teachers will have their in-person students in the mornings and remote students in the afternoon. On Wednesday, all students will be remote with their teachers online.

The district will provide more information to parents and employees as soon as Thursday morning, and parents will have through March 12 to choose an option.

Return to the table of contents

Plan to expand legal gambling passes 1st hurdle, urged on by sports teams

Arizona Daily Star
February 11, 2021
Howard Fischer

Urged on by sports teams, Native American tribes and the Governor's Office, state lawmakers gave the first nod to vastly expanded legal gaming in Arizona.

The far-reaching legislation approved Tuesday by the House Commerce Committee would legalize the ability of Arizonans to wager on professional and college sports. Betting on fantasy sports also would become legal if House Bill 2772 becomes law. Off-track betting locations and service organizations would have the right to legally offer keno.

The 9-1 vote followed testimony by a parade of lobbyists for professional sports organizations.

Several told of the financial woes the teams faced after the pandemic shortened their seasons. They see legal wagering, and the money the teams would generate, as a lifeline.

The plan, if approved, would generate anywhere from $20 million to $42 million a year for the state general fund, money that lawmakers could use for new or expanded programs or to grant tax cuts.

Rep. Pamela Powers Hannley, D-Tucson, cast the only dissenting vote.

'Gambling is an addiction,' she said. 'People lose their homes and their livelihoods from gambling. We need to realize that we could have unintended consequences from expansion of gambling.'

The Tucson lawmaker also said she is not convinced the private companies that would be hired by sports teams and franchises to run the operations would properly store and protect private information of those who place their bets online.

In fact, Powers Hannley said, this could provide the opportunity for companies to 'geotrack' gamblers who wager through their smart phones.

AMERICAN OVERSIGHT

Other lawmakers were more inclined to listen to the lobbyists, such as Rob Dallagher, who represents the Arizona Cardinals. The team, and others, would get the right to establish its own online and in-stadium wagering facility where people could bet not just on Cardinals' games and football, but on any professional or college sporting event anywhere in the country.

He said the reality of the current situation is this: 'If I wanted to go today and make a sports bet, there is a way for me to do that. What I'm not so certain about is, if I win, am I going to get paid, or is the person holding that bet for me using data that is legitimate to determine whether I won or lost that bet? 'And this bill covers both of those.'

Amilyn Pierce, vice president of the Arizona Diamondbacks, said teams elsewhere have brought in new cash and improved their financial health because their home states gave the go-ahead for sports wagering after the U.S. Supreme Court in 2018 voided a federal law banning such gambling.

'We cannot let Arizona fall behind, putting our sports teams at a significant disadvantage in a competitive market,' she said.

Andrew Diss, speaking for the Arizona Coyotes, said his team had significant losses when the pandemic resulted in a shortened season and later, when playing was resumed but largely without fans present.

But, he said, 'even though there were massive losses across traditional revenue streams, one area that saw a substantial rise was sports betting handle in the states where it's legal.' 'Even though they weren't able to pack the stands, it was clear that fans were still watching at home. And they were placing wagers.'

What's in HB 2772 and a mirror bill in the Senate of SB 1797 are half of a deal that Gov. Doug Ducey cut with tribes, as they are renegotiating the gaming compacts first approved in 2002.

The tribes would get opportunities for additional locations for casinos and the right to operate new games such as craps and roulette. They, too, would be able to take in sports bets.

All the terms, however, have not been made public. Anni Foster, the governor's legal counsel, said Ducey is entitled to approve new terms without the approval of lawmakers.

What does require legislative ratification is what the tribes would give the state in return: the right to operate new forms of off-reservation gaming that were prohibited in the 2002 deal.

But the package is tied together: The tribes don't get expanded gaming if lawmakers don't OK the new off-reservation games. Sports betting will be permitted only if tribes in the Phoenix and Tucson areas OK the final deal.

The measure now goes to the full House following a review of its constitutionality. No date has been set to hear the Senate version.

Return to the table of contents

AMERICAN OVERSIGHT

House committee votes to allow Arizona cities to regulate vacation rentals

Arizona Daily Star
February 11, 2021
Howard Fischer

Saying a 2016 law hasn't worked out as promised, a House panel voted 8-5 Wednesday to give cities more control of how and where vacation rentals operate.

House Bill 2481 would allow city and town councils to impose limits on how many people can be in a short-term rental based on the number of bedrooms.

Potentially more significant, Rep. John Kavanagh, R-Fountain Hills, said his legislation would permit cities to enact zoning restrictions that could limit the number of these short-term rentals in any one neighborhood — or entirely within the community's borders.

The 2016 law barred cities and counties from enacting any new ordinances that limit short-term rentals. It also overruled any existing rules already in effect.

'It was sold as the elderly couple, empty nesters with the extra bedroom, who could make a few extra bucks renting out their room to tourists or whatever,'

Kavanagh said. 'That seemed benign.'

'But in reality, short-term rentals are such that an investor can make far more money buying a house and renting it out as a hotel — as a horizontal, decentralized hotel — than renting the house out for longterm rental,' he said. Kavanagh said the same thing happened as apartment buildings were bought up to be converted to de-facto hotels.

'When the owner is not present, you have real problems' for neighbors, with no one there to monitor behavior and an inability to screen every prospective tenant, he said.

That isn't the only issue.

Kavanagh said the law has created problems in places like Sedona, where he said 40% of the available rental units are now vacation properties, 'driving up the prices of all rentals and making it impossible for city employees or even business employees, store employees, to live in the town.'

Sedona Mayor Sandy Moriarity underscored the problem for the House Committee on Government and Elections. She said Sedona has 723 short-term rentals within the city limits and another approximately 400 just outside.

But Rep. Jake Hoffman, R-Queen Creek, found the whole concept behind the bill offensive.

'Property and the ability to use one's property to its fullest extent, and to the fullest enjoyment, is your right,' he said.

Hoffman said there are enough ordinances already in place to deal with 'bad apples.'

AMERICAN OVERSIGHT

Kavanagh disagreed. 'There is not an absolute right to do whatever you want with your property,' he said, adding: 'When you invest your life savings in home in a residential neighborhood, you have a right to make sure that it stays residential.'

Return to the table of contents

Voters may be asked to curb governor's emergency powers

Arizona Daily Star
February 11, 2021
Howard Fischer

Republican senators voted Wednesday to curb the emergency powers of the governor, but do it in away he can't veto.

Senate Concurrent Resolution 1003, approved on a party-line 16-14 vote, would terminate any emergency declared by the governor in 30 days unless both the House and Senate agreed to an extension. And any extension could be for no more than 30 days, though there could be continued reauthorization.

The proposal now goes to the House.

Nothing in the measure would affect the current emergency that Republican Gov. Doug Ducey declared in March for the pandemic.

That's because the legislation requires voter approval. Sending it to the ballot skirts the normal requirement for gubernatorial approval.

But lawmakers may yet get a chance to pull the plug on the current emergency. SCR 1001, which would do just that, already cleared two Senate committees and awaits floor debate.

Wednesday's vote comes after months of complaints by many GOP lawmakers that the governor has used his emergency powers to infringe on individual rights. They cite the closure of businesses he declared to be 'nonessential,' a moratorium on evictions, and what amounted to a stay at home order for people who do not need to be out.

Most of those restrictions are gone. But Ducey's orders still keep bars closed unless they operate like

restaurants, with sit-down food service and no dancing. And restaurants can operate with only limited seating capacity.

'My constituents were banging down my door wanting me to do something and take action,' said Sen. Warren Petersen, R-Gilbert, who crafted the plan.

Existing law does allow the Legislature to terminate an emergency order with a simple majority vote.

Only thing is, with the Legislature not in session, there was no way for lawmakers to do that. And with Ducey unwilling to call them into a special session to override his order, that left only the option for

AMERICAN OVERSIGHT

lawmakers to call themselves in. That, however, takes a two-thirds vote, which the Republicans did not have.

Petersen said this measure, if approved by voters, would ensure that the governor has to work with lawmakers if he wants his emergency powers extended.

Sen. Kelly Townsend, R-Mesa, said there needs to be legislative oversight and input, even in the case of a deadly disease.

'I hope we never again see something so fearsome that we give all power and control to one person and his bureaucrats who cannot be held accountable by the public,' she said. 'There are severe consequences when we place that much power in the hands of one person indefinitely.'

Senate Democrats generally say Ducey has done too little with his emergency powers to curb the spread of COVID-19 and its effects. They found themselves in the politically curious position of defending the current law and speaking against efforts to curb the GOP governor's powers. 'The whole purpose is an attempt to remove politics from action during an emergency so that we can act swiftly to save lives,' said Sen. Juan Mendez, D-Tempe. And he suggested Republicans were making far too much out of the gubernatorial powers.

'This isn't 'Star Wars," he said. 'The Senate didn't turn Ducey into an emperor.'

Mendez said now that legislators are back in session, there are things they should be doing, like dealing with housing and child care issues of those who have been affected, whether physically or financially, by the virus, 'instead of taking advantage of lathered- up constituents and their fears.'

If approved by the House, the measure will be on the 2022 general election ballot.

Sending the proposal to the ballot skirts the normal requirement for gubernatorial approval.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Accessibility is focus of vaccination event: People aided in the past by NOAH get invitations

Arizona Republic
February 11, 2021
BrieAnna J. Frank

Merry Cid, 59, has only been to a handful of places outside of her home since the COVID-19 pandemic brought the world to its knees last year.

She takes care of her 89-year-old mother full-time, and that has meant sacrifice.

“I gotta protect her, I can’t be going out and being irresponsible,” she said.

She said it’s “scary” that there are people, even almost a year into the pandemic, who do not follow mitigation guidelines and do not take the virus seriously.

“It just boggles my mind that they’re not taking this serious when people are dying,” she said.

Cid said she’s been extremely careful since the outbreak began and wishes that everyone else would do the same.

“I respect the pandemic, I understand the severity, I take it very serious so we have been isolated for a long time now, since this all started,” she said.

As part of the responsibility she feels both to her mother and the larger community, Cid was one of hundreds who received a shot during a drive-thru mass vaccination event at NOAH Venado Valley Health Center in north Phoenix on Wednesday.

The event was open to those who have received care at a NOAH (Neighborhood Outreach Access to Health) facility in the past.

The center said it reached out individually to its patients through methods such as postcards, text messages and phone calls to offer them an appointment to receive the vaccine.

Cid, though, took the initiative to call them herself before they reached her. She was signed up to take her mother to State Farm Stadium to receive a vaccine, but said she was leery.

“It scared me to death,” she said. “I couldn’t comprehend the enormity of it all.”

So she called NOAH and very quickly got registered for the Wednesday event.

She spoke to The Arizona Republic while sitting in her car in the 15-minute recovery zone after receiving her shot.

AMERICAN OVERSIGHT

“I’m elated,” she said, adding that she will still be “totally cautious” and follow all guidelines because the vaccine is “not 100% foolproof.”

It only took a few minutes for Cid to get through the line of vehicles to receive her shot and move on to the recovery zone.

“It’s been unbelievable,” she said. “They’ve been incredibly organized and sweet. We get lollipops, we get food, we get a sticker, we get a pen. I’m so grateful that we’re able to come here because they’ve been amazing.”

“Didn’t even feel the shot”

Mary Stenzel, 79, got a call from NOAH saying she could receive the vaccine if she wanted to, though she told The Republic she wasn’t sure at first.

She’d heard disinformation about the vaccine that made her wonder if she should take it, but she said after considering that three people in her building have died of COVID-19 within the last few months, she decided getting vaccinated was the right thing to do.

“I’ve got it done, and I’m glad I did it,” she said.

Stenzel lives by herself in a one-bedroom apartment, and said that though she was typically home most of the time prior to the pandemic, it forced her to stay at home whether she wants to or not.

She said the pandemic “hasn’t hampered me at all,” and she hopes the arrival of the vaccine will help those whose lives have been upended by the virus.

“We need to get back to normal — whatever normal was,” she said.

Stenzel said the process of getting her shot and making it to the recovery zone only took about three minutes. She said she “didn’t even feel the shot” and did not report any immediate side effects.

Stenzel said she hopes those who are debating whether or not to get the vaccine ultimately decide to do so.

“I pray they come to their senses and do the right thing ... if they want to be here longer,” she said.

‘There’s a lot of suffering’

Wednesday marked the fifth day NOAH offered a drive-thru mass vaccination event at that location, according to NOAH Director of Advanced Practice Alicia Ottmann.

As of Wednesday, they were only serving patients in the 1A and 1B priority groups, which include healthcare and education workers as well as adults age 65 and older. They had the capacity to administer 250 Moderna vaccines per day, but Ottmann said that number is expected to increase to 360 per day next week.

Ottmann acknowledged the accessibility issues many have been facing when it comes to getting the vaccine, and said the NOAH team has worked to overcome those barriers.

AMERICAN OVERSIGHT

For example, registration is done completely over the phone, instead of online, so that those who do not have or cannot use a computer are not overlooked. Ottmann added that the entire NOAH crew was bilingual and prepared to serve each patient in the language they prefer, so as to avoid any language barriers.

The effort the team put into making the mass vaccination events happen has paid off, Ottmann said.

"We've seen that in the gratitude of our patients coming through," she said. "Some of them are in tears after receiving their vaccine because it's been such a trying process."

"When they finally get that shot in the arm, I think it's a relief and they talk about being able to see their grandkids again, being able to go to work and feel a little bit safer, so it's been really rewarding to see."

She said "there's a lot of suffering going on right now," which prompted NOAH to consider each patient's general well-being aside from the vaccine. That's why NOAH staff on Wednesday handed out bags of food provided by Desert Mission Food Bank.

It's things like that that make Cid supremely grateful.

"Thank God for everybody here that is working and how sweet they've been and how kind they've been," she said. "It's just been a blessing, it's been a blessing."

Further information on the NOAH vaccine events can be found on the facility's website or by calling 480-882-4545.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Phoenix plans public hearing on proposed water rate increase

Arizona Republic
February 11, 2021
Nicole Sadek

Phoenix residents can weigh in Thursday on a proposal to hike water rates by 6.5% over two years.

The proposal comes on the heels of 6% increases in 2019 and 2020.

The Phoenix City Council will vote next month on a rate plan to fund the renovation of water pipes and other aging infrastructure in Phoenix.

The rate increase would fund a $1.7 billion capital improvement program to update the pipes across the city, which see about 4,000 waterline breaks each year.

Most of the city's pipes were installed in the middle of the last century, according to Assistant Water Services Director Troy Hayes.

AMERICAN OVERSIGHT

“We have over 7,000 miles of pipe spread all over 540 square miles,” Hayes said, adding that the average lifespan of a pipe is 75 years. “This is a problem that the Phoenix area is going to have to deal with over the next 30 years or so.”

Hayes said the city should act now to avoid steep fees in the future.

“We know that if we continually do invest in the infrastructure and we continue to maintain our system that it keeps the cost down,” Hayes said. “It’s about four times the cost when we have an issue that is unexpected versus when it’s planned.”

If the council approves the rate increase in March, residents could see changes to their water bills beginning in October, according to interim Water Services Director Eric Frober.

3 rate increase options

The Water Services Department has proposed three options to increase the water rate over the next two years.

In the first of those options, Phoenix residents would see a 3% increase in 2021 and a 3.5% increase in 2022. The increase would amount to an additional $2.40 per month, or 8 cents per day, for the average household.

The Water/Wastewater Rate Advisory Committee, commissioned by the council to oversee the capital improvement program, recommended this plan.

The Water Services Department has proposed a second plan in which residents’ water bills would not be affected in 2022 but would see a 6.5% increase in 2022.

This plan has garnered concern due to the bill spike it would cause next year, according to Frober.

The final plan does not include a rate hike for 2021 but proposes a 3.5% increase in 2022.

How to attend the online hearings

The Water Services Department will host two more virtual public hearings ahead of the council vote. English-speakers can register to attend at 3 p.m. Thursday, and Spanish-speakers can register to attend at 6 p.m. Feb. 18 through phoenix.gov/waterrates. Department officials also urge residents to complete a survey on its website. Community concerns will then be shared with council members before they make their decision. A final hearing will take place on March 17. The council will vote immediately following the hearing.

In a public meeting last week, Frober indicated the final option of just a 3.5% increase would not be sufficient to fund the needed infrastructure upgrades.

“We would go from a very proactive approach … to a very reactive,” he said in reference to the third proposal.

Residents have seen steadily higher rates

AMERICAN OVERSIGHT

The City Council last approved a water rate increase of 6% in 2019 and 6% in 2020.

Along with the proposed 6.5% increase over the next two years, the Water Services Department predicts that rates would again need to increase by 3.5% for three consecutive years beginning in 2023. "If you don't invest in the infrastructure, there's a high potential that you're going to have problems," Hayes said. "You'll have more main breaks, you'll have more outages and things like that."

The current water and sewer bill for the average Phoenix resident is less than that of residents in Mesa, Glendale and Peoria. Even with the increase, Phoenix bills would still be affordable, according to Frober.

As part of pandemic relief, the city offered more than 1,700 households water bill assistance, but funding for that program has been exhausted. Additionally, qualifying criteria for utility support will change once the state of emergency has been cleared.

In normal circumstances, low-income families can apply for water bill assistance once a year through Project Assist, Frober said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Navajo Nation gets FEMA help with vaccine shots

Arizona Republic
February 11, 2021
Shondiin Silversmith

The Federal Emergency Management Agency is sending support teams to help the Navajo Nation distribute its COVID-19 vaccine doses.

The Navajo Nation has administered more than 74,000 doses of the vaccine so far, according to officials. The FEMA teams started arriving Feb. 7 and will be deployed for at least 30 days.

"Our goal is to administer at least 100,000 doses of the vaccines by the end of February and we are on track to accomplish that goal," Navajo Nation President Jonathan Nez said in a press release.

FEMA sent more than 81 support workers to the Navajo Nation, FEMA Public Affairs Officer Brandi Richard Thompson said in an email to The Arizona Republic.

"As vaccine allocations increase to the Navajo Nation, we anticipate additional personnel being requested and will support the tribe," Thompson said, adding that "we anticipate extending personnel to the Navajo Nation based on need/request."

The Navajo Nation is expecting to receive 28,925 vaccine doses this week, 26,000 doses of the Moderna vaccine, and 2,925 doses of the Pfizer vaccine.

Nez reported that the Navajo Area IHS had received 78,520 vaccine doses and as of Monday, 74,048 of those doses have been administered, which is a 94% efficiency rate.

AMERICAN OVERSIGHT

"Confidence in the vaccines is very high here on the Navajo Nation and that increases demand across the board," Nez said.

The tribe was able to get the additional vaccine doses through the Coronavirus Response and Relief Supplemental Appropriations Act. The act allocated $210 million to IHS to support COVID-19 vaccine-related activities for tribes and $790 million for COVID- 19 testing efforts.

FEMA's federal personnel will assist with the Navajo Nation's vaccination efforts at health care facilities in Fort Defiance, Tuba City, Winslow, and in Utah.

President Joe Biden issued a major disaster declaration for the Navajo Nation early this month over the coronavirus pandemic, a move that opens federal resources to sustain the tribe's ongoing response effort.

The declaration supports the tribe's response and recovery work through funding from FEMA for medical staffing, vaccine support, supplies, equipment and personnel.

According to FEMA, the federal funding is available to the Navajo Nation on a cost-sharing basis for emergency protective measures for all areas affected by COVID-19.

"The assistance that our Nation has received from FEMA since the start of the pandemic has been very helpful and effective," said Navajo Nation Vice President Myron Lizer.

"All the assistance from the federal level is supplementing the great work being done by our health care workers on the Navajo Nation," he added.

As of Tuesday, the Navajo Nation reported a cumulative total of 28,994 positive COVID-19 cases, with 1,075 total deaths and 15,635 people who have recovered.

"We have some very good indications that the numbers of new cases continue to flatten, but we have to stay the course and keep taking all precautions to prevent more COVID-19 cases," Nez said.

Return to the table of contents

Arizona approaches 14,500 known COVID-19 deaths

Arizona Republic
February 11, 2021
Alison Steinbach

Arizona reported Wednesday a relative low of 1,977 new COVID-19 cases but another high count of new deaths, at 176, as hospitalizations for the disease reached the lowest levels since early December.

Arizona's seven-day, new-case average ranked 10th on Tuesday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

Arizona's newly reported 176 deaths brought the known COVID-19 death count to 14,462.

AMERICAN OVERSIGHT

The Arizona data dashboard shows 88% of all ICU beds and 89% of all inpatient beds in the state were in use Tuesday, with 43% of ICU beds and 30% of non-ICU beds occupied by COVID- 19 patients. Statewide, 214 ICU beds and 921 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 2,589 on Tuesday, below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 763 on Tuesday, below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 508 on Tuesday, below the record-high 821 reached on Jan. 13.

Tuesday saw 1,489 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

New cases in Arizona have eclipsed 5,000 for 17 of the past 30 days. February has seen lower case reports, with no day above 4,500 new cases.

Wednesday's numbers

Reported cases in Arizona:

789,245.

Cases since the outbreak began increased by 1,977, or 0.25%, from Tuesday's 787,268 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 492,996 in Maricopa, 105,829 in Pima, 44,269 in Pinal, 35,886 in Yuma, 20,280 in Mohave, 16,621 in Yavapai, 15,840 in Coconino, 15,044 in Navajo, 10,681 in Cochise, 9,998 in Apache, 7,537 in Santa Cruz, 6,205 in Gila, 5,185 in Graham, 2,327 in La Paz and 538 in Greenlee, according to state numbers.

The Navajo Nation reported 28,994 cases and 1,075 confirmed deaths in total as of Tuesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 11,611 inmates had tested positive for COVID-19 as of Tuesday, including 2,134 in Tucson, 2,006 in Yuma, 1,965 in Eyman, 1,205 in Lewis and 1,130 in Douglas; 43,587 inmates statewide have been tested. A total of 2,592 prison staff members have self-reported testing positive, the department said. Thirty- one incarcerated people in Arizona have been confirmed to have died of COVID- 19, with 19 additional deaths under investigation.

Deaths by county: 8,209 in Maricopa, 1,981 in Pima, 745 in Yuma, 690 in Pinal, 579 in Mohave, 459 in Navajo, 420 in Yavapai, 338 in Apache, 297 in Coconino, 241 in Cochise, 201 in Gila, 163 in Santa Cruz, 68 in Graham, 65 in La Paz and six in Greenlee.

AMERICAN OVERSIGHT

The global death toll as of Wednesday morning was 2,343,909 and the U.S. had the highest death count of any country in the world, at 468,247, according to Johns Hopkins University. Arizona's death total of 14,462 deaths represents 3% of COVID-19 deaths in the U.S. as of Wednesday.

The COVID-19 death rate in Arizona since the pandemic began was 193 per 100,000 people as of Tuesday, according to the CDC, putting it ninth in the country in a state ranking that separates New York City from New York state. The U.S. average was 139 deaths per 100,000 people as of Tuesday, the CDC said.

New York City has the highest death rate, at 331 deaths per 100,000 people. After that follows New Jersey, Massachusetts, Mississippi and Rhode Island.

Return to the table of contents

Trump's attack on Ducey cited in impeachment trial

Arizona Republic
February 11, 2021
Yvonne Wingett Sanchez

House Democrats pointed to former President Donald Trump's attacks on Arizona Gov. Doug Ducey and other public officials in the weeks leading up to the Jan. 6 riot at the U.S. Capitol as evidence of a pressure campaign that they say he stoked into deadly violence.

During a daylong presentation of their evidence Wednesday, the House impeachment managers also referenced the pro-Trump protests outside of Maricopa County's election center, where those gathered on election night, Nov. 3, and beyond demanded workers keep counting votes in the hopes that Trump would win the state.

Citing Trump's own words, the managers contended that he provoked supporters to show up and march on the Capitol after instigating them for weeks ahead of the riot. Calling him the "inciter- in-chief," they said Trump systematically worked to undermine confidence in the election by telling his supporters they needed to "stop the steal," and "fight like hell" to make sure he won.

When that wasn't enough, Trump slammed GOP elected officials who would not bend his way, including Ducey and Georgia Gov. Brian Kemp, House managers said, before desperately trying to persuade Georgia's Republican secretary of state to "find" him enough votes to flip the election results there.

Finally, House managers said, Trump summoned supporters to Washington, D.C., whipped them into a frenzy the day of the attack and told them to march on the Capitol.

There, they violently attacked the Capitol, assaulted police, and sent Vice President Mike Pence and his family, lawmakers and staff fleeing for their lives. Many thought they would die at the hands of the rioters, House managers said. Five people died.

As rioters trashed the Capitol, they set up gallows they said were intended for Pence and searched for Speaker of the House Nancy Pelosi, D-Calif., as staff hid behind closed doors. House managers noted

AMERICAN OVERSIGHT

that Trump refused to speak out immediately to urge the rioters to stop. Instead, he called a GOP senator to ask him to do his part to delay the certification.

"He made clear his focus was the same goal of the attackers he had incited to stop the certification process and prevent a peaceful transition of power," said Rep. David Cicilline, D-R.I.

The House managers played a video of some rioters saying they had shown up that day — when Pence and Congress were certifying the results of the election — because Trump told them to do it.

"His commands led to their actions," said Rep. Joaquin Castro, D-Texas.

The Democrat-controlled House of Representatives impeached Trump last month on one article of inciting an insurrection. Trump's Senate trial started Tuesday.

Democrats spent Wednesday showing never-before-seen security footage that showed just how close rioters — some armed — had gotten to senators before they fled from the chamber.

Videos showed law enforcement hustling senators, who were unaware of how close the mob was, away to safety on that day.

Other footage, which had been widely seen, showed a police officer in anguish as he was crushed between doors by the mob, and the shooting death of a pro-Trump rioter.

As some of the most riveting video played, some senators took notes or whispered to each other.

Sen. Kyrsten Sinema, D-Ariz., shook her head several times during several clips. During one that showed rioters banging on the doors of the Capitol, she held her hands on her stomach and to her chest for several moments, appearing to take a deep breath.

Trump's defense team has argued in briefs and during proceedings on Tuesday that the former president should not be held accountable for the actions of the rioters. Trump's attorneys have said that his remarks before the rally were protected by the First Amendment and that the trial was unconstitutional in part because he is no longer in office, a point the Democratic managers and scholars have disagreed with.

Castro showed the senators sitting as jurors in Trump's second impeachment trial the images of tweets from Trump telling supporters on Nov. 5 to "STOP THE COUNT!" and "STOP THE FRAUD!"

"Senators, this is dangerous," Castro said. "This is the commander in chief telling his supporters your election is being stolen and you must stop the counting of American votes, and it worked. His words became their actions, his commands led to their actions."

Castro showed pictures of protesters outside the Maricopa County election center on Nov. 5, where a crowd of hundreds was gathered.

That night, Infowars host and conspiracy theorist Alex Jones told those gathered that "the world is watching the example of Arizona, the president is watching the example, you're not gonna let 'em steal this."

AMERICAN OVERSIGHT

The same day as the tweets, Castro said, "around 100 Trump supporters showed up in front of a Maricopa County election center in Phoenix, some of them carrying rifles, literally trying to intimidate officials to stop the count, just as President Trump had commanded."

"Arizona Secretary of State Katie Hobbs said protesters were causing delay and disruption and preventing those employees from doing their job," Castro said.

Democrat Joe Biden ultimately carried Arizona by 10,457 votes, the narrowest margin in the country, and won the presidency.

After Ducey certified the state's election results, Trump lashed out on Twitter, Rep. Eric Swalwell, D-Calif., noted. He showed senators Trump's tweets against Ducey and Kemp.

"Between Governor @Dougducey of Arizona and Governor @BrianKempGA of Georgia, the Democrat Party could not be happier," a Trump tweet from Dec. 5 read. "They fight harder against us than do the Radical Left Dems. If they were with us, we would have already won both Arizona and Georgia."

Sinema and Sen. Mark Kelly, D-Ariz., both defended the integrity of the state's election in the days after the voting.

Neither has said how they are weighing the evidence against Trump, but both have said he incited the rioters.

The Arizona pieces of evidence were just a sliver of the reams of evidence House managers presented Wednesday as part of the 16 hours they have to present their case.

Trump's team will then have 16 hours to defend the former president.

Trump is expected to be acquitted in his second impeachment trial in the 50-50 Senate, where many Republicans remain aligned with him.

Before wrapping up the case against Trump on Wednesday evening, Castro asked senators to listen to Trump's video message to rioters, which came after the insurrection had raged for hours. In that video, he told protesters he loved them, but they needed to go home. Trump repeated the claim that brought many of them there to begin with: "We had an election that was stolen from us."

Castro said the video proved that Trump sought to excuse the mob's behavior, not condemn it.

Castro offered video of Jake Angeli, a Phoenix rioter who wore red, white, and blue face-paint and a fur bonnet with horns.

"Donald Trump asked everybody to go home," Angeli said on the Jan. 6 footage. "He just said it. He just put out a tweet. It's about a minute long. He asked everybody to go home. ... We f------ won. We won by sending a message to the senators and the congressmen. We won by sending a message to Pence, OK? ... If they don't uphold the Constitution, then we will remove them from office one way or another."

Angeli, who became a recognizable symbol of the riot, has since been arrested by the FBI and charged with six criminal accounts; he is in custody in D.C., pending a trial.

AMERICAN OVERSIGHT

Angeli, through his attorney, issued a statement on Monday apologizing for his actions, saying he was wrong to enter the building.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

State bill would expand Arizona school voucher program

KTAR News
February 11, 2021
Griselda Zetino

Students from low-income families would be eligible for Arizona's school voucher program under a bill making its way through the state Legislature.

Senate Bill 1452 would make students receiving free or reduced lunch and those getting Title I services eligible for the Empowerment Scholarship Account program. It provides state funds for parents who choose to send their children to private schools or other educational costs.

"It's a fully functioning and proven education opportunity that has already helped thousands of Arizona's disadvantaged students," Sen. Paul Boyer said during a recent committee hearing over his bill as he made the case for the ESA program.

He argued expanding the program would help bridge the gap between minority students living in high-poverty areas and their white peers.

Boyer added it would also help low-income parents "solve the biggest problems" they face as they try to educate their students during the pandemic.

"Being a teacher myself, I see this every day," he said. "Our students are struggling. Minority students are struggling even harder, from the digital divide to not having in-person teachers."

The ESA program allows parents to use state funds to cover private school tuition, homeschooling, tutoring and other expenses.

Currently, only a narrow group of students are eligible. Once approved for the program, 90% of the state funds that would have gone to a student's school district or charter school would instead go to a debit card that can be used for approved education-related expenses.

Devin Del Palacio, Tolleson Union High School District governing board president, said he's against SB 1452 "because it does more harm than it does good." He's worried that it would take state funds away from public schools.

"With a program like this, you're taking away resources and you're taking away the ability for us to meet the demands of these challenging times," he said. "So this is extremely harmful."

Del Palacio added that during the pandemic, many public schools "have really stepped up" to provide technology, food and mental health services to students. He believes it would be difficult for schools to continue to do that if more state funds are diverted to the ESA program.

"You have to honor the choice of our families that are choosing public education," he added. "And you have to honor the will of the voters who already voted down the expansion of these empowerment scholarships."

AMERICAN OVERSIGHT

In 2018, Arizonans voted down a ballot measure that would've allowed all 1.1 million K-12 students in the state to use the ESA program.

The Senate Education Committee approved SB 1452 with a 5-3 party-line vote earlier this month. It's now awaiting a vote in the full Senate.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

UArizona president wants more doses as campus gets COVID vaccine site

KTAR News
February 11, 2021
Peter Samore

The University of Arizona will become the third state-run mass vaccination site for COVID-19, Gov. Doug Ducey and state health director Dr. Cara Christ announced on Wednesday.

But the school's president, like everyone else, wants more doses — and the state is not getting enough from the CDC.

"The state has got to dramatically increase supplies if we're going to build this out and take advantage of running a 24/7 operation," Robert Robbins told news reporters in a webinar.

And he doesn't want the state shortchanging the Pima County Health Department and its supplies.

"We can continue to the allotment that the county's getting for the pods we're currently all running," Robbins explained.

He hopes doses that the UArizona drive-thru pod will receive supplements that amount. But next week, the university's registration website will direct registrants to the state's system — not Pima County's.

Robbins hopes Health Services is expanding capacity in hopes the FDA will approve Johnson & Johnson's vaccine this month.

Once it's up and running on Feb. 18, Robbins hopes the campus pod will dole out 8,000 vaccines around the clock.

He's not too concerned about the state reimbursing the university for hosting the pod. UArizona is using federal CARES Act dollars to cover costs.

"What I've been focused on this whole time is what we can do to get the vaccine out as soon as possible," Robbins said.

He does hope the Arizona Department of Emergency Management and Military Affairs will give his campus more healthcare workers and pharmacists to prepare and distribute the vaccines to supplement the plethora of volunteers running the drive-thru on campus.

AMERICAN OVERSIGHT

He also hopes vaccinations — again, with more doses — will reach students before summer break and after higher-priority groups have been inoculated.

"It gives us a chance to get all of our faculty, staff, employees and students vaccinated and get back after the summer break to something more normal," Robbins said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Recorder assisting firms in audit of Maricopa County tabulation equipment

KTAR News
February 11, 2021

Maricopa County Recorder Stephen Richer is assisting the two firms the county board appointed to conduct an audit of its tabulation equipment from the 2020 election.

Richer said he was offering the firms whatever resources necessary in order to provide a thorough review of the equipment.

The Republican clarified that the two firms tapped for the audit aren't staffed by voting software company Dominion, which serves the county.

Additionally, Richer said the firms are the only in the country certified by the National Institute for Standards and Technology and the U.S. Election Assistance Commission to conduct the audit.

"Over the past few weeks, I've heard a number of mischaracterizations of the audit. I'm writing today to hopefully provide some clarity," Richer said in a press release.

The audit plan calls for both firms to analyze the equipment's hacking vulnerability, assure tabulators weren't sending or receiving information over the internet and confirm that no vote switching occurred during the election.

The auditors are each spending at least a week in Arizona.

They will work under the observation of representatives from the state legislature, a security expert from the Recorder's Office and a security expert from the Arizona Secretary of State's Office.

The Maricopa County Board of Supervisors also invited representatives from the Attorney General's Office and the Governor's Office to observe the audit.

"These tests address the most prevalent concern that I've heard from voters over the past four weeks and also the concern voiced to me by members of the Arizona Senate that the tabulation hardware and software used in Maricopa County is unreliable," Richer said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Senate votes to limit governor's authority during crises

KTAR News
February 11, 2021

The Arizona Senate voted Wednesday to ask voters to curtail the governor's authority to assert emergency powers during future pandemics or other crises.

Republicans approved the measure in a 16-14 party-line vote, sending it to the House.

The measure was pushed by Republicans because of Gov. Doug Ducey's decision to sign executive orders closing or restricting businesses to limit opportunities for COVID-19 to spread. They say the governor should have authority to immediately respond to a pressing emergency, but eventually the Legislature should have a say in whether restrictive measures are allowed to continue.

"I hope we never again see something so fearsome that we give all control to one person and his bureaucrats," said Sen. Kelly Townsend, a Gilbert Republican.

If the House signs off, voters would be asked to limit a governor's emergency declaration to 30 days unless lawmakers vote to extend it. The governor would be required to call the Legislature into session within 10 days of declaring an emergency.

Democrats said involving the Legislature would slow down the state's response to an emergency and inject politics into crucial life-and-death decisions.

Sen. Juan Mendez, a Tempe Democrat, said Ducey has done too little to respond to the pandemic and should wield his emergency powers more aggressively.

"We all know the governor's powers have limitations. We can't make him out to be a dictator when he hasn't even done anything," Mendez said. "The constitution is not threatened by an emergency, but by how we choose to react to an emergency."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona passes 1 million vaccine doses administered Wednesday, Ducey says

KTAR News
February 11, 2021
BY DANNY SHAPIRO
Danny Shapiro

About two months after vaccine distribution began in Arizona, the total amount of doses administered in the state passed a million on Wednesday, according to Gov. Doug Ducey.

State health officials reported about 997,000 doses doled out since early December as of Wednesday morning's latest update. Arizona has been vaccinating more than 30,000 residents daily in recent weeks.

Of the million shots administered, about 210,000 residents have received both doses of the vaccine.

AMERICAN OVERSIGHT

"We've reached a major milestone with our one millionth dose," Ducey said in a press release. "The dedication and hard work of many made this accomplishment possible. Nurses, doctors, health technicians, support staff, volunteers — to each and every one of you, thank you. "

Vaccine distribution has increased rapidly as the state continues to roll out mass vaccination sites.

The third of its kind, located at the University of Arizona in Tucson, was announced Wednesday.

State Farm Stadium in Glendale opened for 24/7 vaccine service Jan. 11. Phoenix Municipal Stadium followed as a daytime-only site Feb. 1.

Both have the capacity to give 12,000 shots per day but are operating below that level while vaccine remains in short supply.

For more information about statewide vaccine availability, the ADHS website has a vaccine-finder page with a map of locations and information about registration.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Apache County board appoints Blackwater-Nygren to Arizona House

KTAR News
February 11, 2021

The Arizona House will welcome a new face soon after Jasmine Blackwater-Nygren was appointed Tuesday to fill the spot vacated by a White House administration appointee.

The Apache County Board of Supervisors named Blackwater-Nygren, 25, to the seat that had been held by former Rep. Arlando Teller during a special meeting.

"Ahe'hee' to everyone who has supported my appointment to this position. I am humbled to be your Arizona House of Representative. I look forward to working with the people of LD7," Blackwater-Nygren, who is a member of the Navajo Nation, said a press release.

The Democrat is expected to be sworn in later this week.

"We were thrilled to learn of the appointment of Jasmine Blackwater-Nygren," the Arizona Democratic Party said in a press release Wednesday.

Blackwater graduated from Stanford, completed her law degree at Arizona State University and recently passed the state bar exam, according to a press release from the Navajo Nation.

Teller resigned Jan. 31 to accept a post with Department of Transportation.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

FUSD board approves phased return to schools in March, pending benchmarks

Arizona Daily Sun
February 11, 2021
Kaitlin Olson

The Flagstaff Unified School District Governing Board voted Tuesday night to begin a phased return to in-person learning in March; however, a decision on revising the benchmarks needed to reopen was pushed to its next meeting.

The phased return, which passed on a 3-2 vote, is a condensed version of the plan approved in October that would have allowed teachers and students to return by grade level over the course of four weeks. The latest plan reduces the schedule to three weeks: teachers and staff would return the week of March 8 and students would be phased in starting after spring break.

Preschool, kindergarten, first, second, third, sixth, ninth and 12th grades — primary and transition years — plus students in specialized programs would return the week of March 22. The remaining grades would return the following week.

Families have the option to choose to send their students to school in person or continue with remote learning -- much like at Basis Flagstaff, which plans to reopen its campus to students starting next week.

"For months we've been preparing for the return and that's really what we desire, to have our students return to our schools … but the health conditions did not support a transition back at the end of the first quarter and then again at the end of the first semester," FUSD Superintendent Michael Penca told the board Tuesday.

Considering improving COVID-19 conditions, FUSD's ongoing mitigation efforts and the availability of vaccines for education workers, Penca recommended the board adopt a timeline for reopening to give enough notice to families of the possible March return.

He also asked the board for more time to reconsider the district's benchmarks for reopening, following additional guidance from the Centers for Disease Control and Prevention expected this week.

FUSD's current benchmarks for reopening are more stringent than those set by the State of Arizona and require the ZIP code areas the district serves to have a COVID-19 incidence of less than 75 per 100,000 people and percent positivity of testing at 5% or below. The Arizona Department of Health Services recommends fewer than 100 cases per 100,000 and percent positivity below 7%. Both plans also require the incidence of hospital visits for COVID-like illnesses to be less than 10%.

In the latest Coconino County COVID-19 Schools Update for the week ending Jan. 30, the FUSD area was in the category for substantial transmission with a case incidence of 284.2 cases per 100,000 and a 9.7% testing positivity yield. Hospital visits for COVID-like illnesses were at 15.2%. ADHS recommends virtual learning for areas experiencing substantial transmission.

More than 200 FUSD-related COVID-19 cases have been reported to the district since the beginning of the 2020-21 school year, according to its latest COVID-19 dashboard report.

AMERICAN OVERSIGHT

“As the date approaches, I believe the governing board will need to determine if it’s safe to initiate that phased return based on the COVID conditions at that time. A lot can change in just two weeks or four weeks or six weeks, so I think it’s important we continue to monitor our health data and our implementation of those mitigation strategies before really hitting the green go button,” Penca said of the phased return.

The board, which also voted Tuesday to follow the Arizona Interscholastic Association’s policy allowing two spectators per athlete at home winter sporting events, will reevaluate FUSD’s benchmarks during its Feb. 23 meeting.

During the last few months, FUSD has increased its COVID-19 mitigation efforts and preparations for a possible return to school, including HVAC improvements that have been underway since winter break. All district buildings’ HVAC upgrades are scheduled for completion by the end of spring break, before students would begin returning to campus.

The district has also partnered with other outside organizations for COVID-19 surveillance efforts. Alongside Arizona State University, it has offered priority registration for testing of FUSD staff on Saturdays and is establishing a new community testing site at Sinagua Middle School that is scheduled to open by the end of the month.

Additionally, Northern Arizona University researchers have conducted two rounds of wastewater testing at various FUSD locations. Penca said none of the samples showed evidence of COVID-19.

FUSD employee representatives who participated in Tuesday’s meeting, which was livestreamed by more than 300 people, said although they understand the social-emotional and academic reasons for students to return to school, the employees they represent are concerned about returning to in-person learning too soon.

Coconino High School teacher Derek Born, president of the Flagstaff Education Association, said according to a survey of the district’s classified staff members, including teachers, 85% said they intend to be vaccinated or have already received at least one dose. Of this group, however, Born said only 44% of staff will have full immunity from two doses of the COVID-19 vaccine by the time staff return the week of March 8. By the time the first students arrived two weeks later, 67% would have expected full immunity.

He said teachers desire a safe return to schools and are requesting more information about the number of students who would return in person, as well as updates about building operations and the expectations for teaching students online and in-person simultaneously.

“Nobody wants to return to in-person instruction more than the educators,” Born said, explaining that remote teaching is not the career he and most of his colleagues would have chosen, but they’re doing their best with video conference classes. “The best Zoom class may be amazing, but in my book, it will never approach the magic of live, thrillingly unpredictable and engaging in-person instruction.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, February 11, 2021 8:52:57 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *February 11, 2021*

25-year-old Stanford grad to join Legislature
Arizona Capitol Times
Apache County supervisors voted February 9 to appoint a 25-year-old Stanford University graduate to the Legislative District 7 House seat recently vacated by Arlando Teller's resignation.

City purchase of water company spurs legislation
Arizona Capitol Times
After the city of Surprise proposed spending $15 million to buy a water company that serves just 200 homes, a pair of Chandler lawmakers introduced legislation to require cities to obtain appraisals and honor contracts when they condemn utility companies.

Mass murderer seeks to avoid death penalty
Arizona Capitol Times
A convicted quintuple murderer is looking to the Arizona Supreme Court for leniency and a way to avoid the death penalty.

Lawmakers want AG review of eviction moratorium
Capitol Media Services
Two state lawmakers are asking Attorney General Mark Brnovich to rule that expanded eviction protections approved last

AMERICAN OVERSIGHT

week by Pima County supervisors is illegal.

Senate approves measure to curb governor's emergency powers
Capitol Media Services
Republican senators voted Wednesday to curb the emergency powers of the governor, but do it in a way he can't veto.

Arizona bills: Allow more guns in gov't buildings, block local enforcement of US gun laws
Capitol Media Services
State lawmakers are moving to let more people carry guns into government buildings. They also want to block local law enforcement from enforcing federal gun laws.

House panel votes to allow Arizona cities to regulate vacation rentals
Capitol Media Services
Saying a 2016 law hasn't worked out as promised, a House panel voted 8-5 Wednesday to give cities more control of how and where vacation rentals operate.

There wouldn't have been a #StopTheSteal campaign in Arizona without Mark Finchem
Arizona Mirror
The lead organizer of the Jan. 6 rally in Washington, D.C., that turned into a deadly coup attempt based on the false idea that Donald Trump failed to win a second term as president because of massive voter fraud said Arizona's #StopTheSteal movement started with one man: Mark Finchem.

Richer defends Maricopa County audit amid GOP lawmakers' criticism
Arizona Mirror
Maricopa County's top elections official pushed back against criticism from fellow Republicans in the Arizona Senate who claim the county's audit of its ballot tabulation machines, as well as the companies that are conducting them, are insufficient.

Republican lawmakers pass bill critics say 'erases' non-binary people
Arizona Mirror
A Republican-backed proposal that Democratic lawmakers called "disturbing," "incredibly cruel," and "discriminatory" against non-binary Arizonans won approval in a legislative committee Wednesday afternoon.

Can we trust the Phoenix police to police the police?
Arizona Republic (Opinion, EJ Montini)
How do we get past officers passing around a challenge coin with a neo-Nazi reference commemorating an attack on a protester?

Gun owners, rejoice! Soon, you can pack heat in all those unsafe places, like the library
Arizona Republic (Opinion, Laurie Roberts)
The annual bill to allow guns in public buildings in Arizona is back. Only this time, it's likely to pass.

Why is Arizona growing when groundwater is shrinking? We're finally having this debate
Arizona Republic (Opinion, Joanna Allhands)
How much should Arizona rely on finite groundwater to grow? Statewide efforts are finally tackling this question - with varied results.

Sen. Ted Cruz says Trump's impeachment is about nothing. Will he be that cocky under oath?
Arizona Republic (Opinion, Elvia Diaz)
Trump's second impeachment trial isn't just 'sound and fury.' It's a tangible way to punish him and some of his accomplices, including Sen. Ted Cruz.

Rep. Mark Finchem is a clear and present danger to all of us. Expel him from office now
Arizona Republic (Op-ed, Dana Allmond)
Arizona Rep. Mark Finchem took actions leading up to and during the U.S. Capitol riots that make him unfit for office. He should be expelled.

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Thursday, February 11, 2021 5:33:23 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-11-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet February 11, 2021

DON'T WORRY – DUCEY'S ZIP CODE IS DOING JUST FINE
The Maricopa County Health Dept posted a map today of Covid vaccinations by zip code – something public health officials have been leaning on the state to do – and it bore out the hypothesis that poor neighborhoods have less access to vaccines.

TURNING A ONE-DAY STORY INTO A TWO-DAY STORY
Gray told our reporter this morning he never apologized to Supervisor Clint Hickman in a text and accused the county supervisor of lying about it.

LONG STORY SHORT, THE BROMANCE IS OVER
We got in touch with Hickman, who said his rant about "Senator Dick"

AMERICAN OVERSIGHT

yesterday might have been a bit convoluted since he wasn't naming names.

NUTT'S DESK IS GETTING PRETTY FULL
Riley Behrens, a House Democratic staffer, filed an ethics complaint against Fillmore and Payne Wednesday afternoon over comments they made while the House Government Committee debated Fillmore's H2757 (state documents; sex identification) earlier that day.

WE'VE GOT ALL THE TIME IN THE WORLD
Behrens shouldn't expect swift action, if the House Ethics Committee's speed on the Finchem ethics complaint is any indication.

IF YOU'RE NOT HIGH, YOU SHOULD BE ABLE TO DO IT
Under the Smart and Safe Arizona Act, courts can start granting expungement petitions for some marijuana offenses on July 12, though it's unclear how many people will have the ability and resources to petition the court.

THERE'S ALWAYS ANOTHER WAY
Lawmakers seem to have found a backdoor way to gut the Voter Protection Act.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, February 11, 2021

·NEWS NOTES AND GOSSIP·

DON'T WORRY – DUCEY'S ZIP CODE IS DOING JUST FINE

The Maricopa County Health Dept posted a map today of Covid vaccinations by zip code – something public health officials have been leaning on the state to do – and it bore out the hypothesis that poor neighborhoods have less access to vaccinations. For example, the map (LINK) shows that 96 percent of the eligible population has already been vaccinated in Ducey's 85018 zip code, while the zip code just west of the Capitol, 85009, has only vaccinated 15 percent of its eligible population. (Ducey's old zip code, before he downsized from Paradise Valley to Arcadia (LINK), has already hit 107 percent of its eligible population.) That trend largely continues across the valley and the county, with one obvious outlier: Tempe's 85281, where only 35 percent of the population has been vaccinated. Will Humble, who has been calling for zip code data from the state, said this is exactly what he expected and feared. "If you think about all the parts of the appointment system, they all favor well-education, wealthy people with resources and flexible jobs, and I just knew that would translate into health disparities in terms of the vaccines," he said today. "You could even overlay this with country club memberships." Humble praised the county's map as even better than he had hoped, as it doesn't show the number of raw doses, but the percent of eligible population that has been vaccinated – meaning it controls for neighborhoods with high elderly populations or even high populations of first responders or teachers. Humble said since the state is only two months into vaccinations, there's still time to fix the disparities, but only if the state decides to act. One way to flatten out the disparities would be to create a vaccine lottery system, or, better yet, a weighted lottery system that gives applicants from low saturation neighborhoods a statistically better chance of being chosen in the lottery. He said the department could do that in a day or two, but that would require admitting that the current system isn't working, something that's never been Ducey's strong suit. "There are ways to be proactive about it but if we just keep this Darwinian system, it's just gonna keep getting worse," he said. Humble again called on the Governor's Office and Dept of Health Services to recognize they have a problem, saying if the map doesn't do that, he doesn't know what will. CJ Karamargin, Ducey's spokesman, told our reporter today that the state is working on adding zip code information into its new dashboard, though he couldn't say when that would happen.

TURNING A ONE-DAY STORY INTO A TWO-DAY STORY

Gray told our reporter this morning he never apologized to Supervisor Clint Hickman in a text and accused the county supervisor of lying about it. Gray said Hickman's claim that he apologized to him implies Gray is being duplicitous – it means he's saying one thing and doing another. "My integrity is more important to me than anything else," Gray said, adding Hickman impugned his character. "If he's got the text, I would like to see the text," Gray said, adding, "He's lying." It's true they exchanged text messages, but that exchange wouldn't show an apology, he said. "I would like the *Yellow Sheet Report* to ask him to send the text so that the *Yellow Sheet Report* can publish it," Gray challenged Hickman. When our reporter asked Gray to share a screenshot of his texts with Hickman, he stopped responding to our texts. Gray then recounted the whole weird tale on the Senate floor today, saying he wanted the full Senate to know he didn't apologize.

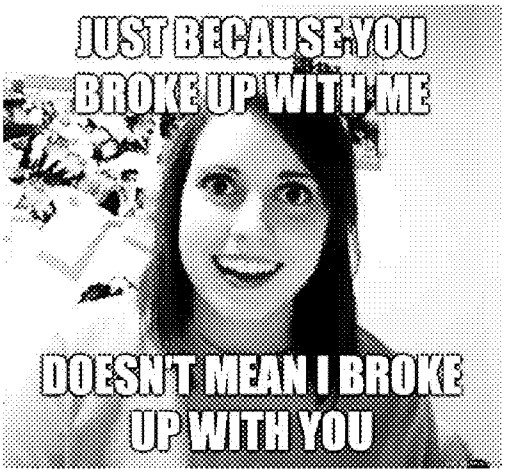
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-001999

ARZN_REV00068734_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LONG STORY SHORT, THE BROMANCE IS OVER



We got in touch with Hickman, who said his rant about "Senator Dick" yesterday might have been a bit convoluted since he wasn't naming names. (In fact, he continued to not name names today, saying, "I was not specific to a senator. I'm sorry that he had to decide that it was him – it could be him, it could be not, because that's how they do things down there.") However, he said "Senator Dick" never offered an apology, he simply texted beforehand that Hickman should watch. "I wasn't watching his comments. I was actually doing my job," Hickman said. His comments about apologizing in private weren't directed at "Senator Dick" but at the common political practice of trash talking an opponent in public then apologize privately. "I kind of jumped from one thing to the other," he said, noting the speech wasn't scripted. But nobody has apologized for trashing the board yet, he noted with a laugh. Still, he's expecting an apology from "Senator Dick" in the future. But that apology isn't happening, Gray told our reporter today, noting he sent a tweet with the video to Hickman yesterday with no additional comment to ensure that Hickman knew he saw the video. "That was my last text and I will not be texting [him] anymore," Gray said. Hickman said he didn't intend for the media to pick up his comments, but "it's not a bad thing that they did." "We very rarely get to counterpunch," he told our reporter today.

NUTT'S DESK IS GETTING PRETTY FULL

Riley Behrens, a House Democratic staffer, filed an ethics complaint against Fillmore and Payne Wednesday afternoon over comments they made while the House Government Committee debated Fillmore's H2757 (state documents; sex identification) earlier that day. Fillmore said his bill, which only allows people to be recorded as male or female in documents such as driver's licenses, gives "clarity in government documents." He spoke against government recognition of nonbinary as a sex. "I don't believe that we as a society should have all of the different binaries identified," Fillmore said. "What's going to happen when someday, someone wakes up and they want to go to a far extreme and identify as a chicken or something? Where do we draw the line?" Behrens' complaint says Fillmore "continuously made harassing and discriminatory comments during public testimony," and calls out the chicken comment in particular, saying he "compared members of the LGBTQ+ community to farm animals." (Fillmore called the complaint "entirely without merit" and said his remarks "do not remotely match the distorted version critics have alleged.") As for Payne, Behrens says he "continuously disrupted public testimony" at the hearing, and as a woman testified against the bill by talking about her non-binary child, Payne said to himself, "So it doesn't know who it is?" (That line can't be heard on video, and Payne told our reporter today he didn't "recall saying anything like that.") Behrens, who is a transgender man, wrote that both of them "engaged in conduct that compromises the character of himself, the integrity of the Arizona State House of Representatives, and shows a lack of respect for members of the LGBTQ+ community," and asked House ethics to investigate both of them and consider censure or other disciplinary action.

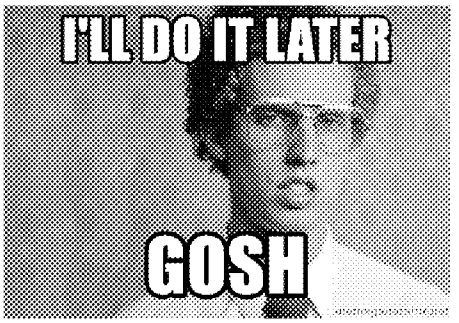
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002000

ARZN_REV00068734_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE'VE GOT ALL THE TIME IN THE WORLD



Behrens shouldn't expect swift action, if the House Ethics Committee's speed on the Finchem ethics complaint is any indication. Although Nutt, who leads the House Ethics Committee, received the first complaint about Finchem before the Senate Ethics Committee received its complaint against Rogers, the Senate has already held two meetings and announced it would launch a full-blown investigation into Rogers (YS, 1/5), while the House Ethics Committee hasn't done anything of substance. The Senate Ethics Committee gave Rogers a deadline of one week to respond to the allegations, but the House hasn't set any deadline for Finchem to respond, and he hasn't offered a response yet. Yesterday's House Ethics Committee was only an organizational meeting, and it only lasted for four minutes. Lawmakers didn't discuss the dozens of complaints against Finchem.

IF YOU'RE NOT HIGH, YOU SHOULD BE ABLE TO DO IT

Under the Smart and Safe Arizona Act, courts can start granting expungement petitions for some marijuana offenses on July 12, though it's unclear how many people will have the ability and resources to petition the court. "We really have no idea – some people you talk to think there won't be many at all," said Jerry Landau, chair of the courts' Prop 207 task force and Arizona Supreme Court government affairs director. "Some think there'll be thousands." A similar provision in California's Prop 64 ended up attracting few applicants due to the court process involved, and lawmakers later put the responsibility of finding and destroying those records on the government (YS, 8/27/19). While some Arizonans can hire legal professionals to help them through the petitioning process, others may try to go through it on their own. The task force plans to petition the state Supreme Court to enact a rule to cover how courts handle expungement cases and provide forms to make petitioning the court as easy as possible. "We want to make the forms and the instructions Number 1: easy to understand, and Number 2: accessible," Landau said. Without an application, it would be "pretty difficult for the average person" to draft a pleading, cite the law and successfully file a petition, criminal defense attorney Steven Scharboneau Jr. told our reporter. The task force is also looking at how the courts should handle outstanding fines and fees, since "the expungement statute is not just expungement, the offense is vacated or the conviction is vacated; so therefore, [so are] all the penalties," Landau said. The task force also proposed legislation based on the initiative, which Blackman's introduced as H2171 (marijuana violations; court jurisdiction; procedures). The bill passed through House COW this afternoon.

THERE'S ALWAYS ANOTHER WAY

Lawmakers seem to have found a backdoor way to gut the Voter Protection Act. Leach's SCR1034 (voter protection act; court determinations), which passed through Senate Government Committee yesterday on party lines, would ask voters to change how lawmakers can modify voter-approved laws. If a voter-approved measure "is found to contain illegal or unconstitutional language" by either the state Supreme Court or the US Supreme Court, then any portion of the law could be modified or repealed altogether. Currently, lawmakers can only modify a voter-approved law with three-fourths vote in both chambers, and only if the changes further the intent of the voters. Leach's legislation is creatively written to not limit changes to provisions found unconstitutional by the courts, but to open up the entire law to lawmakers.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002001
ARZN_REV00068734_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Lobbyist Sandy Bahr said it's another attempt at going around the Voter Protection Act, which she said the Legislature has never liked. "The Legislature consistently looks for ways to ... poke holes in the Voter Protection Act because it's a check on their power," Bahr said. She told our reporter it is also an end run around severability clauses, which allow a portion of a bill to be thrown out if it is found unconstitutional without tossing the whole law. "I looked at it a second time. Because of who the sponsor is, I knew it was probably not good ... I was extra suspicious," she said. "It is a big problem because the Legislature would obviously use that to rescind, gut or defund whatever they could." Bahr told our reporter she's not convinced voters will approve the referral, if it gets that far, because of their "natural distrust" of state lawmakers. The Arizona Chamber of Commerce and Arizona Free Enterprise Club are backing the bill.

·WAKE UP CALL·

25-year-old Stanford grad to join Legislature
Arizona Capitol Times
Apache County supervisors voted February 9 to appoint a 25-year-old Stanford University graduate to the Legislative District 7 House seat recently vacated by Arlando Teller's resignation.

City purchase of water company spurs legislation
Arizona Capitol Times
After the city of Surprise proposed spending $15 million to buy a water company that serves just 200 homes, a pair of Chandler lawmakers introduced legislation to require cities to obtain appraisals and honor contracts when they condemn utility companies.

Mass murderer seeks to avoid death penalty
Arizona Capitol Times
A convicted quintuple murderer is looking to the Arizona Supreme Court for leniency and a way to avoid the death penalty.

Lawmakers want AG review of eviction moratorium
Capitol Media Services
Two state lawmakers are asking Attorney General Mark Brnovich to rule that expanded eviction protections approved last week by Pima County supervisors is illegal.

Senate approves measure to curb governor's emergency powers
Capitol Media Services
Republican senators voted Wednesday to curb the emergency powers of the governor, but do it in a way he can't veto.

Arizona bills: Allow more guns in gov't buildings, block local enforcement of US gun laws
Capitol Media Services
State lawmakers are moving to let more people carry guns into government buildings. They also want to block local law enforcement from enforcing federal gun laws.

House panel votes to allow Arizona cities to regulate vacation rentals
Capitol Media Services
Saying a 2016 law hasn't worked out as promised, a House panel voted 8-5 Wednesday to give cities more control of how and where vacation rentals operate.

There wouldn't have been a #StopTheSteal campaign in Arizona without Mark Finchem
Arizona Mirror
The lead organizer of the Jan. 6 rally in Washington, D.C., that turned into a deadly coup attempt based on the false idea that Donald Trump failed to win a second term as president because of massive voter fraud said Arizona's #StopTheSteal movement started with one man: Mark Finchem.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002002
ARZN_REV00068734_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Richer defends Maricopa County audit amid GOP lawmakers' criticism
Arizona Mirror
Maricopa County's top elections official pushed back against criticism from fellow Republicans in the Arizona Senate who claim the county's audit of its ballot tabulation machines, as well as the companies that are conducting them, are insufficient.

Republican lawmakers pass bill critics say 'erases' non-binary people
Arizona Mirror
A Republican-backed proposal that Democratic lawmakers called "disturbing," "incredibly cruel," and "discriminatory" against non-binary Arizonans won approval in a legislative committee Wednesday afternoon.

Can we trust the Phoenix police to police the police?
Arizona Republic (Opinion, EJ Montini)
How do we get past officers passing around a challenge coin with a neo-Nazi reference commemorating an attack on a protester?

Gun owners, rejoice! Soon, you can pack heat in all those unsafe places, like the library
Arizona Republic (Opinion, Laurie Roberts)
The annual bill to allow guns in public buildings in Arizona is back. Only this time, it's likely to pass.

Why is Arizona growing when groundwater is shrinking? We're finally having this debate
Arizona Republic (Opinion, Joanna Allhands)
How much should Arizona rely on finite groundwater to grow? Statewide efforts are finally tackling this question – with varied results.

Sen. Ted Cruz says Trump's impeachment is about nothing. Will he be that cocky under oath?
Arizona Republic (Opinion, Elvia Diaz)
Trump's second impeachment trial isn't just 'sound and fury.' It's a tangible way to punish him and some of his accomplices, including Sen. Ted Cruz.

Rep. Mark Finchem is a clear and present danger to all of us. Expel him from office now
Arizona Republic (Op-ed, Dana Allmond)
Arizona Rep. Mark Finchem took actions leading up to and during the U.S. Capitol riots that make him unfit for office. He should be expelled

-PRESS RELEASES-

House Approves Consumer Protection Bill Making It Easier to Cancel Gym Memberships

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today unanimously approved consumer protection legislation sponsored by State Representative Justin Wilmeth (R-15).
HB 2697 would allow Arizonans to more easily and safely cancel their gym memberships, addressing a major issue that surfaced during the COVID-19 public health crisis. Under current Arizona law, gyms are only required to allow

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

for cancellation of a membership if it is done in person or via certified mail. HB 2697 would update the law to allow for cancellation by mail, email or on a gym's website.
"This legislation provides a reasonable protection for Arizona consumers who may need another option to cancel their membership – a problem highlighted during the COVID pandemic," said Representative Wilmeth. **"I am proud to partner with Arizona Attorney General Brnovich to address this issue and behalf of Arizona consumers."**
The Arizona Attorney General Mark Brnovich has been an advocate for strong consumer protections, and he has expressed support for HB 2697. The bill now heads to the State Senate for consideration.
Justin Wilmeth is a Republican member of the Arizona House of Representatives serving Legislative District 15, which includes North Phoenix and Cave Creek.

Statement from Senator Paul Boyer

"Many citizens across our Great State are asking leaders to instill confidence in our election process through robust audits. I agree with many of my colleagues and am supportive of certifying that our election process is secure and conducted with integrity to ensure that eligible voters continue to exercise their constitutional right to cast a private, secure vote.
Where I have disagreed in the prior days is on the chosen path to accomplish this task. I have been criticized, attacked, and threatened for voting 'no' on holding the Maricopa County Board of Supervisors in contempt for not complying with the Senate subpoena to turn over the ballots. Let me be clear, even if I voted 'yes' on S.R. 1005, it would not get us any closer to our goal in validating that our election process is fair and secure, because the dispute isn't whether or not the Maricopa County Board of Supervisors wants to hand over these ballots, but whether or not the law allows them to. Only the courts can determine this, which is why I support a path of an expedited hearing in the Superior Court and Arizona Supreme Court.
As an elected leader myself, I have sworn a duty to uphold the constitution and the law. I cannot in good conscience vote to hold another elected leader in contempt and potentially arrest them for fulling that same oath. Although this issue has been complicated by emotions from a hard-fought election cycle, I cannot let that outweigh my duty to the citizens of Arizona. The law must always come first, even when I may disagree with it.
I look forward to a speedy resolution on whether or not the Senate can have access to the ballots, and the continued debate on how to ensure our laws can further protect each eligible citizen's right to a private, secure vote so that trust in our democracy can be restored."

Senate Judiciary Committee approves bill to provide COVID liability protections to Arizona businesses and health care workers

(Phoenix, State Capitol) ---- The Senate Committee on Judiciary today approved SB 1377, the COVID liability protection bill. SB 1377 provides targeted and reasonable liability protections for businesses, schools and the healthcare industry. Under the legislation, a plaintiff has the burden to prove by "clear and convincing evidence that a person or provider failed to act or acted with willful misconduct or gross negligence" in order to win a civil suit.
"Since the first outbreak of COVID in Arizona in March 2020, we've seen businesses really step to remain open, while taking numerous safety precautions. We've seen Arizona's health care heroes on the frontlines, battling the pandemic daily," said Senator Vince Leach, sponsor of SB 1377. "Unfortunately, there will always be people who will try to take advantage of the situation and file reckless lawsuits. I hope this legislation will give people the assurance that if they're following health and safety precautions, they won't be hit with a nuisance lawsuit."
At least 25 states have taken action to extend liability relief in this pandemic.

Statement from Commissioner Sandra D. Kennedy Regarding Arizona Public Service Company Disconnections

PHOENIX – As Arizona enters its second year battling COVID-19, Arizona Public Service Company ("APS") informed the Arizona Corporation Commission that it has commenced disconnections of service to ratepayers. Today, Commissioner Sandra D. Kennedy has asked APS for a full disclosure of the efforts to reach out to these ratepayers and the impacts to the ratepayers' attempts to get reconnected. Residential ratepayers who are struggling with bill

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002004
ARZN_REV00068734_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

arrearages are required to be automatically enrolled into an eight month Deferred Payment Arrangement ("DPA"), but a single missed payment subjects the ratepayer to disconnection yet again. The potential impacts to households at imminent risk of disconnection, including loss of access to work and education are enormous. APS should be doing everything – absolutely everything- it can to help prevent households from losing access to work and school, as Arizonans continue to suffer from the devastation of COVID-19.

Governor Ducey Appoints Former Buckeye Mayor Jackie A. Meck To State Board Of Transportation

PHOENIX — Governor Doug Ducey today announced the appointment of former Buckeye Mayor Jackie A. Meck to the State Board of Transportation.

"Jackie Meck brings years of experience and leadership to the Board of Transportation," said Governor Ducey. "His hard work and dedication have been instrumental in the West Valley's growth, and I know he will continue to serve Arizona well. I look forward to his service on the Board."

Meck is a Buckeye native and served as mayor from 2008 to November 2020. He has dedicated his life to community service and leadership throughout Arizona, focusing primarily on economic development and conservation. He has served in multiple departments including the Board of Directors of the Greater Phoenix Economic Council (GPEC), and on the Maricopa Association of Governments' (MAG) Regional Council, Economic Development Committee, Transportation Policy Committee, and Executive Committee & Regional Council.

Meck also served on the board for WESTMARC, Valley Metro RPTA, is the former president of the Buckeye Valley Chamber of Commerce, and is the retired general manager of the Buckeye Water Conservation and Drainage District. Prior to becoming mayor of the City of Buckeye, Meck served as a town council member from 1968 to 1973 and town mayor from 1973 to 1975 prior to Buckeye becoming a city in 2014.

"For many years, I have been committed to helping Buckeye and the entire state prosper and grow," said Meck. "I am honored to join the Board of Transportation to assist in growing our infrastructure, maintaining safe roads, and meeting the demand of new residents moving to our state. Thank you to Governor Ducey for this opportunity — I look forward to serving in this new role."

In addition to his role on a number of committees and councils, Meck has worked on multiple conservation and restoration projects. He and his wife, Verlyne, have three children and four grandchildren. Meck attended the University of Arizona

Biggs and Babin to Co-Chair Border Security Caucus for 117th Congress

WASHINGTON, D.C. – Congressman Andy Biggs and Congressman Brian Babin returned to the House Border Security Caucus as co-chairmen. Both Congressman Biggs and Congressman Babin issued the following statements:

"I am excited to reconvene the Border Security Caucus for the 117th Congress. Border security is national security, and Congress's role is essential to ensuring a secure border. All members of our caucus will be actively working to oppose the Biden administration's open-borders policies and to protect the rule of law. I look forward to working with Congressman Babin and my colleagues on this caucus to stand for border security and unapologetic enforcement of American immigration laws." **– Congressman Andy Biggs (AZ-05)**

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I'm sorry that he had to decide that it was him – it could be him, it could be not, because that's how they do things down there."

- Clint Hickman, Maricopa County Supervisor, on whether "Senator Dick" is Gray

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002006

ARZN_REV00068734_2-11-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, February 11, 2021 5:33:25 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 2-11-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet February 11, 2021

DON'T WORRY – DUCEY'S ZIP CODE IS DOING JUST FINE
The Maricopa County Health Dept posted a map today of Covid vaccinations by zip code – something public health officials have been leaning on the state to do – and it bore out the hypothesis that poor neighborhoods have less access to vaccines.

TURNING A ONE-DAY STORY INTO A TWO-DAY STORY
Gray told our reporter this morning he never apologized to Supervisor Clint Hickman in a text and accused the county supervisor of lying about it.

AMERICAN OVERSIGHT

LONG STORY SHORT, THE BROMANCE IS OVER
We got in touch with Hickman, who said his rant about "Senator Dick" yesterday might have been a bit convoluted since he wasn't naming names.

NUTT'S DESK IS GETTING PRETTY FULL
Riley Behrens, a House Democratic staffer, filed an ethics complaint against Fillmore and Payne Wednesday afternoon over comments they made while the House Government Committee debated Fillmore's H2757 (state documents; sex identification) earlier that day.

WE'VE GOT ALL THE TIME IN THE WORLD
Behrens shouldn't expect swift action, if the House Ethics Committee's speed on the Finchem ethics complaint is any indication.

IF YOU'RE NOT HIGH, YOU SHOULD BE ABLE TO DO IT
Under the Smart and Safe Arizona Act, courts can start granting expungement petitions for some marijuana offenses on July 12, though it's unclear how many people will have the ability and resources to petition the court.

THERE'S ALWAYS ANOTHER WAY
Lawmakers seem to have found a backdoor way to gut the Voter Protection Act.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, February 11, 2021

·NEWS NOTES AND GOSSIP·

DON'T WORRY – DUCEY'S ZIP CODE IS DOING JUST FINE

The Maricopa County Health Dept posted a map today of Covid vaccinations by zip code – something public health officials have been leaning on the state to do – and it bore out the hypothesis that poor neighborhoods have less access to vaccinations. For example, the map (LINK) shows that 96 percent of the eligible population has already been vaccinated in Ducey's 85018 zip code, while the zip code just west of the Capitol, 85009, has only vaccinated 15 percent of its eligible population. (Ducey's old zip code, before he downsized from Paradise Valley to Arcadia (LINK), has already hit 107 percent of its eligible population.) That trend largely continues across the valley and the county, with one obvious outlier: Tempe's 85281, where only 35 percent of the population has been vaccinated. Will Humble, who has been calling for zip code data from the state, said this is exactly what he expected and feared. "If you think about all the parts of the appointment system, they all favor well-education, wealthy people with resources and flexible jobs, and I just knew that would translate into health disparities in terms of the vaccines," he said today. "You could even overlay this with country club memberships." Humble praised the county's map as even better than he had hoped, as it doesn't show the number of raw doses, but the percent of eligible population that has been vaccinated – meaning it controls for neighborhoods with high elderly populations or even high populations of first responders or teachers. Humble said since the state is only two months into vaccinations, there's still time to fix the disparities, but only if the state decides to act. One way to flatten out the disparities would be to create a vaccine lottery system, or, better yet, a weighted lottery system that gives applicants from low saturation neighborhoods a statistically better chance of being chosen in the lottery. He said the department could do that in a day or two, but that would require admitting that the current system isn't working, something that's never been Ducey's strong suit. "There are ways to be proactive about it but if we just keep this Darwinian system, it's just gonna keep getting worse," he said. Humble again called on the Governor's Office and Dept of Health Services to recognize they have a problem, saying if the map doesn't do that, he doesn't know what will. CJ Karamargin, Ducey's spokesman, told our reporter today that the state is working on adding zip code information into its new dashboard, though he couldn't say when that would happen.

TURNING A ONE-DAY STORY INTO A TWO-DAY STORY

Gray told our reporter this morning he never apologized to Supervisor Clint Hickman in a text and accused the county supervisor of lying about it. Gray said Hickman's claim that he apologized to him implies Gray is being duplicitous – it means he's saying one thing and doing another. "My integrity is more important to me than anything else," Gray said, adding Hickman impugned his character. "If he's got the text, I would like to see the text," Gray said, adding, "He's lying." It's true they exchanged text messages, but that exchange wouldn't show an apology, he said. "I would like the *Yellow Sheet Report* to ask him to send the text so that the *Yellow Sheet Report* can publish it," Gray challenged Hickman. When our reporter asked Gray to share a screenshot of his texts with Hickman, he stopped responding to our texts. Gray then recounted the whole weird tale on the Senate floor today, saying he wanted the full Senate to know he didn't apologize.

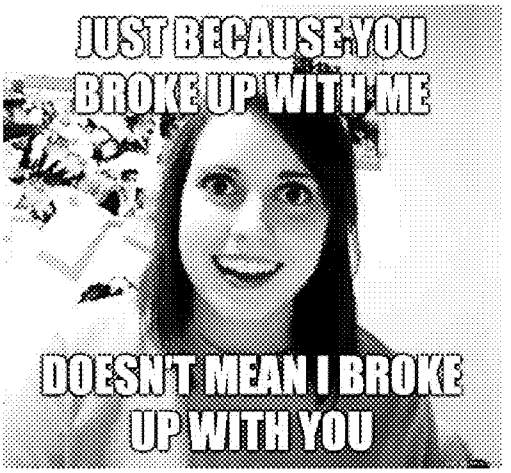
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002009

ARZN_REV00068736_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LONG STORY SHORT, THE BROMANCE IS OVER



We got in touch with Hickman, who said his rant about "Senator Dick" yesterday might have been a bit convoluted since he wasn't naming names. (In fact, he continued to not name names today, saying, "I was not specific to a senator. I'm sorry that he had to decide that it was him – it could be him, it could be not, because that's how they do things down there.") However, he said "Senator Dick" never offered an apology, he simply texted beforehand that Hickman should watch. "I wasn't watching his comments. I was actually doing my job," Hickman said. His comments about apologizing in private weren't directed at "Senator Dick" but at the common political practice of trash talking an opponent in public then apologize privately. "I kind of jumped from one thing to the other," he said, noting the speech wasn't scripted. But nobody has apologized for trashing the board yet, he noted with a laugh. Still, he's expecting an apology from "Senator Dick" in the future. But that apology isn't happening, Gray told our reporter today, noting he sent a tweet with the video to Hickman yesterday with no additional comment to ensure that Hickman knew he saw the video. "That was my last text and I will not be texting [him] anymore," Gray said. Hickman said he didn't intend for the media to pick up his comments, but "it's not a bad thing that they did." "We very rarely get to counterpunch," he told our reporter today.

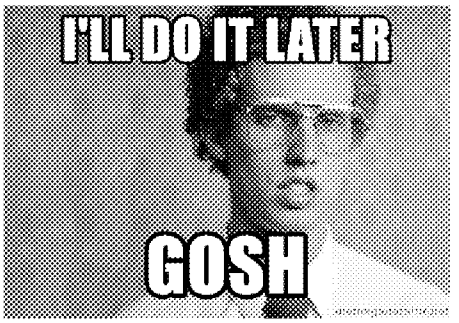
NUTT'S DESK IS GETTING PRETTY FULL

Riley Behrens, a House Democratic staffer, filed an ethics complaint against Fillmore and Payne Wednesday afternoon over comments they made while the House Government Committee debated Fillmore's H2757 (state documents; sex identification) earlier that day. Fillmore said his bill, which only allows people to be recorded as male or female in documents such as driver's licenses, gives "clarity in government documents." He spoke against government recognition of nonbinary as a sex. "I don't believe that we as a society should have all of the different binaries identified," Fillmore said. "What's going to happen when someday, someone wakes up and they want to go to a far extreme and identify as a chicken or something? Where do we draw the line?" Behrens' complaint says Fillmore "continuously made harassing and discriminatory comments during public testimony," and calls out the chicken comment in particular, saying he "compared members of the LGBTQ+ community to farm animals." (Fillmore called the complaint "entirely without merit" and said his remarks "do not remotely match the distorted version critics have alleged.") As for Payne, Behrens says he "continuously disrupted public testimony" at the hearing, and as a woman testified against the bill by talking about her non-binary child, Payne said to himself, "So it doesn't know who it is?" (That line can't be heard on video, and Payne told our reporter today he didn't "recall saying anything like that.") Behrens, who is a transgender man, wrote that both of them "engaged in conduct that compromises the character of himself, the integrity of the Arizona State House of Representatives, and shows a lack of respect for members of the LGBTQ+ community," and asked House ethics to investigate both of them and consider censure or other disciplinary action.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002010
ARZN_REV00068736_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE'VE GOT ALL THE TIME IN THE WORLD



Behrens shouldn't expect swift action, if the House Ethics Committee's speed on the Finchem ethics complaint is any indication. Although Nutt, who leads the House Ethics Committee, received the first complaint about Finchem before the Senate Ethics Committee received its complaint against Rogers, the Senate has already held two meetings and announced it would launch a full-blown investigation into Rogers (YS, 1/5), while the House Ethics Committee hasn't done anything of substance. The Senate Ethics Committee gave Rogers a deadline of one week to respond to the allegations, but the House hasn't set any deadline for Finchem to respond, and he hasn't offered a response yet. Yesterday's House Ethics Committee was only an organizational meeting, and it only lasted for four minutes. Lawmakers didn't discuss the dozens of complaints against Finchem.

IF YOU'RE NOT HIGH, YOU SHOULD BE ABLE TO DO IT

Under the Smart and Safe Arizona Act, courts can start granting expungement petitions for some marijuana offenses on July 12, though it's unclear how many people will have the ability and resources to petition the court. "We really have no idea – some people you talk to think there won't be many at all," said Jerry Landau, chair of the courts' Prop 207 task force and Arizona Supreme Court government affairs director. "Some think there'll be thousands." A similar provision in California's Prop 64 ended up attracting few applicants due to the court process involved, and lawmakers later put the responsibility of finding and destroying those records on the government (YS, 8/27/19). While some Arizonans can hire legal professionals to help them through the petitioning process, others may try to go through it on their own. The task force plans to petition the state Supreme Court to enact a rule to cover how courts handle expungement cases and provide forms to make petitioning the court as easy as possible. "We want to make the forms and the instructions Number 1: easy to understand, and Number 2: accessible," Landau said. Without an application, it would be "pretty difficult for the average person" to draft a pleading, cite the law and successfully file a petition, criminal defense attorney Steven Scharboneau Jr. told our reporter. The task force is also looking at how the courts should handle outstanding fines and fees, since "the expungement statute is not just expungement, the offense is vacated or the conviction is vacated; so therefore, [so are] all the penalties," Landau said. The task force also proposed legislation based on the initiative, which Blackman's introduced as H2171 (marijuana violations; court jurisdiction; procedures). The bill passed through House COW this afternoon.

THERE'S ALWAYS ANOTHER WAY

Lawmakers seem to have found a backdoor way to gut the Voter Protection Act. Leach's SCR1034 (voter protection act; court determinations), which passed through Senate Government Committee yesterday on party lines, would ask voters to change how lawmakers can modify voter-approved laws. If a voter-approved measure "is found to contain illegal or unconstitutional language" by either the state Supreme Court or the US Supreme Court, then any portion of the law could be modified or repealed altogether. Currently, lawmakers can only modify a voter-approved law with three-fourths vote in both chambers, and only if the changes further the intent of the voters. Leach's legislation is creatively written to not limit changes to provisions found unconstitutional by the courts, but to open up the entire law to lawmakers.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002011
ARZN_REV00068736_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Lobbyist Sandy Bahr said it's another attempt at going around the Voter Protection Act, which she said the Legislature has never liked. "The Legislature consistently looks for ways to ... poke holes in the Voter Protection Act because it's a check on their power," Bahr said. She told our reporter it is also an end run around severability clauses, which allow a portion of a bill to be thrown out if it is found unconstitutional without tossing the whole law. "I looked at it a second time. Because of who the sponsor is, I knew it was probably not good ... I was extra suspicious," she said. "It is a big problem because the Legislature would obviously use that to rescind, gut or defund whatever they could." Bahr told our reporter she's not convinced voters will approve the referral, if it gets that far, because of their "natural distrust" of state lawmakers. The Arizona Chamber of Commerce and Arizona Free Enterprise Club are backing the bill.

·WAKE UP CALL·

25-year-old Stanford grad to join Legislature
Arizona Capitol Times
Apache County supervisors voted February 9 to appoint a 25-year-old Stanford University graduate to the Legislative District 7 House seat recently vacated by Arlando Teller's resignation.

City purchase of water company spurs legislation
Arizona Capitol Times
After the city of Surprise proposed spending $15 million to buy a water company that serves just 200 homes, a pair of Chandler lawmakers introduced legislation to require cities to obtain appraisals and honor contracts when they condemn utility companies.

Mass murderer seeks to avoid death penalty
Arizona Capitol Times
A convicted quintuple murderer is looking to the Arizona Supreme Court for leniency and a way to avoid the death penalty.

Lawmakers want AG review of eviction moratorium
Capitol Media Services
Two state lawmakers are asking Attorney General Mark Brnovich to rule that expanded eviction protections approved last week by Pima County supervisors is illegal.

Senate approves measure to curb governor's emergency powers
Capitol Media Services
Republican senators voted Wednesday to curb the emergency powers of the governor, but do it in a way he can't veto.

Arizona bills: Allow more guns in gov't buildings, block local enforcement of US gun laws
Capitol Media Services
State lawmakers are moving to let more people carry guns into government buildings. They also want to block local law enforcement from enforcing federal gun laws.

House panel votes to allow Arizona cities to regulate vacation rentals
Capitol Media Services
Saying a 2016 law hasn't worked out as promised, a House panel voted 8-5 Wednesday to give cities more control of how and where vacation rentals operate.

There wouldn't have been a #StopTheSteal campaign in Arizona without Mark Finchem
Arizona Mirror
The lead organizer of the Jan. 6 rally in Washington, D.C., that turned into a deadly coup attempt based on the false idea that Donald Trump failed to win a second term as president because of massive voter fraud said Arizona's #StopTheSteal movement started with one man: Mark Finchem.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002012
ARZN_REV00068736_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Richer defends Maricopa County audit amid GOP lawmakers' criticism
Arizona Mirror
Maricopa County's top elections official pushed back against criticism from fellow Republicans in the Arizona Senate who claim the county's audit of its ballot tabulation machines, as well as the companies that are conducting them, are insufficient.

Republican lawmakers pass bill critics say 'erases' non-binary people
Arizona Mirror
A Republican-backed proposal that Democratic lawmakers called "disturbing," "incredibly cruel," and "discriminatory" against non-binary Arizonans won approval in a legislative committee Wednesday afternoon.

Can we trust the Phoenix police to police the police?
Arizona Republic (Opinion, EJ Montini)
How do we get past officers passing around a challenge coin with a neo-Nazi reference commemorating an attack on a protester?

Gun owners, rejoice! Soon, you can pack heat in all those unsafe places, like the library
Arizona Republic (Opinion, Laurie Roberts)
The annual bill to allow guns in public buildings in Arizona is back. Only this time, it's likely to pass.

Why is Arizona growing when groundwater is shrinking? We're finally having this debate
Arizona Republic (Opinion, Joanna Allhands)
How much should Arizona rely on finite groundwater to grow? Statewide efforts are finally tackling this question – with varied results.

Sen. Ted Cruz says Trump's impeachment is about nothing. Will he be that cocky under oath?
Arizona Republic (Opinion, Elvia Diaz)
Trump's second impeachment trial isn't just 'sound and fury.' It's a tangible way to punish him and some of his accomplices, including Sen. Ted Cruz.

Rep. Mark Finchem is a clear and present danger to all of us. Expel him from office now
Arizona Republic (Op-ed, Dana Allmond)
Arizona Rep. Mark Finchem took actions leading up to and during the U.S. Capitol riots that make him unfit for office. He should be expelled

-PRESS RELEASES-

House Approves Consumer Protection Bill Making It Easier to Cancel Gym Memberships

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today unanimously approved consumer protection legislation sponsored by State Representative Justin Wilmeth (R-15).
HB 2697 would allow Arizonans to more easily and safely cancel their gym memberships, addressing a major issue that surfaced during the COVID-19 public health crisis. Under current Arizona law, gyms are only required to allow

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

for cancellation of a membership if it is done in person or via certified mail. HB 2697 would update the law to allow for cancellation by mail, email or on a gym's website.
"This legislation provides a reasonable protection for Arizona consumers who may need another option to cancel their membership – a problem highlighted during the COVID pandemic," said Representative Wilmeth. **"I am proud to partner with Arizona Attorney General Brnovich to address this issue and behalf of Arizona consumers."**
The Arizona Attorney General Mark Brnovich has been an advocate for strong consumer protections, and he has expressed support for HB 2697. The bill now heads to the State Senate for consideration.
Justin Wilmeth is a Republican member of the Arizona House of Representatives serving Legislative District 15, which includes North Phoenix and Cave Creek.

Statement from Senator Paul Boyer

"Many citizens across our Great State are asking leaders to instill confidence in our election process through robust audits. I agree with many of my colleagues and am supportive of certifying that our election process is secure and conducted with integrity to ensure that eligible voters continue to exercise their constitutional right to cast a private, secure vote.
Where I have disagreed in the prior days is on the chosen path to accomplish this task. I have been criticized, attacked, and threatened for voting 'no' on holding the Maricopa County Board of Supervisors in contempt for not complying with the Senate subpoena to turn over the ballots. Let me be clear, even if I voted 'yes' on S.R. 1005, it would not get us any closer to our goal in validating that our election process is fair and secure, because the dispute isn't whether or not the Maricopa County Board of Supervisors wants to hand over these ballots, but whether or not the law allows them to. Only the courts can determine this, which is why I support a path of an expedited hearing in the Superior Court and Arizona Supreme Court.
As an elected leader myself, I have sworn a duty to uphold the constitution and the law. I cannot in good conscience vote to hold another elected leader in contempt and potentially arrest them for fulling that same oath. Although this issue has been complicated by emotions from a hard-fought election cycle, I cannot let that outweigh my duty to the citizens of Arizona. The law must always come first, even when I may disagree with it.
I look forward to a speedy resolution on whether or not the Senate can have access to the ballots, and the continued debate on how to ensure our laws can further protect each eligible citizen's right to a private, secure vote so that trust in our democracy can be restored."

Senate Judiciary Committee approves bill to provide COVID liability protections to Arizona businesses and health care workers

(Phoenix, State Capitol) ---- The Senate Committee on Judiciary today approved SB 1377, the COVID liability protection bill. SB 1377 provides targeted and reasonable liability protections for businesses, schools and the healthcare industry. Under the legislation, a plaintiff has the burden to prove by "clear and convincing evidence that a person or provider failed to act or acted with willful misconduct or gross negligence" in order to win a civil suit.
"Since the first outbreak of COVID in Arizona in March 2020, we've seen businesses really step to remain open, while taking numerous safety precautions. We've seen Arizona's health care heroes on the frontlines, battling the pandemic daily," said Senator Vince Leach, sponsor of SB 1377. "Unfortunately, there will always be people who will try to take advantage of the situation and file reckless lawsuits. I hope this legislation will give people the assurance that if they're following health and safety precautions, they won't be hit with a nuisance lawsuit."
At least 25 states have taken action to extend liability relief in this pandemic.

Statement from Commissioner Sandra D. Kennedy Regarding Arizona Public Service Company Disconnections

PHOENIX – As Arizona enters its second year battling COVID-19, Arizona Public Service Company ("APS") informed the Arizona Corporation Commission that it has commenced disconnections of service to ratepayers. Today, Commissioner Sandra D. Kennedy has asked APS for a full disclosure of the efforts to reach out to these ratepayers and the impacts to the ratepayers' attempts to get reconnected. Residential ratepayers who are struggling with bill

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002014
ARZN_REV00068736_2-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

arrearages are required to be automatically enrolled into an eight month Deferred Payment Arrangement ("DPA"), but a single missed payment subjects the ratepayer to disconnection yet again. The potential impacts to households at imminent risk of disconnection, including loss of access to work and education are enormous. APS should be doing everything – absolutely everything- it can to help prevent households from losing access to work and school, as Arizonans continue to suffer from the devastation of COVID-19.

Governor Ducey Appoints Former Buckeye Mayor Jackie A. Meck To State Board Of Transportation

PHOENIX — Governor Doug Ducey today announced the appointment of former Buckeye Mayor Jackie A. Meck to the State Board of Transportation.

"Jackie Meck brings years of experience and leadership to the Board of Transportation," said Governor Ducey. "His hard work and dedication have been instrumental in the West Valley's growth, and I know he will continue to serve Arizona well. I look forward to his service on the Board."

Meck is a Buckeye native and served as mayor from 2008 to November 2020. He has dedicated his life to community service and leadership throughout Arizona, focusing primarily on economic development and conservation. He has served in multiple departments including the Board of Directors of the Greater Phoenix Economic Council (GPEC), and on the Maricopa Association of Governments' (MAG) Regional Council, Economic Development Committee, Transportation Policy Committee, and Executive Committee & Regional Council.

Meck also served on the board for WESTMARC, Valley Metro RPTA, is the former president of the Buckeye Valley Chamber of Commerce, and is the retired general manager of the Buckeye Water Conservation and Drainage District. Prior to becoming mayor of the City of Buckeye, Meck served as a town council member from 1968 to 1973 and town mayor from 1973 to 1975 prior to Buckeye becoming a city in 2014.

"For many years, I have been committed to helping Buckeye and the entire state prosper and grow," said Meck. "I am honored to join the Board of Transportation to assist in growing our infrastructure, maintaining safe roads, and meeting the demand of new residents moving to our state. Thank you to Governor Ducey for this opportunity — I look forward to serving in this new role."

In addition to his role on a number of committees and councils, Meck has worked on multiple conservation and restoration projects. He and his wife, Verlyne, have three children and four grandchildren. Meck attended the University of Arizona

Biggs and Babin to Co-Chair Border Security Caucus for 117th Congress

WASHINGTON, D.C. – Congressman Andy Biggs and Congressman Brian Babin returned to the House Border Security Caucus as co-chairmen. Both Congressman Biggs and Congressman Babin issued the following statements:

"I am excited to reconvene the Border Security Caucus for the 117th Congress. Border security is national security, and Congress's role is essential to ensuring a secure border. All members of our caucus will be actively working to oppose the Biden administration's open-borders policies and to protect the rule of law. I look forward to working with Congressman Babin and my colleagues on this caucus to stand for border security and unapologetic enforcement of American immigration laws." **– Congressman Andy Biggs (AZ-05)**

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I'm sorry that he had to decide that it was him – it could be him, it could be not, because that's how they do things down there."

- Clint Hickman, Maricopa County Supervisor, on whether "Senator Dick" is Gray

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002016

ARZN_REV00068736_2-11-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, February 12, 2021 7:49:23 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: February 12, 2021
Attachments: February 12, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Tucson-area candidate Arellano waiting for GOP recount as party loses members
- AZ 'fertility fraud' bill passes Senate Judiciary Committee
- Senate panel votes to erect new obstacles for those considering virus liability suits
- Arizona virus hospitalizations below half of pandemic peak
- Bill requires counties to disclose information on voting machines

Arizona Republic

- Arizona adds 1,861 new COVID-19 cases, 200 deaths
- Arizona House panel advances bill to seal criminal records
- Athletics at ASU gives $641,000 in bonuses

KTAR News

- No law degree? No problem. How you can now represent clients in Arizona
- Arizona Senate Republicans push backup plan in county election fight
- Dr. Christ: Arizona COVID vaccine shortage won't cause cancellations

Arizona Daily Sun

- Senate pushes backup plan in election fight with county
- Navajo Nation reports 53 new COVID-19 cases, 11 more deaths

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Tucson-area candidate Arellano waiting for GOP recount as party loses members

Arizona Daily Star
February 12, 2021

At first, Sergio Arellano was surprised to come so close to beating incumbent Kelli Ward in the race for chair of the Arizona GOP.

During the Jan. 23 party convention, he lost by only 42 votes toWard in a runoff election. That was a loss of about a 3% margin to a chair who had just been endorsed by Donald Trump.

But then people began raising questions about the accuracy of the count in lesser races that took place at the convention. Arellano, who splits time between Sahuarita and Phoenix, asked for a recount or audit of his race, but he still hasn't gotten it, and there's no sign he will.

'I haven't heard anything. No communications. No text messages, no emails, no voice mails,' he said. 'At this point in time, it feels like there are shenanigans.'

Ward has said in interviews that there are no provisions in the party's bylaws for a recount to occur after the convention. But her unwillingness to pursue a recount or audit is angering legislative Republicans, who are in a fight with Maricopa County over auditing its election — an effort Ward is supporting.

Fourteen stateHouse members and four senators wrote in a Feb. 5 email to Ward: 'Now, our collective message is being undermined by your insistence that none of these standards should apply to your election as AZ GOP Chairman.'

'This inconsistency is simply not acceptable.'

Former Pima County GOP Chair Bill Beard, a member of the party's state committee, is pushing for a recount.

'The people I have spoken to who have communicated with me over the last couple of weeks are very unhappy with her response in light of election integrity being such a dominant issue for Republicans of all stripes,' he said. 'At this point it's going to take a special meeting of some kind to call for a revote.'

The party's bylaws require that 40% of the approximately 85 state committeemen demand a special meeting, or 20% of the state committeemen from nine different counties.

The resolution of the issue is especially urgent now for the state GOP. Arizona Secretary of State records show that the party lost 14,318 registered members just between Jan. 5 and Feb. 1. That compares to a loss of 1,721 for Democrats and an increase of 11,066 independents.

Political pros quash Finchem recall

There was a time after Jan. 6 when a grassroots movement was building in Legislative District 11 to recall Rep. Mark Finchem, the Oro Valley Republican, for his participation in the Jan. 6 insurrection and events leading up to it.

AMERICAN OVERSIGHT

Ralph Atchue, the chair of the Democrats of Casa Grande, was leading the effort. He set up an email address and a webpage.

'I had, ballpark, 150 volunteers who contacted me,' Atchue said. 'Pledges of $15,000. That was from doing nothing — just talking with people.'

But then Phoenix political consultants, led by Geoff Esposito of Creosote Partners, stepped in. Atchue, advised that a recall would require a professional effort, stepped back.

No doubt it's true a recall election takes a tough effort. Just getting the election requires collecting 24,774 valid signatures, which must be submitted within 120 days of pulling the petitions. That means collecting about 207 valid signatures per day — more, to have a cushion.

But now there is no recall effort at all, or none that can be seen.

On Monday, Rep. Athena Salman, a Tempe Democrat, held a press conference to introduce a resolution to expel Finchem from the House. She introduced one LD11 voter, Dana Allmond, at the press conference, but nobody had even contacted the LD11 Democrats beforehand, Atchue said.

It seems that Esposito and Rural Arizona Action, a 501(c)(4) entity, have prioritized a long-shot effort at expulsion by House members over a longer-shot, more arduous recall effort.

Pablo Correa, co-executive director of Rural Arizona Action, said, 'We're also supporting recall.' But he cautioned, 'With the last recall, it took years.'

Atchue said the locals have no idea what's going on now that the pros are in charge.

Council to hear zoo controversy

The controversy over the Reid Park Zoo's expansion will likely get a new hearing at the Tucson City Council.

Ward 6 Council Member Steve Kozachik has asked for a discussion at the March 9 study session, he said in his weekly newsletter.

Kozachik is a big backer of the zoo expansion and has been unhappy with the late-arriving movement against the taking of Barnum Hill and the south duck pond, which are treasured public areas west of the zoo. He asked that the agenda item be added to discuss amenities that could be added to Reid

Park, and to discuss the process that brought the expansion forward.

Hedidnot give an inch on the idea of the expansion, scheduled to begin construction later in March, going forward.

My Pillow CEO cites Pima County

AMERICAN OVERSIGHT

Pima County makes a fleeting appearance in the new video by My Pillow CEO Mike Lindell, an avid Trump supporter who insists the Chinese used computer hacking to steal the presidential election from Trump.

The video, called Absolute Proof, aims, as the title suggests, to prove that Trump was robbed of victory by an assortment of villains.

Spoiler: It does not.

Along the way, Lindell posts a list of alleged intrusions into U.S. election computers. It was compiled by Dennis Montgomery, who is notorious for various reasons, among them that he worked for then-Sheriff Joe Arpaio of Maricopa County to try to gin up a conflict of interest charge against the judge overseeing Arpaio's criminal contempt case.

One IP address on Montgomery's list is from a Pima County computer, which is listed as 'Pima County elections.' Actually, though, the IP address is for a computer at Pima Animal Care Center, as ABC 15 journalist Garrett Archer noted on Twitter.

'Thanks to Mike Lindell, wenow have absolute proof that dogs and cats voted in Pima County last November,' Archer said.

Pima County IT looked into it and put out a more sober statement: 'The IP address shown is for www.pima.gov. Nothing in the screen shot that is shown provides any level of proof for the statements being made. There are no Elections or Voter Registration systems tied to the IP address shown.

Return to the table of contents

AZ 'fertility fraud' bill passes Senate Judiciary Committee

Howard Fischer
Arizona Daily Star
February 12, 2021

Doctors who use their own sperm to impregnate women without their consent could soon face new civil liability in Arizona.

Without dissent, the Senate Judiciary Committee agreed Thursday to create a new right to sue for 'fertility fraud.'

In essence, it would spell out in statute that a woman who gives birth to a child could seek damages if she was impregnated by the doctor's own sperm rather than what she requested. A similar and separate right to sue also would exist for the spouse of the woman as well as each child born from the action.

And it would allow such lawsuits up to a decade after a child's 18th birthday.

There is nothing specifically precluding such lawsuits. In fact, Kristen Finlayson who testified on Thursday has litigation pending in Pima County Superior Court against a man who, at the time, was a Tucson doctor.

AMERICAN OVERSIGHT

SB 1237, however, would create a specific cause of action with specific relief, spelling out not just the additional time to file these claims but that anyone found liable can be forced to pay compensatory and punitive damages or, at the very least $10,000.

Finlayson has detailed for reporters how, at age 34, she took one of those ancestry tests. That turned up the fact that she had no biological link to her father.

But it wasn't the fact that her mom had undergone artificial insemination that was an issue. It was the fact that it turned out that her biological father was this fertility doctor from Tucson. 'My mom and dad were desperate to have kids,' Finlayson told lawmakers. And she said how her mother specifically wanted a Hispanic donor.

'He decided to take it upon himself and inject his own sperm,' she said, and even saw her mother throughout her pregnancy and delivered her and her brother who, as it turned out, also was fathered by the same doctor.

'This is sexual assault,' Finlayson said. 'This is rape. It needs to be criminalized.'

This bill, however, doesn't go that far.

The original version of SB 1237 crafted by Sen. Nancy Barto, R-Phoenix, also would have made such actions a felony, as it is in Texas, California and Indiana.

But Sen. Warren Petersen, R-Gilbert, who chairs the panel, had the bill altered to remove that language. He told Capitol Media Services that creating a new crime would have been too great a first step for Arizona.

'I believe the civil will serve as a sufficient deterrent,' Petersen said.

Others, however, suggested that the issue should be addressed.

'It's really just horrifying and outrageous conduct,' said Sen. Kirsten Engel, D-Tucson.

'It does seem like this is a criminal act,' she continued. 'I am concerned that we are not necessarily identifying it as such.'

Engel said it might be possible to have separate legislation to address that.

The committee action sends the measure to the full Senate.

Return to the table of contents

Senate panel votes to erect new obstacles for those considering virus liability suits

Howard Fischer
Arizona Daily Star
February 12, 2021

AMERICAN OVERSIGHT

Citing the unusual circumstances of the pandemic, a legislative panel voted Thursday to provide some protections from lawsuits for medical professionals and business operators.

Senate Bill 1377, approved on a party- line vote by the Senate Judiciary Committee, would spell out new standards for any legal action filed during a state of emergency.

Retroactive to March 11, when Gov. Doug Ducey declared the current emergency, it would make it more difficult for someone to sue for death or injury.

The vote came despite questions about whether lawmakers were erecting unnecessary — and insurmountable — hurdles in the paths of those who were injured due to someone else's negligence.

The wording would effectively close the courthouse doors to people with legitimate claims of negligence, said Barry Aarons, lobbyist with the Arizona Trial Lawyers Association.

He suggested that even if SB 1377 became law, it could be voided as running afoul of constitutional protections of the right of individuals to sue for damages. But Republican lawmakers on the panel instead sided with business and medical interests.

'SB 1377 will provide

some level of legal predictability for small businesses during times that may be very unpredictable,' said Chad Heinrich, state director of the National Federation of Independent Business.
He said one of those uncertainties is whether they will be sued even if they take efforts to keep customers and patients safe.

'That fear is holding small-business owners back from making decisions to grow and expand their business,' Heinrich said.

Even if a business has done nothing wrong, he said just the threat of litigation and the cost of fighting lawsuits can cause companies to settle out of court.

Under normal circumstances, lawsuits for death and injury generally have to show only that the individual or business was negligent. That often requires a showing that the actions they took fell below the acceptable standard of care.

Then a jury makes a decision based on a 'preponderance of the evidence' standard, meaning whether it is more likely than not that there was negligence.

SB 1377 would alter both of these.

First, it would require a showing not of simple negligence but that the person 'failed to act or acted with willful misconduct or gross negligence.'

A jury would have to believe the allegations were proven by 'clear and convincing evidence,' a higher standard than simple preponderance.

AMERICAN OVERSIGHT

It would also provide a defense to a lawsuit, saying that someone is presumed to have acted in good faith if there was at least a reasonable effort to comply with guidelines issued by a state or federal agency for operating during the pandemic.

'It protects responsible actors,' said Courtney Coolidge, a lobbyist for the Arizona Chamber of Commerce and Industry. She said 23 other states have adopted similar laws.

Coolidge also said this

does not immunize businesses for failing to protect employees because it does not overrule existing workers' compensation laws that guarantee benefits for people injured in work-related incidents.

'We don't prevent in this bill legitimate claims,' said Steve Barclay, lobbying for two doctors' organizations.

'But we set a higher standard ... in emergent-type standards,' he said. 'Our workers deserve this protection.'

Kathy Busby, lobbying for the Arizona Nurses Association, told lawmakers about members working under stress at hospitals with limited staffing.

'Their concern was that if they were not able to provide the level and standard of care that they normally would, would their license be in jeopardy, would they be liable for lawsuits because of that,' she said.

Busby said some have been told that if they can't provide care at the expected level they should just quit.

'And we certainly don't want that in the middle of the pandemic,' she said.

Rep. Kirsten Engel, D-Tucson, questioned the need to make it harder to sue, even with the emergency. She said she has been able to find just three lawsuits in Arizona tied directly to negligence related to COVID-19. More to the point, Engel suggested the wording is far too broad.

For example, she pointed out that the legislation provides liability protection not only for those who actually complied with the standards set forth by state or federal officials, but also those who only attempted to comply, 'giving liability protection to those who may have tried but didn't try hard enough.'

'And yet both of them we're going to treat the same,' Engel said.

Dana Kennedy, state director for AARP, had more specific concerns, saying SB 1377 would effectively immunize nursing homes and assisted living facilities that have not been properly taking care of patients.

'The difference between a typical business and a long-term living facility during a pandemic is clear,' Kennedy said. 'Consumers can choose their level of risk and long-term-care residents don't.'

That's made more critical, she said, by the pandemic rules enacted by the state limiting the ability of others to check on the welfare of residents.

'They were locked in and families were locked out,' Kennedy said.

AMERICAN OVERSIGHT

The Arizona Constitution says the right to sue to recover damages for injuries 'shall never be abrogated, and the amount recovered shall not be subject to any statutory limitation.'

Aarons told lawmakers that all the conditions they are putting on people before they can collect for damages effectively is 'denying access to the courts.'

Sen. Martin Quezada, D-Glendale, said he will bring up that issue when the measure now goes to the Senate Rules Committee, which is supposed to consider the constitutionality of legislation.

Return to the table of contents

Arizona virus hospitalizations below half of pandemic peak

Paul Davenport
Arizona Daily Star
February 12, 2021

Arizona reported 200 additional coronavirus deaths Thursday as the number of hospitalized COVID-19 patients fell below half of the pandemic high from a month ago during the height of the fall and winter surge.

There were 2,507 COVID-19 patients occupying inpatient beds in Arizona as of Wednesday, down from the pandemic high of 5,082 on Jan. 11, according to the state's coronavirus dashboard.

The Department of Health Services reported 1,861 additional confirmed COVID-19 cases as the pandemic totals increased to 791,106 cases and 14,662 deaths.

In Pima County, there have been 105,909 cases of coronavirus, up 80 from previous day. There have been 2,023 deaths in Pima County, up 42 from the previous day. In another development, Maricopa County announced Thursday that it was expanding vaccination eligibility at county sites to adults 65 and

older, lowering the age range from 75 and older.

Two large state-run vaccination sites in Maricopa County, which includes most of metropolitan Phoenix, began providing shots to people 65 and older previously.

Along with fewer hospitalizations, reported numbers of new COVID-19 cases and deaths in Arizona have been declining.

Seven-day rolling average of daily new cases dropped from nearly 6,860 on Jan. 27 to about 3,124 on Wednesday while the rolling average of daily deaths dropped from 159.3 to 126.6 during the same period, according to data from the COVID Tracking Project.

Arizona for much of January had the highest COVID-19 diagnosis rate among U.S. states. It had the fifth-worst rate for Feb. 3-10, behind South Carolina, Oklahoma, Arkansas and New York.

With the number of COVID-19 patients dropping, the state's largest hospital chain, Phoenix-based Banner Health, said Wednesday that it was loosening

AMERICAN OVERSIGHT

its criteria for elective surgeries and performing more such procedures that had been delayed in recent months because of the surge.

'Hospitals can still make decisions locally regarding which elective surgeries they will proceed with based on local resources and capacity,' Banner said.

However, Banner said the number of fatalities continued to keep its hospital morgues nearly full and that it continued to use at least one of two refrigerated trucks to temporarily store bodies.

Banner also said it continued to use contract workers to augment its hospitals' staffs and that no-visitor policies remained in effect.

Return to the table of contents

Bill requires counties to disclose information on voting machines

Howard Fischer
Arizona Daily Star
February 12, 2021

Facing defeats in court, Republican lawmakers are moving to change the law — retroactively — in a bid to eventually get their hands on voting equipment and ballots, even if it takes months.

SB 1408 would spell out in statute that county election equipment, systems, records and other information 'may not be deemed privileged information, confidential information or other information protected from disclosure.'

The measure approved Thursday on a party-line 5-3 vote by the Senate Judiciary Committee declares that this information is 'subject to subpoena and must be produced.' And it empowers judges to compel production of the materials and records.

Sen. Warren Petersen, R-Gilbert, who chairs the panel, made it clear the legislation has one purpose: to force the hand of Maricopa County officials who have so far refused to comply with a subpoena the Senate has issued.

They have produced various records.

But the supervisors contend the county is precluded from surrendering access to voting machines and the actual ballots to senators or the auditors they hope to hire. And so far the Senate's efforts to get a court ruling compelling disclosure have faltered.

'They continue to hold the position that we don't have the authority to investigate,' Petersen said. He said the authority already is there but this makes it 'crystal clear.'

That point, however, remains under debate.

The first subpoenas — there were two at the time — were issued in December. The county filed suit contending the machines and ballots were not subject to disclosure.

AMERICAN OVERSIGHT

Maricopa County Superior Court Judge Randall Warner never reached that issue. Instead he concluded there is nothing in the Arizona Constitution that specifically allows him to enforce a legislative subpoena.

A new subpoena and cases before two other judges have failed to get a clear ruling, with one judge suggesting that it would first take a contempt citation by the Senate before he could act. But that bid fell apart earlier this week when Sen. Paul Boyer, R-Glendale, refused to go along with GOP colleagues, leaving the effort one vote short.

Petersen said Thursday his new bill should resolve the matter once and for all.

'This can resolve our pending litigation,' he said. 'This can give the county comfort in handing over what we already believe they can do.'

No one from the county was at the hearing to testify on the measure.

Petersen also said he was not deterred by the prior court rulings against the Senate.

'Just because a judge rules something doesn't mean a judge is right,' he said.

'That's a big problem here,' responded Sen. Martin Quezada, D-Glendale.

'There's a small segment of our population and a large segment of elected officials across the nation who are refusing to accept the results of these judicial challenges,' he said. 'That's the furtherance of 'the big lie' that there was some sort of election fraud.'

He said there were more than five dozen election challenges filed across the country, virtually all of these ruling against Donald Trump and his supporters. The kind of efforts like what the Senate is trying to do with its audit of the election, Quezada said, simply adds to narrative that people should not trust the election system.

The outcome of those lawsuits did not impress Sen. Sonny Borrelli, R-Lake Havasu City.

'Judges don't want to get involved in political issues,' he said, which is why cases get dismissed on 'technicalities' like whether the person has a right to sue in the first place. 'This clarifying language so there's no other interpretation I think is warranted.'

Petersen called the legislation an 'insurance policy' designed to blunt any future arguments by supervisors that they don't have to surrender what the Senate wants.

Even if the measure becomes law — and even if county officials agree that it requires them to surrender the equipment and ballots — that does not portend a quick end to either the legal fight or the questions about whether the results of the November vote were accurate.

It takes a two-thirds vote of both the House and Senate to adopt any law with an emergency clause, allowing it to take effect immediately on the governor's signature.

No Maricopa County officials were at a Senate committee hearing to testify on SB 1048, which passed the panel 5-3.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Arizona adds 1,861 new COVID-19 cases, 200 deaths

Alison Steinbach
Arizona Republic
February 12, 2021

Arizona again reported a relative low of 1,861 new COVID-19 cases and a high 200 new known deaths on Thursday, as hospitalizations for the disease continued to decline.

Arizona's seven-day, new-case average ranked ninth on Wednesday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the last seven days was 43.5 cases per 100,000 people, per the CDC. South Carolina was first with 62.2 cases per 100,000. The U.S. average for new cases was 32.4 cases per 100,000 people.

The state's average daily COVID-19 deaths per 100,000 people over the past seven days ranked fourth in the nation as of Wednesday, per the CDC.

Arizona's newly reported 200 deaths brought the known COVID-19 death count to 14,662. The state surpassed 14,000 deaths on Saturday after passing 13,000 deaths on Jan. 29, just one week after it passed 12,000 and two weeks after 11,000 deaths. The state exceeded 10,000 known deaths on Jan. 9. Arizona's first known death from the disease occurred in mid-March.

The Arizona data dashboard shows 88% of all ICU beds and 90% of all inpatient beds in the state were in use Tuesday, with 40% of ICU beds and 29% of non-ICU beds occupied by COVID-19 patients. Statewide, 223 ICU beds and 889 non-ICU beds were available.

The number of patients hospitalized in Arizona

for known or suspected COVID- 19 cases was at 2,507 on Wednesday, down from 2,589 on Tuesday and below the record 5,082 inpatients on Jan. 11. By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer surge was 3,517 on July 13.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 719 on Wednesday, down from 763 on Tuesday and below the record high of 1,183 on Jan. 11. During the summer surge in mid-July, ICU beds in use for COVID-19 peaked at 970.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 481 on Wednesday, a drop from 508 on Tuesday and below the record-high 821 reached on Jan. 13.

Wednesday saw 1,535 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Thursday's numbers

AMERICAN OVERSIGHT

Reported cases in Arizona: 791,106. Cases since the outbreak began increased by 1,861, or 0.24%, from Wednesday's 789,245 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 494,345 in Maricopa, 105,909 in Pima, 44,439 in Pinal, 35,910 in Yuma, 20,354 in Mohave, 16,616 in Yavapai, 15,875 in Coconino, 15,060 in Navajo, 10,715 in Cochise, 10,036 in Apache, 7,548 in Santa Cruz, 6,228 in Gila, 5,194 in Graham, 2,336 in La Paz and 538 in Greenlee, according to state numbers.

The Navajo Nation reported

29,041 cases and 1,086 confirmed deaths in total as of Tuesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 11,619 inmates had tested positive for COVID-19 as of Wednesday, including 2,134 in Tucson, 2,006 in Yuma, 1,965 in Eyman, 1,205 in Lewis and 1,130 in Douglas; 43,586 inmates statewide have been tested. A total of 2,612 prison staff members have self-reported testing positive, the department said. Thirty-one incarcerated people in Arizona have been confirmed to have died of COVID-19, with 19 additional deaths under investigation.

Arizona as of Wednesday had the sixth-highest overall case rate in the country since Jan. 21, 2020. Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Rhode Island, Utah and Tennessee, according to the CDC.

Deaths by county: 8,306 in Maricopa, 2,023 in Pima, 750 in Yuma, 696 in Pinal, 593 in Mohave, 464 in Navajo, 434 in Yavapai, 344 in Apache, 299 in Coconino, 246 in Cochise, 202 in Gila, 165 in Santa Cruz, 68 in Graham, 66 in La Paz and six in Greenlee.

Return to the table of contents

Arizona House panel advances bill to seal criminal records

Uriel J. Garcia
Arizona Republic
February 12, 2021

A state House of Representatives committee advanced a proposal on Wednesday that would allow people convicted of a crime an opportunity to have criminal records sealed by state courts, which advocates said would provide a second opportunity for people who have paid their debt to society. House Bill 2320, which is sponsored by Rep. Ben Toma, R-Peoria, advanced on a 9-0 vote by the House Criminal Justice Reform Committee.

The bill would allow people to ask a court to seal their records of being charged and convicted at least two years after being sentenced.

"I fully admit that not everybody is going to be on board," Toma said. "I think as a moral matter, for me personally, I believe in second chances and that I believe the state, once someone has paid their dues, should grant those second chances."

AMERICAN OVERSIGHT

The proposal was one of a series of proposals the committee considered, including a bill that would require Arizona law-enforcement departments to report all of their use-of-force cases so the state can create a statewide database.

This proposal, sponsored by Rep. Walt Blackman, R-Snowflake, also advanced on a 9-0 vote.

Toma's proposal also would allow people to say in job or housing applications that they have never been arrested or convicted of a crime.

The bill would require prosecutors and victims to be notified if the people convicted have applied to have their records sealed. The application

would have to be approved by the court. If people com- mit another crime after their records have been sealed, law-enforcement officers and prosecutors would have access to the sealed documents, according to the bill.

Some of the people who spoke in favor of the court-sealing proposal during the committee meeting had been convicted and served time in prison. They said that as a result of having a criminal record being public they have struggled to find housing or jobs even though they have not committed any other crime.

Kara Williams, an organizer with the American Civil Liberties Union of Arizona who has previously been incarcerated, said the proposal would help people find housing. Williams said that after her divorce she began to use drugs, and it led her to a path of crime to feed her addiction. After she was released from prison in 2018, she said she had a hard time finding an apartment where it was safe for her and her three children. She settled for a small place but eventually bought a house. She said she was able to do this because her family supported her. "I should not have to worry in twenty years if I needed to go rent a place again that I'm going to be denied because of my past felonies," she said. "I should be afforded the opportunity to wipe the slate clean after a reasonable amount of time. Please, just think about the people who do not have the opportunities that I had."

Daniel Arellano, a First Amendment lawyer who represents The Arizona Republic, raised concerns about the proposal. He said he supports the intention of the bill — which is to allow people who have served their time to continue living a dignified life after doing their time.

He said that if a court seals records, especially if the person is of public interest, it would essentially block information that is considered public record.

He said some states have expungement laws, which remove criminal records from public view in many cases. But as Toma's proposal stands, Arellano said, the general public, including reporters, would not have access to a person's criminal record if they needed to investigate a person who may be of public concern.

"There is a distinction between sealing and expungement, and we take no issue whatsoever with expungement," he said.

Uriel Garcia covers public-safety issues in Arizona. Reach him at uriel.garcia@azcentral.com.

AMERICAN OVERSIGHT

"I fully admit that not everybody is going to be on board. I think as a moral matter, for me personally, I believe in second chances and that I believe the state, once someone has paid their dues, should grant those second chances."

Rep. Ben Toma, R-Peoria

Return to the table of contents

Athletics at ASU gives $641,000 in bonuses

Craig Harris
Arizona Republic
February 12, 2021

Arizona State University's athletics department lost $11 million last fiscal year as COVID-19 began, but 110 employees received more than $600,000 in discretionary bonuses — likely the largest in the Pac-12 Conference — records obtained by The Arizona Republic show.

The University of Arizona and six other Pac-12 schools gave no discretionary bonuses last year partially because of financial challenges caused by COVID-19, according to records obtained by The Republic. UA laid off 21 employees in its

athletics department because of budget problems related to the pandemic, while other schools imposed layoffs, furloughs and program cuts.

One Pac-12 athletic director said he waived his bonus and asked others to do the same to mitigate the "negative impact that COVID-19 continues to have on revenues."

ASU and other Pac-12 schools also awarded bonuses based on contractual obligations. But the $641,160 in payouts were discretionary, not contractually required. The largest discretionary bonus at ASU athletics was $100,000, going to

Vice President for Athletics Director Ray Anderson, who received a fiveyear contract extension on Thursday from the Arizona Board of Regents.

ASU President Michael Crow gave Anderson that bonus. In a meeting on Thursday, he told the Regents he wanted to "lock in" Anderson so ASU wouldn't lose "our talent."

Crow also told the Regents on

Thursday that financial losses for the athletics department were about $4.4 million, though Anderson and ASU spokeswoman Katie Paquet said Wednesday that the losses were $11 million. Records ASU submitted to the NCAA show a $10.9 million loss for the fiscal year that ended June 30.

Crow also told the Regents "we are not giving bonuses in the middle of the pandemic." Paquet and Anderson said the bonuses were paid in July 2020, when COVID-19 cases were spiking in Arizona.

Efforts to reach Crow were unsuccessful.

AMERICAN OVERSIGHT

Paquet said she did not know if Crow had awarded any other large discretionary bonuses to ASU employees.

Anderson told The Republic he directed his $100,000 bonus to other employees, whom he did not identify. ASU records indicate the money was paid to Anderson.

The 110 staffers receiving discretionary bonuses included deputy athletic directors, financial executives, people in the sports information office and lower- level staffers. Coaches with sports teams typically have their base pay and bonuses determined by contracts.

Anderson granted the remaining discretionary bonuses, with Deputy AD Jean Boyd and CFO Frank Ferrara each receiving $49,000, records show. The smallest of the bonuses was $500.

Anderson said the bonuses were less than the previous year, and they were given because "it was the right thing to do." Records show Anderson in 2019 granted $719,740 in discretionary bonuses, and he did not receive one.

"We pay for performance," Anderson said, noting bonuses are part of the total compensation to his staff.

Marc Ganis, a Chicago-based sports business consultant, said ASU's bonuses may seem "out of the norm" during a pandemic and should be questioned. However, Ganis said Anderson and his staff presided over a major fundraising and renovation effort of Sun Devil Stadium, which happens maybe once in a decade.

Breaking down student fees, university-funded bonuses

Anderson was hired on Jan. 9, 2014. That year, ASU athletics staff received $176,409 in discretionary bonuses.

Since 2015, Anderson had allocated more than $4 million, an average of $678,423, in discretionary bonuses, for a group ranging from 80 to more than 100 staffers each year.

Anderson said ASU pays its athletics staff "mid-market" salaries, and he has provided bonuses for outstanding work and to boost morale. Unlike some Pac-12 schools, ASU did not impose furloughs or layoffs during the pandemic.

The bonuses were paid after ASU's athletics department had recorded an $11 million deficit for its fiscal year that ended June 30, and as questions remained about whether ASU would have a football season — the department's biggest money-maker — in the fall.

The Pac-12 ultimately had an abbreviated football season, but there were no fans at the games, resulting in no ticket revenue, and far less income from TV contracts.

Arizona State operates a roughly $120 million athletics budget for this fiscal year, and much of that budget comes from money made off ticket sales, TV contracts, sponsorships and donations.

But some of the department's funds come from public support, and from students themselves.

AMERICAN OVERSIGHT

The department received $10.1 million from the university (in the form of tax dollars, tuition or donations).

It also made $11.3 million from fees imposed on ASU students. Students pay the mandatory fee upon enrollment and receive access to athletic events in exchange. But there have been no fans at games so far this academic year because of COVID-19 protocols.

Anderson said it's unlikely there will be discretionary bonuses in 2021, and he's required all of his coaches to cut 15 percent from their budgets. He said that likely will mean reductions in travel, recruiting and meals.

Crow told the Regents this fiscal year's deficit would be substantial, and in the "tens of millions of dollars."

Supplemental pay

Anderson has a base pay of $800,000, but he made at least $2.2 million in fiscal 2019 because of bonuses and other incentives, according to The Republic's most recent annual salary survey of statewide public employees.

He was the second highest-paid public employee in the state behind Arizona men's basketball coach Sean Miller, whose program is under a NCAA investigation.

Anderson and other athletic directors and coaches across the country this year received bonuses related to the academic success of student-athletes and their performance.

ASU coaches and other staff employees were granted $1.4 million in "supplemental pay" last year because of contractual obligations, records show. It was the smallest amount during Anderson's tenure.

Anderson received $572,615 in supplemental pay last year, records show. Men's basketball coach Bobby Hurley was awarded a $250,000 contractual bonus, while football coach Herm Edwards was paid $237,500 in supplemental pay. The smallest payout was $2,500.

No bonuses at seven Pac-12 schools

Arizona State had the largest discretionary athletics bonuses last year among 10 of the Pac-12 Conference schools that responded to The Repub-lic's requests.

The ASU bonuses were six times larger than the $109,000 given at Oregon, the second-highest amount in the conference.

Oregon provided its discretionary bonuses to 37 employees who performed extra duties when the Ducks won the 2020 Rose Bowl, and Colorado awarded $4,666 in discretionary bonuses to four employees.

Stanford is a private school and not subject to public records requests.

However, it said it had provided undisclosed "modest bonuses to select support staff who went above and beyond their scope of regular duties," after an internal email was released that criticized Stanford for handing out bonuses while the school plans to cut 11 sports.

AMERICAN OVERSIGHT

USC, also a private school, declined to comment.

Along with Arizona, athletics departments at the University of California, UCLA, Utah, Oregon State, Washington and Washington State did not give discretionary bonuses, according to interviews and public records obtained by The Republic.

"I personally asked each

head coach and other staff to join me in voluntarily waiving their bonuses. I was proud of their responses as we had 100% participation. This was part of a much larger budget mitigation strategy due to the negative impact that COVID-19 continues to have on revenues" said Oregon State Athletics Director Scott Barnes.

Pac-12 Commissioner Larry Scott and the league's CEO group earlier this year agreed to terminate his contract one year ahead of schedule, following reports that the conference laid off or furloughed nearly half of its staff (94 of 196 employees) after the fiscal year 2020 bonuses were paid out to executives.

Legal filing over booster harassment claim

Anderson in 6 1 / 2 years at ASU has hired 17 of 22 current head coaches and was instrumental in the renovation of Sun Devil Stadium.

Grade point averages and graduation rates among student athletes have increased under Anderson, according to documents provided to the Regents.

Those documents say that ASU is not aware of any "issues negatively affecting Anderson's employability such as NCAA or Pac-12 Conference rule violations, litigation, allegations of wrongdoing, or press controversies related to his employment at ASU."

Anderson last year was accused in a legal claim of covering up allegations that a booster sexually harassed three women. The booster denied the allegations. Anderson then fired the senior executive, Dave Cohen, who reported the behavior. Anderson gave Cohen a $95,000 discretionary bonus in 2019, the largest among the entire staff, records show.

Cohen filed a $1.5 million notice of claim, which would allow ASU to settle.

The university did not pay Cohen, and he's now awaiting approval from the U.S. Equal Employment Opportunity to file a lawsuit, according to his attorney.

Mike Perez, Cohen's attorney, reviewed the discretionary bonuses paid to ASU staff, and he said at least five people awarded substantial payouts had spoken poorly about Cohen's work performance during an ASU investigation into Cohen's allegations.

Perez said he found it "remarkable" that Anderson received a $100,000 discretionary bonus last year amid the controversy, and he awarded so many other bonuses during the pandemic.

Paquet said the notice of claim did not result in litigation, and ASU does not feel it would affect Anderson's employability at the university.

AMERICAN OVERSIGHT

Anderson said his employees were paid based upon their performance, and he's expecting to have his contract extended.

"That's the plan," he said. "I intend to be here. We are excited to continue our work here."

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

No law degree? No problem. How you can now represent clients in Arizona

Peter Samore
KTAR News
February 12, 2021

Anyone can now become a legal paraprofessional and represent clients in Arizona courts.

The Arizona Supreme Court earlier this year sanctioned paraprofessionals who could provide more affordable legal representation.

Paraprofessionals can act for clients in misdemeanor cases with no possibility of jail time, or in family and small claims courts.

"Millions of people across the country have no access to civil justice in our system because they cannot afford a lawyer," Vice Chief Justice Anne Timmer said.

Timmer believes more affordable paraprofessionals can reduce burdens on lawyers who look for more profitable cases to stay in business.

"Lawyers would have to provide an additional 900 pro bono hours each — each year — to assist all households," Timmer said, citing a study from the American Bar Association.

"That's not going to happen."

Monica Lindstrom, legal expert for KTAR News 92.3 FM, explained there are concerns this cheapens the law profession in terms of cost and value.

"Allowing those to practice law without the necessary education is actually doing a disservice to the community and hurts justice, according to some," Lindstrom said, adding lawyers fear clients won't get adequate legal representation.

The state Supreme Court licenses and regulates legal paraprofessionals. Timmer says they could get bachelor's degrees in arts and law — like the University of Arizona offers — or take the experiential route.

"A lot of paralegals work for family law firms right now. They have years of experience and know what they're doing," Timmer said. "Then, they could take a test to prove that they have the qualifications."

The vice chief justice hopes the testing process will weed out those unqualified, adding legal paraprofessionals face the same discipline as lawyers who break laws or ethics rules. This includes suspension, loss of license or probation under another attorney.

Non-lawyers can also own Arizona law firms for the first time, which could allow investors into firms to cut costs for themselves and their clients.

AMERICAN OVERSIGHT

It's a change Lindstrom says some attorneys find troubling.

"What if a non-lawyer investor violates a rule?" Lindstrom asked. "Will that result in attorneys losing their licenses? This is a real question that worries attorneys.

"An attorney must always accept a client's decision when it comes to a settlement. When you introduce a non-regulated non-lawyer into the mix, does the interests of the firm in maximizing profit trump what the client wants?"

Timmer says legal ethics rules and laws still apply across the board.

She insists the changes are no different than changes to medical practices in recent decades, where non-doctors like physician assistants and nurse practitioners can treat patients, prescribe medications and work in hospitals that they don't own.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Senate Republicans push backup plan in county election fight

KTAR News
February 12, 2021

Arizona Senate Republicans who have been battling with Maricopa County to get access to ballots and election equipment from the November election are pushing a backup plan to gain that access in case a court agrees with the county board's position that the materials are protected.

A Senate committee dominated by Republicans advanced a proposal Thursday that says ballots and election machines are not privileged, confidential or protected from disclosure if the Legislature issues a subpoena. Democrats were opposed.

The Republican-controlled county board has been fighting the Senate's effort to get access to ballots and election machines since mid-December under a subpoena issued by lawmakers who have questioned President Joe Biden's win in the state. The board maintains the ballots are secret under law and the state constitution and tabulation machines can't be compromised by allowing uncertified people to examine them.

The board handed over reams of materials and is doing two audits of their own on the machines to ensure they accurately counted ballots and weren't hacked.

The Senate fell one vote short of finding the board in contempt on Monday, just days after the county board asked a judge to quash the subpoenas.

GOP Sen. Warren Peterson of Gilbert, who issued the latest subpoenas after taking over as chair of the Senate Judiciary Committee in January, said his new proposal is "an insurance policy" in case a judge rules against the Senate.

"They continue to hold the position that we don't have the authority to investigate and audit the ballots and in this case the equipment," Peterson said at Tuesday's hearing on his proposal, SB 1408. "So this makes clear what we already believe is the law."

AMERICAN OVERSIGHT

Democratic Sen. Martin Quezada called the proposal another effort by Republicans who question former President Donald Trump's defeat to perpetuate their unfounded claims and question dozens of court rulings nationwide that found no fraud or other issues with the vote.

"I think that's the big problem here, that there's a small segment of our population, and a large segment of our elected officials, that are refusing to accept the result of these judicial challenges," Quezada said. "And that's the furtherance once again of "The Big Lie", that there was some sort of election fraud. There wasn't, at all."

On Wednesday, the Republican county recorder in Maricopa County issued a detailed defense of the audits the county is holding, saying statements by Peterson and others that the audits fall short are inaccurate. And a county board member leveled a broadside against a GOP senator who accused him and the board during the contempt vote Monday of shifting its positions as it fought the subpoenas and the supervisor as misrepresenting the truth.

"What's the difference between that and a bald face lie," Sen. Rick Gray said. "I don't see a difference."

GOP Supervisor Clint Hickman was visibly angry at Wednesday's board meeting as he blasted the senator, who he didn't name in keeping with Senate tradition of not naming people they are criticizing. Instead, he called Sen. Rick Gray, who blasted Hickman and the board, "Senator Dick."

"So Dick had some horrible things to say," Hickman said. "He questioned the honorableness of our board. He questioned my honesty, and he knew he had a microphone to do it, and I don't possess the kind of microphone he has speaking on a floor speech."

Hickman went on to say his wife was worried about the family's security after watching Gray's comments.

"He lost control," Hickman said. "It's almost like Senator Dick lost himself, almost like Dick didn't know Dick. And that is horrible to me."

Gray wasn't immediately available for comment Thursday.

A court has not yet set a hearing on the county's request to quash the senate subpoenas.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Dr. Christ: Arizona COVID vaccine shortage won't cause cancellations

Kevin Stone
KTAR News
February 12, 2021

Despite a COVID-19 vaccine supply shortage, Arizona's top health official said Thursday that appointments won't be canceled.

"There will be vaccine available," Dr. Cara Christ, director of the Arizona Department of Health Services, told KTAR News 92.3 FM's The Mike Broomhead Show. "We know that we've got vaccine

AMERICAN OVERSIGHT

here in the Valley that we can redistribute, and so no one should worry about showing up at the vaccine site today or tomorrow to get vaccinated."

As of Thursday morning's ADHS COVID-19 dashboard update, 1,045,644 of the state's 1,220,400 allotted vaccine doses had been administered. That represents 85.6% of the allocation.

The federal government distributes additional vaccine to states each week. Christ said Arizona has been receiving about 170,000 doses weekly.

Christ and other state officials have been pressing federal authorities to increase Arizona's weekly shipments by 300,000 doses.

On Monday, Christ gave President Joe Biden and Vice President Kamala Harris a virtual tour of the state-run vaccination site at State Farm Stadium in Glendale.

She said Thursday that she didn't talk specifically about vaccine supply at that time, "but we are in constant communication with our federal partners."

Christ said she's hoping Arizona's allocation will soon be boosted.

"They know we have the capacity, and I know they're working to try and get us additional vaccine," she said. "Vaccine supply is limited nationwide."

For more information about statewide vaccine availability, the ADHS website has a vaccine-finder page with a map of locations and information about registration.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Senate pushes backup plan in election fight with county

Bob Christie
Arizona Daily Sun
February 12, 2021

Arizona Senate Republicans who have been battling with Maricopa County to get access to ballots and election equipment from the November election are pushing a backup plan to gain that access in case a court agrees with the county board's position that the materials are protected.

A Senate committee dominated by Republicans advanced a proposal Thursday that says ballots and election machines are not privileged, confidential or protected from disclosure if the Legislature issues a subpoena. Democrats were opposed.

The Republican-controlled county board has been fighting the Senate's effort to get access to ballots and election machines since mid-December under a subpoena issued by lawmakers who have questioned President Joe Biden's win in the state. The board maintains the ballots are secret under law and the state constitution and tabulation machines can't be compromised by allowing uncertified people to examine them.

The board handed over reams of materials and is doing two audits of their own on the machines to ensure they accurately counted ballots and weren't hacked.

The Senate fell one vote short of finding the board in contempt on Monday, just days after the county board asked a judge to quash the subpoenas.

GOP Sen. Warren Peterson of Gilbert, who issued the latest subpoenas after taking over as chair of the Senate Judiciary Committee in January, said his new proposal is “an insurance policy” in case a judge rules against the Senate.

“They continue to hold the position that we don’t have the authority to investigate and audit the ballots and in this case the equipment,” Peterson said at Tuesday's hearing on his proposal, SB 1408. "So this makes clear what we already believe is the law."

Democratic Sen. Martin Quezada called the proposal another effort by Republicans who question former President Donald Trump's defeat to perpetuate their unfounded claims and question dozens of court rulings nationwide that found no fraud or other issues with the vote.

“I think that’s the big problem here, that there’s a small segment of our population, and a large segment of our elected officials, that are refusing to accept the result of these judicial challenges,” Quezada said. “And that’s the furtherance once again of “The Big Lie”, that there was some sort of election fraud. There wasn’t, at all.”

On Wednesday, the Republican county recorder in Maricopa County issued a detailed defense of the audits the county is holding, saying statements by Peterson and others that the audits fall short are inaccurate. And a county board member leveled a broadside against a GOP senator who accused him

AMERICAN OVERSIGHT

and the board during the contempt vote Monday of shifting its positions as it fought the subpoenas and the supervisor as misrepresenting the truth.

"What's the difference between that and a bald face lie," Sen. Rick Gray said. "I don't see a difference."

GOP Supervisor Clint Hickman was visible angry at Wednesday's board meeting as he blasted the senator, who he didn't name in keeping with Senate tradition of not naming people they are criticizing. Instead, he called Sen. Rick Gray, who blasted Hickman and the board, "Senator Dick."

"So Dick had some horrible things to say," Hickman said. "He questioned the honorableness of our board. He questioned my honesty, and he knew he had a microphone to do it, and I don't possess the kind of microphone he has speaking on a floor speech."

Hickman went on to say his wife was worried about the family's security after watching Gray's comments.

"He lost control," Hickman said. "It's almost like Senator Dick lost himself, almost like Dick didn't know Dick. And that is horrible to me."

Gray said Thursday that it's clear from media coverage that the county has as large a voice as his, and that all he wants is an outside audit that will satisfy those who are questioning the results.

"I personally do not want to go back and forth with him," Gray said Friday. "My goal is to drop this as soon as possible."

A court has not yet set a hearing on the county's request to quash the senate subpoenas.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Navajo Nation reports 53 new COVID-19 cases, 11 more deaths

Arizona Daily Sun
February 12, 2021

Navajo Nation health officials on Thursday reported 53 new COVID-19 cases and 11 more deaths.

The latest figures raised the totals to 29,098 cases and 1,097 known deaths since the pandemic began.

Tribal officials said additional federal personnel are beginning to arrive to support vaccination efforts on the vast reservation that covers parts of Arizona, New Mexico and Utah.

The Navajo Department of Health has identified 44 communities with uncontrolled spread of COVID-19 from Jan. 22 to Feb. 4, down from 75 communities in recent weeks.

The tribe has extended its stay-at-home order with a revised nightly curfew to limit the virus' spread on the reservation.

The Navajo Nation also is lifting weekend lockdowns to allow more vaccination events.

AMERICAN OVERSIGHT

Tribal officials said there have been more than 238,000 COVID-19 tests administered and almost 16,000 people have recovered.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, February 12, 2021 9:10:22 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes February 11, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

February 11, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive*

AMERICAN OVERSIGHT

use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

House Commerce

Tuesday 02/16/21 at 2:00 PM, House Rm. 3

H2005: TECH CORRECTION; EDUCATION; FEDERAL FUNDS

H2176: TAXPAYER CONFIDENTIALITY; DISCLOSURE; PENALTY

H2277: INSURANCE; STUDY; REINSURANCE PROGRAMS; APPROPRIATION

H2282: SMALL BUSINESS ASSISTANCE GRANTS

H2367: SPECIAL EVENT LICENSES; CHARITABLE ORGANIZATIONS

H2387: DHS; EXEMPTION; CERTAIN FOODS; WINERIES

H2443: TECH CORRECTION; CERTIFICATE OF ELECTION

H2507: LANDLORDS; DECEASED TENANT; PETS

H2508: MONEY TRANSMITTERS; EXEMPTIONS; AUTHORIZED DELEGATES

H2530: LIQUOR PRODUCERS; EQUIPMENT DONATIONS

H2573: LANDLORD; TENANT; FEE DISCLOSURE: WAIVER

H2688: DISTILLED SPIRITS; DIRECT SHIPMENT LICENSE

H2711: ANTENNA USE; PRIVATE PROPERTY

H2716: LICENSING; BUILDING PERMITS; TEMPORARY PERMITS

H2721: MOTOR VEHICLE TRANSACTIONS; ADVERTISED VEHICLE PRICE

H2747: BROADBAND; FIBER OPTIC SERVICES; COMMITTEE

AMERICAN OVERSIGHT

H2753: DISTILLERIES; LICENSING; ENVIRONMENTAL EXEMPTION

H2770: MASK MANDATES; BUSINESS EXCEPTION

H2787: OCCUPATIONAL REGULATION; GOOD CHARACTER; DEFINITION

H2795: INSURANCE; IMPLEMENTATION CREDITS; EXCEPTIONS

H2808: APPROPRIATION; RURAL BROADBAND GRANTS

H2813: AUTONOMOUS VEHICLES

H2828: REMOTE ONLINE NOTARIES; FEES

H2834: ECONOMIC DEVELOPMENT; PROJECT CERTIFICATION

H2844: WINERIES; MICROBREWERIES; DISTILLED SPIRITS

H2845: TECH CORRECTION; GAME; FISH; FACILITIES

H2861: BUILDING PERMITS; FEES

H2882: TECH CORRECTION; ACTION TO RESTRAIN

House Education

Tuesday 02/16/21 at 2:00 PM, House Rm. 1

H2322: VOCATIONAL AND TECHNICAL EDUCATION; EVALUATIONS

H2421: SCHOOLS; DISTANCE LEARNING COURSES; FUNDING

H2458: SCHOOLS; UNIVERSITIES; CONSULAR IDENTIFICATION CARDS

H2667: COUNTY FREE LIBRARY DISTRICT

H2819: INNOVATIVE ASSESSMENT PILOT PROGRAM; APPROPRIATIONS

H2824: ADULT EDUCATION; GRANT PROGRAM; APPROPRIATIONS

H2830: ALTERNATIVE ORGANIZATION; COMMUNITY COLLEGE DISTRICTS

H2832: TEACHERS ACADEMY; REVISIONS

H2862: SCHOOLS; INSTRUCTIONAL TIME MODELS

H2863: ASDB; REVISIONS

AMERICAN OVERSIGHT

H2887: ACCELERATION AND SUPPORT GRANT PROGRAM

House Natural Resources, Energy & Water

Tuesday 02/16/21 at 2:00 PM, House Rm. 4

H2498: BATTERY STORAGE TECHNOLOGY; GRANTS; APPLICATION

H2576: WATER RIGHTS; GENERAL ADJUDICATIONS; FUNDING

H2670: UNDERGROUND STORAGE TANKS; TAX EXTENSION

H2671: TECH CORRECTION; UNDERGROUND STORAGE; CLOSURE

H2683: TECH CORRECTION; PRESENTATION OF CLAIM

H2691: TECH CORRECTION; GROUNDWATER PERMITS

H2806: HUMMINGBIRD CAPITAL; SIERRA VISTA

H2807: ARCHAEOLOGY ADVISORY COMMISSION

HCR2034: ARIZONA'S OUTDOORS; RECREATION; SUPPORTING

Senate Appropriations

Tuesday 02/16/21 at 2:00 PM, Senate Rm. 109

S1026: APPROPRIATIONS; EXTENDED BUS ROUTES

S1110: TPT; EXEMPTIONS; INDIAN TRIBES

S1174: APPROPRIATION; STEM INTERNSHIPS

S1295: ADVANCED PLACEMENT COURSES; EXAMS; APPROPRIATIONS

S1319: APPROPRIATION; AGENCIES ON AGING; OMBUDSMAN

S1354: RATE STRUCTURE; HOSPITAL SERVICES; PRISONERS

S1355: DEVELOPMENTAL DISABILITIES; PROVIDER INCREASES

S1384: STATE PARKS; LOTTERY; HERITAGE FUND

S1529: EDUCATION PROGRAMS; COUNTY JAILS; APPROPRIATION

S1539: KINSHIP FOSTER CARE STIPEND

AMERICAN OVERSIGHT

S1786: PRISONERS; MENTAL HEALTH TRANSITION PROGRAM

S1788: APPROPRIATION; COLLEGE OF MINING

S1789: RENTAL VEHICLE SURCHARGE; VLT

S1790: APPROPRIATION; BEHAVIORAL HEALTH RESIDENTIAL FACILITY

S1792: SOUTHERN ARIZONA; SPORTS AUTHORITY; COMMITTEE

S1794: HISTORIC RACE WAGERING

Senate Education

Tuesday 02/16/21 at 2:00 PM, Senate Rm. 1

S1114: SCHOOLS; REQUIRED POSTING; ABUSE HOTLINE

S1236: COLLEGE SAVINGS PROGRAM; NAME CHANGE

S1279: STUDENTS; DATA; ACCESSIBILITY

S1296: COLLEGIATE ATHLETICS; COMPENSATION

S1308: CTEDS; NONPROFITS; POSTSECONDARY INSTITUTIONS; AGREEMENTS

STRIKER: POSTSECONDARY BOARD; TUITION RECOVERY FUND

S1393: CONTINUING HIGH SCHOOL PROGRAM

S1404: CTEDS; DISTRICT GOVERNING BOARDS; ELECTIONS

STRIKER: STATE SEAL OF BILITERACY; ASSESSMENT

S1420: SCHOOLS; UNIVERSITIES; CONSULAR IDENTIFICATION CARDS

S1456: SEX EDUCATION INSTRUCTION; PARENTAL RIGHTS

S1508: ARIZONA PROMISE PROGRAM; APPROPRIATION

S1572: SCHOOLS; EARLY LITERACY

S1684: SCHOOLS; TRANSPORTATION SUPPORT; ENROLLMENT POLICIES

STRIKER: DYSLEXIA SCREENING; APPROPRIATION

S1717: TEACHERS ACADEMY; REVISIONS

AMERICAN OVERSIGHT

SCR1044: TUITION; POSTSECONDARY EDUCATION

REVISED HEARINGS

House Land, Agriculture & Rural Affairs

Monday 02/15/21 at 2:00 PM, House Rm. 3 ***REVISED [02/10/21]***

H2372: AGRICULTURAL OPERATIONS; NUISANCE; LIABILITY

H2374: ADDITIONAL WAGERING FACILITIES; CAP; REMOVAL

H2525: EGG-LAYING HENS; CONFINEMENT; REGULATION

H2702: FEDERAL GOVERNMENT; LAND ACQUISITION; CONSENT

H2817: APPROPRIATION; HAZARDOUS VEGETATION REMOVAL

~~HCR2034: ARIZONA'S OUTDOORS; RECREATION; SUPPORTING~~

HCR2036: CLEAN AIR ACT; AGRICULTURE; EXEMPTION

House Military Affairs & Public Safety

Monday 02/15/21 at 10:00 AM, House Rm. 1 ***REVISED [02/11/21]***

H2128: STATE LICENSING; FEE WAIVER

H2296: RESTRICTED LICENSE; DUI; SUSPENSION REPORT

H2309: VIOLENT; DISORDERLY ASSEMBLY; PUBLIC ORDER

H2310: MUNICIPALITIES; COUNTIES; LAW ENFORCEMENT BUDGETS

STRIKER: RECLASSIFICATION; PEACE OFFICER POSITIONS; PROHIBITION

H2447: ADOT; PORTS OF ENTRY; REPORTING

H2460: DETENTION OFFICERS; ARREST WARRANT; CUSTODY

H2550: COMPLAINTS AGAINST PEACE OFFICERS; NOTIFICATION

H2567: PEACE OFFICERS; INVESTIGATOR MEMBERSHIP REQUIREMENTS

H2623: FIREWORKS; USE; OVERNIGHT HOURS; PROHIBITION

H2658: DOC; SUBSTANCE ABUSE PROGRAMS; APPROPRIATION

AMERICAN OVERSIGHT

H2685: CONSULAR IDENTIFICATION CARDS; PERMITTED USE

H2763: COUNTY OFFICIALS; PRACTICE OF LAW

H2764: SENTENCING; CONCEALED WEAPONS PERMIT; SURRENDER

H2805: UNEMPLOYMENT INSURANCE; BENEFITS; TAX BASE

HCR2022: FISHER HOUSE; SERVICE MEMBERS; SUPPORTING

HCR2026: STATE OF EMERGENCY; TERMINATION; REFERRAL

HJR2001: PRIVATE PROPERTY; SALE; VETERANS ADMINISTRATION

HM2001: MILITARY SEXUAL ASSAULT; SERVICE MEMBERS

NEWS NOTES

IT TAKES BOYER AND FANN TO TANGO

The Senate retained Boyer's S1452 (Arizona empowerment scholarships accounts; revisions) on yesterday's COW calendar at his request, he told our reporter. Boyer is still dealing with the fallout of his Monday vote against the contempt resolution. "I wasn't in a good spot yesterday to have a lengthy floor debate," he said. Democrats loathe the bill, which would expand ESA eligibility to low-income children and students who attend a Title I school. Its committee hearing last week lasted more than three hours. A few railbirds pointed to the bill's retention on the COW calendar as a reminder of the delicate dance Boyer and the majority caucus have to engage in if they want to accomplish the majority's agenda – whatever it may be – this year. A Republican senator yesterday pointed out that pushing Boyer to the sidelines could hurt the majority, as Boyer is the Senate GOP's 16th vote.

BOYER SAYS HE CAN'T HOLD SUPERVISORS IN CONTEMPT IN GOOD CONSCIENCE

Boyer said his conscience would not allow him to hold a government official in contempt and potentially under arrest for "fulfilling the same oath" he took as an elected official. "Although this issue has been complicated by emotions from a hard-fought election cycle, I cannot let that outweigh my duty to the citizens of Arizona," he said in a news release. "The law must always come first, even when I may disagree with it." Boyer said he agrees with efforts to confirm that Arizona's election process is secure. Where he disagrees, he said, is the "chosen path to accomplish this task." "I

AMERICAN OVERSIGHT

have been criticized, attacked, and threatened for voting 'no' on holding the Maricopa County Board of Supervisors in contempt for not complying with the Senate subpoena to turn over the ballots," he said. But even if he had supported the resolution, he said, it wouldn't get the Senate anywhere closer to validating the integrity of Arizona's elections. "The dispute isn't whether or not the Maricopa County Board of Supervisors wants to hand over these ballots, but whether or not the law allows them to," he said. "Only the courts can determine this, which is why I support a path of an expedited hearing in the Superior Court and Arizona Supreme Court."

THE YEAR FRIENDS BECAME FOES

Gray decided he is done texting with the supervisor after Maricopa County Supervisor Clint Hickman chose to refer to Gray as "Senator Dick" during yesterday's board meeting. Gray on Monday obliquely referred to Hickman and private communication they had, though it was not immediately clear which of the five supervisors he was referring to unless viewers knew which county district Gray lives in. "I considered myself a friend with my supervisor, but then what does he come out and do? He comes out and blames us for being Trumpians, and [says] all we want to do is overturn the election ... I think the politically correct way is saying he misrepresented the truth. What's the difference between that and a bold-faced lie? I don't see a difference," Gray said. Hickman followed up in public comments during a board meeting yesterday, noting that the Senate discourages using names when disparaging somebody so he decided to call the unnamed legislator "Senator Dick." "Watching these comments as they were coming out of his mouth, he lost control. It was almost like Senator Dick lost himself, almost like Dick didn't know Dick, and that is horrible to me," Hickman said. Gray told our reporter he texted Hickman a link to Brahm Resnik's tweet with a video of Hickman's comments so Hickman will know that Gray saw them. "That was my last text and I will not be texting anymore because I don't want to further this type of conversation. Anything else I say, which is going to be limited, will be public comments only," he said.

CRAZINESS @ 200 MPH

Gray told our reporter that contrary to rumors, he hasn't changed his mind about the Senate's audit and subpoenas. Throughout the week, activists urged people to increase pressure on Gray after Monday's vote because of a belief that he would back away from efforts to pursue a contempt resolution. "There's misinformation in any direction you turn, and I have someone in my district that has added to that erroneous viewpoint. It just adds to the craziness," Gray told our reporter.

AMERICAN OVERSIGHT

IF YOU GIVE ROGERS THE HANDCUFFS...

While Fann, fellow Senate GOP leaders and Shope say they didn't intend the contempt resolution to actually lead to Joe Kubacki arresting Maricopa County's supervisors, some of her caucus's members are openly discussing arrest. Yesterday Rogers, responding to Clint Hickmann calling Gray "Senator Dick," tweeted, "The Maricopa Board of Supervisors need to be arrested for violating our subpoena. It is outrageous how they are behaving. And now they are acting in a petty manner." Petersen also acknowledged arrest as an end result, while other senators largely hedged their discussion of the contempt resolution by saying it's just a procedural step and that other options exist.

WHAT. A. WEEK.

Townsend entered a formal protest into the Senate record yesterday over Rios's comments Tuesday about the need for lawmakers to choose their words carefully. Without referring to Townsend directly, Rios on Tuesday described her comments as irresponsible and dangerous. The minority leader warned that words have consequences. Following Boyer's decision to vote "no" on the contempt resolution, Townsend declared: "So, public, do what you gotta do" – a statement that Quezada and Mendez took as inciting violence against Boyer and county supervisors. Yesterday, Townsend repeated her complaints published in Tuesday's *Arizona Legislative Report* that she thought the *AP* misrepresented her opinions by quoting only some of her comments. "I've paid close attention over the past 12 months on how rhetoric is changing. It's become useful to claim fear or harm to cover one's own misdeeds when no fear exists," she said. Townsend said she has felt real fear, including when rioters mobbed the Scottsdale Fashion Square and when a man took pictures at her home on Monday. "I stand by my statement that the public has every right to create a coalition and work together to take care of the business that we cannot take care of here. I firmly recommend that they move forward with legal action, as they should, and, on Monday, I also mentioned legal," Townsend said.

BOLDING SAYS OVERSIGHT BILL UNDERWENT STAKEHOLDER PROCESS

The AG's Office backs a Bolding bill to allow third party oversight of law enforcement investigations into use of deadly force, but Blackman struck the bill from his committee agenda, claiming Bolding hadn't done the legwork to get stakeholder input. Bolding told our reporter he drafted H2765 (law enforcement; deadly force; investigations) in response to the House asking Ducey to call a special session to go

AMERICAN OVERSIGHT

over criminal justice reform after police killed George Floyd and Dion Johnson. Currently, most investigations into deadly force are conducted by the same agencies where the officer who used deadly force works. Bolding and Brnovich believe it's time for a change. Blackman, who chairs the crim jus ref, struck the bill from his agenda for today's meeting because he was under the impression that no stakeholder meetings took place, according to Bolding and Brnovich's spokesman. Bolding said the claim that no stakeholder meetings happened is "patently false." He told our reporter he met with more than 50 stakeholders across seven meetings dating back to June, though several law enforcement agencies apparently refused to attend any of them. Bolding told our reporter he believes those who "declined" to attend any of those meetings are the ones who are likely pushing Blackman to kill it. Feb 18 is the deadline for House bills to be heard in House committees. Blackman said he plans to hold a hearing on the bill next Wednesday. "Criminal justice reform is bipartisan because it affects everybody," Blackman said. "I don't agree with some content in the bill. However, I believe that ... criminal justice reform (bills) have a right to be heard."

TRANSGENDER STAFFER FILES ETHICS COMPLAINT AGAINST FILLMORE, PAYNE

Riley Behrens, a House Democratic staffer, filed an ethics complaint against Fillmore and Payne Wednesday afternoon over comments they made while House gov debated Fillmore's H2757 (state documents; sex identification) earlier that day. Fillmore said his bill, which seeks to limit identification to male or female on official documents - such as driver's licenses - gives "clarity" in government documents. "I don't believe that we as a society should have all of the different binaries identified," Fillmore said. "What's going to happen when someday - someone - wakes up and they want to go to a far extreme and identify as a chicken or something? Where do we draw the line?" Behrens' complaint says Fillmore "continuously made harassing and discriminatory comments during public testimony," and calls out the chicken comment, in particular, saying the legislator "compared members of the LGBTQ+ community to farm animals." As for Payne, the complaint says he "continuously disrupted public testimony" at the hearing and notes that, as a woman testified against the bill and talked about her non-binary child, Payne muttered to himself, "So it doesn't know who it is?" Behrens, who is a transgender man, wrote that both of them "engaged in conduct that compromises the character of himself, the integrity of the Arizona State House of Representatives, and shows a lack of respect for members of the LGBTQ+ community." Behrens asked House ethics to investigate both of them and consider censure or other disciplinary action.

AMERICAN OVERSIGHT

THE DEBATE CLAUSE

The likelihood of Behrens' ethics complaint going anywhere is practically nil. In addition to legislative immunity, which notably exempts legislators from arrest except in cases of treason, felony and breach of the peace, they also enjoy protections to speak their mind during debates. The U.S. Constitution says "[for] any speech or debate in either house, [the members] shall not be questioned in any other place." Writing in the *First Amendment Encyclopedia*, Prof. John R. Vile of Middle Tennessee State University traced the concept back to the development of an independent parliament in England. Its general purpose, he wrote (LINK), is to "protect members of Congress from having to worry that anything they say in the course of legislative activities will implicate them in a lawsuit." The Arizona Constitution adopts a similar "Freedom of debate" clause: Article IV, Part 2, Section 7 says "no member of the Legislature shall be liable in any civil or criminal prosecution for words spoken in debate." Of course, Behrens filed an ethics complaint - not a civil suit in court - and, ultimately, it is up to the Senate Ethics Committee to launch a probe or dismiss the complaint.

WELCOME TO THE AMERICAN EXPERIMENT IN DEMOCRACY, AKA, THE AZ CIRCUS

Blackwater-Nygren was sworn in Thursday morning, bringing the House back up to 29 Democrats. She replaced Arlando Teller, who resigned recently to take a job with the U.S. Dept of Transportation. U.S. District Judge Diane Humetewa, who is Hopi, conducted the swearing-in. Blackwater-Nygren, a member of the Navajo Nation, spoke briefly after the ceremony, telling her colleagues she grew up poor in Red Mesa, a hamlet a mile from the Utah border. "I come from hardship, as do my constituents," she said. "And yes, I know that I represent more than the Navajo Nation. I represent all of District 7 - from Springerville to St. Johns."

NEWS RELEASES

Statement from Senator Paul Boyer

"Many citizens across our Great State are asking leaders to instill confidence in our election process through robust audits. I agree with many of my colleagues and am supportive of certifying that our election process is secure and conducted with integrity to ensure that eligible voters continue to exercise their constitutional right to cast a private, secure vote.

AMERICAN OVERSIGHT

Where I have disagreed in the prior days is on the chosen path to accomplish this task. I have been criticized, attacked, and threatened for voting 'no' on holding the Maricopa County Board of Supervisors in contempt for not complying with the Senate subpoena to turn over the ballots. Let me be clear, even if I voted 'yes' on S.R. 1005, it would not get us any closer to our goal in validating that our election process is fair and secure, because the dispute isn't whether or not the Maricopa County Board of Supervisors wants to hand over these ballots, but whether or not the law allows them to. Only the courts can determine this, which is why I support a path of an expedited hearing in the Superior Court and Arizona Supreme Court.

As an elected leader myself, I have sworn a duty to uphold the constitution and the law. I cannot in good conscience vote to hold another elected leader in contempt and potentially arrest them for fulling that same oath. Although this issue has been complicated by emotions from a hard-fought election cycle, I cannot let that outweigh my duty to the citizens of Arizona. The law must always come first, even when I may disagree with it.

I look forward to a speedy resolution on whether or not the Senate can have access to the ballots, and the continued debate on how to ensure our laws can further protect each eligible citizen's right to a private, secure vote so that trust in our democracy can be restored."

* * * * *

House Approves Consumer Protection Bill Making It Easier to Cancel Gym Memberships

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today unanimously approved consumer protection legislation sponsored by State Representative Justin Wilmeth (R-15).

HB 2697 would allow Arizonans to more easily and safely cancel their gym memberships, addressing a major issue that surfaced during the COVID-19 public health crisis. Under current Arizona law, gyms are only required to allow for cancellation of a membership if it is done in person or via certified mail. HB 2697 would update the law to allow for cancellation by mail, email or on a gym's website.

"This legislation provides a reasonable protection for Arizona consumers who may need another option to cancel their membership – a problem highlighted during the COVID pandemic," said Representative Wilmeth. "I am proud to partner with Arizona

AMERICAN OVERSIGHT

Attorney General Brnovich to address this issue and behalf of Arizona consumers."

The Arizona Attorney General Mark Brnovich has been an advocate for strong consumer protections, and he has expressed support for HB 2697. The bill now heads to the State Senate for consideration.

Justin Wilmeth is a Republican member of the Arizona House of Representatives serving Legislative District 15, which includes North Phoenix and Cave Creek.

* * * * *

AARP AZ Statement on SB1377 – Civil Liability: Pandemic

AARP AZ State Director Dana Marie Kennedy testified today in the Judiciary Committee in regards to SB1377 – Civil Liability: Pandemic. A Bill that provides Immunity Liability to businesses and Long Term Care Facilities. We asked for the bill to be amended and exclude Long Term Care Facilities. SB1377 passed 5-3 and moves on to the House Ways and Means Committee.

Chair and members of the committee, I am Dana Marie Kennedy, State Director for AARP Arizona. We are a non-profit, non-partisan membership organization with over 900,000 members in Arizona.

On March 11, 2020, I stood with the Governor and commended his Executive Order to closing down Arizona's long-term care facilities to protect the most vulnerable, and have since worked with his staff and LTC Task Force on visitation guidance.

I then spent months voicing my concern about the lack of adequate PPE and testing in these facilities. I advocated by speaking with the press, community partners, state legislators, and the Arizona Congressional delegation. I represented AARP in the House Ways and Means Committee about what was happening in LTC Facilities. I begged Congress to provide LTC facilities with the resources they desperately needed to protect the residents and staff.

Admittedly, at the beginning of the pandemic, LTC facilities did not have what they needed to prevent the spread of COVID-19. However, these facilities have since been given millions of dollars from the Federal Government for PPE, testing, and to increase staff wages to mitigate the spread. They now have what they need to protect residents and staff.

From our advocacy, families have reached out, desperate for answers about their loved

AMERICAN OVERSIGHT

ones. They are counting on AARP to be their voice. I talked to these families who were unable to see or communicate with their loved ones, phone calls went unanswered. Families are critical in recognizing abuse and neglect and they were not let in even after the LTC Task force passed visitation guidance. Even the ombudsmen were also not allowed in. I even received calls from staff of these facilities that they were being told to come to work, even when showing symptoms of COVID.

80% of these facilities had citations for infections control before Covid, and many were cited during Covid including citations for staff not wearing PPE correctly. Long-term care facilities must remain responsible when their wrong doing threatens the health—and lives—of residents and staff.

The death toll from COVID-19 in our nursing homes is a disgrace. Nationally, 39% of the deaths have been in LTC Facilities. Americans have died alone and afraid, without family by their sides. In Arizona, more than 2,200 residents have died in skilled nursing facilities and this does not even include Assisted Living Facilities.

The difference between a typical business and a LTC facility during a pandemic is clear: consumers can choose their level of risk and LTC residents don't. They were not even allowed to leave. They were locked in and families were locked out.

LTC facilities must remain responsible and held to a higher standard when their wrong doing threatens the health and lives of residents and staff. Litigation must remain an option of last resort. This legislation will put too high of a bar on families who are seeking justice; no family member who has lost a loved one due to neglect or abuse pursues this course of action lightly.

What if it was you or your loved one?

We respectfully would like to see this bill amended to exclude the LTC facilities.

Thank you for your consideration. I am happy to answer any questions you may have.

* * * * *

Sinema Champions Bipartisan Child Care Workforce and Facilities Act

Sinema's bipartisan bill addresses Arizona's shortage of affordable, quality child care, especially in rural communities

WASHINGTON – Arizona senior Senator Kyrsten Sinema helped introduce the Child

AMERICAN OVERSIGHT

Care Workforce and Facilities Act, bipartisan legislation to address Arizona's child care shortage by directing the U.S. Department of Health and Human Services to provide competitive grants to develop more child care workers and build or renovate child care facilities in areas with child care shortages.

"Now more than ever, Arizona's everyday families need safe, accessible, and affordable child care so Arizonans can work, provide for their families, and know their children are receiving the highest-quality care. Our bipartisan bill expands child care opportunities and support to Arizona families," said Sinema.

Sinema's Child Care Workforce and Facilities Act addresses the lack of access to affordable, quality child care, which became more evident during the coronavirus pandemic as child care facilities shut down and workers struggled to get back on-the-job without child care options.

This bipartisan legislation assists states like Arizona and tribes with implementing projects that expand the child care workforce and repair child care facilities through competitive grants. These grants are awarded for up to 5-year periods, and child care providers that qualify under the Child Care and Development Block Grant Act of 1990 are eligible to apply. Sinema's bill additionally directs the Department of Health and Human Services to study the impact of these grants and submit its findings to Congress within two years of enactment.

Arizona has 304,183 children under the age of six with both parents in the workforce. Outside of the pandemic, there were only 234,270 child care spots and fewer than 10,000 child care workers. One-third of Arizona's licensed child care providers were closed—permanently or temporarily—due to the pandemic, and those that have remained or re-opened are running at limited capacity.

An early investment in child care—or lack of it—could potentially affect everything from high school graduation rates, grade performance, to life productivity. Sinema's bill improves the quality of child care and creates new spots to serve more families in need.

In her first year as U.S. Senator, Sinema introduced the first-of-its-kind bipartisan paid leave proposal that allows families to receive support after the birth or adoption of a new child to finance time off of work, offset the cost of infant care, or both.

* * * * *

AMERICAN OVERSIGHT

Statement from Commissioner Sandra D. Kennedy Regarding Political Contributions

PHOENIX – It has recently come to light that monopoly energy providers regulated by the Arizona Corporation Commission have contributed significant funds to political candidates, including thousands of dollars to state legislators who participated in the attempted insurrection at the U.S. Capitol on January 6, 2021. On February 5, 2021, I sent a letter to Arizona Public Service Company and on February 9, 2021, I sent a letter to Southwest Gas Corporation asking whether ratepayers paying their energy bills each month were unknowingly financing political campaigns that may not be in their best interest. It is incumbent on the Commission to ensure ratepayer dollars are being used responsibly and to the benefit of the ratepayer. I want a full accounting of the purpose of these campaign expenditures and how exactly these expenditures benefit the ratepayers of Arizona.

You can contact Commissioner Kennedy by email at SDKennedy-web@azcc.gov and on Twitter @SandraDKennedy. You can follow any case before the Commission on our website: edocket.azcc.gov.

* * * * *

Rep. Grijalva Statement on End of Trump's National Emergency at the Southern Border

WASHINGTON— Today, President Joe Biden officially ended former President Trump's national emergency declaration at the Southern border. Trump declared the national emergency in 2019 to divert billions in congressionally-appropriated Defense Department funds to construct his border wall after Congress refused to provide him with the necessary funds. In response to the announcement, Rep. Raúl M. Grijalva issued the following statement:

"Trump's national emergency was never about security. It was about stealing taxpayer dollars to build a monument to his racist policies while destroying environmental treasures, Native American sacred sites, and border communities in the process. The end of this fake emergency was a long time coming.

"Now, the Biden Administration must immediately cancel the existing construction contracts to ensure that not another foot of border wall is constructed under his watch. We have a duty to recognize the severe impacts border wall construction has had on border communities and begin our work to remedy the major damage caused by

AMERICAN OVERSIGHT

Trump's destructive policies."

* * * * *

Governor Ducey Appoints Former Buckeye Mayor Jackie A. Meck To State Board Of Transportation

Governor Doug Ducey today announced the appointment of former Buckeye Mayor Jackie A. Meck to the State Board of Transportation.

"Jackie Meck brings years of experience and leadership to the Board of Transportation," said Governor Ducey. "His hard work and dedication have been instrumental in the West Valley's growth, and I know he will continue to serve Arizona well. I look forward to his service on the Board."

Meck is a Buckeye native and served as mayor from 2008 to November 2020. He has dedicated his life to community service and leadership throughout Arizona, focusing primarily on economic development and conservation. He has served in multiple departments including the Board of Directors of the Greater Phoenix Economic Council (GPEC), and on the Maricopa Association of Governments' (MAG) Regional Council, Economic Development Committee, Transportation Policy Committee, and Executive Committee & Regional Council.

Meck also served on the board for WESTMARC, Valley Metro RPTA, is the former president of the Buckeye Valley Chamber of Commerce, and is the retired general manager of the Buckeye Water Conservation and Drainage District. Prior to becoming mayor of the City of Buckeye, Meck served as a town council member from 1968 to 1973 and town mayor from 1973 to 1975 prior to Buckeye becoming a city in 2014.

"For many years, I have been committed to helping Buckeye and the entire state prosper and grow," said Meck. "I am honored to join the Board of Transportation to assist in growing our infrastructure, maintaining safe roads, and meeting the demand of new residents moving to our state. Thank you to Governor Ducey for this opportunity — I look forward to serving in this new role."

In addition to his role on a number of committees and councils, Meck has worked on multiple conservation and restoration projects. He and his wife, Verlyne, have three children and four grandchildren. Meck attended the University of Arizona.

* * * * *

AMERICAN OVERSIGHT

Biggs and Babin to Co-Chair Border Security Caucus for 117th Congress

WASHINGTON, D.C. – Congressman Andy Biggs and Congressman Brian Babin returned to the House Border Security Caucus as co-chairmen. Both Congressman Biggs and Congressman Babin issued the following statements:

"I am excited to reconvene the Border Security Caucus for the 117th Congress. Border security is national security, and Congress's role is essential to ensuring a secure border. All members of our caucus will be actively working to oppose the Biden administration's open-borders policies and to protect the rule of law. I look forward to working with Congressman Babin and my colleagues on this caucus to stand for border security and unapologetic enforcement of American immigration laws." – Congressman Andy Biggs (AZ-05)

"I'm grateful for the opportunity to once again co-chair the House Border Security Caucus with my friend, Congressman Biggs. In his first three weeks in office, President Biden has made weakening our national security a top priority. He has abandoned our borders, endangered our Border Patrol, and already made us less secure, less safe, and less sovereign. I look forward to continue working with the members of this caucus to push back against the reckless decisions coming out of the Biden White House and Democrats in Congress." – Congressman Brian Babin (TX-36)

"President Biden has wasted no time in implementing his open-borders immigration policies that put Americans at increased risk of COVID, job loss, and wage suppression. Poor Americans, disproportionately minorities, will also face increased competition for scarce government resources. At a time when President Biden has abdicated the oath he took to protect and defend America and her citizens, the Border Security Caucus has never been more critical to demand accountability from the administration and to represent the interests of American workers and taxpayers. On behalf of the millions of Americans we represent, we thank Chairmen Babin and Biggs for their steadfast leadership and commitment to the Constitution, the rule of law, and our great nation." – Rosemary Jenks, Director of Government Relations, NumbersUSA

"Representatives Babin and Biggs have both made border security a top priority since they came to Washington, so seeing them step up to lead the Border Security Caucus is no surprise and we're excited to work with them. Considering that our nation is on the brink of yet another border crisis — in the midst of a global pandemic and terrible economic conditions — the American people desperately need lawmakers to join together and fight for border policies that protect them. That's what the Caucus is

AMERICAN OVERSIGHT

going to do and we encourage all members to join at this critical time." – RJ Hauman, head of government relations at FAIR

NEWS CLIPS

House panel votes to allow Arizona cities to regulate vacation rentals

By Howard Fischer Capitol Media Services 02-11-21

Saying a 2016 law hasn't worked out as promised, a House panel voted 8-5 Wednesday to give cities more control of how and where vacation rentals operate.

House Bill 2481 would allow city and town councils to impose limits on how many people can be in a short-term rental based on the number of bedrooms. (To read more, click here).

* * * * *

Arizona bills: Allow more guns in gov't buildings, block local enforcement of US gun laws

By Howard Fischer Capitol Media Services 02-11-21

State lawmakers are moving to let more people carry guns into government buildings. They also want to block local law enforcement from enforcing federal gun laws.

On a party-line vote, the House Committee on Government and Elections approved legislation that says if someone has a state-issued permit to carry a concealed weapon, they would be free to ignore "no guns" signs posted on government doors.

* * * * *

Lawmakers want AG review of eviction moratorium

By Howard Fischer Capitol Media Services 02-11-21

Two state lawmakers are asking Attorney General Mark Brnovich to rule that expanded eviction protections approved last week by Pima County supervisors is

AMERICAN OVERSIGHT

illegal.

In a formal complaint February 9, Republicans Vince Leach of Tucson and Bret Roberts of Maricopa contend that counties have no inherent power to interfere with otherwise valid residential leases. And even if they did, they argue, what the supervisors enacted is pre-empted by state law. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Wednesday, February 17, 2021 2:32:36 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes February 17, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

Arizona Legislative Report

Today's News Notes

February 17, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically*

AMERICAN OVERSIGHT

disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

House Government & Elections

Thursday 02/18/21 at 1:00 PM, House Rm. 1

H2060: SCHOOLS; PLEDGE; QUIET REFLECTION

H2302: ELECTION LAWSUITS; SETTLEMENTS; APPROVALS

H2308: RECALL PETITIONS AND ELECTIONS; REVISIONS

H2373: VOTER REGISTRATION GROUPS; FORMS; IDENTIFIERS ***STRIKER: SAME SUBJECT***

H2378: RANKED CHOICE VOTING; PRESIDENTIAL PREFERENCE

H2435: SCHOOLS; GOVERNING BOARDS; ELECTIONS; REVISIONS

H2455: FIRE DISTRICTS; PENSION LIABILITY; FINANCING

H2457: LOBBYISTS; CONFLICTS OF INTEREST; DISCLOSURE

H2543: STATE PERMITTING DASHBOARD

H2554: TECH CORRECTIONS; SAFE DEPOSIT; TENANCY

STRIKER: PARTY REPRESENTATIVE; RESIDENT; VIOLATION

H2569: ELECTIONS; PRIVATE FUNDING; PROHIBITION

H2570: LICENSES; PANDEMICS; REVOCATION PROHIBITION

H2590: DAY OF RACIAL HEALING; OBSERVED

H2700: COUNTY OFFICERS; SALARIES; INCREASE

H2723: CAMPAIGN FINANCE; REPORTS; CONTRIBUTION AMOUNT

H2759: RULEMAKING; PETITIONS; GRRC

H2792: EARLY BALLOTS; REQUEST REQUIRED

H2793: VOTER REGISTRATION; REQUEST REQUIRED

AMERICAN OVERSIGHT

H2794: ELECTION DEADLINES; MODIFICATIONS PROHIBITED

H2804: PUBLIC MEETINGS; EXECUTIVE SESSIONS

H2811: SAME DAY REGISTRATION; PROHIBITION

H2841: ATTORNEY GENERAL; INITIATION OF ACTION

HCM2005: RESTORATION; CHERRYBELL MAIL PROCESSING CENTER

HCR2015: ARTICLE V CONVENTION; TERM LIMITS

HCR2016: INITIATIVES; SUPERMAJORITY VOTE REQUIREMENT

HCR2020: LIEUTENANT GOVERNOR; JOINT CANDIDACY

HCR2023: ELECTIONS; STATE AUTHORITY; INFRINGEMENT; OPPOSITION

HCR2035: WASHINGTON, D.C.; STATEHOOD; OPPOSITION

House Appropriations

Monday 02/22/21 at 10:00 AM, House Rm. 1

H2005: TECH CORRECTION; EDUCATION; FEDERAL FUNDS

H2167: INDEPENDENT CORRECTIONS OMBUDSMAN; OVERSIGHT COMMITTEE

H2169: APPROPRIATION; TOURISM; DUDE RANCHES; PROMOTION

H2179: NEW SCHOOL FACILITIES; ADDITIONAL FUNDING

H2489: APPROPRIATION; AFFORDABLE HOUSING

H2498: BATTERY STORAGE TECHNOLOGY; GRANTS; APPLICATION

~~H2504: APPROPRIATION; DPS; SALARY INCREASE~~

H2754: SCHOOL SAFETY; SCHOOL RESOURCE OFFICERS

~~H2887: ACCELERATION AND SUPPORT GRANT PROGRAM~~

NEWS NOTES

READY FOR AN ALL-NIGTHER?

Buckle in for a long afternoon tomorrow if you're interested in the election law debates that have been a focus of the Legislature this year. House gov convened at 8 a.m. today and, after advancing numerous controversial bills on party-line votes, including H2373 (voter registration groups; forms; identifiers) and H2792 (early ballots; requested), adjourned around 12:45 p.m. Kavanagh said the committee will convene again at 1

AMERICAN OVERSIGHT

p.m. Thursday. "Depending on how robust our discussion is, we'll be out of here at 5 p.m. or 5 a.m.," Kavanagh said.

PANEL APPROVES MEASURE TO EXEMPT BUSINESSES FROM MASK MANDATES

House com voted yesterday afternoon to advance a bill that would exempt businesses from having to enforce any state or local mask mandates. H2770 (mask mandates; business exception), which Chaplik and 21 other House Republicans sponsor, made it out of committee on a 6-4 party-line vote. Chaplik said he has "heard from countless people who feel like their liberties are being stolen and being ordered to cover up their faces even when they are healthy," and that businesses have been "thrust into the unwanted role of 'mask police' on their customers." That, Chaplik said, isn't the job of government or business owners. "Republicans seek to promote freedom, while Democrats try to restrict it from you," he said. Some of the Democrats who spoke against the measure said masks work and implied the measure would increase the spread of Covid. Meza, who voted "no," said two cousins died from Covid, while Fernandez talked about the number of people who have gotten Covid in LD4. Powers Hannley said masks and social distancing save lives, "and I support the mayors in the state of Arizona who have been brave enough to have mask mandates." The mayors of some of the state's biggest cities conceded last year their police don't enforce their own mask mandates (LINK).

THE LONELY LIFE OF PAUL

Boyer yesterday killed Gowan's S1128 (library; archives; public records; museum), joining with all 14 Dems to vote down the Hobbs-opposed bill that would give control of the Arizona Capitol Museum to Legislative Council. Republicans long wanted to take the museum away from Hobbs since at least summer 2019, when she hung LGBTQ pride flags from the balcony of the old capitol. Blackman complained and Legislative Council removed the flag, saying that Hobbs controls the museum but Leg Council controls the building itself. Boyer told our reporter via text that he voted against Gowan's bill because he believes the control belongs with the Secretary of State – no matter who that is.

PACE, DEMS STOP THERAPY BILL

Pace joined the three Dems on Senate hel-hu ser to kill Leach's S1482 (professions; therapy ban prohibition) over concerns that it would protect counselors telling their LGBTQ clients to harm themselves. Pace, a member of the Church of Jesus Christ of Latter-day Saints, explained that his religion – and other Christian dominations – view homosexuality as a sin that will prevent people from achieving eternal salvation. The Bible even directs people to pluck out their own eye if it offends, he said. Pace is likely referring to Biblical teaching on the gravity of sin. The Book of Matthew, for example,

AMERICAN OVERSIGHT

says, "If your eye causes you to sin, gouge it out and throw it away. It is better for you to enter life with one eye than to have two eyes and be thrown into the fire of hell." Pace described being told as a child that it is better to be blind than to view pornography, and he worried that S1482 would protect counselors who advocate self-harm in the name of a religion. The bill says a state office, agency, political subdivision, or local government or any organization with authority to license or discipline members of a profession cannot prohibit, impose any penalty or take any adverse action against an individual who gives, receives or consents to counsel, guidance or any other communication that is consistent with conscience or religious belief, whether described as therapy or not, and whether provided for a fee or not. "Someone can say under this bill, it is better for you to cut off your [private part] than it is to be a homosexual man, and I've heard that before," he said. That counselor should obviously lose their license, Pace said. Navarrete, who is gay, referred obliquely to his own experiences with religious counseling after Barto prevented him from describing his experience to Townsend earlier in the hearing. "As someone who has gone through a lot of counseling growing up and has grown up in the church, I can tell you firsthand that this attempt to make someone into something else is extremely harmful," he said. Townsend voted against the bill, then, on Barto's urging, agreed to vote for it contingent on floor amendments, which is, for now, a moot point.

SHOPE SAVES DUCEY FROM THREAT OF TERMINATING EMERGENCY DECLARATION

Ducey will get to keep his Covid state of emergency as Ugenti-Rita lacks enough votes to pass her SCR1001 (state of emergency declaration; termination). Shope told our reporter he let Ugenti-Rita know yesterday that he will not support the measure, dooming it. All Democrats also oppose the measure, which would have automatically ended the current state of emergency upon a majority vote of both chambers, and, as a resolution, would not have required Ducey's signature.

CONTRACEPTIVE BILL TAKES A STEP FORWARD

Ugenti-Rita's S1082 (pharmacists; dispensing authority; hormonal contraceptives) cleared its first hurdle in Senate hel-hu ser this morning but will not pass out of the Senate unanimously as it did last year. S1082 would allow pharmacists to fulfill standing birth control prescriptions. But Barto and Townsend voted "no" and argued that they believe the bill would result in an abortion. Rogers also opposed the bill. Townsend argued with both Ugenti-Rita and an OB-GYN who spoke to the committee when they told her hormonal birth control, which is designed to prevent pregnancy, would work as an abortifacient and end pregnancy.

THE UNCIVIL CIVILIZATION

House jud voted, 7-3, Wednesday to make the state law against picketing in front of

AMERICAN OVERSIGHT

someone's home stricter. H2715 (residential picketing; offense) would add a clause to say the crime of residential picketing, which is already a Class 3 misdemeanor, doesn't just depend on the intent of the picketer but also whether a "reasonable person would find the acts harassing, annoying or alarming." Kavanagh said that would make it easier to prosecute. "Times have changed and, quite frankly, we've become something of an uncivil civilization," Kavanagh said. "You have people on both sides of issues, both political parties getting pretty aggressive against people whose positions they oppose."

THE HUMAN DEVOLUTION

Before voting on H2715, several House jud members said they have been targeted at home by protesters. Blackman said he has had to call the police and change the route his daughter takes to school because of threats. "It is quite frightening when someone calls you and shows up to your house and says they're going to kidnap your daughter because of a piece of legislation," he said. Finchem brought up the recent protests against Boyer, who moved his family to an undisclosed location because of threats he received after breaking with other Senate Republicans in voting to kill a motion to hold Maricopa County supervisors in contempt over an election audit dispute. "We might disagree with Sen. Boyer's move, (but) to dox his wife, to protest at his house to the point where he has to extricate his family and go someplace else," Finchem said, "if that means that the hard hammer of government needs to come on people because they can't act civilly ..." Bowers talked about the times people have protested in front of his home, including yesterday, and mentioned the moments when protesters cut his Christmas lights or paraded on his street honking and screaming into bullhorns when his daughter was ill. "I don't think we're evolving," Bowers said. "I think we're devolving as a society, accepting harsher and harsher applications of our so-called rights as we express ourselves in a variety of ways." Rodriguez worried the bill would infringe upon activities protected by the First Amendment. "I do feel for my colleagues who have had to go through this," he said. "No one should be subject to this, but at the same time, we're charged with the goal of preserving individualized justice and punishment with protecting everyone else's rights under the Constitution."

THE TENDENCY OF POWER IS TO ACCUMULATE POWER

House gov voted 7-6 along party lines today to advance a proposal to require a 60% vote to pass an initiative, rather than the simple majority required now. HCR2016 (initiatives; supermajority vote requirement) would ask voters in 2022 if they want to amend the Arizona Constitution to raise the threshold. Salman called the measure "clearly a power grab by the Legislature because of their discontent at how the voters are voting," and said it would hold initiatives to a higher standard than the one lawmakers hold themselves to. Republicans countered the Legislature can, if it makes a mistake, fix a law more easily, while the Voter Protection Act makes it difficult, if not impossible, to modify an initiative. "There's no reason that we shouldn't be requiring

AMERICAN OVERSIGHT

60% of Arizonans who vote on that initiative to say, 'Yes, we support this,'" Hoffman said. The vote was delayed for a few minutes since Kavanagh, who was the deciding vote, was testifying on another bill in House jud. Hoffman, the vice chairman who ran the meeting in his absence, held the vote open for about four minutes until Kavanagh came back, triggering an argument between Salman and the two Republicans who run the committee over what is a reasonable amount of time to hold open a vote if a member is absent.

RAISE YOUR HAND IF YOU WANT A LIEUTENANT GOVERNOR

House gov also voted along party lines to advance HCR2020 (lieutenant governor; joint candidacy), which would ask voters in 2022 if they want to create an office of lieutenant governor. Unlike most states that have a lieutenant governor, Arizona's Secretary of State is next in line if the governor steps down. This can lead to the governor's office changing parties in the middle of a term, which happened in 2009 when Gov. Janet Napolitano took the job of U.S. Homeland Security Secretary in Obama's administration, elevating then-Secretary of State Jan Brewer to the governor's office. Arizona has a Republican governor and Democratic secretary of state currently. HCR2020 proposes gubernatorial candidates would name their lieutenant governor nominees and run on a ticket with them. The measure's Republican supporters said it would respect the will of the voters by ensuring the governor's office doesn't change parties unexpectedly, while its Democratic opponents pointed out that voters rejected the idea in 1994 and again in 2010 and suspected the public wants to elect top officials of different parties as a deliberate check on power.

SO DID THE STAFFER RIP OFF HIS MASK?

Video from yesterday's Senate floor session portrays Townsend telling an unidentified staff member to rip off his mask. Townsend's screen was not audible on the floor, but people watching remotely heard the exchange, and it was preserved in the archived video shortly after Fann asked Boyer to join her at her desk when he unexpectedly voted "no" on Gowan's S1128 (library; archives; public records; museum). The man was helping Townsend with camera issues - Townsend attends floor from her office because she refuses to wear a mask. "I'm just trying to catch my breath. It's hard with these masks on though," he said, laughing. "Just rip it off," Townsend responded. "I won't tell anybody." The rest of her audio was unclear, and her feed went mute shortly after.

NEWS RELEASES

Superintendent Hoffman Announces Federal Relief and Recovery Funding Allocations for Arizona Public Schools

Arizona Department of Education will use discretionary funds to

AMERICAN OVERSIGHT

ensure equitable distribution of federal aid

PHOENIX – Today, Arizona Superintendent of Public Instruction Kathy Hoffman announced the amounts each school district and charter organization will be eligible to receive under the latest round of federal relief and recovery funding for Arizona public schools. Under formula funding set by Congress through the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA), Title I schools will receive over $1 billion to support COVID-19 relief and recovery efforts.

Superintendent Hoffman also announced the use of discretionary dollars available to the Arizona Department of Education (ADE) under CRRSA to guarantee a baseline funding amount for every public school district and charter organization in the state. ADE used poverty data to ensure a per-pupil award amount and will guarantee $150,000 in relief funding for every public school district and non-profit charter organization in Arizona, with $175,000 guaranteed for rural school districts and charter organizations, and $200,000 guaranteed for the most remote school districts and charter organizations.

“It’s critical that every school has the necessary resources to support their students, staff and families throughout the COVID-19 pandemic. Typically, our small, rural, and remote schools are too often left behind when resources are allocated. That’s why I prioritized ensuring that every public school - regardless of size or location - had access to federal relief funding,” said Superintendent Hoffman. “While this significant infusion of federal recovery dollars is good news for Arizona's schools, it is not a substitute for sustainable funding from the state as they move through and beyond the crisis of this pandemic.”

“ARSA fully supports Superintendent Hoffman's plan to direct additional funding to rural and remote schools in Arizona as they will be critical to meeting the needs of Arizona’s rural schools and students,” said Wes Brownfield, Executive Director of Arizona Rural Schools Association. “Additional funding for rural and remote schools is vital to initiatives like the Final Mile Project which works to take the fiber broadband so many of our schools receive and extends that capacity to the student’s home. We want to thank Superintendent Hoffman for her continued support of Arizona’s rural schools and her commitment to bridging the digital divide for our rural students.”

Allocation amounts for each public school district and non-profit charter organization can be found here: ESSER II Allocations for LEAs

Next week, the Arizona Department of Education will host a webinar for school

AMERICAN OVERSIGHT

leaders to share additional information and take questions regarding the application process as well as explain allowable uses of federal relief funds.

* * * * *

New Tax Relief for Arizona Small Businesses Approved by House Committee

STATE CAPITOL, PHOENIX – The House Ways and Means Committee today approved HB 2838, legislation sponsored by Representative Joseph Chaplik (R-23), that revises Arizona tax structure for taxpayers and protects small business from overtaxation by the federal government, without impacting the state general fund. The vote was divided by party line, 6-4.

"Small businesses are the backbone of the Arizona economy, and I will do everything in my power to protect them," said Representative Chaplik. **"As Arizona businesses recover from an unprecedented economic downturn, I remain committed to providing them every opportunity to thrive in this challenging environment. HB 2838 frees up critical capital for business owners and doesn't cost the state a dime in tax revenue.**

"Republicans voted to help all businesses with tax relief without negatively impacting our state revenues. Democrats voted 'no' and are not willing to help their businesses in their districts."

In November 2020, the Internal Revenue Service issued guidance (Notice 2020-75) that pass-through entity businesses may claim deductions above the $10,000 State and Local Tax (SALT) cap. In response, at least seven states have imposed a new tax structure at the pass-through entity level permitting this deduction as intended by the federal government. Under HB 2838, Arizona would join those other states, providing small businesses significant potential tax savings.

All 31 members of the House Republican Caucus have signed their support for HB 2838. It will next be considered by the whole House.

Joseph Chaplik is a Republican member of the Arizona House of Representatives serving Legislative District 23, which includes Scottsdale, Fountain Hills, and Rio Verde.

* * * * *

Lesko Introduces Legislation to Expedite Broadband Expansion

AMERICAN OVERSIGHT

WASHINGTON, D.C.—U.S. Congresswoman Debbie Lesko (AZ-08) introduced the *Connecting And Building Lines for Expedited (CABLE) Expansion Act* to institute clear approval process deadlines for franchise authorities for broadband projects. This legislation will expedite critical processes to remove roadblocks to rapid broadband expansion.

"As we work to rapidly expand broadband access for Americans across the country, we must remove the barriers to expansion, like approval delays," said Congresswoman Lesko. "It is my hope that this legislation, along with related legislation introduced by my colleagues, will help accelerate broadband expansion so we can meet the connectivity needs of families across the United States."

This bill streamlines the permitting process for cable operators that apply to a franchise authority to deploy new or collocated facilities for cable service. The bill preserves local authority over siting facilities for cable service while establishing a "responsibility to respond" on franchising authorities and placing reasonable limits on aspects of such reviews, such as establishing criteria for denial and ensuring nondiscriminatory review requirements. Additionally, the bill establishes a timeline within which an application would be required to be approved or denied. If a request is not approved or denied with reason within the established timeframes, the request would automatically be deemed granted.

This legislation is part of a comprehensive package of 28 bills released by Republican members of the House Energy and Commerce Committee that aim to turbocharge public and private investment by promoting new and upgraded infrastructure deployments, boosting competition, streamlining permitting processes, facilitating broadband deployment on federal lands, and closing the digital divide in both rural and urban areas.

* * * * *

House Commerce Committee Approves Bill to Help Arizona Businesses Expand Outdoor Dining

STATE CAPITOL, PHOENIX – The House Commerce Committee on Tuesday approved HB 2530, legislation sponsored by State Representative Leo Biasiucci (R-5) to allow licensed producers of distilled spirits and spiritous liquor to donate used or excess equipment to certain small business dining establishments to help them expand their outdoor dining capacity.

"Arizona small businesses have been subjected to unprecedented economic challenges this past year because of the pandemic and

AMERICAN OVERSIGHT

subsequent government mandates," said Representative Biasiucci. **"To comply with these mandates, and to stay in business, establishments have needed to expand outdoor dining options to serve their customers. However, that comes with additional costs which many small businesses simply cannot afford. My legislation aims to help those establishments by providing additional avenues by which they can obtain equipment needed for outdoor services."**

Leo Biasiucci is the Republican Majority Whip for the Arizona House of Representatives and serves Legislative District 5, which includes La Paz and Mohave Counties.

* * * * *

AARP Community Challenge Grant Program Now Accepting 2021 Applications

The program funds quick-action projects; Application Deadline is April 14, 2021

(PHOENIX, ARIZONA) — AARP Arizona invites community organizations and local governments across the state to apply for the 2021 Community Challenge grant program, ***now through April 14***. Grants fund quick-action projects that can range from several hundred dollars for small, short-term activities to several thousand or tens of thousands for larger projects. Now in its fifth year, the grant program is part of AARP's nationwide Livable Communities initiative, which supports the efforts of cities, towns, neighborhoods and rural areas to become great places to live for people of all ages.

"We are thrilled to bring this grant opportunity back to Arizona in 2021 and we encourage all eligible organizations to apply," said Dana Marie Kennedy, AARP AZ State Director "We've seen great results from the Community Challenge grant program in communities across Arizona, and this year we are increasing our support for projects that focus on diversity and inclusion and aid in local recovery from the coronavirus pandemic."

Since 2017, AARP has awarded 560 grants – including nine in Arizona – through the Community Challenge to nonprofit organizations and government entities in all 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands. The program provides direct support to all community types, with nearly 40% of past projects benefitting rural communities, 20% going to suburban locations and 40% improving urban places. Granted projects have demonstrated an ability to help garner additional funds or support from public and private funders, encourage replication and overcome local policy barriers, and receive greater overall awareness and engagement.

AMERICAN OVERSIGHT

AARP will prioritize projects that deliver inclusive solutions that meet the needs of diverse populations, as well as those that directly engage volunteers through permanent or temporary solutions that aim to achieve one or more of the following outcomes:

- **Create vibrant public places** that improve open spaces, parks and access to other amenities.
- **Deliver a range of transportation and mobility options** that increase connectivity, walkability, bikeability, wayfinding, access to transportation options and roadway improvements.
- **Support a range of housing** options that increase the availability of accessible and affordable options.
- **Increase civic engagement and demonstrate the tangible value of "Smart Cities"** with innovative and tangible projects that bring residents and local leaders together to address challenges and facilitate a greater sense of inclusion.
- **Support local recovery from the coronavirus pandemic** with an emphasis on economic development, improvements to public spaces, and transportation services.
- **Ensure a focus on diversity and inclusion** while improving the built and social environment of a community.
- **Other** community improvements. In addition, AARP wants to hear about local needs and new, innovative ideas for addressing them.

The Community Challenge is open to 501(c)(3), 501(c)(4) and 501(c)(6) nonprofits and government entities. Other types of organizations will be considered on a case-by-case basis.

The application deadline is 8:00 p.m. ET, April 14, 2021, and all projects must be completed by November 10, 2021. To submit an application and view past grantees, visit www.AARP.org/CommunityChallenge.

AARP Arizona works in collaboration with communities across the state, bringing people together, and providing resources and expertise to help make Arizona's counties, towns and cities great places to live for people of all ages. In 2019, we inaugurated a FitLot outdoor fitness park in collaboration with The City of Phoenix, Mayor Kate Gallego and Parks and Recreation at Rose Mofford Sports Complex.

* * * * *

Chair Grijalva Announces Vice Chairs, Subcommittee Chairs for 117th Congress, Looks Forward to Climate and Environmental Justice Collaboration

AMERICAN OVERSIGHT

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today announced the vice chairs and subcommittee chairs for the 117th Congress. The positions were chosen by the Democratic members of the Committee during their recently concluded organizing meeting.

The full Committee organizing meeting will be livestreamed tomorrow at 11:00 a.m. Eastern time.

Vice Chair: Rep. Jesús "Chuy" García (D-Ill.)

Vice Chair for Insular Affairs: Rep. Gregorio Sablan (D-CNMI)

Subcommittee on Energy and Mineral Resources: Rep. Alan Lowenthal (D-Calif.)

Subcommittee for Indigenous Peoples of the United States: Rep. Teresa Leger Fernández (D-N.M.)

Subcommittee on National Parks, Forests, and Public Lands: Rep. Joe Neguse (D-Colo.)

Subcommittee on Oversight and Investigations: Rep. Katie Porter (D-Calif.)

Subcommittee on Water, Oceans, and Wildlife: Rep. Jared Huffman (D-Calif.)

"Our country needs this Congress to accomplish extraordinary things on climate change and environmental justice, and this leadership team is already hard at work pushing solutions," **Chair Grijalva** said. "Over the past two years we've heard from the public, we've heard from the experts, and we've heard from stakeholders around the country about how to build a sustainable economy and restore balance to our environmental laws. We know what we need to do, and our whole team is united around the need to do it. The American people can expect to see a major push from us to create good jobs, hold polluters accountable, and establish federal environmental justice standards with real teeth."

"I'm so honored to be elected Chair of the National Parks, Forests and Public Lands Subcommittee as we begin critical work to preserve our public lands, restore our forests and protect our communities from record-breaking wildfires," **Rep. Neguse** said. "Colorado is home to diverse and rich ecosystems, and treasured public lands that make up over 36 percent of our state, including 12 national forests. Our state's robust outdoor recreation economy also inextricably links Colorado's lands with our economic growth. As a result, the issues discussed in this Subcommittee have a profound impact on

AMERICAN OVERSIGHT

the health and safety of Coloradans, our local economies and every aspect of our environment. For Coloradans to have a voice as our Subcommittee takes up issues surrounding public land preservation, environmental sustainability and wildfire mitigation is absolutely crucial. I look forward to the work ahead for our climate, our lands and for Colorado."

"I'm honored to be elected by my colleagues to continue my role as Chair of the Water, Oceans, and Wildlife Subcommittee," **Rep. Huffman said**. "Over the past two years, we have done extraordinary work to improve the health of our oceans and economy of our coastal communities, respond to the threat of climate change on water supplies, and advance smart solutions to natural resources challenges. I'm looking forward to building on that progress during the 117th Congress to tackle some of the most challenging conservation policy problems of our time. With the new Biden administration and Democratic majority in both the House and Senate, we will finally have a whole-of-government approach to addressing the increasingly dire impacts of our changing climate and ensuring environmental equity for all communities."

"Californians are already experiencing the devastation of the climate crisis, including record wildfires and deteriorating air quality," **Rep. Porter said**. "I'm humbled and excited to chair the Oversight and Investigations Subcommittee to hold polluters accountable, safeguard all of our communities, and help spearhead solutions to the climate crisis."

"I am honored that Chairman Grijalva and my colleagues entrusted me to serve as Chair of the Subcommittee for Indigenous Peoples of the United States," **Rep. Leger Fernández said**. "I thank them for their support and look forward to working closely with them. In the last year, the pandemic's disastrous impact on Native American communities made our country aware of something that my district has known for too long - the United States has failed to meet its trust responsibilities to Native Americans, and the consequences are deadly and heartbreaking. We can and must do better. In New Mexico, we have a deep respect for our history and our twenty-three federally recognized Tribes who have shared with me their wisdom, challenges and vision during my three decades of work with them. I look forward to putting this experience to work for all of the Indigenous peoples of the United States. We must build on Chairman Grijalva and former Subcommittee Chair Congressman Gallego's work to promote economic development and improve access to quality health care, broadband, education, child care and much more."

"I want to thank Chair Grijalva for recognizing the importance of giving the insular areas this voice on the Committee," **Rep. Sablan said**. "Many of the issues we face are shared with other areas of our nation—climate change, for instance. Often, however, these problems are accentuated by geography,

AMERICAN OVERSIGHT

culture, or our unequal political representation. As Vice Chair in the last Congress, I was able to hold a hearing on the Medicaid funding crisis the islands faced; and the crisis was averted. I hope to use this position as effectively in the 117th Congress."

"It is an honor to continue serving in this role," **Rep. Lowenthal said**. "I look forward to continuing the committee's hard work to ensure that our federal lands serve as a best practice for energy development. It is critically important for us to begin to transition toward a more sustainable future through greater renewable energy development on public lands and offshore. I also look forward to working with the new Biden Administration to manage and oversee our national energy and mineral resources in a more sustainable way, to protect the public health of communities, and preserve our federal lands not just for Americans today, but for generations of Americans in the future."

"I am honored to be appointed Vice Chair of the House Committee on Natural Resources," **Rep. García said**. "Under the leadership of Chairman Grijalva, the committee has worked hard to reverse the anti-science, anti-environment agenda of the Trump administration and ensure we end environmental racism, right the wrongs committed against indigenous peoples, and are better stewards of our environment and our planet. I look forward to the committee advancing an ambitious agenda to protect the rights of the people of Puerto Rico and the U.S. territories, defend our public lands and waters, and ensure our children have a healthier, cleaner and safer future."

* * * * *

Hispanic Households Most Impacted by COVID-19 Job Disruptions, Food Insecurity in Arizona

TUCSON, Ariz. — One in three Arizona households experienced job disruptions in the first four months of the COVID-19 pandemic, but Hispanic and low-income households were some of the hardest hit, according to recent survey data compiled by researchers in the University of Arizona Department of Agricultural and Resource Economics.

As part of the National Food Access and COVID Response Team's effort to understand the pandemic's impact on food access and security, researchers from the University of Arizona and Arizona State University surveyed more than 600 Arizona households about their experiences in the first few months of the pandemic.

In addition to questions related to food accessibility and food assistance program participation, survey respondents were asked to note job loss,

AMERICAN OVERSIGHT

reduction in hours or loss of income.

With support from a UArizona College of Agriculture and Life Sciences COVID-19 research grant, the online survey was conducted between July 1 and Aug. 10. The results were compiled into a series of three briefs recently published on ASU's Food Policy and Environment Research Group website.

"We approached these briefs from the perspective of: What are people going to need to know right away?" said Ann Josephson, an assistant professor of applied econometrics in the UArizona College of Agriculture and Life Sciences who helped analyze the data. "What do decision-makers need to know, and where should they focus their efforts?"

Job Disruptions Hit Arizonans Hard

"The first four months of the pandemic was a really important timeframe for job disruptions in particular," Josephson said. "There were major job losses in that period."

According to U.S. Bureau of Labor Statistics data, Arizona's unemployment rate increased from 6.5% in February 2020 to 13.5% by April 2020. Jobless rates have since declined both nationally and in the state of Arizona but remain higher than they were in February 2020.

"I was one of those people who found themselves unemployed in March," said Freddy Driesen, who was in his final semester as a UArizona undergraduate pursuing a degree in agribusiness and management when the pandemic hit.

After losing his job in the hospitality sector, Driesen was offered a role on the research project and assisted Josephson in extrapolating the data and writing computational coding that could be harnessed by researchers across the country.

"The semester ended, but thanks to this project, I was able to research the impact this was having across Arizona on people like me," Driesen said. "You hear that this virus affects everybody, but when you look a little deeper, you see those who could least afford it were the most impacted."

Over a third of Arizona households experienced some form of job disruption within the first four months of the COVID-19 pandemic, but Hispanic and low-income households were disproportionately affected.

According to the survey data, 59% of Hispanic households reported job disruptions compared to 22% of non-Hispanic white households. Low-income households, already at a disadvantage, were among the hardest hit, with

AMERICAN OVERSIGHT

almost half of households making less than $25,000 in 2019 experiencing a job disruption during the pandemic.

Dramatic Increase in Arizona Households Facing Food Insecurity

About one in three Arizona households (32%) experienced food insecurity in the early months of the COVID-19 pandemic – a 28% increase from the year prior to the pandemic.

The U.S. Department of Agriculture defines food insecurity as a lack of consistent access to enough food for an active, healthy life. Researchers measured food insecurity in the state of Arizona using the USDA's six-item household food insecurity survey module. Those who responded affirmatively to two or more of the food insecurity questions were considered food insecure.

According to the data, food insecurity was considerably higher among households that experienced a job disruption (57%) than among households that did not experience any job disruption (19%).

Nearly three quarters of Hispanic households that experienced job disruption also faced food insecurity.

"Hispanic households lost more jobs and were worse off in terms of food security across the board," Josephson said. "Food insecurity was a major issue. It was particularly bad if you were in a position that was precarious to begin with. If you had children or elderly people in your household, there were real challenges there, too."

Food Assistance Program Participation Held Steady

Despite the dramatic increase in reported food insecurity since the onset of the pandemic, food assistance program participation saw little change.

In the year prior to the pandemic, 26% of Arizona households surveyed reported participating in at least one food assistance program, compared to the 27% who reported doing so since the start of the pandemic in March 2020.

More than half of survey respondents considered the USDA's Supplemental Nutrition Assistance Program benefits inadequate. And nearly half of Special Supplemental Nutrition Program for Women, Infants, and Children participants surveyed reported not being able to fully redeem their benefits in stores due to lack of availability of WIC-approved foods.

According to the survey results, some of the major challenges for using the school meal programs include limited hours, inconvenient locations and meals

AMERICAN OVERSIGHT

running out before the next pick-up day. Survey respondents who relied on food pantry benefits found long lines and limits on frequency of visits to pantries challenging.

Putting the Data to Work

The team hopes that the data will be of use to stakeholders around the state.

"We're trying to provide data to organizations that may not have the resources to do it," Josephson said. "That's something that we'll be able to learn as we redesign and go forward, particularly what information do organizations need to know about the people they're trying to help."

The research team is putting together a new round of the survey that will focus on household experiences in the time between the election and the New Year, a period when many supplemental unemployment benefits ended and COVID-19 cases in the state dramatically increased.

In the future, the team also hopes to learn more about other aspects of people's lives, including access to necessities such as prescription medication, medical services and secure living environments.

"If you lost your job, are you able to run the heat? If you're an elderly household having trouble accessing food, are you also having trouble accessing a secure and safe environment to live? We're talking about food, but if you're not able to access food, you might not be accessing basic life necessities," Josephson said.

* * * * *

Rep. Grijalva Praises Choice of El Rio Community Health Center and Sunset Community Health Center for Direct Vaccine Distribution Sites

WASHINGTON— Recently, Department of Health and Human Services announced that they have invited El Rio Community Health Center in Tucson and Sunset Community Health Center in Yuma to participate as an initial cohort of 250 health centers across the country to directly receive vaccines through HRSA's COVID-19 Vaccination Program. The initiative was launched by President Biden earlier this month to ensure that COVID-19 vaccines are equitably distributed to the communities most impacted by the virus. The vaccine allotments are in addition to and separate from the state allocations. Additionally, the Biden Administration announced that it was increasing the number of vaccine doses to states to 13.6 million doses from 11 million doses.

"Latino communities and those of low-income have been the hardest hit by the

AMERICAN OVERSIGHT

virus here in Southern Arizona," **said Rep. Raúl M. Grijalva.** "El Rio Health and Sunset Community Health Centers provide incredible medical care to many of Southern Arizona's most vulnerable residents. They are trusted providers for thousands of families, and I am pleased the Biden Administration has enlisted their help to distribute the vaccine to those in our community who need it the most. Mass vaccination is the best way to get through this pandemic, and this partnership ensures that those communities most impacted by the virus are not left behind."

According to the White House, Community Health Centers serve over 30 million people in the United States. Sixty percent of those served are people of color and two-thirds are living at or below the poverty line.

"Our El Rio Team is so pleased to receive this great news," **said El Rio Health CEO Nancy Johnson.** "Community Health Centers locally and nationally are created to efficiently and effectively reach our patients most in need and to overcome barriers to needed preventative care. This much needed vaccine will help us increase the number of patients vaccinated in the coming weeks."

"Sunset is thrilled to be a part of this program," **said Sunset Health CEO David Rogers.** "Vaccines received through this direct program will help us give patients 65 and older and farmworkers access to the COVID-19 vaccine. This will be an additional source for much needed vaccine to inoculate vulnerable and underserved populations being served in Yuma County, Arizona."

* * * * *

Rep. Grijalva Praises Choice of El Rio Community Health Center and Sunset Community Health Center for Direct Vaccine Distribution Sites

WASHINGTON— Recently, Department of Health and Human Services announced that they have invited El Rio Community Health Center in Tucson and Sunset Community Health Center in Yuma to participate as an initial cohort of 250 health centers across the country to directly receive vaccines through HRSA's COVID-19 Vaccination Program. The initiative was launched by President Biden earlier this month to ensure that COVID-19 vaccines are equitably distributed to the communities most impacted by the virus. The vaccine allotments are in addition to and separate from the state allocations. Additionally, the Biden Administration announced that it was increasing the number of vaccine doses to states to 13.6 million doses from 11 million doses.

"Latino communities and those of low-income have been the hardest hit by the virus here in Southern Arizona," **said Rep. Raúl M. Grijalva.** "El Rio Health and Sunset Community Health Centers provide incredible medical care to

AMERICAN OVERSIGHT

many of Southern Arizona's most vulnerable residents. They are trusted providers for thousands of families, and I am pleased the Biden Administration has enlisted their help to distribute the vaccine to those in our community who need it the most. Mass vaccination is the best way to get through this pandemic, and this partnership ensures that those communities most impacted by the virus are not left behind."

According to the White House, Community Health Centers serve over 30 million people in the United States. Sixty percent of those served are people of color and two-thirds are living at or below the poverty line.

"Our El Rio Team is so pleased to receive this great news," **said El Rio Health CEO Nancy Johnson.** "Community Health Centers locally and nationally are created to efficiently and effectively reach our patients most in need and to overcome barriers to needed preventative care. This much needed vaccine will help us increase the number of patients vaccinated in the coming weeks."

"Sunset is thrilled to be a part of this program," **said Sunset Health CEO David Rogers.** "Vaccines received through this direct program will help us give patients 65 and older and farmworkers access to the COVID-19 vaccine. This will be an additional source for much needed vaccine to inoculate vulnerable and underserved populations being served in Yuma County, Arizona."

NEWS CLIPS

Arizona's prison population declines by 11% during pandemic

By Jacques Billeaud Associated Press
02-17-21

The number of inmates in Arizona's prisons has declined 11% since the start of pandemic, reflecting a slowdown in the state's court system that has held far fewer criminal jury trials over the last year as it took steps to prevent the coronavirus from spreading at courthouses.

Corrections officials say they are seeing fewer sentenced inmates being sent to prison from counties and fewer revocations of probation and community-supervision releases that would send people back behind bars. (To read more, click here).

* * * * *

WMAT relaxes some COVID restrictions

By Barbara Bruce White Mountain

AMERICAN OVERSIGHT

Independent 02-17-21

The daily post on the White Mountain Apache Tribe Emergency Operations Center (EOC) Facebook page for Sunday, Feb. 14 regarding COVID-19 statistics, stated, "Our numbers increased by 0."

As of Feb. 12, the Tribe reports that a total of 8,328 people have been vaccinated against COVID-19 — 5,190 people have received their first dose of the vaccine and 3,138 have received a second dose. (To read more, click here).

* * * * *

Will GOP-run Legislature actually boost unemployment pay for first time in 17 years?

By Laurie Roberts Arizona Republic 02-17-21

It's not all gloom and doom at the state Capitol, where our leaders are busy working to make it harder to vote and easier to grab a public subsidy for a down payment on private school.

For the first time in nearly two decades, House Republicans are actually acknowledging the reality that this state needs to shore up the worn and rotting safety net that awaits Arizonans who find themselves out of a job. (To read more, click here).

* * * * *

Gov. Doug Ducey is making a major bet (with a major flaw) to expand gambling in Arizona

By Robert Robb Arizona Republic 02-17-21

Gov. Doug Ducey has worked hard and long to get more gambling revenue into state coffers, including opening up gambling opportunities off Indian reservations, to which they have been largely confined.

He apparently has struck the necessary deals with the tribes and a bill (House Bill 2772) to set the legal structure in place for off-reservation gambling is working its way through the Legislature. (To read more, click here).

* * * * *

AMERICAN OVERSIGHT

If we want to keep Arizona's endangered rivers flowing, this water law must change

By Kristen Wolfe Arizona Republic 02-17-21

There is much to see and appreciate in Arizona's natural resources. Water flowing through washes, creeks, rivers and springs sustains life in this hot, dry state. Protecting these waterways, crucial to all life in a desert environment, is an important priority for most Arizonans.

A recent Nina Mason Pulliam Charitable Trust poll showed that 64% of Arizonans believe "protecting the environment should be given priority, even at the risk of slowing growth." Nearly 9 in 10 believe the environmental issues facing Arizona are either "very serious" or "serious." (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, February 17, 2021 2:32:38 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes February 17, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

Arizona Legislative Report

Today's News Notes

February 17, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the*

AMERICAN OVERSIGHT

exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

House Government & Elections

Thursday 02/18/21 at 1:00 PM, House Rm. 1

H2060: SCHOOLS; PLEDGE; QUIET REFLECTION

H2302: ELECTION LAWSUITS; SETTLEMENTS; APPROVALS

H2308: RECALL PETITIONS AND ELECTIONS; REVISIONS

H2373: VOTER REGISTRATION GROUPS; FORMS; IDENTIFIERS ***STRIKER: SAME SUBJECT***

H2378: RANKED CHOICE VOTING; PRESIDENTIAL PREFERENCE

H2435: SCHOOLS; GOVERNING BOARDS; ELECTIONS; REVISIONS

H2455: FIRE DISTRICTS; PENSION LIABILITY; FINANCING

H2457: LOBBYISTS; CONFLICTS OF INTEREST; DISCLOSURE

H2543: STATE PERMITTING DASHBOARD

H2554: TECH CORRECTIONS; SAFE DEPOSIT; TENANCY

STRIKER: PARTY REPRESENTATIVE; RESIDENT; VIOLATION

H2569: ELECTIONS; PRIVATE FUNDING; PROHIBITION

H2570: LICENSES; PANDEMICS; REVOCATION PROHIBITION

H2590: DAY OF RACIAL HEALING; OBSERVED

H2700: COUNTY OFFICERS; SALARIES; INCREASE

H2723: CAMPAIGN FINANCE; REPORTS; CONTRIBUTION AMOUNT

H2759: RULEMAKING; PETITIONS; GRRC

H2792: EARLY BALLOTS; REQUEST REQUIRED

AMERICAN OVERSIGHT

H2793: VOTER REGISTRATION; REQUEST REQUIRED

H2794: ELECTION DEADLINES; MODIFICATIONS PROHIBITED

H2804: PUBLIC MEETINGS; EXECUTIVE SESSIONS

H2811: SAME DAY REGISTRATION; PROHIBITION

H2841: ATTORNEY GENERAL; INITIATION OF ACTION

HCM2005: RESTORATION; CHERRYBELL MAIL PROCESSING CENTER

HCR2015: ARTICLE V CONVENTION; TERM LIMITS

HCR2016: INITIATIVES; SUPERMAJORITY VOTE REQUIREMENT

HCR2020: LIEUTENANT GOVERNOR; JOINT CANDIDACY

HCR2023: ELECTIONS; STATE AUTHORITY; INFRINGEMENT; OPPOSITION

HCR2035: WASHINGTON, D.C.; STATEHOOD; OPPOSITION

House Appropriations

Monday 02/22/21 at 10:00 AM, House Rm. 1

H2005: TECH CORRECTION; EDUCATION; FEDERAL FUNDS

H2167: INDEPENDENT CORRECTIONS OMBUDSMAN; OVERSIGHT COMMITTEE

H2169: APPROPRIATION; TOURISM; DUDE RANCHES; PROMOTION

H2179: NEW SCHOOL FACILITIES; ADDITIONAL FUNDING

H2489: APPROPRIATION; AFFORDABLE HOUSING

H2498: BATTERY STORAGE TECHNOLOGY; GRANTS; APPLICATION

~~H2504: APPROPRIATION; DPS; SALARY INCREASE~~

H2754: SCHOOL SAFETY; SCHOOL RESOURCE OFFICERS

~~H2887: ACCELERATION AND SUPPORT GRANT PROGRAM~~

NEWS NOTES

READY FOR AN ALL-NIGTHER?

Buckle in for a long afternoon tomorrow if you're interested in the election law debates that have been a focus of the Legislature this year. House gov convened at 8 a.m. today and, after advancing numerous controversial bills on party-line votes, including H2373 (voter registration groups; forms; identifiers) and H2792 (early ballots; requested),

AMERICAN OVERSIGHT

adjourned around 12:45 p.m. Kavanagh said the committee will convene again at 1 p.m. Thursday. "Depending on how robust our discussion is, we'll be out of here at 5 p.m. or 5 a.m.," Kavanagh said.

PANEL APPROVES MEASURE TO EXEMPT BUSINESSES FROM MASK MANDATES

House com voted yesterday afternoon to advance a bill that would exempt businesses from having to enforce any state or local mask mandates. H2770 (mask mandates; business exception), which Chaplik and 21 other House Republicans sponsor, made it out of committee on a 6-4 party-line vote. Chaplik said he has "heard from countless people who feel like their liberties are being stolen and being ordered to cover up their faces even when they are healthy," and that businesses have been "thrust into the unwanted role of 'mask police' on their customers." That, Chaplik said, isn't the job of government or business owners. "Republicans seek to promote freedom, while Democrats try to restrict it from you," he said. Some of the Democrats who spoke against the measure said masks work and implied the measure would increase the spread of Covid. Meza, who voted "no," said two cousins died from Covid, while Fernandez talked about the number of people who have gotten Covid in LD4. Powers Hannley said masks and social distancing save lives, "and I support the mayors in the state of Arizona who have been brave enough to have mask mandates." The mayors of some of the state's biggest cities conceded last year their police don't enforce their own mask mandates (LINK).

THE LONELY LIFE OF PAUL

Boyer yesterday killed Gowan's S1128 (library; archives; public records; museum), joining with all 14 Dems to vote down the Hobbs-opposed bill that would give control of the Arizona Capitol Museum to Legislative Council. Republicans long wanted to take the museum away from Hobbs since at least summer 2019, when she hung LGBTQ pride flags from the balcony of the old capitol. Blackman complained and Legislative Council removed the flag, saying that Hobbs controls the museum but Leg Council controls the building itself. Boyer told our reporter via text that he voted against Gowan's bill because he believes the control belongs with the Secretary of State – no matter who that is.

PACE, DEMS STOP THERAPY BILL

Pace joined the three Dems on Senate hel-hu ser to kill Leach's S1482 (professions; therapy ban prohibition) over concerns that it would protect counselors telling their LGBTQ clients to harm themselves. Pace, a member of the Church of Jesus Christ of Latter-day Saints, explained that his religion – and other Christian dominations – view homosexuality as a sin that will prevent people from achieving eternal salvation. The Bible even directs people to pluck out their own eye if it offends, he said. Pace is likely

AMERICAN OVERSIGHT

referring to Biblical teaching on the gravity of sin. The Book of Matthew, for example, says, "If your eye causes you to sin, gouge it out and throw it away. It is better for you to enter life with one eye than to have two eyes and be thrown into the fire of hell." Pace described being told as a child that it is better to be blind than to view pornography, and he worried that S1482 would protect counselors who advocate self-harm in the name of a religion. The bill says a state office, agency, political subdivision, or local government or any organization with authority to license or discipline members of a profession cannot prohibit, impose any penalty or take any adverse action against an individual who gives, receives or consents to counsel, guidance or any other communication that is consistent with conscience or religious belief, whether described as therapy or not, and whether provided for a fee or not. "Someone can say under this bill, it is better for you to cut off your [private part] than it is to be a homosexual man, and I've heard that before," he said. That counselor should obviously lose their license, Pace said. Navarrete, who is gay, referred obliquely to his own experiences with religious counseling after Barto prevented him from describing his experience to Townsend earlier in the hearing. "As someone who has gone through a lot of counseling growing up and has grown up in the church, I can tell you firsthand that this attempt to make someone into something else is extremely harmful," he said. Townsend voted against the bill, then, on Barto's urging, agreed to vote for it contingent on floor amendments, which is, for now, a moot point.

SHOPE SAVES DUCEY FROM THREAT OF TERMINATING EMERGENCY DECLARATION

Ducey will get to keep his Covid state of emergency as Ugenti-Rita lacks enough votes to pass her SCR1001 (state of emergency declaration; termination). Shope told our reporter he let Ugenti-Rita know yesterday that he will not support the measure, dooming it. All Democrats also oppose the measure, which would have automatically ended the current state of emergency upon a majority vote of both chambers, and, as a resolution, would not have required Ducey's signature.

CONTRACEPTIVE BILL TAKES A STEP FORWARD

Ugenti-Rita's S1082 (pharmacists; dispensing authority; hormonal contraceptives) cleared its first hurdle in Senate hel-hu ser this morning but will not pass out of the Senate unanimously as it did last year. S1082 would allow pharmacists to fulfill standing birth control prescriptions. But Barto and Townsend voted "no" and argued that they believe the bill would result in an abortion. Rogers also opposed the bill. Townsend argued with both Ugenti-Rita and an OB-GYN who spoke to the committee when they told her hormonal birth control, which is designed to prevent pregnancy, would work as an abortifacient and end pregnancy.

THE UNCIVIL CIVILIZATION

AMERICAN OVERSIGHT

House jud voted, 7-3, Wednesday to make the state law against picketing in front of someone's home stricter. H2715 (residential picketing; offense) would add a clause to say the crime of residential picketing, which is already a Class 3 misdemeanor, doesn't just depend on the intent of the picketer but also whether a "reasonable person would find the acts harassing, annoying or alarming." Kavanagh said that would make it easier to prosecute. "Times have changed and, quite frankly, we've become something of an uncivil civilization," Kavanagh said. "You have people on both sides of issues, both political parties getting pretty aggressive against people whose positions they oppose."

THE HUMAN DEVOLUTION

Before voting on H2715, several House jud members said they have been targeted at home by protesters. Blackman said he has had to call the police and change the route his daughter takes to school because of threats. "It is quite frightening when someone calls you and shows up to your house and says they're going to kidnap your daughter because of a piece of legislation," he said. Finchem brought up the recent protests against Boyer, who moved his family to an undisclosed location because of threats he received after breaking with other Senate Republicans in voting to kill a motion to hold Maricopa County supervisors in contempt over an election audit dispute. "We might disagree with Sen. Boyer's move, (but) to dox his wife, to protest at his house to the point where he has to extricate his family and go someplace else," Finchem said, "if that means that the hard hammer of government needs to come on people because they can't act civilly ..." Bowers talked about the times people have protested in front of his home, including yesterday, and mentioned the moments when protesters cut his Christmas lights or paraded on his street honking and screaming into bullhorns when his daughter was ill. "I don't think we're evolving," Bowers said. "I think we're devolving as a society, accepting harsher and harsher applications of our so-called rights as we express ourselves in a variety of ways." Rodriguez worried the bill would infringe upon activities protected by the First Amendment. "I do feel for my colleagues who have had to go through this," he said. "No one should be subject to this, but at the same time, we're charged with the goal of preserving individualized justice and punishment with protecting everyone else's rights under the Constitution."

THE TENDENCY OF POWER IS TO ACCUMULATE POWER

House gov voted 7-6 along party lines today to advance a proposal to require a 60% vote to pass an initiative, rather than the simple majority required now. HCR2016 (initiatives; supermajority vote requirement) would ask voters in 2022 if they want to amend the Arizona Constitution to raise the threshold. Salman called the measure "clearly a power grab by the Legislature because of their discontent at how the voters are voting," and said it would hold initiatives to a higher standard than the one lawmakers hold themselves to. Republicans countered the Legislature can, if it makes a mistake, fix a law more easily, while the Voter Protection Act makes it difficult, if not

AMERICAN OVERSIGHT

impossible, to modify an initiative. "There's no reason that we shouldn't be requiring 60% of Arizonans who vote on that initiative to say, 'Yes, we support this,'" Hoffman said. The vote was delayed for a few minutes since Kavanagh, who was the deciding vote, was testifying on another bill in House jud. Hoffman, the vice chairman who ran the meeting in his absence, held the vote open for about four minutes until Kavanagh came back, triggering an argument between Salman and the two Republicans who run the committee over what is a reasonable amount of time to hold open a vote if a member is absent.

RAISE YOUR HAND IF YOU WANT A LIEUTENANT GOVERNOR

House gov also voted along party lines to advance HCR2020 (lieutenant governor; joint candidacy), which would ask voters in 2022 if they want to create an office of lieutenant governor. Unlike most states that have a lieutenant governor, Arizona's Secretary of State is next in line if the governor steps down. This can lead to the governor's office changing parties in the middle of a term, which happened in 2009 when Gov. Janet Napolitano took the job of U.S. Homeland Security Secretary in Obama's administration, elevating then-Secretary of State Jan Brewer to the governor's office. Arizona has a Republican governor and Democratic secretary of state currently. HCR2020 proposes gubernatorial candidates would name their lieutenant governor nominees and run on a ticket with them. The measure's Republican supporters said it would respect the will of the voters by ensuring the governor's office doesn't change parties unexpectedly, while its Democratic opponents pointed out that voters rejected the idea in 1994 and again in 2010 and suspected the public wants to elect top officials of different parties as a deliberate check on power.

SO DID THE STAFFER RIP OFF HIS MASK?

Video from yesterday's Senate floor session portrays Townsend telling an unidentified staff member to rip off his mask. Townsend's screen was not audible on the floor, but people watching remotely heard the exchange, and it was preserved in the archived video shortly after Fann asked Boyer to join her at her desk when he unexpectedly voted "no" on Gowan's S1128 (library; archives; public records; museum). The man was helping Townsend with camera issues - Townsend attends floor from her office because she refuses to wear a mask. "I'm just trying to catch my breath. It's hard with these masks on though," he said, laughing. "Just rip it off," Townsend responded. "I won't tell anybody." The rest of her audio was unclear, and her feed went mute shortly after.

NEWS RELEASES

Superintendent Hoffman Announces Federal Relief and Recovery Funding Allocations for Arizona Public Schools

AMERICAN OVERSIGHT

Arizona Department of Education will use discretionary funds to ensure equitable distribution of federal aid

PHOENIX – Today, Arizona Superintendent of Public Instruction Kathy Hoffman announced the amounts each school district and charter organization will be eligible to receive under the latest round of federal relief and recovery funding for Arizona public schools. Under formula funding set by Congress through the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA), Title I schools will receive over $1 billion to support COVID-19 relief and recovery efforts.

Superintendent Hoffman also announced the use of discretionary dollars available to the Arizona Department of Education (ADE) under CRRSA to guarantee a baseline funding amount for every public school district and charter organization in the state. ADE used poverty data to ensure a per-pupil award amount and will guarantee $150,000 in relief funding for every public school district and non-profit charter organization in Arizona, with $175,000 guaranteed for rural school districts and charter organizations, and $200,000 guaranteed for the most remote school districts and charter organizations.

“It’s critical that every school has the necessary resources to support their students, staff and families throughout the COVID-19 pandemic. Typically, our small, rural, and remote schools are too often left behind when resources are allocated. That’s why I prioritized ensuring that every public school - regardless of size or location - had access to federal relief funding,” said Superintendent Hoffman. “While this significant infusion of federal recovery dollars is good news for Arizona's schools, it is not a substitute for sustainable funding from the state as they move through and beyond the crisis of this pandemic.”

“ARSA fully supports Superintendent Hoffman's plan to direct additional funding to rural and remote schools in Arizona as they will be critical to meeting the needs of Arizona’s rural schools and students,” said Wes Brownfield, Executive Director of Arizona Rural Schools Association. “Additional funding for rural and remote schools is vital to initiatives like the Final Mile Project which works to take the fiber broadband so many of our schools receive and extends that capacity to the student’s home. We want to thank Superintendent Hoffman for her continued support of Arizona’s rural schools and her commitment to bridging the digital divide for our rural students.”

Allocation amounts for each public school district and non-profit charter organization can be found here: ESSER II Allocations for LEAs

AMERICAN OVERSIGHT

Next week, the Arizona Department of Education will host a webinar for school leaders to share additional information and take questions regarding the application process as well as explain allowable uses of federal relief funds.

* * * * *

New Tax Relief for Arizona Small Businesses Approved by House Committee

STATE CAPITOL, PHOENIX – The House Ways and Means Committee today approved HB 2838, legislation sponsored by Representative Joseph Chaplik (R-23), that revises Arizona tax structure for taxpayers and protects small business from overtaxation by the federal government, without impacting the state general fund. The vote was divided by party line, 6-4.

"Small businesses are the backbone of the Arizona economy, and I will do everything in my power to protect them," said Representative Chaplik. **"As Arizona businesses recover from an unprecedented economic downturn, I remain committed to providing them every opportunity to thrive in this challenging environment. HB 2838 frees up critical capital for business owners and doesn't cost the state a dime in tax revenue.**

"Republicans voted to help all businesses with tax relief without negatively impacting our state revenues. Democrats voted 'no' and are not willing to help their businesses in their districts."

In November 2020, the Internal Revenue Service issued guidance (Notice 2020-75) that pass-through entity businesses may claim deductions above the $10,000 State and Local Tax (SALT) cap. In response, at least seven states have imposed a new tax structure at the pass-through entity level permitting this deduction as intended by the federal government. Under HB 2838, Arizona would join those other states, providing small businesses significant potential tax savings.

All 31 members of the House Republican Caucus have signed their support for HB 2838. It will next be considered by the whole House.

Joseph Chaplik is a Republican member of the Arizona House of Representatives serving Legislative District 23, which includes Scottsdale, Fountain Hills, and Rio Verde.

* * * * *

Lesko Introduces Legislation to Expedite Broadband Expansion

AMERICAN OVERSIGHT

WASHINGTON, D.C.—U.S. Congresswoman Debbie Lesko (AZ-08) introduced the *Connecting And Building Lines for Expedited (CABLE) Expansion Act* to institute clear approval process deadlines for franchise authorities for broadband projects. This legislation will expedite critical processes to remove roadblocks to rapid broadband expansion.

"As we work to rapidly expand broadband access for Americans across the country, we must remove the barriers to expansion, like approval delays," said Congresswoman Lesko. "It is my hope that this legislation, along with related legislation introduced by my colleagues, will help accelerate broadband expansion so we can meet the connectivity needs of families across the United States."

This bill streamlines the permitting process for cable operators that apply to a franchise authority to deploy new or collocated facilities for cable service. The bill preserves local authority over siting facilities for cable service while establishing a "responsibility to respond" on franchising authorities and placing reasonable limits on aspects of such reviews, such as establishing criteria for denial and ensuring nondiscriminatory review requirements. Additionally, the bill establishes a timeline within which an application would be required to be approved or denied. If a request is not approved or denied with reason within the established timeframes, the request would automatically be deemed granted.

This legislation is part of a comprehensive package of 28 bills released by Republican members of the House Energy and Commerce Committee that aim to turbocharge public and private investment by promoting new and upgraded infrastructure deployments, boosting competition, streamlining permitting processes, facilitating broadband deployment on federal lands, and closing the digital divide in both rural and urban areas.

* * * * *

House Commerce Committee Approves Bill to Help Arizona Businesses Expand Outdoor Dining

STATE CAPITOL, PHOENIX – The House Commerce Committee on Tuesday approved HB 2530, legislation sponsored by State Representative Leo Biasiucci (R-5) to allow licensed producers of distilled spirits and spiritous liquor to donate used or excess equipment to certain small business dining establishments to help them expand their outdoor dining capacity.

"Arizona small businesses have been subjected to unprecedented economic challenges this past year because of the pandemic and

AMERICAN OVERSIGHT

subsequent government mandates," said Representative Biasiucci. **"To comply with these mandates, and to stay in business, establishments have needed to expand outdoor dining options to serve their customers. However, that comes with additional costs which many small businesses simply cannot afford. My legislation aims to help those establishments by providing additional avenues by which they can obtain equipment needed for outdoor services."**

Leo Biasiucci is the Republican Majority Whip for the Arizona House of Representatives and serves Legislative District 5, which includes La Paz and Mohave Counties.

* * * * *

AARP Community Challenge Grant Program Now Accepting 2021 Applications

The program funds quick-action projects; Application Deadline is April 14, 2021

(PHOENIX, ARIZONA) — AARP Arizona invites community organizations and local governments across the state to apply for the 2021 Community Challenge grant program, ***now through April 14***. Grants fund quick-action projects that can range from several hundred dollars for small, short-term activities to several thousand or tens of thousands for larger projects. Now in its fifth year, the grant program is part of AARP's nationwide Livable Communities initiative, which supports the efforts of cities, towns, neighborhoods and rural areas to become great places to live for people of all ages.

"We are thrilled to bring this grant opportunity back to Arizona in 2021 and we encourage all eligible organizations to apply," said Dana Marie Kennedy, AARP AZ State Director "We've seen great results from the Community Challenge grant program in communities across Arizona, and this year we are increasing our support for projects that focus on diversity and inclusion and aid in local recovery from the coronavirus pandemic."

Since 2017, AARP has awarded 560 grants – including nine in Arizona – through the Community Challenge to nonprofit organizations and government entities in all 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands. The program provides direct support to all community types, with nearly 40% of past projects benefitting rural communities, 20% going to suburban locations and 40% improving urban places. Granted projects have demonstrated an ability to help garner additional funds or support from public and private funders, encourage replication and overcome local policy barriers, and receive greater overall awareness and engagement.

AMERICAN OVERSIGHT

AARP will prioritize projects that deliver inclusive solutions that meet the needs of diverse populations, as well as those that directly engage volunteers through permanent or temporary solutions that aim to achieve one or more of the following outcomes:

- **Create vibrant public places** that improve open spaces, parks and access to other amenities.
- **Deliver a range of transportation and mobility options** that increase connectivity, walkability, bikeability, wayfinding, access to transportation options and roadway improvements.
- **Support a range of housing** options that increase the availability of accessible and affordable options.
- **Increase civic engagement and demonstrate the tangible value of "Smart Cities"** with innovative and tangible projects that bring residents and local leaders together to address challenges and facilitate a greater sense of inclusion.
- **Support local recovery from the coronavirus pandemic** with an emphasis on economic development, improvements to public spaces, and transportation services.
- **Ensure a focus on diversity and inclusion** while improving the built and social environment of a community.
- **Other** community improvements. In addition, AARP wants to hear about local needs and new, innovative ideas for addressing them.

The Community Challenge is open to 501(c)(3), 501(c)(4) and 501(c)(6) nonprofits and government entities. Other types of organizations will be considered on a case-by-case basis.

The application deadline is 8:00 p.m. ET, April 14, 2021, and all projects must be completed by November 10, 2021. To submit an application and view past grantees, visit www.AARP.org/CommunityChallenge.

AARP Arizona works in collaboration with communities across the state, bringing people together, and providing resources and expertise to help make Arizona's counties, towns and cities great places to live for people of all ages. In 2019, we inaugurated a FitLot outdoor fitness park in collaboration with The City of Phoenix, Mayor Kate Gallego and Parks and Recreation at Rose Mofford Sports Complex.

* * * * *

Chair Grijalva Announces Vice Chairs, Subcommittee Chairs for 117th Congress, Looks Forward to Climate and Environmental Justice Collaboration

AMERICAN OVERSIGHT

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today announced the vice chairs and subcommittee chairs for the 117th Congress. The positions were chosen by the Democratic members of the Committee during their recently concluded organizing meeting.

The full Committee organizing meeting will be livestreamed tomorrow at 11:00 a.m. Eastern time.

Vice Chair: Rep. Jesús "Chuy" García (D-Ill.)

Vice Chair for Insular Affairs: Rep. Gregorio Sablan (D-CNMI)

Subcommittee on Energy and Mineral Resources: Rep. Alan Lowenthal (D-Calif.)

Subcommittee for Indigenous Peoples of the United States: Rep. Teresa Leger Fernández (D-N.M.)

Subcommittee on National Parks, Forests, and Public Lands: Rep. Joe Neguse (D-Colo.)

Subcommittee on Oversight and Investigations: Rep. Katie Porter (D-Calif.)

Subcommittee on Water, Oceans, and Wildlife: Rep. Jared Huffman (D-Calif.)

"Our country needs this Congress to accomplish extraordinary things on climate change and environmental justice, and this leadership team is already hard at work pushing solutions," **Chair Grijalva** said. "Over the past two years we've heard from the public, we've heard from the experts, and we've heard from stakeholders around the country about how to build a sustainable economy and restore balance to our environmental laws. We know what we need to do, and our whole team is united around the need to do it. The American people can expect to see a major push from us to create good jobs, hold polluters accountable, and establish federal environmental justice standards with real teeth."

"I'm so honored to be elected Chair of the National Parks, Forests and Public Lands Subcommittee as we begin critical work to preserve our public lands, restore our forests and protect our communities from record-breaking wildfires," **Rep. Neguse** said. "Colorado is home to diverse and rich ecosystems, and treasured public lands that make up over 36 percent of our state, including 12 national forests. Our state's robust outdoor recreation economy also inextricably links Colorado's lands with our economic growth. As a result, the issues discussed in this Subcommittee have a profound impact on

AMERICAN OVERSIGHT

the health and safety of Coloradans, our local economies and every aspect of our environment. For Coloradans to have a voice as our Subcommittee takes up issues surrounding public land preservation, environmental sustainability and wildfire mitigation is absolutely crucial. I look forward to the work ahead for our climate, our lands and for Colorado."

"I'm honored to be elected by my colleagues to continue my role as Chair of the Water, Oceans, and Wildlife Subcommittee," **Rep. Huffman said**. "Over the past two years, we have done extraordinary work to improve the health of our oceans and economy of our coastal communities, respond to the threat of climate change on water supplies, and advance smart solutions to natural resources challenges. I'm looking forward to building on that progress during the 117th Congress to tackle some of the most challenging conservation policy problems of our time. With the new Biden administration and Democratic majority in both the House and Senate, we will finally have a whole-of-government approach to addressing the increasingly dire impacts of our changing climate and ensuring environmental equity for all communities."

"Californians are already experiencing the devastation of the climate crisis, including record wildfires and deteriorating air quality," **Rep. Porter said**. "I'm humbled and excited to chair the Oversight and Investigations Subcommittee to hold polluters accountable, safeguard all of our communities, and help spearhead solutions to the climate crisis."

"I am honored that Chairman Grijalva and my colleagues entrusted me to serve as Chair of the Subcommittee for Indigenous Peoples of the United States," **Rep. Leger Fernández said**. "I thank them for their support and look forward to working closely with them. In the last year, the pandemic's disastrous impact on Native American communities made our country aware of something that my district has known for too long - the United States has failed to meet its trust responsibilities to Native Americans, and the consequences are deadly and heartbreaking. We can and must do better. In New Mexico, we have a deep respect for our history and our twenty-three federally recognized Tribes who have shared with me their wisdom, challenges and vision during my three decades of work with them. I look forward to putting this experience to work for all of the Indigenous peoples of the United States. We must build on Chairman Grijalva and former Subcommittee Chair Congressman Gallego's work to promote economic development and improve access to quality health care, broadband, education, child care and much more."

"I want to thank Chair Grijalva for recognizing the importance of giving the insular areas this voice on the Committee," **Rep. Sablan said**. "Many of the issues we face are shared with other areas of our nation—climate change, for instance. Often, however, these problems are accentuated by geography,

AMERICAN OVERSIGHT

culture, or our unequal political representation. As Vice Chair in the last Congress, I was able to hold a hearing on the Medicaid funding crisis the islands faced; and the crisis was averted. I hope to use this position as effectively in the 117th Congress."

"It is an honor to continue serving in this role," **Rep. Lowenthal said**. "I look forward to continuing the committee's hard work to ensure that our federal lands serve as a best practice for energy development. It is critically important for us to begin to transition toward a more sustainable future through greater renewable energy development on public lands and offshore. I also look forward to working with the new Biden Administration to manage and oversee our national energy and mineral resources in a more sustainable way, to protect the public health of communities, and preserve our federal lands not just for Americans today, but for generations of Americans in the future."

"I am honored to be appointed Vice Chair of the House Committee on Natural Resources," **Rep. García said**. "Under the leadership of Chairman Grijalva, the committee has worked hard to reverse the anti-science, anti-environment agenda of the Trump administration and ensure we end environmental racism, right the wrongs committed against indigenous peoples, and are better stewards of our environment and our planet. I look forward to the committee advancing an ambitious agenda to protect the rights of the people of Puerto Rico and the U.S. territories, defend our public lands and waters, and ensure our children have a healthier, cleaner and safer future."

* * * * *

Hispanic Households Most Impacted by COVID-19 Job Disruptions, Food Insecurity in Arizona

TUCSON, Ariz. — One in three Arizona households experienced job disruptions in the first four months of the COVID-19 pandemic, but Hispanic and low-income households were some of the hardest hit, according to recent survey data compiled by researchers in the University of Arizona Department of Agricultural and Resource Economics.

As part of the National Food Access and COVID Response Team's effort to understand the pandemic's impact on food access and security, researchers from the University of Arizona and Arizona State University surveyed more than 600 Arizona households about their experiences in the first few months of the pandemic.

In addition to questions related to food accessibility and food assistance program participation, survey respondents were asked to note job loss,

AMERICAN OVERSIGHT

reduction in hours or loss of income.

With support from a UArizona College of Agriculture and Life Sciences COVID-19 research grant, the online survey was conducted between July 1 and Aug. 10. The results were compiled into a series of three briefs recently published on ASU's Food Policy and Environment Research Group website.

"We approached these briefs from the perspective of: What are people going to need to know right away?" said Ann Josephson, an assistant professor of applied econometrics in the UArizona College of Agriculture and Life Sciences who helped analyze the data. "What do decision-makers need to know, and where should they focus their efforts?"

Job Disruptions Hit Arizonans Hard

"The first four months of the pandemic was a really important timeframe for job disruptions in particular," Josephson said. "There were major job losses in that period."

According to U.S. Bureau of Labor Statistics data, Arizona's unemployment rate increased from 6.5% in February 2020 to 13.5% by April 2020. Jobless rates have since declined both nationally and in the state of Arizona but remain higher than they were in February 2020.

"I was one of those people who found themselves unemployed in March," said Freddy Driesen, who was in his final semester as a UArizona undergraduate pursuing a degree in agribusiness and management when the pandemic hit.

After losing his job in the hospitality sector, Driesen was offered a role on the research project and assisted Josephson in extrapolating the data and writing computational coding that could be harnessed by researchers across the country.

"The semester ended, but thanks to this project, I was able to research the impact this was having across Arizona on people like me," Driesen said. "You hear that this virus affects everybody, but when you look a little deeper, you see those who could least afford it were the most impacted."

Over a third of Arizona households experienced some form of job disruption within the first four months of the COVID-19 pandemic, but Hispanic and low-income households were disproportionately affected.

According to the survey data, 59% of Hispanic households reported job disruptions compared to 22% of non-Hispanic white households. Low-income households, already at a disadvantage, were among the hardest hit, with

AMERICAN OVERSIGHT

almost half of households making less than $25,000 in 2019 experiencing a job disruption during the pandemic.

Dramatic Increase in Arizona Households Facing Food Insecurity

About one in three Arizona households (32%) experienced food insecurity in the early months of the COVID-19 pandemic – a 28% increase from the year prior to the pandemic.

The U.S. Department of Agriculture defines food insecurity as a lack of consistent access to enough food for an active, healthy life. Researchers measured food insecurity in the state of Arizona using the USDA's six-item household food insecurity survey module. Those who responded affirmatively to two or more of the food insecurity questions were considered food insecure.

According to the data, food insecurity was considerably higher among households that experienced a job disruption (57%) than among households that did not experience any job disruption (19%).

Nearly three quarters of Hispanic households that experienced job disruption also faced food insecurity.

"Hispanic households lost more jobs and were worse off in terms of food security across the board," Josephson said. "Food insecurity was a major issue. It was particularly bad if you were in a position that was precarious to begin with. If you had children or elderly people in your household, there were real challenges there, too."

Food Assistance Program Participation Held Steady

Despite the dramatic increase in reported food insecurity since the onset of the pandemic, food assistance program participation saw little change.

In the year prior to the pandemic, 26% of Arizona households surveyed reported participating in at least one food assistance program, compared to the 27% who reported doing so since the start of the pandemic in March 2020.

More than half of survey respondents considered the USDA's Supplemental Nutrition Assistance Program benefits inadequate. And nearly half of Special Supplemental Nutrition Program for Women, Infants, and Children participants surveyed reported not being able to fully redeem their benefits in stores due to lack of availability of WIC-approved foods.

According to the survey results, some of the major challenges for using the school meal programs include limited hours, inconvenient locations and meals

AMERICAN OVERSIGHT

running out before the next pick-up day. Survey respondents who relied on food pantry benefits found long lines and limits on frequency of visits to pantries challenging.

Putting the Data to Work

The team hopes that the data will be of use to stakeholders around the state.

"We're trying to provide data to organizations that may not have the resources to do it," Josephson said. "That's something that we'll be able to learn as we redesign and go forward, particularly what information do organizations need to know about the people they're trying to help."

The research team is putting together a new round of the survey that will focus on household experiences in the time between the election and the New Year, a period when many supplemental unemployment benefits ended and COVID-19 cases in the state dramatically increased.

In the future, the team also hopes to learn more about other aspects of people's lives, including access to necessities such as prescription medication, medical services and secure living environments.

"If you lost your job, are you able to run the heat? If you're an elderly household having trouble accessing food, are you also having trouble accessing a secure and safe environment to live? We're talking about food, but if you're not able to access food, you might not be accessing basic life necessities," Josephson said.

* * * * *

Rep. Grijalva Praises Choice of El Rio Community Health Center and Sunset Community Health Center for Direct Vaccine Distribution Sites

WASHINGTON— Recently, Department of Health and Human Services announced that they have invited El Rio Community Health Center in Tucson and Sunset Community Health Center in Yuma to participate as an initial cohort of 250 health centers across the country to directly receive vaccines through HRSA's COVID-19 Vaccination Program. The initiative was launched by President Biden earlier this month to ensure that COVID-19 vaccines are equitably distributed to the communities most impacted by the virus. The vaccine allotments are in addition to and separate from the state allocations. Additionally, the Biden Administration announced that it was increasing the number of vaccine doses to states to 13.6 million doses from 11 million doses.

"Latino communities and those of low-income have been the hardest hit by the

AMERICAN OVERSIGHT

virus here in Southern Arizona," **said Rep. Raúl M. Grijalva.** "El Rio Health and Sunset Community Health Centers provide incredible medical care to many of Southern Arizona's most vulnerable residents. They are trusted providers for thousands of families, and I am pleased the Biden Administration has enlisted their help to distribute the vaccine to those in our community who need it the most. Mass vaccination is the best way to get through this pandemic, and this partnership ensures that those communities most impacted by the virus are not left behind."

According to the White House, Community Health Centers serve over 30 million people in the United States. Sixty percent of those served are people of color and two-thirds are living at or below the poverty line.

"Our El Rio Team is so pleased to receive this great news," **said El Rio Health CEO Nancy Johnson.** "Community Health Centers locally and nationally are created to efficiently and effectively reach our patients most in need and to overcome barriers to needed preventative care. This much needed vaccine will help us increase the number of patients vaccinated in the coming weeks."

"Sunset is thrilled to be a part of this program," **said Sunset Health CEO David Rogers.** "Vaccines received through this direct program will help us give patients 65 and older and farmworkers access to the COVID-19 vaccine. This will be an additional source for much needed vaccine to inoculate vulnerable and underserved populations being served in Yuma County, Arizona."

* * * * *

Rep. Grijalva Praises Choice of El Rio Community Health Center and Sunset Community Health Center for Direct Vaccine Distribution Sites

WASHINGTON— Recently, Department of Health and Human Services announced that they have invited El Rio Community Health Center in Tucson and Sunset Community Health Center in Yuma to participate as an initial cohort of 250 health centers across the country to directly receive vaccines through HRSA's COVID-19 Vaccination Program. The initiative was launched by President Biden earlier this month to ensure that COVID-19 vaccines are equitably distributed to the communities most impacted by the virus. The vaccine allotments are in addition to and separate from the state allocations. Additionally, the Biden Administration announced that it was increasing the number of vaccine doses to states to 13.6 million doses from 11 million doses.

"Latino communities and those of low-income have been the hardest hit by the virus here in Southern Arizona," **said Rep. Raúl M. Grijalva.** "El Rio Health and Sunset Community Health Centers provide incredible medical care to

AMERICAN OVERSIGHT

many of Southern Arizona's most vulnerable residents. They are trusted providers for thousands of families, and I am pleased the Biden Administration has enlisted their help to distribute the vaccine to those in our community who need it the most. Mass vaccination is the best way to get through this pandemic, and this partnership ensures that those communities most impacted by the virus are not left behind."

According to the White House, Community Health Centers serve over 30 million people in the United States. Sixty percent of those served are people of color and two-thirds are living at or below the poverty line.

"Our El Rio Team is so pleased to receive this great news," **said El Rio Health CEO Nancy Johnson.** "Community Health Centers locally and nationally are created to efficiently and effectively reach our patients most in need and to overcome barriers to needed preventative care. This much needed vaccine will help us increase the number of patients vaccinated in the coming weeks."

"Sunset is thrilled to be a part of this program," **said Sunset Health CEO David Rogers.** "Vaccines received through this direct program will help us give patients 65 and older and farmworkers access to the COVID-19 vaccine. This will be an additional source for much needed vaccine to inoculate vulnerable and underserved populations being served in Yuma County, Arizona."

NEWS CLIPS

Arizona's prison population declines by 11% during pandemic

By Jacques Billeaud Associated Press
02-17-21

The number of inmates in Arizona's prisons has declined 11% since the start of pandemic, reflecting a slowdown in the state's court system that has held far fewer criminal jury trials over the last year as it took steps to prevent the coronavirus from spreading at courthouses.

Corrections officials say they are seeing fewer sentenced inmates being sent to prison from counties and fewer revocations of probation and community-supervision releases that would send people back behind bars. (To read more, click here).

* * * * *

WMAT relaxes some COVID restrictions

By Barbara Bruce White Mountain

AMERICAN OVERSIGHT

Independent 02-17-21

The daily post on the White Mountain Apache Tribe Emergency Operations Center (EOC) Facebook page for Sunday, Feb. 14 regarding COVID-19 statistics, stated, "Our numbers increased by 0."

As of Feb. 12, the Tribe reports that a total of 8,328 people have been vaccinated against COVID-19 — 5,190 people have received their first dose of the vaccine and 3,138 have received a second dose. (To read more, click here).

* * * * *

Will GOP-run Legislature actually boost unemployment pay for first time in 17 years?

By Laurie Roberts Arizona Republic 02-17-21

It's not all gloom and doom at the state Capitol, where our leaders are busy working to make it harder to vote and easier to grab a public subsidy for a down payment on private school.

For the first time in nearly two decades, House Republicans are actually acknowledging the reality that this state needs to shore up the worn and rotting safety net that awaits Arizonans who find themselves out of a job. (To read more, click here).

* * * * *

Gov. Doug Ducey is making a major bet (with a major flaw) to expand gambling in Arizona

By Robert Robb Arizona Republic 02-17-21

Gov. Doug Ducey has worked hard and long to get more gambling revenue into state coffers, including opening up gambling opportunities off Indian reservations, to which they have been largely confined.

He apparently has struck the necessary deals with the tribes and a bill (House Bill 2772) to set the legal structure in place for off-reservation gambling is working its way through the Legislature. (To read more, click here).

* * * * *

AMERICAN OVERSIGHT

If we want to keep Arizona's endangered rivers flowing, this water law must change

By Kristen Wolfe Arizona Republic 02-17-21

There is much to see and appreciate in Arizona's natural resources. Water flowing through washes, creeks, rivers and springs sustains life in this hot, dry state. Protecting these waterways, crucial to all life in a desert environment, is an important priority for most Arizonans.

A recent Nina Mason Pulliam Charitable Trust poll showed that 64% of Arizonans believe "protecting the environment should be given priority, even at the risk of slowing growth." Nearly 9 in 10 believe the environmental issues facing Arizona are either "very serious" or "serious." (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, February 19, 2021 8:02:04 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

Wake Up Call February 19, 2021

Court task force refocuses on disinformation
Arizona Capitol Times
Shortly after the Arizona Supreme Court created a task force on countering disinformation in 2019, its members realized their approach was a losing battle.

AG weighs in on governor's emergency powers
Arizona Capitol Times
Arizona lawmakers could take it upon themselves to end a governor's emergency declaration with a concurrent resolution, which doesn't require the governor's signature, but the governor could issue another emergency declaration immediately after termination, says Attorney General Mark Brnovich.

Push to change election laws triggers GOP infighting
Arizona Capitol Times
The showdown illustrated a point of contention among Republicans this year.

Finchem retaliates, files ethic complaints against Democrats

AMERICAN OVERSIGHT

Capitol Media Services
Freshly cleared of violations by the chair of the House Ethics Committee, Rep. Mark Finchem is now turning the tables on some of his accusers and political foes.

Southern AZ officials ask for federal help for asylum seekers released at border
Arizona Daily Star
"We can manage this, but we can't fund it," Tucson councilman says of potential influx of asylum seekers.

Report: Arizona continues to trail other states in higher-ed support
Cronkite News
Arizona continues to be one of the worst states in the nation when it comes to funding higher education, still reeling from deep budget cuts that were made during the recession, according to a new national report.

Finchem asks for donations to pay off $15K he owes for 'election integrity hearing'
Maricopa Monitor
Republican Rep. Mark Finchem is asking his followers to give him money so he can pay off the $15,500 he spent to host an unofficial election integrity hearing in November.

Ducey, local governments can enact new emergency orders if legislature repeals old one
Arizona Mirror
Repealing Gov. Doug Ducey's emergency declaration may not go nearly as far as some GOP lawmakers want toward reopening the state and ending the restrictions imposed to combat the COVID-19 outbreak, according to a new opinion issued by Attorney General Mark Brnovich.

Senate passes subpoena bill as litigation continues in election audit dispute
Arizona Mirror
If a judge rules that the law doesn't give the legislature the authority to subpoena ballots and tabulation machines from Maricopa County so it can conduct an audit into debunked conspiracy theories that the 2020 election was rigged, the Senate took a big step Thursday to grant that power to itself.

Native Americans 'Left Out in the Cold' Under Trump Press Biden for Action
New York Times
After showing political clout in the 2020 election, tribal communities are hoping for more attention and money to address their long-running problems with poverty, health care and other issues.

CDC offered helpful guidance to reopen schools. Yet the reaction is mostly crickets
Arizona Republic (Opinion, Joanna Allhands)
There is almost no discussion of implementing the CDC's school reopening recommendations within Arizona, and that's a shame.

Gov. Ducey should look in the mirror before complaining that Biden didn't consult him
Arizona Republic (Opinion, Elvia Diaz)
Gov. Ducey has no right to criticize Biden on immigration, considering that Ducey did the exact same thing to mayors on COVID-19.

Cities have used COVID-19 relief money responsibly, but our work isn't done
Arizona Republic (Op-ed, Kate Gallego and John Giles)
An anemic federal relief bill could prolong physical and economic suffering in our communities. That's why we need the American Rescue Plan.

Don't wait for the underserved to sign up for a COVID-19 vaccine. Go to them
Arizona Republic (Op-ed, Ricardo Correa and Dionne Mills)
Start by going door to door, block by block, to register people. Set up vaccine clinics in

AMERICAN OVERSIGHT

locations and during times that work for the communities.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, February 19, 2021 11:18:16 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: February 19, 2021
Attachments: February 19, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- US 'in the dark' on dangerous virus strains
- S. Arizona hopes to avoid repeat of 2019 asylum seeker crisis here
- Finchem files ethics complaint against state Dems over Capitol riot allegations
- Report: Arizona continues to trail other states in higher-ed support

Arizona Republic

- Maricopa County election audit questions linger
- Why Boyer is Arizona's senator with most power
- Biden's immigration agenda unveiled
- Sen. Sinema new chair of Senate panel
- Arizona adds 1,143 new COVID-19 cases, 213 deaths

KTAR News

- Maricopa County closing 2 COVID-19 vaccine pods, changing distribution
- Arizona reports 1,918 new COVID-19 cases, 145 more deaths Friday
- Arizona leads country with 'voter suppression' bills, institute finds

Arizona Daily Sun

- Arizona to send federal money to counties for virus testing
- Regents select new president of Northern Arizona University

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

US 'in the dark' on dangerous virus strains

By Marion Renault
Arizona Daily Star
February 19, 2021

As states lift mask rules and ease restrictions on restaurants and other businesses because of falling case numbers, public-health officials say authorities are overlooking potentially more dangerous COVID-19 variants that are quietly spreading through the U.S.

Scientists widely agree that the U.S. simply doesn't have enough of a handle on the variants to roll back public-health measures and is at risk of fumbling yet another phase of the pandemic after letting the virus rage through the country over the last year and kill nearly 500,000 people.

'Now is not the time to fully open up,' said Karthik Gangavarapu, a researcher at Scripps Research Institute whose team works closely with San Diego health officials to watch for mutant versions of the coronavirus. 'We need to still be vigilant.'

Over the past two weeks, the daily averages for both coronavirus cases and deaths have dropped by about half in the U.S., according to data from Johns Hopkins University. And as of Wednesday, over 40 million people — about 12% of the population — had received at least one dose of a vaccine.

The problem, as experts see it, is that the U.S. has been slow to ramp up a rigorous genetic surveillance system for tracking the variants' spread and measuring how much of a foothold they have gained here.

'The fact of the matter is we're kind of in the dark,' said Dr. Diane Griffin, who studies infectious diseases at Johns Hopkins. She said the variants are 'probably widespread even if we don't know it.'

On Wednesday, the Biden administration announced it will spend$200 million for the Centers for Disease Control and Prevention to triple its levels of genetic sequencing to identify mutations that might make the coronavirus more infectious or more deadly. Separately, Congress is considering a bill that would provide $1.75 billion for such work.

Amore contagious and possibly more deadly variant that was first identified in Britain has been found in at least 42 states. Other variants first detected in South Africa and Brazil have been been reported across the U.S. in low numbers. The South Africa one is especially worrisome because of evidence it may diminish the effectiveness of the vaccines.

'We're chasing a moving target. It's changing a little too fast for comfort,' said Dr. Lucio Miele a geneticist at LSU Health Sciences in New Orleans. 'We need to be proactive. We're not invulnerable.'

Detecting variants and knowing where and how widely they are spreading could be critical to preventing another deadly wave of COVID-19 like the one that overwhelmed hospitals this winter.

AMERICAN OVERSIGHT

In Europe in late 2020, once surveillance began flagging variants like the one that was causing cases to rage out of control and overwhelm hospitals in England, governments across the continent responded by imposing strict travel restrictions and lockdowns.

But in the U.S., the emergence of variants has been met with a shrug among many state and local officials amid the overall drop-off in confirmed infections.

Florida, for example, has the country's highest tally of cases of the British variant, according to the CDC. But state leaders seem to have already moved on from the coronavirus, including Gov. Ron DeSantis.

When asked about the rise of new strains last week, DeSantis told reporters, 'The media is worried about that, obviously. You guys really love that.'

Florida has repealed many restrictions and hosted 25,000 fans for the Super Bowl in Tampa and 30,000 spectators at the Daytona 500 a week later in what was the largest sporting event in the nation since the start of the pandemic.

Restrictions are also being eased in California, which is recovering from a surge of COVID-19 that overran its hospital system in recent months. California officials expect a substantial number of counties to be allowed to offer limited-capacity indoor dining and open up theaters, museums and gyms. The state is also reporting the country's second-highest case count for the British variant.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

S. Arizona hopes to avoid repeat of 2019 asylum seeker crisis here

Curt Prendergast
Arizona Daily Star
February 19, 2021

As President Biden reworks the immigration system at the border, local officials in Tucson, as well as Arizona's governor and congressional members, are asking for federal help in case those changes lead to large numbers of asylum seekers released in Southern Arizona.

No such increase has occurred yet in Arizona, but officials pointed to the enormous local effort required when thousands of asylum seekers were released by the Border Patrol and cared for by religious groups, hundreds of volunteers, and local

governments in Southern Arizona in 2019. The situation this year could be even more complex due to the coronavirus pandemic, officials said.

'In the past, this has led to a local crisis when processing these asylum seekers for emergency shelter and transportation services to their final point of destination in the United States,' Pima County Administrator Chuck Huckelberrywrote in a Feb. 12 memo to the Board of Supervisors.

AMERICAN OVERSIGHT

Federal officials had not contacted the county to develop an emergency shelter plan, Huckelberry wrote, calling the Department of Homeland Security 'ill-prepared to handle the issue.'

In 2019, the Tucson community helped more than 20,000 asylum seekers, many of whom were traveling as families, reach their destinations elsewhere in the United States. Those asylum seekers were housed at the former Benedictine Monastery, local churches, and in a converted wing of an unused portion of the juvenile detention center.

The situation changed dramatically in January 2020 when the Trump administration implemented a policy in Nogales, Sonora that forced asylum seekers to wait for months or years on the Mexico side of the border, rather than be released in cities like Tucson.

On Friday, Feb. 19, the Biden administration plans to start processing asylum seekers in that program, known officially as the Migrant Protection Protocols and informally as Remain in Mexico. As many as 25,000 asylum seekers are still in the program along the length of the U.S.-Mexico border. They will be tested for COVID-19 before entering the United States.

Federal officials plan to start processing asylum seekers in Texas and California, but not in Arizona, according to news reports.

'At this time, Tucson Sector is only releasing migrants for humanitarian reasons on a case by case basis,' according to Customs and Border Protection.

A shelter in Southern Mexico, one of the first stops after migrants and asylum seekers cross the border from Guatemala, has already seen twice as many migrants in the past six weeks than in all of 2020, the Associated Press reported Thursday.

CBP officials have been 'actively monitoring the irregular migration of persons through Central America and Mexico in coordination with the Department of State and our regional partners for some time,' said a statement from CBP.

'CBP has seen a steady increase in border encounters since April 2020, which, aggravated by COVID-19 restrictions and social distancing guidelines, has caused some facilities to reach maximum safe holding capacity,' it said.

'Per longstanding practice, when long-term holding solutions aren't possible, some migrants will be processed for removal, provided a Notice to Appear, and released into the U.S. to await a future immigration hearing,' according to CBP.

Local officials met last week with officials from the Border Patrol, the Department of Homeland Security, and congressional offices to discuss the possibility of more asylum seekers arriving

in Tucson, said Tucson City Councilman Steve Kozachik.

'We can manage this, but we can't fund it,' Kozachik said.

He is worried about having sufficient space at local shelters such as the Casa Alitas shelter, which is run by Catholic Community Services and played an integral role in helping asylum seekers in 2019.

AMERICAN OVERSIGHT

'It's about to become a real mess,' Kozachik said.

Diego Piña, program manager for Casa Alitas, said the number of asylum seekers at the shelter has risen somewhat since the start of the year, but 'it's within our partners' and our capacity.'

Casa Alitas has provided services continuously through the pandemic and Piña stays in regular contact with local health departments to take care of any medical concerns at the shelter.

'We have a good, firm grasp on how to do this safely,' Piña said.

Gauging how many asylum seekers are in the Migrant Protection Protocols is difficult, said Sara Ritchie, of the Kino Border Initiative, a Catholic group that provides services to migrants and asylum seekers in Nogales, Sonora. But she estimated somewhere between 200 and 400 are in that city.

She said she was 'happy' for the asylum seekers who might enter the United States under Biden's plan, but 'very concerned' for those who were denied a hearing in the past year or saw their cases closed because they could not make the arduous trip to El Paso, where asylum seekers in Nogales have their immigration court hearings.

U.S. Rep. Raúl Grijalva, a Democrat whose district includes most of the border in Arizona, asked the DHS to designate federal funds that 'can immediately be accessed by non-governmental organizations, counties, and cities that are assisting asylum seeking families at the U.S.-Mexico border.'

Republican Gov. Doug Ducey wrote a letter on Wednesday to the head of DHS.

'My office has heard concerns from law enforcement and border communities that repealing MPP (Migrant Protection Protocols) will result in a significant influx of unvetted individuals into the United States across the national border with Mexico,' Ducey wrote.

He called for the Biden administration to 'consider the infrastructure and resources needed to monitor, care for and protect both the incoming individuals and surrounding communities — especially as our country and state are still combating the COVID-19 pandemic.'

Among the questions Ducey asked the head of the DHS was how health-care workers should prepare and whether the administration would fund medical treatment for asylum seekers at hospitals already stretched thin by the pandemic.

He also asked if the administration would commit to quarantining all migrants who test positive for COVID-19 so they will not be released into the community while contagious.

Ducey urged the DHS to coordinate with local law enforcement and asked how those who are released at the border will be 'held accountable for attending their court hearings, their actions until those court dates, and the safe transfer to services once the court decides.'

U.S. Sens. Kyrsten Sinema and Mark Kelly, both Arizona Democrats, asked the head of the DHS to 'take immediate steps' to ensure the DHS 'has sufficient resources in Arizona to keep our communities safe and ensure migrants are treated fairly and humanely,' according to a Feb. 4 letter from the senators.

AMERICAN OVERSIGHT

'Our nation must improve the asylum process and allow eligible migrants to make asylum claims,' the senators wrote. 'However, we must also consider the need for an effective COVID-19 response.'

'Releasing migrants without COVID-19 testing will directly affect Arizona communities,' the senators wrote. 'If DHS is not able to develop a COVID-19 testing process on its own, an outside contractor or community partner must be brought in to handle the effort.'

The senators pointed to a lack of sufficient bus transportation in 2019, which made it difficult to quickly move migrants to communities where assistance was available.

They called for additional resources for transportation, training for personnel who manage the asylum process, an improved vaccination plan for DHS personnel at the border, and additional resources for nongovernmental organizations.

'If DHS, local governments and stakeholders work together, we believe we can avoid the type of border crisis that occurred in the spring of 2019,' the senators wrote.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Finchem files ethics complaint against state Dems over Capitol riot allegations

By Howard Fischer
Arizona Daily Star
February 19, 2021

Freshly cleared by the chair of the House Ethics Committee, Rep. Mark Finchem is turning the tables on some of his accusers and political foes.

The Oro Valley Republican has filed his own complaint against 28 House Democrats and 14 Senate Democrats arguing they conspired to punish him for exercising his First Amendment right to 'peaceably assemble and contest the legitimacy of the recent presidential election.'

He contends the decision of those Democrats to sign a letter asking the FBI and Justice Department

to look into his activities before and during the Jan. 6 demonstration in Washington, D.C., and the insurrection that followed, runs afoul of not only House ethics rules but also is libelous and violates federal law.

Rep. Athena Salman, D-Tempe, said the Democrats were well within their rights — and had enough evidence, direct or circumstantial — to ask for a federal investigation. She brushed off Finchem's complaint against them as 'retribution' for their own complaint to the ethics committee.

The original complaint was dismissed last week by Rep. Becky Nutt, R-Clifton, who chairs the committee. Nutt said the Democrats presented no evidence to back their charges

AMERICAN OVERSIGHT

that Finchem 'supported the violent overthrow of our government' or directly participated in the attack on the U.S. Capitol. Nutt said the allegations against Finchem amount to his 'advocacy of controversial political opinions.'

SOME FINCHEM TEXTS RELEASED

Finchem, through his attorney, also released what appears to be a partial record of his texts from that period. It starts with planning efforts for a 'Stop the Steal' rally in Phoenix and ends with Finchem attending the event outside the White House, where he was supposed to speak, and then ending up at the Capitol.

There is at least one text that suggests Finchem, in publicly describing his activities in Washington on Jan. 6, may have been less than forthcoming.

In a statement in the days following, Finchem said he was unaware until 5p.m. Jan. 6 that the Capitol had been breached.

Finchem has not denied going there, saying in a text he was 'swept up' by the crowd.

But he also was aware there were plans to march on the Capitol — something not in the event permit. He was told in a text from activist Michael Coudry before the event that the plan all along was to go there after the legal rally near the WhiteHouse.

He later got a message from Coudry saying, 'They are storming the capital, I don't think it safe.' That was followed up by a response from Finchem saying he was on the side of the Capitol facing the Supreme Court. 'Is that the right side?' Those texts were apparently exchanged at about noon.

But there is nothing in what his attorney released — or anywhere else so far discovered — showing that Finchem breached the barriers around the Capitol or entered the building.

His attorney has declined to release all of his texts from that period, however.

THE DEMOCRATS' CLAIMS

In the letter last month, Democrats told federal officials that Finchem and now-former Rep. Anthony Kern, R-Glendale, were not only present in Washington but 'actively encouraged the mob, both before and during the attack on the Capitol.' They also said the pair 'sought to conceal the consequences of their conduct by falsely blaming Antifa.'

The Democrats also wrote that there is 'evidence' the two Arizona lawmakers, along with U.S. Reps. Andy Biggs and Paul Gosar of Arizona, 'encouraged, facilitated, participated and possibly helped plan this anti-democratic insurrection on January 6.'

'It is vital to any current or future federal investigation, and ultimately to the Arizona public they represent, that we learn what these

elected officials knew about this planned insurrection and when they knew it,' the Democrats wrote.

'TYRANTS,' FINCHEM COUNTERS

AMERICAN OVERSIGHT

Finchem, in his ethics complaint against the Democrats, called them 'tyrants' for contending his activities in questioning the outcome of the election were criminal.

'Their tactics are repugnant to our foundational belief in open and robust debate, and as such smack of the very tyranny that, only a few decades ago, we spent so much blood and treasure to defeat,' he wrote.

'What are they so afraid of that they and their allies in the media deem it necessary to remove any question of election integrity from the table of legitimate discourse?' Finchem continued. 'Do they hope that shutting people up will make the controversy go away?' He contends several things make this a violation of House rules.

First, the letter went out on a letterhead of the 'Arizona State Legislature' with the state seal, making it look like an official act of the Legislature, which it was not.

Finchem also said the letter 'was replete with material factual misrepresentations that were unsupported by evidence and known to be false by the House and Senate members at the time of issuance.'

He said he released a statement on Jan. 11 detailing what he had and had not done in Washington. That included he went there to attend and speak at the rally, that he never came within 500 yards of the Capitol, that he did not see any activity about the building being breached and didn't learn about that until just before 5 that evening.

It was the next day that the Democrats asked for a federal investigation.

'NO EVIDENCE WHATSOEVER,' HE SAYS

'There is no evidence whatsoever that I engaged in any activity that could be objectively viewed as sedition, treason or any federal crime,' Finchem wrote. 'The implication that I have, or every possibly have, is entirely baseless.'

He said the activities of the Democrats are within the purview of the House and Senate ethics committees to investigate. Those include his contention that the letter to the federal agencies 'was issued in bad faith for political purposes, and not out of a legitimate, well-founded belief that I had engaged in any criminal activity of any nature.'

Finchem said that conclusion is supported by the fact that a copy of the complaint was released to the media at the same time the complaint was filed.

He also said if the committee

needs a specific criminal charge against the Democrats they can look to a section of federal law that makes it illegal for government officials to make a 'materially false, fictitious, or fraudulent statement or representation.'

Salman, who has been at the forefront of the Democrats' efforts to get an investigation of Finchem, said the new complaint won't deter them from their demands for further inquiry.

'HE'S NOT AN INNOCENT ACTOR'

AMERICAN OVERSIGHT

'The member was involved in inciting a rebellion against the government which is not only a violation of the oath of office that he took but a violation of the 14th Amendment of the United States Constitution,' Salman said. Salman does not dispute that the initial rally near the White House was legal. But she contends that what happened next can be tied to Finchem.

'The people who stormed the Capitol with the intention of not only overthrowing the election results but with the intention with also killing national and federal officials were doing so on the basis of falsehoods and conspiracies that were laid out by the president all the way down to local lawmakers in the days following the general election,' she said. Salman contends that, absent those statements, the riot never would have occurred.

But Finchem, in his own complaint against the Democrats, pointed out that he is hardly the only one who questions the results of the election. He said that does not make him — or them — liable for 'rogue actors' who chose to invade the Capitol.

'He's not an innocent actor,' Salman responded. 'The First Amendment protects you from the speech that comes out of your mouth. But it doesn't protect you from the consequences of your actions.'

FINCHEM SEEKS DONATIONS TO PAYPAL ACCOUNT

In a separate development, Finchem is asking supporters for money for what he said is $15,000 in debt he incurred in organizing the faux legislative hearing at a Phoenix hotel in late November to have a handful of GOP lawmakers hear Trump attorney Rudy Giuliani present what he said was evidence of fraud in the Arizona election returns. He is using his Gab account — a conservative alternative to Twitter — to request money be spent to a PayPal account.

The Trump campaign already has reported it paid a firm owned by Finchem $6,037 for 'recount: legal services.' Finchem has said he used it to pay for the costs of security for that hearing.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Report: Arizona continues to trail other states in higher-ed support

Ryan Knappenberger
Arizona Daily Star
February 19, 2021

Arizona continues to be one of the worst states in the nation when it comes to funding higher education, still reeling from deep budget cuts that were made during the recession, according to a new national report.

The Center on Budget and Policy Priorities studied state funds from the time of the Great Recession in 2008 until 2019, right before the COVID-19 pandemic hit.

When adjusted for inflation, Arizona spending per student in the state decreased by 54.3%, the largest drop in all 50 states.

AMERICAN OVERSIGHT

Louisiana was in second place, with an inflation- adjusted drop of 37.7% in state support.

Arizona also had the second-highest percentage increase in tuition during the period, with its 78% hike trailing only Louisiana's 96.8%. But Arizona's increase was the largest in terms of actual dollars, rising $5,224 over 11 years to an average of $11,921 for in-state Arizona students across all public four-year colleges and universities.

David Lujan, director of the Arizona Center for Economic Progress, called the state's budget priorities skewed.

'Arizona actually provides more funding each year to our state Department of Corrections to incarcerate people than we provide to all three of our state universities combined,' Lujan said in a conference call to release the report Wednesday.

Calls seeking comment from Gov. Doug Ducey and from the Arizona Board of Regents were not immediately returned Wednesday.

The board did offer some relief to Arizona students last year, when it announced that there would be no tuition increase for Arizona residents during the current academic year.

In a statement at the time, the board said the regents 'and university presidents did not pursue increases to resident tuition to ensure higher education at Arizona's public universities remains accessible for students during economic challenges brought about from the COVID-19 pandemic.'

The pandemic has directly affected student plans, according to the Census Bureau's Household Pulse Survey. It reported in late December that 83.9% of Arizona households, about 1.1 million, said they had changed or canceled college plans for the upcoming fall semester.

Arizona is not alone in its college funding struggles, according to the center's report. It said that higher education funding has fallen $3.4 billion nationwide since 2008.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Maricopa County election audit questions linger

Jen Fifield
Arizona Republic
February 19, 2021

Activity continues at Maricopa County's ballot tabulation center in Phoenix more than three months after the election.

Two auditors with visitor badges stood next to a giant server in a room with glass walls last week, studying code on a computer screen. Others huddled around computers nearby.

The auditors looked for any abnormalities that might indicate the county's election system was hacked during the election.

While former President Donald Trump's impeachment trial came to a close this weekend, and much of the country has moved on from the Nov. 3 election, one of the last remaining election battles is playing out here in this swing county that helped put Joe Biden in the White House.

The county hired outside auditors to try to show the county's election was fair, but many who have doubts about its integrity are calling the effort a charade, even before the findings are announced.

"The two audits they have are a joke," state Sen. Warren Petersen, R-Gilbert, said Feb. 8 on the Senate floor. "They aren't meant to find fraud, even if there is fraud."

Senate Republicans want to do their own audit, including a hand count of about 26% of mail-in ballots — something that the county's new audit does not do.

The senators nearly held the Maricopa County Board of Supervisors in contempt earlier this month — raising the possibility of one group of elected officials arresting another group of elected officials — for not providing the ballots in response to a Senate-issued subpoena.

Whether another hand count happens is now in the hands of a Maricopa County Superior Court judge, who soon may rule on whether the Senate's subpoenas are valid. As election consultants from across the country watch the feud play out, they tell The Arizona Republic that county voters should know:

- The county's new audit is a more thorough, independent double check of the election results. But much of the work already was done by the government as it certified the machines, and in previous audits.

- Since no irregularities were found in the county's original audits, there is no need for another one. The state and county's auditing process are among the strongest in the country.

- One consultant believes that, if the county really does want to check its results again, the best way is another hand count of 2020 ballots.

AMERICAN OVERSIGHT

How county already audited the election

The county followed a rigorous auditing process after the 2020 general election, much of which is required under state law. That includes:

- County officials reviewed and released statistics about the ballots cast and counted, such as the number of overvotes and the number of ballots that weren't counted because they were postmarked late. No irregularities were found there, compared with prior elections.

- The county conducted a postelection logic and accuracy test on voting machines, as state law requires. That test verified that the machines counted votes properly.

- And it did a hand count of ballots. State law requires bipartisan teams to review a statistically significant number of ballots, checking how voters marked ballots with the way the machine reads the votes.If problems are found, it triggers a larger count. The hand count in each county must include ballots from at least 2% of vote centers or precincts, and 5,000 mail-in ballots or 1% of mail-in ballots, whichever is less.

Maricopa County's general election hand count looked at 8,082 ballots, as required. The party-appointed reviewers found that the machines counted the votes on these ballots with 100% accuracy.

Along with these accuracy measures , at least seven election challenges brought against the county were dismissed in court. Three election consultants known nationally for nonpartisan expertise on election audits, technology and security, told The Republic that the county followed best practices and is known for its strong auditing procedures.

The consultants are:

- Jennifer Morrell, a partner at The Elections Group, a national elections consulting group and a former election official in Colorado and Utah who specializes in audits.

- Ben Ptashnik, founder and president of the National Election Defense Coalition, a bipartisan nonprofit that advocates for secure elections.

- Ryan Macias, a former acting director of the voting systems program at the U.S. Election Assistance Commission, who specializes in election technology and security.

Morrell said it's best to audit election results in multiple ways, and the county did above and beyond what was required.

"It's unfortunate there has been so much criticism in your state because they have done things really, really well in both an operations perspective and a security perspective," she said. "Arizona is at the top."

Former Maricopa County Recorder Adrian Fontes says the county's standard auditing practices were engineered by national professionals, leaving him with full confidence the election was sound — even without another audit.

AMERICAN OVERSIGHT

By approving the new audit, the county supervisors are undermining the work of the county's election officials, and undermining their earlier vote to certify the election, he said.

"They have chosen the path of political appeasement instead of the path of strength," Fontes said.

What the county's new election audit did

For its new audit, the county supervisors hired Pro V& V of Huntsville, Alabama, and SLI Compliance of Wheat Ridge, Colorado.

The supervisors said the two firms will provide a truly independent look at the county's election.

Yet The Republic found lingering questions about the companies, as well as the risk that hiring anyone else, as the Senate has proposed, could pose a security threat to the county's election system.

Here is what the county-hired auditors did in the two weeks they spent in Phoenix earlier this month:

- Pro V& V performed another logic and accuracy test on the tabulation machines to see that the "system correctly captures, stores, consolidates, and reports the specific ballot selections, and absence of selections, for each ballot position."

- Both firms checked to see if the county is using certified hardware and software.

- The firms examined what's called "hash values" — the code that dictates how the machine functions — to see if they were the same as when the machines were certified. If the hash code is different, that may indicate tampering.

- The auditors also checked that hackers didn't install any software or hardware onto the machines by running malware tests and opening up the machines. They also conducted a network analysis to "ensure the network is a 'closed network' and can't reach the internet."

- The auditors examined all nine of the large tabulators that count ballots at the election center, a random selection of 20% of the county's precinct-based tabulators and a random selection of 40% of the county's adjudication stations.

The audit of voting machines will cost the county about $56,815, according to estimates from both firms. An additional part of the audit, which will examine the county's procurement process to lease Dominion Voting System machines, will cost between $34,000 and $69,000, according to an estimate.

Was the new audit enough?

Since the machines already were certified by the federal and state governments as being secure and working properly, the audit simply checked to make sure the machines are still working how they should.

The county's cybersecurity teams monitor and protect the county's networks and help establish information security practices, but the audit brought in outside professionals to ensure there wasn't any hacking or internet connectivity.

AMERICAN OVERSIGHT

“I trust our staff, but there may be some individuals who do not,” said Scott Jarrett, director of election day and emergency voting at the Elections Department.

Having outside firms do the work also allowed a different perspective and approach, Jarrett said.

Jarrett said the county may learn something for future elections from the way this audit is done.

“I’m confident our system is secure, and not vulnerable,” he said. “But there’s always an opportunity to improve.”

County officials disagree with those who say this audit isn’t thorough.

“There isn’t anything simple about this audit,” said Megan Gilbertson, an Elections Department spokesperson. “These are thorough reviews and tests of the equipment by qualified firms. If there is anything to be found, the tests performed by the auditors should find it. These are invasive tests, but because of the expertise of these firms, it can be done without destroying the equipment.”

Few local governments do this detailed of an audit after an election, said Morrell, the elections consultant. Asked if it makes sense to do it, Morrell said, “It certainly doesn’t hurt.”

But Ptashnik said if the intention is to double-check if the election was fair, the best way is to have another look at the ballots.

National consultant: Best audit is a hand count

Ptashnik does not believe a logic and accuracy test gives a true picture of the way the machine is programmed to count ballots. He also said that it’s possible for whoever hacks a voting machine to delete any trace they were there. That makes it impossible to catch them after the fact, he said.

Jarrett said that he disagrees. “I’m not a forensic technician,” he said, “But it is my understanding that if you were to get into the system, they do leave traces.”

The hand count is the best way to check for inaccuracies, Ptashnik said, “because any electronic system can be hacked and any vendor might be complicit. I don’t know these two companies, but I do know that this country is divided.”

While some have called for a complete hand count of all ballots, Ptashnik and Morrell said reviewing a statistically significant sample is enough.

This saves time and money, Morrell said, while also allowing election officials to know the election was fair.

“You want the winner and loser to feel confident about the outcome,” Morrell said. “But also want an audit practice that’s reasonable and feasible to carry out.”

How the Senate audit would differ from the county’s

AMERICAN OVERSIGHT

Two days after the county voted to hire SLI Compliance and Pro V& V, Fann announced she wasn't satisfied with the county's audit and the Senate would do its own. The Senate has not yet hired a firm; Fann said she still is researching companies.

Fann said she tried to learn more about the county's audit by reaching out to the companies doing it. She said SLI Compliance refused to provide information when she asked how in-depth its audit would be, and that makes her "very suspect."

Fann said one main component that seems to be missing is a review of actual 2020 ballots, as the Senate wants to pursue.

She said this would allow them to see, among other things, whether any ballots were filled out by computers, why there were certain spikes for certain candidates in certain areas, whether there were any false ballots cast.

"There are just so many questions that people have," she said. "Let's try to put this to bed."

A proposed scope of work includes a look at about 550,000 mail-in ballots cast in the 2020 general election, which is about 26.3% of the total 2.1 million ballots cast in the county.

Beyond that, there is little detail about how the rest of the Senate's audit would be performed.

The Senate in its subpoenas also asked the county to provide detailed information on voters and county election reports. The auditor, according to the document, would be asked to complete a "forensic examination and analysis" on county voting reports and a "forensic imaging collection and analysis" on electronic devices. There is no explanation of what "forensic" means.

Ptashnik said he questions "whether the Senate is just trying to put more smoke in the air."

Cour t case pending

Fann told The Republic this isn't about trying to overturn the election results, or decertify the elections. It's about doing an audit the Senate can trust and learn from.

"Our goal is: We have a lot of our constituents throughout Arizona that have questions about the integrity of our election system," she said. "And as elected officials and the Senate body, that's what we are supposed to do."

Fann said she hopes and prays the audit doesn't find irregularities.

"It would certainly shake the core of everything we believe in," she said.

Without the ballots and the voting machines, it's impossible for the Senate to go through with its plan.

Senate Republicans issued the subpoenas for the county to turn over ballots and machines, along with comprehensive voter and election information, in December and again in January.

The county says doing so would break state law in two ways. First, they reference a law that requires the ballots to be kept locked up for 24 months after a general presidential election, unless a court order says

AMERICAN OVERSIGHT

otherwise. Second, they say that sometimes voters sign their ballots, and handing them over could break the law that requires the secrecy of the ballot.

Fann said the subpoenas are all the authority the county needed to turn over the ballots.

She said at one point the supervisors made it seem they would comply with the subpoenas but then changed course, making her wonder if there is something the county is trying to hide.

"As soon as we reach a deal, they turn around and do something else," she said.

The supervisors have said repeatedly that they attempted to negotiate with the Senate.

"I met personally with the Senate President and understood both sides would work to find a path to success," Chairman Jack Sellers said in a Feb. 3 statement.

Sellers said the Senate should "turn their attention to finding a solution."

"If they truly believe in the legality of their position, they will join us in seeking a solution through the courts," he wrote.

County lawyers asked a judge this week to expedite the case over whether the county must release the ballots, voting machines and other items under dispute. The county needs its voting machines to be available for a local election coming up soon.

Fann and other senators also have said they hope the case will be heard soon.

That includes Republican Sen. Paul Boyer, the one Republican in the Senate who voted against holding the supervisors in contempt for not responding to the Senate's subpoenas, essentially blocking the effort.

"I look forward to a speedy resolution on whether or not the Senate can have access to the ballots," Boyer wrote in a Feb. 11 statement, "and the continued debate on how to ensure our laws can further protect each eligible citizen's right to a private, secure vote so that trust in our democracy can be restored."

Return to the table of contents

Why Boyer is Arizona's senator with most power

Arizona Republic
February 19, 2021

He is the only thing that stands these days between the Arizona Legislature and full-on, flat-out crazy.

Now his Republican colleagues are making him pay for it.

AMERICAN OVERSIGHT

Sen. Paul Boyer, the last moderate Republican standing in the Legislature, is living in the woodshed these days.

This isn't his first trip. That would have been two years ago, when he and then-Sen. Heather Carter withheld their votes on the state budget until he got a vote on his bill to give childhood sexual assault victims more time to hold their rapists accountable.

Legislators folded, ultimately passing his bill, but they didn't forget. Last year, Republicans blocked many of Boyer's bills from being heard, and the party was planning to field a more conservative candidate against him in the GOP primary until COVID-19 slowed them down.

Now, he's back in the doghouse for what could be an extended stay after he voted on Tuesday to kill a bill aimed at making it more difficult for all but the most diehard party voters to get an early ballot.

Just how badly do a group of Senate Republicans want to punish Boyer?

Badly enough that they may be willing to kill one of the Republican Party's major priorities: Boyer's proposal for a massive expansion of the state's school voucher program.

"It's surreal. I didn't think anything could be more surreal than last week until yesterday," Boyer said, referring to his refusal last week to go along with a Republican plan to arrest the Maricopa County Board of Supervisors. "It's too bizarre."

Boyer, when he's not busy teaching Latin to junior-high students at Great Hearts Glendale Preparatory Academy, is Arizona's most powerful state senator. After last year's defeat of Sens. Carter and Kate Brophy McGee, he is the lone moderate left standing in a state Senate that Republicans control by just one vote.

As it turns out, his vote.

Boyer angered his fellow Republicans on Feb. 8 when he refused to give into the madness and vote to hold the GOP-run county Board of Supervisors in contempt for refusing to cooperate with the Senate's plan to audit the November election results. Boyer didn't think it was fair to threaten county officials with arrest for following state law, which requires the ballots to remain sealed unless a judge orders them open. He urged his Republican colleagues to allow a judge work out the dispute.

Republicans, blindsided by Boyer's position, were furious and spent an hour trying to convince him to give them the needed 16th vote to hold the supervisors in contempt. Sen. Kelly Townsend, R-Mesa, warned Boyer he'd never again be trusted and issued what sounded like an incitement to violence (though she would later claim it was no such thing).

"This is shouldn't fall into the hands of the public … when they're so lathered up," she said, during the Senate debate on bill. "So public, do what you gotta do."

And the public did, or at least that portion of the public prone to believe debunked conspiracy theories about election fraud. Boyer got so many threats that he had to change his phone number. He and his family were forced to leave their home and seek police protection.

AMERICAN OVERSIGHT

“I’m actually surprised at the emails I still get saying that God will judge me and a lot of religious overtones, as if I’m being a bad Christian because of not wanting to jail the poor county Board of Supervisors over trying to follow the law,” he told me.

Since that vote, Boyer has become something of a burr beneath Senate Republicans’ backsides, refusing to go along with the Capitol tradition of voting for Republican bills merely because they are Republican bills.

He sided with Democrats to kill a bill that would have banned red light cameras and photo radar in the few cities that still employ them. Boyer told me he hates photo enforcement but didn’t want to take away a key enforcement tool from cities without the ability to add officers to the street.

His vote did not endear him to the bill’s sponsor, Sen. Wendy Rogers, RFlagstaff.

He sided with Democrats to kill a bill that would have stripped the Secretary of State’s Office of its oversight of the Arizona Capitol Museum. In 2019, Democratic Secretary of State Katie Hobbs hung a pair of LGBTQ flags from the museum’s balcony in the old Capitol and Republicans have been fuming every since.

Boyer told me museum oversight should remain with the SOS, regardless of which party is in power.

His vote did not endear him to the bill’s sponsor, Sen. David Gowan, RSierra Vista. But the killer vote came on Tuesday, when Boyer sided with Democrats to defeat Sen. Michelle Ugenti-Rita’s election bill aimed at making it more difficult for anyone other than the most diehard party voters to automatically receive an early ballot in the mail.

Under Senate Bill 1069, voters who didn’t cast an early ballot in both the primary and general elections in two consecutive state election cycles would be notified that they’re being removed from the list. They would have 30 days to make a request in writing if they want to continue receiving an early ballot.

Boyer told me he informed Ugenti-Rita, RScottsdale, before the vote that he would be a no until his questions about the bill were answered.

“I told her I had a few questions,” he told me. “I don’t know what this does for students, casual voters, military voters ... I asked her if she would hold off and I would be delighted to chat with her about it.”

Instead, the bill was brought to a vote and it died, on a 15-15 tie. Ugenti-Rita immedically popped up to request reconsideration of Boyer’s voucher bill, which had passed the previous day on a partyline vote.

Never mind, apparently, that in dealing out payback to Boyer she was shooting her own party in the foot. Republicans have long been angling to expand the state’s Empowerment Scholarship Program. Their most recent attempt was shot down by voters, nearly 2-1, in 2018. Here was another chance to pass it, yet here came Ugenti-Rita and a handful of other Republicans voting with Democrats to bring back Boyer’s just-passed bill for reconsideration. Rogers and Gowan joined her, along with Sonny Borrelli of Lake Havasu City, Tyler Pace of Mesa and David Livingston of Peoria.

Apparently, the need to educate Boyer in what happens when you don’t toe the Republican line exceeds the need to divert more public money to private school. Because the bill already has been transmitted to the House, it’ll be up to that chamber to decide whether to return it to the Senate for a doover.

AMERICAN OVERSIGHT

Boyer said on Wednesday morning that none of his fellow Republicans had yet spoken to him since Tuesday's slap at his voucher bill. He wouldn't ascribe any motives to his GOP colleagues for their vote to snatch back his voucher expansion bill. But he's clearly worried about a pair of his other bills that are awaiting a Senate vote: one to crack down on street racing and another to make it easier for firefighters to collect workman's compensation when they contract cancer.

"Is it payback? I sure hope not," Boyer said. "There's a culture down there that's been around, that we're just going to move a bill because it's a Republican a bill. To me, that's concerning because not all Republican votes are good votes, especially this year."

Despite electoral evidence that suggests moderation within the Republican Party is a vice, for now Republicans need him. For now.

Boyer, meanwhile, is hoping he can work to rescue the party of some of its more extreme views. "We need to do some soul searching. I'm hoping that something becomes the catalyst for it and I'm hoping to be a part of it." That's the view, anyway, from the GOP's deep freeze.

Return to the table of contents

Biden's immigration agenda unveiled

Rebecca Morin
Arizona Republic
February 19, 2021

Lawmakers on Capitol Hill and the White House on Thursday unveiled President Joe Biden's sweeping immigration legislation, including a proposal for a path to citizenship for roughly 11 million migrants living without legal status in the United States.

"We're here today because last November, 80million Americans voted against Donald Trump and against everything he stood for," said Sen. Bob Menendez, D-N.J. "They voted to restore common sense, compassion and competence in our government, and part of that mandate is fixing our immigration system." The plan is based on the comprehensive immigration legislation proposal that Biden introduced on his first day in office.

The legislation, entitled the U.S. Citizenship Act of 2021, includes an eightyear pathway to citizenship for nearly 11 million undocumented immigrants, a shorter process to legal status for agriculture workers and recipients of the Deferred Action for Childhood Arrivals program, and an enforcement plan that includes deploying technology to patrol the border.

The bill also calls for $4 billion over four years "to confront corruption, enhance security and foster prosperity" in migrant communities. In addition, the bill lays out a plan to create refugee processing in Central America to discourage migrants from trying to travel to the U.S.-Mexico border.

The bill is sponsored by Rep. Linda Sanchez, D-Calif., in the House and by Menendez in the Senate.

AMERICAN OVERSIGHT

Passing one large immigration reform package will be a challenge. Several lawmakers have noted that they will try to push through legislation that already passed in the House, along with the legislation for Biden's proposal.

House Speaker Nancy Pelosi didn't offer specifics about the legislative strategy. Democrats are weighing whether to try to enact the policies as a large legislative package or whether to try enact elements of it using a piecemeal approach.

"Now, how it happens through the legislative process remains to be seen," Pelosi said. "But it is a priority and we will be working on it."

Congressional Hispanic Caucus chairman Raul Ruiz said last week that "there's three routes that were working very hard to secure a vote on these bills before April 1." The Farm Workforce Modernization Act and the Dream and Promise Act, which passed in the House in 2019, will be among the other bills introduced.

"We have the reform bill that we're proud that Biden fulfilled his promise of having that bill on day one," Ruiz said last Tuesday during a virtual town hall with UnidosUS.

"The two other bills that will help us achieve a pathway to citizenship for millions of families are bills that passed last Congress with bipartisan support."

The Farm Workforce Modernization Act creates a pathway to legalization for agricultural or farm workers, as well as reforms the existing visa program for agriculture workers, known as the H-2A visa. The Dream and Promise Act creates a pathway to citizenship for DACA recipients.

Return to the table of contents

Sen. Sinema new chair of Senate panel

Government efficiency, borders key to the post

Yvonne Wingett Sanchez

Sen. Kyrsten Sinema is chairing a new Senate subcommittee with jurisdiction over the U.S. borders and government efficiency, a post that could take on greater importance as President Joe Biden and the Democratic-controlled Congress push for comprehensive immigration reform.

Sinema, D-Ariz., will chair the Homeland Security and Government Affairs Committee's Subcommittee on Government Operations and Border Management.

In a written statement to The Arizona Republic, Sinema said she wants the subcommittee to work in a bipartisan fashion on issues ranging from border security to improving the functions and reliability of the U.S. Postal Service.

AMERICAN OVERSIGHT

Sinema will lead the subcommittee alongside ranking member Sen. James Lankford, R-Okla.

The new assignment extends the work Sinema and Lankford did together last session on the Regulatory Affairs and Federal Management Subcommittee, where Sinema served as ranking member.

"Arizonans recognize the need for smarter, more effective border security and management — and communities and small businesses across our state rely on the U.S. Postal Service for deliveries of lifesaving prescriptions and critical goods," Sinema's statement said. "I'm proud to partner again with Senator Lankford and lead bipartisan efforts to ensure the federal government meets these obligations for Arizona and the nation.

The panel's jurisdiction also includes American economic competitiveness, the U.S. Census, contracting and energy issues, and regulatory and federal employee policies.

Through the previous iteration of the panel, Sinema and Lankford sought to aid small businesses by reforming federal regulations.

In 2019, the Senate passed their legislation to simplify government rule-making and requiring every proposed regulation be accompanied with a 100-word, easily-understandable summary. The bill was not signed into law.

Last session, the Senate also passed the senators' legislation that sought to strengthen penalties against those who steal or misuse the benefits of federal retirees. That, too, was not signed into law.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona adds 1,143 new COVID-19 cases, 213 deaths

Alison Steinbach
Arizona Republic
February 19, 2021

Arizona reported a relatively low 1,143 new COVID-19 cases and high 213 new known deaths Thursday as hospitalizations for the disease continued to decline.

Arizona's seven-day, new-case average ranked 20th on Wednesday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the past seven days was 24.5 cases per 100,000 people, per the CDC. South Carolina was first with 55.9 cases per 100,000.

The state's average daily COVID-19 deaths per 100,000 people over the past seven days ranked third in the nation as of Wednesday, per the CDC.

AMERICAN OVERSIGHT

Arizona's newly reported 213 deaths brought the known COVID-19 death count to 15,276. The state surpassed 15,000 deaths on Wednesday after passing 14,000 deaths on Feb. 6 and 13,000 deaths on Jan. 29, just one week after it passed 12,000 and two weeks after 11,000 deaths.

In just over one year since the first case was announced in Arizona, a total of 802,198 COVID-19 cases have been identified across the state. February has seen relatively lower case reports.

The Arizona data dashboard shows 86% of all ICU beds and 89% of all inpatient beds in the state were in use Monday, with 32% of ICU beds and 21% of non-ICU beds occupied by COVID-19 patients. Statewide, 242 ICU beds and 989 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 1,823 on Wednesday, down from 1,941 on Tuesday and below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 566 on Wednesday, down from 593 on Tuesday and below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 330 on Wednesday, down from Tuesday's 354 and below the record-high 821 reached on Jan. 13.

Wednesday saw 1,280 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Thursday's numbers

Reported cases in Arizona: 802,198.

Cases since the outbreak began increased by 1,143, or 0.14%, from Wednesday's 801,055 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 501,214 in Maricopa, 107,582 in Pima, 45,117 in Pinal, 36,190 in Yuma, 20,695 in Mohave, 16,793

in Yavapai, 16,138 in Coconino, 15,311 in Navajo, 10,882 in Cochise, 10,203 in Apache, 7,592 in Santa Cruz, 6,318 in Gila, 5,239 in Graham, 2,376 in La Paz and 548 in Greenlee, according to state numbers.

The Navajo Nation reported 29,336 cases and 1,114 confirmed deaths in total as of Wednesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 11,859 inmates had tested positive for COVID-19 as of Wednesday, including 2,232 in Tucson, 2,004 in Yuma, 1,973 in Eyman, 1,307 in Lewis and 1,130 in Douglas; 43,590 inmates statewide have been tested. A total of 2,644 prison staff members have self-reported testing positive, the department said. Thirty-four incarcerated people in Arizona have been confirmed to have died of COVID-19, with 17 additional deaths under investigation.

AMERICAN OVERSIGHT

Arizona as of Wednesday had the sixth-highest overall case rate in the country since Jan. 21, 2020. Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Rhode Island, Utah and Tennessee, according to the CDC.

Arizona's infection rate is 10,987 cases per 100,000 people, according to the CDC. The national average is 8,313 cases per 100,000 people, though the rates in states hard hit early on in the pandemic may be an undercount because of a lack of available testing in March and April.

Deaths by county: 8,676 in Maricopa, 2,119 in Pima, 767 in Yuma, 731 in Pinal, 618 in Mohave, 477 in Navajo, 443 in Yavapai, 360 in Apache, 305 in Coconino, 258 in Cochise, 209 in Gila, 166 in Santa Cruz, 71 in Graham, 68 in La Paz and eight in Greenlee.

The global death toll as of Thursday morning was 2,432,825 and the U.S. had the highest death count of any country in the world, at 490,718, according to Johns Hopkins University. Arizona's death total of 15,276 deaths represents 3.1% of COVID-19 deaths in the U.S. as of Thursday.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Maricopa County closing 2 COVID-19 vaccine pods, changing distribution

By Peter Samore
KTAR News
February 19, 2021

Maricopa County will close two of its six COVID-19 vaccination sites later this month.

Contracts with Dignity Health and Honor Health in the southeast and northeast parts of the county will expire between Feb. 28 and March 6.

But Marcy Flanagan, executive director of the county's public health department, says the vaccination sites were never meant to form the entire distribution strategy.

"They were the best way to get a large amount of vaccine to priority populations in the beginning," Flanagan told reporters in a webinar on Thursday.

Public health will now send more shots through schools and childcare facilities, long-term care centers and community events that target rural areas and places where English is not spoken as a first language.

Arizona reports 1,143 new COVID-19 cases, 213 more deaths Thursday
Flanagan and Maricopa County medical director Dr. Rebecca Sunenshine expect no delays in vaccine appointments in the county, which just reached 700,000 doses given. A third of the shots given in the county are second doses.

The latest vaccine data for the county show 30% of the area's age 65 and older population have received at least one COVID-19 vaccine shot.

"They're not only the most vulnerable to severe disease, hospitalization and death, but that also helps protect our healthcare system for everyone else," Dr. Sunenshine said.

More than 20,000 vaccines have also gone to teachers, school staff, and childcare workers.

Public health reports 15% of all Maricopa County residents have taken one or more COVID-19 shots.

Most health experts agree that number must be five-times higher to reach herd immunity.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona reports 1,918 new COVID-19 cases, 145 more deaths Friday

KTAR News
February 19, 2021

This is a regularly updated story with the latest information about the coronavirus and its impact in Arizona and beyond for Feb. 19, 2021.

Arizona officials on Friday reported 1,918 new coronavirus cases and 145 additional deaths from COVID-19.

The state's updated documented totals were 804,116 coronavirus infections and 15,421 fatalities, according to the Arizona Department of Health Services' COVID-19 dashboard.

After spiking to record highs in the first part of January, case and hospitalization numbers have fallen to pre-Thanksgiving levels in Arizona.

Arizona reports 1,143 new COVID-19 cases, 213 more deaths Thursday
The new case report has remained below 2,000 for seven consecutive days, the longest such streak since early November.

The number of confirmed or suspected COVID-19 inpatients in the state's hospitals decreased to 1,738 on Thursday, the fewest since Nov. 17. The number of ICU beds used by COVID-19 patients declined to 563, the fewest since Nov. 27.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, has been trending downward since the start of the year.

Valley YMCA to provide transportation for seniors to COVID vaccine sites
Of the 33,204 people tested so far this week, 10% received a positive result. The rate was 9% for 91,960 people tested last week, the lowest percent positivity since October.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The seven-day average for the state health department's newly reported coronavirus cases was 1,584.57 for Thursday, according to tracking by The Associated Press, the lowest mark since Nov. 6.

The seven-day average of newly reported deaths ticked up to 87.71, still less than half of the pandemic record seen a month ago.

In Thursday's update from the U.S. Centers for Disease Control, Arizona was fourth in the nation for COVID-19 deaths per capita over the last seven days and 19th in cases. Arizona led the U.S. in both categories at times in January.

The Arizona health department's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

AMERICAN OVERSIGHT

The hospitalization data posted each morning is reported electronically the previous evening by hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

Return to the table of contents

Arizona leads country with 'voter suppression' bills, institute finds

Gabriel Gamino
KTAR News
February 19, 2021

Arizona leads the country with 19 Republican-proposed bills that would place restrictions on voters, according to the Brennan Center for Justice at NYU School of Law, a nonpartisan law and policy institute.

Some of the 19 GOP-backed proposals would limit or eliminate no-excuse absentee ballots, make it harder to obtain an absentee ballot, impose stricter ID requirements and even give the legislature the right to pick presidential electors despite election results.

Critics say the bills override the will of voters, restrict access and ultimately voter turn out.

"We believe that expanding access is better for Arizona, better for democracy, better for everybody," Democrat Senate Minority Whip Martín Quezada said.

"The public wants to participate in our elections, they want to have greater access, they want to have fewer barriers and we are the ones that are pushing those ideas."

Quezada claims voter restriction is a strategy the GOP has used for many years, this time using false voter fraud theories from the turbulent 2020 November election to push the measures.

In an attempt to "fight back," Democrats have introduced their own set of "pro-democracy" legislation.

In partnership with Arizona Secretary of State Katie Hobbs and State Rep. Athena Salmon, Quezada introduced a series of bills he claims would modernize, protect and increase access to the voting process.

Unlike the GOP-backed bills, the Democratic legislation faces an uphill battle in the Republican-controlled legislature.

AMERICAN OVERSIGHT

Quezada hopes Arizona Gov. Doug Ducey will step in and veto restrictive bills if they make it to his desk.

One of the GOP-backed bills, meant to purge the state's permanent early voter list, has already failed in the Senate.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Arizona to send federal money to counties for virus testing

Arizona Daily Sun
February 19, 2021

Arizona on Friday announced it would provide $100 million of federal funding to the state's 15 counties for COVID-19 testing.

The state Department of Health Services said the $100 million represents an initial amount and is being provided for staffing, laboratory testing "and other activities critical to combating COVID-19."

The department's announcement of the funding followed Pima County officials' recent declaration that they might halt COVID-19 testing as of Monday because of a lack of funding.

In another development, the department on Friday reported 1,918 additional confirmed COVID-19 cases and 145 deaths, increasing the state's pandemic totals to 804,116 cases and 1,918 deaths.

According to the state's coronavirus dashboard, hospitalized COVID-19 patients occupied 1,738 inpatient beds as of Thursday, about a third of the pandemic high of 5,082 on Jan. 11.

With the reduction in COVID-19 hospitalizations, Phoenix-based Banner Health announced Friday it was easing visitor restrictions at hospitals though it said visitors still would be required to wear masked and would undergo health screening before entering.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

Return to the table of contents

Regents select new president of Northern Arizona University

Arizona Daily Sun
February 19, 2021

The Arizona Board of Regents says it plans to appoint Jose Luis Cruz, executive vice chancellor and university provost of The City University of New York, as the next president of Northern Arizona University.

The board announced Thursday night in a statement that Cruz had "accepted the opportunity to be the next president of of NAU" and that the regents would approve contract terms and formally appoint Cruz as the new NAU president at a subsequent meeting.

The regents on Tuesday announced interview invitations to Cruz and Bret Danilowicz, provost and vice president for academic affairs at Florida Atlantic University, and board the same day posted a public notice for a special meeting that included closed-door interviews and discussions late Wednesday and Thursday.

AMERICAN OVERSIGHT

The NAU presidency opened up last fall when current President Rita Cheng announced she would not seek a contract extension. She will stay on pending appointment of her replacement.

“Dr. Cruz has an extraordinary record of academic leadership, and I am confident he is the right leader to build on NAU’s success and ensure a bold and boundless future for this beloved and historic university,” said Larry E. Penley in the board's statement.

Penley also said Cruz is a “proven innovator" and that “his unsurpassed commitment to diversity, equity and inclusion, coupled with a long track record as a leading national advocate to improve educational outcomes for all students — especially those who have historically been underserved — will serve Arizona and NAU well."

Cruz said in the board's statement that he was honored to be selected “as the finalist" for the NAU presidency.

Cruz previously served as provost of California State University, Fullerton, is a former vice president of higher education policy and practice at The Education Trust in Washington, D.C., and a former chief student affairs officer for the University of Puerto Rico system. He began his career as an engineering faculty member in engineering at the University of Puerto Rico, Mayagüez, later serving as a department chair and dean of academic affairs.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Tuesday, February 23, 2021 5:21:43 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: YellowSheet
Attachments: 2-23-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

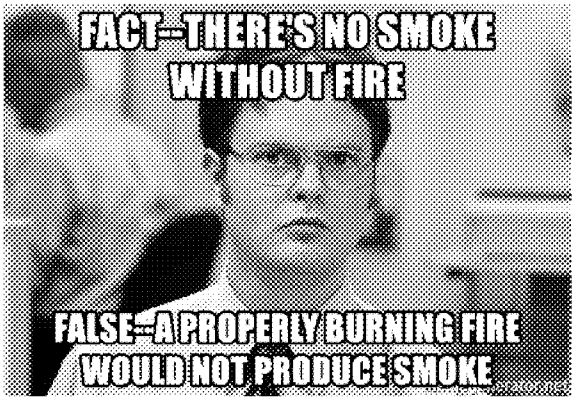
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, February 23, 2021

NEWS NOTES AND GOSSIP

THERE'S A LOT OF SMOKE IN ORO VALLEY THESE DAYS



The Secretary of State's Office will forward a complaint to the Attorney General alleging Finchem broke the law by not reporting income from the Trump campaign to his company and by not listing the company on his financial disclosure statement for years. None of the allegations in the Campaign for Accountability's complaint (LINK) are new – the *Republic's* Andrew Oxford outlined the same details earlier this month, based on a report from another liberal group, Accountable.us – but by lodging a formal complaint, the group has moved the ball forward. Unlike with campaign finance and lobbying complaints, the Secretary of State's Office doesn't conduct a preliminary review to determine if the complaint has merit, spokeswoman Murphy Hebert told our reporter. Instead, the office will send the complaint to the Attorney General's Office for Brnovich to decide if it merits a formal investigation and possible criminal charges. (The Secretary of State's Office hadn't actually received the complaint as of our deadline, though the organization sent it to newspapers this morning.) Knowingly filing a false or incomplete financial disclosure statement is a Class 1 misdemeanor. (Accountable.us went so far as to imply that Finchem may be guilty of felony bribery by accepting the funds from the Trump campaign (LINK), pointing to ARS 13-2602, which states a public official commits bribery if they solicit, accept or agree to accept any benefit with the understanding that their "vote, opinion, judgment, exercise of discretion or other action as a public servant" may be influenced. Interestingly, the law contemplates a public official accepting a bribe to do something that is not in their power, noting that is not a defense.) The Attorney General's Office didn't return a call for comment today.

IF BIDEN WANTS KIDS IN SCHOOLS, IT'S ALL HANDS ON DECK

Kathy Hoffman this morning candidly outlined schools' difficulties in delivering education amidst a global pandemic that wreaked havoc on schools, and said the Dept of Education is updating guidance on how to quickly and safely return to in-person learning. Hoffman, who joined an *Arizona Capitol Times* Morning Scoop panel on Latino education, noted that the digital divide continues to be a struggle in both rural and urban centers and said communities underwent major trauma in different forms – losing an educator or a family member to the virus, facing mental health challenges, forfeiting access to friends and classmates. "And then going back and forth between distance and in-person learning has caused a lot of challenges, as well," she said. However, that back and forth between online and in-person learning may be nearing its end, she noted, as the Dept of Education plans to roll out updated guidance on transitioning back to in-person learning tomorrow. Currently, half of districts and charters are open for either hybrid or 100 percent in-person learning. Hoffman said CDC recently sent new guidance, which is helping the department research and put together an updated framework detailing the best policies to safely reopen schools. The $1 billion in federal help for Arizona's schools will also help, she said. The department just received the money, which is from the second round of CARES Act funding, and is in the process of allocating it to schools. Hoffman noted that the majority of the funding is being allocated out through the Title 1 formula. "(That's) really good news because by the federal government using the Title 1 formula, the dollars are being directed towards our students and school communities that need it the most," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002142

ARZN_REV00068773_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AHH, THE OLD COMPROMISE OUR BANDWIDTH LINE

The Dept of Corrections is pushing back against allegations that it censored *KJZZ*'s website so employees and inmates could not read a critical report of how the agency has handled early release. Judy Keane, the communications director, told our reporter the department is demanding a retraction of reporter Jimmy Jenkins' tweet alleging censorship, but didn't say the department wanted him to retract the story itself. (In a statement after our deadline yesterday, the department said while the more-than $24 million computer software doesn't work, the department has been calculating sentences manually. It didn't push back against claims that the department knew that system was inoperable and buried that information.) Keane said while the *KJZZ* site was blocked, as Jenkins' tweets showed, it was not a deliberate target on the news outlet. "The reason for people not being able to access *KJZZ* is it's been categorized as a radio site. It allows for streaming on it," Keane said, adding that it would "compromise our broadband capabilities and can impact our department bandwidth." She said the ban only applied to certain employees, but would not provide our reporter with a list of which categories of employees could not access streaming sites. "The bottom line is we did not do this. This content filtering, if you will, has been in existence for a while," Keane told our reporter, but could not say for sure when this policy was put in place. (She said she is "pretty sure" it goes back to former Director Chuck Ryan.) Keane could not provide our reporter with proof that the department also blocks other streaming sites, such as *KTAR*, the only media outlet Dept of Corrections Director David Shinn has granted multiple interviews to in the past year.

YEAH, YOU CAN'T DO STUFF WHILE NOBODY IS LOOKING!

House and Senate leaders last week sent a letter to Corp Comm decrying its energy standards as "rushed" and drafted to not based on what's best for the public, but based on "personal legacies and political agendas." In the letter, Bowers and Fann, along with Griffin and Kerr, who run the House and Senate Natural Resources, Energy and Water committees, took several shots at former Commissioner Bob Burns, who spearheaded the push to require electric companies to provide 100 percent carbon-free energy by 2050. Commissioners approved the plan in November, just after the election. "This forced the public to accept a final decision during an election year, apparently when the Commission thought no one was watching, in order to eke out a series of political and financial wins for industry insiders and outgoing commissioners," the lawmakers wrote, in a slightly veiled reference to Burns. The legislators noted that there are already bills in the works to deal with Corp Comm overstepping its bounds. But the thrust of their letter argued that the commission approved the rules without first doing the legwork in its economic impact statement to prove the renewable energy plan would result in the "least burden and cost" to the taxpayers and energy companies. "The EIS appears to lack even a single quantitative computation relating to the potential cost impacts," lawmakers wrote, adding that the commission "has no idea what the effect on the state's economy, small businesses, and consumers will be." "We believe it's time for the commission to show its work," they concluded.

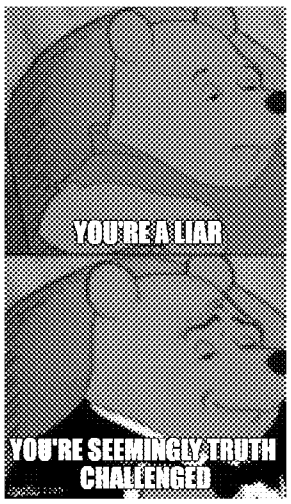
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002143
ARZN_REV00068773_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

INTERNALLY, WE JUST CALL IT "THE BIG CONSPIRACY"

Never one to take punches lying down, former Commissioner and Senate President Bob Burns swung back, saying since lawmakers accused him of "some nefarious action," he felt compelled to respond. "It is almost beyond belief that you as members of the Legislature, who have introduced and are moving blatantly unconstitutional bills, would accuse the commission of some misbehavior," he wrote. Essentially, Burns told lawmakers to stay in their lane, and argued that if lawmakers start getting involved in Corp Comm business such as determining energy companies' portfolios, APS would simply buy lawmakers as it has tried to buy commissioners when it secretly poured more than $10 million into the 2014 campaigns of former commissioners Tom Forese and Doug Little. Burns argued that the commission, not the Legislature is the appropriate venue to decide these issues, not only because that's what the commission is constitutionally charged with doing, but also because commissioners are full-time professional regulators who are laser focused on utility issues – "no 100-day session, no distraction of hundreds of other important issues." But if lawmakers took over those duties, APS would flood the legislature with campaign funds and buy its own proposals, he said. "There would be no incentive to cut down the money tree of dark money that would flow to the candidates for governor and legislature in the future," he wrote, noting the vast dark money operation that APS set up before the new CEO pledged to stay out of Corp Comm races (he has made no such pledge about legislative races, and the company continues to spend on lawmakers.) Burns pointed to Ohio – where prosecutors say former Speaker of the House Larry Householder was involved in a conspiracy to pass a $1.3 billion bailout for an energy company (YS, 7/24/20) – saying when lawmakers get involved with deep-pocketed energy companies, bad stuff happens. "It appears that a previous Ohio speaker of the House may be on his way to the 'big house' in Ohio, check it out," Burns wrote. "Does anyone doubt that moving energy policy from the commission to the legislature would open the door for APS and other utilities to return to the legal use of dark money to influence legislative policy through campaign funding support?" he wrote.

ONCE YOU GET BURNS GOING, THERE'S NO STOPPING HIM



Burns also took a few swipes at Justin Olson, the former lawmaker turned commissioner, saying he's "truth challenged" and by supporting legislation to take away Corp Comm's power, Olson violated his oath of office. Burns wrote that Olson has taken an oath to protect the taxpayers and has instead lobbied at the Legislature to support these "blatantly unconstitutional bills that pose a significant risk to the ratepayers and with the potential of enhancing utility profits to be used in dark money legislative and governor campaigns." He noted that APS supports Ducey, and Ducey originally appointed Olson to the commission in 2017. As for the accusation that Olson is "seemingly truth challenged," Burns pointed to the fight to become the next Corp Comm chair, saying he adamantly argued that tradition dictates that he would become the chair, as that honor usually falls to the senior member of the commission from the majority party. He said Olson knew that was untrue because he worked against Burns in his attempt to become Corp Comm chair in 2018, when Burns was the senior Republican commissioner. "I believe this absolutely untrue action was meant to mislead his fellow commissioners, and quite possibly embarrass Commissioner Marquez Peterson, for not towing the party line," he wrote.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE "BIG CONSPIRACY" HAPPENS IN THE OPEN

APS already spends heavily on legislative and statewide candidates, even though it has promised not to contribute to the campaigns of regulators. A recent filing at the request of Commissioner Sandra Kennedy provides a breakdown of APS' political contributions over the 2020 election cycle, which includes $14,000 total given to Bowers, Fann, Kerr and Griffin – the four lawmakers involved in the exchange with Burns. APS contributed $4,500 each to Bowers and Fann, while the others received $2,500 over several installments. An APS spokeswoman told our reporter earlier this month that the company has not yet made up its mind about future political spending after it took heat for contributing to campaigns for those who fueled the riots on Jan 6. The company said it would "review" spending practices, and has paused all "political givings" in the meantime, which isn't saying much considering we're not exactly in the thick of contribution season (YS, 2/8). (Because of a huge lag in non-election-year reporting, the public wouldn't know if the organization is spending until the next filing deadline at the end of 2021.) APS spent thousands of dollars on several other local and national campaigns last election cycle, as documented in the latest report (LINK). That includes $500 to Parker, who used to work under Olson at Corp Comm and is pushing H2737 (corporation commission actions; investigation), which would allow legislators to ask the AG to investigate and potentially punish the commission as well as withhold 10 percent of its budget if it's determined the commission exceeded its authority (YS, 2/10). Parker refunded APS' contribution three months later, after she won her election.

·WAKE UP CALL·

House passes bill for 4-year community college degrees

Capitol Media Services

Arizona's community colleges may have the best chance ever of finally being able to offer four-year degrees to their students.

Senate committee also won't look into Finchem's complaints against Dems

Capitol Media Services

It doesn't look like Rep. Mark Finchem will get an investigation into the conduct of Democratic lawmakers who asked the FBI to investigate him.

Legislature advances bill to allow developers to sell without using Apple, Google apps

Capitol Media Services

State lawmakers are moving to insert themselves into the battle between developers of phone apps and tech giants Apple and Google.

SCOTUS rejects another AZ election challenge

Capitol Media Services

The U.S. Supreme Court has tossed another of the challenges to the Arizona election returns.

Arizona pecan growers continue to take financial hit from Trump-era tariffs

Arizona Daily Star

Pecan production in Arizona fell 16% last year while acreage increased, and prices received by farmers dropped to

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

lows as imports to China remained stunted by tariffs resulting from the trade war launched by the Trump administration in 2018.

Big Arizona utility to pay overcharged customers $24 million
Associated Press
Arizona's largest electric utility will pay $24 million to about 225,000 customers who were placed on new pricing plans that were not their cheapest available option after a 2017 rate increase approved by state utility regulators.

EPA awards uranium mine cleanup contracts on Navajo Reservation
Payson Roundup
The federal Environmental Protection Agency has awarded $220 million in contracts to clean up 50 of the estimated 500 abandoned uranium mine sites on the Navajo Reservation.

Rep. Gosar decries release of 'hoards of infected aliens'
Payson Roundup
Rep. Paul Gosar this week urged the Yuma County sheriff to round up and jail any illegal aliens released from ICE detention centers in Yuma to prevent the spread of COVID in the U.S.

Dark Money Groups Use Dirty Tricks in Phoenix Council Race Despite New Rules
Phoenix New Times
Attacks over late child support payments. A "voter guide" with inaccurate information. A mailer claiming a progressive candidate wants to "drain the swamp" and crack down on "fake news." All paid for by unknown donors.

What to know about Arizona's COVID-19 vaccines (so far)
Arizona Mirror
More than 1 million Arizonans have gotten at least one dose of the COVID-19 vaccine, but unlike other immunizations, there are different vaccines that are being offered, leaving many to wonder: What differences are there between the available vaccines and does it matter which one I get?

Three reforms to improve Arizona's health are being ignored by the GOP majority
Arizona Mirror (Op-ed, Juan Mendez)
One year into the coronavirus pandemic, Arizona has suffered greatly, but the chance for vaccination gives us some hope.

Meghan McCain opens mouth/inserts foot by whining about the vaccine
Arizona Republic (Opinion, EJ Montini)
Complaining about when she'll get vaccinated and criticizing Dr. Anthony Fauci is not a good look.

Do Arizona's Republican lawmakers really think we're dumb enough to let them vote for us?
Arizona Republic (Opinion, Laurie Roberts)
Arizona legislators are assaulting democracy again, this time with an astonishing bill that would ask voters to allow them to select Arizona's presidential electors.

Kelli Ward should be next on Dominion Voting Systems' list of people to sue for defamation
Arizona Republic (Opinion, Laurie Roberts)
Now that Dominion Voting Systems has filed defamation lawsuits against Rudy Giuliani, Sidney Powell and Mike Lindell, surely Arizona GOP Chairwoman Kelli Ward is starting to sweat.

If Deb Haaland is confirmed as interior secretary, it would be a huge win for Arizona
Arizona Republic (Op-ed, Ethel Billie Branch)
Deb Haaland was born and raised in Winslow. She is one of us, who deeply understands our history and struggles.

Vouchers are just a ploy to distract Arizona from properly funding education
Arizona Republic (Op-ed, Anne Ellsworth)
Legislation to expand vouchers even more is happening even though schools continue to be underfunded. That's the real debate we should be having.

In Arizona, police can keep your property even if you're innocent. That must change
Arizona Republic (Op-ed, Travis Grantham)

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

If Arizona police suspect your property was used in a crime, they can keep it, even if they never convict you of a crime. That's wrong.

PRESS RELEASES

Maricopa County Forensic Audit Results Released

Auditors Find No Issues With Equipment and Software

February 22, 2021 (Phoenix) – Maricopa County's election equipment and software passed all tests performed by two independent firms hired to conduct the forensic audit, according to reports by two federally certified Voting System Testing Laboratories.

View results: Maricopa.gov/ForensicAudit

"Our form of government is built on the promise that every vote counts. Following the 2020 General Election, some of our residents expressed concerns their ballots were not counted as intended," said Maricopa County Board of Supervisors Chairman Jack Sellers, District 1. "As a result, the Board of Supervisors asked two firms to independently look at the security and reliability of our election equipment and processes and to let us know if they found any evidence of equipment malfunction or foul play that might have changed the outcome of any race. The firms we hired are the only two in the United States certified to do this work. We asked them to go beyond what we had already done to ensure the integrity of our elections and beyond even the stringent requirements of state law. We are releasing the results of those audits today so that the public can see what we see and know what we know: no hacking or vote switching occurred in the 2020 election."

The audits, completed by SLI Compliance and Pro V&V, found that Maricopa County Elections Department's configuration and setup of the tabulation equipment provided an accurate counting of ballots and reporting of election results.

The forensic audit adds to the steps already taken by Maricopa County to ensure the accuracy of the federally- and state-certified hardware and software used to count votes.

"I am committed to doing what I can to ensure voters have the same confidence in our election system that I have," said Vice Chairman Bill Gates, District 3. "With the completion of these two independent audits, in addition to the hand count audit completed by the political parties and accuracy tests before and after the election, we have an opportunity as a community to work from a shared set of facts. Our ability to do that will determine the strength of our republic. The facts are the voting machines in Maricopa County counted ballots accurately and were not compromised in any way during the November General Election."

"It is vital for us to listen to people's concerns, to take them seriously, and to open ourselves up to closer examination when it comes to something as important as the right to vote. That's what these audits were about," said Supervisor Steve Chucri, District 2. "I believe it was necessary and right to address the questions that emerged following the 2020 elections, and I'm confident we did that thoroughly and with all Maricopa County voters in mind."

The auditors completed the following tests and reported no evidence of tampering or hacking of the elections equipment (see detailed information at bottom of release):

- **Source Code Tests** — Pro V&V and SLI Compliance found that all software and equipment inspected was using certified software and was not modified.
- **Malicious Software and Hardware Tests** — Pro V&V and SLI Compliance found no instances of malicious software or hardware installed on the tabulators or system.
- **Network and Internet Connectivity Tests** — Pro V&V and SLI Compliance found no evidence of internet connectivity.
- **Accuracy Tests (Only in Pro V&V Scope of Work)** — Pro V&V found no evidence of vote switching and concluded that the equipment tabulated ballots accurately.

"The work of these two qualified firms, combined with the work done by our Elections Department, confirms that 2.1 million ballots in the November election were counted as they were cast," said Supervisor Clint Hickman, District 4. "Our entire team put so much time and energy into running good elections in 2020. These audits are an affirmation

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002147

ARZN_REV00068773_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

of everyone's hard work and prove what my colleagues and I have been saying all along: our elections were run with integrity and the results we canvassed were accurate."
"The audits clearly dispel the notion that somehow the November election was rigged," said Supervisor Steve Gallardo, District 5. "Whether you liked the results or not, the will of the people was represented. Our equipment worked. Our people were above reproach. I've said it before and I'll say it again: 2020 elections in Maricopa County were safe, secure, and accurate. End of story."
The Board of Supervisors will review the audits in a special board meeting on Wednesday, February 24 at 1 p.m. Find the audit reports and more information about the election at Maricopa.gov/ForensicAudit. Certified Public Accounting firm, Berry Dunn, is completing the procurement review, and expects to complete the final portion of the audit by the end of March.

Audit Results

1. **Source Code Tests —** *These tests were designed to verify if the same federally and state source code was installed on the equipment. Auditors conducted a full forensic clone of the drive which is a "bit-by-bit" copy. This allowed them to review deleted files, deleted file fragments, and hidden data that may be found in slack and unallocated space Source code extractions tested:*

- *20% of Election Day Tabulators (each firm tested 10%) –* ***NO ISSUES***
- *100% of Central Count Tabulators –* ***NO ISSUES***
- *100% of Election Management System work stations and servers –* ***NO ISSUES***
- *40% of Adjudication Stations (each firm tested 20%) –* ***NO ISSUES***

RESULTS: Pro V&V and SLI Compliance found that all software and equipment inspected was using certified software and was not modified.

2. **Malicious Software and Hardware Tests —** *These tests looked for evidence of equipment tampering or software hacking. Auditors ran tests for viruses, malicious software, and foreign equipment or code that should not be installed on the tabulators or system on the following equipment:*

- *20% of Election Day Tabulators (each firm tested 10%) –* ***NO ISSUES***
- *100% of Central Count Tabulators –* ***NO ISSUES***
- *100% of Election Management System work stations and servers –* ***NO ISSUES***
- *40% of Adjudication Stations (each firm tested 20%) –* ***NO ISSUES***

RESULTS: Pro V&V and SLI Compliance found no instances of malicious software or hardware installed on the tabulators or system.

3. **Network and Internet Connectivity Tests —** *These tests looked for evidence of the tabulations system ability to connect to the internet and if the tabulators and/or system was transmitting information outside the closed air gapped system within the county tabulation center or while being delivered, returned, or used at a vote center.*

- *SLI reviewed system registry, system files, installed programs, download history, audit logs, USB/Ethernet history logs. –* ***NO ISSUES***
- *Pro V&V ran server commands to test for connectivity. –* ***NO ISSUES***
- *Both firms physically inspected and traced the wiring of the air-gapped system between the server, tabulators, adjudication stations, and Election Management System workstations. –* ***NO ISSUES***

RESULTS: Pro V&V and SLI Compliance found no evidence of internet connectivity.

4. **Accuracy Tests (Only in Pro V&V Scope of Work) —** *These tests checked that the tabulation equipment and software correctly captures, stores, consolidates, and reports the specific ballot selections, and absence of selections, for each ballot position.*
    - *Using test ballots from the November General Election, Pro V&V examined the accuracy of more than 1.5 million ballot positions. –* ***NO ISSUES***

RESULTS: Pro V&V found no evidence of vote switching and concluded that the equipment tabulated and adjudicated ballots accurately.

Representative Osborne Calls for State Benchmarks to Reopen Arizona

STATE CAPITOL, PHOENIX – Representative Joanne Osborne (R-13), chairwoman of the House Health and Human Services Committee, today sent the following letter to Governor Doug Ducey and Dr. Cara Christ, Director of the Arizona Department of Health Services, asking for their assistance to develop public health benchmarks to reopen Arizona following the COVID-19 pandemic:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Dear Governor Ducey and Dr. Christ:
First, I want to express my sincere gratitude for the tireless efforts of you and your staff this past year to prepare and protect Arizonans in the battle against COVID-19. While it has been challenging, the hard work is clearly paying off as we are starting to see a downward trend in the virus case numbers amid the impactful start of the vaccine rollout in our state.
Various bills are currently moving through the legislative process seeking to change some of your executive orders. Some businesses continue to operate with capacity limitations. Hospitals and long-term care facilities have patients and residents who need to see their friends and family. Much school instruction remains virtual or in a hybrid model. And Arizona residents and businesses continue to struggle with mask compliance and enforcement.
As a business owner, legislator, and as Chairwoman of the House Health and Human Services Committee, I respectfully request the state revisit the benchmarks on schools and businesses reopening as well as on visitation in long-term care facilities and establish benchmarks on when mask-wearing can be voluntary again. Our counties, cities, businesses, and, most importantly, our citizens need these benchmarks to see that there is hope ahead that these restrictions will end at some point.
I ask that this list of benchmarks be developed and publicly shared as soon as possible. I look forward to seeing your plan and sharing in the excitement our Arizona will feel when we see goals to achieve and ultimately see an end in sight to the pandemic restrictions.
Sincerely,
Representative Joanne Osborne
Legislative District 13

House Approves Funding for Critical Pinal County Transportation Infrastructure Project

STATE CAPITOL, PHOENIX – The Arizona House of Representatives has approved a bill sponsored by Representative David Cook, HB 2394, which supports development of the proposed North-South Corridor highway project that would improve transit in the Pinal County region and serve residents in the San Tan and East Valley areas. **"The North-South Corridor highway is a long-needed project serving the transportation needs in Pinal County and our state,"** said Representative Cook. **"I appreciate the bipartisan backing of my House colleagues and hope those in the Senate will join us in supporting the bill."**
HB 2394 appropriates $4 million to pay for a tier 2 study of the proposed North-South Corridor highway project in Pinal County. Additionally, it provides $750,000 to the County to supplement a local match to acquire over $15 million in federal grant money to fund road and infrastructure improvements which would increase access to the area around the Nikola Motors plant.
The bill now moves to the State Senate for consideration.

Governor Ducey Announces PSPRS Appointments

PHOENIX — Governor Doug Ducey today announced the appointment of Alan Maguire and the reappointments of Harry Papp and Dean Scheinert to the Public Safety Personnel Retirement System (PSPRS) Board of Trustees.
"The PSPRS ensures the safety and security of Arizona's hard-working public safety personnel, and guarantees that they are cared for after retirement," said Governor Ducey. "Harry and Dean have served the Board well, and I know Alan will too. I look forward to their continued positive contributions."
The PSPRS was established in 1968 to provide a uniform, consistent and equitable statewide retirement program for Arizona's public safety personnel. The Board of Trustees, consisting of nine members, plays a significant role in the system's success and has a fiduciary responsibility to the PSPRS trust and membership, overseeing the system's policies, operations, and investment.
Harry Papp is being reappointed to the PSPRS Board of Trustees. He is a managing partner at L. Roy Papp & Associates, LLP where he oversees private client business. He has 38 years of experience in portfolio management and security analysis. Prior to his current role, Papp worked at G.D. Searle & Co. where he was responsible for overseeing financial acquisitions and managed domestic real estate holdings of the company.
He was initially appointed to PSPRS in 2017. Following his appointment, Papp aided in sweeping advancements within the system. He helped to hire the new Administrator, Mike Townsend, and Chief Investment Officer Mark Steed in 2018, and took on multiple leadership roles including Vice-Chairman of the Board and Chair of the Investment Committee. Papp has also aided in the system's consistency in returns during the COVID-19 pandemic.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002149
ARZN_REV00068773_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Papp is currently a member of the board of directors of Blue Cross and Blue Shield of Arizona, where he was previously a chairman. He also serves on the board of directors of the Arizona State University Foundation. In 2012, he was appointed to the Arizona State Board of Investment.
He has a Masters of Business Administration in Finance and Accounting and Masters of Science in Geochemistry, both from the University of Chicago. He also holds a Bachelor of Arts degree in Economics and Chemistry from Brown University. He was awarded a Chartered Financial Analyst designation in 1984.
Dean Scheinert is also being reappointed to the Board, after his initial appointment in 2017. Scheinert currently works as the Chief Advancement and External Affairs Officer for Western Spirit: Scottsdale's Museum of the West. His reappointment to the Board continues a long career in financial analysis, portfolio management and organizational leadership. Prior to his current position, Scheinert worked for 35 years as a senior banker and asset management executive in New York and in Phoenix.
Scheinert currently serves on the Arizona State University Watts College of Public Service and Community Solutions Dean's Council and on the board of directors for the Jewish Community Foundation of Greater Phoenix as the investment committee chair.
He graduated summa cum laude from Tufts University with a Bachelor of Arts in Economics. He then received his Masters of Business Administration in Finance from the Wharton School in 1985.
Both Papp and Scheinert have been instrumental in key developments of PSPRS such as, reactivating the Advisory Committee and helping update system programs.
Alan Maguire is a new appointee to the Board. He previously served on the board from 2010 to 2012. He is the Founder, President and Principal Economist of The Maguire Company, an economic analysis and public policy consulting firm. Since its creation in 1986, the firm has worked on project management and financial analysis throughout Arizona with some of its more recent clients including the Arizona Commerce Authority; Arizona Department of Transportation; the cities of Phoenix, Glendale, Flagstaff, Queen Creek and Tucson; Yavapai, Coconino and Maricopa Counties; Coconino and Maricopa community colleges; and a variety of private concerns.
Maguire has years of experience in economics, analytics, and financial advising. Before establishing The Maguire Company, he was the Senior Vice President of Regional Investment Banking firm, the Chief Deputy Treasurer at the Arizona State Treasurer, and an Economic Advisor to the Arizona Senate. During his tenure, Maguire was the leading public sector financial advisor in the state of Arizona and served as either senior manager or senior financial advisor for multiple Arizona clients.
Maguire has advised every Arizona Governor for over 40 years on economic, fiscal and policy matters, as well as multiple Arizona Senate Presidents and Arizona House of Representatives Speakers. Since the late 1970s, Maguire has played a part in the formulation of many Arizona fiscal policies, reforms and initiatives.
He is involved in many community organizations including serving as President of the Arizona Economic Forum, Vice-Chair of the city of Phoenix Employees Retirement System Board, and Vice President of the Arizona Economic Roundtable. He is also a member of the Arizona Economic Estimates commission and the Phoenix Economic Club, and an original founding member of the Arizona, Western States, and Metro-Phoenix Blue Chip Economic Forecast Panels.
Maguire received a Bachelor of Arts in Economics from Arizona State University.

Governor Ducey Announces Clerk Of The Superior Court Vacancy In La Paz County

PHOENIX — Governor Doug Ducey is accepting applications for an interim appointment to fill the position of La Paz County Clerk of the Superior Court. The vacancy of the position is due to the resignation of Megan Spielman. Applications will be accepted until 5:00 p.m. on Friday, March 26, 2021. Applications received or postmarked after the deadline will not be considered. Depending on the number of applications received, the application deadline may or may not be extended. A copy of the application and instructions for applying can be downloaded at https://bc.azgovernor.gov.
To qualify for appointment, applicants must be eligible to vote, a resident of La Paz County and a Republican.
The Governor's Office will review applications and interview qualified applicants in order for the Governor to make an appointment to fill the vacancy pursuant to Arizona Revised Statute § 16-230(A) and Arizona Attorney General Opinion 85-007, until a clerk can be elected during the next regular general election in 2022.
For further information about the position and its responsibilities, visit the La Paz County Clerk of the Superior Court's website and Arizona Revised Statute § 12-283.
The salary for the La Paz County Superior Court Clerk is $63,800 as provided by law.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002150
ARZN_REV00068773_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"It appears that a previous Ohio speaker of the House may be on his way to the 'big house' in Ohio, check it out."

- ***Bob Burns, former corporation commissioner and Senate president, on what can happen when lawmakers get involved with deep-pocketed energy companies***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002151

ARZN_REV00068773_2-23-2021.pdf

Sender: rgabaldon@azleg.gov
Sent: Tuesday, February 23, 2021 5:21:54 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: YellowSheet
Attachments: 2-23-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

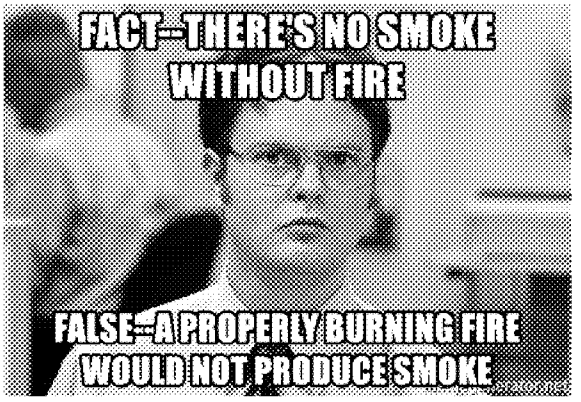
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, February 23, 2021

NEWS NOTES AND GOSSIP

THERE'S A LOT OF SMOKE IN ORO VALLEY THESE DAYS



The Secretary of State's Office will forward a complaint to the Attorney General alleging Finchem broke the law by not reporting income from the Trump campaign to his company and by not listing the company on his financial disclosure statement for years. None of the allegations in the Campaign for Accountability's complaint (LINK) are new – the *Republic's* Andrew Oxford outlined the same details earlier this month, based on a report from another liberal group, Accountable.us – but by lodging a formal complaint, the group has moved the ball forward. Unlike with campaign finance and lobbying complaints, the Secretary of State's Office doesn't conduct a preliminary review to determine if the complaint has merit, spokeswoman Murphy Hebert told our reporter. Instead, the office will send the complaint to the Attorney General's Office for Brnovich to decide if it merits a formal investigation and possible criminal charges. (The Secretary of State's Office hadn't actually received the complaint as of our deadline, though the organization sent it to newspapers this morning.) Knowingly filing a false or incomplete financial disclosure statement is a Class 1 misdemeanor. (Accountable.us went so far as to imply that Finchem may be guilty of felony bribery by accepting the funds from the Trump campaign (LINK), pointing to ARS 13-2602, which states a public official commits bribery if they solicit, accept or agree to accept any benefit with the understanding that their "vote, opinion, judgment, exercise of discretion or other action as a public servant" may be influenced. Interestingly, the law contemplates a public official accepting a bribe to do something that is not in their power, noting that is not a defense.) The Attorney General's Office didn't return a call for comment today.

IF BIDEN WANTS KIDS IN SCHOOLS, IT'S ALL HANDS ON DECK

Kathy Hoffman this morning candidly outlined schools' difficulties in delivering education amidst a global pandemic that wreaked havoc on schools, and said the Dept of Education is updating guidance on how to quickly and safely return to in-person learning. Hoffman, who joined an *Arizona Capitol Times* Morning Scoop panel on Latino education, noted that the digital divide continues to be a struggle in both rural and urban centers and said communities underwent major trauma in different forms – losing an educator or a family member to the virus, facing mental health challenges, forfeiting access to friends and classmates. "And then going back and forth between distance and in-person learning has caused a lot of challenges, as well," she said. However, that back and forth between online and in-person learning may be nearing its end, she noted, as the Dept of Education plans to roll out updated guidance on transitioning back to in-person learning tomorrow. Currently, half of districts and charters are open for either hybrid or 100 percent in-person learning. Hoffman said CDC recently sent new guidance, which is helping the department research and put together an updated framework detailing the best policies to safely reopen schools. The $1 billion in federal help for Arizona's schools will also help, she said. The department just received the money, which is from the second round of CARES Act funding, and is in the process of allocating it to schools. Hoffman noted that the majority of the funding is being allocated out through the Title 1 formula. "(That's) really good news because by the federal government using the Title 1 formula, the dollars are being directed towards our students and school communities that need it the most," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002153

ARZN_REV00068775_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AHH, THE OLD COMPROMISE OUR BANDWIDTH LINE

The Dept of Corrections is pushing back against allegations that it censored *KJZZ*'s website so employees and inmates could not read a critical report of how the agency has handled early release. Judy Keane, the communications director, told our reporter the department is demanding a retraction of reporter Jimmy Jenkins' tweet alleging censorship, but didn't say the department wanted him to retract the story itself. (In a statement after our deadline yesterday, the department said while the more-than $24 million computer software doesn't work, the department has been calculating sentences manually. It didn't push back against claims that the department knew that system was inoperable and buried that information.) Keane said while the *KJZZ* site was blocked, as Jenkins' tweets showed, it was not a deliberate target on the news outlet. "The reason for people not being able to access *KJZZ* is it's been categorized as a radio site. It allows for streaming on it," Keane said, adding that it would "compromise our broadband capabilities and can impact our department bandwidth." She said the ban only applied to certain employees, but would not provide our reporter with a list of which categories of employees could not access streaming sites. "The bottom line is we did not do this. This content filtering, if you will, has been in existence for a while," Keane told our reporter, but could not say for sure when this policy was put in place. (She said she is "pretty sure" it goes back to former Director Chuck Ryan.) Keane could not provide our reporter with proof that the department also blocks other streaming sites, such as *KTAR*, the only media outlet Dept of Corrections Director David Shinn has granted multiple interviews to in the past year.

YEAH, YOU CAN'T DO STUFF WHILE NOBODY IS LOOKING!

House and Senate leaders last week sent a letter to Corp Comm decrying its energy standards as "rushed" and drafted to not based on what's best for the public, but based on "personal legacies and political agendas." In the letter, Bowers and Fann, along with Griffin and Kerr, who run the House and Senate Natural Resources, Energy and Water committees, took several shots at former Commissioner Bob Burns, who spearheaded the push to require electric companies to provide 100 percent carbon-free energy by 2050. Commissioners approved the plan in November, just after the election. "This forced the public to accept a final decision during an election year, apparently when the Commission thought no one was watching, in order to eke out a series of political and financial wins for industry insiders and outgoing commissioners," the lawmakers wrote, in a slightly veiled reference to Burns. The legislators noted that there are already bills in the works to deal with Corp Comm overstepping its bounds. But the thrust of their letter argued that the commission approved the rules without first doing the legwork in its economic impact statement to prove the renewable energy plan would result in the "least burden and cost" to the taxpayers and energy companies. "The EIS appears to lack even a single quantitative computation relating to the potential cost impacts," lawmakers wrote, adding that the commission "has no idea what the effect on the state's economy, small businesses, and consumers will be." "We believe it's time for the commission to show its work," they concluded.

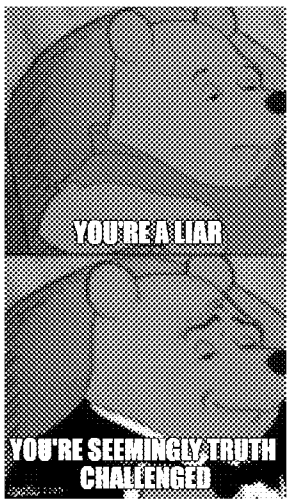
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002154
ARZN_REV00068775_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

INTERNALLY, WE JUST CALL IT "THE BIG CONSPIRACY"

Never one to take punches lying down, former Commissioner and Senate President Bob Burns swung back, saying since lawmakers accused him of "some nefarious action," he felt compelled to respond. "It is almost beyond belief that you as members of the Legislature, who have introduced and are moving blatantly unconstitutional bills, would accuse the commission of some misbehavior," he wrote. Essentially, Burns told lawmakers to stay in their lane, and argued that if lawmakers start getting involved in Corp Comm business such as determining energy companies' portfolios, APS would simply buy lawmakers as it has tried to buy commissioners when it secretly poured more than $10 million into the 2014 campaigns of former commissioners Tom Forese and Doug Little. Burns argued that the commission, not the Legislature is the appropriate venue to decide these issues, not only because that's what the commission is constitutionally charged with doing, but also because commissioners are full-time professional regulators who are laser focused on utility issues – "no 100-day session, no distraction of hundreds of other important issues." But if lawmakers took over those duties, APS would flood the legislature with campaign funds and buy its own proposals, he said. "There would be no incentive to cut down the money tree of dark money that would flow to the candidates for governor and legislature in the future," he wrote, noting the vast dark money operation that APS set up before the new CEO pledged to stay out of Corp Comm races (he has made no such pledge about legislative races, and the company continues to spend on lawmakers.) Burns pointed to Ohio – where prosecutors say former Speaker of the House Larry Householder was involved in a conspiracy to pass a $1.3 billion bailout for an energy company (YS, 7/24/20) – saying when lawmakers get involved with deep-pocketed energy companies, bad stuff happens. "It appears that a previous Ohio speaker of the House may be on his way to the 'big house' in Ohio, check it out," Burns wrote. "Does anyone doubt that moving energy policy from the commission to the legislature would open the door for APS and other utilities to return to the legal use of dark money to influence legislative policy through campaign funding support?" he wrote.

ONCE YOU GET BURNS GOING, THERE'S NO STOPPING HIM



Burns also took a few swipes at Justin Olson, the former lawmaker turned commissioner, saying he's "truth challenged" and by supporting legislation to take away Corp Comm's power, Olson violated his oath of office. Burns wrote that Olson has taken an oath to protect the taxpayers and has instead lobbied at the Legislature to support these "blatantly unconstitutional bills that pose a significant risk to the ratepayers and with the potential of enhancing utility profits to be used in dark money legislative and governor campaigns." He noted that APS supports Ducey, and Ducey originally appointed Olson to the commission in 2017. As for the accusation that Olson is "seemingly truth challenged," Burns pointed to the fight to become the next Corp Comm chair, saying he adamantly argued that tradition dictates that he would become the chair, as that honor usually falls to the senior member of the commission from the majority party. He said Olson knew that was untrue because he worked against Burns in his attempt to become Corp Comm chair in 2018, when Burns was the senior Republican commissioner. "I believe this absolutely untrue action was meant to mislead his fellow commissioners, and quite possibly embarrass Commissioner Marquez Peterson, for not towing the party line," he wrote.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE "BIG CONSPIRACY" HAPPENS IN THE OPEN

APS already spends heavily on legislative and statewide candidates, even though it has promised not to contribute to the campaigns of regulators. A recent filing at the request of Commissioner Sandra Kennedy provides a breakdown of APS' political contributions over the 2020 election cycle, which includes $14,000 total given to Bowers, Fann, Kerr and Griffin – the four lawmakers involved in the exchange with Burns. APS contributed $4,500 each to Bowers and Fann, while the others received $2,500 over several installments. An APS spokeswoman told our reporter earlier this month that the company has not yet made up its mind about future political spending after it took heat for contributing to campaigns for those who fueled the riots on Jan 6. The company said it would "review" spending practices, and has paused all "political givings" in the meantime, which isn't saying much considering we're not exactly in the thick of contribution season (YS, 2/8). (Because of a huge lag in non-election-year reporting, the public wouldn't know if the organization is spending until the next filing deadline at the end of 2021.) APS spent thousands of dollars on several other local and national campaigns last election cycle, as documented in the latest report (LINK). That includes $500 to Parker, who used to work under Olson at Corp Comm and is pushing H2737 (corporation commission actions; investigation), which would allow legislators to ask the AG to investigate and potentially punish the commission as well as withhold 10 percent of its budget if it's determined the commission exceeded its authority (YS, 2/10). Parker refunded APS' contribution three months later, after she won her election.

·WAKE UP CALL·

House passes bill for 4-year community college degrees

Capitol Media Services

Arizona's community colleges may have the best chance ever of finally being able to offer four-year degrees to their students.

Senate committee also won't look into Finchem's complaints against Dems

Capitol Media Services

It doesn't look like Rep. Mark Finchem will get an investigation into the conduct of Democratic lawmakers who asked the FBI to investigate him.

Legislature advances bill to allow developers to sell without using Apple, Google apps

Capitol Media Services

State lawmakers are moving to insert themselves into the battle between developers of phone apps and tech giants Apple and Google.

SCOTUS rejects another AZ election challenge

Capitol Media Services

The U.S. Supreme Court has tossed another of the challenges to the Arizona election returns.

Arizona pecan growers continue to take financial hit from Trump-era tariffs

Arizona Daily Star

Pecan production in Arizona fell 16% last year while acreage increased, and prices received by farmers dropped to

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002156

ARZN_REV00068775_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

lows as imports to China remained stunted by tariffs resulting from the trade war launched by the Trump administration in 2018.

Big Arizona utility to pay overcharged customers $24 million
Associated Press
Arizona's largest electric utility will pay $24 million to about 225,000 customers who were placed on new pricing plans that were not their cheapest available option after a 2017 rate increase approved by state utility regulators.

EPA awards uranium mine cleanup contracts on Navajo Reservation
Payson Roundup
The federal Environmental Protection Agency has awarded $220 million in contracts to clean up 50 of the estimated 500 abandoned uranium mine sites on the Navajo Reservation.

Rep. Gosar decries release of 'hoards of infected aliens'
Payson Roundup
Rep. Paul Gosar this week urged the Yuma County sheriff to round up and jail any illegal aliens released from ICE detention centers in Yuma to prevent the spread of COVID in the U.S.

Dark Money Groups Use Dirty Tricks in Phoenix Council Race Despite New Rules
Phoenix New Times
Attacks over late child support payments. A "voter guide" with inaccurate information. A mailer claiming a progressive candidate wants to "drain the swamp" and crack down on "fake news." All paid for by unknown donors.

What to know about Arizona's COVID-19 vaccines (so far)
Arizona Mirror
More than 1 million Arizonans have gotten at least one dose of the COVID-19 vaccine, but unlike other immunizations, there are different vaccines that are being offered, leaving many to wonder: What differences are there between the available vaccines and does it matter which one I get?

Three reforms to improve Arizona's health are being ignored by the GOP majority
Arizona Mirror (Op-ed, Juan Mendez)
One year into the coronavirus pandemic, Arizona has suffered greatly, but the chance for vaccination gives us some hope.

Meghan McCain opens mouth/inserts foot by whining about the vaccine
Arizona Republic (Opinion, EJ Montini)
Complaining about when she'll get vaccinated and criticizing Dr. Anthony Fauci is not a good look.

Do Arizona's Republican lawmakers really think we're dumb enough to let them vote for us?
Arizona Republic (Opinion, Laurie Roberts)
Arizona legislators are assaulting democracy again, this time with an astonishing bill that would ask voters to allow them to select Arizona's presidential electors.

Kelli Ward should be next on Dominion Voting Systems' list of people to sue for defamation
Arizona Republic (Opinion, Laurie Roberts)
Now that Dominion Voting Systems has filed defamation lawsuits against Rudy Giuliani, Sidney Powell and Mike Lindell, surely Arizona GOP Chairwoman Kelli Ward is starting to sweat.

If Deb Haaland is confirmed as interior secretary, it would be a huge win for Arizona
Arizona Republic (Op-ed, Ethel Billie Branch)
Deb Haaland was born and raised in Winslow. She is one of us, who deeply understands our history and struggles.

Vouchers are just a ploy to distract Arizona from properly funding education
Arizona Republic (Op-ed, Anne Ellsworth)
Legislation to expand vouchers even more is happening even though schools continue to be underfunded. That's the real debate we should be having.

In Arizona, police can keep your property even if you're innocent. That must change
Arizona Republic (Op-ed, Travis Grantham)

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

If Arizona police suspect your property was used in a crime, they can keep it, even if they never convict you of a crime. That's wrong.

PRESS RELEASES

Maricopa County Forensic Audit Results Released

Auditors Find No Issues With Equipment and Software

February 22, 2021 (Phoenix) – Maricopa County's election equipment and software passed all tests performed by two independent firms hired to conduct the forensic audit, according to reports by two federally certified Voting System Testing Laboratories.

View results: Maricopa.gov/ForensicAudit

"Our form of government is built on the promise that every vote counts. Following the 2020 General Election, some of our residents expressed concerns their ballots were not counted as intended," said Maricopa County Board of Supervisors Chairman Jack Sellers, District 1. "As a result, the Board of Supervisors asked two firms to independently look at the security and reliability of our election equipment and processes and to let us know if they found any evidence of equipment malfunction or foul play that might have changed the outcome of any race. The firms we hired are the only two in the United States certified to do this work. We asked them to go beyond what we had already done to ensure the integrity of our elections and beyond even the stringent requirements of state law. We are releasing the results of those audits today so that the public can see what we see and know what we know: no hacking or vote switching occurred in the 2020 election."

The audits, completed by SLI Compliance and Pro V&V, found that Maricopa County Elections Department's configuration and setup of the tabulation equipment provided an accurate counting of ballots and reporting of election results.

The forensic audit adds to the steps already taken by Maricopa County to ensure the accuracy of the federally- and state-certified hardware and software used to count votes.

"I am committed to doing what I can to ensure voters have the same confidence in our election system that I have," said Vice Chairman Bill Gates, District 3. "With the completion of these two independent audits, in addition to the hand count audit completed by the political parties and accuracy tests before and after the election, we have an opportunity as a community to work from a shared set of facts. Our ability to do that will determine the strength of our republic. The facts are the voting machines in Maricopa County counted ballots accurately and were not compromised in any way during the November General Election."

"It is vital for us to listen to people's concerns, to take them seriously, and to open ourselves up to closer examination when it comes to something as important as the right to vote. That's what these audits were about," said Supervisor Steve Chucri, District 2. "I believe it was necessary and right to address the questions that emerged following the 2020 elections, and I'm confident we did that thoroughly and with all Maricopa County voters in mind."

The auditors completed the following tests and reported no evidence of tampering or hacking of the elections equipment (see detailed information at bottom of release):

- **Source Code Tests** — Pro V&V and SLI Compliance found that all software and equipment inspected was using certified software and was not modified.
- **Malicious Software and Hardware Tests** — Pro V&V and SLI Compliance found no instances of malicious software or hardware installed on the tabulators or system.
- **Network and Internet Connectivity Tests** — Pro V&V and SLI Compliance found no evidence of internet connectivity.
- **Accuracy Tests (Only in Pro V&V Scope of Work)** — Pro V&V found no evidence of vote switching and concluded that the equipment tabulated ballots accurately.

"The work of these two qualified firms, combined with the work done by our Elections Department, confirms that 2.1 million ballots in the November election were counted as they were cast," said Supervisor Clint Hickman, District 4. "Our entire team put so much time and energy into running good elections in 2020. These audits are an affirmation

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002158

ARZN_REV00068775_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

of everyone's hard work and prove what my colleagues and I have been saying all along: our elections were run with integrity and the results we canvassed were accurate."
"The audits clearly dispel the notion that somehow the November election was rigged," said Supervisor Steve Gallardo, District 5. "Whether you liked the results or not, the will of the people was represented. Our equipment worked. Our people were above reproach. I've said it before and I'll say it again: 2020 elections in Maricopa County were safe, secure, and accurate. End of story."
The Board of Supervisors will review the audits in a special board meeting on Wednesday, February 24 at 1 p.m. Find the audit reports and more information about the election at Maricopa.gov/ForensicAudit. Certified Public Accounting firm, Berry Dunn, is completing the procurement review, and expects to complete the final portion of the audit by the end of March.

Audit Results

1. **Source Code Tests —** *These tests were designed to verify if the same federally and state source code was installed on the equipment. Auditors conducted a full forensic clone of the drive which is a "bit-by-bit" copy. This allowed them to review deleted files, deleted file fragments, and hidden data that may be found in slack and unallocated space Source code extractions tested:*

- *20% of Election Day Tabulators (each firm tested 10%) –* ***NO ISSUES***
- *100% of Central Count Tabulators –* ***NO ISSUES***
- *100% of Election Management System work stations and servers –* ***NO ISSUES***
- *40% of Adjudication Stations (each firm tested 20%) –* ***NO ISSUES***

RESULTS: Pro V&V and SLI Compliance found that all software and equipment inspected was using certified software and was not modified.

2. **Malicious Software and Hardware Tests —** *These tests looked for evidence of equipment tampering or software hacking. Auditors ran tests for viruses, malicious software, and foreign equipment or code that should not be installed on the tabulators or system on the following equipment:*

- *20% of Election Day Tabulators (each firm tested 10%) –* ***NO ISSUES***
- *100% of Central Count Tabulators –* ***NO ISSUES***
- *100% of Election Management System work stations and servers –* ***NO ISSUES***
- *40% of Adjudication Stations (each firm tested 20%) –* ***NO ISSUES***

RESULTS: Pro V&V and SLI Compliance found no instances of malicious software or hardware installed on the tabulators or system.

3. **Network and Internet Connectivity Tests —** *These tests looked for evidence of the tabulations system ability to connect to the internet and if the tabulators and/or system was transmitting information outside the closed air gapped system within the county tabulation center or while being delivered, returned, or used at a vote center.*

- *SLI reviewed system registry, system files, installed programs, download history, audit logs, USB/Ethernet history logs. –* ***NO ISSUES***
- *Pro V&V ran server commands to test for connectivity. –* ***NO ISSUES***
- *Both firms physically inspected and traced the wiring of the air-gapped system between the server, tabulators, adjudication stations, and Election Management System workstations. –* ***NO ISSUES***

RESULTS: Pro V&V and SLI Compliance found no evidence of internet connectivity.

4. **Accuracy Tests (Only in Pro V&V Scope of Work) —** *These tests checked that the tabulation equipment and software correctly captures, stores, consolidates, and reports the specific ballot selections, and absence of selections, for each ballot position.*
    - *Using test ballots from the November General Election, Pro V&V examined the accuracy of more than 1.5 million ballot positions. –* ***NO ISSUES***

RESULTS: Pro V&V found no evidence of vote switching and concluded that the equipment tabulated and adjudicated ballots accurately.

Representative Osborne Calls for State Benchmarks to Reopen Arizona

STATE CAPITOL, PHOENIX – Representative Joanne Osborne (R-13), chairwoman of the House Health and Human Services Committee, today sent the following letter to Governor Doug Ducey and Dr. Cara Christ, Director of the Arizona Department of Health Services, asking for their assistance to develop public health benchmarks to reopen Arizona following the COVID-19 pandemic:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Dear Governor Ducey and Dr. Christ:
First, I want to express my sincere gratitude for the tireless efforts of you and your staff this past year to prepare and protect Arizonans in the battle against COVID-19. While it has been challenging, the hard work is clearly paying off as we are starting to see a downward trend in the virus case numbers amid the impactful start of the vaccine rollout in our state.
Various bills are currently moving through the legislative process seeking to change some of your executive orders. Some businesses continue to operate with capacity limitations. Hospitals and long-term care facilities have patients and residents who need to see their friends and family. Much school instruction remains virtual or in a hybrid model. And Arizona residents and businesses continue to struggle with mask compliance and enforcement.
As a business owner, legislator, and as Chairwoman of the House Health and Human Services Committee, I respectfully request the state revisit the benchmarks on schools and businesses reopening as well as on visitation in long-term care facilities and establish benchmarks on when mask-wearing can be voluntary again. Our counties, cities, businesses, and, most importantly, our citizens need these benchmarks to see that there is hope ahead that these restrictions will end at some point.
I ask that this list of benchmarks be developed and publicly shared as soon as possible. I look forward to seeing your plan and sharing in the excitement our Arizona will feel when we see goals to achieve and ultimately see an end in sight to the pandemic restrictions.
Sincerely,
Representative Joanne Osborne
Legislative District 13

House Approves Funding for Critical Pinal County Transportation Infrastructure Project

STATE CAPITOL, PHOENIX – The Arizona House of Representatives has approved a bill sponsored by Representative David Cook, HB 2394, which supports development of the proposed North-South Corridor highway project that would improve transit in the Pinal County region and serve residents in the San Tan and East Valley areas. **"The North-South Corridor highway is a long-needed project serving the transportation needs in Pinal County and our state,"** said Representative Cook. **"I appreciate the bipartisan backing of my House colleagues and hope those in the Senate will join us in supporting the bill."**
HB 2394 appropriates $4 million to pay for a tier 2 study of the proposed North-South Corridor highway project in Pinal County. Additionally, it provides $750,000 to the County to supplement a local match to acquire over $15 million in federal grant money to fund road and infrastructure improvements which would increase access to the area around the Nikola Motors plant.
The bill now moves to the State Senate for consideration.

Governor Ducey Announces PSPRS Appointments

PHOENIX — Governor Doug Ducey today announced the appointment of Alan Maguire and the reappointments of Harry Papp and Dean Scheinert to the Public Safety Personnel Retirement System (PSPRS) Board of Trustees.
"The PSPRS ensures the safety and security of Arizona's hard-working public safety personnel, and guarantees that they are cared for after retirement," said Governor Ducey. "Harry and Dean have served the Board well, and I know Alan will too. I look forward to their continued positive contributions."
The PSPRS was established in 1968 to provide a uniform, consistent and equitable statewide retirement program for Arizona's public safety personnel. The Board of Trustees, consisting of nine members, plays a significant role in the system's success and has a fiduciary responsibility to the PSPRS trust and membership, overseeing the system's policies, operations, and investment.
Harry Papp is being reappointed to the PSPRS Board of Trustees. He is a managing partner at L. Roy Papp & Associates, LLP where he oversees private client business. He has 38 years of experience in portfolio management and security analysis. Prior to his current role, Papp worked at G.D. Searle & Co. where he was responsible for overseeing financial acquisitions and managed domestic real estate holdings of the company.
He was initially appointed to PSPRS in 2017. Following his appointment, Papp aided in sweeping advancements within the system. He helped to hire the new Administrator, Mike Townsend, and Chief Investment Officer Mark Steed in 2018, and took on multiple leadership roles including Vice-Chairman of the Board and Chair of the Investment Committee. Papp has also aided in the system's consistency in returns during the COVID-19 pandemic.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002160
ARZN_REV00068775_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Papp is currently a member of the board of directors of Blue Cross and Blue Shield of Arizona, where he was previously a chairman. He also serves on the board of directors of the Arizona State University Foundation. In 2012, he was appointed to the Arizona State Board of Investment.
He has a Masters of Business Administration in Finance and Accounting and Masters of Science in Geochemistry, both from the University of Chicago. He also holds a Bachelor of Arts degree in Economics and Chemistry from Brown University. He was awarded a Chartered Financial Analyst designation in 1984.
Dean Scheinert is also being reappointed to the Board, after his initial appointment in 2017. Scheinert currently works as the Chief Advancement and External Affairs Officer for Western Spirit: Scottsdale's Museum of the West. His reappointment to the Board continues a long career in financial analysis, portfolio management and organizational leadership. Prior to his current position, Scheinert worked for 35 years as a senior banker and asset management executive in New York and in Phoenix.
Scheinert currently serves on the Arizona State University Watts College of Public Service and Community Solutions Dean's Council and on the board of directors for the Jewish Community Foundation of Greater Phoenix as the investment committee chair.
He graduated summa cum laude from Tufts University with a Bachelor of Arts in Economics. He then received his Masters of Business Administration in Finance from the Wharton School in 1985.
Both Papp and Scheinert have been instrumental in key developments of PSPRS such as, reactivating the Advisory Committee and helping update system programs.
Alan Maguire is a new appointee to the Board. He previously served on the board from 2010 to 2012. He is the Founder, President and Principal Economist of The Maguire Company, an economic analysis and public policy consulting firm. Since its creation in 1986, the firm has worked on project management and financial analysis throughout Arizona with some of its more recent clients including the Arizona Commerce Authority; Arizona Department of Transportation; the cities of Phoenix, Glendale, Flagstaff, Queen Creek and Tucson; Yavapai, Coconino and Maricopa Counties; Coconino and Maricopa community colleges; and a variety of private concerns.
Maguire has years of experience in economics, analytics, and financial advising. Before establishing The Maguire Company, he was the Senior Vice President of Regional Investment Banking firm, the Chief Deputy Treasurer at the Arizona State Treasurer, and an Economic Advisor to the Arizona Senate. During his tenure, Maguire was the leading public sector financial advisor in the state of Arizona and served as either senior manager or senior financial advisor for multiple Arizona clients.
Maguire has advised every Arizona Governor for over 40 years on economic, fiscal and policy matters, as well as multiple Arizona Senate Presidents and Arizona House of Representatives Speakers. Since the late 1970s, Maguire has played a part in the formulation of many Arizona fiscal policies, reforms and initiatives.
He is involved in many community organizations including serving as President of the Arizona Economic Forum, Vice-Chair of the city of Phoenix Employees Retirement System Board, and Vice President of the Arizona Economic Roundtable. He is also a member of the Arizona Economic Estimates commission and the Phoenix Economic Club, and an original founding member of the Arizona, Western States, and Metro-Phoenix Blue Chip Economic Forecast Panels.
Maguire received a Bachelor of Arts in Economics from Arizona State University.

Governor Ducey Announces Clerk Of The Superior Court Vacancy In La Paz County

PHOENIX — Governor Doug Ducey is accepting applications for an interim appointment to fill the position of La Paz County Clerk of the Superior Court. The vacancy of the position is due to the resignation of Megan Spielman. Applications will be accepted until 5:00 p.m. on Friday, March 26, 2021. Applications received or postmarked after the deadline will not be considered. Depending on the number of applications received, the application deadline may or may not be extended. A copy of the application and instructions for applying can be downloaded at https://bc.azgovernor.gov.
To qualify for appointment, applicants must be eligible to vote, a resident of La Paz County and a Republican.
The Governor's Office will review applications and interview qualified applicants in order for the Governor to make an appointment to fill the vacancy pursuant to Arizona Revised Statute § 16-230(A) and Arizona Attorney General Opinion 85-007, until a clerk can be elected during the next regular general election in 2022.
For further information about the position and its responsibilities, visit the La Paz County Clerk of the Superior Court's website and Arizona Revised Statute § 12-283.
The salary for the La Paz County Superior Court Clerk is $63,800 as provided by law.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002161
ARZN_REV00068775_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"It appears that a previous Ohio speaker of the House may be on his way to the 'big house' in Ohio, check it out."

- ***Bob Burns, former corporation commissioner and Senate president, on what can happen when lawmakers get involved with deep-pocketed energy companies***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002162

ARZN_REV00068775_2-23-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, February 23, 2021 5:21:56 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: YellowSheet
Attachments: 2-23-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

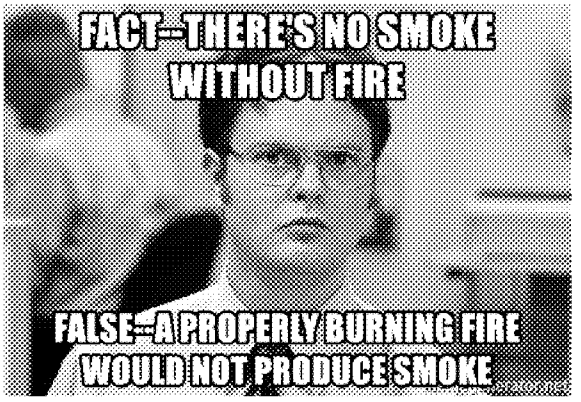
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, February 23, 2021

NEWS NOTES AND GOSSIP

THERE'S A LOT OF SMOKE IN ORO VALLEY THESE DAYS



The Secretary of State's Office will forward a complaint to the Attorney General alleging Finchem broke the law by not reporting income from the Trump campaign to his company and by not listing the company on his financial disclosure statement for years. None of the allegations in the Campaign for Accountability's complaint (LINK) are new – the *Republic's* Andrew Oxford outlined the same details earlier this month, based on a report from another liberal group, Accountable.us – but by lodging a formal complaint, the group has moved the ball forward. Unlike with campaign finance and lobbying complaints, the Secretary of State's Office doesn't conduct a preliminary review to determine if the complaint has merit, spokeswoman Murphy Hebert told our reporter. Instead, the office will send the complaint to the Attorney General's Office for Brnovich to decide if it merits a formal investigation and possible criminal charges. (The Secretary of State's Office hadn't actually received the complaint as of our deadline, though the organization sent it to newspapers this morning.) Knowingly filing a false or incomplete financial disclosure statement is a Class 1 misdemeanor. (Accountable.us went so far as to imply that Finchem may be guilty of felony bribery by accepting the funds from the Trump campaign (LINK), pointing to ARS 13-2602, which states a public official commits bribery if they solicit, accept or agree to accept any benefit with the understanding that their "vote, opinion, judgment, exercise of discretion or other action as a public servant" may be influenced. Interestingly, the law contemplates a public official accepting a bribe to do something that is not in their power, noting that is not a defense.) The Attorney General's Office didn't return a call for comment today.

IF BIDEN WANTS KIDS IN SCHOOLS, IT'S ALL HANDS ON DECK

Kathy Hoffman this morning candidly outlined schools' difficulties in delivering education amidst a global pandemic that wreaked havoc on schools, and said the Dept of Education is updating guidance on how to quickly and safely return to in-person learning. Hoffman, who joined an *Arizona Capitol Times* Morning Scoop panel on Latino education, noted that the digital divide continues to be a struggle in both rural and urban centers and said communities underwent major trauma in different forms – losing an educator or a family member to the virus, facing mental health challenges, forfeiting access to friends and classmates. "And then going back and forth between distance and in-person learning has caused a lot of challenges, as well," she said. However, that back and forth between online and in-person learning may be nearing its end, she noted, as the Dept of Education plans to roll out updated guidance on transitioning back to in-person learning tomorrow. Currently, half of districts and charters are open for either hybrid or 100 percent in-person learning. Hoffman said CDC recently sent new guidance, which is helping the department research and put together an updated framework detailing the best policies to safely reopen schools. The $1 billion in federal help for Arizona's schools will also help, she said. The department just received the money, which is from the second round of CARES Act funding, and is in the process of allocating it to schools. Hoffman noted that the majority of the funding is being allocated out through the Title 1 formula. "(That's) really good news because by the federal government using the Title 1 formula, the dollars are being directed towards our students and school communities that need it the most," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002164

ARZN_REV00068777_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AHH, THE OLD COMPROMISE OUR BANDWIDTH LINE

The Dept of Corrections is pushing back against allegations that it censored *KJZZ*'s website so employees and inmates could not read a critical report of how the agency has handled early release. Judy Keane, the communications director, told our reporter the department is demanding a retraction of reporter Jimmy Jenkins' tweet alleging censorship, but didn't say the department wanted him to retract the story itself. (In a statement after our deadline yesterday, the department said while the more-than $24 million computer software doesn't work, the department has been calculating sentences manually. It didn't push back against claims that the department knew that system was inoperable and buried that information.) Keane said while the *KJZZ* site was blocked, as Jenkins' tweets showed, it was not a deliberate target on the news outlet. "The reason for people not being able to access *KJZZ* is it's been categorized as a radio site. It allows for streaming on it," Keane said, adding that it would "compromise our broadband capabilities and can impact our department bandwidth." She said the ban only applied to certain employees, but would not provide our reporter with a list of which categories of employees could not access streaming sites. "The bottom line is we did not do this. This content filtering, if you will, has been in existence for a while," Keane told our reporter, but could not say for sure when this policy was put in place. (She said she is "pretty sure" it goes back to former Director Chuck Ryan.) Keane could not provide our reporter with proof that the department also blocks other streaming sites, such as *KTAR*, the only media outlet Dept of Corrections Director David Shinn has granted multiple interviews to in the past year.

YEAH, YOU CAN'T DO STUFF WHILE NOBODY IS LOOKING!

House and Senate leaders last week sent a letter to Corp Comm decrying its energy standards as "rushed" and drafted to not based on what's best for the public, but based on "personal legacies and political agendas." In the letter, Bowers and Fann, along with Griffin and Kerr, who run the House and Senate Natural Resources, Energy and Water committees, took several shots at former Commissioner Bob Burns, who spearheaded the push to require electric companies to provide 100 percent carbon-free energy by 2050. Commissioners approved the plan in November, just after the election. "This forced the public to accept a final decision during an election year, apparently when the Commission thought no one was watching, in order to eke out a series of political and financial wins for industry insiders and outgoing commissioners," the lawmakers wrote, in a slightly veiled reference to Burns. The legislators noted that there are already bills in the works to deal with Corp Comm overstepping its bounds. But the thrust of their letter argued that the commission approved the rules without first doing the legwork in its economic impact statement to prove the renewable energy plan would result in the "least burden and cost" to the taxpayers and energy companies. "The EIS appears to lack even a single quantitative computation relating to the potential cost impacts," lawmakers wrote, adding that the commission "has no idea what the effect on the state's economy, small businesses, and consumers will be." "We believe it's time for the commission to show its work," they concluded.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002165

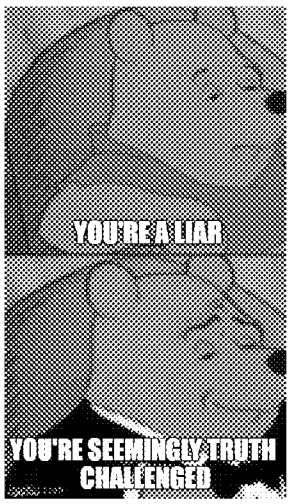
ARZN_REV00068777_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

INTERNALLY, WE JUST CALL IT "THE BIG CONSPIRACY"

Never one to take punches lying down, former Commissioner and Senate President Bob Burns swung back, saying since lawmakers accused him of "some nefarious action," he felt compelled to respond. "It is almost beyond belief that you as members of the Legislature, who have introduced and are moving blatantly unconstitutional bills, would accuse the commission of some misbehavior," he wrote. Essentially, Burns told lawmakers to stay in their lane, and argued that if lawmakers start getting involved in Corp Comm business such as determining energy companies' portfolios, APS would simply buy lawmakers as it has tried to buy commissioners when it secretly poured more than $10 million into the 2014 campaigns of former commissioners Tom Forese and Doug Little. Burns argued that the commission, not the Legislature is the appropriate venue to decide these issues, not only because that's what the commission is constitutionally charged with doing, but also because commissioners are full-time professional regulators who are laser focused on utility issues – "no 100-day session, no distraction of hundreds of other important issues." But if lawmakers took over those duties, APS would flood the legislature with campaign funds and buy its own proposals, he said. "There would be no incentive to cut down the money tree of dark money that would flow to the candidates for governor and legislature in the future," he wrote, noting the vast dark money operation that APS set up before the new CEO pledged to stay out of Corp Comm races (he has made no such pledge about legislative races, and the company continues to spend on lawmakers.) Burns pointed to Ohio – where prosecutors say former Speaker of the House Larry Householder was involved in a conspiracy to pass a $1.3 billion bailout for an energy company (YS, 7/24/20) – saying when lawmakers get involved with deep-pocketed energy companies, bad stuff happens. "It appears that a previous Ohio speaker of the House may be on his way to the 'big house' in Ohio, check it out," Burns wrote. "Does anyone doubt that moving energy policy from the commission to the legislature would open the door for APS and other utilities to return to the legal use of dark money to influence legislative policy through campaign funding support?" he wrote.

ONCE YOU GET BURNS GOING, THERE'S NO STOPPING HIM



Burns also took a few swipes at Justin Olson, the former lawmaker turned commissioner, saying he's "truth challenged" and by supporting legislation to take away Corp Comm's power, Olson violated his oath of office. Burns wrote that Olson has taken an oath to protect the taxpayers and has instead lobbied at the Legislature to support these "blatantly unconstitutional bills that pose a significant risk to the ratepayers and with the potential of enhancing utility profits to be used in dark money legislative and governor campaigns." He noted that APS supports Ducey, and Ducey originally appointed Olson to the commission in 2017. As for the accusation that Olson is "seemingly truth challenged," Burns pointed to the fight to become the next Corp Comm chair, saying he adamantly argued that tradition dictates that he would become the chair, as that honor usually falls to the senior member of the commission from the majority party. He said Olson knew that was untrue because he worked against Burns in his attempt to become Corp Comm chair in 2018, when Burns was the senior Republican commissioner. "I believe this absolutely untrue action was meant to mislead his fellow commissioners, and quite possibly embarrass Commissioner Marquez Peterson, for not towing the party line," he wrote.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002166
ARZN_REV00068777_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE "BIG CONSPIRACY" HAPPENS IN THE OPEN

APS already spends heavily on legislative and statewide candidates, even though it has promised not to contribute to the campaigns of regulators. A recent filing at the request of Commissioner Sandra Kennedy provides a breakdown of APS' political contributions over the 2020 election cycle, which includes $14,000 total given to Bowers, Fann, Kerr and Griffin – the four lawmakers involved in the exchange with Burns. APS contributed $4,500 each to Bowers and Fann, while the others received $2,500 over several installments. An APS spokeswoman told our reporter earlier this month that the company has not yet made up its mind about future political spending after it took heat for contributing to campaigns for those who fueled the riots on Jan 6. The company said it would "review" spending practices, and has paused all "political givings" in the meantime, which isn't saying much considering we're not exactly in the thick of contribution season (YS, 2/8). (Because of a huge lag in non-election-year reporting, the public wouldn't know if the organization is spending until the next filing deadline at the end of 2021.) APS spent thousands of dollars on several other local and national campaigns last election cycle, as documented in the latest report (LINK). That includes $500 to Parker, who used to work under Olson at Corp Comm and is pushing H2737 (corporation commission actions; investigation), which would allow legislators to ask the AG to investigate and potentially punish the commission as well as withhold 10 percent of its budget if it's determined the commission exceeded its authority (YS, 2/10). Parker refunded APS' contribution three months later, after she won her election.

·WAKE UP CALL·

House passes bill for 4-year community college degrees

Capitol Media Services

Arizona's community colleges may have the best chance ever of finally being able to offer four-year degrees to their students.

Senate committee also won't look into Finchem's complaints against Dems

Capitol Media Services

It doesn't look like Rep. Mark Finchem will get an investigation into the conduct of Democratic lawmakers who asked the FBI to investigate him.

Legislature advances bill to allow developers to sell without using Apple, Google apps

Capitol Media Services

State lawmakers are moving to insert themselves into the battle between developers of phone apps and tech giants Apple and Google.

SCOTUS rejects another AZ election challenge

Capitol Media Services

The U.S. Supreme Court has tossed another of the challenges to the Arizona election returns.

Arizona pecan growers continue to take financial hit from Trump-era tariffs

Arizona Daily Star

Pecan production in Arizona fell 16% last year while acreage increased, and prices received by farmers dropped to

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

lows as imports to China remained stunted by tariffs resulting from the trade war launched by the Trump administration in 2018.

Big Arizona utility to pay overcharged customers $24 million
Associated Press
Arizona's largest electric utility will pay $24 million to about 225,000 customers who were placed on new pricing plans that were not their cheapest available option after a 2017 rate increase approved by state utility regulators.

EPA awards uranium mine cleanup contracts on Navajo Reservation
Payson Roundup
The federal Environmental Protection Agency has awarded $220 million in contracts to clean up 50 of the estimated 500 abandoned uranium mine sites on the Navajo Reservation.

Rep. Gosar decries release of 'hoards of infected aliens'
Payson Roundup
Rep. Paul Gosar this week urged the Yuma County sheriff to round up and jail any illegal aliens released from ICE detention centers in Yuma to prevent the spread of COVID in the U.S.

Dark Money Groups Use Dirty Tricks in Phoenix Council Race Despite New Rules
Phoenix New Times
Attacks over late child support payments. A "voter guide" with inaccurate information. A mailer claiming a progressive candidate wants to "drain the swamp" and crack down on "fake news." All paid for by unknown donors.

What to know about Arizona's COVID-19 vaccines (so far)
Arizona Mirror
More than 1 million Arizonans have gotten at least one dose of the COVID-19 vaccine, but unlike other immunizations, there are different vaccines that are being offered, leaving many to wonder: What differences are there between the available vaccines and does it matter which one I get?

Three reforms to improve Arizona's health are being ignored by the GOP majority
Arizona Mirror (Op-ed, Juan Mendez)
One year into the coronavirus pandemic, Arizona has suffered greatly, but the chance for vaccination gives us some hope.

Meghan McCain opens mouth/inserts foot by whining about the vaccine
Arizona Republic (Opinion, EJ Montini)
Complaining about when she'll get vaccinated and criticizing Dr. Anthony Fauci is not a good look.

Do Arizona's Republican lawmakers really think we're dumb enough to let them vote for us?
Arizona Republic (Opinion, Laurie Roberts)
Arizona legislators are assaulting democracy again, this time with an astonishing bill that would ask voters to allow them to select Arizona's presidential electors.

Kelli Ward should be next on Dominion Voting Systems' list of people to sue for defamation
Arizona Republic (Opinion, Laurie Roberts)
Now that Dominion Voting Systems has filed defamation lawsuits against Rudy Giuliani, Sidney Powell and Mike Lindell, surely Arizona GOP Chairwoman Kelli Ward is starting to sweat.

If Deb Haaland is confirmed as interior secretary, it would be a huge win for Arizona
Arizona Republic (Op-ed, Ethel Billie Branch)
Deb Haaland was born and raised in Winslow. She is one of us, who deeply understands our history and struggles.

Vouchers are just a ploy to distract Arizona from properly funding education
Arizona Republic (Op-ed, Anne Ellsworth)
Legislation to expand vouchers even more is happening even though schools continue to be underfunded. That's the real debate we should be having.

In Arizona, police can keep your property even if you're innocent. That must change
Arizona Republic (Op-ed, Travis Grantham)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002168
ARZN_REV00068777_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

If Arizona police suspect your property was used in a crime, they can keep it, even if they never convict you of a crime. That's wrong.

PRESS RELEASES

Maricopa County Forensic Audit Results Released

Auditors Find No Issues With Equipment and Software

February 22, 2021 (Phoenix) – Maricopa County's election equipment and software passed all tests performed by two independent firms hired to conduct the forensic audit, according to reports by two federally certified Voting System Testing Laboratories.

View results: Maricopa.gov/ForensicAudit

"Our form of government is built on the promise that every vote counts. Following the 2020 General Election, some of our residents expressed concerns their ballots were not counted as intended," said Maricopa County Board of Supervisors Chairman Jack Sellers, District 1. "As a result, the Board of Supervisors asked two firms to independently look at the security and reliability of our election equipment and processes and to let us know if they found any evidence of equipment malfunction or foul play that might have changed the outcome of any race. The firms we hired are the only two in the United States certified to do this work. We asked them to go beyond what we had already done to ensure the integrity of our elections and beyond even the stringent requirements of state law. We are releasing the results of those audits today so that the public can see what we see and know what we know: no hacking or vote switching occurred in the 2020 election."

The audits, completed by SLI Compliance and Pro V&V, found that Maricopa County Elections Department's configuration and setup of the tabulation equipment provided an accurate counting of ballots and reporting of election results.

The forensic audit adds to the steps already taken by Maricopa County to ensure the accuracy of the federally- and state-certified hardware and software used to count votes.

"I am committed to doing what I can to ensure voters have the same confidence in our election system that I have," said Vice Chairman Bill Gates, District 3. "With the completion of these two independent audits, in addition to the hand count audit completed by the political parties and accuracy tests before and after the election, we have an opportunity as a community to work from a shared set of facts. Our ability to do that will determine the strength of our republic. The facts are the voting machines in Maricopa County counted ballots accurately and were not compromised in any way during the November General Election."

"It is vital for us to listen to people's concerns, to take them seriously, and to open ourselves up to closer examination when it comes to something as important as the right to vote. That's what these audits were about," said Supervisor Steve Chucri, District 2. "I believe it was necessary and right to address the questions that emerged following the 2020 elections, and I'm confident we did that thoroughly and with all Maricopa County voters in mind."

The auditors completed the following tests and reported no evidence of tampering or hacking of the elections equipment (see detailed information at bottom of release):

- **Source Code Tests** — Pro V&V and SLI Compliance found that all software and equipment inspected was using certified software and was not modified.
- **Malicious Software and Hardware Tests** — Pro V&V and SLI Compliance found no instances of malicious software or hardware installed on the tabulators or system.
- **Network and Internet Connectivity Tests** — Pro V&V and SLI Compliance found no evidence of internet connectivity.
- **Accuracy Tests (Only in Pro V&V Scope of Work)** — Pro V&V found no evidence of vote switching and concluded that the equipment tabulated ballots accurately.

"The work of these two qualified firms, combined with the work done by our Elections Department, confirms that 2.1 million ballots in the November election were counted as they were cast," said Supervisor Clint Hickman, District 4. "Our entire team put so much time and energy into running good elections in 2020. These audits are an affirmation

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002169

ARZN_REV00068777_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

of everyone's hard work and prove what my colleagues and I have been saying all along: our elections were run with integrity and the results we canvassed were accurate."
"The audits clearly dispel the notion that somehow the November election was rigged," said Supervisor Steve Gallardo, District 5. "Whether you liked the results or not, the will of the people was represented. Our equipment worked. Our people were above reproach. I've said it before and I'll say it again: 2020 elections in Maricopa County were safe, secure, and accurate. End of story."
The Board of Supervisors will review the audits in a special board meeting on Wednesday, February 24 at 1 p.m. Find the audit reports and more information about the election at Maricopa.gov/ForensicAudit. Certified Public Accounting firm, Berry Dunn, is completing the procurement review, and expects to complete the final portion of the audit by the end of March.

Audit Results

1. **Source Code Tests —** *These tests were designed to verify if the same federally and state source code was installed on the equipment. Auditors conducted a full forensic clone of the drive which is a "bit-by-bit" copy. This allowed them to review deleted files, deleted file fragments, and hidden data that may be found in slack and unallocated space Source code extractions tested:*

- *20% of Election Day Tabulators (each firm tested 10%) –* ***NO ISSUES***
- *100% of Central Count Tabulators –* ***NO ISSUES***
- *100% of Election Management System work stations and servers –* ***NO ISSUES***
- *40% of Adjudication Stations (each firm tested 20%) –* ***NO ISSUES***

RESULTS: Pro V&V and SLI Compliance found that all software and equipment inspected was using certified software and was not modified.

2. **Malicious Software and Hardware Tests —** *These tests looked for evidence of equipment tampering or software hacking. Auditors ran tests for viruses, malicious software, and foreign equipment or code that should not be installed on the tabulators or system on the following equipment:*

- *20% of Election Day Tabulators (each firm tested 10%) –* ***NO ISSUES***
- *100% of Central Count Tabulators –* ***NO ISSUES***
- *100% of Election Management System work stations and servers –* ***NO ISSUES***
- *40% of Adjudication Stations (each firm tested 20%) –* ***NO ISSUES***

RESULTS: Pro V&V and SLI Compliance found no instances of malicious software or hardware installed on the tabulators or system.

3. **Network and Internet Connectivity Tests —** *These tests looked for evidence of the tabulations system ability to connect to the internet and if the tabulators and/or system was transmitting information outside the closed air gapped system within the county tabulation center or while being delivered, returned, or used at a vote center.*

- *SLI reviewed system registry, system files, installed programs, download history, audit logs, USB/Ethernet history logs. –* ***NO ISSUES***
- *Pro V&V ran server commands to test for connectivity. –* ***NO ISSUES***
- *Both firms physically inspected and traced the wiring of the air-gapped system between the server, tabulators, adjudication stations, and Election Management System workstations. –* ***NO ISSUES***

RESULTS: Pro V&V and SLI Compliance found no evidence of internet connectivity.

4. **Accuracy Tests (Only in Pro V&V Scope of Work) —** *These tests checked that the tabulation equipment and software correctly captures, stores, consolidates, and reports the specific ballot selections, and absence of selections, for each ballot position.*
    - *Using test ballots from the November General Election, Pro V&V examined the accuracy of more than 1.5 million ballot positions. –* ***NO ISSUES***

RESULTS: Pro V&V found no evidence of vote switching and concluded that the equipment tabulated and adjudicated ballots accurately.

Representative Osborne Calls for State Benchmarks to Reopen Arizona

STATE CAPITOL, PHOENIX – Representative Joanne Osborne (R-13), chairwoman of the House Health and Human Services Committee, today sent the following letter to Governor Doug Ducey and Dr. Cara Christ, Director of the Arizona Department of Health Services, asking for their assistance to develop public health benchmarks to reopen Arizona following the COVID-19 pandemic:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Dear Governor Ducey and Dr. Christ:
First, I want to express my sincere gratitude for the tireless efforts of you and your staff this past year to prepare and protect Arizonans in the battle against COVID-19. While it has been challenging, the hard work is clearly paying off as we are starting to see a downward trend in the virus case numbers amid the impactful start of the vaccine rollout in our state.
Various bills are currently moving through the legislative process seeking to change some of your executive orders. Some businesses continue to operate with capacity limitations. Hospitals and long-term care facilities have patients and residents who need to see their friends and family. Much school instruction remains virtual or in a hybrid model. And Arizona residents and businesses continue to struggle with mask compliance and enforcement.
As a business owner, legislator, and as Chairwoman of the House Health and Human Services Committee, I respectfully request the state revisit the benchmarks on schools and businesses reopening as well as on visitation in long-term care facilities and establish benchmarks on when mask-wearing can be voluntary again. Our counties, cities, businesses, and, most importantly, our citizens need these benchmarks to see that there is hope ahead that these restrictions will end at some point.
I ask that this list of benchmarks be developed and publicly shared as soon as possible. I look forward to seeing your plan and sharing in the excitement our Arizona will feel when we see goals to achieve and ultimately see an end in sight to the pandemic restrictions.
Sincerely,
Representative Joanne Osborne
Legislative District 13

House Approves Funding for Critical Pinal County Transportation Infrastructure Project

STATE CAPITOL, PHOENIX – The Arizona House of Representatives has approved a bill sponsored by Representative David Cook, HB 2394, which supports development of the proposed North-South Corridor highway project that would improve transit in the Pinal County region and serve residents in the San Tan and East Valley areas. **"The North-South Corridor highway is a long-needed project serving the transportation needs in Pinal County and our state,"** said Representative Cook. **"I appreciate the bipartisan backing of my House colleagues and hope those in the Senate will join us in supporting the bill."**
HB 2394 appropriates $4 million to pay for a tier 2 study of the proposed North-South Corridor highway project in Pinal County. Additionally, it provides $750,000 to the County to supplement a local match to acquire over $15 million in federal grant money to fund road and infrastructure improvements which would increase access to the area around the Nikola Motors plant.
The bill now moves to the State Senate for consideration.

Governor Ducey Announces PSPRS Appointments

PHOENIX — Governor Doug Ducey today announced the appointment of Alan Maguire and the reappointments of Harry Papp and Dean Scheinert to the Public Safety Personnel Retirement System (PSPRS) Board of Trustees.
"The PSPRS ensures the safety and security of Arizona's hard-working public safety personnel, and guarantees that they are cared for after retirement," said Governor Ducey. "Harry and Dean have served the Board well, and I know Alan will too. I look forward to their continued positive contributions."
The PSPRS was established in 1968 to provide a uniform, consistent and equitable statewide retirement program for Arizona's public safety personnel. The Board of Trustees, consisting of nine members, plays a significant role in the system's success and has a fiduciary responsibility to the PSPRS trust and membership, overseeing the system's policies, operations, and investment.
Harry Papp is being reappointed to the PSPRS Board of Trustees. He is a managing partner at L. Roy Papp & Associates, LLP where he oversees private client business. He has 38 years of experience in portfolio management and security analysis. Prior to his current role, Papp worked at G.D. Searle & Co. where he was responsible for overseeing financial acquisitions and managed domestic real estate holdings of the company.
He was initially appointed to PSPRS in 2017. Following his appointment, Papp aided in sweeping advancements within the system. He helped to hire the new Administrator, Mike Townsend, and Chief Investment Officer Mark Steed in 2018, and took on multiple leadership roles including Vice-Chairman of the Board and Chair of the Investment Committee. Papp has also aided in the system's consistency in returns during the COVID-19 pandemic.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002171
ARZN_REV00068777_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Papp is currently a member of the board of directors of Blue Cross and Blue Shield of Arizona, where he was previously a chairman. He also serves on the board of directors of the Arizona State University Foundation. In 2012, he was appointed to the Arizona State Board of Investment.
He has a Masters of Business Administration in Finance and Accounting and Masters of Science in Geochemistry, both from the University of Chicago. He also holds a Bachelor of Arts degree in Economics and Chemistry from Brown University. He was awarded a Chartered Financial Analyst designation in 1984.
Dean Scheinert is also being reappointed to the Board, after his initial appointment in 2017. Scheinert currently works as the Chief Advancement and External Affairs Officer for Western Spirit: Scottsdale's Museum of the West. His reappointment to the Board continues a long career in financial analysis, portfolio management and organizational leadership. Prior to his current position, Scheinert worked for 35 years as a senior banker and asset management executive in New York and in Phoenix.
Scheinert currently serves on the Arizona State University Watts College of Public Service and Community Solutions Dean's Council and on the board of directors for the Jewish Community Foundation of Greater Phoenix as the investment committee chair.
He graduated summa cum laude from Tufts University with a Bachelor of Arts in Economics. He then received his Masters of Business Administration in Finance from the Wharton School in 1985.
Both Papp and Scheinert have been instrumental in key developments of PSPRS such as, reactivating the Advisory Committee and helping update system programs.
Alan Maguire is a new appointee to the Board. He previously served on the board from 2010 to 2012. He is the Founder, President and Principal Economist of The Maguire Company, an economic analysis and public policy consulting firm. Since its creation in 1986, the firm has worked on project management and financial analysis throughout Arizona with some of its more recent clients including the Arizona Commerce Authority; Arizona Department of Transportation; the cities of Phoenix, Glendale, Flagstaff, Queen Creek and Tucson; Yavapai, Coconino and Maricopa Counties; Coconino and Maricopa community colleges; and a variety of private concerns.
Maguire has years of experience in economics, analytics, and financial advising. Before establishing The Maguire Company, he was the Senior Vice President of Regional Investment Banking firm, the Chief Deputy Treasurer at the Arizona State Treasurer, and an Economic Advisor to the Arizona Senate. During his tenure, Maguire was the leading public sector financial advisor in the state of Arizona and served as either senior manager or senior financial advisor for multiple Arizona clients.
Maguire has advised every Arizona Governor for over 40 years on economic, fiscal and policy matters, as well as multiple Arizona Senate Presidents and Arizona House of Representatives Speakers. Since the late 1970s, Maguire has played a part in the formulation of many Arizona fiscal policies, reforms and initiatives.
He is involved in many community organizations including serving as President of the Arizona Economic Forum, Vice-Chair of the city of Phoenix Employees Retirement System Board, and Vice President of the Arizona Economic Roundtable. He is also a member of the Arizona Economic Estimates commission and the Phoenix Economic Club, and an original founding member of the Arizona, Western States, and Metro-Phoenix Blue Chip Economic Forecast Panels.
Maguire received a Bachelor of Arts in Economics from Arizona State University.

Governor Ducey Announces Clerk Of The Superior Court Vacancy In La Paz County

PHOENIX — Governor Doug Ducey is accepting applications for an interim appointment to fill the position of La Paz County Clerk of the Superior Court. The vacancy of the position is due to the resignation of Megan Spielman. Applications will be accepted until 5:00 p.m. on Friday, March 26, 2021. Applications received or postmarked after the deadline will not be considered. Depending on the number of applications received, the application deadline may or may not be extended. A copy of the application and instructions for applying can be downloaded at https://bc.azgovernor.gov.
To qualify for appointment, applicants must be eligible to vote, a resident of La Paz County and a Republican.
The Governor's Office will review applications and interview qualified applicants in order for the Governor to make an appointment to fill the vacancy pursuant to Arizona Revised Statute § 16-230(A) and Arizona Attorney General Opinion 85-007, until a clerk can be elected during the next regular general election in 2022.
For further information about the position and its responsibilities, visit the La Paz County Clerk of the Superior Court's website and Arizona Revised Statute § 12-283.
The salary for the La Paz County Superior Court Clerk is $63,800 as provided by law.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002172
ARZN_REV00068777_2-23-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"It appears that a previous Ohio speaker of the House may be on his way to the 'big house' in Ohio, check it out."

- ***Bob Burns, former corporation commissioner and Senate president, on what can happen when lawmakers get involved with deep-pocketed energy companies***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002173

ARZN_REV00068777_2-23-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, February 24, 2021 8:15:29 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: News Clippings: February 24, 2021
Attachments: February 24, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Bill to raise Ariz. jobless benefit heads to full Senate
- Doctors try to decipher why some COVID sufferers still lack senses of smell, taste
- Arizona lawmakers consider adding to Pima, Maricopa Boards of Supervisors
- City Council OKs ban on hair discrimination, studies cell poles

Arizona Republic

- Audits find votes were counted correctly
- Arizona reports 1,184 new COVID-19 cases, 148 deaths
- Who is auditing Maricopa County's election results?
- Bill would give Arizona businesses a choice on enforcing mask mandates

KTAR News

- Arizona reports 1,310 new COVID-19 cases, 43 more deaths Wednesday
- States rush to catch up on delayed vaccines, expand access
- Arizona lawmakers ponder raising notoriously low unemployment benefit
- Maricopa County says election audits prove 'no hacking or vote switching'

Arizona Daily Sun

- Flagstaff City Council approves zoning change for Sky Cottages
- Audits find no problems with Arizona election equipment
- Legislature mulls raising Arizona's low unemployment pay
- Ducey orders flags lowered to honor those lost to COVID-19

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Bill to raise Ariz. jobless benefit heads to full Senate

Current weekly cap of $240 could be hiked to $400

By Howard Fischer
Arizona Daily Star
February 24, 2021

Arizonans who find themselves out of work through no fault of their own could get their first increase in benefits in 17 years.

Members of the Senate Appropriations Committee voted 9-1 Tuesday to set the maximum benefit

to $320 a week as early as this summer. The current cap of $240 was set in 2004. It is the second-lowest in the country, with only Mississippi paying less to people who are unemployed.

And then, if the employer- financed trust fund that pays for benefits gets back into healthy territory, the maximum automatically would go to $400 a week.

SB 1411 goes to the full Senate after a required review by the Rules Committee

of its constitutionality.

There is more.

Individuals would be able to earn up to $160 a

JOBLESS

week without losing benefits, whether while looking for a new full-time gig or remaining on a part-time status with a current employer. Now, anything over $30 in pay disqualifies the employee.

And to finance all that, employers would pay more in the taxes that finance the benefits.

What makes all that significant is that SB 1411 is being pushed by Senate President Karen Fann, R-Prescott. Prior perennial efforts to increase the benefits by Democrats have met with GOP resistance.

Fann said she worked with business interests to get the necessary buy-in. The result is that no one from the business community has come out in opposition.

There is a trade-off of sorts.

Current law allows state benefits to continue for up to 26 weeks, not counting special federal programs. SB 1411 would drop that to 20 weeks — but only when the state's jobless rate is less than 6%.

Still, there are objections.

AMERICAN OVERSIGHT

Sen. Michelle Ugenti-Rita, R-Scottsdale, who cast the lone dissenting vote, said she is concerned that there isn't enough in the law to ensure that people collecting benefits are actually out searching for a new job.

There already are requirements in law, including a mandate to make contacts with potential employers at least four days a week. And after four weeks of benefits, people generally have to take any job that pays them at least 20% more than they're collecting.

But that work search requirement has been suspended during the pandemic by the executive order Gov. Doug Ducey signed last year due to the COVID-19 pandemic. Among the reasons are that people may need to stay home either because they have contracted the virus or are the caretaker for someone who is ill.

'So we're just going to pay people to be unemployed?' Ugenti-Rita asked.

And there's another potential hurdle.

Ducey has consistently opposed any benefit increase, even as the state's jobless rate topped 13% during the pandemic-induced recession, brushing aside questions of whether he could survive on $240 a week. He said that in normal times — meaning before the pandemic — there were plenty of jobs out there for people to find 'at any time' and he sees no need to adjust that $240 figure.

Unemployment benefits are supposed to be a safety net for those who are fired or laid off through no fault of their own.

By law, those benefits are supposed to equal half of what someone was earning. But all that is subject to the cap of $240.

Much of the resistance until now has come from business interests because those payments are financed by a tax that employers pay on the first $7,000 of each worker's salary.

What employers actually pay in taxes is based on how often a company lays off workers, with a tax rate of less than 1% to more than 13%. The Department of Economic Security says the average tax this past year was 1.3%, meaning $112 a year per worker.

Fann proposes to finance the higher benefits in SB 1411 by increasing the base on which the tax is paid, which she said has not been altered since 1986, to $8,000 next year and $9,000 in 2023.

But Fann figures that reducing the maximum time someone can collect benefits, coupled with an improvement in the Arizona economy, will result in a minimal financial hit.

The key is that 6% trigger.

'When the unemployment rate is 6% or higher, people are having a little more difficult time getting jobs, whether it's COVID, whether it's the economy or whatever,' she told Capitol Media Services. Under those circumstances, the current 26-week limit makes sense.

'However, when it's below 6%, that's when our economy is thriving,' Fann said.

AMERICAN OVERSIGHT

'That's when we have a lot of jobs out there,' she continued. 'And, quite honestly, anybody that

wants a job can get a job.'

Arizona's jobless rate was less than 6% from September 2015 right up through February of last year when the pandemic closed many businesses and Arizonans stopped going out. It hit 13.4% in April; the most recent figure for December was 7.5%.

Fann's bill has one other provision she figures will help both workers and employers.

Current law says anyone who earns more than $30 a week is disqualified from benefits, a limit enacted in 1986. SB 1411 would boost that to $160 'That means somebody can work roughly 12 hours at $13 an hour without getting dinged on their unemployment,' Fann said. 'It keeps them part of the whole system.'

That, she said, is critical.

'It's like dropping out of school: Once you drop out of the workforce, trying to get people back into the workforce is a real challenge,' Fann said. But there's a flip side she said will help businesses.

'Look at what happened during COVID when everybody was in a real turmoil,' Fann said, with employers not knowing when workers would be well enough to come in and a fluctuating demand for services.

On one hand, she said, it allows a company with a reduced demand to hang on to all of its workers by promising each of them 12 hours a week while they still can collect benefits.

Conversely, Fann said, a business may need its full staff 'only during the crazy business times.' This ensures workers are available perhaps for four hours a day for three days a week.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Doctors try to decipher why some COVID sufferers still lack senses of smell, taste

By John Leicester
Arizona Daily Star
February 24, 2021

NICE, France — The doctor slid a miniature camera into the patient's right nostril, making her whole nose glow red with its bright miniature light.

'Tickles a bit, eh?' he asked as he rummaged around her nasal passages, the discomfort causing tears to well in her eyes and roll down her cheeks.

The patient, Gabriella Forgione, wasn't complaining. The 25-year-old pharmacy worker was happy to be prodded and poked at the hospital in Nice, in southern France, to advance her increasingly

AMERICAN OVERSIGHT

pressing quest to recover her sense of smell. Along with her sense of taste, it suddenly vanished when she fell ill with COVID-19 in November, and neither has returned.

Being deprived of the pleasures of food and the scents of

• Drug execs: Big jump in vaccine supply is coming soon / A9

• Food groups fight to save one Trump virus program / A5

Gabriella Forgione, right, says she has been unable to smell or taste since she contracted COVID-19.

things that she loves are proving tough on her body and mind. Shorn of odors both good and bad, Forgione is losing weight and self-confidence.

'Sometimes I ask myself, 'Do I stink?' ' she confessed. 'Normally, I wear perfume and like for things to smell nice. Not being able to smell bothers me greatly.'

A year into the coronavirus pandemic, doctors and researchers are still striving to better understand and treat the accompanying epidemic of COVID-19-related anosmia — loss of smell — draining much of the joy of life from an increasing number of sensorially frustrated longer- term sufferers like Forgione.

Even specialist doctors say there is much about the condition they still don't know and they are learning as they go along in their diagnoses and treatments. Impairment and alteration of smell have become so common with COVID-19 that some researchers suggest that simple odor tests could be used to trackcoronavirus infections in countries with few laboratories.

For most people, the olfactory problems are temporary, often improving on their own in weeks. But a small minority are complaining of persistent dysfunction long after other COVID-19 symptoms have disappeared. Some have reported continued

total or partial loss of smell six months after infection. The longest, some doctors say, are now nearing a full year.

Researchers working on the vexing disability say they are optimistic that most will eventually recover but fear some will not. Some doctors are concerned that growing numbers of smell-deprived patients, many of them young, could be more prone to depression and other difficulties and weigh on strained health systems.

'They are losing color in their lives,' said Dr. Thomas Hummel, who heads the smell and taste outpatients clinic at University Hospital in Dresden, Germany.

'These people will survive and they'll be successful in their lives, in their professions,' Hummel added. 'But their lives will be much poorer.'

At the Face and Neck University Institute in Nice, Dr. Clair Vandersteen wafted tube after tube of odors under Forgione's nose after he had rooted around in her nostrils with his camera.

AMERICAN OVERSIGHT

'Do you perceive any smell? Nothing? Zero? OK,' he asked, as she repeatedly and apologetically responded with negatives.

Only the last tube provoked an unequivocal reaction.

'Urgh! Oh, that stinks,' Forgione yelped. 'Fish!'

Test complete, Vandersteen delivered his diagnosis.

'You need an enormous amount of an odor to be

able to smell something,' he told her. 'You haven't completely lost your sense of smell but nor is it good.'

He sent her away with homework: six months of olfactory rehab. Twice daily, choose two or three scented things, like a sprig of lavender or jars of fragrances, and smell them for two to three minutes, he ordered.

'If you smell something, great. If not, no problem. Try again, concentrating hard on picturing the lavender, a beautiful purple bloom,' he said. 'You have to persevere.'

Evan Cesa smells a fragrance during tests at a clinic in Nice, France, to help determine how his sense of smell and taste have been degraded since he contracted COVID-19.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona lawmakers consider adding to Pima, Maricopa Boards of Supervisors

By Howard Fischer
Arizona Daily Star
February 24, 2021

PHOENIX — Residents of the state's two largest counties could find themselves with more people to call when something goes wrong.

But it will cost them.

On a 15-13 margin the Arizona Senate on Tuesday gave preliminary approval to expanding the size of the Maricopa County Board of Supervisors from five to nine. SB 1498 also would increase the size of the Pima board from five to seven members.

The move came over the objection of several Democratic lawmakers who said the board members in the two affected counties are opposed. Sen. Victoria Steele of Tucson said the issue for the supervisors in her county is cost, at least in part.

The cost of operating an office, including salaries and equipment, is about $500,000. So two new supervisors in Pima County would increase public spending by $1 million, what she called an 'unfunded mandate.'

AMERICAN OVERSIGHT

Sen. Lela Alston, D-Phoenix, said there were similar objections from the Maricopa supervisors.

But Sen. J.D. Mesnard, R-Chandler, said the two counties have grown so large that individual supervisors can no longer adequately represent their constituents.

He said the situation is particularly pronounced in Maricopa County where each of the five supervisors represents close to 900,000 residents. Adding four more board members would cut that to about 635,000 per district.

It's not quite as severe in Pima County where a supervisory district now consists of about 200,000 residents. Going to seven would cut that to about 150,000.

Still, Mesnard defended extending his legislation to Pima County. He said it's a 'similar principle though obviously not as extreme.'

The idea of linking the number of supervisors to population is not new.

Arizona law already says that once a county hits 175,000 the size of the board has to go from three to five.

Mesnard's bill simply adds two new thresholds.

At a million, the minimum becomes seven. And at three million, that requires nine.

'There comes a point in time when trying to represent a very large number of people is difficult,' Mesnard said. In fact, he said, at 900,000 the

size of Maricopa County districts is larger than any of the state's congressional districts.

Steele does not dispute that number.

But she said that most county residents actually live within the incorporated limits of a city.

In Pima County, the most recent estimates show 35% of the population is in an unincorporated area. It's even more pronounced in Maricopa County where just 7% of residents do not live within a city.

And Steele said that means they are more likely to call a council member with a problem than a supervisor.

Mesnard said that may be true but it does not make them any less important.

'They're still elected officials who have a constituency,' he said. 'I am a believer in the idea that the smaller the constituency that you represent, the more tailored, the more focused,

the better representation you get.'

Mesnard said that it is 'absolutely true' that a government can be more efficient when there are fewer people in charge. But he said that does not tell the whole story.

AMERICAN OVERSIGHT

'They would be very efficient having single persons governing everything,' Mesnard said. 'But we all know that's not a good principle.'

The measure still needs a final roll-call vote in the Senate before going to the House.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

City Council OKs ban on hair discrimination, studies cell poles

By Jasmine Demers
Arizona Daily Star
February 24, 2021

The Tucson City Council voted Tuesday to make it illegal to enforce dress code or grooming policies that discriminate against a person's natural hairstyle.

The CROWN Act — Creating a Respectful and Open World for Natural Hair — was created in 2019 as a way to protect people from discrimination based on race-based hairstyles and textures in the workplace and public schools. Tucson is now the 10th city in the United States to pass the ordinance.

'We want to be sure there are no barriers for people in the workplace and in schools,' said Annie Sykes, the president of Tucson's Black Women's Task Force. 'These barriers are usually rooted in discrimination and prejudice.'

Sykes cited a study conducted by JOY Collective, which showed that Black women are 1 times more likely to be sent home from work because of their hair and 80% more likely to feel like they have to change their hair to fit in at work.

Presented to the council by Councilman Steve Kozachik and Vice Mayor Nikki Lee, the ordinance will be enforced through the human relations section of the Tucson city code and will apply to any facility or business with public accommodations. Those who do not comply with the new law can face civil penalties.

Kozachik pointed to the experiences of students who have been forced to cut their hair to participate in sports, calling it 'disgusting, demeaning and discriminatory.'

'We should be so much better than that in this community, and we are,' he said.

At the direction of council member Lane Santa Cruz, the city will also be looking internally at its own workplace standards to ensure its policies are in line with the new ordinance 'Your hair is your crown and it connects us to our culture and to our ancestry,' said Desiree Cook, licensed master natural hair stylist and founder of I AM YOU 360, a local nonprofit. 'So we ask that those crowns are honored, whether it be in schools, in the community or the workplace.'

SMALL CELL POLES IN TUCSON

AMERICAN OVERSIGHT

The city will move forward with creating an ordinance that will require tele-communication providers to demonstrate that they've exhausted all other possible locations before moving forward with installing a cellular pole.

Dozens of cell poles have popped up around Tucson in recent weeks, causing concern that they are negatively impacting the aesthetic of Tucson neighborhoods. The telecommunication companies are installing a lot of smaller poles to support their 5G networks, and the city is prevented from doing much about it because of state law.

'We're finding out about these after the company has chosen a site, they've invested money in permits and environmental reviews. And our residents are the collateral damage in all of this,' Kozachik said. 'These are going up all over the city. I believe that we've been let down by the cell providers.'

Kozachik's solution is that the city be directly involved in the conversation and asking companies to exhaust all possible options before deciding to place a new pole. This would require working with the city to see how they can use already existing poles, including stop signs, utility boxes, traffic control arms and other parts of the city's existing infrastructure.

While this ordinance would allow the city to be a part of the conversation and help advocate for residents, it still would not have the right to deny a cell provider from installing a new pole.

'We have to start protecting the aesthetics of this city,' Kozachik said.

In a letter to the Legislature on Tuesday, Mayor Regina Romero urged lawmakers to repeal the 2017 law that limits local governments from being able to stop the installation of cell towers.

'We recognize the benefits that 5G technology, and faster and more robust connections to the internet, can bring to Tucson, especially during the pandemic when access to internet is a necessity,' she said. 'However, it is imperative that residents and local governments are consulted before locations for poles are selected, which is not currently happening.'

EARLY CHILDHOOD EDUCATION

The council also voted to allocate an additional $1 million in federal COVID-19 funding to support Pima County's effort to provide funding for early childhood education.

The Pima County supervisors voted last week to allocate $10 million of the upcoming fiscal year budget to fund early childhood education

opportunities for 3-,4- and 5-year-olds from low-income families. The allocation from the city will bring that number to $11 million for a program that will specifically target families whose income is under 200% of the federal poverty level.

'During the pandemic, we have seen clearly that child care has diminished significantly, to a point where there is absolute concern about the infrastructure for child care and preschool for children, not just in Pima County, but also throughout the state and the country,' said Romero. 'This affects working families, especially women and moms that have had to leave their careers in droves because of the lack of child care during this pandemic.'

AMERICAN OVERSIGHT

The Board of Supervisors still has to approve the funding as part of its FY 2022 budget in May.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Audits find votes were counted correctly

County's machines not hacked, 2 reports say

By Jen Fifield
Arizona Republic
February 24, 2021

The results of Maricopa County's independent audit of 2020 election results are in.

The verdict: The election was sound.

Maricopa County on Tuesday released the results of election audits from two independent auditors it hired to verify that voting machines were not hacked, were not connected

to the internet and counted votes properly during the 2020 general election.

The auditors found that the county used certified equipment and software, no malicious hardware was found on voting machines, the machines were not connected to the internet, and the machines were programmed to tabulate ballots accurately, according to a letter from county election directors to the supervisors.

These results, along with the previous audits the county and political parties did and other security protocols "confirm that Maricopa County Elections Department's configuration and setup of the tabulation equipment and election management system provided an accurate counting of ballots and reporting of election results," county election directors Scott Jarrett and Rey Valenzuela wrote in the letter.

The county's Board of Supervisors will review the audit results at a 1 p.m. meeting today.

The results and results summary were posted Tuesday as an attachment to the meeting agenda.

Supervisors Chairman Jack Sellers said in a statement on Tuesday that the county was releasing the audit results "so that the public can see what we see and know what we know: no hacking or vote switching occurred in the 2020 election."

While this audit is complete, there is still a chance that one more will occur.

A Maricopa County Superior Court judge is set to hear a lawsuit from the supervisors asking the court to stop subpoenas issued by the Arizona Senate seeking 2020 ballots and voting machines so that the Senate could conduct its own audit of results.

The Senate wants the ballots in part so it can do another hand count of ballots — something not included in the county's latest audit, but that the county has done previously.

The Arizona Republic took an indepth look earlier this month at what kind of post-election audits are best.

AMERICAN OVERSIGHT

The findings of the audit

The supervisors hired the two outside firms, Pro V& V and SLI Compliance, to offer an independent look at the county's voting machines and election results.

Here is what the county-hired auditors examined and found in the two weeks they spent in Phoenix earlier this month:

h Pro V& V performed another logic and accuracy test on the tabulation machines to see that the "system correctly captures, stores, consolidates, and reports the specific ballot selections, and absence of selections, for each ballot position."Pro V& V found no issues.

h Both firms checked to see if the county is using certified hardware and software.The auditors inspected and verified the software and said it was certified.

h The firms examined what's called "hash values" — the code that dictates how the machine functions — to see if they were the same as when the machines were certified. If the hash code is different, that may indicate tampering. No hash value discrepancies were noted.

h The auditors also checked that hackers didn't install any software or hardware onto the machines by running malware tests and opening up the machines. They also conducted a network analysis to "ensure the network is a 'closed network' and can't reach the internet." No malicious hardware and software discrepancies were identified, and the firms did not see any proof of internet connectivity.

h The auditors examined all nine of the large tabulators that count ballots at the election center, a random selection of 20% of the county's precinct-based tabulators and a random selection of 40% of the county's adjudication stations. No issues were found with the machines.

The audit of voting machines cost the county about $56,815, according to estimates from both firms. An additional part of the audit, which will examine the county's procurement process to lease Dominion Voting System machines, will cost between $34,000 and $69,000, according to an estimate.

One firm's report more detailed than the other

SLI Compliance did five days of work with five team members, and Pro V& V did seven days of work with two team members, according to a county document.

SLI Compliance was much more thorough in the way it reported results, compared with Pro V& V. SLI Compliance called its audit a "forensic audit," while Pro V& V said its audit was a "field audit."

SLI Compliance's 18-page report shows every step that the auditors took, including a timeline of what was done each day.

Internet connectivity and hacking checks SLI Compliance gave details on how it checked to see whether any connection was made to the internet on the machines from July 6 to Nov. 20.

This is key because some claimed that this could have been how votes could have been switched after the election — although previous audits had found no proof of vote switching.

AMERICAN OVERSIGHT

This included checking whether there were any instances of the systems being connected to an internet-routed network, including manually inspecting system data, files, logs and settings.

One test found one log entry of a connection attempt on Aug. 26 — someone had attempted to search for how to adjust screen brightness. But the auditors did not find any evidence that the machine successfully connected to the internet, this time or any other time.

SLI Compliance also listed five malware programs, including a digital forensic tool, it ran to check whether malicious software had been installed — in other words, whether the machines had been hacked. The team also manually checked for any malware programs on the machines.

The auditors found no malware.

Logic and accuracy test on counting ballots

Pro V& V performed a logic and accuracy test on the voting machines to ensure the software "correctly captures, stores, consolidates, and reports the specific ballot selections and absences of selections for each ballot position."

Volunteers with the League of Women Voters scanned the ballots for this test, and election staff acted as poll workers if the volunteers had any issues.

The tests reviewed "1.5 million ballot positions," according to a county report, found "no evidence of vote switching" and "concluded that the equipment tabulated and adjudicated ballots accurately."

Pro V& V's report identified two times that a ballot jammed during the test, but no miscounted votes came from that.

Some questioned the depth of the county's audit, but the county has said that it was comprehensive and more indepth than any previous audit it had done.

Who is best to perform this type of audit?

County officials also emphasized the importance of hiring independent firms to perform the audit.

The county hired the only two firms accredited by the U.S. Election Assistance Commission to certify voting machines across the country, with officials saying they were the only companies that could be trusted with looking at the machines and their source code.

Yet, this connection alone — that the companies who certified the county's machines are now the ones auditing them — has some questioning whether there is a conflict.

The Republic found that, while there are still some questions, election consultants say the firms are probably best to do the work, simply because their background and conflicts have been vetted by the elections commission.

The Arizona Senate plans to try to find another independent firm to conduct its audit.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 1,184 new COVID-19 cases, 148 deaths

By Alison Steinbach
Arizona Republic
February 24, 2021

Arizona reported a relatively low 1,184 new COVID-19 cases and high 148 new known deaths on Tuesday as hospitalizations for the disease and percent positivity for tests continue to decline.

Arizona's seven-day new-case average ranked 17th on Monday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the past seven days was 21 cases per 100,000 people, according to the CDC. New York City was first with 49.6 cases per 100,000. The U.S. average for new cases was 19.4 cases per 100,000 people.

The state's average daily COVID-19 deaths per 100,000 people over the past seven days ranked sixth in the nation as of Monday, per the CDC.

Arizona's newly reported 148 deaths brought the known COVID-19 death count to 15,650.

In just over one year since the first case was announced in Arizona, a total of 810,658 COVID-19 cases have been identified across the state.

The Arizona data dashboard shows 84% of all ICU beds and 86% of all inpatient beds in the state were in use Monday, with 26% of ICU beds and 18% of non-ICU beds occupied by COVID- 19 patients. Statewide, 279 ICU beds and 1,177 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 1,515 on Monday, a slight drop from Sunday's 1,590 inpatients and far below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 447 on Monday, down from 478 on Sunday and below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 266 on Monday, down from 299 on Sunday and well below the record high 821 reached on Jan. 13.

Monday saw 1,072 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Reported cases in Arizona: 810,658.

Cases since the outbreak began increased by 1,184, or 0.15%, from Monday's 809,474 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

AMERICAN OVERSIGHT

Cases by county: 506,662 in Maricopa, 108,630 in Pima, 45,754 in Pinal, 36,348 in Yuma, 20,961 in Mohave, 16,937 in Yavapai, 16,298 in Coconino, 15,495 in Navajo, 11,067 in Cochise, 10,328 in Apache, 7,609 in Santa Cruz, 6,357 in Gila, 5,272 in Graham, 2,382 in La Paz and 555 in Greenlee, according to state numbers.

The Navajo Nation reported 29,551 cases and 1,145 confirmed deaths in total as of Monday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 11,903 inmates had tested positive for COVID-19 as of Monday, including 2,236 in Tucson, 2,005 in Yuma, 1,974 in Eyman, 1,307 in Lewis and 1,158 in Douglas; 43,602 inmates statewide have been tested. A total of 2,654 prison staff members have self-reported testing positive, the department said. Thirty- five incarcerated people in Arizona have been confirmed to have died of COVID- 19.

Arizona as of Monday had the sixth highest overall case rate in the country since Jan. 21, 2020. Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Rhode Island, Utah and Tennessee, according to the CDC.

Deaths by county: 8,909 in Maricopa, 2,180 in Pima, 774 in Yuma, 751 in Pinal, 631 in Mohave, 484 in Navajo, 450 in Yavapai, 371 in Apache, 307 in Coconino, 264 in Cochise, 211 in Gila, 166 in Santa Cruz, 72 in Graham, 71 in La Paz and nine in Greenlee.

The global death toll as of Tuesday morning was 2,476,826, and the U.S. had the highest death count of any country in the world, at 500,443, according to Johns Hopkins University. Arizona's death total of 15,650 deaths represents 3.1% of COVID-19 deaths in the U.S. as of Tuesday.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Who is auditing Maricopa County's election results?

By Jen Fifield
Arizona Republic
February 24, 2021

As Maricopa County and the Arizona Senate battle over who should audit the 2020 election results, The Arizona Republic looked into the companies that actually would do the work.

It matters, election consultants say, because these companies will be trusted with material that's typically kept private to keep elections secure.

The county Board of Supervisors hired two firms to conduct its audit, saying they are the only firms that should be trusted because they are the only two accredited by the U.S. Election Assistance Commission to certify voting machines for use in elections in Arizona and across the country.

Yet, this connection alone — that the companies who certified the county's machines are now the ones auditing them — has some questioning whether there is a conflict.

AMERICAN OVERSIGHT

The Republic found no proven connections between the two companies and Dominion Voting Systems, putting to rest one of the most widespread rumors. But The Republic found one of the firm's federal certification expired in 2017, although it remains in "good standing."

The Senate, which hasn't yet hired anyone to oversee its proposed audit, faced its own critics for considering a company with connections to the Trump campaign's efforts to overturn election results.

Elections consultants across the country say the two county-hired firms are probably the best, simply because they have been vetted by the elections commission.

Ben Ptashnik, founder and president of the National Election Defense Coalition, a bipartisan nonprofit that advocates for secure elections, compared giving a random company access to the voting systems to "giving the keys to your house to someone who you don't know."

Maricopa County elections employee Charles Cooley tabulates the few thousand remaining ballots at elections headquarters in Phoenix last Nov. 12.

Commission let certification lapse

Pro V& V and SLI Compliance are the only two firms accredited by the U.S. Election Assistance Commission to certify voting systems.

Voting systems are required to have this type of certification to be used in elections in many states, including in Arizona.

County officials say they did not pursue a public bidding process to choose the companies to do the latest audit because their priority was hiring companies accredited by the commission.

But, faced with "resource challenges" and other issues, the election commission hasn't audited these two companies in quite a while. The Republic found that Pro V& V's two-year certificate expired in 2017, and SLI Compliance's expired last month.

The commission says the companies remain in "good standing" because of a rule that says they will be in good standing as long as they reapply, which both companies have done.

SLI Compliance's reaccreditation was delayed by COVID-19, according to the commission.

For Pro V& V, reaccreditation was delayed due to a combination of "competing priorities, scheduling challenges, and resource challenges" along with a lack of quorum at the commission, according to Mona Harrington, executive director of the Election Assistance Commission There are four commissioners, two nominated in 2015 by then-President Barack Obama and two nominated in 2019 by then-President Donald Trump.

Jack Cobb, co-founder and laboratory director of Pro V& V, provided documentation showing that the commission audited the firm in 2018 and recommended approval of the accreditation, but it never took a final vote. He said he doesn't know why.

AMERICAN OVERSIGHT

Regardless, Harrington said, the commission is "confident that the integrity of the labs and our voting system certification program has remained strong throughout."

That's good news for Maricopa County, since Pro V& V certified the Dominion software the county used in the last election in 2019 — two years after its certificate had expired.

What qualified the county's auditors?

Cobb said he founded Pro V& V in 2011 and that it has 12 employees and two contractors.

Cobb said he has been testing voting systems since 2004 for three different laboratories, has served as the "state expert/ examiner" for Oregon, Pennsylvania and Virginia, and has performed testing for Georgia and North Carolina.

In a U.S. District Court case out of Georgia, Cobb submitted testimony to the court on his company's work certifying Dominion's software.

The judge wrote in an order last year that Cobb "does not have any specialized expertise in cybersecurity testing or analysis or cybersecurity risk analysis. Further, Mr. Cobb had not personally done any of the security testing referenced in his affidavits."

Cobb told The Republic he does not claim to be a cybersecurity expert.

"I am a voting system test expert," he said.

Cobb said that he was going to be doing the testing in Maricopa County, along with an employee whom he declined to name or give qualifications for.

SLI Compliance has been in business since 1997, according to Kevin Mullally, the company's vice president of government relations. It is a division of Gaming Laboratories, which has 875 employees, he said.

SLI employees have Certified Information Systems Security Professional and Certified Ethical Hacker certifications, according to Mullally. "We employ senior managers with extensive voting system testing experience and voting system test specialists," he said.

Using the two certified firms is the only way the county felt comfortable doing the audit, knowing that the companies already had gone through government background checks and that they would be qualified to do a thorough review of the county's systems, said Scott Jarrett, director of election day and emergency voting at the Elections Department.

But Senate President Karen Fann said the fact that the companies doing the audit are the same ones that certified the machines makes her question whether they are the best to do the job.

"You have the fox guarding the henhouse," Fann said.
No connections found between county audit firms and Dominion

One rumor has been that the firms were somehow associated with Dominion Voting Systems, the brand of vote tabulation machine and software that the county uses to process ballots.

AMERICAN OVERSIGHT

The Republic could not find any connections between Dominion and the known executives at Pro V& V and SLI Compliance.

Many claims about Dominion machines have been debunked.

Ryan Macias, a former acting director of the voting systems program at the U.S. Election Assistance Commission who specializes in election technology and security, said Pro V& V and SLI Compliance can be trusted because they were checked for conflicts of interest and issues of impropriety as part of getting their accreditation from the commission.

Macias said these companies also should be trusted to do the audit because they are among the few companies with a comprehensive understanding of voting systems and among the few that actually have access to voting systems through their certification.

A company without a complete understanding of all the aspects of the system — including the functionality and the security — should not be trusted to do a comprehensive audit, Macias said.

Giving an outside company access to county's voting systems

The Senate has not yet chosen who will do its audit.

The Senate considered a firm, Allied Security Operations Group, with connections to the Trump campaign's efforts to overturn election results in several states, according to documents the county released recently.

Fann said she is still researching and getting quotes from companies.

Newly elected Maricopa County Recorder Stephen Richer, along with the county supervisors and county election staff, has said that allowing anyone else besides certified companies to access the voting machines and their source code could jeopardize the integrity of voting systems here and across the country.

Ptashnik said allowing a company access to the county's voting systems opens the county up to potential hacking.

"They will know how that system can be hacked in the future," he said.

But Macias said the election community's viewpoints on the secrecy of voting systems are changing.

Whereas before, there was a reluctance by voting machine companies to have certain types of cybersecurity assessments and source code reviews conducted on their systems, the industry has "matured," and this is less of a concern now.

"There are more and more visibilities into the system as we move forward," he said.

Fann said she wants to find one or two good companies or people with "immaculate reputations" that the Senate can trust.

AMERICAN OVERSIGHT

"I have been spending hundreds of hours trying to track people down," she said.

Fann said she talked to officials for the U.S. Election Assistance Commission about this, and they told her that the type of post-auditing work that is being done and being considered here is "breaking new ground," so there aren't really established practices for it.

"This will set the standard moving forward," she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Bill would give Arizona businesses a choice on enforcing mask mandates

By Paulina Pineda
Arizona Republic
February 24, 2021

A Scottsdale Republican's proposal that would let businesses flout local and state mask policies recently cleared an initial hurdle in the Arizona Legislature.

Rep. Joseph Chaplik, R-Scottsdale, introduced House Bill 2770, which would make it optional for businesses to enforce mask mandates.

Some health groups and the League of Arizona Cities and Towns oppose the measure. It has also drawn scrutiny from business groups that supported Maricopa County's and other mask requirements.

The House Commerce Committee approved the bill on a 6-4 party-line vote, with Democrats voting against it.

Rep. Charlene Fernandez said her hometown of Yuma has been one of the hardest hit regions in the state, facing high rates of COVID-19 infections and death, and she couldn't support a measure that would undermine efforts to curb the virus' spread.

"We are wearing our masks, we are trying to be safe, and I really resent that this bill is being put forth today," she said during the Feb. 16 committee hearing.

Some worry the proposal could lead Arizona's COVID-19 metrics to slide just as they have been improving.

Robin Reed, CEO of the Black Chamber of Arizona, said COVID-19 cases climbed when the state eased off mitigation efforts. He worried that making masks optional could have the same effect.

Reed told The Arizona Republic that state leaders should study the impact of proposals before introducing bills.

"We can't be flippant with these types of bills," he said. "We owe our citizens to research what would happen if these mask mandates weren't in place."

Chaplik said his one-sentence bill is about giving businesses a choice and protecting people's "freedom and liberties."

AMERICAN OVERSIGHT

Several bills introduced this legislative session take aim at COVID-19 mitigation strategies, although most focus on curbing the governor's authority during an emergency.

Chaplik's proposal would not only undermine Gov. Doug Ducey's executive orders that require certain businesses, such as restaurants and gyms, to use masks, but city and county mask mandates as well.

Arizona has no statewide mask mandate, and local mandates vary. Some require businesses to enforce mask usage while others are less explicit about businesses' responsibilities.

Masks are the 'right thing to do'

The Arizona Chamber of Commerce and Industry and other business groups said they didn't advocate for and were unaware of the bill. The organizations and their members have long supported mask wearing and other pandemic protocols they say allow businesses to continue operating and keep employees safe.

The Arizona chamber worked with the Arizona Medical Association to launch a website that offers tips on safe operating practices for businesses in the pandemic. The first step listed is requiring face coverings. They sent a joint letter to the Maricopa County Board of Supervisors in September urging the board to keep the countywide mask mandate in place as the board faced pressure from residents to rescind the order.

"Safety is key to ensuring employees can work, children and young adults can learn, business and health care providers can operate and our economy can continue to thrive," the letter said.

Leaders of the Chandler, Glendale, Greater Phoenix, Scottsdale, Tempe and Wickenburg chambers sent the county a similar letter of support.

The Arizona chamber hasn't taken a position on Chaplik's bill, but "maskwearing is the right thing to do," said Garrick Taylor, with the chamber.

"We know that the vast majority of businesses are doing their very best to curb the spread of the virus in an extremely challenging business environment," he said.

The Arizona Small Business Association and the Arizona Restaurant Association offered similar positions.

Customer behavior rules aren't new

The Arizona Medical Association and the Arizona chapter of the National Association of Social Workers have come out against HB 2770.

Tommy Rock stops at the gas station in Kayenta on the Navajo Nation, where measures to curb the spread of the coronavirus have included nighttime curfews and requirements to wear masks in businesses.

AMERICAN OVERSIGHT

Arizona, which led the nation for cases of the virus through most of January, has seen improvements in recent weeks. Easing up on rules now could cause cases to surge again, said Dr. Joshua LaBaer, director of the Arizona State University Biodesign Institute.

LaBaer said masks are a short-term solution until more people are vaccinated.

The idea of having polices related to customer behavior isn't new, he said, pointing to businesses requiring customers to wear shoes and shirts or state and local laws that ban smoking in restaurants and other public places.

Americans aren't accustomed to mask use as they are in other countries, said LaBaer, who notes the same principle applies — rules that are in place for the general public's health.

"This virus is devastating," he said. "Anything we can do to prevent the spread of COVID-19 is something I think we should be doing."

'We shouldn't have to force it'

Chaplik, who edged out incumbent Jay Lawrence in August's Republican primary, campaigned to reopen businesses and the state's economy.

He said on his campaign website that the governor and city leaders took measures at the beginning of the pandemic based on limited knowledge of the virus but that it was time to start walking back some of those protocols.

Chaplik went on to defeat Democrat Erik Kurland for the second House seat in Legislative District 23, which spans Scottsdale and Fountain Hills, and was sworn in last month.

He didn't respond to The Republic's multiple requests to talk about his proposal.

Chaplik told KNST-AM's Garret Lewis in early February that people should have a choice on mask-wearing and that businesses shouldn't be tasked with policing that.

He said he talked to business owners and employees during his day-to-day errands and heard from many who were tired of wearing masks, didn't believe in mask use or didn't think it was their responsibility to force others to wear one.

His bill would not prevent businesses from requiring masks, but the decision would be left to the business. He said consumers could then choose which businesses to support based on their personal preference.

"(Businesses) get to make the choice if they want to enforce it or not," Chaplik said. "We shouldn't have to force it on everyone."

Chaplik said during the committee hearing that he received hundreds of emails in support of the bill from people who thought private businesses shouldn't be subject to government overreach or charged with policing customers.

AMERICAN OVERSIGHT

More than 200 people signed on in support of the bill and about 640 people signed in against it but no one from the public spoke during the hearing.

Chaplik owns a commercial real estate company and lives in north Scottsdale, which recently reinstated its local mask mandate. Then-Mayor Jim Lane had rescinded the city's mask policy in September as COVID-19 infections declined after a summer surge. The city's largest employer, HonorHealth, criticized the move.

Mayor David Ortega reinstated the mandate in January, a day after taking office.

Among larger metro Phoenix cities, Scottsdale has taken the toughest enforcement actions against businesses flouting pandemic-related rules, though police said education is the priority.

The city issued 10 citations, referred 14 cases for prosecution and made additional reports that could lead to charges as of late 2020, according to The Repub-lic's analysis. Some of the issues related to mask usage.

Among those cited was Self Made Training Facility. An owner of the Scottsdale gym held out on following COVID-19 rules, like mask wearing, because he disagreed with them. Eventually state health officials sought a court order to close the gym, and the owner in January agreed to follow mitigation measures to remain open.

Are businesses required to enforce masks?

Metro Phoenix police departments say their efforts have focused on gaining voluntary compliance with masks and other protocols. Most often individuals and businesses comply after officers explain the guidelines, they said.

But that approach has left businesses largely

responsible for ensuring customers comply with public health mandates, which can place store clerks and managers in tough spots.

Requirements that vary by city also complicates the situation.

Maricopa County and about half the Valley cities have issued mandates that require business employees that deal with the public to wear masks. Avondale and Peoria explicitly say businesses must require customers to use masks and must post notices of the policy at the entrance.

Mesa's mandate says businesses must refuse service to anyone without a mask.

Mandates in other cities, including Glendale, Scottsdale and Tempe, go a step further and require private businesses to ask anyone who refuses to wear a mask to leave, and they say allowing them to stay is a violation.

Businesses in Goodyear and Phoenix can refuse service to customers without masks, but the mandates don't specify that they must enforce face coverings or ask clients to leave. Surprise's mandate doesn't list any requirements for businesses.

AMERICAN OVERSIGHT

State reopening guidelines require restaurants, bars, gyms, movie theaters, casinos and shopping malls to enforce face coverings on masks but it's only encouraged for retail businesses.

Reed said businesses are concerned about the pandemic's economic impact and additional responsibilities. Some might think being more flexible on mask usage may bring in more customers and help keep their business afloat.

But choosing between "the ability to take care of your family's health over the ability to take care of your family economically is a very challenging place for anyone to be in. That's what's going on here," he said.

However, he said he hopes that businesses would continue to enforce mask use for the greater public good, regardless of whether it's required.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona reports 1,310 new COVID-19 cases, 43 more deaths Wednesday

BY KTAR.COM
KTAR News
February 24, 2021

WASHINGTON, DC - FEBRUARY 23: Speaker of the House Nancy Pelosi (D-CA), Senate Majority Leader Charles Schumer (D-NY) and Senate Minority Leader Mitch McConnell (R-KY) join fellow members of Congress to observe a moment of silence on the steps of the U.S. Capitol, on February 23, 2021 in Washington, DC. Congressional leaders held a candlelight ceremony to mark the more than 500,000 U.S. deaths due to the COVID-19 pandemic.

This is a regularly updated story with the latest information about the coronavirus and its impact in Arizona and beyond for Feb. 24, 2021.

PHOENIX – Arizona officials on Wednesday reported 1,310 new coronavirus cases and 43 additional deaths from COVID-19.

The state's documented totals were updated to 811,968 coronavirus infections and 15,693 fatalities, according to the Arizona Department of Health Services' COVID-19 dashboard.

After spiking to record highs in the first part of January, case and hospitalization numbers have fallen to pre-Thanksgiving levels in Arizona.

The number of confirmed or suspected COVID-19 inpatients in the state's hospitals decreased to 1,449 on Tuesday, the fewest since Nov. 12. The number of ICU beds used by COVID-19 patients declined to 430, the fewest since Nov. 17.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, has been trending downward since the start of the year.

Christ says weather delays unlikely to slow Arizona vaccine progress
Of the 81,434 people tested last week, 9% received a positive result, the same as the previous week, which was the lowest mark since October. So far this week, the positive rate is 8% through 9,881 people tested.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The seven-day average for the state health department's newly reported coronavirus cases has plateaued over the last week and was 1,559.71 for Tuesday, according to tracking by The Associated Press.

The seven-day average of newly reported deaths bounced up to 112 for Tuesday, the highest since Feb. 15.

AMERICAN OVERSIGHT

In Tuesday's update from the U.S. Centers for Disease Control, Arizona was sixth in the nation for COVID-19 deaths per capita over the last seven days and 14th in cases. Arizona led the U.S. in both categories at times in January.

The Arizona health department's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

For information about statewide vaccine availability, the ADHS website has a vaccine-finder page with a map of locations and information about registration.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

States rush to catch up on delayed vaccines, expand access

BY ASSOCIATED PRESS
KTAR News
February 24, 2021

HOUSTON (AP) — A giant vaccination center is opening in Houston to administer 126,000 coronavirus doses in the next three weeks. Nevada health officials are working overtime to distribute delayed shots. And Rhode Island is rescheduling appointments after a vaccine shipment failed to arrive as scheduled earlier in the week.

From coast to coast, states were scrambling Tuesday to catch up on vaccinations a week after winter storms battered a large swath of the U.S. and led to clinic closures, canceled appointments and shipment backlogs nationwide.

But limited supply of the two approved COVID-19 vaccines hampered the pace of vaccinations even before extreme weather delayed the delivery of about 6 million doses.

The White House promised on Tuesday that help is on the way.

AMERICAN OVERSIGHT

States can expect about 14.5 million doses of the coronavirus vaccine this week, an almost 70% increase in distribution over the past month, White House press secretary Jen Psaki said Tuesday. And White House coronavirus coordinator Jeff Zients told governors on Tuesday that the number of doses sent directly to pharmacies will increase by about 100,000 this week, Psaki said.

The stepped-up efforts come as the COVID-19 death toll in the U.S. surpassed 500,000, far more than any other country.

More than 44 million Americans have received at least one dose of either the Pfizer or Moderna vaccine, and about 1.4 million per day received either a first or second dose over the past seven days, according to the Centers for Disease Control and Prevention.

Although average daily deaths and cases have been falling, some experts say not enough Americans have been inoculated for the vaccine to be the reason. The decline instead is attributed to the passing of the holidays, more people staying indoors during the winter and better adherence to mask rules and social distancing.

What's more, they warn that dangerous variants could cause the trend to reverse itself. States are responding by simultaneously trying to catch up from last week's pause and gear up to vaccinate more people in coming weeks.

Houston's federally funded vaccination site will open Wednesday at NRG Park, operating seven days a week for three weeks to distribute 126,000 first doses, before transitioning to second doses, officials said.

Texans are recovering from a devastating winter storm that killed at least 35 people, left millions without power and water, and delayed vaccinations.

"It's been trauma after trauma, and people deserve some good news, some hope," said Harris County Judge Lina Hidalgo, the county's chief elected official.

In Buda, Texas, retired teachers Donna and Gerald Haschke, both 74, were supposed to get their second doses last week but their appointments were canceled three times because of the storm. They're scheduled to receive doses on Thursday.

The couple are eager to get completely vaccinated after months of having to scale back all their activities because of the coronavirus. Gerald Haschke has heart stents and Donna Haschke has atrial fibrillation, she said.

"My cardiologists said, 'You do not want to get COVID,'" Donna Haschke said. "I said, 'No, I don't.' To me that was a warning that I need to stay home."

In Mississippi, where COVID-19 vaccinations plummeted last week amid freezing temperatures and icy roads, health officials were automatically rescheduling appointments, and planned to schedule more than normal through the weekend.

AMERICAN OVERSIGHT

The state Department of Health said Monday that just 32,540 vaccinations were given in the state last week, down from 106,691 the previous week.

Nevada Gov. Steve Sisolak said Monday that 46,000 doses of Moderna's COVID-19 vaccine that were delayed by weather began arriving in the state. The head of the state's Bureau of Child, Family and Community Wellness said officials would work overtime to administer those doses along with this week's regularly scheduled shipment.

President Joe Biden has said that every American who wants a vaccine will be able to get one by the end of July.

But demand continues to outpace limited supplies distributed by the U.S. government.

Executives from five companies with contracts to supply shots to the U.S. — Pfizer, Moderna, Johnson & Johnson, AstraZeneca and Novavax — testified about supply issues Tuesday before Congress' Energy and Commerce Committee.

Looking ahead to summer, Pfizer and Moderna executives said they expect to complete delivery of 300 million doses each, and J&J aims to provide an additional 100 million doses — more than enough to vaccinate every American adult.

Arizona will increase vaccinations by opening its fourth state-run mass vaccination clinic, state health department officials said. In addition, transportation costs to and from vaccination appointments now will be covered for people enrolled in Arizona's Medicaid program, Gov. Doug Ducey said.

"This change will make it easier for our most vulnerable Arizonans … to get vaccinated," Ducey said.

California Gov. Gavin Newsom said 11 mobile clinics will open in California's vast Central Valley, an agricultural region that's been hit hard by the coronavirus. They'll be used mainly to vaccinate farmworkers who don't have transportation to larger vaccination sites or can't navigate the state's online signup portal.

Newsom said the state also is sending 34,000 extra vaccine doses to that area from a pharmacy that wasn't using them quickly enough.

Meanwhile, Tenessee's top health official said Tuesday that more than 2,400 doses of the COVID-19 vaccine went to waste over the past month in Shelby County, which encompasses Memphis, while local officials sat on tens of thousands of shots that they thought had already gone into arms.

Health Commissioner Lisa Piercey said a Department of Health investigation over the weekend found issues dating to Feb. 3 that included spoiled doses, an excessive vaccine inventory, insufficient record-keeping and no formal process to manage soon-to-expire vaccines. A federal investigation is also expected.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona lawmakers ponder raising notoriously low unemployment benefit
BY ASSOCIATED PRESS
KTAR News
February 24, 2021

Arizona Capitol.— Arizona's super-low $240 maximum weekly unemployment benefit would increase to $320 by mid-summer and employers would have a small increase in their premiums under a new proposal unveiled Tuesday by Republican Senate President Karen Fann.

Fann's proposal appears to have bipartisan support in the Senate but differs from a plan backed by all House Democrats and some House Republicans.

Rep. David Cook, the House sponsor, questioned how Fann can justify an additional $20 per week over his plan without further boosting premiums.

The state's weekly unemployment pay is the 2nd lowest in the nation, above only Mississippi's $235, and would increase to $320 under Fann's proposal.

It would rise to $400 when the state's nearly depleted unemployment trust fund is back at normal levels of about $1.5 billion. At $320 a week, Arizona would still pay the 5th lowest weekly rate in the U.S.

In addition, laid-off workers would be able to take more part time work without losing their benefits. Arizona currently allows workers to earn only $30 a week before benefits are reduced. That amount would rise to $160 under the both proposals.

"Its keeps the employee engaged in the workforce," Fann told the Senate Appropriations Committee, which advanced the measure on a 9-1 vote.

"It's kind of like school," she added. "If you drop out of school its very difficult to get them to go back in. But if they keep engaged with their workforce colleagues, if they feel like they're part of that whole work, they are more likely to back to work."

Employers who currently pay premiums on the first $7,000 of yearly wages would see that increased to $8,000 on Jan. 1 and $9,000 in wages in January 2023.

That would boost the current premium average of about $160 a year by $10 to $15, according to figures Cook provided.

Cook said he is optimistic that the Senate and House will come to an agreement of some kind, and believes his proposal boosted the momentum for the Senate to act. But while he wants to boost unemployment pay, it must be paid for, and he's not sure Fann's plan does that.

"Here's the deal – their bill increases benefits more weekly, but the question is are they achievable and are they paid for," Cook said.

Cook said he set his new maximum unemployment rate at $300 based on calculations of increased premium revenue and questioned how Fann got to $320 a week. His plan also increases the "income disregard" to $160.

AMERICAN OVERSIGHT

But Fann's plan limits benefits to 20 weeks, down from the standard 26 weeks, when unemployment levels drop below 6%. Above that level, the standard 26 weeks apply. And there are times, such as the current coronavirus pandemic, when that is extended by either federal or state action.

Fann said before January's legislative session started that an increase in unemployment pay wasn't in the works this year because of concerns it would hurt businesses. But she said Senate Democrats and some Republicans persuaded her to act now.

Her proposal phases in both premium and pay increases to limit the impact to businesses.

"Remember we're still in the middle of a COVID crisis and we have a lot of businesses that are still trying to get back on their feet much less survive," Fann said in an interview. "This is why we need to phase this in a little bit and take a couple steps both for the people receiving benefits and for the people paying the premiums on this."

Fann said the business community and the Arizona Chamber of Commerce and Industry support her plan.

But Garrick Taylor, the chamber's interim president and CEO, said that's not exactly true. The group wants to work with both parties to modernize the unemployment system, but can't fully back either plan now because of uncertainty about the unemployment trust fund balance and the potential for more federal relief.

"We want to keep the unemployment insurance trust fund healthy, and we want to limit harm to employers who are responsible for contributing to the trust fund, especially during a soft economy brought on by the pandemic," Taylor said.

Arizona's unemployment soared after layoffs triggered by the pandemic in March. The trust fund, which builds up cash during periods of low unemployment, was at $1.1 billion before the pandemic hit a year ago.

This week, it is below $90 million, although Republican Gov. Doug Ducey plans to use $134 million in federal virus relief funds to boost that balance.

Return to the table of contents

Maricopa County says election audits prove 'no hacking or vote switching'

BY KEVIN STONE
KTAR News
February 24, 2021

PHOENIX – Maricopa County said Tuesday that its election equipment and software passed all tests done during audits by two independent firms.

AMERICAN OVERSIGHT

“We are releasing the results of those audits today so that the public can see what we see and know what we know: no hacking or vote switching occurred in the 2020 election,” Maricopa County Board of Supervisors Chairman Jack Sellers said in a press release.

The Board of Supervisors, which consists of four Republicans and one Democrat, authorized the audits by SLI Compliance and Pro V&V after the county was pressured by Republicans questioning the validity of President Joe Biden’s victory in the Phoenix area and statewide.

“As a result, the Board of Supervisors asked two firms to independently look at the security and reliability of our election equipment and processes and to let us know if they found any evidence of equipment malfunction or foul play that might have changed the outcome of any race,” Sellers said.

“The firms we hired are the only two in the United States certified to do this work. We asked them to go beyond what we had already done to ensure the integrity of our elections and beyond even the stringent requirements of state law.”

The Board of Supervisors will hold a special meeting to review the audits at 1 p.m. Wednesday. More about the audits is available on the county’s website.

The independent firms started their reviews on Feb. 2. It was in addition to equipment testing and hand count audits conducted before and after the Nov. 3 election that also confirmed the accuracy of the results.

“With the completion of these two independent audits, in addition to the hand count audit completed by the political parties and accuracy tests before and after the election, we have an opportunity as a community to work from a shared set of facts,” Supervisor Bill Gates said in the release.

“Our ability to do that will determine the strength of our republic. The facts are the voting machines in Maricopa County counted ballots accurately and were not compromised in any way during the November General Election.”

The Board of Supervisors expressed confidence in the results all along but felt the additional audits would help restore confidence following a barrage unfounded claims of voter fraud and other irregularities made by President Donald Trump and his allies.

The GOP-controlled Arizona Senate has been trying to get Maricopa County officials to turn over equipment, ballots and other election materials so it can do its own audit.

The Board of Supervisors turned over certain materials but maintained that it would break state law to release some of the requested items.

Senate GOP leaders attempted to hold the board in contempt for not complying with a subpoena. However, the contempt resolution failed when one Republican, Sen. Paul Boyer, voted against it.

If it had passed, the five county supervisors could have been subject to immediate arrest.

The supervisors said they respect the power of the Legislature to issue subpoenas and have provided much of the information lawmakers requsted. But they maintained that it would be illegal to turn over

AMERICAN OVERSIGHT

the ballots and also said allowing access to voting machines by unqualified personnel would render them useless in future elections.

The validity of Maricopa County's elections have also withstood a variety of legal challenges. The longest-running was a lawsuit filed by Arizona GOP Chairwoman Kelli Ward, which was shot down in the Arizona court system before being put to bed Monday when the U.S. Supreme Court refused to hear it.

"The audits clearly dispel the notion that somehow the November election was rigged," Supervisor Steve Gallardo, the board's only Democrat, said in the release. "Whether you liked the results or not, the will of the people was represented.

"Our equipment worked. Our people were above reproach. I've said it before and I'll say it again: 2020 elections in Maricopa County were safe, secure, and accurate. End of story."

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Flagstaff City Council approves zoning change for Sky Cottages

By Adrian Skabelund
Arizona Daily Sun
February 24, 2021

Flagstaff City Council unanimously approved a zoning change for a new development last week that hopes to bring affordable and sustainably built units along a section of Woody Mountain Road.

The Sky Cottages development, a project by the longtime Flagstaff developer Vintage Partners, is on about 23 acres and will be a new section of the Timber Sky project.

The area had been zoned rural residential, but Council approved the change to medium density residential.

The development could bring as many as 208 single-family rental units, with about half made up of one-bed, one-bath homes. A quarter of the units would be two-bedroom, two-bathroom homes, while a final quarter would be three-bedroom, two-bathroom structures.

The single-family nature of the project means that, unlike a traditional apartment complex, all the units will have their own front door to the outside rather than a hallway connecting them. Many units also might have private yards or patios.

During the discussions over the project earlier this month, several councilmembers said they were impressed by what Vintage Partners had brought to them and hoped the project could help set a new standard that other developers would seek to meet in the future.

Walter Crutchfield with Vintage Partners told Council earlier this month that he hopes the project represents one step in the right direction for Flagstaff as the city works on its climate action plan and struggles with housing affordability.

Among the measures taken toward sustainability are that every home within the project will use electric appliances and heating so that the development will not use any natural gas. Additionally, the development will include three electric vehicle charging stations and at least 20 of the units will be built with solar panels already installed on them.

Developers also say they plan to build the homes in a new and innovative way that means each unit will have a significantly lower initial carbon footprint.

Vintage Partners will also be building a new portion of Flagstaff Urban Trail System along the section of Woody Mountain Road that borders the development. The city has future plans to eventually extent the FUTS along West Route 66 and down a section of Woody Mountain Road.

Per an agreement with the city, 10% of the projects units will be set aside as part of the city's affordable housing incentive policy. That will mean 20 units within the development will be designated for residents making 80% of the area's median annual income for 30 years.

AMERICAN OVERSIGHT

Based on the numbers determined by the Department of Housing and Urban Development for 2020, a family of four bringing in no more than $60,150 annually would be able to rent those units and pay only 30% of their income.

Additionally, Crutchfield told Council that even for the units that are to be rented at market rate, he hopes to keep the cost of rent as low as possible.

According to Vintage Partners, units will not be used as short term rentals or rented by the bed, a practice popular for student-focused projects.

The project is located just across the street from several other existing developments. Just across Woody Mountain Road, for instance, is Presidio in the Pines and just down the road is Equestrian Estates.

Now that the city council has approved the change in zoning, construction could begin within the next 12 months.

Return to the table of contents

Audits find no problems with Arizona election equipment

By BOB CHRISTIE
Arizona Daily Sun
February 24, 2021

PHOENIX (AP) — Two independent audits of election equipment in Arizona's most populous county found no modified software, malicious software or incorrect counting equipment, and none of the computers or equipment were connected to the internet.

However, the state Senate wants its own audit and a judge will decide if it gets access to ballots and other materials that Republican lawmakers are seeking.

The independent audit results released by Maricopa County on Tuesday also included a “logic and accuracy test” by one of the certified firms that examined the equipment. It confirmed multiple earlier tests overseen by the county and the Arizona secretary of state's office that found the tabulation equipment properly counted votes. Hand counts of a sample of ballots also came out perfect.

A review of the county's contract with its machine provider, Dominion Voting Systems, by an accounting firm is expected to be completed March 31.

Republicans who control the Arizona Senate are demanding the county turn over the vote-counting machines and 2.1 million ballots so it can audit the results that saw Democratic President Joe Biden win in Arizona.

Senate President Karen Fann said Tuesday the county agreed to two independent forensic audits of the results and argued that's not what it did.

“That’s what we agreed on, and that’s not what we got,” Fann said. “One of the companies that did it was a company that all they do is certify machines — they do not do an audit.”

AMERICAN OVERSIGHT

The Senate issued subpoenas in December and again in January that demanded access to the county's election materials. The county Board of Supervisors turned over reams of data but balked at handing over the actual ballots or the tabulation machines, saying the ballots were by law secret and the machines would be compromised.

The Senate fell one vote short earlier this month of finding the Republican-dominated board in contempt for not producing all the material the subpoenas demanded. The board has asked a court to block the subpoenas, and a hearing is set for Thursday.

County attorneys are urging a judge to quash the subpoena, arguing that laws enacted by the Legislature require ballots to be sealed after the election and they can only be unsealed under a court order and only for a recount or during an election contest.

They allege Fann and other GOP lawmakers are trying to conduct an illegal recount.

Attorneys for the Legislature call the arguments raised by the supervisors flawed, saying that the laws cited by the county are intended as limits on public access, not access demanded by the same Legislature that made the laws.

Jack Sellers, the Republican board chair, said the audits done by the only two firms certified by federal elections officials confirmed November's election was free, fair and accurate.

"No hacking or vote switching occurred in the 2020 election," Sellers said in a statement.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Legislature mulls raising Arizona's low unemployment pay

By BOB CHRISTIE
Arizona Daily Sun
February 24, 2021

PHOENIX (AP) — Arizona's super-low $240 maximum weekly unemployment benefit would increase to $320 by mid-summer and employers would have a small increase in their premiums under a new proposal unveiled Tuesday by Republican Senate President Karen Fann.

Fann's proposal appears to have bipartisan support in the Senate but differs from a plan backed by all House Democrats and some House Republicans.

Rep. David Cook, the House sponsor, questioned how Fann can justify an additional $20 per week over his plan without further boosting premiums.

The state's weekly unemployment pay is the 2nd lowest in the nation, above only Mississippi's $235, and would increase to $320 under Fann's proposal.

It would rise to $400 when the state's nearly depleted unemployment trust fund is back at normal levels of about $1.5 billion. At $320 a week, Arizona would still pay the 5th lowest weekly rate in the U.S.

AMERICAN OVERSIGHT

In addition, laid-off workers would be able to take more part time work without losing their benefits. Arizona curretly allows workers to earn only $30 a week before benefits are reduced. That amount would rise to $160 under the both proposals.

“Its keeps the employee engaged in the workforce,” Fann told the Senate Appropriations Committee, which advanced the measure on a 9-1 vote.

“It’s kind of like school," she added. "If you drop out of school its very difficult to get them to go back in. But if they keep engaged with their workforce colleagues, if they feel like they’re part of that whole work, they are more likely to back to work.”

Employers who currently pay premiums on the first $7,000 of yearly wages would see that increased to $8,000 on Jan. 1 and $9,000 in wages in January 2023.

That would boost the current premium average of about $160 a year by $10 to $15, according to figures Cook provided.

Cook said he is optimistic that the Senate and House will come to an agreement of some kind, and believes his proposal boosted the momentum for the Senate to act. But while he wants to boost unemployment pay, it must be paid for, and he's not sure Fann's plan does that.

“Here’s the deal – their bill increases benefits more weekly, but the question is are they achievable and are they paid for,” Cook said.

Cook said he set his new maximum unemployment rate at $300 based on calculations of increased premium revenue and questioned how Fann got to $320 a week. His plan also increases the “income disregard” to $160.

But Fann's plan limits benefits to 20 weeks, down from the standard 26 weeks, when unemployment levels drop below 6%. Above that level, the standard 26 weeks apply. And there are times, such as the current coronavirus pandemic, when that is extended by either federal or state action.

Fann said before January's legislative session started that an increase in unemployment pay wasn't in the works this year because of concerns it would hurt businesses. But she said Senate Democrats and some Republicans persuaded her to act now.

Her proposal phases in both premium and pay increases to limit the impact to businesses.

“Remember we’re still in the middle of a COVID crisis and we have a lot of businesses that are still trying to get back on their feet much less survive,” Fann said in an interview. “This is why we need to phase this in a little bit and take a couple steps both for the people receiving benefits and for the people paying the premiums on this.”

Fann said the business community and the Arizona Chamber of Commerce and Industry support her plan.

But Garrick Taylor, the chamber's interim president and CEO, said that's not exactly true. The group wants to work with both parties to modernize the unemployment system, but can't fully back either plan

AMERICAN OVERSIGHT

now because of uncertainty about the unemployment trust fund balance and the potential for more federal relief.

“We want to keep the unemployment insurance trust fund healthy, and we want to limit harm to employers who are responsible for contributing to the trust fund, especially during a soft economy brought on by the pandemic,” Taylor said.

Arizona's unemployment soared after layoffs triggered by the pandemic in March. The trust fund, which builds up cash during periods of low unemployment, was at $1.1 billion before the pandemic hit a year ago.

This week, it is below $90 million, although Republican Gov. Doug Ducey plans to use $134 million in federal virus relief funds to boost that balance.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ducey orders flags lowered to honor those lost to COVID-19

Arizona Daily Sun
February 24, 2021

PHOENIX (AP) — Arizona Gov. Doug Ducey has joined President Joe Biden in ordering the lowering of flags for five days starting Tuesday to honor the thousands of lives lost due to COVID-19.

Ducey said in a statement Monday that “every life is precious" and that Arizona was grieving and praying for all the lives lost to the disease,

Arizona's death toll from the coronavirus passed 15,000 last week while COVID-19 as of Monday had claimed over 500,000 lives nationwide.

Biden late Monday delivered a eulogy at the White House, saying the nation was marking a “grim, heartbreaking milestone" but “will smile again."

Arizona on Tuesday reported 1,184 additional confirmed COVID-19 cases and 148 deaths, increasing the state's pandemic totals to 810,658 cases and 15,650 deaths.

The number of COVID-19-related hospitalizations and rolling seven-day daily averages of new cases and deaths continued to decrease, according to the state's coronavirus dashboard and The COVID Tracking Project.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, February 24, 2021 2:34:09 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes February 24, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

February 24, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report*

AMERICAN OVERSIGHT

are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

House Health & Human Services

Monday 03/01/21 at 2:00 PM, House Rm. 4

S1001: BREAST IMPLANT SURGERY; INFORMED CONSENT

S1011: MATERNAL MENTAL HEALTH; ADVISORY COMMITTEE

S1017: INFORMED CONSENT; PELVIC EXAMINATIONS

S1018: DCS; REPORT REQUIREMENT

S1085: NURSING-SUPPORTED GROUP HOMES; LICENSURE

S1088: CONTROLLED SUBSTANCES; SCHEDULE DESIGNATION

S1089: BEHAVIORAL HEALTH PROFESSIONALS; UNAUTHORIZED PRACTICE

S1090: OUTPATIENT TREATMENT CENTERS; BEHAVIORAL HEALTH

S1096: COMMERCIAL DRIVER LICENSES; THIRD PARTIES

House Military Affairs & Public Safety

Monday 03/01/21 at 2:00 PM, House Rm. 1

S1172: VETERANS' HOME FACILITY; MOHAVE COUNTY

S1336: VEHICLE IMPOUNDMENT; EXCEPTIONS; STORAGE CHARGES

S1443: MILITARY FAMILY RELIEF FUND

Senate Government

AMERICAN OVERSIGHT

Monday 03/01/21 at 2:00 PM, Senate Rm. 1 ***REVISED [02/24/21]***

H2009: BUDGET UNITS; ENCUMBRANCE DOCUMENTS; EXCEPTION

H2030: HOMEOWNERS' ASSOCIATIONS; FIRST RESPONDER FLAGS

H2049: EMINENT DOMAIN; EXISTING CONTRACTS

~~H2051: PROCUREMENT; INFORMATION DISCLOSURE; BIDDERS~~

H2052: HOMEOWNERS' ASSOCIATIONS: POLITICAL; COMMUNITY ACTIVITY

H2054: VOTER REGISTRATION DATABASE; DEATH RECORDS

H2265: RULEMAKING; EXPEDITED PROCESS; RULE EXPIRATION

H2400: MUNICIPAL ORDINANCES; POSTING

Senate Transportation & Technology

Monday 03/01/21 at 2:00 PM, Senate Rm. 109

H2006: SPEED LIMITS; ROADWAY TURN OFF

H2046: DISABILITY LICENSE PLATES; MINORS

H2143: ADOT REVISIONS

H2159: SCHOOL BUS DRIVERS; LICENSE REQUIREMENTS

H2173: COMMERCIAL DRIVER LICENSES; RENEWAL TIME

H2187: DUI; ADMINISTRATIVE SUSPENSION; LICENSE

H2396: ONLINE DATING FRAUD; MEMBER NOTICE

NEWS NOTES

SOURCES: BURGES, PRATT IN CAR ACCIDENTS LAST WEEK

Burges, who was admitted to the hospital for tests today following a car accident last week, Zoomed into the House floor session from her hospital bed, salvaging the slim 31-vote majority on one of the busiest weeks of the session. The House sought to press forward and third read more than 100 bills on the calendar as she voted from the hospital as of our deadline. Pratt was also involved in an accident last week - he was struck by a car while he was visiting a post office in Casa Grande, multiple sources

AMERICAN OVERSIGHT

with knowledge of the accidents told our reporter today. "He can't catch a break," one source said, noting he was the victim of a home invasion in 2010 that left him bloodied, tied up and unconscious for several hours. The source marveled that the tough old cowboy hasn't slowed down. Pratt has been walking around in a sling. Burges has been "as upbeat as can be" yesterday, one source inside the building said. A follow up visit to the doctor today led to her hospital visit for more tests.

SHOPE ASKS FANN TO WITHDRAW SPORTS BETTING BILL FROM GOWAN'S PANEL

Shope told our reporter he will ask Fann to withdraw his S1797 (fantasy sports betting; event wagering) from appro after Gowan failed to hear it yesterday. Senate com approved S1797 on a 6-3 vote and it was scheduled for a hearing in appro yesterday, but Gowan instead opted to amend it onto his S1794 (historic race wagering). Shope's S1797 and Weninger's mirror H2772 are supported by tribes and Ducey, who are negotiating a new gaming compact, but the tribes oppose Gowan's bill. "I'm sure the tribes would vehemently oppose the Gowan bill even if it had my language on it," Shope texted.

LONG DAY, LONG WEEK, LONG MONTH

The House gaveled in Wednesday morning predicting a long day, with 50 bills on third reading and 74 more bills on 11 COW calendars. As of 1 p.m. the House was in the middle of the fifth COW calendar of the day, debating H2248 (corporation commission; electric generation resources), a bill to increase legislative power over the Corp Comm, which legislative Democrats and other opponents of the bill argue is unconstitutional. Burges was absent Wednesday morning and wasn't back as of press time, meaning the Republicans didn't have the votes to pass anything controversial, and, as of press time, the House still hadn't taken up many of the most controversial bills that are on the day's calendars. The House went into third reading once this morning, passing 14 mostly uncontroversial bills, none of which got fewer than 47 votes and most received unanimous support.

~~ACTIONS~~ DUCEY'S TWEET SPEAK LOUD~~ER THAN WORDS~~

Boyer and the group of Black leaders supporting his S1452 (Arizona Empowerment Scholarships Accounts; revisions) met with Ducey yesterday to discuss school choice. Ducey posted several photos of the meeting to Twitter. "Thank you to the pastors from across Arizona who met today to discuss opportunities to expand school choice, close the achievement gap, and enhance opportunities for students and families in need,"

AMERICAN OVERSIGHT

Ducey wrote. While Ducey as a rule doesn't comment on legislation, publicizing his meeting with Boyer and supporters sends a signal to the Legislature that he supports S1452, a week after several GOP senators tried to kill it in a fit of pique. Bowers yesterday referred the bill to House ways-means, ignoring the Senate's request to send it back. In the House, both Udall and John indicated a reluctance to support voucher expansions.

MENDEZ CHANNELS INNER BOYER

The Senate narrowly passed Mesnard's S1498 (board of supervisors; membership) out of COW yesterday after Mendez broke with other Dems to support the bill when Rios called for division. Maricopa and Pima County supervisors vehemently oppose the measure, which would increase their boards to nine and seven members, respectively. Mesnard argues it's a way to improve representative democracy, saying a Maricopa County supervisor can't effectively represent a constituency of 900,000 people. And while this bill, and his plan to grow the House to 90 members, would end up increasing the size and cost of government, he said it's incorrect to call it government expansion. Boyer was late to the floor because of a meeting with Ducey, and Rios jumped at the chance to potentially kill the bill in COW by calling division. Instead, Mendez first tried to sit out the vote and then told Shope to count him with the Republicans who voted yes, giving S1498 the 16 votes it needed. The bill is on today's third-read calendar.

WHAT A STREAK

On a 14-16 vote, the Senate yesterday failed Gowan's S1330 (TPT exemption; livestock; watering equipment). It's the second Gowan bill to fail on the floor this year, but only the fifth overall. His S1128 (library; archives public records; museum) went down, 15-15, last week because Boyer decided the power to oversee the museum belongs with the secretary of state, no matter who holds that office. Gowan also led the Senate in failed bills in 2020, when he sponsored 4 of the 11 bills that failed on the floor. In 2019, only four bills failed the Senate - one each for Gowan, Borrelli, Mesnard and Boyer.

TESTING THE WATERS, GOWAN EDITION

After taking testimony near the end of a day-long appro meeting, Gowan ended up holding his SCR1006 (s/e special session; election), saying he just wanted to start a conversation. The committee heard from several voting rights groups, including the Arizona Advocacy Network and LUCHA, about how Gowan's plan to have voters

AMERICAN OVERSIGHT

decide in 2022 whether they want to cede the power to pick presidential electors to the Legislature is an awful idea. The sole supporter was Townsend, who urged watchers to read the Arizona Constitution and learn that the Legislature already has the power to pick electors. (Arizona, like most states, delegated that power to voters and requires electors to vote for the winner of the state's popular vote.)

HOW NOT TO TRIGGER PROP 108

The Senate's rules attorney today confirmed what Fann heard from Legislative Council – she doesn't need a two-thirds vote to pass her unemployment benefit-increasing S1411 (s/e unemployment insurance). Republicans on appro asked whether the bill would trigger the the supermajority requirement of 1992's Prop 108, which requires the higher threshold for any vote that would result in a net increase in state revenues. S1411 would raise unemployment taxes paid by employers, but legislative attorneys say that doesn't trigger Prop 108 because the unemployment fund is a separate fund and unemployment taxes never pass through the general fund.

SENATORS TO COUNTY SUPERVISORS: WITH FLYING COLORS?

Maricopa County's announcement yesterday afternoon that its voting equipment passed its latest two audits with flying colors failed to satisfy senators who still want their own audit of county voting equipment and ballots. Petersen told our reporter the county's attorney argued in court that its audits aren't really audits, and the Senate's quest must continue. "Yes, we still need an audit. We want to look at the ballots," he said. The Senate and Maricopa County return to court tomorrow at 9 a.m.

CRIMINAL JUSTICE REFORM ACTIVIST SAYS A PRAYER

Alice Johnson, who served 21 years in federal prison on a cocaine trafficking conviction until former President Donald Trump commuted her sentence in 2018, delivered the House's opening prayer Wednesday. She was there as a guest of Blackman. Trump decided to release Johnson after celebrity Kim Kardashian lobbied her case, later granting her a full pardon in 2020. Johnson has been a criminal justice reform advocate since her release, and spoke at the Republican National Convention in 2020.

LEGISLATIVE LEADERS REIGNITE OLD FEUD WITH CORPORATION COMMISSIONERS

As the *Yellow Sheet Report*, our sister publication, noted yesterday, House and Senate

AMERICAN OVERSIGHT

leaders and the Corp Comm are in the middle of a feud that, for all practical purposes, has its origins in the debate over the contours of the utility regulators' authority. In its most recent incarnation, this feud manifested itself in acerbic letters between legislative leaders and former Corp Comm chair Bob Burns, who also served as Senate president more than a decade ago. In their letter, legislative leaders decried the Corp Comm's energy standards as "rushed" and drafted based on "personal legacies and political agendas." Bowers, Fann, Griffin and Kerr took several shots at Burns, who spearheaded the push to require electric companies to provide 100 percent carbon-free energy by 2050. Commissioners approved the plan in November, just after the election. "This forced the public to accept a final decision during an election year, apparently when the Commission thought no one was watching, in order to eke out a series of political and financial wins for industry insiders and outgoing commissioners," the lawmakers wrote in a slightly veiled reference to Burns. The legislators noted that there are already bills in the works to deal with Corp Comm overstepping its bounds. But the thrust of their letter argued that the commission approved the rules without first doing the legwork in its economic impact statement to prove the renewable energy plan would result in the "least burden and cost" to the taxpayers and energy companies. "The EIS appears to lack even a single quantitative computation relating to the potential cost impacts," lawmakers wrote, adding that the commission "has no idea what the effect on the state's economy, small businesses, and consumers will be." "We believe it's time for the commission to show its work," they concluded.

BURNS TO LEGISLATORS: YOU ARE UNBELIEVABLE

Burns swung back, saying since lawmakers accused him of "some nefarious action," he felt compelled to respond. "It is almost beyond belief that you as members of the Legislature, who have introduced and are moving blatantly unconstitutional bills, would accuse the commission of some misbehavior," he wrote. Essentially, Burns told lawmakers to stay in their lane, and argued that, if lawmakers start getting involved in Corp Comm business, such as determining energy companies' portfolios, APS would simply buy lawmakers as it has tried to buy commissioners when it poured more than $10 million into the 2014 campaigns of former commissioners Tom Forese and Doug Little. Burns argued that the commission, not the Legislature is the appropriate venue to decide these issues not only because that's what the commission is constitutionally charged with doing but also because commissioners are full-time professional regulators who are laser focused on utility issues – "no 100-day session, no distraction of hundreds of other important issues." But if lawmakers took over those duties, APS would flood the legislature with campaign funds and buy its own proposals, he said.

AMERICAN OVERSIGHT

"There would be no incentive to cut down the money tree of dark money that would flow to the candidates for governor and Legislature in the future," he wrote, noting the vast dark money operation that APS set up before the new CEO pledged to stay out of Corp Comm races. (APS made no such pledge about legislative races, and the company continues to spend on lawmakers.) An APS spokeswoman earlier this month said the company has not decided about future political spending after it took heat for contributing to campaigns for those who fueled the riots on Jan 6. The company said it would "review" spending practices, and has paused all "political givings" in the meantime. (Because of a huge lag in non-election-year reporting, the public wouldn't know if the organization is spending until the next filing deadline at the end of 2021.) APS spent thousands of dollars on several other local and national campaigns last election cycle. That includes $500 to Parker, who used to work under Olson at Corp Comm and is pushing H2737 (corporation commission actions; investigation), which would allow legislators to ask the AG to investigate and potentially punish the commission as well as withhold 10 percent of its budget if it's determined the commission exceeded its authority (YS, 2/10). Parker refunded APS' contribution three months later after she won her election.

NEWS RELEASES

Superintendent Hoffman and Arizona Department of Education Are Committed to Supporting Safe Return to In-Person Learning

Phoenix – Today, Superintendent of Public Instruction Kathy Hoffman was joined by Dr. Jason Vargas, President, Arizona Chapter of the American Academy of Pediatrics, and Ylenia Aguilar, Governing Board President of Osborn School District, to discuss the next steps for schools to return to in-person learning safely. As outlined by new guidance from the Centers for Disease Control, in-person learning is possible with consistent and transparent mitigation strategies in place, and the community's support, particularly for grades K-8.

While in-school transmission of COVID-19 can be relatively low when mitigation strategies are in place, schools do not operate in a vacuum. It remains critical for all community members to do their part to stop the spread of COVID-19. The Arizona Department of Education urges all community members to get vaccinated as soon as the vaccine is available to them.

"I recognize that some school communities need more time to plan and

AMERICAN OVERSIGHT

prepare. I want to support schools at every stage, so that when they do resume in-person learning, they are doing so safely with mitigation strategies in place, enforced, and with the support of their families, students, and teachers." said Superintendent Hoffman.

"We know that child-to-child spread is not the cause of community transmission; it simply mirrors what is going on the community. Because of that and to keep our schools open we must do our best to decrease risk of community spread," said Dr. Vargas. "We all have a shared responsibility to ensure there is as little disease as possible circulating in the community when we send our children back."

For many of our students, returning to schools after nearly a year of distance or hybrid learning will be an anxious experience. The trauma endured by many students and families due to this virus is deep – particularly in the hardest-hit communities. Now is the time to lead with science and rebuild the trust of our families, students, and teachers so they feel safe returning to the classroom.

"Every school district will need to make the appropriate decisions in order to keep their communities safe, so we should expect that many decisions will be different across Arizona," said Ylenia Aguilar. "It will take a community effort to support and manage the safe reopening of schools for in-person learning."

To support schools' efforts for a safe return to in-person learning, the Arizona Department of Education (ADE) recently announced allocations from the second federal COVID-19 relief bill. These one-time recovery funds will be critical to helping schools implement mitigation strategies like improved ventilation.

Additionally, the ADE used discretionary funds to ensure that all non-profit public schools receive federal funding, regardless of their size or location. This decision is critical to supporting our small, rural, and remote schools, which far too often are left behind when resources are allocated.

The road to recovery from COVID-19 is still long for Arizona's schools, students, and families. Together we must continue to make data-driven decisions - with community input - to meet all students' needs.

* * * * *

AMERICAN OVERSIGHT

Sinema Discusses Arizona's Economic Recovery From the Coronavirus Pandemic

In Senate Banking Committee hearing, Sinema questioned Federal Reserve Chairman Jerome Powell on how to ensure a strong economic recovery for Arizona

WASHINGTON – Arizona senior Senator Kyrsten Sinema questioned Federal Reserve Chairman Jerome Powell in a Senate Banking Committee hearing about how the Federal Reserve will work with Congress to ensure a strong economic recovery for Arizona.

"Right now, Arizonans are concerned about getting the coronavirus under control and getting our economy back on track…Yet, Arizonans expect me - and all of us - to think about the future, not just the present crisis. We want a strong economic recovery. That means ensuring the Fed's work complements our legislative efforts," said Sinema.

In the hearing, Sinema questioned Chairman Powell on the Federal Reserve's thinking on interest rates, unemployment rates, and potential price inflation in sectors like hospitality, tourism, and restaurants.

Sinema continues working to get the coronavirus under control through her efforts securing additional vaccines for Arizona. Recently, Sinema requested additional vaccine doses from the federal government for Arizona. Senator Sinema is helping vaccination sites find more volunteers and volunteering at sites herself. She continues to communicate Arizona's needs to federal partners, Pfizer, Moderna, and the new administration.

* * * * *

WATCH: Sen. Kelly Raises Key Arizona Priorities with Interior Secretary Nominee U.S. Rep Deb Haaland

Issues ranged from Indian water settlements to uranium mining near the Grand Canyon

Today, at the United States Senate Energy and Natural Resources Committee, U.S. Senator Mark Kelly questioned U.S. Representative Deb Haaland (NM-01) as the committee considers Haaland's nomination for Secretary of the

AMERICAN OVERSIGHT

Department of Interior.

Kelly covered a range of topics, from the issue of combating severe drought, particularly the increasing of resources from DOI to expand reservoir capacity, water recycling, and groundwater management in Arizona and other Colorado River states. Recognizing the importance of Native American water settlements, Kelly asked Haaland about prioritizing the completion and full funding of both existing and future Indian water settlements, an issue important to Kelly.

* * * * *

The Arizona Reproductive Rights Coalition has a message for Arizona Legislators: "Enough of the half-baked anti-abortion bills, Arizonans need COVID relief now!"

PHOENIX, AZ — The Arizona Reproductive Rights Coalition dropped off ice cream flavor "Half Baked" from Ben & Jerry's to Sen. Wendy Rodgers, Nancy Barto, Kelly Townsend, and Rep. Walter Blackman to send them a clear message: **"Enough of the half-baked anti-abortion bills, Arizonans need COVID relief now!"**

In this legislative session, these legislators amongst others have introduced a dozen anti-abortion bills that seek to shame and bully people for having or performing an abortion. All while local businesses struggle to keep their doors open and staff employed. Many of these legislative bills have died because of the efforts of this coalition, and because conservative legislators know their agenda is out of touch with most Arizonans who support reproductive freedom and legal access to abortion.

Watch the Video Here

The following anti-abortion bills are currently being debated:

SB 1457 is a thinly veiled attempt by Arizona politicians to restrict people's access to reproductive health care. This bill is about building up the legal scaffolding aimed at banning abortion as quickly as possible if Roe falls. It's all part of a broader effort to restrict and end access to safe, legal abortion, forcing providers to interrogate patients about why they're seeking abortion care and banning public education institutions from providing abortion counseling or

AMERICAN OVERSIGHT

referrals.

SB 1362 attacks access to emergency contraception (EC) that prevents unwanted pregnancies. Emergency contraception should be free and accessible to all Arizonans. This bill seeks to deny patients access to basic health care, including EC, on grounds that it violates the religious belief of their provider. People must have the right to access health care services based on the medical care they need, not the religious beliefs of others.

SB 1381 would also force doctors to question their patients about the reasons they're seeking an abortion or risk being thrown in jail. This bill is not about helping people with disabilities, but about banning abortion. The politicians behind this bill are exploiting people with disabilities in order to push their harmful agenda to ban abortion.

Now, as the legislature debates the above bills, we urge the legislature to:

"Stop with the nonsense, Arizonans do not support increased restrictions to abortion. The ideas proposed by legislators during this session have been half-baked at best, and a national embarrassment to our state at worse. We thank the legislators who have stood up for reproductive rights, and we once again demand the legislature focus on supporting families and businesses affected by the pandemic and stop playing games with our healthcare."

* * * * *

After Release of Long-Awaited GAO Report, Rep. Grijalva Condemns Lack of Data and Needed Care for Pregnant Women in DOJ Custody

TUCSON— Today the Government Accountability Office (GAO) publicly released the second part of their investigation entitled: *PREGNANT WOMEN IN DOJ CUSTODY U.S. Marshals Service and Bureau of Prisons Should Better Align Policies with National Guidelines.* Rep. Raúl M. Grijalva requested a Government Accountability Office (GAO) report in November 2017 to address the treatment of pregnant women in prisons and detention facilities in November of 2017. His original letter was joined by 30 Members of Congress. Since the initial request for an investigation, incidences of abuse and mistreatment of detained pregnant women have persisted, with numerous reports detailing the mishandlings by United States Marshall Services (USMS).

AMERICAN OVERSIGHT

"This report is the result of years of work, and I appreciate GAO's acceptance of my request to investigate this issue and to dig into the details that were not readily available," **said Rep. Grijalva.** "Part of the problem is the lack of transparency and sparse data concerning the treatment of pregnant women in our prison systems. Even with this detailed report, it is hard to know the full extent of what these women go through. There is likely a reluctance of some women to come forward about their mistreatment, especially those seeking asylum who experience language barriers, and it is clear that grave gaps in data collection currently exist and this must be corrected immediately. Stories of women being relegated to solitary confinement or shackled during pregnancy or not having access to postpartum time with their babies are barbaric, and we must be absolutely certain this is not occurring anywhere throughout our system. We must ensure facilities are actually complying with what is on paper."

Some of the concerning GAO report findings include:

- From calendar years 2017 through 2019, GAO determined that at least 1,220 pregnant women were in USMS custody, and were held an average of 90 days in USMS custody. Of the 1,220 women, 62 percent reported that they were U.S. citizens.
- From calendar years 2017 through 2019, GAO determined that there were 524 pregnant women in BOP custody for an average of 76 days, a minimum of 1 day, and a maximum of 268 days.
- USMS policies only fully align on three of 16 care topics and Bureau of Prisons (BOP) policies only fully align on eight of 16. For instance:

- USMS policy or Detention Standards do not recommend or require that facilities have emergency delivery kits available, that the hospital in which pregnant women give birth have the capacity to care for high risk pregnancies when available, that staff have procedures to ensure pregnant women with labor symptoms are evaluated quickly, or whether staff should be present in the labor and delivery room.
- USMS policy or Detention Standards do not recommend or require that pregnant or postpartum women receive any form of diet modification or refrain from eating foods with listeria risk and do not recommend or require that pregnant women receive prenatal vitamins iron, or folic acid supplementation.

AMERICAN OVERSIGHT

- While USMS requests that facilities submit data indicating which prisoners were placed in restrictive housing, facilities are not required to indicate if any of these prisoners are pregnant or postpartum.
- USMS policy states that in some instances, medically appropriate nonurgent health care services can be deferred until the prisoner is released from USMS custody, as long as there is no significant health risk to the prisoner.
- Without taking steps to more closely align its Detention Standards and policies with national guidance recommendations as feasible or appropriate, USMS may be less equipped to protect pregnant women against health risks.
- Only 3 of the 12 BOP respondents interviewed reported receiving extra portions of food.

"I am grateful these issues have come to light and that DOJ has agreed to act on GAO's recommendations," **continued Rep. Grijalva.** "As a society we must reconsider the need to have so many pregnant women incarcerated in the first place. It is clear that USMS, and to an extent BOP, are not taking the necessary steps to provide pregnant women with the comprehensive care they need to have healthy pregnancy outcomes. To imagine a pregnant woman not being offered something as simple as a prenatal vitamin is an abject failure of our system. The consequences of failing to properly care of this population will ripple through our society."

Text of the original investigation request letter can be found here.

The Full GAO report, including recommendations can be found here.

Click here for last year's GAO report on the treatment of pregnant women in ICE and CBP facilities.

* * * * *

Pima County Assessor's Office sends roughly 425,000 notices to property owners this week

The assessment notices for roughly 425,000 property owners in Pima County were mailed on February 19, 2021 and should be showing up in mailboxes this week.

AMERICAN OVERSIGHT

Property owners won't see the effect of these values on their taxes until Oct 1, 2022 after appeals have been finalized and 2022 tax rates have been adopted by various taxing authorities. The deadline to file an appeal is April 20, 2021.

For the 2022 assessment roll, the median Fair Market Value (FMV) for a single-family home is $263,969, although sale prices vary depending on their location. The median full cash value is $214,144.

The median change in full cash value for single-family homes increased by 5% in Pima County compared to last year's assessment.

Detailed reports explaining our methodology are available on our website: https://www.asr.pima.gov/Division/Real/Residential Assessor data included in this release is available in other formats on request.

“These notices represent the value as of January 1st, 2021 and are a culmination of 3 - 4 years of data and analysis from my office,” said Pima County Assessor Suzanne Droubie.

“As part of my commitment to increase transparency, I am launching a series of public meetings for the next two months where property owners will be able to talk to the Assessor and my staff about their valuations.”

Property owners are encouraged to call the Assessor's Office with any questions or issues they may have about their property assessment at (520) 724-8630.

Every year, the Pima County Assessor’s Office establishes value for all real and personal property in Pima County, using standard appraisal methods.

The Full Cash Value (FCV) is synonymous with fair market value (FMV), or the most probable price that a property would bring under the conditions of a fair sale.

A preliminary schedule of public events is included in this release and a final version will be posted on the Assessor’s website early next week.

* * * * *

Arizona State Senate Committee Approves New Version of Vote by Mail Purge Bill as Part of Voter Suppression Blitz

AMERICAN OVERSIGHT

Bill will take the "permanent" out of the "permanent early voting list"

Arizona state legislators, who are currently considering more than 40 bills attacking voting rights and democratic norms, voted last night to move forward with a new version of the vote-by-mail purge bill that failed on the State Senate floor last week.

The Senate Appropriations Committee passed SB1485 after adding a strike everything amendment making it identical to SB1069, which failed on the floor last week. As amended, SB1485 will take the "permanent" out of the state's permanent vote by mail list by purging more than 100,000 Arizona voters from the list, such that they no longer receive their ballots by mail as expected.

The committee also voted to move forward on SB1593, which shortens the early voting period to 22 from 27 days and which will require all ballots not postmarked by the Thursday before Election Day to be discarded.

These bills join more than 40 voter suppression and anti-democracy proposals currently being considered by the Arizona state legislature, including bills to eliminate or restrict voting by mail, impede voter registration, gut the grassroots ballot initiative process, and criminalize protest. The proposals come just weeks after an armed attack on the U.S. Capitol that attempted to overturn the results of the 2020 election. That attack was sparked by lies about the 2020 election, a lie which multiple sitting Arizona federal and state lawmakers helped to spread.

The committee also heard, but did not move forward on, SCR1006. That bill would have created a ballot referendum that, if successful, would have given the Arizona state legislature the power to override voters' choices and decide presidential elections.

In response, Arizona community organizations and voting rights groups issued the following statement: "Last week's defeat of SB1069, the PEVL purge bill, was a victory for Arizona voters and for all those who believe in basic democratic rights. Republican Senator Paul Boyer and the Democratic caucus did the right thing in voting no. We thank them for that, and look to them to vote down this new version of the bill and all other bills attacking voting rights and democratic norms and institutions."

* * * * *

AMERICAN OVERSIGHT

Governor Ducey Announces PSPRS Appointments

PHOENIX — Governor Doug Ducey today announced the appointment of Alan Maguire and the reappointments of Harry Papp and Dean Scheinert to the Public Safety Personnel Retirement System (PSPRS) Board of Trustees.

"The PSPRS ensures the safety and security of Arizona's hard-working public safety personnel, and guarantees that they are cared for after retirement," said Governor Ducey. "Harry and Dean have served the Board well, and I know Alan will too. I look forward to their continued positive contributions."

The PSPRS was established in 1968 to provide a uniform, consistent and equitable statewide retirement program for Arizona's public safety personnel. The Board of Trustees, consisting of nine members, plays a significant role in the system's success and has a fiduciary responsibility to the PSPRS trust and membership, overseeing the system's policies, operations, and investment.

Harry Papp is being reappointed to the PSPRS Board of Trustees. He is a managing partner at L. Roy Papp & Associates, LLP where he oversees private client business. He has 38 years of experience in portfolio management and security analysis. Prior to his current role, Papp worked at G.D. Searle & Co. where he was responsible for overseeing financial acquisitions and managed domestic real estate holdings of the company.

He was initially appointed to PSPRS in 2017. Following his appointment, Papp aided in sweeping advancements within the system. He helped to hire the new Administrator, Mike Townsend, and Chief Investment Officer Mark Steed in 2018, and took on multiple leadership roles including Vice-Chairman of the Board and Chair of the Investment Committee. Papp has also aided in the system's consistency in returns during the COVID-19 pandemic.

Papp is currently a member of the board of directors of Blue Cross and Blue Shield of Arizona, where he was previously a chairman. He also serves on the board of directors of the Arizona State University Foundation. In 2012, he was appointed to the Arizona State Board of Investment.

He has a Masters of Business Administration in Finance and Accounting and Masters of Science in Geochemistry, both from the University of Chicago. He also holds a Bachelor of Arts degree in Economics and Chemistry from Brown University. He was awarded a Chartered Financial Analyst designation in

AMERICAN OVERSIGHT

1984.

Dean Scheinert is also being reappointed to the Board, after his initial appointment in 2017. Scheinert currently works as the Chief Advancement and External Affairs Officer for Western Spirit: Scottsdale's Museum of the West. His reappointment to the Board continues a long career in financial analysis, portfolio management and organizational leadership. Prior to his current position, Scheinert worked for 35 years as a senior banker and asset management executive in New York and in Phoenix.

Scheinert currently serves on the Arizona State University Watts College of Public Service and Community Solutions Dean's Council and on the board of directors for the Jewish Community Foundation of Greater Phoenix as the investment committee chair.

He graduated summa cum laude from Tufts University with a Bachelor of Arts in Economics. He then received his Masters of Business Administration in Finance from the Wharton School in 1985.

Both Papp and Scheinert have been instrumental in key developments of PSPRS such as, reactivating the Advisory Committee and helping update system programs.

Alan Maguire is a new appointee to the Board. He previously served on the board from 2010 to 2012. He is the Founder, President and Principal Economist of The Maguire Company, an economic analysis and public policy consulting firm. Since its creation in 1986, the firm has worked on project management and financial analysis throughout Arizona with some of its more recent clients including the Arizona Commerce Authority; Arizona Department of Transportation; the cities of Phoenix, Glendale, Flagstaff, Queen Creek and Tucson; Yavapai, Coconino and Maricopa Counties; Coconino and Maricopa community colleges; and a variety of private concerns.

Maguire has years of experience in economics, analytics, and financial advising. Before establishing The Maguire Company, he was the Senior Vice President of Regional Investment Banking firm, the Chief Deputy Treasurer at the Arizona State Treasurer, and an Economic Advisor to the Arizona Senate. During his tenure, Maguire was the leading public sector financial advisor in the state of Arizona and served as either senior manager or senior financial advisor for multiple Arizona clients.

AMERICAN OVERSIGHT

Maguire has advised every Arizona Governor for over 40 years on economic, fiscal and policy matters, as well as multiple Arizona Senate Presidents and Arizona House of Representatives Speakers. Since the late 1970s, Maguire has played a part in the formulation of many Arizona fiscal policies, reforms and initiatives.

He is involved in many community organizations including serving as President of the Arizona Economic Forum, Vice-Chair of the city of Phoenix Employees Retirement System Board, and Vice President of the Arizona Economic Roundtable. He is also a member of the Arizona Economic Estimates commission and the Phoenix Economic Club, and an original founding member of the Arizona, Western States, and Metro-Phoenix Blue Chip Economic Forecast Panels.

Maguire received a Bachelor of Arts in Economics from Arizona State University.

* * * * *

Arizona Treasurer Kimberly Yee Appoints AZ529 Education Savings Plan Advisory Committee

PHOENIX, AZ – Arizona State Treasurer Kimberly Yee announced today the appointed members of the new statewide AZ529, Arizona's Education Savings Plan Advisory Committee to assist the Treasurer's Office in promoting and raising awareness of the AZ529 Plan in accordance with A.R.S. § 41-179. The Advisory Committee's purpose is to increase access of the program among all Arizonans, with a special emphasis on economically disadvantaged, minority and underrepresented student populations.

"This outstanding team of experts on the AZ529 Advisory Committee is committed to expanding the outreach of AZ529 savings to underprivileged families who may not have the resources or a plan in place for the future education of their family members," said Treasurer Kimberly Yee, the Administrator of the AZ529 Plan and Chairwoman of the Committee. "Every child deserves an opportunity for advanced education, no matter their zip code. The members of this committee share a passion for encouraging Arizonans to save for future education needs, from vocational training to traditional college."

The Advisory Committee members are subject-matter experts in multiple

AMERICAN OVERSIGHT

important facets of education and civic leadership, including urban and rural colleges, public and private schools and universities, vocational training and apprenticeship programs. The AZ529 Advisory Committee is the next step in Treasurer Yee's initiative to help Arizona families save for post-high school educational expenses.

Last October, the administration of the AZ529 Plan was transferred to the Office of the Arizona State Treasurer. Treasurer Yee has long been an active proponent of financial literacy in Arizona and hopes families will explore education savings concepts as part of their financial planning.

The 11-member AZ529 Advisory Committee, chaired by Treasurer Kimberly Yee, will meet on a quarterly basis. The public and media are welcome to attend. Please see the list of the AZ529 Advisory Committee members below.

AZ529 Advisory Committee Appointees

1. Urban Community College District Representative: Dr. David Doré, President of Campuses & Executive Vice Chancellor for Student Experience & Workforce Development, Pima Community College
2. Rural Community College District Representative: Keith Alexander, Special Assistant to the President for Community and Government Relations, Eastern Arizona College
3. ABOR Public University Representative: Dr. James Rund, Senior Vice President for Educational Outreach and Student Services, Arizona State University
4. Private Educational Institution Representative: Len Munsil, President, Arizona Christian University
5. Vocational Training Institution Representative: David Eaker, Campus President, The Refrigeration School
6. Apprenticeship Program Representative: Gary Schleuger, Vice President of State Government Affairs and Relations, University of Phoenix
7. Teacher Representative: Karen Mensing, Technology Integration Facilitator, Paradise Valley Unified School District
8. Tribal Representative: Honorable Myron Lizer, Vice President of the Navajo Nation
9. Public Member: Maria Baier, Vice President of External Affairs, Great Hearts America
10. Public Member: Christine Burton, Co-Founder, Burton Family Foundation

AMERICAN OVERSIGHT

NEWS CLIPS

County election equipment deemed free of tampering

By Howard Fischer Capitol Media Services
02-25-21

An audit of the Maricopa County voting equipment came up absolutely clean according to county officials.

But it's not going to deter the demands by Republican senators to conduct their own review and get a court order to enforce their own subpoena. In fact, the lawmakers are going back to court Feb. 25 in their bid to get access to the equipment, the software — and the actual ballots. (To read more, click here).

* * * * *

Coolidge man accused of faking own kidnapping to get out of work

By Aaron Dorman Coolidge Examiner
02-53-21

What at first seemed like an alarming kidnapping is now being treated as a hoax.

On Feb. 10, police responded to reports and found a man, Brandon Soules, near the Coolidge water tower with his hands bound behind his back with a belt and a bandana stuffed in his mouth. (To read more, click here).

* * * * *

Jeff Flake and John McCain killed earmarks (and now, show us where the GOP went wrong)

By Robert Robb Arizona Republic
02-25-21

Congressional Democrats have announced the return of earmarks. That occasions a revisiting of the legacy of Jeff Flake and John McCain. And the meaning of conservatism before the Trump corruption of the term.

AMERICAN OVERSIGHT

Earmarks are when a member of Congress inserts into an appropriations bill money designated for some local project or organization. (To read more, click here).

* * * * *

Arizona doesn't screen for these recommended disorders, and babies pay the price

By Breann Westmore Arizona Republic
02-25-21

Learning you are pregnant comes with a range of emotions, from exciting to terrifying and everything in between. You start to dream and plan.

How will you decorate a nursery, save for college, pick a name? When will you feel your baby move for the first time? Who will help as you learn your new routine and caring for a new baby and yourself?

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, February 25, 2021 7:03:36 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: February 25, 2021
Attachments: February 25, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Bill would let some owners of businesses avoid ed tax: Critics say it could undermine law passed by voters
- Gowan dumps bill to let lawmakers override presidential election votes
- Rolling average of daily new virus cases in Arizona continues to drop
- After review, TUSD opts to keep police at a handful of its schools
- Minimum wage increase for city employees approved, is now $15
- Bill to outlaw genetic abnormality abortions advances
- Lawmakers again consider purging state's permanent early voting list
- Maricopa County: Audit of voting equipment finds no wrongdoing

Arizona Republic

- Ariz. GOP activists threaten legal battle over Ward's win
- Glendale residents can weigh in on plan to close five schools
- Arizona adds 1,310 new COVID-19 cases, 43 deaths
- Bill to cut people from early voting list is back at Capitol
- Ariz. doesn't screen some disorders. Babies pay for it.

KTAR News

- Former Arizona Gov. Brewer praises Sen. Sinema for moderate stance
- Asylum seekers rush to register for US border processing
- Hoffman says Arizona schools can safely reopen with proper measures
- Arizona Republicans revive bill to purge state's early voting list

Arizona Daily Sun

- Indian Country gripped by Haaland hearing for top US post
- Arizona fined $1M for failing to improve prison health care

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Bill would let some owners of businesses avoid ed tax: Critics say it could undermine law passed by voters

Arizona Daily Star
February 25, 2021
Howard Fischer

An effort to allow some Arizona business owners to avoid paying the voter-approved income tax surcharge for education is being proposed by a veteran state lawmaker.

The proposal by Sen. J.D. Mesnard, R-Chandler, would create an entirely new alternate tax category for small businesses, generally those organized in a way so their income passes through to the owners. That means the owners compute what they owe the state on their personal income tax forms after deducting all business expenses.

What makes that significant is that Proposition 208 imposes a 3.5% surcharge on adjusted personal income of more than $250,000 for individuals and $500,000 for married couples filing jointly. That is on top of the current 4.5% rate that applies for income above those figures.

Mesnard's SB 1783 would give business owners the option of instead paying a 4.5% tax on their adjusted business income. That means the surcharge in Proposition 208 would not apply because this new tax category did not exist at the time voters approved the measure. So business owners could compute their tax liability using both the existing formula or the new one — and then choose the one that costs them less.

Creating this new category makes sense because it will allow lawmakers to craft special tax provisions targeted at helping small businesses, Mesnard told Capitol Media Services.

He acknowledged, though, that a prime reason was to help business owners escape paying that new voter-approved surcharge. Mesnard said that's justified.

'We heard time and time again this will not or is not meant to impact small businesses,' he said. 'And so what this is doing is ensuring that's the case.'

But David Lujan who helped organize the Proposition 208 fight, said Mesnard isn't telling the whole story. The way Lujan sees it, the initiative does not target small business.

Lujan points out that what's subject to the tax is not the gross proceeds of any business. It's what's left after an owner pays all expenses, from employee salaries to equipment purchases. It's also what remains after any other deductions, like money a business owner puts into a 401(k) retirement account.

What that leaves, he said, is the net income the owner pockets. And Proposition 208 kicks in only on any net earnings above $500,000 for a married couple.

AMERICAN OVERSIGHT

Lujan also pointed out that SB 1783, which awaits a vote of the full Senate, doesn't just set a new optional tax category for small business. It also creates this same 4.5% tax rate for income from estates and trusts.

All this leaves the issue of whether it's legal to effectively alter what was the intent of the voters to subject certain income to the higher levy.

Attorney Roopali Desai, who represents the Invest in Ed committee that put Prop. 208 on the ballot, acknowledged that lawmakers do have the power to alter the state tax code and create new categories.

'The question is whether the Legislature is able to pass legislation that directly or indirectly changes the voter-protected law that was put in place through Prop. 208,' she said.

That goes to the Voter Protection Act, which bars lawmakers from repealing or making changes in anything approved at the ballot. The only exception is for amendments that 'further the purpose' of the original law, and then only with a three-fourths vote.

Desai said courts have concluded that legislation runs afoul of the Voter Protection Act even if it doesn't directly repeal the measure approved at the ballot.

'You can do something more surreptitious and more malicious by going to make other changes elsewhere (in the statutes) that would have the same effect, which is to undermine the ultimate will of the voters,' Desai said.

What isn't known is how much would be lost from the anticipated income for education if lawmakers approve the measure.

Estimates of what the initiative, as originally crafted, would raise have ranged from$827 million to $940 million a year. So far legislative budget analysts have not produced a fiscal impact statement of SB 1783, which was approved earlier this month by the Senate Finance Committee on a party-line vote.

Lujan noted that there was some IRS tax data brought into court last year by business interests who tried, unsuccessfully, to keep the measure off the ballot. The expert suggested that close to half of tax filers in that income category claim at least some of their income from businesses that pass their earnings on to owners.

Still, Lujan who heads the Arizona Center for Economic Progress, said that doesn't necessarily translate into a dollar-for-dollar loss for the education programs that Proposition 208 is designed to fund.

'That doesn't tell you if it is 100% of their income or do they just have a side business,' he said. 'So it's hard to gauge.'

But Lujan said SB 1783 is likely to affect a 'significant portion' of the revenues.

Half of whatever is raised is earmarked for schools to hire teachers and classroom support personnel, a category that also includes librarians, nurses, counselors and coaches. Those dollars also could be used for raises.

AMERICAN OVERSIGHT

Another 25% would be for support services personnel. That covers classroom aides, service personnel, food service and transportation.

There's 12% for grants for career and technical education programs and 10% for mentoring and retaining new teachers in the classroom. The last 3% is for the Arizona Teachers Academy, which provides tuition grants for people pursuing careers in education.

No date has been set for Senate debate on the measure.

An effort to allow some Arizona business owners to avoid paying the voter-approved income tax surcharge for education is being proposed by a veteran state lawmaker.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Gowan dumps bill to let lawmakers override presidential election votes

Arizona Daily Star
February 25, 2021
Howard Fischer

Facing some blistering criticism and the possibility of harming Republican reelection efforts, a Southern Arizona lawmaker has pulled the plug on a proposal to let the legislature override the choice of voters for president.

Sen. David Gowan, R-Sierra Vista, said his SCR 1006 simply recognizes that the U.S. Constitution gives lawmakers the ultimate power to choose electors. What his proposal would do is actually allow them to exercise that authority by requiring a special legislative session after every presidential vote to 'investigate the results' and decide what result to certify.

And as a constitutional amendment, it is worded to preempt any other action, whether statutory or in court, to interfere with that authority.

'This is to bring the plenary power back to the body where we have sole authority on these issues,' Gowan said.

'In that case, why even have a presidential election?' asked Sen. Sean Bowie, D-Phoenix, as lawmakers would be free to substitute their own judgment.

Gowan said that's based on a false presumption that would happen.

'I wouldn't suspect any vote of the people if we have the vote of the people,' Gowan responded. Still, Gowan said there's a reason for requiring a special legislative session after each presidential vote.

'The reality is you want to make sure that everything would be on the level,' he said. And it would allow lawmakers to do an audit before certifying the results that they — or a majority of them — believe is accurate.

Alex Gulotta, state director for All Voting is Local, said there's no factual basis for the proposal. Instead, he said, it 'helps perpetuate the big lie' that the 2020 election was somehow stolen. And pointed out that

AMERICAN OVERSIGHT

nothing in SCR 1006 requires lawmakers to cite any cause or reason for replacing the judgment of a majority of voters for their own.

'The will of the people is replaced by our new overlords,' Gulotta said.

Randy Perez, democracy director for Living United for Change in Arizona, described the measure as 'offensive.'

But Joel Edman, lobbyist for the Arizona Advocacy Network, had a slightly different take. 'If you support this idea, I hope you'll vote for it,' he told members of the Senate Appropriations Committee late Tuesday.

Edman pointed out that Gowan's proposal, as a constitutional amendment, would have to go to voters in 2022 for ratification. That's also when all legislative seats are up for grabs and any lawmakers seeking higher office would have to face voters.

'And if you think your voters' vote for president shouldn't count if you decide otherwise, they deserve to know that,' Edman said.

After all the testimony, Gowan, who chairs the committee, chose not to bring it for a vote.

Gowan did not respond to messages about his decision to propose the measure, to schedule a hearing — and then quash it without a vote.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Rolling average of daily new virus cases in Arizona continues to drop

Arizona Daily Star
February 25, 2021

Arizona officials on Wednesday reported 1,310 additional confirmed COVID-19 cases and 43 deaths as coronavirus- related hospitalizations and seven-day rolling averages for daily new cases and daily deaths continued to drop.

In Pima County, 142 new cases of COVID-19 were reported Wednesday with six deaths.

The latest figures reported by the state Department of Health Services increased Arizona's pandemic totals to 811,968 cases and 15,693 deaths.

According to data from the COVID-Tracking Project, the rolling average of daily new cases declined over the past two weeks, dropping from 3,169.3 on Feb. 9 to 1,559.7 on Tuesday while the rolling average of daily deaths dropped from 132 to 112.

Hospitalizations also continue to drop, with the state's coronavirus dashboard reporting 1,449 COVID-19 patients occupying inpatient beds as of Tuesday, down from the pandemic peak of 5,082 on Jan. 11.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

AMERICAN OVERSIGHT

In other developments:

•The University of Arizona provided Pima County with 1,000 additional vaccine doses that were originally allocated to the school's vaccination site, officials said Wednesday. The doses of the Moderna vaccine will be used in the county's mobile vaccination program, which is intended to help boost the inoculation rate among high-risk residents.

The extra vaccine will be used in 'pop-up' sites on Tucson's east and south sides, the county said in a news release.

•The CVS pharmacy chain said it will begin providing coronavirus vaccinations by appointment on Thursday to eligible populations at eight Arizona locations under a federal program.

The eight stores are scattered across the state and includes one site in Pima County, according to a news release.

More CVS locations are expected to open for coronavirus vaccines as more supply is made available, the company said.

Patients must register in advance at cvs.com or through the chain's online app. Anyone without online access can call CVS customer service at (800) 746- 7287.

Appointments will be required.

• Records show that over 220 vaccine doses in Arizona have been spoiled or wasted since the rollout began in December. In documents obtained from the Arizona Department of Health Services, a dozen health-care providers from mostly smaller counties reported, as required, vials that were unusable or never administered. The spoiled doses were primarily the Moderna vaccine.

Most reported single- digit losses. However, the La Paz Health Department sustained the biggest with 100 doses of Moderna vaccine ending up spoiled, according to a Jan. 11 vaccine return form. Northern Cochise Community Hospital reported 70 doses lost on Dec. 31 because they had not been properly stored.

None of the wasted doses involved the state-run sites at State Farm Stadium in Glendale or Phoenix Municipal Stadium.

The state Department of Health Services said 'this type of waste is unacceptable.'

Volunteers guide drivers through tents to receive their coronavirus vaccinations at the University of Arizona. New cases, deaths and hospitalizations continue to drop in the state.

Return to the table of contents

AMERICAN OVERSIGHT

After review, TUSD opts to keep police at a handful of its schools

Arizona Daily Star
February 25, 2021
Danyelle Khmara

Tucson Unified is keeping officers in schools after reevaluating the practice, prompted by local and nationwide protests over the police killing of George Floyd last spring.

TUSD's Governing Board voted 4-1 on Tuesday to keep the program, which includes maintaining six school resource officers on campuses and implementing eight recommendations created by a community advisory board.

The district created the school resource officer community advisory board in August to review the program and create recommendations, after then-board President Kristel Foster said she was reconsidering her decision to support police on campuses, saying her thinking had been based on her fear of school shootings and the need to protect students.

'I imagine having a police officer — not any particular one but just the police in general — what that uniform symbolizes in these vulnerable students' lives every day, that this cannot be easy,' she said during a June 9 board meeting. 'And we're asking them to come to our schools every day to this space and feel safe with an authority figure that threatens their very existence.'

Sadie Shaw, the only TUSD board member who voted against the measure, said Tuesday that she'd like to see a community-based mentorship program in schools rather than school resource officers, or SROs.

'I think we have to be honest with the nature of policing in America and the nature of some of the communities where the SROs are serving,' Shaw said during the Feb. 23 board meeting. 'Many and maybe all students from some of these schools have trauma surrounding police officers, whether it's a personal thing that happened to them or something that happened with their family or friends or extended family, and to think that a police officer can provide that mentorship, I think it's kind of counterintuitive.'

The officers working in schools are meant to enforce the law but also be a resource in mentoring, building relationships, law-related teaching and community involvement. A school resource officer is equipped to handle a situation with a student differently than an officer who would respond to a 911 call, said Jeff Coleman, TUSD's director of school safety.

'That SRO is part of that school community and has a much better opportunity to successfully resolve those calls,' he said.

Tucson Unified held several online forums to engage students on how they felt about officers in schools, and Shaw says many of the students in the forum said they did not feel like the officers served a mentorship role for them.

Additionally, Pueblo High student group MEChA started a Change.org petition in August asking that officers be removed from TUSD schools. That petition has garnered more than 2,300 signatures.

AMERICAN OVERSIGHT

Board member Adelita Grijalva, who has been critical of the SRO program in the past, expressed support for an 'alternative to arrest' plan, saying if it's successful, it could keep some young people out of the juvenile justice system.

The plan, which has been happening informally in schools for five years, means a school officer won't arrest a student for minor charges if the school and the parents of all children involved in the incident, including any student who is a victim, all agree that the student won't be charged. In these cases, the school decides what discipline measures will be taken, if any.

Grijalva also expressed support for the program as a whole, with the eight recommendations in place. 'I just feel like we have an opportunity here to really monitor and reestablish this program in a better way,' she said. 'And it's our responsibility … that we do that.'

The district plans to have many of the advisory board's recommendations in place by the beginning of next school year.

The recommendations are:
1. Develop policies and practices that include explaining to families and staffers the officers' role in schools, a standard method to report concerns about an officer, site-based teams using data-driven decision- making in planning officers' actions, law-related education and a biannual program review.

2. Reevaluate using TUSD funds on the program until there are clear accountability measures in place with a focus on equity.

3. Adopt a 'feeder school model,' offering partial services to more schools.

4. Create an ongoing advisory committee to implement, monitor and evaluate recommendations.

5. Implement a biannual review of the program for effectiveness, with quarterly check-ins.

6. Hold trainings for program administrators, which include mandatory reporting training and explains the role of a school officer, emphasizing that they are not a part of the school discipline process.

7. Develop and implement a tracking system that includes metrics for measuring safety, discipline and mentoring services.

8. Conduct a review of the officer training to ensure it addresses school and community experiences, which includes courses in crisis intervention, de-escalation skills, threat assessment, trauma-informed care, diversity training and legal updates.

The second recommendation is no longer relevant as the district has already stopped using officers on campus that it pays for out of pocket.

Three of the officers currently at schools are with the Tucson Police Department and funded by Arizona school safety grants, a three-year state-funded grant award. The three other officers are provided by the Pima County Sheriff's Department.

The grant-funded officers are stationed at Utterback Middle, Pueblo and Tucson high schools. The three Sheriff's Department officers are at Sabino High, Pistor and Valencia middle schools.

AMERICAN OVERSIGHT

The sheriff's officers also offer partial services to Lawrence Middle, Robins K-8 and 10 elementary schools that feed into those middle and high schools.

This is far less than the number of officers TUSD used to have on school campuses. During the 2018-19 school year — the last full school year before the COVID-19 pandemic — TUSD had 24 safety officers employed by the district and 12 school resource officers, who were either from Tucson Police or the Pima County Sheriff's departments.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Minimum wage increase for city employees approved, is now $15

Arizona Daily Star
February 25, 2021
Jasmine Demers

The city of Tucson has officially approved a pay raise for its lowest-paid city workers, taking the last step Tuesday to increase its minimum wage to $15 an hour.

The new minimum wage affects more than 2,000 city employees, over half of its workforce, and will go into effect immediately.

This includes approximately 170 city workers who currently make less than $15 an hour, as well as compression adjustments for many workers making over that amount.

'It's not only the right thing to do, but it's the smart thing to do from a managerial perspective as we address ongoing retention concerns throughout the organization,' said Tucson Mayor Regina Romero. 'It's the right thing to do for our workers and their families to make sure that they have living wages, and it is the right thing to do for our city and economy.'

Arizona's statewide minimum wage became $12.15 on Jan. 1 and ranks among the highest in the country.

Proposition 206, a statewide ballot measure passed by voters in 2016, boosted Arizona's minimum wage from $8.05 an hour to $10 in 2017, followed by increases to $10.50 in 2018, $11 in 2019 and $12 in 2020.

The city's decision to increase pay for its workers comes as Congress continues to debate an federal $15 minimum wage by 2025.

House Democrats have included this in their latest $1.9 trillion COVID-19 relief bill, which is expected to be voted on Friday.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Bill to outlaw genetic abnormality abortions advances

Arizona Daily Star
February 25, 2021
Howard Fischer

State senators voted Wednesday to make abortions illegal if the woman is seeking to terminate the pregnancy because of a genetic abnormality of the fetus.

The preliminary approval of SB 1457 came over objections from some legislators who said the state provides little support for women who decide to maintain their pregnancy even after learning that information. And Sen. Martin Quezada, D-Glendale, pointed out that even the Senate attorney said the measure is unconstitutional.

But Sen. Sally Ann Gonzales, D-Tucson, said the issue for her is even more basic.

'As a woman, as a momof five daughters and the grandmother of 10 young ladies I'm extremely opposed to anyone of us legislators really imposing our faiths on everybody else and on my family,' she said. Sen. Nancy Barto, R-Phoenix, who is sponsoring the legislation, said she believes her bill will protect women. 'What we're doing here by not addressing this issue is we're hurting the most vulnerable among us and making a judgment that they are unworthy to live,' she said.

At the heart of SB 1457 is a legislative declaration that Arizona laws recognize that an unborn child has 'all rights, privileges and immunities available to other persons, citizens and residents of this state.' The only limits would be the U.S. Constitution as interpreted by the Supreme Court.

Efforts by Barto and allies to outlaw abortion entirely have been thwarted by the 1973 Roe v. Wade decision of the high court and its successor rulings which say, in essence, that women have an absolute right to terminate a pregnancy prior to a fetus becoming viable. So Barto is focused on a narrow subset of abortions: those done by a woman who is carrying a child with a genetic abnormality.

Sen. Kirsten Engel, D-Tucson, said Barto appears to be using this specifically tailored legislation to get a test case about the limits of Roe v. Wade to the Supreme Court. But she said lawmakers need to think about more than the constitutional issues.

'Abortion is clearly a very personal issue,' Engel said. 'It's a complex decision and so much more so when a family receives the diagnosis from a doctor that the child may have a genetic abnormality.'

Some of those abnormalities, she said, are 'incredibly serious,' with a fetus dying in the womb or shortly after birth, and potentially even endangering a woman's health.

Yet SB 1457 would make it a Class 3 felony for a doctor to terminate such a pregnancy, a crime that carries a presumptive 3*f* years in prison for a first-time offense.

Quezada said that still leaves the legal issues.

'This is a clearly and obviously a blatantly unconstitutional bill,' Quezada said, citing the legal opinion of the Senate attorney that the measure runs afoul of current court rulings and legal precedents.

AMERICAN OVERSIGHT

Barto, however, said lawmakers in Mississippi, Missouri, North Dakota and Tennessee have enacted similar laws and all remain on the books.

None of those statutes, however, have reached the U.S. Supreme Court.

The measure also would outlaw the use of telemedicine for medical abortions, precluding women from getting abortion-inducing pills through the mail.

It also would require that any aborted fetus be either buried or cremated and impose new restrictions on public educational institutions from counseling or referring a woman for an abortion other than to save her life.

A final roll-call vote is needed before the measure goes to the House.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Lawmakers again consider purging state's permanent early voting list

Arizona Daily Star
February 25, 2021

The Arizona Senate has revived a stalled bill that would purge about 200,000 people from a list of voters who automatically get mail ballots.

The measure died on the Senate floor last week when Republican Sen. Paul Boyer joined all 14 Democrats in opposition, holding it short of a majority.

But a Senate committee revived the proposal on Tuesday and Boyer said Wednesday that his concerns have been addressed.

The measure has drawn harsh criticism from voting rights advocates, who describe it as a voter-suppression tactic by Republicans after now-President Biden narrowly won Arizona last year.

The measure would remove the word 'permanent' from the popular 'permanent early voting list' and require people to vote at least once in every two election cycles to stay on the list.

Boyer was said he was concerned that people would be dropped from the list for missing just one primary or general election. But legislative lawyers assured him that voters would need to miss both the primary and the general for two consecutive cycles to be removed.

State election officials have said about 200,000 voters currently meet that criteria. If the bill passes, they would get a letter asking them whether they want to remain on the permanent early voting list and would be removed if they don't respond.

The measure is among dozens of election bills that Republicans have introduced this year to put new limits on how ballots can be cast, many targeting the increasingly popular vote-bymail system.

AMERICAN OVERSIGHT

On Wednesday, the Senate Appropriations Committee advanced a bill that would prohibit election officials from counting mail ballots postmarked after the Thursday before an election. It also would change the date ballots are mailed from 27 days before an election to 22 days.

Another bill would require voters casting mail ballots to include in the ballot envelopes an affidavit with their birthdate and proof of their identity. That measure was approved in a committee this month but has not yet received a vote in the full Senate.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County: Audit of voting equipment finds no wrongdoing

Arizona Daily Star
February 25, 2021
Howard Fischer

Maricopa County supervisors and state senators head back to court Thursday as they continue to fight over what kind of audit of the 2020 election is necessary — and who has the power to do it.

The hearing before Maricopa County Superior Court Judge Timothy Thomasson comes two days after county officials reported the audit they ordered conducted of its voting equipment came up absolutely clean. That report concluded there was no evidence that:

•Votes were switched from one candidate to another;

•Equipment was using modified software;

•Voting machines were connected to the internet;

•Malicious software or hardware had been installed on tabulators or the system.

'These audits are an affirmation for everyone's hard work and prove what my colleagues and I have been saying all along: Our elections were run with integrity and the results we canvassed were accurate,' said Supervisor Clint Hickman, one of four Republicans on the board.

Steve Gallardo, the lone Democrat supervisor, agreed.

'The audits clearly dispel the notion that somehow the November election was rigged,' he said.

But Senate President Karen Fann told Capitol Media Services more needs to be done to determine what, if anything, went wrong with the count of the 2020 general election.

'When there are this many questions that people are questioning our electoral system, I think we owe it to them to say 'We're going to get those answers for you, and we're going to show that our system is good and secure," she said. 'And if we find any irregularities, we are going to prove to you that we're going to fix those irregularities.'

Fann said, what the county performed doesn't get to those questions.

AMERICAN OVERSIGHT

Some of it, she said, is because the companies they hired are not certified forensic auditors. Beyond that, Fann said there are other questions that the audit never addressed 'I do know that they did not do an in-depth forensic audit enough to help us figure out how many mail-out ballots went out to people that do not live in Arizona any more,' she said. Then there are allegations about ballots that went to dead people or a large number of ballots showing up at a house where only two people live.

All that, Fann said, leads to questions about what happened to all those alleged ballots.

But a key point in what Fann and her colleagues want is access to all of the actual 2.1 million ballots to determine if the count reported actually matches the votes counted. It is up to Thomasson to decide if they are entitled to that.

The audit done for the county does look at some of that — but only indirectly Auditors from Pro V & V looked at the question of whether the Dominion Voting Systems equipment or software was switching votes from one candidate to another, one of the charges leveled by Trump supporters, using what a 'test deck' of ballots pre-marked with known results. All totaled, they said the tally of more than 1.5 million specific ballot positions came out 100% accurate.

Only thing is, these were not the actual ballots voted in November, in keeping with the county's position that they have to be locked up.

The audit produced other results.

Pro V & V and SLI Compliance, the other firm hired by the county, also said they looked for evidence that the tabulation system was transmitting information outside what they said was an 'air-gapped system' within the county. They said they found no issues.

Both also conducted what they called a 'full forensic clone' of the hard drive on the equipment which allowed them to examine not just what was there but also look for evidence of deleted files or hidden data. Here, too, they said they found no issues.

All that, however, is not good enough as far as the Senate is concerned. And Fann said the only way the questions of constituents will be answered is if there is an actual examination of the equipment and the ballots by someone chosen by the Senate.

Whether lawmakers are entitled to that is exactly what Thomasson is being asked to decide.

The county's refusal to turn over access is based on several arguments.

'The (Arizona) Constitution commands that ballots be kept secret,' attorney Steve Tully who represents the county told Thomasson in his legal filings. And he said Arizona law spells out that after the formal canvass of votes, the ballots are put into an envelope and kept unopened for up to 24 months, after which they must be destroyed.

None of this has stopped the Senate from issuing a subpoena for access to them.

But Tully said subpoenas are permissible only when there has been a vote of the full Senate to investigate the 2020 general election. That, he said, did not occur.

AMERICAN OVERSIGHT

Instead, he said, the subpoenas all result from 'months of conspiracy theories rejected by the courts and debunked by the press.'

There are provisions for a judge to decide whether to enforce a subpoena. But he said that first requires a vote of the Senate to hold the supervisors in contempt.

But that failed when Sen. Paul Boyer, R-Glendale, refused to go along with his GOP colleagues.

Volunteers, one representing each party, work in pairs to analyze ballots that have discrepancies at the Maricopa County Recorder's Office in Phoenix. On Tuesday, county officials said an audit found no problems with its voting equipment.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Ariz. GOP activists threaten legal battle over Ward's win

Arizona Republic
February 25, 2021
Yvonne Wingett Sanchez

Arizona GOP activists are challenging the results of last month's state Republican Party election, where party chair Kelli Ward narrowly beat back opposition to win a runoff election to preside over the party for another two years.

Sandra Dowling and Bill Beard, two candidates who lost their bids for other state party offices in the Jan. 23 election, are doubling down in their demands that state party officials make available to independent auditors a slew of information pertaining to the election — from ballots to documentation of all election equipment, hardware and software.

The candidates made the request Wednesday through attorney Timothy La Sota, who once served as legal counsel for the Arizona Republican Party.

The Arizona Republic obtained a copy of the letter that was sent to the state party's attorney. The four-page letter warns of consequences if the request is ignored or denied.

"If the state party does not agree to a full, transparent and auditable recount of all offices elected on January 23, 2021 as described above, one thing will happen and another is likely to happen," La Sota's letter said. "I will proceed to Court to vindicate Mr. Beard and Dr. Dowling's rights, and I understand that various other parties are planning to seek Ms. Ward's removal as state party chair via a call for a special meeting from the requisite number of state party committeemen."

La Sota has given the state party until 12 p.m. March 1 to respond: "The time for talk is over."

Ward has already rebuffed calls for an audit of the election. She did not immediately respond to The Arizona Republic's request for comment Wednesday.

She has rejected calls by GOP activists and lawmakers to audit the procedures and results of the election, saying the state party did not have the "structure" to do so.

Jack Wilenchik, the attorney for the state party, said the state committee would have to vote to audit the election results.

He said Ward and party officials, nor their representatives, have the authority to perform an audit outside of a vote by party members.

"It's like asking Joe Biden or Merrick Garland to do some kind of a recount of the November election — they don't have that power," he said.

Wilenchik added: "They should not waste the court's time with this. These are political matters that courts do not, should not, waste their time with. What they're asking for is impossible for us. They should direct their concerns to the state committee."

AMERICAN OVERSIGHT

The letter ratchets up the pressure on Ward to respond to simmering questions about the integrity of her win — and wins in other races, even as she has continued to baselessly claim Democrats stole the presidential election from former President Donald Trump.

Questions about the integrity of the state party election results were raised after Dowling, who ran for an at-large committee position in the 8th Congressional District, was initially announced as a winner and was later told she had not won.

On Feb. 1, she emailed Ward requesting a recount of the vote from that election, according to the document, which was included as an exhibit in La Sota's letter.

Ward previously has blamed the mistaken public announcement of Dowling's victory on human error.

Separately, Beard outlined a long list of concerns he had about procedures used during the elections in a Jan. 28 letter to Ward, which also was included as an exhibit.

Beard detailed concerns he witnessed: a file box containing replacement ballots was not under constant guard; the number of ballots handed out, depending on proxies, may not have equaled the credentialed members by the caucus.

There seemed to be instances where people received the wrong ballot, then got a correct ballot, Beard noted, "but there was no tracking of whether the first ballot was returned or documented. Did these individuals inadvertently vote both ballots?"

Beard wrote he found it problematic that observers were not present in the tabulation room while votes were being counted. "This breach of basic integrity protocol is concerning," he wrote.

Ward said during a recent radio interview on Phoenix radio station KFYI (550 AM) there was "no procedure, process, rule that allows for it to be done, and you certainly don't allow a challenger who lost an election to demand something that they don't have the right to, and we don't have the responsibility for providing."

La Sota disagreed. He noted in his letter that at the Jan. 23 meeting, the state party passed a bylaw change that enhanced the rights of members to challenge election results and request audits.

"Clearly the Arizona Republican Party has been at the forefront of voter integrity matters for many years," he wrote. "It would be bitterly ironic if that same party continued in its efforts to stymie those who simply want to ensure that the January 23, 2021 state party elections were conducted fairly and accurately."

Among the items he asked that state party officials make available: a complete count of all of the ballots; a complete list of the number of credentialed voters that received ballots; all documents related to election material, including ballots voted, spoiled and unused; tapes from scanners; thumb drives used to transfer data between devices; a full chain of custody trail for all ballots and ballot data; documentation of all election equipment hardware and software, including chain of custody of the machinery; and the names of witnesses and all individuals who had access to the ballots.

AMERICAN OVERSIGHT

Return to the table of contents

Glendale residents can weigh in on plan to close five schools

Arizona Republic
February 25, 2021
Joshua Bowling

Sharyn Liddicoat Isaac E. Imes teacher Concerned residents and teachers will be able to address the Glendale Elementary School District governing board on Thursday about its proposal to permanently close five schools and redraw the district's boundaries.

The district with some 10,500 students stretches across central and southern Glendale and includes some of the city's oldest schools.

Community members are organizing after Glendale City Council member Jamie Aldama, who previously served on the district's school board, started posting about the proposal on his Facebook page and warning residents the schools could close.

Protesters plan to rally outside the meeting room 30 minutes before Thursday's meeting.

The public hearing will start at 5:30 p.m. in the Glendale Elementary School District governing board room, 7301 N. 58th Ave. Speakers will be limited to three minutes each and district interpreters will be present for anyone who doesn't speak English.

The district is putting COVID-19 precautions in place:

- Face masks are required. - Members of the public will be required to socially distance and form a line outside the building. Folding chairs will be provided. Small groups will be allowed in when it's their turn to speak. The groups will be required to stay at least six feet apart from each other. The board is not scheduled to vote Thursday on the plan to close schools and redraw school boundaries. The vote could happen March 11.

Open houses at five schools on closure list The district will hold a series of open house meetings, with a presentation on the proposal and Q& A sessions, at each of the affected schools in early March. Those meetings are scheduled for:

Bicentennial North:

Desert Garden:

Coyote Ridge:

Melvin E. Sine:

Isaac E. Imes:

What's in the proposal? The district's proposal would unfold over two years. The plan calls for:

Phase 1, 2021-2022:

AMERICAN OVERSIGHT

Phase 1, 2021-2022:

Phase 2, 2022-2023.:

Phase 2, 2022-2023:

Phase 2, 2022-2023:

The plan also calls for redrawing the district's boundaries. It would:

- Shift district boundaries so Sunset Vista Elementary School, off 75th and Orangewood avenues, no longer takes students from east of Grand Avenue. - Shift district boundaries so Harold W. Smith and Desert Spirit would take on additional students. - Shift district boundaries so students from Glendale American, Horizon and Glenn F. Burton schools would be reassigned based on the new grid. - Shift district boundaries so William C. Jack Elementary and Don Mensendick schools would become K-8 schools. District cites falling enrollment The discussion to close these schools goes back to a December governing board meeting.

Leaders pointed to several factors — a decline in the U.S. birth rate following the Great Recession, the rising cost of living in metro Phoenix and the growing roster of charter schools in the area — for the district's declining enrollment.

Closing and repurposing these schools, plus redrawing the district's boundaries, is the most efficient way to meet this dip in enrollment, they say.

This isn't the first time district leaders have discussed closing schools. The governing board in 2010 considered closing Isaac E. Imes, which was built in 1942, amid falling enrollment in the recession's aftermath.

Some of the district's old buildings have fallen into disrepair. The district is part of a lawsuit against the state and its School Facilities Board over what it argues is an unfair system for helping schools in disrepair.

Teachers, parents say proposal would crowd classrooms While leaders point to declining enrollment, parents and teachers point to already crowded classrooms and say closing schools would only make the problem worse.

Nearly 30 people wrote into a February governing board meeting about the proposal. All of them opposed the plan. Several sent in the exact same message, urging leaders not to close schools and further crowd the ones that remain operational.

'As a community member and lifelong Glendale resident, I believe it is important to wait and see the effect of the pandemic ... the district should not be making enrollment projections during this unprecedented time,' the letter says. 'The vote to close five schools could create a future crisis of overcrowded schools.'

Others pointed to the effects closing these schools could have on students and the broader community.

AMERICAN OVERSIGHT

'I am a 19-year Glendale Elementary School District teacher as well as a product of Glendale elementary schools, ... I am a true product of the west side,' Isaac E. Imes teacher Sharyn Liddicoat wrote into the meeting. 'I see not only my childhood being closed down indefinitely, but my career as well. ... I see fear of the unknown casting a shadow over the future of our young children.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona adds 1,310 new COVID-19 cases, 43 deaths

Arizona Republic
February 25, 2021
Alison Steinbach

Arizona reported 1,310 new COVID-19 cases and 43 new known deaths Wednesday as metrics like hospitalizations and percent positivity continued to improve.

Arizona's seven-day new-case average ranked 15th Tuesday among all states, after ranking first and second for much of January, according to the U.S. Centers for Disease Control and Prevention's COVID Data Tracker.

The state's rate of new positive cases over the past seven days was 21.3 cases per 100,000 people, according to the CDC. New York City was first with 50 cases per 100,000. The U.S. average for new cases was 19.3 cases per 100,000 people.

Arizona's newly reported 43 deaths brought the known COVID-19 death count to 15,693.

In slightly more than one year since the first case was announced in Arizona, a total of 811,968 COVID-19 cases have been identified across the state. February has seen relatively lower case reports.

The Arizona data dashboard shows 85% of all ICU beds and 88% of all inpatient beds in the state were in use Tuesday, with 25% of ICU beds and 17% of non-ICU beds occupied by COVID-19 patients. Statewide, 263 ICU beds and 1,037 non-ICU beds were available.

The number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 1,449 on Tuesday, down from Monday's 1,515 inpatients and far below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 430 on Tuesday, down from 447 on Monday and below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 253 on Tuesday, down from 266 on Monday and well below the record high 821 reached on Jan. 13.

Tuesday saw 1,208 patients in the emergency room for COVID-19, below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Wednesday's numbers Reported cases in Arizona: 811,968.

AMERICAN OVERSIGHT

Cases since the outbreak began increased by 1,310, or 0.16%, from Tuesday's 810,658 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 507,480 in Maricopa, 108,772 in Pima, 45,865 in Pinal, 36,356 in Yuma, 20,992 in Mohave, 16,975 in Yavapai, 16,360 in Coconino, 15,513 in Navajo, 11,100 in Cochise, 10,357 in Apache, 7,611 in Santa Cruz, 6,366 in Gila, 5,280 in Graham, 2,383 in La Paz and 557 in Greenlee, according to state numbers.

The Navajo Nation reported 29,576 cases and 1,152 confirmed deaths in total as of Tuesday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

Arizona as of Tuesday had the sixth-highest overall case rate in the country since Jan. 21, 2020. Ahead of Arizona in cases per 100,000 people since the pandemic began are North Dakota, South Dakota, Rhode Island, Utah and Tennessee, according to the CDC.

Deaths by county: 8,938 in Maricopa, 2,186 in Pima, 774 in Yuma, 754 in Pinal, 634 in Mohave, 484 in Navajo, 450 in Yavapai, 372 in Apache, 307 in Coconino, 264 in Cochise, 211 in Gila, 167 in Santa Cruz, 72 in Graham, 71 in La Paz and nine in Greenlee.

The global death toll as of Wednesday morning was 2,487,890, and the U.S. had the highest death count of any country in the world, at 502,698, according to Johns Hopkins University. Arizona's death total of 15,693 deaths represents 3.1% of COVID-19 deaths in the U.S. as of Wednesday.

The COVID-19 death rate in Arizona since the pandemic began was 212 per 100,000 people as of Tuesday, according to the CDC, putting it sixth in the country in a state ranking that separates New York City from New York state. The U.S. average was 150 deaths per 100,000 people as of Monday.

Return to the table of contents

Bill to cut people from early voting list is back at Capitol

Arizona Republic
February 25, 2021
Andrew Oxford

If you ever think a bill at the Arizona Legislature has met its ultimate defeat, you might want to give it a week or so.

Seven days after it was rejected by the full Senate on a 15-15 vote, the Senate Appropriations Committee revived legislation to remove voters from the permanent early voting list if they do not vote early in four consecutive primary and general elections.

Taking action during a marathon hearing that lasted off and on for more than 12 hours, the committee also voted along party lines to shorten the period for voting by mail.

And while lawmakers discussed a proposed constitutional amendment that would allow the Legislature to overturn presidential election results, the proposal's sponsor, Sen. David Gowan, R-Sierra Vista, opted against putting it up for a vote.

AMERICAN OVERSIGHT

The measures are just the latest effort by Republican legislators to change various facets of the election process in Arizona after high turnout last year helped President Joe Biden win the state.

In response, Republican lawmakers have proposed ending voting by mail and drastically reducing the number of early voting locations, among other things.

While some of the measures have faltered, others got a boost — or a lifesaving jolt of energy — late Tuesday night.

Mail voting legislation revived Pushing these efforts required some legislative gymnastics, though.

For example, the permanent early voting list legislation had nothing to do with government spending, ostensibly the committee's focus. So, its sponsor took an unrelated bill and amended it to include the proposal.

Sen. Michelle Ugenti-Rita, a Republican from Scottsdale who is sponsoring the bill, has argued it would help ensure the early voting list is accurate and claimed to have evidence that mail ballots were sent to at least one deceased voter (she did not claim that ballot was actually cast).

The measure would require county officials to contact voters at risk of removal from the list and give them an opportunity to renew their participation in it prior to jettisoning them. The bill also scraps the name 'permanent early voting list.'

Democrats argue it could kick hundreds of thousands of voters off the list who may skip an election for innocent reasons — perhaps they don't like the choices on their ballot, for example.

And critics argued it would have an outsize impact on independent voters, who can vote in primaries but would need to request a ballot for one party or another to do so and stay on the early voting list. However, those voters, who make up one-third of the electorate, may not wish to support any party and thus skip primaries altogether.

So, while the bill might be aimed at people who miss four elections in a row, Sen. Sean Bowie, D-Phoenix, argued it would actually affect independents who miss two.

Ugenti-Rita rejected that concern Tuesday.

'They chose to register as independents,' she said.

Critics also have argued the wording of Senate Bill 1485 could be interpreted in a way to kick off the list any voter who misses one out of four elections.

The 6-4 party line vote to advance the bill gives it another shot at becoming law after its defeat Feb. 16.

Sen. Paul Boyer, R-Glendale, joined with Democrats on the floor of the Senate to block the measure.

Ugenti-Rita said Tuesday she was working to address Boyer's concerns about the bill.

AMERICAN OVERSIGHT

Committee backs shorter early voting timeframe The Senate Appropriations Committee also voted along party lines to shorten the period for voting by mail by requiring counties send out ballots 22 days ahead of an election, instead of 27 days.

Senate Bill 1593 also would require mail ballots to be postmarked no later than the Thursday before Election Day. Currently, election officials count ballots that are received up to 7 p.m. on Election Day.

'The intent is to get ourselves to vote faster,' said Gowan, the bill's sponsor, who noted that he votes in person.

But critics argued the measure would disadvantage those who vote by mail from rural areas, where mail service can be delayed. And others noted that not all mail is postmarked.

'Voters are very used to the timeframe we have and that timeframe is not broken, from our perspective,' said Jen Marson, from the Arizona Association of Counties, which represents county election officials.

Presidential election measure withdrawn One measure that faltered in the committee, though, would have asked voters to hand the Legislature the unrestrained power to pick the state's presidential electors.

Under current Arizona law, voters directly choose a slate of presidential electors and those electors are required to support the presidential candidate who won the most votes in the state.

Senate Concurrent Resolution 1009 would require legislators to meet in special session after each presidential election to review the results and would give the Legislature sole authority to appoint the electors who cast the state's electoral college votes.

Bowie questioned whether Republicans would support the idea if Democrats controlled the Legislature and a Republican won the presidential election here.

'Why even have a presidential election? Why have voters vote on it if the Legislature is going to be able to override whatever the voters vote for?' Bowie asked.

Gowan said he did not believe 'any future legislature would want to override the vote of the people.'

But several Republican legislators — including Gowan — signed a letter in December urging Congress not to count the Electoral College votes cast by the Democratic slate chosen by voters.

Ultimately, Gowan did not ask committee members to vote on the measure, telling them he only wanted to spur the conversation.

'Just wanted to be able to get this out on the table,' he said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Ariz. doesn't screen some disorders. Babies pay for it.
Arizona Republic
February 25, 2021
Breann Westmore Guest Columnist

Learning you are pregnant comes with a range of emotions, from exciting to terrifying and everything in between. You start to dream and plan.

How will you decorate a nursery, save for college, pick a name? When will you feel your baby move for the first time? Who will help as you learn your new routine and caring for a new baby and yourself?

You reasonably expect that all recommended lifesaving testing will be administered and your baby will have the benefits of the most up-to-date medical science.

But if you live in Arizona, you are wrong.

We can and must change that.

PJ Syverson was born in 2003, a seemingly healthy baby boy. Yet in 2011, PJ was diagnosed with X-ALD, a genetic disorder that affects the nervous system and adrenal glands.

By that time, his condition was too advanced for treatment. By 2014, he was legally blind and could no longer walk, speak or eat. He died in 2015 in the arms of his mother, Janelle.

The very same year, X-ALD was added to the RUSP (Recommended Uniform Screening Panel). The screening panel is a list of disorders that the secretary of the U.S. Department of Health and Human Services recommends for all states to screen as part of their universal newborn screening programs.

All tests on the RUSP have evidenced based treatment options that if administered early, will prevent disability and even death.

It's been six years since PJ passed away. Yet Arizona still does not test for X-ALD and three other federally recommended conditions.

Stella was born in May 2019, a perfect baby girl with 10 fingers and toes, full of love and joy. Fast forward five weeks, and she was in the hospital fighting for her life. Only because her mom Samantha was tirelessly advocating for her daughter that the newborn was diagnosed with Spinal Muscular Atrophy (SMA) Type 1 – a condition that had been added to the Recommended Uniform Screening Panel a year before Stella's birth. The diagnosis led to a life-saving infusion for Stella at 51/2 weeks old.

But because of delayed treatment, Stella endured PICC lines, infections, steroids, ventilators, loss of vision and muscle, and today she must use a wheelchair.

In Arizona, seven babies on average are born with SMA every year. Yet none of them have been caught early because Arizona only screens for 31 of 35 recommended conditions.

These types of stories are many and could happen to anyone. There are 84,000 babies delivered in Arizona each year, and each year in the United States, 1 in 300 infants are born with a condition that can be detected through newborn screening.

AMERICAN OVERSIGHT

Senate Bill 1680 will require the Arizona Department of Health Services to add X-ALD and Spinal Muscular Atrophy to the newborn screening by the end of 2021 and require that the department add all other missing RUSP disorders within two years.

PJ and Stella's stories should not have to be that of any other Arizona baby. Hug your babies tight, and remember PJ and Stella.

Please join the March of Dimes by encouraging your legislators to vote yes on SB 1680. Lives depend on it.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Former Arizona Gov. Brewer praises Sen. Sinema for moderate stance

KTAR News
February 25, 2021
Torrence Dunham

The moderate stance of Democratic U.S. Sen. Krysten Sinema of Arizona on recent legislation is drawing praise from an unlikely source – previous foe and former Arizona Gov. Jan Brewer.

"This is really hard for me to say but she has been moderate and she has stood up for Arizona," Brewer told Gaydos & Chad on Wednesday. "It is absolutely refreshing that she is looking at things and making what I believe are reasonable decisions."

Sinema has said she is against a raise to the federal minimum wage being part of the next COVID-19 relief package and is one of six other moderate Democrats and seven Republicans to sign an amendment barring "upper-income taxpayers" from being eligible to receive stimulus checks.

She is also drawing displeasure from progressives for refusing to support eliminating the 60-vote threshold for approving most legislation.

Sinema is one of two Democratic senators from Arizona, Mark Kelly who beat incumbent Republican Martha McSally in the 2020 election being the other, marking the first time the state sent two Democratic senators to Washington D.C. in almost 70 years.

This, along with the flipped senate seats from Georgia, gave President Joe Biden and Democrats control of both chambers of Congress through a split Senate with Vice President Kamala Harris serving as the tie-breaker.

The split Senate, however, gives moderates like Sinema significant political clout.

"She is powerful because of the numbers they are dealing with there," Brewer noted.

"It's not easy sometimes to walk down the middle of the road, you get hit from both sides."

Brewer said the more-moderate Sinema is different than what she saw when they both served at the state Capitol in Phoenix from 2009 to 2012, Sinema at that time a member of the Arizona House of Representatives and later the state senate.

"This girl changed tremendously if this continues," Brewer said. "This is not the person that we all knew when she was in the Arizona Legislature, I guarantee that."

During that time, suffice to say the Republican Brewer and Democrat Sinema didn't see eye-to-eye.

"She was crazy, with all due respect," Brewer laughed.

Yet Brewer said it's been a great relief that Sinema may actually be a moderate.

AMERICAN OVERSIGHT

"I'll give her credit, she said she was going to be a moderate," Brewer said. "I didn't believe her."

Return to the table of contents

Asylum seekers rush to register for US border processing

KTAR News
February 25, 2021

In the first five days since the administration of U.S. President Joe Biden began to process the thousands of asylum seekers waiting in Mexico, the United Nations High Commissioner for Refugees registered 12,000 people. That's nearly half the 25,000 active cases the U.S. government has cited.

Migrants who have waited in Mexico and elsewhere to get hearings on their U.S. asylum requests are dealing now with a mix of hope and frustration, along with overloaded websites and telephone lines that never stop ringing.

The hurdles are far better than the seemingly endless wait often in wretched conditions of tens of thousands of asylum seekers forced to choose between waiting in Mexico — or returning to Central America — under the Migrant Protection Protocols, or Remain in Mexico program. Instituted by the Trump administration in January 2019, the program sought to discourage asylum seekers by making them wait in Mexico rather than releasing them with orders to appear for future court dates in the U.S.

On Wednesday, the U.S. Department of Homeland Security announced it would begin processing asylum seekers with registered cases who have been living in a tent encampment on the banks of the Rio Grande in Matamoros, Mexico. Life in the camp has always been precarious, but it was especially hard hit by frigid winter weather that hit Texas and northern Mexico last week. Processing residents of the camp is a priority for the Biden administration, the statement said.

Last week, the U.S. government began processing a small number of asylum seekers with active cases in San Diego. The processing is expected to expand to El Paso soon.

According to preliminary data shared by UNHCR, of the 12,000 people who have registered, some 4,000 are children or dependents and about 1,200 registered from outside Mexico.

Some of that last group registered from the United States, suggesting that they may have entered the country illegally after making their initial asylum petition. The others registered from Central America where they returned to their native countries rather than remain in the often dangerous Mexican cities at the border.

"I'm like I believe, I don't believe it, I have a mix of feelings," said a Cuban teacher from the border city of Reynosa where she been waiting for almost two years. She requested anonymity because she had been kidnapped previously in the city.

After many frustrated attempts, she managed to register and received a WhatsApp message asking for her patience as technical difficulties were resolved. "Now just wait for the call," she said.

AMERICAN OVERSIGHT

That call will be the third step in the process. Monica Vázquez, UNHCR's liaison to the migrants, said that first they have to check online to confirm their case is active. Then they have to register with UNHCR where they will receive an email with a date and time for a telephone call.

On that call, they confirm their information and try to determine if the person can be considered particularly vulnerable, which could move them to the front of the line. They also try to determine whether the person is part of a family unit that could encompass multiple cases that could be joined together. In some cases, applicants have had children during the time they've been waiting.

Later, the asylum seeker receives a second call in which they are assigned a date to appear at a center to prepare to cross the border. There the person's identity is confirmed, documents are prepared, they are given a COVID-19 test and if it results negative they are taken to the border. The U.N.'s International Organization for Migration handles those last two steps.

Jeremy MacGillivray, an IOM representative in Mexico, said that exactly where all of the eligible migrants are in Mexico is still unknown. But as that becomes clearer, they plan to organize buses or even planes to transport them.

"It's very important to reiterate that the people do not move from where they are until they have clear communication from UNHCR, because it would be a great risk to try to move without this accompaniment," he said.

Processing in Matamoros has special requirements. The camp has been there for almost two years and has many needs. It's also a city firmly controlled by drug cartels.

U.N. agencies have already detected cases of people posting false numbers on social networks and promising to speed up the process for a fee.

Vázquez said migrants must be assured that the process is free and they should not pay anyone.

Francisco Gallardo, director of the Casa del Migrante shelter in Matamoros, said of the migrants: "They are stressed and very nervous."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Hoffman says Arizona schools can safely reopen with proper measures

KTAR News
February 25, 2021
Danny Shapiro

Arizona Superintendent of Public Instruction Kathy Hoffman said Wednesday schools can safely reopen if they strictly follow outlined mitigation strategies.

Updated guidance released Feb. 12 from the Centers for Disease Control and Prevention on how to effectively return to in-person learning stressed the need for schools to enforce prevention measures to limit the spread of COVID-19.

AMERICAN OVERSIGHT

Hoffman said about 60% of Arizona schools are already offering some form of in-person learning. More are expected to expand in-person education opportunities as case numbers decrease and vaccinations increase.

"Mitigation strategies have been proven to work. Our schools have key tools and policies that make learning safe," Hoffman said during a press conference.

Arizona schools have a number of requirements in place for in-person learning, most notably a statewide mask mandate.

Hoffman believes the enforcement of those measures is the next step in making sure coronavirus stays out of the classroom.

In Maricopa County, there have been 258 COVID-19 outbreaks at schools resulting in 1,102 cases.

Hoffman stressed the need for teachers, students and families who live rurally or are underprivileged to follow those measures if they plan to return to school.

"In-person learning is going to look and feel different in every community and that's OK. Local context matters," Hoffman said.

Return to the table of contents

Arizona Republicans revive bill to purge state's early voting list

KTAR News
February 25, 2021

The Arizona Senate has revived a stalled bill that would purge about 200,000 people from a list of voters who automatically get mail ballots.

The measure is among dozens of election bills that Republicans have introduced this year to put new limits on how ballots can be cast, many targeting the increasingly popular vote-by-mail system. The measures come in the wake of victories in Arizona by President Joe Biden and Sen. Mark Kelly, both Democrats.

A Senate committee on Tuesday brought back to life the proposal to purge the permanent early voting list. The measure died on the Senate floor last week when Republican Sen. Paul Boyer joined all 14 Democrats in opposition, holding it short of a majority.

Boyer said Wednesday his concerns have been addressed.

The measure has drawn harsh criticism from voting rights advocates, who describe it as a voter-suppression tactic by Republicans after Democratic President Joe Biden narrowly won Arizona last year.

The measure would remove the word "permanent" from the popular "permanent early voting list" and require people to vote at least once in every two election cycles to stay on the list.

AMERICAN OVERSIGHT

Boyer was said he was concerned that people would be dropped from the list for missing just one primary or general election. But legislative lawyers assured him that voters would need to miss both the primary and the general for two consecutive cycles to be removed.

State election officials have said about 200,000 voters currently meet that criteria. If the bill passes, they would get a letter asking them whether they want to remain on the permanent early voting list and would be removed if they don't respond.

On Wednesday, the Senate Appropriations Committee advanced a bill that would prohibit election officials from counting mail ballots postmarked after the Thursday before an election. It also would change the date ballots are mailed from 27 days before an election to 22 days.

Another bill would require voters casting mail ballots to include in the ballot envelopes an affidavit with their birthdate and proof of their identity. That measure was approved in a committee this month but has not yet received a vote in the full Senate.

Proposals in both the House and the Senate to give lawmakers — not voters — the final say in selecting Arizona's representatives in the Electoral College have been introduced without receiving committee votes.

The House and Senate approved several other election bills over steep opposition from voting rights advocates. The Senate voted to give certain lawmakers — instead of the governor — veto power over the election procedures manual, a state document that outlines in minute detail how elections should be carried out. The document is currently written by the secretary of state and approved by the governor and attorney general.

Sen. Martin Quezada, a Glendale Democrat, said that would introduce unnecessary partisanship. The bill's sponsor, Republican Sen. Michelle Ugenti-Rita of Scottsdale, said it would give the public more involvement.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Indian Country gripped by Haaland hearing for top US post

Arizona Daily Sun
February 25, 2021
Felicia Fonseca

For Native Americans, Deb Haaland is more than an elected official on track to become the first Indigenous secretary of the Interior Department. She is a sister, an auntie and a fierce pueblo woman whose political stances have been molded by her upbringing.

News of her historic nomination electrified Indian Country. Tribal leaders and organizations for weeks have urged people to write and call U.S. senators who will decide if she'll lead the agency that has broad oversight over Native American affairs and energy development.

Haaland's confirmation hearing this week is being closely watched in tribal communities, with some virtual parties drawing hundreds of people. The hearing started Tuesday and will continue Wednesday.

To mark the event, supporters projected a picture of the New Mexico congresswoman on the side of the Interior building with text that read "Our Ancestors' Dreams Come True." A mobile billboard with Haaland's image also made its way around Washington, D.C.

Many Native Americans see Haaland as a reflection of themselves, someone who will elevate their voices and protect the environment and tribes' rights. Here are stories of her impact:

DEBBIE NEZ-MANUEL, 49, NAVAJO NATION IN ARIZONA, NEW MEXICO AND UTAH

During her recent campaign for an Arizona legislative seat, Nez-Manuel sought an endorsement from Haaland. She was looking for someone whose values aligned with hers: grounded in beliefs, connected to the land, a consistent and strong leader unchanged by politics.

After layers of vetting, she got the endorsement and planned to announce it at a get-out-the-vote rally featuring Haaland at the Gila River Indian Community in Arizona. It also was a chance for the two women to take a picture together.

Then, the event was canceled because of the pandemic. Nez-Manuel was devastated.

Days before she was supposed to meet Haaland, Nez-Manuel was sitting at home when her phone rang. She didn't recognize the number.

"Hey Debbie, this is Deb," the voice on the phone said.

"Who?" Nez-Manuel asked.

The caller replied: "Deb Haaland. Good morning. I'm calling from New Mexico. I'm sitting in my kitchen."

AMERICAN OVERSIGHT

Nez-Manuel's heart raced, and she struggled to voice all the thoughts she had so carefully scripted for that meeting. Haaland, she said, was patient and shared stories about life on and off a reservation — something that resonated with Nez-Manuel.

“It's like talking to an auntie," she said. "She's very matter of fact.”

Nez-Manuel joked about flying to Washington for Haaland's confirmation hearing to get that elusive picture.

Instead, she and her husband, Royce, connected to a virtual watch party from their home on the Salt River-Pima Maricopa Community northeast of Phoenix. Nez-Manuel said Haaland showed she was willing to learn from others, aptly answering questions and pledging to make decisions based on science.

“She is about protecting what's there, what's good for humanity, not for pocketbooks,” Nez-Manuel said. “That's something that stood out very clearly.”

ALETA ‘TWEETY’ SUAZO, 66, LAGUNA AND ACOMA PUEBLOS IN NEW MEXICO

Suazo first met Haaland when they were campaigning for Barack Obama, walking door to door in New Mexico's pueblos.

When Haaland was chosen to represent New Mexico as one of the first two Native American women ever elected to Congress, she turned to Suazo and the state's Native American Democratic Caucus to make treats for a reception.

They prepared hundreds of pueblo pies, or pastelitos, and cookies, froze them and took them to Washington. Wearing traditional black dresses, they handed out the goodies with a thank-you note from Haaland.

Suazo said she admires Haaland because she is eloquent and smart, “no beating around the bush,” and she is a Laguna Pueblo member who has returned there to dance as a form of prayer.

When she heard Haaland was nominated as Interior secretary shortly after winning a second term in Congress, Suazo wasn't overjoyed.

“Oh my gosh, she is going to go there, and who is going to represent us?" said Suazo, who lives in Rio Rancho, New Mexico. “There goes our one and only Indian representative.”

She wanted to be assured that Haaland would be replaced by someone just as dynamic, who would work hard to protect the environment, address an epidemic of missing and slain Indigenous women and expand broadband, she said.

“I was happy, but I was afraid. I didn't want to lose her," Suazo said.

But she sees the importance, she said, in having a Native American oversee an agency that touches nearly every aspect of Native American life.

AMERICAN OVERSIGHT

Suazo sent a message to Haaland ahead of the hearing to say “be a strong woman,” or “gumeh.” She went back and forth watching it on television and in a virtual party.

“It kind of reminds me of people having prayer groups, that kind of collective sending (of) good thoughts and prayers and support, and to have that many people doing it at one time was just so great," Suazo said.

BRANDI LIBERTY, 42, IOWA TRIBE OF KANSAS AND NEBRASKA

When Liberty saw a picture of Haaland in a traditional ribbon skirt and moccasins for Joe Biden's inauguration, she cried.

She thought about her grandmother Ethil Simmonds Liberty, who didn't become a U.S. citizen until she was 9 despite being born on her tribe's reservation that straddles Kansas and Nebraska. Her grandmother was a powerful advocate for her people, petitioning to turn a pigpen into a playground, writing letters to U.S. presidents and leading efforts to get a road paved to the reservation, she said.

Brandi Liberty thought about her own daughter, who she hopes will carry on her legacy in working with tribes and embracing their heritage.

She thought about her time earning a master's degree and seeing single mothers bringing their children to class, each understanding it wasn't a burden but a necessity. She later became a single mother like Haaland, who often speaks about her experience working through college and amassing debt.

Liberty also thought about how Haaland could move other tribes in the right direction and connect them to Washington. Essentially, Liberty's grandmother on a larger scale.

“This is no different than when Obama became the first Black president and what that signified,” said Liberty, who lives in New Orleans. “This is a historical mark for Indian Country as a whole.”

Liberty caught most of Tuesday’s hearing while updating her parents and others through texts and social posts. She found herself in tears again as Haaland made her opening statement and touched on personal struggles.

“I could relate to so much of it,” Liberty said.

ZACHARIAH RIDES AT THE DOOR, 21, BLACKFEET TRIBE OF MONTANA

Rides At The Door is studying environmental sciences and sustainability, and fire science as a third-year student at the University of Montana in Missoula.

He brings a perspective to his studies that Haaland has touted as unique from Indian Country — that everything is alive and should be treated with respect and that people should be stewards of the land, rather than have dominion over it.

In high school, he learned about the mining industry and how it has impacted sites that are part of the Blackfeet creation story. He learned about the American Indian Movement's role in fighting for equality

AMERICAN OVERSIGHT

and recognition of tribal sovereignty. He also recently learned the United States had a Native American vice president from 1929 to 1933, Charles Curtis.

Rides At The Door isn't sure what he wants to do when he graduates. But he knows he wants to learn the Blackfeet language, and maybe become a firefighter or work on projects that route buffalo to his reservation.

He was working Tuesday but planned to catch up on the hearing through social media. Already, he was seeing memes and other posts that praised Haaland.

Seeing her political rise is inspiring, he said.

"It's a great way for younger Natives to say, 'Alright, our foot is in the door. There's a chance we could get higher positions.'"

Return to the table of contents

Arizona fined $1M for failing to improve prison health care

Arizona Daily Sun
February 25, 2021
Jacques Billeaud

A federal judge presiding over a legal settlement on the quality of health care in Arizona's prisons has imposed $1.1 million in contempt of court fines against the state for failing to follow through on its promises to improve inmate care, marking the second time the state has faced penalties for remaining noncompliant with many elements of the six-year-old deal.

The fine was imposed Wednesday by U.S. District Judge Roslyn Silver after corrections officials had been dogged by complaints they were dragging their feet in making all the changes to which they had agreed.

Corrections officials did not immediately respond to a request for comment about the fine.

Over the last several years, the judges who have handled the case have expressed frustration over the state's noncompliance, leading to a $1.4 million contempt fine in 2018 against the state and a civil contempt finding against then-Corrections Director Charles Ryan.

Silver then had threatened to impose more fines and raised the possibility of throwing out the settlement and bringing the case to trial. A court-appointed expert has concluded that understaffing, inadequate funding and privatization of health care services are significant barriers in improving health care for about 30,000 inmates in Arizona's 10 state-run prisons.

On Wednesday, Silver found the state in civil contempt for not complying with 22 performance measures, such as such as ensuring newly prescribed medications be provided to inmates within two days at the Eyman prison and making medical providers tell inmates about the results of pathology reports and other diagnostic studies within five days of receiving such records at the Florence prison.

AMERICAN OVERSIGHT

Silver rejected the state's arguments that it shouldn't face the fines because it was nearing compliance on several performance measures and that it wasn't given a chance to clear up the problems. The judge said the state made no effort to explain the steps it took to comply with 10 of the 22 performance measures.

The state was fined $50,000 for noncompliant performance measures up through spring 2019.

The state could face yet another round of fines -- this time $100,000 for each performance measure -- for noncompliance in the last 10 months of 2020. The judge ordered the state to explain in writing its failures in bringing certain performance measures into compliance.

Silver also raised the state's compliance with a requirement that it provide interpretation services to prisoners who aren't fluent in English.

Prisoners maintain the provision is routinely violated and the state has conceded as much, Silver wrote. She is requiring the state submit a plan to explain how to prisoners that interpretive services will be available for those who need it.

Though the state paid the $1.4 million fine issued in 2018, the company that at the time provided health care services within the prisons had reimbursed the state for that amount.

The settlement arose out of a lawsuit that said the state's prisons didn't meet the basic requirements for providing adequate medical and mental health care.

The lawsuit said some prisoners complained that their cancer went undetected or that they were told to pray to be cured after begging for treatment.

It also said the failure of the medical staff at one prison to diagnose an inmate's metastasized cancer resulted in his liver enlarging so much that his stomach swelled to the size of a pregnant woman at full term. Another inmate who had a history of prostate cancer had to wait more than two years for a biopsy.

The state denied allegations that it was providing inadequate care, and the lawsuit was settled without the state acknowledging any wrongdoing.

Return to the table of contents

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Thursday, February 25, 2021 6:01:11 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Today's Yellow Sheet
Attachments: 2-25-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

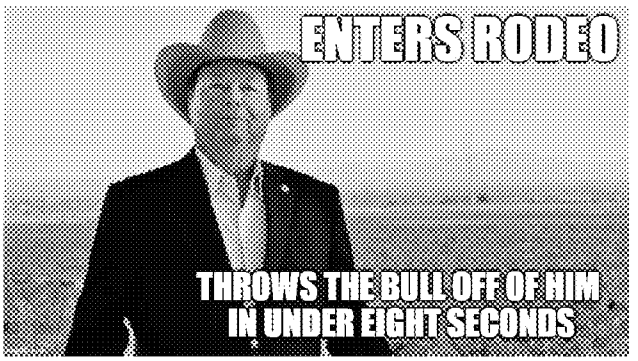
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, February 25, 2021

NEWS NOTES AND GOSSIP

RODEO MAN TAKEN TO HOSPITAL AFTER COW STAMPEDE



Pratt was taken to the hospital after yesterday's marathon House floor session, his wife Janice Pratt told our reporter today, saying that following a pair of accidents that limited mobility in his arms, he wasn't eating or drinking much during the long hours at the House. He's doing much better, she said, and expects to Zoom in for the House floor action on Monday. On Jan 16, Pratt lost partial use of his right hand, she said, noting it's not definitive what caused that. A month later, a car hit him at the Post Office and he landed on his other arm, leaving him with little movement in either arm. "They ran from 9 until 6, with just very cursory breaks, and by that point, he was dehydrated, and lacking nutrition and had real high blood pressure," she said, noting another lawmaker who is a doctor checked him out, and suggested he go to the hospital. "They worked him into the hospital." She said not showing up on crossover week was not an option for someone with his work ethic, and he didn't want to let his colleagues and district down. "He had to cowboy tough it out," she said, noting Pratt used to ride rodeo, so is no stranger to working through pain. "It's really hard work to be a legislator and they're really unappreciated for the work they do. Particularly this time of year, you have to endure a lot of stress to your mind and your body." But Pratt isn't considering retirement or a resignation, she said. "No, he's not thinking about that at all," she said. "He's all in. It's just that he may be all in virtually. He'd prefer to be there in-person, and there are a lot of people who chose not to be there in-person, and I don't think they were struck by a car or had that situation that hurt his right hand."

WE HEAR BIDEN AND ANTIFA RIGGED IT FOR WARD

Attorney Tim La Sota, working on behalf of state committeemen Sandra Dowling and Bill Beard, is threatening to take Kelli Ward to court over her possibly rigged re-election last month and said if she doesn't consent to an audit, she'll likely face a recall. The *Republic's* Yvonne Wingett Sanchez got the scoop yesterday (LINK) with La Sota's letter to the party, which demanded the party conduct an audit and recount, or else face him in court. He noted that the party changed its bylaws to make it easier for Republicans to challenge the results of party elections and request audits, but said Ward is so far refusing to play by the party's rules. "Clearly the Arizona Republican Party has been at the forefront of voter integrity matters for many years," La Sota wrote. "It would be bitterly ironic if that same party continued in its efforts to stymie those who simply want to ensure that the January 23, 2021 state party elections were conducted fairly and accurately." (AZGOP attorney Jack Wilenchick told Sanchez that Ward has no authority to conduct a recall without a vote from the state committeemen.) If the AZGOP doesn't agree to an audit and recount by noon Monday, La Sota said a recall campaign against Ward is likely. A copy of La Sota's letter can be viewed in our "documents" section (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002269

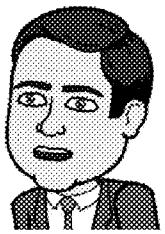
ARZN_REV00068788_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GUESS WE GO STRAIGHT TO RECALL THEN

La Sota's letter threatened to "proceed to Court to vindicate Mr. Beard and Dr. Dowling's rights," but didn't elaborate on the justification for suing. "I would be hard-pressed to think there could be a legal cause of action for the way that a political party conducts its election," one Republican elections attorney told our reporter. While there's a constitutional provision that guarantees the purity of elections, that wouldn't apply to the way a private political party elects its own internal officers, the attorney said. ARS 16-821 through 16-828 govern political party operations and provide barebones directives on holding certain meetings on certain days, but don't govern how the election, or any recounts or audits, should be conducted, meaning there is no law to violate, the lawyer said. If the state committeemen had standing to sue over the handling of a party election, it would probably happen frequently, the lawyer said. "There would have been legions of lawsuits in the last 20 or 30 years in the Republican Party because there's nothing they like to do more than fight amongst themselves," the attorney said. "I'd be very surprised if a challenge like that would survive a motion to dismiss in court because there's just so little to go on here." Our reporter played phone tag with La Sota today, but wasn't able to connect for a conversation about what legal grounds he plans to use to proceed.

THERE'S A SHOWDOWN COMING

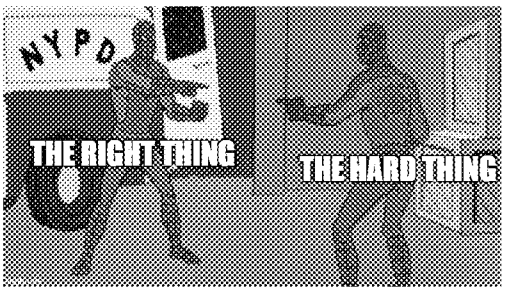


Lawmakers are angling to increase the unemployment benefit cap for the first time since 2004, but Ducey has repeatedly shown little interest in raising the weekly amount above the current rate of $240. As two separate measures – both with bipartisan support – move through the legislative process, it raises the question whether Ducey would sign it into law or veto an increase, assuming it makes it to his desk. Over the past year of the pandemic, Ducey has repeatedly shut down questions about whether Arizona should increase its cap and pointed to the federal government as the avenue to increase unemployment checks, saying it's up to Congress to help unemployed Arizonans. Congress has passed three separate relief packages adding between $300 and $600 to each state's weekly unemployment benefit cap. Arizona still sits at 49th in the country. Cook sponsored H2805 (unemployment insurance; benefits; tax base) which would raise the cap from $240 to $300 and also raise the cap for part-time workers to still be able to receive some assistance, increasing the income disregard amount from $30 to $160. It passed the House yesterday 50-9, showing an overwhelming support from progressives to some of the staunchest conservatives. Fann has her own proposal written as a strike-everything amendment that would raise the cap to $320 weekly payments, though it would cut benefits from 26 weeks to 20. Fann said she has the votes. (In fact, she would only need five other Republicans in the chamber to have two-thirds of the Senate and the potential to override a veto – something that has never been done during the Ducey administration.) Throughout the pandemic, Ducey has faced many questions about the low unemployment benefits. His answers have varied from "there are jobs available" to some version of it's up to Congress to act. Ducey has been clear that he supports creating jobs so people can get back to work, rather than pay them to remain unemployed (LINK). He has also repeatedly avoided answering whether he could live on $240 per week. (When our reporter asked Bowers that same question in a Clean Elections debate last year, he soundly said no.)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002270
ARZN_REV00068788_2-25-21.pdf

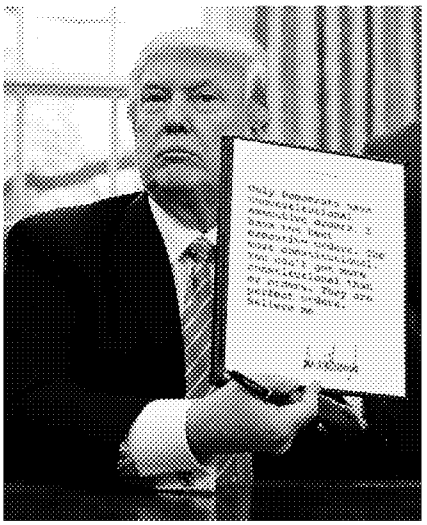
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BE LIKE JAN – DO THE HARD THING



It appears Ducey is backed into a corner politically and will be forced to sign a bill he didn't want, but Chuck Coughlin said it's an easy decision for the governor, as the bill has popular support from bipartisan lawmakers and the public. "In the last two years of his term, thumbing his nose at two-thirds majorities seems an unwise political thing to do," Coughlin said. "Any Governor's last two years are amongst his or her most vulnerable because you just have less political capital, and you don't want to invite that antagonism to your door." Coughlin said Ducey could save face by including a note with his signature talking about these "extraordinary times." "I think he could say that, and at the same time, indicate that his greatest hope is for people to find employment, find jobs in a robust Arizona economy as the vaccine becomes more prevalent," he told our reporter. Coughlin also said he doesn't view signing a bill to increase the unemployment cap as a loss for the governor, despite Ducey's previous opposition. He likened the decision to Brewer's push to expand Medicaid benefits under Obamacare, saying it makes very little sense to punish the state just to virtue signal. "I mean, we do have one of the lowest benefits in the country and so, acknowledging that and maybe readdressing that in a time of pandemic would give him an opportunity to revisit that thought," Coughlin said. "He's not that self-reflective, but maybe in light of a once-in-a-lifetime pandemic that makes us all look at ourselves and say, 'You know, how can we do better?'"

EXECUTIVE ORDERS ARE ONLY A PROBLEM UNDER DEMS



With a Democrat again in the White House, lawmakers are once again taking aim at presidential executive orders, an issue that was hot during the Obama years but had slipped off the radar under the Trump presidency. A Payne striker amendment to a Roberts bill would allow lawmakers to request Legislative Council review any presidential executive order and request the AG to challenge it in federal court. Roberts' H2310 (executive orders; review; attorney general) is similar to what at least two other Republican-held state legislatures are attempting to do. In Oklahoma, 60 Republican legislators signed on to a bill that would allow the body to invalidate Biden executive orders with a simple majority vote, former *Capitol Times* reporter Carmen Forman wrote (LINK). South Dakota is attempting something similar (LINK). It's not clear if Payne or Roberts (two Republicans who supported overturning election results and pushing the "Big Lie") want this because Biden, a Democrat, is now the president and they don't agree with his policy agenda. But Gowan, who is running a similar striker in S1119 (attorney general; executive orders) got coy when answering questions from Bowie, who noted that there were no efforts to have the AG look into executive orders over the past four years, but there was an effort to do just that in 2015, when Obama was still in office. In 2014, Arizona voters approved an initiative that would prevent the state from using its resources to enforce unconstitutional federal laws. The process laid out in the two amended bills would allow the state to determine the constitutionality based on the AG's opinion without waiting for court rulings. Gowan did not offer any clarity why he or other Republicans did not try this same thing under a Republican presidency, but said he got the idea from North Dakota.

OLD ENOUGH TO REMEMBER WHEN JUDGES WERE POLITICIANS

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002271
ARZN_REV00068788_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Ducey appointed a judge to the Coconino County Superior Court for the first time since residents voted to switch from electing judges to having them go through the state's merit selection process. He chose Stacy Krueger, a political independent who worked in the Coconino County Attorney's Office. Krueger also went to law school at University of Toledo, in Ducey's hometown. In 2018, Coconino became the first Arizona county to adopt the merit selection process voluntarily. The state currently permits that only counties with more than 250,000 people should go through the process where a selection committee vets and interviews applicants before sending at least three names to the governor.

·WAKE UP CALL·

Bill helps taxpayers avoid Prop. 208 surcharge
Arizona Capitol Times
A veteran lawmaker is proposing what amounts to an end-run to allow some business owners to avoid paying the just-approved income tax surcharge for education.

Senate votes to add county supervisors in Maricopa, Pima
Capitol Media Services
Residents of the state's two largest counties could find themselves with more people to call when something goes wrong.

Senate bill to outlaw certain abortions gets tentative approval
Capitol Media Services
State senators voted Wednesday to make abortions illegal if the woman is seeking to terminate the pregnancy because of a genetic abnormality of the fetus.

Arizona lawmakers move to strip commission from mandating use of renewable energy
Capitol Media Services
State lawmakers voted Wednesday to strip the Arizona Corporation Commission of its power to mandate the use of renewable energy by utilities.

Gowan nixes his own proposal for legislative override of presidential vote
Capitol Media Services
Facing some blistering criticism and the possibility of harming Republican re-election efforts, a Southern Arizona lawmaker has pulled the plug on a proposal to let the legislature override the choice of voters for president.

Arizona fined $1M for failing to improve prison health care
Associated Press
A federal judge presiding over a legal settlement on the quality of health care in Arizona's prisons has imposed $1.1 million in contempt of court fines against the state for failing to follow through on its promises to improve inmate care, marking the second time the state has faced penalties for remaining noncompliant with many elements of the six-year-old deal.

House votes to raise Arizona's low unemployment pay
Associated Press
The Arizona House voted Wednesday to raise Arizona's super-low $240 maximum weekly unemployment benefit to $300 at the start of 2022 and impose a small increase in employer insurance premiums to pay for the increase.

ICE Still Trying to Remove Low-Priority Undocumented Immigrants, Attorneys Say
Phoenix New Times
Federal Immigration and Customs Enforcement officials in Arizona are wrongfully refusing to stop deportation proceedings for certain undocumented immigrants deemed to be low-priority cases under new guidelines from the Biden administration, local attorneys claim.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

House passes bill to require convictions before seizing assets
Arizona Mirror
Property rights and criminal justice reform advocates are a step closer to achieving their elusive goal of requiring law enforcement agencies and prosecutors to get a conviction before permanently seizing property allegedly connected to a crime.

The pandemic has hurt Arizona's families. Will Republicans finally make them a priority?
Arizona Mirror (Opinion, Julie Erfle)
We've been living in our pandemic bubbles for so long that it's easy to feel disconnected from our neighbors.

Will Arizona Gov. Doug Ducey save democracy from his own Republican Party?
Arizona Republic (Opinion, EJ Montini)
The Republican-controlled Legislature is pushing a raft of voter suppression and election altering bills.

Look who's now pushing to boost Arizona's woeful unemployment pay (though with a catch)
Arizona Republic (Opinion, Laurie Roberts)
Perhaps the only good thing to come out of COVID-19 is the realization among Republicans that the state's unemployment pay is embarrassingly inadequate.

Why hasn't Maricopa County Attorney Allister Adel dropped charges against all protesters?
Arizona Republic (Opinion, Elvia Diaz)
More elected officials are asking Maricopa County Attorney Allister Adel to drop charges against all Black Lives Matter protesters. They're right.

Cities have a right to fight for our residents. Arizona shouldn't restrict that
Arizona Republic (Op-ed, Lauren Kuby)
Why would lawmakers make it harder for cities and counties to hire outside counsel, join class-action lawsuits and fight for our communities in court?

It violates free press rights to bring to trial a Des Moines Register reporter arrested while covering a protest
Arizona Republic (Op-ed, Des Moines Register's Editorial Board)
The pending charges against a Register reporter who was arrested while covering a social justice protest last spring are a clear infringement on the freedom of the press.

Prison reform must take forgiveness (and cost) into equation
Arizona Daily Star (Opinion, Steve Schulz)
Arizona lawmakers are reconsidering many so-called "tough-on-crime" policies. I applaud the Legislature's efforts because this is not a popular topic for politicians on either side of the aisle.

PRESS RELEASES

Representative Fillmore Calls on State to Halt Instruction of 1619 Project in Arizona Schools

STATE CAPITOL, PHOENIX – Representative John Fillmore (R-16) today sent the following letter to Arizona Superintendent of Public Instruction Kathy Hoffman expressing his concern with the instruction of curriculum in state schools that includes material derived from the New York Times controversial and heavily-criticized 1619 Project:

Dear Superintendent Hoffman,

I am writing in regard to the New York Times' highly controversial and discredited "1619 Project," which has since been developed into education curriculum and adopted by the Balsz School District in Phoenix, Arizona for its young students.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

This curriculum is grounded in a collection of politically charged essays and various other dubious works that aim to revise the history of America by highlighting the influence slavery has had on pivotal historical events even predating our nation's founding.
As you are aware, A.R.S. §15-112 prohibits certain types of divisive courses and classes. I believe that promoting the materials from the 1619 Project curriculum violates subsection's A. (2) (4). The main essay on which the curriculum is based is a divisive and disputed version of alt-history that encourages a dangerous "us" versus "them" mentality. While these types of works may be appropriate in a college-level course, where theories and competing viewpoints can be explored and debated, they do a disservice to our younger students who are not prepared to think critically.
Pursuant to A.R.S. §15-112 subsection B. I am formally requesting that you withhold 10 percent of the Balsz School District's monthly state aid until the 1619 Project curriculum is no longer being taught.
Should you have any concerns about this request, please reach out to my office. I look forward to your response.
Sincerely,
Representative John Fillmore
Legislative District 16

In Letter to President Biden, Representative Osborne Urges Higher Vaccine Allocation to Meet Unique Needs of State

STATE CAPITOL, PHOENIX – Representative Joanne Osborne (R-13), Chairman of the House Health and Human Services Committee, today sent the following letter to President Joe Biden, asking for his assistance to ensure Arizona is quickly allocated enough COVID-19 vaccine supply to fully meet the need of our residents and the thousands of seasonal visitors that flock to our state each year:
Dear President Biden:
As Chairman of the Arizona House of Representatives Health and Human Services Committee, a mother, a grandmother, and a business owner, I am writing to express concern about the lack of COVID-19 vaccine supply being sent to Arizona. I proudly represent Legislative District 13 which contains both a fast-growing suburban expanse as well as Arizona's largest agricultural community. My district, located near the Arizona-Mexico border, is home to three military bases one of the fastest growing cities in the nation.
It was quite exciting you were able to take a virtual tour of the Arizona state-run point of distribution (POD) for the COVID-19 vaccine at State Farm Stadium. Your visit highlighted the great work Arizona has done to get as many persons vaccinated as quickly as possible. In fact, since your virtual visit, Arizona has set up two additional state-run PODs—one in Phoenix and one in Tucson. This is in excess of the work by our county partners to get the vaccine out to their communities. I am most grateful for the leadership of Governor Ducey and Dr. Cara Christ and her team in ensuring we keep up with supply and get vaccines in arms. Of course, none of this would be possible without the scores of healthcare heroes and the Arizona National Guard who have stepped up to volunteer their time to administer the vaccine and ensure a smooth experience at the PODs. I am encouraged by the progress Arizona is making getting our essential workers and most vulnerable populations vaccinated as quickly as possible and look forward to continuing this progress until everyone in Arizona who wants to be vaccinated has that opportunity.
Having witnessed first-hand our efforts to ramp up capacity for vaccine distribution, I am asking that you help Arizona meet the demand. As you are aware, we are privileged in this great state to enjoy beautiful weather during this time of year, boasting highs in the 70s. People around the country flock to Arizona during these beautiful months to enjoy the season and to escape the harsh weather where they live. We welcome these individuals, affectionately referred to as snowbirds, who more than likely are in the age of 65 years and older, and I agree with Governor Ducey that these individuals should be vaccinated during their visit when it is their turn. However, when calculating Arizona's distribution amount, snowbirds are not factored into the count. And it is not just the snowbirds. The same is true for seasonal agricultural workers who are critical to getting food on the tables of Arizonans. Each of these individuals is out in their communities, visiting shops, gyms and restaurants just like everyone else, so it is critical they be vaccinated along with the Arizonans with whom they are co-mingling.
For these reasons I respectfully urge you to consider these winter and spring visitors when determining Arizona's vaccine allocation. We in Arizona are doing our part, so I respectfully ask that you do yours to ensure Arizona has enough vaccine allocation to meet the need of both residents and the seasonal visitors mentioned above.
Sincerely,
Representative Joanne Osborne
Legislative District 13

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002274
ARZN_REV00068788_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Appoints Stacy Krueger To The Coconino County Superior Court

PHOENIX — Governor Doug Ducey today announced the appointment of Stacy Krueger to the Coconino County Superior Court to fill the vacancy created by the retirement of Judge Mark R. Moran.

In 2018, Coconino County voters opted to move from elections for judges on the Superior Court to merit selection where the Coconino County Trial Court Commission makes recommendations to the Governor for appointments to fill judicial vacancies. Stacy is the Governor's first appointment to the Coconino County Superior Court through this new process.

"Stacy's dedication and service to the Coconino County community is an asset to the bench," said Governor Ducey. "I am pleased to announce Stacy's appointment to the Coconino County Superior Court."

Stacy has devoted her life to public service as a prosecutor with the Coconino County Attorney's Office. She prosecutes felony cases and manages an average caseload of 50 to 80 cases at any given time. Although she handles a wide variety of felony cases, her focus is on prosecuting domestic violence cases. In addition, she supervises prosecutors who serve in Coconino County's specialty courts including Veterans' Court, Recovery Court, Mental Health Court, and Page Drug Court.

Stacy's service extends outside the office through volunteer work for the High Country Stand Down for Veterans and for Wills for Heroes events. Additionally, she has volunteered her time with the Northland Family Help Center, Big Brothers & Big Sisters, and the Flagstaff Family Food Center events. Stacy graduated from Coconino County's Executive Leadership Academy, which trains future leaders. In 2018, Stacy was named the Arizona Prosecutor of the Year by Mothers Against Drunk Driving and the Citizen of the Year by the National Association of Social Workers – Arizona Chapter, Branch 3.

Stacy graduated cum laude from the University of Wisconsin-Green Bay with a Bachelor of Arts in History, minoring in Women's Studies. While in college, she played on the Division I women's basketball team with a full athletic scholarship. She then obtained magna cum laude a Master of Science in Education from Youngstown State University in Ohio. She subsequently received her law degree magna cum laude from the University of Toledo in Ohio.

Planned Parenthood Advocates of Arizona Honors National Black History Month by Calling on (MCAO) To Drop All Remaining Charges Against BLM Protesters

Phoenix — After a year of devastation brought on by continued systemic racism, police brutality, and a worldwide pandemic that disproportionately affected Black communities, Planned Parenthood Advocates of Arizona is drawing attention to the incredible work being done by Black activists here in our state such as Mass Liberation Arizona and BLM Phoenix Metro. We join them in demanding the Maricopa County Attorney's Office (MCAO) drop all remaining charges against BLM protesters. Their efforts are vital in the ongoing fight against white supremacy in our state and in creating a safe and equitable community for all Arizonans. This National Black History Month, PPAA is continuing to honor the valuable contributions made by Black leaders and organizers right here in our state.

Planned Parenthood Advocates of Arizona Communications Manager Murphy Bannerman released the following statement:

"Planned Parenthood Advocates of Arizona has always been and will continue to be a champion for the health and rights of Black communities. Now more than ever, it is crucial that we do our part to stand up and support Black folx in the fight for equal rights, such as calling upon MCAO to drop all the remaining charges against protesters with prejudice, end political prosecutions, and fire the prosecutors that took part in these cases."

"We will continue to amplify Black voices and advance policies that support Black communities here in Arizona. In this new era, PPAA is committed to anti-racism work, by following the lead of those at the forefront," ***said Murphy Bannerman, Communications Manager of Planned Parenthood Advocates of Arizona.***

Arizona Students Selected for United States Senate Youth Program

Students to Participate in the First Online Program and to Receive $10,000 Scholarship

Washington, D.C. —The United States Senate Youth Program (USSYP) announces that high school students Mr. Nathaniel David Mehmert Cross and Ms. Eman Massoud will join Senator Kyrsten Sinema and Senator Mark Kelly in representing Arizona during the 59th annual USSYP Washington Week, to be held March 14 — 17, 2021. Nathaniel Cross of Tucson and Eman Massoud of Gilbert were selected from among the state's top student leaders to be part of

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

the 104 national student delegation who will each also receive a $10,000 college scholarship for undergraduate study. Due to the pandemic, the 2021 program will break ground as the first-ever fully virtual Washington Week, and is designed to be a highly interactive and exciting education and leadership forum for the nation's most outstanding student leaders.

The USSYP was created by Senate Resolution 324 in 1962 and has been sponsored by the Senate and fully funded by The Hearst Foundations since inception. Originally proposed by Senators Kuchel, Mansfield, Dirksen and Humphrey, the Senate leadership of the day, the impetus for the program as stated in Senate testimony is "to increase young Americans' understanding of the interrelationships of the three branches of government, learn the caliber and responsibilities of federally elected and appointed officials, and emphasize the vital importance of democratic decision making not only for America but for people around the world."

Each year this extremely competitive merit-based program brings the most outstanding high school students – two from each state, the District of Columbia and the Department of Defense Education Activity – to Washington, D.C. for an intensive week-long study of the federal government and the people who lead it. However, this year, the program will be held online. The overall mission of the program is to help instill within each class of USSYP student delegates more profound knowledge of the American political process and a lifelong commitment to public service. In addition to the program week, The Hearst Foundations provide each student with a $10,000 undergraduate college scholarship with encouragement to continue coursework in government, history and public affairs. All expenses for Washington Week are also provided by The Hearst Foundations; as stipulated in S.Res.324, no government funds are utilized.

Nathaniel Cross, a junior at Catalina Foothills High School, serves as the secretary of the Pima County Teen Court Bar Association. Born in the United Kingdom, he brings a unique perspective to his academics and activism with Pima County Teen Court. Despite the challenges presented by COVID-19, he successfully advocated for the continuation of this program because of the support it provides young people and the proven effect on lowering recidivism. Beyond his activism with Teen Court, Nathaniel remains connected to his community through his club cycling team, El Grupo, a competitive and youth empowerment organization where he serves as the youth representative on the Governing Board of Directors.

Eman Massoud, a senior at Gilbert Classical Academy, serves as a student advisor to the African American Advisory Council at the Arizona Department of Education, a representative for March for Our Lives, and a representative of the Student Legion. She is a member of the Ambassador Club and is active with the Youth Leadership Development Program with Mi Familia Vota. Eman is motivated by the power of equitable representation and has delivered tangible changes in her community by encouraging her school leadership to hire more teachers of color, which led to two new educators of color joining her school by her senior year.

Chosen as alternates to the 2021 program were Ms. Iselle Barrios, a resident of Tucson, who attends University High School and Mr. Ross Nemeth, a resident of Scottsdale, who attends Horizon High School.

Delegates and alternates are selected by the state departments of education nationwide and the District of Columbia and Department of Defense Education Activity, after nomination by teachers and principals. The chief state school officer for each jurisdiction confirms the final selection. This year's Arizona delegates and alternates were designated by Ms. Kathy Hoffman, Superintendent of Education.

During the program week, the student delegates will attend online meetings and briefings with senators, the president, a justice of the Supreme Court, leaders of cabinet agencies and senior members of the national media, among others. In addition to outstanding leadership abilities and a strong commitment to volunteer work, the student delegates rank academically in the top one percent of their states among high school juniors and seniors. Now more than 5,800 strong, alumni of the program continue to excel and develop impressive qualities that are often directed toward public service. Among the many distinguished alumni are: Senator Susan Collins, the first alumnus to be elected U.S. senator; Secretary of Transportation and former Mayor of South Bend Indiana, Pete Buttigieg; former Senator Cory Gardner, the second alumnus to be elected U.S. senator and the first to be elected to the U.S. House of Representatives; former New Jersey Governor Chris Christie, the first alumnus to be elected governor; former Chief Judge Robert Henry, U.S. Court of Appeals for the Tenth Circuit; former Ambassador to West Germany Richard Burt, former presidential advisors Thomas "Mack" McLarty and Karl Rove. Additional notables include former Lt. Governor of Idaho David Leroy, Provost of Wake Forest University Rogan Kersh, military officers, members of state legislatures, Foreign Service officers, top congressional staff, healthcare providers and other university educators.

Members of the U. S. Senate Youth Program 2021 annual Senate Advisory Committee are: Senator Tammy Baldwin of Wisconsin, Democratic Co-Chair; Senator James Lankford of Oklahoma, Republican Co-Chair; Advisory Members: Senator Thomas R. Carper (D-DE); Senator Christopher S. Murphy (D-CT); Senator Kyrsten Sinema (D-AZ); Senator Ron Wyden (D-OR); Senator Richard Burr (R-NC); Senator Kevin Cramer (R-ND); Senator Mike Lee

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002276

ARZN_REV00068788_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

(R-UT) and Senator Roger F. Wicker (R-MS). Each year, the Honorary Co-Chairs of the program are the vice president of the United States and the Senate majority and minority leaders.
For more information please visit: www.ussenateyouth.org

Organizations Come Together to Support a State Budget That Chooses Investing in Arizona's Future Instead of Disastrous Tax Cuts

[PHOENIX, AZ] Dozens of influential organizations from across Arizona have come together to urge Governor Ducey and state lawmakers to pass a budget that builds a stronger future for all Arizonans instead of continuing down a fiscally irresponsible and disastrous path of cutting taxes that will shut the door on Arizona's economic growth.

Thousands of Arizonans are facing huge challenges during the COVID-19 health and economic crisis. Many have lost their jobs or are working reduced hours, struggling to put food on the table, and many small businesses are not sure whether they will be able to keep their doors open much longer. Arizona lawmakers have an estimated $600 million in additional ongoing revenue they can use to invest in an economy that benefits all Arizonans during these difficult times. Instead, some lawmakers want to give that revenue away in tax breaks to corporations and the rich. They want to give away our future. If lawmakers give our tax dollars away now, our state will never have the revenue it needs to rebuild a stronger economy that works for everyone, like investing in affordable job training and college, in child care so parents can work, and in food support during tough times.

"Never has there been a more critical time for lawmakers to pass a state budget that invests in Arizonans and will bring our state out of these challenging times stronger than before," said David Lujan, Interim President and CEO of Children's Action Alliance.

Preliminary budget proposals released by Governor Ducey and some lawmakers are calling for tax cuts that will grow to a cost of $600 million annually. When combined with the $386 million in tax cuts enacted in 2019, that would amount to more than $1 billion in tax cuts in three years.

"Organizations from across Arizona support a budget that invests in people and our state's future," said Rabbi John Linder of the Arizona Interfaith Network. "More huge tax cuts are irresponsible. They are bad economics and will bring more harm upon our most vulnerable. We've forgotten the lessons of the Great Recession when incessant revenue cuts left us with the worst structural deficit in the country. We must create a different future."

This letter was sent to Governor Ducey and legislative leadership today. The first of many actions these organizations and others will be taking to support a state budget that chooses investments to build a stronger future for Arizona instead of fiscally irresponsible tax cuts.

House Approves Bill Raising Arizona's Unemployment Benefit

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today approved HB 2805, bipartisan legislation sponsored by Republican Representative David Cook, to raise the state's unemployment weekly insurance benefit amount from $240 to $300, and increasing the income disregard cap from $30 to $160, to allow a total weekly benefit of $460.

"Unemployed Arizonans struggle to make ends meet and put food on their family's table," said Representative Cook. **"Tonight, they're a step closer to having some more support. It's the right thing for us to do, and the bill does it responsibly."**

"I'm grateful for the bipartisanship of my colleagues. It is a good example that the work we do as legislators can have a real and meaningful impact on the lives of the people we're here to represent."

The bill now moves to the State Senate for consideration.

Senate passes bill to provide COVID liability protections to Arizona businesses and health care workers

(Phoenix, State Capitol) ---- A bipartisan group of Senators today passed SB 1377, the COVID liability protection bill. SB 1377 provides targeted and reasonable liability protections for businesses, schools and the healthcare industry. The bill now moves to the House of Representatives.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002277

ARZN_REV00068788_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"With this bill, a plaintiff has the burden to prove by 'clear and convincing evidence that a person or provider failed to act or acted with willful misconduct or gross negligence' in order to win a civil suit," said Senator Vince Leach, sponsor of the legislation. "If a business is following health and safety precautions, they shouldn't have a worry about being the target of a nuisance lawsuit."
At least 25 states have taken action to extend liability relief in this pandemic.

Senator Kelly and Colleagues Introduce New Bill to Fund Arizona Senior Services during COVID-19

Legislation would support meal delivery, vaccine outreach, caregiver aid
Today, Senator Mark Kelly joined Senators Bob Casey and Kirsten Gillibrand in introducing the Continued Funding for Senior Services During COVID-19 Act to ensure continued federal support for Arizona seniors. This legislation would allocate more than $1.5 billion to the aging network to continue providing essential services, such as meal delivery, vaccine outreach and programming, and caregiver support. Demand for senior services has skyrocketed during the COVID-19 pandemic, with 93 percent of Area Agencies on Aging across the country reporting that they have served more clients since the pandemic began.
Kelly is a member of the Senate Special Committee on Aging, and this month met with his Senior Citizens Advisory Group, made up of leading seniors advocates from across the state who are advising him on issues facing Arizona seniors. And last week, Kelly again volunteered with Mobile Meals of Southern Arizona delivering prepared meals and seeing firsthand how their services are supporting Arizona seniors during the pandemic.
"The fallout of this pandemic has disparately impacted Arizona's seniors. In a recent meeting with my Senior Citizen Advisory Group, I heard stories of seniors facing isolation, food insecurity, and issues both signing up for and getting to vaccine appointments. This emergency funding would address these issues by supporting programs and organizations that support Arizona seniors through food assistance, caregiving, transportation, and vaccine distribution," **Senator Mark Kelly**
"We support the proposed legislation by Senator Kelly. We must prioritize the needs of the population at the greatest risk of hospitalization and death from the virus. We need assistance in our efforts to reach out to older adults and connect them with a vaccination. Of the more than 500,000 Americans lost to COVID-19, 80% were 65 or older. Without an infusion of funding to replace the expended CARES Act dollars, there will be millions of older adults who already are, or very soon will be at risk of losing access to meals, in-home support, case management, transportation, and health and wellness programming to stave off social isolation and loneliness. Additional emergency funding is necessary and required to enable these older adults most at risk of COVID-19 and in greatest need to continue receiving life-sustaining services and to obtain access to vaccines," **Mary Beals Luedtka, Board Chair, Arizona State Association of Area Agencies on Aging.**
"The challenges facing Arizona seniors have been compounded by COVID-19. This proposal from Senator Kelly would improve the health and well-being of Arizona seniors by supporting programs that provide transportation, meals, caregiving, and other assistance seniors need during this pandemic," **Dr. Lisa O'Neill, Associate Director of Research and Education, University of Arizona Center on Aging.**
"At a time when older Americans need help the most, Senator Kelly has come through for us. The Continued Funding for Senior Services During COVID-19 Act helps to give us peace of mind in knowing that funds will be available to provide limited English outreach, legal hotlines, nutrition services, and more. In Arizona, these services are especially important for the thousands of seniors who reside in rural counties and lack the resources they need and deserve," **Dora Vasquez, Executive Director, Arizona Alliance for Retired Americans.**
The funding from the Continued Funding for Senior Services During COVID-19 Act includes $480 million for vaccination outreach and other programming, $775 million for nutrition services, $44 million for evidence-based disease prevention and health promotion services, $145 million for caregiver support services, $75.5 million to carry out demonstrations and evaluations under the Act, including funding to support multigenerational engagement, and $10 million for the long-term care ombudsman program.
Read more about the Continued Funding for Senior Services During COVID-19 Act HERE.

Congressman Gosar Reintroduces The Dental Loan Repayment Assistance Act

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002278
ARZN_REV00068788_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WASHINGTON D.C. - Congressman Paul Gosar (AZ-04) issued the following statement after reintroducing H.R. 1285, the Dental Loan Repayment Assistance Act, bipartisan legislation exempting dental faculty loan repayment recipients from taxation for five years.

"It is very fitting this legislation be introduced in February, National Children's Dental Health Month, to promote the benefits of good oral hygiene. Training our next generation of dentists is critical to the overall health of our country," said Congressman Gosar. "I'm proud to work with my colleagues on both sides of the aisle to reintroduce this important legislation that aims to remove barriers and strengthen oral health training," said Congressman Gosar.

Joining Congressman Gosar in introducing this bipartisan legislation included Representatives Yvette D. Clarke (D-NY) Mike Simpson, D.M.D. (R-ID) and Grace Meng (D-NY),

The Dental Loan Repayment Assistance Act exempts Title VII's dental faculty loan repayment recipients from taxation for five years during the span of their participation in the loan forgiveness program. The bill prevents dental faculty members from paying exorbitant tax bills on their federal loan repayment benefits.

The Dental Faculty Loan Repayment Program (DFLRP) was created to address the significant difficulties in recruiting qualified individuals to fill faculty positions, especially acute in pediatric dentistry. A critical factor in recruiting and retaining dental school faculty from recent dental school or residency program graduates is the staggering student loan debt and income disparity with private practice. "By alleviating taxation of such payments to the individual, this legislation will make the program even more effective in recruiting and retaining pediatric dental faculty," added Dr. Jessica A. Lee, President of the American Academy of Pediatric Dentistry.

The full bill text can be found HERE.

"QUOTE OF THE DAY"

"They worked him into the hospital."

- Janice Pratt, on her husband being hospitalized following a long day on the floor

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, February 25, 2021 6:01:14 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Today's Yellow Sheet
Attachments: 2-25-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

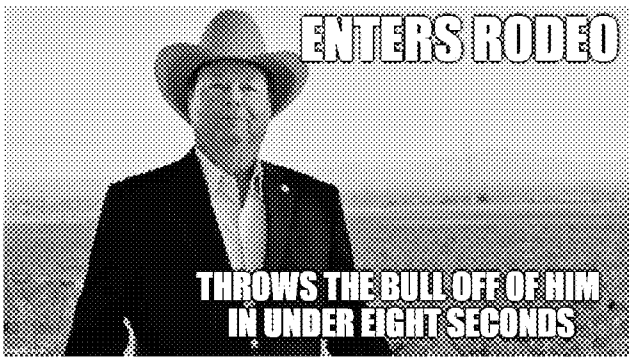
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, February 25, 2021

NEWS NOTES AND GOSSIP

RODEO MAN TAKEN TO HOSPITAL AFTER COW STAMPEDE



Pratt was taken to the hospital after yesterday's marathon House floor session, his wife Janice Pratt told our reporter today, saying that following a pair of accidents that limited mobility in his arms, he wasn't eating or drinking much during the long hours at the House. He's doing much better, she said, and expects to Zoom in for the House floor action on Monday. On Jan 16, Pratt lost partial use of his right hand, she said, noting it's not definitive what caused that. A month later, a car hit him at the Post Office and he landed on his other arm, leaving him with little movement in either arm. "They ran from 9 until 6, with just very cursory breaks, and by that point, he was dehydrated, and lacking nutrition and had real high blood pressure," she said, noting another lawmaker who is a doctor checked him out, and suggested he go to the hospital. "They worked him into the hospital." She said not showing up on crossover week was not an option for someone with his work ethic, and he didn't want to let his colleagues and district down. "He had to cowboy tough it out," she said, noting Pratt used to ride rodeo, so is no stranger to working through pain. "It's really hard work to be a legislator and they're really unappreciated for the work they do. Particularly this time of year, you have to endure a lot of stress to your mind and your body." But Pratt isn't considering retirement or a resignation, she said. "No, he's not thinking about that at all," she said. "He's all in. It's just that he may be all in virtually. He'd prefer to be there in-person, and there are a lot of people who chose not to be there in-person, and I don't think they were struck by a car or had that situation that hurt his right hand."

WE HEAR BIDEN AND ANTIFA RIGGED IT FOR WARD

Attorney Tim La Sota, working on behalf of state committeemen Sandra Dowling and Bill Beard, is threatening to take Kelli Ward to court over her possibly rigged re-election last month and said if she doesn't consent to an audit, she'll likely face a recall. The *Republic's* Yvonne Wingett Sanchez got the scoop yesterday (LINK) with La Sota's letter to the party, which demanded the party conduct an audit and recount, or else face him in court. He noted that the party changed its bylaws to make it easier for Republicans to challenge the results of party elections and request audits, but said Ward is so far refusing to play by the party's rules. "Clearly the Arizona Republican Party has been at the forefront of voter integrity matters for many years," La Sota wrote. "It would be bitterly ironic if that same party continued in its efforts to stymie those who simply want to ensure that the January 23, 2021 state party elections were conducted fairly and accurately." (AZGOP attorney Jack Wilenchick told Sanchez that Ward has no authority to conduct a recall without a vote from the state committeemen.) If the AZGOP doesn't agree to an audit and recount by noon Monday, La Sota said a recall campaign against Ward is likely. A copy of La Sota's letter can be viewed in our "documents" section (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002281

ARZN_REV00068790_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GUESS WE GO STRAIGHT TO RECALL THEN

La Sota's letter threatened to "proceed to Court to vindicate Mr. Beard and Dr. Dowling's rights," but didn't elaborate on the justification for suing. "I would be hard-pressed to think there could be a legal cause of action for the way that a political party conducts its election," one Republican elections attorney told our reporter. While there's a constitutional provision that guarantees the purity of elections, that wouldn't apply to the way a private political party elects its own internal officers, the attorney said. ARS 16-821 through 16-828 govern political party operations and provide barebones directives on holding certain meetings on certain days, but don't govern how the election, or any recounts or audits, should be conducted, meaning there is no law to violate, the lawyer said. If the state committeemen had standing to sue over the handling of a party election, it would probably happen frequently, the lawyer said. "There would have been legions of lawsuits in the last 20 or 30 years in the Republican Party because there's nothing they like to do more than fight amongst themselves," the attorney said. "I'd be very surprised if a challenge like that would survive a motion to dismiss in court because there's just so little to go on here." Our reporter played phone tag with La Sota today, but wasn't able to connect for a conversation about what legal grounds he plans to use to proceed.

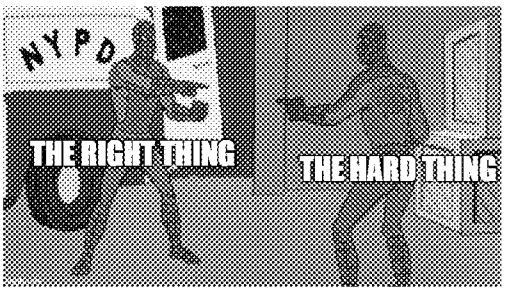
THERE'S A SHOWDOWN COMING

Lawmakers are angling to increase the unemployment benefit cap for the first time since 2004, but Ducey has repeatedly shown little interest in raising the weekly amount above the current rate of $240. As two separate measures – both with bipartisan support – move through the legislative process, it raises the question whether Ducey would sign it into law or veto an increase, assuming it makes it to his desk. Over the past year of the pandemic, Ducey has repeatedly shut down questions about whether Arizona should increase its cap and pointed to the federal government as the avenue to increase unemployment checks, saying it's up to Congress to help unemployed Arizonans. Congress has passed three separate relief packages adding between $300 and $600 to each state's weekly unemployment benefit cap. Arizona still sits at 49th in the country. Cook sponsored H2805 (unemployment insurance; benefits; tax base) which would raise the cap from $240 to $300 and also raise the cap for part-time workers to still be able to receive some assistance, increasing the income disregard amount from $30 to $160. It passed the House yesterday 50-9, showing an overwhelming support from progressives to some of the staunchest conservatives. Fann has her own proposal written as a strike-everything amendment that would raise the cap to $320 weekly payments, though it would cut benefits from 26 weeks to 20. Fann said she has the votes. (In fact, she would only need five other Republicans in the chamber to have two-thirds of the Senate and the potential to override a veto – something that has never been done during the Ducey administration.) Throughout the pandemic, Ducey has faced many questions about the low unemployment benefits. His answers have varied from "there are jobs available" to some version of it's up to Congress to act. Ducey has been clear that he supports creating jobs so people can get back to work, rather than pay them to remain unemployed (LINK). He has also repeatedly avoided answering whether he could live on $240 per week. (When our reporter asked Bowers that same question in a Clean Elections debate last year, he soundly said no.)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002282
ARZN_REV00068790_2-25-21.pdf

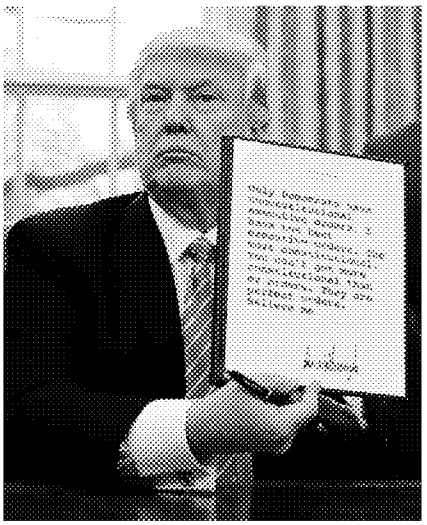
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BE LIKE JAN – DO THE HARD THING



It appears Ducey is backed into a corner politically and will be forced to sign a bill he didn't want, but Chuck Coughlin said it's an easy decision for the governor, as the bill has popular support from bipartisan lawmakers and the public. "In the last two years of his term, thumbing his nose at two-thirds majorities seems an unwise political thing to do," Coughlin said. "Any Governor's last two years are amongst his or her most vulnerable because you just have less political capital, and you don't want to invite that antagonism to your door." Coughlin said Ducey could save face by including a note with his signature talking about these "extraordinary times." "I think he could say that, and at the same time, indicate that his greatest hope is for people to find employment, find jobs in a robust Arizona economy as the vaccine becomes more prevalent," he told our reporter. Coughlin also said he doesn't view signing a bill to increase the unemployment cap as a loss for the governor, despite Ducey's previous opposition. He likened the decision to Brewer's push to expand Medicaid benefits under Obamacare, saying it makes very little sense to punish the state just to virtue signal. "I mean, we do have one of the lowest benefits in the country and so, acknowledging that and maybe readdressing that in a time of pandemic would give him an opportunity to revisit that thought," Coughlin said. "He's not that self-reflective, but maybe in light of a once-in-a-lifetime pandemic that makes us all look at ourselves and say, 'You know, how can we do better?'"

EXECUTIVE ORDERS ARE ONLY A PROBLEM UNDER DEMS



With a Democrat again in the White House, lawmakers are once again taking aim at presidential executive orders, an issue that was hot during the Obama years but had slipped off the radar under the Trump presidency. A Payne striker amendment to a Roberts bill would allow lawmakers to request Legislative Council review any presidential executive order and request the AG to challenge it in federal court. Roberts' H2310 (executive orders; review; attorney general) is similar to what at least two other Republican-held state legislatures are attempting to do. In Oklahoma, 60 Republican legislators signed on to a bill that would allow the body to invalidate Biden executive orders with a simple majority vote, former *Capitol Times* reporter Carmen Forman wrote (LINK). South Dakota is attempting something similar (LINK). It's not clear if Payne or Roberts (two Republicans who supported overturning election results and pushing the "Big Lie") want this because Biden, a Democrat, is now the president and they don't agree with his policy agenda. But Gowan, who is running a similar striker in S1119 (attorney general; executive orders) got coy when answering questions from Bowie, who noted that there were no efforts to have the AG look into executive orders over the past four years, but there was an effort to do just that in 2015, when Obama was still in office. In 2014, Arizona voters approved an initiative that would prevent the state from using its resources to enforce unconstitutional federal laws. The process laid out in the two amended bills would allow the state to determine the constitutionality based on the AG's opinion without waiting for court rulings. Gowan did not offer any clarity why he or other Republicans did not try this same thing under a Republican presidency, but said he got the idea from North Dakota.

OLD ENOUGH TO REMEMBER WHEN JUDGES WERE POLITICIANS

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002283
ARZN_REV00068790_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Ducey appointed a judge to the Coconino County Superior Court for the first time since residents voted to switch from electing judges to having them go through the state's merit selection process. He chose Stacy Krueger, a political independent who worked in the Coconino County Attorney's Office. Krueger also went to law school at University of Toledo, in Ducey's hometown. In 2018, Coconino became the first Arizona county to adopt the merit selection process voluntarily. The state currently permits that only counties with more than 250,000 people should go through the process where a selection committee vets and interviews applicants before sending at least three names to the governor.

·WAKE UP CALL·

Bill helps taxpayers avoid Prop. 208 surcharge
Arizona Capitol Times
A veteran lawmaker is proposing what amounts to an end-run to allow some business owners to avoid paying the just-approved income tax surcharge for education.

Senate votes to add county supervisors in Maricopa, Pima
Capitol Media Services
Residents of the state's two largest counties could find themselves with more people to call when something goes wrong.

Senate bill to outlaw certain abortions gets tentative approval
Capitol Media Services
State senators voted Wednesday to make abortions illegal if the woman is seeking to terminate the pregnancy because of a genetic abnormality of the fetus.

Arizona lawmakers move to strip commission from mandating use of renewable energy
Capitol Media Services
State lawmakers voted Wednesday to strip the Arizona Corporation Commission of its power to mandate the use of renewable energy by utilities.

Gowan nixes his own proposal for legislative override of presidential vote
Capitol Media Services
Facing some blistering criticism and the possibility of harming Republican re-election efforts, a Southern Arizona lawmaker has pulled the plug on a proposal to let the legislature override the choice of voters for president.

Arizona fined $1M for failing to improve prison health care
Associated Press
A federal judge presiding over a legal settlement on the quality of health care in Arizona's prisons has imposed $1.1 million in contempt of court fines against the state for failing to follow through on its promises to improve inmate care, marking the second time the state has faced penalties for remaining noncompliant with many elements of the six-year-old deal.

House votes to raise Arizona's low unemployment pay
Associated Press
The Arizona House voted Wednesday to raise Arizona's super-low $240 maximum weekly unemployment benefit to $300 at the start of 2022 and impose a small increase in employer insurance premiums to pay for the increase.

ICE Still Trying to Remove Low-Priority Undocumented Immigrants, Attorneys Say
Phoenix New Times
Federal Immigration and Customs Enforcement officials in Arizona are wrongfully refusing to stop deportation proceedings for certain undocumented immigrants deemed to be low-priority cases under new guidelines from the Biden administration, local attorneys claim.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

House passes bill to require convictions before seizing assets
Arizona Mirror
Property rights and criminal justice reform advocates are a step closer to achieving their elusive goal of requiring law enforcement agencies and prosecutors to get a conviction before permanently seizing property allegedly connected to a crime.

The pandemic has hurt Arizona's families. Will Republicans finally make them a priority?
Arizona Mirror (Opinion, Julie Erfle)
We've been living in our pandemic bubbles for so long that it's easy to feel disconnected from our neighbors.

Will Arizona Gov. Doug Ducey save democracy from his own Republican Party?
Arizona Republic (Opinion, EJ Montini)
The Republican-controlled Legislature is pushing a raft of voter suppression and election altering bills.

Look who's now pushing to boost Arizona's woeful unemployment pay (though with a catch)
Arizona Republic (Opinion, Laurie Roberts)
Perhaps the only good thing to come out of COVID-19 is the realization among Republicans that the state's unemployment pay is embarrassingly inadequate.

Why hasn't Maricopa County Attorney Allister Adel dropped charges against all protesters?
Arizona Republic (Opinion, Elvia Diaz)
More elected officials are asking Maricopa County Attorney Allister Adel to drop charges against all Black Lives Matter protesters. They're right.

Cities have a right to fight for our residents. Arizona shouldn't restrict that
Arizona Republic (Op-ed, Lauren Kuby)
Why would lawmakers make it harder for cities and counties to hire outside counsel, join class-action lawsuits and fight for our communities in court?

It violates free press rights to bring to trial a Des Moines Register reporter arrested while covering a protest
Arizona Republic (Op-ed, Des Moines Register's Editorial Board)
The pending charges against a Register reporter who was arrested while covering a social justice protest last spring are a clear infringement on the freedom of the press.

Prison reform must take forgiveness (and cost) into equation
Arizona Daily Star (Opinion, Steve Schulz)
Arizona lawmakers are reconsidering many so-called "tough-on-crime" policies. I applaud the Legislature's efforts because this is not a popular topic for politicians on either side of the aisle.

PRESS RELEASES

Representative Fillmore Calls on State to Halt Instruction of 1619 Project in Arizona Schools

STATE CAPITOL, PHOENIX – Representative John Fillmore (R-16) today sent the following letter to Arizona Superintendent of Public Instruction Kathy Hoffman expressing his concern with the instruction of curriculum in state schools that includes material derived from the New York Times controversial and heavily-criticized 1619 Project:

Dear Superintendent Hoffman,

I am writing in regard to the New York Times' highly controversial and discredited "1619 Project," which has since been developed into education curriculum and adopted by the Balsz School District in Phoenix, Arizona for its young students.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002285

ARZN_REV00068790_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

This curriculum is grounded in a collection of politically charged essays and various other dubious works that aim to revise the history of America by highlighting the influence slavery has had on pivotal historical events even predating our nation's founding.
As you are aware, A.R.S. §15-112 prohibits certain types of divisive courses and classes. I believe that promoting the materials from the 1619 Project curriculum violates subsection's A. (2) (4). The main essay on which the curriculum is based is a divisive and disputed version of alt-history that encourages a dangerous "us" versus "them" mentality. While these types of works may be appropriate in a college-level course, where theories and competing viewpoints can be explored and debated, they do a disservice to our younger students who are not prepared to think critically.
Pursuant to A.R.S. §15-112 subsection B. I am formally requesting that you withhold 10 percent of the Balsz School District's monthly state aid until the 1619 Project curriculum is no longer being taught.
Should you have any concerns about this request, please reach out to my office. I look forward to your response.
Sincerely,
Representative John Fillmore
Legislative District 16

In Letter to President Biden, Representative Osborne Urges Higher Vaccine Allocation to Meet Unique Needs of State

STATE CAPITOL, PHOENIX – Representative Joanne Osborne (R-13), Chairman of the House Health and Human Services Committee, today sent the following letter to President Joe Biden, asking for his assistance to ensure Arizona is quickly allocated enough COVID-19 vaccine supply to fully meet the need of our residents and the thousands of seasonal visitors that flock to our state each year:
Dear President Biden:
As Chairman of the Arizona House of Representatives Health and Human Services Committee, a mother, a grandmother, and a business owner, I am writing to express concern about the lack of COVID-19 vaccine supply being sent to Arizona. I proudly represent Legislative District 13 which contains both a fast-growing suburban expanse as well as Arizona's largest agricultural community. My district, located near the Arizona-Mexico border, is home to three military bases one of the fastest growing cities in the nation.
It was quite exciting you were able to take a virtual tour of the Arizona state-run point of distribution (POD) for the COVID-19 vaccine at State Farm Stadium. Your visit highlighted the great work Arizona has done to get as many persons vaccinated as quickly as possible. In fact, since your virtual visit, Arizona has set up two additional state-run PODs—one in Phoenix and one in Tucson. This is in excess of the work by our county partners to get the vaccine out to their communities. I am most grateful for the leadership of Governor Ducey and Dr. Cara Christ and her team in ensuring we keep up with supply and get vaccines in arms. Of course, none of this would be possible without the scores of healthcare heroes and the Arizona National Guard who have stepped up to volunteer their time to administer the vaccine and ensure a smooth experience at the PODs. I am encouraged by the progress Arizona is making getting our essential workers and most vulnerable populations vaccinated as quickly as possible and look forward to continuing this progress until everyone in Arizona who wants to be vaccinated has that opportunity.
Having witnessed first-hand our efforts to ramp up capacity for vaccine distribution, I am asking that you help Arizona meet the demand. As you are aware, we are privileged in this great state to enjoy beautiful weather during this time of year, boasting highs in the 70s. People around the country flock to Arizona during these beautiful months to enjoy the season and to escape the harsh weather where they live. We welcome these individuals, affectionately referred to as snowbirds, who more than likely are in the age of 65 years and older, and I agree with Governor Ducey that these individuals should be vaccinated during their visit when it is their turn. However, when calculating Arizona's distribution amount, snowbirds are not factored into the count. And it is not just the snowbirds. The same is true for seasonal agricultural workers who are critical to getting food on the tables of Arizonans. Each of these individuals is out in their communities, visiting shops, gyms and restaurants just like everyone else, so it is critical they be vaccinated along with the Arizonans with whom they are co-mingling.
For these reasons I respectfully urge you to consider these winter and spring visitors when determining Arizona's vaccine allocation. We in Arizona are doing our part, so I respectfully ask that you do yours to ensure Arizona has enough vaccine allocation to meet the need of both residents and the seasonal visitors mentioned above.
Sincerely,
Representative Joanne Osborne
Legislative District 13

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002286
ARZN_REV00068790_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Appoints Stacy Krueger To The Coconino County Superior Court

PHOENIX — Governor Doug Ducey today announced the appointment of Stacy Krueger to the Coconino County Superior Court to fill the vacancy created by the retirement of Judge Mark R. Moran.

In 2018, Coconino County voters opted to move from elections for judges on the Superior Court to merit selection where the Coconino County Trial Court Commission makes recommendations to the Governor for appointments to fill judicial vacancies. Stacy is the Governor's first appointment to the Coconino County Superior Court through this new process.

"Stacy's dedication and service to the Coconino County community is an asset to the bench," said Governor Ducey. "I am pleased to announce Stacy's appointment to the Coconino County Superior Court."

Stacy has devoted her life to public service as a prosecutor with the Coconino County Attorney's Office. She prosecutes felony cases and manages an average caseload of 50 to 80 cases at any given time. Although she handles a wide variety of felony cases, her focus is on prosecuting domestic violence cases. In addition, she supervises prosecutors who serve in Coconino County's specialty courts including Veterans' Court, Recovery Court, Mental Health Court, and Page Drug Court.

Stacy's service extends outside the office through volunteer work for the High Country Stand Down for Veterans and for Wills for Heroes events. Additionally, she has volunteered her time with the Northland Family Help Center, Big Brothers & Big Sisters, and the Flagstaff Family Food Center events. Stacy graduated from Coconino County's Executive Leadership Academy, which trains future leaders. In 2018, Stacy was named the Arizona Prosecutor of the Year by Mothers Against Drunk Driving and the Citizen of the Year by the National Association of Social Workers – Arizona Chapter, Branch 3.

Stacy graduated cum laude from the University of Wisconsin-Green Bay with a Bachelor of Arts in History, minoring in Women's Studies. While in college, she played on the Division I women's basketball team with a full athletic scholarship. She then obtained magna cum laude a Master of Science in Education from Youngstown State University in Ohio. She subsequently received her law degree magna cum laude from the University of Toledo in Ohio.

Planned Parenthood Advocates of Arizona Honors National Black History Month by Calling on (MCAO) To Drop All Remaining Charges Against BLM Protesters

Phoenix — After a year of devastation brought on by continued systemic racism, police brutality, and a worldwide pandemic that disproportionately affected Black communities, Planned Parenthood Advocates of Arizona is drawing attention to the incredible work being done by Black activists here in our state such as Mass Liberation Arizona and BLM Phoenix Metro. We join them in demanding the Maricopa County Attorney's Office (MCAO) drop all remaining charges against BLM protesters. Their efforts are vital in the ongoing fight against white supremacy in our state and in creating a safe and equitable community for all Arizonans. This National Black History Month, PPAA is continuing to honor the valuable contributions made by Black leaders and organizers right here in our state.

Planned Parenthood Advocates of Arizona Communications Manager Murphy Bannerman released the following statement:

"Planned Parenthood Advocates of Arizona has always been and will continue to be a champion for the health and rights of Black communities. Now more than ever, it is crucial that we do our part to stand up and support Black folx in the fight for equal rights, such as calling upon MCAO to drop all the remaining charges against protesters with prejudice, end political prosecutions, and fire the prosecutors that took part in these cases."

"We will continue to amplify Black voices and advance policies that support Black communities here in Arizona. In this new era, PPAA is committed to anti-racism work, by following the lead of those at the forefront," ***said Murphy Bannerman, Communications Manager of Planned Parenthood Advocates of Arizona.***

Arizona Students Selected for United States Senate Youth Program

Students to Participate in the First Online Program and to Receive $10,000 Scholarship

Washington, D.C. —The United States Senate Youth Program (USSYP) announces that high school students Mr. Nathaniel David Mehmert Cross and Ms. Eman Massoud will join Senator Kyrsten Sinema and Senator Mark Kelly in representing Arizona during the 59th annual USSYP Washington Week, to be held March 14 — 17, 2021. Nathaniel Cross of Tucson and Eman Massoud of Gilbert were selected from among the state's top student leaders to be part of

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

the 104 national student delegation who will each also receive a $10,000 college scholarship for undergraduate study. Due to the pandemic, the 2021 program will break ground as the first-ever fully virtual Washington Week, and is designed to be a highly interactive and exciting education and leadership forum for the nation's most outstanding student leaders.

The USSYP was created by Senate Resolution 324 in 1962 and has been sponsored by the Senate and fully funded by The Hearst Foundations since inception. Originally proposed by Senators Kuchel, Mansfield, Dirksen and Humphrey, the Senate leadership of the day, the impetus for the program as stated in Senate testimony is "to increase young Americans' understanding of the interrelationships of the three branches of government, learn the caliber and responsibilities of federally elected and appointed officials, and emphasize the vital importance of democratic decision making not only for America but for people around the world."

Each year this extremely competitive merit-based program brings the most outstanding high school students – two from each state, the District of Columbia and the Department of Defense Education Activity – to Washington, D.C. for an intensive week-long study of the federal government and the people who lead it. However, this year, the program will be held online. The overall mission of the program is to help instill within each class of USSYP student delegates more profound knowledge of the American political process and a lifelong commitment to public service. In addition to the program week, The Hearst Foundations provide each student with a $10,000 undergraduate college scholarship with encouragement to continue coursework in government, history and public affairs. All expenses for Washington Week are also provided by The Hearst Foundations; as stipulated in S.Res.324, no government funds are utilized.

Nathaniel Cross, a junior at Catalina Foothills High School, serves as the secretary of the Pima County Teen Court Bar Association. Born in the United Kingdom, he brings a unique perspective to his academics and activism with Pima County Teen Court. Despite the challenges presented by COVID-19, he successfully advocated for the continuation of this program because of the support it provides young people and the proven effect on lowering recidivism. Beyond his activism with Teen Court, Nathaniel remains connected to his community through his club cycling team, El Grupo, a competitive and youth empowerment organization where he serves as the youth representative on the Governing Board of Directors.

Eman Massoud, a senior at Gilbert Classical Academy, serves as a student advisor to the African American Advisory Council at the Arizona Department of Education, a representative for March for Our Lives, and a representative of the Student Legion. She is a member of the Ambassador Club and is active with the Youth Leadership Development Program with Mi Familia Vota. Eman is motivated by the power of equitable representation and has delivered tangible changes in her community by encouraging her school leadership to hire more teachers of color, which led to two new educators of color joining her school by her senior year.

Chosen as alternates to the 2021 program were Ms. Iselle Barrios, a resident of Tucson, who attends University High School and Mr. Ross Nemeth, a resident of Scottsdale, who attends Horizon High School.

Delegates and alternates are selected by the state departments of education nationwide and the District of Columbia and Department of Defense Education Activity, after nomination by teachers and principals. The chief state school officer for each jurisdiction confirms the final selection. This year's Arizona delegates and alternates were designated by Ms. Kathy Hoffman, Superintendent of Education.

During the program week, the student delegates will attend online meetings and briefings with senators, the president, a justice of the Supreme Court, leaders of cabinet agencies and senior members of the national media, among others. In addition to outstanding leadership abilities and a strong commitment to volunteer work, the student delegates rank academically in the top one percent of their states among high school juniors and seniors. Now more than 5,800 strong, alumni of the program continue to excel and develop impressive qualities that are often directed toward public service. Among the many distinguished alumni are: Senator Susan Collins, the first alumnus to be elected U.S. senator; Secretary of Transportation and former Mayor of South Bend Indiana, Pete Buttigieg; former Senator Cory Gardner, the second alumnus to be elected U.S. senator and the first to be elected to the U.S. House of Representatives; former New Jersey Governor Chris Christie, the first alumnus to be elected governor; former Chief Judge Robert Henry, U.S. Court of Appeals for the Tenth Circuit; former Ambassador to West Germany Richard Burt, former presidential advisors Thomas "Mack" McLarty and Karl Rove. Additional notables include former Lt. Governor of Idaho David Leroy, Provost of Wake Forest University Rogan Kersh, military officers, members of state legislatures, Foreign Service officers, top congressional staff, healthcare providers and other university educators.

Members of the U. S. Senate Youth Program 2021 annual Senate Advisory Committee are: Senator Tammy Baldwin of Wisconsin, Democratic Co-Chair; Senator James Lankford of Oklahoma, Republican Co-Chair; Advisory Members: Senator Thomas R. Carper (D-DE); Senator Christopher S. Murphy (D-CT); Senator Kyrsten Sinema (D-AZ); Senator Ron Wyden (D-OR); Senator Richard Burr (R-NC); Senator Kevin Cramer (R-ND); Senator Mike Lee

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002288

ARZN_REV00068790_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

(R-UT) and Senator Roger F. Wicker (R-MS). Each year, the Honorary Co-Chairs of the program are the vice president of the United States and the Senate majority and minority leaders.
For more information please visit: www.ussenateyouth.org

Organizations Come Together to Support a State Budget That Chooses Investing in Arizona's Future Instead of Disastrous Tax Cuts

[PHOENIX, AZ] Dozens of influential organizations from across Arizona have come together to urge Governor Ducey and state lawmakers to pass a budget that builds a stronger future for all Arizonans instead of continuing down a fiscally irresponsible and disastrous path of cutting taxes that will shut the door on Arizona's economic growth.

Thousands of Arizonans are facing huge challenges during the COVID-19 health and economic crisis. Many have lost their jobs or are working reduced hours, struggling to put food on the table, and many small businesses are not sure whether they will be able to keep their doors open much longer. Arizona lawmakers have an estimated $600 million in additional ongoing revenue they can use to invest in an economy that benefits all Arizonans during these difficult times. Instead, some lawmakers want to give that revenue away in tax breaks to corporations and the rich. They want to give away our future. If lawmakers give our tax dollars away now, our state will never have the revenue it needs to rebuild a stronger economy that works for everyone, like investing in affordable job training and college, in child care so parents can work, and in food support during tough times.

"Never has there been a more critical time for lawmakers to pass a state budget that invests in Arizonans and will bring our state out of these challenging times stronger than before," said David Lujan, Interim President and CEO of Children's Action Alliance.

Preliminary budget proposals released by Governor Ducey and some lawmakers are calling for tax cuts that will grow to a cost of $600 million annually. When combined with the $386 million in tax cuts enacted in 2019, that would amount to more than $1 billion in tax cuts in three years.

"Organizations from across Arizona support a budget that invests in people and our state's future," said Rabbi John Linder of the Arizona Interfaith Network. "More huge tax cuts are irresponsible. They are bad economics and will bring more harm upon our most vulnerable. We've forgotten the lessons of the Great Recession when incessant revenue cuts left us with the worst structural deficit in the country. We must create a different future."

This letter was sent to Governor Ducey and legislative leadership today. The first of many actions these organizations and others will be taking to support a state budget that chooses investments to build a stronger future for Arizona instead of fiscally irresponsible tax cuts.

House Approves Bill Raising Arizona's Unemployment Benefit

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today approved HB 2805, bipartisan legislation sponsored by Republican Representative David Cook, to raise the state's unemployment weekly insurance benefit amount from $240 to $300, and increasing the income disregard cap from $30 to $160, to allow a total weekly benefit of $460.

"Unemployed Arizonans struggle to make ends meet and put food on their family's table," said Representative Cook. **"Tonight, they're a step closer to having some more support. It's the right thing for us to do, and the bill does it responsibly."**

"I'm grateful for the bipartisanship of my colleagues. It is a good example that the work we do as legislators can have a real and meaningful impact on the lives of the people we're here to represent."

The bill now moves to the State Senate for consideration.

Senate passes bill to provide COVID liability protections to Arizona businesses and health care workers

(Phoenix, State Capitol) ---- A bipartisan group of Senators today passed SB 1377, the COVID liability protection bill. SB 1377 provides targeted and reasonable liability protections for businesses, schools and the healthcare industry. The bill now moves to the House of Representatives.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002289

ARZN_REV00068790_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"With this bill, a plaintiff has the burden to prove by 'clear and convincing evidence that a person or provider failed to act or acted with willful misconduct or gross negligence' in order to win a civil suit," said Senator Vince Leach, sponsor of the legislation. "If a business is following health and safety precautions, they shouldn't have a worry about being the target of a nuisance lawsuit."
At least 25 states have taken action to extend liability relief in this pandemic.

Senator Kelly and Colleagues Introduce New Bill to Fund Arizona Senior Services during COVID-19

Legislation would support meal delivery, vaccine outreach, caregiver aid
Today, Senator Mark Kelly joined Senators Bob Casey and Kirsten Gillibrand in introducing the Continued Funding for Senior Services During COVID-19 Act to ensure continued federal support for Arizona seniors. This legislation would allocate more than $1.5 billion to the aging network to continue providing essential services, such as meal delivery, vaccine outreach and programming, and caregiver support. Demand for senior services has skyrocketed during the COVID-19 pandemic, with 93 percent of Area Agencies on Aging across the country reporting that they have served more clients since the pandemic began.
Kelly is a member of the Senate Special Committee on Aging, and this month met with his Senior Citizens Advisory Group, made up of leading seniors advocates from across the state who are advising him on issues facing Arizona seniors. And last week, Kelly again volunteered with Mobile Meals of Southern Arizona delivering prepared meals and seeing firsthand how their services are supporting Arizona seniors during the pandemic.
"The fallout of this pandemic has disparately impacted Arizona's seniors. In a recent meeting with my Senior Citizen Advisory Group, I heard stories of seniors facing isolation, food insecurity, and issues both signing up for and getting to vaccine appointments. This emergency funding would address these issues by supporting programs and organizations that support Arizona seniors through food assistance, caregiving, transportation, and vaccine distribution," **Senator Mark Kelly**
"We support the proposed legislation by Senator Kelly. We must prioritize the needs of the population at the greatest risk of hospitalization and death from the virus. We need assistance in our efforts to reach out to older adults and connect them with a vaccination. Of the more than 500,000 Americans lost to COVID-19, 80% were 65 or older. Without an infusion of funding to replace the expended CARES Act dollars, there will be millions of older adults who already are, or very soon will be at risk of losing access to meals, in-home support, case management, transportation, and health and wellness programming to stave off social isolation and loneliness. Additional emergency funding is necessary and required to enable these older adults most at risk of COVID-19 and in greatest need to continue receiving life-sustaining services and to obtain access to vaccines," **Mary Beals Luedtka, Board Chair, Arizona State Association of Area Agencies on Aging.**
"The challenges facing Arizona seniors have been compounded by COVID-19. This proposal from Senator Kelly would improve the health and well-being of Arizona seniors by supporting programs that provide transportation, meals, caregiving, and other assistance seniors need during this pandemic," **Dr. Lisa O'Neill, Associate Director of Research and Education, University of Arizona Center on Aging.**
"At a time when older Americans need help the most, Senator Kelly has come through for us. The Continued Funding for Senior Services During COVID-19 Act helps to give us peace of mind in knowing that funds will be available to provide limited English outreach, legal hotlines, nutrition services, and more. In Arizona, these services are especially important for the thousands of seniors who reside in rural counties and lack the resources they need and deserve," **Dora Vasquez, Executive Director, Arizona Alliance for Retired Americans.**
The funding from the Continued Funding for Senior Services During COVID-19 Act includes $480 million for vaccination outreach and other programming, $775 million for nutrition services, $44 million for evidence-based disease prevention and health promotion services, $145 million for caregiver support services, $75.5 million to carry out demonstrations and evaluations under the Act, including funding to support multigenerational engagement, and $10 million for the long-term care ombudsman program.
Read more about the Continued Funding for Senior Services During COVID-19 Act HERE.

Congressman Gosar Reintroduces The Dental Loan Repayment Assistance Act

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002290
ARZN_REV00068790_2-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WASHINGTON D.C. - Congressman Paul Gosar (AZ-04) issued the following statement after reintroducing H.R. 1285, the Dental Loan Repayment Assistance Act, bipartisan legislation exempting dental faculty loan repayment recipients from taxation for five years.

"It is very fitting this legislation be introduced in February, National Children's Dental Health Month, to promote the benefits of good oral hygiene. Training our next generation of dentists is critical to the overall health of our country," said Congressman Gosar. "I'm proud to work with my colleagues on both sides of the aisle to reintroduce this important legislation that aims to remove barriers and strengthen oral health training," said Congressman Gosar.

Joining Congressman Gosar in introducing this bipartisan legislation included Representatives Yvette D. Clarke (D-NY) Mike Simpson, D.M.D. (R-ID) and Grace Meng (D-NY),

The Dental Loan Repayment Assistance Act exempts Title VII's dental faculty loan repayment recipients from taxation for five years during the span of their participation in the loan forgiveness program. The bill prevents dental faculty members from paying exorbitant tax bills on their federal loan repayment benefits.

The Dental Faculty Loan Repayment Program (DFLRP) was created to address the significant difficulties in recruiting qualified individuals to fill faculty positions, especially acute in pediatric dentistry. A critical factor in recruiting and retaining dental school faculty from recent dental school or residency program graduates is the staggering student loan debt and income disparity with private practice. "By alleviating taxation of such payments to the individual, this legislation will make the program even more effective in recruiting and retaining pediatric dental faculty," added Dr. Jessica A. Lee, President of the American Academy of Pediatric Dentistry.

The full bill text can be found HERE.

"QUOTE OF THE DAY"

"They worked him into the hospital."

- Janice Pratt, on her husband being hospitalized following a long day on the floor

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, February 26, 2021 2:37:45 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes February 26, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window

Arizona Legislative Report

Today's News Notes

February 26, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative*

AMERICAN OVERSIGHT

Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until March 1, Monday, at 1:15 p.m.

THE SENATE IS ADJOURNED until March 1, Monday, at 1:30 p.m.

NEWS NOTES

COBB: WE'VE BEEN READY TO NEGOTIATE FOR A MONTH

Cobb said the House is the one waiting on the Senate to kickstart budget negotiations and not the other way around, which is what Fann indicated yesterday (LR, 2/25). Cobb said the Senate cancelled meetings she tried to schedule with the chamber. The House appro chair also said the Governor's Office, House and Senate plan to begin tripartite talks in earnest Monday morning, when the three sides will sit down for the first time to hash out their competing budget proposals. Cobb said the House sent its budget proposal to the Senate more than a month ago, and she has attempted several times to schedule meetings with the Senate but those meetings have been canceled at least once at the last minute. "The House has been prepared for over a month and we've been wanting to meet with the Senate," she said. "I don't know why she would say she's waiting on us. Like what the heck! That's so bizarre." She said the only thing she has seen from the Senate was its original proposal at the beginning of the session (LINK) and the House offered a counter-proposal shortly afterwards. That said, Cobb remains optimistic. She said after the three sides have had their initial meeting, things usually pick up, and she expects to meet with budget negotiators several times per week in the coming weeks. Still, Cobb hesitated to predict when lawmakers would finish the budget or when the session might end, saying her predictions are usually wrong. "I'm thinking probably the end of April," she said. "Because we're a little bit behind on bills, but I don't think we're behind on the budget."

THE BIG STICKING POINT

For the House, the biggest sticking point is that it wants to put $400 million into

AMERICAN OVERSIGHT

the unemployment insurance trust fund, a move that Cobb said will help ease the burden on employers by lowering the rate they pay into the program. That's not included in either the Senate or the governor's proposals. But that may not be much of a sticking point at the end of the day, Cobb said, as she expects the state to receive a windfall from the coming federal CARES package that could be used to stabilize the fund. "There's no reason we can't put that in there and more," she said, noting if that happens "it's pretty much just the smaller pieces after that." Those smaller disagreements aren't philosophical, she said, but rather over dollar figures on things like broadband infrastructure, which all sides agree needs funding. She added that the governor's proposal is a good starting point, as it isn't far off from what House Republicans want. Cobb remains optimistic that the budget could garner bipartisan support - at least on some of the BRBs. "There's a lot of bipartisan support on appropriations issues. I've seen bills come through from both sides that hit on the same things," she said. But Cobb said she's also realistic, noting Democrats are united in their opposition to tax cuts. "When you put a tax package in there, that makes it hard for the Democrats to be on board with the full thing," she said.

COOK: WE'LL GET THERE

Cook is optimistic the Senate and the House can hammer out an agreement to raise unemployment benefits. Cook's chamber yesterday passed his H2805 (unemployment insurance; benefits; tax base), 50-9, while Fann is confident the Senate will also pass S1411 (s/e unemployment insurance). "I believe Fann and us will get to an agreement," Cook told our reporter today via a text message. "The question is how to pay for it." The two measures agree on the need to raise the maximum unemployment weekly benefit from the $240, which is among the lowest in the country. However, the two bills offer noticeable differences. Primarily, Cook's bill will increase the benefit to $300, while Fann's bill offers a little more with $320, which will jump to $400 on July 1 following the date Dept of Economic Security determines the state meets the federal criteria to receive an interest-free unemployment insurance loan. Cook said he likes Fann's numbers, but "our group does not believe the base level increases get the increases paid for and put additional dollars in the insurance pool." Cook added that the House version offers the "least amount of impact to businesses." JLBC estimates that H2805 will increase Unemployment Insurance (UI) Trust Fund revenues by $77.9 million in 2022 and roughly the same amounts in 2023 and 2024. JLBC said the bill would increase UI benefit

AMERICAN OVERSIGHT

expenditures by $65.5 million in 2022, $51 million in 2023 and $36.4 million in 2024. When compared to current levels, Cook's bill would leave cash balances in UI Trust Fund with $12.4 million in 2022, $27.7 million in 2023, and $43.1 million in 2024. JLBC also noted that DES estimates a smaller spending increase – that the new $300 weekly cap would translate to $35.9 million in expenditures in 2022 and the $160 income disregard would hike increase UI benefit expenditures by $6.7 million. JLBC said DES appears to assume lower unemployment caseloads. JLBC also noted that the state, as an employer, also pays UI benefits, but that any additional costs would be minimal. "We look forward to meeting with President Fann and other senators on both sides and working through the difficult problem for the people of Arizona and putting an agreed on plan on Governor Ducey's desk by end of session," Cook said.

MAKE SURE YOU GET PLENTY OF REST TONIGHT, SATURDAY AND SUNDAY

House GOP spokesman Andrew Wilder said Monday and Tuesday will probably be lighter days, with the work getting heavier on Wednesday and Thursday, when the chamber expects to tackle more controversial measures. Although the members who are attending the Conservative Political Action Conference will be back Monday, some who are on a trip to El Salvador won't be back until Tuesday afternoon. With the razor-thin 31-29 margin in the chamber, a single Republican absence can change the outcome on party-line votes. Another question mark is Pratt, who was hit by a car last week and had to be hospitalized again late Wednesday. Wilder said they are "anticipating and hopeful" that Pratt will be able to attend and vote virtually at least by Monday.

GONNA BE ANOTHER ROUGH WEEK

Next week could decide which major election bills make it to the finish line. The House moved bills to ban same-day registration, automatic voter registration and automatically mailing people ballots through COW yesterday, so they are ready for third reading next week. H2569 (elections; private funding; prohibition), which would bar the state and local governments from accepting private funding to help run elections as some counties did last year, was retained on the calendar. Bills to bar officials from changing any election-related dates set in statute and to increase the hand count threshold to at

AMERICAN OVERSIGHT

least 5% of precincts in a county moved through House rules Wednesday.

PROBABLY STARTING MONDAY

The vote on Blackman's H2167 (independent corrections ombudsman; oversight committee) next week will be worth watching. One of Blackman's criminal justice reform measures, the bill would create an independent office to inspect and monitor prison conditions in Arizona, among other duties. The measure is scheduled for Monday's COW calendar. Some Republicans have expressed mixed feelings about the proposal or said they oppose it. Other bills to watch include H2309 (violent disorderly assembly; public order), a bill that creates a new Class 6 felony offense of violent or disorderly assembly and whose support so far follows party lines, and HCR2020 (lieutenant governor; joint candidacy), which asks voters to create a lieutenant governor position. A mix of Democratic and Republican legislators co-sponsored the proposal. Both were on Thursday's third reading calendar, which the House didn't take up before adjourning until Monday.

STILL KINDA ALIVE

Two major controversial Covid-related measures still pending on the House calendar that will be worth watching for next week are HCR2037 (pandemic emergencies; special session), which is one of numerous measures introduced this year to let the Legislature call itself into special session in the event of a disaster and potentially override the governor's emergency actions, and H2570 (licenses; pandemics; revocation prohibition), which says government may not revoke businesses' licenses for not enforcing government public health orders, such as mask mandates. H2570 was on one of Thursday's COW calendars but hasn't been taken up yet since the House only went through one of them before adjourning, while HCR2037 went through rules Tuesday.

FANN TO UNNAMED LEGISLATOR: I'M MORE EXPERIENCED THAN YOU

In an interview on *PBS Horizon* earlier this week, Fann threw shade at Ugenti-Rita over her reluctance to support Fann's S1411 (s/e unemployment insurance) and Ugenti-Rita's own bill that would kick government entities, such as ADOT, off Twitter. Neither Fann nor host Ted Simons named Ugenti-Rita, though it was clear they were speaking about her as the only member of Senate appro to vote against S1411. After noting that Ugenti-Rita argued that

AMERICAN OVERSIGHT

Fann's proposed unemployment benefits increases would encourage people not to work, Simons asked Fann if she has a point. "I've been an employer for 36 years. This has been a lot of things I've worked on. I think I'm a little more experienced in this than some others," Fann said. Simons then turned to Ugenti-Rita's S1687 (governmental entities; social media; prohibition). "I think the intention is good, but the bill needs a lot more work," Fann said, laughing. "As the bill stands right now, the Arizona Republican Senate caucus would not even be able to have our webpage for people to go to, and, of course, the bill would follow through with so many others. I think the bill needs some work."

SENATE ETHICS COMMITTEE TO RELEASE ROGERS REPORT MONDAY

The Senate ethics counsel finalized its report on Rogers' alleged treatment of her former assistant and will share it with the committee Monday. Unlike other recent investigations completed by outside counsel, the Senate tasked the Senate's rules attorney, who doubles as the ethics committee's counsel, and handled the investigation in-house. The report will be publicly available Monday as well, and any additional action will depend on what the report includes. It's unclear whether the attorney interviewed witnesses or Rogers' former assistant, Michael Polloni. Polloni's two attorneys were occupied with a deposition and a new baby when our reporter called today, and Polloni did not immediately return our call. Petersen, who shares an office suite with Rogers, told our reporter he was not interviewed and didn't witness anything, but he couldn't speak for his assistant, who was named in the complaint as a witness. She did not immediately return a call made to his legislative office.

ROGERS GETS A NEW ASSISTANT

Fann gave Rogers a new assistant while the Senate Ethics Committee is conducting a full investigation into whether Rogers harassed and berated her former legislative assistant. Several former legislative staffers said one fitting punishment could be to make Rogers work without an assistant, leaving her to answer all her own calls and emails and read bills without help. Such a "punishment" would cripple any veteran legislator, much more a rookie like Rogers. The Senate gave Rogers a new assistant "roughly four weeks ago," Senate GOP spokesman Mike Philipsen told our reporter on Wednesday. Her new assistant is Ian Jaime, who is a former Senate intern in 2019 before going to work for Turning Point USA as a field representative in San Diego last year.

AMERICAN OVERSIGHT

HOUSE PASSES BILL GUARANTEEING WORSHIP DURING A PANDEMIC

The House passed a couple of bills this week meant to limit the government's ability to regulate religious practice on public health grounds during a pandemic. Seven Democrats joined Republicans to advance HB2648 (religious services; essential services), which says religious organizations must be allowed to continue operating to the same or a greater extent than other "essential" businesses and lets them seek damages if their right to do so is violated. M Hernandez, who is a paramedic, argued against the proposal at length, pointing to numerous cases of community spread of Covid tied to churches or religious services. "Death does not discriminate," she said. "We are still in a pandemic." Hernandez said she spends her weekends when she isn't serving in the Legislature working to save people who are dying, and meanwhile, the Legislature's priorities have been "backward this session." The less controversial H2575 (hospitals; visitation), which requires hospitals to facilitate clergy visits to patients even during a pandemic, also passed, 46-13. "I've heard many troubling stories over the past year of people left to die alone in a hospital, unable to receive in-person spiritual care," Nguyen, its sponsor, said after the vote. "Pandemic or not, it's simply wrong to deny patients and their families the spiritual comfort and support they need during such a difficult time. This legislation makes sure that won't continue to happen."

SENATE WINS ELECTION AUDIT CASE, COUNTY DECIDES AGAINST APPEALING

The Senate can access 2.1 million ballots and Maricopa County's election equipment, a judge ruled this morning. The county is not appealing the ruling. Maricopa County Superior Court Judge Timothy Thomason said the Senate's subpoenas are legal and enforceable, adding "there is no question that the senators have the power to issue legislative subpoenas." The Senate also has broad constitutional authority to oversee elections and investigate election reform measures, he wrote. The ruling isn't surprising - history favors the Legislature in court cases challenging its subpoena powers, and the prevailing sentiment at the Capitol is that the authority, whether abused or not, is "absolute" (LR, 5/21). But Thomason also explicitly wrote that the court isn't enforcing the legislative subpoena - meaning either Maricopa County would have to hand over the materials willingly or the Senate would have to again vote on a contempt resolution. The county can, of course, appeal the case. In

AMERICAN OVERSIGHT

a statement, Maricopa County board chair Jack Sellers thanked Thomason for providing “much-needed clarity” to whether the subpoenas applied to ballots, which according to statute must be kept private after an election. “We respect his ruling and will review it with our attorneys as we determine how best to move forward,” Sellers said. Petersen took a dim view of a potential appeal, tweeting, “County said they needed a court order to comply with the subpoena. They got it. If they appeal the ruling they show the world they are pathological liars.” In his own statement, Supervisor Bill Gates said he accepted the ruling and urged the Senate to be transparent with its audit process. Steve Gallardo, the sole Democrat on the county board, still wants to appeal the decision. “The sanctity of the secret ballots is too important not to appeal Judge Thomason’s ruling,” he wrote in a statement. Gallardo added that any ruling that threatens the secrecy of a ballot is concerning, but it’s worse that Thomason told the county to “hand over ballots to a small group of Republican state senators who have been trying to undermine the will of the voters ever since the presidential election didn’t go their way.”

NEWS RELEASES

Statement from Senate Republicans on judge's ruling allowing access to election equipment, ballots

"We are grateful for the Superior Court judge's ruling this morning that the Senate subpoenas are legal and enforceable, and it is entitled to audit voting equipment and ballots used in the November election. Today's ruling states:

The Arizona legislature clearly has the power to investigate and examine election reform matters. Accordingly, the Senators have the power to subpoena material as part of an inquiry into election reform measures.

It's clear the judge understands this is about getting answers to the questions voters have, and not some effort to overturn any election results. Hopefully, with a proper, independent and detailed audit, we will start to restore voter confidence in election integrity. Today's ruling means we can begin that process."

* * * * *

Statement from Chairman Jack Sellers on Responding to the Senate Subpoenas

AMERICAN OVERSIGHT

"The Board of Supervisors met with its attorneys this afternoon to consider Judge Thomason's ruling in the case of Maricopa County, et al. v. Karen Fann, et al.

Judge Thomason's ruling brings clarity to whether Senate subpoenas apply to ballots that, per state law, must be kept private following an election; as well as the many other documents and equipment demanded. We respect his legal opinion and will immediately start working to provide the Arizona Senate with the ballots and other materials. These items are in addition to the more than 11GB of data already provided.

We hope senators will show the same respect and care we have for the 2.1 million private ballots and use them in service of their legislative duties."

* * * * *

Supervisor Steve Chucri's Statement on Today's Court Decision

Judge Thomason's decision brings much-needed clarity to the question of state law related to the Senate subpoenas and their application to the release of ballots. I am pleased that the Court resolved this issue so that we can all proceed with the business of representing our constituents. I respect the Judge's decision and look forward to working with the Senate to provide remaining outstanding materials. I was hopeful we all could have resolved this issue without a protracted legal battle, and I was prepared to proceed with our own forensic audit late last year, as my vote reflected. Cooperation between the County and the Legislature benefits our mutual constituencies, not only related to elections law and policy, but on many other fronts. We can achieve better results by working collaboratively.

* * * * *

Statement From Supervisor Steve Gallardo On Today's Court Ruling

"I am extremely disappointed in today's ruling. The sanctity of the secret ballots is too important not to appeal Judge Thomason's ruling.

Our 2.1 million citizens who cast their ballots did so with the promise that their vote would be kept private and protected.

Any ruling that threatens the secrecy of the ballot and our commitment to voters is concerning. What's worse is a judge telling us to hand over ballots to a small group of Republican state senators who have been trying to undermine the will of the voters ever since the presidential election didn't go their way.

This is the same group of senators that planned to give these ballots to Rudy Giuliani's go-to "security expert" for their so-called "independent audit" of the November election.

AMERICAN OVERSIGHT

This is the same group of senators pursuing legislation right now to make it more difficult for our citizens, especially low-income individuals, and people of color, to vote.

Today's decision creates a chilling effect across the State of Arizona and will discourage voter participation which is vital to maintain our democracy.

I believe today's court action and the onslaught of voter suppression bills introduced by the Arizona State Legislature are retrogressive and will discourage voters from casting their ballots."

For questions, contact District 5 at 602-506-7092.

* * * * *

House Approves Legislation to End Social Promotion for Early Learners

STATE CAPITOL, PHOENIX – The Arizona House of Representatives this week approved HB 2063, legislation sponsored by Representative John Fillmore (R-16) which requires a teacher to retain a student in a kindergarten through or the 1st-4th grades if the student does not meet the prescribed criteria for promotion.

"A good education is perhaps the most important tool a young person needs to prepare for and succeed in life," said Representative Fillmore. **"If we pass along a student to the next grade who is not ready, it is a terrible disservice to the child and fails them in the long run."**

The bill now moves to the State Senate for consideration.

John Fillmore is a Republican member of the Arizona House of Representatives serving Legislative District 16, which includes East Mesa, Apache Junction, Gold Canyon, and North San Tan Valley.

* * * * *

Representative Dunn: Biden Admin Must Take Responsibility for Consequences of its Policy to Release Immigrants into Arizona Communities

STATE CAPITOL, PHOENIX – Representative Tim Dunn (R-13) today called out the Biden Administration for their policy of releasing detained immigrants into southern Arizona communities, which include Yuma.

"President Biden's irresponsible policy to release immigration detainees freely into the

AMERICAN OVERSIGHT

community is already having predictable negative results," said Representative Dunn. "This is particularly the case in Yuma and other southern border counties who are left to manage the consequences. With Yuma County having one of the highest rates of COVID-19 in the state, our hospitals and city services are overwhelmed and could put care for Arizonans in jeopardy."

The Yuma Sector of the U.S. Board Patrol has apprehended over 8,600 illegal immigrants this fiscal year, up from 4,400 the previous year and has led to burdensome challenges of adhering to COVID-19 guidelines at facilities, as well as to house a growing number of individuals here illegally. Latest reports show over 240 releases in the past few weeks.

"The Biden Administration needs to take responsibility for the consequences of its damaging policies. I call on U.S. Senators Mark Kelly and Kyrsten Sinema in Washington to work on our behalf to ensure the federal government is testing the immigrants it releases and provides us the appropriate financial resources to cover other costs being incurred."

Tim Dunn is a Republican member of the Arizona House of Representatives serving Legislative District 13, which covers northern Yuma County and northwest Maricopa County.

* * * * *

Congressman Biggs Responds to American Airstrike in Syria

WASHINGTON, D.C. – Today, Congressman Andy Biggs, the co-chair of the War Powers Caucus, released the following statement in response to recent American military strikes in Syria:

"Democrats and the mainstream media screamed for accountability of President Trump's targeted military strikes overseas over the last four years. Unsurprisingly, most of them are silent after Joe Biden's airstrike last night.

"Joe Biden must come to Congress to explain last night's airstrikes. And if there are plans for continued military actions overseas, the president must consult with Congress per the U.S. Constitution. The United States should continue to reinforce our allies in the region without expanding our troop deployments.

"I look forward to working with my colleagues on the War Powers Caucus to restore Congress's constitutional responsibilities for declaring and engaging in war."

* * * * *

Weblink: https://www.azcourts.gov/Portals/201/Press%20Releases/2021/022621PDJComments.pdf

Comments Sought on Candidates for Presiding

AMERICAN OVERSIGHT

Disciplinary Judge Position

PHOENIX – The Arizona Supreme Court seeks public input on four candidates for the position of Presiding Disciplinary Judge. The vacancy was created by Judge William J. O'Neil's retirement.

The candidates are:

- Margaret H. Downie
- Stephen Little
- Jeffrey Messing
- Patricia A. Sallen

The candidates' resumes can be viewed online at https://www.azcourts.gov/jnc/Vacancy-Applications. A hiring committee will interview the candidates. After the interviews, the finalists' names will be submitted to the full Court for final selection.

All comments must be received by 1:00 pm on March 10, 2021. Anonymous comments cannot be considered, and comments received will be retained as public records. Submit comments by email to ywong@courts.az.gov or by U.S. mail to:

Arizona Supreme Court

c/o Yvonne Wong

PDJ Applicant Comment

1501 W. Washington, Suite 221

Phoenix, AZ 85007

NEWS CLIPS

State fined $1.1M over prison health care

By Jacques Billeaud Associated Press 02-26-21

A federal judge presiding over a legal settlement on the quality of health care in Arizona's prisons has imposed $1.1 million in contempt of court fines against the state for failing to follow through on its promises to improve inmate care, marking the second time the state has faced penalties for remaining noncompliant with many elements of the six-year-old deal.

The fine was imposed February 24 by U.S. District Judge Roslyn Silver after corrections officials had been dogged by complaints they were dragging their feet in making all the changes to which they had agreed. (To read more, click here).

AMERICAN OVERSIGHT

* * * * *

Rep. Regina Cobb moves to Plan B on water concerns

By Michael Zogg Today's News Herald 02-26-21

Multiple water bills sponsored by Rep. Regina Cobb (R-District 5) have run into a brick wall once again this year, but this time the House member from Kingman said she isn't ready to give up the fight just yet.

Cobb introduced a trio of bills focused on water during the 2021 legislative session. A couple of those bills – HB 2595 and HB 2679 are similar to bills Cobb has run in the past which did not receive a proper hearing. HB 2595 would have created an irrigation non-expansion designation for the Hualapai Basin while HB 2679 would have created a "Rural Management Area" tool that would allow the creation of an advisory council to manage certain local water supplies that are in danger. (To read more, click here).

* * * * *

Lawmakers begin to develop legislative response to Capitol attack

By Lindsey McPherson Roll Call 02-26-21

A comprehensive response to the Jan. 6 attack on the Capitol could take months, if not years, to materialize after thorough investigations, but lawmakers have started offering legislative proposals that could be taken up relatively quickly.

The Democrat-led Congress is likely done with punitive measures for the foreseeable future after the House impeached and the Senate acquitted former President Donald Trump for inciting the insurrection. Investigations may yield additional punishments for Trump or members of Congress alleged to have been involved, but Democrats plan to spend upcoming floor time on legislation that they hope will attract bipartisan support. (To read more, click here).

* * * * *

Even conservative lawmakers want to help 'Dreamers,' but this law ties their hands

By Robert Robb Arizona Republic 02-26-21

A bipartisan consensus appears to have formed in the Arizona Legislature around two somewhat surprising subjects:

AMERICAN OVERSIGHT

- Lifting the ban on in-state tuition at the universities and community colleges for those known as “Dreamers,” young adults who were brought to this country illegally as children.
- Repealing the requirement that K-12 students not proficient in English be put in structured English immersion classes and not be taught in a foreign language. In Arizona, overwhelmingly that means in Spanish. (To read more, click here).

* * * * *

Now that pot is legal, could that free up resources to fight opioid addiction?

By Abe Kwok Arizona Republic 02-26-21

For all the excitement about the freedom to toke and the promise of new jobs and revenue, Proposition 207’s most meaningful impact is to decriminalize possession and use of marijuana.

A big part of the pitch was to keep recreational pot users out of the criminal justice system. (To read more, click here).

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, March 1, 2021 7:54:04 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: February 27th - March 1st, 2021
Attachments: March 1, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings
Saturday, February 27, 2021
Sunday, February 28, 2021

Arizona Daily Star

- Single-shot vaccine from J&J endorsed by advisory panel to FDA
- Ruling gives Arizona Senate access to '20 election ballots, equipment
- Arizona's top health official: 3rd vaccine a 'game changer'
- Wildlife, rights coalition asks Biden to remove 59 miles of AZ border wall
- County out to correct vaccine inequity for people of color
- Rather than broaden appeal, GOP seeks to shrink Arizona's electorate
- Winter COVID-19 crisis nearly over in Arizona, but risk remains high
- Arizona to take voting laws before high court
- UA joins network to address sexual harassment in higher education

Arizona Republic

- County must hand over ballots to Senate
- Bill to protect Arizona businesses from COVID lawsuits clears Senate
- Bill to fund body cameras for troopers passes state House
- After DC riot, Biggs' reputation as a fierce conservative grows
- Bill would make it easier to end gym memberships
- Arizona AG Brnovich says US Supreme Court case is about election integrity

KTAR News

- COVID challenges may lead to summer school for some Arizona students
- Valley economists expect Arizona to aggressively rebound in 2022-23
- Arizona reports 1,039 new COVID-19 cases, no additional deaths Monday

Arizona Daily Sun

- Report on ethics probe of GOP senator will be released
- Arizona Supreme Court task force refocuses on disinformation
- Navajo Nation confirms 14 new COVID-19 cases, 2 more deaths

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Single-shot vaccine from J&J endorsed by advisory panel to FDA

By Lauran Neergaard and Matthew Perrone
Arizona Daily Star
February 27, 2021

U.S. health advisers endorsed a one-dose COVID-19 vaccine from Johnson & Johnson on Friday, putting the nation on the cusp of adding an easier-to-use option to fight the pandemic.

The Food and Drug Administration is expected to quickly follow the recommendation and make J& J's shot the third vaccine authorized for emergency use in the U.S. Vaccinations are picking up speed, but new supplies are urgently needed to stay ahead of a mutating virus that has killed more than 500,000 Americans.

After daylong discussions, the FDA panelists voted unanimously that the benefits of the vaccine outweighed the risks for adults. If the FDA agrees, shipments of a few million doses could begin as early as Monday.

'There's an urgency to get this done,' said Dr. Jay Portnoy of Children's Mercy Hospital in Kansas

City, Missouri. 'We're in a race between the virus mutating and new variants coming out that can cause further disease and stopping it.'

More than 47 million people in the U.S., or 14% of the population, have received at least one shot of the two-dose vaccines from Pfizer and Moderna, which FDA authorized in December. But the pace of vaccinations has been strained by limited supplies and delays due to winter storms.

While early J& J supplies will be small, the company has said it can deliver 20 million doses by the end of March and a total of 100 million by the end of June.

J& J's vaccine protects against the worst effects of COVID-19 after one shot, and it can be stored up to three months at refrigerator temperatures, making it easier to handle than the previous vaccines, which must be frozen.

One challenge in rolling out the new vaccine will be explaining how protective the J& J shot is after the astounding success of the first U.S. vaccines.

'It's important that people do not think that one vaccine is better than another,' said panelist Dr.

Third vaccine could be a 'game changer,' says Arizona's top health official

Health officials are concerned that at first glance the Johnson & Johnson shot may not be seen as equal to other options from Pfizer and Moderna.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Ruling gives Arizona Senate access to '20 election ballots, equipment

By Howard Fischer
Arizona Daily Star
February 27, 2021

State senators are entitled to access to voting equipment, related materials and all 2.1 million ballots used by Maricopa County in the November election to conduct their own audit and review, a judge concluded Friday.

In a 16-page ruling, Maricopa County Superior Court Judge Timothy Thomasson swatted down a series of arguments by county officials who argued the lawmakers have no legal basis for the subpoena they issued.

The judge was no more impressed by claims that the senators did not follow the proper procedures for issuing the subpoena.

Most significantly, Thomasson brushed aside claims by county officials that the real purpose of the subpoena is not to use the information gathered to review existing election laws but instead to try to overturn the results of the 2020 election.

'Granted, (Senate President Karen) Fann has made public comments about concerns of 'many voters' regarding the accuracy of the presidential election and the need to 'audit' the election,' he wrote.

'The court is not in a position to determine if the 'real' purpose of the subpoenas is to try to 'overturn' the result of the election,' Thomasson wrote.

Anyway, he said, such a move 'would clearly be futile' given that the Electoral College has voted, Congress has confirmed the results and President Biden has been sworn in.

'There clearly will be no 'overturning' of the 2020 election,' Thomasson said.

But the bottom line, the judge said, is even if the election could somehow be challenged, 'there is still a perfectly valid legislative purpose for the subpoenas,' meaning the oversight that the legislature has of elections.

In a prepared statement, supervisors Chairman Jack Sellers said the board met with its attorneys Friday afternoon and has decided not to appeal.

He said Thomasson's ruling 'brings clarity" to the issue of the ability of lawmakers to subpoena documents like ballots that otherwise are considered confidential.

'We respect his legal opinion and will immediately start working to provide the Arizona Senate with the ballots and other materials,' he said.

Steve Gallardo, the sole Democrat on the board, had a different take on the ruling.

He said the end game here is new 'voter suppression' laws, saying the subpoena is being pursued by 'the same group of senators pushing legislation right now to make it more difficult for our citizens, especially low-income individuals and people of color, to vote.'

AMERICAN OVERSIGHT

Fann, who said audits done by the county itself were insufficient, praised the decision.

'Hopefully, with a proper, independent and detailed audit, we will start to restore voter confidence in election integrity,' she said, saying the decision means 'we can begin that process.'

The fight began last year when the Senate Judiciary Committee served two subpoenas on the county. One sought documents necessary to perform a 'full forensic audit' on the 2020 election returns; the second sought access to perform a hand count of the ballots cast.

Maricopa County Superior Court Judge Randall Warner refused to order the county to surrender the materials. Warner said he finds nothing in the Arizona Constitution which specifically allows him to enforce such a subpoena.

On Jan. 12, with a new legislative session came

a new subpoena. All that sent the case to Thomasson to rule on the broader question of the power of lawmakers to issue these kinds of demands, and in what circumstances.

The judge said he is not addressing the wisdom of the subpoenas.

'The statutes of this state give the senators the right to issue subpoenas and to enforce those subpoenas,' Thomasson wrote. 'This court must follow the law.'

It starts, he said with a state law that authorizing the presiding officer of either chamber or the chairman of any committee to issue a subpoena.

Attorneys for the county, however, argued that such subpoenas 'must be tethered to a hearing' and cannot be simply a demand by a single legislator for information. Thomasson said there is no such requirement in statute.

The judge had no more patience for the county's argument that the Senate can subpoena only things like books, papers or documents and not electronically stored information or tangible objects like voting machines.

'In modern parlance, 'documents' include electronically stored information,' Thomasson wrote. 'It is absurd to think that information that happens to be electronically stored and not kept on a piece of paper is not a 'document' that can be subpoenaed.'

The bigger argument by the county, however, is the contention that the subpoenas were not issued for a 'valid legislative purpose.'

That goes to the argument that the Republicans who control the Senate really have been looking for information all along that could be used in legal arguments by supporters of President Trump that the Arizona election returns were invalid and Biden should be denied the state's 11 electoral votes.

That argument was buttressed by a Twitter message from Kelli Ward, chair of the Arizona Republican Party, who said the materials were going to be given to Rudy Giuliani, Trump's attorney.

AMERICAN OVERSIGHT

Then there were the statements by Fann about wanting to address the concern of voters about the accuracy of the reported returns.

Thomasson said even if that is true — and even if there actually were a way now to overturn

the results — it doesn't matter because there was a legitimate legislative purpose. He pointed out that the Arizona Constitution gives lawmakers the power to enact 'laws to secure the purity of elections and guard against abuses of the elective franchise.'

In this case, he said, senators say they want to use the subpoenaed information to evaluate the accuracy and efficiency of existing vote tabulation systems and the competence of county officials in performing their election duties. That could include possible reforms to the process.

'This is a valid legislative purpose,' Thomasson wrote. And he said it's irrelevant that there was no specific legislation pending or being examined by the Senate when the first subpoenas were issued.

The judge also rejected arguments by the county that the ballots and some of the materials are considered confidential under state laws. But he said that doesn't preclude disclosure to other government officials.

'These statutes are intended to prevent disclosure of information to the public,' Thomasson said. He said that, absent some unusual circumstance, there would be no way to link a specific ballot to a specific voter.

And Thomasson also said that senators 'certainly are obligated to maintain confidentiality of the subpoenaed materials here.'

The judge made it clear that this is a fight that could have been avoided had both sides worked to find a mutually agreeable solution.

'The citizens expect their governmental officials to work cooperatively for the common good,' he wrote.

'It is highly unfortunate that that has not happened here,' Thomasson continued. 'When government officials resort to 'name calling' and threats, something has gone terribly wrong.'

Return to the table of contents

Arizona's top health official: 3rd vaccine a 'game changer'

By Howard Fischer
Arizona Daily Star
February 27, 2021

The state's top health official said Friday the expected approval of the new Johnson & Johnson vaccine could be a 'game changer' in the fight against COVID-19.

Dr. Cara Christ said she hopes to get another 50,000 to 60,000 doses as early as this coming week now that an advisory panel of the U.S. Food and Drug Administration on Friday recommended approval,

AMERICAN OVERSIGHT

paving the way for the agency's go-ahead to start shipping it. And that will be on top of what the state already is receiving in doses of the Pfizer and Moderna vaccines.

The new vaccine does not have as high a rate of total disease prevention as the other two. They are considered 95% effective after the second dose.

By contrast, the Johnson & Johnson is considered 85% effective against the most severe cases and just about 66% at preventing moderate cases.

But Christ pointed out that it has been found to be 100% effective at preventing hospitalization and death. That is significant in dealing with a disease that has killed close to 15,900 Arizonans and more than 500,000 nationwide.

More significant, Christ said, is the fact that this is a single-dose vaccine.

That, she said, makes it particularly useful for populations that, for one reason or another, may have difficulty returning for the second dose. That's also true for people who may prove hard to find again.

And then there's the fact that the storage requirements are less stringent than those subzero

requirements for Pfizer and Moderna, with results saying it could remain stable in a refrigerator for months.

'This would be a great thing for doing mobile vaccination, especially out in rural communities,' she said. 'You only have to go once and they are considered a completed dose.'

All this comes as the health department shows that about 1.16 million people have received at least one dose of either the Pfizer or Moderna two-dose regimen. That comes out to close to 16% of Arizona's population.

Out of that, nearly 500,000 are considered fully vaccinated against COVID-19.

As far as when everyone else will get vaccinated, that is more complex.

The first issue is supply.

By the end of the current week, Christ said the state hopes to have received close to 1.96 million doses of vaccine. That includes what appears to be a big spike in Pfizer doses, having gone from about 86,000 a week before the middle of February to close to 130,000 now.

But there's less there than meets the eye.

Christ explained that health-care providers are routinely able to get six doses out of what are supposed to be five-dose vials. So now when they get a shipment they now are counting each vial as six, a 20% increase.

Still, she said, the state is getting more overall volume.

The other issue is who is entitled to get in line for a vaccine.

AMERICAN OVERSIGHT

Most of the state is in the priority stage where the doses are reserved for health-care workers, those in the education and child care fields and adults age 65 and older. But Christ expects most counties to move into the next phase soon.

That category includes adults with high-risk medical conditions who live in congregate care settings like assisted living facilities and nursing homes.

What it also includes are what the state identifies as 'essential workers.'

Some of these are obvious, including those who work for utilities and grocery stores as well as transportation workers and funeral home employees.

But some are not.

For example, that category also includes anyone who works at a bank. Auto shop workers and gas station employees also are on the list. In fact, so are 'communication workers' like reporters.

Of note is that all these people are a higher priority

than adults of any age with high-risk medical conditions.

Christ said the recommendations come from the state's Vaccine and Antiviral Prioritization Advisory Committee.

'They look at the benefit versus the risk of who's getting vaccinated and when the vaccine in limited,' she said. 'When you look at people that continue to have to go to work and have direct interaction with the public — and they can be any age range — we do know that those people are going to be at increased risk for potentially catching and then transmitting COVID-19.

And then there's the other side of the equation.

'In order for our community to function, those jobs are essential to make sure that people can eat, can get to work, can continue to function,' Christ added. 'And that's why the essential workers are prioritized before those with health-care conditions.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Wildlife, rights coalition asks Biden to remove 59 miles of AZ border wall

By Mandy Loader
Arizona Daily Star
February 28, 2021

In the weeks since President Biden paused border wall construction, a broad coalition of advocacy groups in Southern Arizona and across the nation wasted no time letting him know exactly where they want him to tear it down.

AMERICAN OVERSIGHT

A coalition of nearly 70 environmental groups, civil- rights organizations and tribal entities sent a report last week to lawmakers and Biden administration officials asking for 59 miles of 30-foot-tall

border wall in Arizona to be removed, along with sections of wall elsewhere along the U.S.-Mexico border.

Their request came as administration officials are in the middle of a 60-day evaluation of wall projects. Advocates with the No Border Wall coalition hope the report, which focuses on key wildlife corridors, such as the San Pedro River and the Coronado National Forest, will spur officials to adopt a more comprehensive plan for the wall that would include immediately canceling contracts.

'It's been so heartbreaking to watch the wall rip

across Arizona the last year and a half,' said Laiken Jordahl, borderlands campaigner for the Tucson-based Center for Biological Diversity.

'It's so difficult to pick out specific locations where we feel the wall needs to come down, because the right thing to do would be to tear it down everywhere,' he said.

But at the same time, 'we have to be practical and strategic,' he added.

BUILT ON FEDERALLY PROTECTED LAND

The coalition is asking the Biden administration to use the rest of the border wall funds to take down wall sections that block 10 key Arizona wildlife corridors. In all, contractors built more than 220miles of wall in Arizona.

The border wall is made of 30-foot-tall steel bollards filled with concrete. Each bollard is 6 inches wide and spaced 4 inches apart. It is topped with anti-climbing steel plates. Advocates say the spaces between the bollards won't allow large animals, such as mountain lions and deer, to cross the border. The wall has some 8.5-inch-by-11inch openings that allow smaller animals, such as rabbits, to cross.

Some of the sections are small. One of the shortest sections spans 1.8 miles at the San Pedro River in Cochise County. The river area is a regular habitat or migratory stop for nearly half of North America's bird species including the endangered Mexican spotted owl and southwestern willow flycatcher, according to the coalition's report. It is also home to an 'unmatched' community of more than 90 species of mammals such as the jaguar, ocelot and Mexican gray wolf, and 80 species of reptiles and amphibians.

Before construction began, the only barriers in the roughly 500-foot-wide riverbed were strands of barbed wire and removable vehicle barriers. Now, the 30-foot-tall wall crosses the riverbed and is flanked by a vehicle bridge.

One of the longest wall sections in the report runs along 7 miles of the border near Quitobaquito Springs on Organ Pipe Cactus National Monument. The report describes the area as a sacred place with 'deep cultural history' for more than a dozen Native American tribes. Here, the land is 'scattered with ancient pottery, shells and other artifacts and features.' For over 8,000 years, people have lived near or traveled to the springs, and prehistoric and historic tribes used the area as a trade route.

AMERICAN OVERSIGHT

The area was a flashpoint during wall construction, with several Tohono O'odham women arrested last year while protesting construction near the springs.

Much of the wall in Arizona was built on federally protected land that wildlife advocates argued should be protected and preserved for future generations. Environmental groups have long raised concerns that the wall would cause ecological damage to wildlife and plant species. They also objected to the Department of Homeland Security waiving laws meant to protect the environment and historical preservation.

ANIMAL MIGRATION ROUTES AFFECTED

On his first day in office, Biden ordered a halt to border wall construction, as he had pledged to do as a candidate. Earlier this month, he formally rescinded the emergency declaration Trump had used to fund much of the wall construction.

Biden did not address whether he planned to remove sections of wall, although he has called the wall a 'waste of money.'

Customs and Border Protection officials said they suspended wall construction, aside from safety-related activities, during Biden's 60-day assessment period. They did not address specific questions from the Arizona Daily Star about the coalition's proposal to take down sections of wall.

Last October, Border Patrol officials told the Star the wall will slow down people trying to cross the border illegally, which gives agents more time to respond to remote areas.

The wall also will make it easier for agents to keep track of illicit activity at the border line and free up more time for them to patrol larger areas, Border Patrol officials said.

But wildlife advocates worry the wall is making matters worse for threatened and endangered species in Southern Arizona. In January, a rare jaguar and ocelot were spotted in the borderlands. Due to their habitats extending to both sides of the border, the 30-foot-tall bollards could completely cut off migration routes for the big cats, along with other endangered species like the Sonoran pronghorn and peninsular bighorn sheep, advocates said.

Some sections of the border wall in Arizona 'create a significant environmental impact' by interfering with wildlife migration and disturbing crucial bodies of water and wetlands, according to Myles Traphagen, borderlands program coordinator for Wildlands Network.

Animals like jaguars 'depend on roaming freely through the landscape for their very survival,' Jordahl said. 'In many of these locations, if the wall doesn't come down, that will be pushing these species closer and closer to extinction.'

The Arizona borderlands serve as a pathway between north and south, a 'mixing pot' of tropical ecosystems of Central America with North America's temperate environment, according to Emily Burns, program director at Sky Island Alliance.

She worries that road construction and lighting infrastructure in the wall projects will disrupt wildlife habitats and migratory patterns.

AMERICAN OVERSIGHT

ADVOCATES CALL FOR SWIFT ACTION

Burns hopes lawmakers and administration officials 'can fall in love with these amazing places on

the border as we have. Then they'll be eager and interested to invest in restoration that will benefit our communities, that will benefit our natural and cultural resources,' she said.

Rather than a 'desert wasteland' as some may picture it, the region is one of the most biodiverse in North America, said Traphagen.

The report justifies wall removal priorities by describing the 'vibrant' and 'beautiful' landscapes and communities along Arizona's border, as well as sections in California, New Mexico and Texas.

Two priority areas cover about 11 miles of border on the Cabeza Prieta National Wildlife Refuge in Yuma County. They include Las Playas, one of the few remaining natural water sources in the region, and Pinta Sands, part of El Gran Desierto de Altar, the largest active dune system on the continent, according to the report.

'In the middle of the hot, dry desert lies Las Playas, a group of dry lake beds with no drainage outlets,' advocates wrote in the report. 'When the rare rain falls in the central part of Cabeza Prieta, it flows into the ephemeral lakes, located next to the international boundary. When the playas are wet, the flora and fauna come to life and the playas become islands of emerald green.'

The report requests stopping construction on a 4.5mile segment near the Arizona- New Mexico border, where the Peloncillo Mountains 'create a biological bridge' between the Sierra Madres and Rocky Mountains.

The coalition is seeking immediate action to restore ecologically fragile areas that have been affected. They plan to release a follow- up report in the coming weeks to assess the most severely damaged areas for restabilization, erosion control and restoration, Traphagen said.

'With the monsoon season only four or five months away, swift action is needed to stabilize these sites in order to prevent catastrophic flood damage when strong summer storms arrive,' he said.

Return to the table of contents

Rather than broaden appeal, GOP seeks to shrink Arizona's electorate

Arizona Daily Star
February 28, 2021

Serious problems happened in the 2020 election that Arizona's Republican legislators are working to solve.

Too many people voted, and they voted for the wrong candidates. No, that's not how the GOP legislators justify the raft of bills they've proposed that would make voting harder in Arizona. But when you consider the weak justification for most of them, that's the conclusion you're left with.

AMERICAN OVERSIGHT

About 80% of registered Arizona voters cast a ballot in the November general election — historically high — and they voted for two Democrats at the top

of the ticket: Joe Biden for president and Mark Kelly for U.S. Senate. Remarkably, Arizona voters also retained the GOP majorities in the stateHouse and Senate.

Now we pay the price for that mixed outcome.

Arizona's Legislature leads the nation in the number of bills introduced that would restrict voting, with at least 22, the Brennan Center for Justice reports. That's out of at least 165 restrictive bills introduced in 33 states this year.

It's part of a backlash against historically high voter turnout, widespread use of mail-in voting due to the pandemic, and former President Donald

Trump's false claims that he was cheated, said Myrna Perez, director of the voting rights and elections program at the Brennan Center.

'The fact that politicians are reacting to historic turnout with restrictions is really disappointing and inappropriate,' Perez said.

'It sends a chilling message to communities about how much their vote and their participation is welcome.'

The message is pretty clear when you consider the weak justification of some of the bills. Consider SB 1593, introduced by Sen.

David Gowan, the Sierra Vista Republican who represents Legislative District 14.

It would reduce the number of days that early voters have their ballots by requiring recorders to send out the ballots 22 days before the election instead of 27. It would also set a hard deadline of the Thursday before the election by which early voters' ballots must be postmarked.

Finally, it would allow voters who have not mailed in their early ballots to cast a regular ballot at a polling place, rather than a provisional ballot, if they turn in their mail-in ballot at the same time.

Tuesday night, toward the end of an eight-hour appropriations committee hearing, Alex Gulotta of the organization All Voting is Local, called the bill 'a radical bill that makes radical changes.'

'This entire bill is designed so that less people will cast less votes, and of those votes that are cast, even less will be counted.

So we're going to speed up the count by throwing away ballots.'

Gowan, normally an understated presence as chair, took some umbrage at Gulotta's characterization of his motives.

'I know the intent,' Gowan said. 'The intent is to get ourselves to vote faster.'

AMERICAN OVERSIGHT

When asked if he ran these proposals past the state's county recorders, Gowan said he did — at least one of them.

'I have a favorite county recorder who I tend to work with,' he said coyly.

That recorder, I clarified Friday, is Cochise County's David Stevens, with whom Gowan worked closely when they were both in the stateHouse. Some of the ideas in the bill Stevens had proposed when he was in the Legislature, he told me.

As to the reduced time for early voting, Stevens said 'It gives you less time to lose the ballot.' Too many people lose their ballots, requiring higher costs for printing and mailing additional ballots, he said.

Fewer would lose them if they had them less time, he reasoned.

Of course, the Arizona Association of Counties opposes the bill for a variety of reasons, executive director Jen Marson made clear at the Tuesday night hearing. Among the reasons: Not all mail is postmarked, meaning that a ballot mailed on or before the Thursday before the election could still be rejected, because it would not carry the proof that it was mailed before the deadline.

Also, the ability to trade an early ballot for another at the polling place would create a loophole under which voters could potentially cast two ballots, Marson said.

'We also agree that (on) making the voting window shorter — we're not fans,' she said. 'That time frame is not broken, and we don't feel it needs to be adjusted.'

Of course not, but that could be said of most of the election-related bills. They fix what ain't broke, unless you consider losing an election a sign of a broken system. Republican legislators have accepted or encouraged the idea, pushed by Trump, that something went wrong with

Arizona's election, when nothing substantial did go wrong.

Republican voters responded with complaints, which the legislators used to justify their proposed voting restrictions. It's a feedback loop.

Gowan also authored SCR 1006, which would have put to voters a proposal to let the Legislature choose the state's presidential electors. Gowan pulled the bill after receiving pushback suggesting that the bill would let the Legislature overturn the will of the people, and that it would be used against Republicans in the 2022 legislative races.

Among other bills, SB 1358 would prohibit the state's county recorders from conducting voter registration drives outside government buildings.

And SB 1713 would require early voters to file a separate affidavit sheet including driver's license number along with their ballots.

Randy Perez (no relation to Myrna Perez), the democracy director for Living United For Change Arizona, or LUCHA, said as a whole, the bills seem designed to undermine the work that groups like his have done in turning out Latino and other

AMERICAN OVERSIGHT

low-propensity voters.

'This is a clear reaction to the growing power of communities of color across the country, who are turning out and voting in numbers never before seen and threatening traditional structures of power that arebuilt on white supremacy,' he said.

'They're trying to make the electorate smaller,' he went on. 'They're trying to make it more reflective of their bases and trying to target specific communities that aren't voting the way they like.'

GOP legislators have denied this claim, of course, saying that they're trying to fix real electoral problems. But the thin justifications for their bills say otherwise.

They say that the party would rather stick with its Trumpian past and shrink the electorate than change to increase their appeal to voters beyond the GOP's traditional base.

Return to the table of contents

Winter COVID-19 crisis nearly over in Arizona, but risk remains high

By Alex Devoid
Arizona Daily Star
February 28, 2021

Nearly all signs show Arizona recovering from its worst surge of COVID-19 cases, which peaked in early January.

While these improvements have given the state's health system some breathing room, the virus is still spreading at a dangerous rate.

'Arizona has transitioned from a period of crisis to one of elevated risk,' Dr. Joe Gerald, an associate professor with the University of Arizona's College of Public Health, wrote in a report he published recently.

Fewer patients have been hospitalized for COVID-19 week over week since the start of the year. And COVID-19 patients have taken up fewer beds statewide.

Arizona's weekly case count was 9,675 from Feb. 14-20, according to the Arizona Department of Health Services, as of Friday.

This is an 85% drop since the first week of January, when cases reached a peak. It's also well below the height of the surge last spring.

While this is good news, the improvements could soon slow down. Cases have fallen for six consecutive weeks both in Pima County and across the state, but Gerald said his analysis showed a few counties with higher case counts in the third week of February than the week before.

He expects cases to continue to decline statewide through March, but come April he thinks they may start on a slow upward trend, leading to another wave in late May or early June, if one occurs.

He worries that the state's improvements could start to reverse even sooner, but notes that Arizona

AMERICAN OVERSIGHT

State University's COVID-19 modeling team still projects improvements for the next four weeks.

More contagious coronavirus variants could contribute to another wave of cases if they establish a bigger foothold in Arizona.

'There's a little bit of a race between getting people vaccinated and the emergence of these higher transmission variants,' said Dr. Joshua LaBaer, director of the Biodesign Institute research center at Arizona State University.

Experts also worry that the public's behavior could reverse improvements. Even though case counts are falling, now is not the time to stray from guidance designed to slow the spread of the virus, such as wearing masks and avoiding large gatherings.

But more and more people who are most at risk of falling severely ill or dying have been vaccinated.

Fewer people who live in nursing homes and other long-term care facilities, for example, have died from COVID-19 since the start of the vaccination program, Gerald said.

This makes him optimistic that a spring surge won't be as deadly as previous statewide surges. While it would still cause hospitalizations and deaths, he said, the vaccine should take pressure off hospitals.

Arizona's ranking for vaccination speed has improved among other states and territories over the past several weeks, according to data from the Centers for Disease Control and Prevention.

In terms of the number of people who have received both vaccine doses, as of Friday, the state ranked 42nd out of all states, territories and the District of Columbia — a group of 59 places.

The state ranked 50th toward the beginning of February.

Statewide, 7% of the population has received both vaccine doses, while 16% have received at least

one dose, according to the AZDHS data dashboard, as of Friday.

Across Pima County, nearly 8% of the population has received both doses, while nearly 17% have received at least one.

Pima County Health Department Director Dr. Theresa Cullen is hesitant to say the crisis has passed until the rate of positive COVID-19 tests falls below a certain threshold.

Cullen and her team want to see positive COVID-19 tests fall below 10% for two consecutive weeks. It's already fallen below this threshold for one week, and they expect it will remain there for a second week.

They wait two weeks to look at tests to account for any delayed influxes of data. If this type of influx does not happen, the week of Feb. 14-20 will remain below 10%. As of Friday, it was 7% in Pima County.

Statewide, the percent positivity gave Gerald pause. It ticked slightly upward during the week of Feb. 14-20.

AMERICAN OVERSIGHT

'That just provides additional evidence that improvements we've seen are beginning to slow a little bit. Things are still getting better just not as quickly,' he said. 'It was a little bit unexpected. I didn't expect test positivity to go up.'

Along with the percent positivity, the health department primarily tracks the rate of cases in the population and the number of hospital visits for illnesses resembling COVID-19.

This group of metrics helps them determine the current severity of the pandemic.

Pima County saw 1,093 cases from Feb. 14-20, which is about 106 cases per 100,000 people.

The health department wants to see that number drop to below 100 cases per 100,000 for two consecutive weeks, but Cullen thinks it will be a while before the county falls below this threshold.

In context, however, the countywide case count isn't nearly as bad has it has been in the past.

Cases have fallen by about 88% from the winter peak in the first week of January. They were down by about 56% from the countywide peak last spring. And they were slightly below the peak in September,

which was an outbreak largely isolated to the University of Arizona.

If the data settles next week like she thinks it will, 'we may say we are out of an emergent situation,' she said. 'We are still in a high risk situation.

Return to the table of contents

County out to correct vaccine inequity for people of color

By Jasmine Demers and Veronica Cruz-Mercado
Arizona Daily Star
February 28, 2021

Oralia Miranda takes great care to stay healthy and limit her risk of exposure to COVID-19.

The 70-year-old who has a history of being immunocompromised rarely leaves her South Tucson apartment except for doctor's appointments and lab visits.

Last Saturday, clad in double masks and a face shield, Miranda was among the first in line to receive a COVID-19 vaccine at a mobile clinic organized by the Pima County Health Department and South Tucson's Housing Authority.

'It's a privilege, it's really good,' Miranda said in Spanish about being able to get the vaccine so close to home. 'I feel very comfortable, I can see that everybody is very attentive and it makes me happy, it makes me comfortable and it gives me security.'

For her, the first vaccine dose means she's one step closer to eventually being able to go places like the

AMERICAN OVERSIGHT

grocery store again.

Miranda was among 72 seniors vaccinated that day at the clinic, which was meant for the older residents of the housing authority's low-income COVID numbers improve for state, county, but risk is still elevated.

The event was the second mobile clinic coordinated by the county Health Department to reach underserved communities in an effort to provide more equitable access to the vaccine. Of those vaccinated at the clinic, 78% were Hispanic, according to a county memo. The Health Department hosted three other clinics this weekend in communities with largely Black and Latino residents.

'As we have more vaccines, we are hopefully going to see a lot more distribution to our vulnerable disadvantaged populations,' said Dr. Theresa Cullen, Pima County's public- health director. 'We use a rubric to determine where we will offer a mobile (clinic) and then we work closely with a community group in that area to get the word out to those community members.'

Data from the Arizona Department of Health Services, while incomplete, shows white residents in Pima County have received the lion's share of vaccine doses — a trend that is apparent statewide. Of the 173,783 people in Pima County to receive their first vaccine, only about 14% are Latinos, even though this group makes up about 38% of the county's population. In addition, 2.4% are Native American, 1.5% are Asian, 1.1% are African American, and 0.4% are Native Hawaiian or other Pacific Islander. The race of nearly 40% of people who have received a vaccine is unknown, however.

Statewide, nearly 50% of the 1.1 million first doses have gone to white residents, 8% to Hispanics, 3% to Native Americans, 2.3% to Asians, 1.5% to African Americans and 0.2% to Native Hawaiians or Pacific Islanders. The race of close to 36% of those vaccinated is unknown.

While Pima County is faring slightly better than the state in getting the vaccine to seniors of color, there's still more work to be done.

'In terms of the racial/ ethnic distribution of the folks who are getting vaccines, even though it does not quite reflect the racial/ ethnic distribution of this community we are doing pretty darn good, especially when we compare ourselves to the state PODs (point of distribution sites), especially when we compare ourselves to some of our sister counties, I think we do very well,' Dr. Francisco Garcia, the county's chief medical officer, said in a recent news conference. 'Again we can do better; this is not nearly good enough.'

In Pima County, the highest number of vaccinations have been distributed to the 85718 ZIP code in the northern part of Tucson near the Catalina Foothills. Over 10,000 vaccines have been given to residents of this ZIP code so far, where there's been 1,754 COVID-19 cases and 37 deaths recorded as of Friday. At the same time, the ZIP code with the highest case count — 85706, on Tucson's south side — has received only 4,300 vaccines, where there's been 10,250 cases and 160 deaths.

When compared to 85706, the north-side ZIP code does have a higher percentage of residents over the age of 65, which could explain its higher vaccination rate. However, the south-side ZIP code has a nearly 18% infection rate in a population where 90% of people belong to a minority community. This is compared to a 6% infection rate for 85718 with an estimated minority population of 25%, according to census tract data.

AMERICAN OVERSIGHT

'When I think about where they were concentrating the vaccinations initially I thought why wouldn't they go to where the hot spots were initially? Isn't that where you would want to go?' says Betty Villegas, executive director of the South Tucson Housing Authority and former interim Pima County District 5 supervisor. 'You know that's where people are still having to go to work, you know that's where people are still the most vulnerable, so why wouldn't you plan to address the most vulnerable people first?'

BARRIERS TO ACCESS

Lack of access to technology and transportation are among the biggest barriers to vaccine access for the communities of color. Language barriers and vaccine hesitancy are also factors.

Seniors who don't have a computer or internet can't even attempt to schedule an appointment online and often have to rely on relatives or friends, if they can, to help register for a vaccine. Registration assistance hotlines are available, but wait times, which vary and can be an hour or more, are a source of frustration for many.

For those who don't drive or have a vehicle, getting to one of the mostly drive-thru vaccination PODs poses a second challenge.

At the recent mobile clinic, seniors simply had to show up, which for many meant walking across the street or just a few blocks, filling out a paper registration form and staying for a 15-minute observation period after receiving their shot.

A couple of residents who attended the mobile clinic said they were able to schedule appointments at different vaccination sites several weeks out after waiting on the phone for a long time or having help from someone, but having the clinic in their neighborhood was more convenient to get to. And for several who have other health conditions that make them more vulnerable to the virus, it meant they could be vaccinated more quickly.

Miranda was accompanied to the clinic by her husband, Jose Miranda. Although they are separated, he drives her to her doctor's appointments and brings her groceries.

'I still drive and everything, but people who can't go anywhere by themselves, how are they going to get the vaccine?' he said.

The ease of getting vaccinated at the mobile clinic was a contrast to 75-yearold Jose Miranda's own experience trying to register for a vaccine. He doesn't have the internet so he asked his son to help him get an appointment. Jose Miranda says his son tried for hours to get help registering over the phone, but nobody answered.

'At (Oralia's) last doctor's appointment I told the nurse, 'I don't know how I'm going to do it, I don't use the internet.' It's a big problem,' he says. That was a few weeks ago when vaccine registration was available only to people 75 and older. The doctor was able to help Jose Miranda make an appointment at the University of Arizona.

'The problem is that people who are her age or who are older, if they don't have a computer or don't know how to use it, how are they supposed to get the vaccine?' he said.

AMERICAN OVERSIGHT

Villegas, of the housing authority, helped advocate for the mobile clinic.

'When I came to this job I saw where all the vaccination events were, and then I looked at my new community I was working in and I realized I have two buildings with seniors, many over 75 and over 65, that don't have access. They don't have people that can take them and they don't know how to make appointments,' she says. 'It was really good when Dr. Cullen saw that there is a need for the mobile units here in these hard-toreach communities because you have to come to them.'

District 5 Supervisor Adelita Grijalva agreed, saying mobile clinics help take the confusion and hurdles out of the vaccination process. Rather than having to navigate the online registration process and face potential transportation issues, the mobile clinics focus on word-of-mouth communication through community partners that residents trust.

The housing authority's staff made phone calls to its residents to gauge how many people would like to be vaccinated and also left paper flyers on everyone's doors to remind them about the clinic.

'It's that peer-to-peer, doctor-to-patient kind of relationship that really helps inform decisions,' Grijalva said. 'Those relationships with smaller organizations and churches is how these communities are going to be vaccinated. Because it's people that they trust.'

Leading up to the county's first mobile clinic at St. John's Evangelist Church, Grijalva said her best friend's dad was going door to door telling people about the event. Over 500 people were vaccinated that day, the majority of whom were elderly, Hispanic and Spanish speakers.

The unique challenges that face minority communities are not new, however. For Tucson Mayor Regina Romero, the pandemic has only emphasized the hardships that disadvantaged communities have faced throughout history.

'We've always known that access to health care, access to reliable transportation, access to Wi-Fi and the internet have long existed for communities of color, but the pandemic has exacerbated and highlighted those issues,' she said. 'These are also the communities that have had the highest rates of infection during the pandemic.'

IMPACT OF COVID-1 9 BY THE NUMBERS

In addition to age, race and ethnicity can be additional risk factors for severe illness associated with COVID-19. According to public-health officials, long-standing systemic and social inequities put many people from minority groups at an increased risk for hospitalization and death from the virus. While seniors of color tend to have increased rates of chronic diseases and underlying conditions, they also tend to live in areas with higher rates of poverty compared to white seniors.

'The COVID-19 mortality rate is highly influenced by race and ethnicity, so we know we need to target certain areas based on that,' Cullen said. 'We also know that high social vulnerability may also mean low immunization rates. What we're trying to do is get in those areas where, for multiple reasons, people have not been able to get the vaccine.'

In Pima County, there are approximately 212,000 people over the age of 65, 76.4% non-Hispanic white, 17.5% Hispanic or Latino, 2.2% Black, 2% Native American and 2.2% Asian.

AMERICAN OVERSIGHT

While they only account for 20% of the population, older adults make up 80% of COVID-19 related deaths and 47% of hospitalizations. Over 2,200 county residents have died from the virus since the pandemic began.

The disproportionate impact of COVID-19 on minority communities is clear in local census tract and ZIP code data. In Pima County, the ZIP codes with the highest number of virus-related deaths also have some of the highest social vulnerability scores, as indicated by the Centers for Disease Control and Prevention.

The CDC's Social Vulnerability Index helps public- health officials and emergency-response planners identify and map the communities that will most likely need support before, during and after a hazardous event. The index ranks the relative vulnerability of every U.S. census tract, as well as by county, and is based on factors such as socioeconomic status, minority status, language, housing and transportation.

Pima County's overall social vulnerability score is 0.8717 — on a scale from 0 to 1 — indicating

a high level of vulnerability. These scores are also given to each of the county's 241 census tracts.

One of the highest social vulnerability scores in the county — 0.9927 — belongs to the census tract of South Tucson. According to the index, there are approximately 5,600 people living in this census tract, an estimated 700 of whom are over the age of 65. Nearly 90% of the residents living in the census tract belong to a minority, over 40% are living below the poverty line and an estimated 13% 'speak English less than well.' In addition, an estimated 30% of households in this area do not have access to a vehicle.

In this case, high social vulnerability certainly correlates with a high number of COVID-19 cases and deaths. The county ZIP code with the highest number of virus-related deaths is 85713, which includes South Tucson. There have been over 7,000 cases and nearly 200 deaths associated with this ZIP code alone.

By using this social vulnerability data, county officials can target specific communities that may face unique challenges that make them more vulnerable to COVID-19.

LINGERING CONCERNS

While county officials continue to develop plans to serve hard-to-reach communities, vaccine availability continues to be an issue throughout the state and will likely continue to have an impact on minority and other underserved communities.

'The reduction in vaccine allocation to our county means that a lot of these pop-up mobile sites that are targeting the people that have been hit the hardest by COVID-19 are going to be delayed or reduced,' Grijalva said. 'But that is the demographic that is dying.'

While the state health department continues to focus its efforts on vaccinating as many people as possible through several mass distribution sites, including the University of Arizona, some are concerned that this will continue to take vaccines away from distribution in hard-to-reach communities.

'It has to be very intentional, and that has not been the approach with these huge 24/7 vaccination centers,' Romero said. 'Geography and intentional distribution is not part of that model. Even though the

AMERICAN OVERSIGHT

University of Arizona is a wonderful partner in the vaccine effort, these sites were not made for marginalized communities and underrepresented communities.'

Cullen said Friday, however, that the county planned to use 10% of its vaccine allocation to meet needs at mobile clinics.

The county also continues to search for new ways to reach vulnerable communities. In addition to mobile units, the county was recently selected as one of only three communities in the nation to partner with Uber to provide transportation services for disadvantaged communities to ensure they have equal access to public-health resources.

'The good news is I know we can make changes and head in the right direction in terms of equity,' Cullen said. 'The concerning news is that I know our large PODs and the state PODs can contribute to that inequity. It behooves us, and really requires us, to figure out how to ensure that we are getting vaccine to the population that is most at risk.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona to take voting laws before high court

US Justices will rule on where one can vote, who can handle ballots
By Howard Fischer
Arizona Daily Star
March 1, 2021

PHOENIX — On paper, the dispute playing out Tuesday at the U.S. Supreme Court is a simple question of the legality of two Arizona laws: where you can vote and who can handle your ballot.

But the case is being followed nationally because it sets the stage for the justices to decide the scope of the Voting Rights Act: Can state legislators enact and enforce what appear to be 'facially neutral' laws even when it turns out they impact minorities

to a higher degree than others?

Attorney General Mark Brnvoich contends the answer is yes. In essence, he is arguing that the courts should stay out of the issue of how lawmakers handle their job of regulating elections to prevent chaos.

And the Arizona Republican Party, which also is defending the statutes, takes an even more strident stance.

Attorney Michael Carvin wants the justices to rule that there is no requirement for states to 'maximize participation by racial minorities.' The only thing that's necessary, he said, is there be an equal opportunity to vote.

And the fact that fewer minorities may vote because of the change is legally irrelevant.

AMERICAN OVERSIGHT

What makes Tuesday's hearing — and what the justices ultimately rule — so critical is that a decision to side with Arizona could send a signal to other states that they, too, are free to enact new voting laws that, while neutral on their face, end up throwing new roadblocks in the path of minority voters.

Central to the legal dispute is Section 2 of the Voting Rights Act. It bars enactment of any voting practice or procedure that results in 'denial or abridgement' of the right to vote on account of race or color.

Against that are two Arizona issues.

One is a 2016 law that makes what's called 'ballot harvesting' a crime.

That involves political groups going to the homes of people who have requested early ballots and asking them if they have returned them yet. Then they offer to take them in, especially if the election is just a few days away and there is no way the ballot could be mailed and arrive on time to be counted.

The Republican-controlled Legislature concluded that creates too much opportunity for mischief. So the law now allows only family members, those in the same household and caregivers to handle the ballots.

The 9th Circuit Court of Appeals concluded that minority voters, by having less access to transportation and mail services, were more likely to rely on ballot collectors than Anglo voters. And the judges said the record is that, prior to the

2016 law, minorities were more likely than non-minorities to get someone else to turn in their ballots.

Thus, the judges said, the law has a 'discriminatory impact' on minorities who were more likely to be disenfranchised.

The other is a 1970 Arizona policy that tosses all the votes cast by someone who goes to the wrong precinct. That includes statewide candidates whose name is on all ballots and for whom the voter could have cast a ballot for had he or she gone to the right location.

Here, too, the appellate judges the evidence shows minority voters cast outof- precinct votes twice as often as Anglo voters, possibly due to changes in polling places and locating them in 'inconvenient and misleading places.'

Brnovich is arguing to the Supreme Court that it was wrong for the 9th Circuit to focus on the issue of 'disparate impact.'

He contends the true intent of Section 2 is to determine if minorities have 'less opportunity than other members of the electorate' to vote. And he said the justices should 'look at the totality of the voting system to determine whether minority voters have an equal opportunity to vote.'

Brnovich said he is not alone in that conclusion. He said four other federal appellate courts agree

with his position.

Just not the 9th Circuit whose rulings govern Arizona.

AMERICAN OVERSIGHT

It's that angle that has drawn national attention to the case and the precedents it will set.

'The 9th Circuit's expansive disparate-impact theory threatens not only similar laws in dozens of states, but a host of other sensible election laws that would be vulnerable to the same analysis,' Brnovich told the justices. 'Only this court can clarify this area of law.'

Brnovich also said there are specific justifications for both challenged provisions.

GOP legislators said they enacted the 2016 law to prevent fraud.

During debate, though, they could not cite a single confirmed incident where a ballot was altered or did not get delivered. Brnovich said that's irrelevant.

Return to the table of contents

UA joins network to address sexual harassment in higher education

By Shaq Davis
Arizona Daily Star
March 1, 2021

The University of Arizona is now among 60 different institutions collaborating to specifically address and prevent sexual harassment in higher education, the school announced Friday.

As a part of the 'Action Collaborative on Preventing Sexual Harassment in Higher Education' the network is expected to increase awareness about the problem, better understand the consequences across all disciplines, and share best policies in prevention efforts, a UA news release said.

'I am very mindful that a great many women leave the STEM disciplines because they encounter hostility and sexual harassment, which has for too long gone unaddressed,' said Liesl Folks, UA's senior vice president for academic affairs and provost. 'I am very pleased that the University of Arizona

will be part of this national network to implement real and lasting measures to change the culture such that sexual harassment will be addressed and prevented.'

Those within the network will create a standard for researching the problem within each institution. The statistics gained from the research will then be used to measure future progress in addressing sexual harassment, according to the UA.

Kathleen Melde, associate dean of faculty affairs and inclusion in the College of Engineering, will lead the UA's effort as the Prevention of Sexual Harassment Faculty Fellow. Melde will also serve as the liaison to the network.

The UA community can expect to see regular campus meetings with officials already working to address the problem, including the Office of Institutional Equity, the Division of Human Resources, Faculty Affairs and the Consortium on Gender-Based Violence, the UA said.

'The University of Arizona is a thought leader, and we have so many diverse programs. We can certainly improve the work climate for all to flourish,' Melde said. 'I expect in this journey to have many difficult

AMERICAN OVERSIGHT

conversations, but through the listening and caring, I trust we move the university to an even more inclusive work environment.'

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

County must hand over ballots to Senate

Subpoenas to conduct audit valid, judge rules

By Jen Fifield
Arizona Republic
February 27, 2021

Maricopa County will turn over ballots from the November general election to the Arizona Senate and provide the Senate access to its voting machines so it can conduct an audit, after a judge's ruling on Friday.

Maricopa County Superior Court Judge Timothy Thomason said that the subpoenas issued by the Arizona Senate are valid. He said he disagreed with the county's arguments that they were unlawful and that the county legally could not hand over the ballots.

In response, Maricopa County Board of Supervisors Chairman Jack Sellers said in a statement on Friday afternoon that the county "will immediately start working to provide the Arizona Senate with the ballots and other materials."

"We hope senators will show the same respect and care we have for the 2.1 million private ballots and use them in service of their legislative duties," Sellers said.

The court's decision resolved a months-long feud between the supervisors and the Senate over how the election should be audited.

The Senate wants another audit of ballots and a careful check of voter information, while the county believes its multiple audits have been sufficient and says the ballots must remain sealed under state law.

Thomason emphasized in his ruling that he did not want to wade into the politics of the issue.

He said the Senate has broad authority to issue subpoenas, and the Senate's reasoning to issue them — to see if there are changes that could be made to state law to further protect the integrity of elections — was valid.

Senate President Karen Fann said on Friday that the Senate is "thrilled" with the judge's decision, and grateful to the judge for seeing the big picture. "It was never about overturning the election, it was about the integrity of the Arizona election system," she said. "If people have questions, they deserve answers."

Arguments on whether subpoenas override law locking up ballots

Thomason said in his ruling that he disagreed with the county's argument that the ballots could not be turned over because they had to remain locked up for a certain period after the election.

Two state laws apply, and they are contradictory. That's partly why the supervisors filed the lawsuit — to gain clarity from the court.

AMERICAN OVERSIGHT

First, state law gives the Legislature sweeping authority to issue subpoenas and conduct investigations. The Arizona Attorney General's Office weighed in on this, saying that legislative bodies or committee chairs can issue summonses either to inform future legislation or to "investigate whether a particular governmental entity properly discharged its functions."

But state law also requires that, after results are certified, ballots be kept "in a secure facility managed by the county treasurer, who shall keep it unopened and unaltered for twenty-four months for elections for a federal office."

That portion of the law also states that a court order could unseal the ballots.

County attorney Thomas Liddy told the judge on Thursday that the county interprets the law to say that, for the two-year period, the county can only give the court access to the ballots in specific instances — such as when a specific race is so close that it triggers a recount, or when a court orders the ballots to be examined, which may occur if there is a question of fraud or misconduct.

Kory Langhofer, an attorney representing the Senate, told the judge that the subpoenas have the power to override the law and demand the ballots. He said part of the Senate's role in the state is ensuring fair elections, and because there are questions, it is the senators' duty to investigate.

Thomason said in his ruling that the subpoenas "are, in essence, the equivalent of a Court order, requiring production of certain information."

He said the law "does not immunize the ballots from being subpoenaed, let alone from being subpoenaed by the legislature, acting in its Constitutional role to ensure the 'purity' of elections," he said. "This statute simply does not create a privilege, justifying non-disclosure."

A court order unsealing ballots has happened once since the county certified its election on Nov. 20.

On Nov. 30, a Maricopa County Superior Court judge granted a request from the leader of the state Republican Party to inspect a sampling of 100 Arizona ballots for irregularities. The Republican Party then came back and asked to review more ballots, and the county said it would not object. The reviews did not find irregularities in vote counting significant enough to change the outcome of the election.

Judge says private information must be protected

One major concern the supervisors had about releasing the information was the chance that private voter information could be released publicly.

The judge said that also was concerning to him, but state law requires the senators "to maintain confidentiality of the subpoenaed materials."

It's unclear whether the court would be involved in monitoring the release of the information. At a previous hearing, there was discussion of the court overseeing the process, but that was not mentioned in the judge's decision.

The judge said his intention was to keep his ruling limited, and stay out of the politics of the case. But he did opine on the officials' choice to get the court involved, rather than work it out themselves.

AMERICAN OVERSIGHT

He chastised the elected officials for not working together for the common good, and for "spending valuable resources on lawyers, 'fighting' with another branch of government over what materials can be provided to another branch of government under a subpoena."

"When government officials resort to 'name calling' and threats, something has gone terribly wrong," he wrote.

Senate wants another audit

The Jan. 12 subpoenas were sweeping, demanding copies of all mail-in ballots, access to voting machines, and information from voter records and election logs.

The supervisors already have provided much of what the subpoenas requested, but not the ballots or access to the machines.

The Senate wants to use the machines, ballots and information to commission its own audit of the election. Senate leaders say they are unsatisfied with the county's multiple pre- and postelection audits.

The county has performed multiple logic and accuracy tests, along with a hand count of a statistically significant number of ballots. The audits showed machines counted votes accurately. Election consultants from across the country say the county's auditing practices are sound, and another hand count is not necessary.

The latest audit was performed this month by two independent firms that inspected the county's voting machines.

The results of the independent audit were released Tuesday. The audit found that votes were counted correctly and the machines worked properly and were not hacked or connected to the internet during the election.

Fann said on Wednesday in response to the audit results that the Senate appreciates the supervisors doing the audits but questions remain that could be answered with a review of voter information and another audit of the ballots themselves.

County provided some materials to Senate already

The Jan. 12 subpoena asked for a slew of material and machines from the November general election, including:

h All original paper ballots.

h Digital copies of all mail-in ballots cast.

h All ballot tabulation and processing equipment.

h Software for voting machines and election management system.

h Hardware such as thumb drives used to transfer votes from machines to servers.

AMERICAN OVERSIGHT

h Election reports.

h Voter rolls, and personal information about voters and their voting history.

The county already has provided "hundreds of thousands of pages of documents," according to a county spokesperson, including:

h Voter registration information that can be publicly requested.

h Secure tabulator event logs that show who accessed the equipment.

h Detailed reporting of election results.

The county did not provide:

h Private voter information.

h Tabulation equipment.

h 2020 ballots or copies of ballots.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Bill to protect Arizona businesses from COVID lawsuits clears Senate

By Maria Polletta
Arizona Republic
February 27, 2021

A bill that would make it harder for Arizonans to sue businesses and other entities over COVID-19 infections and deaths has cleared the Senate, after Republicans argued liability concerns were hindering economic progress.

But with the state's pandemic death toll nearing 16,000, some Democrats, lawyers and labor organizations contend the Legislature is focused on protecting the wrong people.

Senate Bill 1377 would raise the bar in two ways for anyone wanting to sue a business, school, health care facility or nonprofit after contracting COVID-19 or losing a loved one to the virus.

First, the person would have to prove willful misconduct or gross negligence on the part of the institution — essentially, that an entity or individual deliberately acted in a way likely to cause harm. That's a higher standard than simple negligence, where harm results from inattention or careless mistakes.

Next, allegations would need the support of clear and convincing evidence, which is harder to prove than a preponderance" of evidence. Entities that acted in good faith, defined as adopting and implementing "reasonable policies" related to the pandemic, could avoid liability.

The bill would apply retroactively to COVID-19 infections that happened on or after March 11, 2020.

AMERICAN OVERSIGHT

“Talk to any lawyer that you know right now, and they will tell you that this ... would be an incredibly difficult case to prove in court,” Sen. Martín Quezada, a Glendale Democrat and attorney, said on the Senate floor Wednesday.

“We are basically giving a free pass and a green light (to) bad actors.”

Business leaders: Protections ‘key to Arizona’s comeback’

Republican lawmakers attempted to expand liability protections for businesses early in the pandemic last year, before the session came to an abrupt close.

Gov. Doug Ducey has since expressed his desire for lawmakers to try again, saying in his January State of the State address that an emergency shouldn’t “line the pockets of trial attorneys with frivolous lawsuits.”

Business leaders made similar arguments during a Senate Judiciary Committee hearing earlier this month, pointing to ads from law firms promising help with COVID-19 cases.

“Business liability has always been a big risk for small business owners,” said Chad Heinrich, director of the Arizona Small Business Association. “Lawsuits can really cripple a business, and frankly, the threat of a lawsuit can lead them to settle out of court, paying handsome sums to plaintiffs without ever litigating the facts.”

COVID-19 adds a layer to that risk, he said. And “without protections in place, we feel that small business owners will be victims of potentially enterprising plaintiffs seeking an opportunity.”

“The temporary protections included in this bill will definitely be key to Arizona’s comeback,” Heinrich said.

On the health care front, staffing shortages have left frontline workers afraid of malpractice lawsuits and other consequences, according to Kathy Busby, who represents the Arizona Nurses Association.

She said the organization has received “a number of calls” from nurses “working in hospitals under such stress and limited resources that they’re not being able to staff to the level they normally would.”

“Their concern was that, if they are not able to provide what would be the level or standard of care they normally would, would their license be in jeopardy?” she said. “Would they be liable for lawsuits because of that? … I think there is a real, legitimate concern.”

Courtney Coolidge of the Arizona Chamber of Commerce said the legislation “protects responsible actors working diligently under extraordinary circumstances while preserving reasonable recourse for truly bad actors,” noting that it explicitly excludes workers compensation cases.

“Senate Bill 1377 provides targeted and reasonable liability protections,” she said. “Senate Bill 1377 is not blanket immunity.”

Cases could be impossible to win under new standard, lawyers say.

AMERICAN OVERSIGHT

Attorneys believe the law would operate that way in practice, however.

Speaking on behalf of the Arizona Trial Lawyers Association, Barry Aarons told senators only 400 or so COVID- 19-related lawsuits had been filed nationwide because "prosecuting successfully a civil action related to this pandemic is already very difficult to do."

By requiring "clear and convincing" evidence of gross negligence or willful misconduct, Aarons said, lawmakers are effectively denying Arizonans access to the courts.

Additional bills in the House to require swift probable cause hearings in civil lawsuits — and to prevent businesses from having their licenses revoked over pandemic-related infractions — could create even more hurdles if they advance.

"You are increasing (the standard) to a level that virtually guarantees that there will never be the ability to prosecute one of these cases," Aarons said.

AARP Arizona director Dana Marie Kennedy took exception to the inclusion of long-term care and skilled nursing facilities in the bill, calling the COVID-19 death toll among residents of those places "a disgrace."

She acknowledged that, "at the beginning of the pandemic, long term care facilities did not have what they needed to prevent the spread of COVID-19." But "these facilities have since been given millions of dollars from federal government for PPE, testing and increased staff wages to mitigate the spread," she said.

Kennedy told senators there's also a clear difference between a patron of a "typical business" and a resident of a long-term care facility. Consumers can choose their level of risk, while longterm care residents can't.

"Long term care facilities must … be held to a higher standard when their wrongdoings threaten the health and lives of residents and staff," Kennedy said. "This legislation will put too high of a bar on families who are seeking justice."

It may also run afoul of the state Constitution, which says the right to sue and recover damages from injuries "shall never be abrogated."

"This takes away a right of action for Arizonans," Quezada, the Glendale Democrat, said Wednesday.

"In the time of COVID right now, when we should be focusing on protecting the people of Arizona, this does the opposite. It protects corporations and businesses."

Return to the table of contents

AMERICAN OVERSIGHT

Bill to fund body cameras for troopers passes state House

By Perry Vandell
Arizona Republic
February 27, 2021

A bill that would pay to provide Arizona state troopers with body cameras passed the state House almost unanimously on Tuesday. House Bill 2461 would appropriate $1.5 million from the state general fund each fiscal year from 2021 through 2026 to purchase and equip state troopers with cameras, a total of $7.5 million. The Arizona Department of Public Safety is the largest law enforcement agency in the state that doesn't utilize body cameras.

The bill passed the House 59-0 with one nonvote. It's scheduled to have its first reading in the Senate on Wednesday.

The bill's primary sponsor, Rep. Kevin Payne, R-Peoria, told The Arizona Republic in a phone interview that body cameras were important to increase accountability.

"I think they need those because it protects everybody," Payne said. "It protects them, protects the public."

Sgt. Kameron Lee, a Department spokesperson, declined to comment on the bill, saying the agency does not weigh in on pending legislation.

State Rep. Reginald Bolding, D-Phoenix, explained his "yes" vote on the House floor.

"Providing body cameras on all DPS officers is part of a plan that the Democratic caucus has been talking about for really the last several years with regards to making sure that all law-enforcement officers have body cameras," Bolding said. "What we do know is that body cameras provide safety not only for the community but for the law officer as well."

Bolding was one of the many loudening voices calling to equip state troopers with body cameras after Trooper George Cervantes shot and killed Dion Johnson, a Black man on Loop 101 near Tatum Boulevard.

Cervantes found Johnson unconscious and parked in a gore point on the freeway. He saw beer cans in the car and was attempting to arrest Johnson for drunk driving when he said Johnson grabbed him and tried to grab his gun. Cervantes shot Johnson, who later died at a hospital.

Johnson died the same day as George Floyd. Minneapolis Police Officer Derek Chauvin, a white man, was charged with killing George Floyd, who was Black, after pressing his knee against Floyd's neck for at least eight minutes while Floyd said he couldn't breathe.

Although Johnson's death didn't receive the national

attention Floyd's did, it remained a high-profile case that garnered attention from civil advocacy groups and media outlets.

AMERICAN OVERSIGHT

After announcing Cervantes wouldn't face criminal charges for the killing, Maricopa County Attorney Allister Adel sent letters to party leaders in the House and Senate urging them to enact legislation that would equip troopers with cameras and help ensure future incidents would be recorded.

"I fully support the mandated use of body-worn cameras for all uniformed officers in the field throughout the state," Adel wrote at the time. "While there are cost challenges associated with deploying body-worn cameras widely, these are challenges that must be addressed. When trying to determine what happens after an event like the one that ended in the death of Mr. Johnson, more information is always better."

Gov. Doug Ducey has publicly supported equipping troopers with body cameras and announced last fall that "private suppliers" donated 150 cameras to the agency to assist in the matter while awaiting formal legislation.

It was later revealed that the two suppliers involved, Axon and Watch-Guard, hadn't donated the cameras but were providing them on loan to DPS with the expectation that the agency enters a contract with one of them and returns the cameras to the vendor not chosen.

Payne said he hasn't been in contact with Ducey regarding HB 2461.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

After DC riot, Biggs' reputation as a fierce conservative grows

By Ronald J. Hansen
Arizona Republic
February 28, 2021

Rep. Andy Biggs is often a man apart from the crowd, a far-right brawler often in the right place at the right time.

Sometimes, it's because of luck.

More often, it's because the threeterm Arizona Republican is content to go to battle where few others will, from attacking the mainstream medical response to the COVID-19 pandemic to spreading baseless conspiracy theories about President Joe Biden's ballot box victory on Nov. 3.

While Biggs has always been known in Arizona as a conservative, his unwavering loyalty to former President Donald Trump, his potentially dangerous counterprogramming on coronavirus measures and other moments have introduced his thinking to a wider audience.

Biggs, 62, is by any measure among the most conservative members of Congress. His national stature as a political outlier only has grown in the stormy aftermath of the 2020 presidential election, when Biggs repeatedly raised doubts to undermine the process and sought to set aside millions of legitimate votes. He also is among a group of Republican lawmakers under scrutiny over their roles in the run-up to the

AMERICAN OVERSIGHT

Jan. 6 riot in which supporters of former President Donald Trump ransacked the U.S. Capitol and five people died.

Biggs, the chairman of the far-right House Freedom Caucus, is sometimes viewed as a possibility for a U.S. Senate run next year that would test the appeal of his high-octane conservative message in a once-red state that is now considered purple. Biggs' conservative bona fides are undeniable.

In a past political life at the Arizona Legislature, Biggs emerged as a major supporter of Senate Bill 1070, the state's controversial immigration-enforcement law, and as the main GOP opponent to Medicaid expansion. Biggs' Washington, D.C., allies include Reps. Marjorie Taylor Greene, R-Ga., and Lauren Boebert, R-Colo., two newcomers who have quickly become among the House's most polarizing members. And he is cheered by many of the same Arizona Republican Party activists who recently voted to censure Gov. Doug Ducey, Cindy McCain and former Sen. Jeff Flake, R-Ariz.

Larry Sabato, the political scientist who directs the University of Virginia's Center for Politics, said Biggs hasn't overshadowed other arch-conservatives on Capitol Hill, such as Rep. Jim Jordan, R-Ohio, and Greene, but he has gotten everyone's attention.

"Among Democrats, he's a pariah, that's for sure," Sabato said. "The moremainstream Republicans in the House are becoming more and more aware of the Andy Biggses and the Marjorie Taylor Greenes. Not that he's as bad as she is, but, he's certainly embraced his share of conspiracy theories.

"Generally speaking, the Republicans in the House do not want to be defined by people like Biggs and Greene and Jordan," Sabato said. "There's a discussion at high levels in the Republican Party about, to be blunt, whether it's worth trying to change the Republican Party because the current version is way too far to the right, and the country is changing."

A few months after Biden's narrow victory in Arizona and a string of other Democratic triumphs, Biggs has said he believes his state, if not the country as a whole, is poised to snap back to a more conservative agenda.

If it seems an unlikely bet, well, Biggs has beaten the odds more than once as he has risen through the political ranks.

Biggs, who is increasingly a presence nationally on Fox News and other conservative media, declined The Arizona Republic's request for an interview.

Tom Freestone, a former Maricopa County supervisor, state legislator and longtime politician from suburbs southeast of Phoenix, said Biggs retains a strong hold on Republicans in the Mesabased 5th Congressional District.

"Andy Biggs is in a solid district for him," Freestone said. "He's very strong in the Republican Party with conservatives. They really like him. Liberals don't like him at all, but they're outnumbered."

Many members of Congress, and those around them, have visions of a Senate run, he said. But mounting such a race will require heavy fundraising and a mistake from either Democratic Sen. Mark Kelly or Sen. Kyrsten Sinema that neither has made to this point, Freestone said.

"I think Andy Biggs plays his cards close to his vest," he said.

AMERICAN OVERSIGHT

Tyler Montague, an East Valley Republican consultant who was on the losing end of Biggs' 2016 GOP primary victory, sees Biggs as drifting to the fringe of his party, limiting his political appeal in a state that has shifted more to the political middle.

"He's kind of sabotaged his ability to win a statewide general election," Montague said. "He's so used to playing farright, red-meat politics that he doesn't know how to appeal across the spectrum, and he's done nothing but pour gas on that fire in this last year.

"He's always been far right, but he's always had a certain dignity about him and a decorum. He's been on the thoughtful side. There was an intellectual heft to what he was doing, but I think he's lost that. I'll be surprised if he doesn't get primaried."

Growing up in Tucson and getting political

It would mean another political battle for a man who's been fighting them since childhood.

Biggs, a Tucson native, was the third of five children.

In his self-published "The Con of the Con-Con," Biggs argues against a constitutional convention, comparing a desire to fix problems in government through such a process to overhauling an engine to fix a flat tire. In the book, Biggs said his family was targeted by liberals in Tucson when he was growing up.

"When my mother wrote letters to the editor expressing conservative values, our home was egged and my car was vandalized," he wrote, according to Phoenix New Times. "I've been made to feel uncomfortable for being conservative."

A member of The Church of Jesus Christ of Latter-day Saints, Biggs got a degree in Asian studies from Brigham Young University and served on a twoyear church mission in Japan, where he became fluent in the language.

He earned a law degree from the University of Arizona and considered blending his education with his experience on his mission.

"When I was in law school I thought I would become an international lawyer," Biggs said in a 2013 interview with Western Growers Magazine. Instead, he and his wife and family settled in Hobbs, N.M., an oil town near the Texas border.

"The people in Hobbs were fantastic but, as they say, if you are in the center of everything, you are in the middle of nowhere," he told the magazine.

Biggs returned to Arizona, working briefly as a prosecutor in Phoenix before becoming a low-profile attorney in Gilbert in the early 1990s.

He gained passing mention for representing the mother of a boy suspended 18 weeks by the Gilbert Unified School District for handling a BB gun at school. Biggs argued the punishment was too severe, and the gun was broken anyway. It's unclear how the matter was resolved.

AMERICAN OVERSIGHT

Sweepstakes win brought an instant fortune

In 1993, Biggs' life changed dramatically when he won the $10 million American Family Sweepstakes.

In a promotional ad ahead of the 1994 contest, a young Biggs with large glasses told the company's celebrity pitchmen, Ed McMahon and Dick Clark, he was glad he entered.

"You bet. It's unbelievable," he said in the commercial.

In a 2002 interview with The Republic, Biggs, who was running for the Arizona House of Representatives at the time, said the winnings brought him more than money.

"It's taught me a lot about human nature and the dark side of people," he said at the dawn of his political career. "I don't want to reopen those days when people would call and just start cussing and swearing at me because I won and they didn't."

"I don't think anybody can go through that and not be impacted," he said of it in 2016. "I know how to stay grounded."

After winning his fortune, Biggs worked as a policy adviser with United Families International, a Gilbert-based nonprofit that opposes pornography and same-sex marriage while promoting abstinence-only education as part of what it sees as a pro-family agenda.

In 2006, UFI spent $50,000 in an effort to pass Proposition 107, which would have banned same-sex marriage in Arizona. That measure narrowly failed, though a more-limited ban passed two years later.

In 2012, when Biggs' wife, Cindy, was UFI's secretary and treasurer, the Southern Poverty Law Center named the organization an "anti-LGBT hate group," a designation it still has.

In marrying Cindy Whitlock, Biggs joined a family of political activists.

His wife's mother, Shirley Whitlock, was a prominent conservative voice on social issues for decades.

Whitlock was the president of the Arizona Eagle Forum, an offshoot of Phyllis Schlafly's national organization that opposed the Equal Rights Amendment. In the 1980s, Whitlock spoke against pornography, sex education in public schools and sought to uphold a criminal ban on unmarried couples living together.

In 1980, both Shirley and Cindy Whitlock signed onto an ad in The Republic urging the election of Republican Tom Collins as Maricopa County attorney because he made combating pornography a centerpiece of his campaign.

It was an anti-smut effort financed in part by Charles Keating Jr., the developer, financier and, later, the namesake of the future political scandal dubbed the "Keating Five."

Shirley Whitlock sought to have the Mormon Church take action against former Republic cartoonist Steve Benson, whom she accused of aligning with "atheists, homosexuals, liberals who oppose traditional values and constitutional law."

AMERICAN OVERSIGHT

Political career starts at state Capitol

Andy Biggs turned his attention to Arizona politics in 2002 when he was elected to the state House of Representatives.

He acknowledged during that campaign that his prize-winnings contributed to his entry into the low-rent life of an Arizona legislator.

"I can't say it (the $10 million) is my reason for running for office," he said. "But it does make it easier in that I don't have to answer, 'How can you live on $24,000 a year?' " In the state House, Biggs was a staunch supporter of school choice, border security and restrictions on abortion rights.

He opposed expanded government responsibilities, including the program that provided health insurance for the poor and for children in low-income families.

To his critics, Biggs was also selfserving.

In 2006, he authored a law that at that time required only the town of Gilbert to provide fire services to adjacent, unincorporated areas of Maricopa County. It happened to include where Biggs lived.

A county judge later overturned the law.

Biggs wrote two self-published books while in the Legislature and in 2010 started the American Founders Library, a nonprofit intended to disseminate scholarly information about the founding of America. It aspired to construct a replica of Independence Hall as a museum.

Tax records show the nonprofit has been dormant for years, according to nonprofit records tracked by ProPublica.

A leader at the Arizona Legislature

In his eight terms in the Arizona Legislature, Biggs scored policy victories, led principled losses and trampled toes in the process.

He was a vocal supporter of Arizona's controversial immigration-enforcement law, Senate Bill 1070, and its architect, then-Sen. Russell Pearce, R-Mesa.

In the elections that year, voters sent Biggs to the state Senate.

Biggs and his GOP colleagues made Pearce the Senate's president. Less than a year later, however, voters recalled Pearce and removed him from office.

Former state Sen. Steve Pierce, RPrescott, replaced Pearce in leading the chamber, but not for long. Biggs was in the right position to oust Pierce in the party's leadership vote after the 2012 elections.

Pierce said Biggs employed both carrots and sticks to get his way.

"That's the way politics works, but you don't have to bully people and treat them like dirt," Pierce said in a 2016 interview.

AMERICAN OVERSIGHT

In 2011, Biggs pushed to have Arizona end its Medicaid program, a move that even fellow Republicans saw as too drastic.

Biggs' hard-right views put him on the edge of what was politically possible in the right-leaning Arizona Legislature. Even so, he suffered a stinging defeat his first year heading the chamber.

Then-Gov. Jan Brewer angered many conservatives when she urged the state to expand Medicaid, the health insurance program for the poor, under then-President Barack Obama's Affordable Care Act.

Biggs blocked the effort for months, but as the Legislature took up the state's final budget, five Senate Republicans — including Pierce — joined with Democrats to approve the expansion. It allowed Arizona to tap federal funding to provide coverage to another 350,000 residents and stabilize support for rural hospitals.

"This is not about expanding health care because it's some kind of altruistic program. It's about expanding health care to get federal money," Biggs argued in vain. "The money will unfairly burden our children and our grandchildren."

It was a bitter loss for Biggs, who recalled the moment in a vengeful voice when arguing on the Senate floor in 2015 for an austere budget plan unpopular with a handful of GOP moderates but one that he said set the state on firmer financial footing.

That time, Biggs got his way.

First congressional run a nail-biter

In February 2016, Biggs seemed to get the political upper hand again when Rep. Matt Salmon, R-Ariz., announced he was ending his second stint in Congress and recommended Biggs as his replacement.

It was a critical boost in a race that would become a six-month sprint to the Republican primary. In a district that leans decidedly to the right, the winner of the GOP primary was all but assured a seat in Washington. The district runs from the northern Loop 202 down to Chandler Heights and from Sun Lakes to the eastern edge of Mesa.

"President Trump defeated Joe Biden by 14 points (in the 5th district). That's a pretty clear indication of the type of politics that a majority of the voters in that district want," said Nathan Gonzales, editor and publisher of the nonpartisan Inside Politics, which analyzes congressional races.

It's too soon to know how that area, which once elected Salmon and Flake will look when the congressional lines are redrawn later this year, but the GOP has been changing in Arizona for a while, Gonzales said.

"You have Arizona as a state moving more Democratic and you have the Republican Party moving more toward Trump," he said. "It's hard to judge Biggs by the former members (representing that area) when the Republican Party has changed."

Biggs, the state Senate president and handpicked successor to the incumbent, won a four-way primary in dramatic, come-from-behind fashion.

AMERICAN OVERSIGHT

On the day of the primary election, Christine Jones, a former GoDaddy executive, led Biggs by nearly 900 votes. Two days later, as the county continued counting ballots, Biggs cut that margin to less than 600.

By the third day, Jones' lead melted to 37 after the county announced the results of a batch of 7,500 additional early ballots dropped off on election day.

At 2 a.m. Saturday, Maricopa County officials ended their tally: Biggs led by nine votes.

The matter went to court, where a handful of ballots deemed improperly excluded were added for consideration. After a recount, Biggs formally won the race by 16 votes.

Nearly 600 other ballots in the contest were never counted because the county's voting machines detected what they considered marks for multiple candidates.

Return to the table of contents

Bill would make it easier to end gym memberships

By Rebekah L. Sanders
Arizona Republic
February 28, 2021

An Arizona state lawmaker wants to make it easier to cancel gym memberships.

Rep. Justin Wilmeth's bill would require fitness centers to allow customers to cancel or suspend their memberships by email or through the gym's website.

Current law, which Wilmeth estimated is decades old, says cancellations should be accepted through certified mail or personal delivery.

The Scottsdale Republican introduced the legislation after gym members during the COVID-19 pandemic complained some fitness centers insisted on in-person cancellations.

"We all know last year it was hard to do anything in person for a broad swath of people," Wilmeth said, and state law outlined no modern or socially distant way to cancel.

"Gyms have been notoriously bad about being transparent about the cancellation process, hoping people will move on with their lives and eat the $25 to $30 per month. That's just unacceptable to me," he said. "I am here to help Arizonans out. For me, it was a slam dunk."

Mesa resident Gregg Baumgarten, a retired school principal who has chronic blood cancer, said he tried multiple times last year by email and phone to cancel with Mountainside Fitness because he did not feel safe visiting the gym to deliver a cancellation letter or going to a post office to certify it.

Soon after The Arizona Republic wrote about Baumgarten's case, the gym agreed to cancel his membership remotely and waive past-due fees.

AMERICAN OVERSIGHT

The bill at the Legislature is a welcome step that fitness centers should support, Baumgarten said.

“A company that’s dedicated to the health and well being and fitness of people should not have a problem with people being safe” when they cancel a membership, he said.

Regardless of the public health situation, updating the law to include modern modes of communication makes sense, Baumgarten said.

Arizona Attorney General Mark Brnovich urged fitness centers to take similar measures last year.

He wrote letters to Mountainside Fitness, Planet Fitness and Life Time Fitness warning of potential consumer fraud investigations if the gyms did not immediately begin accepting cancellations by phone and email.

The Attorney General’s Office worked with Wilmeth to craft House Bill 2697.

“Cancelling a gym membership shouldn’t be such a heavy lift,” Brnovich said in a statement. “I am proud to be the people’s lawyer and will always stand up to protect consumers. I appreciate Representative Wilmeth’s willingness to work together in closing the loophole and changing this archaic Arizona law.”

The legislation passed unanimously in the House in February with no public objections. The bill now goes to the Senate for committee hearings.

So far, it appears gyms have not pushed back. Wilmeth said he recently received voicemails from two local fitness executives, seeking a conversation.

Life Time Fitness, which operates six Valley locations, has been accepting email cancellations during the pandem-ic, spokesperson Amy Williams said.

“As such, we are already operating in accordance with this bill and have no concerns about it being enacted,” she said.

Mountainside Fitness and EoS Fitness, gym chains that clashed with the state over pandemic closures, did not respond Friday to requests for comment from The Republic. Planet Fitness, another chain, also did not respond.

Baumgarten said he’s relieved a state lawmaker listened to the public.

“It’s refreshing,” he said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona AG Brnovich says US Supreme Court case is about election integrity

Kevin Stone
Arizona Republic
March 1, 2021

Arizona's Republican attorney general says his U.S. Supreme Court case on the legality of two state voting laws is about defending election integrity, not preventing people from casting ballots.

"Our restrictions on out-of-precinct voting, our restrictions on ballot harvesting are constitutional," Attorney General Mark Brnovich told KTAR News 92.3 FM's The Mike Broomhead Show on Friday.

"I'm going to defend them."

The nation's highest court is scheduled to hear Brnovich's case, along with a related case brought by the Arizona Republican Party, on Tuesday.

A federal appeals court ruled in January that Arizona's 2016 anti-harvesting law, which bars anyone but a family member or caregiver from returning another person's early ballot, violates the Voting Rights Act and the Constitution. The court also rejected the state's policy of discarding ballots if a voter went to the wrong precinct.

Democrats who initiated the legal challenge said the laws make casting ballots more difficult and disproportionately impact minority voters.

"I would vehemently disagree with that, because that is what the other side is saying, and they always play the race card," Brnovich said.

Brnovich said ballot harvesting can lead to voter fraud, and the out-of-precinct law impacts only a small number of ballots.

He also said Arizonans have an abundance of voting options.

"We can vote by mail. You can get on the permanent early voting list. Many of the counties have voting centers. You can vote early, up to 27 days before the election," he said.

"There is a whole menu of options of how people can exercise their right to vote. Nobody is disenfranchising anybody in Arizona. This litigation is all about, 'Can we protect the integrity of our ballots?'"

Brnovich said the case is also about state sovereignty.

"I believe very strongly that the states are the laboratories of democracy, the states created the federal government; federal government didn't create the states," he said.

"And so if you accept the logic of the 9th Circuit, you would essentially have federal judges micromanaging or having the ability to turn over a state law anytime there was any sort of statistical variations in voting patterns, and that just can't be constitutional."

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

COVID challenges may lead to summer school for some Arizona students

Griselda Zetino
KTAR News
March 1, 2021

Due to the challenges created by the COVID-19 pandemic and at-home learning, summer school could be coming up for some Arizona students.

State Superintendent of Public Instruction Kathy Hoffman believes it's still too early to know how many students will actually need summer school to catch up.

"To truly know how our students are doing academically is for them to do testing," Hoffman said during a press conference last week. "We're working through what that will look like and, of course, trying to do that in as safe a way possible."

Students are scheduled to take a revamped version of the state standardized test, known as AZMerit2, beginning in April. They missed testing last year as schools across the state were closed in March due to rising COVID-19 numbers.

"Even though the test is computer-based, it is not an online test," Hoffman said. "It's not as easy as flipping a switch to make these tests available in the home."

That may create challenges for students who are doing virtual learning.

About 60% of public schools across Arizona are already offering some form of in-person learning. Some have announced they are reopening just in time for the AZMerit2 test, while others are remaining fully online for the rest of the school year.

Hoffman said her department is trying to figure out how standardized testing will look for those students who remain learning from home this school year.

Meanwhile, Gov. Doug Ducey is already bracing for many students needing summer school this year. He's asking for funding this budget year, which begins July 1, to send about half of Arizona's K-12 students to summer schools.

Some school districts across the country are looking at making summer school mandatory to help students who've fallen behind because of the COVID-19 pandemic. Virginia's governor has suggested extending school into the summer.

It's unclear how summer school will look in Arizona and whether it'll be mandatory for some students. Those decisions will likely be made at the local level by school districts and charter schools.

Return to the table of contents

AMERICAN OVERSIGHT

Valley economists expect Arizona to aggressively rebound in 2022-23

Jim Cross
KTAR News
March 1, 2021

It has been almost one year since coronavirus sent Arizona's economy, one of the nation's hottest at the time, into recession. While two Valley economists differ on how close the state is to the finish line, they both agree the return will be big.

The state lost more than 300,000 jobs and an estimated 70,000 to 90,000 jobs remain unrecovered, but Phoenix economic consultant Jim Rounds believes the recession in Arizona is finished.

"It will probably take until the end of the year to see full job recovery. That's more optimistic than projections were not that long ago and the state of Arizona is going to do quite well," Rounds said Friday.

Valley economist Elliott Pollack isn't ready to declare the recession finished, instead saying it is in the final stages of being wrapped up.

"Virtually everything suggests the economy is going to do extremely well," Scottsdale-based Pollack said Friday. "Our economy is going to be explosive when it starts which should be very shortly and last through 2022 and maybe 2023. We're in for quite a run."

Arizona finished 2020 ranked third in job growth year over year even though it was minus 2.3%.

"We didn't grow the job base but we maintained the vast majority of jobs," Rounds said.

"Arizona is outperforming the nation but we got hit hard. We can now be very optimistic as a state but we have to continue with the vaccine programs. There's going to be a lot of opportunities for Arizonans and for the people looking to move to the state."

Pollack predicts, "Jobs will be easier to come by. The service industry will be the major beneficiary, retail sales are going to be strong and housing and manufacturing will be strong."

Return to the table of contents

Arizona reports 1,039 new COVID-19 cases, no additional deaths Monday

KTAR News
March 1, 2021

Arizona public health officials on Monday reported 1,039 new coronavirus cases and no additional deaths from COVID-19.

The state's documented totals were updated to 817,821 coronavirus infections and 15,979 fatalities, according to the Arizona Department of Health Services' COVID-19 dashboard.

AMERICAN OVERSIGHT

One death was removed from the total because of death certificate matching, the department said.

Many of the metrics used to gauge the severity of the pandemic are the lowest they've been since November or earlier.

The number of confirmed or suspected COVID-19 inpatients in the state's hospitals decreased to 1,241 on Sunday, the fewest since Nov. 8. The number of ICU beds used by COVID-19 patients fell to 382, the fewest since Nov. 15.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is at a four-month low.

Of the 70,393 people tested last week, 7% received a positive result, the lowest rate since mid-October.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

The seven-day average for the state health department's newly reported coronavirus cases has plateaued over the last week and was 1,259.29 for Sunday, according to tracking by The Associated Press, the lowest recorded weekly average since Oct. 30.

The seven-day average of newly reported deaths was 79.67 for Sunday, down slightly from the previous day and the fourth-lowest mark of the year.

After leading the nation in both categories earlier this year, Arizona now ranks in the middle of the pack among states for the rate of new cases but remains near the top in deaths.

In Sunday's update from the U.S. Centers for Disease Control, Arizona was fifth in the nation for COVID-19 deaths per capita over the last seven days and 23rd in cases.

The Arizona health department's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

AMERICAN OVERSIGHT

For information about statewide vaccine availability, the ADHS website has a vaccine-finder page with a map of locations and information about registration.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Report on ethics probe of GOP senator will be released

Arizona Daily Sun
March 1, 2021

The Arizona Senate is expected to release a report commissioned by its Ethics Committee into allegations of workplace harassment against freshman Republican Sen. Wendy Rogers on Monday.

Committee attorney Chris Kleminich announced at the conclusion of a committee hearing last week that he was finalizing his investigation and his report would be given to the committee and publicly released on Monday. Thursday's lengthy hearing was mainly held behind closed doors as Kleminich briefed the committee's three Republicans and two Democrats.

Rogers was accused by her former legislative assistant in January of berating him, making comments about his weight and other issues. Michael Polloni Jr. also accused the state senator of taking his belongings and breaking an Eagle Scout plaque.

Rogers made a written response to Ethics Committee and called the allegations "a complete fabrication by an outgoing, brand new employee who worked only one official day for the state of Arizona after the swearing in of senators."

The committee voted to formally launch an investigation on Feb. 4.

Rogers was sworn in on Jan. 11, but Polloni was working for her on Jan. 3 when he tested positive for the virus. His complaint said he was fired on Jan. 13.

Rogers also said the complaint contains no allegations that she either broke the law or violated Senate ethics rules.

In his detailed, six-page ethics complaint against Rogers, Polloni said she repeatedly asked him to work while he was on sick leave, demanded that he illegally do campaign work for her on state time and removed and damaged some of his belongings from his office.

He also said Rogers doubted that he actually had the virus.

Polloni also alleged that Rogers almost hurt his hand when she slammed a door and that, during a tirade, she yelled at him so closely that he could feel spit hit his face.

Ethics complaints can lead to discipline or expulsion for a member found guilty of violations by the full Senate or House.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Supreme Court task force refocuses on disinformation

Kyra Haas

AMERICAN OVERSIGHT

Arizona Daily Sun
March 1, 2021

Shortly after the Arizona Supreme Court created a task force on countering disinformation in 2019, its members realized their approach was a losing battle.

They thought they could simply counter misinformation with information.

The task force appears to be the first of its kind, and according to task force chair and court spokesman Aaron Nash "it seems like eye rolling would be a way to characterize how a lot of people thought of it" when it initially formed in response to concerns about Russian disinformation campaigns.

Then came the pandemic, protests following the death of George Floyd and the 2020 election – and the rush of disinformation that followed.

"It just became more and more apparent the misinformation and disinformation that was out there, everywhere," Nash said. "It was good timing."

Now, in its second year, the task force is focusing on helping the public recognize misinformation and disinformation and trying to re-establish or foster trust in the judiciary as a better approach than trying to counter every inaccurate statement or campaign individually.

"There is some degree of sort of opaqueness to the whole system, and that opaqueness makes for a very easy target for disinformation," said task force member and research professor Scott Ruston, who also directs ASU's Center on Narrative, Disinformation and Strategic Influence.

Ruston felt the task force's recommendation to increase civic engagement is especially important. He said if credible information doesn't come from institutions, the vacuum created is filled with rumors, hearsay and disinformation.

"If the courts aren't saying what's happening and explaining why judges make rulings in particular ways, then that's fertile ground for people to basically lie about it and make claims that are untrue," Ruston said. "And not only are they untrue, but they are malicious."

One of the conclusions Ruston and other scholars have drawn in studying disinformation is that disinformation actors seek out social wedge issues around which they can erode the public's faith in political institutions, whether that's the judiciary, the legislature, the education system, the press or the executive branch.

To start filling the vacuum, the task force plans to give a makeover to the Our Courts Arizona program, which, up until now, has sent out retired and current judges to provide refresher sessions for adult groups on everything from how Arizona judges decide cases to the Bill of Rights.

The task force hopes to get that type of information to younger people and is looking to create age-appropriate presentations for kindergarten through PhD levels, "from the real basic 'three branches of government' stuff to more philosophical policy type issues and where policy ends and rules and procedures begin," Nash said.

AMERICAN OVERSIGHT

The task force also wants to promote other existing civics education programs to more teachers and school officials.

Along with its educational efforts and other recommendations, the task force is working with courts across Arizona on accessible websites and branding and on a playbook of how to respond to common misinformation or disinformation attacks quickly.

The National Center for State Courts laid the groundwork for that kind of playbook to help state courts develop rapid response plans before "any attack landed on the front steps of the courthouse," the center's spokesman Jesse Rutledge said.

"The big lesson that the courts need to take away and can learn from the work the Supreme Court of Arizona has undertaken here is that being prepared does take some work," Rutledge said.

As elections controversies landed in the courts during election disputes before, during and after the election, it underscored the need for courts to move toward real-time responses, Rutledge said.

"The days of writing a letter to the editor are well behind us," Rutledge said. "No matter who you're dealing with, in the world of communication, you have to be ready to respond almost instantaneously."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Navajo Nation confirms 14 new COVID-19 cases, 2 more deaths

Arizona Daily Sun
March 1, 2021

The Navajo Nation is reporting 14 new coronavirus cases and two more deaths.

The latest figures from tribal health officials on Sunday evening bring the total number of COVID-19 cases to 29,740 cases since the pandemic began. The death toll is now at 1,170.

Navajo Nation President Jonathan Nez cautioned in a statement that people should not become complacent just because case numbers continue to trend downward. He said everyone must continue to practice safety measures like wearing masks and social distancing.

Health facilities on the reservation and in border towns are conducting drive-thru vaccine events or administering doses by appointment. The Navajo-area Indian Health Service has vaccinated more than 100,000 people so far.

A daily curfew from 9 a.m. to 5 a.m. and a mask mandate remain in effect for residents of the vast reservation that covers parts of Arizona, New Mexico and Utah to prevent the spread of the virus.

Tribal health officials say nearly 16,100 people have recovered from COVID-19.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, March 1, 2021 4:29:15 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: YELLOW SHEET REPORT
Attachments: 3-1-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, March 01, 2021

NEWS NOTES AND GOSSIP

SO MUCH FOR THOSE CONSTITUTIONAL CONCERNS...

Gowan has Covid and is expected to be out all week, multiple sources, including Petersen, confirmed to our reporter. Despite the Senate's protests last month, when it argued that the state Constitution prohibited remote voting (YS, 2/19), the Senate today voted to change its rules to allow remote voting from home if the senator is isolated after a positive Covid test or otherwise receives approval from both Fann and Rios. The previous rules required senators – even those who are quarantined or ill – to be present in the building in order to vote on third readings. During crossover week last month, a Republican lawmaker who was exposed to Covid wrestled over whether to show up for work (YS, 2/19). The legislator, who tested negative, ended up voting from their office though they said they would have preferred to vote from home as they awaited additional test results. Those rules requiring in-person voting do not apply to committee hearings, so Gowan would be able to hold his Appropriations Committee hearing tomorrow from his own home. The House all year has allowed remote voting during third readings, and Burges last week voted from her hospital bed following a car accident. The unexpected absence threw the Senate into chaos this afternoon: Fann didn't gavel in until nearly an hour after today's scheduled start time and secretaries were redoing the Senate's calendars. The Senate had planned to vote on 55 bills, including highly partisan election measures, and plow through several dozen more in COWs. Gowan did not respond to a message from our reporter. Gowan participated in a meeting with budget leaders in the House, Senate and governor's office today, though he tuned in remotely.

THOSE PEOPLE REALLY LOVE THEIR JUNKETS

Five representatives, including a Republican, are in El Salvador today, causing the House to postpone votes on controversial legislation until the lawmakers return. Chávez, Espinoza, A Hernandez, D Hernandez and Wilmeth are on the trip to observe the legislative and municipal elections that took place there on Sunday, said House Democratic spokesman Robbie Sherwood. Friese on Thursday hinted at the junket, saying if any lawmakers happen to be traveling to El Salvador, which he said the CDC lists as "is a very high Covid environment" and discourages travel to the country, they should be considerate of their fellow lawmakers. CDC guidelines state those traveling to El Salvador must get a test and quarantine for at least seven days, he said. Friese didn't return a message from our reporter. House GOP spokesman Andrew Wilder said Wilmeth, at least, plans to quarantine for the week and vote remotely. Wilder wasn't sure who paid for the trip, noting that if lawmakers want the House to reimburse them, they'll have to submit expenses when they return. Attempts to reach the lawmakers in El Salvador went unanswered. Given the House's 31-29 partisan margin, the absence of any single Republican – such as Wilmeth – means the chamber cannot pass bills on party lines, such as the election-related bills pending in the House. As a result, Wilder said today and Tuesday will likely be lighter in the House, while the action will pick back up Wednesday and Thursday. Several other Republicans, including Biasiucci, Cook, Finchem and Roberts, traveled domestically this weekend, heading to CPAC in Orlando, Florida, though all, except Finchem, were at the House for today's floor session.

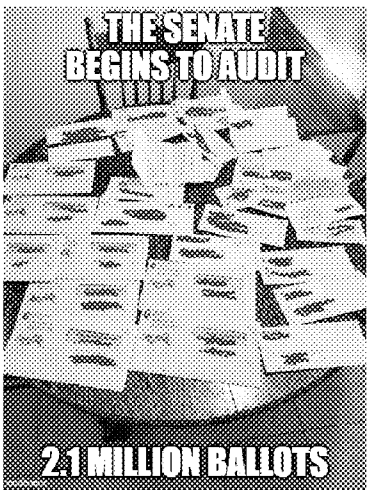
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002356

ARZN_REV00068819_3-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

JUST DUMP THE BALLOTS ON THE SENATE LAWN



Last week's court ruling in the *Senate v. Maricopa County Supervisors* contains no limitation on who senators can give election material access to, according to a county spokesman. Fields Moseley, spokesman for the supervisors, told our reporter his interpretation is once the county hands everything over to the senators, they can theoretically share it with anybody they deem fit – including Rudy Giuliani, as AZGOP chair Kelli Ward said the Senate plans to do (LINK). "We have to give them everything … we don't have any control [over what they do with it]," Moseley said. The county is also shaky on the details such as when the Senate will get the materials, where Senate leaders plan to conduct the audit and what, exactly, those auditors will focus on – however, after the months-long fight to obtain the ballots, the county isn't exactly in the mood to lend senators workspace, Moseley said. "I don't think we have any intention of allowing them inside our buildings," he told our reporter. Kory Langhofer, who represents the Senate, said he expected the number of vendors with access to the ballots to be "very limited" and that the Senate is still working out logistics of where ballots will be stored and how many of the 2.1 million ballots will be reviewed. Langhofer said the Senate wants "a truly independent review of the election results in order to assess how well the processes in Arizona work" – and wasn't planning to share the materials with Rudy Giuliani. Langhofer said the Senate is still considering proposals from potential auditors and he'd received several calls on the subject this morning. "I expect they'll have a firm plan soon, but as of now, nothing's finalized," he said.

AH YES, THE SENATE'S FAMOUSLY HIGH STANDARD OF PROOF

A report on the Senate's internal investigation into Rogers' treatment of Michael Polloni, her former assistant, doesn't draw any conclusions about whether Rogers breached ethical rules. The nine-page report, released this morning with another 35 pages of exhibits, simply details the allegations against Rogers, her responses and information gleaned from archived text messages and interviews with Petersen's assistant, who witnessed some of the interactions. The investigation dismissed many of Polloni's complaints – including his allegations that Rogers berated him for his weight and commented derisively about his sister's homosexuality and his aunt's liberal politics – as "he said, she said" disagreements that can't meet the Senate Ethics Committee's high standards of proof. However, interviews with Rogers, Polloni and Petersen's assistant corroborate some of the complaints about Polloni's final day on the job. All three described Rogers pulling Michael into her office, yelling at him so that the other assistant could hear raised voices through the closed door, and closing the door when Polloni tried to have the other assistant join. In an interview for the report, Rogers said she told Polloni "I will talk down to you. You work for me," after he complained about her belittling him. Her own attorney's written response focuses almost exclusively on office decor, describing Rogers' plans to decorate both her office and her assistant's space, which she considered a common area, to fit her theme of Northern Arizona. The evidence Polloni provided of Rogers asking him to do campaign business on state time consisted solely of a handful of text messages telling him to share information with her campaign strategist and nephew, Spence, and a folder titled "campaign projects" that actually contained only ideas for legislation. The ethics panel's probe doesn't get into the issue of Polloni's forced resignation, which is the subject of a pending federal workplace complaint and potentially a lawsuit.

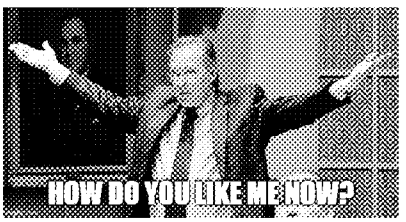
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002357
ARZN_REV00068819_3-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

TO BE A FLY ON THE WALL DURING THOSE EXEC SESSIONS...

The Senate Ethics Committee will meet tomorrow morning after caucus to discuss the report on Rogers and whether to take action and what kind. Like in previous hearings, the panel plans to head into executive session for legal advice before returning to the public meeting. The committee can choose to dismiss the complaint, continue with a further investigation or recommend disciplinary action, including expulsion. Senate rules also require that the panel provide Rogers the opportunity for a public hearing. A copy of the Senate Ethics Committee's report is available in our "documents" section (LINK).

SENATOR BIGGS ONCE AGAIN?



Biggs is inching closer to announcing a bid for the US Senate, saying he is "trying to gauge how much support" he has. Biggs told *The Hill* today that he's "kicking the tires" and "seriously considering" a run (LINK). It would be no surprise to railbirds if Biggs takes a crack at the US Senate, as he has already done internal polling (YS, 2/18), something that will likely help him weigh his ultimate decision. *The Hill* obtained the poll results from Data Orbital and it shows Biggs getting 36.1 percent of likely voters and Ducey's former Chief of Staff Kirk Adams getting just 1.5 percent. (General Michael McGuire, the Dept of Emergency and Military Affairs director, placed second with 2.6 percent and nearly half of those surveyed remained undecided.) Biggs, who has never faced a serious Democratic challenger in his safely Republican district in the Mesa-Gilbert area, would need a massive war chest. Kelly narrowly defeated McSally in November after raising more than $100 million.

·WAKE UP CALL·

Transitional housing still effective as programs fade away
Arizona Capitol Times
When Trent Deweese set out to Phoenix from Tonopah, he did not expect to be sleeping under a bridge his senior year in high school.

Affordable housing tax credit draws ardent debate
Arizona Capitol Times
Some lawmakers and housing advocates fear two bills proposing a state low income housing tax credit program are the wrong response to the mounting issue of housing affordability in Arizona.

Bill helps West Valley homeless seniors
Arizona Capitol Times
A Senate bill could lead to converting a hotel into a shelter to cope with a growing population of homeless seniors in the West Valley.

Court gives Senate access to election equipment, appeal expected
Capitol Media Services
State senators are entitled to access to voting equipment and ballots used in the November election, a judge ruled Friday.

Arizona to argue before US Supreme Court that 2 laws don't hurt minority voting
Capitol Media Services
On paper, the dispute playing out Tuesday at the U.S. Supreme Court is a simple question of the legality of two Arizona laws: where you can vote and who can handle your ballot.

Mesa anti-discrimination ordinance hotly debated
East Valley Tribune

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002358
ARZN_REV00068819_3-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

If Mesa City Council joins other big Arizona cities by passing a non-discrimination ordinance tomorrow, March 1, public comments at last week's meeting suggest few will be truly happy.

Arizona Supreme Court task force refocuses on disinformation
Associated Press
Shortly after the Arizona Supreme Court created a task force on countering disinformation in 2019, its members realized their approach was a losing battle.

Study means it's time to cut water use now, outside experts say
Arizona Daily Star
Less water for the Central Arizona Project — but not zero water.

Phoenix Council Members Call for Transparency in Police Misconduct Probe
Phoenix New Times
Members of the Phoenix City Council are demanding that city officials give them detailed information about an upcoming outside investigation into a string of high-profile controversies involving Phoenix police officers.

Rep. Gosar denounces 'white racism' after controversial appearance
The Hill
Rep. Paul Gosar (R-Ariz.) denounced "white racism" at the Conservative Political Action Conference (CPAC) Saturday after he caught flak for speaking at a conference whose organizer expressed white nationalist views.

In Statehouses, Stolen-Election Myth Fuels a G.O.P. Drive to Rewrite Rules
New York Times
Republican legislators want big changes to the laws for elections and other aspects of governance. A fight over the ground rules for voting may follow.

Rep. Paul Gosar gets caught schmoozing with a white nationalist, tries to backpedal
Arizona Republic (Opinion, EJ Montini)
Arizona's wackadoodle-in-chief offered a lame excuse for not being in D.C. for the coronavirus aid bill and turned up at the America First Political Action Conference.

Will 'Stop the Steal' organizer Ali Alexander rat out Reps. Andy Biggs and Paul Gosar?
Arizona Republic (Opinion, EJ Montini)
Sooner or later Alexander, who says Biggs and Gosar helped him organize the Jan. 6 protest-turned-insurrection, will emerge from under the rock where he's hiding.

Senate election audit is a go but if no fraud is found, a lot of politicians should resign
Arizona Republic (Opinion, Laurie Roberts)
If Arizona's election was stolen, as so many Republican elected officials believe, then break out the Lysol and clean house. But if no fraud is found…

The Arizona Senate is closely split for a reason. Republicans ignore it at their own risk
Arizona Republic (Opinion, Robert Robb)
GOP senators are operating as though they got a big mandate in the last election, when they didn't.

I recovered from COVID. Now what? What we know (and don't) about life after the virus
Arizona Republic (Opinion, Joanna Allhands)
Having COVID-19 raises a lot of questions, though few have solid answers. Here's what 3 experts have to say about life after the infection.

If Donald Trump is smart, he'll pull a Barry Goldwater when he returns to the spotlight
Arizona Republic (Opinion, Greg Moore)
Arizona conservative Barry Goldwater went from outsider to elder statesman after a crushing loss. Could Donald Trump make similar shift?

Abortion bill holds doctors accountable, outlaws do-it-yourself procedures by mail
Arizona Republic (Op-ed, Nancy Barto)
Women who take the abortion pill are far more likely to suffer complications than those who get surgical abortions. It should be prescribed and overseen by a doctor.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Abortion bill criminalizes doctors and jeopardizes access to care. Is this what we want?
Arizona Republic (Op-ed, Gabriella Smith)
SB 1457 is one of the most egregious anti-abortion bills because it would make a physician performing an abortion that was sought because of a genetic abnormality a Class 3 felony.

We fell for the 'conversion therapy' lie. No other family should be given the chance
Arizona Republic (Op-ed, Glen Traasdahl)
This pseudoscience, rejected by every notable professional medical association, brought our son to the brink of suicide and almost tore our family apart.

Gov. Ducey is hoarding
Arizona Daily Star (Opinion, Steve Kozachik)
The U.K. variant COVID strain has been identified in Arizona. It is more highly contagious than COVID-19, and is therefore more easily transmitted.

PRESS RELEASES

State Adopts A Unique Hybrid Model For COVID-19 Vaccine Prioritization

Vaccine Prioritization To Continue Based On Age To Protect Those Most At Risk

PHOENIX — Governor Doug Ducey and the Arizona Department of Health Services (ADHS) announced today a new hybrid approach that provides Arizonans 55 and older eligibility along with frontline essential workers to receive the COVID-19 vaccine. The new approach launches today in the Phoenix Metro Area.

Arizona will continue its age-based approach to administering the vaccine. The new hybrid approach will ensure the distribution of vaccine doses to individuals at high risk of severe outcomes, including hospitalization and death, from COVID-19 due to age while allowing local health departments to prioritize frontline essential workers through employer-based vaccination strategies.

"This critical update provides more clarity for Arizonans and will result in rapid administration of vaccine to our most vulnerable populations," said Governor Ducey. "Continuing to vaccinate older Arizonans against COVID-19 will help protect those at risk and cover a majority of Arizonans with chronic medical conditions. And, this hybrid approach will ensure an equitable distribution of vaccine to our frontline workers who are working with the public every day."

Ninety percent of Arizona's deaths from COVID-19 have been among those 55 and older. Approximately 65 percent of those hospitalized due to COVID-19 are in that age group. Including adults 55 and older in the vaccine prioritization category will cover between 56 and 66 percent of Arizonans with medical conditions that place them at severe risk for adverse outcomes due to COVID-19. This figure grows to between 68 and 79 percent of Arizonans with high-risk medical conditions being eligible for vaccination when age of vaccine eligibility includes those 45 and older.

To provide Arizonans with clarity, a range for transitioning the age-based eligibility has been established. Local health departments may transition to the next age category when they reach 55 percent of that age category vaccinated OR feel that there is no longer demand for vaccine. ADHS will be adding data to the AZDHS website showing the percent of the population vaccinated in each age category to provide information for when counties may be progressing to the next age category. This strategy allows everyone in the state to know approximately when they will be eligible to receive vaccine. Those with chronic conditions will be included in their respective age categories.

This unanimous recommendation by the Arizona Vaccine and Antiviral Prioritization Advisory Committee (VAPAC), informed by data and strategies from federal and local partners, is intended to protect those who are most at risk for severe outcomes due to COVID-19, such as hospitalization and death. VAPAC includes state, local, and tribal experts, and health care partners.

"As more vaccine reaches Arizona, we will continue refining our plan to maximize the benefits of this still-limited resource," said ADHS Director Dr. Cara Christ. "Moving to a hybrid approach will allow us to rapidly and efficiently administer the vaccine and provide all Arizonans with a clearer estimate of when they will be eligible to be vaccinated."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002360
ARZN_REV00068819_3-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ADHS will open approximately 50,000 vaccination appointments at State Farm Stadium and Phoenix Municipal Stadium at noon on Tuesday, March 2, to those 55 and older for appointments starting March 4. Arizonans 55 and older will also be eligible to schedule appointments at pharmacies and federally qualified health centers participating in the federal vaccination programs.

In order to ensure younger populations at greatest risk of exposure will have access to vaccination as priority populations shift, local jurisdictions are able to prioritize frontline essential workers, based on available vaccine. Information on the phase each county is currently vaccinating, the number of doses ordered by each county, and location of vaccination sites can be found at azhealth.gov/findvaccine.

More than 1.8 million doses of vaccine have been administered to more than 1.2 million Arizonans, including nearly 600,000 who have received both doses.

Those in groups prioritized for vaccination can register for appointments at State Farm Stadium, Phoenix Municipal Stadium, Chandler-Gilbert Community College, and multiple other vaccination sites at podvaccine.azdhs.gov/. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group, such as someone 55 and older.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Governor Ducey Names Rob Woods Director Of Arizona Department Of Revenue

PHOENIX — Governor Doug Ducey today announced that Rob Woods will serve as Director of the Arizona Department of Revenue (DOR), effectively immediately. Woods has served as Interim Director since December 29, 2020, prior serving as Deputy Director for the Department.

"Rob has served the state well for many years, and he's done an excellent job as interim director of the Department of Revenue," said Governor Ducey. "He continues to find innovative ways to improve operations and enhance efficiency, and he stepped up to a leadership role during a crucial time for our state. I'm grateful for Rob's commitment to serving Arizonans, and I look forward to his continued leadership at the Department."

Before joining DOR, Woods served as the Administrator of the Government Transformation Office (GTO) for eight years, an office which he helped found. As the Administrator of GTO, Woods was responsible for coaching and mentoring state executives as they implement a statewide operating system that builds a culture of daily improvement.

"It is an honor to accept the position of director after leading the Department of Revenue for the last few months," said Woods. "Our team is committed to meeting the needs of Arizona's taxpayers, and I'm confident we will continue to find new ways to better serve our state. My thanks to Governor Ducey for the opportunity."

Woods in 2015 led the Permit Blitz, an enterprise-wide effort to streamline permitting processes across the Executive Cabinet. It resulted in excess of 50 percent lead time reduction for over 30 value streams ranging from Bus Driver Certifications to Correctional Officer hiring.

He also led the design and deployment of the Arizona Management System to all 30+ executive cabinet agencies. Woods coached current agency leaders in the application of strategic planning, developing operational measures, conducting business reviews, and problem solving.

Additionally, upon his arrival to the DOR in early 2020, Rob led the agency's response to COVID-19 and the transition to remote work. With over 80 percent of the agency in a remote work environment, employee engagement and productivity measures reflect an agency that continues to execute its mission.

Prior to his service to state government, Woods was a vice president and engagement manager at JP Morgan Chase. In this role, Rob helped drive critical enterprise improvements across business divisions. Rob has also held roles in small business operations and information technology services.

Woods earned his Bachelor of Arts in Philosophy from the University of San Diego and his MBA in Supply Chain Management from Arizona State University.

Arizona Celebrates Women's History Month

PHOENIX — Governor Doug Ducey is declaring March 2021 to be Women's History Month in Arizona to celebrate the many contributions of women to the success of the state and entire nation, and to recognize the women medical professionals who have made history during the pandemic.

"This month, Arizona is proud to celebrate the women who have helped shape our great state," said Governor Ducey.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002361

ARZN_REV00068819_3-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Right now, 40 women are leading our communities in the state legislature — the most in state history. Over the last year, women working in the medical field have made history by stepping up day after day to protect Arizonans and administer the vaccine. There's no shortage of trailblazing women to look up to in Arizona. We are proud to celebrate the determination, integrity and leadership of women that has led to prosperity across the state and nation."
Women's History Month was established in 1987, and has been recognized by every U.S. president since 1995. Arizona became the tenth state to grant women the right to vote in 1912, eight years before the ratification of the 19th Amendment allowing women the right to vote nationally.
In 1999, Arizona inaugurated five female statewide officeholders — the first time women held all statewide elected offices in United States history. Arizona has 40 women currently serving in the Arizona State Legislature, the most in state history. Governor Ducey has issued a Women's History Month proclamation every year since 2016.
View the proclamation HERE.

Salman 'alarmed at precedent set' by Maricopa County v. Karen Fann decision and no appeal

TEMPE – Representative Athena Salman, Ranking Member on the House Government and Elections Committee, is gravely concerned with the ruling in *Maricopa County v. Karen Fann* and the Maricopa County Board of Supervisors' decision to not appeal.
"Yesterday's decision by the Superior Court to allow politicians with the intent of overthrowing a free and fair election to gain access to every ballot cast in Maricopa County as well as the elections equipment should send shockwaves throughout our entire nation," Salman said. "Ballot secrecy is sacred to our democracy, yet Judge Thomason provided no safeguards or limitations on the scope of the state senate's subpoenas. This means that the senate may look at the entirety of every single ballot cast, every ballot envelope, coordinate their inspection with losing candidates, hire auditors who may be actively pushing misinformation, and dismantle elections equipment with no independent or credible oversight."
Salman added, "These subpoenas were approved despite no credible evidence that any irregularities occurred in the 2020 elections. They are instead part of a national coordinated effort designed to undermine our democracy up to and including an attempted insurrection on January 6. That is the new standard in Arizona— no standard at all. We should all be alarmed at the precedent now set, which could lead to nefarious politicians issuing new subpoenas in the next governor's race, U.S. Senate race, and even in their very own legislative races if they were to lose.
"I applaud Supervisor Steve Gallardo for being the lone voice on the Maricopa Board of Supervisors advocating for an appeal of this dangerous court decision. This would have been the right course of action by the Board, but unfortunately Supervisor Gallardo was outnumbered. I join the many voices who condemn this court opinion and the failure by the Board to continue defending the 2.1 million voters in Maricopa County."

Senator Mark Kelly on Support for Rep. Haaland to be Secretary of Interior

Today, United States Senator Mark Kelly announced his support for the confirmation of U.S. Representative Deb Haaland (NM-01) to serve as the next Secretary of the Department of Interior.
"There has never been a Native American at the helm of the Department of the Interior before. After speaking with Representative Deb Haaland, raising important Arizona priorities during her confirmation hearing, and listening to input from numerous Arizona tribal leaders and other stakeholders, I'm proud to support her historic nomination to be the next Secretary of the Department of Interior.
"I am encouraged by Rep. Haaland's commitment to protecting Arizona's treasured public lands that are so important to our economy and to our tradition of outdoor activities. Rep. Haaland also brings a deep understanding of the challenges we face with water and drought, and I look forward to partnering with her to invest in and secure Arizona's water future.
"It's critical for Arizona to have strong leadership at the Department of the Interior which Rep. Haaland will bring. I am committed to working with Rep. Haaland, Republicans and Democrats on policies that help our state's economy grow, honor our outdoor heritage, and ensure that the federal government lives up to its treaty obligations to Arizona's tribal communities."
Last week, during the United States Senate Energy and Natural Resources Committee's hearing, U.S. Kelly questioned Haaland as the committee considered Haaland's nomination for Secretary of the DOI.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Kelly asked Haaland about her support for a permanent ban of uranium mining near the Grand Canyon, legislation recently introduced by Kelly and Senator Kyrsten Sinema, referencing the importance of the Havasupai Tribe's reliance on water near the Canyon. Recognizing the importance of Native American water settlements, Kelly also asked Haaland about prioritizing the completion and full funding of both existing and future Indian water settlements, an issue important to Kelly.

In addition, Kelly submitted letters of support from numerous Arizona tribal governments and organizations endorsing Haaland's nomination which include the Ak-Chin Indian Community, Coalition of Large Tribes (COLT), Colorado River Indian Tribe, Hopi Tribe, Inter Tribal Association of Arizona, Navajo Nation, Pascua Yaqui Tribe, and Tohono O'odham Nation, to name a few.

"QUOTE OF THE DAY"

"I will talk down to you.
You work for me."

- Rogers, in her own retelling of how she spoke to her assistant

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, March 3, 2021 2:06:07 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes March 3, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window

Arizona Legislative Report

Today's News Notes

March 3, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative*

AMERICAN OVERSIGHT

Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

NEWS NOTES

SELLERS TO SENATORS: HERE'S THE PROBLEM YOU'RE SO EAGER TO HAVE

Maricopa County Supervisor Jack Sellers today sent every senator a photo of pallets of ballots loaded onto a truck and asked what he's supposed to do with them. In a short letter accompanying the photo, Sellers wrote that the county loaded the ballots onto trucks on Monday with the intention of delivering them to the Capitol as demanded by the Senate's Jan. 12 subpoena. Instead, Sellers wrote, Senate outside counsel Kory Langhofer sent the county an email at 5:08 p.m. Monday saying the Senate is unprepared to receive any of the ballots. The county then learned by reading a statement the Senate GOP spokesman gave a reporter that the Senate claimed there is an "understanding" that the county would let the audit occur in the county's election facilities - an understanding the county did not share. Municipal elections are ongoing and the county's buildings are occupied, Sellers wrote. "Please advise us when the Senate is ready to receive the subpoenaed materials and where they should be delivered. If the Senate no longer wants the materials delivered, the county stands ready to discuss next steps," Sellers concluded. Fann has not yet returned a call from our reporter.

SENATE REPUBLICANS TO SUPERVISORS: WE ARE SHOCKED!

The Senate this afternoon said the county's move to try and immediately deliver the ballots potentially breaks their chain of custody and urged the supervisors to allow the Senate's audit to be conducted within county premises to ensure the ballots' security. The Senate's full statement is below.

On Friday, a Superior Court judge ruled in favor of the Senate, that its subpoenas are legal and enforceable, and the Senate is entitled to audit voting

AMERICAN OVERSIGHT

equipment and ballots used in the November election. Monday, the Senate received notice of the imminent delivery of those machines and ballots. We were shocked when we were told that attorneys for the Maricopa County Board recommended doing something like this, potentially breaking the chain of custody of the ballots. The attorney for the Senate immediately contacted the county, reasserting that the Senate felt the best way to maintain the security of machines and ballots was to leave them at the county and have the independent auditors come to them, as was done with the first two audits.

President Fann and Board Chairman Jack Sellers are keeping in close contact, working on a mutual arrangement to keep the ballots safe and secure as the firm performs a detailed audit while ensuring the people's ballots are secure. Our citizens expect nothing less.

BOLDING TAKES THE CHAIR

A Democrat is expected to chair a House COW meeting today for the first time in several years. House Democratic spokesman Robbie Sherwood said Bolding is scheduled to preside over Wednesday's COW #4 calendar. (The House was still on COW #2 as of press time.) Sherwood said a Democrat hasn't presided over COW since at least 2018.

HERE'S A REMINDER THAT THE LEGISLATURE EXCELS IN PLAYING WHAC-A-MOLE

On today's Senate third-read calendar is Mesnard's S1783 (small businesses; alternate income tax), which some say is designed to mitigate the effects of Prop 208 on some people who would otherwise have to pay the new 3.5 percent surcharge. Under S1783, people who make money through things like interest, business profit or loss and capital gains would be able to choose between paying the individual income tax or a new small business income tax. While individual taxes are levied at four rates, ranging from 2.59 percent to 4.5 percent, the small business income tax would be set at a flat rate of 4.5 percent. JLBC's fiscal note includes an estimate that the bill would not impact the general fund but could reduce revenue from the 3.5 percent Prop 208 surcharge by about $527 million annually. JLBC cautioned that its estimates are highly speculative, and that the Dept of Revenue has not yet provided any estimate of the bill's fiscal impact.

AND HERE'S A REMINDER TO START SAVING FOR YOUR KID'S

AMERICAN OVERSIGHT

COLLEGE

House ways-means advanced a Senate bill to let some people save on contributions to the state's 529 college savings accounts on a party-line vote today, and passed another to boost low-income housing tax credits with only one opposing vote. Grantham was the only "no" on S1076 (low-income multifamily housing; valuation), which will effectively lower the property taxes paid by the owners of low-income apartment developments by valuing properties based on the actual, lower rental rates residents pay instead of market rates, raising concerns it would encourage developers to build low-income housing in more upscale areas. "Is this an attack on the suburbs?" he asked at one point. S1135 (taxes; 529 contributions; ABLE contributions), which passed the Senate, 18-12, with most Democrats opposed, adjusts the maximum 529 contributions to $2,000 for an individual or $4,000 for a couple per beneficiary, as opposed to per family, meaning people with more children can save more tax-free. "This bill gives a tax benefit to higher-income folks, and for lower- and middle-income folks, it's a lot less," Epstein said. Livingston, who is sponsoring both bills, said it would have no noticeable fiscal impact since most people contribute less than the maximum.

BILL EXEMPTING BUSINESSES FROM MASK MANDATES GETS GREEN LIGHT IN DEBATE

The House moved H2770 (mask mandates; business exception) out of COW Wednesday after 45 minutes of debate and two divisions, which the Republicans both won by three votes. The bill says businesses can't be forced to enforce a government mask mandate. "What this bill does is it allows business owners to make the decision if they will enforce or not enforce the mask mandate, and that's where I believe we put the individual freedoms back in the people to make their own decisions on something like this," said Chaplik, its sponsor. The bill's Democratic critics noted the threat of Covid – Arizona's death toll surpassed 16,000 on Tuesday – and the effectiveness of masks. Rodriguez said mask mandates are not government overreach but the government exercising its fundamental function to safeguard public health and safety. If you let businesses ignore them, he said, "what you are essentially saying is that an individual business has the right to put every other individual in his community at risk of infection." It remained to be seen as of press time whether the House would vote on it on third reading Wednesday afternoon.

AMERICAN OVERSIGHT

HOUSE PASSES BILL TARGETING BIG TECH'S IN-APP PAYMENT SYSTEM

The House spent most of today's morning on H2005 (prohibitions; digital application distribution platforms), passing it, 31-29, shortly before breaking for lunch. Sponsored by Cobb, the bill bars platforms, such as Apple and Google, from requiring Arizona-based app developers to use their in-app payment systems. While most Republicans supported the bill and most Democrats opposed it, four Republicans voted "nay" and five Democrats voted "aye." The bill's opponents raised several objections, among them that the bill needs more work and that it would infringe on an area the federal government needs to decide how to regulate. "We have no business getting into this venue right there," Fernandez said. "This is of national importance. This should be addressed by our U.S. Congress. Instead of writing a letter about Border Patrol, we should be writing a letter to our senators and U.S. congressional delegation to address this issue." The House rejected two Democratic amendments, including one from Epstein to require companies to pass on their savings to consumers. Supporters said the bill will protect consumers. "Here's what I know in my gut," Fillmore said. "We have two platforms. There is a monopoly."

SEX EDUCATION DEBATE, 2021 EDITION

The Senate today plans to vote on Barto's S1456 (sex education instruction; parental rights), which took up more than a half hour of passionate debate during COW yesterday. S1456, which so far has succeeded where last year's high-profile sex ed bills failed, would ban the teaching of sex education before 5th grade and require that schools ask parents expressed permission before teaching children about sexual orientation, gender identity or gender expression, or about AIDS and HIV. The bill also requires schools to let parents know they have the right to review instructional materials and activities. Democrats warned that the bill could lead to far-reaching implications that prevent teachers from even acknowledging the existence of LGBTQ people without first getting a permission slip. Marsh, who previously taught high school English, said the bill might have prevented her from teaching "Catcher in the Rye," without a permission slip, because of subtext that main character Holden Caulfield's teacher, Mr. Antolini, is gay or bisexual. Steele said it could prevent students from learning about Harvey Milk, the first openly gay elected official in California who was assasinated by a fellow member of the San Francisco city

AMERICAN OVERSIGHT

board of supervisors. Barto responded that her bill merely puts parents in charge of their children's education and cited examples of class lessons from other states that she found inappropriate. The bill appears to have the votes to move ahead, though progressive groups are targeting Shope and Pace to pressure them to vote against it.

SENATE INCHES CLOSER TOWARD SHOWDOWN WITH DUCEY OVER EMERGENCY POWERS

The Senate is set to COW Ugenti-Rita's SCR1001 (state of emergency declaration; termination) today, though she still lacks the votes to pass the measure. Shope confirmed he still opposes it, meaning the resolution could get 15 votes at most. He told our reporter he was on a call this morning with the Casa Grande Chamber of Commerce in which the Casa Grande mayor indicated he would continue Casa Grande's emergency order regardless of what Ducey or the Legislature does. Phoenix Mayor Kate Gallego and Tucson Mayor Regina Romero, who have long pushed for greater restrictions than Ducey approved, would also be free to continue their city's emergencies and approve harsher restrictions than they would be allowed now. "I'm really not sure what we're doing this for except to give mayors like Gallego and Romero more dictatorial power than they currently have," Shope said.

OR MAYBE NOT

However, Shope said he supports Ugenti-Rita's S1084 (state of emergency; automatic termination), which is scheduled for today's third-read calendar. As amended during COW yesterday, the bill would terminate future states of emergency after 90 days without a legislative extension. Shope told our reporter he considers S1084 a better vehicle to have a conversation with the House and the 9th Floor about the Legislature's role in emergencies.

IN A DAY FULL OF REMINDERS, REMEMBER DUCEY HOLDS ALL THE MARBLES

As noted earlier, Kavanagh asked and received a reply from Brnovich about what might happen if Ducey's emergency declaration is lifted. Kavanagh was primarily concern that, with Ducey's emergency order in place, Arizonans would be looking at a patchwork of more strident measures imposed by the city. Brnovich replied that while the Legislature could take it upon themselves to end a governor's emergency declaration with a concurrent resolution,

AMERICAN OVERSIGHT

nothing stops Ducey from simply issuing another emergency declaration immediately after termination. It would, in theory, result in a game of whack-a-mole – terminating and issuing emergency declarations.

ALSO, REMEMBER THE STANDARD FOR LIBEL FOR PUBLIC OFFICIALS?

Finchem and former state Rep. Anthony Kern sued Fernandez in Yuma County Superior Court on Friday, claiming she defamed them when she asked the FBI to investigate their connections to the deadly Jan. 6 riot in the U.S. Capitol. "The malicious purpose of Defendant's action was to chill debate, not encourage it; to shut down any discussion of election fraud in the 2020 Presidential election and of the larger question of election integrity in general; and, if possible, to criminally punish Plaintiffs for exercising their First Amendment right to peacefully demonstrate and petition the Government for redress of grievances," their complaint says. Fernandez and the rest of the House and Senate Democratic caucuses signed a letter in early January to FBI Director Christopher Wray and acting Attorney General Jeffrey A. Rosen asking for help determining what Finchem, Kern and Republican U.S. Reps. Andy Biggs and Paul Gosar did that day. The FBI acknowledged receiving the complaint but did not publicly announce any action on it, and last month the House Ethics Committee refused to take up both a Democratic complaint against Finchem stemming from the events of Jan. 6 and a counter-complaint Finchem filed against the Democrats who signed the FBI letter. Fernandez said Tuesday that she hadn't seen the lawsuit yet.

NEWS RELEASES

Governor Ducey Issues Executive Order Requiring Schools To Offer In-Person Learning

Order Sets March 15 Deadline To Get Students "Back In The Classroom"

PHOENIX — Following discussions with public school leaders, and in accordance with new guidance from the Centers For Disease Control and Prevention (CDC), Governor Doug Ducey today issued a new Executive Order returning schools to in-person, teacher-led instruction.

According to metrics developed by the CDC, 12 of Arizona's 15 counties are in phases where all schools are safe to open, including in the state's two largest

AMERICAN OVERSIGHT

counties, Maricopa and Pima.

“Arizona’s students need to be back in the classroom. More than half of Arizona’s schools are open and offering in-person options. More schools need to follow their lead, and pave the way for equitable education options for every Arizona student,” said Governor Ducey. “The CDC and numerous health officials have said time and time again that schools are safe and kids can go back to the classroom. We prioritized teachers in our vaccine distribution, and many have already received their second dose. The science is clear: it’s time all kids have the option to return to school so they can get back on track and we can close the achievement gap.”

Under the order, schools are to return to in-person learning by March 15, or after Spring Break. An exception is made for middle and high schools located in counties with “high” transmission of COVID-19, as defined by the CDC — which currently includes just three Arizona counties: Coconino, Yavapai, and Pinal. However, CDC is clear that there is a safe pathway for all schools to open at any transmission level, and to stay open if they implement proper mitigation strategies. A student may continue participating in virtual instruction if their parent or guardian chooses so.

The Governor’s order is being enthusiastically welcomed by champions of education in the Arizona state legislature.

“Arizona’s kids and families have undergone a tremendous amount of stress throughout the pandemic,” said Senator Paul Boyer of Glendale, Chairman of the Arizona Senate Education Committee.“I’m glad to see more students going back to the classroom, and today’s guidance from the Arizona Department of Health Services will help ensure families that are ready to send their kids back can do so.”

This sentiment is echoed by Mesa resident Representative Michelle Udall, Chairman of the House Education Committee.

“The data is clear — kids can go back to school,” she said. “Many students have fallen behind, especially those in low income communities. The Governor’s order will protect students’ needs, while following CDC guidance.”

Today’s order updates school reopening benchmarks developed and announced in August 2020, with the metrics recently developed by the CDC.

AMERICAN OVERSIGHT

The metrics define “low”, “moderate”, “substantial” and “high” transmission levels with operational strategies for schools to reopen at all transmission levels. The Arizona Department of Health Services released the latest county-by-county information based on the CDC metrics.

National Public Health Experts Agree

A recent report from the Journal of the American Medical Association note that schools are safe for students and faculty:

"As many schools have reopened for in-person instruction in some parts of the US as well as internationally, school-related cases of COVID-19 have been reported, but there has been little evidence that schools have contributed meaningfully to increased community transmission…

“In the fall of 2020, 11 school districts in North Carolina with more than 90,000 students and staff were open for in-person education for 9 weeks. During this time, within-school transmissions were very rare (32 infections acquired in schools; 773 community-acquired infections) and there were no cases of student-to-staff transmission.”

Prominent health officials also have consistently stated that students can go back to the classroom.

Dr. Rochelle Walensky, CDC Director, said on February 3:

“There is increasing data to suggest that schools can safely reopen and that safe reopening does not suggest that teachers need to be vaccinated. Vaccinations of teachers is not a prerequisite for safely reopening schools.”

"I want to be very clear about schools, which is: Yes, ACIP (Advisory Committee on Immunization Practices) has put teachers in the 1b category, the category of essential workers,” she said. “But I also want to be clear that there is increasing data to suggest that schools can safely reopen and that that safe reopening does not suggest that teachers need to be vaccinated in order to reopen safely."

Arizona included teachers in the 1B priority group for vaccination, meaning many have already received their second dose.

On January 28, National Institute of Allergy and Infectious Diseases Director

AMERICAN OVERSIGHT

Dr. Anthony Fauci said:

“It's less likely for a child to get infected in the school setting than if they were just in the community.”

In November 2020, former CDC Director Dr. Robert Redfield said:

“The truth is, for kids K-12, one of the safest places they can be from our perspective is to remain in school.”

The Arizona Department of Health Services' web dashboard will be updated to reflect these new criteria, and will still share all relevant data. According to the CDC’s benchmarks, grades kindergarten through sixth should be open for hybrid learning, no matter the infection rate in the community. For middle and high school, the CDC also recommends hybrid in all Arizona counties. Under these criteria, schools must offer in-person learning.

View the updated CDC guidance HERE.

View the Governor’s Executive Order HERE.

* * * * *

Senator Kelly Works to Ensure More Arizona Small Businesses Can Access COVID-19 Relief

Community Navigator programs will help Spanish-speaking, rural small business owners access aid

This week, Senator Kelly is working to ensure that more Arizona small businesses can access support as the Senate works to pass the COVID-19 relief bill. A Kelly-supported provision, included in the COVID-19 relief bill being considered this week, would establish a grant program at the Small Business Administration to help local governments, chambers of commerce, and other business organizations create Community Navigator programs to assist small businesses with the application process for the Paycheck Protection Program and other small business relief. This would include grants to organizations that provide bilingual assistance and outreach to rural and tribal businesses.

“I’ve spoken to small business owners in every corner of Arizona who are still struggling. Far too many small businesses have faced issues accessing relief,

AMERICAN OVERSIGHT

and many others, including in underserved and rural communities, have been unable to get the support they need. This Community Navigator Program will help meet Arizona small business owners where they are at, whether that is in Spanish-speaking communities, rural areas, or otherwise, and get them the support they need to keep their businesses afloat and their employees on the payroll," **said Senator Kelly.**

"Expanding how we reach our diverse small business community will be critical in ensuring Arizona's economy bounces back stronger and leaves no one behind. From the digital divide in rural Arizona to reaching tribes across our vast state, activating Community Navigator programs will allow for local trusted partners and banks to reach underserved businesses and make sure they have access to relief they need to survive," **said Kimber Lanning, Executive Director, Local First Arizona.**

Kelly wrote President Biden and congressional leaders this week urging inclusion of the Community Navigator program in the COVID-19 relief bill. At Kelly's request, provisions have also been included in the upcoming COVID-19 relief bill directing SBA to create a hotline for small business owners to call with questions about small business relief programs, and conduct targeted outreach programs to underserved communities.

Read the full polling results here.

* * * * *

Arizona Corporation Commission to Host Virtual Energy Reliability Summit Following Recent Events in Texas and California, Invites State Leaders to Attend

PHOENIX - In the wake of recent, widespread power outages in Texas and California, the Arizona Corporation Commission is hosting a virtual Energy Reliability Summit on Thursday March 18, 2021, at 9:00 a.m. and inviting state elected officials from other offices to attend. The Commission is hosting the virtual summit to ensure Arizona's grid is reliable during extreme weather conditions, including the summer of 2021. The meeting is being held virtually due to ongoing COVID-19 concerns.

Several states in the Southeast recently experienced an extreme cold weather event. In Texas, the electricity demand from customers massively outstripped

AMERICAN OVERSIGHT

supply. To alleviate issues, Texas's electrical grid operator had to shut off power to millions of Texans in the last two weeks. In addition, for those that were able to stay in power, prices for power soared to nearly 300 times above average.

Less than six months ago, similar power outages occurred in California in August 2020, when historically high temperatures swept the Western United States, which put stress on the grid. According to electric utilities, virtually every power plant in the West that was operable was running at full capacity during that time.

In addition to the worries spawned by recent events in California and Texas, the Western Electricity Coordinating Council ("WECC") recently published a report identifying resource adequacy concerns for Arizona, including summer 2021.

At the March 18 virtual summit, electric utilities such as Arizona Public Service Company, Salt River Project, Tucson Electric Power, UNS Electric, and Arizona Electric Power Cooperative will convene to discuss the recent events in California and Texas and inform state leaders how they plan to keep the lights on this summer.

The Commission will also hear from the Arizona Power Authority, which receives Arizona's allocation of power from the Hoover Dam and distributes it to public power companies across the state, including cities and towns, irrigation and electrical districts, and the Central Arizona Water Conservation District.

Additionally, the Commission will host a Question & Answer Session with the Honorable Marc Spitzer, who served on the Arizona Corporation Commission during the California energy crisis in 2000, as well as on the Federal Energy Regulatory Commission during the Texas energy crisis in 2011. Mr. Spitzer is a former Arizona State Senator and has experience serving on energy regulatory bodies at both the state and federal levels.

"Grid reliability is a matter of statewide concern," said Chairwoman Márquez Peterson. "To successfully secure Arizona's energy future, a collaborative approach is needed among all stakeholders and elected officials. We want to ensure that all energy reliability concerns have been addressed. The Arizona Corporation Commission will do its part to assure Arizonans that they will not

AMERICAN OVERSIGHT

have to experience what they witnessed in California and Texas, this summer."

"Recent events demonstrated the importance of maintaining reliable electricity services to avoid the challenges seen in California and Texas," said Commissioner Justin Olson. "The Commission's Reliability Summit will provide an important venue to address the reliability of Arizona's critical energy resources."

"This summit is about learning from the mistakes of others, so Arizona doesn't replicate the same catastrophe," said Commissioner Anna Tovar. "I want to know why the vast majority of generation outages in Texas were from conventional technology. I want to know why the Texas companies didn't invest in weatherization. And I want to know if Arizona's interconnection with other grid systems will help us avoid a Texas situation in the future. Our summers are getting hotter. That means more demand on our grid at a time when reliable electricity is most important. We need to make sure Arizona is ready for it."

"I take very seriously the Arizona Constitution's requirement that Commissioners shall preserve the health and safety of the patrons (customers) of Arizona's regulated utilities, and reliability of the power grid—keeping the lights on—is integral to that requirement," said Commissioner Jim O'Connor.

The Arizona Corporation Commission held an emergency meeting regarding the California blackouts on August 21, 2020.

The Arizona Corporation Commission held an emergency meeting regarding the Texas blackouts on February 18, 2021.

A copy of the public notice and agenda for the Energy Reliability Summit can be found here.

* * * * *

Sinema-Backed Bill Improves Security and Delivery of Unemployment Insurance During Pandemic

Legislation uses cost-effective approach giving Arizona access to state-of-the-art technology to securely deliver unemployment insurance payments to

AMERICAN OVERSIGHT

Arizonans in a timely manner

WASHINGTON – Arizona senior Senator Kyrsten Sinema cosponsored the *Unemployment Insurance Technology Modernization Act* to invest in technology to help Arizona provide timely and accurate delivery of unemployment insurance payments and better identify fraudulent claims during the coronavirus pandemic.

"Arizonans out of work through no fault of their own have spent countless hours navigating a complicated system trying to access unemployment insurance. Our legislation strengthens security and helps ensure accurate, timely delivery of unemployment payments during the coronavirus pandemic," said Sinema.

The *Unemployment Insurance Technology Act* directs the U.S. Department of Labor to work with governmental and private sector experts to develop a suite of unemployment insurance technologies and systems. This legislation utilizes a more cost-effective approach allowing Arizona to access newly developed technologies, with the flexibility of choosing which new capabilities the state wants to implement to preserve local control.

During the coronavirus pandemic, Arizona's and many states' outdated unemployment systems were not equipped to handle the increased demand and higher fraud rates. Sinema's legislation gives Arizona and states access to modernized unemployment insurance technologies.

Sinema's casework team assisted hundreds of Arizonans navigate a slow and unresponsive state unemployment insurance system, fight fraudulent unemployment insurance claims, and help legitimate unemployment insurance claimants who had their benefits denied because of broad fraud sweeps. This legislation would strengthen security and accurate and timely delivery of unemployment payments to Arizonans during the coronavirus pandemic.

* * * * *

Governor Ducey Appoints Rose Law Group Partner To Maricopa Superior Court Bench

David McDowell Has Been With The Rose Law Group Since 2014

AMERICAN OVERSIGHT

(SCOTTSDALE, Ariz.) – David McDowell, the Director of the Litigation Department at the Rose Law Group pc, as well as a partner in the firm, has been selected by Arizona Governor Doug Ducey to serve as a Maricopa County Superior Court Judge.

McDowell practiced law in Oregon and Washington before coming to Arizona in 2001, specializing in business and real estate law. In 2014 he joined the Rose Law Group, bringing his extensive experience litigating commercial and contract disputes, ADA accessibility claims, ADA compliance, ADA professional liability claims, product liability claims, construction defect claims, indemnity and insurance claims, among other services.

Most recently, David has focused on meeting the needs of local and national retailers.

In addition to practicing law, McDowell served on the Board of Trustees for the Phoenix Zoo/Arizona Center for Nature Conservation. He has volunteered his time for organizations such as UMOM and Big Brothers and Big Sisters. He also donated his time to the State Bar of Arizona's program assisting Hurricane Katrina victims who had relocated to Arizona in 2006.

McDowell said, "I am honored and humbled by the Governor's decision appointing me to the bench. I also wish to thank my friends and co-workers at Rose Law Group for all their support and encouragement."

Rose Law Group Founder and President Jordan Rose said, "It is a bittersweet moment as we are sorry to lose David, while at the same time being so proud of our friend and colleague for achieving this honor."

Rose Law Group pc is a full-service law firm based in Scottsdale providing legal representation in a diverse group of fields including, real estate, land use, family law, and immigration, to name a few. For more information on Rose Law Group pc, please visit www.roselawgroup.com.

NEWS CLIPS

Mapping commission struggles to gain momentum

AMERICAN OVERSIGHT

By Dillon Rosenblatt Arizona Capitol Times
03-03-21

The theme of the 2021 Arizona Independent Redistricting Commission is delay, as commissioners opted to push every meaningful agenda item back an additional week after the U.S. Census Bureau data was already delayed until the end of September.

After one week off, the IRC met to originally address the data delay and come up with a set of questions for the 42 people who applied to be the executive director, but not all of the commissioners were able to thoroughly look over all applications before the meeting so they will spend the next week doing so. (To read more, click here).

* * * * *

Motive behind 'ballot harvest' law crux of SCOTUS debate

By Howard Fischer Capitol Media Services
03-03-21

The question of whether Arizona gets to keep its ban on "ballot harvesting" could turn on what was in the mind of a now-ejected state legislator who first proposed the law and how that affected his colleagues.

During a two-hour hearing Tuesday, some of the justices of the U.S. Supreme Court were told that it was then-Sen. Don Shooter who first attempted in 2011 to make it a crime for anyone to collect anyone else's voted ballot and take it to polling places. That came a year after Shooter had won his 2010 election with just 53% of the vote — receiving 83% of the non-minority vote but only 20% of the Hispanic vote. (To read more, click here).

* * * * *

Arizona bill limits sex ed, discussion of sexual orientation

By Staff Associated Press
03-03-21

Arizona lawmakers are considering banning sex education before fifth grade and requiring written parental permission before discussing sexuality or gender

AMERICAN OVERSIGHT

identity in any classes.

Critics said the measure would have far reaching consequences, muzzle teachers and isolate lesbian, gay, bisexual and transgender students. (To read more, click here).

* * * * *

Arizona lawmakers can commandeer any info from anyone? Why are we letting that stand?

By Robert Robb Arizona Republic 03-03-21

Politically, I understand why the Republican members of the Maricopa County Board of Supervisors decided not to appeal the decision by Judge Timothy Thomason giving state Senate Republicans possession of ballots and voting machines.

The supervisors were in the firing line of Trumpeteers for supposedly rigging the presidential election and thwarting an investigation that would expose the perfidy. In Donald Trump's GOP, there is no reward, and ample punishment, for integrity and honesty. Thomason's ruling gave the supervisors a quasi-honorable way to get out of reach of the fusillade. (To read more, click here).

* * * * *

Our efforts to boost trade with Mexico are about to pay off (if Congress does its part)

By Fred Duval Arizona Republic 03-03-21

Among the vagaries of Arizona history, I often consider how different our economy would be if Ambassador James Gadsden's purchase of land from Mexico in 1853 had – as sought by President Franklin Pierce – included access to the Sea of Cortez and the oceans beyond.

But it was not to be. (To read more, click here).

End

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, March 4, 2021 7:08:46 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: March 4, 2021
Attachments: March 4, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Governor orders schools to go back to in-person learning in a few weeks
- House votes to let businesses make their own call on masks
- Arizona bill would help larger families save more money for college, tax-free
- Ethics panel dismisses complaint against AZ senator

Arizona Republic

- Ducey orders in-person learning: Arizona's schools must reopen by March 15
- Will Sinema support Ariz. voters or the filibuster?
- Horse tracks could doom sports betting bill in Arizona
- Researchers say more research, not panic, needed on COVID-19 variant
- Senate approves bill to drop people from early voting
- Arizona House OKs businesses ignoring local mask mandates
- Finchem, Kern file defamation lawsuit against Democrat

KTAR News

- Arizona's state-run COVID vaccine sites not opening to essential workers
- Enrollment drops for Arizona public schools, according to new report
- Republican lawmakers in Arizona House block clean energy standards
- Fired Arizona Senate aide seeks $500,000 in harassment case
- Hoffman: Gov. Ducey's order on in-person learning on track but rushed
- Arizona Senate has nowhere to store 2.1 million ballots it sued to obtain

Arizona Daily Sun

- Arizona ethics panel tosses complaint against Wendy Rogers

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Governor orders schools to go back to in-person learning in a few weeks

Arizona Daily Star
March 4, 2021
Howard Fischer

Declaring it's safe, Arizona Gov. Doug Ducey is ordering all schools to return to in-person and teacher-led instruction right after spring break or by March 15.

In an executive order Wednesday, the governor said that standards developed by the Centers for Disease Control and Prevention show that 12 of the state's 15 counties have sufficiently curbed COVID-19 to the point where it is safe. That includes the state's two largest counties — Pima and Maricopa.

'Arizona's students need to be back in the classroom,' Ducey said in a prepared statement. And he said that more than half the state's schools are open, offering at least an in-person option.

'More schools need to follow their lead and pave the way for equitable education options for every Arizona student,' he said. There is an opt-out of sorts.

Ducey's order spells out that schools must notify parents 'within a reasonable time period' that in-person instruction will resume. But it does require them to continue to offer virtual instruction for students 'upon request from a parent or guardian.'

Ducey said the threat of spread has been reduced because teachers have been given priority for getting vaccinated.

'Many have already received their second dose,' he said. 'The science is clear: It's time all kids have the option to return to school so they can get back on track and we can close the achievement gap.'

All nine of Tucson's major school districts are either already offering in-person learning or plan to by Ducey's deadline of March 15 or after scheduled spring breaks.

The order does have other exceptions.

In counties where the transmission rate is still listed as 'high' — meaning Pinal, Yavapai and Coconino — there is no mandate for in-person instruction for middle and high schools.

But the governor said that should not be taken as a license to simply continue with online instruction. And his order says that schools in those counties that already are open 'shall remain open and strictly implement mitigation strategies.'

'CDC is clear that there is a safe pathway if they implement proper mitigation strategies,' he said.

But questions remain.

'How is he going to enforce this?' asked Joe Thomas, president of the Arizona Education Association. 'How does that change the autonomy and the authority of the governing board?'

AMERICAN OVERSIGHT

State law gives a governor who declares a health emergency broad powers to take action to curb disease.

But this order does nothing of that sort. And there appears to be nothing in the statutes granting Ducey special powers during an emergency he has declared — and which remains in effect — to let him tell the more than 200 locally elected school boards to alter their plans for reopening.

The order drew a surprised reaction from Chris Kotterman, lobbyist for the Arizona School Boards Association.

'It's hard to be told you're going to do this with 12 days' notice and no advance warning,' he said.

'He did not engage in a broader stakeholder process to let us know what his thinking was because, after all, we're the ones that have to implement this,' Kotterman said. 'And now our members are going to be faced with questions from the public they don't have the answers to because they all found out at the same time.'

He said Ducey should have reached out broadly to those in the education community before issuing an order. And Kotterman said the unilateral order ignores local wishes.

'There are communities that are in general agreement that they don't necessarily want their schools to be open,' he said.

Thomas said there's another flaw in this top-down approach — and, in particular, the mandate to reopen immediately following spring break. He said some schools that actually have been open are looking at stepping back from total in-person instruction to hybrid in the week following spring break.

'They were assuming there were a lot of families that were going to travel,' Thomas said, increasing the risk of students getting exposed while on break and then coming back to school, unaware they may be carrying the virus.

Thomas also said that when schools were first closed last spring they essentially were told to come up with their own plans for how best to manage.

'All of the decision-making had been going on at the local level,' he said. 'And to now, today, have the governor step back into that space and say 'regardless of all the good work and the conversations that have gone on and everything that you've accomplished, we're all going to be on the same page in like three weeks,' we are scratching our heads.

'We don't understand what has fundamentally changed.'

It wasn't just school board members and teachers who were left out of the process.

Kathy Hoffman, Arizona schools chief, also learned about the order just as it was being issued. And she, too, has questions.

'The timing of this announcement will make it challenging for some schools that had already made plans to return to in-person instruction on a different schedule due to their local community circumstances,'

AMERICAN OVERSIGHT

Hoffman said in a prepared statement. 'To achieve stability for our school communities, it's necessary to provide them with adequate time to inform and ready their staff, students and families.'

Ducey, for his part, is relying heavily on updated guidance by the CDC, which says 'there is evidence to suggest that K-12 in-person school attendance is not a primary driver of community transmission.'

Beyond that, the governor noted the CDC says that schools can safely provide in-person instruction 'through strict adherence to mitigation strategies.'

That includes masks, physical distancing and hand washing.

While Ducey did not first reach out to educators, he already had lined up the backing of the Republican legislators who chair the health committees at the legislature, including their prepared comments in his press release.

'The data is clear — kids can go back to school,' said Rep. Michelle Udall, R-Mesa, who chairs the House panel. And Sen. Paul Boyer, R-Glendale, said the guidance 'will help ensure families that are ready to send their kids back can do so.'

The order does have an escape valve. It says that individual districts or charter schools may close — but only if the local health department advises closing the entire school due to a significant outbreak of the virus 'that poses a risk to students or staff.' Even in those cases, though, that closure also has to be approved by the Arizona Department of Health Services. And the schools must continue to offer on-site support services for students who need it during the closure.

The order actually creates three categories of schools and what they are required to do.

In any county with low or moderate transmission, it says schools will be open with both in-person and virtual instruction options. At the moment, though, only Yuma County qualifies.

Eleven counties, including Pima, are in the category of having 'substantial' risk of transmission. They have the same requirement, but with a note saying that middle and high schools 'may reduce attendance to reduce transmission and increase physical distancing.'

That leaves the three counties with high risk of transmission. There, middle and high schools that have not already reopened can continue with virtual instruction, though that is not required.

Return to the table of contents

House votes to let businesses make their own call on masks

Arizona Daily Star
March 4, 2021
Howard Fischer

A lawmaker persuaded the Arizona House to let businesses ignore mask mandates to stem COVID spread partly by arguing they weren't needed decades ago to stop the spread of AIDS.

AMERICAN OVERSIGHT

On a 31-28 party-line vote Wednesday, the Republican-controlled House approved legislation that says business owners need not enforce any state, city, town or county requirement for people to wear a mask.

The measure now goes to the GOP-controlled Senate.

The sponsor, Rep. Joseph Chaplik, a firstterm Republican legislator from Scottsdale, said his House Bill 2770 would give businesses the choice of whether to enforce the mandates that many communities already adopted.

He said consumers then would have the option of deciding if they want to do business there.

'It's about the individual rights of these business owners as Americans,' Chaplik said.

The vote came over the objections of several lawmakers who said the measure ignores evidence of how masks, properly worn, help curb the spread of the coronavirus that has so far killed half a million people in the United States, including more than 16,000 in Arizona.

Rep. Randall Friese, a Tucson Democrat who is a physician, said masks are part of the 'very basic, important tools,' along with hand-washing and social distancing, to curb the spread.

Chaplik, however, argued that the mandates are an overreaction and that society has managed to survive other viral outbreaks without masks.

For example, he cited HIV 'that was going to wipe our global destruction of human bodies with AIDS.'

'We heard about that in the '80s,' Chaplik said. 'Yet no masks were required.'

Medical consensus is that HIV, the virus that causes AIDS, is spread through exchange of bodily fluids, usually through sexual transmission or through the sharing of infected needles. It is not spread by air or water, the U.S. Centers for Disease Control and Prevention says.

Chaplik went on to tell colleagues to look at what's happening elsewhere, as he tried to disprove the claims that masks help prevent COVID-19 spread.

'Nebraska never had a mask mandate,' he said. He said the same is true in places like Mississippi and Georgia.

'I would think that based on these arguments these states would have dead people piled up all over their state because no one else would be living because no one has masks on,' Chaplik continued.

Rep. Bret Roberts, R-Maricopa, made a similar claim. Roberts said he's heard a figure that something like 90% of Arizona is covered by some local mask mandate, even though there is no statewide mandate.

'If they work, how are people still catching COVID?' Roberts asked.

Other Republicans who voted for the bill did not openly challenge the effectiveness of masks, properly worn, in preventing the spread of disease.

AMERICAN OVERSIGHT

Instead, they said the legislation is a matter of individual rights. 'It allows adults to be adults,' said Rep. Kevin Payne, R-Peoria.

Rep. Travis Grantham, R-Gilbert, echoed that sentiment.

'The bill doesn't say 'masks don't work," he said. 'The bill gives business owners ... the right to make a decision.'

Rep. John Kavanagh, R-Fountain Hills, had a slightly different take.

'This bill is simply about not making 16-year-old waiters and waitresses police officers enforcing a criminal mask statute,' he said.

Rep. Diego Rodriguez, D-Phoenix, said Chaplik is wrong in arguing that mask mandates are an example of government overreach.

'Mask mandates are a textbook example of the government ensuring one of its fundamental purposes, which is guarding the public health and safety,' Rodriguez said. He said allowing people to ignore such an order sends a bad message.

'What you are essentially saying is that individual business owner has the right to place every other member of his community at risk of infection,' Rodriguez said. 'It won't matter if other businesses insist on a mask if two or three or even one seller decides not to use a mask because you nullify the effect of the unified effort.'

But Rep. David Cook, R-Globe, said the purpose of the bill is simple.

'It's driven to the free-market and property rights issue given your constitutional rights to pursue your dreams in this country and in this state,' he said.

This is a difficult decision, said Rep. Joanne Osborne, R-Goodyear, who owns a jewelry store with the family name.

She said her employees wear masks. Despite that, some did get sick, forcing the closure of the store.

'I have had friends die of COVID,' Osborne said. And she said that, as a member of the board of a local hospital, she has seen the effects of the disease.

Osborne also said there are other mandates on business that are accepted, like having sprinklers and fire extinguishers.

But Osborne, who provided the crucial — and required — 31st vote for the measure, said she had to side with her colleagues.

'I'm no communist,' she said.

'The bill doesn't say 'masks don't work.' The bill gives business owners ... the right to make a decision.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona bill would help larger families save more money for college, tax-free

Arizona Daily Star
March 4, 2021
Howard Fischer

A House panel approved legislation Wednesday designed to create a greater college- savings tax break for larger families — if they have the money to set aside in the first place.

Senate Bill 1135 deals with federally recognized college savings plans. Better known as 529s, based on the section of the Internal Revenue Code, they allow savings to grow tax free if used for higher education.

Arizona adds its own incentive, giving individuals a tax deduction of up to $2,000 for those contributions against their state adjusted income used to compute their taxes. For married couples filing jointly, the maximum deduction is $4,000.

SB 1135 would allow those deductions on a per-child basis.

So a couple with two children could set aside — and take a deduction — of up to $8,000 a year. For three kids, the cap would hit $12,000, and so on.

Sen. David Livingston, R-Peoria, who wrote the measure, said it fixes what he called a 'discrimination issue.'

'Right now, you could have three or four kids, but you could only donate and write off one,' he said.

Livingston told the House Ways and Means Committee that the change shouldn't cost the state a lot of lost revenue. He said figures provided by the Revenue Department show that under existing laws, the average deduction for these 529 accounts is only about $1,200.

'So families aren't even getting to the $2,000 or the $4,000,' Livingston said. 'But for the few families that could, I don't think we should discriminate if they have more than one kid.'

It isn't just parents who are eligible.

Grandparents can take the same deduction. So a couple that has eight grandchildren could, at least theoretically, get a $32,000 reduction in the amount against which their state income taxes are computed.

All that bothered Rep. Mitzi Epstein, D-Tempe.

She noted that Arizona has a progressive tax rate: The more someone earns, the higher the tax bracket. What that means, she said, is that a $4,000 deduction taken by a person of means creates a bigger dollar break in taxes owed than someone who has less taxable income and gets that same deduction.

'Middle income folks are so tired of this,' Epstein said. 'We're tired of missing out on the benefits.'

AMERICAN OVERSIGHT

That did not concern Rep. Steve Kaiser, R-Phoenix. He said people at the top of the bracket already are paying more.

And Kaiser said he would be happy to support legislation to create a flat tax rate, something Democrats generally oppose.

But Epstein had other problems with the bill.

She pointed out that a 2017 change in federal law now allows people to use 529 plans for tax-free distribution of expenses for private, public or religious schools of up to $10,000 a year.

Epstein said that amounts to another way for parents to get tax benefits for sending their children to private and parochial schools. She said any money the state does not receive in income taxes means less money for students in public schools.

'It's wrong to hurt the other children. I'm asking you to think about the children whose parents cannot afford private school tuition. This bill takes away from them,'

Epstein said, calling the measure 'another voucher scheme.'

The measure, which already cleared the Senate, was approved by the House panel on a 6-4 party-line vote and now awaits action by the full House.

Return to the table of contents

Ethics panel dismisses complaint against AZ senator

Arizona Daily Star
March 4, 2021
Howard Fischer

State senators won't pursue action against firstterm lawmaker Wendy Rogers over her interactions with a nowfired staffer.

On a party-line vote, the three Republicans on the Senate Ethics Committee concluded that there was no 'clear and convincing evidence' that the Flagstaff Republican had violated any rules of conduct in her interactions with Michael Polloni. That is the standard a staff attorney says committee members must use in determining the truth. But the two Democrats on the committee suggested their Republican colleagues were reading the rules in too narrow a fashion.

Sen. Kristen Engel, D-Tucson, pointed out that those rules include 'any improper conduct that adversely reflects on the Senate.' And Sen. Victoria Steele, D-Tucson, said there is more than enough evidence here to back that up.

The most notable, she said, was the allegation — corroborated by another Senate staffer — that Rogers yelled at and berated Polloni. She even cursed at him and told him his feelings don't matter because 'you work for me.'

AMERICAN OVERSIGHT

Steele also noted that others saw him crying and that he asked for help, including having a staff supervisor in the meeting with Rogers.

'I don't want assistants in this building thinking that it's OK for them to be treated this way,' she said, noting Polloni was later fired. 'That sends a really chilling message to the people who work here.' She also pointed out other evidence, corroborated by text messages, that Rogers was pressuring Polloni to perform work while he was out with COVID-19 and had been told by his Senate supervisor to remain home to recover.

Unable to marshal the votes for a hearing to consider whether Rogers should be disciplined, Engel tried a fallback position: Dismiss the complaint but recommend that the senator complete four hours of coursework on proper supervisory conduct within the next four months.

That fared no better among the committee's three Republicans.

Sen. Vince Leach, R-Tucson, said the only power the committee has is to investigate allegations and decide whether there is evidence to recommend some disciplinary action to the full Senate. That can include everything from a reprimand and censure.

What it can't include, he said, is a requirement — or even a recommendation — for some form of training.

And Sen. Tyler Pace, R-Mesa, said there's no reason to pursue a further hearing.

He said the investigative report gives members of the committee all they need to know about what

happened. Pace said moving ahead with a hearing would accomplish nothing other than to have Rogers and Polloni, both now represented by lawyers, spend a lot of time and money questioning and cross-examining witnesses.

Adam Kwasman, who is Polloni's attorney, filed a $500,000 claim Wednesday against the state.

Kwasman said before the claims was filed the amount is justified.

'He dropped out of school for her,' Kwasman said of Polloni who had been enrolled at Northern Arizona University, first to volunteer for her successful campaign and then, at her request, to serve as her Senate assistant. 'He put his life on hold for her.'

And Kwasman said there's a legal basis for litigation.

'She fired him for not breaking the law,' he said, a reference to Polloni's complaint that he was asked to do campaign work on state time.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Ducey orders in-person learning: Arizona's schools must reopen by March 15

Arizona Daily Star
March 4, 2021
Rachel Leingang

Gov. Doug Ducey has ordered that all schools must return to in-person learning this month, saying "students need to be back in the classroom."

The move comes about a year after schools initially closed in-person classes to help limit the spread of COVID- 19. Since then, the decisions on when and how to reopen have largely been left in the hands of local districts.

Ducey issued an executive order Wednesday that calls for all schools to reopen in-person learning by March 15, or after spring break.

It provides exceptions for middle and high schools in counties that have high transmission as defined by the Centers for Disease Control and Prevention. This applies to Coconino, Yavapai and Pinal counties, the Governor's Office said.

"More than half of Arizona's schools are open and offering in-person options. More schools need to follow their lead, and pave the way for equitable education options for every Arizona student," Ducey said.

Students could still opt to attend classes online if their parent or guardian thinks that is best.

The order comes as the CDC updated its guidance on school reopening in February.

Educators, including K-12 teachers and other school staff, are prioritized for the COVID-19 vaccine in Arizona. It's unclear what percentage of educators have received both doses so far.

Most of the state's students have had in-person options for schooling this year. But Arizona's students of color were less likely than white students to attend schools that have opened in some capacity for in-person learning since September, according to an analysis conducted by The Arizona Republic in January.

A change in approach for Ducey

Ducey's executive order changes course from how the governor has handled school reopening decisions thus far in the pandemic. The decisions largely were in the hands of school boards and administrators, who have assessed local conditions and the needs of their communities. Many offer hybrid learning, a mix of both in-person and online options.

The Arizona Department of Education supports schools strategically reopening or expanding in-person learning, Superintendent of Public Instruction Kathy Hoffman noted in a press release after the order was announced.

AMERICAN OVERSIGHT

But the order's timing makes it "challenging" for some schools who may already have plans in place that correspond with their local circumstances, Hoffman said.

"As a state, we should be collaborating to provide as much preparation and planning time as possible ahead of significant changes to school operations. To achieve stability for our school communities, it's necessary to provide them with adequate time to inform and ready their staff, students and families," Hoffman said.

The department plans to provide schools with support to implement the requirements. Schools on tribal nations that have orders in effect for students to maintain distance learning are not affected by the order, Hoffman said.

Some Republican lawmakers quickly voiced support for reopening schools. Rep. Michelle Udall, R-Mesa, who chairs the House education committee, supported the move.

"Many students have fallen behind, especially those in low-income communities. The governor's order will protect students' needs, while following CDC guidance," she said in a statement.

Arizona Senate Republicans strongly supported the executive order, the chamber's members said in a press release. They noted that most Arizona schools offer some in-person learning, while others prevent students from having an in-person experience.

"Our teachers have been given priority to receive vaccinations. The longer schools wait to return, the farther behind our students will fall," the Senate Republicans said.

Teachers union questions order Joe Thomas, the president of the Arizona Education Association, a teachers union, questioned why the governor's stance on local control had changed and how the order would be enforced.

Teachers want to be back in classrooms, too, but they want to make sure returns are done safely in their communities, he said.

"Nobody wants to be back there more than our educators and all the professionals that serve our students," Thomas said.

Thomas also said teachers want to ensure the return to classrooms is sustainable, and that students aren't pulled in and out of school over and over as transmission rates change. Some districts have plans in place to return to hybrid or in-person learning after spring break to account for any potential travel among students, and it's unclear how those plans are affected, he said.

"For a year, we've had a governor that has told the districts, 'Figure this out,' and stayed out of it, even when districts were looking for some statewide leadership. ... Now, the governor comes out and says, 'Here's this new mandate and we're all gonna be there in a few weeks.' I just, I don't understand it," Thomas said.

Return to the table of contents

AMERICAN OVERSIGHT

Will Sinema support Ariz. voters or the filibuster?

Arizona Republic
March 4, 2021
EJ Montini Columnist

Arizona Sen. Kyrsten Sinema may soon have to decide if she will be a champion for Arizona voters, and those across the nation, or a shill for an outdated obstructionist Senate rule.

There is a bill in the U.S. House, H.R. 1, which may be the last best chance to stop the widespread voter suppression efforts going on in states with GOPcontrolled legislatures. Like Arizona.

The bill, called the "For the People Act," would do things like provide automatic voter registration, restore the Voting Rights Act, protect against purges (as we're seeing here) and inhibit gerrymandering of congressional districts.

It has a decent chance to make it through the House. The Senate is another story. The filibuster rule requires a 60-vote majority to pass legislation.

Sinema, along with West Virginia's Joe Manchin, are the most talked about Democrats in the Senate who support the rule. Others are less vehement in their support.

Sinema recently released a statement saying, "I have long said that I oppose eliminating the filibuster for votes on legislation. Retaining the legislative filibuster is not meant to impede the things we want to get done. Rather, it's meant to protect what the Senate was designed to be.

"I believe the Senate has a responsibility to put politics aside and fully consider, debate, and reach compromise on legislative issues that will affect all Americans. Therefore, I support the 60-vote threshold for all Senate actions. Debate on bills should be a bipartisan process that takes into account the views of all Americans, not just those of one political party."

A poll by Data for Progress and Vote Save America found widespread support for H.R. 1 — 70% of Democrats, 68% of independent and third party voters, and 57% of Republicans.

The bipartisan Brennan Center for Justice at New York University Law School called the bill the most significant voting rights and democracy reform in more than half a century.

In 2017, the Republican-controlled Senate lowered the threshold for confirming nominees to the Supreme Court to 51 votes. The same could happen now if the Senate created an exception for voting rights.

But that would require support from Sinema and Manchin.

There are around 20 GOP-sponsored voter suppression bills being considered in the Arizona Legislature. There are dozens more in other states.

"The Senate has a responsibility to put politics aside and fully consider, debate, and reach compromise on legislative issues that will affect all Americans," Sinema said in support of the 60-vote rule.

AMERICAN OVERSIGHT

On the other hand, what if a minority in the Senate choose not to compromise, even knowing it would negatively affect American voters?

Return to the table of contents

Horse tracks could doom sports betting bill in Arizona

Arizona Republic
March 4, 2021
Ryan Randazzo

A measure to allow sports betting in Arizona has hit a snag in the Senate, where a lawmaker has tied the bill to expanded gambling at horse tracks. That move could doom its fate.

However, Arizonans could still see sports betting if a separate bill in the House advances.

Sports betting has wide support among the public as well as from Republicans and Democrats at the Arizona Legislature, and from the governor.

In years past, any gambling expansion outside Native American reservations has faced opposition from the state's tribes. Gov. Doug Ducey has won support from tribes for sports betting this year by agreeing to allow tribes to expand their casinos and gambling offerings in exchange for their support of identical sports betting bills introduced in both chambers of the Legislature.

But despite widespread support, Senate Bill 1797 has encountered a roadblock. It was held in the Senate Appropriations Committee, chaired by Sen. David Gowan, R-Sierra Vista. Gowan then took the bill allowing sports betting, and added it to a bill that allows expanded gambling at horse tracks, which tribes oppose.

Senate Bill 1794 would allow "historic horse racing," where gamblers wager on previously run horse races on slot-machine like terminals. The races don't need to be rerun since they already took place. That makes the pace of betting faster and the house takes a cut of the overall betting pool.

Expanding gambling at horse tracks does not have broad support like sports betting, and the bill is unlikely to become law, because Democrats will vote against it, tribes oppose it, and the governor is not likely to sign any bill that sinks his negotiations on the tribal gaming compacts.

It squeaked out of the Senate Appropriations Committee on a 5-4 vote, with Democrats opposed, on Feb. 23. Sen. Kelly Townsend, R-Mesa, approved the bill but said she "very likely" will not vote to pass it on the Senate floor, saying she opposes all gambling expansions.

"I have some concerns with some of the people pushing this bill," Townsend said. "I won't name names. It leaves a bad taste in my mouth all around."

Democrats on the committee questioned whether allowing historic horse racing would trigger a "poison pill" in tribal gaming compacts, meaning if off reservation gambling expands without the tribes' consent then the tribes can expand their operations outside of the state compacts.

AMERICAN OVERSIGHT

Arizona's tribes have gaming compacts with the state that expire over the next few years. The governor is renegotiating those to amend and extend them for 20 years. The last update was approved by voters in 2002 with Proposition 202, which established a framework for state gambling.

Prescott Valley track needs boost

But a horse track in Prescott Valley appears to need the historic horse racing bill to boost business.

A January report to the Arizona Department of Gaming says that Arizona Downs doesn't have enough money to pay its current debts, and is "insolvent." The track is one of three that operate in the state in addition to two county fairs that normally have racing. All suspended races last year amid the pandemic.

Arizona Downs also operates offtrack betting at multiple bars in the state including four in Phoenix.

Arizona Downs has a potential buyer, a company called ELS Gaming, but the report to the Department of Gaming says that ELS is unlikely to purchase the 80% stake in the track as planned if the Legislature doesn't allow expanded gambling at state horse tracks.

"If the bill does not pass in the Arizona Legislature, there is a strong possibility that ELS Gaming will not exercise its purchase option," stated the financial report on the track from Keegan, Linscott and Associates for the gaming department. "The Company does not currently have alternative financing arrangements in place should ELS Gaming decide not to acquire an 80% interest."

Tom Auther, managing member of JACOR, the owner of Arizona Downs, said the information in the Gaming Department report was somewhat out of date.

He said the track's operations were not in jeopardy, and Tuesday afternoon, the track announced a deal with Peninsula Pacific Entertainment to conduct 32 race days this year, from June to September.

But he said that offering historic racing would nonetheless help the business.

"We would like for that bill to pass," he said.

Meanwhile, neither the House sports betting bill nor the Senate horse track bill have moved in days.

Sports betting might still have a chance in House Bill 2772. To avoid Gowan's committee and entangling sports betting with historic horse racing, the bill sponsored by Rep. Jeff Wen-inger, R-Chandler, would need to pass a floor vote in its own chamber, then move to the Senate and not be assigned to Gowan's committee.

The benefit of introducing mirror bills in each chamber is to avoid such moves from one chamber to another, but it also gives supporters two opportunities to navigate the Legislature.

Gowan did not return a request for comment.

Ducey still confident in plan

Ducey is not losing faith in getting what he wants in sports betting and new tribal compacts.

AMERICAN OVERSIGHT

"Nothing is easy in politics or in the legislative process," Ducey said in an interview with The Republic's political podcast, The Gaggle, this week. "This has been, over the course of time, somewhat of a hot-button issue."

He said despite the trouble with the bills, accomplishing a "modernization" of gambling in the state is likely.

Arizona tribes can offer only card games such as blackjack and poker under the current agreements. The amendments Ducey has negotiated would include new games such as baccarat, craps, roulette and mobile gaming, according to the Governor's Office.

Meanwhile, the sportsbook bills Ducey supports would allow for 10 license holders to set up sportsbooks in or near major sports stadiums, as well as provide 10 licenses to tribes to set up sportsbooks. Online and mobile betting on sports would be allowed.

The sportsbook license holders could contract with online wagering companies such as FanDuel Group or DraftKings, both of which support the measure.

Twenty states and Washington, D.C. now allow sports betting, while it's legal but not yet operational in five others. Fourteen more states have pending legislation, according to the American Gaming Association.

The bills also would allow organizations like veteran's groups to host fantasy- league gambling, and add a keno game to the state lottery.

"There's a lot of different things you can point at that will be much more difficult or troublesome," Ducey said of the effort to expand gambling. "Let this breathe a little bit. We are going to be transparent on this."

Reporters Ronald J. Hansen and Yvonne Wingett Sanchez contributed to this report.

Return to the table of contents

Researchers say more research, not panic, needed on COVID-19 variant

Arizona Republic
March 4, 2021
Amanda Morris

A new coronavirus variant first found in California is slowly spreading in Arizona, and researchers say the state should keep an eye on it and monitor emerging research.

In Arizona, the variant detected in California currently accounts for roughly 25% of all cases analyzed by Arizona State University and roughly 15% of all cases analyzed by the Translational Genomics Research Institute.

One study from the University of California San Francisco and the nonprofit Chan Zuckerberg Biohub suggested that this variant may be more transmissible, but experts say more research is needed to see whether it carries any meaningful mutations.

AMERICAN OVERSIGHT

A UCSF researcher told the Los Angeles Times that his team's data suggests that the variant detected in California may be associated with more severe disease and weaker immune system protections. UCSF scientists told the Times that, in their studies, the variant reduced antibody responses — the body's tool to recognize and fight the virus — by half.

That data is not yet publicly available because the non-peer-reviewed study has not been published. In response to a request for an interview and information on the study, a university spokesperson said researchers are not doing any further interviews until the study publishes.

Other science experts say there is not enough evidence yet to make such claims and that the variant first detected in California is not currently of great concern, but is simply one that warrants further study.

Those experts say further research and data is needed before sounding the alarm, pointing to UCSF researchers' small sample sizes, which may not reflect the larger population, and use of petri dish studies, which may not reflect the real-world effect of the variant.

If the variant does reduce antibody responses by half, Deepta Bhattacharya, an associate professor of immunology at the University of Arizona College of Medicine in Tucson, said there's no reason to panic. Current vaccines should still work because data suggests people are still protected even when there is a very low level of antibody response.

"The surprising finding is the level of protection people get after that very first shot," he said. "That was a pretty happy surprise there, because there's not a whole lot going on immunologically at that point, these antibodies are pretty low."

He added that if a second vaccine shot then boosts antibody responses by ten- or twentyfold, then a twofold loss in antibodies "doesn't matter."

Setting a risk level for variants

Variants are considered more worrisome if they develop mutations that make them more likely to spread, weaken vaccines or make people sicker, according to Mark Zeller, a post-doctoral associate at the Andersen Lab at Scripps Research, a San Diego-based infectious disease research laboratory.

With thousands of variants, both Zeller and Bhattacharya argued that each one should be categorized by its risk level , like hurricanes are classified.

The World Health Organization said on February 25 it was developing categories for variants that include "variants of interest" versus "variants of concern," with the latter requiring a higher amount of evidence. A variant of concern means the virus has picked up an important change, said David Engelthaler, director of the Translational Genomics Research Institute's infectious disease division in Flagstaff.

Zeller believes the only variants of concern now are the variants first identified in the United Kingdom, South Africa and Brazil, which have raised alarms because of greater transmissibility and potential challenges for vaccines. The variant first detected in California is a "variant of interest," he said, but he cautioned against over-hyping early research.

AMERICAN OVERSIGHT

“If you just cry wolf all the time, the moment there’s a real variant that’s really concerning … it’s hard for the general public to follow what’s going on,” he said.

Researchers first noticed cases of the variant detected in California in Arizona in December, according to Engelthaler. In the first batch of samples TGen analyzed, Engelthaler said the variant accounted for a low level of cases.

Similarly, Arizona State University virologist Efrem Lim said the variant first detected in California only accounted for 9.4% of analyzed samples in December, whereas it accounted for 16.1% of samples in January and 27.1% of samples in February.

Both Engelthaler and Lim said there’s not yet enough direct evidence to prove that the variant first detected in California is more transmissible. Engelthaler believes that Arizona’s proximity to California may have given the variant a greater chance to spread in the state than the variant first detected in the U.K., which is known to be more transmissible.

The variant first detected in the U.K. currently accounts for less than 1% of analyzed samples in Arizona, according to a data dashboard that tracks different variants in the state.

There’s not yet a good comparison of how well the variant first detected in the U.K. spreads versus how well the variant first detected in California spreads, but Zeller believes the variant first detected in the U.K. spreads more easily and will eventually take over as the dominant one in the state.

“We’ll have to see,” he said. “It’s sort of like a boxing match right now.”

He added that the prevalence of the variant first detected in the U.K. in California is steadily increasing and expects the number of those cases to double every week.

Zeller said the variant first detected in California has been around for months yet didn’t really start to take off until December, while the overall COVID- 19 case surge in California started in late October.

“This suggests the surge might not have been entirely driven by the California variant but it’s more like the other way around, that during the surge, the California variant was sort of dragged along,” Zeller said.

Zeller said the variant first detected in California may still be more transmissible, but he doesn’t think the effects are dramatic. If they were, he believes the variant would have caused a bigger surge. Instead, COVID-19 cases are dropping in California, even though the California variant accounts for a large portion of cases in the state.

Mutations occur often

Researchers can spot strains worth investigating by seeing which ones are becoming more prevalent or by paying attention to where mutations are located, Zeller said. In general, mutations in the spike on the outside of the virus, which it uses to attach to and infect cells, are more important, according to Engelthaler.

“When a strain does pick up multiple mutations in the spike protein, you’re just increasing the chances that one of those is going to have a profound effect,” he said.

AMERICAN OVERSIGHT

The variant first detected in California has three mutations in the spike, one of which could be more significant, Engelthaler said. It's known as the L452R mutation and is located close to the area of the spike that attaches to cells, so he said it could cause faster or more efficient virus infection and replication.

There's no direct evidence proving that this mutation does anything so far, he said.

"These kind of mutations happen all the time in the spike protein, and we think most of the time, they don't do much," Engelthaler said.

There is some evidence that suggests the variant first detected in California spreads faster and may have an ability to evade some antibodies, he said.

One peer-reviewed study found that the mutation made the virus more resistant to monoclonal antibodies, a type of treatment in which lab-made antibodies are used to neutralize the virus. That suggests the variant first detected in California with this mutation is resistant to antibodies, Lim said.

Researchers know some mutations are significant, such as the E484K mutation, which has been seen in the variants first detected in South Africa and Brazil, as well as one of the two new variants recently discovered in New York.

"I think the New York variant is slightly more concerning than the California variant because it rose very rapidly and it has this evil E484K mutation which is known to evade immunity," Zeller said.

The E484K mutation is also located in the spike of the virus and could reduce antibody response. One study from Seattle showed that it caused the neutralizing effects of antibodies to decrease by tenfold. The study has not undergone peer review, but numerous other studies have shown similar results.

Another variant first detected in New York shows a mutation called S477N, which is located near the E484K mutation. That means it could have similar effects on antibodies, Zeller said, though he suspects that it is less important for antibody responses.

"The direct effects are less clear and I'm more concerned about E484K in this regard," Zeller said.

People shouldn't overreact

So far, no cases of either variants first detected in New York have been detected in Arizona. The goal of researchers is to identify variants of interest or concern through genetic analysis so that necessary interventions can be made, Zeller said. As vaccinations increase around the country, Engelthaler said it will be harder for many variants to survive.

"It's going to start to whittle down to the most successful few, and those are going to be the ones that are going to hang around," Engelthaler said.

"Variants of concern does not mean variants of panic," he said.

With variants of concern, people at risk who haven't been vaccinated or built up immunity will need to be protected and keep following public safety recommendations, he said.

AMERICAN OVERSIGHT

"In the big scheme of things, none of these variants should really affect what we're doing right now," ASU's Lim agreed. "Washing your hands, keeping your distance, getting vaccinated, wearing a mask, all those things are important."

Vaccines don't increase mutation rates for the virus or cause mutations in the virus, Lim said, noting that mutations are just a result of the virus making mistakes when it copies itself in a host.

The more people get vaccinated, the less likely mutations become, according to Bhattacharya, because if fewer people are infected, there are fewer chances for the virus to mutate.

Even if certain variants raise more concerns, Lim said scientists can always update vaccines.

Most people don't need to keep track of or worry about every new coronavirus variant, just as they don't need to keep track of every new influenza strain. Lim expects that the variants seen in Arizona will continue to shift in the coming months, with some becoming less or more of a concern and less or more prevalent over time.

It's likely that new variants will crop up in the coming months, but most shouldn't be a cause for concern unless there is strong evidence indicating otherwise, according to Bhattacharya.

"A new variant is innocent until proven guilty," Bhattacharya said.

Return to the table of contents

Senate approves bill to drop people from early voting

Arizona Republic
March 4, 2021
Andrew Oxford

The second time appears to be the charm for a proposal to drop some people from the permanent early voting list.

After voting down the measure two weeks ago, the Arizona Senate on Tuesday approved a bill to remove voters from the list who do not vote early in four consecutive primary and general elections.

Republicans backing the bill argue it will merely ensure the list is up-to-date and accurate.

But Democrats contend it could kick hundreds of thousands of voters off the list who may skip an election for innocent reasons, such as not liking the choice of candidates, and is ultimately meant to drive down turnout after President Joe Biden's victory here last fall.

Other critics have noted that the measure would apply to independents — about one-third of the state's voters — even though they may not be inclined to participate in primaries because they are not affiliated with a party.

Following the 16-14 party-line vote on Tuesday, Senate Bill 1485 heads to the House of Representatives.

AMERICAN OVERSIGHT

The Senate previously blocked the legislation when Sen. Paul Boyer, RGlendale, sided with Democrats in a 15-15 vote. The bill's sponsor, Sen. Michelle Ugenti-Rita, later said she was working with Boyer to address his questions. She had also moved to recall a bill Boyer sponsored and that the Senate had passed.

Ugenti-Rita, R-Scottsdale, revived the voting bill last week as an amendment to an unrelated bill pending in the Appropriations Committee.

Currently, voters are removed from the list if their registration is canceled or moved to inactive status, a notice sent to their residence is returned undeliverable or when they ask to be removed.

"There is an expense associated with that — with mailing the ballots out, with personnel you have to have on file, assuming folks will mail their ballots back," said Sen. J.D. Mesnard, R-Chandler. "But if four election cycles go by where they do not, what this legislation says is we're going to send you a notice that says apparently you are not interested in voting — maybe not at all — but certainly not by mail."

Democrats raised concerns again on Tuesday, however, that the bill can be read two ways.

In one interpretation, it calls for removing voters from the permanent early voting list who do not vote early in four elections — two consecutive primary elections and two consecutive general elections.

Ugenti-Rita, R-Scottsdale, said this is the intention and the best way of drafting the bill, according to the Legislature's lawyers.

But Sen. Martín Quezada, D-Glendale, argued the bill could also be read as calling for a voter to be removed if that voter misses just one election in four.

"If you actually read the language, you can read it both ways," he said.

Coming amid a flurry of other bills following President Donald Trump's defeat in the state, including proposals to effectively end voting by mail, Senate Minority Leader Rebecca Rios called the measure "sore-loser legislation."

"At the end of the day, folks are going to find a way to turn out but we are left with the shame of attempting over and over and over to disenfranchise voters because we didn't like the way they voted," said Rios, D-Phoenix.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona House OKs businesses ignoring local mask mandates

Arizona Republic
March 4, 2021
Andrew Oxford

The state House of Representatives voted Wednesday to let businesses ignore local mask requirements that several cities and towns have embraced amid a pandemic that has killed more than 16,000 people in Arizona.

The proposal's sponsor said House Bill 2770 would merely give businesses a choice of whether to enforce the public health measures and give consumers a choice of whether to patronize businesses that do so.

"It's about the individual rights of these business owners as Americans," said state Rep. Joseph Chaplik, RScottsdale.

But Democrats said the bill was plainly dangerous as the number of new cases and deaths decline but remain above the levels seen over the summer.

"We are not done with this pandemic. There are new variants coming in. It's great people are getting vaccinated. But we need to be vigilant," said Rep. Kelli Butler, D-Paradise Valley.

The measure narrowly passed along party lines, 31-28 with Republicans in favor and one member not voting, and now moves to the state Senate.

Public health officials have urged the use of masks to prevent the spread of COVID-19.

But several Republican legislators have flouted the Capitol's own public health precautions and argued Wednesday, contrary to public health research, that masks are not effective

and that some people who died of COVID- 19 had not actually died from the disease.

The North Phoenix Chamber of Commerce and Arizona Petroleum Marketers Association, which represents convenience stores, backed the bill. The Arizona Medical Association and the labor union representing grocery store workers opposed it.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Finchem, Kern file defamation lawsuit against Democrat

Arizona Republic
March 4, 2021
Andrew Oxford

Two Republican politicians are suing state Rep. Charlene Fernandez, alleging defamation after she signed a letter with other Democratic lawmakers urging the U.S. Department of Justice to investigate them for joining rallies in Washington, D.C. the day a mob stormed the Capitol.

AMERICAN OVERSIGHT

Rep. Mark Finchem and then-Rep. Anthony Kern both have said they were outside the Capitol on Jan. 6, when rioters disrupted the certification of the presidential election. And both have denied any wrongdoing.

But Democrats have condemned the duo, with every member of the party's caucus in the Legislature signing a letter to the acting U.S. Attorney General on Jan. 12 that said evidence indicates Finchem and Kern "encouraged, facilitated, participated and possibly helped plan this anti-democratic insurrection."

Lawyers for Finchem, R-Oro Valley, and Kern, R-Glendale, called the Democrats' letter a smear, filing suit Friday in Yuma County Superior Court. Fernandez resides in Yuma.

"The purpose of the First Amendment is to facilitate and encourage robust debate. Its purpose is not to encourage or facilitate baseless charges of criminal acts by one's political adversaries, for base political purposes. That is the stuff of banana republics," attorney Alexander Kolodin wrote in a complaint that included various allegations about the 2020 election and more than one reference to deceased organizer Saul Alinsky.

The lawsuit also expands on the duo's account of their activities in Washington, D.C. the day of the Capitol riot, contending Finchem was "never closer than what he perceived to be several hundred yards from the Capitol building." He previously said he was 500 yards from the structure.

The lawsuit also said the lawmaker "neither fomented nor witnessed any violent activity" and only learned the Capitol was breached later in the day. But text messages he has since released show a contact among protest organizers sent him a message after he reached the area stating, "They are storming the capital, I don't think it safe."

As for Kern, the lawsuit said he heard what sounded like flash bang grenades before reaching the Capitol on Jan. 6 and left the area for about an hour.

Kern later returned, around 4 p.m., the lawsuit states.

Walking around to the west side of the Capitol, "he witnessed some disorderly conduct by a number of protesters," the lawsuit said.

The lawsuit said that he did not "foment any disorderly or violent activity."

In their letter, Democrats pointed to social media posts, such as one in which Finchem shared a photograph of a crowd on the Capitol steps with the message: "What happens when the People feel they have been ignored, and Congress refuses to acknowledge rampant fraud."

Democrats also noted Finchem's connection to Ali Alexander, an organizer of the Stop the Steal rally. Text messages Finchem has since released show he was in direct contact with Alexander during his time in Washington, D.C.

But Finchem and Kern had refused to turn over records from their travels under Arizona's public records laws, citing in part concerns about the threat of federal prosecution.

Kern has since left office after losing a campaign for re-election.

AMERICAN OVERSIGHT

It remains unclear whether the duo intend to sue other legislators.

Fernandez was just one of 43 Democratic legislators to sign the letter, though. Her name appears on the second page of signatures.

The lawsuit said Fernandez co-authored and published the letter. And they claimed Fernandez was motivated by animus, contending she made “disparaging comments” about Kern, such as by accusing him of vindictively holding Democratic bills in a committee he chaired.

But Finchem and Kern face a high bar under free speech laws.

Not least, as public officials who inevitably come in for more scrutiny due to their work, they would likely have to prove Fernandez’s statements were false and that she knew those statements were false.

Lawyers for Finchem and Kern did not respond to a message Tuesday.

Robbie Sherwood, a spokesman for the House Democrats, said Fernandez had not been served with a lawsuit.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona's state-run COVID vaccine sites not opening to essential workers

KTAR News
March 4, 2021
Kevin Stone

Arizona's state-run COVID-19 vaccination sites have shifted focus to doling out shots by age, leaving counties to determine when other priority groups become eligible.

"Counties are really responsible for prioritizing those vulnerable communities and those front-line essential workers," Dr. Cara Christ, director of the Arizona Department of Health Services, said Wednesday during the launch of the fourth state-run site at Chandler-Gilbert Community College.

"So they will still be working on community-based PODs [points of dispensing] and community strategies for vaccinating some of those high-risk individuals."

Christ said the new "hybrid" approach will get vaccines to some members of vulnerable populations faster than previously expected.

"When we move down to 55 years and above, we are covering approximately 60% of all Arizonans that have a medical condition. When we move down to 45 and above, we're hitting about 70-80% of every Arizonan that has a medical condition when we include those age groups," she said.

"So it made sense to quickly move through those age categories because we are going to be able to hit a lot of high-risk individuals a lot sooner."

On Monday, Arizona officials announced the state-run sites were lowering the age cutoff by 10 years to 55. The first batch of 50,000 appointments for that cohort at State Farm Stadium in Glendale and Phoenix Municipal Stadium were filled in about two hours Tuesday.

"We are focusing primarily the age categories at the state-run sites, the large PODs, just because of the efficiency and able to do that," Christ said.

Christ said Arizona vaccine providers that are part of the Federal Retail Pharmacy Program will also lower their age requirement to 55.

When 55% of each eligible age group has been vaccinated, the cutoff will drop by 10 years. State officials estimate that the youngest group, 16-34, will become eligible in May.

Before the hybrid approach was adopted, workers in occupations classified as essential were set to become the next eligible group, joining health care workers, educators, child care workers and law enforcement personnel. Previously eligible groups can still sign up at state-run sites along with people meeting the age requirements.

The essential worker group includes a wide range of occupations, including grocery workers, transportation, construction, utility workers, media and golf course employees. The latest list can be found in a dropdown menu of the state's COVID-19 vaccine eligibility checker.

AMERICAN OVERSIGHT

While the state's four mass vaccination sites aren't planning to accept essential workers and other priority groups, some Arizona counties already have made their allocations available to them.

"It is up to the counties to decide that. … Some counties actually are already vaccinating essential workers and some have moved into the general population," Christ said.

Officials in Maricopa County, home to nearly two-thirds of the state's population, said Tuesday they were working on plans to phase in essential workers and would soon have more details.

Christ said the state was working "very, very closely" with Maricopa County on its next moves.

Counties will determine their best distribution strategies, which could include employer-based events for essential occupations as well as community PODs.

The state-run sites were all booked as of Wednesday morning, but more appointments will be added when more vaccine becomes available.

For details about statewide vaccine availability, the ADHS website has a vaccine-finder page with a map of locations and information about registration and eligibility.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Enrollment drops for Arizona public schools, according to new report

KTAR News
March 4, 2021
Griselda Zetino

Enrollment is down for public schools across Arizona, according to a new report by the Arizona Education Department.

The report shows there are about 38,000 fewer students enrolled in K-12 public schools in Arizona for this academic year compared to the last.

When broken down by school type, district schools saw a 6% decline in enrollment statewide while charter schools saw a 9% increase.

The Cave Creek Unified School District is among those that saw enrollment declines. It has about 400 fewer students this school year, which translates to a 7% drop compared to the previous year.

"Since the number of students attending school dictates the district's budget, the district is facing a potential budget shortfall in fiscal year 2022 of approximately $4.1 million dollars, which represents a budget reduction of over 11%," the district's Superintendent Cort Monroe said in a video message.

"This would be difficult in anyone's budget, but especially difficult when salary and benefits for employees equal 80% of the district's operating budget."

AMERICAN OVERSIGHT

Prior to the pandemic, the Arizona Auditor General's Office had already placed the district on a watch list for "approaching highest financial risk" for several reasons, including general fund revenues and balances.

Arizona Superintendent of Public Instruction Kathy Hoffman told Gaydos & Chad on Wednesday there has been a "significant decline" in enrollment for pre-K and kindergarten students.

"I think part of that is the notion or the perception that those skills that are taught in pre-K and kindergarten can more easily be taught at home," said Hoffman, speaking of basic skills like letters and numbers. "I do want to point out that there is so much information out there about the importance of school providing kindergarten and pre-school for children because of all the social, emotional benefits."

"It's really important for their developmental growth as well as their academic skills, so I do want to emphasize that I do hope that in the coming months that we'll see an increase of re-enrollment of our four and five-year-olds," Hoffman added.

Monroe said the Cave Creek Unified School District faces the challenge of making necessary budget reductions due to the enrollment declines.

Return to the table of contents

Republican lawmakers in Arizona House block clean energy standards

KTAR News
March 4, 2021

Republicans in the Arizona House have voted to strip the state's elected utility regulators of their power to require utilities to get more of their electricity from solar and other clean energy sources.

Rep. Gail Griffin of Hereford amended her bill to adopt the state's current standards requiring 15% of power to come from renewable sources before Wednesday's 31-28 party-line vote. Democrats were unified in opposition.

But it retains the ban on the Arizona Corporation Commission adopting new proposed standards that would require most of the state's utilities to get half their power from solar, wind and other renewable sources by 2035 and 100% from clean energy, including nuclear, by 2050.

The Senate has a similar measure, meaning the ban is being fast-tracked and could quickly reach Republican Gov. Doug Ducey's desk.
GOP lawmakers have been emboldened by a recent state Supreme Court decision that called the commission's powers into question. Ducey himself has been critical of the commission's adoption of renewable energy standards, and is backing the effort to block the commission's power.

"I want to see the Corporation Commission setting rates. And I want to see the state Legislature setting energy policy," Ducey said at an Arizona Chamber of Commerce and Industry event on Jan. 8. "And I hope we can straighten that out this legislative session."

AMERICAN OVERSIGHT

The plan to strip the commission's power is opposed by environmental groups and some business interests. It received backing from small-government groups such as the Goldwater Institute and the Free Enterprise Club.

Large utilities such as Arizona Public Service, which spent millions to block a 2018 voter initiative requiring more renewable energy but supported the commission's proposal, have not taken a position on the bill. APS announced last year that it would get all its power from carbon-free sources by 2050.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Fired Arizona Senate aide seeks $500,000 in harassment case

KTAR News
March 4, 2021

An aide who was fired by Republican state Sen. Wendy Rogers on Wednesday filed a $500,000 claim against the state for wrongful termination and harassment he says were caused by the senator.

The claim is a required step before Michael Polloni Jr. can file a lawsuit. If the state doesn't agree to settle, Polloni can go to court. The claim is against the state, and does not name Rogers. But Polloni's attorney said he may take legal action against her later.

The move comes a day after a divided Arizona Senate's Ethics Committee dismissed a complaint against Rogers, who was accused by her former assistant of berating and cursing him during a tirade, making comments about his weight, asking him to do political work on state time and to work while he was out sick recovering from the coronavirus.

The three Republicans on the panel agreed that the evidence collected during an investigation by the committee's attorney did not meet the "clear and convincing" standard required to sustain the complaint and mete out punishment to Rogers.

The two Democrats disagreed, saying there was ample evidence that Rogers yelled and cursed at the assistant and repeatedly asked him to work while he was out sick. They said dismissing the complaint would send the wrong message to other lawmakers and staff.

Polloni, 20, put his college work at Northern Arizona University on hold to take the job helping the newly elected lawmaker in December. He was fired by the Senate on Jan. 14, the day he said Rogers yelled and cursed at him. Rogers apparently played no role in his termination.

"Michael was bullied, harassed, and humiliated during his employment by Sen. Rogers," the claim says. "She accused him of lying about being ill with COVID-19 to get out of work. She mocked his family and his faith. She attempted to force him to do work for her while he was ill and on medical leave. She discarded and damaged his personal property.

"And when Michael had recovered from the virus and was finally able to return to work and get back to the job he had put his college education on hold to pursue, Sen. Rogers assaulted him verbally and physically, and then fired him."

AMERICAN OVERSIGHT

In a written response to the Ethics Committee before it met Tuesday, Rogers called the allegations "a complete fabrication by an outgoing, brand new employee who worked only one official day for the state of Arizona after the swearing in of senators."

Rogers also said the complaint contains no allegations that she either broke the law or violated Senate ethics rules.

The investigation conducted by a Senate attorney found little corroboration for many of Polloni's allegations but did locate a witness who backed his claim that Rogers yelled and cursed at him in her office the day he was fired.

Polloni's attorney, Adam Kwasman, said what Rogers and the state did to his client will impact him for years.

"The Ethics committee report plainly revealed more than sufficient evidence demonstrating … wrongful behavior by the State of Arizona and Sen. Rogers," Kwasman said in a statement. "Mr. Polloni deserves justice for all he has endured these past months."

Return to the table of contents

Hoffman: Gov. Ducey's order on in-person learning on track but rushed

KTAR News
March 4, 2021
Torrence Dunham

Arizona Superintendent of Public Instruction Kathy Hoffman said Gov. Doug Ducey's order Wednesday for most of the state's K-12 schools to provide in-person instruction in March was on track, but requiring the change within two weeks feels like "whiplash."

"Many district and charters have already made their own plans, and this lines up pretty well with many of their plans … but for the districts and charters that had different plans, this is causing a lot of disruption," Hoffman told Gaydos & Chad on Wednesday.

"The direction is on track with what we all want for our schools but it's very rushed."

The order directs public district and charter schools across Arizona to offer students in-person and virtual options by March 15 or upon their return from spring break, excluding middle and high schools in counties with a high transmission rate as defined by the Centers for Disease Control. Coconino, Yavapai and Pinal fall into that high transmission rate category.

While Hoffman said she talked with Ducey on Tuesday about where schools were at and CARES Act funding, she said the governor did not share the executive order announcement and she did not have any input on the plans.

Hoffman, however, said she was grateful Ducey's education policy adviser joined a call Wednesday with school leaders to help with communication because "there are a lot of questions right now in our schools."

AMERICAN OVERSIGHT

The executive order doesn't leave schools a lot of planning time, Hoffman said, as schools had been conducting surveys to see how many students would be coming back to school prior to a shift in the learning model.

"Since this is saying that virtual could still be an option for families, being able to staff in school in-person instruction and kids who are learning online is challenging for our schools to navigate," Hoffman said.

Hoffman in a statement said the Department of Education will provide support to help schools meet Ducey's deadline.

Part of the executive order requires schools to continue maintaining practices to mitigate the spread of COVID-19.

"Fortunately we have been providing that type of guidance to our schools consistently over the past several months," Hoffman said. "Anytime we learn more information from public health experts, we've made sure to disseminate that information."

Despite the rushed timing, Hoffman says schools can be safe to resume in-person learning.

"As long as we continue with the vaccinations for educators and school staff and everyone is wearing masks in the school along with social distancing and all the other layers and mitigation strategies, the research is showing that transmission of COVID-19 can be very, very low in our schools so it can be safe for in-person instruction," Hoffman said.

The executive order also allows middle and high schools in counties with substantial transmission to reduce attendance to allow for adequate physical distancing.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Senate has nowhere to store 2.1 million ballots it sued to obtain

KTAR News
March 4, 2021

Millions of voted ballots from Maricopa County's November election won by President Joe Biden are loaded on a truck and ready for delivery to the Arizona Senate after a judge ruled that lawmakers can access them to perform their own forensic audit.

But after the Senate spent more than two months fighting to enforce a subpoena seeking access to the 2.1 million voted ballots, it apparently doesn't know what to do with them. Last week, a judge ordered the ballots and vote tabulation equipment handed over so the Senate can try to show if problems with the election led to former President Donald Trump's loss.

Jack Sellers, the Republican chair of the county Board of Supervisors, sent a letter to GOP Senate President Karen Fann and other lawmakers on Wednesday seeking instructions on when and where she wants them delivered. He included a photo of a box truck loaded with shrink-wrapped pallets of boxes filled with ballots.

AMERICAN OVERSIGHT

“Please advise us when the Senate is ready to receive the subpoenaed materials and where they should be delivered,” Sellers wrote. “If the Senate no longer wants the materials delivered, the county stands ready to discuss next steps.”

In an email exchange between lawyers for the Senate and County released by the county on Tuesday, a Senate attorney said its preference was for the county to keep the ballots until the Senate finds a place to put them.
Ballots are handled with an extremely robust chain of custody, with observers from both major parties watching each movement from polling places to tabulation centers as they are processed and counted. After the election is over, they are stored in a secure vault in sealed boxes.

“Yes, the Senate’s preference is to maintain the materials in the County’s facility until the Senate has made suitable arrangements for storing the materials elsewhere, or to work out an agreement to review the materials inside the county’s facility,” attorney Kory Langhofer wrote on Monday evening. “The resulting delay in delivery would be regarded as an accommodation rather than a frustration of the Senate.”

Sellers said in his Wednesday letter that nothing in the subpoenas demanding the ballots asked that they be kept by the county.

“The county is currently involved in municipal elections and cannot permit unauthorized persons inside the elections facility,” he wrote.

A call seeking comment from the spokesman for Senate Republicans wasn’t immediately returned Wednesday. Minority Democrats opposed issuing the subpoenas, saying Republicans were just trying to sow division after a fair election.

A judge last Friday rejected arguments from the five-member Board of Supervisors dominated by Republicans that the ballots were secret, that the Legislature had no right to access them and that the subpoenas issued by Fann were for an illegitimate purpose, among other arguments.

The Senate’s lawyers contended that the Constitution gives the Legislature the role of maintaining the purity of elections and making sure voter integrity is protected, that the subpoenas were legal and a proper use of legislative power. The judge agreed.

Fann wants to audit the election results to try to show whether there were problems with the election. Trump backers made claims rejected repeatedly by the courts that fraud or other issues led to his loss in Arizona and in other battleground states.

The county Board of Supervisors pointed to repeated checks that showed the election was free, fair and properly conducted.

Last week, they released the results of two new audits of their equipment done to mollify the Senate. They showed no malicious software or incorrect counting equipment and that none of the computers or equipment were connected to the internet. Previous reviews and a hand recount of a sample of ballots also found no issues.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Arizona ethics panel tosses complaint against Wendy Rogers

Arizona Daily Sun
March 4, 2021
Bob Christie

A divided Arizona Senate's Ethics Committee on Tuesday dismissed a complaint against a Republican lawmaker who was accused by her former assistant of berating and cursing him during a tirade, making comment about his weight, asking him to do political work and to work while he was out sick recovering from the coronavirus.

The three Republicans on the panel agreed that the evidence collected during an investigation by the committee's attorney did not meet the "clear and convincing" standard required to sustain the complaint and mete out punishment to Sen. Wendy Rogers.

The two Democrats disagreed, saying there was ample evidence that Rogers yelled and cursed at the assistant and repeatedly asked him to work while he was out sick. They said dismissing the complaint sends the wrong message.

"I think to dismiss this matter would be to ignore this conduct at this point," Democratic Sen. Kirsten Engel said. "I think it reflects badly on the Senate, it sends a bad message to the public about how we conduct ourselves here in the people's Senate."

But the Republican members said holding another hearing to allow Rogers and her former aide, Michael Polloni Jr., to testify would not generate additional information and there simply wasn't enough evidence to discipline Rogers. The panel could have asked the full Senate to reprimand, censure or expel Rogers, who is a freshman lawmaker from Flagstaff.

"The evidence leads me to believe we do not have clear and convincing evidence to move forward at all," said GOP Sen. Vince Leach of Tucson.

The committee hearing came after a investigation by a Senate lawyer found little corroboration for some of Polloni's complaints. But the Senate attorney who investigated found backing for Polloni's contention that Rogers raised her voice and cursed during a heated confrontation in her office.

Rogers was accused in January of berating Polloni, making comments about his weight and other issues. Polloni also accused the state senator of taking his belongings, breaking an Eagle Scout plaque and later cursing at him during a heated Jan. 14 tirade. He was fired that day.

Polloni's attorney, Adam Kwasman, criticized Tuesday's decision was political.

"The most important part was the report, not what the Ethics Committee does with Wendy Rogers," Kwasman said. "And the report shows wrongdoing by Wendy Rogers."

Rogers gave a written response to Ethics Committee and called the allegations "a complete fabrication by an outgoing, brand new employee who worked only one official day for the state of Arizona after the swearing in of senators."

AMERICAN OVERSIGHT

Rogers also said the complaint contains no allegations that she either broke the law or violated Senate ethics rules.

In his detailed, six-page ethics complaint against Rogers, Polloni said she repeatedly asked him to work while he was on sick leave, demanded that he illegally do campaign work for her on state time and removed and damaged some of his belongings from his office.

He also said Rogers doubted that he actually had the virus.

Democratic Sen. Victoria Steele wanted Rogers disciplined, or at least for a hearing to be held.

“I think there are several instances where there is clear and convincing evidence of Sen. Rogers acting unethically in a way that definitely adversely effects the Senate,” Steele said. “If we simply dismiss, if we don’t at the least, at the very minimum, have a hearing to hear both sides of this, than we’re just accepting that this behavior is tolerable, this is to be expected.

Steele and Engel tried to get the panel to require Rogers to take a supervisors training course, but the Republicans on the panel declined.

Republican Sen. Sine Kerr of Buckeye, the committee chair, said there just wasn't enough corroboration of the allegations.

“In my opinion we didn’t ignore the allegations at all,” Kerr said. “We looked at it, we discussed it thoroughly. But again, we’re charged with that very high bar of clear and convincing, and again, it didn’t meet that standard for this senator.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Thursday, March 4, 2021 7:14:17 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Yellow Sheet March 4th
Attachments: 3-4-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

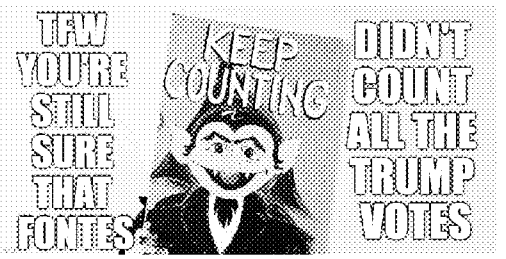
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, March 04, 2021

NEWS NOTES AND GOSSIP

TRY LISTENING TO AN ACTUAL ELECTION EXPERT



In a letter to Fann yesterday, Hobbs again skewered the Senate's audit as unnecessary, but said if senators are going to proceed, she has some advice as to how they can conduct the audit appropriately and transparently. "As you know, there is no credible evidence for any of the conspiracy theories that have abounded about the 2020 General Election, including those made by associates of Allied Systems Operations Group," Hobbs wrote, urging Senate Republicans "not to waste taxpayer resources chasing false claims of fraud that will only further erode public confidence in our election processes and elected officials." Given the judge's ruling last week, which states that the Senate has broad constitutional power to oversee elections, Hobbs implored the senators to treat their responsibility in the same manner election officials did when conducting the election four months ago. "If your goal is truly to rebuild public confidence in our democracy, it is imperative that you establish and abide by clear procedures and parameters for the security and confidentiality of the ballots and election equipment while in your custody and ensure independence and transparency should you proceed with any further audit," she wrote. Of course, there are several uncertainties surrounding the process now, as senators have not hired an auditor, or figured out a plan to pick up 2.1 million ballots – which weigh 28 tons in total. If the Senate does proceed to conduct the audit, Hobbs laid out a plan for the Senate GOP to do so responsibly. She urged them to implement procedures to ensure a secure and documented chain of custody for the ballots, "So that they are not tampered with, stolen, or otherwise mishandled or compromised." She said the Senate needs to ensure markings on ballots are not altered or added, including, for example, "restricting writing instruments to only red pens in the room where ballots are handled, inspected, or counted." Hobbs also said the Senate's effort needs to be bipartisan, and should include a live video feed of the process, which the Senate must retain for two years. The Secretary of State's Office, as well as Ducey's and Brnovich's offices should be permitted to observe the whole process. She said despite their disagreement about the necessity of the audit, both sides should agree that without clear procedures for the security of the ballots and election equipment. Anything less "will only open the door to more conspiracy theories and further erosion of voters' confidence in Arizona's elections processes," she wrote. A copy of the letter is available in our "documents" section (LINK).

IT'S A STEEP HILL, BUT THEY'RE TRYING TO CLIMB IT

A group called Rural Arizonans for Accountability submitted a recall petition against Finchem today, citing his alleged role in the attack on the US Capitol. "His ties to domestic terrorist organizations and his continued attempts to spread conspiracy theories threaten the safety of Americans and do not represent the people of District 11," the application stated. The group must collect nearly 25,000 valid signatures from registered voters in his district by July 2 to force a recall election. Jim Hill, an attorney with Barton Mendez Soto who is working on the effort, said he couldn't disclose if the group has ties to the similarly named Rural Arizona Action, which pioneered the recall effort against Finchem and has been hiring staff (YS, 2/15). He said Rural Arizonans for Accountability was a manifestation of a broader movement that "coalesced around this one effort" and that the group will offer more information at a press conference tomorrow. "I can tell you from the legal perspective that they hired us because they're serious about it and they want to make sure that everything is ready to be defended once they collect the signatures," Hill said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002416

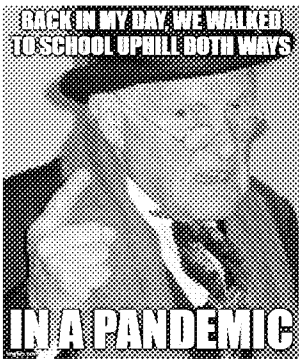
ARZN_REV00068828_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A LITTLE HEADS-UP GOES A LONG WAY, DOUG

Ducey's executive order ordering schools to resume in-person learning in less than two weeks blindsided school officials, including those invited to a conference call with the governor on Tuesday, several on the call told our reporter. Still, those school officials on the call were already offering in-person services, so their schools won't have to change course because of the order, unlike some districts that are now scrambling to adjust timelines for resuming in-person instruction or to figure out how their circumstances fit into the order. An education railbird who was on a call with school leaders and Ducey's education policy adviser after Ducey's announcement yesterday told our reporter that the Ninth Floor said the executive order has "no punitive measures and that they expected schools to make a good faith effort to comply." Ducey does not really have authority to dictate whether all schools can open, which was a situation the state faced when creating the original benchmarks for schools last summer, calling them recommendations instead of requirements. All decisions are made at the local level, but the source said this new order from Ducey had a more "forceful" tone. "Nearly every major district that hadn't already been offering in-person had plans to do so for the fourth quarter [of the school year], and had spent months planning and working with their staff, students and families on those plans," the source told our reporter, adding that the sudden announcement that caught most education leaders off guard threw those plans from districts "into chaos." The source also noted that K Hoffman recently announced a plan that mostly lines up with Ducey's order, but said Ducey's order is less organized and gives districts much less time to prepare for the governor's "deadline."

THOSE RURAL SCHOOLS HAVE IT ROUGH



Schools in Coconino County, for example, face unique challenges in reopening, as the county still falls under the "high" transmission category and contains a multitude of schools with unique circumstances. Some schools have been open for quite some time, some had plans to reopen after spring break and some primarily serve students who remain under tribal stay-at-home orders. What to do about those tribal students who don't attend schools on the reservation was one big question Coconino County Schools Superintendent Cheryl Mango-Paget had following the order. She said schools that primarily serve Native American children who live on the Navajo Nation, which still has a stay-at-home order in effect, should follow that order and continue distance learning. The order offers some flexibility for middle and high schools in "high" transmission counties that haven't resumed in person learning yet while still requiring a hybrid model for elementary by the March 15 deadline.

SERIOUSLY, WHEN WAS THE LAST TIME YOU BET ON THE PONIES?

A recent financial report for Arizona Downs, one of three horse tracks in the state, declares the venue as "insolvent," and paints a dire picture of its fate without a new law allowing historical horse race betting. Citing problems due to obtaining simulcast broadcasting signals, Covid and other issues, the report shows Arizona Downs lost nearly $7 million in 2019 and another $1 million last year through August. "Since the start of business in 2018, Arizona Downs has incurred over $13.4M in notes payable to fund losses and capital improvements," the report reads. "As it stands, Arizona Downs does not have the cash necessary to continue to operate and stay current on the interest expense from the notes payable." The report also says Arizona Downs "will need significant cash infusion through either equity or debt," if it wants to continue

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002417
ARZN_REV00068828_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

operations. The only solution, the report lays out, seems to be new ownership from ELS Gaming, which has agreed in principle to buy Arizona Downs, but with conditions that hang on the passage of Gowan's S1794 (historic race wagering), which does not have the support of Ducey, many Democrats or the tribes. One source with knowledge of the Arizona Downs financial situation told our reporter that the report was specifically drafted to determine whether to grant the track a permit. The track is currently operating on a temporary permit that is set to expire this summer. The Gaming Commission will vote in April on granting another permit, but the track still is drowning in debt in the meantime and cannot pay it off in the next several weeks. "They're basically insolvent unless they can get this money and ELS is probably unlikely to [buy] it unless the horse racing bill passes," the source said.

ARIZONA ONLY HAS DRUGSTORE COWBOYS

Why Arizona Downs cannot seem to make any money is complicated, but it comes down to the fact that the public's appetite for horse racing in Arizona is almost nonexistent, especially in Prescott Valley, where it's located, the source said. "There's a myriad of issues that led them to this point, but Covid also didn't help," the source said. A Republican consultant said Prescott Valley is also not a tourist destination in Arizona like Tucson and Phoenix, which are home to Rillito Racetrack and Turf Paradise, respectively. "Having a track in Prescott Valley, where there's not a lot of people to come fill the stands, is a business problem," the consultant said. The fact that Arizona Downs could go under by the time a new gaming compact is negotiated is not as big of a hit to the state as if Turf Paradise were to shut down, the source with inside knowledge of Arizona Downs said. That's because Turf Paradise runs the bulk of the races in the state, and brings in the most money.

THE RUMOR MILL IS AWESOME, BUT NOT INFALLIBLE

It turns out the AZGOP did not hire Alex Kolodin as its general counsel and instead stuck with Wilenchik & Bartness. Kolodin may have been in consideration for a post – not to lead the state party, but instead as Kelli Ward' personal attorney, Jack Wilenchik told our reporter. "Mr. Kolodin was potentially going to represent Kelli Ward in her personal capacity with respect to her election as party Chair – because we, as the party's lawyers, would have a conflict in representing her personally," Wilenchik wrote in an email. We reported Kolodin was rumored to be the next AZGOP attorney after Kolodin told our reporter he was "not authorized to comment on that publicly at this time," (YS, 1/27).

·WAKE UP CALL·

Ducey swings open school doors
Capitol Media Services
Declaring it's safe, Gov. Doug Ducey is ordering all schools to return to in-person and teacher-led instruction.

AIDS argument used as Arizona House votes to let businesses ignore mask mandates
Capitol Media Services
A lawmaker persuaded the Arizona House to let businesses ignore mask mandates to stem COVID spread partly by arguing they weren't needed decades ago to stop the spread of AIDS.

Arizona prison guard alleges sex assaults by supervisor
Associated Press
An Arizona corrections officer has alleged in a lawsuit against the state that she was subjected to a hostile

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002418
ARZN_REV00068828_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

environment while working at a prison where her supervisor was accused of sexually assaulting her and three others who worked there.

Sen. Kyrsten Sinema discusses cyberattack on Kingman
Kingman Daily Miner
The City of Kingman continues to work with the Arizona National Guard Cyber Joint Task Force in discovering the extent of the cyberattack on the city's computer system that occurred Friday, Feb. 26, an issue that was addressed by U.S. Sen. Kyrsten Sinema (D-Arizona) at a recent Homeland Security and Governmental Affairs Committee hearing.

Schools chief rejects GOP request to defund school district for '1619 Project' lessons
Arizona Mirror
The Arizona Department of Education won't act on a request from a Republican state lawmaker to take funding away from a Phoenix school district that serves low-income students because it adopted curriculum from "The 1619 Project," which examines the legacy slavery in the U.S.

Arizona House advances bill that would allow apps to bypass Apple, Google fees
The Hill
An Arizona bill that would allow app developers to bypass fees from the Apple and Google stores advanced Wednesday in the state House.

Supreme Court Seems Ready to Sustain Arizona Voting Limits
New York Times
The court also signaled that it could tighten the standards for using the Voting Rights Act to challenge all kinds of voting restrictions.

Domestic terrorists and GOP's leaders have voting rights in their sights
Arizona Mirror (Opinion, James E. Garcia)
The domestic terrorist attack on the U.S. Capitol by supporters of former President Trump is still making headlines, and rightly so.

We've got an unholy view of Native American holy sites like Oak Flat
Arizona Republic (Opinion, EJ Montini)
Would we take the same view of a copper mining proposal like Oak Flat if it was under a Christian site?

Canceled session in U.S. House proves the insurrection is not over
Arizona Republic (Opinion, EJ Montini)
The U.S. Capitol Police warned of a 'possible plot to breach the Capitol by an identified militia group,' so the Thursday session was canceled.

Arizona Senate has no plan for storing the 2.1 million ballots it plans to audit? Terrific
Arizona Republic (Opinion, Laurie Roberts)
Senate Republicans spent months demanding Maricopa County's 2.1 million ballots, now they don't know what to do with them. This is their idea of restoring public confidence in elections?

Gov. Doug Ducey's order to reopen schools is the right move, but wrong execution
Arizona Republic (Opinion, Joanna Allhands)
Gov. Doug Ducey wants to take a strong stance on school reopening. But if he wants it to work, he needs to offer more detail – and better support.

New York Gov. Andrew Cuomo is a creepy man preying on younger women. He has to go
Arizona Republic (Opinion, Elvia Diaz)
New York Gov. Andrew Cuomo has finally apologized over sexual harassment accusations, but he won't resign. Fellow Democrats should force him out.

Resolution Copper mine would give our town an economic boost. Don't we count?
Arizona Republic (Op-ed, Mila Besich)
Copper is not going to magically disappear in the Superior area. It will be mined and it should only be mined with extensive environmental permitting requirements.

Help fund more affordable housing for Tucson's vulnerable families
Arizona Daily Star (Opinion, Howard Epstein and Mike Dalton)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002419
ARZN_REV00068828_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

If there is any doubt Tucson is experiencing a homelessness crisis, just look at the many encampments around the city where hundreds are now making their homes in tents.

PRESS RELEASES

House Approves New Tax Relief for Arizona Small Businesses

STATE CAPITOL, PHOENIX – The Arizona House of Representatives has passed legislation to revise state tax structure for taxpayers and protect small business from overtaxation by the federal government. HB 2838, sponsored by Representative Joseph Chaplik (R-23), was approved late Wednesday. It does not impact the state general fund.
"This bill gives small businesses much-needed tax relief and allows for amendments in previous tax years without any negative fiscal impact to our state," said Representative Chaplik. **"I am keeping my promises to help businesses succeed further with more working capital and keeping Arizona a pro-business state with additional tax relief."**
In November 2020, the Internal Revenue Service issued guidance (Notice 2020-75) that pass-through entity businesses may claim deductions above the $10,000 State and Local Tax (SALT) cap. In response, at least seven states have imposed a new tax structure at the pass-through entity level permitting this deduction as intended by the federal government. Under HB 2838, Arizona would join those other states, providing small businesses significant potential tax savings.
All members of the House Republican Caucus supported final passage. The bill now moves to the Senate for consideration.

House Approves Bill Empowering Arizona Businesses to Determine Masking Rules

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today approved HB 2770, legislation sponsored by Representative Joseph Chaplik (R-23), which empowers businesses in Arizona to decide whether or not to enforce on its premises a mask mandate that is imposed by politicians from the state, county, city/town or other jurisdiction in Arizona. The vote was divided by party line, with all 31 Republican members voting in favor of the bill.
"Business owners are intelligent enough to make their own decisions with their private companies and this bill restores their rights," said Representative Chaplik. **"Employees should not be forced to police other citizens on private property and be in confrontational situations risking their safety when their job duties did not require this role."**
The bill now moves to the state Senate for consideration

AZ Senate: Every Life is Precious

A Statement from Center for Arizona Policy President Cathi Herrod, Esq.
Arizona senators sent a clear message today with their passage of SB 1457 – Life is an Arizona value worthy of protection. They told women their safety is more important than the abortion industry's bottom line, and they told taxpayers their money won't fund abortions.
The full Senate passed the pro-life bill along party lines, 16-14, sending it to the House for consideration. I applaud Senator Nancy Barto for sponsoring this commonsense legislation and the senators who voted for it because preborn babies who happen to have Down syndrome deserve a chance at life, women deserve critical medical attention if they take the abortion pill, and Arizona taxpayers shouldn't have to subsidize the abortion industry.
If House members also pass SB 1457, women won't have to worry about being left alone with a mail-in, do-it-yourself abortion pill. Reports indicate the chemical abortion pill is four times more dangerous than a surgical abortion, leaving women at risk of bleeding to death, among other things. This bill would ensure the abortion pill could not be sent through the mail, circumventing safety regulations, including doctor visits.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002420
ARZN_REV00068828_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The bill also prohibits abortions based on the preborn baby's diagnosis of a genetic abnormality like Down syndrome, and it establishes that Arizona laws will be interpreted in the context of valuing all human life. It requires respectful burial or cremation of aborted remains, and it repeals the pre-Roe law punishing women who get abortions.
SB 1457 clarifies the values of Arizona and ensures commonsense regulations on abortion remain intact. I urge the House to move it to Governor Ducey's desk.

Arizona Senate approves reasonable reforms that protect neighborhoods, preserve vacation-rental industry and property rights

Statement by Philip Minardi, director, policy communications, Expedia Group
"Expedia Group believes Arizona can have safe, quiet neighborhoods while keeping the door open to a vibrant vacation rental industry. We thank members of the Arizona Senate for striking that balanced approach with their approval of SB 1379 today. This bipartisan compromise will help protect neighborhoods from nuisance issues *and* preserves vacation rentals as a vital source of income for thousands of Arizona homeowners.
"SB 1379 enables state and local authorities to take action against irresponsible operators with stiff penalties, including suspension of the tax license for repeat violations. This is on top of existing regulations that allow municipalities to cite short-term rentals for noise, traffic and other nuisance-related concerns.
"Few industries were hit harder over the past year than leisure and hospitality – nearly 4 in 10 U.S. jobs were lost.[1] Now is the time for targeted, responsible reforms that solve problems without harming the economic vitality that has grown up around individual homeowners to include property managers, service providers, restaurants, coffee shops, and other small businesses.
"Expedia Group is committed to being part of the solution and looks forward to its continued collaboration with state and local officials and the Arizona vacation-rental hosts and guests we serve."

Dear Arizona: A Call from Educators

Education Leadership Group releases report on urgent need to reimagine career development in Arizona
(PHOENIX, ARIZ. March 3rd, 2021) – This week the Education Leadership Group (ELG) released, "Dear Arizona: A Call from Educators," a report detailing the urgent need to reimagine career development for all Arizona students. Convened by Pipeline AZ over the last twelve months, the ELG is composed of educators, administrators and leaders from wide-ranging education organizations across the state dedicated to improving talent outcomes. The report analyzes the opportunities, gaps and redundancies facing Arizona talent and career development across the student lifecycle and offers insights to create a better approach to career exploration for students at every stage of their education journey.
Through a detailed workshop process, the report identified seven key challenges for Arizona while identifying three needs for immediate action, including creating:

- More equitable access to career exploration.
- A singular, shared technology infrastructure.
- A feedback loop between industry and educators.

"Our vision is to make Arizona the national showcase of workforce innovation, through collaboration across the talent development ecosystem," said Jim Zaharis, co-chair of the ELG.
"Talent development is the foundation of economic development," said Richard Condit, co-chair of the ELG. "This effort needs advocates, and our future will be defined by collaborative action. This report aims to close the disconnect between industry and education so that we can better prepare the workforce and get students more equitable access to careers they are passionate about."
"As a career development and exploration tool designed for the Arizona community, connecting and amplifying the work of partners is core to our mission," said Katherine Pappas, Director of Workforce Strategy for Pipeline AZ. "In convening the ELG, we wanted to give educators a platform to speak directly to industry about the needs of students, in order to improve access to tools and training and to better equip employers with a future-ready talent pipeline in our state."
Over the coming weeks and months, ELG will be taking these learnings on a roadshow to facilitate the collaboration needed to address the barriers to student career readiness. To download the full report, share the findings, and sign up to request a presentation for an organization visit elg.pipelineaz.com.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002421
ARZN_REV00068828_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Comment on Today's Improving Jobs Report

Extending incentives to stay unemployed is not helping the economy

PHOENIX, March 4, 2021—*From Chad Heinrich, Arizona state director for the National Federation of Independent Business (NFIB), the nation's leading small-business association, on the release today of NFIB's monthly Jobs Report finding that 56% of small business owners reported hiring or trying to hire in February, up 5 points from January and that a net 18% of owners reported they are planning to create new jobs in the next three months.*

"Small business owners continue to try and swim upstream. They want to hire, but current government-imposed restrictions are preventing them from opening or being profitable. Further, the government is providing an incentive for many able workers to sit on the sidelines. Arizona is not an anomaly in that the COVID-19 pandemic, and government reactions to it, have severely disrupted the labor market. Now more than ever, we need elected officials to focus on what actions they can take to encourage job creation and participation in the labor market and not extend incentives that keep available workers sitting on the sidelines. Let's get Arizona back to work."

Statement from Arizona Community Organizations on Ballot Measure Attacks

"Republicans in the Arizona Senate and House of Representatives have introduced a multitude of attacks against the basic foundation of ballot initiatives. This is legislative overreach, an attempt to completely rewrite the rules and make it virtually impossible to pass any ballot measure. The people of Arizona created the initiative process in the original constitution in 1912 and the first initiative in the state was for women's suffrage which won by a landslide. Voters from all sides of the political spectrum have long exercised their constitutional right to put issues on the ballot. It is unjust and unconstitutional for the legislature to attempt to take away from voters the power of direct democracy. Some of these attacks on the ballot initiative process include HCR2016, which would refer a measure to require a supermajority of 60% to pass a ballot measure, up from the current simple majority that is needed to pass any type of ballot measure in Arizona. Additionally, in the Senate, SCR1024 would require a two-thirds vote for any ballot measure having to do with tax revenues. Other bills that are designed to undermine the ballot process or confuse voters include:

- **HCR2001**, establishes a "single subject" rule for statutory initiatives, providing another technical reason for tossing a ballot measure.
- **SB1497**, adds what amounts to a warning of the Voter Protection Act to the actual ballot. Adding this type of language to the actual ballot is unprecedented.
- **SCR1034**, allows the legislature to add amendments to ballot initiatives or even completely scrap a measure if a ballot measure "is found to contain illegal or unconstitutional language by the Arizona Supreme Court or the U.S. Supreme Court." This would poke a major hole in the Voter Protection Act.
- **SB1531**, requires petition circulators to either read aloud the initiative description to everyone signing or allow enough time for the description to be read before the person signs. Each person signing will affirm that the person had heard and understood or read and understood the description before signing. Again, this will provide another reason to disqualify signatures.

These proposed new rules on ballot initiatives are not designed to fix any specific problem that exists in the process, and instead are an extreme political and overkill response to ballot measures that voters have approved in recent elections.

The people of Arizona have used ballot measures to make progress for our state by creating the Independent Redistricting Commission, approving increased funding for public schools, providing paid sick leave and increasing the minimum wage for all workers, allocating tobacco settlement funds for early childhood education, and preventing animal cruelty. It is unjust and unconstitutional for the legislature to attempt to take away from voters this critical constitutional right."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I can tell you from the legal perspective that they hired us because they're serious about it."

- Jim Hill, attorney for Barton Mendez Soto, who is working on the effort to recall Finchem

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002423

ARZN_REV00068828_3-4-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, March 4, 2021 7:14:18 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Yellow Sheet March 4th
Attachments: 3-4-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

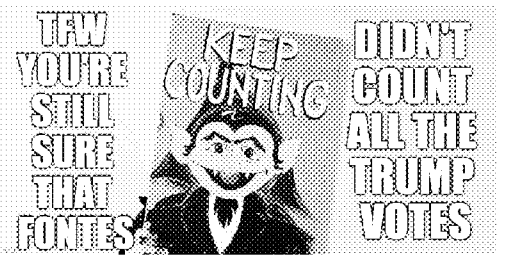
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, March 04, 2021

NEWS NOTES AND GOSSIP

TRY LISTENING TO AN ACTUAL ELECTION EXPERT



In a letter to Fann yesterday, Hobbs again skewered the Senate's audit as unnecessary, but said if senators are going to proceed, she has some advice as to how they can conduct the audit appropriately and transparently. "As you know, there is no credible evidence for any of the conspiracy theories that have abounded about the 2020 General Election, including those made by associates of Allied Systems Operations Group," Hobbs wrote, urging Senate Republicans "not to waste taxpayer resources chasing false claims of fraud that will only further erode public confidence in our election processes and elected officials." Given the judge's ruling last week, which states that the Senate has broad constitutional power to oversee elections, Hobbs implored the senators to treat their responsibility in the same manner election officials did when conducting the election four months ago. "If your goal is truly to rebuild public confidence in our democracy, it is imperative that you establish and abide by clear procedures and parameters for the security and confidentiality of the ballots and election equipment while in your custody and ensure independence and transparency should you proceed with any further audit," she wrote. Of course, there are several uncertainties surrounding the process now, as senators have not hired an auditor, or figured out a plan to pick up 2.1 million ballots – which weigh 28 tons in total. If the Senate does proceed to conduct the audit, Hobbs laid out a plan for the Senate GOP to do so responsibly. She urged them to implement procedures to ensure a secure and documented chain of custody for the ballots, "So that they are not tampered with, stolen, or otherwise mishandled or compromised." She said the Senate needs to ensure markings on ballots are not altered or added, including, for example, "restricting writing instruments to only red pens in the room where ballots are handled, inspected, or counted." Hobbs also said the Senate's effort needs to be bipartisan, and should include a live video feed of the process, which the Senate must retain for two years. The Secretary of State's Office, as well as Ducey's and Brnovich's offices should be permitted to observe the whole process. She said despite their disagreement about the necessity of the audit, both sides should agree that without clear procedures for the security of the ballots and election equipment. Anything less "will only open the door to more conspiracy theories and further erosion of voters' confidence in Arizona's elections processes," she wrote. A copy of the letter is available in our "documents" section (LINK).

IT'S A STEEP HILL, BUT THEY'RE TRYING TO CLIMB IT

A group called Rural Arizonans for Accountability submitted a recall petition against Finchem today, citing his alleged role in the attack on the US Capitol. "His ties to domestic terrorist organizations and his continued attempts to spread conspiracy theories threaten the safety of Americans and do not represent the people of District 11," the application stated. The group must collect nearly 25,000 valid signatures from registered voters in his district by July 2 to force a recall election. Jim Hill, an attorney with Barton Mendez Soto who is working on the effort, said he couldn't disclose if the group has ties to the similarly named Rural Arizona Action, which pioneered the recall effort against Finchem and has been hiring staff (YS, 2/15). He said Rural Arizonans for Accountability was a manifestation of a broader movement that "coalesced around this one effort" and that the group will offer more information at a press conference tomorrow. "I can tell you from the legal perspective that they hired us because they're serious about it and they want to make sure that everything is ready to be defended once they collect the signatures," Hill said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002425

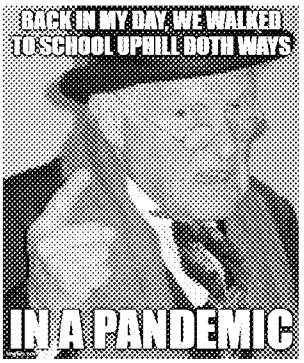
ARZN_REV00068830_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A LITTLE HEADS-UP GOES A LONG WAY, DOUG

Ducey's executive order ordering schools to resume in-person learning in less than two weeks blindsided school officials, including those invited to a conference call with the governor on Tuesday, several on the call told our reporter. Still, those school officials on the call were already offering in-person services, so their schools won't have to change course because of the order, unlike some districts that are now scrambling to adjust timelines for resuming in-person instruction or to figure out how their circumstances fit into the order. An education railbird who was on a call with school leaders and Ducey's education policy adviser after Ducey's announcement yesterday told our reporter that the Ninth Floor said the executive order has "no punitive measures and that they expected schools to make a good faith effort to comply." Ducey does not really have authority to dictate whether all schools can open, which was a situation the state faced when creating the original benchmarks for schools last summer, calling them recommendations instead of requirements. All decisions are made at the local level, but the source said this new order from Ducey had a more "forceful" tone. "Nearly every major district that hadn't already been offering in-person had plans to do so for the fourth quarter [of the school year], and had spent months planning and working with their staff, students and families on those plans," the source told our reporter, adding that the sudden announcement that caught most education leaders off guard threw those plans from districts "into chaos." The source also noted that K Hoffman recently announced a plan that mostly lines up with Ducey's order, but said Ducey's order is less organized and gives districts much less time to prepare for the governor's "deadline."

THOSE RURAL SCHOOLS HAVE IT ROUGH



Schools in Coconino County, for example, face unique challenges in reopening, as the county still falls under the "high" transmission category and contains a multitude of schools with unique circumstances. Some schools have been open for quite some time, some had plans to reopen after spring break and some primarily serve students who remain under tribal stay-at-home orders. What to do about those tribal students who don't attend schools on the reservation was one big question Coconino County Schools Superintendent Cheryl Mango-Paget had following the order. She said schools that primarily serve Native American children who live on the Navajo Nation, which still has a stay-at-home order in effect, should follow that order and continue distance learning. The order offers some flexibility for middle and high schools in "high" transmission counties that haven't resumed in person learning yet while still requiring a hybrid model for elementary by the March 15 deadline.

SERIOUSLY, WHEN WAS THE LAST TIME YOU BET ON THE PONIES?

A recent financial report for Arizona Downs, one of three horse tracks in the state, declares the venue as "insolvent," and paints a dire picture of its fate without a new law allowing historical horse race betting. Citing problems due to obtaining simulcast broadcasting signals, Covid and other issues, the report shows Arizona Downs lost nearly $7 million in 2019 and another $1 million last year through August. "Since the start of business in 2018, Arizona Downs has incurred over $13.4M in notes payable to fund losses and capital improvements," the report reads. "As it stands, Arizona Downs does not have the cash necessary to continue to operate and stay current on the interest expense from the notes payable." The report also says Arizona Downs "will need significant cash infusion through either equity or debt," if it wants to continue

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002426
ARZN_REV00068830_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

operations. The only solution, the report lays out, seems to be new ownership from ELS Gaming, which has agreed in principle to buy Arizona Downs, but with conditions that hang on the passage of Gowan's S1794 (historic race wagering), which does not have the support of Ducey, many Democrats or the tribes. One source with knowledge of the Arizona Downs financial situation told our reporter that the report was specifically drafted to determine whether to grant the track a permit. The track is currently operating on a temporary permit that is set to expire this summer. The Gaming Commission will vote in April on granting another permit, but the track still is drowning in debt in the meantime and cannot pay it off in the next several weeks. "They're basically insolvent unless they can get this money and ELS is probably unlikely to [buy] it unless the horse racing bill passes," the source said.

ARIZONA ONLY HAS DRUGSTORE COWBOYS

Why Arizona Downs cannot seem to make any money is complicated, but it comes down to the fact that the public's appetite for horse racing in Arizona is almost nonexistent, especially in Prescott Valley, where it's located, the source said. "There's a myriad of issues that led them to this point, but Covid also didn't help," the source said. A Republican consultant said Prescott Valley is also not a tourist destination in Arizona like Tucson and Phoenix, which are home to Rillito Racetrack and Turf Paradise, respectively. "Having a track in Prescott Valley, where there's not a lot of people to come fill the stands, is a business problem," the consultant said. The fact that Arizona Downs could go under by the time a new gaming compact is negotiated is not as big of a hit to the state as if Turf Paradise were to shut down, the source with inside knowledge of Arizona Downs said. That's because Turf Paradise runs the bulk of the races in the state, and brings in the most money.

THE RUMOR MILL IS AWESOME, BUT NOT INFALLIBLE

It turns out the AZGOP did not hire Alex Kolodin as its general counsel and instead stuck with Wilenchik & Bartness. Kolodin may have been in consideration for a post – not to lead the state party, but instead as Kelli Ward' personal attorney, Jack Wilenchik told our reporter. "Mr. Kolodin was potentially going to represent Kelli Ward in her personal capacity with respect to her election as party Chair – because we, as the party's lawyers, would have a conflict in representing her personally," Wilenchik wrote in an email. We reported Kolodin was rumored to be the next AZGOP attorney after Kolodin told our reporter he was "not authorized to comment on that publicly at this time," (YS, 1/27).

·WAKE UP CALL·

Ducey swings open school doors
Capitol Media Services
Declaring it's safe, Gov. Doug Ducey is ordering all schools to return to in-person and teacher-led instruction.

AIDS argument used as Arizona House votes to let businesses ignore mask mandates
Capitol Media Services
A lawmaker persuaded the Arizona House to let businesses ignore mask mandates to stem COVID spread partly by arguing they weren't needed decades ago to stop the spread of AIDS.

Arizona prison guard alleges sex assaults by supervisor
Associated Press
An Arizona corrections officer has alleged in a lawsuit against the state that she was subjected to a hostile

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002427
ARZN_REV00068830_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

environment while working at a prison where her supervisor was accused of sexually assaulting her and three others who worked there.

Sen. Kyrsten Sinema discusses cyberattack on Kingman
Kingman Daily Miner
The City of Kingman continues to work with the Arizona National Guard Cyber Joint Task Force in discovering the extent of the cyberattack on the city's computer system that occurred Friday, Feb. 26, an issue that was addressed by U.S. Sen. Kyrsten Sinema (D-Arizona) at a recent Homeland Security and Governmental Affairs Committee hearing.

Schools chief rejects GOP request to defund school district for '1619 Project' lessons
Arizona Mirror
The Arizona Department of Education won't act on a request from a Republican state lawmaker to take funding away from a Phoenix school district that serves low-income students because it adopted curriculum from "The 1619 Project," which examines the legacy slavery in the U.S.

Arizona House advances bill that would allow apps to bypass Apple, Google fees
The Hill
An Arizona bill that would allow app developers to bypass fees from the Apple and Google stores advanced Wednesday in the state House.

Supreme Court Seems Ready to Sustain Arizona Voting Limits
New York Times
The court also signaled that it could tighten the standards for using the Voting Rights Act to challenge all kinds of voting restrictions.

Domestic terrorists and GOP's leaders have voting rights in their sights
Arizona Mirror (Opinion, James E. Garcia)
The domestic terrorist attack on the U.S. Capitol by supporters of former President Trump is still making headlines, and rightly so.

We've got an unholy view of Native American holy sites like Oak Flat
Arizona Republic (Opinion, EJ Montini)
Would we take the same view of a copper mining proposal like Oak Flat if it was under a Christian site?

Canceled session in U.S. House proves the insurrection is not over
Arizona Republic (Opinion, EJ Montini)
The U.S. Capitol Police warned of a 'possible plot to breach the Capitol by an identified militia group,' so the Thursday session was canceled.

Arizona Senate has no plan for storing the 2.1 million ballots it plans to audit? Terrific
Arizona Republic (Opinion, Laurie Roberts)
Senate Republicans spent months demanding Maricopa County's 2.1 million ballots, now they don't know what to do with them. This is their idea of restoring public confidence in elections?

Gov. Doug Ducey's order to reopen schools is the right move, but wrong execution
Arizona Republic (Opinion, Joanna Allhands)
Gov. Doug Ducey wants to take a strong stance on school reopening. But if he wants it to work, he needs to offer more detail – and better support.

New York Gov. Andrew Cuomo is a creepy man preying on younger women. He has to go
Arizona Republic (Opinion, Elvia Diaz)
New York Gov. Andrew Cuomo has finally apologized over sexual harassment accusations, but he won't resign. Fellow Democrats should force him out.

Resolution Copper mine would give our town an economic boost. Don't we count?
Arizona Republic (Op-ed, Mila Besich)
Copper is not going to magically disappear in the Superior area. It will be mined and it should only be mined with extensive environmental permitting requirements.

Help fund more affordable housing for Tucson's vulnerable families
Arizona Daily Star (Opinion, Howard Epstein and Mike Dalton)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002428
ARZN_REV00068830_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

If there is any doubt Tucson is experiencing a homelessness crisis, just look at the many encampments around the city where hundreds are now making their homes in tents.

PRESS RELEASES

House Approves New Tax Relief for Arizona Small Businesses

STATE CAPITOL, PHOENIX – The Arizona House of Representatives has passed legislation to revise state tax structure for taxpayers and protect small business from overtaxation by the federal government. HB 2838, sponsored by Representative Joseph Chaplik (R-23), was approved late Wednesday. It does not impact the state general fund.
"This bill gives small businesses much-needed tax relief and allows for amendments in previous tax years without any negative fiscal impact to our state," said Representative Chaplik. **"I am keeping my promises to help businesses succeed further with more working capital and keeping Arizona a pro-business state with additional tax relief."**
In November 2020, the Internal Revenue Service issued guidance (Notice 2020-75) that pass-through entity businesses may claim deductions above the $10,000 State and Local Tax (SALT) cap. In response, at least seven states have imposed a new tax structure at the pass-through entity level permitting this deduction as intended by the federal government. Under HB 2838, Arizona would join those other states, providing small businesses significant potential tax savings.
All members of the House Republican Caucus supported final passage. The bill now moves to the Senate for consideration.

House Approves Bill Empowering Arizona Businesses to Determine Masking Rules

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today approved HB 2770, legislation sponsored by Representative Joseph Chaplik (R-23), which empowers businesses in Arizona to decide whether or not to enforce on its premises a mask mandate that is imposed by politicians from the state, county, city/town or other jurisdiction in Arizona. The vote was divided by party line, with all 31 Republican members voting in favor of the bill.
"Business owners are intelligent enough to make their own decisions with their private companies and this bill restores their rights," said Representative Chaplik. **"Employees should not be forced to police other citizens on private property and be in confrontational situations risking their safety when their job duties did not require this role."**
The bill now moves to the state Senate for consideration

AZ Senate: Every Life is Precious

A Statement from Center for Arizona Policy President Cathi Herrod, Esq.
Arizona senators sent a clear message today with their passage of SB 1457 – Life is an Arizona value worthy of protection. They told women their safety is more important than the abortion industry's bottom line, and they told taxpayers their money won't fund abortions.
The full Senate passed the pro-life bill along party lines, 16-14, sending it to the House for consideration. I applaud Senator Nancy Barto for sponsoring this commonsense legislation and the senators who voted for it because preborn babies who happen to have Down syndrome deserve a chance at life, women deserve critical medical attention if they take the abortion pill, and Arizona taxpayers shouldn't have to subsidize the abortion industry.
If House members also pass SB 1457, women won't have to worry about being left alone with a mail-in, do-it-yourself abortion pill. Reports indicate the chemical abortion pill is four times more dangerous than a surgical abortion, leaving women at risk of bleeding to death, among other things. This bill would ensure the abortion pill could not be sent through the mail, circumventing safety regulations, including doctor visits.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002429
ARZN_REV00068830_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The bill also prohibits abortions based on the preborn baby's diagnosis of a genetic abnormality like Down syndrome, and it establishes that Arizona laws will be interpreted in the context of valuing all human life. It requires respectful burial or cremation of aborted remains, and it repeals the pre-Roe law punishing women who get abortions.
SB 1457 clarifies the values of Arizona and ensures commonsense regulations on abortion remain intact. I urge the House to move it to Governor Ducey's desk.

Arizona Senate approves reasonable reforms that protect neighborhoods, preserve vacation-rental industry and property rights

Statement by Philip Minardi, director, policy communications, Expedia Group
"Expedia Group believes Arizona can have safe, quiet neighborhoods while keeping the door open to a vibrant vacation rental industry. We thank members of the Arizona Senate for striking that balanced approach with their approval of SB 1379 today. This bipartisan compromise will help protect neighborhoods from nuisance issues *and* preserves vacation rentals as a vital source of income for thousands of Arizona homeowners.
"SB 1379 enables state and local authorities to take action against irresponsible operators with stiff penalties, including suspension of the tax license for repeat violations. This is on top of existing regulations that allow municipalities to cite short-term rentals for noise, traffic and other nuisance-related concerns.
"Few industries were hit harder over the past year than leisure and hospitality – nearly 4 in 10 U.S. jobs were lost.[1] Now is the time for targeted, responsible reforms that solve problems without harming the economic vitality that has grown up around individual homeowners to include property managers, service providers, restaurants, coffee shops, and other small businesses.
"Expedia Group is committed to being part of the solution and looks forward to its continued collaboration with state and local officials and the Arizona vacation-rental hosts and guests we serve."

Dear Arizona: A Call from Educators

Education Leadership Group releases report on urgent need to reimagine career development in Arizona
(PHOENIX, ARIZ. March 3rd, 2021) – This week the Education Leadership Group (ELG) released, "Dear Arizona: A Call from Educators," a report detailing the urgent need to reimagine career development for all Arizona students. Convened by Pipeline AZ over the last twelve months, the ELG is composed of educators, administrators and leaders from wide-ranging education organizations across the state dedicated to improving talent outcomes. The report analyzes the opportunities, gaps and redundancies facing Arizona talent and career development across the student lifecycle and offers insights to create a better approach to career exploration for students at every stage of their education journey.
Through a detailed workshop process, the report identified seven key challenges for Arizona while identifying three needs for immediate action, including creating:

- More equitable access to career exploration.
- A singular, shared technology infrastructure.
- A feedback loop between industry and educators.

"Our vision is to make Arizona the national showcase of workforce innovation, through collaboration across the talent development ecosystem," said Jim Zaharis, co-chair of the ELG.
"Talent development is the foundation of economic development," said Richard Condit, co-chair of the ELG. "This effort needs advocates, and our future will be defined by collaborative action. This report aims to close the disconnect between industry and education so that we can better prepare the workforce and get students more equitable access to careers they are passionate about."
"As a career development and exploration tool designed for the Arizona community, connecting and amplifying the work of partners is core to our mission," said Katherine Pappas, Director of Workforce Strategy for Pipeline AZ. "In convening the ELG, we wanted to give educators a platform to speak directly to industry about the needs of students, in order to improve access to tools and training and to better equip employers with a future-ready talent pipeline in our state."
Over the coming weeks and months, ELG will be taking these learnings on a roadshow to facilitate the collaboration needed to address the barriers to student career readiness. To download the full report, share the findings, and sign up to request a presentation for an organization visit elg.pipelineaz.com.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002430
ARZN_REV00068830_3-4-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Comment on Today's Improving Jobs Report

Extending incentives to stay unemployed is not helping the economy

PHOENIX, March 4, 2021—*From Chad Heinrich, Arizona state director for the National Federation of Independent Business (NFIB), the nation's leading small-business association, on the release today of NFIB's monthly Jobs Report finding that 56% of small business owners reported hiring or trying to hire in February, up 5 points from January and that a net 18% of owners reported they are planning to create new jobs in the next three months.*

"Small business owners continue to try and swim upstream. They want to hire, but current government-imposed restrictions are preventing them from opening or being profitable. Further, the government is providing an incentive for many able workers to sit on the sidelines. Arizona is not an anomaly in that the COVID-19 pandemic, and government reactions to it, have severely disrupted the labor market. Now more than ever, we need elected officials to focus on what actions they can take to encourage job creation and participation in the labor market and not extend incentives that keep available workers sitting on the sidelines. Let's get Arizona back to work."

Statement from Arizona Community Organizations on Ballot Measure Attacks

"Republicans in the Arizona Senate and House of Representatives have introduced a multitude of attacks against the basic foundation of ballot initiatives. This is legislative overreach, an attempt to completely rewrite the rules and make it virtually impossible to pass any ballot measure. The people of Arizona created the initiative process in the original constitution in 1912 and the first initiative in the state was for women's suffrage which won by a landslide. Voters from all sides of the political spectrum have long exercised their constitutional right to put issues on the ballot. It is unjust and unconstitutional for the legislature to attempt to take away from voters the power of direct democracy. Some of these attacks on the ballot initiative process include HCR2016, which would refer a measure to require a supermajority of 60% to pass a ballot measure, up from the current simple majority that is needed to pass any type of ballot measure in Arizona. Additionally, in the Senate, SCR1024 would require a two-thirds vote for any ballot measure having to do with tax revenues. Other bills that are designed to undermine the ballot process or confuse voters include:

- **HCR2001**, establishes a "single subject" rule for statutory initiatives, providing another technical reason for tossing a ballot measure.
- **SB1497**, adds what amounts to a warning of the Voter Protection Act to the actual ballot. Adding this type of language to the actual ballot is unprecedented.
- **SCR1034**, allows the legislature to add amendments to ballot initiatives or even completely scrap a measure if a ballot measure "is found to contain illegal or unconstitutional language by the Arizona Supreme Court or the U.S. Supreme Court." This would poke a major hole in the Voter Protection Act.
- **SB1531**, requires petition circulators to either read aloud the initiative description to everyone signing or allow enough time for the description to be read before the person signs. Each person signing will affirm that the person had heard and understood or read and understood the description before signing. Again, this will provide another reason to disqualify signatures.

These proposed new rules on ballot initiatives are not designed to fix any specific problem that exists in the process, and instead are an extreme political and overkill response to ballot measures that voters have approved in recent elections.

The people of Arizona have used ballot measures to make progress for our state by creating the Independent Redistricting Commission, approving increased funding for public schools, providing paid sick leave and increasing the minimum wage for all workers, allocating tobacco settlement funds for early childhood education, and preventing animal cruelty. It is unjust and unconstitutional for the legislature to attempt to take away from voters this critical constitutional right."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I can tell you from the legal perspective that they hired us because they're serious about it."

- Jim Hill, attorney for Barton Mendez Soto, who is working on the effort to recall Finchem

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002432

ARZN_REV00068830_3-4-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, March 5, 2021 7:30:52 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: March 5, 2021
Attachments: March 5, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- GOP lawmakers seek to let states nullify new federal gun laws
- House OKs plan to strip AZ regulators of clean-energy rule power
- AZ Legislature moving to curb governor's emergency powers
- Arizona House approves governor's plan for expansion of off-reservation gambling

Arizona Republic

- Could a Texas-style grid failure happen in Arizona?
- Warranty company agrees to $1.75M settlement
- Senate has no plan for storage of 2.1M ballots
- State Senate OKs short-term rentals bill
- Arizona could give green light for to-go alcohol orders

KTAR News

- Arizona's disabled community wants priority for vaccine, more accessibility
- GOP state lawmakers seek to nullify federal gun limits
- Arizona Senate approves bill banning abortion due to genetic abnormalities

Arizona Daily Sun

- Ruling: Regulator can't enforce subpoenas without panel's OK
- Arizona Supreme Court to hear challenge to new education tax

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

GOP lawmakers seek to let states nullify new federal gun laws

Lindsay Whitehurst
Arizona Daily Star
March 5, 2021

With Democrats controlling the presidency and Congress, Republican state lawmakers concerned about the possibility of new federal gun control laws aren't waiting to react.

Legislation in at least a dozen states seeks to nullify any new restrictions, such as ammunition limits or a ban on certain types of weapons. Some bills would make it a crime for local police officers to enforce federal gun laws.

That can create confusion for officers who often work with federal law enforcement, said Daniel Isom, a former chief of the St. Louis Police Department who is now a senior adviser for Everytown for Gun Safety. Federal law plays a big role in some areas, such as keeping guns away from domestic- violence offenders.

Putting local officers in a position to decide which laws to enforce is the last thing police need at a time when cities such as St. Louis are experiencing a rise in violent crime, Isom said.

'This has been an extremely challenging year for both communities and law enforcement, and to ask any more mental strain on officers at this point in time seems to be quite displaced,' he said. Gun sales also have set monthly records nationwide since the coronavirus pandemic took hold.

Isom is concerned about a Missouri measure passed by the state House that would allow police departments with officers who enforce federal gun laws to be sued and face a $50,000 fine. It's not the first time Missouri has considered such a bill, but supporters pointed to President Biden taking office as a reason to pass it now.

In Utah, Republican Rep. Cory Maloy also referenced the incoming administration after the state House passed his bill with a similar provision forbidding the enforcement of federal gun laws. Many Republican state lawmakers see attempts to pass federal firearms restrictions as a threat to the Second Amendment.

'We really feel the need to protect those rights,' he said.

Several states passed similar laws under then-president Barack Obama, although judges have ruled against them in court. Most of the latest crop of federal nullification proposals focus on police officers inside their states who primarily enforce state rather than federal laws.

While Biden has called for a ban on assault weapons, any new gun legislation will likely face an uphill climb given the political polarization that has tripped up past administrations. Democratic lawmakers from conservative-leaning states also could join Republicans in opposing new gun restrictions. Any measures likely to pass would have broad support, like background checks on all gun sales, said Everytown President John Feinblatt.

AMERICAN OVERSIGHT

Those dynamics haven't stopped state lawmakers who want to make the first move to protect gun rights in their states. Federal nullification bills have been introduced in more than a dozen other states, including Alabama, Arkansas, Nebraska, Oklahoma, South Carolina, Tennessee, Wyoming, New Hampshire, North Dakota, South Dakota, West Virginia and Iowa. In Texas, the governor has called for the state to become a

Second Amendment sanctuary.

In Arizona, a Senate proposal that passed the chamber on Wednesday would allow officers to be sued for enforcing federal gun restrictions that the state considers violations of the Second Amendment. They potentially could face criminal charges. A bill in the House doesn't include those punishments, but its sponsor, Republican Rep. Leo Biasiucci, said it would be a clear rejection of federal restrictions on assault-style weapons, high-capacity magazines or other firearms.

'They can do that at a federal level, but in Arizona it's not going to fly,' he said.

His proposal passed the state House last week over the objections of Democrats such as Rep. Daniel Hernandez of Tucson, who was present at the 2011 shooting that severely injured former U.S. Rep. Gabrielle Giffords. If signed into law, the measure would be unconstitutional and lead to an expensive court fight, he said.

Biasiucci compares his plan to Arizona voters' move to legalize recreational marijuana even though it remains against federal law. Gun-control groups see it differently.

'Guns kill people and are used to create a public safety issue, whereas marijuana is really not,' said Allison Anderman, senior counsel with the Giffords Law Center to Prevent Gun Violence. 'What is likely to happen if gun laws are not followed is people get killed as a result.'

Rep. Leo Biasiucci, R-Lake Havasu City, says his bill, which passed the state House, represents a rejection of federal restrictions on high-capacity magazines and certain firearms.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

House OKs plan to strip AZ regulators of clean-energy rule power

Ryan Randazzo
Arizona Daily Star
March 5, 2021

Lawmakers moved Wednesday to strip the Arizona Corporation Commission of its power to make rules about clean energy in the state, following regulators' move to require electric companies to get all of their energy from carbon- free sources by 2050.

The House voted 31-28 on House Bill 2248 on Wednesday, March 3, with one member not voting. The bill prohibits the Corporation Commission from enacting any new energy rules after June 2020.

Last fall, after years of workshops and hearings on the issue, the Corporation Commission voted 4-1 to require electric companies like Arizona Public Service Co. and Tucson Electric Power Co., to get all of

AMERICAN OVERSIGHT

their energy from carbon-free sources by 2050, with intermediate targets before that date. Carbon emissions would need to be halved by 2032.

The clean-energy rules, which still need final approval from the commissioners — who are elected to their statewide offices — will force electric companies to rely more on solar, wind and nuclear energy, as well as energy-efficiency measures, and to retire all coal and eventually all natural-gas power plants.

The commission is expected to pass the final measure on a 3-2 vote, with support from Democrats Sandra Kennedy and Anna Tovar as well as Republican Lea Márquez Peterson. Republicans Justin Olson and Jim O'Connor have said they do not support the requirements.

Opponents, including Olson, have argued that requiring more clean energy needlessly increases utility rates for customers. Supporters of the new rules contend that solar energy, even with battery storage, is the cheapest new form of electricity utilities can build and, coupled with the environmental benefits of renewable energy, the rules are prudent and cost-effective.

OPPONENTS: BILL 'BAD FOR BUSINESS'

The bill to take the rule-making ability away from the commission got little discussion before Wednesday's vote, but Rep. Andrea Dalessandro, D-Sahuarita, shared some of the concerns from business groups that oppose the bill.

'If you pass 2248, the Legislature would directly and indirectly cause electricity rates to rise,' she said. 'I stand with the Arizona Technology Council and others who have signed in opposing this bill. Many companies large and small are seeking renewable-energy options. It is unconscionable that we would encourage paying more for energy than other states. This is bad for our business.'

The rules from the Corporation Commission include a host of other requirements, from energy efficiency requirements and battery storage policies for utilities.

But GOP lawmakers in Arizona have long opposed the commission's ability to direct statewide energy policy, and Gov. Doug Ducey has said the Corporation Commission suffers from 'mission creep' in setting rules not directly related to utility rates.

An Arizona Supreme Court decision on an unrelated matter last summer gave GOP lawmakers who oppose clean-energy rules hope that they could reverse the requirements based on one interpretation of the state Constitution and what it says about the Corporation Commission's authority.

The Supreme Court decision involving Johnson Utilities resulted in an 8-1 opinion that the commission has 'permissive' authority to set rules and regulations for utilities, but that in matters involving public safety, the Legislature's authority was supreme.

Democrats in the Legislature have debated Republicans regarding whether that decision actually means the commission doesn't have the authority to set clean-energy rules.

Rep. Gail Griffin, R-Hereford, is sponsoring House Bill 2248, which passed the House.

AMERICAN OVERSIGHT

Sen. Sine Kerr, R-Buckeye, is sponsoring a companion bill, Senate Bill 1175, which still needs a final vote in that chamber. Because the pieces of legislation are the same, Senate approval would send the bills to the governor's desk if the chambers can also agree on amendments made to the bills.

EXISTING RULES WOULD STAY IN PLACE

The bills at the Legislature would block the new rules passed in November from taking effect, but would not alter previous requirements, which are in place today. Those rules from 2006 require utilities to get 15% of their power from renewables such as solar and wind by 2025, and rules passed in 2010 require them to use efficiency measures to meet 22% of their energy demand by this year.

Opponents to the bills include Lucid Motors, which just built an electric-vehicle factory in Arizona; Tesla Motors, which considered building a factory in Arizona; the Arizona Technology Council, which has 750 members in the state; and a host of environmental groups.

'At a time when customers are most depending on reliable affordable power, lawmakers are creating uncertainty over electric power generation in Arizona,' said Shelby Stults, principal and Arizona state lead at Advanced Energy Economy, a national clean-energy group, in a prepared statement.

Stults added that there appears to be no way for the Legislature to take over energy planning if that ability is taken from the Corporation Commission.

'There's no clear process over how the Legislature will take over expert regulatory oversight of Arizona's electricity generation — this puts business investment in Arizona into a tailspin and jeopardizes electricity rates for all customers,' she said.

Former Corporation Commission Chairman Robert Burns, a Republican who spent 20 years in the Legislature, recently wrote to lawmakers telling them the bills were unconstitutional and that they should leave power-planning decisions to the commission.

Groups supporting the bills to block clean energy rules include Americans for Prosperity, the Goldwater Institute — which unsuccessfully sued to repeal the 2006 renewable-energy rules passed by the Corporation Commission — and the Home Builders Association of Central Arizona.

Return to the table of contents

AZ Legislature moving to curb governor's emergency powers

Howard Fischer
Arizona Daily Star
March 5, 2021

Legislators voted Thursday on multiple fronts to curb the power of this governor and future governors to declare and maintain emergency orders.

With no discussion, the Senate gave preliminary approval to Senate Concurrent Resolution 1001. If it gets final approval by the Senate and later by the House, it would immediately terminate the pandemic emergency that Gov. Doug Ducey declared nearly a year ago.

AMERICAN OVERSIGHT

The resolution, written by Sen. Michelle Ugenti-Rita, R-Scottsdale, says the Republican governor's March 11 emergency order has interfered with individual rights. It specifically refers to the stay-at-home edicts Ducey issued early in the pandemic.

While those have been allowed to expire, Ugenti-Rita said other Ducey actions remain, including restrictions on how some businesses can operate, which she said have wreaked havoc on the economy.

Ducey could terminate the emergency on his own. But he has repeatedly said his powers continue to be needed.

This measure, which now needs a final roll-call vote in the Senate before going to the House, uses a constitutional provision that allows the Legislature, by a simple majority, to declare the emergency over.

But Ducey could have the last word. A recent opinion by Republican Attorney General Mark Brnovich said that, under the current constitutional provisions, the governor remains free to issue a new emergency order.

There are separate legislative efforts designed to keep that from happening, at least by future governors.

House Concurrent Resolution 2037 was approved by the Republican-led House on a 31-28 party-line vote. It would allow a simple majority of state lawmakers to call themselves into special session to consider and review any gubernatorial emergency. Currently, a vote by a two-thirds margin is needed in order to do that.

Separately, the Senate gave preliminary approval to SCR 1010. It would require a governor to call a special legislative session any time he or she declares an emergency.

In both cases, that would give lawmakers the power to review what the restrictions the governor imposed and decide for themselves whether they are appropriate.

Nothing in either measure would affect the current emergency order. That's because a constitutional change requires voter approval. And that can't happen until November 2022.

But Rep. John Kavanagh, R-Fountain Hills, who wrote the House version, said there is a need to revisit the decades-old laws for the next time a governor declares an emergency.

'What we have now is absurd,' he told colleagues.

'What we have now are emergency procedures that were created for floods and hurricanes and fires, local short-lived emergencies, not pandemics,' Kavanagh said.

He said the governor has been given broad — and pretty much unquestionable — powers to act. 'Pandemics are statewide and they're long-lasting and the current procedures don't work,' Kavanagh said.

Sen. Kelly Townsend, R-Mesa, author of the Senate measure, said it's a simple matter of the constitutional right of a republican form of government.

'And that's not what we had this last year,' she said.

AMERICAN OVERSIGHT

'We had one person and his advisers making decisions on behalf of the entire state,' Townsend said. 'And I would challenge anyone to say that the state and the people in the state were satisfied with those decisions.'

Kavanagh said his measure is not a total power grab.

He said if whoever is governor doesn't like the changes the Legislature has made, he or she has the right to 'protest,' essentially a form of a veto. A vote of 60% of lawmakers would then be needed to override.

The concept of legislators second-guessing the governor during emergency situations raised concerns for Rep. Randall Friese, D-Tucson.

'In a pandemic, very specifically, when decisions need to be made expeditiously to address rapid spread, I think one person with the advice of experts, and the guidance of their agencies like the Department of Health Services, making those decisions is less problematic than 90 people,' Friese said.

He asked if having the Legislature decide wouldn't slow the process to the point of being ineffective.

Kavanagh and Townsend both said nothing in the measure would stop the governor from declaring an emergency and issuing immediate orders. But it would ensure the Legislature is in session and has a voice.

Friese said he agrees, in essence, with the idea of giving the Legislature a voice in future emergencies. 'We should have, as a Legislature, some sort of automatic approval or something,' he said. Friese also said there should be some simple procedure for lawmakers, at some point, to review the declaration.

But he said future emergencies could require rapid — and unilateral — action.

'One thing we know for sure is these viruses will evolve, these viruses will become more and more difficult to manage,' said Friese, who is a physician. And if there isn't quick action, he said the impact on Arizona could be even more pronounced than it has been.

'We will have businesses close for much longer, we will have hospitals at capacity,' Friese said.

'We will have much more people sick and dying,' he continued. 'And if we put too many triggers and make it too easy to undermine the plan of the executive, on the advice of many, many specialists and scientists and those people who are trained to respond to these things ... we could be causing ourselves a lot of grief.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona House approves governor's plan for expansion of off-reservation gambling

Howard Fischer
Arizona Daily Star
March 5, 2021

A bipartisan coalition of legislators gave Republican Gov. Doug Ducey a key victory Thursday as they approved his plan to expand off-reservation gaming in the state.

AMERICAN OVERSIGHT

The 48-12 House vote came despite concerns that Ducey's plan effectively amounts to a giveaway of valuable gaming rights to the owners of the state's sports franchises. Those franchises would exclusively be allowed to take wagers on the outcomes of professional and college sporting events.

Rep. Jeff Weninger, R-Chandler, who is carrying the bill for Ducey, acknowledged he could not say how much those franchises would have to pay for that exclusive right to make money off of gaming. He said that would be set by the Arizona Department of Gaming, whose director reports to the governor.

Pressed for details, Weninger said the experience from other states shows that these rights sell for anywhere from$500 to $20 million.

The flaw, said House Minority Leader Reginald Bolding, D-Laveen, is that it essentially gives the franchises the right to dictate what they want to pay. That's because no one else can bid against them.

'We are creating a market that only one set of players has access to,' he said,

leaving the state with 'no real negotiating power on the fees.'

'If we decide to set the fees at $20 million, then sports teams say, 'no, we're not going to pay that $20 million,' there's nothing else that we can do,' Bolding said. There's nothing in the legislation that would allow others to bid for the rights.

'So then the Department of Gaming may have to lower the fees,' he said.

Weninger did not dispute the exclusivity. But he said that's justified because the franchise owners have shown an interest in their communities and have a record of charitable works.

He acknowledged, though, that there is an interest in providing a financial boost to the sports franchises — including football, baseball, golf, NASCAR and hockey — because they have been financially damaged by pandemic shutdowns.

Rep. Randall Friese, D-Tucson, had different concerns.

He cited a provision that would allow what could amount to round-theclock games of keno being conducted at not just 'fraternal organizations' like the American Legion but also at racetracks. The measure as worded would permit a new game, essentially a form of lotto, every four minutes.

'People can lose paychecks over it,' Friese said.

Even with the House vote, a significant hurdle remains.
The Senate is set to consider what was supposed to be parallel legislation, a maneuver designed to expedite approval. That's because enactment of this measure is linked to a plan being negotiated by Ducey with tribes that would allow them to expand reservation gaming.

But Senate Bill 1794 includes something not in House Bill 2772: a provision to allow wagering on so-called 'historic horse races,' essentially a new form of gaming designed to provide financial help to horse tracks.

AMERICAN OVERSIGHT

However, that has not been agreed to by the tribes. And the deal is set up so the state can expand off-reservation gaming only if the tribes agree — and only to the extent of that agreement.

What the tracks want is, for all intents and purposes, a new game of chance.

It would allow people using machines to wager on races that were run in the past. But bettors would have no information on the name of the horse or the date of the race. They would be given some data on that horse's historical record and handicap.

Bettors could then watch an animated reenactment of the race on which they wagered, though that is not required. Instead, they could simply move on to bet on another historic race.

The tracks would keep a cut of the overall betting pool.

The proposal by Sen. David Gowan, R-Sierra Vista, was approved last month by the Senate Appropriations Committee and now awaits debate in the full Senate.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Could a Texas-style grid failure happen in Arizona?

Ryan Randazzo
Arizona Republic
March 5, 2021

Arizona is much better prepared to handle extreme weather events than Texas, but the state needs to remain vigilant to avoid a catastrophe like the one that left millions of people in the Lone Star State in the cold last month.

That was the message officials from Arizona's largest utilities delivered to lawmakers at the Capitol on Wednesday, after they were called to testify on the reliability of the state's power grid.

Those officials said there are lessons to be learned from the events in Texas.

They suggested Texas could have avoided power disruptions if the state better regulated its utilities to ensure adequate supply and was not mostly isolated from other states' power grids.

Millions of Texans were pitched into cold and darkness in February when a winter storm drove up demand for electricity as people tried to warm their homes.

At the same time, about 185 power plants in the state had problems because of the cold.

Texas power grid officials said Feb. 17 that they lost about 46,000 megawatts of power generation to weather that week. One megawatt is enough power for about 250 homes.

About 28,000 megawatts that went down because of the storm were coal, gas and nuclear, and about 18,000 megawatts were renewable plants like solar and wind, according to the Electric Reliability Council of Texas.

The Texas troubles not only affected electricity supply in that state, but the cold weather also froze up natural-gas wells that supply other states with fuel for heating homes and running power plants, including Arizona.

Randy Gabe, vice president of gas resources for Southwest Gas, which serves customers in Nevada and Arizona, said the company started to see price increases for fuel on Feb. 12. Then supplies were cut.

"Gas we ordered was not showing up," he said, adding that about 40% of the company's gas supply was curtailed during the event.

Gabe said that gas that normally costs $2.50 per unit was costing Southwest as much as $300 per unit, though he did not estimate what those price spikes would cost customers, who pay the price through their bills.

"This was certainly unprecedented," he said.

AMERICAN OVERSIGHT

Southwest Gas has a liquid naturalgas facility near Tucson that helped the company withstand the natural-gas shortage that resulted from the Texas weather. Arizona has no gas production in the state.

The facility opened in 2019 and can store about 2.7 million gallons of liquid natural gas.

The gas is compressed at a separate facility on the California border and trucked to the Tucson area.

The storage facility offers reliability and can supply a portion of Tucson for a few days, Gabe said.

“We didn’t need much gas from the supply because Arizona’s weather was so nice,” he said.

The gas stored at the facility saved Southwest Gas customers about $1.5 million in higher costs for the fuel on the market those days, he said.

Gabe also used the opportunity to lend support for a proposal to build gas storage near Eloy in salt caverns, which utilities in the state have discussed for years.

That facility would be much larger and store gas that could supply more of the state.

It’s estimated to cost about $400 million, but the facility probably would have paid for itself during the Texas event alone, he said.

“It sure would have been nice to have that storage,” he said.

Ariz. in better position than Texas

Arizona Public Service Co. gets about 40% of its natural gas for power plants from suppliers in Texas, with the rest coming from New Mexico, said Kent Walter, who works in the APS marketing and trading desk.

During the Texas cold snap APS lost about 30% of its supply, and thus reduced its use of gas plants during that time, he said.

He said he was “saddened” by the events in Texas that harmed customers, and also commented on rolling blackouts in California last year.

“In both cases, the root cause was preventable failures in policy that we do not share in Arizona,” he said. “Arizona is well positioned for extreme weather events.”

He said California focused too much on the single hour of peak demand during the day and not enough on the high energy demand after dark when people continue to use power.

“That’s not the fault of solar,” he said, referencing criticism of that power source related to California’s problems. “No one should expect solar generation at night. That’s just bad planning.”

Salt River Project Chief Power Executive John Coggins agreed that the Texas problems are “less likely to occur here.”

AMERICAN OVERSIGHT

He noted the fact that most of the Texas power grid "operates really as anisland" with few connections to power sources in other states and Mexico.

"I can't stand here today and say if Texas had more connections, or more robust connections ... they would have avoided the problems they had in that state, but it certainly would have given them a lot more options," Coggins said.

Coggins and Walter both referenced Arizona's regulations compared with Texas.

In that state, utilities generally don't own and operate power plants and don't have as much incentive to ensure adequate power to meet demand, even in rare events, they said.

SRP customers saved $50 million

Coggins also said that SRP hedges its fuel contracts, where the utility agrees to a predetermined price for gas in advance, a strategy that some large companies use to insulate themselves from swings in fuel prices.

Sometimes, hedges cost more than buying on the market, but sometimes they save money.

He said because of hedging, SRP customers won't see bills go up due to to price spikes caused by the problems in Texas.

Utilities in Arizona pass the cost of natural gas directly to consumers, so if they pay more, the line item on bills for gas eventually increases. If prices fall, utilities reduce that line item.

"During the Teas event our customers saved about $50 million," Coggins said.

Return to the table of contents

Warranty company agrees to $1.75M settlement

Rebekah L. Sanders
Arizona Republic
March 5, 2021

A home warranty company that required Arizona's summer temperatures to reach impossible levels before it would speed up air-conditioning repairs has agreed to pay $1.75 million to settle a lawsuit over misleading advertising, the Arizona Attorney General's Office said Wednesday. Landmark Home Warranty, in its contracts, promised customers to "make reasonable efforts to expedite service within 24 hours" to repair air conditioners during extreme heat.

But Arizonans who asked Landmark for fast service in reality waited days or even weeks for air-conditioning repairs, including during National Weather Service excessive heat warnings, The Arizona Republic's Call For Action program reported in 2018.

AMERICAN OVERSIGHT

Tempe landlord Mandy Grossman Rustempasic learned when one of her tenant's air-conditioning units broke down that Landmark defined extreme heat as an outdoor temperature of 100 degrees or more for 24 hours.

No place in Arizona has experienced 100 degrees for that long in recorded history, according to the National Weather Service. Even Death Valley in California, one of the hottest places on Earth, reaches an overnight temperature of 100 degrees rarely, federal data shows.

The Attorney General's Office called the Landmark policy a "deliberate deception."

Grossman Rustempasic called it "ridiculous."

"When a company takes advantage of people like that, it's horrible," she said. "My husband always says, 'You get so worked up about these things. Just deal with it and move on.' And I say, 'No, if it's wrong, it's wrong.' Now I feel good that I spoke up."

A Landmark spokesperson said in a statement that the Phoenix-based business takes pride in being active in the community and places great importance on the service it provides. "Our response to this matter is based on what we believe to be in the best interest of our customers and the community. We are eager to move forward and continue to provide great value and service to homeowners," the statement said.

To settle the lawsuit, the company agreed to pay $1 million to 26,000 Arizona customers, along with $750,000 in civil penalties to the state, while not admitting wrongdoing. Arizonans who had Landmark contracts between 2017 and mid-2020 will be eligible for a $25 payment. Those customers in the state who requested HVAC repairs from Landmark during a heat emergency can also apply for up to $1,000 for unreimbursed costs such as hotel stays or repair fees with proof of those expenses.

Firefighter Mike Montgomery told The Republic in 2018 he had two young kids at home, including a baby, when his family's air conditioning went out during a heat wave.

Of the three companies Landmark contracted with for service, one refused to come out and the others estimated a wait of two days or more, he said.

Montgomery paid nearly $500 to hire an HVAC company on his own. The repair person arrived in less than two hours, he said.

Montgomery said he's glad he complained to the newspaper and caught the attorney general's attention.

"It feels like you speak up and the right things happen. The right people hear it. Hopefully by me speaking up, it helped other people," Montgomery said. "They (Landmark) should have just provided the customer service people expected from the get-go."

The Attorney General's Office found that Landmark applied unrealistic definitions of extreme heat solely to customers in Arizona and that the definition shifted and was inconsistent.

Landmark argued its promise to "expedite service" referred not to repair work but to matching a homeowner with a repair company that could perform emergency services.

AMERICAN OVERSIGHT

Even so, only 8% of thousands of Arizona customers who made air-conditioning

requests during the summer months received an initial inspection within 24 hours, the Attorney General's Office found, and about half waited more than a week.

In some cases, repairs took a month or more to be completed.

While waiting for repairs, some customers' homes topped 90 degrees, causing pets to die and children and older people to report distress, the office said.

Extreme heat killed more than 300 people in Arizona last year, a record number.

Because of Landmark's delays, some families paid out-of-pocket for hotel rooms or to hire different repair businesses, the Attorney General's Office said. As part of the settlement, Landmark agreed not to advertise or promise emergency services in its contracts for five years.

Warranty firms, which charge homeowners monthly and per-service fees for the peace of mind that the company will cover large repairs and appliances, are frequent targets of complaint, often because of fine-print loopholes that leave homeowners in the lurch.

The Attorney General's Office sued Choice Home Warranty in 2019, alleging that the company used payment caps, contract exclusions and bad-faith refusals to avoid paying for repairs. That lawsuit is ongoing.

"When home warranty companies make promises to consumers, they better deliver, especially when it comes to air-conditioning repairs during the Arizona summer," Attorney General Mark Brnovich said in a statement. "Our office will continue to pursue companies who engage in these types of practices."

How to get money from the Landmark settlement

- Look for a letter soon from the claims administrator explaining your eligibility to receive money under the settlement.

- You must have had a Landmark Home Warranty contract in effect in Arizona at some point between Jan. 1, 2017, and July 8, 2020, to be eligible for $25.

- You must have requested air-conditioning service during a heat emergency from Landmark from 2017 to 2020 and provide proof of unreimbursed expenses (such as hotel nights or hiring of a repair company) to be eligible for up to $1,000.

- You can also email the Attorney General's Office at consumerinfo@ azag.gov or file a complaint about your Landmark warranty at https:// www.azag.gov/complaints/consumer to ensure you receive a claims letter.

Consumer Reports advises against purchasing a home warranty. Instead, homeowners should save the equivalent of a home-warranty fee — $15 to $65 every month — in a bank account for future repairs.

But if you must buy a warranty, follow these tips to purchase a better plan:

AMERICAN OVERSIGHT

- Your credit card may already provide protection. Ask your credit-card company if it extends the manufacturer's warranty for items you purchase with the card.

- Decide how much coverage you need. Home warranties usually come in three plans: coverage for one appliance, all of your appliances or for appliances plus plumbing and electrical systems. The more coverage, the more expensive the monthly cost.

- Don't forget the service fees. You will pay a service fee for each repair project, ranging from $60 to $125.

- Read the fine print. Contracts outline what home-warranty companies will and won't cover, but it can be tricky. A company may cover repairs to a refrigerator but not an ice maker. Ask if you can see a copy of the contract before you purchase.

- Take good care of your appliances. Home-warranty companies may refuse repairs if you neglected routine maintenance or if an appliance wasn't properly installed, even if you didn't know it was improperly installed.

- You may have to pay more to replace appliances anyway. If fixing an appliance is too expensive, a home-warranty company may offer to replace a broken item. But you may only receive the depreciated value, requiring you to chip in for a new one.

- Some plans limit payouts. Another reason to read the fine print: Home warranties may include clauses capping the amount of money they will pay for repairs or replacement in a certain time period.

Source: Consumer Reports

Do you have a problem? Azcentral.com can help

Have you been ripped off? Do you have a complaint against a business, health care company or government agency? If you live in Arizona, The Arizona Republic/azcentral.com may be able to investigate. We're #HeretoHelpAZ.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Senate has no plan for storage of 2.1M ballots

Laurie Roberts
Arizona Republic
March 5, 2021

For two months, the Arizona Senate has been demanding that Maricopa County turn over the 2.1 million ballots cast in the November election.

Now, the Senate doesn't know what to do with them.

If this is how the Republicans' "full forensic audit" begins, get ready for a train wreck, Arizona.

AMERICAN OVERSIGHT

Republican senators have been itching since November to get their hands on the ballots that delivered the state's 11 electoral votes to Joe Biden.

Senators issued a pair of subpoenas on Dec. 15, demanding that the county turn over all ballots, voting machines and detailed information on every Arizona voter, among other things. On Jan. 12, Senate President Karen Fann issued a third subpoena ordering the county to deliver the ballots by 9 a.m. Jan. 13.

When the county refused, contending state law required that the ballots remain sealed in a secure county warehouse, the Senate actually came within one vote of tossing the Maricopa County Board of Supervisors in jail.

The standoff ended last week when Superior Court Judge Timothy Thomason ordered the county to comply with the Senate subpoena. So on Monday, Maricopa County officials boxed up the ballots and early ballot affadavit envelopes and began loading them onto trucks.

All 78 pallets of them.

Now, we learn the Senate has no idea what to do with the ballots?

Late Monday, a lawyer for the Senate asked Maricopa County to hold off on delivery.

"The Senate's preference is to maintain the materials in the County's facility until the Senate has made suitable arrangements for storing the materials elsewhere," attorney Kory Langhofer wrote, in an email to the county. "We are hoping that the Senate will have firmed up its plans in the next few days."

One would think Senate Republicans might have made suitable arrangements for those all-important ballots by now, given their monthslong quest to get their mitts on them. They certainly were quick with their plans to hire Allied Security Operations Group – the experts who provided the Trump campaign with laughably inaccurate evidence of fraud – to conduct this "full forensic audit."

On Jan. 29, the Senate announced that it had hired "an independent, qualified forensic auditing firm to analyze the 2020 election results" though Fann quickly backtracked once the public got wind of the fact that her idea of "independent, qualified" auditors was Trump's crack Allied Security crew.
But the Senate apparently made no plans for what to do with the county's 2.1 million ballots, which until this week have been stored in a fire suppression vault inside Maricopa County's Election Tabulation Center, as required by state law.

Now the Senate is saying it never meant for the ballots to actually be delivered to the Senate, that it expected to perform its audit at the county's facility.

"The question is, why are they even sending them?" Senate spokesman Mike Phillipson told ABC 15 on Tuesday.

Perhaps it's because the Senate subpoena demanded that the ballots be delivered to 1700 W. Washington, which is the address of the Senate?

Maricopa County officials say the Senate made no request to use county facilities.

AMERICAN OVERSIGHT

Even if it had, they don't sound particularly interested in allowing unauthorized people to wander around in their facilities where county elections officials are preparing to conduct city elections, the first of which is scheduled for March 9 in Goodyear.

"The county is currently involved in municipal elections and cannot permit unauthorized persons inside the election facility," Supervisors Chairman Jack Sellers wrote, in a Wednesday letter to Fann.

The county has to ensure election integrity, after all.

So off the ballots must go to the Senate, which spent thousands of dollars in legal fees to gain control of them.

And now don't know what to do with them Heck of a way to "restore public confidence," Senator Fann.

If, in fact, that's really the purpose of the forthcoming electoral rectal exam.

Surely if you are seeking an independent expert analysis to "ensure election integrity," as our leaders have repeatedly claimed, you would have already arranged for a secure facility to house the ballots.

One that is guarded 24 hour a day to ensure no one tampers with them.

Surely, if restoring public confidence is your goal, you'd already have in place a plan to make darn sure that those ballots are watched every moment they are out of the hands of the people who are entrusted by law to keep them secure.

You would, wouldn't you?

Sen. Fann has repeatedly assured us the Republican-controlled Senate isn't on a quest to overturn the election. It is, she says, a mere search for truth.

"We must bring back confidence that the election results reported are how votes were legally cast," she said on Jan. 29, in announcing that she had hired the Trump auditors. "The Senate's forensic audit will bring accuracy and detail to the process, and with that restore integrity to the election process."

Accuracy and detail that begins and ends with the now-homeless ballots that, for all we know, may wind up with a home in Fann's broom closet.

I must say, my confidence is restored.

Return to the table of contents

State Senate OKs short-term rentals bill

Some say limits should go further than proposed
Ryan Randazzo
Arizona Republic
March 5, 2021

AMERICAN OVERSIGHT

Arizona lawmakers are giving bipartisan support to new rules on neighborhood properties used for short vacation stays, but cities that have fought with problem rentals say the measure falls short.

On Wednesday, lawmakers voted 27-3 in the Arizona Senate to support Senate Bill 1379, which allows municipalities to limit occupancy in vacation rentals and require them to have liability insurance.

The changes passed by the Arizona Senate on Wednesday are supported by vacation-rental companies Airbnb Inc. and Expedia Inc., but the League of Arizona Cities and Towns has asked lawmakers to allow municipalities to further restrict such rentals as municipalities in other states have done.

"We don't think it goes far enough," said Nick Ponder, a lobbyist for the League of Arizona Cities and Towns, during a February hearing on the bill.

"We don't see substantive changes that address our real concerns, which is the ability of local governments to do zoning as it pertains to short-term rentals."

He said cities and towns across the country have implemented zoning regulations on short-term rentals to address residents' concerns.

Paradise Valley Mayor Jerry Bien-Willner also spoke that day, agreeing that the bill doesn't do enough.

But the rental platforms support the limited measures.

"We feel it is a reasonable bill that does address the concerns we've heard from policymakers," Airbnb spokesman Jonathan Paton said at a February hearing on the bill.

Cities, neighbors seek ways to rein in problems

The issue has simmered since 2016, when Gov. Doug Ducey signed a bill that prevented municipalities from imposing any restrictions on vacation rentals other than existing noise ordinances and other laws that hard-partying vacationers often ignored to the chagrin of neighbors who found themselves living next to rental properties year-round.

People who live next to houses rented to vacationers frequently complain of noise, rude and drunken behavior, strangers in their neighborhoods and a general displeasure with businesses operating in residential areas.

The state Legislature passed limited restrictions in 2019 targeting rental houses used for special events like weddings. But lawmakers lacked enough support to pass the larger measures that neighbors wanted.

Rental platforms such as Vrbo and Airbnb brought property owners to the Capitol last year to lobby lawmakers against approving any restrictions that would limit their ability to earn money from rental properties, which many had made a primary source of income.

Senate Bill 1379 allows municipalities to limit rental occupancy to two adults per bedroom, up to four bedrooms, plus two additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space.

AMERICAN OVERSIGHT

A group called Arizonans for Responsible Tourism Recovery, which represents vacation-rental owners who support mild reforms, supports the bill.

"As a Scottsdale resident and vacation- rental owner, I'm grateful to the bipartisan group of legislators who struck an appropriate compromise today by approving SB 1379," spokesman John Hildebrand said in a prepared statement after Wednesday's vote.

"This legislation will protect neighborhoods from irresponsible hosts without pulling the rug out from under the vast majority of us who have followed the rules and support the state's visitor industry."

The group supports allowing municipalities to "crack down" on nuisance properties while letting property owners continue supplementing their income by serving as vacation-rental hosts.

The bill now needs a vote in the House before it's sent to the governor.

Return to the table of contents

Arizona could give green light for to-go alcohol orders

Ryan Randazzo and Tirion Morris
Arizona Republic
March 5, 2021

Buying cocktails to go with take-out meals could return to Arizona after legislators voted on Wednesday to allow restaurants and bars to resume those services.

The ability to sell cocktails to go was offered and later rescinded last year during the pandemic.

The vote is a win for restaurants seeking to make extra revenue through takeout orders as the coronavirus pandemic continues. Bars, however, see it as a loss because they pay more for their liquor licenses, which allow some offpremise sales. The measure passed after a short discussion and the acceptance of five amendments to House Bill 2773.

The amendments outlined that customers must order food if they want to buy cocktails for takeout. Another requires that a company's name or logo must be present on the cocktail container to identify where it was sold.

House Bill 2773 is sponsored by Rep. Jeff Weninger, R-Chandler, who co-owns several restaurants. Currently, only bars can sell alcohol to go and it has to be packaged, not mixed drinks. Restaurants can't sell any alcohol to go.

The bill also allows bars and restaurants to sell alcohol through home-delivery services. After passing the House on a 34-26 vote Wednesday, it will transfer to the Senate.

Gov. Doug Ducey through an executive order allowed alcohol to-go sales last year when dining in restaurants was prohibited. The relaxed rules continued as dine-in eating was later allowed, though limited, because of the pandemic.

AMERICAN OVERSIGHT

Many restaurants around metro Phoenix and the state took the opportunity and sold cocktails in jars and plastic containers, along with full bottles of beer and wine.

But bar owners, who pay substantially more for their liquor licenses than restaurants, and who were not allowed to reopen if they weren't serving food, were not thrilled.

Bar owners pay close to $100,000 for their liquor licenses, and, as Rep. Brenda Barton, R-Payson, brought up during the vote, restaurants pay much less. One of the benefits of bars' costlier licenses is the ability to sell packaged liquor to go.

Many bar owners joined a lawsuit challenging

the governor's closure order and, as a tangent, protested the to-go sales Ducey allowed for restaurants.

Allowing restaurants to sell takeout alcohol undermined their businesses and devalued their licenses, the bar owners' lawsuit argued.

Maricopa County Superior Court Judge Pamela Gates in November ruled that Ducey's order regarding to-go sales was not legal, so state liquor regulators told restaurants they would no longer allow them.

But people liked alcohol to-go with takeout food, prompting Weninger to bring the idea back at the Legislature.

Many different types of licenses

Restaurant and bar owner Matt Fulton, whose properties include the Whining Pig and others that have a variety of liquor licenses, spoke in favor of the bill at a February hearing.

Like the bill's sponsor, he said the measure would help eateries recover economically from the pandemic.

"This has been an incredibly difficult year for us for the restaurants and also the bars," Fulton said.

He said it doesn't make sense for one of his properties with one type of license to be allowed to sell to-go cocktails while another can't.

"I think it's fun for them to come and get that cocktail," he said of customers.

Bars, which usually have a series 6 liquor license, normally can serve alcohol without serving food, though that is restricted during the pandemic. They can sell packaged beer, wine and liquor to go, but not mixed cocktails. The bill allows them to sell mixed cocktails to go under Weninger's bill.

When asked by lawmakers about the difference in license expenses, Fulton said that it costs about $100,000 to $115,000 for a series 6 license for a bar, allowing to-go alcohol with no food requirements.

He said a series 7 costs $40,000 to $45,000 for the same type of license for beer and wine but excluding hard alcohol.

AMERICAN OVERSIGHT

Series 6 and 7 licenses are “quota” licenses issued through a lottery and often are sold from one business to another within the same county.

Restaurants that serve alcohol usually use a series 12 license requiring

they generate at least 40% of their revenue from food to sell alcohol or they must forfeit that license and obtain a more expensive one. Under the bill, they could apply for a permit allowing them to sell cocktails to go.

Fulton said acquiring a series 12 license costs about $5,000.

The Arizona Restaurant Association supports the measure.

Bars, through the Arizona Licensed Beverage Association, continue to oppose allowing restaurants to sell to-go alcohol.

Some see sales as ‘dangerous’

Lobbyist Don Isaacson for the Beverage Association said at a Feb. 9 hearing on the bill that restaurants “never anticipated or planned for the right to sell liquor to go.”

He said they got that right as a “gift” from the governor, “and now want it for free, or not the fee that is paid for by others.”

Also speaking in opposition to the bill in February was Daryl Chester, owner of Jester’s Billiards and Rino D’s Pizza and Wings, who has had various liquor licenses in the state since 1989.

Chester said he spoke to Weninger in April as one restaurant owner to another. Weninger co-owns Floridino’s Pizza & Pasta in Chandler and multiple locations of Dilly’s Deli, according to his state biography.

Chester said Weninger told him then that he was selling mason jar cocktails to go and scoffed at him when Chester asked if he would buy a series 6 license to keep doing it after the pandemic.

Weninger asked Chester if he could currently sell to-go cocktails and he said he didn’t want to.

“I think it’s dangerous,” Chester said. “Do you really think a cocktail is not going to be drank on the way home after you buy it to go?”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona's disabled community wants priority for vaccine, more accessibility

Ali Vetnar
KTAR News
March 5, 2021

Arizona has adopted a hybrid vaccination system, with the state-run sites limiting service to previously eligible populations while phasing in age groups.

County health departments will now determine how to prioritize at-risk groups and vulnerable populations as their vaccine allocations increase.

In the meantime, those with intellectual and developmental disabilities have been left out of the priority groups for the COVID-19 vaccine in Arizona.

A group of advocates on Thursday held a virtual press conference expressing their concerns about how the state has prioritized vaccination eligibility.

"This hybrid approach introduces age categories but it completely ignores people with intellectual and developmental disabilities and those who live with Down syndrome," Sey In, staff attorney with the Arizona Center for Disability Law, said.

Last week, the Arizona Center for Disability Law and other disability rights organizations sent a letter to Gov. Doug Ducey requesting changes to the state's COVID-19 vaccination plan.

They want to see improved accessibility and ensure effective communication for those who are deaf and hard of hearing in addition to developing a plan to vaccinate those who are homebound.

During a virtual press conference, self-advocates spoke about their struggles during the COVID-19 pandemic and described their frustrations in not being prioritized for the vaccine.

"I, for one, was using public transportation as my primary source of transportation prior to the pandemic and now I feel terrified to use public transportation," Calvin Cook said.

Kristy Kensorg is a social worker who is now working from home with her four kids, one of which lives with Down syndrome. She, too, is fighting for the disabled community to get prioritized for the COVID-19 vaccine.

"Among groups at higher risk of dying from COVID-19, people with Down syndrome stand out," Kensorg said, as she described that the Centers for Disease Control has added Down syndrome to its list of high-risk groups.

Barriers faced among the disabled community are not few, either.

Speaking on behalf of the 1.1 million Arizonans who are deaf, hard of hearing and or blind, Executive Director for the Arizona Commission for the Deaf and the Hard of Hearing Sherri Collins described her experience receiving her first COVID-19 vaccine shot.

AMERICAN OVERSIGHT

"I must have encountered about twelve different people through the entire process, not one person offered communication in writing," Collins said.

The group of advocates has invited the Governor's Office to engage in conversation with disability rights organizations to ensure equitable access to vaccines.

To date, the Governor's Office has not responded to the letter.

Return to the table of contents

GOP state lawmakers seek to nullify federal gun limits

KTAR News
March 5, 2021

With Democrats controlling the presidency and Congress, Republican state lawmakers concerned about the possibility of new federal gun control laws aren't waiting to react.

Legislation in at least a dozen states seeks to nullify any new restrictions, such as ammunition limits or a ban on certain types of weapons. Some bills would make it a crime for local police officers to enforce federal gun laws.

That can create confusion for officers who often work with federal law enforcement, said Daniel Isom, a former chief of the St. Louis Police Department who is now a senior advisor for Everytown for Gun Safety. Federal law plays a big role in some areas, such as keeping guns away from domestic violence offenders.

Putting local officers in a position to decide which laws to enforce is the last thing police need at a time when cities such as St. Louis are experiencing a rise in violent crime, Isom said.

"This has been an extremely challenging year for both communities and law enforcement, and to ask any more mental strain on officers at this point in time seems to be quite displaced," he said. Gun sales also have set monthly records nationwide since the coronavirus pandemic took hold.

Isom is concerned about a Missouri measure passed by the state House that would allow police departments with officers who enforce federal gun laws to be sued and face a $50,000 fine. It's not the first time Missouri has considered such a bill, but supporters pointed to President Joe Biden taking office as a reason to pass it now.

In Utah, Republican Rep. Cory Maloy also referenced the incoming administration after the state House passed his bill with a similar provision forbidding the enforcement of federal gun laws. Many Republican state lawmakers see attempts to pass federal firearms restrictions as a threat to the Second Amendment.

"We really feel the need to protect those rights," he said.

AMERICAN OVERSIGHT

Several states passed similar laws under then-president Barack Obama, although judges have ruled against them in court. Most of the latest crop of federal nullification proposals focus on police officers inside their states who primarily enforce state rather than federal laws.

While Biden has called for a ban on assault weapons, any new gun legislation will likely face an uphill climb given the political polarization that has tripped up past administrations. Democratic lawmakers from conservative-leaning states also could join Republicans in opposing new gun restrictions. Any measures likely to pass would have broad support, like background checks on all gun sales, said Everytown President John Feinblatt.

Those dynamics haven't stopped state lawmakers who want to make the first move to protect gun rights in their states. Federal nullification bills have been introduced in more than a dozen other states, including Alabama, Arkansas, Nebraska, Oklahoma, South Carolina, Tennessee, Wyoming, New Hampshire, North Dakota, South Dakota, West Virginia and Iowa. In Texas, the governor has called for the state to become a Second Amendment sanctuary.

In Arizona, a Senate proposal that passed the chamber on Wednesday would allow officers to be sued for enforcing federal gun restrictions that the state considers violations of the Second Amendment. They potentially could face criminal charges. A bill in the House doesn't include those punishments, but its sponsor, Republican Rep. Leo Biasiucci, said it would be a clear rejection of federal restrictions on assault-style weapons, high-capacity magazines or other firearms.

"They can do that at a federal level, but in Arizona it's not going to fly," he said.

His proposal passed the state House last week over the objections of Democrats such as Rep. Daniel Hernandez of Tucson, who was present at the 2011 shooting that severely injured former U.S. Rep. Gabby Giffords. If signed into law, the measure would be unconstitutional and lead to an expensive court fight, he said.

Biasiucci compares his plan to Arizona voters' move to legalize recreational marijuana even though it remains against federal law. Gun-control groups see it differently.

"Guns kill people and are used to create a public safety issue, whereas marijuana is really not," said Allison Anderman, senior counsel with the Giffords Law Center to Prevent Gun Violence. "What is likely to happen if gun laws are not followed is people get killed as a result."

Similar measures passed by the Republican Legislature in Montana were vetoed in previous years by the former Democratic governor. Now working with a Republican governor, the state House passed a bill last week to bar state officials from enforcing federal bans on certain firearms, ammunition or magazines.

Under Obama's presidency, the Legislature passed a law in 2009 that made guns and ammunition manufactured in Montana exempt from federal law. It eventually was struck down in court, but several states still followed with their own nullification measures. In 2013, two Kansas men tried to use that state's nullification law to overturn their federal convictions for possessing unregistered firearms, but the challenge was rejected.

AMERICAN OVERSIGHT

"The main issue there is the Supremacy Clause," the part of the Constitution that says federal law supersedes state law, said Jacob Charles, executive director of the Center for Firearms Law at Duke Law School. Even so, the bills focused on what local police can and can't do could pass legal muster.

"States have no obligation to enforce federal law," he said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Senate approves bill banning abortion due to genetic abnormalities

KTAR News
March 5, 2021

The Arizona Senate has approved a measure banning abortions because of Down syndrome or other genetic abnormalities and making other changes to abortion laws.

Republicans approved the measure in a 16-14 party-line vote on Thursday.

The measure would allow the father or maternal grandparents to sue on behalf of a fetus and would prohibit pharmacies from providing abortion-inducing drugs through the mail. Fetal remains would have to be buried or cremated.

It also would repeal laws punishing women for getting abortions, leaving penalties against doctors who provide them if the U.S. Supreme Court overturns or narrows the Roe v. Wade decision that legalized abortion.

Conservatives are hopeful that a Supreme Court that moved to the right during Donald Trump's presidency would allow states like Arizona to be more aggressive in restricting abortions.

Abortion-rights advocates say the bill is an unconstitutional intrusion into a woman's right to have an abortion before a fetus is viable. A physician testified that it would chill the First Amendment rights of doctors to honestly provide medical advice to their patients.

Democrats said the Legislature should be focused on providing support for families with disabled children, not interfering with a woman's choice about whether to end a pregnancy.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Ruling: Regulator can't enforce subpoenas without panel's OK

Arizona Daily Sun
March 5, 2021

A new court decision says one Arizona Corporation Commission member can't sue to enforce an investigatory subpoena in a utility rate-setting case over the opposition of the majority of the commission members.

A Court of Appeals panel's ruling Thursday upholds a trial judge and denies an appeal by former Commissioner Robert Burns, who had sued other commission members and Arizona Public Service Co., the state's largest utility.

Burns had sought to enforce subpoenas he issued to APS for information on whether APS had funneled donations through independent expenditure groups in support of other commission candidates in the 2014 election.

APS didn't fully comply with the subpoenas. Burns was thwarted when other commissioners balked at enforcing the subpoenas.

Burns went to court, but a trial judge ruled Burns lack legal standing to disqualify the other commissioners from the rate case and to unilaterally enforce compliance with his subpoenas.

APS disclosed in 2018 that it broke with its precedent and secretly spent more than $3 million to support its favored candidates for the Corporation Commission.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Supreme Court to hear challenge to new education tax

Bob Christie
Arizona Daily Sun
March 5, 2021

The Arizona Supreme Court on Thursday agreed to hear an expedited challenge to a new voter-approved tax on high-earning Arizonans designed to boost school funding.

The unusual action by the high court comes a month after a trial court judge refused to temporarily block Proposition 208 from taking effect. He rejected three separate constitutional challenges brought by opponents, who include the Republican leaders of the Legislature. Earlier, he had rejected a fourth challenge.

The high court was urged to immediately take the case and sidestep the normal course where the lower court judge would hold a trial. Republican Gov. Doug Ducey joined that request.

The Supreme Court set an expedited briefing schedule and set arguments for April 20.

AMERICAN OVERSIGHT

The challengers are represented by attorneys with the Goldwater Institute, who praised the court for accepting the case.

"Today's order shows that the Supreme Court understands how important these constitutional challenges are," Goldwater attorney Timothy Sandefur said in a statement. "Rather than having the case go through the slower procedures for appeals, the Court announced that it will hear the case right away."

Challengers raised several constitutional challenges. They include an argument that the measure needed a two-thirds vote to pass, as do tax increases enacted by the Legislature.

Another challenge questioned whether the new tax money, funneled through a special fund doled out to schools to pay for increased teacher and other pay, would put schools over a legal spending limit. They also said the measure does not have its own funding source to cover implementation costs, as the constitution requires, and that a provision that bars lawmakers from using the new tax to replace other school funding was illegal.

Maricopa County Superior Court Judge John Hannah Jr. rejected all of these arguments, finding it was unlikely that opponents of Proposition 208 would prevail and refusing to temporarily block collection of the tax.

Proposition 208, which voters passed in November, imposes a 3.5% tax surcharge on income above $250,000 for individuals or above $500,000 for couples. Supporters say it could raise about $940 million a year for schools, although the Legislature's budget analysts estimate it will bring in $827 million a year.

The measure was an outgrowth of a 2018 teacher strike that resulted in educators getting a 20% pay raise over three years. But the state did not meet their other demands.

The attorney representing Invest in Education, the grassroots committee that got the measure on the ballot, wasn't immediately available for comment.

The Supreme Court is well versed in Proposition 208 and opponents' efforts to prevent it from becoming law. In August, the court rejected a lower court ruling keeping the measure from going before voters.

The lower court had agreed with opponents that the 100-word summary on petitions voters signed inaccurately described the measure. It also found that a bonus system the petition company used to award some circulators violated a law that bans paying them per signature.

Chief Justice Robert Brutinel wrote for the unanimous court that the trial court judge was wrong.

Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, March 5, 2021 7:39:25 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes March 5, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window

Arizona Legislative Report

Today's News Notes

March 5, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative*

AMERICAN OVERSIGHT

Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until March 8, Monday, at 1:15 p.m.

THE SENATE IS ADJOURNED until March 8, Monday, at 1:30 p.m.

NEWS NOTES

AARP: THE ELDERLY ARE DYING - WHERE'S THE OUTRAGE?

AARP state director Dana Marie Kennedy criticized the Legislature for so far spending the year focusing on what many deem to be faux election problems, rather than real Covid issues. "I think this Legislature has definitely misplaced their priorities," she said a recent *Capitol Times* Morning Scoop (LINK). "We don't really have a problem with our elections. I think there's been a lot of hysteria to suggest we have a problem, but I would like to actually make sure we are investigating how we have so many deaths in our long-term care facilities." In fact, she said, her constituency actually had a relatively positive experience this election cycle, as the Secretary of State's Office and county recorders put a focus on ensuring people in long-term care facilities were able to vote. "Keep in mind they usually get help from family members, and they were locked out while residents were locked in," Kennedy said. She praised Dunn and Longdon for pushing legislation to add funding for inspectors for long-term care facilities, but noted those bills didn't necessarily come out of Covid but from the Hacienda scandal. Those new inspectors are desperately needed, she said, noting that a caregiver in a group home recently killed a resident. "The owner of that facility owned two homes and one of the homes hasn't even had an inspector out in over a year - in Covid! Where is the outrage?" she said. She added that over 70 percent of long-term facilities have faced some kind of citation for infection control in the past, and noted that some facilities haven't allowed visitors for nearly a year. "What are we going to find when family members actually are able to go back into these facilities? How much abuse and neglect has happened in this past year?" she said.

AMERICAN OVERSIGHT

AND WHERE'S THE DATA?

Kennedy said Arizona still doesn't know the full toll of Covid on the elderly, and it is among the few states that doesn't have a transparent accounting of the death tally in elder care homes. "We were not sharing with the public where we had outbreaks. There were people inside these facilities that weren't even told that there was Covid in the facility. We had management tell people to come to work even though they had signs of symptoms of Covid," she said. Nearly 2,500 people have died in skilled nursing facilities, she said, but that doesn't include the unknown number of deaths in assisted-living facilities and assisted-living facility group homes. "We're one of the only states in the entire state that doesn't disclose that information," she said. "So we don't have a real picture of how devastating this virus has been to people living in congregate settings." Still, Kennedy saw a few bright spots, including that Ducey made vaccinations for those in assisted care "his top priority." She said that as of today, at least 50 percent of those living and working in assisted-living facilities have been vaccinated, while vaccination is at 100 percent or at least one shot at skilled nursing facilities.

A DECADE AFTER S1070, ARIZONA RECOGNIZES VALIDITY OF CONSULAR IDS

Ducey today signed Boyer's S1420 (consular identification; validity; biometric verification). In his signing letter, Ducey wrote that the bill will ensure law enforcement can quickly and accurately identify more people with whom they interact, as consular IDs use strict biometric identification measures. The bill has been in the works for several years. A measure sponsored by former Rep. Tony Rivero passed the House last year but died because of the Covid-shortened session.

BILL BARRING REVOCATION OF BUSINESS LICENSES FAILS

A bill that bars the government from revoking a business' license for not complying with orders issued during a pandemic-related state of emergency narrowly failed in the House yesterday but will come back for another vote. Lawmakers voted down H2570 (licenses; pandemics; revocation), 28-32. Udall and Cook joined the Democrats in voting against it. Hoffman, its sponsor, also voted "nay" so he could make a motion to reconsider its failure, which he did before the House adjourned. Butler said the bill would allow bad actors to take advantage of the system since their licenses couldn't be

AMERICAN OVERSIGHT

revoked for flouting the law. Hoffman gave a fiery speech in favor of his bill, saying there would still be ways to punish bad actors but that the government shouldn't be able to strip you of your ability to make a living. He said he has businesses in his district that are routinely threatened with having their licenses revoked. "It is an outdoor establishment but the government enforcers don't care that the CDC guidelines are being met if they aren't the mask enforcers, if they aren't whatever they may be," Hoffman said. The bill contains an exception that would allow a license to be revoked if the government "can demonstrate by clear and convincing evidence that the business was the actual cause of transmission of the disease that is the subject of the order."

SHOPE SEEKS WITHDRAWAL OF FANTASY SPORTS BETTING FROM GOWAN'S PANEL

Shope told our reporter he's pushing harder to withdraw his S1797 (fantasy sports betting; event wagering) from appro after Weninger's mirror H2772 passed the House yesterday. Gowan scheduled S1797 for a committee hearing last week but decided at the last minute not to hear it, instead amending the bill onto his own S1794 (historic race wagering). The action tied an idea Ducey and at least two tribes like as part of a rewritten tribal gaming compact - fantasy sports betting – with historic horse racing. Some described Gowan's move as a poison pill. Shope said he casually asked last week about withdrawing the bill from appro and didn't get a response, so he repeated his request more directly yesterday after Weninger's bill passed. He still hasn't heard anything back.

FANN: EVERYTHING OUTSIDE OF THE GAMING COMPACT IS A POISON PILL

Fann was defensive of Gowan's S1794 during a Rules Committee hearing last week, when the panel's counsel warned that the bill appears to "pop the poison pill provision" because historic race wagering was prohibited. "The Shope and Weninger bills, technically they pop the poison pill, too, because they are not in the current compact," Fann responded. Borrelli added that only sports betting would be a poison pill provision because horseracing, the lottery and parimutuel wagering are already grandfathered in as they were legal before 2002. (Historic horse racing involves using machines to make bets on races that have already happened.) Gray added that he didn't think

AMERICAN OVERSIGHT

the “poison pill” needed to be discussed in rules because it has nothing to do with the constitutionality of a bill.

LAWMAKERS REALLY, REALLY WANT TO CURB VOTERS’ LAWMAKING POWERS

The House approved two significant proposed ballot measures for 2022 on Thursday. HCR2020 (lieutenant governor; joint candidacy), which would ask voters in 2022 if they want to create a lieutenant governor position to be elected on a ticket with the governor, was approved, 45-14. Currently, the secretary of state is next in the line of succession if the governor steps down, and since the Secretary of State and governor are sometimes from different parties, supporters of the change say it would ensure the Governor’s Office doesn’t change hands politically when that happens. HCR2016 (initiatives; supermajority vote requirement), which would ask voters if they want to increase the threshold to pass an initiative from the current simple majority to 55%, also passed on a party-line vote, 31-29. Its Democratic opponents characterized it as a legislative power grab by Republicans who don’t like the things voters approve at the ballot box and asked why initiatives should be held to a higher threshold than legislative votes or candidate elections to office. Bolding called it an example of “if you can’t win, change the rules.” Republicans said initiatives should be held to a higher threshold since Arizona requires a three-quarters vote of the Legislature to change an initiative, meaning it’s practically impossible to correct mistakes, particularly when the issue is controversial.

HOUSE ADVANCES PRO-LAW ENFORCEMENT MEASURES

The House passed three measures this week that supporters say would help protect police officers but that opponents argue would make it harder to root out misconduct. H2550 (complaints against police officers; notification), which passed Wednesday, would require a police agency to warn people filing a complaint that it is a Class 1 misdemeanor to make a false complaint. Rodriguez said H2550 would discourage people from reporting police misconduct and perpetuate a myth that false claims are common when police aren’t subject to any more misconduct claims than anyone else. “We should be encouraging those people to come forward, not putting up another barrier,” he said. H2295 (law enforcement officers; database; rules) would require a prosecuting agency to send written notice to a police agency at least 10 days

AMERICAN OVERSIGHT

before adding an officer to the "Brady List" due to lying, criminal history or other integrity concerns, while H2567 (peace officers; investigator membership requirements) requires two-thirds of the voting membership of any governmental committee, board or entity investigating police officer misconduct to be Arizona Peace Officer Standards and Training-certified law enforcement officers of the rank and from the same department as the officer being investigated. Both passed on Thursday.

DITTO FOR BILL SUPPORTING BRNOVICH'S ELECTION INTEGRITY UNIT

The House passed four more voting-related measures yesterday also on party-line votes. H2357 (attorney general; voter fraud; subpoena) lets the attorney general issue subpoenas to advance the work of the office's Election Integrity Unit, while H2792 (early ballots; request required) requires people to request early ballots and bars mailing them automatically, which effectively bans automatic vote-by-mail. (It contains an exception for the Permanent Early Voting List.) H2793 (voter registration; request required) bans automatic voter registration. And, finally, HCR2023 (elections; state authority; infringement; opposition) declares the Legislature's opposition to the For the People Act, a Democratic-supported bill to expand voting rights and change campaign finance laws that recently passed the U.S. House but faces an uncertain future in the Senate. Republicans said these measures would help protect election integrity, while Democrats called them efforts to make it harder to vote and perpetuate the "big lie" that Trump really won the election.

I HATE THIS BILL AND I VOTE AYE

Pace gave Barto's S1457 (abortion; unborn child; abnormality) the 16th vote to get out of the Senate, but not before saying he has significant concerns he wants Barto to fix in the House. The wide-reaching bill bans abortions based on genetic abnormalities and states that all Arizona laws should be interpreted to provide fetuses the same rights as living people in the U.S. Pace's particular issue stems from a section that would prohibit any taxpayer money or tuition fees from being used for research projects into abortion or human somatic cell transfer. As Pace reads it, that could ban studies looking at the demographics of women who get abortions. "The social science behind abortion should still be able to be studied but just not using these funds to actually perform one," he said.

DEMOCRATS IN LD11 SEEK TO KEEP FINCHEM ON HIS TOES

AMERICAN OVERSIGHT

Rural Arizonans for Accountability announced Friday it has filed a recall effort against Finchem over his association with the protests against the presidential election results at the U.S. Capitol on Jan. 6. The group needs to get 24,775 signatures out of Legislative District 11 by the July 2 deadline. Pablo Correa, a U.S. Marine Corps veteran who is one of the co-directors of the effort, hopes the violent protests have changed enough minds in Finchem's red district to get enough signatures. "We have faith in the team that we built, but not only that, the events of Jan. 6 have changed the situation on the ground," he said. He said his group set up regional field directors in the largely rural district, legal counsel and 50 paid canvassers who will be working along with volunteers to gather signatures. The organizers said Finchem's actions violated his oath to defend the U.S. and Arizona constitutions from all enemies, foreign and domestic. Natali Fierros Bock, another co-executive director of the effort, cited his attending the Jan. 6 rally, calling it an event meant to "disrupt our natural transfer of constitutional power," and his association with groups, such as the Oath Keepers and the Coalition of Western States. "Rep. Finchem is not my enemy," Correa said. "Rep. Finchem is not our enemy. But Rep. Finchem's actions have shown to undermine some of the sacred institutions of our democracy." Finchem defended his efforts to challenge the presidential election result in Arizona and denied witnessing any violence or taking part in any wrongdoing at the U.S. Capitol on Jan. 6. He also said his political opponents are trying to silence and punish him for his speech, at times accusing them of using Soviet-style tactics. Finchem recently sued Fernandez for signing a letter asking the FBI and U.S. Attorney's Office to investigate him. He is raising money to sue the rest of the House and Senate Democrats who signed the letter.

NEWS RELEASES

Sinema Statement on Minimum Wage Amendment

WASHINGTON – Arizona senior Senator Kyrsten Sinema released the following statement:

"I understand what it is like to face tough choices while working to meet your family's most basic needs. I also know the difference better wages can make, which is why I helped lead Arizona's effort to pass an indexed minimum wage in 2006, and strongly supported the voter-approved state minimum wage increase in 2016. No person who works full time should live in poverty. Senators in both parties have shown support for raising the federal minimum wage and the Senate should hold an open debate and amendment process on raising the minimum wage, separate from the COVID-focused reconciliation bill. I will keep working with colleagues

AMERICAN OVERSIGHT

in both parties to ensure Americans can access good-paying jobs, quality education, and skills training to build more economically secure lives for themselves and their families."

* * * * *

Governor Ducey Signs S.B. 1420 Regarding Consular ID Card Use

PHOENIX — Governor Ducey signed S.B. 1420 today. The bill authorizes the use of consular ID cards in Arizona. The signing letter below was sent to Secretary of State Katie Hobbs this afternoon.

Dear Secretary Hobbs:

Today I signed S.B. 1420 sponsored by Senator Paul Boyer. I'm grateful to the sponsor and the bipartisan majority of legislators who supported this policy that enhances public safety by offering a secure, reliable form of identification to be accepted in Arizona.

This legislation will ensure that law enforcement is able to quickly and accurately identify more of the individuals with whom they interact. This is critical to ensure safety for both law enforcement and the public. As a result of this legislation, more individuals will have biometrical secure forms of identification for interactions with law enforcement and other government entities.

The bill does not authorize any new rights or responsibilities for non-citizens. It simply recognizes that governments in Arizona will accept cards issued by countries who use strict biometrics identity verification techniques as lawful identification.

* * * * *

Statement from the Health System Alliance of Arizona Regarding the Expiration of Capacity Restrictions

Phoenix, AZ-- The Health System Alliance of Arizona issued the following statement regarding Governor Ducey's decision to allow capacity restrictions to expire:

"Our health systems are committed to the health and well-being of our community. Throughout the COVID-19 pandemic, we have focused on providing quality patient care, slowing the spread of COVID-19, and partnering with state and local governments to launch vaccination efforts. Just like many in our community, we want life in Arizona to return to normal as soon as possible. In order to do so, we must work collectively based on the advice of public health experts.

"The COVID-19 mitigation strategies throughout the state are reasonable and evidence-based. Now is not the time to relax our mitigation efforts; we must stay the course to ensure

AMERICAN OVERSIGHT

that our vaccination efforts can outpace the spread of the virus."

* * * * *

String of Scandals at Arizona Corrections Department Demands Permanent Independent Oversight

STATE CAPITOL, PHOENIX – State Representative Walt Blackman (R-6), Chairman of the Criminal Justice Reform (CJR) Committee, today responded to new and ongoing scandals at the Arizona Department of Corrections, Rehabilitation, and Reentry (ADCRR).

"Enough is enough," said Representative Blackman. **"ADCRR is a bureaucracy run amok. It's not about bad leadership or a few bad apples. Every day seems to bring a new scandal or crisis, and the only reason we learn about them is because whistleblowers go to the media. Arizona taxpayers spend $1.3 billion a year on our prisons, and they deserve better transparency and accountability. The only way to stop and prevent the problems in our prisons is to create permanent, independent, professional prison oversight. Doing nothing will get more of the same results, waste millions, and jeopardize public safety."**

In just the first two months of 2021, news reports have revealed:

- The state was fined $1.1 million because ADCRR is ignoring court orders to improve inmate health care. This is the second million-dollar fine ADCRR has received since 2018. As of 2019, the state had paid almost $10 million in attorney's fees in this lawsuit. Arizona could face up to $17 million in fines if ADCRR does not improve.
- A prison supervisor has been fired and is being prosecuted for sexually assaulting other staff members. A victim is suing the state and ADCRR alleging that management ignored the harassment.
- The new $24 million inmate management database ADCRR uses cannot calculate sentences correctly, potentially resulting in inmates being held in prison past their release dates. ADCRR allegedly knew about these and other database problems for more than a year and told staff not to report them.
- Two inmates convicted of dangerous and sexual offenses escaped and were recaptured a week later.
- Jewish prisoners are suing ADCRR because they cannot receive the kosher meals required by their faith.

HB 2167, sponsored by Representative Blackman, would create an independent oversight office with the power to inspect prisons, investigate and help resolve reoccurring complaints, speak confidentially with staff and inmates, issue public reports and data on its findings, and recommend improvements. Oversight bodies with similar authority exist in Washington State, Texas, Ohio, and New Jersey.

AMERICAN OVERSIGHT

HB 2167 was passed by the House on Monday and awaits a vote in the Senate.

Walt Blackman is a Republican member of the Arizona House of Representatives serving Legislative District 6, which includes portions of Coconino, Yavapai, Navajo and Gila counties.

* * * * *

Representative Reginald Bolding and Arizona Legislative Members Join Faith & Community Leaders to Condemn Voter Suppression, Anti-Protest, Anti-Reform Bills, and Applaud Bills Promoting Justice Reform

PPE and microphone covers will be provided; Social distancing will be observed

WHAT:

Press conference addressing Arizona Legislative bills on voter suppression, protester rights, and criminal justice reform

WHO:

African American Christian Clergy Coalition (AACCC), Crime Survivors for Safety & Justice, Mi Familia Vota, Arizona Faith Network (AFN), Neighborhood Ministries, ACLU Arizona

WHEN: Tuesday, March 9, 2021

Arrival: 10:45am

Press Conference: 11:00am - 11:30am MST

WHERE: House Lawn at the Arizona State Capitol

1700 W. Washington St.

Phoenix, AZ 85007

ON-SITE CONTACT: Rev. Warren Stewart, Jr. | 602-931-3863

INTERVIEW / PRESS CONTACT: Jen Rogers | | 201-286-1979 | jen@hudsonwestpr.com

PARTICIPANTS INCLUDE (& AVAILABLE FOR INTERVIEWS):

Representative Reginald Bolding

AMERICAN OVERSIGHT

Dr. Warren Stewart, Sr., Chair AACCC, Moderator

Pastor Reginald Walton, Chair, AACCC Civic Engagement

Dr. Kit Danley, Neighborhood Ministries

Rev. Katie Sexton, Arizona Faith Network

Mayra Valenzuela, Mi Familia Vota

Jared Keenan, ACLU Arizona

DETAILS: African American Christian Clergy Coalition (AACCC), Crime Survivors for Safety & Justice, Mi Familia Vota, Arizona Faith Network (AFN), Neighborhood Ministries, and ACLU Arizona are holding a press conference on Tuesday, March 9, 2021, on the Arizona Capitol House Lawn calling on lawmakers to reject bills aiming to suppress the right to assembly and bills blocking efforts to bring about justice reform. The group will also address measures that propose changing the way Arizonans vote by mail, and getting rid of the permanent early voter list altogether, which amount to voter suppression.

The coalition will also lift up several bills they support and encourage lawmakers to pass, including those that address wrongful arrest, record clearance, an independent corrections ombudsman/oversight committee, expanding earned release credits, dignity for incarcerated women, restoring judicial safety valve,' and overdose prevention.

STATEMENTS:

"Lawmakers are viciously misusing their power to retaliate against young community organizers who've spoken out against grave injustice from police and prosecutors in Arizona. Several bills introduced at the state Capitol this year have two goals: to strip us of our First Amendment rights and to shut down any attempt to reform police departments for the better. For example, HB 2309 is a direct attack on our First Amendment rights and a threat to those demanding an end to police violence and prosecutor overreach."

- Pastor Reginald Walton, Chair of Civic Engagement, African American Christian Clergy Coalition

"These voter suppression bills wreak of times long past that should never have seen the light of day. These bills, based on a fabrication that our election system lacks integrity, must not be allowed to become law."

- Mayra Valenzuela of Mi Familia Vota

"We cannot be silent in this moment of peril when lawmakers seek to cause more harm to our community. We are calling on lawmakers to reject bills like SB1485, SB1593, SB1713, HB2309, HB2462, and any other bill that threatens to further suppress the vote, criminalize peaceful protest movements, or block much-needed justice reform."

AMERICAN OVERSIGHT

- Rev. Katie Sexton of Arizona Faith Network

"The Arizona legislature has a chance to finally adopt desperately needed criminal legal reform, but only if our Senate grants these bills a hearing. The people of Arizona support these common-sense reforms and deserve legislators who will work to reform our broken system."

- Jared Keenan of ACLU Arizona

* * * * *

Congressman Biggs' Statement on House Democrats' Opposition Research of Congressional Republicans

WASHINGTON, D.C. – Today, Committee on House Administration Chairperson, Zoe Lofgren, released a cherry-picked report on Republicans' social media posts pertaining to the 2020 election and efforts to ensure election integrity. Congressman Biggs issued the following statement:

"Chairperson Lofgren's report is a chilling slide towards the criminalization of free speech in America and must be condemned by every freedom-loving American, regardless of political persuasion. No congressional Republican called for the violence that took place at the U.S. Capitol on January 6. Speaker Pelosi and members of her Democrat conference know this to be a fact, but yet they seek to build an imaginary case against Republicans who lawfully objected to the Electoral College counts from select states in the interests of election integrity.

"If Democrats or members of the mainstream media had a shred of honesty, they would admit that dozens of House Democrats had previously objected to Electoral College counts in prior presidential elections. Democrats and the mainstream media also worked in unison over the past four years to undermine and remove the duly elected president of the United States over baseless and reckless allegations and hoaxes.

"To use a high-profile, taxpayer-funded committee to conduct cherry-picked opposition research on the minority party is fundamentally antithetical to everything this country has stood for in its 243 years of existence. I call on my colleagues on both sides of the aisle to join me in rejecting this shameful report from the House Administration Democrats."

NEWS CLIPS

Ducey skips CPAC, Trump, focuses on AZ

By Dillon Rosenblatt Arizona Capitol Times 03-05-21

As Republicans across the state and country face a party identity crisis about moving on from

AMERICAN OVERSIGHT

former President Donald Trump or to keep embracing him and his ideals, Gov. Doug Ducey has seemingly separated himself from the drama.

The 2021 Conservative Political Action Conference, or CPAC, took place the final weekend of February in Orlando, Florida., but Ducey did not attend. Trump was the main attraction as his base embraced him, hoping he can remain the Republican Party's best chance of becoming president again in 2024. (To read more, click here).

* * * * *

Senate mulls next step in auditing 2.1M ballots

By Dillon Rosenblatt, Julia Shumway Arizona Capitol Times 03-05-21

Pallets of ballots sit on trucks in Phoenix as senators figure out what to do next, three months after they declared they wanted their own audit of the presidential election. The 28 tons of paper packed in hundreds of neatly stacked boxes with nowhere to go serve as a visual representation of the Senate's audit attempt, which has been full of setbacks and false starts since it began. (To read more, click here).

* * * * *

GOP state lawmakers seek to nullify federal gun limits

By Lindsay Whitehurst Today's News Herald 03-05-21

With Democrats controlling the presidency and Congress, Republican state lawmakers concerned about the possibility of new federal gun control laws aren't waiting to react.

Legislation in at least a dozen states seeks to nullify any new restrictions, such as ammunition limits or a ban on certain types of weapons. Some bills would make it a crime for local police officers to enforce federal gun laws. (To read more, click here).

* * * * *

Arizona county offering vaccines to everyone over 18

By Cameron Jenkins The Hill 03-05-21

An Arizona county opted to change vaccine eligibility requirements to include everyone over the age of 18 in an effort to encourage more residents to get vaccinated.

Gila County in Arizona, which is located just east of Phoenix, made the decision after having a hard time getting people 65 and older to get the vaccine, according to CNN. (To read more, click here).

AMERICAN OVERSIGHT

* * * * *

How do we erase achievement gaps among students of color? With more school choice

By Janelle Wood and Derrell Bradford Arizona Republic 03-05-21

Arizona has fostered the growth of one of the most responsive and diverse schooling sectors in the country.

If we're going to continue to build on a system of choice, we also need to make sure everyone continues to have a chance to enjoy the increased educational prosperity — especially students of color. (To read more, click here).

* * * * *

Lifting Arizona's mask mandates now would be a massive mistake

By Editorial Board Arizona Republic 03-05-21

Republican leaders in Sunbelt states are in a hurry to get rid of face masks as COVID-19 vaccine distribution merges with natural immunity to start pushing down transmission rates.

In Arizona, Joseph Chaplik, a Scottsdale Republican, has introduced House Bill 2770 that would give businesses the option of ignoring mask mandates. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, March 8, 2021 4:32:35 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 3-8-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *March 8, 2021*

DUMPSTER DIVING FOR TRUMP
Over the weekend, at least two men jumped into trash bins outside the Maricopa County elections department and claimed to have found a bag of shredded paper, including voted ballots from the 2020 general election.

TOWNSEND, THE VOICE OF REASON
Richer gave Townsend a tour of the warehouse and the election materials inside, showing that the "pallets of ballots" that Burk claimed she could access from the bay doors near the dumpster were not, in fact, ballots.

WAIT, ARE WE SURE FONTES DIDN'T DO IT?

AMERICAN OVERSIGHT

Richer's predecessor was happy to explain to reporters the many plausible reasons for the dumpster divers to have produced what look like shredded ballots.

WHO HAD $1B TAX CUT ON THEIR SESSION BINGO CARD?
The House and Senate are in the throes of budget season, and last week's negotiations focused on tax cuts, Cobb told our reporter, with the House proposing a more-than $1 billion cut over three years.

JUST GO TO DISCOVERY ALREADY
Attorney David Bodney today replied to Finchem and former lawmaker Anthony Kern's defamation lawsuit against Fernandez, saying the lawsuit is "utterly meritless" and if they don't voluntarily withdraw, she'll seek attorney's fees and records about the Republicans involvement in the attack on the Capitol.

WE'VE GOT A PRIMARY!
Rodriquez told our reporter he is going to run for Attorney General in 2022, likely meaning 2018 Dem candidate January Contreras, who was long rumored to run again, will face a primary opponent.

SHOPE'S FUTURE IS SO BRIGHT HE'S GOTTA WEAR SHADES
Shope met with the NRCC on Friday, he told our reporter, in what was an effort from the national party bigwigs to gauge his interest in running for higher office.

IT'S STILL COMING, THEY SWEAR
Republicans demanding an audit and recount of AZGOP chair Kelli Ward's (alleged) re-election victory gave her a deadline of last Monday to hand over documents or face a lawsuit – and she blew them off.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, March 08, 2021

NEWS NOTES AND GOSSIP

DUMPSTER DIVING FOR TRUMP

Over the weekend, at least two men jumped into trash bins outside the Maricopa County elections department and claimed to have found a bag of shredded paper, including voted ballots from the 2020 general election. The conspiracy-peddling Gateway Pundit picked up the story, giving national attention, and then tied it to an unrelated fire at Hickman's Farms that took the lives of 165,000 hens on Saturday, saying it shows the "election coverup continues." "These crooks are doing all they can to obstruct justice and tamper with evidence because they know they can get away with it," Gateway pundit wrote in a post that was echoed by other far-right faux news organizations. "Are the deaths of 165,000 DEAD HENS at Hickman's Farm part of the ongoing cover-up?" says an infographic circulating online. (Arson investigators are looking into the blaze, the *Republic* reported today, though authorities aren't calling the fire arson (LINK).) The strange saga started when Staci Burk – who also filed the unsuccessful "Arizona Kraken 2.0" lawsuit (YS, 12/15/20) – posted a series of photos showing the men outside a warehouse, climbing into a dumpster and piecing together shredded papers found in a yellow trash bag (LINK). The reconstructed papers include what appear to be several voted 2020 ballots. Maricopa County Recorder Stephen Richer denied that these were valid ballots, saying that the 2020 ballots were locked up in a vault, as required by law. He wasn't sure where the ballots came from, but suspects they may be ballots that came back from dead voters. However, he couldn't account for some of those ballots appearing voted. "I have no explanation for how a voted ballot could be there and we do not believe there were voted ballots in there," he said, declining to speculate whether the activists filled in the bubbles themselves. "We're 100 percent confident that they're not part of the 2.1 million voted ballots." Lawmakers took the bait, as Fann tweeted that she would ask the attorney general to investigate the apparent shredded ballots. Finchem took to the far-right free speech haven Gab to regurgitate the Gateway Pundit story. Borrelli also brought up the photos on the Senate floor today, as votes on multiple bills devolved into screaming matches over whether election bills are racist. He cited the photos as apparent proof that someone in Maricopa County committed a felony by shredding ballots. Richer said shredding deceased ballots doesn't violate statute, but it's a bad practice that he's reviewing. Richer said his office has contacted its attorneys, but not the police, about the incident. Our reporter's calls to Fann, Burk's group, Brnovich's office and Hickman went unreturned today.

TOWNSEND, THE VOICE OF REASON

Richer gave Townsend a tour of the warehouse and the election materials inside, showing that the "pallets of ballots" that Burk claimed she could access from the bay doors near the dumpster were not, in fact, ballots. In the video, which Townsend posted the video to her YouTube channel today (LINK), Richer and Townsend looked at what's actually in those boxes: blank envelopes for future elections and voter registration affidavits. "Where the 2.1 million ballots are is in the vault which is deeper in the middle of the building," Richer told Townsend. They walked back to the vault but didn't enter, as Richer swiped his badge to show he doesn't have access to the room. "They are being awaited direction from the Senate, and we will happily do what you guys tell us to do with them," Richer said. Townsend thanked him for the tour. "It's important that we put that to rest — we'll take care of it; we'll get this stuff audited," Townsend said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002477

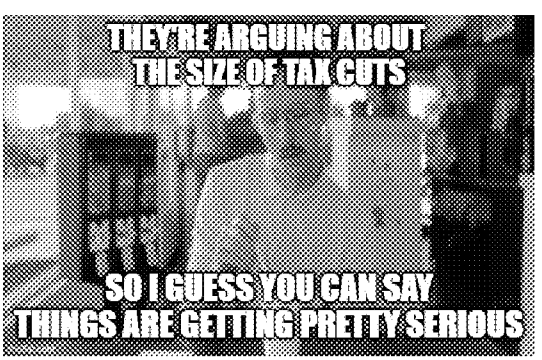
ARZN_REV00068840_3-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAIT, ARE WE SURE FONTES DIDN'T DO IT?

Richer's predecessor was happy to explain to reporters the many plausible reasons for the dumpster divers to have produced what look like shredded ballots. Former Recorder Adrian Fontes said the first thing skeptics should ask is whether we know for sure that the trash was from a county building, saying it's possible that the people who produced them brought the paper themselves (though Richer indicated that they were, in fact, ballots found on site). Sometimes people take sample ballots from tours of county election facilities, and voters are also able to print their own sample ballots or download images, Fontes said. "There's no way of knowing where that photo came from or what that photo shows," Fontes said. The dumpster divers perhaps unwittingly undermined the Senate's planned audit, Fontes said. They can't both claim ballots were stolen and destroyed and expect a future audit to be at all reliable. "The people who have perpetuated this new myth have now made it impossible for their own future audit to have any credibility," he said. "Whatever argument these people are trying to advance with this nonsense, they've just destroyed any chance at credibility they've ever had." Hobbs' office told our reporter that the latest allegations show the "lengths to which some extremists are willing to go to perpetuate the false claims and accusations about the 2020 General Election."

WHO HAD $1B TAX CUT ON THEIR SESSION BINGO CARD?



The House and Senate are in the throes of budget season, and last week's negotiations focused on tax cuts, Cobb told our reporter, with the House proposing a more-than $1 billion cut over three years. She told our reporter that the conversations are still focusing on broad strokes, but that the week's discussion focused on the House's tax proposal versus the Senate's more vague proposal. However, those talks are still preliminary, she said, as some of the tax hawks in each chamber weren't in the room for the discussion. "That's our linchpin, really, on the budget, because when you're talking over a billion in a tax package, that takes a big chunk off of the table," she said. Toma said today that while the details are still in flux, he believes support exists for the idea of phasing in a flat income tax over three or four years. He said he would like to see the rate around 2.5 percent. "The idea is to kind of do a massive economic development bill and part of that is a sizable tax cut," he said. Toma said the bill would also include changes to property and sales tax numbers, and that the goal is to achieve tax reductions that are broad-based yet also targeted to "move the needle" on economic growth. Toma stressed that the details are being negotiated and that some of the cuts would be offset by increases elsewhere, but he expects the overall tax cut will total more than a billion dollars once it's phased in. "I fully expect if we do this right, it'll end up (with) more revenues for everybody," he said. Cobb said Toma has a bill ready to go – a "complicated" proposal that includes property and income tax reductions, with a slight increase on sales taxes also on the table – but that he hasn't filed it as he awaits the outcome of negotiations with the Senate. "We're gonna start moving here really quick," Cobb said, adding that her sine die prediction is still a little after the 100-day mark. "Once we get these big pieces out of the way, we'll be able to move a little quicker."

JUST GO TO DISCOVERY ALREADY

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002478
ARZN_REV00068840_3-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Attorney David Bodney today replied to Finchem and former lawmaker Anthony Kern's defamation lawsuit against Fernandez, saying the lawsuit is "utterly meritless" and if they don't voluntarily withdraw, she'll seek attorney's fees and records about the Republicans involvement in the attack on the Capitol. Bodney said while Fernandez still hasn't been served, she reviewed copies of the suit, brought by sharpiegate attorney Alex Kolodin, which were provided to the media. "Your client's lawsuit is nothing more than an improper attempt to harass Rep. Fernandez and re-litigate the outcome of the 2020 presidential election – an issue that courts in Arizona and nationally have, time and again, resolved decisively and finally against you and your clients," Bodney wrote. His argument for why Fernandez didn't defame the duo is three-pronged. First, because they're public figures, Kolodin would have to prove "actual malice," which Bodney said Kolodin cannot, because ultimately the gist of those accusations are true. "While the Complaint attempts to raise a series of irrelevant, tinfoil-hat conspiracy theories about the 2020 election that have been thoroughly, repeatedly and officially debunked, the gist of the January 12 letter – that your clients were present at the Capitol riot and actively encouraged the mob – are true," he wrote. The second problem with the complaint is that the law treats reports of crime to law enforcement officials as "absolutely privileged and immunizes the speaker from defamation liability for statements made therein," he said. Finally, he said that the suit is precluded by Arizona's anti-SLAPP (strategic lawsuits against public participation) laws, which are designed to protect lawmakers from frivolous lawsuits designed to stop them from participating in legislative duties. The law also allows for additional sanctions beyond attorneys' fees if a lawsuit "was brought to deter or prevent the exercise of constitutional rights or otherwise brought for an improper purpose." Bodney wrote that if they don't "do the right thing" and voluntarily withdraw the complaint, they better hold on to their records. "To the extent you are serious about litigating this decidedly spurious action, we notify you of your clients' obligation to preserve all text messages, emails and other communications and documents potentially relevant to their involvement in the Capitol riots, along with all related communications about this lawsuit between themselves and third parties, as such documents are subject to production in the event this matter proceeds to discovery," he wrote.

WE'VE GOT A PRIMARY!

Rodriquez told our reporter he is going to run for Attorney General in 2022, likely meaning 2018 Dem candidate January Contreras, who was long rumored to run again, will face a primary opponent. Railbirds have repeatedly pointed to Contreras – who has not officially filed to run yet, but is widely expected to give it another go after a close race to Brnovich – as the likely only Democrat in the race. Recently, Republicans and progressives told our reporter that Rodriguez is going to seek the position after two stints in the Legislature and coming close to defeating Bill Montgomery for County Attorney in 2016. "Yes, I am running," Rodriguez texted our reporter today. One Dem consultant laughed at the notion of a Rodriguez for AG candidacy. "I don't know why he thinks he will do better than he did for his county attorney race," the source said, adding that Rodriguez's proclivity to porn (YS, 12/17/20) is going to play poorly for him in that race. "If the stakes weren't so low for some of these safe districts, his career would have been over with that," the source said. Rodriguez versus Contreras is "a race to the bottom" according to the source, who gave Contreras the edge, but said to keep an eye out for Roy Herrera to join the race calling him a potential "front runner" if he chooses to run.

SHOPE'S FUTURE IS SO BRIGHT HE'S GOTTA WEAR SHADES

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002479
ARZN_REV00068840_3-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Shope met with the NRCC on Friday, he told our reporter, in what was an effort from the national party bigwigs to gauge his interest in running for higher office. He said he had a similar meeting two years ago in which the NRCC attempted to see if he was interested in running for Congress in CD1, a race that he declined to enter, he said, because, "I didn't think a Republican could win in that district, and that was borne out." He said while he has his eye on Congress, he's also keeping himself open to statewide office or simply seeking re-election. Still, Congress has a strong appeal, he said, assuming he's drawn into a relatively friendly district for Republicans. "The unfortunate part for anybody in that situation though is the lateness of when the lines are going to be drawn," he said. A statewide campaign wouldn't have that problem, he noted, and he's also weighing both the Secretary of State's Office and the Treasurer's Office. "I would be a liar if I said I hadn't considered the Treasurer's race," he said, noting that plan depends on Yee running for governor, as the rumor mill expects, and it's "too soon to tell" which office, if any, he'll seek. "Honestly, I feel like that's one of the benefits of being 35," he said." "I don't feel like I have to make a drastic decision on any of this because the window of opportunity for me is huge."

IT'S STILL COMING, THEY SWEAR

Republicans demanding an audit and recount of AZGOP chair Kelli Ward's (alleged) re-election victory gave her a deadline of last Monday to hand over documents or face a lawsuit – and she blew them off. Bill Beard, former Pima County GOP chair and chief instigator of the Ward stole the election theory, told our reporter today that after the threat of a lawsuit and recall (YS, 2/25), Ward's lawyers replied to their call for an audit by claiming the party has no ability to conduct an audit or recount. "We received something from her attorney, which basically said go pound sand," he said, adding that Ward used a lot of the same terminology as Hobbs and other Democratic officials have used to refute calls to audit Arizona's presidential election. "There's no small irony that she's using those same exact arguments," he said. Now, a lawsuit is in the works, and could come as soon as this week, he said. Attorney Tim La Sota, in a brief call, said he didn't have anything new to report, but to check back Wednesday. Beard said that the two options aren't mutually exclusive and that the team is proceeding with a two-pronged approach of hitting her with both a lawsuit and a recall. He said recall supporters have already started organizing to take Ward out. "Efforts are being made," he said.

·WAKE UP CALL·

Rogers won't be disciplined by AZ Senate

Capitol Media Services

State senators won't pursue any action against first-term lawmaker Wendy Rogers about her interactions with a now-fired staffer.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Tucson's housing crisis compounded by months without relief funds, skyrocketing rents
Arizona Daily Star
Yak Garang has been living in a hotel room for a week now, his well-being dependent on his service dog and the kindness of others.

State virus hospitalizations below 1K for 1st time in months
Associated Press
Arizona on Saturday reported 54 COVID-19 deaths and 1,735 additional confirmed cases as the number of coronavirus-related hospitalizations dipped below 1,000 for the first time in four months.

Arizona governor lifts capacity limits at gyms, restaurants
Associated Press
Arizona Gov. Doug Ducey lifted capacity restrictions at gyms, restaurants and other businesses Friday, citing lower COVID-19 cases and increased vaccination as he eases up on the pandemic restrictions that have upended life for nearly a year.

Audit details Mesa's spending inside classrooms
East Valley Tribune
Mesa Public Schools spent more money on classroom instruction per pupil in 2019-20 than the average spent by other large districts and all districts combined.

Single-dose vaccines on the way as county's focus shifts to 65+
Nogales International
State officials this week announced a new age-focused approach to COVID-19 vaccine distribution that opened appointments to people 55 and older, starting in the Phoenix area.

Tourism marketing bill passed by Arizona House
Today's News-Herald
Plan has been revived after being rejected by House last month; identical bill in Senate awaits vote

Judge upholds Prop. 208's infusion of money for schools
Payson Roundup
Kind of like filling a bucket with a hole in it. That's how a lot of educators feel about the effort to bolster school funding in one of the worst-funded public school systems in the country.

Republican Lawmakers Are Making a Big Push to Criminalize Abortions
Phoenix New Times
Some extreme anti-abortion bills have stalled out in the Arizona Legislature, but Republican lawmakers are steadily advancing more legislation that activists say undermine reproductive healthcare in the state.

Man Who Planned to Release Radiation at Scottsdale Fashion Square Mall Gets 15 Years
Phoenix New Times
Jared Atkins had never been in trouble before the day in 2019 that he randomly stabbed a store clerk, then stole highly radioactive devices from his workplace for an intended "last stand" at Scottsdale Fashion Square Mall.

Arizona's Democratic Senators Diverge on Votes for $15 Minimum Wage Hike
Phoenix New Times
Arizona's two Democratic Senators, Mark Kelly and Kyrsten Sinema, voted oppositely today on whether the federal minimum wage should be raised to $15 an hour as part of the latest COVID-19 relief package.

Ducey signs bill recognizing validity of consular ID cards
Arizona Mirror
Gov. Doug Ducey signed a bill that would end a ban on state agencies and local governments recognizing the validity of consular identification cards.

The eight Democrats who voted 'no' on $15 minimum wage
The Hill
One of President Biden's top policy goals, an increase in the federal minimum wage to $15 an hour by 2025, suffered a big setback Friday when eight members of the Senate Democratic caucus voted against it.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002481
ARZN_REV00068840_3-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Kyrsten Sinema and the Thumbs-Down That Enraged the Left
New York Times
The Arizona Democrat, one of a handful of moderate senators who hold heavy sway over President Biden's agenda, has come under mounting pressure for her opposition to liberal priorities.

Two Republicans can stop voter suppression
The Hill (Opinion, Glenn C. Altschuler)
Citing the need to assure Americans that elections will no longer be "rigged" — despite the lack of evidence of widespread fraud in 2020 — Republican lawmakers in 43 states have introduced 253 bills to restrict ballot access.

Will Republicans condemn state Sen. Wendy Rogers alliance with riot-linked Oathkeepers?
Arizona Republic (Opinion, EJ Montini)
A member of the Arizona Legislature proudly boasts of membership in an organization linked to the Jan. 6 insurrection and we hear nothing?

Sen. J.D. Mesnard found a clever way to gut Proposition 208's high income tax rate
Arizona Republic (Opinion, Robert Robb)
Proposition 208's proponents said that it wouldn't impact small business. A bill passed by the Senate would ensure that it doesn't.

Colorado River study predicts even bigger water cuts. That's not why it's so intriguing
Arizona Republic (Opinion, Joanna Allhands)
The Future of the Colorado River project study is a must-read for Arizona, and not just because of the magnitude of potential water supply cuts involved.

We'll lose 2 weeks of learning to test students in April. What if we waited until fall?
Arizona Republic (Opinion, Joanna Allhands)
If Arizona could get more actionable data on how far students have fallen behind in the fall, wouldn't it be worth postponing the test until then?

Grant people a living $15-an-hour wage? Sen. Kyrsten Sinema would rather they eat cake
Arizona Republic (Opinion, Elvia Diaz)
Forget the $15-an-hour minimum wage or immigration and election reform. Sen. Kyrsten Sinema apparently wants the little people to eat cake instead.

Rep. Reginald Bolding looks prophetic on D.C. statehood. It is an Arizona issue
Arizona Republic (Opinion, Greg Moore)
The U.S. Supreme Court could open a path for voter suppression laws around the nation. And if that happens, Democrats will need to press any advantages they have.

Biden was right to scrap the new citizenship test, but not because it was more difficult
Arizona Republic (Opinion, Abe Kwok)
Critics may be wrong that the test was revised to fail more applicants. But there's no doubt it had bad effects on the naturalization system.

50,000 Arizona students are missing. Why isn't this a statewide emergency?
Arizona Republic (Op-ed, Rhonda Cagle)
At least 50,000 Arizona students are missing. That's a 5% attendance drop since COVID-19 forced K-12 schools shut. Why isn't this a state emergency?

I didn't expect needing police protection over 'no' vote on contempt against supervisors
Arizona Republic (Op-ed, Paul Boyer)
There was no way I could vote to possibly arrest and jail supervisors for abiding the law on locking up election ballots. I didn't anticipate the hate.

PRESS RELEASES

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Public Health Authority Johns Hopkins Center for a Livable Future Warns of Community Hazards Risked by Fast-Moving Arizona Legislation

March 2nd letter & peer-reviewed research offer expertise on human health & environmental safety dangers Arizonans will face with expanded, unchallenged animal operations

MARCH 8, 2021—The Johns Hopkins School of Public Health, Center for a Livable Future (Johns Hopkins CLF) has submitted a strong letter detailing future harsh and harmful impacts many Arizonans will experience if the growth of concentrated animal feeding operations (CAFO), also known as "factory farms," goes unchecked in the state. The letter was forwarded to local Maricopa County businessman Mike Wirth and Tonopah resident Dan Blackson, who testified last month at the House Land, Agriculture & Rural Affairs Committee, and is a member of the community nonprofit Save Tonopah Oppose Poultry Plant (STOPP).

To view the March 2nd Johns Hopkins CLF letter, click here.

Both Arizona Senate Bill 1224 [introduced by Senator Sine Kerr (R)] and House Bill 2372 [sponsored by Representative Tim Dunn (R)] are aimed at eliminating the public's right to legally oppose the community impacts and health nuisances created by industrial-scale animal agribusiness throughout the state. It also removes local controls on regulating and providing community protections from CAFO-caused public health hazards.

The Johns Hopkins CLF letter highlights, details and provides a stiff warning on the substantial and well-documented public health risks industrial animal operations will bring to local Arizona communities if current legislation is allowed to move forward.

"It's a fact – this new legislation will bring the unthinkable health and safety threats we've lived with for years to many doorsteps throughout the state," said President of STOPP, Dan Mack. "Food manufacturing without a conscience has changed our lives and our health in ways that no one should accept."

Since 2014, the nonprofit organization STOPP has mounted a defense of their community's health and safety against Hickman Family Farms, a sprawling industrial egg facility that houses more than 5 million animals – with plans for millions more as construction continues. Residents of Tonopah have endured years of high ammonia levels, manure-contaminated air, impaired water quality, public odors of rotting animals, fly infestations, skin infections, eye irritation, loss of small businesses and declining property values due to the Hickman operation.

"Tonopah is a cautionary tale, not a roadmap for how communities live with industrial agriculture," said Mack.

Hickman Family Farms is owned in part by Maricopa County Supervisor Clint Hickman [R- District 4].

Young Kids, Child Care Crisis Focus of March 9 Early Childhood Day at the Capitol

PHOENIX – More than 300 Arizonans from all walks of life will converge virtually at the state capitol March 9 to bring attention to the needs of young kids, including the impact of the child care crisis on their families.

"So much of the COVID conversation focused on the impact on schools and the economy; often, child care – a critical piece of infrastructure impacting *both* those issues – can easily get lost in that conversation," said Diane Fellows, Leadership Team co-chair for the Arizona Early Childhood Alliance (AZECA), organizers of the event.

"Even before the pandemic, Arizonans struggled to find quality child care to meet their needs," Fellow said. "And as our schools and businesses continue to re-open, how can parents go back to work without someone to care for and teach their children?"

In the early days of the pandemic, about half of Arizona's child care providers closed. Actions at the state and federal levels have helped many to stay open or re-open, but the system remains on the brink of collapse. Operational costs have increased 75% to 84% for providers, including additional staffing, cleaning supplies, and protective equipment needed to serve children safely. And, with many staff and families not yet ready to return to child care settings, many providers remain closed or, if they are open, have enrollment at about half of pre-COVID levels.

AZECA, which includes more than 50 organizations dedicated to public policy advances that benefit young children's health and learning, is working to raise awareness of the critical role child care plays in preparing young kids for school and allowing their parents to work.

The day's activities will include two informative panels – one focused on the impacts of COVID on early childhood providers and the other focused on local and state efforts to expand investments in early education. But the highlight of the day will be virtual visits with Arizona lawmakers. About 150 people will participate in meetings with lawmakers from 26 districts.

"This is an opportunity for lawmakers to hear directly from parents, providers, and champions how crucial the child care industry is to Arizona's ability to emerge from the pandemic stronger than ever," Fellows said. "But providers

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

can't do it alone. Now, more than ever, public support is needed if we are going to preserve the infrastructure that has such a powerful impact on two generations of Arizonans – today's workforce and tomorrow's K-12 students."

AGs and Animal Rights Groups Support Sandra Merritt Case

SAN FRANCISCO, CA – Twenty state attorneys general and several nonprofit organizations such as Animal Outlook, People for the Ethical Treatment of Animals (PETA), Mercy For Animals, Inc. (MFA) and the Government Accountability have filed amicus briefs at the Ninth Circuit Court of Appeals in support of Sandra Merritt and her colleague, David Daleiden. Their briefs argue that the lower court's decision against Merritt and Daleiden will harm First Amendment journalism, which often uses undercover recordings to reveal crime and abuse.

Liberty Counsel represents Merritt in the multimillion-dollar civil lawsuit regarding her undercover investigation of Planned Parenthood's trafficking of human baby body parts.

In their brief, the attorneys general of Arizona, Alabama, Arkansas, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, and West Virginia argue that the trial court erred in excluding the public policy defense, because the videos were used by law enforcement authorities – including some of these amici themselves – to successfully investigate and prosecute wrongdoers.

The AGs state, "The district court wholly dismissed the applicability of the public policy defense to enforcement of the contracts at issue—the predicate by which Plaintiffs purport to impose monetary damages for Defendants' recording and dissemination of the videos at issue (the 'CMP Videos'). These videos included surreptitiously recorded statements by various Planned Parenthood employees and associates, which inspired a wide range of government action by the executive and legislative branches at the federal, state, and local levels. Amici previously submitted briefs in related matters in opposition to an injunction limiting the disclosure of the CMP Videos to law enforcement."

Animal Outlook, PETA, MFA, and the Government Accountability stated in their brief that undercover reporting is necessary to a free society; deception is central to undercover reporting; and investigative deception is constitutionally protected. They argue that the kinds of "damages" awarded to Planned Parenthood are barred by the First Amendment because they would chill and kill free speech.

The organizations state, "The First Amendment cannot countenance a system of law in which exposure of putative misdeeds—even by deception—is judged to be the actionable cause of injuries to the bad actor, rather than the potential misdeeds themselves. Any other rule would leave investigative reporters prostrate before the financially and politically powerful. Indeed, if left standing, the district court's various decisions on recoverable damages will be a roadmap for investigative subjects to sue journalists, activists, and whistleblowers to chill their undercover investigative work…To be clear, organizations considering an undercover investigation now face the specter of potentially debilitating liability because they engaged in an investigation on a matter of public concern. In the end, if investigative reporting is to have any role in exposing fraud, abuse, malfeasance, and criminality, or facilitating dialogue and debate on matters of great public concern as it has for over a century, First Amendment limits on recoverable damages for nondefamation civil claims must be vigorously enforced."

Liberty Counsel's Founder and Chairman Mat Staver said, "For years, journalists have used the same undercover investigation methods as Sandra Merritt and David Daleiden. They did everything according to California law. Now the top law enforcement officers from 20 states and several nonprofit animal rights organizations see the danger in punishing Merritt and Daleiden for their First Amendment journalistic efforts to uncover the truth regarding Planned Parenthood's illegal actions."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002484
ARZN_REV00068840_3-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"I have no explanation for how a voted ballot could be there and we do not believe there were voted ballots in there."

- Stephen Richer, Maricopa County recorder, on allegations that activists found shredded, voted ballots in the trash

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002485

ARZN_REV00068840_3-8-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Tuesday, March 9, 2021 4:12:57 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-9-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet March 9, 2021

THEY'RE WILLING TO DIE FOR THE CONSPIRACY – ARE YOU?
Staci Burk thinks someone wants to kill her for allegedly finding shredded ballots in a dumpster, and she wants $20,000 to help with legal costs for potential criminal charges for her and her accomplice's dumpster diving excursion, according to a paranoia plagued GoFundMe she organized today.

SERIOUS QUESTION: WHAT HAPPENED TO KAREN FANN?
Fann, who has strictly limited media access to the Senate and overall been less responsive to reporters this session than in previous years, filmed an interview with the conspiracy-mongering cable news channel One America News Network today.

EVERY GOOD ACCOUNTABILITY LAW HAS A LOOPHOLE
Lawmakers are barred from milking lobbyists for campaign contributions during the legislative session, but House and Senate Democrats are exploiting a loophole in that law by attending an ADLCC fundraiser marketed to deep-pocketed lobbyists.

AMERICAN OVERSIGHT

EVERY GOOD ACCOUNTABILITY LAW HAS A LOOPHOLE PART 2
Parker worked as Justin Olson's policy advisor at the Corporation Commission until the Friday before she became a lawmaker, which would have been a crime if not for a law Olson passed nearly a decade ago.

SHE'S TAKING CORP COMM'S AUTHORITY WITH HER
Now that she's a lawmaker, Parker is running legislation to allow lawmakers to force the AG to investigate Corp Comm, a move that her former boss, Olson, has endorsed, though the commission as a whole has not.

MAPS ARE STILL A LONG WAY OUT
The IRC was still meeting at our deadline, but the commission narrowed its list of 43 applicants for the executive director position down to five candidates who will interview next week – though we don't know the finalists' names.

THE NEW NORMAL INCLUDES FEWER TRADITIONAL SCHOOLS
School choice proponents contend that the pandemic has exposed flaws in the state's existing education system and opened the door for creative solutions.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, March 09, 2021

NEWS NOTES AND GOSSIP

THEY'RE WILLING TO DIE FOR THE CONSPIRACY – ARE YOU?

Staci Burk thinks someone wants to kill her for allegedly finding shredded ballots in a dumpster, and she wants $20,000 to help with legal costs for potential criminal charges for her and her accomplice's dumpster diving excursion, according to a paranoia plagued GoFundMe she organized today. Burk claims that senators have told her that if she turns over the shredded pages to law enforcement or "the wrong people," they will be destroyed. "We are being told they will kill us or arrest us on false charges," she wrote (LINK). If the dumpster divers are concerned about election integrity, elections attorney and former state election director Eric Spencer said he thinks someone in their shoes would jump at the chance to go through the official channels to provide their evidence, maintain a proper chain of custody and ensure an above ground investigation. "If someone really has been offered that opportunity and refused, that strikes me as unexplainable," Spencer said. He added that his first thought when seeing the photos of the shreds pieced together was that the ballots were test or sample ballots. "Never for a second did I come to the conclusion – an insane conclusion – that these were live ballots," he said. "All the more reason to allow the Attorney General to look into this further because their folks have the skills, expertise and credibility to run something like this to ground." The AG's Office debunked a Gateway Pundit claim yesterday rumoring the prosecution or arrest of Shafer, saying the office has tried to contact the dumpster divers to get the ballots, not arrest anyone. AG spokesman Ryan Anderson told our reporter it was "incredibly frustrating" that the site ran the false article. "The nexus behind what I told Gateway Pundit is, 'You didn't even try to reach out to verify if there was any truth to this rumor before printing it and setting the world on fire," Anderson said.

SERIOUS QUESTION: WHAT HAPPENED TO KAREN FANN?

Fann, who has strictly limited media access to the Senate and overall been less responsive to reporters this session than in previous years, filmed an interview with the conspiracy-mongering cable news channel *One America News Network* today. The Senate Republican caucus tweeted a photo of Fann interviewing with Christina Bobb, the *OANN* host who has spent the past several months spreading conspiracies and misinformation about Maricopa County's 2020 election. The *Arizona Mirror's* Jeremy Duda thoroughly debunked Bobb's 30-minute "Arizona Election Heist" special report, which included a number of bizarre claims with no evidence (LINK). In some cases, Bobb displayed a complete lack of understanding of common election terms, such as declaring that there were 11,676 more ballots cast in Maricopa County than there were registered voters, a conclusion she reached by misunderstanding the word "overvote." (An overvote is when a voter chooses more candidates than allowed per race – if you vote for two people for president, your presidential vote doesn't count.) She also claimed more than 36,000 noncitizens voted in the county, apparently drawing from a Townsend Facebook post about the number of "federal-only" voters in the state. Arizona has higher standards for proving citizenship to vote than the federal government, so people who don't provide proof of citizenship, such as a US birth certificate or naturalization forms, are only allowed to vote in federal elections. It's also still a felony for a non-citizen to vote in federal elections. Today's interview, which will air on *OANN* this weekend, comes as Fann tries to maintain credibility with a right-wing base that has begun to express doubt that the Senate ever truly intended to perform an audit that would succeed where all others failed and magically prove that Trump really won Arizona.

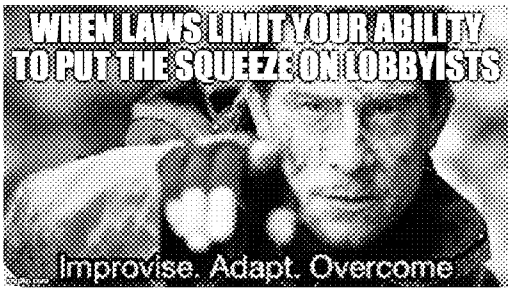
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002488

ARZN_REV00068842_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

EVERY GOOD ACCOUNTABILITY LAW HAS A LOOPHOLE



Lawmakers are barred from milking lobbyists for campaign contributions during the legislative session, but House and Senate Democrats are exploiting a loophole in that law by attending an ADLCC fundraiser marketed to deep-pocketed lobbyists. On Monday, the ADLCC will host a "legislative salute" with Democrats from the House and Senate in attendance (LINK). Of course, the law prohibiting lawmakers from fundraising from lobbyists during session is meant to tamp down on lawmakers' ability to extract campaign funds from lobbyists with business immediately before the Legislature. (In true legislative fashion, the law technically bars lobbyists from contributing to lawmakers during session, putting the onus on lobbyists, not lawmakers.) "Grab a drink and spend some time with your esteemed Democratic legislators as we discuss the 2021 session," an invite reads, offering event sponsorship ranging from $500 for an individual to $10,000 for a "copper" sponsor. But having a legislative fundraiser by proxy, as the ADLCC is doing, violates the spirit of the law, one lobbyist who received the invite told our reporter. "It's a loophole that they'll continue to exploit until they decide to close the loophole, because they make the law," the lobbyist said. "The whole litmus test to this fundraiser is who's with me and who's not? Who's willing to put their money where their mouth is in the middle of session while important legislation is moving." The source said if it wasn't a *quid pro quo*, "then why not just wait a couple of months until we're out of session?" The lobbyist noted the Republican Legislative Victory Fund does the same thing, with perhaps more aggressive tactics. A representative for the RLVF approached the lobbyist in the halls and asked for specific dollar amounts from specific clients a few years back, the lobbyist recalled. "And he said, 'If you ever need my help in these rooms, you let me know,'" the source recalled. "And I was like this conversation is inappropriate… I talk to everyone as if they're wearing a wire." Savannah Drake, ADLCC finance director, wouldn't tell our reporter which lawmakers have RSVP'd or comment on the allegation that the fundraiser violates the spirit of the law, if not the letter of the law. The lobbyist said that even though it may put them at a competitive disadvantage, they're not attending the event. "I'm stubborn about not getting myself into one of your headlines," the lobbyist said.

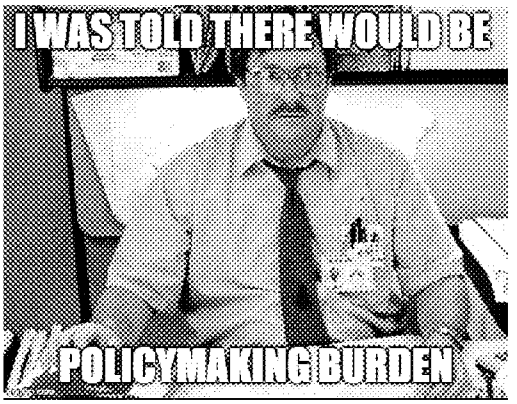
EVERY GOOD ACCOUNTABILITY LAW HAS A LOOPHOLE PART 2

Parker worked as Justin Olson's policy advisor at the Corporation Commission until the Friday before she became a lawmaker, which would have been a crime if not for a law Olson passed nearly a decade ago. ARS 41-752 (C) states that a state employee who runs for office commits a Class 1 misdemeanor. Former Attorney General Terry Goddard wrote an opinion confirming that interpretation in 2010 (LINK), saying that the employee would have to resign before filing their nomination petitions, which is when a person officially becomes a candidate for office. But Olson's Laws 2012, Chapter 321 (H2571: state personnel system) drilled a massive loophole into that prohibition in the form of ARS 41-752, which exempts specific employees – like those in the Governor's Office, agency directors or deputy directors or subordinates who report directly to an agency director or elected official – from the ban. Attorney Tom Ryan argued employees who remain in their political jobs, like Parker, and seek public office are "not acting in the best interest of the citizens of the state of Arizona." "This is just so offensive. I'm stunned," he told our reporter of the loophole. Ryan likened Parker's scenario to if Kirk Adams, Ducey's former chief of staff, remained in that position and then ran for the US Senate without resigning, saying lobbyists would see contributing to Adams' campaign as a way to influence Ducey on policy positions. "Under this statute, there's nothing illegal, immoral, unethical or improper about that. It's just a horrible law," he said. Ryan argued that if somebody is going to run for public office, they should resign. "You don't want somebody staying in [their job] and browbeating somebody into getting contributions to their political campaign."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002489
ARZN_REV00068842_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SHE'S TAKING CORP COMM'S AUTHORITY WITH HER



Now that she's a lawmaker, Parker is running legislation to allow lawmakers to force the AG to investigate Corp Comm, a move that her former boss, Olson, has endorsed, though the commission as a whole has not. Her H2737 (corporation commission actions; investigation), would set up a 1487-like structure allowing lawmakers to demand the AG investigate the commission for allegedly overreaching its authority and if found in violation, would lose out on 10 percent of its budget (YS, 2/10). Parker said she did not draft the bill while working at the commission and said nobody helped her craft the legislation, either. "I had the idea to extend the 1487 rule when I discovered that rule existed," she told our reporter. She said she isn't running the bill as retaliation against the commission. "I am not a disgruntled employee. I loved my time at the corp comm, I have many friends there that I'm still in touch with & working for Justin Olson was a dream!" she said via text. "This bill will be the first step in a long road to shifting at least some of the policymaking burden from the Corp com to the Legislature where it belongs." An APS spokeswoman told our reporter a member of the utility's state affairs team met with Parker on Feb 1, after her bill was already filed, and APS does not support it. Parker said during debate on the House floor last week that utilities don't support her bill because they are "afraid to go against the commission." An APS spokeswoman would not comment on Parker's assumption. Dem Commissioners Anna Tovar and Sandra Kennedy are against the bill, while Republicans Olson and Jim O'Connor support it. The AG's Office previously told our reporter it was not consulted on the bill and has yet to weigh in.

MAPS ARE STILL A LONG WAY OUT

The IRC was still meeting at our deadline, but the commission narrowed its list of 43 applicants for the executive director position down to five candidates who will interview next week – though we don't know the finalists' names. Each candidate was given a number from 1-43, protecting their identities until they agree to full interviews as finalists. Dem Commission Derrick Watchman inadvertently revealed some information about one of the final candidates, implying it could be Kristina Gomez, the deputy executive director from the 2011 redistricting cycle. Watchman said the candidate was a "previous employee of the Commission in two capacities," and Gomez would fit the bill, given she also served in a community outreach role for the inaugural commission (YS, 5/3/11). That candidate received four yes votes and only Republican Commissioner, David Mehl, voted against her as a finalist. Two of the remaining candidates received unanimous approval for an interview and the other two had 3-2 support. Candidates will interview for 30 minutes each on March 16 at 9:30. Chair Erika Neuberg also addressed the Census Data delay again, saying that she met with Hobbs' elections director Bo Dul and discussed the election calendar for 2022. Neuberg told other commissioners that the deadline for candidates to file their nomination petition is on April 4, 2022 and that she wants to aim to get the Secretary of State a final map by Jan 2, 2022 if possible.

THE NEW NORMAL INCLUDES FEWER TRADITIONAL SCHOOLS

School choice proponents contend that the pandemic has exposed flaws in the state's existing education system and opened the door for creative solutions. "Some things were great, but some things were not great in American K-12 education before the pandemic, and now those things are on display in a way that we can

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002490
ARZN_REV00068842_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

deal with them," Derrell Bradford, Executive Vice President of 50CAN, said during today's *Arizona Capitol Times* Morning Scoop. Janelle Wood, founder of the nonprofit Black Mother's Forum, gave an example: her organization has started offering micro-schools during the pandemic with the help of an A for Arizona innovation grant. She said she has spoken to parents who have expressed concerns about their children's safety, not only during the pandemic, but also when it came to racial tensions in the country. The micro-school setting, she said, allowed for social distancing and for in-person interaction and helped students to feel safe with and learn from people who look like them. "Traditional education is gone. That particular system: done. We can't do it that way anymore," she said. Bradford and Wood are both on A for Arizona's governing board. The panelists also highlighted a handful of bills moving through the Legislature that would take Arizona education in the direction they want to go. One, S1400 (schools; course equivalents), narrowly passed out of the Senate last week and would allow students to earn elective credit through out-of-school activities, such as organized sports, community theater or a job. Wood said some communities had created Saturday schools to teach their children ethnic studies no longer offered at their traditional school, and that the bill would allow them to earn credit. "They get no credit for that. Why not?" she said. "Those are things that are wholly beneficial for that child as they grow up to be an active participant in the upbuilding of their communities." The panelists also pushed back against the claim that school choice is segregationist, with Bradford arguing America's school system was built to be segregated by tying access to schools to housing patterns. "Proximity is the proxy for segregation," Bradford said.

WAKE UP CALL

Fernandez tells 2 GOP lawmakers their suit against her has 0 merit
Arizona Capitol Times
A lawyer for Rep. Charlene Fernandez, D-Yuma, told a current and former House member they will end up paying her attorneys' fees if they proceed with their lawsuit full of "irrelevant, tinfoil-hat conspiracy theories" against her.

Senate moves to restrict early voting
Capitol Media Services
Republican senators are moving on two fronts to erect new hurdles in the path of those who want to vote early.

Sen. Kyrsten Sinema faces blowback for minimum wage vote
Cronkite News
Arizona Sen. Kyrsten Sinema said she still believes the Senate should take up a higher minimum wage, but that didn't keep critics from lighting into her after her Friday vote to keep the higher wage out of the latest pandemic relief package.

As survivors pass on, Holocaust education could be headed to Arizona classrooms
Cronkite News
Arizona students haven't been properly taught about the Holocaust in recent years, according to a recent poll conducted by the Conference on Jewish Material Claims Against Germany.

Study: Arizona, Maricopa County Rank High in Nation for Fatal Police Shootings
Phoenix New Times
It might not seem like shocking news to locals, but now it's official because the research says so: Police in Arizona shoot and kill a lot of people in comparison to other parts of the country, according to a new study.

Five Highlights of Kari Lake's Dark Path to Right-Wing Radicalization
Phoenix New Times
Kari Lake completed her transition from nightly news fixture to conspiracy peddler last week, posting a video screed

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002491
ARZN_REV00068842_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

in which she announced her resignation as Fox10 News anchor, railed against the media, and claimed that hit pieces about her would soon emerge.

It's time for Sen. Sinema to put on her big-girl boots and start kicking some you-know-what
Arizona Republic (Opinion, Laurie Roberts)
Arizona didn't send Sen. Kyrsten Sinema to Washington to be a potted plant. Her constant call for bipartisanship, though welcome, isn't an excuse to do nothing.

Progressives lose their perspective, then their mind over Sinema's minimum wage vote
Arizona Republic (Opinion, Phil Boas)
The far left can't appreciate why she rejected the Democratic wage plan, even though she was really acting to prevent further partisan warfare.

Hotspots aren't enough for rural students. They need broadband access at home
Arizona Republic (Op-ed, Wes Brownfield)
Too many rural students lack high-speed broadband at home, and that puts them at a disadvantage. The Final Mile Project aims to solve that.

PRESS RELEASES

Governor Ducey Signs Legislation To Promote Forest Health And Prevent Wildfires

Program Will Expand Post-Release Opportunities For Those Serving Time

PHOENIX — Arizona will have more boots on the ground to prevent wildfires under a bill signed today by Governor Doug Ducey.

The legislation creates a new partnership, employing Arizona inmates to clear forests of debris. The program is a win-win: forests will be healthier and inmates will have new skills setting them up for employment once they are released. After the signing, the Governor reiterated the importance of the $24.5 million appropriation and looks forward to working with the Legislature to include this piece as part of a comprehensive budget package.

"As I shared in my State of the State address, guarding against wildfires is an important issue that requires a new strategy for the state. That new strategy of taking additional steps to reduce wildfire risk to Arizona communities is reflected in the Arizona Healthy Forest Initiative," Governor Ducey said in a signing letter.

"I want to extend my gratitude to the sponsors of this legislation, Senator Kerr and Representative Griffin, and to all of the legislators supporting this critical mission. I am very pleased to sign Senate Bill 1442 today, and look forward to working with the legislature to complete the other necessary pieces of this ongoing effort to protect our forests and communities," he added in the letter.

Senate Bill (SB) 1442, the legislation signed today by the Governor, aims to prevent wildfires by allowing for additional partnerships to reduce the risk of wildfires on federal lands neighboring communities.

The legislation aligns with the Arizona Healthy Forest Initiative, a $24.5 million proposal that builds on proven methods to protect communities, while engaging individuals in state correctional facilities to equip them with new skills and reduce recidivism.

"Every year, wildfires threaten our communities and beautiful landscapes," said SB 1442 author Senator Sine Kerr (LD13 – Buckeye). "This legislation provides additional resources to prevent and combat wildfires, while expanding opportunities for individuals in correctional facilities. My thanks to Governor Ducey for supporting these crucial efforts."

Representative Gail Griffin (LD14 – Hereford) introduced mirror legislation, HB 2440. Representative Griffin represents a legislative district hard hit by wildfires.

"This legislation will strengthen our fight against wildfires and provide additional resources to our firefighters," said Representative Griffin. "Wildfire season poses serious threats year after year, and it's important that we prepare ahead of time to protect at-risk areas, the environment, lives and property."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002492

ARZN_REV00068842_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Arizona Healthy Forest Alliance is a joint program between the Arizona Department of Forestry and Fire Management (DFFM) and the Arizona Department of Corrections (ADCRR) that provides opportunities for state inmates to learn skills for post-sentence employment through treating Arizona's land and wildlife. The crews will help with wildfire prevention through vegetation management.

"The Department is committed to preventing the spread of wildfires and protecting Arizonans living in communities that are most affected," said DFFM Director David Tenney. "This bill will help continue to ensure the safety of our crews as they fight wildfires across the state and provides more tools for getting the job done."

As part of the initiative, more than 700 ADCRR inmates will address the need to remove fire-prone vegetation from Arizona communities over a two-year period. The crews will handle vegetation management, gain experience with various types of tools and gear, strengthen teamwork skills, and more. The skills learned through the program will help inmates connect with job opportunities upon release, reducing recidivism across the state and helping those who served their time build better lives.

"The Healthy Forest Initiative will be instrumental in Arizona's work to expand opportunities for those serving time, while protecting our forests and communities," said ADCRR Director David Shinn. "Through this program, individuals in our facilities will learn skills and develop tools necessary to help them secure employment after they've served their time."

Today's signing comes a day after a wildfire caused the evacuation of about 100 people in the Tonto Basin and the closure of State Route 188.

Arizona's wildfire season runs from around May to July each year, destroying thousands of acres of land, devastating communities and risking the health of Arizonans.

Southern Arizona Legislators Call on Biden Administration and Governor Ducey to Act

STATE CAPITOL, PHOENIX – State Representatives Mark Finchem, Bret Roberts, Gail Griffin, and Becky Nutt today released the following joint statement:

"For over a year, Arizonans, and indeed all of America, have been forced to endure a job-killing, mask-and-social-distance-promoting public health policy in response to the COVID-19 pandemic. Just as Arizona is finally seeing light at the end of the tunnel with the dramatic reduction in positive cases and associated deaths, the Biden administration has opened the southern border to coyotes and cartels facilitating illegal entry into the United States. Individuals coming across the border without testing, quarantine, and contact tracing are being turned over to non-governmental organizations, which in turn are bussing them wherever in America they may claim to have family or friends.

"President Biden, at his inauguration, swore to uphold and defend the Constitution of the United States and to faithfully execute the laws thereof. In his abandonment of border security, policies implemented within hours of taking office, he has exposed the entire nation to thousands of illegal aliens entering the country without any public health precautions.

"We call on Governor Doug Ducey to join his fellow border Governor Greg Abbott of Texas in deploying our National Guard to combat the escalating border surge crisis and support the operations of border sheriffs to apprehend and hold these individuals. It must be ensured that they complete a 14-day quarantine protocol, as recommended by the federal Centers for Disease Control, and the United States has a secure southern border with policies in place against continued illegal immigration. The abandonment of public health protocols that we Americans have been subject to for the past year, and which President Biden continues to call for us all to live under, should also apply to anyone who enters the country, legally or illegally. Anything less is reckless and irresponsible."

Extreme legal immunity for religious groups decried by community organizations

(Mon., Mar. 8, 2021) Phoenix, Ariz. — Faith communities, civil liberties organizations, and other community groups today released a joint statement raising the alarm about an Arizona bill that would provide unprecedented legal immunity for religious organizations that violate nearly any criminal or civil law at any time. The statement reads:

"As community leaders and advocates committed to the safety of our communities, we are deeply concerned about the incredible danger posed by HB 2648. This bill is disguised as religious liberty legislation protecting the right to worship during public emergencies, yet whether intentionally or unintentionally, the bill as written would give religious organizations immunity from all criminal and civil liability for any behavior connected to that organization's religious exercise. This means religious schools and organizations could avoid liability for child abuse; religious

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002493

ARZN_REV00068842_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

hospitals could avoid accountability for refusal of services; employees of religious schools and hospitals could lose the right to sue for harassment, discrimination, or criminal behavior; a house of worship could disregard fire codes; religious daycares could refuse to comply with child-protection laws. The list of potential abuses and harms is endless. Religious freedom is indeed an essential right, and as such, it already has strong federal and state protection, even in a time of crisis — including during our current pandemic. The Arizona Religious Freedom Restoration Act provides that the "government shall not substantially burden a person's exercise of religion," and the U.S. Supreme Court's recent rulings protect worship services during a time of crisis.

HB 2648 goes far beyond the current law to allow religious organizations to directly endanger members of the public and the members of those organizations themselves. We implore our Arizona State Senators to vote down this dangerous bill that jeopardizes the lives and wellbeing of children and other vulnerable people."

The statement was signed by: National Council of Jewish Women AZ (NCJWAZ); Protecting Arizona's Family Coalition (PAFCO); American Civil Liberties Union (ACLU); American Civil Liberties Union of Arizona (ACLU of Arizona); Secular Coalition for Arizona (Secular AZ); NARAL Pro Choice America; Equality Arizona (EQ AZ); Desert Star Family Planning; Arizona Center for Women's Advancement (ACWA); Arizona NOW; American Association of University Women Arizona (AAUWAZ); Affinis Humanity; Arizona Jews For Justice (AJJ).

HB 2648 passed the Arizona House on February 23 with a unanimous Republican majority along with Democrats César Chávez; Diego Espinoza; Alma Hernandez; Aaron Lieberman; Jennifer Longdon; Robert Meza; and Amish Shah. The bill passed the Senate Government Committee today along party lines.

Attorney General Mark Brnovich Expands Lawsuit to Stop Dangerous DHS Immigration Policy

Montana Joins Arizona Lawsuit, which also now challenges Feb. 18 "Interim Guidance"
Pinal County Sheriff, Cochise County Sheriff's Office Chief of Staff, and President of Yuma Regional Medical Center Sign Declarations

PHOENIX – Attorney General Mark Brnovich announced today that he has expanded his February 3rd lawsuit against the U.S. Department of Homeland Security (DHS) over its dangerous immigration policy that halts nearly all deportations for 100 days, even for those charged with or convicted of crimes. Montana Attorney General Austin Knudsen has also joined the Arizona lawsuit on behalf of the State of Montana. Arizona and Montana also filed a motion for preliminary injunction asking the court to stop the DHS policies from being implemented.

The original complaint challenged the DHS Memorandum issued on the first day of the Biden Administration, called the "immediate 100-day Pause on Removals." In addition to the DHS policy, Arizona and Montana are also now challenging the "Interim Guidance" issued by the Acting Director of ICE on February 18, 2021, which tries to supersede the original Memorandum but does not substantively change the policy to pause nearly all deportations of those who entered the country before November 1, 2020.

The amended complaint alleges that the original Memorandum and the Interim Guidance were promulgated without providing notice to Arizona and Montana, in violation of each State's Memorandum of Understanding (MOU) with DHS. Additionally, both policies are in direct violation of federal law, 8 U.S.C. § 1231, that requires an alien, who has received a final deportation order, to be removed from the United States within 90 days. Further, DHS made no attempt to follow the Administrative Procedure Act's notice-and-comment procedures in issuing the Memorandum/Removal Moratorium.

The DHS Memorandum states it is to be in effect for 100 days, and the Interim Guidance states it is to be in effect for 90 days, but no apparent limiting factor is explained. If this action is permitted to stand, DHS could implement these polices for a longer period or even indefinitely, thus allowing the current Administration to unilaterally amend immigration laws without the required congressional action.

"If asked about the poorest policy choice I've ever seen in government, this would be a strong contender," said Arizona Attorney General Mark Brnovich. "Blindly releasing thousands of people, including convicted criminals and those who may be spreading COVID-19 into our state, is both unconscionable and a violation of federal law. This must be stopped now to avoid a dangerous humanitarian crisis for the immigrants and the people of Arizona."

"Meth trafficked into Montana by Mexican drug cartels has wracked our state. The problem will only be made worse if the Biden administration continues to allow criminals to stay in the country," Montana Attorney General Austin Knudsen said. "Enforcing our immigration laws and helping to keep Americans safe is one of the federal government's most important functions. The Biden administration is failing its basic responsibility to Americans."

Arizona officials are sounding the alarm about the growing crisis at the southwest border. There are caravans of

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002494
ARZN_REV00068842_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

undocumented aliens heading to the southwest border because of these lax DHS policies.
Law enforcement officials also are telling the Attorney General's Office (AGO) that DHS is releasing undocumented aliens without testing them for COVID-19. Many are worried hospitals and medical centers, which have been operating at or near full-capacity due to the pandemic, could be overwhelmed. Possibly even more disturbing, the AGO has learned DHS is releasing potentially dangerous individuals without any coordination with local law enforcement.

Harms to Arizona and Montana Highlighted in Preliminary Injunction Motion

The preliminary injunction notes that DHS did not engage in any prior consultation with anyone—inside or outside the federal government—about the anticipated effects and costs of the Removal Moratorium, including the number of aliens with final removal orders who will be released from ICE custody and the detrimental impacts on public safety, health, and state and local finances from such releases.
The motion includes declarations from Pinal County Sheriff Mark Lamb, Cochise County Sheriff's Office Chief of Staff Mark Napier, President for the Yuma Medical Center Dr. Robert Trenschel, and Administrator of the Division of Criminal Investigation at the Montana Department of Justice Bryan Lockerby. These declarations illustrate the harms Arizona and Montana will suffer under the new DHS policies, including unreimbursed costs related to incarceration and healthcare costs.

- Copy of amended complaint
- Copy of exhibits to amended complaint
- Copy of preliminary injunction
- Copy of declarations

"QUOTE OF THE DAY"

"Never for a second did I come to the conclusion – an insane conclusion – that these were live ballots."

- Eric Spencer, former state elections director, on his reaction upon seeing the photos of shredded ballots

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 9, 2021 4:12:59 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-9-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet March 9, 2021

THEY'RE WILLING TO DIE FOR THE CONSPIRACY – ARE YOU?
Staci Burk thinks someone wants to kill her for allegedly finding shredded ballots in a dumpster, and she wants $20,000 to help with legal costs for potential criminal charges for her and her accomplice's dumpster diving excursion, according to a paranoia plagued GoFundMe she organized today.

SERIOUS QUESTION: WHAT HAPPENED TO KAREN FANN?
Fann, who has strictly limited media access to the Senate and overall been less responsive to reporters this session than in previous years, filmed an interview with the conspiracy-mongering cable news channel One America News Network today.

EVERY GOOD ACCOUNTABILITY LAW HAS A LOOPHOLE
Lawmakers are barred from milking lobbyists for campaign contributions during the legislative session, but House and Senate Democrats are exploiting a

AMERICAN OVERSIGHT

loophole in that law by attending an ADLCC fundraiser marketed to deep-pocketed lobbyists.

EVERY GOOD ACCOUNTABILITY LAW HAS A LOOPHOLE PART 2
Parker worked as Justin Olson's policy advisor at the Corporation Commission until the Friday before she became a lawmaker, which would have been a crime if not for a law Olson passed nearly a decade ago.

SHE'S TAKING CORP COMM'S AUTHORITY WITH HER
Now that she's a lawmaker, Parker is running legislation to allow lawmakers to force the AG to investigate Corp Comm, a move that her former boss, Olson, has endorsed, though the commission as a whole has not.

MAPS ARE STILL A LONG WAY OUT
The IRC was still meeting at our deadline, but the commission narrowed its list of 43 applicants for the executive director position down to five candidates who will interview next week – though we don't know the finalists' names.

THE NEW NORMAL INCLUDES FEWER TRADITIONAL SCHOOLS
School choice proponents contend that the pandemic has exposed flaws in the state's existing education system and opened the door for creative solutions.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, March 09, 2021

NEWS NOTES AND GOSSIP

THEY'RE WILLING TO DIE FOR THE CONSPIRACY – ARE YOU?

Staci Burk thinks someone wants to kill her for allegedly finding shredded ballots in a dumpster, and she wants $20,000 to help with legal costs for potential criminal charges for her and her accomplice's dumpster diving excursion, according to a paranoia plagued GoFundMe she organized today. Burk claims that senators have told her that if she turns over the shredded pages to law enforcement or "the wrong people," they will be destroyed. "We are being told they will kill us or arrest us on false charges," she wrote (LINK). If the dumpster divers are concerned about election integrity, elections attorney and former state election director Eric Spencer said he thinks someone in their shoes would jump at the chance to go through the official channels to provide their evidence, maintain a proper chain of custody and ensure an above ground investigation. "If someone really has been offered that opportunity and refused, that strikes me as unexplainable," Spencer said. He added that his first thought when seeing the photos of the shreds pieced together was that the ballots were test or sample ballots. "Never for a second did I come to the conclusion – an insane conclusion – that these were live ballots," he said. "All the more reason to allow the Attorney General to look into this further because their folks have the skills, expertise and credibility to run something like this to ground." The AG's Office debunked a Gateway Pundit claim yesterday rumoring the prosecution or arrest of Shafer, saying the office has tried to contact the dumpster divers to get the ballots, not arrest anyone. AG spokesman Ryan Anderson told our reporter it was "incredibly frustrating" that the site ran the false article. "The nexus behind what I told Gateway Pundit is, 'You didn't even try to reach out to verify if there was any truth to this rumor before printing it and setting the world on fire," Anderson said.

SERIOUS QUESTION: WHAT HAPPENED TO KAREN FANN?

Fann, who has strictly limited media access to the Senate and overall been less responsive to reporters this session than in previous years, filmed an interview with the conspiracy-mongering cable news channel *One America News Network* today. The Senate Republican caucus tweeted a photo of Fann interviewing with Christina Bobb, the *OANN* host who has spent the past several months spreading conspiracies and misinformation about Maricopa County's 2020 election. The *Arizona Mirror's* Jeremy Duda thoroughly debunked Bobb's 30-minute "Arizona Election Heist" special report, which included a number of bizarre claims with no evidence (LINK). In some cases, Bobb displayed a complete lack of understanding of common election terms, such as declaring that there were 11,676 more ballots cast in Maricopa County than there were registered voters, a conclusion she reached by misunderstanding the word "overvote." (An overvote is when a voter chooses more candidates than allowed per race – if you vote for two people for president, your presidential vote doesn't count.) She also claimed more than 36,000 noncitizens voted in the county, apparently drawing from a Townsend Facebook post about the number of "federal-only" voters in the state. Arizona has higher standards for proving citizenship to vote than the federal government, so people who don't provide proof of citizenship, such as a US birth certificate or naturalization forms, are only allowed to vote in federal elections. It's also still a felony for a non-citizen to vote in federal elections. Today's interview, which will air on *OANN* this weekend, comes as Fann tries to maintain credibility with a right-wing base that has begun to express doubt that the Senate ever truly intended to perform an audit that would succeed where all others failed and magically prove that Trump really won Arizona.

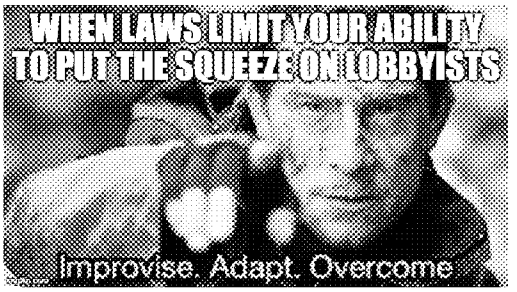
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002498

ARZN_REV00068844_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

EVERY GOOD ACCOUNTABILITY LAW HAS A LOOPHOLE



Lawmakers are barred from milking lobbyists for campaign contributions during the legislative session, but House and Senate Democrats are exploiting a loophole in that law by attending an ADLCC fundraiser marketed to deep-pocketed lobbyists. On Monday, the ADLCC will host a "legislative salute" with Democrats from the House and Senate in attendance (LINK). Of course, the law prohibiting lawmakers from fundraising from lobbyists during session is meant to tamp down on lawmakers' ability to extract campaign funds from lobbyists with business immediately before the Legislature. (In true legislative fashion, the law technically bars lobbyists from contributing to lawmakers during session, putting the onus on lobbyists, not lawmakers.) "Grab a drink and spend some time with your esteemed Democratic legislators as we discuss the 2021 session," an invite reads, offering event sponsorship ranging from $500 for an individual to $10,000 for a "copper" sponsor. But having a legislative fundraiser by proxy, as the ADLCC is doing, violates the spirit of the law, one lobbyist who received the invite told our reporter. "It's a loophole that they'll continue to exploit until they decide to close the loophole, because they make the law," the lobbyist said. "The whole litmus test to this fundraiser is who's with me and who's not? Who's willing to put their money where their mouth is in the middle of session while important legislation is moving." The source said if it wasn't a *quid pro quo*, "then why not just wait a couple of months until we're out of session?" The lobbyist noted the Republican Legislative Victory Fund does the same thing, with perhaps more aggressive tactics. A representative for the RLVF approached the lobbyist in the halls and asked for specific dollar amounts from specific clients a few years back, the lobbyist recalled. "And he said, 'If you ever need my help in these rooms, you let me know,'" the source recalled. "And I was like this conversation is inappropriate… I talk to everyone as if they're wearing a wire." Savannah Drake, ADLCC finance director, wouldn't tell our reporter which lawmakers have RSVP'd or comment on the allegation that the fundraiser violates the spirit of the law, if not the letter of the law. The lobbyist said that even though it may put them at a competitive disadvantage, they're not attending the event. "I'm stubborn about not getting myself into one of your headlines," the lobbyist said.

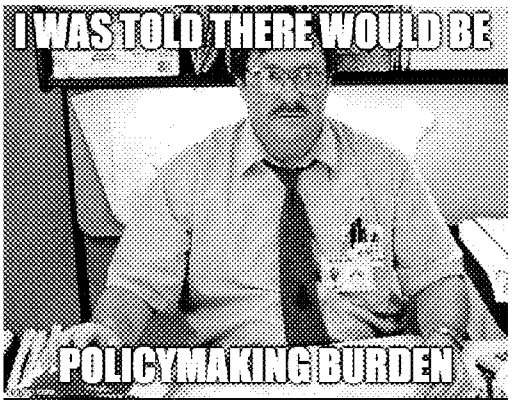
EVERY GOOD ACCOUNTABILITY LAW HAS A LOOPHOLE PART 2

Parker worked as Justin Olson's policy advisor at the Corporation Commission until the Friday before she became a lawmaker, which would have been a crime if not for a law Olson passed nearly a decade ago. ARS 41-752 (C) states that a state employee who runs for office commits a Class 1 misdemeanor. Former Attorney General Terry Goddard wrote an opinion confirming that interpretation in 2010 (LINK), saying that the employee would have to resign before filing their nomination petitions, which is when a person officially becomes a candidate for office. But Olson's Laws 2012, Chapter 321 (H2571: state personnel system) drilled a massive loophole into that prohibition in the form of ARS 41-752, which exempts specific employees – like those in the Governor's Office, agency directors or deputy directors or subordinates who report directly to an agency director or elected official – from the ban. Attorney Tom Ryan argued employees who remain in their political jobs, like Parker, and seek public office are "not acting in the best interest of the citizens of the state of Arizona." "This is just so offensive. I'm stunned," he told our reporter of the loophole. Ryan likened Parker's scenario to if Kirk Adams, Ducey's former chief of staff, remained in that position and then ran for the US Senate without resigning, saying lobbyists would see contributing to Adams' campaign as a way to influence Ducey on policy positions. "Under this statute, there's nothing illegal, immoral, unethical or improper about that. It's just a horrible law," he said. Ryan argued that if somebody is going to run for public office, they should resign. "You don't want somebody staying in [their job] and browbeating somebody into getting contributions to their political campaign."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002499
ARZN_REV00068844_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SHE'S TAKING CORP COMM'S AUTHORITY WITH HER



Now that she's a lawmaker, Parker is running legislation to allow lawmakers to force the AG to investigate Corp Comm, a move that her former boss, Olson, has endorsed, though the commission as a whole has not. Her H2737 (corporation commission actions; investigation), would set up a 1487-like structure allowing lawmakers to demand the AG investigate the commission for allegedly overreaching its authority and if found in violation, would lose out on 10 percent of its budget (YS, 2/10). Parker said she did not draft the bill while working at the commission and said nobody helped her craft the legislation, either. "I had the idea to extend the 1487 rule when I discovered that rule existed," she told our reporter. She said she isn't running the bill as retaliation against the commission. "I am not a disgruntled employee. I loved my time at the corp comm, I have many friends there that I'm still in touch with & working for Justin Olson was a dream!" she said via text. "This bill will be the first step in a long road to shifting at least some of the policymaking burden from the Corp com to the Legislature where it belongs." An APS spokeswoman told our reporter a member of the utility's state affairs team met with Parker on Feb 1, after her bill was already filed, and APS does not support it. Parker said during debate on the House floor last week that utilities don't support her bill because they are "afraid to go against the commission." An APS spokeswoman would not comment on Parker's assumption. Dem Commissioners Anna Tovar and Sandra Kennedy are against the bill, while Republicans Olson and Jim O'Connor support it. The AG's Office previously told our reporter it was not consulted on the bill and has yet to weigh in.

MAPS ARE STILL A LONG WAY OUT

The IRC was still meeting at our deadline, but the commission narrowed its list of 43 applicants for the executive director position down to five candidates who will interview next week – though we don't know the finalists' names. Each candidate was given a number from 1-43, protecting their identities until they agree to full interviews as finalists. Dem Commission Derrick Watchman inadvertently revealed some information about one of the final candidates, implying it could be Kristina Gomez, the deputy executive director from the 2011 redistricting cycle. Watchman said the candidate was a "previous employee of the Commission in two capacities," and Gomez would fit the bill, given she also served in a community outreach role for the inaugural commission (YS, 5/3/11). That candidate received four yes votes and only Republican Commissioner, David Mehl, voted against her as a finalist. Two of the remaining candidates received unanimous approval for an interview and the other two had 3-2 support. Candidates will interview for 30 minutes each on March 16 at 9:30. Chair Erika Neuberg also addressed the Census Data delay again, saying that she met with Hobbs' elections director Bo Dul and discussed the election calendar for 2022. Neuberg told other commissioners that the deadline for candidates to file their nomination petition is on April 4, 2022 and that she wants to aim to get the Secretary of State a final map by Jan 2, 2022 if possible.

THE NEW NORMAL INCLUDES FEWER TRADITIONAL SCHOOLS

School choice proponents contend that the pandemic has exposed flaws in the state's existing education system and opened the door for creative solutions. "Some things were great, but some things were not great in American K-12 education before the pandemic, and now those things are on display in a way that we can

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002500
ARZN_REV00068844_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

deal with them," Derrell Bradford, Executive Vice President of 50CAN, said during today's *Arizona Capitol Times* Morning Scoop. Janelle Wood, founder of the nonprofit Black Mother's Forum, gave an example: her organization has started offering micro-schools during the pandemic with the help of an A for Arizona innovation grant. She said she has spoken to parents who have expressed concerns about their children's safety, not only during the pandemic, but also when it came to racial tensions in the country. The micro-school setting, she said, allowed for social distancing and for in-person interaction and helped students to feel safe with and learn from people who look like them. "Traditional education is gone. That particular system: done. We can't do it that way anymore," she said. Bradford and Wood are both on A for Arizona's governing board. The panelists also highlighted a handful of bills moving through the Legislature that would take Arizona education in the direction they want to go. One, S1400 (schools; course equivalents), narrowly passed out of the Senate last week and would allow students to earn elective credit through out-of-school activities, such as organized sports, community theater or a job. Wood said some communities had created Saturday schools to teach their children ethnic studies no longer offered at their traditional school, and that the bill would allow them to earn credit. "They get no credit for that. Why not?" she said. "Those are things that are wholly beneficial for that child as they grow up to be an active participant in the upbuilding of their communities." The panelists also pushed back against the claim that school choice is segregationist, with Bradford arguing America's school system was built to be segregated by tying access to schools to housing patterns. "Proximity is the proxy for segregation," Bradford said.

·WAKE UP CALL·

Fernandez tells 2 GOP lawmakers their suit against her has 0 merit
Arizona Capitol Times
A lawyer for Rep. Charlene Fernandez, D-Yuma, told a current and former House member they will end up paying her attorneys' fees if they proceed with their lawsuit full of "irrelevant, tinfoil-hat conspiracy theories" against her.

Senate moves to restrict early voting
Capitol Media Services
Republican senators are moving on two fronts to erect new hurdles in the path of those who want to vote early.

Sen. Kyrsten Sinema faces blowback for minimum wage vote
Cronkite News
Arizona Sen. Kyrsten Sinema said she still believes the Senate should take up a higher minimum wage, but that didn't keep critics from lighting into her after her Friday vote to keep the higher wage out of the latest pandemic relief package.

As survivors pass on, Holocaust education could be headed to Arizona classrooms
Cronkite News
Arizona students haven't been properly taught about the Holocaust in recent years, according to a recent poll conducted by the Conference on Jewish Material Claims Against Germany.

Study: Arizona, Maricopa County Rank High in Nation for Fatal Police Shootings
Phoenix New Times
It might not seem like shocking news to locals, but now it's official because the research says so: Police in Arizona shoot and kill a lot of people in comparison to other parts of the country, according to a new study.

Five Highlights of Kari Lake's Dark Path to Right-Wing Radicalization
Phoenix New Times
Kari Lake completed her transition from nightly news fixture to conspiracy peddler last week, posting a video screed

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002501
ARZN_REV00068844_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

in which she announced her resignation as Fox10 News anchor, railed against the media, and claimed that hit pieces about her would soon emerge.

It's time for Sen. Sinema to put on her big-girl boots and start kicking some you-know-what
Arizona Republic (Opinion, Laurie Roberts)
Arizona didn't send Sen. Kyrsten Sinema to Washington to be a potted plant. Her constant call for bipartisanship, though welcome, isn't an excuse to do nothing.

Progressives lose their perspective, then their mind over Sinema's minimum wage vote
Arizona Republic (Opinion, Phil Boas)
The far left can't appreciate why she rejected the Democratic wage plan, even though she was really acting to prevent further partisan warfare.

Hotspots aren't enough for rural students. They need broadband access at home
Arizona Republic (Op-ed, Wes Brownfield)
Too many rural students lack high-speed broadband at home, and that puts them at a disadvantage. The Final Mile Project aims to solve that.

PRESS RELEASES

Governor Ducey Signs Legislation To Promote Forest Health And Prevent Wildfires

Program Will Expand Post-Release Opportunities For Those Serving Time

PHOENIX — Arizona will have more boots on the ground to prevent wildfires under a bill signed today by Governor Doug Ducey.

The legislation creates a new partnership, employing Arizona inmates to clear forests of debris. The program is a win-win: forests will be healthier and inmates will have new skills setting them up for employment once they are released. After the signing, the Governor reiterated the importance of the $24.5 million appropriation and looks forward to working with the Legislature to include this piece as part of a comprehensive budget package.

"As I shared in my State of the State address, guarding against wildfires is an important issue that requires a new strategy for the state. That new strategy of taking additional steps to reduce wildfire risk to Arizona communities is reflected in the Arizona Healthy Forest Initiative," Governor Ducey said in a signing letter.

"I want to extend my gratitude to the sponsors of this legislation, Senator Kerr and Representative Griffin, and to all of the legislators supporting this critical mission. I am very pleased to sign Senate Bill 1442 today, and look forward to working with the legislature to complete the other necessary pieces of this ongoing effort to protect our forests and communities," he added in the letter.

Senate Bill (SB) 1442, the legislation signed today by the Governor, aims to prevent wildfires by allowing for additional partnerships to reduce the risk of wildfires on federal lands neighboring communities.

The legislation aligns with the Arizona Healthy Forest Initiative, a $24.5 million proposal that builds on proven methods to protect communities, while engaging individuals in state correctional facilities to equip them with new skills and reduce recidivism.

"Every year, wildfires threaten our communities and beautiful landscapes," said SB 1442 author Senator Sine Kerr (LD13 – Buckeye). "This legislation provides additional resources to prevent and combat wildfires, while expanding opportunities for individuals in correctional facilities. My thanks to Governor Ducey for supporting these crucial efforts."

Representative Gail Griffin (LD14 – Hereford) introduced mirror legislation, HB 2440. Representative Griffin represents a legislative district hard hit by wildfires.

"This legislation will strengthen our fight against wildfires and provide additional resources to our firefighters," said Representative Griffin. "Wildfire season poses serious threats year after year, and it's important that we prepare ahead of time to protect at-risk areas, the environment, lives and property."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002502

ARZN_REV00068844_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Arizona Healthy Forest Alliance is a joint program between the Arizona Department of Forestry and Fire Management (DFFM) and the Arizona Department of Corrections (ADCRR) that provides opportunities for state inmates to learn skills for post-sentence employment through treating Arizona's land and wildlife. The crews will help with wildfire prevention through vegetation management.

"The Department is committed to preventing the spread of wildfires and protecting Arizonans living in communities that are most affected," said DFFM Director David Tenney. "This bill will help continue to ensure the safety of our crews as they fight wildfires across the state and provides more tools for getting the job done."

As part of the initiative, more than 700 ADCRR inmates will address the need to remove fire-prone vegetation from Arizona communities over a two-year period. The crews will handle vegetation management, gain experience with various types of tools and gear, strengthen teamwork skills, and more. The skills learned through the program will help inmates connect with job opportunities upon release, reducing recidivism across the state and helping those who served their time build better lives.

"The Healthy Forest Initiative will be instrumental in Arizona's work to expand opportunities for those serving time, while protecting our forests and communities," said ADCRR Director David Shinn. "Through this program, individuals in our facilities will learn skills and develop tools necessary to help them secure employment after they've served their time."

Today's signing comes a day after a wildfire caused the evacuation of about 100 people in the Tonto Basin and the closure of State Route 188.

Arizona's wildfire season runs from around May to July each year, destroying thousands of acres of land, devastating communities and risking the health of Arizonans.

Southern Arizona Legislators Call on Biden Administration and Governor Ducey to Act

STATE CAPITOL, PHOENIX – State Representatives Mark Finchem, Bret Roberts, Gail Griffin, and Becky Nutt today released the following joint statement:

"For over a year, Arizonans, and indeed all of America, have been forced to endure a job-killing, mask-and-social-distance-promoting public health policy in response to the COVID-19 pandemic. Just as Arizona is finally seeing light at the end of the tunnel with the dramatic reduction in positive cases and associated deaths, the Biden administration has opened the southern border to coyotes and cartels facilitating illegal entry into the United States. Individuals coming across the border without testing, quarantine, and contact tracing are being turned over to non-governmental organizations, which in turn are bussing them wherever in America they may claim to have family or friends.

"President Biden, at his inauguration, swore to uphold and defend the Constitution of the United States and to faithfully execute the laws thereof. In his abandonment of border security, policies implemented within hours of taking office, he has exposed the entire nation to thousands of illegal aliens entering the country without any public health precautions.

"We call on Governor Doug Ducey to join his fellow border Governor Greg Abbott of Texas in deploying our National Guard to combat the escalating border surge crisis and support the operations of border sheriffs to apprehend and hold these individuals. It must be ensured that they complete a 14-day quarantine protocol, as recommended by the federal Centers for Disease Control, and the United States has a secure southern border with policies in place against continued illegal immigration. The abandonment of public health protocols that we Americans have been subject to for the past year, and which President Biden continues to call for us all to live under, should also apply to anyone who enters the country, legally or illegally. Anything less is reckless and irresponsible."

Extreme legal immunity for religious groups decried by community organizations

(Mon., Mar. 8, 2021) Phoenix, Ariz. — Faith communities, civil liberties organizations, and other community groups today released a joint statement raising the alarm about an Arizona bill that would provide unprecedented legal immunity for religious organizations that violate nearly any criminal or civil law at any time. The statement reads:

"As community leaders and advocates committed to the safety of our communities, we are deeply concerned about the incredible danger posed by HB 2648. This bill is disguised as religious liberty legislation protecting the right to worship during public emergencies, yet whether intentionally or unintentionally, the bill as written would give religious organizations immunity from all criminal and civil liability for any behavior connected to that organization's religious exercise. This means religious schools and organizations could avoid liability for child abuse; religious

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002503

ARZN_REV00068844_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

hospitals could avoid accountability for refusal of services; employees of religious schools and hospitals could lose the right to sue for harassment, discrimination, or criminal behavior; a house of worship could disregard fire codes; religious daycares could refuse to comply with child-protection laws. The list of potential abuses and harms is endless. Religious freedom is indeed an essential right, and as such, it already has strong federal and state protection, even in a time of crisis — including during our current pandemic. The Arizona Religious Freedom Restoration Act provides that the "government shall not substantially burden a person's exercise of religion," and the U.S. Supreme Court's recent rulings protect worship services during a time of crisis.

HB 2648 goes far beyond the current law to allow religious organizations to directly endanger members of the public and the members of those organizations themselves. We implore our Arizona State Senators to vote down this dangerous bill that jeopardizes the lives and wellbeing of children and other vulnerable people."

The statement was signed by: National Council of Jewish Women AZ (NCJWAZ); Protecting Arizona's Family Coalition (PAFCO); American Civil Liberties Union (ACLU); American Civil Liberties Union of Arizona (ACLU of Arizona); Secular Coalition for Arizona (Secular AZ); NARAL Pro Choice America; Equality Arizona (EQ AZ); Desert Star Family Planning; Arizona Center for Women's Advancement (ACWA); Arizona NOW; American Association of University Women Arizona (AAUWAZ); Affinis Humanity; Arizona Jews For Justice (AJJ).

HB 2648 passed the Arizona House on February 23 with a unanimous Republican majority along with Democrats César Chávez; Diego Espinoza; Alma Hernandez; Aaron Lieberman; Jennifer Longdon; Robert Meza; and Amish Shah. The bill passed the Senate Government Committee today along party lines.

Attorney General Mark Brnovich Expands Lawsuit to Stop Dangerous DHS Immigration Policy

Montana Joins Arizona Lawsuit, which also now challenges Feb. 18 "Interim Guidance"
Pinal County Sheriff, Cochise County Sheriff's Office Chief of Staff, and President of Yuma Regional Medical Center Sign Declarations

PHOENIX – Attorney General Mark Brnovich announced today that he has expanded his February 3rd lawsuit against the U.S. Department of Homeland Security (DHS) over its dangerous immigration policy that halts nearly all deportations for 100 days, even for those charged with or convicted of crimes. Montana Attorney General Austin Knudsen has also joined the Arizona lawsuit on behalf of the State of Montana. Arizona and Montana also filed a motion for preliminary injunction asking the court to stop the DHS policies from being implemented.

The original complaint challenged the DHS Memorandum issued on the first day of the Biden Administration, called the "immediate 100-day Pause on Removals." In addition to the DHS policy, Arizona and Montana are also now challenging the "Interim Guidance" issued by the Acting Director of ICE on February 18, 2021, which tries to supersede the original Memorandum but does not substantively change the policy to pause nearly all deportations of those who entered the country before November 1, 2020.

The amended complaint alleges that the original Memorandum and the Interim Guidance were promulgated without providing notice to Arizona and Montana, in violation of each State's Memorandum of Understanding (MOU) with DHS. Additionally, both policies are in direct violation of federal law, 8 U.S.C. § 1231, that requires an alien, who has received a final deportation order, to be removed from the United States within 90 days. Further, DHS made no attempt to follow the Administrative Procedure Act's notice-and-comment procedures in issuing the Memorandum/Removal Moratorium.

The DHS Memorandum states it is to be in effect for 100 days, and the Interim Guidance states it is to be in effect for 90 days, but no apparent limiting factor is explained. If this action is permitted to stand, DHS could implement these polices for a longer period or even indefinitely, thus allowing the current Administration to unilaterally amend immigration laws without the required congressional action.

"If asked about the poorest policy choice I've ever seen in government, this would be a strong contender," said Arizona Attorney General Mark Brnovich. "Blindly releasing thousands of people, including convicted criminals and those who may be spreading COVID-19 into our state, is both unconscionable and a violation of federal law. This must be stopped now to avoid a dangerous humanitarian crisis for the immigrants and the people of Arizona."

"Meth trafficked into Montana by Mexican drug cartels has wracked our state. The problem will only be made worse if the Biden administration continues to allow criminals to stay in the country," Montana Attorney General Austin Knudsen said. "Enforcing our immigration laws and helping to keep Americans safe is one of the federal government's most important functions. The Biden administration is failing its basic responsibility to Americans."

Arizona officials are sounding the alarm about the growing crisis at the southwest border. There are caravans of

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002504
ARZN_REV00068844_3-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

undocumented aliens heading to the southwest border because of these lax DHS policies.
Law enforcement officials also are telling the Attorney General's Office (AGO) that DHS is releasing undocumented aliens without testing them for COVID-19. Many are worried hospitals and medical centers, which have been operating at or near full-capacity due to the pandemic, could be overwhelmed. Possibly even more disturbing, the AGO has learned DHS is releasing potentially dangerous individuals without any coordination with local law enforcement.

Harms to Arizona and Montana Highlighted in Preliminary Injunction Motion

The preliminary injunction notes that DHS did not engage in any prior consultation with anyone—inside or outside the federal government—about the anticipated effects and costs of the Removal Moratorium, including the number of aliens with final removal orders who will be released from ICE custody and the detrimental impacts on public safety, health, and state and local finances from such releases.
The motion includes declarations from Pinal County Sheriff Mark Lamb, Cochise County Sheriff's Office Chief of Staff Mark Napier, President for the Yuma Medical Center Dr. Robert Trenschel, and Administrator of the Division of Criminal Investigation at the Montana Department of Justice Bryan Lockerby. These declarations illustrate the harms Arizona and Montana will suffer under the new DHS policies, including unreimbursed costs related to incarceration and healthcare costs.

- Copy of amended complaint
- Copy of exhibits to amended complaint
- Copy of preliminary injunction
- Copy of declarations

"QUOTE OF THE DAY"

"Never for a second did I come to the conclusion – an insane conclusion – that these were live ballots."

- Eric Spencer, former state elections director, on his reaction upon seeing the photos of shredded ballots

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002505
ARZN_REV00068844_3-9-2021.pdf

Sender: rgabaldon@azleg.gov
Sent: Thursday, March 11, 2021 6:10:07 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-11-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *March 11, 2021*

IT'S THE SECOND MOST SHOCKING BORRELLI SECRET RECORDING
Lawmakers and railbirds were blown away yesterday by Borrelli's bizarre and secretly recorded conversation with conspiracy theorist Staci Burk.

THE WHIP IS KING IN HIS OWN MIND
Borrelli has a lot of kissing up to do to get back in his colleagues' good graces, one railbird told our reporter.

YOU HANG AROUND CRAZY, IT STARTS TO RUB OFF ON YOU
Borrelli attempted to walk back some of the more unhinged parts of his recorded rant with Staci Burk, saying he didn't really believe Brnovich is corrupt, and that he was trying to convince the conspiracy theorist to turn over

AMERICAN OVERSIGHT

the shredded ballots by using her own lingo.

WE THOUGHT IT WAS CHINA OR RUSSIA OR SOMETHING
It's worth noting that Burk spent much of their call repeating conspiracies that went too far for even some of her fellow "stop the steal" activists – including the bizarre claim that she has an eyewitness to the South Koreans putting fake ballots on a plane to Maricopa County.

ALL POLITICIANS LIE, BORRELLI IS JUST REALLY BAD AT IT
Despite claiming Brnovich is "corrupt" and that he would destroy the ballots if Burk delivered them, Borrelli told OANN only a day before that if the Senate got ahold of the ballots, they would turn them over to the Attorney General's Office.

ALL POLITICIANS LIE, FRIESE IS JUST REALLY BAD AT IT
Friese claimed there's "nothing nefarious" about Democrats using a code word to hide the fact that they're fundraising from lobbyists during session for the ADLCC.

AND IN OTHER NEWS…
A former Ducey staffer, a former House Dem chief of staff and a former IRC employee are among the final list of five candidates vying for the IRC executive director position next week.

DID ANYONE ASK ARPAIO IF HE SUPPORTS IT?
Maricopa County Sheriff Paul Penzone successfully urged Bowers to kill a major criminal justice reform bill yesterday, ending efforts that were years in the making.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, March 11, 2021

NEWS NOTES AND GOSSIP

IT'S THE SECOND MOST SHOCKING BORRELLI SECRET RECORDING

Lawmakers and railbirds were blown away yesterday by Borrelli's bizarre and secretly recorded conversation with conspiracy theorist Staci Burk. Our reporter's phone was ringing late into the night with sources calling to express their awe at the conversation, and especially, with Borrelli's trash-talk about his colleagues. "I listened to it this morning, and 'what in the hell was I listening to' was my main reaction," one Republican senator said. "You're on with a conspiracy theorist, throwing some of your colleagues under the bus." Borrelli might get a longer leash because of his reputation for occasionally flying off the handle, the source said. (It's not the first time Borrelli has been secretly recorded flying off the handle, one lobbyist noted, pointing to his profane rant about the "ignorant, c*cksucking idiots" who supported former lawmaker Ron Gould over him in the 2016 primary (LINK).) The lawmaker said it's possible that the caucus could call for a reorganizational meeting if it loses faith in him as a member of leadership, but the source didn't know the appetite for that or even if anyone else would want the job. Although Kerr was a rumored contender for the whip spot before the vote, the eventual GOP leadership slate was elected by acclamation with no challengers. Gallardo said he hopes supervisors see Borrelli's paranoid rant and reconsider their decision to not appeal the superior court ruling siding with the Senate's subpoena. He hopes other supervisors listened to this recording and reconsider their decision not to appeal. "He wants his hands on the ballot," he told our reporter today. "He's made it clear that this would go away if it wasn't for him. I think this is reason enough for the board to reconsider its action and appeal the judge's decision." Supervisor and former Senator Steve Gallardo didn't have much faith that Fann would act on Borrelli's trash talk and conspiracy mongering, but said she should publicly condemn Borrelli's rant. (Fann didn't return a call for comment.) "He is a state senator. He's in leadership. He's an acting member of the Senate leadership, and I've never seen less statesmanlike conduct," he said. A Republican lobbyist texted our reporter while listening to the tape, summing up the feeling of many listeners. "I know I'm losing brain cells but I can't stop," the source said. "Lol. Dumpster gate. What a time to be alive," another Republican railbird texted our reporter.

THE WHIP IS KING IN HIS OWN MIND

Borrelli has a lot of kissing up to do to get back in his colleagues' good graces, one railbird told our reporter. "He's got a lot of roses and bottles of wine to buy," the source said. "She asks such leading questions and the moron – the good senator – takes the bait," the source marveled. "He disparages everybody from Karen Fann, to Warren Petersen to Stephen Richer. Every name that's brought up, he disparages." The source said Borrelli's attempts to build himself up as an important player in the fight for election integrity above all of his colleagues would also damage his credibility at the Capitol, though it's unlikely that will translate to losing his position in leadership. "The really fun thing to listen to is how Sonny has created a hero out of himself. He is his own protagonist of his story," the source said, adding Borrelli is only tangentially involved in the effort to audit the ballots. "We all know in the Legislature there's a lot of show horses and there's a lot of work horses," the source said. "But Borrelli wins the Kentucky Derby of show horses." Another source pondered how Borrelli could remain in leadership "when he warns Fann can't be trusted."

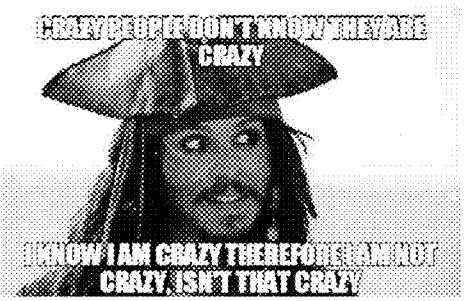
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002508

ARZN_REV00068856_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YOU HANG AROUND CRAZY, IT STARTS TO RUB OFF ON YOU



Borrelli attempted to walk back some of the more unhinged parts of his recorded rant with Staci Burk, saying he didn't really believe Brnovich is corrupt, and that he was trying to convince the conspiracy theorist to turn over the shredded ballots by using her own lingo. Borrelli didn't return calls from our reporter again today, but told the *Arizona Mirror's* Jeremy Duda that he was trying to use his "communication skills" to convince "this lady who doesn't trust anybody" that he could be trusted to handle the ballots (LINK). Despite pleading at length with Burk to turn over the ballots, it does not appear she was convinced, and the call ended with him abruptly hanging up on her. One lobbyist who listened to the recording said Borrelli made the fatal mistake of sounding desperate. "He is overly eager," the source said. "He should have played a little harder to get and he might have got the ballots." Borrelli didn't directly address his comment that he wants to throw the supervisors "in freaking jail" saying only that if they're guilty of a crime, they should be jailed. He didn't say whether he thought they were guilty, or of what. In his conversation with Duda, Borrelli used the conspiracy that the Hickman's Farms fire was connected to the shredded ballots as an example of "how crazy" conspiracies are getting. Some of his colleagues, including Finchem, have helped to amplify that conspiracy (YS, 3/8). He didn't address whether he actually believes people are willing to kill him or Burk over the ballots. One Republican railbird quipped that when you deal with crazy people, "you get crazy by association," a problem that has plagued many in the Republican Party of late.

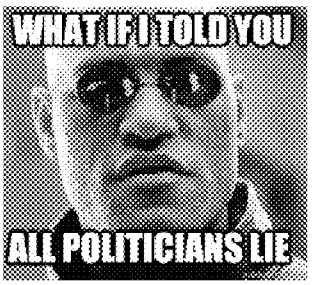
WE THOUGHT IT WAS CHINA OR RUSSIA OR SOMETHING

It's worth noting that Burk spent much of their call repeating conspiracies that went too far for even some of her fellow "stop the steal" activists – including the bizarre claim that she has an eyewitness to the South Korean's putting fake ballots on a plane to Maricopa County. Burk — who has not been registered to vote in Arizona since at least 2010 — first filed a complaint with the Attorney General's Office Nov 4 about her participation in the state's address confidentiality program. She then filed the "Arizona Kraken 2.0" lawsuit in Pinal County, which was dismissed when a judge learned she wasn't a registered voter (YS, 12/15/20). At some point between her Nov 4 complaint and Finchem's Nov 30 election hearing in a hotel ballroom, Burk became convinced that South Korea flew pro-Biden ballots to Maricopa County and that a man who worked security at Finchem's hearing was involved in transporting them to county offices. "I sent you guys a transcript of a guy who confessed to taking illegal ballots off of a South Korean plane, took them to the Maricopa County election center, and there's eyewitnesses," she said in the call. Last Friday, Burk and another woman tried to deliver a box she claimed was full of evidence of South Korean interference to the Attorney General's Office, where a receptionist explained that the office didn't need that for her Nov 4 complaint about the address confidentiality program, and that she could file a new complaint about the South Koreans. Burk's own recording of the interaction shows her claiming Brnovich tried to block an investigation into South Korea (LINK). Brnovich's representative, Ryan Anderson, sent Burk an email and cc'd all senators explaining that Burk did not file a complaint about South Korea, but she is welcome to do so and provide supporting evidence. During her call with Borrelli, Burk repeated her theory about South Korea. She also told him that the Senate had a secret meeting in which it decided the vote on the contempt resolution would be 15-15. Borrelli protested, and Burk asked him how she knew it would be two weeks before the vote. (The Senate voted on its contempt resolution less than a week after introducing it.)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002509
ARZN_REV00068856_3-11-21.pdf

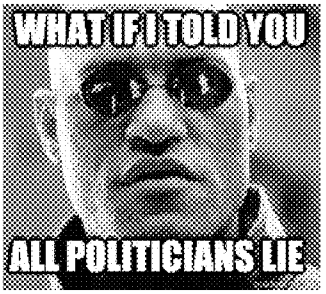
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ALL POLITICIANS LIE, BORRELLI IS JUST REALLY BAD AT IT



Despite claiming Brnovich is "corrupt" and that he would destroy the ballots if Burk delivered them, Borrelli told *OANN* only a day before that if the Senate got ahold of the ballots, they would turn them over to the Attorney General's Office. In an interview with conspiracy peddler Christina Bobb (YS, 3/9), Borrelli called the photos "very compelling," but said until they're verified by law enforcement or the Senate, it's just "a bag of shredded paper." "People need to bring that forward either to law enforcement or to the Senate so we can verify it. If it is the 2020 ballots, we can turn that over to the attorney general because there's an ongoing investigation," he said (LINK). When Bobb asked if he's willing to "press charges" on those responsible for fraud in the election, Borrelli noted that the Senate doesn't have authority to prosecute people. "But if we do find something that is illegal, we're going to turn that evidence over to the Attorney General's Office and it's going to be hard for them to turn and look the other way. They're going to have to act."

ALL POLITICIANS LIE, FRIESE IS JUST REALLY BAD AT IT



Friese claimed there's "nothing nefarious" about Democrats using a code word to hide the fact that they're fundraising from lobbyists during session for the ADLCC. "It was just something we've always said," Friese told our reporter when asked why Democrats use a code word. "It's almost like a tongue in cheek thing." He reiterated that it's legal because lawmakers aren't fundraising for their own campaign. Of course, that's a thin distinction, considering the expressed and only purpose of the ADLCC is to help elect legislative Democrats. One lobbyist found Cano's inclusion in yesterday's report – he invited other Democrats on WhatsApp to "come change the oil" – especially galling, noting during the election, he repeatedly trashed "special interest" groups (LINK). "He's asking for money from folks who he trashed during the election cycle," the source said. "He didn't just do it once, he did it multiple times. And the fact that he has the audacity to come and ask us for money, it's like, what are you doing?" The source also sent our reporter a photo that Cano posted to social media that appears to show him making fundraising calls for the ADLCC from his legislative office (LINK). "We sent them around a while back because we thought it was hilarious," the source said. "It's funny sometimes what these folks are willing to put up." Cano didn't return multiple calls for comment today. Finally, the source claimed that after the election, Cano called several groups "demanding" they make contributions to his campaign in the exact amount that they spent to support his opponents.

AND IN OTHER NEWS...

A former Ducey staffer, a former House Dem chief of staff and a former IRC employee are among the final list of five candidates vying for the IRC executive director position next week. The Dept of Administration sent our reporter the final list of five names, which includes Kristina Gomez, who we speculated could be one of the candidates based on information Dem commissioner Derrick Watchman shared (YS, 3/9). Gomez worked on both previous IRC staffs and was liked by all commissioners except David Mehl, a Pima County Republican. The other four candidates are: Trevor Abarzua, the Vice President of Business Attraction for California at the Arizona Commerce Authority and former Ducey staffer; Tom Augherton, executive director of the state massage board; Keely Varvel Hartsell, former House Democratic chief of staff; and Bruan Schmitt, the chief of staff to Phoenix City Councilman Jim Waring. Abarzua received unanimous support for an interview, but was clearly better liked by the Republican commissioners and seemingly was Chairwoman Erika Neuberg's top choice, based on Neuberg's praise of his cover letter, communication skills and being a Flinn Brown fellow. Mehl said he liked Abarzua's "extensive

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002510
ARZN_REV00068856_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

background" working for a major government agency and that he has knowledge of Arizona's Open Meetings law. Commissioner Shereen Lerner, a Democrat, was reluctant at first because she did not view him as an "independent," which isn't a requirement but served as a criticism of his Republican ties. However, Neuberg shot down that notion of trying to find someone who is nonpartisan. "We need the most competent person who can transcend any kind of partisan issues," she said. Neuberg or Republican Commissioner Douglas York didn't support Augerton for an interview. Neuberg didn't support him because she didn't feel like he was ready for the job. "I saw some real potential in [Augerton]," she said, adding, "I didn't feel [he] was as ready to hit the ground running as the other candidates." York said he was concerned about Augherton's many job changes over the past decade. The Democrats liked Gomez's experience, given that she knows how the IRC process works, and Neuberg agreed. York was concerned that last cycle's IRC was not "flawless," but still voted for Gomez to be interviewed. Hartsell was seen as too partisan for Mehl, but both Democrats liked her experience in state and county government. Neuberg also liked Hartsell saying, "I personally was very attracted to this person's significant experience with the state Legislature [and her] willingness to work all across the aisle." Mehl thought Schmitt was one of the "stronger candidates" and liked his communication skills. York called him "seasoned" and Neuberg thought he was pragmatic.

DID ANYONE ASK ARPAIO IF HE SUPPORTS IT?

Maricopa County Sheriff Paul Penzone successfully urged Bowers to kill a major criminal justice reform bill yesterday, ending efforts that were years in the making. Bolding, who sponsored H2765 (law enforcement; deadly force; investigations) with Brnovich's support, finally got his bill through the Criminal Justice Reform Committee, only to see his attempt die behind the scenes. The bill passed through committee unanimously after a brief holdup (LINK). Bolding met with many stakeholders over a period of several months, including the Maricopa County Sheriff's Office, but Penzone himself was a no-show. At a press conference yesterday, Penzone claimed he was not involved in the process and dodged questions about why he had Bowers kill the measure. Penzone has argued that the bill, which would allow for third party oversight of law enforcement investigations into use of deadly force, does not give his office enough time to implement changes. The bill gives law enforcement a year to transition into the change. When pressed by *ABC15's* Dave Biscobing, Penzone got testy. "How long is it going to take for you guys to figure this out? A year? Five years? A decade? Until we forget?" Biscobing asked (LINK). Penzone said he didn't like Biscobing's tone. "You try to be so confrontational for some reason," he replied, adding Biscobing thinks it makes for better journalism. "But it doesn't. And the truth of the matter is this, I don't have a time frame." The testiness then escalated between Bolding, Rodriguez and a top Penzone staffer on Twitter over the stakeholder meetings that took place and Penzone's lack of involvement, but insistence in killing the bill (LINK). In a written statement, Bowers confirmed he killed the bill, but he has not commented further. One Dem lamented that a host of law enforcement groups, including PLEA supported the bill, only to see it killed by Penzone. "We're through the looking glass that PLEA is a stronger ally for police reform than the Democratic sheriff," the source said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002511

ARZN_REV00068856_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

House panel OKs purge of early voter list
Arizona Capitol Times
A bill to remove voters from the Permanent Early Voting List if they miss four elections in a row is headed to the full House.

Bill gives wrongfully convicted new chance at freedom
Capitol Media Services
Arizonans who contend they were wrongfully convicted could get a new way of trying to exonerate themselves.

Proposed law requires governor to meet with emergency panel
Capitol Media Services
With the declared emergency now a full year old, state lawmakers are moving to force Gov. Doug Ducey to finally use the existing Statewide Emergency Council that was specifically created to advise him and monitor his activities.

Legislature one step away from making Arizona's early voter list less permanent
Capitol Media Services
Change is opposed by Democrats who say it's another attempt to make voting more difficult.

Pima County appeals order halting enforcement of 10 p.m. bar curfew
Arizona Daily Sun
Pima County has formally appealed a state court ruling that halted enforcement of a mandatory 10 p.m. curfew for bars adopted to stem the spread of COVID-19.

Western states chart diverging paths as Colorado River water shortages loom
Associated Press
As persistent drought and climate change threaten the Colorado River, several states that rely on the water acknowledge they likely won't get what they were promised a century ago. But not Utah.

MCC struggling with pandemic-fueled enrollment dip
East Valley Tribune
A second dip at Mesa Community College enrollment could be called "the online class fade" or "Zoom burnout."

Senators support Az City Fire District in its bid for $1.3M grant
Arizona City Independent
Arizona City Fire District leadership hopes that support from Arizona's two senators will help the department in its bid for about $1.3 million in the Federal Emergency Management Agency's Staffing for Adequate Fire and Emergency Response grant funding.

Sheriff Penzone Shoots Down Bill Mandating Outside Probes of Police Killings
Phoenix New Times
Arizona Democrats accuse Maricopa County Sheriff Paul Penzone, also a Democrat, of helping kill a bipartisan bill that would require third-party investigations into police shootings.

Pandemic aid bill means more than $16 billion to Arizona governments, schools, workers
Arizona Mirror
More than $16.1 billion is headed to Arizona in the pandemic aid package that was passed by Congress Wednesday, including billions of dollars for local governments, schools, health care and businesses.

White House searches for solution to border rush
The Hill
The Biden administration is rushing to contain the situation at the border as a surge of migrant children threatens to become a humanitarian crisis with no easy solutions in sight.

If Gov. Ducey really has a 'mission' to improve education, he should veto these bad bills
Arizona Republic (Opinion, Laurie Roberts)
Gov. Doug Ducey touts his "mission" to improve education but will he tell the Legislature to lay off bills that would weaken the public schools attended by the vast majority of Arizona kids?

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

There's only one legit takeaway from the Meghan Markle interview: Racism almost killed her

Arizona Republic (Opinion, Greg Moore)

Markle's treatment was so bad that she no longer wanted to live, she said. You have to look hard to find a bright side on this one. But it's there.

PRESS RELEASES

STATMENT FROM SUPERVISOR STEVE GALLARDO ON GOP SENATOR'S COMMENTS

"Having been a state Senator, I have never heard such vile statements from any of my Senate colleagues. I was outraged to hear the audio recording of a sitting member of the Senate Republican Leadership, telling a constituent to break the law in perpetuating the myth of the Big Lie about the 2020 Election.

As a member of the party that prides itself on defending Law and Order, what was he doing? Telling a constituent not to comply with State Attorney General Election Integrity investigators? It's clear if you listen to his rants that this is not a man who is looking for the truth; this is someone who is using his position to promote disproven conspiracy theories at the expense of our democracy and in defiance of the law. It seems to me by listening to the audio he is sanctioning unlawful behavior.

This is not a rogue senator; he was chosen to represent the GOP in a leadership role in the Arizona Senate. He is leading the Senate's effort to get Maricopa County's 2.1 million General Election ballots for a supposedly independent audit that, to this day, remains shrouded in secrecy. To hear him disparage the Board of Supervisors and talk about his desire to put us all in jail makes it obvious to me that the Arizona Senate Republicans have already made up their minds about the 2020 election. They cannot be trusted to do anything independent or unbiased. They should immediately denounce this man and his unhinged rhetoric."

Superintendent Hoffman Praises Passage of American Rescue Plan

PHOENIX – Superintendent of Public Instruction Kathy Hoffman expressed her gratitude to Arizona's congressional delegation who supported the passage of the American Rescue Plan. This infusion of federal funding is a major milestone in the recovery of Arizona's schools and families. With nearly $2.6 billion dollars for K-12 education, the Arizona Department of Education will allocate 90% of those funds directly to public schools.

"The latest round of federal relief and recovery dollars comes at a time of high need for Arizona's schools and families as many prepare for a return to some degree of in-person learning. From teaching and learning to providing critical wrap around supports, over the past year, every Arizonan has seen just how essential our schools are to our communities," said Superintendent Hoffman. "I am grateful to the members of Arizona's delegation who supported the American Rescue Plan, their advocacy and their votes are essential to our recovery as a state."

As outlined in the legislation, nearly $600 million of Arizona's K-12 allocation will focus on determining what learning has occurred and how schools can combat learning loss. Equally as important for Arizona families are recovery dollars to support childcare assistance, health care, including mental health supports, unemployment, and narrowing digital divide. Every student and their family have faced a unique set of challenges over the past year related to their education or otherwise. The American Rescue Plan is another essential building block in the road to recovery.

American Rescue Plan Provides Shot in Arm for Arizonans and State's Economy

Sens. Mark Kelly, Kyrsten Sinema, House Democrats Secure Arizona Priorities in Relief Package

PHOENIX — Honest Arizona Executive Director Niles Harris released the following statement after President Joe Biden signed the American Rescue Plan into law, providing $1,400 checks to all eligible Arizonans, billions of dollars

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002513

ARZN_REV00068856_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to distribute COVID vaccines, and critical relief to Arizona workers and small businesses, among many other provisions:

"The American Rescue Plan provides the shot in the arm that Arizonans need to control the pandemic and get back to work. Over the last year, Arizona has had one of the worst rates of death and illness nationwide, while state leaders ignored public health experts. Passage of the American Rescue Plan shows us how effective leadership that puts Arizonans first can save lives and provide the relief that small businesses and working families need most. Thanks to the Biden-Harris administration, Senator Mark Kelly, Senator Kyrsten Sinema, and the Democratic members of Arizona's U.S. House delegation, Arizonans will now get the relief they need."

The American Rescue Plan provides:

- $1,400 stimulus checks for more than 3.6 million middle- and low-income Arizonans.
- $20 billion for vaccine distribution nationally.
- $50 billion in loans and paycheck protection for small businesses affected by the pandemic.
- $7.6 billion in direct funding to Arizona's state and local governments to keep police officers, firefighters and first responders on the job.

Attorney General Mark Brnovich Files Motion to Intervene in Lawsuit to Uphold Immigration Policy

PHOENIX – Attorney General Mark Brnovich is leading a coalition of 11 states seeking to intervene in a lawsuit challenging a federal immigration policy that ensures noncitizens can financially support themselves in order to become lawful U.S. citizens or obtain green cards. The coalition filed a motion to intervene in the Ninth Circuit Court of Appeals in the lawsuit regarding the "Public Charge Rule," after the Biden Administration abandoned the defense of the law at the Supreme Court of the United States (SCOTUS). If granted, this motion will allow the states to petition SCOTUS to accept review of the case again.

Arizona and the other states want to intervene to allow for a proper defense of the rule. Attorney General Brnovich believes that the validity of the Public Charge Rule should be decided on its legal merits, rather than through a strategic surrender by the Biden Administration. SCOTUS has already granted review of these issues, and the states simply seek to permit the Court to decide them, as it already agreed to do.

"It is unconscionable to overwhelm our infrastructure and immigration personnel when we are dealing with the health and economic devastation of the pandemic," said Attorney General Brnovich. "While regardless of one's position on immigration reform, this reckless violation of federal law is only creating another national crisis and putting additional strains on our state and hardworking Arizona taxpayers."

In late-2019, challengers of the Public Charge Rule filed lawsuits in several District Courts, and they were able to obtain preliminary injunctions to stop enforcement of the rule until the cases played out in court. The cases were appealed to SCOTUS, which granted stays of the injunctions and also granted *certiorari* to review the merits of the lower courts' decisions. The states' intervention will allow the high court to resolve the legality of this important rule.

Under existing federal immigration law, noncitizens are not eligible to receive a green card if they are reliant upon government assistance, otherwise known as a "public charge." In 2019, the Department of Homeland Security (DHS) created a rule that expanded the definition of "public charges" to include consideration of whether those immigrants who receive certain government benefits for more than 12 months over a three-year period.

Nine programs are designated in the new rule, including four that were already included under the 1999 guidelines: Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), state general assistance, and benefits provided for institutionalized long-term care. The five additional programs are: the Supplemental Nutrition Assistance Program (SNAP), Medicaid (with exceptions), Project-Based Rental Assistance, the Housing Choice Voucher Program, and Public Housing.

Arizona and the other states have a significant interest in upholding the Public Charge Rule because it will reduce demand on already over-stretched government assistance programs. The federal government only pays a portion of the costs involved in many of the public benefit programs at issue, therefore increasing the strain on the already over-stretched state assistance programs. It is estimated the rule will save the states $1.01 billion annually in direct payments. For example:

- In 2019 Arizona spent $3,059,000,000 on Medicaid benefits. Increasing the number of Medicaid participants would increase the State's spending on Medicaid (the costs of which typically exceed State general fund growth) and would require the State to make budget adjustments elsewhere.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002514

ARZN_REV00068856_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Arizona paid $85 million in maintenance-of-effort costs for TANF in 2019. TANF resources are limited. In 2016, less than a quarter of eligible impoverished families received this assistance.
- States incur administrative costs for each SNAP recipient. For FY 2016, Arizona paid $77,730,088 in administrative costs for administering this program. By admitting aliens who are unlikely to depend on this resource, the State will save money that would have otherwise gone to fund administrative costs for aliens who would depend on the program.

Joining Arizona are attorneys general from the states of Alabama, Arkansas, Indiana, Kansas, Louisiana, Mississippi, Montana, Oklahoma, Texas, and West Virginia.
Copy of motion.

New AARP Analysis Shows Arizona COVID Cases and Deaths Declining in Nursing Homes; Chronic Issues Remain

25.6% of Nursing Homes Reports Staffing Shortages

PHOENIX, Arizona – The latest release of AARP's Nursing Home COVID-19 Dashboard shows that both cases and deaths in nursing homes fell in the four weeks ending February 14. Although these rates are improving, new infections and deaths in nursing homes are still just as high as they were in the summer of 2020. From January 18 to February 14, the rate of coronavirus cases continues to be high with 59.4% of nursing homes reporting a case compared to 67.8% in the last report. Deaths of nursing home residents are about half what they were in the previous time period, dropping from 144 to 82 deaths in the four-week period. New infections among residents and staff also declined to about half of previous levels. Resident cases fell from 729 to 444 cases, and new staff cases declined from 910 to 275 cases.

The dashboard also reveals that staffing and shortages of Personal Protective Equipment (PPE) remain a significant problem. In Arizona, 25.6% of facilities reported a shortage of nurses or aides in the most recent time period; since AARP began tracking this data, at least one in four nursing homes has reported a staffing shortage during each 4-week period. Shortages of personal protective equipment (PPE) have declined slightly from 15.7% of nursing homes without a one-week supply in January to 11.3% in February.

"One year into the coronavirus pandemic, we continue to see disgracefully high numbers of cases and deaths in Arizona's nursing homes and long-term care facilities," said Dana Marie Kennedy, AARP Arizona State Director, "Decreasing numbers and vaccine rollout give hope, but we should not lose sight of the chronic, ongoing problems in our long-term care system that were exposed by COVID."

AARP Arizona will continue fighting for reforms that make nursing homes safe and provide options for seniors to stay in their homes. Specifically, AARP Arizona urges lawmakers and Governor Ducey to:

- Enact or make permanent the components of AARP's five-point plan:
  - Prioritize regular and ongoing testing and adequate personal protective equipment (PPE) for residents and staff—as well as for inspectors and any visitors.
  - Improve transparency focused on daily, public reporting of cases and deaths in facilities; communication with families about discharges and transfers; and accountability for state and federal funding that goes to facilities.
  - Ensure access to in-person visitation following federal and state guidelines for safety and require continued access to virtual visitation for all residents.
  - Ensure quality care for residents through adequate staffing, oversight, and access to in-person formal advocates, called long-term care Ombudsmen.
  - Reject immunity and hold long-term care facilities accountable when they fail to provide adequate care to residents.
- Establish minimum nursing staffing standards.
- Provide supplemental staff wages and benefits during this emergency.
- Ensure that increases in nursing homes' reimbursement rates are spent on staff pay and to improve protections for residents.
- Improve minimum wages for staff in residential and home care settings.
- Ensure progress is made so that in-person visitation can safely occur and facilitate virtual visitation.
- Create a pathway for single occupancy rooms in nursing homes.
- Establish a long-term care emergency operation center.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002515
ARZN_REV00068856_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The AARP Nursing Home COVID-19 Dashboard analyzes federally reported data in four-week periods going back to June 1, 2020. Using this data, the AARP Public Policy Institute, in collaboration with the Scripps Gerontology Center at Miami University in Ohio, created the dashboard to provide snapshots of the virus' infiltration into nursing homes and impact on nursing home residents and staff, with the goal of identifying specific areas of concern at the national and state levels in a timely manner.
The full Nursing Home COVID-19 Dashboard is available at www.aarp.org/nursinghomedashboard. For more information on how COVID is impacting nursing homes and AARP's advocacy on this issue, visit www.aarp.org/nursinghomes.

"QUOTE OF THE DAY"

"I know I'm losing brain cells but I can't stop."

- Lobbyist, while listening to the Borrelli tape

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002516

ARZN_REV00068856_3-11-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, March 11, 2021 6:10:08 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-11-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *March 11, 2021*

IT'S THE SECOND MOST SHOCKING BORRELLI SECRET RECORDING
Lawmakers and railbirds were blown away yesterday by Borrelli's bizarre and secretly recorded conversation with conspiracy theorist Staci Burk.

THE WHIP IS KING IN HIS OWN MIND
Borrelli has a lot of kissing up to do to get back in his colleagues' good graces, one railbird told our reporter.

YOU HANG AROUND CRAZY, IT STARTS TO RUB OFF ON YOU
Borrelli attempted to walk back some of the more unhinged parts of his

AMERICAN OVERSIGHT

recorded rant with Staci Burk, saying he didn't really believe Brnovich is corrupt, and that he was trying to convince the conspiracy theorist to turn over the shredded ballots by using her own lingo.

WE THOUGHT IT WAS CHINA OR RUSSIA OR SOMETHING
It's worth noting that Burk spent much of their call repeating conspiracies that went too far for even some of her fellow "stop the steal" activists – including the bizarre claim that she has an eyewitness to the South Koreans putting fake ballots on a plane to Maricopa County.

ALL POLITICIANS LIE, BORRELLI IS JUST REALLY BAD AT IT
Despite claiming Brnovich is "corrupt" and that he would destroy the ballots if Burk delivered them, Borrelli told OANN only a day before that if the Senate got ahold of the ballots, they would turn them over to the Attorney General's Office.

ALL POLITICIANS LIE, FRIESE IS JUST REALLY BAD AT IT
Friese claimed there's "nothing nefarious" about Democrats using a code word to hide the fact that they're fundraising from lobbyists during session for the ADLCC.

AND IN OTHER NEWS…
A former Ducey staffer, a former House Dem chief of staff and a former IRC employee are among the final list of five candidates vying for the IRC executive director position next week.

DID ANYONE ASK ARPAIO IF HE SUPPORTS IT?
Maricopa County Sheriff Paul Penzone successfully urged Bowers to kill a major criminal justice reform bill yesterday, ending efforts that were years in the making.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, March 11, 2021

NEWS NOTES AND GOSSIP

IT'S THE SECOND MOST SHOCKING BORRELLI SECRET RECORDING

Lawmakers and railbirds were blown away yesterday by Borrelli's bizarre and secretly recorded conversation with conspiracy theorist Staci Burk. Our reporter's phone was ringing late into the night with sources calling to express their awe at the conversation, and especially, with Borrelli's trash-talk about his colleagues. "I listened to it this morning, and 'what in the hell was I listening to' was my main reaction," one Republican senator said. "You're on with a conspiracy theorist, throwing some of your colleagues under the bus." Borrelli might get a longer leash because of his reputation for occasionally flying off the handle, the source said. (It's not the first time Borrelli has been secretly recorded flying off the handle, one lobbyist noted, pointing to his profane rant about the "ignorant, c*cksucking idiots" who supported former lawmaker Ron Gould over him in the 2016 primary (LINK).) The lawmaker said it's possible that the caucus could call for a reorganizational meeting if it loses faith in him as a member of leadership, but the source didn't know the appetite for that or even if anyone else would want the job. Although Kerr was a rumored contender for the whip spot before the vote, the eventual GOP leadership slate was elected by acclamation with no challengers. Gallardo said he hopes supervisors see Borrelli's paranoid rant and reconsider their decision to not appeal the superior court ruling siding with the Senate's subpoena. He hopes other supervisors listened to this recording and reconsider their decision not to appeal. "He wants his hands on the ballot," he told our reporter today. "He's made it clear that this would go away if it wasn't for him. I think this is reason enough for the board to reconsider its action and appeal the judge's decision." Supervisor and former Senator Steve Gallardo didn't have much faith that Fann would act on Borrelli's trash talk and conspiracy mongering, but said she should publicly condemn Borrelli's rant. (Fann didn't return a call for comment.) "He is a state senator. He's in leadership. He's an acting member of the Senate leadership, and I've never seen less statesmanlike conduct," he said. A Republican lobbyist texted our reporter while listening to the tape, summing up the feeling of many listeners. "I know I'm losing brain cells but I can't stop," the source said. "Lol. Dumpster gate. What a time to be alive," another Republican railbird texted our reporter.

THE WHIP IS KING IN HIS OWN MIND

Borrelli has a lot of kissing up to do to get back in his colleagues' good graces, one railbird told our reporter. "He's got a lot of roses and bottles of wine to buy," the source said. "She asks such leading questions and the moron – the good senator – takes the bait," the source marveled. "He disparages everybody from Karen Fann, to Warren Petersen to Stephen Richer. Every name that's brought up, he disparages." The source said Borrelli's attempts to build himself up as an important player in the fight for election integrity above all of his colleagues would also damage his credibility at the Capitol, though it's unlikely that will translate to losing his position in leadership. "The really fun thing to listen to is how Sonny has created a hero out of himself. He is his own protagonist of his story," the source said, adding Borrelli is only tangentially involved in the effort to audit the ballots. "We all know in the Legislature there's a lot of show horses and there's a lot of work horses," the source said. "But Borrelli wins the Kentucky Derby of show horses." Another source pondered how Borrelli could remain in leadership "when he warns Fann can't be trusted."

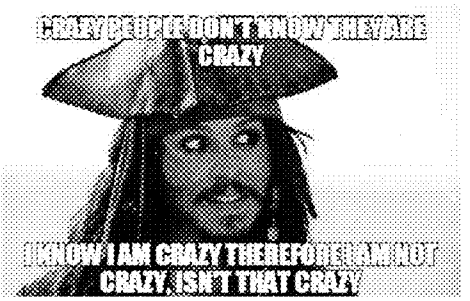
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002519

ARZN_REV00068858_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YOU HANG AROUND CRAZY, IT STARTS TO RUB OFF ON YOU



Borrelli attempted to walk back some of the more unhinged parts of his recorded rant with Staci Burk, saying he didn't really believe Brnovich is corrupt, and that he was trying to convince the conspiracy theorist to turn over the shredded ballots by using her own lingo. Borrelli didn't return calls from our reporter again today, but told the *Arizona Mirror's* Jeremy Duda that he was trying to use his "communication skills" to convince "this lady who doesn't trust anybody" that he could be trusted to handle the ballots (LINK). Despite pleading at length with Burk to turn over the ballots, it does not appear she was convinced, and the call ended with him abruptly hanging up on her. One lobbyist who listened to the recording said Borrelli made the fatal mistake of sounding desperate. "He is overly eager," the source said. "He should have played a little harder to get and he might have got the ballots." Borrelli didn't directly address his comment that he wants to throw the supervisors "in freaking jail" saying only that if they're guilty of a crime, they should be jailed. He didn't say whether he thought they were guilty, or of what. In his conversation with Duda, Borrelli used the conspiracy that the Hickman's Farms fire was connected to the shredded ballots as an example of "how crazy" conspiracies are getting. Some of his colleagues, including Finchem, have helped to amplify that conspiracy (YS, 3/8). He didn't address whether he actually believes people are willing to kill him or Burk over the ballots. One Republican railbird quipped that when you deal with crazy people, "you get crazy by association," a problem that has plagued many in the Republican Party of late.

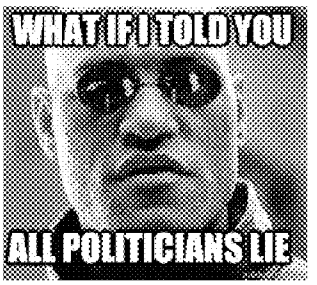
WE THOUGHT IT WAS CHINA OR RUSSIA OR SOMETHING

It's worth noting that Burk spent much of their call repeating conspiracies that went too far for even some of her fellow "stop the steal" activists – including the bizarre claim that she has an eyewitness to the South Korean's putting fake ballots on a plane to Maricopa County. Burk — who has not been registered to vote in Arizona since at least 2010 — first filed a complaint with the Attorney General's Office Nov 4 about her participation in the state's address confidentiality program. She then filed the "Arizona Kraken 2.0" lawsuit in Pinal County, which was dismissed when a judge learned she wasn't a registered voter (YS, 12/15/20). At some point between her Nov 4 complaint and Finchem's Nov 30 election hearing in a hotel ballroom, Burk became convinced that South Korea flew pro-Biden ballots to Maricopa County and that a man who worked security at Finchem's hearing was involved in transporting them to county offices. "I sent you guys a transcript of a guy who confessed to taking illegal ballots off of a South Korean plane, took them to the Maricopa County election center, and there's eyewitnesses," she said in the call. Last Friday, Burk and another woman tried to deliver a box she claimed was full of evidence of South Korean interference to the Attorney General's Office, where a receptionist explained that the office didn't need that for her Nov 4 complaint about the address confidentiality program, and that she could file a new complaint about the South Koreans. Burk's own recording of the interaction shows her claiming Brnovich tried to block an investigation into South Korea (LINK). Brnovich's representative, Ryan Anderson, sent Burk an email and cc'd all senators explaining that Burk did not file a complaint about South Korea, but she is welcome to do so and provide supporting evidence. During her call with Borrelli, Burk repeated her theory about South Korea. She also told him that the Senate had a secret meeting in which it decided the vote on the contempt resolution would be 15-15. Borrelli protested, and Burk asked him how she knew it would be two weeks before the vote. (The Senate voted on its contempt resolution less than a week after introducing it.)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002520
ARZN_REV00068858_3-11-21.pdf

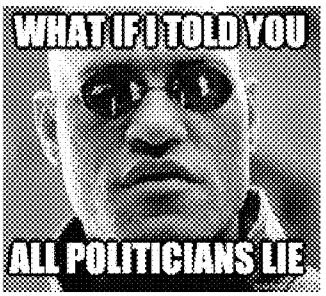
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ALL POLITICIANS LIE, BORRELLI IS JUST REALLY BAD AT IT



Despite claiming Brnovich is "corrupt" and that he would destroy the ballots if Burk delivered them, Borrelli told *OANN* only a day before that if the Senate got ahold of the ballots, they would turn them over to the Attorney General's Office. In an interview with conspiracy peddler Christina Bobb (YS, 3/9), Borrelli called the photos "very compelling," but said until they're verified by law enforcement or the Senate, it's just "a bag of shredded paper." "People need to bring that forward either to law enforcement or to the Senate so we can verify it. If it is the 2020 ballots, we can turn that over to the attorney general because there's an ongoing investigation," he said (LINK). When Bobb asked if he's willing to "press charges" on those responsible for fraud in the election, Borrelli noted that the Senate doesn't have authority to prosecute people. "But if we do find something that is illegal, we're going to turn that evidence over to the Attorney General's Office and it's going to be hard for them to turn and look the other way. They're going to have to act."

ALL POLITICIANS LIE, FRIESE IS JUST REALLY BAD AT IT



Friese claimed there's "nothing nefarious" about Democrats using a code word to hide the fact that they're fundraising from lobbyists during session for the ADLCC. "It was just something we've always said," Friese told our reporter when asked why Democrats use a code word. "It's almost like a tongue in cheek thing." He reiterated that it's legal because lawmakers aren't fundraising for their own campaign. Of course, that's a thin distinction, considering the expressed and only purpose of the ADLCC is to help elect legislative Democrats. One lobbyist found Cano's inclusion in yesterday's report – he invited other Democrats on WhatsApp to "come change the oil" – especially galling, noting during the election, he repeatedly trashed "special interest" groups (LINK). "He's asking for money from folks who he trashed during the election cycle," the source said. "He didn't just do it once, he did it multiple times. And the fact that he has the audacity to come and ask us for money, it's like, what are you doing?" The source also sent our reporter a photo that Cano posted to social media that appears to show him making fundraising calls for the ADLCC from his legislative office (LINK). "We sent them around a while back because we thought it was hilarious," the source said. "It's funny sometimes what these folks are willing to put up." Cano didn't return multiple calls for comment today. Finally, the source claimed that after the election, Cano called several groups "demanding" they make contributions to his campaign in the exact amount that they spent to support his opponents.

AND IN OTHER NEWS...

A former Ducey staffer, a former House Dem chief of staff and a former IRC employee are among the final list of five candidates vying for the IRC executive director position next week. The Dept of Administration sent our reporter the final list of five names, which includes Kristina Gomez, who we speculated could be one of the candidates based on information Dem commissioner Derrick Watchman shared (YS, 3/9). Gomez worked on both previous IRC staffs and was liked by all commissioners except David Mehl, a Pima County Republican. The other four candidates are: Trevor Abarzua, the Vice President of Business Attraction for California at the Arizona Commerce Authority and former Ducey staffer; Tom Augherton, executive director of the state massage board; Keely Varvel Hartsell, former House Democratic chief of staff; and Bruan Schmitt, the chief of staff to Phoenix City Councilman Jim Waring. Abarzua received unanimous support for an interview, but was clearly better liked by the Republican commissioners and seemingly was Chairwoman Erika Neuberg's top choice, based on Neuberg's praise of his cover letter, communication skills and being a Flinn Brown fellow. Mehl said he liked Abarzua's "extensive

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002521
ARZN_REV00068858_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

background" working for a major government agency and that he has knowledge of Arizona's Open Meetings law. Commissioner Shereen Lerner, a Democrat, was reluctant at first because she did not view him as an "independent," which isn't a requirement but served as a criticism of his Republican ties. However, Neuberg shot down that notion of trying to find someone who is nonpartisan. "We need the most competent person who can transcend any kind of partisan issues," she said. Neuberg or Republican Commissioner Douglas York didn't support Augerton for an interview. Neuberg didn't support him because she didn't feel like he was ready for the job. "I saw some real potential in [Augerton]," she said, adding, "I didn't feel [he] was as ready to hit the ground running as the other candidates." York said he was concerned about Augherton's many job changes over the past decade. The Democrats liked Gomez's experience, given that she knows how the IRC process works, and Neuberg agreed. York was concerned that last cycle's IRC was not "flawless," but still voted for Gomez to be interviewed. Hartsell was seen as too partisan for Mehl, but both Democrats liked her experience in state and county government. Neuberg also liked Hartsell saying, "I personally was very attracted to this person's significant experience with the state Legislature [and her] willingness to work all across the aisle." Mehl thought Schmitt was one of the "stronger candidates" and liked his communication skills. York called him "seasoned" and Neuberg thought he was pragmatic.

DID ANYONE ASK ARPAIO IF HE SUPPORTS IT?

Maricopa County Sheriff Paul Penzone successfully urged Bowers to kill a major criminal justice reform bill yesterday, ending efforts that were years in the making. Bolding, who sponsored H2765 (law enforcement; deadly force; investigations) with Brnovich's support, finally got his bill through the Criminal Justice Reform Committee, only to see his attempt die behind the scenes. The bill passed through committee unanimously after a brief holdup (LINK). Bolding met with many stakeholders over a period of several months, including the Maricopa County Sheriff's Office, but Penzone himself was a no-show. At a press conference yesterday, Penzone claimed he was not involved in the process and dodged questions about why he had Bowers kill the measure. Penzone has argued that the bill, which would allow for third party oversight of law enforcement investigations into use of deadly force, does not give his office enough time to implement changes. The bill gives law enforcement a year to transition into the change. When pressed by *ABC15's* Dave Biscobing, Penzone got testy. "How long is it going to take for you guys to figure this out? A year? Five years? A decade? Until we forget?" Biscobing asked (LINK). Penzone said he didn't like Biscobing's tone. "You try to be so confrontational for some reason," he replied, adding Biscobing thinks it makes for better journalism. "But it doesn't. And the truth of the matter is this, I don't have a time frame." The testiness then escalated between Bolding, Rodriguez and a top Penzone staffer on Twitter over the stakeholder meetings that took place and Penzone's lack of involvement, but insistence in killing the bill (LINK). In a written statement, Bowers confirmed he killed the bill, but he has not commented further. One Dem lamented that a host of law enforcement groups, including PLEA supported the bill, only to see it killed by Penzone. "We're through the looking glass that PLEA is a stronger ally for police reform than the Democratic sheriff," the source said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002522

ARZN_REV00068858_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

House panel OKs purge of early voter list
Arizona Capitol Times
A bill to remove voters from the Permanent Early Voting List if they miss four elections in a row is headed to the full House.

Bill gives wrongfully convicted new chance at freedom
Capitol Media Services
Arizonans who contend they were wrongfully convicted could get a new way of trying to exonerate themselves.

Proposed law requires governor to meet with emergency panel
Capitol Media Services
With the declared emergency now a full year old, state lawmakers are moving to force Gov. Doug Ducey to finally use the existing Statewide Emergency Council that was specifically created to advise him and monitor his activities.

Legislature one step away from making Arizona's early voter list less permanent
Capitol Media Services
Change is opposed by Democrats who say it's another attempt to make voting more difficult.

Pima County appeals order halting enforcement of 10 p.m. bar curfew
Arizona Daily Sun
Pima County has formally appealed a state court ruling that halted enforcement of a mandatory 10 p.m. curfew for bars adopted to stem the spread of COVID-19.

Western states chart diverging paths as Colorado River water shortages loom
Associated Press
As persistent drought and climate change threaten the Colorado River, several states that rely on the water acknowledge they likely won't get what they were promised a century ago. But not Utah.

MCC struggling with pandemic-fueled enrollment dip
East Valley Tribune
A second dip at Mesa Community College enrollment could be called "the online class fade" or "Zoom burnout."

Senators support Az City Fire District in its bid for $1.3M grant
Arizona City Independent
Arizona City Fire District leadership hopes that support from Arizona's two senators will help the department in its bid for about $1.3 million in the Federal Emergency Management Agency's Staffing for Adequate Fire and Emergency Response grant funding.

Sheriff Penzone Shoots Down Bill Mandating Outside Probes of Police Killings
Phoenix New Times
Arizona Democrats accuse Maricopa County Sheriff Paul Penzone, also a Democrat, of helping kill a bipartisan bill that would require third-party investigations into police shootings.

Pandemic aid bill means more than $16 billion to Arizona governments, schools, workers
Arizona Mirror
More than $16.1 billion is headed to Arizona in the pandemic aid package that was passed by Congress Wednesday, including billions of dollars for local governments, schools, health care and businesses.

White House searches for solution to border rush
The Hill
The Biden administration is rushing to contain the situation at the border as a surge of migrant children threatens to become a humanitarian crisis with no easy solutions in sight.

If Gov. Ducey really has a 'mission' to improve education, he should veto these bad bills
Arizona Republic (Opinion, Laurie Roberts)
Gov. Doug Ducey touts his "mission" to improve education but will he tell the Legislature to lay off bills that would weaken the public schools attended by the vast majority of Arizona kids?

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

There's only one legit takeaway from the Meghan Markle interview: Racism almost killed her

Arizona Republic (Opinion, Greg Moore)

Markle's treatment was so bad that she no longer wanted to live, she said. You have to look hard to find a bright side on this one. But it's there.

PRESS RELEASES

STATMENT FROM SUPERVISOR STEVE GALLARDO ON GOP SENATOR'S COMMENTS

"Having been a state Senator, I have never heard such vile statements from any of my Senate colleagues. I was outraged to hear the audio recording of a sitting member of the Senate Republican Leadership, telling a constituent to break the law in perpetuating the myth of the Big Lie about the 2020 Election.

As a member of the party that prides itself on defending Law and Order, what was he doing? Telling a constituent not to comply with State Attorney General Election Integrity investigators? It's clear if you listen to his rants that this is not a man who is looking for the truth; this is someone who is using his position to promote disproven conspiracy theories at the expense of our democracy and in defiance of the law. It seems to me by listening to the audio he is sanctioning unlawful behavior.

This is not a rogue senator; he was chosen to represent the GOP in a leadership role in the Arizona Senate. He is leading the Senate's effort to get Maricopa County's 2.1 million General Election ballots for a supposedly independent audit that, to this day, remains shrouded in secrecy. To hear him disparage the Board of Supervisors and talk about his desire to put us all in jail makes it obvious to me that the Arizona Senate Republicans have already made up their minds about the 2020 election. They cannot be trusted to do anything independent or unbiased. They should immediately denounce this man and his unhinged rhetoric."

Superintendent Hoffman Praises Passage of American Rescue Plan

PHOENIX – Superintendent of Public Instruction Kathy Hoffman expressed her gratitude to Arizona's congressional delegation who supported the passage of the American Rescue Plan. This infusion of federal funding is a major milestone in the recovery of Arizona's schools and families. With nearly $2.6 billion dollars for K-12 education, the Arizona Department of Education will allocate 90% of those funds directly to public schools.

"The latest round of federal relief and recovery dollars comes at a time of high need for Arizona's schools and families as many prepare for a return to some degree of in-person learning. From teaching and learning to providing critical wrap around supports, over the past year, every Arizonan has seen just how essential our schools are to our communities," said Superintendent Hoffman. "I am grateful to the members of Arizona's delegation who supported the American Rescue Plan, their advocacy and their votes are essential to our recovery as a state."

As outlined in the legislation, nearly $600 million of Arizona's K-12 allocation will focus on determining what learning has occurred and how schools can combat learning loss. Equally as important for Arizona families are recovery dollars to support childcare assistance, health care, including mental health supports, unemployment, and narrowing digital divide. Every student and their family have faced a unique set of challenges over the past year related to their education or otherwise. The American Rescue Plan is another essential building block in the road to recovery.

American Rescue Plan Provides Shot in Arm for Arizonans and State's Economy

Sens. Mark Kelly, Kyrsten Sinema, House Democrats Secure Arizona Priorities in Relief Package

PHOENIX — Honest Arizona Executive Director Niles Harris released the following statement after President Joe Biden signed the American Rescue Plan into law, providing $1,400 checks to all eligible Arizonans, billions of dollars

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002524

ARZN_REV00068858_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to distribute COVID vaccines, and critical relief to Arizona workers and small businesses, among many other provisions:

"The American Rescue Plan provides the shot in the arm that Arizonans need to control the pandemic and get back to work. Over the last year, Arizona has had one of the worst rates of death and illness nationwide, while state leaders ignored public health experts. Passage of the American Rescue Plan shows us how effective leadership that puts Arizonans first can save lives and provide the relief that small businesses and working families need most. Thanks to the Biden-Harris administration, Senator Mark Kelly, Senator Kyrsten Sinema, and the Democratic members of Arizona's U.S. House delegation, Arizonans will now get the relief they need."

The American Rescue Plan provides:

- $1,400 stimulus checks for more than 3.6 million middle- and low-income Arizonans.
- $20 billion for vaccine distribution nationally.
- $50 billion in loans and paycheck protection for small businesses affected by the pandemic.
- $7.6 billion in direct funding to Arizona's state and local governments to keep police officers, firefighters and first responders on the job.

Attorney General Mark Brnovich Files Motion to Intervene in Lawsuit to Uphold Immigration Policy

PHOENIX – Attorney General Mark Brnovich is leading a coalition of 11 states seeking to intervene in a lawsuit challenging a federal immigration policy that ensures noncitizens can financially support themselves in order to become lawful U.S. citizens or obtain green cards. The coalition filed a motion to intervene in the Ninth Circuit Court of Appeals in the lawsuit regarding the "Public Charge Rule," after the Biden Administration abandoned the defense of the law at the Supreme Court of the United States (SCOTUS). If granted, this motion will allow the states to petition SCOTUS to accept review of the case again.

Arizona and the other states want to intervene to allow for a proper defense of the rule. Attorney General Brnovich believes that the validity of the Public Charge Rule should be decided on its legal merits, rather than through a strategic surrender by the Biden Administration. SCOTUS has already granted review of these issues, and the states simply seek to permit the Court to decide them, as it already agreed to do.

"It is unconscionable to overwhelm our infrastructure and immigration personnel when we are dealing with the health and economic devastation of the pandemic," said Attorney General Brnovich. "While regardless of one's position on immigration reform, this reckless violation of federal law is only creating another national crisis and putting additional strains on our state and hardworking Arizona taxpayers."

In late-2019, challengers of the Public Charge Rule filed lawsuits in several District Courts, and they were able to obtain preliminary injunctions to stop enforcement of the rule until the cases played out in court. The cases were appealed to SCOTUS, which granted stays of the injunctions and also granted *certiorari* to review the merits of the lower courts' decisions. The states' intervention will allow the high court to resolve the legality of this important rule.

Under existing federal immigration law, noncitizens are not eligible to receive a green card if they are reliant upon government assistance, otherwise known as a "public charge." In 2019, the Department of Homeland Security (DHS) created a rule that expanded the definition of "public charges" to include consideration of whether those immigrants who receive certain government benefits for more than 12 months over a three-year period.

Nine programs are designated in the new rule, including four that were already included under the 1999 guidelines: Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), state general assistance, and benefits provided for institutionalized long-term care. The five additional programs are: the Supplemental Nutrition Assistance Program (SNAP), Medicaid (with exceptions), Project-Based Rental Assistance, the Housing Choice Voucher Program, and Public Housing.

Arizona and the other states have a significant interest in upholding the Public Charge Rule because it will reduce demand on already over-stretched government assistance programs. The federal government only pays a portion of the costs involved in many of the public benefit programs at issue, therefore increasing the strain on the already over-stretched state assistance programs. It is estimated the rule will save the states $1.01 billion annually in direct payments. For example:

- In 2019 Arizona spent $3,059,000,000 on Medicaid benefits. Increasing the number of Medicaid participants would increase the State's spending on Medicaid (the costs of which typically exceed State general fund growth) and would require the State to make budget adjustments elsewhere.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002525

ARZN_REV00068858_3-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Arizona paid $85 million in maintenance-of-effort costs for TANF in 2019. TANF resources are limited. In 2016, less than a quarter of eligible impoverished families received this assistance.
- States incur administrative costs for each SNAP recipient. For FY 2016, Arizona paid $77,730,088 in administrative costs for administering this program. By admitting aliens who are unlikely to depend on this resource, the State will save money that would have otherwise gone to fund administrative costs for aliens who would depend on the program.

Joining Arizona are attorneys general from the states of Alabama, Arkansas, Indiana, Kansas, Louisiana, Mississippi, Montana, Oklahoma, Texas, and West Virginia.
Copy of motion.

New AARP Analysis Shows Arizona COVID Cases and Deaths Declining in Nursing Homes; Chronic Issues Remain

25.6% of Nursing Homes Reports Staffing Shortages

PHOENIX, Arizona – The latest release of AARP's Nursing Home COVID-19 Dashboard shows that both cases and deaths in nursing homes fell in the four weeks ending February 14. Although these rates are improving, new infections and deaths in nursing homes are still just as high as they were in the summer of 2020. From January 18 to February 14, the rate of coronavirus cases continues to be high with 59.4% of nursing homes reporting a case compared to 67.8% in the last report. Deaths of nursing home residents are about half what they were in the previous time period, dropping from 144 to 82 deaths in the four-week period. New infections among residents and staff also declined to about half of previous levels. Resident cases fell from 729 to 444 cases, and new staff cases declined from 910 to 275 cases.

The dashboard also reveals that staffing and shortages of Personal Protective Equipment (PPE) remain a significant problem. In Arizona, 25.6% of facilities reported a shortage of nurses or aides in the most recent time period; since AARP began tracking this data, at least one in four nursing homes has reported a staffing shortage during each 4-week period. Shortages of personal protective equipment (PPE) have declined slightly from 15.7% of nursing homes without a one-week supply in January to 11.3% in February.

"One year into the coronavirus pandemic, we continue to see disgracefully high numbers of cases and deaths in Arizona's nursing homes and long-term care facilities," said Dana Marie Kennedy, AARP Arizona State Director, "Decreasing numbers and vaccine rollout give hope, but we should not lose sight of the chronic, ongoing problems in our long-term care system that were exposed by COVID."

AARP Arizona will continue fighting for reforms that make nursing homes safe and provide options for seniors to stay in their homes. Specifically, AARP Arizona urges lawmakers and Governor Ducey to:

- Enact or make permanent the components of AARP's five-point plan:
  - Prioritize regular and ongoing testing and adequate personal protective equipment (PPE) for residents and staff—as well as for inspectors and any visitors.
  - Improve transparency focused on daily, public reporting of cases and deaths in facilities; communication with families about discharges and transfers; and accountability for state and federal funding that goes to facilities.
  - Ensure access to in-person visitation following federal and state guidelines for safety and require continued access to virtual visitation for all residents.
  - Ensure quality care for residents through adequate staffing, oversight, and access to in-person formal advocates, called long-term care Ombudsmen.
  - Reject immunity and hold long-term care facilities accountable when they fail to provide adequate care to residents.
- Establish minimum nursing staffing standards.
- Provide supplemental staff wages and benefits during this emergency.
- Ensure that increases in nursing homes' reimbursement rates are spent on staff pay and to improve protections for residents.
- Improve minimum wages for staff in residential and home care settings.
- Ensure progress is made so that in-person visitation can safely occur and facilitate virtual visitation.
- Create a pathway for single occupancy rooms in nursing homes.
- Establish a long-term care emergency operation center.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The AARP Nursing Home COVID-19 Dashboard analyzes federally reported data in four-week periods going back to June 1, 2020. Using this data, the AARP Public Policy Institute, in collaboration with the Scripps Gerontology Center at Miami University in Ohio, created the dashboard to provide snapshots of the virus' infiltration into nursing homes and impact on nursing home residents and staff, with the goal of identifying specific areas of concern at the national and state levels in a timely manner.
The full Nursing Home COVID-19 Dashboard is available at www.aarp.org/nursinghomedashboard. For more information on how COVID is impacting nursing homes and AARP's advocacy on this issue, visit www.aarp.org/nursinghomes.

"QUOTE OF THE DAY"

"I know I'm losing brain cells but I can't stop."

- Lobbyist, while listening to the Borrelli tape

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002527

ARZN_REV00068858_3-11-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, March 12, 2021 2:14:51 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes March 12, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window

Arizona Legislative Report

Today's News Notes

March 12, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative*

AMERICAN OVERSIGHT

Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until March 15, Monday, at 10 a.m.

THE SENATE IS ADJOURNED until March 15, Monday, at 1:30 p.m.

NEWS NOTES

'EMBARRASSED' BY BORRELLI'S RANT, FANN IS OPEN TO REORGANIZATION

"Embarrassed" by Borrelli's comments during a phone call with conspiracy theorist Staci Burk, Fann is open to calling a reorganizational meeting if members of her caucus ask for it, she told our reporter. "What I can say on behalf of myself, the Senate president, and many of our members, is that I am embarrassed with some of the things he said about the supervisors and the treasurer and the recorder and the Attorney General, and I am hoping that (just) because one member says that in a recorded conversation does not mean that that's the way the rest of the Senate members believe," she said. Fann wouldn't comment on whether Borrelli should remain on as majority whip, saying he was elected by - and any decision is up to - the Republican caucus. However, if a caucus member comes to her and asks for a change, she'll certainly talk with the caucus, she said. Borrelli's comments made her job much harder, Fann said. For months, she and other Republican senators have insisted their audit is driven by the sole desire to restore faith in the election system. "It's been a hard battle because a lot of people think it's something else, that we're trying to overturn an election, and that's never been the truth. And so to have somebody make some allegation that makes it sound like that's what it is, it just made our job that much harder because that's never what it's been about and I'm disappointed if any of our members even think that," Fann said. She wants the supervisors, Brnovich and Richer to know that the Senate as a whole doesn't support Borrelli's statements, she said.

MESNARD: THE WEEK COULD'VE BEEN A LOT WORSE, GUYS

AMERICAN OVERSIGHT

Borrelli apologized to several senators on the floor yesterday, Mesnard told our reporter. Mesnard said he didn't like what he heard on the tape but wasn't particularly surprised by it because Borrelli has been vocally involved in questioning the election since the beginning. (At one point shortly after the election, a Borrelli tweet questioning whether Mesnard winning LD17 – while Trump losing – was proof of fraud resulted in Mesnard receiving nonstop phone calls from Trump supporters across the country.) Mesnard said he told Borrelli that he wouldn't want anyone listening to his private phone calls or reading his mind. "I don't like what he said, but I also feel for him a little bit and it's also his fault, too, because he trusted these people that should not be trusted," Mesnard said. He suspects Borrelli made his rounds apologizing in part to avoid being asked to step down or be voted out of his leadership position, but Mesnard said he can't predict whether that will happen. Either way, he doesn't care about the outcome, he said. "The weekend is practically here. Monday might be a fresh new day and other than his humiliation, maybe that's all that happens," he said.

BILL INOCULATING BUSINESSES FROM MASK MANDATES RETURNS MONDAY

A bill barring the government from revoking a business' license over a mask mandate will be back before the House on Monday. The bill ensures no penalty is leveled at businesses that refuse to comply with an order issued as part of a public health-related state of emergency, unless the state or local government in question "can demonstrate by clear and convincing evidence that the business was the actual cause of transmission of the disease that is the subject of the order." Hoffman's H2750 (licenses; pandemics; revocation prohibition) failed on a 28-32 vote on March 4. Three Republicans voted against it - Cook, Udall, and Hoffman, who voted "no" so he can bring it up for reconsideration. Biasucci yesterday announced that the bill will be on Monday's additional COW calendar.

BLACKMAN CALLS FRIESE'S PROPOSAL THE 'BEGINNING OF A GUN GRAB BILL'

Friese's proposal to take concealed weapons permits away from people convicted of crimes that make them ineligible to own a gun is moving forward, although numerous Republicans are likely to vote against it. "I believe it's the beginning of a gun grab bill," Blackman said of H2764 (sentencing; concealed

AMERICAN OVERSIGHT

weapons permit; surrender) at yesterday's morning's GOP caucus meeting. Chaplik said he views it as a backdoor attempt to pass a red flag law. "I'm a hard 'no' and I hope everyone else is as well," he said. "This is a bad bill. It's a door we should not be opening." Fillmore said he views concealed weapons permits themselves as a backdoor form of gun registration, urging anyone who has one to turn it in. "As a firm supporter of the Second Amendment, notwithstanding the fact that I've been in the past an NRA member and am very supportive of their positions, I believe the mere fact you apply for a CCW is a ... notification to the government that you have a weapon, and it is none of their business," Fillmore said. "You have a fundamental right given to you by God to protect your family, your life, your church, your government and society overall." The House moved the bill through COW Thursday, meaning it could come up on third reading as early as Monday. During a brief debate, Friese said he has been working with many stakeholders on the bill, including the National Rifle Association and the Arizona Citizens Defense League, which are neutral on the legislation. He also said the bill no longer requires law enforcement to seize the permit, replacing it with a requirement that the court revoke it and that probation take the permit after the person is released on probation if he or she doesn't surrender it voluntarily or provide an affidavit saying it has been lost.

BOYER: IS IT ME OR IS IT THE STARS IN THE HEAVENS?

Two Boyer bills that passed the Senate with overwhelming bipartisan support held little support from House Republicans, and he told our reporter he's trying to figure out why. S1165 (schools; performance evaluations) passed the Senate, 28-1, but received 27 Republican no votes in the House. (Udall, Pratt, John and Grantham joined the 29 House Dems to pass the bill). And his S1139 (classroom site fund; distribution) passed the Senate, 29-0, and got votes from all House Dems but only eight House Republicans - Udall, Pratt, Osborne, John, Grantham, Cobb, Bowers and Biasucci. "I don't know if it's a Paul Boyer problem or if it's a 'we're mad at schools' problem, but I need to figure out what's going on," Boyer said.

MAYBE KERR AND GRIFFIN HAVE AN ANSWER

Kerr's and Griffin's bills to give the Legislature power to oversee energy policy appear dead after Boyer decided he cannot support them. Boyer told our reporter yesterday that he let Kerr know he couldn't vote for her S1175

AMERICAN OVERSIGHT

(corporation commission; electric generation resources) because he has too many outstanding questions that she can't fix without spending much more time working on the bill. One of his biggest sticking points is that he just doesn't think the Legislature has the expertise to handle energy policy. "They have 200 staffers devoted just to energy policy at Corp Comm. We have two, one in the House and one in the Senate. So, I'm hesitant to have this major shift," he said. Boyer is also perturbed by the first section of the bill, which states that public service corporations "should" pursue the use of clean energy. He asked: "Do I read this as a 'shall' or like, 'Kids, you should take your vitamins.'"

TOWNSEND SAYS ALTERNATIVE TO ABORTION BILL POSES NO CONFLICT

Senate staffers assured Townsend she wouldn't have a conflict of interest if and when Barto's S1251 (appropriations; family health pilot program) comes to the floor. Townsend raised eyebrows in early February when she warned that she may not be able to vote for the bill because of a possible conflict of interest, but she told our reporter she since learned that she was just being overly cautious. Townsend previously taught childbirth classes and hopes to resume teaching them again, and she thought that could make her eligible for grant money proposed by the bill even if she doesn't plan to seek it. "I don't want to make any missteps," she said.

ENJOY THE WEEKEND, FOLKS! YOU NEVER KNOW WHAT NEXT WEEK WILL BRING.

On the 61st day of session, 44 bills have made it into law and another 15 are awaiting Ducey's signature. Most surviving bills have made it out of their chambers of origin, but 13 House bills and six Senate bills still await rules action, while 25 House bills and 46 Senate bills have not yet been COWed in their original chamber. Another 19 House bills and 13 Senate bills need third-reads. Fann has not yet assigned 18 House bills, and Bowers has yet to send 25 Senate bills to committees. 235 House bills and 201 Senate bills wait on hearings just two weeks before the committee deadline to hear bills in the second chamber. The Senate has 62 House bills ready for rules, 58 ready for COW and one ready for a third read. The House has 75 Senate bills waiting for a rules rubber-stamp and four waiting for third reads. Two bills – S1096 (appropriation; AHCCCS; CHIP) and S1443 (military family relief fund) –

AMERICAN OVERSIGHT

passed the House amended and will need the Senate to concur.

GOODBYE, BARB

The House yesterday paid tribute to Barbara Lubin, a longtime fixture in Arizona Democratic politics who died of breast cancer at age 63 a month ago. Lubin spent most of her career working behind the scenes for the party and mentoring candidates, most recently as the party's director of operations. She was the first candidate to qualify for Clean Elections funding for an unsuccessful Corp Comm run. Terán said party operatives "serve in thankless roles that operate seven days a week, all hours of the day, but Barbara made it look easy." Several other Democratic lawmakers shared their memories of her. Butler, a neighbor of Lubin and her husband, Stan, who was in the gallery, reminisced about how the they would have friends of all political stripes over to have political discussions. "When I first started getting involved in politics, if you had a question about anything, you could go to Barb Lubin and she would have the answer and she would offer to help," Butler said. Sierra remembered how, when he was caring for his wife who had breast cancer, Lubin "pulled me into her office and said, 'Thank you for being a caregiver,' and she mentioned how well she had been cared for during her experience. From one caregiver to another, thank you."

NEWS RELEASES

55 and Older Now Eligible for COVID-19 Vaccination at University of Arizona Site

Arizonans who are 55 or older will be able to register for COVID-19 vaccination appointments at the University of Arizona vaccination site beginning Saturday at 8 a.m. Appointments will be available as soon as Monday.

Those who are eligible and have not yet been vaccinated can go to podvaccine.azdhs.gov to make an appointment. Those requiring assistance, including those who would like to speak with bilingual schedulers, can call 602-542-1000.

The eligibility expansion aligns the site with Gov. Doug Ducey's announcement earlier this month that the state would move to a hybrid vaccine distribution model that prioritizes vaccinations based on age and occupation.

Vaccination will continue for groups previously listed under Phase 1A and Prioritized Phase 1B:

AMERICAN OVERSIGHT

- Health care workers and health care support occupations
- Emergency medical services workers
- Long-term care facility staff and residents
- Education and child care workers
- Protective services occupations

Since opening in late January, the University of Arizona site has administered nearly 55,000 vaccine doses. The site is now in the process of ramping up its capacity to 2,500 shots per day by next week, said **Chris Kopach**, the university's assistant vice president of facilities management and the incident commander at the vaccination site.

Pima County announced Thursday that it also would expand eligibility to people age 55 and older as well as certain frontline essential workers. Frontline essential workers younger than 55 must register for vaccination at a county-run site. For more information about county site eligibility and to register, please visit the Pima County website.

Medical Volunteers Needed

Medical volunteers are urgently needed to help staff the university's high-capacity state vaccination site in six-hour shifts from 10 a.m. to 10 p.m. every day of the week. Those who are interested are asked to register with the Arizona Disaster Healthcare Volunteers and then complete the UArizona vaccination POD volunteer form.

* * * * *

Arizona docs warn Ducey, legislators loosening COVID-19 protections now risks a new surge, delays return to normal

PHOENIX, Ariz. -- Arizona physicians today warned Gov. Doug Ducey and legislators that loosening COVID-19 protections now before enough people have been vaccinated will endanger health and safety, and threaten to prolong people's suffering and economic pain.

"Ending COVID-19 protections now before our work is done vaccinating and protecting people, including our most vulnerable citizens, is like spiking the ball on the 5-yard line," said **Dr. Ricardo Correa, an endocrinologist in Phoenix**. "For the past year, too many people have struggled, sacrificed and died to get to this point in the pandemic when we are close to eradicating COVID-19. Arizona's policymakers must resist the temptation to fling the door open when we are starting to see the light at the end of the tunnel. We should focus on vaccinating more people — especially underrepresented minorities — we must continue to observe safety measures, and we must wear masks, continue physical distancing, and minimize crowds in the meantime. Otherwise we are just rolling the welcome mat for COVID-19 to return with a vengeance."

AMERICAN OVERSIGHT

Ducey announced on March 5 that he would allow businesses to operate at full capacity. Republican legislators also introduced proposals that would allow businesses to ignore requirements to wear masks. Arizona policymakers' push to fully resume normal activities flies in the face of data and evidence linking activities like indoor dining and not wearing a mask in public to increased infections and disease spread.

The rush to fully reopen Arizona's businesses comes as Arizona has vaccinated only a fraction of its residents: Only around 10 percent of Arizonans have received both doses of a vaccine for maximum efficacy, and only 19.7 percent have received one dose. Epidemiologists and health experts say between 70 and 90 percent of the population would need to be vaccinated to achieve herd, or community, immunity, when enough people have immunity to stop COVID-19 from spreading within the population.

"Arizona is nowhere near community immunity, and we shouldn't be throwing gasoline on a fire that we are slowly starting to control," said **Dr. Cadey Harrel, a family medicine specialist in Tucson.** "As physicians, we urge Gov. Doug Ducey and Arizona's legislators to listen to the science. The facts tell us, again and again, that until we get at least 70 percent of Arizona's population vaccinated, we should continue to wear masks and social distance. No one wants to end up back in square one, with more people infected, more hospitalizations and more needless suffering in our communities. We are not out of the woods yet, and it would be foolish to act as if we are."

The physicians echoed public health experts' warnings about reopening the economy prematurely while cases remain high, too few people are vaccinated and more contagious variants and mutations of COVID-19 have begun spreading. The more contagious B.1.1.7 variant of COVID-19 has been reported in Arizona. Additionally, community disease spread remains high in eight of Arizona's 15 counties, including its most populous, Maricopa County, and transmission is substantial in four.

"Getting rid of mask requirements and physical distancing in Arizona now would endanger a lot of people, and disproportionately harm marginalized populations and essential workers who are more likely to have chronic conditions, more likely to work jobs that expose them to COVID-19 and less likely to have access to health care," said **Dr. Dionne Mills, a board certified obstetrician/gynecologist working as a hospitalist in Glendale**. "We need to focus on better strategies to increase vaccinations in our underserved communities rather than loosening the restrictions. Getting more people vaccinated is how Arizona can get back to normal safely and responsibly, not by ignoring the science and playing chicken with a virus. Before loosening safety measures, Gov. Ducey must get all essential workers vaccinated and protected. Until we vaccinate enough people, protect those who are vulnerable and most likely to be exposed and drive down infection rates, we are at risk of prolonging the suffering and delaying our return to normal."

Latino/Hispanic people and Native Americans in Arizona are hospitalized and killed at higher rates from COVID-19 compared with white people. A study also showed that essential workers, often in low-wage and public-facing jobs, are more likely to die from COVID-19.

* * * * *

AMERICAN OVERSIGHT

Stanton to Co-Chair Key Immigration Task Force

In High-Profile Role, Will Push to Strengthen Arizona's Economy

WASHINGTON, D.C—Rep. Greg Stanton will co-chair the New Democrat Coalition's Immigration Task Force and, in that role, will push for common-sense, modern immigration reform that will create a pathway to citizenship for undocumented immigrants with deep ties to this country and strengthen Arizona's economy.

Stanton will co-chair the task force with Congressman Salud Carbajal of California. The New Democrat Coalition (NDC) is made up of more than 90 forward-thinking House Democrats who are committed to pro-economic growth, pro-innovation, and fiscally responsible policies.

Yesterday, the group endorsed two pieces of immigration reform legislation: H.R. 6, the American Dream and Promise Act, and H.R. 1537, the Farm Workforce Modernization Act. Both bills are expected to be considered on the House floor next week.

"Immigration is an issue where we can find bipartisan common ground, and New Dems are committed to build a fair and inclusive immigration system that reflects our values as a nation of immigrants and strengthens the American economy," said Stanton. "That starts with protecting America's Dreamers and essential immigrant workers. These two bills earned our endorsement because they do right by the immigrants who have called our country home for so long—and they're the right thing to do for our economy."

H.R. 6, the American Dream and Promise Act would provide permanent protections to the nation's Dreamers, as well as to TPS and DED holders, allowing them to contribute fully to their local communities and the country while providing a pathway to citizenship.

H.R. 1537, the Farm Workforce Modernization Act makes meaningful reforms to the H-2A agricultural guestworker program and creates a first-of-its-kind, merit-based visa program specifically designed for the nation's agricultural sector. These changes will help stabilize and preserve the American agricultural sector by ensuring farmers can meet their labor needs well into the future.

Watch the NDC Immigration Task Force's press conference here.

NEWS CLIPS

School activist: 'Traditional education is gone'

By Kyra Haas Arizona Capitol Times 03-13-21

School choice proponents contend that the pandemic has exposed flaws in the state's existing education system and opened the door for creative solutions as students return to the physical classroom.

AMERICAN OVERSIGHT

Derrell Bradford is the executive vice president of 50CAN, a nonprofit that looks to connect students to high quality education, regardless of their address. He joined other school choice proponents to discuss these issues during an *Arizona Capitol Times* Morning Scoop on March 9. (To read more, click here).

* * * * *

Ducey endures year of slings, arrows for Covid handling

By Dillon Rosenblatt Arizona Capitol Times 03-13-21

To his harshest critics, Ducey's efforts largely failed, and many directly blame him for the deaths of more than 16,000 Arizonans.

To his loyal supporters, he's getting results. Arizona's economy is one of the strongest in the nation and the vaccine rollout — despite several hiccups — has already inoculated at least 20% of the state's population. (To read more, click here).

* * * * *

Bipartisan 'political science experiment' plays in Legislature

By Julia Shumway Arizona Capitol Times 03-13-21

On March 3, something very unusual happened in the Arizona House.

Usually, the Committee of the Whole, or full floor debate, follows a set script in both the House and Senate. Republicans move their bills and amendments. Democrats sometimes argue against them. A Republican chair declares that Republicans have the votes to pass or fail whatever they choose to pass or fail, even when there are clearly more Democrats in the room yelling "aye" or "nay." (To read more, click here).

* * * * *

Pinal to get $90M in COVID relief package; CG, Maricopa to get about $10M each

By Staff, Wire Reports Maricopa Monitor 03-12-21

Pinal County will receive more than $90 million from the pandemic aid package, while cities like Casa Grande and Maricopa will get additional direct payments of nearly $10 million.

AMERICAN OVERSIGHT

The disbursements are part of around $16.1 billion headed to Arizona in the bill passed by Congress Wednesday that includes billions of dollars for local governments, schools, health care and businesses. (To read more, click here).

* * * * *

Havasu slated to receive $13.3 million from American Rescue Plan Act

By Michael Zogg Today's News Herald 03-12-21

State and local governments are still scrambling to figure out exactly what the recently passed American Rescue Plan Act means for their bottom line, but it appears that $2.6 billion will go directly to cities, towns and counties in Arizona – including $13.3 million for Lake Havasu City.

A press release from Sen. Kyrsten Sinema (D – Arizona) and analysis of the bill by the Arizona Joint Legislative Budget Committee both report that $2.6 billion will be set aside for cities, towns and counties throughout the state. (To read more, click here).

* * * * *

Arizona House Republican says party thinks 'everybody shouldn't be voting'

By Justine Coleman The Hill 03-12-21

An Arizona House Republican said on Thursday that the state's GOP is worried about sending ballots out automatically due to election security concerns, noting that "everybody shouldn't be voting."

Arizona House Rep. John Kavanagh (R) told CNN that Republican lawmakers are concerned ballots sent without being requested to people who have died or moved could contribute to voter fraud, while accusing Democrats of being "willing to risk fraud" to get more votes. (To read more, click here).

* * * * *

Arizona House Republican says party thinks 'everybody shouldn't be voting'

By Justine Coleman The Hill 03-12-21

An Arizona House Republican said on Thursday that the state's GOP is worried about sending ballots out automatically due to election security concerns, noting that "everybody shouldn't be

AMERICAN OVERSIGHT

voting."

Arizona House Rep. John Kavanagh (R) told CNN that Republican lawmakers are concerned ballots sent without being requested to people who have died or moved could contribute to voter fraud, while accusing Democrats of being "willing to risk fraud" to get more votes. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Friday, March 12, 2021 7:01:33 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-12-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet March 12, 2021

THERE'S THE KAREN WE KNOW AND LOVE
Fann is "embarrassed" by Borrelli's comments during a phone call with conspiracy theorist Staci Burk and open to calling Senate Republicans into a reorganizational meeting to possibly replace Borrelli as whip if members of her caucus ask for it, she told our reporter.

FLOWERS AND BOTTLES OF WINE ALL AROUND
Borrelli apologized to several senators on the floor yesterday, Mesnard told our reporter.

STOP THE STEAL!
Without court intervention, an audit of AZGOP chair Kelli Ward's (alleged) re-

AMERICAN OVERSIGHT

election victory "simply will not happen," attorney Tim La Sota argued in a complaint filed in Maricopa County Superior Court today.

AS WE'VE SEEN, NO JUDGE CAN STOP THE STEAL
Wilenchik told our reporter this afternoon he hadn't had the chance to review the complaint yet, but he expects the court to dismiss it based on the political question doctrine, essentially saying it's an internal party issue.

WELCOME TO THE POLITICAL THICKET, ANDREW
Arizona Supreme Court Justice Andrew Gould is retiring from the bench after nearly four years, he announced today, adding credence to the widespread speculation that he'll run for attorney general.

BOYER AND THE REPUBLICAN TREE HUGGERS IS OUR BAND NAME
After Boyer signaled that he plans to kill legislation to strip away Corp Comm's ability to set energy policy, former Commission Chairman Bob Burns said the final vote on the future of clean energy standards can still happen as scheduled next month.

FUNDRAISING OUTSIDE JUST DOESN'T HAVE THE SAME RING TO IT
Cano told our reporter that Democrats weren't trying to be shady by using a code word to talk about fundraising, and that "changing the oil" far predates his tenure as a lawmaker, but in the future, he'll just call it fundraising.

IT WOULDN'T BE A FRIDAY WITHOUT SOME SORT OF CORRECTION
Cano's biggest complaint about yesterday's item was that it claimed he didn't return multiple calls for comment.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, March 12, 2021

NEWS NOTES AND GOSSIP

THERE'S THE KAREN WE KNOW AND LOVE

Fann is "embarrassed" by Borrelli's comments during a phone call with conspiracy theorist Staci Burk and open to calling Senate Republicans into a reorganizational meeting to possibly replace Borrelli as whip if members of her caucus ask for it, she told our reporter. "What I can say on behalf of myself, the Senate president, and many of our members, is that I am embarrassed with some of the things he said about the supervisors and the treasurer and the recorder and the attorney general," she said, adding that she hopes the public realizes his comments don't reflect what "the rest of the Senate members believe." Fann said she wouldn't comment on whether Borrelli should remain on as majority whip, saying he was elected by the Republican caucus and any decision is up to the full caucus. However, she said if a caucus member comes to her and asks for a change, she'll certainly talk with them. Borrelli's comments made Fann's job of pushing for an audit much harder, she said. For months, she and other Republican senators have insisted their audit is based solely on restoring faith in the election system. "It's been a hard battle because a lot of people think it's something else, that we're trying to overturn an election, and that's never been the truth," she said. "And so to have somebody make some allegation that makes it sound like that's what it is, it just made our job that much harder because that's never what it's been about and I'm disappointed if any of our members even think that." She wants the supervisors, Brnovich and Richer to know that the Senate as a whole doesn't support Borrelli's statements, she said.

FLOWERS AND BOTTLES OF WINE ALL AROUND

Borrelli apologized to several senators on the floor yesterday, Mesnard told our reporter. Mesnard said he didn't like what he heard on the tape but wasn't particularly surprised by it because Borrelli has been vocally involved in questioning the election since the beginning. (At one point shortly after the election, a Borrelli tweet questioning whether Mesnard winning LD17 when Trump lost it was proof of fraud resulted in Mesnard receiving nonstop phone calls from Trump supporters across the country who were looking for proof.) Mesnard said he told Borrelli that he wouldn't want anyone listening to his private phone calls or reading his mind. "I don't like what he said, but I also feel for him a little bit and it's also his fault too because he trusted these people that should not be trusted," Mesnard said. He said he suspects Borrelli made his rounds apologizing in part to avoid being asked to step down or voted out of his leadership position, but Mesnard said he can't predict whether that will happen – and he doesn't particularly care about the outcome. "The weekend is practically here. Monday might be a fresh new day and other than his humiliation, maybe that's all that happens," he said. Boyer told our reporter he hasn't heard the recording, though he understands he was mentioned repeatedly, and didn't receive an apology. He thinks that a reorganizational meeting is a good idea, though not because of the recording. "I have very low expectations. I just wish he could count votes," Boyer said, adding he's lost track of how many bills have died on the Senate floor. "He can do whatever he wants to do with his extracurricular stuff, but when you're there – the job of the whip is to count votes," he said. "You have one job."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002542

ARZN_REV00068861_3-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STOP THE STEAL!

Without court intervention, an audit of AZGOP chair Kelli Ward's (alleged) re-election victory "simply will not happen," attorney Tim La Sota argued in a complaint filed in Maricopa County Superior Court today. La Sota, who is representing state committeemen Sandra Dowling and Bill Beard, asked the court to make the party explain why it won't hold an audit. An audit wouldn't harm the party, he said, but each day there's not an audit his clients "are damaged in a way money cannot remediate, and as such no money damages are sought." Other committeemen also voiced their concerns at the Jan 23 meeting about the "significant number of irregularities and general chaos" of the vote and also called for a recount, La Sota wrote. They were assured the recount request would be honored for about a week, until Ward and the party rejected those calls, according to the complaint. La Sota previously threatened Ward with a lawsuit as well as a recall effort (YS, 2/25), giving Ward and AZGOP a March 1 deadline to agree to an audit and recount. (Beard recently told our reporter activists are also organizing around a recall, though he didn't offer much detail (YS, 3/8).) AZGOP attorney Jack Wilenchik responded in a Feb 25 letter that Ward doesn't have the legal authority to do the audit or recount. "It is the 'voting body' – i.e. the State Committee itself – to which your clients should be directing these threats/demands, not myself or Ms. Ward," he wrote. La Sota told our reporter today that he felt that was "unrealistic" and was the equivalent of saying Kelli Ward should have sued all the voters in Maricopa County in her lawsuit to review Maricopa County ballots. "That doesn't make any sense," he said. "You sue the people who administer the election."

AS WE'VE SEEN, NO JUDGE CAN STOP THE STEAL

Wilenchik told our reporter this afternoon he hadn't had the chance to review the complaint yet, but he expects the court to dismiss it based on the political question doctrine, essentially saying it's an internal party issue. "We're talking about Robert's Rules of Order and things that are just agreed to amongst members of a political party," he said. He added that the only time a judge would get involved is when there's a clear violation of law and a clear way for the judge to do something about it. "I don't see any violation of law here whatsoever," Wilenchik said. La Sota said the bylaws are like a contract between members and "are just as enforceable as a contract." "We just want them to do what everyone agreed would happen under the bylaws," La Sota said. Wilenchik told our reporter he thinks this lawsuit is more for publicity than anything else. "It's a little funny to me that it was sent to everybody in the media [but not] the actual defendant and the parties," he said. La Sota said the clients have the complaint and are free to share it because it's a public record, adding that he shared a courtesy copy with Wilenchik today. "I think we need transparency in the party also, and I think media attention is part of that," La Sota said. "So, I don't know why anyone would shy away from that."

WELCOME TO THE POLITICAL THICKET, ANDREW

Arizona Supreme Court Justice Andrew Gould is retiring from the bench after nearly four years, he announced today, adding credence to the widespread speculation that he'll run for attorney general. His resignation announcement only included a vague reference to his plans to continue to serve the state. As we previously reported (YS, 3/5), railbirds have said the likely upcoming announcement would throw into question any future argument and decision he would make on the court, which likely contributed to his speedy departure. Ducey appointed Gould when the court expanded from five to seven seats in 2016. Gould's retirement now means Ducey gets to appoint an unprecedented sixth justice to the court, but still will have five serving at the same time.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002543
ARZN_REV00068861_3-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOYER AND THE REPUBLICAN TREE HUGGERS IS OUR BAND NAME

After Boyer signaled that he plans to kill legislation to strip away Corp Comm's ability to set energy policy (LINK), former Commission Chairman Bob Burns said the final vote on the future of clean energy standards can still happen as scheduled next month. Burns has been fighting for the new standards since his time on the commission, and the commission voted 4-1 to move forward with the new standards late last year, before Burns termed out and Boyd Dunn finished his only term. Justin Olson was the lone no vote. It's expected to reach a 3-2 outcome in the final vote, given Chairwoman Lea Marquez Peterson, a Republican, and Commissioner Sandra Kennedy, a Democrat, already voted for it last year and Democratic Commissioner Anna Tovar is also likely to support it. Tovar was pleased with the news of Boyer killing those efforts, telling our reporter she thinks Corp Comm is "the proper forum" to vet the "critical issues." Marquez Peterson is considered the tie breaking vote for most commission business, and if she changes her position and kills the effort that includes a mandate that electric utilities be emission-free by 2050, Burns said she would be making a huge mistake. "I think if she continues to support it, as she has, she is actually leading the state in the right direction as far as energy policy," he said. Burns previously wrote a letter to Fann, Bowers, Griffin and Kerr throwing punches about their alleged power grab, calling the bills unconstitutional and hammering the point that the Commission is a co-equal branch of government. Ducey, Olson and many lawmakers have argued the commission is not its own branch, which Burns called a "misguided assumption." He noted that buried in the middle of a recent Court of Appeals decision (LINK), Judge Kent Cattani wrote that the commission is the fourth branch of state government. "The framers established the Commission as a separate popularly-elected branch of state government," Cattani wrote, referencing a 1992 court case *Arizona Corporation Commission v. Woods* (LINK).

FUNDRAISING OUTSIDE JUST DOESN'T HAVE THE SAME RING TO IT

Cano told our reporter that Democrats weren't trying to be shady by using a code word to talk about fundraising, and that "changing the oil" far predates his tenure as a lawmaker, but in the future, he'll just call it fundraising. "I'm not sure where it came from, and ultimately I think it's standard practice and I don't think that it's problematic that we're doing what we need to do to win majorities in 2022," he said. "I would be happy to call it fundraising outside moving forward." He never lets those conversations meander into talks about legislation, he said, and is pleased when lobbyists give him a firm no on contributing to the ADLCC during session. "I think that's the best approach," he said. He noted that lawmakers use their own phones to do fundraising calls, and suggested they might look into renting space off campus to make their calls in the future, but also said lawmakers often walk to the north side of Adams Street to make their calls, which isn't on Capitol grounds, though it is still government property. While fundraising from lobbyists during session isn't illegal, as long as lawmakers aren't raising funds for their own campaigns, he said that to his knowledge, the caucus hasn't received any legal advice about whether lawmakers must leave government property to make the calls, though he offered to look into it. "If there's concern about this, I'd be happy to talk to our lawyers," he said. But he pushed back against a lobbyist's allegation yesterday that the photo of him making calls at his desk showed him fundraising, and provided our reporter with another photo taken on the same day, the caption of which says he was calling constituents, an exercise he said he conducts regularly to stay in touch with the voters. The criticism against him for railing against special interests playing in his primary while also calling special interests for money is misplaced, he said, because his consternation was that Dem leaning special interest groups were wasting money to influence which kind of Dem emerged from the primary, rather than spending the money to ensure Democrats won. The ADLCC, he noted, is only concerned with elevating Dem primary winners through the general. "That's comparing apples to oranges," he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002544
ARZN_REV00068861_3-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT WOULDN'T BE A FRIDAY WITHOUT SOME SORT OF CORRECTION

Cano's biggest complaint about yesterday's item was that it claimed he didn't return multiple calls for comment. He noted that he went to journalism school and said he never dodges the press. He's completely right on that front. Our reporter misdialed his number on the first attempt. He returned our call shortly after yesterday's deadline.

·WAKE UP CALL·

House Republicans kill attempt to expand insurance program for children
Arizona Capitol Times
The House voted along party lines Thursday to defeat a Democratic attempt to expand KidsCare eligibility by amending a bill funding the Arizona Health Care Cost Containment System.

Election measures keep moving along partisan lines
Arizona Capitol Times
With most headline-grabbing election measures dead, numerous others that pit arguments of voter integrity against voter suppression are working their way through the Legislature.

Bill to give lawmakers say on energy policy likely dead
Arizona Capitol Times
A controversial bill to prohibit Arizona's utility regulators from setting state energy policy appears dead after a Republican senator decided he cannot support it.

School activist: 'Traditional education is gone'
Arizona Capitol Times
School choice proponents contend that the pandemic has exposed flaws in the state's existing education system and opened the door for creative solutions as students return to the physical classroom.

Borrelli badgers woman over ballots, ridicules Republicans
Arizona Capitol Times
The Arizona Senate's Republican whip attempted to pressure a woman who went dumpster-diving for ballots into handing documents she found over to him instead of law enforcement and implied both of them could be killed for trying to expose fraud.

Ducey endures year of slings, arrows for Covid handling
Arizona Capitol Times
On March 11, 2020, Gov. Doug Ducey placed Arizona under a state of emergency to combat the spread of Covid. The country declared Covid as a pandemic that same day.

Bipartisan 'political science experiment' plays in Legislature
Arizona Capitol Times
Usually, legislative Democrats are lucky if it takes two hands to count the number of bills they get signed into law.

NAACP's private prisons lawsuit tossed out by judge
Capitol Media Services
In an extensive ruling, Judge Douglas Rayes rejected arguments made by attorneys for the state NAACP.

Political Notebook: Rep. Ann Kirkpatrick won't seek re-election to Congress
Arizona Daily Star
U.S. Rep. Ann Kirkpatrick, a Democrat representing Southeastern Arizona, says she will retire at the end of this term.

Coconino County applauds passage of federal COVID-19 relief bill
Arizona Daily Sun
Coconino County this week applauded the passage of the America Rescue Plan that will provide the county with as much as $28 million dollars over the next two years.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Pinal to get $90M in COVID relief package; CG, Maricopa to get $10M each
Maricopa Monitor
Pinal County will receive more than $90 million from the pandemic aid package, while cities like Casa Grande and Maricopa will get additional direct payments of nearly $10 million.

Havasu slated to receive $13.3 million from American Rescue Plan Act
Today's News-Herald
State and local governments are still scrambling to figure out exactly what the recently passed American Rescue Plan Act means for their bottom line, but it appears that $2.6 billion will go directly to cities, towns and counties in Arizona – including $13.3 million for Lake Havasu City.

WMAT prepares for Phase II
White Mountain Independent
Wednesday, March 4 the White Mountain Apache Tribal Council passed a resolution which will move the Tribe into Phase Two of their COVID-19 Reopening Plan.

Outlook for fire season not that bright
White Mountain Independent
The US Weather Service this week issued a "critical fire weather" warning for the end of this week across much of Arizona. The forecast calls for 10 to 15% humidity, 40 mph winds and extremely low fuel moisture.

Arizona House Republican says party thinks 'everybody shouldn't be voting'
The Hill
An Arizona House Republican said on Thursday that the state's GOP is worried about sending ballots out automatically due to election security concerns, noting that "everybody shouldn't be voting."

Sen. Sonny Borrelli to dumpster divers who say they found shredded ballots: Trust no one
Arizona Republic (Opinion, Laurie Roberts)
A legislative leader warns a dumpster diver who claims to have found shredded ballots that she could be killed. Trust no one, he says. This is how out-of-control things have gotten in Arizona.

Direct election of president requires uniform standards. HR 1 won't get us there.
Arizona Republic (Opinion, Robert Robb)
The direct election of the president would require uniform national election standards. HR 1 isn't a good way to go about that.

Great escape after COVID-19 isolation should include a national park — any national park
Arizona Republic (Op-ed, Leonard Kirschner)
There are 63 national parks in the U.S. and any one of them would be an ideal getaway to break free of the self (and government)-imposed isolation.

Republicans have stopped pretending they aren't trying to suppress Democratic votes
Washington Post (Opinion, Paul Waldman)
Every once in a while, a little-known local or state politician can become nationally famous for an outbreak of alarming honesty.

Arizona's GOP-led Senate just granted a surprising win to undocumented residents
Washington Post (Opinion, Fernanda Santos)
Undocumented Arizona residents would be allowed to pay in-state tuition under a measure approved by the Republican-led state Senate last week.

PRESS RELEASES

Justice Andrew W. Gould Announces Retirement

PHOENIX – Arizona Supreme Court Associate Justice Andrew W. Gould provided notice of his retirement from the bench to Governor Doug Ducey, effective April 1, 2021. Justice Gould has served on the supreme court for more than three years, having started on the bench in 2017 after his 2016 appointment by Governor Ducey.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Justice Gould previously served on the Arizona Court of Appeals, Division One for five years. Before his appointment to the Court of Appeals, Justice Gould served as a trial judge in the Superior Court in and for Yuma County, including serving as presiding judge from 2006 through 2011, and as Associate Presiding Judge from 2001 through 2006. Before joining the bench, Justice Gould was the Chief Civil Deputy in the Yuma County Attorney's Office and a prosecutor in several offices between 1994 and 2001. Prior to his work as a prosecutor, Justice Gould was a civil litigator in private practice from 1990 through 1994.

In his letter to the governor, Justice Gould reflected on a thirty-year career in the law and more than twenty years of service as a judge and justice. He referred to his time on the bench as a rich and rewarding experience and of his love for the work and serving the people of Arizona. Justice Gould noted his belief that everyone is equal before the law and that applying the law with honesty and integrity is a positive force for promoting the public good and protecting the rights of people.

Chief Justice Robert Brutinel stated, "The court congratulates Justice Gould on his retirement from the court. For more than twenty years he has been an outstanding trial judge, appellate judge and justice. The court has benefited from his wisdom, work ethic, collegiality and his commitment to the rule of law. He will be missed by his colleagues on the court and we wish him the best in his retirement."

Justice Gould's professional accomplishments include the W.E.S.T. Alumni Association/Drug Court Honorable Tom C. Cole Award, the Arizona Judicial Branch Achievement Award, and the Justice for a Better Arizona Achievement Award for Protecting Children, Families and Communities from the Yuma County Drug Court. Justice Gould was a regular volunteer for the We the People state and national competitive advocacy program for high school students, a youth sports coach, adult bible study teacher, and a participating member of the Yuma Community Theater group. During his legal career, Justice Gould was a member of the Judicial College of Arizona and was a board member of the Arizona Judges Association. He participated in numerous initiatives to improve the judiciary, including the Evidence-Based Practices for Pre-Sentence Reports Statewide Workgroup, the rural court representatives for the Arizona State and Federal Judicial Council, the Committee on Judicial Education and Training, the Commission on Technology, the Commission on Victims in the Courts, and the Committee on Superior Court. Justice Gould's teaching background includes being a speaker and presenter for a National Association for Court Management conference, the Arizona Paralegal Association Annual Legal Seminar, and Arizona's New Judge Orientation.

In retirement, Justice Gould intends to continue serving the people of Arizona. Under Arizona's merit selection system, the appellate nominating commission will screen applicants within 60 days of the vacancy as part of the process of appointing a new justice to the Court. Governor Ducey will have 60 days from receipt of the list of qualified candidates to make the appointment.

Governor Ducey Statement On Justice Andrew Gould Retirement From Court

PHOENIX — Arizona Supreme Court Justice Andrew Gould today announced his retirement from the court, effective April 1, after serving in that role since Governor Doug Ducey appointed him on November 28, 2016. The Governor released the following statement in response to Justice Gould's resignation:

"Justice Gould has remained committed to law and order throughout his career, working to ensure justice for victims and upholding the Constitution.

"A long-time public servant, Gould was a Yuma County Superior Court Judge for about 10 years, including serving as Presiding Judge, before being appointed to the Arizona Court of Appeals, Division I by Governor Jan Brewer where he served for about four years prior to his appointment to the Arizona Supreme Court.

"His service didn't stop there. From volunteering as a baseball and football coach to leading youth activities for the Yuma Rotary Club for years and much more, Gould has been heavily involved in the community throughout his career and life.

"Gould's integrity, wide range of professional experience, and commitment to helping Arizonans made him an excellent fit for the Arizona Supreme Court. He served our state well, and I am grateful for his nearly five years on the Arizona Supreme Court as well as his more than 20 years of service to the State of Arizona."

The Commission on Appellate Court Appointments will recommend nominees for the vacancy on the Arizona Supreme Court created by the retirement of Justice Gould to Governor Ducey, who will appoint the new justice. Details on Justice Gould's career can be found HERE.

Stanton to Co-Chair Key Immigration Task Force

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

In High-Profile Role, Will Push to Strengthen Arizona's Economy
WASHINGTON, D.C—Rep. Greg Stanton will co-chair the New Democrat Coalition's Immigration Task Force and, in that role, will push for common-sense, modern immigration reform that will create a pathway to citizenship for undocumented immigrants with deep ties to this country and strengthen Arizona's economy.
Stanton will co-chair the task force with Congressman Salud Carbajal of California. The New Democrat Coalition (NDC) is made up of more than 90 forward-thinking House Democrats who are committed to pro-economic growth, pro-innovation, and fiscally responsible policies.
Yesterday, the group endorsed two pieces of immigration reform legislation: H.R. 6, the American Dream and Promise Act, and H.R. 1537, the Farm Workforce Modernization Act. Both bills are expected to be considered on the House floor next week.
"Immigration is an issue where we can find bipartisan common ground, and New Dems are committed to build a fair and inclusive immigration system that reflects our values as a nation of immigrants and strengthens the American economy," said Stanton. "That starts with protecting America's Dreamers and essential immigrant workers. These two bills earned our endorsement because they do right by the immigrants who have called our country home for so long—and they're the right thing to do for our economy."
H.R. 6, the American Dream and Promise Act would provide permanent protections to the nation's Dreamers, as well as to TPS and DED holders, allowing them to contribute fully to their local communities and the country while providing a pathway to citizenship.
H.R. 1537, the Farm Workforce Modernization Act makes meaningful reforms to the H-2A agricultural guestworker program and creates a first-of-its-kind, merit-based visa program specifically designed for the nation's agricultural sector. These changes will help stabilize and preserve the American agricultural sector by ensuring farmers can meet their labor needs well into the future.
Watch the NDC Immigration Task Force's press conference here.

Arizona docs warn Ducey, legislators loosening COVID-19 protections now risks a new surge, delays return to normal

PHOENIX, Ariz. – Arizona physicians today warned Gov. Doug Ducey and legislators that loosening COVID-19 protections now before enough people have been vaccinated will endanger health and safety, and threaten to prolong people's suffering and economic pain.
"Ending COVID-19 protections now before our work is done vaccinating and protecting people, including our most vulnerable citizens, is like spiking the ball on the 5-yard line," said **Dr. Ricardo Correa, an endocrinologist in Phoenix**. "For the past year, too many people have struggled, sacrificed and died to get to this point in the pandemic when we are close to eradicating COVID-19. Arizona's policymakers must resist the temptation to fling the door open when we are starting to see the light at the end of the tunnel. We should focus on vaccinating more people — especially underrepresented minorities — we must continue to observe safety measures, and we must wear masks, continue physical distancing, and minimize crowds in the meantime. Otherwise we are just rolling the welcome mat for COVID-19 to return with a vengeance."
Ducey announced on March 5 that he would allow businesses to operate at full capacity. Republican legislators also introduced proposals that would allow businesses to ignore requirements to wear masks. Arizona policymakers' push to fully resume normal activities flies in the face of data and evidence linking activities like indoor dining and not wearing a mask in public to increased infections and disease spread.
The rush to fully reopen Arizona's businesses comes as Arizona has vaccinated only a fraction of its residents: Only around 10 percent of Arizonans have received both doses of a vaccine for maximum efficacy, and only 19.7 percent have received one dose. Epidemiologists and health experts say between 70 and 90 percent of the population would need to be vaccinated to achieve herd, or community, immunity, when enough people have immunity to stop COVID-19 from spreading within the population.
"Arizona is nowhere near community immunity, and we shouldn't be throwing gasoline on a fire that we are slowly starting to control," said **Dr. Cadey Harrel, a family medicine specialist in Tucson.** "As physicians, we urge Gov. Doug Ducey and Arizona's legislators to listen to the science. The facts tell us, again and again, that until we get at least 70 percent of Arizona's population vaccinated, we should continue to wear masks and social distance. No one wants to end up back in square one, with more people infected, more hospitalizations and more needless suffering in our communities. We are not out of the woods yet, and it would be foolish to act as if we are."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002548
ARZN_REV00068861_3-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The physicians echoed public health experts' warnings about reopening the economy prematurely while cases remain high, too few people are vaccinated and more contagious variants and mutations of COVID-19 have begun spreading. The more contagious B.1.1.7 variant of COVID-19 has been reported in Arizona. Additionally, community disease spread remains high in eight of Arizona's 15 counties, including its most populous, Maricopa County, and transmission is substantial in four.

"Getting rid of mask requirements and physical distancing in Arizona now would endanger a lot of people, and disproportionately harm marginalized populations and essential workers who are more likely to have chronic conditions, more likely to work jobs that expose them to COVID-19 and less likely to have access to health care," said **Dr. Dionne Mills, a board certified obstetrician/gynecologist working as a hospitalist in Glendale**. "We need to focus on better strategies to increase vaccinations in our underserved communities rather than loosening the restrictions. Getting more people vaccinated is how Arizona can get back to normal safely and responsibly, not by ignoring the science and playing chicken with a virus. Before loosening safety measures, Gov. Ducey must get all essential workers vaccinated and protected. Until we vaccinate enough people, protect those who are vulnerable and most likely to be exposed and drive down infection rates, we are at risk of prolonging the suffering and delaying our return to normal."

Latino/Hispanic people and Native Americans in Arizona are hospitalized and killed at higher rates from COVID-19 compared with white people. A study also showed that essential workers, often in low-wage and public-facing jobs, are more likely to die from COVID-19.

"QUOTE OF THE DAY"

"The weekend is practically here. Monday might be a fresh new day and other than his humiliation, maybe that's all that happens."

- Mesnard, on whether Borrelli should be replaced as whip

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002549

ARZN_REV00068861_3-12-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, March 12, 2021 7:01:35 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-12-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet March 12, 2021

THERE'S THE KAREN WE KNOW AND LOVE
Fann is "embarrassed" by Borrelli's comments during a phone call with conspiracy theorist Staci Burk and open to calling Senate Republicans into a reorganizational meeting to possibly replace Borrelli as whip if members of her caucus ask for it, she told our reporter.

FLOWERS AND BOTTLES OF WINE ALL AROUND
Borrelli apologized to several senators on the floor yesterday, Mesnard told our reporter.

AMERICAN OVERSIGHT

STOP THE STEAL!
Without court intervention, an audit of AZGOP chair Kelli Ward's (alleged) re-election victory "simply will not happen," attorney Tim La Sota argued in a complaint filed in Maricopa County Superior Court today.

AS WE'VE SEEN, NO JUDGE CAN STOP THE STEAL
Wilenchik told our reporter this afternoon he hadn't had the chance to review the complaint yet, but he expects the court to dismiss it based on the political question doctrine, essentially saying it's an internal party issue.

WELCOME TO THE POLITICAL THICKET, ANDREW
Arizona Supreme Court Justice Andrew Gould is retiring from the bench after nearly four years, he announced today, adding credence to the widespread speculation that he'll run for attorney general.

BOYER AND THE REPUBLICAN TREE HUGGERS IS OUR BAND NAME
After Boyer signaled that he plans to kill legislation to strip away Corp Comm's ability to set energy policy, former Commission Chairman Bob Burns said the final vote on the future of clean energy standards can still happen as scheduled next month.

FUNDRAISING OUTSIDE JUST DOESN'T HAVE THE SAME RING TO IT
Cano told our reporter that Democrats weren't trying to be shady by using a code word to talk about fundraising, and that "changing the oil" far predates his tenure as a lawmaker, but in the future, he'll just call it fundraising.

IT WOULDN'T BE A FRIDAY WITHOUT SOME SORT OF CORRECTION
Cano's biggest complaint about yesterday's item was that it claimed he didn't return multiple calls for comment.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, March 12, 2021

NEWS NOTES AND GOSSIP

THERE'S THE KAREN WE KNOW AND LOVE

Fann is "embarrassed" by Borrelli's comments during a phone call with conspiracy theorist Staci Burk and open to calling Senate Republicans into a reorganizational meeting to possibly replace Borrelli as whip if members of her caucus ask for it, she told our reporter. "What I can say on behalf of myself, the Senate president, and many of our members, is that I am embarrassed with some of the things he said about the supervisors and the treasurer and the recorder and the attorney general," she said, adding that she hopes the public realizes his comments don't reflect what "the rest of the Senate members believe." Fann said she wouldn't comment on whether Borrelli should remain on as majority whip, saying he was elected by the Republican caucus and any decision is up to the full caucus. However, she said if a caucus member comes to her and asks for a change, she'll certainly talk with them. Borrelli's comments made Fann's job of pushing for an audit much harder, she said. For months, she and other Republican senators have insisted their audit is based solely on restoring faith in the election system. "It's been a hard battle because a lot of people think it's something else, that we're trying to overturn an election, and that's never been the truth," she said. "And so to have somebody make some allegation that makes it sound like that's what it is, it just made our job that much harder because that's never what it's been about and I'm disappointed if any of our members even think that." She wants the supervisors, Brnovich and Richer to know that the Senate as a whole doesn't support Borrelli's statements, she said.

FLOWERS AND BOTTLES OF WINE ALL AROUND

Borrelli apologized to several senators on the floor yesterday, Mesnard told our reporter. Mesnard said he didn't like what he heard on the tape but wasn't particularly surprised by it because Borrelli has been vocally involved in questioning the election since the beginning. (At one point shortly after the election, a Borrelli tweet questioning whether Mesnard winning LD17 when Trump lost it was proof of fraud resulted in Mesnard receiving nonstop phone calls from Trump supporters across the country who were looking for proof.) Mesnard said he told Borrelli that he wouldn't want anyone listening to his private phone calls or reading his mind. "I don't like what he said, but I also feel for him a little bit and it's also his fault too because he trusted these people that should not be trusted," Mesnard said. He said he suspects Borrelli made his rounds apologizing in part to avoid being asked to step down or voted out of his leadership position, but Mesnard said he can't predict whether that will happen – and he doesn't particularly care about the outcome. "The weekend is practically here. Monday might be a fresh new day and other than his humiliation, maybe that's all that happens," he said. Boyer told our reporter he hasn't heard the recording, though he understands he was mentioned repeatedly, and didn't receive an apology. He thinks that a reorganizational meeting is a good idea, though not because of the recording. "I have very low expectations. I just wish he could count votes," Boyer said, adding he's lost track of how many bills have died on the Senate floor. "He can do whatever he wants to do with his extracurricular stuff, but when you're there – the job of the whip is to count votes," he said. "You have one job."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002552

ARZN_REV00068863_3-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STOP THE STEAL!

Without court intervention, an audit of AZGOP chair Kelli Ward's (alleged) re-election victory "simply will not happen," attorney Tim La Sota argued in a complaint filed in Maricopa County Superior Court today. La Sota, who is representing state committeemen Sandra Dowling and Bill Beard, asked the court to make the party explain why it won't hold an audit. An audit wouldn't harm the party, he said, but each day there's not an audit his clients "are damaged in a way money cannot remediate, and as such no money damages are sought." Other committeemen also voiced their concerns at the Jan 23 meeting about the "significant number of irregularities and general chaos" of the vote and also called for a recount, La Sota wrote. They were assured the recount request would be honored for about a week, until Ward and the party rejected those calls, according to the complaint. La Sota previously threatened Ward with a lawsuit as well as a recall effort (YS, 2/25), giving Ward and AZGOP a March 1 deadline to agree to an audit and recount. (Beard recently told our reporter activists are also organizing around a recall, though he didn't offer much detail (YS, 3/8).) AZGOP attorney Jack Wilenchik responded in a Feb 25 letter that Ward doesn't have the legal authority to do the audit or recount. "It is the 'voting body' – i.e. the State Committee itself – to which your clients should be directing these threats/demands, not myself or Ms. Ward," he wrote. La Sota told our reporter today that he felt that was "unrealistic" and was the equivalent of saying Kelli Ward should have sued all the voters in Maricopa County in her lawsuit to review Maricopa County ballots. "That doesn't make any sense," he said. "You sue the people who administer the election."

AS WE'VE SEEN, NO JUDGE CAN STOP THE STEAL

Wilenchik told our reporter this afternoon he hadn't had the chance to review the complaint yet, but he expects the court to dismiss it based on the political question doctrine, essentially saying it's an internal party issue. "We're talking about Robert's Rules of Order and things that are just agreed to amongst members of a political party," he said. He added that the only time a judge would get involved is when there's a clear violation of law and a clear way for the judge to do something about it. "I don't see any violation of law here whatsoever," Wilenchik said. La Sota said the bylaws are like a contract between members and "are just as enforceable as a contract." "We just want them to do what everyone agreed would happen under the bylaws," La Sota said. Wilenchik told our reporter he thinks this lawsuit is more for publicity than anything else. "It's a little funny to me that it was sent to everybody in the media [but not] the actual defendant and the parties," he said. La Sota said the clients have the complaint and are free to share it because it's a public record, adding that he shared a courtesy copy with Wilenchik today. "I think we need transparency in the party also, and I think media attention is part of that," La Sota said. "So, I don't know why anyone would shy away from that."

WELCOME TO THE POLITICAL THICKET, ANDREW

Arizona Supreme Court Justice Andrew Gould is retiring from the bench after nearly four years, he announced today, adding credence to the widespread speculation that he'll run for attorney general. His resignation announcement only included a vague reference to his plans to continue to serve the state. As we previously reported (YS, 3/5), railbirds have said the likely upcoming announcement would throw into question any future argument and decision he would make on the court, which likely contributed to his speedy departure. Ducey appointed Gould when the court expanded from five to seven seats in 2016. Gould's retirement now means Ducey gets to appoint an unprecedented sixth justice to the court, but still will have five serving at the same time.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002553
ARZN_REV00068863_3-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOYER AND THE REPUBLICAN TREE HUGGERS IS OUR BAND NAME

After Boyer signaled that he plans to kill legislation to strip away Corp Comm's ability to set energy policy (LINK), former Commission Chairman Bob Burns said the final vote on the future of clean energy standards can still happen as scheduled next month. Burns has been fighting for the new standards since his time on the commission, and the commission voted 4-1 to move forward with the new standards late last year, before Burns termed out and Boyd Dunn finished his only term. Justin Olson was the lone no vote. It's expected to reach a 3-2 outcome in the final vote, given Chairwoman Lea Marquez Peterson, a Republican, and Commissioner Sandra Kennedy, a Democrat, already voted for it last year and Democratic Commissioner Anna Tovar is also likely to support it. Tovar was pleased with the news of Boyer killing those efforts, telling our reporter she thinks Corp Comm is "the proper forum" to vet the "critical issues." Marquez Peterson is considered the tie breaking vote for most commission business, and if she changes her position and kills the effort that includes a mandate that electric utilities be emission-free by 2050, Burns said she would be making a huge mistake. "I think if she continues to support it, as she has, she is actually leading the state in the right direction as far as energy policy," he said. Burns previously wrote a letter to Fann, Bowers, Griffin and Kerr throwing punches about their alleged power grab, calling the bills unconstitutional and hammering the point that the Commission is a co-equal branch of government. Ducey, Olson and many lawmakers have argued the commission is not its own branch, which Burns called a "misguided assumption." He noted that buried in the middle of a recent Court of Appeals decision (LINK), Judge Kent Cattani wrote that the commission is the fourth branch of state government. "The framers established the Commission as a separate popularly-elected branch of state government," Cattani wrote, referencing a 1992 court case *Arizona Corporation Commission v. Woods* (LINK).

FUNDRAISING OUTSIDE JUST DOESN'T HAVE THE SAME RING TO IT

Cano told our reporter that Democrats weren't trying to be shady by using a code word to talk about fundraising, and that "changing the oil" far predates his tenure as a lawmaker, but in the future, he'll just call it fundraising. "I'm not sure where it came from, and ultimately I think it's standard practice and I don't think that it's problematic that we're doing what we need to do to win majorities in 2022," he said. "I would be happy to call it fundraising outside moving forward." He never lets those conversations meander into talks about legislation, he said, and is pleased when lobbyists give him a firm no on contributing to the ADLCC during session. "I think that's the best approach," he said. He noted that lawmakers use their own phones to do fundraising calls, and suggested they might look into renting space off campus to make their calls in the future, but also said lawmakers often walk to the north side of Adams Street to make their calls, which isn't on Capitol grounds, though it is still government property. While fundraising from lobbyists during session isn't illegal, as long as lawmakers aren't raising funds for their own campaigns, he said that to his knowledge, the caucus hasn't received any legal advice about whether lawmakers must leave government property to make the calls, though he offered to look into it. "If there's concern about this, I'd be happy to talk to our lawyers," he said. But he pushed back against a lobbyist's allegation yesterday that the photo of him making calls at his desk showed him fundraising, and provided our reporter with another photo taken on the same day, the caption of which says he was calling constituents, an exercise he said he conducts regularly to stay in touch with the voters. The criticism against him for railing against special interests playing in his primary while also calling special interests for money is misplaced, he said, because his consternation was that Dem leaning special interest groups were wasting money to influence which kind of Dem emerged from the primary, rather than spending the money to ensure Democrats won. The ADLCC, he noted, is only concerned with elevating Dem primary winners through the general. "That's comparing apples to oranges," he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002554
ARZN_REV00068863_3-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT WOULDN'T BE A FRIDAY WITHOUT SOME SORT OF CORRECTION

Cano's biggest complaint about yesterday's item was that it claimed he didn't return multiple calls for comment. He noted that he went to journalism school and said he never dodges the press. He's completely right on that front. Our reporter misdialed his number on the first attempt. He returned our call shortly after yesterday's deadline.

·WAKE UP CALL·

House Republicans kill attempt to expand insurance program for children
Arizona Capitol Times
The House voted along party lines Thursday to defeat a Democratic attempt to expand KidsCare eligibility by amending a bill funding the Arizona Health Care Cost Containment System.

Election measures keep moving along partisan lines
Arizona Capitol Times
With most headline-grabbing election measures dead, numerous others that pit arguments of voter integrity against voter suppression are working their way through the Legislature.

Bill to give lawmakers say on energy policy likely dead
Arizona Capitol Times
A controversial bill to prohibit Arizona's utility regulators from setting state energy policy appears dead after a Republican senator decided he cannot support it.

School activist: 'Traditional education is gone'
Arizona Capitol Times
School choice proponents contend that the pandemic has exposed flaws in the state's existing education system and opened the door for creative solutions as students return to the physical classroom.

Borrelli badgers woman over ballots, ridicules Republicans
Arizona Capitol Times
The Arizona Senate's Republican whip attempted to pressure a woman who went dumpster-diving for ballots into handing documents she found over to him instead of law enforcement and implied both of them could be killed for trying to expose fraud.

Ducey endures year of slings, arrows for Covid handling
Arizona Capitol Times
On March 11, 2020, Gov. Doug Ducey placed Arizona under a state of emergency to combat the spread of Covid. The country declared Covid as a pandemic that same day.

Bipartisan 'political science experiment' plays in Legislature
Arizona Capitol Times
Usually, legislative Democrats are lucky if it takes two hands to count the number of bills they get signed into law.

NAACP's private prisons lawsuit tossed out by judge
Capitol Media Services
In an extensive ruling, Judge Douglas Rayes rejected arguments made by attorneys for the state NAACP.

Political Notebook: Rep. Ann Kirkpatrick won't seek re-election to Congress
Arizona Daily Star
U.S. Rep. Ann Kirkpatrick, a Democrat representing Southeastern Arizona, says she will retire at the end of this term.

Coconino County applauds passage of federal COVID-19 relief bill
Arizona Daily Sun
Coconino County this week applauded the passage of the America Rescue Plan that will provide the county with as much as $28 million dollars over the next two years.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Pinal to get $90M in COVID relief package; CG, Maricopa to get $10M each
Maricopa Monitor
Pinal County will receive more than $90 million from the pandemic aid package, while cities like Casa Grande and Maricopa will get additional direct payments of nearly $10 million.

Havasu slated to receive $13.3 million from American Rescue Plan Act
Today's News-Herald
State and local governments are still scrambling to figure out exactly what the recently passed American Rescue Plan Act means for their bottom line, but it appears that $2.6 billion will go directly to cities, towns and counties in Arizona – including $13.3 million for Lake Havasu City.

WMAT prepares for Phase II
White Mountain Independent
Wednesday, March 4 the White Mountain Apache Tribal Council passed a resolution which will move the Tribe into Phase Two of their COVID-19 Reopening Plan.

Outlook for fire season not that bright
White Mountain Independent
The US Weather Service this week issued a "critical fire weather" warning for the end of this week across much of Arizona. The forecast calls for 10 to 15% humidity, 40 mph winds and extremely low fuel moisture.

Arizona House Republican says party thinks 'everybody shouldn't be voting'
The Hill
An Arizona House Republican said on Thursday that the state's GOP is worried about sending ballots out automatically due to election security concerns, noting that "everybody shouldn't be voting."

Sen. Sonny Borrelli to dumpster divers who say they found shredded ballots: Trust no one
Arizona Republic (Opinion, Laurie Roberts)
A legislative leader warns a dumpster diver who claims to have found shredded ballots that she could be killed. Trust no one, he says. This is how out-of-control things have gotten in Arizona.

Direct election of president requires uniform standards. HR 1 won't get us there.
Arizona Republic (Opinion, Robert Robb)
The direct election of the president would require uniform national election standards. HR 1 isn't a good way to go about that.

Great escape after COVID-19 isolation should include a national park — any national park
Arizona Republic (Op-ed, Leonard Kirschner)
There are 63 national parks in the U.S. and any one of them would be an ideal getaway to break free of the self (and government)-imposed isolation.

Republicans have stopped pretending they aren't trying to suppress Democratic votes
Washington Post (Opinion, Paul Waldman)
Every once in a while, a little-known local or state politician can become nationally famous for an outbreak of alarming honesty.

Arizona's GOP-led Senate just granted a surprising win to undocumented residents
Washington Post (Opinion, Fernanda Santos)
Undocumented Arizona residents would be allowed to pay in-state tuition under a measure approved by the Republican-led state Senate last week.

PRESS RELEASES

Justice Andrew W. Gould Announces Retirement

PHOENIX – Arizona Supreme Court Associate Justice Andrew W. Gould provided notice of his retirement from the bench to Governor Doug Ducey, effective April 1, 2021. Justice Gould has served on the supreme court for more than three years, having started on the bench in 2017 after his 2016 appointment by Governor Ducey.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Justice Gould previously served on the Arizona Court of Appeals, Division One for five years. Before his appointment to the Court of Appeals, Justice Gould served as a trial judge in the Superior Court in and for Yuma County, including serving as presiding judge from 2006 through 2011, and as Associate Presiding Judge from 2001 through 2006. Before joining the bench, Justice Gould was the Chief Civil Deputy in the Yuma County Attorney's Office and a prosecutor in several offices between 1994 and 2001. Prior to his work as a prosecutor, Justice Gould was a civil litigator in private practice from 1990 through 1994.

In his letter to the governor, Justice Gould reflected on a thirty-year career in the law and more than twenty years of service as a judge and justice. He referred to his time on the bench as a rich and rewarding experience and of his love for the work and serving the people of Arizona. Justice Gould noted his belief that everyone is equal before the law and that applying the law with honesty and integrity is a positive force for promoting the public good and protecting the rights of people.

Chief Justice Robert Brutinel stated, "The court congratulates Justice Gould on his retirement from the court. For more than twenty years he has been an outstanding trial judge, appellate judge and justice. The court has benefited from his wisdom, work ethic, collegiality and his commitment to the rule of law. He will be missed by his colleagues on the court and we wish him the best in his retirement."

Justice Gould's professional accomplishments include the W.E.S.T. Alumni Association/Drug Court Honorable Tom C. Cole Award, the Arizona Judicial Branch Achievement Award, and the Justice for a Better Arizona Achievement Award for Protecting Children, Families and Communities from the Yuma County Drug Court. Justice Gould was a regular volunteer for the We the People state and national competitive advocacy program for high school students, a youth sports coach, adult bible study teacher, and a participating member of the Yuma Community Theater group. During his legal career, Justice Gould was a member of the Judicial College of Arizona and was a board member of the Arizona Judges Association. He participated in numerous initiatives to improve the judiciary, including the Evidence-Based Practices for Pre-Sentence Reports Statewide Workgroup, the rural court representatives for the Arizona State and Federal Judicial Council, the Committee on Judicial Education and Training, the Commission on Technology, the Commission on Victims in the Courts, and the Committee on Superior Court. Justice Gould's teaching background includes being a speaker and presenter for a National Association for Court Management conference, the Arizona Paralegal Association Annual Legal Seminar, and Arizona's New Judge Orientation.

In retirement, Justice Gould intends to continue serving the people of Arizona. Under Arizona's merit selection system, the appellate nominating commission will screen applicants within 60 days of the vacancy as part of the process of appointing a new justice to the Court. Governor Ducey will have 60 days from receipt of the list of qualified candidates to make the appointment.

Governor Ducey Statement On Justice Andrew Gould Retirement From Court

PHOENIX — Arizona Supreme Court Justice Andrew Gould today announced his retirement from the court, effective April 1, after serving in that role since Governor Doug Ducey appointed him on November 28, 2016. The Governor released the following statement in response to Justice Gould's resignation:

"Justice Gould has remained committed to law and order throughout his career, working to ensure justice for victims and upholding the Constitution.

"A long-time public servant, Gould was a Yuma County Superior Court Judge for about 10 years, including serving as Presiding Judge, before being appointed to the Arizona Court of Appeals, Division I by Governor Jan Brewer where he served for about four years prior to his appointment to the Arizona Supreme Court.

"His service didn't stop there. From volunteering as a baseball and football coach to leading youth activities for the Yuma Rotary Club for years and much more, Gould has been heavily involved in the community throughout his career and life.

"Gould's integrity, wide range of professional experience, and commitment to helping Arizonans made him an excellent fit for the Arizona Supreme Court. He served our state well, and I am grateful for his nearly five years on the Arizona Supreme Court as well as his more than 20 years of service to the State of Arizona."

The Commission on Appellate Court Appointments will recommend nominees for the vacancy on the Arizona Supreme Court created by the retirement of Justice Gould to Governor Ducey, who will appoint the new justice. Details on Justice Gould's career can be found HERE.

Stanton to Co-Chair Key Immigration Task Force

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002557

ARZN_REV00068863_3-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

In High-Profile Role, Will Push to Strengthen Arizona's Economy
WASHINGTON, D.C—Rep. Greg Stanton will co-chair the New Democrat Coalition's Immigration Task Force and, in that role, will push for common-sense, modern immigration reform that will create a pathway to citizenship for undocumented immigrants with deep ties to this country and strengthen Arizona's economy.
Stanton will co-chair the task force with Congressman Salud Carbajal of California. The New Democrat Coalition (NDC) is made up of more than 90 forward-thinking House Democrats who are committed to pro-economic growth, pro-innovation, and fiscally responsible policies.
Yesterday, the group endorsed two pieces of immigration reform legislation: H.R. 6, the American Dream and Promise Act, and H.R. 1537, the Farm Workforce Modernization Act. Both bills are expected to be considered on the House floor next week.
"Immigration is an issue where we can find bipartisan common ground, and New Dems are committed to build a fair and inclusive immigration system that reflects our values as a nation of immigrants and strengthens the American economy," said Stanton. "That starts with protecting America's Dreamers and essential immigrant workers. These two bills earned our endorsement because they do right by the immigrants who have called our country home for so long—and they're the right thing to do for our economy."
H.R. 6, the American Dream and Promise Act would provide permanent protections to the nation's Dreamers, as well as to TPS and DED holders, allowing them to contribute fully to their local communities and the country while providing a pathway to citizenship.
H.R. 1537, the Farm Workforce Modernization Act makes meaningful reforms to the H-2A agricultural guestworker program and creates a first-of-its-kind, merit-based visa program specifically designed for the nation's agricultural sector. These changes will help stabilize and preserve the American agricultural sector by ensuring farmers can meet their labor needs well into the future.
Watch the NDC Immigration Task Force's press conference here.

Arizona docs warn Ducey, legislators loosening COVID-19 protections now risks a new surge, delays return to normal

PHOENIX, Ariz. – Arizona physicians today warned Gov. Doug Ducey and legislators that loosening COVID-19 protections now before enough people have been vaccinated will endanger health and safety, and threaten to prolong people's suffering and economic pain.
"Ending COVID-19 protections now before our work is done vaccinating and protecting people, including our most vulnerable citizens, is like spiking the ball on the 5-yard line," said **Dr. Ricardo Correa, an endocrinologist in Phoenix**. "For the past year, too many people have struggled, sacrificed and died to get to this point in the pandemic when we are close to eradicating COVID-19. Arizona's policymakers must resist the temptation to fling the door open when we are starting to see the light at the end of the tunnel. We should focus on vaccinating more people — especially underrepresented minorities — we must continue to observe safety measures, and we must wear masks, continue physical distancing, and minimize crowds in the meantime. Otherwise we are just rolling the welcome mat for COVID-19 to return with a vengeance."
Ducey announced on March 5 that he would allow businesses to operate at full capacity. Republican legislators also introduced proposals that would allow businesses to ignore requirements to wear masks. Arizona policymakers' push to fully resume normal activities flies in the face of data and evidence linking activities like indoor dining and not wearing a mask in public to increased infections and disease spread.
The rush to fully reopen Arizona's businesses comes as Arizona has vaccinated only a fraction of its residents: Only around 10 percent of Arizonans have received both doses of a vaccine for maximum efficacy, and only 19.7 percent have received one dose. Epidemiologists and health experts say between 70 and 90 percent of the population would need to be vaccinated to achieve herd, or community, immunity, when enough people have immunity to stop COVID-19 from spreading within the population.
"Arizona is nowhere near community immunity, and we shouldn't be throwing gasoline on a fire that we are slowly starting to control," said **Dr. Cadey Harrel, a family medicine specialist in Tucson.** "As physicians, we urge Gov. Doug Ducey and Arizona's legislators to listen to the science. The facts tell us, again and again, that until we get at least 70 percent of Arizona's population vaccinated, we should continue to wear masks and social distance. No one wants to end up back in square one, with more people infected, more hospitalizations and more needless suffering in our communities. We are not out of the woods yet, and it would be foolish to act as if we are."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002558
ARZN_REV00068863_3-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The physicians echoed public health experts' warnings about reopening the economy prematurely while cases remain high, too few people are vaccinated and more contagious variants and mutations of COVID-19 have begun spreading. The more contagious B.1.1.7 variant of COVID-19 has been reported in Arizona. Additionally, community disease spread remains high in eight of Arizona's 15 counties, including its most populous, Maricopa County, and transmission is substantial in four.

"Getting rid of mask requirements and physical distancing in Arizona now would endanger a lot of people, and disproportionately harm marginalized populations and essential workers who are more likely to have chronic conditions, more likely to work jobs that expose them to COVID-19 and less likely to have access to health care," said **Dr. Dionne Mills, a board certified obstetrician/gynecologist working as a hospitalist in Glendale**. "We need to focus on better strategies to increase vaccinations in our underserved communities rather than loosening the restrictions. Getting more people vaccinated is how Arizona can get back to normal safely and responsibly, not by ignoring the science and playing chicken with a virus. Before loosening safety measures, Gov. Ducey must get all essential workers vaccinated and protected. Until we vaccinate enough people, protect those who are vulnerable and most likely to be exposed and drive down infection rates, we are at risk of prolonging the suffering and delaying our return to normal."

Latino/Hispanic people and Native Americans in Arizona are hospitalized and killed at higher rates from COVID-19 compared with white people. A study also showed that essential workers, often in low-wage and public-facing jobs, are more likely to die from COVID-19.

"QUOTE OF THE DAY"

"The weekend is practically here. Monday might be a fresh new day and other than his humiliation, maybe that's all that happens."

- Mesnard, on whether Borrelli should be replaced as whip

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002559

ARZN_REV00068863_3-12-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, March 15, 2021 9:07:39 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *March 15, 2021*

House passes bills to clear criminal records
Arizona Capitol Times
Tremayne Nez felt defenseless after Flagstaff police wrongfully arrested him in June 2019 on suspicion of selling LSD.

Supreme Court justice to retire
Arizona Capitol Times
A Gov. Doug Ducey-appointed Supreme Court justice announced his retirement today, effective April 1, after about three years on the bench, capping a total of 20 years as a judge.

Democratic Arizona Rep. Kirkpatrick won't seek re-election
Associated Press
U.S. Rep. Ann Kirkpatrick, a five-term Arizona Democrat, announced Friday she won't run for re-election in 2022.

Wild population of endangered Mexican wolves keeps growing
Associated Press
Once on the verge of extinction, the rarest subspecies of the gray wolf in North America has seen its population nearly double over the last five years, with more gains being reported in 2020, U.S. wildlife managers said Friday.

AMERICAN OVERSIGHT

Arizona Republican Party chair sued over party election
Associated Press
Two candidates for the Arizona Republican Party's executive committee who lost their January elections are suing state party Chair Kelli Ward to force an audit of the results.

Governor says Arizona can meet Biden's vaccine deadline
Associated Press
Arizona can meet President Joe Biden's goal to offer vaccinations to everyone who wants one by May as long as the federal government supplies enough vaccines, Gov. Doug Ducey said Friday.

Voting rights or voter fraud? A study in contrasts
Payson Roundup
A sweeping effort by Congress to make it easier to vote and force disclosure of dark money spending in elections drew sharply different reactions from the congressmen representing northern Arizona — including Apache, Navajo and Gila counties.

Legislators join groups promoting effort to decide future of wall
Herald-Review
With the end of the moratorium to stop construction of the border wall just days away, former U.S. officials and environmental and community activists want to know what President Joe Biden and new Director of Homeland Security Alejandro Mayorkas have in mind to resolve the problems created.

Phoenix Detective Loses Job After Assault on Fellow Cop
Phoenix New Times
In a scene that seems taken from "The Departed," a former Phoenix detective repeatedly punched another cop in the face during an argument over a case.

Doctors: It's too soon for Ducey to lift COVID restrictions
Cronkite News
Four Arizona doctors on Friday assailed Gov. Doug Ducey's plan to return to mostly normal operations as vaccinations against COVID-19 ramp up, warning that the coronavirus that causes the disease remains out of control.

NASA works with Navajo Nation to name new features discovered on Mars
The Hill
In collaboration with leaders of the Navajo Nation, the nation's largest Indian reservation, NASA is naming items of scientific interest discovered on Mars as part of its Perseverance rover's ongoing mission with words from the Navajo language.

Gosar allies with racists, making it hard to take his 'white racism' denunciation seriously
Arizona Mirror (Opinion, Jim Small)
Congressman Paul Gosar is no stranger to palling around with bigots and racists, making it hard to place much stock in his denunciations of "white racism" after he gave the headline speech at a white nationalist conference and sat through a blatantly racist speech given by the organizer.

Why is the Arizona Legislature so afraid of Arizona citizens?
Arizona Republic (Opinion, Laurie Roberts)
Not only are Republican legislators busy passing bills to make it more difficult to vote, they're also working to make it harder for Arizonans to make laws at the ballot box.

Ducey doesn't have the authority to order schools reopened, but he's right that it is time
Arizona Republic (Opinion, Robert Robb)
The governor doesn't have legal powers to order schools to fully return to in-person learning. That said, he's right: It's time to fully reopen schools.

NAU's first Latino president can do big things for the university. But he'll need our help
Arizona Republic (Opinion, Elvia Diaz)
Dr. José Luis Cruz will be the first Latino president of Northern Arizona University - and Arizona's economy depends on his success.

No, Cindy McCain, conservative uproar over Dr. Seuss and cancel culture isn't 'ridiculous'
Arizona Republic (Opinion, Phil Boas)
The caretakers of the Dr. Seuss collection had to know what was coming. Today's culture warriors are painting Dr. Seuss with a laser that will one day guide the missiles that destroy him.

Schools don't have to go at COVID-19 precautions alone. We got professional help to reopen

AMERICAN OVERSIGHT

Arizona Republic (Op-ed, Ana Moran and Betsy Hargrove)
Avondale Elementary got help from a third-party to set protocols on keeping students safe and to trace and isolate known cases to prevent outbreaks.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, March 15, 2021 9:09:27 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: March 13-15, 2021
Attachments: March 13-15, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings
Saturday, March 13, 2021
Sunday , March 14, 2021

Arizona Daily Star

- Vaccination site at University of Arizona opens registration for those 55 and older
- 2 losers in party election sue state GOP chair to force audit
- House votes down bill giving AG right to sue over high tuition
- Electric-vehicle parts maker to open Flagstaff factory in former retail warehouse
- Attempts to protect rivers, groundwater across Arizona meet legislative resistance
- Navajo community steps up to help its vulnerable citizens
- Arizona Supreme Court justice Gould to make exit, giving Ducey another pick

Arizona Republic

- Voting bills from GOP create test for Ducey
- How will AZ allocate $16 billion in stimulus funds?
- Arizona GOP, chair sued over election audit refusal
- Ariz. case numbers drop; 27 new deaths reported
- Arizona governor: Foster payments will arrive soon
- Vaccines coming to more Arizonans
- Ducey faces new hurdles
- Parents, students weigh returning to AZ schools
- How much will your city get from relief bill?

KTAR News

- Arizona Department of Gaming reports decrease in tribal contributions
- In a pandemic, Navajo community steps up for its vulnerable
- Phoenix VA opens COVID-19 vaccine appointments for veterans of all ages
- Arizona reports 649 new COVID-19 cases, 7 more deaths Sunday

Arizona Daily Sun

- Governor says Arizona can meet Biden's vaccine deadline
- Arizona Republican Party chair sued over party election
- Navajo Nation reports 3 more COVID-19 cases, no new deaths
- Arizona reports 649 additional COVID-19 cases, 7 more deaths

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Vaccination site at University of Arizona opens registration for those 55 and older

By Patty Machelor
Arizona Daily Star
March 13, 2021

The day after Pima County COVID-19 vaccination sites started taking registrations for those 55 and older, the state-run site at University of Arizona is doing the same.

Arizona and county residents ages 55-plus can begin registering online at 8 a.m. on Saturday, March 13 for UA appointments that could be available as soon as Monday, March 15.

Pima County on Friday also expanded vaccine eligibility to the younger age group, as well as to frontline essential workers who are in regular, close contact with co-workers, the public or both.

The county's front-line essential workers who are ages 55 and older are asked to get their vaccinations at the UA site.

About a dozen people contacted the Arizona Daily Star through emails or phone calls Friday, perplexed about why there were no county appointments available after these new groups were added.

The county opened registration but cautioned that appointments will become open only as more vaccine becomes available. Currently, most new appointments set for county sites — which include Tucson Medical Center and Kino Stadium — will be scheduled for April.

The county changed to ages 55-plus this week in order to stay aligned with what the state and pharmacies are doing, said Mark Evans, communications director for Pima County.

'The more varied the rules are, the more confusing it is for the public,' he said.

However, Evans said since vaccine supply is still limited, appointments before the middle of April remain difficult to come by.

'Vaccine supplies have been slowly increasing week to week and if that continues, the process will speed up and the frustration level will lower,' he said. 'At the rate we're going, we'll have more than 400,000 doses by the end of this month and more than 200,000 (people) fully vaccinated.'

Before this week's change, Pima County appointments had been open to people 65 and older.

Vaccinations at the UA site and county-run sites will continue for groups previously listed under Phase 1A and Prioritized Phase 1B including:
• Health-care workers and health-care support workers;
•Emergency medical services workers; •Long-term care facility staff and residents;
• Educators and child-care workers;
•Protective service workers such as police and firefighters.

AMERICAN OVERSIGHT

Front-line essential workers can now register for the UA state site if they are over 55 or with a county site if they are under age 55. This includes people who work in one of the following industries:
• Food and agriculture;
• Manufacturing;
•Grocery or convenience stores and carnicerias;
• Restaurants and bars;
• The U.S. Postal Service;
• Public transit such as buses, light rail, Uber, Lyft and taxi services;
•State and local government workers.

Since opening in late January, the University of Arizona site has administered nearly 55,000 vaccine doses. The site is in the process of ramping up its capacity to 2,500 shots per day by next week.

Return to the table of contents

2 losers in party election sue state GOP chair to force audit

Arizona Daily Star
March 13, 2021

Two candidates for the Arizona Republican Party's executive committee who lost their January elections are suing state party Chair Kelly Ward to force an audit of the results.

The lawsuit filed Friday in Maricopa County Superior Court by William Beard and Sandra Dowling also names the state party. It seeks a court order requiring an audit of the results.

Beard and Dowling's lawsuit said there were concerns about ballot security and overall confusion after the vote at the Jan. 23 state party elections. Dowling was initially declared a winner of one of the at-large executive committee posts before it was announced that she actually had lost.

The lawsuit comes as Ward's own narrow reelection victory for a second term running the state party has been questioned by a losing candidate and after a large group of GOP state lawmakers sent her a letter demanding that she allow an audit.

Ward and other Republicans have questioned President Biden's November victory in the state. The February letter from the lawmakers pointed out that Ward was leading that charge and that it appeared hypocritical for her not to back an audit of the party leadership election.

Ward has refused to allow an audit even though questions immediately arose after she squeaked out a victory and held her post. She said in a Jan. 28 video that there was no mechanism for a recount or an audit.

Ward didn't immediately respond to a request for comment Friday.

Jack Wilenchik, the attorney for the state party, said Ward does not have the power to order an audit and that the suit 'was primarily filed for publicity.'

He said an audit requires a vote of state committee members and any request needed to be made immediately after the vote.

AMERICAN OVERSIGHT

State Republican Party Chairwoman Kelli Ward, who narrowly won reelection to the post, has come under pressure from fellow Republicans to allow a review of the Jan. 23 vote.

Return to the table of contents

House votes down bill giving AG right to sue over high tuition

Arizona Daily Star
March 13, 2021

The Arizona House on Thursday voted to reject a measure that would have allowed Attorney General Mark Brnovich to revive a lawsuit he had filed against the board that oversees state universities over what he calls overly high tuition.

The measure by Republican Rep. Jacqueline Parker of Mesa, HB1411, failed after one Republican joined all Democrats is opposing the measure. The bill was needed after the Arizona Supreme Court ruled in November that Brnovich had no right to sue.

Brnovich sued the Arizona Board of Regents in 2017, saying the three state universities had raised tuition so much that they were violating a provision of the state constitution that they be 'as nearly free as possible.' But courts cited a 1960 state Supreme Court case that found the attorney general could not sue a state agency on his own over an alleged constitutional violation.

Republican Rep. Michelle Udall, who represents a different Mesa-area district, was the lone Republican in opposition. She said that while yearly in-state tuition at Arizona State University is about $11,000, the average student actually pays only about $2,800 a year.

'I don't think that we should be using taxpayer money to attack them for the rate that they have,' Udall told The Associated Press. 'I mean, $2,800 a year in tuition is pretty inexpensive for the most innovative university in the country.'

Return to the table of contents

Electric-vehicle parts maker to open Flagstaff factory in former retail warehouse

By Russ Wiles from the Arizona Republic
Arizona Daily Star
March 13, 2021

A manufacturer of electric- vehicle parts intends to open a factory in a former Walgreens distribution center in Flagstaff, bringing more than 100 jobs to the area.

UACJ Automotive Whitehall Industries could bring 120 high-paying jobs to Northern Arizona over the next year and 350 within five years, according to Gail Jackson, president and CEO of the Economic Collaborative of Northern Arizona.

AMERICAN OVERSIGHT

The company, based in Ludington, Michigan, is a leading supplier of precision extruded aluminum automotive components and assemblies. Its products include sunroof guide rails, bumper assemblies and battery housings. UACJ Whitehall is a division of Japanese aluminum giant UACJ Corp., which makes aluminum cans, aviation materials, auto body panels and motorcycle frames.

'UACJ Whitehall plans to invest as much as $60 million here,' Jackson said in a prepared statement, adding that the average wage at the plant could be 60% higher than the county's average per capita income.

The jobs would help the Flagstaff economy, which was hurt by a downturn in tourism. Coconino County's unemployment rate of 9.6% compares to the Arizona average of 6.8%.

SYNERGY IN ARIZONA

David Cooper, the Michigan company's president and COO, said Flagstaff was selected to serve UACJ Whitehall's electric vehicle customers, without naming them. The company also has plants in Michigan along with Paducah, Kentucky, and San Miguel de Allende, Guanajuato, Mexico.

'Northern Arizona makes sense for us because of location, ease of transportation and an already well-established manufacturing sector within the community,' Cooper said, adding that the company intends to partner with Northern Arizona University.

Gov. Doug Ducey called the announcement a sign that Arizona's electric vehicle industry is booming. Two electric vehicle manufacturers — Lucid Motors for luxury cars and Nikola Corp.

Sandra Watson, president & CEO of the Arizona Commerce Authority, said UACJ Whitehall will 'further bolster Arizona's reputation as a global hub for electric vehicle manufacturing.'

APRIL HIRING EXPECTED

UACJ Whitehall soon will retrofit a portion of the Walgreens building in Flagstaff. The company is expected to begin operations and start hiring in April.

A team made up of Flagstaff and Coconino County officials, Kinney Construction Services, the Arizona Commerce Authority and the Economic Collaborative of Northern Arizona had worked to bring the company to Flagstaff for more than five months, Jackson said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Attempts to protect rivers, groundwater across Arizona meet legislative resistance

By Ian James from the Arizona Republic
Arizona Daily Star
March 14, 2021

The Arizona Legislature has taken up a range of water-related measures this year, but some bills that would strengthen the state's water rules to protect declining groundwater and desert streams have run into opposition and failed to move forward.

AMERICAN OVERSIGHT

Republican and Democratic legislators introduced several bills that would establish some groundwater rules in unregulated rural areas where there are no limits on pumping and where water levels are dropping.

Those bills, which were opposed by the agriculture industry and key Republican leaders in the Legislature, haven't been heard. Similar measures died in the Legislature last year.

Another water proposal that is moving through the Legislature focuses on water quality. A bill passed by the House would establish state clean-water rules for some of the streams and wetlands that were left unregulated when the Trump administration rolled back federal protections under the Clean Water Act. One proposal by Sen. Kirsten Engel, D-Tucson, focused on protecting flowing streams and rivers. The measure would have enshrined the concept of 'ecological water needs' in state law and recognized the use of water for maintaining watershed health as a 'beneficial use' alongside other uses of water.

Engel's measure emerged as an amendment to a different water bill introduced by Republican Rep. Gail Griffin, and the amendment was voted down by Republican legislators in a Senate committee earlier this month. During the hearing, several people appealed to the legislators to take steps to protect flowing streams and rivers that are in peril. They said without a change, the state's remaining rivers could dry up due to excessive groundwater pumping, drought and climate change, wiping out the fragile habitats they now support. Those who spoke in favor of the watershed health proposal included Kathy Jacobs, director of the University of Arizona's Center for Climate Adaptation Science and Solutions. Jacobs noted that in addition to providing for the use of water to support ecosystems and riparian areas, the proposal called for state officials to conduct assessments of the health of each watershed in the state.

'This is critical to the future of protecting environmental values in the state of Arizona,' Jacobs told the committee. 'We are really at the precipice at this point relative to the amount of threat that these important riparian areas are facing. Watersheds and specifically riparian areas are being hammered by increased heat and dramatic swings in water availability, both floods and droughts.'

In many areas, cottonwood trees that depend on shallow groundwater along rivers are struggling, Jacobs said, and these riparian areas are critical to supporting habitat and wildlife.

Jacobs previously worked for the Arizona Department of Water Resources and for four years led the National Climate Assessment.

'Arizona is way behind many other western states in its ability to protect the environment,' Jacobs said. 'Arizona is at a crossroads, and it's time to take a stand on these issues and really protect the environment for future generations.'

The debate about the measure came after Republican Gov. Doug Ducey signed a measure last month that will enable farmers and ranchers to conserve surface water without worrying about possibly losing their water rights later on — a change to the state's 'useit- or-lose-it' system that some conservation groups said can help free up more water for rivers.

Engel voted for that bill, which received bipartisan support, but said her proposal is an important step further that would make sure some water is kept in streams for the health of the environment.

She originally introduced her watershed health proposal as its own bill, Senate Bill 1474, but she said Republican Sen. Sine Kerr, who chairs the Natural Resources, Energy and Water Committee, declined to

AMERICAN OVERSIGHT

place it on the agenda for a hearing. So Engel instead raised the proposal as an amendment to Griffin's bill, HB 2441.

Several conservation advocates spoke in support of Engel's proposal, saying Arizona should carry out an assessment of watersheds, as other states already do, to determine what needs to be done to sustain remaining rivers such as the San Pedro, the Verde and the Little Colorado. They argued that this sort of effort is especially important now in light of climate change and the declining flows in streams as heat-driven drying persists across the Southwest.

While there is a great deal of discussion lately about how climate change and dry conditions are reducing the flow of the Colorado River, 'our other state rivers deserve attention, too,' said Kristen Wolfe, coordinator for the Sustainable Water Network. She said collecting solid data on watersheds is vital, especially as the region gets hotter and drier.

Engel's proposal would allow people who have surface water rights to voluntarily transfer an existing right for the purpose of supporting watershed health.

'It would give those that are concerned about flowing rivers the opportunity to keep more water in rivers,' Wolfe said. 'No one benefits when rivers dry up.'

She and others who spoke during the hearing pointed to a 2019 report by Audubon Arizona that estimated water-based outdoor recreation accounts for an annual contribution of $7.1 billion to the state's economy.

'The vast majority of Arizona waterways have dried up over the past century. They are threatened more than ever,' said Laurel Hardin, chairperson of the Earth Justice Ministry of the Unitarian Universalist Congregation of Phoenix.

'Time to manage better our water resources and protect these ecological flows is quickly fading, because once a perennial stream or river dries up for part of a year or certain stretches, species disappear and the ecological integrity of the system is degraded,' Hardin said. 'We must act now to reduce additional permanent damage.'

'MY ROCK BILL'

The debate focused both on the watershed health proposal and on the original bill introduced by Griffin, which would allow a farm landowner to substitute irrigated acres 'within the same farm unit,' shifting water from some acres to the same number of acres elsewhere if some lands were damaged by flooding or have a 'limiting condition' that prevents efficient irrigation.

'It is my rock bill,' Griffin, R-Hereford, told the Senate committee. 'If you have a piece of property that has rocks or other things that you continue to water because you don't want to lose your right to use the water, what this does is allow you to take the amount of acreage that the rocks … might be on and add it to a contiguous part, same farm unit, so you're using the water efficiently and not wasting it.'

Democrats objected to parts of Griffin's bill. Sen. Victoria Steele, D-Tucson, said concerns have been raised that the bill might allow more water to be diverted from rivers.

AMERICAN OVERSIGHT

'It doesn't allow you to use more water,' Griffin told her. 'It's the same amount of water but you're using it more efficiently.'

Engel said she didn't support the bill without the amendment because it would go around the 'sever and transfer' process, in which the Department of Water Resources would be involved in reviewing such a change in water rights.

The Arizona Farm Bureau supported Griffin's bill but not the watershed health measure.

That proposal is 'far beyond the scope of what the bill was intended to address,' said Chelsea Mc-Guire, director of government relations for the Farm Bureau. She said the underlying bill gives water users tools to be as efficient as possible.

'We think this bill gives them an excellent tool by allowing them to transfer a water right from inefficient land onto a contiguous piece of efficient land. And that's really all it does.'

Kerr and other Republicans voted against the watershed health proposal and then approved Griffin's bill.

The Democrats all voted against it.

BILL COULD BOOST CONSERVATION

The debate along party lines followed bipartisan agreement over HB 2056, sponsored by Griffin, under which farmers and ranchers can voluntarily leave some of their allotted water in a stream without having to fear the loss of their water rights through Arizona's 'use it or lose it' system.

Under the new law signed by the governor, water users can choose to divert less surface water if they submit a water conservation plan to the state Department of Water Resources.

Some conservation advocates said they expect the bill could result in more water flowing in Arizona's streams and rivers.

Kim Schonek, Verde River program director for The Nature Conservancy, said many landowners have heard that they have to use all their allotted surface water or they could lose it.

'There's a perceived risk with even reducing your water use for one year,' Schonek said. 'And what this does is really clarify that you can sign up for a conservation program, be part of this program and not risk forfeiture.'

She said the change could give a boost to an effort that she's involved in called the Verde River Exchange, a voluntary water offset program in which well owners can buy 'credits' to continue pumping, while others — such as farmers or homeowners — temporarily reduce their use of surface water from the Verde or its tributaries.

Other organizations that praised the signing of the legislation included American Rivers, Audubon and Environmental Defense Fund, which belong to the Water for Arizona Coalition.

'It's going to reduce the barriers to doing common sense conservation that has multiple benefits, both in terms of flexibility for farmers and ranchers and water users, but also resulting in more water in our river

AMERICAN OVERSIGHT

systems for the benefit of everyone,' said Chris Kuzdas of Environmental Defense Fund's water program.

'We hope it's a signal of ongoing momentum building to more proactively protect water in Arizona,' Kuzdas said.

NO HELP FOR DECLINING GROUNDWATER

Some of the organizations that supported the conservation bill have also supported other proposals that would strengthen groundwater rules and oversight in unregulated rural areas where water levels are declining. While pumping and well-drilling are managed in mostly urban 'active-management areas,' groundwater remains entirely unregulated in rural areas across much of the state.

Rep. Regina Cobb, R-Kingman, introduced two bills that would establish some groundwater rules in unregulated rural areas, but Cobb said Griffin declined to put those measures on the agenda for the House water committee that she chairs.

Cobb said she isn't giving up on pushing for her proposals.

Already, some rural residents in parts of the state have been struggling with the costs of drilling new wells after their wells have gone dry. Cobb said she's concerned that without changes in the groundwater rules, more residents and farmers will see their wells run out.

In Arizona, as in other western states, different rules apply to surface water and groundwater.

And the connection between surface water and groundwater isn't recognized in the law.

But groundwater pumping has long been reducing the flow of streams in parts of Arizona and the Southwest.

Along the San Pedro River in southeastern Arizona, decades of pumping at wells across the watershed have weakened the river's flows. The portions of the San Pedro that flow year-round have shrunk.

Hydrologists with the Arizona Department of Water Resources have been measuring water levels in more than 300 wells in the upper San Pedro basin, and newly released data show water levels declined by an average of 3.9 feet across the areas between 2007 and 2019.

'I think that we are just putting our head in the sand here in Arizona and not really addressing some of the most important water issues that are occurring right now,' Engel said. 'We're not addressing these issues of really the drying up of Arizona's last free-flowing rivers.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Navajo community steps up to help its vulnerable citizens

By Felicia Fonseca
Arizona Daily Star
March 15, 2021

For as long as Raymond Clark has lived alone on this quiet stretch of the Navajo Nation under the watch of the 'Praying Mountain,' he has depended on everyone yet no one.

The 71-year-old has no vehicle or running water but is content hitchhiking and carrying jugs down a dusty washboard road to replenish his supply.

He works at home in Teesto painting murals and silversmithing, but friends often stop by.

Or at least they did before the pandemic.

Now, rides and visits are scarcer in an area with no grocery store or gas station and where homes sit far apart.

The sense of community, though, never faded.

With residents urged to stay home, tribal workers, health representatives and volunteers have stepped up efforts to ensure the most vulnerable citizens get the help they need.

'Our grandmas and grandpas teach us, you have to give back to your people,' said Sophia Francis, secretary for the Teesto Chapter, one of 110 tribal precincts that make up the vast reservation that extends into Arizona, New Mexico and Utah. 'We have to help our elders. We have to help the community.'

Clark is among hundreds who live within the rural chapter, which functioned as a community lifeline even before the pandemic.

On a recent day, he stepped outside his home in the midst of juniper trees and greeted a trio of Teesto Chapter employees who were unloading firewood from a flatbed trailer. It was unseasonably warm, but Clark knew he'd need the wood for frigid days ahead.

Beside hauling wood, the chapter has filled water cisterns at people's homes, arranged for a monthly food bank distribution, provided septic cleaning and a onetime supply of propane during the pandemic. A tribal lawmaker also distributed hay.

'The biggest thing I was trying to encourage is for people not to travel,' said Clara Tsosie, the chapter manager.

In many ways, the groundwork had already been laid. When Tsosie was hired as a chapter planner in 2015, she worked on a rural addressing system that included GPS coordinates to every home. Community assessments mean Teesto knows who needs a bathroom addition, water or wood.

The Winslow Indian Health Care Center worked with Teesto and other chapters in its service area to bring the wood split and ready to be delivered.

AMERICAN OVERSIGHT

A network of community health representatives track who needs roads cleared to get dialysis, medication or emergency assistance. Many times, they go door to door to check on people. That practice has been amplified by the pandemic, with representatives disinfecting themselves and their vehicles at each visit, honking the horn when they arrive and talking to residents through windows or screen doors.

'They are thankful; they are appreciative,' said Sheila Bedoni, who oversees the health representatives in the Winslow-area unit. 'And sometimes we show up when there's nobody.'

In that, communities in the region have learned more about themselves and their expanding needs. Health representatives discovered new residents, families living in sheds and even found someone living on a mountain in a makeshift shelter.

'When it really happened, nobody knew what to do with the experience we had,' Bedoni said. 'We learned a lot. There's a lot of positive things we can take from it.'

Nearly 30,000 people on the reservation have been infected with COVID-19 over the past year, and more than 1,200 have died. What once had been a national hotspot is seeing a significant downturn in infections weeks after the holiday surges.

The tribe is planning a soft reopening Monday with 25% capacity for some businesses under certain restrictions. Still, mask mandates and daily curfews remain.

When COVID-19 hit the Teesto Chapter the day before Thanksgiving, Tsosie was floored and worried about her staff. The workers rallied to check up on an infected colleague, delivered food and prepared traditional herbs.

Other chapters on the Navajo Nation have closed at times. Teesto never shut down completely. Before the pandemic, people went to the chapter house for internet access, fill water drums in the back of their pickups, check mail, dump trash and seek assistance for burials or other emergencies.

Those services are more controlled now. The public isn't allowed in the main chapter building. When people walk up, they knock or are spotted on surveillance cameras, and the staff goes outside to greet them. The meeting hall has limited spots for students to do homework. Others catch the Wi-fi signal outside, from their cars.

Signs remind people to wear masks and social distance.

Clark used to spend a lot of time at the senior center next to the chapter house but doesn't venture into nearby communities much now except to check his mail and get shots for chronic hip pain.

Before the pandemic, people regularly stopped by Clark's two-bedroom house, where he has turned nearly every space into an art studio and sleeps on the couch. A mural on his kitchen floor illustrating Navajo men's role in society soon will be installed at a local school.

In the living room, Clark giggles as he describes how he uses a plastic bin for hand washing and sponge baths. He fashioned a faucet with a foot pump, tubing and a 5-gallon bucket but drinks bottled water. Outside is an outhouse and a nameless, feisty puppy that someone dropped off before dawn one day.

AMERICAN OVERSIGHT

Clark thinks back to his childhood in that area, taking care of sheep and shining a mirror into the sun to summon neighbors for a ride. 'We had to learn how to help ourselves, even at a young age,' he said.

Return to the table of contents

Arizona Supreme Court justice Gould to make exit, giving Ducey another pick

By Howard Fischer
Arizona Daily Star
March 15, 2021

Arizona Supreme Court Justice Andrew Gould is leaving that bench after just over four years.

Gould did not cite a reason for leaving in a news release Friday from the court. He is 57; judges and justices can serve until age 70.

Gould's announcement paves the way for Gov. Doug Ducey to appoint a replacement.

The governor must choose from nominees sent to him by the Commission on Appellate Court Appointments, which is dominated by people put there by Ducey.

Gould was one of two justices, both Republicans like the governor, selected by Ducey in 2016 after the GOP-controlled Arizona Legislature agreed to expand the bench from five to seven.

Gould had been a Yuma County Superior Court judge and an Arizona Court of Appeals judge.

His appointment to the high court, along with that of John Lopez IV, who had been the state's solicitor general, gave Ducey his second and third justices on the bench.

Ducey said at the time his decision to sign legislation expanding the court, and giving him the two picks, was not political.

'We have not packed the court,' he said then, although the five justices sitting at the time said the expansion was not merited. 'We have right-sized the court,' Ducey said.

HIGH-PROFILE RULINGS

Gould was the author of a number of attention-getting rulings.

In 2018, he wrote a precedent- setting decision that Arizona companies have no duty to protect family members from exposure to toxic materials that their employees bring home on their work clothes.

The majority of justices rejected arguments by survivors of Ernest Quiroz that Reynolds Metal Co. should be held legally responsible for his mesothelioma, a form of cancer frequently associated with asbestos exposure, and his eventual death.

His survivors argued he got the disease due to the fact that his father, with whom he lived for

AMERICAN OVERSIGHT

a time, was exposed on numerous occasions to asbestos- containing products and machinery, which contaminated his father's clothing, tools, car, body and general surroundings.

Gould, writing the majority ruling, said the company owed no duty to protect anyone other than its own employees.

More recently, he authored a ruling that anti- discrimination laws do not trump the rights of business owners to refuse to provide certain services to gays.

Gould said the sincerely held religious beliefs of the owners of a calligraphy studio protect them from having to produce custom wedding invitations for same-sex couples.

Before being seated on the state's high court, he also wrote some high-profile decisions.

In 2017, for example, while on the state Court of Appeals, he wrote that the mother of one of the firefighters killed in the 2013 Yarnell Hill blaze had no right to sue the state for her son's death.

Gould, writing for the unanimous panel, said the allegations by Marcia McKee show 'a series of negligent and grossly negligent acts' that, if proven, culminated in the death of her son, Grant, and 18 other members of the Granite Mountain Hotshot crew.

But he said that in order to sue she had to show 'willful misconduct' by those involved, something Gould said she had not produced.

In a separate appellate court case, Gould found himself in the minority on the issue of whether accused sex offenders are entitled to bail.

The majority, in overturning a no-bail law, concluded that simply being charged with a crime, even if there is evidence of the person's guilt, is legally insufficient to keep someone locked up.

But Gould rejected the argument that being held without bail is a constitutional violation, saying the purpose of the law 'is to protect victims and the community,' meaning it is 'regulatory, not punitive.'

Before becoming a judge, Gould was chief civil deputy in the Yuma County Attorney's Office. He also was a civil litigator in private practice from 1990 through 1994.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Voting bills from GOP create test for Ducey

Republican governor defended Ariz.'s election

By Andrew Oxford and Maria Polletta
Arizona Republic
March 13, 2021

Gov. Doug Ducey defended Arizona's election system last year as one that already makes it easy to vote and hard to cheat.

But he faces a test in the coming weeks as Republican legislators push several laws to change how Arizonans vote and how those votes are counted.

Legislation wending through the Capitol would shorten the period of time for voting by mail, add new requirements for voting by mail and remove voters from the permanent early voting list who do not vote early in a certain number of elections — a move that would particularly affect independents.

The push comes as Republican legislators seek major changes to election policies in several states on the heels of President Joe Biden's victory last year.

As Democrats make gains in states that long were bastions of conservative politics, such as Arizona and Georgia, election laws have become an intense battleground where both parties see their futures being won and lost. Meanwhile, Republican legislators also face mounting pressure from constituents to change the election process after President Donald Trump disputed his defeat.

Republican lawmakers in Arizona have argued that these all are merely common-sense measures to prevent fraud and ensure the state's elections are run efficiently.

But while some have insisted their efforts are not aimed at relitigating Biden's victory here in the last election, others have said the bills are a direct response to concerns about the results — concerns many of them stoked.

And the GOP chairman of the Arizona House Government and Elections Committee bluntly told a national news outlet that not everyone who can vote should vote.

In turn, Republican legislators appear on a collision course with Ducey that could again challenge his defense of the last election's integrity, forcing him to either indulge allegations he has refuted or inflame infighting within his own party over the results of the 2020 election and the GOP's response.

Pressure on Ducey is growing

Ducey has stayed out of the issue publicly.

He has not said much about the debate at the Legislature over last year's election, even as senators sought to jail members of the Maricopa County Board of Supervisors. That came after several Republican lawmakers urged him to call a special session so they could reverse the results of the election.

AMERICAN OVERSIGHT

Ducey's spokesman did not respond to questions for this article and the governor has not held a press conference for months.

In an interview with The Arizona Republic's political podcast The Gaggle earlier this month, the governor said he would support some changes but offered few details and again argued Arizona already takes sufficient steps to ensure the integrity of elections.

"I do think this idea of making sure — especially where we have so many people many moving in to our state and thankfully we don't have a lot of people moving out. But we are a very mobile country and I am a believer elections should be handled at the state and county level, and not at the federal level. We should make certain our voting lists are accurate on a rolling basis," Ducey said.

Critics have questioned why the governor has not drawn a clearer line on how he thinks the state's elections should change — if at all — after defending the process last year.

Though none of the most notable bills had yet to pass, on Tuesday opponents of several pieces of election legislation held a news conference to call for Ducey to take a stand the way he did after the presidential election.

"In the height of the contested election in November, Gov. Ducey sitting beside the secretary of state declared Arizona had one the safest, one of the fairest voting election systems in the nation," said the Rev. Warren Stewart Sr., chairman of the African American Christian Clergy Coalition.

Stewart said Ducey should "speak up as you spoke up in November."

"My hope is that he shows that same courage," House Minority Leader Reginald Bolding, D-Laveen, said after the event. "Ducey has got to have the courage to take on members of his own party."

Democrats contend measures to change PEVL or change the deadlines for voting are merely efforts to hold back their gains in the state, all based on false claims about fraud and wrongdoing in the last election.

Doug Cole, a Republican strategist, said legislative leaders will have to decide which election bills really reach Ducey's desk.

"If he vetoes a bunch of election bills, all that does is continue the national focus on the false narrative that Arizona did not run a legitimate election. That's not the Ducey narrative. The Ducey narrative is, 'We're open for business, we have less regulation, we have good tax policy,'" Cole said.

Cole said some voters will not be satisfied with any changes in election law no matter how many times the results from 2020 are proven accurate.

But the state's voters are divided into thirds between Republicans, Democrats and independents.

"He's got to navigate that and appeal to the broader electorate, not a sliver of it," Cole said.

GOP lawmaker: 'Everybody shouldn't be voting'

AMERICAN OVERSIGHT

Some Republicans argue they are striking a balance with election legislation this year.

"I believe Arizona handles its elections very well," said Sen. T.J. Shope, R-Coolidge. "That doesn't mean I don't believe there's room for reform."

The bill to change PEVL by removing voters who do not vote early in a certain number of consecutive elections is criticized by Democrats as potentially affecting tens of thousands of infrequent voters and particularly independents, who may not wish to vote at all in primaries.

But Shope said it was an easy one to support because voters who continue to participate would keep getting ballots they had signed up to receive.

While many legislators insist they are simply looking to improve the state's election system, though, others have offered up very different rationales.

"Democrats value as many people as possible voting, and they're willing to risk fraud. Republicans are more concerned about fraud, so we don't mind putting security measures in that won't let everybody vote — but everybody shouldn't be voting," Rep. John Kavanagh, a Republican from Fountain Hills and chairman of the House Government and Elections Committee, told CNN.

"Not everybody wants to vote, and if somebody is uninterested in voting, that probably means that they're totally uninformed on the issues," Kavanagh added. "Quantity is important, but we have to look at the quality of votes, as well."

The election bills in Arizona

As of early February, legislators in 33 states had introduced, prefiled, or carried more than 165 bills to restrict voting access, according to the Brennan Center for Justice.

Arizona led the nation, with 19 of those bills.

The most sweeping legislation in Arizona, such as a bill requiring voters return mail ballots in person rather than sending them back in the mail, appear to have stalled.

Several are still moving through, though.

The Senate passed Senate Bill 1713, to require mail ballots come with an affidavit on which voters would be required to write their date of birth and identification number from a driver license, tribal identification card or some other form of official ID.

Kavanagh's House Government and Elections Committee advanced Senate Bill 1485, which its sponsor says would remove voters from the permanent early voting list who do not vote by mail in four consecutive primary and general elections. Critics have argued the wording of the bill could apply to voters who miss one election in four, however. And it would still apply to independents, who may not wish to vote in primaries. If approved by the House, it would go to the governor's desk.

The House has passed a bill that would ban government officials at all levels from accepting private donations to help pay for any aspect of running elections, even voter registration. Philanthropists last

AMERICAN OVERSIGHT

year helped pay for all manner of voter outreach efforts and other election costs on behalf of often underfunded election departments. House Bill 2569 would stop that practice.

Return to the table of contents

How will AZ allocate $16 billion in stimulus funds?

By Maria Polletta
Arizona Republic
March 13, 2021

Arizona will receive another $16.1 billion in federal aid to boost pandemic response and recovery efforts under the sprawling national stimulus plan approved by Congress on Wednesday.

Nearly $15 billion of that funding would go to state and local governments, according to a preliminary analysis from the nonpartisan Joint Legislative Budget Committee — primarily to support health and education programs and expand the social safety net.

The state's latest allocation dwarfs the $9 billion in federal relief allotted to Arizona governments to date during previous stimulus rounds. And JLBC totals don't include an extension in federal unemployment benefits or a new round of $1,400 stimulus payments made directly to residents.

Several specifics need finalization before the money is distributed. But here's a closer look at how Arizona officials could divvy up the state's share.

Money for workers, infrastructure

Approximately $7.4 billion of the funding would go to state and local governments to broadly "respond to COVID- 19 or its negative impacts," such as by temporarily boosting pay for essential workers or targeting broadband and other infrastructure needs.

The JLBC analysis indicates the plan gives governments discretion to reimburse themselves for "lost revenues," but it prohibits them from reducing taxes or contributing to pension funds.

About $187 million would be set aside for "critical capital projects directly enabling work, education and health monitoring, including remote options, in response to the public health emergency," according to the analysis.

Health care and vaccines

Based on funding formulas outlined in the stimulus package, JLBC analysts believe Arizona would receive about $1.7 billion for health programs.

The state Department of Health Services would get the bulk of that — about $1.3 billion — to roll out more COVID-19 vaccines, support ongoing testing and contact tracing efforts, and recruit and train public health workers.

The Arizona Health Care Cost Containment System, the state's government health insurance program for low-income residents, would get about $71 million.

AMERICAN OVERSIGHT

That includes $7 million in teaching grants for health centers, $30 million in substance abuse treatment grants and $30 million for community mental health grants, among other programs.

Rural health care providers could get about $170 million to cover expenses and lost revenue related to the pandemic. About $5 million would pay for "strike teams" designed to help employees at nursing facilities manage outbreaks.

K-12 and higher education aid

The state could receive roughly $3 billion in education funding, according to the JLBC analysis. About $2.6 billion would go to K-12 education, while $363 million would go to higher education.

The K-12 estimate includes $129 million to address learning loss tied to the pandemic and $52 million for summer enrichment and after-school programs for children who are experiencing homelessness, in the foster system or otherwise disadvantaged.

Another $46 million would go toward special education grants, and $3 million would cover preschool grants for children with disabilities.

On the higher education front, public universities would have to devote 50% of the aid they receive to student grants, while private universities must devote 100%. Arizona State University received more money than any public university in the country in a previous round.

Emergency housing assistance

The JLBC estimates state agencies would receive a combined $787 million for emergency housing assistance programs.

That includes nearly $200 million for the state's Homeowner Assistance Fund, which helps with mortgage and utility payments, and $374 million in emergency rental assistance.

About $100 million would go to the Homeless Assistance and Supportive Services Program, which provides rental aid, shelter units and other services.

Another $100 million would be dedicated specifically to emergency assistance for rural housing.

Child care and safety net funding

Arizona could get nearly $980 million to strengthen its social safety net and combat poverty, with that funding largely focused on services benefiting children and families.

About $480 million would go toward grants for child care providers, for instance, with another $300 million in child care grants for essential workers. Those funds will require legislative approval before they are allocated, according to the JLBC.

About $28 million would benefit programs targeting older Arizonans, including nutrition and disease prevention. Another $6 million would go to Adult Protective Services.

AMERICAN OVERSIGHT

Roughly $20 million would cover other types of emergency assistance for struggling individuals and families.

Direct help for businesses

Arizona businesses are expected to receive $1.2 billion in direct aid, including $145 million in Paycheck Protection Program loans.

Small businesses would get about $200 million in financing and could apply for $300 million in Economic Injury Disaster loans. Restaurants would get about $25 million in assistance.

Another $60 million would provide "economic adjustment assistance" to struggling parts of the state. That could include "competitive technical, planning, and public works and infrastructure" help, according to the JLBC analysis.

Return to the table of contents

Arizona GOP, chair sued over election audit refusal

By Yvonne Wingett Sanchez
Arizona Republic
March 13, 2021

Two Republican activists are suing the Arizona Republican Party and its chair Kelli Ward over her refusals to allow an audit of the results and procedures used for the state party's January elections.

In a complaint filed Friday in Maricopa County Superior Court, an attorney for William Beard and Sandra Dowling asked a judge to require the state party to explain why it shouldn't conduct an audit, noting that further delay only makes the situation worse for Dowling while there is no harm at all to doing the audit.

"Without Court intervention, the audit simply will not happen," attorney Tim La Sota argued in court papers. "... The balance of harm in this case could hardly be starker."

The lawsuit comes after Ward repeatedly has rejected calls by GOP activists challenging her win to allow for a review of the results and the methods used during what they deemed a "chaotic" election process.

State party officials did not allow the media to cover the election process on Jan. 23, a departure from what had been standard, open-door practice.

Ward and the Arizona GOP's attorney have rebuffed calls for an audit of the election, saying it did not have the structure to do one and that party activists, known as state committeemen, would have to formally vote to do so.

Attorney Jack Wilenchik, who represents the state Republican Party, said Friday he had not yet seen the complaint.

AMERICAN OVERSIGHT

"They need to go to the state committee," Wilenchik said. "... I don't know why they're barking up the wrong tree still. Unfortunately, now, it sounds like it's going to cause some lawyers' fees for the party. But we will, of course, defend the lawsuit, and get rid of it."

Ward, who echoed former President Donald Trump's baseless claims of election fraud and called for interventions in the presidential election, did not immediately respond Friday to The Arizona Republic's attempts to reach her.

She won reelection as party chair in a narrow race that went to a runoff and illustrated how deeply divided party activists felt about returning her to the post after Republicans lost both the races for president and U.S. Senate but maintained control of the state Legislature.

Ward has used those losses as a way to motivate voters to get more involved in the political process. She won her reelection bid thanks in part to Trump, who endorsed her for the unpaid job as he exited the White House. The position has given her a perch to speak to the party faithful and war with the governor and establishment Republicans on issues ranging from election integrity to the COVID-19 pandemic.

It is unclear whether an audit would affect the actual outcome of the election. But it would provide transparency about the election process, the complaint said.

In legal documents, La Sota noted that Dowling, who ran for an at-large committee position in the 8th Congressional District, initially was announced as a winner. She was later told she had not won; Ward blamed the mistake on "human error."

Beard, meanwhile, had made a lengthy series of concerns to Ward about election procedures, such as ballots left unguarded and insufficient tracking of ballots.

"Based on the significant number of irregularities and general chaos, various state party committee members," including Dowling and Beard, voiced their concerns at the Jan. 23 party meeting about "the need for an audit to ensure that the votes were properly counted."

Among the people they spoke to was Republican National Committeeman Tyler Bowyer, who on that day served as parliamentarian of the meeting, the complaint said. Boyer said at that meeting that the requests were within their rights, it said. A day later, in an email to Dowling, he wrote that "the ballots were all collected and should be with the AZGOP staff." He wrote that the party's executive director Greg Safsten "can assist you with scheduling a time to review them!"

Separately, Sergio Arellano, a candidate for chair who lost to Ward, was "assured" by Safsten "that such an audit would occur," the complaint said.

The complaint argues that the AZGOP's bylaws provide for an audit: "Indeed, it will be difficult for the Defendants to even present a case in opposition given the position the State Party has taken in other courts regarding the need for verifiable election results. Ms. Ward personally filed suit in Maricopa County Superior Court seeking access to thousands of ballots that had been cast in the 2020 presidential election to review for tabulating errors or irregularities."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Ariz. case numbers drop; 27 new deaths reported

By BrieAnna J. Frank
Arizona Republic
March 14, 2021

Arizona reported 262 new COVID-19 cases and 27 new known deaths on Saturday, a drop from Friday's numbers and a continuation of lower case numbers reported during the first half of the week.

Arizona's seven-day case rate per 100,000 people ranked 13th Friday among all states, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

The state's seven-day death rate per 100,000 people ranked ninth in the nation as of Friday, per the CDC.

Percent positivity, which refers to the percent of COVID-19 diagnostic tests that are positive, has been declining.

Last week, Arizona's percent positivity was 5% after being at 7% the week prior, according to the state.

Johns Hopkins University calculates Arizona's seven-day moving average of percent positives at 3.3% as of Saturday.

A positivity rate of 5% or less is considered a good benchmark that the spread of the disease is under control.

The state's overall COVID-19 death and case rates since Jan. 21, 2020, remain among the worst in the country.

The COVID-19 death rate in Arizona since the pandemic began is 226 deaths per 100,000 people as of Friday, according to the CDC, putting it sixth in the country. The U.S. average is 159 deaths per100,000 people as of Friday, the CDC said.

Arizona's case rate per 100,000 people since the pandemic began also ranks sixth nationwide as of Friday.

Arizona's newly reported 27 deaths brings the known COVID-19 death count to 16,546. Many of the reported deaths occurred days or weeks prior, because of reporting delays and death certifi cate matching.

A total of 832,094 COVID-19 cases have been identifi ed across the state. February and March have seen relatively lower case reports.

The Arizona data dashboard shows 85% of all ICU beds and 88% of all inpatient beds in the state were in use Wednesday, with 14% of ICU beds and 10% of non-ICU beds occupied by COVID- 19 patients. Statewide, 262 ICU beds and 1,011 non-ICU beds were available.

Hospitalizations for the disease have been dropping for more than eight weeks but remain at relatively high levels. The total number of patients hospitalized in Arizona for known or suspected COVID-19

AMERICAN OVERSIGHT

cases was at 814 on Friday, down from Thursday's 831and far below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 238 on Friday, a slight increase from Thursday's 236 and far below the record high of 1,183 on Jan. 11.

More than 1.4 million people statewide had received at least one vaccine dose as of Friday, with about 870,000 people fully vaccinated against COVID- 19 with two doses, state data show.

Saturday's numbers

Reported cases in Arizona:
832,094.

Cases since the outbreak began increased by 262, or 0.03%, from Friday's 831,832 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county : 520,291 in Maricopa, down 98 cases from what was reported Friday; 111,115 in Pima, 47,527 in Pinal, 36,580 in Yuma, 21,603 in Mohave, 18,121 in Yavapai, 16,851 in Coconino, 15,560 in Navajo, 11,402 in Cochise, 10,705 in Apache, 7,681 in Santa Cruz, 6,447 in Gila, 5,329 in Graham, down one from what was reported Friday; 2,418 in La Paz, down two from what was reported Friday; and 562 in Greenlee, according to state numbers.

The Navajo Nation reported 29,930 cases and1,215 confirmed deaths in total as of Friday.

The Arizona Department of Corrections reported 12,058 inmates had tested positive for COVID-19 as of Friday. Forty-one incarcerated people in Arizona have been confirmed to have died of COVID-19, with 14 additional deaths under investigation.

Deaths by county : 9,432 in Maricopa, 2,300 in Pima, 812 in Pinal, 809 in Yuma, 665 in Mohave, 512 in Navajo, 476 in Yavapai, 400 in Apache, 317 in Coconino, 274 in Cochise, 217 in Gila, 172 in Santa Cruz, 77 in Graham, 73 in La Paz and 10 in Greenlee.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona governor: Foster payments will arrive soon

By Mary Jo Pitzl
Arizona Republic
March 14, 2021

Gov. Doug Ducey on Friday said Arizona is "100% focused" on fixing the computer issues that have delayed payments to the caregivers of thousands of foster and adopted children and said payments will go out "as soon as possible."

He acknowledged the frustrations of caregivers affected by the state Department of Child Safety's decision to block their access to the new computer system that, among other things, is supposed to

AMERICAN OVERSIGHT

process monthly stipends and subsidies to thousands of foster, adoptive, kinship and guardianship parents.

"We want to get those payments out, that's the word," the governor said. Pressed for when that would happen, he replied, "As soon as possible."

The system, called Guardian, went online on Feb. 1, but foster families and others soon found themselves unable to access it. The Arizona Republic reported last month that the agency had deliberately shut off access to caregivers to "alleviate start-up strain."

Nearly six weeks later, the portal that caregivers must use is still not online.

Ducey said that will change.

"We're going to make sure this works going forward," he said.

In addition to complaints from caregivers, several youth in the state-supported extended foster-care system say they are still waiting for their February stipends.

Staff for the foster care review boards has been shut out of Guardian, meaning they can't access the case files that are necessary for board members to do their job. The review boards report to juvenile-court judges on a child's case and make recommendations that affect the child's placement.

Ducey had no answer for why the $86 million project was not in full working condition when it debuted in early February. DCS has not yet answered that question, despite requests from The Arizona Republic for an interview to better understand the issues that have marred the system's rollout.

Last month, at a meeting of a state technology committee, the DCS staffer in charge of the project said Guardian's debut had been a success.

"Everything is working as expected and more importantly, no interruptions at all," Linda Roberts, chief information officer and project sponsor for Guardian told the Information Technology Authorization Committee.

However, she did acknowledge problems with foster-parent payments.

On Friday, Ducey suggested that state technology

projects have been strained by unprecedented demands during the coronavirus pandemic, such as processing unemployment insurance payments and scheduling appointments for the COVID-19 vaccines.

"This is a computer and technical issue and it can be fixed," Ducey said of Guardian.

Andy Tobin, director of the state Department of Administration, said state servers have been working well, with no reported crashes. As for the DCS project, he said there are always problems when new systems start up.

AMERICAN OVERSIGHT

DCS said its staff has been working around the clock in recent weeks to catch up on the payments, which are intended to cover expenses related to caring for children in foster care as well as youth adopted out of the foster system.

For March, DCS is automatically sending all caregivers a full month's payment, saying it will reconcile accounts later. Some foster and adoptive parents have told The Republic they are getting their March payments, which aren't considered past due until the 15th, as well as payments that cover what was missed in February. Others say they have gotten partial payments.

In a March 8 letter to caregivers, DCS Director Mike Faust said in addition to getting payments out, the staff is fixing the underlying issues that have caused the payment problems so they don't occur again.

He said the payment system should start working in an efficient and consistent way "shortly," but did not specify any dates.

Return to the table of contents

Vaccines coming to more Arizonans

All 16 and older to be eligible by May
By Alison Steinbach and Stephanie Innes
Arizona Republic
March 14, 2021

All Arizonans age 16 and older are expected to be eligible for a COVID-19 vaccine by May 1, the state's health director says.

"As long as we continue to get the vaccine and we don't have another winter storm that delays shipment, we should be right in line with that goal," Arizona Department of Health Services Director Dr. Cara Christ said Friday.

President Joe Biden, in a Thursday evening address, directed states to make all adults eligible for the vaccine by May 1, after his administration's recent announcement that the U.S. will have enough vaccine doses to immunize all adults by the end of May.

Christ said the state's rollout plan was aimed at that target date even before Biden's announcement.

That does not mean all Arizona adults or all American adults will be able to get their shot immediately at the start of May; it just means they will be eligible to register for an appointment. Appointment availability statewide will depend on vaccine supply.

The state moved to a hybrid agebased rollout of the vaccine on March 1 and opened up vaccinations to people age 55 and older that week, although eligibility varies by county. At the same time, counties are continuing with their own versions of vaccinating front-line essential workers.

"Based on our hybrid prioritization, and looking at using our current number of doses that we're receiving as a baseline, we anticipate that it will take us about three to four weeks to move through each

AMERICAN OVERSIGHT

of the age groups, which would put us in line with meeting the president's goal that he set," Christ said during a news briefing.

Currently, the state-run sites and many counties are vaccinating anyone age 55 and older. Next up come adults 45 and older, followed by 35 and older and lastly the 16 and older group.

"We would open it up to 45+ at the beginning of April, or hopefully by April 1, and three to four weeks after that we would go to the 35 and above," Christ said. "Now keep in mind, starting in the first week of April we anticipate that vaccine to really, really increase. After the 35 age group, then we jump down to the 16 and above."

The rollout will not look the same in all counties. While large, populous Maricopa and Pima counties moved to include those ages 55-64 on March 3 and Friday, respectively, two smaller rural counties, Gila and Greenlee, are already vaccinating all adults over 18.

"People in different counties are going to see it differently," Christ said. "Where we've got our more populous counties, that's going to take us longer to get through that vaccine, especially in Pima and Maricopa where we've got the majority of our populations. They are getting a pro rata (proportional) allocation, and so it's going to take a little longer to get through those counties and those age demographics."

Christ is confident in the May 1 timeline as vaccine supply will be increasing, allowing the state to send doses to more locations, from large sites and community-based events to pharmacies and doctors' offices.

"In April it sounds like the vaccine supply is really going to open up," she said. "As we get more vaccine, we're going to be able to open it up more. More and more places are going to have vaccine. We anticipate that May is a very doable timeline."

Arizonans 45-54 should be eligible by April 1

Arizonans ages 45 and over should start being able to register for vaccine appointments by around April 1 at the state level, although that could change depending on how many doses the state gets, Christ said.

The April 1 date for those 45-54 is not a "hard and fast date" but an "estimation," Christ said, based on the state receiving 125,000 first doses per week.

"It definitely could happen earlier. If we start getting 200,000 first doses per week, that's obviously going to speed up and we're going to be able to add additional appointments at our sites," she said.

Counties are encouraged to move down to the next age group once about 55% of the current age group

has been vaccinated or if they feel they've met demand.

For rural counties, that may be sooner this month.

"We wouldn't be surprised if we saw them move to age groups earlier," Christ said. "We will see variability among the counties. They are the experts, the boots on the ground in their communities and have an idea of when they have reached demand."

AMERICAN OVERSIGHT

Statewide, about 23% of those in the 55-64 age group have been vaccinated so far.

More ages eligible in the weeks after

The state anticipates moving to include adults ages 35-44 about three to four weeks after the April 1 move, Christ said.

Arizona should receive significantly increased vaccine supply during April, which will accelerate vaccinations, she said. With more vaccine supply, the state is hoping to open up vaccine sites in Yuma and Coconino counties, Christ said.

Then by the start of May, the rollout will expand to include anyone 16 years old or older.

Christ said this will in part be doable since it's a "multi-pronged approach." Some in the younger age groups will get vaccinated through their professions — whether they're already eligible in health care, education or law enforcement, for example, or whether they'll become eligible soon at the county level as an essential worker in industries like food and transit.

"We know we are getting people in those groups. Those (age) groups will continue to dwindle even while we're in the 45 and even in the 35."

Current guidelines recommend the Pfizer vaccine for anyone 16 and older, and the Moderna and J& J vaccines for anyone 18 and older.

It will still take some time for Arizonans to be fully protected against COVID- 19.

An individual is not considered fully protected until two weeks after their last dose (for Pfizer and Moderna, the second shot; for Johnson & Johnson, the first and only shot).

"Probably end of May, beginning of June, we'll see where people are able to get vaccinated as well as be fully protected," Christ said. Health officials could still have a ways to go in convincing hesitant individuals to get the vaccine. Christ said before any vaccine data came out, polling showed about 55 to 60% of Arizonans willing to take the vaccine.

Experts say 70% or more may be needed to reach herd immunity to prevent outbreaks. Sometime this summer, Christ said, Arizona could get to a point where it has more vaccine supply than demand.

"We're going to have to do more education and outreach to reach that 70%. Once we hit those who were a definite, our pace is going to slow down a bit," Christ said. "Then we're really going to have to work, just like we do every year with flu, to encourage those who have not gotten vaccinated to get vaccinated."

The state is planning stepped-up vaccine outreach to several Phoenix ZIP codes, as well as areas in Mesa, Tucson and Yuma, similar to outreach it did in the 85009 ZIP code, which has had a low rate of vaccination compared with other areas.

"We know we'll never reach that 100%, but we will continue vaccinating as long as we're receiving vaccine," Christ said.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ducey faces new hurdles

Election, virus create challenges for agenda
By Maria Polletta
Arizona Republic
March 15, 2021

In early 2020, Gov. Doug Ducey saw a smooth path forward for much of his legislative agenda.

The GOP held control of both chambers. The state was flush with cash. And a handful of moderate Republicans were on hand to block some of the party's more extreme proposals before they reached his desk.

A year later, Republicans remain in charge of the House and Senate, and the state is still in the black. But after a deadly pandemic and a contentious election that drew the ire of lawmakers of all stripes, Ducey faces a much trickier political chess game.

"A lot has changed, and it's a lot more complicated," said Republican strategist Doug Cole, who served as former Gov. Fife Symington's deputy chief of staff.

"You have a Senate that has shifted right — hardly any member of the Republican caucus can be classified as a moderate now. You have a House with a one-vote (GOP) majority. And you have some very deep convictions among lawmakers about the election and executive powers that could complicate negotiations."

It's also Ducey's last session in the spotlight before focus shifts to the 2022 governor's race.

He has operated accordingly, unveiling an ambitious agenda that includes securing a hefty tax cut for Arizonans, obtaining new equipment for law enforcement, expanding COVID-19 liability protections for businesses and negotiating a new tribal gaming compact.

But the first piece of legislation filed this session had nothing to do with those goals, despite coming from a fellow Republican. Sen. Michelle Ugenti-Rita, of Scottsdale, sponsored Senate Concurrent Resolution 1001 to overturn the governor's emergency declaration, curtailing Ducey's authority during the pandemic. A flurry of other measures seeking to more broadly limit executive powers — including from Republican Sens. Kelly Townsend and Warren Petersen, who slammed Ducey's management of COVID-19 — followed. Bills seeking to overhaul the election system Ducey had staunchly defended throughout the fall came next.

Still on deck is the task of negotiating a budget, further complicated this year by the enormous infusion of federal cash Arizona stands to receive. While Ducey has relied heavily on federal aid to provide pandemic relief to Arizonans, some Republican lawmakers have deemed accepting it fiscally irresponsible.

"I honestly have never had a better relationship with the Governor's Office," said Sen. T.J. Shope, R-Coolidge, one of a handful of legislators Ducey asked to carry priority bills. "But I think there are plenty of lawmakers who want to give a middle finger to the governor."

AMERICAN OVERSIGHT

Talks proceed amid ‘political theater’

Ducey often stresses that the Legislature is a “separate and co-equal branch.” But it is not uncommon for him to weigh in behind the scenes on measures he finds particularly important — or particularly unpalatable.

Breaking through the noise will be critical this year, after the pandemic cut 2020’s legislative proceedings short. Lawmakers now must cram two sessions’ worth of bills into one.

Sometimes, the governor takes more aggressive action, such as his recent work on a bill that would allow the state to issue sportsbook licenses to professional teams.

Tribal nations with casinos have historically opposed that idea, so Ducey’s team negotiated amendments to the bill in exchange for their support. If the measure passes, tribes will receive permission to open new casinos and offer new table games at existing ones.

Governor’s Office spokesman C.J. Karamargin said Ducey is “working closely with members of both parties” to push through other key initiatives this year, though he declined to discuss those conversations in detail.

He instead pointed to several social media posts highlighting recent meetings with Republican and Democratic leadership as evidence of the governor’s “very good relationship with the Legislature.”

Legislative leadership confirmed those talks, with some saying the Governor’s Office was communicating “better than ever” on priority measures this year. But lawmakers from both sides of the aisle complained that some of their colleagues’ penchant for “political theater” was affecting their policy-making progress.

“What I’ve seen with the new crop of lawmakers this year is, it’s like the election never stopped,” said House Minority Leader Reginald Bolding, D-Laveen. Some Republicans have continued slamming the governor’s pandemic restrictions and railing about mask rules, for instance, instead of building the relationships that would help them get proposals over the finish line, he said.

House Majority Leader Ben Toma, RPeoria, also pointed to mask mandates as a “lightning rod” issue within the Republican caucus, acknowledging “demand among the base” for an immediate end to pandemic-related rules.

“That is a pretty loud voice, and some members really do feel like they have to be more active in (challenging Ducey’s decisions related to) that,” he said. “Personally, to me, the broader policy issues are more important than making a statement. I think it’s a little bit Pollyanna- ish for some of these members to think they can get heavy policy work done if they’re spending a good chunk of time publicly placing blame on one official or another.”

Shope similarly said he’d rather focus on meaningful policy changes over efforts that merely send a message — or, as he put it, “the ‘beat my chest’ bills.” He cited SCR1001, the resolution to void the current emergency declaration, as an example of a symbolic maneuver.

AMERICAN OVERSIGHT

Though its sponsor, Ugenti-Rita, has called Ducey's COVID-19 restrictions "madness" and deemed his administration a "dictatorship," overturning his emergency declaration would be a hollow victory, Shope said.

Under current statute, the governor could simply issue a new order, and nothing would materially change. Shope is therefore backing bills that would more clearly define the scope of executive powers in future disasters, something the governor has agreed needs clarity.

Election bills are a conundrum for Gov. Ducey

Election legislation is another area that has frustrated some within the Republican caucus, as lawmakers debate which bills to advance. Toma said that "some members aren't willing to go as far as other members are trying to push" in terms of election reforms.

While some GOP lawmakers wanted to completely change how Arizona does things — by eliminating the Permanent Early Voting List, for example, or by allowing the Legislature to overrule presidential election results — others, including Toma, have noted Ducey hasn't "engaged heavily with election matters" passing through the Legislature.

That's likely because he believes Arizona already makes it easy to vote and difficult to cheat. Ducey repeatedly defended the integrity of the state's election system last year, refusing to go along with those who peddled baseless election fraud theories and sought to undermine Arizonans' confidence in election results.

The governor's stance spurred then-President Donald Trump to publicly lambast him, and Trump's followers to brand Ducey a traitor. Townsend even laid part of the blame for the U.S. Capitol siege at the governor's feet, because he'd rebuffed calls for a full forensic audit of the election.

Given ongoing tensions surrounding the 2020 results, Ducey will face a catch-22 if contentious election bills get to his desk. If he indulges election-related conspiracies he previously dismissed, he could look like a hypocrite. But if he vetoes a raft of election bills Republican lawmakers say are meant to target fraud, he could play into the false narrative that Arizona's elections aren't legitimate. Political strategists said Ducey should use his authority during private discussions to ensure measures he can't stomach don't make it to him in the first place.

"There are some election bills out there that have some thoughtful policy implications … that I could see him getting behind, but not bills that would turn the clock back," said Cole, the GOP consultant. "He wins by looking like the statesman in the room."

Tax cut could please various Republican factions

One realm where Ducey could perhaps satisfy differing factions of the Republican Party without having to pull too many strings is tax reform.

When the governor unveiled his executive budget proposal in January, it featured a $200 million income tax cut that would grow to $600 million by its third year. House and Senate Republicans have similarly said they want to offer Arizonans a tax cut this year — they just need to agree on what that looks like.

AMERICAN OVERSIGHT

"They (Ducey's team) have been very open to working with us on tax reform this year. They've made resources available to us to make sure that we get what we need, and they're ready and willing to talk whenever," Toma said.

"I think it's interesting, because it's such a different approach from the Ninth Floor versus even a couple years ago, when we had attempted reform back then."

Ducey and GOP lawmakers also have a common enemy this session in Proposition 208, a voter-approved tax hike that targets Arizona's highest earners to boost K-12 funding.

On the executive side, Ducey's office has acknowledged his proposed tax cut could help blunt the measure's impact. On the legislative side, Sen. J.D. Mesnard, R-Chandler, has proposed a new tax category for small businesses to offset Proposition 208-related losses.

Even if GOP officials end up perfectly aligned on tax reform, though, that's only one part of the extensive budget negotiations Republicans must navigate before the Legislature can adjourn for the year. Between federal relief aid and better-than-expected state revenues, the executive and legislative branches will have plenty of cash to fight over. And conflicting sticking points could cause the session to drag on well past its typical May end date.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Parents, students weigh returning to AZ schools

Schools reopening Monday, but many wonder about safety
By Rachel Leingang
Arizona Republic
March 15, 2021

Monday will be the first day of high school that Amanda Gellman, a 14-year-old freshman, actually experiences inside a classroom.

Gellman has attended Desert Vista High School in Ahwatukee Foothills entirely online, even after the school briefly reopened for in-person classes last fall, and she's not sure what to expect.

She knows she's missed out on some experiences, but she also knows everyone has done their best to adapt.

Assistant principal Kevin Mach stands at the personal protective equipment station as staff prepares for the return of students at Starlight Park Elementary School in Phoenix.

Gellman feels nervous about some students not wearing masks and potential spring break travelers then coming to campus, but she's ready to give it a shot. It'll probably be "really weird and different." Still, online learning is lonely, though she's done well academically. She had an in-person theater production, but no homecoming.

"I'm gonna probably need to get adjusted again to the flow of in-person. So it'll definitely be weird, but I think maybe two weeks in, I'll probably get the hang of it," she said.

AMERICAN OVERSIGHT

Gellman is one of many students, parents, teachers and school staff getting ready for a return to a modicum of normalcy as schools around the state reopen in-person March 15.

And as teachers prepare their classrooms to welcome students, some for the first time in a year, parents and children around the state are making final decisions on whether they will come back in person.

Gov. Doug Ducey issued an executive order earlier this month calling for most schools, with limited exceptions, to reopen in-person learning by March 15 or after spring break. Many schools planned to return in person around this time already, while others were going to come back later.

The order caused some schools to move up their timelines, and it led to introspection for many families as they weighed safety and educational concerns for their children.

The pandemic year has taken its toll, but some families found equilibrium and enjoyment in each other's company. Still, many parents struggled to juggle their work and their children's schooling. Some had to find alternatives, like childcare programs and relatives.

For people like Amanda's mother, Monica Gellman, school workers getting vaccinated played a big role in their willingness to return. She gave each of her three kids a choice on whether to return in person, and all three decided to go.

"If you tell me you don't feel safe, I'm not going to make you go. But if you feel OK giving it a try, let's give it a try," she recalled telling them.

At Starlight Park Elementary School in Maryvale, part of the Cartwright School District, Toni Skoney readied her second grade classroom for students' arrival on March 16. She hung up posters and moved her desk and bookshelves out toward the edge of the room. Students' desks were arranged at a distance from each other, marked by tape.

Skoney has taught for almost 30 years, and this is the "strangest year" she's ever had.

She's now fully vaccinated, which gives her a sense of comfort. And she's excited to see students in person. The district originally planned to return in June for in-person summer school, but the executive order changed that.

"When they said we were coming back, I was like, 'Yes!' Because I do miss their faces," Skoney said.

Some students will still stay home

While many students will return in person, others will opt to stay home. It's up to each family to decide what makes sense for their education, work, health and schedules. The governor's order made clear that families could choose in-person or virtual learning.

Some parents told The Arizona Republic they didn't think returning just for the last quarter made sense after spending most of the school year online. They also worried about the effects spring break travel could have and didn't want to have kids return, only to be sent home again.

"There's been a lot of things that we couldn't control, so many things that were out of our control. The one thing I can control is that there's consistency in my children's schooling, as much as I can, so we've

AMERICAN OVERSIGHT

kept them home," said Dee Suter, who has two kids who attend schools in the Paradise Valley School District.

Her kids seem OK, despite the challenges, she said. She feels like teachers were put in a tough situation by the push for school reopenings, and she will wait until the fall to send them back.

Suter's looking at the bright side: She works as a bartender, and in normal times, her shifts meant missing out on seeing her kids in the afternoons and evenings. But for the past year, she's seen them so much more during the day.

"I'll take the positive out of it as best as I can, and the positive is I've gotten a lot more one-on-one time with my kids," she said.

Angela Boozer, whose daughter is in sixth grade at Shaw Montessori School in the Phoenix Elementary School District, said managing online learning is stressful, but her daughter's teacher is "amazing."

She and her daughter talked it over, and she decided to stay home. They are cautious about COVID-19 protocols, minimizing contact with others, but they don't think others do the same.

"It's frustrating. I tell my daughter, it's like when I was in college and we had group projects: One person is doing all the work," Boozer said.

Natasha Hooks, who has two kids who go to Percy L. Julian School in the Roosevelt School District, decided to keep them both home for now. There are too many kids returning all at once, and she doesn't feel comfortable with that. The school also requires uniforms, and buying new uniforms for just one quarter of school felt like a waste.

"I'm very excited and can't wait for my kids to go back to school, but at the same time, I also want to do what's best for them," Hooks said.

The district has done a good job providing her kids with the technology needed to do their schooling online and with food through pick-up lines, she said. For spring break, for instance, she received a week's worth of meals for the kids.

Deciding to return in person

Many children in Arizona have been back in schools for months at this point, as decisions on reopening were left up to local school leaders prior to Ducey's order. And some are itching to get their kids back in the classroom.

Dr. Melissa Zukowski, the medical director of the emergency department at Banner University Medical Center in Tucson, put her daughter back in pre-K in October after noticing her social development almost regressing.

She needed more interaction. It was a risk-benefit analysis for the doctor, who has seen COVID-19 up close, and she landed on the benefit side.

Classrooms and schools won't look the same. It will hardly be like school pre-pandemic: There will be masks, social distancing, hand-washing, temperature checks — all the measures we've learned that help

AMERICAN OVERSIGHT

fend off the virus, Zukowski said. She thinks the metrics and the time away from school warrant reopening at this point, though keeping an eye on cases and hospitalizations after kids return is important. The environment that school provides improves the health of children, and helping kids return to some sense of normalcy makes sense, she said.

"We're getting to a point where we now have to start figuring out how we live with coronavirus, I think, in the long term," Zukowski said.

Sarah Cooper works as an accountant, and managing her son's online schooling in addition to her work at home became impossible. He's in first grade at Fuller Elementary in Tempe, which went back briefly in the fall, but has remained online since.

She pays for him to go to a children's enrichment program during the day, and he connects to online learning there. She's ready for him to return in person on March 15; she said online learning has been a "disaster."

He's not as excited as she is, though. When she picked him up from the program earlier this week, he told a reporter he was feeling "kind of good" about going back to Fuller, but then said that was mostly related to playing on the playground.

She thinks it will be hard for him to stay focused all day and get used to being in school, but he needs the social development and interaction. Online learning went on for "too long," she said.

"It's been a roller coaster from beginning to end, and I wouldn't be surprised if they close it again. It just seems to be the theme," Cooper said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

How much will your city get from relief bill?

By Taylor Seely
Arizona Republic
March 15, 2021

Arizona cities, towns, counties and tribal communities will soon receive $2.6 billion in federal funding to help continue COVID-19 recovery.

The funding is part of a $1.9 trillion federal stimulus package passed by Congress. President Joe Biden signed the measure, dubbed the American Rescue Plan, into law on Thursday.

Cities with 50,000-plus residents received funding based on the U.S. Department of Housing and Urban Development's community development block grant formula, according to the Joint Legislative Budget Committee.

The formula takes into account poverty level, overcrowding and age of housing, population, and population growth compared with surrounding areas.

AMERICAN OVERSIGHT

That means similarly sized cities that received equal funding from the CARES Act, short for the Coronavirus Aid, Relief and Economic Security Act. that passed last March may receive different amounts through the American Rescue Plan.

The funds will also go directly to more cities this time. Funds were funneled through the state for cities with fewer than 500,000 residents in the first stimulus package.

Cities with fewer than 50,000 residents still will receive American Rescue Plan funding through the state. The amount is based on population size.

Cities will receive the funds over two years, first in fiscal year 2022 and again in fiscal year 2023. Cities will have until Dec. 31, 2024, to spend the funding on:

- COVID-19 response expenses.
- Premium pay for essential government workers.
- Government services that lost revenue because of the pandemic.
- Investments in water, sewer and broadband infrastructure.

Cities will not be allowed to use the funds for pensions or to backfill budgets affected by revenue loss from tax cuts.

Here's a breakdown of how much some Arizona cities and counties will receive, according to U.S. Sen. Kyrsten Sinema's office.

Funds:

- Apache Junction: $10.16 million.
- Avondale: $18.09 million.
- Buckeye: $19 million.
- Chandler: $35.99 million.
- Flagstaff: $15.24 million.
- Gilbert: $24.07 million.
- Glendale: $61.75 million.
- Goodyear: $20.72 million.
- Mesa: $101.36 million.
- Peoria: $20.67 million.
- Phoenix: $416.16 million.
- Scottsdale: $30.05 million.
- Surprise: $16.20 million.
- Tempe: $45.99 million.
- Tucson: $139.67 million.
- Maricopa County: $869.92 million.
- Pima County: $203.11 million.
- Pinal County: $ 89.76 million.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona Department of Gaming reports decrease in tribal contributions

KTAR News
March 13, 2021

The Arizona Department of Gaming reported a decline in tribal gaming contributions for the third quarter of the 2021 fiscal year.

The 4% decrease, which totaled more than $17.6 million in contributions to the Arizona Benefits Fund, was compared to the third quarter of 2020.

Around $8.5 million of the funds was allotted to the instructional improvement/education fund while another $4.2 million went to the trauma and emergency services fund and $1.2 million to the wildlife conservation fund.

The decrease in revenue comes as casinos continue to struggle amid the on-going pandemic.

"While we did see a small decrease in contributions this quarter, I believe that the overall strength of Arizona's economy and the resiliency of Tribal gaming in the state will make this downturn short-lived," Ted Vogt, the department's director, said in a press release.

Tribes with casinos contribute 1-8% of their Class III gross gaming revenue to the state, cities, towns and counties as part of the Arizona Tribal-State Gaming Compact.

There are currently 24 Class III gaming facilities in Arizona, operated by 16 different tribes, according to ADG's website.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

In a pandemic, Navajo community steps up for its vulnerable

KTAR News
March 13, 2021

For as long as Raymond Clark has lived alone on this quiet stretch of the Navajo Nation under the watch of the "Praying Mountain," he has depended on everyone yet no one.

The 71-year-old has no vehicle or running water but is content hitchhiking and carrying jugs down a dusty washboard road to replenish his supply. He works at home in Teesto painting murals and silversmithing, but friends often stop by.

Or at least they did before the pandemic. Now, rides and visits are scarcer in an area with no grocery store or gas station and where homes sit far apart.

AMERICAN OVERSIGHT

The sense of community, though, never faded. With residents urged to stay home, tribal workers, health representatives and volunteers have stepped up efforts to ensure the most vulnerable citizens get the help they need.

Arizona reports 1,367 new COVID-19 cases, 55 more deaths Friday
"Our grandmas and grandpas teach us, you have to give back to your people," said Sophia Francis, secretary for the Teesto Chapter, one of 110 tribal precincts that make up the vast reservation that extends into Arizona, New Mexico and Utah. "We have to help our elders. We have to help the community."

Clark is among hundreds who live within the rural chapter, which functioned as a community lifeline even before the pandemic.

On a recent day, he stepped outside his home in the midst of juniper trees and greeted a trio of Teesto Chapter employees who were unloading firewood from a flatbed trailer. It was unseasonably warm, but Clark knew he'd need the wood for frigid days ahead.

Beside hauling wood, the chapter has filled water cisterns at people's homes, arranged for a monthly food bank distribution, provided septic cleaning and a one-time supply of propane during the pandemic. A tribal lawmaker also distributed hay.

"The biggest thing I was trying to encourage is for people not to travel," said Clara Tsosie, the chapter manager.

In many ways, the groundwork had already been laid. When Tsosie was hired as a chapter planner in 2015, she worked on a rural addressing system that included GPS coordinates to every home. Community assessments mean Teesto knows who needs a bathroom addition, water or wood.

The Winslow Indian Health Care Center worked with Teesto and other chapters in its service area to bring the wood split and ready to be delivered.

A network of community health representatives track who needs roads cleared to get dialysis, medication or emergency assistance. Many times, they go door to door to check on people. That practice has been amplified by the pandemic, with representatives disinfecting themselves and their vehicles at each visit, honking the horn when they arrive and talking to residents through windows or screen doors.

"They are thankful; they are appreciative," said Sheila Bedoni, who oversees the health representatives in the Winslow-area unit. "And sometimes we show up when there's nobody."

In that, communities in the region have learned more about themselves and their expanding needs. Health representatives discovered new residents, families living in sheds and even found someone living on a mountain in a makeshift shelter.

"When it really happened, nobody knew what to do with the experience we had," Bedoni said. "We learned a lot. There's a lot of positive things we can take from it."

Nearly 30,000 people on the reservation have been infected with COVID-19 over the past year, and more than 1,200 have died. What once had been a national hotspot is seeing a significant downturn in infections weeks after the holiday surges.

AMERICAN OVERSIGHT

The tribe is planning a soft reopening Monday with 25% capacity for some businesses under certain restrictions. Still, mask mandates and daily curfews remain.

When COVID-19 hit the Teesto Chapter the day before Thanksgiving, Tsosie was floored and worried about her staff. The workers rallied to check up on an infected colleague, delivered food and prepared traditional herbs.

"Sometimes I think we all feel like we wanted to give up," Tsosie said. "We can't give up."

Other chapters on the Navajo Nation have closed at times. Teesto never shut down completely. Before the pandemic, people went to the chapter house for internet access, fill water drums in the back of their pickups, check mail, dump trash and seek assistance for burials or other emergencies.

Those services are more controlled now. The public isn't allowed in the main chapter building. When people walk up, they knock or are spotted on surveillance cameras, and the staff goes outside to greet them. The meeting hall has limited spots for students to do homework. Others catch the Wi-fi signal outside, from their cars.

Signs remind people to wear masks and social distance.

Clark used to spend a lot of time at the senior center next to the chapter house but doesn't venture into nearby communities much now except to check his mail and get shots for chronic hip pain.

Before the pandemic, people regularly stopped by Clark's two-bedroom house, where he has turned nearly every space into an art studio and sleeps on the couch. A mural on his kitchen floor illustrating Navajo men's role in society soon will be installed at a local school.

In the living room, Clark giggles as he describes how he uses a plastic bin for hand washing and sponge baths. He fashioned a faucet with a foot pump, tubing and a 5-gallon bucket but drinks bottled water. Outside is an outhouse and a nameless, feisty puppy that someone dropped off before dawn one day.

Clark thinks back to his childhood in that area, taking care of sheep and shining a mirror into the sun to summon neighbors for a ride.

"We had to learn how to help ourselves, even at a young age," he said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Phoenix VA opens COVID-19 vaccine appointments for veterans of all ages

By Jake Anderson
KTAR News
March 13, 2021

The Phoenix Veteran's Administration announced on Friday that it has opened its COVID-19 vaccine appointments to enrolled veterans of any age.

Appointments to receive the Pfizer vaccine are now available at all of Phoenix's four VA locations.

AMERICAN OVERSIGHT

Veterans that are already enrolled should call the scheduling line at 602-604-3915.

Those that are not enrolled in the Phoenix VA Health Care System can sign up online.

The four Valley locations where enrolled veterans can receive a vaccine are below:

Phoenix: Main campus inside the hospital (650 E. Indian School Rd.) with operating hours of Monday through Friday from 7 a.m. to 4 p.m. and Saturday from 8 a.m. to noon.

Phoenix: Southwest clinic drive-thru (9250 W. Thomas Rd.) with appointments available March 20, 21, 27, 28 and April 3.

Gilbert: Southeast clinic drive-thru (3285 S. Val Vista Dr.) with operating hours of Monday through Saturday from 10 a.m. to 4 p.m.

Surprise: Northwest clinic (13985 W. Grand Ave., Ste. 105) with operating hours of Monday through Friday from 11 a.m. to 4 p.m.

Return to the table of contents

Arizona reports 649 new COVID-19 cases, 7 more deaths Sunday

KTAR News
March 14, 2021

Arizona public health officials on Sunday reported 649 new coronavirus cases and seven additional deaths from COVID-19.

The state's documented totals were updated to 832,743 coronavirus infections and 16,553 fatalities, according to the Arizona Department of Health Services' COVID-19 dashboard.

Key state metrics used to gauge the extent of the pandemic continue to improve and are the lowest they've been in months, and more than 20% of Arizona's population has received at least one dose of COVID-19 vaccine.

The number of confirmed or suspected COVID-19 inpatients in the state's hospitals decreased to 765 on Saturday, the fewest since Oct. 18. The number of ICU beds used by COVID-19 patients dipped to 215, the fewest since Oct. 30.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is at a five-month low.

Of the 54,465 people tested so far this week, 5% received a positive result. The rate for 77,971 people last week was 5%, the lowest since early October.

Official positivity rates are based on when the samples are taken, not when they are reported, so the percentage for recent weeks can fluctuate as labs get caught up on testing and the results are documented by the state.

AMERICAN OVERSIGHT

The Arizona health department's daily updates present case, death and testing data after the state receives statistics and confirms them, which can lag by several days or more. They don't represent the actual activity over the past 24 hours.

The hospitalization data posted each morning is reported electronically the previous evening by hospitals across the state, as required under executive order.

COVID-19, the disease caused by the novel coronavirus, has no impact on some people and is seriously debilitating or fatal for others. Infected people without symptoms — which include but are not limited to cough, fever and difficulty breathing — are capable of spreading the virus.

Diagnostic testing is available at hundreds of locations across Arizona and should be sought out by anybody with symptoms or who may have been exposed to an infected person. Information about locations, schedules and registration can be found on the Department of Health Services website.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Governor says Arizona can meet Biden's vaccine deadline

Arizona Daily Sun
March 13, 2021

Arizona can meet President Joe Biden's goal to offer vaccinations to everyone who wants one by May as long as the federal government supplies enough vaccines, Gov. Doug Ducey said Friday.

"If we have the supply we certainly have the infrastructure," Ducey told Phoenix radio station KTAR-FM.

Arizona is scheduling vaccines for people 55 and older through four state-run mass vaccination sites in Phoenix and Tucson, and plans to lower the threshold to age 45 on April 1. Counties have their vaccine allotments and criteria to get them; some are prioritizing essential workers.

Ducey said he's focused for now on the "coalition of the willing" but plans to turn his attention to people who are apprehensive and communities where people don't have cars or otherwise struggle to get to drive-thru vaccination sites.

"All we need from the federal administration, and I've said this over and over, is give us more vaccine," Ducey said. "Give us the supply, we'll get the vaccines out there."

Low-income areas and communities of color have lagged behind wealthier and whiter ZIP codes in vaccination rates. Ducey's top health official, Dr. Cara Christ, said Friday that the state is beginning intensive outreach efforts in areas with low levels of vaccination.

Christ, director of the Arizona Department of Health Services, said the state is projected to see a significant increase in vaccine doses in April. She expects to open appointments for people age 35 and older sometime in April and to meet Biden's May 1 deadline for appointments to be open for everyone.

Late Friday, the health department announced that three cases were discovered in Arizona of a fast-spreading variant of the coronavirus that was first discovered in Brazil. The agency said in a news release that it's unclear how widespread the Brazilian variant is in Arizona, but studies indicate the vaccine is effective against it.

Arizona on Friday reported 1,367 newly confirmed COVID-19 cases following three days with case increases below 1,000. There were 55 new deaths reported.

The state's pandemic totals now stand at 831,832 cases and 16,519 deaths.

The number of hospitalizations for the virus also continues to make incremental decreases. As of Thursday, 831 patients were in the hospital for COVID-19. Of those, 236 were in ICUs.

The U.S. Centers for Disease Control and Prevention reported Thursday that Arizona ranked seventh in the nation for COVID-19 deaths per capita over the last seven days with 4.3 deaths daily per 100,000 people.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Republican Party chair sued over party election

Arizona Daily Sun
March 13, 2021

Two candidates for the Arizona Republican Party's executive committee who lost their January elections are suing state party Chair Kelli Ward to force an audit of the results.

The lawsuit filed Friday in Maricopa County Superior Court by William Beard and Sandra Dowling also names the state party. It seeks a court order requiring an audit of the results.

Beard and Dowling's lawsuit said there were concerns about ballot security and overall confusion after the vote at the Jan. 23 state party elections. Dowling was initially declared a winner of one of the at-large executive committee posts before it was announced that she actually had lost.

The lawsuit comes as Ward's own narrow reelection victory for a second term running the state party has been questioned by a losing candidate and after a large group of GOP state lawmakers sent her a letter demanding that she allow an audit.

Ward and other Republicans have questioned President Joe Biden's November victory in the state. The February letter from the lawmakers pointed out that Ward was leading that charge and that it appeared hypocritical for her not to back an audit of the party leadership election.

Ward has refused to allow an audit even though questions immediately arose after she squeaked out a victory and held her post. She said in a Jan. 28 video that there was no mechanism for a recount or an audit.

Ward didn't immediately respond to a request for comment Friday.

Jack Wilenchik, the attorney for the state party, said Ward does not have the power to order an audit and that the suit “was primarily filed for publicity.”

He said an audit requires a vote of state committee members and any request needed to be made immediately after the vote.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Navajo Nation reports 3 more COVID-19 cases, no new deaths

Arizona Daily Sun
March 14, 2021

The Navajo Nation on Sunday reported three additional cases of COVID-19, but no new deaths.

The latest numbers pushed the tribe’s pandemic total to 29,948 confirmed cases. The known death toll remained at 1,218.

AMERICAN OVERSIGHT

The Navajo Nation is planning a soft reopening Monday with 25% capacity for some businesses under certain restrictions.

Still, mask mandates and daily curfews remain.

"Health care experts continue to caution everyone about traveling," tribal President Jonathan Nez said in a statement. "We know that our numbers of daily new cases are low, but we all know how quickly another surge can happen.

"It's important for the health and well-being of everyone to continue taking all safety measures such as wearing a mask, or even two masks, in public." Nez added. "We have to keep our guard up at all times and not let down. Vaccines continue to be administered across the Navajo Nation and we encourage everyone to consider getting vaccinated to help in this fight against COVID-19.

"Continue staying home as much as possible, wear a mask, practice social distancing, avoid large gatherings and crowds, and wash your hands often," Nez said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 649 additional COVID-19 cases, 7 more deaths

Arizona Daily Sun
March 15, 2021

Arizona health officials on Sunday reported 649 additional COVID-19 cases and seven more deaths as the state's coronavirus numbers continue to drop to their lowest levels in months.

The latest figures increased the state's totals to 832,743 cases and 16,553 known deaths since the pandemic started.

Authorities said Arizona's weekly percent positivity for COVID-19 diagnostic testing — an indicator of how much the virus is spreading in the community — is at a five-month low.

According to Arizona's coronavirus dashboard, the number of COVID-19 hospitalizations dropped to 814 on Saturday — down from the Jan. 11 pandemic peak of 5,082.

The state also reported fewer than 1,000 additional cases on three of the previous six days while data from Johns Hopkins University indicated that seven-day rolling averages of daily new cases and daily deaths declined over the past two weeks.

The rolling average of new cases declined from 1,487.4 on Feb. 25 to 1,206.9 on Thursday while the rolling average of daily deaths declined from 79.8 to 42 over the same period.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Monday, March 15, 2021 4:39:40 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes March 15, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

.....

Arizona Legislative Report

Today's News Notes

March 15, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

AMERICAN OVERSIGHT

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

House Commerce

Tuesday 03/16/21 at 2:00 PM, House Rm. 3

S1042: WORKERS' COMPENSATION; SETTINGS; DEFINITION

S1257: STATE LIQUOR BOARD; MEMBERSHIP

S1356: PHARMACY BENEFIT MANAGERS; PROHIBITED FEES

S1379: VACATION RENTALS; SHORT-TERM RENTALS; ENFORCEMENT

S1720: PEER-TO-PEER CAR SHARING

House Education

Tuesday 03/16/21 at 2:00 PM, House Rm. 1

S1236: COLLEGE SAVINGS PROGRAM; NAME CHANGE

S1403: LITERACY; DYSLEXIA SCREENING

S1422: STATE BOARD; CHARTER SCHOOLS; APPROPRIATION

S1529: EDUCATION PROGRAMS; COUNTY JAILS; APPROPRIATION

S1572: SCHOOLS; EARLY LITERACY

House Natural Resources, Energy & Water

Tuesday 03/16/21 at 2:00 PM, House Rm. 4

S1120: FIRE DISTRICTS; REIMBURSEMENT

Senate Appropriations

Tuesday 03/16/21 at 2:00 PM, Senate Rm. 109

H2077: STATE LAKE IMPROVEMENT FUND; APPROPRIATIONS

H2128: STATE LICENSING; FEE WAIVER

H2168: USE OF FORCE; REPORTS; ANALYSIS

AMERICAN OVERSIGHT

H2189: COORDINATED REENTRY PLANNING SERVICES PROGRAMS

H2321: DOR; ADMINISTRATIVE RULINGS; PROCEDURES ***STRIKER: QUALIFIED FACILITIES***

H2401: JUVENILE DEPENDENCY; STATE AID; APPROPRIATION

H2463: APPROPRIATION; DPS; SCHOOL SAFETY PROGRAM

H2669: APPROPRIATION; ELEMENTARY SCHOOL DISTRICT

H2672: PRISONERS; BRAILLE TRANSCRIBER TRAINING PROGRAM

H2698: MOTOR VEHICLE DEALER ENFORCEMENT FUND

H2706: APPROPRIATION; VETERANS' SERVICES; BENEFITS COUNSELORS

H2778: STREAM ADJUDICATIONS; COOPERATIVE EXTENSION; APPROPRIATION

Senate Education

Tuesday 03/16/21 at 2:00 PM, Senate Rm. 1

H2135: SCHOOLS; STATE BOARD; RULES; MODULARIZATION

STRIKER: STATE BOARD; RULES; LEARNING OUTCOMES

H2523: FOUR-YEAR DEGREES; COMMUNITY COLLEGES

H2667: COUNTY FREE LIBRARY DISTRICT

H2824: ADULT EDUCATION; GRANT PROGRAM; APPROPRIATIONS

H2862: SCHOOLS; INSTRUCTIONAL TIME MODELS

Senate Finance

Wednesday 03/17/21 at 10:00 AM, Senate Rm. 109

H2153: RENEWABLE ENERGY STORAGE EQUIPMENT; VALUATION

H2376: CLASS 2 PROPERTY; GUEST RANCHES

H2443: SERVICE CONTRACTS; PREEXISTING CONDITIONS

H2454: TELEHEALTH; HEALTH CARE PROVIDERS; REQUIREMENTS

H2544: BLOCKCHAIN AND CRYPTOCURRENCY STUDY COMMITTEE

H2649: COMPUTER DATA CENTERS; TAX INCENTIVES

H2714: ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS

AMERICAN OVERSIGHT

NEWS NOTES

BOYER: BORRELLI CAN'T COUNT VOTES

Boyer, who was mentioned repeatedly during Borrelli's recorded phone call with Staci Burk, told our reporter he wasn't among the senators who received an apology from Borrelli. He thinks that a reorganizational meeting is a good idea, though not because of the recording. "I have very low expectations. I just wish he could count votes," Boyer said, adding he's lost track of how many bills have died on the Senate floor. "He can do whatever he wants to do with his extracurricular stuff, but when you're there, the job of the whip is to count votes," he said. "You have one job."

BLACKLIGHTS ARE FUN

Finchem brought a rotating cast of fellow Republican lawmakers to the House's basement conference room to play with blacklights and hear a pitch for printing ballots on counterfeit-proof paper - similar to money - this morning. Chaplik and Parker left eager to find some way to pass a mandate that could cost counties hundreds of thousands of dollars for new ballots, let alone additional equipment needed to read the redone ballots, but which they believe would be more secure. They're looking to get Ugenti-Rita to add a draft language that Chaplik said he wrote before the session to one of the House bills moving in Senate gov, or find a way to craft a floor amendment to a Senate bill. Burges, Barton, Payne and Cochise County Recorder David Stevens joined as observers when our reporter stopped by. Finchem also tried to get Fann to visit after the Senate's floor session. The audience was impressed: "Look at that beautiful watermark," Barton said. "This is what technology has out there for us. We should be using it in every election," Chaplik said.

THE FOOLPROOF BALLOT

Finchem told our reporter a mutual friend helped him get in touch with Kent Mansfield of authentication company Authentix, which was then given a blank Cochise County ballot to recreate with security measures. The new paper, which would cost about $0.25 per ballot compared to the roughly $0.05 counties now pay, includes watermarks, a QR code and other security features. Finchem argued there is currently no guarantee that counterfeit ballots can't be slipped in with genuine ones, and he said he would support state funding for a new style of ballots. "Under 25 cents a ballot is totally worth it," he said. About 3.5 million ballots were cast in Arizona during the 2020 general election, so printing for that election alone would have cost about $875,000 using the proposed anti-counterfeit ballots. That doesn't count the cost of multiple other elections, such as the primaries, the 2020 presidential preference election, local and special elections held outside the August-November election cycle. Nor does it cover the cost of any additional equipment to accompany the new ballots.

AMERICAN OVERSIGHT

COSTS A LOT OF MONEY

Arizona Assn of Counties executive director Jen Marson, who also attended Finchem's presentation, told our reporter she's still trying to figure out all of the potential costs and logistical challenges if the Legislature mandates a change to ballots. For instance, the model ballot includes a QR code that a voter could use to track their individual ballot to see if it's been received or counted. Counties now update whether an early ballot has been received or counted - but that's based on voter registration, not scanning QR codes, and county systems would have to be redesigned to interact with that technology. Counties would also need at least one machine capable of reading the new security features at each polling site that tabulates ballots on site, and likely more than one at central count locations. "Yeah, it's cool technology," she said. "We believe that our elections are currently secure." The sample ballot is also a "skinny" ballot from Cochise County with fewer races and printed on narrower paper than Maricopa County ballots, and Marson said Authentix told her it would expect all ballots to be printed on the same size of paper. That could add an extra sheet in Maricopa County, and she doesn't know whether changing the paper size would work with the county's envelopes, tabulating machines and various automated processes. "I think this is a huge issue with a lot of logistics to be introduced in the last two weeks of hearing bills, with no language at all right now," she said.

FANN TO STEELE: NOT THIS YEAR

Steele and fellow Senate Dems have spent the month sharing stories of notable women in honor of Women's History Month, taking special care to highlight women involved in the Equal Rights Amendment from suffragist Alice Paul, who originally wrote it, to Sandra Day O'Connor, who first introduced it in Arizona. But while she can speak about the ERA on the floor, Steele's ongoing push to ratify the amendment in Arizona went an even shorter distance this year than in previous years. Fann previously assigned her ERA ratification bills to jud when E Farnsworth chaired it, but this year neither Steele's SCR 1012 (ratification; Equal Rights Amendment) nor Engel's Arizona-centric SCR1013 (equal rights; equal protection) was assigned to a committee. Steele told our reporter she asked Fann specifically about the ERA measure earlier this session. "She just looked at me and smiled. I asked her if she will assign it to a committee, and she said, 'Yes, about five minutes before we *sine die*,'" Steele said.

HOUSE PASSES BILL INOCULATING BUSINESSES FROM MASK MANDATES

The so-called no-mask mandate bill passed the House on a 31-29 party-line vote this morning. The measure seeks to restrict state and local governments from taking a business' license for not following a mandate stemming from a public health-related state of emergency unless the government "can demonstrate by clear and convincing evidence that the business was the actual cause of transmission of the disease that is

AMERICAN OVERSIGHT

the subject of the order." H2570 (licenses; pandemics; revocation prohibition) failed by a 28-32 vote on March 4, when Udall and Cook joined the Democrats in voting "nay." (The sponsor Hoffman also voted against it so he could bring it up for reconsideration.) Today, the House adopted an amendment proposed by Udall during COW to say a business license cannot "permanently" be revoked for not following a public health-related emergency order, instead of saying it cannot be revoked at all as the original bill said.

DITTO FOR MEASURE TWEAKING DEFINITION OF ENGINEER

The House passed three other Senate bills on unanimous or nearly unanimous votes Monday morning, as well as voting along party lines to advance S1062 (engineering definitions), which makes some changes to the definition of professional engineer for regulatory purposes and which some opponents say could let unlicensed people practice as engineers. It passed the Senate, 24-5, a month ago.

BARTO CHAMPIONS NEEDLE EXCHANGE BILL AFTER CHANGING HER MIND

A bill to let local governments and health departments and some private organizations operate needle exchange programs cleared House hel-hu ser Monday. The committee supported S1250 (overdose; disease prevention; program) unanimously, although Parker mentioned she still had some questions about its fiscal impact and hasn't decided how she will vote on the House floor. Former Rep. Tony Rivero, R-Peoria, pushed the issue for several years, and one of his bills passed the House last year but didn't make it through the Senate. This time the measure started in the Senate, passing, 27-2, a month ago. Barto, its sponsor, said she opposed needle exchange programs before but changed her mind. "It took a learning process for me to kind of get there," she said. "I finally began listening to Rep. Rivero, who was intent on educating a lot of us who were really not open to this idea because we really thought we were encouraging drug use by having needle exchange programs available." The programs would be required to provide and dispose of needles and provide educational materials on overdose prevention, HIV and hepatitis prevention and mental health and substance abuse treatment and referrals.

NEWS RELEASES

Sen. J.D. Mesnard and Arizona vacation-rental hosts to conduct press conference in support of SB 1379

Event scheduled for 1 p.m. Tues., March 16 at the State Capitol

Phoenix, Ariz. – Arizonans for Responsible Tourism Recovery – a statewide coalition of over 1,000 Arizona vacation-rental hosts, small business owners and travel industry partners – will

AMERICAN OVERSIGHT

have a press conference at the State Capitol on Tuesday, March 16, at 1 p.m. – immediately preceding a scheduled House Commerce Committee hearing on SB 1379.

Local vacation-rental owners and hosts will be joined by bill sponsor Sen. J.D. Mesnard (R-Chandler) to advocate for SB 1379, which will protect neighborhoods from nuisance properties while preserving vacation rentals as a driver of tourism and supplemental source of income for Arizona families. The bill – which recently passed out of the Senate with broad, bipartisan support – is scheduled to be heard in the House Commerce Committee at 2 p.m. Tuesday.

WHAT: Press conference to rally support for SB 1379

WHO: Arizona short-term rental hosts, Sen. J.D. Mesnard (R-Chandler)

WHEN: 1:00 p.m., Tues., March 16

WHERE: Arizona State Capitol – East Lawn

1700 W. Washington St., Phoenix AZ

Media Contact:

Alexa Nota

azrtr@rentresponsibly.org

* * * * *

Six AZ-07 Health Care Centers to Receive Direct Vaccine Allocation for Underserved Communities

PHOENIX, AZ - Today, Rep. Ruben Gallego (D-AZ) announced that Wesley Community Center, Valle Del Sol, and Circle the City in Arizona's 7th District will be joining the Health Resources and Services Administration's Health Center COVID-19 Vaccine Program over the next six weeks. Valleywise Health, Adelante Healthcare, Neighborhood Outreach Access to Health (NOAH) and Mountain Park Health Center, all serving constituents in AZ-07, also recently secured inclusion in the program, which ensures that Community Health Centers can secure direct allocation of vaccine from the federal government without depending on allocations from the state or county.

The inclusion of these local Health Centers in the Vaccine Program occurred following Rep. Gallego's advocacy efforts to ensure that underserved neighborhoods in Phoenix that rely on Community Health Centers had equal access to vaccine. Community Health Centers in the Phoenix area serve a high proportion of low-income patients and communities of color, patients experiencing homelessness or living in public housing, and those with limited English proficiency. Many of these patients have been left behind in Arizona's vaccine rollout thus far despite being among the hardest hit communities by COVID-19.

Rep. Gallego made the following statement:

"Community Health Centers are a lifeline in low income, underserved, and underinsured communities – and throughout this pandemic they have often been the difference between my

AMERICAN OVERSIGHT

constituents being able to access care or not. These health centers will and must play central role in vaccine distribution if we are to successfully reach herd immunity in all of our communities.

"Each of the health centers included in this program have strong existing relationships and trust with the communities they serve, and they have worked to make sure that vaccines are accessible to their patients regardless of where they live, the language they speak, or their financial means.

"That is why I am grateful to the Biden Administration for heeding my call to include multiple Community Health Centers serving my District in a direct vaccine allocation program that will expand access to vaccines in Black, Latino, immigrant and underserved neighborhoods that I represent."

Shawn Frick, CEO of the Arizona Alliance for Community Health Centers, emphasized that, "The inclusion of more Federally Qualified Health Centers in Arizona in this program is very timely. Currently, 23 Arizona health centers, serving over 800,000 Arizonans at 180 sites throughout the state, are working to ensure special populations – such as the homeless, the poor, agricultural and migrant workers, residents of public housing and people living in rural areas – have access to all three COVID vaccines. We thank Congressman Gallego for his advocacy in ensuring that FQHCs have direct access to vaccines for their patients."

To locate a HRSA-funded health center, visit: https://findahealthcenter.hrsa.gov/.

* * * * *

Applications Being Accepted for a Vacancy on the Arizona Supreme Court

Applications are being accepted for a vacancy on the Arizona Supreme Court created by the retirement of Justice Andrew W. Gould.

The Commission on Appellate Court Appointments will review applications, interview selected applicants, and recommend at least three nominees for the vacancy to Governor Doug Ducey, who will appoint the new justice.

The most current judicial application form can be downloaded at the Judicial Department website: www.azcourts.gov/jnc. Applications may also be obtained from the Administrative Office of the Courts, Human Resources Department, 1501 W. Washington, Suite 221, Phoenix, by calling (602) 452-3311, or by sending an electronic mail request to jnc@courts.az.gov.

Applicants must be of good moral character and admitted to the practice of law in, and a resident of the state of Arizona for the past 10 years, and under age 65 at the time the nomination is sent to the Governor.

A signed original application with all attachments, and a searchable .pdf version of the application and attachments must be submitted to the Administrative Office of the Courts, Human Resources Department, 1501 W. Washington, Suite 221, Phoenix, AZ, 85007, by 3:00 p.m. on April 9, 2021.

AMERICAN OVERSIGHT

The Commission may, at its discretion, use the applications filed for this vacancy to nominate candidates for any additional vacancies known to the Commission before the screening meeting for this vacancy is held.

All meetings of the Commission on Appellate Court Appointments are open to the public. Meeting dates will be announced.

The new justice will be paid $159,684.88 annually.

* * * * *

Sinema Secures First-Of-Its-Kind Telehealth Care Program for Arizona Veterans

Sinema worked with key stakeholders including the VA, Philips North America, and the American Legion to secure a Project ATLAS telehealth site in Wickenburg, Arizona

WASHINGTON – Arizona senior Senator Kyrsten Sinema announced the opening of a first-of-its-kind Project ATLAS telehealth site in Wickenburg, AZ. Project ATLAS (Accessing Telehealth through Local Area Stations) is a partnership between the U.S. Department of Veterans Affairs (VA), Philips North America, and the American Legion to deploy remote telehealth exam rooms—connecting veterans with the VA—in regions where additional health care access is needed but remote connections are difficult to establish.

Sinema encouraged the VA, Philips North America, and the American Legion to bring Project Atlas to Arizona and worked with them to place a system in Wickenburg. At the Wickenburg Project ATLAS location, veterans will find comfortable, private spaces equipped with internet access and the technology needed to meet with VA providers via a secure video connection – helping ensure all Arizona veterans receive the care and benefits they've earned, no matter where they live or their access to connectivity.

"The opening of Project ATLAS in Wickenburg represents a first-of-its-kind opportunity for Arizona veterans to access the care and benefits they've earned, no matter where they live. I'm proud of our work with the VA, American Legion, and Philips North America to bring Project Atlas to Arizona and I look forward to continuing our partnership as we serve Arizona veterans across the state," said Sinema, a member of the Senate Veterans' Affairs Committee.

"In recognizing there can be barriers for veterans as they seek out the benefits and services they are entitled to, we are so pleased that Senator Sinema has enabled this project by bringing together a team of people who understand the veteran ecosystem. The ATLAS will provide much needed access to Veteran Affairs in a rural area. We applaud Senator Sinema and Philips for this gift to veterans," said Wanda A. Wright, Director, Arizona Department of Veterans' Services.

"The American Legion Department of Arizona is proud to be a part of the collaborative efforts of the Veterans Administration and Philips to bring the first VA telehealth care system to our Legion Post in Wickenburg AZ. Veterans in Wickenburg, regardless of whether or not they belong to a Veterans Service Organization, will soon have the option of visiting their VA Health Care provider via the telehealth system in Wickenburg rather than traveling to a VA Medical Care facility in Prescott or even Phoenix. The benefits of using telehealth are considerable; especially in the time of the COVID-19 pandemic, " Said Ken Queen, Commander, Department

AMERICAN OVERSIGHT

of Arizona, The American Legion.

"The members and myself are proud to be chosen for this project. It is a major step forward for our veterans. Healthcare for veterans should be a top priority for all of us. This program will enable veterans to have timely appointments, without having to drive great distances. Members are proud that our post is going to be leading into the immediate future of tele-health. They feel this is a great idea, and we all are looking forward to seeing this project come to fruition," said Denny Towne, Wickenburg American Legion post Commander.

"Under Senator Sinema's leadership and vision, we have been able to drive an innovative program that will help improve the health of Arizona veterans by bringing care closer to home and allowing them to get the care they need, when then need it, and in a safe, familiar place," said Vitor Rocha, Chief Market Leader for Philips North America. "Our mission as an organization is to improve the lives of 2.5 billion people a year by 2030 and there is no community more deserving than our nation's veterans. We are committed to working with Senator Sinema, the VA, and American Legion to understand how we can work together and further support them."

In 2019, Sinema worked with the VA and the American Legion advocating for Arizona to be considered as a Project ATLAS pilot site. Sinema noted that many Arizona veterans live in rural parts of the state and lack connectivity to utilize telehealth. A Project ATLAS site would allow Arizona veterans to receive timely care close to home and access telehealth services. In early 2020, Sinema received word from the VA, Philips North America, and the American Legion that Arizona was selected for a Project Atlas site. Sinema continued working with stakeholders and hosted ongoing meetings throughout 2020 with the American Legion National, the American Legion Arizona, the VA Central Office, Philips North America, the Arizona Department of Veterans' Services, and Arizona's VA leadership to facilitate the successful implementation of a Project ATLAS site in Arizona.

During the coronavirus pandemic, Sinema has continued to champion Arizona veterans' access to care. In a recent Senate Veterans' Affairs Committee hearing, Sinema discussed how efforts like Project ATLAS can help VA continue expanding telehealth services for Arizona veterans. In August, the Senate Veterans' Affairs Committee approved Sinema's bipartisan VA Mission Telehealth Clarification Act, which allows VA health trainees to train on and utilize the VA telehealth system to reduce the spread of the coronavirus and save lives.

* * * * *

RLCC Names 2021 Executive Committee

Washington, DC - The Republican State Leadership Committee (RSLC) in 2020 beat back more than a half-billion dollars in total Democratic state spending to defend all 59 Republican-led legislative chambers and flip 2 more. As it continues to build on a cycle that defied all expectations, the RSLC today announced the 2021 executive committee for its largest caucus and only national organization devoted to electing Republican state legislative leaders -- the Republican Legislative Campaign Committee (RLCC).

"In a cycle where we were supposed to be playing defense in a number of key states, hitting the ground running early to raise resources and recruit candidates that reflected their districts paved the way for us to end 2020 on offense. We need to be even more committed to those

AMERICAN OVERSIGHT

two goals this time around, as Democrats have shown us they have no intention of slowing down when it comes to investing in legislative races," said RLCC Chairwoman and Louisiana Senate Majority Leader Sharon Hewitt. "I'm excited to work with the fantastic executive committee we put together to ensure state Republicans continue holding the line against the radical liberal agenda coming out of Democrat controlled Washington."

"I am exceedingly proud of what the RSLC team accomplished in the 2020 election cycle-defending all 59 Republican-led legislative chambers, flipping 2 more, and electing the strongest, most diverse class of state Republican candidates in our party's history," said RSLC President Dee Duncan. "Our new executive committee members will play key roles in providing Republicans across the country the resources they need to fight back against the liberal money machine, keep winning tough races, and shape the direction of the Republican Party for years to come."

RLCC Executive Committee

Louisiana Senate Majority Leader Sharon Hewitt, Chairwoman

Indiana Speaker of the House Todd Huston, Vice Chair

Pennsylvania Speaker of the House Bryan Cutler, Finance Chair

Arizona Senate President Karen Fann, Engagement, Transportation, and Infrastructure Chair

Arizona Senate President Pro Tempore Vince Leach, Member at Large

Colorado Senate Republican Whip Paul Lundeen, Member at Large

Florida Senator Kathleen Passidomo, Member at Large

Florida Representative Paul Renner, Health Care Chair

Florida Senate President Wilton Simpson, Member at Large

Florida Speaker of the House Chris Sprowls, Member at Large

Georgia House Majority Whip Trey Kelley, Member at Large

Georgia Representative Bruce Williamson, Technology Chair

Georgia Senate Majority Caucus Chairman John Kennedy, Member at Large

Hawaii House Minority Whip Val Okimoto, Member at Large

Idaho Speaker of the House Scott Bedke, Member at Large

Illinois House Republican Leader Jim Durkin, Member at Large

Iowa Speaker of the House Pat Grassley, Engagement Chair

Iowa Senate Majority Leader Jack Whitver, Energy Chair

Kansas Speaker of the House Ron Ryckman, Member at Large

AMERICAN OVERSIGHT

Kentucky Senate President Robert Stivers, Member at Large

Maryland House Minority Leader Nic Kipke, Member at Large

Maryland House Minority Whip Kathy Szeliga, Health Care Chair

Michigan Speaker of the House Jason Wentworth, Member at Large

Michigan Senate Majority Leader Mike Shirkey, Member at Large

Michigan Senate President Pro Tempore Aric Nesbitt, Member at Large

Minnesota House Minority Leader Kurt Daudt, Health Care Chair

Minnesota Deputy Republican Leader Anne Neu Brindley, Health Care Chair

Mississippi Speaker of the House Philip Gunn, Energy Chair

Nevada Senator Ben Kieckheffer, Technology Chair

New Hampshire Senate President Chuck Morse, Member at Large

New Jersey Senator Michael Testa, Member at Large

New Mexico Representative Kelly Fajardo, Member at Large

New York Assembly Minority Leader Will Barclay, Member at Large

North Carolina Senate President Pro Tempore Phil Berger, Caucus Engagement Chair

North Carolina Speaker of the House Tim Moore, Member at Large

Ohio Senate President Matt Huffman, Transportation and Infrastructure Chair

Ohio Senate President Pro Tempore Jay Hottinger, Transportation and Infrastructure Chair

Oklahoma Senate President Pro Tempore Greg Treat, Member at Large

Oregon House Republican Leader Christine Drazan, Member at Large

Pennsylvania Senate President Pro Tempore Jake Corman, Energy Chair

Texas Speaker of the House Dade Phelan, Member at Large

Virginia House Republican Leader Todd Gilbert, Member at Large

Virginia Senate Republican Caucus Chairman Ryan McDougle, Member at Large

Virginia Senator Jen Kiggans, Health Care Chair, Member at Large

Washington House Republican Leader JT Wilcox, Member at Large

About RSLC

AMERICAN OVERSIGHT

The Republican State Leadership Committee (RSLC) is the largest caucus of Republican state leaders in the country and the only national organization whose mission is to elect Republicans to multiple down-ballot, state-level offices. Since 2002, the RSLC has been working to elect candidates to the offices of lieutenant governor, secretary of state, state legislator, the judiciary and other down-ticket races. State-level Republicans maintain 61 of 99 legislative chamber majorities across the country, hold 25 lieutenant governor seats, and control 29 secretaries of state offices. To learn more about the RSLC, please visit www.rslc.gop or follow @RSLC on Twitter.

Arizona doctors sign letter urging Legislature not to let businesses ignore mask mandates

PHOENIX, Ariz. -- More than 130 Arizona physicians are calling on the Legislature to not pass HB 2770, which would allow businesses to ignore mask mandates issued by cities, towns, or counties. The bill passed the House earlier this month.

"Allowing businesses to ignore mask mandates that continue to protect citizens of our community from COVID-19 would be reckless and quite possibly deadly," said **Dr. Cadey Harrel, CEO of Agave Community Health & Wellness, a family physician in Tucson**. "We have the power to end this pandemic if enough people get the vaccine as soon as they can. But with the virus mutating and becoming more contagious, rolling back the tools we know work to prevent spread would jeopardize everything we've worked and sacrificed for."

The letter to the Legislature is included below.

* * * * *

To the Arizona Legislature: Don't Let Businesses Ignore Mask Mandate

As physicians across Arizona who are concerned about our patients and the public health of our state, we are urging the Arizona Legislature **not to pass** HB 2770, which would allow businesses to ignore mask mandates issued by cities, towns, or counties. Passing this legislation could lead to another surge in COVID-19 cases and cause more needless deaths.

With three vaccines that are highly effective at preventing COVID-19 hospitalizations and deaths being administered as we speak, there is indeed light at the end of the tunnel. Like all Arizonans, we are eager to get back to more normal life — as healthcare workers we see firsthand the toll this pandemic has taken on physical and mental health.

But rushing to throw masks away and get rid of the protections that have saved countless Arizonans will only risk more lives. Public health experts have warned against ending protections while cases remain high, too few people are vaccinated and more contagious variants and mutations of COVID-19 have begun spreading. The more contagious B.1.1.7 variant of COVID-19 has been reported in Arizona, and community disease spread remains high in eight of Arizona's 15 counties, including the most populous, Maricopa County.

Furthermore, Arizona has vaccinated only a fraction of our residents: Only around 10 percent of Arizonans have received both doses of a vaccine for maximum efficacy, and only 19.7 percent have received one dose. Epidemiologists and health experts say between 70 and 90 percent of the population needs to be vaccinated to achieve herd, or community, immunity,

AMERICAN OVERSIGHT

when enough people have immunity to stop COVID-19 from spreading within the population.

We are hopeful that we'll reach community immunity and a sense of normalcy very soon, but now is not the time to abandon the practices that have gotten us this far and kept our patients and state safer. We know that masks work to prevent the spread — and preventing the spread is critical to keep the virus from continuing to replicate and mutate, becoming more contagious and dangerous. With a little discipline and inconvenience now, Arizonans can all make it out of this pandemic together.

Make no mistake, if the Arizona Legislature passes HB 2770 to let businesses ignore mask requirements, more of our patients and neighbors will needlessly die. Especially when we are so close to a chance at community immunity and normalcy, passing this senseless policy would be a grave mistake. We urge the Legislature not to pass this policy.

About the Committee to Protect Medicare

The Committee to Protect Medicare is an advocacy organization made up of frontline doctors engaging in direct advocacy and communications in support of a stronger health care system in America. To learn more: http://committeetoprotect.org/

* * * * *

Chair Grijalva Introduces "Save Oak Flat Act" to Permanently Protect Tribal Sacred Site in Central Arizona From Destructive Mining

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today introduced the *Save Oak Flat Act* to permanently protect the Oak Flat area of Tonto National Forest from destructive mining proposals. Oak Flat, or *Chi'chil Bildagoteel,* is of significant cultural importance and considered sacred by many tribal communities in Arizona, including the San Carlos Apache Tribe, which has resisted a years-long effort by Resolution Copper – owned by international mining conglomerates BHP and Rio Tinto – to mine the region.

The San Carlos Apache and many other tribes strongly support Grijalva's bill.

The issue was recently featured on *The Today Show* and has received intensive news coverage in recent weeks. On March 1, the Biden administration withdrew an environmental impact statement, published in the waning hours of the Trump administration, that would have finalized a land swap between Tonto National Forest and Resolution Copper, after which the mine would have moved forward.

Chair Grijalva and colleagues sent a letter to acting Secretary of Agriculture Kevin Shea on February 19 urging reconsideration of the document, given its rushed timing and clearly political nature. Grijalva has been leading the issue since the insertion of an unrelated provision in the 2015 National Defense Authorization Act mandating the federal government transfer 2,422 acres of Tonto National Forest land to Resolution Copper in exchange for less valuable land elsewhere.

"The San Carlos Apache never asked for this land to become a political issue, but this is not a fight we're going to lose," Grijalva said today. "I will work to move this bill forward, this land is

AMERICAN OVERSIGHT

going to be protected, and we're going to establish that you don't get to push around Native American communities just because you can make a profit. The Biden administration was doing its job in withdrawing the Trump administration's politically motivated analysis, and now that we can move forward in a more rational way, this land is going to be protected for the long term."

"Too many times our Native American brothers and sisters have seen the profits of huge corporations put ahead of their sovereign rights," said Sen. Bernie Sanders (I-Vt.), author of the Senate companion bill. "It is wrong that a backroom deal in Washington could lead to the destruction of a sacred area that is so important to so many. We must defend the hundreds of thousands of Americans who are standing in opposition to this giveaway of our natural resources to foreign corporations."

The Committee held a March 12, 2020, oversight hearing titled *The Irreparable Environmental and Cultural Impacts of the Proposed Resolution Copper Mining Operation* to highlight the issue. The new bill will be the subject of a forthcoming hearing in the Natural Resources Committee.

* * * * *

Release: Arizona Democratic Party Urges Independent Redistricting Commission to Disqualify Republican Operatives in Executive Director Search

The Executive Director is a key staff position that should not be held by inexperienced political operatives

PHOENIX -- Tomorrow, the Independent Redistricting Commission (IRC) will meet and interview five candidates for Executive Director (ED), a position critical to the management of the IRC and the success of its efforts to engage diverse communities throughout Arizona in the redistricting process. Included in the list of finalists are two candidates whose work experience and close ties to GOP elected officials raise significant concerns:

Trevor Abarzua, a 2015 graduate of ASU, began his career on the 2016 campaign of Sen. John McCain, followed by an almost two-year stint in Governor Ducey's office. While in his current role at a state agency, Mr. Abarzua applied, unsuccessfully, to fill one of the Republican seats on this IRC.

Brian Schmitt is the Chief of Staff to current Phoenix City Councilmember Jim Waring. Although not much of Mr. Schmitt's background and experience has yet been made available to the public, it appears that his name is linked to a 2020 campaign disbursement from McSally for Congress in the amount of $63,652.44, made 3 days after the November election, as well as disbursements from the Republican National Committee in both 2020 and 2018. Councilmember Waring, a former Republican congressional candidate, is term-limited and will have to vacate his council seat by 2023. It is unknown if he intends to run for another elected office.

Arizona Democratic Party spokesman Alex Alvarez issued the following statement:

"As this Commission must overcome an unprecedented six-month delay in the release of Census data, the importance of qualified and experienced staff cannot be overstated. The Executive Director role is not the job for a GOP political operative looking to influence the process as an unappointed sixth commissioner.

We urge the Commissioners to prioritize candidates who have the experience to best lead the

AMERICAN OVERSIGHT

IRC staff and operations, and who are committed to upholding the trust of Arizonans and spirit of fairness that this Commission has been working diligently to build."

NEWS CLIPS

House passes bills to clear criminal records

By Luis Zambrano Arizona Capitol Times
03-15-21

Tremayne Nez felt defenseless after Flagstaff police wrongfully arrested him in June 2019 on suspicion of selling LSD.

Police mistook Nez, then 20, for someone else, and the fallout from the arrest was immediate on him and his family. (To read more, click here).

* * * * *

Supreme Court justice to retire

By Kyra Haas Arizona Capitol Times 03-15-21

A Gov. Doug Ducey-appointed Supreme Court justice announced his retirement today, effective April 1, after about three years on the bench, capping a total of 20 years as a judge.

Justice Andrew Gould was appointed to the state's high court by the governor to fill one of two vacancies created by the expansion of the court from five to seven justices in 2016 and started his new role in 2017. (To read more, click here).

* * * * *

Arizona Republican Party chair sued over party election

By Staff Associated Press
03-15-21

Two candidates for the Arizona Republican Party's executive committee who lost their January elections are suing state party Chair Kelli Ward to force an audit of the results.

The lawsuit filed Friday in Maricopa County Superior Court by William Beard and Sandra Dowling also names the state party. It seeks a court order requiring an audit of the results. (To read more, click here).

* * * * *

AMERICAN OVERSIGHT

Voting rights or voter fraud? A study in contrasts

By Peter Aleshire Payson Roundup
03-15-21

A sweeping effort by Congress to make it easier to vote and force disclosure of dark money spending in elections drew sharply different reactions from the congressmen representing northern Arizona — including Apache, Navajo and Gila counties.

Democrat Tom O'Halleran said the bill will strengthen democracy and prevent fraud. Republican Paul Gosar said the purpose of the bill was to "fraudulently elect Democrats." (To read more, click here).

* * * * *

Legislators join groups promoting effort to decide future of wall

By Shar Porier My Herald Review
03-15-21

With the end of the moratorium to stop construction of the border wall just days away, former U.S. officials and environmental and community activists want to know what President Joe Biden and new Director of Homeland Security Alejandro Mayorkas have in mind to resolve the problems created.

Arizona U.S. Reps. Raúl M. Grijalva and Anne Kirkpatrick and six other U.S. representatives sent a letter to Biden applauding his decision to shut down construction and assign the DHS and Department of Defense the task of developing a plan to redirect funding, repurpose contracts and restore the fragile land damaged within the 60 days of Biden's construction moratorium. (To read more, click here).

* * * * *

NASA works with Navajo Nation to name new features discovered on Mars

By Aris Folley The Hill
03-15-21

In collaboration with leaders of the Navajo Nation, the nation's largest Indian reservation, NASA is naming items of scientific interest discovered on Mars as part of its Perseverance rover's ongoing mission with words from the Navajo language.

AMERICAN OVERSIGHT

The space agency announced this month that it began naming features discovered using the rover, which landed on the Mars Jezero Crater last month, with words from the language after getting permission from Navajo leaders in addition to a list of 50 names approved names so far. (To read more, click here).

* * * * *

No, Cindy McCain, conservative uproar over Dr. Seuss and cancel culture isn't 'ridiculous'

By Phil Boas Arizona Republic 03-15-21

There's a reason MSNBC anchor Stephanie Ruhle was interviewing Cindy McCain about Joe Biden's stimulus bill. The widow of John McCain had endorsed Biden over Donald Trump and remains sympathetic to his policies.

McCain was there to explain why her fellow Republicans, the ones who mostly voted Trump, were tuning out the stimulus debate and going crazy over Dr. Seuss.

* * * * *

Schools don't have to go at COVID-19 precautions alone. We got professional help to reopen

By Ana Moran and Betsy Hargrove Arizona Republic 03-15-21

Safely restarting in-person education in our schools is one of the most difficult and important tasks we face as we strive to for normalcy in the face of COVID-19.

And an immediate challenge given Gov. Doug Ducey's order for in-person learning to resume as of March 15. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, March 15, 2021 4:39:42 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Arizona Legislative Report News Notes March 15, 2021

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

.....

Arizona Legislative Report

Today's News Notes

March 15, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

AMERICAN OVERSIGHT

55th Legislature; 1st Regular Session

BOTH HOUSE AND SENATE ARE STILL in session at our deadline.

COMMITTEE AGENDAS

NEW HEARINGS

House Commerce

Tuesday 03/16/21 at 2:00 PM, House Rm. 3

S1042: WORKERS' COMPENSATION; SETTINGS; DEFINITION

S1257: STATE LIQUOR BOARD; MEMBERSHIP

S1356: PHARMACY BENEFIT MANAGERS; PROHIBITED FEES

S1379: VACATION RENTALS; SHORT-TERM RENTALS; ENFORCEMENT

S1720: PEER-TO-PEER CAR SHARING

House Education

Tuesday 03/16/21 at 2:00 PM, House Rm. 1

S1236: COLLEGE SAVINGS PROGRAM; NAME CHANGE

S1403: LITERACY; DYSLEXIA SCREENING

S1422: STATE BOARD; CHARTER SCHOOLS; APPROPRIATION

S1529: EDUCATION PROGRAMS; COUNTY JAILS; APPROPRIATION

S1572: SCHOOLS; EARLY LITERACY

House Natural Resources, Energy & Water

Tuesday 03/16/21 at 2:00 PM, House Rm. 4

S1120: FIRE DISTRICTS; REIMBURSEMENT

Senate Appropriations

Tuesday 03/16/21 at 2:00 PM, Senate Rm. 109

H2077: STATE LAKE IMPROVEMENT FUND; APPROPRIATIONS

H2128: STATE LICENSING; FEE WAIVER

H2168: USE OF FORCE; REPORTS; ANALYSIS

AMERICAN OVERSIGHT

H2189: COORDINATED REENTRY PLANNING SERVICES PROGRAMS

H2321: DOR; ADMINISTRATIVE RULINGS; PROCEDURES ***STRIKER: QUALIFIED FACILITIES***

H2401: JUVENILE DEPENDENCY; STATE AID; APPROPRIATION

H2463: APPROPRIATION; DPS; SCHOOL SAFETY PROGRAM

H2669: APPROPRIATION; ELEMENTARY SCHOOL DISTRICT

H2672: PRISONERS; BRAILLE TRANSCRIBER TRAINING PROGRAM

H2698: MOTOR VEHICLE DEALER ENFORCEMENT FUND

H2706: APPROPRIATION; VETERANS' SERVICES; BENEFITS COUNSELORS

H2778: STREAM ADJUDICATIONS; COOPERATIVE EXTENSION; APPROPRIATION

Senate Education

Tuesday 03/16/21 at 2:00 PM, Senate Rm. 1

H2135: SCHOOLS; STATE BOARD; RULES; MODULARIZATION

STRIKER: STATE BOARD; RULES; LEARNING OUTCOMES

H2523: FOUR-YEAR DEGREES; COMMUNITY COLLEGES

H2667: COUNTY FREE LIBRARY DISTRICT

H2824: ADULT EDUCATION; GRANT PROGRAM; APPROPRIATIONS

H2862: SCHOOLS; INSTRUCTIONAL TIME MODELS

Senate Finance

Wednesday 03/17/21 at 10:00 AM, Senate Rm. 109

H2153: RENEWABLE ENERGY STORAGE EQUIPMENT; VALUATION

H2376: CLASS 2 PROPERTY; GUEST RANCHES

H2443: SERVICE CONTRACTS; PREEXISTING CONDITIONS

H2454: TELEHEALTH; HEALTH CARE PROVIDERS; REQUIREMENTS

H2544: BLOCKCHAIN AND CRYPTOCURRENCY STUDY COMMITTEE

H2649: COMPUTER DATA CENTERS; TAX INCENTIVES

H2714: ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS

AMERICAN OVERSIGHT

NEWS NOTES

BOYER: BORRELLI CAN'T COUNT VOTES

Boyer, who was mentioned repeatedly during Borrelli's recorded phone call with Staci Burk, told our reporter he wasn't among the senators who received an apology from Borrelli. He thinks that a reorganizational meeting is a good idea, though not because of the recording. "I have very low expectations. I just wish he could count votes," Boyer said, adding he's lost track of how many bills have died on the Senate floor. "He can do whatever he wants to do with his extracurricular stuff, but when you're there, the job of the whip is to count votes," he said. "You have one job."

BLACKLIGHTS ARE FUN

Finchem brought a rotating cast of fellow Republican lawmakers to the House's basement conference room to play with blacklights and hear a pitch for printing ballots on counterfeit-proof paper - similar to money - this morning. Chaplik and Parker left eager to find some way to pass a mandate that could cost counties hundreds of thousands of dollars for new ballots, let alone additional equipment needed to read the redone ballots, but which they believe would be more secure. They're looking to get Ugenti-Rita to add a draft language that Chaplik said he wrote before the session to one of the House bills moving in Senate gov, or find a way to craft a floor amendment to a Senate bill. Burges, Barton, Payne and Cochise County Recorder David Stevens joined as observers when our reporter stopped by. Finchem also tried to get Fann to visit after the Senate's floor session. The audience was impressed: "Look at that beautiful watermark," Barton said. "This is what technology has out there for us. We should be using it in every election," Chaplik said.

THE FOOLPROOF BALLOT

Finchem told our reporter a mutual friend helped him get in touch with Kent Mansfield of authentication company Authentix, which was then given a blank Cochise County ballot to recreate with security measures. The new paper, which would cost about $0.25 per ballot compared to the roughly $0.05 counties now pay, includes watermarks, a QR code and other security features. Finchem argued there is currently no guarantee that counterfeit ballots can't be slipped in with genuine ones, and he said he would support state funding for a new style of ballots. "Under 25 cents a ballot is totally worth it," he said. About 3.5 million ballots were cast in Arizona during the 2020 general election, so printing for that election alone would have cost about $875,000 using the proposed anti-counterfeit ballots. That doesn't count the cost of multiple other elections, such as the primaries, the 2020 presidential preference election, local and special elections held outside the August-November election cycle. Nor does it cover the cost of any additional equipment to accompany the new ballots.

AMERICAN OVERSIGHT

COSTS A LOT OF MONEY

Arizona Assn of Counties executive director Jen Marson, who also attended Finchem's presentation, told our reporter she's still trying to figure out all of the potential costs and logistical challenges if the Legislature mandates a change to ballots. For instance, the model ballot includes a QR code that a voter could use to track their individual ballot to see if it's been received or counted. Counties now update whether an early ballot has been received or counted - but that's based on voter registration, not scanning QR codes, and county systems would have to be redesigned to interact with that technology. Counties would also need at least one machine capable of reading the new security features at each polling site that tabulates ballots on site, and likely more than one at central count locations. "Yeah, it's cool technology," she said. "We believe that our elections are currently secure." The sample ballot is also a "skinny" ballot from Cochise County with fewer races and printed on narrower paper than Maricopa County ballots, and Marson said Authentix told her it would expect all ballots to be printed on the same size of paper. That could add an extra sheet in Maricopa County, and she doesn't know whether changing the paper size would work with the county's envelopes, tabulating machines and various automated processes. "I think this is a huge issue with a lot of logistics to be introduced in the last two weeks of hearing bills, with no language at all right now," she said.

FANN TO STEELE: NOT THIS YEAR

Steele and fellow Senate Dems have spent the month sharing stories of notable women in honor of Women's History Month, taking special care to highlight women involved in the Equal Rights Amendment from suffragist Alice Paul, who originally wrote it, to Sandra Day O'Connor, who first introduced it in Arizona. But while she can speak about the ERA on the floor, Steele's ongoing push to ratify the amendment in Arizona went an even shorter distance this year than in previous years. Fann previously assigned her ERA ratification bills to jud when E Farnsworth chaired it, but this year neither Steele's SCR 1012 (ratification; Equal Rights Amendment) nor Engel's Arizona-centric SCR1013 (equal rights; equal protection) was assigned to a committee. Steele told our reporter she asked Fann specifically about the ERA measure earlier this session. "She just looked at me and smiled. I asked her if she will assign it to a committee, and she said, 'Yes, about five minutes before we *sine die*,'" Steele said.

HOUSE PASSES BILL INOCULATING BUSINESSES FROM MASK MANDATES

The so-called no-mask mandate bill passed the House on a 31-29 party-line vote this morning. The measure seeks to restrict state and local governments from taking a business' license for not following a mandate stemming from a public health-related state of emergency unless the government "can demonstrate by clear and convincing evidence that the business was the actual cause of transmission of the disease that is

AMERICAN OVERSIGHT

the subject of the order." H2570 (licenses; pandemics; revocation prohibition) failed by a 28-32 vote on March 4, when Udall and Cook joined the Democrats in voting "nay." (The sponsor Hoffman also voted against it so he could bring it up for reconsideration.) Today, the House adopted an amendment proposed by Udall during COW to say a business license cannot "permanently" be revoked for not following a public health-related emergency order, instead of saying it cannot be revoked at all as the original bill said.

DITTO FOR MEASURE TWEAKING DEFINITION OF ENGINEER

The House passed three other Senate bills on unanimous or nearly unanimous votes Monday morning, as well as voting along party lines to advance S1062 (engineering definitions), which makes some changes to the definition of professional engineer for regulatory purposes and which some opponents say could let unlicensed people practice as engineers. It passed the Senate, 24-5, a month ago.

BARTO CHAMPIONS NEEDLE EXCHANGE BILL AFTER CHANGING HER MIND

A bill to let local governments and health departments and some private organizations operate needle exchange programs cleared House hel-hu ser Monday. The committee supported S1250 (overdose; disease prevention; program) unanimously, although Parker mentioned she still had some questions about its fiscal impact and hasn't decided how she will vote on the House floor. Former Rep. Tony Rivero, R-Peoria, pushed the issue for several years, and one of his bills passed the House last year but didn't make it through the Senate. This time the measure started in the Senate, passing, 27-2, a month ago. Barto, its sponsor, said she opposed needle exchange programs before but changed her mind. "It took a learning process for me to kind of get there," she said. "I finally began listening to Rep. Rivero, who was intent on educating a lot of us who were really not open to this idea because we really thought we were encouraging drug use by having needle exchange programs available." The programs would be required to provide and dispose of needles and provide educational materials on overdose prevention, HIV and hepatitis prevention and mental health and substance abuse treatment and referrals.

NEWS RELEASES

Sen. J.D. Mesnard and Arizona vacation-rental hosts to conduct press conference in support of SB 1379

Event scheduled for 1 p.m. Tues., March 16 at the State Capitol

Phoenix, Ariz. – Arizonans for Responsible Tourism Recovery – a statewide coalition of over 1,000 Arizona vacation-rental hosts, small business owners and travel industry partners – will

AMERICAN OVERSIGHT

have a press conference at the State Capitol on Tuesday, March 16, at 1 p.m. – immediately preceding a scheduled House Commerce Committee hearing on SB 1379.

Local vacation-rental owners and hosts will be joined by bill sponsor Sen. J.D. Mesnard (R-Chandler) to advocate for SB 1379, which will protect neighborhoods from nuisance properties while preserving vacation rentals as a driver of tourism and supplemental source of income for Arizona families. The bill – which recently passed out of the Senate with broad, bipartisan support – is scheduled to be heard in the House Commerce Committee at 2 p.m. Tuesday.

WHAT: Press conference to rally support for SB 1379

WHO: Arizona short-term rental hosts, Sen. J.D. Mesnard (R-Chandler)

WHEN: 1:00 p.m., Tues., March 16

WHERE: Arizona State Capitol – East Lawn

1700 W. Washington St., Phoenix AZ

Media Contact:

Alexa Nota

azrtr@rentresponsibly.org

* * * * *

Six AZ-07 Health Care Centers to Receive Direct Vaccine Allocation for Underserved Communities

PHOENIX, AZ - Today, Rep. Ruben Gallego (D-AZ) announced that Wesley Community Center, Valle Del Sol, and Circle the City in Arizona's 7th District will be joining the Health Resources and Services Administration's Health Center COVID-19 Vaccine Program over the next six weeks. Valleywise Health, Adelante Healthcare, Neighborhood Outreach Access to Health (NOAH) and Mountain Park Health Center, all serving constituents in AZ-07, also recently secured inclusion in the program, which ensures that Community Health Centers can secure direct allocation of vaccine from the federal government without depending on allocations from the state or county.

The inclusion of these local Health Centers in the Vaccine Program occurred following Rep. Gallego's advocacy efforts to ensure that underserved neighborhoods in Phoenix that rely on Community Health Centers had equal access to vaccine. Community Health Centers in the Phoenix area serve a high proportion of low-income patients and communities of color, patients experiencing homelessness or living in public housing, and those with limited English proficiency. Many of these patients have been left behind in Arizona's vaccine rollout thus far despite being among the hardest hit communities by COVID-19.

Rep. Gallego made the following statement:

"Community Health Centers are a lifeline in low income, underserved, and underinsured communities – and throughout this pandemic they have often been the difference between my

AMERICAN OVERSIGHT

constituents being able to access care or not. These health centers will and must play central role in vaccine distribution if we are to successfully reach herd immunity in all of our communities.

"Each of the health centers included in this program have strong existing relationships and trust with the communities they serve, and they have worked to make sure that vaccines are accessible to their patients regardless of where they live, the language they speak, or their financial means.

"That is why I am grateful to the Biden Administration for heeding my call to include multiple Community Health Centers serving my District in a direct vaccine allocation program that will expand access to vaccines in Black, Latino, immigrant and underserved neighborhoods that I represent."

Shawn Frick, CEO of the Arizona Alliance for Community Health Centers, emphasized that, "The inclusion of more Federally Qualified Health Centers in Arizona in this program is very timely. Currently, 23 Arizona health centers, serving over 800,000 Arizonans at 180 sites throughout the state, are working to ensure special populations – such as the homeless, the poor, agricultural and migrant workers, residents of public housing and people living in rural areas – have access to all three COVID vaccines. We thank Congressman Gallego for his advocacy in ensuring that FQHCs have direct access to vaccines for their patients."

To locate a HRSA-funded health center, visit: https://findahealthcenter.hrsa.gov/.

* * * * *

Applications Being Accepted for a Vacancy on the Arizona Supreme Court

Applications are being accepted for a vacancy on the Arizona Supreme Court created by the retirement of Justice Andrew W. Gould.

The Commission on Appellate Court Appointments will review applications, interview selected applicants, and recommend at least three nominees for the vacancy to Governor Doug Ducey, who will appoint the new justice.

The most current judicial application form can be downloaded at the Judicial Department website: www.azcourts.gov/jnc. Applications may also be obtained from the Administrative Office of the Courts, Human Resources Department, 1501 W. Washington, Suite 221, Phoenix, by calling (602) 452-3311, or by sending an electronic mail request to jnc@courts.az.gov.

Applicants must be of good moral character and admitted to the practice of law in, and a resident of the state of Arizona for the past 10 years, and under age 65 at the time the nomination is sent to the Governor.

A signed original application with all attachments, and a searchable .pdf version of the application and attachments must be submitted to the Administrative Office of the Courts, Human Resources Department, 1501 W. Washington, Suite 221, Phoenix, AZ, 85007, by 3:00 p.m. on April 9, 2021.

AMERICAN OVERSIGHT

The Commission may, at its discretion, use the applications filed for this vacancy to nominate candidates for any additional vacancies known to the Commission before the screening meeting for this vacancy is held.

All meetings of the Commission on Appellate Court Appointments are open to the public. Meeting dates will be announced.

The new justice will be paid $159,684.88 annually.

* * * * *

Sinema Secures First-Of-Its-Kind Telehealth Care Program for Arizona Veterans

Sinema worked with key stakeholders including the VA, Philips North America, and the American Legion to secure a Project ATLAS telehealth site in Wickenburg, Arizona

WASHINGTON – Arizona senior Senator Kyrsten Sinema announced the opening of a first-of-its-kind Project ATLAS telehealth site in Wickenburg, AZ. Project ATLAS (Accessing Telehealth through Local Area Stations) is a partnership between the U.S. Department of Veterans Affairs (VA), Philips North America, and the American Legion to deploy remote telehealth exam rooms—connecting veterans with the VA—in regions where additional health care access is needed but remote connections are difficult to establish.

Sinema encouraged the VA, Philips North America, and the American Legion to bring Project Atlas to Arizona and worked with them to place a system in Wickenburg. At the Wickenburg Project ATLAS location, veterans will find comfortable, private spaces equipped with internet access and the technology needed to meet with VA providers via a secure video connection – helping ensure all Arizona veterans receive the care and benefits they've earned, no matter where they live or their access to connectivity.

"The opening of Project ATLAS in Wickenburg represents a first-of-its-kind opportunity for Arizona veterans to access the care and benefits they've earned, no matter where they live. I'm proud of our work with the VA, American Legion, and Philips North America to bring Project Atlas to Arizona and I look forward to continuing our partnership as we serve Arizona veterans across the state," said Sinema, a member of the Senate Veterans' Affairs Committee.

"In recognizing there can be barriers for veterans as they seek out the benefits and services they are entitled to, we are so pleased that Senator Sinema has enabled this project by bringing together a team of people who understand the veteran ecosystem. The ATLAS will provide much needed access to Veteran Affairs in a rural area. We applaud Senator Sinema and Philips for this gift to veterans," said Wanda A. Wright, Director, Arizona Department of Veterans' Services.

"The American Legion Department of Arizona is proud to be a part of the collaborative efforts of the Veterans Administration and Philips to bring the first VA telehealth care system to our Legion Post in Wickenburg AZ. Veterans in Wickenburg, regardless of whether or not they belong to a Veterans Service Organization, will soon have the option of visiting their VA Health Care provider via the telehealth system in Wickenburg rather than traveling to a VA Medical Care facility in Prescott or even Phoenix. The benefits of using telehealth are considerable; especially in the time of the COVID-19 pandemic, " Said Ken Queen, Commander, Department

AMERICAN OVERSIGHT

of Arizona, The American Legion.

"The members and myself are proud to be chosen for this project. It is a major step forward for our veterans. Healthcare for veterans should be a top priority for all of us. This program will enable veterans to have timely appointments, without having to drive great distances. Members are proud that our post is going to be leading into the immediate future of tele-health. They feel this is a great idea, and we all are looking forward to seeing this project come to fruition," said Denny Towne, Wickenburg American Legion post Commander.

"Under Senator Sinema's leadership and vision, we have been able to drive an innovative program that will help improve the health of Arizona veterans by bringing care closer to home and allowing them to get the care they need, when then need it, and in a safe, familiar place," said Vitor Rocha, Chief Market Leader for Philips North America. "Our mission as an organization is to improve the lives of 2.5 billion people a year by 2030 and there is no community more deserving than our nation's veterans. We are committed to working with Senator Sinema, the VA, and American Legion to understand how we can work together and further support them."

In 2019, Sinema worked with the VA and the American Legion advocating for Arizona to be considered as a Project ATLAS pilot site. Sinema noted that many Arizona veterans live in rural parts of the state and lack connectivity to utilize telehealth. A Project ATLAS site would allow Arizona veterans to receive timely care close to home and access telehealth services. In early 2020, Sinema received word from the VA, Philips North America, and the American Legion that Arizona was selected for a Project Atlas site. Sinema continued working with stakeholders and hosted ongoing meetings throughout 2020 with the American Legion National, the American Legion Arizona, the VA Central Office, Philips North America, the Arizona Department of Veterans' Services, and Arizona's VA leadership to facilitate the successful implementation of a Project ATLAS site in Arizona.

During the coronavirus pandemic, Sinema has continued to champion Arizona veterans' access to care. In a recent Senate Veterans' Affairs Committee hearing, Sinema discussed how efforts like Project ATLAS can help VA continue expanding telehealth services for Arizona veterans. In August, the Senate Veterans' Affairs Committee approved Sinema's bipartisan VA Mission Telehealth Clarification Act, which allows VA health trainees to train on and utilize the VA telehealth system to reduce the spread of the coronavirus and save lives.

* * * * *

RLCC Names 2021 Executive Committee

Washington, DC - The Republican State Leadership Committee (RSLC) in 2020 beat back more than a half-billion dollars in total Democratic state spending to defend all 59 Republican-led legislative chambers and flip 2 more. As it continues to build on a cycle that defied all expectations, the RSLC today announced the 2021 executive committee for its largest caucus and only national organization devoted to electing Republican state legislative leaders -- the Republican Legislative Campaign Committee (RLCC).

"In a cycle where we were supposed to be playing defense in a number of key states, hitting the ground running early to raise resources and recruit candidates that reflected their districts paved the way for us to end 2020 on offense. We need to be even more committed to those

AMERICAN OVERSIGHT

two goals this time around, as Democrats have shown us they have no intention of slowing down when it comes to investing in legislative races," said RLCC Chairwoman and Louisiana Senate Majority Leader Sharon Hewitt. "I'm excited to work with the fantastic executive committee we put together to ensure state Republicans continue holding the line against the radical liberal agenda coming out of Democrat controlled Washington."

"I am exceedingly proud of what the RSLC team accomplished in the 2020 election cycle-defending all 59 Republican-led legislative chambers, flipping 2 more, and electing the strongest, most diverse class of state Republican candidates in our party's history," said RSLC President Dee Duncan. "Our new executive committee members will play key roles in providing Republicans across the country the resources they need to fight back against the liberal money machine, keep winning tough races, and shape the direction of the Republican Party for years to come."

RLCC Executive Committee

Louisiana Senate Majority Leader Sharon Hewitt, Chairwoman

Indiana Speaker of the House Todd Huston, Vice Chair

Pennsylvania Speaker of the House Bryan Cutler, Finance Chair

Arizona Senate President Karen Fann, Engagement, Transportation, and Infrastructure Chair

Arizona Senate President Pro Tempore Vince Leach, Member at Large

Colorado Senate Republican Whip Paul Lundeen, Member at Large

Florida Senator Kathleen Passidomo, Member at Large

Florida Representative Paul Renner, Health Care Chair

Florida Senate President Wilton Simpson, Member at Large

Florida Speaker of the House Chris Sprowls, Member at Large

Georgia House Majority Whip Trey Kelley, Member at Large

Georgia Representative Bruce Williamson, Technology Chair

Georgia Senate Majority Caucus Chairman John Kennedy, Member at Large

Hawaii House Minority Whip Val Okimoto, Member at Large

Idaho Speaker of the House Scott Bedke, Member at Large

Illinois House Republican Leader Jim Durkin, Member at Large

Iowa Speaker of the House Pat Grassley, Engagement Chair

Iowa Senate Majority Leader Jack Whitver, Energy Chair

Kansas Speaker of the House Ron Ryckman, Member at Large

AMERICAN OVERSIGHT

Kentucky Senate President Robert Stivers, Member at Large

Maryland House Minority Leader Nic Kipke, Member at Large

Maryland House Minority Whip Kathy Szeliga, Health Care Chair

Michigan Speaker of the House Jason Wentworth, Member at Large

Michigan Senate Majority Leader Mike Shirkey, Member at Large

Michigan Senate President Pro Tempore Aric Nesbitt, Member at Large

Minnesota House Minority Leader Kurt Daudt, Health Care Chair

Minnesota Deputy Republican Leader Anne Neu Brindley, Health Care Chair

Mississippi Speaker of the House Philip Gunn, Energy Chair

Nevada Senator Ben Kieckheffer, Technology Chair

New Hampshire Senate President Chuck Morse, Member at Large

New Jersey Senator Michael Testa, Member at Large

New Mexico Representative Kelly Fajardo, Member at Large

New York Assembly Minority Leader Will Barclay, Member at Large

North Carolina Senate President Pro Tempore Phil Berger, Caucus Engagement Chair

North Carolina Speaker of the House Tim Moore, Member at Large

Ohio Senate President Matt Huffman, Transportation and Infrastructure Chair

Ohio Senate President Pro Tempore Jay Hottinger, Transportation and Infrastructure Chair

Oklahoma Senate President Pro Tempore Greg Treat, Member at Large

Oregon House Republican Leader Christine Drazan, Member at Large

Pennsylvania Senate President Pro Tempore Jake Corman, Energy Chair

Texas Speaker of the House Dade Phelan, Member at Large

Virginia House Republican Leader Todd Gilbert, Member at Large

Virginia Senate Republican Caucus Chairman Ryan McDougle, Member at Large

Virginia Senator Jen Kiggans, Health Care Chair, Member at Large

Washington House Republican Leader JT Wilcox, Member at Large

About RSLC

AMERICAN OVERSIGHT

The Republican State Leadership Committee (RSLC) is the largest caucus of Republican state leaders in the country and the only national organization whose mission is to elect Republicans to multiple down-ballot, state-level offices. Since 2002, the RSLC has been working to elect candidates to the offices of lieutenant governor, secretary of state, state legislator, the judiciary and other down-ticket races. State-level Republicans maintain 61 of 99 legislative chamber majorities across the country, hold 25 lieutenant governor seats, and control 29 secretaries of state offices. To learn more about the RSLC, please visit www.rslc.gop or follow @RSLC on Twitter.

Arizona doctors sign letter urging Legislature not to let businesses ignore mask mandates

PHOENIX, Ariz. -- More than 130 Arizona physicians are calling on the Legislature to not pass HB 2770, which would allow businesses to ignore mask mandates issued by cities, towns, or counties. The bill passed the House earlier this month.

"Allowing businesses to ignore mask mandates that continue to protect citizens of our community from COVID-19 would be reckless and quite possibly deadly," said **Dr. Cadey Harrel, CEO of Agave Community Health & Wellness, a family physician in Tucson**. "We have the power to end this pandemic if enough people get the vaccine as soon as they can. But with the virus mutating and becoming more contagious, rolling back the tools we know work to prevent spread would jeopardize everything we've worked and sacrificed for."

The letter to the Legislature is included below.

* * * * *

To the Arizona Legislature: Don't Let Businesses Ignore Mask Mandate

As physicians across Arizona who are concerned about our patients and the public health of our state, we are urging the Arizona Legislature **not to pass** HB 2770, which would allow businesses to ignore mask mandates issued by cities, towns, or counties. Passing this legislation could lead to another surge in COVID-19 cases and cause more needless deaths.

With three vaccines that are highly effective at preventing COVID-19 hospitalizations and deaths being administered as we speak, there is indeed light at the end of the tunnel. Like all Arizonans, we are eager to get back to more normal life — as healthcare workers we see firsthand the toll this pandemic has taken on physical and mental health.

But rushing to throw masks away and get rid of the protections that have saved countless Arizonans will only risk more lives. Public health experts have warned against ending protections while cases remain high, too few people are vaccinated and more contagious variants and mutations of COVID-19 have begun spreading. The more contagious B.1.1.7 variant of COVID-19 has been reported in Arizona, and community disease spread remains high in eight of Arizona's 15 counties, including the most populous, Maricopa County.

Furthermore, Arizona has vaccinated only a fraction of our residents: Only around 10 percent of Arizonans have received both doses of a vaccine for maximum efficacy, and only 19.7 percent have received one dose. Epidemiologists and health experts say between 70 and 90 percent of the population needs to be vaccinated to achieve herd, or community, immunity,

AMERICAN OVERSIGHT

when enough people have immunity to stop COVID-19 from spreading within the population.

We are hopeful that we'll reach community immunity and a sense of normalcy very soon, but now is not the time to abandon the practices that have gotten us this far and kept our patients and state safer. We know that masks work to prevent the spread — and preventing the spread is critical to keep the virus from continuing to replicate and mutate, becoming more contagious and dangerous. With a little discipline and inconvenience now, Arizonans can all make it out of this pandemic together.

Make no mistake, if the Arizona Legislature passes HB 2770 to let businesses ignore mask requirements, more of our patients and neighbors will needlessly die. Especially when we are so close to a chance at community immunity and normalcy, passing this senseless policy would be a grave mistake. We urge the Legislature not to pass this policy.

About the Committee to Protect Medicare

The Committee to Protect Medicare is an advocacy organization made up of frontline doctors engaging in direct advocacy and communications in support of a stronger health care system in America. To learn more: http://committeetoprotect.org/

* * * * *

Chair Grijalva Introduces "Save Oak Flat Act" to Permanently Protect Tribal Sacred Site in Central Arizona From Destructive Mining

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today introduced the *Save Oak Flat Act* to permanently protect the Oak Flat area of Tonto National Forest from destructive mining proposals. Oak Flat, or *Chi'chil Bildagoteel,* is of significant cultural importance and considered sacred by many tribal communities in Arizona, including the San Carlos Apache Tribe, which has resisted a years-long effort by Resolution Copper – owned by international mining conglomerates BHP and Rio Tinto – to mine the region.

The San Carlos Apache and many other tribes strongly support Grijalva's bill.

The issue was recently featured on *The Today Show* and has received intensive news coverage in recent weeks. On March 1, the Biden administration withdrew an environmental impact statement, published in the waning hours of the Trump administration, that would have finalized a land swap between Tonto National Forest and Resolution Copper, after which the mine would have moved forward.

Chair Grijalva and colleagues sent a letter to acting Secretary of Agriculture Kevin Shea on February 19 urging reconsideration of the document, given its rushed timing and clearly political nature. Grijalva has been leading the issue since the insertion of an unrelated provision in the 2015 National Defense Authorization Act mandating the federal government transfer 2,422 acres of Tonto National Forest land to Resolution Copper in exchange for less valuable land elsewhere.

"The San Carlos Apache never asked for this land to become a political issue, but this is not a fight we're going to lose," Grijalva said today. "I will work to move this bill forward, this land is

AMERICAN OVERSIGHT

going to be protected, and we're going to establish that you don't get to push around Native American communities just because you can make a profit. The Biden administration was doing its job in withdrawing the Trump administration's politically motivated analysis, and now that we can move forward in a more rational way, this land is going to be protected for the long term."

"Too many times our Native American brothers and sisters have seen the profits of huge corporations put ahead of their sovereign rights," said Sen. Bernie Sanders (I-Vt.), author of the Senate companion bill. "It is wrong that a backroom deal in Washington could lead to the destruction of a sacred area that is so important to so many. We must defend the hundreds of thousands of Americans who are standing in opposition to this giveaway of our natural resources to foreign corporations."

The Committee held a March 12, 2020, oversight hearing titled *The Irreparable Environmental and Cultural Impacts of the Proposed Resolution Copper Mining Operation* to highlight the issue. The new bill will be the subject of a forthcoming hearing in the Natural Resources Committee.

* * * * *

Release: Arizona Democratic Party Urges Independent Redistricting Commission to Disqualify Republican Operatives in Executive Director Search

The Executive Director is a key staff position that should not be held by inexperienced political operatives

PHOENIX -- Tomorrow, the Independent Redistricting Commission (IRC) will meet and interview five candidates for Executive Director (ED), a position critical to the management of the IRC and the success of its efforts to engage diverse communities throughout Arizona in the redistricting process. Included in the list of finalists are two candidates whose work experience and close ties to GOP elected officials raise significant concerns:

Trevor Abarzua, a 2015 graduate of ASU, began his career on the 2016 campaign of Sen. John McCain, followed by an almost two-year stint in Governor Ducey's office. While in his current role at a state agency, Mr. Abarzua applied, unsuccessfully, to fill one of the Republican seats on this IRC.

Brian Schmitt is the Chief of Staff to current Phoenix City Councilmember Jim Waring. Although not much of Mr. Schmitt's background and experience has yet been made available to the public, it appears that his name is linked to a 2020 campaign disbursement from McSally for Congress in the amount of $63,652.44, made 3 days after the November election, as well as disbursements from the Republican National Committee in both 2020 and 2018. Councilmember Waring, a former Republican congressional candidate, is term-limited and will have to vacate his council seat by 2023. It is unknown if he intends to run for another elected office.

Arizona Democratic Party spokesman Alex Alvarez issued the following statement:

"As this Commission must overcome an unprecedented six-month delay in the release of Census data, the importance of qualified and experienced staff cannot be overstated. The Executive Director role is not the job for a GOP political operative looking to influence the process as an unappointed sixth commissioner.

We urge the Commissioners to prioritize candidates who have the experience to best lead the

AMERICAN OVERSIGHT

IRC staff and operations, and who are committed to upholding the trust of Arizonans and spirit of fairness that this Commission has been working diligently to build."

NEWS CLIPS

House passes bills to clear criminal records

By Luis Zambrano Arizona Capitol Times
03-15-21

Tremayne Nez felt defenseless after Flagstaff police wrongfully arrested him in June 2019 on suspicion of selling LSD.

Police mistook Nez, then 20, for someone else, and the fallout from the arrest was immediate on him and his family. (To read more, click here).

* * * * *

Supreme Court justice to retire

By Kyra Haas Arizona Capitol Times 03-15-21

A Gov. Doug Ducey-appointed Supreme Court justice announced his retirement today, effective April 1, after about three years on the bench, capping a total of 20 years as a judge.

Justice Andrew Gould was appointed to the state's high court by the governor to fill one of two vacancies created by the expansion of the court from five to seven justices in 2016 and started his new role in 2017. (To read more, click here).

* * * * *

Arizona Republican Party chair sued over party election

By Staff Associated Press
03-15-21

Two candidates for the Arizona Republican Party's executive committee who lost their January elections are suing state party Chair Kelli Ward to force an audit of the results.

The lawsuit filed Friday in Maricopa County Superior Court by William Beard and Sandra Dowling also names the state party. It seeks a court order requiring an audit of the results. (To read more, click here).

* * * * *

AMERICAN OVERSIGHT

Voting rights or voter fraud? A study in contrasts

By Peter Aleshire Payson Roundup
03-15-21

A sweeping effort by Congress to make it easier to vote and force disclosure of dark money spending in elections drew sharply different reactions from the congressmen representing northern Arizona — including Apache, Navajo and Gila counties.

Democrat Tom O'Halleran said the bill will strengthen democracy and prevent fraud. Republican Paul Gosar said the purpose of the bill was to "fraudulently elect Democrats." (To read more, click here).

* * * * *

Legislators join groups promoting effort to decide future of wall

By Shar Porier My Herald Review
03-15-21

With the end of the moratorium to stop construction of the border wall just days away, former U.S. officials and environmental and community activists want to know what President Joe Biden and new Director of Homeland Security Alejandro Mayorkas have in mind to resolve the problems created.

Arizona U.S. Reps. Raúl M. Grijalva and Anne Kirkpatrick and six other U.S. representatives sent a letter to Biden applauding his decision to shut down construction and assign the DHS and Department of Defense the task of developing a plan to redirect funding, repurpose contracts and restore the fragile land damaged within the 60 days of Biden's construction moratorium. (To read more, click here).

* * * * *

NASA works with Navajo Nation to name new features discovered on Mars

By Aris Folley The Hill
03-15-21

In collaboration with leaders of the Navajo Nation, the nation's largest Indian reservation, NASA is naming items of scientific interest discovered on Mars as part of its Perseverance rover's ongoing mission with words from the Navajo language.

AMERICAN OVERSIGHT

The space agency announced this month that it began naming features discovered using the rover, which landed on the Mars Jezero Crater last month, with words from the language after getting permission from Navajo leaders in addition to a list of 50 names approved names so far. (To read more, click here).

* * * * *

No, Cindy McCain, conservative uproar over Dr. Seuss and cancel culture isn't 'ridiculous'

By Phil Boas Arizona Republic 03-15-21

There's a reason MSNBC anchor Stephanie Ruhle was interviewing Cindy McCain about Joe Biden's stimulus bill. The widow of John McCain had endorsed Biden over Donald Trump and remains sympathetic to his policies.

McCain was there to explain why her fellow Republicans, the ones who mostly voted Trump, were tuning out the stimulus debate and going crazy over Dr. Seuss.

* * * * *

Schools don't have to go at COVID-19 precautions alone. We got professional help to reopen

By Ana Moran and Betsy Hargrove Arizona Republic 03-15-21

Safely restarting in-person education in our schools is one of the most difficult and important tasks we face as we strive to for normalcy in the face of COVID-19.

And an immediate challenge given Gov. Doug Ducey's order for in-person learning to resume as of March 15. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Monday, March 15, 2021 5:06:25 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-15-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet March 15, 2021

THE NEXT AUDIT WILL HAPPEN AT A RAVE
Finchem brought a rotating cast of maskless Republican lawmakers to a dark basement conference room this morning to play with blacklights and hear a pitch for printing ballots on counterfeit-proof paper, similar to money.

BETTER START FIGURING IT OUT, COUNTIES
Arizona Assn of Counties Executive Director Jenn Marson, who also attended Finchem's presentation, told our reporter she's still trying to figure out all of the potential costs and logistical challenges if the Legislature mandates a change to ballots.

WE HEAR THE NEW YORK TIMES HAS A PUFF PIECE READY TO GO
Marco Lopez will be the first person to throw his hat into the ring for Arizona governor in 2022 as multiple sources say he is expected to announce his

AMERICAN OVERSIGHT

campaign tomorrow.

IT'S THE ELECTION BILLS
Bowie might be a key holdout vote on a bill to allow for sports betting, which will need Democratic support to pass the chamber, as several Republicans have vowed to oppose it.

IT'S THE PRINCIPLE
Friese was one of just three House Democrats to vote against H2772, and he said he did so because he had several unanswered questions about what the bill would do.

IT'S AN OPPORTUNITY
Outside pressure is also starting to build for Senate Dems to push back on the gaming bills, despite nearly the entire Democratic caucus supporting it in the House last week.

THEY'RE GOING AFTER GAYS, NOT REPUBLICANS
A referendum to repeal the non-discrimination ordinance in Mesa is collecting signatures alongside efforts to recall Ducey and Bowers, giving the appearance that backers are supporting all three petitions.

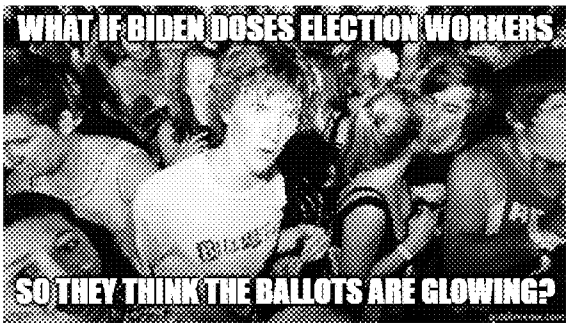
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, March 15, 2021

NEWS NOTES AND GOSSIP

THE NEXT AUDIT WILL HAPPEN AT A RAVE



Finchem brought a rotating cast of maskless Republican lawmakers to a dark basement conference room this morning to play with blacklights and hear a pitch for printing ballots on counterfeit-proof paper, similar to money. Finchem told our reporter a mutual friend helped him get in touch with Kent Mansfield of authentication company Authentix, and they gave the company a blank Cochise County ballot to recreate with security measures. The new paper, which would cost about $0.25 per ballot compared to the roughly $0.05 counties now pay, includes watermarks, a QR code and other security features. Finchem argued that there is currently no guarantee that counterfeit ballots can't be slipped in with genuine ones, and he said he would support state funding for a new style of ballots. "Under 25 cents a ballot is totally worth it," he said. About 3.5 million voters cast ballots in Arizona during the 2020 general election, so printing for that election alone would have cost about $875,000 if the anti-counterfeit ballots had been required. That doesn't include multiple other elections – primaries, the 2020 presidential preference election, local and special elections held outside the August/November election cycle – nor does it cover the cost of additional equipment. Chaplik and Parker left eager to find some way to pass a mandate to use the new ballots, which could cost counties hundreds of thousands of dollars for new ballots, let alone additional equipment needed to read the new ballots. They're looking to get Ugenti-Rita to add draft language that Chaplik said he wrote before the session to one of the House bills moving through the Senate Government Committee, or find a way to craft a floor amendment to a Senate bill. Burges, Barton, Payne and Cochise County Recorder David Stevens were among the observers when our reporter stopped by, and Finchem was trying to get Fann to visit. The audience was impressed: "Look at that beautiful watermark," Barton said. "This is what technology has out there for us. We should be using it in every election," Chaplik said.

BETTER START FIGURING IT OUT, COUNTIES

Arizona Assn of Counties Executive Director Jenn Marson, who also attended Finchem's presentation, told our reporter she's still trying to figure out all of the potential costs and logistical challenges if the Legislature mandates a change to ballots. For instance, the model ballot includes a QR code that a voter could use to track their individual ballot to see if officials have received or counted it. Counties already can tell whether an early ballot has been received or counted – but that's based on voter registration, not scanning QR codes, and counties would have to redesign their systems to interact with that technology. Counties would also need at least one machine capable of reading the security features, new ballots at each polling site that tabulates ballots on site, and likely more than one at central count locations. "Yeah, it's cool technology," she said. "We believe that our elections are currently secure." The sample ballot was also a "skinny" ballot from Cochise County with fewer races and printed on narrower paper than Maricopa County ballots, and Marson said Authentix told her it would expect all ballots to be printed on the same size of paper. That could add an extra sheet in Maricopa County, and she doesn't know whether changing the paper size would work with the county's envelopes, tabulating machines and various automated processes. "I think this is a huge issue with a lot of logistics to be introduced in the last two weeks of hearing bills, with no language at all right now," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002644

ARZN_REV00068878_3-15-21.pdf

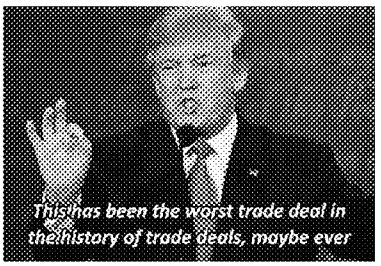
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE HEAR THE NEW YORK TIMES HAS A PUFF PIECE READY TO GO

"All the News
That Carlos Lets Us Print"

Marco Lopez will be the first person to throw his hat into the ring for Arizona governor in 2022 as multiple sources say he is expected to announce his campaign tomorrow. Lopez could not be reached for comment, but the rumor mill has long declared the former Nogales mayor as a serious contender for the expected Democratic primary (YS, 2/19) (though his name has been floated before (YS, 3/17/2017)). He will immediately have a financial advantage to anybody else who joins him in the race over the next year, as sources expect him to self-fund to a significant degree. Still, whether the cash-flushed candidate can survive a Democratic primary is an open question, as he has several "red, red, red flags" according to one Dem railbird. Most notably, Lopez serves as a senior advisor to Mexican billionaire Carlos Slim, who made his fortune in the telecommunications industry, originally in Mexico, though his empire has spread through most of Latin America and even the US (LINK). Slim used to be the world's richest person (now is ranked fifth) and currently owns roughly 6 percent of the *New York Times* after selling off shares several years ago. "I don't know how he thinks that's going to fly," one Dem railbird said. "There are a lot of red flags, and ethical concerns, especially considering he's self-funding." The source said Lopez is already staffing up in Arizona. Lopez has an extensive resume outside of running a winning campaign for Nogales mayor at the age of 22. Among other jobs, Lopez has served as an advisor to former Gov Janet Napolitano and followed her to DC, where he became chief of staff for the US Customs and Border Protection, which our railbird said is "not exactly something the Dem base is crying out for." He has made his ambitions to become governor well known. In 2004, he told *Governing Magazine* that his plan was to become governor before he turned 40 (LINK), a goal he repeated in 2009 (YS, 3/3/2009). He is 42. Sabato's Crystal Ball already put the Arizona governor race as a "toss-up" roughly 20 months out from Election Day.

IT'S THE ELECTION BILLS



Bowie might be a key holdout vote on a bill to allow for sports betting, which will need Democratic support to pass the chamber, as several Republicans have vowed to oppose it. He told our reporter he and other Dems in the Senate have some reservations about giving their support to a key Ducey priority while many controversial election bills are making their way through the legislative process. "I'm looking for more from the Governor's Office in terms of being willing to work together and there's a lot of bills that we don't like – particularly around voting rights," he said. "We would like to have a conversation and more of a working relationship around [how] some of these bills are bad public policy and we would obviously not like to see them get signed into law." While he hasn't seen any indication from the Ninth Floor that Ducey is willing to play ball with killing controversial election bills in exchange for support on sports betting, Bowie said he's hopeful the two sides can work together. Bowie, who lives in a swing district, is the most bipartisan Democrat in the Senate and has a good working relationship with Ducey, so his support is crucial to get enough Democrats to vote for either Weninger's H2772 (fantasy sports betting; event wagering) or Shope's mirror S1797. Shope's effort is currently in limbo since Fann has yet to remove it from the Appropriations Committee after Gowan held it in a maneuver to try to force through his historic horseracing bill that would include Shope's measure as an amendment. Fann also hasn't assigned Weninger's bill to a committee, likely waiting to see if she can ensure enough Democrats support whichever gets to the floor. Nine Republicans in the House voted against the House version. Bowie speculated it could be a couple of weeks before we see any movement on betting legislation, so Democrats' immediate focus is on the controversial bills they want Ducey or the Legislature to kill.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002645

ARZN_REV00068878_3-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S THE PRINCIPLE

Friese was one of just three House Democrats to vote against H2772, and he said he did so because he had several unanswered questions about what the bill would do. He told our reporter that he wasn't pressured into voting for it by leadership, as a railbird suggested was the case in the House, but said his understanding is Dems mostly voted in favor of it because the tribes support it. "I think the tribes feel that they get more and more leverage with the banks if they have a new compact that's gonna last 20 some years and not an old compact that has a clock ticking on it," he said, referring to the current compact approved on the ballot in 2002 about to expire for some tribes as early as 2023. "They get better leverage with their loans and interest rates, which I get, but as I said on the floor, I object to marrying this bill to the compact. This Legislature should have nothing to do with those negotiations, and the governor took the easy path." Friese said he thinks Ducey told the tribes to whip the Dem votes for him and Ducey would give them a new compact in return. Friese also said he wasn't in favor of the sports owners being the ones who will likely get all available licenses. Ultimately, Friese told our reporter he let the tribes know he was uncomfortable with the language and wouldn't support the bill. "I am my own legislator," he said. David Lujan, director of the Arizona Center for Economic Progress, said he recently started to follow the bills and gaming compact and doesn't understand all the Dem support outside of the fact that the tribes support it. He said he doesn't know what would even happen if Dems said "no" considering they hold all the cards and can try to bargain with Republicans and Ducey for their votes. "I think it's good for the tribes. I think certainly they can use the revenue, but I don't think the state should be using it to pay for tax cuts," Lujan told our reporter. "I don't see the harm in holding those votes out until [Democrats] know that this is a good deal for Arizona and so, to me it seems like they should be slowing this down and taking a closer look at it and asking more questions," he said.

IT'S AN OPPORTUNITY

Outside pressure is also starting to build for Senate Dems to push back on the gaming bills, despite nearly the entire Democratic caucus supporting it in the House last week. While there doesn't seem to be a full on effort to kill the measures from Weninger and Shope, some Democrats are increasingly making noise. Dem Consultant Julie Erfle took Dem lawmakers to task in her latest column for the *Arizona Mirror*. She accused Ducey of backing Democrats into a corner to support the measures. Erfle wrote that Dems are getting a bad deal because they are widely supporting a gambling expansion effort that puts money back into the General Fund, likely for more eventual tax cuts, and prioritizes rich sports owners from being able to bid top dollar for gambling licenses for off-tribe sites. "I'm sure it's only a coincidence that some of these owners also happen to be major contributors to Ducey's campaigns and pet projects," Erfle wrote (LINK). "And while I'm not surprised Ducey would subscribe to this type of cronyism, I am surprised Democrats would acquiesce." Shope shot back that, "It's a good thing that most of the Democratic caucus doesn't take advice from her." Shope has been trying to get Fann to pull his bill from Gowan's committee, but to no avail so far. As of last week, the bill likely had support to pass the Senate, but some Dem railbirds are now speculating that these new efforts to sway legislators into the "nay" column could be why Fann hasn't assigned Weninger's bill to a committee yet.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002646
ARZN_REV00068878_3-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THEY'RE GOING AFTER GAYS, NOT REPUBLICANS

A referendum to repeal the non-discrimination ordinance in Mesa is collecting signatures alongside efforts to recall Ducey and Bowers, giving the appearance that backers are supporting all three petitions. Cathi Herrod and George Khalaf are backing the petition to undo the City of Mesa's recent decision to protect people in the LGBTQ community from workplace discrimination – it passed the City Council 5-2 on March 1. (The City of Scottsdale is also on track to pass its own similar ordinance (LINK).) Herrod launched "United for Mesa" to refer Mesa's ordinance to the ballot citywide. Khalaf confirmed to our reporter that the petitions are circulating together. However, he said he and others involved with the referendum are in no way endorsing the recalls against Bowers and Ducey, noting there is only a 30-day window to collect signatures for a referendum, so some will be circulating the three together. Herrod said while she's trying to repeal the anti-discrimination effort in Mesa, she in no way supports efforts to recall any elected official, including Ducey and Bowers. "We are not part of any recall effort," she told our reporter, later tweeting that she "strongly opposes" the recalls (LINK). The efforts to recall Ducey and Bowers are being run by "We the People AZ Alliance" (YS, 2/22) and Patriot Party of Arizona, respectively. "I'm blown away by this," one lobbyist said, adding that the fact that Herrod was unable to stop the council from adopting the measure is a sign of Herrod's influence starting to fade away. "It shows how fast their power base is declining, and how quickly they are feeling isolated and shut out," the source said.

·WAKE UP CALL·

House passes bills to clear criminal records

Arizona Capitol Times

Tremayne Nez felt defenseless after Flagstaff police wrongfully arrested him in June 2019 on suspicion of selling LSD.

Supreme Court justice to retire

Arizona Capitol Times

A Gov. Doug Ducey-appointed Supreme Court justice announced his retirement today, effective April 1, after about three years on the bench, capping a total of 20 years as a judge.

Democratic Arizona Rep. Kirkpatrick won't seek re-election

Associated Press

U.S. Rep. Ann Kirkpatrick, a five-term Arizona Democrat, announced Friday she won't run for re-election in 2022.

Wild population of endangered Mexican wolves keeps growing

Associated Press

Once on the verge of extinction, the rarest subspecies of the gray wolf in North America has seen its population nearly double over the last five years, with more gains being reported in 2020, U.S. wildlife managers said Friday.

Arizona Republican Party chair sued over party election

Associated Press

Two candidates for the Arizona Republican Party's executive committee who lost their January elections are suing state party Chair Kelli Ward to force an audit of the results.

Governor says Arizona can meet Biden's vaccine deadline

Associated Press

Arizona can meet President Joe Biden's goal to offer vaccinations to everyone who wants one by May as long as the federal government supplies enough vaccines, Gov. Doug Ducey said Friday.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002647

ARZN_REV00068878_3-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Voting rights or voter fraud? A study in contrasts
Payson Roundup
A sweeping effort by Congress to make it easier to vote and force disclosure of dark money spending in elections drew sharply different reactions from the congressmen representing northern Arizona — including Apache, Navajo and Gila counties.

Legislators join groups promoting effort to decide future of wall
Herald-Review
With the end of the moratorium to stop construction of the border wall just days away, former U.S. officials and environmental and community activists want to know what President Joe Biden and new Director of Homeland Security Alejandro Mayorkas have in mind to resolve the problems created.

Phoenix Detective Loses Job After Assault on Fellow Cop
Phoenix New Times
In a scene that seems taken from "The Departed," a former Phoenix detective repeatedly punched another cop in the face during an argument over a case.

Doctors: It's too soon for Ducey to lift COVID restrictions
Cronkite News
Four Arizona doctors on Friday assailed Gov. Doug Ducey's plan to return to mostly normal operations as vaccinations against COVID-19 ramp up, warning that the coronavirus that causes the disease remains out of control.

NASA works with Navajo Nation to name new features discovered on Mars
The Hill
In collaboration with leaders of the Navajo Nation, the nation's largest Indian reservation, NASA is naming items of scientific interest discovered on Mars as part of its Perseverance rover's ongoing mission with words from the Navajo language.

Gosar allies with racists, making it hard to take his 'white racism' denunciation seriously
Arizona Mirror (Opinion, Jim Small)
Congressman Paul Gosar is no stranger to palling around with bigots and racists, making it hard to place much stock in his denunciations of "white racism" after he gave the headline speech at a white nationalist conference and sat through a blatantly racist speech given by the organizer.

Why is the Arizona Legislature so afraid of Arizona citizens?
Arizona Republic (Opinion, Laurie Roberts)
Not only are Republican legislators busy passing bills to make it more difficult to vote, they're also working to make it harder for Arizonans to make laws at the ballot box.

Ducey doesn't have the authority to order schools reopened, but he's right that it is time
Arizona Republic (Opinion, Robert Robb)
The governor doesn't have legal powers to order schools to fully return to in-person learning. That said, he's right: It's time to fully reopen schools.

NAU's first Latino president can do big things for the university. But he'll need our help
Arizona Republic (Opinion, Elvia Diaz)
Dr. José Luis Cruz will be the first Latino president of Northern Arizona University – and Arizona's economy depends on his success.

No, Cindy McCain, conservative uproar over Dr. Seuss and cancel culture isn't 'ridiculous'
Arizona Republic (Opinion, Phil Boas)
The caretakers of the Dr. Seuss collection had to know what was coming. Today's culture warriors are painting Dr. Seuss with a laser that will one day guide the missiles that destroy him.

Schools don't have to go at COVID-19 precautions alone. We got professional help to reopen
Arizona Republic (Op-ed, Ana Moran and Betsy Hargrove)
Avondale Elementary got help from a third-party to set protocols on keeping students safe and to trace and isolate known cases to prevent outbreaks.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002648
ARZN_REV00068878_3-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Sen. J.D. Mesnard and Arizona vacation-rental hosts to conduct press conference in support of SB 1379

Event scheduled for 1 p.m. Tues., March 16 at the State Capitol

Phoenix, Ariz. – Arizonans for Responsible Tourism Recovery – a statewide coalition of over 1,000 Arizona vacation-rental hosts, small business owners and travel industry partners – will have a press conference at the State Capitol on Tuesday, March 16, at 1 p.m. – immediately preceding a scheduled House Commerce Committee hearing on SB 1379.

Local vacation-rental owners and hosts will be joined by bill sponsor Sen. J.D. Mesnard (R-Chandler) to advocate for SB 1379, which will protect neighborhoods from nuisance properties while preserving vacation rentals as a driver of tourism and supplemental source of income for Arizona families. The bill – which recently passed out of the Senate with broad, bipartisan support – is scheduled to be heard in the House Commerce Committee at 2 p.m. Tuesday.

WHAT: Press conference to rally support for SB 1379
WHO: Arizona short-term rental hosts, Sen. J.D. Mesnard (R-Chandler)
WHEN: 1:00 p.m., Tues., March 16
WHERE: Arizona State Capitol – East Lawn
1700 W. Washington St., Phoenix AZ

Arizona Department of Education and Arizona Department of Economic Security Announce Rollout of Additional Nutrition Assistance for Arizona Families

The Arizona Department of Education (ADE) and Arizona Department of Economic Security (DES) are proud to announce the rollout of the Pandemic-Electronic Benefit Transfer, or P-EBT. Authorized by the Families First Coronavirus Response Act, P-EBT provides families of eligible children additional funds to purchase food during the 2020-2021 school year. P-EBT is a complement to the meals and snacks currently being provided to children through the Child Nutrition Programs at Arizona schools.

P-EBT funds are intended to support families whose children are enrolled in the National School Lunch Program but have not or do not currently have access to receive a free or reduced-price meal at school during the school day due to a school closure or instances of distance learning. Families who qualify will receive funds for each of the months their child's school offered distance learning during the 2020-2021 school year, starting from August 2020 and ending in May 2021. Receiving a meal/snack through the Child Nutrition Programs (curbside, mobile stops, delivery) during distance learning does not prevent a child from receiving P-EBT.

"I am so thankful for the collaboration between ADE and DES to provide this federal assistance to Arizona families," said Superintendent of Public Instruction Kathy Hoffman. "Too many families have struggled with food and economic insecurity due to the pandemic over the last year. The P-EBT program will have an immediate and direct impact for Arizona's families and students."

In collaboration to serve the Arizona families who are counting on this support, ADE will collect information on student eligibility and school learning model(s) for the 2020-2021 school year. ADE will relay that data to DES who will then distribute the payments to families directly by loading payments to SNAP cards or to P-EBT cards that were previously issued in April of last year. If families no longer have a card, they can request a new/replacement card from DES here. Students and their families can expect to receive this assistance as soon as April.

The United States Department of Agriculture (USDA) has approved Arizona's plan to administer P-EBT funds to households of children who qualify on a monthly basis for each month of the 2020-2021 School Year. All eligible children in the school will either receive a full or partial payment depending if the school required or offered distance learning for the majority of that calendar month. Students must be enrolled in a school that participates in the National School Lunch Program to be eligible for P-EBT. More information about a P-EBT, including full and partial monthly amounts, can be found on the DES website.

Learn More: https://www.azed.gov/hns/p-ebtissuance

Applications Being Accepted for a Vacancy on the Arizona Supreme Court

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Applications are being accepted for a vacancy on the Arizona Supreme Court created by the retirement of Justice Andrew W. Gould.
The Commission on Appellate Court Appointments will review applications, interview selected applicants, and recommend at least three nominees for the vacancy to Governor Doug Ducey, who will appoint the new justice.
The most current judicial application form can be downloaded at the Judicial Department website: www.azcourts.gov/jnc. Applications may also be obtained from the Administrative Office of the Courts, Human Resources Department, 1501 W. Washington, Suite 221, Phoenix, by calling (602) 452-3311, or by sending an electronic mail request to jnc@courts.az.gov.
Applicants must be of good moral character and admitted to the practice of law in, and a resident of the state of Arizona for the past 10 years, and under age 65 at the time the nomination is sent to the Governor.
A signed original application with all attachments, and a searchable .pdf version of the application and attachments must be submitted to the Administrative Office of the Courts, Human Resources Department, 1501 W. Washington, Suite 221, Phoenix, AZ, 85007, by 3:00 p.m. on April 9, 2021.
The Commission may, at its discretion, use the applications filed for this vacancy to nominate candidates for any additional vacancies known to the Commission before the screening meeting for this vacancy is held.
All meetings of the Commission on Appellate Court Appointments are open to the public. Meeting dates will be announced.
The new justice will be paid $159,684.88 annually.

Arizona doctors sign letter urging Legislature not to let businesses ignore mask mandates

PHOENIX, Ariz. – More than 130 Arizona physicians are calling on the Legislature to not pass HB 2770, which would allow businesses to ignore mask mandates issued by cities, towns, or counties. The bill passed the House earlier this month.
"Allowing businesses to ignore mask mandates that continue to protect citizens of our community from COVID-19 would be reckless and quite possibly deadly," said **Dr. Cadey Harrel, CEO of Agave Community Health & Wellness, a family physician in Tucson**. "We have the power to end this pandemic if enough people get the vaccine as soon as they can. But with the virus mutating and becoming more contagious, rolling back the tools we know work to prevent spread would jeopardize everything we've worked and sacrificed for."
The letter to the Legislature

"QUOTE OF THE DAY"

"There's a lot of bills that we don't like – particularly around voting rights."

- Bowie, on wanting Ducey to veto bills in exchange for Dem support on gaming legislation

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002650
ARZN_REV00068878_3-15-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, March 15, 2021 5:06:28 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-15-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet March 15, 2021

THE NEXT AUDIT WILL HAPPEN AT A RAVE
Finchem brought a rotating cast of maskless Republican lawmakers to a dark basement conference room this morning to play with blacklights and hear a pitch for printing ballots on counterfeit-proof paper, similar to money.

BETTER START FIGURING IT OUT, COUNTIES
Arizona Assn of Counties Executive Director Jenn Marson, who also attended Finchem's presentation, told our reporter she's still trying to figure out all of the potential costs and logistical challenges if the Legislature mandates a change to ballots.

WE HEAR THE NEW YORK TIMES HAS A PUFF PIECE READY TO GO

AMERICAN OVERSIGHT

Marco Lopez will be the first person to throw his hat into the ring for Arizona governor in 2022 as multiple sources say he is expected to announce his campaign tomorrow.

IT'S THE ELECTION BILLS
Bowie might be a key holdout vote on a bill to allow for sports betting, which will need Democratic support to pass the chamber, as several Republicans have vowed to oppose it.

IT'S THE PRINCIPLE
Friese was one of just three House Democrats to vote against H2772, and he said he did so because he had several unanswered questions about what the bill would do.

IT'S AN OPPORTUNITY
Outside pressure is also starting to build for Senate Dems to push back on the gaming bills, despite nearly the entire Democratic caucus supporting it in the House last week.

THEY'RE GOING AFTER GAYS, NOT REPUBLICANS
A referendum to repeal the non-discrimination ordinance in Mesa is collecting signatures alongside efforts to recall Ducey and Bowers, giving the appearance that backers are supporting all three petitions.

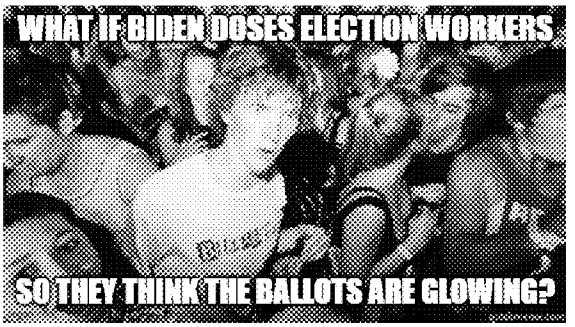
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, March 15, 2021

NEWS NOTES AND GOSSIP

THE NEXT AUDIT WILL HAPPEN AT A RAVE



Finchem brought a rotating cast of maskless Republican lawmakers to a dark basement conference room this morning to play with blacklights and hear a pitch for printing ballots on counterfeit-proof paper, similar to money. Finchem told our reporter a mutual friend helped him get in touch with Kent Mansfield of authentication company Authentix, and they gave the company a blank Cochise County ballot to recreate with security measures. The new paper, which would cost about $0.25 per ballot compared to the roughly $0.05 counties now pay, includes watermarks, a QR code and other security features. Finchem argued that there is currently no guarantee that counterfeit ballots can't be slipped in with genuine ones, and he said he would support state funding for a new style of ballots. "Under 25 cents a ballot is totally worth it," he said. About 3.5 million voters cast ballots in Arizona during the 2020 general election, so printing for that election alone would have cost about $875,000 if the anti-counterfeit ballots had been required. That doesn't include multiple other elections – primaries, the 2020 presidential preference election, local and special elections held outside the August/November election cycle – nor does it cover the cost of additional equipment. Chaplik and Parker left eager to find some way to pass a mandate to use the new ballots, which could cost counties hundreds of thousands of dollars for new ballots, let alone additional equipment needed to read the new ballots. They're looking to get Ugenti-Rita to add draft language that Chaplik said he wrote before the session to one of the House bills moving through the Senate Government Committee, or find a way to craft a floor amendment to a Senate bill. Burges, Barton, Payne and Cochise County Recorder David Stevens were among the observers when our reporter stopped by, and Finchem was trying to get Fann to visit. The audience was impressed: "Look at that beautiful watermark," Barton said. "This is what technology has out there for us. We should be using it in every election," Chaplik said.

BETTER START FIGURING IT OUT, COUNTIES

Arizona Assn of Counties Executive Director Jenn Marson, who also attended Finchem's presentation, told our reporter she's still trying to figure out all of the potential costs and logistical challenges if the Legislature mandates a change to ballots. For instance, the model ballot includes a QR code that a voter could use to track their individual ballot to see if officials have received or counted it. Counties already can tell whether an early ballot has been received or counted – but that's based on voter registration, not scanning QR codes, and counties would have to redesign their systems to interact with that technology. Counties would also need at least one machine capable of reading the security features, new ballots at each polling site that tabulates ballots on site, and likely more than one at central count locations. "Yeah, it's cool technology," she said. "We believe that our elections are currently secure." The sample ballot was also a "skinny" ballot from Cochise County with fewer races and printed on narrower paper than Maricopa County ballots, and Marson said Authentix told her it would expect all ballots to be printed on the same size of paper. That could add an extra sheet in Maricopa County, and she doesn't know whether changing the paper size would work with the county's envelopes, tabulating machines and various automated processes. "I think this is a huge issue with a lot of logistics to be introduced in the last two weeks of hearing bills, with no language at all right now," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002653

ARZN_REV00068880_3-15-21.pdf

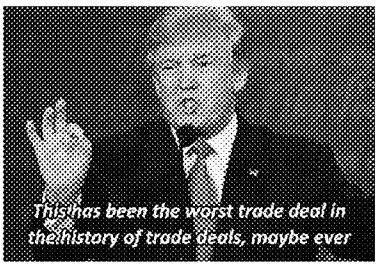
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE HEAR THE NEW YORK TIMES HAS A PUFF PIECE READY TO GO

"All the News
That Carlos Lets Us Print"

Marco Lopez will be the first person to throw his hat into the ring for Arizona governor in 2022 as multiple sources say he is expected to announce his campaign tomorrow. Lopez could not be reached for comment, but the rumor mill has long declared the former Nogales mayor as a serious contender for the expected Democratic primary (YS, 2/19) (though his name has been floated before (YS, 3/17/2017)). He will immediately have a financial advantage to anybody else who joins him in the race over the next year, as sources expect him to self-fund to a significant degree. Still, whether the cash-flushed candidate can survive a Democratic primary is an open question, as he has several "red, red, red flags" according to one Dem railbird. Most notably, Lopez serves as a senior advisor to Mexican billionaire Carlos Slim, who made his fortune in the telecommunications industry, originally in Mexico, though his empire has spread through most of Latin America and even the US (LINK). Slim used to be the world's richest person (now is ranked fifth) and currently owns roughly 6 percent of the *New York Times* after selling off shares several years ago. "I don't know how he thinks that's going to fly," one Dem railbird said. "There are a lot of red flags, and ethical concerns, especially considering he's self-funding." The source said Lopez is already staffing up in Arizona. Lopez has an extensive resume outside of running a winning campaign for Nogales mayor at the age of 22. Among other jobs, Lopez has served as an advisor to former Gov Janet Napolitano and followed her to DC, where he became chief of staff for the US Customs and Border Protection, which our railbird said is "not exactly something the Dem base is crying out for." He has made his ambitions to become governor well known. In 2004, he told *Governing Magazine* that his plan was to become governor before he turned 40 (LINK), a goal he repeated in 2009 (YS, 3/3/2009). He is 42. Sabato's Crystal Ball already put the Arizona governor race as a "toss-up" roughly 20 months out from Election Day.

IT'S THE ELECTION BILLS



Bowie might be a key holdout vote on a bill to allow for sports betting, which will need Democratic support to pass the chamber, as several Republicans have vowed to oppose it. He told our reporter he and other Dems in the Senate have some reservations about giving their support to a key Ducey priority while many controversial election bills are making their way through the legislative process. "I'm looking for more from the Governor's Office in terms of being willing to work together and there's a lot of bills that we don't like – particularly around voting rights," he said. "We would like to have a conversation and more of a working relationship around [how] some of these bills are bad public policy and we would obviously not like to see them get signed into law." While he hasn't seen any indication from the Ninth Floor that Ducey is willing to play ball with killing controversial election bills in exchange for support on sports betting, Bowie said he's hopeful the two sides can work together. Bowie, who lives in a swing district, is the most bipartisan Democrat in the Senate and has a good working relationship with Ducey, so his support is crucial to get enough Democrats to vote for either Weninger's H2772 (fantasy sports betting; event wagering) or Shope's mirror S1797. Shope's effort is currently in limbo since Fann has yet to remove it from the Appropriations Committee after Gowan held it in a maneuver to try to force through his historic horseracing bill that would include Shope's measure as an amendment. Fann also hasn't assigned Weninger's bill to a committee, likely waiting to see if she can ensure enough Democrats support whichever gets to the floor. Nine Republicans in the House voted against the House version. Bowie speculated it could be a couple of weeks before we see any movement on betting legislation, so Democrats' immediate focus is on the controversial bills they want Ducey or the Legislature to kill.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002654

ARZN_REV00068880_3-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S THE PRINCIPLE

Friese was one of just three House Democrats to vote against H2772, and he said he did so because he had several unanswered questions about what the bill would do. He told our reporter that he wasn't pressured into voting for it by leadership, as a railbird suggested was the case in the House, but said his understanding is Dems mostly voted in favor of it because the tribes support it. "I think the tribes feel that they get more and more leverage with the banks if they have a new compact that's gonna last 20 some years and not an old compact that has a clock ticking on it," he said, referring to the current compact approved on the ballot in 2002 about to expire for some tribes as early as 2023. "They get better leverage with their loans and interest rates, which I get, but as I said on the floor, I object to marrying this bill to the compact. This Legislature should have nothing to do with those negotiations, and the governor took the easy path." Friese said he thinks Ducey told the tribes to whip the Dem votes for him and Ducey would give them a new compact in return. Friese also said he wasn't in favor of the sports owners being the ones who will likely get all available licenses. Ultimately, Friese told our reporter he let the tribes know he was uncomfortable with the language and wouldn't support the bill. "I am my own legislator," he said. David Lujan, director of the Arizona Center for Economic Progress, said he recently started to follow the bills and gaming compact and doesn't understand all the Dem support outside of the fact that the tribes support it. He said he doesn't know what would even happen if Dems said "no" considering they hold all the cards and can try to bargain with Republicans and Ducey for their votes. "I think it's good for the tribes. I think certainly they can use the revenue, but I don't think the state should be using it to pay for tax cuts," Lujan told our reporter. "I don't see the harm in holding those votes out until [Democrats] know that this is a good deal for Arizona and so, to me it seems like they should be slowing this down and taking a closer look at it and asking more questions," he said.

IT'S AN OPPORTUNITY

Outside pressure is also starting to build for Senate Dems to push back on the gaming bills, despite nearly the entire Democratic caucus supporting it in the House last week. While there doesn't seem to be a full on effort to kill the measures from Weninger and Shope, some Democrats are increasingly making noise. Dem Consultant Julie Erfle took Dem lawmakers to task in her latest column for the *Arizona Mirror*. She accused Ducey of backing Democrats into a corner to support the measures. Erfle wrote that Dems are getting a bad deal because they are widely supporting a gambling expansion effort that puts money back into the General Fund, likely for more eventual tax cuts, and prioritizes rich sports owners from being able to bid top dollar for gambling licenses for off-tribe sites. "I'm sure it's only a coincidence that some of these owners also happen to be major contributors to Ducey's campaigns and pet projects," Erfle wrote (LINK). "And while I'm not surprised Ducey would subscribe to this type of cronyism, I am surprised Democrats would acquiesce." Shope shot back that, "It's a good thing that most of the Democratic caucus doesn't take advice from her." Shope has been trying to get Fann to pull his bill from Gowan's committee, but to no avail so far. As of last week, the bill likely had support to pass the Senate, but some Dem railbirds are now speculating that these new efforts to sway legislators into the "nay" column could be why Fann hasn't assigned Weninger's bill to a committee yet.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002655
ARZN_REV00068880_3-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THEY'RE GOING AFTER GAYS, NOT REPUBLICANS

A referendum to repeal the non-discrimination ordinance in Mesa is collecting signatures alongside efforts to recall Ducey and Bowers, giving the appearance that backers are supporting all three petitions. Cathi Herrod and George Khalaf are backing the petition to undo the City of Mesa's recent decision to protect people in the LGBTQ community from workplace discrimination – it passed the City Council 5-2 on March 1. (The City of Scottsdale is also on track to pass its own similar ordinance (LINK).) Herrod launched "United for Mesa" to refer Mesa's ordinance to the ballot citywide. Khalaf confirmed to our reporter that the petitions are circulating together. However, he said he and others involved with the referendum are in no way endorsing the recalls against Bowers and Ducey, noting there is only a 30-day window to collect signatures for a referendum, so some will be circulating the three together. Herrod said while she's trying to repeal the anti-discrimination effort in Mesa, she in no way supports efforts to recall any elected official, including Ducey and Bowers. "We are not part of any recall effort," she told our reporter, later tweeting that she "strongly opposes" the recalls (LINK). The efforts to recall Ducey and Bowers are being run by "We the People AZ Alliance" (YS, 2/22) and Patriot Party of Arizona, respectively. "I'm blown away by this," one lobbyist said, adding that the fact that Herrod was unable to stop the council from adopting the measure is a sign of Herrod's influence starting to fade away. "It shows how fast their power base is declining, and how quickly they are feeling isolated and shut out," the source said.

·WAKE UP CALL·

House passes bills to clear criminal records

Arizona Capitol Times

Tremayne Nez felt defenseless after Flagstaff police wrongfully arrested him in June 2019 on suspicion of selling LSD.

Supreme Court justice to retire

Arizona Capitol Times

A Gov. Doug Ducey-appointed Supreme Court justice announced his retirement today, effective April 1, after about three years on the bench, capping a total of 20 years as a judge.

Democratic Arizona Rep. Kirkpatrick won't seek re-election

Associated Press

U.S. Rep. Ann Kirkpatrick, a five-term Arizona Democrat, announced Friday she won't run for re-election in 2022.

Wild population of endangered Mexican wolves keeps growing

Associated Press

Once on the verge of extinction, the rarest subspecies of the gray wolf in North America has seen its population nearly double over the last five years, with more gains being reported in 2020, U.S. wildlife managers said Friday.

Arizona Republican Party chair sued over party election

Associated Press

Two candidates for the Arizona Republican Party's executive committee who lost their January elections are suing state party Chair Kelli Ward to force an audit of the results.

Governor says Arizona can meet Biden's vaccine deadline

Associated Press

Arizona can meet President Joe Biden's goal to offer vaccinations to everyone who wants one by May as long as the federal government supplies enough vaccines, Gov. Doug Ducey said Friday.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002656

ARZN_REV00068880_3-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Voting rights or voter fraud? A study in contrasts
Payson Roundup
A sweeping effort by Congress to make it easier to vote and force disclosure of dark money spending in elections drew sharply different reactions from the congressmen representing northern Arizona — including Apache, Navajo and Gila counties.

Legislators join groups promoting effort to decide future of wall
Herald-Review
With the end of the moratorium to stop construction of the border wall just days away, former U.S. officials and environmental and community activists want to know what President Joe Biden and new Director of Homeland Security Alejandro Mayorkas have in mind to resolve the problems created.

Phoenix Detective Loses Job After Assault on Fellow Cop
Phoenix New Times
In a scene that seems taken from "The Departed," a former Phoenix detective repeatedly punched another cop in the face during an argument over a case.

Doctors: It's too soon for Ducey to lift COVID restrictions
Cronkite News
Four Arizona doctors on Friday assailed Gov. Doug Ducey's plan to return to mostly normal operations as vaccinations against COVID-19 ramp up, warning that the coronavirus that causes the disease remains out of control.

NASA works with Navajo Nation to name new features discovered on Mars
The Hill
In collaboration with leaders of the Navajo Nation, the nation's largest Indian reservation, NASA is naming items of scientific interest discovered on Mars as part of its Perseverance rover's ongoing mission with words from the Navajo language.

Gosar allies with racists, making it hard to take his 'white racism' denunciation seriously
Arizona Mirror (Opinion, Jim Small)
Congressman Paul Gosar is no stranger to palling around with bigots and racists, making it hard to place much stock in his denunciations of "white racism" after he gave the headline speech at a white nationalist conference and sat through a blatantly racist speech given by the organizer.

Why is the Arizona Legislature so afraid of Arizona citizens?
Arizona Republic (Opinion, Laurie Roberts)
Not only are Republican legislators busy passing bills to make it more difficult to vote, they're also working to make it harder for Arizonans to make laws at the ballot box.

Ducey doesn't have the authority to order schools reopened, but he's right that it is time
Arizona Republic (Opinion, Robert Robb)
The governor doesn't have legal powers to order schools to fully return to in-person learning. That said, he's right: It's time to fully reopen schools.

NAU's first Latino president can do big things for the university. But he'll need our help
Arizona Republic (Opinion, Elvia Diaz)
Dr. José Luis Cruz will be the first Latino president of Northern Arizona University – and Arizona's economy depends on his success.

No, Cindy McCain, conservative uproar over Dr. Seuss and cancel culture isn't 'ridiculous'
Arizona Republic (Opinion, Phil Boas)
The caretakers of the Dr. Seuss collection had to know what was coming. Today's culture warriors are painting Dr. Seuss with a laser that will one day guide the missiles that destroy him.

Schools don't have to go at COVID-19 precautions alone. We got professional help to reopen
Arizona Republic (Op-ed, Ana Moran and Betsy Hargrove)
Avondale Elementary got help from a third-party to set protocols on keeping students safe and to trace and isolate known cases to prevent outbreaks.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002657
ARZN_REV00068880_3-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Sen. J.D. Mesnard and Arizona vacation-rental hosts to conduct press conference in support of SB 1379

Event scheduled for 1 p.m. Tues., March 16 at the State Capitol

Phoenix, Ariz. – Arizonans for Responsible Tourism Recovery – a statewide coalition of over 1,000 Arizona vacation-rental hosts, small business owners and travel industry partners – will have a press conference at the State Capitol on Tuesday, March 16, at 1 p.m. – immediately preceding a scheduled House Commerce Committee hearing on SB 1379.

Local vacation-rental owners and hosts will be joined by bill sponsor Sen. J.D. Mesnard (R-Chandler) to advocate for SB 1379, which will protect neighborhoods from nuisance properties while preserving vacation rentals as a driver of tourism and supplemental source of income for Arizona families. The bill – which recently passed out of the Senate with broad, bipartisan support – is scheduled to be heard in the House Commerce Committee at 2 p.m. Tuesday.

WHAT: Press conference to rally support for SB 1379
WHO: Arizona short-term rental hosts, Sen. J.D. Mesnard (R-Chandler)
WHEN: 1:00 p.m., Tues., March 16
WHERE: Arizona State Capitol – East Lawn
1700 W. Washington St., Phoenix AZ

Arizona Department of Education and Arizona Department of Economic Security Announce Rollout of Additional Nutrition Assistance for Arizona Families

The Arizona Department of Education (ADE) and Arizona Department of Economic Security (DES) are proud to announce the rollout of the Pandemic-Electronic Benefit Transfer, or P-EBT. Authorized by the Families First Coronavirus Response Act, P-EBT provides families of eligible children additional funds to purchase food during the 2020-2021 school year. P-EBT is a complement to the meals and snacks currently being provided to children through the Child Nutrition Programs at Arizona schools.

P-EBT funds are intended to support families whose children are enrolled in the National School Lunch Program but have not or do not currently have access to receive a free or reduced-price meal at school during the school day due to a school closure or instances of distance learning. Families who qualify will receive funds for each of the months their child's school offered distance learning during the 2020-2021 school year, starting from August 2020 and ending in May 2021. Receiving a meal/snack through the Child Nutrition Programs (curbside, mobile stops, delivery) during distance learning does not prevent a child from receiving P-EBT.

"I am so thankful for the collaboration between ADE and DES to provide this federal assistance to Arizona families," said Superintendent of Public Instruction Kathy Hoffman. "Too many families have struggled with food and economic insecurity due to the pandemic over the last year. The P-EBT program will have an immediate and direct impact for Arizona's families and students."

In collaboration to serve the Arizona families who are counting on this support, ADE will collect information on student eligibility and school learning model(s) for the 2020-2021 school year. ADE will relay that data to DES who will then distribute the payments to families directly by loading payments to SNAP cards or to P-EBT cards that were previously issued in April of last year. If families no longer have a card, they can request a new/replacement card from DES here. Students and their families can expect to receive this assistance as soon as April.

The United States Department of Agriculture (USDA) has approved Arizona's plan to administer P-EBT funds to households of children who qualify on a monthly basis for each month of the 2020-2021 School Year. All eligible children in the school will either receive a full or partial payment depending if the school required or offered distance learning for the majority of that calendar month. Students must be enrolled in a school that participates in the National School Lunch Program to be eligible for P-EBT. More information about a P-EBT, including full and partial monthly amounts, can be found on the DES website.

Learn More: https://www.azed.gov/hns/p-ebtissuance

Applications Being Accepted for a Vacancy on the Arizona Supreme Court

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Applications are being accepted for a vacancy on the Arizona Supreme Court created by the retirement of Justice Andrew W. Gould.
The Commission on Appellate Court Appointments will review applications, interview selected applicants, and recommend at least three nominees for the vacancy to Governor Doug Ducey, who will appoint the new justice.
The most current judicial application form can be downloaded at the Judicial Department website: www.azcourts.gov/jnc. Applications may also be obtained from the Administrative Office of the Courts, Human Resources Department, 1501 W. Washington, Suite 221, Phoenix, by calling (602) 452-3311, or by sending an electronic mail request to jnc@courts.az.gov.
Applicants must be of good moral character and admitted to the practice of law in, and a resident of the state of Arizona for the past 10 years, and under age 65 at the time the nomination is sent to the Governor.
A signed original application with all attachments, and a searchable .pdf version of the application and attachments must be submitted to the Administrative Office of the Courts, Human Resources Department, 1501 W. Washington, Suite 221, Phoenix, AZ, 85007, by 3:00 p.m. on April 9, 2021.
The Commission may, at its discretion, use the applications filed for this vacancy to nominate candidates for any additional vacancies known to the Commission before the screening meeting for this vacancy is held.
All meetings of the Commission on Appellate Court Appointments are open to the public. Meeting dates will be announced.
The new justice will be paid $159,684.88 annually.

Arizona doctors sign letter urging Legislature not to let businesses ignore mask mandates

PHOENIX, Ariz. – More than 130 Arizona physicians are calling on the Legislature to not pass HB 2770, which would allow businesses to ignore mask mandates issued by cities, towns, or counties. The bill passed the House earlier this month.
"Allowing businesses to ignore mask mandates that continue to protect citizens of our community from COVID-19 would be reckless and quite possibly deadly," said **Dr. Cadey Harrel, CEO of Agave Community Health & Wellness, a family physician in Tucson**. "We have the power to end this pandemic if enough people get the vaccine as soon as they can. But with the virus mutating and becoming more contagious, rolling back the tools we know work to prevent spread would jeopardize everything we've worked and sacrificed for."
The letter to the Legislature

"QUOTE OF THE DAY"

"There's a lot of bills that we don't like – particularly around voting rights."

- Bowie, on wanting Ducey to veto bills in exchange for Dem support on gaming legislation

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002659
ARZN_REV00068880_3-15-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 16, 2021 9:26:45 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: March 16, 2021
Attachments: March 16, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate
Recent News Clippings

Arizona Daily Star
- Kids returning to school for tests, tests, more tests
- Four Corners coal-fired plant to reduce power

Arizona Republic
- Pot dispensaries bring in the green
- AG seeks papers found in dumpster
- COVID-19 vaccine free for anyone in Arizona
- Amid rancor, bipartisan deals rise at Legislature
- Closed Arizona schools reopen starting Monday
- AstraZeneca jabs paused in more countries
- Sheriff nixed bill on police inquiries
- Judge rips Arizona GOP for election lawsuit, orders party to pay thousands in legal fees

KTAR News
- Rep. Grijalva announces bill to reverse Arizona land swap for copper mine

Arizona Daily Sun
- Arizona officials confident they can meet Biden's May 1 vaccine deadline

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Kids returning to school for tests, tests, more tests
Darlene Rowe
Arizona Daily Star
March 16, 2021

Is one of the reasons that schools are reopening for all students so that they can take state and district tests?

Here's what fourth quarter will be like for my third-grade students: When they all return Wednesday, March 24, we will use that early-out day to review procedures and routines and adjust them based on twice as many students in the classroom.

I will reengage students who have not been together as a whole class yet this school year.

On Thursday and Friday of that week, we'll do as much math, writing, reading, science and social studies as we can because the following week it's time to prepare for AzM2 Tests, the latest version of the AzMerit Tests.

During the week of March 29, I will teach some lessons, review for state tests and share test formatting and tools of the state tests since third graders have never taken them.

On Monday, April 5, my students will take the Writing Test. I will use the rest of that week for more review, more sharing of test formatting and tools, and some teaching.

During the week of April 12, my students will take four state tests, Parts 1 and 2 of the Math Test and Parts 1 and 2 of the Reading Test. Not much teaching will happen. Then, there is one week with no test preparation and no tests! That's the week of April 19. During the week of April 26, my students will take two MAP Tests, and during the week of May 3, my students will take two i-Ready Tests.

Somewhere, during those six weeks, I also need to DRA my students (another test, administered one-on-one).

During the week of May 10, I get one more uninterrupted week of teaching, although it's the last full week of school by then. We conclude third grade with the Fabulous Final Four (School) Days of Fun.

Wait, is one of the reasons that all students are returning to schools NOT so that they can take state and district tests? Is one of the reasons to support students' social-emotional well-being?

Would district staff please explain how having third grade students take 10 state and district tests during the fourth quarter of school is good for their mental health or appropriate for them? Is one of the reasons that schools are reopening for all students so that teachers can engage them with lessons which span several days or weeks? Do you see the impracticality of that happening?

How shall I explain to my students why they have to take so many tests? Telling them to show what you know and do your best might not carry them through 10 tests.

AMERICAN OVERSIGHT

District third graders will not be the only students involved in this quantity of testing, but they are the youngest. I am not optimistic that a test will be eliminated but wishful.

My students deserve a more meaningful ONLY quarter of all students in our classroom experience; all students do.

Darlene Rowe teaches third grade at Coronado K-8 School in the Amphitheater Public Schools district.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Four Corners coal-fired plant to reduce power
Ryan Randazzo
Arizona Daily Star
March 16, 2021

The coal-fired Four Corners Power Plant near Farmington, New Mexico, will provide less power to Arizona under a new operating plan, Arizona Public Service Co. said Friday. APS owns the majority of the plant and runs it for other co-owners, including Tucson Electric Power Co. The company has a pledge to move to carbon free energy sources by 2050 and close Four Corners by 2031.

What is new is that one of the two generators at the plant will only operate seasonally starting in fall 2023, while the other continues to run year-round, according to APS.

'Four Corners has provided reliable and affordable electricity for almost 60 years, fostering economic growth and prosperity in cities and towns throughout the region,' said Jacob Tetlow, APS senior vice president of operations. 'With seasonal operations, the plant will continue to be a critical source of reliable electricity when our customers need it most and enable a responsible transition to a cleaner energy future.'

The generator at the plant that will run seasonally will operate mostly from June to October when power demand is highest in the region, he said. The seasonal curtailment will reduce emissions from the plant, including carbon, by 20-25%, according to APS.

The changes to seasonal operations will not affect the workforce, Tetlow said. APS will avoid job cuts by using the workers on staff for jobs that contractor might previously have filled.

Besides majority owner APS and TEP, which owns a 7% interest in Four Corners, the other co-owners are PNM Resources Inc. of New Mexico, Salt River Project, and the Navajo Transitional Energy Co.

PNM has plans to transfer its share of the plant to NTEC in 2024, and the move to seasonal operations is timed to that.

Arizona Public Service Co. owns 63% of the Four Corners plant, with smaller shares owned by several utilities, including Tucson Electric Power. deal, offering a solution to keep the plant open as one company exits its participation.

AMERICAN OVERSIGHT

The other owners agreed to the curtailment plan, according to APS. 'The plant is absolutely needed as a summertime resource to serve the load,' Tetlow said. 'It really is an exciting opportunity to put the plant in a more efficient position.'

APS customers require a power supply of about 7,600 megawatts on summer days, and less than half that in the cooler months.

The plant and mine that supply it are critical to the economy of the Navajo Nation, which lost a coal mine on tribal land in Arizona in 2019 and the Navajo Generating Station power plant near Page where many Navajo worked.

Four Corners Power Plant employs about 325 people, and about 80% of them are Native American.

Another 360 or so people work at the coal mine next to the plant, which is owned by NTEC, an entity the Navajo Nation created to buy the mine.

APS has proposed a plan to offer $144 million to assist tribes and other communities near closing coal facilities, which include the Cholla Power Plant in Joseph City, which will close by 2025.

The move follows a series of closures and curtailments that have dramatically reduced coal power in the U.S. in recent years, particularly in the West, where several states have enacted clean-energy requirements and boosted their reliance on natural gas.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Pot dispensaries bring in the green

Almost $3M of nonmedical cannabis sold during first 10 days of new regime

Ryan Randazzo
Arizona Republic
March 16, 2021

Dispensaries in Arizona rang up at least $2.9 million in recreational sales in the first 10 days adults 21 and older were allowed to purchase marijuana without a medical card, according to data from the Arizona Department of Revenue.

Arizona voters approved adult use of marijuana in November via Proposition 207, and state health officials gave the first dispensaries the OK to sell to all adults Jan. 22.

Those last 10 days of January registered recreational sales that contributed about $500,000 in new excise taxes to state coffers.

Medical marijuana sales, which have grown for years, far outpaced recreational sales for the month, as they were allowed for all 31 days in January.

Arizonans with medical-marijuana cards bought about $16 million of marijuana in January.

Maria Mara, left, a patient service representative, helps Denise Pierce of Phoenix with a recreational marijuana sale on the opening day of Mint Dispensar y on Cave Creek Road in Phoenix on Monday. Mint sells both medical and recreational marijuana and related products.

The approximately 9 tons of medical marijuana, edibles and other products sold during January was about an 18% increase over January 2020, according to the Department of Health Services. Medical sales declined a bit in February, the first full month of recreational sales, though total recreational sales are not reported in pounds like medical sales.

Medical marijuana is subject to regular sales taxes but not the additional 16% excise tax Proposition 207 placed on recreational sales. Dispensaries report medical-marijuana sales to the state using business code "203," referencing the 2010 Medical Marijuana Act ballot measure that allowed those sales.

Recreational marijuana sales are reported using business code "420," a popular cultural reference to marijuana.

"Through January and February, ADOR worked with many marijuana establishments to get licensed properly and to get set up to file properly," revenue department spokeswoman Michelle Carella said.

Combined, medical and recreational marijuana contributed about $2 million in total taxes to the state in January. Total sales tax collections in Arizona, including everything from restaurant tabs to new cars, are usually about half a billion dollars a month, even during the pandemic.

AMERICAN OVERSIGHT

Budget officials at the state Legislature estimated Proposition 207 would bring in about $254 million from the combined taxes annually. Proposition 207 supporters estimated a higher figure of about $300 million annually.

It is difficult to determine whether sales are meeting or exceeding those estimates based on a partial month of marijuana sales when customers were initially allowed to purchase the drug legally.

Marijuana dispensaries will not pay February's full month of tax collections until this month, with the state reporting those figures in April.

Tax collections also can be "lumpy," with some businesses filing late for some months then remitting two or more months of collections in a month.

"As often happens when something new is implemented, it is likely to take a couple months for the establishments to be filing and paying for each month on a timely basis," Carella said. "We know that some of the revenue we have received in the month of March was really for the January period."

Where the tax dollars will go

According to the Department of Revenue, January tax collections on marijuana include:

h $698,000 to the state general fund.

h $113,500 to the state education tax.

h $153,000 to county revenue sharing.

h $94,600 to city revenue sharing.

h $375,500 to city sales taxes.

h $131,000 to county taxes.

h $511,500 from the 16% recreational marijuana excise tax to the "Smart and Safe Arizona Fund."

Proposition 207 dictates how money from the "Smart and Safe Arizona Fund" is to be distributed.

First, money in the fund must be used to cover the "actual, reasonable costs" incurred by the

Department of Health Services to administer recreational marijuana licensing and oversight, as well as Proposition 207 expenses from the Department of Revenue, state Treasurer, Supreme Court and Department of Public Safety (which must process petitions to expunge criminal records for some marijuana violations pursuant to the law).

Proposition 207 directs the state Treasurer to transfer all the remaining money from the Smart and Safe Arizona Fund in excess of those expenses to the following places:

h 33% to community college districts for workforce development, job training and other programs.

AMERICAN OVERSIGHT

h 31.4% to municipal police and fire

departments and districts.

h 25.4% to the Arizona Highway User Revenue Fund.

h 10% to the Justice Reinvestment fund, which goes to county health departments and the Department of Health Services for justice reinvestment purposes and "addressing important public health issues that affect this state."

h 0.2% to the Attorney General to enforce the ballot measure or to give to municipalities to enforce it.

Voters in Montana, New Jersey and South Dakota also voted to legalize recreational marijuana in November.

Legal sales in Montana won't begin until Jan. 1, 2022.

New Jersey just last month enacted the legislation required to get recreational sales moving in that state, which could still be six months away.

A South Dakota judge struck down that state's ballot measure, with a fight now moving through the state's Supreme Court.

"As often happens when something new is implemented, it is likely to take a couple months for the establishments to be filing and paying for each month on a timely basis."

Return to the table of contents

AG seeks papers found in dumpster

Some allege documents were shredded ballots
Jen Fifield
Arizona Republic
March 16, 2021

The Arizona Attorney General's Office wants the documents a man pulled from a dumpster at Maricopa County's elections center earlier this month.

Those involved in the incident have claimed online that the documents found in the dumpster were shredded ballots from the November 2020 general election, but they have yet to give the documents to authorities or to file an election fraud claim with the state Attorney General's Office.

The claim is the latest in the ongoing allegations that the general election in Arizona was somehow stolen from Donald Trump, despite multiple audits showing that votes were counted accurately and despite the courts dismissing related lawsuits.

Staci Burk is among the trio involved in this month's dumpster incident. She previously brought a claim of election fraud that was dismissed in December by Pinal County Superior Court and in January by the Arizona Supreme Court. Burk has asked the U.S. Supreme Court to review the case.

AMERICAN OVERSIGHT

Burk told The Arizona Republic that the ballots she found are more proof of election fraud. She posted details online and launched a GoFundMe site to raise money, but she says she is still deciding whether to give the documents to the Attorney General's Office, which she claims has ignored her previous claims of fraud.

County election officials say they aren't sure what was pulled from the dumpster, but they are sure it's not voted general election ballots. Those are secured in a county vault.

They have asked the Maricopa County Sheriff 's Office to investigate the trespassing on county property.

A county surveillance video provided to The Republic shows that three people drove up to the election center on March 6 and removed a large yellow trash bag from a dumpster on the outside dock.

Burk, who once served on the board for Gilbert Public Schools, and Earl Shafer, have said they were two of the individuals shown in the video. Burk has posted photos online of the incident, including of the bag and what she claims are the shredded ballots they found inside.

Burk said she still has the ballots taken from the dumpster.

She has not filed a complaint with the Attorney General's Office about the incident, separate from any earlier complaint she filed regarding election fraud, according to Ryan Anderson, a spokesperson for the Attorney General's Office.

The office has "attempted to make multiple contacts with the individual involved and take possession of the ballots and establish a chain of custody," Anderson said.

Burk told The Republic that she is in the hospital and when she gets out she will provide them to either "the AG, Senate or Supreme Court."

She said she is not filing a separate report with the Attorney General's Office because it is not responding to her other election-related complaints.

The Republic has not yet reached Shafer or the other person involved.

Sheriff's Office reviews trespassing incident County Recorder Stephen Richer said in a statement that he "can say with 100% certainty that the 2.1 million legally voted ballots from the November general election are safe and accounted for in the Elections Department vault, under 24/7 surveillance."

"I do not know what was in the yellow bags that have appeared in photos online because I have not seen the contents of these bags," Richer said.

The individuals in the video were trespassing on county property and also attempted to break into a county building, said Megan Gilbertson, Elections Department spokesperson.

Maricopa County Sheriff 's Office is reviewing the case and has not determined whether to recommend charges, according to a Sheriff 's Office spokesperson.

AMERICAN OVERSIGHT

The county "has not, and would never destroy voted ballots until legally authorized," after the 24-month period following the general election, Gilbertson said.

"None of the ballots or other general election materials from the vault were in the garbage," she said.

The county preserves all ballots that are part of the canvass, including counted ballots, as well as those that were disqualified, such as early ballots without signatures, signatures that did not match, or ineligible provisional ballots, according to the Recorder's Office.

Richer said the Recorder's Office shreds "a variety of non-classified documents" and "deceased voter ballots."

The Recorder's Office sometimes receives deceased voter ballots back from family members or others who are notifying the office that the voter has passed away. These ballots are not completed nor cast and are in their sealed ballot packets, according to the office.

Burk and Shafer both have set up online fundraising accounts related to the incident.

On Burk's GoFundMe, she explains going to the election center on March 5 and seeing what she thought was ballots through an open warehouse door. The county has said they were not ballots.

This made her want to go back and check the property further, she said. "When we got down there, we peered into the dumpster and sure enough there was a bag with shredded paper," she wrote.

She had raised about $470 as of Monday.

Shafer has created his own fundraising page with GiveSendGo, titled "Help Purple Heart Veteran with legal fees." He had raised about $19,290 as of Monday morning.

On his page, Shafer describes finding the ballots and asks for help with his legal fund. In it, he claims "the State has made it clear on social media that they are planning criminal charges against me."

Anderson, with the AG's Office, said that "rumors of prosecution or arrest by our office of the individual," are untrue.

Return to the table of contents

COVID-19 vaccine free for anyone in Arizona

Stephanie Innes and Alison Steinbach
Arizona Republic
March 16, 2021

Arizona Gov. Doug Ducey has said the COVID-19 vaccine is free with "no strings attached," and that appears to be true, at least for the immediate future.

In keeping with an executive order from the governor, Arizonans do not need to pay anything to get vaccinated, at least not as long as Arizona's public health emergency declaration is in effect.

AMERICAN OVERSIGHT

Getting Arizonans to understand that the vaccine is free is important moving forward as state health officials try to vaccinate 70% or more of Arizonans to reach herd immunity to prevent future outbreaks.

Sometime this summer, Arizona could get to a point where it has more vaccine supply than demand, officials have said, and it will be crucial to educate the public about the benefits of getting vaccinated and the fact that it doesn't cost anything.

There's no copay to get the COVID-19 vaccine, no administration fee for the patient and it doesn't matter whether you are insured or uninsured, or whether you are a U.S. citizen or a permanent resident of Arizona.

The federal government is paying vaccine manufacturers billions of dollars to provide free shots for anyone living in the U.S.

If someone cannot pay a vaccine administration fee, they cannot be denied a vaccine, according to the Arizona Department of Health Services. The U.S. Centers for Disease Control and Prevention has the same guideline.

Most COVID-19 vaccine registration forms do ask patients for their insurance information, and that's because the state, county or provider bills insurers for the cost of administering the vaccine. However, the cost is not supposed to be passed along to patients.

In other words, Arizonans should not be getting any surprise bills after receiving the COVID-19 vaccine, though there have already been reports of people in other parts of the country receiving unexpected COVID-19 vaccine bills caused by billing glitches.

As of March 15, the Arizona Department of Insurance had not received any complaints from consumers about getting billed for the COVID-19 vaccine, department spokesman James McGuffin wrote in an email.

One possible billing confusion that could occur is if someone goes to the doctor or a clinic for another medical reason, such as a sore knee and gets the COVID-19 vaccine at the same time. While the vaccine and the vaccine administration are free, the patient could be billed for the doctor's visit, but only related to the sore-knee issue.

For example, if the person with the sore knee has a $1,000 deductible and the office visit is $100 and the COVID-19 vaccine administration fee is $11, the $100 is passed on to the patient. The $11 for the vaccine administration fee is sent to the insurance company, but not the patient.

Adding to the confusion, some patients found themselves saddled with bills for COVID-19 testing and treatment because of gaps in protections that Congress and the Trump administration put in place early on in the pandemic, according to a Dec. 18 issue brief about COVID- 19 vaccine costs from the Kaiser Family Foundation.

"While making sure people trust that the vaccine is safe will be the highest priority, it will also be important to make sure that experiences with unexpected costs for COVID-19 testing or treatment do not deter people from getting vaccinated," the brief says. Krutika Amin, associate director of the Kaiser Family Foundation's program on the Affordable Care Act, said in an interview that the COVID-19 vaccine "should really be loophole free," regardless of anyone's insurance or lack of insurance.

AMERICAN OVERSIGHT

“Providers are not supposed to bill anyone directly for the COVID vaccine,” she said. “There really aren’t loopholes here. With testing, there were other issues.”

‘I can’t offer a better deal than that’

A Dec. 2 Ducey executive order ensured that the vaccine would be free even before any COVID-19 vaccine had arrived in the state.

“It is necessary for the public health that all Arizonans have access to COVID- 19 vaccinations without financial barriers such as copays and coinsurance that may prolong and inhibit recovery from the COVID-19 emergency,” the order says.

The order remains in effect as long as the state’s public health emergency is in effect. The governor declared a public health emergency on March 11, 2020, and has given no indication that he intends to end it anytime soon.

The order requires that all state-regulated insurers waive cost-sharing requirements for the vaccine regardless of whether the provider is in-network. In addition, the federal CARES Act established that COVID-19 immunizations must be provided at no cost-sharing.

The Arizona order is another layer of protection that ensures the vaccine is free no matter what type of health plan someone has, including insurance plans that don’t comply with the ACA.

“All types of health insurance plans that provide coverage for vaccines, including major medical, short term, and limited benefit plans, must cover the influenza and pandemic vaccines and the administration of these vaccines by inand out-of-network providers with no cost-share to the member,” an Arizona Department of Insurance Regulatory Bulletin says.

“This includes plans offered by health care service organizations, which require members to receive covered services through network providers except in cases of network exception or emergency.”

Listing reasons why Arizonans should take the vaccine during a tele-town hall last week, Ducey said his “final selling point” is that the vaccine is free.

“Not only is it safe, not only is it effective, it’s really the best selling point: the vaccine is free. The vaccine is free for every Arizonan, no strings attached,” he said. “All you need to do is schedule an appointment to get the vaccine, go to your appointment and get the shot. And it’s pain-free, at least it was for me. I can’t offer a better deal than that.”

Anyone who does receive a bill for getting vaccinated should question the health provider about why they were charged and let them know about the governor’s order.

Patients can complain to their state or county health department if they have no health insurance, or to their insurer or if the bill comes from a health insurance company. The Arizona Department of Insurance at 602-364-3100 or toll-free at 800-325-2548 or 602-364-2977 (Spanish) or send an email to insurance.consumers@ difi.az.gov.

‘We are trying to get rid of all barriers to the vaccine’

AMERICAN OVERSIGHT

In a Jan. 26 letter to Ducey, AARP of Arizona urged a swift investigation and action against anyone who tries to sell the COVID-19 vaccine.

"We implore you to investigate and take swift action against anyone who attempts to commit fraud, including by inappropriately selling the vaccine or intentionally providing vaccines to those who do not meet qualifying criteria in an attempt to circumvent the distribution process," Dana Kennedy, AARP of Arizona's executive director, wrote.

"Public confidence in the vaccine and its fair distribution is dependent on the state's strong oversight and enforcement."

Officials with Banner Health, which is Arizona's largest health care delivery system, confirmed that they are not ever billing patients for the COVID-19 vaccine.

"We do collect insurance information from individuals with the expectation that we are not billing the individual, we are billing their insurance company," said Dr. Marjorie Bessel, chief clinical officer for Banner Health. "The current federal guidance is instructing insurance companies not to pass on any costs associated with that administration fee to the patient."

Those rules could change if the federal government does not continue to provide the vaccine for free, or if the guidance to insurance companies changes.

"This is the way it is as we understand it today, and the way that we at Banner are approaching it today," Bessel said.

While the vaccines are already paid for, the CDC says providers can be reimbursed for vaccine administration fees by a patient's insurance company, or for uninsured patients, through a federal fund.

"We are trying to get rid of all barriers to the vaccine," ADHS director Dr. Cara Christ told The Arizona Republic. "(Providers) may ask for insurance to bill insurance because providers can get reimbursed like an $11 or $12 administration fee, but it's not going to be billed to the patient," she said.

Ducey has said he worked closely with insurers to ensure that cost-sharing requirements, such as copays and coinsurance, for the vaccine would be waived.

"Bottom line, at this time, there should be no out of pocket costs for vaccinations," Dr. James Napoli, Chief Medical Officer at Blue Cross Blue Shield of Arizona, wrote in an email.

Blue Cross Blue Shield of Arizona members have a $0 cost-share, no matter where the vaccine is administered, in or out-of-network, for both doses, he said. If a patient doesn't have coverage, the provider can seek reimbursement from the federal COVID-19 relief fund.

"If the patient should receive other services during their visit, such as a physical exam, that would be part of the claim that would process in accordance with their benefit contract," Napoli wrote.

More education and outreach to Hispanics and Latinos is needed

AMERICAN OVERSIGHT

In a late February telephone town hall with residents of the Phoenix ZIP code 85009, which has stood out for its low vaccination rate so far, Christ assured residents concerned about vaccine costs that doses would be free at any state-run or county-run POD (point of dispensing) site.

HonorHealth recently closed its drivethru mass vaccination POD site in order to shift vaccine distribution to its medical group clinics. The medical group confirmed that the vaccine would continue to be free for patients in the new settings.

It's particularly important to let Hispanic and Latino populations know that there are no costs whatsoever to get the COVID-19 vaccine, a Feb. 21 policy article from the Kaiser Family Foundation says. Nearly one-third of Arizona's population is Hispanic or Latino, 2019 U.S. Census data shows.

As of mid-February, white people were more than three times more likely than Hispanic people to have received at least the first dose of a COVID-19, based on data from just over half of the U.S. states, the Kaiser Family Foundation article says.

"Low rates of vaccination among Hispanic people would leave them at increased risk for the virus, could further widen existing health disparities, and would leave gaps that hinder our ability to achieve overall population immunity," it says.

State data shows that as of March 15, nearly 9% of the Arizonans who have received the COVID-19 vaccine to date are Hispanic or Latino, although race is unknown for nearly 35% of the people who have been vaccinated.

Nearly 50% of those who have been vaccinated are white; nearly 3% are Native American; 2.6% are Asian and nearly 2% are Black.

"We're going to have to do more education and outreach to reach that 70%. Once we hit those who were a definite, our pace is going to slow down a bit," Christ said March 12. "Then we're really going to have to work, just like we do every year with flu, to encourage those who have not gotten vaccinated to get vaccinated."

Vaccine locations and registration information can be found on the state health department's website and online through county health departments.

To date, those eligible for the vaccine in Arizona include health care workers, first responders, long-term care facility staff and residents, K-12 and child care staff, protective services employees and people aged 55 and older, although specifics can vary by county.

Not all counties have yet moved down to the 55-and-older age group, and some counties are also vaccinating other frontline essential workers and people with underlying health conditions. Several Native American tribes, and the Veterans Administration in Tucson and Phoenix are vaccinating anyone over the age of 18, as are Gila and Greenlee counties.

Return to the table of contents

Amid rancor, bipartisan deals rise at Legislature

Andrew Oxford USA TODAY NETWORK

AMERICAN OVERSIGHT

Arizona Republic
March 16, 2021

An election that narrowly split the state Legislature between Republicans and Democrats might not have seemed like a promising prelude for a high stakes legislative session.

As Arizonans faced an ongoing pandemic, uncertainty about their unemployment benefits and continued virtual learning at schools, the Republican majority in the state Senate set to work earlier this year relitigating the results of the last presidential election and trying to jail the Maricopa County Board of Supervisors. The daily war over masks and other health precautions carried over into the House of Representatives.

But the year's work at the Capitol also has yielded something surprising: bipartisan agreements, many brokered by seemingly unlikely alliances.

Bipartisan majorities at the Legislature passed and Gov. Doug Ducey already has signed a bill to repeal a decade- old anti-immigrant law.

Both the House and Senate are working on legislation to boost the state's bipartisan unemployment benefits — a potential breakthrough after payment levels stagnated for years.

And even if some of the bills it passes are long shots, a Criminal Justice Reform Committee has put a spotlight on one area where several Democrats and Republicans share common ground.

While it often sounds at the Legislature like the 2020 election never really ended, some contentious proposals that were bogged down for years are breaking through.

And Democrats have seen more of their bills advance than usual in the Republican- controlled Legislature.

Is bipartisanship in the air, or just the math of a Legislature where Republicans hold only one-seat majorities in both the House and Senate?

The year has brought new leadership on both sides of the aisle in the House. This is Rep. Ben Toma's first year as majority leader and Democrats chose Rep. Reginald Bolding, D-Laveen, as minority leader and Rep. Jennifer Longdon, D-Phoenix, as assistant leader.

"Reps. Longdon and Bolding have been a lot more interested in getting something for their caucus and for their members done than they are in making some political point," said Toma, R-Peoria.

"Because of that, we could have reasonable conversations, and you've seen a lot more Democrat bills make it through the chamber than ever have before."

Sen. Lela Alston, a Democrat from Phoenix who has served in the Legislature off and on since 1977, said she does not think the session is necessarily more bipartisan.

"We are seeing more Democratic bills. On the other hand, the chamber itself has gone much further to the right," Alston said, pointing to the defeat of relatively moderate Republican state senators last year.

AMERICAN OVERSIGHT

Alston raised particular concern about Republican legislation to change the state's elections, such as by removing some people from the permanent early voting list. Or, she added, bills to make it harder to get initiatives on the ballot following voter approval of two policies long rejected by Republican lawmakers — legalizing marijuana and raising taxes on higher earners to boost funding for public schools.

One lawmaker at the center of some of the headline-grabbing bills of the session is a conservative who enjoyed something of a comeback and has seemingly embraced the role of being a decisive vote in a House split 31-29 between Republicans and Democrats.

Rep. David Cook, R-Globe, was embroiled in scandal a year ago and investigated by the House Ethics Committee, which ultimately took no action against him but still issued an embarrassing report ahead of the election.

Regardless, Cook easily won reelection and bounded back to the Capitol, popping up in a range of issues.

Most recently, he got a dozen lawmakers to sign on to a letter to the governor urging faster vaccine access for people in the Arizona Long Term Care System.

Cook said the key to passing some bills this year is opening conversations between conservative lawmakers and the backers of legislation. That's what happened with a bill to allow consular identification cards as an official form of ID.

"You just have to get folks educated on the policy," he said.

Sponsored by Democrats and Republicans and already signed by Ducey, that bill allows people in Arizona to use consular identification cards as an official form of identification for purposes such as enrolling a child in school, setting up utility accounts or paying traffic citations.

The cards are commonly used by undocumented immigrants without other forms of government identification, such as a driver's license.

While some businesses already accept consular identification cards, a law passed in 2011 amid a wave of antiimmigrant fervor at the Legislature prohibited the cards' use for official identification.

Cook also is sponsoring one of the bills to boost unemployment insurance.

It's an issue Democrats have pushed for years but which never gained traction in the Legislature until this year.

House Bill 2805 would increase the maximum weekly payment to $300 from $240 a week and allow Arizonans receiving those payments to keep $160 in earnings, rather than $30, without seeing a reduction in their checks.

The Senate has passed its own proposal, Senate Bill 1414, which is similar to the House bill in some ways but would boost benefits to $320 a week and reduce the number of times Arizonans could receive benefits.

For Cook, these are not necessarily matters of bipartisanship for bipartisanship's sake.

AMERICAN OVERSIGHT

“Republicans should lead on these issues because we have the best solutions,” he said.

While Republicans are the prime sponsors of those bills, Democrats have passed several of their own pieces of legislation.

They include a measure by Rep. Aaron Lieberman, D-Phoenix, to provide support for small businesses affected by the pandemic, to a proposal by Rep. Jennifer Jermaine, D-Chandler, to continue a committee investigating the cases of missing and murdered indigenous people.

Bolding welcomed the progress on bills but said it still seemed at times like the 2020 election never ended.

“It happens in waves,” Bolding said of bipartisanship at the Capitol.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Closed Arizona schools reopen starting Monday

Rachel Leingang
Arizona Republic
March 16, 2021

Some Arizona schools will open for the first time in a year this week after closing initially last March to slow the spread of COVID-19.

For some, a return to in-person learning was already in the cards, as the state's COVID-19 metrics have continued to improve over the past month.

For others, an executive order from Gov. Doug Ducey compelled an accelerated timeline and some last-minute planning to open doors by this week or after their spring break.

Phoenix Union High School District, a large urban district with high schools throughout Phoenix, started classes in person on Monday.

Dr. Chad Gestson, the superintendent of the Phoenix Union High School District, filmed a welcome back message for the district’s staff, which was posted on the district’s YouTube channel.

He said some staff would return to a campus for the first time in a year, while others have worked on campuses the entire pandemic and some returned in recent weeks to prepare for an eventual return of students.

Many may have anxiety about returning, he noted, but he said they should “rest assured” that the schools were ready for a safe return.

“We are ready and prepared and excited to see you again,” he said.

Other districts are bringing teachers back to campuses on Monday, but returning students later in the week, either on Tuesday, Wednesday or Thursday.

AMERICAN OVERSIGHT

Creighton and Cartwright schools will return on Tuesday, while Phoenix Elementary School District schools are set to come back on Wednesday. Alhambra Elementary School District returns on Thursday.

Some districts, like Tucson Unified School District, are currently on spring break, and students will instead return March 22.

Most schools in Arizona have reopened at some point throughout this school year. Some have remained open for most of the year, while others reopened, then closed and will reopen again this week or next.

For some parents, a return to in-person learning provides a welcome relief. Others, however, have decided to keep their kids home for the last quarter of the school year for health and educational concerns.

Arizona's Superintendent of Public Instruction, Kathy Hoffman, said Monday that she's "thrilled" that more schools are opening for in-person instruction.

"It's really exciting to get closer and closer to 100% of our schools offering in-person instruction because we can't speak enough to how important it is for our students to have the wraparound supports and services that our schools provide," Hoffman said.

The Arizona Department of Education held a weekly call March 10 with school leaders and health officials to discuss best practices on reopening. And next Wednesday, they will hold another call where schools that have been open for longer can share their experiences, Hoffman said.

Hoffman said the governor's executive order initially concerned her because of timing and logistics. For some schools, it required a lot of planning in a short amount of time. More time would have been helpful, she said, but the order matched what most schools were already doing and what the department was recommending for schools.

Hoffman said she hasn't heard of any hiccups districts have experienced with reopening under the executive order at this time.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AstraZeneca jabs paused in more countries

Frank Jordans ASSOCIATED PRESS
Arizona Republic
March 16, 2021

BERLIN – Germany, France, Italy and Spain became the latest countries Monday to suspend use of AstraZeneca's COVID-19 vaccine over reports of dangerous blood clots in some recipients, though the company and European regulators have said there is no evidence the shot is to blame.

AstraZeneca's is just one of three vaccines in use on the continent. But the cascading number of nations raising the alarm amounts to another setback for the European Union's vaccination drive, which has been plagued by shortages and other hurdles and is lagging well behind the campaigns in Britain and the U.S.

AMERICAN OVERSIGHT

The EU drug regulatory agency called a meeting for Thursday to review findings on the AstraZeneca vaccine and decide if action needs to be taken.

The furor comes as much of Europe is tightening restrictions on schools and businesses amid surging cases of COVID-19.

Germany's health minister said the decision to suspend AstraZeneca shots was made with the advice of the country's vaccine regulator, the Paul Ehrlich Institute, which called for further investigation into seven cases of clots in the brains of people who had been vaccinated.

French President Emmanuel Macron said his country would likewise suspend shots until at least Tuesday afternoon. Italy also announced a temporary ban, as did Spain, Portugal and Slovenia.

AstraZeneca said there have been 37 reports of blood clots out of more than 17 million people vaccinated in the 27-country European Union and Britain. The drugmaker said there is no evidence the vaccine carries an increased risk of clots.

In fact, it said the incidence of clots is much lower than would be expected to occur naturally in a general population of this size and is similar to that of other licensed COVID-19 vaccines.

The World Health Organization and the EU's European Medicines Agency have also said that the data does not suggest the vaccine caused the clots and that people should continue to be immunized. that people should continue to be immunized.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Sheriff nixed bill on police inquiries

Elvia Diaz
Arizona Republic
March 16, 2021

Law enforcement officers really do have the best bosses — always ready to bat against anyone who dares try to hold their rank-and-file accountable.

Maricopa County Sheriff Paul Penzone takes the best boss prize this month because he single-handedly doomed a legislative bill that called for outside investigations into deadly confrontations with police.

Penzone balked at the simplicity of the proposed law, HB 2765, saying it was "poorly written" and that it had "no teeth."

If by simplicity Penzone means straightforward, then yes. The legislation, sponsored by Democratic Minority Leader Reginald Bolding, called for a third-party investigation into deadly use of force.

But those simple words would have taken the power away from cops to investigate their own colleagues — a system that has led to widespread public mistrust, especially among people of color.

So, let's not kid ourselves.

AMERICAN OVERSIGHT

Penzone, a Democrat, didn't help kill the bill last week because it was "poorly written" or for its simplicity, as he maintained at a news conference. He killed it because it would have forced outside inquiries into fatal police encounters.

God forbid if anyone else but their own were to investigate fatal law enforcement use of force — even when those inquiries would be done by another enforcement agency.

If anything, Bolding's proposal was a bit too lenient and too accommodating in my view.

Bolding was ready to amend the legislation to limit it to Maricopa and Pima counties. He was also willing to give police agencies up to a year to decide how to investigate deadly use-of-force cases and gave ample leeway on which agency they choose to carry it out.

But that wasn't good enough for the sheriff, who met with Republican House Speaker Rusty Bowers to express his concerns with the bill that was making it through the legislative process with bipartisan support. Subsequently, Bowers is reportedly stalling the legislation after Penzone critical comments. "It's extremely disappointing," Bolding told The Arizona Republic about Penzone's power-play. "We had a chance to pass commonsense police reform with bipartisan support and you have the sheriff, who quite frankly is out of step with the public on independent, thirdparty investigations."

The legislation comes on the heels on the summer's national protests against police brutality sparked by the death of African American George Floyd at the hands of police officers.

Arizona has faced its share of fatal police encounters that have prompted outcries from families of those killed.

Since 2011, Arizona has had more than 700 law-enforcement shootings. The Republic found that police fatally shot 428 people from 2011 through 2020. It reported that prosecutors have charged only two officers and that both them actually walked free.

Blacks and Latinos have for years cried foul over police's deadly encounters with communities of color, which have deepened their distrust of law enforcement.

Penzone's maneuvering this week further proves what minorities have always known. Cops aren't going to hold their own accountable. They'll come up with all sorts of excuses to protect each other no matter what.

The sheriff 's list of reasons to oppose this bill are as lame of those from the good fellas and ladies of the Phoenix City Council who killed a proposal for a civilian review board with investigative powers into police shootings.

Penzone's solution? He wants to lead an effort to create a task force made up of different police agencies to investigate police shootings. That, he says, would build public trust.

Except, of course, there is no timeline for that effort and no guarantees that any other law enforcement agency would want to participate voluntarily.

AMERICAN OVERSIGHT

Most importantly, Penzone is missing the point of public mistrust, especially among minorities who don't trust police agencies to police themselves.

He's missing the point that people of color don't trust law enforcement bosses the likes of him who are keen on protecting their rank-and-file above all else.

Return to the table of contents

Judge rips Arizona GOP for election lawsuit, orders party to pay thousands in legal fees

Maria Polletta
Arizona Republic
March 16, 2021

Calling its lawsuit challenging 2020 election procedures "groundless" and "disingenuous," a judge has ordered the Arizona Republican Party — and its lawyers — to pay the state thousands of dollars in legal fees.

In his ruling, Maricopa County Superior Court Judge John Hannah contended the GOP's team acted in "bad faith" when it questioned the process for auditing voting machines and tried to delay certification of election results last November.

Instead of living up to the "privileged position in the electoral process" afforded to it by state law, Hannah said, the party sought to undermine Arizonans' confidence in election results.

"The public has a right to expect the Arizona Republican Party to conduct itself respectfully," he wrote. "It has failed to do so in this case."

The party and its attorneys must pay the Arizona Secretary of State's Office $18,238, according to the order. That's just a fraction of the nearly $152,000 the agency said it spent defending itself against a barrage of election fraud lawsuits challenging President Joe Biden's Arizona win.

Secretary of State Katie Hobbs said the "damage inflicted upon our democracy by frivolous lawsuits and conspiracy theories can't be measured in dollars." But she called the order "good news for taxpayers" and said it sent an important message to "those willing to abuse the legal process for political purposes."

Arizona GOP attorney Jack Wilenchik, on the other hand, said directives like Hannah's only serve to "stop plaintiffs from rightfully invoking the courts to hear their issues." He said the order "encourages public distrust in the government for being openly hostile to them."

"We will be appealing this ruling, and it will be reversed," Wilenchik said.

Party challenged county audit process.

The GOP's lawsuit against Maricopa County centered on how election officials audited the accuracy of electronic vote tallies. Instead of sampling assigned precincts to conduct their hand count, officials

AMERICAN OVERSIGHT

sampled vote centers that were open to any voter in the county — a strategy the GOP contended was both unlawful and imprecise.

"The idea, as best the Court could figure it out, was that that precinct-by-precinct hand counts would reveal precincts where the number of votes exceeded the number of registered voters," Hannah wrote.

"These were flimsy excuses for a lawsuit. The hand count is not meant to create data points for political parties to 'cross-check with other voter registration data.' The purpose of the hand count audit is to compare the results of the machine count to the hand count to assure that the machines are working properly and accurately counting votes."

Rural communities in southern Arizona brace for migrant releases at the border
Family believes Phoenix man who died after being punched in the face was targeted because he was Asian.

Contentious election and pandemic frustration create challenges for Ducey's agenda at Legislature

Rep. Ann Kirkpatrick won't seek reelection: 'I'm sort of term-limiting myself'

Maricopa County's hand count, which had bipartisan oversight, matched electronic counts exactly. But the Republican party insisted state law explicitly required the county to use the precinct-based method, rather than the center-based method outlined in the secretary of state's Election Procedures Manual — despite the law deferring to that manual to outline voting center rules.

Hannah also noted the party did not name Hobbs as a defendant in the lawsuit, even though county officials were implementing her office's rules. She later intervened in the case herself to address claims involving her office.

Nor did the GOP name any of the less populous counties that also used and audited voting centers in the 2020 election.

"That the plaintiff did not proceed that way suggest(s) that its concern was something other than 'strict compliance' and 'election integrity,'" Hannah wrote.

Judge: Case was politically motivated
Hannah also questioned the GOP's motives for requesting an injunction as the lawsuit progressed.

Wilenchik had asked to delay the county's certification of election results until a new hand count could be done, saying there would be "zero real hardship" to election officials if the canvass was pushed back.

"If an injunction is not granted, then there will be lingering questions about the legitimacy of these results which could otherwise be answered through a proper hand count," Wilenchik wrote at the time. "It will create a cloud over the legitimacy of this election and its results."

Hannah said it was the GOP's lawsuit, not the hand count procedure, that "cast false shadows on the election's legitimacy," however. He noted that Wilenchik, in responding to the secretary of state's request for legal fees, had acknowledged public doubts about election results had played a role in the lawsuit.

AMERICAN OVERSIGHT

"'Public mistrust' is a political issue, not a legal or factual basis for litigation," Hannah wrote.

In a statement provided to The Arizona Republic on Monday, Wilenchik disagreed, arguing that a lawsuit to "enforce the plain wording of the law is never 'groundless.'"

"For a county judge to say that widespread public mistrust in an election is an 'improper' reason for a political party to be in his court is sorely disrespectful to the views of the many Americans whom I am proud to represent," he said.

The order sanctions Lee Miller, a lawyer who testified in favor of the injunction, in addition to the Arizona Republican Party and Wilenchik's firm. Miller and Wilenchik also are named in a separate complaint related to election lawsuits pending in front of the state bar association.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Rep. Grijalva announces bill to reverse Arizona land swap for copper mine

Associated Press
KTAR News
March 16, 2021

This photo taken Monday, June 15, 2015, shows the Resolution Copper Mining area Shaft #9, right, and Shaft #10, left, that awaits the expansion go ahead in Superior, Ariz. (AP Photo/Ross D. Franklin)
SUPERIOR, Ariz. (AP) — U.S. Rep. Raul Grijalva has introduced a bill to keep the U.S. Forest Service from turning over land in Arizona for a massive copper mine.

The parcel of land in the Tonto National Forest east of Phoenix was set to be transferred to Resolution Copper this week. But the Biden administration recently pulled back an environmental review that cleared the way for the land exchange so it could further consult with Native American tribes.

The land transfer was included as a last-minute provision in a must-pass defense bill in 2014 after it failed for years as stand-alone legislation. Resolution Copper would get 3.75 square miles (9.71 square kilometers) of national forest land in exchange for eight parcels it owns elsewhere in Arizona.

Grijalva's bill introduced Monday seeks to repeal that provision. The Democrat from Arizona has introduced similar bills in the past. It has no Republican co-sponsors.

The land known as Oak Flat is sacred to Native Americans, including the San Carlos Apache Tribe. At least three lawsuits against the Forest Service have raised concern over religious freedom rights, land ownership and violations of federal law.

Resolution Copper, a joint venture of global mining companies Rio Tinto and BHP, said it has invested $2 billion so far in the project. Mining wouldn't start for several years after the land transfer.

In a statement Monday, the company said it recognizes the importance of the federal government's ongoing review and consultation with tribes and community members, and is complying with the process that Congress outlined.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Arizona officials confident they can meet Biden's May 1 vaccine deadline
Ryan Knappenberger Cronkite News
Arizona Daily Sun
March 16, 2021

Globe Mayor Al Gameros gets his second dose of Moderna's COVID-19 vaccine at Cobre Medical Valley Regional Medical Center. Gila County made all county adults vaccine-eligible last month, weeks ahead of President Joe Biden's call for all adults nationwide to be eligible by May 1.

Arizona health officials said the state is already on track to meet President Joe Biden's challenge of allowing all adults to register for COVID-19 vaccinations by May 1.

The directive came Thursday night, the anniversary of the declaration of a COVID-19 pandemic, during Biden's first nationally televised address as president. He mourned the loss of more than a half-million Americans to the disease but also painted an optimistic picture of the future – including his call for all states to throw open vaccine eligibility by May 1.

"Let me be clear: That doesn't mean everyone's going to have that shot immediately, but it means you'll be able to get in line beginning May 1," Biden said.

It is unclear what authority Biden has to enforce a deadline, but the director of the Arizona Department of Health Services called May 1 "a very doable timeline."

Dr. Cara Christ, the health department director, said counties are moving at their own pace but that all are currently expected to open eligibility to those 16 years and older by May.

To date, counties have limited registration to phases, with older, ailing and essential workers getting first crack. As of Friday, four counties were administering vaccines to people 65 and older, while nine more had lowered the threshold to people 55 and older, including Coconino.

Two counties, Gila and Greenlee, have already started allowed anyone older than 16 to register for a shot.

Christ said every county in the state should be able to allow the 16-34 age group by the end of April, with smaller counties likely to get there first and larger counties not far behind.

Health officials said the biggest hurdle to a wider rollout may not be logistics but hesitancy among some groups to get the vaccine.

Alexandra Fischer, senior communications manager for Coconino County, said that while vaccine hesitancy has not been a widespread issue, it could be a concern in communities of color who may distrust health officials due to a history of medical mistreatment.

"We know there can be hesitancy, we know there is trauma, so we have to be able to address that," Fischer said.

AMERICAN OVERSIGHT

That issue was cited Friday morning during a White House briefing on the administration's COVID-19 plans. Dr. Marcella Nuñez-Smith, senior White House adviser, said during the call that the administration is keenly aware of the distrust and was working to heal the divide.

"We are faced with the reality that marginalized and minoritized communities are often the first to be forgotten," Nuñez-Smith said. "As we fight against centuries of structural inequities, we must be intentional about making vaccination easy and convenient for everyone."

White House officials on that call revealed a number of changes to the national vaccine rollout that they said would expedite distribution.

Jeff Zients, White House COVID-19 coordinator, said the administration will increase the number of places that distribute the vaccine, including pharmacies, community health centers and mass vaccination sites. He also said the number of health professionals who can administer shots would be expanded by including dentists, paramedics, trained students and more.

Zients said the country reached an average daily dosage over the past week of 2.2 million shots, what he called a "new record that we will continue to build on."

Biden's plan comes as COVID-19 cases in the state and nation continue to decline while vaccinations climb.

In Arizona, almost 1.5 million people have received at least one dose, representing 21% of the state population, according to health department data. It said more than 871,000 Arizonans have been fully vaccinated.

Christ said the state expects to begin receiving additional shipment of the Johnson & Johnson vaccine next week. That vaccine requires only one dose to be fully effective, unlike others that require two.

County health officials echoed her optimism about expanded vaccination eligibility.

In Gila County, "we're way ahead of the game, but we're happy about it," said Public Health and Emergency Management Director Michael O'Driscoll. He said it has been easier for his county due to its small size compared to the much bigger Pima or Maricopa counties.

"Gila County is more of a rural county than the other bigger counties, who have more logistical issues," O'Driscoll said Friday.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 16, 2021 3:36:39 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes March 16, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

March 16, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

AMERICAN OVERSIGHT

55th Legislature; 1st Regular Session

THE HOUSE IS STILL in session at our deadline.

THE SENATE IS ADJOURNED until March 17, Wednesday, at 1:30 p.m.

NEWS NOTES

HOUSE REFUSES TO RETURN ESA EXPANSION BILL, MOVES AHEAD WITH HEARING

The House is moving forward with a bill expanding Empowerment Scholarship Accounts that has widespread Republican support but whose fate was thrown into question a month ago due to an intra-GOP feud in the Senate. House ways-means scheduled S1452 (Arizona Empowerment Scholarship Accounts; revisions), which would expand eligibility for the voucher-like program to low-income students and students attending a Title I school, on its agenda tomorrow. The Senate passed it along party lines in mid-February but then voted to request the bill back from the House in an apparent act of retaliation against Boyer, who has broken with his caucus on a handful of high-profile issues. Boyer's vote against a bill seeking to remove inactive voters from the Permanent Early Voting List immediately preceded the Senate's request that the House return the bill. The House never responded to that request. "We'll see how they treat it tomorrow," Bowers said Tuesday. "I support ESAs, but I also know it's a very contentious thing with the (Arizona) Education Association." Bowers said he never held any discussions with Senate leadership on whether to return the bill.

THE SENATE IS THE GRAVEYARD OF DEAD BILLS

The Senate had an unusually quick session yesterday after a bizarre technical problem with microphones in the room made it sound like a particularly nerdy remix. The audio system created an echo at least once per spoken sentence from the moment Fann gaveled in, and the Senate quickly adjourned - but not before making their way through an impromptu Gray prayer replete with references to audio problems and echoing canyons, Gowan getting everyone to sing "happy birthday" to senior policy adviser Fletcher Montzingo, a Mesnard motion for reconsideration, and a couple of first reads. Lawmakers stayed jovial through the short session. "Are we haunted ... haunted ... haunted...

AMERICAN OVERSIGHT

haunted ... haunted," Gray asked, slightly dancing at his desk. "The President was a rapper today," Contreras joked as he left the floor.

ONCE IN A BLUE MOON THE RULES ATTORNEY AND LAWMAKERS AGREE

The Senate's rules attorney says H2111 (2nd amendment; unenforceable federal laws) appears constitutional, but Quezada remains unconvinced. The rules attorney raised more concerns about Gowan's broader S1328 (unenforceable federal laws; second amendment) several weeks ago, but the Senate rules pushed it through anyway. Both bills seek to prevent the state from enforcing federal gun control laws, and Quezada says it appears that both would violate the supremacy clause of the U.S. Constitution.

THE BEST OR THE WORST

S1485 (early voting list; eligibility) drew a robust discussion in both caucuses today. Both parties agree on the bill's importance, if nothing else. "This is, I guess, one of the prime reform bills on elections," Kavanagh said. Salman called it one of "many Jim Crow bills that the Republicans are advancing now that Arizona is no longer covered under preclearance." Salman was referring to the 2013 US Supreme Court ruling in *Shelby v. Holder* that got rid of a requirement that Arizona and some other states and counties with a history of racial discrimination in elections would need federal approval to make changes to their voting laws. Under the bill, folks on the Permanent Early Voting List who don't vote in four August primary and November general elections in a row will be sent a notice asking if they wished to remain on the list. They will be removed if they don't respond. However, there is some debate over whether the bill's wording would require notice to be sent if a person misses just one of those four elections in a two-year period, a question that came up in both caucuses. In response to Cook, who asked if Ugenti-Rita would be open to an amendment clarifying this, Kavanagh said she asked Legislative Council for an opinion and was told the bill would only trigger notice for people who miss four elections in a row; and, thus, she is unlikely to be open to an amendment.

REPUBLICANS OBJECT TO INCLUDING MENTAL HEALTH IN SCHOOL CURRICULUM

S1376 (schools; curriculum; mental health) could run into some opposition if it makes it to the House floor, judging by the discussion in this morning's

AMERICAN OVERSIGHT

Republican caucus. The bill, which would direct the state Board of Education to include mental health instruction in health education instruction, passed the Senate, 29-1, a month ago, with Townsend casting the only "no" vote. Fillmore commended Nguyen, Roberts and Pingerelli, who voted against the bill in House educ. "I'm quite surprised this bill got as far as it did considering we're a Legislature controlled by Republicans," he said. Cook said he would like to know if 16 Republicans or a majority of the House majority supports the bill. Meanwhile, Rodriguez told the Democratic caucus that he has been watching the GOP caucus and caught the discussion on the bill. "There were some comments this could be used as a channel to funnel Democratic propaganda, so you can probably guess who that was," he said. Shah agreed that bill's purpose is to teach students about mental health. "I'm not quite seeing how this has anything to do with propaganda," he said.

FUNDING FOR PRISONERS' MENTAL HEALTH TRANSITION PROGRAM ADVANCES

House mil-pub safety voted unanimously to advance S1786 (prisoners; mental health transition program), which will establish a four-year pilot program, costing $1.3 million a year, to help prisoners with mental illnesses who are being released to transition back into the community. Donna Leone Hamm, founder and executive director of Middle Ground Prison Reform, said the bill "clearly addresses a serious need and a need that will ultimately have a very positive impact on recidivism," noting that, other than sex offenders, nobody has as much trouble reintegrating into society as former prisoners with mental illnesses. "The prison has become a dumping ground for mental health treatment in Arizona unfortunately, and this is a really positive step toward attempting to provide them with really a responsible opportunity to stay out of prison once they get out of prison," she said.

YOU DON'T KNOW MITRAGYNA SPECIOSA?

A bill to protect kratom sellers is being held but will likely come back next week. At Monday's House mil-pub safety meeting, Kavanagh raised concerns that S1339 (kratom products; enforcement; financial institutions) could prevent the enforcement of laws against selling adulterated or mislabeled products or sale to minors. The bill seeks to ensure that people can continue to sell kratom legally without government interference and would bar the state from taking enforcement action against kratom sellers as long as it isn't classified as a

AMERICAN OVERSIGHT

Schedule I substance federally. Payne said he would hold the bill for a week to give lawmakers time to try to address concerns. US FDA has warned against the use of Mitragyna speciosa, which grows in Thailand, Malaysia, Indonesia, and Papua New Guinea. The FDA says kratom affects the same opioid brain receptors as morphine and "appears to have properties that expose users to the risks of addiction, abuse, and dependence" (LINK). The FDA has not approved kratom for any uses.

KAVANAGH IN THE SPOTLIGHT

"There's a fundamental difference between Democrats and Republicans," Kavanagh told CNN (LINK) in a story that came out on Thursday. "Democrats value as many people as possible voting, and they're willing to risk fraud. Republicans are more concerned about fraud, so we don't mind putting security measures in that won't let everybody vote - but everybody shouldn't be voting." Kavanagh also said not everyone wants to vote, and people who don't want to vote are probably uninformed on the issues. "Quantity is important, but we have to look at the quality of votes, as well," he said. These quotes quickly rocketed around social media, with opponents of voting measures - such as the ones Arizona Republicans are trying to pass - pointing to his quote as evidence that Republicans' true motivation is to keep people from voting. "The slew of proposed voting laws in Arizona and across the country isn't about voter fraud because it simply doesn't exist," *Republic* columnist Elvia Díaz wrote on Friday (LINK). "It's about keeping certain people from voting." *New York Magazine's* Jonathan Chait called Kavanagh's view part of a long tradition of right-wing hostility to democracy (LINK), and national outlets, including the *Washington Post*, *Business Insider*, *Newsweek*, *Salon*, and *The Hill,* also reported on Kavanagh's comments. Salman brought it up Tuesday during the Democratic caucus' discussion of S1485 (early voting list; eligibility), which would remove some voters from the permanent early voting list. "And I would argue that is a belief that is fueling a lot of these Jim Crow bills," she added. Kavanagh told the *Washington Post* that his comments (LINK) were taken out of context and he was talking about preventing fraudulent voting. "I would never support a voter information test to vote," he said. "If you can legally vote, you vote. But I don't think people who are disinterested should be forced to the polls in the interest of turnout."

DALESSANDRO TO SENATE AUDITORS: USE THE DIGITAL COPIES

AMERICAN OVERSIGHT

While she doesn't think the Senate needs to audit the Maricopa County election results, Dalessandro said if it were to happen, it would be better to audit the scanned ballots rather than the original paper ones. In an opinion piece she submitted to the *Capitol Times*, Dalessandro asked how one would track down the 3,584 ballots cast in just the Purple Sage precinct in the more than 1,400 boxes of paper ballots containing more than 2 million votes Maricopa County has. With 2.1 million ballots, auditors should break it down to precincts. "To do it with a paper audit, it's not impossible but it would take a lot of time and energy and security against fire and water damage and theft. It's a physical nightmare to do it," Dalessandro said in a followup interview. "So, since I have confidence that every ballot in Maricopa County has been scanned and there's an image of it, it would be much better and more doable to sort those by precinct." Dalessandro said she chose Purple Sage precinct as a random example since Arizona is a purple state and many Native Americans use sage in religious ceremonies. "I thought a concrete example would serve the public well to understand the difficulty in auditing the paper ballots," she said. "I mean, we could finish it maybe by the 2024 election." Dalessandro said an opinion penned by former senator Bob Worsley, who served with Dalessandro when she was in the Senate, inspired her to write her own piece. Worsley also argued against the Senate's audit, but added that, if it must happen, it should be done in a way that protects voters' privacy and the integrity and security of the subpoenaed ballots and election equipment (LINK). Dalessandro, who served in the Senate before switching to the House this year and as a then-senator was named in the lawsuit between the Senate and the Maricopa County Board of Supervisors, said Fann was "kind to the three Democrats on the (Judiciary) committee," including letting them hire their own attorney. Dalessandro, like the rest of the Democrats, opposed the 2020 subpoenas, but she said Fann is in a difficult position since so many conservatives have been fed the "big lie" that the election results were fraudulent. "I don't support doing the audit, but I understand it," Dalessandro said.

THE PRAYER OF JUAN MENDEZ

Once again, Mendez failed to give his non-religious prayer on Secular Day. But this time, it was his fault - he was caught up in a Zoom meeting and got to the floor a few minutes late. Fann first tried to ask Bowie, who shrugged because he didn't have a prayer prepared, before turning to Gray. Mendez and Salman, both atheists, have had a rocky time trying to give their secular invocations

AMERICAN OVERSIGHT

since Mendez first took office in 2013. That year, then-Rep. Steve Smith was so furious at Mendez's nonreligious prayer that he offered a second Christian prayer the following day. In 2016, then-Majority Leader Steve Montenegro blocked Mendez's invocation by publishing a memo saying that a prayer must refer to a higher power. When Mendez tried to give his invocation anyway, Montenegro insisted that the rule saying the House opens its session with a prayer wasn't met, so then-Speaker Andy Tobin called on a minister in the gallery to give a prayer. The same thing happened to Salman in 2017. In 2019, when Salman tried again, Kavanagh rose to introduce God as his "guest" in the gallery. And last year, Mendez was left off the calendar when he requested to give the prayer for Secular Day, and Mesnard gave it instead. Fann acknowledged minutes later that Mendez was supposed to give the prayer and asked him to give his invocation during the introduction of guests instead. Yesterday's audio problems prevented him from giving a delayed invocation.

NEWS RELEASES

More Than 1 Million Arizonans Now Fully Vaccinated Against COVID-19

With Hot Temperatures Coming, State Is Making Plans To Continue Vaccine Momentum

PHOENIX — More than 1 million Arizonans—approximately one in seven residents—are now fully vaccinated against COVID-19, Governor Doug Ducey and the Arizona Department of Health Services announced today. Arizona is making plans to continue the momentum as temperatures heat up and in anticipation of increased vaccine supply and opening vaccination to everyone 16 and older by May 1.

"Every dose of the COVID-19 vaccine administered to an Arizona resident represents an essential step forward in our fight against COVID-19," said Governor Ducey. "I'm so grateful to the thousands of staff and volunteers at vaccination sites statewide for their dedication and hard work, which has made this milestone possible."

As of Tuesday morning, 1,007,600 Arizonans have received either both doses of the Pfizer or Moderna vaccines, or one dose of the Johnson & Johnson/Janssen vaccine. A total of 2,590,447 doses have been administered to 1,628,587 individuals since COVID-19 vaccine doses began arriving in Arizona in December.

"Of the many important milestones reached to date, this one is especially significant because it's individuals who now have the full benefit of vaccination against COVID-19," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "With 1 million fully vaccinated, there are still 6 million more Arizonans who potentially can have this protection as

AMERICAN OVERSIGHT

more vaccine becomes available."

Nearly 700,000 doses of COVID-19 vaccine have been administered at state mass-vaccination sites, which use a model that has won attention from other states and praise from President Joe Biden. On Monday, 77-year-old Surprise resident Judith Beaulieu received the 500,000th COVID-19 vaccine dose administered at the State Farm Stadium vaccination site, which has operated 24/7 since opening Jan. 11.

As summer approaches, ADHS and its partners are finalizing plans for continuing mass-vaccination operations in preparation for additional vaccine supplies expected from the federal government. In early April, for example, the State Farm Stadium site will convert to overnight operation to protect staff, volunteers, and patients from extreme heat. To replace that capacity at State Farm Stadium and other sites, the state is identifying indoor venues allowing for continued vaccination.

"The state has been able to establish mass-vaccination sites quickly at outdoor venues. Now we will replicate that in places allowing us to continue this momentum as temperatures climb," Dr. Christ said. "We expect considerably more vaccine from the federal government in the coming weeks, and state sites will be part of a response that includes community-level efforts by counties, vaccine available at pharmacies and similar settings, and more."

Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine, and registration is available for state sites and many others at podvaccine.azdhs.gov. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist.

"The COVID-19 vaccines have been proven safe and highly effective, and I urge all Arizonans to get the vaccine as soon as they are eligible," Governor Ducey said. "I received my first shot on March 2, and I'm looking forward to getting my second."

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

* * * * *

Sinema Working to Expand Vaccine Access for Veterans' Families and Caregivers

Sinema introduced bipartisan legislation expanding vaccine access for Arizona veterans and their spouses, caregivers, and dependents

WASHINGTON – Arizona senior Senator Kyrsten Sinema introduced the bipartisan *SAVE LIVES Act*, which allows the U.S. Department of Veterans Affairs (VA) to provide no-cost COVID-19 vaccination services to all veterans and veteran spouses, and eligible caregivers and dependents.

AMERICAN OVERSIGHT

"Expanding access to coronavirus vaccines for Arizona veterans' families and caregivers better protects the men and women who have sacrificed so much for our country's security," said Sinema, a member of the Senate Veterans' Affairs Committee.

Sinema's legislation prioritizes veterans receiving care at the VA for vaccination, but as vaccine supply grows, allows the VA to provide vaccines to veterans normally not eligible for VA care and a broader population of caregivers, veteran spouses, and beneficiaries of the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA).

The *SAVE LIVES Act* expands VA's authority to:

- Veterans not eligible for enrollment in the VA health care system—including veterans without compensable service-connected disabilities and veterans who have incomes above a certain threshold
- Veteran caregivers enrolled in various VA home-based and long-term programs
- Veterans living abroad who rely on the Foreign Medical Program
- Veteran Spouses
- Recipients of CHAMPVA (spouses or children of permanently and totally disabled veterans or of veterans who have died from service-connected disabilities)

Sinema's office heard directly from Arizona veterans and caregivers about their desire for more access to COVID-19 vaccines at Arizona VA Medical Centers. Sinema's legislation would give the VA more flexibility to assist these Arizonans as the vaccine supply increases.

* * * * *

Sen. Kelly Secures COVID Relief for Arizonans in First 100 Days

Includes funding for vaccine distribution, essential senior services, direct relief for Arizonans, cities and tribal governments

In Senator Mark Kelly's first 100 days in office, Kelly has worked to secure COVID-19 relief for Arizonans – twice. In this most recent COVID-19 relief bill, Kelly voted for key Arizona priorities -- including $1,400 direct checks to most Arizona families, funding for vaccine distribution and COVID testing, support for seniors essential services, and funding for cities, towns and tribal governments keeping their communities safe during this pandemic.

Here is a look at those key priorities and some of the funding coming directly to Arizona.

Funding for Seniors' Essential Services: Kelly successfully secured a proposal to fund seniors meals, caregiving, vaccination and other programs. Arizona stands to receive more than $31 million from the COVID-19 relief package for seniors services.

Financial Relief for Arizona Families and Individuals: The relief package provides most

AMERICAN OVERSIGHT

families with a $1,400 direct payment per adult and an additional $1,400 per dependent, including for both children and non-child dependents. It also gives tax breaks to working families, extends enhanced federal unemployment benefits and provides additional funds for housing and nutrition assistance.

Funding for Vaccine Distribution, Testing and Contact Tracing: The COVID-19 package will provide additional funding to expand COVID-19 testing and vaccine distribution, which is key to beating the virus. The relief bill includes:

- $50 billion for COVID-19 testing and contact tracing;
- $20 billion for improved vaccine distribution and administration;
- Nearly $8 billion for the public health workforce;
- And $10 billion to procure PPE and other medical equipment.

Direct Relief for Arizona Cities: A total of $7.6 billion federal dollars in direct relief will flow to Arizona governments to continue handling COVID-19 and its economic impact: $4.3 billion to the state of Arizona, and $3 billion in funding for localities and county governments. For more details on what each Arizona locality and county will receive, click **HERE**.

Support for Schools to Reopen Safely: Arizona's K-12 schools will receive more than $2.6 billion to reopen safely and ensure kids get caught up, while its higher education institutions will receive about $683 million. Arizona will also receive $972 million for child care, and $15.8 million for Head Start.

Broadband and Transportation: Arizona will receive $187 million for rural broadband expansion to help close the digital gap made worse by the pandemic. Arizona transit systems that have been hit hard by the pandemic will receive about $260 million.

Historic Investment in Tribal Nations: Tribal nations have been hit hard by this pandemic. Kelly supported the COVID-19 relief bill's historic $32.1 billion investment in tribal nations which includes:

- $20 billion for tribal governments to fight COVID-19 and support their communities;
- $6 billion for the Indian Health Service;
- $850 million for Native education programs;
- And $500 million that Kelly advocatedfor to fund drinking water and wastewater projects in rural and tribal communities, critical to slowing the spread of COVID-19.

Kelly made it a priority to deliver COVID-19 relief for Arizona. Kelly continues to ensure that Arizona families have the resources to recover from this public health and economic crisis.

* * * * *

RSLC Launches Election Integrity Commission Web Page

AMERICAN OVERSIGHT

One Stop Shop For Information On Effort To Make It Easier to Vote and Harder to Cheat

Washington, DC —The Republican State Leadership Committee (RSLC) today launched a new web page, which will serve as a one-stop-shop for information about the efforts of the commission on election integrity it formed last month in conjunction state lawmakers and secretaries of state from across the nation to **make it easier to vote and harder to cheat.**

The commission is working to restore the confidence of the American people in their free and fair elections by convening leading policymakers to identify best practices through a sampling of legislation from all states that have proven their practicality and worth, embodying key principles that increase voter access and participation without sacrificing security, accountability, and transparency.

"Restoring confidence in our nation's elections won't happen overnight, but the RSLC's Commission on Election Integrity has served as a fantastic hub of ideas for beginning the process," **said RSLC President Dee Duncan.** "The common goal of making it easier to vote and harder to cheat is uniting our commission members, and we are excited to launch this new platform so that we can begin sharing our progress with the public in the coming weeks."

Meeting weekly since early February, the commission is working to develop best practices drawn from legislation across the country that are in line with its five key principles.

1. Empowering states
2. Ensuring voter roll accuracy
3. Securing absentee / mail-in voting
4. Increasing transparency for in-person voting
5. Streamlining the canvassing process

Each commission meeting also includes updates from legislators and secretaries of state on the landscape of election laws in their respective states.

Visit the Election Integrity Commission website HERE.

* * * * *

Jan. 6 Security Task Force Agrees with Stanton's Bill, Recommends Capitol Police Wear Body Cameras

WASHINGTON, D.C.—A security assessment submitted to Congressional leadership agreed with Rep. Greg Stanton's push for U.S. Capitol Police officers to wear body cameras while on duty.

The assessment was made after a six-week-long, nonpartisan review by the "Task Force 1-6," which convened to identify actions that could be taken immediately to improve the security of the Capitol, Members, and staff following the Jan. 6 attack on the Capitol.

AMERICAN OVERSIGHT

In January, in the aftermath of the attack, Stanton introduced legislation to require all uniformed, on-duty U.S. Capitol Police officers to use body-worn cameras, citing the safety of the officers, staff and the public.

"The ongoing investigations of the armed insurrection against our government would be much more thorough if they were aided by footage from body cameras," said Stanton. "The assessment by this nonpartisan Task Force backs up our ongoing efforts to make this common-sense security improvement."

The Task Force 1-6 report concludes: "We also recommend the USCP be equipped with Body-Worn Cameras (BWC), an item not currently in their inventory, to improve police accountability and protect officers from false accusations of misconduct. BWC also provide visual and audio evidence that can independently verify what happened in any given situation, leading to better investigations and prosecutions when needed."

The Task Force 1-6 was led by retired Lieutenant General Russel L. Honoré and comprised of a team of professionals with law enforcement, legal, personal protection, intelligence, operational, and Congressional experience. As part of its review, the panel met with leadership and staff of numerous government agencies, including the U.S. Capitol Police; the House and Senate Sergeants at Arms; the Architect of the Capitol (AOC); the Metropolitan Police Department (MPD); Federal Law Enforcement Partners (FBI, DHS, FPS); the Departments of Defense and the Army; the Pentagon Force Protection Agency; and the National Guard Bureau and relevant subordinate commands, such as the D.C. National Guard.

Stanton will continue to engage with the House Appropriations Subcommittee on the Legislative Branch to ensure a supplemental package for U.S. Capitol Police includes the funding to equip uniformed officers with body-worn cameras.

The full Task Force 1-6 report can be found here.

* * * * *

Arizona Education Progress Meter Data Updates Announced

Improved data processes offer clearer picture of education in our state;
shows much work still to be done to reach long-term goals

PHOENIX (March 10, 2021) – The Arizona Education Progress Meter has been updated with the most recent data for five of eight important metrics. In addition, process improvements have resulted in more robust data for the remaining indicators.

"The Education Progress Meter continues to be an important nonpartisan, shared source of information to inform where we stand and to help unify us around where we want to go as a state," says Sybil Francis, PhD, president and CEO of the Center for the Future of Arizona. "Trusted, reliable and useable data are critically important to our leaders and communities.

AMERICAN OVERSIGHT

This is especially true now as Arizonans work together to create a stronger and brighter future for our state."

This year, slight gains in the areas of high school graduation and opportunity youth are offset by dips in quality early learning and median teacher pay. Postsecondary attainment showed no change over the previous year. Updated data for 3rd grade reading and 8th grade math is unavailable because statewide assessments were not administered in 2020 as a result of the COVID-19 pandemic.

However, improved data processes ensure that all students are included in the analysis, which allow for a much clearer picture of community-level data. In particular, the Education Progress Meter now offers more accurate numbers for rural Arizona and communities of color. The data improvements relate to 3rd grade reading, 8th grade math and high school graduation.

"Ongoing efforts to refine the Education Progress Meter data and share it in more meaningful ways is essential to our work and the work of our partners across the state," says Erin Hart, senior vice president and chief impact officer for Expect More Arizona. "We know that to reach the broadly accepted statewide goals, it will take local communities leading the way, and this data is so valuable to those efforts."

The widely accepted metrics were first launched in 2016 by Expect More Arizona and the Center for the Future of Arizona and have been updated annually. The Education Progress Meter has been used to frame state budget proposals, specific goals have been adopted by the State Board of Education and included in the state's ESSA plan, embedded in school district strategic plans, used by funders to drive their investments, and adopted by nearly 50 cities and towns across the state.

Yet, while modest gains have been made in some areas, Arizona is not on track to reach the 2030 goals outlined in the Education Progress Meter. To get there will require meaningful conversations about the opportunity gap that prevents many students from reaching their potential, thereby preventing Arizona from reaching its potential.

"There is broad agreement that attaining the shared goals in the Education Progress Meter will invigorate economic growth and unlock the potential of individuals and communities," says Erin Hart. "Getting there means everyone working together toward solutions that significantly advance outcomes for all students. We also need predictable, consistent and flexible investments that support the entire education continuum, early education through higher education."

Indicator	Previous	Current
Quality Early Learning *(Percent of AZ 3- and 4-year-old children in quality early learning settings.)*	22%	19%
High School Graduation *(Percent of AZ high school students graduating in 4 years.)*	78%	79%
Opportunity Youth *(Percent of 16-24-year-olds who are NOT in school or working)*	13%	12%
Postsecondary Attainment *(Percent of Arizona residents 25-64 years of age who have completed a 2- or 4-year degree or received a postsecondary certificate.)*	46%	46%

AMERICAN OVERSIGHT

* * * * *

Electrameccanica Announces Plans To Establish U.S. Base of Operations In Greater Phoenix, Arizona

March 16, 2021 — ElectraMeccanica Vehicles Corp. (NASDAQ: SOLO) ("ElectraMeccanica" or the "Company"), a designer and manufacturer of electric vehicles, today announced that it has selected Mesa, AZ, in the greater Phoenix area, for its U.S. based assembly facility and engineering technical center. Phoenix ranks as the fifth largest city in the U.S. according to 2020 census data, with nearly 1.8 million residents. Mesa, a suburb of Phoenix, ranks 35th nationally. The Company's selection marks the end of a comprehensive, year-long site search conducted by ElectraMeccanica and its partner, BDO USA's Site Selection & Incentives Practice ("BDO").

Since late February 2020, the Company has been engaged in a nationwide review of potential locations that matched ElectraMeccanica's technical and workforce criteria. BDO initially identified seven candidates and sent requests for proposals to the chief economic development entities and local authorities in each state who in turn responded with detailed bids. In June, following comprehensive reviews and site visits, the Company narrowed the candidate list to five. In August, the list was further narrowed to three states and in October, the Company named Arizona and Tennessee as the two finalist states. The last few months of the selection process involved rigorous proposal reviews and negotiations to select the most well-suited partner.

The proposed facility in Mesa will support ElectraMeccanica's strategic plan to meet anticipated demand for their flagship ***SOLO*** EV. When fully operational, the facility is expected to create up to 500 new jobs and will be capable of producing up to 20,000 ***SOLO*s** per year. Altogether it will feature both a light vehicle assembly plant along with a state-of-the-art engineering technical center, including multiple labs to support comprehensive research facilities as well as vehicle chassis, battery pack and power electronics testing workshops. ElectraMeccanica also expects this new facility to generate second order effects that will positively impact the local and state economies. In addition to strong consumer interest in the ***SOLO*** EV, the Company has seen growing interest in commercial fleet and utility applications. Beyond working to address commuting and traffic congestion challenges in the region, the Company intends to work with local municipalities to initiate a future pilot ***SOLO*** share ecosystem in the Mesa and the greater Phoenix region. Plans for this program will be forthcoming.

"I want to thank Governor Ducey, his team, the state of Arizona and everyone who's been involved in this process for helping to bring ElectraMeccanica's U.S. operations to life," said Company CEO Paul Rivera. "This decision is monumental for our business and will be transformative for our host city and state. When fully operational, we anticipate creating hundreds of new jobs for the local economy. We believe Mesa's population size and density provides a great talent pool as we look forward to contributing to the growing high-tech environment."

"Arizona is thrilled to be selected as the home of ElectraMeccanica's first U.S.-based assembly

AMERICAN OVERSIGHT

facility and engineering technical center," said Governor Doug Ducey. "Arizona has fast become the electric vehicle center of America thanks to our robust and growing workforce, vibrant innovation ecosystem, and ideal business environment. My thanks to ElectraMeccanica, the Arizona Commerce Authority, the City of Mesa and all involved in bringing this exciting project to Arizona."

"We couldn't be more excited to welcome ElectraMeccanica to Arizona as the latest electric vehicle innovator to choose our state," said Sandra Watson, President and CEO of the Arizona Commerce Authority. "No other state in the country provides a better environment for ElectraMeccanica to scale its leading-edge technology, and we look forward to continuing to be a partner in the company's long-term success."

Tom Stringer, Leader for the National Site Selection & Business Incentives Practice, BDO USA, added, "This has been an extraordinary economic development project that proves Arizona's strategic high-tech investments are bringing jobs and major capital investments from cutting-edge companies that directly benefit Arizona taxpayers. This project will mean so much to the EV and shared mobility community, and we look forward to announcing more details at a later date. For now we wish to especially thank the Arizona Commerce Authority's Sandra Watson, Brad Smidt of the Greater Phoenix Economic Council, the City of Mesa's Lori Collins, Kevin Cosca at CBRE, the Reef Group's Blake Garrett and Marwest Enterprises' David Martens for their help bringing all the pieces together."

"Southeast Mesa is growing, and we're excited to welcome dynamic and innovative businesses like ElectraMeccanica," said Mesa Mayor John Giles. "I'm looking forward to watching their state-of-the-art facility take shape."

"ElectraMeccanica's decision to make a significant foreign direct investment and anchor its North American operation in Greater Phoenix showcases the region's ability to meet the needs of the high-tech industry," said Chris Camacho, President & CEO of the Greater Phoenix Economic Council.

The ***SOLO*** is a purpose-built, three-wheeled, all-electric solution for the urban environment. Engineered for a single occupant, it offers a unique driving experience for the environmentally conscious consumer. The ***SOLO*** has a range of 100 miles and a top speed of 80 mph, making it safe for highways. The ***SOLO*** features front and rear crumple zones, side impact protection, roll bar, torque-limiting control, as well as power steering, power brakes, air conditioning and a Bluetooth entertainment system. It blends a modern look with safety features at an accessible price point of $18,500. The ***SOLO*** is currently available for pre-orders here.

Pima Community College Governing Board votes not to increase tuition for 2021-22

Tucson, AZ -- The Pima County Community College District Governing Board has voted not to increase tuition or College-wide Service Fees for the 2021-22 academic year.

At its Regular Meeting on March 10, the Board voted unanimously to keep per-credit tuition rates at their current levels:

- In-State Resident: $87.00
- Non-Resident Classroom: Fall/Spring: $308.50

AMERICAN OVERSIGHT

- Non-Resident Classroom: Summer $237.50
- Non-Resident Online: $218.50

The Governing Board did not change Service Fees charged by the College. The Processing Fee will remain $15.00 per semester. The Technology Fee will remain $2.50 per credit. The Student Services Fee will remain $3.00 per credit.

Learn more about the March 10 Governing Board meeting.

NEWS CLIPS

Brnovich asks court to allow state to intervene in immigration matter

By Howard Fischer Capitol Media Services 03-16-21

Attorney General Mark Brnovich wants to defend a Trump-era rule that was designed to deny "green cards" to those at the bottom of the economic ladder.

The move comes as the Biden administration has decided not to fight a ruling by the 9th Circuit Court of Appeals which found the policies of the former president illegal. That potentially returns the situation to the way it was during the Clinton administration, when the economic tests for admission — and getting what is formally known as a Permanent Resident Card — were much more lax. (To read more, click here).

* * * * *

Arizona lawmakers move to block private funds for elections

By Howard Fischer Capitol Media Services 03-16-21

Raising the specter of Mark Zuckerberg influencing who holds office in Arizona, Republican lawmakers moved Monday to block counties from taking money from any private source to help run future elections. (To read more, click here).

* * * * *

Haaland OK'd at Interior, 1st Native American Cabinet head

AMERICAN OVERSIGHT

By Staff Associated Press 03-16-21

The Senate on Monday confirmed New Mexico Rep. Deb Haaland as interior secretary, making her the first Native American to lead a Cabinet department and the first to lead the federal agency that has wielded influence over the nation's tribes for nearly two centuries.

Haaland was confirmed by a 51-40 vote, the narrowest margin yet for a Cabinet nomination by President Joe Biden. Four Republicans voted yes: Lisa Murkowski and Dan Sullivan of Alaska, Susan Collins of Maine and Lindsey Graham of South Carolina. (To read more, click here).

* * * * *

Census tally may determine if Mesa is No. 2

By Tom Scanlon East Valley Tribune 03-16-21

Though it's nearly impossible Mesa will overtake Phoenix for No. 1, Mesa is expected to be neck-and-neck with Tucson as Arizona's second-biggest city when U.S. Census figures are released in the coming months.

Mesa Mayor John Giles is confident Mesa will be No. 2 – some day. (To read more, click here).

* * * * *

Barton, Blackman seek to crack down on demonstrations

By Pete Aleshire White Mountain Independent 03-16-21

In the wake of demonstrations at the state capitol, Rim Country lawmakers are backing an effort to impose much tougher penalties on people who block streets, assault police officers or point laser beams at officers during a demonstration. Another bill would impose tough penalties on anyone who damages statutes.

Rep. Brenda Barton (R-Payson) and Rep. Walt Blackman (R-Show Low) were among the half dozen sponsors of both of those bills. Barton and Blackman represent District 6 in the state House, a district that runs from the Grand Canyon into the White Mountains, including all of Rim Country. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, March 17, 2021 8:09:11 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: March 17, 2021
Attachments: March 17, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Arizona: More than a million in state are now fully vaccinated
- Ariz. bill gives cities a bit more power over short-term rentals
- Former Nogales mayor, adviser to Napolitano to run for governor
- Pima board directs up to $2 million for legal aid to those facing eviction

Arizona Republic

- Judge blasts state GOP over 2020 election suit
- Arizona reports 497 new COVID-19 cases, 21 deaths
- State bar dismisses complaints against 9 lawyers over election
- Bill to discourage suits against big farms is back
- Bill to let landlords save victim's pets was sparked by slaying

KTAR News

- Immigrant advocates file lawsuit against Arizona AG Mark Brnovich
- Judge rules Arizona GOP must pay $18K in groundless election suit

Arizona Daily Sun

- Coconino County expands vaccination efforts as COVID-19 cases continue to decline
- Navajo Nation reports 2 new cases of COVID-19, 1 more death

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Arizona: More than a million in state are now fully vaccinated

Arizona Daily Star
March 17, 2021

Just over 1 million Arizona residents are now fully vaccinated against COVID-19, state officials announced Tuesday.

That represents nearly 14% of the state's estimated population of nearly 7.3 million, or about one of every seven residents.

'Every dose of the COVID-19 vaccine administered to an Arizona resident represents an essential step forward in our fight against COVID-19,' Gov. Doug Ducey said in a prepared statement. The Department of Health Services said nearly 2.6 million doses had been administered as of Tuesday morning to over 1.6 million people. The doses included the two-shot Pfizer and Moderna vaccines and the one-dose Johnson & Johnson vaccine.

The state's vaccination program began in December and now includes four large outdoor state-run sites, including three in metropolitan Phoenix and one in Tucson. Vaccines also are being administered across the state at county sites, pharmacies, congregate care facilities and other locations.

The Health Services Department said it is preparing to allow vaccinations for all people 16 or older by May 1 and also preparing to move some outdoor vaccination operations to indoor locations or to nighttime hours as summer approaches to protect staffers, volunteers and vaccine patients from extreme heat.

In another development, the state on Tuesday reported 21 more COVID-19 deaths and 497 additional confirmed cases, continuing a trend that saw fewer than 1,000 cases reported on six of the previous eight days. In Pima County, 56 new coronavirus cases and four new deaths were reported Tuesday.

The latest figures increased the state's pandemic totals to 16,574 deaths and 833,678 confirmed cases as related hospitalizations declined to 473 as of Monday, down from the Jan. 11 pandemic high of 5,082.

Arizona's seven-day rolling average for daily new cases dropped from 1,192.4 on Feb. 28 to 877.8 on Sunday while the rolling average of daily deaths dropped from 79.7 to 37.8 during the same period, according to Johns Hopkins University data.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

Return to the table of contents

AMERICAN OVERSIGHT

Ariz. bill gives cities a bit more power over short-term rentals

By Howard Fischer
Arizona Daily Star
March 17, 2021

Rejecting claims the measure amounts to little more than window dressing, a House panel voted Tuesday to give local governments more power to regulate shortterm vacation rentals.

But just a bit.

SB 1379 allows communities to impose civil penalties for failure to provide local authorities with information on how to contact owners. They also can be sanctioned for failing to maintain liability insurance of at least $500,000.

And three violations within a 12-month period could end the owner's ability to rent out a house.

That was just fine with Airbnb, whose lobbyist said he supports the measure.

But the legislation left many less than satisfied amid complaints that it does too little to make a difference.

For example, the original measure would have imposed occupancy limits: two adults per bedroom, up to four bedrooms, plus two additional adults for each 1,000 square feet of livable space in excess of 3,000 square feet. That is now gone.

A bigger problem for some is that the measure still denies local communities the ability to limit the number of short-term rentals in any particular area.

The concerns expressed during more than an hour of testimony Tuesday were not with individuals who occupy their homes and rent out a room. Instead, the focus is on investors who buy up one or more homes and convert them into short-term rentals, creating what some see as de facto hotels — but with no staffing — in residential areas.

'This bill doesn't really do anything to help neighborhoods,' said Kate Bauer, speaking as a member of Take Action Phoenix.

She wasn't the only one.

'I feel like I am living next door to an unmanned hostel,' said Vandana Verma.

Paradise Valley Mayor Jerry Bien-Willner said that it doesn't address the harms that these rentals cause to neighborhoods and communities.

'It only creates the illusion of regulation,' said William Hunter.

And Karl Isenberg, a real state broker in Scottsdale, said he generally supports business and development. But he called this measure a 'baby step' that doesn't go far enough.

'I would urge you to have the courage to say 'No,' ' he told lawmakers.

AMERICAN OVERSIGHT

That didn't happen as the panel gave the measure unanimous approval, sending it to the full House.

Even Rep. Steve Kaiser, who represents an area of north Phoenix he said has been affected, said he had to go along with the plan.

'It's just heartbreaking, thinking about where you live turning into such an issue where you can't even walk down the street any more,' he said, reflecting complaints to committee members that the constant churn of temporary residents has made them feel unsafe. He called the bill 'a step in the right direction.'

Rep. Pamela Powers Hannley, D-Tucson, also agreed to vote for the measure to advance it.

'This bill does some things,' she said. But Powers Hannley said she wants to see changes when the bill, which already has been approved by the Senate, now goes to the full House.

That, however, may be wishing for something that won't happen.

Rep. Jeff Weninger, R-Chandler, pointed out that there have been other measures offered with the additional restrictions that some people want. That includes HB 2481 proposed by Rep. John Kavanagh, R-Fountain Hills, which included both the occupancy limits and the ability of cities to regulate the number of short-term rentals.

Weninger pointed out, however, that bill and others have failed to advance. And he warned colleagues about trying to add those provisions onto SB 1379 'and then you don't get anywhere.'

Sen. J.D. Mesnard, R-Chandler, who is sponsoring the bill, rejected claims that the measure amounted to just 'window dressing.'

'From my perspective, this is a scalpel to a situation,' he said.

Return to the table of contents

Former Nogales mayor, adviser to Napolitano to run for governor

By Howard Fischer
Arizona Daily Star
March 17, 2021

Former Nogales Mayor Marcó López, who also served as chief of staff for U.S. Customs and Border Protection, is the first candidate to enter next year's face for governor.

It is expected to be a crowded field. No incumbent will be running, as Republican Gov. Doug Ducey is required to leave the office at the end of 2022 due to term limits.

López, 42, a Democrat, is now the president of Intermestic Partners. He said his experience in local, state and national government and, more recently, as a business owner, makes him uniquely suited to become the state's next chief executive.

'The last nine years I've spent creating jobs in the private sector,' López said.

AMERICAN OVERSIGHT

He said average Arizonans are worried about the next 10 years.

'And politicians, unfortunately, focus on four years and the next election cycle,' he said.

He was much more specific in his criticisms of the people now running the state.

He introduced campaign videos in English and Spanish that show Ducey sitting down with then-President Donald Trump at a photo op at the White House where the president touted the amount of federal cash going to Arizona for COVID-19 relief.

'Let's face it: State leaders failed us even as the coronavirus cost us lives and hammered our economy,' López said.

'Our Legislature is run by extremists, promoting bizarre conspiracy theories instead of actually getting things done for you,' he said in his video.

'You know there's people who still refuse to acknowledge the election results were fair and balanced,' he explained later in an interview.

'Arizonans have moved on and are now worried how to get their kids to school and what jobs they're going to have available after this pandemic eases up,' López continued. 'They're not worried about what's happening there at the Capitol with all these conspiracy theories.'

López said he has deep roots in Santa Cruz County, where his parents had lived for years by the time he was born across the border in Nogales, Sonora.

'On the day that I was ready to be born, my mom went from our home in Nogales, Arizona, crossed into Nogales, Sonora, gave birth to me in a private clinic there that was the same place that my older sister was born in,' he said. 'And the next day I was back home.'

Because he was born in Mexico, and his parents' status was permanent legal residents, he had to get naturalized in 1996. At age 22, López was elected mayor of Nogales, where he grew up.

He left that job when then-Gov. Janet Napolitano

appointed him in 2003 to head the Arizona-Mexico Commission, and he later went on to be director of the Arizona Commerce Department.

When Napolitano resigned to become director of the U.S. Department of Homeland Security in the Obama administration, she took López along, where he became chief of staff of Customs and Border Protection.

His political experience goes back even further, to when he was part of the advance team when Al Gore was running for president in 2000. López founded Intermestic Partners, an international business and investment advisory group, in 2011. He said it works with 'companies that are looking to invest and grow in the U.S.'

AMERICAN OVERSIGHT

He also is an adviser to Carlos Slim and the foundation that operates in the name of the Mexican billionaire, which is involved in providing broadband access to homes. He said the foundation is on target for connecting 890,000 households throughout the country, including about 11,000 in Arizona.

One issue for all candidates, including López, is going to be campaign funding.

It took Ducey as an incumbent more than $12 million to get reelected in 2018, including $8 million funneled into the campaign by the Republican Governors Association.

López declined to detail his budget but said he intends to seek donations rather than try to self-fund

his campaign. He also acknowledged he does not have high name ID in Arizona, saying he hopes to boost that by talking with voters throughout the state.

No one else has formally announced for the post.

Other possible Democratic contenders include Secretary of State Katie Hobbs and U.S. Rep. Greg Stanton, a former Phoenix mayor.

Potential Republican contenders include Attorney General Mark Brnovich, state Treasurer Kimberly Yee, developer Karrin Taylor Robson, Maricopa County Supervisor Steve Chucri, and Kirk Adams, a former chief of staff for Ducey.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Pima board directs up to $2 million for legal aid to those facing eviction

By Nicole Ludden
Arizona Daily Star
March 17, 2021

The Pima County supervisors voted for two separate measures Tuesday to extend coronavirus relief throughout the county.

The Board of Supervisors voted to direct up to $2 million to support legal defense costs for residents facing eviction, and it also entered into a new contract with several testing contractors to continue the county's free COVID-19 testing program.

Both actions were approved 4-1 with Supervisor Steve Christy opposing in each vote.

The eviction defense motion, proposed by Supervisor Matt Heinz, will create a program funded by federal coronavirus relief money to provide eviction-related legal counsel for tenants while increasing marketing and outreach for eviction prevention clinics.

The CDC's federal eviction moratorium expires March 31. On April 1, eviction judgments issued within the last 45 days will become enforceable. Landlords can ask to restore a court's order if the judgment exceeds 45 days.

AMERICAN OVERSIGHT

In Pima County, there are 4,376 outstanding eviction orders dating back to March 1, 2020, data from the county constables' office shows.

As an onslaught of eviction cases is expected in early April, the new program will reimburse private law firms and nonprofit organizations to provide defense for tenants in legal proceedings regarding their evictions.

Eligible residents must attest they've suffered financial loss due to the pandemic, are unable to afford counsel and are facing eviction for nonpayment or noncompliance to their leases.

'This is incredibly meaningful to keep some of these families who are at risk of temporarily experiencing homelessness in a safe and stable home,' Heinz said. 'It's very meaningful for for the community, and I'm hopeful that we'll be able to find a way to make this program, which is now just based on federal funding, more permanent.'

In a separate action, the supervisors unanimously approved $15 million for rental and utility assistance for tenants and landlords to apply for through the Community Investment Corp. The application is available at tucsonpimaep.com.

The board also approved a $33 million contract to fund the county's COVID-19 testing program using money from the new American Rescue Plan. Before the relief package was passed, the county was at risk of suspending the program due to a lack of funding from the state.

The stimulus package signed into law last week could provide up to $7.4 billion to local governments, according to Arizona's Joint Legislative Budget Committee.

While the county's free testing locations have been significantly downsized, it's continuing to provide free testing at the Kino Event Center, 2805 E. Ajo Way, and has moved its Udall testing site to 6009 E. Grant Road. The county also holds periodic pop-up testing events.

Other sites have been taken over by ASU's saliva testing mechanism that the state pays for, including the Ellie Towne Center and El Pueblo Center.

As the spread of coronavirus slows, County Administrator Chuck Huckelberry said the county is conducting only about 375 tests a day. At the height of the pandemic, it conducted up to 3,000 tests daily.

But the county is still struggling to be reimbursed for millions of dollars it's spent from its general fund to pay for coronavirus testing during a peak time for COVID-19 cases.

Huckelberry says the county's requested $30.3 million to reimburse its testing costs since Dec. 21, but the state is refusing to cover the $7.6 million incurred from Dec. 21 to Jan. 15. The state asked the county to shrink the total reimbursement cost down to $14.3 million, according to the county administrator.

The state health department agreed to give the county $14.36 million of the $419 million it received from the CDC for testing costs at the end of January, but the county has yet to receive the funds.

AMERICAN OVERSIGHT

The county has appealed to the CDC to make the state release the funds incurred from Dec. 21 to Jan. 15, Huckelberry said.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Judge blasts state GOP over 2020 election suit

Party, lawyers ordered to pay $18,238 in legal fees

By Maria Polletta
Arizona Republic
March 17, 2021

Calling its lawsuit challenging 2020 election procedures "groundless" and "disingenuous," a judge has ordered the Arizona Republican Party — and its lawyers — to pay the state thousands of dollars in legal fees.

In his ruling, Maricopa County Superior Court Judge John Hannah contended the GOP's team acted in "bad faith" when it questioned the process for auditing voting machines and tried to delay certification of election results last November.

Instead of living up to the "privileged position in the electoral process" afforded to it by state law, Hannah said, the party sought to undermine Arizonans' confidence in election results.

"The public has a right to expect the Arizona Republican Party to conduct itself respectfully," he wrote. "It has failed to do so in this case."

The party and its attorneys must pay the Arizona Secretary of State's Office $18,238, according to the order. That's just a fraction of the nearly $152,000 the agency said it spent defending itself against a barrage of election fraud lawsuits challenging President Joe Biden's Arizona win.

Secretary of State Katie Hobbs said the "damage inflicted upon our democracy by frivolous lawsuits and conspiracy theories can't be measured in dollars." But she called the order "good news for taxpayers" and said it sent an important message to "those willing to abuse the legal process for political purposes."

Arizona GOP attorney Jack Wilenchik, on the other hand, said directives like Hannah's only serve to "stop plaintiffs from rightfully invoking the courts to hear their issues." He said the order "encourages public distrust in the government for being openly hostile to them."

"We will be appealing this ruling, and it will be reversed," Wilenchik said.

Republican Party challenged county audit process

The GOP's lawsuit against Maricopa County centered on how election officials audited the accuracy of electronic vote tallies. Instead of sampling assigned precincts to conduct their hand count, officials sampled vote centers that were open to any voter in the county — a strategy the GOP contended was both unlawful and imprecise.

"The idea, as best the Court could figure it out, was that that precinct-byprecinct hand counts would reveal precincts where the number of votes exceeded the number of registered voters," Hannah wrote.

"These were flimsy excuses for a lawsuit. The hand count is not meant to create data points for political parties to 'cross-check with other voter registration data.' The purpose of the hand count audit is to

AMERICAN OVERSIGHT

compare the results of the machine count to the hand count to assure that the machines are working properly and accurately counting votes."

Maricopa County's hand count, which had bipartisan oversight, matched electronic counts exactly. But the Republican party insisted state law explicitly required the county to use the precinct-based method, rather than the center-based method outlined in the secretary of state's Election Procedures Manual — despite the law deferring to that manual to outline voting center rules.

Hannah also noted the party did not name Hobbs as a defendant in the lawsuit, even though county officials were implementing her office's rules. She later intervened in the case herself to address claims involving her office.

Nor did the GOP name any of the less populous counties that also used and audited voting centers in the 2020 election.

"That the plaintiff did not proceed that way suggest(s) that its concern was something other than 'strict compliance' and 'election integrity,'" Hannah wrote.

Judge: Case politically motivated

Hannah also questioned the GOP's motives for requesting an injunction as the lawsuit progressed.

Wilenchik had asked to delay the county's certification of election results until a new hand count could be done, saying there would be "zero real hardship" to election officials if the canvass was pushed back.

"If an injunction is not granted, then there will be lingering questions about the legitimacy of these results which could otherwise be answered through a proper hand count," Wilenchik wrote at the time. "It will create a cloud over the legitimacy of this election and its results."

Hannah said it was the GOP's lawsuit, not the hand count procedure, that "cast false shadows on the election's legitimacy," however. He noted that Wilenchik, in responding to the secretary of state's request for legal fees, had acknowledged public doubts about election results had played a role in the lawsuit.

"'Public mistrust' is a political issue, not a legal or factual basis for litigation," Hannah wrote.

In a statement provided to The Arizona Republic on Monday, Wilenchik disagreed, arguing that a lawsuit to "enforce the plain wording of the law is never 'groundless.'" "For a county judge to say that widespread public mistrust in an election is an 'improper' reason for a political party to be in his court is sorely disrespectful to the views of the many Americans whom I am proud to represent," he said.

The order sanctions Lee Miller, a lawyer who testified in favor of the injunction, in addition to the Arizona Republican Party and Wilenchik's firm. Miller and Wilenchik also are named in a separate complaint related to election lawsuits pending in front of the state bar association.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona reports 497 new COVID-19 cases, 21 deaths

By Alison Steinbach
Arizona Republic
March 17, 2021

Arizona reported 497 new COVID-19 cases and 21 new known deaths Tuesday, continuing last week's relatively lower case reports as well as a low percentage of tests returning positive for the virus.

The state's seven-day average for new reported COVID-19 cases was 868 on Tuesday, per state data. It reached as high as 9,800 in January.

Arizona's seven-day case rate per 100,000 people ranked 35th Monday among all states, after ranking first and second for much of January, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

The state's seven-day death rate per 100,000 people ranked 14th in the nation as of Monday, per the CDC.

The state's overall COVID-19 death and case rates since Jan. 21, 2020, remain among the worst in the country.

The COVID-19 death rate in Arizona since the pandemic began is 227 deaths per 100,000 people as of Monday, according to the CDC, putting it sixth in the country in a state ranking that separates New York City from New York state. The U.S. average is 160 deaths per 100,000 people as of Monday, the CDC said.

New York City has the highest death rate, at 360 deaths per 100,000 people, followed by New Jersey, Rhode Island, Massachusetts and Mississippi.

Arizona's case rate per 100,000 people since the pandemic began also ranks sixth nationwide as of Monday.

Arizona's newly reported 21 deaths brought the known COVID-19 death count to 16,574.

A total of 833,878 COVID-19 cases have been identified across the state. February and particularly March have seen relatively lower case reports.

Seven of the last nine days' reported cases have been under 1,000, for the first time since October.

The Arizona data dashboard shows 83% of all ICU beds and 87% of all inpatient beds in the state were in use Monday, with 12% of ICU beds and 9% of non-ICU beds occupied by COVID- 19 patients. Statewide, 299 ICU beds and 1,129 non-ICU beds were available.

Hospitalizations for the disease have been dropping for about nine weeks.

The total number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 743 on Monday, up from Sunday's 716 inpatients and far below the record 5,082 inpatients on Jan. 11. By comparison, the highest number of COVID-19 hospitalizations in a single day during the summer 2020 surge was 3,517 on July 13.

AMERICAN OVERSIGHT

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 206 on Monday, a slight decrease from Sunday's 210 and far below the record high of 1,183 on Jan. 11 .

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 97 on Monday, a slight drop from 104 on Sunday and well below the record high 821 reached on Jan. 13. During the summer surge, July 16 was the peak day for ventilator use, with 687 patients.

Monday saw 873 patients in the emergency room for COVID-19, well below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Tuesday's numbers

Reported cases in Arizona: 833,878.

Cases since the outbreak began increased by 497, or 0.06%, from Monday's 833,381 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 521,093 in Maricopa, 111,400 in Pima, 47,884 in Pinal, 36,601 in Yuma, 21,676 in Mohave, 18,129 in Yavapai, 16,891 in Coconino, 15,575 in Navajo, 11,427 in Cochise, 10,725 in Apache, 7,694 in Santa Cruz, 6,457 in Gila, 5,343 in Graham, 2,420 in La Paz and 562 in Greenlee, according to state numbers.

The Navajo Nation reported 29,954 cases and 1,218 confirmed deaths in total as of Monday.

The Arizona Department of Corrections reported 12,155 inmates had tested positive for COVID-19 as of Monday, including 2,241 in Tucson, 2,014 in Eyman, 2,009 in Yuma, 1,303 in Lewis and 1,163 in Douglas; 43,632 inmates statewide have been tested. A total of 2,714 prison staff members have self-reported testing positive, the department said. Forty- one incarcerated people in Arizona have been confirmed to have died of COVID- 19.

Deaths by county: 9,447 in Maricopa, 2,304 in Pima, 818 in Pinal, 809 in Yuma, 666 in Mohave, 512 in Navajo, 477 in Yavapai, 400 in Apache, 317 in Coconino, 274 in Cochise, 218 in Gila, 172 in Santa Cruz, 77 in Graham, 73 in La Paz and 10 in Greenlee.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

State bar dismisses complaints against 9 lawyers over election

By Andrew Oxford
Arizona Republic
March 17, 2021

The Arizona State Bar has dismissed complaints against nine lawyers who represented President Donald Trump's campaign, the Republican Party or its supporters in challenging the results of last year's election.

AMERICAN OVERSIGHT

Several other attorneys filed the complaints, charging that the lawyers behind a flurry of litigation disputing President Joe Biden's victory here or aspects of the election process had violated professional standards by filing frivolous cases with demonstrably false information.

All of the election challenges were dismissed, in many instances after the judges themselves lambasted the allegations as meritless. The complaints named 21 lawyers and the state Supreme Court appointed Lisa Daniel Flores, a retired superior court judge and a former state elections director, to review them.

The bar confirmed on Monday it had dismissed the charges against four attorneys — Thomas Basile, Brett Johnson, Kory Langhofer and Eric Spencer — who were involved at different points in representing the Trump campaign and state and national Republican parties in one lawsuit against election officials.

They claimed Maricopa County poll workers had systematically overridden ballots with possible 'overvotes' instead of allowing voters to make that choice themselves. Overvotes happen when voters mark more options than allowed in a particular race.

But after a six-hour hearing, it became clear that only a small number of ballots possibly were affected. Langhofer filed a motion acknowledging the outcome of the lawsuit would have no impact on Arizona's presidential results, and the judge dismissed the claims as moot.

Flores said the case had good faith, factual basis and that the move to dismiss the case based on the ongoing statewide vote count made clear that the attorneys did not violate rules of professional conduct.

Langhofer also was accused of violating rules of professional conduct when he did not disclose that his expert witness was also his business partner.

Flores said that was Langhofer's choice as a matter of trial strategy and she did not perceive it as misconduct. The bar also dismissed a complaint against Chris Ford, who had made filings in the case.

Other case dropped by attorneys

The bar has also closed complaints involving Erick Kaardal, David Spilsbury, William F. Mohrman and Gregory Erickson, who filed a lawsuit to vacate the presidential election but later moved to dismiss their own case.

Robert J. McWhirter, a member of the bar's board of governors and one of the attorneys who filed the complaint, called that case "one of the more bizarre claims" in the flurry of allegations thrown around by the Trump campaign and its supporters after the election. The lawsuit claimed among other things that unidentified grant money was distributed to direct the actions of election officials by some "shadow government" orchestrated by Facebook founder Mark Zuckerberg.

'Confidence in the legal system is seriously eroded when attorneys treat lawsuits as a platform for broadcasting 'gossip and innuendo,' utterly devoid of factual proof, as a political stunt,' the complaint said.

Flores wrote that the case raised a number of concerns, some of which the lawyers could have addressed with even cursory research.

AMERICAN OVERSIGHT

But she noted the lawyers chose to dismiss the lawsuit themselves just a few days after filing it.

“Had you proceeded with the litigation and further burdened the court, I may have decided to recommend formal discipline,” she wrote to Spilsbury.

Complaints against the 12 other lawyers named in early complaints are still pending.

The complaints had also named some prominent attorneys in the Trump campaign's efforts to reverse the election results, including Sidney Powell and L. Lin Wood.

Other attorneys named in the complaints that are still pending include Sue Becker, Julia Zuszua Haller, Brandon Johnson, Howard Kleinhenbdler, Alexander Kolodin, Lee Miller, Emily P. Newman, Christopher Viskovic, Dennis I. Wilenchik and John “Jack” D. Wilenchik.

Return to the table of contents

Bill to discourage suits against big farms is back

By Andrew Oxford
Arizona Republic
March 17, 2021

Daniel Blackson describes the Tonopah property where he moved in 1978 as his forever home.

Now, Blackson says, it is beset by flies.

Blackson blames the egg farm built about a mile from his land within the last decade and has been fighting it in court alongside his neighbors over nuisances they maintain have upended their lives.

But he told legislators at the Arizona Capitol on Monday that a proposed law supporters contend would shield agricultural businesses from frivolous lawsuits is lopsided and would also shield companies like the one he is battling from accountability.

In fact, the bill is supported by the very company that’s now down the road — Hickman’s Family Farms.

A committee in the state House of Representatives voted narrowly along party lines to revive legislation that the company has supported with others in the agricultural industry to prevent lawsuits or local authorities from cracking down on nuisances like flies, dust or noise caused by agricultural operations.

Backers argue Senate Bill 1448, with major changes from earlier versions of the proposal, will only deter frivolous lawsuits.

And Rep. Tim Dunn, a Republican from Yuma who introduced the changes as an amendment to an unrelated bill, insisted Monday that the measure is not in response to the challenges to Hickman’s Family Farms.

AMERICAN OVERSIGHT

“This bill is not about the Hickmans, it’s not for the Hickmans, it’s not trying to preempt those lawsuits,” he told the House Land, Agriculture and Rural Affairs Committee.

Earlier iterations of the proposal would have prohibited lawsuits over agricultural nuisances unless filed within one year of an operation’s founding, regardless of whether it changed products, size or owners. Previous proposals would have also prohibited local governments from regulating nuisances caused by agricultural companies.

Hickman’s Family Farms, owned by the family of Maricopa County Supervisor Clint Hickman, has backed the measure. CEO Glenn Hickman has argued that attorneys are currently free to opportunistically harass farmers. And the company has maintained its work has no adverse effect on public health.

Previous proposals sputtered amid opposition not just from environmental groups but also trial lawyers and local governments. Dunn’s new proposal could make it more expensive for the neighbors of agricultural operations, like residents of Tonopah, to go to court, though.

For example, the updated bill says a judge could award attorneys fees and costs to the defendant if the judge decides the lawsuit was not based in law or to cause “an unnecessary delay.”

That could just stifle opposition, argued Sandy Bahr, chapter director of the Sierra Club Grand Canyon Chapter.

“What happens is you have a chilling effect, unless you’re talking about someone with as deep a pocket,” she said.

Arizona law already protects farmers, dairies and other agricultural operations from lawsuits by new neighbors who, for example, buy a house directly across the road from a longstanding agricultural operation. A neighbor moving into an agricultural area should have known and expected the sights and sounds of agriculture, courts have said. State law also sets standards for determining what is and is not an agricultural nuisance.

Such rules have left critics of Dunn’s bill to argue that new legislation is unnecessary, except to protect companies that are behaving as bad neighbors.

“If they’re truly practicing their best management practices, there should not be any need for a new bill,” said Linda Butler, another Tonopah area resident who has challenged Hickman’s Family Farms in court.

Dunn ditched a provision that would have prohibited local governments from regulating agricultural nuisances.

But he included a new provision that says local governments cannot declare an agricultural operation on farmland to be a nuisance if its practices are approved by one of three different state regulators.

Dunn said Monday that would still allow local governments to zone property, for example.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Bill to let landlords save victim's pets was sparked by slaying

By Chelsea Curtis
Arizona Republic
March 17, 2021

Matthew Meisner and Meagen Epstein were friends since birth. She remembers, at the age of seven, waiting at the hospital when her cousin was born on May 24, 1993, in Mesa.

Over the years their families spent Christmases and Thanksgivings together while living on the opposite ends of town.

"Matthew liked to cheer people up, he liked to make people happy. He was like the peacemaker a lot of the time," Epstein told The Arizona Republic.

He loved animals and cared for his mom's three cats after her death – Skitty, Hunter and QT.

Those cats are the inspiration for a new bill proposed in the wake of Meisner's murder.

Meisner was fatally shot while walking in Tempe in July. Police suspect two juvenile teen boys killed him as part of a months-long crime spree that killed two others. Now, Epstein is hoping to make losing a loved one a little easier for other Arizonans in the future.

Matthew Meisner murdered while walking home

On July 26, Meisner, 27, was walking back to his apartment from a Circle K in Tempe, where he likely grabbed a midnight snack. The store was less than a mile away, past several fast-food restaurants and the busy intersection of University and McClintock drives.

As he neared his apartment, Meisner was approached by two teenage boys with guns. His cousin said they wanted his wallet and phone, but Meisner refused. So they shot him multiple times, police said.

"They left him dying on the street alone," Epstein said.

"And they didn't even take his wallet. They shot him to rob him and then they didn't even rob him," she continued. "Not that it would have made it better in any way, but it just shows they're completely reckless and had no regard for life whatsoever."

Corbin McNeil, who was 15 at the time, and James Quintero, 16, have been charged with murder on suspicion of killing Meisner and, in September, Amber Patton in Chandler. They are scheduled to stand trial in June.

Bill would let landlords remove animals one day after tenant's death or incapacitation

When Meisner died, his family and friend couldn't get access to his cats, leaving them locked in his apartment without food and water for four days. Under Arizona law, they were considered personal property, which in the event of a tenant's death can't be touched by a landlord for up to 15 days.

"For four days, those senior cats sat in his apartment waiting for him to come home and he never did," said Missy Pruitt, owner of La Gattara Cat Cafe in Phoenix. "On the fifth day, we were able to go in,

AMERICAN OVERSIGHT

luckily because the police helped us, and one of them was basically dead. They were all in really bad shape."

The cats have since been nursed back to health, with Hunter and QT still in recovery. Skitty has since been adopted by Meisner's childhood friend.

The cats became the inspiration for a bill proposed by state Rep. Shawnna Bolick, R-Phoenix.

If passed, House Bill 2507, or "Matthew's Law," would allow landlords to remove animals from a property after one day of the tenant's death or incapacitation. They can then release the animal to the tenant's relative or a shelter.

The bill passed the House and is making its way through the Senate. Epstein helped draft the bill and hopes it can be adopted by other states throughout the country.

"I have taken my anger, depression, sadness, you name it, and just channeled it into not letting these two diabolic human beings win. They will not have the last say," said Epstein. "Matthew's legacy will not be about how he was murdered. Matthew's legacy will be about saving animals because that's what he loved was animals.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Immigrant advocates file lawsuit against Arizona AG Mark Brnovich

KTAR News
March 17, 2021

A Latino civil rights organization has filed a lawsuit against Arizona's top prosecutor on behalf of nonprofit groups that say his efforts to block President Joe Biden's changes to past immigration policy are unlawful.

The Mexican American Legal Defense and Educational Fund on Tuesday filed the lawsuit against Attorney General Mark Brnovich for the Arizona-based Puente Human Rights Movement, Chicanos Por La Causa and the Florence Immigrant & Refugee Rights Project. The groups provide services to immigrants.

The Tuesday filing seeks to void an agreement Brnovich signed with former President Donald Trump's administration in its waning days. The agreement is among several the outgoing government signed with numerous states, saying they were entitled to to a 180-day consultation period before any executive branch policy changes take effect.

Thomas A. Saenz, president and general counsel of the organization known as MALDEF, said Brnovich's efforts ignore voters who elected Biden and support his immigration policies. Among other things, Tuesday's filing argues the federal government has sole power to regulate immigration.

"We are still reviewing the complaint," said Katie Conner, spokeswoman for the Arizona Attorney General's Office. "It's disappointing that there's a humanitarian crisis on the border and the plaintiffs don't seem to care about the impact it's having."

The move comes as a rising number of migrants arrive at the U.S. southern border. New Homeland Security Secretary Alejandro Mayorkas has defended his agency's handling of the situation.

It's the latest lawsuit springing from last-minute agreements the Trump administration made in its final weeks with numerous state agencies, seeking to keep his tough immigration policies in place.

Brnovich last month filed his own lawsuit against federal immigration authorities seeking to force them to honor an agreement he signed with Kenneth T. Cuccinelli in his former capacity as acting Deputy Secretary of Homeland Security. Montana later joined the lawsuit.

The newest lawsuit maintains that Cuccinelli was unlawfully appointed to that post. Homeland Security officials under Trump have disputed that statement.

Biden reset immigration policies and paused certain deportations for 100 days shortly after he took office Jan. 20. A federal judge in Texas later put the moratorium on hold through another lawsuit filed in that state.

AMERICAN OVERSIGHT

Biden's new policies represent a break from the Department of Homeland Security's direction under Trump, whose administration arrested and removed anyone in the country illegally regardless of criminal history or community ties.

Return to the table of contents

Judge rules Arizona GOP must pay $18K in groundless election suit

KTAR News
March 17, 2021

The Arizona Republican Party and its lawyers must pay $18,000 in attorneys' fees that taxpayers were forced to pick up late last year to defend government officials against one of the party's failed lawsuits challenging President Joe Biden's victory in the state, a judge has ruled.

In a decision Friday, Judge John Hannah concluded the state GOP brought a groundless legal claim to court, filed its case for political reasons while claiming it was trying to protect election integrity, and failed to acknowledge it sued the wrong government officials.

The financial award was made under a law that requires judges to assess attorney fees against lawyers or legal parties who bring claims to court without substantial justification or to delay or harass.

The judge wrote the GOP had in effect acknowledged it brought the lawsuit for an improper purpose when it said the suit was motivated by public mistrust after the election. "'Public mistrust' is a political issue, not a legal or factual basis for litigation," the judge wrote.

Hannah said the party didn't make a serious effort before filing the lawsuit to determine whether its claims were valid and never named Democratic Secretary of State Katie Hobbs as the official responsible for carrying out the law at issue in the case and instead sued Maricopa County officials.

Jack Wilenchik, one of the attorneys representing the Arizona GOP, issued a statement saying the decision would be appealed and that the judge's conclusion that public mistrust in an election is an improper reason for a political party to bring to court is "sorely disrespectful to the views of the many Americans whom I am proud to represent."

Wilenchik said the order "encourages public distrust in the government for being openly hostile to them."

Greg Safsten, executive director of the Arizona Republican Party, didn't immediately return a call Monday afternoon seeking comment on the decision.

Of the eight unsuccessful lawsuits challenging Biden's win in Arizona, two were filed by the Arizona Republican Party and another case was filed by state GOP Chairwoman Kelli Ward.

No evidence of fraud or hacking of voting machines emerged from the election in Arizona.

The award of attorneys' fees came in a lawsuit in which the state party sought a new audit of a sampling of ballots. While the Republican Party said the purpose of its challenge was to determine whether voting

AMERICAN OVERSIGHT

machines were hacked, Hobbs' office argued the suit was a delay tactic aimed at undermining the certification of election results.

The county completed a hand-count of some ballots on Nov. 9 that showed its machine counts were 100% accurate. The same was found later during routine post-election accuracy tests on the counting machines.

Still, the GOP suit sought a new limited electronic audit of ballots that would be measured on a precinct level, rather than the audit that was conducted of the county's new vote centers, which let people vote at any location across the county.

The GOP argued state law requires the hand-count audit to be done on the basis of precincts and said county officials would still have adequate time to certify results.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Coconino County expands vaccination efforts as COVID-19 cases continue to decline

By Brady Wheeler
Arizona Daily Sun
March 17, 2021

Adults in Coconino County who are 35 and older, have a high-risk medical condition or live in congregate settings are now eligible to receive a COVID-19 vaccine, the county announced Tuesday, with the expansion coming as the county moves to inoculate those who qualify under Phase 1c of Arizona's vaccination plan.

Vaccines appointments are available immediately to all qualifying individuals, including those included in the Phase 1a and 1b groups.

“Coconino County is pleased with the positive demand for vaccines from our community,” Coconino County Health and Human Services Director Kim Musselman said. "We encourage all persons eligible for the COVID-19 vaccine to schedule an appointment as soon as possible. Please help us battle the pandemic by encouraging your family and friends to schedule their vaccine appointment."

For those eligible because of a high-risk medical condition, documentation of medical conditions is not required to schedule a vaccine appointment as a part of 1c.

Northern Arizona Healthcare announced Tuesday morning that hundreds of vaccination appointments for the first dose of the Moderna vaccine were still available through March 20 at the Flagstaff Medical Center.

County vaccine doses 3/16/21
73,870 doses of the COVID-19 vaccine have been administered in Coconino County, according to data collected from the Arizona Department of Health Services on Tuesday.

The Northern Arizona VA Healthcare System recently announced it was offering vaccine appointments to all enrolled veterans. To schedule an appointment, eligible veterans should call 928-717-7406 between 7:30 a.m. and 4 p.m. Organizers have asked the public to share this information.

According to the latest data from the Arizona Department of Health Services, about 31% of Coconino County residents have received at least one dose of vaccine and 28,702 have been vaccinated fully.

The report also shows that the county is utilizing 124% of vaccine doses, as health officials are often able to get an extra dose from a vial.

So far, most county vaccine recipients are within the 20-to-44 age group and the 65-and-older age group, according to the ADHS. The population under 65 includes teachers, frontline healthcare workers, volunteers, law enforcement and protective services occupations. Around 55% of vaccinated residents are female.

AMERICAN OVERSIGHT

Supply of vaccines from the state continues to be a limiting factor in the county's efforts, county officials told the Board of Supervisors last week. Still, Musselman told the board last week the supply of vaccines is expected to increase beginning April 1.

The county received its first 1,100 doses of the single-dose Johnson & Johnson vaccine at the beginning of the month. But during the same meeting, Musselman said continued supply of the Johnson & Johnson vaccine is uncertain.

The state instead appears to be primarily delivering shipments of the Moderna vaccine to Coconino County, Musselman said. Officials said most doses of the Pfizer vaccine appear to be going to large vaccination sites in Maricopa County.

The highest vaccination rates are among the county's tribal communities, followed by Page, the Grand Canyon area and then Flagstaff, county epidemiologist Matthew Maurer said during a media call Thursday.

In the most recent week of data ending March 13, there were a total of 92 new cases reported. The last time new case numbers were that low was at the beginning of September, which saw a total of 86 cases.

Coconino County's case numbers have been steadily declining since the week of Jan. 9 -- the week the county saw its highest positive case count at 1,289 new cases.

During the week of March 6 the county recorded 163 new coronavirus cases, Maurer said. During that same week, Flagstaff accounted for 116 of the total new cases -- a decrease from 146 the week prior.

County case numbers 3/16/21
Weekly case numbers in Coconino County have declined since reaching a record high in January.

Cases also decreased in tribal communities that week, with 14 new cases reported, and in Page with 9 new cases reported. Williams was the only community that saw an increase, reporting eight new cases.

Dr. John Mougin, vice president of operations and safety at Northern Arizona Healthcare, said on Monday that numbers at NAH facilities had improved slightly in the last week, but he added that it is still important to continue mitigation efforts.

"I feel like our numbers have plateaued somewhat but continue to improve," Mougin said. "We still have to behave in a way that will reduce the spread of COVID-19."

Those safe practices include continuing to socially distance and wear a mask, Mougin said, even for those that are fully vaccinated.

The Centers for Disease Control and Prevention recently issued the first set of public health recommendations for fully vaccinated people. The agency said those who are vaccinated should continue to wear masks in public, avoid crowds and take other precautions when gathering with unvaccinated people who are at high risk of serious illness from COVID-19.

Vaccinated individuals should only interact indoors without wearing masks or practicing physical distancing with other fully vaccinated people or those who are not at serious risk and live in a single household, according to the CDC.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Navajo Nation reports 2 new cases of COVID-19, 1 more death

Arizona Daily Sun
March 17, 2021

The Navajo Nation on Tuesday reported two new cases of COVID-19 and one more death.

The latest numbers pushed the tribe's pandemic total to 29,957 confirmed cases and 1,219 known deaths.

The Navajo Nation had a soft reopening Monday with 25% capacity for some businesses under certain restrictions.

Still, mask mandates and daily curfews remain.

"We are making good progress right now. But based on what we have learned about COVID-19 over the last year, we know how quickly another surge can happen," Navajo Nation President Jonathan Nez said in a statement. "There are variants that continue to spread in regions of the country... but we have the ability to minimize its impact based on our daily actions."

The Navajo Department of Health has identified two communities, Baca Prewitt and Coyote Canyon, as having uncontrolled spread of COVID-19 from Feb. 26 to March 11.

That compares with 75 communities that were identified in January as having uncontrolled spread of the coronavirus.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, March 18, 2021 8:15:29 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 3-17-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet March 17, 2021

CALLING ALL VOLUNTEERS!
Nearly three weeks after the Senate won its lawsuit to access 2.1 million ballots, the Senate still hasn't hired an auditor – and Fann is taking a different approach, planning a massive volunteer-led hand recount of ballots instead.

STEVE STILL DOESN'T TRUST THE SENATE
Steve Gallardo, the lone Democrat on the Maricopa County Board of Supervisors, said he doesn't believe the Senate has a plan for how to audit the ballots.

WE'RE RICH!
Arizona will actually receive $24.5 billion, not $16.1 billion, from the latest federal Covid relief bill, according to the Joint Legislative Budget Committee.

AMERICAN OVERSIGHT

AND WE'RE PROBABLY STAYING RICH
However, that federal funding for states comes with significant strings attached – it cannot be used to pay down pension debt or "reduce taxes directly or indirectly."

BUT IF YOU DON'T PASS IT, YOU'LL NEVER KNOW WHAT'S IN IT
Fann told our reporter she is going to sit on Ducey's priority sports betting bills until senators can learn more about what the bills will do and how they would impact the gaming compact negotiations.

CROSS THE BORDER, DOUG, MEXICO IS LOVELY
Ducey is visiting the border on Friday to see the situation on the ground due to what he said is a crisis caused by the Biden administration.

DEMOCRATS NEVER BLAME DEMOCRATS
Democrats balked at the IRC's choice of Brian Schmitt, the chief of staff to Phoenix City Councilman Jim Waring, as its executive director yesterday, though Democratic commissioners had a chance to stop his appointment.

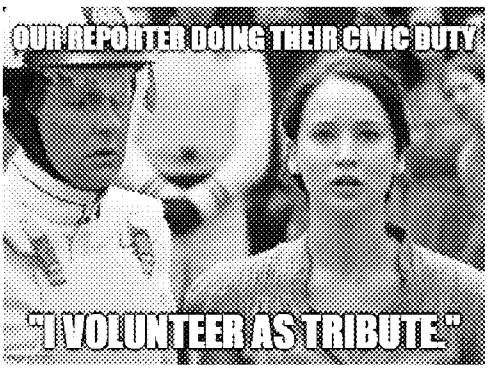
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, March 17, 2021

NEWS NOTES AND GOSSIP

CALLING ALL VOLUNTEERS!



Nearly three weeks after the Senate won its lawsuit to access 2.1 million ballots, the Senate still hasn't hired an auditor – and Fann is taking a different approach, planning a massive volunteer-led hand recount of ballots instead. After a railbird flagged a rumor, Fann confirmed that her new idea is to find a bipartisan team of 100 volunteers to conduct a full hand recount, hopefully at county facilities, an undertaking which she expects to take around three weeks. "We will hand count every one of them," she said, adding that she still hopes to find a professional auditing firm to re-scan the machines, though that hasn't happened yet. The source who originally flagged the rumor described it as a ludicrous and laughable proposition that would take months and require a massive facility and an army of volunteers. Fann confirmed that she's reaching out to county recorders to find a bipartisan team to oversee the process. Former Maricopa County Recorder Helen Purcell told our reporter today that attorney Kory Langhofer, who is representing the Senate for the audit, reached out recently to ask her to be oversee the process – but that she was unclear on what kind of audit Langhofer was inviting her to oversee. "They told me they were looking for a Republican and a Democrat that was trustworthy, or that they respected or something of that nature," she said, noting that she declined to get involved because she does not believe an audit is necessary. "They keep talking about an audit, but I don't really know what that means. I've done a ton of audits in my years and I really don't know what they're wanting to do." Purcell said the 2020 election was "well done" and that any post-election audit from senators isn't necessary. "To be a part of something that you don't believe in I think is ridiculous," she said. Our reporter contacted a host of other county recorders today, including former lawmaker David Stevens, but none who answered said they had been approached about the new plan. Stevens was skeptical that his fellow recorders would bite, noting they largely think the post-election audit is unnecessary.

STEVE STILL DOESN'T TRUST THE SENATE

Steve Gallardo, the lone Democrat on the Maricopa County Board of Supervisors, said he doesn't believe the Senate has a plan for how to audit the ballots. "They're like a bunch of lost puppies who have no idea what to do," he said, adding that he hadn't heard the latest plan about an army of volunteers, but that he doesn't trust his former colleagues to do an audit under any circumstances. "I don't think they have the capabilities to do an open, honest audit. I think their attempt is to manufacture errors. They want to make it up – they will go as far as lying to satisfy some of the Republican base, the Trump supporters who cannot get over the fact that they lost the 2020 election." Gallardo said a full hand count of the county's ballots would be a "virtually impossible," massive undertaking that would take "literally months with an army of folks" to complete. He said if that is the Senate's intent, a court-appointed special master should oversee it. "I would push to go back to court if they ever tried to say, 'Hey, we want to try to do a 100 percent hand count,' because again, they're not interested in the truth, they're not." Gallardo said the Senate wouldn't want a special master to oversee such a recount because "they wouldn't be able to find the problems they're hoping to find."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002729

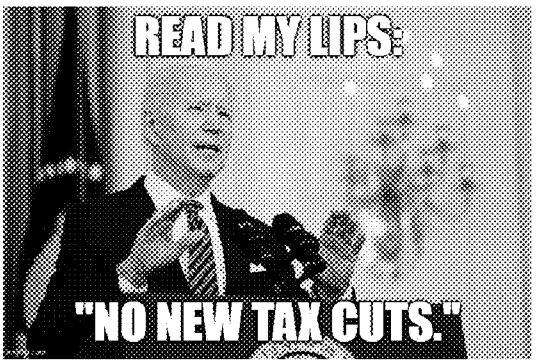
ARZN_REV00068893_3-17-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE'RE RICH!

Arizona will actually receive $24.5 billion, not $16.1 billion, from the latest federal Covid relief bill, according to the Joint Legislative Budget Committee. The biggest update is factoring in the direct stimulus payments to Arizona residents, who will receive up to $1,400. Those payments represent $8.5 billion, JLBC concluded. In other areas, state budget analysts initially assumed Arizona's share of certain funds would be 2 percent of the national dollar amount. Analysts have since seen formulas for distributing the money. For instance, the state will receive at least $200 million more than initially expected for childcare. JLBC also published more detailed breakdowns of how much money is going directly to Arizona cities and counties. As expected, Phoenix and Maricopa County will receive the highest dollar amounts: $416 million to Phoenix and $870 million to Maricopa County. Tucson will get $140 million, Mesa $101 million and other metropolitan cities will all receive varying amounts for a total of $975 million in direct aid. Allocations to smaller cities will range from less than $500,000 to $21 million, totaling $258 million. And Arizona counties will receive a total of $2.6 billion.

AND WE'RE PROBABLY STAYING RICH

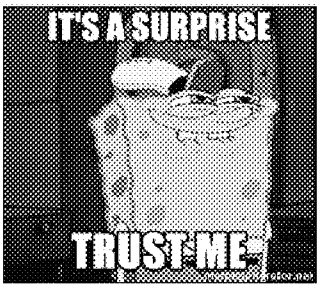


However, that federal funding for states comes with significant strings attached – it cannot be used to pay down pension debt or "reduce taxes directly or indirectly." That could mean trouble for Republicans' desire to enact as much as $1 billion in tax cuts over the next three years. Still, it's not exactly clear what this tax cut prohibition means for the states. Under one reading, the federal language doesn't necessarily bar Arizona from enacting tax cuts so long as the state can show – if audited later – that the tax cuts are independent of the federal aid. For example, the feds theoretically would not object to a reduction in state revenue arising from a tax cut if a reduction in expenses also accompanied it. In that case, the federal funding does not serve to supplant what's already budgeted for in state spending. However, if expenses remained the same (or increased) even as state revenue declined, then the feds would theoretically have a reason to argue that Arizona is using the federal aid as direct offsets. Brnovich and a host of other Republicans attorneys general fired off a letter to the US Treasury secretary asking her to "confirm that certain provisions of the American Rescue Plan Act do not attempt to strip States of their core sovereign authority to enact and implement basic tax policy." "The import of the Act's prohibition against "offsetting" reductions in state tax revenue is unclear, but potentially breathtaking," they wrote, calling the broader interpretation of the provision an "unconstitutional intrusion on the separate sovereignty," they wrote. States, of course, are free to turn down the federal money and slash taxes as much as they like, but the AGs wrote, "it is difficult to envision many, if any, turning down this support for their citizens." Brnovich offered two semi-hypotheticals to make the point, noting voters approved Prop 208 at the ballot last year, and lawmakers are trying to "provide an alternative tax structure for small businesses—again having nothing to do with COVID-19 or the federal funds." He also noted that Arizona is phasing out law-enforcement fees on vehicle registration renewals, which has nothing to do with the pandemic.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002730
ARZN_REV00068893_3-17-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BUT IF YOU DON'T PASS IT, YOU'LL NEVER KNOW WHAT'S IN IT



Fann told our reporter she is going to sit on Ducey's priority sports betting bills until senators can learn more about what the bills will do and how they would impact the gaming compact negotiations. "Members just needed more time to understand … we were not a part of the negotiations so we have had to slow the process down," she said. Anni Foster, Ducey's general counsel, said in committee on Shope's S1797 (fantasy sports betting; event wagering) that the Governor's Office met with roughly nine lawmakers about the compact. (Borrelli said he was one of those nine, as were other members of House and Senate leadership.) Fann said that was mostly true and added that Ducey's Office said their door would be open for anybody who had questions. "With all the Covid restrictions and full schedules it's just taking time for everyone to feel knowledgeable," Fann told our reporter. "The bills refer to the compacts. Our members not only have to understand the bills, but also what was in the compacts. We do not want to get in the position of 'you have to pass it to know what's in it.'"

CROSS THE BORDER, DOUG, MEXICO IS LOVELY

Ducey is visiting the border on Friday to see the situation on the ground due to what he said is a crisis caused by the Biden administration. In a closed event limited to just two news outlets, the Ninth Floor invited our reporter and *12 News* to watch Ducey sign H2459 (manslaughter; suicide assistance; violation) and give remarks about the legislation, and Ducey stayed to answer a few unrelated questions after the bill signing. Yesterday was the three-month anniversary since Ducey held his last full press briefing, but Karamargin said that could change soon, though he wouldn't provide any details. Ducey danced around questions about the budget negotiations, Covid relief and the details of his trip to the border, but he was quick to take a shot at Biden. "This is a crisis, and it looks like a crisis of the Biden White House administration and their policies," he said. He noted he has worked well with the president on vaccines, but on border security not so much. Karamargin said some lawmakers will be joining Ducey at the border, but would not say which lawmakers.

DEMOCRATS NEVER BLAME DEMOCRATS

Democrats balked at the IRC's choice of Brian Schmitt, the chief of staff to Phoenix City Councilman Jim Waring, as its executive director yesterday, though Democratic commissioners had a chance to stop his appointment. After an eight-hour day filled with meetings behind closed doors, commissioners chose Schmitt in a 3-2 vote with the chair Erika Neuberg joining the two Republican commissioners. The National Democratic Redistricting Committee said in a press release that the Republican operative should not have won the slot, and that the partisan vote should be a red flag. "This is the first time in the history of Arizona's redistricting commission – three previous Executive Director hires – that the Executive Director selection was not a unanimous vote," the group said. (There have only been two other redistricting cycles.) Democrats actually had an opportunity to select one of their own, but Dem Commissioner Derrick Watchman only voted for Kristina Gomez instead of Keely Hartsell, who had two other votes already. Had he voted yes on Hartsell there would have been another round of voting between her and Schmitt, likely forcing Neuberg to pick the Dem choice or the Republican choice. Leading up to the decision, commissioners met in executive session where the commissioners likely hashed out their partisan differences and discussed which candidates they liked most. Based on open meeting discussion and interviews, it did not seem like Schmitt was the top choice, but the public won't know how those conversations behind closed doors went. Since her selection as the independent chair, Neuberg has touted

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002731
ARZN_REV00068893_3-17-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

that she wants transparency with the public, but when faced with the most important decision to date, everything happened outside of the public's purview. State law also permits candidate names and full applications to remain outside of public record, instead only releasing the names of finalists and their redacted resumes to be viewed. Our reporter requested the full applications for all 43 candidates who applied to the executive director position, but instead only received the five names of those who interviewed and the professional resumes. One piece of information that was not included in Schmitt's resume was a brief consulting gig he had with McSally at the end of her 2020 campaign, for which he earned $63,000. Commissioners asked him to explain the consulting gig in his second interview, after our reporter tweeted about it (LINK). He chalked it up as "kind of a one-off," and said his resume only lists his previous full-time employment. He said he worked for McSally as a favor to a friend. Democratic leaders in the Legislature didn't buy that excuse. "Such a large payment for something as minor as 'logistics' for a Republican candidate is alarming and needs to be independently investigated," Rios and Bolding said in a joint statement today. "This type of campaign work, and the candidate's decision to initially withhold that critical information from his application, should have been immediately disqualifying."

WAKE UP CALL

Former Nogales mayor announces bid for governor
Capitol Media Services
Former Nogales Mayor Marco Lopez launched his bid for governor with a request to "join us" — and a highly partisan jab at Republicans.

House panel advances bill to restrict short-term rentals
Capitol Media Services
Rejecting claims the measure amounts to little more than window dressing, a House panel voted Tuesday to give local governments more power to regulate short-term vacation rentals. But just a bit.

Senate panel moves to block private funds for elections
Capitol Media Services
Raising the specter of Mark Zuckerberg influencing who holds office in Arizona, Republican lawmakers moved Monday to block counties from taking money from any private source to help run future elections.

Arizona bill a "baby step" toward more local power over short-term rentals
Capitol Media Services
Rejecting claims the measure amounts to little more than window dressing, a House panel voted Tuesday to give local governments more power to regulate short-term vacation rentals.

Arizona families to benefit from $1.4 billion to help with food, child care
Arizona Daily Star
Over half a million Arizona children whose families are receiving food assistance will soon get additional funding to help offset pandemic hardships.

Arizona National Guard busier than ever
East Valley Tribune
The three hikers stranded in snow near Sedona were in a tight spot. After days of sub-freezing temperatures stuck in a rock crevice without food, they were showing signs of frostbite.

Where to Get a Volunteer Shot, Plus More Arizona COVID News
Phoenix New Times
It's Tuesday, March 16. More than 833,000 Arizonans have contracted COVID-19 and more than 16,500 have died as a result.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002732
ARZN_REV00068893_3-17-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

New Facilities Opening in Arizona to Process Influx of Migrants
Phoenix New Times
The federal government will construct new facilities in Arizona to handle the recent spike in migrants arriving at the U.S.-Mexico border, the country's chief immigration official said.

Border Patrol Routinely Deports Migrants to Nogales, Mexico, in the Dead of Night
Phoenix New Times
U.S. Customs and Border Protection officials frequently deport migrants to Nogales, Mexico, in the middle of the night — a practice that immigration advocates say endangers migrants and leaves them vulnerable to exploitation.

Here's what Ducey left out of his pitch to Californians
Arizona Mirror (Opinion, Reginald Walton)
In a recent opinion piece published in a Southern California newspaper, Gov. Doug Ducey welcomed Californians moving to Arizona, citing the "burdensome policies that are driving businesses away" from the Golden State.

Biden's border bungle won't play well for Sen. Mark Kelly
Arizona Republic (Opinion, Laurie Roberts)
The crisis at the border could be the Republicans' best shot at retaking control of Congress. Democratic Sen. Mark Kelly, who must stand for re-election next year, could be in for a rough ride.

Arizona Legislature can (and should) override regulators on clean energy mandates
Arizona Republic (Opinion, Robert Robb)
The Arizona Legislature, not the Corporation Commission, has the final say on clean energy requirements. Lawmakers should make that clear.

Mark Brnovich's transformation from independent Arizona AG to partisan hack is complete
Arizona Republic (Opinion, Elvia Diaz)
I once called Mark Brnovich the 'legal moral conscience of Arizona.' But his political ambitions have turned him into just another partisan hack.

Atlanta spa shootings are a reminder: We can't be silent about violence against Asians
Arizona Republic (Opinion, Elvia Diaz)
A gunman killed eight people at Atlanta-area spas, including six Asians, prompting an urgent call to stop the hate. We all must call it out.

One simple prison policy change could have the economic impact of 30 high-tech factories
Arizona Republic (Op-ed, Jim Rounds and Elissa Johnson)
Expanding early release credits would safely reduce the prison population, better prepare inmates for life after prison and save Arizona a ton of cash.

PRESS RELEASES

CDC report gives Arizona high marks for COVID-19 vaccination in areas with high social vulnerability

Arizona ranks third nationally for vaccinating vulnerable populations

PHOENIX — A new report by the Centers for Disease Control and Prevention (CDC) ranks Arizona among the best states in the nation for getting the COVID-19 vaccine to vulnerable communities.

The CDC report out today found that Arizona had the third-highest vaccination coverage for high-vulnerability counties as determined by the Social Vulnerability Index (SVI), a nationally accepted framework. The index uses 15 indicators, including metrics for socioeconomic status, age and disability status, minority status and language, and housing type and transportation access, to assess the social vulnerability of counties in the U.S.

Arizona is one of only two states that had greater COVID-19 vaccination coverage in its counties with high social vulnerability than its counties with low social vulnerability across all metrics, according to the index. In all other

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002733

ARZN_REV00068893_3-17-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

states, COVID-19 vaccination coverage was lower in their counties with high social vulnerability compared to their counties with low social vulnerability.
"This finding by the CDC demonstrates the value of the hard work by the Arizona Department of Health Services, counties, and healthcare workers to distribute Arizona's limited supply of COVID-19 vaccine not only rapidly but equitably," said Governor Doug Ducey. "From strategic use of planning tools to direct outreach in English and Spanish to closely monitoring data, Arizona has laid a strong foundation to break down barriers to the COVID-19 vaccine among our most vulnerable residents. We will continue to build on this success in the weeks and months ahead."
"COVID-19 has had a more significant impact among racial and ethnic minority groups as well as those who are socially and economically disadvantaged," said Dr. Cara Christ, director of the Arizona Department of Health Services. "It's gratifying to see Arizona's prominent mention and high national ranking in the CDC's report, but we know there is much more work ahead with 6 million Arizonans who still need to be vaccinated."
As of this morning, 2,646,874 doses of COVID-19 vaccine had been administered to 1,663,876 individuals in Arizona, including 1,033,008 who have been fully vaccinated.
In order to reach more high risk Arizonans and get them vaccinated, ADHS and partners recently conducted a pilot program in ZIP code 85009, just west of downtown Phoenix. This highly targeted campaign, focusing on an area with higher COVID-19 cases and lower vaccination rates than many others, is part of a multi-pronged effort through which ADHS is engaging underserved populations directly and through partners including county health departments.
This targeted outreach in ZIP code 85009 included several telephone town halls in English and Spanish, targeted use of social media in English and Spanish, and hundreds of yard signs promoting vaccination and wearing masks. Interaction with community leaders has also led to a collaboration that got more than 400 of the area's residents 65 and older to vaccination appointments by actively registering and providing transportation to and from the site.
Next up is a plan to expand this approach into underserved neighborhoods in areas of southwest and south Phoenix and Yuma County while looking to reach even more of Arizona.
Local health departments have been working to reach communities impacted by COVID-19 and increase vaccine uptake. For example, Maricopa County Department of Public Health is coordinating with community organizations to put community-based vaccine sites directly in high-risk communities. The Pima County Health Department, partnering with local community based organizations and faith-based leaders, has been providing mobile vaccination opportunities to those most in need. Yuma County Public Health Services District has been administering COVID-19 vaccine to vulnerable communities through community based pop-up vaccination clinics in partnership with cities and providing employer-based vaccination opportunities for agricultural companies.
ADHS offers a bilingual COVID-19 Vaccine Navigation Help Desk at 844.542.8011 for those needing extra assistance with registration and answers to questions. When about 50,000 appointments were made available on Tuesday, March 2, at State Farm Stadium and Phoenix Municipal Stadium, the help desk handled 1,562 calls from Spanish speakers.
The agency continues to add information and resources in Spanish, including the online scheduling tool at podvaccine.azdhs.gov.
Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. **Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative in a prioritized group.**
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.
The CDC report on county-level COVID-19 vaccination coverage and social vulnerability is in the March 17 edition of the agency's Morbidity and Mortality Weekly Report, which can be reviewed here.

Former CEO of Goodyear Charter School Sentenced to 4 Years in Prison

GOODYEAR – Attorney General Mark Brnovich announced that Daniel K. Hughes, former CEO of the defunct Bradley Academy of Excellence, was sentenced to four years in prison and ordered to pay restitution for his role in the theft of over $2.6 million from the Arizona Department of Education, the U.S. Dept. of Education, the U.S. Dept. of Agriculture, and the Federal Communications Commission.
Bradley Academy (also known as the Discovery Creemos Academy and Bradley Creemos Academy) was a charter school in Goodyear that abruptly closed its doors in January 2018. It was then discovered that the school had falsified its attendance records, and Hughes was the architect of a scheme reporting fake students, called "caspers," to the Arizona Department of Education to increase funding. Hughes and accomplices, Principal Harold Cadiz and Vice

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002734
ARZN_REV00068893_3-17-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Principal Joanna Vega, reported 191 caspers during the 2016-2017 academic year and 453 caspers during the 2017-2018 academic year. This resulted in more than two million dollars in overpayments for those years.
Hughes pleaded guilty to one count of Conspiracy and one count of Theft. A Maricopa County Superior Court Judge sentenced him on March 12, 2021. After release from prison, Hughes will be placed on supervised probation for five years.
Hughes' accomplices both pleaded guilty and were sentenced in 2020. Cadiz was sentenced to 3.75 years in prison, followed by 5 years of supervised probation with white-collar terms. Vega was sentenced to four months of jail and 5 years of supervised probation with white-collar terms.All three defendants are ordered to pay $2,538,722 together in restitution.
Assistant Attorney General Mary Harriss prosecuted the case.

Governor Ducey Signs Legislation To Protect Minors Facing Mental Health Issues

PHOENIX — Governor Doug Ducey today signed legislation to protect young Arizonans experiencing suicidal thoughts by allowing a manslaughter charge if an adult provides guidance that a minor uses to take their life.
The Governor signed the bill in the presence of Paolla Jordan, whose son committed suicide two years ago, and Representative Jeff Weninger.
"Protecting Arizona families is our number one priority — and while there's always more work to be done, this is a step in the right direction," said Governor Ducey. "Thank you, Paolla, for sharing your story. You created this change, and it wouldn't have happened without your dedication to protecting other families. And thank you, Representative Weninger, for leading on this important legislation."
Watch the video HERE.
Representative Weninger, a champion for mental health support and protection, sponsored House Bill (HB) 2459.
"Our hearts are with Paolla, her family and all Arizonans who have suffered the loss of a loved one to suicide," said Representative Weninger. "HB2459 penalizes individuals who encourage minors in a vulnerable state, and it will help protect young Arizonans and their families. I was honored to work on this legislation with Paolla and offer support to those facing difficulties with mental health."
The legislation is in honor of Adrio Romine, a 17-year-old who tragically took his life after an adult on the internet encouraged and advised him. Adrio's mother, Paolla Jordan, shortly after his death learned the individual gave her son specific instructions on how to end his life — but no law was broken at the time. Paolla pushed legislation to change that, resulting in the development of HB2459.
"I hope that no other parent has to go through what our family experienced," said Paolla. "There are dangerous people out there that can prey on our children on the internet. Today there is a consequence for a predator's actions. This law will help protect our children today. I was proud to work with Representative Weninger on getting HB2459 Laloboy Act through the finish line, and I am grateful to everyone working to protect children facing suicidal thoughts."
Today's signing follows the state's continued work to protect those facing mental health issues and suicidal ideation.
On March 3, 2020, Governor Ducey signed legislation requiring health care insurers to cover mental health without additional barriers — just like they would cover an annual physical. The legislation, SB1523, was introduced by Senator Kate Brophy McGee and Representative Weninger.
On September 11, 2019, Governor Ducey signed legislation introduced by Senator Sean Bowie to expand suicide awareness and prevention training in Arizona's public schools.
The Governor issued a proclamation recognizing September 6 – 12, 2020 to be Suicide Prevention Awareness Week in Arizona to raise awareness of the issue of suicide and highlight services available for those in need.
Additionally, Governor Ducey on September 10, 2020 joined health and education leaders, veterans advocates and state lawmakers today to raise awareness, highlight support and resources available, describe state actions to help those dealing with depression and other mental health issues amid the pandemic.

Honest Arizona Board Members Outline New Priorities to Hold Officials Accountable During the COVID Crisis

PHOENIX — Honest Arizona advisory board members published an open letter this week outlining new priorities to hold elected officials accountable during the COVID-19 pandemic. The letter praised U.S. Senators Kyrsten Sinema and Mark Kelly for their votes to pass the American Rescue Plan, much-needed COVID relief:

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002735
ARZN_REV00068893_3-17-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"We are grateful to U.S. Sens. Kyrsten Sinema and Mark Kelly for wasting no time and working in Washington D.C. to address the serious concerns of Arizonans who have struggled throughout this pandemic.
"Kelly made the economic rescue of Arizona's families and small businesses a top priority, fighting for $50 billion in grants and loans for small businesses to stay afloat and keep people employed. Additionally, we thank the Biden administration and the members of the Arizona congressional delegation who are working to ensure that Arizonans can recover from this crisis as quickly as possible. But this rescue plan can only be the beginning.
"We are joining Honest Arizona to hold our elected leaders accountable. Arizonans have endured far too much this past year, and we continue to face serious problems. If we're going to get past this pandemic and get Arizona working families the opportunities they need, our leaders must be honest and transparent, follow the advice of public health experts, and respond to the needs of their constituents."
Honest Arizona is running English- and Spanish-language ads statewide in support of the American Rescue Plan and Senator Mark Kelly's vote to bring relief to Arizona's small businesses and keep Arizonans employed.

Brnovich Thanked for Co-Leading Letter to U.S. Treasury Secretary

States should not be denied their sovereignty through the American Rescue Plan Act
PHOENIX, March 17, 2021—The state's leading small-business association today thanked Arizona Attorney General Mark Brnovich for joining 20 other state attorneys general in co-leading a letter to U.S. Treasury Secretary Janet Yellen asking her for a sensible interpretation of a key provision in the American Rescue Plan Act that, if read one way, could deny states their ability to make changes their tax systems.
"We have been working on badly needed property and income tax reform long before the American Rescue Plan Act was a flicker of thought in anyone's mind," said Chad Heinrich, Arizona state director for the National Federation of Independent Business (NFIB), the nation's leading small-business association. "States are marketplaces and Arizona continually seeks to maintain a tax environment that is competitive with other states in our region, just as every state does for itself. We thank Attorney General Brnovich for seeking clarity from the federal government on whether or not the money our state will receive from the American Rescue Plan Act would prohibit the State of Arizona from proceeding on state policy issues fundamental to our own basic sovereign rights."

Legislative Democrats' Statement on Arizona IRC Choosing Republican Operative Brian Schmitt as Executive Director

PHOENIX– Arizona Senate Democratic Leader Rebecca Rios and House Democratic Leader Reginald Bolding released the following statement today after the Arizona Independent Redistricting Commission selected Republican operative Brian Schmitt as the Executive Director.
"It's deeply dismaying that the Arizona Independent Redistricting Commission voted 3-2 to offer the critical role of Executive Director to Brian Schmitt, a Republican operative who failed to disclose to the commission recent, relevant and partisan campaign work. Schmitt's name is linked to a 2020 campaign disbursement from Martha McSally for Congress in the amount of $63,652.44, made three days after the November election, as well as disbursements from the Republican National Committee in 2020 and 2018. This type of campaign work, and the candidate's decision to initially withhold that critical information from his application, should have been immediately disqualifying. Schmitt, chief of staff to Republican Phoenix City Councilman Jim Waring, tried to downplay this five-figure payment from McSally by saying, 'a friend called and asked me to help with logistics, that was my only involvement.' Such a large payment for something as minor as 'logistics' for a Republican candidate is alarming and needs to be independently investigated. The Independent Redistricting Commission must be seen as exactly that --independent. This selection – the first in the Commission's history where the selection was not unanimous – risks losing the public's confidence and trust in the Commission to redraw Arizona's congressional and legislative districts fairly and transparently. The Commission's work is too important to every Arizonan to take this risk."

NDRC Condemns AZ Redistricting Commission Offering Executive Director To Career GOP Operative

We Call on Chair Neuberg to Recommit to an Impartial & Independent Commission

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002736
ARZN_REV00068893_3-17-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Yesterday, **Arizona's Independent Redistricting Commission (IRC) voted 3-2 to offer the job of Executive Director to Brian Schmitt, who has worked as a Republican operative for his entire career.** Schmitt has spent the last decade as Chief of Staff for conservative Phoenix City Council Member Jim Waring. He is also listed on expense reports from the Republican National Committee in 2020 and 2018. **This is the first time in the history of Arizona's redistricting commission – three previous Executive Director hires – that the Executive Director selection was not a unanimous vote.**

"If the IRC wants a truly independent and impartial redistricting process, they should not select the most partisan applicant to serve as the executive director. **We call on Chair Neuberg and the Arizona commissioners to recommit to consensus building and for all future Commission hires to not have overtly partisan backgrounds," said NDRC States Press Secretary Molly Mitchell.**

"The Commission should be working to hire diverse and qualified staff, and yesterday's decision is a concerning step toward having the Commission be influenced by partisan officials," **continued Mitchell.**

"QUOTE OF THE DAY"

"We will hand count every one of them."

- Fann, on her new plan to have an bipartisan army of volunteers conduct a hand recount of Maricopa County ballots

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002737

ARZN_REV00068893_3-17-2021.pdf

Sender: rgabaldon@azleg.gov
Sent: Thursday, March 18, 2021 7:48:32 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-18-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet *March 18, 2021*

IT WAS PART OF THE SECRET PLAN ALL ALONG
Fann objected to our characterization of her plan to hand count ballots as new or a change of direction, saying it's part of a larger plan she's had all along but shared only with her inner circle.

WE COULD GO ON…
Fann today invited our reporter to her office for an interview to clear up outstanding questions, and asked Senate GOP spokesman Mike Philipsen to be present to ensure she wasn't misquoted – but she didn't answer many of our questions.

FOR REAL THIS TIME THOUGH
Fann also claimed to have "narrowed it down" to her preferred auditing team

AMERICAN OVERSIGHT

that she would announce "soon," (sometime in the next week or two), though she wouldn't say who that team was.

BIPARTISAN AND TRANSPARENT ARE JUST WORDS
Fann's press release pledged to make the audit a "bipartisan effort with full transparency" though it seems unlikely Democrats will participate and the effort so far has been anything but transparent.

IF KORY CALLED YOU, PLEASE CALL US
Our reporter continued reaching out to elections officials today in an effort to identify which current recorders – if any – the Senate has contacted to oversee its volunteer-led hand count.

IF YOU CAN'T TRUST HELEN, WHO CAN YOU TRUST?
Democratic and Republican election officials commended former recorder Helen Purcell for telling senators she doesn't believe their audit is necessary and that she won't participate in it.

COURTS PICKING UP WHAT THE LEGISLATURE WON'T
After her legislation to ban no-knock warrants was watered down and died without a vote from the full House, A Hernandez is pinning her hopes for warrant reform on a new state Supreme Court task force.

WHEN A JURY OF YOUR PEERS ISN'T
Another Supreme Court task force will take a hard look at how juries are formed in Arizona and whether minorities are discriminatorily kept from the process through peremptory strikes and other barriers.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, March 18, 2021

NEWS NOTES AND GOSSIP

IT WAS PART OF THE SECRET PLAN ALL ALONG

Fann objected to our characterization of her plan to hand count ballots as new or a change of direction, saying it's part of a larger plan she's had all along but shared only with her inner circle. Fann bristled when our reporter asked for evidence that she has told people of her plan for a bipartisan team of 100 or more volunteers to conduct a full hand count of 2.1 million ballots. "Oh, I have to prove to you now that this is what it was from the beginning? Is that really what you're asking?" she said. She then said we could ask any Republican senator or look at other media reports "assuming the reporters reported accurately you will see that I have said this numerous times since day one." One Republican Senator who did not want to be named said they vaguely remember her briefly mentioning something about it for the first time at yesterday's closed caucus, and that they only remembered it because it sounded like "quite an undertaking." Another said they didn't remember anything. "Not at all," the Republican said. The news in yesterday's *Yellow Sheet*, as well as a statement the Senate released this morning, drew immediate condemnation from both election officials and the disgruntled Trump supporters who have clamored for a new audit conducted by Jovan Hutton Pulitzer (LINK). Election officials said it's simply not feasible to count 2.1 million ballots, while the Trump supporters suspect that a hand recount will not reveal the fraud they believe exists, despite multiple audits suggesting otherwise. Fann said the hand recount is only a part of her audit plan, which also would include a rescan of the election machines used by Maricopa County, feeding all 2.1 million ballots through a new tabulation machine again, checking for IT breaches and verifying signatures on ballot envelopes. She pulled out a two-inch manila folder full of loose papers she described as related to the audit during her meeting with our reporter today, but said she couldn't yet provide an exhaustive list of everything the Senate's audit will include. However, as one source noted, if Fann plans to conduct a full hand recount, the rest of those processes are moot. The source said if that's the plan, it doesn't make sense, as a hand recount would show that the machines were miscounting ballots, discounting the need for an audit of the machines. The only way a hand audit could not catch fraud is if the ballots themselves are fraudulent – perhaps they came in from South Korea, as fringe conspiracy theorists have claimed (YS, 3/11) – and only a forensic audit of the ballots themselves would catch that. Fann did not list a forensic audit of the ballots specifically in her list of processes, a fact that caught the attention of many online conspiracy theorists.

WE COULD GO ON…

Fann today invited our reporter to her office for an interview to clear up outstanding questions, and asked Senate GOP spokesman Mike Philipsen to be present to ensure she wasn't misquoted – but she didn't answer many of our questions. Among the questions we attempted to ask, but she refused to answer were: what is your hiring process for audit firms? Which firms have you interviewed and which firms did you narrow the list down to? Which recorders have you contacted, and have any said yes? How long will the audit take?

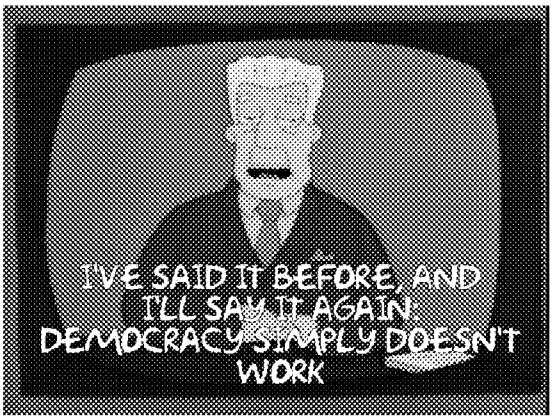
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002740

ARZN_REV00068897_3-18-21.pdf

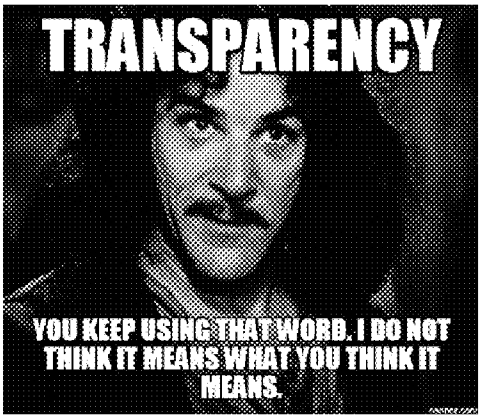
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FOR REAL THIS TIME THOUGH



Fann also claimed to have "narrowed it down" to her preferred auditing team that she would announce "soon," (sometime in the next week or two), though she wouldn't say who that team was. Of course, Fann previously claimed in a Jan 29 press release that the Senate "has hired an independent, qualified forensic auditing firm," (YS, 2/4) but after the *Arizona Mirror* obtained a copy of the Senate's scope of work agreement with the Trump-aligned and widely discredited Allied Security Operations Group (LINK), Fann walked that back, saying the Senate hadn't hired anyone yet. (Former lawmaker Eddie Farnsworth also tweeted at the time that the Senate had "hired" an auditor (YS, 2/3). That was six weeks ago, and today is the four-month anniversary of the date by which the county was ordered to drop off ballots and equipment under the first subpoena. Fann told our reporter last night that she still believes Allied Security Operations Group is qualified, but she told the firm she couldn't hire it because of the public perception of retired Army Col. Phil Waldron, who testified at Finchem's election fraud hearing, and in other states, as Rudy Giuliani's expert witness and made a host of false statements in arguing the election was stolen (LINK). Today, Fann said the Senate never said it was ready to start an audit four months ago, when it first demanded the county hand over ballots and election equipment. "There is no Yellow Pages I can open up and say 'let's find this forensic auditor.' This has been hundreds and hundreds of hours of research and tracking down, talking to the Federal Election Commission, talking to other other senators and representatives in other states," she said.

BIPARTISAN AND TRANSPARENT ARE JUST WORDS

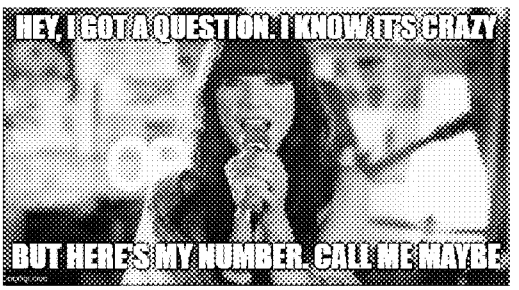


Fann's press release pledged to make the audit a "bipartisan effort with full transparency" though it seems unlikely Democrats will participate and the effort so far has been anything but transparent. "It's been more than four months and Fann still can't figure out the details of this audit and reveal them to the public," one source said. "It's time for Karen Fann to put all her cards on the table." And her argument that the county is the most secure location to conduct the audit was at the county is laughable, the source said, noting the county is where the alleged fraud allegedly happened. The source speculated that Fann hasn't announced the name of the auditing firm yet because no legitimate auditor would touch this, and that only crackpots and the inexperienced would pick it up, a sentiment echoed by many. "This is a logistical nightmare," the source said, adding that the only people who have time to volunteer for months of hand counting are "retirees or homeless people." "This has been a botched attempt from Day 1 and in part I think because her heart isn't really in it. But she's listening to the Borrellis of the world," the source said. An Arizona Democratic Party spokesman said they will "absolutely not" help Fann find volunteers. "President Fann caved to the big lie and is pushing conspiracy theories using taxpayer dollars. The Arizona Democratic Party will not be participating in this dangerous sham," Alex Alvarez told our reporter.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002741
ARZN_REV00068897_3-18-21.pdf

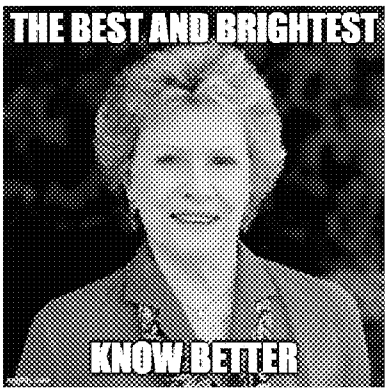
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF KORY CALLED YOU, PLEASE CALL US



Our reporter continued reaching out to elections officials today in an effort to identify which current recorders – if any – the Senate has contacted to oversee its volunteer-led hand count. Mohave County Recorder Kristi Blair said the Senate has not contacted her to oversee any audit, and anyway, she wants no part of it. She told our reporter that she can only speak for her county, "But I think with the lawsuits that were filed, I see no need for this audit." Blair was concerned that our reporter might have wrongly heard that she was involved, and our reporter assured her we've heard no such thing, but we were checking with several recorders just in case. "I know nothing," she said. Santa Cruz County Recorder Suzie Sainz told our reporter she didn't have a clue what we were talking about. Cochise County Recorder and former lawmaker David Stevens yesterday said he also hadn't heard anything about a plan to have volunteers and the Maricopa County Recorder's Office said it has not been invited to be involved. Several other counties have still not returned calls for comment. Hobbs laughed at the idea that Fann's efforts would attract the best and brightest from the election world, as Fann said in the press release. "Best and brightest? I'm not sure how that will happen since the best and brightest have already said this audit is unnecessary and irresponsible," she told our reporter. And don't expect Hobbs to volunteer to help with the hand count, she said, noting she won't "lend credibility" to it by helping. "I do not have three months to count ballots by hand that do not need to be counted by hand or to lend credibility to an audit that does not need to happen," she said.

IF YOU CAN'T TRUST HELEN, WHO CAN YOU TRUST?



Democratic and Republican election officials commended former recorder Helen Purcell for telling senators she doesn't believe their audit is necessary and that she won't participate in it. Cochise County Elections Director Lisa Marra called Purcell a "class act" and noted that no number of audits would change the minds of those who believe the election was fraudulent. "Nothing will satisfy people who think fraud," she said. Amy Chan, a Clean Elections commissioner and former elections director under Ken Bennett, echoed the comments about Purcell. "If Helen says it's unnecessary why are they still insisting?" Chan commented, adding that she's not in favor of volunteers being part of whatever audit there is. "Non-election professionals should *not* be handling this," she said. Adrian Fontes, the former Maricopa County Recorder who unseated Purcell after two decades in office, also had nice words for his predecessor. "Helen Purcell left me an office full of career professionals who did a magnificent job when they got the resources they needed. … She's right. This whole thing is unnecessary," he said.

COURTS PICKING UP WHAT THE LEGISLATURE WON'T

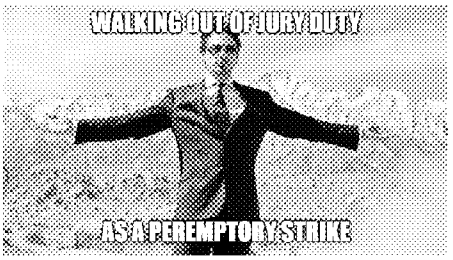
After her legislation to ban no-knock warrants was watered down and died without a vote from the full House, A Hernandez is pinning her hopes for warrant reform on a new state Supreme Court task force. "I'm really hopeful that they'll come up with a workable language that will prohibit no-knock warrants," Hernadez said. "I think it will come with a lot more support, especially since it's coming directly from the courts." Hernandez said she was grateful that her H2751 (search warrants; audible notice; requirements) got a hearing, but it was amended in a way that detracted from her original intent of nixing no-knocks altogether by still allowing unannounced entry in certain circumstances. The court taskforce, similar to Hernandez's proposal, came in part out of the nationwide conversations about race following the deaths of

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002742
ARZN_REV00068897_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

George Floyd and Breonna Taylor. Louisville police killed Taylor, 26, while she slept during a botched raid at her home in March 2020, prompting Kentucky and other states to take a hard look at no-knocks. "Our Chief Justice (Robert Brutinel) wanted to take action," courts spokesman Aaron Nash said. "He said, 'I want to get the right people in the room, and figure out – not talk – but figure out what needs to happen in Arizona, what can we put together." Following meetings between the Arizona Judicial Council and the Commission on Minorities in the Judiciary, the groups' recommendations were outlined in an Arizona State Courts' Racial Justice Initiatives document, which also asks the courts to address how they handle jury selection, cash bail, plea bargains, disproportionate minority contact in the juvenile justice system and the diversity of the bench and court personnel. Task force member attorney and civil rights attorney Benjamin Taylor said examining the state's no-knock procedures is beneficial to both law enforcement and the public "by making sure that those warrants are applied evenly and applied to only extreme circumstances that require the most violent circumstances." Hernandez said she would like to see the task force's recommendations before deciding whether to run a similar bill next session. "Depending on what recommendations they have from these meetings, it will be great for us as legislators to be able to take that information and say, 'OK, this is what the courts are saying is being done or not being done, and this is what we should probably do to make that better,'" she said.

WHEN A JURY OF YOUR PEERS ISN'T



Another Supreme Court task force will take a hard look at how juries are formed in Arizona and whether minorities are discriminatorily kept from the process through peremptory strikes and other barriers. In some counties, the jury pool was drying up as fewer people felt comfortable coming into courthouses to serve during the pandemic. "If someone shows up but they don't sit on a jury trial, under our process, they're excused for 12 to 18 months," Nash said. "So, even if someone was willing, they've kind of already fulfilled their commitment." To reduce the number of potential jurors the courts burned through, Brutinel issued an administrative order that in part limited the number of peremptory strikes, a party's right to remove a potential juror without giving a reason. One of the objectives of the task force is to decide whether that limit should continue for three years to help with the trial backlog in the state. The task force will also examine whether peremptory strikes disproportionately affect minorities and whether permanent changes should be made. A state bar working group studied peremptory strikes this past year and submitted two rule change petitions to the Supreme Court: one to refine the process and one to eliminate it entirely. "We submit that the Court has a clear opportunity to end definitively one of the most obvious sources of racial injustice in the courts," the latter stated.

·WAKE UP CALL·

Mapping commission chooses executive director

Arizona Capitol Times

The chief of staff to a Republican Phoenix City Council member will serve as the executive director for the Arizona Independent Redistricting Commission, solidifying the first major decision the IRC made so far this year.

Bill criminalizing some abortions advances

Capitol Media Services

Brushing aside questions of legality and religion, a House panel voted March 17 along party lines to imprison doctors who terminate a pregnancy solely because the fetus has a genetic defect.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002743
ARZN_REV00068897_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Dating fraud bill moves to Ducey's desk
Capitol Media Services
Arizonans who may be blinded a bit in their search for love are in line to get some protections from the state, if not for heartbreak, at least from being fleeced for their money.

Homeland Security head won't ask Biden to keep building border wall
Arizona Daily Star
The head of the Department of Homeland Security told Congress on Wednesday that he will not ask President Biden to continue building the 30-foot-tall border wall.

Feds set to open large tent facilities to hold migrants in Tucson, Yuma
Arizona Daily Star
Tucson soon could be home to a large tent-like facility to house migrants after they are released by the Border Patrol, officials said Wednesday.

Purchase of wastewater pumps could help increase city's creation of drinkable reuse water
Mohave Valley Daily News
The ultimate purchase of three submersible pumps for the effluent line at the city's Section 10 Wastewater Treatment Plant is expected to aid in ramping up production of drinkable effluent.

State Rep. Leo Biasiucci seeks to strengthen child sex crime laws
Today's News-Herald
State Rep. Leo Biasiucci said he wants to bring down the hammer on child sex crimes and has sponsored a bill that he says would make Arizona one of the strictest states in the country.

Navajo County toughens travel policies
White Mountain Independent
The Navajo County Board of Supervisors has approved a long list of changes in its travel policy in the wake of the indictment of the former health director on the misuse of public funds.

Border Patrol Routinely Deports Migrants to Nogales, Mexico, in the Dead of Night
Phoenix New Times
U.S. Customs and Border Protection officials frequently deport migrants to Nogales, Mexico, in the middle of the night — a practice that immigration advocates say endangers migrants and leaves them vulnerable to exploitation.

Republican legislatures are putting up barriers to voting. We need HR 1 to knock them down
Arizona Republic (opinion, Raul Grijalva)
Listening to Republicans in the state Legislature and Arizona's House Republican delegation in Washington, you would think the 2020 elections were the most corrupt and mismanaged in history.

HR 1 will open up voting access alright — especially for those voting fraudulently
Arizona Republic (opinion, Russ Vought)
Following an election marked by unprecedented concerns over the integrity of its outcome, House Democrats recently rammed through H.R. 1, a bill duplicitously dubbed the "For the People Act."

For shame, Rep. Andy Biggs. Your refusal to honor Capitol police is a stain on Arizona
Arizona Republic (column, Laurie Roberts)
A dozen members of Congress on Wednesday refused to honor the police officers who protected them on Jan. 6 when the nation's Capitol was under attack.

Legislators just expanded their voucher expansion bill. Can they get any more arrogant?
Arizona Republic (column, Laurie Roberts)
In 2018, nearly 1.5 million Arizonans sent a loud and clear message to Gov. Doug Ducey and the Arizona Legislature.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002744
ARZN_REV00068897_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Governor Ducey To Visit Border

PHOENIX — Governor Doug Ducey will travel to Douglas, Arizona on Friday, March 19 to get a first-hand view of the security and humanitarian situation at the U.S.-Mexico border.
Governor Ducey will be joined by U.S. Senator Rick Scott of Florida, a member of the Senate Homeland Security and Governmental Affairs Committee; state lawmakers; and community leaders from Cochise County.
The governor will participate in an aerial border tour, receive a briefing and hold a border security roundtable.
Media is invited to a press conference during the governor's visit:
WHO: Governor Doug Ducey and Florida Senator Rick Scott will be joined by: Arizona Speaker of the House Rusty Bowers, Arizona State Senator David Gowan, Arizona State Representatives Becky Nutt and Gail Griffin, Cochise County Sheriff Mark Dannels, Arizona Department of Public Safety (DPS) Director Col. Heston Silbert, DPS Deputy Director Ken Hunter, Cochise County Supervisor Ann English, and Douglas Mayor Don Huish
WHAT: Press Conference During Governor's Border Visit
WHERE: U.S.-Mexico Border in Cochise County, Arizona
Meet at:
Douglas Municipal Airport
3200 E 10th St
Douglas, AZ 85607
WHEN: Friday, March 19 at 12:00 p.m. MST
Media should arrive by 10:30 a.m.
RSVP: Media must RSVP to communications@az.gov
ON SITE POINT OF CONTACT:
C.J. Karamargin, (520) 909-9342
Ben Petersen, (520) 461-6388

Update on the full, detailed audit of the 2020 election in Maricopa County

"As thousands of our voters continue to call for a thorough audit of the 2020 election in Maricopa County, I am pleased to report we have narrowed it down to a preferred forensic audit team. We are negotiating final details on the execution of the audit and hope to have an announcement soon.
Our desire is to work closely with the County Board of Supervisors, and the Senate continues to believe the proper location of the audit is at the County, to preserve the chain of custody and maintain security of the ballots and equipment. Our goal is to make this a bipartisan effort with full transparency and in joint cooperation with Maricopa County officials. We've been reaching out to experts on election processes in Arizona and around the nation and hope to have the best and brightest involved in the audit.
This audit will be broad and detailed: the team will include, but is not limited to, testing the machines, scanning the ballots, performing a full hand count and checking for any IT breaches. When all the work is done, there will be a full report for the Senate and County to review. Our voters expect this audit, and it can be a big step in returning trust and confidence in our election process."

MARICOPA COUNTY INMATES TO RECEIVE COVID-19 VACCINE

Phoenix, AZ – This morning Correctional Health Services (CHS) began providing Johnson & Johnson COVID-19 vaccines to Maricopa County inmates age 55 and over who would like to receive the vaccine.
CHS received 400 doses of the Johnson & Johnson vaccine from the Public Health Department earlier this week for our incarcerated population.
Currently, there are 318 inmates in our jail facilities who are 55 and over. These facilities include Lower Buckeye Jail, Towers Jail, Watkins Jail, 4th Ave Jail, and Estrella Jail.
During this vaccination program, MCSO is providing logistical and officer support to the CHS deployment plan and their personnel to aid them in implementing a safe and efficient process for everyone involved. Other county jails in the State are undertaking a similar process.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002745
ARZN_REV00068897_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Providing the Covid-19 vaccine to our incarcerated population is yet another step to help keep our inmates, staff and medical personnel safe and healthy," said Sheriff Penzone. "We are beginning to see the light at the end of the tunnel and are appreciative for the partnership with CHS and Public Health as we continue working towards restarting jail programs, expanding resources, and turning the page on this pandemic."

Clerk Launches Free Public Webinar Series for Journalists

March 18, 2021 – The Clerk of the Superior Court in Maricopa County is excited to announce a public webinar series geared toward members of the news media. *The Media Academy* program is a public outreach initiative that was created on the heels of the successful *Clerk Services in the Age of COVID-19* public webinar program, which attracted nearly 200 attendees.

The first *Media Academy* live presentation, which is scheduled to take place April 8th, will cover public records requests. The webinar will include an in-depth discussion on how members of the news media can obtain public records and feature panelists from the Clerk's public records Customer Service Center and legal teams. Additional topics will cover the types of public records available for request by the media, ways in which the members of the media can obtain these records, and the relevant rules and procedures that may impact release of records. The presentation will also feature a live 30-minute Q&A.

All members of the media who regularly require access to Maricopa County Superior Court records are encouraged to attend. Registration at https://register.gotowebinar.com/register/4953464123863823884.

Event Details:

Title: *Media Academy: Public Records & Requests*
Date: Thursday, April 8, 2021
Time: 1:00-3:00 PM
Cost: FREE

Board Seeks Applicants for West McDowell Precinct Constable

Phoenix – The Maricopa County Board of Supervisors seeks applicants for appointment to the position of West McDowell Justice Precinct Constable. Constable Rudy Santa Cruz has retired, leaving the office vacant.

Constables execute and serve warrants, protective orders, summonses and subpoenas, and other justice court orders including evictions. By law, the appointee must be a Democrat, like Santa Cruz, live in the West McDowell Justice Precinct, and be a registered Arizona voter. The Board of Supervisors will fill the vacancy for the remainder of the term which ends December 31, 2022.

Applicants should send their letters of interest along with a resume to the Office of the Clerk of the Board of Supervisors, 301 W. Jefferson, 10th Floor, Phoenix, AZ 85003 or ClerkBoard@mail.maricopa.gov. Applications will be accepted through Friday, March 26, 2021 at 5pm. All applicants will be subject to a background check including a financial review.

The West McDowell Precinct lies to the west of downtown Phoenix in Supervisorial District 5. Go here to see an interactive map of the precinct boundaries.

Please direct any questions to David Galaviz david.galaviz@maricopa.gov, Board of Supervisors, District 5 office.

Arizona Supreme Court Approves First Alternative Business Structures

PHOENIX – For the first time since the Arizona Supreme Court approved a series of legal services reforms, the Court has approved the first two entities authorized to provide legal services in an arrangement where lawyers and nonlawyers can co-own a business that includes legal services. The arrangement, called Alternative Business Structures, or ABS, allows licensed attorneys to join with nonlawyers who can provide complementary services to the clients they serve. The two entities approved by Administrative Orders of the Court today are Trajan Estate, LLC, a legal service provider focused on estate planning; and Payne Huebsch, PLC, a firm that provides transactional legal services combined with tax and accounting advice.

Vice Chief Justice Ann A. Scott Timmer, who chaired the Court's Delivery of Legal Services Task Force that led to the reforms, stated, "It's exciting to launch the first ABS entities, and I am certain that such arrangements will serve both the public and legal community in the delivery of quality legal services." Mike Payne, a principal of Payne Huebsch, PLC stated, "We are honored to be among the first applicants to be approved by the Arizona Supreme Court

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

as an Alternative Business Structure. The ABS designation will allow us to provide the legal, accounting, and tax services every business needs under one roof. Integrating lawyers into our staff will afford clients earlier, more frequent, and more affordable access to the protective tools and strategies available under the law." The businesses can now begin operations under the regulations authorized by the Court.
Three additional providers have applied to the Court for authorization as Alternative Business Structures in Arizona. The ABS option is one of several reforms the Arizona Supreme Court pursued for improving access to courts and to make legal services more available to the public for individual legal needs. To follow the Court's work, find more information about legal services reforms in Arizona, and to track the progress of these initiatives, see the Legal Services Reforms website at https://www.azcourts.gov/accesstolegalservices/.

Senator Kelly Townsend seeks answers regarding unaccompanied children at the border.

Senator Kelly Townsend (R-LD16) is seeking answers regarding the handling and fate of the thousands of unaccompanied minors held at the US border.
"I am concerned about the well-being of these children," said Townsend. "Regardless of where you stand on the issue of illegal immigration, history shows us that children have been mistreated, molested, and held longer than the 72-hour maximum."
Townsend continued, "I would like to know what the state is doing to ensure that they are being kept in humane conditions and are not being further victimized. I am concerned for their welfare, I am disturbed that they have been subjected to these dangers in the first place, and I want to know what the Federal government is doing to mitigate the situation."
Townsend is calling on State and local leadership to keep a close eye on this situation so that there is not a repeat of what we have seen in the past. Additionally, she is calling on the Biden administration to take the necessary measures to reverse the flood of persons coming to this country with an expectation of easy entry. "This is no time to invite the masses into our country during a pandemic," Townsend said. "I call on the President to reverse course and ask these folks to enter the legal way. If not, they should return home and not risk their children's safety and wellbeing by sending them here on their own."

New Polling Shows that Arizonans Oppose Efforts to Undermine Grassroots Ballot Initiatives

Republicans in the Arizona state legislature are currently pushing forward a series of bills that would make it more difficult, if not impossible, for grassroots citizen initiatives to win lasting change at the ballot box. These bills take our state backwards, disrupting a long standing tradition of direct democracy in Arizona that has been utilized by Arizonans across the political spectrum for decades.
New polling shows that an overwhelming majority of democrats and republicans agree that the legislature should not be allowed to limit, block or reverse ballot measures that have been passed by voters, with 73% of respondents allocating less than 20 points out of scale of 100 for support. Furthermore, 80% of Arizonans from all walks of life agree that the legislature should not limit their access to direct democracy, with 56% of respondents indicating that it is never appropriate.
Therefore, it is unsurprising that new polling conducted by Trendency over the past two weeks shows that these proposals are incredibly unpopular with voters. This polling is unique in that respondents were asked to respond to a set of questions with a rating between 0 (Strongly disagree) to 100 (Strongly Agree).

- Having the freedom to take action when Arizona politicians do not is clearly a core value that crosses party lines. When asked if state legislatures should be allowed to limit, block, or reverse ballot measures that have been passed by voters **Democrats averaged a 9, Independents a 14, and Republicans an 18.** So all very strongly disagreed.
- It is rare to see data that shows the average voter to be keenly aware of an issue moving at the state legislature. However, when asked whether they are concerned about the possibility of the state legislature limiting, blocking, or reversing a ballot measure passed *by them,* Arizona voters averaged a 65 which is above the national level of concern (59).
- This current fight over ballot measures comes down to the question of whether state legislatures should be allowed to limit access to direct democratic actions like ballot measures or initiatives. So we asked that

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002747
ARZN_REV00068897_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

question and it's clear, **more than half** of Arizonans believe that the legislature should **never** be allowed to limit access.

"Arizonans have always valued our independence and having the ability to act when our elected leaders do not or will not. The laws Republican legislators are trying to pass now are not only unpopular, they will destroy that right for all Arizonans," said Jenny Guzman, Legislative Communications Director for Progress Arizona.

Trendency Research conducted this live response poll over five weeks, running from January 31 – February 28, with approximately 850 respondents statewide.

Rep. Kirkpatrick Introduces the American Dream Employment Act of 2021

Would Allow DACA, TPS, & DED Beneficiaries to work in Congress

WASHINGTON — Today, Representative Kirkpatrick introduced the American Dream Employment Act of 2021. Under current law, paid employment in the House and Senate is limited to individuals who are U.S. citizens or lawful permanent residents in the process of naturalizing. As a result, DREAMers — undocumented people brought to this country as young children — are currently barred from working for Congressional offices. The American Dream Employment Act of 2021 also establishes permanent employment eligibility in the House and Senate for TPS and DED recipients.

Rep. Kirkpatrick is proud to be joined by 50 of her colleagues in the U.S. House of Representatives who signed on to be original co-sponsors of the American Dream Employment Act of 2021:

U.S. Representatives Barragan, Bass, Beyer, Bonamici, Carbajal, Cardenas, Carson, Cicilline, Clark, Cooper, Davis, DeGette, Espaillat, Gallego, Garcia, Grijalva, Hastings, Huffman, Jayapal, Jones, Kind, Lee, Levin, Lofgren, Lowenthal, Matsui, McGovern, McNerney, Meeks, Meng, Moulton, Napolitano, Norton, Omar, Panetta, Pressley, Price, Raskin, Schakowsky, Smith, Stanton, Suozzi, Thompson, Titus, Tlaib, Vargas, Vela, Wasserman Schultz, Watson Coleman, and Welch.

The American Dream Employment Act of 2021 has also been endorsed by United We Dream, Unidos, and Immigration Hub.

"In Arizona and across the country, these individuals are vital members of our communities and make valuable contributions to our nation. They deserve an equal shot of being employed in Congress," **said Rep. Kirkpatrick.** "We have been saying for a while now that we urgently need to fix our immigration system. This change in policy is one step in a series of steps we must take. DREAMers are Americans and they should be able to have a voice in the legislative process, which impacts their lives and communities. I am proud to re-introduce this bill in the 117th Congress."

"We applaud the re-introduction of the American Dream Employment Act," **said Carlos Guevara of UnidosUS**, the nation's largest Hispanic civil rights and advocacy organization. "Dreamers are integral members of our workplace and communities who deserve to live to their full potential and contribute to the well-being of our country. This bill ensures that Dreamers looking to serve the public in Congress have the ability to do so and ensures our nation's leaders are able to leverage their many talents and contributions to the country."

"DACA recipients and TPS holders have lived in the US for most of their lives; they are our families, friends and community members," **said Juliana Macedo do Nascimento, State and Local Policy Manager at United We Dream,** the largest immigrant youth-led network in the country. "They deserve the opportunity to serve their communities and government and get paid for their work. United We Dream is proud to endorse the American Dream Employment Act of 2021 to ensure immigrant youth and TPS holders have the opportunity to be paid for their work in Congress."

For the text of the bill, click here.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002748

ARZN_REV00068897_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Best and brightest? I'm not sure how that will happen since the best and brightest have already said this audit is unnecessary and irresponsible."

- Hobbs, on Fann's statement that she hopes to attract the best and brightest to help with her audit

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002749

ARZN_REV00068897_3-18-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, March 18, 2021 7:48:36 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-18-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet *March 18, 2021*

IT WAS PART OF THE SECRET PLAN ALL ALONG
Fann objected to our characterization of her plan to hand count ballots as new or a change of direction, saying it's part of a larger plan she's had all along but shared only with her inner circle.

WE COULD GO ON…
Fann today invited our reporter to her office for an interview to clear up outstanding questions, and asked Senate GOP spokesman Mike Philipsen to be present to ensure she wasn't misquoted – but she didn't answer many of our questions.

AMERICAN OVERSIGHT

FOR REAL THIS TIME THOUGH
Fann also claimed to have "narrowed it down" to her preferred auditing team that she would announce "soon," (sometime in the next week or two), though she wouldn't say who that team was.

BIPARTISAN AND TRANSPARENT ARE JUST WORDS
Fann's press release pledged to make the audit a "bipartisan effort with full transparency" though it seems unlikely Democrats will participate and the effort so far has been anything but transparent.

IF KORY CALLED YOU, PLEASE CALL US
Our reporter continued reaching out to elections officials today in an effort to identify which current recorders – if any – the Senate has contacted to oversee its volunteer-led hand count.

IF YOU CAN'T TRUST HELEN, WHO CAN YOU TRUST?
Democratic and Republican election officials commended former recorder Helen Purcell for telling senators she doesn't believe their audit is necessary and that she won't participate in it.

COURTS PICKING UP WHAT THE LEGISLATURE WON'T
After her legislation to ban no-knock warrants was watered down and died without a vote from the full House, A Hernandez is pinning her hopes for warrant reform on a new state Supreme Court task force.

WHEN A JURY OF YOUR PEERS ISN'T
Another Supreme Court task force will take a hard look at how juries are formed in Arizona and whether minorities are discriminatorily kept from the process through peremptory strikes and other barriers.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, March 18, 2021

NEWS NOTES AND GOSSIP

IT WAS PART OF THE SECRET PLAN ALL ALONG

Fann objected to our characterization of her plan to hand count ballots as new or a change of direction, saying it's part of a larger plan she's had all along but shared only with her inner circle. Fann bristled when our reporter asked for evidence that she has told people of her plan for a bipartisan team of 100 or more volunteers to conduct a full hand count of 2.1 million ballots. "Oh, I have to prove to you now that this is what it was from the beginning? Is that really what you're asking?" she said. She then said we could ask any Republican senator or look at other media reports "assuming the reporters reported accurately you will see that I have said this numerous times since day one." One Republican Senator who did not want to be named said they vaguely remember her briefly mentioning something about it for the first time at yesterday's closed caucus, and that they only remembered it because it sounded like "quite an undertaking." Another said they didn't remember anything. "Not at all," the Republican said. The news in yesterday's *Yellow Sheet*, as well as a statement the Senate released this morning, drew immediate condemnation from both election officials and the disgruntled Trump supporters who have clamored for a new audit conducted by Jovan Hutton Pulitzer (LINK). Election officials said it's simply not feasible to count 2.1 million ballots, while the Trump supporters suspect that a hand recount will not reveal the fraud they believe exists, despite multiple audits suggesting otherwise. Fann said the hand recount is only a part of her audit plan, which also would include a rescan of the election machines used by Maricopa County, feeding all 2.1 million ballots through a new tabulation machine again, checking for IT breaches and verifying signatures on ballot envelopes. She pulled out a two-inch manila folder full of loose papers she described as related to the audit during her meeting with our reporter today, but said she couldn't yet provide an exhaustive list of everything the Senate's audit will include. However, as one source noted, if Fann plans to conduct a full hand recount, the rest of those processes are moot. The source said if that's the plan, it doesn't make sense, as a hand recount would show that the machines were miscounting ballots, discounting the need for an audit of the machines. The only way a hand audit could not catch fraud is if the ballots themselves are fraudulent – perhaps they came in from South Korea, as fringe conspiracy theorists have claimed (YS, 3/11) – and only a forensic audit of the ballots themselves would catch that. Fann did not list a forensic audit of the ballots specifically in her list of processes, a fact that caught the attention of many online conspiracy theorists.

WE COULD GO ON…

Fann today invited our reporter to her office for an interview to clear up outstanding questions, and asked Senate GOP spokesman Mike Philipsen to be present to ensure she wasn't misquoted – but she didn't answer many of our questions. Among the questions we attempted to ask, but she refused to answer were: what is your hiring process for audit firms? Which firms have you interviewed and which firms did you narrow the list down to? Which recorders have you contacted, and have any said yes? How long will the audit take?

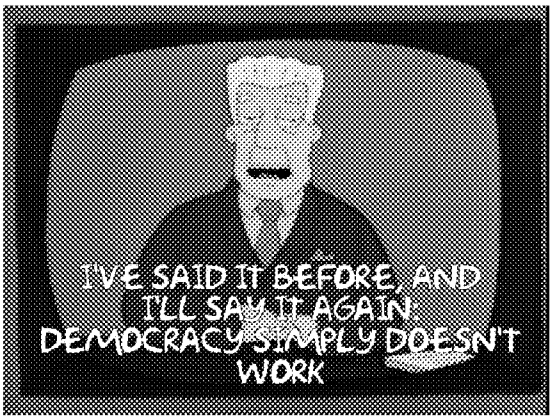
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002752

ARZN_REV00068899_3-18-21.pdf

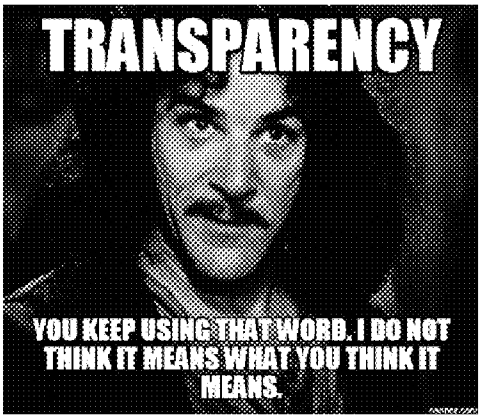
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FOR REAL THIS TIME THOUGH



Fann also claimed to have "narrowed it down" to her preferred auditing team that she would announce "soon," (sometime in the next week or two), though she wouldn't say who that team was. Of course, Fann previously claimed in a Jan 29 press release that the Senate "has hired an independent, qualified forensic auditing firm," (YS, 2/4) but after the *Arizona Mirror* obtained a copy of the Senate's scope of work agreement with the Trump-aligned and widely discredited Allied Security Operations Group (LINK), Fann walked that back, saying the Senate hadn't hired anyone yet. (Former lawmaker Eddie Farnsworth also tweeted at the time that the Senate had "hired" an auditor (YS, 2/3). That was six weeks ago, and today is the four-month anniversary of the date by which the county was ordered to drop off ballots and equipment under the first subpoena. Fann told our reporter last night that she still believes Allied Security Operations Group is qualified, but she told the firm she couldn't hire it because of the public perception of retired Army Col. Phil Waldron, who testified at Finchem's election fraud hearing, and in other states, as Rudy Giuliani's expert witness and made a host of false statements in arguing the election was stolen (LINK). Today, Fann said the Senate never said it was ready to start an audit four months ago, when it first demanded the county hand over ballots and election equipment. "There is no Yellow Pages I can open up and say 'let's find this forensic auditor.' This has been hundreds and hundreds of hours of research and tracking down, talking to the Federal Election Commission, talking to other other senators and representatives in other states," she said.

BIPARTISAN AND TRANSPARENT ARE JUST WORDS

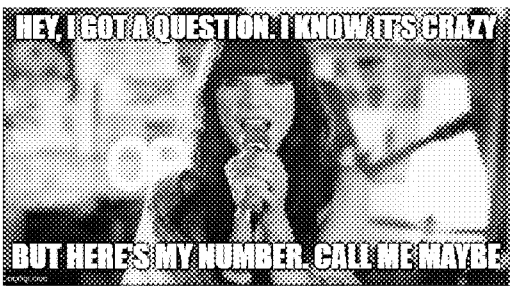


Fann's press release pledged to make the audit a "bipartisan effort with full transparency" though it seems unlikely Democrats will participate and the effort so far has been anything but transparent. "It's been more than four months and Fann still can't figure out the details of this audit and reveal them to the public," one source said. "It's time for Karen Fann to put all her cards on the table." And her argument that the county is the most secure location to conduct the audit was at the county is laughable, the source said, noting the county is where the alleged fraud allegedly happened. The source speculated that Fann hasn't announced the name of the auditing firm yet because no legitimate auditor would touch this, and that only crackpots and the inexperienced would pick it up, a sentiment echoed by many. "This is a logistical nightmare," the source said, adding that the only people who have time to volunteer for months of hand counting are "retirees or homeless people." "This has been a botched attempt from Day 1 and in part I think because her heart isn't really in it. But she's listening to the Borrellis of the world," the source said. An Arizona Democratic Party spokesman said they will "absolutely not" help Fann find volunteers. "President Fann caved to the big lie and is pushing conspiracy theories using taxpayer dollars. The Arizona Democratic Party will not be participating in this dangerous sham," Alex Alvarez told our reporter.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002753
ARZN_REV00068899_3-18-21.pdf

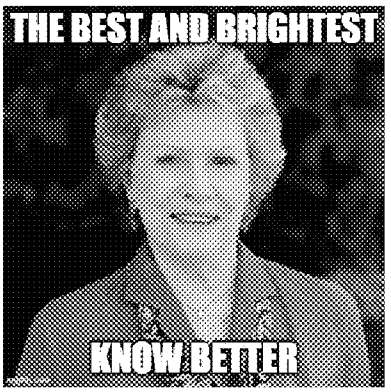
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF KORY CALLED YOU, PLEASE CALL US



Our reporter continued reaching out to elections officials today in an effort to identify which current recorders – if any – the Senate has contacted to oversee its volunteer-led hand count. Mohave County Recorder Kristi Blair said the Senate has not contacted her to oversee any audit, and anyway, she wants no part of it. She told our reporter that she can only speak for her county, "But I think with the lawsuits that were filed, I see no need for this audit." Blair was concerned that our reporter might have wrongly heard that she was involved, and our reporter assured her we've heard no such thing, but we were checking with several recorders just in case. "I know nothing," she said. Santa Cruz County Recorder Suzie Sainz told our reporter she didn't have a clue what we were talking about. Cochise County Recorder and former lawmaker David Stevens yesterday said he also hadn't heard anything about a plan to have volunteers and the Maricopa County Recorder's Office said it has not been invited to be involved. Several other counties have still not returned calls for comment. Hobbs laughed at the idea that Fann's efforts would attract the best and brightest from the election world, as Fann said in the press release. "Best and brightest? I'm not sure how that will happen since the best and brightest have already said this audit is unnecessary and irresponsible," she told our reporter. And don't expect Hobbs to volunteer to help with the hand count, she said, noting she won't "lend credibility" to it by helping. "I do not have three months to count ballots by hand that do not need to be counted by hand or to lend credibility to an audit that does not need to happen," she said.

IF YOU CAN'T TRUST HELEN, WHO CAN YOU TRUST?



Democratic and Republican election officials commended former recorder Helen Purcell for telling senators she doesn't believe their audit is necessary and that she won't participate in it. Cochise County Elections Director Lisa Marra called Purcell a "class act" and noted that no number of audits would change the minds of those who believe the election was fraudulent. "Nothing will satisfy people who think fraud," she said. Amy Chan, a Clean Elections commissioner and former elections director under Ken Bennett, echoed the comments about Purcell. "If Helen says it's unnecessary why are they still insisting?" Chan commented, adding that she's not in favor of volunteers being part of whatever audit there is. "Non-election professionals should *not* be handling this," she said. Adrian Fontes, the former Maricopa County Recorder who unseated Purcell after two decades in office, also had nice words for his predecessor. "Helen Purcell left me an office full of career professionals who did a magnificent job when they got the resources they needed. … She's right. This whole thing is unnecessary," he said.

COURTS PICKING UP WHAT THE LEGISLATURE WON'T

After her legislation to ban no-knock warrants was watered down and died without a vote from the full House, A Hernandez is pinning her hopes for warrant reform on a new state Supreme Court task force. "I'm really hopeful that they'll come up with a workable language that will prohibit no-knock warrants," Hernadez said. "I think it will come with a lot more support, especially since it's coming directly from the courts." Hernandez said she was grateful that her H2751 (search warrants; audible notice; requirements) got a hearing, but it was amended in a way that detracted from her original intent of nixing no-knocks altogether by still allowing unannounced entry in certain circumstances. The court taskforce, similar to Hernandez's proposal, came in part out of the nationwide conversations about race following the deaths of

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002754
ARZN_REV00068899_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

George Floyd and Breonna Taylor. Louisville police killed Taylor, 26, while she slept during a botched raid at her home in March 2020, prompting Kentucky and other states to take a hard look at no-knocks. "Our Chief Justice (Robert Brutinel) wanted to take action," courts spokesman Aaron Nash said. "He said, 'I want to get the right people in the room, and figure out – not talk – but figure out what needs to happen in Arizona, what can we put together." Following meetings between the Arizona Judicial Council and the Commission on Minorities in the Judiciary, the groups' recommendations were outlined in an Arizona State Courts' Racial Justice Initiatives document, which also asks the courts to address how they handle jury selection, cash bail, plea bargains, disproportionate minority contact in the juvenile justice system and the diversity of the bench and court personnel. Task force member attorney and civil rights attorney Benjamin Taylor said examining the state's no-knock procedures is beneficial to both law enforcement and the public "by making sure that those warrants are applied evenly and applied to only extreme circumstances that require the most violent circumstances." Hernandez said she would like to see the task force's recommendations before deciding whether to run a similar bill next session. "Depending on what recommendations they have from these meetings, it will be great for us as legislators to be able to take that information and say, 'OK, this is what the courts are saying is being done or not being done, and this is what we should probably do to make that better,'" she said.

WHEN A JURY OF YOUR PEERS ISN'T

Another Supreme Court task force will take a hard look at how juries are formed in Arizona and whether minorities are discriminatorily kept from the process through peremptory strikes and other barriers. In some counties, the jury pool was drying up as fewer people felt comfortable coming into courthouses to serve during the pandemic. "If someone shows up but they don't sit on a jury trial, under our process, they're excused for 12 to 18 months," Nash said. "So, even if someone was willing, they've kind of already fulfilled their commitment." To reduce the number of potential jurors the courts burned through, Brutinel issued an administrative order that in part limited the number of peremptory strikes, a party's right to remove a potential juror without giving a reason. One of the objectives of the task force is to decide whether that limit should continue for three years to help with the trial backlog in the state. The task force will also examine whether peremptory strikes disproportionately affect minorities and whether permanent changes should be made. A state bar working group studied peremptory strikes this past year and submitted two rule change petitions to the Supreme Court: one to refine the process and one to eliminate it entirely. "We submit that the Court has a clear opportunity to end definitively one of the most obvious sources of racial injustice in the courts," the latter stated.

·WAKE UP CALL·

Mapping commission chooses executive director

Arizona Capitol Times

The chief of staff to a Republican Phoenix City Council member will serve as the executive director for the Arizona Independent Redistricting Commission, solidifying the first major decision the IRC made so far this year.

Bill criminalizing some abortions advances

Capitol Media Services

Brushing aside questions of legality and religion, a House panel voted March 17 along party lines to imprison doctors who terminate a pregnancy solely because the fetus has a genetic defect.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002755
ARZN_REV00068899_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Dating fraud bill moves to Ducey's desk
Capitol Media Services
Arizonans who may be blinded a bit in their search for love are in line to get some protections from the state, if not for heartbreak, at least from being fleeced for their money.

Homeland Security head won't ask Biden to keep building border wall
Arizona Daily Star
The head of the Department of Homeland Security told Congress on Wednesday that he will not ask President Biden to continue building the 30-foot-tall border wall.

Feds set to open large tent facilities to hold migrants in Tucson, Yuma
Arizona Daily Star
Tucson soon could be home to a large tent-like facility to house migrants after they are released by the Border Patrol, officials said Wednesday.

Purchase of wastewater pumps could help increase city's creation of drinkable reuse water
Mohave Valley Daily News
The ultimate purchase of three submersible pumps for the effluent line at the city's Section 10 Wastewater Treatment Plant is expected to aid in ramping up production of drinkable effluent.

State Rep. Leo Biasiucci seeks to strengthen child sex crime laws
Today's News-Herald
State Rep. Leo Biasiucci said he wants to bring down the hammer on child sex crimes and has sponsored a bill that he says would make Arizona one of the strictest states in the country.

Navajo County toughens travel policies
White Mountain Independent
The Navajo County Board of Supervisors has approved a long list of changes in its travel policy in the wake of the indictment of the former health director on the misuse of public funds.

Border Patrol Routinely Deports Migrants to Nogales, Mexico, in the Dead of Night
Phoenix New Times
U.S. Customs and Border Protection officials frequently deport migrants to Nogales, Mexico, in the middle of the night — a practice that immigration advocates say endangers migrants and leaves them vulnerable to exploitation.

Republican legislatures are putting up barriers to voting. We need HR 1 to knock them down
Arizona Republic (opinion, Raul Grijalva)
Listening to Republicans in the state Legislature and Arizona's House Republican delegation in Washington, you would think the 2020 elections were the most corrupt and mismanaged in history.

HR 1 will open up voting access alright — especially for those voting fraudulently
Arizona Republic (opinion, Russ Vought)
Following an election marked by unprecedented concerns over the integrity of its outcome, House Democrats recently rammed through H.R. 1, a bill duplicitously dubbed the "For the People Act."

For shame, Rep. Andy Biggs. Your refusal to honor Capitol police is a stain on Arizona
Arizona Republic (column, Laurie Roberts)
A dozen members of Congress on Wednesday refused to honor the police officers who protected them on Jan. 6 when the nation's Capitol was under attack.

Legislators just expanded their voucher expansion bill. Can they get any more arrogant?
Arizona Republic (column, Laurie Roberts)
In 2018, nearly 1.5 million Arizonans sent a loud and clear message to Gov. Doug Ducey and the Arizona Legislature.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002756
ARZN_REV00068899_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Governor Ducey To Visit Border

PHOENIX — Governor Doug Ducey will travel to Douglas, Arizona on Friday, March 19 to get a first-hand view of the security and humanitarian situation at the U.S.-Mexico border.
Governor Ducey will be joined by U.S. Senator Rick Scott of Florida, a member of the Senate Homeland Security and Governmental Affairs Committee; state lawmakers; and community leaders from Cochise County.
The governor will participate in an aerial border tour, receive a briefing and hold a border security roundtable.
Media is invited to a press conference during the governor's visit:
WHO: Governor Doug Ducey and Florida Senator Rick Scott will be joined by: Arizona Speaker of the House Rusty Bowers, Arizona State Senator David Gowan, Arizona State Representatives Becky Nutt and Gail Griffin, Cochise County Sheriff Mark Dannels, Arizona Department of Public Safety (DPS) Director Col. Heston Silbert, DPS Deputy Director Ken Hunter, Cochise County Supervisor Ann English, and Douglas Mayor Don Huish
WHAT: Press Conference During Governor's Border Visit
WHERE: U.S.-Mexico Border in Cochise County, Arizona
Meet at:
Douglas Municipal Airport
3200 E 10th St
Douglas, AZ 85607
WHEN: Friday, March 19 at 12:00 p.m. MST
Media should arrive by 10:30 a.m.
RSVP: Media must RSVP to communications@az.gov
ON SITE POINT OF CONTACT:
C.J. Karamargin, (520) 909-9342
Ben Petersen, (520) 461-6388

Update on the full, detailed audit of the 2020 election in Maricopa County

"As thousands of our voters continue to call for a thorough audit of the 2020 election in Maricopa County, I am pleased to report we have narrowed it down to a preferred forensic audit team. We are negotiating final details on the execution of the audit and hope to have an announcement soon.
Our desire is to work closely with the County Board of Supervisors, and the Senate continues to believe the proper location of the audit is at the County, to preserve the chain of custody and maintain security of the ballots and equipment. Our goal is to make this a bipartisan effort with full transparency and in joint cooperation with Maricopa County officials. We've been reaching out to experts on election processes in Arizona and around the nation and hope to have the best and brightest involved in the audit.
This audit will be broad and detailed: the team will include, but is not limited to, testing the machines, scanning the ballots, performing a full hand count and checking for any IT breaches. When all the work is done, there will be a full report for the Senate and County to review. Our voters expect this audit, and it can be a big step in returning trust and confidence in our election process."

MARICOPA COUNTY INMATES TO RECEIVE COVID-19 VACCINE

Phoenix, AZ – This morning Correctional Health Services (CHS) began providing Johnson & Johnson COVID-19 vaccines to Maricopa County inmates age 55 and over who would like to receive the vaccine.
CHS received 400 doses of the Johnson & Johnson vaccine from the Public Health Department earlier this week for our incarcerated population.
Currently, there are 318 inmates in our jail facilities who are 55 and over. These facilities include Lower Buckeye Jail, Towers Jail, Watkins Jail, 4th Ave Jail, and Estrella Jail.
During this vaccination program, MCSO is providing logistical and officer support to the CHS deployment plan and their personnel to aid them in implementing a safe and efficient process for everyone involved. Other county jails in the State are undertaking a similar process.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002757
ARZN_REV00068899_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Providing the Covid-19 vaccine to our incarcerated population is yet another step to help keep our inmates, staff and medical personnel safe and healthy," said Sheriff Penzone. "We are beginning to see the light at the end of the tunnel and are appreciative for the partnership with CHS and Public Health as we continue working towards restarting jail programs, expanding resources, and turning the page on this pandemic."

Clerk Launches Free Public Webinar Series for Journalists

March 18, 2021 – The Clerk of the Superior Court in Maricopa County is excited to announce a public webinar series geared toward members of the news media. *The Media Academy* program is a public outreach initiative that was created on the heels of the successful *Clerk Services in the Age of COVID-19* public webinar program, which attracted nearly 200 attendees.

The first *Media Academy* live presentation, which is scheduled to take place April 8th, will cover public records requests. The webinar will include an in-depth discussion on how members of the news media can obtain public records and feature panelists from the Clerk's public records Customer Service Center and legal teams. Additional topics will cover the types of public records available for request by the media, ways in which the members of the media can obtain these records, and the relevant rules and procedures that may impact release of records. The presentation will also feature a live 30-minute Q&A.

All members of the media who regularly require access to Maricopa County Superior Court records are encouraged to attend. Registration at https://register.gotowebinar.com/register/4953464123863823884.

Event Details:

Title: *Media Academy: Public Records & Requests*
Date: Thursday, April 8, 2021
Time: 1:00-3:00 PM
Cost: FREE

Board Seeks Applicants for West McDowell Precinct Constable

Phoenix – The Maricopa County Board of Supervisors seeks applicants for appointment to the position of West McDowell Justice Precinct Constable. Constable Rudy Santa Cruz has retired, leaving the office vacant.

Constables execute and serve warrants, protective orders, summonses and subpoenas, and other justice court orders including evictions. By law, the appointee must be a Democrat, like Santa Cruz, live in the West McDowell Justice Precinct, and be a registered Arizona voter. The Board of Supervisors will fill the vacancy for the remainder of the term which ends December 31, 2022.

Applicants should send their letters of interest along with a resume to the Office of the Clerk of the Board of Supervisors, 301 W. Jefferson, 10th Floor, Phoenix, AZ 85003 or ClerkBoard@mail.maricopa.gov. Applications will be accepted through Friday, March 26, 2021 at 5pm. All applicants will be subject to a background check including a financial review.

The West McDowell Precinct lies to the west of downtown Phoenix in Supervisorial District 5. Go here to see an interactive map of the precinct boundaries.

Please direct any questions to David Galaviz david.galaviz@maricopa.gov, Board of Supervisors, District 5 office.

Arizona Supreme Court Approves First Alternative Business Structures

PHOENIX – For the first time since the Arizona Supreme Court approved a series of legal services reforms, the Court has approved the first two entities authorized to provide legal services in an arrangement where lawyers and nonlawyers can co-own a business that includes legal services. The arrangement, called Alternative Business Structures, or ABS, allows licensed attorneys to join with nonlawyers who can provide complementary services to the clients they serve. The two entities approved by Administrative Orders of the Court today are Trajan Estate, LLC, a legal service provider focused on estate planning; and Payne Huebsch, PLC, a firm that provides transactional legal services combined with tax and accounting advice.

Vice Chief Justice Ann A. Scott Timmer, who chaired the Court's Delivery of Legal Services Task Force that led to the reforms, stated, "It's exciting to launch the first ABS entities, and I am certain that such arrangements will serve both the public and legal community in the delivery of quality legal services." Mike Payne, a principal of Payne Huebsch, PLC stated, "We are honored to be among the first applicants to be approved by the Arizona Supreme Court

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002758

ARZN_REV00068899_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

as an Alternative Business Structure. The ABS designation will allow us to provide the legal, accounting, and tax services every business needs under one roof. Integrating lawyers into our staff will afford clients earlier, more frequent, and more affordable access to the protective tools and strategies available under the law." The businesses can now begin operations under the regulations authorized by the Court.
Three additional providers have applied to the Court for authorization as Alternative Business Structures in Arizona. The ABS option is one of several reforms the Arizona Supreme Court pursued for improving access to courts and to make legal services more available to the public for individual legal needs. To follow the Court's work, find more information about legal services reforms in Arizona, and to track the progress of these initiatives, see the Legal Services Reforms website at https://www.azcourts.gov/accesstolegalservices/.

Senator Kelly Townsend seeks answers regarding unaccompanied children at the border.

Senator Kelly Townsend (R-LD16) is seeking answers regarding the handling and fate of the thousands of unaccompanied minors held at the US border.
"I am concerned about the well-being of these children," said Townsend. "Regardless of where you stand on the issue of illegal immigration, history shows us that children have been mistreated, molested, and held longer than the 72-hour maximum."
Townsend continued, "I would like to know what the state is doing to ensure that they are being kept in humane conditions and are not being further victimized. I am concerned for their welfare, I am disturbed that they have been subjected to these dangers in the first place, and I want to know what the Federal government is doing to mitigate the situation."
Townsend is calling on State and local leadership to keep a close eye on this situation so that there is not a repeat of what we have seen in the past. Additionally, she is calling on the Biden administration to take the necessary measures to reverse the flood of persons coming to this country with an expectation of easy entry. "This is no time to invite the masses into our country during a pandemic," Townsend said. "I call on the President to reverse course and ask these folks to enter the legal way. If not, they should return home and not risk their children's safety and wellbeing by sending them here on their own."

New Polling Shows that Arizonans Oppose Efforts to Undermine Grassroots Ballot Initiatives

Republicans in the Arizona state legislature are currently pushing forward a series of bills that would make it more difficult, if not impossible, for grassroots citizen initiatives to win lasting change at the ballot box. These bills take our state backwards, disrupting a long standing tradition of direct democracy in Arizona that has been utilized by Arizonans across the political spectrum for decades.
New polling shows that an overwhelming majority of democrats and republicans agree that the legislature should not be allowed to limit, block or reverse ballot measures that have been passed by voters, with 73% of respondents allocating less than 20 points out of scale of 100 for support. Furthermore, 80% of Arizonans from all walks of life agree that the legislature should not limit their access to direct democracy, with 56% of respondents indicating that it is never appropriate.
Therefore, it is unsurprising that new polling conducted by Trendency over the past two weeks shows that these proposals are incredibly unpopular with voters. This polling is unique in that respondents were asked to respond to a set of questions with a rating between 0 (Strongly disagree) to 100 (Strongly Agree).

- Having the freedom to take action when Arizona politicians do not is clearly a core value that crosses party lines. When asked if state legislatures should be allowed to limit, block, or reverse ballot measures that have been passed by voters **Democrats averaged a 9, Independents a 14, and Republicans an 18.** So all very strongly disagreed.
- It is rare to see data that shows the average voter to be keenly aware of an issue moving at the state legislature. However, when asked whether they are concerned about the possibility of the state legislature limiting, blocking, or reversing a ballot measure passed *by them,* Arizona voters averaged a 65 which is above the national level of concern (59).
- This current fight over ballot measures comes down to the question of whether state legislatures should be allowed to limit access to direct democratic actions like ballot measures or initiatives. So we asked that

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002759
ARZN_REV00068899_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

question and it's clear, **more than half** of Arizonans believe that the legislature should **never** be allowed to limit access.

"Arizonans have always valued our independence and having the ability to act when our elected leaders do not or will not. The laws Republican legislators are trying to pass now are not only unpopular, they will destroy that right for all Arizonans," said Jenny Guzman, Legislative Communications Director for Progress Arizona.

Trendency Research conducted this live response poll over five weeks, running from January 31 – February 28, with approximately 850 respondents statewide.

Rep. Kirkpatrick Introduces the American Dream Employment Act of 2021

Would Allow DACA, TPS, & DED Beneficiaries to work in Congress

WASHINGTON — Today, Representative Kirkpatrick introduced the American Dream Employment Act of 2021. Under current law, paid employment in the House and Senate is limited to individuals who are U.S. citizens or lawful permanent residents in the process of naturalizing. As a result, DREAMers — undocumented people brought to this country as young children — are currently barred from working for Congressional offices. The American Dream Employment Act of 2021 also establishes permanent employment eligibility in the House and Senate for TPS and DED recipients.

Rep. Kirkpatrick is proud to be joined by 50 of her colleagues in the U.S. House of Representatives who signed on to be original co-sponsors of the American Dream Employment Act of 2021:

U.S. Representatives Barragan, Bass, Beyer, Bonamici, Carbajal, Cardenas, Carson, Cicilline, Clark, Cooper, Davis, DeGette, Espaillat, Gallego, Garcia, Grijalva, Hastings, Huffman, Jayapal, Jones, Kind, Lee, Levin, Lofgren, Lowenthal, Matsui, McGovern, McNerney, Meeks, Meng, Moulton, Napolitano, Norton, Omar, Panetta, Pressley, Price, Raskin, Schakowsky, Smith, Stanton, Suozzi, Thompson, Titus, Tlaib, Vargas, Vela, Wasserman Schultz, Watson Coleman, and Welch.

The American Dream Employment Act of 2021 has also been endorsed by United We Dream, Unidos, and Immigration Hub.

"In Arizona and across the country, these individuals are vital members of our communities and make valuable contributions to our nation. They deserve an equal shot of being employed in Congress," **said Rep. Kirkpatrick.** "We have been saying for a while now that we urgently need to fix our immigration system. This change in policy is one step in a series of steps we must take. DREAMers are Americans and they should be able to have a voice in the legislative process, which impacts their lives and communities. I am proud to re-introduce this bill in the 117th Congress."

"We applaud the re-introduction of the American Dream Employment Act," **said Carlos Guevara of UnidosUS**, the nation's largest Hispanic civil rights and advocacy organization. "Dreamers are integral members of our workplace and communities who deserve to live to their full potential and contribute to the well-being of our country. This bill ensures that Dreamers looking to serve the public in Congress have the ability to do so and ensures our nation's leaders are able to leverage their many talents and contributions to the country."

"DACA recipients and TPS holders have lived in the US for most of their lives; they are our families, friends and community members," **said Juliana Macedo do Nascimento, State and Local Policy Manager at United We Dream,** the largest immigrant youth-led network in the country. "They deserve the opportunity to serve their communities and government and get paid for their work. United We Dream is proud to endorse the American Dream Employment Act of 2021 to ensure immigrant youth and TPS holders have the opportunity to be paid for their work in Congress."

For the text of the bill, click here.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002760

ARZN_REV00068899_3-18-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Best and brightest? I'm not sure how that will happen since the best and brightest have already said this audit is unnecessary and irresponsible."

- Hobbs, on Fann's statement that she hopes to attract the best and brightest to help with her audit

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002761

ARZN_REV00068899_3-18-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Friday, March 19, 2021 8:27:26 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Senate Clippings: 3/19/2021
Attachments: March 19, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- 2 bills to loosen gun regulations advance in Arizona Legislature
- AZ legislator Bolick moves to push back state income tax filing deadline to May 17

Arizona Republic

- Senate to tally 2.1M county ballots
- DCS computers blocking oversight agencies' access
- With heat ahead, Arizona to vaccinate more people indoors
- Ducey, others heading to border today amid surge
- Arizonans can now renew their driver's licenses on state website

KTAR News

- Penzone: Maricopa County not seeing effects of recent immigration concerns
- Gov. Ducey signs bill charging adults who tell minors to take their own life
- Arizona to launch state-supported mass vaccination site in Yuma

Arizona Daily Sun

- High-profile projects on state's tentative highway lineup
- Arizona Senate to hand-count 2.1 million Maricopa ballots
- Maricopa County begins providing vaccinations to inmates

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

2 bills to loosen gun regulations advance in Arizona Legislature

Howard Fischer
Arizona Daily Star
March 19, 2021

A Senate panel gave the go-ahead for more people to bring weapons, including loaded guns, into more places.

One measure approved by the Judiciary Committee would allow the more than 390,000 Arizonans with permits to carry a concealed weapon to bring those weapons into most public buildings, regardless of what the sign on the door says.

The 5-2 vote on House Bill 2551 came over the objections of city and county officials who questioned the wisdom of having more armed people in government offices and buildings.

They pointed out that the only way governments could keep out people with guns would be to install and staff metal detectors.

By an identical party-line margin, the Republican-led committee voted to allow any adult to bring a loaded weapon onto a school campus as long as it is left in a locked vehicle.

Current law permits weapons in vehicles, but only if unloaded. House Bill 2840 would remove that requirement.

Both measures, already approved by the House on party-line votes, now go to the full Senate.

PUBLIC BUILDINGS

Rep. John Kavanagh, R-Fountain Hills, the sponsor of the measure about guns in public buildings, said opponents are overly worried.

He pointed out that existing law already allows current and retired police officers to ignore the 'no weapons' signs on public buildings. His bill would expand that to 'a new small group,' he said.

Kavanagh noted that these are people who have taken the required course to get a permit, gone through a background check and been fingerprinted.

None of that impressed Sen. Kirsten Engel, D-Tucson.

First, she said, the number of people with CCW permits is hardly a small group. And she scoffed at the claim people have been properly trained. 'You can take an online course for two hours, pay $89,' Engel said. There's no requirement to show the ability to handle the weapon, and the state no longer certifies instructors.

'I guess there's some kind of fingerprinting along the way but it's not clear exactly when it happens,' Engel continued. 'And, bam, you've got a CCW permit.'

AMERICAN OVERSIGHT

Kavanagh said the current law — the one that makes public buildings posted with signs off limits to those with weapons — is pretty much a joke.

'The sign on the door is very effective at keeping law-abiding citizens with weapons out,' he said.

'It is not that efficient at keeping lawbreakers out,' Kavanagh said. 'Lawbreakers don't obey the law.'

The only way to ensure that everyone in a building is disarmed is to have metal detectors, he said.

That point did not escape Sen. Wendy Rogers, R-Flagstaff, who said she has a CCW permit.

'I want a chance to defend myself,' she said.

But Sen. Martin Quezada, D-Glendale, said that is based on a false premise.

'We kind of promote this idea and we put that in people's heads that if you have a gun you can be a hero,' he said.

'This idea that a random gun owner is going to have the skill, the ability to control their motor control, their adrenaline surge and the emotions in the highest of stress situations and hit their target without hurting themselves or hurting others is kind of ridiculous,' Quezada said. 'The reality is that most people, in general, can't drive to work without spilling coffee.'

Kavanagh said nothing in his proposal would force the owners of private property to allow people to bring their guns. But a gun owner who testified before the committee, Don Johnsen, said that's not exactly true. Johnsen pointed out that the measure would allow CCW permit holders to bring their weapons into any 'public event.' He said that is defined in state law to include even private events for which someone got a government permit, like a street fair or festival.

SCHOOL GROUNDS

House Bill 2840, the legislation on guns on school grounds, has a different origin and different goal.

Rep. Jacqueline Parker, R-Mesa, said the current law makes criminals out of parents who drive onto school property to pick up a child if they happen to have a loaded gun in the vehicle.

'It doesn't involve carrying a gun onto campus or anywhere else,' she said. 'If the gun ever leaves the car, then the bill changes no longer apply.'

But the measure as worded doesn't just cover someone making a quick trip through a parking lot. It also would allow a loaded gun to be in the vehicle all day, where critics said it might be seen, including by students who go to school there, and stolen.

That alarmed Engel, who said lawmakers need to see through the eyes of a mother who has gotten a call from her child who is locked down in school.

'I have actually received that call more than once from my daughter, hiding under a desk because there's somebody with a gun in the parking lot,' she told colleagues.

AMERICAN OVERSIGHT

'And when you drive to the school, you can't even get near it, you can't even help your child,' Engel continued. 'It is a small inconvenience for gun owners to park on the side of a road and unload their gun.'

Rogers said she doesn't see it that way.

'As a parent and a grandparent who has lived in Arizona for 23 years, we cannot be sheep, we cannot be victims,' she said. 'And we need to be able to defend ourselves.'

Return to the table of contents

AZ legislator Bolick moves to push back state income tax filing deadline to May 17

Howard Fischer
Arizona Daily Star
March 19, 2021

A key legislator is moving to ensure that Arizonans can take advantage of the extra month the feds have given them to file their tax returns this year.

Rep. Shawnna Bolick, a Phoenix Republican who heads the House Ways and Means Committee, cited the decision earlier this week by the Internal Revenue Service to push back the normal April 15 deadline to May 17 because of the pandemic.

In Arizona, state law still puts the filing deadline at April 15.

But Arizona is a 'piggy back' state, Bolick noted. That means computations for the state income tax form begin with the taxpayer's federally adjusted gross income.

Therefore, preparing a state tax return is difficult, if not impossible, without first completing the federal form.

'Having the state deadline fall prior to the federal deadline doesn't make a whole lot of sense and would only be cumbersome for state filers,' Bolick said in a prepared statement. 'Arizonans should not be rushed to file their state taxes while they still have time to file their federal taxes.'

Bolick said she intends to put the new deadline of May 17 onto an unrelated bill for approval during a meeting of her committee next Wednesday.

That may or may not be necessary.

A year ago, Gov. Doug Ducey issued an executive order moving the deadline to July 15, following an identical move by the IRS.

An aide to the governor said Thursday the question of a similar order this year is still being reviewed.

Gubernatorial action or not, Bolick said she hopes to address a related problem in the legislation.

AMERICAN OVERSIGHT

Current law still sets April 15 as the deadline for individuals to make donations to qualifying charities in order to get dollar-for-dollar credits on income taxes owed for 2020. Bolick said that needs to be changed by statute.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Senate to tally 2.1M county ballots

Arizona GOP's plan grows to full recount
Bob Christie
Arizona Republic
March 19, 2021

Republicans who control the Arizona Senate announced Thursday they now intend to do a complete recount of 2.1 million ballots in the state's most populous county to ensure that President Joe Biden's November win was legitimate.

Senate President Karen Fann had been pushing for a "full forensic audit" of Maricopa County's election result and won a court order on Feb.26 granting the Senate access to the ballots and tabulation machines. But she had never acknowledged until this week that she wanted a full recount, something state law doesn't allow except in narrow circumstances.

Previous documents obtained by The Associated Press showed Fann intended to recount "at least" 550,000 ballots.

The county Board of Supervisors had argued the ballots were secret and the machines need to remain secure and fought a subpoena issued by

Since winning that court fight, Fann has been trying to locate an auditing firm that can do the deep dive she wants. Some Republican backers of former President Donald Trump allege there was fraud in the election in Arizona and other battleground states that led to his defeat. Fann said she wants to answer their questions one way or the other.

Fann announced Thursday that she had decided on a specific firm to oversee the audit but did not reveal its name, saying she was still negotiating final details.

She had previously been considering a company with deep ties to Trump's campaign but said last month that it was no longer being considered. The Allied Security Operations Group worked with Trump attorney Rudy Giuliani to raise baseless allegations of election fraud and counting errors in Arizona and other states.

Fann's announcement said she now intends to do a full hand recount of the ballots in addition to testing the tabulation machines and rescanning all the ballots.

She said she hopes to do the work at county buildings to ensure ballot security.

But county spokesman Fields Moseley said the county hasn't had any recent discussions about allowing the Senate to use its facilities for its new audit. Early this month, Board Chair Jack Sellers sent a letter to Fann and other GOP senators asking where she wanted the ballots delivered. The Senate said it had no room for them and hoped to use county facilities.

A full hand-recount will be challenging because it will require scores of people and observers if Fann is to end up with a trusted product.

AMERICAN OVERSIGHT

She said she hopes the effort is bipartisan, but Senate Democrats said that is

laughable. “We never wanted anything to do with that,” said Sen. Lupe Contreras, the assistant minority leader. “I guess you could say we worked in a bipartisan way, since we backed the Board of Supervisors, which is all Republican but one,” Contreras said.

The five-member county Board of Supervisors has pointed to repeated checks that showed the election was free, fair and properly conducted. They included pre- and post-election tests of counting equipment and software and a hand count of a ballot sample that showed the machine count was accurate.

Last month, they released the results of two new audits of their equipment done to mollify the Senate. They showed no malicious software or incorrect counting equipment and that none of the computers or equipment were connected to the internet.

“When all the work is done, there will be a full report for the Senate and County to review,” Fann said in a statement. “Our voters expect this audit, and it can be a big step in returning trust and confidence in our election process.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

DCS computers blocking oversight agencies’ access

Portal for foster, adoptive parents delays payments
Mary Jo Pitzl
Arizona Republic
March 19, 2021

Two agencies that have oversight responsibilities for the work of the Arizona Department of Child Safety say they can’t do their jobs because they have been cut off from direct access to the agency’s new computer system.

That means that work on citizen complaints about DCS, as well as mandatory reviews of foster-care cases, has slowed without the ability to read DCS files.

Dave Byers, a member of the state committee that oversees major technology projects, said Wednesday that both the state Ombudsman’s Office and the court-run foster-care review boards are unable to do their work without access to Guardian, the new information-management system at DCS.

Committee members, in a meeting on Wednesday, agreed to ask DCS to address that issue, as well as the agency’s ongoing delays in payments to caregivers, at the next committee meeting in April.

At a previous meeting in early March, a DCS official told the board that Guardian was “working as expected” with “no interruptions at all.”

DCS, in a statement late Wednesday, said it is working on ways to give the agencies access while being mindful of keeping sensitive case information secure.

AMERICAN OVERSIGHT

And it suggested that a third agency that has oversight of DCS, the state auditor general, also has been intentionally blocked from remote access to the new system.

Deliberate changes

Guardian went online Feb. 1.

But, as The Arizona Republic reported that month, DCS soon shut down the portal that foster and adoptive parents are supposed to use to file for the stipends and subsidies they are entitled to.

The agency said it was a deliberate move to "alleviate start-up stress" on a new system.

Like that decision, it appears DCS intentionally excluded the review boards and the Ombudsman's Office from access. Previously, those agencies had access to the CHILDS system, the predecessor to Guardian.

Ombudsman Dennis Wells said his office has not been able to tap into DCS files since Jan. 28. State law, he says, gives the ombudsman direct access to DCS information.

But DCS "has a little different take on that," he said. DCS has suggested Wells' staff should come to DCS headquarters and access the system from there.

In a written statement sent to the The Republic on Wednesday evening, DCS confirmed that it plans to give the auditor and ombudsman access to court files in the future — by going into DCS offices to use computer terminals there.

But that doesn't fit with the ombudsman's legal duties, Wells said.

"We are allowed to investigate complaints against state agencies and look into them in an independent way," Wells said. His agency reports to the state Legislature, giving it independence from the executive branch, which oversees state agencies.

DCS also told The Republic that it is "exploring solutions" to grant remote access for the state oversight entities.

Wells said he is "guardedly optimistic" about a resolution. But, he emphasized, it's important that his staff have direct access to

DCS information and be able to do so from their offices, not DCS headquarters.

Oversight roles hampered

Likewise, the foster care review boards are hoping for a resolution. Byers, in addition to serving on the Information Technology Authorization Committee, oversees the review boards as part of his duties as administrative director of the state court system.

He alerted committee members last month to the review boards' inability to access Guardian.

And, on Wednesday, he said the Ombudsman's Office was having the same problem.

AMERICAN OVERSIGHT

“Unfortunately, both these groups play an oversight role,” he said.

The review boards handle cases involving as many as 2,000 children each month, according to the court. They issue reports to the juvenile courts with recommendations on how a child’s case should proceed.

Since February, no review board hearings have been delayed, court administrators said in a statement. “But the quality of the review is diminished without the necessary information from DCS.”

DCS said it informed review-board officials before Guardian was launched that their staff would not have direct access.

DCS maintains the courts, not DCS, are required to provide case information to the review boards. But since February, the agency has taken this duty on itself, saying it’s a more secure way to handle case files.

Second round of problems

The access issues have cropped up as a second wave of issues with the debut of Guardian. Last month, caregivers for children in foster care and children who have been adopted out of the system discovered their monthly payments were not arriving on time.

DCS resorted to a workaround for March, to ensure the foster and adoptive parents got their payments this month. Many are reporting they have received the payments, although some say they are still due payments from February.

DCS has not yet explained why it rolled out its new system, then quickly shut off access, without having a backup plan. Repeated requests by The Republic for an interview have gone unanswered.

Reach the reporter at maryjo. pitzl@arizonarepublic.com and follow her on Twitter @maryjpitzl.

“We are allowed to investigate complaints against state agencies and look into them in an independent way.”

Dennis Wells
Ombudsman

Return to the table of contents

With heat ahead, Arizona to vaccinate more people indoors

Stephanie Innes and Alison Steinbach
Arizona Republic
March 19, 2021

In anticipation of Arizona’s triple digit heat, the state health department plans on scaling back its outdoor vaccine sites and cutting daytime hours.

AMERICAN OVERSIGHT

State health officials said this week that Arizona's first 24/7 large-scale COVID-19 vaccine site at State Farm Stadium in Glendale will convert to an overnight operation in early April "to protect staff, volunteers and patients from extreme heat."

To replace that capacity, the state is identifying indoor venues to use, the Arizona Department of Health Services said in a news release this week.

The release does not give specific plans, including how indoor venues will handle vehicles. The sites are predominantly for drive-up appointments.

The state also has not said what will happen at another 24/7 site at Phoenix Municipal Stadium, nor at its vaccine sites in Chandler and Tucson. More details are expected later this week, when state health director Dr. Cara Christ gives her regular Friday vaccine news briefing.

"A lot involving weather and the PODs (point of dispensing sites) remains in flux as of today, including the exact hours for State Farm Stadium ... the director plans to make all of this the main topic of her Friday briefing," department spokesman Steve Elliott wrote Wednesday in an email.

The state opened its State Farm Stadium vaccination site Jan. 11, opened at Phoenix Municipal Stadium Feb. 1, and transitioned a POD at the University of Arizona to be a state-run site on Feb. 18. On March 3, the state took over operations of a vaccine site at Chandler-Gilbert Community College that previously has been operated by Dignity Health.

"The state has been able to establish mass-vaccination sites quickly at outdoor venues. Now we will replicate that in places allowing us to continue this momentum as temperatures climb," Christ said in a written statement.

"We expect considerably more vaccine from the federal government in the coming weeks, and state sites will be part of a response that includes community-level efforts by counties, vaccine available at pharmacies and similar settings, and more."

State health officials have said there are plans to stand up state-run PODs in Yuma and Coconino counties, although neither have taken shape yet.

The three state PODs in Maricopa County and one in Pima County have administered a combined nearly 685,000 vaccine doses as of Wednesday, making up about 446,000 people with at least one dose and about 269,000 people fully vaccinated at state PODs.

State Farm Stadium crossed the 500,000 dose administered mark Monday.

More than 2.6 million doses have been administered at all sites statewide, with more than 1.6 million people who have received at least one dose and more than one million people fully vaccinated, per state data as of Wednesday.

Information about vaccine sites across Arizona is available at azhealth.gov/findvaccine, and registration is open for state sites and many others at podvaccine.azdhs.gov.

AMERICAN OVERSIGHT

Those without computers or those who need extra help registering can call the state's help line at 844-5428201. Pima County in southern Arizona has set up its own help line for vaccine scheduling and registration at 520222-0119.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ducey, others heading to border today amid surge

Maria Polletta and Rafael Carranza
Arizona Republic
March 19, 2021

Arizona Gov. Doug Ducey on Friday will travel to Douglas to investigate the recent influx of migrants arriving at the U.S.-Mexico border.

"I need to find out what's happening," the Republican leader told reporters Wednesday, after an unrelated bill signing. "This is a crisis, and it looks like a crisis of the (Joe) Biden White House administration and their policies."

The governor will tour the border from a helicopter, receive a briefing and hold a border security roundtable so he can "see the impacts firsthand and hear from local leaders on the front lines of the worsening situation," according to his office.

U.S. Sen. Rick Scott, a Florida Republican and member of the Senate Homeland Security and Governmental Affairs Committee, will join him. State lawmakers including House Speaker Rusty Bowers, R-Mesa; Sen. David Gowan, R-Sierra Vista; Rep. Becky Nutt, R-Clifton; and Rep. Gail Griffin, R-Hereford, also plan to attend.

Ducey already has called on the Biden administration to intervene and provide funding to address "deteriorating security, health and humanitarian conditions" along the border.

He is scheduled to make additional remarks alongside state and county public safety officials at a noon news conference at Douglas Municipal Airport.

"I'm going to find out what the facts are, and then, of course, we're going to do whatever we can," Ducey said. "(But) we'd like to have some help from the federal government."

Republicans not fans of new approach

Ducey and Scott are among several prominent Republicans who have criticized Biden's handling of border and immigration issues.

Upon taking office, the Democrat immediately sought to reverse the most restrictive policies implemented by former President Donald Trump, a onetime ally of Ducey on border policies.

Biden swiftly suspended enrollment of new cases under the Migrant Protection Protocols, for instance. The policy, better known as "Remain in Mexico," required asylum seekers to wait in Mexico for the duration of their asylum proceedings.

AMERICAN OVERSIGHT

In February, he began allowing in about 27,000 of those asylum seekers, though he kept in place a rule allowing U.S. border officials to immediately expel the majority of migrants detained at the border. He also reversed Trump's rule barring asylum for migrants who didn't first seek protection in Mexico or a third country.

Republicans contend those and other changes are responsible for the ongoing surge in apprehensions at border, which the Department of Homeland Security expects to hit a 20-year high this year.

In Arizona, agents in the Border Patrol's Tucson and Yuma sectors detained 1,750 unaccompanied minors and 2,710 migrants traveling as families in February. That represented a 62% increase in children and a 186% increase in families compared to January.

Southern Texas has also been hit hard, prompting Republican Gov. Greg Abbott to conduct a border visit similar to Ducey's earlier in March. After taking an aerial tour of the Rio Grande Valley and meeting with local and federal officials there, he called the situation in Texas "overwhelming" and blamed Biden's "open border policies."

"(His approach) invites illegal immigration and is creating a humanitarian crisis in Texas right now and will grow increasingly worse by the day," Abbott said.

Ducey eyes law enforcement, border towns

Ducey, who made border security a major talking point of his 2018 reelection bid, met privately with immigration and emergency management officials Wednesday.

"We have a high sense of urgency on this," Ducey told them, according to a summary of the conversation released by his office. "My big concern is this will get dramatically worse before it gets better."

In addition to human trafficking and COVID-19 concerns, the governor has said he is worried about the strain the spike in migrant arrivals has placed on law enforcement and border communities. Border agents already have released some 1,300 migrants on humanitarian parole into the cities of San Luis, Somerton and Yuma in the past month, according to Yuma Mayor Doug Nicholls.

The Border Patrol has told leaders, nonprofits and churches in Cochise, Santa Cruz, Pima, Pinal and Maricopa counties to prepare to be next — even though many of the southern Arizona communities that stand to be affected lack the infrastructure to safely house or relocate migrants.

On Tuesday, U.S. border authorities announced they planned to build two additional "soft-sided facilities" — outdoor tents — in Yuma and Tucson to help with overflow.

In a lengthy statement accompanying the announcement, Homeland Security Secretary Alejandro Mayorkas acknowledged the situation at the border was "difficult."

"We are working around the clock to manage it and we will continue to do so. That is our job," Mayorkas said, underscoring the department's commitment to a "safe, legal, and orderly" immigration system.

AMERICAN OVERSIGHT

"We are making progress and we are executing on our plan. It will take time, and we will not waver in our commitment to succeed."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizonans can now renew their driver's licenses on state website

Delaney White
Arizona Republic
March 19, 2021

The Arizona Department of Transportation Motor Vehicle Division has made it possible for many Arizonans to renew their driver's license online.

This comes as Gov. Doug Ducey's executive order deferring the renewal date by a year for licenses that expire between March 1, 2020, and Feb. 28, 2021, comes to an end. If an individual's photo of record was taken more than 12 years prior to renewal, an inoffice visit will be required to renew a standard Arizona driver's license. However, most Arizonans will be able to renew their license online.

"Most Arizonans with a standard driver license must renew their license when they turn 65 years of age and every five years thereafter," Department director John Halikowski said. "During the pandemic, ADOT wants to continue Governor Ducey's efforts to help protect our most vulnerable and we're pleased to be able to offer a contactless renewal option so people can continue making healthy choices."

The online renewal option was made possible when MVD implemented a new computer system last spring, replacing the obsolete system containing old elements considered no longer sustainable. Customers can log in to their account at AZMVDNow.gov to see if they are eligible for online renewal.

"The website AZMVDNow.gov has added convenience for customers and made it easier for Arizonans to conduct their business with MVD. Adding driver license renewals to the long list of other services, like registration renewals, change of address and ordering a replacement license, will help keep Arizonans out of line and safely on the road," said MVD director Eric Jorgensen.

The Department of Transportation said in a statement a few weeks after the announcement that an error on the renewal website had been fixed.

"The system asked some customers to schedule an in-office appointment for a vision exam, which was not required. This has been fixed," the statement said. However, "An in-office visit is required to renew a standard Arizona driver license if an individual's photo of record was taken more than 12 years prior to the renewal date."

Since online renewal was made available, more than 1,700 online renewals have been processed as of mid-March, the Department said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Penzone: Maricopa County not seeing effects of recent immigration concerns

Torrence Dunham
KTAR News
March 19, 2021

Maricopa County Sheriff Paul Penzone said Thursday the county hasn't seen any specific spikes in areas that correlate to recent border-related developments that have concerned lawmakers.

The comments follow Arizona Gov. Doug Ducey on Wednesday meeting with federal and state officials to discuss immigration issues and express concerns about several developments at the border.

The number of people caught attempting to cross the border is at the highest level since before the COVID-19 pandemic and on track to hit a 20-year high.

Part of the hourlong meeting included how local law enforcement agencies and communities are being affected by a recent increase in illegal immigration.

Penzone told KTAR News 92.3 FM's Gaydos and Chad that crime numbers have been relatively stable in the county, adding there is currently an average 4,500 to 5,000 inmate population per day. That marks a decrease from 7,500 to 8,000 before the onset of the COVID-19 pandemic, Penzone said.

"There isn't necessarily a surge specifically in that particular area," Penzone said, adding he checks the crime numbers daily.

"It doesn't mean this issue doesn't exist," Penzone said. "But are we feeling the effects right now? No. I don't see anything to that extent."

Ducey said immigration issues have a high sense of urgency and his concern is it will get dramatically worse before it gets better, calling the issue a "crisis."

Freshman Sen. Mark Kelly of Arizona echoed Ducey, telling KTAR News 92.3 FM's Arizona's Morning News on Thursday the swell of migrants at the border is a crisis.

Penzone agreed with Ducey and Kelly, but said it's not a recent development.

"It didn't start yesterday, it didn't start under any one particular administration," Penzone said, adding it all comes back to politics. "It's just those who are responsible to push us forward on the challenge have either made excuses or drawn political lines to the detriment of our nation as well as the opportunity for immigrants to come here and thrive in some capacity."

"This is a crisis that has been a problem for a long period of time and the crisis is beyond just the idea of people unlawfully crossing the border – which is unacceptable," Penzone added.

He said the country has failed to address the problem of immigration reform, including having processes that are more expeditious and fair.

AMERICAN OVERSIGHT

This includes, Penzone said, doing a better job of separating issues of criminal nature as opposed to those who will "trek across the desert sometimes at the expense of their own lives to try to get to a place where they feel there is a better opportunity for their families."

"In this nation when we put our minds together, we are capable of accomplishing a lot," Penzone said. "The idea or the challenge of having a crisis right now that has been in existence for far too long is unacceptable and it falls on those who are responsible to initiate the opportunity to develop solutions."

"We need to get to work on it, the time for excuses has come and gone," Penzone added. "So let's take this issue and let's correct it."

Ducey, U.S. Sen. Rick Scott of Florida – a member of the Senate Homeland Security and Governmental Affairs Committee – and several state lawmakers will tour the border in Douglas on Friday and discuss border security in a roundtable meeting.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Gov. Ducey signs bill charging adults who tell minors to take their own life

Griselda Zetino
KTAR News
March 19, 2021

Adults can now be charged with manslaughter for advising or encouraging minors to take their own life.

Arizona Gov. Doug Ducey signed a bill Wednesday making that a new law in the state.

"I'm hopeful it'll help to protect Arizonans who fall victim to horrible people and send a message to predators that this will not be tolerated," Ducey said moments before signing HB 2459 into law.

Joining him for the signing was Paolla Jordan. Her 17-year-old son, Adrio, died by suicide in 2019 after someone he met online encouraged and even instructed him on how to take his own life.

When Jordan tried to get law enforcement involved, she was told there was nothing authorities could do. They explained there was no law on the books that prohibits adults to encourage or instruct minors to die by suicide.

"What happened to her son is a tragedy," Ducey said. "I'm eager to sign this bill in memory of him so this never happens again."

At the bill signing ceremony, Jordan thanked Rep. Jeff Weninger, R-Chandler, for introducing HB 2459 and Ducey for getting it across the finish line.

"I don't want another family to go through what we've gone through," she said.

Jordan is now looking to make this a federal law by passing a similar bill in Congress

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona to launch state-supported mass vaccination site in Yuma

Danny Shapiro
KTAR News
March 19, 2021

Arizona is launching a state-supported mass vaccination site in Yuma beginning March 29, Gov. Doug Ducey's office announced Thursday.

Capacity and hours of operation will expand for the site already in service located at the Yuma Civic Center.

The site will offer 8,000 appointments per week and will be in operation from 7 a.m. to 5 p.m. seven days a week.

It will be the state's fifth operational vaccination site and first in southwestern Arizona.

"Arizona's vaccination sites have been instrumental in the state's work to protect communities and vulnerable populations," Ducey said in a press release. "We want to make sure rural areas have easy access to vaccinations and operations at the Yuma site will support those efforts."

The site will be run through a partnership between Ducey, the Arizona Department of Health Services, Yuma County, the city of Yuma and Yuma Regional Medical Center.

Yuma Civic Center has been offering the Moderna vaccine but will switch to the Pfizer option beginning March 29.

The state health department will work to ensure people who received Moderna at the site for their first dose will get a second dose.

"This state-supported vaccination site is critical to get the Yuma community to the next level in the fight against COVID," Yuma Mayor Douglas J. Nicholls said in the release. "The city is excited to be part of the effort to provide more opportunities for more people to get their COVID vaccine."

Appointments for the week of March 29 will be made available March 26 beginning at 11 a.m. online or by calling 1-844-542-8201.

State-run sites are currently administering vaccine to those 55 and older.

Arizona also has state-run sites at State Farm Stadium in Glendale, Phoenix Municipal Stadium, Chandler-Gilbert Community College and at the University of Arizona.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

High-profile projects on state's tentative highway lineup

Arizona Daily Sun
March 19, 2021

The latest update to Arizona's highway construction program is up for public comment, with a lineup that includes high-profile projects involving several major routes.

The Arizona Department of Transportation on Thursday began a public comment period on the 2022-2026 tentative five-year construction program.

Major projects included in the tentative program include adding lanes to Interstate 17 between Anthem Way on the far northern outskirts of metro Phoenix and Sunset Point and replacing Interstate 10 bridges over the Gila River south of metro Phoenix.

Construction of the $328 million I-17 lanes project is scheduled to begin in 2022, and the $83 million bridge project is scheduled to get underway in 2023.

Two construction projects involve U.S. 93, the principal route between Phoenix and Las Vegas.

Constructing the first phase of a new interchange between U.S. 93 and Interstate 40 in west Kingman is scheduled to start by 2024, while a project to widen 4 miles (6 kilometers) of U.S. 93 north of Wickenburg is scheduled for 2022.

The Kingman project's cost is put at $70 million, while the Wickenburg project is estimated at $41 million.

The department plans four public hearings on the five-year program between now and when the State Transportation Board considers the plan June 18.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

Arizona Senate to hand-count 2.1 million Maricopa ballots

Bob Christie
Arizona Daily Sun
March 19, 2021

In this May 26, 2020, file photo, Arizona Senate President Karen Fann, R-Prescott, speaks to the media in Phoenix. Arizona's Republican Senate president said Wednesday, March 10, 2021, she has narrowed the search for a firm to do a full audit of the 2020 election results in the state's most populous county and plans to invite Democrats to participate in the process. Still, nearly two weeks after a judge sided with the Senate in a fight over access to ballots and elections equipment from Maricopa County's election, Senate President Fann said there are many details still to be worked out.

AMERICAN OVERSIGHT

Republicans who control the Arizona Senate announced Thursday they now intend to do a complete recount of 2.1 million ballots in the state's most populous county to ensure that President Joe Biden's November win was legitimate.

Senate President Karen Fann had been pushing for a "full forensic audit" of Maricopa County's election result and won a court order on Feb. 26 granting the Senate access to the ballots and tabulation machines. But she had never acknowledged until this week that she wanted a full recount, something state law doesn't allow except in narrow circumstances.

Previous documents obtained by The Associated Press showed Fann intended to recount "at least" 550,000 ballots.

The county Board of Supervisors had argued the ballots were secret and the machines need to remain secure and fought a subpoena issued by Senate Republicans.

Since winning that court fight, Fann has been trying to locate an auditing firm that can do the deep dive she wants. Some Republican backers of former President Donald Trump allege there was fraud in the election in Arizona and other battleground states that led to his defeat. Fann said she wants to answer their questions one way or the other.

Fann announced Thursday that she had decided on a specific firm to oversee the audit but did not reveal its name, saying she was still negotiating final details.

She had previously been considering a company with deep ties to Trump's campaign but said last month that it was no longer being considered. The Allied Security Operations Group worked with Trump attorney Rudy Giuliani to raise baseless allegations of election fraud and counting errors in Arizona and other states.

Fann's announcement said she now intends to do a full hand recount of the ballots in addition to testing the tabulation machines and rescanning all the ballots. She said she hopes to do the work at county buildings to ensure ballot security.

But county spokesman Fields Moseley said the county hasn't had any recent discussions about allowing the Senate to use its facilities for its new audit. Early this month. Board Chair Jack Sellers sent a letter to Fann and other GOP senators asking where she wanted the ballots delivered. The Senate said it had no room for them and hoped to use county facilities.

A full hand-recount will be challenging because it will require scores of people and observers if Fann is to end up with a trusted product.

She said she hopes the effort is bipartisan, but Senate Democrats said that is laughable.

"We never wanted anything to do with that," said Sen. Lupe Contreras, the assistant minority leader. "I guess you could say we worked in a bipartisan way, since we backed the Board of Supervisors, which is all Republican but one," Contreras said.

AMERICAN OVERSIGHT

The five-member county Board of Supervisors has pointed to repeated checks that showed the election was free, fair and properly conducted. They included pre- and post-election tests of counting equipment and software and a hand count of a ballot sample that showed the machine count was accurate.

Last month, they released the results of two new audits of their equipment done to mollify the Senate. They showed no malicious software or incorrect counting equipment and that none of the computers or equipment were connected to the internet.

"When all the work is done, there will be a full report for the Senate and County to review," Fann said in a statement. "Our voters expect this audit, and it can be a big step in returning trust and confidence in our election process."

Return to the table of contents

Maricopa County begins providing vaccinations to inmates

Arizona Daily Sun
March 19, 2021

Arizona's most populous county on Thursday began providing COVID-19 vaccinations to willing jail inmates who are 55 or over, the Maricopa County Sheriff's Office announced.

The county Correctional Health Services Department received 400 doses of the Johnson & Johnson vaccine from the county Public Health Department earlier this week for administration to inmates, the Sheriff's Office said.

The county's five jails have 318 inmates who are 55 or older, the office said.

"We are beginning to see the light at the end of the tunnel and are appreciative for the partnership with CHS and Public Health as we continue working towards restarting jail programs, expanding resources, and turning the page on this pandemic," Sheriff Paul Penzone said in a statement.

In other developments, the state on Thursday announced the availability of 5,000 COVID-19 vaccination appointments at two large state-run sites in metro Phoenix and reported 284 additional confirmed cases and 59 more deaths.

Cancellations made the vaccination appointments for people 55 and older available for online signups at State Farm Stadium and Chandler-Gilbert Community College, the Department of Health Service said.

Gov. Doug Ducey's office also announced a partnership to expand an existing vaccination site at the Yuma Civic Center. Starting on March 29, the site will operate seven days a week from 7 a.m. through 5 p.m. and will initially offer 8,000 appointments a week. The state will help Yuma County, the city and Yuma Regional Medical Center run the expanded operation.

The state already operates three mass vaccination sites in metro Phoenix and one in Tucson and is planning to open a site in the Flagstaff area. State sites are currently administering vaccine to people age 55 and older.

AMERICAN OVERSIGHT

Thursday was the sixth consecutive day that the state reported fewer than 1,000 cases. Arizona's pandemic totals now stand at 834,607 cases and 16,645 deaths, according to the state's coronavirus dashboard.

The number of COVID-19 patients occupying inpatient beds continued to drop, with 743 occupying the beds as of Wednesday, down from the Jan. 11 pandemic high of 5,082.

The state's seven-day rolling average of daily new cases declined from 1,141 on March 2 to 813 on Tuesday while the seven-day rolling average of daily deaths dropped from 66 to 26 during the same period, according to data from Johns Hopkins University.

The number of infections is thought to be far higher than reported because many people have not been tested. Studies suggest people can be infected with the virus without feeling sick.

Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, March 19, 2021 8:27:27 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: Senate Clippings: 3/19/2021
Attachments: March 19, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- 2 bills to loosen gun regulations advance in Arizona Legislature
- AZ legislator Bolick moves to push back state income tax filing deadline to May 17

Arizona Republic

- Senate to tally 2.1M county ballots
- DCS computers blocking oversight agencies' access
- With heat ahead, Arizona to vaccinate more people indoors
- Ducey, others heading to border today amid surge
- Arizonans can now renew their driver's licenses on state website

KTAR News

- Penzone: Maricopa County not seeing effects of recent immigration concerns
- Gov. Ducey signs bill charging adults who tell minors to take their own life
- Arizona to launch state-supported mass vaccination site in Yuma

Arizona Daily Sun

- High-profile projects on state's tentative highway lineup
- Arizona Senate to hand-count 2.1 million Maricopa ballots
- Maricopa County begins providing vaccinations to inmates

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

2 bills to loosen gun regulations advance in Arizona Legislature

Howard Fischer
Arizona Daily Star
March 19, 2021

A Senate panel gave the go-ahead for more people to bring weapons, including loaded guns, into more places.

One measure approved by the Judiciary Committee would allow the more than 390,000 Arizonans with permits to carry a concealed weapon to bring those weapons into most public buildings, regardless of what the sign on the door says.

The 5-2 vote on House Bill 2551 came over the objections of city and county officials who questioned the wisdom of having more armed people in government offices and buildings.

They pointed out that the only way governments could keep out people with guns would be to install and staff metal detectors.

By an identical party-line margin, the Republican-led committee voted to allow any adult to bring a loaded weapon onto a school campus as long as it is left in a locked vehicle.

Current law permits weapons in vehicles, but only if unloaded. House Bill 2840 would remove that requirement.

Both measures, already approved by the House on party-line votes, now go to the full Senate.

PUBLIC BUILDINGS

Rep. John Kavanagh, R-Fountain Hills, the sponsor of the measure about guns in public buildings, said opponents are overly worried.

He pointed out that existing law already allows current and retired police officers to ignore the 'no weapons' signs on public buildings. His bill would expand that to 'a new small group,' he said.

Kavanagh noted that these are people who have taken the required course to get a permit, gone through a background check and been fingerprinted.

None of that impressed Sen. Kirsten Engel, D-Tucson.

First, she said, the number of people with CCW permits is hardly a small group. And she scoffed at the claim people have been properly trained. 'You can take an online course for two hours, pay $89,' Engel said. There's no requirement to show the ability to handle the weapon, and the state no longer certifies instructors.

'I guess there's some kind of fingerprinting along the way but it's not clear exactly when it happens,' Engel continued. 'And, bam, you've got a CCW permit.'

AMERICAN OVERSIGHT

Kavanagh said the current law — the one that makes public buildings posted with signs off limits to those with weapons — is pretty much a joke.

'The sign on the door is very effective at keeping law-abiding citizens with weapons out,' he said.

'It is not that efficient at keeping lawbreakers out,' Kavanagh said. 'Lawbreakers don't obey the law.'

The only way to ensure that everyone in a building is disarmed is to have metal detectors, he said.

That point did not escape Sen. Wendy Rogers, R-Flagstaff, who said she has a CCW permit.

'I want a chance to defend myself,' she said.

But Sen. Martin Quezada, D-Glendale, said that is based on a false premise.

'We kind of promote this idea and we put that in people's heads that if you have a gun you can be a hero,' he said.

'This idea that a random gun owner is going to have the skill, the ability to control their motor control, their adrenaline surge and the emotions in the highest of stress situations and hit their target without hurting themselves or hurting others is kind of ridiculous,' Quezada said. 'The reality is that most people, in general, can't drive to work without spilling coffee.'

Kavanagh said nothing in his proposal would force the owners of private property to allow people to bring their guns. But a gun owner who testified before the committee, Don Johnsen, said that's not exactly true. Johnsen pointed out that the measure would allow CCW permit holders to bring their weapons into any 'public event.' He said that is defined in state law to include even private events for which someone got a government permit, like a street fair or festival.

SCHOOL GROUNDS

House Bill 2840, the legislation on guns on school grounds, has a different origin and different goal.

Rep. Jacqueline Parker, R-Mesa, said the current law makes criminals out of parents who drive onto school property to pick up a child if they happen to have a loaded gun in the vehicle.

'It doesn't involve carrying a gun onto campus or anywhere else,' she said. 'If the gun ever leaves the car, then the bill changes no longer apply.'

But the measure as worded doesn't just cover someone making a quick trip through a parking lot. It also would allow a loaded gun to be in the vehicle all day, where critics said it might be seen, including by students who go to school there, and stolen.

That alarmed Engel, who said lawmakers need to see through the eyes of a mother who has gotten a call from her child who is locked down in school.

'I have actually received that call more than once from my daughter, hiding under a desk because there's somebody with a gun in the parking lot,' she told colleagues.

AMERICAN OVERSIGHT

'And when you drive to the school, you can't even get near it, you can't even help your child,' Engel continued. 'It is a small inconvenience for gun owners to park on the side of a road and unload their gun.'

Rogers said she doesn't see it that way.

'As a parent and a grandparent who has lived in Arizona for 23 years, we cannot be sheep, we cannot be victims,' she said. 'And we need to be able to defend ourselves.'

Return to the table of contents

AZ legislator Bolick moves to push back state income tax filing deadline to May 17

Howard Fischer
Arizona Daily Star
March 19, 2021

A key legislator is moving to ensure that Arizonans can take advantage of the extra month the feds have given them to file their tax returns this year.

Rep. Shawnna Bolick, a Phoenix Republican who heads the House Ways and Means Committee, cited the decision earlier this week by the Internal Revenue Service to push back the normal April 15 deadline to May 17 because of the pandemic.

In Arizona, state law still puts the filing deadline at April 15.

But Arizona is a 'piggy back' state, Bolick noted. That means computations for the state income tax form begin with the taxpayer's federally adjusted gross income.

Therefore, preparing a state tax return is difficult, if not impossible, without first completing the federal form.

'Having the state deadline fall prior to the federal deadline doesn't make a whole lot of sense and would only be cumbersome for state filers,' Bolick said in a prepared statement. 'Arizonans should not be rushed to file their state taxes while they still have time to file their federal taxes.'

Bolick said she intends to put the new deadline of May 17 onto an unrelated bill for approval during a meeting of her committee next Wednesday.

That may or may not be necessary.

A year ago, Gov. Doug Ducey issued an executive order moving the deadline to July 15, following an identical move by the IRS.

An aide to the governor said Thursday the question of a similar order this year is still being reviewed.

Gubernatorial action or not, Bolick said she hopes to address a related problem in the legislation.

AMERICAN OVERSIGHT

Current law still sets April 15 as the deadline for individuals to make donations to qualifying charities in order to get dollar-for-dollar credits on income taxes owed for 2020. Bolick said that needs to be changed by statute.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Senate to tally 2.1M county ballots

Arizona GOP's plan grows to full recount
Bob Christie
Arizona Republic
March 19, 2021

Republicans who control the Arizona Senate announced Thursday they now intend to do a complete recount of 2.1 million ballots in the state's most populous county to ensure that President Joe Biden's November win was legitimate.

Senate President Karen Fann had been pushing for a "full forensic audit" of Maricopa County's election result and won a court order on Feb.26 granting the Senate access to the ballots and tabulation machines. But she had never acknowledged until this week that she wanted a full recount, something state law doesn't allow except in narrow circumstances.

Previous documents obtained by The Associated Press showed Fann intended to recount "at least" 550,000 ballots.

The county Board of Supervisors had argued the ballots were secret and the machines need to remain secure and fought a subpoena issued by

Since winning that court fight, Fann has been trying to locate an auditing firm that can do the deep dive she wants. Some Republican backers of former President Donald Trump allege there was fraud in the election in Arizona and other battleground states that led to his defeat. Fann said she wants to answer their questions one way or the other.

Fann announced Thursday that she had decided on a specific firm to oversee the audit but did not reveal its name, saying she was still negotiating final details.

She had previously been considering a company with deep ties to Trump's campaign but said last month that it was no longer being considered. The Allied Security Operations Group worked with Trump attorney Rudy Giuliani to raise baseless allegations of election fraud and counting errors in Arizona and other states.

Fann's announcement said she now intends to do a full hand recount of the ballots in addition to testing the tabulation machines and rescanning all the ballots.

She said she hopes to do the work at county buildings to ensure ballot security.

But county spokesman Fields Moseley said the county hasn't had any recent discussions about allowing the Senate to use its facilities for its new audit. Early this month, Board Chair Jack Sellers sent a letter to Fann and other GOP senators asking where she wanted the ballots delivered. The Senate said it had no room for them and hoped to use county facilities.

A full hand-recount will be challenging because it will require scores of people and observers if Fann is to end up with a trusted product.

AMERICAN OVERSIGHT

She said she hopes the effort is bipartisan, but Senate Democrats said that is

laughable. “We never wanted anything to do with that,” said Sen. Lupe Contreras, the assistant minority leader. “I guess you could say we worked in a bipartisan way, since we backed the Board of Supervisors, which is all Republican but one,” Contreras said.

The five-member county Board of Supervisors has pointed to repeated checks that showed the election was free, fair and properly conducted. They included pre- and post-election tests of counting equipment and software and a hand count of a ballot sample that showed the machine count was accurate.

Last month, they released the results of two new audits of their equipment done to mollify the Senate. They showed no malicious software or incorrect counting equipment and that none of the computers or equipment were connected to the internet.

“When all the work is done, there will be a full report for the Senate and County to review,” Fann said in a statement. “Our voters expect this audit, and it can be a big step in returning trust and confidence in our election process.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

DCS computers blocking oversight agencies’ access

Portal for foster, adoptive parents delays payments
Mary Jo Pitzl
Arizona Republic
March 19, 2021

Two agencies that have oversight responsibilities for the work of the Arizona Department of Child Safety say they can’t do their jobs because they have been cut off from direct access to the agency’s new computer system.

That means that work on citizen complaints about DCS, as well as mandatory reviews of foster-care cases, has slowed without the ability to read DCS files.

Dave Byers, a member of the state committee that oversees major technology projects, said Wednesday that both the state Ombudsman’s Office and the court-run foster-care review boards are unable to do their work without access to Guardian, the new information-management system at DCS.

Committee members, in a meeting on Wednesday, agreed to ask DCS to address that issue, as well as the agency’s ongoing delays in payments to caregivers, at the next committee meeting in April.

At a previous meeting in early March, a DCS official told the board that Guardian was “working as expected” with “no interruptions at all.”

DCS, in a statement late Wednesday, said it is working on ways to give the agencies access while being mindful of keeping sensitive case information secure.

AMERICAN OVERSIGHT

And it suggested that a third agency that has oversight of DCS, the state auditor general, also has been intentionally blocked from remote access to the new system.

Deliberate changes

Guardian went online Feb. 1.

But, as The Arizona Republic reported that month, DCS soon shut down the portal that foster and adoptive parents are supposed to use to file for the stipends and subsidies they are entitled to.

The agency said it was a deliberate move to "alleviate start-up stress" on a new system.

Like that decision, it appears DCS intentionally excluded the review boards and the Ombudsman's Office from access. Previously, those agencies had access to the CHILDS system, the predecessor to Guardian.

Ombudsman Dennis Wells said his office has not been able to tap into DCS files since Jan. 28. State law, he says, gives the ombudsman direct access to DCS information.

But DCS "has a little different take on that," he said. DCS has suggested Wells' staff should come to DCS headquarters and access the system from there.

In a written statement sent to the The Republic on Wednesday evening, DCS confirmed that it plans to give the auditor and ombudsman access to court files in the future — by going into DCS offices to use computer terminals there.

But that doesn't fit with the ombudsman's legal duties, Wells said.

"We are allowed to investigate complaints against state agencies and look into them in an independent way," Wells said. His agency reports to the state Legislature, giving it independence from the executive branch, which oversees state agencies.

DCS also told The Republic that it is "exploring solutions" to grant remote access for the state oversight entities.

Wells said he is "guardedly optimistic" about a resolution. But, he emphasized, it's important that his staff have direct access to

DCS information and be able to do so from their offices, not DCS headquarters.

Oversight roles hampered

Likewise, the foster care review boards are hoping for a resolution. Byers, in addition to serving on the Information Technology Authorization Committee, oversees the review boards as part of his duties as administrative director of the state court system.

He alerted committee members last month to the review boards' inability to access Guardian.

And, on Wednesday, he said the Ombudsman's Office was having the same problem.

AMERICAN OVERSIGHT

“Unfortunately, both these groups play an oversight role,” he said.

The review boards handle cases involving as many as 2,000 children each month, according to the court. They issue reports to the juvenile courts with recommendations on how a child’s case should proceed.

Since February, no review board hearings have been delayed, court administrators said in a statement. “But the quality of the review is diminished without the necessary information from DCS.”

DCS said it informed review-board officials before Guardian was launched that their staff would not have direct access.

DCS maintains the courts, not DCS, are required to provide case information to the review boards. But since February, the agency has taken this duty on itself, saying it’s a more secure way to handle case files.

Second round of problems

The access issues have cropped up as a second wave of issues with the debut of Guardian. Last month, caregivers for children in foster care and children who have been adopted out of the system discovered their monthly payments were not arriving on time.

DCS resorted to a workaround for March, to ensure the foster and adoptive parents got their payments this month. Many are reporting they have received the payments, although some say they are still due payments from February.

DCS has not yet explained why it rolled out its new system, then quickly shut off access, without having a backup plan. Repeated requests by The Republic for an interview have gone unanswered.

Reach the reporter at maryjo. pitzl@arizonarepublic.com and follow her on Twitter @maryjpitzl.

“We are allowed to investigate complaints against state agencies and look into them in an independent way.”

Dennis Wells
Ombudsman

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

With heat ahead, Arizona to vaccinate more people indoors

Stephanie Innes and Alison Steinbach
Arizona Republic
March 19, 2021

In anticipation of Arizona’s triple digit heat, the state health department plans on scaling back its outdoor vaccine sites and cutting daytime hours.

AMERICAN OVERSIGHT

State health officials said this week that Arizona's first 24/7 large-scale COVID-19 vaccine site at State Farm Stadium in Glendale will convert to an overnight operation in early April "to protect staff, volunteers and patients from extreme heat."

To replace that capacity, the state is identifying indoor venues to use, the Arizona Department of Health Services said in a news release this week.

The release does not give specific plans, including how indoor venues will handle vehicles. The sites are predominantly for drive-up appointments.

The state also has not said what will happen at another 24/7 site at Phoenix Municipal Stadium, nor at its vaccine sites in Chandler and Tucson. More details are expected later this week, when state health director Dr. Cara Christ gives her regular Friday vaccine news briefing.

"A lot involving weather and the PODs (point of dispensing sites) remains in flux as of today, including the exact hours for State Farm Stadium ... the director plans to make all of this the main topic of her Friday briefing," department spokesman Steve Elliott wrote Wednesday in an email.

The state opened its State Farm Stadium vaccination site Jan. 11, opened at Phoenix Municipal Stadium Feb. 1, and transitioned a POD at the University of Arizona to be a state-run site on Feb. 18. On March 3, the state took over operations of a vaccine site at Chandler-Gilbert Community College that previously has been operated by Dignity Health.

"The state has been able to establish mass-vaccination sites quickly at outdoor venues. Now we will replicate that in places allowing us to continue this momentum as temperatures climb," Christ said in a written statement.

"We expect considerably more vaccine from the federal government in the coming weeks, and state sites will be part of a response that includes community-level efforts by counties, vaccine available at pharmacies and similar settings, and more."

State health officials have said there are plans to stand up state-run PODs in Yuma and Coconino counties, although neither have taken shape yet.

The three state PODs in Maricopa County and one in Pima County have administered a combined nearly 685,000 vaccine doses as of Wednesday, making up about 446,000 people with at least one dose and about 269,000 people fully vaccinated at state PODs.

State Farm Stadium crossed the 500,000 dose administered mark Monday.

More than 2.6 million doses have been administered at all sites statewide, with more than 1.6 million people who have received at least one dose and more than one million people fully vaccinated, per state data as of Wednesday.

Information about vaccine sites across Arizona is available at azhealth.gov/findvaccine, and registration is open for state sites and many others at podvaccine.azdhs.gov.

AMERICAN OVERSIGHT

Those without computers or those who need extra help registering can call the state's help line at 844-5428201. Pima County in southern Arizona has set up its own help line for vaccine scheduling and registration at 520222-0119.

Return to the table of contents

Ducey, others heading to border today amid surge

Maria Polletta and Rafael Carranza
Arizona Republic
March 19, 2021

Arizona Gov. Doug Ducey on Friday will travel to Douglas to investigate the recent influx of migrants arriving at the U.S.-Mexico border.

"I need to find out what's happening," the Republican leader told reporters Wednesday, after an unrelated bill signing. "This is a crisis, and it looks like a crisis of the (Joe) Biden White House administration and their policies."

The governor will tour the border from a helicopter, receive a briefing and hold a border security roundtable so he can "see the impacts firsthand and hear from local leaders on the front lines of the worsening situation," according to his office.

U.S. Sen. Rick Scott, a Florida Republican and member of the Senate Homeland Security and Governmental Affairs Committee, will join him. State lawmakers including House Speaker Rusty Bowers, R-Mesa; Sen. David Gowan, R-Sierra Vista; Rep. Becky Nutt, R-Clifton; and Rep. Gail Griffin, R-Hereford, also plan to attend.

Ducey already has called on the Biden administration to intervene and provide funding to address "deteriorating security, health and humanitarian conditions" along the border.

He is scheduled to make additional remarks alongside state and county public safety officials at a noon news conference at Douglas Municipal Airport.

"I'm going to find out what the facts are, and then, of course, we're going to do whatever we can," Ducey said. "(But) we'd like to have some help from the federal government."

Republicans not fans of new approach

Ducey and Scott are among several prominent Republicans who have criticized Biden's handling of border and immigration issues.

Upon taking office, the Democrat immediately sought to reverse the most restrictive policies implemented by former President Donald Trump, a onetime ally of Ducey on border policies.

Biden swiftly suspended enrollment of new cases under the Migrant Protection Protocols, for instance. The policy, better known as "Remain in Mexico," required asylum seekers to wait in Mexico for the duration of their asylum proceedings.

AMERICAN OVERSIGHT

In February, he began allowing in about 27,000 of those asylum seekers, though he kept in place a rule allowing U.S. border officials to immediately expel the majority of migrants detained at the border. He also reversed Trump's rule barring asylum for migrants who didn't first seek protection in Mexico or a third country.

Republicans contend those and other changes are responsible for the ongoing surge in apprehensions at border, which the Department of Homeland Security expects to hit a 20-year high this year.

In Arizona, agents in the Border Patrol's Tucson and Yuma sectors detained 1,750 unaccompanied minors and 2,710 migrants traveling as families in February. That represented a 62% increase in children and a 186% increase in families compared to January.

Southern Texas has also been hit hard, prompting Republican Gov. Greg Abbott to conduct a border visit similar to Ducey's earlier in March. After taking an aerial tour of the Rio Grande Valley and meeting with local and federal officials there, he called the situation in Texas "overwhelming" and blamed Biden's "open border policies."

"(His approach) invites illegal immigration and is creating a humanitarian crisis in Texas right now and will grow increasingly worse by the day," Abbott said.

Ducey eyes law enforcement, border towns

Ducey, who made border security a major talking point of his 2018 reelection bid, met privately with immigration and emergency management officials Wednesday.

"We have a high sense of urgency on this," Ducey told them, according to a summary of the conversation released by his office. "My big concern is this will get dramatically worse before it gets better."

In addition to human trafficking and COVID-19 concerns, the governor has said he is worried about the strain the spike in migrant arrivals has placed on law enforcement and border communities. Border agents already have released some 1,300 migrants on humanitarian parole into the cities of San Luis, Somerton and Yuma in the past month, according to Yuma Mayor Doug Nicholls.

The Border Patrol has told leaders, nonprofits and churches in Cochise, Santa Cruz, Pima, Pinal and Maricopa counties to prepare to be next — even though many of the southern Arizona communities that stand to be affected lack the infrastructure to safely house or relocate migrants.

On Tuesday, U.S. border authorities announced they planned to build two additional "soft-sided facilities" — outdoor tents — in Yuma and Tucson to help with overflow.

In a lengthy statement accompanying the announcement, Homeland Security Secretary Alejandro Mayorkas acknowledged the situation at the border was "difficult."

"We are working around the clock to manage it and we will continue to do so. That is our job," Mayorkas said, underscoring the department's commitment to a "safe, legal, and orderly" immigration system.

AMERICAN OVERSIGHT

"We are making progress and we are executing on our plan. It will take time, and we will not waver in our commitment to succeed."

Return to the table of contents

Arizonans can now renew their driver's licenses on state website

Delaney White
Arizona Republic
March 19, 2021

The Arizona Department of Transportation Motor Vehicle Division has made it possible for many Arizonans to renew their driver's license online.

This comes as Gov. Doug Ducey's executive order deferring the renewal date by a year for licenses that expire between March 1, 2020, and Feb. 28, 2021, comes to an end. If an individual's photo of record was taken more than 12 years prior to renewal, an inoffice visit will be required to renew a standard Arizona driver's license. However, most Arizonans will be able to renew their license online.

"Most Arizonans with a standard driver license must renew their license when they turn 65 years of age and every five years thereafter," Department director John Halikowski said. "During the pandemic, ADOT wants to continue Governor Ducey's efforts to help protect our most vulnerable and we're pleased to be able to offer a contactless renewal option so people can continue making healthy choices."

The online renewal option was made possible when MVD implemented a new computer system last spring, replacing the obsolete system containing old elements considered no longer sustainable. Customers can log in to their account at AZMVDNow.gov to see if they are eligible for online renewal.

"The website AZMVDNow.gov has added convenience for customers and made it easier for Arizonans to conduct their business with MVD. Adding driver license renewals to the long list of other services, like registration renewals, change of address and ordering a replacement license, will help keep Arizonans out of line and safely on the road," said MVD director Eric Jorgensen.

The Department of Transportation said in a statement a few weeks after the announcement that an error on the renewal website had been fixed.

"The system asked some customers to schedule an in-office appointment for a vision exam, which was not required. This has been fixed," the statement said. However, "An in-office visit is required to renew a standard Arizona driver license if an individual's photo of record was taken more than 12 years prior to the renewal date."

Since online renewal was made available, more than 1,700 online renewals have been processed as of mid-March, the Department said.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Penzone: Maricopa County not seeing effects of recent immigration concerns

Torrence Dunham
KTAR News
March 19, 2021

Maricopa County Sheriff Paul Penzone said Thursday the county hasn't seen any specific spikes in areas that correlate to recent border-related developments that have concerned lawmakers.

The comments follow Arizona Gov. Doug Ducey on Wednesday meeting with federal and state officials to discuss immigration issues and express concerns about several developments at the border.

The number of people caught attempting to cross the border is at the highest level since before the COVID-19 pandemic and on track to hit a 20-year high.

Part of the hourlong meeting included how local law enforcement agencies and communities are being affected by a recent increase in illegal immigration.

Penzone told KTAR News 92.3 FM's Gaydos and Chad that crime numbers have been relatively stable in the county, adding there is currently an average 4,500 to 5,000 inmate population per day. That marks a decrease from 7,500 to 8,000 before the onset of the COVID-19 pandemic, Penzone said.

"There isn't necessarily a surge specifically in that particular area," Penzone said, adding he checks the crime numbers daily.

"It doesn't mean this issue doesn't exist," Penzone said. "But are we feeling the effects right now? No. I don't see anything to that extent."

Ducey said immigration issues have a high sense of urgency and his concern is it will get dramatically worse before it gets better, calling the issue a "crisis."

Freshman Sen. Mark Kelly of Arizona echoed Ducey, telling KTAR News 92.3 FM's Arizona's Morning News on Thursday the swell of migrants at the border is a crisis.

Penzone agreed with Ducey and Kelly, but said it's not a recent development.

"It didn't start yesterday, it didn't start under any one particular administration," Penzone said, adding it all comes back to politics. "It's just those who are responsible to push us forward on the challenge have either made excuses or drawn political lines to the detriment of our nation as well as the opportunity for immigrants to come here and thrive in some capacity."

"This is a crisis that has been a problem for a long period of time and the crisis is beyond just the idea of people unlawfully crossing the border – which is unacceptable," Penzone added.

He said the country has failed to address the problem of immigration reform, including having processes that are more expeditious and fair.

AMERICAN OVERSIGHT

This includes, Penzone said, doing a better job of separating issues of criminal nature as opposed to those who will "trek across the desert sometimes at the expense of their own lives to try to get to a place where they feel there is a better opportunity for their families."

"In this nation when we put our minds together, we are capable of accomplishing a lot," Penzone said. "The idea or the challenge of having a crisis right now that has been in existence for far too long is unacceptable and it falls on those who are responsible to initiate the opportunity to develop solutions."

"We need to get to work on it, the time for excuses has come and gone," Penzone added. "So let's take this issue and let's correct it."

Ducey, U.S. Sen. Rick Scott of Florida – a member of the Senate Homeland Security and Governmental Affairs Committee – and several state lawmakers will tour the border in Douglas on Friday and discuss border security in a roundtable meeting.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Gov. Ducey signs bill charging adults who tell minors to take their own life

Griselda Zetino
KTAR News
March 19, 2021

Adults can now be charged with manslaughter for advising or encouraging minors to take their own life.

Arizona Gov. Doug Ducey signed a bill Wednesday making that a new law in the state.

"I'm hopeful it'll help to protect Arizonans who fall victim to horrible people and send a message to predators that this will not be tolerated," Ducey said moments before signing HB 2459 into law.

Joining him for the signing was Paolla Jordan. Her 17-year-old son, Adrio, died by suicide in 2019 after someone he met online encouraged and even instructed him on how to take his own life.

When Jordan tried to get law enforcement involved, she was told there was nothing authorities could do. They explained there was no law on the books that prohibits adults to encourage or instruct minors to die by suicide.

"What happened to her son is a tragedy," Ducey said. "I'm eager to sign this bill in memory of him so this never happens again."

At the bill signing ceremony, Jordan thanked Rep. Jeff Weninger, R-Chandler, for introducing HB 2459 and Ducey for getting it across the finish line.

"I don't want another family to go through what we've gone through," she said.

Jordan is now looking to make this a federal law by passing a similar bill in Congress

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona to launch state-supported mass vaccination site in Yuma

Danny Shapiro
KTAR News
March 19, 2021

Arizona is launching a state-supported mass vaccination site in Yuma beginning March 29, Gov. Doug Ducey's office announced Thursday.

Capacity and hours of operation will expand for the site already in service located at the Yuma Civic Center.

The site will offer 8,000 appointments per week and will be in operation from 7 a.m. to 5 p.m. seven days a week.

It will be the state's fifth operational vaccination site and first in southwestern Arizona.

"Arizona's vaccination sites have been instrumental in the state's work to protect communities and vulnerable populations," Ducey said in a press release. "We want to make sure rural areas have easy access to vaccinations and operations at the Yuma site will support those efforts."

The site will be run through a partnership between Ducey, the Arizona Department of Health Services, Yuma County, the city of Yuma and Yuma Regional Medical Center.

Yuma Civic Center has been offering the Moderna vaccine but will switch to the Pfizer option beginning March 29.

The state health department will work to ensure people who received Moderna at the site for their first dose will get a second dose.

"This state-supported vaccination site is critical to get the Yuma community to the next level in the fight against COVID," Yuma Mayor Douglas J. Nicholls said in the release. "The city is excited to be part of the effort to provide more opportunities for more people to get their COVID vaccine."

Appointments for the week of March 29 will be made available March 26 beginning at 11 a.m. online or by calling 1-844-542-8201.

State-run sites are currently administering vaccine to those 55 and older.

Arizona also has state-run sites at State Farm Stadium in Glendale, Phoenix Municipal Stadium, Chandler-Gilbert Community College and at the University of Arizona.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

High-profile projects on state's tentative highway lineup

Arizona Daily Sun
March 19, 2021

The latest update to Arizona's highway construction program is up for public comment, with a lineup that includes high-profile projects involving several major routes.

The Arizona Department of Transportation on Thursday began a public comment period on the 2022-2026 tentative five-year construction program.

Major projects included in the tentative program include adding lanes to Interstate 17 between Anthem Way on the far northern outskirts of metro Phoenix and Sunset Point and replacing Interstate 10 bridges over the Gila River south of metro Phoenix.

Construction of the $328 million I-17 lanes project is scheduled to begin in 2022, and the $83 million bridge project is scheduled to get underway in 2023.

Two construction projects involve U.S. 93, the principal route between Phoenix and Las Vegas.

Constructing the first phase of a new interchange between U.S. 93 and Interstate 40 in west Kingman is scheduled to start by 2024, while a project to widen 4 miles (6 kilometers) of U.S. 93 north of Wickenburg is scheduled for 2022.

The Kingman project's cost is put at $70 million, while the Wickenburg project is estimated at $41 million.

The department plans four public hearings on the five-year program between now and when the State Transportation Board considers the plan June 18.

Return to the table of contents

Arizona Senate to hand-count 2.1 million Maricopa ballots

Bob Christie
Arizona Daily Sun
March 19, 2021

In this May 26, 2020, file photo, Arizona Senate President Karen Fann, R-Prescott, speaks to the media in Phoenix. Arizona's Republican Senate president said Wednesday, March 10, 2021, she has narrowed the search for a firm to do a full audit of the 2020 election results in the state's most populous county and plans to invite Democrats to participate in the process. Still, nearly two weeks after a judge sided with the Senate in a fight over access to ballots and elections equipment from Maricopa County's election, Senate President Fann said there are many details still to be worked out.

AMERICAN OVERSIGHT

Republicans who control the Arizona Senate announced Thursday they now intend to do a complete recount of 2.1 million ballots in the state's most populous county to ensure that President Joe Biden's November win was legitimate.

Senate President Karen Fann had been pushing for a "full forensic audit" of Maricopa County's election result and won a court order on Feb. 26 granting the Senate access to the ballots and tabulation machines. But she had never acknowledged until this week that she wanted a full recount, something state law doesn't allow except in narrow circumstances.

Previous documents obtained by The Associated Press showed Fann intended to recount "at least" 550,000 ballots.

The county Board of Supervisors had argued the ballots were secret and the machines need to remain secure and fought a subpoena issued by Senate Republicans.

Since winning that court fight, Fann has been trying to locate an auditing firm that can do the deep dive she wants. Some Republican backers of former President Donald Trump allege there was fraud in the election in Arizona and other battleground states that led to his defeat. Fann said she wants to answer their questions one way or the other.

Fann announced Thursday that she had decided on a specific firm to oversee the audit but did not reveal its name, saying she was still negotiating final details.

She had previously been considering a company with deep ties to Trump's campaign but said last month that it was no longer being considered. The Allied Security Operations Group worked with Trump attorney Rudy Giuliani to raise baseless allegations of election fraud and counting errors in Arizona and other states.

Fann's announcement said she now intends to do a full hand recount of the ballots in addition to testing the tabulation machines and rescanning all the ballots. She said she hopes to do the work at county buildings to ensure ballot security.

But county spokesman Fields Moseley said the county hasn't had any recent discussions about allowing the Senate to use its facilities for its new audit. Early this month. Board Chair Jack Sellers sent a letter to Fann and other GOP senators asking where she wanted the ballots delivered. The Senate said it had no room for them and hoped to use county facilities.

A full hand-recount will be challenging because it will require scores of people and observers if Fann is to end up with a trusted product.

She said she hopes the effort is bipartisan, but Senate Democrats said that is laughable.

"We never wanted anything to do with that," said Sen. Lupe Contreras, the assistant minority leader. "I guess you could say we worked in a bipartisan way, since we backed the Board of Supervisors, which is all Republican but one," Contreras said.

AMERICAN OVERSIGHT

The five-member county Board of Supervisors has pointed to repeated checks that showed the election was free, fair and properly conducted. They included pre- and post-election tests of counting equipment and software and a hand count of a ballot sample that showed the machine count was accurate.

Last month, they released the results of two new audits of their equipment done to mollify the Senate. They showed no malicious software or incorrect counting equipment and that none of the computers or equipment were connected to the internet.

"When all the work is done, there will be a full report for the Senate and County to review," Fann said in a statement. "Our voters expect this audit, and it can be a big step in returning trust and confidence in our election process."

Return to the table of contents

Maricopa County begins providing vaccinations to inmates

Arizona Daily Sun
March 19, 2021

Arizona's most populous county on Thursday began providing COVID-19 vaccinations to willing jail inmates who are 55 or over, the Maricopa County Sheriff's Office announced.

The county Correctional Health Services Department received 400 doses of the Johnson & Johnson vaccine from the county Public Health Department earlier this week for administration to inmates, the Sheriff's Office said.

The county's five jails have 318 inmates who are 55 or older, the office said.

"We are beginning to see the light at the end of the tunnel and are appreciative for the partnership with CHS and Public Health as we continue working towards restarting jail programs, expanding resources, and turning the page on this pandemic," Sheriff Paul Penzone said in a statement.

In other developments, the state on Thursday announced the availability of 5,000 COVID-19 vaccination appointments at two large state-run sites in metro Phoenix and reported 284 additional confirmed cases and 59 more deaths.

Cancellations made the vaccination appointments for people 55 and older available for online signups at State Farm Stadium and Chandler-Gilbert Community College, the Department of Health Service said.

Gov. Doug Ducey's office also announced a partnership to expand an existing vaccination site at the Yuma Civic Center. Starting on March 29, the site will operate seven days a week from 7 a.m. through 5 p.m. and will initially offer 8,000 appointments a week. The state will help Yuma County, the city and Yuma Regional Medical Center run the expanded operation.

The state already operates three mass vaccination sites in metro Phoenix and one in Tucson and is planning to open a site in the Flagstaff area. State sites are currently administering vaccine to people age 55 and older.

AMERICAN OVERSIGHT

Thursday was the sixth consecutive day that the state reported fewer than 1,000 cases. Arizona's pandemic totals now stand at 834,607 cases and 16,645 deaths, according to the state's coronavirus dashboard.

The number of COVID-19 patients occupying inpatient beds continued to drop, with 743 occupying the beds as of Wednesday, down from the Jan. 11 pandemic high of 5,082.

The state's seven-day rolling average of daily new cases declined from 1,141 on March 2 to 813 on Tuesday while the seven-day rolling average of daily deaths dropped from 66 to 26 during the same period, according to data from Johns Hopkins University.

The number of infections is thought to be far higher than reported because many people have not been tested. Studies suggest people can be infected with the virus without feeling sick.

Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, March 19, 2021 9:13:41 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *March 19, 2021*

Mapping commission chooses executive director
Arizona Capitol Times
The chief of staff to a Republican Phoenix City Council member will serve as the executive director for the Arizona Independent Redistricting Commission, solidifying the first major decision the IRC made so far this year.

Secrecy prevails as executions to resume
Arizona Capitol Times
Arizona is readying to resume executions after nearly seven years, although the Arizona Department of Corrections, Rehabilitation and Reentry did not provide reassurances that the medical team or the drugs used would avoid issues that surfaced through litigation leading up to and during the hiatus.

Gambling bill stalls in senate as politics take shape
Arizona Capitol Times
A top legislative priority for Gov. Doug Ducey to expand off-reservation gaming is stalled in the Senate after the House voted 48-12 to approve a mirror bill on March 4.

Key criminal justice bills dormant in Senate
Arizona Capitol Times
Although several measures aimed at cutting prison sentences and making other major changes to Arizona's criminal justice

AMERICAN OVERSIGHT

system have passed the House this year, the big question is whether these bills will make it through the Senate or even get a hearing there.

Bill targeting Corp. Comm. likely dead
Arizona Capitol Times
A bill that would allow any lawmaker to request the attorney general investigate a decision from the Arizona Corporation Commission appears to be dead in its chamber of origin.

Court task force to examine no-knock raids
Arizona Capitol Times
A legislative effort to ban no-knock warrants in Arizona is destined to die in committee, but the bill's sponsor is hopeful that a new Arizona Supreme Court task force can help address the same concerns.

Lawmakers assert power grab over state offices
Arizona Capitol Times
For every headache another branch of government causes a legislator, there's a simple solution – introduce a bill.

Dating fraud bill moves to Ducey's desk
Capitol Media Services
Arizonans who may be blinded a bit in their search for love are in line to get some protections from the state, if not for heartbreak, at least from being fleeced for their money.

Arizona legislator moves to postpone state income tax filing deadline
Capitol Media Services
A key legislator is moving to ensure that Arizonans can take advantage of the extra month the feds have given them to file their tax returns this year.

Arizona Senate panel OKs loaded weapons in more places
Capitol Media Services
A Senate panel gave the go ahead for more people to bring loaded weapons into more places.

2nd Amendment sanctuary vote delayed in Arizona Senate until Monday
Today's News-Herald
A vote in the State Senate about whether Arizona should become a "Second Amendment sanctuary" was postponed on Thursday.

Auditor General spotlights 'serious deficiencies' in Navajo County safeguards
White Mountain Independent
At least $41,000 in gas purchases that didn't include a vehicle log showing the business purpose of the purchase and the trip.

Tempe Quietly Fires Its Library Director After Years of Staff Complaints
Phoenix New Times
Spying, name-calling, workplace intrigue, a hostile environment: the Tempe Public Library in recent years might make pretty good fodder for a book.

Jail Time for Arizona Abortion Doctors? Controversial Bill Is Advancing in the Legislature
Phoenix New Times
During an emotionally charged meeting earlier this week, Republican Arizona lawmakers advanced a controversial bill that threatens doctors who perform abortions with jail time.

GOP AGs slam tax cut ban in stimulus law as 'unprecedented and unconstitutional'
Arizona Mirror
Republican attorneys general from 21 states are attacking the $1.9 trillion pandemic relief law as an "unprecedented and unconstitutional infringement" on state sovereignty because it restricts tax cuts by states.

Paul Gosar plans to go on a popular QAnon talk show
Arizona Mirror
Weeks after Republican Congressman Paul Gosar gave a speech to a gathering of white nationalists, he is scheduled to appear on Patriots' Soapbox, a leading QAnon talk show.

Fann wants hand count of 2.1 million ballots, may use volunteers
Arizona Mirror
Senate President Karen Fann wants to hand count all 2.1 million ballots cast in Maricopa County in the 2020 general election, a job that may fall to a bipartisan group of volunteers.

AMERICAN OVERSIGHT

GOP lawmakers, Ducey not deterred on cutting taxes if they take federal COVID cash
Arizona Mirror
Republican lawmakers and Gov. Doug Ducey aren't changing their plans for big tax cuts this year, despite a provision of the latest federal COVID relief bill seeking to block states from using the money to fund tax reductions.

Gosar's office denies he will appear on popular QAnon talk show
The Hill
An Arizona congressman said Thursday that he won't appear on a talk show hosted by conspiracy theorists on a digital network responsible for driving the anti-Semitic QAnon movement after criticism of his speech at a conference also attended by a prominent white nationalist.

Legislators just expanded their voucher expansion bill. Can they get any more arrogant?
Arizona Republic (Opinion, Laurie Roberts)
Expanding Arizona's school voucher program would be a punch in the nose to Arizona's voters. So, naturally, a voucher expansion bill is just one major vote away from passing the Legislature.

For shame, Rep. Andy Biggs. Your refusal to honor Capitol police is a stain on Arizona
Arizona Republic (Opinion, Laurie Roberts)
Rep. Andy Biggs couldn't put politics aside in order to honor the police who protected the U.S. Capitol from a mob of insurgents on Jan. 6. That's beyond pathetic.

Rep. Paul Gosar will speak to QAnon - and that's not even the shocking part
Arizona Republic (Opinion, Laurie Roberts)
The fact that Rep. Paul Gosar reportedly plans to appear on a QAnon talk show is not a shock. And that should be shocking.

Now the Arizona Senate plans not just an election audit but a full recount? What's next, a revote?
Arizona Republic (Opinion, Laurie Roberts)
The Senate now plans to ignore state law and do a full hand recount of Maricopa County's 2.1 million ballots in search of that fraud that nobody has been able to find. Let the circus begin.

If Joe Biden wants amnesty, he needs to enforce existing immigration laws
Arizona Republic (Opinion, Robert Robb)
Whatever you want to call it, conditions at the southern border and lax immigration law enforcement make public acceptance of amnesty less likely.

Arizona schools lose if Senate Bill 1783 passes - and I think they know that
Arizona Republic (Opinion, Joanna Allhands)
It doesn't matter if Senate Bill 1783 trims Proposition 208 revenues by half or a third. Either way, schools lose.

Gov. Doug Ducey calls border surge a 'humanitarian' issue, changes tune later that day
Arizona Republic (Opinion, Elvia Diaz)
Arizona Gov. Doug Ducey called the migrant surge a 'humanitarian' crisis, then changed his rhetoric later that day. Does he want to help or not?

Republican legislatures are putting up barriers to voting. We need HR 1 to knock them down
Arizona Republic (Op-ed, Raúl Grijalva)
In Arizona alone, Republicans have introduced more than 40 anti-democratic bills at the statehouse, from purging people from the permanent early voting list to ending vote by mail.

If you like life in Phoenix, you should know (and thank) Thelda Williams
Arizona Republic (Op-ed, Bryan Jeffries)
Thelda Williams is a name everyone in Phoenix should know, because her city council career has touched virtually everyone in Arizona.

HR 1 will open up voting access alright — especially for those voting fraudulently
Arizona Republic (Op-ed, Russ Vought)
Put simply, H.R. 1 would make systemic voter fraud a permanent feature of our elections and centralize power in the hands of the D.C. political elite.

SRP is stifling rooftop solar to prevent competition. Will a federal court stop it?
Arizona Republic (Op-ed, Jean Su and Robin Silver)
SRP jacked up electricity rates by 65% for customers who installed rooftop solar. It is a discriminatory pricing scheme designed to hurt rooftop solar companies, the utility's competitors.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, March 19, 2021 3:35:04 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes March 19, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

March 19, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative*

AMERICAN OVERSIGHT

Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until March 22, Monday, at 1:15 p.m.

THE SENATE IS ADJOURNED until March 22, Monday, at 1:30 p.m.

NEWS NOTES

TOMA SAYS DEMS WANT TO USE TAX CREDIT BILL AS LEVERAGE

Toma said yesterday the bill he is sponsoring to expand the Arizona Commerce Authority's qualified facilities tax credit is being held up so it can be used as leverage. The Senate voted, 12-17, to torpedo H2321 (qualified facilities), with a few Republicans joining the Democrats to oppose it. It passed the House unanimously in February. "My understanding is the Democratic caucus decided to vote as one to try to hold it up for some sort of negotiation with the governor," Toma said. "I'm not sure exactly what they were expecting to get." Toma said the Democrats saw an opening when they saw a few Republicans weren't on board with the bill. Some Republicans, he said, hold the "purist view" that the state shouldn't be handing tax credits but should instead offer lower and broad-based taxes. Toma said he doesn't disagree with that in theory. "But that's not the system we have," he said. "We have situations where we have to be competitive compared to other states." He pointed to Texas, which is among Arizona's main competitors and which has generous business tax incentives. After the Senate's vote, Livingston moved to bring the bill up for reconsideration. Toma said he expects the bill will ultimately pass unless "the Democrats want to declare war on all business, big and small, in the state, in which case bring it," adding he thinks that would help the GOP in 2022.

PROGRESSIVES: ARIZONA WILL GET PENALIZED IF POLICYMAKERS CUT TAXES

Arizona and other states that try to cut taxes stand to lose $1 in federal Covid aid for every $1 in net cuts, the Arizona Center for Economic Progress' David

AMERICAN OVERSIGHT

Lujan said in a media call this morning. Lujan and Wes Tharpe, deputy director for state policy research at the Center on Budget and Policy Priorities, said most questions about how the American Rescue Plan will affect state tax policy won't be answered until the U.S. Treasury issues guidance at some point within the next 60 days. But, as they're reading the bill, any tax cuts enacted after March 3 would be affected, including any and all plans by the Legislature and Ducey to cut taxes this year.

ALSO, COUNT ON DAVID LUJAN TO LET THE FEDS KNOW IF ARIZONA CUTS TAXES

Tharpe said his sense is that this federal requirement would apply to all state revenue, not just the general fund. That could spell trouble for Mesnard's plan to effectively negate the effects of last year's Prop 208. The new 3.5 percent surcharge on the wealthiest Arizonans bypasses the general fund and goes straight into a new fund set up for education spending. Mesnard's proposal in S1783 (small businesses; alternate income tax) to let at least some of those wealthy Arizonans pay an alternate business income tax wouldn't impact the general fund but could reduce the amount expected in the new Student Support and Safety Fund by about $527 million annually. To the Center for Budget and Policy Priorities, that could result in Arizona losing a potential $527 million in federal relief money. The Center for Economic Progress was a key proponent of Prop 208.

MESNARD SAYS FEDERAL RELIEF HANDCUFFS ARIZONA, OTHER RED STATES

Mesnard told our reporter he's still looking for guidance on what "indirectly" means when it comes to cutting taxes. As we noted earlier, the federal aid cannot be used to pay down pension debt or "reduce taxes directly or indirectly" – and that could mean trouble for Republicans' desire to enact as much as $1 billion in tax cuts. Arizona already projected a surplus and policymakers are discussing tax cuts within the boundaries of that surplus and not as a result of any additional Covid funding, Mesnard said. He's frustrated by the language of the Covid relief package, but said Democrats hold the power nationally to pass such legislation. "The COVID relief bill was definitely meant to help blue states, and to handcuff red states. There are a number of states across the country looking at reforming the tax code, cutting taxes, and blue states are not doing that," he said. Under one reading of the relief

AMERICAN OVERSIGHT

package, the federal language doesn't necessarily bar Arizona from enacting tax cuts so long as the state can show – if audited later – that the tax cuts are independent of the federal aid. But conservative pundits are decrying the provision, arguing it bars states from cutting taxes.

FANN WANTS HAND COUNT OF 2.1 MILLION BALLOTS

Fann shared this week that she plans to conduct a full hand count of all 2.1 million Maricopa County ballots, along with a host of other audit measures. She tried to loop in current and former county recorders – including former Maricopa County recorder Helen Purcell, who turned her down - to serve in what she envisions to be a bipartisan team overseeing the hand count. While no one outside of Fann's inner circle initially heard about the hand count, she insisted it's been part of her forensic audit plan from the beginning and bristled when asked for evidence that she had told other people about the plan. The news, first published in our sister publication, the *Yellow Sheet Report*, drew immediate skepticism from election officials and Trump supporters alike - election officials questioned the feasibility of accurately counting 2.1 million ballots by hand, and Trump supporters didn't think it would reveal the fraud they believe will be found through other facets of an audit. Fann told our reporter the hand count is only part of her plan, which also includes rescanning election machines used by Maricopa County, feeding all 2.1 million ballots through a new tabulation machine, checking for IT breaches, and verifying signatures on ballot envelopes. She does not yet have an audit firm selected but hopes to make an announcement within the next week or two, she said.

BOWERS, OTHER REPUBLICANS SEEK RESPONSE TO BORDER CRISIS

Several Republican legislators today urged Sinema, Kelly, Ducey and Brnovich to help end the immigration and humanitarian crisis escalating on the Southern border. Bowers, Dunn, Osborne, John and Kerr asked Ducey and others to ensure Arizona communities won't bear the financial costs incurred by what they described as failed federal policies "fomenting the situation." In a letter, the legislators blamed the Biden administration for the crisis, arguing that ICE's release policy is a "miscalculation in immigration policy that now is taking a tremendous human toll." The legislators said the Biden administration should, first of all, send a clear message discouraging illegal immigration. In addition, the feds should ensure that ICE and the Office of Refugee

AMERICAN OVERSIGHT

Resettlement have the resources they need, such as additional judges, to do their jobs. Any response, they added, should also factor in the challenges posed by COVID-19. “Proper COVID-19 protocols must extend to these migrants in order for our local NGOs and volunteers to safely participate in relief efforts,” they said. “Unknowingly releasing infected persons into the community would only increase infection rates and tax already overwhelmed hospitals and city services.” Bowers et al also noted that Arizona has 13 miles of border wall that are not complete. This situation, they said, lets drug cartels outmaneuver U.S. Customs and Border Patrol by sending migrants in one area and then transporting drugs in another. “We ask that you work together with us and our colleagues in the Legislature to close these gaps, including by finishing the wall or securing the existing wall with the National Guard. Doing so would help channel migrants to the ports of entry to seek asylum lawfully, while interrupting the flow of the cartels’ drug-trafficking operations,” they said.

TOWNSEND: WHAT ABOUT THE CHILDREN?

Townsend sent a similar plea yesterday, focusing on the plight of migrant children. “I am concerned about the well-being of these children,” Townsend said. “Regardless of where you stand on the issue of illegal immigration, history shows us that children have been mistreated, molested, and held longer than the 72-hour maximum.” Townsend said she wants to know what the state and federal governments are doing to ensure the children are in humane conditions and “not being further victimized.” She also called on the Biden administration to “reverse” the flood of migrants coming into the U.S. because they expect an “easy entry.” “This is no time to invite the masses into our country during a pandemic,” Townsend said.

HOUSE UNANIMOUSLY APPROVES PROPOSED NATIONAL NAVAJO CODE TALKERS DAY

The House voted unanimously yesterday to pass S1802 (holiday; Code Talkers Day), adding “National Navajo Code Talkers Day” on Aug. 14 to the list of holidays in Arizona statutes. Blackwater-Nygren, the bill’s sponsor, said her late grandfather, David Jordan of Sweetwater, joined the U.S. Marines and was a code talker, and was also present for the raising of the American flag on Mount Suribachi during the Battle of Iwo Jima, an event captured in one of the most iconic photos of World War II. “This code was never broken and was

AMERICAN OVERSIGHT

integral to the victory of World War II," Blackwater-Nygren said. The legislator's fellow House members gave her a long, loud and bipartisan round of applause. "These men that did this for our country truly were heroes, and to know that your grandfather was one those men is truly an honor," said Grantham, who is a lieutenant colonel in the Arizona Air National Guard. "In the military today, this is not forgotten."

BUCKLE UP FOR LONG COMMITTEE HEARINGS NEXT WEEK

With only a week left to do it, 151 Senate bills and 193 House bills still need hearings in their second chamber. Another 65 House bills are ready for Senate rules and 46 are ready to be COWed in the Senate. Across the mall, 87 Senate bills are ready for rules and 21 on deck for House COW. The Senate has five House bills ready for a third read, and eight Senate bills are waiting for concurrence on amendments. Meanwhile, 73 bills are ready for Ducey, who has so far signed 70 bills and vetoed zero.

NEWS RELEASES

Speaker Bowers and Southwest Republican Legislators Urge Action to End Border Crisis, Help Arizona Communities

STATE CAPITOL, PHOENIX – House Speaker Rusty Bowers, Representatives Tim Dunn, Joanne Osborne, Joel John, and Senator Sine Kerr sent a letter Thursday to U.S. Senators Sinema and Kelly, Governor Ducey, and Attorney General Brnovich urging their assistance to bring an end to the immigration and humanitarian crisis occurring on the southern border, and to ensure Arizona communities are not left to bear the financial costs incurred by the failed federal policies fomenting the situation:

Dear Senator Sinema, Senator Kelly, Governor Ducey and Attorney General Brnovich:

The crisis at the border is only beginning to show its impacts. The cartels are utilizing the release policy of U.S. Immigration and Customs Enforcement (ICE) to force innocent victims into horrific conditions. If the United States saw human smuggling of this magnitude anywhere else in the world, we would be outraged enough to stop it, yet we are encouraging it on our border. We believe this is a miscalculation in immigration policy that now is taking a tremendous human toll.

By law, the federal government is primarily responsible for addressing this crisis. To begin, the Biden Administration should send a clear message that migrants must enter through ports of entry and follow the law when they do. ICE Enforcement and Removal operations, along

AMERICAN OVERSIGHT

with the Office of Refugee Resettlement, must have the increased assets they need, including additional judges, to effectively perform their functions. More broadly, federal policy must address both the upstream backlog of migrants and the resulting overflow of individuals who have already been released into Arizona. To that end, the federal government needs to bear the costs currently being borne by state and local actors, including reimbursement of local hospitalization costs. And, of course, any policy response must account for the challenges posed by COVID-19, which has altered our ability to secure help from non-governmental organizations (NGOs) and their volunteers. Proper COVID-19 protocols must extend to these migrants in order for our local NGOs and volunteers to safely participate in relief efforts. Unknowingly releasing infected persons into the community would only increase infection rates and tax already overwhelmed hospitals and city services.

State leaders also have a role to play in solving the border crisis. In Arizona, approximately 13 miles of border wall have not been completed. This allows for the cartels to outmaneuver the U.S. Customs and Border Patrol by concentrating large groups of migrants in one location and then strategically transporting drugs through a different one. We ask that you work together with us and our colleagues in the Legislature to close these gaps, including by finishing the wall or securing the existing wall with the National Guard. Doing so would help channel migrants to the ports of entry to seek asylum lawfully, while interrupting the flow of the cartels' drug-trafficking operations.

For humanitarian reasons, we need to remove the cartels' stronghold over migrants. We also need to have a plan in place to facilitate the safe movement of migrants away from the border communities. The status quo is not the type of immigration policy any political party wants. It only encourages the cartels to continue smuggling—and victimizing—vulnerable migrants. This must stop.

We can work together to help fix this crisis. Thank you for your consideration. We look forward to a collaborative resolution.

House Speaker Rusty Bowers, Legislative District 25

Representative Tim Dunn, Legislative District 13

Representative Joanne Osborne, Legislative District 13

Representative Joel John, Legislative District 4

Senator Sine Kerr, Legislative District 13

* * * * *

Gosar Invites Biden to Yuma, Arizona to Tour Border

WASHINGTON D.C. - Congressman Paul Gosar issued the following statement after writing to Mr. Biden inviting him to Yuma County to see first-hand the crisis along the southern border:

AMERICAN OVERSIGHT

"The Biden Administration doesn't seem to understand or simply won't admit that there is a crisis along the southern border. Just this week, the White House Press Secretary walked backed acknowledging the crisis by referring to it as only a "challenge." At a House Homeland Security Committee hearing this week, the Department of Homeland Security Secretary would only refer to what is happening as "complex." And Mr. Biden himself refuses to acknowledge that it is crisis, despite it being a crisis he created by decisions to open our southern border, ignore immigration enforcement laws and halt the completion of construction of the wall.

In 2019, President Trump and the Department of Homeland Security declared the situation at the southern border a national emergency. The problem of large-scale unlawful migration through the border has only become worse under Mr. Biden's administration.

That's why yesterday, I sent a letter directly to Mr. Biden inviting him to join me in Yuma County in my district which runs along the southern border and is being pummeled by never-ending waves of illegal migrant crossings.

I am confident that if Mr. Biden were to personally observe the situation in Yuma County, he and others in his administration would recognize that it is indeed a crisis he created and we can begin to reverse the bad policies put in place that have encouraged migrants to flood our border," said Rep. Paul Gosar.

* * * * *

Representative Bolick: Move Arizona's Income Tax Filing Deadline to Mirror Feds

STATE CAPITOL, PHOENIX – State Representative Shawnna LM Bolick today introduced an amendment to SB 1297 that would delay the state income tax return filing deadline providing uniformity with federal tax filing deadlines.

The Internal Revenue Service announced this week it has postponed this year's April 15 deadline for filing federal income tax returns to May 17, citing the COVID-19 pandemic and recent changes in tax law. Arizona's current state tax deadline is April 15.

"Arizonans should not be rushed to files their state taxes while they still have time to file their federal taxes," said Representative Bolick. **"Arizona income tax filings are often dependent on the federal adjusted gross income – a figure only determined once you file your federal taxes. So, having the state deadline fall prior to the federal deadline doesn't make a whole lot of sense and would only be cumbersome for state filers. Which is why I introduced language to postpone Arizona's filing deadline for this year to mirror what the federal deadline."**

The amendment will be considered by the House Ways and Means Committee on Wednesday, March 24.

Shawnna LM Bolick is a Republican member of the Arizona House of Representatives

AMERICAN OVERSIGHT

serving Legislative District 20 in Maricopa County.

* * * * *

American Dream and Promise Act of 2021 (HR6) Passes in the House of Representatives

On March 18, 2021, H.R.6 - American Dream and Promise Act of 2021 passed in the House of Representatives

HR6 will provide Dreamers and TPS holders protection from deportation and obtain a permanent legal status **in the United States.** HR6 would allow nearly **650,000 active Deferred Action for Childhood Arrivals (DACA) recipients**, as well as the **1.6 million eligible undocumented youth** brought to America as children, **a pathway to citizenship** in the U.S.. There are 63,500 eligible Dreamers in Arizona and nearly 9 in 10 Americans support a pathway to citizenship for Dreamers.

The bill also includes protections for 300,000 TPS holders and up to 3,600 individuals with DED.

"As someone with #DACA that works with students who are too young to qualify for the program and who have worked with undocumented moms & dads for years, today feels heavy. HR6 is a huge step in the right direction, yet I find myself once again holding my breath. I hold my breath because I know it is in the Senate hands to either make this a reality or crash this opportunity for so many of us. We can't forget this legislation impacts real people. Today we celebrate, tomorrow focus on ensuring this gets through the finish line." - Reyna Montoya, Founder/CEO at Aliento and DACA recipient.

It's up to the U.S. Senate now. We are asking our Arizona Senators Sen. Kyrsten Sinema & Sen. Mark Kelly to Support Pathway to Citizenship for Dreamers and act quickly

For decades Representatives, Senators, & Presidents have promised to provide certainty to Dreamers and undocumented youth, yet year after year Congress plays politics and fails to create a permanent solution for Dreamers. It is morally imperative for Congress to pass a permanent solution for Dreamers that includes a pathway to citizenship, it should not hold Dreamers hostage for exterior motives or other agendas.

* * * * *

Rep. Grijalva Applauds Passage of Dream and Promise Act, Calls on Senate to Protect Dreamers

WASHINGTON— Today, the House of Representatives passed the *Dream and Promise Act.* The legislation provides a pathway to citizenship for Dreamers and DACA recipients, Temporary Protected Status (TPS) recipients, and Deferred Enforced Departure (DED)

AMERICAN OVERSIGHT

recipients. After the vote, Rep. Raúl M. Grijalva issued the following statement:

"Dreamers, TPS recipients, and DED recipients are our neighbors, friends, and loved ones. After years of attacks on their character, livelihoods, and legal status under the Trump Administration, this Congress voted to permanently protect them and offer them the pathway to citizenship they deserve. Now, millions will be able to live, work, attend school, and serve in our military without fear of deportation.

"While I voted for this legislation, it does not go far enough. I fought to strip the 'secondary review' provisions in the bill's current form supported by some of my Democratic colleagues that would block some impacted individuals from qualifying, and I will continue to work with my colleagues in the Senate to remove these unnecessary provisions in the final version of the bill.

"For too long, Dreamers, TPS recipients, and DED recipients have endured far too much upheaval and political games in their lives. This must end. It's time for the Senate to urgently pass this legislation so that they can fully contribute to and live freely in the country they call home."

* * * * *

Sinema Continues Bipartisan Effort to Repeal Shameful Laws Directed at Native American Communities

WASHINGTON – Arizona senior Senator Kyrsten Sinema today reintroduced the *RESPECT Act* with Republican Senator Mike Rounds (S.D.).

The Senators' bipartisan legislation repeals several outdated federal laws that discriminate against Native Americans, including laws subjecting Native Americans to forced labor and laws that allow for the forced removal of Native American children from their homes to attend boarding school, a practice that took place in Arizona.

"Tribal communities in Arizona deserve to be treated with dignity by the federal government. Repealing these shameful laws will help ensure Native American communities achieve the equality and respect they deserve," said Sinema.

The *RESPECT Act,* passed unanimously out of the Senate Indian Affairs Committee in 2017, repeals 11 outdated statutes targeting tribal communities that are still part of current law. One of the statutes the bill repeals allows for the forcible relocation of Native American children to boarding schools. Unfortunately, starting in 1891, Native American students were brought from across Arizona and surrounding states to the Phoenix Indian School, a Bureau of Indian Affairs-run school, for the misguided purposes of trying to get Native American students to "assimilate into mainstream culture." While laws relating to forcible relocation of Native American children to boarding schools are not enforced, they are a sad reminder of the hostile

AMERICAN OVERSIGHT

aggression and overt racism displayed by the federal government toward Native Americans.

* * * * *

MEDIA ADVISORY: Rep. Grijalva Hosts Press Conference on American Rescue Plan, Highlights Help is on the Way to Arizona Cities, Small Businesses, and Workers

WASHINGTON— On Monday March 22 at 12:00 p.m. AZ time, Rep. Raúl M. Grijalva will host a press conference highlighting the local impacts of the recently passed $1.9 trillion American Rescue Plan. The relief package includes billions for Arizona cities and local governments, funding for mass vaccination efforts, and critical funds to get our students safely back to in-person learning and make up for lost time in the classroom. Additionally, it includes billions of dollars in direct payments to Arizona residents, relief to small businesses that include targeted funds to restaurants, and expansions of important programs to help workers and their families hit hardest by the pandemic. For tribal communities disproportionately impacted by the virus, the bill provides billions in funds for tribal governments, the Indian Health Service, and vaccination efforts.

WHO: Rep. Raúl M. Grijalva

Theresa Cullen, Pima County Health Department Director

Dr. Gabriel Trujillo, Superintendent of Tucson Unified School District

Steve Homes, Sunnyside School District Superintendent

Chuck Huckleberry, Pima County Administrator

Michael Ortega, City Manager for the City of Tucson

Chairman Ned Norris, Tohono O'odham Nation

WHAT: American Rescue Plan Virtual Press Conference

WHEN: Monday, March 22 at 12:00 p.m. AZ time

WHERE: Please register using this zoom link

* * * * *

Media statement

AMERICAN OVERSIGHT

**The Maricopa County Community College District, issued the following statement today (March 19) related to MCCCD Athletic Events.*

"The Maricopa Community Colleges will allow spectators at outdoor games/matches beginning March 22, 2021. Per MCCCD policy, spectators will be required to wear face coverings and practice social distancing.

Each of the Maricopa college athletic programs, given the differences in the physical layout of the facilities, will have varying levels of spectator access.

The safety of our community, faculty, staff, and students remains our highest priority."

* * * * *

One Arizona Coalitions Opposes Installing New AZ IRC Executive Director

For the first time in its history, Arizona's Independent Redistricting Commission (IRC) did not unanimously select its Executive Director. The Commission voted 3-2 to offer the role of Executive Director to Brian Schmitt. Schmitt has spent the last ten years as Chief of Staff for Phoenix City Councilmember Jim Waring. His resume and interview clearly demonstrate a lack of experience with state government and working with diverse communities. The lack of transparency and departure from unanimous selection for this key role is equally concerning.

With Census data delays and redistricting occurring in the middle of a pandemic, the Commission needs an Executive Director that is up to the challenge. Not only is the Executive Director tasked with supporting the Commission in a statewide endeavor, but they must also build a process that serves all Arizonans, including our many diverse communities. Neither the Commission nor its proposed staff reflects the diversity of our state. That fact, coupled with Schmitt having no relevant experience engaging communities of color across the state, already point to concerning issues with the process.

The Commission cannot uphold public confidence in their work if their first, and most important, hire was made without consensus. This unprecedented departure from a unanimous selection was made without clearly delineating how Schmitt measures up to the standards set out by the Commission in the hiring process. There were no uniform standards or measures set in place to ensure transparency and outline how the Commission came to their hiring decision.

The IRC has previously committed to an independent and impartial redistricting process that reflects our state and values of fair and free democracy. With interviews and the job offer occurring within the same day, this offered virtually no time for members of the public to provide input on this decision. We call on them to maintain the integrity of the Commission and not break the trust Arizonans have put in them by pausing the employment process until the public can provide input.

AMERICAN OVERSIGHT

NEWS CLIPS

Gambling bill stalls in senate as politics take shape

By Dillon Rosenblatt Arizona Capitol Times 03-19-21

The head of the Department of Homeland Security told Congress on Wednesday that he will not ask President Biden to continue building the 30-foot-tall border wall.

The Biden administration paused border wall construction on Jan. 20 and directed federal officials to conduct a 60-day evaluation of wall projects and contracts. (To read more, click here).

* * * * *

Key criminal justice bills dormant in Senate

By Nathan Brown Arizona Capitol Times 03-19-21

Although several measures aimed at cutting prison sentences and making other major changes to Arizona's criminal justice system have passed the House this year, the big question is whether these bills will make it through the Senate or even get a hearing there.

Advocates for reducing Arizona's incarceration rate – the fifth-highest in the nation in 2019 according to U.S. Department of Justice statistics – had some reason for hope when the 2021 legislative session started. Eddie Farnsworth, the former Senate Judiciary chairman who often opposed proposals to revamp sentencing, is out of the Legislature, having not run for re-election in 2020. (To read more, click here).

* * * * *

Bill targeting Corp. Comm. likely dead

By Dillon Rosenblatt Arizona Capitol Times 03-19-21

A bill that would allow any lawmaker to request the attorney general investigate a decision from the Arizona Corporation Commission appears to be dead in its chamber of origin.

Rep. Jacqueline Parker, R-Mesa, introduced HB2737, which is identical to a 2016 law that allows lawmakers to require the attorney general to investigate alleged violations of Arizona law or the Constitution by municipalities. Her bill would also withhold 10% of the Corporation Commission's budget if the attorney general found a violation and the commission refused to

AMERICAN OVERSIGHT

make a change. (To read more, click here).

* * * * *

Court task force to examine no-knock raids

By Kyra Haas Arizona Capitol Times 03-19-21

A legislative effort to ban no-knock warrants in Arizona is destined to die in committee, but the bill's sponsor is hopeful that a new Arizona Supreme Court task force can help address the same concerns.

"I'm really hopeful that they'll come up with a workable language that will prohibit no-knock warrants," said Rep. Alma Hernadez, D-Tucson, HB2751 sponsor. "I think it will come with a lot more support, especially since it's coming directly from the courts." (To read more, click here).

* * * * *

Lawmakers assert power grab over state offices

By Julia Shumway Arizona Capitol Times 03-19-21

For every headache another branch of government causes a legislator, there's a simple solution – introduce a bill.

Secretary of State Katie Hobbs got around Republican roadblocks and received private funding for election publicity efforts. There's a bill to stop that. (To read more, click here).

* * * * *

Arizona Senate panel OKs loaded weapons in more places

By Howard Fischer Capitol Media Services 03-19-21

A Senate panel gave the go ahead for more people to bring loaded weapons into more places.

One measure approved by the Judiciary Committee would allow the more than 390,000 Arizonans with permits to carry a concealed weapon to bring them into most public buildings, regardless of what the sign on the door says. (To read more, click here).

AMERICAN OVERSIGHT

* * * * *

Auditor General spotlights ‘serious deficiencies’ in Navajo County safeguards

By Pete Aleshire White Mountain Independent 03-19-21

The audit report obtained by the Independent indicates additional issues with both record-keeping for gas purchases and more importantly, a series of problems with the security of the county’s computer systems.

However, the county has already put in place policy changes to respond to the recommendations in oversight of credit card purchases, gas purchases and IT security. (To read more, click here).

* * * * *

Gosar's office denies he will appear on popular QAnon talk show

By John Bowden The Hill 03-19-21

An Arizona congressman said Thursday that he won't appear on a talk show hosted by conspiracy theorists on a digital network responsible for driving the anti-Semitic QAnon movement after criticism of his speech at a conference also attended by a prominent white nationalist.

A spokesperson for Rep. Paul Gosar (R-Ariz.) told The Hill that Gosar will not appear on "Digging Deeper," a talk show hosted on the digital Patriots' Soapbox channel, hours after the show itself posted a promotional image advertising an interview with Gosar. The Arizona Mirror first reported the image on Thursday. (To read more, click here).

* * * * *

If Joe Biden wants amnesty, he needs to enforce existing immigration laws

By Robert Robb Arizona Republic 03-19-21

What is happening at the southern border illustrates the problem of non-enforcement as an immigration policy.

AMERICAN OVERSIGHT

And it illustrates how not enforcing existing immigration laws renders the case for a general amnesty for those currently in the country illegally more difficult to make. (To read more, click here).

* * * * *

Gov. Doug Ducey calls border surge a 'humanitarian' issue, changes tune later that day

By Elvia Diaz Arizona Republic 03-19-21

Just before 1 p.m. Wednesday Arizona Gov. Doug Ducey called the surge of migrants at the U.S.-Mexico border a “humanitarian” issue.

By the end of the day, though, the word “humanitarian” was gone from his lexicon, simply calling it a crisis that requires his personal attention. (To read more, click here).

* * * * *

If you like life in Phoenix, you should know (and thank) Thelda Williams

By Bryan Jeffries Arizona Republic 03-19-21

When Arizonans think of political leaders who define the Valley or the state, our minds rightly gravitate to names like Barry Goldwater and John McCain. As someone who has spent his life in Arizona, I also think of names like Morris Udall, Dennis DeConcini, Calvin Goode and Gabrielle Giffords.

There’s another name that should be on that list, a city of Phoenix icon about to leave the city council after serving across parts of the past five decades:

Vice Mayor Thelda Williams, who at 79 has decided to step down from public service. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, March 19, 2021 4:13:06 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report March 19, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window

Arizona Legislative Report

Arizona Legislative Report *March 19, 2021*

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until March 22, Monday, at 1:15 p.m.

THE SENATE IS ADJOURNED until March 22, Monday, at 1:30 p.m.

COPYRIGHT 2021 Arizona Capitol Reports

AMERICAN OVERSIGHT

DO NOT FORWARD THIS EMAIL. The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

TODAY'S REPORT IS NOW POSTED ON ARIZONALEGISLATIVEREPORT.COM

TOMA SAYS DEMS WANT TO USE TAX CREDIT BILL AS LEVERAGE

Toma said yesterday the bill he is sponsoring to expand the Arizona Commerce Authority's qualified facilities tax credit is being held up so it can be used as leverage.

PROGRESSIVES: ARIZONA WILL GET PENALIZED IF POLICYMAKERS CUT TAXES

Arizona and other states that try to cut taxes stand to lose $1 in federal Covid aid for every $1 in net cuts, the Arizona Center for Economic Progress' David Lujan said in a media call this morning.

ALSO, COUNT ON DAVID LUJAN TO LET THE FEDS KNOW IF ARIZONA CUTS TAXES

Tharpe said his sense is that this federal requirement would apply to all state revenue, not just the general fund.

MESNARD SAYS FEDERAL RELIEF HANDCUFFS ARIZONA, OTHER RED STATES

Mesnard told our reporter he's still looking for guidance on what "indirectly" means when it comes to cutting taxes.

FANN WANTS HAND COUNT OF 2.1 MILLION BALLOTS

Fann shared this week that she plans to conduct a full hand count of all 2.1 million Maricopa County ballots, along with a host of other audit measures.

BOWERS, OTHER REPUBLICANS SEEK RESPONSE TO BORDER CRISIS

Several Republican legislators today urged Sinema, Kelly, Ducey and Brnovich to help end the immigration and humanitarian crisis escalating on the Southern border.

TOWNSEND: WHAT ABOUT THE CHILDREN?

Townsend sent a similar plea yesterday, focusing on the plight of migrant children.

HOUSE UNANIMOUSLY APPROVES PROPOSED NATIONAL NAVAJO

AMERICAN OVERSIGHT

CODE TALKERS DAY

The House voted unanimously yesterday to pass Peshlakai's S1802 (holiday; Code Talkers Day), adding “National Navajo Code Talkers Day” on Aug. 14 to the list of holidays in Arizona statutes.

BUCKLE UP FOR LONG COMMITTEE HEARINGS NEXT WEEK

With only a week left to do it, 151 Senate bills and 193 House bills still need hearings in their second chamber.

Click Here To Read More Legislative Action

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, March 19, 2021 5:29:31 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 3-19-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet March 19, 2021

YOU DO THE CRIME, YOU GET NONCONCURRENT TIME
A judge today tacked five years onto former Maricopa County Assessor Paul Petersen's time behind bars for fraud charges as part of his three-state adoption scheme involving women from the Marshall Islands.

CDWHATEVER – SHE'S RUNNING
Engel today announced she is running to replace Kirkpatrick in CD2, though of course CD2 as we know it won't exist by 2022.

THE RUMOR MILL IS IN FULL SPIN CYCLE
The list of potential Republican candidates is also long, though it comes with the giant caveat that the actual candidates will depend on how the IRC draws the district.

AMERICAN OVERSIGHT

SO MUCH FOR THE BEST AND THE BRIGHTEST
Yavapai County Recorder Leslie Hoffman, a Republican, also wants nothing to do with the Senate audit.

TAX CUTS MEAN COVID CUTS?
Arizona and other states that try to cut taxes stand to lose $1 in federal Covid aid for every $1 in net cuts, the Arizona Center for Economic Progress' David Lujan said in a call with reporters this morning.

SHOULD WE BLAME THE HOAXER OR THE HOAXED?
What started out as a figment of an actor's imagination is now a proposal that, for a time, occupied the energies of Arizona's senators.

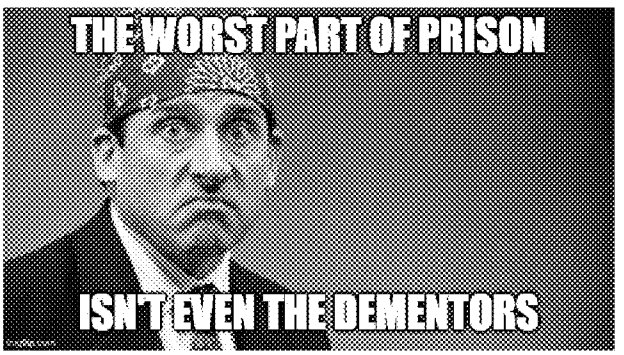
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, March 19, 2021

NEWS NOTES AND GOSSIP

YOU DO THE CRIME, YOU GET NONCONCURRENT TIME



A judge today tacked five years onto former Maricopa County Assessor Paul Petersen's time behind bars for fraud charges as part of his three-state adoption scheme involving women from the Marshall Islands. Petersen's defense had argued that his sentence should be handled as one crime, and asked that any sentence County Superior Court Judge Thomas Fink imposed run concurrently with his other time. Fink did not oblige. Petersen is already in custody following a US District Court judge in Arkansas sentencing him in December to six years in federal prison. He pleaded guilty to human smuggling charges in Arkansas and Utah and to fraud charges in Arizona. His sentencing date in Utah has not been set, but could add 15 years to his current prison time. While Fink said it might be true that the scheme was one course of conduct, it involved interstate crimes and offenses that were "very separate and distinct." In the Arizona cases, Petersen directed the birth mothers, who were not Arizona residents, to lie about their residency in order to access state Medicaid services, resulting in Arizona taxpayers footing an $800,000 bill, Fink noted. Two adoptive mothers spoke at the sentencing and described the financial and emotional toll of his scheme. Petersen said during his sentencing hearing that he takes responsibility and he doesn't plan to grace a courtroom ever again, "either as an attorney or anyone else." His ex-wife also testified on his behalf, noting that Petersen had played a more active role in their children's lives during the pandemic. While attempting to appeal down some of Petersen's punishments in federal court last month, Petersen's attorney Kurt Altman took issue with a judge giving voice to the rumor that Petersen's divorce was a "sham" so he can conceal some assets. "The District Court spent an extraordinary amount of time insinuating and questioning various people about whether Mr. Petersen's divorce proceeding was a sham to conceal assets and avoid a fine," Altman wrote in the appeal filing (LINK). Altman said there was no evidence to support the claim.

CDWHATEVER – SHE'S RUNNING

Engel today announced she is running to replace Kirkpatrick in CD2, though of course CD2 as we know it won't exist by 2022. We've so far resisted the urge to write about the potential candidates in that race since it would essentially be a list of ambitious southern Arizona politicians, rather than early prognostications about the state of the race, but with her formal announcement on Twitter today (LINK), we decided to bite. Friese has already hinted at jumping in the race (LINK) and recently purchased two domain names that point to an announcement soon. D Hernandez told our reporter today that he's "looking at it" and Cano is also rumored to be interested (they both live in Grijalva's district) as well as Steele, who told our reporter today she was "exploring her options." Local politicians are also salivating at the idea of an open congressional seat, and among the names we have heard tossed around – should the district be competitive or Dem leaning – are Tucson Mayor Regina Romero (assuming her rumored gig with the Biden administration (YS, 2/19) doesn't pan out); former lawmaker and two-time congressional candidate turned Pima County Supervisor Matt Heinz; and Adelita Grijalva, daughter of the west Tucson congressman who has been following his political footsteps on the Tucson Unified board and the county board of supervisors (though it seems more likely she waits for his seat to open up).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002829

ARZN_REV00068910_3-19-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE RUMOR MILL IS IN FULL SPIN CYCLE

The list of potential Republican candidates is also long, though it comes with the giant caveat that the actual candidates will depend on how the IRC draws the district. From the Legislature, it's no secret that Gowan would like another crack at a congressional run after abandoning his scandal plagued GOP primary run for CD1 in 2016 at the last minute (LINK). His former seatmate, Frank Antenori, told our reporter a few months ago that he may look again at running after redistricting, though that would mean giving up his lucrative job at Raytheon. Railbirds have named both Juan Ciscomani, a senior advisor to Ducey and VP of the Arizona-Mexico Commission, or his wife Laura, who is the VP of membership and events for the Arizona Chamber of Commerce and serves on the appellate court commission, as potential candidates. Corp Comm Chair Lea Marquez Peterson could also try again after a failed bid in 2018, but some see it as a lateral move for her. Pima County Supervisor Steve Christy could be eyeing a jump to Congress. And rumor has it that Shay Stautz, a former federal lobbyist for UA and ASU (YS, 7/10/19) who dropped out of the race in 2020 after a court challenge against his petitions, wants another shot, as do Brandon Martin, the 2020 GOP nominee and 2020 also-ran Joseph Morgan.

SO MUCH FOR THE BEST AND THE BRIGHTEST

Yavapai County Recorder Leslie Hoffman, a Republican, also wants nothing to do with the Senate audit. She told our reporter she hasn't been contacted by senators or attorney Kory Langhofer, but even if they reached out, she would "respectfully decline." "There's no way that I would be a part of that," she said, adding that finding that many volunteers who want to dedicate months of work will be "quite a process." Hoffman doesn't believe an audit is necessary and doesn't understand why county recorders are even being sought after since they aren't even the ones who tabulate ballots during the election. That's the elections director, who reports directly to the county board of supervisors. "I don't tabulate those ballots. I don't do the hand count. I might be there as an extra body to help out, but I don't put that all together," she said. Hoffman is "hopeful" that if the Senate does an audit, it will change some minds and restore confidence in election officials. "The recorders, the elections directors, clear down to our clerks at the front counters – everybody works so hard, and they're so passionate, and we're not doing this for the money. Believe me," she said. "We've worked really hard and it's very disheartening when people don't believe in what we're doing."

TAX CUTS MEAN COVID CUTS?

Arizona and other states that try to cut taxes stand to lose $1 in federal Covid aid for every $1 in net cuts, the Arizona Center for Economic Progress' David Lujan said in a call with reporters this morning. Lujan and Wes Tharpe, deputy director for state policy research at the Center on Budget and Policy Priorities, said most questions about how the American Rescue Plan will affect state tax policy won't be answered until the US Treasury issues guidance at some point within the next 60 days. However, as they read the bill, any tax cuts enacted after March 3 would be affected, including any plans by the Legislature and Ducey to cut taxes this year. Tharpe said his sense is that this federal requirement would apply to all state revenue, not just the General Fund. That could spell trouble for Mesnard's plan to effectively negate the effects of last year's Prop 208. The new 3.5 percent surcharge on the wealthiest Arizonans bypasses the General Fund and goes straight into a new fund set up for education spending. Mesnard's proposal in S1783 (small

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002830
ARZN_REV00068910_3-19-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

businesses; alternate income tax) to let at least some of those wealthy Arizonans pay an alternate business income tax wouldn't impact the General Fund but could reduce the amount expected in the new Student Support and Safety Fund by about $527 million annually. To the Center for Budget and Policy Priorities, that could result in Arizona losing a potential $527 million in federal relief money. The Center for Economic Progress was a key proponent of Prop 208.

SHOULD WE BLAME THE HOAXER OR THE HOAXED?

What started out as a figment of an actor's imagination is now a proposal that, for a time, occupied the energies of Arizona's senators. Jesse Valencia, the main driver of Rogers' proposal to create a new "Sitgreaves County," sent a lengthy apology this week saying he originally pushed the idea as a publicity stunt and is now stepping back after failing to "put out the fire that [he] started." Valencia, who refused a request for an interview, wrote in an email to our reporter and others that he invented "Sitgreaves County" as the fictional setting in a film he was making in 2016. "At that time, which was the beginning of the Trump era, I came up with a 'Borat'-esque publicity stunt with hope that it would bring attention to myself and to the film. I played whatever stereotypical role I thought would work for me, depending upon my audience," wrote Valencia, who appeared in the 2016 film *Durant's Never Closes*. He said he continued to play up his Borat-esque persona and said indefensible things about Native Americans and Mormons, trying to be shocking and controversial to attract the press and make the conservatives he aligned with look ridiculous. (In the email, Valencia described himself as a progressive Democrat, former Mormon and part Native American). He said he abandoned the persona and decided to pursue the idea of "Sitgreaves County" for real after meeting with Blackman, but he still resorted to trolling an Apache County lobbyist after the lobbyist testified against S1653 (study committee; county boundaries; appropriation), which seeks to appropriate $500,000 to commission a land survey that would determine the boundaries of the new "Sitgreaves County" that would be carved out of Apache and Navajo counties. The bill hasn't moved since March 2. While he refused an interview, Valencia asked our reporter to write about his "Sitgreaves County" album.

·WAKE UP CALL·

Secrecy prevails as executions to resume

Arizona Capitol Times

Arizona is readying to resume executions after nearly seven years, although the Arizona Department of Corrections, Rehabilitation and Reentry did not provide reassurances that the medical team or the drugs used would avoid issues that surfaced through litigation leading up to and during the hiatus.

Gambling bill stalls in senate as politics take shape

Arizona Capitol Times

A top legislative priority for Gov. Doug Ducey to expand off-reservation gaming is stalled in the Senate after the House voted 48-12 to approve a mirror bill on March 4.

Key criminal justice bills dormant in Senate

Arizona Capitol Times

Although several measures aimed at cutting prison sentences and making other major changes to Arizona's criminal

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002831
ARZN_REV00068910_3-19-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

justice system have passed the House this year, the big question is whether these bills will make it through the Senate or even get a hearing there.

Bill targeting Corp. Comm. likely dead
Arizona Capitol Times
A bill that would allow any lawmaker to request the attorney general investigate a decision from the Arizona Corporation Commission appears to be dead in its chamber of origin.

Court task force to examine no-knock raids
Arizona Capitol Times
A legislative effort to ban no-knock warrants in Arizona is destined to die in committee, but the bill's sponsor is hopeful that a new Arizona Supreme Court task force can help address the same concerns.

Lawmakers assert power grab over state offices
Arizona Capitol Times
For every headache another branch of government causes a legislator, there's a simple solution – introduce a bill.

Dating fraud bill moves to Ducey's desk
Capitol Media Services
Arizonans who may be blinded a bit in their search for love are in line to get some protections from the state, if not for heartbreak, at least from being fleeced for their money.

Arizona legislator moves to postpone state income tax filing deadline
Capitol Media Services
A key legislator is moving to ensure that Arizonans can take advantage of the extra month the feds have given them to file their tax returns this year.

Arizona Senate panel OKs loaded weapons in more places
Capitol Media Services
A Senate panel gave the go ahead for more people to bring loaded weapons into more places.

2nd Amendment sanctuary vote delayed in Arizona Senate until Monday
Today's News-Herald
A vote in the State Senate about whether Arizona should become a "Second Amendment sanctuary" was postponed on Thursday.

Auditor General spotlights 'serious deficiencies' in Navajo County safeguards
White Mountain Independent
At least $41,000 in gas purchases that didn't include a vehicle log showing the business purpose of the purchase and the trip.

Tempe Quietly Fires Its Library Director After Years of Staff Complaints
Phoenix New Times
Spying, name-calling, workplace intrigue, a hostile environment: the Tempe Public Library in recent years might make pretty good fodder for a book.

Jail Time for Arizona Abortion Doctors? Controversial Bill Is Advancing in the Legislature
Phoenix New Times
During an emotionally charged meeting earlier this week, Republican Arizona lawmakers advanced a controversial bill that threatens doctors who perform abortions with jail time.

GOP AGs slam tax cut ban in stimulus law as 'unprecedented and unconstitutional'
Arizona Mirror
Republican attorneys general from 21 states are attacking the $1.9 trillion pandemic relief law as an "unprecedented and unconstitutional infringement" on state sovereignty because it restricts tax cuts by states.

Paul Gosar plans to go on a popular QAnon talk show
Arizona Mirror
Weeks after Republican Congressman Paul Gosar gave a speech to a gathering of white nationalists, he is scheduled to appear on Patriots' Soapbox, a leading QAnon talk show.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Fann wants hand count of 2.1 million ballots, may use volunteers
Arizona Mirror
Senate President Karen Fann wants to hand count all 2.1 million ballots cast in Maricopa County in the 2020 general election, a job that may fall to a bipartisan group of volunteers.

GOP lawmakers, Ducey not deterred on cutting taxes if they take federal COVID cash
Arizona Mirror
Republican lawmakers and Gov. Doug Ducey aren't changing their plans for big tax cuts this year, despite a provision of the latest federal COVID relief bill seeking to block states from using the money to fund tax reductions.

Gosar's office denies he will appear on popular QAnon talk show
The Hill
An Arizona congressman said Thursday that he won't appear on a talk show hosted by conspiracy theorists on a digital network responsible for driving the anti-Semitic QAnon movement after criticism of his speech at a conference also attended by a prominent white nationalist.

Legislators just expanded their voucher expansion bill. Can they get any more arrogant?
Arizona Republic (Opinion, Laurie Roberts)
Expanding Arizona's school voucher program would be a punch in the nose to Arizona's voters. So, naturally, a voucher expansion bill is just one major vote away from passing the Legislature.

For shame, Rep. Andy Biggs. Your refusal to honor Capitol police is a stain on Arizona
Arizona Republic (Opinion, Laurie Roberts)
Rep. Andy Biggs couldn't put politics aside in order to honor the police who protected the U.S. Capitol from a mob of insurgents on Jan. 6. That's beyond pathetic.

Rep. Paul Gosar will speak to QAnon – and that's not even the shocking part
Arizona Republic (Opinion, Laurie Roberts)
The fact that Rep. Paul Gosar reportedly plans to appear on a QAnon talk show is not a shock. And that should be shocking.

Now the Arizona Senate plans not just an election audit but a full recount? What's next, a revote?
Arizona Republic (Opinion, Laurie Roberts)
The Senate now plans to ignore state law and do a full hand recount of Maricopa County's 2.1 million ballots in search of that fraud that nobody has been able to find. Let the circus begin.

If Joe Biden wants amnesty, he needs to enforce existing immigration laws
Arizona Republic (Opinion, Robert Robb)
Whatever you want to call it, conditions at the southern border and lax immigration law enforcement make public acceptance of amnesty less likely.

Arizona schools lose if Senate Bill 1783 passes – and I think they know that
Arizona Republic (Opinion, Joanna Allhands)
It doesn't matter if Senate Bill 1783 trims Proposition 208 revenues by half or a third. Either way, schools lose.

Gov. Doug Ducey calls border surge a 'humanitarian' issue, changes tune later that day
Arizona Republic (Opinion, Elvia Diaz)
Arizona Gov. Doug Ducey called the migrant surge a 'humanitarian' crisis, then changed his rhetoric later that day. Does he want to help or not?

Republican legislatures are putting up barriers to voting. We need HR 1 to knock them down
Arizona Republic (Op-ed, Raúl Grijalva)
In Arizona alone, Republicans have introduced more than 40 anti-democratic bills at the statehouse, from purging people from the permanent early voting list to ending vote by mail.

If you like life in Phoenix, you should know (and thank) Thelda Williams
Arizona Republic (Op-ed, Bryan Jeffries)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002833
ARZN_REV00068910_3-19-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Thelda Williams is a name everyone in Phoenix should know, because her city council career has touched virtually everyone in Arizona.

HR 1 will open up voting access alright — especially for those voting fraudulently
Arizona Republic (Op-ed, Russ Vought)
Put simply, H.R. 1 would make systemic voter fraud a permanent feature of our elections and centralize power in the hands of the D.C. political elite.

SRP is stifling rooftop solar to prevent competition. Will a federal court stop it?
Arizona Republic (Op-ed, Jean Su and Robin Silver)
SRP jacked up electricity rates by 65% for customers who installed rooftop solar. It is a discriminatory pricing scheme designed to hurt rooftop solar companies, the utility's competitors.

PRESS RELEASES

TUCSON, AZ – State Senator Kirsten Engel announced today her candidacy for the U.S. House of Representatives in Arizona's Second Congressional District.
"Congresswoman Ann Kirkpatrick has been a tireless advocate for the people of Southern Arizona. She speaks out on the issues that matter to those she represents. Ann is a strong woman and mother, and I have always admired her ability to fight for those without a voice in our society. Her strong and compassionate leadership has been an inspiration to me personally and as an elected official.
Like Ann Kirkpatrick, I have also felt the call to public service. And that's what's led to my announcement today.
My parents were both educators and they taught me from an early age the importance of giving back to my community and taking part in the decisions that shape the world around us. They believed that every person mattered, that every person has a voice that has a right to be heard and that there is no problem too big that we can't solve it together.
My husband Scott and I raised our daughter with those same values and I carried them to the Arizona state legislature. There I've fought for better education for our kids – from grade school through college – for sustainable jobs and housing for working families, and for a healthy environment.
I want to bring my experience as an attorney, a legislator, a woman, and a mom to Washington to help southern Arizona families and small businesses to not only recover from the global pandemic, but take that next step to building a sustainable economy with opportunities for all.
I am committed to fighting everyday as a member of Congress to find practical solutions to the challenges we're facing here in southern Arizona."

Speaker Bowers and Southwest Republican Legislators Urge Action to End Border Crisis, Help Arizona Communities
STATE CAPITOL, PHOENIX – House Speaker Rusty Bowers, Representatives Tim Dunn, Joanne Osborne, Joel John, and Senator Sine Kerr sent a letter Thursday to U.S. Senators Sinema and Kelly, Governor Ducey, and Attorney General Brnovich urging their assistance to bring an end to the immigration and humanitarian crisis occurring on the southern border, and to ensure Arizona communities are not left to bear the financial costs incurred by the failed federal policies fomenting the situation:
Dear Senator Sinema, Senator Kelly, Governor Ducey and Attorney General Brnovich:
The crisis at the border is only beginning to show its impacts. The cartels are utilizing the release policy of U.S. Immigration and Customs Enforcement (ICE) to force innocent victims into horrific conditions. If the United States saw human smuggling of this magnitude anywhere else in the world, we would be outraged enough to stop it, yet we are encouraging it on our border. We believe this is a miscalculation in immigration policy that now is taking a tremendous human toll.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002834
ARZN_REV00068910_3-19-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

By law, the federal government is primarily responsible for addressing this crisis. To begin, the Biden Administration should send a clear message that migrants must enter through ports of entry and follow the law when they do. ICE Enforcement and Removal operations, along with the Office of Refugee Resettlement, must have the increased assets they need, including additional judges, to effectively perform their functions. More broadly, federal policy must address both the upstream backlog of migrants and the resulting overflow of individuals who have already been released into Arizona. To that end, the federal government needs to bear the costs currently being borne by state and local actors, including reimbursement of local hospitalization costs. And, of course, any policy response must account for the challenges posed by COVID-19, which has altered our ability to secure help from non-governmental organizations (NGOs) and their volunteers. Proper COVID-19 protocols must extend to these migrants in order for our local NGOs and volunteers to safely participate in relief efforts. Unknowingly releasing infected persons into the community would only increase infection rates and tax already overwhelmed hospitals and city services.
State leaders also have a role to play in solving the border crisis. In Arizona, approximately 13 miles of border wall have not been completed. This allows for the cartels to outmaneuver the U.S. Customs and Border Patrol by concentrating large groups of migrants in one location and then strategically transporting drugs through a different one. We ask that you work together with us and our colleagues in the Legislature to close these gaps, including by finishing the wall or securing the existing wall with the National Guard. Doing so would help channel migrants to the ports of entry to seek asylum lawfully, while interrupting the flow of the cartels' drug-trafficking operations.
For humanitarian reasons, we need to remove the cartels' stronghold over migrants. We also need to have a plan in place to facilitate the safe movement of migrants away from the border communities. The status quo is not the type of immigration policy any political party wants. It only encourages the cartels to continue smuggling—and victimizing—vulnerable migrants. This must stop.
We can work together to help fix this crisis. Thank you for your consideration. We look forward to a collaborative resolution.

Congressman Biggs Votes NO on Democrats' Amnesty Bills

WASHINGTON, D.C. – Today, Congressman Biggs voted against H.R. 6 The American Dream and Promise Act and H.R. 1603 Farm Workforce Modernization Act because Congress should not reward those who have broken our immigration laws with amnesty.
"Democrats are ignoring the Biden inhumane border crisis. Instead of addressing this crisis, Democrats are trying to pass bills that perpetuate illegal activity by incentivizing these behaviors with the promise of amnesty and other benefits," ***said Congressman Andy Biggs****. "Make no mistake, supporting these bills supports amnesty for those who have broken our laws and empowers cartels to take advantage of aliens and further weaken border security. Congress must stop with these destructive bills and focus on legislation with real reforms that will secure our border and increase integrity in our immigration system."*
Congressman Biggs reintroduced his Fund and Complete the Border Wall Act alongside introducing the Stopping Border Surges Act to strengthen border security and address the loopholes in U.S. The Stopping Border Surges Act fixes problems caused by the *Flores* Settlement Agreement that prevents DHS from detaining family units for more than 20 days, ensures that unaccompanied alien children are quickly and safely returned home, and promotes increased integrity in the asylum system.

One Arizona Coalitions Opposes Installing New AZ IRC Executive Director

For the first time in its history, Arizona's Independent Redistricting Commission (IRC) did not unanimously select its Executive Director. The Commission voted 3-2 to offer the role of Executive Director to Brian Schmitt. Schmitt has spent the last ten years as Chief of Staff for Phoenix City Councilmember Jim Waring. His resume and interview clearly demonstrate a lack of experience with state government and working with diverse communities. The lack of transparency and departure from unanimous selection for this key role is equally concerning.
With Census data delays and redistricting occurring in the middle of a pandemic, the Commission needs an Executive Director that is up to the challenge. Not only is the Executive Director tasked with supporting the Commission in a statewide endeavor, but they must also build a process that serves all Arizonans, including our many diverse communities. Neither the Commission nor its proposed staff reflects the diversity of our state. That fact, coupled with Schmitt having no relevant experience engaging communities of color across the state, already point to concerning issues with the process.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002835
ARZN_REV00068910_3-19-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Commission cannot uphold public confidence in their work if their first, and most important, hire was made without consensus. This unprecedented departure from a unanimous selection was made without clearly delineating how Schmitt measures up to the standards set out by the Commission in the hiring process. There were no uniform standards or measures set in place to ensure transparency and outline how the Commission came to their hiring decision.

The IRC has previously committed to an independent and impartial redistricting process that reflects our state and values of fair and free democracy. With interviews and the job offer occurring within the same day, this offered virtually no time for members of the public to provide input on this decision. We call on them to maintain the integrity of the Commission and not break the trust Arizonans have put in them by pausing the employment process until the public can provide input.

"QUOTE OF THE DAY"

"There's no way that I would be a part of that."

- ***Leslie Hoffman, Yavapai County recorder, on the Senate's audit***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002836

ARZN_REV00068910_3-19-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 23, 2021 7:57:04 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Senate Clippings: March 23, 2021
Attachments: March 23, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Arizona vaccine appointments open this week to 16 and older
- Detainee photos highlight president's border secrecy
- Drought-plagued Arizona to face another dangerous year of wildfires
- County spars with state over federal vaccination site, reimbursement
- Ducey certified Arizona's election but still wants to see hand count
- Proposed tax credit may help Phoenix renters buy a home

Arizona Republic

- Officials warn of 2021 wildfire season's possible devastation
- Residents push back on plans for South Plaza
- LDS church leader, Sinema support state LGBTQ protections
- State reports 484 COVID-19 cases, 0 deaths
- US, Mexico to hold talks on migration

KTAR News

- Report: Arizona has affordable housing shortage for low-income renters
- Arizona Democrats call recount of Maricopa County ballots a 'charade'
- US officials to hold talks in Mexico on migration

Arizona Daily Sun

- Students return to in-person instruction throughout Flagstaff Unified School District
- Mars findings from Perseverance rover cataloged in Navajo language

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Arizona vaccine appointments open this week to 16 and older

Arizona Daily Star
March 23, 2021
Howard Fischer & Stephanie Casanova

State-run COVID-19 vaccination sites — including the one in Tucson at the University of Arizona — are opening registration to all Arizonans 16 and older beginning at 8 a.m. Wednesday, March 24.

The move by the state comes despite the fact that there continue to be problems with some people who already are eligible accessing the website to schedule a vaccine appointment.

Now there will be more competition for those slots.

Dr. Cara Christ, the state's health director, said a high demand is anticipated for the next two weeks. 'And then it will slow down after that,' she said.

The change scraps the system for some people who had been waiting their turn.

Until Monday's shift by the state, those who are 45 and older were next in line for priority, with Christ saying they would become eligible next month. Then those 35 and up would get their chance at the beginning of May.

And it wasn't until later in that month that everyone else 16 and older — the minimum age allowed under the current standards — would be able to get in line.

Now she said, there is enough vaccine and enough appointments so that anyone who wants to get immunized now can.

But not necessarily right away — and not everywhere.

PRIORITY SYSTEM PROBLEMATIC

The first nearly 60,000 appointments will open Wednesday morning and are expected to be filled quickly.

Ditto with a new batch of 80,000 or more slots that opens up Friday.

'But as long as people are patient, they will be able to get a vaccine,' she said.

The 'where' of all that is another question.

Christ said this will definitely apply at the mass vaccination sites run by the state in Tucson, metro Phoenix and Yuma.

And pharmacies that offer the vaccine also are expected to take on those 16 and over, she said.

AMERICAN OVERSIGHT

Counties that run their own vaccine programs may still stick with their age- and job-based priority system if they believe there is still high demand among those most vulnerable, whether by age, medical condition or occupation, Christ said.

Pima County said Monday it will continue to operate under its current priority system: those at least 55 years old and front-line essential workers. The county, however, said it is reviewing the state's decision.

Christ on Monday appeared to be relieved at finally scrapping the multi-tiered priority system first approved when the vaccines became available. It set up a line based not just on age but where someone was living or a person's occupation.

'Some of those decisions on how to prioritize were just heartbreaking,' she said.

'No one wants to have to activate a committee called the Vaccine and Antiviral Prioritization Advisory Committee,' she said. 'This is one of the first times we ever had to do that.'

Christ said it also recognizes what didn't work.

'When we were going to open it by age categories, what we identified is we were already meeting a large portion of those with chronic medical conditions that put them at higher risk,' she said.

'But because of the age category, we weren't able to vaccinate those that lived with them or worked around them,' Christ continued. 'This will give us the ability to vaccinate entire families at the same time.'

And the fact is, she said, there are slots available that weren't anticipated.

A SURPLUS OF APPOINTMENTS

For example, some people were able to find earlier appointments. Then they were canceling the ones they already had made, to the tune of almost 3,000 a day, Christ said.

Add to that, she said, is the anticipation that more vaccines will be available starting with the last week of March.

'What we're hearing is they're going to increase it by several million each week over the next few weeks,' Christ said.

'We get about 2% of that,' she continued. ' So we're hoping that what that would give us is about 40,000 to 60,000 additional doses a week.'

That's on top of what the state is getting now: About 160,000 doses of the Pfizer vaccine, 130,000 of the Moderna inoculation and about 15,000 to 16,000 of Johnson & Johnson.

Part of what drove the decision to abandon the system, she said, is that there were indications it already was sort of falling apart.

Some of it is the fact the state was sometimes allowing 'plus-one' inoculations: A person who showed up with an eligible person sometimes also received the vaccination, regardless of that person's age or status.

AMERICAN OVERSIGHT

Then there's the fact that some younger people also were getting the vaccine because they fell into other eligibility categories, like being a teacher.

And then there's the belief that there's soon going to be more vaccine than people who want it.

Christ figures there are about 5.5 million people who fit the age category. Of that, she said about 2 million already have been inoculated.

That leaves about 3.5 million. But Christ said that the response rate appears to be in the 55% range, putting the total people who will need the shots at 1.5 to 2 million.

Finally, even with the demand, there were still slots available each week, like the 60,000 this week.

'We were actually a little surprised that we still had that many appointments left,' she said. 'And that was at every state site across the state.'

So with vaccines available, Christ said it made sense to open up the eligibility in order to use the drugs 'efficiently.'

TIME TO TAKE 'CRITICAL NEXT STEP'

That, however, still leaves issues with the state website that some have found so frustrating when trying to set up an appointment.

'We continue to make enhancements to our website,' she said.

One is that appointments are saved as people fill out the forms 'so they shouldn't be able to have them snatched out from under them, which will be a big, huge help.'

Still, she conceded that it will remain hard to get an appointment for the next few weeks as demand will be high.

As of Monday morning, almost 3 million doses of COVID-19 vaccine have been administered throughout the state. More than 1.1 million Arizonans have been fully vaccinated, the state Health Department said.

'Our goal has been and remains to get vaccine into the community as quickly, widely and equitably as possible,' Gov. Doug Ducey said in a news release Monday. 'Given a thorough review of vaccination data, anticipated vaccine supply, and current demand among prioritized groups, now is the time to take this critical next step.'

Before the department's announcement, University of Arizona officials said the UA vaccination site had between 100 and 200 appointments available each day this week, despite appointments opening up for the week on Friday.

It was the first week the UA had more vaccines available than appointments filled, said Holly Jensen, a UA spokeswoman. Statewide, there were more than 58,000 appointments still available this week, the Health Department said Monday.

AMERICAN OVERSIGHT

COVID-19 NUMBERS FALLING

Health officials on Monday reported 484 new confirmed COVID-19 cases statewide but no deaths, marking another day of downward trends in the coronavirus outbreak. In Pima County, 87 new coronavirus cases were reported.

Arizona's pandemic totals have now risen to 836,737 cases and 16,745 known deaths since the pandemic began.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

State health officials said the number of confirmed or suspected coronavirus hospitalized patients around Arizona decreased to 647 on Sunday.

In addition, the number of ICU beds used by COVID-19 patients fell to 180.

Arizona's weekly percent positivity for COVID-19 diagnostic testing, an indicator of how much the virus is spreading in the community, is at a five-month low.

Health officials plan to release public service announcements and social media advertising to encourage holdouts to be vaccinated, Christ said. Vaccines will become increasingly available in pharmacies, doctors offices and neighborhood vaccination events to reach people who don't speak English or can't travel to amass vaccine clinic.

Ducey urged people 55 and older who are currently eligible for the vaccine to make their appointments soon before they face a crush of competition from younger people.

The Associated Press contributed to this story.

Tucson's state-operated COVID-19 vaccination site at the University of Arizona will be open to all Arizonans 16 and older beginning at 8 a.m. Wednesday, officials said Monday.

Return to the table of contents

Detainee photos highlight president's border secrecy

Arizona Daily Star
March 23, 2021
Nomaan Merchant, Jonathan Lemire & Josh Boak

President Biden's administration has tried for weeks to keep the public from seeing images like those that emerged Monday showing immigrant children in U.S. custody at the border sleeping on mats under foil blankets, separated in groups by plastic partitions.

Administration officials have steadfastly refused to call the detention of more than 15,000 children in U.S. custody, or the conditions they are living under, a 'crisis.' But they have stymied most efforts by outsiders to decide for themselves.

AMERICAN OVERSIGHT

Officials barred nonprofit lawyers who conduct oversight from entering a Border Patrol tent where thousands of children and teenagers are detained. And federal agencies have refused or ignored dozens of requests from the media for access to detention sites. Such access was granted several times by the administration of President Donald Trump, whose restrictive immigration approach Biden vowed to reverse.

The new president faces growing criticism for the apparent secrecy at the border, including from fellow Democrats.

Biden's national security adviser, Jake Sullivan, said Monday 'the administration has a commitment to transparency to make sure that the news media gets the chance to report on every aspect of what's happening at the border.'

White House press secretary Jen Psaki added that the White House was working with homeland security officials and the Health and Human Services Department to 'finalize details' and that she hoped to have an update in the 'coming days.'

Axios on Monday first published a series of photos taken inside the largest Border Patrol detention center, a sprawling tent facility in the South Texas city of Donna. The photos were released by Rep. Henry Cuellar, a Texas Democrat from the border city of Laredo.

Cuellar said he released the photos in part because the administration has refused media access to the Donna tent. He said he also wanted to draw attention to the extreme challenges that border agents face in watching so many children, sometimes for a week or longer despite the Border Patrol's three-day limit on detaining minors.

'We ought to take care of those kids like they're our own kids,' Cuellar said.

Thomas Saenz, president of the Mexican American Legal Defense and Educational Fund, said the U.S. should allow media access to border facilities while respecting the privacy of immigrants detained inside. He noted the risk of sharing without permission images of children who have already faced trauma.

'We ought to be aware of these conditions,' Saenz said. 'People have to see them so that they can assess the inhumanity and hopefully embark on more humane policies.' The White House has prided itself on its methodical rollout of policy during its first 50-plus days, but West Wing aides privately acknowledge they were caught off guard by the surge of migrants at the border and the resulting media furor.

Republican lawmakers largely sat out the debate over administration's $1.9trillion COVID relief bill. While none of them voted for the package, their opposition was muted and they instead focused on culture war issues, like the debate over racial stereotypes in some Dr. Seuss books, rather than a bill that was broadly popular with GOP voters.

But the GOP has grabbed on to the border situation with both hands, reviving the issue that was key to propelling Trump to the top of the Republican field in 2016. In 2018, the Trump administration detained hundreds of children in many of the same facilities being used now after separating them from their parents. The following year, hundreds of families and children detained at one West Texas border station went days without adequate food, water or soap.

AMERICAN OVERSIGHT

Biden has kept in place a Trump-era public health order and expelled thousands of immigrant adults and families, but he declined to expel immigrant children without a parent after a federal appeals court in January cleared the way for him to do so. He also moved to speed up the reunification of hundreds of separated immigrant families.

'What Trump did was horrible,' Cuellar said. 'These pictures show you that even under our best intentions — and the Biden administration has the best intentions — it's still very difficult.'

Cuellar said the White House needs to work more with Mexico and Central America to prevent people from leaving their home countries. The WhiteHouse said Monday that key officials would go this week to Mexico and Guatemala.

Sen. Chris Murphy, a Connecticut Democrat who visited a facility in El Paso, last week, told NPR, 'We want to make sure that the press has access to hold the administration accountable.'

The Associated Press has requested access to border facilities for more than a month. Reporters first asked Health and Human Services on Feb. 4 to allow entry into a surge facility re-opened at Carrizo Springs, Texas, holding hundreds of teenagers. And they have asked Homeland Security officials for access at least seven times to Border Patrol facilities, with no response. The AP has also petitioned Psaki to open border facilities.

Border agencies under Trump allowed limited media tours of both Homeland Security and Health and Human Services facilities. Several of those visits revealed troubling conditions inside, including the detention of large numbers of children as young as 5 separated from their parents.

Under Biden, the agencies also have denied full access to nonprofit lawyers who conduct oversight of facilities where children are detained. Those oversight visits occur under a federal court settlement.

When lawyers this month visited the Border Patrol facility at Donna, where thousands of children are now detained, agents refused to let them inside and the Justice Department said they were not entitled to gain access. The lawyers were forced to interview children outside. The Justice Department declined to comment.

The newly published photos released by Cuellar's office show groups of children crowded together inside the partitions. Some appear to be watching television while others are lying on floor mats, some side by side. Children are shown wearing surgical masks but are close to each other.

The Donna facility consists of large interconnected tents. Overhead photos taken by AP show enclosed outdoor areas where children can go. But lawyers who have interviewed children detained at Donna say some can go days without being allowed outside.

The administration is rushing to open more space to get roughly 5,000 children out of Border Patrol detention and into Health and Human Services facilities that are better suited for youth. It has also tried to expedite the releases of children in HHS custody to parents and other sponsors in the U.S.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Drought-plagued Arizona to face another dangerous year of wildfires

Arizona Daily Star
March 23, 2021
Howard Fischer

The state's top fire management official is predicting another dangerous season.

John Truett said Monday he anticipates that conditions this year will be no better than last year. And last year close to 980,000 acres burned up in Arizona's second-worst wildfire year on record.

'Most of the state is experiencing extreme, exceptional drought,' Truett said. 'That leads to an early fire season. We've already had several fires that are 500 acres plus.'

All of that leads to the chance of rapid spread across the landscape, he said.

'It's going to be extremely, dry,' Truett said. 'It's not going to take much to get an ignition source going.'

The lack of current rainfall is only part of the problem. At the higher elevations, the areas with the biggest trees, there is 'very little snowpack.'

Also, the continued spread of COVID-19 is a firefighting complication. It means having to maintain certain protocols to ensure that those battling fires remain healthy and don't spread the disease, he said.

'This COVID is not over by any means,' Truett said. 'It's still going to affect the way we have to handle wildland fires.'

Gov. Doug Ducey touted the expansion of existing programs that use inmates from state prisons to fight fires.

The changes, funded with a $24.5 million appropriation, will have inmates clearing the forests of debris.

Ducey said this not only creates work opportunities for inmates, but also helps provide them with skills they can use to find employment after release.

The Bighorn Fire backed down into Finger Rock Canyon in the Santa Catalina Mountains above homes in the Catalina Foothills north of Tucson in this photo from June last year.

Return to the table of contents

County spars with state over federal vaccination site, reimbursement

Arizona Daily Star
March 23, 2021
Nicole Ludden

Pima County is at odds with the state over its refusal to add a federally run vaccination site in Southern Arizona as well as its continued denial to reimburse the county for its COVID-19 testing costs incurred during the height of the pandemic.

AMERICAN OVERSIGHT

The state has turned down an offer from the Federal Emergency Management Agency to set up a vaccination site in Pima County that would add up to 336,000 doses on top of the state's allocation.

On Friday, Dr. Cara Christ, state health department director, said the only way the state could receive additional vaccines is with a fixed FEMA-run vaccination site. However, she said the state would have to extend resources to the federal center without much control over how it is operated.

'Those states with federal sites, including California, have not fared as well,' Christ said. 'They still needed us to be able to staff it, to provide the resources for it, only we did not have the medical oversight or the managerial oversight of these sites.'

County Administrator Chuck Huckelberry said the county would have split the FEMA vaccines between vaccination centers at the Kino Event Center and El Pueblo Center to better serve the county's Hispanic population. He said the county has plenty of capacity to help run the sites.

'Pima County set up five regional vaccination centers without any assistance from the state,' Huckelberry said. 'We were fully prepared to provide all of the support services and systems needed to operate a federal POD.'

The county administrator said the county still plans to open the sites as walk-in vaccination centers and has not heard anything from the state on a reconsideration of FEMA's proposal.

The Board of Supervisors is set to revisit the issue at an emergency meeting Wednesday.

Meanwhile, the county continues to spar with the state over reimbursement for the thousands of tests it has paid for with its own general fund dollars.

In late January, Arizona received more than $418million through the CDC's Epidemiology and Laboratory Capacity program for coronavirus testing. The funding was part of the Coronavirus Response and Relief Supplemental Appropriations Act passed by Congress in December.

On Feb. 19, the state health department announced it would release $100 million of the funds to Arizona's counties to support testing costs. Pima County was allocated $14.4 million but has yet to receive the money.

The state is refusing to reimburse the county for the $7.6 million it has paid for testing from Dec. 21 to Jan. 15. Huckelberry called this an 'arbitrary decision' and said the state has not explained its reasoning.

In a March 16 letter, Christ wrote: 'I recognize and appreciate Pima County's support of free testing to all residents, but reiterate the fact that ADHS will not be providing additional funding beyond what we have previously discussed, nor have we previously committed to do so.'

The county has since petitioned at the federal level to try to access the funds.

Dr. Theresa Cullen, the county's public health director, sent a letter to Dr. José Montero, the CDC's director of the Center for State, Tribal, Local and Territorial Support, asking for his 'guidance and assistance' in appealing to the state to distribute funds to the county for the time period in question.

AMERICAN OVERSIGHT

The supervisors entered into a $33 million contract March 16 to continue funding the county's free testing program using money from the December federal relief package. Huckelberry said the county will use these dollars until they run out of funds and stop the testing program.

Return to the table of contents

Ducey certified Arizona's election but still wants to see hand count

Arizona Daily Star
March 23, 2021
Howard Fischer

Gov. Doug Ducey said he remains confident in the results of the 2020 election yet wants to see the results of a Republican- backed audit and hand count of 2.1 million ballots cast in Maricopa County.

'I've defended our election integrity,' the Republican governor said at a Monday news conference. 'I'm not going to change my position at all.' Ducey said Arizona has had a series of reforms and improvements in the past three decades.

'In many ways I think Arizona is a model state,' he said. 'We have a compendium of best practices in our state.'

Despite that, Ducey said it was within the power of the state Senate, as a separate branch of government, to decide whether another audit is needed.

He brushed aside a question of whether that feeds into the conspiracy theories that somehow the results of the election — which he certified as accurate — were wrong. 'To give an accurate answer, I'd have to see the results of what the Senate is well within its legal rights to do,' he said.

All this comes as Democrats say the sole reason for the Senate's audit is to come up with an excuse to make it more difficult to vote.

'Right now Arizona is leading the country in voter suppression bills from Republican legislators,' said Sen. Martin Quezada, D-Glendale. 'It is no coincidence this is happening after they lost an election.'

All five Maricopa County supervisors have said a new audit is unnecessary. But only Democrat Steve Gallardo showed up Monday for the board's separate news conference. There, he dealt with hecklers who insisted there was massive fraud and that Donald Trump actually defeated Joe Biden in Arizona.

'You lost the election,' Gallardo said. 'Deal with it.'

The Senate's move to audit the ballots comes despite a legally required hand count of a random sample that turned up no errors.

The counting equipment was tested both before and after the election. And the Maricopa supervisors, four of whom are Republicans, hired outside auditors in a bid to prove there was no tampering with the machinery.

AMERICAN OVERSIGHT

That still left GOP senators dissatisfied and resulted in them going to court and winning the legal right to access the equipment and the ballots. Yet on Monday, Senate President Karen Fann said she is still working to get this process started more than four months after the election was completed.

'We hope we have some thing to get out to you very soon,' she said.

Some of what needs to be worked out is the mechanics of having people go through 2.1 million ballots and mark down, one by one, how someone voted.

Fann said she hoped to have bipartisan teams reviewing each batch to provide a level of accountability. So far, though, Democrats see the entire effort as a purely political show and won't participate.

'It's too bad the Democratic Party doesn't believe in getting answers for our constituents,' Fann said. 'I think that's our job.'

The Democrats, for their part, say the only reason people have questions is that Republicans, led by Trump, have made repeated and unsubstantiated claims of fraud. And they see no reason to participate.

It isn't just the Democrats who question the whole premise behind the audit.

Helen Purcell, a former Maricopa County recorder, and a Republican, said she was approached by an attorney representing GOP senators asking if she would be willing to oversee the process. She refused, calling it 'not a necessary process' and saying she trusts the results of the two independent audits already conducted by the county.

Fann said that for the time being, the plan is to limit the hand count solely to the presidential race, in which Biden outpolled Trump in Maricopa County by more than 45,000 votes. That provided a crucial edge to let Biden win Arizona by 10,457 votes.

The Senate president denied that all this does is feed into the claims, all so far with no basis, that Trump really won here.

'We start with the presidential primarily because that was the closest one in terms of numbers,' Fann said.

As for how the task will be handled, 'All this will be made clear as soon as we finish the contract details,' Fann said, referring to the agreement the Senate is making with a yet-to-beidentified outside firm. She promised the contract will be made public.

Return to the table of contents

AMERICAN OVERSIGHT

Proposed tax credit may help Phoenix renters buy a home

Arizona Daily Star
March 23, 2021
Catherine Reagor

A proposed $15,000 federal tax credit for homebuyers could be enough to help almost one-third of metro Phoenix renters afford a house of their own.

A new analysis says the first-time homebuyer credit, currently proposed by President Biden and other lawmakers, would more than cover a 3.5% down payment on a median priced Valley of the Sun home, according to Zillow.

FHA loans for mostly first-time buyers require as little as 3.5% of the purchase price down. Those loans also require mortgage insurance, which adds to a monthly payment.

But Zillow's analysis found the average payment on one of those loans for a median-priced Valley home, including that insurance and property taxes, is less than what it costs to lease a home or condominium.

Of course, Phoenix-area home buyers would need to find a house to buy first. The supply of Valley houses for sale continues to drop as both demand and prices climb.

Zillow found a 3.5% down payment on a typical metro Phoenix house costing about $313,000 is $10,975, so a $15,000 tax credit would be more than enough to cover the entire minimum down payment. But that was the median price for 2020, and home prices are climbing fast in the Valley.

The total monthly mortgage payment on a home in the price range that Zillow used for 2020, including insurance and property, tax is $1,650.

The median lease rate for houses and condos in the now is Valley is $1,755, according to the Arizona Regional Multiple Listing Service.

The median annual income of a renter household in the Phoenix area is $49,615, according to the Census.

Based on rental incomes and housing costs, about 31% of metro Phoenix enters could afford a $1,650 monthly mortgage payment.

Nationally, with a 3.5% down payment, about 9.3 million renter households, or 27.4% of all tenants, could reasonably afford the monthly mortgage payment on the median home in their metro.

Surveys show saving for a down payment is the biggest problem renters have when trying to buy.

About 37% of potential first-time buyers said their biggest issue to buying their own home was saving enough for a down payment, according to Nerd-Wallet.

Nationally, renters save an average of 2.4% of their income per year. At that rate it would take a typical renter about 14 years to save $15,000, according to Zillow's report. Proposals for the new homebuyer tax credit call for providing $15,000 to buyers when they close on a home to cover costs upfront.

AMERICAN OVERSIGHT

Past tax credits from the recession allowed homebuyers to get a credit of $7,000 to $8,000 on their taxes, so there was a delay in getting the incentive.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Officials warn of 2021 wildfire season's possible devastation

Arizona Republic
March 23, 2021
Audrey Jensen

Gov. Doug Ducey and fire officials announced Monday that the upcoming wildfire season is expected to be similar to 2020, which was reported as the second- worst wildfire season in Arizona.

"We have more vegetation on the ground this year that can act as a fuel for wildfires, so we're already seeing a heightened risk to our communities,"

Ducey said in a news conference Monday.

Last year, 2,520 wildfires burned nearly 1 million acres across state, federal and tribal lands and was one of the worst fire seasons in a decade, according to the Arizona Department of Forestry and Fire Management. More than 80% of the fires were human-caused, but fire officials say vegetation overgrowth, an ongoing drought and lack of rain during the monsoon season also contributed to the increase in fires.

The Bush Fire became the state's fifth-largest fire after it burned 193,000 acres in Tonto National Forest.

Department of Forestry Fire Management Officer John Truett said Monday that there is a "very severe potential" for wildland fires and rapid-fire spread across the state this year.

Arizona's wildfire season starts earlier this year

Arizona's wildfire season started early this year with several fires that burned more than 500 acres, Truett said. This month, the Punkin Fire forced the evacuation of 100 people and also closed a state route, Ducey emphasized.

"It's going to be very important for the public to do their due diligence and prevention, watching their outdoor activities," Truett said. "It's going to be extremely dry. It won't take much to get ignition source going and get that fired up and spread across the landscape."

Recently, weather service and agriculture officials warned of increased wildfires in addition to potential water use cutbacks and damage to wheat crops in California and the Southwest due to an expanding drought.

The spring outlook from the National Oceanic and Atmospheric Administration is an expanding drought with a drier than normal April, May and June for a large part of the country from Louisiana to Oregon. Most of Arizona is currently in an extreme to exceptional drought, according to the United States Drought Monitor.

Officials said increased recreational traffic in Arizona and unseasonably warm conditions, lack of moisture and an overabundance of fuels across Arizona's central region and within the Sonoran Desert, all contributed to last year's severe wildfire season, which continued well into the fall.

AMERICAN OVERSIGHT

The lack of rain also kept fire restrictions in place through November, fire officials said.

Ducey said Arizonans need to do their part and take common-sense precautions to help prevent fires this year such as making sure trailer chains aren't dragging, putting out campfires and protecting property by limiting combustible material and vegetation within 100 feet of a house.

Advice for preparing your home for wildfires can be found in English and Spanish on the National Fire Protection Association's website.

New initiative will train over 700 inmates to help prevent wildfires

The news conference with fire and state agencies came after Ducey signed the Arizona Healthy Forest Initiative in March to increase the number of people working to prevent fires in the state. The new $24 million multi-agency initiative will train more than 700 Arizona inmates to help prevent wildfires and create partnerships to reduce wildfire fuels.

"The Arizona Healthy Forest Initiative not only promotes a healthier and safer Arizona, but it also deeply expands the rehabilitative opportunities, which enhance offender's post-incarceration successful reentry and transition back into our community," said Arizona Department of Corrections, Rehabilitation and Reentry Director David Shinn at the conference.

Officials said the new initiative and partnership between the Department of Forestry and the Department of Corrections helps reduce recidivism by providing inmates with job skills for post-sentence employment.

"Cleaning up hazardous debris, they will reduce wildfire risks and create healthier and more fire-resistant forests," Shinn said.

The state has 43 planned and 47 inprogress wildfire risk reduction projects in place and has completed 181 reduction projects from 2013 to 2020, according to officials. The goal of the new forest initiative is to increase the number of acres receiving treatment from 4,000 to 20,000 acres annually. The projected increase in the number of acres receiving treatment under the initiative is 500%, according to the state.

Shinn said the department has partnered with the state forestry agency for 30 years and acknowledged the five inmate firefighters and Department of Corrections fire crew supervisor who died while fighting the Dude Fire in 1990.

Inmates who are part of the Department's wildfire crews have also been prioritized to receive the COVID-19 vaccine as part of the

Phase 1B group, Shinn said. The current program includes about 240 inmates, according to the Department of Forestry. Officials said more than 30 of the inmates have been hired by the state since they were released.

The inmates selected for the program are the lowest-risk offenders in custody, Shinn said.

AMERICAN OVERSIGHT

House Bill 2440 and Senate Bill 1442, introduced by state Rep. Gail Griffin and state Sen. Sine Kerr, will also help support this initiative, Ducey said. SB 1442 will help increase partnerships to reduce wildfire risks on federal lands.

"This partnership will provide critical job skills for over 700 individuals while giving our state's lands, wildlife and communities the much-needed hazardous vegetation removal to help mitigate the damage and the danger caused by catastrophic wildfires," said Kerr, the primary sponsor for SB 1442.

Reach the reporter at Audrey.Jen sen@arizonarepublic.com or on Twitter at @Audreyj101.

"It won't take much to get ignition source going and get that fired up and spread across the landscape."

John Truett

Department of Forestry Fire Management officer

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Residents push back on plans for South Plaza

Arizona Republic
March 23, 2021
Megan Taros

South Plaza may appear nondescript to outsiders, with its classic Southwest-style strip mall feel and its pale orange exterior, but for longtime residents, it serves as an anchor point definitively placing them in the heart of south Phoenix.

Its iconic sign, with oblong font from another decade, sits squarely at the corner of Central and Southern avenues and invites the community to shop at places still lingering from their childhoods. It was once the place to be on the weekends to watch the lowrider cruises, catch up with friends and neighbors and watch live music.

These days there are more empty storefronts than when it opened in 1961, and residents seeking economic development opportunities were hoping to transform the aging plaza into a cultural hub where families could gather and feel proud of their community.

This vision for the plaza is now uncertain. Its new owner, Pivot Development, a Scottsdale-based company that helmed the Papago Plaza redevelopment, is looking to fill an empty storefront with the big-box Mexican grocer El Super.

Residents fear the developer will uproot its cultural significance.

"My five children have grown up in this community; I have 10 grandchildren," Petra Falcon, a longtime resident of south Phoenix, said. "My grandchildren and my children all went to the South Plaza Peter Piper (Pizza). So this is something very personal."

Pivot Development said that South Plaza is ripe for redevelopment, beginning with the introduction of the Mexican grocer. Representatives for Pivot said that with the light rail expansion that's set for

AMERICAN OVERSIGHT

completion in 2024, this is the beginning of a new opportunity that can be compatible with the community, not the end of an era.

“If you do a project and ignore the neighborhood, it’s not going to be successful,” Lee Mashburn, president of Pivot Development, said. “We are not planning on demolishing the center. It’s not ready for that kind of move.”

Residents seek something smaller

The Phoenix Board of Adjustment granted the developer a win at a meeting earlier this month.

The board approved Pivot Development’s variance request to build 60 feet from homes on Second Avenue as opposed to the 75 feet usually allowed. This also allowed the developer to circumvent city policy on the size of developments in south Phoenix. The policy suggests that developments be smaller than 40,000 square feet. The new store would be 44,174 square feet, according to preliminary plans.

Residents said that there is an “oversaturation” of discount and Mexican grocers in the area, with a Food City and a Ranch Market within a block of South Plaza, and that a store of that size would cause disruption for neighbors.

“The way El Super needs to operate turns the street behind it into one big industrial alley,” said Sam Gomez, founder of The Sagrado art gallery across from South Plaza. “Big trucks come through making noise and bringing in smells. We talk about NIMBYs, not in my backyard, but people are OK with doing this in other people’s backyards.”

Opponents of the development say the area behind the plaza along Second Avenue has long been a problem with trash and illegal activity. Adding more trash would make matters worse, they argue.

They’ve suggested other businesses that could fill the space such as a smaller grocer like Sprouts, a Ross clothing store or a small-scale Target, which range from 15,000 to 40,000 square feet, according to Target’s corporate website.

Gomez, an advocate for conscious design and development, presented his own renderings to Pivot in meetings with the developer but was rebuffed, he said. He said he respects the developer’s need to turn a profit, but the community wants to work with a developer who is interested in doing smaller,

less-profitable projects that add value to the neighborhood and giving opportunities to local businesses.

City policy is malleable and must evolve to fit an opportunity, said Stephen Anderson, zoning attorney for Pivot. He emphasized that the plaza has not been renovated for more than 50 years and is lacking other things that the community wants like trees and shade because it cannot currently accommodate those design changes.

He cautioned that growth springing from the light rail will be slow, but over time the investment will pay off, citing places like the Creighton Medical School, which took shape at Park Central years after light rail came to midtown Phoenix.

“The reality of the matter is that transit- oriented redevelopment is slow, and when opportunity knocks, policy has to be flexible,” Anderson said.

AMERICAN OVERSIGHT

‘We know what we want’

South Plaza opened to much fanfare in March 1961, with a live mariachi band, dancers and prizes over the course of three days. It billed itself as a “friendly place to shop” for the entire family, according to an ad for the grand opening in The Arizona Republic.

Angie Frausto, president of the neighborhood group South Phoenix Fight Back, has lived in south Phoenix for almost 50 years and remembers it as a one-stop center, an easy place to walk to from the surrounding neighborhoods and a safe place for families.

She coached flag football and soccer and knows the Peter Piper Pizza – a pizza and family fun center – as the place to take kids after games and celebrate birthdays. It’s one of the few places where families can spend time together, she said.

Frausto wants to see South Plaza return to a place for families and elderly residents to have easy access to necessities and wholesome activities.

“We wish they would understand that people around here have been here for years and they don’t seem to understand that we have too many stores like this nearby,” Frausto said.

“We need something we can take kids to, something we can go to so we don’t have to go out of the community. We need something different.”

Community members met with Pivot prior to its variance hearing and said they are frustrated. Pivot is not budging, and the Board of Adjustment ignored policy that is meaningful to the community, they said.

Mashburn said the suggested variance was beneficial for everyone. The zoning that South Plaza currently has is no longer used by the city, and the plaza likely would be zoned as C-2, which would allow for building much closer to residential areas. A rezoning request would take much longer than a variance request.

“That’s basically what a rezone to C-2 would do, the distance would be much less,” Mashburn said. “We thought ‘Well, we don’t need to push it that far,’ so we decided to go with a variance.”

Mashburn said he opened up conversations with other grocers after hearing the community’s response, but it appears that El Super will end up in the empty space. According to preliminary plans, that means the grocer will extend into the current location of Peter Piper Pizza and the pizza shop will move opposite the 99 Cents Only Store adjacent to Southern Avenue.

Frausto worries this will make the venue smaller and less convenient for families. Gomez said this sows the seeds of displacement and what he describes as cultural genocide, which alienates communities from their culture and strips it from their neighborhoods.

He said residents must stand firm to avoid being taken advantage of in the future.

AMERICAN OVERSIGHT

“We know what we want, and we want to be in control of our own narrative,” Gomez said. “It’s like with any relationship, you allow them to get away with one thing, then it’s another and another until they don’t respect you anymore.”

‘We’re not going to give up’

Residents don’t see a way to properly address concerns without taking El Super off the table. Some don’t believe that will happen.

Opponents say after the fight over light rail, they deserve a seat at the table when it comes to developments springing up as a result.

The light rail stirred controversy in south Phoenix and was kicked back to voters when grassroots groups pushed back on the closure of all but one lane on either side of Central Avenue.

Community members said Valley Metro did not include south Phoenix residents and business owners in talks about the light rail. The South Plaza development is raising some of the same themes. Pivot Development says it spoke to a variety of stakeholders, but residents are skeptical.

“They’re going to go ahead and meet with us and then do whatever they want,” Frausto said.

Mashburn said he was surprised about the continued resistance to the project after Pivot met with stakeholders, but that Pivot is committed to making it work for the community by adding shade, connecting the plaza to the light rail and finding solutions to potential noise and trash issues that arise from business operations.

When plans are updated to reflect the variance, the project will go for review to the village planning committee.

Residents say the fight is not over.

“They haven’t been present. And they got away with it,” Falcon said. “But we’re not going to give up. We’re going to keep knocking on those doors.”

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

LDS church leader, Sinema support state LGBTQ protections

Arizona Republic
March 23, 2021
Alison Steinbach

The Church of Jesus Christ of Latterday Saints came out in support of LGBTQ rights in the midst of a heated debate in Mesa over a nondiscrimination ordinance that now faces a referendum effort.

A local church leader signed on to a letter to Arizonans Saturday along with several other faith leaders, two statewide LGBTQ advocacy organizations and Sen. Kyrsten Sinema in support of Arizona public policy that protects LGBTQ people and religious rights.

AMERICAN OVERSIGHT

“We write in support of non-discrimination ordinances that protect all people, including LGBTQ people, from discrimination in employment, housing and public accommodations, while also protecting important religious rights,” the joint letter reads.

“We hope that every level of government will apply these common values and core principles in a balanced approach with all stakeholders engaging in respectful dialogue. LGBTQ rights and religious freedom do not have to be in conflict. Instead, we can come together to protect all people and unify our community on what has for too long been a divisive issue.”

The Mesa City Council approved a nondiscrimination ordinance on March 1, but it’s now facing an opposition campaign to reverse the decision through a citizen vote.

Michael Soto, president of LGBTQ advocacy group Equality Arizona, grew up in Mesa and was raised in the LDS church, but said he hasn’t been active in the church since he is a transgender man. He said it was “personally transformative and healing” to be able to work with church leaders on the letter and see the church stand in support of LGBTQ rights.

“The letter is incredible. This is historic. This is an amazing moment that I think truly demonstrates that people of faith and that institutions of faith, like the LDS church, can fully support LGBTQ people in living our authentic lives, in being a positive part of the community, in having employment, housing, being able to just go about our lives and be a positive part of cities and towns across the country, and specifically in Mesa,” Soto said.

“It just shows that this isn’t a divisive issue. This is an issue that is truly about loving your neighbor,” he said.

The 5-2 City Council vote made Mesa the seventh Arizona city to adopt a nondiscrimination ordinance to extend protections to the LGBTQ community and others, reviving an effort that had been shelved since initial City Council discussions in 2015.

The ordinance prohibits discrimination in “public accommodation, employment, and housing on the basis of race, color, ethnicity, national origin, age, disability, religion, sex, sexual orientation, gender, gender identity, veteran’s status, marital status, and familial status,” although there are exclusions that apply to schools, religious groups and First Amendment activities.

Mayor John Giles the night of the vote said it was about “equality, respect and fundamental rights” — not about breaking new ground, but about sharing the common ground of basic rights for all.

But a group of residents and others want the law off the books, saying it’s too extreme, vague or broad.

There was significant public support and opposition to the ordinance during two lengthy public hearings held by the City Council before the vote. Many opponents said the ordinance was not necessary, that it needed more time for review from citizens and faith groups or that it would endanger women in bathrooms, among other concerns.

The referendum effort needs about 9,100 signatures submitted by April 1.

AMERICAN OVERSIGHT

If there are enough valid signatures, Mesa residents will vote on the ordinance at the November 2022 general election unless the council calls a special election in November 2021 or in 2022, according to the city.

'No one should be denied these protections for being LGBTQ'

Community leaders emphasized in the letter support for both LGBTQ equality and nondiscrimination ordinances that protect everyone from discrimination in employment, housing and public accommodations, while still protecting religious rights and freedoms.

"No one should be denied these protections for being LGBTQ, and likewise religious persons and institutions should be protected in practicing their faith," they wrote.

"We are deeply concerned that the ongoing conflicts between religious liberty and LGBTQ rights are poisoning our civil discourse, eroding the free exercise of religion and preventing diverse people of good will from living together in respect and peace."

The letter "respectfully urge(s) all Arizona residents" to support policy that protects LGBTQ individuals as well as religious people and faith groups.

Mesa's Elder Dale Willis signed on behalf of the LDS church.

"Simply put, protecting people from discrimination is about treating others as we want to be treated. LGBTQ rights and religious freedom do not have to be in conflict. Instead, we can come together to protect all people and unify our community on what has for too long been a divisive issue," Willis said in a statement.

Other religious leaders to sign the letter are:

- Robert Hoshibata, resident bishop of the Desert Southwest Conference of the United Methodist Church.

- The Rev. Jennifer Reddall, bishop of the Episcopal Diocese of Arizona.

- The Rev. Deborah Hutterer, Bishop of the Grand Canyon Synod of the Evangelical Lutheran Church in America.

- The Rev. Dr. William Lyons, Conference Minister of the Southwest Conference United Church of Christ.

- Rabbi Robert Kravitz, past president of the Board of Rabbis of Greater Phoenix.

'Historic' letter may protect Mesa ordinance, supporters say Hughey said the letter, in the context of the referendum effort in Mesa, spurs important conversations, but it goes even beyond that, voicing support for LGBTQ-inclusive ordinances across the state.

Giles has been a strong supporter of the nondiscrimination ordinance effort since he started his second term as mayor in January. He said that the LDS joint letter is a big deal and that it's unusual for the church to join an effort like this with civil rights groups.

AMERICAN OVERSIGHT

Mesa resident Tom Christofferson, an active member in the LDS church who is gay, said the ordinance sends an important message that there's a place for everyone in Mesa.

"As a person of faith who is gay, the ordinance means that all aspects of who I am can feel at home in Mesa," he said. "I think they've (LDS church) been trying to send this message that there is a desire to find common ground with both the concerns around religious freedom and LGBTQ freedom."

Christofferson said he hopes the joint letter will get people to think about the ordinance for themselves rather than just relying on "scary things" they've heard from others.

He said the ordinance is common sense and not radical, and it balances the needs of faith groups and LGBTQ communities, so he was surprised to see the referendum effort.

"I'm really hopeful that to have leaders of various churches here and the LDS church and Equality Arizona and One Community and Senator Sinema, to have so many people who just are people of a desire to bridge communities, to bring people together — I'm grateful that that's now being seen. And hopefully the folks who haven't really paid much attention to it will now look into it for themselves," he said.

Hughey, from One Community, believes the endorsement of the LDS church may encourage people to educate themselves about the ordinance in light of the referendum effort. The law protects LGTBQ individuals, and it also protects individuals of faith, she said.

"Freedom of religion of course is very important, and it's protected in the state of Arizona, it's protected in the Mesa ordinance and it's protected in our U.S. Constitution," she said. "I hope that for people who have questions about what this ordinance is and isn't, that this statement that comes with the endorsement, really, from the LDS church, helps educate people."

Sinema, who was raised in the LDS church but no longer ascribes to a religion, is the first openly bisexual U.S. senator.

The LDS church's official stance is that same-sex attraction is not a choice or a sin, but it can be a "challenge." The church makes a distinction between feelings of attraction and acting on the attraction — the former is not considered a sin, but the latter is.

The church does not allow same-sex marriage and advises against transgender individuals' "social transitioning" or sex reassignment surgery.

The church says it's politically neutral and tends to stay quiet on political issues, but it does "reserve the right as an institution to address, in a nonpartisan way, issues that it believes have significant community or moral consequences or that directly affect the interests of the Church."

Mesa's firefighter union posted a video on March 11 voicing its support for the ordinance and urging residents not to sign the petition against it.

"False and dark rumors are circulating about the ordinance ... learn the facts, love your neighbor, don't sign the petition," individuals in the video said.

AMERICAN OVERSIGHT

‘Just too extreme’: Group wants to reverse City Council vote

Thomas Brown, a Mesa attorney and chair of United for Mesa, the political committee created for the referendum to put the ordinance to a citizen vote, said March 9 he already was seeing “overwhelming support” for the effort.

“We believe all individuals in Mesa, and including LGBTQ individuals, should be protected under the law. The ordinance the Mesa City Council passed, simply put, is just too extreme and doesn’t balance the rights of all individuals,” Brown said.

He expected organizers would get “well beyond” the close to 9,100 signatures required to make it on the ballot.

He did not respond Friday or Saturday to requests for an update on the effort.

During one of the city’s two public hearings on the ordinance, Cathi Herrod, president of the conservative advocacy group Center for Arizona Policy, said the ordinance had “significant problems,” one is in terms of bathrooms.

“Moms and dads do not want a male identifying as a female seeing their young daughters in the locker room at the local swimming pool,” Herrod said during the Feb. 22 meeting. “Our concern is not simply about the sexual predator who could use this as an excuse to invade women’s facilities — it’s about women’s and girls’ basic privacy.”

She also raised the possibility of a referendum vote. “Mayor and councilmembers, I urge you to not pass this ordinance, to reconsider it. If anything, I hope you would consider putting this to a vote of the people,” she said. “You may recall that the city of Houston passed an ordinance a few years back like this that later was referred to the people, with the ordinance being voted down. I think the same result could happen in Mesa.”

Herrod’s organization appears to have sent an email to raise support and funds for the referendum effort run by United for Mesa.

Herrod did not respond to The Repub-lic’s requests for comment about her involvement.

Political consultant George Khalaf, who is helping manage the referendum effort, said Friday he is confident organizers will have enough signatures to refer the ordinance to the ballot.

The majority of signatures are from volunteers who are not getting paid, he said, declining to say how much others are paid per signature.

“We believe that the ordinance passed was vague and broad, and that there are legal interpretations and differences of opinion in legal circles as to the effects on the city of Mesa, in terms of businesses and in terms of bathrooms, showers, locker rooms, places of public accommodation and because of that vagueness and broadness we felt like it was important to put it up to go to the vote of the people,” Khalaf said.

The Scottsdale City Council is expected to pass a similar non-discrimination ordinance on April 2.

AMERICAN OVERSIGHT

The two Mesa council members who voted against the ordinance, Kevin Thompson and Mark Freeman, did so over concerns it was unnecessary or that a larger conversation was needed.

Return to the table of contents

State reports 484 COVID-19 cases, 0 deaths

Arizona Republic
March 23, 2021
Alison Steinbach

Arizona reported 484 new COVID-19 cases and no new known deaths Monday, continuing the recent pattern of relatively lower case counts.

The state's seven-day average for new reported COVID-19 cases was 479 on Monday, per state data. It reached as high as 9,800 in January.

Arizona's seven-day case rate per 100,000 people ranked 50th Sunday among all states and territories, after ranking first and second for much of January, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

The only states with a lower case rate over the last seven days were California, Oregon and Hawaii.

The state's seven-day death rate per 100,000 people ranked 11th in the nation as of Sunday, per the CDC.

The state's overall COVID-19 death and case rates since Jan. 21, 2020, remain among the worst in the country.

The COVID-19 death rate in Arizona since the pandemic began is 229 deaths per 100,000 people as of Sunday, according to the CDC, putting it sixth in the country in a state ranking that separates New York City from New York state.

The U.S. average is 162 deaths per 100,000 people as of Sunday, the CDC said.

New York City has the highest death rate, at 364 deaths per 100,000 people, followed by New Jersey, Rhode Island, Massachusetts and Mississippi.

Arizona's case rate per 100,000 people since the pandemic began also ranks sixth nationwide as of Sunday.

Arizona's known COVID-19 death count remained at 16,745, as no deaths were reported on Monday. Few new deaths are typically reported on Mondays.

A total of 836,737 COVID-19 cases have been identified across the state. February and particularly March have seen relatively lower case reports.

Thirteen of the last 15 days' reported cases have been under 1,000, for the first time since October.

AMERICAN OVERSIGHT

The Arizona data dashboard shows 84% of all ICU beds and 87% of all inpatient beds in the state were in use Sunday, with 10% of ICU beds and 8% of non-ICU beds occupied by COVID-19 patients. Statewide, 263 ICU beds and 1,144 non-ICU beds were available.

The total number of patients hospitalized in Arizona for known or suspected COVID-19 cases was 647 on Sunday, up from 631 on Saturday and far below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 180 on Sunday, up slightly from 173 on Saturday and far below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 84 on Sunday, just above Saturday's count of 79 and well below the record high 821 reached on Jan. 13.

Sunday saw 940 patients in the emergency room for COVID-19, well below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Monday's numbers

Reported cases in Arizona: 836,737.

Cases since the outbreak began increased by 484, or 0.06%, from Sunday's 836,253 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 521,585 in Maricopa, 111,912 in Pima, 48,840 in Pinal, 36,694 in Yuma, 21,938 in Mohave, 18,299 in Yavapai, 16,956 in Coconino, 15,599 in Navajo, 11,543 in Cochise, 10,772 in Apache, 7,761 in Santa Cruz, 6,497 in Gila, 5,348 in Graham, 2,430 in La Paz and 563 in Greenlee, according to state numbers.

The Navajo Nation reported 30,007 cases and 1,233 confirmed deaths in total as of Sunday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 12,204 inmates had tested positive for COVID-19 as of Friday, including 2,241 in Tucson, 2,021 in Eyman, 2,010 in Yuma, 1,303 in Lewis and 1,163 in Douglas; 43,645 inmates statewide have been tested. A total of 2,729 prison staff members have self-reported testing positive, the department said. Forty- one incarcerated people in Arizona have been confirmed to have died of COVID- 19, with 11 additional deaths under investigation.

Deaths by county: 9,544 in Maricopa, 2,326 in Pima, 834 in Pinal, 812 in Yuma, 673 in Mohave, 517 in Navajo, 483 in Yavapai, 405 in Apache, 323 in Coconino, 277 in Cochise, 218 in Gila, 173 in Santa Cruz, 76 in Graham, 74 in La Paz and 10 in Greenlee.

The global death toll as of Monday morning was 2,717,306. The U.S. had the highest death count of any country in the world, at 542,393, according to Johns Hopkins University. Arizona's death total of 16,745 deaths represents 3.1% of COVID-19 deaths in the U.S.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

US, Mexico to hold talks on migration

Arizona Republic
March 23, 2021

Mexico announced Monday that several top U.S. advisers on border and immigration issues will meet with Mexican officials on Tuesday to discuss migration and development in Central America.

The talks come as a surge of migrants has hit the U.S. southern border. The trip to Mexico will include Roberta Jacobson, the White House's lead adviser on the border, and Juan González, the National Security Council's senior director for the Western Hemisphere.

The White House said Jacobson, a former U.S. ambassador to Mexico, headed there Monday "to engage with Mexican government officials to develop an effective and humane plan of action to manage migration."

Roberto Velasco, Mexico's director for North American affairs, said the talks will focus on the two countries' "joint efforts for secure, safe and regulated migration."

The White House said Gonzalez will then go on to Guatemala, to "meet with Guatemalan government officials, as well as representatives from civil society and nongovernmental organizations to address root causes of migration in the region and build a more hopeful future in the region."

Also among the U.S. officials is Ricardo Zuniga, who was named Monday as special envoy for the Northern Triangle, which includes El Salvador, Guatemala and Honduras.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Report: Arizona has affordable housing shortage for low-income renters

KTAR News
March 23, 2021
Griselda Zetino

There's a shortage of affordable and available homes for extremely low-income renters in Arizona, according to a new report.

The report by the National Low Income Housing Coalition and the Arizona Housing Coalition shows there are just 26 affordable and available rental homes for every 100 households with extremely low incomes.

These include renters with incomes at or below the poverty level.

"What that means is that about 75% of renters are extremely low-income and may not be able to make next month's rent, so they're cost-burdened and they're at risk of homelessness," Joan Serviss, executive director of the Arizona Housing Coalition, told KTAR News 92.3 FM.

It's not just an issue affecting Arizona. Nationwide, there are just 37 affordable and available rental homes for every 100 extremely low-income renters.

Serviss added this is hitting southwestern states, like Arizona, the hardest.

"That's because we've had a lot of migration to our state and neighboring states," she said. "We're also seeing a significant amount of some of the cheap affordable homes that once were being gobbled up by investors."

She also pointed out housing programs are not fully funded and there's a need for diverse housing stock.

"We need to have housing of all types and at all income levels," she said. "But unfortunately, families that are extremely low-income are in competition with middle-income families."

The COVID-19 pandemic has also made matters worse. Serviss said the pandemic has disproportionately hit low-income families, especially families of color.

"They're struggling to make rent," she said. "We do have some emergency rental assistance passed at the federal and local levels that has helped."

"But we need a long-lasting, none-emergency response. We need an ongoing federal investment and we also need a state investment."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Democrats call recount of Maricopa County ballots a 'charade'
KTAR News
March 23, 2021

Democrats on Monday lashed out at Republicans who control the Arizona Senate for their plan to do a complete hand recount of 2.1 million ballots in the state's most populous county, calling the effort a "charade" to keep backers of former President Donald Trump fired up and undermine the integrity of the state's elections.

But GOP Gov. Doug Ducey declined to criticize the effort by a "co-equal" branch of government or a series of election bills Democrats call voter suppression efforts, which the governor termed "reforms."

"I've said that nothing in public life or private life is perfect," Ducey said. "That's what we call reform, that's what we call continuous improvement. I know there's some ideas in the Legislature, and while I don't comment on legislation while its moving, I'm interested."

Sen. Rebecca Rios, the leader of minority Democrats in the Senate, said Senate President Karen Fann's plan to recount ballots in Maricopa County's November election to mollify Trump backers was "a charade."

"This audit is not about increasing voter trust. Americans' right to vote is sacred and how elections are run is paramount to the trust in our Democracy," Rios said. "This entire charade is only keeping the flame of fraud lit and we've seen how gaslighting voters into thinking their election was stolen has to end."

And Steve Gallardo, the sole Democrat on the Maricopa County Board of Supervisors, was even more blunt, accusing Fann and Senate Republicans of pushing unfounded conspiracy theories that Trump actually won in Arizona and damaging the integrity of the state's elections.

"They continue to put out false statements, unfounded truths, they continue to push unfounded conspiracy theories to do one thing, and that is to try to control the elections in 2022 and 2024," Gallardo said. "This isn't about finding the truth or trying to verify electoral votes. This is about undermining our elections, undermining the will of the voters."

Fann had been pushing for a "full forensic audit" of Maricopa County's election result and won a court order on Feb. 26 granting the Senate access to the county's ballots and tabulation machines. But she had never acknowledged until last week that she wanted a full recount, something state law doesn't allow except in narrow circumstances.

She is now looking at ways to conduct the hand-count, possibly including volunteers. Democrats say they will not participate and called the idea of using partisan volunteers a way to further perpetuate the unfounded narrative that the election was stolen by President Joe Biden.

"They shouldn't be doing this at all, they should drop this," Democratic Sen. Martin Quezada said. "This is an unnecessary and an irresponsible soapbox that they're getting on."

A hand-count would be an enormous task. The legally-required hand-count of a sample of 8,000 Maricopa County ballots after the November election took bipartisan teams a day and a half.

AMERICAN OVERSIGHT

The county Board of Supervisors had argued the ballots were secret and the machines need to remain secure and fought a subpoena issued by Senate Republicans.

Since winning that court fight, Fann has been trying to locate an auditing firm that can do the deep dive she wants. Some Trump backers allege there was fraud in the election in Arizona and other battleground states that led to his defeat. Fann said she wants to answer their questions one way or the other.

The five-member county Board of Supervisors has pointed to repeated checks that showed the election was free, fair and properly conducted. They included pre- and post-election tests of counting equipment and software and a hand count of a ballot sample that showed the machine count was accurate.

Last month, they released the results of two new audits of their equipment done to appease the Senate. They showed no malicious software or incorrect counting equipment and that none of the computers or equipment were connected to the internet.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

US officials to hold talks in Mexico on migration

KTAR News
March 23, 2021

Mexico announced Monday that several top U.S. advisers on border and immigration issues will meet with Mexican officials on Tuesday to discuss migration and development in Central America.

The talks come as a surge of migrants has hit the U.S. southern border. The trip to Mexico will include Roberta Jacobson, the White House's lead adviser on the border, and Juan González, the National Security Council's senior director for the Western Hemisphere.

The White House said Jacobson, a former U.S. Ambassador to Mexico, will go there Monday "to engage with Mexican government officials to develop an effective and humane plan of action to manage migration."

Roberto Velasco, Mexico's director for North American affairs, said the talks will focus on the two countries "joint efforts for secure, safe and regulated migration," and plans to provide economic development in southern Mexico and Central America so people won't come under pressure to migrate.

The White House said Gonzalez will then go on to Guatemala, to "meet with Guatemalan government officials, as well as representatives from civil society and non-government organizations to address root causes of migration in the region and build a more hopeful future in the region."

Also among the U.S. officials is Ricardo Zúñiga, who was named Monday as Special Envoy for the Northern Triangle, which includes El Salvador, Guatemala, and Honduras — three of the countries sending the most migrants to the United States.

The State Department said Zuñiga will "coordinate closely with the National Security Council staff on the administration's comprehensive efforts to stem irregular migration to the United States and implement President Biden's multi-year, $4 billion to address root causes of migration in Central America."

AMERICAN OVERSIGHT

Since Biden's inauguration, the U.S. has seen a dramatic spike in the number of people encountered by border officials. There were 18,945 family members and 9,297 unaccompanied children encountered in February — an increase of 168% and 63%, respectively, from the month before, according to the Pew Research Center.

U.S. border patrol officials had encountered more than 29,000 unaccompanied minors since Oct. 1, nearly the same number of youths taken into custody for all of the previous budget year, according to administration officials.

Mexico announced restrictions last week on nonessential travel across its southern border with Guatemala and Belize "to prevent the spread of COVID-19," and sent hundreds of immigration agents and National Guard to the southern border to clamp down on crossings.

Mexico did not explain why the measure was announced now, more than a year after the start of the pandemic, but it came on the same day the U.S. confirmed it will send 2.5 million doses of the AstraZeneca coronavirus vaccine to Mexico.

Officials say migrant traffickers are encouraging people to make the trip by claiming the U.S. border is open to migrants, while Biden administration officials have stressed that the border is not open.

Mexico has cooperated with U.S. efforts to stem the flow, while stressing that the problem can only be solved by addressing the root problems of poverty and joblessness that lead many to migrate. Mexico has proposed massive investment to promote economic development in those areas.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Students return to in-person instruction throughout Flagstaff Unified School District

Arizona Daily Sun
March 23, 2021
Brady Wheeler

Teachers and staff welcomed back students of the Flagstaff Unified School District after months of remote learning.

In-person learning officially began Monday in FUSD schools and will operate five days a week for the remainder of the semester. Following spring break, a significant proportion of the district's student population was allowed to return as outlined in a phased return plan approved by the FUSD governing board last month.

This week's returnees included students in kindergarten, first, second, third, sixth, ninth and 12th grades, and students in specialized programs. The remaining students will return to the classroom next Monday.

"It was very exciting to finally see people that have been on your screen for the whole year," said Brenda Calderon, Puente de Hózhó Elementary fifth grade Spanish teacher. "That's the main thing I took away from the day: Excitement."

Those returning to campus are required to follow COVID-19 mitigation protocols, including wearing a face mask, maintaining physical distance and quarantining after exposure to the virus. The staff have also been trained to monitor their student's symptoms, district officials said.

Not all students will be returning, however, as families have the choice to continue engaging in remote learning based on family preference or student health needs. Teachers will deliver lessons to both in-person and online students simultaneously using a concurrent teaching model. According to an optional form distributed earlier this month, FUSD families indicated that 67% of students planned to resume in-person learning.

Rolling Out The Big Welcome
Mount Elden Middle School principal Tammy Nelson gives a big welcome to Rhett Skinner as he gets off the school bus Monday morning for his first day of sixth grade in person.

Jake Bacon, Arizona Daily Sun
Fifth grade teacher Jillian Hernandez, who also teaches at Puente de Hózhó, commented on the importance of providing a similar learning opportunity to all students, regardless of their selected mode of learning.

"Each classroom has a different percentage of students who have come back or stayed online for various reasons. It's our job as educators to equitably teach," Hernandez said.

Prior to the students' arrival Monday, staff were the first to return to campus on March 8 and used the extra time to prepare for the influx of students later in the month.

AMERICAN OVERSIGHT

Preparations included placing directional arrows on the hallway floors to encourage social distancing and hanging signage to remind students to wear their mask. Teachers also collaborated with the district health and safety team and school administrators to maximize space between students -- including removing unnecessary supplies from the classroom.

"We've done a lot of work and our schools are ready," FUSD Chief Health Administrator McKenzie Bevert said in an interview. "Practicing all of these mitigation strategies that we as a district are promoting is really helpful."

FUSD implements mitigation strategies utilizing district research into effective practices, based on both recommendations from the CDC and strategies used by other schools that have reopened.

First Day Of In Person
Sixth grade students wear masks as they take a tour of Mount Elden Middle School Monday morning during the first day of in-person instruction.

Jake Bacon, Arizona Daily Sun
Early on in the pandemic, vital sanitation resources such as hand sanitizer were difficult to come by and staff were just beginning to figure out how to manage student safety. Bevert said the schools are in a much better place than they were a year ago, thanks to collaborative efforts that included both the City of Flagstaff and Coconino County.

"We have individuals that can put insight into what that looks like. And we talk about 'How can we make this better? How can this work?' We walk through the buildings," Bevert said. "We really work with our collaboration with our partners within the county and within Flagstaff to talk about what's successful and what works."

Bevert noted the importance of students practicing safety habits both at home and in the classroom. She said ensuring that students have a comfortable mask that fits, reminding them to avoid physical contact and helping them practice regular hand washing are a few ways families can support the district's mitigation efforts.

The FUSD COVID-19 dashboard indicates there have been 275 total COVID-19 cases among staff and students since Aug. 17, including 48 that have been associated with athletics. If FUSD's Friday health updates indicate the worsening of COVID-19 cases over the course of two weeks, the board will then consider a return to full remote learning.

During the last reported week, eight cases were reported across the district: one at Mount Elden Middle School, one at Flagstaff High School, one at Thomas Elementary School, two at DeMiguel Elementary School and three at Puente de Hózhó Elementary.

"Individuals who test positive are excluded from participation in any in-person or on-campus activities until FUSD determines that the individual meets the return criteria set by state and local health agencies," according to the FUSD website.

Those criteria include notifying individuals identified as a "close contact" with the positive student, following isolation and self-quarantine guidelines and providing FUSD information related to symptoms and testing.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Mars findings from Perseverance rover cataloged in Navajo language

Arizona Daily Sun
March 23, 2021
Kolby Kickingwoman

Native people have had ties to land in North America since time immemorial, and now that connection is expanding to the cosmos.

The Perseverance rover has been on Mars for a month, collecting data and making discoveries with each passing day.

A number of the findings, through a collaboration with NASA, have been catalogued in Diné Bizaad, the Navajo language.

The Perseverance team started with a list of 50 words and will expand the list as needed. According to a tweet from the rover itself, some terms have already been used, such as tsé łichíí (red rock), yéigo (diligence) and séítah (amongst the sand).

Before landing in the Jezero Crater on Máaz, Navajo for Mars, the Perseverance team divided the crater into a grid of "quadrangles" that were 1 square mile (2.6 square kilometers) in size and named the "quads" after national parks on Earth with similar geology.

The rover touched down in an area named after Arizona's Canyon de Chelly National Monument, which is in the Navajo Nation.

Navajo Nation President Jonathan Nez, along with Vice President Myron Lizer and other advisers, came up with words from things they saw at the landing site, Indian Country Today reported.

A press release from NASA said suggestions included tséwózí bee hazhmeezh (rolling rows of pebbles, like waves). Aaron Yazzie, Diné, added suggestions like bidziil (strength) and hoł nilı́ (respect) to the list. "Perseverance" itself was translated to Ha'ahóni.

Yazzie is a mechanical engineer on the Perseverance team and works at NASA's Jet Propulsion Laboratory in Southern California.

He hopes that seeing their Native language associated with the mission will make Native youth proud and encourage them to achieve their goals.

"This fateful landing on Mars has created a special opportunity to inspire Navajo youth not just through amazing scientific and engineering feats, but also through the inclusion of our language in such a meaningful way," Yazzie said in the press release.

Nez echoed those sentiments and sees students becoming more interested in STEM fields in the future.

AMERICAN OVERSIGHT

“We are very proud of one of our very own, Aaron Yazzie, who is playing a vital role in NASA’s Mars 2020 Perseverance Mission,” Nez said. “We are excited for the NASA team and for Aaron, and we see him as being a great role model who will inspire more interest in the STEM fields of study and hopefully inspire more of our young people to pursue STEM careers to make even greater impacts and contributions just as Aaron is doing. As the mission continues, we offer our prayers for continued success.”

Interestingly, the rover has essentially needed to be taught Navajo in order to understand the labels given to items it collects. However, the English alphabet needs to be interspersed to convey certain information due to the use of accent marks in Navajo words.

Other scientists at NASA have welcomed the chance to learn the Native language, said Perseverance Deputy Project Scientist Katie Stack Morgan of JPL.

“This partnership is encouraging the rover’s science team to be more thoughtful about the names being considered for features on Mars – what they mean both geologically and to people on Earth,” Stack Morgan said.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 23, 2021 8:01:33 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report March 22, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window

Arizona Legislative Report

Arizona Legislative Report

March 22, 2021

55th Legislature; 1st Regular Session

THE HOUSE IS STILL in session at our deadline.

THE SENATE IS ADJOURNED until March 23, Tuesday, at 1:30 p.m.

COPYRIGHT 2021 Arizona Capitol Reports

AMERICAN OVERSIGHT

DO NOT FORWARD THIS EMAIL. The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

TODAY'S REPORT IS NOW POSTED ON ARIZONALEGISLATIVEREPORT.COM

SOURCES: REPUBLICANS MULL SKIPPING HEARING OVER SEX ABUSE BILL

Republicans on Senate educ are getting pressure to boycott at least part of tomorrow's Senate educ hearing if Boyer doesn't pull a child abuse bill from the agenda, Steele and a railbird told our reporter.

THE CONSCIENCE OF A CATHOLIC

Shope told our reporter he didn't know anything about a campaign to kill H2494, but he was out of town without cell service.

STRIKERS EVERYWHERE

A host of strikers are on committee agendas this week, including Leach's effort to bring back a version of his vaping bill.

HOUSE PANEL TO TACKLE OPEN ENROLLMENT BILL

Several Senate bills that advanced out of that chamber on party-line votes are up for hearings in House committees tomorrow afternoon.

SEX, GUNS AND TAXES

And Wednesday morning is shaping up to be an even busier one in the House.

GUN BILL GETS GREEN LIGHT FROM SENATE RULES ATTORNEY

Kavanagh's H2840 (misconduct involving weapons; school grounds) may appear to conflict with the federal Gun-Free School Zones Act, but the Senate rules attorney said there's a loophole.

TRUMP SUPPORTERS HECKLE DEMOCRATS' PRESSER

Hecklers shouted over Senate Democratic leaders and Maricopa County Supervisor Steve Gallardo in the Rose Garden this morning at a news conference, where they decried the audit pushed by Senate Republicans.

FINCHEM RECALL EFFORT PLANS TO HIRE TOTAL OF 50 SIGNATURE GATHERERS

Supporters of an effort to recall Finchem seem optimistic about their chances at a canvassing event in Marana on Friday.

AMERICAN OVERSIGHT

Click Here To Read More Legislative Action

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 23, 2021 8:02:05 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 3-22-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet March 22, 2021

WE'RE RUNNING OUT OF PEOPLE WHO WANT THE SHOT?
After tens of thousands of new vaccine appointment slots went unfilled over the weekend, Ducey today announced that Arizonans 16 and older will be allowed to book vaccination appointments at state facilities in Maricopa, Pima and Yuma counties starting on Wednesday.

MAYBE SLOW AND STEADY REALLY DOES WIN THE RACE
Interestingly, The Associated Press and nonprofit health-data organization Surgo Ventures, conducted an analysis recently showing states that opened up vaccine eligibility more broadly early have actually seen vaccination rates stall overall.

THE PANDEMIC ENDS WHEN UGENTI-RITA GETS HER WAY

AMERICAN OVERSIGHT

Now that anyone can get a vaccine, the next big decision for Ducey and Christ will be when to end the emergency declaration.

DON'T WORRY GUYS, KAREN WILL FIND THAT FRAUD
The Stop the Steal crowd shouted down Senate Dems and Maricopa County Supervisor Steve Gallardo today at a press conference where Democrats decried the ongoing effort for a Senate audit, complete with a hand recount from volunteers, as an attack on democracy.

MAKE IT A DOUBLE, BARKEEP
In their campaign to recall Finchem, organizers are comparing him to a bartender who has overserved their customers, who then proceeded to make bad decisions.

ALL GOOD RUMORS MUST COME TO AN END
Tucson Mayor Regina Romero is out of the running to be the next deputy secretary of the US Dept of Housing and Urban Development.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, March 22, 2021

NEWS NOTES AND GOSSIP

WE'RE RUNNING OUT OF PEOPLE WHO WANT THE SHOT?

After tens of thousands of new vaccine appointment slots went unfilled over the weekend, Ducey today announced that Arizonans 16 and older will be allowed to book vaccination appointments at state facilities in Maricopa, Pima and Yuma counties starting on Wednesday. Arizona's vaccine rollout has fluctuated a lot in the past month – originally prioritizing essential workers, educators and health officials before switching to an age-based approach. April 1 was supposed to open up eligibility for 45 and up and May 1 for 20 and up, but Ducey quickly abandoned that approach after 58,000 appointments went unbooked from the latest appointment release on Friday. Dept of Health Services Director Cara Christ today confirmed that was a major motivating factor, saying many appointments were being cancelled, and to ensure the demand kept up with supply of the perishable vaccine, the state decided to open the floodgates. "We anticipated having actually more 55-year-olds that are interested in getting vaccinated, so that's why we were surprised we had such a lack of appointments this week," Christ said, noting that the state has always known that desire for the vaccine would decrease as the age requirement decreased. (Before the state announced its open-for-all approach today, several counties had already started allowing anyone 18 and older to receive the vaccine.) She said the first phase of vaccination was when demand exceeded supply, and the state is now on to the second phase, in which supply can meet demand. The third phase of vaccine distribution, she said, is when the supply actually exceeds demand. "And that's when we're going to be doing a PR messaging change," she said, noting the state is releasing a PSA today to hammer the message that the vaccine is safe and effective and available. Still, she's not sure if Arizona will reach herd immunity, saying based on polling, only 55 to 60 percent of the population was willing to take the vaccine. (The state would need to vaccinate well above 70 percent of residents to reach herd immunity.) "That's always been a concern of ours, whether we will reach herd immunity," she said, noting that if the state does reach herd immunity, it won't be until after the summer or fall 2021 at the earliest. In the meantime, Christ said the state would continue its programs targeting low-vaccination and low-income neighborhoods to attempt to ensure that the new availability guidelines don't wind up benefiting only the wealthy and tech savvy. "We've got Spanish PSAs and English PSAs and we'll be targeting them through social media and really trying to get the general population," Christ said.

MAYBE SLOW AND STEADY REALLY DOES WIN THE RACE

Interestingly, *The Associated Press* and nonprofit health-data organization Surgo Ventures, conducted an analysis recently showing states that opened up vaccine eligibility more broadly early have actually seen vaccination rates stall overall. Despite offering vaccinations to larger portions of their population, states like Georgia, Tennessee, Texas and Florida have struggled to keep up with states like New Mexico, North Dakota, Connecticut and Wyoming, which have stuck with more restrictive eligibility, the *AP* reported (LINK). "That the rapid expansion of eligibility caused a surge in demand too big for some states to handle and led to serious disarray," The *AP reported*. "Vaccine supplies proved insufficient or unpredictable, websites crashed and phone lines became jammed, spreading confusion, frustration and resignation among many people."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002877

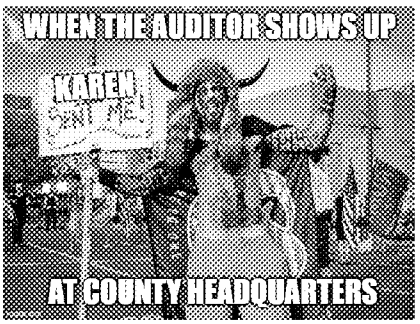
ARZN_REV00068926_3-22-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE PANDEMIC ENDS WHEN UGENTI-RITA GETS HER WAY

Now that anyone can get a vaccine, the next big decision for Ducey and Christ will be when to end the emergency declaration. Ducey and Christ today wouldn't say when she would recommend he rescind the order, or what criteria the state would need to meet to end the order. Former DHS Director Will Humble said if he were still health director, he would be looking at several areas to make that decision, including the percentage of people between 18 and 40 who've been infected, the percentage of the seniors that have received at least one dose of the vaccine and how hospitals are managing Covid patients. "If I was in my old job I would be talking to the governor about 'this is something that we're going to need to decide pretty soon,'" he said.

DON'T WORRY GUYS, KAREN WILL FIND THAT FRAUD



The Stop the Steal crowd shouted down Senate Dems and Maricopa County Supervisor Steve Gallardo today at a press conference where Democrats decried the ongoing effort for a Senate audit, complete with a hand recount from volunteers, as an attack on democracy. "This audit is a dangerous fishing expedition that could destroy the sanctity of the private ballot," Engel said. (Despite the bluster from Dem politicians about the ability of auditors (or volunteers) to discern a particular voters' name from a ballot, which does not include voters' names, experts have said the threat of voters' identification being disclosed is minimal (LINK).) The Democrats were met with a group of protestors who shouted over the lawmakers to call them traitors and liars and to demand a recount. "What are you afraid of?" one yelled. Others spewed false conspiracies that the ballots were fraudulent or that the election was otherwise compromised. Gallardo again pointed out that the board of supervisors provided the materials for the subpoena, but the Senate remains unready to receive the material weeks later. "Now they don't even have someone to do the audit. They want the pillow man; they want Rudy Giuliani – that's not a credible auditor," Gallardo said. The Democrats also tied the audit into the wave of election-related bills in the legislature, which they said are efforts to suppress votes. "Now, rather than put forward ideas that will earn your votes, they want to change the rules for everybody," Quezada said.

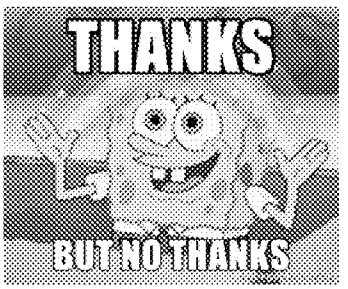
MAKE IT A DOUBLE, BARKEEP

In their campaign to recall Finchem, organizers are comparing him to a bartender who has overserved their customers, who then proceeded to make bad decisions. "He got people drunk on his rhetoric," Pablo Correa, one of the organizers of the recall said at a canvassing event in Marana on Friday. After officially launching recently, organizers have already collected more than 1,000 signatures of the 25,000 that the group will need to force a recall. Ashley Brennan, one of the organizers, said Rural Arizonans for Accountability, a progressive group that is leading the recall effort, has already hired about 20 signature gatherers but hope to hire about 50 more. "Especially in Oro Valley, there's a lot of excitement," she said. Rural Arizonans for Accountability is an extension of Rural Arizona Action, which has been pumping money into organizing in Pinal County to boost engagement and build a Democratic bench in the area. The group previously dropped hundreds of thousands of dollars in dark money supporting failed LD8 Democrat Sharon Girard and failed LD11 Democrat Felipe Perez, as well as spending on city council and school board candidates in Pinal and rural Pima counties over the past couple of years. Correa, a failed 2018 LD8 House Dem primary candidate himself, said the group doesn't have a candidate in mind to run against Finchem if the recall makes it onto the ballot. "We're just focused on the signatures right now," he said. Organizers need about 25,000 valid signatures from LD11 voters by July 2 to trigger a recall.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002878
ARZN_REV00068926_3-22-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ALL GOOD RUMORS MUST COME TO AN END



Tucson Mayor Regina Romero is out of the running to be the next deputy secretary of the US Dept of Housing and Urban Development. We first floated the rumor that she was among the possible appointees last month (YS, 2/19), and Grijalva added fuel to the fire last week when he mentioned on *The Buckmaster Show* that "she's being seriously considered" (LINK). Grijalva said it would be a tough decision for his ally, noting that being the mayor is an important and prominent position in town, but HUD deputy secretary is a position of "national importance." But Romero officially popped those trial balloons on Friday, sending out a statement that her "heart is in Tucson." She said although it would be an honor to even be considered, "I have communicated with the Biden-Harris Administration my intent to remain in my current position as Mayor, as well as my eagerness to work in partnership with their administration on issues important to Tucsonans." (On the show, Grijalva noted that he will seek at least one more term before considering retirement.)

·WAKE UP CALL·

Democratic lawmaker Kirsten Engel announces run for Congress

Associated Press

Democratic Sen. Kirsten Engel of Tucson announced Friday she's running for Congress, becoming the first candidate to jump into the race to replace retiring Democratic Congresswoman Ann Kirkpatrick.

Ducey talks disdain for Arizona's new education tax, vows fast fix

Associated Press

A new voter-approved tax on high-earning Arizonans that will boost education spending is firmly in Gov. Doug Ducey's crosshairs, with the Republican vowing Friday to see Proposition 208's new tax canceled either through the courts or the GOP-controlled Legislature.

With incoming Arizona heat, vaccine sites to move in April

Associated Press

Arizona's state-run outdoor vaccination sites will switch to nighttime operations or shut down next month in anticipation of hotter temperatures, the state's top health official said Friday.

Ducey accuses Biden of creating border crisis

Capitol Media Services

Surrounded by Republican politicians, Gov. Doug Ducey on Friday insisted that everything that is now going wrong on the border is the fault of President Biden, his administration and the Democratic Congress.

Some Tucson snowbirds stayed through pandemic year, others did not return

Arizona Daily Sun

Winter visitor Edna Koller stayed in Tucson for the first time last summer, not returning to her home in Sault Ste. Marie, Michigan, on the upper peninsula of the U.S.-Canada border.

Mesa Electric vehicle plant will be Maricopa County's first

East Valley Tribune

According to a report by industry analyst Blast Point, 345,000 electric vehicles were sold nationally during pandemic dominated 2020, – up 40 percent from 2019 with Tesla, Nissan and Audi as top sellers leading the way.

Making Contact: Meet The People Calling COVID-19 Cases From Their Bedrooms

Phoenix New Times

Issa Jimenez Espinoza and Catie Carson sit in their bedrooms, headphones on and a computer in front of them. Ben Van Maren sits on a couch in his studio apartment with a laptop.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002879

ARZN_REV00068926_3-22-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Karen Fann owns this farcical crusade to prove Trump isn't a big loser
Arizona Mirror (Opinion, Jim Small)
Just when you thought the farce that is the Arizona Senate's proposed audit of the 2020 election couldn't be any more farcical, news comes about a hand recount conducted by volunteers that makes it impossible not to laugh at the sheer ineptitude of this entire unnecessary endeavor.

He fought for the little guy and helped love win. Then he lost his battle with cancer
Arizona Republic (Opinion, Laurie Roberts)
Every once in awhile you run into a guy like Chuck Stegall, an attorney who does what he does not just to pad his bank account but to make life just a little bit better for the little guy.

Arizona should not resume executions. Now's the time to abolish them
Arizona Republic (Opinion, Robert Robb)
If a bipartisan coalition in the Arizona Legislature on criminal justice reform agrees with abolishing the death penalty, now is the time to act.

Imagine how much worse the COVID-19 pandemic would be without music
Arizona Republic (Opinion, Greg Moore)
From D-Nice and 'Club Quarantine' to New Yorkers singing from windows, music has kept people entertained – and connected – during the pandemic.

Asian Americans are under assault. We need other voices to say 'enough' on racism
Arizona Republic (Op-ed, Yvonne So)
Just about any Asian American who grew up in America has experienced racism. We need all of America to acknowledge that Asian Lives Matter.

Remember how we segregated smokers? It could be a lot worse for the unvaccinated
Arizona Republic (Op-ed, Scott Craven)
A majority of Americans don't want to be around unvaccinated people. But keeping the two groups separate could be as tough as it is messy.

Want to 'fix' Arizona's election system? Then better explain what's broken first
Arizona Republic (Op-ed, Editorial Board)
If Arizona handles elections well, there isn't much case for reform. Upending the system in the name of 'integrity' isn't good enough.

PRESS RELEASES

Arizona Expands COVID-19 Vaccination Eligibility To All

Arizonans Age 16 And Up Can Be Vaccinated At State Sites
PHOENIX — Registration at Arizona's state-operated COVID-19 vaccination sites in Maricopa, Pima and Yuma counties will be open to all Arizonans 16 and older beginning at 8 a.m. Wednesday, March 24, Governor Doug Ducey and the Arizona Department of Health Services announced today.
"Our goal has been and remains to get vaccine into the community as quickly, widely and equitably as possible," said Governor Ducey. "Given a thorough review of vaccination data, anticipated vaccine supply, and current demand among prioritized groups, now is the time to take this critical next step."
As of this morning, Arizona has administered 2,904,159 doses of COVID-19 vaccine to 1,831,456 individuals, including 1,136,413 who are fully vaccinated. As of Monday morning, there were over 58,000 appointments still available from Friday's release.
The change announced today advances a hybrid approach that had been based on age and also has had counties vaccinating frontline essential workers. It applies to appointments still available for this week at state sites in Maricopa and Pima counties.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"We anticipate more and more vaccine reaching Arizona heading into April, making it possible now to expand prioritization," said Dr. Cara Christ, director of the Arizona Department of Health Services. "We have been flexible and nimble throughout, while expanding the availability of state sites to vaccinate large numbers of people rapidly."
ADHS now opens appointments at 11 a.m. each Friday for State Farm Stadium in Glendale, Arizona State University's Phoenix Municipal Stadium in Tempe, Chandler-Gilbert Community College, the University of Arizona in central Tucson, and, as of this Friday, Yuma Civic Center in Yuma County.
State sites complement county vaccination programs and the growing availability of vaccine at pharmacies and federally qualified health centers participating in federal vaccination programs. Sites using the Pfizer vaccine, including those run by the state, can vaccinate those 16 and older. The Moderna and Johnson & Johnson/Janssen vaccines, which are allocated to counties, are approved for those 18 and older.
Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Arizona for Better Medicaid Commends Governor Ducey and Arizona Legislature for Passing Measure to Ensure Continued Care for Arizonans During COVID19

(Phoenix, ARIZ., March 22nd, 2021) – Arizona for Better Medicaid, a multi-stakeholder group supporting Medicaid and Managed Care in Arizona, commends Governor Ducey and the Arizona Legislature for passing a measure to increase AHCCCS' federal expenditure authority from $2.4 billion to $3 billion. These federal funds, already allocated for Arizona, ensure continued access to care for Medicaid members across the state during the COVID19 public health emergency. This measure also guarantees Arizona receives the COVID19 relief dollars it is entitled to while providing economic and health care stability for individuals and families across the state.

Governor Ducey, Fire Safety Officials Provide Wildfire Season Outlook

PHOENIX — Governor Doug Ducey today joined the Arizona Department of Forestry and Fire Management and fire safety officials to urge all Arizonans to do their part in preventing wildfires.
"We all have a role to play in protecting our forests and communities and minimizing the risk of wildfires," said Governor Ducey. "It's important to be responsible and use common sense precautions to help prevent wildfires, like ensuring your fire is out cold before walking away and remembering it is illegal and dangerous to fly a drone near a wildfire. My thanks to firefighters across the state and everyone working to protect our people, pets and property."
Wildfires ravaged close to 980,000 acres in Arizona last year, the second most severe year for total acres burned. Wildfires can start through lightning, campfires and more, and have devastating effects on air quality, wildlife, people and property.
"Firefighters and safety officials work hard every day to protect Arizona and our communities," said State Fire Management Officer John Truett. "It's important that we all do our part to support their efforts, help minimize the risk of wildfires, and protect one another."

- To help prevent fires, Arizonans are encouraged to:
- Ensure trailer chains do not drag (any spark can start a fire);
- Practice responsible outdoor recreation and ensure campfires, matches or cigarettes are out cold before walking away from them;
- Be "fire wise" and protect your property by limiting the combustible material and vegetation within 100 feet of your house; and
- Remember it is illegal and highly dangerous to fly a drone near wildfires.

Before delivering an outlook on the upcoming wildfire season, the Governor received a briefing from the Arizona Department of Forestry and Fire Management to discuss efforts being taken to limit the risk of wildfires.
Governor Ducey on March 9 signed legislation to help fight the threat of wildfires in Arizona while expanding opportunities for low-risk inmates in the state's correctional facilities through the Arizona Healthy Forest Initiative. The initiative is a joint program between the Arizona Department of Forestry and Fire Management and the Arizona Department of Corrections, Rehabilitation and Reentry that provides resources for preventing wildfires by utilizing low-risk inmates to control vegetation that could contribute to wildfires. The skills obtained by inmates through the

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002881
ARZN_REV00068926_3-22-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Healthy Forest Initiative will help prepare them for employment upon release while reducing recidivism across the state.

Representatives Fillmore & Finchem Call on Biden Administration to End Border Crisis, Protect Against Human & Drug Trafficking

STATE CAPITOL, PHOENIX – In a legislative proclamation read today on the House floor, State Representatives John Fillmore (R-16) and Mark Finchem (R-11) called on President Biden and his administration to respect, follow, and enforce all established United States immigration laws, to strengthen and secure our nation's borders, and prevent the illegal, immoral, and dangerous cross-border trafficking of people and drugs:

Whereas, The Biden Administration has reversed decades of immigration reform to reward those who violate our laws and sovereignty, and endangering the public health and safety of Americans and those who seek to immigrate here; and

Whereas, On his first day in office, President Biden signed a record 17 executive orders, many voiding common sense border protection policies enacted during the Trump administration; and President Biden issued an executive order ending former President Donald Trump's 2017 executive order on interior immigration enforcement putting American citizens at risk and potentially in harm's way; and

Whereas, President Biden has signed executive orders effectively affording sanctuary protection for aliens in our country; and President Biden issued an executive order preserving and fortifying DACA, providing legal status for people who came into the U.S. or stayed illegally; and will allow those coming in potentially to receive the same status; and

Whereas, President Biden issued an executive order to include the count of undocumented individuals in the U.S. Census thereby incorrectly inflating the true count of American citizens; and President Biden issued an executive order on child separation in immigration, creating a humanitarian crisis on its own; and

Whereas, President Biden and congressional Democrats are aggressively pushing a radical immigration overhaul that could set millions of illegal immigrants on a path to become U.S. citizens in just eight years or even less, in some cases; and

Whereas, United States Border agents encountered over 78,000 illegal immigrants in the first month of 2021, more than double over 2020, and higher than any January in a decade; and despite a worldwide pandemic, the Biden administration has left our borders unsecured and is allowing potentially-infected migrants into our state unchecked, nor tested for the COVID-19 virus; and

Whereas, The Biden administration has detained over 1,700 children, many in cages, at the U.S border, creating an unimaginable human and health crisis; and under the Biden administration, the number of unaccompanied, illegal, migrant children is expected to exceed 76,000 this year, the highest ever; and

Whereas, Arizona's border counties and communities are witness to the chaos and criminal activity caused by reduced border security; and Arizona's border counties and communities are overwhelmed and financially hurting from the permissive federal policies encouraging illegal immigration, and the unfettered smuggling of humans and narcotics; and

Whereas, America is a nation of laws, and Arizona citizens deserve better from their leaders in Washington; and

Therefore, Representative John Fillmore and Representative Mark Finchem, Republicans, invite all of the members of the Arizona House of Representatives to join us in calling upon President Biden and his administration to respect, follow, and enforce all established United States immigration laws, to strengthen and secure our nation's borders, and prevent the illegal, immoral, and dangerous cross-border trafficking of people and drugs.

Ahead of Key Vote, Representative Cobb Urges Senate Support for Bill to Protect Arizona Consumers & Businesses from Big Tech Monopolies, Devastating Fees

HB 2005 would empower small developers and growing businesses, incentivize companies to relocate to Arizona

STATE CAPITOL, PHOENIX – State Representative Regina Cobb called on members of the Arizona Senate to support her legislation, HB 2005, that would protect consumers and small businesses from Big Tech's monopolistic fees – better known as the "app tax." The bill passed the House earlier this month and is scheduled for a Senate hearing this Wednesday.

"Allowing Big Tech companies to use their monopoly power to effectively tax our small businesses is not only wrong, it is raising prices for consumers and harming small app developers – the very innovators and

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002882

ARZN_REV00068926_3-22-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

entrepreneurs who power our economy," said Representative Cobb. **"This legislation will give small app developers more power and reign in the Big Tech monopolies in Silicon Valley who are using their 'app tax' to make money off the backs of our innovators."**
Apple and Google's effective monopoly allows them to force app developers to use their respective payment systems, where they impose a 30 percent "app tax" on purchases made through the App Store and Google Play store. This not only harms small app developers through increased costs but results in higher prices and reduced choice for consumers who have no way to avoid these anticompetitive fees. HB 2005 would free small app developers from the "app tax" by allowing them to accept payments without being forced to go through Apple and Google.
This legislation would level the playing field for app developers by giving them, and their customers, more choice – lowering costs for developers, lowering prices for consumers, and incentivizing growing tech companies and entrepreneurs to relocate to Arizona. Following the passage of HB 2005 in the House of Representatives, David Heinemeier Hansson, a co-founder of software maker, Basecamp, said the company would move its operations from Chicago to a state like Arizona that offers protections from Big Tech.
"This is about supporting innovators, giving consumers more choice, and standing up to monopolies that threaten our free market system and are harming growing businesses," added Cobb. **"This is a bipartisan issue, it is an American issue, it is a fairness issue – it is time to tell Big Tech enough is enough."**
Since Representative Cobb's legislation was introduced and approved in the House, voices from across the political spectrum have spoken out about the need to reign in Big Tech, with some highlighting HB 2005 for acting where Congress has not.

Sen. Kelly Backs Bill to Lower Prescription Drug Costs for Arizona Seniors

Legislation would allow Medicare to negotiate prices for prescriptions drugs

Arizona Senator Mark Kelly has cosponsored The Empowering Medicare Seniors to Negotiate Drug Prices Act, which would lift restrictions preventing Medicare from negotiating the price of prescription drugs for seniors enrolled in Medicare Part D.
"The rising cost of prescription drugs has hurt Arizona seniors for far too long. I've talked with seniors across Arizona who have faced the difficult choice of paying for their groceries or their life saving medication. It does not have to be this way. This proposal would lower the rising cost of prescription drugs for Arizona seniors and ensure that they can afford the medication they need," said Senator Mark Kelly.
Current law only allows for negotiation between insurance companies and pharmaceutical companies, not Medicare. The Empowering Medicare Seniors to Negotiate Drug Prices Act would allow the Secretary of Health and Human Services to directly negotiate with drug companies for price discounts for the Medicare Prescription Drug Program, eliminating the "non-interference" clause that bans Medicare from negotiating for better prices. By bargaining on behalf of nearly 46 million seniors, Medicare would be in a position to secure bigger discounts and ensure enrollees are receiving the best prices for the medicine they need.
Kelly is a member of the Senate Special Committee on Aging. At a committee hearing last week, Kelly spoke about the challenges Arizona seniors face in meeting their health care needs from his conversations with Arizonans across the state and meetings with his Arizona Senior Citizens Advisory Group made up of leading seniors advocates in the state.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002883
ARZN_REV00068926_3-22-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Now they don't even have someone to do the audit. They want the pillow man, they want Rudy Giuliani – that's not a credible auditor."

- ***Steve Gallardo, Maricopa County supervisor, on the Senate's audit***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 23, 2021 8:02:42 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes March 22, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

March 21, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative*

AMERICAN OVERSIGHT

Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

THE HOUSE IS STILL in session at our deadline.

THE SENATE IS ADJOURNED until March 23, Tuesday, at 1:30 p.m.

COMMITTEE AGENDAS

NEW HEARINGS

Senate Judiciary

Thursday 03/25/21 at 9:00 AM, Senate Rm. 1

H2098: MISSING CHILDREN; MANDATORY REPORTING ***STRIKER: SAME SUBJECT***

H2130: INTENSIVE PROBATION; REQUIREMENTS; MODIFICATION

H2158: PROTECTIVE ORDERS; CENTRAL REPOSITORY; NOTIFICATION

H2170: WRITS OF GARNISHMENT; ATTORNEY FEES

H2334: DANGEROUS; INCOMPETENT PERSON; EVALUATION; COMMITMENT

H2460: DETENTION OFFICERS; ARREST WARRANT; CUSTODY

H2462: CIVILIAN REVIEW BOARD MEMBERS; TRAINING

H2491: WRONGFUL ARREST; RECORD CLEARANCE

H2542: VETERAN SUICIDES; ANNUAL REPORT

H2552: CRIMINAL DAMAGE: MONUMENTS; MEMORIALS; STATUES

H2567: PEACE OFFICERS; INVESTIGATOR MEMBERSHIP REQUIREMENTS

H2601: SENTENCING; CREDIT; ELECTRONIC MONITORING

H2674: SEX OFFENDER REGISTRATION; TERMINATION

H2760: MILITARY INSTALLATION FUND; PROPERTY CONVEYANCE

AMERICAN OVERSIGHT

STRIKER: CONTRACTORS; QUALIFYING PARTY

H2790: PRISONERS; ESCAPE; CLASSIFICATION

H2792: EARLY BALLOTS; REQUEST REQUIRED

H2831: FAILURE; APPEAR; SURETY; NOTICE; RULES

REVISED HEARINGS

House Commerce

Tuesday 03/23/21 at 2:00 PM, House Rm. 3 ***REVISED [03/19/21]***

S1063: ADMINISTRATIVE REVIEW OF AGENCY DECISIONS

S1064: CONTRACTOR LICENSE NUMBERS; ADVERTISING; EXCEPTION

S1156: SOLID WASTE; ADVANCED RECYCLING FACILITIES

S1215: LIQUOR; SALES; DELIVERY; IDENTIFICATION INFORMATION

S1230: LIMITED LIABILITY COMPANIES

S1268: LABOR ORGANIZATIONS; FIDUCIARY GUIDELINES; DISCLOSURE

S1293: REFRIGERATED PRODUCT DISPLAY; RETAILERS

Added S1353: ANTI-RABIES VACCINATION; RABIES TITER

STRIKER: TERMINALLY ILL PATIENTS; COMPOUNDING; PHARMACY

House Natural Resources, Energy & Water

Tuesday 03/23/21 at 2:00 PM, House Rm. 4 ***REVISED [03/22/21]***

S1147: WATER BANKING; STORAGE CREDITS; SUBCONTRACTORS

S1222: CONSERVATION DISTRICTS; WATER; INVASIVE VEGETATION

S1269: SALE OF STATE LANDS; NOTICE

Added S1366: REMEDIATED WATER; GROUNDWATER; USE

STRIKER: REMEDIATED GROUNDWATER USE; DATE; EXTENSION

Added SCR1011: SUPPORTING; HARDROCK MINING

AMERICAN OVERSIGHT

STRIKER: BORDER SECURITY; BORDER CRISIS

Senate Commerce

Wednesday 03/24/21 at 2:00 PM, Senate Rm. 1 ***REVISED [03/19/21]***

H2005: DIGITAL APPLICATION DISTRIBUTION PLATFORMS; PROHIBITIONS

H2161: TOURISM MARKETING AUTHORITIES ***STRIKER: SAME SUBJECT***

H2506: WORKERS' COMPENSATION; RATES; FIREFIGHTERS; CANCER

H2697: HEALTH SPA CONTRACTS; CANCELLATION; NOTICE

H2716: LICENSING; BUILDING PERMITS; TEMPORARY PERMITS

H2773: SPIRITUOUS LIQUOR; DELIVERY; OFF-SALE PERMITS ***STRIKER: SAME SUBJECT***

H2787: OCCUPATIONAL REGULATION; GOOD CHARACTER; DEFINITION

NEWS NOTES

SOURCES: REPUBLICANS MULL SKIPPING HEARING OVER SEX ABUSE BILL

Republicans on Senate educ are getting pressure to boycott at least part of tomorrow's Senate educ hearing if Boyer doesn't pull a child abuse bill from the agenda, Steele and a railbird told our reporter. Steele has tried for the past two years to run a bill that would require clergy to report child abuse, but former Sen. Eddie Farnsworth denied it a hearing last year and Barto did so this year. Boyer, who has frequently worked with Steele on legislation relating to child sexual abuse, volunteered to run her bill as a strike-everything amendment in his name to H2494 (Arizona health education centers; increase). Boyer did not return calls from our reporter today or Friday, but Steele said he told her he is used to facing pressure and wouldn't cave. "He's my hero. We're completely on opposite pages on so many issues but when it comes to working together to protect children, we're on the same page," she said.

THE CONSCIENCE OF A CATHOLIC

Shope told our reporter he didn't know anything about a campaign to kill H2494, but he was out of town without cell service. In any case, he's already iffy about

AMERICAN OVERSIGHT

the bill because he doesn't know whether it's constitutional or if it violates religious freedom. For Catholics like Shope, the confessional is sacrosanct: a priest risks excommunication if he reveals anything said during a confession. And as legislatures in the U.S. and other countries have advanced bills meant to require clergy to report abuse, the Catholic church has come out strongly against it.

STRIKERS EVERYWHERE

A host of strikers are on committee agendas this week, including Leach's effort to bring back a version of his vaping bill. The strike-everything amendment to H2682 (pharmacy board; rulemaking authority), which will be heard in Senate appro tomorrow, is similar to Leach's S1496 (e-liquids; tobacco products; vapor products) and most notably contains a strict prohibition on cities or towns adopting their own tobacco licenses or imposing restrictions on the sale or advertising of vapor products outside of a narrow radius around schools. Boyer, who sponsored a dueling measure backed by the health care industry and local governments, sought to ensure that local governments could still regulate flavors and advertising to prevent vape products from appealing to kids. Mesnard tried to broker a compromise between the two camps with S1103 (s/e tobacco; vaping) but that bill hasn't moved forward since passing Senate appro in February.

HOUSE PANEL TO TACKLE OPEN ENROLLMENT BILL

Several Senate bills that advanced out of that chamber on party-line votes are up for hearings in House committees tomorrow afternoon. The bills House com will hear include S1063 (administrative review of agency decisions) and S1268 (labor organizations; fiduciary guidelines; disclosure), both of which made it out of the Senate on 16-14 votes. And House educ plans to hear S1685 (schools; attendance boundaries; open enrollment), which also passed the Senate, 16-14, and which would get rid of attendance boundaries for district schools.

SEX, GUNS AND TAXES

And Wednesday morning is shaping up to be an even busier one in the House. House jud meets at 9 a.m. and, among other controversial measures, is taking up S1456 (sex education instruction; parental rights), which would require parental consent for any instruction related to AIDS, sexual orientation or gender identity, bar sex education before 5th grade and increase the review requirements for school boards to approve sex ed curricula and for materials to

AMERICAN OVERSIGHT

be made publicly available first. And House jud will hear S1382 (essential businesses; firearms; ammunition; sales), which says gun sales can't be restricted during a state of emergency and gun and ammunition sellers must be deemed "essential" businesses. At the same time, House ways-means will be hearing S1783 (small businesses; alternate income tax) Wednesday morning, Mesnard's proposal to negate part of Prop 208 by letting some of the wealthy Arizonans whose taxes would otherwise go up pay an alternate business tax.

GUN BILL GETS GREEN LIGHT

Kavanagh's H2840 (misconduct involving weapons; school grounds) may appear to conflict with the federal Gun-Free School Zones Act, but the Senate rules attorney said there's a loophole. After a Supreme Court ruling prevented the federal government from being able to enforce the law because of its breadth, a 1995 amendment narrowed it to apply only to guns that are linked to interstate commerce. That in itself is a broad category, but the Senate's rules attorney said while 99 percent of guns are probably somehow connected to interstate commerce, the possibility that a gun and its components could have been manufactured entirely in Arizona protects H2480 from a clear violation of the supremacy clause in the federal constitution.

THE THEME OF THE 2021 SESSION: ELECTIONS AND EMERGENCIES

House gov-elec also has a full agenda this Wednesday morning – with a meeting scheduled for Thursday for whatever the committee can't get to that day. The highlights include S1084 (state of emergency; automatic termination), which would end a state of emergency after 90 days unless the Legislature extends it, and SCR1003 (executive orders; emergencies; reauthorization; termination), which would propose a constitutional amendment to end one after 30 days unless the Legislature extends it. And among the numerous election-related bills on the agenda are S1713 (early ballots; identification; mailing), which would require some ID with an early ballot; S1714 (campaign expenditures; out-of-state; disclosures), which would increase disclosure requirements on political action committees, including increasing the size of the disclosure notices on billboards and TV ads and requiring them to disclose the percentage of out-of-state contributions they get as part of it; and, S1106 (voting residency; intent to remain), which would make it a Class 6 felony to register to vote in Arizona if the voter doesn't intend to stay. All of these bills passed the Senate on party-line votes.

AMERICAN OVERSIGHT

TRUMP SUPPORTERS HECKLE DEMOCRATS' PRESSER

Hecklers shouted over Senate Democratic leaders and Maricopa County Supervisor Steve Gallardo in the Rose Garden this morning at a news conference, where they decried the audit pushed by Senate Republicans. Hecklers shouted at Gallardo as he defended how Maricopa County handled the election, prompting him to yell back at one point, "You lost the election. Deal with it." Engel took the podium as a woman shouted that her vote was stolen, and people in the crowd shouted over the legislator as she described her concerns with the Republican audit, including that Fann seems to lack a plan for conducting it. One protester took issue with Gallardo and Engel describing how Trump allies lost every lawsuit they filed in Arizona after the election, saying the courts never saw the evidence.

FINCHEM RECALL EFFORT PLANS TO HIRE TOTAL OF 50 SIGNATURE GATHERERS

Supporters of an effort to recall Finchem seem optimistic about their chances at a canvassing event in Marana on Friday. "We reached just over 1,000 signatures yesterday," said Ashley Brennan, one of the organizers. "So we're moving." Brennan said they already hired about 20 signature gatherers but hope to hire about 50 more, and that they have been getting positive responses so far. "Especially in Oro Valley, there's a lot of excitement," she said. Rural Arizonans for Accountability is leading the recall effort, citing Finchem's ties to groups, such as the Oath Keepers, and his support for the idea that the 2020 was fraudulently stolen from Donald Trump, and for activities, including attending the rally in Washington, D.C. on Jan. 6 that morphed into to a pro-Trump mob storming the Capitol in an attempt to stop Congress from certifying the electoral vote. Finchem denies participating in the riot or witnessing any violence. Organizers need about 25,000 valid signatures from Legislative District 11 voters by July 2 to trigger a recall. Pablo Correa, the co-executive director of Rural Arizona Action, a progressive group that is helping support the recall effort, insisted the recall effort is not about Finchem's opinions but about giving LD11 voters a chance to weigh in again given the events of Jan. 6. "I think it does change the opinions of voters," he said. While talking to a canvasser, Correa compared Finchem's actions in supporting the efforts to overturn the 2020 election results to a bartender who overserves someone who proceeds to do something worse. "He got people drunk on his rhetoric," Correa said. Correa said his group doesn't have a candidate in mind to run against Finchem if the recall makes it onto the ballot.

AMERICAN OVERSIGHT

"We're just focused on the signatures right now," he said.

OOPS

Last Friday's report incorrectly reflected how the GOP and Dem caucuses voted on H2321 (qualified facilities), which seeks to increase the Arizona Commerce Authority's preapproval amount for qualified facilities tax credits. The Senate voted, 12-17, to reject the bill with Bowie joining most Republicans to vote for it while four Republicans, along with Democrats, voted no, including Livingston so he could reconsider it. The report also incorrectly identified the sponsor of S1802 (holiday; Code Talkers Day), which seeks to add "National Navajo Code Talkers Day" on Aug. 14 to the list of holidays in Arizona statutes. The bill's primary sponsor is Peshlakai.

NEWS RELEASES

Arizona Expands COVID-19 Vaccination Eligibility To All

Arizonans Age 16 And Up Can Be Vaccinated At State Sites

Registration at Arizona's state-operated COVID-19 vaccination sites in Maricopa, Pima and Yuma counties will be open to all Arizonans 16 and older beginning at 8 a.m. Wednesday, March 24, Governor Doug Ducey and the Arizona Department of Health Services announced today.

"Our goal has been and remains to get vaccine into the community as quickly, widely and equitably as possible," said Governor Ducey. "Given a thorough review of vaccination data, anticipated vaccine supply, and current demand among prioritized groups, now is the time to take this critical next step."

As of this morning, Arizona has administered 2,904,159 doses of COVID-19 vaccine to 1,831,456 individuals, including 1,136,413 who are fully vaccinated. As of Monday morning, there were over 58,000 appointments still available from Friday's release.

The change announced today advances a hybrid approach that had been based on age and also has had counties vaccinating frontline essential workers. It applies to appointments still available for this week at state sites in Maricopa and Pima counties.

"We anticipate more and more vaccine reaching Arizona heading into April, making it possible now to expand prioritization," said Dr. Cara Christ, director of the Arizona Department of Health Services. "We have been flexible and nimble throughout, while expanding the availability of state sites to vaccinate large numbers of people rapidly."

ADHS now opens appointments at 11 a.m. each Friday for State Farm Stadium in Glendale, Arizona State University's Phoenix Municipal Stadium in Tempe, Chandler-Gilbert Community

AMERICAN OVERSIGHT

College, the University of Arizona in central Tucson, and, as of this Friday, Yuma Civic Center in Yuma County.
State sites complement county vaccination programs and the growing availability of vaccine at pharmacies and federally qualified health centers participating in federal vaccination programs. Sites using the Pfizer vaccine, including those run by the state, can vaccinate those 16 and older. The Moderna and Johnson & Johnson/Janssen vaccines, which are allocated to counties, are approved for those 18 and older.

Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. **Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative.**

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

* * * * *

Governor Ducey, Fire Safety Officials Provide Wildfire Season Outlook

Governor Promotes Wildfire Prevention

Governor Doug Ducey today joined the Arizona Department of Forestry and Fire Management and fire safety officials to urge all Arizonans to do their part in preventing wildfires.

“We all have a role to play in protecting our forests and communities and minimizing the risk of wildfires,” said Governor Ducey. “It’s important to be responsible and use common sense precautions to help prevent wildfires, like ensuring your fire is out cold before walking away and remembering it is illegal and dangerous to fly a drone near a wildfire. My thanks to firefighters across the state and everyone working to protect our people, pets and property.”

Wildfires ravaged close to 980,000 acres in Arizona last year, the second most severe year for total acres burned. Wildfires can start through lightning, campfires and more, and have devastating effects on air quality, wildlife, people and property.

“Firefighters and safety officials work hard every day to protect Arizona and our communities,” said State Fire Management Officer John Truett. “It’s important that we all do our part to support their efforts, help minimize the risk of wildfires, and protect one another.”

To help prevent fires, Arizonans are encouraged to:

- Ensure trailer chains do not drag (any spark can start a fire);
- Practice responsible outdoor recreation and ensure campfires, matches or cigarettes are out cold before walking away from them;

AMERICAN OVERSIGHT

- Be “fire wise” and protect your property by limiting the combustible material and vegetation within 100 feet of your house; and
- Remember it is illegal and highly dangerous to fly a drone near wildfires.

Before delivering an outlook on the upcoming wildfire season, the Governor received a briefing from the Arizona Department of Forestry and Fire Management to discuss efforts being taken to limit the risk of wildfires.
Governor Ducey on March 9 signed legislation to help fight the threat of wildfires in Arizona while expanding opportunities for low-risk inmates in the state’s correctional facilities through the Arizona Healthy Forest Initiative.
The initiative is a joint program between the Arizona Department of Forestry and Fire Management and the Arizona Department of Corrections, Rehabilitation and Reentry that provides resources for preventing wildfires by utilizing low-risk inmates to control vegetation that could contribute to wildfires. The skills obtained by inmates through the Healthy Forest Initiative will help prepare them for employment upon release while reducing recidivism across the state.

* * * * *

UArizona Preps for More Students on Campus, Has Vaccination Appointments Available

TUCSON, Ariz. — The University of Arizona will remain in Stage 2 of its instructional plan this week, with classes of 50 or fewer students permitted to meet in person. With the full support of its public health advisers, the university plans to move to Stage 3 the week of March 29, which will allow classes of up to 100 students to meet face to face, President Robert C. Robbins said Monday in his weekly virtual update on the university's COVID-19 status.

Meanwhile, the UArizona COVID-19 vaccination POD, or point of distribution, still has appointments available this week for people age 55 and older. Those eligible for vaccination can register and schedule an appointment through the Arizona Department of Health Services website. Those who need assistance can email covidhelp@arizona.edu or call 602-542-1000 or 844-542-8201 for help in both Spanish and English.

Beginning Wednesday, March 24, at 8 a.m., any Arizonan age 16 or older will be able to register for a vaccination appointment at state sites, including the UArizona POD, the Arizona Department of Health Services announced Monday.

New appointments at the state PODs will be released every Friday for the following week.

Robbins thanked the many volunteers who have been working at the university POD.

"I would like to thank the thousands – literally thousands – of volunteers, including students, faculty, staff and, importantly, members of or Southern Arizona community who have helped make the university POD so successful," he said.

AMERICAN OVERSIGHT

Robbins also provided the following updates:

From March 15 to March 19, the university administered 8,756 COVID-19 tests, with 26 positives – a positivity rate of 0.3%.

As of Sunday, the UArizona POD had administered 80,220 doses of COVID-19 vaccine, surpassing 2,000 doses each day the past week.

Of the people coming to the UArizona POD, 20.52% have identified as Hispanic or Latinx, compared to 15.3% countywide and 9.3% statewide.

The Arizona Department of Health Service estimates that in Pima County, 72.5% of adults 65 and older and 38.4% of those ages 55-64 have received at least one dose of the vaccine, with more than 400,000 doses administered total.

UArizona employees who are fully vaccinated can upload their vaccination record to the Campus Health website to be exempt from required weekly diagnostic testing.

The university also is partnering with the Maricopa County Public Health Department, the city of Phoenix and the Phoenix Revitalization Corporation on a community pop-up vaccination site for residents 55 and older, Robbins said.

The site, at Harmon Park in the south-central Phoenix area, started operating on March 17 and will run through March 23 and offers drive-thru and pedestrian-friendly appointments. Those in the Phoenix area who are eligible for vaccination can call 602-542-1000 to register, using the code PHXHARMON.

Robbins also applauded recent research co-authored by Michael Worobey, head of the UArizona Department of Ecology and Evolutionary Biology, on the origins of the novel coronavirus.

The findings, published in the March 18 online issue of the journal Science, suggest that the SARS-CoV-2 virus was likely circulating undetected for up to two months before the first human cases of COVID-19 were described in Wuhan, China.

"Even as we hope to turn a page in the fight against COVID-19 in the coming months, we need to learn from it and these data to be better prepared for future public health challenges, and basic research like this is a crucial tool going forward," Robbins said.

* * * * *

Sinema Continues Bipartisan Efforts Protecting Arizona Seniors from Financial Scams

Sinema reintroduced her Senior Security Act *to create a taskforce protecting seniors from financial crimes, helping safeguard their retirement savings*

AMERICAN OVERSIGHT

WASHINGTON – Arizona senior Senator Kyrsten Sinema and Republican Senator Susan Collins (Maine) reintroduced their bipartisan *Senior Security Act*. Sinema's bill creates a task force focused on protecting Arizona seniors from financial crimes and scammers.

"Arizonans deserve to retire with dignity. We're protecting Arizona seniors from scammers to help ensure financial security and peace of mind in retirement," said Sinema.

The *Senior Security Act* creates an interdivisional task force at the Securities and Exchange Commission (SEC) to examine and identify challenges facing senior investors. Every two years, in consultation with other SEC offices, state securities and law enforcement authorities, state insurance regulators, and federal agencies, the task force will report its findings to Congress and recommend any regulatory or statutory changes. Further, within two years of enactment, the U.S. Government Accountability Office will study and report on the economic costs of the financial exploitation of senior citizens.

Sinema's bill builds on her successful work passing the *Senior Safe Act* in 2018.
The *Senior Safe Act* enables financial institutions to work with law enforcement in order to stop the financial abuse of seniors. Sinema led the passage of the *Senior Safe Act* in the U.S. House and worked with Republican Senator Susan Collins, who cosponsored companion legislation in the Senate, to get it signed into law.

Last year, the U.S. Senate approved Sinema's bipartisan resolution with Republican Senator Susan Collins (Maine) designating May 15 as National Senior Fraud Awareness Day. The bipartisan resolution increases awareness and protects Arizona seniors from coronavirus-related fraud.

* * * * *

Arizona for Better Medicaid Commends Governor Ducey and Arizona Legislature for Passing Measure to Ensure Continued Care for Arizonans During COVID19

(Phoenix, ARIZ., March 22nd, 2021) - Arizona for Better Medicaid, a multi-stakeholder group supporting Medicaid and Managed Care in Arizona, commends Governor Ducey and the Arizona Legislature for passing a measure to increase AHCCCS' federal expenditure authority from $2.4 billion to $3 billion. These federal funds, already allocated for Arizona, ensure continued access to care for Medicaid members across the state during the COVID19 public health emergency. This measure also guarantees Arizona receives the COVID19 relief dollars it is entitled to while providing economic and health care stability for individuals and families across the state.

* * * * *

Join Us for The COVID Effect Virtual Event: Rack Up

AMERICAN OVERSIGHT

Good Information on Restoring Your Financial Wellness

"The COVID Effect" Launches the Boomers to Zoomers: Building A Secure Path to Retirement Virtual Event Series

PHOENIX - The Arizona Corporation Commission's Securities Division is partnering with the Investor Protection Trust, Detroit Public Television, and PBS Books to produce "The COVID Effect: Restoring Financial Wellness" virtual event to livestream on the Commission's Facebook page, facebook.com/corpcommaz on Friday, March 26, 2021 at 11:00 a.m. (MST).

The COVID crisis has left people uncertain about the economy and with many questions about their personal financial security. "The COVID Effect: Restoring Financial Wellness" will feature qualified experts who will provide information and insight on financial well-being during COVID, financial recovery after COVID and preparing for the next challenge.

The event will be interactive, allowing participants to ask questions, submit comments and get answers in real time. After the live event, "The COVID Effect" will be available on the Corporation Commission's website, **www.azcc.gov/azinvestor** and on **WI65.org**, along with a variety of tools and resources for savers and investors of all ages and at all stages of life. "The COVID Effect" is the first in a series of 12 *Boomers to Zoomers: Building a Secure Path to Retirement* virtual events.

"During the challenge of COVID, the Corporation Commission's Securities Division continues its primary focus of protecting Arizona investors," Chairwoman Lea Márquez-Peterson said. "We are pleased to partner with others who share the same goal of informing investors about how to secure their retirement funds."

The COVID Effect: Restoring Financial Wellness virtual event will livestream on the Corporation Commission's Facebook page, facebook.com/corpcommaz on Friday, March 26, 2021, at 11:00 a.m. (EST) and will feature the following:

- Host: Fred Nahhat, Detroit Public Television
- Introduction & Role of State Securities Offices: Brad Raffensperger, Georgia Secretary of State
- Moderator: Donna Lowry, Georgia Public Broadcasting

- Three Topic Segments: 1) Unscrambling the Stimulus—Strategies to Keep You from Scratching, 2) Rack 'Em Up—Roadmap Toward Recovery and 3) Creating a Cushion—Takeaways from Troubled Times

"At Detroit Public Television we see the great potential in forging a partnership that brings together leaders in state government, public television stations and libraries in communities across the country to educate the public on the timely subject of personal finance," said Rich Homberg, President and CEO of Detroit Public Television. "With so many families concerned about making ends meet and saving for their retirement, this is an important moment for such a collaboration to step up and carry on this crucial work."

AMERICAN OVERSIGHT

Michelle Olympiadis, Acting Executive Director of the Investor Protection Trust, said: "Over the past year we have learned many lessons and experienced challenges we could not imagine. The synergy of these partnerships in delivering investor education to everyone as we begin to move out of this pandemic provides an exciting platform for engagement in real time or at your own time."

The *Boomers to Zoomers: Building a Secure Path to Retirement* is a yearlong series of twelve 60-minute virtual events livestreaming via Facebook Live on partner Facebook pages on the fourth Friday of each month at 1:00 p.m. EST or 11:00 a.m. MST beginning with "The COVID Effect" on March 26, 2021.

The series provides the quality, objective investor and financial information needed by all Americans to make wise and safe investment decisions at every age and every stage of life. The *Boomers to Zoomers* virtual events are interactive and feature timely topics, financial experts, motivational stories and practical information viewers can use immediately to prepare for long-term financial security. Upcoming *Boomer to Zoomer* virtual event topics includes: How to Invest: What's New and What's Not; Military Finances; and Harness Your Inner Hummingbird: How to Build Your Nest Egg.

Boomers to Zoomers is part of When I'm 65, a program of the Investor Protection Trust in partnership with Detroit Public Television. When I'm 65 takes a generational look at retirement and focuses on the actions people should take at every age to prepare for a secure retirement. For more information visit, **WI65.org** .

ABOUT THE GROUPS

The Corporation Commission's Securities Division enforces Arizona's securities and investment laws through investigative actions as well as registration and oversight of securities, companies, salespeople and investment advisers; it provides license/registration status of investment professionals and disciplinary history information upon request and disperses investor education information through brochures, presentations and online at:
azcc.gov/azinvestor | facebook.com/CorpCommAZ | twitter.com/CorpCommAZ

The Investor Protection Trust (IPT) is a nonprofit organization devoted to investor education. More than half of all Americans are now invested in the securities markets, making investor education and protection vitally important. Since 1993 the Investor Protection Trust has worked with the states and at the national level to provide the independent, objective investor education needed by all Americans to make wise and safe investment decisions.

www.investorprotection.org | facebook.com/InvestorProtectionTrust | twitter.com/IPT_Info

Detroit Public Television is a viewer-supported PBS member station with offices in Detroit and Wixom, Michigan. Its vision is to foster a community in which people trust public media to help them discover new ideas, make informed decisions and enjoy enriched lives. The station is notably active in producing programs that showcase arts, culture, news and analysis, as well as educational outreach campaigns that use the power of media to provide knowledge and understanding.

AMERICAN OVERSIGHT

www.dptv.org | **facebook.com/detroitpublicitv** | **twitter.com/detroitpublicitv**

PBS Books is a multi-platform initiative celebrating PBS programming. Born out of the desire to develop original content that would appeal to vast audience of diverse readers, PBS Books hosts regular social and digital engagement events, as well as live coverage of important literary events across the country. In 2018, PBS Books launched a Library Engagement Program to build and enhance working relationships among libraries, local PBS stations, cultural institutions, and readers. Today, the Library Network has more than 1,800 partners.

www.pbsbooks.org | **www.facebook.com/PBSBooks1** | **twitter.com/pbsbooks**

MEDIA CONTACTS:

Nick Debus, Arizona Corporation Commission: (602) 542-0728 or ndebus@azcc.gov

Michelle Olympiadis, Investor Protection Trust: (202) 775-2112
or **olympiadis@investorprotection,org**

NEWS CLIPS

Ducey talks disdain for new education tax, vows fast fix

By Bob Christie Associated Press 03-22-21

A new voter-approved tax on high-earning Arizonans that will boost education spending is firmly in Gov. Doug Ducey's crosshairs, with the Republican vowing Friday to see Proposition 208's new tax cancelled either through the courts or the GOP-controlled Legislature.

Ducey told the Valley Partnership business group that he's been advising people who ask him about the new 3.5% surcharge on the wealthy's income to wait to take their investments to other states because payments on the tax now in effect won't be due until April 2022. Meanwhile, he's working to make the measure die, and he laid out his two-pronged strategy for doing just that. (To read more, click here).

* * * * *

Ducey accuses Biden of creating border crisis

By Howard Fischer Capitol Media Services 03-22-21

Surrounded by Republican politicians, Gov. Doug Ducey on Friday insisted that everything that is

AMERICAN OVERSIGHT

now going wrong on the border is the fault of President Biden, his administration and the Democratic Congress.

Using sometimes blistering words, Ducey called the current influx of migrants “a man-made crisis caused by elites in Washington, D.C. who are totally divorced from the reality on the ground. (To read more, click here).

* * * * *

Mesa Electric vehicle plant will be Maricopa County's first

By Tom Scanlon East Valley Tribune 03-22-21

According to a report by industry analyst Blast Point, 345,000 electric vehicles were sold nationally during pandemic dominated 2020, – up 40 percent from 2019 with Tesla, Nissan and Audi as top sellers leading the way.

ElectraMeccanica just invited itself to the electric vehicle party. (To read more, click here).

* * * * *

Arizona should not resume executions. Now's the time to abolish them

By Robert Robb Arizona Republic 03-22-21

Attorney General Mark Brnovich has been badgering Gov. Doug Ducey and the Arizona Department of Corrections to resume executions.

He has apparently succeeded. Corrections Director David Shinn notified Brnovich that the department was confident that it would be able to obtain the necessary lethal drug and someone to administer it. The department, he wrote, “now stands ready to commence the execution process.” (To read more, click here).

* * * * *

Asian Americans are under assault. We need other voices to say 'enough' on racism

By Yvonne So Arizona Republic 03-22-21

AMERICAN OVERSIGHT

As President Biden recently set this year's Fourth of July as our independence from COVID-19, my community is only beginning to unpack from the xenophobic backlash of the past year.

Hate crimes targeting Asian Americans and Pacific Islanders increased by 150% in 2020, yet our national representatives ignored legislation to pass a COVID-19 Hate Crimes Act in May 2020. Since then, the rhetoric has become even more hateful, and the crimes more brazen, with the unprovoked killing of our elders and the murders of Asian women in Atlanta making headlines. (To read more, click here).

* * * * *

Remember how we segregated smokers? It could be a lot worse for the unvaccinated

By Scott Craven Arizona Republic 03-22-21

Anyone who is older than they care to admit remembers the time when smoking not only was expected, but welcome outside the small designated areas designed to corral and shame those within.

Smokers and non-smokers mingled easily in offices, hospitals and bars – wherever people tended to gather in clumps large and small. That all changed when science determined the hazardous chemicals within smoke withered the lungs of all who inhaled it. (To read more, click here).

* * * * *

Want to 'fix' Arizona's election system? Then better explain what's broken first

By Editorial Board Arizona Republic 03-22-21

Efforts at the Legislature give Arizonans the impression our election system is deeply flawed and in dire need of rescue.

We've seen a litany of bills to narrow who qualifies to vote and how and when – all in the name of election integrity. (To read more, click here).

End

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 23, 2021 9:13:48 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *March 23, 2021*

Arizona opens vaccine appointments to everyone 16 and older
Associated Press
Arizona is opening coronavirus vaccine appointments to everyone 16 and older.

Arizona officials warn of bad 2021 wildfire season
Associated Press
Arizona Gov. Doug Ducey and state forestry officials urged the public Monday to be extra wary because of a looming wildfire season that has the potential to be exceptionally devastating due to widespread drought.

Ducey straddles fence on Senate election audit
Capitol Media Services
Gov. Doug Ducey said he's confident in the results of the 2020 election yet wants to see the results of a Republican-backed audit and hand count of 2.1 million ballots cast in Maricopa County.

New, more dangerous COVID strains circulating in Arizona
White Mountain Independent
New, more dangerous variants of the COVID-19 virus have come ashore in Arizona, prompting doctors to redouble their efforts to get people vaccinated — and to continue wearing masks in public.

AMERICAN OVERSIGHT

More than 1 million Arizonans now fully vaccinated
Payson Roundup
More than 1 million Arizonans — approximately one in seven residents — are now fully vaccinated against COVID-19, Gov. Doug Ducey and the Arizona Department of Health Services announced.

Scottsdale Company Suggested Its CBD Could Treat COVID, Cancer
Phoenix New Times
Anxiety, insomnia, pain relief: There are many reasons Americans increasingly use CBD.

If You Live in Arizona's Largest Counties, You're Probably Now Eligible for Vaccination
Phoenix New Times
Arizonans aged 16 and older will soon be able to register for COVID-19 vaccinations at certain facilities in Maricopa, Yuma, and Pima Counties, Governor Doug Ducey announced today.

Joe Arpaio Describes Dedication of Wife Ava Arpaio, Who Died Saturday
Phoenix New Times
Ava Arpaio, the wife of former Maricopa County Sheriff Joe Arpaio, died Saturday at the age of 89 after a years-long fight with cancer.

Warning that election audit would feed conspiracy theories interrupted by people yelling conspiracy theories
Arizona Mirror
A press conference Monday to denounce the planned state Senate audit of the 2020 election because it is driven by and will further feed conspiracy theories about the election was interrupted by a small group of pro-Trump protesters shouting conspiracy theories about the election.

Ducey defends Arizona's 'model' elections, but says he might sign bills restricting voting
Arizona Mirror
Gov. Doug Ducey's repeated insistence that Arizona election laws make it "easy to vote and hard to cheat" won't necessarily stop him from signing legislation that would make it more difficult for some people to vote.

Mike Lindell says Arizona is a 'hotbed' of election intrigue? More like a hot mess
Arizona Republic (Opinion, Laurie Roberts)
MyPillow CEO Mike Lindell joins the unending quest to find fraud in Arizona's elections. At what point do we just ignore these people and move on?

We marched to protest police brutality. Why are lawmakers trying to silence that right?
Arizona Republic (Op-ed, Brianna Turner)
Supporters claim HB 2309 discourages riots and acts of violence. But it would allow police and prosecutors power to abuse their office even more.

Silence is not always strength. Asian Americans must find our voice to stop the hate
Arizona Republic (Op-ed, Jenny Poon)
Our silence has made way for the 'forever foreigner' stereotype and the 'model minority' myth that divides us from our fellow brothers and sisters of color.

Allegations against Yogis Grill franchisee are horrifying. We're working to rectify them
Arizona Republic (Op-ed, Won Kyeh, Sung Na and Frank Lee)
We were horrified at the allegations against an Arizona Yogis Grill franchisee and are taking steps to ensure this does not happen again.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 23, 2021 1:11:22 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *March 22, 2021*

Democratic lawmaker Kirsten Engel announces run for Congress
Associated Press
Democratic Sen. Kirsten Engel of Tucson announced Friday she's running for Congress, becoming the first candidate to jump into the race to replace retiring Democratic Congresswoman Ann Kirkpatrick.

Ducey talks disdain for Arizona's new education tax, vows fast fix
Associated Press
A new voter-approved tax on high-earning Arizonans that will boost education spending is firmly in Gov. Doug Ducey's crosshairs, with the Republican vowing Friday to see Proposition 208's new tax canceled either through the courts or the GOP-controlled Legislature.

With incoming Arizona heat, vaccine sites to move in April
Associated Press
Arizona's state-run outdoor vaccination sites will switch to nighttime operations or shut down next month in anticipation of hotter temperatures, the state's top health official said Friday.

Ducey accuses Biden of creating border crisis
Capitol Media Services
Surrounded by Republican politicians, Gov. Doug Ducey on Friday insisted that everything that is now going wrong on the

AMERICAN OVERSIGHT

border is the fault of President Biden, his administration and the Democratic Congress.

Some Tucson snowbirds stayed through pandemic year, others did not return
Arizona Daily Sun
Winter visitor Edna Koller stayed in Tucson for the first time last summer, not returning to her home in Sault Ste. Marie, Michigan, on the upper peninsula of the U.S.-Canada border.

Mesa Electric vehicle plant will be Maricopa County's first
East Valley Tribune
According to a report by industry analyst Blast Point, 345,000 electric vehicles were sold nationally during pandemic dominated 2020, – up 40 percent from 2019 with Tesla, Nissan and Audi as top sellers leading the way.

Making Contact: Meet The People Calling COVID-19 Cases From Their Bedrooms
Phoenix New Times
Issa Jimenez Espinoza and Catie Carson sit in their bedrooms, headphones on and a computer in front of them. Ben Van Maren sits on a couch in his studio apartment with a laptop.

Karen Fann owns this farcical crusade to prove Trump isn't a big loser
Arizona Mirror (Opinion, Jim Small)
Just when you thought the farce that is the Arizona Senate's proposed audit of the 2020 election couldn't be any more farcical, news comes about a hand recount conducted by volunteers that makes it impossible not to laugh at the sheer ineptitude of this entire unnecessary endeavor.

He fought for the little guy and helped love win. Then he lost his battle with cancer
Arizona Republic (Opinion, Laurie Roberts)
Every once in awhile you run into a guy like Chuck Stegall, an attorney who does what he does not just to pad his bank account but to make life just a little bit better for the little guy.

Arizona should not resume executions. Now's the time to abolish them
Arizona Republic (Opinion, Robert Robb)
If a bipartisan coalition in the Arizona Legislature on criminal justice reform agrees with abolishing the death penalty, now is the time to act.

Imagine how much worse the COVID-19 pandemic would be without music
Arizona Republic (Opinion, Greg Moore)
From D-Nice and 'Club Quarantine' to New Yorkers singing from windows, music has kept people entertained - and connected - during the pandemic.

Asian Americans are under assault. We need other voices to say 'enough' on racism
Arizona Republic (Op-ed, Yvonne So)
Just about any Asian American who grew up in America has experienced racism. We need all of America to acknowledge that Asian Lives Matter.

Remember how we segregated smokers? It could be a lot worse for the unvaccinated
Arizona Republic (Op-ed, Scott Craven)
A majority of Americans don't want to be around unvaccinated people. But keeping the two groups separate could be as tough as it is messy.

Want to 'fix' Arizona's election system? Then better explain what's broken first
Arizona Republic (Op-ed, Editorial Board)
If Arizona handles elections well, there isn't much case for reform. Upending the system in the name of 'integrity' isn't good enough.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 23, 2021 1:13:06 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: March 20-22, 2021
Attachments: March 20-22.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings
Saturday, March 20, 2021
Sunday, March 21, 2021

Arizona Daily Star

- Border Patrol in Ajo releases migrants with little warning
- Arizona Senate prepares for full recount of 2.1M Maricopa ballots
- Bill advancing in House would shield businesses from COVID-19 lawsuits
- Redistricting panel's new executive director has GOP ties
- Democratic lawmaker Engel announces run for Congress
- Ducey lays out 2-pronged plan for making sure Arizona's new education tax never takes effect
- ADOT's five-year infrastructure plan includes new I-10 bridges over Gila

Arizona Republic

- Ducey rips Biden for immigration policies during border visit
- Suicide-encouragement ban signed into law
- Arizona reports 423 new COVID-19 cases, 46 deaths
- Arizona says no to federal COVID vaccination site
- Arizona reports 735 new cases, 42 deaths
- Arizona vaccine sites adapt as temperatures rise
- Arizona adds 488 new cases, 12 deaths

KTAR News

- Arizona Gov. Ducey asks Biden to give clearer messaging amid border surge
- Arizona tribe among recipients of federal infrastructure funding
- Maricopa County expands COVID-19 rent and utility assistance program
- Arizona Democratic state Sen. Kirsten Engel running for Congress

Arizona Daily Sun

- Proposed federal change puts Flagstaff at risk of losing funding
- March of COVID-19: Looking back at the first week of coronavirus response in Flagstaff, a year later
- Number of Navajo Nation COVID-19 cases surpasses 30,000

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Border Patrol in Ajo releases migrants with little warning

By Curt Prendergast
Arizona Daily Star
March 20, 2021

The Border Patrol released 28 migrants in Ajo on Friday morning, marking a shift in how the agency deals with a recent increase in families crossing the border, and spurring local officials to hustle to find transportation for them. In the month leading up to Friday, the Border Patrol released migrants in Yuma and nonprofit organizations transported them to shelters in Tucson and Phoenix, which have more resources and experience than smaller cities and towns like Yuma and Ajo.

One group of families that was released in Ajo arrived at the Casa Alitas shelter in Tucson around 3 p.m. Friday. They sat in folding chairs as volunteers offered them a snack, went through their paperwork and checked for any medical issues.

Children made up about twothirds of those family members, many of whom came from Venezuela, Cuba and Ecuador.

One young girl from Venezuela munched on watermelon slices as she swung her feet under her chair. She kept a stuffed giraffe tucked under her arm while her mother and father spoke with a volunteer.

Nearby, a volunteer talked with a mother about getting the right-sized shirt and pants for her 7-year-old son.

The Casa Alitas Welcome Center is run by Catholic Community Services out of a converted wing of Pima County's juvenile detention center. The shelter there serves as a replacement for the former Benedictine Monastery on Country Club Road that housed thousands of asylum seekers in 2019.

Generally, families stay at shelters in Tucson for a few days, enough time to arrange transportation to other cities where they can live with relatives and friends while their asylum claims are processed.

The families released in recent weeks are headed for numerous states, including Florida, Massachusetts and Indiana, according to staffers at the shelter.

The Border Patrol gave little warning to local governments and nonprofits before releasing the families in Ajo around 9 a.m. Friday, Pima County Administrator Chuck Huckelberry said.

'We found out about the releases yesterday,' which led to a 'scramble to get a bus' for the migrants, Huckelberry said Friday.

He said he wants the Border Patrol to resume transporting migrants to Tucson and Phoenix, rather than depend on local governments and nongovernmental organizations.

'It is poor practice and should not continue,' Huckelberry said.

AMERICAN OVERSIGHT

The releases in Ajo contrast with how the Border Patrol handled asylum seekers in 2019, Huckelberry said.

During the spike in asylum seekers that year, the Border Patrol and other federal agencies transported more than 20,000 asylum seekers to shelters in Tucson.

Huckelberry said he did not know whether Border Patrol officials planned to continue releasing migrants in Ajo. He described communication from the Border Patrol as 'poor to nonexistent.'

Customs and Border Protection did not respond to an inquiry Friday from the Arizona Daily Star.

The Border Patrol's Tucson Sector has seen a steady increase in apprehensions since April, including a spike from January to February.

Most of the migrants apprehended in the Tucson Sector are single adults, but migrants traveling as families are sharply increasing, according to Border Patrol statistics.

The number of migrants traveling as families more than doubled in the Tucson Sector from January to February, rising from about 400 to nearly 1,000.

The Yuma Sector saw an increase from about 560 to more than 1,700, which prompted the Border Patrol to release certain migrants to nonprofit aid groups.

'This is exactly what we've seen in Yuma, now we're seeing it in Ajo,' said Diego Piña Lopez, program manager at the Casa Alitas shelter.

Ideally, federal agencies would 'go a few extra hours' to transport migrants to Tucson and Phoenix, Piña Lopez said.

Casa Alitas staff was given 'little warning' by federal agencies about the releases in Ajo, he said.

Casa Alitas sent volunteers to Ajo to help with coronavirus testing, arrange bus transportation and generally support the migrants as they were released.

Casa Alitas is recseiving about 80 migrants per day, mostly families from Cuba, Venezuela and Brazil, Piña Lopez said.

The shelter is not taking in unaccompanied children.

The influx is more than the shelter has seen in recent months, but below the roughly 120 asylum seekers released on a typical day in 2019, Piña Lopez said.

The migrants who are released in Ajo are being transported in groups of about 15, rather than in numbers to completely fill a bus, as a precaution against spreading the coronavirus, Huckelberry said.

Migrants are tested for the virus, which so far has produced a 'few positive cases' in recent weeks, Huckelberry said.

A positive test result leads to an isolation period and then another test.

AMERICAN OVERSIGHT

Amid the increase in border apprehensions, CBP officials plan to open tent-like facilities to house migrants in Tucson and Yuma.

Those facilities are expected to open in the middle of April, according to information CBP provided to U.S. Sen. Kyrsten Sinema.

It is unclear where the migrants released in Ajo were apprehended.

A Border Patrol agent told the Willcox City Council on Feb. 18 that the plan in the Tucson Sector was to 'release that person at the location where that person was first encountered,' The Arizona Republic reported Monday.

In 2018 and 2019, the area south of Ajo saw numerous large groups of asylum seekers, sometimes as many as 300 in a group, cross the border and flag down agents.

Border barriers south of Ajo at the time consisted mostly of head-high vehicle barriers that asylum seekers could walk between. The 30-foot-tall border wall now runs along nearly all the border south of Ajo.

On Thursday, the head of the Border Patrol's Tucson Sector, John R. Modlin, posted photos on Twitter of migrants being processed by agents at what appeared to be a gas station.

Modlin said agents arrested more than 240 migrants in four separate encounters the previous night but did not say where the groups were encountered.

The groups consisted mainly of families and unaccompanied minors, Modlin said.

So far, Arizona has seen far fewer migrant families in recent weeks than border cities in Texas.

The Biden administration requested planes to transport migrant families from Texas to states near the Canadian border for processing, the Washington Post reported Friday.

On Thursday and Friday, roughly 2,000 migrants traveling as families and unaccompanied children crossed the Rio Grande.

In 2019, the Trump administration flew families to different border sectors.

Return to the table of contents

Arizona Senate prepares for full recount of 2.1M Maricopa ballots

By Bob Christie
Arizona Daily Star
March 20, 2021

Republicans who control the Arizona Senate announced Thursday they now intend to do a complete recount of 2.1 million ballots in the state's most populous county to ensure that President Biden's November win was legitimate.

AMERICAN OVERSIGHT

Senate President Karen Fann had been pushing for a 'full forensic audit' of Maricopa County's election

result and won a court order on Feb. 26 granting the Senate access to the ballots and tabulation machines. But she had never acknowledged until this week that she wanted a full recount, something state law doesn't allow except in narrow circumstances.

Previous documents obtained by The Associated Press showed Fann intended to recount 'at least' 550,000 ballots.

The county Board of Supervisors had argued the ballots were secret and the machines

need to remain secure and fought a subpoena issued by Senate Republicans.

Since winning that court fight, Fann has been trying to locate an auditing firm that can do the deep dive she wants. Some Republican backers of former President Donald Trump allege there was fraud in the election in Arizona and other battleground states that led to his defeat. Fann said she wants to answer their questions one way or the other.

Fann announced Thursday that she had decided on a specific firm to oversee the audit but did not reveal its name, saying she was still negotiating final details.

She had previously been considering a company with deep ties to Trump's campaign but said last month that it was no longer being considered. The Allied Security Operations Group worked with Trump attorney Rudy Giuliani to raise baseless allegations of election fraud and counting errors in Arizona and other states.

Fann's announcement said she now intends to do a full hand recount of the ballots in addition to testing the tabulation machines and rescanning all the ballots. She said she hopes to do the work at county buildings to ensure ballot security.

But county spokesman Fields Moseley said the county hasn't had any recent discussions about allowing the Senate to use its facilities for its new audit. Early this month. Board Chair Jack

Sellers sent a letter to Fann and other GOP senators asking where she wanted the ballots delivered. The Senate said it had no room for them and hoped to use county facilities.

A full hand recount will be challenging because it will require scores of people and observers if Fann is to end up with a trusted product.

She said she hopes the effort is bipartisan, but Senate Democrats said that is laughable.

'We never wanted anything to do with that,' said Sen. Lupe Contreras, the assistant minority leader. 'I guess you could say we worked in a bipartisan way, since we backed the Board of Supervisors, which is all Republican but one,' Contreras said. The five-member county Board of Supervisors has pointed to repeated checks that showed the election was free, fair and properly conducted. They included pre- and post-election tests of counting equipment and software and a hand count of a ballot sample that showed the machine count was accurate.

AMERICAN OVERSIGHT

Last month, they released the results of two new audits of their equipment done to mollify the Senate. The audits showed no malicious software or incorrect counting equipment and that none of the computers or equipment were connected to the internet.

'When all the work is done, there will be a full report for the Senate and County to review,'

Fann said in a statement. 'Our voters expect this audit, and it can be a big step in returning trust and confidence in our election process.'

Some backers of the previous president allege there was election fraud in Arizona. Senate President Karen Fann, above, says she wants to answer their questions one way or the other.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Bill advancing in House would shield businesses from COVID-19 lawsuits

By Jonathan J. Cooper
Arizona Daily Star
March 20, 2021

Arizona lawmakers advanced legislation offering a broad shield from lawsuits related to COVID-19, saying businesses and health-care providers deserve protection for doing their best during a challenging time.

Republicans on the House Judiciary Committee backed the measure in a party-line vote Tuesday over strong objections from trial lawyers and consumer advocates, who said the measure would reward bad actors who flouted health guidance. Very few lawsuits have been filed related to COVID-19, critics say.

The bill would raise the bar for successful pandemic- related lawsuits against businesses, health care providers, nursing homes, nonprofits, governments, churches and schools. Instead of proving negligence

by a preponderance of the evidence, plaintiffs would have to prove 'gross negligence' or 'willful misconduct' by clear and convincing evidence.

That's a 'double whammy' requiring plaintiffs to both show more egregious conduct and meet a higher standard of proof, said Barry Aarons, a lobbyist for Arizona trial lawyers. The legislation effectively creates broad immunity for anyone who can claim some link to the pandemic, he said. A nursing home might claim, for example, it was unable to properly respond to a patient's stroke or heart attack because of COVID-19.

'I wouldn't call it protection, I'd call it a 'get out of jail free' card,' Aarons said.

Business lobbyists said the measure still creates room for lawsuits against the worst offenders, but the measure's critics say the bar has been set so high that cases would be virtually impossible to win.

With many nursing homes excluding visitors for a year to contain the coronavirus, many families are in the dark about what's going on inside. The bill would cut off an opportunity for families to seek redress through the courts before they're even allowed back in to see their loved ones, said Rep. Diego Rodriguez, D-Phoenix.

AMERICAN OVERSIGHT

'Long-term-care facilities must be held responsible when their wrongdoing threatens the health and lives of residents as well as staff,' said Dana Kennedy, Arizona director for the AARP.

There's no evidence that they'll face frivolous lawsuits, she added.

Business and medical interest groups have pushed hard for a liability shield since the start of the pandemic. The Arizona bill is one of dozens introduced across the country and in Congress.

'The COVID-19 pandemic provided unique challenges across all industries, so we believe it warrants some heightened level of protection to stop unfair litigation,' said Courtney Coolidge of the Arizona Chamber of Commerce. 'But we do want to preserve recourse for bad actors, whether in a nursing home or any other business.'

Lobbyists for doctors and nurses said the measure would protect them after

grueling days caring for a crush of COVID-19 patients that, at times, overwhelmed hospitals and pushed them to relax the typical standard of care.

'You have a chance to say 'thank you' in a meaningful and lasting way,' Steve Barclay, a lobbyist for doctor groups, told lawmakers.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Redistricting panel's new executive director has GOP ties

By Bob Christie
Arizona Daily Star
March 20, 2021

A top staffer for Phoenix City Councilman Jim Waring has been chosen to be the executive director of the commission that will redraw Arizona's political district lines this year.

The five-member commission chose Brian Schmitt for the job after interviewing five finalists in a daylong session Tuesday.

The 3-2 vote to hire Schmitt, who was linked to Republican campaigns last year and in 2018, was opposed by the two Democratic members of the commission.

But in his interview, Schmitt said he had been asked 'as kind of a oneoff' to help organize last year's traditional Republican campaign finale at the Yavapai County Courthouse in Prescott. Federal records from former Sen. Martha McSally's campaign showed he received a payment of more than $63,000 three days after the Nov. 3, 2020, general election.

He said his job as chief of staff to Waring, a Republican, requires him to do nonpartisan staff work in support of an elected official, which is the primary role of the executive director.

'He understands the chief of staff role,' Republican Commissioner David Mehl said during discussion

AMERICAN OVERSIGHT

of the candidates. 'I was very impressed with him.'

The executive director oversees the staff and advises commissioners on choices for attorneys and mapping consultants the panel will choose as it gears up for the politically charged job of redrawing Arizona's congressional and legislative maps for the coming decade.

The process was expected to start this spring, but the U.S. Census Bureau announced last month that it will not be able to deliver needed data from the 2020 Census until late September. That means the commission can't begin drawing new maps until early October, and it must complete the job by early 2022.

The redistricting commission was created by voters to limit political influence by the Legislature in redrawing congressional and legislative district maps.

The process that follows each U.S. census is politically important because redrawn district lines can limit how many legislative and U.S. House seats each party can realistically win.

The commission has five members — two Democrats, two Republicans and an independent who serves as chair. The partisan members are chosen by legislative leaders and the chair from a list created by a judicial appointment panel. The chair often acts as a tiebreaking vote. Under the constitutional amendment approved by voters in 2000, the redistricting

commission must consider population, voting rights, geographic features, communities of interest and competitiveness when drawing new districts.

Republicans generally liked the district maps drawn after the 2000 census, and those done following the 2010 census were regarded as more favorable to Democrats, prompting strong criticism from Republicans.

The 2001 and 2011 maps led to prolonged court challenges, including a 2015 U.S. Supreme Court decision that upheld Arizona voters' decision to strip the redistricting process from the Legislature.

The independent chair, Erika Neuberg, said she was satisfied that Schmitt will serve the commission without partisan bias. She noted that Schmitt will not have a vote and is there to support the commissioner.

'I'm very comfortable with this choice, and that we collectively commit to the entire state that this will be a process of transparency, legitimacy and diversity,' Neuberg said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Democratic lawmaker Engel announces run for Congress

Arizona Daily Star
March 20, 2021

Democratic state Sen. Kirsten Engel of Tucson announced Friday she's running for Congress, becoming the first major candidate to jump into the race to replace retiring Democratic Congresswoman Ann Kirkpatrick.

Engel is an environmental law professor at the University of Arizona. She was elected last year to her first term in the Arizona Senate following two terms in the House.

'I want to bring my experience as an attorney, legislator, woman, and mom to Washington to help southern AZ families and small businesses

— to not only recover from the global pandemic, but to take that next step to building a sustainable economy with opportunities for all,' Engel wrote on Twitter.

Engel is likely to face a crowded field of candidates vying for the Democratic nomination. Her potential rivals include state Rep. Randy Friese, who wrote on Twitter this week that he and his wife are 'carefully and thoughtfully' planning for their future, and Pima County Supervisor Matt Heinz. The 2nd Congressional District currently includes parts of Tucson and Southeastern Arizona, and is one of the most hotly contested in the state with races often decided by razor-thin margins. However, the boundaries will change due to redistricting ahead of the 2022 election.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ducey lays out 2-pronged plan for making sure Arizona's new education tax never takes effect

By Bob Christie
Arizona Daily Star
March 21, 2021

A new voter-approved tax on high-earning Arizonans that will boost education spending is firmly in Gov. Doug Ducey's crosshairs, with the Republican vowing Friday to see Proposition 208's new tax canceled either through the courts or the GOP-controlled Legislature.

Ducey told the Valley Partnership business group that he's been advising people who ask him about the new 3.5% surcharge on the wealthy's income to wait to take their investments to other states because the new tax won't be collected until April 2022. Meanwhile, he's working to make the measure dies, and he laid out his two-pronged strategy for doing just that.

Business groups and the GOP-led Legislature are challenging the new tax, and Ducey noted that the state Supreme Court has fast-tracked that effort by accepting the case before it can be fully heard by a trial court. Ducey filed a friendof- the-court brief urging the court to act, and it will be heard on April 20. Ducey has appointed a majority of the justices.

AMERICAN OVERSIGHT

If that effort fails, Ducey said he's working with House and Senate leaders to come up with ways to neuter the new tax, which he said will make the state's tax code uncompetitive.

'Prop. 208 promised additional dollars to K-12 education. I had no problem with that at all,' Ducey said. 'But what it also did is took our top-tier tax rate from 4.5% to 8%. It was a 77% increase. That I have real issues with.'

There are multiple tracks the Legislature could take, but one that eliminates about a third of the estimated $827 million a year in new revenue has already passed the Senate. That measure, by GOP Sen. J.D. Mesnard, creates a new tax code section just for small businesses, setting the top tax rate at 4.5% but avoiding the new 3.5% surcharge.

Arizona small-business income is currently taxed on personal tax returns. The new tax voters approved in November imposes a 3.5% tax surcharge on income above $250,000 for individuals or above $500,000 for couples. Opponents backed by the Arizona Chamber of Commerce and Industry spent millions trying to persuade voters it would hurt small businesses.

Proponents said the tax's effect is on owners' income, but Mesnard argued at a February committee hearing that setting up the new small-business tax is fair.

'I obviously during the campaigns heard consistently the surcharge is not aimed at small businesses, would not impact small businesses,' he told the Senate Finance Committee. 'In many respects this just codifies that sentiment.'

Democratic Sen. Martin Quezada said at a full Senate debate that Mesnard's plan was 'a direct attack on the will of the voters.'

'This is another reason exactly why voters don't trust us,' Quezada said,. 'They work their butts off to collect signatures, put a measure on the ballot that is going to fix a problem that we have failed to fix ourselves as legislators. They pass a proposition and we go and do something like this.'

Other paths to making the new tax less painful for the wealthy are contained in a state budget proposal now being negotiated where GOP lawmakers are considering a massive revamp of the tax code, at Ducey's urging. His January budget proposal contains a $200 million per year tax cut that would rise to $600 million in three years. But with a budget surplus estimated to top $1 billion, Senate and House Republicans are looking way beyond that number.

Republican Rep. Ben Toma is leading efforts in the House to revamp the tax code. His proposal eliminates the current graduated tax brackets and replaces them with a flat 2.5% tax on all income levels. Under the current progressive tax structure, taxes start at 2.59% on the first $26,500 of income and rise to a maximum of 4.5% on income over $159,000.

The flat-tax proposal means the wealthy would see the biggest cuts. Toma said there's also talk of capping the maximum tax with the Proposition 208 surcharge at 5% and using the general fund to make up the difference in the special fund created by the new initiative.

Half of the new tax on the wealthy will be used for raises for credentialed teachers, 25% to boosting wages for cafeteria workers, bus drivers and other support staffers, and the rest for teacher training, vocational education and other initiatives.

AMERICAN OVERSIGHT

The initiative was an outgrowth from a 2018 teachers strike that highlighted low wages for educators and a slow rebound from budget cuts enacted during the Great Recession. The walkout secured higher wages for teachers, but many education interest groups said it fell short. A grassroots group then organized to pass the initiative.

Ducey said at Friday's online meeting of Valley Partnership that he respects the initiative process and the will of the voters — then laid out his reasons for gutting the measure.

And he said he backs more cash for K-12 schools even as he is working to eliminate the new tax.

'I think there's a way to either fix this or in a way have the dollars available for K-12 education and keep our state competitive. One route is judicial, the other route is legislative,' he said. 'And you should see resolution on this and clarity around this issue sometime in the coming months. But it will be this session.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

ADOT's five-year infrastructure plan includes new I-10 bridges over Gila

Arizona Daily Star
March 22, 2021

Arizonans are being called to provide feedback on the state transportation department's tentative five-year plan that includes funding for some highly anticipated projects in Pima County.

The department's project focus between 2022 and 2026 is on the state's major corridors, such as replacing the Gila River bridges on Interstate 10 between Phoenix and Casa Grande.

The five-year plan would allocate $83 million toward this project, one of the final pieces of the interstate in need of expansion between Tucson and Phoenix. The project is slated for construction in 2022.

A protected pedestrian walkway will also be added on the west side of the bridge.

The unveiling of the plan comes weeks after Gov. Doug Ducey announced $230 million in transportation infrastructure investments, including the bridge and expansion of the interstate between Casa Grande and Chandler.

Construction crews will use an Accelerated Bridge Construction technique keeping access open to nearly all vehicles by constructing the new bridge in two halves on each side of the existing bridge being used. The two halves of the bridge will be slide into place over two weekends, ADOT said.

The use of $150.3 million in COVID-19 relief funds will help complete the projects.

'The I-10 Gila River Bridge is the first step in completing the widening of the final 27-mile stretch of the key commerce corridor between Phoenix and Tucson,' the governor's office said.

ADOT's plan would also address pavement preservation to the tune of $1 billion over five years to bring 581 lane miles of road from poor or fair condition to good condition.

AMERICAN OVERSIGHT

The plan would include $407 million over five years for projects that improve highway safety, efficiency and functionality, such as smart technology or addition of shoulders, ADOT said.

The widely anticipated Oracle Road improvements between the I-10 junction and West Miracle Mile to East Calle Concordia in Oro Valley are among the plan's projects.

Improvements between West River Road and Calle Concordia, nearly 5 miles, is the first of three projects along Oracle Road, which is Arizona 77.

It will address not only pavement rehabilitation but include reconstructing driveways, sidewalks and sidewalk ramps to meet Americans with Disabilities Act compliance.

The projects in the area will all be completed in two years, ADOT said.

The public is asked to submit comments through a survey at bit.ly/3lvVSr3.

Comments can also be made at the upcoming public hearings at 9 a.m. April 16, May 21 and June 3. The board will meet on June 18 to consider formal action on the final plan.

Meetings can be accessed through the board website at Aztransportationboard. gov.

Down the Road

LANE RESTRICTIONS ALONG LA CAÑADA DRIVE

The southbound lanes of North La Cañada Drive, between West Moore and Tangerine roads, will continue to be reduced to one lane of travel through March 27.

The median improvement project could bring delays in the area due to traffic congestion.

ALL-WAY STOP INSTALL ON IRVINGTON ROAD

Crews will install an allway stop at West Irvington Road and South Joseph Avenue on Tuesday.

From 7 a.m. to noon, motorists should expect minor delays and use caution in the area.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Ducey rips Biden for immigration policies during border visit

By Maria Polletta and Daniel Gonzalez
Arizona Republic
March 20, 2021

Arizona Gov. Doug Ducey laid into President Joe Biden during a visit to the U.S.-Mexico border Friday, blasting the Democrat and his administration for being "totally divorced from the reality on the ground."

Pointing to a recent spike in border apprehensions — as well as a surge in arrivals of unaccompanied migrant children — Ducey, a Republican, slammed Biden for reversing a series of aggressive immigration policies implemented by his predecessor, former President Donald Trump.

"I've been governor under three presidents, and this is by far the worst situation we've seen," Ducey said during a news conference held in front of the border wall in Douglas. "Washington has never been more out of touch, and it starts at the top."

Ducey, who'd made border security a centerpiece of his 2018 re-election campaign, had billed the trip as an effort to investigate the recent influx of migrants arriving there. U.S. Sen. Rick Scott, a Florida Republican and member of the Senate Homeland Security and Governmental Affairs Committee, accompanied him for the same reason.

But after being briefed by public safety officials and touring the border by helicopter, the pair seemed to have little new information to show for it. Instead, they used their time at the microphone to repeat previous criticisms of the new president's approach.

"This is a crisis that is man-made by one man: Joe Biden," Scott said. "What Joe Biden has done is made it very difficult for us to do any immigration reform in this country."

Ducey said the president had given migrants the impression "that our borders are open, that asylum policies have changed, and an amnesty bill is in the works" — and left Arizona to "pick up the pieces."

"The Biden administration can and should correct this perception and work to deter individuals from making this dangerous journey," Ducey said.

Biden quick to roll back Trump-era rules

Upon taking office, Biden made immediate moves to change or eliminate policies Trump had imposed to sharply curb migrant activity at the border.

He swiftly suspended enrollment of new cases under the Migrant Protection Protocols, or "Remain in Mexico" policy, which required asylum-seekers to wait in Mexico for the duration of their asylum proceedings. And he reversed Trump's rule barring asylum for migrants who didn't first seek protection in Mexico or a third country.

Immigration reform advocates had predicted a rollback would prompt an explosion in border arrivals, given the significant backlog of migrants and asylum- seekers Trump's policies had helped create.

AMERICAN OVERSIGHT

The Biden administration nonetheless appears to have been caught off guard, with officials earlier this week calling the situation "difficult" and saying it would take time to fix.

GOP officials throughout the U.S. have seized on Biden's policy decisions and the fallout to paint him and other Democrats as soft on border issues — a strategy that has allowed them to highlight a national security issue important to their base.

Former Trump aide Stephen Miller told the Associated Press Republicans were "increasingly realizing that this can be one of the most potent issues" heading into the 2022 midterm elections, particularly as the GOP seeks to take back seats in Congress.

Scott leads the National Republican Senatorial Committee, which works to get GOP senators elected, while Ducey does the same for GOP governors as head of the Republican Governors Association.

Sarah Pierce, a U.S. immigration policy analyst at the bipartisan Migration Policy Institute, said the unfolding crisis could doom key parts of Biden's immigration agenda, including two bills passed Thursday by the House.

One would provide a pathway to permanent legal status for the more than 2 million "dreamers" brought to the U.S. unlawfully as children. The other would create an opportunity for undocumented farm workers to gain legal status.

To make it out of the Senate, though, the measures will need support from 10 Republicans and every Democrat.

"I think it's likely that many Republicans will use the problems at the southern border as an excuse not to join any bills related to legalization," Pierce said.

Border apprehensions could hit 20-year high this year

Those problems are unlikely to be solved anytime soon; the Department of Homeland Security has said it expects border apprehensions to hit a 20-year high this year.

In February alone, agents in the Border Patrol's Tucson and Yuma sectors detained 1,750 unaccompanied minors and 2,710 migrants traveling as families. That represented a 62% increase in children and a 186% increase in families compared to January.

Though Ducey has described the unaccompanied minor element as a humanitarian crisis, he did not meet with migrant advocacy groups himself while on the ground in Douglas.

He also did not choose to visit the Yuma area, where border agents have released some 1,300 migrants on humanitarian parole. On Tuesday, officials announced they planned to build two additional "soft-sided facilities," or outdoor tents, in Yuma and Tucson to help with overflow.

Agents also told leaders, nonprofits and churches throughout Cochise, Santa Cruz, Pima, Pinal and Maricopa counties to prepare for additional drop-offs, despite rural border communities lacking the infrastructure to safely house or relocate migrants.

AMERICAN OVERSIGHT

By Friday afternoon, Border Patrol agents had released the first group of migrants — about 21 people — in Ajo.

The International Sonoran Desert Alliance provided the migrants with water and snacks and conducted rapid COVID- 19 tests, according to executive director Aaron Cooper. They then put the group on a shuttle to Casa Alitas, which cares for migrant families.

The most recent federal COVID-19 relief package set aside $110 million for nonprofits and governments helping at the southern border. But Ducey said Arizona and other border states need more resources and more leadership.

He called on the Biden administration to visit the border in person, provide more COVID-19 testing to migrants and make immediate policy and messaging changes.

Strain on migration system predates Biden

One Trump-era policy Biden did keep in place is known as Title 42. It allows border agents to quickly expel undocumented migrants, including families, to prevent the spread of COVID-19.

But David Bier — an immigration policy analyst at the Cato Institute, a libertarian think tank that favors fewer restrictions on immigration — said Biden officials had badly "mangled" the messaging surrounding that and other policy decisions, upsetting Republicans and Democrats alike.

Homeland Security Secretary Alejandro Mayorkas told lawmakers during a hearing Wednesday that he had ended the policy of expelling unaccompanied minors under the provision. In reality, a court made that decision in November.

"He is adding to the perception that he opened it up and he was the one who is going to allow the kids to come in, and that is just building the case that the reason the kids are coming is because you changed the policy," Bier said.

Ducey and Scott insisted that Biden was solely to blame for the current surge in arrivals, even though apprehensions of adults had begun ticking up in spring of last year.

Ducey went as far as to say border issues "were largely solved" under Trump, sidestepping questions about the 2018 family separation policy a congressional committee later said was marked by "reckless incompetence and intentional cruelty."

And Scott said American citizens should "be furious" with the current president.

"Joe Biden needs to get down here to the border and look at exactly what he's done, and do everything he can to just secure this border," he said. "His actions are putting people at risk."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Suicide-encouragement ban signed into law

Arizona Republic
March 20, 2021
By Emily Wilder

Gov. Doug Ducey signed into law a bill that allows an adult to be charged with manslaughter for encouraging or advising a minor to die by suicide.

"H.B. 2459 will protect young Arizonans and crack down on predators," Ducey wrote in a tweet Wednesday morning.

The governor was joined by Paolla Jordan, mother of 17-year-old Adrio Romine, who killed himself in May 2019 after the family said an adult man online coached him on how to take his own life.

Jordan began working on bringing the bill to the Arizona legislature alongside Rep. Jeff Weninger in September 2019 after creating the Laloboy Foundation to help young people in

the community struggling with mental health.

"HB 2459 Laloboy Act is going to be law!!! First law in the US. We have a lot of work to do," Jordan wrote in a Facebook post last Thursday after the bill passed without opposition in the state House of Representatives. "We had a village behind us today. ... Laloboy will change lives."

The bill amends the Arizona Revised Statutes on manslaughter classifications to include an adult "intentionally providing advice or encouragement" that a child uses to take their life.

"It's been emotionally draining," said Jordan after Ducey's signing. "It's taking our first steps to closure on a horrific situation."

Arizona isn't the only state trying to address the issue.

"From our understanding, there are 8 states with similar bills," said Ducey spokesman C.J. Karamargin.

'We want to go national'

Romine, whose family described as a high-achieving student and a loving brother and son, died by suicide nearly two years ago. His mother said that over a period of seven months before his death, the teen had exchanged more than 400 private messages with a man on Reddit who was feeding him detailed information on how to complete suicide.

Because there were no laws on Arizona's books at the time that criminalized the man's part in her son's suicide, authorities could do little to hold him accountable, Jordan said.

"We still have a lot more work to do because we want to go national, we want to make this a federal law. We can at least take a breath right now," Jordan said.

The Laloboy Act first reached the state House and Senate in Feb. 2020 — a process that had to be restarted after the legislature adjourned at the onset of the COVID-19 pandemic.

AMERICAN OVERSIGHT

"It's been really good to see how the system works, how people come together, how when they don't agree how they can work together," Jordan said.

The bill was passed with enough support to go into immediate effect as soon as Ducey signed it Wednesday morning.

Suicide remains concern

The Laloboy Act follows other recent mental health- and suicide-related legislation passed in Arizona. In March 2020, Arizona lawmakers approved a bill that aimed at preventing teenage suicides by requiring insurance companies to pay for mental health care under the same rules that apply to physical ailments.

According to the Center for Disease Control and Prevention, suicide is the 10th leading cause of death in the United States and the 8th in Arizona. In 2019, suicides represented more than 47,500 deaths across the country, or one every 11 minutes. The same year, 1,500 Arizonans took their own lives. Suicide is the leading cause of death for Arizonans aged 10-14.

While official numbers are not yet available for 2020, many public and mental health experts have voiced concern over worsening mental health, particularly for young people, during the COVID-19 pandemic.

A CDC Morbidity and Mortality Weekly Report found that in a survey of U.S. adults conducted in June of last year, people were reporting worsening mental health conditions associated with COVID-19. Young people and other vulnerable groups were experiencing negative consequences like substance abuse and suicidal ideation at disproportionate rates. However, research published in The BMJ in November encouraged caution when interpreting recent data on suicides, finding that preliminary numbers do not yet show suicides to have grown in the U.S. since the beginning of the pandemic. Though final numbers aren't yet available, state officials said in January that suicides in Arizona do not appear to have spiked during the pandemic in 2020.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona reports 423 new COVID-19 cases, 46 deaths

By Alison Steinbach
Arizona Republic
March 20, 2021

Arizona reported a low 423 new COVID- 19 cases and 46 new known deaths Friday, continuing a recent pattern of lower daily case reports.

The state's seven-day average for new reported COVID-19 cases was 457 on Friday, per state data. It reached as high as 9,800 in January.

Arizona's seven-day case rate per 100,000 people ranked 39th Thursday among all states, after ranking first and second for much of January, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

AMERICAN OVERSIGHT

The state's seven-day death rate per 100,000 people ranked 15th in the nation as of Thursday, per the CDC.

The state's overall COVID-19 death and case rates since Jan. 21, 2020, remain among the worst in the country.

The COVID-19 death rate in Arizona since the pandemic began is 227 deaths per 100,000 people as of Thursday, according to the CDC, putting it sixth in the country in a state ranking that separates New York City from New York state. The U.S. average is 161 deaths per 100,000 people as of Thursday, the CDC said.

New York City has the highest death rate, at 362 deaths per 100,000 people, followed by New Jersey, Rhode Island, Massachusetts and Mississippi.

Arizona's case rate per 100,000 people since the pandemic began also ranks sixth nationwide as of Thursday.

Arizona's newly reported 46 deaths brought the known COVID-19 death count to 16,691.

A total of 835,030 COVID-19 cases have been identified across the state.

Ten of the last 12 days' reported cases have been under 1,000, for the first time since October.

The Arizona data dashboard shows 85% of all ICU beds and 89% of all inpatient beds in the state were in use Thursday, with 11% of ICU beds and 8% of non-ICU beds occupied by COVID- 19 patients. Statewide, 266 ICU beds and 984 non-ICU beds were available.

The total number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 686 on Thursday, down from 743 on Wednesday and far below the record 5,082 inpatients on Jan. 11. The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 184 on Thursday, down from 200 on Wednesday and far below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 86 on Thursday, down from 93 on Wednesday and well below the record high 821 reached on Jan. 13.

Thursday saw 958 patients in the emergency room for COVID-19, well below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Friday's numbers

Reported cases in Arizona: 835,030.

Cases since the outbreak began increased by 423, or 0.05%, from Thursday's 834,607 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 520,919 in Maricopa, 111,582 in Pima, 48,593 in Pinal, 36,651 in Yuma, 21,794 in Mohave, 18,244 in Yavapai, 16,916 in Coconino, 15,589 in Navajo, 11,475 in Cochise, 10,753 in

AMERICAN OVERSIGHT

Apache, 7,708 in Santa Cruz, 6,467 in Gila, 5,350 in Graham, 2,426 in La Paz and 563 in Greenlee, according to state numbers.

The Navajo Nation reported 29,987 cases and 1,228 confirmed deaths in total as of Thursday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 12,204 inmates had tested positive for COVID-19 as of Thursday, including 2,241 in Tucson, 2,021 in Eyman, 2,010 in Yuma, 1,303 in Lewis and 1,163 in Douglas; 43,645 inmates statewide have been tested. A total of 2,721 prison staff members have self-reported testing positive, the department said. Forty-one incarcerated people in Arizona have been confirmed to have died of COVID-19, with 11 additional deaths under investigation.

Deaths by county: 9,512 in Maricopa, 2,322 in Pima, 829 in Pinal, 811 in Yuma, 672 in Mohave, 517 in Navajo, 479 in Yavapai, 404 in Apache, 320 in Coconino, 275 in Cochise, 217 in Gila, 172 in Santa Cruz, 77 in Graham, 74 in La Paz and 10 in Greenlee.

Return to the table of contents

Arizona says no to federal COVID vaccination site

By Alison Steinbach
Arizona Republic
March 21, 2021

Arizona has turned down an offer from the federal government for a federally run COVID-19 vaccine site in the state.

The state wants more doses to expand capacity at existing state-run sites and to add appointments at pharmacies and in communities, but it does not need the new federal site, Dr. Cara Christ, director of the Arizona Department of Health Services, said during a Friday news briefing.

“We just need the additional vaccine,” Christ said. “We’ve got the sites, they are fully staffed, they are efficient, people can get in and out of our sites in 30 minutes, and so what we were asking for was just the additional vaccine so that we can operate our sites at the capacity that we had planned.”

The state has been applying for additional COVID-19 vaccine doses from the federal government since mid-January, saying its sites are not at capacity and can administer more doses, but the request repeatedly has been denied.

The Federal Emergency Management Agency last week offered to stand up a vaccine site or two in Arizona instead, the only way they could bring Arizona more doses, Christ said.

But a number of factors made the state uncomfortable in saying yes to the federal site or sites, which likely would have gone to Pima and Maricopa counties.

While the federal site initially would get additional doses beyond what the state already receives, it’s unclear whether that supply would continue to come straight from the federal pool or whether the state would need to send some of its allocated doses to that site, Christ said.

AMERICAN OVERSIGHT

“That made us a little bit nervous and we couldn’t get great answers on that,” Christ said. “(We were) less hesitant to turn down additional doses when we’re hearing that they may not stay additional doses — that they may come out of the state’s allocation that we’re currently getting.”

Additionally, Christ said the federal site would not allow for state oversight on medical or managerial aspects, including efficiency and customer service, even though the state would have to provide significant staffing and resources to operate the site.

State officials offered to partner with FEMA on an existing state-run site or a future planned site, but FEMA said they would need medical and planning oversight, per Christ.

“Looking at our sites, we don’t really need assistance in standing up additional fixed or mobile resources. What we countered with was instead of using federally allocated vaccine at a site that doesn’t exist, a more efficient use of the vaccine would be to administer those doses at one of our currently operating locations,” she said.

Christ said her team talked with states that have federal vaccine sites, including California, and found they have “not fared as well,” whereas she said Arizona sites are “national models.”

“We run our PODs relatively well, we get a lot of really positive feedback and I don’t know that Arizonans having to wait four to five hours to get through a non-state operated site would have been as acceptable as our current operations,” Christ said.

President Joe Biden and Vice President Kamala Harris took a virtual tour of the state-run State Farm Stadium vaccination site in early February, praising it as a model for other stadium vaccine sites nationwide. State PODs could be administering another 35,500 doses each day if there was more supply, Christ said. With planned future sites, that unfilled capacity jumps to 66,000 additional doses per day that could be administered if there was more vaccine. Pharmacies are prepared to vaccinate but have yet to receive any doses. Community partners are ready for community- based and mobile sites that just need the doses to get going, Christ said. A FEMA spokesperson said in an email Friday that the agency commends Arizona on its vaccine efforts statewide and accepts its decision about the sites.

“FEMA remains committed to supporting Arizona with funds to cover critical supplies, staffing, training and transportation needs to increase its vaccination efforts,” FEMA spokesperson Robert Barker wrote.

Arizona should get more doses soon

The state’s vaccine allocation has seen some gradual increases week to week and is expected to significantly increase around the start of April, Christ said.

This coming week, the state will receive close to 323,000 total vaccine doses, an increase from each week prior except for when the state first got the Johnson & Johnson vaccine. Arizona will get more Pfizer and Moderna doses for the week ahead than any week prior, according to state data.

Weekly allocations should ramp up so that the state plans to open up appointment registration for everyone ages 16 and older by May 1.

AMERICAN OVERSIGHT

State health officials have said they are working on plans for more staterun sites. Pharmacies, doctors' offices, clinics and community partners will continue to receive doses as well.

"Knowing that more vaccine is coming on the horizon, we did feel comfortable at this time declining on that (FEMA) offer," Christ said.

Return to the table of contents

Arizona reports 735 new cases, 42 deaths

By BrieAnna J. Frank
Arizona Republic
March 21, 2021

Arizona reported 735 new COVID-19 cases and 42 new known deaths Saturday, continuing a recent pattern of relatively lower daily case reports and stabilizing hospital metrics.

The state's seven-day average for new reported COVID-19 cases was 524 on Saturday, per state data. It reached as high as 9,800 in January.

Arizona's seven-day case rate per 100,000 people ranked 49th Friday among all states, after ranking first and second for much of January, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

The state's seven-day death rate per 100,000 people ranked 12th in the nation as of Friday, per the CDC.

The state's overall COVID-19 death and case rates since Jan. 21, 2020, remain among the worst in the country.

The COVID-19 death rate in Arizona since the pandemic began is 228 deaths per 100,000 people as of Friday, according to the CDC, putting it sixth in the country in a state ranking that separates New York City from New York state. The U.S. average is 161 deaths per 100,000 people as of Friday, the CDC said.

New York City has the highest death rate, at 363 deaths per 100,000 people, followed by New Jersey, Rhode Island, Massachusetts and Mississippi.

Arizona's case rate per 100,000 people since the pandemic began also ranks sixth nationwide as of Friday.

Arizona's newly reported 42 deaths brought the known COVID-19 death count to 16,733. The state surpassed 16,000 deaths on March 2 after passing 15,000 deaths on Feb. 17, 14,000 deaths on Feb. 6 and 13,000 deaths on Jan. 29, just one week after it passed 12,000 and two weeks after 11,000 deaths.

The state exceeded 10,000 known deaths on Jan. 9. Arizona's first known death from the disease occurred in mid-March 2020.

Many of the reported deaths occurred days or weeks prior, because of reporting delays and death certificate matching.

AMERICAN OVERSIGHT

A total of 835,765 COVID-19 cases have been identified across the state. February and particularly March have seen relatively lower case reports.

Eleven of the last 13 days' reported cases have been under 1,000, for the first time since October.

The Arizona data dashboard shows 85% of all ICU beds and 89% of all inpatient beds in the state were in use Thursday, with 10% of ICU beds and 8% of non-ICU beds occupied by COVID- 19 patients. Statewide, 259 ICU beds and 978 non-ICU beds were available.

The total number of patients hospitalized in Arizona for known or suspected COVID-19 cases was at 700 on Friday, up from 686 on Thursday but far below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 182 on Friday, down from 184 on Thursday and far below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 86 on Friday, matching Thursday's tally and well below the record high 821 reached on Jan. 13.

Friday saw 1,000 patients in the emergency room for COVID-19, well below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Saturday's numbers
Reported cases in Arizona : 835,765.

Cases since the outbreak began increased by 735, or 0.08%, from Friday's 835,030 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county : 521,072 in Maricopa, 111,770 in Pima, 48,719 in Pinal, 36,671 in Yuma, 21,896 in Mohave, 18,277 in Yavapai, 16,943 in Coconino, 15,595 in Navajo, 11,501 in Cochise, 10,758 in Apache, 7,739 in Santa Cruz, 6,488 in Gila, 5,345 in Graham, 2,428 in La Paz and 563 in Greenlee, according to state numbers.

The Navajo Nation reported 29,992 cases and 1,229 confirmed deaths in total as of Friday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 12,204 inmates had tested positive for COVID-19 as of Friday, including 2,241 in Tucson, 2,021 in Eyman, 2,010 in Yuma, 1,303 in Lewis and 1,163 in Douglas; 43,645 inmates statewide have been tested. A total of 2,729 prison staff members have self-reported testing positive, the department said. Forty- one incarcerated people in Arizona have been confirmed to have died of COVID- 19, with 11 additional deaths under investigation.

Deaths by county : 9,534 in Maricopa, 2,325 in Pima, 833 in Pinal, 812 in Yuma, 673 in Mohave, 517 in Navajo, 483 in Yavapai, 405 in Apache, 323 in Coconino, 277 in Cochise, 218 in Gila, 173 in Santa Cruz, 76 in Graham, 74 in La Paz and 10 in Greenlee.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona vaccine sites adapt as temperatures rise

By Alison Steinbach
Arizona Republic
March 22, 2021

State Farm Stadium will begin providing COVID-19 vaccines only overnight starting April 4 as part of the state's transition to indoor vaccine locations because of rising temperatures.

The state's four mass vaccination sites — three in the Phoenix area and one in Tucson — have plans for mitigating heat and some are moving indoors.

State Farm Stadium will become overnight only and the state plans to open an indoor location to replace its capacity; the Phoenix Municipal Stadium site near Tempe will move indoors in April; the Chandler-Gilbert Community College site in the southeast Valley will move to a warehouse in Mesa in April; the University of Arizona site in Tucson will remain outdoors but will move inside if necessary.

And a new state-supported site is opening at an indoor site in Yuma at the end of March.

"One of the things that all of us from Arizona know is that our weather here is going to start transitioning to be where it's less pleasant outside," Dr. Cara Christ, the Arizona Department of Health Services director, said at a Friday news briefing. "We are working with our partners on finalizing plans for transitioning our state sites to indoor locations and we are planning on continuing to increase the vaccination capacity."

April and May will be getting too warm for volunteers and patients to be safe outside, Christ said, especially patients who don't have air conditioning in their cars. The iPads used for registration and records also won't work as well in the heat, furthering the need to move inside.

State Farm Stadium will run 5 p.m. to 9 a.m., then move inside State Farm Stadium in Glendale, the first state site to open in January, operates in a large parking lot that will get very hot.

"One of the concerns is that our technology, as it gets over 90 and 100 degrees, will not work as well, or at all. And we want to make sure that we are keeping our patients and our volunteers and staff out there safe," Christ said.

The site will begin operating only overnight — instead of its current 24/7 schedule — to adjust for rising temperatures.

State Farm Stadium will pause vaccinations at midnight on April 3 and will resume at 5 p.m. on April 4. After that, it will provide shots nightly only from 5 p.m. to 9 a.m.

The site will run close to its current capacity by adding more appointments each hour, Christ said. The site should be able to administer about 8,000 to 10,000 doses in the 5 p.m. to 9 a.m. range, compared to the 9,000 to 11,000 it's hitting running 24/7, Christ said.

The state plans to open an indoor site in April to replace State Farm Stadium and so there's only a short window of time that it's only running overnight. Christ said there are a few options being evaluated that would have significant capacity. She did not list any possible locations.

AMERICAN OVERSIGHT

The Arizona health department wants to hit 1 million vaccines administered at the Cardinals stadium before shutting down, Christ said.

"That obviously will be dependent on the weather and how long our technology can stay operational and we can keep our patients safe," she said. "But we would really like to hit that one million goal mark at State Farm."

State Farm Stadium on Monday crossed the 500,000 doses administered mark.

The state's other vaccine sites have a range of plans.

Phoenix Municipal Stadium: The site will continue to operate from 7 a.m. to 5 p.m. Christ said there is more of a breeze at the stadium site and also more covered areas. The state is working with Arizona State University to identify a new indoor location to transition to in April, Christ said.

Chandler-Gilbert Community College: The site will stop vaccinations at the end of the day April 3. Operations will move to a new location in Mesa starting April 5. Asked whether the location is the Dexcom warehouse, Christ said she believed it was.

People getting their first doses now at Chandler-Gilbert Community College are having their second doses scheduled for the Mesa site.

The indoor facility will be able to provide up to 10,000 doses per day, Christ said.

University of Arizona: The Tucson POD plans to continue operating as is. Christ said there is more grass, shade and overhead structures to keep people cooler. The option to move completely into a currently operating indoor site remains if needed, she said.

Yuma Civic Center: This indoor vaccine location will transition to a state-supported site operating 7 a.m. to 5 p.m. daily starting March 29. About 8,000 appointments per week will be offered initially, but the site has the capacity for 28,000 appointments per week, Christ said.

The state opened its second site at Phoenix Municipal Stadium Feb. 1, and transitioned a POD at the University of Arizona to be a state-run site on Feb. 18.

On March 3, the state took over operations of a vaccine site at Chandler-Gilbert Community College that previously has been operated by Dignity Health.

The state may open more state-run sites in the future.

Christ said Friday that the state is looking at possible sites in Coconino County and additional sites in the metro Phoenix area, including in the northeast Valley.

Return to the table of contents

AMERICAN OVERSIGHT

Arizona adds 488 new cases, 12 deaths

By Audrey Jensen
Arizona Republic
March 22, 2021

Arizona reported 488 new COVID-19 cases and 12 new known deaths Sunday, continuing a pattern of relatively lower daily case reports and stabilizing hospital metrics.

The state's seven-day average for new reported COVID-19 cases was 506 on Sunday, per state data. It reached as high as 9,800 in January.

Arizona's seven-day case rate per 100,000 people ranked 50th Sunday among all states and territories, after ranking first and second for much of January, according to the Centers for Disease Control and Prevention's COVID Data Tracker. The only states with a lower case rate were California, Oregon and Hawaii.

The state's seven-day death rate per 100,000 people ranked 11th in the nation as of Sunday, per the CDC.

The state's overall COVID-19 death and case rates since Jan. 21, 2020, remain among the worst in the country.

The COVID-19 death rate in Arizona since the pandemic began is 229 deaths per 100,000 people as of Sunday, according to the CDC, putting it sixth in the country in a state ranking that separates New York City from New York state.

The U.S. average is 162 deaths per 100,000 people as of Sunday, the CDC said.

New York City has the highest death rate, at 364 deaths per 100,000 people, followed by New Jersey, Rhode Island, Massachusetts and Mississippi.

Arizona's case rate per 100,000 people since the pandemic began also ranks sixth nationwide as of Sunday.

Arizona's newly reported 12 deaths brought the known COVID-19 death count to 16,745. The state surpassed 16,000 deaths on March 2 after passing 15,000 deaths on Feb. 17, 14,000 deaths on Feb. 6 and 13,000 deaths on Jan. 29, just one week after it passed 12,000 and two weeks after 11,000 deaths. The state exceeded 10,000 known deaths on Jan. 9. Arizona's first known death from the disease occurred in mid-March 2020.

Many of the reported deaths occurred days or weeks prior, because of reporting delays and death certificate matching.

A total of 836,253 COVID-19 cases have been identified across the state. February and particularly March have seen relatively lower case reports.

Twelve of the last 13 days' reported cases have been under 1,000, for the first time since October.

AMERICAN OVERSIGHT

The Arizona data dashboard shows 85% of all ICU beds and 87% of all inpatient beds in the state were in use Saturday, with 10% of ICU beds and 7% of non-ICU beds occupied by COVID-19 patients. Statewide, 254 ICU beds and 1,105 non-ICU beds were available.

The total number of patients hospitalized in Arizona for known or suspected COVID-19 cases was 631 on Saturday, down from 700 on Friday and far below the record 5,082 inpatients on Jan. 11.

The number of patients with suspected or known COVID-19 in ICUs across Arizona was at 173 on Saturday, down from 182 on Friday and far below the record high of 1,183 on Jan. 11.

Arizonans with confirmed and suspected COVID-19 on ventilators tallied 79 on Saturday, lower than Friday's tally of 86 and well below the record high 821 reached on Jan. 13.

Friday saw 908 patients in the emergency room for COVID-19, well below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

Sunday's numbers

Reported cases in Arizona:

836,253.

Cases since the outbreak began increased by 488, or 0.05%, from Saturday's 835,765 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 521,233 in Maricopa, 111,825 in Pima, 48,839 in Pinal, 36,690 in Yuma, 21,922 in Mohave, 18,294 in Yavapai, 16,952 in Coconino, 15,595 in Navajo, 11,537 in Cochise, 10,772 in Apache, 7,759 in Santa Cruz, 6,496 in Gila, 5,346 in Graham, 2,430 in La Paz and 563 in Greenlee, according to state numbers.

The Navajo Nation reported 29,998 cases and 1,233 confirmed deaths in total as of Saturday. The Navajo Nation includes parts of Arizona, New Mexico and Utah.

The Arizona Department of Corrections reported 12,204 inmates had tested positive for COVID-19 as of Friday, including 2,241 in Tucson, 2,021 in Eyman, 2,010 in Yuma, 1,303 in Lewis and 1,163 in Douglas; 43,645 inmates statewide have been tested.

A total of 2,729 prison staff members have self-reported testing positive, the department said. Forty-one incarcerated people in Arizona have been confirmed to have died of COVID-19, with 11 additional deaths under investigation.

Deaths by county: 9,544 in Maricopa, 2,326 in Pima, 834 in Pinal, 812 in Yuma, 673 in Mohave, 517 in Navajo, 483 in Yavapai, 405 in Apache, 323 in Coconino, 277 in Cochise, 218 in Gila, 173 in Santa Cruz, 76 in Graham, 74 in La Paz and 10 in Greenlee.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Arizona Gov. Ducey asks Biden to give clearer messaging amid border surge

By Rachel Gossen
KTAR News
March 21, 2021

Arizona Gov. Doug Ducey is calling upon President Joe Biden to be louder in his efforts to deter migrants from coming to the U.S.-Mexico border.

"He's got a big microphone, he needs to use it appropriately," Ducey told ABC News' Martha Raddatz during an interview Sunday on "This Week with George Stephanopolus."

"He certainly can communicate more often, more clearly and he should be talking to [Mexico's] President [Andres Manuel Lopez] Obrador," Ducey said.

Since Biden's inauguration, the U.S. has seen a dramatic spike in the number of people encountered by border officials. There were 18,945 family members and 9,297 unaccompanied children encountered in February — an increase of 168% and 63%, respectively, from the month before, according to the Pew Research Center.

The governor said the Biden administration's reversal of Trump immigration policies, such as the migrant protection protocols, is part of the cause of the surge.

"It was working," Ducey said. "It disincentivized people from taking this dangerous trip."

Department of Homeland Security Secretary Alejandro Mayorkas refuted claims that the administration's messaging is encouraging the influx of migrants and said that the border remains protected.

"The message is quite clear — do not come," Mayorkas told ABC News. "The border is closed, the border is secure. We are expelling families, we are expelling single adults under the CDC's authority … because we are in the midst of the pandemic and that is a public health imperative. We are encouraging children not to come, now is not the time to come."

Ducey visited the U.S.-Mexico border in Douglas on Friday to asses the situation and discuss the crisis with local leaders. He was joined by U.S. Sen. Rick Scott of Florida, a fellow Republican, as well as several state lawmakers.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona tribe among recipients of federal infrastructure funding

KTAR News
March 21, 2021

The Navajo Tribal Utility Authority, located in Fort Defiance, Arizona, is receiving more than $235 million in federal funding to build and improve utility lines across the reservation.

The loan from the U.S. Department of Agriculture will be used to connect 1,340 consumers on the reservation to utilities. It will also fund transmission expansions and upgrades, construction of warehouse and headquarters facilities throughout the reservation and expanding smart grid technologies.

Additionally, 144 miles of transmission line and 221 miles of distribution line near Tuba City (owned by Arizona Public Service) and on the Hopi Reservation will be built with the investment, the USDA said.

A total of $598 million in funding will be distributed across 11 states to improve rural electric infrastructure, the USDA announced Tuesday.

"These USDA investments will bring affordable electric power to rural residents, Tribal communities, community facilities, schools and medical institutions that perform critical services each day," Agriculture Secretary Tom Vilsack said in a press release.

The funding comes through the department's Electric Loan Program, which aims to helps finance wind, solar and natural gas plants, as well as improvements to produce clean energy from coal-fired plants, according to the organization.

"Now is the time for our nation to make significant investments in infrastructure — roads, bridges, broadband and energy — to improve quality of life and support good-paying jobs, transition to a clean energy economy, and keep the United States poised to lead the global economy," Vilsack said.

Approximately 460,000 rural residents and businesses in Arizona, Kentucky, Maine, Minnesota, Missouri, New Mexico, North Dakota, Oklahoma, South Carolina, Utah and Virginia will benefit from the loans, according to the USDA.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Maricopa County expands COVID-19 rent and utility assistance program

By Rachel Gossen
KTAR News
March 21, 2021

Maricopa County has expanded its emergency rental and utility assistance program to help those impacted by the coronavirus pandemic, officials announced Friday.

To be eligible to receive assistance, applicants' household income must be at or below 80% of Maricopa's median income, which is $56,050 for a family of three.

AMERICAN OVERSIGHT

Additionally, applicants must qualify for unemployment benefits or have experienced reduced income due to COVID-19, as well as demonstrate a risk of experiencing homelessness or housing instability as evidenced by past due notices.

Priority is given to applicants who have any household member unemployed for the last 90 days or longer due to the pandemic or the total household income is at or below 50% of the area median income.

Those who qualify can apply online.

"Over the past eight months, Maricopa County has provided an unprecedented amount of assistance to individuals and families struggling to pay their bills, an increase of more than tenfold what we can typically provide," Bruce Liggett, the county's human services department director, said in a press release.

"But we understand the need for help in our community is still immense and housing stability is critically important. This new federal funding allows us to continue the important work of supporting families and keeping people in their homes."

The program is funded through the federal Emergency Rental Assistance program, part of the recent coronavirus relief package passed by Congress.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Democratic state Sen. Kirsten Engel running for Congress

KTAR News
March 20, 2021

Democratic Sen. Kirsten Engel of Tucson announced Friday she's running for Congress, becoming the first major candidate to jump into the race to replace retiring Democratic U.S. Rep. Ann Kirkpatrick.

Engel is an environmental law professor at University of Arizona. She was elected last year to her first term in the Arizona Senate following two terms in the House.

"I want to bring my experience as an attorney, legislator, woman, and mom to Washington to help southern AZ families and small businesses — to not only recover from the global pandemic, but to take that next step to building a sustainable economy with opportunities for all," Engel wrote on Twitter.

Engel is likely to face a crowded field of candidates vying for the Democratic nomination. Her potential rivals include state Rep. Randy Friese, who wrote on Twitter this week that he and his wife are "carefully and thoughtfully" planning for their future, and Pima County Supervisor Matt Heinz.

The 2nd Congressional District currently includes parts of Tucson and Southeastern Arizona, and is one of the most hotly contested in the state with races often decided by razor-thin margins.

However, the boundaries will change due to redistricting ahead of the 2022 election.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Proposed federal change puts Flagstaff at risk of losing funding

By Adrian Skabelund
Arizona Daily Sun
March 20, 2021

Flagstaff could be at risk of losing thousands of dollars in federal aid based on a proposed change in definitions by the United States Office of Management and Budget (OMB).

The change could lead to the city no longer receiving the same level of federal funding for everything from community development grants for local social services and underserved neighborhoods to the transportation dollars given to Mountain Line.

Earlier this year, the OMB proposed a change to the definition of a metropolitan statistical area from an area with a minimum population of 50,000 to 100,000 people.

According to the OMB, the change won't directly reduce any funding directly, but the move still has many local leaders worried about indirect impacts to federal aid. That's because the definitions outlined by the OMB are often used by other federal agencies to determine whether a city is eligible for federal funding.

The Department of Housing and Urban Development, for example, uses the OMB's definitions to determine which cities can receive funding through community development block grants.

Mountain Line CEO Heather Dalmolin said the Federal Transportation Administration also uses the definition to award funding for public transit infrastructure and local agencies.

"If that classification were to change, we are at risk of a large impact to funding for operations and for our capital projects. In our view, the change has little value and poses a potential risk to future transit funding, therefore, we don't support the change," Dalmolin said in an email.

Just this week, the Flagstaff City Council approved sending a letter in opposition to the proposed changes, citing the risk to funding as well as asserting that the office has not provided a compelling reason for how the change would benefit the public.

Council's letter came after the Greater Flagstaff Chamber of Commerce's Julie Pastrick also sent a letter opposing the proposed change last week, both to the OMB and to Arizona Sens. Mark Kelly and Kyrsten Sinema and Rep. Tom O'Halleran.

"As we collectively work on the economic recovery, it is particularly important to nurture pro-growth policies for businesses, families and communities like ours," Pastrick told elected leaders in her letter. "The [current designation] is vital to our cities as it provides the ability to advocate for the needs of our communities and ensure our state government considers the unique challenges and opportunities of our local government and economy."

AMERICAN OVERSIGHT

It's not just Flagstaff that could be impacted by the change: Across the country, a total of 140 medium-sized cities could find themselves in a similar position.

The City of Flagstaff annually receives approximately $600,000 in community development grant funding. That number has been even higher in the past year, as it has come with other one-time allocations of money related to coronavirus aid passed by Congress.

And that money has been used in a variety of ways, including expansions of Flagstaff Shelter Services and street improvements in the La Plaza Vieja neighborhood.

The OMB requested public comment before implementing the changes. That comment period ends on Friday, March 19.

National outlook
A bipartisan group of U.S. senators and representatives is urging the federal government not to approve recommendations to remove 144 cities from the designation of metropolitan statistical areas. Reclassifying them as “micropolitan” would put key federal funding at risk, they said.

The request comes after The Associated Press reported this month that the federal government is contemplating raising the population criteria for core cities in metro areas from 50,000 residents to 100,000 residents. Doing so would reclassify more than a third of the current 392 metro areas as micropolitan statistical areas.

Officials in some of the affected cities worry that the change could have adverse implications for federal funding and economic development, since some housing, transportation and Medicare reimbursement programs are directed specifically to metropolitan statistical areas.

“Adhering to this recommendation has the potential to harm communities across the nation, which we hope you take into account while considering these recommendations," said the letter sent last week by eight U.S. senators and two U.S. representatives to the Office of Management and Budget.

The letter was signed by Sens. John Thune and Mike Rounds of South Dakota, Kevin Cramer and John Hoeven of North Dakota, Cynthia Lummis of Wyoming and Deb Fischer of Nebraska, all Republicans, along with Arizona's two Democratic senators, Kyrsten Sinema and Mark Kelly. Also signing were Republican Reps. Dusty Johnson of South Dakota and Adrian Smith of Nebraska.

In a separate letter to the Office of Management and Budget, Hoeven said the proposal also would hurt micropolitan areas that were on the cusp of becoming metro areas. If approved, it wouldn't take effect until 2023.

Statisticians who recommended changing the definition of a metro area say it's long overdue, given that the U.S. population has more than doubled since the 50,000-person threshold was introduced in 1950. Back then, about half of U.S. residents lived in metros; now, 86% do.

Scores of city leaders and rural researchers also have written, urging the Office of Management and Budget to reject the proposal.

AMERICAN OVERSIGHT

The city manager of Mankato, Minnesota, estimated that her community would lose directly $400,000 in funding that goes toward homeless shelters, affordable housing and medical care to the uninsured. This federal funding also leverages other low-income housing projects, said Susan Arntz.

“The City of Mankato, Minnesota, is very troubled by the proposal to modify the standards," Arntz said in a letter.

Another concern for many metros areas at risk of being reclassified is that they will have less name recognition outside their region, George Hammond, a University of Arizona economist, said during a recent online seminar about the topic sponsored by the National Association for Business Economics and the Association for University Business and Economic Research.

“This is a big concern for local policymakers and economic developers,” Hammond said. “If a metropolitan statistical area is redefined as a micropolitan area, it may fall out of the conversation. There is less buzz. There’s less knowledge that the NSA exists nationwide.”

♦◊ ♦◊♦◊ ♦◊

Return to the table of contents

March of COVID-19: Looking back at the first week of coronavirus response in Flagstaff, a year later

By Adrian Skabelund
Arizona Daily Sun
March 21, 2021

A year ago this week, and before a single case of the virus had been confirmed in Coconino County, the impacts of COVID-19 became very real for thousands of Flagstaff residents.

That week, then-Mayor Coral Evans announced hundreds of businesses around the city would be temporarily closed while others would have their normal operations significantly altered.

The announcement, which was the first of its kind in response to the spread of the coronavirus in Arizona, came just a day after the city had also declared a state of emergency.

“Everything started St. Patrick's Day, at 8 o'clock. I’ll remember that for the rest of my life,” Evans told the Arizona Daily Sun Friday, masked and sitting on a bench outside city hall. “Damn, it's been a freaking year.”

But for as long as Flagstaff residents, and those around the world, have been living through the pandemic, in the early days of the crisis, events were occurring at surprising speed.

It was that February when Evans said Jamie Whelan, a member of the Flagstaff City Council at the time, approached her about COVID-19, asking her if she was following events that were occurring in New York City. At the time, little was known about the virus and even fewer thought it would reshape the life of residents for the rest of the year and beyond.

But it was only a few weeks later that the impacts of the virus on Flagstaff and the local economy would manifest.

AMERICAN OVERSIGHT

Evans said she was contacted the weekend of March 14 by a local Colorado River rafting company, warning her that in the next week, about a thousand of their employees would be laid off.

"This is March, river rafting season is just about to kick off," Evans remembered. "And he said, 'It's COVID-19, we have a 95% cancellation.'"

Suddenly concerned about what, at the moment, appeared to be primarily the economic impacts of the virus, Evans said she reached out to elected leaders including Sens. Martha McSally and Kyrsten Sinema and Flagstaff City Manager Greg Clifton.

The next day, on Sunday, March 15, the city declared a state of emergency.

By Monday, Evans said, she was on a phone call with other mayors of cities and towns from across the state, as well as Sinema. The same day, Evans began hearing from others in the community, including John Conley, owner of the Salsa Brava and Fat Olives restaurants.
Conley told Evans he would be proactively closing both establishments as a way to protect his staff and family, and hopefully prevent local spread of the coronavirus.

Community Leadership During Covid-19
John Conley, owner of Salsa Brava and Fat Olives, responded decisively in the early days of the COVID-19 pandemic by closing his restaurants to protect his staff, customers and family.

Jake Bacon, Arizona Daily Sun
"We had never been through a pandemic before. If closing turned out to be a mistake, I felt we would know pretty quickly," Conley said of his decision. He added that he thought it was best to "really just to err on the side of caution."

Conley, who has been a leader in the local food industry for more than 30 years, said it was the most difficult point in his career. But he said he hoped the decision to close would also influence the calls being made by restaurant owners and managers across Flagstaff.

Throughout the pandemic, Conley said, he tried to continue what he saw as his role as a community leader. He would later close his restaurants again, after Gov. Doug Ducey had allowed most business to reopen, and paid for all his employees to be tested for the virus on site.

But those decisions were not always popular.

"The wheels kind of came off," Conley said. "And unfortunately I received notes on my truck and notes on my office door saying I wasn't doing my part to make America great again. I was told I wasn't doing enough for my staff, even though we were supporting them throughout this."

By the night of Monday, March 16, the tough choices faced by many business owners across Flagstaff were made for them by the city.

That night, Evans announced a proclamation stating that the following evening hundreds of businesses would temporarily close and in-person dining at restaurants would be put on hold.

AMERICAN OVERSIGHT

That proclamation, the former mayor said, impacted her own employment, greatly diminishing her own way of making a living.

“I guess I was naive in a certain sense, because I thought, ‘Okay, we have no cases of whatever this is. But if we just totally address it now, we can kind of like tuck and roll; we can be protected. Whatever this is, it's going to go over us in a couple of weeks. We're not going to die, and then hey, we're going to be able to have our summer,’” Evans said. “Well, that was obviously very naive of me.”

More work to be done

But a year later, as the pandemic continues to pose challenges, Evans said she doesn’t look back on her actions with any regrets. Given the information they had at the time, she said it was the right call to make.

Just a day after the proclamation took effect, Coconino County also declared a state of emergency, having already allocated $1 million to respond to the virus. The amount of money the county has spent on COVID response, and for ongoing vaccination efforts, has only grown since then.

A few weeks later, the city also closed hair salons and beauty parlors. It was a move that some saw as in opposition to the governor's own executive order defining essential businesses that should remain open during the pandemic.

“It's only because we have one hell of a city attorney who sat down with me. We went through the entire governor's executive order,” Evans said. “All the people that work for the city [stepped up].”

Evans said she was impressed throughout the year as she saw staff finding ways to continue city services under difficult circumstances. She also said she saw the community respond to the challenge posed by COVID-19, even in those first few weeks.

Waiting For the "Parade"

Spectators wait for the start of Flagstaff High School’s graduation procession by car on North Fourth Street in May. Families and friends of the graduates filled the sidewalks four and five people deep in a sight not seen since before the start of the COVID-19 pandemic.

Jake Bacon, Arizona Daily Sun

As schools shut down, community members organized food drives and free lunches for children who normally relied on the meals that schools provide.

“I think it was just everybody in the City of Flagstaff. Yes, you had people who were not down with the program. But you had a lot of people that were like, ‘OK, we're going to do this for our community,’” Evans said. “I think the citizens of Flagstaff stepped up to it, tried to figure it out -- people even making goofy-looking masks to show their own fashion sense.”

One of those community members was Ross Altenbaugh, the director of Flagstaff Shelter Services.

Throughout the pandemic, Altenbaugh has compared the shelter's effort to increase capacity and improve services in the face of COVID-19 to building a plane in mid-air.

And the first few weeks, that was no different, as the priority became finding a way to house vulnerable unsheltered populations and allow them to socially distance.

AMERICAN OVERSIGHT

Ross said solutions were found with community partners coming together, and help from the county.

"Luckily we found two really, really fantastic humans who owned hotel spots that were willing to open their hotels to us," Altenbaugh said. "Not only finding space, but finding materials and food. We also located medical providers that were willing to show up. We found tests and behavioral specialists that were able to provide services. It was a wild time."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Number of Navajo Nation COVID-19 cases surpasses 30,000

Arizona Daily Sun
March 22, 2021

The Navajo Nation has reported nine new COVID-19 cases but no new deaths, pushing the total number of cases since the pandemic past 30,000.

The latest numbers released Sunday bring the tribe's pandemic total to 30,0007 confirmed cases. The number of known deaths remains 1,233.

The Navajo Nation had a soft reopening last week with 25% capacity for some businesses under certain restrictions.

Still, mask mandates and daily curfews remain.

Tribal President Jonathan Nez reiterated in a statement the importance of getting vaccinated. However, he said those who are vaccinated should not take vacations or hold large in-person gatherings with the ongoing spread of COVID-19 variants.

Now is not the time to take vacations or to begin holding large in-person gatherings due to the ongoing spread of the COVID-19 variants in neighboring states.

The vast Navajo reservation covers parts of Arizona, New Mexico and Utah.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, March 23, 2021 4:18:06 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Arizona Legislative Report News Notes March 23, 2021

Rosanna Gabaldon
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.4424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

March 23, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative*

AMERICAN OVERSIGHT

Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until March 24, Wednesday, at 1:15 p.m.

THE SENATE IS ADJOURNED until March 24, Wednesday, at 1:30 p.m.

COMMITTEE AGENDAS

REVISED HEARINGS

House Natural Resources, Energy & Water

Tuesday 03/23/21 at 2:00 PM, House Rm. 4 ***REVISED [03/22/21]***

S1147: WATER BANKING; STORAGE CREDITS; SUBCONTRACTORS

~~S1222: CONSERVATION DISTRICTS; WATER; INVASIVE VEGETATION~~

~~S1269: SALE OF STATE LANDS; NOTICE~~

Added S1366: REMEDIATED WATER; GROUNDWATER; USE

STRIKER: REMEDIATED GROUNDWATER USE; DATE; EXTENSION

Added SCR1011: SUPPORTING; HARDROCK MINING ***STRIKER: BORDER SECURITY; BORDER CRISIS***

Senate Education

Tuesday 03/23/21 at 2:00 PM, Senate Rm. 1 ***REVISED [03/23/21]***

H2017: APPROPRIATION; STEM; LEARNING; WORKFORCE DEVELOPMENT

H2019: CTEDS; DISTRICT GOVERNING BOARDS; ELECTIONS

H2123: CTEDS; FOURTH-YEAR FUNDING

STRIKER: PUPIL SUSPENSIONS AND EXPULSIONS; SCHOOLS

H2322: VOCATIONAL AND TECHNICAL EDUCATION; EVALUATIONS

AMERICAN OVERSIGHT

STRIKER: PROGRAM PROVIDERS; DROPOUT RECOVERY PROGRAMS

H2403: SCHOOLS; PERFORMANCE EVALUATIONS

STRIKER: AVERAGE DAILY MEMBERSHIP; COURSE REQUIREMENTS

H2494: ARIZONA HEALTH EDUCATION CENTERS; INCREASE

STRIKER: CLERGY; PRIESTS; DUTY TO REPORT

H2523: FOUR-YEAR DEGREES; COMMUNITY COLLEGES

H2638: EDUCATION PROGRAMS; COUNTY JAILS; APPROPRIATION

STRIKER: ARIZONA COMMUNITY COLLEGE PROMISE SCHOLARSHIP

H2830: ALTERNATIVE ORGANIZATION; COMMUNITY COLLEGE DISTRICTS

H2863: ASDB; LOCAL EDUCATION AGENCIES

House Government & Elections

Wednesday 03/24/21 at 9:00 AM, House Rm. 1 ***REVISED [03/22/21]***

S1010: RECOUNT REQUESTS; AMOUNT; BOND; PROCEDURE

S1068: ELECTIONS MANUAL; LEGISLATIVE COUNCIL; GRRC

S1084: STATE OF EMERGENCY; AUTOMATIC TERMINATION

S1105: BALLOT MEASURES; 200-WORD DESCRIPTION

S1106: VOTING RESIDENCY; INTENT TO REMAIN

STRIKER: REGISTRATION; PERMANENT EARLY VOTING LIST

S1121: MARIJUANA; SECURITY; SOCIAL EQUITY LICENSES

S1241: VOTING EQUIPMENT; BALLOTS; RECEIPT

S1432: POLITICAL SIGNS; REMOVAL DATE

S1455: LENDING; CREDIT SUPPORT PROGRAMS; REPORT

S1463: DIFI; OMNIBUS

S1498: BOARD OF SUPERVISORS; MEMBERSHIP

AMERICAN OVERSIGHT

S1520: MUNICIPALITY; GENERAL PLAN; ADOPTION; AMENDMENT

S1530: EARLY BALLOTS; UNDELIVERABLE; INSTRUCTIONS

S1531: PETITION SIGNATURES; DESCRIPTION; INVALIDITY

S1613: ELECTION DATA; RESULTS; ELECTION EQUIPMENT

S1645: PUBLICATION OF NOTICE

S1713: EARLY BALLOTS; IDENTIFICATION; MAILING ***STRIKER: SAME SUBJECT***

S1714: CAMPAIGN EXPENDITURES; OUT-OF-STATE; DISCLOSURES

S1800: FRED KOREMATSU DAY; OBSERVED

SCR1003: EXECUTIVE ORDERS; EMERGENCIES; REAUTHORIZATION; TERMINATION

SCR1034: VOTER PROTECTION ACT; COURT DETERMINATIONS

House Appropriations

Wednesday 03/24/21 at 2:00 PM, House Rm. 1 ***REVISED [03/22/21]***

S1112: NONCUSTODIAL FEDERAL MONIES; APPROPRIATION

S1319: APPROPRIATION; AGENCIES ON AGING; OMBUDSMAN

S1321: APPROPRIATION; ADULT PROTECTIVE SERVICES

S1369: APPROPRIATIONS; COORDINATED HUNGER SERVICES

S1384: STATE PARKS; LOTTERY; HERITAGE FUND

S1408: LEGISLATIVE SUBPOENAS; RECORDS; PENALTIES

STRIKER: MEDICAL MARIJUANA; RESEARCH; MENTAL HEALTH

S1512: VULNERABLE PERSONS; INSPECTIONS; NEGLECT

S1539: KINSHIP FOSTER CARE STIPEND

S1603: APPROPRIATION; REFUNDS; TRANSWESTERN PIPELINE LITIGATION

S1786: PRISONERS; MENTAL HEALTH TRANSITION PROGRAM

S1788: APPROPRIATION; COLLEGE OF MINING

AMERICAN OVERSIGHT

House Criminal Justice Reform

Wednesday 03/24/21 at 2:00 PM, House Rm. 4 ***REVISED [03/23/21]***

S1007: PARENTAL RIGHTS; TERMINATION; SEXUAL ASSAULT

S1029: PSYCHIATRIC SECURITY REVIEW BOARD; HEARINGS

S1030: GUILTY EXCEPT INSANE; COURT JURISDICTION

S1166: JUVENILE COURT DISPOSITIONS

S1261: JUSTIFICATION; CRIMINAL OFFENSE

S1269: SALE OF STATE LANDS; NOTICE

STRIKER: LICENSURE; REGULATION HEALTH CARE PROFESSIONALS

S1294: COMMUNITY COLLEGES; EXPENDITURE LIMITATION

STRIKER: SENTENCING RECORDS; SEALING ARREST; LIABILITY

House Transportation

Wednesday 03/24/21 at 2:00 PM, House Rm. 3 ***REVISED [03/22/21]***

S1081: WISHES; CRITICALLY ILL CHILDREN; LICENSE PLATES

STRIKER: REGISTRATION; UNCLAIMED PROPERTY LOCATORS

S1495: GRADUATED DRIVER LICENSES; EDUCATION PROGRAM

STRIKER: ANNUITY CONTRACTS; NONFORFEITURE; INTEREST RATES

S1532: COUNTY TRANSPORTATION PLANNING ASSISTANT

STRIKER: IMPEDING SCHOOL OPERATIONS; CIVIL LIABILITY

Senate Natural Resources, Energy & Water

Wednesday 03/24/21 at 2:00 PM, Senate Rm. 109 ***REVISED [03/22/21]***

H2040: DAM SAFETY STUDY COMMITTEE

STRIKER: SURVEYS; LAND DIVISIONS; COUNTY REGULATION

H2388: WATER SUPPLY DEVELOPMENT FUND; APPROPRIATION

AMERICAN OVERSIGHT

H2807: ARCHAEOLOGY ADVISORY COMMISSION ***STRIKER: SIERRA VISTA; HUMMINGBIRD CAPITAL***

House Government & Elections

Wednesday 03/24/21 at 9:00 AM, House Rm. 1 ***REVISED [03/22/21]***

S1010: RECOUNT REQUESTS; AMOUNT; BOND; PROCEDURE

S1068: ELECTIONS MANUAL; LEGISLATIVE COUNCIL; GRRC

S1084: STATE OF EMERGENCY; AUTOMATIC TERMINATION

S1105: BALLOT MEASURES; 200-WORD DESCRIPTION

S1106: VOTING RESIDENCY; INTENT TO REMAIN

STRIKER: REGISTRATION; PERMANENT EARLY VOTING LIST

S1121: MARIJUANA; SECURITY; SOCIAL EQUITY LICENSES

S1241: VOTING EQUIPMENT; BALLOTS; RECEIPT

S1432: POLITICAL SIGNS; REMOVAL DATE

S1455: LENDING; CREDIT SUPPORT PROGRAMS; REPORT

S1463: DIFI; OMNIBUS

S1498: BOARD OF SUPERVISORS; MEMBERSHIP

S1520: MUNICIPALITY; GENERAL PLAN; ADOPTION; AMENDMENT

S1530: EARLY BALLOTS; UNDELIVERABLE; INSTRUCTIONS

S1531: PETITION SIGNATURES; DESCRIPTION; INVALIDITY

S1613: ELECTION DATA; RESULTS; ELECTION EQUIPMENT

S1645: PUBLICATION OF NOTICE

S1713: EARLY BALLOTS; IDENTIFICATION; MAILING ***STRIKER: SAME SUBJECT***

S1714: CAMPAIGN EXPENDITURES; OUT-OF-STATE; DISCLOSURES

S1800: FRED KOREMATSU DAY; OBSERVED

SCR1003: EXECUTIVE ORDERS; EMERGENCIES; REAUTHORIZATION; TERMINATION

AMERICAN OVERSIGHT

NEWS NOTES

EXPECT MORE BUDGET CHATTER NEXT WEEK

Bolding said he expects to start hearing more budget chatter next week, as this week is the last one for committee hearings on bills and his caucus hopes this year's state budget contains measures to help working families and assist with the state's recovery from the Covid pandemic. The Republican majority's plans to cut taxes this year have been thrown into question by the American Rescue Plan Act, which bans states from using the federal dollars to backfill revenue lost to tax cuts. Among the tax proposals include switching to a flat income tax and another that critics say is meant to evade Prop 208's tax hike. That bill is scheduled for a committee hearing Wednesday. The Arizona Center for Economic Progress' David Lujan said Friday that Arizona could be penalized by getting less in federal aid if it cuts taxes, although Ducey insisted that won't be the case and that Arizona can still cut taxes this year, according to the *Arizona Mirror*. Bolding said he thinks cutting taxes this year would be a mistake. "We know in Arizona we need to be building for the long haul," he said.

FEBRUARY REVENUE SURGES AHEAD

February's revenue collections almost doubled last year's haul, but that number is artificially high, the Joint Legislative Budget Committee announced this week. Total revenue in February stood at $828.4 million, a 96.2% increase from February 2020 and $203.6 million above forecasts, according to JLBC's monthly fiscal highlights. A delayed start to federal income tax filing is responsible for much of the increase: the IRS began accepting returns Feb. 12 this year, as opposed to January in most years, and February state refunds were 68 percent below where they were in 2020. But even without considering the effect of those delayed refunds, February revenue was still $122 million above forecast - thanks once more to high revenue from sales taxes. JLBC predicts that trend will continue in part because of the passage of the most recent federal stimulus package. This month's update also provides the first glance at revenue from recreational marijuana: about $3 million in sales in the last 10 days of January resulted in $107,200 in General Fund revenue and another $511,500 for other funds.

AMERICAN OVERSIGHT

FILLMORE AND FINCHEM PAN BIDEN ADMINISTRATION OVER BORDER CRISIS

Fillmore and Finchem read a proclamation on the House floor yesterday, blasting the Biden administration's immigration policies and calling upon him to "respect, follow and enforce" all immigration laws and stop illegal immigration and drug smuggling. Their proclamation criticized Biden's executive orders reversing Trump's immigration policies, including scaling back interior enforcement and deportations, preserving Deferred Action for Childhood Arrivals and counting undocumented immigrants in the Census for the purpose of congressional apportionment. Finchem faulted Biden for the surge of people trying to cross the Mexican border since he took office. "Despite a worldwide pandemic, the Biden administration is leaving our borders unsecured and letting potentially infected migrants into our state unchecked," Finchem said. Fillmore and Finchem's proclamation comes on the heels of a visit Ducey and several Republican lawmakers made to the border in Douglas on Friday, where they, too, blamed Biden's immigration policies for the crisis.

BIDEN HAS A PLAN

Fernandez, a Democrat whose Legislative District 2 includes much of Arizona's border with Mexico, said she believes Biden has a plan to address problems at the U.S.-Mexico border, which she noted predate his presidency. She also disagreed strongly with Fillmore and Finchem's view on the situation. "There is not a crisis at the border," Fernandez said, adding that this problem "has been occurring for quite some time," including during the Trump administration. "This is something that can be addressed and could be taken care of by some sensible and humane overhaul of our immigration policies, and policies that quite frankly Trump could have addressed," she said.

FERNANDEZ: GIVE JOE A BREAK

Fernandez also suggested that the criticism is unwarranted because Biden is new to office. "Biden has been in the presidency for less than 100 days and they want to stand up with a proclamation against him?" She also criticized Fillmore and Finchem for hammering Biden over preserving Deferred Action for Childhood Arrivals, saying people who cross the border now seeking asylum aren't eligible for DACA. She said the problems at the border are "multifaceted," among them that border crossings are clogged because they haven't been updated in decades. "They just like to pour cold water on all of

AMERICAN OVERSIGHT

this, get people riled up, and we need to be telling people the truth," Fernandez said. "We need to be separating fact from lies. I live on the border. There is no crisis here."

COBB OPPOSES ABORTION BILL, BLOCKING ROUTE TO DUCEY'S DESK

The path to passage of Republican lawmakers' "big and hotly contested abortion omnibus bill," as Parker called it Tuesday morning, is in doubt after one Republican said she won't vote for it. "I'm very pro-life, but I think this goes way too far at this point," Cobb told the House GOP caucus this morning. If Cobb doesn't change her mind and if all 29 House Democrats also vote "nay" on S1457 (abortion; unborn child; genetic abnormality), the bill will fail. Cobb said she is particularly concerned about a provision of the bill that would make it a felony for a doctor to perform an abortion due to a genetic abnormality. "There are so many issues on this," she said. "I've had multiple family members who have had genetic problems with their children, and they need to have that option." House Democrats also discussed the bill at length in their caucus. M Hernandez said she has spoken to numerous county attorneys about S1457, some of whom said they would be hesitant to enforce it or who said they view it as an attempt to set up a Supreme Court challenge to *Roe v. Wade*. "This is just another example of how legislation is being used to set up litigation in the federal courts," Rodriguez said. Salman said language in the bill saying unborn children are entitled to the same rights as anyone else could lead to a fetus' rights trumping a pregnant woman's rights. "This is basically fetal personhood, so I want members to be aware of that," she said.

HOW ABOUT LONGEST COMMITTEE HEARING AT BEST OF THE CAPITOL?

House hel hu-ser met for hours yesterday, convening at 10 a.m., taking a break for the day's floor session but then returning to work into the evening. It took up 21 bills in all, including a couple that pitted pro-choice Democrats and pro-life Republicans against each other. S1022 (unborn child; statutory language) would change some mentions in statute of "a product of human conception" to "an unborn child." Townsend, its sponsor, said it is meant as a gesture of respect to women who lose their children. "This is a human issue," she said. "It's not an abortion issue. It's not a religious issue." Tory Roberg, lobbyist for the Secular Coalition of Arizona, saw it quite differently,

AMERICAN OVERSIGHT

calling the bill "part of an attack on abortion rights from every single angle imaginable here at the Arizona state Capitol … This extreme ideological agenda could not be more out of touch with the 76% of Arizona voters who believe abortion should be legal." That number comes from a poll from the progressive polling firm Public Policy Polling, which conducted the survey last year (LINK). Roberg was the only member of the public to testify. Marilyn Rodriguez, a lobbyist with Creosote Partners, also intended to testify against the bill via Zoom, but Osborne wouldn't let her, saying she had signed in too late. The panel advanced S1022 on a party-line vote. It also voted along party lines to advance S1254 (website; adoption information; task force), which would require the Arizona Department of Health Services to maintain on its website "a list of public and private agencies and services available to assist a woman through pregnancy, on childbirth and while her child is dependent" that couldn't include any agencies that counsel or perform abortions. It would also require DHS to maintain a list of adoption agencies that are not affiliated with an abortion provider.

CLEAN ELECTIONS: JLBC ESTIMATE SHOWS BILL IS UNNECESSARY

Senate trans-tech advanced H2110 (civil penalties; traffic; mitigation; restitution) along party lines yesterday even after Clean Elections urged Democrats to vote against the bill. Biasiucci pitched H2210 as a criminal justice measure that would help poor people who can't afford traffic fines by allowing them to do community service instead. But Tom Collins, executive director of the Arizona Citizens Clean Elections Commission, warned in an email to Democrats that the bill could be an end-run around funding the Clean Elections program. After lawmakers repealed two types of voluntary donations to Clean Elections in 2012, the commission began to depend almost entirely on surcharges on traffic violations for its funding. Eliminating the fine, and thus the surcharge, for people who sought community restitution would therefore reduce funding for Clean Elections, and Collins argued this means H2110 should require a supermajority vote under the Voter Protection Act. The Joint Legislative Budget Committee estimated only 1 to 2 percent of traffic violators would be sentenced to community restitution, which Collins said proves that Biasiucci's policy is "barely meaningful in its impact on people who may face fines or fees." "Rather than making the sponsor's point, JLBC's estimate is actually evidence that the sponsor's policy ideas have already failed," he wrote. "Real criminal justice reform would be available to people without new work requirements and without threatening Clean Elections funding."

AMERICAN OVERSIGHT

DUCEY ASKS, DUCEY GETS

The House voted, 40-19, Monday afternoon to pass H2321 (qualified facilities), an Arizona Commerce Authority bill expanding a tax credit program for qualified manufacturing facilities. The bill, which took its current form due to a strike-everything amendment added in the Senate, failed in the Senate, 12-17, Wednesday. However, the Senate brought it back up for reconsideration Monday and passed it 22-6, and then the House passed it as well before adjourning for the day, sending it to the desk of Ducey, who supports it.

BEHOLD: THE FACTIONS OF THE DEMOCRATIC PARTY

The parties split on H2321, with 11 Democrats joining eight of the House's most fiscally conservative Republicans in opposition. Andrade, who is a locomotive engineer and a member of the union Sheet Metal, Air, Rail and Transportation Workers, said lawmakers need to ask - whenever they vote on business tax credits - if the jobs being created will pay a livable wage with good health care and benefits. "There is nothing wrong with blue collar workers making six digits for a skilled, quality workforce," he said. Andrade said he works with people from all different political backgrounds, but whatever their views, "we're trying to make a living. We're trying to get to the age where we can retire and not work after retirement ... That is what we should be shooting for. That is what we should be voting for." Cook said the tax credit program includes some wage and benefit guarantees - specifically, it requires at least 51% of employees make 125% of Arizona's median production wage if the facility is in an urban area, 100% in a rural one, and it requires the company to cover at least 65% of an employee's health insurance premium cost. "Any bill that is going to create jobs in the state of Arizona, any bill that is going to put our economic growth through the roof, I will support, because a lot of these jobs range into different industries, they range into different sectors, and it's why Arizona is one of the greatest states in the nation to work, live and play," Chávez said.

LAWMAKERS HONOR INTERN WHO DIED LAST YEAR

The House yesterday unanimously passed HR2008 (Carly Verbeke; death resolution), which honors Carly Verbeke, a House intern who died unexpectedly last September at the age of 24. A Michigan native, Verbeke moved to Arizona and attended Arizona State University, earning two bachelor's degrees in political science and English. She also advocated for

AMERICAN OVERSIGHT

disabled students. She was working on her master's degree when she died. "Carly believed being in a wheelchair gave her a great perspective on life, and altruism was something she became known for," Longdon read on the House floor. Verbeke was a research intern during the 2019 session, "significantly influencing accessibility improvements to better accommodate others with disabilities," Longdon read. "Known for her intelligence, kindness and resilience, Carly gained the well-deserved reputation as a capable and dedicated intern who helped the other interns flourish." She is survived by her parents, husband and many other relatives.

NEWS RELEASES

Governor Ducey Applauds Intel's $20 Billion Expansion In Arizona

Largest Private Investment In State History Will Create 3,000 High-Tech, High-Wage Jobs

PHOENIX — Intel today announced a substantial expansion of its Arizona-based manufacturing capacity with a $20 billion investment – the largest private sector investment in state history. The expansion will see the construction of two new semiconductor fabrication facilities, or fabs, which will produce advanced semiconductor chips used in modern electronics.

The investment will lead to the direct creation of 3,000 new high-tech, high-wage jobs and 3,000 construction jobs, while supporting an estimated 15,000 additional indirect jobs in our community.

"Today's announcement means jobs, jobs, and more jobs for the state of Arizona," said Governor Doug Ducey. "It also proves once again that Arizona is at the cutting-edge of advanced chipmaking and manufacturing. No company has been such an instrumental partner in Arizona's growth and transformation over the years as Intel, and my sincere thanks goes out to CEO Pat Gelsinger and the entire Intel team. I also want to recognize the U.S. Department of Commerce, Arizona Commerce Authority, City of Chandler, President Fann and Speaker Bowers for their partnership to bring this project here. Today, when people think of semiconductor production, they think of Arizona, and that means tremendous things for our state, country and future generations of Arizonans."

"I'm thrilled to announce plans for Intel's first large-scale foundry operation, which will be in Arizona," said Intel CEO Pat Gelsinger. "This represents an investment of approximately $20 billion dollars, which will create over three thousand permanent high-tech, high-wage jobs, over 3,000 construction jobs, and 15,000 local long-term jobs in Arizona. To make our new expansion in Arizona possible, we are excited to be partnering with the state of Arizona and the Biden Administration on incentives that spur this type of domestic investment."

AMERICAN OVERSIGHT

"Intel's selection of Arizona for this historic investment is a testament to our vibrant and growing technology ecosystem – one powered by our streamlined regulatory environment, low cost of doing business, world-class higher education institutions and highly skilled and talented labor force," said Sandra Watson, President and CEO, Arizona Commerce Authority. "We are so grateful to Intel for their unrivaled commitment to our state. We look forward to continuing to partner in their success for decades to come."

Intel's operations in Arizona go back more than 40 years. With this new expansion, Intel will employ nearly 16,000 Arizonans and will have invested more than $50 billion in our state. Intel operates four other fabs in Arizona, including Fab 42, the company's largest chipmaking factory in the United States and said to be the most advanced in the world. In addition to high-volume manufacturing, Arizona is also home to Intel's Assembly Test Technology Development group and functions like marketing, finance, human resources, legal, supply chain and logistics, and more.

Intel's contributions to Arizona extend beyond jobs and manufacturing to also include supporting local schools and students, promoting healthy forests and rivers, providing pandemic relief, and more. Since 2015, Intel and the Intel Foundation have given more than $35 million to support Arizona schools and nonprofits and employees have contributed more than 750,000 volunteer hours.

With a global shortage of semiconductor chips, Arizona is poised to continue growing its technology and advanced manufacturing footprint. Arizona is already a top-five state for semiconductor production, with multiple industry leaders choosing the state to start, expand or relocate operations.

* * * * *

Kelly-Backed Bill to Give All Arizona Veterans and Spouses Access to Vaccine Through VA Headed to President's Desk

Bipartisan legislation backed by Arizona Senator Mark Kelly to expand COVID-19 vaccine eligibility to all veterans and their spouses through the Department of Veterans Affairs (VA) has passed both chambers of Congress and is heading to President Biden's desk for his signature. The Strengthening and Amplifying Vaccination Efforts to Locally Immunize all Veterans and Every Spouse (SAVE LIVES) Act would allow the VA to provide vaccination services to all veterans, veteran spouses, caregivers, and Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) recipients. The SAVE LIVES Act would significantly benefit Arizona where one in every 10 adults is a veteran.

"Soon, Arizona veterans and those who support them will be able to get vaccinated through the VA. This bipartisan step will help not just veterans, but their families and caregivers whose sacrifices and service do not go unnoticed. Getting this vaccine into more Arizonans' arms is one of the strongest tools we have to defeat the virus, and this

AMERICAN OVERSIGHT

brings us another step closer," said Senator Kelly.

The SAVE LIVES Act also urges the U.S. Department of Health and Human Services to adjust VA's vaccine allocation based on this increased eligibility pool, as much as the supply chain allows. It now heads to President Biden's desk to be signed into law. The SAVE LIVES Act Kelly cosponsored will expand the VA's authority to provide vaccines to:

- Veterans who are not eligible for enrollment in VA's health care system, including veterans without compensable service-connected disabilities and veterans who have incomes above a certain threshold;
- Caregivers of veterans who are enrolled in various VA home-based and long-term care programs;
- Spouses of veterans; and CHAMPVA recipients (spouses of permanently and totally disabled veterans OR of veterans who have died from service-connected disabilities).

* * * * *

Fueled by Sinema's *CHIPS Act*, Intel Announces Expansion Bringing Thousands of Jobs to Arizona

Sinema's bipartisan CHIPS For America Act - *which is now law - restores America's leadership in semiconductor manufacturing*

Intel's $20 billion investment in Arizona follows passage of Sinema's bipartisan law

WASHINGTON – Following passage of her bipartisan *CHIPS For America Act*, Arizona senior Senator Kyrsten Sinema welcomed Intel's announced $20 billion expansion in Arizona and applauded the thousands of Arizona jobs the move creates.

Intel's expansion, one of the largest in the state of Arizona, is partly a result of Sinema successfully passing into law provisions of her bipartisan *CHIPS for America Act* last year. Sinema's legislation restores America's leadership in semiconductor manufacturing, boosting Arizona innovation and creating good-paying jobs across the state.

"Today's announcement by Intel is proof that our legislation investing in semiconductor manufacturing helps grow Arizona's economy, creates good-paying jobs across our state, helps enhance our national security, and ensures our country continues to lead in innovation. I am proud our success getting the *CHIPS for America Act* signed into law helped pave the way for today's expansion, and I remain committed to continuing bipartisan work boosting Arizona's economy," said Sinema.

Sinema's bipartisan *Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Act* will restore American leadership in semiconductor manufacturing by establishing Federal grants to enable advanced research and development, securing the supply chain, and ensuring long-term national security and economic competitiveness. Provisions of the *CHIPS*

AMERICAN OVERSIGHT

for America Act were included in the 2020 National Defense Authorization Act

Today, Intel announced a $20 billion expansion of their U.S. manufacturing operation with two new factories in Arizona, creating over 3,000 permanent, high-wage jobs and over 3,000 construction jobs with planning and construction activities beginning in 2021. The expansion is also set to support an estimated 15,000 indirect jobs in Arizona communities. Intel's commitment to Arizona and America-made semiconductor manufacturing will help the United State meet future semiconductor needs and shores up our national security.

* * * * *

Rep. Grijalva Supports Pima County Efforts to Acquire Vaccination Site Through FEMA, Blasts State Refusal of Aid

TUCSON— Recently, the State of Arizona rejected FEMA's efforts to set up mass vaccination sites in Pima County. The vaccination sites could bring up to an additional 300,000 vaccines to the county. After Pima County officials sent a letter to the White House requesting help to facilitate the site directly, Rep. Raúl M. Grijalva issued the following statement:

"As we're rushing to vaccinate all Arizonans, it's absurd that the State would reject an offer from the federal government to bring hundreds of thousands of doses to Southern Arizona. Arizona was a hotspot during multiple waves of the pandemic, and the State's decision to not undertake every effort to vaccinate every Arizonan is a dereliction of duty and will only leave us more vulnerable to the virus.

"I've voiced my support to FEMA regarding Pima County's efforts to get these federal resources so that we ensure that Pima County residents are vaccinated as quickly as possible. I will do everything possible to direct resources to my district despite roadblocks from the state. For the State to play politics with people's lives after more than 16,000 of our friends, family members, and loved ones have died of the virus is beyond the pale."

* * * * *

Sinema, Cornyn Continue Bipartisan Effort Reducing Domestic Violence in the Military

Senators' bill improves education and response to domestic violence in the military, aiming for earlier intervention and increased prevention

WASHINGTON – Arizona senior Senator Kyrsten Sinema and Republican Senator John Cornyn (Texas) introduced the bipartisan *Military Family Violence Prevention Act* to reduce and prevent domestic violence in the military.

AMERICAN OVERSIGHT

The Senators' bill improves the Department of Defense's Family Advocacy Program by ensuring the program is properly resourced, improving coordination of the program on installations, and increasing education about the program for servicemembers and families in order to quickly intervene and prevent domestic violence in the military. Companion legislation was introduced in the U.S. House by Congressman Dave Joyce and Congresswoman Ann Kuster.

"Domestic violence survivors deserve our full support as they rebuild and recover, and we owe it to them to ensure perpetrators are held accountable. We're empowering survivors by improving counseling and encouraging reporting on military bases, ensuring the health and safety of everyone in our military communities," said Sinema.

"Service members who put their lives on the line shouldn't have to fear reporting domestic violence or face dealing with the resulting trauma alone," said Senator Cornyn. "In addition to funding education and prevention programs, this legislation would encourage members of the military and their families to seek help while ensuring they have access to the resources they need to heal."

"No one should have to experience any form of domestic violence or abuse, especially those who sacrifice so much to serve our country," said Congressman Dave Joyce. "We can and must do more to foster safe environments for reporting incidents, ensure resources and counseling are accessible to vulnerable individuals, and provide safety for affected service members and their loved ones. I'm proud to join Senators Sinema and Cornyn, as well as Congresswoman Kuster, in introducing this critical legislation and remain committed to working across the aisle to reduce domestic violence and abuse in our military. Those who wear our nation's uniform, and their families, deserve nothing less."

"Time and again we hear from survivors of domestic violence in the military that they were not informed of what options were available to them for seeking help or protection against their assailants until it was too late. The Military Family Violence Prevention Act takes a step to address that information gap, and will help ensure that Family Advocacy Program (FAP) has the staffing resources it needs in order to better assist the servicemembers and families it serves. Protect Our Defenders thanks Senators Sinema and Cornyn for their continued support of survivors of domestic violence in the military, and supports the Military Family Violence Prevention Act," said Adelaide Kahn, Director of Programs and Policy, Protect Our Defenders.

"Stigmas, discrimination, and lack of adequate education, prevention and treatment resources are roadblocks preventing service members and their families from seeking help when dealing with domestic violence," said Jennifer Dane, Air Force veteran and interim executive director of the Modern Military Association of America — the nation's largest LGBTQ military and veteran non-profit organization. "Our military families deserve better, and it's critical that we take action to stop the escalation of violence. We applaud Senators Sinema and Cornyn, as well as House Representatives Joyce and Kuster, for their leadership on this, and we urge Congress to pass this important legislation."

AMERICAN OVERSIGHT

Military servicemembers experience unique circumstances that make them especially at-risk for intimate partner violence, including multiple deployments, frequent relocations, and financial stress. According to the RAND Corporation, there are multiple reasons why victims may not report domestic violence, including community stigma and fear of retribution from the perpetrator. In 2018, the Department of Defense (DOD) reported nearly 17,000 cases of intimate partner violence, 15 of those ended in a death. Sinema and Cornyn's bill seeks to right this wrong and prevent domestic violence in the military.

Sinema and Cornyn's *Military Family Violence Prevention Act*, improves the Department of Defense's Family Advocacy Program (FAP) by requiring a report on staffing levels to ensure the program is properly resourced, initiating more information sharing and coordination across the services, and increasing awareness efforts to family members. Currently, fewer than 1 in 5 domestic violence survivors self-report to their installation's FAP. The Senators' bill aims to fix that issue by creating a pilot program to educate spouses about FAP when they enroll in Defense Enrollment Eligibility Reporting System (DEERS). The bipartisan bill also requires the DOD to produce a report on solutions to encourage restricted reporting and seeks to encourage coordination of resources across DOD programs to increase resiliency and servicemember wellbeing. Additionally, the bill identifies lessons learned that can be shared across installations FAP programs on best practices for organizing and coordinating with community resources.

Sinema and Cornyn's bipartisan *Military Family Violence Prevention Act* is supported by Protect Our Defenders and the Modern Military Association of America.

* * * * *

Rep. Andy Biggs Sends Letter to DHS Secretary On Release of Illegal Aliens Without Court Dates

Today, Congressman Andy Biggs (AZ-05) sent a letter to DHS Secretary Alejandro Mayorkas requesting answers to a report regarding illegal aliens being released into our country without court dates. These actions have raised serious concerns about DHS' commitment to enforcing the law.

"The border crisis is worsening by the day, and Secretary Mayorkas continues to add more incentives to those who willfully break our laws and take advantage of our system," said Congressman Andy Biggs. "The American people are seeing first-hand the crisis-creating actions of this Administration, and I will ensure those in leadership will be held accountable to enforce the law."

The letter was signed by 14 congressional members and can be found here.

* * * * *

Gosar Tours Southern Border, Re-upping His Invite to

AMERICAN OVERSIGHT

Biden

YUMA, ARIZONA - Congressman Paul Gosar, D.D.S. (AZ-4) issued the following statement today after touring the southern border in Yuma County, which is located in Arizona's fourth Congressional District.

“Where is Mr. Biden? Where is anyone from his administration? Why aren’t they here? Joe Biden created this crisis along the border. He should absolutely be here to see it.

What we are seeing here today wasn’t happening two months ago. In eight short weeks, the Biden Administration has destroyed all of President Trump’s progress in securing the southern border. The sad reality is if Biden had done absolutely nothing eight weeks ago, we would be so much better off today. Literally, all he had to do was to continue the progress of securing our southern border established under President Trump.

Last week I sent a letter to Mr. Biden personally inviting him to Yuma. I’ve not heard back. I came to the border today to implore him to see what I am seeing. What’s happening in Yuma is unconscionable. Mr. Biden has turned a blind eye to this crisis he created. He refuses to acknowledge or perhaps doesn’t think there is a crisis. =

There are a historic number of illegal aliens crossing our border, a record number of underaged migrants in Customs and Border Patrol facilities, human trafficking is surging and gang and cartel activity is exploding, all during a pandemic. Let me be clear, the cartels are running our southern border.

Mr. Biden’s denial will not make his crisis go away. It’s time that he pays a visit to Yuma County immediately, recognize the crisis, and reverse his catastrophic policies,” **said Rep. Gosar.**

* * * * *

Arizona House Judiciary Committee to Hear SB1456—A Regressive Anti-Sex Education Bill, That Shames LGBTQ Youth

PHOENIX, AZ — On Wednesday, Arizona’s House Judiciary Committee will hear SB1456, an anti-sex education bill. In preparation, The Sex Education for a Change Coalition has prepared parents, students, and faith leaders to testify in opposition of 1456 during the committee.

SB1456 would dramatically limit sex education in schools by creating a lengthy bureaucratic process for approval. Schools would be required to get board approval, allow community review and input for 60 days, and parents would be required to opt-in to the instruction vs. opting out.

These changes are intended to limit sex education in school by creating unnecessary barriers

AMERICAN OVERSIGHT

that put youth at risk of sexual assault, intimate partner violence, STIs, and unplanned pregnancies. SB1456, also, discriminates against the LGBTQ community by deeming LGBTQ relationships and LGBTQ history as "other" or "taboo," stigmatizing gender identity, sexual orientation, and HIV/AIDS education by adding these subjects as part of the parental approval process.

Arizona students need honest, accurate, and inclusive sex education that protects them from sexual assault and prepares them for healthy sexual relationships. Earlier this session Sex Education for a Change Coalition spoke in opposition to 1456 and urged the legislature to hear HB2647 the "Safe and Healthy Students Act" introduced by Rep. Daniel Hernandez and SB1340 introduced by Sen. Tony Navarrete; however, the legislature has once again ignored the needs of the community.

Legislators must put the health and safety of Arizona students first by opposing SB1456. This bill will not protect our youth.

* * * * *

A for Arizona and the Center for the Future of Arizona Release "The Future of Schooling Starts Now" Policy Brief

Phoenix, AZ—A for Arizona and the Center for the Future of Arizona released today "The Future of Schooling Starts Now" Policy Brief, a collaborative report focusing on innovations in the K-12 education system during the pandemic. The brief analyzes the lessons educators learned from COVID-19 and provides recommendations on how to meet the needs of all Arizona students through flexible, locally-driven school design.

"Like most other aspects of daily life that accompanied the pandemic, responding to COVID-19 has led to an evolution of teaching and learning," **said Emily Anne Gullickson, Founder and CEO of A for Arizona.** "Many school leaders across the state implemented new programs and models to better meet the needs of individual students and their families amidst to uncertainty of the pandemic. In doing so, schools have laid the foundation for transformational change to advance an excellent, resilient, and equitable education system needed for the future success of every child."

Many effective and innovative strategies surfaced during the last year – including productive ways for schools to maximize student learning time, improve their online and technology-enabled learning options, and efficiently spend their funds. The policy brief outlines the following recommendations to ensure high-quality learning for all Arizona students:

- **Rethink "Seat Time" at the school and student level:** Accelerate strategies to tailor or personalize learning for students
- **Modernize the availability of quality online and remote learning:** Reduce hurdles to

AMERICAN OVERSIGHT

offering remote or virtual learning experiences

- **Ensure flexible and highly transparent spending mechanisms:** Lessen restrictions on spending categories while monitoring results

Extending these practices will be necessary to allow schools to continue to transform Arizona's educational system into one that meets the needs of every student and family.

"In a months-long series of conversations with school and system leaders across Arizona, we consistently heard the need to preserve the best ideas that surfaced during one of the most challenging times in our schools' long history," **said Amanda Burke, Managing Director, Strategic Initiatives & Impact for the Center for the Future of Arizona**. "Leaders shared that over the past year their educators learned a lot about student engagement, tailoring learning to the needs of every child, and effective 21st century school design. Many of these gains will be lost if the key policy waivers that created this innovative environment are not made permanent."

The "The Future of Schooling Starts Now" Policy Brief is available here.

NEWS CLIPS

Arizona opens vaccine appointments to everyone 16 and older

By Staff Associated Press 03-23-21

Arizona is opening coronavirus vaccine appointments to everyone 16 and older.

Gov. Doug Ducey said Monday that appointments will be available at state-run mass vaccination sites in Phoenix, Tucson and Yuma beginning at 8 a.m. on Wednesday. Ducey said the decision was made based on an anticipated increase in vaccine supply. (To read more, click here).

* * * * *

Ducey straddles fence on Senate election audit

By Howard Fischer Capitol Media Services 03-23-21

Gov. Doug Ducey said he's confident in the results of the 2020 election yet wants to see the results of a Republican-backed audit and hand count of 2.1 million ballots cast in Maricopa County.

AMERICAN OVERSIGHT

"I've defended our election integrity," the governor said at a Monday press conference. "I'm not going to change my position at all." (To read more, click here).

* * * * *

New, more dangerous COVID strains circulating in Arizona

By Pete Aleshire White Mountain Independent 03-23-21

New, more dangerous variants of the COVID-19 virus have come ashore in Arizona, prompting doctors to redouble their efforts to get people vaccinated — and to continue wearing masks in public.

The state health department this week announced the discovery of three cases of the P.1 variant that has plagued Brazil, on top of at least 35 cases caused by the B.1.1.7 variant first detected in England. The US does not consistently screen for the new variants, so the cases detected so far represent the tip of a dangerous iceberg. (To read more, click here).

* * * * *

Silence is not always strength. Asian Americans must find our voice to stop the hate

By Jenny Poon Arizona Republic 03-23-21

Do you see us?

Six Asian Women. Ages 44-74. Xiaojie Tan. Daoyou Feng. Soon Park. Hyun Grant. Suncha Kim. Yong Yue.

They could have been my sisters, my aunties, my mother. All murdered where they worked. (To read more, click here).

* * * * *

We marched to protest police brutality. Why are lawmakers trying to silence that right?

By Brianna Turner Arizona Republic 03-23-21

AMERICAN OVERSIGHT

Last summer, Americans witnessed the murder of George Floyd as a police officer kneeled on his neck for nearly nine minutes.

I had the opportunity to attend his public viewing in Houston. It was an intense moment. Very few people that visited that day knew him personally, yet his death engrossed us all. Our country and its people deserve better. (To read more, click here).

End

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon <rgabaldon@azleg.gov>
Sent: Tuesday, March 23, 2021 6:16:21 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-23-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet *March 23, 2021*

LOOKING FOR INTEGRITY IN ALL THE WRONG PLACES
Fann claims the Senate is auditing Maricopa County's 2020 election results to restore confidence in the election process, but The Daily Beast recently penned a report showing the exact opposite is happening: The Senate's dragged out audit has made Arizona a "hotbed" for those still on the hunt for voter fraud while the rest of the country moves on.

COMPROMISE IS NOT A BAD WORD
East Valley Republican Tyler Montague is attempting to broker a deal between the Mesa City Council and activists attempting a referendum on the city's new non-discrimination ordinance.

IF YOU THOUGHT THE LAST AZGOP MEETING WAS WILD…
If enough state committeemen sign on, the Arizona State Republican Party may

AMERICAN OVERSIGHT

hold a special meeting on April 24 to conduct a re-do of the January party election.

IF THEY OFFER, DON'T TAKE THE DOUGHNUT
When Ducey posted photos last week of his meeting with John, a freshman House Republican and former public school teacher who is seen as a likely vote against expanding ESAs, tongues started wagging that the governor was putting the heat on the new lawmaker.

STEVE, YOU'RE THE REAL WINNER
The Arizona Press Club today awarded its annual Brick Wall and Sledgehammer awards to a government entity that blocks access to information and a journalist who breaks through.

IF YOU CAN'T BEAT THEM, HOLD A PRESS CONFERENCE
Several Latino organizations are calling on the AG's Office to investigate a potential open meeting violation from the IRC during last week's meeting and they want a do-over on the commission's choice of an executive director.

TIME FOR CORPORATE TAX CUTS!
February General Fund revenue was almost double what it was last year, but that number is artificially high, the JLBC announced this week.

WE'RE CALLING THIS AN UNCORRECTION
After a weird back-and-forth through our publication, it appears the AZGOP has two different law firms representing it, though that was news to at least one of the lawyers.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, March 23, 2021

NEWS NOTES AND GOSSIP

LOOKING FOR INTEGRITY IN ALL THE WRONG PLACES

Fann claims the Senate is auditing Maricopa County's 2020 election results to restore confidence in the election process, but *The Daily Beast* recently penned a report showing the exact opposite is happening: The Senate's dragged out audit has made Arizona a "hotbed" for those still on the hunt for voter fraud while the rest of the country moves on. *The Daily Beast's* Will Sommer and Asawin Suebsaeng looked at some of those prominent far-right activists getting involved in Arizona (LINK), including folks like MyPillow founder Mike Lindell and Lyle Rapacki of the We the People AZ Alliance. During the Satanic Panic of the 1980s, Rapacki put himself out there as a self-proclaimed expert in Satanism and wrote the book "Satanism: The Not So New Problem." Rapacki is well connected in Arizona Republican circles, Sommer noted. "This is a guy who has connections to lawmakers – he distributes an intelligence report, a term I use lightly because I think this is a guy who just takes in a lot of right-wing media and gets very riled up about it," Sommer said on KJZZ's *The Show* this morning (LINK). Finchem sat down for a half-hour interview with Rapacki last month for *Prescott eNews*, a website run by former lawmaker and convicted child predator David Stringer where he pens white nationalist columns (LINK). During the interview (LINK), Rapacki said the two have known each other for about 10 years, and Finchem claimed he was seeking a meeting with the AG's Office to turn over the evidence of fraud that he has collected. The AG's Office told our reporter recently Finchem never asked for that meeting, nor provided any evidence to support his public claims. Finchem told our reporter today that he "receives information" from Rapacki periodically but was unaware he had acted as a self-proclaimed Satanism expert in the 1980s. "For the third time, I have no idea what you're talking about," Finchem told our reporter during a brief phone call this morning. Finchem added that he doesn't think *The Daily Beast* is a reliable source. "If you're sourcing your material from them, then I can't help ya," he said.

COMPROMISE IS NOT A BAD WORD

East Valley Republican Tyler Montague is attempting to broker a deal between the Mesa City Council and activists attempting a referendum on the city's new non-discrimination ordinance. Montague said he's friends with both Mesa Mayor John Giles and one of the leaders of the referendum movement, and that he stepped in to try to broker a deal between the two sides that would head off the referendum and leaves in place the non-discrimination ordinance. He thinks the two sides found a solution in the form of an amendment that would add reassurances that the measure will protect freedom of religion, free speech and artistic expression. While opponents are often quick to judge referendum backers as anti-gay, Montague said their motivation isn't from a place of hate, "They just get freaked out about it philosophically." It's not a done deal yet, he said, but the two sides are hoping to formalize the agreement in a call today, though it will still take a week or two for the amendment to be adopted. "I wouldn't be surprised if it was 7 to 0," he said of the vote to amend. The LDS church coming out with a statement this week that indirectly addressed and supported the Mesa ordinance (LINK) didn't hurt his attempt to bring both sides to the negotiating table, he said. "I think the church saying, 'listen we support non-discrimination ordinances,' was helpful for the people involved to decide the compromise can work," he said. "I suspect some folks on the fringes may squawk about it but they'll always squawk about anything."

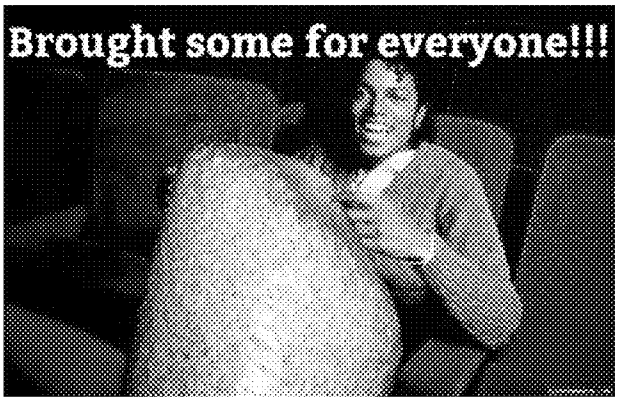
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002967

ARZN_REV00068941_3-23-21.pdf

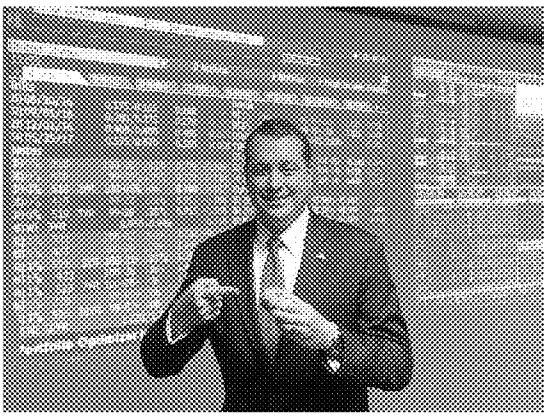
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF YOU THOUGHT THE LAST AZGOP MEETING WAS WILD…



If enough state committeemen sign on, the Arizona State Republican Party may hold a special meeting on April 24 to conduct a re-do of the January party election. Committeeman Bill Beard told our reporter he expects to have enough signatures to force a new election in the next day or two. According to the party's bylaws (LINK), the effort requires 20 percent of the committeemen, including members from at least nine counties, to add their signatures to the call for a special meeting. Committeemen have a chance to review and challenge signatures. After 10 days, if the valid signatures still meet the 20 percent threshold, the secretary shall call for the meeting. Regardless of whether the special meeting is held, Beard said he and Sandra Dowling still planned to go forward with their legal battle, having filed a complaint with Maricopa County Superior Court earlier this month calling for an audit of the election and asking that court have the party explain why it won't hold an audit. Ward fired back in response to the committeemen's call, saying Beard, Dowling and others were "a very small group of disgruntled individuals" who were not abiding by the bylaws in trying to call the meeting. Beard said Ward has "taken it upon herself to be the determiner of what isn't in our bylaws – the judge, jury and prosecutor of what can and can't move forward." "Just a casual observer reading the bylaws, it's well within our rights as members of the State Committee to do this, so it's a difference of opinion," Beard said. "She's entitled to her opinion; we are entitled to our opinion, and if push comes to shove, we'll go to court and prove it." Beard added that he wouldn't speculate if the issues with the election stemmed from incompetence or something more nefarious. "But there's just too much she has said and done, and too many you could even call them slanderous things she said about me and Sandra Dowling over the last weekend that there is no goodwill left in me when it comes to Dr. Ward," he said.

IF THEY OFFER, DON'T TAKE THE DOUGHNUT



When Ducey posted photos last week of his meeting with John, a freshman House Republican and former public school teacher who is seen as a likely vote against expanding ESAs, tongues started wagging that the governor was putting the heat on the new lawmaker. But John told our reporter today Ducey didn't even broach the topic, let alone pressure him to support ESA expansion. "It was just a chance to get to know me since we haven't met, and talked about all the things he said we talked about on Twitter. K-12 education and vaccines," John said. He said it didn't feel like he was being called into the principal's office, but quipped that the next meeting might not be as friendly. He told our reporter that for his first session, he's mostly trying to "keep my head down and make good policy." However, he wouldn't say whether he plans to kill S1452 (Arizona empowerment scholarship accounts; revisions). Notably, the bill wasn't assigned to House Education, where Udall, another likely opponent of ESA expansion, is chair and John is a member.

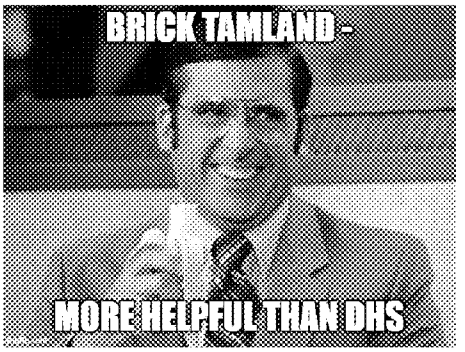
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002968

ARZN_REV00068941_3-23-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STEVE, YOU'RE THE REAL WINNER



The Arizona Press Club today awarded its annual Brick Wall and Sledgehammer awards to a government entity that blocks access to information and a journalist who breaks through. *KJZZ's* Jimmy Jenkins, whose name has become synonymous with prisons for his dogged reporting on the incarceration system and his deep sourcing among inmates and staff, won the latter. Finchem and former Rep. Anthony Kern were the sole nominees for the former, for their refusal to hand over records related to their attendance at a protest-turned-attack on the US Capitol. But Kern and Finchem's brick wall is a short garden fence compared to the wall constructed by Dept of Health Services spokesman Steve Elliott, whose nomination our reporter didn't finish drafting before the deadline. We initially had high hopes for Elliott, a longtime *AP* staffer who ran ASU's *Cronkite News* wire service before jumping to the Dept of Transportation and then the Dept of Health Services. But his tenure – in the middle of an ongoing global pandemic in which the press and the people of Arizona desperately need access to clear information from the agency in charge of handling public health – has been defined by an utter lack of transparency. Our reporter rarely gets Elliott to respond to phone calls, even to provide background information. He often asks reporters to submit simple questions in writing, and then fails to ever answer them (our last email to him asked simple technical questions about the governor's pilot program to deliver vaccines in the underserved 85009 zip code and has languished in his inbox for two weeks now). Getting records out of the agency is near impossible. Rather than serving the public, Elliott seems solely concerned with serving the Governor's Office, to which his boss, Cara Christ, reports. One reporter with another local outlet said DHS could have been nominated solely for blocking Covid data for long-term care facilities. To this day, the only way to learn about Covid cases in long-term care facilities is to go directly to the federal Dept of Health and Human Services – "which is completely batsh*t crazy," the reporter concluded. Another reporter responded by asking if we've ever had DHS fulfill a records request, because they haven't. Elliott, predictably, didn't answer a call for comment today. His voice mailbox is full, so our reporter couldn't even leave a message.

IF YOU CAN'T BEAT THEM, HOLD A PRESS CONFERENCE

Several Latino organizations are calling on the AG's Office to investigate a potential open meeting violation from the IRC during last week's meeting and they want a do-over on the commission's choice of an executive director. In a Zoom call today, representatives from the Committee for Independence and Diversity – which including LUCHA, Promise Arizona, LULAC, Chicanos Por La Causa, and Friendly House – said they thought Brian Schmitt, the IRC new executive director, was hired with too much important information left behind closed doors. Danny Ortega, a civil rights attorney, said their complaints boil down to two problems: the redistricting commission spent too much time in executive session and the most qualified candidate did not get the job. In his mind, Kristina Gomez was the most qualified candidate since she served on both previous commissions. The groups complained about the lack of Latino representation in the IRC, noting that none of the five commissioners is Latino and now neither is their top hire. However, Ortega said the groups were unaware of any Latinos or people of color who applied for the executive director position and did not receive an interview. Without knowing who applied, it's unclear whether the commission passed up a qualified field of Latino candidates. Democrats have called Schmitt a "Republican operative," but in reality, they wanted someone who had ties to Democrats to get the job instead. The groups had not yet sent their complaint to the AG's Office, but said if Brnovich declines to investigate, they would look into a complaint with a county attorney or a lawsuit. "We need an investigation of some sort that really sets out what happened here because all we have right now is what we saw in public, which was very little," Ortega said.

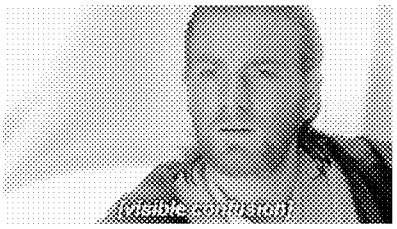
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002969
ARZN_REV00068941_3-23-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

TIME FOR CORPORATE TAX CUTS!

February General Fund revenue was almost double what it was last year, but that number is artificially high, the JLBC announced this week. Total revenue in February was $828.4 million, a 96.2 percent increase from February 2020 and $203.6 million above forecasts, according to JLBC's monthly fiscal highlights. A delayed start to federal income tax filing is responsible for much of the increase: the IRS began accepting returns Feb 12 this year, as opposed to January in most years, and February state refunds were 68 percent below where they were in 2020. But even without considering the effect of those delayed refunds, February revenue was still $122 million above forecast, due to high revenue from sales taxes. JLBC predicts that trend will continue, thanks in part to the passage of the most recent federal stimulus package. This month's update also provides the first glance at revenue from recreational marijuana: about $3 million in sales in the last 10 days of January resulted in $107,200 in General Fund revenue and another $511,500 for other funds.

WE'RE CALLING THIS AN UNCORRECTION



After a weird back-and-forth through our publication, it appears the AZGOP has two different law firms representing it, though that was news to at least one of the lawyers. Back in January, we reported that Alex Kolodin was rumored to have scored the contract to represent the state party (YS, 1/27). But then Jack Wilenchik said that wasn't true, as Wilenchik & Bartness was still representing the AZGOP, and he sent a letter from Kelli Ward on AZGOP letterhead declaring he had won the contract as the party's "legal counsel" (YS, 3/4). "It's just our firm. We are the general counsel for the Republican Party," Wilenchik told our reporter recently. A third attorney took note, pointing to a post on Kolodin's Facebook showing the exact same letter on the official AZGOP letterhead declaring him the "legal counsel." "We are pleased to share a client with a distinguished attorney like Mr. Wilenchik," Kolodin told our reporter in response to questions about who, exactly, is the party's lawyer. The third attorney said it's not unusual for the party to have a general counsel and other lawyers with which it contracts, but the fact that the two attorneys weren't on the same page was bizarre.

·WAKE UP CALL·

Arizona opens vaccine appointments to everyone 16 and older
Associated Press
Arizona is opening coronavirus vaccine appointments to everyone 16 and older.

Arizona officials warn of bad 2021 wildfire season
Associated Press
Arizona Gov. Doug Ducey and state forestry officials urged the public Monday to be extra wary because of a looming wildfire season that has the potential to be exceptionally devastating due to widespread drought.

Ducey straddles fence on Senate election audit
Capitol Media Services
Gov. Doug Ducey said he's confident in the results of the 2020 election yet wants to see the results of a Republican-backed audit and hand count of 2.1 million ballots cast in Maricopa County.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002970
ARZN_REV00068941_3-23-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

New, more dangerous COVID strains circulating in Arizona
White Mountain Independent
New, more dangerous variants of the COVID-19 virus have come ashore in Arizona, prompting doctors to redouble their efforts to get people vaccinated — and to continue wearing masks in public.

More than 1 million Arizonans now fully vaccinated
Payson Roundup
More than 1 million Arizonans — approximately one in seven residents — are now fully vaccinated against COVID-19, Gov. Doug Ducey and the Arizona Department of Health Services announced.

Scottsdale Company Suggested Its CBD Could Treat COVID, Cancer
Phoenix New Times
Anxiety, insomnia, pain relief: There are many reasons Americans increasingly use CBD.

If You Live in Arizona's Largest Counties, You're Probably Now Eligible for Vaccination
Phoenix New Times
Arizonans aged 16 and older will soon be able to register for COVID-19 vaccinations at certain facilities in Maricopa, Yuma, and Pima Counties, Governor Doug Ducey announced today.

Joe Arpaio Describes Dedication of Wife Ava Arpaio, Who Died Saturday
Phoenix New Times
Ava Arpaio, the wife of former Maricopa County Sheriff Joe Arpaio, died Saturday at the age of 89 after a years-long fight with cancer.

Warning that election audit would feed conspiracy theories interrupted by people yelling conspiracy theories
Arizona Mirror
A press conference Monday to denounce the planned state Senate audit of the 2020 election because it is driven by and will further feed conspiracy theories about the election was interrupted by a small group of pro-Trump protesters shouting conspiracy theories about the election.

Ducey defends Arizona's 'model' elections, but says he might sign bills restricting voting
Arizona Mirror
Gov. Doug Ducey's repeated insistence that Arizona election laws make it "easy to vote and hard to cheat" won't necessarily stop him from signing legislation that would make it more difficult for some people to vote.

Mike Lindell says Arizona is a 'hotbed' of election intrigue? More like a hot mess
Arizona Republic (Opinion, Laurie Roberts)
MyPillow CEO Mike Lindell joins the unending quest to find fraud in Arizona's elections. At what point do we just ignore these people and move on?

We marched to protest police brutality. Why are lawmakers trying to silence that right?
Arizona Republic (Op-ed, Brianna Turner)
Supporters claim HB 2309 discourages riots and acts of violence. But it would allow police and prosecutors power to abuse their office even more.

Silence is not always strength. Asian Americans must find our voice to stop the hate
Arizona Republic (Op-ed, Jenny Poon)
Our silence has made way for the 'forever foreigner' stereotype and the 'model minority' myth that divides us from our fellow brothers and sisters of color.

Allegations against Yogis Grill franchisee are horrifying. We're working to rectify them
Arizona Republic (Op-ed, Won Kyeh, Sung Na and Frank Lee)
We were horrified at the allegations against an Arizona Yogis Grill franchisee and are taking steps to ensure this does not happen again

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Arizona launches new COVID-19 vaccine public service announcements

Messages in English and Spanish encourage Arizonans to get vaccinated

PHOENIX — With COVID-19 vaccination becoming available to all adults at state-run sites, the Arizona Department of Health Services (ADHS) is launching a series of public service announcements in both English and Spanish encouraging people to get vaccinated.

Two of the first PSAs, which began airing this week, feature Governor Doug Ducey and ADHS Director Dr. Cara Christ.

"Remember: It's safe, it's effective, and it's our best shot at returning to normal," Governor Ducey says in one PSA.

"The data is in, and with millions of Arizonans who have already received their shot, we know the vaccine is safe," Dr. Christ says in the other PSA.

Along with a Spanish-language PSA featuring David Adame, president and CEO of Chicano Por La Casa, deliver the message that COVID-19 vaccines are safe, highly effective, and soon to be available to all Arizonans age 16 and older at state-run mass-vaccination sites.

"Cuando sea su turno, únase a los millones de Arizonenses que ya se han vacunado y reciba su vacuna (When it's your turn, join the millions of Arizonans who have already been vaccinated and get your shot)," Adame says in the first Spanish-language PSA.

The messages, these are part of a multi-pronged effort to reach all Arizonans, are being distributed on television, radio, and social media.

"We are taking these vital messages where people are so we can get as many Arizonans vaccinated as possible as soon as possible," Governor Ducey said. "Arizona is committed to administering vaccine equitably, and that starts with reaching all Arizonans where they live."

"Since the start of our vaccination efforts, we have been working with partners statewide to ensure that we are encouraging everyone to get vaccinated when it is their turn," Dr. Christ said. "The PSAs we are launching this week are part of a series of messages that encourage people to get vaccinated against COVID-19. Getting vaccinated against the disease is the best way to protect you, your family and all of our communities. It is also the best way to help us return to normal."

In order to reach more high risk Arizonans and get them vaccinated, ADHS and partners recently conducted a pilot program in ZIP code 85009, just west of downtown Phoenix, including highly targeted communication and outreach such as telephone town halls in English and Spanish. Interaction with community leaders has also led to a collaboration that got more than 400 of the area's prioritized residents registered and vaccinated at a state site.

This approach is being expanded into underserved neighborhoods in areas of southwest and south Phoenix and Yuma County, while looking to reach even more of Arizona.

ADHS offers a bilingual COVID-19 Vaccine Navigation Help Desk at 1-844-542-8201 for those needing extra assistance with registration and answers to questions. The agency continues to add information and resources in Spanish, including the online scheduling tool at podvaccine.azdhs.gov.

Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Arizona House Judiciary Committee to Hear SB1456—A Regressive Anti-Sex Education Bill, That Shames LGBTQ Youth.

PHOENIX, AZ — On Wednesday, Arizona's House Judiciary Committee will hear SB1456, an anti-sex education bill. In preparation, The Sex Education for a Change Coalition has prepared parents, students, and faith leaders to testify in opposition of 1456 during the committee.

SB1456 would dramatically limit sex education in schools by creating a lengthy bureaucratic process for approval. Schools would be required to get board approval, allow community review and input for 60 days, and parents would be required to opt-in to the instruction vs. opting out.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002972

ARZN_REV00068941_3-23-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

These changes are intended to limit sex education in school by creating unnecessary barriers that put youth at risk of sexual assault, intimate partner violence, STIs, and unplanned pregnancies. SB1456, also, discriminates against the LGBTQ community by deeming LGBTQ relationships and LGBTQ history as "other" or "taboo," stigmatizing gender identity, sexual orientation, and HIV/AIDS education by adding these subjects as part of the parental approval process.

Arizona students need honest, accurate, and inclusive sex education that protects them from sexual assault and prepares them for healthy sexual relationships. Earlier this session Sex Education for a Change Coalition spoke in opposition to 1456 and urged the legislature to hear HB2647 the "Safe and Healthy Students Act" introduced by Rep. Daniel Hernandez and SB1340 introduced by Sen. Tony Navarrete; however, the legislature has once again ignored the needs of the community.

Legislators must put the health and safety of Arizona students first by opposing SB1456. This bill will not protect our youth.

Arizona's House Commerce Committee Fails Workers by Advancing SB 1268

(March 23, Phoenix, AZ) Statement from Fred Yamashita, Executive Director, Arizona AFL-CIO released the following statement on the passage of SB 1268 through the House Commerce Committee:

"Today, SB 1268, a bill directly attacking working families was passed out of the House Commerce Committee on a vote of 6-4. Let us be clear, SB 1268, is being pushed through our legislature by out of state special interest groups silencing everyday working Arizonans. It is disappointing our legislators chose to let this costly and illegal bill pass through committee. SB 1268 violates the U.S. Constitution and several federal laws, specifically, the Equal Protection clause of the U.S. Constitution. This proposed legislation would be a gross overreach by the Arizona legislature and a costly battle to spend taxpayer's money on. The Arizona AFL-CIO is committed to fighting legislation being pushed by out-of-state special interest groups trying to take away the voices of working families in our democracy.

Thank you to the following Representatives for standing with working families today: Rep. Espinoza, Rep. Meza, Rep. Fernandez, and Rep. Powers Hannley."

Governor Ducey Applauds Intel's $20 Billion Expansion In Arizona

Largest Private Investment In State History Will Create 3,000 High-Tech, High-Wage Jobs

PHOENIX — Intel today announced a substantial expansion of its Arizona-based manufacturing capacity with a $20 billion investment – the largest private sector investment in state history. The expansion will see the construction of two new semiconductor fabrication facilities, or fabs, which will produce advanced semiconductor chips used in modern electronics.

The investment will lead to the direct creation of 3,000 new high-tech, high-wage jobs and 3,000 construction jobs, while supporting an estimated 15,000 additional indirect jobs in our community.

"Today's announcement means jobs, jobs, and more jobs for the state of Arizona," said Governor Doug Ducey. "It also proves once again that Arizona is at the cutting-edge of advanced chipmaking and manufacturing. No company has been such an instrumental partner in Arizona's growth and transformation over the years as Intel, and my sincere thanks goes out to CEO Pat Gelsinger and the entire Intel team. I also want to recognize the U.S. Department of Commerce, Arizona Commerce Authority, City of Chandler, President Fann and Speaker Bowers for their partnership to bring this project here. Today, when people think of semiconductor production, they think of Arizona, and that means tremendous things for our state, country and future generations of Arizonans."

"I'm thrilled to announce plans for Intel's first large-scale foundry operation, which will be in Arizona," said Intel CEO Pat Gelsinger. "This represents an investment of approximately $20 billion dollars, which will create over three thousand permanent high-tech, high-wage jobs, over 3,000 construction jobs, and 15,000 local long-term jobs in Arizona. To make our new expansion in Arizona possible, we are excited to be partnering with the state of Arizona and the Biden Administration on incentives that spur this type of domestic investment."

"Intel's selection of Arizona for this historic investment is a testament to our vibrant and growing technology ecosystem – one powered by our streamlined regulatory environment, low cost of doing business, world-class higher education institutions and highly skilled and talented labor force," said Sandra Watson, President and CEO, Arizona Commerce Authority. "We are so grateful to Intel for their unrivaled commitment to our state. We look forward to continuing to partner in their success for decades to come."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002973

ARZN_REV00068941_3-23-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Intel's operations in Arizona go back more than 40 years. With this new expansion, Intel will employ nearly 16,000 Arizonans and will have invested more than $50 billion in our state. Intel operates four other fabs in Arizona, including Fab 42, the company's largest chipmaking factory in the United States and said to be the most advanced in the world. In addition to high-volume manufacturing, Arizona is also home to Intel's Assembly Test Technology Development group and functions like marketing, finance, human resources, legal, supply chain and logistics, and more.

Intel's contributions to Arizona extend beyond jobs and manufacturing to also include supporting local schools and students, promoting healthy forests and rivers, providing pandemic relief, and more. Since 2015, Intel and the Intel Foundation have given more than $35 million to support Arizona schools and nonprofits and employees have contributed more than 750,000 volunteer hours.

With a global shortage of semiconductor chips, Arizona is poised to continue growing its technology and advanced manufacturing footprint. Arizona is already a top-five state for semiconductor production, with multiple industry leaders choosing the state to start, expand or relocate operations.

Rep. Andy Biggs Sends Letter to DHS Secretary On Release of Illegal Aliens Without Court Dates

Today, Congressman Andy Biggs (AZ-05) sent a letter to DHS Secretary Alejandro Mayorkas requesting answers to a report regarding illegal aliens being released into our country without court dates. These actions have raised serious concerns about DHS' commitment to enforcing the law.

"The border crisis is worsening by the day, and Secretary Mayorkas continues to add more incentives to those who willfully break our laws and take advantage of our system," said Congressman Andy Biggs. "The American people are seeing first-hand the crisis-creating actions of this Administration, and I will ensure those in leadership will be held accountable to enforce the law."

The letter was signed by 14 congressional members and can be found here.

Kelly-Backed Bill to Give All Arizona Veterans and Spouses Access to Vaccine Through VA Headed to President's Desk

Bipartisan legislation backed by Arizona Senator Mark Kelly to expand COVID-19 vaccine eligibility to all veterans and their spouses through the Department of Veterans Affairs (VA) has passed both chambers of Congress and is heading to President Biden's desk for his signature. The Strengthening and Amplifying Vaccination Efforts to Locally Immunize all Veterans and Every Spouse (SAVE LIVES) Act would allow the VA to provide vaccination services to all veterans, veteran spouses, caregivers, and Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) recipients. The SAVE LIVES Act would significantly benefit Arizona where one in every 10 adults is a veteran.

"Soon, Arizona veterans and those who support them will be able to get vaccinated through the VA. This bipartisan step will help not just veterans, but their families and caregivers whose sacrifices and service do not go unnoticed. Getting this vaccine into more Arizonans' arms is one of the strongest tools we have to defeat the virus, and this brings us another step closer," said Senator Kelly.

The SAVE LIVES Act also urges the U.S. Department of Health and Human Services to adjust VA's vaccine allocation based on this increased eligibility pool, as much as the supply chain allows. It now heads to President Biden's desk to be signed into law. The SAVE LIVES Act Kelly cosponsored will expand the VA's authority to provide vaccines to:

- Veterans who are not eligible for enrollment in VA's health care system, including veterans without compensable service-connected disabilities and veterans who have incomes above a certain threshold;
- Caregivers of veterans who are enrolled in various VA home-based and long-term care programs;
- Spouses of veterans; and CHAMPVA recipients (spouses of permanently and totally disabled veterans OR of veterans who have died from service-connected disabilities).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-002974

ARZN_REV00068941_3-23-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"If you're sourcing your material from them, then I can't help ya."

- Finchem, on The Daily Beast's report that his ally Lyle Rapacki formerly billed himself as an expert on Satanism

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, March 24, 2021 10:38:03 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: Wake Up Call

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

Wake Up Call *March 24, 2021*

Bill to require clergy to report child sex abuse dies in Senate
Arizona Capitol Times
Her daughter wouldn't have spent the first 30 months of her life enduring violent abuse if a bill a panel of Arizona senators voted to kill under religious pressure today had been law six years ago, a mother told the Senate committee.

Senate to consider restriction on school expulsions, suspensions
Capitol Media Services
When it comes to suspending or expelling students, how young is too young?

Senate panel approves community college aid
Capitol Media Services
Financial help may be in sight for recent high school grads who find themselves a few bucks short of what they need to go to community college.

DNC asking federal appeals court to void ballot-order system
Capitol Media Services
The Democratic National Committee and its allies are ask a federal appeals court to void a ballot-order system they say gives a built-in – and they contend recurring – advantage for Republicans.

AMERICAN OVERSIGHT

Recreational marijuana sales race ahead, but industry equity falls behind
Cronkite News
Sales of recreational marijuana are surging at Arizona retailers that, after selling medical marijuana for nearly a decade, now accommodate a crop of new customers the state estimates could push revenue to $1 billion in two years.

Drought conditions create potential for early, widespread fire season
Herald-Review
Fire managers with the Arizona Department of Forestry and Fire Management say current conditions continue to line up for another potentially active fire season across all corners of the state.

This Week in COVID: Deaths Dropping Sharply, Pima Feuding With State Health Officials
Phoenix New Times
It's Tuesday, March 23. More than 837,000 Arizonans have contracted COVID-19 and more than 16,700 have died as a result.

Live in the Phoenix Area? Here's How to Get Vaccinated
Phoenix New Times
Starting today — Wednesday, March 24 — all adults are eligible to be vaccinated in Maricopa County.

Redistricting commission begins potentially rocky process of selecting attorneys
Arizona Mirror
At least on a preliminary basis, the Arizona Independent Redistricting Commission will use the state procurement process to review prospective legal counsel, which would require it to do most of its work behind closed doors.

Intel investing $20B into two factories in Arizona
The Hill
Intel is investing in new chipmaking plants in Arizona as it struggles to keep up with competitors in the high-tech manufacturing field.

Arizona Senate's election audit is looking more absurd by the day
Arizona Republic (Opinion, Laurie Roberts)
With each day that passes, Arizona Senate President Karen Fann's plan for an audit of the 2020 election just looks more ridiculous.

As Boulder mourns, the Arizona Legislature works to protect ... guns
Arizona Republic (Opinion, Laurie Roberts)
While the nation mourns not one but two mass shootings in a week, the Arizona Legislature is working on a bill that would offer broad protections. To guns, that is.

Republicans are hurting themselves if they block legal status for 'Dreamers'
Arizona Republic (Opinion, Robert Robb)
An overrun southern border gives the GOP the upper political hand on immigration. But blocking legal status for 'Dreamers' could reverse that.

Another gunman used an AR-15-style rifle to kill. Why are they still legal?
Arizona Republic (Opinion, Elvia Diaz)
A gunman with an AR-15-style rifle killed 10 in Boulder, Colo., including a police officer. What is it going to take to ban these type of rifles?

We didn't help get Kyrsten Sinema elected so she could ensure Senate gridlock
Arizona Republic (Op-ed, Misha Linnehan and Graham Rigby)
We asked voters to support Kyrsten Sinema so she could make progress on big issues, not stand in the way of it by supporting the filibuster.

No, that's not just a harmless stereotype. Asian Americans know this all too well
Arizona Republic (Op-ed, Editorial Board)
Asian Americans don't need a hate crime designation to know hate was involved in recent killings in Atlanta and Phoenix. We shouldn't either.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, March 25, 2021 8:02:20 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: News Clippings: March 25, 2021
Attachments: March 25, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings

Arizona Daily Star

- Ducey now says FEMA center may receive his approval: Pima County supervisors issued unanimous appeal
- County widens shot eligibility, but plan isn't as broad asstate's
- Biden enlists Harris to lead response to border challenges
- Intel says$20 billion expansion in Arizona will create 3,000 jobs
- Schools couldn't suspend, expel kids 7 or younger under proposed Ariz. law
- Bill that would overturn Pima ban on 'conversion therapy' advances
- Pima County to take on costs of transporting asylum seekers
- Bills going to House floor would require more early-voter ID, allow more recounts
- Arizona bill banning abortion for genetic issues in trouble
- Arizona Gov. Ducey signs online dating, fertility fraud bills

Arizona Republic

- Ariz. parents enroll kids in vaccine trials
- Border crisis in making in Ariz.?: Numbers of migrant families, children on rise
- Pima County, Ducey spar over FEMA vaccine sites
- GOP activists seek do-over of state party's election
- DPS bodycam bill is amended to keep some video secret
- Manager of DCS' troubled computer system resigns

KTAR News

- If Maricopa County lifts mask order, state and local rules would still reign
- Arizona panel advances measure to cut taxes in school funding proposition
- Arizona house panel approves proposal to tighten school sex education rules
- Ducey: Harris 'worst possible choice' to lead southern border response
- Arizona unveils new COVID-19 vaccine public service announcements

Arizona Daily Sun

- Rep. Walt Blackman announces he's seeking seat in House

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

Ducey now says FEMA center may receive his approval: Pima County supervisors issued unanimous appeal

Arizona Daily Star
March 25, 2021
Nicole Ludden

Gov. Doug Ducey said Wednesday he would reconsider his denial of a federally run vaccination site in Pima County.

The Federal Emergency Management Agency offered to set up a vaccination center in the county, but the governor turned down the offer last week.

On Wednesday morning, the Pima County Board of Supervisors unanimously voted to appeal to the state to reconsider allowing the FEMA site.

If Ducey rejects the offer from FEMA again, supervisors said the county will work with its congressional delegation to make the county the sponsoring agent of the federal vaccine site and implement it without the state's approval.

'We're going to stay focused on distributing the vaccine,' Ducey said at a news conference during a visit to the University of Arizona state vaccination site. 'I'm going to revisit this issue because the Board of Supervisors feels so strongly about it. But the objective is going to remain putting shots in arms.'

Last week, Dr. Cara Christ, state health department director, mentioned concerns that the federal vaccination center would drain state resources and possibly take away vaccines from the state's total allocation.

Tammy Littrell, the FEMA administrator for Region 9, wrote a letter to Christ on March 20 clarifying the state's concerns were unfounded. She said the vaccines supplying a federal vaccination center would not draw from the state's allocation, and operations would be carried out collaboratively.

Although the governor said he would reconsider his previous decision, Ducey and Christ reiterated initial concerns that the state would have to extend its own resources to supply the federal point of distribution, or POD.

Christ said she would rather have FEMA give the state the 300,000 vaccines it said would supply the POD and let the state handle distribution throughout its existing sites.

'There were many concerns on why they felt that they couldn't just give us the vaccine, but that they needed to set up an entire site outside of our already state distribution,' Christ said. 'There is a significant list of resources that the county, and if not the county then the state, would have to come up with.'

Christ says those resources include cold storage, pharmacy support, vaccinators support, communications and a registration system. The state already has this infrastructure in place, so the

AMERICAN OVERSIGHT

director believes receiving vaccines from FEMA would help to add appointments and increase vaccine availability.

However, Pima County has set up five vaccination centers without reliance on the state. County Administrator Chuck Huckelberry says the resources Christ mentioned have already been established at its existing sites.

'We have vaccinators, we have a pharmacy, we have registration, we have security, volunteers to fill in at both ends, including medical volunteers,' Huckelberry said. 'It's pretty obvious we have the capability and capacity.'

Christ also brought up a concern that the FEMA vaccine site would take too long to implement.

'It will take FEMA a while to mobilize as well,' she said. 'So by the time we start to get that vaccine, we could have gotten it out quicker through this than by the time they set up a site and get it running.'

According to Huckelberry, FEMA said it could have the facility running by March 31.

In conversations with FEMA on establishing a federal POD, the county planned to target minority populations by dividing the federal doses between two locations with large Hispanic communities: El Pueblo Center and the Kino Event Center.

While Ducey didn't directly address the loss of an opportunity to provide vaccines to traditionally underserved populations, he said the state is addressing this issue adequately.

'In terms of a focus on underserved areas, make no mistake, that's our state's priority. I believe by the national measurement on that, Arizona's in second place in the distribution of the vaccine to our underserved or minority communities,' he said. 'Our objective is to get the vaccine out faster and to more Arizonans. We can do that with our existing infrastructure. What we need is inventory.'

Huckelberry said he is encouraged by the governor's reconsideration of allowing a federal vaccination center, but hopes Ducey sees the POD as a success instead of a burden.

'We're hopeful, but I think the governor should consider this a win-win not only for Pima County, but Arizona. We have the ability to get more vaccine through the federal government so that we can get through the normal distribution process,' he said. 'In fact, we are targeting minority populations where the data does show we're lagging in what we call vaccine equity. So I think that's a win, too.'

Return to the table of contents

AMERICAN OVERSIGHT

County widens shot eligibility, but plan isn't as broad asstate's

Arizona Daily Star
March 25, 2021
Patty Machelor

Pima County will expand its COVID-19 vaccine eligibility Thursday to certain groups, but will not follow the state's new guidelines of shots for anyone 16 and older.

County officials say that's because they want to focus on getting shots to the most vulnerable residents first.

'It's not that we never would have opened up to 16-plus but we would have done it on a slightly different schedule,' said Dr. Francisco Garcia, the county's chief medical officer, referring to the changes the state's health authority made this week. 'I wanted us to be able to cover a heck of a lot more of the (ages) 55-plus first.'

There are 400,000 to 500,000 people — not including those anticipated to decline the vaccine or residents under age 16 — left to be immunized in Pima County, said Mark Evans, county director of communications.

And he said there are not enough vaccine doses available to open it up to everyone without leaving high-risk residents competing for hard-to-get spots.

Arizona, by contrast, opened up shot appointments this week for people 16 and older at state-run vaccination sites; the only such site in Tucson is the University of Arizona.

The state's changes created confusion within the larger counties, Evans said. The Pima County Health Department's focus, considering the limited vaccine availability, has been getting shots to people who are most vulnerable either due to work or health conditions, he said.

For example, he said, the group 1C, which includes people living with chronic health issues or disabilities, was still pending here and in other larger counties when Arizona opened up slots at state-run sites to all adults.

Here is what Pima County is doing instead: Starting at 9 a.m. on Thursday, March 25, vaccine appointments will be made available at county-run sites — Tucson Medical Center, Kino Sports Complex and the Tucson Convention Center — to three groups based on specific criteria including:

• Age, which includes anyone over age 55, regardless of other health conditions or type of employment.

•Risk, which includes anyone over age 16 who has a disability or: is experiencing homelessness; lives in a congregate setting/receives in-home or long-term care; smokes; or has a high-risk medical condition as defined by the Centers for Disease Control and Prevention including cancer, chronic kidney disease, chronic obstructive pulmonary disease, Down syndrome, heart conditions that include heart failure, coronary artery disease or cardiomyopathies, immunocompromised individuals, organ transplant recipients, people with a body mass index over 30 kg, sickle cell disease or type 2 diabetes mellitus.

•Work, which includes anyone over age 16 who works in the following fields, regardless of other health conditions: healthcare worker and health-care support staff, emergency medical services, long-term care

AMERICAN OVERSIGHT

facility staff, in-home long-term care, protective services, education and childcare, food and agriculture, restaurants and bars, U.S. Postal Service, manufacturing, grocery and convenience stores, including carnicerias, state and local government, public transportation, auto repair, business/financial services, clergy/faith leaders/traditional healers, court personnel, critical trade workers including plumbers, electricians, HVAC, food packaging, funeral services, gas station workers, power and utility, shelters, warehouse distribution, veterinarians and veterinary staff.

'We realize that this is not fully aligned with what Gov. (Doug) Ducey announced earlier this week; however, our decisions are based on the current vaccination rate for 55 and up, which is at 42%, as well as our commitment to ensure ongoing access to vulnerable populations,' said Dr. Theresa Cullen, the county's health director.

'We anticipate appointments will be filled quickly and as we move these groups, we look forward to being able to align with the state's recommendations within the next six weeks,' she said.

Currently, most appointments set for the county- supported vaccination sites will be for mid- to late April.

The Arizona Department of Health Services announced on Twitter Wednesday that all online appointments newly available at state-run sites, for both Tucson and Phoenix points of distribution, were taken within 20 minutes.

As of March 23, more than 400,000 doses of COVID-19 vaccine have been administered in Pima County and 200,000 people here have been fully vaccinated. The county has surpassed its goal of administering 300,000 doses by the end of March.

'The question we have been asking since the beginning,' Garcia said Wednesday, 'is how do we make the vaccine available to people who have chronic conditions, how do we make it available to people who have disabilities? When do they get to have a bite of the apple?'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Biden enlists Harris to lead response to border challenges

Arizona Daily Star
March 25, 2021
Jonathan Lemire, Nomaan Merchant, Josh Boak & Aamer Madhani

President Biden has tapped Vice President Kamala Harris to lead the White House effort to tackle the migration challenge at the U.S. southern border.

Biden made the announcement as he and Harris met at the White House on Wednesday with Health and Human Services Secretary

Xavier Becerra, Homeland Security Secretary Alejandra Mayorkas and other immigration advisers to discuss the increase in migrants, including many unaccompanied minors, arriving at the border in recent weeks.

AMERICAN OVERSIGHT

In delegating the matter to Harris, Biden is seeking to replicate a dynamic that played out when he served as President Barack Obama's vice president. Obama turned to Biden early in his first term to lead the White House effort to draw down U.S. troops in the intractable war in Iraq.

'When she speaks, she speaks for me,' Biden said, noting her past work as California's attorney general makes her specially equipped to lead the administration's response.

Biden is hoping to show Americans he's taking the border situation seriously after facing stiff criticism from Republicans as the flow of migrants has increased since he took office in January. The growing humanitarian and political challenge at the U.S.-Mexico border threatens to overshadow the administration's ambitious legislative agenda.

But the high-profile assignment for Harris, who ran for the Democratic presidential nomination in 2020 and is expected to run for the White House again in the future, could be politically fraught.

To that end, Biden teased in his comments that he was saddling her with a 'tough job.'

'Needless to say, the work will not be easy,' Harris said about her new assignment. 'But it is important work.'

Harris is tasked with overseeing diplomatic efforts to deal with issues spurring migration in the Northern Triangle countries of El Salvador, Guatemala and Honduras, as well as pressing them to strengthen enforcement on their own borders, administration officials said. More broadly, though, she's tasked with implementing a long-term strategy that gets at the root causes of migration from those countries.

She will work closely with Secretary of State Antony Blinken, the yet-to-be confirmed U.S. Agency for International Development administrator Samantha Powers, and Ricardo Zúñiga, special envoy to the Northern Triangle countries.

Biden made the announcement as a delegation of White House officials and members of Congress was traveling to the southern border on Wednesday to tour a facility in Carrizo Springs, Texas, being used to house migrant children.

More than 750 teenagers are being held at Carrizo Springs. Like other facilities operated by the Health and Human Services Department, it includes a small group of children who have tested positive for COVID-19, potentially having contracted the virus in Border Patrol custody. They are placed in isolation.

The Biden administration has in recent weeks moved to open more than 10,000 new beds across the Southwest in convention centers and former oilfield camps. It notified Congress on Wednesday that it will open a new 3,000-person facility in San Antonio and a 1,400-person site at the San Diego convention center. HHS is also opening a second site in Carrizo Springs and exploring housing teenagers at military bases in San Antonio and El Paso.

But the U.S. is exhausting capacity almost as quickly as it can add it. A week after opening, the convention center in downtown Dallas is at nearly 2,000 teenagers, just shy of its 2,300-bed capacity. Experts on child welfare say HHS must release children more quickly, particularly the estimated 40% of children in custody who have a parent in the U.S. ready to takethem.

AMERICAN OVERSIGHT

The White House was limiting media access on Wednesday's tour, keeping it to just one TV crew.

WhiteHouse press secretary Jen Psaki said Wednesday that the White House was 'committed to transparency, and we'll continue to work with agencies on creating avenues for media access to and visibility into these facilities.'

A Democratic lawmaker released photos earlier this week to show conditions at the facility and to display the extreme challenges that border agents face in watching so many children, sometimes for a week or longer despite the Border Patrol's three-day limit on detaining minors.

Return to the table of contents

Intel says$20 billion expansion in Arizona will create 3,000 jobs

Arizona Daily Star
March 25, 2021
Jonathan J. Cooper

Intel announced Tuesday that it will build two new factories in Arizona and outsource more of its production as a new CEO looks to turnaround the struggling chipmaker.

The California-based company says the Arizona expansion will cost about $20 billion and create 3,000 permanent jobs as Intel builds a foundry business to provide chips for other firms. More construction in the United States, Europe and elsewhere could be announced over the next year, CEO Pat Gelsinger said in a video outlining his vision for the company's transformation.

'The unprecedented demand for technology has created even more need for the innovative products Intel creates,' Keyvan Esfarjani, Intel's senior vice president of manufacturing and operations, told reporters outside the company's plant in Chandler.

Intel dominated chipmaking for decades but has stumbled lately with delays in its development of a next-generation chip-making process already in use by a major Taiwan supplier, TSMC. It has struggled to adapt to the shift from personal computers to mobile devices since Apple released its game-changing iPhone more than a decade ago. Although the company has remained profitable, its heyday during the PC era was long ago. Arizona Gov. Doug Ducey called Intel's growth plan the largest private-sector investment in state history and a victory for U.S. manufacturing.

'Let's bring semiconductor manufacturing back to the United States,' Ducey said. 'And while we're at it, let's bring it back to Arizona.'

Taiwan Semiconductor Manufacturing Co. is also planning a large factory in North Phoenix.

Intel has a history of making splashy announcements that don't immediately pan out.

A decade ago, the company announced plans to build a new multibillion- dollar factory in Chandler while President Barack Obama visited Intel's plant in Hillsboro, Oregon. That facility, known as Fab 42, was put on ice for years, was announced again alongside President Donald Trump in 2017 and finally opened late last year.

AMERICAN OVERSIGHT

The company, which earned nearly $21 billion last year on revenue of $78 billion, is eligible for up to $90 million in state tax credits if it fulfils the job and investment commitments it made Tuesday, said Sandra Watson, head of the Arizona Commerce Authority, the state's economic development agency. State lawmakers on Monday rushed through legislation to boost the funding available for the program from $70 million to $125 million a year, which Ducey signed into law hours before Intel's announcement.

Intel began operations in Arizona in 1980, when it established its facility in West Chandler. It later expanded to a second campus several miles away in the sprawling suburb's Ocotillo region.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Schools couldn't suspend, expel kids 7 or younger under proposed Ariz. law

Arizona Daily Star
March 25, 2021
Howard Fischer

When it comes to suspending or expelling students, how young is too young?

If a new proposal becomes law, the answer in Arizona will be 7 or younger.

House Bill 2123, approved Tuesday by the Senate Education Committee, would all but bar school officials from ousting children in that age group from school for misbehavior, even on a temporary basis.

The measure now goes to the full Senate.

Rep. Michelle Udall, R-Mesa, said she recognizes that students can act out and become a disruption.

But she said a unilateral policy on suspending or expelling students based on such behavior fails to recognize what's behind that, particularly for the youngest students.

'When they were acting out, it was not out of some intentional meaning to act out,' Udall said. She said very often there are 'other issues' going on for those children.

That's also the assessment of Rebecca Gau of the nonprofit organization Stand for Children. She said some of these youngsters may have undiagnosed emotional issues.

Suspension, said Udall, is not the answer. 'Having them go home and not learn was not going to help resolve those issues,' she said.

What will help at that age, Udall said, are other interventions done in concert with the parents.

Even when a student needs to be removed from a classroom because of disruptions, she said, there are other options.

AMERICAN OVERSIGHT

For example, Udall said, there is a concept of 'in-school suspension,' where the child is removed from class but remains in the building and still has the opportunity to learn.

'All our schools have learned how to do virtual learning,' she said. 'So you could allow them to Zoom into the classroom and they could be muted and off-mic so they can't still disrupt class.'

'The response to a student acting out can't be that they're not going to learn anything,' she said. 'We need students to learn, they need to get education. And if they don't get the help resolving those behavior issues when they're young, then that's going to be compounded as they grow up.'

There would be exceptions.

None of the prohibitions in the measure would apply if a student 7 or younger brought a weapon to school or was involved in the use or sale of dangerous drugs. Students those ages also could be suspended or expelled for endangering the health or safety of others.

Chris Kotterman, lobbyist for the Arizona School Boards Association, asked for the measure to be narrowed. He wants local districts to be able to suspend students for up to 10 days without running afoul of the proposal.

Udall, however, did not back down. She said that would allow a student to be kept out of school for two full weeks.

'In their eyes, that's forever,' Udall said of young students. She said even two days is a long time for someone of that age. Conversely, Sen. Sally Ann Gonzales, D-Tucson, said she would prefer that school boards look more broadly at their policies on suspension and expulsions for all age groups. She said her experience is that these kinds of discipline are used disproportionately on students of color. Sen. Tyler Pace, R-Mesa, the father of children ages 4, 6 and 7, said he understands how expulsion could be particularly hard for them. But he said he cannot support putting such a restriction into state statutes.

'I do have an issue with us as a Legislature telling the principal and the school superintendent and a school board how they should deal with these unique cases,' Pace said. 'I typically don't support legislation that tells people how to do their jobs.'

Sen. T.J. Shope, R-Coolidge, who served 12 years on that community's school governing board, said he also is 'a little bit leery' of such state regulation. 'But I do know that as far as the students we are talking about here, I don't know that I would have been in favor of the harsh discipline as far as multiple days off,' Shope said. 'I don't know who that necessarily benefits.'

In fact, he said, kicking a student out, even temporarily, just puts a burden on parents.

'And I don't know that the student really changes behavior, potentially, after that,' Shope said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Bill that would overturn Pima ban on 'conversion therapy' advances

Arizona Daily Star
March 25, 2021
Howard Fischer

It's billed by its sponsor as simply an effort to ensure consistency in medical practice.

But the legislation approved Wednesday by a House panel would have the effect of precluding local governments from banning the controversial practice of sexual orientation conversion therapy.'

And if Senate Bill 1269 becomes law, it would most immediately overturn a Pima County ordinance that prohibits efforts to use therapy to convince individuals that they are not gay. It would also preempt similar laws elsewhere.

The move is being pushed by Sen. Vince Leach, R-Tucson.

He told the House Committee on Criminal Justice Reform that this is about regulating health professions on a statewide basis. Leach said nothing in current law precludes individual communities from enacting their own rules about who can practice mental health therapy. But he said there is no reason for a city or county to erect such barriers.

'I know nothing about conversion therapy,' Leach said.

Rep. Alma Hernandez, D-Tucson, said that claim rings hollow.

She pointed out that Leach introduced legislation earlier this year to bar state agencies and professional regulatory boards from taking any action against individuals who practice any form of therapy 'that is consistent with conscience or religious beliefs.' He could not get it approved by the Senate Committee on Health and Human Services, however.

This new, narrower version about local restrictions was stripped onto an unrelated bill dealing with the sale of state lands. And it was debated not in a health committee but one that is supposed to be dealing with criminal justice issues.

Rep. Walt Blackman, R-Snowflake, who chairs the panel, sought to limit discussion about what some witnesses said would be the practical effects of SB 1269.

'This bill does not mention conversation therapy,' he said, saying it's only about allowing health professions to operate their businesses without worrying about local controls.

That did not convince Hernandez. 'Let's not play games here,' she said. 'I am not stupid and neither is the community.'

Hernandez asked Leach that if this really has nothing to do with conversion therapy, whether he would be willing to amend it to ensure that it did not overturn local laws banning the practice. Leach responded that he's willing to talk about changes — but not if it involves allowing individual communities to maintain their own regulations on therapy.

AMERICAN OVERSIGHT

Rep. Raquel Teran, D-Phoenix, said that proves the point that this is not just a generic measure to protect mental health professionals.

Conversion therapy is based on the controversial contention that sexual identity is a disorder or mental illness and can be 'cured.'

Glen Traasdahl told lawmakers he followed that belief about 20 years ago and forced his son into conversion therapy.

'My son still suffers from almost 10 years of therapy,' and being told that he was not accepted by the God he believes in, he said. 'It was the biggest mistake of my life.'

Tyler Allen said he was forced into such therapy at age 14. 'Conversion therapy destroys us,' he said. 'It is abuse.'

There was testimony that 20 states already banned the practice outright along with more than 80 local communities.

Those include Pima County where the Board of Supervisors enacted a similar restriction in 2017. The ordinance restricts 'sexual orientation change efforts to change behaviors, sexual or gender identities or gender expressions, or to eliminate or reduce sexual or romantic attractions or feelings towards persons of the same sex.' Violations are civil infractions punishable by a fine of up to $2,500 for each offense.

Foes of the Pima County ordinance argued it hinders the ability of a parent to choose the care or treatment their child might require.

Nothing in the Pima ordinance restricts minors from having general discussions with licensed therapists, religious practitioners or free counselors. But it does ban conversion therapy on minors where a fee is charged.

Despite the 5-4 party- line vote by the committee, Leach's measure could still face hurdles.

Rep. Joel John, R-Arlington, said that, on the surface, SB 1269 'seems pretty benign.' But he said he took notice of the testimony by people concerned about conversion therapy.

'Obviously there's perhaps concern about this bill,' he said. So John said he may have different thoughts when the measure goes to the full House.

Rep. Cesar Chavez, D-Phoenix, had introduced a measure of his own earlier this year to make it an act of professional negligence for anyone to practice conversion therapy. But it died after he could not get House Bill 2487 heard in the House Health and Human Services Committee.

Return to the table of contents

AMERICAN OVERSIGHT

Pima County to take on costs of transporting asylum seekers

Arizona Daily Star
March 25, 2021
Nicole Ludden

The Pima County Board of Supervisors voted to provide transportation for asylum seekers released by the Border Patrol to a shelter in Tucson.

At an emergency meeting Wednesday, the board voted 4-1 with Supervisor Steve Christy opposing to provide county-sponsored busing to migrants released in Pima County to the Casa Alitas Welcome Center in Tucson.

The center is run by Catholic Community Services out of a converted wing of Pima County's juvenile detention center. The shelter there serves as a replacement for the former Benedictine Monastery on North Country Club Road that housed thousands of asylum seekers in 2019.

Most of the asylum seekers at the shelter are families from Venezuela, Cuba, Brazil and Ecuador, according to shelter staff. The shelter does not take in unaccompanied children. The families generally stay at the shelter for a few days while they arrange travel to cities throughout the country to live with sponsors as their immigration proceedings unfold.

County Administrator Chuck Huckelberry expects the Federal Emergency Management Agency to reimburse the county for transportation from border areas in Pima County to Tucson.

The county spent about $2,000 to transport 21 migrants to the Casa Alitas shelter in Tucson after the Border Patrol released them in Ajo last Friday, Huckelberry wrote in a memo to the supervisors.

Once the Border Patrol releases migrants crossing the border near Yuma and Ajo, the agency relies on nonprofits accepting asylum seekers to provide transportation. These nonprofits then turn to the county to transport migrants to their shelters.

On Tuesday, Huckelberry said Casa Alitas received 72 migrants, including some transported from Ajo and Yuma and some dropped off by Immigration and Customs Enforcement.

According to Huckelberry, communication with the Border Patrol in arranging transportation for migrants is subpar.

The notice from the Border Patrol that asylum seekers will be released is 'relatively short' and 'sometimes it's significantly inaccurate' with regard to how many asylum seekers will be released, making it difficult to gauge how many buses are needed, Huckelberry said.

A 32-seat bus has a 15-person capacity due to coronavirus precautions, Huckelberry said. In his memo he noted the Border Patrol said 28 migrants would be released last Friday, but only 21 were actually released.

In April 2019, when more than 1,000 asylum seekers were released in Tucson in a matter of days, the Border Patrol transported them to emergency shelters at the El Pueblo Center and Kino Event Center. Both facilities are being used for COVID-19 testing and vaccinations, Huckelberry said.

AMERICAN OVERSIGHT

Huckelberry said Border Patrol officials say the agency no longer has the resources to transport migrants and that doing so violates the Antideficiency Act, which prohibits federal agencies from over-expending federal funds.

The Border Patrol will no longer transport migrants more than 35 miles from where they were apprehended, Huckelberry said.

'That's why they're releasing in Ajo. We expect the same thing to happen in the near future in Three Points,' Huckelberry said.

On Tuesday morning, more than 100 migrants surrendered to agents near Sasabe, the border town south of Three Points, according to Border Patrol officials. Most of them were from Guatemala, and more than 70 were unaccompanied minors. Agents gave them masks and transported them to Tucson for processing, Interim Sector Chief John R. Modlin said in a tweet Wednesday.

Last Wednesday, agents arrested more than 240 migrants in four separate encounters. Most of them were families or unaccompanied minors.

The Border Patrol's Tucson Sector has seen a steady increase in apprehensions since April, including a spike from January to February. Statistics since March 1 are not yet available.

Most of the apprehensions in the Tucson Sector involved single adults, but migrants traveling as families more than doubled from about 400 in January to nearly 1,000 in February. The Yuma Sector saw an increase from 560 to 1,700, which prompted the Border Patrol to release certain migrants to aid groups.

Christy, the only supervisor opposing the motion, said transporting migrants should not be the county's problem.

'The federal government should be the one driving this,' he said. 'At very least, the NGOs and the social service entities, the faith-based community who are administering aid and shelter to the current asylum seekers, they should be the ones arranging the transportation; they should be the ones paying for the transportation.'

Supervisor Adelita Grijalva took the position that the county needs to intervene, especially during the COVID-19 pandemic.

'This is a situation that requires all of us to put political parties aside and understand that this is a health crisis,' she said. 'We potentially can help mitigate by transporting people, by making sure we get them the services that they need.'

For now, the board has addressed the issue of transportation but will likely revisit reimbursement for housing costs in the future.

Huckelberry said the Border Patrol is warning of a 'surge' of asylum seekers in the near future.

Under Title 42, a health order put in place by the Trump administration in the early days of the coronavirus pandemic, agents quickly expelled hundreds of thousands of migrants to Mexico, rather than process and release them. The order remains in place, but could be rescinded by the Biden administration.

AMERICAN OVERSIGHT

If Title 42 is lifted, the Border Patrol says the increase in migrants crossing the border could be four times what the county saw in 2019. Huckelberry said the cost could be $4 million over a six-month period for housing, food and shelter.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Bills going to House floor would require more early-voter ID, allow more recounts

Arizona Daily Star
March 25, 2021
Howard Fischer

The next time you cast an early ballot, it looks like you'll have to provide more information.

Republicans on the House Committee on Government and Elections approved a measure Wednesday that would require voters to fill out an affidavit including their date of birth and either their driver's license number or the number of their county-issued voter ID card.

Then, county election officials would be required to be sure these match what they have on file.

This would be in addition to the current signature-matching mandates in state law.

Separately, the same Republican- controlled panel, also on a party- line vote, agreed to allow anyone with enough money to buy a recount of any election at any level in Arizona, including statewide elections.

Under this measure, Senate Bill 1010, they could demand not just a regular recount, which is done by running the ballots again through tabulation equipment, but even a hand count. They would have to afford the cost — no one had any figures — and to make the request within five days after the formal certification of the election results.

Both measures now go to the full House, in which Republicans also hold the majority. One bill has already passed the GOP-led Senate; a nearly identical version of the other has also been approved by the Senate.

EXTRA SECURITY, EXTRA COST

The first measure, SB 1713 on early voting, has potentially broader impact on individual voters and whether their ballot gets counted.

'There is some feeling that signature verification, while a good thing, is not enough to establish a level of confidence that I think we need,' said Sen. J.D. Mesnard, R-Chandler.

The proposal is part of a series of measures crafted this year by GOP lawmakers to alter election laws in the wake of former President Donald Trump's defeat in Arizona.

Trump has argued in particular that early voting was ripe for fraud, despite no proof being found in a series of challenges to the 2020 presidential results in Arizona.

AMERICAN OVERSIGHT

The contention was repeated Wednesday by Linda Brickman, who formerly chaired the Maricopa County Republican Party. In her role there, she watched the ballot counting process at county election offices in November.

'I was an eyewitness to the fraud,' she told lawmakers. 'I personally saw fraud in the signature verification room and saw it in play for most almost all of the verification of the 1.9 million mail-in affidavit envelope signatures or lack of them.'

She provided no evidence or specifics. And no one challenged Brickman's claim at Wednesday's meeting.

Nor was there any mention that a judge, in one court challenge brought by state GOP Chair Kelli Ward, allowed the examination of 100 ballot envelopes. Even Ward's own expert witness found no evidence of fraud, only that six of the signatures were 'inconclusive,' meaning she could not testify they were a match to the signatures on file.

The additional hurdle for voters is unnecessary, said Rep. Kelli Butler, D-Paradise Valley.

She also wondered how many people know their county-issued voter ID number, especially if someone is a senior citizen and no longer has a driver's license.

Mesnard said anyone who needs that information can use a computer or call county election offices.

There's another practical concern raised by county election officials, who would have to do the additional verification.

Gabriella Cazares-Kelly, the Pima County recorder, said that last year her office verified 459,791 early ballots. That required two shifts, each 12 to 14 hours a day, with employees paid about $14 an hour.

Working with the language of SB 1713, Cazares- Kelly said it would take an additional 2,500 hours of staff time, meaning more than $35,000 additional cost.

'And that's only if everyone is using a driver's license number on their affidavit and shows consistent information,' she said. 'The additional verifications are unnecessary and don't add any meaningful security measures to a process that's already proven secure.'

Mesnard said having those who vote by mail provide additional information is appropriate.

'The permanent early voting list is a convenience,' he said. 'You still have to prove that you are you.'

COUNTIES WOULD HAVE TO DO ANY RECOUNTS

The recount legislation seeks to address allegations of election irregularities through a different method.

Aside from allowing anyone to buy a recount, SB 1010 also would give the same power to demand a recount to the secretary of state, the attorney general and the legislative council, which is a committee of lawmakers.

AMERICAN OVERSIGHT

If that last point had been in effect in 2020, the state Senate could have avoided going to court when demanding access to all 2.1 million Maricopa County ballots.

But having won that court fight, the senators find themselves now having to find someone to do the recount, and do it in a way that preserves the integrity of the ballots. If SB 1010 were to pass, it would force the county to do the hand count, at its offices and at its expense.

If the bill is approved, the ability to demand or buy a recount would come after the already required hand count of a sample number of ballots from 2% of all voting precincts. That sample conducted in Maricopa County after the November vote turned up no disparity with the machine count.

But SB 1010 would also also alter that requirement, increasing the sampling to at least 5% of precincts.

The idea of anyone being able to purchase a recount bothered Butler. She said the legislation as written even would allow Russian President Vladimir Putin to force a recount of every race in the entire state, a process she said could take months.

Mesnard said if that's the argument against SB 1010, he is willing to alter it to allow only U. S. citizens to pay for recounts.

Butler, however, pointed out that Arizona law in some places defines 'persons' to also include corporations and limited liability companies, all of whom could force a recount. That wasn't a concern for Mesnard.

'Why is who is asking a problem at all?' he responded.

'It's a big problem because of the chaos that it could cause,' Butler said.

Return to the table of contents

Arizona bill banning abortion for genetic issues in trouble

Arizona Daily Star
March 25, 2021
Bob Christie

A Republican member of the Arizona House announced she can't support a proposal that would make it a felony in Arizona for a doctor to perform an abortion because the fetus has a genetic abnormality such as Down syndrome.

Rep. Regina Cobb's decision could end the effort to enact the wide-ranging anti-abortion proposal bill, at least as currently written, because Republicans hold just a one-vote House majority and Democrats appear solidly opposed.

Cobb said Tuesday during a meeting of Republican House members to discuss pending bills that the measure goes too far by banning doctors from providing abortion care to women who have a fetus that can't survive.

AMERICAN OVERSIGHT

'I've had multiple family members who have had genetic problems with their children — they need to have that option,' Cobb said, who represents the Kingman area. 'One was a baby that didn't have a brain. She ended up carrying it full term due to her religious beliefs and not necessarily medical beliefs.'

'But it was something that was given as a option, and her life was in danger for the next probably six months because of this,' she said.

The measure backed by the social conservative group Center for Arizona Policy has been sailing through the GOP-controlled Legislature over unanimous opposition from minority Democrats. It passed the Senate on a 16-14 party- line vote early this month and was teed up for a House vote this week after passing a House committee two weeks ago.

Senate Bill 1457 makes it a Class 3 felony carrying a sentence of two to nearly nine years in prison for doctors to perform abortions because the mother decides she does not want to carry a child with a genetic abnormality. There are exceptions for medical emergencies.

The proposal also has a raft of other provisions designed to tighten Arizona's already tough restrictions on abortion care.

It confers all civil rights to unborn children, allows the father or maternal grandparents of an aborted child to sue, and bans the spending of any state money with organizations that provide abortion care.

The measure requires fetal remains to be buried or cremated, and also forbids state universities from providing abortion care or counseling or referring anyone to an abortion provider.

Another provision bans abortion- inducing medication from being delivered by mail. Cathi Herrod, president of the Center for Arizona Policy, which pushes anti-abortion bills each year at the state Legislature, claimed medical abortions are more dangerous than surgical ones.

The Guttmacher Institute, a pro-choice group that advocates for access to safe abortions, disputes that claim.

It also repeals an old law allowing women to be charged for seeking an abortion, which bill sponsor GOP Sen. Nancy Barto said is needed to protect women from prosecution in case the U.S. Supreme Court overturns Roe vs. Wade, the 1973 decision that found women have a constitutional right to seek an abortion.

In addition to Cobb's concerns about banning abortions when the fetus has a genetic abnormality, she said the university provision would require graduate medical students to leave the state for optional training.

'Many of you know I'm very pro-life, but I think this goes way too far at this point,' Cobb said. 'And I think its goes into parental choices as far as what we're determining. So I will be a no.'

Barto's proposal is one of several introduced in the Republican- controlled Legislature this year, including one that would require prosecutors to charge women who decide to get abortions and the doctors who perform the procedures with homicide. That proposal from GOP Rep. Walt Blackman has not advanced.

AMERICAN OVERSIGHT

Republican-dominated Legislatures in several states emboldened by the possibility that a more conservative Supreme Court could overturn the Roe decision have embraced proposals that could completely ban abortion this year.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona Gov. Ducey signs online dating, fertility fraud bills

Arizona Daily Star
March 25, 2021

Arizona Gov. Doug Ducey has signed legislation that allows lawsuits against a fertility doctor for secretly using their own sperm or ovum to impregnate a woman.

The Republican governor also signed another bill requiring online dating services to inform members if they have been in contact with a member who has been banned for fraud.

The proposals were among 37 bills the Republican governor signed into law Wednesday, including three Ducey called 'responsible' criminal justice reform.

GOP Sen. Nancy Barto of Phoenix sponsored the bill allowing a woman, her husband or their child to sue a health-care provider who used their own sperm or ovum to impregnate a woman without written consent. She cited instances where a family later found out their health provider had secretly used their own sperm to create fertilized eggs.

A criminal provision was stripped out of SB1237 in committee.

Republican Rep. Regina Cobb of Kingman sponsored the new law that requires online dating services to inform members if someone they had contact with was banned for fraud. HB2396 requires the notice to be sent by mail or email but does not create a new avenue for lawsuits.

The criminal justice reform measures include a version of a bill that failed in recent years to limit the use of enhancements as a repetitive offender for a series of crimes committed in series or prosecuted as one case. Advocates argued that an offender could get much stiffer sentences for a series of burglaries, for example, because prosecutors used the previous statute to seek stiff sentences intended for repeat offenders.

The bill, HB2318, allows a mid-level sentencing enhancement rather than a top-level one.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Ariz. parents enroll kids in vaccine trials

Arizona Republic
March 25, 2021
Amanda Morris

Steve Plimpton delivered all three of Rachel Guthrie's children, so when he approached her and asked her to participate in one of the early kid-focused trials of Moderna's COVID-19 vaccine, she was immediately on board.

She enrolled her 3-year-old son, Ollie, and 2-year-old daughter, Charlotte, and then she invited both of her sistersin- law to sign up.

Ashley Guthrie enrolled both her children, 7-year-old daughter Lily and 4-year-old son Ryder, and Ashton Swenson, the third sister-in-law and a mother of four, enrolled her two eligible children, 9-year-old Phoebe and 6-yearold Arlo.

Now all six cousins will be among the first children in Arizona to receive the Moderna vaccine. The three sisters-inlaw hope the trial can help return society to normal — especially for their children, who have been clamoring for playdates, sleepovers and visits to grandma's house.

Snapped up: Vaccine slots for Arizonans 16 and older claimed in 20 minutes. 3A Cautiously optimistic: U.S. vaccination rates are rising and deaths are falling.

"It's not that I want my kids to be guinea pigs," Rachel Guthrie said. "At this point, this pandemic has affected all of us. There's not one person that hasn't been touched by this and somebody has to step up. In order to get this process approved for the general population, people have to volunteer."

Moderna announced last week that it had started enrolling children age 6 months through 11 years old in a trial of its COVID-19 vaccine, which is currently only approved for anyone over the age of 18 .

Plimpton, a Phoenix OB-GYN and Moderna's principal trial investigator in Arizona, said the goal is to make sure the vaccines work safely to protect children, which is a critical step needed to end the pandemic.

"We want herd immunity and you really can't get herd immunity until you get all demographics of a population vaccinated," Plimpton said.

While children are less likely to become sick with COVID-19, they can still transmit the virus to vulnerable populations, according to Sean Elliott, a pediatrician specializing in infectious diseases and a chapter representative for the American Academy of Pediatrics in Arizona.

"They remain a reservoir for the virus ... for further surges and potentially further resistant mutants to develop," Elliott said.

AMERICAN OVERSIGHT

Children are also less likely to correctly follow protocols like mask wearing and social distancing, Plimpton said, which means they could more easily catch and spread the virus to their parents, grandparents or teachers. Plimpton said vaccinating children is crucial in protecting other demographics.

So far, no vaccines are approved for people under 18, with the exception of Pfizer-BioNTech's, which is available to anyone as young as 16. Vaccine companies are working to widen eligibility to younger age groups.

Moderna enrolled 12- to 18-year-olds in a separate trial announced last December, and Plimpton predicted the company could have results by this summer. Pfizer also began enrolling people over the age of 12 into its COVID- 19 vaccine trial last fall, but hasn't yet announced enrollment for trials with children under age 12.

In response to questions about Pfizer's planned trial in younger children, a company spokesperson wrote in an email that the trial has not started yet and that the company would share details once they were finalized.

Other vaccine makers, such as Johnson & Johnson, have indicated that they also plan to study their vaccines in children, but are further behind in the process.

'The way to help it be over'

For Moderna's newest trial, which is also being called the KidCOVE study, Plimpton estimates that results could be ready by the fall, when kids are returning to school. Returning to school played a big factor in Ashley Guthrie's decision to enroll her children in the study. She and her husband aren't yet eligible to get the vaccine, yet decided to send her daughter Lily back to school recently after learning that teachers at her school were able to get vaccinated.

"It's a little nerve-racking knowing that she's going to be around all these other people that have been outside of our little bubble for a year, and so knowing that she will be protected, she'll help protect the others there and she's less likely to bring something home to us is a big relief," she said.

She describes her daughter as an extremely social individual who keeps asking when "the sickness" will be over so she can see her grandparents and friends again. Although 7-year-old Lily Guthrie has a big fear of needles, her mom said she is excited to roll up her sleeve and get the shot.

"This is the way to help it be over in her mind," she said. "Surprisingly, that was enough for her to say, 'OK, that means more to me than my terrible fear of shots. Let's do it,' so she's actually pretty excited about getting it."

She said her son Ryder will return to school this week.

Before enrolling her children, Ashley said she researched the possible risks and side effects but concluded that the benefits outweighed any risks and that the risks with COVID-19 were higher. She said she was especially worried about the potential of any unknown long-term COVID-19 effects.

"I'm doing this because I love my children," she said. "I do everything I can in life to protect them. COVID is something that is so out of my control and this is one way I can protect them."

AMERICAN OVERSIGHT

There's evidence of other viruses causing long-term effects in the body long after initial recovery, such as the one responsible for chicken pox. After chicken pox infections, the virus lies dormant in the nervous system but can be reactivated later as a painful disease called shingles.

"We're barely a year into this pandemic so who knows, for the long-term survivors of COVID-19, what their longterm risk might be for reactivation," Elliott said.

There's no information now on whether something similar could happen with the coronavirus, Elliott said. While COVID-19 in children is mostly mild or asymptomatic, in rare cases, kids can suffer from multisystem inflammatory syndrome, or MIS-C, which is a life-threatening condition where different body parts become inflamed, including the heart, brain or lungs.

The CDC reports that over 2,600 children have been diagnosed with MIS-C after a COVID-19 infection or likely infection, and 33 have died from it. Elliott has personally treated over 20 children with the syndrome.

"When it happens, that's like the worst six to seven days of that patient's life and their parent's life, because it's in ICU wondering if they're going to survive or need a heart transplant," he said. "So absolutely there's a need to vaccinate kids if for no other reason than to try and prevent MIS-C … if one can avoid that, why wouldn't you?"

Emphasis on safety

Children's trials are coming after adult trials because researchers wanted to have extra safety measures in place to test the vaccine in adults before testing it in children, Plimpton said. By this stage, he said, the trial is extremely safe.

While adult trials with overwhelmingly good results and few side effects can end early, Plimpton said researchers will be more diligent with the children's trial.

"They're going to want to get all the numbers," he said. "We believe that once we show that it's safe for these kids, that will help other people on the fence … feel safe about getting the vaccine because now kids are getting it so it must be OK."

The study will be split into two sections. The first 750 kids to enroll will receive Moderna's vaccine in an open label, nonblinded study, so there will be no placebo shots. This allows researchers to have direct evidence immediately about how children respond to different doses of the vaccine, Plimpton said.

In each age group, children will receive different doses of the vaccine. Children over the age of 2 will receive either 25, 50 or 100 micrograms of the vaccine and those

under the age of 2 will receive only 25 or 50 micrograms. By contrast, adult doses contain 100 micrograms. Children will receive two shots in the study, spaced 28 days apart.

Plimpton said there's no risk of overdosing on vaccine for children because vaccines are chemically inactive and simply cause the body to create antibodies.

"You can't have too many antibodies, just more than you need to be protected," Plimpton said.

AMERICAN OVERSIGHT

Researchers are testing different doses to see how little vaccine is needed to get the same antibody response. For example, if a 50-microgram dose and a 100-microgram dose both produce roughly the same level of antibodies in a child, researchers will probably use the 50 microgram dose.

"We anticipate lower doses needed to get the same effect," Plimpton said.

Kids have a more active immune system and will likely need less vaccine to create an efficient immune system response, according to Plimpton. A more active immune system also means children are less likely to experience as many side effects from the vaccine, he said. That's because children's immune systems respond with more T-cells, which are long-term immune cells needed to fight infections, Plimpton said.

The vaccine is also extremely unlikely to cause problems down the road, Plimpton said, because of the way it works. It is only present in the body for a short amount of time and does not change anything about a person's genetic makeup.

Children may enroll in the study as long as they are healthy. If they have any chronic diseases like asthma or diabetes, they may still enroll as long as their diseases are being managed or are under control, Plimpton said.

The second part of the study will accept 6,000 children in a placebo-controlled, double-blinded trial, which means neither researchers nor participants will know whether they are getting the vaccine or a placebo. This allows researchers to compare the vaccine with a control group to see how safe and effective it is. About 75% of children will receive the vaccine in this stage of the study, and the rest will get a placebo, Plimpton said.

So far, Plimpton said the response has been "overwhelming," and that the Phoenix trial location already has 300 children enrolled in the study. He said his team of researchers is working to reach out to diverse participants and have been doing interviews on Spanish media outlets, but that for the large part, researchers don't need to do much outreach. He said he has been flooded with emails, texts and calls from parents around the country.

"The parents are so eager to protect their children," Plimpton said. "They call and they say, 'When can I get in?'"

Family excited to get 6 children vaccinated

All six soon-to-be-vaccinated cousins scrambled around a local playground on the weekend before their scheduled shots, gliding down slides, playing tag, and pretending to be sailing on a ship. Sometimes, if other children were near, they would slip on their masks.

Meanwhile, their mothers looked on, chatting around a stroller where Rachel Guthrie's new 7-week-old daughter, Lois, sat. So far, Rachel is the only one of the parents who has been vaccinated, after receiving her first dose at 35 weeks pregnant. She said her experience was positive and hopes she passed on some antibodies to her baby.

"Because I had the experience getting the dose myself, I feel that the science is solid," she said.

As a nurse, she said she is passionate about advocating for vaccines.

AMERICAN OVERSIGHT

“We’re so excited to be part of this,” Rachel said. “I feel so strongly about sending a good message about the vaccine in general, particularly in an age group where people are going to be so divided on their feelings about this.”

Like her sister-in-law Ashley, Rachel also worried about sending her children back to school, and said this vaccine would be an extra layer of protection and safety for her kids. She said she believes sending kids back to school is important and hopes that getting approved vaccines for kids can help schools stay open or reopen safely.

The third sister-in-law, Ashton Swenson, said enrolling in the study is enabling two of her children to get the vaccine sooner than they could otherwise.

That helps ease some of Swenson’s worries, because she said that there are immunocompromised individuals in her family, as well as her 4-month-old child, none of whom she wants to put at risk. She and her husband have not been able to get vaccinated yet, though she said they plan to as soon as they can.

While she struggled with her decision to send her children back to school because of COVID-19 safety concerns, Swenson said signing her children up for vaccine trials was an easy decision.

“I feel like they wouldn’t offer it if it wasn’t safe,” Swenson said. “It was never a question of if we would get it, it was just a question of when it would be available.”

Many parents are still trying to enroll their children in the study. Lani Harrison, a Scottsdale resident and mother of three, has called the vaccine trial location to enroll her children and is currently waiting to hear back on whether they were accepted. As a child passenger safety technician, she describes herself as safety conscious and said she wouldn’t enroll her children if she felt that the vaccines were unsafe.

She said she is “pro-science and provaccine,” and urged parents to vaccinate their children against COVID-19 and other diseases.

“There was a measles outbreak in LA when my middle one was a baby and couldn’t get vaccinated yet. And I remember like a feeling of panic,” she said.

As a member of the Orthodox Jewish community, she said she hopes to combat COVID-19 vaccine misinformation and sentiments against the vaccine within her own community by spreading reliable information and sharing her own children’s experiences if they are able to get vaccinated.

As for the six Guthrie and Swenson cousins, their mothers say they expect their children will have positive vaccination experiences. To reward her daughter Lily’s bravery in facing her fear, Ashley said they’re all planning to get ice cream after the shot.

“We told her … ‘One little prick on your arm and then we’ll get ice cream, and then you don’t have to worry as much about the sickness anymore,’” Ashley said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Border crisis in making in Ariz.?: Numbers of migrant families, children on rise

Arizona Republic
March 25, 2021
Rafael Carranza

President Joe Biden, just two months into his first term, and his administration are struggling to manage a rise in the number of unaccompanied migrant children arriving to the U.S.-Mexico border.

The challenge stems from Biden's intent to implement more humane border and immigration policies than his predecessor while at the same time trying to curb the flow of migrants in the midst of a global pandemic.

With political tensions rising and threatening to derail his ambitious legislative agenda on immigration reform, Biden on Wednesday tapped Vice President Kamala Harris as the White House point person to work with Mexico, and the Northern Triangle countries of El Salvador, Guatemala and Honduras to put the brakes on immigration from Central America to the United States.

The arrival in recent weeks of large numbers of unaccompanied children to the Southwestern U.S. border caused significant backlogs in getting minors out of holding facilities, leading to concerns about overcrowding and prolonged detention. It has also renewed scrutiny about the federal government's treatment of minors in their care.

U.S. Customs and Border Protection released images on Tuesday showing detained children sleeping on mats under foil blankets at a Border Patrol facility in El Paso.

Other images from inside a Border Patrol facility in Donna, Texas, showed children sitting or standing inside crowded holding cells made of plastic tarps.

As of Wednesday, CBP said 4,962 children were in its custody. Border agents have encountered the majority of the unaccompanied children along the Texas border.

That prompted the U.S. Departments of Homeland Security and Health and Human Services to open at least five influx shelters in Texas, with the capacity to house up to 6,500 children.

They also issued a request to the Pentagon to temporarily hold migrant children at two of their bases in that state.

The Department of Health and Human Services, which takes custody of detained children from Border Patrol, announced Wednesday it would open an additional influx shelter for up to 1,400 children in San Diego.

Is there a border crisis in Arizona?

The situation is different at the Arizona border. While the number of unaccompanied minors detained at the border has also increased, there are no immediate plans to open overflow shelters in the state.

Instead, the Border Patrol has started releasing migrant families in Yuma, Ajo and Gila Bend, where nonprofits and local government officials are trying to care for them despite the COVID-19 restrictions and the community's lack of infrastructure to help.

AMERICAN OVERSIGHT

Border Patrol agents in Arizona are detaining greater numbers of migrant families at the state's border with Mexico, in addition to the rise in unaccompanied children. But the COVID-19 pandemic has reduced holding capacity at border facilities.

As a result, Customs and Border Protection will build "soft-sided facilities," a collection of air-conditioned outdoor tents, in Tucson and in Yuma to increase holding capacity for families and children. The tent complexes will be operational by mid-April.

The increase in apprehensions has forced border agents in Arizona to start releasing migrant families under humanitarian parole into three small communities close to the Arizona-Mexico border.

How many migrants have been released in Yuma, Ajo, Gila Bend?

In Yuma, agents have released over 1,300 migrants since Feb. 15. Nonprofits and volunteers in the area have developed a system to receive them, test migrants for COVID-19, and transport them to migrant shelters in larger cities in Arizona and California.

On Friday, agents began releasing migrants in Ajo, where nonprofits and community volunteers also helped test and transport migrants to larger cities with more services to care for them.

Border Patrol also released the first group of migrants in Gila Bend on Monday. That prompted the town's government to declare an emergency the next day because they lack the services to help.

How does the COVID-19 pandemic affect the border situation?

Customs and Border Protection emphasized that the majority of migrants apprehended along the Arizona border are expelled from the U.S. under Title 42, an emergency public health order implemented one year ago on the onset of the pandemic.

"The unique challenges of the pandemic require additional authorities, such as the CDC order known as Title 42, to allow DHS to effectively protect both the health and safety of migrants and our communities from the spread of COVID-19," the agency said in a written statement.

CBP said that migrants who are not expelled under Title 42 or picked up by immigration officers are evaluated on a case-by-case basis and released into communities in southern Arizona.

To cope with the increase in the number of migrant families arriving to the border, Immigration and Customs Enforcement announced Saturday that they had signed an $86.9 million contract to add 1,239 beds to house families that are not expelled from the U.S. under Title 42.

Endeavors, a Texas-based nonprofit that received the ICE contract, will "provide temporary shelter and processing services," including COVID-19 tests, ICE Acting Director Tae Johnson said in a statement.

CBS News reported that as part of the contract Endeavors would start housing migrant families at seven hotels in Arizona and in Texas, starting in April.

AMERICAN OVERSIGHT

Jon Allman is the nonprofit's president and CEO. He confirmed the contract "to provide critical services to migrant families, which is a continuation of services we have delivered to the migrant population since 2012," he said.

But he referred questions about whether they would house migrants in Arizona to ICE. Yasmeen Pitts O'Keefe, the agency's spokesperson in Arizona, said she did not have information available.

What is the US doing to address the situation at the border?

The backlog Border Patrol faces in moving unaccompanied children out of their holding facilities stems from a lack of space within the Department of Health and Human Services, which takes custody of migrants under the age of 17.

The department's Office of Refugee Resettlement has been unable to keep up with the number of children referred to its care. As of Wednesday, the department had 11,551 unaccompanied children in its care, with an additional 5,000 children waiting to be transferred out of Border Patrol's custody.

In response, Health and Human Services, with the assistance of the Federal Emergency Management Agency, has opened or plans to open six emergency influx shelters throughout the Southwest to house unaccompanied minors

in its care:

- On Feb. 22, HHS opened a facility at Carrizo Springs, Texas, with 952 beds.
- On March 14, HHS and FEMA opened a facility in Midland, Texas, with up to 700 beds.
- On March 17, HHS and FEMA converted the Dallas Convention Center to a shelter with up to 2,300 beds.
- On March 20, HHS announced it would open a facility in Pecos, Texas, with up to 2,000 beds.
- On March 23, HHS announced it would open a second facility at Carrizo Springs with up to 500 beds.
- On March 24, HHS and FEMA announced they would convert the San Diego Convention Center in California into a shelter with up to 1,400 beds.

What is next for unaccompanied migrant children at the border?

To date, neither Homeland Security nor Health and Human Services has announced plans to add influx shelter space in Arizona for unaccompanied minors.

HHS said it has 21 facilities that house unaccompanied minors in Arizona, with the capacity to house up to 1,565 children. But the department told The Arizona Republic that information about the number of minors in the state was not readily available.

AMERICAN OVERSIGHT

After the migrants leave Border Patrol custody, the Office of Refugee Resettlement is responsible for providing care to unaccompanied minors while it works to place them with a sponsor in the U.S., usually a family member.

In a statement, the Office of Refugee Resettlement said the number of children in its care is always changing. But the office said it is working with DHS to set up short-term and long-term bed space to house a growing number of children referred to its care.

"In the short-term, we can ensure children do not spend more time in Border Patrol facilities than necessary by looking at all opportunities to increase capacity in its permanent/licensed network and using influx care facilities when additional space is immediately needed," the ORR statement said.

Return to the table of contents

Pima County, Ducey spar over FEMA vaccine sites

Arizona Republic
March 25, 2021
Stephanie Innes

Pima County is battling the state over its decision to reject an offer from the federal government to operate one or more COVID-19 vaccine sites geared toward low-income and minority Arizonans.

Federal sites set up by the Federal Emergency Management Agency in their community would have provided thousands of vaccine doses above and beyond the state's regular allocation and allowed the county to vaccinate more people in a shorter period of time, Pima County officials said Wednesday.

"We're going to fight for it. We have no other recourse but to try to get those assets into the state and into Pima County," Dr. Francisco García, Pima County medical director, told The Arizona Republic. "Our greatest limitation is vaccine supply, and here is a way of getting literally almost a quarter of a million vaccines into this county."

State officials have confirmed they recently turned down an offer from FEMA to operate one or more vaccine sites aimed at underserved communities in Arizona.

Arizona Gov. Doug Ducey said Wednesday during a briefing in Tucson that the state needs more supply from the federal government, not help with distribution.

Ducey said the state is already doing an exemplary job in getting vaccine out to residents efficiently and quickly. A Ducey spokesperson said later Wednesday that at this time, Ducey is not reconsidering FEMA's offer.

"We would prefer to get those doses to distribute at the state sites," Dr. Cara Christ, the Arizona Department of Health Services director, said during the same Wednesday briefing.

In an emergency meeting Wednesday morning, the Pima County Board of Supervisors voted unanimously in favor of asking Ducey to reconsider the state's rejection of a federal vaccine site.

AMERICAN OVERSIGHT

The resolution says Pima County is ready to provide "the necessary site and administrative management, security, registration and vaccination support."

The county supervisors' resolution says that if Ducey does not approve a FEMA site, the county will appeal to the Biden administration.

The supervisors' resolution calls for its terms to be forwarded to Ducey, as well as to the White House Coronavirus Task Force, the secretary of Homeland Security, FEMA and Arizona's congressional delegation.

In addition to the supervisors' resolution, Pima County Administrator Chuck Huckelberry and the mayors of five cities signed a March 22 letter to Ducey requesting that the state reconsider its decision.

County officials say they have identified two sites already that could be operated by FEMA.

Christ confirmed last week that the state turned down an offer from FEMA to set up a vaccine site in one or more areas in Arizona.

During a March 19 briefing, Christ said that the state had rejected an offer from FEMA, saying a number of factors made the state uncomfortable in saying yes to the federal COVID-19 vaccine site or sites, likely in Maricopa or Pima counties.

Christ said she was unclear about whether the state would need to send some of its own allocation to a federal site. She also said she was concerned that the federal site would not allow for state oversight on medical or managerial aspects, including efficiency and customer service, and that the state would have to provide significant staffing and resources to operate the site.

But a letter dated March 20 from Tammy Littrell, FEMA's acting regional administrator, refuted Christ's assumptions and concerns, and re-upped the offer of a federal site. Littrell visited Pima County in person last week to discuss logistics, county officials confirmed.

Littrell's letter to Christ specifies that Pima County is an "excellent candidate" to reach underrepresented populations with the COVID-19 vaccine because it has a population of about 1 million people and includes vulnerable communities who have been hit hard by the pandemic.

"I am concerned that our conversations earlier this week did not include the reservations you outlined yesterday when communicating with the press, so I want to address those in this letter," Littrell wrote. "The offer to establish with the state an additional CVC (community vaccination site) included a dedicated vaccine supply that would not draw from existing allocations to the state."

Littrell wrote she was also "concerned" about a comment from Christ that a federal vaccine site might require Arizonans to wait four to five hours to be vaccinated.

"There may be isolated cases at federally supported or other vaccination centers where customers experienced long waits," Littrell wrote.

"However, that is neither the expectation for the site we offered, nor the experience of individuals being vaccinated at the sites FEMA is supporting across the country ... Concerns for hours-long waits as the norm are unfounded."

AMERICAN OVERSIGHT

Christ on Wednesday maintained there is a significant list of resources the county or state would need to come up with to stand up a federal site, including cold storage, pharmacy support and communications.

Return to the table of contents

GOP activists seek do-over of state party's election

Arizona Republic
March 25, 2021
Yvonne Wingett Sanchez

Arizona Republican activists are mounting an effort to force a do-over of the state party's. Jan. 23 election of officers after Chair Kelli Ward and other party representatives brushed off their calls to audit the results and procedures.

The activists are gathering signatures from state committee people in the hopes of holding an April 24 special meeting "for a proper election."

The unusual effort comes after activists for two months have raised questions about the validity of the results of the January election of the state GOP's officers, and the procedures used to carry it out. Two activists have filed a lawsuit seeking to compel the state GOP to follow its rules allowing for challenges to the election results.

The contested elections have served as a political spectacle after many in the GOP — including Ward — baselessly accused election officials in Arizona and other states of botching the presidential election last year. Ward received a second term as party chair after narrowly winning a runoff election.

The election drew national scrutiny, in part because it came just weeks after the Jan. 6 riot at the Capitol and as Republicans nationally were starting to chart a future without former President Donald Trump, who endorsed Ward for a second term.

Even so, it was another race, involving party activist Sandra Dowling, that galvanized concern that the party's elections were marred by mistakes or fraud.

Dowling initially was declared the winner of an at-large committee position from the 8th Congressional District, but was later told she actually had lost. Another activist, William Beard, lodged a lengthy series of complaints to Ward about the way the elections were run, including concerns about ballots he said were left unguarded and others he said were insufficiently tracked. He lost his bid for an at-large position in the 2nd Congressional District.

Ward previously has said there was no mechanism in place to audit the election results. In a letter circulated Friday to the party's state and executive committees, the state party encouraged state committee people to oppose the call to redo the election.

"Their circulation of this letter calling for such a meeting undermines all of us, our Party, and our success in Arizona," the letter said. "In essence, they're trying to steal your vote and disrupt the work of Republicans around our state."

AMERICAN OVERSIGHT

The letter said Dowling and Beard had been given "multiple opportunities" to inspect the ballots, which remain in the custody of the Gila County Elections Office.

Outside of the effort to redo the election, Dowling and Beard have asked a Maricopa County Superior Court to require the state party to explain why it should not conduct an audit, saying there is no harm in performing a review.

Attorneys representing both sides told The Arizona Republic on Tuesday that discussions involving a potential inspection of the January ballots were under way, but it's unclear when such an inspection could take place and which races it would involve.

"I've had a conversation and we're going to try to agree on allowing an audit- examination of the ballots," said attorney Tim La Sota, who represents Dowling and Beard.

Jack Wilenchik, the lawyer for the AZGOP, indicated the scope of any such review could be limited.

But some GOP activists want the January results scrapped altogether.

"In many instances, basic election procedure protocols were not followed at the meeting," Beard said. "Anyone that attempted to raise issues at the meeting were either dismissed, denigrated or in some instances were actually threatened with removal from the meeting."

In a letter to GOP state committee people, organizers of the new election effort note the state GOP has made election integrity a centerpiece of its messaging. Ward was a leading voice nationally in the "Stop the Steal" movement that aimed to deny President Joe Biden his rightful win.

"As such, it is untenable for Chairwoman Ward and the AZGOP to simultaneously and hypocritically run its own election in an incredibly sloppy form, and then refuse to allow for any transparency, audits, and accountability of that election, even while its own voters (we, the state committeemen) are voicing concerns, telling their personal stories of witnessing violations of the rules and procedures, and challenging the results and requesting an audit in accordance with our Party's bylaws," the letter said.

Of the estimated 1,400 state committeemen statewide, 20% must agree to call the special meeting, according to organizers.

At that gathering, members would vote on the question of whether they want to set aside the results of the Jan. 23 election "and to order a fresh, legitimate election," according to the letter.

Return to the table of contents

AMERICAN OVERSIGHT

DPS bodycam bill is amended to keep some video secret

Arizona Republic
March 25, 2021
Jamie Landers & Chelsea Curtis

A proposed bill to equip state troopers with body-worn cameras was modified with an amendment prohibiting the Arizona Department of Public Safety from disclosing video unless it "involves a criminal act."

Despite concerns about the amendment from several lawmakers on the Senate Appropriations Committee on Tuesday, the bill with its amendment was passed unanimously, sending it to the Senate floor for a final vote.

House Bill 2461 would appropriate $1.5 million from the state general fund each fiscal year from 2022 through 2026 to purchase and equip state troopers with cameras, a total of $7.5 million. The Arizona Department of Public Safety department is the largest law enforcement agency in the state that doesn't use body cameras.

The bill passed the House 59-0 with one nonvote on Feb. 23.

During a committee meeting Tuesday, Sen. David Gowan said he added the amendment to protect people's privacy, referring to it as a "civil liberties situation."

"I want to make sure that people are protected from just any ol' thing," he said. "Civil liberty, I think we all agree on something in that nature."

Gowan assured lawmakers the recordings wouldn't be deleted by the department until cases were resolved and they would be made available to the courts. However, several lawmakers expressed concern about the amendment limiting public transparency and creating red tape for the department.

"I think there might be some folks who think that there are some civil matters that could be disputed or affirmed with the film being made available," said Sen. Lela Alston. "It may not be a criminal thing, but it could be a civil thing and I think that's important enough that we should not have this amendment."

Sen. Lisa Otondo said she was curious about the police perspective of whether the amendment was transparent.

"On a traffic stop, many times there are flare-ups that occur and people want access to what occurred on the camera to either protect an officer or to protect a citizen. It goes both ways," Otondo said. "I'm very curious if the police department would be supportive of this amendment because they've actually asked for more transparency as well."

A Department of Public Safety spokesperson has previously said the Department does not publicly comment on pending legislation.

Sen. Michelle Ugenti-Rita at one point during the meeting asked what the current procedure was for releasing officer body-worn camera recordings to the public. Gowan nor staff could provide an answer, stating that each city was different and there were currently no statues on body-worn cameras.

AMERICAN OVERSIGHT

"That's hard for me to ingest right now that we have no idea, not even in a general sense, how cities handle their recordings," she said. "It's hard to know what to think of that (amendment) without knowing currently how things operate."

Still, lawmakers voted unanimously to pass the bill with its amendment. Some stated they hoped issues about the amendment they raised would be addressed down the road.

The bill's primary sponsor, Rep. Kevin Payne, R-Peoria, told The Arizona Republic while he understands Gowan's desire to "protect individual rights," further discussion with other legislators and law enforcement is essential to move forward. "I would like to find a way to meet in the middle," he said. "We have 60 votes and we can't afford to lose one. If no (Democrats) will get on it, it's dead."

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Manager of DCS' troubled computer system resigns

Arizona Republic
March 25, 2021
Mary Jo Pitzl

The official who oversaw the development and launch of an Arizona Department of Child Safety computer system now at the center of an ongoing snarl in payments and access has resigned, effective next week.

Linda Roberts is the agency's chief information officer and has been with state government since 2011.

DCS confirmed her resignation, which a spokesman said she submitted last week.

"She found an opportunity out of state that will allow her to be with fam-ily," the agency said in a statement, without commenting on whether her departure was linked to the troubled launch of Guardian, the agency's information-management system. "We thank her for her service and send our best wishes on her future endeavors."

Roberts led the creation of Guardian. Since it went live Feb. 1, one problem after another has cropped up.

Many foster and adoptive parents in February complained they were not receiving the stipends and subsidies they are due for caring for children. Some of them said the problem recurred in early March even as DCS was using a workaround to send automatic payments to caregivers.

The Arizona Republic reported in March that the agency said it intentionally turned off the portal the caregivers use to file invoices for payment to ease "start-up strain" on the system. The portal remains closed seven weeks later.

This month, oversight agencies, such as the state Ombudsman/Citizen's Aide and the state foster care review boards, complained they had been locked out of the new system, even though they had had access to its predecessor system.

AMERICAN OVERSIGHT

Roberts told a state technology committee in mid-February that the Guardian system launch had gone well, saying, "Everything is working as expected and more importantly, no interruptions at all." According to The Republic's state salaries database, she was paid $137,000.

On Wednesday, a state Senate committee approved a bill intended to ensure that oversight agencies get direct access to Guardian, as well as the ability to tap in from their offices, instead of DCS' suggestion that they come to DCS headquarters to do their work.

Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

If Maricopa County lifts mask order, state and local rules would still reign

KTAR News
March 25, 2021
Kevin Stone

If metro Phoenix officials decide to lift the countywide face mask mandate, that wouldn't mean it's time to throw away those face coverings.

Patrons and employees at certain Maricopa County businesses, including restaurants and gyms, would still have to wear masks in accordance with the state of Arizona's COVID-19 regulations.

"The governor's executive order still requiring masks and restaurants would apply, so it [lifting the county mandate] would have no rendering or no change on that aspect," Maricopa County Supervisor Steve Chucri, who is also president and CEO of the Arizona Restaurant Association, told KTAR News 92.3 FM's Arizona's Morning News on Wednesday.

Earlier this week, Chucri said in a newsletter he thought it was "time for a re-evaluation of this policy, and to allow mask-wearing to be voluntary not mandatory."

Under a county order implemented nine months ago, people older than 6 must wear masks that cover their mouth and nose in enclosed public spaces where 6 feet of distance cannot be maintained. Several exceptions exist, including while eating and drinking.

"Clearly, when we did this last June we had higher rate counts, we had compression on our hospitals, we had a lot of concerns," Chucri, one of four Republicans on the five-member Board of Supervisors, explained Wednesday.

"Now we're in a far better place, and there's a lot of people that are just tired of the mask policy. So I think it's worth considering to take a look at this."

Earlier this month, Gov. Doug Ducey lifted capacity restrictions on businesses covered under his June 2020 executive order. However, the requirements for physical distancing and mask use remained in effect for restaurants, bars, nightclubs, indoor fitness centers, indoor theaters and water parks.

Those rules would still stand if Maricopa County ends its mask requirement, as would any city mandates in the Phoenix area.

"I'm not saying we throw caution aside and we just start to get reckless with our behavior. We still have to realize we're finding a pandemic and be responsible about that," Chucri said.

Maricopa County's face mask regulations have been the minimum required in the Valley.

Some cities in the region, including Phoenix, have their own mask mandates. Gilbert was among the suburbs that let its mask order expire, choosing to defer to county regulation of the matter.

A bill proposed in the Arizona Legislature would allow businesses to ignore mask mandates.

AMERICAN OVERSIGHT

More than 130 physicians from across the state have signed a letter urging lawmakers to reject the GOP-backed bill, saying it would lead to another surge in COVID-19 cases and cause needless deaths.

"I think we have to give the proper diligence and respect to our health care professionals. They know better than most, if not all, exactly what fighting this pandemic is on the front lines, and I'm not suggesting we disregard what they're saying," Chucri said.

"However, we need to look to other states where they have relaxed the policy and what has happened there, and also factor that into our daily schedules and lives here in Arizona."

Return to the table of contents

Arizona panel advances measure to cut taxes in school funding proposition

KTAR News
March 25, 2021

An Arizona House committee on Wednesday advanced a measure that would let successful business owners avoid paying a 3.5% income tax hike approved by voters last year to boost school funding.

Republicans on the House Commerce Committee advanced the bill in a party-line vote. The bill has already passed the Senate and could come up for a vote in the House as soon as next week.

The decision followed a tense debate during which Republicans refused to let Democrats discuss the impact on the voter initiative, known as Proposition 208. The measure is estimated to cut a third or more of the $827 million the Proposition 208 tax was expected to generate.

Undermining the tax is a top priority for Gov. Doug Ducey, who last week outlined a two-pronged strategy to eliminate it through the courts or Legislature.

Proposition 208 imposed a 3.5% surcharge on incomes over $250,000 for individuals and $500,000 for couples. Because it was approved by voters, Republicans can't change it without support from Democrats, who are steadfastly opposed.

The bill proposed by Sen. J.D. Mesnard, a Republican from Chandler, would create a workaround by setting up an optional new tax structure for businesses known as pass-through entities, which don't pay corporate taxes.

Rather, their owners pay personal income taxes on the profits they earn from the business. Business owners who make enough to be affected by Proposition 208 would have the option to pay a 4.5% tax rate, the same as they paid before voters imposed the 3.5% surcharge.

Wages not tied to business ownership would be unaffected.

Democrats said the bill is a tax cut for some of the wealthiest people in Arizona and will eliminate money for schools.

AMERICAN OVERSIGHT

"The effect of this bill will be that the people in the tippy top income levels will avoid paying the price of the public services that support our economy," said Rep. Mitzi Epstein, a Democrat from Ahwatukee. "They benefit from our economy, but are they paying a fair price?"

Republicans said a lower tax rate would make it easier for business owners to reinvest some of their profits in the firm. Most owners who earn enough to be affected by Proposition 208 worked for years with minimal profits before the business was profitable enough to trigger the surcharge, Mesnard said.

"I don't know anyone who flipped the switch and had a massively successful business," Mesnard said. "It took years probably to get to that."

Republicans said it's inappropriate to discuss Proposition 208 because Mesnard's bill, SB1783, doesn't technically change it, even though the entire financial impact would fall on the Proposition 208 surcharge. The committee chair, Rep. Shawnna Bolick, backed by other committee Republicans, disallowed discussion of the proposition during Wednesday's hearing, angering Democrats.

Return to the table of contents

Arizona house panel approves proposal to tighten school sex education rules

KTAR News
March 25, 2021

Arizona parents would have to opt-in to specific discussions about gender identity and sexual orientation or HIV in sex education classes and schools would be barred from providing any instruction before 5th grade under a proposal approved by a House committee Wednesday over opposition from minority Democrats.

Republican Sen. Nancy Barto of Phoenix said her proposal, SB1456, is designed to give parents more oversight of what their children are being taught and shield young children from inappropriate material. Her bill would also require school districts to readopt their sex education curriculum by the end of this year after extensive public comment periods and public meetings.

"I can't tell you how concerned many parents are that they are not being warned ahead of time about the content that is happening regarding sexual education in schools and their opportunity to opt out their child," Barto said. "The main purpose of this bill is to ensure parents that parents are in the driver's seat and have that opportunity."

Opponents contend the bill will lead to fewer children taking sex education classes, lead to a rise in teenage pregnancies and prevent schools from warning small children about sex abuse. Currently, younger children can be taught how to spot sexual abuse in "good touch-bad touch" scenarios and be provided limited information on HIV and AIDS designed to give them information on how to avoid infections, for example by avoiding discarded needles or syringes.

Democrats on the panel also said the proposal requiring parents to opt-in to any instruction that includes sexual orientation, gender identity or gender expression targets LGBTQ students. They noted that the state repealed a 1991 state law that had barred HIV and AIDS instruction that "promotes a homosexual lifestyle" just two years ago.

AMERICAN OVERSIGHT

Social conservative groups pushed a separate bill last year that would have barred any sex education instruction before the 7th grade and barred any mention of homosexuality.

"What is inside this bill is a complete attack on a set of individuals, specifically the LGBT-plus community," said Rep. Cesar Chavez, who is openly gay. "What this would do in creating an opt-in already makes the assumption … that the information that will be provided is immoral."

Another Democrat, Rep. Melody Hernandez of Tempe, decried the ban on any sex education before 5th grade, saying the law would prevent children from being taught how to tell if they were being abused.

"If they don't recognize the difference between a good touch and a bad touch, they may not speak up until it is too late," Hernandez said. "This bill takes it too far – we're putting more kids in danger."

Barto said parents can teach their children what they need to know to avoid abuse.

""This bill does not put children at risk of sexual abuse. Teachers are still required to report if they suspect sexual abuse," Barto said. "What we're trying to do is make sure parents are in the drivers seat and make those decisions about what children learn and when."

Opponents also noted that the proposal's ban on discussion of sexual orientation would extend far outside of sex education classes, barring instruction on historical figures known for being gay or lesbian and important events like the 1969 Stonewall riots in New York that are seen as the catalyst for the modern gay liberation movement.

Barto acknowledged that her bill would bar such references without parental consent. She said existing law already requires parents to be notified of any discussion of sexuality even outside of sex education classes.

"This is an example where parents needs to be specifically opting in – that's just laying it out in plain language when those issues are discussed," Barto said.

Republicans on the House Judiciary Committee said the proposed law is designed to give more rights to parents to review instructional materials and decide for themselves what their children should be taught.

"We can't make society perfect, but we can give the parents and protect them in their right to take that very, very critical decision," said Rep. Rusty Bowers, the House speaker. "And for that reason I see that there's more good than ill in the bill."

The measure now moves to the full House for consideration. It already passed the Senate on a 16-14 party-line vote.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Ducey: Harris 'worst possible choice' to lead southern border response

KTAR News
March 25, 2021
Danny Shapiro

Arizona Gov. Doug Ducey isn't an advocate for Vice President Kamala Harris leading the White House effort to tackle the migration challenge at the U.S. southern border.

"She's about the worst possible choice that one could make," Ducey said Wednesday at a press conference in Tucson. "At no point in her career has she given any indication that she considers the border a problem or a serious threat.

"If President Biden's intent was to show that he's taking this issue seriously, he's really done the exact opposite here. He's completely trivialized this issue by putting someone in charge who flat out just doesn't care."

President Joe Biden made the announcement as he and Harris met at the White House on Wednesday with Health and Human Services Secretary Xavier Becerra, Homeland Security Secretary Alejandra Mayorkas and other immigration advisers to discuss the increase in migrants, including many unaccompanied minors, arriving at the border in recent weeks.

Ducey, in a separate press conference last week at the Arizona border town of Douglas, tore into the Biden administration as being "totally divorced from the reality on the ground" when it came to issues at the border.

He said Biden's immigration policies have directly led to a surge in unauthorized border crossings.

Biden has faced stiff criticism from Republicans like Ducey over the increased flow of migrants since he took office in January.

"It should be someone who's got some experience or some passion about the issue if they intend to have success," Ducey said.

In delegating the matter to Harris, Biden is seeking to replicate a dynamic that played out when he served as President Barack Obama's vice president.

Obama turned to Biden in his first term to lead the White House effort to draw down U.S. troops in the intractable war in Iraq and oversee implementation of the American Recovery Act in response to the Great Recession.

"When she speaks, she speaks for me," Biden said, noting her past work as California's attorney general makes her specially equipped to lead the administration's response.

Harris is tasked with overseeing diplomatic efforts to deal with issues spurring migration in the Northern Triangle countries of El Salvador, Guatemala and Honduras, as well as pressing them to strengthen enforcement on their own borders, administration officials said.

More broadly, though, she's tasked with implementing a long-term strategy that gets at the root causes of migration from those countries.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona unveils new COVID-19 vaccine public service announcements

KTAR News
March 25, 2021
Danny Shapiro

Arizona on Tuesday unveiled two new COVID-19 vaccine public service announcements aimed at educating residents about the safety and effectiveness of the shots.

The two 30-second messages released Tuesday, which feature Gov. Doug Ducey and state health director Dr. Cara Christ, encourage all Arizonans to receive the vaccine.

At 8 a.m. Wednesday, COVID-19 vaccine eligibility was extended to all adults at state-run sites and other points of dispensing in Maricopa County, with the age cutoff set at 16 for the Pfizer vaccine and 18 for Moderna or Johnson & Johnson shots.

"We are taking these vital messages where people are so we can get as many Arizonans vaccinated as possible as soon as possible," Gov. Ducey said in a press release. "Arizona is committed to administering vaccine equitably and that starts with reaching all Arizonans where they live."

The PSAs began airing this week on radio, television and social media. They are available in English and Spanish.

The Spanish version also features David Adame, president and CEO of Chicano Por La Causa.

"Since the start of our vaccination efforts, we have been working with partners statewide to ensure that we are encouraging everyone to get vaccinated when it is their turn," Christ said.

"Getting vaccinated against the disease is the best way to protect you, your family and all of our communities. It is also the best way to help us return to normal."

More than a quarter of Arizona's population has received at least one COVID-19 shot as of Wednesday morning.

The state health department's dashboard showed that 2,979,531 vaccine doses have been administered, with 1,882,931 (26.2% of the population) having received at least one shot and 1,165,151 people fully vaccinated.

Appointments at the state-operated sites can be made online at https://podvaccine.azdhs.gov/ or by calling the 844-542-8201 registration hotline.

For other Valley availability, the Maricopa County Public Health website has a COVID-19 vaccine finder with a map and list of pharmacies, government-run sites, health clinics and pop-up distribution events along with links to the applicable registration pages.

AMERICAN OVERSIGHT

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Rep. Walt Blackman announces he's seeking seat in House

Arizona Daily Sun
March 25, 2021
Adrian Skabelund

Rep. Walt Blackman, R-Ariz., announced he will be seeking a seat in the U.S. House of Representatives representing Congressional District 1.

Blackman didn't respond to a request for comment by press time Wednesday, but in recent weeks the Snowflake local has made several posts to social media regarding a run for Congress and asking for donations.

The seat is currently filled by self-styled moderate Democrat Rep. Tom O'Halleran, who this past year won reelection against Republican challenger Tiffany Shedd.

Blackman's announcement came as the State of Arizona is in the midst of a redistricting process following the 2020 census.

District 1 currently covers most of the eastern part of the state, stretching from the Utah border to the outskirts of Tucson. The district includes all of Coconino, Navajo, Apache, Graham and Greenlee counties as well as parts of Yavapai, Gila, Pinal and Pima counties.

But it's anybody's guess exactly how the district might look after the redistricting effort is over. Because of population growth, Arizona is expected to receive one additional district; all districts are drawn up by a bipartisan commission.

Blackman just last year won his second term in the Arizona House representing Legislative District 6, which includes Flagstaff, beating out Democratic challenger Coral Evans and Independent Art Babbott.

Blackman first announced his intention to run for Congress during a rally in Queen Creek earlier this month. During the rally, he said he came to the decision to run for Congress after prayer and speaking to his wife.

"She said, 'You better do what God told you to do.' That's why I'm running for Congress.

"We need the type of people in Congress who will stand up to those who want to tear down our country. We need the type of people in Congress that will look them in the face and say [...] 'I am an American,' and I will make sure that you hear that. The people I represent will make sure that you hear it. And, by golly, if you don't hear it, watch out, because we're coming to get you," Blackman told the crowd.

Blackman has been among several northern Arizona politicians who have continued to cast doubts on the 2020 presidential election, even months after President Joe Biden's inauguration, and after an insurrection attempted to keep former President Donald Trump in office in January.

AMERICAN OVERSIGHT

And that continued during the rally in Queen Creek, during which Blackman said he didn't serve in the military and fight in the Middle East only to come back and doubt whether his vote supporting Trump had counted.

"President Trump was a gift from God to us and when they did not certify him as the president, God said to us, 'I will be with you as I was with President Trump,'" Blackman said during the rally.

There has been no credible evidence given to support the claims of widespread election impropriety. Numerous lawsuits claiming fraud have been thrown out by judges both in Arizona and across the nation.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, March 29, 2021 10:07:16 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: March 27-29, 2021
Attachments: March 27-29, 2021.docx

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Arizona State Senate

Recent News Clippings
Saturday, March 27, 2021
Sunday, March 28, 2021

Arizona Daily Star

- State will allow FEMA vaccination center in Pima County
- Lawmakers, social service agencies ask Ducey to reinstate eviction moratorium
- Health chief: Hospital space sufficient to allow lifting of COVID restrictions
- Experts: Lifting of AZ restrictions gives variants a chance to thrive
- Relief bill gives tribes $88M more for housing

Arizona Republic

- Ducey has reopened the state, but the pandemic is far from over
- Arizona says FEMA can set up vaccine site in Pima County
- AZGOP activists have gathered support to redo party elections
- Engel, Friese are running for Congress
- State: Daily case report the highest in 2 weeks
- Doctors warn about Ducey lifting limits
- Ducey seeks funds to send Guard to border
- House bill proposes high interest rates for large loans
- Arizona unveils Mobile ID driver's license to fight ID theft

KTAR News

- Over 2M people have received at least 1 dose of COVID-19 vaccine in Arizona
- Flagstaff council objects to Ducey order on mask mandates
- Chandler expands rent and utility assistance program amid pandemic

Arizona Daily Sun

- Coconino County returns to 'moderate' community transmission level
- Flagstaff City Council pushes back against Governor Ducey's COVID-19 rollbacks
- Arizona reports 544 more COVID-19 cases with 6 more deaths

AMERICAN OVERSIGHT

Arizona Daily Star

Back to the table of contents

State will allow FEMA vaccination center in Pima County

Feasibility of site that could add 300K more doses is questioned

By Nicole Ludden
Arizona Daily Star
March 27, 2021

The state reversed its decision to block a federally run vaccination site in Pima County and will allow FEMA to work independently with the county to set up a site, Dr. Cara Christ, Arizona health department director, said Friday.

The new Federal Emergency Management Agency point of distribution, or POD, is expected to provide around 300,000 new vaccine doses split between the Kino Event Center and El Pueblo Center — two areas with large Hispanic populations.

At a news conference Friday, Christ said the state sent a letter to FEMA delegating authority to the county to implement the vaccine site as long as the POD doesn't take away state vaccine supply or resources.

However, the letter Christ wrote to FEMA announcing the decision puts the county's ability to host the site into question while creating further stipulations.

The state health director pointed to the county's recent request to the state to reimburse its COVID-19 testing costs she said are 'unapproved.'

'Based on our recent experience with Pima County, we have concerns about their ability to adequately support your site, given their inability to financially sustain other COVID-19 related public health

activities they have chosen to undertake, and have since billed the state for unapproved costs,' Christ wrote in the letter.

The state is refusing to pay back the county for the $7.6 million it has spent on testing from Dec. 21 to Jan. 15 — a time of peak COVID-19 cases — but hasn't informed the county of the reasoning for the cutoff date.

In February, the state health department announced it would release $100 million of the $418 million in funds it received from the CDC to Arizona's counties to support testing costs. Pima County was allocated $14.4 million but has yet to receive the money.

County Administrator Chuck Huckelberry said the county's request for reimbursement is irrelevant to its ability to help run a federal POD.

'The testing was performed by our public- health agency responding to their obligations in public health during the height of the pandemic,' he said. 'All we asked the state to do is consider reimbursing us for those expenses. They arbitrarily made a decision to say before Jan. 15, they weren't eligible.'

AMERICAN OVERSIGHT

FEMA has set up vaccination centers around the country in socially vulnerable areas supported and staffed through federal funds. The county, however, may have to provide funds for other logistics like cold-chain storage and a registration site.

Christ called into question the county's ability to pay for these resources, but Huckelberry said the county has already established vaccination site support in the three regional distribution points it has run since December.

'Understand that a federal POD comes with a lot of federal personnel, and they're paid for by the federal government,' Huckelberry said. 'Frankly, operating this POD will be less expensive than operating the county PODs.'

Christ also told FEMA no federal immunization funds can go toward the federal site.

Huckelberry said, if necessary, the county will pay for the federal vaccine site through its general fund, but it expects the costs to be reimbursable by the American Rescue Plan. The federal relief package allocates funds directly to the county without going through the state first.

Before the decision to allow a federal POD's implementation without state help, Gov. Doug Ducey and Christ turned down FEMA's offer over concerns it would drain state resources and take from its vaccine supply.

FEMA sent Christ a letter insisting the concerns were unfounded, but the health director said she'd rather have the doses supplying the federal site given to the state, as it already has the infrastructure in place to administer vaccines.

On Wednesday, the Pima County Board of Supervisors unanimously voted to appeal to the state to reconsider allowing the FEMA site. Later that day, Ducey said he would reconsider his decision.

While Christ said her mind was changed after FEMA reassured her doses for the federal POD wouldn't come from the state's allocation, her letter to the federal agency calls for written assurance the county has the funds and resources to run it.

Huckelberry says the county is prepared to provide those assurances. While he has more hurdles to climb with the state's letter, the county administrator looks forward to the opportunity to supply more vaccines to the county.

'I'm very pleased with the reconsideration because it means 210,000 more people in Pima County are going to be vaccinated quickly,' he said. 'We don't know why they changed their mind, but we're pleased that they did.'

Return to the table of contents

Lawmakers, social service agencies ask Ducey to reinstate eviction moratorium

By Patty Machelor
Arizona Daily Star
March 27, 2021

AMERICAN OVERSIGHT

About 40 Arizona Democratic lawmakers are asking Republican Gov. Doug Ducey to reinstate an eviction moratorium when the federal one ends Wednesday.

'We expect that hundreds, if not thousands of Arizona families unable to pay rent due to hardship related to the pandemic, will be evicted starting April 1st,' the legislators wrote to Ducey on Thursday, March 25.

'Such hardship and cost for the families facing eviction, as well as for the landlords, management companies and the courts may be entirely unnecessary, given that Congress has now appropriated significant additional funding for rental assistance in the American Rescue Plan,' the letter continues.

The letter requests that the state impose a moratorium for three months, or

until the state and local agencies can distribute new rental assistance funds. Arizona is reportedly receiving $374 million in emergency rental assistance.

The U.S. Centers for Disease Control and Prevention's moratorium is set to expire March 31 and so far there is no indication it will be extended.

'A short-term extension of the eviction moratorium would enable the state and its partners to distribute these funds to the renters that qualify for them, thereby avoiding unnecessary and costly eviction actions,' the legislators wrote. 'With these funds we have the critical opportunity to keep families in their homes and prevent them from becoming homeless, living on the street, in their cars or in motels.'

Another letter was also sent to Ducey Thursday by Mackenzie S. Pish, program manager for the Innovation for Justice Program at the University of Arizona's James E. Rogers College of Law.

That letter outlines the same concerns and was signed by members of 31 Arizona organizations and four Pima County elected officials.

Ducey's spokesman, C.J. Karamargin, did not respond Friday to a request for comment.

Many Arizona property owners and landlords are overstretched after months of waiting for rental assistance funds from the government on behalf of tenants not paying rent.

The housing crisis — present throughout the pandemic — has been compounded in 2021 by Congress not approving additional eviction prevention dollars until late December.

This delay was followed by the state moving funding oversight from Arizona's Department of Housing to its Department of Economic Security, which required new systems to be established.

There are currently thousands of applications for rental assistance pending in Pima County. About $31 million became available earlier this month in a joint effort between Pima County and the city of Tucson.

What's largely unknowable is how many people will be evicted, or priced out of their rentals, before assistance arrives.

AMERICAN OVERSIGHT

Data provided by the county constables' office showed more than 4,000 eviction orders from court were still outstanding as of early March and that number has since grown, although it's not clear how many of those orders will be enforced.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Health chief: Hospital space sufficient to allow lifting of COVID restrictions

By Howard Fischer
Arizona Daily Star
March 27, 2021

The state's top health official said Friday there's no reason to continue to limit business occupancy, prohibit large group gatherings and require customers to wear masks because Arizona hospitals now have plenty of space.

Dr. Cara Christ's explanation came the day after Republican Gov. Doug Ducey, saying the pandemic is under control, abolished all limits that remained on businesses and public gatherings and allowed bars to reopen. He also ordered local governments to lift mask mandates, but Tucson's mayor said he will have to take the city to court to do so.

Christ said the main reason restrictions had been imposed and bars closed was the fear of overwhelming the state's health-care system with COVID-19 patients.

Now, she said, the use of hospital and intensive-care beds is way down.

More to the point, Christ said many of the people who are most at risk of getting seriously ill from the virus, meaning the elderly, already have been vaccinated.

The state health chief acknowledged that some businesses are not following her advice that — despite dissolution of the gubernatorial orders — they should continue to enforce mask use and to maintain social distancing.

There were reports of at least one bar promoting the idea that customers are now free to crowd in. But she said that is no reason to continue to make social crowding and failure to wear a mask illegal in business settings.

She said individuals now need to assess their own risk of severe complications if they get the virus.

'Hopefully, there weren't a lot of our older Arizonans at those bars,' Christ said.
She also pointed out that businesses remain free to enforce mask and social distancing requirements. And she is suggesting they do that.

But she brushed aside questions about whether Ducey's new order undermines businesses' ability to gain compliance as customers could argue that the governor has said it's OK to go maskless.

'They've always had — some of them, I can't say all of them — the 'no shirt, no shoes, no service' ' requirement, Christ said.

AMERICAN OVERSIGHT

'They can extend that,' and enforce things like mask mandates at the door in exactly the same way, she said. 'They do have the authority to be able to require those types of mitigation strategies.'

She was asked how the decision to convert health requirements into recommendations was made by the Ducey administration. While Christ said hospital capacity was a key factor, she conceded she and Ducey did not consult with any of their top officials.

In fact, several of the state's major hospital chains released a statement calling Ducey's move to jettison mandatory distancing and mask requirements as premature.

'A downward trend is not synonymous with the elimination of the virus,' the hospitals said in a joint statement.

Christ did not dispute that contention.

'We could see another spike in cases,' she said. But Christ said that's not the metric that drove the original decisions to impose restrictions. And she said it should not be the metric to decide whether to lift them.

'Really, what we were trying to prevent is an overwhelming of our hospitals and our health-care systems,' she said.

That also is the reason that health-care workers and those at the highest risk of developing complications from the virus and needing hospitalization were among the first to get vaccinated.

'We've got higher vaccination rates in those vulnerable populations, which is going to keep our hospitalizations down,' Christ said. 'The severe outcomes are really what we're trying to prevent, those hospitalizations and those deaths.'

Put another way, Christ said, the overall number of people infected is not, in and of itself, significant — and not a reason to have state-imposed mandates.

'If it's just cases and you've significantly reduced the hospitalizations and deaths, do we do that with other diseases?' she asked.

'We don't' Christ continued. 'Everything is a recommendation.'

Beyond that, Christ said she and Ducey made the decision that Arizona has to return to a point where people make their own decisions about the risk the virus poses to their own health.

She said that's no different than any other disease, like the flu, where her department makes various recommendations but ultimately leaves it up to individuals to assess their own health risks.

'It's really about that personal responsibility,' she said.

Consider the flu, she said. 'We've recommended for years that everybody get a flu shot, wear a mask, to stay home when you are sick. All of that works for influenza, just like it does for COVID.'

AMERICAN OVERSIGHT

But Christ pointed out that those flu recommendations never translated into mandates, even as the state sees a surge in hospitalizations every winter.

The decision to scrap mandates comes as the state remains far short of having 70% of its population vaccinated, the point at which Arizona would approach 'herd immunity' so that a new outbreak would not spread rapidly.

As of Friday, March 26, the state reported 1.2 million were fully inoculated, whether with the second dose of the Pfizer or the Moderna vaccines or the single-dose Johnson & Johnson vaccine. That is only about 22% of those 16 and older, the age at which the vaccine has been approved for use. There continues to be a demand for vaccinations, and people who say they're still having problems getting appointments. That raises the question of whether the new order scrapping any mitigation mandates sends the message to some that inoculation is no longer necessary.

'I don't know that would necessarily be based on us lifting the restrictions,' Christ said.

'There are a lot of people that don't like getting shots, that are vaccine hesitant, especially about this specific vaccine,' she said, despite assurances that it is safe and effective. 'But we know we are going to have demand decrease as we continue through the next few weeks.'

That will take a shift in 'messaging,' getting out into communities as opposed to simply having large inoculation sites, Christ said.

'We will hit a point where it's going to be more about convenience and having it be in the neighborhood or having it being administered at a doctor's office while they're doing something else,' she said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Experts: Lifting of AZ restrictions gives variants a chance to thrive

By Alex Devoid
Arizona Daily Star
March 28, 2021

Even though Gov. Doug Ducey said the pandemic is under control while he fully reopened the state on Thursday, a race is still unfolding between vaccinations and new variants of the virus that causes COVID-19.

'The race is still being run. And at this point there's no clear winner,' said Dr. Joe Gerald, an associate professor with the University of Arizona's College of Public Health.

He said the governor's decision to lift all restrictions on businesses and public gatherings allows the virus to run a little bit faster.

Meanwhile, the faster everyone gets vaccinated, the fewer chances new variants of the virus will have to spread and mutate even more.

VIRUS VARIANTS OF 'CONCERN'

AMERICAN OVERSIGHT

Scientists in Arizona have found all the variants of 'concern' that a group of federal agencies, including the Centers for Disease Control and Prevention, track and rank.

The group ranks these variants into three categories, from least to most concerning: Those of 'interest,' those of 'concern' and those of 'high consequence.' None of the new variants have risen to the level of high consequence, although any variant can be recategorized as additional evidence comes to light.

Not surprisingly, of the small percentage of positive COVID-19 cases that have been examined or 'sequenced,' higher numbers of two variants from California called B.1.427 and B.1.429 have been found statewide, according to an online dashboard managed by Translational Genomics Research Institute or TGen. These two variants are categorized as variants of concern.

Others of concern in Arizona include B.1.1.7, which originated from the United Kingdom. This variant was recently detected at the University of Arizona, but Pima County health officials already knew it had been circulating here to some degree.

Scientists have also detected a few cases of P.1 in Arizona, which originated in Brazil. And on Friday, state health officials announced a few cases of B.1.351, which originated in South Africa.

These new variants will likely replace the classic version of the virus, said Michael Worobey,

head of the UA's Department of Ecology and Evolutionary Biology.

'It's hard to say actually if one of them will reign supreme,' he said. 'And in someways it doesn't matter because all of them are more transmissible and so they'll present a sort of relatively equal challenge, but time will tell if one displaces all the others.'

VACCINES EFFECTIVE

While scientists in Arizona have found some mutations of the virus that are associated with immune escape or immune evasion, these mutations don't render the vaccine completely ineffective.

Such a mutation in the Brazilian and South African variants doesn't look to 'completely obliterate' the effectiveness of the vaccine, Worobey said. 'So, I'm actually not, at this stage, super-concerned. In fact, I think we're in really good shape with the vaccine rollout to use that as a great tool to protect vulnerable people in the population.'

Along with the vaccine, the best ways to slow these variants are to follow standard COVID-19 strategies, like wearing a mask, social- distancing and avoiding large gatherings.

'It's kind of like tickets in the lottery,' Worobey said. 'These mutations that have huge impacts

are relatively rare events. But if you have millions of tickets in the lottery, you will stumble upon these rare events more often. It is basically just a simple calculation that the more cases there are, the more opportunity you're giving for the virus to generate even more concerning forms than already exist.'

It would be impossible to draw a direct link between Ducey's decision to reopen the state and the emergence of a new, even more worrisome variant, Gerald said.

AMERICAN OVERSIGHT

Instead, it's a bunch of decisions like Ducey's across the globe that may disadvantage us by giving the virus more opportunity to spread and mutate.

'IN THE THICK OF IT'

When Ducey lifted restrictions on businesses and public gatherings he also stripped local governments of their ability to implement their own mask mandates.

Some health experts have called his decisions premature. And Tucson Mayor Regina Romero said she has no intent to remove Tucson's local mask mandate.

'It's too early to completely roll back these sorts of restrictions,' Worobey said. 'We're still in the thick of it for at least another couple of months before a wide swath of the population is vaccinated.'

While there are still enough unvaccinated people in Arizona for another spike in COVID-19 cases, Gerald said enough of the most vulnerable people have been vaccinated to protect the hospitals.

This is a point the state's top health official, Dr. Cara Christ, made multiple times ata news conference on Friday while she defended the governor's decision.

'We could see another spike in cases, but if you look at the data, really what we were trying to prevent was an overwhelming of our hospitals and our health care systems,' Christ said, adding that the state prioritized those at highest risk for developing a severe case of COVID-19.

Christ said that while the restrictions on businesses are no longer mandated, the state still recommends them. Businesses can opt to require masks and to enforce other measures for mitigating COVID-19.

While the vaccine rollout is accelerating, Gerald said he would have waited to lift the restrictions until everyone who wants a vaccine has had a chance to get one. He pointed out that the state only just opened up vaccines to everyone over 16 years old.

'I think most Arizonans, not all, but the majority of Arizonans recognize that this outbreak is not over, that there still is some risk and they're going to persist with some of these protective behaviors, regardless of what Gov. Ducey does,' Gerald said.

This overlaps with an argument that Christ made several times on Friday for shifting the responsibility of COVID-19 mitigation measures to individuals.

'Everyone has a personal responsibility to wear masks to make sure that they're following those recommendations,' she said.

Fully reopening the state at this stage, however, presents a couple problems, Gerald said. Some people may get sick before they can get vaccinated. And the virus isn't finished evolving.

'Any time you give the virus more opportunities you disadvantage yourself because the virus, while it's not conscious, it has a survival instinct in a very Darwinian sense that mutations allow the fittest variants to survive and thrive.

Return to the table of contents

AMERICAN OVERSIGHT

Relief bill gives tribes $88M more for housing

By Molly Hudson
Arizona Daily Star
March 29, 2021

Tribes in Arizona will get another $88 million in housing grants — the most of any state — from the $450 million in tribal housing assistance released Thursday by the Department of Housing and Urban Development.

The national funding, which was included in the American Rescue Plan, will come in addition to the $651 million that tribes across the country were already scheduled to get in fiscal 2021 under the annual Indian Housing Block Grant.

Arizona tribes' share of the grant rose from the original $128 million to $216 million with the extra funds from the pandemic- relief law.

HUD Secretary Marcia Fudge called the $450 million a 'historic investment' in tribal housing.

'Nearly 600 tribal communities across the country will benefit from this funding, which will go toward housing development, housing modernization, housing services for families and creative approaches to provide more affordable housing in Indian Country,' Fudge said in a video announcing release of the funds.

Anthony Walters, the executive director of the National American Indian Housing Council, welcomed the funding, but said the need is still great.

'I think with the annual appropriations, tribes are only building about 1,000, maybe 1,200 new units a year,' Walters said. 'There are reports out there saying that Indian Country as a whole needs 60,000 or 70,000 units, so it's very hard to make that ground up, no matter what kind of funding we were to get today.'

The new money was distributed according to how much each tribe was scheduled to get in the original block grant for this year: Each tribe got an additional grant equal to 69% of its original.

In Arizona, new funding ranged from $35,007 each for the Tonto Apache and the Yavapai-Prescott tribe, who will now get a total of $85,641, to $49.8 million for the Navajo Nation, the largest amount in the country. The Navajo will get a total of $121.8 million with the new funding.

Navajo Nation President Jonathan Nez said he hopes 'these dollars and getting our people homes built will actually help prevent the spread of COVID-19 or any future viruses.' The Navajo Nation has been racked by COVID-19, with its 30,021 cases and 1,235 deaths making it among the hardest-hit regions in the nation.

Nez said the tribe is 'looking at developing a housing manufacturing plant facility that can build some of our homes.' He said he hopes this will 'bring our people back, from all parts of the U.S., because they are working, they are building infrastructure for others, here's an opportunity, bring those skilled folks back to the Navajo Nation and help build new homes for our people.'

AMERICAN OVERSIGHT

Walters said it is not unusual for tribes to use the block grants for more than just building homes.

'Tribes across the country, they are doing rental assistance programs, mortgage assistance programs, particularly in times of COVID, you know, that money gets used up pretty quickly,' he said.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Republic

Back to the table of contents

Ducey has reopened the state, but the pandemic is far from over

By Stephanie Innes and Alison Steinbach
Arizona Republic
March 27, 2021

Gov. Doug Ducey sent a celebratory message Thursday when he lifted nearly all of Arizona's COVID-19 restrictions, but health experts caution against concluding that means the pandemic is over. It's not.

Ducey lifted all restrictions on businesses and stripped away local mask mandates. He applauded "mass distribution of the vaccine," declining cases and low hospitalizations.

While good signs, COVID-19 is still around, evolving into new variants and furthering the need for a quick and widespread vaccine rollout. But as people put their masks away and return to crowded bars, there's the potential for life to feel more normal and vaccine registration to feel less pressing.

That's one thing that concerns Dr. Farshad Fani Marvasti, a physician and associate professor at the University of Arizona College of Medicine Phoenix.

"It's a false sense of security and safety by people that everything is over," he said of Ducey's lifted restrictions. He's worried people may have less of an incentive to get the vaccine.

"You kind of want to have vaccines be the ticket to a relatively more normal life, and if we kind of already go back to normal life without having a significant portion of the population vaccinated, you could see a decrease in the numbers of people who go get vaccinated," Marvasti said.

"Especially if they don't realize the value of it, they may just say, 'Well, I don't need to get vaccinated, and everything is open and the numbers are down so it may be OK anyway."

Part of Ducey's announcement hinged on the fact that Arizona has passed 3 million vaccine doses administered across the state, with more than 1.1 million people fully vaccinated.

About 16% of Arizonans are fully vaccinated, which works out to approximately one in six state residents. And some counties are still lagging in their vaccination rates among older, more vulnerable residents.

Health experts say the state will need to have at least 70% or more of its residents vaccinated in order to have enough community protection to ward off future outbreaks.

With the more transmissible B.1.1.7 variant first detected in the U.K. now circulating in Arizona, the state may need to have 75% or more of its population vaccinated to reach community immunity, some experts say.

The Maricopa County Medical Society has scheduled a media briefing Friday afternoon in response to Ducey's order, where they are expected to encourage

AMERICAN OVERSIGHT

Arizonans to get vaccinated, and to keep following recommendations from the Centers for Disease Control and Prevention to wear masks, to have some physical distancing, and to avoid crowds.

Ducey's executive order means Arizona counties, cities and towns can no longer enforce their mask mandates, except in government buildings and on public transportation.

Stripping away local mask mandates gives a false sense of security and safety, that everything is over, Marvasti said, "which basically means that they're going to start doing a lot more things that are going to be potential for risk and again may lead to the development of those variants."

Pima County officials said Thursday the governor's move was too early given the current level of vaccination.

"While the number of people vaccinated is slowly increasing, we only have about 174,000 people fully vaccinated in Pima County and only about 273,000 people have had at least one dose," Pima County's chief medical officer, Dr. Francisco García, said in a written statement. "We need to be between 700,000 and 800,000 fully vaccinated to have protection from the spread of the virus and the possibility of ending this pandemic.

"This is way too early to be easing mitigation measures. I fear this is going to set us back on the progress we've made and risk more illness and death."

A downward trend in COVID-19 cases is "not synonymous with the elimination of the virus," the Health System Alliance of Arizona said in a statement.

"Now is not the time to become complacent and declare victory when the virus is still prominent throughout our community," said the alliance, whose members include Banner Health, Dignity Health, HonorHealth, Northern Arizona Healthcare and Tenet Healthcare.

"COVID-19 mitigation strategies work. Arizona would not be in the position it is in right now without the combination of reduced business capacity, mask mandates, and social distancing requirements. We urge Arizonans to continue to follow CDC guidelines to reduce community spread and alleviate the additional burden on our health care delivery system."

Proven public health mitigation efforts continue to be crucial until Arizona reaches herd immunity, said Ann-Marie Alameddin, president and chief executive officer of the Arizona Hospital and Healthcare Association, in a written statement.

"We are off to a good start but have a long way to go," she wrote. "We urge all Arizonans to continue to follow the latest public health guidance so we can reach the point where the majority of our community population is immunized against COVID-19."

Health experts are reiterating to the public that getting more people vaccinated is critical in getting both public health and the economy back to pre-pandemic levels.

"While the governor acts like the pandemic is over, we know it's not," Pima County Administrator Chuck Huckelberry said in a statement.

AMERICAN OVERSIGHT

"Restrictions will ease in (Pima) County parks, facilities, buildings and properties when our health leaders and the science says it's safe to do so. ... We're not going to let politics drive our decision-making when it comes to protecting public health," he said.

As long as the new coronavirus continues to circulate in the community, that means the virus is replicating, and as long as it's replicating, there's a risk it will mutate into other strains that could be resistant to the COVID-19 vaccines now in use.

"We do have variants, known variants in Arizona, that B.1.1.7., which is far more transmissible. There is still concern that people could spread this," said Dr. Ross Goldberg, a general surgeon in Phoenix who is president of the Arizona Medical Association.

Goldberg doesn't think it should require a government mandate for people to do the right thing. But it is critical that Arizonans don't let up on doing their own mitigation strategies, and that they get vaccinated, he said.

"There is concern that people could still spread this. We're still learning more. My message is that we should continue to be cautious," he said. "We need people who feel comfortable getting vaccinated to get vaccinated. Until we can get to those higher numbers, we run the risk of causing surges by stopping too soon."

Arizonans need to take on the responsibility of protecting one another. The state has a goal of herd immunity, but that's a faraway goal at this point, Goldberg said.

"We, and I mean this as a country, have been really good at celebrating too early," he said. "We need to make sure we don't shoot ourselves in the foot in this process ... If we have a target goal and we haven't reached it yet, that should be a warning to everyone to still remain careful."

Return to the table of contents

Arizona says FEMA can set up vaccine site in Pima County

By Stephanie Innes
Arizona Republic
March 27, 2021

An outcry from Pima County prompted the state of Arizona to back off its previous decision to reject a federally operated vaccine site.

The state is giving the Federal Emergency Management Agency authority to work directly with Pima County on operating a vaccine site there, Dr. Cara Christ, Arizona Department of Health Services director, said Friday.

That action is a reversal of the state's decision to reject FEMA's offer of a vaccine site in Arizona — a decision that was met with disbelief and objections by leaders in Pima County, as well as by Reps. Ann Kirkpatrick, Raúl Grijalva, Ruben Gallego, Tom O'Halleran and Greg Stanton, the five Democratic members of Arizona's congressional delegation.

AMERICAN OVERSIGHT

During an emergency meeting on Wednesday of the Democratic-majority Pima County Board of Supervisors, County Administrator Chuck Huckelberry said a federal site could vaccinate an additional 210,000 people in Pima County over six to eight weeks, above and beyond their regular allocation of doses from the state.

One or more federal sites would provide an opportunity to reduce the amount of new coronavirus in circulation in a short period of time, Huckelberry said.

During the meeting, the Board of Supervisors voted unanimously in favor of asking Arizona Gov. Doug Ducey to reconsider the state's rejection of a federal vaccine site. The resolution says Pima County is ready to provide "the necessary site and administrative management, security, registration and vaccination support."

The county supervisors' resolution also said that if Ducey does not approve a FEMA site, the county would appeal to the Biden administration.

Ducey, a Republican, that same day defended the state's decision to reject the offer from FEMA, saying the state needs more vaccine supply, and not help with distribution. A Ducey spokesperson later said the governor would not be reconsidering the rejection.

Pima County officials were still waiting for an official notification of the state's decision on Friday afternoon, but Pima County Health Department Director Dr. Theresa Cullen said that if the news were true, it would be a positive step for the county in getting the COVID-19 vaccine to vulnerable people in the southern Arizona county.

Huckelberry later Friday released a statement thanking Ducey for his "thoughtful reconsideration" of the FEMA offer.

"The County Health Department will resume its planning with FEMA to begin administering these vaccines to County residents as soon as possible," Huckelberry said in his statement.

Christ on Friday said the state had changed its mind based on assurances from FEMA that operating one or more vaccine sites in Pima County would not take away from the state's allocation of vaccine supply.

Also, Pima County said it would handle all of the necessary logistics without any assistance from the state, Christ said.

"We are going to delegate the authority to Pima County to work independently with FEMA to operate a vaccine POD (point of distribution) if they choose that that is in the best interest of their community," Christ said.

"The state remains ready, willing and able to take the additional vaccine if it's unable to be used at this FEMA-operated POD, or if they are unable to meet the requirements and we are ready to administer it at our existing state sites."

Christ said she sent a letter to FEMA at 12:45 p.m. Friday giving them the authority to work with Pima County. Her letter expresses doubts about Pima County officials' ability to adequately support a federal vaccine site, but nonetheless gives FEMA the authority to work with them.

AMERICAN OVERSIGHT

The state and Pima County had a previous disagreement over reimbursement for COVID-19 testing.

"Based on our recent experience with Pima County, we have concerns about their ability to adequately support your site, given their inability to financially sustain other COVID-19 related public health activities they have chosen to undertake, and have since billed the state for unapproved costs," Christ wrote.

"Given the dramatic financial constraints they claim to experience from these activities, we would like to get written assurance that Pima County and/or the federal government is able to appropriately fund the activities required to operate a FEMA site until reimbursement from FEMA is obtained."

In his statement, Huckelberry said he would be responding to Christ directly about the "unfounded reservations and unwarranted criticisms expressed in her letter. "

During a Friday afternoon briefing, Cullen, the Pima County Health Department director, had not yet seen the letter, but said hearing that the county might get FEMA's help was "making my day."

The county had been planning and hoping to get one or more vaccine sites operated by FEMA, and Tammy Littrell, FEMA's acting regional administrator, had visited with county officials in Tucson to discuss how it could be executed, she said.

"We've been doing planning with the expectation that perhaps a miracle would happen, that there would be a significant change in the decision-making," Cullen said during Friday's briefing. "What it points out in this case is this recognition that Pima County itself was very vocal in sharing its concern and its commitment to get additional vaccine into the county. This can only be a win for us."

In a March 20 letter to Christ, Littrell wrote that Pima County is an "excellent candidate" to reach underrepresented populations with the COVID-19 vaccine because it has a population of about 1 million people and includes vulnerable communities who have been hit hard by the pandemic.

Christ said she's hoping Pima County has the ability to provide the necessary resources to staff a FEMA vaccination site, and she's hopeful that's something the county and the federal agency can work out.

"To have in writing from FEMA that this would remain federally-allocated vaccine was reassuring because that is not what we were hearing from state counterparts that have a site in other states on calls that we are on," Christ said.

"As long as they can guarantee that and Pima County was fine providing all of the necessary resources and staffing, we will let them work directly with FEMA on that."

Return to the table of contents

AZGOP activists have gathered support to redo party elections

By Yvonne Wingett Sanchez
Arizona Republic
March 27, 2021

AMERICAN OVERSIGHT

Arizona Republican activists say they have gathered enough support to force a new election of state party officers, including the position of GOP chair held by Kelli Ward.

The Republican activists launched their effort to force a do-over of the party's Jan. 23 election after weeks of complaints that the closed-door election was improperly managed.

Ward and other party representatives had rejected repeated calls over the past two months to audit the results and procedures of the election, drawing a lawsuit from two activists and criticism from state lawmakers who drew comparisons between her calls for transparency in the 2020 presidential election with her

rejection of calls for an audit of her own win . In the aftermath of former President Donald Trump's election loss, Ward amplified baseless

claims of a rigged 2020 election that galvanized a portion of the GOP base behind her. She narrowly won re-election in January with Trump's help in a run-off race that demonstrated discontent with her leadership but a willingness to stick with her.

It is unclear if a do-over of the party elections would change the outcome of any race, from party chair to secretary to at-large positions that largely help the organization function.

One activist said the candidates from the January offices would face the same competition in the new elections unless a candidate removes his or her name from the ballot. Three GOP activists challenged Ward for chair; Tucson businessman Sergio Arellano lost to her in the run-off by 42 votes.

'I'm very happy that we have been able to gather the signatures,' GOP activist William Beard said. 'It shows that there are more than just a small group of malcontents that are concerned about the election integrity within the party.'

Organizers said they gathered an estimated 352 signatures from state committeemen from 11 Arizona counties,

exceeding the amount needed to hold a 'proper election' on April 24. Of the estimated 1,400 state committee people statewide, 20% must agree to call the special meeting, according to organizers.

At that gathering, members would vote on the question of whether they want to set aside the results of the Jan. 23 election 'and to order a fresh, legitimate election,' according to a letter circulated by the group.

Ward previously said on a radio interview that '

everything was above board ' with the party election and that there was no mechanism to audit the results. An attorney for the party

indicated earlier this week an inspection of ballots was possible but could be limited.

In a letter, the state party urged state committee people to oppose the call to redo the election.

AMERICAN OVERSIGHT

'Their circulation of this letter calling for such a meeting undermines all of us, our Party, and our success in Arizona,' the letter said. 'In essence, they're trying to steal your vote and disrupt the work of Republicans around our state.'

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Engel, Friese are running for Congress

Each hopes to fill Ann Kirkpatrick's seat
By Ronald J. Hansen
Arizona Republic
March 27, 2021

Two state legislators are running for Congress in hopes of succeeding the retiring Rep. Ann Kirkpatrick.

State Sen. Kirsten Engel, D-Tucson, last week announced her intention to run for the U.S. House of Representatives. State Rep. Randy Friese, D-Tucson, a doctor who entered politics after treating then-Rep. Gabrielle Giffords after the 2011 massacre near Tucson, said Thursday he's running, too.

Kirkpatrick, D-Ariz., represents the Tucson-area 2nd Congressional District, but the state's congressional district will be redrawn later this year for the 2022 elections.

Engel teaches environmental law at the University of Arizona and suggested she would follow in the footsteps of Kirkpatrick's advocacy for the district.

'I want to bring my experience as an attorney, legislator, woman, and mom to Washington to help southern AZ families and small businesses — to not only recover from the global pandemic, but to take that next step to building a sustainable economy with opportunities for all,' she wrote in a March 19 social-media message. Friese, a trauma surgeon, played up his interest in seeking more gun-control laws.

In a campaign announcement video, Friese noted how the attempted assassination of Giffords that killed six and wounded 19 helped shape his entry into politics in the 2014 elections.

'Having seen too much devastation from gun violence, I was encouraged to run for state House with the support of Gabby and her husband, (Sen.) Mark Kelly, and I was the only Arizona Democrat to unseat a Republican in 2014,' Friese said.

While the Democratic couple supported his run then, they have not made any endorsement in the 2022 House race to replace Kirkpatrick, at least not yet.

Kirkpatrick won a crowded Democratic primary in 2018 in part by touting Giffords' early endorsement of her candidacy.

Friese said in an interview that he had passed on running for Congress twice before and, facing term limits in the state House, wanted voters to know his plans. 'I wanted to make sure people know I'm serious,' he said.

AMERICAN OVERSIGHT

Kirkpatrick's retirement is expected to draw many contenders for a rare open seat in the U.S. House of Representatives.

Engel is in her first term in the state Senate after two terms in the state House. She is a member of the finance and judiciary committees. She has taught at Tulane and Harvard universities.

Friese has served in Democratic leadership during his four terms at the state House, and is the top Democrat on the House Appropriations Committee. He is a veteran of the U.S. Navy Medical Corps.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

State: Daily case report the highest in 2 weeks

By Chelsea Curtis
Arizona Republic
March 28, 2021

Arizona reported 776 new COVID-19 cases and 14 new known deaths on Saturday, the highest daily case report in two weeks as hospitalizations for the disease continue to generally decline.

Arizona's seven-day case rate per 100,000 people ranked 52nd Friday among all states and territories, after ranking first and second for much of January, according to the Centers for Disease Control and Prevention's COVID Data Tracker. The only states with a lower case rate over the past seven days were California and Hawaii.

The state's seven-day death rate per 100,000 people ranked fifth in the nation as of Friday, per the CDC.

Percent positivity, which refers to the percent of COVID-19 diagnostic tests that are positive, has been declining but varies somewhat based on how it's measured.

Last week, Arizona's percent positivity was 5% for the fourth week in a row, according to the state. Weekly percent positivity statewide peaked at 25% in December.

Johns Hopkins University calculates Arizona's seven-day moving average of percent positives at 2% as of Saturday. It shows the state's percent positivity peaked at 24.2% in December.

A positivity rate of 5% or less is considered a good benchmark that the spread of the disease is under control.

The state's overall COVID-19 death and case rates since Jan. 21, 2020, remain among the worst in the country.

The COVID-19 death rate in Arizona since the pandemic began is 231 deaths per 100,000 people as of Friday, according to the CDC, putting it sixth in the country. The U.S. average is 163 deaths per 100,000 people as of Friday, the CDC said.

Arizona's case rate per 100,000 people since the pandemic began also ranks sixth nationwide as of Friday.

AMERICAN OVERSIGHT

Arizona's newly reported 14 deaths brought the known COVID-19 death count to 16,912.

A total of 839,334 COVID-19 cases have been identified across the state. February and particularly March have seen relatively lower case reports. Eighteen of the past 20 days' reported cases have been under 1,000.

The total number of patients hospitalized in Arizona for known or suspected COVID-19 cases was 581 on Friday, under Thursday's 626, and far below the record 5,082 inpatients on Jan. 11.

Friday saw 941 patients in the emergency room for COVID-19, well below the Dec. 29 single-day record of 2,341 positive or suspected COVID-19 patients seen in emergency departments across the state.

More than 2 million people statewide had received at least one vaccine dose as of Saturday, with more than 1.2 million people fully vaccinated against COVID-19, state data show. Arizona has about 5.6 million adults age 18 and older.

Saturday's numbers

Reported cases in Arizona: 839,334.

Cases since the outbreak began increased by 776, or 0.09%, from Friday's 838,558 identified cases. These daily cases are grouped by the date they are reported to the Arizona Department of Health Services, not by the date the tests were administered.

Cases by county: 523,088 in Maricopa, 112,265 in Pima, 49,247 in Pinal, 36,713 in Yuma, 22,055 in Mohave, 18,280 in Yavapai, 17,007 in Coconino, 15,643 in Navajo, 11,562 in Cochise, 10,793 in Apache, 7,788 in Santa Cruz, 6,524 in Gila, 5,363 in Graham, 2,442 in La Paz and 564 in Greenlee, according to state numbers.

The Navajo Nation reported 30,040 cases and 1,245 confirmed deaths in total as of Friday.

The Arizona Department of Corrections reported 12,208 inmates had tested positive for COVID-19 as of Thursday. Forty-one incarcerated people in Arizona have been confirmed to have died of COVID-19, with nine additional deaths under investigation.

Arizona as of Friday had the sixthhighest overall case rate in the country since Jan. 21, 2020. Arizona's infection rate is 11,513 cases per 100,000 people, according to the CDC. The national average is 9,007 cases per 100,000 people.

Deaths by county: 9,640 in Maricopa, 2,344 in Pima, 850 in Pinal, 818 in Yuma, 683 in Mohave, 521 in Navajo, 488 in Yavapai, 413 in Apache, 324 in Coconino, 278 in Cochise, 219 in Gila, 173 in Santa Cruz, 76 in Graham, 75 in La Paz and 10 in Greenlee.

Return to the table of contents

AMERICAN OVERSIGHT

Doctors warn about Ducey lifting limits

By Michael McDaniel
Arizona Republic
March 28, 2021

Doctors from the Maricopa County Medical Society warned Friday that Gov. Doug Ducey's sudden decision to ditch the mask mandates and lift coronavirus restrictions could result in a new surge of COVID-19 infections.

With less than 30% of Arizonans vaccinated, doctors urged people to continue to mask up and follow CDC guidelines. Dr. Lee Ann Kelly argued each time we lifted restrictions, it was premature.

"This past year, during the pandemic we've had a surge, and in fact in January we were the COVID hotspot of the entire world," said Kelly, past president of the Maricopa County Medical Society. "The B-117 strain has actually already appeared at University of Arizona. New strains are often more contagious and sometimes more deadly than the original strain. It is imperative that we get control of COVID as soon as possible to prevent these future mutations and new strains."

Despite the promising numbers of individuals getting vaccinated in Arizona, we see communities marginalized in the vaccination process.

"There is a big population that have not received the adequate education for receiving this vaccine, and I'm talking specifically for the Latinx population," said Dr. Ricardo Correa, treasurer of the Maricopa County Medical Society. "We need to focus a lot on how do we increase the vaccination of those populations."

They represent nearly 33% of the total population, yet their vaccination rate is approximately 4% to 7%, according to Correa.

Doctors agreed, we have a long way to go to reach heard immunity. Some would argue with the vaccine and past infections, we may be at a safe level, but doctors said that is an inexact science.

"We think herd immunity, it's generally looked at around 70%. If you get 80%, that's great," said Dr. Michael Manning, a member of the medical society. "People say, well, we've also had a lot of people who've already tested positive. And so that adds them to the herd immunity, and it does a little bit, but some of those will lose their protection sooner than we'd like them to. Then they are able to get sick again."

The society's executive director closed the press conference by stating that the Maricopa County Medical Society disagrees with Gov. Ducey's executive order.

"Comments that you've heard today from MCMS physicians are rooted in science, and they're evidence based," said Dr. John McElligott, executive director of the Maricopa County Medical Society. "We have a little further to go until more of us can take this off, (and) we can be with our loved ones and hug someone, we want that to happen. So continue to wear a mask. Please continue to keep some distance, avoid crowds. And finally, mobilize and immunize."

AMERICAN OVERSIGHT

On Thursday, Ducey lifted COVID-19 restrictions on Arizona businesses and events and prohibited, in most cases, the enforcement of local mask mandates, citing expanded vaccine distribution and declining case numbers.

He said in the announcement that events drawing more than 50 people would no longer require governmental approval and gave bars the go-ahead to resume regular operations. Cities and counties lost their power to enforce mask mandates, except in government buildings or on public transportation.

With immunizations increasing, state Republicans had focused on curtailing the mask mandate and limiting the governor's power, despite CDC recommendations.

Many Republicans had slammed the governor's pandemic plan. But after his announcement Thursday, Republican state officials heralded the rollback as long overdue.

Sen. Michelle Ugenti-Rita, the Scottsdale Republican who led an unsuccessful charge to overturn Ducey's emergency declaration, said of Thursday's announcements: "Better late than never."

Meanwhile, Arizona reported 571 new COVID-19 cases and 24 new known deaths on Friday, marking two straight weeks of daily case reports under 750 and more than 10 weeks of generally declining hospitalizations for the disease. Arizona's seven-day case rate per 100,000 people ranked 51st Thursday among all states and territories, after ranking first and second for much of January, according to the Centers for Disease Control and Prevention's COVID Data Tracker.

The state's seven-day death rate per 100,000 people ranked third in the nation as of Thursday, per the CDC, behind only Kentucky and New York City.

A total of 838,558 COVID-19 cases have been identified across the state. February and particularly March have seen relatively lower case reports. Arizona's newly reported 24 deaths brought the known COVID-19 death count to 16,898.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Ducey seeks funds to send Guard to border

Governor's office says he talked with Mayorkas
By Maria Polletta and Rafael Carranza
Arizona Republic
March 28, 2021

Gov. Doug Ducey wants to dispatch National Guard troops in response to the migrant surge at the U.S.-Mexico border, he said Friday — and he wants the federal government to pick up the tab.

"Our sheriffs need help. Our mayors need help. Border patrol needs help," the Republican leader said on Twitter, capping off more than a week of blistering criticism of President Joe Biden's immigration policies. "In Arizona, we've previously deployed the National Guard to the border to support law enforcement. I've requested federal reimbursement for deployment, so we can do it again and get this crisis under control."

AMERICAN OVERSIGHT

A Governor's Office spokesman said Ducey had a "productive" conversation with Homeland Security Secretary Alejandro Mayorkas but did not offer details regarding when and where troops may be deployed.

A Department of Homeland Security spokesperson declined to comment on the meeting and referred questions to the governor's office.

Necessary backup or 'a waste of people's time'?

Border county sheriffs contacted by The Arizona Republic did not immediately respond to requests for comment.

But last week, Cochise County Sheriff Mark Dannels had asked for reinforcements on behalf of the Arizona Sheriffs Association to help "address the public safety, humanitarian, and public health crisis we face."

"(Criminal organizations) are exploiting the migrant crisis," Dannels wrote in an open letter. "They know that increased migrant traffic, especially children, overwhelms resources and essentially gives them the unfettered ability to traffic drugs into the U.S."

Other southern Arizona leaders bristled at the governor's announcement, dismissing it as political posturing meant to score points with the GOP and distract from Ducey's handling of the COVID-19 pandemic.

Democratic U.S. Rep. Raúl Grijalva, whose district includes portions of Arizona's border, said deploying troops would be "a waste of people's time" and money.

"They're in the rear position. They cannot enforce law," he said of the troops. "And the supplemental support they are providing to the Department of Homeland Security, I don't think that it is an essential support."

Grijalva urged Ducey to instead prioritize funding for local governments and nonprofit groups that have been providing assistance to asylum seekers near the border. Overwhelmed Border Patrol agents have been releasing migrants in Yuma, Ajo and Gila Bend, often in small, rural communities that lack the infrastructure to house or transport them.

Vicki Gaubeca, director of the Southern Border Communities Coalition, called Ducey's federal funding request "hypocritical," citing his recent decision to reject a new Federal Emergency Management Agency vaccination site in southern Arizona.

The state ultimately allowed the plan for the site, which will primarily serve communities of color, to proceed in response to public pressure.

"It just shows where his priorities are, right?" said Gaubeca, whose coalition includes 60 migrant and community groups along the U.S.-Mexico border. "He's not caring for the Black and Latino communities."

Rather than increasing the militarization of the borderlands, she called for the creation of a more humane and orderly process to welcome migrants seeking help.

AMERICAN OVERSIGHT

Governor has made dissatisfaction with border response known

Ducey contends the Biden administration is the "inhumane" party, because it has incentivized migrants to risk dangerous border crossings and failed to provide adequate detention facilities after they arrive.

Though apprehensions at the southern border began climbing last spring under former President Donald Trump, they spiked further after Biden reversed many of Trump's more aggressive immigration policies. Last Friday, flanked by other GOP officials and a handful of law enforcement agents at the border wall in Douglas, Ducey blasted the president as "totally divorced from the reality on the ground."

"I've been governor under three presidents, and this is by far the worst situation we've seen," he said. "Washington has never been more out of touch, and it starts at the top."

The governor persisted Wednesday, calling Vice President Kamala Harris "the worst possible choice" to lead efforts to curb migration at the southern border hours after Biden tapped her for the post. He said the president had "completely trivialized the issue by putting someone in charge who flat out just doesn't care."

By Friday, Ducey's tone seemed to have softened slightly, with the governor indicating Arizona stood "ready to partner with the federal government to strengthen our borders and improve our immigration system."

"We need to resolve the issues at the border before they get even worse," he said. "… We have a real opportunity to partner to ensure additional boots on the ground are available to manage this crisis."

Arizona last sent National Guard members to the border in 2018, in response to an order from then-President Trump.

Earlier this month, Texas' Republican governor deployed 500 troops to address the recent surge.

Return to the table of contents

House bill proposes high interest rates for large loans

By Andrew Oxford
Arizona Republic
March 28, 2021

A proposed change to Arizona's lending laws could leave borrowers open to high interest rates on loans of tens of thousands of dollars. But lawmakers blocked a plan last week to further limit interest rates, advancing the revamped consumer lending law, which is buried inside a sprawling and mostly unrelated 309-page piece of legislation.

Arizona law currently caps interest rates for consumer loans offered by storefront lenders based on the amount borrowed. The bigger the loan, the lower the potential rate. Rates are capped at 36% up to $3,000 and then at 24% up to $10,000.

AMERICAN OVERSIGHT

These companies contend their services allow consumers who may need cash, such as for an emergency, to quickly get a loan they may not be able to get from a bank or credit union, either because of poor credit or other barriers.

Senate Bill 1463 would raise the amount on the size of such loans to $50,000 but would not change the cap on interest rates.

For example, a consumer loan of $50,000 could have an interest rate of 24%. Consumer advocates warn that could leave consumers paying more than twice the amount they borrow, under certain terms.

Critics of the change in lending laws argue the state should add lower caps on interest rates if it is increasing the limit on the size of the loans.

"The stepdown should continue because as the amount of the loan goes up, the interest rates should correspondingly go down," said Mary Judge Ryan of the Southwest Center for Economic Integrity.

Democrats proposed just such a system on Thursday, with a maximum interest rate of 18% above $10,000 and 12% above $15,000.

"People will have different reasons for why they need a loan and go to get these types of loans," said Rep. Raquel Terán, a Democrat from Phoenix who proposed the plan as an amendment to the bill in a House committee. "It could be because they need the money right now or maybe because of their bad credit. But we want to make sure we don't go the predatory and harmful route."

Sen. David Livingston, a Republican from Peoria sponsoring the bill, opposed the lower interest rate caps.

In a hearing of the House Government and Elections Committee on Thursday, he argued the lower rates are unnecessary. Competition between lenders would hold down rates, he said.

Arizona voters have adopted some tough laws on predatory lending, passing an initiative to ban payday lending in 2008. But consumer advocates warn the industry has merely shifted toward auto title loans, which can charge triple digit interest rates. Arizona's interest rate cap on consumer loans is tighter than some states with higher caps or no cap at all. But advocates have touted the state's approach of tapering rates, too.

Thursday's debate split lawmakers along party lines, with Republicans arguing for free market to run its course while Democrats cautioning the law would harm low-income consumers.

Ultimately, Republicans voted down the proposal for lower interest-rate caps after a debate that included Rep. John Fillmore, R-Apache Junction, arguing the racially discriminatory practice of redlining was not racist.

Livingston's change in consumer lending laws was wedged into a much larger bill of more than 300 pages that primarily deals with the administration of the Department of Insurance and Financial Institutions. But the department's staff members have said they did not ask for the change in consumer lending laws and were not aware of the proposal until the bill was written.

AMERICAN OVERSIGHT

Democrats also tried using the bill to undo a small change in a sprawling insurance law backed by the insurance industry and which Livingston rushed through the Legislature last year without a hearing in the House.

As The Republic reported in January, that law changed how regulators pay for the cost of inspecting the finances of insurance companies. While insurance companies are required to cover the costs of audits that regulators undertake to root out wrongful billing practices, insolvency and other

financial problems, the bill narrowed the expenses the state could pass on to companies to pay for those audits.

The change in law could save money for insurance companies but the department's director, Evan Daniels, raised concerns in a report to Gov. Doug Ducey last year about the change and its impact on his staff 's budget.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Arizona unveils Mobile ID driver's license to fight ID theft

By Michael McDaniel
Arizona Republic
March 29, 2021

Arizonans will soon be able to use their cellphones to verify their driver's license and identification card information and worry less about their personal data getting stolen.

The Arizona Department of Transportation announced a new application that allows drivers to safely and securely render their license or identification through a mobile application.

The application named "Arizona Mobile ID" aims to safeguard driver information in various aspects of use.

"We add to that a new level of privacy by putting citizens back in control of what information gets shared," said Eric Jorgensen, Motor Vehicle Division director, during a Better Identity Coalition web conference. "Gone are the days of handing over your license with your name, birthdate, address, and other personal information when all you really needed to prove is that you are older than 21."

Additionally, the app could allow the state to verify various lender information requirements in the mortgage or loan application process.

"Imagine a citizen wanting a second mortgage and saying, 'Hey, state, you know that I am who I say I am, and you know that I own the property in question,'" said Jorgensen. "You know that I pay taxes on an income higher than the lenders' requirements. Will you please verify all that for the lender?"

Theoretically, the proposed verification would streamline application processes that currently may require customers to submit various documents to confirm ownership and projected tax expenses. But, businesses would need to opt into the system to verify customer information.

AMERICAN OVERSIGHT

“A comparison to Mobile ID in Arizona would be like Apple Pay and digital wallets or electronic wallets,” said Doug Pacey, spokesperson for ADOT. “When they first came out, the use was really limited. And you can only use them to pay at a few places. But now, now you go anywhere. And you can use your phone to pay for anything.”

All customer data will still be populated under specific state agencies. The customer would have the option to disclose that to whomever they see fit, according to Jorgensen. Biometric authentication would make it nearly impossible for criminals to impersonate you based on the information they have stolen from you, according to Jorgensen. Authentication factors like fingerprint verification, facial recognition, and six-digit pins would be potential deterrents in a fraudulent application process.

“Because authentication is not knowledge-based, we begin to see a return to privacy by the very fact that the information they want to steal now is irrelevant,” Jorgensen said.

Additionally, the customer must register their device and authenticate the device via a text message sent to their phone number of record.

ADOT’s new app was created in partnership with IDEMIA, a multinational technology company headquartered in Courbevoie, France, and a leader in identity credentialing and biometrics.

IDEMIA produces about 3 billion identity documents worldwide in more than 160 countries. It issued the first photo driver’s license in the U.S, and today it issues about three-quarters of all driver’s licenses in the U.S.

With the apparent proliferation of private information online, the security of this information has become increasingly uncertain. Private and public institutions may fall victim to a data or security breach, and it is unclear whether customers would ever find out. IDEMIA hopes to remedy those issues.

“The biggest impact is going to be with online identity, which today is largely broken,” said Matt Thompson, spokesman for IDEMIA. “These processes are built on secrets that have largely been compromised over the massive data breaches over the past 10 years.”

Additionally, the Mobile ID system aims to streamline your online experience, according to Thompson. The application could prove who you are to online providers, making the password process obsolete.

The adoption process could take some time as businesses and organizations opt into the system. For consumers, the benefits could be immediate.

“With a physical driver’s license, you’re oversharing, in almost 100% of the times that you display it for a specific use case, or to get access to something,” said Thompson. “I’m showing you my actual date of birth, my address, you know, a whole bunch of information about me that you don’t need to know just to enable me to get a beer, buy a pack of cigarettes, whatever.”

Beginning Thursday, the Mobile ID application goes live. However, the full functionality is not ready yet, according to Pacey, ADOT’s spokesperson.

“We really want people to continue to carry their plastic, and if they can use their mobile ID, that’s great,” Pacey said. “A clerk may not know what to do with it because they’re not familiar with it. Continue to carry the plastic ID.”

AMERICAN OVERSIGHT

Users will still be able to register and display the scannable bar code for purchases or show a virtual plastic ID. As businesses get used to the idea, the mobile ID should see less friction and give consumers peace of mind.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

AMERICAN OVERSIGHT

KTAR News

Back to the table of contents

Over 2M people have received at least 1 dose of COVID-19 vaccine in Arizona

KTAR News
March 27, 2021

Arizona surpassed the 2 million mark Saturday for people who have received at least one dose of the COVID-19 vaccine, state health officials said.

The Arizona Department of Health Services' COVID-19 dashboard showed 2,008,916 people have received either their first dose of the Pfizer or Moderna vaccines, or one dose of the Johnson & Johnson/Janssen vaccine.

The total represents over 27% of the state's population.

"To everyone who has been vaccinated, I say thank you. To those who haven't yet gotten your shot, I urge you to roll up your sleeve and help Arizona defeat COVID-19," Gov. Doug Ducey said in a press release.

Arizona reports 554 new COVID-19 cases, 6 more deaths Sunday
"This achievement is a credit to the health care workers, staff and volunteers who have worked tirelessly since December."

Nearly 3.2 million doses have been administered across the state since vaccinations began in December. More than 1.2 million Arizonans have been fully vaccinated as of Saturday morning, according to the dashboard.

"These safe and effective vaccines are the light at the end of the tunnel after more than a year of struggle against COVID-19," Dr. Cara Christ, state health director, said in the release.

For details about statewide COVID-19 vaccine availability, the ADHS website has a vaccine-finder page with a map of locations and information about registration and eligibility.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Flagstaff council objects to Ducey order on mask mandates

KTAR News
March 27, 2021

The Flagstaff City Council is casting a critical eye on Gov. Doug Ducey's executive order barring local governments from enforcing mask-wearing mandates to reduce the spread of the coronavirus.

The council on Friday issued a statement saying it doesn't plan to rescind the city's proclamation requiring mask-wearing but won't enforce it while studying Ducey's order Thursday that also lifted the state's own remaining COVID-19 restrictions on businesses and events.

AMERICAN OVERSIGHT

COVID-19 continues to spread and Ducey's order "is not in the best interest of public health and further erodes home role," the Flagstaff council's statement said.

Arizona on Saturday reported 776 additional confirmed COVID-19 cases and 14 more deaths, increasing the state's totals to 839,334 cases and 16,912 deaths, according to the state's coronavirus dashboard.

COVID-19-related hospitalizations dropped to 581 as of Friday, down from 626 as of Thursday.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Chandler expands rent and utility assistance program amid pandemic

KTAR News
March 29, 2021

Some households in Chandler may be able to receive up to 15 months of rent and utility assistance due to the expansion of a city program.

Households must have an income at or below 80% of the area median income to qualify, according to a press release.

In addition, one or more people in the home must qualify for unemployment benefits or have experienced reduced income/increased expenses due to COVID-19 and demonstrate a risk of experiencing homelessness or housing instability as evidenced by past-due notices.

Those seeking rent or utility assistance can find details on how to apply online, with all applications being submitted through AZCEND's Community Action Program Office for evaluation. People who have received rental and utility assistance in the past may reapply if additional help is needed.

Funds are intended for people most in need, according to the release, and applications will be prioritized for households living at or below 50% of the area median income or households with a person that has been unemployed for the past 90 days and households living at or below 80% of the area median income.

The program provides a new way for individuals to get help with rent or utility payments with the Centers for Disease Control and Prevention eviction moratorium set to expire at the end of March, according to the release.

"Since the beginning of the pandemic, city staff and our nonprofit partners have been working nonstop to help provide much-needed financial assistance to Chandler individuals and families in need," Chandler Mayor Kevin Hartke said in the release. "It's imperative that we exhaust every resource to prevent our most vulnerable residents from being evicted during this difficult time."

Residents who are concerned they may not qualify for assistance based on income requirements are still encouraged to apply as several additional types of assistance are available.

AMERICAN OVERSIGHT

Those who have trouble contacting AZCEND due to demand can call the City of Chandler Cares Team at 480-782-4302 or send an email to ask questions or start the pre-screening application process.

The assistance program is aided by more than $7 million being awarded to the city from the U.S. Treasury Department as part of the federal government's Emergency Rental Assistance program, according to the release.

A combined $4.6 million in rent/mortgage assistance and an additional $1.6 million in utility payments have been distributed to more than 2,100 city households during the pandemic by Chandler's nonprofit partners, AZCEND and the Salvation Army Chandler Corps, according to the release.

An additional $56,000 has been given toward payment of residential water utility bills that brought relief to more than 200 customers.

◆◊ ◆◊◆◊ ◆◊
Return to the table of contents

AMERICAN OVERSIGHT

Arizona Daily Sun

Back to the table of contents

Coconino County returns to 'moderate' community transmission level

By Brady Wheeler
Arizona Daily Sun
March 27, 2021

Coconino County moved into the “moderate” level of community transmission on Friday for the first time since September.

The announcement comes as the county continues to see lower case numbers, positivity rates and incidents of coronavirus-like illnesses. Those benchmarks -- which are used as indicators of community transmission -- fall into the “minimal” category currently, based on the most recent weekly data.

Before the county could officially downgrade the community transmission level, the three benchmarks needed to remain below the “substantial” level for two weeks. On Friday, county officials confirmed that data from the week ending March 20 met the criteria to move to the “moderate” level of community transmission.

Coconino County case numbers 3/26/21
Courtesy of Coconino County Health and Human Services
There were 62 total new cases reported that week with a positivity rate of 3.2%. One month ago the county reported 262 new cases, showing daily positivity rates above 10%.

Flagstaff had the highest number of new cases in the most recent week’s data at 46, but was down overall from the previous week, which saw 61 cases. Tribal communities reported 11 new cases this week, down from 21 the previous week. All other areas in Coconino County experienced a decrease in cases as well.

Lower case numbers are a reason to be optimistic, Coconino County Health and Human Services Director Kim Musselman said, but the county is still approaching the situation with caution.

Musselman added that as families come home from spring break travel and students return to in-person instruction at schools throughout the county, CCHHS will be closely monitoring case numbers. CCHHS also has a school outbreak team ready to assist with the transition.

Hospitals throughout the county are reporting decreases in COVID-19 patients, aligning with a report from the county stating weekly COVID-19 hospitalizations are down 69%. COVID-19 deaths have been on a downward trend as well, with one death reported in each of the last four weeks. At least one death has been reported for over a year spanning back to last March.

Matthew Maurer, Coconino County epidemiologist, said the county has partnered with the Arizona Department of Health Services, TGen and Arizona State University’s Biodesign Institute to monitor the spread of COVID-19 variants of concern. At this time, Maurer said, there has not been any evidence of these variants spreading within the community.

As case numbers continued to decline, the county’s vaccine rollout expanded to all residents over the age of 18 last week.

AMERICAN OVERSIGHT

Less than a week later, registration at Arizona's state-operated COVID-19 vaccination sites in Maricopa, Pima and Yuma counties opened to all Arizonans 16 and older on Wednesday, Gov. Doug Ducey and the Arizona Department of Health Services announced.

CCHHS vaccine sites could soon follow suit, but depend on state allocation of Pfizer doses -- which is the only manufactured vaccine currently approved for individuals 16 and older. The county in recent weeks has only been allocated doses of the Moderna vaccine, Musselman said.

The Pfizer vaccine ships in much larger quantities and requires different storage, possibly explaining why it has been more prominent in Arizona counties with large urban populations, Northern Arizona Healthcare's lead pharmacist Andrea Boyce said.

"Having that much vaccine and getting it turned over in a shorter amount of time -- we didn't know if we had that ability," Boyce said. "That's why Pfizer has been localized to those metropolitan areas."

In recent weeks, CCHHS and the Arizona Department of Health Services have mulled logistical challenges and details surrounding a state-run vaccination site at Northern Arizona University, with a tentative launch date on April 19, Musselman said at Tuesday's Coconino County Board of Supervisors meeting.

If a state-run vaccination site is established in northern Arizona, the likelihood of the county receiving the Pfizer vaccine greatly increases, Musselman said.

"The intent is to have Pfizer be the vaccination that is distributed from that location, which for our community and the northern region will be huge, as it will bring the ability to vaccinate those 16 to 18 years old in addition to adults and the general public," Musselman said.

A total of 52,191 residents have received at least one dose of the COVID-19 vaccination as of Thursday, accounting for about 35% of the total population, Maurer said. Of those residents, 34,457 have been fully vaccinated against COVID-19.

♦◊ ♦◊♦◊ ♦◊
Return to the table of contents

Flagstaff City Council pushes back against Governor Ducey's COVID-19 rollbacks

By Brady Wheeler
Arizona Daily Sun
March 27, 2021

Flagstaff Mayor Paul Deasy does not plan to rescind Flagstaff's face covering proclamation after Arizona Gov. Doug Ducey lifted coronavirus restrictions across the state Thursday.

Flagstaff City Council called an emergency executive session Friday morning to address local COVID-19 restrictions and later released a statement in opposition of Ducey's executive order.

"Executive Order 2021-06 is not in the best interest of public health and further erodes home rule. COVID-19 continues to spread with many variants and the city council remains committed to seeing our

AMERICAN OVERSIGHT

community reach collective immunity through vaccination," Deasy said in a video statement. "Ensuring public health and keeping our community safe is our fundamental responsibility and priority."

In a statement backed by the Flagstaff City Council, Deasy noted yesterday's COVID-19 death toll of 32 Arizonans and that only 16% of the state had been vaccinated.

"The Governor is not my boss or the boss of Flagstaff City Council," Deasy said in a tweet Friday night. "The people of Flagstaff are."

Flagstaff's face covering proclamation will remain in effect going forward, but will not be enforced until city staff are able to analyze the legal impacts of Ducey's order, according to a statement from the council.

Council encouraged residents to continue to wear face coverings and practice social distancing to prevent the spread of COVID-19, and called for local businesses to implement restrictions of their own.

"Local businesses are allowed and encouraged to continue to require masks to enter their establishments. If a person refuses to wear a mask or leave your business upon a lawful request to leave, you may request assistance from the [Flagstaff] Police Department for trespassing," the statement from Council said.

The governor's executive order currently prohibits local governments from mandating mask wearing and opens businesses across the state without restrictions. Businesses can still enforce restrictions if they choose, but are no longer governed by cities, towns and counties.

Deasy first addressed the governor's order on Facebook shortly after it was issued Thursday.

"Governor Ducey's executive order to end our city's mask mandate is dangerous, irresponsible, and premature," Deasy said in a March 25 Facebook post. "Businesses can still refuse service to individuals not wearing masks on their property, and I am urging businesses to stay steadfast in their masking policies until a sufficient number of people have been vaccinated."

Deasy added that face covering and distancing requirements will remain in effect on city-operated property, which remains under the jurisdiction of local governments in the state.

Council plans to address COVID-19 limitations further at next week's meeting on Tuesday, such as reopening city services and addressing occupancy limits set by the executive order.

Return to the table of contents

Arizona reports 544 more COVID-19 cases with 6 more deaths

Arizona Daily Sun
March 29, 2021

Arizona health officials on Sunday reported 554 additional confirmed COVID-19 cases and six more deaths.

AMERICAN OVERSIGHT

The latest numbers increased the state's totals to 839,888 cases and 16,918 known deaths since the pandemic began more than a year ago.

The number of infections is thought to be far higher than reported because many people have not been tested, and studies suggest people can be infected with the virus without feeling sick.

According to the state's coronavirus dashboard, more than 3.2 million vaccine doses have been administered to Arizonans with 1.2 million residents fully vaccinated against COVID-19 as of Saturday morning.

Slightly more than 2 million Arizonans — 28.4% of the state's population — have received at least one dose of the vaccine.

Meanwhile, health officials said the number of confirmed or suspected COVID-19 inpatients in the state's hospitals decreased to 562 on Saturday — the lowest number since Oct. 3.

The number of ICU beds used by coronavirus patients fell to 160, down by 21 from Friday. That's the fewest beds used since Oct. 12.

Return to the table of contents

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Wednesday, March 31, 2021 4:37:30 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-31-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet March 31, 2021

CYBER NINJA, MEET WAYBACK MACHINE
The Senate announced this morning that it hired a team of auditors, led by a company owned by an election conspiracy theorist, but many questions remain unanswered.

IF YOU CAN'T TRUST THE CYBER NINJA, WHO CAN YOU TRUST?
Logan seems to have already made up his mind about whether there was fraud in Arizona.

BUT CAN HE USE THE CAT BARCODE THING ON BALLOTS?
Meanwhile, Jovan Hutton Pulitzer, the auditor requested by Trump supporters, posted a message on Twitter today claiming that "technology" he developed is

AMERICAN OVERSIGHT

being used in the Senate's audit.

WE'RE SURE THEY'RE LEGIT, TOO
We know less about the other firms working under Cyber Ninjas.

DON'T COUNT ON BIDEN TO SAVE US
Despite a massive influx of federal funds for schools, districts are still laying off teachers, and K Hoffman said the Legislature needs to step up, as declining enrollment and lower funding for distance learners take their toll on district budgets.

YELLOW SHEET – THE ENEMY OF COMPROMISE
By talking to Yellow Sheet about a potential deal to head off a referendum on Mesa's non-discrimination act, Tyler Montague killed any potential for compromise, GOP consultant George Khalaf, who is working on behalf of the referendum, told our reporter.

IF NEGOTIATIONS DON'T WORK, PREPARE FOR BATTLE
Montague told our reporter he was surprised to learn organizers were upset that he spoke to our reporter, and he's still hopeful the two sides can reach some kind of compromise.

CORRECTION: BUT THE FOAM IS STILL POISON
Yesterday's report misidentified the recipient of a letter from Dept of Environmental Quality and misinterpreted a line in it.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, March 31, 2021

NEWS NOTES AND GOSSIP

CYBER NINJA, MEET WAYBACK MACHINE

The Senate announced this morning that it hired a team of auditors, led by a company owned by an election conspiracy theorist, but many questions remain unanswered. Petersen told our reporter via text that the contract was for $150,000, all of which is coming from the Senate's own budget – lawmakers aren't taking My Pillow founder Mike Lindell up on his offer to fund the audit. Petersen said Fann did almost all the research on the potential auditors; Fann and a Senate GOP spokesman did not respond to calls or emails before our deadline. According to their press release, cyber security company Cyber Ninjas will lead the audit team, and companies called Wake Technology Services, CyFIR and Digital Discovery will participate in the team. Doug Logan, CEO of Cyber Ninjas, was involved in the ill-fated attempt to prove fraud in Antrim County, Michigan (LINK), and has promoted false claims that Trump won Arizona's election. Though he recently deleted his Twitter account, @securityvoid, a quick look at the Wayback Machine (LINK) shows that on Jan 4, he retweeted a message promoting the Jan 6 rally turned riot. "We cannot wait until January 6!! It is going to be a beautiful day," he retweeted in a message that tagged many of the top Stop the Stealers. (To be fair, there was no way to know that event would turn into a deadly riot, though there was already ample evidence that the rally's premise – that the election was stolen – was pure nonsense.) In December, Logan was flooding the internet with lies and conspiracies about the election, using hashtags such as #StopTheSteal #FightBack and #HoldTheLine. "The parallels between the statistical analysis of Venezuela and this year's election are astonishing. I'm ashamed about how few Republicans are talking about it," he wrote. He also retweeted a host of other conspiracy theorists claiming fraud in Georgia, including one claiming former Trump lawyer Sidney Powell had "legally verified evidence of massive election fraud in GA." In fact, he appears to be a big fan of Powell, and retweeted her several times, including her tweet saying, "Pay attention! We made emergency filings in #SupremeCourt tonight for #Georgia & #Michigan. Will be filing #Arizona #Wisconsin shortly. These cases raise constitutional issues and prove massive #fraud. Our plaintiffs have #standing #WeThePeople will not allow #rigged elections." Of course, Powell lost every single one of those lawsuits, including the Arizona case. After being sued by Dominion, Powell claimed that no reasonable person would have believed her conspiracies (LINK).

IF YOU CAN'T TRUST THE CYBER NINJA, WHO CAN YOU TRUST?

Logan seems to have already made up his mind about whether there was fraud in Arizona – he retweeted Kelli Ward and Ron Watkins (who many believe is Q of QAnon fame (LINK)) who claimed Trump actually received 200,000 more votes in Arizona than he did. Logan also helped promote the Sharpiegate conspiracy, retweeting several messages that sharpies cancelled ballots from conservatives. "They made me use a Sharpie and it bled completely through. I'm in AZ. This is voter FRAUD. AZ needs a recount!!" one woman said in a tweet he retweeted. Logan boosted a conspiracy promoted by failed legislative candidate and Stop the Stealer Liz Harris about "#PhantomSleeperVoters." And Logan certainly doesn't trust Dominion. "Statistical analysis showing how votes are switched in a clear pattern, (aka a machine)," he wrote on November 22. "Software glitches are 'normal' with Dominion Software:." And in case there was any confusion, Logan also tweeted that he "wholeheartedly" supports Trump.

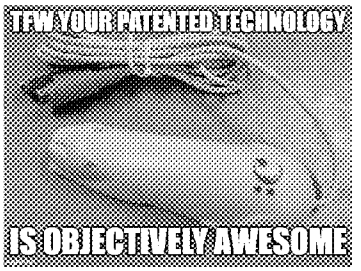
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003059

ARZN_REV00068987_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BUT CAN HE USE THE CAT BARCODE THING ON BALLOTS?



Meanwhile, Jovan Hutton Pulitzer, the auditor requested by Trump supporters, posted a message on Twitter today claiming that "technology" he developed is being used in the Senate's audit. "I am happy to confirm that #ScanTheBallots for #KinematicArtifact detection is being used," he wrote, calling the auditing team "one of the most impressive and qualified auditing teams ever assembled." His Kinematic technology is essentially looking at folds in paper to determine if it could have been a mail-in ballot – if the paper isn't folded, it couldn't have come from the mail. *The Daily Beast's* Will Sommer penned a truly wild article detailing several of the players in the Arizona fraud conspiracy circle recently that noted Pulitzer is also the inventor of the "much-mocked CueCat, a cat-shaped barcode scanner that was meant to let people reading magazines scan barcodes in ads, taking them to related websites." Then using the name J. Jovan Philyaw, Pulitzer took in more than $185 million in investments for what was dubbed "one of the most ridiculed products of the internet era" Sommer noted (LINK). He later remade himself as an amateur treasure hunter. When rumors circulated earlier this month that Pulitzer would be involved in the audit, Fann claimed she had never heard of him.

WE'RE SURE THEY'RE LEGIT, TOO

We know less about the other firms working under Cyber Ninjas. The Senate's description of CyFIR, including that the company discovered a data breach at the US Office of Personnel Management, appears to refer to CyTech Services. CyFIR is one of the company's products, which was used to discover security issues at the Office of Personnel Management (LINK). Digital Discovery is a Texas-based computer forensic company that lists prior work with federal government agencies including the Dept of Justice, Immigration and Customs Enforcement and the FBI (LINK). The Senate's description of Wake Technology Services says members performed hand-count audits in 2020 in Fulton County, Penn., and New Mexico and have investigated election fraud since 1994. "In that 1994 case, this team member worked closely with the FBI during the investigation," the Senate's announcement said. Our reporter could not immediately find more information on the group.

DON'T COUNT ON BIDEN TO SAVE US

Despite a massive influx of federal funds for schools, districts are still laying off teachers, and K Hoffman said the Legislature needs to step up, as declining enrollment and lower funding for distance learners take their toll on district budgets. On Friday, Gilbert Public Schools notified employees that 152 teachers and other employees would be laid off, citing enrollment declines (LINK). Hoffman said she was disappointed but not entirely surprised to see the news. "Our lawmakers are sitting on a $1 billion rainy day fund and $2 billion budget surplus," she told our reporter. "And again, I just keep saying this, but there is no excuse for our state, to not be fully funding our schools in the sense of making up the difference of these enrollment declines, and also fully funding distance learning." Distribution of the more than $2.5 billion in relief from the American Rescue Plan is largely based on the Title I formula, meaning it won't be evenly distributed across districts, which may also be a factor in whether districts face layoff decisions, Hoffman told our reporter. Hoffman said that some education leaders she's spoken with viewed the third round of federal Covid relief as a lifeline in avoiding layoffs. In addition to the lesser funding for distance learners, Hoffman also pointed to the fact that the Enrollment Stabilization Grant Program was not fully funded. "Our state has created a budget deficit for our schools through those two means," she said, adding that the federal funds may not close the gap for each district. "Many of our districts are in a situation where they have experienced enrollment declines, and they did not receive the amount from the enrollment stability grants that was promised to them," Hoffman said. "And so now they're facing difficult decisions."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003060
ARZN_REV00068987_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YELLOW SHEET – THE ENEMY OF COMPROMISE

By talking to *Yellow Sheet* about a potential deal to head off a referendum on Mesa's non-discrimination act, Tyler Montague killed any potential for compromise, GOP consultant George Khalaf, who is working on behalf of the referendum, told our reporter. "Tyler's commentary in the *Yellow Sheet* set back any conversation essentially to Square One," he said, referencing an item from last week (YS, 3/23). The deal – or the possibility of a deal – fell through and proponents plan to file signatures with the city tomorrow afternoon, he said. "We have enough to file," he said, though he wouldn't say how many and wouldn't go so far as to say organizers are confident they have enough to withstand challenges. (Organizers with United for Mesa need more than 9,000 valid signatures from registered Mesa voters to force a referendum.) Khalaf acknowledged that there were conversations about the possibility of a compromise, and laughed at the idea that a compromise was ever imminent. "Members of the committee were approached to see could there be a solution that would include giving a voice to the residents of Mesa, but I can't comment on the status of those [conversations]," he said. "Throughout this entire process, United for Mesa's sole goal was to ensure that Mesa residents had a voice and a seat at the table, which they have not felt like they had throughout this entire process." Khalaf said that "as of right now," they're filing signatures, though he wouldn't elaborate on whether or what they expect to change or if organizers of the referendum were still open to negotiations before the issue lands on the 2022 ballot. "I can't even comment to you about the status, because the status is seemingly changing hour-by-hour, day-by-day," he said. If the Mesa City Council were to repeal the ordinance, referendum backers would back off, he said. (There's some precedence there, as lawmakers faced a referendum on a 2013 elections omnibus bill, and returned in 2014 to repeal it before it could go to the ballot). But as far as any kind of repeal and replace with a watered-down version, Khalaf wouldn't comment, saying that's hypothetical. "Mesa is awake. Mesa is frustrated. And anybody who doesn't see that this ordinance passed by the city has woken up a lot of people... doesn't have a clear understanding of what's happening on the ground in Mesa," he said. "That commentary fueled those people even more that are frustrated with the business as usual attitude."

IF NEGOTIATIONS DON'T WORK, PREPARE FOR BATTLE

Montague told our reporter he was surprised to learn organizers were upset that he spoke to our reporter, and he's still hopeful the two sides can reach some kind of compromise. "[Lead organizer] Thomas Brown said, 'You at least said nice things about me,'" Montague said with a laugh. As organizers prepare to file their petitions, Montague said he suspects talks will continue, even if it's after the city ordinance is put on hold for the referendum. He said it doesn't appear the city council has any appetite to simply repeal the ordinance, but there's still the possibility of a repeal and replace scenario. Or the city might just let the recall play out. "If the public is in favor of this thing 60-40 or something like that, they'll just sit back and watch it win," he said, noting he hasn't seen any polling about Mesa's ordinance specifically, but the concept has broad support in most polling. "Or if the people in opposition think they'll lose in the election, they'll have every incentive to negotiate." He said much of the opposition is relying on "hyperbole and hypotheticals" and opponents just need to look to Phoenix or Tempe to show that the ordinances don't result in the Dooms Day scenarios that some predict. "To be fair, it's not crazy to worry about a law being abused, but that hasn't happened elsewhere," he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003061
ARZN_REV00068987_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

CORRECTION: BUT THE FOAM IS STILL POISON

Yesterday's report misidentified the recipient of a letter from Dept of Environmental Quality and misinterpreted a line in it. ADEQ sent two letters about contamination – one to first responders last October and the other to industry folk last week. The letter from last week was aimed at explaining the risks of using the firefighting foam and not, as we wrote, to encourage them to hold onto the foam in their inventory.

WAKE UP CALL

Candidates can start gathering signatures for state, federal office

Arizona Capitol Times

Candidates for Congress and the state Legislature can now collect signatures for office using the current redistricting lines for the 2022 election.

Finchem starts run for top election official

Capitol Media Services

One of the leading proponents of the claims of election fraud in Arizona now wants to be in charge of the system.

Ducey won't challenge local mask ordinances

Capitol Media Services

Gov. Doug Ducey is not taking any action to curb the decisions of some cities and counties to ignore his directive that they scrap their mask mandates.

Gun-rights bill goes to Ducey

Capitol Media Services

If the federal government imposes new restrictions on guns it's going to have to enforce them without Arizona's help.

SB 1411 headed to the House

Capitol Media Services

Legislation to boost state jobless benefits for the first time in 17 years cleared a crucial hurdle Tuesday.

Hudbay says it's found copper that could result in open pit mines on Santa Ritas' west side

Arizona Daily Star

Hudbay Minerals Inc. announced a "significant" new finding of copper mineralization next to its Rosemont Mine site.

Native American health clinics offering vaccine to visitors

Associated Press

The Indian Health Service announced Monday that it is shifting its vaccine distribution system to target individual hospitals and clinics with high demand for shots and taper supplies to hubs where most eligible patients have received doses.

GOP lawmakers take aim at Arizona renewable energy standards

Associated Press

As states across the U.S. West beef up their renewable energy requirements, a push to do so in Arizona has been met by fierce resistance from the Republican governor and GOP-dominated Legislature, which are looking to strip elected utility regulators of their power to set energy policy in one of the nation's sunniest states.

Arizona Senate proposal would ban nearly all abortions

Associated Press

A proposal in the Arizona Senate would ban most abortions even before many women know they are pregnant by making it a felony for a physician to perform the procedure if a fetal heartbeat can be detected.

Group wants Mesa discrimination ban on ballot

East Valley Tribune

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003062

ARZN_REV00068987_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

On March 1, after the second of two marathon meetings with passionate public speakers on both sides of the issue, Mesa City Council voted 5-2 to create a non-discrimination ordinance.

New advocacy group focuses on voting rights in Pinal
Coolidge Examiner
Over the past few election cycles, progressive advocacy groups have increased their presence in more historically conservative rural areas, such as Pinal County.

County officials face battle convincing residents to get vaccinated
Payson Roundup
The number of people lining up for COVID shots has started to dwindle, which means Gila County health officials have a whole new challenge, especially now that Gov. Doug Ducey has lifted mask mandates and other social distancing restrictions.

County says Ducey can't stop mask requirement
Green Valley News
Pima County announced it would continue to enforce mask mandates countywide despite Gov. Doug Ducey calling for an end to local mandates.

Angry Residents, Abrupt Stops: Waymo Vehicles Are Still Causing Problems in Arizona
Phoenix New Times
A driverless Waymo vehicle caused a crash in October by stopping unexpectedly in the middle of the road, displaying a technical malfunction the Google-related company claims is rare.

Redistricting commission narrows search for legal counsel
Arizona Mirror
The Arizona Independent Redistricting Commission chose four finalists to serve as its legal counsel, and in the process jettisoned the state's procurement process, giving it wider latitude to choose the attorneys of its choice.

Rep. Ruben Gallego says vets linked to the Capitol riot should lose their benefits
Arizona Republic (Opinion, EJ Montini)
The Marine combat veteran has very stong feelings about those who break sacred oaths. He should. We all should.

God help us. The Arizona Legislature has now declared the state a sanctuary ... for guns
Arizona Republic (Opinion, Laurie Roberts)
Here in Arizona, our Legislature has voted to protect guns. Heaven forbid, our leaders do anything to protect the people who come face to face with the business end of the barrel.

No one wants a 'scorched-earth Senate.' How Democrats can make it functional again
Arizona Republic (Opinion, Robert Robb)
If Democrats abolish the virtual filibuster, Mitch McConnell says he will use other rules to shut down the Senate. Dems should change those rules as well.

Why I asked to drop the death penalty for my brother's killer (and Arizona should, too)
Arizona Republic (Op-ed, Arlis Keller)
Bringing my brother's killer to trial was stressful. I learned that 'closure' from the death penalty is a myth and an execution does not bring peace.

PRESS RELEASES

Arizona Senate hires auditor to review 2020 election in Maricopa County

(Phoenix, State Capitol) --- Arizona Senate leadership today announced it has hired a team of independent auditors to complete a comprehensive, full forensic audit of the 2020 election in Maricopa County, including a hand recount of all ballots.

After months of interviewing various forensic auditors, the Arizona Senate has found a qualified team consisting of Wake Technology Services, Inc., CyFIR, LLC, Digital Discovery, and Cyber Ninjas, Inc. to conduct the audit.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The team will be led by Cyber Ninjas, a cyber security company with a focus on application security, working across financial services and government sectors.
CyFIR is a digital security and forensics company specializing in enterprise incident response, computer forensics and expert witness support to litigation. Notable past engagements include the discovery of the Office of Personnel Management Breach in 2015 and forensic support to the largest individual bank fraud in the history of the IMF. As specialists supporting the highest levels of government and private industry, they are extremely familiar with responding to nation-state cyber activity, including Advanced Persistent Threats (APT).
Members of the Wake Technology Services group have performed hand-count audits in Fulton County, PA and in New Mexico as part of the 2020 General Election cycle. In addition, team members have been involved in investigating election fraud issues, dating back to 1994. In that 1994 case, this team member worked closely with the FBI during the investigation. Wake Technology Services team members also include intelligence analysts and fraud investigators from a variety of industries.
The audit will validate every area of the voting process to ensure the integrity of the vote. The scope of work will include, but is not limited to, scanning all the ballots, a full manual recount, auditing the registration and votes cast, the vote counts, and the electronic voting system. At the conclusion of the audit, the auditor will issue a report detailing all findings discovered during the assessment.
Senate leadership expects this audit to be done in a transparent manner with the cooperation of Maricopa County.
"Our people need to be assured that the Senate and Maricopa County can work together on this audit, to bring integrity to the election process," said Senate President Karen Fann. "As Board Chair Sellers and County Recorder Richer wrote in the Arizona Republic
'a democracy cannot survive if its people do not believe elections are free and fair.' They also acknowledge a significant number of voters want the additional assurance that a full forensic audit might bring. I look forward to continued cooperation."
Because it is an independent audit, leadership will not be directly involved, and members do not expect to comment on any of the processes of the audit until the report is issued in about 60 days.

MCDP Reacts To AZ Senate GOP Election Audit Hire

PHOENIX - Five weeks after gaining access to more than 2.1M ballots and five months after the 2020 general election, the Arizona Senate Republicans finally announced the four firms they've contracted to conduct their election audit.
Instead of working to dispel conspiracy theories and election fraud claims, the AZ Senate GOP is now actively reinforcing these far-fetched notions, even after multiple independent audits found no fraud. The decision to move forward with an audit only serves to perpetuate the baseless election fraud claims and emboldens right-wing extremist efforts in overturning the 2020 general election results while justifying the countless voter suppression bills presented in the Arizona legislature.
Nancy Schriber, MCDP Chair, releases the following:
"The big lie is continuing to spread, and the AZ Senate Republicans are making it worse. By hiring firms with ties to 'Stop the Steal' far-right fringe groups, the AZ Senate GOP only adds fuel to the election fraud fire.
From the very beginning, the calls for election audits have come from extremist right-wing groups whose goal isn't election security. They want to overturn the results of the Arizona 2020 general election. And now, with the AZ Senate GOP continuing an audit, they are validating these claims.
Not only does this cause a terrible precedent for future elections, but it also costs taxpayers thousands of dollars. Unfortunately, the AZ Senate GOP is not paying for contracting these firms. It's taxpayers who will foot the bill.
Instead of focusing on critical issues impacting the communities they represent, the AZ Senate GOP is wasting valuable time undermining our democracy. Worse, this political ploy is serving to justify the multiple voter suppression bills in the Arizona legislature.
Moving forward with this election audit fiasco is dangerous. The AZ Senate GOP is now actively advancing the far-right fringe agenda, which will have a troubling effect on voting in Arizona for years to come."

House Approves Moving Arizona's Income Tax Filing Deadline to Mirror Feds

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003064
ARZN_REV00068987_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today approved SB 1297, a bill that was recently amended by Representative Shawnna LM Bolick with legislative language to delay the state income tax return filing deadline in order to provide uniformity with new federal tax filing deadlines.
"Without this change to create uniformity with the new federal deadline, Arizona taxpayers are being rushed to file their state taxes before they need to file their federal taxes," said Representative Bolick. **"That's a problem for most, since Arizona income tax filings are often dependent on the federal adjusted gross income – a figure only determined once you file your federal taxes. I'm glad the House has acted quickly to address this disparity, and hope the State Senate will follow suit, so SB 1297 can be sent to the governor's desk as soon as possible!"**
In March, the Internal Revenue Service announced it had postponed this year's April 15 deadline for filing federal income tax returns to May 17, citing the COVID-19 pandemic and recent changes in tax law. Arizona's current state tax deadline is April 15.
Shawnna LM Bolick is a Republican member of the Arizona House of Representatives serving Legislative District 20 in Maricopa County.

Governor Ducey Celebrates New Manufacturing Training Center In Coolidge

PHOENIX — Governor Doug Ducey today joined elected officials and automotive manufacturing leaders in Pinal County to officially launch Drive48, an advanced manufacturing training center that will bolster Arizona's workforce training efforts for high-tech jobs.
"Arizona is in the midst of a manufacturing boom," said Governor Ducey. "We're showing the nation what it means to welcome innovation and industry, while creating opportunities for people to work in high-skill, high-wage industries. When more products are 'Made In Arizona,' our entire economy benefits, and we look forward to keeping this momentum going."
Drive48 is a 13,000 square-foot facility in fast-growing Pinal County that has the capacity to train more than 100 students at a given time in fields such as automotive, advanced manufacturing, heavy equipment and general industry.
"Talent is a key driver in business location decisions," said Sandra Watson, President and CEO of the Arizona Commerce Authority. "With the opening of Drive48, we're further enhancing Arizona's robust manufacturing workforce pipeline, now and in the future. We're grateful to the many partners who helped make this project possible."
The facility features a main training room with multiple assembly robots used for training technicians in programming, maintenance, problem solving, troubleshooting, safety, general system requirements and more that will prepare workers for jobs in automotive manufacturing. It also includes several rooms that will offer hands-on training with tools, part assembly, various applications and safety aspects for in-demand work.
"Central Arizona College is excited to be the home of this cutting-edge regional workforce training center," said Central Arizona College President Dr. Jackie Elliott. "This partnership is a testament to the commitment of all parties in investing in the state's economy and enriching the lives of individuals through meaningful skilling and employment."
Manufacturing jobs in Arizona have increased at one of the fastest rates in the nation, with 13,000 manufacturing jobs added since 2015. More than 180,000 Arizonans now work in the manufacturing industry, where jobs pay on average 21% higher than other private sector positions. Industry leaders to announce major relocations or expansions in recent years include Intel, Benchmark Electronics, Lucid Motors, Nikola Motor Company, TSMC, ElectraMeccanica, Raytheon and more.
"Thousands of high-tech jobs are coming online in Pinal County over the next few years," said Mayor of Casa Grande Craig McFarland. "This facility and the many partners involved are ensuring our workforce can meet the demand while providing local graduates a pathway to gain new skills, acquire good-paying jobs, and stay right here in the community."
Lucid Motors in 2016 announced it selected Casa Grande for its electric car manufacturing operation, located near the Drive48's facility.
Intel last week announced a $20 billion investment in Arizona with the expansion of its state-based manufacturing capacity. The investment will generate 3,000 high-tech jobs, 3,000 construction jobs, and an estimated 15,000 additional indirect jobs in the community.
In addition, Taiwan Semiconductor Manufacturing Company (TSMC) in May 2020 announced it selected Arizona for the location of its new U.S. advanced semiconductor factory, creating more than 1,600 jobs.
To learn more about manufacturing jobs and other aspects of Arizona's economy, click HERE.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003065
ARZN_REV00068987_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Community Organizations Call on Major Corporate Donors to Oppose Bills Attacking Voting Rights, Criminalizing Protest & Blocking Police Accountability

PHOENIX - Earlier today, more than 30 Arizona voting rights organizations and community groups released a letter to Allstate Insurance, CVS Health, Enterprise Holdings, and Farmers' Insurance, asking them to take a public stance against bills currently moving through the Arizona state legislature that would limit voting, criminalize protest and block police accountability.

The coalition is calling for all four companies to publicly oppose SB1713, SB1485, HB2309, HB2550, HB2567, and HB2295, among other bills, and to cease donations to the state legislators who introduced them.

- SB1713 would impose burdensome ID requirements on vote by mail voters. It has passed the Senate and is awaiting a floor vote in the House.
- SB1485 would purge 100,000+ Arizonans from the vote by mail list. It has passed the Senate and is awaiting a final floor vote in the House.
- HB2309 would criminalize protesters, making it easier for prosecutors to bring charges against protesters, especially Black and Brown protesters, who are exercising their First Amendment rights. It has passed the House and is awaiting a floor vote in the Senate.
- HB2550 aims to discourage people from making complaints about police abuse. It has passed the House and is awaiting a floor vote in the Senate.
- HB2567 virtually guarantees that any discipline or firing of an officer by a chief of police will be overturned. It has passed the House and is awaiting a floor vote in the Senate.
- HB2295 changes rules around the Brady List in order to reduce the consequences of police misconduct. It has passed the House and is awaiting a committee hearing in the Senate.

These bills are joined by dozens of other proposals introduced this session that undermine voting rights, attack democratic norms and institutions, criminalize protesters, and retaliate against last summer's protests against police violence.

All four companies are among the largest corporate donors to the state legislators sponsoring these bills. Farmers' Insurance has directly donated at least $27,800, Enterprise Holdings has directly donated at least $16,700, CVS has directly donated at least $9,700, and Allstate has directly donated at least $7,850, according to research compiled by journalist Judd Legum.

In addition, all four companies have made clear public statements about the importance of voting and civic engagement, as well as statements about the importance of racial justice. And yet all four have taken no stance on the bills currently moving through the Arizona state legislature.

"Words are not enough: our democracy and our fundamental rights are under attack, and we need to see action," the letter read. "We are calling for you to speak out publicly, oppose these bills, and halt donations to the legislators who introduced them."

Copies of the letters are available here: https://www.progressarizona.org/community-letter/

TOMORROW: Press Call with Arizona Leaders on What Biden's Infrastructure Announcement Means for Arizona

State Sen. Kirsten Engel, Tempe Mayor Corey Woods, Phoenix Councilwoman Yassamin Ansari, and Communications Workers of America Legislative and Coalition Director Yolanda Bejarano to Discuss How Infrastructure Investments Will Spur Clean Energy Economy & Create Jobs in Arizona

Washington, D.C. – On Thursday, April 1st, Climate Power will host a press call with State Sen. Kirsten Engel, Tempe Mayor Corey Woods, Phoenix Councilwoman Yassamin Ansari, and Communications Workers of America Legislative and Coalition Director Yolanda Bejarano on what this week's announcement from President Biden on infrastructure means for Arizona. Today in Pittsburgh, Biden is expected to announce his American Jobs Plan in the framework of the Build Back Better agenda, which includes a reported $2+ trillion investment in clean energy and infrastructure.

Following Biden's announcement, Arizona leaders will discuss **how these investments would boost the state's economy, create thousands of good-paying union jobs, and improve the quality of life for hard-working families in Arizona.**

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003066

ARZN_REV00068987_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The event features:
State Sen. Kirsten Engel
Tempe Mayor Corey Woods
Phoenix Councilwoman Yassamin Ansari
Communications Workers of America Legislative and Coalition Director Yolanda Bejarano
When: Thursday, April 1, 2021
Time: 11:00 AM MST
This is an open press event. Media interested in covering this event can **RSVP to *daniela@climatepower.us* to receive dial-in information**

Arizona Legislature Praised for Moving Fast on Liability Protection

Small-business owners may soon breathe a sigh of relief over not getting unfairly sued

PHOENIX, March 31, 2021—Arizona may soon become the latest state to rightly protect its small-business owners against unfair COVID lawsuits, after yesterday's final passage of Senate Bill 1377.

"This is common-sense protection for Arizona's mom-and-pop business owners. If signed into law by the Governor, small business owners will breathe a huge sigh of relief knowing they will not be targets for trial lawyers looking for a quick buck," said Chad Heinrich, Arizona state director for the National Federation of Independent Business (NFIB), the nation's leading small-business association. "Our state has been down this road before with shakedown lawsuits, so it's great to see lawmakers putting a roadblock against it happening with COVID cases."

Arizona's legislative action follows on the heels of Florida's Governor signing similar protections into law on Monday. Even in the best of times, according to Heinrich, a lawsuit alleging anything can threaten to shutter a small business. It has been estimated that a lawsuit can cost as much as $250,000 to defend against. Many small businesses would find it much cheaper to simply close up shop. When Congress failed last year to come up with federal liability protection against unfair COVID lawsuits, states began crafting solutions of their own.

Arizona's new law states, "If the Governor declares a State of Emergency for a public health pandemic … a person or provider that acts in good faith to protect a customer, student, tenant, volunteer, patient, guest or neighbor or the public from injury … is not liable for damages … unless it is proven by clear and convincing evidence that the person or provider failed to act or acted [with] willful misconduct or gross negligence."

Kelly, Sinema Secure $135.4 Million for Arizona Health Centers

Senators helped shape and pass new COVID-relief law providing critical funds to 23 Arizona health centers

Arizona Senators Mark Kelly and Kyrsten Sinema secured $135.4 million in the recently passed COVID-relief law for 23 Arizona health centers.

"Arizona's Community Health Centers have been central to the fight against COVID-19 because they're trusted and accessible to Arizonans in their neighborhoods and communities. These additional funds coming from the COVID-19 relief package will boost efforts to care for and vaccinate underserved and rural areas in every corner of Arizona as we work together to beat this virus and rebuild our economy," said Senator Mark Kelly.

"Strengthening Arizona's public health response will help us beat the coronavirus more quickly and fuel a full economic recovery. The COVID-relief we secured for Arizona health centers expands vaccinations and testing, and provides critical support for primary health care providers saving Arizonans' lives," said Senator Kyrsten Sinema.

"As the largest primary care organization in Cochise County, we have been working tirelessly to reach all corners of our service area to treat Arizonans with COVID-19 and administer vaccines. These new funds will allow us to dramatically expand our work to vaccinate all those in Cochise County who desire to be tested, treated and/or vaccinated for COVID-19. We are tremendously grateful for the work that Senators Kelly and Sinema have done to secure these resources for Cochise County and their continued support of Community Health Centers." Dr. Jonathan Melk, Chiricahua Community Health Centers

"North Country HealthCare is proud to be part of the national network of Federally Qualified Health Centers (FQHCs) directly responding to COVID-19. FQHCs reach vulnerable populations. For North Country, that means the homebound, those experiencing homelessness, and those who live far from major metropolitan centers throughout northern Arizona. Because FQHCs are embedded in the communities we serve, we are able

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003067
ARZN_REV00068987_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to answer community questions and ease vaccination fears. We are all in this together. North Country appreciates Senator Kelly and Senator Sinema's support for these additional funds and the President's confidence in us and our colleagues to provide COVID-19 vaccinations, testing, care, and education at this most difficult time. We look forward to expanding our healthcare workforce so that everyone has access to high-quality primary care, clinical pharmacy, dental services, and behavioral health in an atmosphere of dignity and respect." Dr. Anne Newland, North Country HealthCare

"A huge thank you to Senator Mark Kelly and Senator Kyrsten Sinema for their support of the American Rescue Plan. Valle del Sol is honored to be one of the recipients of these dollars to expand our reach in some of the communities hardest hit by Covid-19. Thank you, Congress, for investing in the health care of Arizonans." Carmen Heredia, CEO at Valle del Sol

These COVID-relief funds secured by Kelly and Sinema will expand COVID-19 vaccinations, testing, and treatment for vulnerable populations in Arizona. Additionally, the relief will deliver preventive and primary health care services to Arizonans at higher risk for COVID-19 and expand operational capacity at Arizona health centers during the pandemic and beyond, including modifying and improving physical infrastructure and adding more mobile units.

"QUOTE OF THE DAY"

"The parallels between the statistical analysis of Venezuela and this year's election are astonishing. I'm ashamed about how few Republicans are talking about it."

- ***Doug Logan, CEO of Cyber Ninjas, the company heading up the Senate's audit, on his now-deleted Twitter***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003068

ARZN_REV00068987_3-31-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, March 31, 2021 4:37:33 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 3-31-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet March 31, 2021

CYBER NINJA, MEET WAYBACK MACHINE
The Senate announced this morning that it hired a team of auditors, led by a company owned by an election conspiracy theorist, but many questions remain unanswered.

IF YOU CAN'T TRUST THE CYBER NINJA, WHO CAN YOU TRUST?
Logan seems to have already made up his mind about whether there was fraud in Arizona.

BUT CAN HE USE THE CAT BARCODE THING ON BALLOTS?

AMERICAN OVERSIGHT

Meanwhile, Jovan Hutton Pulitzer, the auditor requested by Trump supporters, posted a message on Twitter today claiming that "technology" he developed is being used in the Senate's audit.

WE'RE SURE THEY'RE LEGIT, TOO
We know less about the other firms working under Cyber Ninjas.

DON'T COUNT ON BIDEN TO SAVE US
Despite a massive influx of federal funds for schools, districts are still laying off teachers, and K Hoffman said the Legislature needs to step up, as declining enrollment and lower funding for distance learners take their toll on district budgets.

YELLOW SHEET – THE ENEMY OF COMPROMISE
By talking to Yellow Sheet about a potential deal to head off a referendum on Mesa's non-discrimination act, Tyler Montague killed any potential for compromise, GOP consultant George Khalaf, who is working on behalf of the referendum, told our reporter.

IF NEGOTIATIONS DON'T WORK, PREPARE FOR BATTLE
Montague told our reporter he was surprised to learn organizers were upset that he spoke to our reporter, and he's still hopeful the two sides can reach some kind of compromise.

CORRECTION: BUT THE FOAM IS STILL POISON
Yesterday's report misidentified the recipient of a letter from Dept of Environmental Quality and misinterpreted a line in it.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, March 31, 2021

NEWS NOTES AND GOSSIP

CYBER NINJA, MEET WAYBACK MACHINE

The Senate announced this morning that it hired a team of auditors, led by a company owned by an election conspiracy theorist, but many questions remain unanswered. Petersen told our reporter via text that the contract was for $150,000, all of which is coming from the Senate's own budget – lawmakers aren't taking My Pillow founder Mike Lindell up on his offer to fund the audit. Petersen said Fann did almost all the research on the potential auditors; Fann and a Senate GOP spokesman did not respond to calls or emails before our deadline. According to their press release, cyber security company Cyber Ninjas will lead the audit team, and companies called Wake Technology Services, CyFIR and Digital Discovery will participate in the team. Doug Logan, CEO of Cyber Ninjas, was involved in the ill-fated attempt to prove fraud in Antrim County, Michigan (LINK), and has promoted false claims that Trump won Arizona's election. Though he recently deleted his Twitter account, @securityvoid, a quick look at the Wayback Machine (LINK) shows that on Jan 4, he retweeted a message promoting the Jan 6 rally turned riot. "We cannot wait until January 6!! It is going to be a beautiful day," he retweeted in a message that tagged many of the top Stop the Stealers. (To be fair, there was no way to know that event would turn into a deadly riot, though there was already ample evidence that the rally's premise – that the election was stolen – was pure nonsense.) In December, Logan was flooding the internet with lies and conspiracies about the election, using hashtags such as #StopTheSteal #FightBack and #HoldTheLine. "The parallels between the statistical analysis of Venezuela and this year's election are astonishing. I'm ashamed about how few Republicans are talking about it," he wrote. He also retweeted a host of other conspiracy theorists claiming fraud in Georgia, including one claiming former Trump lawyer Sidney Powell had "legally verified evidence of massive election fraud in GA." In fact, he appears to be a big fan of Powell, and retweeted her several times, including her tweet saying, "Pay attention! We made emergency filings in #SupremeCourt tonight for #Georgia & #Michigan. Will be filing #Arizona #Wisconsin shortly. These cases raise constitutional issues and prove massive #fraud. Our plaintiffs have #standing #WeThePeople will not allow #rigged elections." Of course, Powell lost every single one of those lawsuits, including the Arizona case. After being sued by Dominion, Powell claimed that no reasonable person would have believed her conspiracies (LINK).

IF YOU CAN'T TRUST THE CYBER NINJA, WHO CAN YOU TRUST?

Logan seems to have already made up his mind about whether there was fraud in Arizona – he retweeted Kelli Ward and Ron Watkins (who many believe is Q of QAnon fame (LINK)) who claimed Trump actually received 200,000 more votes in Arizona than he did. Logan also helped promote the Sharpiegate conspiracy, retweeting several messages that sharpies cancelled ballots from conservatives. "They made me use a Sharpie and it bled completely through. I'm in AZ. This is voter FRAUD. AZ needs a recount!!" one woman said in a tweet he retweeted. Logan boosted a conspiracy promoted by failed legislative candidate and Stop the Stealer Liz Harris about "#PhantomSleeperVoters." And Logan certainly doesn't trust Dominion. "Statistical analysis showing how votes are switched in a clear pattern, (aka a machine)," he wrote on November 22. "Software glitches are 'normal' with Dominion Software:." And in case there was any confusion, Logan also tweeted that he "wholeheartedly" supports Trump.

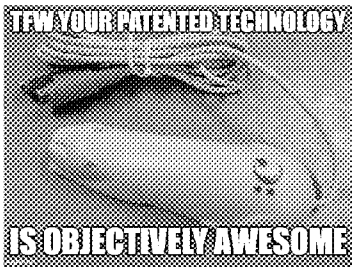
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003071

ARZN_REV00068989_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BUT CAN HE USE THE CAT BARCODE THING ON BALLOTS?



Meanwhile, Jovan Hutton Pulitzer, the auditor requested by Trump supporters, posted a message on Twitter today claiming that "technology" he developed is being used in the Senate's audit. "I am happy to confirm that #ScanTheBallots for #KinematicArtifact detection is being used," he wrote, calling the auditing team "one of the most impressive and qualified auditing teams ever assembled." His Kinematic technology is essentially looking at folds in paper to determine if it could have been a mail-in ballot – if the paper isn't folded, it couldn't have come from the mail. *The Daily Beast's* Will Sommer penned a truly wild article detailing several of the players in the Arizona fraud conspiracy circle recently that noted Pulitzer is also the inventor of the "much-mocked CueCat, a cat-shaped barcode scanner that was meant to let people reading magazines scan barcodes in ads, taking them to related websites." Then using the name J. Jovan Philyaw, Pulitzer took in more than $185 million in investments for what was dubbed "one of the most ridiculed products of the internet era" Sommer noted (LINK). He later remade himself as an amateur treasure hunter. When rumors circulated earlier this month that Pulitzer would be involved in the audit, Fann claimed she had never heard of him.

WE'RE SURE THEY'RE LEGIT, TOO

We know less about the other firms working under Cyber Ninjas. The Senate's description of CyFIR, including that the company discovered a data breach at the US Office of Personnel Management, appears to refer to CyTech Services. CyFIR is one of the company's products, which was used to discover security issues at the Office of Personnel Management (LINK). Digital Discovery is a Texas-based computer forensic company that lists prior work with federal government agencies including the Dept of Justice, Immigration and Customs Enforcement and the FBI (LINK). The Senate's description of Wake Technology Services says members performed hand-count audits in 2020 in Fulton County, Penn., and New Mexico and have investigated election fraud since 1994. "In that 1994 case, this team member worked closely with the FBI during the investigation," the Senate's announcement said. Our reporter could not immediately find more information on the group.

DON'T COUNT ON BIDEN TO SAVE US

Despite a massive influx of federal funds for schools, districts are still laying off teachers, and K Hoffman said the Legislature needs to step up, as declining enrollment and lower funding for distance learners take their toll on district budgets. On Friday, Gilbert Public Schools notified employees that 152 teachers and other employees would be laid off, citing enrollment declines (LINK). Hoffman said she was disappointed but not entirely surprised to see the news. "Our lawmakers are sitting on a $1 billion rainy day fund and $2 billion budget surplus," she told our reporter. "And again, I just keep saying this, but there is no excuse for our state, to not be fully funding our schools in the sense of making up the difference of these enrollment declines, and also fully funding distance learning." Distribution of the more than $2.5 billion in relief from the American Rescue Plan is largely based on the Title I formula, meaning it won't be evenly distributed across districts, which may also be a factor in whether districts face layoff decisions, Hoffman told our reporter. Hoffman said that some education leaders she's spoken with viewed the third round of federal Covid relief as a lifeline in avoiding layoffs. In addition to the lesser funding for distance learners, Hoffman also pointed to the fact that the Enrollment Stabilization Grant Program was not fully funded. "Our state has created a budget deficit for our schools through those two means," she said, adding that the federal funds may not close the gap for each district. "Many of our districts are in a situation where they have experienced enrollment declines, and they did not receive the amount from the enrollment stability grants that was promised to them," Hoffman said. "And so now they're facing difficult decisions."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003072
ARZN_REV00068989_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YELLOW SHEET – THE ENEMY OF COMPROMISE

By talking to *Yellow Sheet* about a potential deal to head off a referendum on Mesa's non-discrimination act, Tyler Montague killed any potential for compromise, GOP consultant George Khalaf, who is working on behalf of the referendum, told our reporter. "Tyler's commentary in the *Yellow Sheet* set back any conversation essentially to Square One," he said, referencing an item from last week (YS, 3/23). The deal – or the possibility of a deal – fell through and proponents plan to file signatures with the city tomorrow afternoon, he said. "We have enough to file," he said, though he wouldn't say how many and wouldn't go so far as to say organizers are confident they have enough to withstand challenges. (Organizers with United for Mesa need more than 9,000 valid signatures from registered Mesa voters to force a referendum.) Khalaf acknowledged that there were conversations about the possibility of a compromise, and laughed at the idea that a compromise was ever imminent. "Members of the committee were approached to see could there be a solution that would include giving a voice to the residents of Mesa, but I can't comment on the status of those [conversations]," he said. "Throughout this entire process, United for Mesa's sole goal was to ensure that Mesa residents had a voice and a seat at the table, which they have not felt like they had throughout this entire process." Khalaf said that "as of right now," they're filing signatures, though he wouldn't elaborate on whether or what they expect to change or if organizers of the referendum were still open to negotiations before the issue lands on the 2022 ballot. "I can't even comment to you about the status, because the status is seemingly changing hour-by-hour, day-by-day," he said. If the Mesa City Council were to repeal the ordinance, referendum backers would back off, he said. (There's some precedence there, as lawmakers faced a referendum on a 2013 elections omnibus bill, and returned in 2014 to repeal it before it could go to the ballot). But as far as any kind of repeal and replace with a watered-down version, Khalaf wouldn't comment, saying that's hypothetical. "Mesa is awake. Mesa is frustrated. And anybody who doesn't see that this ordinance passed by the city has woken up a lot of people... doesn't have a clear understanding of what's happening on the ground in Mesa," he said. "That commentary fueled those people even more that are frustrated with the business as usual attitude."

IF NEGOTIATIONS DON'T WORK, PREPARE FOR BATTLE

Montague told our reporter he was surprised to learn organizers were upset that he spoke to our reporter, and he's still hopeful the two sides can reach some kind of compromise. "[Lead organizer] Thomas Brown said, 'You at least said nice things about me,'" Montague said with a laugh. As organizers prepare to file their petitions, Montague said he suspects talks will continue, even if it's after the city ordinance is put on hold for the referendum. He said it doesn't appear the city council has any appetite to simply repeal the ordinance, but there's still the possibility of a repeal and replace scenario. Or the city might just let the recall play out. "If the public is in favor of this thing 60-40 or something like that, they'll just sit back and watch it win," he said, noting he hasn't seen any polling about Mesa's ordinance specifically, but the concept has broad support in most polling. "Or if the people in opposition think they'll lose in the election, they'll have every incentive to negotiate." He said much of the opposition is relying on "hyperbole and hypotheticals" and opponents just need to look to Phoenix or Tempe to show that the ordinances don't result in the Dooms Day scenarios that some predict. "To be fair, it's not crazy to worry about a law being abused, but that hasn't happened elsewhere," he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003073
ARZN_REV00068989_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

CORRECTION: BUT THE FOAM IS STILL POISON

Yesterday's report misidentified the recipient of a letter from Dept of Environmental Quality and misinterpreted a line in it. ADEQ sent two letters about contamination – one to first responders last October and the other to industry folk last week. The letter from last week was aimed at explaining the risks of using the firefighting foam and not, as we wrote, to encourage them to hold onto the foam in their inventory.

WAKE UP CALL

Candidates can start gathering signatures for state, federal office

Arizona Capitol Times

Candidates for Congress and the state Legislature can now collect signatures for office using the current redistricting lines for the 2022 election.

Finchem starts run for top election official

Capitol Media Services

One of the leading proponents of the claims of election fraud in Arizona now wants to be in charge of the system.

Ducey won't challenge local mask ordinances

Capitol Media Services

Gov. Doug Ducey is not taking any action to curb the decisions of some cities and counties to ignore his directive that they scrap their mask mandates.

Gun-rights bill goes to Ducey

Capitol Media Services

If the federal government imposes new restrictions on guns it's going to have to enforce them without Arizona's help.

SB 1411 headed to the House

Capitol Media Services

Legislation to boost state jobless benefits for the first time in 17 years cleared a crucial hurdle Tuesday.

Hudbay says it's found copper that could result in open pit mines on Santa Ritas' west side

Arizona Daily Star

Hudbay Minerals Inc. announced a "significant" new finding of copper mineralization next to its Rosemont Mine site.

Native American health clinics offering vaccine to visitors

Associated Press

The Indian Health Service announced Monday that it is shifting its vaccine distribution system to target individual hospitals and clinics with high demand for shots and taper supplies to hubs where most eligible patients have received doses.

GOP lawmakers take aim at Arizona renewable energy standards

Associated Press

As states across the U.S. West beef up their renewable energy requirements, a push to do so in Arizona has been met by fierce resistance from the Republican governor and GOP-dominated Legislature, which are looking to strip elected utility regulators of their power to set energy policy in one of the nation's sunniest states.

Arizona Senate proposal would ban nearly all abortions

Associated Press

A proposal in the Arizona Senate would ban most abortions even before many women know they are pregnant by making it a felony for a physician to perform the procedure if a fetal heartbeat can be detected.

Group wants Mesa discrimination ban on ballot

East Valley Tribune

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003074

ARZN_REV00068989_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

On March 1, after the second of two marathon meetings with passionate public speakers on both sides of the issue, Mesa City Council voted 5-2 to create a non-discrimination ordinance.

New advocacy group focuses on voting rights in Pinal
Coolidge Examiner
Over the past few election cycles, progressive advocacy groups have increased their presence in more historically conservative rural areas, such as Pinal County.

County officials face battle convincing residents to get vaccinated
Payson Roundup
The number of people lining up for COVID shots has started to dwindle, which means Gila County health officials have a whole new challenge, especially now that Gov. Doug Ducey has lifted mask mandates and other social distancing restrictions.

County says Ducey can't stop mask requirement
Green Valley News
Pima County announced it would continue to enforce mask mandates countywide despite Gov. Doug Ducey calling for an end to local mandates.

Angry Residents, Abrupt Stops: Waymo Vehicles Are Still Causing Problems in Arizona
Phoenix New Times
A driverless Waymo vehicle caused a crash in October by stopping unexpectedly in the middle of the road, displaying a technical malfunction the Google-related company claims is rare.

Redistricting commission narrows search for legal counsel
Arizona Mirror
The Arizona Independent Redistricting Commission chose four finalists to serve as its legal counsel, and in the process jettisoned the state's procurement process, giving it wider latitude to choose the attorneys of its choice.

Rep. Ruben Gallego says vets linked to the Capitol riot should lose their benefits
Arizona Republic (Opinion, EJ Montini)
The Marine combat veteran has very stong feelings about those who break sacred oaths. He should. We all should.

God help us. The Arizona Legislature has now declared the state a sanctuary ... for guns
Arizona Republic (Opinion, Laurie Roberts)
Here in Arizona, our Legislature has voted to protect guns. Heaven forbid, our leaders do anything to protect the people who come face to face with the business end of the barrel.

No one wants a 'scorched-earth Senate.' How Democrats can make it functional again
Arizona Republic (Opinion, Robert Robb)
If Democrats abolish the virtual filibuster, Mitch McConnell says he will use other rules to shut down the Senate. Dems should change those rules as well.

Why I asked to drop the death penalty for my brother's killer (and Arizona should, too)
Arizona Republic (Op-ed, Arlis Keller)
Bringing my brother's killer to trial was stressful. I learned that 'closure' from the death penalty is a myth and an execution does not bring peace.

PRESS RELEASES

Arizona Senate hires auditor to review 2020 election in Maricopa County

(Phoenix, State Capitol) --- Arizona Senate leadership today announced it has hired a team of independent auditors to complete a comprehensive, full forensic audit of the 2020 election in Maricopa County, including a hand recount of all ballots.

After months of interviewing various forensic auditors, the Arizona Senate has found a qualified team consisting of Wake Technology Services, Inc., CyFIR, LLC, Digital Discovery, and Cyber Ninjas, Inc. to conduct the audit.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The team will be led by Cyber Ninjas, a cyber security company with a focus on application security, working across financial services and government sectors.
CyFIR is a digital security and forensics company specializing in enterprise incident response, computer forensics and expert witness support to litigation. Notable past engagements include the discovery of the Office of Personnel Management Breach in 2015 and forensic support to the largest individual bank fraud in the history of the IMF. As specialists supporting the highest levels of government and private industry, they are extremely familiar with responding to nation-state cyber activity, including Advanced Persistent Threats (APT).
Members of the Wake Technology Services group have performed hand-count audits in Fulton County, PA and in New Mexico as part of the 2020 General Election cycle. In addition, team members have been involved in investigating election fraud issues, dating back to 1994. In that 1994 case, this team member worked closely with the FBI during the investigation. Wake Technology Services team members also include intelligence analysts and fraud investigators from a variety of industries.
The audit will validate every area of the voting process to ensure the integrity of the vote. The scope of work will include, but is not limited to, scanning all the ballots, a full manual recount, auditing the registration and votes cast, the vote counts, and the electronic voting system. At the conclusion of the audit, the auditor will issue a report detailing all findings discovered during the assessment.
Senate leadership expects this audit to be done in a transparent manner with the cooperation of Maricopa County.
"Our people need to be assured that the Senate and Maricopa County can work together on this audit, to bring integrity to the election process," said Senate President Karen Fann. "As Board Chair Sellers and County Recorder Richer wrote in the Arizona Republic
'a democracy cannot survive if its people do not believe elections are free and fair.' They also acknowledge a significant number of voters want the additional assurance that a full forensic audit might bring. I look forward to continued cooperation."
Because it is an independent audit, leadership will not be directly involved, and members do not expect to comment on any of the processes of the audit until the report is issued in about 60 days.

MCDP Reacts To AZ Senate GOP Election Audit Hire

PHOENIX - Five weeks after gaining access to more than 2.1M ballots and five months after the 2020 general election, the Arizona Senate Republicans finally announced the four firms they've contracted to conduct their election audit.
Instead of working to dispel conspiracy theories and election fraud claims, the AZ Senate GOP is now actively reinforcing these far-fetched notions, even after multiple independent audits found no fraud. The decision to move forward with an audit only serves to perpetuate the baseless election fraud claims and emboldens right-wing extremist efforts in overturning the 2020 general election results while justifying the countless voter suppression bills presented in the Arizona legislature.
Nancy Schriber, MCDP Chair, releases the following:
"The big lie is continuing to spread, and the AZ Senate Republicans are making it worse. By hiring firms with ties to 'Stop the Steal' far-right fringe groups, the AZ Senate GOP only adds fuel to the election fraud fire.
From the very beginning, the calls for election audits have come from extremist right-wing groups whose goal isn't election security. They want to overturn the results of the Arizona 2020 general election. And now, with the AZ Senate GOP continuing an audit, they are validating these claims.
Not only does this cause a terrible precedent for future elections, but it also costs taxpayers thousands of dollars. Unfortunately, the AZ Senate GOP is not paying for contracting these firms. It's taxpayers who will foot the bill.
Instead of focusing on critical issues impacting the communities they represent, the AZ Senate GOP is wasting valuable time undermining our democracy. Worse, this political ploy is serving to justify the multiple voter suppression bills in the Arizona legislature.
Moving forward with this election audit fiasco is dangerous. The AZ Senate GOP is now actively advancing the far-right fringe agenda, which will have a troubling effect on voting in Arizona for years to come."

House Approves Moving Arizona's Income Tax Filing Deadline to Mirror Feds

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003076
ARZN_REV00068989_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today approved SB 1297, a bill that was recently amended by Representative Shawnna LM Bolick with legislative language to delay the state income tax return filing deadline in order to provide uniformity with new federal tax filing deadlines.
"Without this change to create uniformity with the new federal deadline, Arizona taxpayers are being rushed to file their state taxes before they need to file their federal taxes," said Representative Bolick. **"That's a problem for most, since Arizona income tax filings are often dependent on the federal adjusted gross income – a figure only determined once you file your federal taxes. I'm glad the House has acted quickly to address this disparity, and hope the State Senate will follow suit, so SB 1297 can be sent to the governor's desk as soon as possible!"**
In March, the Internal Revenue Service announced it had postponed this year's April 15 deadline for filing federal income tax returns to May 17, citing the COVID-19 pandemic and recent changes in tax law. Arizona's current state tax deadline is April 15.
Shawnna LM Bolick is a Republican member of the Arizona House of Representatives serving Legislative District 20 in Maricopa County.

Governor Ducey Celebrates New Manufacturing Training Center In Coolidge

PHOENIX — Governor Doug Ducey today joined elected officials and automotive manufacturing leaders in Pinal County to officially launch Drive48, an advanced manufacturing training center that will bolster Arizona's workforce training efforts for high-tech jobs.
"Arizona is in the midst of a manufacturing boom," said Governor Ducey. "We're showing the nation what it means to welcome innovation and industry, while creating opportunities for people to work in high-skill, high-wage industries. When more products are 'Made In Arizona,' our entire economy benefits, and we look forward to keeping this momentum going."
Drive48 is a 13,000 square-foot facility in fast-growing Pinal County that has the capacity to train more than 100 students at a given time in fields such as automotive, advanced manufacturing, heavy equipment and general industry.
"Talent is a key driver in business location decisions," said Sandra Watson, President and CEO of the Arizona Commerce Authority. "With the opening of Drive48, we're further enhancing Arizona's robust manufacturing workforce pipeline, now and in the future. We're grateful to the many partners who helped make this project possible."
The facility features a main training room with multiple assembly robots used for training technicians in programming, maintenance, problem solving, troubleshooting, safety, general system requirements and more that will prepare workers for jobs in automotive manufacturing. It also includes several rooms that will offer hands-on training with tools, part assembly, various applications and safety aspects for in-demand work.
"Central Arizona College is excited to be the home of this cutting-edge regional workforce training center," said Central Arizona College President Dr. Jackie Elliott. "This partnership is a testament to the commitment of all parties in investing in the state's economy and enriching the lives of individuals through meaningful skilling and employment."
Manufacturing jobs in Arizona have increased at one of the fastest rates in the nation, with 13,000 manufacturing jobs added since 2015. More than 180,000 Arizonans now work in the manufacturing industry, where jobs pay on average 21% higher than other private sector positions. Industry leaders to announce major relocations or expansions in recent years include Intel, Benchmark Electronics, Lucid Motors, Nikola Motor Company, TSMC, ElectraMeccanica, Raytheon and more.
"Thousands of high-tech jobs are coming online in Pinal County over the next few years," said Mayor of Casa Grande Craig McFarland. "This facility and the many partners involved are ensuring our workforce can meet the demand while providing local graduates a pathway to gain new skills, acquire good-paying jobs, and stay right here in the community."
Lucid Motors in 2016 announced it selected Casa Grande for its electric car manufacturing operation, located near the Drive48's facility.
Intel last week announced a $20 billion investment in Arizona with the expansion of its state-based manufacturing capacity. The investment will generate 3,000 high-tech jobs, 3,000 construction jobs, and an estimated 15,000 additional indirect jobs in the community.
In addition, Taiwan Semiconductor Manufacturing Company (TSMC) in May 2020 announced it selected Arizona for the location of its new U.S. advanced semiconductor factory, creating more than 1,600 jobs.
To learn more about manufacturing jobs and other aspects of Arizona's economy, click HERE.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003077
ARZN_REV00068989_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Community Organizations Call on Major Corporate Donors to Oppose Bills Attacking Voting Rights, Criminalizing Protest & Blocking Police Accountability

PHOENIX - Earlier today, more than 30 Arizona voting rights organizations and community groups released a letter to Allstate Insurance, CVS Health, Enterprise Holdings, and Farmers' Insurance, asking them to take a public stance against bills currently moving through the Arizona state legislature that would limit voting, criminalize protest and block police accountability.

The coalition is calling for all four companies to publicly oppose SB1713, SB1485, HB2309, HB2550, HB2567, and HB2295, among other bills, and to cease donations to the state legislators who introduced them.

- SB1713 would impose burdensome ID requirements on vote by mail voters. It has passed the Senate and is awaiting a floor vote in the House.
- SB1485 would purge 100,000+ Arizonans from the vote by mail list. It has passed the Senate and is awaiting a final floor vote in the House.
- HB2309 would criminalize protesters, making it easier for prosecutors to bring charges against protesters, especially Black and Brown protesters, who are exercising their First Amendment rights. It has passed the House and is awaiting a floor vote in the Senate.
- HB2550 aims to discourage people from making complaints about police abuse. It has passed the House and is awaiting a floor vote in the Senate.
- HB2567 virtually guarantees that any discipline or firing of an officer by a chief of police will be overturned. It has passed the House and is awaiting a floor vote in the Senate.
- HB2295 changes rules around the Brady List in order to reduce the consequences of police misconduct. It has passed the House and is awaiting a committee hearing in the Senate.

These bills are joined by dozens of other proposals introduced this session that undermine voting rights, attack democratic norms and institutions, criminalize protesters, and retaliate against last summer's protests against police violence.

All four companies are among the largest corporate donors to the state legislators sponsoring these bills. Farmers' Insurance has directly donated at least $27,800, Enterprise Holdings has directly donated at least $16,700, CVS has directly donated at least $9,700, and Allstate has directly donated at least $7,850, according to research compiled by journalist Judd Legum.

In addition, all four companies have made clear public statements about the importance of voting and civic engagement, as well as statements about the importance of racial justice. And yet all four have taken no stance on the bills currently moving through the Arizona state legislature.

"Words are not enough: our democracy and our fundamental rights are under attack, and we need to see action," the letter read. "We are calling for you to speak out publicly, oppose these bills, and halt donations to the legislators who introduced them."

Copies of the letters are available here: https://www.progressarizona.org/community-letter/

TOMORROW: Press Call with Arizona Leaders on What Biden's Infrastructure Announcement Means for Arizona

State Sen. Kirsten Engel, Tempe Mayor Corey Woods, Phoenix Councilwoman Yassamin Ansari, and Communications Workers of America Legislative and Coalition Director Yolanda Bejarano to Discuss How Infrastructure Investments Will Spur Clean Energy Economy & Create Jobs in Arizona

Washington, D.C. – On Thursday, April 1st, Climate Power will host a press call with State Sen. Kirsten Engel, Tempe Mayor Corey Woods, Phoenix Councilwoman Yassamin Ansari, and Communications Workers of America Legislative and Coalition Director Yolanda Bejarano on what this week's announcement from President Biden on infrastructure means for Arizona. Today in Pittsburgh, Biden is expected to announce his American Jobs Plan in the framework of the Build Back Better agenda, which includes a reported $2+ trillion investment in clean energy and infrastructure.

Following Biden's announcement, Arizona leaders will discuss **how these investments would boost the state's economy, create thousands of good-paying union jobs, and improve the quality of life for hard-working families in Arizona.**

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003078

ARZN_REV00068989_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The event features:
State Sen. Kirsten Engel
Tempe Mayor Corey Woods
Phoenix Councilwoman Yassamin Ansari
Communications Workers of America Legislative and Coalition Director Yolanda Bejarano
When: Thursday, April 1, 2021
Time: 11:00 AM MST
This is an open press event. Media interested in covering this event can **RSVP to *daniela@climatepower.us* to receive dial-in information**

Arizona Legislature Praised for Moving Fast on Liability Protection

Small-business owners may soon breathe a sigh of relief over not getting unfairly sued

PHOENIX, March 31, 2021—Arizona may soon become the latest state to rightly protect its small-business owners against unfair COVID lawsuits, after yesterday's final passage of Senate Bill 1377.

"This is common-sense protection for Arizona's mom-and-pop business owners. If signed into law by the Governor, small business owners will breathe a huge sigh of relief knowing they will not be targets for trial lawyers looking for a quick buck," said Chad Heinrich, Arizona state director for the National Federation of Independent Business (NFIB), the nation's leading small-business association. "Our state has been down this road before with shakedown lawsuits, so it's great to see lawmakers putting a roadblock against it happening with COVID cases."

Arizona's legislative action follows on the heels of Florida's Governor signing similar protections into law on Monday. Even in the best of times, according to Heinrich, a lawsuit alleging anything can threaten to shutter a small business. It has been estimated that a lawsuit can cost as much as $250,000 to defend against. Many small businesses would find it much cheaper to simply close up shop. When Congress failed last year to come up with federal liability protection against unfair COVID lawsuits, states began crafting solutions of their own.

Arizona's new law states, "If the Governor declares a State of Emergency for a public health pandemic … a person or provider that acts in good faith to protect a customer, student, tenant, volunteer, patient, guest or neighbor or the public from injury … is not liable for damages … unless it is proven by clear and convincing evidence that the person or provider failed to act or acted [with] willful misconduct or gross negligence."

Kelly, Sinema Secure $135.4 Million for Arizona Health Centers

Senators helped shape and pass new COVID-relief law providing critical funds to 23 Arizona health centers

Arizona Senators Mark Kelly and Kyrsten Sinema secured $135.4 million in the recently passed COVID-relief law for 23 Arizona health centers.

"Arizona's Community Health Centers have been central to the fight against COVID-19 because they're trusted and accessible to Arizonans in their neighborhoods and communities. These additional funds coming from the COVID-19 relief package will boost efforts to care for and vaccinate underserved and rural areas in every corner of Arizona as we work together to beat this virus and rebuild our economy," said Senator Mark Kelly.

"Strengthening Arizona's public health response will help us beat the coronavirus more quickly and fuel a full economic recovery. The COVID-relief we secured for Arizona health centers expands vaccinations and testing, and provides critical support for primary health care providers saving Arizonans' lives," said Senator Kyrsten Sinema.

"As the largest primary care organization in Cochise County, we have been working tirelessly to reach all corners of our service area to treat Arizonans with COVID-19 and administer vaccines. These new funds will allow us to dramatically expand our work to vaccinate all those in Cochise County who desire to be tested, treated and/or vaccinated for COVID-19. We are tremendously grateful for the work that Senators Kelly and Sinema have done to secure these resources for Cochise County and their continued support of Community Health Centers." Dr. Jonathan Melk, Chiricahua Community Health Centers

"North Country HealthCare is proud to be part of the national network of Federally Qualified Health Centers (FQHCs) directly responding to COVID-19. FQHCs reach vulnerable populations. For North Country, that means the homebound, those experiencing homelessness, and those who live far from major metropolitan centers throughout northern Arizona. Because FQHCs are embedded in the communities we serve, we are able

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003079
ARZN_REV00068989_3-31-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to answer community questions and ease vaccination fears. We are all in this together. North Country appreciates Senator Kelly and Senator Sinema's support for these additional funds and the President's confidence in us and our colleagues to provide COVID-19 vaccinations, testing, care, and education at this most difficult time. We look forward to expanding our healthcare workforce so that everyone has access to high-quality primary care, clinical pharmacy, dental services, and behavioral health in an atmosphere of dignity and respect." Dr. Anne Newland, North Country HealthCare

"A huge thank you to Senator Mark Kelly and Senator Kyrsten Sinema for their support of the American Rescue Plan. Valle del Sol is honored to be one of the recipients of these dollars to expand our reach in some of the communities hardest hit by Covid-19. Thank you, Congress, for investing in the health care of Arizonans." Carmen Heredia, CEO at Valle del Sol

These COVID-relief funds secured by Kelly and Sinema will expand COVID-19 vaccinations, testing, and treatment for vulnerable populations in Arizona. Additionally, the relief will deliver preventive and primary health care services to Arizonans at higher risk for COVID-19 and expand operational capacity at Arizona health centers during the pandemic and beyond, including modifying and improving physical infrastructure and adding more mobile units.

"QUOTE OF THE DAY"

"The parallels between the statistical analysis of Venezuela and this year's election are astonishing. I'm ashamed about how few Republicans are talking about it."

- ***Doug Logan, CEO of Cyber Ninjas, the company heading up the Senate's audit, on his now-deleted Twitter***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003080

ARZN_REV00068989_3-31-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Thursday, April 1, 2021 8:46:20 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-1-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 1, 2021

THE SENATE IS SENDING GOONS TO YOUR HOUSE
The Senate late yesterday sent over its contract and scope of work agreement with Cyber Ninjas – signed by its CEO, Doug Logan, an election denier and Stop the Steal activist – though the documents raise as many questions as they offer answers.

TOLD YOU – RETIREEES AND HOMELESS PEOPLE
The audit will also hand count all 2.1 million ballots cast in in search of "suspicious or potentially counterfeit ballots."

AGAIN WITH THE WIFI THING
Another portion of the audit will attempt to determine whether the machines

AMERICAN OVERSIGHT

themselves were tampered with or connected to the internet.

PRESS SECRETARY KEN BENNETT REPORTING FOR DUTY
After apparently striking out on finding a bipartisan team of county recorders to oversee the project, the Senate has designated former Secretary of State and lawmaker Ken Bennett as its liaison.

BUT THAT'S EXACTLY WHAT THEY'D SAY IF THEY DID RIG IT
Dominion immediately dismissed the "auditors" as "beyond biased" and argued the firm can't be trusted since Logan has helped spread lies about the company.

THERE ARE AUDITS, AND THEN THERE ARE "AUDITS"
Hobbs is asking the Attorney General's Office if she can intervene to stop the Senate's auditors, and called on the board of supervisors to help her defend democracy.

IT'S NOT A VOLUNTEER SHORTAGE, IT'S A PEOPLE DEFICIENCY
Ducey announced he's beefing up staffing at State Farm Stadium after a full week of denying that volunteer numbers were diminishing as a result of opening the vaccine appointments to everyone 16 and older.

THE LAW OF UNINTENDED CONSEQUENCES STRIKES AGAIN
Former DHS Director Will Humble said the POD has clearly been hindered because Christ and Ducey simply did not anticipate how much of an incentive volunteering to get a vaccine was to people.

CHECK YOUR CALENDAR BEFORE YOU CHECK TWITTER
Cook is running for governor and the Senate has a slew of odd bills including wanting to repeal sine die, fill the Grand Canyon and make QT the official state gas station.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, April 01, 2021

NEWS NOTES AND GOSSIP

THE SENATE IS SENDING GOONS TO YOUR HOUSE

The Senate late yesterday sent over its contract and scope of work agreement with Cyber Ninjas – signed by its CEO, Doug Logan, an election denier and Stop the Steal activist (YS, 3/31) – though the documents raise as many questions as they offer answers. Logan pledge that the four-pronged inquiry would offer a "full and complete audit" that would "attempt to validate every area of the voting process." That includes auditing the registration and votes cast, the vote counts, the electronic voting system, as well as auditing the reported results. The final report will attempt to be "unbiased and non-partisan," Logan, who has already described Arizona's election as rigged, wrote. Neither the contract nor the scope of work agreement outlines who, specifically, will conduct the work – for all we know, Trump himself could be part of their team. The audit of registration and votes cast will focus on duplicate voting, voters who didn't actually vote and voters who auditors believe shouldn't have been allowed to vote. Logan pledged that the analysis would review at least three precincts (including those with "a high number of anomalies,") and would compare results against a "known list of invalid voters" among other tactics. The group plans to work with "non-partisan" canvassing teams that will "statistically identify voter registrations that do not make sense" then to go door-to-door to confirm that voters live at their addresses. (Of course, more than five months after the election, there's a good chance some voters have moved.) Maricopa County Supervisor Steve Gallardo especially took issue with that provision of the agreement. "This @AZSenateGOP sham audit is getting out of control. Taxpayer funded effort to go door to door intimidating our voters and harassing must stop. It's time for voting rights organizations to file legal challenges to stop the Senate GOP," he wrote on Twitter today. The data canvassers collect will be compared to data from the "Maricopa County Board of Elections" the document states – which will be difficult since no such entity exists. A copy of the statement of work (LINK) and the contract (LINK) are available in our "documents" section.

TOLD YOU – RETIREEES AND HOMELESS PEOPLE

The audit will also hand count all 2.1 million ballots cast in in search of "suspicious or potentially counterfeit ballots." A hand count will be a massive undertaking that will require an army of volunteers. Logan pledged to find teams of "nonpartisan" counters drawn from primarily "former law enforcement, veterans, and retired individuals" and said it should be completed in as little as two to three weeks, an incredibly ambitious timeline, considering it can take the county's professional team weeks to count every vote using automated machines. GOP political consultant Barrett Marson did some back of the napkin math. "To hand recount the ballots that's 35k a day. From volunteers. That's 4,500 an hour in an 8-hour shift. Who can stick it out for 60 days (weekends too)? They will need 1,000 people at least," he wrote on Twitter today. (Notably, the promise for "nonpartisan" teams is very different from the "bipartisan" teams that Fann claimed would hand count the ballots, and auditors plan to find the volunteers themselves.) The volunteers will have to undergo background checks and will be validated to not have worked for any political campaigns though the document makes no mention of volunteering for campaigns, being an active member of a political party or any other number of tell-tale signs of partisanship.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003083

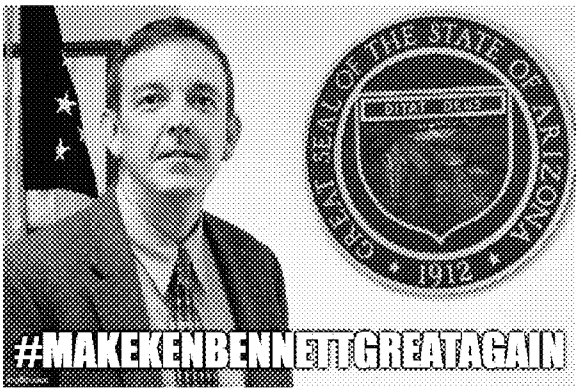
ARZN_REV00068994_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AGAIN WITH THE WIFI THING

Another portion of the audit will attempt to determine whether the machines themselves were tampered with or connected to the internet. Auditors plan to turn on election equipment and scan it with a "wireless spectrum analysis tool" to determine if the devices emit Bluetooth, WiFi or other wireless signals. "Devices that show signs of emitting signals will be flagged and documented, and when possible without damaging the equipment," auditors wrote. Cyber Ninjas "and a number of additional analysts" whose identities are so far unknown, will conduct that portion of the audit. Fann didn't return calls for comment today, and our reporter is still barred from the Senate floor, so wasn't able to catch her in person.

PRESS SECRETARY KEN BENNETT REPORTING FOR DUTY



After apparently striking out on finding a bipartisan team of county recorders to oversee the project, the Senate has designated former Secretary of State and lawmaker Ken Bennett as its liaison. "I made the terrible mistake about a month ago of telling Senator Fann that if there's anything I could do to help, to let me know. This is what she came up with," he joked. "Be careful when you offer to help because some people will take you up on it." Bennett told our reporter he was still figuring out what his role would involve, but he interpreted it that he would be the point for the Senate, working with the contractor, the county, the public and maybe the press. He said it was an unpaid position. Bennett met with Maricopa County Supervisor Jack Sellers and his chief of staff briefly today, but hasn't yet met with Maricopa County Recorder Stephen Richer or anyone from the companies the Senate hired. He and Sellers discussed where the audit would be conducted – the Senate maintains it should be done on county property, while the county has repeatedly said that's not happening – but the two sides still didn't come to a resolution. Bennett told our reporter he wasn't concerned about the Senate's choice of firms. "I'm going to work with the companies to make sure that it's done unbiased, straight up," he said. He plans to reach out to the state Democratic Party in hopes of bringing on a co-liaison. Bennett is the state director of the Arizona 51 Voter Project, which aims to register a quarter-million Republicans before the 2022 election (YS, 3/29)). Despite also having this role, Bennett said he will tackle the liaison position in the same way he approached the role of Secretary of State. "I would imagine that's maybe why President Fann asked me to do this – because I've worked with both sides to get the job done in a fair and transparent manner, and that's what this effort deserves as well," he said. He said it'll probably take a couple weeks to work out "lots of questions" before the audit itself begins but that there was no rush because "this is not about overturning the election of November 2020."

BUT THAT'S EXACTLY WHAT THEY'D SAY IF THEY DID RIG IT

Dominion immediately dismissed the "auditors" as "beyond biased" and argued the firm can't be trusted since Logan has helped spread lies about the company. In a statement yesterday, the company said the firms are led by "conspiracy theorists and QAnon supporters who have helped spread the Big Lie." The company welcomes audits from legitimate auditors, it said, "but this is not that." "Over a thousand independent audits and recounts have taken place across the country since Election Day and they all demonstrated the accuracy and reliability of our voting systems." the company said in the statement, adding Cyber Ninjas doesn't appear to have any experience in election audits. The Maricopa County Board of Supervisors today held an emergency meeting to get legal advice about the "newly received information from the Senate" but the meeting was completely in executive session.

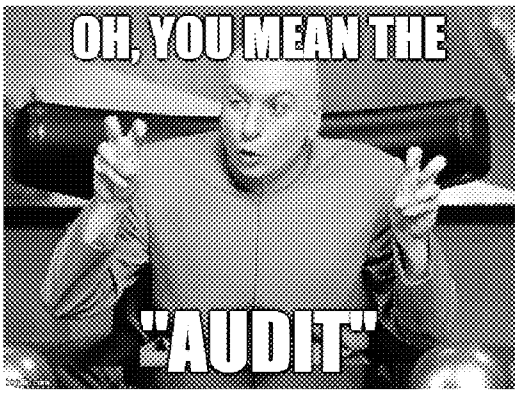
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003084

ARZN_REV00068994_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THERE ARE AUDITS, AND THEN THERE ARE "AUDITS"



Hobbs is asking the Attorney General's Office if she can intervene to stop the Senate's auditors, and called on the board of supervisors to help her defend democracy. In a letter to the Maricopa County supervisors this morning, she listed several reasons why the "audit" (quotation marks are hers) is a farce. Hobbs noted that Fann previously claimed she had hired an auditor, then walked it back after the press found out that auditor was the discredited Allied Security Operations Group, a conspiracy organization with ties to Trump and the Stop the Steal movement. Cyber Ninjas is no different, she argued. "Unfortunately, yesterday's announcement made it clear that the Senate has no intention of conducting an independent audit or ensuring the ongoing security and confidentiality of Maricopa County's ballots and voting equipment," Hobbs wrote, adding that Jovan Pulitzer the "failed treasure hunter" and "inventor of one of the '25 worst tech products of all time,'" also announced he would help with the audit, despite his clear conflict of interest that even Finchem said would disqualify him (LINK). Hobbs is worried that the contract between the Senate and the auditors is written in a way that will prevent full transparency and will allow access to unspecified groups, which she says goes against Judge Thomason's assumption that the Senate "will ensure any third parties will handle the subpoenaed materials appropriately." "The Senate intends to give free reign to Cyber Ninjas, Inc. and will abdicate any responsibility or engagement in the audit process to ensure the security and confidentiality of the ballots and voting equipment or the integrity of the process," she wrote. Given all of these factors, Hobbs said she wants Brnovich to advise her of any legal options she has as secretary of state "to protect the integrity of our system and our voters' confidence in it." She urged the supervisors to "do what is necessary to protect our voters and our democracy." A copy of Hobbs' letter can be found in our "documents" section (LINK).

IT'S NOT A VOLUNTEER SHORTAGE, IT'S A PEOPLE DEFICIENCY

Ducey announced he's beefing up staffing at State Farm Stadium after a full week of denying that volunteer numbers were diminishing as a result of opening the vaccine appointments to everyone 16 and older. In the announcement, Ducey and Dept of Health Services spun the change as adding personnel to meet the high demand of vaccines, which is a roundabout way of saying there weren't enough volunteers signing up for shifts – something they have refused to acknowledge directly. Lines had exponentially increased at State Farm Stadium, with people saying they've had to wait in excess of three hours for their scheduled appointment. DHS had offered just about every excuse except that they need more people to volunteer. *ABC 15's* Nicole Grigg reported live on Tuesday as hundreds of cars held up traffic outside the venue. She said DHS offered a variety of explanations for the delays, including shift changes, supply chain issues and that the iPads volunteers used were getting overheated. "They insist staffing not an issue," Grigg tweeted (LINK). On Tuesday, DHS sent out emergency alerts through HandsOn Greater Phoenix, which is coordinating volunteers, practically begging people to pick up shifts. "There is an immediate emergency need for Non-clinical volunteers willing to sign-up for available shifts at the state-run Vaccination Site in Arizona," the email read. Christ seemed nonchalant about volunteer numbers dropping being inevitable when asked about it last Monday. "Our volunteers have had such a good experience out at the sites that hopefully they would continue to return," she said. "We have waiting lists of people that want to be volunteers and businesses that have reached out, but if we had to, we would just work with ASU to get contracts to pay people to be out here." As part of the new plan, an additional 30 paid staffers will be at state sites per shift, hours will be cut from eight to six, and the site will no longer accept people who arrive more than two hours early for their appointments.

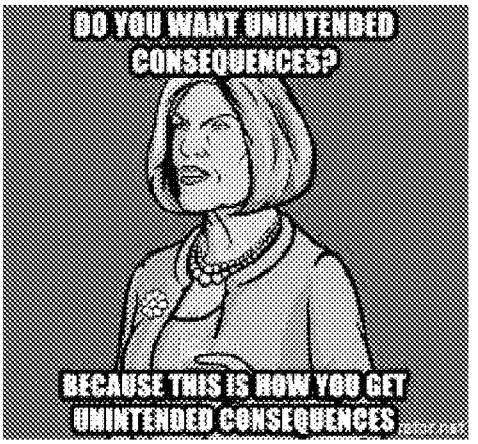
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003085

ARZN_REV00068994_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE LAW OF UNINTENDED CONSEQUENCES STRIKES AGAIN



Former DHS Director Will Humble said the POD has clearly been hindered because Christ and Ducey simply did not anticipate how much of an incentive volunteering to get a vaccine was to people. "The drop off was immediate," Humble said. Wait times started skyrocketing last Wednesday, which was the first day individuals 16 and up could receive a vaccine. "There's been lots of anecdotal stories of two- or three-hour waits, which she classified as 'totally unacceptable' in her letter to FEMA," he said, paraphrasing Christ's response last week over federal help to Pima County (YS, 3/26). "Clearly they didn't anticipate the level that that would cause volunteers to drop off." At a press gaggle in Coolidge yesterday, reporters asked Ducey about paying workers at the sites, and he dodged. "We are paying workers," he said, giving a literal response because workers are paid, but volunteers – by definition – are unpaid. He also dodged a question about future mitigation efforts if cases increase. "I want people to continue to be responsible and use common sense just like they have this entire year," he said.

CHECK YOUR CALENDAR BEFORE YOU CHECK TWITTER

Cook is running for governor and the Senate has a slew of odd bills including wanting to repeal *sine die,* fill the Grand Canyon and make QT the official state gas station. None of that, of course, is true – just some harmless fun on April Fool's Day from Cook and the Senate staff. Cook tweeted this morning he was "Filling [sic] to run for AZ Governor today in the 2022 election." He tapped Roberts to run his Dept of Corrections, Payne to run Dept of Transportation and Weninger to run the Arizona Commerce Authority (which isn't a position that the governor appoints). John would also serve as the director of the Dept of Water Resources in the Cook administration, Cook wrote in several follow up tweets. He then posted that Lieberman asked him not to run for governor, hinting at an actual rumor that has been circulating among Democrats for more than one year. "I can confirm that @aaron4az has asked me not to run for in 2022 for Az Governor. Wonder why ?" he wrote. Meanwhile a Senate staffer pulled a prank on our reporter sending an agenda for next week's Appropriations Committee filled with bills and strikers of unusual titles. Bolick wants a Frankie Muniz license plate bill, Fillmore wants to make the state motto "welp," Weninger wants to fill in the "pit" that is the Grand Canyon and a trio of Republicans want to repeal *sine die.* There were a handful of other great jokes thrown into the document from Senate staff. Kavanagh's striker prohibiting Zoom meetings, struck onto a bill to give himself a higher salary, does sound plausible, though.

·WAKE **UP** CALL·

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003086
ARZN_REV00068994_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senate to vote on taking power from regulators
Capitol Media Services
Rejecting arguments about economic development, clean air and even constitutional issues, a Senate panel voted along party lines March 31 to strip the Arizona Corporation Commission of its power to set energy policy for utilities.

Senate panel approves measure to give lawmakers raise
Capitol Media Services
With only one lawmaker dissenting, a Senate panel voted Wednesday to give themselves and their colleagues a big increase in their allowance — and do it as soon as possible.

Senate panel approves measure to give lawmakers raise
Capitol Media Services
With only one lawmaker dissenting, a Senate panel voted Wednesday to give themselves and their colleagues a big increase in their allowance — and do it as soon as possible.

Senate panel OKs barring Arizona companies from refusing to serve unvaccinated patrons
Capitol Media Services
A Senate panel voted 6-4 Wednesday to bar companies from refusing to serve customers who are not vaccinated.

New bill hopes to support communities after Navajo Generating Station closure
Arizona Daily Sun
A reintroduced bill by Rep. Tom O'Halleran hopes to provide assistance to northern Arizona communities and local tribes impacted by the closure of Navajo Generating Station.

Arizona Senate proposal would ban nearly all abortions
Associated Press
A proposal in the Arizona Senate would ban most abortions even before many women know they are pregnant by making it a felony for a physician to perform the procedure if a fetal heartbeat can be detected.

Report: KJZZ Border Editor Crossed the Line With Inappropriate Behavior
Phoenix New Times
Reporter Michel Marizco has racked up awards and acclaim covering the U.S.-Mexico border for nearly two decades, at one point running a news site called "Border Reporter" with the tagline "News That Crossed The Line."

Sen. Mark Kelly helps administer vaccines in Arizona
The Hill
Sen. Mark Kelly (D-Ariz.) on Wednesday personally administered vaccine doses to Arizona residents at a local clinic to help promote the safety of the inoculations as the country faces a fourth wave of the coronavirus pandemic.

Angels & demons: Ducey's COVID reversal part of a bigger GOP identity crisis
Tucson Sentinel (Opinion, Blake Morelock)
In 1965, Alabama Gov. George Wallace was setting himself up to be the martyr for state's rights against an over-reaching federal government that was trying to protect civil rights protesters marching from Selma to Montgomery.

Arizona Diamondbacks will require all fans to wear masks, except maybe for …
Arizona Republic (Opinion, EJ Montini)
That cliche about a picture and a thousand words? This is it.

Arizona Senate hires a Trump ninja to do its election audit. No ... really
Arizona Republic (Opinion, Laurie Roberts)
Senate President Karen Fann says she expects the coming audit of the presidential election 'to bring integrity to the elections process'. Let me count the ways she's miscalculated.

Hold police accountable? Arizona's conservative lawmakers clearly see that as a threat
Arizona Republic (Opinion, Elvia Diaz)
Arizona police officers have good friends in the Legislature who are not only watching their backs but sticking it to anyone who dares protest police brutality.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003087
ARZN_REV00068994_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Migrants and asylum seekers are suffering. Why, as a Jew, I can't turn away
Arizona Republic (Op-ed, Shmuly Yanklowitz)
My obligation to help migrants is grounded in every aspect of my religious and cultural identity. I feel this obligation strongest at Passover.

PRESS RELEASES

Pima County Recorder's Office will promote Pamela Franklin to Chief Deputy, succeeding Adrian Fontes in April

Tucson, AZ – Pima County Recorder Gabriella Cázares-Kelly announces Pamela Franklin will become the new Chief Deputy starting April 5, 2021. Franklin will replace Interim Chief Deputy Adrian Fontes at the end of his three-month term. "Pam is the perfect choice. She brings vast institutional knowledge and has created a bridge between the old administration and the new. Pam has an amazing reputation amongst the various constituency groups across Pima County and is known to be an advocate, problem solver and dedicated public servant. The staff has full faith in her and together, we have created a foundation from which we can build the programs needed to fulfill the campaign promises that I made, which touched the hearts of so many voters," Recorder Gabriella Cázares-Kelly said. Franklin joined the Recorder's Office in 2012 as Special Staff Assistant and added responsibilities as Voter Registration Manager in 2015, where she is most proud of planning the logistics for the Recorder's Ballot Processing Center and leading up to 100 employees in ensuring efficient, timely completion of processing hundreds of thousands of ballots for every election. In her nine years at the Recorder's Office, Franklin built a solid reputation as a trusted, well-respected voice in Pima County for her expertise in elections finance, policy and procedures as well as her exceptional professionalism and attentiveness to constituents' needs. "The more we can do to let people know what we do in the [Recorder's] office, the more comfortable people will be with what we actually do. Voters, residents of Pima County, different municipalities, different Pima County departments, and other counties – It's an honor being able to get things done for our constituents," Franklin said. "None of where I am would be possible if I hadn't been here for these nine years and learned what I have learned during this time, and I'm excited to continue building on our successes and execute the vision of the Recorder." Franklin worked closely with Adrian Fontes to identify projects to further improve the good work already being done in the Recorder's Office. Recorder Cázares-Kelly brought in Adrian Fontes, the former Maricopa County Recorder, to temporarily assist with the transition of her administration. "I was honored to be invited to help this important transition, and I have complete confidence in the Recorder, her new Chief, and the entire office," Fontes said. "One of the best parts of my time here was helping to identify my successor, Pam Franklin. She's been up and coming in the office for some years, and I trust that she has the experience and leadership skills to serve the Recorder as a phenomenal Chief Deputy. I'll be happy to watch the changes we've made and plans we've set forth to further improve this first-class operation for Pima County." Outside of the office, Franklin enjoys reading, hiking, behind the scenes work with Live Theatre Workshop in Tucson, spending time with her three adult children and cooking her favorite Italian recipes learned from her mother and grandmother. Fontes is returning to Phoenix where his children live to develop a new consulting business.

MCDP Reacts To AZ Senate GOP Election Audit Hire

PHOENIX – Five weeks after gaining access to more than 2.1M ballots and five months after the 2020 general election, the Arizona Senate Republicans finally announced the four firms they've contracted to conduct their election audit.
Instead of working to dispel conspiracy theories and election fraud claims, the AZ Senate GOP is now actively reinforcing these far-fetched notions, even after multiple independent audits found no fraud. The decision to move forward with an audit only serves to perpetuate the baseless election fraud claims and emboldens right-wing extremist efforts in overturning the 2020 general election results while justifying the countless voter suppression bills presented in the Arizona legislature.
Nancy Schriber, MCDP Chair, releases the following:
"The big lie is continuing to spread, and the AZ Senate Republicans are making it worse. By hiring firms with ties to 'Stop the Steal' far-right fringe groups, the AZ Senate GOP only adds fuel to the election fraud fire.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

From the very beginning, the calls for election audits have come from extremist right-wing groups whose goal isn't election security. They want to overturn the results of the Arizona 2020 general election. And now, with the AZ Senate GOP continuing an audit, they are validating these claims.
Not only does this cause a terrible precedent for future elections, but it also costs taxpayers thousands of dollars. Unfortunately, the AZ Senate GOP is not paying for contracting these firms. It's taxpayers who will foot the bill. Instead of focusing on critical issues impacting the communities they represent, the AZ Senate GOP is wasting valuable time undermining our democracy. Worse, this political ploy is serving to justify the multiple voter suppression bills in the Arizona legislature.
Moving forward with this election audit fiasco is dangerous. The AZ Senate GOP is now actively advancing the far-right fringe agenda, which will have a troubling effect on voting in Arizona for years to come."

Arizona Surging Additional Personnel To Meet High Demand At State Vaccine Sites

Wait Times At State Farm Stadium Site Back Under 30 Minutes Today

PHOENIX — Governor Doug Ducey announced a surge of staffing resources to meet the growing demand for vaccinations at State Farm Stadium and throughout the state.
Following the mobilization of additional staff and implementation of other process improvements, wait times at state vaccination sites have been reduced significantly — to under 30 minutes today.
"Arizona is deploying all available resources to ensure that Arizonans continue to experience short wait times and receive excellent service while getting vaccinated," Governor Ducey said. "The State Farm Stadium site is among the highest-performing mass vaccination sites in the U.S. This past weekend alone, we administered more than 10,000 doses per day. We're committed to keeping up the pace."
Additional staffing support at state vaccination sites will provide certainty that staffing needs are met during all shifts and shift changes. More state staff are also stepping up to supplement existing paid staff and volunteers operating state vaccine sites. Nearly 90 additional National Guard personnel will also join the vaccination effort tomorrow. In total, more than 900 National Guard personnel are deployed to support the COVID-19 mission in Arizona.
"Arizona's vaccine sites are busy 24/7 and we are excited to see the strong demand for the COVID-19 vaccine," said Dr. Cara Christ, Director of the Arizona Department of Health Services. "These additional staffing resources will help ensure we provide everyone visiting our sites fast and friendly service. Thank you to all the volunteers, health care professionals, National Guard personnel, and staff who are making this mission to vaccinate all Arizonans possible."
"I couldn't be prouder of Guardsmen who have joined our state's first responders and community partners that are working around the clock to support Arizona's statewide vaccination effort," said Major General Michael T. McGuire, Arizona's Adjutant General and Director of the Arizona Department of Emergency and Military Affairs. "As our motto says, we're always ready and always there to serve when called upon."
Arizona is also ramping up the presence of paid staff at vaccine sites. While more staffing support is on the way, volunteer participation continues to be an important part of operations at the sites. Volunteers will typically have the opportunity to receive a vaccine following their shift.
The Arizona Department of Health Services (ADHS) is in the process of implementing these changes, which will speed up lines at state vaccine sites:

- Closely monitoring throughput and wait times to rapidly implement adjustments and countermeasures;
- Adding 30 additional paid staff per shift;
- Moving to a paid staffing model for the majority of staff;
- Working to reduce no-shows of people signed up to volunteer and stabilize volunteer participation levels;
- Opening more slots for volunteers to improve volunteer yield;
- Reducing volunteer shifts from 8 hours to 6 hours when the new overnight hours of operation begin at State Farm Stadium on April 4 at 5 p.m.;
- Partnering with companies and organizations to increase volunteer yield;
- Requiring patients to arrive closer to their scheduled appointment time — the site will no longer accept patients arriving more than 2 hours prior to their scheduled appointment times;
- Improving traffic control in and around the state vaccine site; and
- Adding a new separate entrance for staff and volunteers

At 11 a.m. every Friday, ADHS makes appointments available at state-run sites of the following week. Registration for these and many other sites is available at podvaccine.azdhs.gov or by calling 844-542-8201 between 8 a.m. and 5 p.m.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003089
ARZN_REV00068994_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Both resources offer assistance in English and Spanish. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine, To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Proposal Would Protect the Rights and Private Medical History of Arizona Consumers as Calls for Vaccination Mandates Grow

STATE CAPITOL, PHOENIX – State Representative Bret Roberts (R-11) and State Senator Kelly Townsend (R-16) amended legislation on Wednesday to protect the rights of Arizonans to keep their medical information private as some call for vaccination mandates.

"An individual's medical history is private, and whether or not to reveal that history must be protected and left entirely to the individual," said Representative Roberts. **"Regardless of their choice, a person should never be subjected to discrimination for that decision."**

"Consumers should not be compelled to take a vaccine to participate in the economy. The state must implement basic protections to protect Arizonans against these types of mandates, otherwise Arizonans could be forced to choose between having access to essential services or their right to medical privacy," added Roberts.

The proposed legislation, which was added as a strike everything amendment to HB 2190, prohibits local governments from imposing vaccination requirements or incentives. Additionally, businesses would not be able to refuse any service, product, admission to a venue, or transportation to a person solely because that person has or has not received a vaccine. Businesses that attempt to force customers to get vaccinations could risk loss of their licenses.

"I was honored to carry the language for Representative Roberts in the Senate Appropriations Committee," said Senator Townsend. **"This is a very important issue to me, and I know my constituents are also very concerned about their personal bodily autonomy and ability to participate in commerce without oppressive restriction. I am pleased to see other states rise and oppose this draconian form of government in the name of fear."**

Senator Townsend offered amendment on Roberts' behalf during Wednesday's Senate Appropriations Committee meeting, where it was approved on a party line vote. The amended measure must now be considered by the full Senate.

Arizona Treasurer Kimberly Yee Proclaims April 2021 Financial Literacy Month

PHOENIX, AZ – Today, Arizona State Treasurer Kimberly Yee issued a proclamation celebrating April 2021 as Financial Literacy Month in the State of Arizona.

"The overall fiscal health of our state depends on the financial decisions of our individual citizens," Treasurer Kimberly Yee said. "Arizona is a nationwide leader in advancing financial education to give citizens, from all walks of life, the opportunity to become financially literate and set them up for life-long success."

Since taking office in January 2019, in her efforts to promote financial education, Treasurer Yee has taken the following actions:

- Appointed the first-ever Statewide Financial Literacy Task Force aimed at bringing financial education resources to all Arizonans, including students, senior citizens, military veterans and vulnerable populations.
- Successfully advanced a new law (S.B. 1184) requiring all Arizona students to have received financial education before graduating from high school.
- Advocated for legislation (H.B. 2695) allowing personal finance instruction to qualify as a work activity for participants in the Temporary Assistance for Needy Families (TANF) program.
- Made the Treasurer's Office the central state agency responsible for promoting financial education statewide with the passage of S.B. 1292.
- Ensured the smooth transfer of the AZ529, Arizona's Education Savings Plan to the Treasurer's Office with the signing of S.B. 1528 into law.
- Modernized and rebranded the AZ529 Plan to raise awareness statewide of how families can save for their child's future educational expenses.
- Visited numerous K-12 classrooms in the state to share about the importance of savings and financial education.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Treasurer Yee's proclamation urges leaders to advance financial literacy through various actions and activities across the state during the month of April. View the Proclamation HERE.
In addition, today, Treasurer Yee officially launched the Financial Education Resources Portal on the Arizona State Treasurer's Office website. She invites Arizonans to explore and utilize the free resources and planning tools on the Portal to learn practical money management principles. Visit the Portal HERE.

SB1485, Vote by Mail Purge Bill, Up for a Floor Vote Today in Arizona State House

PHOENIX – SB1485, which would purge 100,000+ Arizonans from the vote by mail list, is on the calendar for a floor vote today in the Arizona State House.
The bill is scheduled for a vote in the Committee of the Whole; if it passes, it could go almost immediately to Third Read (a second floor vote) and then to Governor Ducey's desk to be signed into law.
SB1485 will take the "permanent" out of the state's permanent vote by mail list by purging more than 100,000 Arizona voters from the list, such that they no longer receive their ballots by mail as expected.
The possible floor vote comes as Arizona business leaders face increasing pressure to take a stand on voter suppression bills. Yesterday, a coalition of more than 30 Arizona community organizations released a letter calling on Enterprise Holdings, Allstate, Farmers' Insurance and CVS to publicly oppose SB1485, along with other bills attacking voting rights, criminalizing protest and blocking police accountability. The letter is part of a nationwide push to urge businesses to come out against voter suppression bills in Arizona, Georgia, Texas, New Hampshire and elsewhere.
Union Pacific and Prudential are already on the record opposing SB1485 and other voter suppression bills, as are members of Greater Phoenix Leadership, a prominent business group.
"This is a now or never moment for Arizona business leaders," said Emily Kirkland, executive director of Progress Arizona. "They need to be fighting against these bills now, *before* they pass and become law. We are calling on Arizona businesses to speak up immediately and make clear their opposition to SB1485. And we are calling on Arizona state legislators to do the right thing, stand up for democracy and vote no."

"QUOTE OF THE DAY"

"Be careful when you offer to help because some people will take you up on it."

- ***Ken Bennett, former secretary of state, on his new gig helping with the Senate's audit***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003091
ARZN_REV00068994_4-1-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, April 1, 2021 8:46:22 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-1-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 1, 2021

THE SENATE IS SENDING GOONS TO YOUR HOUSE
The Senate late yesterday sent over its contract and scope of work agreement with Cyber Ninjas – signed by its CEO, Doug Logan, an election denier and Stop the Steal activist – though the documents raise as many questions as they offer answers.

TOLD YOU – RETIREEES AND HOMELESS PEOPLE
The audit will also hand count all 2.1 million ballots cast in in search of "suspicious or potentially counterfeit ballots."

AMERICAN OVERSIGHT

AGAIN WITH THE WIFI THING
Another portion of the audit will attempt to determine whether the machines themselves were tampered with or connected to the internet.

PRESS SECRETARY KEN BENNETT REPORTING FOR DUTY
After apparently striking out on finding a bipartisan team of county recorders to oversee the project, the Senate has designated former Secretary of State and lawmaker Ken Bennett as its liaison.

BUT THAT'S EXACTLY WHAT THEY'D SAY IF THEY DID RIG IT
Dominion immediately dismissed the "auditors" as "beyond biased" and argued the firm can't be trusted since Logan has helped spread lies about the company.

THERE ARE AUDITS, AND THEN THERE ARE "AUDITS"
Hobbs is asking the Attorney General's Office if she can intervene to stop the Senate's auditors, and called on the board of supervisors to help her defend democracy.

IT'S NOT A VOLUNTEER SHORTAGE, IT'S A PEOPLE DEFICIENCY
Ducey announced he's beefing up staffing at State Farm Stadium after a full week of denying that volunteer numbers were diminishing as a result of opening the vaccine appointments to everyone 16 and older.

THE LAW OF UNINTENDED CONSEQUENCES STRIKES AGAIN
Former DHS Director Will Humble said the POD has clearly been hindered because Christ and Ducey simply did not anticipate how much of an incentive volunteering to get a vaccine was to people.

CHECK YOUR CALENDAR BEFORE YOU CHECK TWITTER
Cook is running for governor and the Senate has a slew of odd bills including wanting to repeal sine die, fill the Grand Canyon and make QT the official state gas station.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, April 01, 2021

NEWS NOTES AND GOSSIP

THE SENATE IS SENDING GOONS TO YOUR HOUSE

The Senate late yesterday sent over its contract and scope of work agreement with Cyber Ninjas – signed by its CEO, Doug Logan, an election denier and Stop the Steal activist (YS, 3/31) – though the documents raise as many questions as they offer answers. Logan pledge that the four-pronged inquiry would offer a "full and complete audit" that would "attempt to validate every area of the voting process." That includes auditing the registration and votes cast, the vote counts, the electronic voting system, as well as auditing the reported results. The final report will attempt to be "unbiased and non-partisan," Logan, who has already described Arizona's election as rigged, wrote. Neither the contract nor the scope of work agreement outlines who, specifically, will conduct the work – for all we know, Trump himself could be part of their team. The audit of registration and votes cast will focus on duplicate voting, voters who didn't actually vote and voters who auditors believe shouldn't have been allowed to vote. Logan pledged that the analysis would review at least three precincts (including those with "a high number of anomalies,") and would compare results against a "known list of invalid voters" among other tactics. The group plans to work with "non-partisan" canvassing teams that will "statistically identify voter registrations that do not make sense" then to go door-to-door to confirm that voters live at their addresses. (Of course, more than five months after the election, there's a good chance some voters have moved.) Maricopa County Supervisor Steve Gallardo especially took issue with that provision of the agreement. "This @AZSenateGOP sham audit is getting out of control. Taxpayer funded effort to go door to door intimidating our voters and harassing must stop. It's time for voting rights organizations to file legal challenges to stop the Senate GOP," he wrote on Twitter today. The data canvassers collect will be compared to data from the "Maricopa County Board of Elections" the document states – which will be difficult since no such entity exists. A copy of the statement of work (LINK) and the contract (LINK) are available in our "documents" section.

TOLD YOU – RETIREEES AND HOMELESS PEOPLE

The audit will also hand count all 2.1 million ballots cast in in search of "suspicious or potentially counterfeit ballots." A hand count will be a massive undertaking that will require an army of volunteers. Logan pledged to find teams of "nonpartisan" counters drawn from primarily "former law enforcement, veterans, and retired individuals" and said it should be completed in as little as two to three weeks, an incredibly ambitious timeline, considering it can take the county's professional team weeks to count every vote using automated machines. GOP political consultant Barrett Marson did some back of the napkin math. "To hand recount the ballots that's 35k a day. From volunteers. That's 4,500 an hour in an 8-hour shift. Who can stick it out for 60 days (weekends too)? They will need 1,000 people at least," he wrote on Twitter today. (Notably, the promise for "nonpartisan" teams is very different from the "bipartisan" teams that Fann claimed would hand count the ballots, and auditors plan to find the volunteers themselves.) The volunteers will have to undergo background checks and will be validated to not have worked for any political campaigns though the document makes no mention of volunteering for campaigns, being an active member of a political party or any other number of tell-tale signs of partisanship.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003094

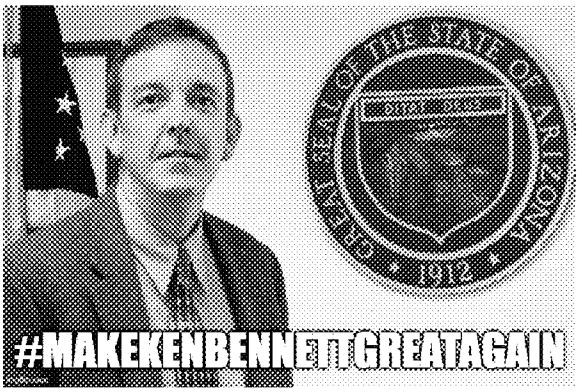
ARZN_REV00068996_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AGAIN WITH THE WIFI THING

Another portion of the audit will attempt to determine whether the machines themselves were tampered with or connected to the internet. Auditors plan to turn on election equipment and scan it with a "wireless spectrum analysis tool" to determine if the devices emit Bluetooth, WiFi or other wireless signals. "Devices that show signs of emitting signals will be flagged and documented, and when possible without damaging the equipment," auditors wrote. Cyber Ninjas "and a number of additional analysts" whose identities are so far unknown, will conduct that portion of the audit. Fann didn't return calls for comment today, and our reporter is still barred from the Senate floor, so wasn't able to catch her in person.

PRESS SECRETARY KEN BENNETT REPORTING FOR DUTY



After apparently striking out on finding a bipartisan team of county recorders to oversee the project, the Senate has designated former Secretary of State and lawmaker Ken Bennett as its liaison. "I made the terrible mistake about a month ago of telling Senator Fann that if there's anything I could do to help, to let me know. This is what she came up with," he joked. "Be careful when you offer to help because some people will take you up on it." Bennett told our reporter he was still figuring out what his role would involve, but he interpreted it that he would be the point for the Senate, working with the contractor, the county, the public and maybe the press. He said it was an unpaid position. Bennett met with Maricopa County Supervisor Jack Sellers and his chief of staff briefly today, but hasn't yet met with Maricopa County Recorder Stephen Richer or anyone from the companies the Senate hired. He and Sellers discussed where the audit would be conducted – the Senate maintains it should be done on county property, while the county has repeatedly said that's not happening – but the two sides still didn't come to a resolution. Bennett told our reporter he wasn't concerned about the Senate's choice of firms. "I'm going to work with the companies to make sure that it's done unbiased, straight up," he said. He plans to reach out to the state Democratic Party in hopes of bringing on a co-liaison. Bennett is the state director of the Arizona 51 Voter Project, which aims to register a quarter-million Republicans before the 2022 election (YS, 3/29)). Despite also having this role, Bennett said he will tackle the liaison position in the same way he approached the role of Secretary of State. "I would imagine that's maybe why President Fann asked me to do this – because I've worked with both sides to get the job done in a fair and transparent manner, and that's what this effort deserves as well," he said. He said it'll probably take a couple weeks to work out "lots of questions" before the audit itself begins but that there was no rush because "this is not about overturning the election of November 2020."

BUT THAT'S EXACTLY WHAT THEY'D SAY IF THEY DID RIG IT

Dominion immediately dismissed the "auditors" as "beyond biased" and argued the firm can't be trusted since Logan has helped spread lies about the company. In a statement yesterday, the company said the firms are led by "conspiracy theorists and QAnon supporters who have helped spread the Big Lie." The company welcomes audits from legitimate auditors, it said, "but this is not that." "Over a thousand independent audits and recounts have taken place across the country since Election Day and they all demonstrated the accuracy and reliability of our voting systems." the company said in the statement, adding Cyber Ninjas doesn't appear to have any experience in election audits. The Maricopa County Board of Supervisors today held an emergency meeting to get legal advice about the "newly received information from the Senate" but the meeting was completely in executive session.

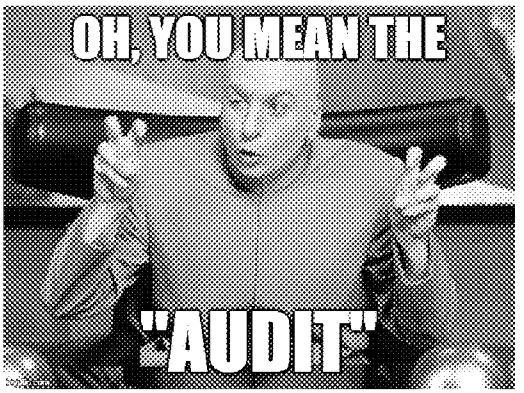
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003095

ARZN_REV00068996_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THERE ARE AUDITS, AND THEN THERE ARE "AUDITS"



Hobbs is asking the Attorney General's Office if she can intervene to stop the Senate's auditors, and called on the board of supervisors to help her defend democracy. In a letter to the Maricopa County supervisors this morning, she listed several reasons why the "audit" (quotation marks are hers) is a farce. Hobbs noted that Fann previously claimed she had hired an auditor, then walked it back after the press found out that auditor was the discredited Allied Security Operations Group, a conspiracy organization with ties to Trump and the Stop the Steal movement. Cyber Ninjas is no different, she argued. "Unfortunately, yesterday's announcement made it clear that the Senate has no intention of conducting an independent audit or ensuring the ongoing security and confidentiality of Maricopa County's ballots and voting equipment," Hobbs wrote, adding that Jovan Pulitzer the "failed treasure hunter" and "inventor of one of the '25 worst tech products of all time,'" also announced he would help with the audit, despite his clear conflict of interest that even Finchem said would disqualify him (LINK). Hobbs is worried that the contract between the Senate and the auditors is written in a way that will prevent full transparency and will allow access to unspecified groups, which she says goes against Judge Thomason's assumption that the Senate "will ensure any third parties will handle the subpoenaed materials appropriately." "The Senate intends to give free reign to Cyber Ninjas, Inc. and will abdicate any responsibility or engagement in the audit process to ensure the security and confidentiality of the ballots and voting equipment or the integrity of the process," she wrote. Given all of these factors, Hobbs said she wants Brnovich to advise her of any legal options she has as secretary of state "to protect the integrity of our system and our voters' confidence in it." She urged the supervisors to "do what is necessary to protect our voters and our democracy." A copy of Hobbs' letter can be found in our "documents" section (LINK).

IT'S NOT A VOLUNTEER SHORTAGE, IT'S A PEOPLE DEFICIENCY

Ducey announced he's beefing up staffing at State Farm Stadium after a full week of denying that volunteer numbers were diminishing as a result of opening the vaccine appointments to everyone 16 and older. In the announcement, Ducey and Dept of Health Services spun the change as adding personnel to meet the high demand of vaccines, which is a roundabout way of saying there weren't enough volunteers signing up for shifts – something they have refused to acknowledge directly. Lines had exponentially increased at State Farm Stadium, with people saying they've had to wait in excess of three hours for their scheduled appointment. DHS had offered just about every excuse except that they need more people to volunteer. *ABC 15's* Nicole Grigg reported live on Tuesday as hundreds of cars held up traffic outside the venue. She said DHS offered a variety of explanations for the delays, including shift changes, supply chain issues and that the iPads volunteers used were getting overheated. "They insist staffing not an issue," Grigg tweeted (LINK). On Tuesday, DHS sent out emergency alerts through HandsOn Greater Phoenix, which is coordinating volunteers, practically begging people to pick up shifts. "There is an immediate emergency need for Non-clinical volunteers willing to sign-up for available shifts at the state-run Vaccination Site in Arizona," the email read. Christ seemed nonchalant about volunteer numbers dropping being inevitable when asked about it last Monday. "Our volunteers have had such a good experience out at the sites that hopefully they would continue to return," she said. "We have waiting lists of people that want to be volunteers and businesses that have reached out, but if we had to, we would just work with ASU to get contracts to pay people to be out here." As part of the new plan, an additional 30 paid staffers will be at state sites per shift, hours will be cut from eight to six, and the site will no longer accept people who arrive more than two hours early for their appointments.

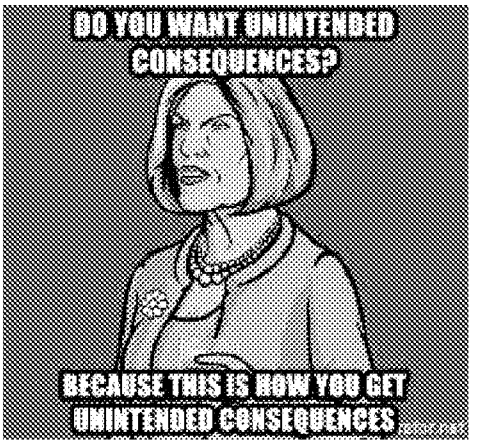
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003096

ARZN_REV00068996_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE LAW OF UNINTENDED CONSEQUENCES STRIKES AGAIN



Former DHS Director Will Humble said the POD has clearly been hindered because Christ and Ducey simply did not anticipate how much of an incentive volunteering to get a vaccine was to people. "The drop off was immediate," Humble said. Wait times started skyrocketing last Wednesday, which was the first day individuals 16 and up could receive a vaccine. "There's been lots of anecdotal stories of two- or three-hour waits, which she classified as 'totally unacceptable' in her letter to FEMA," he said, paraphrasing Christ's response last week over federal help to Pima County (YS, 3/26). "Clearly they didn't anticipate the level that that would cause volunteers to drop off." At a press gaggle in Coolidge yesterday, reporters asked Ducey about paying workers at the sites, and he dodged. "We are paying workers," he said, giving a literal response because workers are paid, but volunteers – by definition – are unpaid. He also dodged a question about future mitigation efforts if cases increase. "I want people to continue to be responsible and use common sense just like they have this entire year," he said.

CHECK YOUR CALENDAR BEFORE YOU CHECK TWITTER

Cook is running for governor and the Senate has a slew of odd bills including wanting to repeal *sine die,* fill the Grand Canyon and make QT the official state gas station. None of that, of course, is true – just some harmless fun on April Fool's Day from Cook and the Senate staff. Cook tweeted this morning he was "Filling [sic] to run for AZ Governor today in the 2022 election." He tapped Roberts to run his Dept of Corrections, Payne to run Dept of Transportation and Weninger to run the Arizona Commerce Authority (which isn't a position that the governor appoints). John would also serve as the director of the Dept of Water Resources in the Cook administration, Cook wrote in several follow up tweets. He then posted that Lieberman asked him not to run for governor, hinting at an actual rumor that has been circulating among Democrats for more than one year. "I can confirm that @aaron4az has asked me not to run for in 2022 for Az Governor. Wonder why ?" he wrote. Meanwhile a Senate staffer pulled a prank on our reporter sending an agenda for next week's Appropriations Committee filled with bills and strikers of unusual titles. Bolick wants a Frankie Muniz license plate bill, Fillmore wants to make the state motto "welp," Weninger wants to fill in the "pit" that is the Grand Canyon and a trio of Republicans want to repeal *sine die.* There were a handful of other great jokes thrown into the document from Senate staff. Kavanagh's striker prohibiting Zoom meetings, struck onto a bill to give himself a higher salary, does sound plausible, though.

·WAKE **UP** CALL·

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003097
ARZN_REV00068996_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senate to vote on taking power from regulators
Capitol Media Services
Rejecting arguments about economic development, clean air and even constitutional issues, a Senate panel voted along party lines March 31 to strip the Arizona Corporation Commission of its power to set energy policy for utilities.

Senate panel approves measure to give lawmakers raise
Capitol Media Services
With only one lawmaker dissenting, a Senate panel voted Wednesday to give themselves and their colleagues a big increase in their allowance — and do it as soon as possible.

Senate panel approves measure to give lawmakers raise
Capitol Media Services
With only one lawmaker dissenting, a Senate panel voted Wednesday to give themselves and their colleagues a big increase in their allowance — and do it as soon as possible.

Senate panel OKs barring Arizona companies from refusing to serve unvaccinated patrons
Capitol Media Services
A Senate panel voted 6-4 Wednesday to bar companies from refusing to serve customers who are not vaccinated.

New bill hopes to support communities after Navajo Generating Station closure
Arizona Daily Sun
A reintroduced bill by Rep. Tom O'Halleran hopes to provide assistance to northern Arizona communities and local tribes impacted by the closure of Navajo Generating Station.

Arizona Senate proposal would ban nearly all abortions
Associated Press
A proposal in the Arizona Senate would ban most abortions even before many women know they are pregnant by making it a felony for a physician to perform the procedure if a fetal heartbeat can be detected.

Report: KJZZ Border Editor Crossed the Line With Inappropriate Behavior
Phoenix New Times
Reporter Michel Marizco has racked up awards and acclaim covering the U.S.-Mexico border for nearly two decades, at one point running a news site called "Border Reporter" with the tagline "News That Crossed The Line."

Sen. Mark Kelly helps administer vaccines in Arizona
The Hill
Sen. Mark Kelly (D-Ariz.) on Wednesday personally administered vaccine doses to Arizona residents at a local clinic to help promote the safety of the inoculations as the country faces a fourth wave of the coronavirus pandemic.

Angels & demons: Ducey's COVID reversal part of a bigger GOP identity crisis
Tucson Sentinel (Opinion, Blake Morelock)
In 1965, Alabama Gov. George Wallace was setting himself up to be the martyr for state's rights against an over-reaching federal government that was trying to protect civil rights protesters marching from Selma to Montgomery.

Arizona Diamondbacks will require all fans to wear masks, except maybe for …
Arizona Republic (Opinion, EJ Montini)
That cliche about a picture and a thousand words? This is it.

Arizona Senate hires a Trump ninja to do its election audit. No ... really
Arizona Republic (Opinion, Laurie Roberts)
Senate President Karen Fann says she expects the coming audit of the presidential election 'to bring integrity to the elections process'. Let me count the ways she's miscalculated.

Hold police accountable? Arizona's conservative lawmakers clearly see that as a threat
Arizona Republic (Opinion, Elvia Diaz)
Arizona police officers have good friends in the Legislature who are not only watching their backs but sticking it to anyone who dares protest police brutality.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Migrants and asylum seekers are suffering. Why, as a Jew, I can't turn away
Arizona Republic (Op-ed, Shmuly Yanklowitz)
My obligation to help migrants is grounded in every aspect of my religious and cultural identity. I feel this obligation strongest at Passover.

PRESS RELEASES

Pima County Recorder's Office will promote Pamela Franklin to Chief Deputy, succeeding Adrian Fontes in April

Tucson, AZ – Pima County Recorder Gabriella Cázares-Kelly announces Pamela Franklin will become the new Chief Deputy starting April 5, 2021. Franklin will replace Interim Chief Deputy Adrian Fontes at the end of his three-month term. "Pam is the perfect choice. She brings vast institutional knowledge and has created a bridge between the old administration and the new. Pam has an amazing reputation amongst the various constituency groups across Pima County and is known to be an advocate, problem solver and dedicated public servant. The staff has full faith in her and together, we have created a foundation from which we can build the programs needed to fulfill the campaign promises that I made, which touched the hearts of so many voters," Recorder Gabriella Cázares-Kelly said. Franklin joined the Recorder's Office in 2012 as Special Staff Assistant and added responsibilities as Voter Registration Manager in 2015, where she is most proud of planning the logistics for the Recorder's Ballot Processing Center and leading up to 100 employees in ensuring efficient, timely completion of processing hundreds of thousands of ballots for every election. In her nine years at the Recorder's Office, Franklin built a solid reputation as a trusted, well-respected voice in Pima County for her expertise in elections finance, policy and procedures as well as her exceptional professionalism and attentiveness to constituents' needs. "The more we can do to let people know what we do in the [Recorder's] office, the more comfortable people will be with what we actually do. Voters, residents of Pima County, different municipalities, different Pima County departments, and other counties – It's an honor being able to get things done for our constituents," Franklin said. "None of where I am would be possible if I hadn't been here for these nine years and learned what I have learned during this time, and I'm excited to continue building on our successes and execute the vision of the Recorder." Franklin worked closely with Adrian Fontes to identify projects to further improve the good work already being done in the Recorder's Office. Recorder Cázares-Kelly brought in Adrian Fontes, the former Maricopa County Recorder, to temporarily assist with the transition of her administration. "I was honored to be invited to help this important transition, and I have complete confidence in the Recorder, her new Chief, and the entire office," Fontes said. "One of the best parts of my time here was helping to identify my successor, Pam Franklin. She's been up and coming in the office for some years, and I trust that she has the experience and leadership skills to serve the Recorder as a phenomenal Chief Deputy. I'll be happy to watch the changes we've made and plans we've set forth to further improve this first-class operation for Pima County." Outside of the office, Franklin enjoys reading, hiking, behind the scenes work with Live Theatre Workshop in Tucson, spending time with her three adult children and cooking her favorite Italian recipes learned from her mother and grandmother. Fontes is returning to Phoenix where his children live to develop a new consulting business.

MCDP Reacts To AZ Senate GOP Election Audit Hire

PHOENIX – Five weeks after gaining access to more than 2.1M ballots and five months after the 2020 general election, the Arizona Senate Republicans finally announced the four firms they've contracted to conduct their election audit.
Instead of working to dispel conspiracy theories and election fraud claims, the AZ Senate GOP is now actively reinforcing these far-fetched notions, even after multiple independent audits found no fraud. The decision to move forward with an audit only serves to perpetuate the baseless election fraud claims and emboldens right-wing extremist efforts in overturning the 2020 general election results while justifying the countless voter suppression bills presented in the Arizona legislature.
Nancy Schriber, MCDP Chair, releases the following:
"The big lie is continuing to spread, and the AZ Senate Republicans are making it worse. By hiring firms with ties to 'Stop the Steal' far-right fringe groups, the AZ Senate GOP only adds fuel to the election fraud fire.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

From the very beginning, the calls for election audits have come from extremist right-wing groups whose goal isn't election security. They want to overturn the results of the Arizona 2020 general election. And now, with the AZ Senate GOP continuing an audit, they are validating these claims.
Not only does this cause a terrible precedent for future elections, but it also costs taxpayers thousands of dollars. Unfortunately, the AZ Senate GOP is not paying for contracting these firms. It's taxpayers who will foot the bill. Instead of focusing on critical issues impacting the communities they represent, the AZ Senate GOP is wasting valuable time undermining our democracy. Worse, this political ploy is serving to justify the multiple voter suppression bills in the Arizona legislature.
Moving forward with this election audit fiasco is dangerous. The AZ Senate GOP is now actively advancing the far-right fringe agenda, which will have a troubling effect on voting in Arizona for years to come."

Arizona Surging Additional Personnel To Meet High Demand At State Vaccine Sites

Wait Times At State Farm Stadium Site Back Under 30 Minutes Today

PHOENIX — Governor Doug Ducey announced a surge of staffing resources to meet the growing demand for vaccinations at State Farm Stadium and throughout the state.
Following the mobilization of additional staff and implementation of other process improvements, wait times at state vaccination sites have been reduced significantly — to under 30 minutes today.
"Arizona is deploying all available resources to ensure that Arizonans continue to experience short wait times and receive excellent service while getting vaccinated," Governor Ducey said. "The State Farm Stadium site is among the highest-performing mass vaccination sites in the U.S. This past weekend alone, we administered more than 10,000 doses per day. We're committed to keeping up the pace."
Additional staffing support at state vaccination sites will provide certainty that staffing needs are met during all shifts and shift changes. More state staff are also stepping up to supplement existing paid staff and volunteers operating state vaccine sites. Nearly 90 additional National Guard personnel will also join the vaccination effort tomorrow. In total, more than 900 National Guard personnel are deployed to support the COVID-19 mission in Arizona.
"Arizona's vaccine sites are busy 24/7 and we are excited to see the strong demand for the COVID-19 vaccine," said Dr. Cara Christ, Director of the Arizona Department of Health Services. "These additional staffing resources will help ensure we provide everyone visiting our sites fast and friendly service. Thank you to all the volunteers, health care professionals, National Guard personnel, and staff who are making this mission to vaccinate all Arizonans possible."
"I couldn't be prouder of Guardsmen who have joined our state's first responders and community partners that are working around the clock to support Arizona's statewide vaccination effort," said Major General Michael T. McGuire, Arizona's Adjutant General and Director of the Arizona Department of Emergency and Military Affairs. "As our motto says, we're always ready and always there to serve when called upon."
Arizona is also ramping up the presence of paid staff at vaccine sites. While more staffing support is on the way, volunteer participation continues to be an important part of operations at the sites. Volunteers will typically have the opportunity to receive a vaccine following their shift.
The Arizona Department of Health Services (ADHS) is in the process of implementing these changes, which will speed up lines at state vaccine sites:

- Closely monitoring throughput and wait times to rapidly implement adjustments and countermeasures;
- Adding 30 additional paid staff per shift;
- Moving to a paid staffing model for the majority of staff;
- Working to reduce no-shows of people signed up to volunteer and stabilize volunteer participation levels;
- Opening more slots for volunteers to improve volunteer yield;
- Reducing volunteer shifts from 8 hours to 6 hours when the new overnight hours of operation begin at State Farm Stadium on April 4 at 5 p.m.;
- Partnering with companies and organizations to increase volunteer yield;
- Requiring patients to arrive closer to their scheduled appointment time — the site will no longer accept patients arriving more than 2 hours prior to their scheduled appointment times;
- Improving traffic control in and around the state vaccine site; and
- Adding a new separate entrance for staff and volunteers

At 11 a.m. every Friday, ADHS makes appointments available at state-run sites of the following week. Registration for these and many other sites is available at podvaccine.azdhs.gov or by calling 844-542-8201 between 8 a.m. and 5 p.m.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003100
ARZN_REV00068996_4-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Both resources offer assistance in English and Spanish. Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine, To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Proposal Would Protect the Rights and Private Medical History of Arizona Consumers as Calls for Vaccination Mandates Grow

STATE CAPITOL, PHOENIX – State Representative Bret Roberts (R-11) and State Senator Kelly Townsend (R-16) amended legislation on Wednesday to protect the rights of Arizonans to keep their medical information private as some call for vaccination mandates.

"An individual's medical history is private, and whether or not to reveal that history must be protected and left entirely to the individual," said Representative Roberts. **"Regardless of their choice, a person should never be subjected to discrimination for that decision."**

"Consumers should not be compelled to take a vaccine to participate in the economy. The state must implement basic protections to protect Arizonans against these types of mandates, otherwise Arizonans could be forced to choose between having access to essential services or their right to medical privacy," added Roberts.

The proposed legislation, which was added as a strike everything amendment to HB 2190, prohibits local governments from imposing vaccination requirements or incentives. Additionally, businesses would not be able to refuse any service, product, admission to a venue, or transportation to a person solely because that person has or has not received a vaccine. Businesses that attempt to force customers to get vaccinations could risk loss of their licenses.

"I was honored to carry the language for Representative Roberts in the Senate Appropriations Committee," said Senator Townsend. **"This is a very important issue to me, and I know my constituents are also very concerned about their personal bodily autonomy and ability to participate in commerce without oppressive restriction. I am pleased to see other states rise and oppose this draconian form of government in the name of fear."**

Senator Townsend offered amendment on Roberts' behalf during Wednesday's Senate Appropriations Committee meeting, where it was approved on a party line vote. The amended measure must now be considered by the full Senate.

Arizona Treasurer Kimberly Yee Proclaims April 2021 Financial Literacy Month

PHOENIX, AZ – Today, Arizona State Treasurer Kimberly Yee issued a proclamation celebrating April 2021 as Financial Literacy Month in the State of Arizona.

"The overall fiscal health of our state depends on the financial decisions of our individual citizens," Treasurer Kimberly Yee said. "Arizona is a nationwide leader in advancing financial education to give citizens, from all walks of life, the opportunity to become financially literate and set them up for life-long success."

Since taking office in January 2019, in her efforts to promote financial education, Treasurer Yee has taken the following actions:

- Appointed the first-ever Statewide Financial Literacy Task Force aimed at bringing financial education resources to all Arizonans, including students, senior citizens, military veterans and vulnerable populations.
- Successfully advanced a new law (S.B. 1184) requiring all Arizona students to have received financial education before graduating from high school.
- Advocated for legislation (H.B. 2695) allowing personal finance instruction to qualify as a work activity for participants in the Temporary Assistance for Needy Families (TANF) program.
- Made the Treasurer's Office the central state agency responsible for promoting financial education statewide with the passage of S.B. 1292.
- Ensured the smooth transfer of the AZ529, Arizona's Education Savings Plan to the Treasurer's Office with the signing of S.B. 1528 into law.
- Modernized and rebranded the AZ529 Plan to raise awareness statewide of how families can save for their child's future educational expenses.
- Visited numerous K-12 classrooms in the state to share about the importance of savings and financial education.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Treasurer Yee's proclamation urges leaders to advance financial literacy through various actions and activities across the state during the month of April. View the Proclamation HERE.
In addition, today, Treasurer Yee officially launched the Financial Education Resources Portal on the Arizona State Treasurer's Office website. She invites Arizonans to explore and utilize the free resources and planning tools on the Portal to learn practical money management principles. Visit the Portal HERE.

SB1485, Vote by Mail Purge Bill, Up for a Floor Vote Today in Arizona State House

PHOENIX – SB1485, which would purge 100,000+ Arizonans from the vote by mail list, is on the calendar for a floor vote today in the Arizona State House.
The bill is scheduled for a vote in the Committee of the Whole; if it passes, it could go almost immediately to Third Read (a second floor vote) and then to Governor Ducey's desk to be signed into law.
SB1485 will take the "permanent" out of the state's permanent vote by mail list by purging more than 100,000 Arizona voters from the list, such that they no longer receive their ballots by mail as expected.
The possible floor vote comes as Arizona business leaders face increasing pressure to take a stand on voter suppression bills. Yesterday, a coalition of more than 30 Arizona community organizations released a letter calling on Enterprise Holdings, Allstate, Farmers' Insurance and CVS to publicly oppose SB1485, along with other bills attacking voting rights, criminalizing protest and blocking police accountability. The letter is part of a nationwide push to urge businesses to come out against voter suppression bills in Arizona, Georgia, Texas, New Hampshire and elsewhere.
Union Pacific and Prudential are already on the record opposing SB1485 and other voter suppression bills, as are members of Greater Phoenix Leadership, a prominent business group.
"This is a now or never moment for Arizona business leaders," said Emily Kirkland, executive director of Progress Arizona. "They need to be fighting against these bills now, *before* they pass and become law. We are calling on Arizona businesses to speak up immediately and make clear their opposition to SB1485. And we are calling on Arizona state legislators to do the right thing, stand up for democracy and vote no."

"QUOTE OF THE DAY"

"Be careful when you offer to help because some people will take you up on it."

- ***Ken Bennett, former secretary of state, on his new gig helping with the Senate's audit***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003102

ARZN_REV00068996_4-1-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Monday, April 5, 2021 6:27:42 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-5-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet April 5, 2021

YOU'RE ON YOUR OWN, KAREN
In an email to Fann this morning, Maricopa County Board of Supervisors chair Jack Sellers made clear the county will only participate with Republican senators' audit as far as the court order required, adding that doing anything more would open up the county to legal problems.

NOT EVEN A QUICK GOOGLE?
Over the weekend, Fann told Capitol scribe Howie Fischer that she hadn't seen the Cyber Ninja CEO's Stop the Steal twitter rants, despite having been the person who vetted and hired the company, and brushed off criticism of his ability to do the job as a case of cancel culture.

FANN CREATES HER OWN CONSPIRACY
In her interview with Fischer, Fann offered up a new theory about why an audit is necessary, saying perhaps the audit could find that turnout in a particular

AMERICAN OVERSIGHT

precinct has jumped from 35 percent to 90 percent, which would merit further scrutiny.

WHO'S REALLY RUNNING THIS AUDIT?
Conspiracy theorist, failed inventor and treasure hunter Jovan Hutton Pulitzer told his 93,400 Twitter followers today that "when it's time and it's right and the right people are involved," he will let them know directly how to volunteer for the Senate's audit.

WE'RE NOT THE ONLY BS RAG TAKING NOTE
Arizona's ongoing election audit drama is making national headlines again – this time from The Washington Post's editorial board – which lambasted Fann and the Senate Republicans for continuing to push for an audit five months after the election.

MO MONEY MO SESSION
If lawmakers plan to sine die by the 100-day mark, they have a lot of work to do on the budget, as multiple Republican senators told our reporter they've only heard minimal updates since the Senate first introduced its baseline in mid-January.

BOY MAYOR OF NOGALES HIRES MOM
Nobody is better at pumping you up than your mom, and gubernatorial candidate Marco Lopez is trying to capitalize on that by bringing on his mom to be a co-chair of his campaign.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, April 05, 2021

NEWS NOTES AND GOSSIP

YOU'RE ON YOUR OWN, KAREN

In an email to Fann this morning, Maricopa County Board of Supervisors chair Jack Sellers made clear the county will only participate with Republican senators' audit as far as the court order required, adding that doing anything more would open up the county to legal problems. The law doesn't allow the county to perform a recount, Sellers noted, and while the court told the county to hand over ballots and voting equipment, "Maricopa County cannot be involved in supporting your audit as to do so may expose it to liability for which it has no similar legal protection." "To avoid any confusion, I want to be clear that the audit is not a joint effort between the County and the Senate Republican Caucus. Maricopa County will not communicate with your vendors or interpret Arizona law for them," he said, referencing a long list of questions Cyber Ninjas CEO Doug Logan asked Fann to send to the county, after the county refused to communicate with him directly. "Many of your auditors' questions can be answered by reviewing the Election Procedures Manual, the early vote and election day plans, as well as the power points from the hearing that occurred last year before the Senate Judiciary Committee," Sellers wrote. After again noting that the county has conducted several outside audits of its own election, which were permitted and required by law, and saying those audits were "bipartisan and transparent." Sellers took a veiled swipe at Fann's audit. "The process of selecting the vendors, which were both properly certified to perform their examinations, was open," he noted, highlighting an unspoken contrast between the board and the Senate. While the county has repeatedly made clear that is has no plans to let the Senate recount ballots in its facilities, Fann over the weekend said the reason the county board of supervisors isn't fully cooperating with her so-called audit by a Stop the Steal advocate could be because they're scared her ninjas might actually find something. "I'm beginning to wonder if they're not as confident in their [election] system as they say they are," Fann told Capitol Media Services (LINK).

NOT EVEN A QUICK GOOGLE?

Over the weekend, Fann told Capitol scribe Howie Fischer that she hadn't seen the Cyber Ninja CEO's Stop the Steal twitter rants, despite having been the person who vetted and hired the company, and brushed off criticism of his ability to do the job as a case of cancel culture. "Is no one allowed to say anything?" she asked. Of course, if Doug Logan, CEO of Cyber Ninjas, had taken any number of controversial stands on issues unrelated to the legitimacy of the 2020 election, it would hardly merit headlines. But his tweets show a clear perspective that will bias any investigation and set up the same problems that led Fann to forgo a contract with Allied Special Operations Group. Fann in February said ASOG had disqualified itself with its previous statements about the election being stolen. "The mere fact that the perception is out there that they have ties with Trump or they would be less than totally independent, then it would be very difficult for us to hire them," she said (YS, 2/26). In her interview with Fischer, she made clear that no longer matters. "Just because somebody found some Tweet that's within some archive program that none of us ever would have done it (the search) doesn't mean anything," Fann said. But the fact that Fann didn't find those tweets, which took our reporter and reporters at the *Arizona Mirror* about an hour to find using the most basic of online tools, speaks volumes to the level of scrutiny that the firm faced.

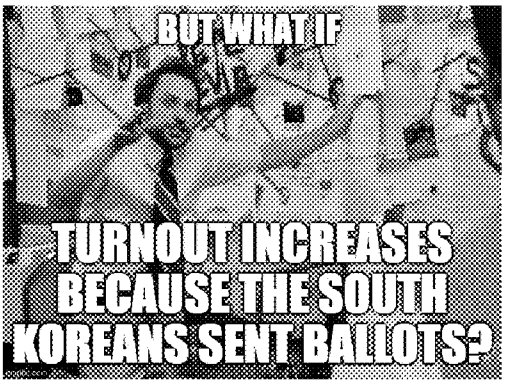
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003105

ARZN_REV00068998_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FANN CREATES HER OWN CONSPIRACY



In her interview with Fischer, Fann offered up a new theory about why an audit is necessary, saying perhaps the audit could find that turnout in a particular precinct has jumped from 35 percent to 90 percent, which would merit further scrutiny. "The question is, how do you go from 35 percent to 90 percent?" she asked. There's no evidence that's happened – and neither Fann nor her spokesman responded to our reporter's questions today about what specific precinct she was referencing, or whether it was a hypothetical not based in fact. (Our reporter's attempt to track down the mystery precinct today was complicated by the fact that precinct boundaries were modified in 2018, which makes an apples-to-apples comparison nearly impossible.) Megan Gilbertson, the county elections spokeswoman, told our reporter that 24 precincts were added between 2016 and 2020, and there were "hundreds of other changes" because of increased population. What that means is voters who lived in one precinct in 2016 might be in a completely new precinct in 2020 or moved into a different one that already existed. It's likely that there isn't a one-to-one comparison for turnout purposes between the '16 and '20 elections, due to this change. The county had 724 precincts in 2016 and 748 in 2020, Gilbertson said. If that kind of spike in turnout did happen, that change in precinct boundaries would be the most likely explanation. But not to Fann, who offered up the explanation that perhaps it could mean that not all the ballots cast from that precinct were authentic, before walking that hypothetical back by saying that "obviously didn't happen."

WHO'S REALLY RUNNING THIS AUDIT?

Conspiracy theorist, failed inventor and treasure hunter Jovan Hutton Pulitzer told his 93,400 Twitter followers today that "when it's time and it's right and the right people are involved," he will let them know directly how to volunteer for the Senate's audit (LINK). He posted the video to warn viewers not to give their personal information to others who might be soliciting help. "A lot of these other groups posting, I don't know who they are," he said. Despite Fann saying she didn't know who Pulitzer was when he announced his purported involvement with the audit, his tweet claiming his "kinematic" technology will be used is still pinned to his Twitter profile. Pulitzer, creator of the CueCat, a failed cat-shaped barcode scanner, said that he won't discuss the audit publicly until the results came out, but he's been outspoken about wanting a full hand recount and saying that politicians are hiding some sort of fraud by not submitting to it. (LINK). In a Feb 29 video, he said he'd spoken with "the friendlies" involved in the process who wanted him to examine a small sample of the ballots, not all 2.1 million – an effort he claimed was a waste of time (LINK). He criticized a "top, well-respected lawmaker" he said he spoke to who "represents the GOP" and wasn't onboard with Pulitzer reviewing 100 percent of the original ballots from the get-go. After the auditor selection was announced, Fann retweeted the group We the People AZ Alliance, which is behind efforts to recall the Maricopa County supervisors, as well as Boyer and Ducey. The tweet thanked Fann, Borrelli, Warren, Gray and the Senate Judiciary Committee for "taking charge & action." Pulitzer is also set to speak at a We the People AZ Alliance event in Nevada on April 10, joined by My Pillow CEO Mike Lindell, Trump advisor George Papadopoulos and other election deniers.

AMERICAN OVERSIGHT

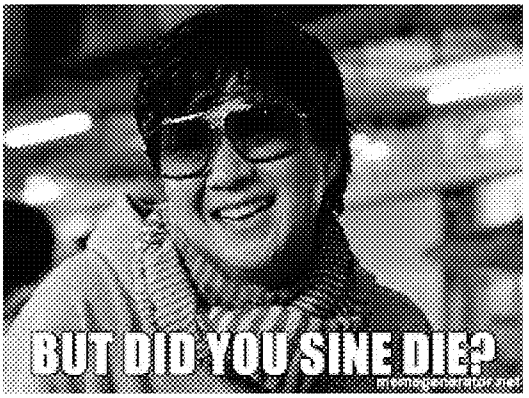
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003106
ARZN_REV00068998_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE'RE NOT THE ONLY BS RAG TAKING NOTE

Arizona's ongoing election audit drama is making national headlines again – this time from *The Washington Post's* editorial board – which lambasted Fann and the Senate Republicans for continuing to push for an audit five months after the election. The *Post* wrote that even after Maricopa County conducted "multiple credible audits that found no hint of substantial fraud," Fann still insists another must be done. "The Arizona Senate's bootleg election audit is a pathetic attempt to muddy the waters when the truth is clear and obvious to any reasonable observer: President Biden won Arizona, and the presidency, in perhaps the cleanest presidential election the nation has ever run," the editorial read. "This is not the behavior of a party confident that it has a real case." The *Post* didn't believe Fann and her colleagues were prepared for the massive undertaking, noting she tapped Cyber Ninjas, "a little-known Florida cybersecurity firm that boasts that it provides 'general consulting' and 'ethical hacking' services, to lead the audit" and that reporters sussed out the CEO's deleted Twitter account in no time. The *Post* also compared Arizona to several other states with Republican-controlled legislative bodies continuing to attempt to deny the results of a legitimate election and use conspiracies to make it more challenging for everyone to cast a vote. "Then-President Donald Trump won 74 million votes last year. Instead of making up stories about how Mr. Biden didn't actually win 81 million, or trying to make it harder for Democrats to cast ballots, Republicans should have asked what they need to do to get to 81 million, or more," the editorial board wrote (LINK).

MO MONEY MO SESSION



If lawmakers plan to *sine die* by the 100-day mark, they have a lot of work to do on the budget, as multiple Republican senators told our reporter they've only heard minimal updates since the Senate first introduced its baseline budget in mid-January. Democrats, as usual, are completely in the dark. The sheer amount of money lawmakers have access to this year will make budgeting a challenge. "I've never seen this much money – ever," Mesnard said. Another Republican lawmaker said that decisions about what to do with the federal funding would surely slow down the budgeting process, which already wasn't off to a resounding start, predicting a session that drags into June. Meanwhile, a lobbyist pinned the delay on Fann having her hands full with auditing the election, saying she has been so solely focused with that endeavor that she hasn't focused on the only constitutional requirement of the Legislature – to pass a budget. Toma last week told our reporter said he doesn't know when budget drafters will have a proposal to release, but said he expects the two chambers to start making progress this week. "We've had small group meetings this past week on the House side." The House started going over the proposed budget line-by-line with the Senate, Toma said, adding that he expects new revenue projections to be released soon that would show considerably more money to work with than was previously expected. Because a significant chunk of the available money comes from the federal government through Covid relief legislation, there are strings attached to some of the funds that will make it more difficult to craft a budget, Mesnard said. He said he has participated in talks with Toma, Leach and Bolick about tax cuts and they're all generally on the same page, but Toma and Leach have more information about the budgetary context those cuts would fall into.

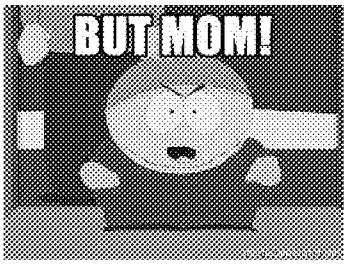
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003107

ARZN_REV00068998_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOY MAYOR OF NOGALES HIRES MOM



Nobody is better at pumping you up than your mom, and gubernatorial candidate Marco Lopez is trying to capitalize on that by bringing on his mom to be a co-chair of his campaign. Lopez announced staff moves this morning for his 2022 campaign team and one of those hires is longtime Nogales City Council member Mayor Esther Melendez-Lopez, his mother. "She taught me what it means to work tirelessly to support a family and will make an excellent co-chair," Lopez tweeted. He also added Verma Pastor, the wife of the late-Congressman Ed Pastor and mother of Laura, the Phoenix City Councilwoman, as co-chair; and Maria Harper-Marinick, the former Chancellor of Maricopa Community Colleges, as his campaign treasurer (LINK).

WAKE UP CALL

Fann says Supervisors fear outcome of election audit

Capitol Media Services

Senate President Karen Fann said Friday that Maricopa County officials may be balking at cooperating with an audit of the 2020 election results because they fear what it might turn up.

Arizona adds its own variant to the growing list of Covid-19 mutations

Cronkite News

The more than 840,000 Covid-19 cases in Arizona include coronavirus variants from the United Kingdom, Brazil, South Africa, California – and, as of last month, a new homegrown version.

Lower income, Hispanic neighborhoods lag on vaccinations

Cronkite News

A March report by the Centers for Disease Control and Prevention praised only two states for their efforts in getting vaccines to vulnerable communities. One of them was Arizona.

Education notebook: TUSD plans for in-person ceremonies, UA keeps mask mandate

Arizona Public Media

With classes back in session, both on campus and online, local school districts are looking to the end of the year with a spark of optimism.

Legislature hopes to speed up building permits, but town objects

Payson Roundup

The Arizona Legislature believes strongly in state's rights. Town rights? Not so much.

Mask mandate was rarely enforced in Scottsdale

Scottsdale Progress

Though Gov. Doug Ducey has rescinded local mask mandates, data from Scottsdale Police shows there was little enforcement of those mandates anyway even before his decision.

Arizona bills closing workers' comp loopholes for firefighters nears last step

KTAR

Arizona firefighters for several years have filled testimony rooms at the State Capitol sharing their cancer battles and experiences of workers' compensation denial.

Deportations and Arrests of Immigrants in the U.S. Illegally Fall Sharply Under Biden

Wall Street Journal

Federal immigration authorities have made sharply fewer arrests and deportations of immigrants in the country illegally since President Biden took office, as the new administration reorients enforcement within the U.S. to focus on those with a serious criminal record.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003108

ARZN_REV00068998_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Opinion: Arizona Republicans' desperate crusade to find nonexistent voter fraud
Washington Post (op-ed, editorial board)
ARIZONA SENATE President Karen Fann (R) says she is determined to "ensure the integrity of the vote" in her state.

Our View: Plan for state's windfall hard for public to see behind the locked doors
Today's News-Herald (op-ed, editorial board)
Arizona Governor Doug Ducey, in his budget proposal, called for spending about $10 billion on revenue of about $11 billion. Since then, thanks to the federal stimulus, the state was awarded an additional $16 billion.

Here's a conservative case to pass bills legalizing farmworkers and 'Dreamers'
Arizona Republic (op-ed, editorial board)
The conservatives still asking why it's a good idea to legalize agricultural workers and "Dreamers" just need to ask farm growers and economists.

What Gov. Doug Ducey's critics ignore about COVID-19 restrictions
Arizona Republic (opinion, Robert Robb)
On managing COVID-19, Gov. Doug Ducey continues to get the balance between open and shut generally right.

Paul Gosar's siblings want to sink him with truth. Instead, they need a conspiracy theory
Arizona Republic (opinion, EJ Montini)
The siblings of Republican Rep. Paul Gosar are at it again.

PRESS RELEASES

Governor Ducey Signs Legislation To Protect Arizonans From Frivolous Lawsuits

PHOENIX — Governor Doug Ducey today signed legislation to ensure Arizonans acting in good faith during the COVID-19 pandemic are protected against frivolous civil claims.

Health care professionals, businesses, schools, nonprofits, governments, religious institutions, and property owners are among the entities to which the legislation applies.

"Arizona's health care professionals and others on the front lines have worked day and night this last year to protect sick individuals and vulnerable populations," said Governor Ducey. "We have taken steps to protect both health care heroes and vulnerable Arizonans during the pandemic, and today's legislation strengthens those protections. My thanks to Senator Vince Leach for leading on this bill."

Senate Bill (SB) 1377, sponsored by Senator Leach, fulfills a State of the State priority of the Governor's to protect Arizonans from "frivolous lawsuits." It provides the legal framework for when a liability claim can be brought in relation to COVID-19 while still ensuring that claims based on gross negligence and wilful misconduct can be heard.

The legislation applies during the current public health pandemic and protects health care institutions and other service providers for any act or omission that is alleged to have occurred during a person's screening, assessment or treatment that is related to the health emergency. Providers include educational institutions, school districts or charter schools, property owners, lessees and lessors, nonprofit organizations, religious institutions, the State and local governments, health care providers and institutions, and nursing and residential care facilities.

The legislation also provides a presumption for health professionals or health care institutions that they have acted in good faith if they relied on and reasonably attempted to comply with applicable published guidance, while also ensuring that such a presumption can be overcome if there is evidence of gross negligence or wilful misconduct.

"Small businesses need certainty under the law that if they act in good faith, they'll be protected from frivolous lawsuits," said Senator Leach. "I'm grateful to the organizations and fellow legislators who supported Senate Bill 1377, and to Governor Ducey for signing this important legislation."

The Governor on April 9, 2020 issued an Executive Order to help boost medical staffing levels and provide certainty and "Good Samaritan" liability protections to health care professionals serving on the front lines. The order provides protections to health care professionals treating patients during the COVID-19 health emergency, while also protecting patients against negligence or reckless misconduct. The order was extended on June 25 and December 31, 2020. SB 1377 aligns with the Governor's "Good Samaritan" protections

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Extends Individual Income Tax Filing Deadline

PHOENIX — Governor Doug Ducey today signed legislation to extend the state individual income tax filing deadline from Thursday, April 15 to Monday, May 17 to match the federal government's decision to extend its filing deadline.

"Our economy is on the rise and jobs are growing, but Arizonans throughout the state have still felt the economic impact of the pandemic," said Governor Ducey. "This extension aligns with the new federal deadline, giving Arizonans more time to file their state income taxes and helping them to avoid penalties. Thank you to Senator T.J. Shope and Representative Shawnna Bolick for leading on legislation that will simplify the tax filing process for Arizonans."

Senate Bill 1297, introduced by Senator Shope, ensures that taxpayers filing state tax returns or submitting payments prior to May 17 will not be assessed late payment penalties or interest.

"Senate Bill 1297 gives Arizonans certainty on their tax filing deadline," said Senator Shope. "Giving Arizonans the freedom to file their state taxes at the same time as their federal taxes makes sense, and it helps them avoid feeling rushed. Thank you to Governor Ducey and my fellow legislators who supported this bill."

Additionally, the bill provides taxpayers additional time to contribute to certain charitable organizations, including foster care organizations, public schools and school tuition organizations, for purposes of claiming their tax credits.

The extension **applies only to individual income tax returns**. Estimated payments continue to be due on April 15.

In response to the pandemic, Governor Ducey last year announced the state extended the income tax filing deadline to July 15, 2020 to mirror the federal deadline.

Arizona Launching New State Vaccination Site Serving North Valley At Scottsdale's WestWorld

Indoor Facility Opens April 22, Expanding State's Vaccination Footprint In Greater Phoenix Area

PHOENIX — Governor Doug Ducey and the Arizona Department of Health Services (ADHS) today announced a new state COVID-19 vaccination site serving the North Valley area will open at WestWorld, the Scottsdale exhibition center, on Thursday, April 22.

ADHS, Cigna, and Scottsdale are among those partnering to open an indoor site offering 3,000-4,000 appointments per day initially and operating from 7 a.m. to 5 p.m. It will have the capacity to offer 10,000 appointments a day.

"With another new site, Arizona is once again expanding our capacity to provide the COVID-19 vaccine to all Arizonans," said Governor Doug Ducey. "Out of the more than 3.7 million vaccine doses administered in Arizona, more than 1 million of those doses have been provided through state-run vaccination sites. I encourage all Arizonans to schedule an appointment and get vaccinated as soon as possible. The vaccine is safe, effective, and free of charge."

"With its freeway access, proximity to tribal communities, and extensive indoor facilities, WestWorld is an ideal location for expanding the footprint of state-run vaccination sites in the region," said ADHS Director Dr. Cara Christ. "We are grateful to Cigna and the other partners who are bringing this site not just to the north Valley but to the many areas convenient to it."

Cigna, a global health service company, will handle day-to-day operation of the site, including clinical staffing and pharmacy services.

"Nothing is more important to us than the health, well-being, and peace of mind of our fellow Arizonans. That's why Cigna is excited to create a community of immunity by partnering with the State of Arizona and the City of Scottsdale to help people get vaccinated against COVID-19," said Kim Shepard, president of Cigna's Arizona market.

"Vaccination is the best way to beat the virus and end the public health crisis. The vaccination PODs make it easy and convenient to protect yourself, your family, and your community, so please take advantage of this vital public resource."

Other partners in the WestWorld site are the Arizona Department of Emergency and Military Affairs, and the City of Scottsdale, which is providing the facility for use as a vaccination site through June 30.

"Widespread vaccination is one of the most important steps we can take, a step toward returning to the people and the places we love," said Scottsdale Mayor David Ortega. "We support this historic effort, and we hope to see many thousands of our friends and neighbors getting vaccinated here soon."

This new vaccination site is one of a number of changes ADHS will make to continue vaccination momentum while transitioning away from outdoor sites as temperatures heat up:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- This week, the drive-thru State Farm Stadium site will begin operating between 5 p.m. and 9 a.m., shifting from 24/7 operation while continuing a collaboration with the Arizona Cardinals and Glendale. This site has administered nearly 700,000 doses since opening Jan. 11. ADHS is transitioning the State Farm Stadium vaccination site to the Gila River Arena indoor location on April 23.
- An east Mesa distribution center operated by Dexcom opened today as the first state-run indoor drive-thru COVID-19 vaccination site, replacing the outdoor site at Chandler-Gilbert Community College.
- An indoor vaccination site at Yuma Civic Center transitioned to a state operation on Monday, March 29, with 8,000 appointments per week initially and capacity for 4,000 appointments a day.

As of today, state vaccination sites have administered 1,053,035 doses of COVID-19 vaccine. A total of 3,708,660 doses of COVID-19 have been administered statewide to 2,350,701 individuals, including 1,471,750 who are now fully vaccinated.

At 11 a.m. every Friday, ADHS makes appointments available at state-run sites of the following week. Registration for these and many other sites is available at podvaccine.azdhs.gov or by calling 844-542-8201 between 8 a.m. and 5 p.m, 7 days a week. Both resources offer assistance in English and Spanish.

Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. To learn more about COVID-19 vaccines and vaccination, please visit azhealth.gov/COVID19Vaccines.

House Education Chair: Why is the Arizona Department of Education Not Using Available Federal Funds to Help Schools?

STATE CAPITOL, PHOENIX – State Representative Michelle Udall (R-25), chair of the House Education Committee, sent a letter today to the State Superintendent of Public Instruction seeking to understand why the Arizona Department of Education is not using nearly $85 million in available federal funds to help Arizona schools and teachers hurt by the COVID-19 pandemic:

Dear Superintendent Hoffman,

Schools across our state are working on their budgets for the next school year. Many of them are facing budget shortfalls due to COVID-related expenses and declining enrollment. As you know, the Gilbert Unified School District is just the first of many that will be laying off teachers without help from the state.

The federal government has allotted almost $1.5 billion to help ensure schools have enough funding to keep them stable during the current crisis and moving forward for the next three years. Another $2 billion is included in the more recent American Recovery Program (ARP).

Unfortunately, as we see from the current events in Gilbert and other districts facing similar decisions in the coming weeks, this money has not been allotted where it is needed most.

Instead of allocating all of the available money to districts who need it, the Arizona Department of Education (ADE) is for some reason holding onto nearly $85 million of discretionary money from the initial $1.5 billion allotment that should be put to use to help stabilize Arizona schools so that they don't have to make premature reductions in staffing when many of those students may be returning in the coming school year.

In addition to withholding these millions from our schools, ADE is also spending more than $7 million of it to simply administer the funds (the maximum allowed).

As a mother with children attending public schools, as a state representative, and as the Chair of the House Education Committee, I am asking you to immediately use your discretionary funds to stabilize school districts who have received the lowest levels of per student support.

Moreover, I ask that you prioritize schools that have taken on the extra expenses involved with opening their doors for in-person teaching as soon as possible in order to best meet the needs of their students. These schools have incurred considerable added expenses to pay for more substitutes, extensive cleaning supplies, and to continue offering online instruction for students who choose to learn from home.

I can report that the legislature is currently working on a state budget that, I believe, will help alleviate the intense fiscal pressure some of these schools are facing. But that won't happen until the budget process is finished. You currently have on hand millions in discretionary funds that could, and should, be made available immediately – discretionary funds that were given to the Arizona Department of Education for precisely this purpose.

I request that you immediately allocate those funds to Arizona schools, and prioritize districts who have received the lowest per student allotment of federal COVID relief funds and who have undergone the extensive expenses of remaining open through most of the current school year.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003111

ARZN_REV00068998_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

I would appreciate information on ADE's plan for the funds and updates as the funds are distributed to Arizona's schools.

Sens. Kelly & Sinema Save Arizonans Money On Health Care

PHOENIX — Thanks to Senators Mark Kelly and Kyrsten Sinema passing the American Rescue Plan in the U.S. Senate, Arizonans will now save more money on health care costs.

Starting April 1, the American Rescue Plan expands eligibility to health care subsidies for Affordable Care Act coverage to every Arizona household. In addition, all Arizonans who were recently laid off or had their hours reduced can keep their employer-sponsored coverage at no cost through COBRA.

Honest Arizona created a research document to help educate Arizonans about their health care options. That document is available online here.

The Biden Administration recently extended the special enrollment period to sign up for coverage in the ACA Marketplace until August 15, giving Arizonans three additional months to review their health insurance options.

"After a year of the pandemic, we've seen how access to health care can determine whether someone lives or dies," said Niles Harris, Executive Director of Honest Arizona. "We applaud Senators Kelly and Sinema for expanding access to health care, and we will keep working to make it easier for Arizonans to understand how to access that care."

Civil Rights Groups Issue New Report Detailing Potential Harm to Upcoming Redistricting Efforts

Highlight Concerns About the Census Bureau's Differential Privacy Methodology

(Washington, D.C.) – Civil rights groups are raising concerns about the accuracy of the U.S. Census Bureau's proposed new system for protecting privacy in a report released today.

The preliminary findings, released by MALDEF (Mexican American Legal Defense and Educational Fund) and Advancing Justice – AAJC (Asian Americans Advancing Justice – Asian American Justice Center), focus on a process known as "differential privacy" that introduces false information to help protect the confidentiality of information and privacy of people who responded to the 2020 Census.

The report warns that differential privacy may undermine the fitness of the data and affect some groups and areas more significantly, particularly minorities, including Latino and Asian Americans.

"Introducing false data to the Census cannot go forward if it leads to violations of federal protections of voting rights," said Thomas A. Saenz, MALDEF president and general counsel. "Unfortunately, there are troubling indications in this report that the Census Bureau's use of differential privacy on Census 2020 data releases could have just that result."

MALDEF and Advancing Justice – AAJC said the preliminary study, *Impact of Differential Privacy & the 2020 Census on Latinos, Asian Americans, and Redistricting*, reinforced concerns that data produced using differential privacy would not be of sufficient quality to meet the legal requisites of redistricting – the constitutional requirement of equal population and compliance with the federal Voting Rights Act of 1965 (VRA).

A decennial census is required by the U.S. Constitution. The data from the count is used to determine the number of seats each state will have in the U.S. House of Representatives. Census data are also used for purposes of redistricting, distribution of federal funding and assisting policymakers, businesses, and other interested stakeholders in assessing and addressing community needs.

The accuracy of the Bureau's data analysis has implications for the ability of communities of color to achieve representation during redistricting, which is of crucial importance to MALDEF's and Advancing Justice – AAJC's work.

Both groups said the report's findings indicate the Census Bureau must do more to meaningfully engage external stakeholders by providing more transparency about what has occurred with the development of differential privacy to date and the space and opportunity for stakeholders to inform the Bureau on how best to assess options for final decisions regarding differential privacy.

"Census data are vital to our communities, but our preliminary analysis of the Census Bureau's demonstration products give us grave concerns about the negative effect the current differential privacy methods could have on redistricting. Unfortunately, the Census Bureau has primarily limited its engagement around differential privacy to an insular group of technical experts and failed to adequately engage data users earlier in this process," said Terry Ao Minnis, co-author of the report and senior director of Census and Voting Programs at Advancing Justice – AAJC.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003112

ARZN_REV00068998_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"We produced this report to outline the concerns we have seen in the previous demonstration products. Now is the time for the Bureau to be transparent about the changes it is making and how it is addressing these concerns."

"QUOTE OF THE DAY"

"The Yellow Sheet ought to be renamed the Blue Sheet because it leans so far to the Left. Then, appropriately, instead of YS it would be BS."

- ***Gray, on Twitter***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, April 5, 2021 6:27:46 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-5-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet April 5, 2021

YOU'RE ON YOUR OWN, KAREN
In an email to Fann this morning, Maricopa County Board of Supervisors chair Jack Sellers made clear the county will only participate with Republican senators' audit as far as the court order required, adding that doing anything more would open up the county to legal problems.

NOT EVEN A QUICK GOOGLE?
Over the weekend, Fann told Capitol scribe Howie Fischer that she hadn't seen the Cyber Ninja CEO's Stop the Steal twitter rants, despite having been the person who vetted and hired the company, and brushed off criticism of his ability to do the job as a case of cancel culture.

AMERICAN OVERSIGHT

FANN CREATES HER OWN CONSPIRACY
In her interview with Fischer, Fann offered up a new theory about why an audit is necessary, saying perhaps the audit could find that turnout in a particular precinct has jumped from 35 percent to 90 percent, which would merit further scrutiny.

WHO'S REALLY RUNNING THIS AUDIT?
Conspiracy theorist, failed inventor and treasure hunter Jovan Hutton Pulitzer told his 93,400 Twitter followers today that "when it's time and it's right and the right people are involved," he will let them know directly how to volunteer for the Senate's audit.

WE'RE NOT THE ONLY BS RAG TAKING NOTE
Arizona's ongoing election audit drama is making national headlines again – this time from The Washington Post's editorial board – which lambasted Fann and the Senate Republicans for continuing to push for an audit five months after the election.

MO MONEY MO SESSION
If lawmakers plan to sine die by the 100-day mark, they have a lot of work to do on the budget, as multiple Republican senators told our reporter they've only heard minimal updates since the Senate first introduced its baseline in mid-January.

BOY MAYOR OF NOGALES HIRES MOM
Nobody is better at pumping you up than your mom, and gubernatorial candidate Marco Lopez is trying to capitalize on that by bringing on his mom to be a co-chair of his campaign.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, April 05, 2021

NEWS NOTES AND GOSSIP

YOU'RE ON YOUR OWN, KAREN

In an email to Fann this morning, Maricopa County Board of Supervisors chair Jack Sellers made clear the county will only participate with Republican senators' audit as far as the court order required, adding that doing anything more would open up the county to legal problems. The law doesn't allow the county to perform a recount, Sellers noted, and while the court told the county to hand over ballots and voting equipment, "Maricopa County cannot be involved in supporting your audit as to do so may expose it to liability for which it has no similar legal protection." "To avoid any confusion, I want to be clear that the audit is not a joint effort between the County and the Senate Republican Caucus. Maricopa County will not communicate with your vendors or interpret Arizona law for them," he said, referencing a long list of questions Cyber Ninjas CEO Doug Logan asked Fann to send to the county, after the county refused to communicate with him directly. "Many of your auditors' questions can be answered by reviewing the Election Procedures Manual, the early vote and election day plans, as well as the power points from the hearing that occurred last year before the Senate Judiciary Committee," Sellers wrote. After again noting that the county has conducted several outside audits of its own election, which were permitted and required by law, and saying those audits were "bipartisan and transparent." Sellers took a veiled swipe at Fann's audit. "The process of selecting the vendors, which were both properly certified to perform their examinations, was open," he noted, highlighting an unspoken contrast between the board and the Senate. While the county has repeatedly made clear that is has no plans to let the Senate recount ballots in its facilities, Fann over the weekend said the reason the county board of supervisors isn't fully cooperating with her so-called audit by a Stop the Steal advocate could be because they're scared her ninjas might actually find something. "I'm beginning to wonder if they're not as confident in their [election] system as they say they are," Fann told Capitol Media Services (LINK).

NOT EVEN A QUICK GOOGLE?

Over the weekend, Fann told Capitol scribe Howie Fischer that she hadn't seen the Cyber Ninja CEO's Stop the Steal twitter rants, despite having been the person who vetted and hired the company, and brushed off criticism of his ability to do the job as a case of cancel culture. "Is no one allowed to say anything?" she asked. Of course, if Doug Logan, CEO of Cyber Ninjas, had taken any number of controversial stands on issues unrelated to the legitimacy of the 2020 election, it would hardly merit headlines. But his tweets show a clear perspective that will bias any investigation and set up the same problems that led Fann to forgo a contract with Allied Special Operations Group. Fann in February said ASOG had disqualified itself with its previous statements about the election being stolen. "The mere fact that the perception is out there that they have ties with Trump or they would be less than totally independent, then it would be very difficult for us to hire them," she said (YS, 2/26). In her interview with Fischer, she made clear that no longer matters. "Just because somebody found some Tweet that's within some archive program that none of us ever would have done it (the search) doesn't mean anything," Fann said. But the fact that Fann didn't find those tweets, which took our reporter and reporters at the *Arizona Mirror* about an hour to find using the most basic of online tools, speaks volumes to the level of scrutiny that the firm faced.

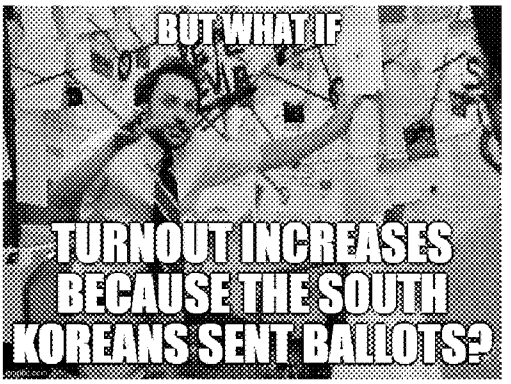
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003116

ARZN_REV00069000_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FANN CREATES HER OWN CONSPIRACY



In her interview with Fischer, Fann offered up a new theory about why an audit is necessary, saying perhaps the audit could find that turnout in a particular precinct has jumped from 35 percent to 90 percent, which would merit further scrutiny. "The question is, how do you go from 35 percent to 90 percent?" she asked. There's no evidence that's happened – and neither Fann nor her spokesman responded to our reporter's questions today about what specific precinct she was referencing, or whether it was a hypothetical not based in fact. (Our reporter's attempt to track down the mystery precinct today was complicated by the fact that precinct boundaries were modified in 2018, which makes an apples-to-apples comparison nearly impossible.) Megan Gilbertson, the county elections spokeswoman, told our reporter that 24 precincts were added between 2016 and 2020, and there were "hundreds of other changes" because of increased population. What that means is voters who lived in one precinct in 2016 might be in a completely new precinct in 2020 or moved into a different one that already existed. It's likely that there isn't a one-to-one comparison for turnout purposes between the '16 and '20 elections, due to this change. The county had 724 precincts in 2016 and 748 in 2020, Gilbertson said. If that kind of spike in turnout did happen, that change in precinct boundaries would be the most likely explanation. But not to Fann, who offered up the explanation that perhaps it could mean that not all the ballots cast from that precinct were authentic, before walking that hypothetical back by saying that "obviously didn't happen."

WHO'S REALLY RUNNING THIS AUDIT?

Conspiracy theorist, failed inventor and treasure hunter Jovan Hutton Pulitzer told his 93,400 Twitter followers today that "when it's time and it's right and the right people are involved," he will let them know directly how to volunteer for the Senate's audit (LINK). He posted the video to warn viewers not to give their personal information to others who might be soliciting help. "A lot of these other groups posting, I don't know who they are," he said. Despite Fann saying she didn't know who Pulitzer was when he announced his purported involvement with the audit, his tweet claiming his "kinematic" technology will be used is still pinned to his Twitter profile. Pulitzer, creator of the CueCat, a failed cat-shaped barcode scanner, said that he won't discuss the audit publicly until the results came out, but he's been outspoken about wanting a full hand recount and saying that politicians are hiding some sort of fraud by not submitting to it. (LINK). In a Feb 29 video, he said he'd spoken with "the friendlies" involved in the process who wanted him to examine a small sample of the ballots, not all 2.1 million – an effort he claimed was a waste of time (LINK). He criticized a "top, well-respected lawmaker" he said he spoke to who "represents the GOP" and wasn't onboard with Pulitzer reviewing 100 percent of the original ballots from the get-go. After the auditor selection was announced, Fann retweeted the group We the People AZ Alliance, which is behind efforts to recall the Maricopa County supervisors, as well as Boyer and Ducey. The tweet thanked Fann, Borrelli, Warren, Gray and the Senate Judiciary Committee for "taking charge & action." Pulitzer is also set to speak at a We the People AZ Alliance event in Nevada on April 10, joined by My Pillow CEO Mike Lindell, Trump advisor George Papadopoulos and other election deniers.

AMERICAN OVERSIGHT

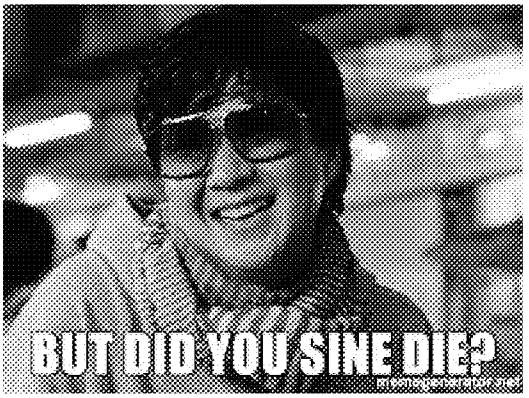
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003117
ARZN_REV00069000_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE'RE NOT THE ONLY BS RAG TAKING NOTE

Arizona's ongoing election audit drama is making national headlines again – this time from *The Washington Post's* editorial board – which lambasted Fann and the Senate Republicans for continuing to push for an audit five months after the election. The *Post* wrote that even after Maricopa County conducted "multiple credible audits that found no hint of substantial fraud," Fann still insists another must be done. "The Arizona Senate's bootleg election audit is a pathetic attempt to muddy the waters when the truth is clear and obvious to any reasonable observer: President Biden won Arizona, and the presidency, in perhaps the cleanest presidential election the nation has ever run," the editorial read. "This is not the behavior of a party confident that it has a real case." The *Post* didn't believe Fann and her colleagues were prepared for the massive undertaking, noting she tapped Cyber Ninjas, "a little-known Florida cybersecurity firm that boasts that it provides 'general consulting' and 'ethical hacking' services, to lead the audit" and that reporters sussed out the CEO's deleted Twitter account in no time. The *Post* also compared Arizona to several other states with Republican-controlled legislative bodies continuing to attempt to deny the results of a legitimate election and use conspiracies to make it more challenging for everyone to cast a vote. "Then-President Donald Trump won 74 million votes last year. Instead of making up stories about how Mr. Biden didn't actually win 81 million, or trying to make it harder for Democrats to cast ballots, Republicans should have asked what they need to do to get to 81 million, or more," the editorial board wrote (LINK).

MO MONEY MO SESSION



If lawmakers plan to *sine die* by the 100-day mark, they have a lot of work to do on the budget, as multiple Republican senators told our reporter they've only heard minimal updates since the Senate first introduced its baseline budget in mid-January. Democrats, as usual, are completely in the dark. The sheer amount of money lawmakers have access to this year will make budgeting a challenge. "I've never seen this much money – ever," Mesnard said. Another Republican lawmaker said that decisions about what to do with the federal funding would surely slow down the budgeting process, which already wasn't off to a resounding start, predicting a session that drags into June. Meanwhile, a lobbyist pinned the delay on Fann having her hands full with auditing the election, saying she has been so solely focused with that endeavor that she hasn't focused on the only constitutional requirement of the Legislature – to pass a budget. Toma last week told our reporter said he doesn't know when budget drafters will have a proposal to release, but said he expects the two chambers to start making progress this week. "We've had small group meetings this past week on the House side." The House started going over the proposed budget line-by-line with the Senate, Toma said, adding that he expects new revenue projections to be released soon that would show considerably more money to work with than was previously expected. Because a significant chunk of the available money comes from the federal government through Covid relief legislation, there are strings attached to some of the funds that will make it more difficult to craft a budget, Mesnard said. He said he has participated in talks with Toma, Leach and Bolick about tax cuts and they're all generally on the same page, but Toma and Leach have more information about the budgetary context those cuts would fall into.

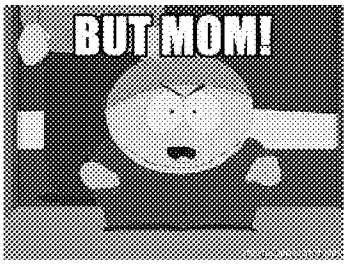
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003118

ARZN_REV00069000_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOY MAYOR OF NOGALES HIRES MOM



Nobody is better at pumping you up than your mom, and gubernatorial candidate Marco Lopez is trying to capitalize on that by bringing on his mom to be a co-chair of his campaign. Lopez announced staff moves this morning for his 2022 campaign team and one of those hires is longtime Nogales City Council member Mayor Esther Melendez-Lopez, his mother. "She taught me what it means to work tirelessly to support a family and will make an excellent co-chair," Lopez tweeted. He also added Verma Pastor, the wife of the late-Congressman Ed Pastor and mother of Laura, the Phoenix City Councilwoman, as co-chair; and Maria Harper-Marinick, the former Chancellor of Maricopa Community Colleges, as his campaign treasurer (LINK).

WAKE UP CALL

Fann says Supervisors fear outcome of election audit

Capitol Media Services

Senate President Karen Fann said Friday that Maricopa County officials may be balking at cooperating with an audit of the 2020 election results because they fear what it might turn up.

Arizona adds its own variant to the growing list of Covid-19 mutations

Cronkite News

The more than 840,000 Covid-19 cases in Arizona include coronavirus variants from the United Kingdom, Brazil, South Africa, California – and, as of last month, a new homegrown version.

Lower income, Hispanic neighborhoods lag on vaccinations

Cronkite News

A March report by the Centers for Disease Control and Prevention praised only two states for their efforts in getting vaccines to vulnerable communities. One of them was Arizona.

Education notebook: TUSD plans for in-person ceremonies, UA keeps mask mandate

Arizona Public Media

With classes back in session, both on campus and online, local school districts are looking to the end of the year with a spark of optimism.

Legislature hopes to speed up building permits, but town objects

Payson Roundup

The Arizona Legislature believes strongly in state's rights. Town rights? Not so much.

Mask mandate was rarely enforced in Scottsdale

Scottsdale Progress

Though Gov. Doug Ducey has rescinded local mask mandates, data from Scottsdale Police shows there was little enforcement of those mandates anyway even before his decision.

Arizona bills closing workers' comp loopholes for firefighters nears last step

KTAR

Arizona firefighters for several years have filled testimony rooms at the State Capitol sharing their cancer battles and experiences of workers' compensation denial.

Deportations and Arrests of Immigrants in the U.S. Illegally Fall Sharply Under Biden

Wall Street Journal

Federal immigration authorities have made sharply fewer arrests and deportations of immigrants in the country illegally since President Biden took office, as the new administration reorients enforcement within the U.S. to focus on those with a serious criminal record.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Opinion: Arizona Republicans' desperate crusade to find nonexistent voter fraud
Washington Post (op-ed, editorial board)
ARIZONA SENATE President Karen Fann (R) says she is determined to "ensure the integrity of the vote" in her state.

Our View: Plan for state's windfall hard for public to see behind the locked doors
Today's News-Herald (op-ed, editorial board)
Arizona Governor Doug Ducey, in his budget proposal, called for spending about $10 billion on revenue of about $11 billion. Since then, thanks to the federal stimulus, the state was awarded an additional $16 billion.

Here's a conservative case to pass bills legalizing farmworkers and 'Dreamers'
Arizona Republic (op-ed, editorial board)
The conservatives still asking why it's a good idea to legalize agricultural workers and "Dreamers" just need to ask farm growers and economists.

What Gov. Doug Ducey's critics ignore about COVID-19 restrictions
Arizona Republic (opinion, Robert Robb)
On managing COVID-19, Gov. Doug Ducey continues to get the balance between open and shut generally right.

Paul Gosar's siblings want to sink him with truth. Instead, they need a conspiracy theory
Arizona Republic (opinion, EJ Montini)
The siblings of Republican Rep. Paul Gosar are at it again.

PRESS RELEASES

Governor Ducey Signs Legislation To Protect Arizonans From Frivolous Lawsuits

PHOENIX — Governor Doug Ducey today signed legislation to ensure Arizonans acting in good faith during the COVID-19 pandemic are protected against frivolous civil claims.

Health care professionals, businesses, schools, nonprofits, governments, religious institutions, and property owners are among the entities to which the legislation applies.

"Arizona's health care professionals and others on the front lines have worked day and night this last year to protect sick individuals and vulnerable populations," said Governor Ducey. "We have taken steps to protect both health care heroes and vulnerable Arizonans during the pandemic, and today's legislation strengthens those protections. My thanks to Senator Vince Leach for leading on this bill."

Senate Bill (SB) 1377, sponsored by Senator Leach, fulfills a State of the State priority of the Governor's to protect Arizonans from "frivolous lawsuits." It provides the legal framework for when a liability claim can be brought in relation to COVID-19 while still ensuring that claims based on gross negligence and wilful misconduct can be heard.

The legislation applies during the current public health pandemic and protects health care institutions and other service providers for any act or omission that is alleged to have occurred during a person's screening, assessment or treatment that is related to the health emergency. Providers include educational institutions, school districts or charter schools, property owners, lessees and lessors, nonprofit organizations, religious institutions, the State and local governments, health care providers and institutions, and nursing and residential care facilities.

The legislation also provides a presumption for health professionals or health care institutions that they have acted in good faith if they relied on and reasonably attempted to comply with applicable published guidance, while also ensuring that such a presumption can be overcome if there is evidence of gross negligence or wilful misconduct.

"Small businesses need certainty under the law that if they act in good faith, they'll be protected from frivolous lawsuits," said Senator Leach. "I'm grateful to the organizations and fellow legislators who supported Senate Bill 1377, and to Governor Ducey for signing this important legislation."

The Governor on April 9, 2020 issued an Executive Order to help boost medical staffing levels and provide certainty and "Good Samaritan" liability protections to health care professionals serving on the front lines. The order provides protections to health care professionals treating patients during the COVID-19 health emergency, while also protecting patients against negligence or reckless misconduct. The order was extended on June 25 and December 31, 2020. SB 1377 aligns with the Governor's "Good Samaritan" protections

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003120

ARZN_REV00069000_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Extends Individual Income Tax Filing Deadline

PHOENIX — Governor Doug Ducey today signed legislation to extend the state individual income tax filing deadline from Thursday, April 15 to Monday, May 17 to match the federal government's decision to extend its filing deadline.

"Our economy is on the rise and jobs are growing, but Arizonans throughout the state have still felt the economic impact of the pandemic," said Governor Ducey. "This extension aligns with the new federal deadline, giving Arizonans more time to file their state income taxes and helping them to avoid penalties. Thank you to Senator T.J. Shope and Representative Shawnna Bolick for leading on legislation that will simplify the tax filing process for Arizonans."

Senate Bill 1297, introduced by Senator Shope, ensures that taxpayers filing state tax returns or submitting payments prior to May 17 will not be assessed late payment penalties or interest.

"Senate Bill 1297 gives Arizonans certainty on their tax filing deadline," said Senator Shope. "Giving Arizonans the freedom to file their state taxes at the same time as their federal taxes makes sense, and it helps them avoid feeling rushed. Thank you to Governor Ducey and my fellow legislators who supported this bill."

Additionally, the bill provides taxpayers additional time to contribute to certain charitable organizations, including foster care organizations, public schools and school tuition organizations, for purposes of claiming their tax credits.

The extension **applies only to individual income tax returns**. Estimated payments continue to be due on April 15.

In response to the pandemic, Governor Ducey last year announced the state extended the income tax filing deadline to July 15, 2020 to mirror the federal deadline.

Arizona Launching New State Vaccination Site Serving North Valley At Scottsdale's WestWorld

Indoor Facility Opens April 22, Expanding State's Vaccination Footprint In Greater Phoenix Area

PHOENIX — Governor Doug Ducey and the Arizona Department of Health Services (ADHS) today announced a new state COVID-19 vaccination site serving the North Valley area will open at WestWorld, the Scottsdale exhibition center, on Thursday, April 22.

ADHS, Cigna, and Scottsdale are among those partnering to open an indoor site offering 3,000-4,000 appointments per day initially and operating from 7 a.m. to 5 p.m. It will have the capacity to offer 10,000 appointments a day.

"With another new site, Arizona is once again expanding our capacity to provide the COVID-19 vaccine to all Arizonans," said Governor Doug Ducey. "Out of the more than 3.7 million vaccine doses administered in Arizona, more than 1 million of those doses have been provided through state-run vaccination sites. I encourage all Arizonans to schedule an appointment and get vaccinated as soon as possible. The vaccine is safe, effective, and free of charge."

"With its freeway access, proximity to tribal communities, and extensive indoor facilities, WestWorld is an ideal location for expanding the footprint of state-run vaccination sites in the region," said ADHS Director Dr. Cara Christ. "We are grateful to Cigna and the other partners who are bringing this site not just to the north Valley but to the many areas convenient to it."

Cigna, a global health service company, will handle day-to-day operation of the site, including clinical staffing and pharmacy services.

"Nothing is more important to us than the health, well-being, and peace of mind of our fellow Arizonans. That's why Cigna is excited to create a community of immunity by partnering with the State of Arizona and the City of Scottsdale to help people get vaccinated against COVID-19," said Kim Shepard, president of Cigna's Arizona market.

"Vaccination is the best way to beat the virus and end the public health crisis. The vaccination PODs make it easy and convenient to protect yourself, your family, and your community, so please take advantage of this vital public resource."

Other partners in the WestWorld site are the Arizona Department of Emergency and Military Affairs, and the City of Scottsdale, which is providing the facility for use as a vaccination site through June 30.

"Widespread vaccination is one of the most important steps we can take, a step toward returning to the people and the places we love," said Scottsdale Mayor David Ortega. "We support this historic effort, and we hope to see many thousands of our friends and neighbors getting vaccinated here soon."

This new vaccination site is one of a number of changes ADHS will make to continue vaccination momentum while transitioning away from outdoor sites as temperatures heat up:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- This week, the drive-thru State Farm Stadium site will begin operating between 5 p.m. and 9 a.m., shifting from 24/7 operation while continuing a collaboration with the Arizona Cardinals and Glendale. This site has administered nearly 700,000 doses since opening Jan. 11. ADHS is transitioning the State Farm Stadium vaccination site to the Gila River Arena indoor location on April 23.
- An east Mesa distribution center operated by Dexcom opened today as the first state-run indoor drive-thru COVID-19 vaccination site, replacing the outdoor site at Chandler-Gilbert Community College.
- An indoor vaccination site at Yuma Civic Center transitioned to a state operation on Monday, March 29, with 8,000 appointments per week initially and capacity for 4,000 appointments a day.

As of today, state vaccination sites have administered 1,053,035 doses of COVID-19 vaccine. A total of 3,708,660 doses of COVID-19 have been administered statewide to 2,350,701 individuals, including 1,471,750 who are now fully vaccinated.

At 11 a.m. every Friday, ADHS makes appointments available at state-run sites of the following week. Registration for these and many other sites is available at podvaccine.azdhs.gov or by calling 844-542-8201 between 8 a.m. and 5 p.m, 7 days a week. Both resources offer assistance in English and Spanish.

Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. To learn more about COVID-19 vaccines and vaccination, please visit azhealth.gov/COVID19Vaccines.

House Education Chair: Why is the Arizona Department of Education Not Using Available Federal Funds to Help Schools?

STATE CAPITOL, PHOENIX – State Representative Michelle Udall (R-25), chair of the House Education Committee, sent a letter today to the State Superintendent of Public Instruction seeking to understand why the Arizona Department of Education is not using nearly $85 million in available federal funds to help Arizona schools and teachers hurt by the COVID-19 pandemic:

Dear Superintendent Hoffman,

Schools across our state are working on their budgets for the next school year. Many of them are facing budget shortfalls due to COVID-related expenses and declining enrollment. As you know, the Gilbert Unified School District is just the first of many that will be laying off teachers without help from the state.

The federal government has allotted almost $1.5 billion to help ensure schools have enough funding to keep them stable during the current crisis and moving forward for the next three years. Another $2 billion is included in the more recent American Recovery Program (ARP).

Unfortunately, as we see from the current events in Gilbert and other districts facing similar decisions in the coming weeks, this money has not been allotted where it is needed most.

Instead of allocating all of the available money to districts who need it, the Arizona Department of Education (ADE) is for some reason holding onto nearly $85 million of discretionary money from the initial $1.5 billion allotment that should be put to use to help stabilize Arizona schools so that they don't have to make premature reductions in staffing when many of those students may be returning in the coming school year.

In addition to withholding these millions from our schools, ADE is also spending more than $7 million of it to simply administer the funds (the maximum allowed).

As a mother with children attending public schools, as a state representative, and as the Chair of the House Education Committee, I am asking you to immediately use your discretionary funds to stabilize school districts who have received the lowest levels of per student support.

Moreover, I ask that you prioritize schools that have taken on the extra expenses involved with opening their doors for in-person teaching as soon as possible in order to best meet the needs of their students. These schools have incurred considerable added expenses to pay for more substitutes, extensive cleaning supplies, and to continue offering online instruction for students who choose to learn from home.

I can report that the legislature is currently working on a state budget that, I believe, will help alleviate the intense fiscal pressure some of these schools are facing. But that won't happen until the budget process is finished. You currently have on hand millions in discretionary funds that could, and should, be made available immediately – discretionary funds that were given to the Arizona Department of Education for precisely this purpose.

I request that you immediately allocate those funds to Arizona schools, and prioritize districts who have received the lowest per student allotment of federal COVID relief funds and who have undergone the extensive expenses of remaining open through most of the current school year.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003122

ARZN_REV00069000_4-5-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

I would appreciate information on ADE's plan for the funds and updates as the funds are distributed to Arizona's schools.

Sens. Kelly & Sinema Save Arizonans Money On Health Care

PHOENIX — Thanks to Senators Mark Kelly and Kyrsten Sinema passing the American Rescue Plan in the U.S. Senate, Arizonans will now save more money on health care costs.

Starting April 1, the American Rescue Plan expands eligibility to health care subsidies for Affordable Care Act coverage to every Arizona household. In addition, all Arizonans who were recently laid off or had their hours reduced can keep their employer-sponsored coverage at no cost through COBRA.

Honest Arizona created a research document to help educate Arizonans about their health care options. That document is available online here.

The Biden Administration recently extended the special enrollment period to sign up for coverage in the ACA Marketplace until August 15, giving Arizonans three additional months to review their health insurance options.

"After a year of the pandemic, we've seen how access to health care can determine whether someone lives or dies," said Niles Harris, Executive Director of Honest Arizona. "We applaud Senators Kelly and Sinema for expanding access to health care, and we will keep working to make it easier for Arizonans to understand how to access that care."

Civil Rights Groups Issue New Report Detailing Potential Harm to Upcoming Redistricting Efforts

Highlight Concerns About the Census Bureau's Differential Privacy Methodology

(Washington, D.C.) – Civil rights groups are raising concerns about the accuracy of the U.S. Census Bureau's proposed new system for protecting privacy in a report released today.

The preliminary findings, released by MALDEF (Mexican American Legal Defense and Educational Fund) and Advancing Justice – AAJC (Asian Americans Advancing Justice – Asian American Justice Center), focus on a process known as "differential privacy" that introduces false information to help protect the confidentiality of information and privacy of people who responded to the 2020 Census.

The report warns that differential privacy may undermine the fitness of the data and affect some groups and areas more significantly, particularly minorities, including Latino and Asian Americans.

"Introducing false data to the Census cannot go forward if it leads to violations of federal protections of voting rights," said Thomas A. Saenz, MALDEF president and general counsel. "Unfortunately, there are troubling indications in this report that the Census Bureau's use of differential privacy on Census 2020 data releases could have just that result."

MALDEF and Advancing Justice – AAJC said the preliminary study, *Impact of Differential Privacy & the 2020 Census on Latinos, Asian Americans, and Redistricting*, reinforced concerns that data produced using differential privacy would not be of sufficient quality to meet the legal requisites of redistricting – the constitutional requirement of equal population and compliance with the federal Voting Rights Act of 1965 (VRA).

A decennial census is required by the U.S. Constitution. The data from the count is used to determine the number of seats each state will have in the U.S. House of Representatives. Census data are also used for purposes of redistricting, distribution of federal funding and assisting policymakers, businesses, and other interested stakeholders in assessing and addressing community needs.

The accuracy of the Bureau's data analysis has implications for the ability of communities of color to achieve representation during redistricting, which is of crucial importance to MALDEF's and Advancing Justice – AAJC's work.

Both groups said the report's findings indicate the Census Bureau must do more to meaningfully engage external stakeholders by providing more transparency about what has occurred with the development of differential privacy to date and the space and opportunity for stakeholders to inform the Bureau on how best to assess options for final decisions regarding differential privacy.

"Census data are vital to our communities, but our preliminary analysis of the Census Bureau's demonstration products give us grave concerns about the negative effect the current differential privacy methods could have on redistricting. Unfortunately, the Census Bureau has primarily limited its engagement around differential privacy to an insular group of technical experts and failed to adequately engage data users earlier in this process," said Terry Ao Minnis, co-author of the report and senior director of Census and Voting Programs at Advancing Justice – AAJC.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"We produced this report to outline the concerns we have seen in the previous demonstration products. Now is the time for the Bureau to be transparent about the changes it is making and how it is addressing these concerns."

"QUOTE OF THE DAY"

"The Yellow Sheet ought to be renamed the Blue Sheet because it leans so far to the Left. Then, appropriately, instead of YS it would be BS."

- ***Gray, on Twitter***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003124

ARZN_REV00069000_4-5-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Tuesday, April 6, 2021 4:41:44 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-6-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin

About Contact

In Today's Yellow Sheet April 6, 2021

LAWYERS, PREPARE FOR BATTLE
The IRC today unanimously selected Ballard Spahr and Snell & Wilmer as its Democratic and Republican legal co-counsel, respectively.

THE NINJAS ARE BEING WATCHED
If the Senate's auditors proceed with plans to visit voters' homes and interrogate them about their voting history, a team of progressive lawyers is prepared to sue or ask for prosecution under a bevy of state and federal laws, including one named for the Ku Klux Klan.

WELP, CASE CLOSED, I GUESS
Meanwhile, the CEO of Cyber Ninjas put out a statement today responding to the "spurious clamor over bias insinuations" but conveniently sidestepped his

AMERICAN OVERSIGHT

bias, saying that's not the issue.

IF WE PROMOTED ELECTION CONSPIRACIES, WE'D BE INVITED
The Senate today kicked our reporter out of what is supposed to be an open caucus meeting, while letting at least three guests of lawmakers stay and watch.

SHE'S NO MARK FINCHEM
Kate Brophy McGee is considering running for secretary of state, she confirmed to our reporter, though she said it's on a "very long list" of offices she's looking at for a potential 2022 run.

BREAKING, JUDGES ARE WHITE DUDES
Progressive organization Arizona Advocacy Foundation dug into the racial and gender makeup of Arizona's judicial appointees, and found – surprise! – that the judiciary is mostly male and overwhelmingly white.

IF BIDEN WANTS KIDS IN SCHOOL, THEN IT MUST BE COOL
Faced with an enrollment drop of roughly 38,000 students from last school year, the AZ Dept of Education plans to use some of its Covid relief dollars for a marketing campaign to bring families back to the fold.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, April 06, 2021

NEWS NOTES AND GOSSIP

LAWYERS, PREPARE FOR BATTLE

The IRC today unanimously selected Ballard Spahr and Snell & Wilmer as its Democratic and Republican legal co-counsel, respectively. Ballard Spahr, the firm representing Democrats, was the Republican law firm for the last commission, though with different attorneys. The finalists also included Democrat-led Osborn Maledon and Republican firm Statecraft. Roy Herrera pitched Ballard Spahr as a large, established firm with national resources and as well as knowledge on the Voting Rights Act, ethics, lobbying rules and open meeting law. Snell & Wilmer's Brett Johnson, who was joined by attorneys Eric Spencer and Adam Lang, made a pitch to be the sole, bipartisan firm, though commissioners noted its reputation for representing right-leaning candidates. (Herrera and Kory Langhofer of Statecraft, who are former partners, both said during their interviews that a bipartisan firm isn't practical and that the commission should go with two firms. "If you're giving that advice across party lines, your client is going to wonder whether you're giving it to them straight," Langhofer said.) Johnson noted that Snell & Wilmer has worked both with and against the other finalists, and reminded commissioners that he sued the last IRC over whether it had followed criteria outlined in the state constitution. "I'm intimately familiar with those six criteria, and that was the basis of our whole lawsuit," he said. Osborn Maledon's Mary O'Grady, who represented the last commission alongside Ballard Spahr, made an unsuccessful pitch that the commission could benefit from her experience, while Langhofer's unsuccessful pitch centered around his firm's winning record, competitive pricing and boutique status. All finalists agreed that litigation was somewhat inevitable, regardless of how the commission does its job.

THE NINJAS ARE BEING WATCHED

If the Senate's auditors proceed with plans to visit voters' homes and interrogate them about their voting history, a team of progressive lawyers is prepared to sue or ask for prosecution under a bevy of state and federal laws, including one named for the Ku Klux Klan. In a cease and desist letter to the audit team, Fann, Hobbs and county supervisors today, attorneys from Coppersmith Brockelman, Perkins Coie, Barton Mendez Soto and the Protect Democracy Project wrote that plans to knock doors and question whether voters lived at the address constitute illegal voter intimidation. Jared Davidson, a lawyer with Protect Democracy, told our reporter the audit team could illegally intimidate voters even if that wasn't their intent. (In their statement of work, auditors said voters will not be asked to identify the candidates they supported.) "This is the government and contractors for the government going out and questioning voters in an effort to uncover alleged illegality," he said. "If an arm of the government came to my house and started questioning me about my voting history, I would feel intimidated." The letter warns that the Senate team could face civil litigation or potential referrals for prosecution if it proceeds, and tells Cyber Ninjas to preserve records in anticipation of a possible lawsuit. Hobbs, who previously asked Brnovich if she could intervene to stop the Senate's audit (he said he wouldn't represent her), told our reporter she wasn't involved in today's letter but she knows lots of attorneys are paying close attention to the Senate's audit attempt. A Senate spokesman and Cyber Ninjas CEO Doug Logan did not immediately return messages from our reporter. A copy of the letter can be viewed in our "documents" section (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003127

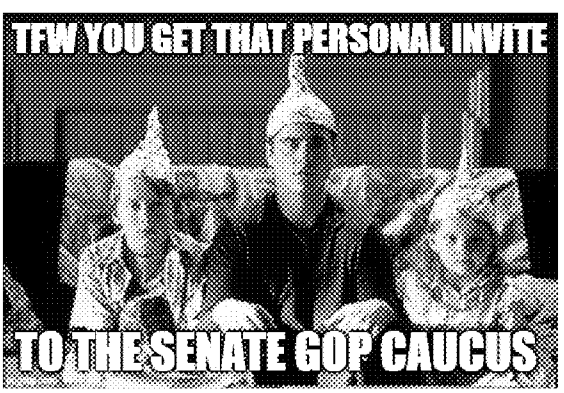
ARZN_REV00069002_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WELP, CASE CLOSED, I GUESS

Meanwhile, the CEO of Cyber Ninjas put out a statement today responding to the "spurious clamor over bias insinuations" but conveniently sidestepped his bias, saying that's not the issue. "The big question should not be 'Am I biased,' but 'Will this audit be transparent, truthful and accurate," Logan wrote. "The answer to the latter question is a resounding 'Yes.'" He offered no answer to the former question. Logan – who has spread a host of lies about the 2020 election, including that the Arizona election was fraudulent, and was part of a lawsuit in Michigan alleging Dominion machines were rigged (YS, 3/31) – argued that "it was hard to know what to believe" about the election. Logan said he felt a civic duty of sorts to get involved, saying he knew his business and reputation would come under attack. "But I kept thinking, how long will our democratic republic survive when polls have found that up to half of the American people think an election was rigged?" (Logan was not only among those who believed the election was rigged, but was actively spreading misinformation stating it was rigged and playing part to a lawsuit alleging the same in Michigan.) In the statement, Logan didn't disavow his Stop the Steal rants on Twitter, but attempted to tamp down on the firestorm created by his previous statements, which he deleted before securing the contract. He argued that the other firms working under Cyber Ninjas are legitimate and the process they came up with is "beyond reproach." "There [will be] no way a single person could manipulate results, and even if a group colluded there would be the overt evidence to catch it," he wrote. Ironically, that's exactly what elections officials have said of their processes.

IF WE PROMOTED ELECTION CONSPIRACIES, WE'D BE INVITED

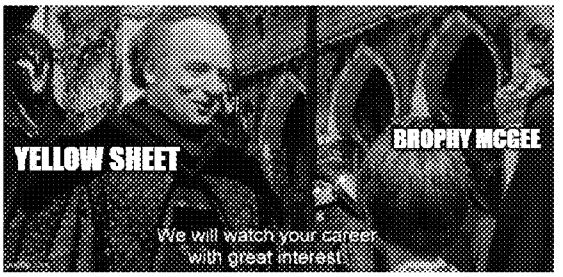


The Senate today kicked our reporter out of what is supposed to be an open caucus meeting, while letting at least three guests of lawmakers stay and watch. Gowan and Kerr brought guests with them to the Republican caucus room today and our reporter joined them until the Senate's chief of staff and sergeant at arms told our reporter to leave. Our reporter protested that the caucus meetings are supposed to be open to the public under Senate rules, which have the force of law. Wendy Baldo, Fann's chief of staff, replied that the building is still closed to the public, and said our reporter wasn't "an invited guest" to the Republican caucus. Senate Republicans spent nearly an hour cloistered in the room discussing the dozen bills on their calendar before returning to the floor. Despite the fact that it's no longer a requirement, Baldo told Gowan's guests they needed to put on masks. It's unclear whether she succeeded in getting Gowan's guests – the 15-year-old founder of the Oro Valley chapter of Turning Point USA and his mother – to cover their faces, as our reporter later saw them leaving the Senate without masks on. Staff described fears before session that lawmakers would enforce different rules for Senate staff or visitors and lawmakers, a fear Borrelli justified for many in December. "They have their rules. We have our rules," he said at the time, referring to Senate staff (YS, 12/8/20).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003128
ARZN_REV00069002_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SHE'S NO MARK FINCHEM



Kate Brophy McGee is considering running for secretary of state, she confirmed to our reporter, though she said it's on a "very long list" of offices she's looking at for a potential 2022 run. She said after her narrow 2020 defeat, she decided she wanted to stay involved in political life, and has been speaking with supporters about the lay of the land for 2020. She wouldn't say which other offices are on her radar, though she noted they're statewide offices, but ruled out getting back into the "mud wrestling" at the Legislature and said "Oh, God no" to seeking the Governor's Office. "Of course, it's all predicated on the dominoes," she said of her potential run for secretary of state, noting Hobbs is widely considered to be eyeing the Ninth Floor, leaving that seat open. "The best way to describe it is like catching a wave [surfing]. The timing has to be right and it just has to click." Finchem has already filed a statement of interest for the office, though whether he actually runs still remains to be seen. Despite the fact that he launched a campaign website today spreading more lies about the election – "On November 3rd, 2020, the unthinkable happened: Americans witnessed real-time reallocation of votes from one candidate to another, broadcast on national television," he says on the site – many political observers aren't taking the campaign seriously. And Ugenti-Rita is rumored to be eyeing the Seventh Floor, as well. (Notably, Ugenti-Rita hasn't denied the election results or bought into the narrative that the election was rigged, though she has been behind most of the hardline election reform bills of recent years and has supported the Senate's attempts to audit the election.) But if she runs, Brophy McGee would occupy an important slot on the political spectrum – a moderate Republican who doesn't believe the election was stolen from former President Trump.

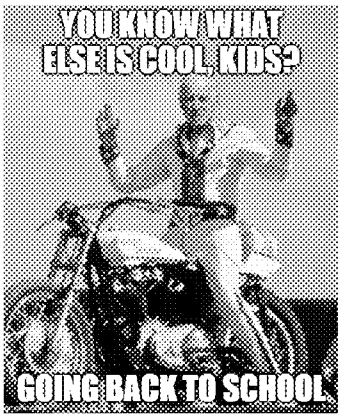
BREAKING, JUDGES ARE WHITE DUDES

Progressive organization Arizona Advocacy Foundation dug into the racial and gender makeup of Arizona's judicial appointees, and found – surprise! – that the judiciary is mostly male and overwhelmingly white. Arizona has a merit selection process for the state Supreme Court, two appellate court divisions and four counties (Maricopa, Pima, Pinal and Coconino). All other counties elect judges and were not included in the report. "Arizona's judges are 91 percent white and 66 percent male," the report found (LINK). It also found that there aren't any Black, Native American, or Asian/Pacific Islander judges on the Appellate Court, something *Arizona Republic* reporter Maria Polletta reported in 2019 (LINK). The report didn't offer data on whether people of color actually applied for judicial positions, which could show whether the root of the disparity is a deficiency of people of color within the legal community, or if people of color are being passed over for appointed positions in favor of white men. Also, the report incorrectly stated that there is only one person of color on the Arizona Supreme Court – likely referring to Justice John Lopez, whom Ducey appointed in 2016. The report does not include Justice James Beene, who listed that he is half Hispanic on his application to the court. The Latino population of Arizona makes up roughly one-third of its citizens, but seven percent of its judiciary. Finally, the report notes that to its knowledge, none of the judiciary identifies as anything other than male or female. However, Arizona has a transgender judge, Tracey Nadzieja, who serves as a commissioner in Maricopa County, an office that wasn't included in the analysis (LINK).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003129
ARZN_REV00069002_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF BIDEN WANTS KIDS IN SCHOOL, THEN IT MUST BE COOL



Faced with an enrollment drop of roughly 38,000 students from last school year, the AZ Dept of Education plans to use some of its Covid relief dollars for a marketing campaign to bring families back to the fold. The campaign, which will cost about $150,000, is aimed at students who left district and charter schools for alternative options during the pandemic or who delayed enrollment. About 42 percent of the enrollment decline is in kindergarten and preschool, and ADE expects a fair number of those students to enroll next year, as kindergarten isn't mandatory in Arizona. ADE spokeswoman Morgan Dick told our reporter that the department has been reaching out to local education leaders to see how a state-level campaign could best supplement their efforts. The department plans to meet later this week to outline a more specific plan for the campaign, which may include social media ads, informational pamphlets and fliers, as well as either a section on ADE's website or a separate site for the campaign itself. The campaign may launch as soon as June and continue into the first couple months of next school year. "Hopefully, with Covid kind of looking up and up day after day, we'll be in a better public health position for families to be comfortable returning to public schools in the fall," Dick said.

WAKE UP CALL

Ducey signs bill to protect businesses from Covid-related lawsuits

Arizona Capitol Times

Gov. Doug Ducey signed a bill that would shield businesses from Covid-related lawsuits – one of his top legislative priorities of the year that would also apply to hospitals, nursing homes and schools.

Lawmaker urges schools chief to tap relief funds

Capitol Media Services

The head of the House Education Committee wants the Department of Education to turn loose $85 million to help forestall anticipated teacher layoffs.

Northern Az tribes and community healthcare providers receive millions from Feds rescue plan

Arizona Daily Sun

It appears local healthcare providers and northern Arizona tribes will be seeing additional funds heading their direction as part of the American Rescue Plan.

MPS could get $240 million in federal funding

East Valley Tribune

Mesa Public Schools has a "problem" many residents probably wish they had: How to spend a busload of money.

Infrastructure plan could help state and county roads

Casa Grande Dispatch

It's unknown how much of President Joe Biden's proposed $2 trillion infrastructure plan would be directed toward Arizona or Pinal County but both the state and the county certainly could use the funds to help repair local and state roadways.

Arizona extends individual income tax filing deadline

Casa Grande Dispatch

Gov. Doug Ducey has signed legislation to extend the state individual income tax filing deadline from April 15 to May 17 to match the federal government's decision to extend its filing deadline.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003130
ARZN_REV00069002_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Abuse Lawsuit Against U.S. Fencing Names Star Coach, Alleges Phoenix Assault
Phoenix New Times
A lawsuit from a former champion fencer alleges she was groomed and molested by a star coach while she was a teenager in the '90s, with the abuse culminating in an assault at a Phoenix hotel.

Legal counsel fight was pivotal moment for last redistricting commission
Arizona Mirror
When the Arizona Independent Redistricting Commission chooses its legal counsel, a decision that could come as early as Tuesday, it will pass a major milestone that sent its predecessor careening into partisan strife and acrimony a decade ago.

Business group pressures AZGOP lawmakers to abandon voter suppression bills
Arizona Mirror
Prominent business leaders are asking lawmakers to reject several election-related bills that they deemed attempts to suppress voting in Arizona, a move that comes as Georgia faces calls for boycotts for passing similar legislation.

Will the Arizona Cardinals owner get Gov. Doug Ducey to tackle voter suppression?
Arizona Republic (Opinion, EJ Montini)
The Arizona Cardinals' owner joined nearly 40 other business leaders opposing a wave of anti-democracy bills in the Legislature.

If schools got millions, why is Gilbert laying off teachers? It's complicated
Arizona Republic (Opinion, Joanna Allhands)
If schools got pandemic relief funds, how could some, like Gilbert Public Schools, be facing budget shortfalls? Welcome to the complex world of school finance.

Why are there so few STEM graduates? The breakdown begins in elementary school
Arizona Republic (Op-ed, Murray Siegel)
The latest efforts to increase STEM degrees will fail because they don't address the root problem: How math is taught in elementary schools.

The U.S. will have a COVID-19 vaccine surplus. Here's why Mexico should get it first
Arizona Republic (Op-ed, Irasema Coronado, Eva Moya and Stephen Mumme)
Why should Mexico be prioritized for extra vaccine, when so many other countries desperately need it? Three words: fatalities, flows and friendship.

PRESS RELEASES

Arizona Partners With Ability360, The Arc, Special Olympics And DES To Expand Vaccinations

PHOENIX — Governor Doug Ducey and the Arizona Department of Health Services (ADHS) today announced a new targeted effort to ensure individuals with disabilities have quick, easy access to COVID-19 vaccination appointments.

Arizona is partnering with Ability360 and The Arc, organizations that empower individuals with disabilities and support their full inclusion in the community, and the Special Olympics to hold vaccination events at their locations. These vaccination events will allow those living with disabilities and their families to be vaccinated at familiar locations.

"Now that all Arizonans have the opportunity to get the vaccine, we want to ease the process for those with disabilities to sign up for an appointment and get vaccinated," said Governor Ducey. "I'm grateful to Ability360, The Arc, Special Olympics, the Arizona Department of Economic Security, ADHS, and all the organizations across the state working hard to protect Arizonans with disabilities."

ADHS is working with Passport Health to offer onsite vaccinations to people with disabilities. Details and directions for registering for these events will be communicated through these organizations directly to their communities and will arrange for both first and second doses. Special Olympics is providing volunteers to assist those receiving

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003131

ARZN_REV00069002_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

vaccinations and the Commission for the Deaf and Hard of Hearing is providing sign language interpreters.
"As vaccine supply increases, we can now launch focused efforts within highly impacted communities," said Dr. Cara Christ, Director of ADHS. "This partnership provides access to vaccines for individuals with disabilities and their families in familiar settings, and we will continue to expand these opportunities so all communities have easy access to vaccine within the state."
Ability360 is providing the facility for the first vaccination event which will occur over two days. It is anticipated that 3,000 doses will be administered to individuals with disabilities and their family members and caregivers. The site will open three weeks later for second doses. Additional events are in the planning stages to be hosted at community locations, including The Arc.
"At Ability360, we're committed to serving Arizonans with disabilities and ensuring they have access to much-needed resources," said Phil Pangrazio, President and CEO of Ability360. "This partnership is a big step in ensuring they have the ability to get vaccinated easily and quickly, and that our disability community and their families are further protected from COVID-19. Thank you to everyone working to help Arizonans with disabilities get vaccinated."
Special Olympics is providing volunteers who are familiar with working with people with disabilities to provide on-site support. They will be assisting individuals and their families navigate the vaccine site and through registration, vaccination and observation, supporting the families each step of the process.
"Ensuring individuals with disabilities can easily access the vaccine has been a main priority for us," said President and CEO of Special Olympics Arizona Jamie Heckerman. "Accessibility to the vaccine creates a sense of security and assurance for all Arizonans, especially to the community with disabilities who have experienced detrimental effects from long term isolation. We are proud to join in this partnership to protect vulnerable individuals and families, and I thank everyone who is supporting those with disabilities during the pandemic."
With statewide chapters and facilities, partnering with The Arc will allow for more vaccination events to individuals in every part of Arizona.
"Our focus is to continuously improve supports and services for individuals with disabilities," said Executive Director of The Arc Jon Meyers. "This initiative promotes that goal by expanding accessibility to vaccines for many of our state's most vulnerable residents – members of the disability community and their families. We are proud to partner on this, and we thank everyone who helped advance this project."
ADHS is also partnering with the Arizona Department of Economic Security's Division of Developmental Disabilities to coordinate vaccination for their members, either by registering the individuals for vaccination appointments at state run vaccination sites or providing vaccination directly in the homes for individuals that cannot leave. Individuals are being directly contacted by their case managers to discuss vaccination needs.
On March 24, state-operated COVID-19 vaccination sites in Maricopa, Pima and Yuma counties opened to all Arizonans 16 and older. The update advanced a hybrid approach that had been based on age and also has had counties vaccinating frontline essential workers.
ADHS now opens appointments at 11 a.m. each Friday for State Farm Stadium in Glendale, Arizona State University's Phoenix Municipal Stadium in Tempe, Dexcom Facility in Southeast Mesa in the East Valley, the University of Arizona in central Tucson, and the Yuma Civic Center. Additional appointments are added daily to the call center and online for those who may be interested in same day appointments. The call center is open seven days a week from 8 a.m. to 5 p.m, but will be closed on Sunday, April 4.
State sites complement county vaccination programs and the growing availability of vaccines at pharmacies and federally qualified health centers participating in federal vaccination programs. Sites using the Pfizer vaccine, including those run by the state, can vaccinate those 16 and older. The Moderna and Johnson & Johnson/Janssen vaccines, which are allocated to counties, are approved for those 18 and older.
Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. **Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative.**
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Honest Arizona Hosts Congressional Tour of Tucson Vaccine Site

On Vaccine Site Tour, Reps. Kirkpatrick, O'Halleran Witness Impact of American Rescue Plan

PHOENIX — As the U.S. eclipses 100 million Americans vaccinated, Congresswoman Ann Kirkpatrick and Congressman Tom O'Halleran tour a Tucson Medical Center vaccine site in Tucson to see firsthand the impact of the American Rescue Plan. The plan passed thanks to Senators Mark Kelly and Kyrsten Sinema, as well as the rest of Arizona's Democratic congressional delegation.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

According to Arizona Department of Health Services data, daily vaccinations in Pima County have increased by 90 percent since the American Rescue Plan was signed into law.
"The American Rescue Plan invested billions in vaccine distribution because our leaders know that's the quickest way to get Arizona past the pandemic," said Niles Harris, Executive Director of Honest Arizona. "We're grateful to Senator Kelly, Senator Sinema, and everyone who voted for the American Rescue Plan for putting Arizona priorities first."
The American Rescue Plan provides $20 billion for vaccine distribution nationwide

Governor Ducey Appoints Tim Roemer To Director Of Homeland Security

PHOENIX — Governor Doug Ducey today announced the appointment of Tim Roemer, Arizona's Chief Information Security Officer, to Director of the state's Department of Homeland Security.
Roemer will succeed Gil Orrantia, who last month informed Governor Ducey of his intention to retire as the department's director after 11 years. Roemer will assume the post immediately.
In addition to the change in leadership, Governor Ducey announced that the cybersecurity operations overseen by Roemer in the Arizona Department of Administration (ADOA) will become part of the Department of Homeland Security.
"Cybersecurity is homeland security — that's why I'm looking forward to moving Arizona's critical cyber mission to the Department of Homeland Security," said Governor Ducey. "Tim Roemer has served our state for years with protection and proactiveness at top of mind, and I'm confident he will lead the Department and its new cybersecurity operations well. I'm grateful to former Director Orrantia for his tireless commitment to protecting Arizonans and supporting law enforcement, and I wish him the best in his retirement."
Incoming Director Roemer said that combining the state's cybersecurity mission with the Department of Homeland Security will better protect Arizona from increasing cybersecurity attacks that threaten our infrastructure, data and citizens. As part of the transition, Roemer will appoint a Deputy Chief Information Security Officer to manage the cyber-related issues of the Department.
"It is a tremendous honor to serve the State of Arizona in this new role," said Roemer. "Arizona's leadership in cybersecurity and the transition to Homeland Security is a culmination of years of hard work to improve preparedness, enhance efficiencies, and ensure our information is secure. I'm thrilled to continue serving Arizonans, and I'm grateful to Governor Ducey for entrusting me with this leadership role and the state's cybersecurity operations."
Roemer was appointed as Arizona's Chief Information Security Officer at ADOA in July 2019, where he has led the cybersecurity team in defending Arizona from rising cyberattacks and helped protect the state's technology infrastructure and data. He has also worked with the Secretary of State to help protect the 2020 election and increased the state's cyber-related partnerships with law enforcement to strengthen Arizona's cyber resiliency.
"I'm proud to see Tim take on the role of Director at the Arizona Department of Homeland Security," said ADOA Director Andy Tobin. "He is committed to using innovative approaches to solve problems and get the job done, and it has been a pleasure to work with him at ADOA. He knows the importance of cybersecurity and protecting our state, and I look forward to his leadership at Homeland Security."
He has worked for the State of Arizona since the beginning of Governor Ducey's Administration, where he most recently served as the Governor's Deputy Director of Legislative Affairs. Prior to that, Roemer held a dual role as the Governor's Public Safety Advisor and the Deputy Director for the Arizona Department of Homeland Security. In his roles in the Governor's Office, he served on the Arizona-Mexico Commission's Security Committee and has advised the Governor on a wide range of topics including cybersecurity, border security, and counterterrorism.
Prior to serving the State of Arizona, Tim served in the Central Intelligence Agency for 10 years. The final two years of his CIA career were spent as a nonpartisan detailee to the White House Situation Room, where he provided critical national security updates to the President, Vice President, and National Security Council. In this role, he briefed senior U.S. policy makers on a diverse range of national security related issues.
In addition to his time in the West Wing, Roemer supported CIA's mission at its Headquarters in McLean, Virginia where he worked in the Office of Congressional Affairs and the Office of Acquisitions. He helped manage CIA's relationship with Congress as a Congressional Liaison. While in the Office of Acquisitions, he negotiated and administered classified contracts. Over his more than a decade career in the U.S. Intelligence Community, he also completed assignments at the National Reconnaissance Office and the National Geospatial Intelligence Agency.
Roemer graduated from Arizona State University with a Bachelor of Arts degree in Communication and a minor in Political Science.
Former Director Gil Orrantia announced his retirement in a letter to Governor Ducey on March 2, 2021 and officially

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003133
ARZN_REV00069002_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

retired on April 2. He was appointed to Director by Governor Jan Brewer in 2009 and was endorsed by Governor Ducey when he took office. Under his leadership, the Department distributed and administered more than $130 million in grants to Arizona state, local, county, tribal and municipal first responders during Governor Ducey's Administration.

Governor Ducey Signs Legislation Extending Prison Transition Program

PHOENIX — Governor Doug Ducey signed legislation to extend Arizona's Prison Transition Program and continue offering help to those who have served time, expanding on his administration's commitment to public safety and responsible criminal justice reform.

"The Prison Transition Program is smart, proven and effective public policy," said Governor Ducey. "I'm thrilled to see it extended so Arizona can help more inmates and continue to take a responsible approach to criminal justice reform. My thanks to the Department of Corrections, Rehabilitation and Reentry for leading the Prison Transition Program, and to Senator Nancy Barto for sponsoring the legislation to keep the program going."

Senate Bill 1067 extends the Arizona Department of Corrections, Rehabilitation and Reentry's Prison Transition Program until July 1, 2030 and expands eligibility criteria for those serving time. The program, which has resulted in strong reductions in recidivism, provides eligible inmates with transition services in the community for up to 90 days by partnering with private or nonprofit providers.

Senator Barto, who represents Legislative District 15, said that the benefits of the program will extend to all Arizonans.

"Supporting inmates as they transition back to society enhances public safety and cuts down on recidivism," said Senator Barto. "Senate Bill 1067 ensures the life-changing Prison Transition Program stays in place and expands inmate eligibility, which helps more people who served their time. My sincere thanks to Governor Ducey for signing a bill that will protect our communities and change lives."

The extension of the Prison Transition Program builds on Arizona's work to reduce recidivism and help those who served time build better lives. Governor Ducey on March 9 signed legislation to prevent wildfires by allowing for additional partnerships to reduce the risk of wildfires on federal lands neighboring communities. The legislation aligns with the Arizona Healthy Forest Initiative, which builds on proven methods to protect communities while engaging individuals in state correctional facilities to equip them with new skills.

In addition, Governor Ducey on March 24 signed three bills as part of responsible criminal justice policy in the state, ensuring Arizona continues to focus on public safety, while taking a responsible approach to sentencing reform and expanding opportunities for offenders after serving their time.

Media Advisory: Protect INVESTinED Press Conference

PHOENIX – April 6, 2021 – Education advocates hold press conference and demonstration to protect the Invest in Education Act and the devastating consequences Senate Bill 1783 would have on our public schools.

- **When**: Wednesday, April 7, 2021, at 4PM
- **Where**: Arizona House of Representatives Lawn, Arizona Capitol, 1700 W. Washington St., Phoenix, AZ 85007
- **Who**: Arizona Education Association President Joe Thomas, Arizona Educators United leader Kelly Fisher, and Save Our Schools Arizona leader Raquel Mamani.

New Report on Diversity in Arizona Judiciary: Women and people of color severely underrepresented

The new report from the Arizona Advocacy Foundation comes as our state and nation reckons with the reality of racism, particularly in our legal system.

PHOENIX – Today, the Arizona Advocacy Foundation is releasing a brand-new report, "Arizona Court Diversity," which examines the racial and gender demographics of Arizona's judiciary.

At a time when our state and our nation is reckoning with the reality of racism, particularly in our legal system, our report finds that people of color—and women of color, especially—are severely underrepresented as judges in Arizona's state court system.

The report finds that:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- There are zero Black, Native American, or Asian/Pacific Islander judges on the Arizona Appellate Court.
- While Latinx people are 30% of the Arizona population, they make up only 7% of the state's judges.
- Only 14 of 179 Superior Court judges are Black, Indigenous, or other People of Color (BIPOC). 165 of 179 of the Superior Court's judges are white.
- Only six Black judges serve in the entire Arizona court system, which is composed of 288 judges.
- Arizona's judges are 91% white and 66% male, a vast over-representation compared to the statewide population.

Joel Edman, Executive Director of the Arizona Advocacy Foundation, said, "As our nation reckons with the reality of racism, particularly in our legal system, the impartiality and fairness of the courts has never been more important to the health of our democracy. But with courts that egregiously fail to represent the public they serve, the legitimacy of Arizona's court system is threatened."

The full report is attached to this email and can also be found here.

"QUOTE OF THE DAY"

"The big question should not be 'Am I biased,' but 'Will this audit be transparent, truthful and accurate.'"

- ***Doug Logan, CEO of Cyber Ninjas***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, April 6, 2021 4:41:46 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-6-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin

About Contact

In Today's Yellow Sheet April 6, 2021

LAWYERS, PREPARE FOR BATTLE
The IRC today unanimously selected Ballard Spahr and Snell & Wilmer as its Democratic and Republican legal co-counsel, respectively.

THE NINJAS ARE BEING WATCHED
If the Senate's auditors proceed with plans to visit voters' homes and interrogate them about their voting history, a team of progressive lawyers is prepared to sue or ask for prosecution under a bevy of state and federal laws, including one named for the Ku Klux Klan.

WELP, CASE CLOSED, I GUESS

AMERICAN OVERSIGHT

Meanwhile, the CEO of Cyber Ninjas put out a statement today responding to the "spurious clamor over bias insinuations" but conveniently sidestepped his bias, saying that's not the issue.

IF WE PROMOTED ELECTION CONSPIRACIES, WE'D BE INVITED
The Senate today kicked our reporter out of what is supposed to be an open caucus meeting, while letting at least three guests of lawmakers stay and watch.

SHE'S NO MARK FINCHEM
Kate Brophy McGee is considering running for secretary of state, she confirmed to our reporter, though she said it's on a "very long list" of offices she's looking at for a potential 2022 run.

BREAKING, JUDGES ARE WHITE DUDES
Progressive organization Arizona Advocacy Foundation dug into the racial and gender makeup of Arizona's judicial appointees, and found – surprise! – that the judiciary is mostly male and overwhelmingly white.

IF BIDEN WANTS KIDS IN SCHOOL, THEN IT MUST BE COOL
Faced with an enrollment drop of roughly 38,000 students from last school year, the AZ Dept of Education plans to use some of its Covid relief dollars for a marketing campaign to bring families back to the fold.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, April 06, 2021

NEWS NOTES AND GOSSIP

LAWYERS, PREPARE FOR BATTLE

The IRC today unanimously selected Ballard Spahr and Snell & Wilmer as its Democratic and Republican legal co-counsel, respectively. Ballard Spahr, the firm representing Democrats, was the Republican law firm for the last commission, though with different attorneys. The finalists also included Democrat-led Osborn Maledon and Republican firm Statecraft. Roy Herrera pitched Ballard Spahr as a large, established firm with national resources and as well as knowledge on the Voting Rights Act, ethics, lobbying rules and open meeting law. Snell & Wilmer's Brett Johnson, who was joined by attorneys Eric Spencer and Adam Lang, made a pitch to be the sole, bipartisan firm, though commissioners noted its reputation for representing right-leaning candidates. (Herrera and Kory Langhofer of Statecraft, who are former partners, both said during their interviews that a bipartisan firm isn't practical and that the commission should go with two firms. "If you're giving that advice across party lines, your client is going to wonder whether you're giving it to them straight," Langhofer said.) Johnson noted that Snell & Wilmer has worked both with and against the other finalists, and reminded commissioners that he sued the last IRC over whether it had followed criteria outlined in the state constitution. "I'm intimately familiar with those six criteria, and that was the basis of our whole lawsuit," he said. Osborn Maledon's Mary O'Grady, who represented the last commission alongside Ballard Spahr, made an unsuccessful pitch that the commission could benefit from her experience, while Langhofer's unsuccessful pitch centered around his firm's winning record, competitive pricing and boutique status. All finalists agreed that litigation was somewhat inevitable, regardless of how the commission does its job.

THE NINJAS ARE BEING WATCHED

If the Senate's auditors proceed with plans to visit voters' homes and interrogate them about their voting history, a team of progressive lawyers is prepared to sue or ask for prosecution under a bevy of state and federal laws, including one named for the Ku Klux Klan. In a cease and desist letter to the audit team, Fann, Hobbs and county supervisors today, attorneys from Coppersmith Brockelman, Perkins Coie, Barton Mendez Soto and the Protect Democracy Project wrote that plans to knock doors and question whether voters lived at the address constitute illegal voter intimidation. Jared Davidson, a lawyer with Protect Democracy, told our reporter the audit team could illegally intimidate voters even if that wasn't their intent. (In their statement of work, auditors said voters will not be asked to identify the candidates they supported.) "This is the government and contractors for the government going out and questioning voters in an effort to uncover alleged illegality," he said. "If an arm of the government came to my house and started questioning me about my voting history, I would feel intimidated." The letter warns that the Senate team could face civil litigation or potential referrals for prosecution if it proceeds, and tells Cyber Ninjas to preserve records in anticipation of a possible lawsuit. Hobbs, who previously asked Brnovich if she could intervene to stop the Senate's audit (he said he wouldn't represent her), told our reporter she wasn't involved in today's letter but she knows lots of attorneys are paying close attention to the Senate's audit attempt. A Senate spokesman and Cyber Ninjas CEO Doug Logan did not immediately return messages from our reporter. A copy of the letter can be viewed in our "documents" section (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003138

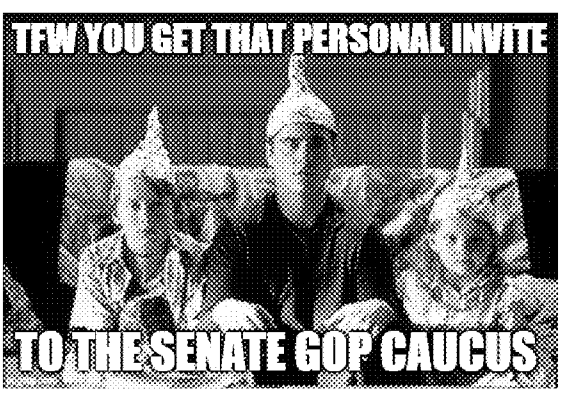
ARZN_REV00069004_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WELP, CASE CLOSED, I GUESS

Meanwhile, the CEO of Cyber Ninjas put out a statement today responding to the "spurious clamor over bias insinuations" but conveniently sidestepped his bias, saying that's not the issue. "The big question should not be 'Am I biased,' but 'Will this audit be transparent, truthful and accurate," Logan wrote. "The answer to the latter question is a resounding 'Yes.'" He offered no answer to the former question. Logan – who has spread a host of lies about the 2020 election, including that the Arizona election was fraudulent, and was part of a lawsuit in Michigan alleging Dominion machines were rigged (YS, 3/31) – argued that "it was hard to know what to believe" about the election. Logan said he felt a civic duty of sorts to get involved, saying he knew his business and reputation would come under attack. "But I kept thinking, how long will our democratic republic survive when polls have found that up to half of the American people think an election was rigged?" (Logan was not only among those who believed the election was rigged, but was actively spreading misinformation stating it was rigged and playing part to a lawsuit alleging the same in Michigan.) In the statement, Logan didn't disavow his Stop the Steal rants on Twitter, but attempted to tamp down on the firestorm created by his previous statements, which he deleted before securing the contract. He argued that the other firms working under Cyber Ninjas are legitimate and the process they came up with is "beyond reproach." "There [will be] no way a single person could manipulate results, and even if a group colluded there would be the overt evidence to catch it," he wrote. Ironically, that's exactly what elections officials have said of their processes.

IF WE PROMOTED ELECTION CONSPIRACIES, WE'D BE INVITED

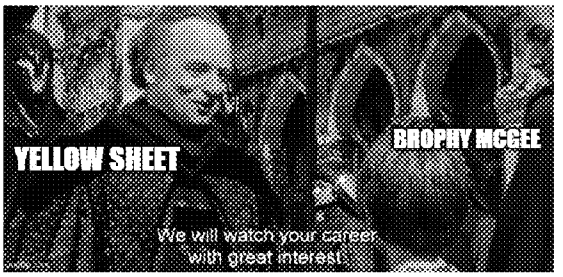


The Senate today kicked our reporter out of what is supposed to be an open caucus meeting, while letting at least three guests of lawmakers stay and watch. Gowan and Kerr brought guests with them to the Republican caucus room today and our reporter joined them until the Senate's chief of staff and sergeant at arms told our reporter to leave. Our reporter protested that the caucus meetings are supposed to be open to the public under Senate rules, which have the force of law. Wendy Baldo, Fann's chief of staff, replied that the building is still closed to the public, and said our reporter wasn't "an invited guest" to the Republican caucus. Senate Republicans spent nearly an hour cloistered in the room discussing the dozen bills on their calendar before returning to the floor. Despite the fact that it's no longer a requirement, Baldo told Gowan's guests they needed to put on masks. It's unclear whether she succeeded in getting Gowan's guests – the 15-year-old founder of the Oro Valley chapter of Turning Point USA and his mother – to cover their faces, as our reporter later saw them leaving the Senate without masks on. Staff described fears before session that lawmakers would enforce different rules for Senate staff or visitors and lawmakers, a fear Borrelli justified for many in December. "They have their rules. We have our rules," he said at the time, referring to Senate staff (YS, 12/8/20).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003139
ARZN_REV00069004_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SHE'S NO MARK FINCHEM



Kate Brophy McGee is considering running for secretary of state, she confirmed to our reporter, though she said it's on a "very long list" of offices she's looking at for a potential 2022 run. She said after her narrow 2020 defeat, she decided she wanted to stay involved in political life, and has been speaking with supporters about the lay of the land for 2020. She wouldn't say which other offices are on her radar, though she noted they're statewide offices, but ruled out getting back into the "mud wrestling" at the Legislature and said "Oh, God no" to seeking the Governor's Office. "Of course, it's all predicated on the dominoes," she said of her potential run for secretary of state, noting Hobbs is widely considered to be eyeing the Ninth Floor, leaving that seat open. "The best way to describe it is like catching a wave [surfing]. The timing has to be right and it just has to click." Finchem has already filed a statement of interest for the office, though whether he actually runs still remains to be seen. Despite the fact that he launched a campaign website today spreading more lies about the election – "On November 3rd, 2020, the unthinkable happened: Americans witnessed real-time reallocation of votes from one candidate to another, broadcast on national television," he says on the site – many political observers aren't taking the campaign seriously. And Ugenti-Rita is rumored to be eyeing the Seventh Floor, as well. (Notably, Ugenti-Rita hasn't denied the election results or bought into the narrative that the election was rigged, though she has been behind most of the hardline election reform bills of recent years and has supported the Senate's attempts to audit the election.) But if she runs, Brophy McGee would occupy an important slot on the political spectrum – a moderate Republican who doesn't believe the election was stolen from former President Trump.

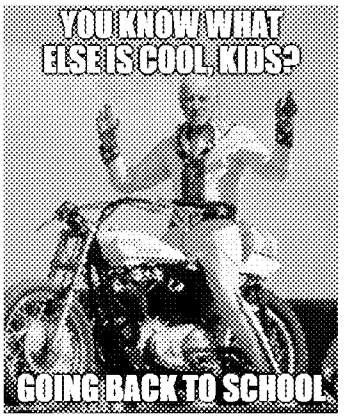
BREAKING, JUDGES ARE WHITE DUDES

Progressive organization Arizona Advocacy Foundation dug into the racial and gender makeup of Arizona's judicial appointees, and found – surprise! – that the judiciary is mostly male and overwhelmingly white. Arizona has a merit selection process for the state Supreme Court, two appellate court divisions and four counties (Maricopa, Pima, Pinal and Coconino). All other counties elect judges and were not included in the report. "Arizona's judges are 91 percent white and 66 percent male," the report found (LINK). It also found that there aren't any Black, Native American, or Asian/Pacific Islander judges on the Appellate Court, something *Arizona Republic* reporter Maria Polletta reported in 2019 (LINK). The report didn't offer data on whether people of color actually applied for judicial positions, which could show whether the root of the disparity is a deficiency of people of color within the legal community, or if people of color are being passed over for appointed positions in favor of white men. Also, the report incorrectly stated that there is only one person of color on the Arizona Supreme Court – likely referring to Justice John Lopez, whom Ducey appointed in 2016. The report does not include Justice James Beene, who listed that he is half Hispanic on his application to the court. The Latino population of Arizona makes up roughly one-third of its citizens, but seven percent of its judiciary. Finally, the report notes that to its knowledge, none of the judiciary identifies as anything other than male or female. However, Arizona has a transgender judge, Tracey Nadzieja, who serves as a commissioner in Maricopa County, an office that wasn't included in the analysis (LINK).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003140
ARZN_REV00069004_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF BIDEN WANTS KIDS IN SCHOOL, THEN IT MUST BE COOL



Faced with an enrollment drop of roughly 38,000 students from last school year, the AZ Dept of Education plans to use some of its Covid relief dollars for a marketing campaign to bring families back to the fold. The campaign, which will cost about $150,000, is aimed at students who left district and charter schools for alternative options during the pandemic or who delayed enrollment. About 42 percent of the enrollment decline is in kindergarten and preschool, and ADE expects a fair number of those students to enroll next year, as kindergarten isn't mandatory in Arizona. ADE spokeswoman Morgan Dick told our reporter that the department has been reaching out to local education leaders to see how a state-level campaign could best supplement their efforts. The department plans to meet later this week to outline a more specific plan for the campaign, which may include social media ads, informational pamphlets and fliers, as well as either a section on ADE's website or a separate site for the campaign itself. The campaign may launch as soon as June and continue into the first couple months of next school year. "Hopefully, with Covid kind of looking up and up day after day, we'll be in a better public health position for families to be comfortable returning to public schools in the fall," Dick said.

WAKE UP CALL

Ducey signs bill to protect businesses from Covid-related lawsuits

Arizona Capitol Times

Gov. Doug Ducey signed a bill that would shield businesses from Covid-related lawsuits – one of his top legislative priorities of the year that would also apply to hospitals, nursing homes and schools.

Lawmaker urges schools chief to tap relief funds

Capitol Media Services

The head of the House Education Committee wants the Department of Education to turn loose $85 million to help forestall anticipated teacher layoffs.

Northern Az tribes and community healthcare providers receive millions from Feds rescue plan

Arizona Daily Sun

It appears local healthcare providers and northern Arizona tribes will be seeing additional funds heading their direction as part of the American Rescue Plan.

MPS could get $240 million in federal funding

East Valley Tribune

Mesa Public Schools has a "problem" many residents probably wish they had: How to spend a busload of money.

Infrastructure plan could help state and county roads

Casa Grande Dispatch

It's unknown how much of President Joe Biden's proposed $2 trillion infrastructure plan would be directed toward Arizona or Pinal County but both the state and the county certainly could use the funds to help repair local and state roadways.

Arizona extends individual income tax filing deadline

Casa Grande Dispatch

Gov. Doug Ducey has signed legislation to extend the state individual income tax filing deadline from April 15 to May 17 to match the federal government's decision to extend its filing deadline.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003141
ARZN_REV00069004_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Abuse Lawsuit Against U.S. Fencing Names Star Coach, Alleges Phoenix Assault
Phoenix New Times
A lawsuit from a former champion fencer alleges she was groomed and molested by a star coach while she was a teenager in the '90s, with the abuse culminating in an assault at a Phoenix hotel.

Legal counsel fight was pivotal moment for last redistricting commission
Arizona Mirror
When the Arizona Independent Redistricting Commission chooses its legal counsel, a decision that could come as early as Tuesday, it will pass a major milestone that sent its predecessor careening into partisan strife and acrimony a decade ago.

Business group pressures AZGOP lawmakers to abandon voter suppression bills
Arizona Mirror
Prominent business leaders are asking lawmakers to reject several election-related bills that they deemed attempts to suppress voting in Arizona, a move that comes as Georgia faces calls for boycotts for passing similar legislation.

Will the Arizona Cardinals owner get Gov. Doug Ducey to tackle voter suppression?
Arizona Republic (Opinion, EJ Montini)
The Arizona Cardinals' owner joined nearly 40 other business leaders opposing a wave of anti-democracy bills in the Legislature.

If schools got millions, why is Gilbert laying off teachers? It's complicated
Arizona Republic (Opinion, Joanna Allhands)
If schools got pandemic relief funds, how could some, like Gilbert Public Schools, be facing budget shortfalls? Welcome to the complex world of school finance.

Why are there so few STEM graduates? The breakdown begins in elementary school
Arizona Republic (Op-ed, Murray Siegel)
The latest efforts to increase STEM degrees will fail because they don't address the root problem: How math is taught in elementary schools.

The U.S. will have a COVID-19 vaccine surplus. Here's why Mexico should get it first
Arizona Republic (Op-ed, Irasema Coronado, Eva Moya and Stephen Mumme)
Why should Mexico be prioritized for extra vaccine, when so many other countries desperately need it? Three words: fatalities, flows and friendship.

PRESS RELEASES

Arizona Partners With Ability360, The Arc, Special Olympics And DES To Expand Vaccinations

PHOENIX — Governor Doug Ducey and the Arizona Department of Health Services (ADHS) today announced a new targeted effort to ensure individuals with disabilities have quick, easy access to COVID-19 vaccination appointments.

Arizona is partnering with Ability360 and The Arc, organizations that empower individuals with disabilities and support their full inclusion in the community, and the Special Olympics to hold vaccination events at their locations. These vaccination events will allow those living with disabilities and their families to be vaccinated at familiar locations.

"Now that all Arizonans have the opportunity to get the vaccine, we want to ease the process for those with disabilities to sign up for an appointment and get vaccinated," said Governor Ducey. "I'm grateful to Ability360, The Arc, Special Olympics, the Arizona Department of Economic Security, ADHS, and all the organizations across the state working hard to protect Arizonans with disabilities."

ADHS is working with Passport Health to offer onsite vaccinations to people with disabilities. Details and directions for registering for these events will be communicated through these organizations directly to their communities and will arrange for both first and second doses. Special Olympics is providing volunteers to assist those receiving

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003142

ARZN_REV00069004_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

vaccinations and the Commission for the Deaf and Hard of Hearing is providing sign language interpreters.
"As vaccine supply increases, we can now launch focused efforts within highly impacted communities," said Dr. Cara Christ, Director of ADHS. "This partnership provides access to vaccines for individuals with disabilities and their families in familiar settings, and we will continue to expand these opportunities so all communities have easy access to vaccine within the state."
Ability360 is providing the facility for the first vaccination event which will occur over two days. It is anticipated that 3,000 doses will be administered to individuals with disabilities and their family members and caregivers. The site will open three weeks later for second doses. Additional events are in the planning stages to be hosted at community locations, including The Arc.
"At Ability360, we're committed to serving Arizonans with disabilities and ensuring they have access to much-needed resources," said Phil Pangrazio, President and CEO of Ability360. "This partnership is a big step in ensuring they have the ability to get vaccinated easily and quickly, and that our disability community and their families are further protected from COVID-19. Thank you to everyone working to help Arizonans with disabilities get vaccinated."
Special Olympics is providing volunteers who are familiar with working with people with disabilities to provide on-site support. They will be assisting individuals and their families navigate the vaccine site and through registration, vaccination and observation, supporting the families each step of the process.
"Ensuring individuals with disabilities can easily access the vaccine has been a main priority for us," said President and CEO of Special Olympics Arizona Jamie Heckerman. "Accessibility to the vaccine creates a sense of security and assurance for all Arizonans, especially to the community with disabilities who have experienced detrimental effects from long term isolation. We are proud to join in this partnership to protect vulnerable individuals and families, and I thank everyone who is supporting those with disabilities during the pandemic."
With statewide chapters and facilities, partnering with The Arc will allow for more vaccination events to individuals in every part of Arizona.
"Our focus is to continuously improve supports and services for individuals with disabilities," said Executive Director of The Arc Jon Meyers. "This initiative promotes that goal by expanding accessibility to vaccines for many of our state's most vulnerable residents – members of the disability community and their families. We are proud to partner on this, and we thank everyone who helped advance this project."
ADHS is also partnering with the Arizona Department of Economic Security's Division of Developmental Disabilities to coordinate vaccination for their members, either by registering the individuals for vaccination appointments at state run vaccination sites or providing vaccination directly in the homes for individuals that cannot leave. Individuals are being directly contacted by their case managers to discuss vaccination needs.
On March 24, state-operated COVID-19 vaccination sites in Maricopa, Pima and Yuma counties opened to all Arizonans 16 and older. The update advanced a hybrid approach that had been based on age and also has had counties vaccinating frontline essential workers.
ADHS now opens appointments at 11 a.m. each Friday for State Farm Stadium in Glendale, Arizona State University's Phoenix Municipal Stadium in Tempe, Dexcom Facility in Southeast Mesa in the East Valley, the University of Arizona in central Tucson, and the Yuma Civic Center. Additional appointments are added daily to the call center and online for those who may be interested in same day appointments. The call center is open seven days a week from 8 a.m. to 5 p.m, but will be closed on Sunday, April 4.
State sites complement county vaccination programs and the growing availability of vaccines at pharmacies and federally qualified health centers participating in federal vaccination programs. Sites using the Pfizer vaccine, including those run by the state, can vaccinate those 16 and older. The Moderna and Johnson & Johnson/Janssen vaccines, which are allocated to counties, are approved for those 18 and older.
Information about all vaccination sites across Arizona can be found at azhealth.gov/findvaccine. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist. **Note: You can use the patient portal at podvaccine.azdhs.gov to make an appointment for a relative.**
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Honest Arizona Hosts Congressional Tour of Tucson Vaccine Site

On Vaccine Site Tour, Reps. Kirkpatrick, O'Halleran Witness Impact of American Rescue Plan

PHOENIX — As the U.S. eclipses 100 million Americans vaccinated, Congresswoman Ann Kirkpatrick and Congressman Tom O'Halleran tour a Tucson Medical Center vaccine site in Tucson to see firsthand the impact of the American Rescue Plan. The plan passed thanks to Senators Mark Kelly and Kyrsten Sinema, as well as the rest of Arizona's Democratic congressional delegation.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

According to Arizona Department of Health Services data, daily vaccinations in Pima County have increased by 90 percent since the American Rescue Plan was signed into law.
"The American Rescue Plan invested billions in vaccine distribution because our leaders know that's the quickest way to get Arizona past the pandemic," said Niles Harris, Executive Director of Honest Arizona. "We're grateful to Senator Kelly, Senator Sinema, and everyone who voted for the American Rescue Plan for putting Arizona priorities first."
The American Rescue Plan provides $20 billion for vaccine distribution nationwide

Governor Ducey Appoints Tim Roemer To Director Of Homeland Security

PHOENIX — Governor Doug Ducey today announced the appointment of Tim Roemer, Arizona's Chief Information Security Officer, to Director of the state's Department of Homeland Security.
Roemer will succeed Gil Orrantia, who last month informed Governor Ducey of his intention to retire as the department's director after 11 years. Roemer will assume the post immediately.
In addition to the change in leadership, Governor Ducey announced that the cybersecurity operations overseen by Roemer in the Arizona Department of Administration (ADOA) will become part of the Department of Homeland Security.
"Cybersecurity is homeland security — that's why I'm looking forward to moving Arizona's critical cyber mission to the Department of Homeland Security," said Governor Ducey. "Tim Roemer has served our state for years with protection and proactiveness at top of mind, and I'm confident he will lead the Department and its new cybersecurity operations well. I'm grateful to former Director Orrantia for his tireless commitment to protecting Arizonans and supporting law enforcement, and I wish him the best in his retirement."
Incoming Director Roemer said that combining the state's cybersecurity mission with the Department of Homeland Security will better protect Arizona from increasing cybersecurity attacks that threaten our infrastructure, data and citizens. As part of the transition, Roemer will appoint a Deputy Chief Information Security Officer to manage the cyber-related issues of the Department.
"It is a tremendous honor to serve the State of Arizona in this new role," said Roemer. "Arizona's leadership in cybersecurity and the transition to Homeland Security is a culmination of years of hard work to improve preparedness, enhance efficiencies, and ensure our information is secure. I'm thrilled to continue serving Arizonans, and I'm grateful to Governor Ducey for entrusting me with this leadership role and the state's cybersecurity operations."
Roemer was appointed as Arizona's Chief Information Security Officer at ADOA in July 2019, where he has led the cybersecurity team in defending Arizona from rising cyberattacks and helped protect the state's technology infrastructure and data. He has also worked with the Secretary of State to help protect the 2020 election and increased the state's cyber-related partnerships with law enforcement to strengthen Arizona's cyber resiliency.
"I'm proud to see Tim take on the role of Director at the Arizona Department of Homeland Security," said ADOA Director Andy Tobin. "He is committed to using innovative approaches to solve problems and get the job done, and it has been a pleasure to work with him at ADOA. He knows the importance of cybersecurity and protecting our state, and I look forward to his leadership at Homeland Security."
He has worked for the State of Arizona since the beginning of Governor Ducey's Administration, where he most recently served as the Governor's Deputy Director of Legislative Affairs. Prior to that, Roemer held a dual role as the Governor's Public Safety Advisor and the Deputy Director for the Arizona Department of Homeland Security. In his roles in the Governor's Office, he served on the Arizona-Mexico Commission's Security Committee and has advised the Governor on a wide range of topics including cybersecurity, border security, and counterterrorism.
Prior to serving the State of Arizona, Tim served in the Central Intelligence Agency for 10 years. The final two years of his CIA career were spent as a nonpartisan detailee to the White House Situation Room, where he provided critical national security updates to the President, Vice President, and National Security Council. In this role, he briefed senior U.S. policy makers on a diverse range of national security related issues.
In addition to his time in the West Wing, Roemer supported CIA's mission at its Headquarters in McLean, Virginia where he worked in the Office of Congressional Affairs and the Office of Acquisitions. He helped manage CIA's relationship with Congress as a Congressional Liaison. While in the Office of Acquisitions, he negotiated and administered classified contracts. Over his more than a decade career in the U.S. Intelligence Community, he also completed assignments at the National Reconnaissance Office and the National Geospatial Intelligence Agency.
Roemer graduated from Arizona State University with a Bachelor of Arts degree in Communication and a minor in Political Science.
Former Director Gil Orrantia announced his retirement in a letter to Governor Ducey on March 2, 2021 and officially

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003144
ARZN_REV00069004_4-6-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

retired on April 2. He was appointed to Director by Governor Jan Brewer in 2009 and was endorsed by Governor Ducey when he took office. Under his leadership, the Department distributed and administered more than $130 million in grants to Arizona state, local, county, tribal and municipal first responders during Governor Ducey's Administration.

Governor Ducey Signs Legislation Extending Prison Transition Program

PHOENIX — Governor Doug Ducey signed legislation to extend Arizona's Prison Transition Program and continue offering help to those who have served time, expanding on his administration's commitment to public safety and responsible criminal justice reform.

"The Prison Transition Program is smart, proven and effective public policy," said Governor Ducey. "I'm thrilled to see it extended so Arizona can help more inmates and continue to take a responsible approach to criminal justice reform. My thanks to the Department of Corrections, Rehabilitation and Reentry for leading the Prison Transition Program, and to Senator Nancy Barto for sponsoring the legislation to keep the program going."

Senate Bill 1067 extends the Arizona Department of Corrections, Rehabilitation and Reentry's Prison Transition Program until July 1, 2030 and expands eligibility criteria for those serving time. The program, which has resulted in strong reductions in recidivism, provides eligible inmates with transition services in the community for up to 90 days by partnering with private or nonprofit providers.

Senator Barto, who represents Legislative District 15, said that the benefits of the program will extend to all Arizonans.

"Supporting inmates as they transition back to society enhances public safety and cuts down on recidivism," said Senator Barto. "Senate Bill 1067 ensures the life-changing Prison Transition Program stays in place and expands inmate eligibility, which helps more people who served their time. My sincere thanks to Governor Ducey for signing a bill that will protect our communities and change lives."

The extension of the Prison Transition Program builds on Arizona's work to reduce recidivism and help those who served time build better lives. Governor Ducey on March 9 signed legislation to prevent wildfires by allowing for additional partnerships to reduce the risk of wildfires on federal lands neighboring communities. The legislation aligns with the Arizona Healthy Forest Initiative, which builds on proven methods to protect communities while engaging individuals in state correctional facilities to equip them with new skills.

In addition, Governor Ducey on March 24 signed three bills as part of responsible criminal justice policy in the state, ensuring Arizona continues to focus on public safety, while taking a responsible approach to sentencing reform and expanding opportunities for offenders after serving their time.

Media Advisory: Protect INVESTinED Press Conference

PHOENIX – April 6, 2021 – Education advocates hold press conference and demonstration to protect the Invest in Education Act and the devastating consequences Senate Bill 1783 would have on our public schools.

- **When**: Wednesday, April 7, 2021, at 4PM
- **Where**: Arizona House of Representatives Lawn, Arizona Capitol, 1700 W. Washington St., Phoenix, AZ 85007
- **Who**: Arizona Education Association President Joe Thomas, Arizona Educators United leader Kelly Fisher, and Save Our Schools Arizona leader Raquel Mamani.

New Report on Diversity in Arizona Judiciary: Women and people of color severely underrepresented

The new report from the Arizona Advocacy Foundation comes as our state and nation reckons with the reality of racism, particularly in our legal system.

PHOENIX – Today, the Arizona Advocacy Foundation is releasing a brand-new report, "Arizona Court Diversity," which examines the racial and gender demographics of Arizona's judiciary.

At a time when our state and our nation is reckoning with the reality of racism, particularly in our legal system, our report finds that people of color—and women of color, especially—are severely underrepresented as judges in Arizona's state court system.

The report finds that:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- There are zero Black, Native American, or Asian/Pacific Islander judges on the Arizona Appellate Court.
- While Latinx people are 30% of the Arizona population, they make up only 7% of the state's judges.
- Only 14 of 179 Superior Court judges are Black, Indigenous, or other People of Color (BIPOC). 165 of 179 of the Superior Court's judges are white.
- Only six Black judges serve in the entire Arizona court system, which is composed of 288 judges.
- Arizona's judges are 91% white and 66% male, a vast over-representation compared to the statewide population.

Joel Edman, Executive Director of the Arizona Advocacy Foundation, said, "As our nation reckons with the reality of racism, particularly in our legal system, the impartiality and fairness of the courts has never been more important to the health of our democracy. But with courts that egregiously fail to represent the public they serve, the legitimacy of Arizona's court system is threatened."

The full report is attached to this email and can also be found here.

"QUOTE OF THE DAY"

"The big question should not be 'Am I biased,' but 'Will this audit be transparent, truthful and accurate.'"

- ***Doug Logan, CEO of Cyber Ninjas***

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Thursday, April 8, 2021 7:15:38 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-8-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet April 8, 2021

KEN BENNETT, EVER THE REALIST
As the Senate's unpaid audit liaison, former Secretary of State Ken Bennett says he's trying to bring Democrats and independents into the process, but is having a tough time.

KEN IS JUST WAITING FOR SOMEONE TO KNOCK AND TALK
Bennett said he hadn't seen the letter from Democratic lawyers warning that the Cyber Ninja's plans for door-to-door canvassing may violate state and federal laws and could result in illegal voter intimidation, but he wasn't too worried about it.

A COLLECTIVE SIGH IS APPROPRIATE
Senate Republicans held a heated closed caucus meeting yesterday to receive a budget update from Gowan that ended with Shope storming out over Gowan

AMERICAN OVERSIGHT

blocking his gaming legislation and Fann pulling the bill out of Gowan's committee today.

MEANWHILE IN THE HOUSE
House Republicans have begun courting senators for a tax proposal that seeks to flatten the income tax, reduce commercial property taxes and fund Prop 208 differently than voters intended.

A PREVIEW OF THE SPI 2022 RACE?
Among Udall's digs at K Hoffman this week for the Dept of Education's handling federal Covid funding was that Hoffman retained the maximum allowed, about $7 million, to administer the grants.

THE SENATE STARTED IT, THE SENATE OWNS IT
Ducey really doesn't want to talk about the Senate's audit or the potential hit to the state over the election bills Republican lawmakers are pushing, as he made clear in a gaggle with reporters today following his appointment of Kerry Muehlenbeck to lead the Department of Emergency and Military Affairs.

THE HONORABLE VICE PRESIDENT IS THE WORST
Ducey was happy to answer questions about the border, though – a topic which has offered a reset for his battered image following his handling of the pandemic, and has given him a national platform as rumors swirl about his future ambitions.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, April 08, 2021

NEWS NOTES AND GOSSIP

KEN BENNETT, EVER THE REALIST

As the Senate's unpaid audit liaison, former Secretary of State Ken Bennett says he's trying to bring Democrats and independents into the process, but is having a tough time. Bennett told our reporter the AZ Democratic Party formally rejected his two requests for a Democratic co-liaison, saying they didn't want to add any legitimacy to the audit. He'll reach out again to Dems for volunteers and observers, he said, but if the response is the same, "I guess I'll be disappointed a second time." If that's the case, he plans to look to the public, noting that since he runs in GOP circles, he has spoken with lots of Republicans interested in volunteering but aside from formal channels, hasn't had much opportunity to engage others. Bennett also recently met with Maricopa County Recorder Stephen Richer, but said that Richer reminded him that Elections Department is separate from the Recorder's Office. "We had a nice meeting, but the gist of that was that we're going to need to deal with the elections department and the Board of Supervisors," he said. Bennett told *AZ Mirror*'s Jeremy Duda yesterday that he thought the audit would take place at Veterans Memorial Coliseum (LINK), though he walked that back a bit with our reporter, saying it's on a list of options. "I kind of got in hot water with the Senate yesterday because I confirmed with Jeremy that the coliseum was an option, but that hasn't been finalized and I shouldn't have probably announced that until it was," Bennett said. Wherever auditors make their home, he hopes to move in and start training volunteers by the week after next. Finding a location isn't the only logistical problem he has to work out – the space will also need security. "We've got offers from some people in the private sector to help with that, either by just covering that financially or in-kind services," he said. Bennett was also skeptical that the overall cost of the audit could be kept to $150,000. "I have to think that it's going to probably be more than $150,000 but they've agreed to charge the Senate $150,000," he said.

KEN IS JUST WAITING FOR SOMEONE TO KNOCK AND TALK

Bennett said he hadn't seen the letter from Democratic lawyers warning that the Cyber Ninja's plans for door-to-door canvassing may violate state and federal laws and could result in illegal voter intimidation (YS, 4/6), but he wasn't too worried about it. "People show up to my door for lots of things," he said. "Sometimes they get a polite decline, sometimes I'm interested and I'll answer some questions, and sometimes they end up inside at my kitchen table with a glass of water." He said he wasn't sure to what extent the contractors had already done door-to-door canvassing or what they had planned, but said he'd be asking and making sure that it was "done in a respectful and non-offensive way." He added that he's not an attorney, but that he didn't think going door-to-door and asking questions or sharing information was illegal. "My interest will be making sure that whatever the contractor does, does not involve any type of voter intimidation, but I don't think somebody knocking on somebody's door is automatically intimidation," he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003149

ARZN_REV00069022_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A COLLECTIVE SIGH IS APPROPRIATE

Senate Republicans held a heated closed caucus meeting yesterday to receive a budget update from Gowan that ended with Shope storming out over Gowan blocking his gaming legislation and Fann pulling the bill out of Gowan's committee today. (Shope told our reporter today that he didn't storm out, exactly. "We were at an impasse and I decided to leave," he said.) Another Republican source in the room told our reporter senators pushed for the meeting out of frustration that House members are getting regular briefings on the budget and potential tax package, but rank-and-file senators have remained largely in the dark. There was one brief update about budget negotiations in a closed caucus a few weeks ago and small group meetings in January, but otherwise rank-and-file senators don't know what's going on. "There's a lot of questions about where we're at. It's day 80-something, approaching 90," the source said. Gowan ran the meeting, since it was explicitly to talk about the budget, and Senators arrived heated about how far ahead representatives are on budgeting. "You could just walk in the room and feel the tension," the second Republican said. But Gowan didn't offer much in the way of excuses or explanations, or even an update. "Does he ever say anything?" the source said. "It was just varying degrees of, 'We're where we were back in January so there's been no need to update anyone.'" The source said it wasn't one group of lawmakers who were fed up. "The Senate members feel like, 'Wait a minute, why do the House members know more than me about the budget?'" the Republican said. "Everybody had their complaints." During the meeting, a senator – our source couldn't remember who – accused Gowan of trying to hold hostage the gaming legislation in exchange for the *per diem* bill (YS, 4/7), and he didn't deny it. "Not at all. Actually, he was more defiant about it than anything," the Republican said, adding there was almost a collective sigh in the room. (Shope's S1797 (fantasy sports betting; wagering) already went through Commerce, so it can go to Rules as early as Monday and could go through caucus and COW early next week.)

MEANWHILE IN THE HOUSE

House Republicans have begun courting senators for a tax proposal that seeks to flatten the income tax, reduce commercial property taxes and fund Prop 208 differently than voters intended. The proposal would cut taxes by at least $1 billion over three years. Toma, who unveiled details of the plan at the *Capitol Times'* Morning Scoop today, said the proposal would phase in a flat 2.5 percent income tax over the next three years and decrease the commercial property assessment ratio from 18 percent to 17 percent. It would also set an effective 4.5 percent income tax rate cap, incorporating an idea from S1783 (small businesses; alternate income tax), which critics say is meant to counteract Prop 208's tax increase. (S1783 proposes to give Arizonans the option to file a regular individual income tax or a new business income tax levied at a flat rate of 4.5 percent. Toma said if the courts uphold Prop 208, it would still be fully funded under his proposal, but that the money would come from a mix of taxes and the General Fund. Bowie, who was also on the *Morning Scoop* panel, said the House plan doesn't have enough votes to pass in the Senate yet. "I know from conversations with my Republican colleagues here in the Senate that it does not have 16 votes," Bowie said.

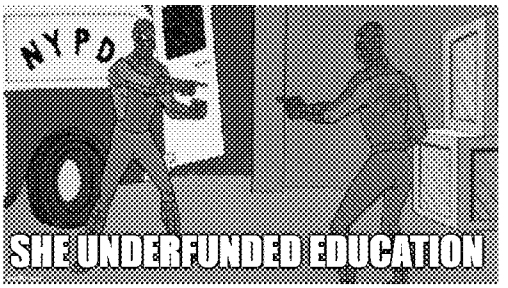
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003150

ARZN_REV00069022_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A PREVIEW OF THE SPI 2022 RACE?



Among Udall's digs at K Hoffman this week for the Dept of Education's handling federal Covid funding was that Hoffman retained the maximum allowed, about $7 million, to administer the grants. But the Dept of Education said although it could, it has no immediate plans to spend administrative funds tied to Covid relief on anything other than for what the money is originally intended, as each of the grants will be administered over multiple years. "It would not be prudent to use that money in a different way right now," ADE spokesman Richie Taylor told our reporter, adding that, as the grant process continues, that could change. ADE received roughly $7 million in administrative funds, along with $135 million in discretionary funds under ESSER I and II. Arizona received $227.4 million in ESSER I funding, and an additional $1.1 billion from ESSER II. Udall earlier criticized the agency for not using the administrative dollars to prop up schools' budget, noting schools face layoffs because of budget shortfalls and Hoffman has cash on hand that she could spend to help schools rather than for her own office to administer the funds. However, Taylor noted that the percentage allocated for administrative costs is lower than some other federal grants. Title IA, for example, allots 1 percent for administrative costs. Race to the Top under Obama allowed for up to 5 percent. For all three of the Covid relief packages, ADE may use only 0.5 percent for administrative costs. That comes out to $1.4 million for the first round of funding, and $5.7 million for the second one. "From what we've heard, most if not all states, are reserving their full amounts for admin, as these are multi-year grants worth billions of dollars, and there's a lot of reporting and monitoring and support provided to schools over the years of these grants," Taylor said. "That's what those funds were intended for."

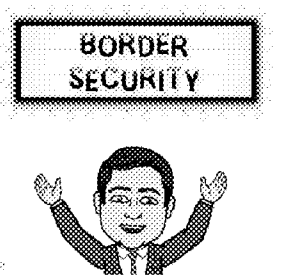
THE SENATE STARTED IT, THE SENATE OWNS IT

Ducey really doesn't want to talk about the Senate's audit or the potential hit to the state over the election bills Republican lawmakers are pushing, as he made clear in a gaggle with reporters today following his appointment of Kerry Muehlenbeck to lead the Department of Emergency and Military Affairs, the first woman to serve in the role. When reporters pressed him on the audit, Ducey repeatedly said he would defer all questions to the Senate and Fann. He would not answer questions about Cyber Ninjas leading the audit or many questionable provisions in the contract or even if he thinks the audit will be fair. "I will leave that to President Fann," he said. "Let's see what the report says, and how it's presented." When pressed further if he thinks the audit is necessary (given he has been one of the most vocal supporters of Arizona's election process) he once again deferred to the Senate. "The Senate is a co-equal branch of government, and they've made a decision. They can pursue it," he said. Ducey also would not answer whether he thinks the audit is based on a lie that the election was stolen from Trump. When reporters asked about Greater Phoenix Leadership collecting signatures from business leaders – including Ducey ally Michael Bidwill, the owner of the Arizona Cardinals – opposing some of the controversial election bills making their way through the Legislature, he dodged again. "There are always bills in the legislature that cause people concern," Ducey said. The Super Bowl will be back in Arizona in 2023, and some are concerned that if Ducey signs some of the bills that would make it harder for people to vote, the NFL could pull out of the state again - as happened over the Martin Luther King Jr Day fiasco of the early 1990s (LINK). Pressed on Major League Baseball's decision to move the All-Star game out of Georgia over Gov Brian Kemp signing an election law that would make it more difficult to vote – especially by mail – Ducey said he thought the MLB, not the governor, made a mistake. "I'd like to keep politics out of baseball," he said. He refused to answer any "hypothetical" questions about whether he would have signed that law had it come to his desk or if there are any election bills at the Legislature that he thinks are bad policy. "I think there's something like 1,600 or 1,700 bills that have dropped," he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003151
ARZN_REV00069022_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE HONORABLE VICE PRESIDENT IS THE WORST



Ducey was happy to answer questions about the border, though – a topic which has offered a reset for his battered image following his handling of the pandemic, and has given him a national platform as rumors swirl about his future ambitions. After again slamming the Biden administration over its handling of the border, Ducey said he would be willing to use state money to send the National Guard down there if the federal government doesn't act. "We're going to use every tool, authority and resource that we have to be successful on the southern border. We need to work in partnership with the federal government, but Arizona is going to act regardless," he said. He also took another shot at VP Kamala Harris, but ever since flubbing her first name, (YS, 3/25) he has avoided using it. "Vice President Harris has equated ICE to the KKK so I don't have a lot of faith in the seriousness that they're taking of the situation at the border," he told reporters.

WAKE UP CALL

Sweeping abortion legislation voted down in Senate

Arizona Capitol Times

A Republican senator who has developed a reputation for carefully parsing bills dealt a blow to Arizona's anti-abortion lobby when he voted against what would have been the most far-reaching abortion legislation passed in Arizona in years.

Ducey gets proposed ban on private funds for elections

Capitol Media Services

Republican legislators voted April 7 to block counties from applying for private grants to make up for shortfalls in what they say they need to properly run elections.

Failing to pay traffic fines won't result in license suspension under new Arizona law

Capitol Media Services

Gov. Doug Ducey on Wednesday signed legislation that eliminates the requirement for judges to suspend or restrict someone's license to drive solely because they did not pay a civil penalty, fee or assessment for a citation.

Navajo Nation finalizes solar plant leases on tribal land

Arizona Daily Sun

The Navajo Nation is moving forward with two more solar plants on the reservation that are expected to generate millions of dollars.

Demand for vaccines slows as Arizona surpasses 17,000 deaths

Associated Press

Arizona health officials say they are seeing demand for COVID-19 vaccinations slowing, particularly at large sites.

Gov. Ducey signs Second Amendment sanctuary legislation into law

Today's News-Herald

Arizona officially became the latest state to enact "Second Amendment sanctuary" laws just as President Joe Biden is set to unveil his first major gun control measures since taking office.

Stricter sentencing for sex crimes OK'd, onto Gov. Ducey's desk

Today's News-Herald

The Arizona Legislature signed off on more strict sentencing requirements for a variety of child sex crimes on Wednesday, sending the bill to Gov. Doug Ducey's desk for final approval.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003152

ARZN_REV00069022_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

City Officials Want to Give Phoenix Cops Bonuses With COVID-19 Relief Money
Phoenix New Times
Phoenix city officials want to use the latest round of federal COVID-19 relief money to give Phoenix police officers bonuses, a move that critics say is a slap in the face to other workers and businesses that need help during the pandemic.

Arizona's Migrant Graveyard: Searching for Bodies and Bones in the Borderlands
Phoenix New Times
It only took about an hour of hiking through Growler Valley before a member of Battalion Search and Rescue spotted some bones.

Ducey disses V.P., mangles her name in embarrassing show of disrespect
Arizona Mirror (Opinion, Julie Erfle)
In our hyper-partisan world, we've become accustomed to the biting criticisms lobbed at opponents from both sides of the aisle.

Is Arizona the next Georgia? Or are we already?
Arizona Republic (Opinion, EJ Montini)
Sports and politics can make an ugly mix. It's happening in Georgia now. It happened in Arizona 30 years ago. Have we learned a lesson?

Break a window, get a felony – but only if you're at a protest? That makes no sense
Arizona Republic (Opinion, Abe Kwok)
Turning crimes that are largely misdemeanors into felonies just because they occurred at protests seems more retribution than justice or deterrence.

There are 2 bills to raise unemployment benefits, but 1 caters to special interests
Arizona Republic (Op-ed, David Cook and Randall Friese)
Don't be fooled: House Bill 2805 is a bipartisan effort to raise and extend Arizona's woefully low unemployment benefits. Senate Bill 1411 is not.

PRESS RELEASES

Commission on Minorities Renamed Commission on Diversity, Equity, and Justice

PHOENIX – On April 1, 2021, the Arizona Judicial Council approved moving forward with changing the name of the Arizona Supreme Court's longstanding "Commission on Minorities in the Judiciary" to the "Commission on Diversity, Equity, and Justice in the Judiciary." The name and purpose changes will be reflected in the Arizona Code of Judicial Administration, section 1-107. While the process for updating the website, logo, and other materials has begun, the name change takes effect once authorized by the Court in an Administrative Order adopting the revised Code section.

The Commission on Minorities in the Judiciary (Commission) was established as a standing committee of the Arizona Judicial Council (AJC) more than 30 years ago in 1990. For the past 30 years, the Commission advised and assisted the AJC in carrying out its concerns for the status of minorities in the judicial department and in Arizona's legal community. At the time the Commission was established, "minorities" was the term used to describe people and communities of color and others not part of the dominant majority group. Words and their meaning evolve, and while the word "minority" is relevant in statistical and other discussions, the Commission's name change is intended to reflect updated terminology and purpose.

In November 2020, Commission members voted unanimously to recommend the name and purpose changes. The new name, the Commission on Diversity, Equity, and Justice in the Judiciary, reflects the goals of the Commission and is aligned with other similar state court commissions ranging from Washington to Florida to Massachusetts and beyond. The updated purpose directives more accurately reflect the goals and policies the Commission will advance with its judicial branch partners and other stakeholders in Arizona's justice system. These efforts include improving justice,

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

eliminating bias from court operations, promoting equal access to courts, and inspiring higher levels of public trust and confidence. The Commission strives to identify and to eliminate the occurrences and effects of racial, ethnic, and cultural bias in Arizona's state court system.

Phoenix Municipal Court Judge and Commission Chair, Frankie Jones stated, "I am greatly pleased that after receiving the unanimous support of seven other standing Supreme Court committees, the Arizona Judicial Council voted unanimously to change the name of the Commission on Minorities to the Commission on Diversity, Equity, and Justice in the Judiciary. Our Commission began this process in January, and we studied 25 other state court commissions and committees. We chose 'Diversity, Equity, and Justice' because that is what we are striving for and it meets our updated purpose directives. Diversity represents inclusion and equity is treating people differently depending on need. The ultimate goal is to have justice for everyone. The Commission began its work over 30 years ago and we will continue this important work."

For more information about the Commission on Diversity, Equity, and Justice, including public meeting information and resources, go to https://www.azcourts.gov/cscommittees/CommissiononMinorities.aspx. The Commission's website with the updated name change and directives will be published soon.

Governor Ducey Appoints Brigadier General Kerry L. Muehlenbeck To Arizona's Adjutant General And Director Of The Arizona Department Of Emergency And Military Affairs

Muehlenbeck Will Be The First Woman In Arizona History To Hold This Position

PHOENIX — Governor Doug Ducey today announced the appointment of Brigadier General Kerry L. Muehlenbeck to Arizona's Adjutant General and Director of the Arizona Department of Emergency and Military Affairs.

General Muehlenbeck succeeds Major General Michael T. McGuire, who announced his retirement on March 5, 2021. McGuire served as Director of the Arizona Department of Emergency and Military Affairs and Adjutant General since 2013, and will officially retire on April 10, 2021.

"I'm eager to announce the appointment of Brigadier General Kerry Muehlenbeck as Arizona's newest Adjutant General and Director of the Arizona Department of Emergency and Military Affairs," said Governor Ducey. "General Muehlenbeck's impressive military experience and continued leadership are amplified by her legal and teaching background. She joined the Arizona Air National Guard in 1997 and served in many roles until she became Arizona's Deputy Adjutant General in 2018. I look forward to working with General Muehlenbeck on protecting Arizonans, supporting our communities, and tackling the challenges ahead."

"General McGuire has served Arizona and our nation honorably," the Governor continued. "I'm especially grateful for his support this past year as we've navigated through the COVID-19 pandemic. He and his team have been instrumental in providing support to our communities and our border, and I am grateful for his leadership."

General Muehlenbeck served as the Deputy Adjutant General and the Director of Administrative Services. She was responsible for oversight of: the United States Property and Fiscal Office (USPFO); the State Risk Management Office; State Purchasing and Contracting; the State and Federal Human Resource Offices; the Public Affairs Office; the Office of the Inspector General; the General Counsel, the Tribal Liaison; the Legislative Liaison; the Sexual Assault Response Coordinator; the State Equal Employment Manager; and the Ordnance and Industrial operations within the Arizona Department of Emergency and Military Affairs. She also served as the Adjutant General's delegate.

"I'm proud to have the opportunity to serve our great state as Adjutant General and Director of the Arizona Department of Emergency and Military Affairs," said General Muehlenbeck. "Having served and taught for years, I look forward to leading Arizona DEMA and the Arizona National Guard to help protect and support Arizona communities. It is an honor to succeed General McGuire after his years of admirable service, and I'm grateful to Governor Ducey for this tremendous opportunity."

General Muehlenbeck received her commission by direct appointment in 1993. She remained on active duty for four years where she served as an Assistant Staff Judge Advocate at Davis-Monthan Air Force Base, Arizona until her separation in 1997. General Muehlenbeck then joined the Arizona Air National Guard from 1997 to 2019 and served as both a wing-level and headquarters staff judge advocate.

In addition, she held various national level judge advocate billets, including: Director of the Contemporary Base Issues Course; State Headquarters Liaison to The Judge Advocate General's Air National Guard Council; and Air National Guard Assistant to the Command Staff Judge Advocate, Pacific Air Forces. She has contributed articles for the Air National Guard Commander's Legal Deskbook and lectured at various Air Force and Air National Guard courses.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Command is a unique privilege that I've been humbled and honored to have for the past seven and a half years serving shoulder to shoulder with the greatest soldiers and airmen in the state and nation who truly exemplify our motto 'always ready, always there,'" said General McGuire.
General Muehlenbeck is currently a professor at Mesa Community College's Administration of Justice Studies Department, where she also serves as Department Chair. She taught at Arizona State University between 2002 and 2014, specializing in crime, criminology, justice and social inquiry. General Muehlenbeck was also an adjunct professor for the Criminal Justice Department at American Military University in West Virginia from 2009 to 2013 and for Embry-Riddle Aeronautical University from 1995 to 2001.
Prior to teaching, General Muehlenbeck served as deputy county attorney at the Pima County Attorney's Office from 1998 to 2001. In this role, she prosecuted felony offenders in superior court. She also served as an assistant prosecuting attorney for the Saginaw County Prosecutor's Office from 1992 to 1993 and Assistant Staff Judge Advocate at the Davis-Monthan Air Force Base from 1993 to 1997.
General Muehlenbeck earned a B.S. in Education and Social Policy from Northwestern University, a J.D. from Indiana School of Law, a Master of Laws in Criminal Law from the University of San Diego School of Law, and a Ph.D. in Justice Studies from Arizona State University. Her military education includes Squadron Officer School, Air Command and Staff College, and Air War College.
Governor Ducey and General McGuire welcomed General Muehlenbeck to her new role during an event at the State Capitol this morning

CAA Names David Lujan President and CEO

[PHOENIX, AZ] Children's Action Alliance's board of directors announced David Lujan as President and CEO of Children's Action Alliance last week. In a statement, Board Chair, Brint Milward, said, "The board is very pleased that CAA will be in the capable hands of David Lujan, who over the past five years, has done a wonderful job as director of the AZ Center for Economic Progress."
Since January, David has led CAA through the development of a new three-year strategic plan, and a theory of change that focuses on equity as the foundation on which CAA will help build an Arizona where all children and families thrive. David joined CAA in 2016, as the inaugural director of The Arizona Center for Economic Progress to advance policies that create fairer tax codes that raise the revenue needed for an economy that puts people first, builds thriving communities, and better economic opportunities for all Arizonans. Before joining CAA, David has worked in public policy in Arizona for over 20 years in several roles including a former member of the state Senate and House of Representatives, as an attorney for a nonprofit assisting abused and neglected children, and as an assistant attorney general advising the School Facilities Board.
Most recently, David has been an outspoken proponent for Proposition 208. His influence to mobilize coalitions, and his ability to increase awareness through the media urged voters to support the proposition which will now bring hundreds of millions of new dollars in K-12 public education funding to address Arizona's teacher shortage, reduce class sizes, hire more aides and counselors, and expand career and technical education.
CAA also announced Kelley Murphy as Vice President of Policy. Kelley has been with CAA for seven years as the director of early childhood policy. She has championed for a strong state response to keep Arizona's child care system intact in the face of the COVID crisis. Kelley will work with David and the policy directors to advance a bold agenda for children and families during legislative sessions.
In the coming months, CAA will look to fill the open positions of director for the AZ Center and the early childhood education policy director for CAA.

NDRC to Host Call with Eric Holder, State Legislators on Anti-Voter Bills

Washington, D.C. – Eric H. Holder, Jr., the 82nd Attorney General of the United States and chairman of the National Democratic Redistricting Committee, will participate in a press briefing to discuss the threat posed by the recent wave of voter suppression bills and gerrymandering on Friday, April 9 at 1 p.m.
Attorney General Holder will be joined by elected officials from three states where Republicans are pushing anti-voter bills, including North Carolina State Senate Democratic Leader Dan Blue, Arizona State House Minority Leader Reginald Bolding, and Texas State Representative Jessica González. Holder will describe how this wave of anti-voter bills moving in the states makes it even more critical that Congress act to protect the freedom to vote by passing the For the People Act and John Lewis Voting Rights Advancement Act.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Who:
Eric H. Holder, Jr., the 82nd Attorney General of the United States
North Carolina State Senate Democratic Leader Dan Blue (SD-14)
Arizona State House Minority Leader Reginald Bolding (HD-27)
Texas State Representative Jessica González (HD-104)
What: Press Call to Discuss Anti-Voter Bills
When: Friday, April 9 at 1 p.m. ET
RSVP: Link to register
For any questions, please contact Molly Mitchell at mitchell@democraticredistricting.com

Education Advocates Gather at Capitol to Protect INVESTinED

PHOENIX – April 7, 2021 – The Arizona Education Association, Arizona Educators United, and Save Our Schools Arizona held a press conference at the Arizona Capitol to protect the Invest in Education Act and urge lawmakers to oppose Senate Bill (SB) 1783, which would cut up to $378 million from public schools.
"Our students and educators have dealt with decades of neglect and underfunding from the State, which is why we took the issue of education funding to the people for a vote," said AEA President Joe Thomas. "Passing the Invest in Education Act in 2020 was the culmination of years of organizing efforts. Despite the need for school funding and the support of voters, those in power are still trying to stop these funds through lawsuits and legislation. We will continue to fight because we know our students are worth the effort."
SB1783 is a direct attack on teachers and the Invest in Education Act. This bill creates a tax evasion scheme for greedy millionaires to take $378 million from public schools. Voters approved the Invest in Education Act because they believe in our students and educators and SB1783 undermines the will of the voters by cutting these education funds.
"Despite the continued chipping away at our funding," said Arizona Educators United leader and kindergarten teacher Kelley Fisher, "Teachers and support staff alike are going above and beyond to provide a quality education for public school students across Arizona. It has gotten to the point where some of our colleagues cannot stay in the profession any longer. The underfunding, lack of respect, absence of support, and increased pressures are causing good teachers to say goodbye to public education. We need to protect public education now; our students deserve it."
"Returning to school in person to see all of my students felt like seeing a light in the darkness of a pandemic," said Esmeralda Sandoval, a Special Education paraprofessional the Isaac school district. "But coming back also presented challenges. My school is limited in space and we couldn't fit three educators meet the needs of our special education student or properly follow social distancing rules. Our schools are desperate for funding to maintain our students' learning environment. SB1783 is an attempt to rob us of what we asked our friends and neighbors when they signed our petition to put INVESTinED on the ballot. Arizona voters democratically chose to stand with us by voting yes on the Invest in Education Act and those of us here today will continue to stand together to protect INVESTinED."
"I was born and raised in Nogales, Arizona," said Save Our Schools Arizona Board Member Raquel Mamani, "I'm a proud product of public education. Nogales is a perfect example of how funding cuts like SB1783 and vouchers hurt our rural communities the most. I started coming to the legislature in 2017 as a mom and an educator. I wanted to figure out why our school had to continually sell cookie dough, wrapping paper, butter braids and countless other items to pay for an endless list of needs like crossing guards, lunchroom monitors, and basic supplies for teachers. What I learned has kept me coming back to this day."
Schools are the backbone of our communities. We can end the state's teacher shortage. We can provide the great public schools our students deserve. We can secure the future of our state with an educated workforce that will attract employers and better paying jobs. When schools thrive, we all benefit. We call on our leaders to follow the will of the voters, invest in education, and prioritize the hard-working families of Arizona over the wealthy special interests.
JLBC FISCAL NOTE ON SB1783: https://www.azleg.gov/legtext/55leg/1R/fiscal/SB1783R.DOCX.pdf
Watch via Facebook Live on AEA's Facebook Page:
https://www.facebook.com/ArizonaEducationAssociation/videos/4521796691170390/

Kelly, Sinema Announce $1 Million in Grants for State Veterans Homes in Tucson, Phoenix

Today, Arizona Senators Mark Kelly and Kyrsten Sinema announced that State Veterans Homes in Tucson and Phoenix will together receive over $1 million in grants from The Department of Veterans Affairs. The grants are

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003156
ARZN_REV00069022_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

provided from funding passed as part of the bipartisan December COVID-19 relief bill backed by Kelly and Sinema. The grants will support State Veterans Homes' on-going work to care for and support residents during the COVID-19 pandemic.

"Veterans and their families have endured so much in the past year of this COVID-19 pandemic. State Veterans Homes care for many of Arizona's most vulnerable veterans, and these grants will help ensure that they have the resources to deliver the care and support Arizona veterans have earned," said Senator Mark Kelly.

"Arizona veterans served and sacrificed to keep our country safe. Today's funding for State Veterans Homes in Arizona helps ensure veterans have access to the care and support they have earned," said Senator Kyrsten Sinema, a member of the Senate Veterans' Affairs Committee.

The grants will support State Veterans Homes' on-going work to provide residents with high quality care and services during the COVID-19 pandemic. Arizona is home to two State Veterans Homes, one in Phoenix and one in Tucson, that are skilled nursing facilities caring for Arizona veterans.

Rep. Biggs Introduces No Vaccine Passport Act

Today, Congressman Biggs introduced the *No Vaccine Passport Act* to prevent federal agencies from issuing any standardized documentation that could be used to certify a U.S. citizen's COVID-19 status to a third party, such as a restaurant or an airline. Additionally, this bill prohibits proof of COVID-19 vaccination from being a requirement for access to federal or congressional property and services.

"I am profoundly disturbed that the Biden Administration would even consider imposing vaccine passports on the American people. My private healthcare decisions—and yours—are nobody else's business. Vaccine passports will not help our nation recover from COVID-19; instead, they will simply impose more Big Brother surveillance on our society.

I especially applaud Florida Governor Ron DeSantis for being an early leader against vaccine passports at the state level. My No Vaccine Passports Act builds on his efforts and will further protect Americans' privacy rights and fundamental freedoms." – **Congressman Andy Biggs**

The bill has 18 original cosponsors: Rep. Jeff Duncan (SC-03), Rep. Greg Steube (FL-17), Rep. Warren Davidson (OH-08), Rep. Ben Cline (VA-06), Rep. Yvette Herrell (NM-02), Rep. Andy Harris (MD-01), Rep. Louie Gohmert (TX-01), Rep. Russ Fulcher (ID-01), Rep. Chip Roy (TX-21), Rep. Mary Miller (IL-15), Rep. Bill Posey (FL-08), Rep. Ralph Norman (SC-05), Rep. Madison Cawthorn (NC-11), Rep. Marjorie Taylor Greene (GA-14), Rep. Ted Budd (NC-13), Rep. Randy Weber (TX-14), Rep. Scott Perry (PA-04), and Jody Hice (GA-10).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003157

ARZN_REV00069022_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Sometimes they end up inside at my kitchen table with a glass of water."

- Ken Bennett, liaison to the Senate's audit, which plans to send teams to voters' doors, on how he treats people who knock on his door

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003158

ARZN_REV00069022_4-8-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, April 8, 2021 7:15:39 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-8-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet April 8, 2021

KEN BENNETT, EVER THE REALIST
As the Senate's unpaid audit liaison, former Secretary of State Ken Bennett says he's trying to bring Democrats and independents into the process, but is having a tough time.

KEN IS JUST WAITING FOR SOMEONE TO KNOCK AND TALK
Bennett said he hadn't seen the letter from Democratic lawyers warning that the Cyber Ninja's plans for door-to-door canvassing may violate state and federal laws and could result in illegal voter intimidation, but he wasn't too worried about it.

A COLLECTIVE SIGH IS APPROPRIATE

AMERICAN OVERSIGHT

Senate Republicans held a heated closed caucus meeting yesterday to receive a budget update from Gowan that ended with Shope storming out over Gowan blocking his gaming legislation and Fann pulling the bill out of Gowan's committee today.

MEANWHILE IN THE HOUSE
House Republicans have begun courting senators for a tax proposal that seeks to flatten the income tax, reduce commercial property taxes and fund Prop 208 differently than voters intended.

A PREVIEW OF THE SPI 2022 RACE?
Among Udall's digs at K Hoffman this week for the Dept of Education's handling federal Covid funding was that Hoffman retained the maximum allowed, about $7 million, to administer the grants.

THE SENATE STARTED IT, THE SENATE OWNS IT
Ducey really doesn't want to talk about the Senate's audit or the potential hit to the state over the election bills Republican lawmakers are pushing, as he made clear in a gaggle with reporters today following his appointment of Kerry Muehlenbeck to lead the Department of Emergency and Military Affairs.

THE HONORABLE VICE PRESIDENT IS THE WORST
Ducey was happy to answer questions about the border, though – a topic which has offered a reset for his battered image following his handling of the pandemic, and has given him a national platform as rumors swirl about his future ambitions.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, April 08, 2021

NEWS NOTES AND GOSSIP

KEN BENNETT, EVER THE REALIST

As the Senate's unpaid audit liaison, former Secretary of State Ken Bennett says he's trying to bring Democrats and independents into the process, but is having a tough time. Bennett told our reporter the AZ Democratic Party formally rejected his two requests for a Democratic co-liaison, saying they didn't want to add any legitimacy to the audit. He'll reach out again to Dems for volunteers and observers, he said, but if the response is the same, "I guess I'll be disappointed a second time." If that's the case, he plans to look to the public, noting that since he runs in GOP circles, he has spoken with lots of Republicans interested in volunteering but aside from formal channels, hasn't had much opportunity to engage others. Bennett also recently met with Maricopa County Recorder Stephen Richer, but said that Richer reminded him that Elections Department is separate from the Recorder's Office. "We had a nice meeting, but the gist of that was that we're going to need to deal with the elections department and the Board of Supervisors," he said. Bennett told *AZ Mirror*'s Jeremy Duda yesterday that he thought the audit would take place at Veterans Memorial Coliseum (LINK), though he walked that back a bit with our reporter, saying it's on a list of options. "I kind of got in hot water with the Senate yesterday because I confirmed with Jeremy that the coliseum was an option, but that hasn't been finalized and I shouldn't have probably announced that until it was," Bennett said. Wherever auditors make their home, he hopes to move in and start training volunteers by the week after next. Finding a location isn't the only logistical problem he has to work out – the space will also need security. "We've got offers from some people in the private sector to help with that, either by just covering that financially or in-kind services," he said. Bennett was also skeptical that the overall cost of the audit could be kept to $150,000. "I have to think that it's going to probably be more than $150,000 but they've agreed to charge the Senate $150,000," he said.

KEN IS JUST WAITING FOR SOMEONE TO KNOCK AND TALK

Bennett said he hadn't seen the letter from Democratic lawyers warning that the Cyber Ninja's plans for door-to-door canvassing may violate state and federal laws and could result in illegal voter intimidation (YS, 4/6), but he wasn't too worried about it. "People show up to my door for lots of things," he said. "Sometimes they get a polite decline, sometimes I'm interested and I'll answer some questions, and sometimes they end up inside at my kitchen table with a glass of water." He said he wasn't sure to what extent the contractors had already done door-to-door canvassing or what they had planned, but said he'd be asking and making sure that it was "done in a respectful and non-offensive way." He added that he's not an attorney, but that he didn't think going door-to-door and asking questions or sharing information was illegal. "My interest will be making sure that whatever the contractor does, does not involve any type of voter intimidation, but I don't think somebody knocking on somebody's door is automatically intimidation," he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003161

ARZN_REV00069024_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A COLLECTIVE SIGH IS APPROPRIATE

Senate Republicans held a heated closed caucus meeting yesterday to receive a budget update from Gowan that ended with Shope storming out over Gowan blocking his gaming legislation and Fann pulling the bill out of Gowan's committee today. (Shope told our reporter today that he didn't storm out, exactly. "We were at an impasse and I decided to leave," he said.) Another Republican source in the room told our reporter senators pushed for the meeting out of frustration that House members are getting regular briefings on the budget and potential tax package, but rank-and-file senators have remained largely in the dark. There was one brief update about budget negotiations in a closed caucus a few weeks ago and small group meetings in January, but otherwise rank-and-file senators don't know what's going on. "There's a lot of questions about where we're at. It's day 80-something, approaching 90," the source said. Gowan ran the meeting, since it was explicitly to talk about the budget, and Senators arrived heated about how far ahead representatives are on budgeting. "You could just walk in the room and feel the tension," the second Republican said. But Gowan didn't offer much in the way of excuses or explanations, or even an update. "Does he ever say anything?" the source said. "It was just varying degrees of, 'We're where we were back in January so there's been no need to update anyone.'" The source said it wasn't one group of lawmakers who were fed up. "The Senate members feel like, 'Wait a minute, why do the House members know more than me about the budget?'" the Republican said. "Everybody had their complaints." During the meeting, a senator – our source couldn't remember who – accused Gowan of trying to hold hostage the gaming legislation in exchange for the *per diem* bill (YS, 4/7), and he didn't deny it. "Not at all. Actually, he was more defiant about it than anything," the Republican said, adding there was almost a collective sigh in the room. (Shope's S1797 (fantasy sports betting; wagering) already went through Commerce, so it can go to Rules as early as Monday and could go through caucus and COW early next week.)

MEANWHILE IN THE HOUSE

House Republicans have begun courting senators for a tax proposal that seeks to flatten the income tax, reduce commercial property taxes and fund Prop 208 differently than voters intended. The proposal would cut taxes by at least $1 billion over three years. Toma, who unveiled details of the plan at the *Capitol Times'* Morning Scoop today, said the proposal would phase in a flat 2.5 percent income tax over the next three years and decrease the commercial property assessment ratio from 18 percent to 17 percent. It would also set an effective 4.5 percent income tax rate cap, incorporating an idea from S1783 (small businesses; alternate income tax), which critics say is meant to counteract Prop 208's tax increase. (S1783 proposes to give Arizonans the option to file a regular individual income tax or a new business income tax levied at a flat rate of 4.5 percent. Toma said if the courts uphold Prop 208, it would still be fully funded under his proposal, but that the money would come from a mix of taxes and the General Fund. Bowie, who was also on the *Morning Scoop* panel, said the House plan doesn't have enough votes to pass in the Senate yet. "I know from conversations with my Republican colleagues here in the Senate that it does not have 16 votes," Bowie said.

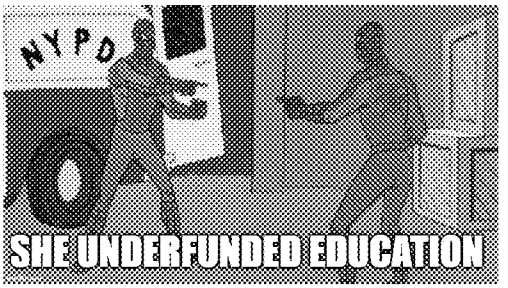
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003162

ARZN_REV00069024_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A PREVIEW OF THE SPI 2022 RACE?



Among Udall's digs at K Hoffman this week for the Dept of Education's handling federal Covid funding was that Hoffman retained the maximum allowed, about $7 million, to administer the grants. But the Dept of Education said although it could, it has no immediate plans to spend administrative funds tied to Covid relief on anything other than for what the money is originally intended, as each of the grants will be administered over multiple years. "It would not be prudent to use that money in a different way right now," ADE spokesman Richie Taylor told our reporter, adding that, as the grant process continues, that could change. ADE received roughly $7 million in administrative funds, along with $135 million in discretionary funds under ESSER I and II. Arizona received $227.4 million in ESSER I funding, and an additional $1.1 billion from ESSER II. Udall earlier criticized the agency for not using the administrative dollars to prop up schools' budget, noting schools face layoffs because of budget shortfalls and Hoffman has cash on hand that she could spend to help schools rather than for her own office to administer the funds. However, Taylor noted that the percentage allocated for administrative costs is lower than some other federal grants. Title IA, for example, allots 1 percent for administrative costs. Race to the Top under Obama allowed for up to 5 percent. For all three of the Covid relief packages, ADE may use only 0.5 percent for administrative costs. That comes out to $1.4 million for the first round of funding, and $5.7 million for the second one. "From what we've heard, most if not all states, are reserving their full amounts for admin, as these are multi-year grants worth billions of dollars, and there's a lot of reporting and monitoring and support provided to schools over the years of these grants," Taylor said. "That's what those funds were intended for."

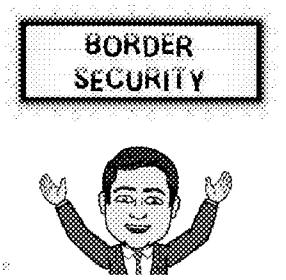
THE SENATE STARTED IT, THE SENATE OWNS IT

Ducey really doesn't want to talk about the Senate's audit or the potential hit to the state over the election bills Republican lawmakers are pushing, as he made clear in a gaggle with reporters today following his appointment of Kerry Muehlenbeck to lead the Department of Emergency and Military Affairs, the first woman to serve in the role. When reporters pressed him on the audit, Ducey repeatedly said he would defer all questions to the Senate and Fann. He would not answer questions about Cyber Ninjas leading the audit or many questionable provisions in the contract or even if he thinks the audit will be fair. "I will leave that to President Fann," he said. "Let's see what the report says, and how it's presented." When pressed further if he thinks the audit is necessary (given he has been one of the most vocal supporters of Arizona's election process) he once again deferred to the Senate. "The Senate is a co-equal branch of government, and they've made a decision. They can pursue it," he said. Ducey also would not answer whether he thinks the audit is based on a lie that the election was stolen from Trump. When reporters asked about Greater Phoenix Leadership collecting signatures from business leaders – including Ducey ally Michael Bidwill, the owner of the Arizona Cardinals – opposing some of the controversial election bills making their way through the Legislature, he dodged again. "There are always bills in the legislature that cause people concern," Ducey said. The Super Bowl will be back in Arizona in 2023, and some are concerned that if Ducey signs some of the bills that would make it harder for people to vote, the NFL could pull out of the state again - as happened over the Martin Luther King Jr Day fiasco of the early 1990s (LINK). Pressed on Major League Baseball's decision to move the All-Star game out of Georgia over Gov Brian Kemp signing an election law that would make it more difficult to vote – especially by mail – Ducey said he thought the MLB, not the governor, made a mistake. "I'd like to keep politics out of baseball," he said. He refused to answer any "hypothetical" questions about whether he would have signed that law had it come to his desk or if there are any election bills at the Legislature that he thinks are bad policy. "I think there's something like 1,600 or 1,700 bills that have dropped," he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003163
ARZN_REV00069024_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE HONORABLE VICE PRESIDENT IS THE WORST



Ducey was happy to answer questions about the border, though – a topic which has offered a reset for his battered image following his handling of the pandemic, and has given him a national platform as rumors swirl about his future ambitions. After again slamming the Biden administration over its handling of the border, Ducey said he would be willing to use state money to send the National Guard down there if the federal government doesn't act. "We're going to use every tool, authority and resource that we have to be successful on the southern border. We need to work in partnership with the federal government, but Arizona is going to act regardless," he said. He also took another shot at VP Kamala Harris, but ever since flubbing her first name, (YS, 3/25) he has avoided using it. "Vice President Harris has equated ICE to the KKK so I don't have a lot of faith in the seriousness that they're taking of the situation at the border," he told reporters.

WAKE UP CALL

Sweeping abortion legislation voted down in Senate

Arizona Capitol Times

A Republican senator who has developed a reputation for carefully parsing bills dealt a blow to Arizona's anti-abortion lobby when he voted against what would have been the most far-reaching abortion legislation passed in Arizona in years.

Ducey gets proposed ban on private funds for elections

Capitol Media Services

Republican legislators voted April 7 to block counties from applying for private grants to make up for shortfalls in what they say they need to properly run elections.

Failing to pay traffic fines won't result in license suspension under new Arizona law

Capitol Media Services

Gov. Doug Ducey on Wednesday signed legislation that eliminates the requirement for judges to suspend or restrict someone's license to drive solely because they did not pay a civil penalty, fee or assessment for a citation.

Navajo Nation finalizes solar plant leases on tribal land

Arizona Daily Sun

The Navajo Nation is moving forward with two more solar plants on the reservation that are expected to generate millions of dollars.

Demand for vaccines slows as Arizona surpasses 17,000 deaths

Associated Press

Arizona health officials say they are seeing demand for COVID-19 vaccinations slowing, particularly at large sites.

Gov. Ducey signs Second Amendment sanctuary legislation into law

Today's News-Herald

Arizona officially became the latest state to enact "Second Amendment sanctuary" laws just as President Joe Biden is set to unveil his first major gun control measures since taking office.

Stricter sentencing for sex crimes OK'd, onto Gov. Ducey's desk

Today's News-Herald

The Arizona Legislature signed off on more strict sentencing requirements for a variety of child sex crimes on Wednesday, sending the bill to Gov. Doug Ducey's desk for final approval.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003164

ARZN_REV00069024_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

City Officials Want to Give Phoenix Cops Bonuses With COVID-19 Relief Money
Phoenix New Times
Phoenix city officials want to use the latest round of federal COVID-19 relief money to give Phoenix police officers bonuses, a move that critics say is a slap in the face to other workers and businesses that need help during the pandemic.

Arizona's Migrant Graveyard: Searching for Bodies and Bones in the Borderlands
Phoenix New Times
It only took about an hour of hiking through Growler Valley before a member of Battalion Search and Rescue spotted some bones.

Ducey disses V.P., mangles her name in embarrassing show of disrespect
Arizona Mirror (Opinion, Julie Erfle)
In our hyper-partisan world, we've become accustomed to the biting criticisms lobbed at opponents from both sides of the aisle.

Is Arizona the next Georgia? Or are we already?
Arizona Republic (Opinion, EJ Montini)
Sports and politics can make an ugly mix. It's happening in Georgia now. It happened in Arizona 30 years ago. Have we learned a lesson?

Break a window, get a felony – but only if you're at a protest? That makes no sense
Arizona Republic (Opinion, Abe Kwok)
Turning crimes that are largely misdemeanors into felonies just because they occurred at protests seems more retribution than justice or deterrence.

There are 2 bills to raise unemployment benefits, but 1 caters to special interests
Arizona Republic (Op-ed, David Cook and Randall Friese)
Don't be fooled: House Bill 2805 is a bipartisan effort to raise and extend Arizona's woefully low unemployment benefits. Senate Bill 1411 is not.

PRESS RELEASES

Commission on Minorities Renamed Commission on Diversity, Equity, and Justice

PHOENIX – On April 1, 2021, the Arizona Judicial Council approved moving forward with changing the name of the Arizona Supreme Court's longstanding "Commission on Minorities in the Judiciary" to the "Commission on Diversity, Equity, and Justice in the Judiciary." The name and purpose changes will be reflected in the Arizona Code of Judicial Administration, section 1-107. While the process for updating the website, logo, and other materials has begun, the name change takes effect once authorized by the Court in an Administrative Order adopting the revised Code section.

The Commission on Minorities in the Judiciary (Commission) was established as a standing committee of the Arizona Judicial Council (AJC) more than 30 years ago in 1990. For the past 30 years, the Commission advised and assisted the AJC in carrying out its concerns for the status of minorities in the judicial department and in Arizona's legal community. At the time the Commission was established, "minorities" was the term used to describe people and communities of color and others not part of the dominant majority group. Words and their meaning evolve, and while the word "minority" is relevant in statistical and other discussions, the Commission's name change is intended to reflect updated terminology and purpose.

In November 2020, Commission members voted unanimously to recommend the name and purpose changes. The new name, the Commission on Diversity, Equity, and Justice in the Judiciary, reflects the goals of the Commission and is aligned with other similar state court commissions ranging from Washington to Florida to Massachusetts and beyond. The updated purpose directives more accurately reflect the goals and policies the Commission will advance with its judicial branch partners and other stakeholders in Arizona's justice system. These efforts include improving justice,

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

eliminating bias from court operations, promoting equal access to courts, and inspiring higher levels of public trust and confidence. The Commission strives to identify and to eliminate the occurrences and effects of racial, ethnic, and cultural bias in Arizona's state court system.

Phoenix Municipal Court Judge and Commission Chair, Frankie Jones stated, "I am greatly pleased that after receiving the unanimous support of seven other standing Supreme Court committees, the Arizona Judicial Council voted unanimously to change the name of the Commission on Minorities to the Commission on Diversity, Equity, and Justice in the Judiciary. Our Commission began this process in January, and we studied 25 other state court commissions and committees. We chose 'Diversity, Equity, and Justice' because that is what we are striving for and it meets our updated purpose directives. Diversity represents inclusion and equity is treating people differently depending on need. The ultimate goal is to have justice for everyone. The Commission began its work over 30 years ago and we will continue this important work."

For more information about the Commission on Diversity, Equity, and Justice, including public meeting information and resources, go to https://www.azcourts.gov/cscommittees/CommissiononMinorities.aspx. The Commission's website with the updated name change and directives will be published soon.

Governor Ducey Appoints Brigadier General Kerry L. Muehlenbeck To Arizona's Adjutant General And Director Of The Arizona Department Of Emergency And Military Affairs

Muehlenbeck Will Be The First Woman In Arizona History To Hold This Position

PHOENIX — Governor Doug Ducey today announced the appointment of Brigadier General Kerry L. Muehlenbeck to Arizona's Adjutant General and Director of the Arizona Department of Emergency and Military Affairs.

General Muehlenbeck succeeds Major General Michael T. McGuire, who announced his retirement on March 5, 2021. McGuire served as Director of the Arizona Department of Emergency and Military Affairs and Adjutant General since 2013, and will officially retire on April 10, 2021.

"I'm eager to announce the appointment of Brigadier General Kerry Muehlenbeck as Arizona's newest Adjutant General and Director of the Arizona Department of Emergency and Military Affairs," said Governor Ducey. "General Muehlenbeck's impressive military experience and continued leadership are amplified by her legal and teaching background. She joined the Arizona Air National Guard in 1997 and served in many roles until she became Arizona's Deputy Adjutant General in 2018. I look forward to working with General Muehlenbeck on protecting Arizonans, supporting our communities, and tackling the challenges ahead."

"General McGuire has served Arizona and our nation honorably," the Governor continued. "I'm especially grateful for his support this past year as we've navigated through the COVID-19 pandemic. He and his team have been instrumental in providing support to our communities and our border, and I am grateful for his leadership."

General Muehlenbeck served as the Deputy Adjutant General and the Director of Administrative Services. She was responsible for oversight of: the United States Property and Fiscal Office (USPFO); the State Risk Management Office; State Purchasing and Contracting; the State and Federal Human Resource Offices; the Public Affairs Office; the Office of the Inspector General; the General Counsel, the Tribal Liaison; the Legislative Liaison; the Sexual Assault Response Coordinator; the State Equal Employment Manager; and the Ordnance and Industrial operations within the Arizona Department of Emergency and Military Affairs. She also served as the Adjutant General's delegate.

"I'm proud to have the opportunity to serve our great state as Adjutant General and Director of the Arizona Department of Emergency and Military Affairs," said General Muehlenbeck. "Having served and taught for years, I look forward to leading Arizona DEMA and the Arizona National Guard to help protect and support Arizona communities. It is an honor to succeed General McGuire after his years of admirable service, and I'm grateful to Governor Ducey for this tremendous opportunity."

General Muehlenbeck received her commission by direct appointment in 1993. She remained on active duty for four years where she served as an Assistant Staff Judge Advocate at Davis-Monthan Air Force Base, Arizona until her separation in 1997. General Muehlenbeck then joined the Arizona Air National Guard from 1997 to 2019 and served as both a wing-level and headquarters staff judge advocate.

In addition, she held various national level judge advocate billets, including: Director of the Contemporary Base Issues Course; State Headquarters Liaison to The Judge Advocate General's Air National Guard Council; and Air National Guard Assistant to the Command Staff Judge Advocate, Pacific Air Forces. She has contributed articles for the Air National Guard Commander's Legal Deskbook and lectured at various Air Force and Air National Guard courses.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Command is a unique privilege that I've been humbled and honored to have for the past seven and a half years serving shoulder to shoulder with the greatest soldiers and airmen in the state and nation who truly exemplify our motto 'always ready, always there,'" said General McGuire.
General Muehlenbeck is currently a professor at Mesa Community College's Administration of Justice Studies Department, where she also serves as Department Chair. She taught at Arizona State University between 2002 and 2014, specializing in crime, criminology, justice and social inquiry. General Muehlenbeck was also an adjunct professor for the Criminal Justice Department at American Military University in West Virginia from 2009 to 2013 and for Embry-Riddle Aeronautical University from 1995 to 2001.
Prior to teaching, General Muehlenbeck served as deputy county attorney at the Pima County Attorney's Office from 1998 to 2001. In this role, she prosecuted felony offenders in superior court. She also served as an assistant prosecuting attorney for the Saginaw County Prosecutor's Office from 1992 to 1993 and Assistant Staff Judge Advocate at the Davis-Monthan Air Force Base from 1993 to 1997.
General Muehlenbeck earned a B.S. in Education and Social Policy from Northwestern University, a J.D. from Indiana School of Law, a Master of Laws in Criminal Law from the University of San Diego School of Law, and a Ph.D. in Justice Studies from Arizona State University. Her military education includes Squadron Officer School, Air Command and Staff College, and Air War College.
Governor Ducey and General McGuire welcomed General Muehlenbeck to her new role during an event at the State Capitol this morning

CAA Names David Lujan President and CEO

[PHOENIX, AZ] Children's Action Alliance's board of directors announced David Lujan as President and CEO of Children's Action Alliance last week. In a statement, Board Chair, Brint Milward, said, "The board is very pleased that CAA will be in the capable hands of David Lujan, who over the past five years, has done a wonderful job as director of the AZ Center for Economic Progress."
Since January, David has led CAA through the development of a new three-year strategic plan, and a theory of change that focuses on equity as the foundation on which CAA will help build an Arizona where all children and families thrive. David joined CAA in 2016, as the inaugural director of The Arizona Center for Economic Progress to advance policies that create fairer tax codes that raise the revenue needed for an economy that puts people first, builds thriving communities, and better economic opportunities for all Arizonans. Before joining CAA, David has worked in public policy in Arizona for over 20 years in several roles including a former member of the state Senate and House of Representatives, as an attorney for a nonprofit assisting abused and neglected children, and as an assistant attorney general advising the School Facilities Board.
Most recently, David has been an outspoken proponent for Proposition 208. His influence to mobilize coalitions, and his ability to increase awareness through the media urged voters to support the proposition which will now bring hundreds of millions of new dollars in K-12 public education funding to address Arizona's teacher shortage, reduce class sizes, hire more aides and counselors, and expand career and technical education.
CAA also announced Kelley Murphy as Vice President of Policy. Kelley has been with CAA for seven years as the director of early childhood policy. She has championed for a strong state response to keep Arizona's child care system intact in the face of the COVID crisis. Kelley will work with David and the policy directors to advance a bold agenda for children and families during legislative sessions.
In the coming months, CAA will look to fill the open positions of director for the AZ Center and the early childhood education policy director for CAA.

NDRC to Host Call with Eric Holder, State Legislators on Anti-Voter Bills

Washington, D.C. – Eric H. Holder, Jr., the 82nd Attorney General of the United States and chairman of the National Democratic Redistricting Committee, will participate in a press briefing to discuss the threat posed by the recent wave of voter suppression bills and gerrymandering on Friday, April 9 at 1 p.m.
Attorney General Holder will be joined by elected officials from three states where Republicans are pushing anti-voter bills, including North Carolina State Senate Democratic Leader Dan Blue, Arizona State House Minority Leader Reginald Bolding, and Texas State Representative Jessica González. Holder will describe how this wave of anti-voter bills moving in the states makes it even more critical that Congress act to protect the freedom to vote by passing the For the People Act and John Lewis Voting Rights Advancement Act.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Who:
Eric H. Holder, Jr., the 82nd Attorney General of the United States
North Carolina State Senate Democratic Leader Dan Blue (SD-14)
Arizona State House Minority Leader Reginald Bolding (HD-27)
Texas State Representative Jessica González (HD-104)
What: Press Call to Discuss Anti-Voter Bills
When: Friday, April 9 at 1 p.m. ET
RSVP: Link to register
For any questions, please contact Molly Mitchell at mitchell@democraticredistricting.com

Education Advocates Gather at Capitol to Protect INVESTinED

PHOENIX – April 7, 2021 – The Arizona Education Association, Arizona Educators United, and Save Our Schools Arizona held a press conference at the Arizona Capitol to protect the Invest in Education Act and urge lawmakers to oppose Senate Bill (SB) 1783, which would cut up to $378 million from public schools.
"Our students and educators have dealt with decades of neglect and underfunding from the State, which is why we took the issue of education funding to the people for a vote," said AEA President Joe Thomas. "Passing the Invest in Education Act in 2020 was the culmination of years of organizing efforts. Despite the need for school funding and the support of voters, those in power are still trying to stop these funds through lawsuits and legislation. We will continue to fight because we know our students are worth the effort."
SB1783 is a direct attack on teachers and the Invest in Education Act. This bill creates a tax evasion scheme for greedy millionaires to take $378 million from public schools. Voters approved the Invest in Education Act because they believe in our students and educators and SB1783 undermines the will of the voters by cutting these education funds.
"Despite the continued chipping away at our funding," said Arizona Educators United leader and kindergarten teacher Kelley Fisher, "Teachers and support staff alike are going above and beyond to provide a quality education for public school students across Arizona. It has gotten to the point where some of our colleagues cannot stay in the profession any longer. The underfunding, lack of respect, absence of support, and increased pressures are causing good teachers to say goodbye to public education. We need to protect public education now; our students deserve it."
"Returning to school in person to see all of my students felt like seeing a light in the darkness of a pandemic," said Esmeralda Sandoval, a Special Education paraprofessional the Isaac school district. "But coming back also presented challenges. My school is limited in space and we couldn't fit three educators meet the needs of our special education student or properly follow social distancing rules. Our schools are desperate for funding to maintain our students' learning environment. SB1783 is an attempt to rob us of what we asked our friends and neighbors when they signed our petition to put INVESTinED on the ballot. Arizona voters democratically chose to stand with us by voting yes on the Invest in Education Act and those of us here today will continue to stand together to protect INVESTinED."
"I was born and raised in Nogales, Arizona," said Save Our Schools Arizona Board Member Raquel Mamani, "I'm a proud product of public education. Nogales is a perfect example of how funding cuts like SB1783 and vouchers hurt our rural communities the most. I started coming to the legislature in 2017 as a mom and an educator. I wanted to figure out why our school had to continually sell cookie dough, wrapping paper, butter braids and countless other items to pay for an endless list of needs like crossing guards, lunchroom monitors, and basic supplies for teachers. What I learned has kept me coming back to this day."
Schools are the backbone of our communities. We can end the state's teacher shortage. We can provide the great public schools our students deserve. We can secure the future of our state with an educated workforce that will attract employers and better paying jobs. When schools thrive, we all benefit. We call on our leaders to follow the will of the voters, invest in education, and prioritize the hard-working families of Arizona over the wealthy special interests.
JLBC FISCAL NOTE ON SB1783: https://www.azleg.gov/legtext/55leg/1R/fiscal/SB1783R.DOCX.pdf
Watch via Facebook Live on AEA's Facebook Page:
https://www.facebook.com/ArizonaEducationAssociation/videos/4521796691170390/

Kelly, Sinema Announce $1 Million in Grants for State Veterans Homes in Tucson, Phoenix

Today, Arizona Senators Mark Kelly and Kyrsten Sinema announced that State Veterans Homes in Tucson and Phoenix will together receive over $1 million in grants from The Department of Veterans Affairs. The grants are

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003168
ARZN_REV00069024_4-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

provided from funding passed as part of the bipartisan December COVID-19 relief bill backed by Kelly and Sinema. The grants will support State Veterans Homes' on-going work to care for and support residents during the COVID-19 pandemic.

"Veterans and their families have endured so much in the past year of this COVID-19 pandemic. State Veterans Homes care for many of Arizona's most vulnerable veterans, and these grants will help ensure that they have the resources to deliver the care and support Arizona veterans have earned," said Senator Mark Kelly.

"Arizona veterans served and sacrificed to keep our country safe. Today's funding for State Veterans Homes in Arizona helps ensure veterans have access to the care and support they have earned," said Senator Kyrsten Sinema, a member of the Senate Veterans' Affairs Committee.

The grants will support State Veterans Homes' on-going work to provide residents with high quality care and services during the COVID-19 pandemic. Arizona is home to two State Veterans Homes, one in Phoenix and one in Tucson, that are skilled nursing facilities caring for Arizona veterans.

Rep. Biggs Introduces No Vaccine Passport Act

Today, Congressman Biggs introduced the *No Vaccine Passport Act* to prevent federal agencies from issuing any standardized documentation that could be used to certify a U.S. citizen's COVID-19 status to a third party, such as a restaurant or an airline. Additionally, this bill prohibits proof of COVID-19 vaccination from being a requirement for access to federal or congressional property and services.

"I am profoundly disturbed that the Biden Administration would even consider imposing vaccine passports on the American people. My private healthcare decisions—and yours—are nobody else's business. Vaccine passports will not help our nation recover from COVID-19; instead, they will simply impose more Big Brother surveillance on our society.

I especially applaud Florida Governor Ron DeSantis for being an early leader against vaccine passports at the state level. My No Vaccine Passports Act builds on his efforts and will further protect Americans' privacy rights and fundamental freedoms." – **Congressman Andy Biggs**

The bill has 18 original cosponsors: Rep. Jeff Duncan (SC-03), Rep. Greg Steube (FL-17), Rep. Warren Davidson (OH-08), Rep. Ben Cline (VA-06), Rep. Yvette Herrell (NM-02), Rep. Andy Harris (MD-01), Rep. Louie Gohmert (TX-01), Rep. Russ Fulcher (ID-01), Rep. Chip Roy (TX-21), Rep. Mary Miller (IL-15), Rep. Bill Posey (FL-08), Rep. Ralph Norman (SC-05), Rep. Madison Cawthorn (NC-11), Rep. Marjorie Taylor Greene (GA-14), Rep. Ted Budd (NC-13), Rep. Randy Weber (TX-14), Rep. Scott Perry (PA-04), and Jody Hice (GA-10).

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Sometimes they end up inside at my kitchen table with a glass of water."

- Ken Bennett, liaison to the Senate's audit, which plans to send teams to voters' doors, on how he treats people who knock on his door

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003170

ARZN_REV00069024_4-8-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Friday, April 9, 2021 5:23:05 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-9-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 9, 2021

SO IT'S REALLY THE OANN AUDIT
Conspiracy theorist and OANN host Christina Bobb is trying to raise $150,000 for the Arizona Senate's audit, despite the Senate already agreeing to terms with Cyber Ninjas on a contract for the same price.

$90 MILLION IS PEANUTS – AND MORE THAN THEY USUALLY GET
Senate Democrats are squabbling over whether the concessions leadership extracted in exchange for the caucus' support on Shope's sports betting bill were enough, saying the broader caucus didn't get to weigh in before leadership cut the deal.

AMERICAN OVERSIGHT

DEMS GET PLAYED IS AN EVERGREEN HEADLINE
Several Dem sources reached out to our reporter to call out Senate Democratic leaders for giving away their support for "next to nothing."

SHE'S NOT WINNING FRIENDS OR INFLUENCING PEOPLE
Meanwhile, some Democrats are growing increasingly frustrated with Gonzales, who scheduled a press conference Monday to explain her complaints about the gaming bill, which her Pasquai Yaqui tribal leadership largely supports.

IT PAYS TO HAVE FRIENDS ON THE NINTH FLOOR
AZFamily's Dennis Welch unearthed the no-bid $1.2 million contract Mario Diaz scored to launch a public relations campaign to push vaccination education in the 85009 zip code.

DUCEY IS AN UBER GUY
Ducey launched the effort after coming under intense scrutiny when Maricopa County first created a vaccination dashboard showing vaccination rates by zip code.

MAYBE JARRETT MAUPIN CAN DO THE SOUTH PHOENIX PROGRAM
Dept of Health Services Director Cara Christ today said she was disappointed the pilot program didn't net more direct signups for vaccinations, but that it was still money well spent and Diaz will be a part of expanding that pilot program.

REPUBLICANS DO IT TOO
The Republican Legislative Victory Fund is pitching a fundraiser to lobbyists during session, billing it with names like Bowers, Fann and Ducey and others.

AZ DEMS LOOKING TO BUY NEW DIGS
Democrats are fundraising too, though they're trying to gather funds to help buy a new building after a disgruntled and seemingly mentally ill former volunteer burned down state party headquarters on Central Avenue.

MOVING ON UP
Lobbyist Jessie Armendt is now a partner at Compass Strategies Public Affairs.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, April 09, 2021

NEWS NOTES AND GOSSIP

SO IT'S REALLY THE OANN AUDIT

Conspiracy theorist and *OANN* host Christina Bobb is trying to raise $150,000 for the Arizona Senate's audit, despite the Senate already agreeing to terms with Cyber Ninjas on a contract for the same price. "I've launched Voices & Votes! Join us in the fight for the AZ Election Audit. This audit is crucial to know the truth about 2020. $5, $10, $20 will help the AZ senate finally complete the audit. DONATE TODAY! And thank you for fighting with us!" Bobb tweeted with a link to the website (LINK). She later followed up to say they had almost reached the goal after about an hour. "Our goal is to fund $150,000 to cover the expenses of the audit, which will ensure its complete scope of work. We don't want any portion of the audit cut out. We're $10k away from our goal. Hope to have a 'mission complete' message for you by the weekend!" Bobb's name may look familiar to Arizonans because she recently met with Fann in her office for an exclusive interview about the audit last month (LINK). *Arizona Mirror's* Jeremy Duda recently dug into false claims Bobb and others on *OANN* had pushed regarding Arizona's election (LINK). Ken Bennett told our reporter yesterday that he was skeptical if the cost of the audit could be limited to the agreed upon $150,000 (YS, 4/8) and that he has received offers from people in the "private sector to help" with security through possible in-kind contributions. It's not clear if the Senate has signed off on this fundraising effort, or even if it will accept the funding. Donations go straight into an account for a 501(c)(4) and not directly to the Senate. Fann, her spokesman and Bennett did not return calls before our deadline.

$90 MILLION IS PEANUTS – AND MORE THAN THEY USUALLY GET

Senate Democrats are squabbling over whether the concessions leadership extracted in exchange for the caucus' support on Shope's sports betting bill were enough, saying the broader caucus didn't get to weigh in before leadership cut the deal. One Dem senator confirmed to our reporter that the Dems will get to decide how to spend $90 million in discretionary Covid funds out of the money feds sent to the state, and in exchange, close to the entire caucus will vote for S1797 (fantasy sports betting; event wagering) Monday. The Dem senator said there was so much more leadership could have negotiated for, but they apparently settled on the first offer. "That money can only go to specific things so I don't really know if it's that much of a win," the source told our reporter, calling it "a missed opportunity." Quezada, who is a co-whip with Steele, confirmed to our reporter that Rios and Contreras did the negotiating and that he did not have any involvement. He also did not think it was enough of a win, but said he trusted the leadership team did the best they could. "If my caucus is supportive of the bill, I'm gonna stick with my caucus," he told our reporter, adding that the tribes want it done and that's a deciding factor for him. (That's an important point, as Dems were likely to support the legislation with or without concessions, because it's a top priority for tribes.) Still, Quezada said he wishes they could have gotten more out of the deal since it needs Dem support to pass. "I think we probably should have got a little bit more than that. Probably a lot more than that, but it is what it is," he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003173

ARZN_REV00069026_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

DEMS GET PLAYED IS AN EVERGREEN HEADLINE

Several Dem sources reached out to our reporter to call out Senate Democratic leaders for giving away their support for "next to nothing." One consultant said the Democrats were "truly played." "Who caves for $90 million when Republicans are talking about $1 billion in tax cuts and massive voter suppression bills? $90 million isn't even as much as what this [bill] will likely bring into the General Fund each year," the source said. "Really pathetic." Quezada said he wishes Senate Dem leadership would have gotten something in the actual budget or some assurances that bills would get vetoed, but said that was a "nonstarter" for Ducey. A lobbyist went off at the Dem caucus. "It's absolutely ridiculous. It's cowardly ineffectual bullsh*t," the source told our reporter. "$90 million is nothing in the context of the federal dollars. It's nothing in the context of the budget." Rios and Contreras could not be reached for comment.

SHE'S NOT WINNING FRIENDS OR INFLUENCING PEOPLE

Meanwhile, some Democrats are growing increasingly frustrated with Gonzales, who scheduled a press conference Monday to explain her complaints about the gaming bill, which her Pasquai Yaqui tribal leadership largely supports. Gonzales' vocal opposition has confounded Dem supporters of the legislation, considering most of her tribal leaders support the bill, including the tribe president (Notably, her sister and daughter, who are on the tribe's council, oppose it.) (There's also a rumor circling that the pro-gaming bill members of the tribal council might crash her press conference.) One Dem source told our reporter that early on, several members of the Native American caucus had questions or concerns about the bill, but they have listened to their tribal leaders and are now supporting the legislation. "She's just not on board with the other 99 percent of Native Americans in Arizona and it doesn't make any sense," the source said. "It's like she thinks she knows better than everyone else." Gonzales has essentially argued that the tribes are getting forced into a bad deal that screws them while sports team owners get rich (YS, 3/29). But the source speculated that the real reason for her opposition can be chalked up to "bad blood" between Gonzales' wing of the tribal government and the rest of the tribal leaders dating back to her husband's tumultuous time on the council. "Everybody has given her every answer there is and she is either refusing to accept it or believes everyone is lying. [She thinks] the tribes have been duped by these high-paid white attorneys and they don't know what they're doing," the Dem said. "And she's lashing out at people who don't see it her way." The concern, the source said, isn't that Gonzales has the power to kill the bill, but that she will offer a host of amendments that could fracture Democrats on the deal. Quezada said being a lone dissident is a tough position, and he doesn't envy Gonzales, but he thinks her overall concerns are legitimate. "I think she's in a real tough spot because, like I said, her concerns are legitimate, but at the same time her tribe is asking for a yes vote. So, what do you do in that situation?" he said, adding that she thinks she can get a better deal, but her tribe doesn't think that's possible. Gonzales didn't return a call for comment as of our deadline.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003174
ARZN_REV00069026_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT PAYS TO HAVE FRIENDS ON THE NINTH FLOOR

AZFamily's Dennis Welch unearthed the no-bid $1.2 million contract Mario Diaz scored to launch a public relations campaign to push vaccination education in the 85009 zip code. Ducey launched the campaign after Maricopa County launched its vaccination dashboard showing the low income, mostly Hispanic neighborhood just west of the Capitol was the least vaccinated in the county (YS, 2/11). Two months after Ducey gave his buddy $1.2 million to change that, it's still the zip code with the lowest vaccination rate in the county. Diaz, of course, is a Democrat who worked for Ducey's reelection campaign and has become part of Ducey's inner circle (YS, 9/6/18). The state paid Diaz's firm $40 per person it registered via phone, for a total of $54,000, and another $65 per cab ride to vaccination sites, for a total of $13,000. The biggest portion of the contract, $340,000, was earmarked for social media outreach, Welch found (LINK) (LINK). Canvassing accounted for another $277,000 of the contract, a little less than half of which was to drop off yard signs at 25,000 households in the west Phoenix zip code. Progressive lobbyist Geoff Esposito, who lives in the zip code, wrote on Twitter that the yard signs were just dumped in the neighborhood. "LOL they literally threw these signs in my and my neighbors' yards without context or consideration. They ended up litter in the street for the most part, but one neighbor repurposed them for a charity walk so that's nice," he wrote (LINK). "What a grift."

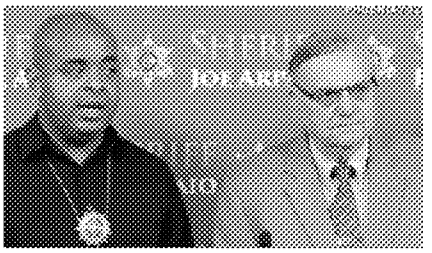
DUCEY IS AN UBER GUY

Ducey launched the effort after coming under intense scrutiny when Maricopa County first created a vaccination dashboard showing vaccination rates by zip code. While the low-income, mostly Hispanic 85009 zip code had a vaccination rate of just 15 percent of its eligible population at the time, Ducey's wealthy mostly white zip code of 85018 had already vaccinated 96 percent of its eligible population. Eligibility has changed dramatically since then – at the time, the state was only vaccinating seniors, first responders and teachers – but the vast disparity remains. Those numbers now stand at less than 18 percent in 85009, and nearly 53 percent in Ducey's zip code, according to Maricopa County's dashboard (LINK). The rumor that something was fishy with Ducey's push to vaccinate the area has been circling since shortly after Ducey launched the effort. (One red flag that caught our reporter's attention was that Ducey was paying for "cab rides" to get people to the sites – everyone knows Ducey is an Uber guy.) In fact, we mentioned that we had been poking around on the issue in an item that dragged Dept of Health Services spokesman Steve Elliot for being the worst spokesman in the state. "He often asks reporters to submit simple questions in writing, and then fails to ever answer them (our last email to him asked simple technical questions about the governor's pilot program to deliver vaccines in the underserved 85009 zip code and has languished in his inbox for two weeks now)," we wrote at the time (YS, 3/23). We're still waiting for that reply. He didn't return a call from our reporter today.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003175
ARZN_REV00069026_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

MAYBE JARRETT MAUPIN CAN DO THE SOUTH PHOENIX PROGRAM



Dept of Health Services Director Cara Christ today said she was disappointed the pilot program didn't net more direct signups for vaccinations, but that it was still money well spent and Diaz will be a part of expanding that pilot going forward. "We know that we were able to get 400 more than would have been gotten if we had not done that outreach, but it wasn't as big as we had hoped. We would like to see a big increase," she said during a press call today, noting the program will move into South Phoenix next. "I think even getting one more person vaccinated and saving a life is worth it," she said, noting that the 400 more people this program helped vaccinate is just the people that can be directly tied to the program, while untold numbers of people might have been swayed by the online town halls or advertising. She said Diaz is a trusted voice in the Latino community and he will be part of the programs expansion, which will focus on City Council districts 7 and 8. She said the use of a no-bid contract isn't unusual in the pandemic, and that DHS is actively soliciting bids through an "invitation for bid" process, rather than a request for proposal. DHS could not immediately tell our reporter if anybody applied yet. Diaz said he wasn't authorized to talk about it, but one consultant threw shade on his involvement, noting that his small firm must have outsourced most of the work and simply taken a cut for setting it up. "He probably doesn't even have a graphic design program on his computer," the source said noting there are a host of PR firms that could have actually done the work in-house, likely at a lower rate and it's suspicious that his firm landed the big contract. "Mario's main qualification is he's a brown man with a D next to his name who will back a Republican for the right price," the source said.

REPUBLICANS DO IT TOO

The Republican Legislative Victory Fund is pitching a fundraiser to lobbyists during session, billing it with names like Bowers, Fann and Ducey and others. Karrin Taylor Robson and Jonathan Lines, who co-chair the RLVF, emailed an invite for the event next Friday, April 16, noting the RLVF helped save the slim Republican majorities in both chambers and the Republican lawmakers have been "solid partner[s] with our governor in promoting liberty, eliminating red tape, and providing a stable environment for capital formation and job creation." "The opposition sought to derail the policies which make our state one of the fastest growing and most desirable places to live, work and raise a family," the email states. The event will be at a private venue in the Biltmore area and costs $1,000 per person, and co-host status costs $25,000. A number of lawmakers will be attending – including Cobb, Dunn, Gray, Leach, Petersen, Shope and Toma. Of course, asking the invited lobbyists for donations for their own campaigns during session would be illegal. But fundraising for the committee that is explicitly formed to help them win is fine, legally speaking, thanks to Arizona's lax campaign finance laws. A lobbyist who forwarded the proposal to our reporter noted that we rightly slammed Democrats for fundraising from lobbyists for the ADLCC during session, (YS, 3/9) saying Republicans do the same thing.

AZ DEMS LOOKING TO BUY NEW DIGS

Democrats are fundraising too, though they're trying to gather funds to help buy a new building after a disgruntled and seemingly mentally ill former volunteer burned down state party headquarters on Central Avenue (YS, 7/29/20). In a four page-proposal emailed to our reporter, the party noted that it has already been approved for a $2 million mortgage, and plans on making a $500,000 down payment soon for an 8,740-square-foot office space with two conference rooms and 22 offices on Third Street and Palm Lane. "Based on the 2020 revenue and current cash reserves, the ADP's long-term stability is better served by purchasing a permanent property," the proposal states. The party is looking for "private and corporate investors" to help out, with options ranging from $1,000 for a brick with your name on it, to $50,000 for a

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003176
ARZN_REV00069026_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

room named after you, and other perks, including "private periodic executive director updates." A $100,000 "presidential" level donation will offer "a customizable option."

MOVING ON UP

Lobbyist Jessie Armendt is now a partner at Compass Strategies Public Affairs. Armendt, who has lobbied at the Capitol for 10 years, specializes in the areas of medical care, maternal and infant health, and education. She joined Compass Strategies when the firm launched in 2017. "Jessie's work ethic and passion for creating great policy has made her a rock star at the Capitol and I am so happy to have her as a partner," said Kelsey Lundy, the firm's managing partner. In other news, lobbyist Rebecca Butler has joined Intel as the company's Government Affairs Director for Arizona. Butler previously served as Director of Public Affairs & Communications for The Coca-Cola Company, where her work covered 10 western states. She also served as Deputy Director of Legislative Affairs under Gov Jan Brewer.

WAKE UP CALL

The drought's getting worse, particularly in the Southwest, says new study
Arizona Daily Star
Not only has rainfall dropped over 45 years, the number of days between storms has risen, particularly in the Southwest, said a study whose authors included three University of Arizona researchers.

Arizona utility regulators grapple with new standards for service shutoffs
Arizona Daily Star
The proposed rules under consideration would protect customers from having electric and gas shut off amid severe Arizona weather.

Wildfire around small mining town north of Tucson prompts evacuations
Associated Press
All homes in the small Pinal County town of Dudleyville were evacuated Thursday afternoon after a wildfire broke out.

Governor appoints first woman to lead Arizona National Guard
Associated Press
Gov. Doug Ducey on Thursday appointed Brig. Gen. Kerry Muehlenbeck to be the first female leader of the Arizona National Guard.

Council Approves Pay Bump for Stretched Phoenix 911 Dispatchers
Phoenix New Times
Stretched Phoenix 911 dispatchers will see their starting pay jump nearly 15 percent in July after the city council unanimously approved a pay bump on Wednesday that was years in the making.

Revelers at Massive Party in Tonto National Forest Covered the Desert in Poop
Phoenix New Times
The U.S. Forest Service released more details on Thursday about the massive, unsanctioned party last weekend in the Lower Sycamore Creek area of Tonto National Forest.

Arizona audit leader Doug Logan wrote fraud claims on 'kraken' lawyer's website
Arizona Mirror
A document that conspiracy theorist attorney Sidney Powell posted on her website with various allegations against Dominion Voting Systems lists its author as Doug Logan, the man hired by Senate Republicans to lead the team that will audit the 2020 election in Maricopa County, including a thorough examination of that same company's ballot tabulation machines.

Is it not crazy to execute a mentally ill killer?
Arizona Republic (Opinion, EJ Montini)
Even if you believe in the death penalty, you shouldn't believe in this.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003177
ARZN_REV00069026_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Calling BS on Gov. Doug Ducey's 'I'd like to keep politics out of baseball' comment
Arizona Republic (Opinion, EJ Montini)
Until the governor stops taking the Benjamins from the bigwig owners of pro sports teams his comment is baloney.
Arizona Republican lawmakers support free markets (except when they don't)
Arizona Republic (Opinion, Robert Robb)
A couple of obscure bills in the Arizona Legislature raise a serious question: Are Republicans actually committed to free-market principles?
Arizona is moving backward on preschool enrollment, but it's not too late to fix this
Arizona Republic (Op-ed, Erin Hart, Diane Fellows and Melanie Mitros)
Early childhood education is critical for our future. Yet COVID-19 and a lack of sustained investment have set Arizona backward on enrollment.
Reversing conversion therapy ban harms LGBTQ+ children
Arizona Daily Star (Opinion, Kimberly Kotov)
In 2017, Pima County made the bold and inclusive decision to ban conversion therapy for LBGTQ+ minors — or lesbian, gay, bisexual, transgender and queer minors — becoming the first of Arizona's 15 counties to ban the discriminatory practice.

PRESS RELEASES

11 Applicants Being Considered for Arizona Supreme Court

The public is asked for comments on 11 applicants for an opening on the Arizona Supreme Court created by the retirement of Justice Andrew W. Gould.
The applicants are:

- Cynthia J. Bailey
- Sean E. Brearcliffe
- David J. Euchner
- Randall M. Howe
- Kathryn H. King
- Jennifer M. Perkins
- Adele G. Ponce
- Patricia A. Starr
- Lacey A. Stover Gard
- Carrie P. Ryerson
- David D. Weinzweig

Their applications can be viewed online at the Commission's website, http://www.azcourts.gov/jnc.
The Commission on Appellate Court Appointments will review the applications and hear comments at a public meeting on April 27, 2021. The meeting will be held in room 101 of the Arizona State Courts Building, 1501 W. Washington. Meeting details will be available on the public meeting notice. The public meeting notice and meeting agenda will be posted on the Commission's website at least seven (7) days prior to the meeting.
Citizens may address the commission on the day of the meeting or send written comments to jnc@courts.az.gov or to 1501 W. Washington, Suite 221, Phoenix, AZ, 85007. It is not necessary to submit multiple copies of written comments, and email is preferred. Comments must be received no later than April 22, 2021 to be considered. Anonymous comments cannot be considered.
At the April 27, 2021 meeting, the commission will choose the applicants to be interviewed. The selected applicants will be interviewed on May 17, 2021. The logistics of this meeting will be available after the April 27th meeting. After the interviews, the commission will recommend at least three nominees for the opening to Governor Doug Ducey, who will appoint the new justice.

Arizona Launching COVID-19 Vaccination Site In Flagstaff On April 19

New Facility Continues Expansion Of Vaccine Availability Statewide
PHOENIX — Governor Doug Ducey and the Arizona Department of Health Services (ADHS) today announced a partnership with Coconino County, Northern Arizona University (NAU), and Northern Arizona Healthcare to open a state COVID-19 vaccination site in Flagstaff.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Launching Monday, April 19 at NAU's University Union Fieldhouse, this indoor vaccination site will operate seven days a week from 7 a.m.-5 p.m., with the potential to expand hours to 7 p.m. It will offer around 1,000 appointments per day to start but will be able to administer more than 4,000 doses daily.
"We will continue to expand vaccination opportunities throughout the entire state as vaccine supply increases," said Governor Ducey. "These safe and effective vaccines are the way back to normal life and protecting everyone, especially our most vulnerable."
Other partners include the Arizona Department of Emergency and Military Affairs. Premier Medical Group is the primary site operator and will be responsible for the pharmacy and staffing. The site will offer the Pfizer vaccine, which is available to those age 16 and older. The county currently offers the Moderna and Johnson & Johnson/Janssen vaccines, which are approved for those 18 and older.
"Coconino County has been a leader at vaccinating its residents, with a higher percentage of its population vaccinated than any other Arizona county, and we are excited to complement these efforts by opening this site," said ADHS Director Dr. Cara Christ. "Together, we are expanding Arizona's success getting vaccines into the community as widely and equitably as possible."
"Coconino County is excited to welcome the Northern Region Vaccination Site to our community and to expand vaccine eligibility to anyone 16 and over," said Kim Musselman, Coconino County health and human services director and COVID-19 incident commander. "Vaccination remains the single best step we can take towards slowing the spread of COVID-19 and stopping this pandemic. Coconino County is committed to ensuring vaccinations are accessible to all eligible individuals, and we appreciate the partnership with Arizona Department of Health Services, Northern Arizona University, Northern Arizona Healthcare, Premier Medical Group, and the many community health professionals and volunteers who have come together to make this happen."
NAU's University Union Fieldhouse, at 1050 Knoles Drive, has also been used to provide COVID-19 testing for the Flagstaff community.
"From COVID testing to critical research to vaccine distribution, NAU is proud of its efforts over the past year and enthusiastic about this expanded partnership with the State of Arizona, Coconino County, Northern Arizona Healthcare and Premier Medical Group to broaden vaccine access in Flagstaff," said NAU President Rita Hartung Cheng. "We look forward to continuing to reduce the spread of this virus together and re-opening our community safely."
Northern Arizona Healthcare, operator of Flagstaff Medical Center, will provide additional support for clinical staffing.
"Our fight against COVID-19 depends on vaccinations. Easier access to vaccines helps our communities reach the goal of herd immunity – significantly reducing the risk of COVID-19 to our families and friends as well as the distress to our counties and hospitals as a whole," said Dr. John Mougin, chief quality officer for Northern Arizona Healthcare. "We appreciate the work of our state and county partners and Northern Arizona University in creating a POD to benefit the families of northern Arizona. Northern Arizona Healthcare is grateful to see this POD constructed as it will allow access to the vaccine for Coconino and surrounding counties."
The state's expansion of mass-vaccination beyond the Phoenix area also includes converting a University of Arizona site in Tucson to a state operation and also converting a site at the Yuma Civic Center in Yuma. The University of Arizona site has administered 123,582 doses and the Yuma site 9,705, while all state-run sites have administered a total of 1,128,006 doses.
To date, 3,962,537 million doses of COVID-19 vaccine have been administered to 2,493,123 individuals in Arizona, including 1,615,029 who are fully vaccinated.
Appointments for the week of April 19 will be available starting at 11 a.m. Friday, April 16, by visiting podvaccine.azdhs.gov or calling 1-844-542-8201. Both have resources available in English and Spanish.
Information about all vaccination sites across Arizona, including pharmacies, Federally Qualified Health Centers, pop-up events in specific communities, and healthcare providers offering vaccination, can be found at azhealth.gov/findvaccine.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Governor Doug Ducey Announces Clerk Of The Superior Court Vacancy In Mohave County

PHOENIX — Due to the resignation of Virlynn Tinnell, Governor Doug Ducey is accepting applications for an interim appointment to fill the position of Mohave County Clerk of the Superior Court.
Applications will be accepted until 5:00 p.m. on Friday, May 14, 2021. Applications received or postmarked after the deadline will not be considered. Depending on the number of applications received, the application deadline may or

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003179

ARZN_REV00069026_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

may not be extended. A copy of the application and instructions for applying can be downloaded at https://bc.azgovernor.gov.
To qualify for appointment, applicants must be eligible to vote, a resident of Mohave County and a Republican.
The Governor's Office will review applications and interview qualified applicants in order for the Governor to make an appointment to fill the vacancy pursuant to Arizona Revised Statute § 16-230(A) and Arizona Attorney General Opinion 85-007, until a clerk can be elected during the next regular general election in 2022.
For further information about the position and its responsibilities, visit the Mohave County Clerk of the Superior Court's website and Arizona Revised Statute § 12-283.
The salary for the Mohave County Superior Court Clerk is $63,800 as provided by law.

"QUOTE OF THE DAY"

"I think we probably should have got a little bit more than that. Probably a lot more than that, but it is what it is."

- ***Quezada, on concessions Senate Dem leadership extracted in exchange for supporting Ducey's gaming bill***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, April 9, 2021 5:23:07 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-9-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 9, 2021

SO IT'S REALLY THE OANN AUDIT
Conspiracy theorist and OANN host Christina Bobb is trying to raise $150,000 for the Arizona Senate's audit, despite the Senate already agreeing to terms with Cyber Ninjas on a contract for the same price.

$90 MILLION IS PEANUTS – AND MORE THAN THEY USUALLY GET
Senate Democrats are squabbling over whether the concessions leadership extracted in exchange for the caucus' support on Shope's sports betting bill were enough, saying the broader caucus didn't get to weigh in before

AMERICAN OVERSIGHT

leadership cut the deal.

DEMS GET PLAYED IS AN EVERGREEN HEADLINE
Several Dem sources reached out to our reporter to call out Senate Democratic leaders for giving away their support for "next to nothing."

SHE'S NOT WINNING FRIENDS OR INFLUENCING PEOPLE
Meanwhile, some Democrats are growing increasingly frustrated with Gonzales, who scheduled a press conference Monday to explain her complaints about the gaming bill, which her Pasquai Yaqui tribal leadership largely supports.

IT PAYS TO HAVE FRIENDS ON THE NINTH FLOOR
AZFamily's Dennis Welch unearthed the no-bid $1.2 million contract Mario Diaz scored to launch a public relations campaign to push vaccination education in the 85009 zip code.

DUCEY IS AN UBER GUY
Ducey launched the effort after coming under intense scrutiny when Maricopa County first created a vaccination dashboard showing vaccination rates by zip code.

MAYBE JARRETT MAUPIN CAN DO THE SOUTH PHOENIX PROGRAM
Dept of Health Services Director Cara Christ today said she was disappointed the pilot program didn't net more direct signups for vaccinations, but that it was still money well spent and Diaz will be a part of expanding that pilot program.

REPUBLICANS DO IT TOO
The Republican Legislative Victory Fund is pitching a fundraiser to lobbyists during session, billing it with names like Bowers, Fann and Ducey and others.

AZ DEMS LOOKING TO BUY NEW DIGS
Democrats are fundraising too, though they're trying to gather funds to help buy a new building after a disgruntled and seemingly mentally ill former volunteer burned down state party headquarters on Central Avenue.

MOVING ON UP
Lobbyist Jessie Armendt is now a partner at Compass Strategies Public Affairs.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, April 09, 2021

NEWS NOTES AND GOSSIP

SO IT'S REALLY THE OANN AUDIT

Conspiracy theorist and *OANN* host Christina Bobb is trying to raise $150,000 for the Arizona Senate's audit, despite the Senate already agreeing to terms with Cyber Ninjas on a contract for the same price. "I've launched Voices & Votes! Join us in the fight for the AZ Election Audit. This audit is crucial to know the truth about 2020. $5, $10, $20 will help the AZ senate finally complete the audit. DONATE TODAY! And thank you for fighting with us!" Bobb tweeted with a link to the website (LINK). She later followed up to say they had almost reached the goal after about an hour. "Our goal is to fund $150,000 to cover the expenses of the audit, which will ensure its complete scope of work. We don't want any portion of the audit cut out. We're $10k away from our goal. Hope to have a 'mission complete' message for you by the weekend!" Bobb's name may look familiar to Arizonans because she recently met with Fann in her office for an exclusive interview about the audit last month (LINK). *Arizona Mirror's* Jeremy Duda recently dug into false claims Bobb and others on *OANN* had pushed regarding Arizona's election (LINK). Ken Bennett told our reporter yesterday that he was skeptical if the cost of the audit could be limited to the agreed upon $150,000 (YS, 4/8) and that he has received offers from people in the "private sector to help" with security through possible in-kind contributions. It's not clear if the Senate has signed off on this fundraising effort, or even if it will accept the funding. Donations go straight into an account for a 501(c)(4) and not directly to the Senate. Fann, her spokesman and Bennett did not return calls before our deadline.

$90 MILLION IS PEANUTS – AND MORE THAN THEY USUALLY GET

Senate Democrats are squabbling over whether the concessions leadership extracted in exchange for the caucus' support on Shope's sports betting bill were enough, saying the broader caucus didn't get to weigh in before leadership cut the deal. One Dem senator confirmed to our reporter that the Dems will get to decide how to spend $90 million in discretionary Covid funds out of the money feds sent to the state, and in exchange, close to the entire caucus will vote for S1797 (fantasy sports betting; event wagering) Monday. The Dem senator said there was so much more leadership could have negotiated for, but they apparently settled on the first offer. "That money can only go to specific things so I don't really know if it's that much of a win," the source told our reporter, calling it "a missed opportunity." Quezada, who is a co-whip with Steele, confirmed to our reporter that Rios and Contreras did the negotiating and that he did not have any involvement. He also did not think it was enough of a win, but said he trusted the leadership team did the best they could. "If my caucus is supportive of the bill, I'm gonna stick with my caucus," he told our reporter, adding that the tribes want it done and that's a deciding factor for him. (That's an important point, as Dems were likely to support the legislation with or without concessions, because it's a top priority for tribes.) Still, Quezada said he wishes they could have gotten more out of the deal since it needs Dem support to pass. "I think we probably should have got a little bit more than that. Probably a lot more than that, but it is what it is," he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003183

ARZN_REV00069028_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

DEMS GET PLAYED IS AN EVERGREEN HEADLINE

Several Dem sources reached out to our reporter to call out Senate Democratic leaders for giving away their support for "next to nothing." One consultant said the Democrats were "truly played." "Who caves for $90 million when Republicans are talking about $1 billion in tax cuts and massive voter suppression bills? $90 million isn't even as much as what this [bill] will likely bring into the General Fund each year," the source said. "Really pathetic." Quezada said he wishes Senate Dem leadership would have gotten something in the actual budget or some assurances that bills would get vetoed, but said that was a "nonstarter" for Ducey. A lobbyist went off at the Dem caucus. "It's absolutely ridiculous. It's cowardly ineffectual bullsh*t," the source told our reporter. "$90 million is nothing in the context of the federal dollars. It's nothing in the context of the budget." Rios and Contreras could not be reached for comment.

SHE'S NOT WINNING FRIENDS OR INFLUENCING PEOPLE

Meanwhile, some Democrats are growing increasingly frustrated with Gonzales, who scheduled a press conference Monday to explain her complaints about the gaming bill, which her Pasquai Yaqui tribal leadership largely supports. Gonzales' vocal opposition has confounded Dem supporters of the legislation, considering most of her tribal leaders support the bill, including the tribe president (Notably, her sister and daughter, who are on the tribe's council, oppose it.) (There's also a rumor circling that the pro-gaming bill members of the tribal council might crash her press conference.) One Dem source told our reporter that early on, several members of the Native American caucus had questions or concerns about the bill, but they have listened to their tribal leaders and are now supporting the legislation. "She's just not on board with the other 99 percent of Native Americans in Arizona and it doesn't make any sense," the source said. "It's like she thinks she knows better than everyone else." Gonzales has essentially argued that the tribes are getting forced into a bad deal that screws them while sports team owners get rich (YS, 3/29). But the source speculated that the real reason for her opposition can be chalked up to "bad blood" between Gonzales' wing of the tribal government and the rest of the tribal leaders dating back to her husband's tumultuous time on the council. "Everybody has given her every answer there is and she is either refusing to accept it or believes everyone is lying. [She thinks] the tribes have been duped by these high-paid white attorneys and they don't know what they're doing," the Dem said. "And she's lashing out at people who don't see it her way." The concern, the source said, isn't that Gonzales has the power to kill the bill, but that she will offer a host of amendments that could fracture Democrats on the deal. Quezada said being a lone dissident is a tough position, and he doesn't envy Gonzales, but he thinks her overall concerns are legitimate. "I think she's in a real tough spot because, like I said, her concerns are legitimate, but at the same time her tribe is asking for a yes vote. So, what do you do in that situation?" he said, adding that she thinks she can get a better deal, but her tribe doesn't think that's possible. Gonzales didn't return a call for comment as of our deadline.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003184
ARZN_REV00069028_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT PAYS TO HAVE FRIENDS ON THE NINTH FLOOR

AZFamily's Dennis Welch unearthed the no-bid $1.2 million contract Mario Diaz scored to launch a public relations campaign to push vaccination education in the 85009 zip code. Ducey launched the campaign after Maricopa County launched its vaccination dashboard showing the low income, mostly Hispanic neighborhood just west of the Capitol was the least vaccinated in the county (YS, 2/11). Two months after Ducey gave his buddy $1.2 million to change that, it's still the zip code with the lowest vaccination rate in the county. Diaz, of course, is a Democrat who worked for Ducey's reelection campaign and has become part of Ducey's inner circle (YS, 9/6/18). The state paid Diaz's firm $40 per person it registered via phone, for a total of $54,000, and another $65 per cab ride to vaccination sites, for a total of $13,000. The biggest portion of the contract, $340,000, was earmarked for social media outreach, Welch found (LINK) (LINK). Canvassing accounted for another $277,000 of the contract, a little less than half of which was to drop off yard signs at 25,000 households in the west Phoenix zip code. Progressive lobbyist Geoff Esposito, who lives in the zip code, wrote on Twitter that the yard signs were just dumped in the neighborhood. "LOL they literally threw these signs in my and my neighbors' yards without context or consideration. They ended up litter in the street for the most part, but one neighbor repurposed them for a charity walk so that's nice," he wrote (LINK). "What a grift."

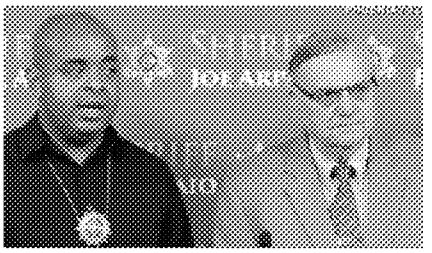
DUCEY IS AN UBER GUY

Ducey launched the effort after coming under intense scrutiny when Maricopa County first created a vaccination dashboard showing vaccination rates by zip code. While the low-income, mostly Hispanic 85009 zip code had a vaccination rate of just 15 percent of its eligible population at the time, Ducey's wealthy mostly white zip code of 85018 had already vaccinated 96 percent of its eligible population. Eligibility has changed dramatically since then – at the time, the state was only vaccinating seniors, first responders and teachers – but the vast disparity remains. Those numbers now stand at less than 18 percent in 85009, and nearly 53 percent in Ducey's zip code, according to Maricopa County's dashboard (LINK). The rumor that something was fishy with Ducey's push to vaccinate the area has been circling since shortly after Ducey launched the effort. (One red flag that caught our reporter's attention was that Ducey was paying for "cab rides" to get people to the sites – everyone knows Ducey is an Uber guy.) In fact, we mentioned that we had been poking around on the issue in an item that dragged Dept of Health Services spokesman Steve Elliot for being the worst spokesman in the state. "He often asks reporters to submit simple questions in writing, and then fails to ever answer them (our last email to him asked simple technical questions about the governor's pilot program to deliver vaccines in the underserved 85009 zip code and has languished in his inbox for two weeks now)," we wrote at the time (YS, 3/23). We're still waiting for that reply. He didn't return a call from our reporter today.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003185
ARZN_REV00069028_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

MAYBE JARRETT MAUPIN CAN DO THE SOUTH PHOENIX PROGRAM



Dept of Health Services Director Cara Christ today said she was disappointed the pilot program didn't net more direct signups for vaccinations, but that it was still money well spent and Diaz will be a part of expanding that pilot going forward. "We know that we were able to get 400 more than would have been gotten if we had not done that outreach, but it wasn't as big as we had hoped. We would like to see a big increase," she said during a press call today, noting the program will move into South Phoenix next. "I think even getting one more person vaccinated and saving a life is worth it," she said, noting that the 400 more people this program helped vaccinate is just the people that can be directly tied to the program, while untold numbers of people might have been swayed by the online town halls or advertising. She said Diaz is a trusted voice in the Latino community and he will be part of the programs expansion, which will focus on City Council districts 7 and 8. She said the use of a no-bid contract isn't unusual in the pandemic, and that DHS is actively soliciting bids through an "invitation for bid" process, rather than a request for proposal. DHS could not immediately tell our reporter if anybody applied yet. Diaz said he wasn't authorized to talk about it, but one consultant threw shade on his involvement, noting that his small firm must have outsourced most of the work and simply taken a cut for setting it up. "He probably doesn't even have a graphic design program on his computer," the source said noting there are a host of PR firms that could have actually done the work in-house, likely at a lower rate and it's suspicious that his firm landed the big contract. "Mario's main qualification is he's a brown man with a D next to his name who will back a Republican for the right price," the source said.

REPUBLICANS DO IT TOO

The Republican Legislative Victory Fund is pitching a fundraiser to lobbyists during session, billing it with names like Bowers, Fann and Ducey and others. Karrin Taylor Robson and Jonathan Lines, who co-chair the RLVF, emailed an invite for the event next Friday, April 16, noting the RLVF helped save the slim Republican majorities in both chambers and the Republican lawmakers have been "solid partner[s] with our governor in promoting liberty, eliminating red tape, and providing a stable environment for capital formation and job creation." "The opposition sought to derail the policies which make our state one of the fastest growing and most desirable places to live, work and raise a family," the email states. The event will be at a private venue in the Biltmore area and costs $1,000 per person, and co-host status costs $25,000. A number of lawmakers will be attending – including Cobb, Dunn, Gray, Leach, Petersen, Shope and Toma. Of course, asking the invited lobbyists for donations for their own campaigns during session would be illegal. But fundraising for the committee that is explicitly formed to help them win is fine, legally speaking, thanks to Arizona's lax campaign finance laws. A lobbyist who forwarded the proposal to our reporter noted that we rightly slammed Democrats for fundraising from lobbyists for the ADLCC during session, (YS, 3/9) saying Republicans do the same thing.

AZ DEMS LOOKING TO BUY NEW DIGS

Democrats are fundraising too, though they're trying to gather funds to help buy a new building after a disgruntled and seemingly mentally ill former volunteer burned down state party headquarters on Central Avenue (YS, 7/29/20). In a four page-proposal emailed to our reporter, the party noted that it has already been approved for a $2 million mortgage, and plans on making a $500,000 down payment soon for an 8,740-square-foot office space with two conference rooms and 22 offices on Third Street and Palm Lane. "Based on the 2020 revenue and current cash reserves, the ADP's long-term stability is better served by purchasing a permanent property," the proposal states. The party is looking for "private and corporate investors" to help out, with options ranging from $1,000 for a brick with your name on it, to $50,000 for a

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003186
ARZN_REV00069028_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

room named after you, and other perks, including "private periodic executive director updates." A $100,000 "presidential" level donation will offer "a customizable option."

MOVING ON UP

Lobbyist Jessie Armendt is now a partner at Compass Strategies Public Affairs. Armendt, who has lobbied at the Capitol for 10 years, specializes in the areas of medical care, maternal and infant health, and education. She joined Compass Strategies when the firm launched in 2017. "Jessie's work ethic and passion for creating great policy has made her a rock star at the Capitol and I am so happy to have her as a partner," said Kelsey Lundy, the firm's managing partner. In other news, lobbyist Rebecca Butler has joined Intel as the company's Government Affairs Director for Arizona. Butler previously served as Director of Public Affairs & Communications for The Coca-Cola Company, where her work covered 10 western states. She also served as Deputy Director of Legislative Affairs under Gov Jan Brewer.

WAKE UP CALL

The drought's getting worse, particularly in the Southwest, says new study
Arizona Daily Star
Not only has rainfall dropped over 45 years, the number of days between storms has risen, particularly in the Southwest, said a study whose authors included three University of Arizona researchers.

Arizona utility regulators grapple with new standards for service shutoffs
Arizona Daily Star
The proposed rules under consideration would protect customers from having electric and gas shut off amid severe Arizona weather.

Wildfire around small mining town north of Tucson prompts evacuations
Associated Press
All homes in the small Pinal County town of Dudleyville were evacuated Thursday afternoon after a wildfire broke out.

Governor appoints first woman to lead Arizona National Guard
Associated Press
Gov. Doug Ducey on Thursday appointed Brig. Gen. Kerry Muehlenbeck to be the first female leader of the Arizona National Guard.

Council Approves Pay Bump for Stretched Phoenix 911 Dispatchers
Phoenix New Times
Stretched Phoenix 911 dispatchers will see their starting pay jump nearly 15 percent in July after the city council unanimously approved a pay bump on Wednesday that was years in the making.

Revelers at Massive Party in Tonto National Forest Covered the Desert in Poop
Phoenix New Times
The U.S. Forest Service released more details on Thursday about the massive, unsanctioned party last weekend in the Lower Sycamore Creek area of Tonto National Forest.

Arizona audit leader Doug Logan wrote fraud claims on 'kraken' lawyer's website
Arizona Mirror
A document that conspiracy theorist attorney Sidney Powell posted on her website with various allegations against Dominion Voting Systems lists its author as Doug Logan, the man hired by Senate Republicans to lead the team that will audit the 2020 election in Maricopa County, including a thorough examination of that same company's ballot tabulation machines.

Is it not crazy to execute a mentally ill killer?
Arizona Republic (Opinion, EJ Montini)
Even if you believe in the death penalty, you shouldn't believe in this.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Calling BS on Gov. Doug Ducey's 'I'd like to keep politics out of baseball' comment
Arizona Republic (Opinion, EJ Montini)
Until the governor stops taking the Benjamins from the bigwig owners of pro sports teams his comment is baloney.
Arizona Republican lawmakers support free markets (except when they don't)
Arizona Republic (Opinion, Robert Robb)
A couple of obscure bills in the Arizona Legislature raise a serious question: Are Republicans actually committed to free-market principles?
Arizona is moving backward on preschool enrollment, but it's not too late to fix this
Arizona Republic (Op-ed, Erin Hart, Diane Fellows and Melanie Mitros)
Early childhood education is critical for our future. Yet COVID-19 and a lack of sustained investment have set Arizona backward on enrollment.
Reversing conversion therapy ban harms LGBTQ+ children
Arizona Daily Star (Opinion, Kimberly Kotov)
In 2017, Pima County made the bold and inclusive decision to ban conversion therapy for LBGTQ+ minors — or lesbian, gay, bisexual, transgender and queer minors — becoming the first of Arizona's 15 counties to ban the discriminatory practice.

PRESS RELEASES

11 Applicants Being Considered for Arizona Supreme Court

The public is asked for comments on 11 applicants for an opening on the Arizona Supreme Court created by the retirement of Justice Andrew W. Gould.
The applicants are:

- Cynthia J. Bailey
- Sean E. Brearcliffe
- David J. Euchner
- Randall M. Howe
- Kathryn H. King
- Jennifer M. Perkins
- Adele G. Ponce
- Patricia A. Starr
- Lacey A. Stover Gard
- Carrie P. Ryerson
- David D. Weinzweig

Their applications can be viewed online at the Commission's website, http://www.azcourts.gov/jnc.
The Commission on Appellate Court Appointments will review the applications and hear comments at a public meeting on April 27, 2021. The meeting will be held in room 101 of the Arizona State Courts Building, 1501 W. Washington. Meeting details will be available on the public meeting notice. The public meeting notice and meeting agenda will be posted on the Commission's website at least seven (7) days prior to the meeting.
Citizens may address the commission on the day of the meeting or send written comments to jnc@courts.az.gov or to 1501 W. Washington, Suite 221, Phoenix, AZ, 85007. It is not necessary to submit multiple copies of written comments, and email is preferred. Comments must be received no later than April 22, 2021 to be considered. Anonymous comments cannot be considered.
At the April 27, 2021 meeting, the commission will choose the applicants to be interviewed. The selected applicants will be interviewed on May 17, 2021. The logistics of this meeting will be available after the April 27th meeting. After the interviews, the commission will recommend at least three nominees for the opening to Governor Doug Ducey, who will appoint the new justice.

Arizona Launching COVID-19 Vaccination Site In Flagstaff On April 19

New Facility Continues Expansion Of Vaccine Availability Statewide
PHOENIX — Governor Doug Ducey and the Arizona Department of Health Services (ADHS) today announced a partnership with Coconino County, Northern Arizona University (NAU), and Northern Arizona Healthcare to open a state COVID-19 vaccination site in Flagstaff.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003188
ARZN_REV00069028_4-9-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Launching Monday, April 19 at NAU's University Union Fieldhouse, this indoor vaccination site will operate seven days a week from 7 a.m.-5 p.m., with the potential to expand hours to 7 p.m. It will offer around 1,000 appointments per day to start but will be able to administer more than 4,000 doses daily.

"We will continue to expand vaccination opportunities throughout the entire state as vaccine supply increases," said Governor Ducey. "These safe and effective vaccines are the way back to normal life and protecting everyone, especially our most vulnerable."

Other partners include the Arizona Department of Emergency and Military Affairs. Premier Medical Group is the primary site operator and will be responsible for the pharmacy and staffing. The site will offer the Pfizer vaccine, which is available to those age 16 and older. The county currently offers the Moderna and Johnson & Johnson/Janssen vaccines, which are approved for those 18 and older.

"Coconino County has been a leader at vaccinating its residents, with a higher percentage of its population vaccinated than any other Arizona county, and we are excited to complement these efforts by opening this site," said ADHS Director Dr. Cara Christ. "Together, we are expanding Arizona's success getting vaccines into the community as widely and equitably as possible."

"Coconino County is excited to welcome the Northern Region Vaccination Site to our community and to expand vaccine eligibility to anyone 16 and over," said Kim Musselman, Coconino County health and human services director and COVID-19 incident commander. "Vaccination remains the single best step we can take towards slowing the spread of COVID-19 and stopping this pandemic. Coconino County is committed to ensuring vaccinations are accessible to all eligible individuals, and we appreciate the partnership with Arizona Department of Health Services, Northern Arizona University, Northern Arizona Healthcare, Premier Medical Group, and the many community health professionals and volunteers who have come together to make this happen."

NAU's University Union Fieldhouse, at 1050 Knoles Drive, has also been used to provide COVID-19 testing for the Flagstaff community.

"From COVID testing to critical research to vaccine distribution, NAU is proud of its efforts over the past year and enthusiastic about this expanded partnership with the State of Arizona, Coconino County, Northern Arizona Healthcare and Premier Medical Group to broaden vaccine access in Flagstaff," said NAU President Rita Hartung Cheng. "We look forward to continuing to reduce the spread of this virus together and re-opening our community safely."

Northern Arizona Healthcare, operator of Flagstaff Medical Center, will provide additional support for clinical staffing.

"Our fight against COVID-19 depends on vaccinations. Easier access to vaccines helps our communities reach the goal of herd immunity – significantly reducing the risk of COVID-19 to our families and friends as well as the distress to our counties and hospitals as a whole," said Dr. John Mougin, chief quality officer for Northern Arizona Healthcare. "We appreciate the work of our state and county partners and Northern Arizona University in creating a POD to benefit the families of northern Arizona. Northern Arizona Healthcare is grateful to see this POD constructed as it will allow access to the vaccine for Coconino and surrounding counties."

The state's expansion of mass-vaccination beyond the Phoenix area also includes converting a University of Arizona site in Tucson to a state operation and also converting a site at the Yuma Civic Center in Yuma. The University of Arizona site has administered 123,582 doses and the Yuma site 9,705, while all state-run sites have administered a total of 1,128,006 doses.

To date, 3,962,537 million doses of COVID-19 vaccine have been administered to 2,493,123 individuals in Arizona, including 1,615,029 who are fully vaccinated.

Appointments for the week of April 19 will be available starting at 11 a.m. Friday, April 16, by visiting podvaccine.azdhs.gov or calling 1-844-542-8201. Both have resources available in English and Spanish.

Information about all vaccination sites across Arizona, including pharmacies, Federally Qualified Health Centers, pop-up events in specific communities, and healthcare providers offering vaccination, can be found at azhealth.gov/findvaccine.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Governor Doug Ducey Announces Clerk Of The Superior Court Vacancy In Mohave County

PHOENIX — Due to the resignation of Virlynn Tinnell, Governor Doug Ducey is accepting applications for an interim appointment to fill the position of Mohave County Clerk of the Superior Court.

Applications will be accepted until 5:00 p.m. on Friday, May 14, 2021. Applications received or postmarked after the deadline will not be considered. Depending on the number of applications received, the application deadline may or

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

may not be extended. A copy of the application and instructions for applying can be downloaded at https://bc.azgovernor.gov.
To qualify for appointment, applicants must be eligible to vote, a resident of Mohave County and a Republican.
The Governor's Office will review applications and interview qualified applicants in order for the Governor to make an appointment to fill the vacancy pursuant to Arizona Revised Statute § 16-230(A) and Arizona Attorney General Opinion 85-007, until a clerk can be elected during the next regular general election in 2022.
For further information about the position and its responsibilities, visit the Mohave County Clerk of the Superior Court's website and Arizona Revised Statute § 12-283.
The salary for the Mohave County Superior Court Clerk is $63,800 as provided by law.

"QUOTE OF THE DAY"

"I think we probably should have got a little bit more than that. Probably a lot more than that, but it is what it is."

- ***Quezada, on concessions Senate Dem leadership extracted in exchange for supporting Ducey's gaming bill***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, April 12, 2021 5:23:50 PM
Recipient: 'Arturo Gabaldon' <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 4-12-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet April 12, 2021

HOLY CRAP ABOUT SUMS IT UP
After Kelli Ward wouldn't commit to spearheading a recall effort against Ducey during an interview with Garret Lewis of Tucson talk radio Friday, Lewis lambasted her leadership of the state Republican Party, asking her why she wouldn't resign.

NOW FOR THE OVERRIDE?
Ducey today vetoed his first bill of the legislative session, Kavanagh's H2360 (committee; driver license voter registrations), which lawmakers in both chambers unanimously approved.

DUCEY GOES TO DC
Ducey is in DC until Wednesday for several meetings, including with Kelly

AMERICAN OVERSIGHT

(but not Sinema), as well as with Grover Norquist and Trump's former campaign manager, Bill Stepien.

MORE FODDER FOR THE RECALL!
Boyer says he plans to withhold his vote from any budget that doesn't include at least $160 million in ongoing funding for higher education and another $20 million for firefighters with cancer.

DOES THIS MEAN SINE DIE IS COMING?
Boyer threatening to withhold his vote on the budget unless he gets concessions has become almost an annual tradition at the Legislature.

THE PICTURE IS WORTH 13 MINUTES WORTH OF WORDS
Ken Bennett on 12 News' Sunday Square Off this weekend said Biden did, in fact, win Maricopa County, at least on paper, but whether those results were accurate are still up for debate in the former secretary of state's mind.

2022 IS HERE
Twice-failed CD1 candidate Tiffany Shedd is running for attorney general in 2022 and is the first person to officially throw her name in the ring for the open seat.

BUT IS IT A SOCIALLY DISTANT EXECUTION?
As Arizona moves closer to ending its nearly seven-year execution hiatus, Dale Baich, a lawyer for death row prisoner Clarence Dixon, still has a long list of unanswered questions about the process.

ICYMIL LAWSUITS ARE EXPENSIVE
Now that the IRC has chosen its two legal teams, commissioners are beginning to wonder what the budget will look like.

CORRECTION: THE FAMILY IS SPLIT, THE COUNCIL IS NOT
Friday's report incorrectly stated that Pascua Yaqui tribal council was divided on whether to support Ducey's gaming legislation – in fact, the council unanimously approved a resolution supporting the bill back in February, Pasqua Yaqui lobbyist Emily Ryan told our reporter.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, April 12, 2021

NEWS NOTES AND GOSSIP

HOLY CRAP ABOUT SUMS IT UP

After Kelli Ward wouldn't commit to spearheading a recall effort against Ducey during an interview with Garret Lewis of Tucson talk radio Friday, Lewis lambasted her leadership of the state Republican Party, asking her why she wouldn't resign (LINK). "You're chasing people away from the party right now," he said. "This is why they're going to the Patriot party." Ward spent much of her interview criticizing Ducey but stopped short of agreeing with Lewis' call for a recall, though she endorsed the idea of getting rid of the lawmakers who attacked her legitimacy as chair. She said Ducey has "fought tooth and nail" to keep the Republican Party from being successful, that his banning of hydroxychloroquine "killed people" and his pandemic response hurt businesses. However, Ward said she wanted to focus on the 2022 election and the Senate audit, not a recall. "To me, there are so many bigger things than recalling the guy who'll be gone in a year," Ward said. Lewis wasn't buying it. "You basically just laid out every reason why we need to get rid of Doug. So then, why not as the head of the Republican Party in Arizona, call every legislative district, call on every PC to say we are not going to do anything for any state lawmaker – including Doug, by the way – but any state lawmaker, unless they decide to impeach this guy, or get a giant recall?" he asked. Ward said she had been pressuring Republicans to speak up against Ducey. She said that rabble rousing has caused lawmakers to push back against her authority as chairman of the party. "The legislators that signed that letter saying that Kelli Ward should redo her election or resign, they're on Doug's side; they're on McCain's side," she said. "Look at that list and you'll know who they are and who we need to replace." Ward specifically mentioned Finchem, who responded to her interview in an email to state executive committee members saying Ward "leveled despicable accusations at some of our most proven, consistent conservative legislators." The call for a do-over wasn't only about Kelli Ward's race, he wrote, noting that the call letter does not demand or suggest that Ward resign. After Ward left the call, Lewis ended the segment by saying "Holy crap."

NOW FOR THE OVERRIDE?

Ducey today vetoed his first bill of the legislative session, Kavanagh's H2360 (committee; driver license voter registrations), which lawmakers in both chambers unanimously approved. The bill would give authority to the Secretary of State's Office to operate and maintain the online voter registration system, removing it from the Dept of Transportation. Kavanagh had pitched the bill as putting the voter registration system in its rightful place under the Secretary of State's Office, but Ducey's office panned it as unnecessary. "The Arizona Department of Transportation has developed a site and a system that Arizonans recognize and appreciate," Ducey wrote in his veto letter. Ducey has not used his veto pen often, and this is his first veto since 2019. Since 2015, Ducey has signed 2,016 bills and vetoed 80 – including today's veto. His predecessor, Gov Jan Brewer, vetoed bills at much higher rate (141 vetoes to 1,782 bills signed into law). "This falls under the category of it ain't broke don't fix it," Ducey spokesman CJ Karamargin said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003193

ARZN_REV00069044_4-12-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

MR. DUCEY GOES TO DC

Ducey is in DC until Wednesday for several meetings, including with Kelly (but not Sinema), as well as with Grover Norquist and Trump's former campaign manager, Bill Stepien. Ducey also tweeted photos of meetings today with Senators John Cornyn of Texas and Susan Collins of Maine (LINK) (LINK) (both Republicans who have made recent trips to the border). Ducey was last in DC during the inauguration, in a "whirlwind" trip that didn't allow much time for socializing, Ducey spokesman CJ Karamargin noted. Three months later, "much has changed about Covid and border issues so we wanted to get in front of some people who can help make a difference," Karamargin said. "There's nothing like face-to-face meetings." Today's meeting with Kelly focused on the border, Covid and economic development, Karamargin said. Tomorrow, he plans to meet with senior White House officials to talk border policy, as well as O'Halleran. And that meeting with former Trump campaign manager Stepien? Don't read too much into it, Karamargin said, noting the two got to know each other on the campaign trail and Ducey just wanted to keep in touch. The trip comes as Biden today tapped Tucson Police Chief Chris Magnus, a progressive, to lead Customs and Border Protection.

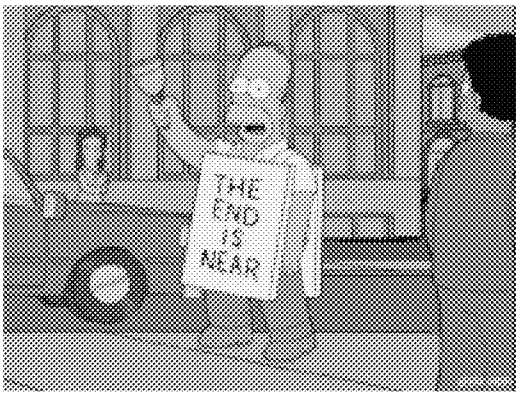
MORE FODDER FOR THE RECALL!

Boyer says he plans to withhold his vote from any budget that doesn't include at least $160 million in ongoing funding for higher education and another $20 million for firefighters with cancer. And if his colleagues think that's too much, he said they could give up some of the hundreds of millions they want to allocate to permanent tax cuts. Boyer told our reporter he's trying to line up support for a higher education funding package that now totals about $162.5 million in new ongoing spending: $100 million divvied up among the three universities, $50 million for statewide financial aid packages for Arizona students to attend state universities and $12.5 million for the same kind of financial aid for community college students. Ducey's budget would have allocated $35 million in ongoing funding for universities – the amount they received in FY20 and a step up from the $0 they received from the General Fund in this year's skinny budget – and the Senate Republican framework released in January had no additional funding. Both Ducey and legislative Republicans have pointed to the money universities received through federal Covid relief, but Boyer said that isn't a substitute for ongoing funding from the state. "I just don't see why we should think that one-time funding from the feds is sufficient when a lot of my caucus wants to do permanent tax cuts," Boyer said. "I don't know why we would do something speculative when we know what the return on investment will be with targeted investments." An economic impact study commissioned by the Arizona Board of Regents from Rounds Consulting Group, which Boyer said he's sharing with other senators, predicts the $100 million per year given to the three universities would result in $14.4 billion in state and local tax revenues over the course of 20 years. All three universities would break even, with revenues generated surpassing the cumulative amount spent, by year 10 at the latest, according to Rounds' analysis. Boyer's funding for firefighters could indirectly result in a $20 million ongoing appropriation from the General Fund. Since 2015, cities have paid fees totaling about that much for the Dept of Revenue to administer municipal sales taxes, but Boyer said there was always the understanding that cities would stop paying those fees and the state would take over the cost after three years. Cities are willing to continue paying the fees, provided they're used for a priority like protecting firefighters, he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003194
ARZN_REV00069044_4-12-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

DOES THIS MEAN SINE DIE IS COMING?



Boyer threatening to withhold his vote on the budget unless he gets concessions has become almost an annual tradition at the Legislature. In 2019 he and then-Sen Heather Carter secured more opportunities for survivors of sexual abuse to seek justice in civil court, as well as millions more for affordable housing, school counselors and doctor training, as the result of a stalemate over the budget. In 2020, the pair was less successful after then-Democratic leader David Bradley agreed to give Fann her 16th vote on the "skinny" budget. This year, with a 16-14 margin, Boyer doesn't need a budget buddy to cause headaches for Senate leadership, but he's still trying to find allies to hold out for university and firefighter funding. He said he's talked a lot with Bowie, a fellow advocate for the New Economy Initiative, and is also working with Shope. A Boyer-Bowie mutual admiration festival on Twitter over the past couple weeks caused one railbird to question whether the two were signaling that they'll be budget buddies – but Boyer said he'll work with anybody. "I'd love it if Shope or Pace or Burges or anybody would do the same. I'll be singing their praises whoever they are," Boyer said.

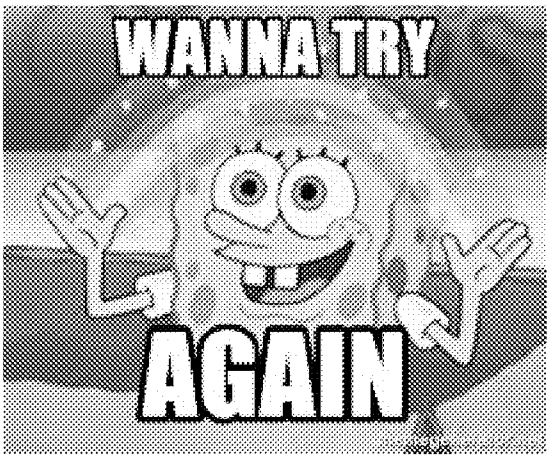
THE PICTURE IS WORTH 13 MINUTES WORTH OF WORDS

Ken Bennett on *12 News'* Sunday Square Off this weekend said Biden did, in fact, win Maricopa County, at least on paper, but whether those results were accurate are still up for debate in the former secretary of state's mind. "There's nothing about this audit that has to do with trying to overturn the November election results," Bennett said, to which an exasperated Resnik responded, "But, it can't overturn the election." In a tense and sometimes testy interview (LINK), Bennett and host Brahm Resnik sparred over the need for such an audit – and Bennett acknowledged that according to the canvass, Biden won. However, when Resnik asked if Bennett personally believes Biden won, the answer was less clear. "Probably," he said, adding, "whenever you're counting votes, there's issues that could come up in that process, and unless you look into every possible issue, you're never sure." Bennett compared the audit to his own business, noting that he used to check deposit slips twice to ensure the count was accurate. "And if the first result was different from the second result... I'd do it a third time until I found a match," he said. (Of course, the county already did an audit and the results were not different from the canvassed results.) Bennett noted that the only time the state has had to do a major recount was under his watch – in 2010 a proposition won by 126 votes, then by 168 votes after a recount. "We confirmed it, and that's all we're doing in this audit, is confirming the results," he said. When Resnik refused to believe that Bennett would get bipartisan auditors to do the hand recount, Bennett politely hit his tipping point. "If you're interviewing me to ask what's going to happen, Brahm, then let me tell you what's going to happen," he said. "If you've already decided what is going or not going to happen then you don't need me on the interview." When Resnik questioned the credibility of Doug Logan, CEO of Cyber Ninjas, Bennett said it wasn't him on trial. "We're not auditing the opinions of the owner of one of the companies, we're auditing the election," he said.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

2022 IS HERE



Twice-failed CD1 candidate Tiffany Shedd is running for Attorney General in 2022 and is the first person to officially throw her name in the ring for the open seat. "We need a conservative attorney general who will hold the line and protect the people of Arizona against Washington's dangerous socialist policies," Shedd said in her announcement. Brnovich is termed out so the Republican and Democratic primaries are expected to field several candidates, but Shedd, who set up a campaign finance committee last week, can start raising money before anybody else joins her. Shedd ran for CD1 in 2018 and 2020, but came up short both times. She placed third behind Rogers and former lawmaker Steve Smith in the GOP primary in '18 and won in a two-way primary last year against Nolan Reidhead, but lost to O'Halleran after raising a respectable $1.7 million (he doubled that). Railbirds have been speculating that Shedd would run for AG more than a month ago (YS, 3/5) alongside names such as former Supreme Court Justice Andrew Gould, former US Attorney of Arizona Mike Bailey or even Rodney Glassman. On the Dem side, Rodriguez already told our reporter he was running (YS, 3/8), 2018 candidate January Contreras is widely expected to run again and several railbirds have started speculating that Stanton is setting his eyes on the AG race instead of having to go against Hobbs for governor.

BUT IS IT A SOCIALLY DISTANT EXECUTION?

As Arizona moves closer to ending its nearly seven-year execution hiatus, Dale Baich, a lawyer for death row prisoner Clarence Dixon, still has a long list of unanswered questions about the process. Baich sent the Dept of Corrections three letters in the past month full of questions about the process but has received no response, other than a notice the letters had been added to an online system, he said. A spokesman for the DOC said Friday that the department "is reviewing his letters and a response will be forthcoming." Baich's March 8 letter requested execution team training guides and materials, as well as information about how the lethal drugs were procured, including the department's correspondence with state agencies, other departments of corrections and the US Bureau of Prison about the drugs and documents regarding the drugs' importation and testing. *The Guardian* last week reported that Arizona spent $1.5 million in October 2020 on 1,000 vials of pentobarbital sodium salt that were to be shipped in "unmarked jars and boxes," according to a document (LINK). In another letter on March 16, Baich asked about the lack of provisions in the department's execution protocols for allowing condemned prisoners to have a spiritual adviser remain with them in the execution chamber, an allowance the Supreme Court affirmed earlier this year. Protocols regarding the administration of lethal gas were added to the DOC's execution protocols for the first time in March, but Baich was concerned that there was no information about how the lethal gas team would be selected or trained. (Because Dixon and death row prisoner Frank Atwood committed their crimes before 1992, they have the choice of lethal injection or lethal gas.) Baich also asked for information about what Covid precautions would be in place in the witness room, execution chamber, chemical room and press room. On April 5, Baich put in another records request, this time asking for communications and meetings between court and DOC personnel.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003196

ARZN_REV00069044_4-12-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ICYMIL LAWSUITS ARE EXPENSIVE

Now that the IRC has chosen its two legal teams, commissioners are beginning to wonder what the budget will look like. The IRC was already allocated $500,000 to spend in FY21, but it is clearly not enough for potential litigation, an executive director, executive assistant, mapping consultant and other potential hires commissioners deem necessary. Ducey proposed the IRC receive $4.1 million for FY22, which would be more than a $1 million increase over the 2011 IRC's roughly $3 million in initial funding (YS, 2/16), but until lawmakers agree, it's unclear how much this year's IRC will receive. The Dept of Administration sent our reporter a spending breakdown of the 2011 IRC showing nearly half of the money went toward legal fees. The 2011 commission also received a preliminary $500,000 for the first fiscal year and spent just $106,171 of that sum. The remaining money rolled over into the next fiscal year and spent every single dime – including a supplemental $700,000 on top of the $3 million. Roughly $2 million went toward legal fees, according to an Auditor General's report (LINK), including them, $516,000 for legal fees to three commissioners who were being sued over violating Open Meeting Laws; $21,000 for public records; $181,909 over the battle to remove Chair Colleen Mathis; and $172,880 for mapping lawsuits. Mapping consultants cost that commission $920,000, commissioners spent another $446,000 on "public hearings and commission meetings" and the remaining $900,000 or so went to "other operating costs," which is mostly payroll and employee-related expenditures.

CORRECTION: THE FAMILY IS SPLIT, THE COUNCIL IS NOT

Friday's report incorrectly stated that Pascua Yaqui tribal council was divided on whether to support Ducey's gaming legislation – in fact, the council unanimously approved a resolution supporting the bill back in February, Pasqua Yaqui lobbyist Emily Ryan told our reporter.

WAKE UP CALL

Ducey signs controversial bills

Arizona Capitol Times

Gov. Doug Ducey signed two controversial bills late Friday – one that exempts businesses from following mask mandates and another that bans private funds for election administration.

Republicans have votes in House for flat income tax

Arizona Capitol Times

While House Republican leaders are optimistic that a major tax overhaul that would shift Arizona to a flat income tax will get 31 votes in that chamber, it may need changes before it becomes something that can pass the Senate.

Bill for execution drug: $1.5M

Capitol Media Services

Arizona spent $1.5 million this past fall to buy 1,000 vials of an execution drug.

Report: Biden to pick Tucson's police chief to lead Customs and Border Protection

Arizona Daily Star

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Chief Chris Magnus would be in charge of the federal agency that runs Border Patrol and operates all the posts of entries into the United States.

Arizona highway deaths rose during pandemic, as driving was declining
Cronkite News
Traffic deaths in Arizona surged during the COVID-19 pandemic, even as the number of miles driven in the state appeared to be decreasing, according to preliminary statistics from 2020.

Seeing red: Bill would slash voter-approved education funds, school supporters say
Cronkite News
Red for Ed, the teachers group that spearheaded Proposition 208 – which increases some taxes to hire teachers and bolster teacher salaries – this week returned to the political battlefield to fight a bill it says undermines the will of Arizona voters in November.

Voting restrictions trigger furious debate
White Mountain Independent
Restrictions on voting continue to make their way through the Arizona legislature, as similar bills adopted by other states have caused a national furor.

Drought conditions will drive animals closer to communities in search of water, officials say
Herald-Review
Lack of rain in the last year will soon translate into animals looking for water in backyards over Cochise County, especially over the next three months, Arizona Game and Fish officials said this week.

Two Pot Execs Want To Take Ketamine Mainstream. Not Everybody is Vibing.
Phoenix New Times
The ketamine hit Renee Burdge, a 47-year-old mother of three, with a jolt. Like an elevator floor falling out from beneath her.

Federal judge denies Brnovich injunction in deportation pause lawsuit
Arizona Mirror
A federal judge in Arizona on Thursday said she'll deny a request from Attorney General Mark Brnovich to issue a preliminary injunction prohibiting the federal government from enforcing a temporary pause on deportations.

Aide to Rep. Grijalva found dead in Death Valley National Park
The Hill
An aide to Rep. Raúl Grijalva (D-Ariz.) was found dead on Friday after he and his girlfriend went missing in Death Valley National Park in California.

Women are bearing the brunt of the pandemic. Will we help them?
Arizona Mirror (Op-ed, Rebecca Rios and Victoria Steele)
Nearly three million American women have suddenly vanished, and we have no idea if they'll ever return.

Will the NFL yank the 2023 Super Bowl from Arizona?
Arizona Republic (Opinion, EJ Montini)
It happened to Arizona in the '90s over the MLK holiday. It could happen again over Republican-led voter suppression efforts.

Who's playing politics with COVID-19? Pretty much every office holder in Arizona
Arizona Republic (Opinion, Robert Robb)
It's amusing to watch the likes of Phoenix Mayor Kate Gallego play politics by accusing Gov. Doug Ducey of playing politics in his management of COVID-19.

What I tell myself every time my blood boils over George Floyd's death
Arizona Republic (Opinion, Greg Moore)
Vengeance isn't justice, and it doesn't bring lasting change. That's what I'm telling myself and what I'm teaching my kids.

After a disastrous 5 months, the Republican Party is getting back on its feet
Arizona Republic (Opinion, Phil Boas)

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003198

ARZN_REV00069044_4-12-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Prospects for a Republican recovery were bleak until Govs. Brian Kemp and Ron DeSantis showed the leadership the party needs after Trump.

Lawmakers don't have the power to mess with utility regulators' clean-energy rules

Arizona Republic (Op-ed, Steven G. Zylstra and Doran Miller)

Bob Robb is wrong. A 2020 ruling by the Arizona Supreme Court says state lawmakers lack the power to decrease regulators' constitutional authority.

PRESS RELEASES

Mayor Romero Statement on Border Patrol Plans to Construct a "soft-sided facility" to House Migrants

Mayor Romero issued the following statement after requesting information from Border Patrol last Friday about the agency's plans to construct a "soft-sided facility." The agency responded with limited details on the location and capacity of the facility, which will be located at 4550 East Los Reales Road in unincorporated Pima County and is scheduled to be completed by the end of April or early May, according to BP officials. The City of Tucson has zero role in coordinating, planning, implementing, or any other aspect of this facility, which is being led by Border Patrol and who would have full details on the facility.

To help alleviate capacity, the City is contracting with local hotels to provide individuals and families seeking asylum with temporary shelter as they await transportation to relatives or sponsors living in the U.S. In the last few weeks, the city has supported approximately 75 family units with temporary housing.

Mayor Romero issued the following statement:

"The City of Tucson will continue to be a strong partner - as we have been during previous surges under past presidential administrations - to provide humane, dignified care for asylum seekers during their brief stop in Tucson. Currently, the City is supporting temporary shelter for individuals and families - about 75 family units to date - at our local hotels as they await transportation to their final destinations. We are seeking re-imbursement from the federal government for our expenses."

"While any "tent-like" structure is a sub-optimal solution, it is imperative that any new facility is able to provide humane care with adequate COVID-19 precautions, especially for unaccompanied children who have already endured trauma that no child should have to experience. The crammed conditions that we have seen in other facilities in other states are simply not acceptable. In the interest of transparency, it is important that this facility be open to both elected officials and members of the media, which is why I am encouraged to hear that Border Patrol plans to have an "open house" of the facility prior to becoming operational."

"The right to seek asylum is a basic human right that is enshrined in international law. It is unfortunate that some are choosing to exploit the very real and difficult situations these children and families are facing for political gain and photo-ops at the border. The City of Tucson stands ready to be a part of the solution as the Biden Administration unwinds the inhumane policies of the Trump Administration, which turned away children and families who have experienced unspeakable acts of violence, political persecution, and discrimination."

Senator Kelly Statement on Nomination of Tucson Police Chief Chris Magnus for Customs and Border Protection

Today, Arizona Senator Mark Kelly released the following statement on President Biden's nomination of Tucson Police Chief Chris Magnus to serve as the next head of Customs and Border Protection:

"I've known Chief Magnus for a number of years, and as the son of two police officers myself, I have respected his approach to public service and law enforcement.

"With about 370 miles of U.S.-Mexico border and numerous ports of entry, Arizona requires strong, capable leadership at Customs and Border Protection to secure the border and ensure trade and commerce that is critical for our economy. As Tucson's Police Chief, Chief Magnus understands what it looks like when the

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003199

ARZN_REV00069044_4-12-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

federal government fails Arizona on border security and immigration, and that is the experience and perspective he can bring to this position.
"We're facing a humanitarian crisis at our border that is already straining Border Patrol in Arizona, and I look forward to speaking with Chief Magnus about his plans for Customs and Border Protection and providing a secure, orderly process at the border that prioritizes safety and public health."
Last week, Senator Kelly made his second trip to the border as Senator, visiting Yuma where he met with local leaders and toured Border Patrol operations with Sector Chief Chris Clem. Kelly previously visited Douglas, touring the Port of Entry with CBP Director of Field Operations Guadalupe Ramirez, Area Port Director Jeffrey Wilson, and Mayor Huish.

Mayor Romero Statement on Chief Magnus' Nomination for Commissioner of U.S. Customs and Border Protection

"I want to congratulate Chief Magnus for his nomination to serve as Commissioner of U.S. Customs and Border Protection," ***said Mayor Regina Romero***. "During his time in Tucson and throughout his career, Chief Magnus has developed a national reputation for his sensible, inclusive approach to policing that has always centered around community building."
"Chief Magnus has always understood the importance of distinguishing the role of local law enforcement from federal immigration enforcement and how critical this is to protecting community trust. He has gained valuable experience serving as Police Chief of a major city here in the Borderlands.
"As an established immigrant-welcoming community and in response to SB-1070, Mayor & Council directed a series of amendments to TPD's General Orders that protect victims and witnesses of crimes from arbitrary immigration status inquires, prohibit stops and detentions based on "suspicions" of unlawful status, and other actions aimed at protecting the rights of our immigrant communities. I am grateful for the Chief's leadership in implementing these reforms, as well as other efforts including streamlining TPD's U-visa process and the creation of a new refugee liaison program.
"I wish the Chief the best of luck during his confirmation process and look forward to continue working with him for the time that he is in Tucson."

Veterans Commend Senator Mark Kelly's Leadership to Expand Vaccines to Veterans & Their Families

PHOENIX — A group of veterans last week commended Senator Mark Kelly for his leadership in passing the SAVE LIVES Act to ensure veterans, their families, and caregivers can get COVID vaccines through the VA.
According to the Arizona veterans:
"President Biden's American Rescue Plan does a lot to help Arizonans. As the president says, the plan will get "shots in arms and money in pockets." As former members of the armed services, we appreciate the president rolling up his sleeves, putting politics aside, and getting to work to help Arizonans.
"Specifically, we also wanted to acknowledge Sen. Mark Kelly's work to help vaccinate our veterans with the SAVE LIVES Act. Kelly recently co-sponsored and helped pass the SAVE LIVES Act, which is now expanding vaccine access to veterans through the VA. The law allows veterans, their spouses, and their caregivers to get the shot. Before, only VA-eligible vets could get the COVID vaccine."
The American Rescue Plan provides:

- $1,400 stimulus checks for more than 3.6 million middle- and low-income Arizonans.
- $20 billion for vaccine distribution nationally.
- $50 billion in loans and paycheck protection for small businesses affected by the pandemic.
- $7.6 billion in direct funding to Arizona's state and local governments to keep police officers, firefighters and first responders on the job.

Governor signs bill establishing regulatory framework for peer-to-peer car sharing in Arizona

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003200
ARZN_REV00069044_4-12-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

(Phoenix, State Capitol) – - Governor Ducey today signed into law SB 1720, establishing a regulatory framework for the peer-to-peer car sharing marketplace in Arizona.

"After several years of hard work and collaboration, I was proud to sponsor this consensus legislation," said Senate President Karen Fann. "SB 1720 protects Arizona consumers while striking the right balance in providing sensible parameters for new market entrants without disenfranchising existing industry. This took a lot of effort by many people, and I want to thank Senator David Livingston and Representative Travis Grantham for their hard work over the past two years to get this done."

The bill, which passed both chambers with strong bipartisan support, establishes necessary guidelines in areas such as insurance, public safety recalls and consumer protection disclosure, while recognizing car sharing as a new business model with unique attributes and needs.

"On behalf of Turo, we applaud President Fann for her leadership and continued efforts to embrace new market entrants that empower everyday Arizonans to share their cars to unlock economic opportunity and build their own entrepreneurial muscles," said Turo CEO Andre Haddad.

"I would like to thank Senate President Fann, and the members of the legislature of Arizona for bringing stakeholders together to create common sense legislation. I also want to thank Governor Doug Ducey for signing SB 1720. The result is a fair set of rules that respects the interests of car rental customers, car rental providers, vehicle purchasers, and the communities in which we operate," said Kevin Cooper, GM of Enterprise Leasing Company of Phoenix.

"This legislation importantly provides the Arizona tourism industry with additional revenues while creating new income opportunities during a time of economic recovery in our state," said President Fann.

"QUOTE OF THE DAY"

"Look at that list and you'll know who they are and who we need to replace."

- ***Kelli Ward, on lawmakers who signed a letter calling for a re-do of the AZGOP election***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, April 14, 2021 5:04:27 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-14-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin

About Contact

In Today's Yellow Sheet *April 14, 2021*

WELL, AT LEAST IT'S NOT CORRUPTION
A corporation commissioner asked CEOs of utility companies not to vaccinate employees, multiple sources at the Corporation Commission confirmed, and he wanted to send regulated companies a video arguing the Covid vaccine kills people.

CORP COMM SHOULD REQUIRE COMMISSIONERS TO VACCINATE
That call was at least the second time O'Connor had broached the topic with utility CEOs and staff.

AMERICAN OVERSIGHT

ABOLISHING THE DEATH PENALTY, ONE CANDLE AT A TIME
If the state executes death row inmate Frank Atwood, at least one person the Dept of Corrections director must invite won't attend.

PRO TIP: TRY FORMAT PAINTER
The Cyber Ninja's contract with the Senate displays a concerning lack of clarity and methodology and a general shoddiness indicative of rushed workmanship, according to contract lawyer Jay Calhoun of The Calhoun Law Firm, who reviewed the contract for our reporter.

IF THEY GET SUED, WE'RE ALL ON THE HOOK
The Senate also agrees in the contract to "defend, indemnify and hold harmless" Cyber Ninjas for a host of potential problems with the audit, including if a third party (like, say, Dominion) sues.

LET'S BE HONEST, IT WAS NEVER ABOUT THE MONEY
Calhoun also doesn't see how Cyber Ninjas or the other firms can make a profit off this project.

RAILBIRDS KNOW WHAT'S UP
As expected, former Arizona Supreme Court Justice Andrew Gould filed his statement of interest for Attorney General in 2022, joining Tiffany Shedd, a two-time CD1 candidate, in the Republican primary.

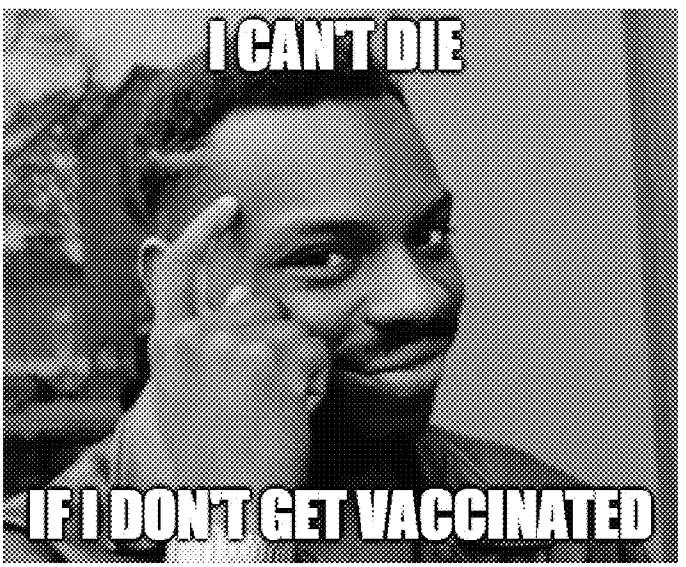
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, April 14, 2021

NEWS NOTES AND GOSSIP

WELL, AT LEAST IT'S NOT CORRUPTION



A corporation commissioner asked CEOs of utility companies not to vaccinate employees, multiple sources at the Corporation Commission confirmed, and he wanted to send regulated companies a video arguing the Covid vaccine kills people. Jim O'Connor, the newly elected Republican commissioner, has been reaching out to utility CEOs to ask them not to have their employees vaccinated en masse, multiple senior officials at Corp Comm told our reporter. An APS spokeswoman confirmed O'Connor and APS CEO Jeff Guldner had a call this week to discuss whether the utility would mandate vaccines for its employees, but did not provide our reporter with specifics. "[Guldner] confirmed that we are not mandating any employees be vaccinated. APS continues to operate according to CDC guidelines with a focus on keeping our employees and customers safe," Jenna Rowell said via email, later adding that was the "extent of what I can confirm." It's unclear who else was on the call. At one point, staff requested O'Connor open a docket on the topic, but he refused, according to multiple Corp Comm senior officials. "He's been calling the CEOs telling them to not make their employees get the vaccine because it's been killing people," another source told our reporter. "And apparently he's been told to docket it because communications with utilities need to be docketed … and he refused." O'Connor offered a vague denial through a spokesman who didn't answer follow up questions. "Commissioner O'Connor states that your comments are untrue," Nick Debus emailed our reporter. "If you're reaching out to them individually to like tell them what to do – even if it's about vaccines, which is bizarre – that's just weird," a former commission staffer said. "At least it sounds like staff was trying to keep it ethical." After our reporter first broached the topic during yesterday's marathon meeting, one source at the Commission said staff was running around frantically trying to find out how our reporter was tipped off. A second source said O'Connor was overheard yesterday telling his policy advisor and a spokesperson that if he denies the conversations happened, then the story will go away. A senior official told our reporter that O'Connor continued his anti-vax campaign last night, as he called Corp Comm insiders to ask that officials sign off on sending utilities a video providing "proof" that the Covid vaccine is killing people who receive it. "He's talking to all of the CEOs of the big companies asking them to show a video that he will provide that goes against the grain of taking the vaccination," one Corp Comm source said, adding that at least one CEO said the video was "not necessary." Our reporter reached out to all five commissioners, and several staff members asking for a copy of the video, but nobody responded before our deadline. The commission was still midway through its two-day meeting and had just started its main topic of utility shutoffs at our deadline (YS, 4/13).

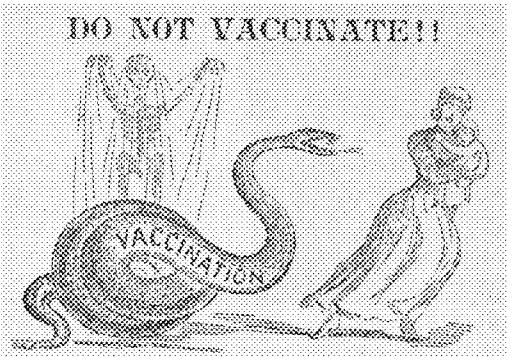
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003204

ARZN_REV00069052_4-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

CORP COMM SHOULD REQUIRE COMMISSIONERS TO VACCINATE



That call was at least the second time O'Connor had broached the topic with utility CEOs and staff. In a March 30 meeting about summer preparedness, O'Connor only asked one question of each utility that gave a presentation. "Do you folks over at SRP mandate your employees to accept the vaccine as a condition of employment," he asked of Salt River Project around the 2:12:00 mark of the video (LINK) during a totally unrelated discussion. SRP and other utilities in the meeting told him they do not mandate the vaccine, but strongly encourage it. It's not the first anti-science stance O'Connor has taken in the past year. On the campaign trail, he said he does not believe climate change is manmade – something that astounded Corp Comm watchers considering he was running for the branch of government that regulates public utilities in areas of electricity, water, gas and energy.

ABOLISHING THE DEATH PENALTY, ONE CANDLE AT A TIME

If the state executes death row inmate Frank Atwood, at least one person the Dept of Corrections director must invite won't attend. Pima County Attorney Laura Conover, a long-time opponent of the death penalty, will instead "do what she always does when someone in Arizona is put to death by the state," her spokesman Joe Watson told our reporter. "[She'll] light a candle and pray very hard for all the people, from every angle involved, suffering trauma on that day." Atwood, who was convicted of kidnapping and murdering an 8-year-old Tucson girl in 1984, is one of the two inmates for whom the state is seeking a death warrant. When Arizona executes someone, the Dept of Corrections director is required to invite a list of specific people to witness the execution. State law dictates that list include the attorney general and "at least twelve reputable citizens of the director's selection" and that defendants must be allowed two clergymen and five friends or family members, and that no minor be allowed to witness the execution. But department protocol gets more specific, requiring the director to invite five official media witnesses, law enforcement, victims and survivors, up to three members of the inmate's legal team, and "prosecutors from the jurisdiction where the crime occurred," which in this case means Pima County (LINK). (During the hiatus following the botched 2014 execution, the department settled a lawsuit by agreeing to allow additional witnesses – journalists, family members and officials – to watch and hear the execution. It also agreed to not use paralytic drugs in future executions and is now limited to the barbiturates pentobarbital or sodium thiopental.) Conover has moved Pima County away from capital punishment in her first few months on the job, dismantling its death penalty advisory panel and vowing not to pursue the death penalty during her tenure. Watson told our reporter there are no remaining cases in the county where the death penalty is being sought. "As long as Laura Conover is county attorney, the Pima County Attorney's Office will not be seeking the death penalty," Watson said.

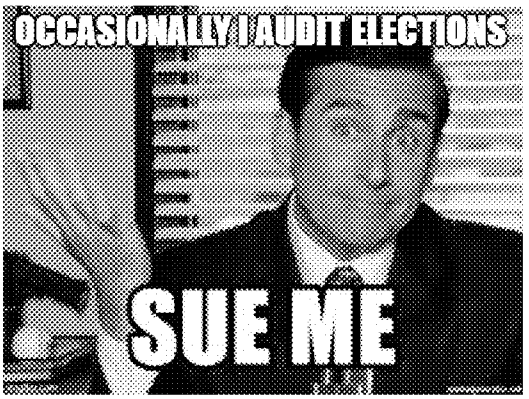
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003205
ARZN_REV00069052_4-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRO TIP: TRY FORMAT PAINTER

The Cyber Ninja's contract with the Senate displays a concerning lack of clarity and methodology and a general shoddiness indicative of rushed workmanship, according to contract lawyer Jay Calhoun of The Calhoun Law Firm, who reviewed the contract for our reporter. One of the first concerns that jumped out at Calhoun when she reviewed the master services agreement and statement of work was it uses different fonts throughout, signifying a cut-and-paste approach to writing contracts. "It's clearly a cut-and-paste job," Calhoun said, adding that the document still included unaccepted track changes. She was also concerned about the lack of clarity in the firms' methodology section in the statement of work, which encompasses a whole of four lines, calling the brevity "ridiculous." For example, the proposed scope of work section says there will be forensic images taken and reviewed, but it doesn't say what analysis will be performed. "It's going to be very difficult to replicate their audit if we don't know how they went about doing it," she said. The language used in the methodology section appeared crafted with a certain result in mind, she said, pointing to phrases like "issues where results may have been manipulated in the software." "The word 'manipulated' is so intentional," she said. "Instead of saying 'issues where results may have mistakenly been changed,' the agreement does not suggest that. They use the word manipulated, which is a loaded term." She said many of the provisions are conclusory, making statements as fact without evidence to back them up. For example, they refer to providing "proper personnel" to conduct analysis without defining what constitutes proper personnel. "Cyber Ninjas has already assumed that there's going to be a problem," she said.

IF THEY GET SUED, WE'RE ALL ON THE HOOK



The Senate also agrees in the contract to "defend, indemnify and hold harmless" Cyber Ninjas for a host of potential problems with the audit, including if a third party (like, say, Dominion) sues. That protection extends to "allegations related to the analysis of any third party's systems or processes or to the decryption, analysis of, collection or transfer of data to Contractor," basically putting any legal ramification to the audit on the Senate, rather than the company it hired. There's also a provision that says Cyber Ninjas is not liable for claims arising from any action the contractor takes that was directed or approved by the Senate. "They're saying no matter what they do, if someone brings an action against them, the state is going to defend them," Calhoun said. Calhoun found it odd that Cyber Ninjas issued a master services agreement, not a simple service agreement, which she said would be more typical of a one-off project. While Calhoun deals with federal contracts, not state contracts, she said she hadn't seen a contractor issue an MSA to the government – usually it's the other way around. Calhoun also said she'd like to get a copy of Cyber Ninja's errors and omissions insurance policy. E&O insurance helps protect companies from lawsuits related to their negligence or mistakes. (Our reporter requested a copy of the insurance policy from the Senate, along with other documents, but the Senate has yet to turn them over.)

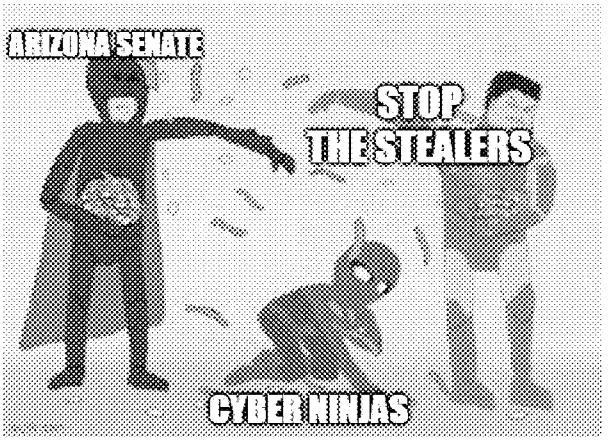
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003206

ARZN_REV00069052_4-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LET'S BE HONEST, IT WAS NEVER ABOUT THE MONEY



Calhoun also doesn't see how Cyber Ninjas or the other firms can make a profit off this project. "A recount is not inexpensive, so how [Cyber Ninjas] is going to do all of it with two additional companies for $150,000 just blows my mind," she said. The audit will almost certainly cost more than $150,000, and Senate liaison Ken Bennett has said the Senate is looking to private sources for additional private funding. *One America News Network* has already raised more than $150,000 for the audit (LINK). And while there's a process by which the Senate can accept funds through Legislative Council, if the funds are provided directly to Cyber Ninjas, it's unlikely the public will be able to find out where that money is coming from. Bennett, on *KJZZ's* The Show today (LINK) said he "hopes" people will be able to find out who pays for the audit. But he offered no assurances. "I would hope all of those things will become public knowledge," Bennett said, again noting that the project will likely run over budget and "there's talk of grants and other sorts of things to make up that difference." Of course, if the company is being subsidized directly by donations, rather than through donations to the Senate, there's no way the public can request that information from Cyber Ninjas. The Senate's contract doesn't require the company to disclose that.

RAILBIRDS KNOW WHAT'S UP

As expected, former Arizona Supreme Court Justice Andrew Gould filed his statement of interest for Attorney General in 2022, joining Tiffany Shedd, a two-time CD1 candidate, in the Republican primary. Multiple legal railbirds told our reporter in early March that it would happen (YS, 3/5), and one week after we published, Gould retired from the court. He was appointed in 2016. Gould served the Arizona courts for several decades, first winning an election to the Yuma County Superior Court, then former Gov Jan Brewer appointed him to the appellate court in 2010 and Ducey promoted him when the Supreme Court expanded six years later. The attorney general race is expected to be a wide-open field since Brnovich is termed out and is likely to run for governor. Legal sources have repeatedly told our reporter to pay attention to contributions Gould receives when he files his first report next January and compare it to court cases he decided on while on the high bench. It could call into question those decisions; one source told our reporter. In addition to Shedd, who launched her campaign a day before Gould filed, railbirds are expecting biennial candidate Rodney Glassman to jump in the race, as well as Lacey Cooper, who currently works in the US Attorney's Office and applied for the Maricopa County Attorney's Office appointment in 2019. One new name that multiple sources have floated as a potential candidate is Dawn Grove, the Arizona Chamber of Commerce board chair (LINK).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003207
ARZN_REV00069052_4-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Gambling bill more than sports wagering
Capitol Media Services
So you think the Cardinals are going to win their first game?

AZ Republican lawmakers seeking flat tax rate
Capitol Media Services
With state revenues running more than $1 billion ahead of expectations and better times forecast, Republican lawmakers are looking at compressing all of the state's income tax brackets down to a single rate.

Arizona, Coconino County follow feds, pause J&J vaccine due to clot reports
Associated Press
Arizona health officials urged a halt Tuesday to the administering of the single-dose Johnson & Johnson COVID-19 vaccine, following reports it could lead to rare but potentially dangerous blood clots.

Arizona Daily Sun moving its press operations to the Arizona Republic
Arizona Daily Sun
The Arizona Daily Sun and its employees serve Flagstaff and the surrounding communities.

Finchem accused of violating campaign finance law
Maricopa Monitor
A liberal watchdog group is accusing Oro Valley Republican legislator and secretary of state hopeful Mark Finchem of violating Arizona campaign finance law by asking supporters to donate to his personal PayPal and Venmo accounts to pay off an unofficial election integrity hearing.

Parents Sue Federal Agents for Killing Teen in 2019 Ahwatukee Shootout
Phoenix New Times
The parents of a 17-year-old girl who was killed by federal agents during a 2019 shoot-out in Ahwatukee are suing the agents in federal court, alleging excessive force.

Redistricting commission hopes to interview mapping consultants next week
Arizona Mirror
The Arizona Independent Redistricting Commission is looking to move quickly on key hires as it ramps up its work, though it will likely be a couple weeks before it makes its next big decision on who will serve as its mapping consultant.

As CBP chief, Magnus must reduce politicization of agencies loyal to Trump
Arizona Daily Star (Opinion, Tim Steller)
Tucson Police Chief Chris Magnus started the Trump years managing a conflict with the U.S. Border Patrol and the agents' union.

Sinema is abandoning her most loyal voters with filibuster stand
Arizona Daily Star (Opinion, Lauren Williams)
Arizona Republicans are enacting stricter voter ID requirements to vote by mail in the aftermath of the 2020 election.

AG Mark Brnovich would save the borderland environment by ... destroying it?
Arizona Republic (Opinion, EJ Montini)
The Arizona attorney general filed a lawsuit hoping to reverse the Biden administration's pause in building a border wall.

Sen. Wendy Rogers is misleading voters in an attempt to lighten their wallets
Arizona Republic (Opinion, Laurie Roberts)
State Sen. Wendy Rogers sent out a misleading fundraising email, touting the prospects of her abortion bill five days after the bill died. Why do voters tolerate being lied to?

Why taxing corporate profits is a lousy way to fund government
Arizona Republic (Opinion, Robert Robb)
The corporate income tax is complicated and volatile. There are better ways of using business as an efficient means of collecting government revenue.

Rep. Paul Gosar doesn't want 'show me your papers' laws for vaccines? Now, that's funny
Arizona Republic (Opinion, Elvia Diaz)

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003208
ARZN_REV00069052_4-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Funny how Republican Rep. Paul Gosar doesn't want Americans to be asked, 'Where are your papers?' for vaccines, but he's fine with it for immigration?

Trust in our election system begins by educating future voters. Here's what we're doing

Arizona Republic (Op-ed, Amy Chan)

The more all Arizonans know how our decentralized elections work, the better off we are. We helped develop a curriculum for kids toward that goal.

PRESS RELEASES

Mayor Romero Responds to Arizona Supreme Court Ruling Upholding City of Tucson Odd-Year Elections

This morning, the Arizona Supreme Court ruled in favor of the City of Tucson in an action brought by the Arizona Attorney General to determine the legality of the City's Charter-based requirement of holding its candidate elections on odd years, despite state laws enacted in 2018 that sought to require the City to move those elections to even years. The ruling means that the City will have its elections for the Ward 3, 5, and 6 Council seats in 2021, instead of being forced to move to 2022. In November 2018, in response to the newly enacted state laws, Mayor & Council referred to the ballot the question of whether to keep City candidate elections in odd years or move them to even years. Tucson voters voted strongly in favor of keeping our elections on odd-years, re-affirming a process that has been in place since the 1960s.

This is the second time in 7 years that the State has attempted to force the City of Tucson to move to even-year elections through state legislation. In 2014, the Arizona Court of Appeals ruled that the State cannot force even year elections on Tucson.

The Arizona Supreme Court's opinion on the 2021 case is included as an attachment.

"I am pleased that the Arizona Supreme Court agreed with the City of Tucson that our local elections are a matter of local concern," ***said Mayor Romero.*** "Phoenix State Legislators have once again failed to override the will of Tucsonans in disrupting our local elections. Tucsonans have repeatedly affirmed that our local elections belong on odd years, which allows for city-focused campaigns and robust public discourse on local issues that would otherwise be overshadowed by federal and state elections on even years."

"I hope that this ruling finally puts the issue to rest, and that our State Legislators can return their focus to the pressing issues facing Arizonans instead of meddling with our local elections. My thanks to our City Attorney and his legal team for their work to ensure that the will of Tucsonans continues to be respected."

MEDIA ADVISORY: Governor Ducey To Sign Historic Tribal-State Gaming Compact

PHOENIX — Governor Doug Ducey will hold a ceremonial signing of a historic tribal-state gaming compact amendment and its associated legislation to modernize and improve gaming throughout the state tomorrow at the Heard Museum. He will be joined by tribal leaders and lawmakers as he ceremonially signs House Bill 2772 and the amended compact.

Background

Earlier this week, the Arizona Legislature passed a bill that modernizes gaming in Arizona and provides additional revenues for Arizona and tribal nations. The legislation, House Bill 2772, is part of a compromise that was negotiated in the amended gaming compact, which is undergoing the most significant modernization in almost two decades. The compact amendments and the associated legislation took more than five years to negotiate, and it ensures gaming in Arizona remains limited and regulated while providing certainty for the future of the state and tribes.

NOTE: Media must arrive by 10 a.m. Late arrivals may not be admitted. The event will be live-streamed here: https://youtube.com/c/dougducey/live

WHO: Governor Doug Ducey, Senator T.J. Shope, Representative Jeff Weninger, additional members of the Arizona Legislature, Gila River Indian Community Governor Stephen Roe Lewis, and additional leaders of tribal nations throughout Arizona

WHAT: Signing of House Bill 2772 and the amended Tribal-State Gaming Compact

WHEN: Thursday, April 15 at 10:30 a.m.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003209

ARZN_REV00069052_4-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

All media must arrive by 10 a.m.
WHERE: Heard Museum
Steele Auditorium
2301 N Central Ave
Phoenix, AZ 85004
*Museum policy requires the wearing of face masks
RSVP: RSVP required with names of all attendees to communications@az.gov by 8 a.m. on Thursday, April 15.

Arizona Department of Health Services Releases New PSA Featuring Several Community Leaders

The PSA is Part of the Roll Up Your Sleeve Campaign to Encourage People to get the COVID-19 Vaccine

PHOENIX — The Arizona Department of Health Services (ADHS) launched a new public service announcement as part of the "Roll Up Your Sleeve to Get Vaccinated Against COVID-19" campaign. The new PSA features community leaders, local celebrities, and influencers from several industries including professional sports teams, the faith community, non-profits, and the business community.

"We are honored that this group of Arizona leaders and influencers came together to encourage everyone in our community to get vaccinated against COVID-19," Dr. Cara Christ said. "Getting vaccinated against COVID-19 is one of the best tools that we have to reduce the spread of the virus and save lives in Arizona."

The PSA features: Dr. Cara Christ, ADHS director; Pastor Sheriolyn Curry, Presiding Elder of Rocky Mountain District at African Methodist Episcopal Church; David Adame, president and CEO of Chicanos Por La Causa; Alan "AP" Powell, founding chairman of the HEROZONA Foundation; Dr. Cecilia Rosales, associate dean of the University of Arizona Mel and Enid Zuckerman College of Public Health; John Goodie, legendary Arizona high school football coach and community leader; Luis "Gonzo" Gonzalez, Arizona Diamondbacks legend; Tom Chambers, Phoenix Suns legend; Vaughn Willis, an Arizona-based R&B musician; and Governor Doug Ducey.

The Arizona influencers PSA is part of a series of PSAs that encourage vaccinations statewide. The current PSAs are running on broadcast and cable television and social media and feature Governor Ducey, Dr. Christ, and a Spanish version with David Adame.

"I want to thank our partners and community leaders for coming together to help promote this important message about getting vaccinated," Dr. Christ said. "I encourage everyone to get vaccinated when they can as new appointments become available."

To learn more about getting vaccinated against COVID-19, visit azhealth.gov/COVID19vaccines. To book your vaccine appointment, visit azhealth.gov/findvaccines.

Representative Cobb: "I Won't be Intimidated from Fighting to Protect Arizonans from Big Tech Monopolies & Exorbitant Fees"

Will continue to fight for HB 2005, which would lower costs for small businesses, increase choice & savings for consumers by preventing big tech's "app tax"

STATE CAPITOL, PHOENIX – State Representative Regina Cobb (R-5) said she won't back down in her fight to end the anti-competitive and monopolistic practices of Big Tech. Cobb said she will continue to build support for her legislation to protect consumers and small businesses from Big Tech's monopolistic fees–better known as the "app tax." Cobb made the comments after her legislation, which was scheduled for a Senate Commerce Committee vote in March, was abruptly held just before the hearing started.

"Effectively cancelling a hearing to stop lawmakers from having a public debate and before Arizona citizens is wrong," Representative Cobb. **"Seeing Big Tech's tactics up close proves that they will stop at nothing to maintain their monopoly, while generating record profits on the backs of hardworking innovators and Arizona consumers. Our fight to lower costs for businesses and consumers is far from over – I will never be intimidated by Silicon Valley and their bully tactics. In fact, Big Tech's desperation to kill HB 2005 has calcified my opinion that checking their monopoly power is more important than ever."**

Cobb said she won't back down and is continuing to speak to colleagues about this issue saying, "**Rest assured: this fight is far from over. I will continue to work with my colleagues from both sides of the aisle to stop Big Tech from using their monopoly power to tax our small businesses, entrepreneurs and innovators, and squash**

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003210

ARZN_REV00069052_4-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

legislation keeping their power in check. They have continually silenced their critics, but they can't shut us all down."

HB 2005 would level the playing field for app developers by giving them, and their customers, more choice–lowering costs for developers, lowering prices for consumers and incentivizing growing tech companies and entrepreneurs to relocate to Arizona. After HB 2005 successfully cleared the Arizona House of Representatives, David Heinemeier Hansson, a co-founder of software maker, Basecamp, said the company would move its operations from Chicago to a state like Arizona that offers a level playing field free from the Big Tech monopoly.

Apple and Google's effective monopoly allows them to force app developers to use their respective payment systems, where they impose a 30 percent "app tax" on purchases made through the App Store and Google Play store. This not only harms small app developers through increased costs but results in higher prices and reduced choice for consumers who have no way to avoid these anticompetitive fees. HB 2005 would free small app developers from the "app tax" by allowing them to accept payments without being forced to go through Apple and Google.

Since Representative Cobb's legislation was introduced, voices from across the political spectrum have spoken out about the need to reign in Big Tech, with some highlighting the legislation in Arizona as a necessary step to act where Congress has not:

- **Protocol**: Apple and Google lobbyists are swarming Arizona over a bill that would reform the app store
- **WSJ:** Why the Next Big-Tech Fights Are in State Capitals
- **Arizona Capitol Times:** OP-ED: It's time to free ourselves from 'Big Tech' monopoly
- **Capitol Media Services:** Arizona lawmakers step into battle between app developers, tech giants
- **KJZZ:** Bill Would Allow Arizona-Based Developers To Skip Apple Store, Google Play
- **NY Times:** States Are Right to Rebel Against Big Tech
- **Politico:** Apple, Google app store fights move to the states

Bolding and House Democrats Urge Veto of Anti-LGBTQ SB1456

PHOENIX— House Democratic Leader Reginald Bolding urged Governor Ducey to veto Senate Bill 1456 sponsored by Republican Senator Nancy Barto, which passed today along party lines and would require parents of students to opt-in to sex education curriculum and any instruction involving gender identity, gender expression or sexuality. Multiple members of the Democratic caucus noted that parents already control whether students receive age-appropriate comprehensive sex education, but this bill would also effectively shut off any discussion of gender identity, information about HIV prevention, how to recognize and report sexual abuse, or even discussion of historical events involving LGBTQ people.

"If our Republican colleagues truly cared about preventing childhood sexual abuse – which they frequently profess – then they should have rejected this bill," said Bolding, D-Phoenix. "Age-appropriate comprehensive sex education helps children when they are most vulnerable to distinguish between – for example – a good touch and a bad touch and gives them the language to tell a responsible adult if they have been abused. Parents can already opt out of this instruction if they choose, but if the legislature erects so many barriers that this instruction disappears altogether it will only allow and cause more harm."

Bolding added, "Two years ago, by an overwhelming bi-partisan majority, the Legislature repealed the discriminatory so-called 'No Promo Homo' law that for decades led to stigmatization and bullying of LGBTQ students. The passage of SB1456 effectively puts those restrictions on discussion of public health issues like HIV-AIDS – or even the history and contributions of the LGBTQ community – back into place. The same governor who repealed that stain on our state's history should not sign this one."

Congressman Biggs Fights Back Against the Democrats' Dangerous and Unconstitutional D.C. Statehood Proposal

Today, the House Committee on Oversight and Reform met to debate H.R. 51, a Democratic effort to transform the overwhelming majority of the District of Columbia's current territory into a 51st state, to be named "Washington, Douglass Commonwealth." At the same time, this bill would carve out a tiny sliver of current D.C. territory, containing merely the White House, Capitol, and a few other government buildings, to serve as the new federal capital district.

Committee Member Congressman Andy Biggs offered the following statement:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"The Democrats are so greedy to permanently tilt the political balance of power in their favor that they have presented us with a laughable D.C. statehood proposal.
For one thing, it is a terrible idea to create a tiny new 'capital district' no larger than a city park that would be completely surrounded by an entirely new state. What if the government of "Washington, Douglass Commonwealth" doesn't want to ensure the security of the new capital district? Or to help supply its electricity or plumbing? How could a territory no larger than a few city blocks avoid being coerced into submission?
But more fundamentally, H.R. 51 is unconstitutional. The Democrats would like to pretend that the 23rd Amendment, which grants residents of the capital at least 3 electoral votes in presidential elections, does not exist. But unfortunately it does, and this reality can't simply be willed away. Or maybe the Democrats want the few actual residents of the new capital district—essentially just President Biden and his immediate family in the White House—to have as much voting power as the residents of some entire U.S. states: a completely ludicrous proposition.
If the Democrats, in disregard of our Founders and the will of the majority of Americans, still want to make D.C. a state, they need to start drafting a constitutional amendment."

Kelly, Sinema, Stanton, Colleagues Ask Biden to Fully Fund Initiatives to Increase U.S. Semiconductor Production

Today Arizona Senators Mark Kelly and Kyrsten Sinema and Representative Greg Stanton led a bipartisan group of 70 Senators and Representatives in requesting that President Biden fully fund initiatives to expand semiconductor manufacturing on American soil and create high-paying jobs authorized in the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Act that were enacted as part of the FY21 National Defense Authorization Act. Arizona, home to 16 semiconductor companies, is a leading state in chip manufacturing with companies looking to expand their existing operations in the state. Recently, Kelly and Sinema applauded Intel's announcement to build two new chip factories in Arizona amidst the global chip shortage. Additionally, the Taiwan Semiconductor Manufacturing Company (TSMC) announced its plans to build a mega site with six factories in Arizona which would create thousands of good-paying manufacturing jobs for Arizonans. Samsung Electronics is also actively considering opening a new U.S. manufacturing facility in Phoenix.
"Increasing the production of semiconductors on American soil is an economic and national security imperative. Arizona is a leader in the sector, proven by recent investments by Intel and Taiwan Semiconductor Manufacturing Company. Funding the CHIPS Act will create thousands of high-paying jobs, and be critical to our national security to ensure our competitiveness over China and on the global stage," **said Senator Mark Kelly.**
"Building on our recent success passing our CHIPS for America plan, continued investment in semiconductor manufacturing creates good-paying jobs across our state, strengthens our national security, and ensures our country continues to lead in innovation," **said Senator Kyrsten Sinema.**
"The bipartisan CHIPS initiative is critical for both our economy and our national security—and now we need to ensure it is fully funded," said Rep. Greg Stanton. "When high-tech and semiconductor companies build and scale in Arizona, they add new, quality jobs and lift up our entire economy. CHIPS will help strengthen Arizona's—and America's—leadership in chip-technology innovations," **said Representative Greg Stanton.**
Last month, Kelly held a call with a group of Republican and Democratic Senators and Brian Deese, chairman of the National Economic Council, to discuss the need to quickly provide full funding for the CHIPS for America Act programs included in last year's bipartisan National Defense Authorization Act, which included key elements of the CHIPS for America Act that will bring semiconductor manufacturing jobs to Arizona.
Last year, Kelly worked to pass key elements of the CHIPS for America Act, which provides federal incentives for domestic semiconductor manufacturing designed to spur investment, and also makes investments in research and development of semiconductor technology. Sinema, a member of the Senate Commerce Committee, was an original cosponsor of the CHIPS for America Act and championed its passage into law.
The full text of the letter is HERE

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003212

ARZN_REV00069052_4-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"He's been calling the CEOs telling them to not make their employees get the vaccine because it's been killing people."

- ***Railbird, on Corporation Commissioner Jim O'Connor***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, April 15, 2021 9:59:11 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-15-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin

About Contact

In Today's Yellow Sheet April 15, 2021

LET THE MADNESS ON MCDOWELL COMMENCE
Ken Bennett and his crew are gathering their army of volunteers to start recounting ballots at the Veterans' Memorial Coliseum next week, and have set up a Twitter account soliciting resumes to a Gmail address.

THE CAPITOL PRESS CORPS IS LIKE 10 PEOPLE
Our reporter, who submitted a resume and filled out the form this morning, will not be among the observers, as Bennett says he plans to bar journalists from participating.

HERE AT YELLOW SHEET, WE ASK THE TOUGH QUESTIONS

AMERICAN OVERSIGHT

Bennett confirmed he will definitely be writing a song about the audit, although he hasn't started writing it yet. He said he often wrote his sine die songs hours before performing them.

"HISTORIC" IS THE WORD OF THE DAY
Ducey signed the gaming compact and H2772 (fantasy sports betting; event wagering) today during an event at the Heard Museum capping a five-year battle.

NO PROMO ANYTHING UNLESS YOUR PARENTS SAY SO
As Ducey and the state's power brokers celebrated inside the museum, Hobbs joined a band of protesters outside to urge him to veto what Democrats are dubbing a "new no promo homo" bill.

ANTIFA FOR TAX CUTS?
While the left often talks about defunding the police, it's Republicans in the Legislature who are actually pushing policies to do so, Boyer said, pointing to so called flat tax proposal that would cut more than $1 billion and hit city budgets.

LITTLE BY LITTLE, A LITTLE BECOMES A LOT
Boyer's concern about tax cuts goes beyond the so-called flat tax big package lawmakers have been crafting behind closed doors – he recently asked staff to compile a list of every tax cut bill moving through the Legislature and is in the process of asking JLBC for a fiscal note on each.

PUT UP OR SHUT UP
In a letter this week, Brnovich asked Ducey to make good on his threat to activate the National Guard at the border, and called on the governor to go a step further by declaring a state of emergency.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, April 15, 2021

NEWS NOTES AND GOSSIP

LET THE MADNESS ON MCDOWELL COMMENCE

Ken Bennett and his crew are gathering their army of volunteers to start recounting ballots at the Veterans' Memorial Coliseum next week, and have set up a Twitter account soliciting resumes to a Gmail address. The number of submissions is growing by the minute, Bennett told our reporter, saying he and his team had already received hundreds of applications. Bennett's team includes his deputy liaison Julie Fisher, a Trump campaign field organizer who's helping lead the AZGOP's voter registration project alongside Bennett (YS, 3/29). He also is getting help from Randy Pullen, former chair of the AZGOP who most recently made the news as treasurer of Finchem's Make Arizona Safe Again PAC (LINK), and John Brakey, a Tucson activist who has been crying election fraud since before it was cool (LINK). Bennett said that after tweeting last night from his new audit account, @ArizonaAudit, and tagging the state Democratic, Libertarian, Republican and Green parties, volunteers from across the political spectrum have been offering their support. (The Google Form was active this morning but was removed by Google this afternoon for violating its terms of service. The @ArizonaAudit account posted a new form this afternoon on Wufoo, saying that Google had chosen to "censor" the previous link (LINK).) Bennett said the audit needs up to 40 volunteers for each of the two six-hour shifts each day until May 14. He and his team plan to verify voter registration and party affiliation and do a quick check for red flags for the applicants. "It's not going to be a formal background check, but whatever we can do to just make sure that these are people that are trying to make the audit a success rather than disruptive," he said. Volunteer observers will have to agree to follow guidelines from the Secretary of State's election procedures manual, he said (LINK). Now he just needs the machines and the ballots, which he's hoping the county will deliver sometime next week. He said he hoped the county was willing to make that delivery. "If not, we're going to have 200 people sitting around wondering what they're doing," he said. Our reporter asked if Bennett would share copies of the volunteer applications but, despite his pledge of full transparency, he declined. "Then everyone else is going to want it," he said. We asked if Bennett believes the submissions are subject to public records law. (Of course, if the Senate were handling the applications internally, they would clearly fall within the public records laws, but since Bennett is an unpaid, unelected volunteer for the Senate, it's less clear.) The question put Bennett on the defensive. He said he was sure that in "some respects" everything was public record because his work was "an outgrowth of an official state project," and added that he won't have anything to hide once the project is finished. "Nothing's going to be withheld from anybody, but I have to get the job done first, and then we can be as open and disclosure friendly as we possibly can," he said. He also threatened to stop returning our reporter's calls if we filed a public records request for the documents. (We already filed a public records request with the Senate, we just wanted to see if Bennett would turn them over voluntarily.) "If that's the way you want to treat me, I might probably not be so inclined to get back to you when I can, and I'm trying to be respectful but I just – we've got to stay focused on getting the thing done rather than letting everybody pick it apart," he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003216

ARZN_REV00069056_4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

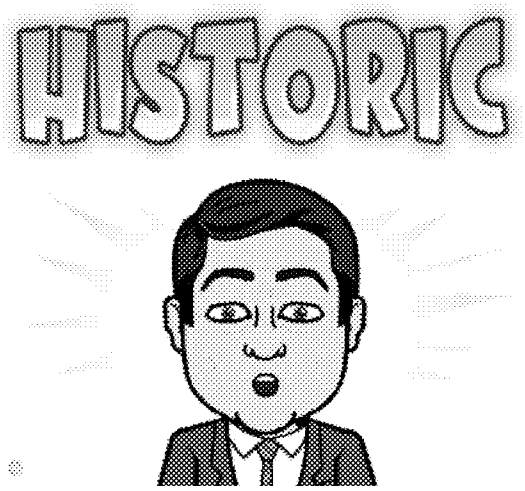
THE CAPITOL PRESS CORPS IS LIKE 10 PEOPLE

Our reporter, who submitted a resume and filled out the form this morning, will not be among the observers, as Bennett says he plans to bar journalists from participating. When our reporter asked if he plans to bar members of other professions from participating, Bennett said no. "We want observers who are coming to observe, not to report," he told our reporter. "Because if we let one of you in, we've got to let 100 of you in, and then all of our observer spots are full." While there are likely fewer than 100 reporters in the state, and certainly fewer than 100 in covering politics, there was some demand among the press corps to be part of the audit. The *Republic's* Jenn Fifield and the *Mirror's* Jeremy Duda had the same bright idea, and also applied to be observers.

HERE AT YELLOW SHEET, WE ASK THE TOUGH QUESTIONS

Bennett confirmed he will definitely be writing a song about the audit, although he hasn't started writing it yet. He said he often wrote his *sine die* songs hours before performing them. "My experience was you had to let the whole legislative session play out, and then there were still crazy things happening up until the last few days," he said. Bennett said waiting until the last minute allowed "inspiration, desperation or a little bit of both" to strike. He declined to spitball a few verses to our reporter.

"HISTORIC" IS THE WORD OF THE DAY

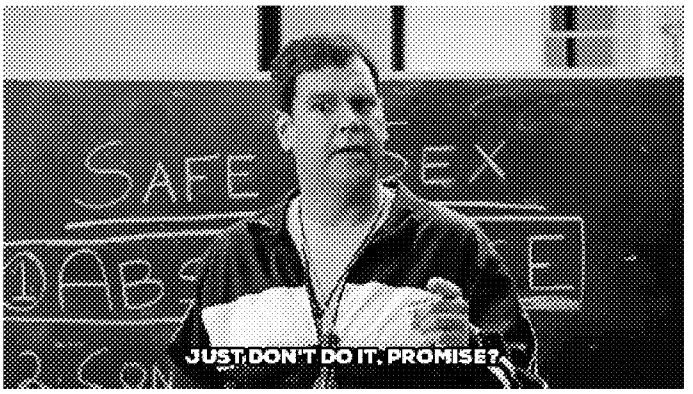


Ducey signed the gaming compact and H2772 (fantasy sports betting; event wagering) today during an event at the Heard Museum capping a five-year battle. Legalized off-reservation gambling is one step closer to becoming reality in Arizona, and tribal casinos will add craps, roulette and baccarat, among other games. Ducey thanked his former chief of staff Kirk Adams for leading the effort from the beginning and thanked his team before signing it while standing alongside tribal leaders and a slew of legislators. "Kirk started working on this while he was my chief of staff and he continued working on it even after he left our office," Ducey said. "It's fair to say that this day and this ceremony would not be occurring without the efforts of Kirk and every single member of my staff." Notably absent from the event was Gowan, who held up the Senate version of the bill in his Appropriations Committee, and Gonzales, who was the biggest Dem detractor of the bill. (It can't be a coincidence that Ducey had Francisco Valencia, a councilman on the Gonzales' Pascua Yaqui Tribe council, give the opening invocation.) None of the other lawmakers who voted against it in the House or Senate were on hand to witness the signing.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003217
ARZN_REV00069056_4-15-21.pdf

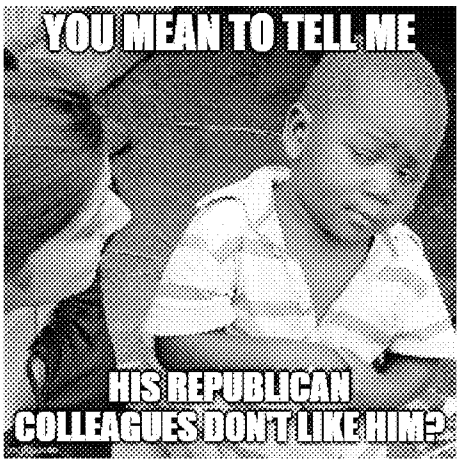
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

NO PROMO ANYTHING UNLESS YOUR PARENTS SAY SO



As Ducey and the state's power brokers celebrated inside the museum, Hobbs joined a band of protesters outside to urge him to veto what Democrats are dubbing a "new no promo homo" bill. S1456 (sex education instruction; parental rights), which would require parents to opt in to sex education, is now on Ducey's desk. Advocates have argued it would harm LGBTQ children by stymieing their access to sexual education, though there's no restriction on schools teaching about gender identity or orientation – with a parent's consent. It comes two years after Hoffman and Brnovich teamed up to pressure lawmakers to repeal the "no promo homo" law, a repeal that Ducey signed immediately after it went through both chambers (YS, 4/11/19). Hobbs told our reporter that Ducey could have turned the protest into a celebration by vetoing the legislation before heading to the Heard Museum. "[If] he would have issued a veto of 1456 before he got there then everyone would have been outside thanking him for his leadership," she said. Ducey has never been one to tip his hand on legislation, and it's unclear if he'll support the measure. He dipped out immediately after the event, not allowing press access after reporters waited for nearly two hours hoping to get in some questions. Hoffman, who made repealing the "no promo homo law" her top priority upon taking office in 2019, said on Twitter that the bill would "silence and erase LGBTQ individuals and their history in our schools." "This legislation is nothing short of state-codified bigotry and does not reflect where most Arizonans stand on these issues," she wrote.

ANTIFA FOR TAX CUTS?



While the left often talks about defunding the police, it's Republicans in the Legislature who are actually pushing policies to do so, Boyer said, pointing to so called flat tax proposal that would cut more than $1 billion and hit city budgets. Boyer sent the *Arizona Capitol Times* an op-ed recently that opens with the lines, "I always thought a serious proposal to defund the police would come from the left. I never imagined it would come from Republicans," and goes on to say the flat tax proposal would "decimate" city budgets, about 70 percent of which are devoted to police and fire. He said the flat tax proposal would cut local revenue sharing with cities and towns to the tune of $225 million. "For the cities in my legislative district, this proposal would result in a $65 million budget cut to the City of Phoenix, and a $9.8 million budget cut to the City of Glendale," he wrote. Boyer told our reporter he knows accusing his colleagues of "defunding the police" will sting, and he's not trying to be facetious or cute, but it's the truth. "I'm not looking to pick a fight, but man, some things around here," he said. He said aside from his budget demand (YS, 4/12), he's ready to vote against the tax cut proposal unless there's a way to hold cities harmless. "I don't think my colleagues are intending to defund the police, but ... I never imagined it would come from Republicans," he told our reporter. "I get the intent and the supply side economics, but I also get the importance of law and order, which we are the party of last I checked."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003218
ARZN_REV00069056_4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LITTLE BY LITTLE, A LITTLE BECOMES A LOT

Boyer's concern about tax cuts goes beyond the so-called flat tax big package lawmakers have been crafting behind closed doors – he recently asked staff to compile a list of every tax cut bill moving through the Legislature and is in the process of asking JLBC for a fiscal note on each. "We have 20 tax bills, some of them unscored, on top of the flat tax," he said. Lawmakers need a clear picture of how much revenue they're voting to forego in totality, not just piecemeal, as the bills come up for votes. "We need to get our minds wrapped around this and not just hope for the best," he said. "We need to know what we're voting on as a big picture, not just one at a time." That list includes big-ticket items like tax conformity, which Ducey signed yesterday. (During debate, Republicans and Democrats alike commented on the oddity of an entirely green board for a bill that would reduce taxes by $600 million – though, to be fair, conformity isn't the same as a tax cut. Alston urged her Republican colleagues to recognize that they passed a major tax cut with this bill and call it quits, but Livingston said they shouldn't stop. "Hopefully we're only halfway done with the tax cuts this year," he said.) And it includes a host of smaller tax cuts, most of them without a fiscal note. Boyer's own S1452 (Arizona empowerment scholarship accounts; revisions) is on the list, though it would actually result in a net savings to the state, at least in the short term (LINK). Ultimately, Boyer said he's concerned that lawmakers will pass a bunch of bills chipping away at state revenues, then the flat tax bill, then a budget that could include more tax cuts – all without lawmakers ever tallying the grand total of revenue they're voting to forgo. "We just have so much we're trying to wrestle with," he said. A copy of his spreadsheet is available in our "documents" section (LINK).

PUT UP OR SHUT UP

In a letter this week, Brnovich asked Ducey to make good on his threat to activate the National Guard at the border, and called on the governor to go a step further by declaring a state of emergency. Ducey said last week he was prepared to send the National Guard using state resources if the feds don't act (LINK) and Brnovich urged Ducey not to wait. "While you've recently requested assistance from the federal government to fund this type of action, time is of the essence," Brnovich wrote to Ducey on April 13. "Border Patrol agents and local law enforcement officials are overwhelmed and demoralized by this unprecedented surge of illegal immigration. They require reinforcements as soon as possible, even if it means we have to act now and fight for the federal dollars later." Brnovich's spokesman told our reporter Ducey has yet to respond. Brnovich also requested Ducey "provide financial assistance to cities and towns dealing with the influx of undocumented immigrants," specifically naming Gila Bend, which recently declared its own emergency. "These cities and towns will soon hit their breaking point if we do not provide additional resources," Brnovich wrote in the letter (LINK).

·WAKE **UP** CALL·

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003219

ARZN_REV00069056_4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

State high court voids 2018 law on city elections
Capitol Media Services
The Arizona Supreme Court has once again nullified efforts by lawmakers to tell Tucson — and all the state's charter cities — when they can have their elections.

Sex education bill goes to governor
Capitol Media Services
State lawmakers gave final approval Wednesday to legislation that will require special parental permission before a student is taught anything about sexual orientation, gender identity or gender expression.

Arizona Senate will conduct audit at state fairgrounds
Associated Press
The Arizona Senate is renting the Veterans Memorial Coliseum at the state fairgrounds for its audit of Maricopa County's election results.

Biden cites infrastructure needs in Arizona, other states, to push plan
Cronkite News
The White House began its pitch Monday for President Joe Biden's $2 trillion infrastructure proposal by spelling out construction needs in all 50 states, including Arizona which got a grade of C on a recent infrastructure report card.

Deal preserves 1,150 acres of ranch land in Santa Cruz County
Nogales International
The tall grasses, rolling hills and water sources of the Rose Tree Ranch near Elgin are going to stay just the way they are, after a Tucson-based organization purchased a conservation easement to protect 1,150 acres of the ranch.

Maricopa County Starts Closing Controversial Homeless Camps on Parking Lots
Phoenix New Times
Maricopa County has begun to close the controversial homeless encampments that were set up on parking lots in downtown Phoenix.

The GOP's most important votes: 2 Democrats
Politico
Keep Sens. Joe Manchin and Kyrsten Sinema close and publicly praise them, Mitch McConnell explained, because they could "save this institution."

Arizona's GOP Senate is abusing its authority. It must end this election 'audit' now
Arizona Republic (editorial board)
Republicans in the Arizona Legislature have set aside dollars, hired consultants, procured the hardware and software to conduct what they call "an audit" of the 2020 presidential election in Maricopa County.

Why is no one howling over Arizona's secret gambling deal? Oh, RIGHT ... because of that
Arizona Republic (Opinion, Laurie Roberts)
Arizona is about to undergo a massive expansion of gambling but the biggest winners of all are Michael Bidwill, Ken Kendrick and the state's other pro-sports team owners.

There's only one thing to talk about in the death of Daunte Wright: Daunte Wright
Arizona Republic (Opinion, Greg Moore)
There are plenty of things to discuss after police fatally shot Daunte Wright. Just not right now. This is a time to grieve.

How Arizona courts are solving a backlog that the pandemic exacerbated
Arizona Republic (Op-ed, Steve Rubley)
The pandemic accelerated pressures – and backlogs – that courts have experienced for years. The good news: They're finally modernizing.

Arizona and Texas governors: The border crisis in our states was created by the Biden administration
Washington Post (Op-ed, Greg Abbott and Doug Ducey)

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003220

ARZN_REV00069056_4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Biden administration recently made an astonishingly out-of-touch statement: "The border is secure." The president himself needs to take a trip to our states.

PRESS RELEASES

Governor Ducey Signs Historic Tribal-State Gaming Compact Amendment

Gov. Ducey: "We Did It By Bringing Everyone To The Table"

PHOENIX — Governor Doug Ducey today signed historic legislation and an amended tribal-state gaming compact that will modernize gaming in Arizona and provide millions of dollars in revenue for critical state needs.

As representatives from the Arizona Legislature and 18 Tribal Nations looked on, Governor Ducey marked the culmination of a multi-year effort to modernize an industry that has become a mainstay of the state's expanding economy since 1992 and has grown to support more than 38,000 jobs.

"I can't overstate the impact the tribal-state gaming compact amendment and its associated legislation will have on our state," Governor Ducey told guests at a ceremony at the Heard Museum in Phoenix. "Gaming employs thousands of Arizonans, and it generates millions in tax revenue that benefits areas like K-12 education, conservation, and treatment centers. Today's signing is a culmination of years of partnership and engagement among many diverse stakeholders — and we did it by bringing everyone to the table, pushing individual agendas aside, and putting Arizona first."

The many tribal leaders and large bipartisan group of state lawmakers attending the event included Gila River Indian Community Governor Stephen Roe Lewis, who was instrumental in tribal and state efforts to amend the compact, as well as Senator T.J. Shope and Representative Jeff Weninger, who spearheaded the effort to secure passage of House Bill 2772.

"This is a once-in-a-generation milestone for tribal nations, their communities, and the entire state of Arizona — and I'm proud to sign a gaming compact amendment and associated legislation that will benefit people in every corner of our state," the Governor added. "My sincere thanks to President Karen Fann, Speaker Rusty Bowers, Leader Reginald Bolding, Leader Rebecca Rios and Assistant Leader Lupe Contreras. I'm also grateful to Senator T.J. Shope, Representative Jeff Weninger, all the legislators who supported the legislation, Governor Stephen Roe Lewis, Chairman Clarke, and all tribal partners who were instrumental in securing a compact that builds on the success of our tribal-state partnerships."

With current tribal-state gaming compacts expiring within the next few years, the Arizona Legislature this week passed a bill that modernizes gaming in Arizona and provides additional revenues for Arizona and tribal nations. The legislation, House Bill 2772, is part of a compromise that was negotiated in the amended gaming compact, which is undergoing the most significant modernization in almost two decades. The compact amendments and the associated legislation took more than five years to negotiate, and it ensures gaming in Arizona remains limited and regulated while providing certainty for the future of the state and tribes.

Gaming facilities provide tribes with funding sources to support tribal education, health care, housing and other basic services such as clean water. The modernized compact continues requirements for tribes to contribute a share of their net win from Class III gaming to pay for regulatory costs in exchange for substantial exclusivity with exceptions for sports betting, fantasy sports and Keno.

In addition, the number of Gaming Devices that a tribe may operate will increase but continue to be limited, and a system that allows tribes to transfer all or some portion of its gaming device allocation to other tribes that have valid and effective tribal-state compacts will remain in place. The compact also specifies the number and location of authorized Gaming Facilities, including limitations, and it specifies the number and location of where and when the new facilities can be opened and operated.

"The Gila River Indian Community is proud to partner with other tribes and the state to come to a gaming agreement that benefits all communities," said Gila River Indian Community Governor Stephen Roe Lewis. "Gaming enhances economic development and job growth within our tribe, and it provides funding sources for education, housing and much more for tribes throughout Arizona. My sincere thanks goes to everyone who partnered to amend the compact and get House Bill 2772 signed."

Additionally, the compact was amended to authorize event wagering, Keno through lottery, fantasy contests and mobile lottery off-reservation. The amendments extend the compacts to an additional 20 years and specifies the types

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003221

ARZN_REV00069056_4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

and forms of additional gaming that a tribe may operate. Additional details on the modernized compact can be found HERE.

"Sports betting is coming to our state, and it's a big win for all Arizonans and our tribal partners," said Representative Weninger. "Not only does gaming result in a wide range of jobs, it helps generate revenue for issues important to many people across Arizona. I'm proud to have played a role in this historic deal, and I thank Governor Ducey, my fellow legislators, tribal leaders and everyone who helped get the legislation and compact amendments through the finish line."

Senator Shope sponsored mirror legislation, Senate Bill 1797.

"This is a historic day," said Senator Shope. "The legislation and the amended gaming compact will keep our state moving forward and benefit Arizonans of all walks of life. It will impact our tourism industry, generate millions in revenue, and expand job opportunities across Arizona. I'm grateful to Governor Ducey, Representative Weninger, all legislators who supported the bill, and our tribal partners for playing a role in modernizing Arizona's gaming."

Arizona's first tribal-state gaming compacts were entered in 1992. Arizona voters approved the continuation of tribal gaming 10 years later with the passage of Proposition 202. Since then, all 22 federally recognized tribal nations in Arizona have entered into compacts with the state, establishing a relationship that has been mutually beneficial to the tribes and the state. Across Arizona, gaming employs thousands of Arizonans in industries such as food service, hospitality, and tourism. As of December 2020, there has been nearly $1.5 billion in total tribal contributions to the state, counties, cities, and towns since the original compacts were signed.

New Law Enforcement Data Collection, Reporting Requirements for Use-of-Force Incidents Approved by Legislature

STATE CAPITOL, PHOENIX – The state Senate on Wednesday unanimously approved HB 2168, legislation sponsored by Representative Walt Blackman (R-6), which requires law enforcement agencies in Arizona to collect data on use-of-force incidents involving officers and to report it annually to the Arizona Criminal Justice Commission (ACJC) and the FBI's National Use of Force Data Collection. ACJC would be required to develop data collection standards and reporting guidelines on use-of-force incidents, and to publicly publish data that was reported during the previous year.

"In light of the recent incident in Minnesota that led to the shooting death of Daunte Wright, my heart and prayers go out to all that have been affected by this tragedy," said Representative Blackman. **"I'm hopeful that the detailed data collected as a result of this legislation will help lead to informed decision making, policy reforms, and enhanced training to support law enforcement agencies and improve the ability of officers to serve and protect people in our communities."**

HB 2168 was passed by the House in February and will now be transmitted to the governor.

LGBTQ Caucus Chairman Chávez Calls for Veto of New 'No Promo Homo' Sex Ed Bill

PHOENIX – Representative César Chávez, Chairman of the Arizona LGBTQ Legislative Caucus, today called for Governor Ducey to veto discriminatory anti-LGBTQ Senate Bill 1456, which passed the House on a party-line vote on Wednesday. The bill, sponsored by Sen. Nancy Barto, would expand the requirement for parents of students to opt in to sex education curriculum to any instruction involving gender identity, gender expression or sexuality. In effect, the bill will re-instate Arizona's discriminatory "No Promo Homo" law – rescinded by the Legislature and Ducey in 2019 – which prevented discussion of HIV-AIDS prevention and led to bullying and stigmatizing of LGBTQ students.

"Parental rights continue to stand with this bill, we already have to opt in for age-appropriate comprehensive sex education, This bill should be vetoed because it is not needed and is only designed to intimidate and frustrate school districts into not providing sex education at all," Chávez said. "This bill will only stigmatize and increase harm to vulnerable students because it creates a new opt in to be able to teach, for example, HIV/AIDS prevention, or history involving gender identity or gender expression like the Stonewall riots. That is troublesome and wrong. I believe the very first time I questioned my identity, I was about six years old. For the parent of a child like me to have to opt in automatically assumes that your sexual orientation, your gender identity or expression, is immoral. When we repealed the 'No Promo Homo' law with broad bi-partisan support, our goal was to remove the target from the backs of LGBTQ kids in our schools. If Governor Ducey signs this bill, he's putting it right back on."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Superintendent Hoffman Announces $2.5 Million to Support Mentoring Program

PHOENIX – Superintendent of Public Instruction Kathy Hoffman and the Arizona Department of Education (ADE) today announced $2.5 million in support of the Arizona K12 Center's Arizona New Teacher Support Program. This program builds a foundation of induction and mentoring by providing dedicated and trained instructional mentors for new teachers during their first three years in the classroom. In addition, new teachers in the program take part in professional learning opportunities specifically for their career stage. ADE's investment using federal relief and recovery dollars will expand capacity of the program from seven districts up to 22 individual schools, districts, or departments, funding all applications received this year that meet the established criteria.

Induction and mentoring programs for new educators have a profound impact on recruitment, educator effectiveness, and retention. An experienced educator can help guide a new educator not only in the act of teaching students but also in learning the day-to-day of the profession not taught in a degree program. The most effective mentoring and induction programs are comprehensive, consistent, and offer ongoing professional learning.

"For too long, Arizona students have paid the price for our teacher shortage crisis, not because we lack the talent, but because too many exceptional teachers have burned out from overcrowded classrooms, non-competitive pay, and a lack of essential resources," said Superintendent Hoffman. "Some of the best investments we can make in solving our teacher shortage are in proven recruitment and retention strategies like mentorship programs. I'm pleased to partner with the Arizona K12 Center so they can expand capacity to more districts, including rural and remote districts."

After a school year full of additional challenges, ADE and the Arizona K12 Center recognize the need to support beginning teachers now more than ever. Research shows that with support and collaboration for and among educators, retention rates increase. Educators need a collaborative culture where they feel supported by their colleagues and can call upon a large network of other professionals for advice, ideas, and camaraderie.

The Arizona K12 Center will provide comprehensive and ongoing standards-based training for mentors at each participating site. These full-time mentors will serve as instructional coaches who will support a new teacher's growth through coaching, reflection, and inquiry. These teachers just entering their career will have a mentor in their classrooms for at least two hours a week while teaching and learning are happening.

Arizona K12 Center Executive Director Kathy Wiebke noted that the Arizona New Teacher Support Program participants include a variety of programs, schools and districts across the state.

"We are thrilled for this additional funding to expand the support we can provide for school districts throughout Arizona. This funding will more than double the impact of this program and allow us to reach some of Arizona's most rural school districts," Wiebke said. "It is our vision that these new teachers will see themselves as effective and find the joy in teaching we all experienced."

A part of Northern Arizona University, the Arizona K12 Center provides professional learning opportunities for Arizona teachers across the teaching continuum but has identified the particular need for stronger beginning teacher support.

"The Arizona K12 Center is a wonderful resource for the NAU College of Education, and for teachers who graduate from NAU as they enter their teaching careers and beyond," said NAU President Rita Hartung Cheng. "We have a long history of preparing teachers, having been founded as a teachers college. As the need for teachers grows in the state, the rich support given by the Arizona K12 Center through its many programs – including mentoring – has been critical to the success of both our K-12 classroom teachers and the students they serve."

The participants in the 2021-2023 Arizona New Teacher Support Program include:

- Alhambra Elementary School District
- Amphitheater Public Schools
- Balsz School District
- Bisbee Unified School District
- Cartwright Elementary School District
- Cottonwood-Oak Creek School District
- Deer Valley Unified School District
- Harvest Preparatory Academy
- Isaac Elementary School District
- Lake Havasu Unified School District
- Maricopa Unified School District
- Mesa Public Schools (Special Education Program)
- Mesa Public Schools
- Mohave Valley Elementary School District

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Pendergast Elementary School District
- Round Valley Unified School District
- Scottsdale Unified School District
- Tolleson Elementary School District
- Tolleson Union High School District
- Wilson Elementary School District

The Arizona K12 Center's mentor training and beginning teacher support events are available to all Arizona teachers. Learn more about those offerings at azk12.org/mentoring-and-coaching/overview and register for specific events at azk12.org/events

New AARP Analysis Shows Arizona COVID Cases and Deaths Declining in Nursing Homes; Chronic Problems Remain

21.5% of Arizona Nursing Homes Reports Staffing Shortages and 12.6% did not have a one week supply of PPE

PHOENIX, Arizona – The latest release of AARP's Nursing Home COVID-19 Dashboard shows that both cases and deaths in nursing homes declined in the four weeks ending March 21. Although these rates are improving, chronic problems in nursing homes—revealed during the COVID-19 pandemic—continue. In Arizona during the four weeks ending March 21, 2021, 21.5% of nursing homes reported a shortage of nurses or aides, about a 4% decrease from the previous reporting period.

Deaths of nursing home residents are significantly lower than what they were in the previous period, dropping from 82 to 13 deaths in the four weeks. New infections among residents and staff also declined drastically from previous levels. Resident cases fell from 444 to 105 cases, and new staff cases declined from 275 to 45 cases.

The good news is COVID-19 cases and deaths in nursing homes are finally on the decline, and facilities continue providing vaccines to both residents and staff," said Dana Marie Kennedy, AARP Arizona State Director. "We cannot breathe a real sigh of relief until the chronic, ongoing problems in nursing homes and other long-term care facilities, such as staffing shortages, transparency, and poor infection control have been resolved."

AARP Arizona continues to fight for reforms to protect nursing home residents and ensure long-term care facilities provide high-quality care. Specifically, AARP Arizona will continue to ask state lawmakers and Governor Doug Ducey to:

Enact or make permanent the components of AARP's five-point plan:

· Prioritize regular and ongoing testing and adequate personal protective equipment (PPE) for residents and staff—as well as for inspectors and any visitors.

· Improve transparency focused on daily, public reporting of cases and deaths in facilities; communication with families about discharges and transfers; and accountability for state and federal funding that goes to facilities.

· Ensure access to in-person visitation following federal and state guidelines for safety and require continued access to virtual visitation for all residents.

· Ensure quality care for residents through adequate staffing, oversight, and access to in-person formal advocates, called long-term care Ombudsmen.

· Establish minimum nursing staffing standards.

· Provide supplemental staff wages and benefits during this emergency.

· Ensure that increases in nursing homes' reimbursement rates are spent on staff pay and to improve protections for residents.

· Improve minimum wages for staff in residential and home care settings.

· Ensure progress is made so that in-person visitation can safely occur and facilitate virtual visitation.

· Create a pathway for single occupancy rooms in nursing homes.

The AARP Nursing Home COVID-19 Dashboard analyzes federally reported data in four-week periods going back to June 1, 2020. Using this data, the AARP Public Policy Institute, in collaboration with the Scripps Gerontology Center at Miami University in Ohio, created the dashboard to provide snapshots of the virus' infiltration into nursing homes and impact on nursing home residents and staff, to identify specific areas of concern at the national and state levels in a timely manner.

The complete Nursing Home COVID-19 Dashboard is available at www.aarp.org/nursinghomedashboard. For more information on how COVID is impacting nursing homes and AARP's advocacy on this issue, visit www.aarp.org/nursinghomes.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003224

ARZN_REV00069056_4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Statement from Senator Vince Leach on the signing of SB 1752

"Governor Ducey's signature on SB 1752 will have an immediate, positive impact on millions of Arizonans and Arizona businesses.

COVID-19 has had a tremendous effect not only on the health of people in our state, but also on our economy and personal finances.

Many Arizonans and businesses have experienced financial hardships during the pandemic, and this bill will provide immediate tax relief at a time when it is needed the most. Those out of work will now see the first $10,200 in unemployment income excluded from taxation and businesses that participated in the Paycheck Protection Program are provided clarity when filing their taxes. In total, my bill provides more than $600 million in tax relief to Arizonans.

The Legislature stood in unanimous, bipartisan support for this important bill. The vote was 60-0 in the House of Representatives and 30-0 in the Senate.

It is truly gratifying to sponsor a bill that will have such a positive impact on lives in our state."

Mayor Romero pens letter to State leaders urging them to table controversial voter disenfranchisement bills

Today, Tucson Mayor Regina Romero sent the attached letter to Governor Ducey and leadership in both the State Senate and House expressing her strong opposition to SB 1713, SB 1485, and SB1106 – bills that would have the effect of restricting voting access to thousands of Arizonans if passed.

Her letter reads, in part:

"SB1713 imposes burdensome documentation requirements on voters, disproportionately harming low-income Arizonans and seniors. One in five Arizonans over the age of 70 lack access to a driver's license, which this bill effectively requires for early ballot affidavits if one does not know their voter registration number. SB1485 and SB1106 would make it easier for voters to be purged from the Permanent Early Voter List (PEVL), disproportionately affecting Arizonans living on reservations and communities of color...

Unfortunately, this is not the first time our State Legislature has entertained legislation that attacks the civil rights of communities of color. In 2010, our State Legislature passed the now infamous SB-1070, otherwise known as the "Show-Me-Your-Papers" law. This anti-immigrant legislation gave Arizona a black eye that we are still recovering from today both in terms of the damage it has cost our state's reputation and the resulting economic consequences. The last thing we need is another black eye, which is exactly what we would get if these voter disenfranchisement bills are signed into law. We've seen the corporate blow back and boycotts underway in Georgia – let us learn from our peers and our history and not repeat the mistakes of the past."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"If that's the way you want to treat me, I might probably not be so inclined to get back to you when I can."

- Ken Bennett, when our reporter mentioned filing a public records request for audit-related documents in his possession

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003226

ARZN_REV00069056_4-15-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Friday, April 16, 2021 6:50:26 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-16-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 16, 2021

WHO'S PUTIN MONEY INTO THIS THING?
After Talking Points Memo today got the scoop that Lin Wood, a conspiracy peddler and lawyer for Trump lawyer Sidney Powell, put up $50,000 to subsidize Cyber Ninjas' audit, Ken Bennett told our reporter he still hopes the public gets to know who's funding the audit, but that's above his pay grade.

TFW YOU HAVE NO CHAIRMANSHIP TO LOSE
Fillmore wants to recall Bowers, writing on Facebook that the spineless speaker needs to be replaced by a true conservative after Bowers killed one of his bills. In a typo-riddled post, Fillmore went off on the speaker.

BIGGS ANNOINTS TROLL FARMER?

AMERICAN OVERSIGHT

J Hoffman's fundraiser this week headlined by Biggs caught the attention of several railbirds who speculated that Biggs is anointing a successor to his congressional post under the assumption that he would run for the US Senate.

BUT THE 2020 ELECTION ISN'T EVEN OVER YET…
Yesterday was the first federal campaign finance deadline for the 2022 election, and three legislators are running for Congress so far.

ANOTHER DC POLITICIAN TELLING AZ WHAT TO DO
Gallego is again threatening to spearhead a referral if Republican lawmakers and Ducey approve election reforms inspired by the lie that the 2020 election was stolen.

YOUR TAX DOLLARS HARD AT WORK
Taxpayers floated the bill for airfare, hotels, meals and other expenses to send a handful of Republican lawmakers to CPAC in Orlando.

CORRECTION: DUDA DOESN'T CARE ABOUT ELECTION INTEGRITY
Yesterday's report incorrectly stated that the Arizona Mirror's Jeremy Duda had signed up to be a volunteer – while he didn't apply, he told our reporter "my services are still available if they're wanted."

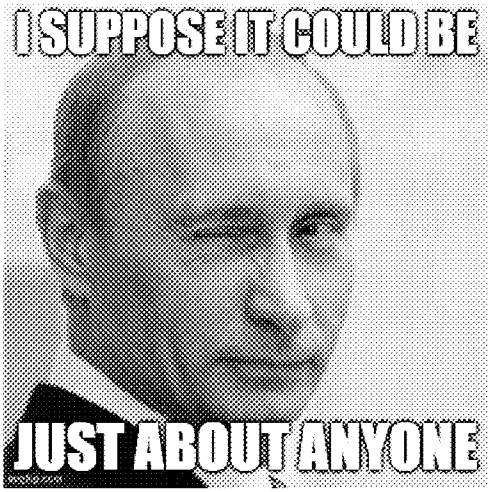
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, April 16, 2021

NEWS NOTES AND GOSSIP

WHO'S PUTIN MONEY INTO THIS THING?



After *Talking Points Memo* today got the scoop that Lin Wood, a conspiracy peddler and lawyer for Trump lawyer Sidney Powell, put up $50,000 to subsidize Cyber Ninjas' audit, Ken Bennett told our reporter he still hopes the public gets to know who's funding the audit, but that's above his pay grade. Wood, one of the lead attorneys who fought and lost several court battles arguing the election was stolen from Trump, told *TPM* his organization put in $50,000 of the $150,000 that *OANN* personality Christina Bobb raised for the Senate (LINK). Besides being among the chief backers of Trump's electoral lies, Wood is also defending Powell in Dominion's $1.3 billion defamation lawsuit (LINK). Bennett told our reporter he doesn't know who Wood is, and donors won't influence the outcome. "The only agenda that I'm going to make sure happens is that we do the audit in a fair and open and transparent and accurate way," he said. "If the agenda of somebody wanting to contribute funds is anything other than that, then it's a waste of their money." *TPM* also confirmed that despite earlier claims the money would to the Senate, the money will now go directly to Cyber Ninjas, mudding the waters as to who, exactly, is paying for the audit, as Cyber Ninjas is not subject to public records laws. Bennett told our reporter that he hopes Cyber Ninjas will disclose who's funding it, but he hasn't asked the auditors who's really paying the bills. "As the Senate liaison I don't have anything to do with the funding," he said. "I had not even thought about it yet." Among the risks of being completely blind to who's funding the audit is that it could be a foreign national or state – perhaps one of the US' enemies see this as a chance to sow division. Bennett said he hopes that's not the case, but again, hadn't thought to ask. "I think we have enough people interested inside the country to cover the cost of the audit without having to go international," he said. "My focus is going to be on the logistics of the audit, and once all of those things are covered, I'll be happy to ask where the various funding sources came from to cover the difference between the Senate's $150,000 and the actual cost."

TFW YOU HAVE NO CHAIRMANSHIP TO LOSE

Fillmore wants to recall Bowers, writing on Facebook that the spineless speaker needs to be replaced by a true conservative after Bowers killed one of his bills. In a typo-riddled post, Fillmore went off on the speaker. "This would br the best move possible for Arizona, There could be a replacement by Rep Biasuchi,,. T, Grantham, W. Blackman, M Finchem, S Bollick or any more. CONSREVATIVE member that will help save the country..... just saying..," he wrote. Fillmore acknowledged he has "sour grapes" after Bowers killed his H2060 (schools; pledge; quiet reflection), which never received a floor vote. "He works with several other liberal Republicans he has put in positions of chairmanship poer and they thwart a ton of good conservative legislation while always deflecting the blame on 'rules' etc. IT IS TIME FOR A CHANGE," Fillmore wrote. Tucson conservative talk radio host Garret Lewis caught hold of the post, claiming it shows blood in the waters for Bowers, and complained that no conservatives ran against Bowers for the speakership. (In fact, Finchem ran a bizarre speaker campaign that included pledges such as using mime's [sic] to harness the power of "rhetoric and sarcasm with a purpose," (YS, 10/23/20) and garnered almost a third of the vote among House Republicans (YS, 11/6/20)).

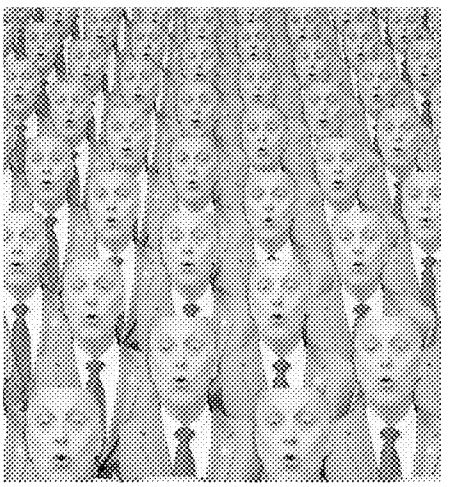
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003229

ARZN_REV00069058_4-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BIGGS ANNOINTS TROLL FARMER?



J Hoffman's fundraiser this week headlined by Biggs caught the attention of several railbirds who speculated that Biggs is anointing a successor to his congressional post under the assumption that he would run for the US Senate. One source noted that the conservative faction of the GOP in the East Valley operates this way – former congressman Matt Salmon "handed" over his seat to Biggs, for example, and Biggs "handed" his Senate seat over to Petersen. Another source said if Biggs were to anoint anybody for his congressional seat, it would be Petersen – not Hoffman. "What I'm hearing is that Hoffman has his eyes set on Queen Creek mayor's seat," the source said. (Hoffman didn't return a call from our reporter.) That might seem like a "step down" from Hoffman's legislative post, the source said, but the Biggs faction of the East Valley GOP has put up candidates in Queen Creek. "They're trying to control all the seats in their ecosystem," the source said. What's certain is that the pragmatist wing will field a candidate for Congress. "Nobody is just going to walk into that seat," the source said, adding whoever holds that seat effectively does so for as long as he or she wants it. Speculation is still rampant that Biggs will run for the US Senate. Biggs would be the heavy favorite if he runs for the Senate, the source said. "But he has no chance of winning the general election," the source said. "He doesn't know how to win the middle at all." The source said Kirk Adams is interested in running for the US Senate, but he knows it would be an uphill climb – perhaps too steep of a climb – against Biggs. "The environment is so toxic," the source said. "The Venn diagram doesn't even intersect now. Your campaign message in the primary doesn't win you votes in the general election." The source also said it was a mistake for the establishment to pick Martha McSally – that should have been Adams. "It was a big mistake to invest in a candidate who voters had a muscle memory of voting no." Still another source offered up a rumor that Biggs has taken his eye off the US Senate race, believing Republicans will take the majority in the House, and he will be a top member of leadership in that majority.

BUT THE 2020 ELECTION ISN'T EVEN OVER YET...

Yesterday was the first federal campaign finance deadline for the 2022 election, and three legislators are running for Congress so far – Friese and Engel in whatever the current CD2 will become and Blackman in whatever CD1 will be after redistricting. As of our writing, Friese had not filed his campaign finance report, but his campaign sent out a press release just a few days after his campaign launched where it reported that he raised at least $100,000 from 1,500 individual contributors (LINK). The Friese campaign noted that the FEC offers a 10-day buffer from raising the first dollar and having to file a campaign finance report. Friese started collecting money when he launched on March 25, but didn't file his statement of organization on April 1, meaning he skipped the Q1 reporting period. The campaign would not provide an update to how much money he has raised thus far. Without those numbers, it's unclear how much he brought in throughout the remainder of Q1, how much he spent and what's left in his early war chest. Engel, on the other hand, raised $150,000 over 12 days from her announcement to the end of Q1. So far, she hasn't spent much – roughly $5,500 – and is left with $145,000 in her war chest. Blackman is alone in his race so far – not even O'Halleran has signaled whether he will run again. But Blackman will still need to pick up the pace with fundraising if he wants to win that district. He only raised $30,000 after filing his federal statement of interest in late-February, and he already spent a third of that haul. He's left with just more than $20,000 in his account heading into Q2. Blackman does have some notable contributors in Maricopa County audit liaison Ken Bennett and Stop the Steal attorney Alex Kolodin who gave him $1,000 and $750, respectively.

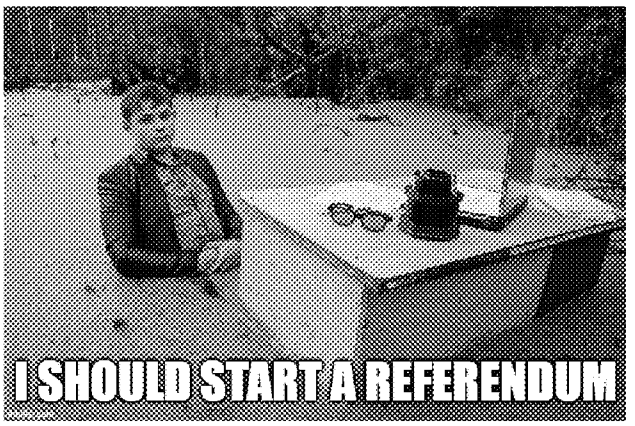
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003230

ARZN_REV00069058_4-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ANOTHER DC POLITICIAN TELLING AZ WHAT TO DO



Gallego is again threatening to spearhead a referral if Republican lawmakers and Ducey approve election reforms inspired by the lie that the 2020 election was stolen. The former lawmaker turned congressman told *KJZZ's* Ben Giles that if lawmakers pass election overhaul laws, they'll have to do so by a vote at the ballot. "Basically my thought is this: If you're going to try to disenfranchise Arizonans, we're going to make you actually go to the polls to do that," he said (LINK). Gallego pledged to use his national contacts to fundraise for signature gatherers and the campaign, which will also slam Republican lawmakers. It's something he's been talking about for a while. On Twitter, he's made various threats to that effect this year, starting with pledges to refer Bolick's H2720 (ballots; election contests; certificates), which was never even assigned to committee, and then more broad pledges to refer other election bills. "All voter suppression bills that pass in the AZ Leg will be referred to the ballot. Republicans will have to defend their bill and themselves. The sponsors of these bills voted to end gun free school zones, allow guns in libraries, demanded Obama's proof of circumcision," he wrote in March (LINK). (In case you forgot, part of the 2011 birther bill, which former Gov Jan Brewer vetoed, was a presidential candidate could provide a circumcision certificate in lieu of a birth certificate (LINK). Every Republican in the Legislature supported that bill and those who are still lawmakers include Allen, Barto, Burges, Fann, Fillmore, Gowan, Gray, Kavanagh, Mesnard, Pratt and Ugenti-Rita.) Gallego has been bullish, even combative, on the wisdom of taking bills to the ballot. When Clean Elections Commissioner Amy Chan chimed in on Twitter that a referendum could backfire, as it could lead to the measure being voter protected, he lashed out. "I don't mean to be combative but let's think about this," Chan said, to which he replied, "You think about it. I will get to work" and insisted a referred and approved bill isn't voter protected. "Okay Congressman. I'll take my years as a lawyer working at the legislature and as state election director and go home," Chan wrote back. "Yes I will take mine as a legislator, campaign manager, Congressman and go defeat these bad bills why [sic] you keep thinking about it," Gallego responded (LINK).

YOUR TAX DOLLARS HARD AT WORK

Taxpayers floated the bill for airfare, hotels, meals and other expenses to send a handful of Republican lawmakers to CPAC in Orlando. Sending Finchem, Biasiucci, Cook and Roberts on the four-day trip to the late February gathering, which the former president headlined, cost taxpayers about $3,500, according to records our intern, Cameron Rubner, obtained through public records requests. Cook was the most frugal, charging taxpayers only $30 for meals and $70 for other expenses, along with his $275 air fare and just $160 for his hotel room. Biasiucci, by comparison, charged taxpayers more than $100 for his meals and $338 for unitemized "other" expenses. The most expensive participant, however, was Roberts, who charged taxpayers $1,070 for his trip, the bulk of which was his airfare, which cost $630. None of the lawmakers returned calls for comment today.

CORRECTION: DUDA DOESN'T CARE ABOUT ELECTION INTEGRITY

Yesterday's report incorrectly stated that the *Arizona Mirror's* Jeremy Duda had signed up to be a volunteer – while he didn't formally apply, he told our reporter "my services are still available if they're wanted."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003231

ARZN_REV00069058_4-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Corp Comm starts new plan on power cutoff ban
Arizona Capitol Times
The Arizona Corporation Commission took an important first step to creating a permanent rule change on utility companies shut-off policies that stemmed from the death of a 72-year-old woman in 2018.

New compacts bring more than sports wagering
Capitol Media Services
Arizona tribes are going to get at least four new casinos – and possibly more – along with more slot machines, more games of chance and the right to take wagers on a whole new category of sporting events.

HUD awards White Mountain Apache Housing Authority $5 million
White Mountain Independent
The U.S. Department of Housing and Urban Development (HUD) announced its Fiscal Year 2020 Competitive Indian Housing Block Grant (CIHBG) Awards on April 12 in a national press release.

Environmental groups object to Fossil Creek plan
Payson Roundup
The U.S. Forest Service has dismissed out of hand a slew of objections to its latest Fossil Creek Management Plan filed in December by a coalition of environmental groups.

There's an avalanche of evictions coming. No one knows how big it will be.
Arizona Mirror
Since March, most evictions in Arizona have been prevented because of state and federal rules enacted in response to the pandemic, but when the moratorium expires on June 30, thousands of Arizonans could be without a place to live.

Sinema, Romney propose bill to tackle student loan debt
The Hill
Sens. Mitt Romney (R-Utah) and Kyrsten Sinema (D-Ariz.) on Thursday introduced a bipartisan bill to tackle student loan debt.

Kevin Tillman draws a bloody line from Afghanistan to the Capitol riot
Arizona Republic (Opinion, EJ Montini)
Tillman, Pat's brother, sees the roots of our current troubles in the policies of the past. And present.

Alone together with the widows and orphans of dementia
Arizona Republic (Opinion, EJ Montini)
Hearing from others who, like me, have had to take loved ones to the 'afterlife.'

Biden thinks sending aid to Central America will solve our border problems. It won't
Arizona Republic (Opinion, Robert Robb)
The track record of U.S. foreign aid producing good governance or improved economic conditions is abysmal.

Are Republicans really lecturing Democrats about packing the U.S. Supreme Court?
Arizona Republic (Opinion, Elvia Diaz)
Republicans are fuming over a Democratic proposal to expand the U.S. Supreme Court but then argue it would help them take back control? Oh, please.

Sure, Democrats. Try to pack the Supreme Court. You'll help save the Republican Party
Arizona Republic (Opinion, Phil Boas)
With the Democrats working diligently to take control of everything, the Republican comeback has begun.

Legislation threatens quality jobs, copper we need to power our clean energy future
Arizona Republic (Op-ed, Aaron Butler)
Arizona can be a key producer and employer in America's clean energy future - but not if legislation kills the proposed Resolution Copper mine first.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003232
ARZN_REV00069058_4-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Puerto Rico deserves to be a state. Will Rep. Raúl Grijalva help make it happen?
Arizona Republic (Op-ed, Matt Helder and José A. Cabrera)
There are two competing bills on Puerto Rico becoming the 51st state, and Arizona Rep. Raúl Grijalva is in a key position to move one of them forward.

Arizona's GOP Senate is abusing its authority. It must end this election 'audit' now
Arizona Republic (Opinion, Editorial Board)
The Republican-controlled Arizona Senate has made so many poor decisions that no matter what its election audit finds, it won't be credible.

PRESS RELEASES

Media Advisory: Superintendent Hoffman to Host Press Conference on Student Mental Health

PHOENIX – Arizona Superintendent of Public Instruction Kathy Hoffman will host a press conference Monday, April 19th at 1:00pm. Speakers will include:

- Kathy Hoffman, Superintendent of Public Instruction
- Claire Novak, Student, Arizona School for the Arts
- Representative Jennifer Pawlik, State Representative LD-17
- Superintendent Laura Toenjes, Kyrene Elementary School District
- Brandie Reiner, President of the Arizona Chapter of the National Association of Social Workers
- Sarah Skemp, Board Chair of the Arizona School Counselors Association

The press conference will take place at the Capitol Rose Garden (1700 W. Washington, Phoenix 85007), outdoors, west of House of Representative. Free parking is available in the visitor's lot at Wesley Bolin Memorial Plaza. Masks required by all attendees.
All members of the press should RSVP to Morgan Dick, morgan.dick@azed.gov, no later than 11:00am on April 19th

Governor Ducey Orders Flags At Half-Staff To Honor Victims Of Indianapolis Tragedy

PHOENIX — Governor Doug Ducey ordered flags at all state buildings be lowered to half-staff until sunset on April 20, 2021 to honor the eight people murdered and several injured in the shooting that took place in Indianapolis, Indiana on the night of Thursday, April 15.
"Last night, an evil act of violence took the lives of eight people and wounded several others," said Governor Ducey. "Arizona stands with the families of the victims and the entire Indianapolis community at this tragic time, and we send our deepest condolences. I've ordered flags at all state buildings be lowered to half-staff in remembrance and honor of the eight innocent lives lost."
The Governor's half-staff order is in coordination with President Biden's proclamation.

Statement From Governor Ducey On Release Of Undocumented Individuals

"If the federal government isn't going to do its job, then Arizona will take matters into our own hands"
PHOENIX — Governor Doug Ducey released the following statement today after Immigration and Customs Enforcement and the United States Border Patrol declined to take custody of 20 undocumented individuals identified by the Arizona Department of Public Safety:
"The Biden/Harris administration needs to get its head out of the sand when it comes to the crisis at our border. This lack of action defies all logic, and flies in the face of the law. This administration is asleep at the switch, and their total lack of action is having real consequences here in the state of Arizona.
"I've met with our Border Patrol and they need help, and they need the support of the administration. It's time for the White House to act and do its job so the dedicated law enforcement officials on the ground have the resources, support

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003233
ARZN_REV00069058_4-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

and direction they desperately need. I'm hopeful that our United States Senators and Congressional delegation will join me in calling for the President to deploy the National Guard to our border.
"If the federal government isn't going to do its job, then Arizona will take matters into our own hands and provide support to sheriffs and local law enforcement. The policies of the Biden/Harris administration are inhumane to those seeking legitimate humanitarian relief, and do nothing but empower those that pose a serious threat to public safety, including drug cartels and human traffickers."

"QUOTE OF THE DAY"

"This would br the best move possible for Arizona, There could be a replacement by Rep Biasuchi,,. T, Grantham, W. Blackman, M Finchem, S Bollick or any more. CONSREVATIVE member."

- ***Fillmore, on Facebook, backing the recall attempt against Bowers***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003234

ARZN_REV00069058_4-16-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, April 16, 2021 6:50:28 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-16-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 16, 2021

WHO'S PUTIN MONEY INTO THIS THING?
After Talking Points Memo today got the scoop that Lin Wood, a conspiracy peddler and lawyer for Trump lawyer Sidney Powell, put up $50,000 to subsidize Cyber Ninjas' audit, Ken Bennett told our reporter he still hopes the public gets to know who's funding the audit, but that's above his pay grade.

TFW YOU HAVE NO CHAIRMANSHIP TO LOSE
Fillmore wants to recall Bowers, writing on Facebook that the spineless speaker needs to be replaced by a true conservative after Bowers killed one of his bills. In a typo-riddled post, Fillmore went off on the speaker.

AMERICAN OVERSIGHT

BIGGS ANNOINTS TROLL FARMER?
J Hoffman's fundraiser this week headlined by Biggs caught the attention of several railbirds who speculated that Biggs is anointing a successor to his congressional post under the assumption that he would run for the US Senate.

BUT THE 2020 ELECTION ISN'T EVEN OVER YET…
Yesterday was the first federal campaign finance deadline for the 2022 election, and three legislators are running for Congress so far.

ANOTHER DC POLITICIAN TELLING AZ WHAT TO DO
Gallego is again threatening to spearhead a referral if Republican lawmakers and Ducey approve election reforms inspired by the lie that the 2020 election was stolen.

YOUR TAX DOLLARS HARD AT WORK
Taxpayers floated the bill for airfare, hotels, meals and other expenses to send a handful of Republican lawmakers to CPAC in Orlando.

CORRECTION: DUDA DOESN'T CARE ABOUT ELECTION INTEGRITY
Yesterday's report incorrectly stated that the Arizona Mirror's Jeremy Duda had signed up to be a volunteer – while he didn't apply, he told our reporter "my services are still available if they're wanted."

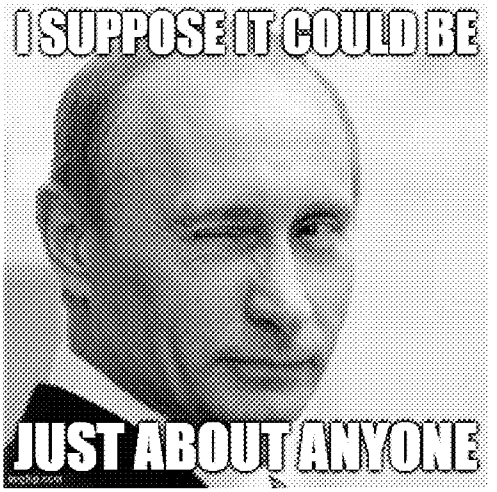
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, April 16, 2021

NEWS NOTES AND GOSSIP

WHO'S PUTIN MONEY INTO THIS THING?



After *Talking Points Memo* today got the scoop that Lin Wood, a conspiracy peddler and lawyer for Trump lawyer Sidney Powell, put up $50,000 to subsidize Cyber Ninjas' audit, Ken Bennett told our reporter he still hopes the public gets to know who's funding the audit, but that's above his pay grade. Wood, one of the lead attorneys who fought and lost several court battles arguing the election was stolen from Trump, told *TPM* his organization put in $50,000 of the $150,000 that *OANN* personality Christina Bobb raised for the Senate (LINK). Besides being among the chief backers of Trump's electoral lies, Wood is also defending Powell in Dominion's $1.3 billion defamation lawsuit (LINK). Bennett told our reporter he doesn't know who Wood is, and donors won't influence the outcome. "The only agenda that I'm going to make sure happens is that we do the audit in a fair and open and transparent and accurate way," he said. "If the agenda of somebody wanting to contribute funds is anything other than that, then it's a waste of their money." *TPM* also confirmed that despite earlier claims the money would to the Senate, the money will now go directly to Cyber Ninjas, mudding the waters as to who, exactly, is paying for the audit, as Cyber Ninjas is not subject to public records laws. Bennett told our reporter that he hopes Cyber Ninjas will disclose who's funding it, but he hasn't asked the auditors who's really paying the bills. "As the Senate liaison I don't have anything to do with the funding," he said. "I had not even thought about it yet." Among the risks of being completely blind to who's funding the audit is that it could be a foreign national or state – perhaps one of the US' enemies see this as a chance to sow division. Bennett said he hopes that's not the case, but again, hadn't thought to ask. "I think we have enough people interested inside the country to cover the cost of the audit without having to go international," he said. "My focus is going to be on the logistics of the audit, and once all of those things are covered, I'll be happy to ask where the various funding sources came from to cover the difference between the Senate's $150,000 and the actual cost."

TFW YOU HAVE NO CHAIRMANSHIP TO LOSE

Fillmore wants to recall Bowers, writing on Facebook that the spineless speaker needs to be replaced by a true conservative after Bowers killed one of his bills. In a typo-riddled post, Fillmore went off on the speaker. "This would br the best move possible for Arizona, There could be a replacement by Rep Biasuchi,,. T, Grantham, W. Blackman, M Finchem, S Bollick or any more. CONSREVATIVE member that will help save the country..... just saying..," he wrote. Fillmore acknowledged he has "sour grapes" after Bowers killed his H2060 (schools; pledge; quiet reflection), which never received a floor vote. "He works with several other liberal Republicans he has put in positions of chairmanship poer and they thwart a ton of good conservative legislation while always deflecting the blame on 'rules' etc. IT IS TIME FOR A CHANGE," Fillmore wrote. Tucson conservative talk radio host Garret Lewis caught hold of the post, claiming it shows blood in the waters for Bowers, and complained that no conservatives ran against Bowers for the speakership. (In fact, Finchem ran a bizarre speaker campaign that included pledges such as using mime's [sic] to harness the power of "rhetoric and sarcasm with a purpose," (YS, 10/23/20) and garnered almost a third of the vote among House Republicans (YS, 11/6/20)).

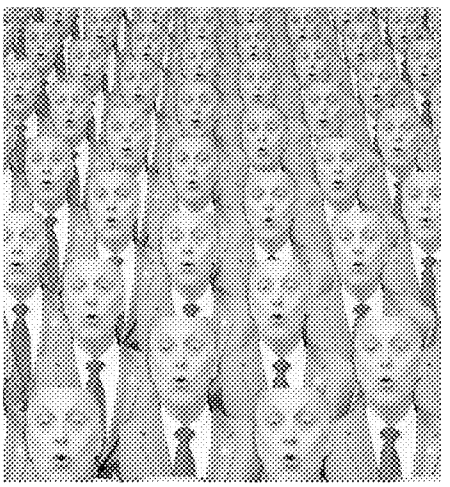
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003237

ARZN_REV00069060_4-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BIGGS ANNOINTS TROLL FARMER?



J Hoffman's fundraiser this week headlined by Biggs caught the attention of several railbirds who speculated that Biggs is anointing a successor to his congressional post under the assumption that he would run for the US Senate. One source noted that the conservative faction of the GOP in the East Valley operates this way – former congressman Matt Salmon "handed" over his seat to Biggs, for example, and Biggs "handed" his Senate seat over to Petersen. Another source said if Biggs were to anoint anybody for his congressional seat, it would be Petersen – not Hoffman. "What I'm hearing is that Hoffman has his eyes set on Queen Creek mayor's seat," the source said. (Hoffman didn't return a call from our reporter.) That might seem like a "step down" from Hoffman's legislative post, the source said, but the Biggs faction of the East Valley GOP has put up candidates in Queen Creek. "They're trying to control all the seats in their ecosystem," the source said. What's certain is that the pragmatist wing will field a candidate for Congress. "Nobody is just going to walk into that seat," the source said, adding whoever holds that seat effectively does so for as long as he or she wants it. Speculation is still rampant that Biggs will run for the US Senate. Biggs would be the heavy favorite if he runs for the Senate, the source said. "But he has no chance of winning the general election," the source said. "He doesn't know how to win the middle at all." The source said Kirk Adams is interested in running for the US Senate, but he knows it would be an uphill climb – perhaps too steep of a climb – against Biggs. "The environment is so toxic," the source said. "The Venn diagram doesn't even intersect now. Your campaign message in the primary doesn't win you votes in the general election." The source also said it was a mistake for the establishment to pick Martha McSally – that should have been Adams. "It was a big mistake to invest in a candidate who voters had a muscle memory of voting no." Still another source offered up a rumor that Biggs has taken his eye off the US Senate race, believing Republicans will take the majority in the House, and he will be a top member of leadership in that majority.

BUT THE 2020 ELECTION ISN'T EVEN OVER YET...

Yesterday was the first federal campaign finance deadline for the 2022 election, and three legislators are running for Congress so far – Friese and Engel in whatever the current CD2 will become and Blackman in whatever CD1 will be after redistricting. As of our writing, Friese had not filed his campaign finance report, but his campaign sent out a press release just a few days after his campaign launched where it reported that he raised at least $100,000 from 1,500 individual contributors (LINK). The Friese campaign noted that the FEC offers a 10-day buffer from raising the first dollar and having to file a campaign finance report. Friese started collecting money when he launched on March 25, but didn't file his statement of organization on April 1, meaning he skipped the Q1 reporting period. The campaign would not provide an update to how much money he has raised thus far. Without those numbers, it's unclear how much he brought in throughout the remainder of Q1, how much he spent and what's left in his early war chest. Engel, on the other hand, raised $150,000 over 12 days from her announcement to the end of Q1. So far, she hasn't spent much – roughly $5,500 – and is left with $145,000 in her war chest. Blackman is alone in his race so far – not even O'Halleran has signaled whether he will run again. But Blackman will still need to pick up the pace with fundraising if he wants to win that district. He only raised $30,000 after filing his federal statement of interest in late-February, and he already spent a third of that haul. He's left with just more than $20,000 in his account heading into Q2. Blackman does have some notable contributors in Maricopa County audit liaison Ken Bennett and Stop the Steal attorney Alex Kolodin who gave him $1,000 and $750, respectively.

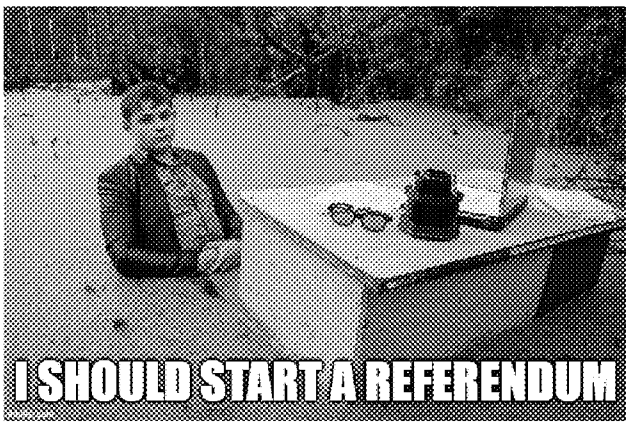
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003238

ARZN_REV00069060_4-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ANOTHER DC POLITICIAN TELLING AZ WHAT TO DO



Gallego is again threatening to spearhead a referral if Republican lawmakers and Ducey approve election reforms inspired by the lie that the 2020 election was stolen. The former lawmaker turned congressman told *KJZZ's* Ben Giles that if lawmakers pass election overhaul laws, they'll have to do so by a vote at the ballot. "Basically my thought is this: If you're going to try to disenfranchise Arizonans, we're going to make you actually go to the polls to do that," he said (LINK). Gallego pledged to use his national contacts to fundraise for signature gatherers and the campaign, which will also slam Republican lawmakers. It's something he's been talking about for a while. On Twitter, he's made various threats to that effect this year, starting with pledges to refer Bolick's H2720 (ballots; election contests; certificates), which was never even assigned to committee, and then more broad pledges to refer other election bills. "All voter suppression bills that pass in the AZ Leg will be referred to the ballot. Republicans will have to defend their bill and themselves. The sponsors of these bills voted to end gun free school zones, allow guns in libraries, demanded Obama's proof of circumcision," he wrote in March (LINK). (In case you forgot, part of the 2011 birther bill, which former Gov Jan Brewer vetoed, was a presidential candidate could provide a circumcision certificate in lieu of a birth certificate (LINK). Every Republican in the Legislature supported that bill and those who are still lawmakers include Allen, Barto, Burges, Fann, Fillmore, Gowan, Gray, Kavanagh, Mesnard, Pratt and Ugenti-Rita.) Gallego has been bullish, even combative, on the wisdom of taking bills to the ballot. When Clean Elections Commissioner Amy Chan chimed in on Twitter that a referendum could backfire, as it could lead to the measure being voter protected, he lashed out. "I don't mean to be combative but let's think about this," Chan said, to which he replied, "You think about it. I will get to work" and insisted a referred and approved bill isn't voter protected. "Okay Congressman. I'll take my years as a lawyer working at the legislature and as state election director and go home," Chan wrote back. "Yes I will take mine as a legislator, campaign manager, Congressman and go defeat these bad bills why [sic] you keep thinking about it," Gallego responded (LINK).

YOUR TAX DOLLARS HARD AT WORK

Taxpayers floated the bill for airfare, hotels, meals and other expenses to send a handful of Republican lawmakers to CPAC in Orlando. Sending Finchem, Biasiucci, Cook and Roberts on the four-day trip to the late February gathering, which the former president headlined, cost taxpayers about $3,500, according to records our intern, Cameron Rubner, obtained through public records requests. Cook was the most frugal, charging taxpayers only $30 for meals and $70 for other expenses, along with his $275 air fare and just $160 for his hotel room. Biasiucci, by comparison, charged taxpayers more than $100 for his meals and $338 for unitemized "other" expenses. The most expensive participant, however, was Roberts, who charged taxpayers $1,070 for his trip, the bulk of which was his airfare, which cost $630. None of the lawmakers returned calls for comment today.

CORRECTION: DUDA DOESN'T CARE ABOUT ELECTION INTEGRITY

Yesterday's report incorrectly stated that the *Arizona Mirror's* Jeremy Duda had signed up to be a volunteer – while he didn't formally apply, he told our reporter "my services are still available if they're wanted."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003239

ARZN_REV00069060_4-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Corp Comm starts new plan on power cutoff ban
Arizona Capitol Times
The Arizona Corporation Commission took an important first step to creating a permanent rule change on utility companies shut-off policies that stemmed from the death of a 72-year-old woman in 2018.

New compacts bring more than sports wagering
Capitol Media Services
Arizona tribes are going to get at least four new casinos – and possibly more – along with more slot machines, more games of chance and the right to take wagers on a whole new category of sporting events.

HUD awards White Mountain Apache Housing Authority $5 million
White Mountain Independent
The U.S. Department of Housing and Urban Development (HUD) announced its Fiscal Year 2020 Competitive Indian Housing Block Grant (CIHBG) Awards on April 12 in a national press release.

Environmental groups object to Fossil Creek plan
Payson Roundup
The U.S. Forest Service has dismissed out of hand a slew of objections to its latest Fossil Creek Management Plan filed in December by a coalition of environmental groups.

There's an avalanche of evictions coming. No one knows how big it will be.
Arizona Mirror
Since March, most evictions in Arizona have been prevented because of state and federal rules enacted in response to the pandemic, but when the moratorium expires on June 30, thousands of Arizonans could be without a place to live.

Sinema, Romney propose bill to tackle student loan debt
The Hill
Sens. Mitt Romney (R-Utah) and Kyrsten Sinema (D-Ariz.) on Thursday introduced a bipartisan bill to tackle student loan debt.

Kevin Tillman draws a bloody line from Afghanistan to the Capitol riot
Arizona Republic (Opinion, EJ Montini)
Tillman, Pat's brother, sees the roots of our current troubles in the policies of the past. And present.

Alone together with the widows and orphans of dementia
Arizona Republic (Opinion, EJ Montini)
Hearing from others who, like me, have had to take loved ones to the 'afterlife.'

Biden thinks sending aid to Central America will solve our border problems. It won't
Arizona Republic (Opinion, Robert Robb)
The track record of U.S. foreign aid producing good governance or improved economic conditions is abysmal.

Are Republicans really lecturing Democrats about packing the U.S. Supreme Court?
Arizona Republic (Opinion, Elvia Diaz)
Republicans are fuming over a Democratic proposal to expand the U.S. Supreme Court but then argue it would help them take back control? Oh, please.

Sure, Democrats. Try to pack the Supreme Court. You'll help save the Republican Party
Arizona Republic (Opinion, Phil Boas)
With the Democrats working diligently to take control of everything, the Republican comeback has begun.

Legislation threatens quality jobs, copper we need to power our clean energy future
Arizona Republic (Op-ed, Aaron Butler)
Arizona can be a key producer and employer in America's clean energy future - but not if legislation kills the proposed Resolution Copper mine first.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Puerto Rico deserves to be a state. Will Rep. Raúl Grijalva help make it happen?
Arizona Republic (Op-ed, Matt Helder and José A. Cabrera)
There are two competing bills on Puerto Rico becoming the 51st state, and Arizona Rep. Raúl Grijalva is in a key position to move one of them forward.

Arizona's GOP Senate is abusing its authority. It must end this election 'audit' now
Arizona Republic (Opinion, Editorial Board)
The Republican-controlled Arizona Senate has made so many poor decisions that no matter what its election audit finds, it won't be credible.

PRESS RELEASES

Media Advisory: Superintendent Hoffman to Host Press Conference on Student Mental Health

PHOENIX – Arizona Superintendent of Public Instruction Kathy Hoffman will host a press conference Monday, April 19th at 1:00pm. Speakers will include:

- Kathy Hoffman, Superintendent of Public Instruction
- Claire Novak, Student, Arizona School for the Arts
- Representative Jennifer Pawlik, State Representative LD-17
- Superintendent Laura Toenjes, Kyrene Elementary School District
- Brandie Reiner, President of the Arizona Chapter of the National Association of Social Workers
- Sarah Skemp, Board Chair of the Arizona School Counselors Association

The press conference will take place at the Capitol Rose Garden (1700 W. Washington, Phoenix 85007), outdoors, west of House of Representative. Free parking is available in the visitor's lot at Wesley Bolin Memorial Plaza. Masks required by all attendees.
All members of the press should RSVP to Morgan Dick, morgan.dick@azed.gov, no later than 11:00am on April 19th

Governor Ducey Orders Flags At Half-Staff To Honor Victims Of Indianapolis Tragedy

PHOENIX — Governor Doug Ducey ordered flags at all state buildings be lowered to half-staff until sunset on April 20, 2021 to honor the eight people murdered and several injured in the shooting that took place in Indianapolis, Indiana on the night of Thursday, April 15.
"Last night, an evil act of violence took the lives of eight people and wounded several others," said Governor Ducey. "Arizona stands with the families of the victims and the entire Indianapolis community at this tragic time, and we send our deepest condolences. I've ordered flags at all state buildings be lowered to half-staff in remembrance and honor of the eight innocent lives lost."
The Governor's half-staff order is in coordination with President Biden's proclamation.

Statement From Governor Ducey On Release Of Undocumented Individuals

"If the federal government isn't going to do its job, then Arizona will take matters into our own hands"
PHOENIX — Governor Doug Ducey released the following statement today after Immigration and Customs Enforcement and the United States Border Patrol declined to take custody of 20 undocumented individuals identified by the Arizona Department of Public Safety:
"The Biden/Harris administration needs to get its head out of the sand when it comes to the crisis at our border. This lack of action defies all logic, and flies in the face of the law. This administration is asleep at the switch, and their total lack of action is having real consequences here in the state of Arizona.
"I've met with our Border Patrol and they need help, and they need the support of the administration. It's time for the White House to act and do its job so the dedicated law enforcement officials on the ground have the resources, support

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

and direction they desperately need. I'm hopeful that our United States Senators and Congressional delegation will join me in calling for the President to deploy the National Guard to our border.
"If the federal government isn't going to do its job, then Arizona will take matters into our own hands and provide support to sheriffs and local law enforcement. The policies of the Biden/Harris administration are inhumane to those seeking legitimate humanitarian relief, and do nothing but empower those that pose a serious threat to public safety, including drug cartels and human traffickers."

"QUOTE OF THE DAY"

"This would br the best move possible for Arizona, There could be a replacement by Rep Biasuchi,,. T, Grantham, W. Blackman, M Finchem, S Bollick or any more. CONSREVATIVE member."

- ***Fillmore, on Facebook, backing the recall attempt against Bowers***

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Monday, April 19, 2021 5:35:15 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-19-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 19, 2021

IN OTHER WORDS, JUST A REGULAR MONDAY!
Mesnard and Ugenti-Rita took to the House lawn this afternoon to pressure Bowers to hold a vote on their election bills and lambaste the business leaders who criticized the measures, while a crowd of rowdy Trump supporters screamed fake news at reporters.

THEY'RE STANDING BACK AND STANDING BY
Anti-government militia members are rallying to provide "security" for the Senate's audit, fearing that Antifa might try to disrupt it.

WHY HIRE A PRO WHEN YOU CAN HIRE A CONSPIRACY THEORIST?

AMERICAN OVERSIGHT

Fann passed up an opportunity to hire a well-regarded and qualified auditing company to conduct its audit and opted to select a company with no experience and whose founder believes Biden stole the election.

HE'S TOO BIASED TOWARD REALITY
A quick dive into Holeman's online presence shows he's basically the mirror image of the Cyber Ninja CEO – he used to be an elections official in Ohio and doesn't believe the conspiracy that the election was stolen.

AT LEAST WE'RE NOT WASTING $8 MILLION
Fann also passed on hiring a cybersecurity company called Intersec Worldwide, which pitched a process that would take roughly 20,000 hours and cost more than $8 million, not including the auditors' travel and expenses.

DEFUND THE SROS
The Dept of Education will spend $21.3 million from discretionary federal Covid funding on counselors and social workers through school safety grants – but none of that funding will go toward school resource officers.

ANUTHER RYNO KELLING AMURICKA
After reading Fillmore's typo-riddled tirade endorsing the recall attempt against him in Friday's Yellow Sheet, Bowers struck back today with a measured, spell-checked statement to his caucus that didn't address the personal attacks.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, April 19, 2021

NEWS NOTES AND GOSSIP

IN OTHER WORDS, JUST A REGULAR MONDAY!

Mesnard and Ugenti-Rita took to the House lawn this afternoon to pressure Bowers to hold a vote on their election bills and lambaste the business leaders who criticized the measures, while a crowd of rowdy Trump supporters screamed fake news at reporters. Both lawmakers sponsored bills that passed the Senate on party lines and have stalled in the House for the past couple weeks following outcry from business leaders, most notably Greater Phoenix Leadership and Cardinals owner Michael Bidwill. Mesnard characterized opposition to his S1713 (early ballots; identification; mailing) as born out of dishonest allegations made by "radical progressive groups and those willing to perpetuate their outrageous narrative." (Notably his bill has not been scheduled for a House vote, while Ugenti-Rita's S1485 (NOW: early voting list; eligibility) is up for a vote tomorrow, per House Republican spokesman Andrew Wilder.) Mesnard argued that the real voter suppression is ignoring the concerns of voters who no longer trust the electoral system. "There is no greater existential threat to democracy than having an electorate who has lost faith in the election system," he said. "To ignore the concerns and so many people who are saying they don't see the point of voting anymore, because they don't believe the outcome, that is voter suppression." Even with the greater restrictions that their bills would impose – requiring a driver's license number with a mailed ballot or removing some voters from the PEVL if they don't vote by mail – Arizona would still have "one of the easiest, most liberal, flexible, diverse voting systems in the country," he said. Ugenti-Rita came out swinging against the "predatory press and demagoguing Democrats" she claims are trying to intimidate her. "You guys are in the business of perpetuating lies. That's why you keep having to repeat it, is it not? Because a lie has to be repeated," she told reporters. The crowd shouted down reporters with cries of "fake news" "lies" and "propagandists, every one of you."

THEY'RE STANDING BACK AND STANDING BY

Anti-government militia members are rallying to provide "security" for the Senate's audit, fearing that Antifa might try to disrupt it. Josh Bernstein, a conservative commentator who was banned from mainstream video platforms after calling for US Rep Ilhan Omar to be executed last year, published a video on his own website over the weekend calling on his ideological allies to join him in protecting the Senate's audit (LINK). Without providing any evidence, he claimed that Antifa members have booked flights from Washington and Oregon and hotels in Phoenix to disrupt the audit. "I'm not going to get into the details of it, but there will be a robust countersecurity measure put into place just to let them know when they come into beautiful Arizona that they might as well get back on the plane and head back home," he said. Bryan Masche, a declared candidate for governor and major force behind rallies to open Arizona, shared Bernstein's video on Facebook with a message telling "Patriots" to make themselves ready and the hashtag "si vis pacem para bellum" – a Latin phrase that means "if you want peace, prepare for war." And while some of the activists who pushed to overturn the election plan to be outside standing guard, at least one expects to be in Veterans' Memorial Coliseum. Former lawmaker Anthony Kern, who was photographed on the US Capitol steps after his fellow protesters breached multiple barriers and broke into the building on Jan 6 (YS, 1/12), tweeted today that he and his wife will be involved in the recount (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003245

ARZN_REV00069067_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHY HIRE A PRO WHEN YOU CAN HIRE A CONSPIRACY THEORIST?

Fann passed up an opportunity to hire a well-regarded and qualified auditing company to conduct its audit and opted to select a company with no experience and whose founder believes Biden stole the election. Our reporter received public records from the Senate for "all bids" received to conduct the audit of Maricopa County's 2.1 million ballots. The request netted only two firms that put in an official bid – neither of which was Cyber Ninjas, the group Fann ultimately selected. Clear Ballot Group, a Massachusetts firm that has conducted election audits in several states, including a statewide audit in Maryland and Vermont offered to do the audit within six weeks for $415,000. On its website, the company says it "offers much more than a post-election audit solution. It's the only system capable of tabulating other system's ballots to provide an independent comparison of results for purposes of post-election audits." Keir Holeman, Clear Ballot's vice president of technical services, wrote in the proposal letter that the group is also conducting audits for multiple counties in Florida and New York as well as projects in South Carolina and Colorado. "It is this experience that makes us confident we can help you with your desire to audit the results in Maricopa County," Holeman wrote. One potential hiccup for the group is they only conduct audits of election results – not equipment and technology. Cyber Ninjas and its subcontractors have pledged to conduct a full "forensic" audit of the equipment, including using "kinematic artifact" detection technology (essentially looking at folds in ballots to determine if it's a fake mail-in ballot) developed by fraud conspiracy theorist and failed inventor and treasure hunter Jovan Hutton Pulitzer (YS, 3/31). "Please note that the only thing our company does is audit election results. We do not offer a service to audit election equipment or technology," he wrote.

HE'S TOO BIASED TOWARD REALITY

A quick dive into Holeman's online presence shows he's basically the mirror image of the Cyber Ninja CEO – he used to be an elections official in Ohio and doesn't believe the conspiracy that the election was stolen. According to his LinkedIn, he was the election coordinator for the Montgomery County Board of Elections, then served as a regional director for Diebold Elections, the group that became infamous for election problems during the 2000 presidential recount in Florida. (Dominion now owns Diebold.) Holeman then went to become the director of the Warren County Board of Elections and eventually found his way to VOTEC Corporation (LINK), before starting at Clear Ballot in August 2017. Holeman created his Twitter account in January and his first post was a retweet of the FBI looking for information about insurrectionists. His entire feed (LINK) is now mostly made up of critiques of Republican Congressmen over the Jan 6 riot and few retweets of others commenting on why they think Trump should be convicted by the US Senate after he was impeached for a second time. Of course, that's not the kind of Twitter presence that will ingratiate an auditor to Senate Republicans. But Fann has made clear that a person's tweets shouldn't disqualify them from auditing the election on the Senate's behalf (YS, 4/5). It's unclear if Fann considered Holeman's proposal.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003246

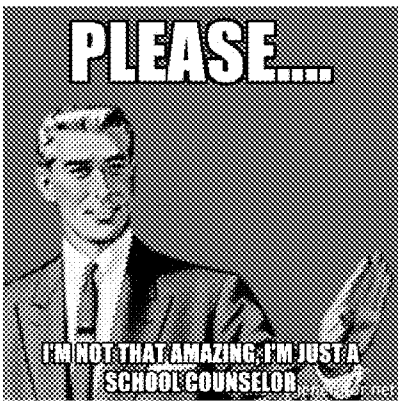
ARZN_REV00069067_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AT LEAST WE'RE NOT WASTING $8 MILLION

Fann also passed on hiring a cybersecurity company called Intersec Worldwide, which pitched a process that would take roughly 20,000 hours and cost more than $8 million, not including the auditors' travel and expenses. Email records show Fann interviewed the company in early-March. Intersec's pitch included biographies for each of its top executives and then broke down its scope of work into five categories: Engagement, evidence preservation, forensics analysis, forensics reports of results and testimony/defense findings. David Hughes, the vice president of sales, made the official pitch and said the engagement and evidence need to happen "immediately regardless of who does the work." The engagement phase would include setting up legal agreements, contracts and retainers and would take roughly 500 hours. Securing the evidence, including taking forensic images and copies of hard drives, would take about 2,500 hours, according to the proposal. Those two projects would cost $1.45 million. The actual audit would tack on another $6.6 million.

DEFUND THE SROS



The Dept of Education will spend $21.3 million from discretionary federal Covid funding on counselors and social workers through school safety grants – but none of that funding will go toward school resource officers. Calling mental health a "top priority" during the pandemic, Hoffman said the money will cover an additional 71 counselors and 69 social workers for schools on the waitlist for the School Safety Program, but none will be spent on school resource officers, the other type of position the grant funds. She said she heard from the student advisory council and the school safety task force that they "need – not just want" more mental health support in schools, but there was no overwhelming demand for SROs. The positions, Hoffman said, will help chip away at Arizona's "astronomical" students to school counselor ratio. When the School Safety Program expanded in 2019 to fund school counselor and social worker positions in addition to SROs, Arizona had a ratio of more than 900 students per school counselor. The American Association of School Counselors recommends a ratio of 250 to one. While the grant has brought more than 260 social workers and counselors into Arizona schools, Hoffman said the need was greater than the funding, leaving many schools without. "Two years and one pandemic later, many social worker and school counselor positions, remain on the waitlist, waiting for funding from the state Legislature," she said. The goal is for these additional Covid relief-funded positions to be filled going into the 2021-22 school year, Hoffman said, though she noted previous grant recipients in rural areas have had a more difficult time filling those positions. Hoffman also took a jab at the Legislature in her comments, saying that while social-emotional health has been cited as a reason for reopening schools, the Dept of Education is having to step in to fund solutions. "The majority party has offered no serious solution for actually providing the social and emotional resources. Instead, they have spent their time embracing conspiracy theories about the last election and passing legislation that targets and harms our LGBTQ students," she said. Hoffman said "it's not too late" for lawmakers and state leaders working on the budget to "commit to student health and wellbeing." ADE's Covid relief funding will cover these positions for two years, and then Hoffman said the department will again look to the Legislature for support.

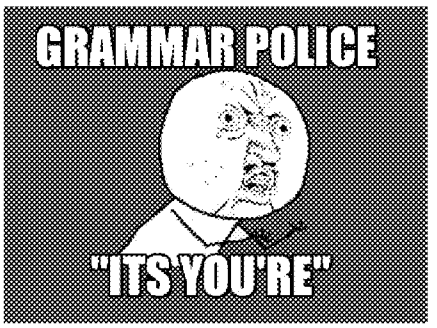
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003247

ARZN_REV00069067_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ANUTHER RHINO KELLING AMURICKA



After reading Fillmore's typo-riddled tirade endorsing the recall attempt against him in Friday's *Yellow Sheet*, Bowers struck back today with a measured, spell-checked statement to his caucus that didn't address the personal attacks. The speaker stuck strictly to the bill in his statement, writing that he pulled Fillmore's H2060 (schools; pledge; quiet reflection) from Udall's House Education Committee, where it naturally belongs, at Fillmore's request after it became clear it didn't have the votes to pass. He instead assigned it to Kavanagh's Government and Elections Committee, where it passed on a party-line vote. "Let me be clear: John is wrong. At no point have I held up his bill. In fact, I did everything to ensure that it received a fair hearing," he wrote. The bill is still awaiting a vote from the full House, and Bowers said he didn't want to put it up on the board just to watch it die. "It still faces vote count issues within the caucus," he wrote. "If the bill cannot move forward on its merit, then John should acknowledge that, rather than attempt to place blame on me or the process."

WAKE UP CALL

Tax transparency bills enable public to see data
Arizona Capitol Times
This year, several transparency-related tax bills have been signed into law, each aiming to make tax issues more accessible to the public.

Tourism taxing districts could be coming soon
Arizona Capitol Times
Twin bills with bipartisan support to jumpstart Arizona tourism appear dead in the Senate, but they may reappear this year or next as the concept has gained support nationally and here.

Covid shots to become easier to get, health director says
Capitol Media Services
Getting vaccinated against Covid may soon be as simple as a flu shot.

In Arizona, the 2020 presidential election still isn't over. Republicans start an audit this week. Here's what we know.
12 News
Almost six months after the presidential election, a Republican-commissioned audit of Maricopa County's presidential vote will begin Monday.

Shelter for unaccompanied minors is operating in Benson
KGUN
Just below Benson's welcome sign, you'll find an old hotel turned shelter for unaccompanied minors who have crossed into the United States.

Tucson Unified School District Superintendent Upset With 'Disheartening' Sex Education Bill
KJZZ
Senate Bill 1456 has recently passed through the Arizona Legislature, and is waiting on Gov. Doug Ducey's approval. If signed into law, the bill would require state schools to get parents' permission for discussions about sexual orientation, gender identity and expression.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003248
ARZN_REV00069067_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Some shops in Sonora see benefit from U.S. border restrictions
Nogales International
Still, others say lack of tourism, weak economy have been hard to overcome.

Mohave County Board of Supervisors to consider vote centers, equipment purchases
Today's News-Herald
The Mohave County Board of Supervisors will consider purchasing enough on-demand ballot marking devices to set up current polling sites as vote centers at their meeting at 9:30 a.m. today in Kingman.

Mexican cartel threatens deputies, Dannels says
Herald Review
The Mexican cartel has threatened deputies with the Cochise County Sheriff's Office, Sheriff Mark Dannels said earlier this week.

States court tech money even as they bash companies
Axios
Some of the country's fastest-growing states are publicly attacking the tech industry's business practices on one hand while courting its investment on the other.

Democrats running in down-ballot races helped Biden win votes in conservative areas, a study finds.
The New York Times
President Biden, who eked out a 12,000-vote victory in Georgia, received a small but potentially important boost from the state's conservative areas if at least one local Democrat was running in a down-ballot race, according to a new study by Run for Something, an organization dedicated to recruiting and supporting liberal candidates.

How the Trump era made redistricting more complicated
CNN
The political upheaval caused by the rise of former President Donald Trump has forced party operatives and elected officials tasked with laying out the nation's congressional districts for the next decade to determine whether those shifts were aberrations or signs of more lasting changes.

Our View: Arizona's sports betting: Teams are big winners even with no house edge
Today's News Herald (opinion, editorial board)
The hype following approval of Arizona new sports betting law is mostly justified. It will add excitement and more entertainment to football, baseball, basketball and other pro sports in the state. It's overdue.

Tim Steller's opinion: AG Brnovich descends into political absurdity, and Arizonans pay for it
Arizona Daily Star (opinion, Tim Steller)
The federal court filing fee was $402. The salaries of the lawyers who filed it: $130,000, $160,000 and $180,000. The hoped-for political impact: Priceless.

Gov. Doug Ducey sure is proud of his sports betting deal. But he got played
Arizona Republic (opinion, Robert Robb)
Gov. Doug Ducey is really proud of having brought sports betting to Arizona.

We return you now to your regularly scheduled mass shootings
Arizona Republic (opinion, EJ Montini)
It almost seems quaint, now, how horrified we were in 1986 when a 44-year-old mail carrier named Patrick H. Sherrill walked into the post office where he worked in Edmond, Okla., and opened fire with two handguns, killing 14 coworkers and wounding six others. He then killed himself.

Deadly epidemic of epistemophobia at Legislature, as evidenced by passage of a sex-ed bill
Arizona Republic (opinion, EJ Montini)
I thought the absurd proposals coming out of the Arizona Legislature were a result of old-fashioned partisan politics, but I see now that I was wrong.

Rep. Paul Gosar finally reveals himself with his America First Caucus nonsense
Arizona Republic (opinion, Laurie Roberts)

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003249

ARZN_REV00069067_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona's own Rep. Paul Gosar is teaming up with none other than Rep. Marjorie Taylor Greene to form the "America First Caucus."

It can't be a coincidence that neo-Nazis are rallying in Phoenix this weekend
Arizona Republic (opinion, Elvia Diaz)
Just when you think things couldn't get any wackier in Arizona, here come the neo-Nazis.

Why do farmers want Congress to invest in airports? Our livelihood depends on it
Arizona Republic (opinion, Stephanie Smallhouse)
Arizona agriculture plays a critical role in our lives and our economy.

PRESS RELEASES

Governor Ducey Acts On COVID-19 Measures In Schools

PHOENIX — In alignment with Centers for Disease Control and Prevention (CDC) guidance, Governor Doug Ducey and the Arizona Department of Health Services today rescinded orders that direct K-12 schools to require masks.
"Nearly 2 million Arizonans are fully vaccinated against COVID-19, with many teachers and school faculty now fully vaccinated after being some of the first in line for vaccine prioritization," said Governor Ducey. "Teachers, families and students have acted responsibly to mitigate the spread of the virus and protect one another, and our school leaders are ready to decide if masks should be required on their campuses. We will continue to work with public health professionals and Arizona's schools as more students return to the classroom and our state moves forward."
Today's action aligns with CDC guidance and rescinds a section of Executive Order 2020-51, issued by the Governor in July directing schools to require face masks, and Emergency Measure 2020-04, issued by the Arizona Department of Health Services (ADHS) outlining requirements for mask usage in schools.
"Across the state, almost 4.5 million COVID-19 vaccine doses have been administered," said ADHS Director Dr. Cara Christ. "Many families and communities are further protected from COVID-19, and our schools are ready to decide their next steps when it comes to masks. We encourage all Arizonans to get the vaccine — it's safe, effective and absolutely free to the public."
The CDC in March issued updated recommendations for preventing COVID-19 in schools. On March 29, ADHS adopted the CDC's recommendations in its K-12 School Guidance for COVID-19.
K-12 school districts and charter schools still maintain the right to institute and enforce policies to mitigate against COVID-19 spread, including the use of masks. Arizona schools are encouraged to continue to take actions consistent with the CDC recommendations, the Roadmap, and the Guidance to mitigate the spread of the virus, including measures such as:

- Washing hands with soap and warm water;
- Using hand sanitizer;
- Cleaning and maintaining health facilities; and
- Staying home when sick.

Today, an indoor vaccination site at Northern Arizona University's (NAU) Fieldhouse launched thanks to a partnership between the State, Coconino County, NAU, and Northern Arizona Healthcare. The site will operate seven days a week from 7 a.m.-5 p.m., with the potential to expand hours to 7 p.m. It will offer around 1,000 appointments per day to start but will be able to administer more than 4,000 doses daily. The state is currently operating six vaccination sites, with one more location opening as a state-run site this month.
Information about all vaccination sites across Arizona, including pharmacies, Federally Qualified Health Centers, pop-up events in specific communities, and health care providers offering vaccination, can be found at azhealth.gov/findvaccine.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.
View the Executive Order from Governor Ducey HERE.
View the Emergency Measure from ADHS HERE.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003250
ARZN_REV00069067_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Bans Vaccine Passports

Gov. Ducey: "Vaccination Is Up To Each Individual, Not The Government"

PHOENIX — Governor Doug Ducey today issued an Executive Order banning "vaccine passports" and preventing state and local governments from requiring Arizonans to provide their COVID-19 vaccination status to receive service or enter an area.

"The residents of our state should not be required by the government to share their private medical information," said Governor Ducey. "While we strongly recommend all Arizonans get the COVID-19 vaccine, it's not mandated in our state — and it never will be. Vaccination is up to each individual, not the government."

Under the Executive Order, state agencies, counties, cities and towns cannot issue a measure that requires an individual to provide documentation of their COVID-19 vaccination status in order to enter a business, building or area or to receive a government service, permit or license. Businesses contracting with the state to provide services to the public also cannot require documentation.

Private businesses are not prohibited from requiring vaccination documentation in order to provide services or allow entry. Additionally, health care institutions may require COVID-19 vaccination status documentation of a patient, resident, employee or visitor. As permitted under state law, schools, child care centers and universities may also collect vaccination documentation. The Executive Order ensures that long-term care, health care institutions and other entities that collect vaccination documents under current law can still do so.

"Appointments to get the vaccine will continue to be available to everyone who wants it, especially for underserved and vulnerable communities," said Governor Ducey. "Statewide, more than 20,000 vaccination appointments are available, including more than 5,000 in Tucson alone."

To date, 4,495,519 vaccine doses have been administered to 2,736,235 individuals, with 1,926,181 Arizonans now fully vaccinated against COVID-19. The state is currently operating six successful vaccination sites, with one more location opening as state-run site this month.

Arizona on March 24 opened vaccination eligibility to all Arizonans 16 and older, allowing everyone who wants the vaccine to register for an appointment.

"I'm grateful to the medical professionals, health care staff and selfless volunteers who are rapidly vaccinating Arizonans and protecting the health of our state," the Governor added.

Information about all vaccination sites across Arizona, including pharmacies, Federally Qualified Health Centers, pop-up events in specific communities, and health care providers offering vaccination, can be found at azhealth.gov/findvaccine.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

View the Executive Order HERE.

One Arizona Coalition Opposes Potential IRC Mapping Consultant

Arizona's Independent Redistricting Commission (IRC) is currently in the process of selecting a mapping consultant that will be tasked with drafting congressional and legislative maps. These maps will determine whose voices will be represented over the next decade.

One of the mapping applicants, Timmons Group, which is working with the National Demographics Corporation (NDC), raises strong concerns when it comes to fair representation of Latinos. If selected as the IRC's mapping consultant, it is an alarming sign that the Commission is not dedicated to ensuring fair representation for Arizona's communities of color.

Timmons Group has no demonstrable experience with drafting maps for redistricting purposes, which raises public integrity concerns. As for NDC, their partner in the proposal, they have previously failed to create maps that protect and represent communities of color, but they have also cost a school district over $650,000 as a result of their discriminatory maps.

NDC drew at-large districts that diluted the power of Latino voters in school board elections in California. They spent over a year producing various draft maps without a Latino majority district, which resulted in exorbitant expenses. When those districts were challenged in an attempt to draw smaller districts where Latino communities could more easily elect a member of their choice to represent them, Doug Johnson of NDC defended the at-large districts and failed. The maps were found to violate California's voting rights protections. Doubling down on maps that clearly do not fairly represent communities of color is alarming as we move forward with a process that will impact our communities for the next decade.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003251

ARZN_REV00069067_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

We strongly oppose the hiring of Timmons Group and NDC as the IRC's mapping consultants. The Commission can reaffirm its commitment to our state and a fair process by hiring a consultant with demonstrated expertise in drafting maps that respect communities of color – not dilute their power or ability to choose leaders that reflect their values.

Superintendent Hoffman Announces $21 Million for School Counselors and Social Workers

Funding will bring 140 New School Counselors and Social Workers to Arizona Public Schools

PHOENIX – Today, Superintendent of Public Instruction Kathy Hoffman announced $21.3 million dollars to supplement the School Safety Grant Program. As passed by the legislature and implemented by the Arizona Department of Education (ADE) the School Safety Grant program brought more than 260 social and emotional support professionals to our schools – seeking to reduce our state's astronomical student-to-school-counselor ratio, the highest in the nation. Despite these gains, demand outstripped program funds – leaving many schools on the waitlist. To fill the gaps left by the legislature, ADE will allocate a portion of its federal recovery dollars to fully fund the counselor and social worker waitlists – bringing opportunities for 71 school counselor and 69 school social worker positions to schools for two years. Grantees represent communities from across 10 counties – that have been waiting for nearly two years to receive funding for these positions.

"Over the last year, the social and emotional needs of our students have risen to the forefront of my conversations with teachers, parents and even lawmakers. After a genuinely traumatic year, I've heard clearly that the social-emotional services offered by our public schools are critical to student wellbeing," said Superintendent Hoffman. "By supplementing the School Safety Grant Program with federal relief funds, we are providing real solutions and resources that will have a direct impact on school safety, the social-emotional well-being of our students, and the overall health of our communities."

"This pandemic has elevated the awareness and necessity of addressing our students' social and emotional needs," said Sarah Skemp, Chair of the Arizona School Counselor Association. "Now more than ever, it is vital that ALL students in Arizona have access to a school counselor. The addition of these school counselors across our state allows for more students to receive more services. It is another step in the right direction that benefits all students and families in Arizona, reducing the student to school counselor ratio, which is the highest in the country. The Arizona School Counselors Association is grateful to Superintendent Hoffman and ADE for providing full funding for all these requested positions."

"Now, more than ever, is when my fellow Arizona students need support that extends beyond just teachers, friends, and family. And, while I strongly believe that learning about wellness should be an important part of every student's education, it's not enough," said Claire Novak, and Senior at the Arizona School for the Arts. "Students and teachers also need the support of professionals such as counselors and social workers. These newly funded resources for schools are going to make a huge difference for so many students across the state."

This investment, along with the millions of federal recovery dollars ADE has already committed, will provide resources our students will need beyond the crisis of the pandemic. However, even with this new infusion of school counselors and social workers, Arizona's student to counselor ratio far exceeds the recommended standard. More needs to be done to provide these important supports to Arizona students. Additional state support for social and emotional positions like counselors and social workers is critical to student mental health and opportunity.

Read More: https://www.azed.gov/wellness/school-safety-program-esser-awardees

Marco Lopez Holds Press Conference Today with Community Leaders to Highlight Inequities in Vaccine Distribution

Gov. Ducey's poor planning, lack of leadership, and government waste have all led to 85009, one of the state's most diverse zip codes, having one of the lowest vaccination rates in the state

WHEN: Monday, April 19th, at 12:30pm PT

WHERE: Corner of W McDowell and N 43rd Ave, in front of bus stop #12850 in the Fry's parking lot, Phoenix, AZ, 85009

WHO:

- Marco Lopez, former Mayor of Nogales, small business owner, candidate for Governor
- Dr. Mario Ventura, Superintendent of the Isaac Elementary School District
- Atancia Alcaraz, mom and Promotora with Unlimited Potential
- Herlinda Calderon, community member and Promotora with Unlimited Potential

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003252

ARZN_REV00069067_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT: Marco Lopez and community leaders will discuss how poor planning, lack of leadership, and government waste have led to 85009, one of the state's most diverse zip codes, having one of the lowest vaccination rates in the state. In his first press conference, he will be speaking in front of the only vaccination site in the entire zip code.

BACKGROUND:
According to Maricopa County, over 40% of all adult Maricopa County residents (15+ years) and 1/3 of all Maricopa County residents (all ages) have been vaccinated with at least one vaccine dose. However, in 85009, which is 82% Hispanic or Latino and where 35% of residents live below the poverty line, that number hovers around 15%.

Senators give update on election integrity bills moving through Legislature

WHAT: The sponsors of important election integrity bills will update reporters on the status of the bills and the impact the legislation would have on Arizona
WHO: Senator Michelle Ugenti-Rita
Senator J.D. Mesnard
WHEN: Today at 12:30 p.m.
WHERE: House Lawn
State Capitol

HB2309, Bill Criminalizing Protest, Could Go to Arizona Governor Doug Ducey's Desk This Week
PHOENIX – The Arizona State Senate is likely to vote this week on HB2309, which would make it easier for prosecutors to charge protesters with serious felonies.
The bill is being heard by the Senate Rules committee on Monday afternoon and could go to a floor vote as soon as Tuesday. If passed by the State Senate, it will go to Governor Doug Ducey's desk, where he could veto it or sign it into law.
The bill's sponsor has admitted that the purpose of the bill is to chill First Amendment-protected protest activity.
Under the bill, participating in a "violent or disorderly assembly" is now a class 6 felony. In addition, under the bill, minor infractions like playing amplified sound without a permit or blocking the sidewalk would now carry serious felony charges if done as part of a "violent or disorderly assembly." In short, if the bill passes, Arizonans could face serious felony charges simply for participating in a political event or protest.
The bill would open the door to further waves of political prosecutions in Arizona, like those that have already been carried out by the Maricopa County Attorney Allister Adel in the wake of last summer's racial justice movement.

REPORT: Corporations That Made Commitments To Racial Equity Donated Over $800,000 To State Lawmakers Who Led Voter Suppression Efforts Beyond Georgia

READ THE REPORT
WASHINGTON, D.C. – Today, government watchdog Accountable.US released a new report finding that corporations boasting their commitments to racial equity and diversity have doled out over $800,000 to state lawmakers who have led voter suppression efforts in Texas, Arizona, and Florida — the latest states to ratchet up an assault on voting rights.
As hundreds of corporate executives sign a new letter opposing "any discriminatory legislation" in response to the wide range of voter suppression efforts being considered by state legislatures across the country, these firms — including Exelon, Raytheon, and Disney — have been largely silent on state efforts to disenfranchise predominantly Black and Brown voters.
"These corporations tout commitments to diversity and racial equity, then they turn around and donate thousands to lawmakers responsible for stripping voting rights away from Black and Brown Americans," said **Kyle Herrig, president of Accountable.US**. "As these states actively attempt to suppress voter participation, corporations need to live up to their values and disavow racist attacks on our democracy."
Despite making public commitments to racial equity, these corporations have donated to numerous state lawmakers who are responsible for voter suppression efforts and have troubling records on race. Ryan LLC donated $7,500 to Texas State Senator Bob Hall, who defended a self-proclaimed "white nationalist." Arizona's top five corporate donors, including Pinnacle West and Raytheon, have all contributed to State Senator David Gowan who sponsored a

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

bill to shorten mail-in voting deadlines that would disproportionately harm Native American voters. In Florida, HCA Management Services and Walt Disney gave $11,000 to State Senator George Granier, who introduced a bill to absolve motorists of liability if they killed a protestor with their car in the same year a white nationalist killed a protestor with his car in Charlottesville.

KEY REPORT FINDINGS:

- Texas' Biggest Donors That Have Made Public Commitments To Racial Equity Have Given $493,000 To State Lawmakers Responsible For Voter Suppression.
- Arizona's Top 5 Corporate Donors — All Of Which Tout Commitments to Diversity — Have Given Nearly $77,000 To Three Lawmakers With Troubling Histories On Race Who Authored Three Of The State's Worst Suppression Bills.
- Florida State Legislators' Top Donors With Alleged Commitments To Racial Equity Have Given $230,500 To Florida State Legislators Responsible For Advancing Voter Suppression Bills.

"QUOTE OF THE DAY"

"You guys are in the business of perpetuating lies."

- ***Ugenti-Rita, to the press***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, April 19, 2021 5:35:19 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-19-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 19, 2021

IN OTHER WORDS, JUST A REGULAR MONDAY!
Mesnard and Ugenti-Rita took to the House lawn this afternoon to pressure Bowers to hold a vote on their election bills and lambaste the business leaders who criticized the measures, while a crowd of rowdy Trump supporters screamed fake news at reporters.

THEY'RE STANDING BACK AND STANDING BY
Anti-government militia members are rallying to provide "security" for the Senate's audit, fearing that Antifa might try to disrupt it.

AMERICAN OVERSIGHT

WHY HIRE A PRO WHEN YOU CAN HIRE A CONSPIRACY THEORIST?
Fann passed up an opportunity to hire a well-regarded and qualified auditing company to conduct its audit and opted to select a company with no experience and whose founder believes Biden stole the election.

HE'S TOO BIASED TOWARD REALITY
A quick dive into Holeman's online presence shows he's basically the mirror image of the Cyber Ninja CEO – he used to be an elections official in Ohio and doesn't believe the conspiracy that the election was stolen.

AT LEAST WE'RE NOT WASTING $8 MILLION
Fann also passed on hiring a cybersecurity company called Intersec Worldwide, which pitched a process that would take roughly 20,000 hours and cost more than $8 million, not including the auditors' travel and expenses.

DEFUND THE SROS
The Dept of Education will spend $21.3 million from discretionary federal Covid funding on counselors and social workers through school safety grants – but none of that funding will go toward school resource officers.

ANUTHER RYNO KELLING AMURICKA
After reading Fillmore's typo-riddled tirade endorsing the recall attempt against him in Friday's Yellow Sheet, Bowers struck back today with a measured, spell-checked statement to his caucus that didn't address the personal attacks.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, April 19, 2021

NEWS NOTES AND GOSSIP

IN OTHER WORDS, JUST A REGULAR MONDAY!

Mesnard and Ugenti-Rita took to the House lawn this afternoon to pressure Bowers to hold a vote on their election bills and lambaste the business leaders who criticized the measures, while a crowd of rowdy Trump supporters screamed fake news at reporters. Both lawmakers sponsored bills that passed the Senate on party lines and have stalled in the House for the past couple weeks following outcry from business leaders, most notably Greater Phoenix Leadership and Cardinals owner Michael Bidwill. Mesnard characterized opposition to his S1713 (early ballots; identification; mailing) as born out of dishonest allegations made by "radical progressive groups and those willing to perpetuate their outrageous narrative." (Notably his bill has not been scheduled for a House vote, while Ugenti-Rita's S1485 (NOW: early voting list; eligibility) is up for a vote tomorrow, per House Republican spokesman Andrew Wilder.) Mesnard argued that the real voter suppression is ignoring the concerns of voters who no longer trust the electoral system. "There is no greater existential threat to democracy than having an electorate who has lost faith in the election system," he said. "To ignore the concerns and so many people who are saying they don't see the point of voting anymore, because they don't believe the outcome, that is voter suppression." Even with the greater restrictions that their bills would impose – requiring a driver's license number with a mailed ballot or removing some voters from the PEVL if they don't vote by mail – Arizona would still have "one of the easiest, most liberal, flexible, diverse voting systems in the country," he said. Ugenti-Rita came out swinging against the "predatory press and demagoguing Democrats" she claims are trying to intimidate her. "You guys are in the business of perpetuating lies. That's why you keep having to repeat it, is it not? Because a lie has to be repeated," she told reporters. The crowd shouted down reporters with cries of "fake news" "lies" and "propagandists, every one of you."

THEY'RE STANDING BACK AND STANDING BY

Anti-government militia members are rallying to provide "security" for the Senate's audit, fearing that Antifa might try to disrupt it. Josh Bernstein, a conservative commentator who was banned from mainstream video platforms after calling for US Rep Ilhan Omar to be executed last year, published a video on his own website over the weekend calling on his ideological allies to join him in protecting the Senate's audit (LINK). Without providing any evidence, he claimed that Antifa members have booked flights from Washington and Oregon and hotels in Phoenix to disrupt the audit. "I'm not going to get into the details of it, but there will be a robust countersecurity measure put into place just to let them know when they come into beautiful Arizona that they might as well get back on the plane and head back home," he said. Bryan Masche, a declared candidate for governor and major force behind rallies to open Arizona, shared Bernstein's video on Facebook with a message telling "Patriots" to make themselves ready and the hashtag "si vis pacem para bellum" – a Latin phrase that means "if you want peace, prepare for war." And while some of the activists who pushed to overturn the election plan to be outside standing guard, at least one expects to be in Veterans' Memorial Coliseum. Former lawmaker Anthony Kern, who was photographed on the US Capitol steps after his fellow protesters breached multiple barriers and broke into the building on Jan 6 (YS, 1/12), tweeted today that he and his wife will be involved in the recount (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003257

ARZN_REV00069069_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHY HIRE A PRO WHEN YOU CAN HIRE A CONSPIRACY THEORIST?

Fann passed up an opportunity to hire a well-regarded and qualified auditing company to conduct its audit and opted to select a company with no experience and whose founder believes Biden stole the election. Our reporter received public records from the Senate for "all bids" received to conduct the audit of Maricopa County's 2.1 million ballots. The request netted only two firms that put in an official bid – neither of which was Cyber Ninjas, the group Fann ultimately selected. Clear Ballot Group, a Massachusetts firm that has conducted election audits in several states, including a statewide audit in Maryland and Vermont offered to do the audit within six weeks for $415,000. On its website, the company says it "offers much more than a post-election audit solution. It's the only system capable of tabulating other system's ballots to provide an independent comparison of results for purposes of post-election audits." Keir Holeman, Clear Ballot's vice president of technical services, wrote in the proposal letter that the group is also conducting audits for multiple counties in Florida and New York as well as projects in South Carolina and Colorado. "It is this experience that makes us confident we can help you with your desire to audit the results in Maricopa County," Holeman wrote. One potential hiccup for the group is they only conduct audits of election results – not equipment and technology. Cyber Ninjas and its subcontractors have pledged to conduct a full "forensic" audit of the equipment, including using "kinematic artifact" detection technology (essentially looking at folds in ballots to determine if it's a fake mail-in ballot) developed by fraud conspiracy theorist and failed inventor and treasure hunter Jovan Hutton Pulitzer (YS, 3/31). "Please note that the only thing our company does is audit election results. We do not offer a service to audit election equipment or technology," he wrote.

HE'S TOO BIASED TOWARD REALITY

A quick dive into Holeman's online presence shows he's basically the mirror image of the Cyber Ninja CEO – he used to be an elections official in Ohio and doesn't believe the conspiracy that the election was stolen. According to his LinkedIn, he was the election coordinator for the Montgomery County Board of Elections, then served as a regional director for Diebold Elections, the group that became infamous for election problems during the 2000 presidential recount in Florida. (Dominion now owns Diebold.) Holeman then went to become the director of the Warren County Board of Elections and eventually found his way to VOTEC Corporation (LINK), before starting at Clear Ballot in August 2017. Holeman created his Twitter account in January and his first post was a retweet of the FBI looking for information about insurrectionists. His entire feed (LINK) is now mostly made up of critiques of Republican Congressmen over the Jan 6 riot and few retweets of others commenting on why they think Trump should be convicted by the US Senate after he was impeached for a second time. Of course, that's not the kind of Twitter presence that will ingratiate an auditor to Senate Republicans. But Fann has made clear that a person's tweets shouldn't disqualify them from auditing the election on the Senate's behalf (YS, 4/5). It's unclear if Fann considered Holeman's proposal.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003258

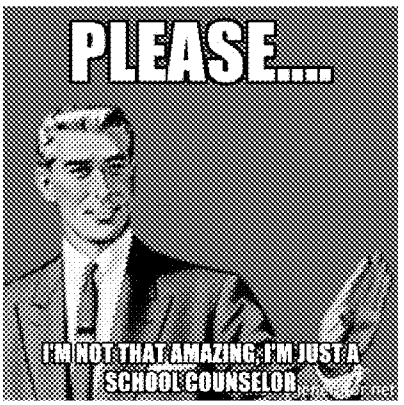
ARZN_REV00069069_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AT LEAST WE'RE NOT WASTING $8 MILLION

Fann also passed on hiring a cybersecurity company called Intersec Worldwide, which pitched a process that would take roughly 20,000 hours and cost more than $8 million, not including the auditors' travel and expenses. Email records show Fann interviewed the company in early-March. Intersec's pitch included biographies for each of its top executives and then broke down its scope of work into five categories: Engagement, evidence preservation, forensics analysis, forensics reports of results and testimony/defense findings. David Hughes, the vice president of sales, made the official pitch and said the engagement and evidence need to happen "immediately regardless of who does the work." The engagement phase would include setting up legal agreements, contracts and retainers and would take roughly 500 hours. Securing the evidence, including taking forensic images and copies of hard drives, would take about 2,500 hours, according to the proposal. Those two projects would cost $1.45 million. The actual audit would tack on another $6.6 million.

DEFUND THE SROS

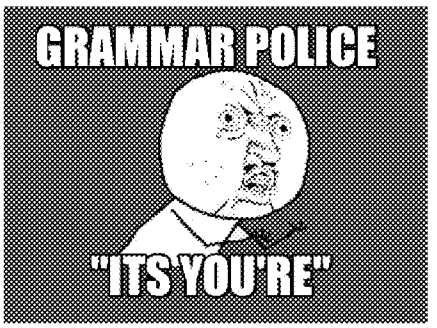


The Dept of Education will spend $21.3 million from discretionary federal Covid funding on counselors and social workers through school safety grants – but none of that funding will go toward school resource officers. Calling mental health a "top priority" during the pandemic, Hoffman said the money will cover an additional 71 counselors and 69 social workers for schools on the waitlist for the School Safety Program, but none will be spent on school resource officers, the other type of position the grant funds. She said she heard from the student advisory council and the school safety task force that they "need – not just want" more mental health support in schools, but there was no overwhelming demand for SROs. The positions, Hoffman said, will help chip away at Arizona's "astronomical" students to school counselor ratio. When the School Safety Program expanded in 2019 to fund school counselor and social worker positions in addition to SROs, Arizona had a ratio of more than 900 students per school counselor. The American Association of School Counselors recommends a ratio of 250 to one. While the grant has brought more than 260 social workers and counselors into Arizona schools, Hoffman said the need was greater than the funding, leaving many schools without. "Two years and one pandemic later, many social worker and school counselor positions, remain on the waitlist, waiting for funding from the state Legislature," she said. The goal is for these additional Covid relief-funded positions to be filled going into the 2021-22 school year, Hoffman said, though she noted previous grant recipients in rural areas have had a more difficult time filling those positions. Hoffman also took a jab at the Legislature in her comments, saying that while social-emotional health has been cited as a reason for reopening schools, the Dept of Education is having to step in to fund solutions. "The majority party has offered no serious solution for actually providing the social and emotional resources. Instead, they have spent their time embracing conspiracy theories about the last election and passing legislation that targets and harms our LGBTQ students," she said. Hoffman said "it's not too late" for lawmakers and state leaders working on the budget to "commit to student health and wellbeing." ADE's Covid relief funding will cover these positions for two years, and then Hoffman said the department will again look to the Legislature for support.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003259
ARZN_REV00069069_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ANUTHER RHINO KELLING AMURICKA



After reading Fillmore's typo-riddled tirade endorsing the recall attempt against him in Friday's *Yellow Sheet*, Bowers struck back today with a measured, spell-checked statement to his caucus that didn't address the personal attacks. The speaker stuck strictly to the bill in his statement, writing that he pulled Fillmore's H2060 (schools; pledge; quiet reflection) from Udall's House Education Committee, where it naturally belongs, at Fillmore's request after it became clear it didn't have the votes to pass. He instead assigned it to Kavanagh's Government and Elections Committee, where it passed on a party-line vote. "Let me be clear: John is wrong. At no point have I held up his bill. In fact, I did everything to ensure that it received a fair hearing," he wrote. The bill is still awaiting a vote from the full House, and Bowers said he didn't want to put it up on the board just to watch it die. "It still faces vote count issues within the caucus," he wrote. "If the bill cannot move forward on its merit, then John should acknowledge that, rather than attempt to place blame on me or the process."

WAKE UP CALL

Tax transparency bills enable public to see data
Arizona Capitol Times
This year, several transparency-related tax bills have been signed into law, each aiming to make tax issues more accessible to the public.

Tourism taxing districts could be coming soon
Arizona Capitol Times
Twin bills with bipartisan support to jumpstart Arizona tourism appear dead in the Senate, but they may reappear this year or next as the concept has gained support nationally and here.

Covid shots to become easier to get, health director says
Capitol Media Services
Getting vaccinated against Covid may soon be as simple as a flu shot.

In Arizona, the 2020 presidential election still isn't over. Republicans start an audit this week. Here's what we know.
12 News
Almost six months after the presidential election, a Republican-commissioned audit of Maricopa County's presidential vote will begin Monday.

Shelter for unaccompanied minors is operating in Benson
KGUN
Just below Benson's welcome sign, you'll find an old hotel turned shelter for unaccompanied minors who have crossed into the United States.

Tucson Unified School District Superintendent Upset With 'Disheartening' Sex Education Bill
KJZZ
Senate Bill 1456 has recently passed through the Arizona Legislature, and is waiting on Gov. Doug Ducey's approval. If signed into law, the bill would require state schools to get parents' permission for discussions about sexual orientation, gender identity and expression.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003260
ARZN_REV00069069_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Some shops in Sonora see benefit from U.S. border restrictions
Nogales International
Still, others say lack of tourism, weak economy have been hard to overcome.

Mohave County Board of Supervisors to consider vote centers, equipment purchases
Today's News-Herald
The Mohave County Board of Supervisors will consider purchasing enough on-demand ballot marking devices to set up current polling sites as vote centers at their meeting at 9:30 a.m. today in Kingman.

Mexican cartel threatens deputies, Dannels says
Herald Review
The Mexican cartel has threatened deputies with the Cochise County Sheriff's Office, Sheriff Mark Dannels said earlier this week.

States court tech money even as they bash companies
Axios
Some of the country's fastest-growing states are publicly attacking the tech industry's business practices on one hand while courting its investment on the other.

Democrats running in down-ballot races helped Biden win votes in conservative areas, a study finds.
The New York Times
President Biden, who eked out a 12,000-vote victory in Georgia, received a small but potentially important boost from the state's conservative areas if at least one local Democrat was running in a down-ballot race, according to a new study by Run for Something, an organization dedicated to recruiting and supporting liberal candidates.

How the Trump era made redistricting more complicated
CNN
The political upheaval caused by the rise of former President Donald Trump has forced party operatives and elected officials tasked with laying out the nation's congressional districts for the next decade to determine whether those shifts were aberrations or signs of more lasting changes.

Our View: Arizona's sports betting: Teams are big winners even with no house edge
Today's News Herald (opinion, editorial board)
The hype following approval of Arizona new sports betting law is mostly justified. It will add excitement and more entertainment to football, baseball, basketball and other pro sports in the state. It's overdue.

Tim Steller's opinion: AG Brnovich descends into political absurdity, and Arizonans pay for it
Arizona Daily Star (opinion, Tim Steller)
The federal court filing fee was $402. The salaries of the lawyers who filed it: $130,000, $160,000 and $180,000. The hoped-for political impact: Priceless.

Gov. Doug Ducey sure is proud of his sports betting deal. But he got played
Arizona Republic (opinion, Robert Robb)
Gov. Doug Ducey is really proud of having brought sports betting to Arizona.

We return you now to your regularly scheduled mass shootings
Arizona Republic (opinion, EJ Montini)
It almost seems quaint, now, how horrified we were in 1986 when a 44-year-old mail carrier named Patrick H. Sherrill walked into the post office where he worked in Edmond, Okla., and opened fire with two handguns, killing 14 coworkers and wounding six others. He then killed himself.

Deadly epidemic of epistemophobia at Legislature, as evidenced by passage of a sex-ed bill
Arizona Republic (opinion, EJ Montini)
I thought the absurd proposals coming out of the Arizona Legislature were a result of old-fashioned partisan politics, but I see now that I was wrong.

Rep. Paul Gosar finally reveals himself with his America First Caucus nonsense
Arizona Republic (opinion, Laurie Roberts)

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003261

ARZN_REV00069069_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona's own Rep. Paul Gosar is teaming up with none other than Rep. Marjorie Taylor Greene to form the "America First Caucus."

It can't be a coincidence that neo-Nazis are rallying in Phoenix this weekend
Arizona Republic (opinion, Elvia Diaz)
Just when you think things couldn't get any wackier in Arizona, here come the neo-Nazis.

Why do farmers want Congress to invest in airports? Our livelihood depends on it
Arizona Republic (opinion, Stephanie Smallhouse)
Arizona agriculture plays a critical role in our lives and our economy.

PRESS RELEASES

Governor Ducey Acts On COVID-19 Measures In Schools

PHOENIX — In alignment with Centers for Disease Control and Prevention (CDC) guidance, Governor Doug Ducey and the Arizona Department of Health Services today rescinded orders that direct K-12 schools to require masks.
"Nearly 2 million Arizonans are fully vaccinated against COVID-19, with many teachers and school faculty now fully vaccinated after being some of the first in line for vaccine prioritization," said Governor Ducey. "Teachers, families and students have acted responsibly to mitigate the spread of the virus and protect one another, and our school leaders are ready to decide if masks should be required on their campuses. We will continue to work with public health professionals and Arizona's schools as more students return to the classroom and our state moves forward."
Today's action aligns with CDC guidance and rescinds a section of Executive Order 2020-51, issued by the Governor in July directing schools to require face masks, and Emergency Measure 2020-04, issued by the Arizona Department of Health Services (ADHS) outlining requirements for mask usage in schools.
"Across the state, almost 4.5 million COVID-19 vaccine doses have been administered," said ADHS Director Dr. Cara Christ. "Many families and communities are further protected from COVID-19, and our schools are ready to decide their next steps when it comes to masks. We encourage all Arizonans to get the vaccine — it's safe, effective and absolutely free to the public."
The CDC in March issued updated recommendations for preventing COVID-19 in schools. On March 29, ADHS adopted the CDC's recommendations in its K-12 School Guidance for COVID-19.
K-12 school districts and charter schools still maintain the right to institute and enforce policies to mitigate against COVID-19 spread, including the use of masks. Arizona schools are encouraged to continue to take actions consistent with the CDC recommendations, the Roadmap, and the Guidance to mitigate the spread of the virus, including measures such as:

- Washing hands with soap and warm water;
- Using hand sanitizer;
- Cleaning and maintaining health facilities; and
- Staying home when sick.

Today, an indoor vaccination site at Northern Arizona University's (NAU) Fieldhouse launched thanks to a partnership between the State, Coconino County, NAU, and Northern Arizona Healthcare. The site will operate seven days a week from 7 a.m.-5 p.m., with the potential to expand hours to 7 p.m. It will offer around 1,000 appointments per day to start but will be able to administer more than 4,000 doses daily. The state is currently operating six vaccination sites, with one more location opening as a state-run site this month.
Information about all vaccination sites across Arizona, including pharmacies, Federally Qualified Health Centers, pop-up events in specific communities, and health care providers offering vaccination, can be found at azhealth.gov/findvaccine.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.
View the Executive Order from Governor Ducey HERE.
View the Emergency Measure from ADHS HERE.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Bans Vaccine Passports

Gov. Ducey: "Vaccination Is Up To Each Individual, Not The Government"

PHOENIX — Governor Doug Ducey today issued an Executive Order banning "vaccine passports" and preventing state and local governments from requiring Arizonans to provide their COVID-19 vaccination status to receive service or enter an area.

"The residents of our state should not be required by the government to share their private medical information," said Governor Ducey. "While we strongly recommend all Arizonans get the COVID-19 vaccine, it's not mandated in our state — and it never will be. Vaccination is up to each individual, not the government."

Under the Executive Order, state agencies, counties, cities and towns cannot issue a measure that requires an individual to provide documentation of their COVID-19 vaccination status in order to enter a business, building or area or to receive a government service, permit or license. Businesses contracting with the state to provide services to the public also cannot require documentation.

Private businesses are not prohibited from requiring vaccination documentation in order to provide services or allow entry. Additionally, health care institutions may require COVID-19 vaccination status documentation of a patient, resident, employee or visitor. As permitted under state law, schools, child care centers and universities may also collect vaccination documentation. The Executive Order ensures that long-term care, health care institutions and other entities that collect vaccination documents under current law can still do so.

"Appointments to get the vaccine will continue to be available to everyone who wants it, especially for underserved and vulnerable communities," said Governor Ducey. "Statewide, more than 20,000 vaccination appointments are available, including more than 5,000 in Tucson alone."

To date, 4,495,519 vaccine doses have been administered to 2,736,235 individuals, with 1,926,181 Arizonans now fully vaccinated against COVID-19. The state is currently operating six successful vaccination sites, with one more location opening as state-run site this month.

Arizona on March 24 opened vaccination eligibility to all Arizonans 16 and older, allowing everyone who wants the vaccine to register for an appointment.

"I'm grateful to the medical professionals, health care staff and selfless volunteers who are rapidly vaccinating Arizonans and protecting the health of our state," the Governor added.

Information about all vaccination sites across Arizona, including pharmacies, Federally Qualified Health Centers, pop-up events in specific communities, and health care providers offering vaccination, can be found at azhealth.gov/findvaccine.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

View the Executive Order HERE.

One Arizona Coalition Opposes Potential IRC Mapping Consultant

Arizona's Independent Redistricting Commission (IRC) is currently in the process of selecting a mapping consultant that will be tasked with drafting congressional and legislative maps. These maps will determine whose voices will be represented over the next decade.

One of the mapping applicants, Timmons Group, which is working with the National Demographics Corporation (NDC), raises strong concerns when it comes to fair representation of Latinos. If selected as the IRC's mapping consultant, it is an alarming sign that the Commission is not dedicated to ensuring fair representation for Arizona's communities of color.

Timmons Group has no demonstrable experience with drafting maps for redistricting purposes, which raises public integrity concerns. As for NDC, their partner in the proposal, they have previously failed to create maps that protect and represent communities of color, but they have also cost a school district over $650,000 as a result of their discriminatory maps.

NDC drew at-large districts that diluted the power of Latino voters in school board elections in California. They spent over a year producing various draft maps without a Latino majority district, which resulted in exorbitant expenses. When those districts were challenged in an attempt to draw smaller districts where Latino communities could more easily elect a member of their choice to represent them, Doug Johnson of NDC defended the at-large districts and failed. The maps were found to violate California's voting rights protections. Doubling down on maps that clearly do not fairly represent communities of color is alarming as we move forward with a process that will impact our communities for the next decade.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

We strongly oppose the hiring of Timmons Group and NDC as the IRC's mapping consultants. The Commission can reaffirm its commitment to our state and a fair process by hiring a consultant with demonstrated expertise in drafting maps that respect communities of color – not dilute their power or ability to choose leaders that reflect their values.

Superintendent Hoffman Announces $21 Million for School Counselors and Social Workers

Funding will bring 140 New School Counselors and Social Workers to Arizona Public Schools

PHOENIX – Today, Superintendent of Public Instruction Kathy Hoffman announced $21.3 million dollars to supplement the School Safety Grant Program. As passed by the legislature and implemented by the Arizona Department of Education (ADE) the School Safety Grant program brought more than 260 social and emotional support professionals to our schools – seeking to reduce our state's astronomical student-to-school-counselor ratio, the highest in the nation. Despite these gains, demand outstripped program funds – leaving many schools on the waitlist. To fill the gaps left by the legislature, ADE will allocate a portion of its federal recovery dollars to fully fund the counselor and social worker waitlists – bringing opportunities for 71 school counselor and 69 school social worker positions to schools for two years. Grantees represent communities from across 10 counties – that have been waiting for nearly two years to receive funding for these positions.

"Over the last year, the social and emotional needs of our students have risen to the forefront of my conversations with teachers, parents and even lawmakers. After a genuinely traumatic year, I've heard clearly that the social-emotional services offered by our public schools are critical to student wellbeing," said Superintendent Hoffman. "By supplementing the School Safety Grant Program with federal relief funds, we are providing real solutions and resources that will have a direct impact on school safety, the social-emotional well-being of our students, and the overall health of our communities."

"This pandemic has elevated the awareness and necessity of addressing our students' social and emotional needs," said Sarah Skemp, Chair of the Arizona School Counselor Association. "Now more than ever, it is vital that ALL students in Arizona have access to a school counselor. The addition of these school counselors across our state allows for more students to receive more services. It is another step in the right direction that benefits all students and families in Arizona, reducing the student to school counselor ratio, which is the highest in the country. The Arizona School Counselors Association is grateful to Superintendent Hoffman and ADE for providing full funding for all these requested positions."

"Now, more than ever, is when my fellow Arizona students need support that extends beyond just teachers, friends, and family. And, while I strongly believe that learning about wellness should be an important part of every student's education, it's not enough," said Claire Novak, and Senior at the Arizona School for the Arts. "Students and teachers also need the support of professionals such as counselors and social workers. These newly funded resources for schools are going to make a huge difference for so many students across the state."

This investment, along with the millions of federal recovery dollars ADE has already committed, will provide resources our students will need beyond the crisis of the pandemic. However, even with this new infusion of school counselors and social workers, Arizona's student to counselor ratio far exceeds the recommended standard. More needs to be done to provide these important supports to Arizona students. Additional state support for social and emotional positions like counselors and social workers is critical to student mental health and opportunity.

Read More: https://www.azed.gov/wellness/school-safety-program-esser-awardees

Marco Lopez Holds Press Conference Today with Community Leaders to Highlight Inequities in Vaccine Distribution

Gov. Ducey's poor planning, lack of leadership, and government waste have all led to 85009, one of the state's most diverse zip codes, having one of the lowest vaccination rates in the state

WHEN: Monday, April 19th, at 12:30pm PT

WHERE: Corner of W McDowell and N 43rd Ave, in front of bus stop #12850 in the Fry's parking lot, Phoenix, AZ, 85009

WHO:

- Marco Lopez, former Mayor of Nogales, small business owner, candidate for Governor
- Dr. Mario Ventura, Superintendent of the Isaac Elementary School District
- Atancia Alcaraz, mom and Promotora with Unlimited Potential
- Herlinda Calderon, community member and Promotora with Unlimited Potential

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003264

ARZN_REV00069069_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT: Marco Lopez and community leaders will discuss how poor planning, lack of leadership, and government waste have led to 85009, one of the state's most diverse zip codes, having one of the lowest vaccination rates in the state. In his first press conference, he will be speaking in front of the only vaccination site in the entire zip code.

BACKGROUND:
According to Maricopa County, over 40% of all adult Maricopa County residents (15+ years) and 1/3 of all Maricopa County residents (all ages) have been vaccinated with at least one vaccine dose. However, in 85009, which is 82% Hispanic or Latino and where 35% of residents live below the poverty line, that number hovers around 15%.

Senators give update on election integrity bills moving through Legislature

WHAT: The sponsors of important election integrity bills will update reporters on the status of the bills and the impact the legislation would have on Arizona
WHO: Senator Michelle Ugenti-Rita
Senator J.D. Mesnard
WHEN: Today at 12:30 p.m.
WHERE: House Lawn
State Capitol

HB2309, Bill Criminalizing Protest, Could Go to Arizona Governor Doug Ducey's Desk This Week
PHOENIX – The Arizona State Senate is likely to vote this week on HB2309, which would make it easier for prosecutors to charge protesters with serious felonies.
The bill is being heard by the Senate Rules committee on Monday afternoon and could go to a floor vote as soon as Tuesday. If passed by the State Senate, it will go to Governor Doug Ducey's desk, where he could veto it or sign it into law.
The bill's sponsor has admitted that the purpose of the bill is to chill First Amendment-protected protest activity.
Under the bill, participating in a "violent or disorderly assembly" is now a class 6 felony. In addition, under the bill, minor infractions like playing amplified sound without a permit or blocking the sidewalk would now carry serious felony charges if done as part of a "violent or disorderly assembly." In short, if the bill passes, Arizonans could face serious felony charges simply for participating in a political event or protest.
The bill would open the door to further waves of political prosecutions in Arizona, like those that have already been carried out by the Maricopa County Attorney Allister Adel in the wake of last summer's racial justice movement.

REPORT: Corporations That Made Commitments To Racial Equity Donated Over $800,000 To State Lawmakers Who Led Voter Suppression Efforts Beyond Georgia

READ THE REPORT
WASHINGTON, D.C. – Today, government watchdog Accountable.US released a new report finding that corporations boasting their commitments to racial equity and diversity have doled out over $800,000 to state lawmakers who have led voter suppression efforts in Texas, Arizona, and Florida — the latest states to ratchet up an assault on voting rights.
As hundreds of corporate executives sign a new letter opposing "any discriminatory legislation" in response to the wide range of voter suppression efforts being considered by state legislatures across the country, these firms — including Exelon, Raytheon, and Disney — have been largely silent on state efforts to disenfranchise predominantly Black and Brown voters.
"These corporations tout commitments to diversity and racial equity, then they turn around and donate thousands to lawmakers responsible for stripping voting rights away from Black and Brown Americans," said **Kyle Herrig, president of Accountable.US**. "As these states actively attempt to suppress voter participation, corporations need to live up to their values and disavow racist attacks on our democracy."
Despite making public commitments to racial equity, these corporations have donated to numerous state lawmakers who are responsible for voter suppression efforts and have troubling records on race. Ryan LLC donated $7,500 to Texas State Senator Bob Hall, who defended a self-proclaimed "white nationalist." Arizona's top five corporate donors, including Pinnacle West and Raytheon, have all contributed to State Senator David Gowan who sponsored a

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

bill to shorten mail-in voting deadlines that would disproportionately harm Native American voters. In Florida, HCA Management Services and Walt Disney gave $11,000 to State Senator George Granier, who introduced a bill to absolve motorists of liability if they killed a protestor with their car in the same year a white nationalist killed a protestor with his car in Charlottesville.

KEY REPORT FINDINGS:

- Texas' Biggest Donors That Have Made Public Commitments To Racial Equity Have Given $493,000 To State Lawmakers Responsible For Voter Suppression.
- Arizona's Top 5 Corporate Donors — All Of Which Tout Commitments to Diversity — Have Given Nearly $77,000 To Three Lawmakers With Troubling Histories On Race Who Authored Three Of The State's Worst Suppression Bills.
- Florida State Legislators' Top Donors With Alleged Commitments To Racial Equity Have Given $230,500 To Florida State Legislators Responsible For Advancing Voter Suppression Bills.

"QUOTE OF THE DAY"

"You guys are in the business of perpetuating lies."

- ***Ugenti-Rita, to the press***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, April 20, 2021 5:04:16 PM
Recipient: 'Arturo Gabaldon' <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 4-20-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *April 20, 2021*

NO RUSH FOLKS, LONG SESSIONS ARE GOOD FOR BUSINESS
Today is the 100th day of the legislative session, but lawmakers seem in no rush to pass a budget and sine die, as Fann adjourned the Senate until Thursday morning, skipping work in favor of a photo-op with Ducey at the border.

AND WHAT A SESSION IT HAS BEEN
To commemorate the 100th day of session, we asked railbirds to recount the most memorable moments from the session so far – lowlights only.

EDITORS MAKE THE BEST SPINMASTERS
Republic reporters have spent the last month subtweeting and trolling their managing editor, Greg Burton, for prompting an exodus of journalists of color, and Burton today spun the departures as a positive thing in an op-ed that one Republic reporter called Orwellian.

AMERICAN OVERSIGHT

LONG HOURS, ANGRY SOURCES, BAD EDITORS BUT YOU MAKE $33K
Garcia told our reporter that as a Phoenician who grew up in the valley, he wanted to stay at the Republic for his career, but could no longer work there after realizing that he was paid less than other, less experienced reporters.

FUN FACT: ORWELL WAS ONCE A NEWSPAPERMAN
While Garcia's departure became a flashpoint for the staff, sparking off the wave of online criticism of Burton, he was far from the first reporter of color to walk away from without having his next move figured out.

YES, BUT ALSO…
Brnovich offered an AG opinion today on whether it was constitutional for Ducey to unilaterally negotiate with the tribes, although Ducey already signed the new gaming compact with Arizona's tribal leaders last week.

WE HAVE A RAILBIRD IN EVERY ROOM
A Dem operative who is volunteering to observe the audit told our reporter the people running it couldn't possibly be less organized.

DUELING OP-EDS ARE THE BEST OP-EDS
Friese and Cook recently penned a joint op-ed pushing their version of unemployment insurance expansion, and Fann yesterday struck back with her own op-ed claiming their version "increases employer taxes seven-fold" – a claim the duo says is no longer true.

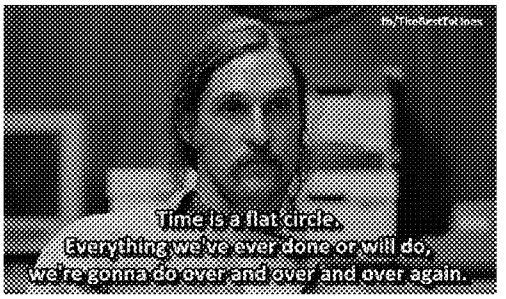
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, April 20, 2021

NEWS NOTES AND GOSSIP

NO RUSH FOLKS, LONG SESSIONS ARE GOOD FOR BUSINESS



Today is the 100th day of the legislative session, but lawmakers seem in no rush to pass a budget and *sine die*, as Fann adjourned the Senate until Thursday morning, skipping work in favor of a photo-op with Ducey at the border. Budget negotiations have already been stalled by Fann's focus on the election audit, several railbirds have said. And while budget talks are still ongoing behind the scenes, Toma said he doesn't know when a deal will be reached on a package that can get 31 votes in the House and 16 in the Senate. (Complicating the vote count is Boyer and Blackman have both publicly opposed the tax cut package included in the budget plan.) "We could be done in a couple of weeks, we could be done in a couple of months," Toma said. Cobb today struck a more optimistic tone on *KJZZ's The Show* today, saying after a slow start and some difficulties between the House and Senate, budget drafters have "made some great progress." "Now that we're in line, I think we'll probably move fairly quickly with the budget," she said. (There are also more than 300 bills that have passed their committees in the second chamber and await a vote from the full House or Senate.) Of course, lawmakers rarely shutter the Capitol before the 100th day – in the past decade, the sessions have ranged from 81 days to 151, for an average of 117 days. The next major deadline is day 120 of the legislative session, when *per diem* payments to lawmakers drop considerably, followed by the artificial deadline of Memorial Day, May 31. In fact, the most popular prediction in the annual House *sine die* pool is that lawmakers will adjourn on the Thursday before Memorial Day. Dozens of insiders were more pessimistic, placing bets on a *sine die* in June. A handful had no faith at all – we're looking at you A Hernandez and Chavez – betting that the Legislature wouldn't adjourn until July 2 and 3, respectively.

AND WHAT A SESSION IT HAS BEEN

To commemorate the 100th day of session, we asked railbirds to recount the most memorable moments from the session so far – lowlights only. "My top moment was when Borrelli was unanimously voted out of the majority whip position for suggesting that fellow electeds were plotting to have him assassinated because he knew about the South Korean plane that delivered ballots," said one Republican railbird, who clearly didn't understand the assignment. Among the memorable moments (that actually happened) were Ducey delivering a virtual state of the state address to a crowded, in person Legislature amid a raging pandemic (YS, 1/4), and Republicans gleefully ripping off their masks after the chambers did away with their mask mandates (YS, 3/29). Other lowlights that railbirds flagged included "Kavanagh's trifecta" of moments – when he said "one person's disinformation is another person's truth" (LINK), his comments about quantity being important, but that it's necessary to look at the "quality of votes." (LINK), and when Salman accused him of committed a felony by voting on her behalf (LINK). Boyer saving the Maricopa County Board of Supervisors from arrest came up on several railbirds' lists of memorable moments (LINK). Our own reporter even made one Republican railbird's list. "Julia [Shumway] continuously locked out of caucus!" the source texted. Another Republican source pointed to Greater Phoenix Leadership's op-ed against election legislation (LINK), saying that merits a mention on any lowlight list. "GPL breathing life into dead election bills (Whoops!)." And today's House Democratic walkout – all Democrats left the floor for several hours to try to stymie the majority from having a quorum to vote on Ugenti-Rita's PEVL-pruning bill – is sure to make the future list of memorable moments.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003269

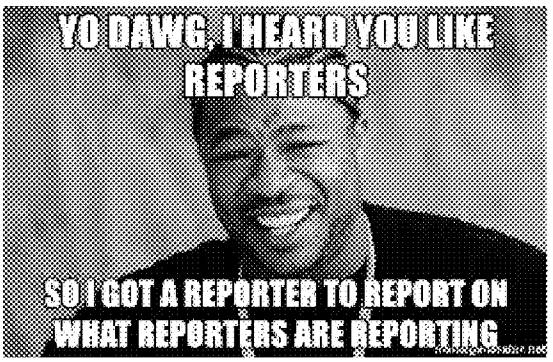
ARZN_REV00069073_4-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

EDITORS MAKE THE BEST SPINMASTERS

Republic reporters have spent the last month subtweeting and trolling their managing editor, Greg Burton, for prompting an exodus of journalists of color, and Burton today spun the departures as a positive thing in an op-ed that one *Republic* reporter described as Orwellian. Against the backdrop of his 2019 pledge to diversify the newsroom and ensure it reflects the state's racial diversity (LINK), Burton has come under intense criticism from his staff of late, as more than a dozen women, minorities and LGBTQ reporters have quit in recent months, grumbling (quietly and not so quietly) about racial pay inequity, racial discrimination and an overall hostile work environment. The *Republic's* union recently posted that 14 of 19 reporters who have left the paper in the past calendar year were either people of color, women or gay. "We have lost talented journalists over the past year, but it has almost always been because those journalists were promoted within our company or advanced in their careers to other national newsrooms from Oregon to Washington, D.C.," Burton wrote yesterday (LINK). While that's partially true – many of the reporters who have left did so for other papers, it misses the point that many of those who moved on or moved up didn't actually want to leave, according to multiple reporters, they were pushed out by management that ignores complaints about pay inequity and favoritism for white employees. Reporters started turning up the heat on their boss after public safety reporter Uriel Garcia left his job without having another gig lined up, saying he was earning far less than some white colleagues with less experience. (One reporter told our reporter after Garcia left, editors sent out a notice that there will be a "newsroom open house" on April 23 to with tacos and Ida B. Wells T-shirts. "Heard you were mad about racism/sexism … here's a T-shirt quoting a Black woman and tacos," the reporter quipped.)

LONG HOURS, ANGRY SOURCES, BAD EDITORS BUT YOU MAKE $33K

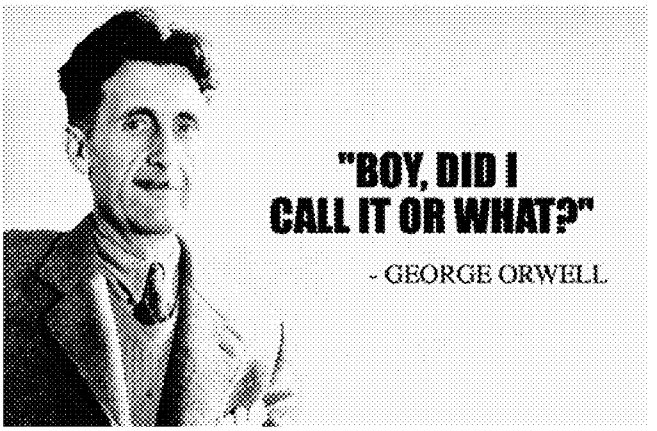


Garcia told our reporter that as a Phoenician who grew up in the valley, he wanted to stay at the *Republic* for his career, but could no longer work there after realizing that he was paid less than other, less experienced reporters. Garcia told our reporter that he took a $7,000 pay cut to join the *Republic* in 2017 from a paper in Santa Fe. He eventually earned an increase from his $33,000 starting salary to $38,000, but was dismayed when he learned he was paid significantly less than white reporters with less experience or that were hired after him. When he brought the issue to Burton, the editor was unfazed and wouldn't budge on giving him more money. "I had no intention of leaving the *Republic* at all and especially not the way I left it," Garcia said, but Burton started playing "mind games" and it all escalated. "Some of these colleagues are from Phoenix and wanted to stay in Phoenix. For us, working at the *Republic* was a destination paper. And I can tell you that for my case, it was a destination paper. I was willing to make a long-term career out of it." He said Burton told him that the *Republic* couldn't give him a raise because employees were unionizing. After Garcia gave his two weeks' notice, Burton tried to convince Garcia to remain on staff, but without offering any new assurances or giving him a salary increase. "I said I'd like to know that I'm going to get a raise," he told our reporter, but Burton indicated he thought Garcia was paid appropriately.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003270
ARZN_REV00069073_4-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FUN FACT: ORWELL WAS ONCE A NEWSPAPERMAN



While Garcia's departure became a flashpoint for the staff, sparking off the wave of online criticism of Burton, he was far from the first reporter of color to walk away from without having his next move figured out. Late last year, three female journalists of color left on the same day (Arizona Republic Guild leader Rebekah Sanders tweeted that they took buyouts (LINK)). The three women were Lorraine Longhi, Dianna Náñez and Ebony Day. Only one had a journalism job lined up. Of course, a lack of diversity isn't just a *Republic* problem – it plagues newsrooms all over the country (our tiny reporting staff is all white). In his op-ed, Burton noted the paper has made progress hiring reporters who more closely reflect the state's makeup, saying "the newsroom, overall, is more diverse than at any time in history." But reporters have complained that hiring a more diverse reporting staff isn't a solution unless those reporters feel welcomed and comfortable and valued – all fronts where Burton, specifically, is failing. "The editor has a history of disrespecting our communities, fostering a hostile workplace, discriminating against too many BIPOC/LGBTQ/female journos. Many pleaded w/@Gannett to stop the editor," Náñez tweeted (LINK). Elizabeth Montgomery, a *Republic* reporter and the president of the Arizona Assn of Black Journalists, noted that when Burton wrote about a new project highlighting "people dedicated to diverse or underserved communities" he didn't credit her and editor Javier Arce, who are producing the project, but he did credit a white editor (LINK). Alden Woods, an investigative reporter, subtweeted the article without linking to it, saying, "platitudes are not progress. *Phoenix New Times* reporter Erasmus Baxter called Burton's op-ed a "slap in the face" for *Republic* reporters. "Clearly the paper is feeling the heat over its failure to retain them, but papering over the harm with PR isn't the way forward," he wrote. "We work in an Orwell novel," Sanders tweeted about the article.

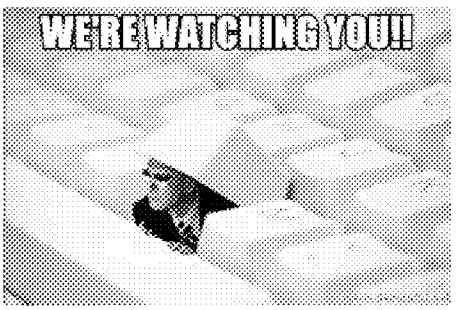
YES, BUT ALSO...

Brnovich offered an AG opinion today on whether it was constitutional for Ducey to unilaterally negotiate with the tribes, although Ducey already signed the new gaming compact with Arizona's tribal leaders last week. Finchem requested the opinion (he also voted no on the sports betting bills this year) and Brnovich explained that Ducey can, in fact, negotiate without getting lawmakers involved (LINK). But like all legal matters, it's a little complicated. The language of Arizona's law on gaming compacts, Brnovich wrote, provides the governor statutory authority "to negotiate and enter into amendments to new compacts," but they still must be consistent with laws governing gambling on tribal lands and the Indian Gaming Regulatory Act. Brnovich also noted that there are certain limitations to the power the governor holds, noting that in other states, negotiations have faced questions about separation of power. "Courts in several states have concluded that a system allowing the governor to act unilaterally with respect to tribal gaming policy is inconsistent with the separation of powers," he wrote. That's because the states found that gaming compacts incorporate policy that's "reserved for the Legislature." But potentially the most interesting is that Brnovich notes gambling policy is covered under the Voter Protection Act, since the compact was voter-approved in 2002. "To the extent the governor attempts to implement tribal gaming policy by promoting and signing legislation, the VPA may limit his ability to do so," Brnovich wrote. Ultimately, he decided, that Ducey's authority to negotiate "creates potential legal concerns" but none that could be addressed by this opinion.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003271
ARZN_REV00069073_4-20-21.pdf

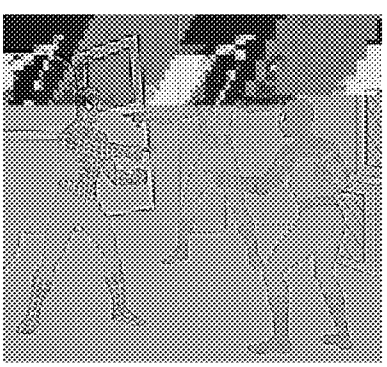
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE HAVE A RAILBIRD IN EVERY ROOM



A Dem operative who is volunteering to observe the audit told our reporter the people running it couldn't possibly be less organized. "I think the process is the biggest sham in Arizona history," the source said before taking multiple shots at Fann for collaborating with the likes of Lin Wood and Sidney Powell. The source recorded a phone call last week with Susan Wood, who is coordinating volunteers for the audit and co-owns Scottsdale Studios, an organization that posts election fraud theories and interviews with polarizing figures involved in the audit to its YouTube page (LINK). On the call, Wood said she was working off a script and could not answer any questions about how the observation portion would go. The coordinators "have zero clue what they are doing," the source said. "Just talking to them on the phone, you can tell they are unprepared and totally winging it." It was also clear from her responses that few if any Democrats had volunteered – she asked the source in a somewhat desperate tone to get some friends to sign up. "We need Democrats, I don't know if you know anybody," Wood said on the call. The Dem railbird told our reporter the "worst part" of the audit is the silence from Republicans who should know better. "Mesnard and Shope know better. Same with Boyer. But they're all just sitting there and letting their party burn to the ground," the source said. Ultimately, the source still wants to see how it all plays out, but not because of any theory that the election was stolen. "I'm volunteering because... I want to expose all of their tin foil bullsh*t," the source said.

DUELING OP-EDS ARE THE BEST OP-EDS



Friese and Cook recently penned a joint op-ed pushing their version of unemployment insurance expansion, and Fann yesterday struck back with her own op-ed claiming their version "increases employer taxes seven-fold" – a claim the duo says is no longer true. Friese, the main Democrat who worked on H2805 (unemployment insurance; benefits; tax base), acknowledged there was a drafting error with the bill originally, but said it was fixed by an amendment in Senate Appropriations. He said the intention was always clear that H2805 meant to subject the first $8,000 in wages to the state unemployment tax, an increase from $7,000 now. "I don't know why the president was saying that our bill flipped it, when in fact our intentions were clear and the error was corrected," Friese said. While there is general agreement on raising unemployment benefits this year there is still disagreement on the details of how to go about it. Fann, in her *Capitol Times* op-ed (LINK), argued her S1411 (unemployment insurance; benefits; duration; fraud) is the superior plan to raise unemployment benefits. Both bills have passed their respective original chambers and gone through committee in the other but have yet to come to a final vote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003272

ARZN_REV00069073_4-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

GOP lawmakers defend election bills
Capitol Media Services
Two Republican senators lashed out Monday at businesses and the media, accusing them of mischaracterizing what is in changes they are proposing to state election laws.

Ducey orders ban on 'vaccine passports'
Capitol Media Services
Gov. Doug Ducey is blocking government agencies and some businesses from requiring customers to prove they have been vaccinated against Covid.

Arizona governor rescinds COVID-19 mask mandate in schools
Capitol Media Services
Citing the number of people who have been vaccinated – most of whom are older than school age — the governor is allowing schools to decide whether to require masks.

Migrants taking longer, deadlier routes across border, UA study finds
Arizona Daily Star
University of Arizona researchers describe a series of "funnel effects" that pushed migrants into more remote, dangerous areas of Southern Arizona.

Mental health pros aid more 911 calls in Mesa
East Valley Tribune
Mesa Police have a two-pronged approach to the challenge of continuing a swift response in their fast-growing city to 911 calls: Hire more officers and farm out calls.

U.S. West prepares for possible 1st water shortage declaration
Associated Press
The man-made lakes that store water supplying millions of people in the U.S. West and Mexico are projected to shrink to historic lows in the coming months, dropping to levels that could trigger the federal government's first-ever official shortage declaration and prompt cuts in Arizona and Nevada.

Long time Navajo leader dies
White Mountain Independent
The death of long-time Navajo leader and Council Delegate Nelson BeGaye this week drew expressions of admiration and sorrow across the reservation.

Jovan Pulitzer, an icon among election fraud believers, will play a role in the Arizona election audit
Arizona Mirror
Jovan Pulitzer, a favorite of election fraud conspiracy theorists who claims to have invented technology that can detect fraudulent ballots and whom Georgia's Republican secretary of state recently derided as a "failed inventor and a failed treasure hunter," will have a role in the Senate's audit of the 2020 election in Maricopa County.

Arizona's past with neo-Nazis is colliding with its political present
Arizona Mirror
In February 2012, the nation's eyes were on Mesa as the four remaining Republican candidates for president debated. Among those eyes were those of FBI agents who were keeping tabs on a local Neo-Nazi by the name of JT Ready who was amongst the attendees at the Mesa Arts Center.

Republicans fret over divisive candidates
The Hill
Republicans are sounding the alarm that divisive candidates running across the country could cost them key Senate and gubernatorial races next year.

The deafening corporate silence about Arizona's anti-democracy proposals
Arizona Mirror (Opinion, Araceli Villezcas)
Arizona laws made me an activist. As a teenager, I lived through the passage of SB1070, the anti-immigrant law that legalized racial profiling, and saw what it did to our state.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003273
ARZN_REV00069073_4-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Maxine Waters is as 'innocent' of inciting a riot as Donald Trump
Arizona Republic (Opinion, EJ Montini)
This is what happens when our always partisan tug of war ends in a draw, with both sides in the mud.

Sen. Kyrsten Sinema committed a fashion 'don't' when she told fellow Democrats to f--- off
Arizona Republic (Opinion, Laurie Roberts)
Arizona Sen. Kyrsten Sinema's 'fashion statement,' telling her own party to f--- off, was right on brand. But as political moves go, it was a fashion don't.

Gov. Doug Ducey lifts school mask mandate ... and his chance to be noticed nationally
Arizona Republic (Opinion, Laurie Roberts)
In dropping the schools' mask mandate, Gov. Doug Ducey has given up on prioritizing public health in favor of prioritizing political ambition. Again, that is.

Why a COVID-19 surge now could be even harder for Arizona to stop
Arizona Republic (Opinion, Joanna Allhands)
If Arizona experiences a fourth surge in COVID-19 cases now, tamping them back down may be far more difficult.

Nearly 30,000 appointments remain unfilled? Move some of that COVID-19 vaccine elsewhere
Arizona Republic (Opinion, Elvia Diaz)
It's not enough to educate or help people get appointments. Arizona should shift some of its vaccine away from mass vaccination sites to local events.

Derek Chauvin's defense wasted taxpayer dollars and our time. How is this justice?
Arizona Republic (Opinion, Greg Moore)
If a simple majority was all that was required to convict Derek Chauvin in George Floyd's death, his trial would have taken 9 minutes and 29 seconds.

If Bidwill and other CEOs are serious about education, why not fight for Prop. 208?
Arizona Republic (Op-ed, Rebecca Gau, Bart Patterson and April Smith)
CEOs say they're committed to boosting education in Arizona. Yet they didn't support Proposition 208, which would help fund needed improvements.

PRESS RELEASES

Media Advisory: Maricopa County to Deliver Subpoenaed Election Materials to Arizona Senate

WHAT: Members of the media will have the opportunity to observe ballots, tabulation equipment, and other 2020 election materials loaded onto trucks and delivered to Arizona Veterans Memorial Coliseum, in response to the Arizona Senate subpoena.

WHEN:
- Wednesday, April 21 from 10:30 a.m. – 6 p.m. (tabulation equipment)
- Thursday, April 22 from 7 a.m. until complete (ballots)

WHERE:
Maricopa County Elections Department at 510 S. 3rd Ave in Phoenix.

DETAILS:
Members of the media will have the opportunity to get the following visuals on both Wednesday and Thursday:
- INSIDE: Preparation of election materials through the viewing window at the Elections Department.
- OUTSIDE: Video of trucks with audited materials leaving the Elections Department

View the map for information about parking and access to MCTEC here.
**There will also be a live stream camera showing the Ballot Tabulation area and the warehouse at Maricopa.Vote.*

REQUIREMENTS:
- Media members planning to attend must RSVP by emailing media@risc.maricopa.gov.
- Masks and temperature checks are required to enter the Elections Department.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- For safety reasons, we ask that members of the media stay within the designated media area to shoot video of the loaded trucks.

BACKGROUND:
Over the past several months, the Maricopa County Elections Department has taken every precaution to ensure safety, security, and integrity of election materials subpoenaed by the Arizona Senate President and the Chairman of the Senate Judiciary Committee. The Elections Department catalogued all of the equipment and ballots for delivery using manifest logs and chain of custody reports. All of the nearly 2.1 million voted ballots are accounted for and have been kept in a secure vault. The Elections Department is using large crates and customized racks specifically designed to store and transport certified tabulation equipment to ensure the safe transport of 385 taxpayer-funded Election Day tabulators and nine Central Count tabulators.
In coordination with the Senate's designated liaison, the Elections Department will begin delivering those materials to the Arizona Veterans Memorial Coliseum this week. Tabulation equipment will be packaged and delivered on Wednesday, April 21, and ballots will be delivered on Thursday, April 22. The delivery of all materials will take two days and several trips because of the amount of ballots and equipment requested and the detailed documenting required to maintain chain-of-custody of that material. Elections Department staff transporting materials will have the support of Maricopa County Sheriff's Office personnel. MCSO will also be present at the Elections Department to ensure the security of Election Department staff and all subpoenaed materials.
Maricopa County Elections Department previously turned over 11 gigabytes of data in response to the January 12 Arizona Senate subpoena.
ABOUT THE 2020 GENERAL ELECTION:
In the midst of a pandemic, more than 2 million Maricopa County voters participated in the General Election, an 80.51% turnout of the nearly 2.6 million eligible voters.
See the steps taken to ensure the integrity of the November General Election here.
Learn more about the County's forensic audit here.

Governor Ducey Issues Executive Order Mandating Transparency In Sex Education

EO Includes More Aggressive Transparency Requirements Than SB 1456
PHOENIX — Governor Doug Ducey today issued an Executive Order that requires all sex education curriculum to be posted online for parents to review, without exception. This Executive Order includes more aggressive transparency requirements than Senate Bill 1456, which was vetoed by the Governor. Under that bill, posting sex education materials online would have been optional.
Arizona already has among the most pro-parental choice laws in the country around sex education. The state is one of only five across the nation that requires a parental "opt-in" on sex education, rather than "opt-out," no matter what grade in which their child is enrolled. With this added transparency, parents can now make a more informed decisions, and school districts will be held accountable for inappropriate curriculum.
The order requires the State Board of Education to adopt the following requirements by June 30, 2021:
All meetings held for the purposes of reviewing and selecting the sex education course of study must be publicly noticed at least two weeks before occurring and be open to the public.
Any proposed sex education course of study must be available and accessible for review and public comment for at least sixty days before the governing board or governing body decides whether to approve that course of study.
At least two public hearings within the sixty-day period before the governing board or governing body approves any course of study must be conducted.
Once a course of study has been approved, a school district or charter school shall make the sex education curricula available for parental review, both online and in-person at least two weeks before any instruction is offered.
Any existing sex education course of study must be made available and accessible for review both online and in person.
"Arizona is and will remain a national leader in parental rights," the Governor said upon issuing the Executive Order. "Too often, parents are left out of this process, and the importance is even greater when it comes to educating students about deeply personal matters like sex education. This Executive Order ensures that parents are in the driver's seat when it comes to overseeing the education of their children."
Concurrent to the issuance of the Executive Order, the Governor vetoed Senate Bill 1456. He called the legislation overly broad and vague, which could lead to unintended consequences, including concerns it could put vulnerable children at risk by limiting discussion around sexual abuse prevention.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The parental rights and transparency measures included in the bill are upheld and even go further in the Governor's Executive Order by requiring that all material be posted online and available for review.
View the Executive Order HERE.
View the Governor's veto letter HERE.

MEDIA ADVISORY: Governor Ducey To Tour Border After Declaring Emergency, Deploying The National Guard

PHOENIX — Governor Doug Ducey will travel to Yuma, Arizona on Wednesday, one day after issuing a Declaration of Emergency and deploying the Arizona National Guard to the border.
The Governor and legislative leaders will tour the U.S.-Mexico border, see first-hand the security and humanitarian crisis unfolding there and call out the Biden administration for their failed leadership on this issue. They will be joined by local law enforcement, border community leaders and Arizona Adjutant General and Director of the Arizona Department of Emergency and Military Affairs Brigadier General Kerry L. Muehlenbeck.
An opportunity for media is planned for approximately 12:30 p.m. at the border outside of Yuma.
WHO: Governor Doug Ducey; Arizona Senate President Karen Fann; Arizona Speaker of the House Rusty Bowers; Arizona State Senators Sine Kerr and David Gowan; Arizona State Representatives Tim Dunn, Joanne Osborne, Regina Cobb and Joel John; Arizona Adjutant General and Director of the Arizona Department of Emergency and Military Affairs Brigadier General Kerry L. Muehlenbeck; Yuma County Sheriff Leon Wilmot; and Mayor of Yuma Doug Nicholls
WHAT: Governor Ducey Delivers Statement At U.S.-Mexico Border
WHEN: Wednesday, April 21 at 12:30 p.m.
Media should arrive by 11:30 a.m.
WHERE: U.S.-Mexico Border in Yuma County, Arizona
Meet at:
6425 W 8th St
Yuma, AZ 85364
RSVP: Media must RSVP to communications@az.gov
ON SITE POINT OF CONTACT:
C.J. Karamargin, (520) 909-9342
Ben Petersen, (520) 461-6388

Governor Ducey Deploys Arizona National Guard To Border

Governor Issues Declaration Of Emergency
PHOENIX — Governor Doug Ducey issues a Declaration of Emergency and announced he is deploying the Arizona National Guard to the state's southern border to support local law enforcement efforts as the nation experiences a rapid increase in apprehensions and migrant children in federal custody.
The State will provide up to $25 million in initial funding for the mission.
"The situation in our border communities is just as bad—if not worse—than the coverage we've been seeing," the Governor stated. "It's become evidently clear that Arizona needs the National Guard, and the White House is aware of that. Yet, to this day, there has been no action from this administration, and it doesn't look like they are going to act any time soon. If this administration isn't going to do anything, then we will."
Under the leadership of the newly appointed Adjutant General and Director of the Arizona Department of Emergency and Military Affairs Brigadier General Kerry L. Muehlenbeck, up to 250 Guardsmen will go to border communities and will be available to support other law enforcement agencies, like state troopers. The Arizona National Guard will:
Assist with medical operations in detention centers;
Install and maintaining border cameras;
Monitor and collect data from public safety cameras; and
Analyze satellite imagery for current trends in smuggling corridors.
"The dedicated members of the Arizona National Guard stand ready to support our local law enforcement partners as they address border security, just like we have done for many years when called upon," said Brigadier General Kerry L. Muehlenbeck. "Our guard members will tackle a wide range of tasks including medical operations, camera maintenance and monitoring, data analysis, and logistics and administrative support to local sheriffs. I am proud of the

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003276
ARZN_REV00069073_4-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

men and women of the Arizona National Guard for their commitment to serving and protecting our state, all while they balance federal requirements and full-time civilian commitments. I am grateful for all they do to keep Arizonans safe and for the many employers who continue to support them."

U.S. Customs & Border Protection in March had more than 170,000 apprehensions at the Southwest border. Nearly 19,000 of those apprehensions were unaccompanied children — more than four times the number of kids apprehended in March 2020.

"The crisis at the border is serious and cannot be taken lightly," said Yuma County Sheriff Leon Wilmot. "The Arizona National Guard will provide much-needed support to our officers and safety officials, and will help ensure Yuma and other border communities are further protected from dangerous and illegal activity. By deploying National Guard assets, the Governor will allow me to deploy more first responders to mission critical tasks where we will work side by side with our federal partners to target, apprehend and prosecute transnational criminal organizations. My thanks to the Governor for taking action to protect Arizonans, law enforcement and legal immigration."

Governor Ducey will visit Yuma County tomorrow, April 21, to get more details from community leaders and law enforcement officials about what they're seeing on the ground.

"The federal government's actions have made the border less secure. This threatens the safety of our communities and law enforcement," said Cochise County Sheriff Mark Dannels. "Border towns and officers need support as the crisis at the border escalates. I'm grateful to Governor Ducey for taking action and sending the National Guard to help. We welcome immigrants with open arms — but it needs to be done legally and orderly to ensure we are protecting our communities, state, and nation."

Last month, the Governor traveled to Douglas, Arizona to meet with Sheriff Dannels and other safety officials and get a first-hand view of the security and humanitarian situation at the U.S.-Mexico border. After taking an aerial border tour, the Governor received a briefing and held a press conference and a border security roundtable.

"The issues at the border affect the whole state, to include Maricopa County," said Maricopa County Sheriff Paul Penzone. "The availability of Arizona National Guard resources in support of law enforcement demands is an asset for our depleted resources. I appreciate Governor Ducey's commitment to law enforcement organizations."

"The security of Arizona and our residents is our first priority," said Senate President Karen Fann. "Illegal crossings put our border towns, safety personnel and all Arizonans at risk, but also the immigrants who are facing unsafe conditions as they cross into the state. My thanks to Governor Ducey for taking this initiative to safeguard our state and protect our communities."

"We need to uphold the law when it comes to immigration," said House Speaker Rusty Bowers. "The National Guard will help support law enforcement and security officials working hard at the border, and it helps combat the Democrats' misguided message that crossing the border illegally is acceptable. I strongly support this action by Governor Ducey, as it's the right decision, and I appreciate his quick response to this crisis."

View the Declaration of Emergency HERE.

Senator Engel and Representative Hernandez Statement on Anti-Abortion Bill SB 1457 Passing Conference Committee

PHOENIX – Senator Kirsten Engel and Representative Melody Hernandez released the following statement after anti-abortion bill SB 1457 was pushed through conference committee with no allowance for public testimony. After several procedural contortions and rule suspensions, Senate Republicans have resurrected SB 1457 to a conference committee to get this zombie bill to the governor's desk.

"Simply put, there is no improving upon an anti-abortion bill that criminalizes women and doctors. For those reasons and more, I continue to oppose SB 1457 as amended by the conference committee," said Senator Kirsten Engel, D-Tucson. "SB 1457 is an extreme bill that would interfere with the doctor-patient relationship and prevent doctors from providing patient-centered care grounded in science and their medical expertise. This is not what Arizonans want or need. We're not done fighting for the vast majority of Arizonans who support reproductive health and will work to make sure this egregious bill never becomes law."

"Senate Bill 1457 aims to further criminalize attempts by Arizona women like myself to access healthcare and will turn doctors into felons for following their training and providing that care," said Representative Melody Hernandez, D-Tempe. "Other medical professions are in danger as well, including nurses, midwives, doulas, ultrasound technicians and pharmacists. The conference committee amendment fails to remedy the egregious Constitutional issues and practical barriers created by the bill. Instead of pushing legislation criminalizing doctors and the essential, life-saving healthcare that they provide, we should focus on the issues that truly matter to Arizonans: Delivering

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003277

ARZN_REV00069073_4-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

COVID-19 relief, protecting the right to vote, and ensuring that everybody has the fundamental autonomy to make their own decisions about if, when, and, how to raise a family."

Pro-Democracy Advocates Share Update on Voter Suppression and Anti-Protest Bills

Press Conference – 10 am Wednesday at the Arizona State Capitol
WHAT: Leaders of the fight to defend democracy in Arizona will share updates on SB1485 (purges voters from the vote by mail list), HB2309 (criminalizes protest), and other attacks on democracy and will discuss the grave damage to Arizona's reputation that will follow if these bills become law
WHEN: 10 am, Wednesday, April 21
WHERE: Rose Garden at the Arizona State Capitol
VISUALS: Large crowd at the Arizona state capitol holding signs and speaking out about the importance of protecting democracy
The press conference will be livestreamed by Progress Arizona on Facebook and Instagram.

Release: GOP Firm with Long Trail of Gerrymandered, Court-Rejected Maps Attempt Back-door Application to Arizona IRC

"The last thing Arizonans want is for yet another compromised GOP firm to embed itself and its right-wing agenda in one of our core democratic institutions."
PHOENIX — Today the Arizona Independent Redistricting Commission will interview the three firms which submitted proposals to be the 2021 IRC mapping consultant. Although not named as the primary firm on the proposal, reporting has confirmed that controversial mapping firm National Demographics Corporation is the second partner listed on the proposal submitted by Timmons Group, a construction engineering company.
In recent years National Demographics Corporation and its President Doug Johnson have been at the center of several gerrymandering court cases. The long list of NDC's rejected maps and analyses includes, but is not limited to:

- Common Cause v Lewis: In 2019, Doug Johnson's testimony in defense of an extreme partisan-gerrymandered map was thrown out by a 3-judge panel, following the discovery of late GOP mapmaker Thomas Hofeller's personal hard drives.
    - "[Hofeller] used racial data and completed much of his [mapping] work before the legislature ever approved the rules he was supposedly bound by…"
    - "Johnson had testified for [Republican lawmakers] that Hofeller's personal maps were not actually all that similar to the maps the legislature ultimately approved." Later, under cross-examination, "Johnson admitted to several errors" including "an admission to his analysis left out 11 districts that had the exact same shape in both Hofeller's personal files and in the maps that were ultimately adopted by the legislature." [The News & Observer, 2019]
    - In their ruling, the judges labeled Doug Johnson's testimony "not credible" and "unpersuasive," stating that the Court "gives his opinions little weight." [Judgement from Superior Court in North Carolina]

Thomas Hofeller, the GOP's "Michelangelo of the modern gerrymander", co-founded and consulted for the conservative Rose Institute at Claremont McKenna College. Doug Johnson is a Rose Institute research affiliate, having "been involved in the Rose Institute since his college years" in the early 90s. Mr. Hofeller's personal files made national news in 2019 when they revealed his key role in the Trump administration's efforts to include a citizenship question in the 2020 Census for the express purpose of allowing states to draw district maps that "would be advantageous to Republicans and non-Hispanic whites."

- Luna v Kern County: In this landmark 2018 voting rights case, a US District Court Judge ruled that **the redistricting plan defended by Doug Johnson unlawfully denied Latinos the ability to elect candidates of their choice.** The Judge deemed Johnson's testimony and data to be "insufficient."
- In a December 2020 letter to the Santa Barbara Redistricting Commission, the nonpartisan League of Women Voters of Santa Barbara vehemently opposed the Commission's selection of NDC at the demographer, pointing to multiple cases in which NDC "fought empowerment of the Latino community in California":
    - "NDC and Johnson have been the primary opponents of the California Voting Rights Act, taking millions of taxpayer dollars in challenges to the state, which have often been settled out of court, with huge costs to the local jurisdictions that they represented."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- **NDC and Johnson's trail of discarded maps also extends to Arizona.**
  - As the mapping consultant to the first Arizona IRC in 2001, NDC produced two legislative maps that were later thrown out. The 2002 map was rejected by the US Department of Justice for failing to comply with the Voting Rights Act, and the 2004 map was thrown out after it was ruled unconstitutional.
  - In 2011, previous IRC Vice Chair Andi Minkoff testified that the 2001 Commission was "manipulated" by NDC into drawing non-competitive maps.

Arizona Democratic Party Executive Director Charlie Fisher released the following statement:
"The Arizona Independent Redistricting Commission is tasked not only with drawing our next set of congressional and legislative maps, but also with upholding and maintaining the trust of Arizonans throughout the redistricting process. Allowing National Demographics Corporation and Doug Johnson anywhere near our maps would fly in the face of that duty.
"In the past, NDC has applied as a single firm under their own name in bids for IRC contracts. Why have they not done so this year? Perhaps because Johnson and NDC have shown time and time again that they are willing and ready to draw and defend maps that give partisan advantage to Republicans and undercut the voting strength of communities of color. The numerous court cases in which their maps have been rejected and Johnson's work has been discredited should immediately disqualify this firm for the role of Arizona's mapping consultant.
"As Cyber Ninjas and the Senate GOP continue to fumble their sham audit of Maricopa County's 2.1 million ballots, the last thing Arizonans want is for yet another compromised GOP firm to embed itself and its right-wing agenda in one of our core democratic institutions. We strongly urge the IRC to reject the NDC/Timmons Group proposal."

"QUOTE OF THE DAY"

"We work in an Orwell novel."

- Rebekah Sanders, Arizona Republic reporter, on Greg Burton's op-ed

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, April 21, 2021 6:26:22 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-21-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet *April 21, 2021*

HEY, CAPITOL PRESS CORPS, LET'S SUE!
Even though Ken Bennett and friends are effectively managing the Senate audit through private Gmail and Proton Mail accounts, the emails and other records on those accounts should be subject to public records laws, according to First Amendment attorney Dan Barr told our reporter.

HE'S STANDING BACK AND STANDING BY
Finchem conducted a livestream walkthrough of Veterans Memorial Coliseum while on Steve Bannon's War Room podcast and said he is helping raise money for security using the Guardian Defense Fund, a nonprofit he set up to help pay for lawsuits against Dem lawmakers and the media.

AMERICAN OVERSIGHT

"FRAUDIT" HAS A NICE RING TO IT
During a press call with Let America Vote today, Hobbs refused to call the Senate's audit an "audit" saying that word confers too much credibility on the process.

AH, WHAT COULD HAVE BEEN
Finchem wanted the Corporation Commission to host his post-election circus with Rudy Giuliani that ended up at the Hyatt in Downtown Phoenix, public records show.

STILL PLENTY OF MONEY FOR THOSE TAX CUTS
State General Fund revenues in March are lower than they were in March 2020, the first year-over-year decrease since last May – however, revenue still came in higher than forecasted, and JLBC analysts are not alarmed.

WHEN IN DOUBT, BLAME THE UNION
After yesterday's report on Republic reporters' ongoing battle with management, another reporter reached out to say managing editor Greg Burton's claim that the ongoing unionization efforts prevent him from giving Uriel Garcia a raise is nonsense.

YOU'VE GOT THREE GREAT CHOICES
The IRC heard from its three mapping consultant applicants behind closed doors yesterday, with Chairwoman Erika Neuberg noting ahead of the first presentation that public comment indicated "pretty significant concern and disagreement" about which firm would be best.

PAY NO ATTENTION TO THE CONSULTANT BEHIND THE CURTAIN
But for all the furor over who will be the mapping consultant, a bipartisan pair of railbirds told our reporter that it doesn't much matter who the mapping consulting is – commissioners ultimately draw the maps.

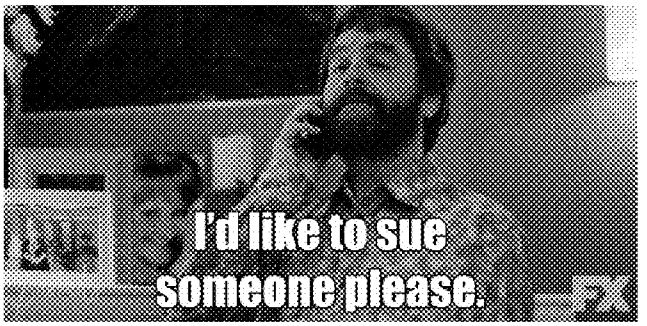
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, April 21, 2021

NEWS NOTES AND GOSSIP

HEY, CAPITOL PRESS CORPS, LET'S SUE!



Even though Ken Bennett and friends are effectively managing the Senate audit through private Gmail and Proton Mail accounts, the emails and other records on those accounts should be subject to public records laws, according to First Amendment attorney Dan Barr. "They can't run away from the fact that this is an official governmental activity of the Arizona state Senate," Barr told our reporter. Barr said the Senate's shell game of having all coordination run through Bennett, who is no longer an elected official, won't hold up in court, should someone seek to challenge it, and that no matter what server or individual the Senate uses to do what it would otherwise do itself, the communications are still subject to public records law. "They can't contract out their obligations, their legal obligation certainly under the public records law or public access laws, because they are choosing to contract with private actors," Barr said. "And so, if they hire Ken Bennett, even if he's not getting paid to perform the function that they would otherwise have to perform, he is acting in that public function." Still, Barr argued that the Senate could have just added Bennett to its email server to make clear that he's acting on the Senate's behalf and to preserve the records. "Somebody over there seems to believe that they can evade the public records law by using Gmail or Proton Mail. Well, if they get sued over that, they'll lose," Barr said. The Arizona audit Gmail account has been deactivated, and emails – including our reporter's public records requests for emails exchanged with the account – bounce back. The Senate's public records attorney has not yet responded to an April 15 request for those emails, and it's unclear how or if those records have been preserved. In response to a different request, the Senate said it has no records for a number of audit-related documents, including documents related project plans for each stage of the audit; scripts, guidelines or protocols for contacting individual voters; and the Cyber Ninja's Errors and Omissions insurance policy, among other documents – all records the Senate would presumably have if it were actually conducting the audit. Barr said that since the State Senate is the one conducting the audit, it would make sense for them to be paying close attention to what their contractors are doing, who is doing it and what private groups are paying money into it. "I would think they would want to show that this audit is legitimate and aboveboard," Barr said. "You can't do that unless you are closely auditing what the auditors are doing."

HE'S STANDING BACK AND STANDING BY

Finchem conducted a livestream walkthrough of Veterans Memorial Coliseum while on Steve Bannon's War Room podcast and said he is helping raise money for security using the Guardian Defense Fund, a nonprofit he set up to help pay for lawsuits against Dem lawmakers and the media. However, he also claimed Ducey wouldn't allow him and the auditor's access to use the Dept of Public Safety or Arizona National Guard. "We could not get the governor to authorize DPS or National Guard to give us site security," Finchem told Bannon (LINK). "But we have security nonetheless. Private security firms, we have some law enforcement – off duty officers … some of them are in plainclothes, some of them are in uniform. You're just not going to know who you're dealing with." A Governor's Office spokesman told our reporter they hadn't heard anything about Finchem requesting a DPS presence.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003282

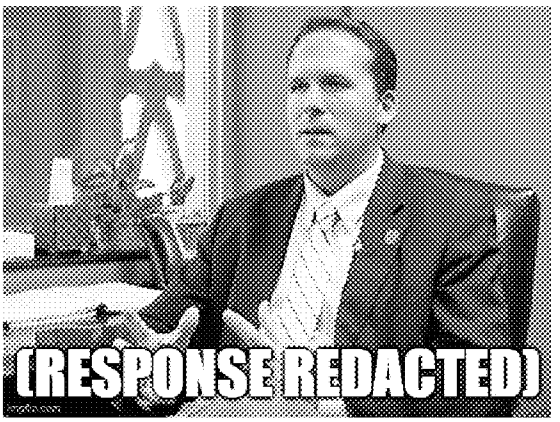
ARZN_REV00069094_4-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"FRAUDIT" HAS A NICE RING TO IT

During a press call with Let America Vote today, Hobbs refused to call the Senate's audit an "audit" saying that word confers too much credibility on the process. Instead, she said, she'll call it a "circus." "Nobody should be taking this circus seriously," she said. Today, as Maricopa County delivered election equipment and boxes of ballots to Veterans Memorial Coliseum for the Senate to begin its audit, Bennett posted a third attempt at a volunteer sign-up form – his first two were tossed by Google and Survey Monkey. And after first denying access to our reporter and others who wanted to observe the counting, Bennett today sent an email saying reporters will be allowed to observe – though the exact conditions are still unclear.

AH, WHAT COULD HAVE BEEN



Finchem wanted the Corporation Commission to host his post-election circus with Rudy Giuliani that ended up at the Hyatt in Downtown Phoenix, public records show. An unrelated public records request with Corp Comm showed an email from Finchem to Commissioner Justin Olson, a former lawmaker and the CFO of Turning Point USA, asking if the commission would host the event. "I have a special request of you Justin. I have requested approval from the Speaker's office for a Federal Relations Committee special fact finding hearing on election fraud for this coming Monday (all-day)," Finchem wrote on Nov 24. "The Speaker has been slow to respond and I am fearful he will attempt to block the hearing. There is substantial evidence the Rudy Giuliani and his legal beagles would like to present but the Arizona courts so far have shut him out, but then that is no surprise since they are all Obama appointees." "My ask is this, may I use the Corp Com chambers to hold this hearing off of the House campus? We have already gotten a commitment for expert witnesses to come and testify. I am working to obtain subpoena's [sic] to impound at least one tabulation machine from Maricopa and one from Pima counties. Time is of the essence since the hearing is set to commence this Monday at 0900. If possible, I would appreciate a decision on your part by noon today," Finchem wrote. Parker, who used to be Olson's policy advisor, forwarded a response to Olson and his senior policy advisor, but Corp Comm employees redacted the response, citing "legislative privilege." Corp Comm's records attorney Robin Mitchell would not provide a further explanation for the redaction before our deadline, saying that she was "tied up in Open Meeting" and was going away for a few days, but would respond while away.

STILL PLENTY OF MONEY FOR THOSE TAX CUTS

State General Fund revenues in March are lower than they were in March 2020, the first year-over-year decrease since last May – however, revenue still came in higher than forecasted, and JLBC analysts are not alarmed. March included a significant increase in individual income tax refunds, which analysts wrote pushed state revenue into a decline. Other tax collections are up: March sales taxes, which represent February sales, stood at $477.9 million or 11.2 percent higher than March 2020. And, for the first time since the pandemic began, restaurant and bar sales tax collections came in higher than they were a year ago. JLBC analysts attributed this to twin factors of looser restrictions and improving vaccination rates. Construction-related sales tax collections, which exploded during the pandemic, is slowing down, increasing just 4.5 percent over the prior year. JLBC analysts say it's too early to tell whether this will be a trend or if it's just a temporary slowdown in construction activity. February was also the first full month with legal recreational marijuana sales, and recreational weed brought in $1.3 million in taxes – more than half the $2.1 million from medical marijuana in the same period.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHEN IN DOUBT, BLAME THE UNION

After yesterday's report on *Republic* reporters' ongoing battle with management, another reporter reached out to say managing editor Greg Burton's claim that the ongoing unionization efforts prevent him from giving Uriel Garcia a raise is nonsense. The source told our reporter that several members of the *Republic's* union emailed Burton (and others in management) to say that they will not stand in the way of any individual employees receiving a raise. "We've made it clear to the company repeatedly over the past year that if they want to give someone a raise, we're not going to stand in the way. We just asked them to follow the law, which is to let us know that the company wants to give someone a raise and, give us the opportunity to bargain over it," the source said. "The company already has given multiple people raises since we unionized. They've not always notified us, but they've gone ahead and done it when they wanted to. It's really only when they don't want to give a raise that they blame the union." A *Republic* source passed our reporter an email from sports reporter Katherine Fitzgerald in which she told Burton she supports raises "for all my colleagues." "I look forward to a week where there is not a going away happy hour for a colleague, as I find the number of colleagues leaving alarming," she wrote on April 2, adding that the departures are often tied to pay. "Commitments to a diverse newsroom fall flat if they're not backed up by fair pay." The source said as recently as last Friday, Burton was making that same argument, blaming the union for preventing someone from receiving a raise. Burton responded to the emails, too, but never actually acknowledging the heart of the issue, instead opting to focus on other aspects of the message like "retention is important," while "gaslighting" the newsroom on pay issues, the reporter said. "It's sickening to think that the guy that's responsible for the largest newspaper in Arizona – which is supposed to be dedicated to truth – is willing to just so blatantly lie over and over again," the source told our reporter.

YOU'VE GOT THREE GREAT CHOICES

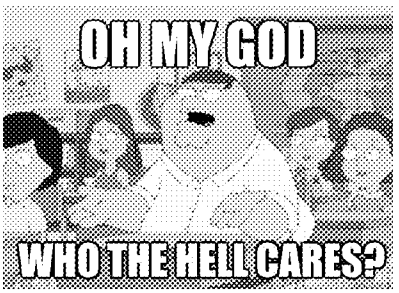
The IRC heard from its three mapping consultant applicants behind closed doors yesterday, with Chairwoman Erika Neuberg noting ahead of the first presentation that public comment indicated "pretty significant concern and disagreement" about which firm would be best. One of the applicants for the mapping consulting position, Taylor English Decisions, is led by CEO and retired Republican Georgia lawmaker Earl Ehrhart, who made a name for himself during his 30-year career in the Georgia General Assembly by fighting against affirmative action, trying to pass legislation contesting Atlanta's antidiscrimination ordinances and championing the rights of college men accused of rape, according to a 2016 *Buzzfeed News* report (LINK). *Buzzfeed* obtained emails that showed that Ehrhart "told administrators to shut down their systems for adjudicating sexual misconduct" and "suggested he could cut funding from state universities investigating sexual assault allegations." In 2016, Ehrhart bemoaned Kennesaw State University cheerleaders kneeling during the national anthem to protest racial injustice, pressuring the university president to take action. The local county sheriff then thanked Ehrhart in a text for "always standing up to these liberals that hate the USA," according to messages released from a records request (LINK). Ehrhart's firm, which focuses on election and campaign compliance and economic development, says on its website that it has "extensive familiarity with redistricting." But Dems have set their sights on another applicant, Timmons Group, in part because of its partnership with National Demographics Corporation, the IRC's 2001 consultant. (The political consensus is that Democrats had the upper hand in the 2011 cycle, while Republicans dominated the 2001 redistricting.) AZ Democratic Party Executive

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003284
ARZN_REV00069094_4-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Director Charlie Fisher said in a statement yesterday that hiring the firm would be allowing "another compromised GOP firm to embed itself and its right-wing agenda in one of our core democratic institutions." The press release pointed to two Arizona legislative maps that were later thrown out, one due to issues with the Voting Rights Act and the other for failing to create competitive districts in accordance with the state Constitution. It also highlighted the NDC's involvement in several gerrymandering suits in other states. While it went unsaid in the press release, Democrats would prefer HaystaqDNA, as several of its employees were part of Strategic Telemetry when it served as the consultant in 2011.

PAY NO ATTENTION TO THE CONSULTANT BEHIND THE CURTAIN



But for all the furor over who will be the mapping consultant, a bipartisan pair of railbirds told our reporter that it doesn't much matter who the mapping consulting is – commissioners ultimately draw the maps. "They're going to follow the direction of the commission, hopefully that's what they're hiring them for. You're not really hiring them to make decisions or interpret the constitutional criteria for themselves, that's what the selected commissioners are for," one Dem railbird who was involved in the 2011 redistricting process said. Still, the source had a preference, saying given NDC's track record, it would be "troubling" for the commission to select its partner, Timmons Group. The source pointed to the fact that HaystaqDNA's maps received DOJ preclearance on the first try and survived all the legal challenges faced in the past 10 years. The Republican railbird said while the mapping consultant position is important, it's not as if they make decisions independent of the commission. The consultant follows the commission's directives. "(The consultant) doesn't have a lot of autonomy – they can't just start willy-nilly making district one," the GOP consultant said. "No matter the mapping consultant, three commissioners still make the decisions about where a line will go.

WAKE UP CALL

Supreme Court considers education tax arguments
Capitol Media Services
The fate of a tax on the rich to help fund education could come down to whether the Arizona Supreme Court believes the money raised will provide "grants" to schools.

School leaders decry Ducey dropping mask mandate
Capitol Media Services
Students and teachers at Arizona schools are no longer going to be required by the state to wear masks.

Ducey to station troops on the border
Capitol Media Services
Declaring an emergency in six counties, Gov. Doug Ducey said Tuesday he is going to put 250 Arizona National Guard soldiers along the southern border.

Ducey vetoes sex ed bill, issues executive order instead
Arizona Capitol Times
Calling it "overly broad and vague," Gov. Doug Ducey on Tuesday vetoed a sweeping sex education bill that opponents feared would have prohibited any acknowledgment of LGBTQ people in the classroom.

TUSD's decades-old desegregation case drawing to a close with judge's approval
Arizona Daily Star

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003285
ARZN_REV00069094_4-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A federal judge says court oversight is no longer needed for Tucson Unified to provide equitable educational opportunities.

Shrinking revenue tying state's highway hands
East Valley Tribune
More electric and fuel-efficient motor vehicles and a gas tax that hasn't been changed in 30 years are making it increasingly more difficult for Arizona to provide a highway system that can serve its rapidly rising population.

Mohave County tables decision on vote centers in lieu of 2020 election audit
Today's News-Herald
For Mohave County Elections Director Allen Tempert, "voting centers" could be a positive next step for the county's election process.

Local Media Baron Steve Strickbine Buys Tucson Weekly
Phoenix New Times
If you're reading a news publication in Arizona, odds just increased that it's owned — or about to be owned — by Steve Strickbine.

Filling in the vaccination gaps in hard-hit Latino communities
Arizona Mirror
Faustino E. Luna had a stroke at the beginning of 2020. For months, he couldn't walk because his knee surgery was postponed, as hospitals around the state cancelled non-emergency procedures at the outset of the COVID-19 pandemic.

Time for a 'radical' reconsideration of Tucson's Regional Transportation Authority
Arizona Daily Star (Opinion, Tim Steller)
Across the Tucson area, officials and residents are arguing the authority, which runs on a half-cent sales tax, operates opaquely and unfairly. It benefits suburbs and traditional road projects, they say.

Is Arizona now home to the racist white 'replacement theory'?
Arizona Republic (Opinion, EJ Montini)
Or, to put it another way, why would racists be happy with our Republican-controlled Legislature?

Arizona House Republicans deliver election payback in a stunning display (of desperation)
Arizona Republic (Opinion, Laurie Roberts)
There is only one reason why Arizona Republican legislators want to add obstacles to the state's wildly popular early voting program.

Just because Tucson can hold elections in an off year doesn't mean it should
Arizona Republic (Opinion, Robert Robb)
There is a statewide interest in holding city elections when turnout will be greatest, even if the Arizona Supreme Court doesn't think so.

'True justice' for George Floyd and others requires a lot more than a guilty verdict
Arizona Republic (Opinion, Elvia Diaz)
Many are celebrating Derek Chauvin's guilty verdict in the death of George Floyd. But what will America do to make sure that doesn't happen again?

Will Black people trust the system now that Derek Chauvin has been found guilty?
Arizona Republic (Opinion, Greg Moore)
Finding Derek Chauvin guilty was a significant step. But there's a lot more work to be done in the name of reform.

Tucson can't be forced to change when it holds city elections. It should anyway
Arizona Republic (Opinion, Abe Kwok)
The Arizona Supreme Court affirmed, again, Tucson's authority to set its own election dates. Perhaps now the city will change them on its own.

A just verdict in the case of George Floyd makes this country better
Arizona Republic (Opinion, Editorial Board)
A jury that looks like America gave African Americans hope. Now a broad coalition must use this verdict to create something larger and more durable.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003286
ARZN_REV00069094_4-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Governor Ducey Travels To Yuma Border

Visit Follows Declaration Of Emergency, Deployment Of Arizona National Guard

PHOENIX — Governor Doug Ducey and a delegation of state lawmakers today toured Arizona's border in Yuma and received a briefing on the escalating humanitarian and security crisis from Border Patrol, local law enforcement and community leaders.

The tour follows the Governor's announcement yesterday to issue a Declaration of Emergency and deploy the Arizona National Guard to support law enforcement efforts.

"Here in Arizona, we are willing to step up and do our part to protect our communities and secure the nation's southern border," said Governor Ducey. "I have deployed the national guard to provide logistical, field and operational support to law enforcement along the border, but there's more work to be done.

"There has been no action from the Biden administration, and I call on the federal government to do more to resolve this crisis," the Governor continued. "Until there is federal action, Arizona is ready to do our part. I am grateful to our state leaders, law enforcement, legislators, and to everyone who has stepped up and offered support during this crisis."

The Governor was joined by Senate President Karen Fann, House Speaker Rusty Bowers, Adjutant General Kerry Muehlenbeck, Yuma County Sheriff Leon Wilmot, Yuma Mayor Doug Nicholls, Yuma County Supervisor Jonathon Lines, San Luis Mayor Jerry Sanchez, Cochise County Sheriff Mark Dannels, local agriculture leaders and other leaders and members of the legislature.

The Governor received a briefing on Border Patrol operations from Chris T. Clem, Chief of the Border Patrol Yuma Sector. The Yuma Sector encompasses 126 miles of international border with Mexico, with three checkpoints currently manned by over 700 Border Patrol agents.

Following the briefing, the Governor attended a roundtable discussion with state legislators, local elected officials and agriculture leaders to discuss the effects of the migrant crisis and how to mitigate the increase in illegal crossings.

The Governor then went on a tour of the Yuma border wall to observe the area where migrants are crossing frequently, and held a press conversation with members of the media.

Governor Ducey yesterday declared a state of emergency in six counties including Cochise, Pima, Santa Cruz, Yuma, Maricopa and Pinal, and deployed the Arizona National Guard to the state's southern border to support law enforcement efforts.

The team of up to 250 Guardsmen, along with state troopers and other law enforcement agencies, will assist with medical operations in detention centers, install and maintain border cameras, monitor and collect data from public safety cameras, and analyze satellite imagery for current trends in smuggling corridors.

The state will provide up to $25 million in initial funding for the mission.

Since January, the U.S. has been experiencing a rapid increase in illegal crossings and migrant children in federal custody. U.S. Customs & Border Protection in March had more than 170,000 apprehensions at the Southwest border, the highest number in any month in at least 15 years.

Nearly 19,000 of those apprehensions were unaccompanied children — more than four times the number of kids apprehended in March 2020, and a 100% increase from February 2021. The number of unaccompanied children are expected to increase this month to between 18,600 and 22,000 according to the Wall Street Journal.

A Letter to the Business Community: Civic Engagement Groups Push for Corporate Leadership to Fight Voter Suppression

Today a coalition of several of Arizona's largest civic engagement and community organizations are sharing an open letter directed towards the Arizona business community, requesting corporate actors step up to fight voter suppression bills moving quickly through the State Legislature.

The leaders of LUCHA, Mi Familia Vota, Our Voice Our Vote, and Chispa Arizona are urging corporate actors and business associations to oppose SB 1485 – this bill removes the 'permanent' from the Permanent Early Voting List (PEVL), a move that would disenfranchise Arizona voters and compromise our state's popular vote by mail system. More than 80% of our state votes by mail, and recent polling conducted by the Center for the Future of Arizona shows that 73% of Arizonans support policies like vote by mail policies that make voting more accessible.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003287

ARZN_REV00069094_4-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Business leaders have stepped up across the nation to oppose efforts to suppress the vote in states like Georgia and Texas. Greater Phoenix Leadership released a letter objecting to voter suppression efforts earlier this month – many other Arizona businesses and trade associations remain silent.
SB1485 could be voted on in the Senate as soon as tomorrow, April 22nd, and if passed would be sent to Governor Ducey for his signature or veto.
Additional voter suppression bills continue to move through the legislature, including SB 1713 and SB1106. These bills will restrict voting access to thousands of Arizonans if passed, disproportionately impacting Latinos and communities of color.
The letter is pasted below – additionally it is attached and linked here.

Leader Bolding: House Democrats Take Stand for Democracy Against SB1485

PHOENIX— House Democratic Leader Reginald Bolding released the following remarks regarding House Republicans passing senate Bill 1485, which would result in more than 100,000 voters purged from the Permanent Early Voter List, disproportionately impacting lower-income and voters of color. The following is a partial transcript of Leader Bolding's floor remarks – until Republican attempted to shut him down. Video of the remarks is attached.
"To members of the public watching, you should be shocked, appalled and dismayed by what you are seeing in the Arizona State Capitol. As community leaders and elected officials we said go out and vote….and you did. In fact, you came out in record numbers in 2020. Thank you!
And because you did, your reward, has been an unprecedented effort across this country and here in this state to make it harder for you to do it again next election. We've seen more than 350 different bills introduced across the nation to restrict, revoke or make it more difficult to participate in democracy.
If you ever believed your vote didn't matter, your voice didn't matter, let this bill remind you it most certainly does.
What we are seeing in this legislative body is an injustice to democracy. An injustice to the way we as Americans, as Arizonans, should have the right to participate in it.
People in Arizona want to have the right to vote…they deserve the RIGHT TO VOTE. This bill will impede that right and kick 100,000 to 150,000 people off of the Permanent Early Voting List
Democracy should be about an exchange of ideas, not political gamesmanship. Democracy should be about participation not preventing access to democratic voices.
This bill is not about election security. It's not about election integrity, it's about trying to game the system.
The right to vote for people of color to live and their right to vote are inherently linked together.
On a day when people of color witnessed a small measure of justice with the conviction of Derek Cavin, here in Arizona we are taking a step backwards by now making it even more difficult for these same people to participate in democracy.
The effect of this bill will result in more independent voters, seniors, Native Americans, Black, brown and low-income people from having the ability to vote."
use the following link to view the clip of Bolding's speech:
https://www.youtube.com/watch?v=7XtxMZbn-1U

Mayor Romero Responds to Governor Ducey Deployment of Arizona National Guard

Tucson Mayor Regina Romero released the following statement in response to Governor Ducey's decision to deploy the Arizona National Guard to the border. Currently, the City of Tucson and local NGOs are working to provide food and shelter to asylum seekers in Tucson as they await transportation to their final destination in the U.S.
"It's disappointing that Governor Ducey is playing politics with the National Guard, wasting Arizona taxpayer dollars in the process," ***said Mayor Romero***. "If Governor Ducey was truly committed to helping, he would be supporting the efforts of local governments and NGOs to provide humanitarian care, which is what we're focused on through our efforts to house asylum seekers at local hotels. Unfortunately, the Governor is more concerned with raising his national political profile than actually working to solve this issue."
"Deploying troops will do nothing to help alleviate the current situation. Instead, the Governor's actions only add to the sense of militarization in our Borderlands and stoke unjustified fears about asylum seekers, who are in search of a better life for them and their families."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Sen. Kelly Statement on National Guard Deployment

Today, Arizona Senator Mark Kelly released the following statement regarding Governor Doug Ducey's announcement to declare a state of emergency at the border and deploy the National Guard:

"There is a crisis on the border and I have pushed the administration for the additional resources, staffing, transportation, and the testing necessary to provide a secure, orderly process that does not fall on Arizona communities.

"In visiting the Yuma Sector and speaking with Border Patrol and other local leaders, it's clear that their resources and staffing are strained. There are important missions that the Arizona National Guard can perform at the border and the governor calling them up will provide assistance to both local law enforcement and the Department of Homeland Security.

"I will continue working with the Governor, Border Patrol, and local leaders to secure the resources necessary for a response that prioritizes safety and public health."

Earlier this month, Senator Kelly made his second trip to the southern border, visiting Yuma where he met with local leaders including Mayor Doug Nicholls and toured Border Patrol operations with Sector Chief Chris Clem. Kelly first visited the southern border in January during a state work period trip, touring the Douglas Port of Entry with CBP Director of Field Operations Guadalupe Ramirez, Area Port Director Jeffrey Wilson, and Mayor Huish.

Kelly successfully worked to secure $110 million in the COVID-19 relief bill to reimburse local governments and organizations assisting at the border. Kelly continues to push the administration for the resources necessary for a humanitarian response at the border that prioritizes safety and public health, speaking most recently with Secretary Mayorkas over the weekend about staffing needs at the border.

Republicans Push to Pass SB1485, Voter Suppression Bill that Impacts Thousands of Arizona Voters

PHOENIX – The following statement can be attributed to Liz Luna, Deputy Executive Director of the ADLCC:

"Just like we have seen in Georgia, Republican legislators in Arizona have been pushing one of the most anti-voter agendas our state has ever seen. Despite voting rights organizations and business leaders speaking out against these extreme, far-right policies, Arizona Republicans are working to pass SB1485. This bill seeks to purge more than 100,000 voters from the Permanent Early Voter List (PEVL), Arizona's popular vote by mail program.

Instead of listening to legitimate concerns from their Democratic colleagues, Republicans shut down debate, refusing to acknowledge the lengths to which this bill disproportionately impacts Arizona voters of color. The legislation will now go back to the Senate for a final round of votes. We urge the Senate to stop this bill and protect PEVL.

"More than 80 percent of Arizona voters use our vote by mail system to participate in our democracy every year and Governor Ducey has said that Arizona's current election laws make it 'easy to vote and hard to cheat.' We urge Governor Ducey to reject this partisan attempt to create barriers to voting by vetoing SB1485 if it comes to his desk."

Gov. Ducey Vetoes Anti-LGBTQ Education Bill

ARIZONA – Yesterday, Governor Doug Ducey vetoed Senate Bill 1456 – discriminatory legislation that would have affected not only sex education material, but all learning materials in the classroom and made it harder for LGBTQ kids to see themselves in school curriculum.

The Human Rights Campaign opposed SB 1456, which would have required that parents opt-in to curriculum for their children involving materials related to gender identity, gender expression, or sexuality in any school topic and instruction. This discriminatory bill would have added additional barriers to inclusive sexual education curriculum and prevented LGBTQ children from being able to learn critically important health information about themselves as they grow up.

The bill also would have required parents sign off on their children learning about any issues regarding sexual orientation or gender identity, including historical events such as a discussion of the LGBTQ rights movement. The bill discouraged teaching LGBTQ history and literature, creating a "taboo" around LGBTQ curriculum content, and would have made all HIV/AIDS instruction "opt-in," and all education about sexuality, sexual orientation, and gender identity only available through a permission slip.

The veto of SB 1456 is consistent with the progress Arizona made in 2019, when the state removed barriers for LGBTQ representation in educational content.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003289

ARZN_REV00069094_4-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"History shows that restricting curriculum disproportionately impacts LGBTQ children, and Governor Ducey's choice to veto this bill will prevent further discrimination and disinformation, and potentially save lives," **said Human Rights Campaign President Alphonso David.** "This bill would have threatened the ability for all students – no matter their sexual orientation or gender identity – to feel supported by their schools and families to grow into who they are without fear, this legislation also would have paved the way for efforts to withhold important LGBTQ history and literature from their education. We must always work to protect LGBTQ students from discrimination while giving young people all the information they need to be comfortable navigating their adolesence and live freely and openly."
"By vetoing this bill, Governor Ducey reminded the Arizona legislature that attempts to deny LGBTQ students crucial education will not be tolerated," **said Human Rights Campaign Arizona State Director Bridget Sharpe.**
"Regardless of their sexual orientation or gender identity, students in Arizona deserve to have access to high-quality sex education and information about LGBTQ history, literature, and current events. This veto will protect LGBTQ children and ensure every student has access to enriching educational materials that tell the story of LGBTQ people in this country."

Chávez Praises Veto of Anti-LGBTQ SB1456

PHOENIX – Representative César Chávez, Chairman of the Arizona LGBTQ Legislative Caucus, today thanked Governor Ducey for his veto on Tuesday of the discriminatory anti-LGBTQ Senate Bill 1456, which passed the House on a party-line vote last week. The bill, sponsored by Sen. Nancy Barto, would have expand the requirement parents of students to opt-in to sex education curriculum to any instruction involving gender identity, gender expression or sexuality. In effect, the bill would have re-instated Arizona's discriminatory "No Promo Homo" law – rescinded by the Legislature and Ducey in 2019 – which prevented discussion of HIV-AIDS prevention and led to bullying and stigmatizing of LGBTQ students.
"I want to thank the LGBTQ community, my fellow caucus members and our many allies for effectively using your voices to point out the many flaws in this bill, and how it would be used as a weapon to once again silence, erase and marginalize our voices. And I want to thank Governor Ducey for hearing those voices and doing the right thing," said Chávez, D-Phoenix. "It is important for me to reiterate that parents have and still have a choice in regard to age-appropriate comprehensive sex education, which the Governor reaffirmed with his executive order. However, the intent of this bill was to legislate far past that and create a silo which deemed gender identity, expression and sexual orientation as somehow immoral. That is just wrong and would have put caused students long-term harm."

Arizona Republican Attacks Black Lawmaker for Speaking Out Against Voter Suppression

Arizona voter suppression bill would disproportionately impact minority voters

WASHINGTON — The Arizona House passed a voter suppression bill yesterday that threatens to purge hundreds of thousands of voters from the state's permanent early voting list; more than 75 percent of ballots cast in Arizona last year were early ballots. After Democrats highlighted that the bill targets communities of color, Republican Representative Travis Grantham whined about being singled out and argued House Democratic Leader Reginald Bolding, a Black lawmaker from Phoenix, should "be sat down and he shouldn't be allowed to speak."
"If Republicans don't want to be called racist, then they should stop proposing voter suppression bills that target communities of color," said Democratic Legislative Campaign Committee President Jessica Post. "Limiting access to early voting has nothing to do with election integrity — Republicans just want to silence all dissenting voices, just as GOP lawmakers tried to silence their Democratic colleagues yesterday. If Representative Grantham can't handle hearing his colleague speak the truth about the racist legislation he supports, then he should think twice about advocating for such damaging policies."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Somebody over there seems to believe that they can evade the public records law by using Gmail or Proton Mail. Well, if they get sued over that, they'll lose."

- ***Dan Barr, First Amendment lawyer, on the Senate's audit***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003291

ARZN_REV00069094_4-21-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Thursday, April 22, 2021 6:03:21 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-22-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 22, 2021

SHOCKING, YET SOMEHOW PREDICTABLE
In what Ugenti-Rita called a "show of spite" and a "temper tantrum," Townsend today shot down Ugenti-Rita's PEVL-pruning bill during a final vote in the Senate, shocking observers as one Republican senator described as it as "a real what the f*ck moment."

ALL THAT SOUND AND FURY...
Townsend's pledge not to vote for any election legislation until after the audit is complete, which will likely take months, stemmed from the fact that legislative leaders are planning to sine die in two weeks, she told our reporter.

TWO WEEKS, HUH?

AMERICAN OVERSIGHT

Townsend's throwdown also raises the question of whether she'll support a budget without having first completed the audit and then passed election legislation – and while she wouldn't tell our reporter whether she would withhold her budget vote, she said all options are on the table.

REAL LAWMAKERS OF THE EAST VALLEY?
Railbirds were aghast at the spectacle of the two lawmakers duking it out on the floor, and several pointed our reporter to Townsend's Facebook post after the vote, in which she called Ugenti-Rita "nothing but scandal laden from the time I have known her."

IS AOL CONDUCTING THIS AUDIT?
Nothing spices up an OANN livestream of a state Senate audit quite like an anonymous comment section, even though the said comment section was shut down hours after it went live on azaudit.org yesterday.

WELCOME TO ARIZONA, DOUG
Cyber Ninja CEO Doug Logan and Ken Bennett are scheduled to conduct their first press conference today at 6 pm, marking the first time Logan has made himself available to the press.

SOME WATCHDOG
Former Ducey advisor Joe Cuffari blocked attempts to investigate Trump's bible thumping trip from the White House to a nearby church in which Secret Service pepper sprayed and shot rubber bullets at a crowd of peaceful protesters, injuring 60.

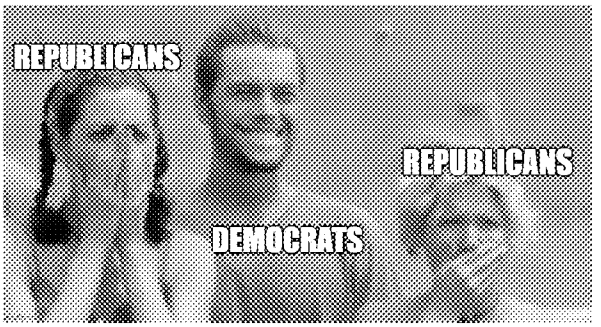
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, April 22, 2021

NEWS NOTES AND GOSSIP

SHOCKING, YET SOMEHOW PREDICTABLE



In what Ugenti-Rita called a "show of spite" and a "temper tantrum," Townsend today shot down Ugenti-Rita's PEVL-pruning bill during a final vote in the Senate, shocking observers as one Republican senator described as it as "a real what the f*ck moment." Ugenti-Rita argued Townsend was upset about her refusal to hear her election bills in Senate Government, and took out her anger on this bill. "It's disappointing to be on the receiving end of someone's temper tantrum," Ugenti-Rita said. Townsend immediately jumped up to call a point of order, saying while she was upset about her bills dying, the vote was a principled stand against passing election legislation without knowing the outcome of the Senate's audit. "I'm upset about all of my election bills dead. Absolutely, I'm upset. You want to see a temper tantrum? I can show you one if you really want to see it," she said. But Ugenti-Rita said she was just repeating what Townsend had told her – that she was jealous of Ugenti-Rita getting all the election bills through. Democrats quickly abandoned plans to deliver passionate speeches against the bill, choosing to let Townsend handle it herself. Ugenti-Rita was furious, noting Townsend already voted for the measure several times – in Senate Government, in Appropriations and on the floor. Townsend shot back that she has been clear that she will vote against all election bills and try to block any attempts to adjourn *sine die* until after the Senate's audit is completed. "Otherwise we're doing it for no reason. It's for show. It's for replying to our constituents that, 'Yes, we're doing an audit, but if we find irregularities you're going to have to wait until 2024.'" The Senate's audit won't be complete until at least mid-May, and a report on the results could take additional weeks. "They tried me out to see if I'm serious or not," Townsend told our reporter aft the vote. "I mean it when I say that we have no business going home."

ALL THAT SOUND AND FURY…

Townsend's pledge not to vote for any election legislation until after the audit is complete, which will likely take months, stemmed from the fact that legislative leaders are planning to *sine die* in two weeks, she told our reporter. How Senate leaders plan such a feat is anyone's guess, as budget negotiations have been slow moving and the Senate, especially, has been in disarray this year as Fann has focused her time and energy into the audit rather than negotiating a budget. (Another Republican senator had no idea where Townsend heard that, and was skeptical that the Senate could adjourn so soon.) Townsend argued lawmakers need to wait for the results of the audit before passing election legislation – which is not a position she took when filing her own host of election-related bills that died – and that if lawmakers adjourn *sine die* without passing the bills, there's no way to have them enacted before the 2022 election. (Unless lawmakers can get a supermajority vote for an emergency clause, bills signed during the 2022 session likely won't go into effect until August.) That pledge will likely put the brakes on at least one other controversial election bill still pending, as it will need support from all 16 Republican senators to pass. Mesnard's S1713 (early ballots; identification; mailing), which would require voters to submit an affidavit proving identification that will go inside the voting envelope rather than signing the envelope itself, was amended in the House Government and Elections and still needs to clear the House before it can go back to the Senate for a final vote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003294

ARZN_REV00069096_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

TWO WEEKS, HUH?

Townsend's throwdown also raises the question of whether she'll support a budget without having first completed the audit and then passed election legislation – and while she wouldn't tell our reporter whether she would withhold her budget vote, she said all options are on the table. Boyer is already threatening to withhold his vote unless he gets funding for some of his priorities, and has threatened to oppose the tax package, which he argued would defund the police (YS, 4/15). With two possible Republican votes against the budget, all eyes will turn to Bowie, who has defected from his caucus to support previous budgets. He could try to negotiate for his own priorities if the Senate GOP fractures on the budget vote – but if Townsend and Boyer withhold their votes, even his support won't be enough, potentially setting up the need for a bipartisan budget vote in what has otherwise been a rancorously partisan Senate.

REAL LAWMAKERS OF THE EAST VALLEY?

Railbirds were aghast at the spectacle of the two lawmakers duking it out on the floor, and several pointed our reporter to Townsend's Facebook post after the vote, in which she called Ugenti-Rita "nothing but scandal laden from the time I have known her." It's unclear which scandal Townsend was referencing – but she was likely pointing back to Ugenti-Rita's time in the House, when she had an affair with then-Chief of Staff Brian Townsend, who later shared nude photos of her to a lobbyist who he attempted to solicit into a threesome (Ugenti-Rita and Townsend later married). That lobbyist later said Ugenti-Rita had sexually harassed her and attempted to intimidate her into staying silent, though Fann shrugged off the concerns, saying because Ugenti-Rita was a senator-elect at the time, the Senate had no jurisdiction over her. "Having defended her nevertheless throughout her scandal against my better judgement, I am not jealous of her in the slightest," Townsend wrote. "This is straight out of a reality TV show," one Republican railbird said. "It's hilarious. It's high school level. It's either completely unbecoming of the chamber, or it's totally predictable." A Republican senator said Townsend's rationale was crazy, summarizing her argument as, "I want election reform so badly that I'm willing to vote against election reform to get election reform." Townsend has been fuming at Ugenti-Rita all year since she killed Townsend's bills, the source said, and has been singularly focused on the audit lately, but the source still never imagined she would vote against the only election integrity bill up for debate. The senator was dumbstruck, saying Townsend's so unpredictable that it's almost scary. "Maybe we really ought to pass that red flag law," the source quipped.

IS AOL CONDUCTING THIS AUDIT?

Nothing spices up an *OANN* livestream of a state Senate audit quite like an anonymous comment section, even though the said comment section was shut down hours after it went live on azaudit.org yesterday. But what a comment section it was. Trolls of all political stripes slung mud back and forth in a show of true democracy, sprinkled in with a notable amount of crude, racist and/or sexually explicit statements. Who could've seen that coming? Some of the anonymous posts took a serious tone, criticizing or supporting the audit efforts. "This is a sham, the fact that the state senate is using OANN is embarassing, and every republican in the legislature should be ashmed of themselves [sic]," one wrote. "LOL. There was so much fraud in the Nov 2020 election. Friends and I volunteered and witnessed it first-hand, and took reports from the field. It was severe and pervasive. Machines were connected to the Internet, which is ILLEGAL. Biden didn't win AZ or the presidency. Not. Even. Close," said another. But most posts ranged from unprintable, profanity-laced screeds to "hey has anyone seen my car keys if not that's ok just asking" and about 2,000 words from the script of *Shrek*.

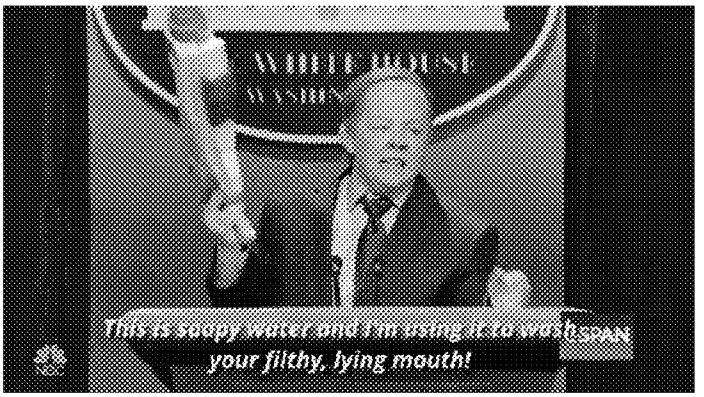
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003295

ARZN_REV00069096_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WELCOME TO ARIZONA, DOUG



Cyber Ninja CEO Doug Logan and Ken Bennett are scheduled to conduct their first press conference today at 6 pm, marking the first time Logan has made himself available to the press. To date, Logan has avoided responding to calls and emails, leaving Bennett to provide the brunt of responses. (To his credit, Bennett has made himself exceedingly available to the press, even though the press criticizes him at every turn.) Still, the press corps has a lot of questions. On the top of reporters' minds is transparency over who is really funding this audit and what kind of windfall this $150,000 project really means to the small company. After Bennett originally said that the Senate would accept donations to fund the audit through Legislative Council (YS, 4/14), he walked that back, saying donations are going directly to the company. That means we have no way of knowing who is funding the "Senate's" audit, for which the Senate has granted legal protection to the company and Maricopa County. That means when someone is inevitably sued over this project, it will be taxpayers, not Logan, who is on the hook.

SOME WATCHDOG

Former Ducey advisor Joe Cuffari blocked attempts to investigate Trump's bible thumping trip from the White House to a nearby church in which Secret Service pepper sprayed and shot rubber bullets at a crowd of peaceful protesters, injuring 60. Cuffari, who Trump appointed as the US Dept of Homeland Security Inspector General in 2019 following his career as an advisor to Ducey and Former Gov Jan Brewer, also discarded requests by his staff to investigate whether Secret Service agents disregarded Covid protocols, and whether that contributed to the spread of Covid among Secret Service agents, *The Washington Post* recently reported (LINK). Hundreds of Secret Service agents were either infected or forced to quarantine last year after Trump traveled the country stumping for his failed re-election campaign, the *Post* reported. Cuffari's office, through a spokesman, told the *Post* that the office didn't have the resources to investigate either issue. But the Project on Government Oversight, a watchdog group that dug up records showing he had shelved the two investigations, accused Cuffari of "pull[ing] punches" on the Trump administration, despite his role as an independent watchdog with the responsibility of oversight on Secret Service. Staffers told the *Post* Cuffari seemed skittish about taking on investigations that could paint the former president in a bad light, and said they were taken aback that Cuffari suggested the Secret Service should investigate the issue itself, noting the service would have been directly involved in the decision to violently clear protesters from Lafayette Square. Congress has taken note of Cuffari, who the *Post* previously noted has ducked congressional hearings and overseen a plummeting productivity in the watchdog office (LINK). Chairs of three committees asked Cuffari to investigate Trump's jaunt through Lafayette Square, and have criticized Cuffari's investigation into the death of an eight-year-old boy in custody of Customs and Border Protection, with one saying errors and shortcomings in the report into that incident raise "significant concerns about the thoroughness of the office's reviews as well as the willingness of the office to conduct in-depth examinations of sensitive topics," the *Post* reported.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003296
ARZN_REV00069096_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Pima County Attorney seeks delay in execution
Capitol Media Services
Pima County's top prosecutor is seeking a delay in the bid by Attorney General Mark Brnovich to set an execution date for Frank Jarvis Atwood.

'Next big thing' in green Mesa is waste diversion
East Valley Tribune
Scott Bouchie has a modest suggestion on how to celebrate Earth Day: Reduce. "We can't recycle our way out of our problems," said Bouchie, Mesa's Environmental Management and Sustainability Department director.

Ducey says National Guard will go first to Yuma
Associated Press
Arizona National Guard troops being sent to the border region will focus initially on the Yuma area but eventually could expand to other areas, Gov. Doug Ducey said Wednesday.

Ex-Arizona official gets more prison time in adoption scheme
Associated Press
A former Arizona politician could serve up to 15 years in prison for operating an illegal adoption scheme involving women from the Marshall Islands after he was given his third sentence Wednesday in Utah.

Nearly 2 million Arizonans expected to be fully vaccinated for covid-19 by today
Today's News-Herald
State's health leader expects state to reach milestone as supply of vaccine catches up with demand.

ASU Office-Drama Lawsuit Names Trump-Appointed Top Scientist
Phoenix New Times
The head of the federal agency responsible for funding scientific research is being sued over allegations that he created a hostile workplace while serving as a vice president at Arizona State University.

GOP bill that could remove 200k people from the Permanent Early Voting List clears the House
Arizona Mirror
A bill that could remove tens of thousands of voters from the state's Permanent Early Voting List is one step closer to Gov. Doug Ducey's desk after a day of partisan rancor and procedural maneuvers in the Arizona House of Representatives.

Proposed restrictions would make voting harder for Arizona's tribal communities
Arizona Mirror
Native American voters helped secure President Joe Biden's narrow win in 2020, but Republican-backed proposals at the state legislature to restrict voting access could make the challenges tribal voters overcame last year even more daunting in 2022.

Who benefits from Ducey's border theatrics?
Arizona Mirror (Opinion, Julie Erfle)
Gov. Ducey has a rare opportunity to help pass comprehensive immigration reform. As chair of the Republican Governors Association (RGA), Ducey sets the tone for Republicans running for state offices across the country. He could choose one that embraces the benefits of immigration and the modernization of a broken system or one focused on scare tactics and discord, dooming any effort to reform the system.

Plans halted for Arizona mass vaccination site
The Hill
A county in Arizona has dropped its plans to set up a federally supported mass vaccination site after state and federal authorities failed to reach an agreement on how to run the site.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003297

ARZN_REV00069096_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

As Republicans Push to Limit Voting, Disagreements on Strategy Emerge
New York Times
Trump-friendly state lawmakers trying to enact new voting laws are facing pockets of opposition from fellow Republicans who argue that some measures go too far or would hurt the party's own voters.

LeBron James calls out voter suppression efforts in the Arizona Legislature
Arizona Republic (Opinion, EJ Montini)
The NBA superstar took note of bad things happening in the Republican-controlled Arizona Legislature.

Gov. Doug Ducey hides behind the border wall to avoid Arizona's real crisis
Arizona Republic (Opinion, EJ Montini)
Arizonans are in real danger. Not from asylum seekers, however, but from Republican lawmakers.

Now OANN is involved in Arizona's Senate election audit? Can this thing get any more absurd?
Arizona Republic (Opinion, Laurie Roberts)
The Arizona Senate's auditors have selected their broadcast partner for the election audit, a right-wing cable TV network renowned for spreading conspiracy theories. Why am I not surprised?

Look who's using the border to score political points now? Sens. Sinema and Kelly
Arizona Republic (Opinion, Elvia Diaz)
Never let a crisis go to waste? Democratic Sens. Kyrsten Sinema and Mark Kelly are tripping over Republicans to score political points from the migrant surge.

Right-to-work laws drive Arizona jobs and its economy. PRO Act puts that at risk
Arizona Republic (Op-ed, Mike Huckins)
Legislation pending in the U.S. Senate would set back Arizona small businesses and workers. Independent contractors, such as gig workers, would lose, too.

Scottsdale gives a swim club exclusive access. It's not just unfair. It's unconstitutional
Arizona Republic (Op-ed, Joe Zemaitis)
Scottsdale lets a private club practice and host meets in city pools – and pay a special low rate to do so. That violates the Arizona Constitution.

It's surprisingly common for employers to steal wages. PRO Act would protect workers
Arizona Republic (Op-ed, Benjamin Frog)
Few workers ever see a dime for their wage theft cases. Will Sens. Sinema and Kelly support the PRO Act to offer these workers additional protection?

PRESS RELEASES

SB1485, Vote by Mail Purge Bill, Fails in the Arizona State Senate

PHOENIX – In a surprise twist, SB1485, which would purge more than 100,000 Arizonans from the vote by mail list, failed in the Arizona State Senate today.
Republican State Senator Kelly Townsend voted against the bill along with all of the chamber's Democrats. In explaining her vote, Senator Townsend said that she would be voting no on all election-related bills until the State Senate completed its controversial audit of the 2020 Maricopa County election results.
Bill sponsor Senator Michelle Ugenti-Rita also voted against the bill; this is common when it becomes clear that a bill is going to fail, and allows the bill sponsor to bring it up for reconsideration later in the session.
SB1485 would take the "permanent" out of the state's permanent vote by mail list by removing more than 100,000 Arizona voters from the list, such that they no longer receive their ballots by mail as expected.
"We will be watching closely to see what happens next. We know for sure that this fight is not over: SB1485 could come back, and the legislature is continuing to advance a host of other voter suppression and anti-democracy bills, from HB2309, which would criminalize protest, to SB1713, which would impose onerous new voter ID requirements on vote by mail. Business leaders, faith leaders, community organizations, ordinary citizens: all of us need to continue

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to speak out to defend democracy and protect our fundamental rights," said Emily Kirkland, executive director of Progress Arizona.

Pima County Recorder Urges Governor Ducey to Veto Senate Bill 1485

Tucson, AZ – Yesterday, the Arizona House of Representatives approved Senate Bill 1485 along party lines. The legislation, which comes immediately following an election in which record numbers of Arizonans voted securely by mail, will reduce the number of Arizonans registered on the Permanent Early Voting List (PEVL). The bill achieves this by requiring that local elections officials systematically remove certain voters from a program allowing a voter to opt in to receive ballots in the mail. Yesterday's passage paves the way for the Governor's expected signature this week. Pima County Recorder Gabriella Cázares-Kelly opposes SB1485 because the PEVL has been proven to be safe, secure, and a critical tool for marginalized communities to exercise their right to vote. PEVL in 2020 was wildly popular. For example, the Pima County Recorder's Office mailed 544,810 ballots to voters at their homes for the 2020 General Election. 87.5% of those voters returned their ballot by mail – the highest return rate in Pima County history. Neither the courts nor multiple election audits have found credible reports of fraud. Cázares-Kelly issued this statement in response to yesterday's vote: "SB1485 is particularly harmful to tribal members and rural voters who experience challenges getting registered to vote and who are often last in priority for receiving voter outreach. Additionally, tribal and rural voters lack reliable internet, have to travel long distances to polling locations, and regularly use non-standard physical addresses that do not interact well with our database records. It is important that we acknowledge the message that Black, Indigenous, and People of Color are overwhelmingly receiving from Arizona's elected officials. The approval of SB1485 took place during the same hour that Governor Ducey announced additional militarization of communities of color along our border and as we waited for the conviction of George Floyd's murderer. It is clear that voting by mail works, it is secure, and it ensures that all voters have equitable access to the ballot box. To change the law after a historic turnout can only be seen as a hostile anti-voter tactic meant to confuse voters. For all these reasons, I urge Governor Ducey to veto SB1485 and by doing so acknowledge the negative impact this legislation will have on voters of color." --

ICYMI: ECU // LAV Action Fund President Tiffany Muller, AZ Secretary of State Katie Hobbs, House Minority Leader Reginald Bolding Condemn AZ Voter Suppression Efforts, Call for Passage of For the People Act

"There is no reason to change safe, effective, successful voter procedures that have been in place for years other than to put a barrier in between Arizonans and the ballot box."

Today, Tiffany Muller, President of End Citizens United (ECU) // Let America Vote (LAV) Action Fund, Arizona Secretary of State Katie Hobbs and House Minority Leader Reginald Bolding addressed Arizona SB 1485, a bill passed by the House yesterday that could eliminate 150,000 voters from the state's Permanent Early Voting List, and other voter suppression efforts in the state.

Secretary Hobbs, Representative Bolding and Muller condemned the bill as an attempt to silence Arizona voters, especially minority communities, and called on the U.S. Senate to combat SB 1485 and other state level voter suppression efforts across the country by passing the For the People Act (H.R. 1/S. 1).

KEY POINTS FROM THE CALL:

- **Tiffany Muller, President of ECU // LAV Action Fund:**
  - *"There is no reason to change safe, effective, successful voter procedures that have been in place for years other than to put a barrier in between Arizonans and the ballot box."*
  - *"What's happening in Arizona is a microcosm of what's happening across the country. Republicans – fueled by dark money groups, corporate special interests, lies, and misinformation – have introduced over 361 bills in 47 states to put barriers to voting in place, usually targeting communities of color."*
  - *"We can stop them. It starts with the For the People Act, which has already passed the House of Representatives and is making its way through the U.S. Senate. The bill would protect all Americans' freedom to vote equally and it would stop almost all of the voter suppression tactics being put into place around the country, including in Arizona, where it would counteract SB1485."*
- **Arizona Secretary of State Katie Hobbs:**

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003299

ARZN_REV00069096_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- *"There's really no valid reason to change these systems unless you're looking to make it harder for people to vote."*
- *"There's no reason to turn back the clock on our successful vote by mail system."*
- *"The way to restore confidence in the system is to tell the truth about what happened [in the 2020 election] and to continue to ensure that there's transparency in the system [and] that voters understand the processes."*

- **Arizona House Minority Leader Reginald Bolding:**
  - *"The Arizona legislature and other legislatures across the country introduced 350 bills across the nation to restrict, revoke, and make it more difficult for people to participate in democracy."*
  - *"It's not about election security, it's not about election integrity, it's about trying to game the system."*
  - *"Politicians should not be picking their voters...voters should be picking their politicians."*

Arizona Latino Caucus Urges Governor Ducey to Stop Playing Political Games and Work with the Biden Administration on Real Border Solutions

PHOENIX- The Arizona Latino Legislative Caucus leadership released the following statement on Governor's Ducey spending $25 million in Arizona taxpayer money to send the National Guard to the Arizona border.

"Legislative Republicans and Governor Ducey are skipping work today for a photo-op at the border in a transparent act of political theatre that will cost Arizona taxpayers $25 million. Meanwhile Arizonans continue to be impacted by the COVID pandemic, a real crisis that Republicans still refuse to adequately address," **said State Representative Andres Cano, House Co-Chair Of The Latino Caucus.**

"Yesterday was the 100th day of Session and Republicans have done no work on passing the people's budget to get resources to Arizona families and businesses struggling through the pandemic," **said State Senator Sally Ann Gonzales, Senate Co-Chair Of The Latino Caucus.** "From day one, the Biden Administration has been deeply engaged in monitoring the border and marshaling all resources of the government to find compassionate and fair solutions to help migrants at our border."

"America's immigration system was decimated over the last four years with children cruelly separated from their parents. There were insufficient policies, procedures, and training in place to administer our immigration laws. The prior administration's border policies were chaotic, cruel, and ineffective. Now the Biden Administration is working urgently to move unaccompanied minors to HHS facilities and finally with family or sponsors," **said State Senator Rosanna Gabaldon, Secretary of the Latino Caucus.**

"On his first day in office, President Biden sent the U.S. Citizenship Act to Congress to provide a path to citizenship, crack down on smugglers and traffickers and provide more funding and resources for immigration courts to clear the asylum backlog. The Biden Administration is working closely with Congress to identify long term reforms and solutions. This is the type of action that will address the issues at our border. Taking on the difficult challenge of building a fair, functional, and humane system will take time. After four years of destruction, change doesn't happen with the flip of a switch, and we encourage Governor Ducey to work with the Biden Administration on real solutions and not photo-ops" **added State Representative Lorenzo Sierra, Treasurer of the Latino Caucus.**

Legislature Approves Bills Enabling More Flexible & Personalized Student-Centered Instructional Models for Arizona Schools

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today gave final approval to HB 2862, legislation sponsored by State Representative Michelle Udall (R-25), chair of the House Education Committee, which allows school district governing boards and charter school governing bodies to develop and permanently adopt more flexible and student-centered instructional time models.

Such models were utilized temporarily during the pandemic-related school closures, under authority of an executive order of the governor, to provide students with required instructional time through modified courses, remote learning and student schedules. The executive order is set to expire this spring, and schools would need to revert to a one-size-fits-all model utilized before the pandemic.

"The challenges of the COVID-19 pandemic led to an evolution in teaching and learning out of necessity," said Representative Udall. **"In some cases, more productive ways were identified for schools to maximize student learning time, efficiently spend their funds, and better meet the needs of students and families. If the policy**

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003300

ARZN_REV00069096_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

waivers that created this innovative environment expired, we would be throwing out good innovation that has helped students."

While not everything done during pandemic was successful, there were pockets of innovation that worked very well for students, teachers, and families. Udall's legislation will enable best practices to be continued and schools to provide more student-centered learning opportunities and experiences on an ongoing basis.

"We have heard from school and education system leaders throughout Arizona of the need to preserve the best ideas that surfaced during the most challenging times in our schools' history. This legislation delivers, empowering schools and leaders to continue transforming the state's educational system into one that is more nimble and able to meet the needs of every student and family."

HB 2862 has received strong bipartisan support. It was initially passed the House in March and cleared the Senate on April 13. Conforming language that was added in the Senate necessitated a final vote by the House.

The House also gave bipartisan final approval today to another Udall bill making possible more personalized learning opportunities for Arizona students. HB 2135 allows required math courses to be broken up into smaller instructional segments so that students, particularly those who struggle with the subject, are able to better tackle them and earn credit in smaller, more manageable pieces.

Both bills will now be transmitted to the governor for his signature.

"QUOTE OF THE DAY"

"You want to see a temper tantrum? I can show you one if you really want to see it.'"

- ***Townsend, on Ugenti-Rita claiming that she was throwing a temper tantrum by voting against the PEVL pruning bill***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003301

ARZN_REV00069096_4-22-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, April 22, 2021 6:03:23 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-22-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 22, 2021

SHOCKING, YET SOMEHOW PREDICTABLE
In what Ugenti-Rita called a "show of spite" and a "temper tantrum," Townsend today shot down Ugenti-Rita's PEVL-pruning bill during a final vote in the Senate, shocking observers as one Republican senator described as it as "a real what the f*ck moment."

ALL THAT SOUND AND FURY…
Townsend's pledge not to vote for any election legislation until after the audit is complete, which will likely take months, stemmed from the fact that legislative leaders are planning to sine die in two weeks, she told our reporter.

AMERICAN OVERSIGHT

TWO WEEKS, HUH?
Townsend's throwdown also raises the question of whether she'll support a budget without having first completed the audit and then passed election legislation – and while she wouldn't tell our reporter whether she would withhold her budget vote, she said all options are on the table.

REAL LAWMAKERS OF THE EAST VALLEY?
Railbirds were aghast at the spectacle of the two lawmakers duking it out on the floor, and several pointed our reporter to Townsend's Facebook post after the vote, in which she called Ugenti-Rita "nothing but scandal laden from the time I have known her."

IS AOL CONDUCTING THIS AUDIT?
Nothing spices up an OANN livestream of a state Senate audit quite like an anonymous comment section, even though the said comment section was shut down hours after it went live on azaudit.org yesterday.

WELCOME TO ARIZONA, DOUG
Cyber Ninja CEO Doug Logan and Ken Bennett are scheduled to conduct their first press conference today at 6 pm, marking the first time Logan has made himself available to the press.

SOME WATCHDOG
Former Ducey advisor Joe Cuffari blocked attempts to investigate Trump's bible thumping trip from the White House to a nearby church in which Secret Service pepper sprayed and shot rubber bullets at a crowd of peaceful protesters, injuring 60.

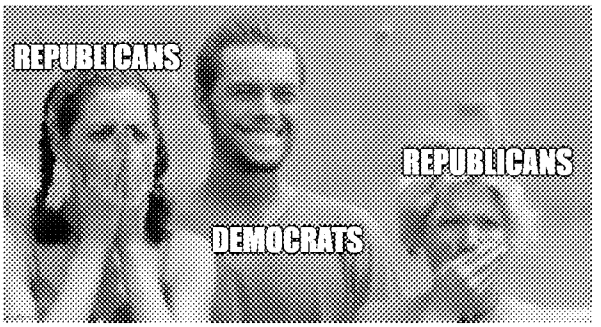
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, April 22, 2021

NEWS NOTES AND GOSSIP

SHOCKING, YET SOMEHOW PREDICTABLE



In what Ugenti-Rita called a "show of spite" and a "temper tantrum," Townsend today shot down Ugenti-Rita's PEVL-pruning bill during a final vote in the Senate, shocking observers as one Republican senator described as it as "a real what the f*ck moment." Ugenti-Rita argued Townsend was upset about her refusal to hear her election bills in Senate Government, and took out her anger on this bill. "It's disappointing to be on the receiving end of someone's temper tantrum," Ugenti-Rita said. Townsend immediately jumped up to call a point of order, saying while she was upset about her bills dying, the vote was a principled stand against passing election legislation without knowing the outcome of the Senate's audit. "I'm upset about all of my election bills dead. Absolutely, I'm upset. You want to see a temper tantrum? I can show you one if you really want to see it," she said. But Ugenti-Rita said she was just repeating what Townsend had told her – that she was jealous of Ugenti-Rita getting all the election bills through. Democrats quickly abandoned plans to deliver passionate speeches against the bill, choosing to let Townsend handle it herself. Ugenti-Rita was furious, noting Townsend already voted for the measure several times – in Senate Government, in Appropriations and on the floor. Townsend shot back that she has been clear that she will vote against all election bills and try to block any attempts to adjourn *sine die* until after the Senate's audit is completed. "Otherwise we're doing it for no reason. It's for show. It's for replying to our constituents that, 'Yes, we're doing an audit, but if we find irregularities you're going to have to wait until 2024.'" The Senate's audit won't be complete until at least mid-May, and a report on the results could take additional weeks. "They tried me out to see if I'm serious or not," Townsend told our reporter aft the vote. "I mean it when I say that we have no business going home."

ALL THAT SOUND AND FURY…

Townsend's pledge not to vote for any election legislation until after the audit is complete, which will likely take months, stemmed from the fact that legislative leaders are planning to *sine die* in two weeks, she told our reporter. How Senate leaders plan such a feat is anyone's guess, as budget negotiations have been slow moving and the Senate, especially, has been in disarray this year as Fann has focused her time and energy into the audit rather than negotiating a budget. (Another Republican senator had no idea where Townsend heard that, and was skeptical that the Senate could adjourn so soon.) Townsend argued lawmakers need to wait for the results of the audit before passing election legislation – which is not a position she took when filing her own host of election-related bills that died – and that if lawmakers adjourn *sine die* without passing the bills, there's no way to have them enacted before the 2022 election. (Unless lawmakers can get a supermajority vote for an emergency clause, bills signed during the 2022 session likely won't go into effect until August.) That pledge will likely put the brakes on at least one other controversial election bill still pending, as it will need support from all 16 Republican senators to pass. Mesnard's S1713 (early ballots; identification; mailing), which would require voters to submit an affidavit proving identification that will go inside the voting envelope rather than signing the envelope itself, was amended in the House Government and Elections and still needs to clear the House before it can go back to the Senate for a final vote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003304

ARZN_REV00069098_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

TWO WEEKS, HUH?

Townsend's throwdown also raises the question of whether she'll support a budget without having first completed the audit and then passed election legislation – and while she wouldn't tell our reporter whether she would withhold her budget vote, she said all options are on the table. Boyer is already threatening to withhold his vote unless he gets funding for some of his priorities, and has threatened to oppose the tax package, which he argued would defund the police (YS, 4/15). With two possible Republican votes against the budget, all eyes will turn to Bowie, who has defected from his caucus to support previous budgets. He could try to negotiate for his own priorities if the Senate GOP fractures on the budget vote – but if Townsend and Boyer withhold their votes, even his support won't be enough, potentially setting up the need for a bipartisan budget vote in what has otherwise been a rancorously partisan Senate.

REAL LAWMAKERS OF THE EAST VALLEY?

Railbirds were aghast at the spectacle of the two lawmakers duking it out on the floor, and several pointed our reporter to Townsend's Facebook post after the vote, in which she called Ugenti-Rita "nothing but scandal laden from the time I have known her." It's unclear which scandal Townsend was referencing – but she was likely pointing back to Ugenti-Rita's time in the House, when she had an affair with then-Chief of Staff Brian Townsend, who later shared nude photos of her to a lobbyist who he attempted to solicit into a threesome (Ugenti-Rita and Townsend later married). That lobbyist later said Ugenti-Rita had sexually harassed her and attempted to intimidate her into staying silent, though Fann shrugged off the concerns, saying because Ugenti-Rita was a senator-elect at the time, the Senate had no jurisdiction over her. "Having defended her nevertheless throughout her scandal against my better judgement, I am not jealous of her in the slightest," Townsend wrote. "This is straight out of a reality TV show," one Republican railbird said. "It's hilarious. It's high school level. It's either completely unbecoming of the chamber, or it's totally predictable." A Republican senator said Townsend's rationale was crazy, summarizing her argument as, "I want election reform so badly that I'm willing to vote against election reform to get election reform." Townsend has been fuming at Ugenti-Rita all year since she killed Townsend's bills, the source said, and has been singularly focused on the audit lately, but the source still never imagined she would vote against the only election integrity bill up for debate. The senator was dumbstruck, saying Townsend's so unpredictable that it's almost scary. "Maybe we really ought to pass that red flag law," the source quipped.

IS AOL CONDUCTING THIS AUDIT?

Nothing spices up an *OANN* livestream of a state Senate audit quite like an anonymous comment section, even though the said comment section was shut down hours after it went live on azaudit.org yesterday. But what a comment section it was. Trolls of all political stripes slung mud back and forth in a show of true democracy, sprinkled in with a notable amount of crude, racist and/or sexually explicit statements. Who could've seen that coming? Some of the anonymous posts took a serious tone, criticizing or supporting the audit efforts. "This is a sham, the fact that the state senate is using OANN is embarassing, and every republican in the legislature should be ashmed of themselves [sic]," one wrote. "LOL. There was so much fraud in the Nov 2020 election. Friends and I volunteered and witnessed it first-hand, and took reports from the field. It was severe and pervasive. Machines were connected to the Internet, which is ILLEGAL. Biden didn't win AZ or the presidency. Not. Even. Close," said another. But most posts ranged from unprintable, profanity-laced screeds to "hey has anyone seen my car keys if not that's ok just asking" and about 2,000 words from the script of *Shrek*.

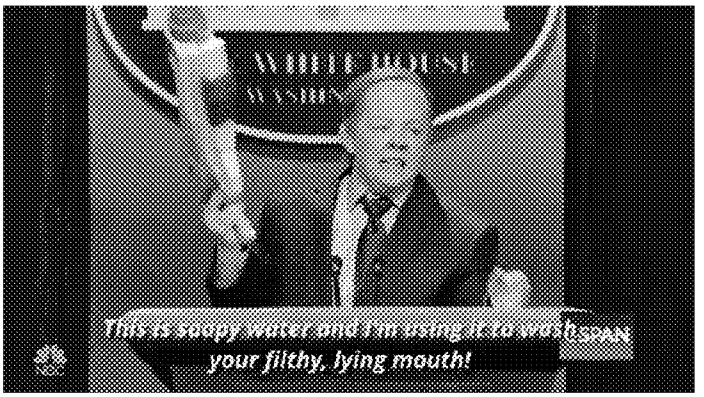
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003305

ARZN_REV00069098_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WELCOME TO ARIZONA, DOUG



Cyber Ninja CEO Doug Logan and Ken Bennett are scheduled to conduct their first press conference today at 6 pm, marking the first time Logan has made himself available to the press. To date, Logan has avoided responding to calls and emails, leaving Bennett to provide the brunt of responses. (To his credit, Bennett has made himself exceedingly available to the press, even though the press criticizes him at every turn.) Still, the press corps has a lot of questions. On the top of reporters' minds is transparency over who is really funding this audit and what kind of windfall this $150,000 project really means to the small company. After Bennett originally said that the Senate would accept donations to fund the audit through Legislative Council (YS, 4/14), he walked that back, saying donations are going directly to the company. That means we have no way of knowing who is funding the "Senate's" audit, for which the Senate has granted legal protection to the company and Maricopa County. That means when someone is inevitably sued over this project, it will be taxpayers, not Logan, who is on the hook.

SOME WATCHDOG

Former Ducey advisor Joe Cuffari blocked attempts to investigate Trump's bible thumping trip from the White House to a nearby church in which Secret Service pepper sprayed and shot rubber bullets at a crowd of peaceful protesters, injuring 60. Cuffari, who Trump appointed as the US Dept of Homeland Security Inspector General in 2019 following his career as an advisor to Ducey and Former Gov Jan Brewer, also discarded requests by his staff to investigate whether Secret Service agents disregarded Covid protocols, and whether that contributed to the spread of Covid among Secret Service agents, *The Washington Post* recently reported (LINK). Hundreds of Secret Service agents were either infected or forced to quarantine last year after Trump traveled the country stumping for his failed re-election campaign, the *Post* reported. Cuffari's office, through a spokesman, told the *Post* that the office didn't have the resources to investigate either issue. But the Project on Government Oversight, a watchdog group that dug up records showing he had shelved the two investigations, accused Cuffari of "pull[ing] punches" on the Trump administration, despite his role as an independent watchdog with the responsibility of oversight on Secret Service. Staffers told the *Post* Cuffari seemed skittish about taking on investigations that could paint the former president in a bad light, and said they were taken aback that Cuffari suggested the Secret Service should investigate the issue itself, noting the service would have been directly involved in the decision to violently clear protesters from Lafayette Square. Congress has taken note of Cuffari, who the *Post* previously noted has ducked congressional hearings and overseen a plummeting productivity in the watchdog office (LINK). Chairs of three committees asked Cuffari to investigate Trump's jaunt through Lafayette Square, and have criticized Cuffari's investigation into the death of an eight-year-old boy in custody of Customs and Border Protection, with one saying errors and shortcomings in the report into that incident raise "significant concerns about the thoroughness of the office's reviews as well as the willingness of the office to conduct in-depth examinations of sensitive topics," the *Post* reported.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003306

ARZN_REV00069098_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Pima County Attorney seeks delay in execution
Capitol Media Services
Pima County's top prosecutor is seeking a delay in the bid by Attorney General Mark Brnovich to set an execution date for Frank Jarvis Atwood.

'Next big thing' in green Mesa is waste diversion
East Valley Tribune
Scott Bouchie has a modest suggestion on how to celebrate Earth Day: Reduce. "We can't recycle our way out of our problems," said Bouchie, Mesa's Environmental Management and Sustainability Department director.

Ducey says National Guard will go first to Yuma
Associated Press
Arizona National Guard troops being sent to the border region will focus initially on the Yuma area but eventually could expand to other areas, Gov. Doug Ducey said Wednesday.

Ex-Arizona official gets more prison time in adoption scheme
Associated Press
A former Arizona politician could serve up to 15 years in prison for operating an illegal adoption scheme involving women from the Marshall Islands after he was given his third sentence Wednesday in Utah.

Nearly 2 million Arizonans expected to be fully vaccinated for covid-19 by today
Today's News-Herald
State's health leader expects state to reach milestone as supply of vaccine catches up with demand.

ASU Office-Drama Lawsuit Names Trump-Appointed Top Scientist
Phoenix New Times
The head of the federal agency responsible for funding scientific research is being sued over allegations that he created a hostile workplace while serving as a vice president at Arizona State University.

GOP bill that could remove 200k people from the Permanent Early Voting List clears the House
Arizona Mirror
A bill that could remove tens of thousands of voters from the state's Permanent Early Voting List is one step closer to Gov. Doug Ducey's desk after a day of partisan rancor and procedural maneuvers in the Arizona House of Representatives.

Proposed restrictions would make voting harder for Arizona's tribal communities
Arizona Mirror
Native American voters helped secure President Joe Biden's narrow win in 2020, but Republican-backed proposals at the state legislature to restrict voting access could make the challenges tribal voters overcame last year even more daunting in 2022.

Who benefits from Ducey's border theatrics?
Arizona Mirror (Opinion, Julie Erfle)
Gov. Ducey has a rare opportunity to help pass comprehensive immigration reform. As chair of the Republican Governors Association (RGA), Ducey sets the tone for Republicans running for state offices across the country. He could choose one that embraces the benefits of immigration and the modernization of a broken system or one focused on scare tactics and discord, dooming any effort to reform the system.

Plans halted for Arizona mass vaccination site
The Hill
A county in Arizona has dropped its plans to set up a federally supported mass vaccination site after state and federal authorities failed to reach an agreement on how to run the site.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003307
ARZN_REV00069098_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

As Republicans Push to Limit Voting, Disagreements on Strategy Emerge
New York Times
Trump-friendly state lawmakers trying to enact new voting laws are facing pockets of opposition from fellow Republicans who argue that some measures go too far or would hurt the party's own voters.

LeBron James calls out voter suppression efforts in the Arizona Legislature
Arizona Republic (Opinion, EJ Montini)
The NBA superstar took note of bad things happening in the Republican-controlled Arizona Legislature.

Gov. Doug Ducey hides behind the border wall to avoid Arizona's real crisis
Arizona Republic (Opinion, EJ Montini)
Arizonans are in real danger. Not from asylum seekers, however, but from Republican lawmakers.

Now OANN is involved in Arizona's Senate election audit? Can this thing get any more absurd?
Arizona Republic (Opinion, Laurie Roberts)
The Arizona Senate's auditors have selected their broadcast partner for the election audit, a right-wing cable TV network renowned for spreading conspiracy theories. Why am I not surprised?

Look who's using the border to score political points now? Sens. Sinema and Kelly
Arizona Republic (Opinion, Elvia Diaz)
Never let a crisis go to waste? Democratic Sens. Kyrsten Sinema and Mark Kelly are tripping over Republicans to score political points from the migrant surge.

Right-to-work laws drive Arizona jobs and its economy. PRO Act puts that at risk
Arizona Republic (Op-ed, Mike Huckins)
Legislation pending in the U.S. Senate would set back Arizona small businesses and workers. Independent contractors, such as gig workers, would lose, too.

Scottsdale gives a swim club exclusive access. It's not just unfair. It's unconstitutional
Arizona Republic (Op-ed, Joe Zemaitis)
Scottsdale lets a private club practice and host meets in city pools – and pay a special low rate to do so. That violates the Arizona Constitution.

It's surprisingly common for employers to steal wages. PRO Act would protect workers
Arizona Republic (Op-ed, Benjamin Frog)
Few workers ever see a dime for their wage theft cases. Will Sens. Sinema and Kelly support the PRO Act to offer these workers additional protection?

PRESS RELEASES

SB1485, Vote by Mail Purge Bill, Fails in the Arizona State Senate

PHOENIX – In a surprise twist, SB1485, which would purge more than 100,000 Arizonans from the vote by mail list, failed in the Arizona State Senate today.
Republican State Senator Kelly Townsend voted against the bill along with all of the chamber's Democrats. In explaining her vote, Senator Townsend said that she would be voting no on all election-related bills until the State Senate completed its controversial audit of the 2020 Maricopa County election results.
Bill sponsor Senator Michelle Ugenti-Rita also voted against the bill; this is common when it becomes clear that a bill is going to fail, and allows the bill sponsor to bring it up for reconsideration later in the session.
SB1485 would take the "permanent" out of the state's permanent vote by mail list by removing more than 100,000 Arizona voters from the list, such that they no longer receive their ballots by mail as expected.
"We will be watching closely to see what happens next. We know for sure that this fight is not over: SB1485 could come back, and the legislature is continuing to advance a host of other voter suppression and anti-democracy bills, from HB2309, which would criminalize protest, to SB1713, which would impose onerous new voter ID requirements on vote by mail. Business leaders, faith leaders, community organizations, ordinary citizens: all of us need to continue

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to speak out to defend democracy and protect our fundamental rights," said Emily Kirkland, executive director of Progress Arizona.

Pima County Recorder Urges Governor Ducey to Veto Senate Bill 1485

Tucson, AZ – Yesterday, the Arizona House of Representatives approved Senate Bill 1485 along party lines. The legislation, which comes immediately following an election in which record numbers of Arizonans voted securely by mail, will reduce the number of Arizonans registered on the Permanent Early Voting List (PEVL). The bill achieves this by requiring that local elections officials systematically remove certain voters from a program allowing a voter to opt in to receive ballots in the mail. Yesterday's passage paves the way for the Governor's expected signature this week. Pima County Recorder Gabriella Cázares-Kelly opposes SB1485 because the PEVL has been proven to be safe, secure, and a critical tool for marginalized communities to exercise their right to vote. PEVL in 2020 was wildly popular. For example, the Pima County Recorder's Office mailed 544,810 ballots to voters at their homes for the 2020 General Election. 87.5% of those voters returned their ballot by mail – the highest return rate in Pima County history. Neither the courts nor multiple election audits have found credible reports of fraud. Cázares-Kelly issued this statement in response to yesterday's vote: "SB1485 is particularly harmful to tribal members and rural voters who experience challenges getting registered to vote and who are often last in priority for receiving voter outreach. Additionally, tribal and rural voters lack reliable internet, have to travel long distances to polling locations, and regularly use non-standard physical addresses that do not interact well with our database records. It is important that we acknowledge the message that Black, Indigenous, and People of Color are overwhelmingly receiving from Arizona's elected officials. The approval of SB1485 took place during the same hour that Governor Ducey announced additional militarization of communities of color along our border and as we waited for the conviction of George Floyd's murderer. It is clear that voting by mail works, it is secure, and it ensures that all voters have equitable access to the ballot box. To change the law after a historic turnout can only be seen as a hostile anti-voter tactic meant to confuse voters. For all these reasons, I urge Governor Ducey to veto SB1485 and by doing so acknowledge the negative impact this legislation will have on voters of color." --

ICYMI: ECU // LAV Action Fund President Tiffany Muller, AZ Secretary of State Katie Hobbs, House Minority Leader Reginald Bolding Condemn AZ Voter Suppression Efforts, Call for Passage of For the People Act

"There is no reason to change safe, effective, successful voter procedures that have been in place for years other than to put a barrier in between Arizonans and the ballot box."

Today, Tiffany Muller, President of End Citizens United (ECU) // Let America Vote (LAV) Action Fund, Arizona Secretary of State Katie Hobbs and House Minority Leader Reginald Bolding addressed Arizona SB 1485, a bill passed by the House yesterday that could eliminate 150,000 voters from the state's Permanent Early Voting List, and other voter suppression efforts in the state.

Secretary Hobbs, Representative Bolding and Muller condemned the bill as an attempt to silence Arizona voters, especially minority communities, and called on the U.S. Senate to combat SB 1485 and other state level voter suppression efforts across the country by passing the For the People Act (H.R. 1/S. 1).

KEY POINTS FROM THE CALL:

- **Tiffany Muller, President of ECU // LAV Action Fund:**
  - *"There is no reason to change safe, effective, successful voter procedures that have been in place for years other than to put a barrier in between Arizonans and the ballot box."*
  - *"What's happening in Arizona is a microcosm of what's happening across the country. Republicans – fueled by dark money groups, corporate special interests, lies, and misinformation – have introduced over 361 bills in 47 states to put barriers to voting in place, usually targeting communities of color."*
  - *"We can stop them. It starts with the For the People Act, which has already passed the House of Representatives and is making its way through the U.S. Senate. The bill would protect all Americans' freedom to vote equally and it would stop almost all of the voter suppression tactics being put into place around the country, including in Arizona, where it would counteract SB1485."*
- **Arizona Secretary of State Katie Hobbs:**

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003309

ARZN_REV00069098_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- *"There's really no valid reason to change these systems unless you're looking to make it harder for people to vote."*
- *"There's no reason to turn back the clock on our successful vote by mail system."*
- *"The way to restore confidence in the system is to tell the truth about what happened [in the 2020 election] and to continue to ensure that there's transparency in the system [and] that voters understand the processes."*

- **Arizona House Minority Leader Reginald Bolding:**
  - *"The Arizona legislature and other legislatures across the country introduced 350 bills across the nation to restrict, revoke, and make it more difficult for people to participate in democracy."*
  - *"It's not about election security, it's not about election integrity, it's about trying to game the system."*
  - *"Politicians should not be picking their voters...voters should be picking their politicians."*

Arizona Latino Caucus Urges Governor Ducey to Stop Playing Political Games and Work with the Biden Administration on Real Border Solutions

PHOENIX- The Arizona Latino Legislative Caucus leadership released the following statement on Governor's Ducey spending $25 million in Arizona taxpayer money to send the National Guard to the Arizona border.

"Legislative Republicans and Governor Ducey are skipping work today for a photo-op at the border in a transparent act of political theatre that will cost Arizona taxpayers $25 million. Meanwhile Arizonans continue to be impacted by the COVID pandemic, a real crisis that Republicans still refuse to adequately address," **said State Representative Andres Cano, House Co-Chair Of The Latino Caucus.**

"Yesterday was the 100th day of Session and Republicans have done no work on passing the people's budget to get resources to Arizona families and businesses struggling through the pandemic," **said State Senator Sally Ann Gonzales, Senate Co-Chair Of The Latino Caucus.** "From day one, the Biden Administration has been deeply engaged in monitoring the border and marshaling all resources of the government to find compassionate and fair solutions to help migrants at our border."

"America's immigration system was decimated over the last four years with children cruelly separated from their parents. There were insufficient policies, procedures, and training in place to administer our immigration laws. The prior administration's border policies were chaotic, cruel, and ineffective. Now the Biden Administration is working urgently to move unaccompanied minors to HHS facilities and finally with family or sponsors," **said State Senator Rosanna Gabaldon, Secretary of the Latino Caucus.**

"On his first day in office, President Biden sent the U.S. Citizenship Act to Congress to provide a path to citizenship, crack down on smugglers and traffickers and provide more funding and resources for immigration courts to clear the asylum backlog. The Biden Administration is working closely with Congress to identify long term reforms and solutions. This is the type of action that will address the issues at our border. Taking on the difficult challenge of building a fair, functional, and humane system will take time. After four years of destruction, change doesn't happen with the flip of a switch, and we encourage Governor Ducey to work with the Biden Administration on real solutions and not photo-ops" **added State Representative Lorenzo Sierra, Treasurer of the Latino Caucus.**

Legislature Approves Bills Enabling More Flexible & Personalized Student-Centered Instructional Models for Arizona Schools

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today gave final approval to HB 2862, legislation sponsored by State Representative Michelle Udall (R-25), chair of the House Education Committee, which allows school district governing boards and charter school governing bodies to develop and permanently adopt more flexible and student-centered instructional time models.

Such models were utilized temporarily during the pandemic-related school closures, under authority of an executive order of the governor, to provide students with required instructional time through modified courses, remote learning and student schedules. The executive order is set to expire this spring, and schools would need to revert to a one-size-fits-all model utilized before the pandemic.

"The challenges of the COVID-19 pandemic led to an evolution in teaching and learning out of necessity," said Representative Udall. **"In some cases, more productive ways were identified for schools to maximize student learning time, efficiently spend their funds, and better meet the needs of students and families. If the policy**

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003310
ARZN_REV00069098_4-22-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

waivers that created this innovative environment expired, we would be throwing out good innovation that has helped students."

While not everything done during pandemic was successful, there were pockets of innovation that worked very well for students, teachers, and families. Udall's legislation will enable best practices to be continued and schools to provide more student-centered learning opportunities and experiences on an ongoing basis.

"We have heard from school and education system leaders throughout Arizona of the need to preserve the best ideas that surfaced during the most challenging times in our schools' history. This legislation delivers, empowering schools and leaders to continue transforming the state's educational system into one that is more nimble and able to meet the needs of every student and family."

HB 2862 has received strong bipartisan support. It was initially passed the House in March and cleared the Senate on April 13. Conforming language that was added in the Senate necessitated a final vote by the House.

The House also gave bipartisan final approval today to another Udall bill making possible more personalized learning opportunities for Arizona students. HB 2135 allows required math courses to be broken up into smaller instructional segments so that students, particularly those who struggle with the subject, are able to better tackle them and earn credit in smaller, more manageable pieces.

Both bills will now be transmitted to the governor for his signature.

"QUOTE OF THE DAY"

"You want to see a temper tantrum? I can show you one if you really want to see it.'"

- ***Townsend, on Ugenti-Rita claiming that she was throwing a temper tantrum by voting against the PEVL pruning bill***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003311

ARZN_REV00069098_4-22-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, April 23, 2021 5:43:59 PM
Recipient: 'Arturo Gabaldon' <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 4-23-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet April 23, 2021

THEY DON'T WANT TO STOP THE STOP THE STEAL THAT BADLY
The Arizona Democratic Party had a chance to stop the audit, at least temporarily, but decided against posting the $1 million bond Maricopa County Judge Christopher Coury said they needed to halt the audit from 5 pm today until noon on Monday.

OH GOODIE, DOCUMENTS!
Coury's ruling also requires the Senate and Cyber Ninjas to provide him with copies of their policies to comply with state laws and the Election Procedures Manual over the weekend, none of which have previously been provided to reporters or the public.

WE'VE BEEN BARRED FROM NICER PLACES
The Republic last night sent a legal letter to the Senate demanding transparency in the audit and real access for members of the press.

AMERICAN OVERSIGHT

WHO IS RUNNING THIS WELL-OILED MACHINE?
Our reporter was barred from entering the Madhouse on McDowell today because the audit team lost our reporter's application after Google shut down the audit's first Gmail account – raising questions about whether the auditing team even has access to the public records it has created.

YOU WANT TO DO THIS EVERY DAY?!
We've been to some weird press conferences in our time, but last night's presser with Bennett, Logan and Tucson election integrity activist John Brakey certainly stands out as among the weirdest.

WE HAD TO SCOOP OUR JAWS UP OFF THE FLOOR
Bennett kicked things off by declaring off limits any questions about Logan's conspiratorial social media posts – then Logan explained the vetting process for those handling the ballots, which consisted solely of a review of their social media posts.

AN INDIVIDUAL WITH A CERTAIN ORANGE GLOW, PERHAPS
Logan's reference to an "individual" who might have funded the audit is intriguing, considering today, Trump fired off a statement thanking the Senate for "exposing the large scale Voter Fraud which took place in the 2020 Presidential Election

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, April 23, 2021

NEWS NOTES AND GOSSIP

THEY DON'T WANT TO STOP THE STOP THE STEAL THAT BADLY

The Arizona Democratic Party had a chance to stop the audit, at least temporarily, but decided against posting the $1 million bond Maricopa County Judge Christopher Coury said they needed to halt the audit from 5 pm today until noon on Monday. (The Arizona Democratic Party had $377,000 on hand as of March 31, according to campaign finance reports, and said in a statement today that it "will not risk our supporters' hard-earned dollars to pay off the Cyber Ninjas for a procedure they are billing Arizona taxpayers to the tune of $150,000 and fundraising on *OAN* with the help of Lin Wood, an election conspiracy theorist who called for the execution of former Vice President Mike Pence.") Coury settled on the bond figure after Cyber Ninjas attorney Alex Kolodin insisted the temporary pause would cost "hundreds of thousands of dollars." Kolodin could not provide a more specific figure, and it remains unclear how a 72-hour delay in an audit the Senate paid just $150,000 for could cost so much. But while the audit will continue through the weekend, it's possible Coury could order a halt following a second hearing on Monday. For now, Coury ordered Cyber Ninjas to immediately comply with all state laws governing elections, including by removing any blue or black pens on site as the audit continues this afternoon. *Arizona Republic* reporter Jen Fifield, who was admitted as an observer, tweeted while on a break this morning that she saw blue pens used and raised the issue to Cyber Ninjas CEO Doug Logan, who first told her she was wrong that blue ink can be read by tabulators and then admitted she is right (LINK). (Of course, if he had glanced at the instructions that come with every mail-in ballot in Arizona, he would know that the machines can read blue pens, as the instructions explain to use blue or black ink – not to mention the Elections Procedure Manuel clearly states that no blue or black pens are allowed near hand counts, which Hobbs pointed out in a March letter to Fann (YS, 3/4).) Shortly after posting the scoop, Fifield was blocked from sharing any more updates for the duration of her six-hour shift. After her shift, she tweeted that the Cyber Ninjas did indeed switch to red and green pens before any real ballots were on the floor.

OH GOODIE, DOCUMENTS!

Coury's ruling also requires the Senate and Cyber Ninjas to provide him with copies of their policies to comply with state laws and the Election Procedures Manual over the weekend, none of which have previously been provided to reporters or the public. Both Senate attorney Kory Langhofer and Arizona Democratic Party attorney Roopali Desai must provide briefs on issues raised during today's initial hearing, including on issues of separation of powers between the legislative and judicial branches, whether legislative immunity applies in this situation and whether the Arizona Democratic Party and Maricopa County Supervisor Steve Gallardo have standing. Coury indicated he might also have issues with laches, or the delay in filing the case, because the Arizona Democratic Party and Gallardo only filed their complaint yesterday afternoon, shortly before the audit was set to begin. The two sides will go back to court for a second hearing on Monday at 11 am. Langhofer appealed to the Supreme Court this afternoon, which was hearing arguments as of our deadline (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003314

ARZN_REV00069100_4-23-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE'VE BEEN BARRED FROM NICER PLACES

The *Republic* last night sent a legal letter to the Senate demanding transparency in the audit and real access for members of the press. David Bodney, an attorney for several media outlets in Arizona, wrote to Fann "requiring journalists to become active participants in the events on which they seek to report is as unprecedented as it is untenable in a representative democracy." "The access we seek is not unreasonable," Bodney wrote, giving Fann and the Senate's attorney Kory Langhofer until 5 pm today to provide media full access (LINK). He said if it is not granted, then legal action would follow suit. Our reporter was rejected from observing the audit this morning, despite following the same guidelines to volunteer as the one reporter who was admitted, raising questions about treating different media outlets differently, which was an essential part of Bodney's argument why the *Republic* should be provided access – conspiracy theory news website *OANN* has had seemingly unfettered access, while journalists from traditional news outlets have seen much stiffer restrictions. The two-hour ordeal this morning included an hour wait outside the parking lot, a couple rejections at the gate to the parking lot, a very short ride in Bennett's car, another rejection inside the Coliseum and, ultimately, a dejected walk back to the car escorted by a security guard. (A van with two more security guards met our reporter at the car, presumably to make sure our reporter actually left.) Of course, none of this would have been necessary if the people running the audit had agreed to allow press access without the requirement of participating in the process itself.

WHO IS RUNNING THIS WELL-OILED MACHINE?

Our reporter was barred from entering the Madhouse on McDowell today because the audit team lost our reporter's application after Google shut down the audit's first Gmail account – raising questions about whether the auditing team even has access to the public records it has created. Despite Bennett initially telling our reporter that journalists wouldn't be able to observe (YS, 4/15), our reporter received a call on April 16 asking about availability and requesting a photo of our voter ID card, which our reporter provided. On Tuesday, our reporter received a Google Calendar invite and a follow-up email making sure they saw the Google Calendar invite. The volunteer who initially denied our reporter access said she'd had to turn a number of people away for the same reason, including someone she said had driven all the way from the White Mountains. Undeterred, our reporter called Bennett directly, who offered to meet us at the gate and let us in, noting that if Fifield got in, we should, too. Bennett drove to the gate, led our reporter to the parking area and then offered them a ride down to the entrance. Still, we were denied entry to the main area. At a check-in table, a woman again said our reporter wasn't on the list and that there was a limit of 20 observers for the shift. She said she could add our reporter to the list for this afternoon but that they would need three letters of recommendation, something that was not requested on the first form. She said Bennett's personal pledge to let our reporter in wasn't good enough.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003315

ARZN_REV00069100_4-23-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YOU WANT TO DO THIS EVERY DAY?!

We've been to some weird press conferences in our time, but last night's presser with Bennett, Logan and Tucson election integrity activist John Brakey certainly stands out as among the weirdest. Before the presser even started, tensions were high. Two-dozen or so reporters gathered at the Coliseum at 6 pm at Bennett's request – half of whom (including our staff) had received an email directly from Bennett saying come join us, and the other half of whom had received a separate invite asking for an RSVP. The lack of coordination was not a great sign, but still an easily surmountable hiccup – a volunteer came out and took down names of reporters who had not been sent the RSVP and pledged to grant them access. After nearly an hour and a half of waiting, however, another volunteer announced he was the bearer of bad news: the members of the press who didn't receive the RSVP link would be barred. He slammed the doors in reporters' faces. (Among those who had the door slammed in their faces was *CBS's* Morgan Loew, who ironically had spent the past several days popping in and out of the Coliseum with his camera, walking right up to election equipment, ballots and computers unchallenged (LINK). Hobbs today cited that reporting in a request to Brnovich to investigate whether the auditors were following the law and properly securing ballots (LINK).) So reporters broke in – and by broke in, we mean they opened one of the many unlocked doors and casually strolled up to the site. But as we approached our fellow members of the press, security swarmed on our reporter. During a tense standoff that lasted several minutes, our reporter spotted Ken Bennett across the room, and yelled out. Bennett, with his signature "aw shucks" smile, finally allowed reporters into the venue and began the press conference, which Bennett said would be a daily affair until the audit was complete. (He sent out an email following the court hearing saying today's presser would be postponed until further notice.)

WE HAD TO SCOOP OUR JAWS UP OFF THE FLOOR

Bennett kicked things off by declaring off limits any questions about Logan's conspiratorial social media posts – then Logan explained the vetting process for those handling the ballots, which consisted solely of a review of their social media posts. "I won't touch a single ballot," Logan replied when reporters pointed out the hypocrisy. Logan acknowledged what we all know – that without the massive infusion of cash from *OANN* and other Trump-supporting organizations, his company would be doing the audit at a loss. Still, he wouldn't say how much money his company has received through outside channels, refusing to even give a ballpark and claiming he didn't even know how much of a windfall his company was receiving and from whom. "I have purposely made it so that other individuals are arranging that, so I don't know." Bennett, who has repeatedly said he thinks the public should know who's paying for the audit, wasn't much help in getting the public answers to that question either. "I think they eventually will [disclose that]," he said, later admitting that we probably never will know who's funding it. Logan refused to commit to disclosing that information. "I think at the end of the day this is something that requires thought and looking into, but I understand your concerns and what you're saying and I will tell you that I will definitely seriously look into it," Logan said. Asked about the total bottom line of the project, Bennett shrugged. "I don't know," he said, deferring to Logan, who also didn't answer. All of which raises the question – why would a company put in a bid for a contract that would actually cost the company more than it would earn? "Because he has confidence that there are individuals or organizations that will provide enough grants to cover the difference," Bennett said. The duo repeatedly tried to steer the conversation back to "the process" while dodging the bigger-issue questions about funding, transparency and accountability. "Is the question about whether someone funded it, or is the question whether that individual influenced these results?" Logan asked.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003316

ARZN_REV00069100_4-23-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AN INDIVIDUAL WITH A CERTAIN ORANGE GLOW, PERHAPS

Logan's reference to an "individual" who might have funded the audit is intriguing, considering today, Trump fired off a statement thanking the Senate for "exposing the large scale Voter Fraud which took place in the 2020 Presidential Election" (LINK). It's unclear if Trump is directly funding the effort. "The Democrats, upon hearing the news of the Court Order, have sent 73 lawyers to Arizona in an effort to stop this recount and full transparency because THEY KNOW WHAT THEY DID!" he wrote in a statement sent out from his Save America PAC (All grammar and capitalization choices are Trump's). Trump also trashed Ducey, who has spent the past few years trying desperately to court Trump and his supporters, saying he was "shocking of zero help to the state Senate." "He wants to 'pretend' the election was free and fair. What are he and the Maricopa County Commissioners trying to hide?" Trump wrote. Ducey has studiously avoided commenting on the Senate's audit, telling reporters that he will leave all questions to Fann and that the Senate is a co-equal branch of government. However, his former Chief of Staff Kirk Adams weighed in today, writing on Twitter that while he personally knows the pain of losing a winnable election, "you just gotta deal with it and move on, ya know?" (LINK).

WAKE UP CALL

GOP lawmaker kills election bill, threatens to torpedo session

Arizona Capitol Times

Vowing to vote against any and all election bills and keep the Legislature in session until the Senate's audit of 2020 election results is complete, a Mesa Republican dealt an unexpected blow to a bill that could stop tens of thousands of Arizonans from receiving mail ballots.

Fann passes on experienced auditor, picks cheapest

Arizona Capitol Times

Arizona Senate President Karen Fann passed up an opportunity to hire an experienced auditing company to conduct its ballot review, opting instead for a company without experience and whose founder has said he believes President Joe Biden stole the election.

Sweeping abortion bill passes on party lines

Capitol Media Services

Acting under the banner of protecting disability rights, the Republican-controlled legislature on Thursday voted along party lines to impose a new restriction on a woman's right to terminate a pregnancy by making it a crime to abort a child because of a fetal genetic defect.

Dems sue to halt Senate audit

Capitol Media Services

The Arizona Democratic Party is going to court to halt — or at least delay — the audit of Maricopa County election results.

Border counties group opposes Guard deployment while AZ senators support it

Arizona Daily Star

Gov. Doug Ducey's deployment of the National Guard to certain border spots got mixed responses from Arizona officeholders.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003317

ARZN_REV00069100_4-23-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Pima County deputy will not be charged in killing of man whose key fob was mistaken for gun
Arizona Daily Star
Dep. Gilbert Caudillo, a 20-year veteran of law enforcement, was cleared of criminal wrongdoing in the death of Jan. 20 death Bradley "Alex" Lewis, who died while holding a key fob the deputy is said to have mistaken for a firearm.

Jill Biden hears from Navajo women on needs, priorities
Associated Press
Jill Biden spent the first day of a two-day trip to the Navajo Nation on Thursday hearing from female leaders about the needs and priorities of the country's largest Native American reservation, including more law enforcement and medical resources.

Gosar offers furious defense of actions, tweets, speeches about election fraud
White Mountain Independent
Rep. Paul Gosar has hit back against a House ethics complaint with a slashing defense of his succession of speeches and social media posts prior to the Jan. 6 riots that led to the brief occupation of the capitol building.

One Arizona abortion bill passes — another dies
Payson Roundup
A revived bill to sharply limit abortion is headed for Gov. Doug Ducey's desk, granting legal personhood to the fetus at any stage of development and effectively barring abortions for genetic abnormalities.

Protesters Arrested Last Summer Can't Get Property Back From Phoenix Police
Phoenix New Times
People who were arrested last summer at anti-police brutality protests in Phoenix say that police won't return property, such as phones, even though the charges against them have been dropped.

2021 Arizona Wildfires: Will DOC Inmates and Monsoon Storms Stop the Scorch?
Phoenix New Times
For Arizona, the 2020 wildfire season was one of the worst in 10 years.

Senate won't say who is funding the election audit or allow media access
Arizona Mirror
A heated press conference on the eve of the Arizona Senate's audit of the Maricopa County presidential election revealed key information about how the audit will unfold in the coming weeks and laid bare issues with media access and transparency about who is paying for the audit.

Support for voting access plunges among Republicans: poll
The Hill
The vast majority of Americans favor a broad swath of proposals that would markedly expand voter access to the ballot box each year, but a new study finds a growing partisan chasm as Republican voters begin voicing new skepticism about absentee and early voting after former President Trump blamed access to the ballot box for his electoral loss last year.

Sheriffs, county supervisors call BS on Gov. Doug Ducey's border stunt
Arizona Republic (Opinion, EJ Montini)
They didn't want the National Guard, only some buses and drivers to transport asylum seekers.

Arizona's voter supression bill is dead (for now). You won't believe who killed it
Arizona Republic (Opinion, Laurie Roberts)
Senate Bill 1485 is dead after one of Arizona's most conservative senators voted against it. But it won't be dead for long, I would guess.

President Joe Biden is right (again) about Afghanistan
Arizona Republic (Opinion, Robert Robb)
Over the years, Biden has been more right than most about Afghanistan and Iraq. And he is again in withdrawing American troops.

In the rush to silence opposing views, Arizona universities defend free expression
Arizona Republic (Opinion, Phil Boas)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003318
ARZN_REV00069100_4-23-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Students from three Arizona universities will engage in the Regent's Cup, a competition based on the ideals of free speech. Here's why that matters.

Insurance demanded we stop our son's mental health medicine to prove he needs it. Really?
Arizona Republic (Op-ed, Laurie and Chuck Goldstein)
Insurers demanded our son go off the medication that brought his greatest level of health in years, so they could determine if he still needed it.

The Big Lie has gotten so bad that even some Republicans are running from it
Washington Post (Opinion, Greg Sargent)
The Big Lie of 2020 is conventionally defined as the claim that the election was stolen from Donald Trump.

PRESS RELEASES

Release: Statement from the Chair of the Arizona Democratic Party on Today's Hearing

PHOENIX — **The Arizona Democratic Party Chair, Raquel Terán released the following statement.**
"Today's hearing showed how unprepared Senate President Karen Fann and her 'audit' team, Cyber Ninjas, truly are. We heard the Cyber Ninjas' own attorney admit that blue pens, which, unlike red pens, are capable of making machine-readable marks that permanently alter already cast ballots, were distributed to volunteers and staff in violation of Arizona law*.
"The revelation of the blue pens was pointed out by local reporter Jen Fifield. This kind of discovery is exactly why reporters should be allowed to have free access to every step of this process, as is usually the case during legitimate audits.
"Today's temporary restraining order required that the Cyber Ninjas turn over all documents regarding their internal procedures, which should have been made immediately available to the public if this were a transparent or credible process. We are looking forward to the first actual explanation of their procedures and we sincerely hope that these documents are in keeping with best practices as have been demanded by the Arizona Secretary of State.
"Finally, the lack of transparency from President Fann and the Cyber Ninjas as to the actual cost of the audit makes the question of posting a $1 million bond laughable. The Arizona Democratic Party will not risk our supporters' hard-earned dollars to pay off the Cyber Ninjas for a procedure they are billing Arizona taxpayers to the tune of $150,000 and fundraising on OAN with the help of Lin Wood, an election conspiracy theorist who called for the execution of former Vice President Mike Pence. The fact of the matter is that no one knows the actual cost of this sham audit and President Fann and the Cyber Ninjas have not once made this figure public.
"We are calling on Governor Doug Ducey and Attorney General Mark Brnovich to put an end to this madness and protect our election systems from conspiracy theorists."
*EPM chapter 11, section VIII (p. 225): "Hand count board members shall not bring cellular phones, other electronic devices, or pens with black or blue ink into the official hand counting area."
Chapter 11, section I (p. 214): "Board members may not bring any electronic devices, black pens, blue pens, or cell phones into the designated location of the hand count.A.R.S. § 16-602(B)(7)

Release: Statement from the Chair of the Arizona Democratic Party on Lawsuit Against Senate President Fann's Dangerous Maricopa "Audit"

PHOENIX – Arizona Democratic Party Chair, Raquel Terán released the following statement.
"From the day President Joe Biden won the election in Arizona, far-right Republicans have relentlessly taken any and every opportunity to try and rewrite reality to fit the narrative that the election was stolen.
"It was not.
"The 2020 election was the most secure U.S. election in history according to former President Trump's own officials. And it is truly disappointing to see elected leaders like President Fann cave to the fringes of the GOP and parrot the talking points of conspiracy theorists and charlatans who are capitalizing on the weak leadership of Arizona's Republican legislators.
"The lack of transparency around this 'audit' is astounding and we will not stand idly by as Senate President Fann

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

opens up our secure election to unqualified and completely unhinged actors who believe the 'big lie.' This has gone far enough and we are hopeful that the courts will put an end to this embarrassing and dangerous circus.
"In the absence of action from Republicans like Governor Doug Ducey or Attorney General Mark Brnovich who call themselves leaders, the Arizona Democratic Party believes this is the best course of action to protect all Arizonans who made their voices heard in the 2020 election and defend our democratic institutions."
A copy of the Arizona Democratic Party's lawsuit can be found here.

Senate Democratic Leader Rebecca Rios Supports The Emergency Injunction on The Senate Republican Election Audit

Phoenix- Senate Democratic Leader Rebecca Rios issued the following statement in support of the emergency injunction on the Senate audit.
"We stand by and strongly support Maricopa County Supervisor Steve Gallardo and the Arizona Democratic Party filing an emergency injunction to halt the Senate audit. We've seen that the Senate has abdicated its responsibility over this audit and handed it to rogue groups that have no experience with Arizona elections, and have created no security or safeguards to protect voters' ballots, private data and Maricopa County Elections equipment. When issued by the judge, the subpoena assumed that government officials would comply with all laws on privacy, confidentiality and integrity of ballots and equipment. None of this has happened.
There are those out there who want to cast doubt and sow division over our election and are encouraging the completely made up claims of fraud. We've now seen them use this to cast doubt in the public to pass laws this session that make it more difficult for Arizonans to vote. But here are the facts. More than 2 million lawful ballots were cast in Maricopa County and there is no evidence of fraud or misconduct. No matter how you voted, this election was administered with integrity, transparency and in accordance with state laws. It's clear that this audit is no more than a temper tantrum from those still upset that they lost the election and it is deeply damaging to the integrity of our elections and our democracy."

"Because he has confidence that there are individuals or organizations that will provide enough grants to cover the difference."

- Ken Bennett, the Senate's audit liaison, on why Cyber Ninjas would put in a $150,000 bid for a project that will cost far more than that to complete

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003320
ARZN_REV00069100_4-23-21-1.pdf

Sender: rgabaldon@azleg.gov
Sent: Monday, April 26, 2021 6:05:59 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-26-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 26, 2021

THE CONVENTIONAL WISDOM AIN'T ALL IT'S CHALKED UP TO BE
Arizona won't get an additional congressional seat after all, according to the reapportionment data from the US Census, which delivered a crushing blow to the state's congressional hopefuls and consulting class today.

WE MISS THE OLD KEN BENNETT
Senate liaison Ken Bennett participated in a Q&A on instant-messaging app Telegram over the weekend – with emphasis on the Q.

THEY'RE AFRAID WE'LL GET THE BLUEPRINT FOR CUECAT
Cyber Ninjas, the Senate and the Arizona Democratic Party will be back in

AMERICAN OVERSIGHT

court tomorrow with a new judge, following original Judge Christopher Coury's abrupt recusal when he learned one of the Cyber Ninjas' attorneys used to work for him.

IF THEY COMMITTED FRAUD, SHOULDN'T THEY HAVE STANDING?
The Arizona Democratic Party is fighting to remain a part of the lawsuit, arguing it has standing to sue because 688,946 registered Democrats cast ballots that are now sitting at Veteran's Memorial Coliseum.

HE ONLY INVESTIGATES CONSPIRACIES AND ASU
Brnovich tossed Hobbs' request that he investigate the audit for potentially violating state law by leaving ballots and election equipment unattended.

IT JUST DOESN'T HAVE THE SAME EFFECT IN EMAIL FORMAT
Still banned from Twitter, Trump has continued his smack-talking email campaign against Ducey – who went from a "great governor" before Trump lost Arizona to "one of the worst governors in America" today.

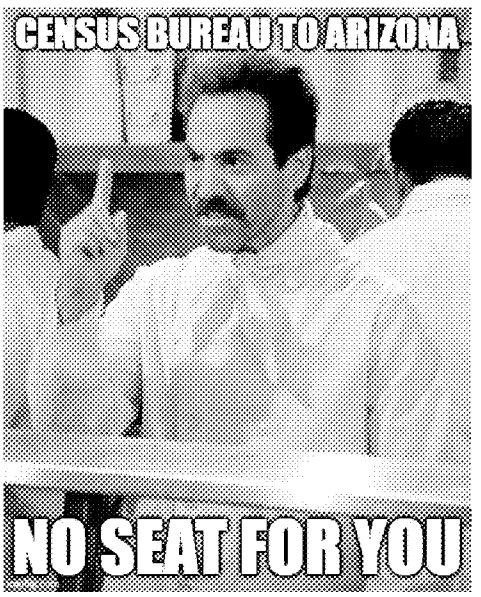
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, April 26, 2021

NEWS NOTES AND GOSSIP

THE CONVENTIONAL WISDOM AIN'T ALL IT'S CHALKED UP TO BE



Arizona won't get an additional congressional seat after all, according to the reapportionment data from the US Census, which delivered a crushing blow to the state's congressional hopefuls and consulting class today. For years, politicos have taken as scripture that Arizona would pick up a tenth seat. But the state came up short, placing as the fifth runner up to receive an additional seat. The latest Census information shows Arizona's population as of April 2020 is 7,158,923. That's an increase of about 750,000 people since the 2010 census, but still about 250,000 people short of what had been estimated. Arizona placed behind New York, Ohio, Texas and Florida for the states that were next in line to pick up seats. New York actually lost a seat, falling 89 people short of retaining its 29 districts. Ohio also lost a seat, knocking it down to 17, while Texas picked up two seats but narrowly missed a third addition, bringing it to 40, and Florida picked up one, bringing it to 30. (It's not clear if that is the actual population or if the state was undercounted, but every percentage point of population not counted has a huge financial impact – equating to roughly $60 million dollars lost annually for the duration of the 2020 census.) The biggest loser from today's announcement, several railbirds agreed, are state lawmakers who see congressmen in the mirror, while the biggest winners are congressional incumbents, as the new maps will likely be less scrambled than if the state were squeezing in a 10th district. One name that came up in several conversations was Shope, who has been flirting with running for Congress and had hoped that the growth in Pinal County would equate to the new CD10 being in his neck of the woods. Shope didn't hide his disappointment, nor his undamaged ambition to run for Congress. "I think there's plenty of blame to go around," he said, noting the controversy over former President Trump's push to include a citizenship question on the ballot. "The easy thing to do is say the Trump administration waded into that in a very negative way, and then by fanning and throwing gasoline on the flames, folks on the left didn't help." He also pointed to timing and Covid as the real culprit, noting that census workers were in the midst of peak season as the state was experiencing its summer spike – which was not the case for some other states. "We were a victim of some timing there," he said. Still, Shope's political hopes weren't totally dashed. "Theoretically, if you made a couple of tweaks... you could draw [a congressional district] better than the one I reside in now and I'd still be interested," he said. "Aside from the fact that there's not going to be an additional chair for the musical chairs, it really doesn't change anything." One Dem consultant said it's hard to pity the ambitious lawmaker. "I just think it's going to be hysterical to watch all these lawmakers who thought they were leaving the Legislature. They're all gonna come running back," the source said. "About the only thing I feel confident saying right now is there's gonna be a bunch of heartbroken state legislators who are no longer going to take the express bus to DC." But the true losers from today's announcement is clearly the consulting class, which just lost out on countless primary campaigns and a high-dollar fight in November of next year. "I'm crying. Marson Media had really, really anticipated a new client in that district," GOP consultant Barrett Marson quipped.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003323

ARZN_REV00069104_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE MISS THE OLD KEN BENNETT

Senate liaison Ken Bennett participated in a Q&A on instant-messaging app Telegram over the weekend – with emphasis on the Q. Using the encrypted instant messaging app adopted by many on the far right – including the person who is likely Q of QAnon fame – Bennett spoke to his followers about the audit. "This was a group of citizens, not media, who have been trying to get an update from me for several days," he told our reporter via text. "They had not been able to participate in the multiple exchanges I've had with media so I addressed their group … when I had a few minutes to do so." It's not clear what Bennett said – the exchange took place as an audio call on the app, which cannot be listened to after it's complete unless someone posts it in full. But the Arizona audit Telegram message board shows a flurry activity from QAnon conspiracy theory believers, including the man who is allegedly Q himself – Ron Watkins AKA CodeMonkeyZ. Watkins has posted more than a dozen times about the audit, claiming he has seen wrongdoing on the livestream cameras. Bennett refused to answer our reporter's questions about Watkins' involvement with the audit. "With all due respect, I'm not gonna have a press briefing with you text by text," he said. "I have no further comments until the litigation in resolved." It's unclear how involved Watkins is in the audit, but there have already been many too-close-for-comfort connections between him and the auditors, including that Watkins and Cyber Ninja CEO Doug Logan retweeted each other after the election (YS, 3/31). On the message board, Watkins commented that he has been talking with Bobby Piton, a mathematician and investment manager who has theorized that the election was stolen. Piton attended the unofficial legislative hearing in November at the Hyatt in Phoenix as an expert witness and posted on social media that he spent "12 hours working on AZ Data" over the weekend. The two seem to have settled on a new conspiracy – that UV light will expose all the fake votes. "Called [Piton] earlier and had a chat about the potential use of the UV light station," Watkins wrote. "Since UV is able to detect oil from fingerprints, if there are no fingerprints on the ballot then the likelihood of the ballot being marked through a non-human process is high." Watkins also complained that volunteers weren't doing the UV process properly.

THEY'RE AFRAID WE'LL GET THE BLUEPRINT FOR CUECAT

Cyber Ninjas, the Senate and the Arizona Democratic Party will be back in court tomorrow with a new judge, following original Judge Christopher Coury's abrupt recusal when he learned one of the Cyber Ninjas' attorneys used to work for him. Maricopa County Judge Daniel Martin scheduled a new hearing for 11 am Tuesday. The Cyber Ninjas, meanwhile, are still trying to keep most information about the audit under wraps. Before he recused himself, Coury ordered the company to provide copies of its policies and procedures for protecting the security and privacy of ballots. The ninjas responded by requesting to file those documents under seal, keeping them out of sight of the public and press. "Clearly the documents Cyber Ninjas has been ordered to file are Confidential Information for various reasons including that they constitute business information and records and reflect the know-how of the Cyber Ninjas," Cyber Ninjas attorney Alex Kolodin wrote. "More importantly, exposing the audit's detailed cyber and data security procedures to the public could give bad actors a roadmap in their attempts to breach that security."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003324

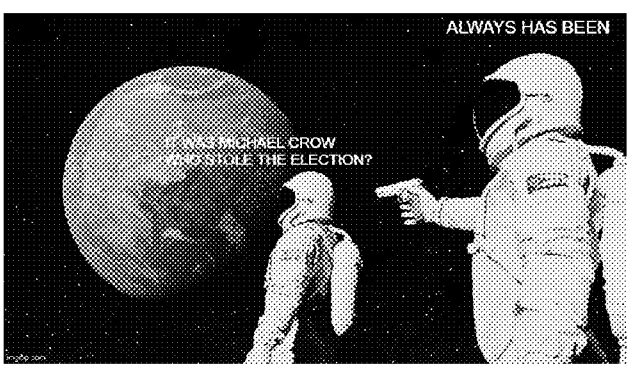
ARZN_REV00069104_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF THEY COMMITTED FRAUD, SHOULDN'T THEY HAVE STANDING?

The Arizona Democratic Party is fighting to remain a part of the lawsuit, arguing it has standing to sue because 688,946 registered Democrats cast ballots that are now sitting at Veteran's Memorial Coliseum. In a brief, the party argued that because dealing with the audit has taken time and resources away from the party's main goal of electing Democrats, it should remain a party to the lawsuit. The Senate's attorneys argued that the party lacks standing because it cannot be injured by the audit proceeding. And beyond that, the Senate's attorneys sought to have the case thrown out on the basis of legislative immunity, arguing that because courts have extended the right to legislative aides who help lawmakers with work, it should also extend to third-party contractors. The Arizona Democratic Party countered that legislative immunity applies only to legislators, and that it's intended to keep lawmakers from being jailed or in court proceedings during the legislative session. By actively participating in several other audit-related lawsuits without raising legislative immunity, Fann and Petersen have waived whatever immunity they have, the attorneys argued. A copy of the briefs filed in the case can be viewed in our "documents" section (LINK).

HE ONLY INVESTIGATES CONSPIRACIES AND ASU



Brnovich tossed Hobbs' request that he investigate the audit for potentially violating state law by leaving ballots and election equipment unattended. Citing reporting from *AZFamily*, Hobbs asked Brnovich to look into the lax security measures in place at Veterans Memorial Coliseum that allowed reporter Morgan Loew to walk around willy-nilly without a single security guard or anybody else questioning him (YS, 4/23). Brnovich wasn't having it, saying it was not a credible request (LINK). "This does not meet the standard of a credible allegation – it is speculation insufficient to support the request for an official investigation," he wrote. The evidence provided was video of Loew walking in and out and around the building. As Hobbs was quick to note, immediately after election day, Brnovich investigated the false Sharpiegate theory based solely on complaints from people wrongly claiming sharpies were causing their ballots to be canceled. Election officials all over the state immediately pushed back on the claim, noting that Sharpies are actually the preferred way to fill out the ballots, but Brnovich looked into it anyway. A little more than a day later, Brnovich joined the host of officials who had already debunked the conspiracy, writing "we are now confident that the use of Sharpie markers did not result in disenfranchisement for Arizona voters." He cited his authority in ARS 16-1021 to conduct that investigation (LINK), the same statute Hobbs cited in her request last week. Instead, Brnovich deferred complaints to Fann, who has refused to comment while the audit is pending. "I have and will continue to investigate all allegations that our election laws have been violated," Brnovich told Hobbs. "Any such complaints, however, must be based on credible facts and not conjecture or politics." One lawyer suggested Hobbs could complain to the US Attorney's Office since the races the audit is looking at are federal. The Seventh Floor told our reporter it is "considering" going that route.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003325

ARZN_REV00069104_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT JUST DOESN'T HAVE THE SAME EFFECT IN EMAIL FORMAT

Still banned from Twitter, Trump has continued his smack-talking email campaign against Ducey – who went from a "great governor" before Trump lost Arizona to "one of the worst governors in America" today. Trump is so apoplectic at the governor that, according to *Daily Beast*, he even threatened to support Kelly if Ducey runs against him for the US Senate seat. (To be sure, Ducey has repeatedly said that isn't happening). *Daily Beast's* Sam Brodey and Asawin Suebsaeng wrote that neither of the two sources who told them that little nugget believed Trump was serious about campaigning for Kelly (nor would his support likely be welcomed by the Kelly campaign) but noted that the "offhand remarks drove home the point of how much Trump wishes to see the Arizona governor run out of the Republican Party." "In other conversations since his post-presidency began, he has repeatedly discussed the importance of hobbling Ducey's future prospects at every possible turn, hoping to make the Arizona governor a pariah in his own party," the reporters wrote (LINK). Aside from that one time when he ignored the president's call (YS, 11/30), Ducey has been a stalwart defender of the former president, despite Trump's recurring attacks, which came Friday in the form of slamming the governor for being "shocking of zero help to the state Senate" and "pretend[ing] the election was free and fair" (YS, 4/23). He continued his blitz on Saturday, as Trump fired off another email claiming "The Republican party is demanding that Governor Ducey of Arizona immediately provide large-scale security for the brave American Patriots doing the Forensic Audit of the 2020 Presidential Election... Governor Ducey will be held fully responsible for the safety of those involved." (The safety of those involved isn't so much an issue as the sanctity of computers, ballots and election equipment, which auditors have left sitting around unattended in the unlocked facility (YS, 4/23) – though that's assuming that the security of the audit is actually the issue that sparked Trump's most recent tantrum.) In fact, there will be Dept of Public Safety troopers at the Coliseum tomorrow and Wednesday, though they're being hired through a third-party contractor as off-duty police, DPS confirmed. Today, Trump fired off another email blast calling Ducey "one of the worst governors in America and the second-worst Republican governor in America."

WAKE UP CALL

Attorney: Audit contract looks 'cut and paste'

Arizona Capitol Times

The Senate's contract with Cyber Ninjas, the leading firm for the audit that kicked off this week, displays a concerning lack of clarity and methodology and a general shoddiness indicative of rushed workmanship.

Prisoners try to slow push for executions

Arizona Capitol Times

With Arizona's rush to resume executions come unanswered questions on the sanity and innocence of the first two of 21 condemned prisoners and the motivations of Attorney General Mark Brnovich.

Judge orders pause in election audit

Capitol Media Services

The Senate's audit of Maricopa County election returns will continue, at least for the time being.

Tucson agencies in waiting game as Biden delays refugee arrivals

Arizona Daily Star

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003326

ARZN_REV00069104_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Refugee agency officials described the "human cost" of not raising the cap on how many refugees could come to the United States.

Tucson-based Asarco facing new charges over post-strike labor practices

Arizona Daily Star

The National Labor Relations Board has filed an amended complaint against the Tucson-based copper producer and set a hearing date for August.

Mesa's boomtown just keeps booming

East Valley Tribune

With a population of around 16,000, if Eastmark was a city, it would be in Arizona's top 50, between Payson (population 16,093) and New River (15,910).

Biosphere 2 helps UA land French research partnership

Eloy Enterprise

Biosphere 2 in Pinal County is what made the University of Arizona an ideal partner with the French on an international research center, authorities said.

Congressman Tom O'Halleran spends day in Gila Valley

Eastern Arizona Courier

This week, District 1's representative Congressman Tom O'Halleran visited the Gila Valley. The congressman attended the ribbon cutting ceremony for the House of Hope sober living center, and took a tour around a couple of local businesses.

Southern Arizona Officials Tell Ducey National Guard is 'Not Needed' at Border

Phoenix New Times

Earlier this week, Republican Governor Doug Ducey announced that he would deploy National Guard troops to the border to deal with the recent spike in undocumented immigrants getting apprehended at the Arizona-Mexico border.

Experts raise concerns about processes, transparency as election audit begins

Arizona Mirror

As the Arizona Senate's historic recount and audit of the 2020 general election in Maricopa County kicked off, outside the watchful eye of journalists who were banned from attending, election integrity experts raised a number of concerns about what they deemed an alarming lack of policies or knowledge of proper procedures by the auditing team.

CNN's Brianna Keilar has testy exchange with Arizona state lawmaker over voting rights bill

The Hill

CNN's Brianna Keilar got into a testy exchange on Friday with Arizona state lawmaker John Kavanaugh (R) over the state's voting rights bill, after Kavanaugh accused her of "spinning the truth" and said that her career "is politics and knows everything."

Half a Year After Trump's Defeat, Arizona Republicans Are Recounting the Vote

New York Times

An audit of the vote in Arizona's most populous county was meant to mollify angry Trump voters. But it is being criticized as a partisan exercise more than a fact-finding one.

Will Sen. Kyrsten Sinema scuttle voting rights AND police reform?

Arizona Republic (Opinion, EJ Montini)

For an elected official like Sinema, the choice is sometimes between what you believe in and what you believe in MORE.

Trump ninjas don't know what ink color to use on ballots. And they're auditing our election?

Arizona Republic (Opinion, Laurie Roberts)

Arizona's farce of an election audit gets underway this morning and already it's clear that these people don't know what they are doing.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003327

ARZN_REV00069104_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona lawmakers have the right (and wrong) plan to fund Chase Field renovations
Arizona Republic (Opinion, Robert Robb)
Here's a guiding principle for the Arizona Legislature: Don't use special taxing districts to serve private interests.

This bill could help fix a major school funding problem, but now it's going nowhere
Arizona Republic (Opinion, Joanna Allhands)
A special-education bill that seemed like a slam dunk last legislative session is getting nowhere in this one, and that's a mistake.

Arizona farmers raised the bar on themselves (and the water conservation debate)
Arizona Republic (Opinion, Joanna Allhands)
Farmers asked Arizona to require more of them in an irrigation best management practices program. It's more than just a feel-good move.

Blind allegiance on police will prevent us from ever reaching meaningful reform
Arizona Republic (Opinion, Greg Moore)
Black Lives Matter and All Lives Matter are at odds over police actions, but do they realize how similar they are?

Arizonans want a better future, and (surprisingly?) we agree on how to get it
Arizona Republic (Op-ed, Sybil Francis)
From better education outcomes to rural water regulations, Arizonans agree on dozens of specific actions to improve the state – some by 80% or more.

No, Phoenix isn't planting trees at $833 per tree. Here's what we're doing
Arizona Republic (Op-ed, Tabitha Myers)
Phoenix's trial budget proposes a new position of tree administrator. Don't laugh. The role is crucial to the success of planting new trees.

PRESS RELEASES

Release: Statement from the Arizona Democratic Party Chair Regarding Developments on "Audit" Lawsuit

PHOENIX – **Arizona Democratic Party Chair, Raquel Terán released the following statement.**
"The Arizona Democratic Party will continue to insist on transparency and compliance with the law, but at this point, it is clear that Senate President Fann and the Cyber Ninjas think they're above the law. Arizona Republicans are afraid of public scrutiny of their poorly-run and haphazard conspiracy theory-fueled operation. They are handling our ballots in secret and forcing taxpayers to foot the bill, including including the fees of their lawyers, who are fighting against transparency and holding the Senate accountable.
"Senate President Fann and the Cyber Ninjas have been stonewalling the public and are saying that they do not have to follow the law and election procedures, while at the same time refusing to provide any semblance of transparency over this sham audit. In violation of Friday's court order, Cyber Ninjas have not provided the required documents and information demonstrating that they have any policies and procedures in place to protect ballots and tabulation machines — let alone policies that comply with the law and industry standards — and are demanding that these documents be kept secret from the public.
"Governor Doug Ducey and Attorney General Mark Brnovich are failing every Arizona voter by allowing this sham to continue and are complicit in this fraudulent audit."

#REDforED Week: April 26 – 30, 2021

PHOENIX – April 7, 2021 – Today, AEA members across the state will be celebrating the third anniversary of the historic day 75,000 educators, parents, and education advocates marched on the Arizona Capitol to demand the state meet its responsibility to fund the public schools our students deserve.
"When educators stood together and demanded funding for our students and schools, it started the #REDforED movement," says AEA President Joe Thomas. "Three years later, that movement has continued to grow."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003328
ARZN_REV00069104_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

To celebrate the 75,000 educators who marched on the state Capitol on April 26, 2018, the Arizona Education Association is declaring the week of April 26 as #REDforED Week.
The Mayors of Phoenix and Tucson, Kate Gallego and Regina Romero, have issued proclamations declaring April 26 as #REDforED day. "As Mayor of the City of Tucson, I am proud to stand with all educators throughout Arizona in declaring today, April 26th #REDforED Day," says Tucson Mayor Regina Romero. "Three years ago today, our teachers and education support professionals marched to our State Capitol to demand the compensation and support that they and our students deserve. Despite passing a statewide ballot initiative in 2020, funding for our public schools continues to be under attack. The best investment we can make is in our children – and that begins with fully funded public schools."
"Since we marched on the Capitol, we took the matter of school funding into our own hands and created permanent, sustainable education funding through a citizens' initiative," says Thomas. "The Invest in Education Act is a direct result of #REDforED and demonstrates the power of educators' collective action at work. Our work is not done. Arizona educators are committed to their students and will always advocate for the schools they deserve."
Schedule and themes for the week on social media:

- Monday: Tell us you were there without telling us you were there.
- Tuesday: Pledge to Protect #INVESTinED
- Wednesday: Show us you're still #REDforED
- Thursday: Tell lawmakers you're still #REDforED
- Friday: Tell us why're you're still #REDforED

Senate Democrats Join Calls for Governor Ducey to Veto Dangerous Anti-Abortion Bill

IMMEDIATE RELEASE| April 26, 2021
PHOENIX- Senate Democratic Leadership released the following statement after SB1457 was transmitted to the Governor's desk for him to either sign into law or veto within five days.
"Today the Arizona Senate sent to Governor Ducey's desk a dangerous and overly broad anti-abortion bill that will criminalize pregnant people who seek abortions and the doctors and medical staff who provide them with reproductive care. SB1457 criminalizes doctors who provide abortion care and uses people with disabilities as a scapegoat for anti-abortion rhetoric while threatening critical medical care procedures.
Every person in Arizona should have access to safe and affordable reproductive healthcare without intrusion from the government. Further, this bill lacks support from Arizonans. A Public Policy Polling survey finds that a strong majority-76% of Arizona voters believe that abortion should be legal, and that the government should not prevent a person from making that decision. This bill will endanger the lives of women and won't reduce the need for abortions. SB1457 is a dangerous bill that must be vetoed."

Representative Joanne Osborne Appointed to Serve as NCSL Opioid Policy Fellow

Bipartisan Program to Combat Addiction in Communities
STATE CAPITOL, PHOENIX – State Representative Joanne Osborne (R-13), chair of the House Health and Human Services Committee, announced today her appointment to serve as an Opioid Policy Fellow through a year-long program established with the National Conference of State Legislatures (NCSL).
The NCSL Opioid Policy Fellows program is designed to support legislators who are experienced or emerging leaders on opioid addiction and overdose issues. Fellows work together in a peer setting to build knowledge about new research, policy and innovations, and to exchange ideas and solutions with other legislative leaders related to opioid misuse and overdose. Fellows connect with leading researchers and policy experts to identify practical information and develop action steps that can be applied in each state.
"Dangerous opioids are often all too accessible in our communities and in some households," said Representative Osborne. **"This contributes to the prevalent abuse and it can affect anyone, especially children and people battling issues with behavioral health or addiction."**
"In our state alone, there have been more than 66,000 suspected overdoses and more than 9,100 deaths over the past four years. Arizona is a leader in the fight against opioid abuse, implementing strong measures, but we cannot let up. I am confident that there is much more that can be done to reduce these tragic cases – and we must. As a state representative, as a mother, and as an Opioid Policy Fellow, I am absolutely determined with

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003329
ARZN_REV00069104_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

finding effective strategies to reduce addiction, prevent overdoses and deaths, and to raise more awareness about this devastating epidemic impacting our families and communities."
NCSL's mission is to advance the effectiveness, independence and integrity of state legislatures, and to foster interstate cooperation and facilitate the exchange of information among them. The 2021 NCSL Opioid Policy Fellows program features an impressive bipartisan roster of 25 legislators representing a cross-section of states in order to draw upon a breadth of experience and knowledge.

Dalessandro Appointed to Help Plan Long-Term Colorado River Management

PHOENIX — Leader Reginald Bolding has appointed Representative Andrea Dalessandro of Sahuarita to represent House Democrats on the Arizona Reconsultation Committee. Building on the success of the recent Drought Contingency Plan, Arizona has convened the Committee to develop Arizona's perspective to long-term management of the Colorado River. This Committee consists of delegates from the state legislature, federal, state, and local government, tribal nations, industry, agriculture, and NGOs. Dalessandro, who was nominated on March 19, will serve alongside Democratic Senator Lisa Otondo of Yuma, as well as Republican members Senator Sine Kerr and Representative Gail Griffin.
"My key issue will be conservation to assure residential water users that we will have an adequate long-term supply," Dalessandro said. "My first water harvesting system was a five-gallon bucket which I keep in my shower to use for potted plants and flushing. Since then I've gone on to lead the National Caucus of Environmental Legislators for four years and am still a member, I've spent years on our natural resources and water-related committees in the Senate and House and have attended water meetings as a constituent and policy maker for more than 15 years."
Dalessandro added, "As we continue to battle prolonged drought in our state, I am aware of the challenges to many Tribal areas and will set that as a priority. Also, I'm encouraged by past demonstrations by the Arizona agricultural community to embrace conservation and other best practices as the need for future cuts becomes evident."
"Representative Dalessandro's deep experience and lifelong commitment to conservation and environmental protection will be invaluable on this Committee, and to our state, as we grapple with the potential of shortage and the impacts of drought, overuse, and climate change on the Colorado River," Leader Bolding said.
The Colorado River provides water to more than 40 million people and more than four million acres of farmland in Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming. Hydroelectric plants along the river produce nearly 13 billion kilowatt-hours of electricity annually. Administration of this vital resource requires coordination amongst federal and state governments, tribal nations, NGOs, and municipal, business, and agricultural stakeholders. Current guidelines for long-term management of the Colorado River will expire in 2026 and the U.S. Secretary of the Interior is required to develop new guidelines before then. This process– referred to as reconsultation–will take years of discussion and coordination both within Arizona and among other Colorado River Basin states. Further complicating this process, drought, overuse, and climate change have made future shortages on the Colorado River a virtual certainty.
The next Committee meeting will be on Thursday, May 13, 2021, where the Modeling and Analysis Workgroup will meet. Prior meetings and materials are available here.

NFIB Joins Arizona A.G. in Lawsuit Against Federal Government

Amicus brief challenges American Rescue Plan provision preventing states from lowering taxes
PHOENIX, April 26, 2021—The Small Business Legal Center for the nation's largest and leading small business association filed an amicus brief late Friday afternoon supporting Arizona Attorney General Mark Brnovich's lawsuit against the federal government over a provision in the American Rescue Plan Act of 2021 that would prevent states from lowering their own taxes.
"Congress passed the American Rescue Plan to relieve some of the financial pressure caused by the pandemic, but a provision that blocks Arizona and other states from cutting taxes is eroding state sovereignty and hurts local businesses," said Karen Harned, executive director of the NFIB Small Business Legal Center, which filed the brief today in the U.S. District Court of Arizona.
In a March 25 news release announcing the filing of his lawsuit, Attorney General Brnovich said, "It's unacceptable for the federal government to commandeer states' tax policies and micromanage their budgets. We will always fight on behalf of hardworking taxpayers and push back against federal overreach."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003330
ARZN_REV00069104_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Chad Heinrich, Arizona state director for NFIB, also commented: "Every state should be insulted by the last-minute amendment the US Senate adopted into the American Rescue Plan. If a state can no longer be a master of its own destiny on tax and spending matters, then we may as well resort to a central planning model run out of DC. What needs to be made clear and repeated often is that the State of Arizona's financial health is a product of prudent fiscal management with sound policies that attract businesses and residents to live, work and enjoy life in Arizona."

Background

The American Rescue Plan Act of 2021 made funds available to states if and only if states agree to not pass any laws or take any administrative actions that decrease their net revenue, whether that decrease comes through tax credits, rebates, reductions in tax credits, or new or expanded deductions. NFIB believes the court should block this unprecedented tax mandate and grant the states' motion for a preliminary injunction.

The NFIB Small Business Legal Center protects the rights of small business owners in the nation's courts. NFIB is currently active in more than 40 cases in federal and state courts across the country and in the U.S. Supreme Court.

"I think there's plenty of blame to go around."

- ***Shope, on Arizona not gaining a 10th Congressional seat***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, April 26, 2021 6:06:02 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-26-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 26, 2021

THE CONVENTIONAL WISDOM AIN'T ALL IT'S CHALKED UP TO BE
Arizona won't get an additional congressional seat after all, according to the reapportionment data from the US Census, which delivered a crushing blow to the state's congressional hopefuls and consulting class today.

WE MISS THE OLD KEN BENNETT
Senate liaison Ken Bennett participated in a Q&A on instant-messaging app Telegram over the weekend – with emphasis on the Q.

AMERICAN OVERSIGHT

THEY'RE AFRAID WE'LL GET THE BLUEPRINT FOR CUECAT
Cyber Ninjas, the Senate and the Arizona Democratic Party will be back in court tomorrow with a new judge, following original Judge Christopher Coury's abrupt recusal when he learned one of the Cyber Ninjas' attorneys used to work for him.

IF THEY COMMITTED FRAUD, SHOULDN'T THEY HAVE STANDING?
The Arizona Democratic Party is fighting to remain a part of the lawsuit, arguing it has standing to sue because 688,946 registered Democrats cast ballots that are now sitting at Veteran's Memorial Coliseum.

HE ONLY INVESTIGATES CONSPIRACIES AND ASU
Brnovich tossed Hobbs' request that he investigate the audit for potentially violating state law by leaving ballots and election equipment unattended.

IT JUST DOESN'T HAVE THE SAME EFFECT IN EMAIL FORMAT
Still banned from Twitter, Trump has continued his smack-talking email campaign against Ducey – who went from a "great governor" before Trump lost Arizona to "one of the worst governors in America" today.

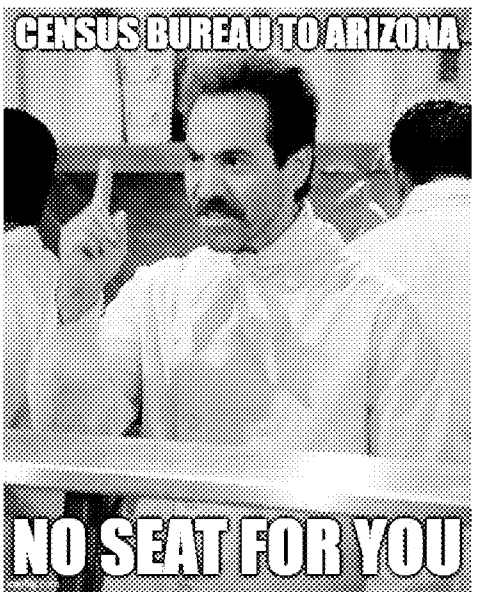
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, April 26, 2021

NEWS NOTES AND GOSSIP

THE CONVENTIONAL WISDOM AIN'T ALL IT'S CHALKED UP TO BE



Arizona won't get an additional congressional seat after all, according to the reapportionment data from the US Census, which delivered a crushing blow to the state's congressional hopefuls and consulting class today. For years, politicos have taken as scripture that Arizona would pick up a tenth seat. But the state came up short, placing as the fifth runner up to receive an additional seat. The latest Census information shows Arizona's population as of April 2020 is 7,158,923. That's an increase of about 750,000 people since the 2010 census, but still about 250,000 people short of what had been estimated. Arizona placed behind New York, Ohio, Texas and Florida for the states that were next in line to pick up seats. New York actually lost a seat, falling 89 people short of retaining its 29 districts. Ohio also lost a seat, knocking it down to 17, while Texas picked up two seats but narrowly missed a third addition, bringing it to 40, and Florida picked up one, bringing it to 30. (It's not clear if that is the actual population or if the state was undercounted, but every percentage point of population not counted has a huge financial impact – equating to roughly $60 million dollars lost annually for the duration of the 2020 census.) The biggest loser from today's announcement, several railbirds agreed, are state lawmakers who see congressmen in the mirror, while the biggest winners are congressional incumbents, as the new maps will likely be less scrambled than if the state were squeezing in a 10th district. One name that came up in several conversations was Shope, who has been flirting with running for Congress and had hoped that the growth in Pinal County would equate to the new CD10 being in his neck of the woods. Shope didn't hide his disappointment, nor his undamaged ambition to run for Congress. "I think there's plenty of blame to go around," he said, noting the controversy over former President Trump's push to include a citizenship question on the ballot. "The easy thing to do is say the Trump administration waded into that in a very negative way, and then by fanning and throwing gasoline on the flames, folks on the left didn't help." He also pointed to timing and Covid as the real culprit, noting that census workers were in the midst of peak season as the state was experiencing its summer spike – which was not the case for some other states. "We were a victim of some timing there," he said. Still, Shope's political hopes weren't totally dashed. "Theoretically, if you made a couple of tweaks... you could draw [a congressional district] better than the one I reside in now and I'd still be interested," he said. "Aside from the fact that there's not going to be an additional chair for the musical chairs, it really doesn't change anything." One Dem consultant said it's hard to pity the ambitious lawmaker. "I just think it's going to be hysterical to watch all these lawmakers who thought they were leaving the Legislature. They're all gonna come running back," the source said. "About the only thing I feel confident saying right now is there's gonna be a bunch of heartbroken state legislators who are no longer going to take the express bus to DC." But the true losers from today's announcement is clearly the consulting class, which just lost out on countless primary campaigns and a high-dollar fight in November of next year. "I'm crying. Marson Media had really, really anticipated a new client in that district," GOP consultant Barrett Marson quipped.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003334

ARZN_REV00069106_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE MISS THE OLD KEN BENNETT

Senate liaison Ken Bennett participated in a Q&A on instant-messaging app Telegram over the weekend – with emphasis on the Q. Using the encrypted instant messaging app adopted by many on the far right – including the person who is likely Q of QAnon fame – Bennett spoke to his followers about the audit. "This was a group of citizens, not media, who have been trying to get an update from me for several days," he told our reporter via text. "They had not been able to participate in the multiple exchanges I've had with media so I addressed their group … when I had a few minutes to do so." It's not clear what Bennett said – the exchange took place as an audio call on the app, which cannot be listened to after it's complete unless someone posts it in full. But the Arizona audit Telegram message board shows a flurry activity from QAnon conspiracy theory believers, including the man who is allegedly Q himself – Ron Watkins AKA CodeMonkeyZ. Watkins has posted more than a dozen times about the audit, claiming he has seen wrongdoing on the livestream cameras. Bennett refused to answer our reporter's questions about Watkins' involvement with the audit. "With all due respect, I'm not gonna have a press briefing with you text by text," he said. "I have no further comments until the litigation in resolved." It's unclear how involved Watkins is in the audit, but there have already been many too-close-for-comfort connections between him and the auditors, including that Watkins and Cyber Ninja CEO Doug Logan retweeted each other after the election (YS, 3/31). On the message board, Watkins commented that he has been talking with Bobby Piton, a mathematician and investment manager who has theorized that the election was stolen. Piton attended the unofficial legislative hearing in November at the Hyatt in Phoenix as an expert witness and posted on social media that he spent "12 hours working on AZ Data" over the weekend. The two seem to have settled on a new conspiracy – that UV light will expose all the fake votes. "Called [Piton] earlier and had a chat about the potential use of the UV light station," Watkins wrote. "Since UV is able to detect oil from fingerprints, if there are no fingerprints on the ballot then the likelihood of the ballot being marked through a non-human process is high." Watkins also complained that volunteers weren't doing the UV process properly.

THEY'RE AFRAID WE'LL GET THE BLUEPRINT FOR CUECAT

Cyber Ninjas, the Senate and the Arizona Democratic Party will be back in court tomorrow with a new judge, following original Judge Christopher Coury's abrupt recusal when he learned one of the Cyber Ninjas' attorneys used to work for him. Maricopa County Judge Daniel Martin scheduled a new hearing for 11 am Tuesday. The Cyber Ninjas, meanwhile, are still trying to keep most information about the audit under wraps. Before he recused himself, Coury ordered the company to provide copies of its policies and procedures for protecting the security and privacy of ballots. The ninjas responded by requesting to file those documents under seal, keeping them out of sight of the public and press. "Clearly the documents Cyber Ninjas has been ordered to file are Confidential Information for various reasons including that they constitute business information and records and reflect the know-how of the Cyber Ninjas," Cyber Ninjas attorney Alex Kolodin wrote. "More importantly, exposing the audit's detailed cyber and data security procedures to the public could give bad actors a roadmap in their attempts to breach that security."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003335
ARZN_REV00069106_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF THEY COMMITTED FRAUD, SHOULDN'T THEY HAVE STANDING?

The Arizona Democratic Party is fighting to remain a part of the lawsuit, arguing it has standing to sue because 688,946 registered Democrats cast ballots that are now sitting at Veteran's Memorial Coliseum. In a brief, the party argued that because dealing with the audit has taken time and resources away from the party's main goal of electing Democrats, it should remain a party to the lawsuit. The Senate's attorneys argued that the party lacks standing because it cannot be injured by the audit proceeding. And beyond that, the Senate's attorneys sought to have the case thrown out on the basis of legislative immunity, arguing that because courts have extended the right to legislative aides who help lawmakers with work, it should also extend to third-party contractors. The Arizona Democratic Party countered that legislative immunity applies only to legislators, and that it's intended to keep lawmakers from being jailed or in court proceedings during the legislative session. By actively participating in several other audit-related lawsuits without raising legislative immunity, Fann and Petersen have waived whatever immunity they have, the attorneys argued. A copy of the briefs filed in the case can be viewed in our "documents" section (LINK).

HE ONLY INVESTIGATES CONSPIRACIES AND ASU

Brnovich tossed Hobbs' request that he investigate the audit for potentially violating state law by leaving ballots and election equipment unattended. Citing reporting from *AZFamily*, Hobbs asked Brnovich to look into the lax security measures in place at Veterans Memorial Coliseum that allowed reporter Morgan Loew to walk around willy-nilly without a single security guard or anybody else questioning him (YS, 4/23). Brnovich wasn't having it, saying it was not a credible request (LINK). "This does not meet the standard of a credible allegation – it is speculation insufficient to support the request for an official investigation," he wrote. The evidence provided was video of Loew walking in and out and around the building. As Hobbs was quick to note, immediately after election day, Brnovich investigated the false Sharpiegate theory based solely on complaints from people wrongly claiming sharpies were causing their ballots to be canceled. Election officials all over the state immediately pushed back on the claim, noting that Sharpies are actually the preferred way to fill out the ballots, but Brnovich looked into it anyway. A little more than a day later, Brnovich joined the host of officials who had already debunked the conspiracy, writing "we are now confident that the use of Sharpie markers did not result in disenfranchisement for Arizona voters." He cited his authority in ARS 16-1021 to conduct that investigation (LINK), the same statute Hobbs cited in her request last week. Instead, Brnovich deferred complaints to Fann, who has refused to comment while the audit is pending. "I have and will continue to investigate all allegations that our election laws have been violated," Brnovich told Hobbs. "Any such complaints, however, must be based on credible facts and not conjecture or politics." One lawyer suggested Hobbs could complain to the US Attorney's Office since the races the audit is looking at are federal. The Seventh Floor told our reporter it is "considering" going that route.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003336

ARZN_REV00069106_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT JUST DOESN'T HAVE THE SAME EFFECT IN EMAIL FORMAT

Still banned from Twitter, Trump has continued his smack-talking email campaign against Ducey – who went from a "great governor" before Trump lost Arizona to "one of the worst governors in America" today. Trump is so apoplectic at the governor that, according to *Daily Beast*, he even threatened to support Kelly if Ducey runs against him for the US Senate seat. (To be sure, Ducey has repeatedly said that isn't happening). *Daily Beast's* Sam Brodey and Asawin Suebsaeng wrote that neither of the two sources who told them that little nugget believed Trump was serious about campaigning for Kelly (nor would his support likely be welcomed by the Kelly campaign) but noted that the "offhand remarks drove home the point of how much Trump wishes to see the Arizona governor run out of the Republican Party." "In other conversations since his post-presidency began, he has repeatedly discussed the importance of hobbling Ducey's future prospects at every possible turn, hoping to make the Arizona governor a pariah in his own party," the reporters wrote (LINK). Aside from that one time when he ignored the president's call (YS, 11/30), Ducey has been a stalwart defender of the former president, despite Trump's recurring attacks, which came Friday in the form of slamming the governor for being "shocking of zero help to the state Senate" and "pretend[ing] the election was free and fair" (YS, 4/23). He continued his blitz on Saturday, as Trump fired off another email claiming "The Republican party is demanding that Governor Ducey of Arizona immediately provide large-scale security for the brave American Patriots doing the Forensic Audit of the 2020 Presidential Election... Governor Ducey will be held fully responsible for the safety of those involved." (The safety of those involved isn't so much an issue as the sanctity of computers, ballots and election equipment, which auditors have left sitting around unattended in the unlocked facility (YS, 4/23) – though that's assuming that the security of the audit is actually the issue that sparked Trump's most recent tantrum.) In fact, there will be Dept of Public Safety troopers at the Coliseum tomorrow and Wednesday, though they're being hired through a third-party contractor as off-duty police, DPS confirmed. Today, Trump fired off another email blast calling Ducey "one of the worst governors in America and the second-worst Republican governor in America."

WAKE UP CALL

Attorney: Audit contract looks 'cut and paste'

Arizona Capitol Times

The Senate's contract with Cyber Ninjas, the leading firm for the audit that kicked off this week, displays a concerning lack of clarity and methodology and a general shoddiness indicative of rushed workmanship.

Prisoners try to slow push for executions

Arizona Capitol Times

With Arizona's rush to resume executions come unanswered questions on the sanity and innocence of the first two of 21 condemned prisoners and the motivations of Attorney General Mark Brnovich.

Judge orders pause in election audit

Capitol Media Services

The Senate's audit of Maricopa County election returns will continue, at least for the time being.

Tucson agencies in waiting game as Biden delays refugee arrivals

Arizona Daily Star

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003337

ARZN_REV00069106_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Refugee agency officials described the "human cost" of not raising the cap on how many refugees could come to the United States.

Tucson-based Asarco facing new charges over post-strike labor practices

Arizona Daily Star

The National Labor Relations Board has filed an amended complaint against the Tucson-based copper producer and set a hearing date for August.

Mesa's boomtown just keeps booming

East Valley Tribune

With a population of around 16,000, if Eastmark was a city, it would be in Arizona's top 50, between Payson (population 16,093) and New River (15,910).

Biosphere 2 helps UA land French research partnership

Eloy Enterprise

Biosphere 2 in Pinal County is what made the University of Arizona an ideal partner with the French on an international research center, authorities said.

Congressman Tom O'Halleran spends day in Gila Valley

Eastern Arizona Courier

This week, District 1's representative Congressman Tom O'Halleran visited the Gila Valley. The congressman attended the ribbon cutting ceremony for the House of Hope sober living center, and took a tour around a couple of local businesses.

Southern Arizona Officials Tell Ducey National Guard is 'Not Needed' at Border

Phoenix New Times

Earlier this week, Republican Governor Doug Ducey announced that he would deploy National Guard troops to the border to deal with the recent spike in undocumented immigrants getting apprehended at the Arizona-Mexico border.

Experts raise concerns about processes, transparency as election audit begins

Arizona Mirror

As the Arizona Senate's historic recount and audit of the 2020 general election in Maricopa County kicked off, outside the watchful eye of journalists who were banned from attending, election integrity experts raised a number of concerns about what they deemed an alarming lack of policies or knowledge of proper procedures by the auditing team.

CNN's Brianna Keilar has testy exchange with Arizona state lawmaker over voting rights bill

The Hill

CNN's Brianna Keilar got into a testy exchange on Friday with Arizona state lawmaker John Kavanaugh (R) over the state's voting rights bill, after Kavanaugh accused her of "spinning the truth" and said that her career "is politics and knows everything."

Half a Year After Trump's Defeat, Arizona Republicans Are Recounting the Vote

New York Times

An audit of the vote in Arizona's most populous county was meant to mollify angry Trump voters. But it is being criticized as a partisan exercise more than a fact-finding one.

Will Sen. Kyrsten Sinema scuttle voting rights AND police reform?

Arizona Republic (Opinion, EJ Montini)

For an elected official like Sinema, the choice is sometimes between what you believe in and what you believe in MORE.

Trump ninjas don't know what ink color to use on ballots. And they're auditing our election?

Arizona Republic (Opinion, Laurie Roberts)

Arizona's farce of an election audit gets underway this morning and already it's clear that these people don't know what they are doing.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003338

ARZN_REV00069106_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona lawmakers have the right (and wrong) plan to fund Chase Field renovations
Arizona Republic (Opinion, Robert Robb)
Here's a guiding principle for the Arizona Legislature: Don't use special taxing districts to serve private interests.

This bill could help fix a major school funding problem, but now it's going nowhere
Arizona Republic (Opinion, Joanna Allhands)
A special-education bill that seemed like a slam dunk last legislative session is getting nowhere in this one, and that's a mistake.

Arizona farmers raised the bar on themselves (and the water conservation debate)
Arizona Republic (Opinion, Joanna Allhands)
Farmers asked Arizona to require more of them in an irrigation best management practices program. It's more than just a feel-good move.

Blind allegiance on police will prevent us from ever reaching meaningful reform
Arizona Republic (Opinion, Greg Moore)
Black Lives Matter and All Lives Matter are at odds over police actions, but do they realize how similar they are?

Arizonans want a better future, and (surprisingly?) we agree on how to get it
Arizona Republic (Op-ed, Sybil Francis)
From better education outcomes to rural water regulations, Arizonans agree on dozens of specific actions to improve the state – some by 80% or more.

No, Phoenix isn't planting trees at $833 per tree. Here's what we're doing
Arizona Republic (Op-ed, Tabitha Myers)
Phoenix's trial budget proposes a new position of tree administrator. Don't laugh. The role is crucial to the success of planting new trees.

PRESS RELEASES

Release: Statement from the Arizona Democratic Party Chair Regarding Developments on "Audit" Lawsuit

PHOENIX – **Arizona Democratic Party Chair, Raquel Terán released the following statement.**
"The Arizona Democratic Party will continue to insist on transparency and compliance with the law, but at this point, it is clear that Senate President Fann and the Cyber Ninjas think they're above the law. Arizona Republicans are afraid of public scrutiny of their poorly-run and haphazard conspiracy theory-fueled operation. They are handling our ballots in secret and forcing taxpayers to foot the bill, including including the fees of their lawyers, who are fighting against transparency and holding the Senate accountable.
"Senate President Fann and the Cyber Ninjas have been stonewalling the public and are saying that they do not have to follow the law and election procedures, while at the same time refusing to provide any semblance of transparency over this sham audit. In violation of Friday's court order, Cyber Ninjas have not provided the required documents and information demonstrating that they have any policies and procedures in place to protect ballots and tabulation machines — let alone policies that comply with the law and industry standards — and are demanding that these documents be kept secret from the public.
"Governor Doug Ducey and Attorney General Mark Brnovich are failing every Arizona voter by allowing this sham to continue and are complicit in this fraudulent audit."

#REDforED Week: April 26 – 30, 2021

PHOENIX – April 7, 2021 – Today, AEA members across the state will be celebrating the third anniversary of the historic day 75,000 educators, parents, and education advocates marched on the Arizona Capitol to demand the state meet its responsibility to fund the public schools our students deserve.
"When educators stood together and demanded funding for our students and schools, it started the #REDforED movement," says AEA President Joe Thomas. "Three years later, that movement has continued to grow."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003339
ARZN_REV00069106_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

To celebrate the 75,000 educators who marched on the state Capitol on April 26, 2018, the Arizona Education Association is declaring the week of April 26 as #REDforED Week.
The Mayors of Phoenix and Tucson, Kate Gallego and Regina Romero, have issued proclamations declaring April 26 as #REDforED day. "As Mayor of the City of Tucson, I am proud to stand with all educators throughout Arizona in declaring today, April 26th #REDforED Day," says Tucson Mayor Regina Romero. "Three years ago today, our teachers and education support professionals marched to our State Capitol to demand the compensation and support that they and our students deserve. Despite passing a statewide ballot initiative in 2020, funding for our public schools continues to be under attack. The best investment we can make is in our children – and that begins with fully funded public schools."
"Since we marched on the Capitol, we took the matter of school funding into our own hands and created permanent, sustainable education funding through a citizens' initiative," says Thomas. "The Invest in Education Act is a direct result of #REDforED and demonstrates the power of educators' collective action at work. Our work is not done. Arizona educators are committed to their students and will always advocate for the schools they deserve."
Schedule and themes for the week on social media:

- Monday: Tell us you were there without telling us you were there.
- Tuesday: Pledge to Protect #INVESTinED
- Wednesday: Show us you're still #REDforED
- Thursday: Tell lawmakers you're still #REDforED
- Friday: Tell us why're you're still #REDforED

Senate Democrats Join Calls for Governor Ducey to Veto Dangerous Anti-Abortion Bill

IMMEDIATE RELEASE| April 26, 2021
PHOENIX- Senate Democratic Leadership released the following statement after SB1457 was transmitted to the Governor's desk for him to either sign into law or veto within five days.
"Today the Arizona Senate sent to Governor Ducey's desk a dangerous and overly broad anti-abortion bill that will criminalize pregnant people who seek abortions and the doctors and medical staff who provide them with reproductive care. SB1457 criminalizes doctors who provide abortion care and uses people with disabilities as a scapegoat for anti-abortion rhetoric while threatening critical medical care procedures.
Every person in Arizona should have access to safe and affordable reproductive healthcare without intrusion from the government. Further, this bill lacks support from Arizonans. A Public Policy Polling survey finds that a strong majority-76% of Arizona voters believe that abortion should be legal, and that the government should not prevent a person from making that decision. This bill will endanger the lives of women and won't reduce the need for abortions. SB1457 is a dangerous bill that must be vetoed."

Representative Joanne Osborne Appointed to Serve as NCSL Opioid Policy Fellow

Bipartisan Program to Combat Addiction in Communities
STATE CAPITOL, PHOENIX – State Representative Joanne Osborne (R-13), chair of the House Health and Human Services Committee, announced today her appointment to serve as an Opioid Policy Fellow through a year-long program established with the National Conference of State Legislatures (NCSL).
The NCSL Opioid Policy Fellows program is designed to support legislators who are experienced or emerging leaders on opioid addiction and overdose issues. Fellows work together in a peer setting to build knowledge about new research, policy and innovations, and to exchange ideas and solutions with other legislative leaders related to opioid misuse and overdose. Fellows connect with leading researchers and policy experts to identify practical information and develop action steps that can be applied in each state.
"Dangerous opioids are often all too accessible in our communities and in some households," said Representative Osborne. **"This contributes to the prevalent abuse and it can affect anyone, especially children and people battling issues with behavioral health or addiction."**
"In our state alone, there have been more than 66,000 suspected overdoses and more than 9,100 deaths over the past four years. Arizona is a leader in the fight against opioid abuse, implementing strong measures, but we cannot let up. I am confident that there is much more that can be done to reduce these tragic cases – and we must. As a state representative, as a mother, and as an Opioid Policy Fellow, I am absolutely determined with

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003340
ARZN_REV00069106_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

finding effective strategies to reduce addiction, prevent overdoses and deaths, and to raise more awareness about this devastating epidemic impacting our families and communities."
NCSL's mission is to advance the effectiveness, independence and integrity of state legislatures, and to foster interstate cooperation and facilitate the exchange of information among them. The 2021 NCSL Opioid Policy Fellows program features an impressive bipartisan roster of 25 legislators representing a cross-section of states in order to draw upon a breadth of experience and knowledge.

Dalessandro Appointed to Help Plan Long-Term Colorado River Management

PHOENIX — Leader Reginald Bolding has appointed Representative Andrea Dalessandro of Sahuarita to represent House Democrats on the Arizona Reconsultation Committee. Building on the success of the recent Drought Contingency Plan, Arizona has convened the Committee to develop Arizona's perspective to long-term management of the Colorado River. This Committee consists of delegates from the state legislature, federal, state, and local government, tribal nations, industry, agriculture, and NGOs. Dalessandro, who was nominated on March 19, will serve alongside Democratic Senator Lisa Otondo of Yuma, as well as Republican members Senator Sine Kerr and Representative Gail Griffin.
"My key issue will be conservation to assure residential water users that we will have an adequate long-term supply," Dalessandro said. "My first water harvesting system was a five-gallon bucket which I keep in my shower to use for potted plants and flushing. Since then I've gone on to lead the National Caucus of Environmental Legislators for four years and am still a member, I've spent years on our natural resources and water-related committees in the Senate and House and have attended water meetings as a constituent and policy maker for more than 15 years."
Dalessandro added, "As we continue to battle prolonged drought in our state, I am aware of the challenges to many Tribal areas and will set that as a priority. Also, I'm encouraged by past demonstrations by the Arizona agricultural community to embrace conservation and other best practices as the need for future cuts becomes evident."
"Representative Dalessandro's deep experience and lifelong commitment to conservation and environmental protection will be invaluable on this Committee, and to our state, as we grapple with the potential of shortage and the impacts of drought, overuse, and climate change on the Colorado River," Leader Bolding said.
The Colorado River provides water to more than 40 million people and more than four million acres of farmland in Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming. Hydroelectric plants along the river produce nearly 13 billion kilowatt-hours of electricity annually. Administration of this vital resource requires coordination amongst federal and state governments, tribal nations, NGOs, and municipal, business, and agricultural stakeholders. Current guidelines for long-term management of the Colorado River will expire in 2026 and the U.S. Secretary of the Interior is required to develop new guidelines before then. This process– referred to as reconsultation–will take years of discussion and coordination both within Arizona and among other Colorado River Basin states. Further complicating this process, drought, overuse, and climate change have made future shortages on the Colorado River a virtual certainty.
The next Committee meeting will be on Thursday, May 13, 2021, where the Modeling and Analysis Workgroup will meet. Prior meetings and materials are available here.

NFIB Joins Arizona A.G. in Lawsuit Against Federal Government

Amicus brief challenges American Rescue Plan provision preventing states from lowering taxes
PHOENIX, April 26, 2021—The Small Business Legal Center for the nation's largest and leading small business association filed an amicus brief late Friday afternoon supporting Arizona Attorney General Mark Brnovich's lawsuit against the federal government over a provision in the American Rescue Plan Act of 2021 that would prevent states from lowering their own taxes.
"Congress passed the American Rescue Plan to relieve some of the financial pressure caused by the pandemic, but a provision that blocks Arizona and other states from cutting taxes is eroding state sovereignty and hurts local businesses," said Karen Harned, executive director of the NFIB Small Business Legal Center, which filed the brief today in the U.S. District Court of Arizona.
In a March 25 news release announcing the filing of his lawsuit, Attorney General Brnovich said, "It's unacceptable for the federal government to commandeer states' tax policies and micromanage their budgets. We will always fight on behalf of hardworking taxpayers and push back against federal overreach."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003341
ARZN_REV00069106_4-26-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Chad Heinrich, Arizona state director for NFIB, also commented: "Every state should be insulted by the last-minute amendment the US Senate adopted into the American Rescue Plan. If a state can no longer be a master of its own destiny on tax and spending matters, then we may as well resort to a central planning model run out of DC. What needs to be made clear and repeated often is that the State of Arizona's financial health is a product of prudent fiscal management with sound policies that attract businesses and residents to live, work and enjoy life in Arizona."

Background

The American Rescue Plan Act of 2021 made funds available to states if and only if states agree to not pass any laws or take any administrative actions that decrease their net revenue, whether that decrease comes through tax credits, rebates, reductions in tax credits, or new or expanded deductions. NFIB believes the court should block this unprecedented tax mandate and grant the states' motion for a preliminary injunction.

The NFIB Small Business Legal Center protects the rights of small business owners in the nation's courts. NFIB is currently active in more than 40 cases in federal and state courts across the country and in the U.S. Supreme Court.

"I think there's plenty of blame to go around."

- ***Shope, on Arizona not gaining a 10th Congressional seat***

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Tuesday, April 27, 2021 4:55:10 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-27-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *April 27, 2021*

IT'S PROUD BOYS SECURITY COMPANY LLC, ISN'T IT?
Fann is adding more security to the Veteran's Memorial Coliseum to stop journalists from sneaking in, she said during an interview on KTAR's Mike Broomhead Show this morning.

REAL JOURNALISTS BREAK IN – FAKE NEWS IS GUEST OF HONOR
Fann spent much of the interview griping about what she views as unfair media coverage, and said the conspiracy-peddling OANN has been granted seemingly unfettered access to the Coliseum because it "stepped up" to become part of the team by offering live-streams of the hand recount.

AMERICAN OVERSIGHT

UV LIGHTS ARE ALL THE RAGE THESE DAYS
Bennett conducted several interviews with fringe alt-right news organizations yesterday, and delved into a QAnon conspiracy theory about watermarks on ballots.

THEY'RE GIVING FANN A RUN FOR HER MONEY
The IRC met for nearly four hours today, but spent most of it behind closed doors and didn't make any significant announcements or hires.

PARTISANS COMPLAIN ABOUT PARTISAN CONSULTANTS
Meanwhile, public comments have poured in from Democrats who are against hiring Republican-leaning consulting firms, and Republicans who are against the one Dem-leaning group.

OUR REPORTER REPORTS ON REPORTERS' REPORT
A pay equity study from the Arizona Republic and 13 other Gannett papers shows what was long suspected – women and journalists of color earn significantly less than their white and male counterparts.

THE PAY SUCKS FOR EVERYONE, BUT NOT EQUALLY
The report's findings even shocked some Republic reporters, one of whom chimed in to note that she earned $10,000 more than the Native American reporter she replaced, despite having less experience and education.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, April 27, 2021

NEWS NOTES AND GOSSIP

IT'S PROUD BOYS SECURITY COMPANY LLC, ISN'T IT?

Fann is adding more security to the Veteran's Memorial Coliseum to stop journalists from sneaking in, she said during an interview on *KTAR's Mike Broomhead Show* this morning. "They're not allowed to just waltz in and out because we just saw what happened," she said (LINK). "If this is what they're going to do, sneak around and prop open doors, we're going to have to tamp that down a little and say 'OK media, we're gonna work with you but we just have to be really careful about security around here." It's worth dwelling for a moment on the fact that Fann is focused on adding security to bar reporters who have exposed the joke that she calls security at the Coliseum, not potential bad actors who might actually seek to target or attack the audit, ballots or election equipment. While she still doesn't know how much the audit will cost, she said the price is increasing. "Thank God we have grassroots people that are stepping up and saying 'we're going to pay for this, we don't want Arizona to pay for all of this because it's important,'" she said. Fann, Bennett and Logan have all refused to say who, exactly, is funding the effort, and despite Bennett's initial insistence that the public should know that information, none of the actors involved have pushed to make that important information available to the public. During last week's press briefing, Logan refused to say even how much money his company has brought in through donations – not to mention he either didn't know or wouldn't say how much the whole thing is going to cost. Those undisclosed donations include companies offering pro bono security work as she beefs up security, Fann said – though she offered no hint who those companies would be. That's an important question, as we've already seen the lax security around the facility and a security company determined to alter the process would have broad access to the machines, equipment and ballots.

REAL JOURNALISTS BREAK IN – FAKE NEWS IS GUEST OF HONOR

Fann spent much of the interview griping about what she views as unfair media coverage, and said the conspiracy-peddling *OANN* has been granted seemingly unfettered access to the Coliseum because it "stepped up" to become part of the team by offering live-streams of the hand recount. She said the rest of the media is getting briefings, though Senate liaison Ken Bennett has only delivered one, last Thursday. (He sent out a press release this afternoon inviting the press to a briefing at the Senate, not the Coliseum where the audit is ongoing.) "Some of the media that are out there are trying to connect this with Stop the Steal and QAnon and all those things, which has never been the situation," she said, likely referring to reporting that detailed Cyber Ninjas CEO Doug Logan's past tweets about the "Stop the Steal" movement (YS, 3/31), as well as other connections between the auditors and people involved in the QAnon and Stop the Steal conspiracies (YS, 4/26). And while Fann said she spent hundreds and hundreds of hours researching auditors, she told Broomhead that Logan actually put together the audit team and picked the other companies that the Cyber Ninjas supervise. "Everyone is latching on to Cyber Ninjas, but beyond being the lead coordinator they actually have a small piece. We have other contractors who are doing what they do best," Fann said. She also said she doesn't know why the auditors tried to use blue pens on the first day of the audit, adding that she only read about it in the media and has not followed up with the auditors.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003345

ARZN_REV00069112_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

UV LIGHTS ARE ALL THE RAGE THESE DAYS

Bennett conducted several interviews with fringe alt-right news organizations yesterday, and delved into a QAnon conspiracy theory about watermarks on ballots. Besides hosting an update with Kelli Ward, he granted one-on-one interviews with *Gateway Pundit* (LINK) (where Bennett, to his credit, fought off claims that Black Lives Matter and Antifa were trying to interfere with the process) and *Newsmax*, which is a lesser-known version of *OANN*. During the *Newsmax* interview (LINK), he dove into the QAnon conspiracy theory about watermarks on the ballots. In response to a question about UV rays and secret watermarks, Bennett said, "we are also looking for watermarks" and unfolded ballots and "anything else that would indicate whether or not a ballot is legitimate or not." It's unclear if Bennett thinks there are watermarks on ballots (they're aren't (YS, 3/15)) or if he believes that the South Koreans would have put watermarks on the fake ballots they sent here for some reason, making them distinguishable from actual ballots. The Maricopa County Elections Dept posted a tweet and press release last night fighting conspiracies, including reiterating that there are not any watermarks on ballots (LINK).

THEY'RE GIVING FANN A RUN FOR HER MONEY

The IRC met for nearly four hours today, but spent most of it behind closed doors and didn't make any significant announcements or hires. After yesterday's bombshell announcement that Arizona won't pick up an expected 10th congressional seat, the IRC didn't even address the census. Instead, most of the meeting was spent discussing mapping consultants, though we still don't know which will get the gig. The public also does not know the contents of each of the three interview pitches, since state procurement law lays out the process to be conducted in executive session. Republican Commissioner David Mehl made sure to let his opinion be known that he did not support cutting the public out. "I'm disappointed that we were not able to do the interviews of the three firms in public … I'm sorry public was not able to observe that," he said, adding that he thought all interviews went well and the groups provided good answers. The 2011 IRC used the procurement process routinely, which kept the press and public in the dark (LINK), while this year's IRC did not use it for legal counsel, meaning those interviews were conducted in public for all to see.

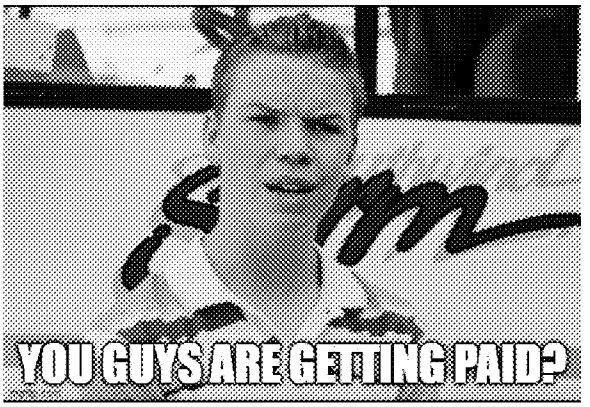
PARTISANS COMPLAIN ABOUT PARTISAN CONSULTANTS

Meanwhile, public comments have poured in from Democrats who are against hiring Republican-leaning consulting firms, and Republicans who are against the one Dem-leaning group. AZGOP chair Kelli Ward has been reaching out to supporters to flood the public comments about Haystaq, the Dem mapping group, but no comments were submitted during the actual meeting, which is the only time the IRC accepts public comment. Republicans have complained about the mapping consultant through other avenues like social media and email, but unless the comment is submitted during the allotted time, the comments aren't included, Chairwoman Erika Neuberg said. One user on Telegram copy and pasted a text message they received from Ward into the Arizona Audit message board that instructed people what to say. "We need you to comment on how inappropriate it is to use such a biased company for the Redistricting mapping process," the message said, adding that the company is linked to Obama and Bernie Sanders. Rogers, who has also argued against hiring the Dem mapping consultant, complained that they weren't allowed to provide comment, but she just didn't understand how to do it (LINK).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003346
ARZN_REV00069112_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

OUR REPORTER REPORTS ON REPORTERS' REPORT



A pay equity study from the *Arizona Republic* and 13 other Gannett papers shows what was long suspected – women and journalists of color earn significantly less than their white and male counterparts. Looking at median salary data for non-manager positions across the 14 news organizations as of last autumn shows the *Republic* has the worst disparity. Arizona's largest paper pays its female employees roughly $30,000 less than men, and the nonwhite employees make $25,000 less than white employees, based on a median salary. Gannett bosses are already pushing back on the pay study, saying the information is inaccurate, but not actually explaining how. In an internal email shared with our reporter, Gannett's Chief People Officer Samantha Howland wrote that the study had "misleading findings and paints an incomplete and inaccurate picture." "We are committed to all aspects of a diverse, inclusive and equitable workplace, and that includes equitable compensation," she wrote. The study found women who worked at Gannett for least 30 years earned $27,000 less than the median pay for male colleagues with similar tenure. In fact, women would, on average, have to work more than 16 months to earn what men make in 12 months, according to the study. A spokeswoman for Gannett said in a statement that the NewsGuild's information was "outdated." "Gannett is a leader in the industry. Our market-driven approach to compensation ensures a fair review by role and responsibility level with considerations for geographic differences," Lark-Marie Anton said. That elicited a response from *Republic* reporter Rebekah Sanders, one of the paper's union chairs and a leader in the pay study. "The data is nine months old. Did we somehow miss @gannett giving a MASSIVE round of raises to fix pay inequity in that time, @LarkMarieAnton?" she tweeted. In a separate tweet, Sanders challenged Anton to release more data. "If you'd like to share the 'critical analysis factors' (LOL) you've got our contact info. Even better- release data for THE WHOLE COMPANY," Sanders tweeted (LINK). Anton did not respond. The pay study is available in our "documents" section (LINK).

THE PAY SUCKS FOR EVERYONE, BUT NOT EQUALLY

The report's findings even shocked some *Republic* reporters, one of whom chimed in to note that she earned $10,000 more than the Native American reporter she replaced, despite having less experience and education. Reporter Shondiin Silversmith, who is Diné, said she started at the paper after earning her master's degree and already having experience under her belt, having worked her way from fellow to reporter. In 2019, she founded the *Republic's* indigenous affairs beat but didn't receive any salary increase for doing so, and had to also do the job of a breaking news editor for a year. "The only raise I saw was when Gannett gave companywide raises. So please explain to me why someone with a master's and a decade of experience is still earning about 40k?" she tweeted. Bree Burkitt, a former *Republic* employee who now works at the *Copper Courier* chimed in to show the real disparity between white and nonwhite employees. "I took over the combo breaking editor/reporter position from Shondiin. I – a white woman with no master's degree and fewer years of experience – was paid $10,000 more to do the job," Burkitt wrote in response to Silversmith. She added that she didn't know what Silversmith went through until reading her tweet today. "This is why what the @azrepublicguild is doing is so important." Additionally, two more women announced they are leaving the *Republic* yesterday, including governor beat reporter Maria Polletta, prompting Arizona Twitter personality @ClueHeywood to chime in that he, too, will not be writing for the paper. "I never did write there, it just seems like everyone else is saying this," he wrote (LINK).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003347
ARZN_REV00069112_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

New law gives more money for water projects
Arizona Capitol Times
Gov. Doug Ducey on April 21 signed a bill that provides larger grants for developing water projects in rural areas, but questions linger on whether there will be any money for them.

Cutbacks in water for central AZ farmers expected
Arizona Capitol Times
Arizona may be facing its first official declaration of water shortage next year, a move that would trigger water cutbacks of 512,000 acre-feet — almost 20% of Arizona's Colorado River entitlement — affecting mainly agricultural users.

Court oversight in Tucson desegregation case to end
Associated Press
Federal court oversight of Tucson's largest school district is soon to end following a decades-long court fight over discrimination against racial and ethnic minorities.

Census says no more seats in Congress for Arizona
Capitol Media Services
Arizona is not going to get more representation in Washington.

Audit attorney asks for secrecy of policies, procedures
Capitol Media Services
The attorney for the private firm hired by the Senate to audit the 2020 election is trying to deny public access to the policies and procedures they are using to audit the returns.

Army walks back Trump-era ban on consultations with tribes over wash regulation
Arizona Daily Star
But it's not clear if the reversal of this policy will mean the U.S. Army Corps of Engineers will consult with tribes over its recent decisions.

Jail 'guests' get 'high level of care' by Mesa
East Valley Tribune
Assistant Manager John Pombier boasted last week at a Mesa City Council study session about the level of care given to one segment of the population.

Smuggler Bribed Border Patrol Agent to Bring In Drugs and Migrants, Feds Say
Phoenix New Times
A fresh federal indictment accuses an undocumented man of repeatedly bribing a Border Patrol agent who's already being prosecuted for alleged drug smuggling.

Corporation Commission votes to strengthen policies on power disconnection
Cronkite News
With summerlike heat already here and triple-digit temperatures around the corner, Arizonans are cranking up the air-conditioning in April. As electricity use increases, some Arizona residents who struggle to pay their power bill risk being disconnected.

Arizona Republican lawmaker unwittingly exposes election reform scam
Arizona Republic (Opinion, EJ Montini)
Arizona's election system isn't replete with fraud. Not. At. All. Our political system, however …

Arizona Senate and auditors want to shut us out as they paw through our ballots? Oh $%^$ no
Arizona Republic (Opinion, Laurie Roberts)
Arizona Senate Republicans and their Trump ninja auditors want to prevent you from knowing how they plan to determine whether Arizona really elected Joe Biden and Mark Kelly.

Arizona's undemocratic election audit reminds me of Mexico's 'perfect dictatorship'
Arizona Republic (Opinion, Elvia Diaz)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003348
ARZN_REV00069112_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Arizona Senate's undemocratic hunt for Trump votes reminds me of the PRI in Mexico, a 70-year dictatorship that occurred despite regular elections.

Does anyone believe Arizona didn't grow enough to earn a 10th congressional seat?
Arizona Republic (Opinion, Elvia Diaz)
Arizona was widely expected to gain a U.S. House seat, but somehow population growth stagnated or too many people didn't fill out the Census form.

Protecting nature shouldn't be political, especially for people of faith like me
Arizona Republic (Op-ed, Doug Bland)
People of faith say they are most likely to experience the presence of the divine outdoors in nature. It's why we must protect our lands and oceans.

PRESS RELEASES

Release: Statement from the Arizona Democratic Party Chair Regarding Tuesday Developments on "Audit" Lawsuit

PHOENIX — **Arizona Democratic Party Chair, Raquel Terán, released the following statement.**
"Today's hearing confirmed that the Maricopa Superior Court shares our concerns about whether voters' interests are being adequately protected and that, to date, there has been **no evidence** that Senate President Karen Fann and Cyber Ninjas are securing and properly protecting the ballots of 2.1 million Maricopa voters.
"In response to these concerns, the Senate and the Cyber Ninjas continue to refuse to provide any documentation showing they are protecting the sanctity of the vote, all while rushing to complete their sham audit.
"We are happy that the court is prioritizing voters' concerns and we look forward to being in court again tomorrow."

'Enormous Harm to Women & Doctors' — House Democrats Respond to Signing of SB1457

PHOENIX— House Democratic Leader Reginald Bolding and Judiciary Committee member Representative Melody Hernandez released the following statements regarding Gov. Ducey signing unconstitutional forced-birth legislation, Senate Bill 1457. The bill faced strong public opposition, had zero support from disability rights organizations, and provoked an unprecedented outpouring of concern from Arizona's medical community that could face jail time under the law. Despite that, Ducey sided with influential far-right religious activists and a slim Republican majority in the House and Senate to sign one of the most extreme abortion bans in the nation.
"Arizona is a diverse, politically purple state experiencing steady economic and population growth. Signing this extreme forced-birth bill into law was a mistake that will bring enormous personal harm to Arizona women, to medical personnel and to our state's reputation and economy," said Bolding, D-Phoenix. "By criminalizing reproductive healthcare, Governor Ducey and every Republican member of the legislature have sent the message to the rest of the country and to the world that women are not respected or valued, and that they and their doctors are no longer welcome in our state. At a time when women have been the hardest hit by the COVID-19 pandemic, it's disturbing and wrong that the legislature is not focusing on policies to help them, and instead is stripping away the fundamental freedom to choose if, when and how to start or grow a family."
Rep. Hernandez, a paramedic from Tempe who has shared her personal story of performing her own abortion, added, "Had Senate Bill 1457 been law when I had an abortion using a prescribed pill, I would have run the risk of criminal prosecution. In addition to being a woman in the crosshairs of this law, I am an emergency medical services healthcare provider who could also potentially face felonies. Its tentacles don't just target doctors, but any healthcare professionals who might have helped a woman in need of emergency abortion care. No stakeholder from the disability community asked for this. Republicans will use anyone as pawns in their relentless effort to waste millions in taxpayer dollars defending this blatantly unconstitutional law in court hoping that the Supreme Court will upend current precedent on this essential form of healthcare and grant a fetus more rights than the person who is pregnant."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Public Asked for Input on Candidates for Arizona Supreme Court

The Commission on Appellate Court Appointments is asking for public comment on 11 candidates for an opening on the Arizona Supreme Court.

The candidates are:

- Cynthia J. Bailey
- Sean E. Brearcliffe
- David J. Euchner
- Randall M. Howe
- Kathryn H. King
- Jennifer M. Perkins
- Adele G. Ponce
- Carrie P. Ryerson
- Patricia A. Starr
- Lacey A. Stover Gard
- David D. Weinzweig

Their applications for the office can be viewed online at the Commission's website http://azcourts.gov/jnc.

The Commission will meet to interview the candidates on May 17, 2021. The meeting will be held in room 101 of the Arizona State Courts Building, 1501 W. Washington, Phoenix, AZ 85007, starting at 9:00 a.m. The interview agenda will be posted on the Commission's website at least 7 days prior to the meeting.

Citizens may address the Commission on the day of the meeting or send written comments to jnc@courts.az.gov or to 1501 W. Washington, Suite 221, Phoenix, AZ 85007. It is not necessary to submit multiple copies of written comments, and email is preferred. Comments must be received no later than May 13, 2021 to be considered. Anonymous comments cannot be considered.

After the interviews, the Commission will recommend at least three nominees for the opening to Governor Doug Ducey, who will appoint the new justice.

Governor Ducey Appoints Representative Bolick to the Arizona Juvenile Justice Commission

STATE CAPITOL, PHOENIX – It was announced today that State Representative Shawnna LM Bolick (R-20) was appointed by Governor Doug Ducey to serve on the Arizona Juvenile Justice Commission (AJJC).

"We need to restore our youth and safeguard Arizona's future," said Representative Bolick. **"Success begins with an emphasis and steadfast focus on reducing the recidivism of juveniles who have offended."**

AJJC members work to develop effective initiatives that reduce juvenile delinquency and promote public safety. Commission members are also responsible for supervising the state's compliance with the Juvenile Justice and Delinquency Prevention Act and serves as the State Council for Interstate Juvenile Supervision as required by ARS § 8-361.

"I passionately believe in harnessing the power of effective partnerships and programming to help prevent delinquency and improve public safety in the juvenile justice system," Bolick stated. **"Education and early intervention are essential in guiding our kids in a positive life direction and reducing recidivism."**

Over the years, Bolick has maintained a keen focus on improving the criminal justice system and reforms that would help keep juveniles on a path toward success. In the Arizona House of Representatives, Bolick currently serves as Vice Chair of the Committee on Criminal Justice Reform and has toured public correctional facilities to see firsthand the array of programming taking place in our public prisons and reentry centers.

In 2019, Governor Ducey appointed Representative Bolick to serve on the Justice for Victims of Child Sexual Abuse Task Force. In 2015, she was appointed to Arizona's Early Childhood Education and Health Board (First Things First).

Additionally, Bolick has proudly served in many non-profit advisory roles over the years, including as a current board member to her children's elementary school, Benchmark School; a past school board member for BASIS Scottsdale's advisory board; and as a former Director to BASIS Texas Schools, Inc. Governing Board. With her strong interest in our state's academic standards, she is also a past member to the Arizona State Board of Education's Academic Standards Development Committee as a public high school parent.

Bolick will attend AJJC's next meeting, which will take place on Thursday, May 6, 2021.

Update on election audit in Maricopa County

WHAT: Reporters will receive a briefing on the ongoing Maricopa County 2020 election audit

WHO: Ken Bennett
Audit Liaison

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003350

ARZN_REV00069112_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHEN: 5 p.m. today
WHERE: Outside State Senate Building

Representative Nguyen & House Republicans Take Action to Protect Arizona Firearms Businesses from Federal Assault on 2nd Amendment

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today passed an amendment, sponsored by State Representative Quang Nguyen (R-1), that extends liability protections to firearms manufacturers if their products were used unlawfully or in the commission of a crime. The floor amendment was successfully added to SB 1382, legislation sponsored by State Senator Wendy Rogers (R-6) that would deem firearms businesses as "essential" during a state of emergency.

"After witnessing sustained social unrest across the nation and the mounting campaign by the Biden/Harris administration and empowered Left in Congress to undermine the Second Amendment with a radical laundry list of executive and legislative actions, I recognized that now is the time to act in Arizona to ensure that businesses operating in our state are protected," said Representative Nguyen. "**Washington politicians may claim to support the Second Amendment, but their actions show otherwise as they move to dismantle the firearms industry and radically restrict the rights of law-abiding American citizens. We won't let that happen in Arizona."**

Nguyen's amendment prohibits a civil action from being brought against a manufacturer or seller of a firearm or ammunition for damages resulting from the criminal misuse of the firearm or ammunition, except in specified circumstances. It also requires the awarding of attorney fees and costs to the prevailing party in civil actions brought against the businesses.

The amended bill passed the House with all 31 Republican members, and no Democrat members, voting in favor of the bill to protect businesses in the state. It must be returned to the state Senate for final passage before it can be sent to the governor.

Congressman Biggs Sends Letter to Biden Administration Calling for the Suspension of John Kerry's Security Clearance

Today, Congressman Andy Biggs sent a letter to the Biden Administration to immediately suspend Special Envoy John Kerry's security clearance and prevent him from participating in any classified briefings until the full nature of his interactions with Iran are investigated. You can view the letter here.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Some of the media that are out there are trying to connect this with Stop the Steal and QAnon and all those things, which has never been the situation."

- ***Fann, on her auditing team, which includes Stop the Steal supporter and QAnon conspiracy-peddler Doug Logan***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003352

ARZN_REV00069112_4-27-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, April 27, 2021 4:55:12 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-27-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *April 27, 2021*

IT'S PROUD BOYS SECURITY COMPANY LLC, ISN'T IT?
Fann is adding more security to the Veteran's Memorial Coliseum to stop journalists from sneaking in, she said during an interview on KTAR's Mike Broomhead Show this morning.

REAL JOURNALISTS BREAK IN – FAKE NEWS IS GUEST OF HONOR
Fann spent much of the interview griping about what she views as unfair media coverage, and said the conspiracy-peddling OANN has been granted seemingly unfettered access to the Coliseum because it "stepped up" to become part of the

AMERICAN OVERSIGHT

team by offering live-streams of the hand recount.

UV LIGHTS ARE ALL THE RAGE THESE DAYS
Bennett conducted several interviews with fringe alt-right news organizations yesterday, and delved into a QAnon conspiracy theory about watermarks on ballots.

THEY'RE GIVING FANN A RUN FOR HER MONEY
The IRC met for nearly four hours today, but spent most of it behind closed doors and didn't make any significant announcements or hires.

PARTISANS COMPLAIN ABOUT PARTISAN CONSULTANTS
Meanwhile, public comments have poured in from Democrats who are against hiring Republican-leaning consulting firms, and Republicans who are against the one Dem-leaning group.

OUR REPORTER REPORTS ON REPORTERS' REPORT
A pay equity study from the Arizona Republic and 13 other Gannett papers shows what was long suspected – women and journalists of color earn significantly less than their white and male counterparts.

THE PAY SUCKS FOR EVERYONE, BUT NOT EQUALLY
The report's findings even shocked some Republic reporters, one of whom chimed in to note that she earned $10,000 more than the Native American reporter she replaced, despite having less experience and education.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, April 27, 2021

NEWS NOTES AND GOSSIP

IT'S PROUD BOYS SECURITY COMPANY LLC, ISN'T IT?

Fann is adding more security to the Veteran's Memorial Coliseum to stop journalists from sneaking in, she said during an interview on *KTAR's Mike Broomhead Show* this morning. "They're not allowed to just waltz in and out because we just saw what happened," she said (LINK). "If this is what they're going to do, sneak around and prop open doors, we're going to have to tamp that down a little and say 'OK media, we're gonna work with you but we just have to be really careful about security around here." It's worth dwelling for a moment on the fact that Fann is focused on adding security to bar reporters who have exposed the joke that she calls security at the Coliseum, not potential bad actors who might actually seek to target or attack the audit, ballots or election equipment. While she still doesn't know how much the audit will cost, she said the price is increasing. "Thank God we have grassroots people that are stepping up and saying 'we're going to pay for this, we don't want Arizona to pay for all of this because it's important,'" she said. Fann, Bennett and Logan have all refused to say who, exactly, is funding the effort, and despite Bennett's initial insistence that the public should know that information, none of the actors involved have pushed to make that important information available to the public. During last week's press briefing, Logan refused to say even how much money his company has brought in through donations – not to mention he either didn't know or wouldn't say how much the whole thing is going to cost. Those undisclosed donations include companies offering pro bono security work as she beefs up security, Fann said – though she offered no hint who those companies would be. That's an important question, as we've already seen the lax security around the facility and a security company determined to alter the process would have broad access to the machines, equipment and ballots.

REAL JOURNALISTS BREAK IN – FAKE NEWS IS GUEST OF HONOR

Fann spent much of the interview griping about what she views as unfair media coverage, and said the conspiracy-peddling *OANN* has been granted seemingly unfettered access to the Coliseum because it "stepped up" to become part of the team by offering live-streams of the hand recount. She said the rest of the media is getting briefings, though Senate liaison Ken Bennett has only delivered one, last Thursday. (He sent out a press release this afternoon inviting the press to a briefing at the Senate, not the Coliseum where the audit is ongoing.) "Some of the media that are out there are trying to connect this with Stop the Steal and QAnon and all those things, which has never been the situation," she said, likely referring to reporting that detailed Cyber Ninjas CEO Doug Logan's past tweets about the "Stop the Steal" movement (YS, 3/31), as well as other connections between the auditors and people involved in the QAnon and Stop the Steal conspiracies (YS, 4/26). And while Fann said she spent hundreds and hundreds of hours researching auditors, she told Broomhead that Logan actually put together the audit team and picked the other companies that the Cyber Ninjas supervise. "Everyone is latching on to Cyber Ninjas, but beyond being the lead coordinator they actually have a small piece. We have other contractors who are doing what they do best," Fann said. She also said she doesn't know why the auditors tried to use blue pens on the first day of the audit, adding that she only read about it in the media and has not followed up with the auditors.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003355

ARZN_REV00069114_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

UV LIGHTS ARE ALL THE RAGE THESE DAYS

Bennett conducted several interviews with fringe alt-right news organizations yesterday, and delved into a QAnon conspiracy theory about watermarks on ballots. Besides hosting an update with Kelli Ward, he granted one-on-one interviews with *Gateway Pundit* (LINK) (where Bennett, to his credit, fought off claims that Black Lives Matter and Antifa were trying to interfere with the process) and *Newsmax*, which is a lesser-known version of *OANN*. During the *Newsmax* interview (LINK), he dove into the QAnon conspiracy theory about watermarks on the ballots. In response to a question about UV rays and secret watermarks, Bennett said, "we are also looking for watermarks" and unfolded ballots and "anything else that would indicate whether or not a ballot is legitimate or not." It's unclear if Bennett thinks there are watermarks on ballots (they're aren't (YS, 3/15)) or if he believes that the South Koreans would have put watermarks on the fake ballots they sent here for some reason, making them distinguishable from actual ballots. The Maricopa County Elections Dept posted a tweet and press release last night fighting conspiracies, including reiterating that there are not any watermarks on ballots (LINK).

THEY'RE GIVING FANN A RUN FOR HER MONEY

The IRC met for nearly four hours today, but spent most of it behind closed doors and didn't make any significant announcements or hires. After yesterday's bombshell announcement that Arizona won't pick up an expected 10th congressional seat, the IRC didn't even address the census. Instead, most of the meeting was spent discussing mapping consultants, though we still don't know which will get the gig. The public also does not know the contents of each of the three interview pitches, since state procurement law lays out the process to be conducted in executive session. Republican Commissioner David Mehl made sure to let his opinion be known that he did not support cutting the public out. "I'm disappointed that we were not able to do the interviews of the three firms in public … I'm sorry public was not able to observe that," he said, adding that he thought all interviews went well and the groups provided good answers. The 2011 IRC used the procurement process routinely, which kept the press and public in the dark (LINK), while this year's IRC did not use it for legal counsel, meaning those interviews were conducted in public for all to see.

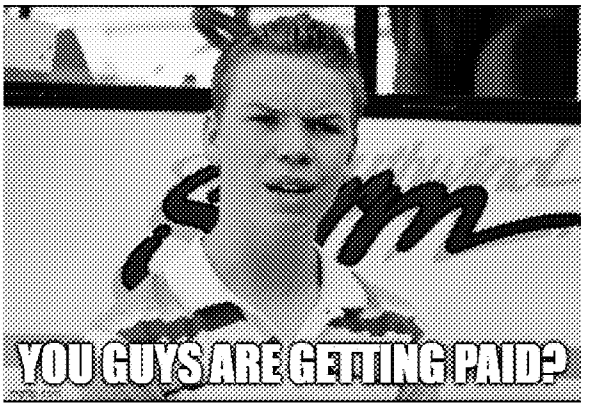
PARTISANS COMPLAIN ABOUT PARTISAN CONSULTANTS

Meanwhile, public comments have poured in from Democrats who are against hiring Republican-leaning consulting firms, and Republicans who are against the one Dem-leaning group. AZGOP chair Kelli Ward has been reaching out to supporters to flood the public comments about Haystaq, the Dem mapping group, but no comments were submitted during the actual meeting, which is the only time the IRC accepts public comment. Republicans have complained about the mapping consultant through other avenues like social media and email, but unless the comment is submitted during the allotted time, the comments aren't included, Chairwoman Erika Neuberg said. One user on Telegram copy and pasted a text message they received from Ward into the Arizona Audit message board that instructed people what to say. "We need you to comment on how inappropriate it is to use such a biased company for the Redistricting mapping process," the message said, adding that the company is linked to Obama and Bernie Sanders. Rogers, who has also argued against hiring the Dem mapping consultant, complained that they weren't allowed to provide comment, but she just didn't understand how to do it (LINK).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003356
ARZN_REV00069114_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

OUR REPORTER REPORTS ON REPORTERS' REPORT



A pay equity study from the *Arizona Republic* and 13 other Gannett papers shows what was long suspected – women and journalists of color earn significantly less than their white and male counterparts. Looking at median salary data for non-manager positions across the 14 news organizations as of last autumn shows the *Republic* has the worst disparity. Arizona's largest paper pays its female employees roughly $30,000 less than men, and the nonwhite employees make $25,000 less than white employees, based on a median salary. Gannett bosses are already pushing back on the pay study, saying the information is inaccurate, but not actually explaining how. In an internal email shared with our reporter, Gannett's Chief People Officer Samantha Howland wrote that the study had "misleading findings and paints an incomplete and inaccurate picture." "We are committed to all aspects of a diverse, inclusive and equitable workplace, and that includes equitable compensation," she wrote. The study found women who worked at Gannett for least 30 years earned $27,000 less than the median pay for male colleagues with similar tenure. In fact, women would, on average, have to work more than 16 months to earn what men make in 12 months, according to the study. A spokeswoman for Gannett said in a statement that the NewsGuild's information was "outdated." "Gannett is a leader in the industry. Our market-driven approach to compensation ensures a fair review by role and responsibility level with considerations for geographic differences," Lark-Marie Anton said. That elicited a response from *Republic* reporter Rebekah Sanders, one of the paper's union chairs and a leader in the pay study. "The data is nine months old. Did we somehow miss @gannett giving a MASSIVE round of raises to fix pay inequity in that time, @LarkMarieAnton?" she tweeted. In a separate tweet, Sanders challenged Anton to release more data. "If you'd like to share the 'critical analysis factors' (LOL) you've got our contact info. Even better- release data for THE WHOLE COMPANY," Sanders tweeted (LINK). Anton did not respond. The pay study is available in our "documents" section (LINK).

THE PAY SUCKS FOR EVERYONE, BUT NOT EQUALLY

The report's findings even shocked some *Republic* reporters, one of whom chimed in to note that she earned $10,000 more than the Native American reporter she replaced, despite having less experience and education. Reporter Shondiin Silversmith, who is Diné, said she started at the paper after earning her master's degree and already having experience under her belt, having worked her way from fellow to reporter. In 2019, she founded the *Republic's* indigenous affairs beat but didn't receive any salary increase for doing so, and had to also do the job of a breaking news editor for a year. "The only raise I saw was when Gannett gave companywide raises. So please explain to me why someone with a master's and a decade of experience is still earning about 40k?" she tweeted. Bree Burkitt, a former *Republic* employee who now works at the *Copper Courier* chimed in to show the real disparity between white and nonwhite employees. "I took over the combo breaking editor/reporter position from Shondiin. I – a white woman with no master's degree and fewer years of experience – was paid $10,000 more to do the job," Burkitt wrote in response to Silversmith. She added that she didn't know what Silversmith went through until reading her tweet today. "This is why what the @azrepublicguild is doing is so important." Additionally, two more women announced they are leaving the *Republic* yesterday, including governor beat reporter Maria Polletta, prompting Arizona Twitter personality @ClueHeywood to chime in that he, too, will not be writing for the paper. "I never did write there, it just seems like everyone else is saying this," he wrote (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003357

ARZN_REV00069114_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

New law gives more money for water projects
Arizona Capitol Times
Gov. Doug Ducey on April 21 signed a bill that provides larger grants for developing water projects in rural areas, but questions linger on whether there will be any money for them.

Cutbacks in water for central AZ farmers expected
Arizona Capitol Times
Arizona may be facing its first official declaration of water shortage next year, a move that would trigger water cutbacks of 512,000 acre-feet — almost 20% of Arizona's Colorado River entitlement — affecting mainly agricultural users.

Court oversight in Tucson desegregation case to end
Associated Press
Federal court oversight of Tucson's largest school district is soon to end following a decades-long court fight over discrimination against racial and ethnic minorities.

Census says no more seats in Congress for Arizona
Capitol Media Services
Arizona is not going to get more representation in Washington.

Audit attorney asks for secrecy of policies, procedures
Capitol Media Services
The attorney for the private firm hired by the Senate to audit the 2020 election is trying to deny public access to the policies and procedures they are using to audit the returns.

Army walks back Trump-era ban on consultations with tribes over wash regulation
Arizona Daily Star
But it's not clear if the reversal of this policy will mean the U.S. Army Corps of Engineers will consult with tribes over its recent decisions.

Jail 'guests' get 'high level of care' by Mesa
East Valley Tribune
Assistant Manager John Pombier boasted last week at a Mesa City Council study session about the level of care given to one segment of the population.

Smuggler Bribed Border Patrol Agent to Bring In Drugs and Migrants, Feds Say
Phoenix New Times
A fresh federal indictment accuses an undocumented man of repeatedly bribing a Border Patrol agent who's already being prosecuted for alleged drug smuggling.

Corporation Commission votes to strengthen policies on power disconnection
Cronkite News
With summerlike heat already here and triple-digit temperatures around the corner, Arizonans are cranking up the air-conditioning in April. As electricity use increases, some Arizona residents who struggle to pay their power bill risk being disconnected.

Arizona Republican lawmaker unwittingly exposes election reform scam
Arizona Republic (Opinion, EJ Montini)
Arizona's election system isn't replete with fraud. Not. At. All. Our political system, however …

Arizona Senate and auditors want to shut us out as they paw through our ballots? Oh $%^$ no
Arizona Republic (Opinion, Laurie Roberts)
Arizona Senate Republicans and their Trump ninja auditors want to prevent you from knowing how they plan to determine whether Arizona really elected Joe Biden and Mark Kelly.

Arizona's undemocratic election audit reminds me of Mexico's 'perfect dictatorship'
Arizona Republic (Opinion, Elvia Diaz)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003358
ARZN_REV00069114_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Arizona Senate's undemocratic hunt for Trump votes reminds me of the PRI in Mexico, a 70-year dictatorship that occurred despite regular elections.

Does anyone believe Arizona didn't grow enough to earn a 10th congressional seat?
Arizona Republic (Opinion, Elvia Diaz)
Arizona was widely expected to gain a U.S. House seat, but somehow population growth stagnated or too many people didn't fill out the Census form.

Protecting nature shouldn't be political, especially for people of faith like me
Arizona Republic (Op-ed, Doug Bland)
People of faith say they are most likely to experience the presence of the divine outdoors in nature. It's why we must protect our lands and oceans.

PRESS RELEASES

Release: Statement from the Arizona Democratic Party Chair Regarding Tuesday Developments on "Audit" Lawsuit

PHOENIX — **Arizona Democratic Party Chair, Raquel Terán, released the following statement.**
"Today's hearing confirmed that the Maricopa Superior Court shares our concerns about whether voters' interests are being adequately protected and that, to date, there has been **no evidence** that Senate President Karen Fann and Cyber Ninjas are securing and properly protecting the ballots of 2.1 million Maricopa voters.
"In response to these concerns, the Senate and the Cyber Ninjas continue to refuse to provide any documentation showing they are protecting the sanctity of the vote, all while rushing to complete their sham audit.
"We are happy that the court is prioritizing voters' concerns and we look forward to being in court again tomorrow."

'Enormous Harm to Women & Doctors' — House Democrats Respond to Signing of SB1457

PHOENIX— House Democratic Leader Reginald Bolding and Judiciary Committee member Representative Melody Hernandez released the following statements regarding Gov. Ducey signing unconstitutional forced-birth legislation, Senate Bill 1457. The bill faced strong public opposition, had zero support from disability rights organizations, and provoked an unprecedented outpouring of concern from Arizona's medical community that could face jail time under the law. Despite that, Ducey sided with influential far-right religious activists and a slim Republican majority in the House and Senate to sign one of the most extreme abortion bans in the nation.
"Arizona is a diverse, politically purple state experiencing steady economic and population growth. Signing this extreme forced-birth bill into law was a mistake that will bring enormous personal harm to Arizona women, to medical personnel and to our state's reputation and economy," said Bolding, D-Phoenix. "By criminalizing reproductive healthcare, Governor Ducey and every Republican member of the legislature have sent the message to the rest of the country and to the world that women are not respected or valued, and that they and their doctors are no longer welcome in our state. At a time when women have been the hardest hit by the COVID-19 pandemic, it's disturbing and wrong that the legislature is not focusing on policies to help them, and instead is stripping away the fundamental freedom to choose if, when and how to start or grow a family."
Rep. Hernandez, a paramedic from Tempe who has shared her personal story of performing her own abortion, added, "Had Senate Bill 1457 been law when I had an abortion using a prescribed pill, I would have run the risk of criminal prosecution. In addition to being a woman in the crosshairs of this law, I am an emergency medical services healthcare provider who could also potentially face felonies. Its tentacles don't just target doctors, but any healthcare professionals who might have helped a woman in need of emergency abortion care. No stakeholder from the disability community asked for this. Republicans will use anyone as pawns in their relentless effort to waste millions in taxpayer dollars defending this blatantly unconstitutional law in court hoping that the Supreme Court will upend current precedent on this essential form of healthcare and grant a fetus more rights than the person who is pregnant."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Public Asked for Input on Candidates for Arizona Supreme Court

The Commission on Appellate Court Appointments is asking for public comment on 11 candidates for an opening on the Arizona Supreme Court.

The candidates are:

- Cynthia J. Bailey
- Sean E. Brearcliffe
- David J. Euchner
- Randall M. Howe
- Kathryn H. King
- Jennifer M. Perkins
- Adele G. Ponce
- Carrie P. Ryerson
- Patricia A. Starr
- Lacey A. Stover Gard
- David D. Weinzweig

Their applications for the office can be viewed online at the Commission's website http://azcourts.gov/jnc.

The Commission will meet to interview the candidates on May 17, 2021. The meeting will be held in room 101 of the Arizona State Courts Building, 1501 W. Washington, Phoenix, AZ 85007, starting at 9:00 a.m. The interview agenda will be posted on the Commission's website at least 7 days prior to the meeting.

Citizens may address the Commission on the day of the meeting or send written comments to jnc@courts.az.gov or to 1501 W. Washington, Suite 221, Phoenix, AZ 85007. It is not necessary to submit multiple copies of written comments, and email is preferred. Comments must be received no later than May 13, 2021 to be considered. Anonymous comments cannot be considered.

After the interviews, the Commission will recommend at least three nominees for the opening to Governor Doug Ducey, who will appoint the new justice.

Governor Ducey Appoints Representative Bolick to the Arizona Juvenile Justice Commission

STATE CAPITOL, PHOENIX – It was announced today that State Representative Shawnna LM Bolick (R-20) was appointed by Governor Doug Ducey to serve on the Arizona Juvenile Justice Commission (AJJC).

"We need to restore our youth and safeguard Arizona's future," said Representative Bolick. **"Success begins with an emphasis and steadfast focus on reducing the recidivism of juveniles who have offended."**

AJJC members work to develop effective initiatives that reduce juvenile delinquency and promote public safety. Commission members are also responsible for supervising the state's compliance with the Juvenile Justice and Delinquency Prevention Act and serves as the State Council for Interstate Juvenile Supervision as required by ARS § 8-361.

"I passionately believe in harnessing the power of effective partnerships and programming to help prevent delinquency and improve public safety in the juvenile justice system," Bolick stated. **"Education and early intervention are essential in guiding our kids in a positive life direction and reducing recidivism."**

Over the years, Bolick has maintained a keen focus on improving the criminal justice system and reforms that would help keep juveniles on a path toward success. In the Arizona House of Representatives, Bolick currently serves as Vice Chair of the Committee on Criminal Justice Reform and has toured public correctional facilities to see firsthand the array of programming taking place in our public prisons and reentry centers.

In 2019, Governor Ducey appointed Representative Bolick to serve on the Justice for Victims of Child Sexual Abuse Task Force. In 2015, she was appointed to Arizona's Early Childhood Education and Health Board (First Things First).

Additionally, Bolick has proudly served in many non-profit advisory roles over the years, including as a current board member to her children's elementary school, Benchmark School; a past school board member for BASIS Scottsdale's advisory board; and as a former Director to BASIS Texas Schools, Inc. Governing Board. With her strong interest in our state's academic standards, she is also a past member to the Arizona State Board of Education's Academic Standards Development Committee as a public high school parent.

Bolick will attend AJJC's next meeting, which will take place on Thursday, May 6, 2021.

Update on election audit in Maricopa County

WHAT: Reporters will receive a briefing on the ongoing Maricopa County 2020 election audit

WHO: Ken Bennett
Audit Liaison

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003360

ARZN_REV00069114_4-27-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHEN: 5 p.m. today
WHERE: Outside State Senate Building

Representative Nguyen & House Republicans Take Action to Protect Arizona Firearms Businesses from Federal Assault on 2nd Amendment

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today passed an amendment, sponsored by State Representative Quang Nguyen (R-1), that extends liability protections to firearms manufacturers if their products were used unlawfully or in the commission of a crime. The floor amendment was successfully added to SB 1382, legislation sponsored by State Senator Wendy Rogers (R-6) that would deem firearms businesses as "essential" during a state of emergency.

"After witnessing sustained social unrest across the nation and the mounting campaign by the Biden/Harris administration and empowered Left in Congress to undermine the Second Amendment with a radical laundry list of executive and legislative actions, I recognized that now is the time to act in Arizona to ensure that businesses operating in our state are protected," said Representative Nguyen. "**Washington politicians may claim to support the Second Amendment, but their actions show otherwise as they move to dismantle the firearms industry and radically restrict the rights of law-abiding American citizens. We won't let that happen in Arizona."**

Nguyen's amendment prohibits a civil action from being brought against a manufacturer or seller of a firearm or ammunition for damages resulting from the criminal misuse of the firearm or ammunition, except in specified circumstances. It also requires the awarding of attorney fees and costs to the prevailing party in civil actions brought against the businesses.

The amended bill passed the House with all 31 Republican members, and no Democrat members, voting in favor of the bill to protect businesses in the state. It must be returned to the state Senate for final passage before it can be sent to the governor.

Congressman Biggs Sends Letter to Biden Administration Calling for the Suspension of John Kerry's Security Clearance

Today, Congressman Andy Biggs sent a letter to the Biden Administration to immediately suspend Special Envoy John Kerry's security clearance and prevent him from participating in any classified briefings until the full nature of his interactions with Iran are investigated. You can view the letter here.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Some of the media that are out there are trying to connect this with Stop the Steal and QAnon and all those things, which has never been the situation."

- ***Fann, on her auditing team, which includes Stop the Steal supporter and QAnon conspiracy-peddler Doug Logan***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003362

ARZN_REV00069114_4-27-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, April 28, 2021 6:18:32 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-28-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 28, 2021

THE CHINESE COMMUNIST PARTY IS PAYING – PROVE US WRONG
Ken Bennett told reporters during a brief press conference yesterday that he is doing everything he can to make sure all donations the audit receives will flow through the Senate and be publicly disclosed – but so far, that amounts to doing nothing.
TWO CIRCUSES – ONE MADHOUSE
The number of ballots the audit has counted so far is unclear, as Bennett offered a confusing answer to that question yesterday, leaving it open to interpretation whether they had counted 50,000 or 100,000 ballots.
A RARE WIN FOR THE PRESS AND THE PUBLIC
The Senate's audit will continue and the public will get to see the Cyber

AMERICAN OVERSIGHT

Ninjas' internal policies and procedures for handling ballots after Maricopa County Superior Court Judge Daniel Martin ruled today that legislative privilege doesn't shield those documents from disclosure.

DON'T YOU DARE SHUT THIS DOWN, IT'S FILLING YELLOW SHEET

Martin was less convinced that the audit needs to come to an immediate halt as the two sides fight in court, and declined to issue a temporary restraining order to stop the recount.

GOOD LAWYERS ARE HARD TO FIND

The court hearing kicked off with some odd news – Cyber Ninjas dropped attorney Alex Kolodin last night in favor of Wilenchik & Bartness' Jordan Wolff, who asked the court to delay the hearing or keep Kolodin for the day, saying he wasn't ready to take on the case.

WHEN THEY SAY STAFF RUNS CORP COMM, THEY AIN'T KIDDING

Maren Mahoney, an attorney and Sandra Kennedy's senior policy advisor at Corp Comm, filed her statement of interest to run for the Commission in 2022 and told our reporter she plans to run as a team with Kennedy.

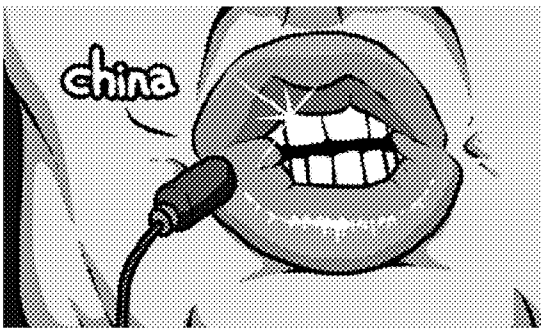
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, April 28, 2021

NEWS NOTES AND GOSSIP

THE CHINESE COMMUNIST PARTY IS PAYING – PROVE US WRONG



Ken Bennett told reporters during a brief press conference yesterday that he is doing everything he can to make sure all donations the audit receives will flow through the Senate and be publicly disclosed – but so far, that amounts to doing nothing. "I'm fighting to make sure that the full amount is transparent to the public, and actually runs through the Senate," Bennett said. "I am going to fight with every ounce of breath I have to make sure that all of that money goes through the Arizona Senate and is publicly disclosed." However, according to Legislative Council, the body that would actually accept any "gifts" the Senate receives (YS, 4/14), not a single person has asked about the possibility of setting up a service to receive these donations. Mike Braun, the executive director, told our reporter we're the only ones who have even broached the topic to him. "I haven't had any communications with anybody about setting that up," Braun said. He added that this isn't one of those times where "the answer is no, but the check will be here by two o'clock." "Nobody's ever talked to us about setting it up or doing it, or what the requirements would be," Braun said. Bennett yesterday didn't answer reporters' questions about whether Trump was sending money to back the audit, and offered an odd response on whether MyPillow CEO Mike Lindell was donating his money. Bennett quickly said "no," but when asked how he knows for sure, he responded by asking reporters whether they knew that Lindell was funding it. (We don't – that's the point.) While simultaneously claiming the money would become public, Bennett plugged a 501(c)(4) organization fundraising for the audit, directing people to its website to donate during yesterday's press conference. He said the source of the nonprofit's funding will "get disclosed … when all the 501(c)(4) contributors get disclosed." That might be a while, considering 501(c)(4) organizations are "dark money" nonprofits that aren't required to disclose donors (LINK).

TWO CIRCUSES – ONE MADHOUSE

The number of ballots the audit has counted so far is unclear, as Bennett offered a confusing answer to that question yesterday, leaving it open to interpretation whether they had counted 50,000 or 100,000 ballots. Taking either number, the groups in charge are nowhere near the pace needed to count through roughly 2.1 million ballots before May 14. (Even before then, the ongoing circus of this audit will turn into a literal circus, as the "Crazy Times Carnival" will take over parts of the fairgrounds, though not the actual Coliseum, which is booked for graduations starting May 17. And yes, the jokes write themselves on that one.) If we generously assume auditors hit the 100,000 threshold after working on Friday, Saturday, Monday and Tuesday, then that would put the daily average around 25,000 ballots. (Bennett confirmed that auditors took Sunday off, and will apparently continue to do so.) That leaves 15 more days, including today, to count ballots. To hand-count the entire 2.1 million, auditors would need to ramp up their speed considerably and count around 133,000 ballots per day. Bennett said he's confident they will finish before time expires on the venue. "We're on track to get the job done in the time that we have," he said. He also said that auditors could start working four shifts per day in the future. At the current pace of 25,000 per day, it would take them another 80 workdays to complete. Even if they doubled the number of shifts per day to four, and cranked through twice as many ballots, they'd only be counting 50,000 per day, far short of the 133,000 ballots per day needed to finish on time.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003365

ARZN_REV00069118_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A RARE WIN FOR THE PRESS AND THE PUBLIC

The Senate's audit will continue and the public will get to see the Cyber Ninjas' internal policies and procedures for handling ballots after Maricopa County Superior Court Judge Daniel Martin ruled today that legislative privilege doesn't shield those documents from disclosure. The Senate's attorney Kory Langhofer had argued that the documents must be shielded from public view, in part, because reporters would use them to make the Senate look bad. "Candidly, if we produce all of our documents, they will not be treated fairly by opposing counsel and we think, my clients think, by the press," he said. (Of course, that a public record may make the Senate look bad is not a justifiable reason to shield them from public view. Arizona's public record law does have a broad exemption from disclosing public records that would be harmful to the best interests of the state, but courts have explicitly ruled that "the cloak of confidentiality may not be used, however, to save an officer or public body from inconvenience or embarrassment" (LINK).) Langhofer argued the Senate would promise under oath that its policies are good – and its promise should be good enough. But Martin didn't buy that or the heart of his argument, which was that the legislative privilege doctrine shields the documents from disclosure because they're are an integral part of legislative deliberation. And even though Cyber Ninjas created the documents, privilege extends to third-party groups acting on the Senate's behalf, Langhofer argued. But attorneys for the press and Democrats argued that the claims that none of these documents are public are absurd and in line with Fann's whole approach to the audit. "If I had to briefly describe the response of President Fann and the other defendant to this litigation that seeks nothing more than transparency in a process that exposes 2.1 million voted ballots, hundreds of voting machines and the personal information of Maricopa County voters to an audit being run by a known conspiracy theorist, five words would cover it: how dare you even ask," Andy Gaona, attorney for the state Democratic Party, said. Ultimately, Martin sided with transparency, saying the documents are not covered by legislative privilege, and specifically, legislative privilege doesn't apply to third parties. He gave Langhofer until 5 pm to file an appeal, saying if he declines, the documents will become public at noon tomorrow.

DON'T YOU DARE SHUT THIS DOWN, IT'S FILLING YELLOW SHEET

Martin was less convinced that the audit needs to come to an immediate halt as the two sides fight in court, and declined to issue a temporary restraining order to stop the recount. He said while the plaintiffs "may" win in court, their augments didn't amount to a "strong likelihood" that they will succeed, as is required to obtain a TRO. He noted that some of the problems that Democrats have raised with the audit – including the blue pens – have already been solved, while other arguments from the Democrats were unpersuasive. Some of the Democrats' complaints contain "instances of concerning conduct," and questions about whether the audit complies with the law and best practices, Martin said. "But [the complaints contain] no substantive evidence of breaches or threatened breaches of voter privacy," he said. (Democratic Party attorney Roopali Desai argued that without seeing the documents outlining their policies and procedures, it's hard to say which laws the auditors are violating.) Martin pointed to claims by Democrats that the audit will include door-to-door "interrogations" of voters, but provided no evidence that's happening. (Bennett and others have said those doorknockers will only ask whether a person voted, not interrogate them about their votes.) "Further all of that record must be weighed against the Senate's constitutional authority to conduct the audit," and the disruption a pause would cause, Martin said. Finally, Martin told the two sides to figure out how to get Hobbs and other elections experts to view the audit procedures in-person at the Coliseum, saying if they don't work out a deal by 5 pm, he'll probably bring everyone back to court.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003366
ARZN_REV00069118_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GOOD LAWYERS ARE HARD TO FIND

The court hearing kicked off with some odd news – Cyber Ninjas dropped attorney Alex Kolodin last night in favor of Wilenchik & Bartness' Jordan Wolff, who asked the court to delay the hearing or keep Kolodin for the day, saying he wasn't ready to take on the case. The judge wasn't having it – he denied the attempt to delay and accepted the change of attorneys and told Wolff to make do. "If you're not prepared to argue today, that is going to put your client in a difficult position but that is the circumstance in which we find ourselves," he said. Kolodin repeatedly asked for a private meeting with the judge to explain why he was so suddenly dropped from the case, but Martin wasn't having that either. The change in lawyers was surprising, but not totally shocking given Kolodin's bumbling performance at yesterday's hearing, during which the judge showed little patience for him, repeatedly cutting him short. Kolodin at one point argued the court shouldn't stop the audit because people are working really hard on it, noting that one of the subcontractors has been working such long hours without food or sleep that he "passed out on the floor." That set up Arizona Democratic Party Attorney Roopali Desai for a good dunk when talking about the training and qualifications of auditors. "Mr. Kolodin is admitting that the workers are sleep-deprived and rushing to meet an artificial deadline," she said. "That, your honor, does not instill confidence." True to his word, Wolff was not prepared to argue the case today, and passed at every opportunity to weigh in on behalf of Cyber Ninjas.

WHEN THEY SAY STAFF RUNS CORP COMM, THEY AIN'T KIDDING

Maren Mahoney, an attorney and Sandra Kennedy's senior policy advisor at Corp Comm, filed her statement of interest to run for the Commission in 2022 and told our reporter she plans to run as a team with Kennedy. The next election will see Kennedy and Republican Commissioner Justin Olson's seats up, with the other three commissioners serving through 2024. Neither Olson nor Kennedy has filed to run again, and neither has announced plans for their future. But Mahoney told our reporter that she and her current boss will run together. And she might not be the only Corp Comm employee running. Another notable name who has filed a statement of interest for Corp Comm is failed 2020 candidate Nick Myers. After he was thrown off the 2020 ballot for insufficient signatures, Olson hired him to replace Parker as his deputy policy advisor when she was elected to the Legislature. Olson's future plans are unclear, but he's been rumored to be thinking about giving a run for Congress another try if Biggs runs for the US Senate.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003367

ARZN_REV00069118_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Controversial abortion bill signed into law
Arizona Capitol Times
Arizona Gov. Doug Ducey on Thursday signed the state's most far-reaching anti-abortion measure in years, criminalizing providing abortions sought because of a genetic abnormality.

Media to get day in court over Senate election audit
Capitol Media Services
A judge on Tuesday said he has yet to be convinced that the rights of Maricopa County voters are being protected in the audit being conducted at the demand of the state Senate.

Photos: Protestors disrupt Vail School District Board of Governors meeting
Arizona Daily Star
A couple of hundred, most not wearing masks after entering the Vail Education Center, derailed the Board of Governors meeting Tuesday April 27th.

American Rescue Plan offers new federal aid to small businesses; Flagstaff seminar set for Thursday
Arizona Daily Sun
Local restaurants that have been hit hard by the COVID crisis have new opportunities for federal assistance.

Get ready for a busy year fighting wildfires, experts in Arizona warn
Cronkite News
Arizona already has seen a few fires this year, and experts say the state is likely to experience another major year for wildfires.

MPS changing policy on masks in phases
East Valley Tribune
The day Gov. Ducey rescinded his order requiring masks in school, Dr. Andi Fourlis, superintendent of the Mesa Public Schools district, sent an email to MPS families stressing no changes were expected at the district.

QAnon talk show says Finchem to be guest
Maricopa Monitor
Oro Valley Republican state legislator and secretary of state candidate Mark Finchem is scheduled to appear on a popular far-right QAnon talk show in May.

NUSD staff to receive $3,000 bonuses
Nogales International
Nogales Unified School District employees will see a $3,000 bonus hit their bank accounts next month, after student enrollment withstood the effects of the pandemic better than had been expected.

Mohave County seeks $200K from state to prevent future wildfires
Today's News-Herald
The Mohave County Board of Supervisors is seeking state funding to prevent future wildfires from occurring again in the Hualapai Mountains.

Ducey Signs Controversial Bill That Threatens Abortion Doctors With Jail Time
Phoenix New Times
Governor Doug Ducey signed a sweeping and controversial piece of anti-abortion legislation today that criminalizes certain abortions and threatens abortion doctors with jail time.

Judge rejects call for secret election audit hearing from auditors, Senate Republicans
Arizona Mirror
A Wednesday court hearing to determine whether election auditors hired by Arizona Senate Republicans can shield the policies and procedures guiding their work from the public will take place in open court after a judge on Tuesday rejected an attempt by the auditors and Republicans to bar the press and the public from the court.

Redistricting commission will give mapping consultants time to respond to comments, criticism

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003368
ARZN_REV00069118_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Mirror
Before the Arizona Independent Redistricting Commission chooses the mapping consultant that will help turn its proposed district boundaries into reality, it wants to give the three finalists an opportunity to respond to the criticism that's been leveled at them.

Gannett underpays women and women of color: union study
The Hill
Media corporation Gannett pays women, especially women of color, significantly less than their male white counterparts, according to a study from the union the NewsGuild, Communication Workers of America.

Arizona no longer requiring appointments at vaccine sites
The Hill
Arizona's Department of Health Services announced on Tuesday that the state will no longer require appointments at state-run COVID-19 vaccination centers.

Sinema at center of filibuster storm in Arizona
The Hill
As arts patrons strolling around a First Friday walked through downtown Phoenix in early March, they passed a giant projection cast against a building: "Tell Kyrsten Sinema, End The Filibuster."

Judge has doubts on voter privacy in new Arizona recount
Politico
A judge hearing a challenge to voter privacy policies during the Republican-controlled Arizona Senate's recount of 2.1 million 2020 election ballots in the county that includes metro Phoenix said Tuesday he is not convinced voter secrecy is being upheld.

Interstate water wars are heating up along with the climate
Arizona Mirror (Opinion, Robert Glennon)
Interstate water disputes are as American as apple pie. States often think a neighboring state is using more than its fair share from a river, lake or aquifer that crosses borders.

Donald Trump is turning Arizona into the Area 51 of politics
Arizona Republic (Opinion, Laurie Roberts)
Since Friday the one-term president has sent out no fewer than seven statements about Arizona's election audit, each one a bit more bizarre.

Miss a payment? New rules could keep your power on, especially when it's hot
Arizona Republic (Op-ed, Abhay Padgaonkar)
It took two years, but the Arizona Corporation Commission has proposed rules to protect at-risk customers from dangerous electricity shutoffs.

The real crisis along the US-Mexico border
Washington Post (Opinion, Fernanda Santos)
There's a crisis along the U.S.-Mexico border, but it isn't the crisis that the media has been covering.

Arizona's Second Amendment Freedom Act meets toothless gun laws
Today's News-Herald (Opinion, Editorial Board)
The Second Amendment is about to get a big test before the U.S. Supreme Court. Meanwhile, recent legislation adopted in Arizona to uphold the Second Amendment will get a test of its own as the Biden Administration seeks to turn the screws on America's gun laws.

PRESS RELEASES

Governor Ducey Calls On Department Of Defense To Promptly Address Groundwater Contamination In Arizona

PHOENIX (April 28, 2021) — Governor Doug Ducey is calling on the U.S. Department of Defense to take prompt action to address Pentagon-related groundwater contamination near Arizona's military installations.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

In an April 27 letter to Secretary of Defense Lloyd Austin, Governor Ducey requested DOD to identify and treat water in Arizona contaminated in the areas surrounding four DOD installations and to prevent additional human exposure to PFAS from other DOD facilities in Arizona.
The four installations with known PFAS impacts to groundwater—Luke Air Force Base, Davis-Monthan Air Force Base, Morris Air National Guard Base and the former Williams Air Force Base—are located in the two most populous metropolitan areas in Arizona, and each is surrounded by businesses and residential communities where thousands of Arizonans live, work and rely on clean groundwater for drinking.
The water is contaminated by per- and polyfluoroalkyl substances (PFAS).
"Ensuring that all Arizonans have the cleanest possible drinking water from public water systems today and for our future is critical for our health and well-being and a top priority of our state," said Governor Ducey. "The situation in Arizona deserves attention. Arizona, through the Arizona Department of Environmental Quality, is acting to contain the spread of PFAS now, and I ask you to make a similar commitment on behalf of DOD for prompt remedial actions to address the DOD-related PFAS contamination of groundwater throughout Arizona and protect the health and safety of Arizonans."

- The drinking water supply for 4,000 people within the Valley Utilities Water Company service area near Luke Air Force Base in Glendale has been impacted by PFAS and the Arizona Department of Environmental Quality (ADEQ) has identified 10 additional public water systems serving groundwater to 45,000 people within a 4-mile radius of Luke Air Force Base that are at risk | View details >
- In Tucson, the City has had to shut-off 18 production wells impacted by PFAS. ADEQ is currently conducting an accelerated investigation and designing an early response action north of Davis-Monthan Air Force Base to protect Tucson Water's central wellfield, which serves as a primary drinking water source for Tucson | View Details >
- Areas surrounding former Williams Air Force Base and other installations across the state are either still being assessed or need to be assessed for PFAS impacts. What is known related to Williams Air Force Base is that approximately 12 percent of Mesa's water supply is sourced from groundwater in the area.

To prevent additional human exposure to PFAS, Governor Ducey requested the following of DOD:

1. Share PFAS data related to Arizona installations to help determine the extent of PFAS impacts.
2. Develop a preliminary conceptual site model for each DOD facility based on available groundwater, geological and facility data.
3. Estimate a preliminary time range for when DOD-related PFAS plumes may reach public drinking water systems.
4. Conduct accelerated remedial investigations with the primary purpose of designing early response actions to stop the PFAS plumes.
5. Design and install early response actions to protect public drinking water systems at risk from DOD-related PFAS.

PFAS are a group of man-made chemicals with fire-retardant properties that have been manufactured and used by a variety of industries since 1940. PFAS can migrate into soil, water and air during manufacture and use of products containing PFAS and do not break down, so they remain in the environment and can impact groundwater and drinking water sources. Because of their widespread use and persistence, PFAS can build up in people and animals with repeated exposure over time. Most industries have been phasing out the use of PFAS since the early 2000s. There is a growing body of scientific evidence linking PFAS exposure to adverse health effects. A significant PFAS human exposure pathway is drinking municipal or well water with PFAS levels higher than the U.S. Environmental Protection Agency lifetime Health Advisory Level.
View Governor Ducey's Letter to the Secretary of Defense HERE >
To learn more about PFAS, please visit: PFAS Resources >

AFL-CIO Launches Arizona Ad Campaign Boosting the PRO Act

(Washington, D.C., April 28, 2021)—The AFL-CIO launched a major, bilingual ad campaign in Arizona this week, airing statewide television and radio ads promoting the Protecting the Right to Organize (PRO) Act. The advertising campaign is aligned with a national week of action, from April 26 to May 1, mobilizing working people to demand Senate passage of the landmark worker rights bill.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003370
ARZN_REV00069118_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"We're taking nothing for granted," said AFL-CIO spokesperson Evangelina Hernandez. "The PRO Act is a once-in-a-generation opportunity to give working people a stronger voice on the job. We're making sure the Senate hears us loud and clear by reminding Arizonans of what they already know: It shouldn't be this hard just to get by."
The radio ads feature English- and Spanish-language personal testimonials from Painters and Allied Trades (IUPAT) member Juan Padilla. The TV ads can be viewed below.
WATCH: "Build" (in Spanish)
WATCH: "Here's Why"

PRESS ADVISORY: Arizona Democratic Leaders React to Biden's Address and Highlight Successes of His First 100 Days

PHOENIX — On Thursday, April 29th at 10:30 am PDT, Arizona Democratic leaders will join a press call a day after President Joe Biden's address to the nation. They will talk about how President Biden's policies have supported Arizona's recovery after the COVID-19 pandemic and former President Trump's mismanagement of our country's response.
During the call, **Mayors Kate Gallego and Regina Romero** will talk about how their cities have been affected by the pandemic and how President Biden's stimulus package will help the residents of Phoenix and Tucson. They will also discuss how the proposed infrastructure and jobs plan will be a boon for Arizona's largest cities. They will be joined by **Superintendent Kathy Hoffman** to speak to how federal dollars have bolstered and expanded education programs for Arizona students.
The press call will be conducted via Zoom webinar. Click here to RSVP.
WHAT: Press call on how Biden Administration policies will help Arizona get #BackOnTrack.
WHEN: Thursday, April 29, 2021, at 10:30 am – 11:00 am PDT
WHO:

- Phoenix Mayor Kate Gallego
- Tucson Mayor Regina Romero
- Arizona Superintendent Kathy Hoffman

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the press call. There will be time for Q&A.

"I am going to fight with every ounce of breath I have to make sure that all of that money goes through the Arizona Senate and is publicly disclosed."

- ***Ken Bennett, on the audit's funding***

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003371
ARZN_REV00069118_4-28-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, April 29, 2021 8:50:47 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-28-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 29, 2021

IT'S NOT TRANSPARENCY IF THE COURT FORCES YOU TO DO IT
Shortly before today's noon deadline to release audit procedures or appeal to a higher judge, Cyber Ninjas published links to three documents – one appears to be plagiarized from the Department of Justice and one appears to have been created yesterday.

CAN SOMEONE HOLD THESE POLICIES UP TO UV LIGHT PLEASE?
One of our own eagle-eyed readers noted a marked similarity between the 40-page CyFIR Digital Evidence Policies and Procedures Manual and a nearly

AMERICAN OVERSIGHT

identical document published by the US Department of Justice in May 2020.

A FURNITURE CEO, A RUSSIAN SPY AND KEN BENNETT
Ken Bennett directed auditor donors to a website Tuesday of a "dark money" nonprofit – run by a former furniture CEO and conspiracy theorist who was in a relationship with a Russian spy – that is hoping to raise nearly $3 million for the audit.

HOW COULD THIS POSSIBLY HAPPEN?
A Hernandez tested positive for Covid months after being fully vaccinated, but just days after an unmasked party vacation with friends and colleagues down in Puerto Peñasco, Mexico.

WE'RE STARTING AN OFFICE POOL
The latest rumor in the never-ending speculation about whether Brnovich will run for governor or US Senate is that he has hired former Trump campaign manager Bill Stepien.

TEARING DOWN THE HOUSE THAT POWER BUILT
Still, the Republican said Brnovich hasn't pulled his toes out of the gubernatorial race just yet, and would have a strong path to victory, despite having made enemies of much of the political class.

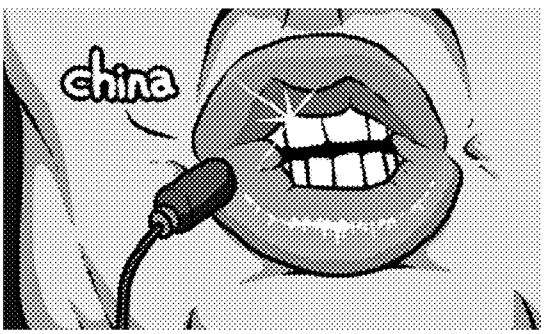
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, April 28, 2021

NEWS NOTES AND GOSSIP

THE CHINESE COMMUNIST PARTY IS PAYING – PROVE US WRONG



Ken Bennett told reporters during a brief press conference yesterday that he is doing everything he can to make sure all donations the audit receives will flow through the Senate and be publicly disclosed – but so far, that amounts to doing nothing. "I'm fighting to make sure that the full amount is transparent to the public, and actually runs through the Senate," Bennett said. "I am going to fight with every ounce of breath I have to make sure that all of that money goes through the Arizona Senate and is publicly disclosed." However, according to Legislative Council, the body that would actually accept any "gifts" the Senate receives (YS, 4/14), not a single person has asked about the possibility of setting up a service to receive these donations. Mike Braun, the executive director, told our reporter we're the only ones who have even broached the topic to him. "I haven't had any communications with anybody about setting that up," Braun said. He added that this isn't one of those times where "the answer is no, but the check will be here by two o'clock." "Nobody's ever talked to us about setting it up or doing it, or what the requirements would be," Braun said. Bennett yesterday didn't answer reporters' questions about whether Trump was sending money to back the audit, and offered an odd response on whether MyPillow CEO Mike Lindell was donating his money. Bennett quickly said "no," but when asked how he knows for sure, he responded by asking reporters whether they knew that Lindell was funding it. (We don't – that's the point.) While simultaneously claiming the money would become public, Bennett plugged a 501(c)(4) organization fundraising for the audit, directing people to its website to donate during yesterday's press conference. He said the source of the nonprofit's funding will "get disclosed … when all the 501(c)(4) contributors get disclosed." That might be a while, considering 501(c)(4) organizations are "dark money" nonprofits that aren't required to disclose donors (LINK).

TWO CIRCUSES – ONE MADHOUSE

The number of ballots the audit has counted so far is unclear, as Bennett offered a confusing answer to that question yesterday, leaving it open to interpretation whether they had counted 50,000 or 100,000 ballots. Taking either number, the groups in charge are nowhere near the pace needed to count through roughly 2.1 million ballots before May 14. (Even before then, the ongoing circus of this audit will turn into a literal circus, as the "Crazy Times Carnival" will take over parts of the fairgrounds, though not the actual Coliseum, which is booked for graduations starting May 17. And yes, the jokes write themselves on that one.) If we generously assume auditors hit the 100,000 threshold after working on Friday, Saturday, Monday and Tuesday, then that would put the daily average around 25,000 ballots. (Bennett confirmed that auditors took Sunday off, and will apparently continue to do so.) That leaves 15 more days, including today, to count ballots. To hand-count the entire 2.1 million, auditors would need to ramp up their speed considerably and count around 133,000 ballots per day. Bennett said he's confident they will finish before time expires on the venue. "We're on track to get the job done in the time that we have," he said. He also said that auditors could start working four shifts per day in the future. At the current pace of 25,000 per day, it would take them another 80 workdays to complete. Even if they doubled the number of shifts per day to four, and cranked through twice as many ballots, they'd only be counting 50,000 per day, far short of the 133,000 ballots per day needed to finish on time.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003374

ARZN_REV00069122_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A RARE WIN FOR THE PRESS AND THE PUBLIC

The Senate's audit will continue and the public will get to see the Cyber Ninjas' internal policies and procedures for handling ballots after Maricopa County Superior Court Judge Daniel Martin ruled today that legislative privilege doesn't shield those documents from disclosure. The Senate's attorney Kory Langhofer had argued that the documents must be shielded from public view, in part, because reporters would use them to make the Senate look bad. "Candidly, if we produce all of our documents, they will not be treated fairly by opposing counsel and we think, my clients think, by the press," he said. (Of course, that a public record may make the Senate look bad is not a justifiable reason to shield them from public view. Arizona's public record law does have a broad exemption from disclosing public records that would be harmful to the best interests of the state, but courts have explicitly ruled that "the cloak of confidentiality may not be used, however, to save an officer or public body from inconvenience or embarrassment" (LINK).) Langhofer argued the Senate would promise under oath that its policies are good – and its promise should be good enough. But Martin didn't buy that or the heart of his argument, which was that the legislative privilege doctrine shields the documents from disclosure because they're are an integral part of legislative deliberation. And even though Cyber Ninjas created the documents, privilege extends to third-party groups acting on the Senate's behalf, Langhofer argued. But attorneys for the press and Democrats argued that the claims that none of these documents are public are absurd and in line with Fann's whole approach to the audit. "If I had to briefly describe the response of President Fann and the other defendant to this litigation that seeks nothing more than transparency in a process that exposes 2.1 million voted ballots, hundreds of voting machines and the personal information of Maricopa County voters to an audit being run by a known conspiracy theorist, five words would cover it: how dare you even ask," Andy Gaona, attorney for the state Democratic Party, said. Ultimately, Martin sided with transparency, saying the documents are not covered by legislative privilege, and specifically, legislative privilege doesn't apply to third parties. He gave Langhofer until 5 pm to file an appeal, saying if he declines, the documents will become public at noon tomorrow.

DON'T YOU DARE SHUT THIS DOWN, IT'S FILLING YELLOW SHEET

Martin was less convinced that the audit needs to come to an immediate halt as the two sides fight in court, and declined to issue a temporary restraining order to stop the recount. He said while the plaintiffs "may" win in court, their augments didn't amount to a "strong likelihood" that they will succeed, as is required to obtain a TRO. He noted that some of the problems that Democrats have raised with the audit – including the blue pens – have already been solved, while other arguments from the Democrats were unpersuasive. Some of the Democrats' complaints contain "instances of concerning conduct," and questions about whether the audit complies with the law and best practices, Martin said. "But [the complaints contain] no substantive evidence of breaches or threatened breaches of voter privacy," he said. (Democratic Party attorney Roopali Desai argued that without seeing the documents outlining their policies and procedures, it's hard to say which laws the auditors are violating.) Martin pointed to claims by Democrats that the audit will include door-to-door "interrogations" of voters, but provided no evidence that's happening. (Bennett and others have said those doorknockers will only ask whether a person voted, not interrogate them about their votes.) "Further all of that record must be weighed against the Senate's constitutional authority to conduct the audit," and the disruption a pause would cause, Martin said. Finally, Martin told the two sides to figure out how to get Hobbs and other elections experts to view the audit procedures in-person at the Coliseum, saying if they don't work out a deal by 5 pm, he'll probably bring everyone back to court.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003375

ARZN_REV00069122_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GOOD LAWYERS ARE HARD TO FIND

The court hearing kicked off with some odd news – Cyber Ninjas dropped attorney Alex Kolodin last night in favor of Wilenchik & Bartness' Jordan Wolff, who asked the court to delay the hearing or keep Kolodin for the day, saying he wasn't ready to take on the case. The judge wasn't having it – he denied the attempt to delay and accepted the change of attorneys and told Wolff to make do. "If you're not prepared to argue today, that is going to put your client in a difficult position but that is the circumstance in which we find ourselves," he said. Kolodin repeatedly asked for a private meeting with the judge to explain why he was so suddenly dropped from the case, but Martin wasn't having that either. The change in lawyers was surprising, but not totally shocking given Kolodin's bumbling performance at yesterday's hearing, during which the judge showed little patience for him, repeatedly cutting him short. Kolodin at one point argued the court shouldn't stop the audit because people are working really hard on it, noting that one of the subcontractors has been working such long hours without food or sleep that he "passed out on the floor." That set up Arizona Democratic Party Attorney Roopali Desai for a good dunk when talking about the training and qualifications of auditors. "Mr. Kolodin is admitting that the workers are sleep-deprived and rushing to meet an artificial deadline," she said. "That, your honor, does not instill confidence." True to his word, Wolff was not prepared to argue the case today, and passed at every opportunity to weigh in on behalf of Cyber Ninjas.

WHEN THEY SAY STAFF RUNS CORP COMM, THEY AIN'T KIDDING

Maren Mahoney, an attorney and Sandra Kennedy's senior policy advisor at Corp Comm, filed her statement of interest to run for the Commission in 2022 and told our reporter she plans to run as a team with Kennedy. The next election will see Kennedy and Republican Commissioner Justin Olson's seats up, with the other three commissioners serving through 2024. Neither Olson nor Kennedy has filed to run again, and neither has announced plans for their future. But Mahoney told our reporter that she and her current boss will run together. And she might not be the only Corp Comm employee running. Another notable name who has filed a statement of interest for Corp Comm is failed 2020 candidate Nick Myers. After he was thrown off the 2020 ballot for insufficient signatures, Olson hired him to replace Parker as his deputy policy advisor when she was elected to the Legislature. Olson's future plans are unclear, but he's been rumored to be thinking about giving a run for Congress another try if Biggs runs for the US Senate.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003376
ARZN_REV00069122_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Controversial abortion bill signed into law
Arizona Capitol Times
Arizona Gov. Doug Ducey on Thursday signed the state's most far-reaching anti-abortion measure in years, criminalizing providing abortions sought because of a genetic abnormality.

Media to get day in court over Senate election audit
Capitol Media Services
A judge on Tuesday said he has yet to be convinced that the rights of Maricopa County voters are being protected in the audit being conducted at the demand of the state Senate.

Photos: Protestors disrupt Vail School District Board of Governors meeting
Arizona Daily Star
A couple of hundred, most not wearing masks after entering the Vail Education Center, derailed the Board of Governors meeting Tuesday April 27th.

American Rescue Plan offers new federal aid to small businesses; Flagstaff seminar set for Thursday
Arizona Daily Sun
Local restaurants that have been hit hard by the COVID crisis have new opportunities for federal assistance.

Get ready for a busy year fighting wildfires, experts in Arizona warn
Cronkite News
Arizona already has seen a few fires this year, and experts say the state is likely to experience another major year for wildfires.

MPS changing policy on masks in phases
East Valley Tribune
The day Gov. Ducey rescinded his order requiring masks in school, Dr. Andi Fourlis, superintendent of the Mesa Public Schools district, sent an email to MPS families stressing no changes were expected at the district.

QAnon talk show says Finchem to be guest
Maricopa Monitor
Oro Valley Republican state legislator and secretary of state candidate Mark Finchem is scheduled to appear on a popular far-right QAnon talk show in May.

NUSD staff to receive $3,000 bonuses
Nogales International
Nogales Unified School District employees will see a $3,000 bonus hit their bank accounts next month, after student enrollment withstood the effects of the pandemic better than had been expected.

Mohave County seeks $200K from state to prevent future wildfires
Today's News-Herald
The Mohave County Board of Supervisors is seeking state funding to prevent future wildfires from occurring again in the Hualapai Mountains.

Ducey Signs Controversial Bill That Threatens Abortion Doctors With Jail Time
Phoenix New Times
Governor Doug Ducey signed a sweeping and controversial piece of anti-abortion legislation today that criminalizes certain abortions and threatens abortion doctors with jail time.

Judge rejects call for secret election audit hearing from auditors, Senate Republicans
Arizona Mirror
A Wednesday court hearing to determine whether election auditors hired by Arizona Senate Republicans can shield the policies and procedures guiding their work from the public will take place in open court after a judge on Tuesday rejected an attempt by the auditors and Republicans to bar the press and the public from the court.

Redistricting commission will give mapping consultants time to respond to comments, criticism

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003377
ARZN_REV00069122_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Mirror
Before the Arizona Independent Redistricting Commission chooses the mapping consultant that will help turn its proposed district boundaries into reality, it wants to give the three finalists an opportunity to respond to the criticism that's been leveled at them.

Gannett underpays women and women of color: union study
The Hill
Media corporation Gannett pays women, especially women of color, significantly less than their male white counterparts, according to a study from the union the NewsGuild, Communication Workers of America.

Arizona no longer requiring appointments at vaccine sites
The Hill
Arizona's Department of Health Services announced on Tuesday that the state will no longer require appointments at state-run COVID-19 vaccination centers.

Sinema at center of filibuster storm in Arizona
The Hill
As arts patrons strolling around a First Friday walked through downtown Phoenix in early March, they passed a giant projection cast against a building: "Tell Kyrsten Sinema, End The Filibuster."

Judge has doubts on voter privacy in new Arizona recount
Politico
A judge hearing a challenge to voter privacy policies during the Republican-controlled Arizona Senate's recount of 2.1 million 2020 election ballots in the county that includes metro Phoenix said Tuesday he is not convinced voter secrecy is being upheld.

Interstate water wars are heating up along with the climate
Arizona Mirror (Opinion, Robert Glennon)
Interstate water disputes are as American as apple pie. States often think a neighboring state is using more than its fair share from a river, lake or aquifer that crosses borders.

Donald Trump is turning Arizona into the Area 51 of politics
Arizona Republic (Opinion, Laurie Roberts)
Since Friday the one-term president has sent out no fewer than seven statements about Arizona's election audit, each one a bit more bizarre.

Miss a payment? New rules could keep your power on, especially when it's hot
Arizona Republic (Op-ed, Abhay Padgaonkar)
It took two years, but the Arizona Corporation Commission has proposed rules to protect at-risk customers from dangerous electricity shutoffs.

The real crisis along the US-Mexico border
Washington Post (Opinion, Fernanda Santos)
There's a crisis along the U.S.-Mexico border, but it isn't the crisis that the media has been covering.

Arizona's Second Amendment Freedom Act meets toothless gun laws
Today's News-Herald (Opinion, Editorial Board)
The Second Amendment is about to get a big test before the U.S. Supreme Court. Meanwhile, recent legislation adopted in Arizona to uphold the Second Amendment will get a test of its own as the Biden Administration seeks to turn the screws on America's gun laws.

PRESS RELEASES

Governor Ducey Calls On Department Of Defense To Promptly Address Groundwater Contamination In Arizona

PHOENIX (April 28, 2021) — Governor Doug Ducey is calling on the U.S. Department of Defense to take prompt action to address Pentagon-related groundwater contamination near Arizona's military installations.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003378
ARZN_REV00069122_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

In an April 27 letter to Secretary of Defense Lloyd Austin, Governor Ducey requested DOD to identify and treat water in Arizona contaminated in the areas surrounding four DOD installations and to prevent additional human exposure to PFAS from other DOD facilities in Arizona.
The four installations with known PFAS impacts to groundwater—Luke Air Force Base, Davis-Monthan Air Force Base, Morris Air National Guard Base and the former Williams Air Force Base—are located in the two most populous metropolitan areas in Arizona, and each is surrounded by businesses and residential communities where thousands of Arizonans live, work and rely on clean groundwater for drinking.
The water is contaminated by per- and polyfluoroalkyl substances (PFAS).
"Ensuring that all Arizonans have the cleanest possible drinking water from public water systems today and for our future is critical for our health and well-being and a top priority of our state," said Governor Ducey. "The situation in Arizona deserves attention. Arizona, through the Arizona Department of Environmental Quality, is acting to contain the spread of PFAS now, and I ask you to make a similar commitment on behalf of DOD for prompt remedial actions to address the DOD-related PFAS contamination of groundwater throughout Arizona and protect the health and safety of Arizonans."

- The drinking water supply for 4,000 people within the Valley Utilities Water Company service area near Luke Air Force Base in Glendale has been impacted by PFAS and the Arizona Department of Environmental Quality (ADEQ) has identified 10 additional public water systems serving groundwater to 45,000 people within a 4-mile radius of Luke Air Force Base that are at risk | View details >
- In Tucson, the City has had to shut-off 18 production wells impacted by PFAS. ADEQ is currently conducting an accelerated investigation and designing an early response action north of Davis-Monthan Air Force Base to protect Tucson Water's central wellfield, which serves as a primary drinking water source for Tucson | View Details >
- Areas surrounding former Williams Air Force Base and other installations across the state are either still being assessed or need to be assessed for PFAS impacts. What is known related to Williams Air Force Base is that approximately 12 percent of Mesa's water supply is sourced from groundwater in the area.

To prevent additional human exposure to PFAS, Governor Ducey requested the following of DOD:

1. Share PFAS data related to Arizona installations to help determine the extent of PFAS impacts.
2. Develop a preliminary conceptual site model for each DOD facility based on available groundwater, geological and facility data.
3. Estimate a preliminary time range for when DOD-related PFAS plumes may reach public drinking water systems.
4. Conduct accelerated remedial investigations with the primary purpose of designing early response actions to stop the PFAS plumes.
5. Design and install early response actions to protect public drinking water systems at risk from DOD-related PFAS.

PFAS are a group of man-made chemicals with fire-retardant properties that have been manufactured and used by a variety of industries since 1940. PFAS can migrate into soil, water and air during manufacture and use of products containing PFAS and do not break down, so they remain in the environment and can impact groundwater and drinking water sources. Because of their widespread use and persistence, PFAS can build up in people and animals with repeated exposure over time. Most industries have been phasing out the use of PFAS since the early 2000s. There is a growing body of scientific evidence linking PFAS exposure to adverse health effects. A significant PFAS human exposure pathway is drinking municipal or well water with PFAS levels higher than the U.S. Environmental Protection Agency lifetime Health Advisory Level.
View Governor Ducey's Letter to the Secretary of Defense HERE >
To learn more about PFAS, please visit: PFAS Resources >

AFL-CIO Launches Arizona Ad Campaign Boosting the PRO Act

(Washington, D.C., April 28, 2021)—The AFL-CIO launched a major, bilingual ad campaign in Arizona this week, airing statewide television and radio ads promoting the Protecting the Right to Organize (PRO) Act. The advertising campaign is aligned with a national week of action, from April 26 to May 1, mobilizing working people to demand Senate passage of the landmark worker rights bill.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003379
ARZN_REV00069122_4-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"We're taking nothing for granted," said AFL-CIO spokesperson Evangelina Hernandez. "The PRO Act is a once-in-a-generation opportunity to give working people a stronger voice on the job. We're making sure the Senate hears us loud and clear by reminding Arizonans of what they already know: It shouldn't be this hard just to get by."
The radio ads feature English- and Spanish-language personal testimonials from Painters and Allied Trades (IUPAT) member Juan Padilla. The TV ads can be viewed below.
WATCH: "Build" (in Spanish)
WATCH: "Here's Why"

PRESS ADVISORY: Arizona Democratic Leaders React to Biden's Address and Highlight Successes of His First 100 Days

PHOENIX — On Thursday, April 29th at 10:30 am PDT, Arizona Democratic leaders will join a press call a day after President Joe Biden's address to the nation. They will talk about how President Biden's policies have supported Arizona's recovery after the COVID-19 pandemic and former President Trump's mismanagement of our country's response.
During the call, **Mayors Kate Gallego and Regina Romero** will talk about how their cities have been affected by the pandemic and how President Biden's stimulus package will help the residents of Phoenix and Tucson. They will also discuss how the proposed infrastructure and jobs plan will be a boon for Arizona's largest cities. They will be joined by **Superintendent Kathy Hoffman** to speak to how federal dollars have bolstered and expanded education programs for Arizona students.
The press call will be conducted via Zoom webinar. Click here to RSVP.
WHAT: Press call on how Biden Administration policies will help Arizona get #BackOnTrack.
WHEN: Thursday, April 29, 2021, at 10:30 am – 11:00 am PDT
WHO:

- Phoenix Mayor Kate Gallego
- Tucson Mayor Regina Romero
- Arizona Superintendent Kathy Hoffman

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the press call. There will be time for Q&A.

"QUOTE OF THE DAY"

"I am going to fight with every ounce of breath I have to make sure that all of that money goes through the Arizona Senate and is publicly disclosed."

- ***Ken Bennett, on the audit's funding***

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003380
ARZN_REV00069122_4-28-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, April 29, 2021 8:52:47 PM
Recipient: Josselyn Berry <JBerry@azleg.gov>
Subject: Re: In Today's Yellow Sheet

You sent April 28th YS not today's

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

On Apr 29, 2021, at 6:59 PM, Josselyn Berry <JBerry@azleg.gov> wrote:

About Contact

In Today's Yellow Sheet April 29, 2021

IT'S NOT TRANSPARENCY IF THE COURT FORCES YOU TO DO IT
Shortly before today's noon deadline to release audit procedures or appeal to a higher judge, Cyber Ninjas published links to three documents – one appears to be plagiarized from the Department of Justice and one appears to have been created yesterday.

CAN SOMEONE HOLD THESE POLICIES UP TO UV LIGHT PLEASE?
One of our own eagle-eyed readers noted a marked similarity between the 40-page CyFIR Digital Evidence Policies and Procedures Manual and a nearly identical document published by the US Department of Justice in May 2020.

A FURNITURE CEO, A RUSSIAN SPY AND KEN BENNETT
Ken Bennett directed auditor donors to a website Tuesday of a "dark money"

AMERICAN OVERSIGHT

nonprofit – run by a former furniture CEO and conspiracy theorist who was in a relationship with a Russian spy – that is hoping to raise nearly $3 million for the audit.

HOW COULD THIS POSSIBLY HAPPEN?
A Hernandez tested positive for Covid months after being fully vaccinated, but just days after an unmasked party vacation with friends and colleagues down in Puerto Peñasco, Mexico.

WE'RE STARTING AN OFFICE POOL
The latest rumor in the never-ending speculation about whether Brnovich will run for governor or US Senate is that he has hired former Trump campaign manager Bill Stepien.

TEARING DOWN THE HOUSE THAT POWER BUILT
Still, the Republican said Brnovich hasn't pulled his toes out of the gubernatorial race just yet, and would have a strong path to victory, despite having made enemies of much of the political class.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

<4-28-21.pdf>

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, April 29, 2021 8:56:47 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Re: In Today's Yellow Sheet

I just realized that. I will ask for today's

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

On Apr 29, 2021, at 8:56 PM, Arturo Gabaldon <arturo@communitywater.com> wrote:

This was yesterdays yellow sheet

Arturo
Phone 520-428-2637

From: Rosanna Gabaldon <rgabaldon@azleg.gov>
Sent: Thursday, April 29, 2021 8:51 PM
To: Arturo Gabaldon <Arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

AMERICAN OVERSIGHT

Begin forwarded message:

About Contact

In Today's Yellow Sheet April 29, 2021

IT'S NOT TRANSPARENCY IF THE COURT FORCES YOU TO DO IT
Shortly before today's noon deadline to release audit procedures or appeal to a higher judge, Cyber Ninjas published links to three documents – one appears to be plagiarized from the Department of Justice and one appears to have been created yesterday.

CAN SOMEONE HOLD THESE POLICIES UP TO UV LIGHT PLEASE?
One of our own eagle-eyed readers noted a marked similarity between the 40-page CyFIR Digital Evidence Policies and Procedures Manual and a nearly identical document published by the US Department of Justice in May 2020.

A FURNITURE CEO, A RUSSIAN SPY AND KEN BENNETT
Ken Bennett directed auditor donors to a website Tuesday of a "dark money" nonprofit – run by a former furniture CEO and conspiracy theorist who was in a relationship with a Russian spy – that is hoping to raise nearly $3 million for the audit.

HOW COULD THIS POSSIBLY HAPPEN?
A Hernandez tested positive for Covid months after being fully vaccinated, but just days after an unmasked party vacation with friends and colleagues down in Puerto Peñasco, Mexico.

WE'RE STARTING AN OFFICE POOL
The latest rumor in the never-ending speculation about whether Brnovich will run for governor or US Senate is that he has hired former Trump campaign manager Bill Stepien.

TEARING DOWN THE HOUSE THAT POWER BUILT
Still, the Republican said Brnovich hasn't pulled his toes out of the gubernatorial race just yet, and would have a strong path to victory, despite having made enemies of much of the political class.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, April 30, 2021 10:16:49 AM
Recipient: 'Arturo Gabaldon' <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 4-29-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet April 29, 2021

IT'S NOT TRANSPARENCY IF THE COURT FORCES YOU TO DO IT
Shortly before today's noon deadline to release audit procedures or appeal to a higher judge, Cyber Ninjas published links to three documents – one appears to be plagiarized from the Department of Justice and one appears to have been created yesterday.

CAN SOMEONE HOLD THESE POLICIES UP TO UV LIGHT PLEASE?
One of our own eagle-eyed readers noted a marked similarity between the 40-page CyFIR Digital Evidence Policies and Procedures Manual and a nearly identical document published by the US Department of Justice in May 2020.

A FURNITURE CEO, A RUSSIAN SPY AND KEN BENNETT

AMERICAN OVERSIGHT

Ken Bennett directed auditor donors to a website Tuesday of a "dark money" nonprofit – run by a former furniture CEO and conspiracy theorist who was in a relationship with a Russian spy – that is hoping to raise nearly $3 million for the audit.

HOW COULD THIS POSSIBLY HAPPEN?
A Hernandez tested positive for Covid months after being fully vaccinated, but just days after an unmasked party vacation with friends and colleagues down in Puerto Peñasco, Mexico.

WE'RE STARTING AN OFFICE POOL
The latest rumor in the never-ending speculation about whether Brnovich will run for governor or US Senate is that he has hired former Trump campaign manager Bill Stepien.

TEARING DOWN THE HOUSE THAT POWER BUILT
Still, the Republican said Brnovich hasn't pulled his toes out of the gubernatorial race just yet, and would have a strong path to victory, despite having made enemies of much of the political class.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, April 29, 2021

NEWS NOTES AND GOSSIP

IT'S NOT TRANSPARENCY IF THE COURT FORCES YOU TO DO IT

Shortly before today's noon deadline to release audit procedures or appeal to a higher judge, Cyber Ninjas published links to three documents – one appears to be plagiarized from the Department of Justice and one appears to have been created yesterday. Another document provided to attorneys as Exhibit D9 is still not being released publicly, First Amendment Coalition attorney Dan Barr said, adding that he may ask the judge to turn it over. In a tweet linking to the newly released documents, the Arizona Audit account run by Ken Bennett referred to "Cyber Ninjas' ongoing efforts to be transparent and ensure this information gets out to the public" – neglecting to mention that Cyber Ninjas' attorneys fought in court to keep the information secret. One two-page document dated April 18 details the parameters of the audit space at the Coliseum, including having two evidence custodians on site at all times (LINK). It also says all evidence will be preserved using "Logicube WriteProtect devices," and that every person who does forensic imaging or evidence custody will complete a training session on April 20. *ABC15's* Garrett Archer noted that based on metadata in the document, the form appears to have been created yesterday, not April 18, though it's possible that's simply the date it was exported as a PDF (LINK). (That the auditors only started drafting these policies after it became apparent that they would have to produce them for the court has actually been a running joke among the political class, and Capitol scribe Howie Fischer recently tweeted what many have been thinking. "One wonders whether there are folks sitting down right now and writing up all those hiring and training policies that the judge said he wants Monday morning...." he wrote (LINK).)

CAN SOMEONE HOLD THESE POLICIES UP TO UV LIGHT PLEASE?

One of our own eagle-eyed readers noted a marked similarity between the 40-page CyFIR Digital Evidence Policies and Procedures Manual (LINK) and a nearly identical document published by the US Department of Justice in May 2020 (LINK). From our reporter's initial side-by-side comparison, CyFIR appears to have simply erased watermarks and replaced references to law enforcement agencies with "CyFIR personnel." It also changed the word "lab" to "forensic." The final document provided today, from Wake TSI, shows its counting room procedures (LINK). Notably, that document states that "no blue pens or markers" are allowed in the room – though it's unclear whether the rules were drafted before or after *Arizona Republic* reporter Jen Fifield informed Cyber Ninjas CEO that he wasn't able to use blue pens with ballots. Food, beverages, black pens, white paper and personal items are also barred from the floor, but computers, printers, yellow legal pads, magnifying rulers, blank USB drives and red and green pens are permitted. The document also details how ballots will be counted, starting with a full scan, then microscope cameras capturing four separate points on the ballot, then examining the thickness and feel of each ballot and noting the presence or absence of fold marks. It says every ballot will be compared to "representative specimens" under a UV-B and UV-A light source, though the document still doesn't explain just what it's using ultraviolet lights for (and observers yesterday noted that the auditors appear to have stopped using their light boxes). If initial observers think something is fishy with a ballot, it goes to a second examination, the document states.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003387

ARZN_REV00069128_4-29-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A FURNITURE CEO, A RUSSIAN SPY AND KEN BENNETT

Ken Bennett directed auditor donors to a website Tuesday of a "dark money" nonprofit – run by a former furniture CEO and conspiracy theorist who was in a relationship with a Russian spy – that is hoping to raise nearly $3 million for the audit. That's in addition to the agreed upon $150,000 from the Senate and other fundraising avenues. The website Bennett pushed, FundtheAudit.com, says it's supported by an organization called The America Project. On the site, it explicitly states its goal is to "raise $2,800,000 to support and pay for expenses of the Maricopa Audit." If it raises more money than the goal, "The America Project will use the funds for other election integrity activities to included audits in other areas and related expenses." The American Project is run by Patrick Byrne, the former CEO of Overstock, a furniture retailer **(LINK)**. Byrne resigned as CEO in 2019 after the public learned of a years-long relationship he had with Maria Butina, a Russian spy, and comments he made about the Deep State conspiracy theory (LINK). Byrne has ties to Mike Lindell, Trump attorney Sidney Powell, who is now being sued by Dominion, and General Michael Flynn, a now-prominent believer in QAnon who Trump pardoned last year. Byrne along with Flynn and Powell all circumvented White House security and secret service in late-2020 to get a meeting with Trump in the Oval Office so they could discuss bogus claims of election fraud. Byrne described it in a first-person narrative blog post (LINK) that was picked up by national media (LINK).

HOW COULD THIS POSSIBLY HAPPEN?

A Hernandez tested positive for Covid months after being fully vaccinated, but just days after an unmasked party vacation with friends and colleagues down in Puerto Peñasco, Mexico. In a press release announcing the results of her test yesterday, she said her symptoms are relatively mild and that she has been super careful. "I have taken Covid-19 very seriously and have worn my mask, washed my hands, socially distanced," she wrote (LINK). "Yet despite those measures and being vaccinated I have come down with the Covid." She didn't look like she was being very careful when she posted several photos over the weekend with her brother D Hernandez, Chávez and Dunn who were all down in Rocky Point with her (LINK). All were unmasked and in very close proximity. One source told our reporter Hernandez, who has a master's degree in public health, should have just been honest about letting her guard down. Instead, she tried to play it off as if she was being responsible, the source said. D Hernandez also said he was planning to quarantine, but noted he tested negative so far. Dunn does not wear a mask on the floor, and it's unclear if he's vaccinated so he (or any of them) could have possibly spread it among lawmakers and staff this week. House GOP spokesman Andrew Wilder said some lawmakers who had been in contact with A Hernandez are being tested, and as of Thursday morning, all the tests had come back negative so far. None of the four lawmakers in her Rocky Point photos were physically present in the House Thursday. Hernandez posted on Tuesday night about feeling sick and asking for matzo ball soup recommendations. She has since removed those posts, but she left up pictures of her fun times down in Mexico. She also tweeted a photo of her with two medical professionals who went to lunch yesterday (LINK), likely meaning she exposed them to the virus too. Several railbirds, both Republicans and Democrats, flagged the posts to our reporter last night, saying while they're glad Hernandez is ok, she needs to be called out. "Looking at her Twitter timeline is like looking at a Trump rally – maskless and without a care in the world," one source said. The source added that her diagnosis was something of a wakeup call, since they had also been vaccinated and had stopped taking the pandemic as seriously. Hernandez said she would email our reporter a statement, but did not respond before our deadline.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003388

ARZN_REV00069128_4-29-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE'RE STARTING AN OFFICE POOL

The latest rumor in the never-ending speculation about whether Brnovich will run for governor or US Senate is that he has hired former Trump campaign manager Bill Stepien. Two Republicans recently relayed the rumor, though neither had firsthand knowledge. If he had hired Stepien, it would signal that he had made up his mind, both sources said, noting that Stepien, with his ties to the DC elite, would likely be running a campaign for US Senate, not a gubernatorial campaign. There have been signs that Brnovich is eyeing the Senate, including a recent *Washington Examiner* story declaring he has eyes for Washington (LINK) and that Brnovich – or someone – recently bought a host of domain names like Brno4Senate.com, BrnovichForSenate.com and MarkBrnovichForSenate.com (LINK). (Though someone also recently purchased Brnovich4Governor.com, too.) One railbird said while it doesn't appear that Brnovich has actually hired Stepien, it seems likely the two are having conversations. "That would imply that he's made up his mind and he's running for US Senate," one Republican source said, adding that Brnovich is absolutely considering the Senate, and will have to make a decision soon. (The source also speculated that Stepien might have made up that rumor that he was hired just to help him win the contract.) "I truly think Brnovich hasn't made up his mind yet about what he's going to do next... But when you become the flavor of the month, and Arizona [Senate] is such a high-profile race, you start having a lot of high-profile politicos and consultants who want to be a part of that."

TEARING DOWN THE HOUSE THAT POWER BUILT

Still, the Republican said Brnovich hasn't pulled his toes out of the gubernatorial race just yet, and would have a strong path to victory, despite having made enemies of much of the political class. While it's no secret Brnovich isn't beloved among team Ducey, he has a strong pull among the base and those that simply don't want to see a continuation of the Ducey administration, as Matt Salmon or Karrin Taylor Robson would represent, the source said. "Mark is a threat to the gravy train," the source said. "There's a house that the powers that be own, and Ducey is the current tenant. People come in and maybe paint a room, but the house mostly looks the same. And they're afraid that if Brnovich gets the house, there will be significant renovation. Sh*t, he might tear the whole thing down and build a tiny house." But the political class doesn't have a great track record of picking winners in the state, the source said, and a continuation of the Ducey machine doesn't hold much appeal to the base. It'd be hard to challenge him from the right, the source said, but he's also walked the middle well enough to win a general election. Salmon and Robson would also make good general election candidates, but have no ability to rile the base in a primary, the source said, comparing Salmon to a former high school football star who is stuck talking about his glory days. "Who is excited about Matt Salmon?" the source laughed. Another Republican said Brnovich would likely have a better shot at running for governor simply because of the fundraising necessary to challenge Kelly. The source said Brnovich hates and is bad at raising money, something that is apparent from his 2018 re-election. "You can run for governor on a $6 million budget. You cannot run against Mark Kelly with a $6 million budget. And national money would certainly flow for Brno, but help comes to those who help themselves," the source said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003389
ARZN_REV00069128_4-29-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Judge: Audit policies, procedures open to public
Capitol Media Services
Arizonans are entitled to see the policies and procedures being used in the Senate's audit of the 2020 election returns, a judge has ruled.

Arizona lawmakers OK bill to allow 4-year community-college degrees
Capitol Media Services
Arizona's community colleges appear on the verge of being allowed to offer four-year degrees. But Pima Community College doesn't want to at this point.

Anti-mask protesters storm Tucson school board meeting
Arizona Daily Star
With the state giving local school districts the option to require masks, some are loudly protesting schools' decision to continue mask use.

Tent-like facility for migrant kids set to open in Tucson
Arizona Daily Star
The facility near Tucson's airport could open as soon as next week. It will house children and teenagers who cross the border without a parent.

Flagstaff City Council sets focus on Alternative Response Model during police budget talks
Arizona Daily Sun
Flagstaff City Council could be looking to alleviate some local concerns over policing in the community, but the city won't be cutting the department's budget.

Grand Canyon calls on 'skilled volunteers' for North Rim bison hunt
Arizona Daily Sun
The National Park Service is calling on hunters to volunteer in order to reduce the number of bison living on the Grand Canyon's North Rim.

Arizona positioned to take on cuts in Colorado River supply
Associated Press
Water officials in Arizona say they are prepared to lose about one-fifth of the water the state gets from the Colorado River in what could be the first federally declared shortage.

Mesa Community College Is Hosting a 'Teaching While White' Forum
Phoenix New Times
Mesa Community College has a whiteness problem. At least, that's the basic idea behind a series of lunchtime discussions for white employees put on by a group of MCC faculty members.

Why Are So Many Journalists Leaving the Arizona Republic?
Phoenix New Times
Things are not well at the *Arizona Republic*. Staff at the daily newspaper, the largest in Arizona, are quitting left and right.

Border deployment the latest in National Guard's 'roller coaster' year
Cronkite News
When Gov. Doug Ducey sent hundreds of National Guard members to help at the border last week, the move may have been unexpected – but it was not unusual for the troops that have spent a year shuttling from one crisis to another.

Election audit continues, but judge orders release of documents guiding the audit
Arizona Mirror
The election audit ordered by Senate Republicans won't be halted because Democrats shown that voter privacy has been violated, a judge ruled Wednesday.

Mark Kelly: I didn't hear plan for border in Biden speech
The Hill

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003390

ARZN_REV00069128_4-29-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Democratic Sen. Mark Kelly (Ariz.) criticized President Biden for not laying out a comprehensive plan to address the recent surge of migrants at the southern border during his first address to a joint session of Congress on Wednesday.

Did the 2020 Census Undercount the Hispanic Population?
New York Times
Officials from both parties say the census numbers released this week raise questions about the totals, with Democrats contending that the Hispanic population was undercounted.

Biden's American Jobs Plan is a plan for prosperity in Arizona
Arizona Mirror (Opinion, Anna Tovar)
As a corporation commissioner, before making any decision, I always ask myself: Will this be good for Arizonans and the long-term future of our state?

When 'America First' is a ticket to last place
Roll Call (Opinion, Mary Curtis)
It came and went in a second, in political time, a proposed idea that proved too racist for the politician reportedly behind it.

Arizona's Republican-sponsored election audit is a 'Nigerian prince' scam
Arizona Republic (Opinion, EJ Montini)
The uncredible partisan charade isn't about election results or voter fraud or anything like that. It's about money.

This Arizona Republican is defending Maricopa County's election (so naturally no one is listening)
Arizona Republic (Opinion, Laurie Roberts)
Senate Republicans may have lost their minds over Arizona's election, but there are a few Republicans who still have a grip on reality. Maricopa County Recorder Stephen Richer is one of them.

Why open a state vaccination site in Scottsdale when the vaccine is needed in Maryvale?
Arizona Republic (Opinion, Laurie Roberts)
Despite glaring inequities in who is getting COVID vaccine in Arizona, the state just opened a mass vaccination site in an upscale area where most people who want protection already got it.

Fully vaccinated but nervous about resuming your old life? Maybe this will help
Arizona Republic (Opinion, Joanna Allhands)
CDC guidelines for the fully vaccinated are helpful, but what if you're still unsure about resuming some activities? Here's a friendly word of advice.

Forget obstructionists like Sen. Kyrsten Sinema. The $15 minimum wage fight must go local
Arizona Republic (Opinion, Elvia Diaz)
The fight for a $15 minimum wage must turn to cities like Phoenix, which unlike Sen. Kyrsten Sinema might have the guts to boost contractors' pay.

Republican politicians live in fear of being called a RINO. They shouldn't
Arizona Republic (Op-ed, Robert Gonzalez)
Today, RINO – Republican in Name Only – means you lack loyalty, mostly to Trump. Politicians fear the term. But the party has a lot to learn from it.

Marquez Peterson has chance to lead Arizona's energy future
Arizona Daily Star (Opinion, Priya Sundareshan)
New clean energy rules are on the Arizona Corporation Commission's agenda.

PRESS RELEASES

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003391

ARZN_REV00069128_4-29-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Bill to Let Community Colleges Offer 4-Year Baccalaureate Degrees Gets Final Approval in Legislature, Awaits Governor's Signature

STATE CAPITOL, PHOENIX – A bipartisan proposal to allow community colleges to offer accredited four-year baccalaureate degrees has received final approval in the Arizona legislature today. The legislation, first introduced as HB 2523 by State Representative Becky Nutt (R-14), was added as a strike-all amendment to SB 1453, recently passing in the House and today in the Senate.

"Enabling community colleges in our state to offer four-year degrees will make higher education dramatically more accessible and more affordable for Arizonans," said Representative Nutt. **"It fills gaps between Arizona's universities and community colleges. Arizonans, especially those in rural, low income and middle-class communities, will have more opportunities to help achieve educational and professional goals, whether to pursue a trade, increase career opportunities, or simply gain more knowledge in areas of interest."**

Learn more about the bill's provisions here.

The bill is on its way to the governor for signature into law.

Sen. Kelly Statement on President Biden's Address to Congress

Today, Arizona Senator Mark Kelly issued this statement following President Biden's first address to a joint session of Congress:

"When I talk with Arizonans across the state, they tell me they want Washington working together to beat this virus and get our economy back on track. Thanks to the COVID-19 relief I helped secure for Arizona, our state has ramped up vaccination efforts and provided relief and support for Arizona families, small businesses, and schools.

"I welcome President Biden's call for Republicans and Democrats to continue working together on investments in education, infrastructure, and technology like increasing domestic manufacturing of semiconductors to maintain our competitive edge over China and create the jobs of the future in Arizona.

"While I share President Biden's urgency in fixing our broken immigration system, what I didn't hear tonight was a plan to address the immediate crisis at the border, and I will continue holding this administration accountable to deliver the resources and staffing necessary for a humane, orderly process as we work to improve border security, support local economies, and fix our immigration system."

Congressman Andy Biggs released the following statement after President Joe Biden's address to a joint session of Congress:

"Last night President Biden proved that he is onboard with the 'America Last' agenda, giving his total support to a radical socialist plan. Joe Biden will destroy our culture, history, philosophy , and economy with his Leftist objectives. Whether it's pushing trillion-dollar packages that kill millions of jobs with environmental regulations and onerous taxes, promoting COVID restrictions that keep Americans living in fear, and completely ignoring the humanitarian crisis at the border, Joe Biden is the worst president in U.S. history." **– Congressman Andy Biggs**

PRESS ADVISORY: TODAY Arizona Democratic Leaders React to Biden's Address and Highlight Successes of His First 100 Days

PHOENIX — TODAY at 10:30 am PDT, Arizona Democratic leaders will join a press call a day after President Joe Biden's address to the nation. They will talk about how President Biden's policies have supported Arizona's recovery after the COVID-19 pandemic and former President Trump's mismanagement of our country's response.

During the call, **Mayors Kate Gallego and Regina Romero** will talk about how their cities have been affected by the pandemic and how President Biden's stimulus package will help the residents of Phoenix and Tucson. They will also discuss how the proposed infrastructure and jobs plan will be a boon for Arizona's largest cities. They will be joined by **Superintendent Kathy Hoffman** to speak to how federal dollars have bolstered and expanded education programs for Arizona students.

The press call will be conducted via Zoom webinar. Click here to RSVP.

WHAT: Press call on how Biden Administration policies will help Arizona get #BackOnTrack.

WHEN: Thursday, April 29, 2021, at 10:30 am – 11:00 am PDT

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003392

ARZN_REV00069128_4-29-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHO:
- Phoenix Mayor Kate Gallego
- Tucson Mayor Regina Romero
- Arizona Superintendent Kathy Hoffman

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the press call. There will be time for Q&A.

PRESS ADVISORY: TODAY Arizona Democratic Leaders React to Biden's Address and Highlight Successes of His First 100 Days

PHOENIX — TODAY at 10:30 am PDT, Arizona Democratic leaders will join a press call a day after President Joe Biden's address to the nation. They will talk about how President Biden's policies have supported Arizona's recovery after the COVID-19 pandemic and former President Trump's mismanagement of our country's response.
During the call, **Mayors Kate Gallego and Regina Romero** will talk about how their cities have been affected by the pandemic and how President Biden's stimulus package will help the residents of Phoenix and Tucson. They will also discuss how the proposed infrastructure and jobs plan will be a boon for Arizona's largest cities. They will be joined by **Superintendent Kathy Hoffman** to speak to how federal dollars have bolstered and expanded education programs for Arizona students.
The press call will be conducted via Zoom webinar. Click here to RSVP.
WHAT: Press call on how Biden Administration policies will help Arizona get #BackOnTrack.
WHEN: Thursday, April 29, 2021, at 10:30 am – 11:00 am PDT
WHO:
- Phoenix Mayor Kate Gallego
- Tucson Mayor Regina Romero
- Arizona Superintendent Kathy Hoffman

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the press call. There will be time for Q&A.

Legislation that Ensures In-Person Clergy Visitation for End-of-Life Patients Wins Final Approval, Heads to Governor's Desk

STATE CAPITOL, PHOENIX – Bipartisan legislation requiring hospitals to facilitate in-person spiritual care visitations for patients during end-of-life situations was given final approval today by the Arizona House of Representatives. HB 2575, sponsored by Republican State Representative Quang Nguyen (R-1), ensures patients and their representatives are provided notice of the hospital's visitation policy, and it requires a hospital to facilitate an in-person visit by clergy for religious purposes if the hospital allows in-person visitation of any kind. In an end-of-life situation, hospitals must facilitate the visitation with clergy regardless of the time of day. Nguyen's bill safeguards health and safety, requiring clergy members to comply with all reasonable precautions imposed by hospitals when interacting with patients.
"Pandemic or not, people should have the right to receive in-person spiritual care, especially when they are near the end of their life," said Representative Nguyen. **"It's hard to imagine, but that isn't always accommodated, especially during the past year. That's why I sponsored this bill providing a commonsense protection for patients and their families who seek spiritual comfort and support during such a difficult time."** Nguyen's bill will now be transmitted to the governor for signature into law.

AFP-AZ Hosts Forum on Filibuster

Grassroots group also announces campaign urging Senator Sinema to stay true to her word on the filibuster
TEMPE, AZ – Americans for Prosperity-Arizona (AFP-AZ) hosted a forum on the filibuster yesterday with former U.S. Senator Jon Kyl, AFP President Tim Phillips, and LIBRE Initiative President Daniel Garza.
AFP-AZ also announced a major campaign consisting of a six-figure ad and radio spend by AFP urging select senators, including Senator Kyrsten Sinema, to oppose efforts to eliminate the filibuster, as well as extensive

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003393
ARZN_REV00069128_4-29-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

grassroots engagement that include a nationwide event tour hosted by AFP. The ads lead to a webpage that allows Arizonans to directly contact lawmakers and learn more.
Click **here** to view the event.
Click **here** to view an example ad.
AFP-AZ State Director Stephen Shadegg issued the following statement:
"Eliminating the filibuster would usher in even more extreme partisanship, resulting in an endless cycle of radical policies getting pushed through the Senate. Sen. Sinema has been principled in opposing attempts to end the filibuster to pass a partisan wish list. We are working to educate Arizonans on the devastating consequences they would face if Sen. Sinema goes back on her word. From a government takeover of health care to packing the Supreme Court, opening a Pandora's box of sweeping structural changes is a power grab that will only lead to more dysfunction in Washington. We urge Senator Sinema to stand up for Arizonans and ensure we don't have partisanship on steroids."
AFP President Tim Phillips discussed the repercussions of eliminating the filibuster:
"This attempt by Chuck Schumer and Dick Durbin…to do away with the filibuster is the most aggressive, partisan power grab attempt in modern American history.
"What we're doing at Americans for Prosperity and LIBRE is traveling the country and asking folks in their states to talk to their United States Senator."

Representative Bolick's Bill Protecting Arizonans from "Doxing" is Signed into Law

STATE CAPITOL, PHOENIX – Governor Doug Ducey has signed into law legislation (HB 2502) sponsored by State Representative Shawnna LM Bolick (R-20) which prohibits posting another person's personal identifying information online for the purpose of that person being harassed.
"After hearing numerous stories of women who were 'doxed' by an abusive ex, and living in fear for their safety, I knew that something needed to be done in Arizona to protect the privacy of its citizens," said Representative Bolick. **"HB 2502 is a strong step to ensuring the safety and privacy of all Arizonans and will ensure that private citizens have recourse if their personal information is posted online and they face harassment as a result."**
Passed by the House and Senate with bipartisan support, this new law will help to protect private citizens from having their personal information, such as a phone number or home address, distributed online for the purpose of harassing or injuring that person.

Reform to help missing foster children receives unanimous support; heads to Arizona Governor Doug Ducey for signature

PHOENIX – Senate Bill 1019, sponsored by Arizona Sen. Nancy Barto, passed the Arizona legislature unanimously yesterday and heads to Arizona Governor Doug Ducey for signature.
The legislation adds a critical safeguard for Arizona's foster children by making photo identification cards free for all children in state care.
"20,000 foster children disappear every year. I was shocked to learn how often photographs weren't available to assist law enforcement in their searches," said Rebecca Masterson, Gen Justice Chief Counsel. "Arizona unanimously recognized that this is unacceptable."
Because a majority of missing foster children disappear from group homes, SB1019 requires Arizona group homes to obtain a state ID for all children in their care. If a child goes missing, the child's photo and identifying information can immediately be uploaded to state and federal databases so the child can be found.
The law also makes a photo ID card free for any child in foster care. A foster family or kinship provider can now get the child in their care photograph identification free of charge, no matter the age of the child
Gen Justice CEO, Darcy Olsen, said, "Most trafficked kids in America are from foster care. Law enforcement told us they needed photographs to fix this, so that's what we did. Now, if a child goes missing from care, our officers have the tools they need."

Release: Arizona Democratic Party Thanks Senator Mark Kelly For Delivering For Arizonans In First 100 Days Of Biden Administration

Calls Out AZ Republicans For Opposing Relief For Hardworking Arizona Families

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PHOENIX — In the 100 days of President Biden's Administration, Senator Kelly has delivered meaningful relief to hard-working Arizonans, making sure that Arizona has the resources to get back on track after the pandemic with more COVID vaccines, $1,400 checks, and resources to help reopen businesses and schools.
"While Senator Kelly and Senate Democrats spent the first 100 days of this new administration keeping their promises, passing coronavirus relief, and delivering results for Arizonans, Arizona Republicans unanimously opposed direct relief checks, funding to put more shots in arms, desperately needed resources for schools and local governments, and critical aid to our small businesses and restaurants," **said Arizona Democratic Party Chair Raquel Terán.** "This will be a defining issue of the 2022 race, and every Republican running for this seat will be forced to explain why their party opposed relief for the Arizona families and communities struggling to get through this pandemic."

"QUOTE OF THE DAY"

"Looking at her Twitter timeline is like looking at a Trump rally – maskless and without a care in the world."

- ***Railbird, on A Hernandez catching Covid***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003395

ARZN_REV00069128_4-29-2021.pdf

Sender: rgabaldon@azleg.gov
Sent: Friday, April 30, 2021 8:18:03 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-30-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

Have a great weekend!

About Contact

In Today's Yellow Sheet April 30, 2021

AND WE'RE FULL CIRCLE
Staci Burk, a conspiracy theorist and Stop the Steal supporter who last graced our pages after she leaked to the media her bizarre phone call with Borrelli, is suing everybody involved with the audit because she thinks it's a "sham."

HE'LL GIVE FINCHEM A RUN FOR HIS MONEY
Railbirds have been chattering lately that Bennett is considering running for secretary of state – and while Bennett told our reporter today that he's not actively running, he's not ruling it out either.

WHAT ARE THEY DOING NOW – KERN EDITION
Former lawmaker and Jan 6 protester Anthony Kern asked the AG to

AMERICAN OVERSIGHT

investigate a Republic reporter who tweeted an image of him working at the audit today that also contained a ballot.

SO YOU'RE TELLING ME THEY DIDN'T VET THESE PEOPLE?
As the only Republican to lose his House seat to a Democrat, Kern is on some of the ballots the auditors are reviewing – though Bennett said he was unaware that Kern ran in 2020.

LET'S TALK ABOUT DOXING
A conspiracy theory group involved with signing up volunteers to observe the audit was kicked off YouTube yesterday after doxing at least one Arizona journalist and targeting another.

WHEN YOU'VE LOST JAN…
Former Gov Jan Brewer told KTAR News during her weekly interview that she disagrees with the audit and doesn't think they will find anything.

SOMEONE TELL HIM MICHAEL CROW IS INVOLVED IN THE AUDIT
Brnovich went to bat for the Senate's audit this week in an interview with Newsmax, saying that the Senate has the authority to conduct it, and the "radical left" shouldn't be too worried about it if they don't have anything to hide.

ANY DAY NOW, WE SWEAR
Cobb yesterday shot down rumors that Democrats have been hearing that lawmakers will adjourn the session for a few weeks to focus on the budget.

WE'RE SHOCKED THAT IT WASN'T REALLY ABOUT THE AUDIT
After a meeting with Fann on Wednesday evening, Townsend told our reporter she can see a path forward for the election law changes she wants to pass this year.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, April 30, 2021

NEWS NOTES AND GOSSIP

AND WE'RE FULL CIRCLE

Staci Burk, a conspiracy theorist and Stop the Steal supporter who last graced our pages after she leaked to the media her bizarre phone call with Borrelli (YS, 3/10), is suing everybody involved with the audit because she thinks it's a "sham." Last night, she filed a suit with the federal court seeking an injunction to prevent the Senate from conducting audit because it may destroy "evidence of voter fraud." She named the Arizona Democratic Party, County Supervisor Steve Gallardo, but also Fann, Petersen, Ken Bennett and Cyber Ninjas. Burk has been blasting the Senate's audit on her Twitter account over the past week in posts that almost sound like they're coming from a Democrat – except that she still believes the fraud is real. "This is a sham audit covering up the evidence of election fraud. Smart Patriots see through this dog and pony show," Burk tweeted at the official audit's Twitter account (LINK). Burk thinks the audit only exists to bury evidence that the election was stolen from Trump. She accused workers of putting fingerprints all over ballots to "cover the crime because some Patriots were about to prove the truth." She repeatedly calls it a "fake audit" and claims people keep repeating lies and others will believe it. "Lie enough and repeat the lie. People will believe it. Sad," she posted. Burk first shot into headlines after when she represented herself in the failed "Kraken 2.0" lawsuit. She is once again representing herself in the claim filed in federal court.

HE'LL GIVE FINCHEM A RUN FOR HIS MONEY

Railbirds have been chattering lately that Bennett is considering running for secretary of state – and while Bennett told our reporter today that he's not actively running, he's not ruling it out either. To back up the speculation, railbirds have pointed to his role in the audit, along with other tell-tale signs such as the weirdly self-promotional videos he's been posting on the audit's Twitter account (LINK) and his cozying up to AZGOP chair Kelli Ward (LINK) and attacking Hobbs (LINK). "Ever since he's gone all birther crazy, Ken Bennett has been trying to get back in the game with virtually no success at all," one Republican said, adding that this appears to be Bennett's way of keeping himself in the public eye in preparation of a run. When our reporter asked Bennett point-blank today, he said he wasn't running. "No," he said, without hesitation. But when our reporter rephrased the question to ask whether he's ruling it out, he was less definite. "I'm considering, but really not right now. Right now, I'm focused on the audit, I'm not running for anything," he said, adding that he likes public service and would never rule out running for anything but that's not why he's doing the audit. "I might run for president of the United States but I doubt it," he said. "It might be the city council in Prescott. It might be Yavapai County Board of Supervisors. It might be superintendent of public instruction. It might be secretary of state. It might be state House of Representatives. It might be nothing and move to Utah and spend more time with my grandkids." Even though Bennett has already served more than one full term as secretary of state, and termed out in 2015, he can still run for the office again. The Arizona Constitution says, "No member of the executive department after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until out of office for no less than one full term." He's been out of office for longer than four years.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003398

ARZN_REV00069130_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT ARE THEY DOING NOW – KERN EDITION

Former lawmaker and Jan 6 protester Anthony Kern asked the AG to investigate a *Republic* reporter who tweeted an image of him working at the audit today that also contained a ballot. Ryan Randazzo was working as the press pool reporter and posted on Twitter that he was kicked out of the Coliseum. "Well, a man in a cowboy hat and a badge that said Wake TSI just came over, asked if I tweeted the picture of Anthony Kern, and when I said yes he escorted me out of the building and said my press privileges were 'revoked,'" Randazzo tweeted. Bennett said Randazzo was removed because there was a ballot in the image he tweeted. "I think he was trying to get Anthony Kern's face, but he ended up getting the ballot," Bennett said. "We were very clear that reporters would not be releasing close up images of ballots." To participate in the press pool, journalists agreed to ensure photos of ballots did not have contents that were distinguishable by the naked eye or via a zoom lens. They did not agree to avoid photographing or posting images that contain ballots entirely. There is no agreement to avoid photographing faces. Details of the ballot were not visible in the photo, and Randazzo said that when security personnel approached him, they asked if he had tweeted a photo of the former lawmaker, not the ballot. The audit's own cameras show images of ballots, though they're no more clear than the image Randazzo posted, which he shot from the press section more than 100 feet away from where the actual counting is happening, and which was too pixilated to make out the actual words on the ballot. The news also drew out new video showing Kern was actually much closer to the US Capitol during the attempted insurrection than previously known (LINK).

SO YOU'RE TELLING ME THEY DIDN'T VET THESE PEOPLE?

As the only Republican to lose his House seat to a Democrat, Kern is on some of the ballots the auditors are reviewing – though Bennett said he was unaware that Kern ran in 2020. "What, he lost? Was he in the 2020 election?" Bennett asked. Bennett said he was not involved in hiring Kern, saying that responsibility fell to the temp agency that hired counters for Wake TSI, the firm overseeing the hand recount under Cyber Ninjas. In its contract, Cyber Ninjas, pledged to use "non-partisan counters," drawn from "a pool of primarily former law enforcement, veterans, and retired individuals" for the recount. "These individuals will undergo background checks and will be validated to not have worked for any political campaigns nor having worked for any vendor involved in the voting process," the section stated. Bennett said no counters were asked their political party affiliation and Kern did not receive special treatment. Doug Logan, the conspiracy-supporting CEO of Cyber Ninjas, told reporters that the only vetting ballot-counters would undergo was a review of their social media accounts. It's unclear why that review didn't throw up red flags for Kern, who has posted a host of election-related conspiracies since losing his seat. Kern is also on the Brady List, a database of police who have engaged in a pattern of dishonesty. It is unclear whether that came up in a background check. "I don't know anything about that – I was not involved in his hiring," Bennett said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003399

ARZN_REV00069130_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LET'S TALK ABOUT DOXING

A conspiracy theory group involved with signing up volunteers to observe the audit was kicked off YouTube yesterday after doxing at least one Arizona journalist and targeting another. Scottsdale Studios, which is run by Susan Wood and her husband Charles, last night posted a video to its channel attacking Garrett Archer and *ABC15* alleging he doxed volunteers by showing them on video. (In case you need a quick refresher – and it seems many people do, as Fann and others accused reporters of doxing people by taking their photos at the audit – publishing a photo of someone at a public venue is not doxing. Publishing their home address or personal cell phone number and urging others to harass them is doxing.) Ironically, last weekend, Scottsdale Studios doxed *Republic* reporter Jen Fifield. Juxtaposing clips from her interview on *MSNBC* with Rachel Maddow, Wood posted Fifield's personal cell number and urged people to call her about her reporting. Fifield's phone blew up with harassing calls and texts from people who saw the video, which had at least 30,000 views as of last weekend. On her Facebook page today, Wood complained about being removed from YouTube. "You Tube just deleted my whole account 54,000 subscribers, with no warning. And You thought Trump was a facist? [sic]" She told our reporter today she wasn't exactly sure why YouTube removed her channel, but speculated it could be because of copyright. "I just sometimes copied a *CNN* interview and I copied the Rachel Maddow interview, possibly that violated copyright I'm not sure," she said. Wood said she was unaware that she doxed Fifield by posting her personal number on a video, saying she thought it was readily available information. "All I did was post what she had on her Twitter," Wood claimed. Fifield's personal cell phone is not available on her Twitter account, we told her. "Several people gave it to me so I guess she had given it out to people," Wood replied. She wouldn't say who gave her the number, or if they got it from the audit observer signup sheets. (Wood likely has Fifield's personal number because she helped coordinate the audit's observers (YS, 4/20).) When asked why she didn't opt to post Fifield's Twitter account or work email, Wood claimed that she didn't have that information. (This was seconds after claiming she got Fifield's number from her Twitter account.) "I'm sorry if I violated something I just thought that was the number of people texted her for stories and things," Wood said.

WHEN YOU'VE LOST JAN...

Former Gov Jan Brewer told *KTAR News* during her weekly interview that she disagrees with the audit and doesn't think they will find anything. Brewer, of course, is a big supporter and friend of Trump, and was secretary of state for six years and appointed Ken Bennett as the new secretary of state when she became governor. Brewer told hosts *Gaydos and Chad* that she doesn't understand why UV lights are being used, only that she was told it was about watermarks. "My understanding is the ballots don't have watermarks," she said (LINK). She's right. The idea that ballots have watermarks is a conspiracy QAnon started that auditors have been investigating. "It's unfortunate that after going through and having two different audits done by reputable people" that the Republican Party has taken things this far, she said. She commended the election officials for being "fully trained and bipartisan" with years of experience and said Fann and others pushing for the audit should just accept the results and move on. Brewer, a former senator, said she understands Fann's political problem as the Senate president. "[She] is trying to keep them all together and trying to please them all without getting them off in an uproar and get their panties in a twist … that's a difficult situation," Brewer said. She also pointed that we don't know who is funding the audit, saying that's a problem. She didn't leave before taking a shot at the Cyber Ninjas, too. "I don't know if these guys are qualified, that really concerned me because certainly if they were experts, they should have known [blue pens aren't allowed]. Certainly they would have read the law," she said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003400
ARZN_REV00069130_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SOMEONE TELL HIM MICHAEL CROW IS INVOLVED IN THE AUDIT

Brnovich went to bat for the Senate's audit this week in an interview with *Newsmax*, saying that the Senate has the authority to conduct it, and the "radical left" shouldn't be too worried about it if they don't have anything to hide (LINK). He said several times he would wait until the results were out before deciding if there were "actionable items" for his office to look into, saying he learned as a federal prosecutor not to comment on an ongoing investigation. "I'm not going to comment on how the Senate does its job until I actually see what happened, what the results are of that investigation," he said. Brnovich sidestepped *Newmax's* question about whether he was concerned about the firms doing the audit, again saying people should wait until the results come out before making judgements about the fairness of the process. "Very often you hear people throwing aspersions or saying, 'Oh my gosh, this person can't do it,' or 'That person has a conflict,'" Brnovich said. "It's the Senate. I keep coming back to this, but if you respect the rule of law, respect the separation of powers. It is the Senate's audit. They're the ones that are conducting it. Once they're done, let's see the results, and then people can make their own determination whether it was a fair audit, whether it was done correctly, whether there were errors in it." At one point, Brnovich parroted Trump, baselessly claiming that a "phalanx" of "70 Democratic lawyers from all over the country" were trying to stop the activities at the Coliseum. "The far left is trying to do everything they can to not only undermine the process, but to stop it," Brnovich said. "I think most, a lot of people are saying, 'Why? Let's let the process play out; let the Senate do its job."

ANY DAY NOW, WE SWEAR

Cobb yesterday shot down rumors that Democrats have been hearing that lawmakers will adjourn the session for a few weeks to focus on the budget. Democrats including Bowie and Bolding had told our reporter that rumors have been swirling about GOP leaders' plans to recess so that they can hammer out a budget deal as the session drags on. The logic is leaders are running out of bills to occupy rank-and-file lawmakers and it might be easier to take a couple weeks off instead of bringing every lawmaker to the capitol every day with nothing to do. But Cobb said that isn't happening. "Absolutely NOT," she said in a text message. "No recess ... just a rumor or wishful thinking." Cobb said negotiators are "really close to coming to an agreement on the budget." "I'm hoping to be out by mid-May," she added.

WE'RE SHOCKED THAT IT WASN'T REALLY ABOUT THE AUDIT

After a meeting with Fann on Wednesday evening, Townsend told our reporter she can see a path forward for the election law changes she wants to pass this year. And she's changing her tune about not going home before the audit is complete (YS, 4/22). "I am cognizant of the fact that this could drag on forever, and it's unreasonable to keep us there for the rest of the year," she said. "For example, if the audit takes until December, it's not reasonable to keep us in session." However, Townsend said she fully expects lawmakers to stay in session until late May or early June, provided the audit is continuing to move ahead. And regardless of what happens with the Senate's audit, she said her constituents gave her clear instructions to stay in session long enough to pass election bills that would take effect before the 2022 primary.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003401
ARZN_REV00069130_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Auditors hide donors, look for secret watermarks on ballots
Arizona Capitol Times
What the Senate election audit lacks in transparency, it makes up for in QAnon conspiracy theories.

Election audit liaison pushes private fundraising website
Capitol Media Services
The America Project was started by a millionaire who says the 2020 election results were fraudulent.

Parts of Southern Arizona named critical habitat for threatened cuckoo, snake
Arizona Daily Star
Tucson-based environmental group pushed for protection of species, their riparian habitat.

Tucson Solutions: Police visit patients, offer rides to mental health treatment
Arizona Daily Star
Tucson's Mental Health Support Team builds relationships with crisis observation centers that let officers quickly drop off people experiencing a mental crisis rather than taking them to jail.

Arizona prepares for water shortage
Mohave Valley Daily News
The announcement came as a surprise to no one. "It looks highly likely that we will be in a Tier 1 water shortage in 2022," declared Tom Buschatzke, director of the Arizona Department of Water Resources, at the opening of a 90-minute webinar on projections — and responses — to declining levels in Lake Mead, which serves as the reservoir for water in the Lower Colorado River Basin.

State auditor refers Sheriff's Office overtime case to Attorney General
Nogales International
The former Santa Cruz County sheriff and captain "may have violated state laws related to misuse of public monies and solicitation of forgery," the auditor's office wrote in its report.

The Arizona Rangers Are Raising Big Money Off Arizona's Ballot Audit
Phoenix New Times
The Arizona Rangers, a volunteer-based, quasi-law enforcement organization that traces its roots to territorial days, has raised more than $163,000 as of Thursday afternoon as its members continue to provide security for the state's controversial ballot audit.

Cyber Ninjas releases its election audit policies after court order
Arizona Mirror
Following a judge's ruling that the Arizona Senate's election audit team can't keep its policies and procedures secret, lead audit contractor Cyber Ninjas submitted nearly two hundreds pages to the court detailing its practices.

Elections experts call on Justice Department to send monitors to Arizona audit
The Hill
A group of election security and administration experts are asking the Justice Department to send federal monitors to Arizona as the Republican-led state Senate carries out an audit of 2.1 million ballots cast in Maricopa County in the state's 2020 presidential election.

Five things to know about Arizona's election audit
The Hill
Arizona has emerged as the last battleground for the fight over former President Trump's baseless claims of a stolen 2020 election.

More abortion restrictions passed this week compared to any week in last decade: analysis
The Hill
The number of abortion restrictions passed by states this week hit a record high, exceeding the number of restrictions passed in any one week in at least the last decade, according to a new analysis published Friday by the Guttmacher Institute.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Manchin, Sinema filibuster support scores political points back home, GOP poll shows
The Hill
Democratic Sens. Joe Manchin (W.Va.) and Kyrsten Sinema's (Ariz.) opposition to filibuster reform is scoring them points among voters in their states, according to conservative polling obtained by The Hill.

Mark Kelly bucks Biden on the border
Politico
The GOP is using the issue in an effort to hobble the Arizona Democratic senator's reelection campaign next year.

'Preborn' lives matter to Gov. Doug Ducey, but not the 17,282 'postborn' lost to COVID-19
Arizona Republic (Opinion, EJ Montini)
Not all lives are equal, considering how little the governor was willing to do to save them during the pandemic. There is no moral high ground in a cemetery.

Blame Gov. Doug Ducey for Arizona's poor census showing
Arizona Republic (Opinion, Laurie Roberts)
Why did Arizona miss out on another congressional seat? Part of it may be Gov. Doug Ducey's miserly spending to ensure we got a full census count.

Why aren't federal monitors already in Arizona? The Senate's election audit is a joke
Arizona Republic (Opinion, Elvia Diaz)
The Brennan Center wants federal election monitors to observe the Republican-led audit of Maricopa County's ballots. Why wasn't that already in place?

Arizona landlords have gotten 10% of allotted rent relief. How long will this go on?
Arizona Republic (Op-ed, Courtney LeVinus)
Putting aside whether extending the eviction moratorium is even legal, the ban and a slow trickle in rent relief have hit Arizona landlords hard

PRESS RELEASES

Arizona Working Families Urge Legislators to Protect Taxpayers and Vote NO on Unconstitutional SB 1268

PHOENIX, AZ: This week on behalf of United Food and Commercial Workers Local 99, Legal Counsel Roy Herrera penned a letter urging Arizona State Legislators to vote "NO" on S.B. 1268, "a flawed bill that would unnecessarily and illegally impost onerous requirements on private-sector labor unions with respect to their administration of employee benefit plans, an area governed exclusively by federal law… Because the bill is both bad policy and would be swiftly stricken by the courts, it warrants rejection in the Legislature."

Herrera goes on to explain the unconstitutionality of the bill, detailing how the bill would be preempted under the Employee Retirement Income Security Act of 1974 ("ERISA") and directly violates Equal Protection under the First Amendment of the U.S. Constitution.

"ERISA is a comprehensive federal law that subjects employee benefit plans to federal regulation. See Shaw v. Delta Air Lines, Inc., 463 U.S. 85, 90 (1983). It "sets various uniform standards, including rules concerning reporting, disclosure, and fiduciary responsibility" for employee benefit plans. Id. at 91 (citing 29 U.S.C. §§ 1021–1031, 1101–1114). To ensure uniformity, ERISA expressly preempts "any and all State laws insofar as they may now or hereafter relate to any employee benefit plan." 29 U.S.C. § 1144(a) (emphasis added). This "deliberately expansive language was designed to establish pension plan regulation as exclusively a federal concern." Ingersoll-Rand Co. v. McClendon, 498 U.S. 133, 138 (1990) (internal quotation marks omitted)."

"If enacted, the bill would also violate Equal Protection, as it creates an arbitrary distinction between private- and public-sector unions and subjects labor unions to onerous benefit administration requirements that it does not impose on any other kind of employer. Because labor union activity is a fundamental First Amendment right, singling it out for unequal treatment must further a compelling state interest. No such compelling justification exists, nor is there any rational basis to single out public-sector unions to the exclusion of their public-sector counterparts or other employers that offer or administer employee benefit plans."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003403
ARZN_REV00069130_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Herrera also reminds the Legislature that the State of Arizona has faced multiple legal cases in recent years that have left it subject to sizable attorneys' fees awards in federal court for passing bills that violate the constitutional rights of its citizens, which SB 1268 indeed does.
"If enacted into law, SB 1268 would suffer the same fate: it would be swiftly struck down in court and would become a nullity, all the while exposing Arizona taxpayers to needless liability."
"United Food and Commercial Workers Local 99 is currently making preparations to take SB 1268 to the Courts should the Arizona Legislature pass it and Governor Doug Ducey sign it into law." - James McLaughlin, President of United Food and Commercial Workers Local 99
The Arizona labor movement stands in solidarity with United Food and Commercial Workers Local 99 in calling for the Arizona Legislature to protect Arizona taxpayers by voting NO on the unconstitutional SB 1268 and avoiding imminent future legal battles.
##
The Arizona AFL-CIO is Arizona's largest labor federation fight for working families at the bargaining table, at the ballot box and in the halls of legislatures. https://www.azaflcio.org/

More Doctors' Offices and Clinics Can Order COVID-19 Vaccine Starting Next Week

Starting May 3, registered providers will be able to order vaccine directly

PHOENIX – The Arizona Department of Health Services (ADHS) is advancing COVID-19 vaccine availability farther into communities by enabling eligible doctors' offices and other neighborhood healthcare providers to order the Moderna vaccine.
This change, taking effect next week, will allow providers registered with ADHS to order vaccine directly from the U.S. Centers for Disease Control and Prevention (CDC) without needing an allocation from a county health department. It applies to nearly 1,200 providers statewide that are set up to order vaccine through ADHS. While some providers may have already received a vaccine allocation from their local health departments, this change makes others eligible to receive vaccine for the first time.
"As we get more doses into the state, we are expanding the places where Arizonans can get the vaccine," said ADHS Director Dr. Cara Christ. "From the beginning, we wanted to ensure Arizonans could receive the vaccine in locations they normally receive their health care – including their primary care providers' offices, clinics, and pharmacies. This will further reduce barriers and help more Arizonans access the vaccine."
The Moderna vaccine is ideal for use in doctors' offices and similar settings because of its less-stringent storage requirements and smaller lot sizes than the Pfizer vaccine.
Beginning Monday, May 3, each registered provider will be able to order up to 200 doses during a two-week period. Larger orders will be permitted for special events. Next week, more than 30,000 doses will be available to healthcare providers and clinics to order.
Not all healthcare providers will be eligible to order COVID-19 vaccine at this time. To order COVID-19 vaccine, providers need to register with ADHS as pandemic vaccine providers as required by the federal government. Providers interested in learning more or registering can visit azhealth.gov/VaccineProvider.
This availability complements seven state-run vaccination sites in the greater Phoenix metro area, Tucson, Yuma, and Flagstaff, which often have same-day appointments available and welcome walk-in patients during operating hours, as well as community and employer clinics organized in partnership with county health departments. In addition, an increasing number of Arizona pharmacies are receiving vaccine through the Federal Retail Pharmacy Program.
Information about all vaccination sites across Arizona, including healthcare providers offering vaccination, can be found at azhealth.gov/findvaccine. State sites, dozens of retail pharmacies, and several federally qualified health centers offer the Pfizer vaccine, which is available to those age 16 and older. Other sites may offer the Moderna and Johnson & Johnson/Janssen vaccines, which are approved for those 18 and older.
Please visit podvaccine.azdhs.gov or call 1-844-542-8201 to make appointments for state-run sites. Hours of operation for the call center are 8 a.m. to 5 p.m, seven days a week. Both resources offer assistance in English and Spanish. Throughout the week, ADHS makes some additional appointments available due to cancellations and no-shows.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

ICYMI: NAVY, ARMY, MARINE CORPS, AND AIR FORCE VETERANS JOIN IN A STATEWIDE CALL FOR SENS. KELLY & SINEMA TO PASS THE PRO ACT

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003404
ARZN_REV00069130_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Today, veterans from across Arizona representing various branches of our U.S. military called upon Sens. Kelly and Sinema to support the Protecting the Right to Organize Act (PRO Act) in a virtual press conference hosted by the Arizona AFL-CIO and the Union Veterans Council.

Here are some of the comments made from the speakers during the press conference:

"Veterans want union jobs, they want to be able to go out and make a livable wage, to have a pension, because remember not all of us served 20 years where we get a retirement at the end. So many of us when we enter the workplace bring skills and dedication because that's what the military taught us, how important it is to be on time and to be a productive worker. That's what our unions do through apprenticeship programs as well. We're able to carry on the trade we learned in the military to the civilian sector and we're able to survive, raise families. We are proud to have served our country and we're also proud to be union members. That is why I'm encouraging Senators Kelly and Sinema, it is time to sign on to the PRO Act."

-Richard Andrade, U.S. Air Force Veteran, State Representative, SMART Union member

"In my personal experience due to anti-union laws I've never had the opportunity to join a union although it's definitely something I would be interested in. I know some Shipmates who have separated from service and have had great success beginning a new career with the support and assurance of the union behind them. By passing the PRO Act it'll give veterans like myself an opportunity to join a union and really live the American dream that we fought so hard to defend."

-Melissa Shaw, U.S. Navy Veteran

"In Arizona we showed out in record numbers to ensure that we put up two Democratic senators that were pledging to not only support veterans but also to support workers and the unions that helped them get elected. ...When it comes to the PRO Act we know that for veterans once you leave your service you seek to find a community around you to build together and to work together. That's why over a million veterans are union members right now. The PRO Act would help veterans getting out of the military find a community that was working for something bigger than themselves and allows them to showcase leadership. We're here to ask our two Senators to really look at who it is that you claim to support, who it is that you publicly put out when you're doing your commercials and your press conferences and to support and join together with us by voting yes on the PRO Act."

-Tomas Robles, U.S. Marine Veteran, LUCHA

"I really believe that our union members are the backbone of our country. They're keeping our country strong and our economy strong, making sure we have fair wages for all of our workers and working families. With that, I'd really like to call on Senator Sinema she's been such a champion of our veterans ever since she was elected to congress. In the U.S. Senate she has really made standing up for veterans the cornerstone of her service and standing up for veterans that get treated here at the Phoenix VA system. I'm very proud to serve on Senator Kelly's veterans advisory council and I would encourage him to to support the PRO Act."

-Aaron Marquez, U.S. Army Veteran, VetsForward.us

"Being a member of AFSCME I have grown throughout my career working for the City of Phoenix. ...I'm rather upset that Senator Mark Kelly has not signed onto the PRO Act being a veteran and understanding what's really at stake and Senator Kyrsten Sinema, having a brother who is a veteran and being a family member of a veteran.

-Joe Witt, U.S. Army Veteran, AFSCME 2960 Secretary-Treasurer

To watch the full press conference click **here** and enter this passcode: r0.0M+Lw

Congressman Biggs Announces Formation & Inaugural Meeting of East Valley Second Amendment Coalition

Today, Congressman Andy Biggs announced the formation and inaugural meeting of the East Valley Second Amendment Coalition dedicated to preserving and promoting the right of Arizonans to keep and bear arms. This newly founded group comprised of leaders in the pro-Second Amendment community will regularly meet to discuss local, state, and federal actions that affect Arizonans' Constitutional rights.

"Our Second Amendment right to keep and bear arms is the great unifier," said Cheryl Todd, host of Gun Freedom Radio and State Director for the DC Project – Women for Gun Rights. "We all want to protect what we love, especially our families and our legacy of freedom. While many talk about upholding our precious Constitution and bringing the country together, Congressman Andy Biggs has taken action to make that happen by forming the East Valley Second Amendment Coalition."

Dave Kopp, President of the Arizona Citizens Defense League, shared his support for the Coalition: "The Arizona Citizens Defense League is dedicated to protecting and defending the rights of all Arizonans, with a particular focus

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003405

ARZN_REV00069130_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

on their right to keep and bear arms. We are proud to assist Congressman Andy Biggs, who has a long and distinguished record of doing the same, with his Second Amendment Coalition. It is our sincere hope that this coalition will help bring about a deeper understanding of the importance of our God-given and Constitutionally-protected rights, both amongst our elected representatives and in the population as a whole."

Just recently, a Washington Post-ABC News survey showed support for Second Amendment protection rose by 9 percent, while support for new gun control laws declined by 7 percent. Another survey commissioned by Second Amendment Association revealed 72 percent of Americans support the right to bear arms. Congressman Biggs, alongside the East Valley Second Amendment Coalition, will continue this fight for Americans and their right to defend themselves.

"We must preserve the Second Amendment in order to protect all of our God-given freedoms. We must vigilantly guard the right to bear arms because the Left threatens to use the awesome power of Government to take away our liberty. I am honored to join my friends in the East Valley Second Amendment Coalition to discuss how we can best fight the onslaught from the Left and secure our right to bear arms."– Congressman Andy Biggs

"QUOTE OF THE DAY"

"This is a sham audit covering up the evidence of election fraud. Smart Patriots see through this dog and pony show."

- ***Staci Burk, a Stop the Steal activist and Kraken lawsuit author, on the Senate's audit***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, April 30, 2021 8:18:05 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 4-30-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

Have a great weekend!

About Contact

In Today's Yellow Sheet April 30, 2021

AND WE'RE FULL CIRCLE
Staci Burk, a conspiracy theorist and Stop the Steal supporter who last graced our pages after she leaked to the media her bizarre phone call with Borrelli, is suing everybody involved with the audit because she thinks it's a "sham."

HE'LL GIVE FINCHEM A RUN FOR HIS MONEY
Railbirds have been chattering lately that Bennett is considering running for secretary of state – and while Bennett told our reporter today that he's not actively running, he's not ruling it out either.

AMERICAN OVERSIGHT

WHAT ARE THEY DOING NOW – KERN EDITION
Former lawmaker and Jan 6 protester Anthony Kern asked the AG to investigate a Republic reporter who tweeted an image of him working at the audit today that also contained a ballot.

SO YOU'RE TELLING ME THEY DIDN'T VET THESE PEOPLE?
As the only Republican to lose his House seat to a Democrat, Kern is on some of the ballots the auditors are reviewing – though Bennett said he was unaware that Kern ran in 2020.

LET'S TALK ABOUT DOXING
A conspiracy theory group involved with signing up volunteers to observe the audit was kicked off YouTube yesterday after doxing at least one Arizona journalist and targeting another.

WHEN YOU'VE LOST JAN…
Former Gov Jan Brewer told KTAR News during her weekly interview that she disagrees with the audit and doesn't think they will find anything.

SOMEONE TELL HIM MICHAEL CROW IS INVOLVED IN THE AUDIT
Brnovich went to bat for the Senate's audit this week in an interview with Newsmax, saying that the Senate has the authority to conduct it, and the "radical left" shouldn't be too worried about it if they don't have anything to hide.

ANY DAY NOW, WE SWEAR
Cobb yesterday shot down rumors that Democrats have been hearing that lawmakers will adjourn the session for a few weeks to focus on the budget.

WE'RE SHOCKED THAT IT WASN'T REALLY ABOUT THE AUDIT
After a meeting with Fann on Wednesday evening, Townsend told our reporter she can see a path forward for the election law changes she wants to pass this year.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, April 30, 2021

NEWS NOTES AND GOSSIP

AND WE'RE FULL CIRCLE

Staci Burk, a conspiracy theorist and Stop the Steal supporter who last graced our pages after she leaked to the media her bizarre phone call with Borrelli (YS, 3/10), is suing everybody involved with the audit because she thinks it's a "sham." Last night, she filed a suit with the federal court seeking an injunction to prevent the Senate from conducting audit because it may destroy "evidence of voter fraud." She named the Arizona Democratic Party, County Supervisor Steve Gallardo, but also Fann, Petersen, Ken Bennett and Cyber Ninjas. Burk has been blasting the Senate's audit on her Twitter account over the past week in posts that almost sound like they're coming from a Democrat – except that she still believes the fraud is real. "This is a sham audit covering up the evidence of election fraud. Smart Patriots see through this dog and pony show," Burk tweeted at the official audit's Twitter account (LINK). Burk thinks the audit only exists to bury evidence that the election was stolen from Trump. She accused workers of putting fingerprints all over ballots to "cover the crime because some Patriots were about to prove the truth." She repeatedly calls it a "fake audit" and claims people keep repeating lies and others will believe it. "Lie enough and repeat the lie. People will believe it. Sad," she posted. Burk first shot into headlines after when she represented herself in the failed "Kraken 2.0" lawsuit. She is once again representing herself in the claim filed in federal court.

HE'LL GIVE FINCHEM A RUN FOR HIS MONEY

Railbirds have been chattering lately that Bennett is considering running for secretary of state – and while Bennett told our reporter today that he's not actively running, he's not ruling it out either. To back up the speculation, railbirds have pointed to his role in the audit, along with other tell-tale signs such as the weirdly self-promotional videos he's been posting on the audit's Twitter account (LINK) and his cozying up to AZGOP chair Kelli Ward (LINK) and attacking Hobbs (LINK). "Ever since he's gone all birther crazy, Ken Bennett has been trying to get back in the game with virtually no success at all," one Republican said, adding that this appears to be Bennett's way of keeping himself in the public eye in preparation of a run. When our reporter asked Bennett point-blank today, he said he wasn't running. "No," he said, without hesitation. But when our reporter rephrased the question to ask whether he's ruling it out, he was less definite. "I'm considering, but really not right now. Right now, I'm focused on the audit, I'm not running for anything," he said, adding that he likes public service and would never rule out running for anything but that's not why he's doing the audit. "I might run for president of the United States but I doubt it," he said. "It might be the city council in Prescott. It might be Yavapai County Board of Supervisors. It might be superintendent of public instruction. It might be secretary of state. It might be state House of Representatives. It might be nothing and move to Utah and spend more time with my grandkids." Even though Bennett has already served more than one full term as secretary of state, and termed out in 2015, he can still run for the office again. The Arizona Constitution says, "No member of the executive department after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until out of office for no less than one full term." He's been out of office for longer than four years.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003409

ARZN_REV00069132_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT ARE THEY DOING NOW – KERN EDITION

Former lawmaker and Jan 6 protester Anthony Kern asked the AG to investigate a *Republic* reporter who tweeted an image of him working at the audit today that also contained a ballot. Ryan Randazzo was working as the press pool reporter and posted on Twitter that he was kicked out of the Coliseum. "Well, a man in a cowboy hat and a badge that said Wake TSI just came over, asked if I tweeted the picture of Anthony Kern, and when I said yes he escorted me out of the building and said my press privileges were 'revoked,'" Randazzo tweeted. Bennett said Randazzo was removed because there was a ballot in the image he tweeted. "I think he was trying to get Anthony Kern's face, but he ended up getting the ballot," Bennett said. "We were very clear that reporters would not be releasing close up images of ballots." To participate in the press pool, journalists agreed to ensure photos of ballots did not have contents that were distinguishable by the naked eye or via a zoom lens. They did not agree to avoid photographing or posting images that contain ballots entirely. There is no agreement to avoid photographing faces. Details of the ballot were not visible in the photo, and Randazzo said that when security personnel approached him, they asked if he had tweeted a photo of the former lawmaker, not the ballot. The audit's own cameras show images of ballots, though they're no more clear than the image Randazzo posted, which he shot from the press section more than 100 feet away from where the actual counting is happening, and which was too pixilated to make out the actual words on the ballot. The news also drew out new video showing Kern was actually much closer to the US Capitol during the attempted insurrection than previously known (LINK).

SO YOU'RE TELLING ME THEY DIDN'T VET THESE PEOPLE?

As the only Republican to lose his House seat to a Democrat, Kern is on some of the ballots the auditors are reviewing – though Bennett said he was unaware that Kern ran in 2020. "What, he lost? Was he in the 2020 election?" Bennett asked. Bennett said he was not involved in hiring Kern, saying that responsibility fell to the temp agency that hired counters for Wake TSI, the firm overseeing the hand recount under Cyber Ninjas. In its contract, Cyber Ninjas, pledged to use "non-partisan counters," drawn from "a pool of primarily former law enforcement, veterans, and retired individuals" for the recount. "These individuals will undergo background checks and will be validated to not have worked for any political campaigns nor having worked for any vendor involved in the voting process," the section stated. Bennett said no counters were asked their political party affiliation and Kern did not receive special treatment. Doug Logan, the conspiracy-supporting CEO of Cyber Ninjas, told reporters that the only vetting ballot-counters would undergo was a review of their social media accounts. It's unclear why that review didn't throw up red flags for Kern, who has posted a host of election-related conspiracies since losing his seat. Kern is also on the Brady List, a database of police who have engaged in a pattern of dishonesty. It is unclear whether that came up in a background check. "I don't know anything about that – I was not involved in his hiring," Bennett said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003410

ARZN_REV00069132_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LET'S TALK ABOUT DOXING

A conspiracy theory group involved with signing up volunteers to observe the audit was kicked off YouTube yesterday after doxing at least one Arizona journalist and targeting another. Scottsdale Studios, which is run by Susan Wood and her husband Charles, last night posted a video to its channel attacking Garrett Archer and *ABC15* alleging he doxed volunteers by showing them on video. (In case you need a quick refresher – and it seems many people do, as Fann and others accused reporters of doxing people by taking their photos at the audit – publishing a photo of someone at a public venue is not doxing. Publishing their home address or personal cell phone number and urging others to harass them is doxing.) Ironically, last weekend, Scottsdale Studios doxed *Republic* reporter Jen Fifield. Juxtaposing clips from her interview on *MSNBC* with Rachel Maddow, Wood posted Fifield's personal cell number and urged people to call her about her reporting. Fifield's phone blew up with harassing calls and texts from people who saw the video, which had at least 30,000 views as of last weekend. On her Facebook page today, Wood complained about being removed from YouTube. "You Tube just deleted my whole account 54,000 subscribers, with no warning. And You thought Trump was a facist? [sic]" She told our reporter today she wasn't exactly sure why YouTube removed her channel, but speculated it could be because of copyright. "I just sometimes copied a *CNN* interview and I copied the Rachel Maddow interview, possibly that violated copyright I'm not sure," she said. Wood said she was unaware that she doxed Fifield by posting her personal number on a video, saying she thought it was readily available information. "All I did was post what she had on her Twitter," Wood claimed. Fifield's personal cell phone is not available on her Twitter account, we told her. "Several people gave it to me so I guess she had given it out to people," Wood replied. She wouldn't say who gave her the number, or if they got it from the audit observer signup sheets. (Wood likely has Fifield's personal number because she helped coordinate the audit's observers (YS, 4/20).) When asked why she didn't opt to post Fifield's Twitter account or work email, Wood claimed that she didn't have that information. (This was seconds after claiming she got Fifield's number from her Twitter account.) "I'm sorry if I violated something I just thought that was the number of people texted her for stories and things," Wood said.

WHEN YOU'VE LOST JAN...

Former Gov Jan Brewer told *KTAR News* during her weekly interview that she disagrees with the audit and doesn't think they will find anything. Brewer, of course, is a big supporter and friend of Trump, and was secretary of state for six years and appointed Ken Bennett as the new secretary of state when she became governor. Brewer told hosts *Gaydos and Chad* that she doesn't understand why UV lights are being used, only that she was told it was about watermarks. "My understanding is the ballots don't have watermarks," she said (LINK). She's right. The idea that ballots have watermarks is a conspiracy QAnon started that auditors have been investigating. "It's unfortunate that after going through and having two different audits done by reputable people" that the Republican Party has taken things this far, she said. She commended the election officials for being "fully trained and bipartisan" with years of experience and said Fann and others pushing for the audit should just accept the results and move on. Brewer, a former senator, said she understands Fann's political problem as the Senate president. "[She] is trying to keep them all together and trying to please them all without getting them off in an uproar and get their panties in a twist … that's a difficult situation," Brewer said. She also pointed that we don't know who is funding the audit, saying that's a problem. She didn't leave before taking a shot at the Cyber Ninjas, too. "I don't know if these guys are qualified, that really concerned me because certainly if they were experts, they should have known [blue pens aren't allowed]. Certainly they would have read the law," she said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003411
ARZN_REV00069132_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SOMEONE TELL HIM MICHAEL CROW IS INVOLVED IN THE AUDIT

Brnovich went to bat for the Senate's audit this week in an interview with *Newsmax*, saying that the Senate has the authority to conduct it, and the "radical left" shouldn't be too worried about it if they don't have anything to hide (LINK). He said several times he would wait until the results were out before deciding if there were "actionable items" for his office to look into, saying he learned as a federal prosecutor not to comment on an ongoing investigation. "I'm not going to comment on how the Senate does its job until I actually see what happened, what the results are of that investigation," he said. Brnovich sidestepped *Newmax's* question about whether he was concerned about the firms doing the audit, again saying people should wait until the results come out before making judgements about the fairness of the process. "Very often you hear people throwing aspersions or saying, 'Oh my gosh, this person can't do it,' or 'That person has a conflict,'" Brnovich said. "It's the Senate. I keep coming back to this, but if you respect the rule of law, respect the separation of powers. It is the Senate's audit. They're the ones that are conducting it. Once they're done, let's see the results, and then people can make their own determination whether it was a fair audit, whether it was done correctly, whether there were errors in it." At one point, Brnovich parroted Trump, baselessly claiming that a "phalanx" of "70 Democratic lawyers from all over the country" were trying to stop the activities at the Coliseum. "The far left is trying to do everything they can to not only undermine the process, but to stop it," Brnovich said. "I think most, a lot of people are saying, 'Why? Let's let the process play out; let the Senate do its job."

ANY DAY NOW, WE SWEAR

Cobb yesterday shot down rumors that Democrats have been hearing that lawmakers will adjourn the session for a few weeks to focus on the budget. Democrats including Bowie and Bolding had told our reporter that rumors have been swirling about GOP leaders' plans to recess so that they can hammer out a budget deal as the session drags on. The logic is leaders are running out of bills to occupy rank-and-file lawmakers and it might be easier to take a couple weeks off instead of bringing every lawmaker to the capitol every day with nothing to do. But Cobb said that isn't happening. "Absolutely NOT," she said in a text message. "No recess ... just a rumor or wishful thinking." Cobb said negotiators are "really close to coming to an agreement on the budget." "I'm hoping to be out by mid-May," she added.

WE'RE SHOCKED THAT IT WASN'T REALLY ABOUT THE AUDIT

After a meeting with Fann on Wednesday evening, Townsend told our reporter she can see a path forward for the election law changes she wants to pass this year. And she's changing her tune about not going home before the audit is complete (YS, 4/22). "I am cognizant of the fact that this could drag on forever, and it's unreasonable to keep us there for the rest of the year," she said. "For example, if the audit takes until December, it's not reasonable to keep us in session." However, Townsend said she fully expects lawmakers to stay in session until late May or early June, provided the audit is continuing to move ahead. And regardless of what happens with the Senate's audit, she said her constituents gave her clear instructions to stay in session long enough to pass election bills that would take effect before the 2022 primary.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003412

ARZN_REV00069132_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Auditors hide donors, look for secret watermarks on ballots
Arizona Capitol Times
What the Senate election audit lacks in transparency, it makes up for in QAnon conspiracy theories.

Election audit liaison pushes private fundraising website
Capitol Media Services
The America Project was started by a millionaire who says the 2020 election results were fraudulent.

Parts of Southern Arizona named critical habitat for threatened cuckoo, snake
Arizona Daily Star
Tucson-based environmental group pushed for protection of species, their riparian habitat.

Tucson Solutions: Police visit patients, offer rides to mental health treatment
Arizona Daily Star
Tucson's Mental Health Support Team builds relationships with crisis observation centers that let officers quickly drop off people experiencing a mental crisis rather than taking them to jail.

Arizona prepares for water shortage
Mohave Valley Daily News
The announcement came as a surprise to no one. "It looks highly likely that we will be in a Tier 1 water shortage in 2022," declared Tom Buschatzke, director of the Arizona Department of Water Resources, at the opening of a 90-minute webinar on projections — and responses — to declining levels in Lake Mead, which serves as the reservoir for water in the Lower Colorado River Basin.

State auditor refers Sheriff's Office overtime case to Attorney General
Nogales International
The former Santa Cruz County sheriff and captain "may have violated state laws related to misuse of public monies and solicitation of forgery," the auditor's office wrote in its report.

The Arizona Rangers Are Raising Big Money Off Arizona's Ballot Audit
Phoenix New Times
The Arizona Rangers, a volunteer-based, quasi-law enforcement organization that traces its roots to territorial days, has raised more than $163,000 as of Thursday afternoon as its members continue to provide security for the state's controversial ballot audit.

Cyber Ninjas releases its election audit policies after court order
Arizona Mirror
Following a judge's ruling that the Arizona Senate's election audit team can't keep its policies and procedures secret, lead audit contractor Cyber Ninjas submitted nearly two hundreds pages to the court detailing its practices.

Elections experts call on Justice Department to send monitors to Arizona audit
The Hill
A group of election security and administration experts are asking the Justice Department to send federal monitors to Arizona as the Republican-led state Senate carries out an audit of 2.1 million ballots cast in Maricopa County in the state's 2020 presidential election.

Five things to know about Arizona's election audit
The Hill
Arizona has emerged as the last battleground for the fight over former President Trump's baseless claims of a stolen 2020 election.

More abortion restrictions passed this week compared to any week in last decade: analysis
The Hill
The number of abortion restrictions passed by states this week hit a record high, exceeding the number of restrictions passed in any one week in at least the last decade, according to a new analysis published Friday by the Guttmacher Institute.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Manchin, Sinema filibuster support scores political points back home, GOP poll shows
The Hill
Democratic Sens. Joe Manchin (W.Va.) and Kyrsten Sinema's (Ariz.) opposition to filibuster reform is scoring them points among voters in their states, according to conservative polling obtained by The Hill.

Mark Kelly bucks Biden on the border
Politico
The GOP is using the issue in an effort to hobble the Arizona Democratic senator's reelection campaign next year.

'Preborn' lives matter to Gov. Doug Ducey, but not the 17,282 'postborn' lost to COVID-19
Arizona Republic (Opinion, EJ Montini)
Not all lives are equal, considering how little the governor was willing to do to save them during the pandemic. There is no moral high ground in a cemetery.

Blame Gov. Doug Ducey for Arizona's poor census showing
Arizona Republic (Opinion, Laurie Roberts)
Why did Arizona miss out on another congressional seat? Part of it may be Gov. Doug Ducey's miserly spending to ensure we got a full census count.

Why aren't federal monitors already in Arizona? The Senate's election audit is a joke
Arizona Republic (Opinion, Elvia Diaz)
The Brennan Center wants federal election monitors to observe the Republican-led audit of Maricopa County's ballots. Why wasn't that already in place?

Arizona landlords have gotten 10% of allotted rent relief. How long will this go on?
Arizona Republic (Op-ed, Courtney LeVinus)
Putting aside whether extending the eviction moratorium is even legal, the ban and a slow trickle in rent relief have hit Arizona landlords hard

PRESS RELEASES

Arizona Working Families Urge Legislators to Protect Taxpayers and Vote NO on Unconstitutional SB 1268

PHOENIX, AZ: This week on behalf of United Food and Commercial Workers Local 99, Legal Counsel Roy Herrera penned a letter urging Arizona State Legislators to vote "NO" on S.B. 1268, "a flawed bill that would unnecessarily and illegally impost onerous requirements on private-sector labor unions with respect to their administration of employee benefit plans, an area governed exclusively by federal law… Because the bill is both bad policy and would be swiftly stricken by the courts, it warrants rejection in the Legislature."

Herrera goes on to explain the unconstitutionality of the bill, detailing how the bill would be preempted under the Employee Retirement Income Security Act of 1974 ("ERISA") and directly violates Equal Protection under the First Amendment of the U.S. Constitution.

"ERISA is a comprehensive federal law that subjects employee benefit plans to federal regulation. See Shaw v. Delta Air Lines, Inc., 463 U.S. 85, 90 (1983). It "sets various uniform standards, including rules concerning reporting, disclosure, and fiduciary responsibility" for employee benefit plans. Id. at 91 (citing 29 U.S.C. §§ 1021–1031, 1101–1114). To ensure uniformity, ERISA expressly preempts "any and all State laws insofar as they may now or hereafter relate to any employee benefit plan." 29 U.S.C. § 1144(a) (emphasis added). This "deliberately expansive language was designed to establish pension plan regulation as exclusively a federal concern." Ingersoll-Rand Co. v. McClendon, 498 U.S. 133, 138 (1990) (internal quotation marks omitted)."

"If enacted, the bill would also violate Equal Protection, as it creates an arbitrary distinction between private- and public-sector unions and subjects labor unions to onerous benefit administration requirements that it does not impose on any other kind of employer. Because labor union activity is a fundamental First Amendment right, singling it out for unequal treatment must further a compelling state interest. No such compelling justification exists, nor is there any rational basis to single out public-sector unions to the exclusion of their public-sector counterparts or other employers that offer or administer employee benefit plans."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003414
ARZN_REV00069132_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Herrera also reminds the Legislature that the State of Arizona has faced multiple legal cases in recent years that have left it subject to sizable attorneys' fees awards in federal court for passing bills that violate the constitutional rights of its citizens, which SB 1268 indeed does.
"If enacted into law, SB 1268 would suffer the same fate: it would be swiftly struck down in court and would become a nullity, all the while exposing Arizona taxpayers to needless liability."
"United Food and Commercial Workers Local 99 is currently making preparations to take SB 1268 to the Courts should the Arizona Legislature pass it and Governor Doug Ducey sign it into law." - James McLaughlin, President of United Food and Commercial Workers Local 99
The Arizona labor movement stands in solidarity with United Food and Commercial Workers Local 99 in calling for the Arizona Legislature to protect Arizona taxpayers by voting NO on the unconstitutional SB 1268 and avoiding imminent future legal battles.
##
The Arizona AFL-CIO is Arizona's largest labor federation fight for working families at the bargaining table, at the ballot box and in the halls of legislatures. https://www.azaflcio.org/

More Doctors' Offices and Clinics Can Order COVID-19 Vaccine Starting Next Week

Starting May 3, registered providers will be able to order vaccine directly

PHOENIX – The Arizona Department of Health Services (ADHS) is advancing COVID-19 vaccine availability farther into communities by enabling eligible doctors' offices and other neighborhood healthcare providers to order the Moderna vaccine.
This change, taking effect next week, will allow providers registered with ADHS to order vaccine directly from the U.S. Centers for Disease Control and Prevention (CDC) without needing an allocation from a county health department. It applies to nearly 1,200 providers statewide that are set up to order vaccine through ADHS. While some providers may have already received a vaccine allocation from their local health departments, this change makes others eligible to receive vaccine for the first time.
"As we get more doses into the state, we are expanding the places where Arizonans can get the vaccine," said ADHS Director Dr. Cara Christ. "From the beginning, we wanted to ensure Arizonans could receive the vaccine in locations they normally receive their health care – including their primary care providers' offices, clinics, and pharmacies. This will further reduce barriers and help more Arizonans access the vaccine."
The Moderna vaccine is ideal for use in doctors' offices and similar settings because of its less-stringent storage requirements and smaller lot sizes than the Pfizer vaccine.
Beginning Monday, May 3, each registered provider will be able to order up to 200 doses during a two-week period. Larger orders will be permitted for special events. Next week, more than 30,000 doses will be available to healthcare providers and clinics to order.
Not all healthcare providers will be eligible to order COVID-19 vaccine at this time. To order COVID-19 vaccine, providers need to register with ADHS as pandemic vaccine providers as required by the federal government. Providers interested in learning more or registering can visit azhealth.gov/VaccineProvider.
This availability complements seven state-run vaccination sites in the greater Phoenix metro area, Tucson, Yuma, and Flagstaff, which often have same-day appointments available and welcome walk-in patients during operating hours, as well as community and employer clinics organized in partnership with county health departments. In addition, an increasing number of Arizona pharmacies are receiving vaccine through the Federal Retail Pharmacy Program.
Information about all vaccination sites across Arizona, including healthcare providers offering vaccination, can be found at azhealth.gov/findvaccine. State sites, dozens of retail pharmacies, and several federally qualified health centers offer the Pfizer vaccine, which is available to those age 16 and older. Other sites may offer the Moderna and Johnson & Johnson/Janssen vaccines, which are approved for those 18 and older.
Please visit podvaccine.azdhs.gov or call 1-844-542-8201 to make appointments for state-run sites. Hours of operation for the call center are 8 a.m. to 5 p.m, seven days a week. Both resources offer assistance in English and Spanish.
Throughout the week, ADHS makes some additional appointments available due to cancellations and no-shows.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

ICYMI: NAVY, ARMY, MARINE CORPS, AND AIR FORCE VETERANS JOIN IN A STATEWIDE CALL FOR SENS. KELLY & SINEMA TO PASS THE PRO ACT

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003415
ARZN_REV00069132_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Today, veterans from across Arizona representing various branches of our U.S. military called upon Sens. Kelly and Sinema to support the Protecting the Right to Organize Act (PRO Act) in a virtual press conference hosted by the Arizona AFL-CIO and the Union Veterans Council.

Here are some of the comments made from the speakers during the press conference:

"Veterans want union jobs, they want to be able to go out and make a livable wage, to have a pension, because remember not all of us served 20 years where we get a retirement at the end. So many of us when we enter the workplace bring skills and dedication because that's what the military taught us, how important it is to be on time and to be a productive worker. That's what our unions do through apprenticeship programs as well. We're able to carry on the trade we learned in the military to the civilian sector and we're able to survive, raise families. We are proud to have served our country and we're also proud to be union members. That is why I'm encouraging Senators Kelly and Sinema, it is time to sign on to the PRO Act."

-Richard Andrade, U.S. Air Force Veteran, State Representative, SMART Union member

"In my personal experience due to anti-union laws I've never had the opportunity to join a union although it's definitely something I would be interested in. I know some Shipmates who have separated from service and have had great success beginning a new career with the support and assurance of the union behind them. By passing the PRO Act it'll give veterans like myself an opportunity to join a union and really live the American dream that we fought so hard to defend."

-Melissa Shaw, U.S. Navy Veteran

"In Arizona we showed out in record numbers to ensure that we put up two Democratic senators that were pledging to not only support veterans but also to support workers and the unions that helped them get elected. ...When it comes to the PRO Act we know that for veterans once you leave your service you seek to find a community around you to build together and to work together. That's why over a million veterans are union members right now. The PRO Act would help veterans getting out of the military find a community that was working for something bigger than themselves and allows them to showcase leadership. We're here to ask our two Senators to really look at who it is that you claim to support, who it is that you publicly put out when you're doing your commercials and your press conferences and to support and join together with us by voting yes on the PRO Act."

-Tomas Robles, U.S. Marine Veteran, LUCHA

"I really believe that our union members are the backbone of our country. They're keeping our country strong and our economy strong, making sure we have fair wages for all of our workers and working families. With that, I'd really like to call on Senator Sinema she's been such a champion of our veterans ever since she was elected to congress. In the U.S. Senate she has really made standing up for veterans the cornerstone of her service and standing up for veterans that get treated here at the Phoenix VA system. I'm very proud to serve on Senator Kelly's veterans advisory council and I would encourage him to to support the PRO Act."

-Aaron Marquez, U.S. Army Veteran, VetsForward.us

"Being a member of AFSCME I have grown throughout my career working for the City of Phoenix. ...I'm rather upset that Senator Mark Kelly has not signed onto the PRO Act being a veteran and understanding what's really at stake and Senator Kyrsten Sinema, having a brother who is a veteran and being a family member of a veteran.

-Joe Witt, U.S. Army Veteran, AFSCME 2960 Secretary-Treasurer

To watch the full press conference click **here** and enter this passcode: r0.0M+Lw

Congressman Biggs Announces Formation & Inaugural Meeting of East Valley Second Amendment Coalition

Today, Congressman Andy Biggs announced the formation and inaugural meeting of the East Valley Second Amendment Coalition dedicated to preserving and promoting the right of Arizonans to keep and bear arms. This newly founded group comprised of leaders in the pro-Second Amendment community will regularly meet to discuss local, state, and federal actions that affect Arizonans' Constitutional rights.

"Our Second Amendment right to keep and bear arms is the great unifier," said Cheryl Todd, host of Gun Freedom Radio and State Director for the DC Project – Women for Gun Rights. "We all want to protect what we love, especially our families and our legacy of freedom. While many talk about upholding our precious Constitution and bringing the country together, Congressman Andy Biggs has taken action to make that happen by forming the East Valley Second Amendment Coalition."

Dave Kopp, President of the Arizona Citizens Defense League, shared his support for the Coalition: "The Arizona Citizens Defense League is dedicated to protecting and defending the rights of all Arizonans, with a particular focus

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003416

ARZN_REV00069132_4-30-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

on their right to keep and bear arms. We are proud to assist Congressman Andy Biggs, who has a long and distinguished record of doing the same, with his Second Amendment Coalition. It is our sincere hope that this coalition will help bring about a deeper understanding of the importance of our God-given and Constitutionally-protected rights, both amongst our elected representatives and in the population as a whole."

Just recently, a Washington Post-ABC News survey showed support for Second Amendment protection rose by 9 percent, while support for new gun control laws declined by 7 percent. Another survey commissioned by Second Amendment Association revealed 72 percent of Americans support the right to bear arms. Congressman Biggs, alongside the East Valley Second Amendment Coalition, will continue this fight for Americans and their right to defend themselves.

"We must preserve the Second Amendment in order to protect all of our God-given freedoms. We must vigilantly guard the right to bear arms because the Left threatens to use the awesome power of Government to take away our liberty. I am honored to join my friends in the East Valley Second Amendment Coalition to discuss how we can best fight the onslaught from the Left and secure our right to bear arms."– Congressman Andy Biggs

"QUOTE OF THE DAY"

"This is a sham audit covering up the evidence of election fraud. Smart Patriots see through this dog and pony show."

- ***Staci Burk, a Stop the Steal activist and Kraken lawsuit author, on the Senate's audit***

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Monday, May 3, 2021 4:50:10 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-3-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet May 3, 2021

HISTORY IS FAKE NEWS, TOO
During his tenure as secretary of state, Ken Bennett made it through relatively unscathed and without major scandals or controversies – save for one national story.

TIME, LIKE A GOOD SONG, DOESN'T REPEAT BUT IT RHYMES
These days, Bennett is steadfastly denying that he ever engaged in birtherism, but even back then, Bennett declared that he was no birther – he was just investigating because citizens wanted him to investigate.

FORMER STAFFERS ARE OUR FAVORITE STAFFERS
One former staffer from Bennett's administration told our reporter it's odd Bennett is denying the birther story ever happened because the staff had several meetings about it at the time.

AMERICAN OVERSIGHT

EVERYONE GETS A LITTLE EXTRA SPICY ON TWITTER
After noticing a host of tweets from the audit's account over the weekend trolling the libs and owning the fake news, our reporter reached out to Bennett to ask if he's behind the tweets.

NOT ALL MEDIA IS CREATED EQUAL
Local news outlets had to hire lawyers to get access to the Senate's ongoing audit, but right-wing publications including OANN and Gateway Pundit have seemingly unfettered access to the Veteran's Memorial Coliseum.

WE GOT A PROMOTION!
Gateway Pundit founder Jim Hoft, who was permanently banned from Twitter for spreading election lies, published an article over the weekend in which he inexplicably decided our reporter works for CNN and claimed his freelancer was let in as part of the press pool.

DON'T FORGET ABOUT THE OTHER AUDIT
Former AZGOP lawyer Tim La Sota is taking the party to court tomorrow after Ward unilaterally canceled the planned April 24 meeting to re-elect AZGOP leadership in the wake of her contested January reelection.

CAN CONFIRM!
The first Democrat to announce his candidacy for whatever the new CD6 will become after redistricting is Jevin Hodge, a self-proclaimed mama's boy whose ex-girlfriend is confirming on Twitter that he is indeed a mama's boy and it ruined their relationship.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, May 03, 2021

NEWS NOTES AND GOSSIP

HISTORY IS FAKE NEWS, TOO

During his tenure as secretary of state, Ken Bennett made it through relatively unscathed and without major scandals or controversies – save for one national story. Yes, we're referencing Bennett's birther flap. Despite the plethora of coverage including emails, radio interviews and even his own apology for delving into birtherism (LINK), Bennett is now bafflingly denying that ever happened. In an interview with our reporter last week, and on several other occasions lately, Bennett said he was never trying to keep Obama off the ballot in 2012 and that he never asked for proof of citizenship. In 2012, Bennett threatened to withhold Barack Obama's name from the ballot if he couldn't receive confirmation from Hawaii that Obama was actually born in the US. We know this because, as documented at the time, Bennett wrote an email on April 16, 2012, to the Hawaii Deputy Attorney General saying, "If the State of Hawaii does not confirm that [Obama] was born in Hawaii, his name will not appear on Arizona ballots" (LINK). Obama was on the 2008 Arizona ballot before Bennett became secretary of state and had already provided his long form birth certificate at this point, but in another email, Bennett said that didn't matter. And he cited an investigation led by former Sheriff Joe Arpaio, an early adopter of the birther conspiracy, that Bennett claimed only added credence that Obama wasn't actually born in the US. "The MCSO investigation has not proven anything other than raised probable cause that the birth certificate posted on the Whitehouse website 'may be' a forgery … if Hawaii can't or won't provide verification of the President's birth certificate, I will not put his name on the ballot," he wrote. Not to mention he talked about barring Obama from the ballot on the radio in an interview that made national headlines (LINK). And of course, local media was all over it (YS, 5/18/12). The *Republic* editorial board panned his "poor judgment" (LINK), while the *Daily Star* editorial board called his actions a "national embarrassment" (LINK). And his birther flap certainly made national waves. *The Washington Post* editorial board, for example, poked fun at Bennett with a memorable editorial that noted he was caving to a small fringe of the GOP that demanded the investigation. "If one-fifteenth of 1 percent of Arizonans demanded that Ken Bennett, the state's Republican secretary of state, go to work in the nude, would he comply? Not likely," *WAPO* wrote (LINK).

TIME, LIKE A GOOD SONG, DOESN'T REPEAT BUT IT RHYMES

These days, Bennett is steadfastly denying that he ever engaged in birtherism, but even back then, Bennett declared that he was no birther – he was just investigating because citizens wanted him to investigate. Sound familiar? Just as he did with Obama's birth certificate, Bennett now claims he doesn't think there was any problem with the election. But there could be. He just wants to make sure because people believe something is wrong, he says. With a few tweaks, this passage from the *Daily Star's* editorial could run today. "It's not that he believes Obama's not qualified to be president, you must understand, it's just that someone asked him the question. Instead of responding with the facts – that it has been established with Obama's own long-form birth certificate, along with verification from Hawaiian officials, that Barack Obama was born in the United States and is, therefore, a citizen and qualified to be president – Bennett decided to stoke the birther fantasy."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003420

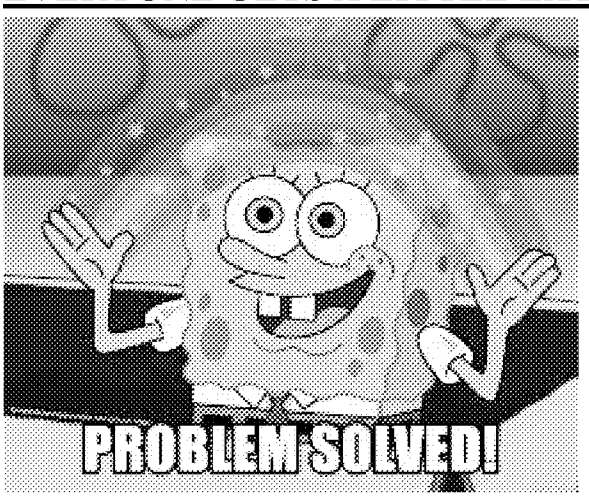
ARZN_REV00069134_5-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FORMER STAFFERS ARE OUR FAVORITE STAFFERS

One former staffer from Bennett's administration told our reporter it's odd Bennett is denying the birther story ever happened because the staff had several meetings about it at the time. "It happened, obviously," the source told our reporter. "We had meetings in our office about it and staff was freaking out because they were like 'so we're going to be the only state that does not put him on our ballot? We cannot do that. That is not how this works.' And staff was freaking out about it because of the fact that the thought was that we were potentially letting politics take over where it shouldn't be taking over. It was a really stressful time in the office." Despite that time, the source said almost everyone from that office keeps in touch and reminisces about the "good ole days" working under Bennett because he was a good boss. But even the former staffer couldn't explain what Bennett was doing with denying the birther story took place. The source guessed that maybe Bennett is trying to regain his lost integrity after his failed campaign for governor, and use that integrity to be the face of the audit, "but it's not gonna work."

EVERYONE GETS A LITTLE EXTRA SPICY ON TWITTER



After noticing a host of tweets from the audit's account over the weekend trolling the libs and owning the fake news, our reporter reached out to Bennett to ask if he's behind the tweets. Bennett said he isn't anymore and he's not okay with the tweets that clearly show partisan attacks on Democrats and the media and tweets sharing AZGOP posts and soliciting "dark money" donations. "I'm correcting that immediately," Bennett texted our reporter yesterday. (Bennett would not tell our reporter today who runs the account, but anybody who knows Bennett knows it's not his style to post those types of comments.) Then today, the account once again launched into an attack of *12 News* reporter Brahm Resnik. Resnik today posted a thread noting that Bennett called him over the weekend to apologize for the Arizona Audit Twitter account posting attacks and inflammatory remarks at his expense, as well as tweets directed at Hobbs and others. "He said account will be changing," Resnik tweeted, before launching into a heartwarming story about the days of Bennett being kind to others despite at times harsh reporting (in which Bennett makes a crack at his own birther flap (LINK).) But the only real change that's happened since our reporter reached out is it's no longer dubbed as an account being run "on behalf of Ken Bennett." "Was that the compromise?" the former staffer asked. "If that's not the most disingenuous bullsh*t ever, what is?" One Republican consultant theorized that the account has been handed over to somebody from Turning Point Action, who the source says also ran the AZGOP Twitter account late last year. While we have no clue if that's the case, the two styles are eerily similar.

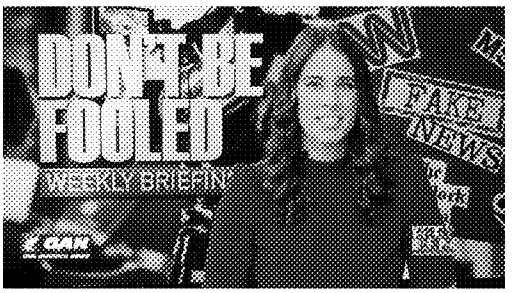
NOT ALL MEDIA IS CREATED EQUAL

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003421

ARZN_REV00069134_5-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED



Local news outlets had to hire lawyers to get access to the Senate's ongoing audit, but right-wing publications including *OANN* and *Gateway Pundit* have seemingly unfettered access to the Veteran's Memorial Coliseum. Under a media agreement worked out by attorneys representing multiple local publications, one reporter, one videographer and one still photographer are allowed in the coliseum at a time. They're constrained to the press box on the 19th row and not able to go elsewhere, though Senate liaison Ken Bennett usually stops by to answer questions during each shift. As the term "press pool" indicates, the outlets pool coverage – the *Arizona Republic* might publish info gathered by our reporter during a pool shift and *ABC15* can run footage shot by *12 News*. But *OANN* and *Gateway Pundit* are getting into the site without being part of the established pool. Our reporter and a *12 News* videographer were Friday afternoon's pool team, and an extra guy joined us in the press box about an hour and a half into the shift. He identified himself only as an "independent journalist" when our reporter introduced herself, but overhearing his subsequent questions to Bennett about uncovering election fraud and "leftist organizations" piqued our interest. With help from another reporter, we were able to identify the guy as Jordan Conradson, a self-described Realtor and correspondent for the *Gateway Pundit* (LINK). Conradson also worked a shift as a volunteer observer Saturday and has published multiple articles praising the audit, including one calling it "an auditing miracle" (LINK).

WE GOT A PROMOTION!

Gateway Pundit founder Jim Hoft, who was permanently banned from Twitter for spreading election lies, published an article over the weekend in which he inexplicably decided our reporter works for *CNN* and claimed his freelancer was let in as part of the pool. "When is someone going to fact-check these guys?" Hoft quoted Conradson as saying (LINK). We can do the fact-checking now: Conradson was not part of the press pool and didn't abide by our rules, including sharing copy with other participating publications. And he wasn't the only one: today our reporter, a videographer from *AZFamily* and a photographer from the *Washington Post* were the only pool reporters scheduled, yet *OANN's* Christina Bobb and her cameraman were hanging out in the press area. *OANN* is also running live-streams of the entire event, and Bobb herself has been fervently fundraising for the audit.

DON'T FORGET ABOUT THE OTHER AUDIT

Former AZGOP lawyer Tim La Sota is taking the party to court tomorrow after Ward unilaterally canceled the planned April 24 meeting to re-elect AZGOP leadership in the wake of her contested January reelection. Ward (allegedly) won reelection by 42 votes in an an election where one winner was later announced to have lost and the media was barred from covering the results, despite the process being open the press in the past. Tomorrow's hearing comes as Ward and her attorneys are attempting to dismiss the case after declaring that organizers didn't gather enough signatures to force a new election, saying a handful of the signatures that were invalid came from counties where organizers needed signatures. The members needed 294 signatures – 20 percent of the body – representing at least nine counties to get to this point. They got 352 signatures from 11 counties (YS, 3/26). Still, Ward said several of those signatures were invalid for unspecified reasons, and after a brief power struggle, canceled the party's reservation of Dream City Church. "They're saying that basically, if the chairman or treasurer says there aren't enough signatures, that's the end of it – it's completely unchallengeable in court," La Sota told our reporter today. The arguments on AZGOP's motion to dismiss the case will commence at 2 pm tomorrow.

CAN CONFIRM!

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003422

ARZN_REV00069134_5-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The first Democrat to announce his candidacy for whatever the new CD6 will become after redistricting is Jevin Hodge, a self-proclaimed mama's boy whose ex-girlfriend is confirming on Twitter that he is indeed a mama's boy and it ruined their relationship. Hodge narrowly lost to Jack Sellers in 2020 for the Maricopa County Board of Supervisors and was rumored to be eyeing CD9. He officially launched his campaign this morning with a video that doesn't actually announce what district he is seeking. Of course, maybe it was intentional depending how the lines are drawn he could end up in a potentially-wide open CD9 if Stanton runs for higher office. But running in CD6 has its challenges since prolific fundraiser Hiral Tipirneni, who many thought would unseat Schweikert, couldn't defeat him and Hodge is less known and likely unable to match her fundraising capability in a district that will likely be more red after the IRC draws new maps. In his announcement, Hodge noted that he would be the first Black congressman in Arizona if elected and the second youngest Black member of congress ever. He also touted his close relationship with his mother, which received immediate reaction from someone close to him. "Some might call it an insult, but I wear it as a badge of honor," Hodge said before explaining how he's a mama's boy. But Hodge likely wasn't expecting to hear from his ex-girlfriend poking fun of his mama's boy mentality. In a post to her Instagram story, Belen Sisa (who most will know as Bernie Sanders' National Latino Press Secretary for his presidential campaign) provided the definition of a mama's boy. "A male who is overly dependent on their mom into adult hood. This can lead to such things as a grown man letting his mom make decisions for him despite the fact he's old enough to make decisions for himself," she captioned the image. But that wasn't all. "This can have a bad effect on relationships and can be the driving force to breaking up as his girlfriend can grow tired of him letting his mother control his life," she wrote.

WAKE UP CALL

Reaching sine die mix of cunning, compromise
Arizona Capitol Times
It remains anyone's guess when the 55th Legislature will adjourn sine die. But the one thing most lawmakers are certain of is that it will take longer than two weeks.

Lawmakers winnow down sentencing bills
Arizona Capitol Times
As the Legislature enters what are likely the waning weeks of the 2021 session, a few bills meant to make Arizona's system of criminal sentencing more lenient have already been signed into law, while more ambitious measures have stalled.

Reporter forced from Senate audit for photographing ex-lawmaker, indiscernible ballot
Arizona Capitol Times
An Arizona Republic reporter had his press access for the state Senate audit revoked Friday after he tweeted a photo of former Republican lawmaker and Jan. 6 protester Anthony Kern reviewing Maricopa County 2020 ballots at the Arizona Veterans Memorial Coliseum.

Prisoner disputes shelf life of Arizona's execution drug
Associated Press
An Arizona death row prisoner, who would be among the state's first executions in almost seven years, has filed

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003423
ARZN_REV00069134_5-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

documents arguing the lethal injection drug to be used would expire sooner than prosecutors maintain and that makes it impossible to carry out his execution.

Lag in vaccination among Arizona's racial, ethnic groups unlikely to change
Arizona Daily Star
White people have been vaccinated against COVID-19 at a higher rate per capita than any other racial or ethic group in Arizona. More of them qualified for the vaccine from the start.

Arizona mourns slain Chandler officer
East Valley Tribune
Gilbert Officer Rico Aranda remains in critical condition but has stabilized and"has shown signs of improvement" since he was injured Thursday night in a violent confrontation with a car thief that left a Chandler police officer dead, Gilbert Police said.

Feds officially halt border wall construction
Nogales International
It wasn't clear if the half-finished wall projects in Santa Cuz County will simply be abandoned as-is, though DHS said it's working on a plan "that identifies additional measures to address the damage resulting from the prior Administration's border wall construction."

National Guard Troops Arrive In Cochise County
Herald-Review
The Arizona National Guard has arrived to bring some much-needed assistance to the Cochise County Sheriff's Office in their daily mission along the international border.

Audit using unproven technology developed by 'failed inventor' Jovan Pulitzer
Arizona Mirror
Policies and procedures recently released by the Florida based firm auditing Maricopa County's election along with observations of the auditing process reveal that auditors are scouring the 2.1 million ballots for "counterfeits" by using an unproven process created by the man who developed one of the "worst inventions" ever.

The Senate is sitting on millions of dollars as it outsources election audit funding to pro-Trump groups
Arizona Mirror
Private groups are raising outside money to help the Arizona Senate pay for its election audit, and it turns out there's an entity with several million dollars to spare that they could turn to — the Arizona Senate.

New funding to curb wildfires pushed in Congress, as another fire season looms
Arizona Mirror
As wildfires across the United States grow in size, intensity and duration each summer, members of Congress from the West are pushing for massive new investments in ecosystem management and wildfire mitigation.

Cindy McCain: Arizona election audit is 'ludicrous'
The Hill
Cindy McCain on Sunday called the GOP-backed election audit in Arizona "ludicrous."

Warming climate means Tucson needs more trees, may have less water for them
Arizona Daily Star (Opinion, Tim Steller)
Mayor Regina Romero's Million Tree Initiative aims for massive tree-planting to cool and shade urban neighborhoods.

The GOP is now the Grand Old Potato Head Party
Arizona Mirror (Opinion, James Garcia)
In the wake of the recent uproar by GOP leaders over Hasbro's decision to add a gender-neutral Potato Head to its traditional Mr. and Mrs. Potato Head toy collection, Mr. Head has apparently found a new vocation moonlighting as a high-dollar consultant for Republican politicos.

Is there a dynamic duo available who can wipe out COVID-19 the way Elvis did polio?
Arizona Republic (Opinion, EJ Montini)
Too many Americans are not going for their second COVID-19 shots. We need help showing them that it takes two to tango.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Yes, a guy from the insurrection is handling your ballot. Thank the Arizona GOP for that
Arizona Republic (Opinion, EJ Montini)
And thank the incompetent folks at Cyber Ninjas for proving what a farce their election 'audit' is.

Can Arizona's election audit get any more laughable? (It can and just did)
Arizona Republic (Opinion, Laurie Roberts)
The Senate's audit of Maricopa County's vote just got more absurd, if that's even possible anymore.

Arizona's census undercount may cost us $1.26 billion. And that's not the worst of it
Arizona Republic (Opinion, Greg Moore)
Arizona's census undercount isn't Gov. Doug Ducey's fault. But he made a mistake that will cost our state for years.

She brought culture to Phoenix and stared down its intolerance. What would she say today?
Arizona Republic (Op-ed, William Hermann)
Jessie Harper Linde brought some of the greatest acts of the day to a rough-edged place like Phoenix. I wonder what she would say about us today.

Democrats could win more of Arizona in 2022. But they'll need to do this first
Arizona Republic (Op-ed, Matt Grodsky)
Momentum may be on Democrats' side, but Arizona Republicans still hold a voter registration edge. And that matters for 2022, especially down ballot.

Should 'Dreamers' pay in-state tuition? Come on, Speaker Bowers. Let voters decide
Arizona Republic (Opinion, Editorial Board)
Arizona House Speaker Rusty Bowers is sitting on SCR 1044, which would ask voters to approve in-state tuition for undocumented high school graduates.

Arizona is still fighting about the 2020 election. No good can come of it.
Washington Post (Opinion, Chris DeRose)
I am a proud Republican. I have and will continue to support efforts to increase the fairness of elections.

Our View: Arizona needs a do-over on the Census
Today's News-Herald (Opinion, Editorial Board)
The 2020 Census was a disappointment for Arizona, and the Grand Canyon state needs to demand a mulligan.

PRESS RELEASES

Maricopa County Family Court Electronic Filing

Through eFileAZ Becomes Mandatory on June 1
PHOENIX – Under Arizona Supreme Court Administrative Order 2021-29, issued February 25, 2021, attorneys who file non-initiating family law case documents in the Superior Court in Maricopa County will need to transition to eFiling through eFileAZ no later than June 1, 2021. Attorneys are currently filing electronically through the Maricopa County Clerk of the Superior Court's eFiling Online system or through eFileAZ. On June 1 the Clerk of the Superior Court's eFiling Online system will be permanently removed for family court filings.
The transition to electronic filing in family court cases was accelerated by the pandemic and is part of the technology initiatives in the judicial branch's five-year strategic agenda, Justice for the Future: Planning for Excellence. Attorneys who have not yet registered in eFileAZ should do so now, to avoid errors or delays when mandatory eFiling through eFileAZ takes effect. The eFileAZ application is easy to navigate and offers the following: One email address for multiple accounts, easily manage an organization's or individual's account, set up proxy accounts, electronic service, and more.
Requirements, exceptions, related fees, signature standards, service information, policies and more appear in the Administrative Order. See https://www.azcourts.gov/Portals/22/admorder/Orders21/2021-29.pdf. For registration and training information on using eFileAZ, visit
https://www.azcourts.gov/efilinginformation/Training/eFileAZ-Training.
For troubleshooting, contact the Administrative Office of the Courts' Support Center by calling 602-452-3519 or 800-720-7743.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Colibri Collective Wins National Award for Latinos Vote! Radio Ad with People for American Way

PHOENIX- This week, The Colibri Collective was nationally recognized with the Gold Pollie Award for the *Latinos Vote!* program with People For the American Way. Also known as the "Oscars of Political Advertising," this Gold Pollie Award from the American Association of Political Consultants (AAPC) recognizes the radio ad, *"El Cucuy/Abuelita,"* which translates to *"The Boogeyman/Grandmother,"* as the Best Radio Bilingual/Multilingual/Foreign Language Ad.

Listen to the radio ad here.

"It was an honor to partner with People For American Way to mobilize the Latino community in Arizona. Understanding our audience, we are proud to apply our approach to political marketing to an award-winning campaign" **said The Colibri Collective CEO Gaby Cardenas.** "There is no clearer example of collaboration between national and local supporters coming together in Arizona, where Latino voters showed up in record numbers and made history."

The Pollie Awards are run by the American Association of Political Consultants. This year, the blind jury had to judge over 400 firms to determine the best and brightest voices in political communications and public affairs with over a record-breaking 2,700+ entries across 10 mediums, including television, digital, direct mail/print, radio and phones. *"El Cucuy/Abuelita,"* was produced by The Colibri Collective, a Latina owned advertising and marketing agency, as a part of an effort to engage Latino voters in the swing state during the 2020 presidential election. At that time, there were an estimated 32 million eligible Latino voters nationwide and 1.2 million in Arizona representing 24 percent of all eligible voters in the state. Latino voters were the largest racial or ethnic minority participating in a presidential election. In November, 16.4 million Latino voters went to the polls nationwide, and in Arizona, Latino voters turned out in record numbers and helped turn the state blue.

"This award and last year's election results are testaments to the power of organizing and engaging Latino voters," **said People For the American Way President Ben Jealous.** "The premise of People For's electoral work is that when we all have the ability to make our voices heard, we can change things for the entire country. We are so proud to have worked with The Colibri Collective in this endeavor and look forward to continuing this work in elections to come."

"We are so proud of the work our *Latinos Vote!* program did in Arizona last year," **said People For Senior Director for Strategy Lizet Ocampo.** "The goal of our collaboration with The Colibri Collective was to remind Latino voters in Arizona and across the country that the only way to protect our families and our communities was to show up at the ballot box. It worked. 'El Cucuy/Abuelita,' didn't just earn this award, it yielded election results that flipped Arizona blue for the first time since 1996 due to record setting turnout."

NEW: 101 Million Americans Now Fully Vaccinated Thanks to American Rescue Plan

Any Arizonan 16 Or Older Can Get A Vaccine

PHOENIX — Thanks to President Biden's American Rescue Plan, 101 million Americans are now fully vaccinated, including more than 2.3 million Arizonans. In addition, any Arizonan who is 16 or older is now eligible to receive the COVID vaccine.

The American Rescue Plan passed with support from Senators Mark Kelly and Kyrsten Sinema and provides $20 billion for vaccine distribution nationwide.

"The American Rescue Plan invested billions in vaccine distribution because leaders like Mark Kelly and Krysten Sinema know that's the quickest way to get Arizona past the pandemic," **said Niles Harris, Executive Director of Honest Arizona.** "We're grateful to Senator Kelly, Senator Sinema, and all of Arizona's congressional representatives who voted for the American Rescue Plan and put Arizona's economy and families first."

The American Rescue Plan provides:

- $1,400 stimulus checks for more than 3.2 million middle- and low-income Arizonans.
- $20 billion for vaccine distribution nationally, leading to more than 2 million Arizonans being fully vaccinated.
- $50 billion in loans and paycheck protection for small businesses affected by the pandemic.
- $7.6 billion in direct funding to Arizona's state and local governments to keep police officers, firefighters and first responders on the job.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Secretary of State's Office accepting applications for the John Lewis Youth Leadership Award

PHOENIX – The Secretary of State's Office announces and invites Arizonans to submit applications for the newly created John Lewis Youth Leadership Award, which aims to inspire Americans by awarding a civic-minded young person in each state who demonstrates leadership, has a passion for social justice, and works to improve the quality of life for their fellow citizens.

The National Association of Secretaries of State created this award in February. It seeks to honor the life and extraordinary achievements of the late Congressman John Lewis.

"The newly established John Lewis Youth Leadership Award will recognize the Arizonan who exemplifies the character, service, and commitment that Congressman Lewis demonstrated in his own lifetime. In his life's work, Congressman Lewis advanced whole communities and fought for lasting change. This national initiative to present this annual award to Americans in every state will celebrate the crucial work of young people in our communities," said Secretary of State Katie Hobbs, who serves on the executive board of NASS.

Congressman Lewis' courageous achievements during the Civil Rights Movement and long tenure of public service have inspired and will continue to inspire Americans for generations to come. In 1961, at the age of 21, Lewis was one of the original thirteen Freedom Riders. In 1963, Lewis was the youngest speaker at the March on Washington and was one of the "Big Six" leaders who organized the march. In 1965, Lewis helped lead the Selma-to-Montgomery marches. The first march took place on March 7 at the Edmund Pettus Bridge, where unarmed marchers were attacked by state troopers. The event would later become known as "Bloody Sunday" and was a turning point in the Civil Rights Movement. Lewis' activism at an early age continued throughout his life and he served as a U.S. Congressman for 33 years until he passed away in 2020.

The Office of the Arizona Secretary of State is accepting applications for the John Lewis Youth Leadership Award until Aug. 15, 2021 and the recipient will be announced on Sept. 28, 2021 in celebration of National Voter Registration Day.

Nominees must:

- Be 25 years old or younger at the time the award is presented
- Show a meaningful commitment to civil rights issues, including but not limited to voting rights
- Have provided service to a community in Arizona

The online application form is available here.

Media Advisory: View Logic and Accuracy Tests May 3

May 3, 2021 (Phoenix) – The public is invited to view the logic and accuracy tests online for the May 18 Town of Cave Creek election. The Maricopa County Elections Department is extending this option to the public in light of COVID-19.

Logic and accuracy tests are open to the public and performed before and after every election to certify the accuracy of the county's tabulation equipment and accessible voting devices.

When: Monday, May 3, 2021 at 2 p.m.

Where: The public is welcome to attend virtually. Email voterinfo@risc.maricopa.gov for audio and visual access to the online test, or visit our website to view it live here.

Media information: B-roll and photo opportunities are available. Media may attend virtually or in person. Masks and temperature checks are required if attending in person. RSVP to media@risc.maricopa.gov.

About the election: The Town of Cave Creek is holding an all-mail special election on Proposition 461, which would ratify the town's General Plan. State laws allows jurisdictions to hold all-mail elections. All eligible Cave Creek voters received a ballot in the mail, even if they are not on the Permanent Early Voter List. Learn more at Calendar.Maricopa.Vote. Find drop box and voting location information at Locations.Maricopa.Vote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003427

ARZN_REV00069134_5-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"If Hawaii can't or won't provide verification of the President's birth certificate, I will not put his name on the ballot."

- ***Ken Bennett, in a 2012 email to Hawaiian officials***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003428

ARZN_REV00069134_5-3-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, May 3, 2021 4:50:12 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-3-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded

About Contact

In Today's Yellow Sheet May 3, 2021

HISTORY IS FAKE NEWS, TOO
During his tenure as secretary of state, Ken Bennett made it through relatively unscathed and without major scandals or controversies – save for one national story.

TIME, LIKE A GOOD SONG, DOESN'T REPEAT BUT IT RHYMES
These days, Bennett is steadfastly denying that he ever engaged in birtherism, but even back then, Bennett declared that he was no birther – he was just investigating because citizens wanted him to investigate.

FORMER STAFFERS ARE OUR FAVORITE STAFFERS
One former staffer from Bennett's administration told our reporter it's odd

AMERICAN OVERSIGHT

Bennett is denying the birther story ever happened because the staff had several meetings about it at the time.

EVERYONE GETS A LITTLE EXTRA SPICY ON TWITTER
After noticing a host of tweets from the audit's account over the weekend trolling the libs and owning the fake news, our reporter reached out to Bennett to ask if he's behind the tweets.

NOT ALL MEDIA IS CREATED EQUAL
Local news outlets had to hire lawyers to get access to the Senate's ongoing audit, but right-wing publications including OANN and Gateway Pundit have seemingly unfettered access to the Veteran's Memorial Coliseum.

WE GOT A PROMOTION!
Gateway Pundit founder Jim Hoft, who was permanently banned from Twitter for spreading election lies, published an article over the weekend in which he inexplicably decided our reporter works for CNN and claimed his freelancer was let in as part of the press pool.

DON'T FORGET ABOUT THE OTHER AUDIT
Former AZGOP lawyer Tim La Sota is taking the party to court tomorrow after Ward unilaterally canceled the planned April 24 meeting to re-elect AZGOP leadership in the wake of her contested January reelection.

CAN CONFIRM!
The first Democrat to announce his candidacy for whatever the new CD6 will become after redistricting is Jevin Hodge, a self-proclaimed mama's boy whose ex-girlfriend is confirming on Twitter that he is indeed a mama's boy and it ruined their relationship.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, May 03, 2021

NEWS NOTES AND GOSSIP

HISTORY IS FAKE NEWS, TOO

During his tenure as secretary of state, Ken Bennett made it through relatively unscathed and without major scandals or controversies – save for one national story. Yes, we're referencing Bennett's birther flap. Despite the plethora of coverage including emails, radio interviews and even his own apology for delving into birtherism (LINK), Bennett is now bafflingly denying that ever happened. In an interview with our reporter last week, and on several other occasions lately, Bennett said he was never trying to keep Obama off the ballot in 2012 and that he never asked for proof of citizenship. In 2012, Bennett threatened to withhold Barack Obama's name from the ballot if he couldn't receive confirmation from Hawaii that Obama was actually born in the US. We know this because, as documented at the time, Bennett wrote an email on April 16, 2012, to the Hawaii Deputy Attorney General saying, "If the State of Hawaii does not confirm that [Obama] was born in Hawaii, his name will not appear on Arizona ballots" (LINK). Obama was on the 2008 Arizona ballot before Bennett became secretary of state and had already provided his long form birth certificate at this point, but in another email, Bennett said that didn't matter. And he cited an investigation led by former Sheriff Joe Arpaio, an early adopter of the birther conspiracy, that Bennett claimed only added credence that Obama wasn't actually born in the US. "The MCSO investigation has not proven anything other than raised probable cause that the birth certificate posted on the Whitehouse website 'may be' a forgery … if Hawaii can't or won't provide verification of the President's birth certificate, I will not put his name on the ballot," he wrote. Not to mention he talked about barring Obama from the ballot on the radio in an interview that made national headlines (LINK). And of course, local media was all over it (YS, 5/18/12). The *Republic* editorial board panned his "poor judgment" (LINK), while the *Daily Star* editorial board called his actions a "national embarrassment" (LINK). And his birther flap certainly made national waves. *The Washington Post* editorial board, for example, poked fun at Bennett with a memorable editorial that noted he was caving to a small fringe of the GOP that demanded the investigation. "If one-fifteenth of 1 percent of Arizonans demanded that Ken Bennett, the state's Republican secretary of state, go to work in the nude, would he comply? Not likely," *WAPO* wrote (LINK).

TIME, LIKE A GOOD SONG, DOESN'T REPEAT BUT IT RHYMES

These days, Bennett is steadfastly denying that he ever engaged in birtherism, but even back then, Bennett declared that he was no birther – he was just investigating because citizens wanted him to investigate. Sound familiar? Just as he did with Obama's birth certificate, Bennett now claims he doesn't think there was any problem with the election. But there could be. He just wants to make sure because people believe something is wrong, he says. With a few tweaks, this passage from the *Daily Star's* editorial could run today. "It's not that he believes Obama's not qualified to be president, you must understand, it's just that someone asked him the question. Instead of responding with the facts – that it has been established with Obama's own long-form birth certificate, along with verification from Hawaiian officials, that Barack Obama was born in the United States and is, therefore, a citizen and qualified to be president – Bennett decided to stoke the birther fantasy."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003431

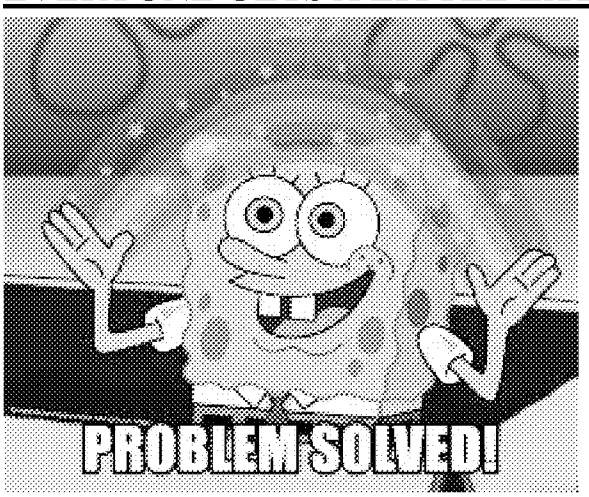
ARZN_REV00069136_5-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FORMER STAFFERS ARE OUR FAVORITE STAFFERS

One former staffer from Bennett's administration told our reporter it's odd Bennett is denying the birther story ever happened because the staff had several meetings about it at the time. "It happened, obviously," the source told our reporter. "We had meetings in our office about it and staff was freaking out because they were like 'so we're going to be the only state that does not put him on our ballot? We cannot do that. That is not how this works.' And staff was freaking out about it because of the fact that the thought was that we were potentially letting politics take over where it shouldn't be taking over. It was a really stressful time in the office." Despite that time, the source said almost everyone from that office keeps in touch and reminisces about the "good ole days" working under Bennett because he was a good boss. But even the former staffer couldn't explain what Bennett was doing with denying the birther story took place. The source guessed that maybe Bennett is trying to regain his lost integrity after his failed campaign for governor, and use that integrity to be the face of the audit, "but it's not gonna work."

EVERYONE GETS A LITTLE EXTRA SPICY ON TWITTER

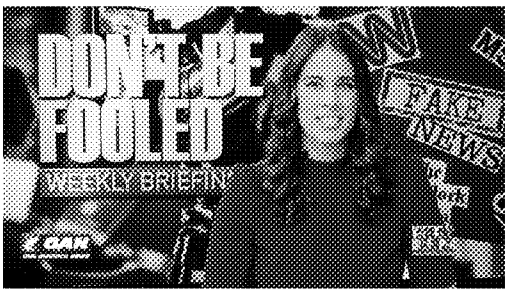


After noticing a host of tweets from the audit's account over the weekend trolling the libs and owning the fake news, our reporter reached out to Bennett to ask if he's behind the tweets. Bennett said he isn't anymore and he's not okay with the tweets that clearly show partisan attacks on Democrats and the media and tweets sharing AZGOP posts and soliciting "dark money" donations. "I'm correcting that immediately," Bennett texted our reporter yesterday. (Bennett would not tell our reporter today who runs the account, but anybody who knows Bennett knows it's not his style to post those types of comments.) Then today, the account once again launched into an attack of *12 News* reporter Brahm Resnik. Resnik today posted a thread noting that Bennett called him over the weekend to apologize for the Arizona Audit Twitter account posting attacks and inflammatory remarks at his expense, as well as tweets directed at Hobbs and others. "He said account will be changing," Resnik tweeted, before launching into a heartwarming story about the days of Bennett being kind to others despite at times harsh reporting (in which Bennett makes a crack at his own birther flap (LINK).) But the only real change that's happened since our reporter reached out is it's no longer dubbed as an account being run "on behalf of Ken Bennett." "Was that the compromise?" the former staffer asked. "If that's not the most disingenuous bullsh*t ever, what is?" One Republican consultant theorized that the account has been handed over to somebody from Turning Point Action, who the source says also ran the AZGOP Twitter account late last year. While we have no clue if that's the case, the two styles are eerily similar.

NOT ALL MEDIA IS CREATED EQUAL

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED



Local news outlets had to hire lawyers to get access to the Senate's ongoing audit, but right-wing publications including *OANN* and *Gateway Pundit* have seemingly unfettered access to the Veteran's Memorial Coliseum. Under a media agreement worked out by attorneys representing multiple local publications, one reporter, one videographer and one still photographer are allowed in the coliseum at a time. They're constrained to the press box on the 19th row and not able to go elsewhere, though Senate liaison Ken Bennett usually stops by to answer questions during each shift. As the term "press pool" indicates, the outlets pool coverage – the *Arizona Republic* might publish info gathered by our reporter during a pool shift and *ABC15* can run footage shot by *12 News*. But *OANN* and *Gateway Pundit* are getting into the site without being part of the established pool. Our reporter and a *12 News* videographer were Friday afternoon's pool team, and an extra guy joined us in the press box about an hour and a half into the shift. He identified himself only as an "independent journalist" when our reporter introduced herself, but overhearing his subsequent questions to Bennett about uncovering election fraud and "leftist organizations" piqued our interest. With help from another reporter, we were able to identify the guy as Jordan Conradson, a self-described Realtor and correspondent for the *Gateway Pundit* (LINK). Conradson also worked a shift as a volunteer observer Saturday and has published multiple articles praising the audit, including one calling it "an auditing miracle" (LINK).

WE GOT A PROMOTION!

Gateway Pundit founder Jim Hoft, who was permanently banned from Twitter for spreading election lies, published an article over the weekend in which he inexplicably decided our reporter works for *CNN* and claimed his freelancer was let in as part of the pool. "When is someone going to fact-check these guys?" Hoft quoted Conradson as saying (LINK). We can do the fact-checking now: Conradson was not part of the press pool and didn't abide by our rules, including sharing copy with other participating publications. And he wasn't the only one: today our reporter, a videographer from *AZFamily* and a photographer from the *Washington Post* were the only pool reporters scheduled, yet *OANN's* Christina Bobb and her cameraman were hanging out in the press area. *OANN* is also running live-streams of the entire event, and Bobb herself has been fervently fundraising for the audit.

DON'T FORGET ABOUT THE OTHER AUDIT

Former AZGOP lawyer Tim La Sota is taking the party to court tomorrow after Ward unilaterally canceled the planned April 24 meeting to re-elect AZGOP leadership in the wake of her contested January reelection. Ward (allegedly) won reelection by 42 votes in an an election where one winner was later announced to have lost and the media was barred from covering the results, despite the process being open the press in the past. Tomorrow's hearing comes as Ward and her attorneys are attempting to dismiss the case after declaring that organizers didn't gather enough signatures to force a new election, saying a handful of the signatures that were invalid came from counties where organizers needed signatures. The members needed 294 signatures – 20 percent of the body – representing at least nine counties to get to this point. They got 352 signatures from 11 counties (YS, 3/26). Still, Ward said several of those signatures were invalid for unspecified reasons, and after a brief power struggle, canceled the party's reservation of Dream City Church. "They're saying that basically, if the chairman or treasurer says there aren't enough signatures, that's the end of it – it's completely unchallengeable in court," La Sota told our reporter today. The arguments on AZGOP's motion to dismiss the case will commence at 2 pm tomorrow.

CAN CONFIRM!

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003433
ARZN_REV00069136_5-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The first Democrat to announce his candidacy for whatever the new CD6 will become after redistricting is Jevin Hodge, a self-proclaimed mama's boy whose ex-girlfriend is confirming on Twitter that he is indeed a mama's boy and it ruined their relationship. Hodge narrowly lost to Jack Sellers in 2020 for the Maricopa County Board of Supervisors and was rumored to be eyeing CD9. He officially launched his campaign this morning with a video that doesn't actually announce what district he is seeking. Of course, maybe it was intentional depending how the lines are drawn he could end up in a potentially-wide open CD9 if Stanton runs for higher office. But running in CD6 has its challenges since prolific fundraiser Hiral Tipirneni, who many thought would unseat Schweikert, couldn't defeat him and Hodge is less known and likely unable to match her fundraising capability in a district that will likely be more red after the IRC draws new maps. In his announcement, Hodge noted that he would be the first Black congressman in Arizona if elected and the second youngest Black member of congress ever. He also touted his close relationship with his mother, which received immediate reaction from someone close to him. "Some might call it an insult, but I wear it as a badge of honor," Hodge said before explaining how he's a mama's boy. But Hodge likely wasn't expecting to hear from his ex-girlfriend poking fun of his mama's boy mentality. In a post to her Instagram story, Belen Sisa (who most will know as Bernie Sanders' National Latino Press Secretary for his presidential campaign) provided the definition of a mama's boy. "A male who is overly dependent on their mom into adult hood. This can lead to such things as a grown man letting his mom make decisions for him despite the fact he's old enough to make decisions for himself," she captioned the image. But that wasn't all. "This can have a bad effect on relationships and can be the driving force to breaking up as his girlfriend can grow tired of him letting his mother control his life," she wrote.

WAKE UP CALL

Reaching sine die mix of cunning, compromise
Arizona Capitol Times
It remains anyone's guess when the 55th Legislature will adjourn sine die. But the one thing most lawmakers are certain of is that it will take longer than two weeks.

Lawmakers winnow down sentencing bills
Arizona Capitol Times
As the Legislature enters what are likely the waning weeks of the 2021 session, a few bills meant to make Arizona's system of criminal sentencing more lenient have already been signed into law, while more ambitious measures have stalled.

Reporter forced from Senate audit for photographing ex-lawmaker, indiscernible ballot
Arizona Capitol Times
An Arizona Republic reporter had his press access for the state Senate audit revoked Friday after he tweeted a photo of former Republican lawmaker and Jan. 6 protester Anthony Kern reviewing Maricopa County 2020 ballots at the Arizona Veterans Memorial Coliseum.

Prisoner disputes shelf life of Arizona's execution drug
Associated Press
An Arizona death row prisoner, who would be among the state's first executions in almost seven years, has filed

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003434
ARZN_REV00069136_5-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

documents arguing the lethal injection drug to be used would expire sooner than prosecutors maintain and that makes it impossible to carry out his execution.

Lag in vaccination among Arizona's racial, ethnic groups unlikely to change
Arizona Daily Star
White people have been vaccinated against COVID-19 at a higher rate per capita than any other racial or ethic group in Arizona. More of them qualified for the vaccine from the start.

Arizona mourns slain Chandler officer
East Valley Tribune
Gilbert Officer Rico Aranda remains in critical condition but has stabilized and"has shown signs of improvement" since he was injured Thursday night in a violent confrontation with a car thief that left a Chandler police officer dead, Gilbert Police said.

Feds officially halt border wall construction
Nogales International
It wasn't clear if the half-finished wall projects in Santa Cuz County will simply be abandoned as-is, though DHS said it's working on a plan "that identifies additional measures to address the damage resulting from the prior Administration's border wall construction."

National Guard Troops Arrive In Cochise County
Herald-Review
The Arizona National Guard has arrived to bring some much-needed assistance to the Cochise County Sheriff's Office in their daily mission along the international border.

Audit using unproven technology developed by 'failed inventor' Jovan Pulitzer
Arizona Mirror
Policies and procedures recently released by the Florida based firm auditing Maricopa County's election along with observations of the auditing process reveal that auditors are scouring the 2.1 million ballots for "counterfeits" by using an unproven process created by the man who developed one of the "worst inventions" ever.

The Senate is sitting on millions of dollars as it outsources election audit funding to pro-Trump groups
Arizona Mirror
Private groups are raising outside money to help the Arizona Senate pay for its election audit, and it turns out there's an entity with several million dollars to spare that they could turn to — the Arizona Senate.

New funding to curb wildfires pushed in Congress, as another fire season looms
Arizona Mirror
As wildfires across the United States grow in size, intensity and duration each summer, members of Congress from the West are pushing for massive new investments in ecosystem management and wildfire mitigation.

Cindy McCain: Arizona election audit is 'ludicrous'
The Hill
Cindy McCain on Sunday called the GOP-backed election audit in Arizona "ludicrous."

Warming climate means Tucson needs more trees, may have less water for them
Arizona Daily Star (Opinion, Tim Steller)
Mayor Regina Romero's Million Tree Initiative aims for massive tree-planting to cool and shade urban neighborhoods.

The GOP is now the Grand Old Potato Head Party
Arizona Mirror (Opinion, James Garcia)
In the wake of the recent uproar by GOP leaders over Hasbro's decision to add a gender-neutral Potato Head to its traditional Mr. and Mrs. Potato Head toy collection, Mr. Head has apparently found a new vocation moonlighting as a high-dollar consultant for Republican politicos.

Is there a dynamic duo available who can wipe out COVID-19 the way Elvis did polio?
Arizona Republic (Opinion, EJ Montini)
Too many Americans are not going for their second COVID-19 shots. We need help showing them that it takes two to tango.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Yes, a guy from the insurrection is handling your ballot. Thank the Arizona GOP for that
Arizona Republic (Opinion, EJ Montini)
And thank the incompetent folks at Cyber Ninjas for proving what a farce their election 'audit' is.

Can Arizona's election audit get any more laughable? (It can and just did)
Arizona Republic (Opinion, Laurie Roberts)
The Senate's audit of Maricopa County's vote just got more absurd, if that's even possible anymore.

Arizona's census undercount may cost us $1.26 billion. And that's not the worst of it
Arizona Republic (Opinion, Greg Moore)
Arizona's census undercount isn't Gov. Doug Ducey's fault. But he made a mistake that will cost our state for years.

She brought culture to Phoenix and stared down its intolerance. What would she say today?
Arizona Republic (Op-ed, William Hermann)
Jessie Harper Linde brought some of the greatest acts of the day to a rough-edged place like Phoenix. I wonder what she would say about us today.

Democrats could win more of Arizona in 2022. But they'll need to do this first
Arizona Republic (Op-ed, Matt Grodsky)
Momentum may be on Democrats' side, but Arizona Republicans still hold a voter registration edge. And that matters for 2022, especially down ballot.

Should 'Dreamers' pay in-state tuition? Come on, Speaker Bowers. Let voters decide
Arizona Republic (Opinion, Editorial Board)
Arizona House Speaker Rusty Bowers is sitting on SCR 1044, which would ask voters to approve in-state tuition for undocumented high school graduates.

Arizona is still fighting about the 2020 election. No good can come of it.
Washington Post (Opinion, Chris DeRose)
I am a proud Republican. I have and will continue to support efforts to increase the fairness of elections.

Our View: Arizona needs a do-over on the Census
Today's News-Herald (Opinion, Editorial Board)
The 2020 Census was a disappointment for Arizona, and the Grand Canyon state needs to demand a mulligan.

PRESS RELEASES

Maricopa County Family Court Electronic Filing

Through eFileAZ Becomes Mandatory on June 1
PHOENIX – Under Arizona Supreme Court Administrative Order 2021-29, issued February 25, 2021, attorneys who file non-initiating family law case documents in the Superior Court in Maricopa County will need to transition to eFiling through eFileAZ no later than June 1, 2021. Attorneys are currently filing electronically through the Maricopa County Clerk of the Superior Court's eFiling Online system or through eFileAZ. On June 1 the Clerk of the Superior Court's eFiling Online system will be permanently removed for family court filings.
The transition to electronic filing in family court cases was accelerated by the pandemic and is part of the technology initiatives in the judicial branch's five-year strategic agenda, Justice for the Future: Planning for Excellence. Attorneys who have not yet registered in eFileAZ should do so now, to avoid errors or delays when mandatory eFiling through eFileAZ takes effect. The eFileAZ application is easy to navigate and offers the following: One email address for multiple accounts, easily manage an organization's or individual's account, set up proxy accounts, electronic service, and more.
Requirements, exceptions, related fees, signature standards, service information, policies and more appear in the Administrative Order. See https://www.azcourts.gov/Portals/22/admorder/Orders21/2021-29.pdf. For registration and training information on using eFileAZ, visit
https://www.azcourts.gov/efilinginformation/Training/eFileAZ-Training.
For troubleshooting, contact the Administrative Office of the Courts' Support Center by calling 602-452-3519 or 800-720-7743.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Colibri Collective Wins National Award for Latinos Vote! Radio Ad with People for American Way

PHOENIX- This week, The Colibri Collective was nationally recognized with the Gold Pollie Award for the *Latinos Vote!* program with People For the American Way. Also known as the "Oscars of Political Advertising," this Gold Pollie Award from the American Association of Political Consultants (AAPC) recognizes the radio ad, *"El Cucuy/Abuelita,"* which translates to *"The Boogeyman/Grandmother,"* as the Best Radio Bilingual/Multilingual/Foreign Language Ad.

Listen to the radio ad here.

"It was an honor to partner with People For American Way to mobilize the Latino community in Arizona. Understanding our audience, we are proud to apply our approach to political marketing to an award-winning campaign" **said The Colibri Collective CEO Gaby Cardenas.** "There is no clearer example of collaboration between national and local supporters coming together in Arizona, where Latino voters showed up in record numbers and made history."

The Pollie Awards are run by the American Association of Political Consultants. This year, the blind jury had to judge over 400 firms to determine the best and brightest voices in political communications and public affairs with over a record-breaking 2,700+ entries across 10 mediums, including television, digital, direct mail/print, radio and phones. *"El Cucuy/Abuelita,"* was produced by The Colibri Collective, a Latina owned advertising and marketing agency, as a part of an effort to engage Latino voters in the swing state during the 2020 presidential election. At that time, there were an estimated 32 million eligible Latino voters nationwide and 1.2 million in Arizona representing 24 percent of all eligible voters in the state. Latino voters were the largest racial or ethnic minority participating in a presidential election. In November, 16.4 million Latino voters went to the polls nationwide, and in Arizona, Latino voters turned out in record numbers and helped turn the state blue.

"This award and last year's election results are testaments to the power of organizing and engaging Latino voters," **said People For the American Way President Ben Jealous.** "The premise of People For's electoral work is that when we all have the ability to make our voices heard, we can change things for the entire country. We are so proud to have worked with The Colibri Collective in this endeavor and look forward to continuing this work in elections to come."

"We are so proud of the work our *Latinos Vote!* program did in Arizona last year," **said People For Senior Director for Strategy Lizet Ocampo.** "The goal of our collaboration with The Colibri Collective was to remind Latino voters in Arizona and across the country that the only way to protect our families and our communities was to show up at the ballot box. It worked. 'El Cucuy/Abuelita,' didn't just earn this award, it yielded election results that flipped Arizona blue for the first time since 1996 due to record setting turnout."

NEW: 101 Million Americans Now Fully Vaccinated Thanks to American Rescue Plan

Any Arizonan 16 Or Older Can Get A Vaccine

PHOENIX — Thanks to President Biden's American Rescue Plan, 101 million Americans are now fully vaccinated, including more than 2.3 million Arizonans. In addition, any Arizonan who is 16 or older is now eligible to receive the COVID vaccine.

The American Rescue Plan passed with support from Senators Mark Kelly and Kyrsten Sinema and provides $20 billion for vaccine distribution nationwide.

"The American Rescue Plan invested billions in vaccine distribution because leaders like Mark Kelly and Krysten Sinema know that's the quickest way to get Arizona past the pandemic," **said Niles Harris, Executive Director of Honest Arizona.** "We're grateful to Senator Kelly, Senator Sinema, and all of Arizona's congressional representatives who voted for the American Rescue Plan and put Arizona's economy and families first."

The American Rescue Plan provides:

- $1,400 stimulus checks for more than 3.2 million middle- and low-income Arizonans.
- $20 billion for vaccine distribution nationally, leading to more than 2 million Arizonans being fully vaccinated.
- $50 billion in loans and paycheck protection for small businesses affected by the pandemic.
- $7.6 billion in direct funding to Arizona's state and local governments to keep police officers, firefighters and first responders on the job.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Secretary of State's Office accepting applications for the John Lewis Youth Leadership Award

PHOENIX – The Secretary of State's Office announces and invites Arizonans to submit applications for the newly created John Lewis Youth Leadership Award, which aims to inspire Americans by awarding a civic-minded young person in each state who demonstrates leadership, has a passion for social justice, and works to improve the quality of life for their fellow citizens.

The National Association of Secretaries of State created this award in February. It seeks to honor the life and extraordinary achievements of the late Congressman John Lewis.

"The newly established John Lewis Youth Leadership Award will recognize the Arizonan who exemplifies the character, service, and commitment that Congressman Lewis demonstrated in his own lifetime. In his life's work, Congressman Lewis advanced whole communities and fought for lasting change. This national initiative to present this annual award to Americans in every state will celebrate the crucial work of young people in our communities," said Secretary of State Katie Hobbs, who serves on the executive board of NASS.

Congressman Lewis' courageous achievements during the Civil Rights Movement and long tenure of public service have inspired and will continue to inspire Americans for generations to come. In 1961, at the age of 21, Lewis was one of the original thirteen Freedom Riders. In 1963, Lewis was the youngest speaker at the March on Washington and was one of the "Big Six" leaders who organized the march. In 1965, Lewis helped lead the Selma-to-Montgomery marches. The first march took place on March 7 at the Edmund Pettus Bridge, where unarmed marchers were attacked by state troopers. The event would later become known as "Bloody Sunday" and was a turning point in the Civil Rights Movement. Lewis' activism at an early age continued throughout his life and he served as a U.S. Congressman for 33 years until he passed away in 2020.

The Office of the Arizona Secretary of State is accepting applications for the John Lewis Youth Leadership Award until Aug. 15, 2021 and the recipient will be announced on Sept. 28, 2021 in celebration of National Voter Registration Day.

Nominees must:

- Be 25 years old or younger at the time the award is presented
- Show a meaningful commitment to civil rights issues, including but not limited to voting rights
- Have provided service to a community in Arizona

The online application form is available here.

Media Advisory: View Logic and Accuracy Tests May 3

May 3, 2021 (Phoenix) – The public is invited to view the logic and accuracy tests online for the May 18 Town of Cave Creek election. The Maricopa County Elections Department is extending this option to the public in light of COVID-19.

Logic and accuracy tests are open to the public and performed before and after every election to certify the accuracy of the county's tabulation equipment and accessible voting devices.

When: Monday, May 3, 2021 at 2 p.m.

Where: The public is welcome to attend virtually. Email voterinfo@risc.maricopa.gov for audio and visual access to the online test, or visit our website to view it live here.

Media information: B-roll and photo opportunities are available. Media may attend virtually or in person. Masks and temperature checks are required if attending in person. RSVP to media@risc.maricopa.gov.

About the election: The Town of Cave Creek is holding an all-mail special election on Proposition 461, which would ratify the town's General Plan. State laws allows jurisdictions to hold all-mail elections. All eligible Cave Creek voters received a ballot in the mail, even if they are not on the Permanent Early Voter List. Learn more at Calendar.Maricopa.Vote. Find drop box and voting location information at Locations.Maricopa.Vote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003438

ARZN_REV00069136_5-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"If Hawaii can't or won't provide verification of the President's birth certificate, I will not put his name on the ballot."

- ***Ken Bennett, in a 2012 email to Hawaiian officials***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003439

ARZN_REV00069136_5-3-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, May 4, 2021 6:12:49 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-4-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 4, 2021

WE'VE GOT A MAP MAKER
In a split vote, the IRC selected Timmons Group/National Demographics Corporation as its mapping consultant for the 2021 redistricting.

STATE BAR STILL INVESTIGATING OUR LOCAL RUDY GIULIANI
While the State Bar has tossed a handful of complaints against Republican lawyers who worked for Trump in the last election cycle, it has not dismissed complaints against AZGOP attorney and former Cyber Ninjas lawyer Alex Kolodin.

AMERICAN OVERSIGHT

MEANWHILE, EVERYONE ELSE IS IN THE CLEAR
A spokesman for the State Bar told our reporter that complaints against Dennis and Jack Wilenchik, also AZGOP counsel, as well as Lee Miller, the assistant secretary of state under Michele Reagan, and Kory Langhofer have been dismissed.

THEY'RE WORSE AT DEADLINES THAN OUR REPORTER
After repeatedly promising audit activities at the Madhouse on McDowell will conclude by the time the Senate's lease ends on May 14, Ken Bennett has pivoted in recent days to claiming the Senate never actually needed to leave the building, just the Coliseum floor.

ARIZONA IS STILL THE WILD WILD WEST
Election experts expect that the results of the Senate's audit at the Madhouse on McDowell won't align with the certified results, but not for the reasons the auditors might think.

THE DARK SIDE IS STRONG WITH THIS ONE
After yesterday's report noted that the audit's twitter account has been especially spicy as of late, reporter Brahm Resnik got in a word with Bennett about it – and Bennett said he has lost control.

WELL THIS SHOULD BE FUN
The Arizona Supreme Court will hear the defamation case that stems from Rogers' attack ads implying former lawmaker Steve Smith's employers were pedophiles during her failed 2018 congressional run.

WINK WINK NUDGE NUDGE GIVE ME MONEY
The Senate today confirmed Sarahmarge "Wink" Crigler to the state's Livestock Loss Board over objections from Democrats who noted that Crigler received money from the board's livestock loss fund.

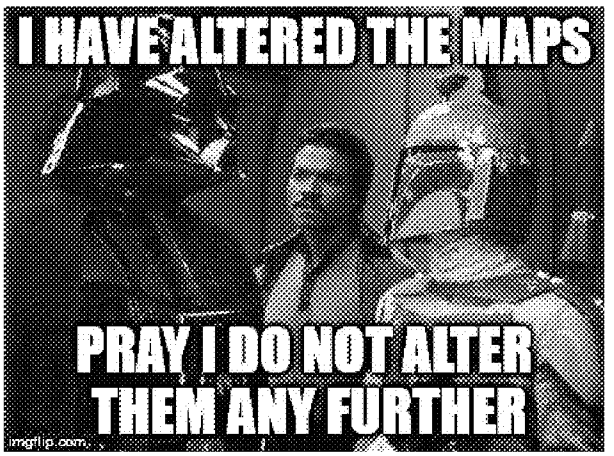
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, May 04, 2021

NEWS NOTES AND GOSSIP

WE'VE GOT A MAP MAKER



In a split vote, the IRC selected Timmons Group/National Demographics Corporation as its mapping consultant for the 2021 redistricting. The two Democrats on the commission, Shereen Lerner and Derrick Watchman, voted against choosing the firm, although both said they appreciated the process while they disagreed with the result. "I have concerns, but we are working together with Timmons to hopefully ameliorate my concerns," Lerner said. "I supported Haystaq over Timmons." The IRC delayed making a decision on a mapping consultant last week after being flooded with comments about the three firms. Republicans voiced concerns about HaystaqDNA, in part because it includes members of the firm hired for the 2011 redistricting. Similarly, Timmons' partnership with NDC concerned Democrats, in part because NDC was the consultant in 2001. The IRC spent more than four hours in executive session discussing their options and the firms' responses to public comments today. (In following the state procurement process, much of the selection details are discussed behind closed doors.) Now that the commission has made its decision, however, the public will be able to access those materials, such as the proposals and the firms' written responses to questions. "I hope the public will have a much greater appreciation for the selection we made once they review those materials," Republican Commissioner David Mehl said.

STATE BAR STILL INVESTIGATING OUR LOCAL RUDY GIULIANI

While the State Bar has tossed a handful of complaints against Republican lawyers who worked for Trump in the last election cycle, it has not dismissed complaints against AZGOP attorney and former Cyber Ninjas lawyer Alex Kolodin. Local attorneys filed several complaints against local Republican lawyers alleging a "pattern of several frivolous elections cases," which stemmed from their representation of Trump and the AZGOP in several election lawsuits that all failed following the 2020 election (YS, 11/30/20). All of those complaints have been dismissed, save for the one against Kolodin and Chris Viskovic, who works for Kolodin's firm, which are being investigated by a deputy independent bar counsel. Lisa Daniel Flores, the deputy independent bar counsel, said the office does not share findings or any information while a complaint is pending, so it's unclear what she may be looking for and why Kolodin and Viskovic's complaints haven't been dismissed. But the fact that the investigation has dragged on for so long, while other complaints were dismissed at the opening stages of investigation, raises eyebrows. It's also worth noting that both were representing Cyber Ninjas, the cybersecurity firm with no relevant experience to conduct an audit, until they were abruptly canned (YS, 4/28). Viskovic was also brought on in a strange maneuver late in the lawsuit that resulted in Judge Christopher Coury having to recuse himself since Viskovic worked for him within the past five years. Kolodin was subsequently removed as counsel after clearly not jiving with the new judge.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003442

ARZN_REV00069140_5-4-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

MEANWHILE, EVERYONE ELSE IS IN THE CLEAR

A spokesman for the State Bar told our reporter that complaints against Dennis and Jack Wilenchik, also AZGOP counsel, as well as Lee Miller, the assistant secretary of state under Michele Reagan, and Kory Langhofer have been dismissed. J Wilenchik and Miller's complaints were dismissed for "arguably ha[ving] a good faith basis to challenge the legitimacy of the EPM" and there was not "clear and convincing evidence" necessary "to prove a violation … of Arizona's Rules of Professional Conduct," according to the dismissal letters. D Wilenchik's complaint was dismissed because he was not actually representing clients in the lawsuits, his name was just on documents that were filed. The bar also dismissed the complaint against Langhofer, the former AZGOP counsel who worked for Trump during the election cycle and is now Fann and the Senate's attorney in the audit proceedings, as Flores said his "green button" lawsuit also had a "good faith legal and factual basis." A New Jersey congressman also filed complaints against Langhofer and three others, asking that they be disbarred. Democratic Rep Bill Pascrell – whose previous claim to fame was attacking "The Sopranos" – called Langhofer and the others "charlatans and miscreants" who "caused irreversible damage to public trust in the fair administration of our elections" (YS, 11/23/20). Those complaints were previously dismissed.

THEY'RE WORSE AT DEADLINES THAN OUR REPORTER

After repeatedly promising audit activities at the Madhouse on McDowell will conclude by the time the Senate's lease ends on May 14, Ken Bennett has pivoted in recent days to claiming the Senate never actually needed to leave the building, just the Coliseum floor. The Senate's contract with the Arizona Exposition and State Fair states that the Senate agrees to "remove all materials no later than the final date of this agreement," May 14. Our reporter has requested any updated written agreement between the Senate and the fair board but has not received it yet. Bennett told our reporter today that he's "working on" getting that agreement in writing. Reporters have pressed Bennett on the audit timeline, considering the Cyber Ninjas have just under 2.1 million ballots to count and they completed only 100,000 during the first four days of counting. His latest estimate, more than a week into the recount, is only 175,000, and a reader helpfully modeled that it will take through Labor Day to get the audit done at its current pace (LINK). Starting last Friday, Bennett began switching his response to questions about the audit's timeline from promising to be done in time to saying the team might take a break over the five days that the Coliseum hosts high school graduations. "If we're not done, we can stand aside for a while, store everything in a secure environment that's guarded and has video streaming on it, just like it is here," Bennett told our reporter yesterday. "Then after the five days are finished, we've been told we can come back for as long as we need." Part of the slowdown appears to be the lack of temporary workers counting ballots – auditors added 26 new tables to the 20 tables of counters but haven't staffed them yet. Bennett now says more staff will be added either today or tomorrow. He told our reporter this afternoon that as of the latest count, they had tallied 175,000 of the 2.1 million ballots, which puts them way behind schedule. As of last week, he claimed they had tallied 100,000 (YS, 4/28), meaning the audit has somehow slowed its pace.

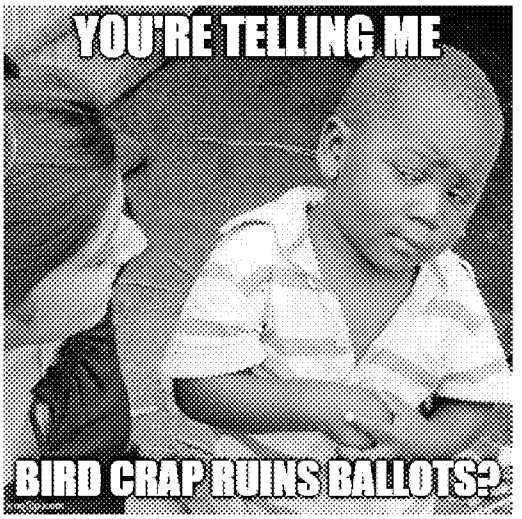
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003443

ARZN_REV00069140_5-4-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ARIZONA IS STILL THE WILD WILD WEST



Election experts expect that the results of the Senate's audit at the Madhouse on McDowell won't align with the certified results, but not for the reasons the auditors might think. They point to the processes the contractors are using and the lack of ballot security as reasons the numbers ultimately won't match up. The activities at the Coliseum have "contaminated and corrupted all 2.1 million ballots that Maricopa County so meticulously kept control of – now all of that is gone," said longtime Washington Secretary of State Kim Wyman, a Republican and a member of the nonpartisan National Task Force on Election Crises. "Pretty much anything from this day forward is just a crapshoot, and the only point of it is to undermine confidence in the results," she said. "That is the only end game here." Wyman pointed to ambiguity in the procedures and lack of security, saying they've shot their ability to take the results to court if the contactors' shoddy methodology turns up different results than the canvas. She said election officials maintain records and chain of custody to be able to withstand court challenges, but that there's no such accountability here. "It's a wide open Wild Wild West, as far as I'm concerned," she said. "You can't guarantee ballot security in that environment because that organization has no requirement to do it." Matthew Masterson, former Senior Cybersecurity Advisor for the Department of Homeland Security, agreed, saying the presence of blue and black pens early on made that certain. "As soon as those pens showed up in there, as soon as tracking and valid custody was lost, it cannot be reestablished, and there's no way to prove it after the fact," Masterson said. Tammy Patrick, another task force member and a former Maricopa County elections official, added that the Coliseum's permanent residents could potentially damage the ballots, if they haven't already. "There are literally birds flying around inside the Coliseum over where the official ballots are being counted," she said.

THE DARK SIDE IS STRONG WITH THIS ONE

After yesterday's report noted that the audit's twitter account has been especially spicy as of late, reporter Brahm Resnik got in a word with Bennett about it – and Bennett said he has lost control. "We're still working on it," Bennett said of his attempts to rein in the account, adding that the account is being run by a committee "and you can see how things run when they get run by committee." Bennett said the committee is trying to set standards for what it tweets, but that hadn't happened yet. Since yesterday, the account has taken a slightly different, more playful trolling tone, pledging it will be the "most comprehensive forensic election audit in the history of our galaxy!" and using the Star Wars holiday (May 4 – as in, May the Fourth be With You (LINK) to troll Resnik, its favorite reporter. At one point, Resnik declared that Hobbs' observers were on the floor wearing purple, and then corrected himself to say they're wearing fuchsia. The audit twitter committee couldn't resist another jab. "The shirts aren't fuchsia they are pink. This is why we have audits," the committee tweeted (LINK).

AMERICAN OVERSIGHT

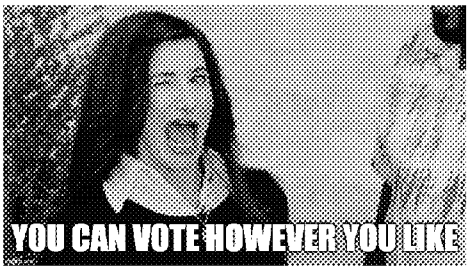
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003444
ARZN_REV00069140_5-4-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WELL THIS SHOULD BE FUN

The Arizona Supreme Court will hear the defamation case that stems from Rogers' attack ads implying former lawmaker Steve Smith's employers were pedophiles during her failed 2018 congressional run. Her opponent's former employer said that the ads defamed her and her company by implying she "had committed or supported the commission of sex crimes." Rogers' attorneys argued that the continued litigation would chill political speech and keep politicians from bringing up their opponents' employers. In one of Rogers' radio ads, the narrator called Smith, "a slimy character whose modeling agency specializes in underage girls and advertises on websites linked to sex trafficking." Rogers' campaign website, www.slimysteve.com, also stated that Smith "personally advertises on the website, Model Mayhem, a website full of pornographic material, which has also been involved in human trafficking, according to *ABC News*, and has been reported as having a 'dangerous history.'" Pamela Young, owner of the Young Agency, sued Rogers for defamation and false light invasion of privacy. While a trial court sided with Young, the Court of Appeals in a split decision in December entered a summary judgement for Rogers. Now the state's high court will decide. Justice Bill Montgomery did not participate in selecting the case – when he was Maricopa County Attorney, he defended Smith during the 2018 campaign.

WINK WINK NUDGE NUDGE GIVE ME MONEY



The Senate today confirmed Sarahmarge "Wink" Crigler to the state's Livestock Loss Board over objections from Democrats who noted that Crigler received money from the board's livestock loss fund. In 2019, Crigler received $66,000, about one-third of the total amount granted by the board that year. During her interview with a Senate committee earlier this year, Crigler described her 2019 grant as paying a portion of the cost to ship 300 cows to raise their calves in a pasture away from the range area of Mexican gray wolves. Crigler recused herself from the board's vote on that grant, but Democratic senators who opposed Crigler's nomination, including Quezada, said that recusal didn't do enough to stop an appearance of impropriety. Sandy Bahr, director of the state's Sierra Club chapter, flagged the grant in a letter to senators and told our reporter the state should have a high standard for someone sitting on a public board that allocates public funds. Even if Crigler recused herself, her presence on the board could pressure other members to vote for her grant request, Bahr said. "She's part of the board, she's sitting right there, and clearly if someone else on the board wants her support for what they're asking for, it creates a weird power dynamic," Bahr said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003445

ARZN_REV00069140_5-4-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

U.S. Supreme Court refuses to hear last challenge to Arizona election
Capitol Media Services
The U.S. Supreme Court on Monday threw out what is likely the last legal challenge remaining about the choice of Arizona voters of Joe Biden for president.

Ducey reinstates job-seeking requirement for unemployed
Capitol Media Services
Arizonans are going to have to start looking for work again later this month if they want to keep their unemployment benefits.

Pima County's first FEMA-run mobile vaccine sites open
Arizona Daily Star
Pima County's federally run mobile vaccination sites geared toward hard-to-reach communities are expected to operate until June 26.

Healthcare Providers Brace for Impact After Controversial Anti-Abortion Bill Signed
Phoenix New Times
What abortion care in Arizona will look like in the near future is uncertain, to say the least.

Everything we know about who is funding the Arizona election audit
Arizona Mirror
The Arizona Senate's audit of Maricopa County's election results is still underway and a number of pro-Trump and conspiracy-minded groups are raising money for it, though it is unclear how much money has been raised, how much the audit will cost and who will receive that money.

Why Rising Diversity Might Not Help Democrats as Much as They Hope
New York Times
Voters of color make up an increasing percentage of the United States electorate, but that trend isn't hurting Republicans as much as conservatives fear.

What do anonymous Arizona election audit donors get for their investment (besides access)?
Arizona Republic (Opinion, Laurie Roberts)
The Arizona Senate is actually promoting a "dark money" group's fundraising campaign to send money … privately, of course … to the private firm auditing the 2020 election.

Campaign to end dark money is back. And this time (maybe), there's no virus to derail it
Arizona Republic (Opinion, Laurie Roberts)
It is far past time for Arizonans to demand dark money disclosure. Finally, finally, finally, we may get that chance.

Arizona is ready to deal with a water shortage ... except for one thing
Arizona Republic (Opinion, Joanna Allhands)
Arizona has plans in place to lessen the pain of a Colorado River shortage. But a key component – wells for farmers – remains highly uncertain.

What Swim Neptune didn't tell you about its Scottsdale lawsuit
Arizona Republic (Op-ed, Dave Pattison)
Swim Neptune is running roughshod over Scottsdale taxpayers to appeal a decision against it, while also smearing our swim club. Where will this end?

PRESS RELEASES

Governor Ducey Signs Bill To Expand Opportunities For Community College Students
"This is 'Opportunity for All' in action"

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003446
ARZN_REV00069140_5-4-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PHOENIX — Governor Doug Ducey today signed legislation allowing community colleges to offer four-year degrees, paving the way for Arizona's current and future workforces and expanding opportunities for populations that are historically underrepresented in higher education.

"Arizona's community colleges play a critical role in supporting students of all ages and equipping our workforce with skills and resources," said Governor Ducey. "Arizona is a school choice state, and today's action is school choice for higher education. This is 'Opportunity for All' in action. It will allow students even more opportunities as they strengthen their education and expand their employment opportunities. Thank you to Senator Paul Boyer and Representative Becky Nutt for leading on legislation that supports Arizona's higher education students and our talented workforce."

As the state moves forward from the pandemic, Senate Bill 1453 is an important and timely shift to reskill and upskill Arizona's workforce to meet the needs of the growing economy and provide a pathway to economic prosperity for more Arizonans.

"As more and more jobs come to Arizona, we need to make sure our workforce is ready to meet the demand," said Senator Paul Boyer. "Community colleges equip students with much-needed skills, and expanding their degree programs will benefit adult students of all ages and strengthen Arizona's workforce. It will also draw more talented students and diverse employers to our state. Thank you, Governor Ducey, for signing Senate Bill 1453."

Research suggests that these degrees may play an important role in better serving a racially and economically diverse student population. The students are typically adult learners who are working, often full-time, and who have considerable work experience that they do not want to abandon for full-time study toward the baccalaureate degree.

"Today's legislation will help people in every corner of our state," said Representative Becky Nutt, who helped spearhead these efforts. "Arizona has been a national leader in school choice for many years, and allowing community colleges to offer four-year degrees will take a step further in meeting the needs of adult students."

The legislation will align Arizona with 23 other states, including all neighboring states, to allow community colleges to offer four-year degrees in limited circumstances.

"We are committed to helping our students connect with programs that fit their needs and prepare them for job opportunities," said Yavapai College President Dr. Lisa Rhine. "There are a wide range of jobs available all across the state, and we are preparing our students to meet that demand and reach their goals. Allowing community colleges like Yavapai College to offer four-year degrees will save students money, draw more students to our school and build up our workforce. My thanks to the legislators who supported Senate Bill 1453, Governor Ducey for signing it, and everyone who supported this important reform."

Under the legislation, community colleges opting to offer baccalaureate degrees must approve each program based on specific criteria, including workforce need, a financial and administrative analysis of the feasibility of offering the program, and mitigating duplication.

"At Eastern Arizona College, we're ready to support and work with students who want to get a higher education and build a career," said Eastern Arizona College President Todd Haynie. "The legislation signed by Governor Ducey provides an accessible way for Arizona students to continue their education and build a brighter future for themselves and their loved ones. When community colleges offer four-year degrees, it opens up opportunities for more students of all ages and backgrounds. Thank you to everyone who supported this bill."

"Enabling Arizona's community colleges to offer baccalaureate degrees will be very beneficial to San Carlos Apache College students by increasing the amount and diversity of choices available to them locally and throughout the State, if not the country, for pursuing their baccalaureate and higher-level degrees," said San Carlos Apache Tribe Chairman Terry Rambler. "A more educated and skilled Arizona workforce will also increase business and personal income, grow revenues for the state to invest in other critical needs, and decrease dependency on social safety nets."

"This is great news for Sierra Vista, home to one of the best community colleges in the nation. Our citizens will benefit from expanded educational opportunities," said Sierra Vista Mayor Rick Mueller. "It will aid our ability to develop and maintain a skilled local workforce qualified to work high tech and medical jobs we have, which will bolster Sierra Vista's economic development efforts and benefit our surrounding rural communities."

"This legislation enhances school choice in our state by expanding access to affordable baccalaureate degrees and supports our economy by building a skilled workforce in the highest need areas, such as health care, information technology, police and fire science, and education," Maricopa Community College District Interim Chancellor Dr. Steven Gonzales said in a letter.

"Community colleges offer our veterans quality education at affordable prices, allowing our community access to higher education and college completion," Maricopa Veterans Education Taskforce President Calvin DeVoll said in a letter.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003447
ARZN_REV00069140_5-4-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"...I am a busy mom of 9 active children, and it has not been easy to balance my personal, professional and academic life. However, having a supportive community college has been extremely instrumental in my journey to achieving my academic goals. I would be excited at the opportunity to stay at my current community college and save the money that I will need for the master's level work that I plan to pursue," Rio Salado Community College student Antonette Pearson said in a letter.

The City of Mesa names Ana Pereira as its Public Information and Communications Director

Mesa, AZ – The City of Mesa has selected Ana Pereira as the new Public Information and Communications Director, after a nationwide search. Ms. Pereira will begin serving as Director on May 10.

Pereira has an extensive communications background in both the private and public sectors. As Vice President of Client Services for Urias Communications in Phoenix, she oversees the management of all agency accounts and leads the development of strategic digital, public relations and advertising campaigns targeting general, Hispanic and Native American markets. Prior to joining Urias, Pereira served as Outreach Director for John McCain's successful 2016 re-election campaign to the U.S. Senate. Pereira was a Spanish language news reporter for Telemundo in Phoenix and for Univision in Orlando and Boston. Pereira served as the Communications Director for a Boston councilmember.

"Ana brings a diverse skill set, experience and expertise when it comes to communications initiatives and community relations," said City Manager, Chris Brady. "She will be a very strong addition to the City of Mesa and we are very excited to have her join us."

Pereira will lead the City of Mesa's Public Information and Communication Office which oversees the Mesa Channel 11 broadcasting, the coordination of digital communications and media relations as well as the development of the City's strategic communications plan.

"I am very honored to be selected as Public Information and Communications Director for the City of Mesa. I look forward to working with the Mayor, City Council, City departments and the Mesa community to develop communications strategies, engage our residents and help tell Mesa's story as a growing, diverse and dynamic city," said Public Information and Communications Director, Ana Pereira.

Pereira is a native of Venezuela and earned a Bachelor's Degree in Broadcast Journalism at Emerson College in Boston. She serves on the board of directors of the Children's Museum of Phoenix.

One Year Since Ducey Announced State Reopening, 17,002 Arizonans Have Died From COVID

May 2020 Reopening Resulted in 'Record High' Increases In Cases, Hospitalizations

PHOENIX — In the year since Governor Doug Ducey announced he would ease restrictions and reopen the state, 17,002 Arizonans have died from COVID-19.

Ducey's decision was made despite guidance from the Trump White House advising that the state did not meet their standard for reopening: a 14-day downward trajectory in cases. Other health experts at the time warned that reopening early would lead to "exponential growth" in infections and deaths.

Arizona's first spike in cases, hospitalizations, and deaths followed shortly after, proving the health experts right and leading many to question Governor Ducey's decision.

Over the course of the next year, Arizona was the world's worst COVID hotspot multiple times.

"Governor Ducey has mismanaged the pandemic from the beginning and Arizonans have suffered far more than many in other states," said Niles Harris, Executive Director of Honest Arizona. "Even now, vulnerable Arizona communities don't have access to the vaccine while the wealthiest zip codes are awarded doses they don't need. It's time for Ducey to put the health of all Arizonans first."

Congressman Biggs Introduces Veterans Health Care Freedom Act

On Friday, Congressman Andy Biggs introduced the Veterans Health Care Freedom Act to ensure that America's veterans have greater access to the health care they need and deserve. This bill removes barriers to free – market health care by allowing veterans to access primary, specialty, and mental care at non-VA facilities and outside of their corresponding Veterans Integrated Service Networks. Additionally, this bill requires the VA to give veterans

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003448

ARZN_REV00069140_5-4-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

information about eligibility, cost sharing, treatment options, and providers so that they are able to make informed decisions.

"Seven years ago this month it was discovered that more than forty veterans had died while waiting for health care from the Phoenix VA. Our veterans were forced into a health care system that did not meet their physical or mental health needs. They faced long wait times and poor service. While we have seen marked improvement, some problems still exist.

This legislation is a step in the right direction that ensures our veterans will be able to obtain timely and quality care. By allowing our veterans to access community care facilities, we can ensure that no veteran goes without care. I am proud to fight for our veterans in Washington and will continue to fight for them until they get the care they deserve. I look forward to working with my colleagues, veteran advocates, and the Administration to pass this bill and ensure our veterans get the care they deserve." – **Congressman Andy Biggs**

"Concerned Veterans for America supports this legislation that will honor the sacrifices made by veterans and empower them with greater choice and flexibility to access health care in their local community. This approach to expanding choice for veterans is a solution to meet the changing needs of today and tomorrow's veterans." – **Dan Caldwell, Concerned Veterans for America**

"This legislation will provide veterans with more choice and greater quality of health care. The Military Order of the Purple Heart fully supports the Veterans Health Care Freedom Act." – **Chuck Byers, National Legislative Director for the Military Order of the Purple Heart**

"QUOTE OF THE DAY"

"There are literally birds flying around inside the Coliseum over where the official ballots are being counted."

- Tammy Patrick, member of the National Task Force on Election Crises and former Maricopa County elections official, on the audit

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003449

ARZN_REV00069140_5-4-21-1.pdf

Sender: rgabaldon@azleg.gov
Sent: Wednesday, May 5, 2021 7:26:23 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-5-21-3.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *May 5, 2021*

NOW WE'RE ALL SEARCHING FOR OBAMA'S BIRTH CERTIFICATE
After Monday's report delved into Ken Bennett's birther past, our reporter received a call from a source with a truly weird tale that basically amounts to they think Bennett stole the former President Barack Obama's birth certificate.

I THINK YOU'RE MISSING THE POINT
Bennett largely confirmed the story, telling our reporter while he didn't steal Obama's birth certificate, as our source alleged, he did take home the official document that he received from Hawaii.

MAYBE ARPAIO CAN GET TO THE BOTTOM OF IT

AMERICAN OVERSIGHT

We asked several lawyers who have worked in government and an official at the State Library, Archives and Public Records if it would be illegal for Bennett to take that document home, but we received mixed answers.

THERE'S GOT TO BE ANOTHER CIRCUS THEY CAN JOIN
As expected, it appears the audit will not continue at Veterans Memorial Coliseum after May 14.

BREAKING: HOBBS THINKS THE AUDIT IS DUMB
Hobbs sent Bennett a scathing letter today arguing the Senate audit is unconventional and inconsistent, unsecure and likely fraught with error, based on what her observers have seen since a court order allowed them into the Coliseum.

BOTH SIDES: THE SYSTEM COULD BE HACKED!
Security is another huge concern, Hobbs said, and the eight-foot fence securing the ballots is inadequate, particularly because there are no covers to prevent someone from climbing into the ballot storage area.

THE BEST, MOST SECURE AND TRANSPARENT AUDIT EVER!!!
Just days after a Gateway Pundit "reporter" wrote a first-person account of his shift as a volunteer observer on the floor of the Coliseum, Cyber Ninjas is now requiring volunteer observers to sign a nondisclosure agreement in order to participate.

WELCOME BACK TO THE CAMPAIGN TRAIL, TOM
Tom Horne, the former attorney general and superintendent, is running to be the state's education chief once again.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, May 05, 2021

NEWS NOTES AND GOSSIP

NOW WE'RE ALL SEARCHING FOR OBAMA'S BIRTH CERTIFICATE

After Monday's report delved into Ken Bennett's birther past, our reporter received a call from a source with a truly weird tale that basically amounts to they think Bennett stole the former President Barack Obama's birth certificate. The source, a former Seventh Floor employee, told our reporter that the strange saga kicked off after Bennett's time with a request from a birther for the birth certificate Bennett received from Hawaii. The office provided the document from an attachment from an email that showed that Hawaiian officials had separately sent a physical copy of the certificate. (The document in question wasn't an actual birth certificate, but a "verification in lieu of a birth certificate" – it was the official document from Hawaii that settled Bennett's birther question.) The birther, unsatisfied with the digital version, demanded to view the hardcopy of the mailed certificate. "That certificate is gone, and holdover employees [from the Bennett administration] believed that Ken took it home and kept it as a souvenir," the source said. "That would be a violation of permanent record retention law with a document like that with historical importance." The source emphasized that while the document wasn't Obama's birth certificate, it was an official document that Hawaii sent over and needs to be retained in perpetuity. "It's not like Hawaii had a really good one and an inferior one and they sent the inferior one. They sent the official one," the source said. Employees "ransacked the office" looking for that document in a "multi-week hunt" that included calling former staffers, the source said. "The only conclusion we could reach was that he kept it as a trophy, because a document of that importance doesn't just disappear," the source said. Eventually, the office notified the birther who requested the document that the office no longer had the original hardcopy. "We never went as far as to say Ken Bennett took it, because we couldn't prove it but…" the source said, trailing off. Another former Seventh Floor staffer backed up our source's version of events. The original source said they felt compelled to call our reporter because the story is so bizarre it needed to be told, and this was likely the last chance. "I just thought this might be the last time the Obama birth certificate Ken Bennett controversy will ever be in the papers, and I chuckled at the Bin Laden-like manhunt we undertook to find that document," the source said.

I THINK YOU'RE MISSING THE POINT

Bennett largely confirmed the story, telling our reporter while he didn't steal Obama's birth certificate, as our source alleged, he did take home the official document that he received from Hawaii. "I'm in possession of a verification in lieu of a birth certificate. That is what I asked Hawaii for in 2012, and they gave it to me. And I put his name on the ballot because he filled out the paperwork," he told our reporter yesterday. Our reporter asked if he had it framed and mounted on a wall in his house alongside other documents from the good old days. Bennett found no humor in the question. "No," he said, adding that the document is in a file at home. "I do not have a copy of the president's birth certificate. Never asked for one, never got one. And that's part of the false narrative that was reported widely by the media back in 2012," he said.

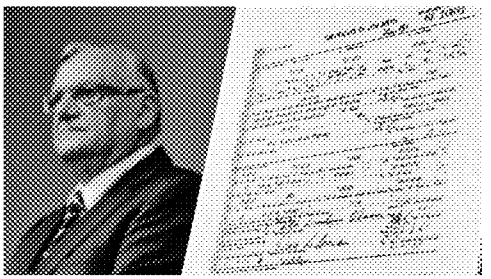
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003452

ARZN_REV00069142_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

MAYBE ARPAIO CAN GET TO THE BOTTOM OF IT



We asked several lawyers who have worked in government and an official at the Arizona State Library, Archives and Public Records if it would be illegal for Bennett to take that document home, but we received mixed answers. One attorney told our reporter that no question, taking that document home violates the state's record retention laws, while another said that as long as the office still has a digital copy of the document in the email from Hawaii, the hard copy doesn't need to be retained. An official with the Library of Archives and Public Records said they'd never encourage an official to take home an official document (that's stealing, and it's a major problem that archivists face), the document in question falls into a legally gray area. It's unclear if the Secretary of State's Office is required to keep that document in perpetuity since it is technically a Hawaiian document, not one created by the state of Arizona, the official said. Ultimately, it would be up to the Attorney General's Office to decide if Bennett did anything illegal by taking the document home. A spokesperson for Brnovich's office didn't return a call as of our deadline.

THERE'S GOT TO BE ANOTHER CIRCUS THEY CAN JOIN

As expected, it appears the audit will not continue at Veterans Memorial Coliseum after May 14. Bennett told our reporter yesterday they were still working out the details, but that they could power down for a week and continue on for as long as is needed (YS, 5/4). Fair officials disagreed. A representative for the Arizona State Fair told the *Arizona Republic* it was "not feasible" for 2.1 million Maricopa County ballots and other materials to just hang out in another part of the venue while graduations happen in a couple of weeks (LINK).

BREAKING: HOBBS THINKS THE AUDIT IS DUMB

Hobbs sent Bennett a scathing letter today arguing the Senate audit is unconventional and inconsistent, unsecure and likely fraught with error, based on what her observers have seen since a court order allowed them into the Coliseum. The letter comes as the Democratic Party and Steve Gallardo reached a settlement in their lawsuit today that gives Cyber Ninjas and the Senate 48 hours to address the concerns outlined in the letter or face more litigation. First among Hobbs' complaints is that the rules keep changing and that the inconsistent methods the ballot counters are following will only result in a "sort of estimate or range, at best, of the results" instead of one final tally. "There doesn't appear to be any plan or consistency in the audit procedures and it appears the procedures have been changed multiple times since this exercise started," Hobbs wrote. Hand counts are already subject to human error, even in small quantities, Hobbs said, and the audit's procedures allow hand counters to disagree about the exact tally at a rate that could be "significantly larger than the margin of victory in the presidential race." (For example, if two observers count 100 ballots that all went for Trump, and a third counter tallies 98 Trump votes and two Biden votes, the audit would accept 100 Trump votes as the official count – and more concerning, nobody knew how to handle a situation with an even larger error rate.) Beyond that, Hobbs' office has received no clarity on how the thousands of individual tally sheets that counters use will be aggregated besides pledges that "an accounting firm will handle it later." She said that one person appeared to be responsible for entering the tallies into a spreadsheet, which created ample opportunity for error "inadvertent or otherwise." She also bemoaned the general lack of training counters received, noting that some appeared to get a PowerPoint presentation, while others appeared to be instructed on the fly when they arrived at the counting tables. The selection process for counters was also a concern for Hobbs, who pointed to audit regular and Jan 6 protester Anthony Kern as someone who shouldn't be handling ballots, particularly since his name is on them.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003453

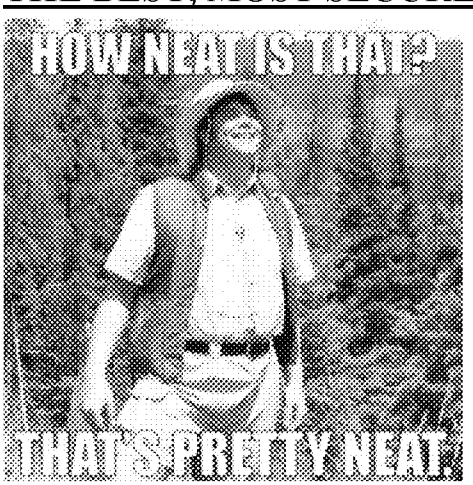
ARZN_REV00069142_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOTH SIDES: THE SYSTEM COULD BE HACKED!

Security is another huge concern, Hobbs said, and the eight-foot fence securing the ballots is inadequate, particularly because there are no covers to prevent someone from climbing into the ballot storage area. The risk to ballot security is heightened, Hobbs wrote, with the Crazy Times Carnival operating next door and plans to possibly store ballots on site while graduation ceremonies take place after May 14. (As previously noted, the Coliseum isn't letting them extend the contract.) She also pointed out that computers used by forensics teams have been left unlocked and unattended with files open. "Failing to adequately secure these workstations when not in use could allow anyone on the floor to access them and alter dates, files, or programs," she wrote. Arizona law requires any voting systems or computers used to store ballot images to be tested by the federal Voting System Testing Laboratory. Because the audit's equipment didn't undergo that testing, it's open to risks such as being preloaded with inaccurate ballot images or having software that could manipulate specific images of scanned ballots. Other security worries Hobbs' observers noted include unattended ballots, scrap paper used instead of tally sheets, errors corrected in the same pen color, cell phones being used on the floor and losing ballot images because of software issues.

THE BEST, MOST SECURE AND TRANSPARENT AUDIT EVER!!!



Just days after a *Gateway Pundit* "reporter" wrote a first-person account of his shift as a volunteer observer on the floor of the Coliseum, Cyber Ninjas is now requiring volunteer observers to sign a nondisclosure agreement in order to participate. Jordan Conradson, a freelancer for conspiracy-peddling *Gateway Pundit*, wrote about how he agrees with everything he was told about the audit, including the claim it's a very transparent process. "I was told that this was the most secure and transparent process in history. This rang true as I witnessed the measures they are taking to ensure integrity and confidence in the forensic audit system," he wrote. "This process may have more checks and balances than our current executive branch or any branch of government!" Conradson was granted special access that Bennett denied to legitimate reporters, including ours, such as access to the floor. It's unclear if the NDA requirement came before or after Conradson volunteered. If it was before, then he immediately broke the NDA by reporting for a wide audience of conspiracy believers. If it was after, then it raises the question of why they would allow him to report on his volunteer shift and then limit anybody else in the future from talking about what they see at the audit, including people who don't work for media outlets. If someone breaks the NDA, which was first reported by *ABC15* (LINK), they could face legal consequences. The NDA in one section reads, "I agree … to refrain from making any public statements, social media posts, or similar public disclosures about the audit or its findings until such a time as the results from the audit are made public" or if Cyber Ninjas and the Senate both allows them to comment. Originally, only workers involved in the actual hand counting (or other tasks) had to sign an NDA, but now it extends to anybody on the floor except for Bennett and John Brakey, the only two individuals who are authorized to speak to the media and public.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003454

ARZN_REV00069142_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WELCOME BACK TO THE CAMPAIGN TRAIL, TOM

Tom Horne, the former attorney general and superintendent, is running to be the state's education chief once again. Horne has been mostly out of the public eye since Brnovich prevented him from gaining a second term as AG in 2014, but he apparently misses the spotlight and wants a piece of all the action. K Hoffman has already launched her campaign for re-election. After Horne filed a statement of interest yesterday, we traded voicemails with him today, and he confirmed that he is indeed running, saying he plans to hold a press conference announcing his campaign next week. Horne clearly has the experience since voters elected him as superintendent twice twenty years ago, but with that experience comes a lot of baggage. Over the years, Horne has been caught up in a seemingly endless list of scandals, including a legal battle with Yavapai County Attorney Sheila Polk over his misuse of campaign finances. At one point, he cozied up to disgraced former lawmaker David Stringer (YS, 2/11/20). And who can forget him leaving the scene of a fender bender (YS, 10/30/12) to hide an extramarital affair with his now-wife Carmen Chenal (YS, 6/9/20)? As we previously noted, there is nothing in state law preventing Horne from running for the office he held for two terms since he has spent at least one full term out of that office (YS, 4/30). Horne is the most notable name to enter in the superintendent race on the Republican side and it comes after he commissioned a poll last summer to test the waters for another AG run (YS, 7/13/20). So far, two other Republicans have filed statements of interest to unseat Hoffman – Kara Woods, a school board member for Prescott Unified, and Jennie Paperman, the governing board president for Deer Valley Unified.

·WAKE **UP** CALL·

Supreme Court to hear lawmaker's defamation case

Arizona Capitol Times

The Arizona Supreme Court will hear the defamation case that stems from Arizona State Sen. Wendy Rogers' attack ads during her failed 2018 Congressional run.

Ducey signs bill for 4-year community college degrees

Capitol Media Services

Arizona's community colleges are now on the path to awarding four-year degrees if they want.

CAP water shortage serious for farms, environment

Casa Grande Dispatch

When officials with the Central Arizona Project and Arizona Department of Water Resources announced near-guaranteed CAP water reductions last Thursday, they stressed that the state was prepared for the crisis.

$464M proposed county budget 58% over last year

Yuma Sun

Yuma County is looking at a proposed $464 million budget for fiscal year 2021/22, a 58% increase over the previous year.

Emergency Management keeps pandemic response operations in order

Nogales International

As cars rolled into the Nogales Recreation Center on a recent Tuesday afternoon, a volunteer wearing a neon vest

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003455
ARZN_REV00069142_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

confirmed that the person had a scheduled vaccination appointment and then motioned for other volunteers to lead the vehicle to an available parking spot.

Drought intensifies forcing rationing of Colorado River water
White Mountain Independent
The US Bureau of Reclamation last week warned water users to brace for a 500,000 acre-foot cut in water from the Colorado River as a historic drought continues to tighten its grip on the Southwest.

Will Allister Adel Prosecute Abortion Doctors Under New Law? She Won't Say
Phoenix New Times
Maricopa County Attorney Allister Adel has repeatedly issued statements that she would "not prosecute women for their health care choices."

Phoenix Gun Store Owner Says Nazi Imagery in Logo Is an Accident
Phoenix New Times
Strapt Armory, one of the newest gun stores in Phoenix, has an old image for its logo: An "imperial eagle" exactly like the one used by Nazi Germany until 1945.

IRC picks mapping consultant in split vote over Dem objections
Arizona Mirror
The mapping consultant for the Arizona Independent Redistricting Commission brings a wealth of experience in drawing district boundaries but also a history of drawing districts that Democrats say disadvantaged Latino voters.

New cases are climbing in Arizona while most of the U.S. improves.
New York Times
The state, which lifted all its pandemic restrictions in March, has seen a 21 percent increase in its daily new-case average in recent weeks.

The Temple and the Weed Farm
New York Times
The Arizona town of Snowflake has two great institutions.

Tucson's new equity office putting cart before horse
Arizona Daily Star (Opinion, Tim Steller)
The concept remains vague to much of the public, but it's poised to take on a solid bureaucratic form within Tucson's city government.

Recovery should be our biggest priority right now. Conservative posturing is a distraction.
Arizona Mirror (Opinion, Julie Gunnigle)
Few need a reminder that we are in the middle of an economic contraction and a sustained public health emergency.

Is our sheep mentality killing any chance of herd immunity?
Arizona Republic (Opinion, EJ Montini)
Instead of listening to scientists and doctors, too many of us are taking medical advice from conspiracy kooks, anti-vaxxers and a former reality TV personality.

Rep. Liz Cheney won't lie, which makes her unfit for a Republican leadership position
Arizona Republic (Opinion, EJ Montini)
Telling the truth about the election and Donald Trump doesn't fit in with Republican 'ideals.' Just ask Arizona's Rep. Andy Biggs.

Allowing Arizona's community colleges to offer bachelor's degrees? Now, that's smart
Arizona Republic (Opinion, Laurie Roberts)
Arizona's leaders did the unimaginable. They set aside their differences and passed a law that's actually good for the state.

Biden wants the rich to pay for his Big Government agenda, but it's a fraud
Arizona Republic (Opinion, Robert Robb)
Joe Biden's agenda isn't moderate, centrist or bipartisan. Will Sens. Mark Kelly and Kyrsten Sinema go along with it anyway?

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003456
ARZN_REV00069142_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Gov. Ducey is forcing the unemployed to look for jobs, but that alone won't help hotels
Arizona Republic (Opinion, Elvia Diaz)
Instead of punishing those receiving unemployment benefits, maybe Gov. Doug Ducey should encourage hotels and restaurants to pay folks better.

PRESS RELEASES

Release: The ADP Succeeds in Obtaining Transparency and Accountability for Senate GOP and Cyber Ninjas' "Audit"
PHOENIX — After refusing to comply with the Court's order and attempting numerous stonewalling tactics, the Arizona Senate GOP and the Cyber Ninjas have lost the battle to keep the public in the dark. The Arizona Democratic Party, and the public at large, have obtained documents purporting to outline policies and procedures for the sham audit. The ADP's lawsuit also forced the Senate and Cyber Ninjas to agree to maintain proper security when handling Maricopa County voters' 2.1 million ballots. ADP's victory is an important first step in holding the Senate Republicans and their conspiracy-theorist contractors accountable for conducting an unnecessary "audit" intended to undermine voters' confidence in elections and further unfounded "Stop the Steal" theories.
With the ADP's lawsuit:

1. Independent elections experts are now permitted to observe the process and bring to light the lack of best practices and lack of reliability in the "audit" process.
2. The court ordered the Senate GOP and their contractors to follow the law and secure voters' information.
3. Cyber Ninjas and their subcontractors were required to produce their policies and procedures and those documents were made public.
4. Arizona's news media intervened in the lawsuit and obtained access to documents and the right to observe and report on the audit without signing up to participate in or volunteer at the audit. This has allowed the news media to freely report on what election experts have known all along: this is not a real audit.

"From the beginning of this sham audit, the Arizona Democratic Party demanded transparency and adequate security to preserve the sanctity of the vote, and protect voters' private information," **said Raquel Terán, Chair of the Arizona Democratic Party.** "When this sham started, Arizonans had zero assurances that the Senate GOP and the Cyber Ninjas would follow the law, give reporters and elections experts access to observe, or make procedures available to the public, as is standard in any legitimate audit. Our lawsuit changed that. Now, as the Arizona Democratic Party has forced the Senate and the Cyber Ninjas to be more transparent, reporters and elections experts are seeing firsthand that this 'audit' is nothing more than an effort to satisfy fringe conspiracy theorists."
Read the settlement agreement here.

Arizona Department of Education Forms Task Force in Preparation for its Arizona Ready for School Campaign
The Arizona Department of Education (ADE) announced and held the first meeting of the AZ Ready for School Task Force as part of its Arizona Ready for School Campaign that will kick off this summer. The task force brings together representatives from tribal communities, education associations, community organizations, city and state agencies, schools, and more to help address persisting challenges related to the pandemic in advance of the new 2021-2022 school year.
"The 2020-2021 school year has been immensely difficult for our students, families, educators, and schools, but it showed we can be nimble and innovative," said State Superintendent Kathy Hoffman. "We're ready to build on the lessons learned. Our task force will help us address current and future challenges impacting students and educators in order to get students, families, and educators ready to get back to school."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

During the task force's first meeting, members shared ways they successfully overcame some of last year's extra challenges as well as ideas for how to get students and families enrolled and ready for the new school year.
"Tribal communities were disproportionately impacted by the pandemic, but, at San Carlos, we had already begun working on becoming more trauma sensitive and trauma informed even before the pandemic," said Superintendent Deborah Dennison of San Carlos Unified School District. "We look forward to bringing that experience to the task force to help students and families feel ready."
"The pandemic has helped shine a light on and intensified the inequities and challenges our communities already face," said Melissa Boydston, Vice President, Community Impact – Education for Valley of the Sun United Way. "We're honored to be part of ADE's efforts to unite all of us fighting those challenges and bringing solutions to the table."
"Arizona families deserve stability and clarity regarding their child's education after the unpredictability in our schools during the pandemic, empowering parents with trusted information will provide better outcomes next year," said Stephanie Parra, Executive Director of ALL In Education." The AZ Ready for School Task Force established by Superintendent Hoffman is bridging the communication gap with parents to provide clarity and rebuild trust among Arizona families and students alike in an effort to re-enroll and re-engage students and families in Arizona's public schools."
The Arizona Ready for School Task Force is part of the ADE's larger Arizona Ready for School Campaign which consists of proactive efforts to empower parents and students with trusted information and critical resources, support enrollment and reengagement efforts statewide, and provide schools with needed resources and tools to maximize success in the 21-22 school year.
"This last year reiterated that the best place for teaching and learning is in our classrooms," added Superintendent Hoffman. "We're ready to support Arizona's families, get as many students back in the classroom as possible for the next school year—and do it safely."

House Passes the "Unbiased Teaching Act," Barring Racist, Sexist & Politicized Instruction in Arizona Schools

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today passed important legislation that bars racist, sexist and politicized instruction in Arizona schools. The "Unbiased Teaching Act," a floor amendment proposed by State Representative Michelle Udall (R-25), chair of the House Education Committee, was adopted onto SB 1532, which was passed by the House with the support of all 31 House Republicans.
"Racism cannot be combated by teaching children to be racist," said Representative Udall. **"Our country has not always lived up to the concept that 'all men are created equal,' still, it is a fundamental ideal that should be upheld by our schools, government institutions, and society. Judging individuals by the color of their skin, ethnic heritage, or sex is deeply wrong. To teach our children otherwise is immoral and fuels corrosive societal tensions within our state and nation."**
Under the Act, a school district, charter school, or state agency is prohibited from requiring teachers to engage students in controversial issues of public policy or social affairs that are not essential to the course learning objectives. If raised for discussion in a class, teachers would be required to present such issues from diverse and contending perspectives without giving deference to any one perspective.
"Issues related to race and sex are appropriate for discussion in an educational environment, and the Unbiased Teaching Act does nothing to prevent that," added Udall. **"In fact, learning about terrible abuses that have occurred in the name of racism or sexism is important if framed in proper context, but no student should ever be taught that a person's race, ethnicity or sex determines his or her character, bias, treatment, or worth."**
Other provisions prohibit any requirement, assignment of coursework or awarding of class credit for student work that involves lobbying or advocacy for social or public policy. Requiring school employees to engage in any training, orientation, or therapy that presents any form of blame or judgement on the basis of race, ethnicity or sex would not be allowed either. Additionally, a teacher, administrator, or other employee may not require instruction in or make part of curriculum the following concepts:

- One race, ethnicity or sex is inherently morally or intellectually superior to another;
- Any person, by virtue of his or her race, ethnicity or sex, is inherently racist, sexist or oppressive, whether consciously or not;
- An individual should be invidiously discriminated against or receive adverse treatment solely or partly because of his or her race, ethnicity or sex;

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003458
ARZN_REV00069142_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

  - A person's moral character is determined by his or her race, ethnicity or sex;
  - An individual, by virtue of his or her race, ethnicity or sex, bears responsibility for actions committed by others of the same sex, ethnicity or race;
  - An individual should feel discomfort, guilt, anguish, or other form of psychological distress because of the person's race, ethnicity or sex; and
  - Academic achievement, meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race or sex to oppress members of another race or sex.
- Violations of the law could result in civil penalties up to $5,000 for each incident.

"Political advocacy, propaganda, and biased, one-sided viewpoints taught as fact have no place in a classroom," said Udall. **"If dealing with a divisive controversial topic, educators should present the subjects in a responsible, balanced way that encourages students to think for themselves and draw their own conclusions."** The bill must now receive final approval by the state Senate before going to the governor.

Release: IRC Entrusts Arizona's Maps to GOP Gerrymandering Firm with String of Court Losses

PHOENIX — Yesterday, the Arizona Independent Redistricting Commission, by a vote of 3-2, selected Timmons Group/NDC as the mapping consultant without a single vote from Democratic commissioners. NDC is a Republican-leaning firm with a long history of court-discarded maps and testimony, including in Arizona.

NDC/Timmons Group's application was opposed by over a thousand members of the public as well as major nonpartisan organizations, including the Navajo Nation Human Rights Commission, the League of Women Voters, and One Arizona. All on the Line, a National Democratic Redistricting Committee project, submitted over 1,000 signatures to the IRC opposing NDC/Timmons Group's application.

Opposition to NDC/Timmons stems from the multitude of cases in which the firm and its President, Doug Johnson, were found to have worked against the interests of communities of color, as well as the number of courts who determined Mr. Johnson's analyses and testimony to be "not credible" and "insufficient."

Arizona Democratic Party Chair, Raquel Terán released the following statement:

"The decision by the IRC Chair and Republican Commissioners to hire NDC, despite their appalling record, is a complete affront to the concerns of voting rights advocates and a total disregard for the public trust in the integrity of the eventual maps.

"This vote has exposed which voters have the ear and attention of those Commissioners and which do not. On top of the choice to hire a partisan Republican Executive Director with insufficient experience and an unexplained $63,000 payday from the 2020 McSally campaign, this decision has set a precedent and tone for the work ahead that is deeply troubling.

"Governor Ducey and the Republican Party have worked for years to undermine an independent process which Arizona voters overwhelmingly voted into law 20 years ago. Rather than uphold the independence of this Commission, they have done all they can to serve the interests of the Arizona Republican Party above all. Beginning with the stacking of the Commission on Appellate Court Appointments with Republican operatives, and this indefensible selection, they have aimed to compromise yet another of Arizona's sacred democratic institutions.

"The eyes of the state and the nation will be on this Commission. This decision shows that Republicans may have corrupted this process before it started. We hope that's not the case."

ADVISORY: Sen. Mark Kelly to Visit Intel, Meet with Elementary School Students and District Leaders in Phoenix

Tomorrow, Arizona Senator Mark Kelly will make stops in the Phoenix area focused on strengthening and rebuilding Arizona's economy for the future. Kelly, a retired U.S. Navy combat pilot, engineer, and NASA astronaut, will tour a STEM-focused elementary school where he will meet and speak with students and school district leaders about the importance of STEM education, and attend the unveiling of the "Mark Kelly Way" hallway. Kelly will then visit Intel and receive a tour of their semiconductor manufacturing plant. A media availability with Kelly will follow. The tour is closed press, but b-roll and photos will be available.

Arizona is a leading state in semiconductor manufacturing with companies looking to expand their existing operations in the state. Recently, Kelly helped lead a group of 70 bipartisan Senators and Representatives in requesting that President Biden fully fund initiatives to restore semiconductor manufacturing on American soil and create high-

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003459

ARZN_REV00069142_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

paying jobs authorized in the FY21 *National Defense Authorization Act* with Kelly's aggressive support. Kelly's visit to Intel follows the company's announcement to build two new semiconductor manufacturing plants in Arizona amidst the global semiconductor shortage.
Note: Social distancing and public health precautions will be observed for in-person press availability. All attendees, including members of the press, will be required to wear masks and maintain social distancing at all times.
See details of Kelly's stops in Phoenix below:
Sen. Mark Kelly to Visit Elementary School
About: Sen. Mark Kelly will tour a STEM-focused elementary school where he will meet and speak with students and school district leaders about the importance of STEM education, and attend the unveiling of the "Mark Kelly Way" hallway.
When: Thursday, May 6, 2021 at 9:45 a.m. AZ
Location: RSVP to press@kelly.senate.gov for location details.
Sen. Mark Kelly to Visit Intel
About: Sen. Mark Kelly will visit Intel and receive a tour of their semiconductor manufacturing plant. A media availability with Kelly will follow. The tour is closed press, but b-roll and photos will be available.
When: Thursday, May 6, 2021 (time and location details available upon RSVP)
Location: RSVP to press@kelly.senate.gov for time and location details.

"QUOTE OF THE DAY"

"The only conclusion we could reach was that he kept it as a trophy, because a document of that importance doesn't just disappear."

- Former Seventh Floor Employee, on what happened to Bennett's copy of Obama's Hawaiian birth document

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003460
ARZN_REV00069142_5-5-21-3.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, May 5, 2021 7:26:28 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-5-21-3.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *May 5, 2021*

NOW WE'RE ALL SEARCHING FOR OBAMA'S BIRTH CERTIFICATE
After Monday's report delved into Ken Bennett's birther past, our reporter received a call from a source with a truly weird tale that basically amounts to they think Bennett stole the former President Barack Obama's birth certificate.

I THINK YOU'RE MISSING THE POINT
Bennett largely confirmed the story, telling our reporter while he didn't steal Obama's birth certificate, as our source alleged, he did take home the official document that he received from Hawaii.

AMERICAN OVERSIGHT

MAYBE ARPAIO CAN GET TO THE BOTTOM OF IT
We asked several lawyers who have worked in government and an official at the State Library, Archives and Public Records if it would be illegal for Bennett to take that document home, but we received mixed answers.

THERE'S GOT TO BE ANOTHER CIRCUS THEY CAN JOIN
As expected, it appears the audit will not continue at Veterans Memorial Coliseum after May 14.

BREAKING: HOBBS THINKS THE AUDIT IS DUMB
Hobbs sent Bennett a scathing letter today arguing the Senate audit is unconventional and inconsistent, unsecure and likely fraught with error, based on what her observers have seen since a court order allowed them into the Coliseum.

BOTH SIDES: THE SYSTEM COULD BE HACKED!
Security is another huge concern, Hobbs said, and the eight-foot fence securing the ballots is inadequate, particularly because there are no covers to prevent someone from climbing into the ballot storage area.

THE BEST, MOST SECURE AND TRANSPARENT AUDIT EVER!!!
Just days after a Gateway Pundit "reporter" wrote a first-person account of his shift as a volunteer observer on the floor of the Coliseum, Cyber Ninjas is now requiring volunteer observers to sign a nondisclosure agreement in order to participate.

WELCOME BACK TO THE CAMPAIGN TRAIL, TOM
Tom Horne, the former attorney general and superintendent, is running to be the state's education chief once again.

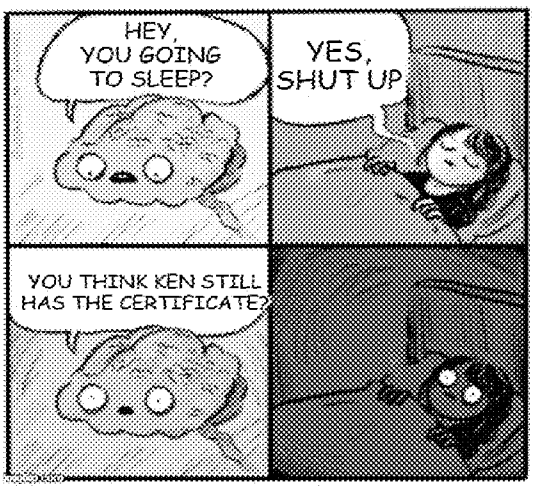
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, May 05, 2021

NEWS NOTES AND GOSSIP

NOW WE'RE ALL SEARCHING FOR OBAMA'S BIRTH CERTIFICATE



After Monday's report delved into Ken Bennett's birther past, our reporter received a call from a source with a truly weird tale that basically amounts to they think Bennett stole the former President Barack Obama's birth certificate. The source, a former Seventh Floor employee, told our reporter that the strange saga kicked off after Bennett's time with a request from a birther for the birth certificate Bennett received from Hawaii. The office provided the document from an attachment from an email that showed that Hawaiian officials had separately sent a physical copy of the certificate. (The document in question wasn't an actual birth certificate, but a "verification in lieu of a birth certificate" – it was the official document from Hawaii that settled Bennett's birther question.) The birther, unsatisfied with the digital version, demanded to view the hardcopy of the mailed certificate. "That certificate is gone, and holdover employees [from the Bennett administration] believed that Ken took it home and kept it as a souvenir," the source said. "That would be a violation of permanent record retention law with a document like that with historical importance." The source emphasized that while the document wasn't Obama's birth certificate, it was an official document that Hawaii sent over and needs to be retained in perpetuity. "It's not like Hawaii had a really good one and an inferior one and they sent the inferior one. They sent the official one," the source said. Employees "ransacked the office" looking for that document in a "multi-week hunt" that included calling former staffers, the source said. "The only conclusion we could reach was that he kept it as a trophy, because a document of that importance doesn't just disappear," the source said. Eventually, the office notified the birther who requested the document that the office no longer had the original hardcopy. "We never went as far as to say Ken Bennett took it, because we couldn't prove it but…" the source said, trailing off. Another former Seventh Floor staffer backed up our source's version of events. The original source said they felt compelled to call our reporter because the story is so bizarre it needed to be told, and this was likely the last chance. "I just thought this might be the last time the Obama birth certificate Ken Bennett controversy will ever be in the papers, and I chuckled at the Bin Laden-like manhunt we undertook to find that document," the source said.

I THINK YOU'RE MISSING THE POINT

Bennett largely confirmed the story, telling our reporter while he didn't steal Obama's birth certificate, as our source alleged, he did take home the official document that he received from Hawaii. "I'm in possession of a verification in lieu of a birth certificate. That is what I asked Hawaii for in 2012, and they gave it to me. And I put his name on the ballot because he filled out the paperwork," he told our reporter yesterday. Our reporter asked if he had it framed and mounted on a wall in his house alongside other documents from the good old days. Bennett found no humor in the question. "No," he said, adding that the document is in a file at home. "I do not have a copy of the president's birth certificate. Never asked for one, never got one. And that's part of the false narrative that was reported widely by the media back in 2012," he said.

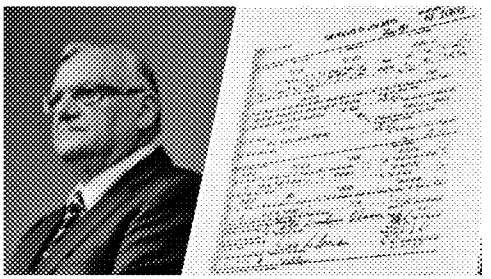
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003463

ARZN_REV00069144_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

MAYBE ARPAIO CAN GET TO THE BOTTOM OF IT



We asked several lawyers who have worked in government and an official at the Arizona State Library, Archives and Public Records if it would be illegal for Bennett to take that document home, but we received mixed answers. One attorney told our reporter that no question, taking that document home violates the state's record retention laws, while another said that as long as the office still has a digital copy of the document in the email from Hawaii, the hard copy doesn't need to be retained. An official with the Library of Archives and Public Records said they'd never encourage an official to take home an official document (that's stealing, and it's a major problem that archivists face), the document in question falls into a legally gray area. It's unclear if the Secretary of State's Office is required to keep that document in perpetuity since it is technically a Hawaiian document, not one created by the state of Arizona, the official said. Ultimately, it would be up to the Attorney General's Office to decide if Bennett did anything illegal by taking the document home. A spokesperson for Brnovich's office didn't return a call as of our deadline.

THERE'S GOT TO BE ANOTHER CIRCUS THEY CAN JOIN

As expected, it appears the audit will not continue at Veterans Memorial Coliseum after May 14. Bennett told our reporter yesterday they were still working out the details, but that they could power down for a week and continue on for as long as is needed (YS, 5/4). Fair officials disagreed. A representative for the Arizona State Fair told the *Arizona Republic* it was "not feasible" for 2.1 million Maricopa County ballots and other materials to just hang out in another part of the venue while graduations happen in a couple of weeks (LINK).

BREAKING: HOBBS THINKS THE AUDIT IS DUMB

Hobbs sent Bennett a scathing letter today arguing the Senate audit is unconventional and inconsistent, unsecure and likely fraught with error, based on what her observers have seen since a court order allowed them into the Coliseum. The letter comes as the Democratic Party and Steve Gallardo reached a settlement in their lawsuit today that gives Cyber Ninjas and the Senate 48 hours to address the concerns outlined in the letter or face more litigation. First among Hobbs' complaints is that the rules keep changing and that the inconsistent methods the ballot counters are following will only result in a "sort of estimate or range, at best, of the results" instead of one final tally. "There doesn't appear to be any plan or consistency in the audit procedures and it appears the procedures have been changed multiple times since this exercise started," Hobbs wrote. Hand counts are already subject to human error, even in small quantities, Hobbs said, and the audit's procedures allow hand counters to disagree about the exact tally at a rate that could be "significantly larger than the margin of victory in the presidential race." (For example, if two observers count 100 ballots that all went for Trump, and a third counter tallies 98 Trump votes and two Biden votes, the audit would accept 100 Trump votes as the official count – and more concerning, nobody knew how to handle a situation with an even larger error rate.) Beyond that, Hobbs' office has received no clarity on how the thousands of individual tally sheets that counters use will be aggregated besides pledges that "an accounting firm will handle it later." She said that one person appeared to be responsible for entering the tallies into a spreadsheet, which created ample opportunity for error "inadvertent or otherwise." She also bemoaned the general lack of training counters received, noting that some appeared to get a PowerPoint presentation, while others appeared to be instructed on the fly when they arrived at the counting tables. The selection process for counters was also a concern for Hobbs, who pointed to audit regular and Jan 6 protester Anthony Kern as someone who shouldn't be handling ballots, particularly since his name is on them.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003464

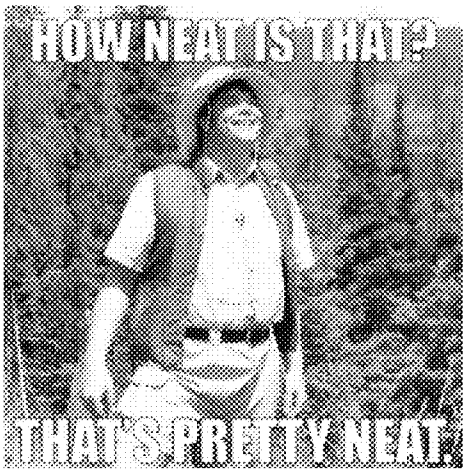
ARZN_REV00069144_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOTH SIDES: THE SYSTEM COULD BE HACKED!

Security is another huge concern, Hobbs said, and the eight-foot fence securing the ballots is inadequate, particularly because there are no covers to prevent someone from climbing into the ballot storage area. The risk to ballot security is heightened, Hobbs wrote, with the Crazy Times Carnival operating next door and plans to possibly store ballots on site while graduation ceremonies take place after May 14. (As previously noted, the Coliseum isn't letting them extend the contract.) She also pointed out that computers used by forensics teams have been left unlocked and unattended with files open. "Failing to adequately secure these workstations when not in use could allow anyone on the floor to access them and alter dates, files, or programs," she wrote. Arizona law requires any voting systems or computers used to store ballot images to be tested by the federal Voting System Testing Laboratory. Because the audit's equipment didn't undergo that testing, it's open to risks such as being preloaded with inaccurate ballot images or having software that could manipulate specific images of scanned ballots. Other security worries Hobbs' observers noted include unattended ballots, scrap paper used instead of tally sheets, errors corrected in the same pen color, cell phones being used on the floor and losing ballot images because of software issues.

THE BEST, MOST SECURE AND TRANSPARENT AUDIT EVER!!!



Just days after a *Gateway Pundit* "reporter" wrote a first-person account of his shift as a volunteer observer on the floor of the Coliseum, Cyber Ninjas is now requiring volunteer observers to sign a nondisclosure agreement in order to participate. Jordan Conradson, a freelancer for conspiracy-peddling *Gateway Pundit*, wrote about how he agrees with everything he was told about the audit, including the claim it's a very transparent process. "I was told that this was the most secure and transparent process in history. This rang true as I witnessed the measures they are taking to ensure integrity and confidence in the forensic audit system," he wrote. "This process may have more checks and balances than our current executive branch or any branch of government!" Conradson was granted special access that Bennett denied to legitimate reporters, including ours, such as access to the floor. It's unclear if the NDA requirement came before or after Conradson volunteered. If it was before, then he immediately broke the NDA by reporting for a wide audience of conspiracy believers. If it was after, then it raises the question of why they would allow him to report on his volunteer shift and then limit anybody else in the future from talking about what they see at the audit, including people who don't work for media outlets. If someone breaks the NDA, which was first reported by *ABC15* (LINK), they could face legal consequences. The NDA in one section reads, "I agree … to refrain from making any public statements, social media posts, or similar public disclosures about the audit or its findings until such a time as the results from the audit are made public" or if Cyber Ninjas and the Senate both allows them to comment. Originally, only workers involved in the actual hand counting (or other tasks) had to sign an NDA, but now it extends to anybody on the floor except for Bennett and John Brakey, the only two individuals who are authorized to speak to the media and public.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003465

ARZN_REV00069144_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WELCOME BACK TO THE CAMPAIGN TRAIL, TOM

Tom Horne, the former attorney general and superintendent, is running to be the state's education chief once again. Horne has been mostly out of the public eye since Brnovich prevented him from gaining a second term as AG in 2014, but he apparently misses the spotlight and wants a piece of all the action. K Hoffman has already launched her campaign for re-election. After Horne filed a statement of interest yesterday, we traded voicemails with him today, and he confirmed that he is indeed running, saying he plans to hold a press conference announcing his campaign next week. Horne clearly has the experience since voters elected him as superintendent twice twenty years ago, but with that experience comes a lot of baggage. Over the years, Horne has been caught up in a seemingly endless list of scandals, including a legal battle with Yavapai County Attorney Sheila Polk over his misuse of campaign finances. At one point, he cozied up to disgraced former lawmaker David Stringer (YS, 2/11/20). And who can forget him leaving the scene of a fender bender (YS, 10/30/12) to hide an extramarital affair with his now-wife Carmen Chenal (YS, 6/9/20)? As we previously noted, there is nothing in state law preventing Horne from running for the office he held for two terms since he has spent at least one full term out of that office (YS, 4/30). Horne is the most notable name to enter in the superintendent race on the Republican side and it comes after he commissioned a poll last summer to test the waters for another AG run (YS, 7/13/20). So far, two other Republicans have filed statements of interest to unseat Hoffman – Kara Woods, a school board member for Prescott Unified, and Jennie Paperman, the governing board president for Deer Valley Unified.

·WAKE **UP** CALL·

Supreme Court to hear lawmaker's defamation case

Arizona Capitol Times

The Arizona Supreme Court will hear the defamation case that stems from Arizona State Sen. Wendy Rogers' attack ads during her failed 2018 Congressional run.

Ducey signs bill for 4-year community college degrees

Capitol Media Services

Arizona's community colleges are now on the path to awarding four-year degrees if they want.

CAP water shortage serious for farms, environment

Casa Grande Dispatch

When officials with the Central Arizona Project and Arizona Department of Water Resources announced near-guaranteed CAP water reductions last Thursday, they stressed that the state was prepared for the crisis.

$464M proposed county budget 58% over last year

Yuma Sun

Yuma County is looking at a proposed $464 million budget for fiscal year 2021/22, a 58% increase over the previous year.

Emergency Management keeps pandemic response operations in order

Nogales International

As cars rolled into the Nogales Recreation Center on a recent Tuesday afternoon, a volunteer wearing a neon vest

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

confirmed that the person had a scheduled vaccination appointment and then motioned for other volunteers to lead the vehicle to an available parking spot.

Drought intensifies forcing rationing of Colorado River water
White Mountain Independent
The US Bureau of Reclamation last week warned water users to brace for a 500,000 acre-foot cut in water from the Colorado River as a historic drought continues to tighten its grip on the Southwest.

Will Allister Adel Prosecute Abortion Doctors Under New Law? She Won't Say
Phoenix New Times
Maricopa County Attorney Allister Adel has repeatedly issued statements that she would "not prosecute women for their health care choices."

Phoenix Gun Store Owner Says Nazi Imagery in Logo Is an Accident
Phoenix New Times
Strapt Armory, one of the newest gun stores in Phoenix, has an old image for its logo: An "imperial eagle" exactly like the one used by Nazi Germany until 1945.

IRC picks mapping consultant in split vote over Dem objections
Arizona Mirror
The mapping consultant for the Arizona Independent Redistricting Commission brings a wealth of experience in drawing district boundaries but also a history of drawing districts that Democrats say disadvantaged Latino voters.

New cases are climbing in Arizona while most of the U.S. improves.
New York Times
The state, which lifted all its pandemic restrictions in March, has seen a 21 percent increase in its daily new-case average in recent weeks.

The Temple and the Weed Farm
New York Times
The Arizona town of Snowflake has two great institutions.

Tucson's new equity office putting cart before horse
Arizona Daily Star (Opinion, Tim Steller)
The concept remains vague to much of the public, but it's poised to take on a solid bureaucratic form within Tucson's city government.

Recovery should be our biggest priority right now. Conservative posturing is a distraction.
Arizona Mirror (Opinion, Julie Gunnigle)
Few need a reminder that we are in the middle of an economic contraction and a sustained public health emergency.

Is our sheep mentality killing any chance of herd immunity?
Arizona Republic (Opinion, EJ Montini)
Instead of listening to scientists and doctors, too many of us are taking medical advice from conspiracy kooks, anti-vaxxers and a former reality TV personality.

Rep. Liz Cheney won't lie, which makes her unfit for a Republican leadership position
Arizona Republic (Opinion, EJ Montini)
Telling the truth about the election and Donald Trump doesn't fit in with Republican 'ideals.' Just ask Arizona's Rep. Andy Biggs.

Allowing Arizona's community colleges to offer bachelor's degrees? Now, that's smart
Arizona Republic (Opinion, Laurie Roberts)
Arizona's leaders did the unimaginable. They set aside their differences and passed a law that's actually good for the state.

Biden wants the rich to pay for his Big Government agenda, but it's a fraud
Arizona Republic (Opinion, Robert Robb)
Joe Biden's agenda isn't moderate, centrist or bipartisan. Will Sens. Mark Kelly and Kyrsten Sinema go along with it anyway?

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003467

ARZN_REV00069144_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Gov. Ducey is forcing the unemployed to look for jobs, but that alone won't help hotels
Arizona Republic (Opinion, Elvia Diaz)
Instead of punishing those receiving unemployment benefits, maybe Gov. Doug Ducey should encourage hotels and restaurants to pay folks better.

PRESS RELEASES

Release: The ADP Succeeds in Obtaining Transparency and Accountability for Senate GOP and Cyber Ninjas' "Audit"
PHOENIX — After refusing to comply with the Court's order and attempting numerous stonewalling tactics, the Arizona Senate GOP and the Cyber Ninjas have lost the battle to keep the public in the dark. The Arizona Democratic Party, and the public at large, have obtained documents purporting to outline policies and procedures for the sham audit. The ADP's lawsuit also forced the Senate and Cyber Ninjas to agree to maintain proper security when handling Maricopa County voters' 2.1 million ballots. ADP's victory is an important first step in holding the Senate Republicans and their conspiracy-theorist contractors accountable for conducting an unnecessary "audit" intended to undermine voters' confidence in elections and further unfounded "Stop the Steal" theories.
With the ADP's lawsuit:

1. Independent elections experts are now permitted to observe the process and bring to light the lack of best practices and lack of reliability in the "audit" process.
2. The court ordered the Senate GOP and their contractors to follow the law and secure voters' information.
3. Cyber Ninjas and their subcontractors were required to produce their policies and procedures and those documents were made public.
4. Arizona's news media intervened in the lawsuit and obtained access to documents and the right to observe and report on the audit without signing up to participate in or volunteer at the audit. This has allowed the news media to freely report on what election experts have known all along: this is not a real audit.

"From the beginning of this sham audit, the Arizona Democratic Party demanded transparency and adequate security to preserve the sanctity of the vote, and protect voters' private information," **said Raquel Terán, Chair of the Arizona Democratic Party.** "When this sham started, Arizonans had zero assurances that the Senate GOP and the Cyber Ninjas would follow the law, give reporters and elections experts access to observe, or make procedures available to the public, as is standard in any legitimate audit. Our lawsuit changed that. Now, as the Arizona Democratic Party has forced the Senate and the Cyber Ninjas to be more transparent, reporters and elections experts are seeing firsthand that this 'audit' is nothing more than an effort to satisfy fringe conspiracy theorists."
Read the settlement agreement here.

Arizona Department of Education Forms Task Force in Preparation for its Arizona Ready for School Campaign
The Arizona Department of Education (ADE) announced and held the first meeting of the AZ Ready for School Task Force as part of its Arizona Ready for School Campaign that will kick off this summer. The task force brings together representatives from tribal communities, education associations, community organizations, city and state agencies, schools, and more to help address persisting challenges related to the pandemic in advance of the new 2021-2022 school year.
"The 2020-2021 school year has been immensely difficult for our students, families, educators, and schools, but it showed we can be nimble and innovative," said State Superintendent Kathy Hoffman. "We're ready to build on the lessons learned. Our task force will help us address current and future challenges impacting students and educators in order to get students, families, and educators ready to get back to school."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003468
ARZN_REV00069144_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

During the task force's first meeting, members shared ways they successfully overcame some of last year's extra challenges as well as ideas for how to get students and families enrolled and ready for the new school year.
"Tribal communities were disproportionately impacted by the pandemic, but, at San Carlos, we had already begun working on becoming more trauma sensitive and trauma informed even before the pandemic," said Superintendent Deborah Dennison of San Carlos Unified School District. "We look forward to bringing that experience to the task force to help students and families feel ready."
"The pandemic has helped shine a light on and intensified the inequities and challenges our communities already face," said Melissa Boydston, Vice President, Community Impact – Education for Valley of the Sun United Way. "We're honored to be part of ADE's efforts to unite all of us fighting those challenges and bringing solutions to the table."
"Arizona families deserve stability and clarity regarding their child's education after the unpredictability in our schools during the pandemic, empowering parents with trusted information will provide better outcomes next year," said Stephanie Parra, Executive Director of ALL In Education." The AZ Ready for School Task Force established by Superintendent Hoffman is bridging the communication gap with parents to provide clarity and rebuild trust among Arizona families and students alike in an effort to re-enroll and re-engage students and families in Arizona's public schools."
The Arizona Ready for School Task Force is part of the ADE's larger Arizona Ready for School Campaign which consists of proactive efforts to empower parents and students with trusted information and critical resources, support enrollment and reengagement efforts statewide, and provide schools with needed resources and tools to maximize success in the 21-22 school year.
"This last year reiterated that the best place for teaching and learning is in our classrooms," added Superintendent Hoffman. "We're ready to support Arizona's families, get as many students back in the classroom as possible for the next school year—and do it safely."

House Passes the "Unbiased Teaching Act," Barring Racist, Sexist & Politicized Instruction in Arizona Schools

STATE CAPITOL, PHOENIX – The Arizona House of Representatives today passed important legislation that bars racist, sexist and politicized instruction in Arizona schools. The "Unbiased Teaching Act," a floor amendment proposed by State Representative Michelle Udall (R-25), chair of the House Education Committee, was adopted onto SB 1532, which was passed by the House with the support of all 31 House Republicans.
"Racism cannot be combated by teaching children to be racist," said Representative Udall. **"Our country has not always lived up to the concept that 'all men are created equal,' still, it is a fundamental ideal that should be upheld by our schools, government institutions, and society. Judging individuals by the color of their skin, ethnic heritage, or sex is deeply wrong. To teach our children otherwise is immoral and fuels corrosive societal tensions within our state and nation."**
Under the Act, a school district, charter school, or state agency is prohibited from requiring teachers to engage students in controversial issues of public policy or social affairs that are not essential to the course learning objectives. If raised for discussion in a class, teachers would be required to present such issues from diverse and contending perspectives without giving deference to any one perspective.
"Issues related to race and sex are appropriate for discussion in an educational environment, and the Unbiased Teaching Act does nothing to prevent that," added Udall. **"In fact, learning about terrible abuses that have occurred in the name of racism or sexism is important if framed in proper context, but no student should ever be taught that a person's race, ethnicity or sex determines his or her character, bias, treatment, or worth."**
Other provisions prohibit any requirement, assignment of coursework or awarding of class credit for student work that involves lobbying or advocacy for social or public policy. Requiring school employees to engage in any training, orientation, or therapy that presents any form of blame or judgement on the basis of race, ethnicity or sex would not be allowed either. Additionally, a teacher, administrator, or other employee may not require instruction in or make part of curriculum the following concepts:

- One race, ethnicity or sex is inherently morally or intellectually superior to another;
- Any person, by virtue of his or her race, ethnicity or sex, is inherently racist, sexist or oppressive, whether consciously or not;
- An individual should be invidiously discriminated against or receive adverse treatment solely or partly because of his or her race, ethnicity or sex;

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003469

ARZN_REV00069144_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

  - A person's moral character is determined by his or her race, ethnicity or sex;
  - An individual, by virtue of his or her race, ethnicity or sex, bears responsibility for actions committed by others of the same sex, ethnicity or race;
  - An individual should feel discomfort, guilt, anguish, or other form of psychological distress because of the person's race, ethnicity or sex; and
  - Academic achievement, meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race or sex to oppress members of another race or sex.
- Violations of the law could result in civil penalties up to $5,000 for each incident.

"Political advocacy, propaganda, and biased, one-sided viewpoints taught as fact have no place in a classroom," said Udall. **"If dealing with a divisive controversial topic, educators should present the subjects in a responsible, balanced way that encourages students to think for themselves and draw their own conclusions."** The bill must now receive final approval by the state Senate before going to the governor.

Release: IRC Entrusts Arizona's Maps to GOP Gerrymandering Firm with String of Court Losses

PHOENIX — Yesterday, the Arizona Independent Redistricting Commission, by a vote of 3-2, selected Timmons Group/NDC as the mapping consultant without a single vote from Democratic commissioners. NDC is a Republican-leaning firm with a long history of court-discarded maps and testimony, including in Arizona.

NDC/Timmons Group's application was opposed by over a thousand members of the public as well as major nonpartisan organizations, including the Navajo Nation Human Rights Commission, the League of Women Voters, and One Arizona. All on the Line, a National Democratic Redistricting Committee project, submitted over 1,000 signatures to the IRC opposing NDC/Timmons Group's application.

Opposition to NDC/Timmons stems from the multitude of cases in which the firm and its President, Doug Johnson, were found to have worked against the interests of communities of color, as well as the number of courts who determined Mr. Johnson's analyses and testimony to be "not credible" and "insufficient."

Arizona Democratic Party Chair, Raquel Terán released the following statement:

"The decision by the IRC Chair and Republican Commissioners to hire NDC, despite their appalling record, is a complete affront to the concerns of voting rights advocates and a total disregard for the public trust in the integrity of the eventual maps.

"This vote has exposed which voters have the ear and attention of those Commissioners and which do not. On top of the choice to hire a partisan Republican Executive Director with insufficient experience and an unexplained $63,000 payday from the 2020 McSally campaign, this decision has set a precedent and tone for the work ahead that is deeply troubling.

"Governor Ducey and the Republican Party have worked for years to undermine an independent process which Arizona voters overwhelmingly voted into law 20 years ago. Rather than uphold the independence of this Commission, they have done all they can to serve the interests of the Arizona Republican Party above all. Beginning with the stacking of the Commission on Appellate Court Appointments with Republican operatives, and this indefensible selection, they have aimed to compromise yet another of Arizona's sacred democratic institutions.

"The eyes of the state and the nation will be on this Commission. This decision shows that Republicans may have corrupted this process before it started. We hope that's not the case."

ADVISORY: Sen. Mark Kelly to Visit Intel, Meet with Elementary School Students and District Leaders in Phoenix

Tomorrow, Arizona Senator Mark Kelly will make stops in the Phoenix area focused on strengthening and rebuilding Arizona's economy for the future. Kelly, a retired U.S. Navy combat pilot, engineer, and NASA astronaut, will tour a STEM-focused elementary school where he will meet and speak with students and school district leaders about the importance of STEM education, and attend the unveiling of the "Mark Kelly Way" hallway. Kelly will then visit Intel and receive a tour of their semiconductor manufacturing plant. A media availability with Kelly will follow. The tour is closed press, but b-roll and photos will be available.

Arizona is a leading state in semiconductor manufacturing with companies looking to expand their existing operations in the state. Recently, Kelly helped lead a group of 70 bipartisan Senators and Representatives in requesting that President Biden fully fund initiatives to restore semiconductor manufacturing on American soil and create high-

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003470

ARZN_REV00069144_5-5-21-3.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

paying jobs authorized in the FY21 *National Defense Authorization Act* with Kelly's aggressive support. Kelly's visit to Intel follows the company's announcement to build two new semiconductor manufacturing plants in Arizona amidst the global semiconductor shortage.
Note: Social distancing and public health precautions will be observed for in-person press availability. All attendees, including members of the press, will be required to wear masks and maintain social distancing at all times.
See details of Kelly's stops in Phoenix below:
Sen. Mark Kelly to Visit Elementary School
About: Sen. Mark Kelly will tour a STEM-focused elementary school where he will meet and speak with students and school district leaders about the importance of STEM education, and attend the unveiling of the "Mark Kelly Way" hallway.
When: Thursday, May 6, 2021 at 9:45 a.m. AZ
Location: RSVP to press@kelly.senate.gov for location details.
Sen. Mark Kelly to Visit Intel
About: Sen. Mark Kelly will visit Intel and receive a tour of their semiconductor manufacturing plant. A media availability with Kelly will follow. The tour is closed press, but b-roll and photos will be available.
When: Thursday, May 6, 2021 (time and location details available upon RSVP)
Location: RSVP to press@kelly.senate.gov for time and location details.

"QUOTE OF THE DAY"

"The only conclusion we could reach was that he kept it as a trophy, because a document of that importance doesn't just disappear."

- Former Seventh Floor Employee, on what happened to Bennett's copy of Obama's Hawaiian birth document

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003471
ARZN_REV00069144_5-5-21-3.pdf

Sender: rgabaldon@azleg.gov
Sent: Thursday, May 06, 2021 5:03:43 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-7-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

Subject: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet *May 6, 2021*

HURRY UP AND DRIVE TO PHOENIX TO WAIT
With a budget that can get 16 and 31 votes still a seemingly distant prospect, rank-and-file senators have started grumbling more and more about being dragged into work every day to accomplish very little.

THEIR ONLY CONSTITUTIONAL DUTY IS TO AUDIT THE ELECTION
Still, there may be some signs of life on the horizon, as our reporter spotted Bowers, Toma and senior staff from Ducey's office walking into the Senate after today's floor session.

AMERICAN OVERSIGHT

FOUR YEARS DOWN THE DRAIN
In a marathon meeting last night – normal for loyal Corp Comm watchers – commissioners killed the new clean energy standards that they had preliminarily approved on a 4-1 vote in November.

IS THAT A FARM YOU'RE SMELLING OR CORP COMM?
Bob Burns, the previous chairman of Corp Comm and lead proponent for the standards, was not happy with Olson and Marquez Peterson, saying the former outmaneuvered the latter, who should have known better.

YOU MEAN THE FIRM THAT SCREWED UP THE OSCARS?
While Republican lawmakers have spoken as a unified voice supporting the Senate's audit, or stayed silent about it, our reporter hit up a number of former Republicans from across the right side of the spectrum to get a more honest look at what Republican leaders think.

SAYS THE GUY WHO PUT ON A TRUMP HAT AFTER THE ELECTION
Still, Kwasman didn't blame Fann for hiring the conspiracy-minded auditors, instead pointing the finger at the entire GOP establishment, which he said hasn't shown the spine to stand up to its ranks.

WHAT'S THE HARM?
Former Senate President Bob Burns fell into the "bemused supporter" category, saying he didn't think the Senate's audit was exactly "necessary" but also didn't see the harm in letting the Senate finish the job.

TRUMP WON BUT NO SECRET AUDIT FUNDING IS A UNIQUE TAKE
Former Republican Rep Jill Norgaard wholeheartedly supports the Senate's audit and applauded Fann and other Republicans for pushing it in the face of criticism.

WE TRIED, JILL, WE TRIED
Rather than picking apart the audit's flaws, reporters should be looking into the fire at Hickman's Farms and the helicopter that has been circling the coliseum, Norgaard said.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, May 06, 2021

NEWS NOTES AND GOSSIP

HURRY UP AND DRIVE TO PHOENIX TO WAIT

With a budget that can get 16 and 31 votes still a seemingly distant prospect, rank-and-file senators have started grumbling more and more about being dragged into work every day to accomplish very little. Over the past two to three weeks, most days in the Senate consisted of a pledge, a prayer, some proclamations and maybe a bill or two to vote on, mostly noncontroversial measures that could pass in a matter of minutes. And after last year proved that the Legislature could take an extended recess and return to pass bills later in the year, more lawmakers have started to whisper about recessing and returning later this spring or summer. Rios told our reporter she asked Fann about the possibility, and while Fann responded that she hasn't started thinking about it yet, rank-and-file senators are already there. Townsend floated the idea of a recess as part of her ultimatum on not ending the session before the Senate's audit is done. Bowie told our reporter he heard rumors a couple weeks ago that leaders could call a recess to hammer out budget details. "We're kind of running out of bills, and instead of asking everyone to come in every day they could spend a week working on the budget," he said. Mesnard's pro-recess, though his reasoning seems to have less to do with bills and more to do with a backdoor approach to transitioning Arizona to a year-round Legislature. After being burned by last year's *sine die* vote and Ducey's refusal to call the Legislature back in special session, he said he favors recessing instead of adjourning even after lawmakers pass a budget, given that Covid and the Senate audit will likely be ongoing issues. "I like the Legislature having options, keeping the session open. I'm supportive of the idea," Mesnard said. His one caveat is that lawmakers must suspend their per diem payments during any extended recess. (Last year, the state paid out more than $200,000 in daily allowances during the two months the Legislature was in recess.) Other lawmakers, especially those with long daily commutes, have been grumbling lately about the Senate continuing to gavel in for a vote or two per day. Shope told our reporter the daily drive from Coolidge to Phoenix is exhausting. He noted that like many others, he has another job besides being a lawmaker, and spending two hours on the road every day to not accomplish much is getting old.

THEIR ONLY CONSTITUTIONAL DUTY IS TO AUDIT THE ELECTION

Still, there may be some signs of life on the horizon, as our reporter spotted Bowers, Toma and senior staff from Ducey's office walking into the Senate after today's floor session. Matt Gress, Ducey's budget director, was carrying a sheaf of what appeared to be budget docs, though it might have solely been the governor's spending plan – our reporter could only see one column of numbers. Fann and Gray also announced that they will have a Rules Committee meeting "if necessary" next Monday – the Senate still has a number of bills to send through rules, but they also would have to go to rules to get permission to introduce budget bills.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003474

ARZN_REV00069146_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FOUR YEARS DOWN THE DRAIN

In a marathon meeting last night – normal for loyal Corp Comm watchers – commissioners killed the new clean energy standards that they had preliminarily approved on a 4-1 vote in November. The new clean energy requirements, which have been four years in the making, would require 100 percent carbon-free energy by 2050. Last year, Justin Olson was the lone dissenting vote, and it was clear he was going to vote against the proposal again yesterday, as he has frequently echoed Ducey's talking point that the Legislature, not the commission, should set any kind of energy standards. Most observers expected that Lea Marquez Peterson would be the deciding vote, and that she would side with Democrats Anna Tovar and Sandra Kennedy to pass the standards 3-2. But after she sided with her Republican colleagues on several amendments over 11 hours – including what Democrats saw as a poison pill amendment to change the new standards from mandates to goals – the new standards were so watered down that the Democrats refused to support them. Marquez Petersen said she didn't think the change was a big deal. The proposal failed 2-3, with Olson and Democrats voting against. The standards were a rare point of agreement between major power companies, like APS and TEP, and environmental and solar activists, who had all lobbied the commission to take action. Court Rich, a solar advocate, tweeted his surprise at how the night turned out. "At the conclusion of a hearing that was bonkers even by @CorpCommAZ standards, Arizona will not have new energy rules. Who saw that coming??" Kris Mayes, a former chair of the commission who is also big on solar energy, channeled her frustration at Marquez Peterson. "What an epic failure by @LeaPeterson and the ACC today. No one can snatch defeat out of the jaws of victory quite like this crew," she wrote.

IS THAT A FARM YOU'RE SMELLING OR CORP COMM?

Bob Burns, the previous chairman of Corp Comm and lead proponent for the standards, was not happy with Olson and Marquez Peterson, saying the former outmaneuvered the latter, who should have known better. "It just smells an awful lot like politics," he told our reporter. He noted that Ducey has repeatedly said he thinks the Legislature should set energy policy, not Corp Comm, which really means Ducey "gets to write the law and they get to follow his request" and that Olson, who Ducey appointed to the commission in 2017, has repeatedly echoed those remarks. But he was disappointed in Marquez Peterson. "[She] should have been aware that even if [Olson] gets his amendment, it doesn't mean he's gonna support the final product," he said, noting Olson has made his position clear that the commission shouldn't set energy mandates. During the meeting, Tovar also not-so-subtly argued that Olson and Marquez Peterson voted the way they did because they have been rumored for higher office. Olson has been rumored for Congress, as has Marquez Peterson to a lesser degree. Burns said they don't talk to him so he doesn't know their interest, but also heard Olson could run for Treasurer. "I'm sure that the fact that we didn't get another Congressional seat in Arizona was probably a crimp in their plans," he said. Olson did not return a call for comment.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003475

ARZN_REV00069146_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YOU MEAN THE FIRM THAT SCREWED UP THE OSCARS?

While Republican lawmakers have spoken as a unified voice supporting the Senate's audit, or stayed silent about it, our reporter hit up a number of former Republicans from across the right side of the spectrum to get a more honest look at what Republican leaders think. We found, somewhat predictably, three camps: full-blown believers, a few bemused supporters, and those who think the audit – and Fann's choice of the Cyber Ninjas to lead it – is embarrassing the state. We began this endeavor after one Republican who has privately mocked the audit pointed our reporter to tweets from former lawmaker Adam Kwasman, joking that it's amazing the former conservative bomb thrower "is the adult in the room." Kwasman didn't hold back when talking to our reporter, calling the audit "shameful" and saying "it's going to embarrass the Legislature – again." "You have to go with a firm that is above reproach. I just don't understand why you would go with Cyber Ninjas – it makes no sense," he said, noting that even the ground troops of the audit aren't nonpartisan, as Bennett pledged. "I'm getting emails from my captains in my LD saying they need audit staffers stat. This is the opposite of a fair and transparent audit. It's the opposite of independent." Even if auditors find proof of a massive election fraud (he doesn't think they will), nobody would believe it coming from Doug Logan, who has already bought into wildly inaccurate conspiracies, he said. A legitimate audit may or may not have convinced people, he said, but at least it wouldn't have made Arizona the butt of a national joke. Instead, by choosing conspiracy theorists to run the audit, Fann has made Arizona a magnet for election conspiracy theorists. "The Legislature should immediately cease this audit and hire a legitimate firm like PricewaterhouseCoopers if they want to go ahead with an audit," he said. "But any outcome of this audit is a massive waste of time and energy. It's an illegitimate outcome."

SAYS THE GUY WHO PUT ON A TRUMP HAT AFTER THE ELECTION

Still, Kwasman didn't blame Fann for hiring the conspiracy-minded auditors, instead pointing the finger at the entire GOP establishment, which he said hasn't shown the spine to stand up to its ranks. "The Republican base right now is in a place of conspiracy and animalistic rage. And the entire elected class is scared to say no," he said. It's time for Republicans to have a "Sistah Souljah moment" with its grassroots ranks to hammer the point that there's no evidence that the election was rigged, stolen or illegitimate, he said. (For those who don't remember, a Sistah Souljah moment refers to Bill Clinton's 1992 presidential campaign when he denounced a minor rap artist who had promoted racial violence against whites following the LAPD beating of Rodney King (LINK). A more contemporary example is John McCain's rebuke of a woman who referred to Obama as an "Arab" during a 2008 campaign event (LINK).) "The Republican Party will be successful when it decides to be post-Trump. Not anti-Trump. Post-Trump means focusing on 2022 issues." Whether or not Kwasman was a "never Trumper" was an ongoing debate during his brief run against Ugenti-Rita last year – though he maintained that he supported Trump (YS, 2/14/20).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003476

ARZN_REV00069146_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT'S THE HARM?

Former Senate President Bob Burns fell into the "bemused supporter" category, saying he didn't think the Senate's audit was exactly "necessary" but also didn't see the harm in letting the Senate finish the job. "There was obviously questions raised about whether the election was accurate, so why not? Seems like it makes sense to me," he told our reporter. Burns said he's amused by how much resistance there is to the audit when they're just trying to "get to the bottom [to] find out if there were problems" with the election. He said if there were problems, they need to be addressed instead of waiting for another election cycle. He wouldn't comment on Cyber Ninjas leading the audit because he admitted he hasn't paid close enough attention to the whole story. "There's certainly been controversy over the election," he said, adding that it seems fair to find out if anything nefarious happened, even though the state and county all determined there was nothing. Another former Republican representative – not quite a moderate but not a big Trump fan – told our reporter Biden won "fair and square" and that Republicans in the Legislature are keeping this up because they refuse to accept that Republicans lost the election. "The Democrats beat us at our game," the source said, adding that they've tuned out the daily craziness from the audit. "The reality is, while there are some who believe that there was some shenanigans going on, others are trying to find an excuse to not accept the reality that we got."

TRUMP WON BUT NO SECRET AUDIT FUNDING IS A UNIQUE TAKE

Former Republican Rep Jill Norgaard wholeheartedly supports the Senate's audit and applauded Fann and other Republicans for pushing it in the face of criticism. She told our reporter that the auditors were "being pretty scrupulous in the process, probably more so than in the actual election itself," claiming the firms had already found "numerous cases" of dead voters and people casting multiple votes. (Although others have claimed the audit has already found problems, auditors have repeatedly said they haven't told anyone about any findings, if there are any.) To make her point, she said she received ballots for her children who hadn't lived with her in years, and that her neighbor received multiple ballots. And she's suspicious about the early calls from *Fox News* and others that declared Biden won the state. "To call the election while people are still in lines, where there's tens of thousands of ballots yet to be counted – that's not right," she told our reporter. "That smells like a rat." Norgaard does not believe Biden won Arizona, but she also acknowledged that the election has already been certified and said she didn't know what, if anything, lawmakers could do at this point. "I don't know what the recourse is after they find issues," she said. "If that means they have to uncertify the election, or if it's things that we just need to identify to improve on in subsequent elections, I'm not sure." Still, Norgaard acknowledged the audit hasn't been perfect, saying the audit's lack of transparency is a problem. "They excluded people from coming in from both sides, I mean, people from both sides of the aisle," she said. "That was not right." And she said the audit keeping secret its funding sources is also problematic. "I do think their funds, the people that funded, the corporations or whatever the resources are, should be made public knowledge like any campaign finance thing," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003477

ARZN_REV00069146_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE TRIED, JILL, WE TRIED

Rather than picking apart the audit's flaws, reporters should be looking into the fire at Hickman's Farms and the helicopter that has been circling the coliseum, Norgaard said. "The fire at Hickman Farms – were ballots over there?" she asked our reporter. "As press, those are some things that you guys might want to look into to develop stories." Those storylines were birthed in far-right fake news websites like *Gateway Pundit* and have already been debunked. (To be honest, we can't speak to whether Clint Hickman let 165,000 of his own chickens become casualties in a fire to burn some ballots – he never returned our reporter's call on the topic (YS, 3/8) – but it doesn't quite pass the smell test.) Another thing reporters should investigate, she said, is the Dept of Justice's involvement in helicopters that she claimed were flying over the audit and being funded by taxpayers at Democrats' urging. In fact, *The Arizona Mirror*'s Jerod MacDonald-Evoy, an avid flight path nerd, has already looked into this one. It was a Phoenix Police airplane and it wasn't flying over the audit specifically (LINK) (LINK).

WAKE UP CALL

It's law now: Cops need conviction to keep seized property
Arizona Capitol Times
Police in Arizona will soon need a criminal conviction before they can seize their in connection with a crime.

Hobbs threatens more litigation over Senate audit
Capitol Media Services
The state's top election officials is threatening to go to court unless the procedures being used by the Senate in its special ballot audit are changed.

House approves measure to govern 'controversial issues' in class
Capitol Media Services
Republican lawmakers voted today to punish teachers who don't present both sides of controversial science or events, a move that some lawmakers say could force them to seek out and present contrary views on everything from climate change and slavery to the 9-11 terrorist attacks, the Holocaust – and even whether Joe Biden really won the election.

Ducey signs legislation to expand telehealth
Mohave Valley Daily News
Gov. Doug Ducey signed legislation Wednesday to dramatically expand telemedicine in Arizona and provide greater opportunities for accessible medical services, fulfilling a priority of his 2021 State of the State Address.

Mohave County Board of Supervisors reject vote centers after Maricopa County concerns
Today's News-Herald
Mohave County's election director earlier this year proposed a possible evolution in future Mohave County elections – but on Monday, the county's governing board wasn't convinced.

Handcuffed Detainee Attacked in Cell by County K9 Gets $25K in Settlement
Phoenix New Times
Maricopa County has agreed to settle a lawsuit with a man who was mauled by a K9 for three minutes while handcuffed in a cell.

Where was Anthony Kern on Jan. 6?
Arizona Mirror

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003478
ARZN_REV00069146_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Newly reviewed footage by Arizona Mirror raises new questions about former Republican lawmaker Anthony Kern's activities around the U.S. Capitol on Jan. 6 as the lawmaker continues to participate in a recount of Maricopa County's ballots from the 2020 general election.

Justice Department raises concerns with audit

Arizona Mirror

The U.S. Department of Justice is asking Senate President Karen Fann to explain what steps she's taking to make sure the election audit she ordered doesn't violate federal laws prohibiting voter intimidation and requiring ballots be preserved.

Retired Border Patrol agent accused of being serial rapist in decades-old cold cases

The Hill

A recently retired Border Patrol agent suspected of being a serial rapist in Arizona was arrested this week in connection with decades-old cold cases.

Ballots, laptops reportedly left unattended during Arizona vote audit, official says

The Hill

Arizona Secretary of State Katie Hobbs (D) on Wednesday raised concerns about the procedures in the Republican-led audit of 2020 election results in Arizona's largest county, specifically pointing to workers reportedly leaving ballots and computers unattended during the recount.

Men are slaughtering millions of preborn babies every day with no consequences

Arizona Mirror (Opinion, Julie Erfle)

Gov. Doug Ducey and Republican legislators want you to believe they're defenders of the preborn.

Arizona GOP should shine its UV lights on new voter registration numbers (they aren't good)

Arizona Republic (Opinion, Laurie Roberts)

New numbers show nearly 24,000 Republican voters have walked away from the party since January, when Senate President Karen Fann issued the subpoena that launched her elections audit.

Teachers could be fined $5,000 if anything 'controversial' is taught. That's crazy

Arizona Republic (Opinion, Elvia Diaz)

Arizona Republicans are joining a coordinated effort targeting critical race theory, and want to punish teachers for it.

35,468,500 reasons why 'defund the police' is a fantasy

Arizona Republic (Opinion, Phil Boas)

Americans support police reform. But they also recognize that we still need police officers to guard civilized society.

Which review of election ballots is more susceptible to fraud? Bingo, the audit

Arizona Republic (Op-ed, Jeff Greeson)

The audit is shrouded in confusion and secrecy. Compare that with the bipartisan process we used in the Nov. 3 election and you should be alarmed.

PRESS RELEASES

Arizona Projected To Add Nearly 550,000 Jobs By 2029

Arizona Expected To Grow Jobs 4X Faster Than U.S.

PHOENIX — The Arizona Office of Economic Opportunity is projecting the state will add more than half a million jobs over the next eight years, continuing a surge in economic growth.

"Arizona has become a jobs magnet," said Governor Doug Ducey. "Not only are jobs booming, wages are rising faster at one of the fastest rates in the country. Our recovery is moving forward and there is more opportunity before us than ever before."

According to the Office of Economic Opportunity (OEO), Arizona will add nearly 550,000 jobs by 2029 for an annualized job growth rate of 1.6%, four times the U.S. growth rate.

The OEO projections come as Arizona is experiencing an explosion of advanced manufacturing in industries like semiconductors and electric vehicles.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Last year, Taiwan Semiconductor Manufacturing Company announced the addition of 1,600 jobs and construction of a new semiconductor fabrication facility in Phoenix. In March, Intel announced adding 3,000 jobs along with two new semiconductor fabs in Chandler. Intel's $20 billion investment represents the largest private sector investment in state history.

"Today's projections show Arizona is going to continue to lead the nation as a destination for employment and advanced industries," said President & CEO of the Arizona Commerce Authority Sandra Watson. "What this means is more jobs for Arizona residents and more opportunity throughout our economy."

When it comes to electric vehicles, companies like Lucid, Nikola, ElectraMeccanica, which all have set up manufacturing facilities in the state, are projected to add thousands of jobs in coming years. These announcements mean more jobs for suppliers and support industries as well.

In March, the Governor announced personal income in Arizona rose last year at a rate faster than nearly any state in the country, according to estimates from the Bureau of Economic Analysis. With a personal income growth rate of 8.4%, Arizona tied with Montana for the fastest rate of growth in personal income in 2020.

TODAY: Arizona Secretary of State Katie Hobbs, Arizona Election Observers Join States United Democracy Center to Discuss 2020 Election "Audit"

JOIN: Video press briefing Thursday, May 6th at 3:15pm ET/12:15pm PT, RSVP Required

What: Arizona Secretary of State Katie Hobbs will join the three election experts who were granted access to observe the so-called "audit" of the Maricopa County 2020 Presidential Election results, former Arizona Attorney General Grant Woods, and States United Democracy Center CEO Joanna Lydgate to discuss the latest updates on the ground at the Veterans Memorial Coliseum.

When: Thursday, May 6th, 2021 | 3:15pmET/12:15pm PT

RSVP: If you are interested in joining the call, please RSVP to claire.connolly@berlinrosen.com.

Who:

- **Katie Hobbs,** Arizona Secretary of State
- **Ryan Macias,** former acting director of certification and testing for U.S. election assistance commission, Arizona Election Observer
- **Jennifer Morrell,** former local election official and recognized expert in election audits, partner at The Elections Group, Arizona Election Observer
- **Elizabeth Howard**, an attorney with the Brennan Center for Justice at NYU Law, Arizona Election Observer
- **Grant Woods,** Former Attorney General of Arizona and States United Democracy Center Advisory Board Member
- **Joanna Lydgate,** CEO of States United Democracy Center

Additional Background:

- In January of 2021, the President of the Arizona Senate and the Chairman of that chamber's Judiciary Committee issued subpoenas commanding the Maricopa County Board of Supervisors, Maricopa County Recorder, and Maricopa County Treasurer to appear for testimony before the Judiciary Committee the next day and to bring with them, among other items, roughly 2.1 million voted, secret paper ballots and certified elections equipment used in the 2020 general election in Maricopa County. Although Maricopa County, the largest county in the state, fought the subpoena in state court, the County was ultimately ordered to comply. The purported legislative purpose of this wide sweeping subpoena was to conduct an "audit" of the 2020 general election.
- A cohort of Arizona state senators embarked on this "audit" despite the fact that multiple lawsuits from the Trump campaign, the Arizona Republican Party, and others claiming widespread fraud were dismissed, and after three previous reviews of Maricopa County results showed that votes were counted accurately and machines were not tampered with.
- The Arizona state senators seeking this audit hired the firm Cyber Ninjas to oversee the audit The head of Cyber Ninjas has suggested, contrary to available evidence, that former President Trump actually won Arizona in the 2020 election by 200,000 votes.
- Just under two weeks ago, Democrats sued the Arizona Senate leaders who ordered the audit, as well as Cyber Ninjas, and the audit's liaison/spokesperson, former Arizona Secretary of State Ken Bennett. The lawsuit seeks to ensure that the audit is conducted in a manner consistent with Arizona's election laws.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003480

ARZN_REV00069146_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Notably, on April 27th, the Court granted Arizona Secretary of State Katie Hobbs' request to intervene in the action.

- There has been very little transparency into the funding for this hand count, or into the actual process as it has been ongoing.
  After initially having been denied entry and hiring an attorney to push for media access, on Tuesday, journalists were granted limited access inside the Veterans Memorial Coliseum where the hand count is taking place.
- In addition to the scrutiny on Cyber Ninjas, the funding for the audit also raises concerns. Correspondents for the pro-Trump news organization One America News have led a fundraiser to help pay for the audit, and Lin Wood, an attorney who brought several lawsuits challenging the outcome of the 2020 election, says his organization has donated $50,000 to the effort.
- Cyber Ninjas is trying to keep the process hidden from the public eye.The firm asked a judge to keep its procedures for the recount secret and to shut out the public as well as the press from a hearing in which the documents might be discussed.

- There are concerns this tactic may be deployed in other states to further the lies about the 2020 elections and create opportunities for passing restrictive voting measures in state legislatures.

Governor Ducey Signs Historic Water Protection Legislation

PHOENIX (May 5, 2021) — Governor Doug Ducey today signed legislation to ensure clean water in nearly 800 Arizona streams, lakes and rivers that are critical for drinking, fishing and recreation.

"Living in the desert, the value of water is something we in Arizona know well, and we have taken great steps to protect it, including the Groundwater Management Act and the Drought Contingency Plan," said Governor Ducey. "But just having water is not enough. We need to ensure our water supplies are clean and safe. That's why I signed into law another landmark Arizona water protection bill — the Surface Water Protection Program providing protections for nearly 800 Arizona streams, lakes, and rivers."

House Bill (HB) 2691 implements the Arizona Surface Water Protection Program by creating a list of rivers, streams, and lakes used for drinking, recreation and fishing that are protected from harmful discharge of any pollutant. Specifically, the legislation:

- Preserves important water quality safeguards and provides clarity and consistency to the regulated community;
- Promotes transparency by providing a defined list of protected Arizona waters that will be protected through a permitting program, as well as Geographic Information System map functionality, on the Arizona Department of Environmental Quality (ADEQ) website; and
- Provides an opportunity to develop meaningful and impactful best management practices that will protect these important waterways.

"This legislation protects and regulates discharges into Arizona surface waters that are used for drinking water sources, fishing, swimming and other recreational activities," said Representative Gail Griffin, who sponsored the legislation, of Legislative District 14. "We don't need to rely on the federal government to tell us how to regulate our waters. We have taken this important responsibility that requires best management practices to ensure that discharges do not cause violations in water quality standards."

"With this legislation Arizona will protect its most important waters that are not currently regulated by the federal government in a streamlined and locally responsive way," said ADEQ Director Misael Cabrera.

Governor Ducey applauded the United States Environmental Protection Agency's 2020 decision to improve the federal Clean Water Act and committed that Arizona welcomes the need to protect state surface waters. Unlike previous federal efforts to regulate every dry ditch in the desert, Arizona focused on protecting actual waters with tools specific to Arizona.

As Governor Ducey wrote on Inauguration Day, Washington, D.C. should take note of what is happening in the states across the country. When it comes to protecting water, Arizona is leading by example.

HB 2691 is the first Arizona-specific water quality protection bill enacted since the Aquifer Protection Permit program in 1991, and together, these two programs will serve to protect the quality of both Arizona's surface and groundwater resources.

More information on the Surface Water Protection Program, including the draft list of protected waters is available on ADEQ's website.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003481

ARZN_REV00069146_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LUCHA & The Colibri Collective's 2020 Mailer Wins National Recognition from USPS

May 06, 2021 (Phoenix) – After winning at the ballot box in 2020, LUCHA and The Colibri Collective continue to rack up victories – this time for their advertising for the #LUCHABlue campaign. Known as the "Oscars of Political Advertising," the two organizations took home 2 Silver Pollie Awards and the nationally recognized Special Award for Direct Mail for Early Voting/Absentee Ballot/Vote-by-Mail from the United States Postal Service (USPS) and the American Association of Political Consultants (AAPC).

You can learn more about the winning #LUCHABlue mailer and campaign here.

The #LUCHABlue campaign was designed and produced by The Colibri Collective, the first Latina-owned digital marketing firm in Phoenix. It was a part of an effort to directly engage Latino voters in the swing state during the 2020 presidential election; and the elevated design and creative use of a QR code set the #LUCHABlue campaign apart from the more than four billion pieces of political direct mail.

"It's an honor to be recognized by USPS and AAPC for what we have accomplished in partnership with LUCHA. We like to think outside the box when it comes to political marketing, and the LUCHA Blue mailer is the perfect example," said **The Colibri Collective CEO Gaby Cardenas**. "Our creative team went beyond the traditional red, white, and blue and used their skills to highlight clear information and supplemented it with digital components to inform voters. That's what's truly important here: helping people vote."

"We are committed to supporting local Women of Color (WOC) led small businesses. With The Colibri Collective, we celebrate the talent and treasure of what our community provides," **said LUCHA Co-Executive Director of LUCHA Alex Gomez.** "LUCHA's partnership with The Colibri Collective has been transformative and the recognition is well-deserved. The Colibri Collective messages to our communities in culturally-nuanced approaches that capture the depth of our rich experiences. We're proud of the strong partnership we've built together and the change we've been able to make in local Arizona communities."

"At LUCHA, we build with those who are directly impacted by the issues. Being able to work with The Colibri Collective team in the #LUCHABlue campaign was very significant because they were able to take our members' ideas and make it into a culturally relevant work of art to inform voters," **said LUCHA Co-Executive Director of LUCHA Tomas Robles.** "We are always excited to work and support a local team that understands and is allied with our organizational values. Working together, we flipped Arizona from deep red to blue."

The Pollie Awards are run by the American Association of Political Consultants. This year, the blind jury had to judge more than 400 firms to determine the best and brightest voices in political communications and public affairs with a record-breaking 2,700+ entries across 10 mediums, including television, digital, direct mail/print, radio and phones.

Arizona Reaction to Today's National Jobs Report Findings

Another record high in job openings is not a welcomed statistic

PHOENIX, May 6, 2021—NFIB, the nation's leading small-business association, today released its monthly Jobs Report, which found another record high in job openings.

The National Federation of Independent Business releases its Jobs Report the first Thursday of every month, and the latest numbers show a record 44% of all small business owners report having job openings they could not fill, 22 points higher than the 48-year historical average, and two points higher than the 42% figure from March. April is the third consecutive month with a record-high reading of unfilled job openings among small businesses. The poll is a national sample not broken down by state.

"While small businesses are glad to see Gov. Doug Ducey re-instating the active work search requirement to qualify for continued state unemployment benefits, more work needs to be done to get able workers off the unemployment rolls and back into one of the many available jobs in the private sector," said Chad Heinrich, NFIB's Arizona state director. "With April also setting a new 12-month high in small businesses raising wages, and a full one-fifth of additional owners planning future wage increases, hopefully the private sector will soon be able to compete with the overwhelming price the federal government is paying able-workers to sit on the sidelines."

From NFIB Chief Economist Bill Dunkelberg

"The tight labor market is the biggest concern for small businesses who are competing with various factors such as supplemental unemployment benefits, childcare and in-person school restrictions, and the virus. Many small business owners who are trying to hire are finding themselves unsuccessful and are having to delay the hiring or offer higher

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003482

ARZN_REV00069146_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

wages. Some owners are offering 'show up' bonuses for workers who agree to take the job and actually show up for work."
The NFIB Research Foundation has collected Small Business Economic Trends data with quarterly surveys since 1974 and monthly surveys since 1986. Survey respondents are drawn from NFIB's membership. The survey was conducted in April 2021 and reflects a random sample of 10,000 small-business owners/members.

Representative Carroll Observes the 70th Annual National Day of Prayer

STATE CAPITOL, PHOENIX – State Representative Frank Carroll (R-22) today observed the 70th annual National Day of Prayer in America by attending the Day of Prayer event in the City of Surprise and delivering a prayer to attendees.
"On this 70th annual National Day of Prayer, we pause to recognize our Christian faith, as protected under the 1st Amendment," said Representative Carroll. "It is a day for people of all walks to come together, transcending our differences, to unite in a shared belief in God and support for life, liberty, and the pursuit of happiness."
The National Day of Prayer is an annual observance held on the first Thursday of May, inviting people of all faiths to pray for the nation. It was created in 1952 by a joint resolution of the United States Congress, and signed into law by President Harry S. Truman. Every year, local, state, and federal observances are held at state capitols, county court houses, on the steps of city halls, and in schools, businesses, churches and homes.

County Treasurer Corrects Mismanagement of Investment Accounts

May 5th, 2021
Phoenix - Maricopa County Treasurer John Allen took office in January 2021 and immediately tasked his new executive staff members with analyzing and understanding the financial systems in the office that manage $5 billion at any given time. His team uncovered a $15.8 million error in the investment portfolio that generates interest earnings for Maricopa County, school districts, and other taxing districts.
The error led the Treasurer's Office to over distribute money to these districts during the past three years. In accordance with A.R.S. § 11-504, the Treasurer must correct the error immediately. The Treasurer's Office determined the planned 3rd quarter distribution of $18.7 million will be reduced to $2.9 million.
"It's unfortunate that the stewardship of the previous administration failed to realize this ongoing problem," said Maricopa County Treasurer John Allen. "It is clear that overstating income earned from interest reflected a narrative that served their political purposes. But I can assure the taxpayers that we have solved this problem, so there will be an accurate accounting of their money."
Background: The Maricopa County Treasurer's Office receives an annual property tax levy of approximately $5 billion in the country's fourth most populous county. The office invests in a conservative portfolio that earns millions of dollars in interest that is then distributed to schools and other entities that participate in the investment pool. The Maricopa County Treasurer's Office believes in providing the taxpayer with accuracy and accountability in the stewardship of their tax dollars.

Phoenix Activists Participate In National John Lewis Voting Rights Advancement Action Day "Votercade" on May 8

Local Groups Host Massive 130+ Cities Mobilization via Votercades to Defeat Voter Suppression Efforts and Promote Democratic Reforms
PHOENIX -- On Saturday, May 8, at 11:00 a.m. (MST) our community leaders will hold a local John Lewis Good Trouble Votercade, joining the 130+ "**John Lewis 'Good Trouble' Awareness**" Votercades across America to fight voter suppression; address the filibuster; and support DC Statehood. Specifically, the national effort will encourage community members to get into "good trouble" by making calls to federal lawmakers to encourage them to advance democracy across the country by supporting the John Lewis Voting Rights Advancement Act (HR 4), the For The People Act (HR1/S1), the Washington, DC, Admissions Act (HR 51), and addressing the filibuster.
Following the record-breaking Black, brown and youth voter turn-out in the 2020 election, at least 361 new laws have been proposed in 47 states to restrict voter access to the ballot box. Some examples of restricted voter access include reduced time frames for voting by mail; reducing early in-person voting dates; ending, reducing or restricting access

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003483
ARZN_REV00069146_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to drop boxes; more restrictive identification requirements to vote; denying the distribution of food or water to voters waiting in excessively long lines on Election Day to vote; and many other efforts to frustrate access to voting.
The sole purpose of implementing these voter suppression tactics is to attack and decrease the votes of millions of Black, brown and indigenous people, and people of color. Meanwhile, billionaires and big businesses continue to spend record-breaking amounts of money to influence our elections.
WHAT: John Lewis Voting Rights Advancement "Votercade"
A "Votercade" is a presidential-style motorcade of voters. It is designed to raise the community's awareness of the urgent need to protect voting rights and our democracy. An attack on the voting rights of any one state has a direct and consequential effect on the voting rights of every other state.
The "**John Lewis 'Good Trouble' Votercade Series**," created and utilized to address voter turn-out by the Transformative Justice Coalition, was successful across America during the 2020 General Election and Georgia Special Runoff Election in increasing turn-out by voters of color.
WHO: Mi Familia Vota, community members, and voting rights activists of Phoenix, AZ
WHERE: Arizona State Capitol (1700 W Washington St.)
WHEN: **Saturday May 8, 2021, at 11AM MST**
For more information on the May 8th National John Lewis Voting Rights Advancement Action Day, or to RSVP, visit https://www.johnlewisdayofaction.org.

"QUOTE OF THE DAY"

"The Republican base right now is in a place of conspiracy and animalistic rage. And the entire elected class is scared to say no."

- ***Adam Kwasman, former Republican lawmaker, on who's to blame for the Senate's audit***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003484

ARZN_REV00069146_5-7-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, May 06, 2021 5:03:45 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-7-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

Subject: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet *May 6, 2021*

HURRY UP AND DRIVE TO PHOENIX TO WAIT
With a budget that can get 16 and 31 votes still a seemingly distant prospect, rank-and-file senators have started grumbling more and more about being dragged into work every day to accomplish very little.

THEIR ONLY CONSTITUTIONAL DUTY IS TO AUDIT THE ELECTION
Still, there may be some signs of life on the horizon, as our reporter spotted Bowers, Toma and senior staff from Ducey's office walking into the Senate

AMERICAN OVERSIGHT

after today's floor session.

FOUR YEARS DOWN THE DRAIN
In a marathon meeting last night – normal for loyal Corp Comm watchers – commissioners killed the new clean energy standards that they had preliminarily approved on a 4-1 vote in November.

IS THAT A FARM YOU'RE SMELLING OR CORP COMM?
Bob Burns, the previous chairman of Corp Comm and lead proponent for the standards, was not happy with Olson and Marquez Peterson, saying the former outmaneuvered the latter, who should have known better.

YOU MEAN THE FIRM THAT SCREWED UP THE OSCARS?
While Republican lawmakers have spoken as a unified voice supporting the Senate's audit, or stayed silent about it, our reporter hit up a number of former Republicans from across the right side of the spectrum to get a more honest look at what Republican leaders think.

SAYS THE GUY WHO PUT ON A TRUMP HAT AFTER THE ELECTION
Still, Kwasman didn't blame Fann for hiring the conspiracy-minded auditors, instead pointing the finger at the entire GOP establishment, which he said hasn't shown the spine to stand up to its ranks.

WHAT'S THE HARM?
Former Senate President Bob Burns fell into the "bemused supporter" category, saying he didn't think the Senate's audit was exactly "necessary" but also didn't see the harm in letting the Senate finish the job.

TRUMP WON BUT NO SECRET AUDIT FUNDING IS A UNIQUE TAKE
Former Republican Rep Jill Norgaard wholeheartedly supports the Senate's audit and applauded Fann and other Republicans for pushing it in the face of criticism.

WE TRIED, JILL, WE TRIED
Rather than picking apart the audit's flaws, reporters should be looking into the fire at Hickman's Farms and the helicopter that has been circling the coliseum, Norgaard said.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, May 06, 2021

NEWS NOTES AND GOSSIP

HURRY UP AND DRIVE TO PHOENIX TO WAIT

With a budget that can get 16 and 31 votes still a seemingly distant prospect, rank-and-file senators have started grumbling more and more about being dragged into work every day to accomplish very little. Over the past two to three weeks, most days in the Senate consisted of a pledge, a prayer, some proclamations and maybe a bill or two to vote on, mostly noncontroversial measures that could pass in a matter of minutes. And after last year proved that the Legislature could take an extended recess and return to pass bills later in the year, more lawmakers have started to whisper about recessing and returning later this spring or summer. Rios told our reporter she asked Fann about the possibility, and while Fann responded that she hasn't started thinking about it yet, rank-and-file senators are already there. Townsend floated the idea of a recess as part of her ultimatum on not ending the session before the Senate's audit is done. Bowie told our reporter he heard rumors a couple weeks ago that leaders could call a recess to hammer out budget details. "We're kind of running out of bills, and instead of asking everyone to come in every day they could spend a week working on the budget," he said. Mesnard's pro-recess, though his reasoning seems to have less to do with bills and more to do with a backdoor approach to transitioning Arizona to a year-round Legislature. After being burned by last year's *sine die* vote and Ducey's refusal to call the Legislature back in special session, he said he favors recessing instead of adjourning even after lawmakers pass a budget, given that Covid and the Senate audit will likely be ongoing issues. "I like the Legislature having options, keeping the session open. I'm supportive of the idea," Mesnard said. His one caveat is that lawmakers must suspend their per diem payments during any extended recess. (Last year, the state paid out more than $200,000 in daily allowances during the two months the Legislature was in recess.) Other lawmakers, especially those with long daily commutes, have been grumbling lately about the Senate continuing to gavel in for a vote or two per day. Shope told our reporter the daily drive from Coolidge to Phoenix is exhausting. He noted that like many others, he has another job besides being a lawmaker, and spending two hours on the road every day to not accomplish much is getting old.

THEIR ONLY CONSTITUTIONAL DUTY IS TO AUDIT THE ELECTION

Still, there may be some signs of life on the horizon, as our reporter spotted Bowers, Toma and senior staff from Ducey's office walking into the Senate after today's floor session. Matt Gress, Ducey's budget director, was carrying a sheaf of what appeared to be budget docs, though it might have solely been the governor's spending plan – our reporter could only see one column of numbers. Fann and Gray also announced that they will have a Rules Committee meeting "if necessary" next Monday – the Senate still has a number of bills to send through rules, but they also would have to go to rules to get permission to introduce budget bills.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003487

ARZN_REV00069148_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FOUR YEARS DOWN THE DRAIN

In a marathon meeting last night – normal for loyal Corp Comm watchers – commissioners killed the new clean energy standards that they had preliminarily approved on a 4-1 vote in November. The new clean energy requirements, which have been four years in the making, would require 100 percent carbon-free energy by 2050. Last year, Justin Olson was the lone dissenting vote, and it was clear he was going to vote against the proposal again yesterday, as he has frequently echoed Ducey's talking point that the Legislature, not the commission, should set any kind of energy standards. Most observers expected that Lea Marquez Peterson would be the deciding vote, and that she would side with Democrats Anna Tovar and Sandra Kennedy to pass the standards 3-2. But after she sided with her Republican colleagues on several amendments over 11 hours – including what Democrats saw as a poison pill amendment to change the new standards from mandates to goals – the new standards were so watered down that the Democrats refused to support them. Marquez Petersen said she didn't think the change was a big deal. The proposal failed 2-3, with Olson and Democrats voting against. The standards were a rare point of agreement between major power companies, like APS and TEP, and environmental and solar activists, who had all lobbied the commission to take action. Court Rich, a solar advocate, tweeted his surprise at how the night turned out. "At the conclusion of a hearing that was bonkers even by @CorpCommAZ standards, Arizona will not have new energy rules. Who saw that coming??" Kris Mayes, a former chair of the commission who is also big on solar energy, channeled her frustration at Marquez Peterson. "What an epic failure by @LeaPeterson and the ACC today. No one can snatch defeat out of the jaws of victory quite like this crew," she wrote.

IS THAT A FARM YOU'RE SMELLING OR CORP COMM?

Bob Burns, the previous chairman of Corp Comm and lead proponent for the standards, was not happy with Olson and Marquez Peterson, saying the former outmaneuvered the latter, who should have known better. "It just smells an awful lot like politics," he told our reporter. He noted that Ducey has repeatedly said he thinks the Legislature should set energy policy, not Corp Comm, which really means Ducey "gets to write the law and they get to follow his request" and that Olson, who Ducey appointed to the commission in 2017, has repeatedly echoed those remarks. But he was disappointed in Marquez Peterson. "[She] should have been aware that even if [Olson] gets his amendment, it doesn't mean he's gonna support the final product," he said, noting Olson has made his position clear that the commission shouldn't set energy mandates. During the meeting, Tovar also not-so-subtly argued that Olson and Marquez Peterson voted the way they did because they have been rumored for higher office. Olson has been rumored for Congress, as has Marquez Peterson to a lesser degree. Burns said they don't talk to him so he doesn't know their interest, but also heard Olson could run for Treasurer. "I'm sure that the fact that we didn't get another Congressional seat in Arizona was probably a crimp in their plans," he said. Olson did not return a call for comment.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003488
ARZN_REV00069148_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YOU MEAN THE FIRM THAT SCREWED UP THE OSCARS?

While Republican lawmakers have spoken as a unified voice supporting the Senate's audit, or stayed silent about it, our reporter hit up a number of former Republicans from across the right side of the spectrum to get a more honest look at what Republican leaders think. We found, somewhat predictably, three camps: full-blown believers, a few bemused supporters, and those who think the audit – and Fann's choice of the Cyber Ninjas to lead it – is embarrassing the state. We began this endeavor after one Republican who has privately mocked the audit pointed our reporter to tweets from former lawmaker Adam Kwasman, joking that it's amazing the former conservative bomb thrower "is the adult in the room." Kwasman didn't hold back when talking to our reporter, calling the audit "shameful" and saying "it's going to embarrass the Legislature – again." "You have to go with a firm that is above reproach. I just don't understand why you would go with Cyber Ninjas – it makes no sense," he said, noting that even the ground troops of the audit aren't nonpartisan, as Bennett pledged. "I'm getting emails from my captains in my LD saying they need audit staffers stat. This is the opposite of a fair and transparent audit. It's the opposite of independent." Even if auditors find proof of a massive election fraud (he doesn't think they will), nobody would believe it coming from Doug Logan, who has already bought into wildly inaccurate conspiracies, he said. A legitimate audit may or may not have convinced people, he said, but at least it wouldn't have made Arizona the butt of a national joke. Instead, by choosing conspiracy theorists to run the audit, Fann has made Arizona a magnet for election conspiracy theorists. "The Legislature should immediately cease this audit and hire a legitimate firm like PricewaterhouseCoopers if they want to go ahead with an audit," he said. "But any outcome of this audit is a massive waste of time and energy. It's an illegitimate outcome."

SAYS THE GUY WHO PUT ON A TRUMP HAT AFTER THE ELECTION

Still, Kwasman didn't blame Fann for hiring the conspiracy-minded auditors, instead pointing the finger at the entire GOP establishment, which he said hasn't shown the spine to stand up to its ranks. "The Republican base right now is in a place of conspiracy and animalistic rage. And the entire elected class is scared to say no," he said. It's time for Republicans to have a "Sistah Souljah moment" with its grassroots ranks to hammer the point that there's no evidence that the election was rigged, stolen or illegitimate, he said. (For those who don't remember, a Sistah Souljah moment refers to Bill Clinton's 1992 presidential campaign when he denounced a minor rap artist who had promoted racial violence against whites following the LAPD beating of Rodney King (LINK). A more contemporary example is John McCain's rebuke of a woman who referred to Obama as an "Arab" during a 2008 campaign event (LINK).) "The Republican Party will be successful when it decides to be post-Trump. Not anti-Trump. Post-Trump means focusing on 2022 issues." Whether or not Kwasman was a "never Trumper" was an ongoing debate during his brief run against Ugenti-Rita last year – though he maintained that he supported Trump (YS, 2/14/20).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003489
ARZN_REV00069148_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT'S THE HARM?

Former Senate President Bob Burns fell into the "bemused supporter" category, saying he didn't think the Senate's audit was exactly "necessary" but also didn't see the harm in letting the Senate finish the job. "There was obviously questions raised about whether the election was accurate, so why not? Seems like it makes sense to me," he told our reporter. Burns said he's amused by how much resistance there is to the audit when they're just trying to "get to the bottom [to] find out if there were problems" with the election. He said if there were problems, they need to be addressed instead of waiting for another election cycle. He wouldn't comment on Cyber Ninjas leading the audit because he admitted he hasn't paid close enough attention to the whole story. "There's certainly been controversy over the election," he said, adding that it seems fair to find out if anything nefarious happened, even though the state and county all determined there was nothing. Another former Republican representative – not quite a moderate but not a big Trump fan – told our reporter Biden won "fair and square" and that Republicans in the Legislature are keeping this up because they refuse to accept that Republicans lost the election. "The Democrats beat us at our game," the source said, adding that they've tuned out the daily craziness from the audit. "The reality is, while there are some who believe that there was some shenanigans going on, others are trying to find an excuse to not accept the reality that we got."

TRUMP WON BUT NO SECRET AUDIT FUNDING IS A UNIQUE TAKE

Former Republican Rep Jill Norgaard wholeheartedly supports the Senate's audit and applauded Fann and other Republicans for pushing it in the face of criticism. She told our reporter that the auditors were "being pretty scrupulous in the process, probably more so than in the actual election itself," claiming the firms had already found "numerous cases" of dead voters and people casting multiple votes. (Although others have claimed the audit has already found problems, auditors have repeatedly said they haven't told anyone about any findings, if there are any.) To make her point, she said she received ballots for her children who hadn't lived with her in years, and that her neighbor received multiple ballots. And she's suspicious about the early calls from *Fox News* and others that declared Biden won the state. "To call the election while people are still in lines, where there's tens of thousands of ballots yet to be counted – that's not right," she told our reporter. "That smells like a rat." Norgaard does not believe Biden won Arizona, but she also acknowledged that the election has already been certified and said she didn't know what, if anything, lawmakers could do at this point. "I don't know what the recourse is after they find issues," she said. "If that means they have to uncertify the election, or if it's things that we just need to identify to improve on in subsequent elections, I'm not sure." Still, Norgaard acknowledged the audit hasn't been perfect, saying the audit's lack of transparency is a problem. "They excluded people from coming in from both sides, I mean, people from both sides of the aisle," she said. "That was not right." And she said the audit keeping secret its funding sources is also problematic. "I do think their funds, the people that funded, the corporations or whatever the resources are, should be made public knowledge like any campaign finance thing," she said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003490

ARZN_REV00069148_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE TRIED, JILL, WE TRIED

Rather than picking apart the audit's flaws, reporters should be looking into the fire at Hickman's Farms and the helicopter that has been circling the coliseum, Norgaard said. "The fire at Hickman Farms – were ballots over there?" she asked our reporter. "As press, those are some things that you guys might want to look into to develop stories." Those storylines were birthed in far-right fake news websites like *Gateway Pundit* and have already been debunked. (To be honest, we can't speak to whether Clint Hickman let 165,000 of his own chickens become casualties in a fire to burn some ballots – he never returned our reporter's call on the topic (YS, 3/8) – but it doesn't quite pass the smell test.) Another thing reporters should investigate, she said, is the Dept of Justice's involvement in helicopters that she claimed were flying over the audit and being funded by taxpayers at Democrats' urging. In fact, *The Arizona Mirror*'s Jerod MacDonald-Evoy, an avid flight path nerd, has already looked into this one. It was a Phoenix Police airplane and it wasn't flying over the audit specifically (LINK) (LINK).

WAKE UP CALL

It's law now: Cops need conviction to keep seized property
Arizona Capitol Times
Police in Arizona will soon need a criminal conviction before they can seize their in connection with a crime.

Hobbs threatens more litigation over Senate audit
Capitol Media Services
The state's top election officials is threatening to go to court unless the procedures being used by the Senate in its special ballot audit are changed.

House approves measure to govern 'controversial issues' in class
Capitol Media Services
Republican lawmakers voted today to punish teachers who don't present both sides of controversial science or events, a move that some lawmakers say could force them to seek out and present contrary views on everything from climate change and slavery to the 9-11 terrorist attacks, the Holocaust – and even whether Joe Biden really won the election.

Ducey signs legislation to expand telehealth
Mohave Valley Daily News
Gov. Doug Ducey signed legislation Wednesday to dramatically expand telemedicine in Arizona and provide greater opportunities for accessible medical services, fulfilling a priority of his 2021 State of the State Address.

Mohave County Board of Supervisors reject vote centers after Maricopa County concerns
Today's News-Herald
Mohave County's election director earlier this year proposed a possible evolution in future Mohave County elections – but on Monday, the county's governing board wasn't convinced.

Handcuffed Detainee Attacked in Cell by County K9 Gets $25K in Settlement
Phoenix New Times
Maricopa County has agreed to settle a lawsuit with a man who was mauled by a K9 for three minutes while handcuffed in a cell.

Where was Anthony Kern on Jan. 6?
Arizona Mirror

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003491
ARZN_REV00069148_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Newly reviewed footage by Arizona Mirror raises new questions about former Republican lawmaker Anthony Kern's activities around the U.S. Capitol on Jan. 6 as the lawmaker continues to participate in a recount of Maricopa County's ballots from the 2020 general election.

Justice Department raises concerns with audit

Arizona Mirror

The U.S. Department of Justice is asking Senate President Karen Fann to explain what steps she's taking to make sure the election audit she ordered doesn't violate federal laws prohibiting voter intimidation and requiring ballots be preserved.

Retired Border Patrol agent accused of being serial rapist in decades-old cold cases

The Hill

A recently retired Border Patrol agent suspected of being a serial rapist in Arizona was arrested this week in connection with decades-old cold cases.

Ballots, laptops reportedly left unattended during Arizona vote audit, official says

The Hill

Arizona Secretary of State Katie Hobbs (D) on Wednesday raised concerns about the procedures in the Republican-led audit of 2020 election results in Arizona's largest county, specifically pointing to workers reportedly leaving ballots and computers unattended during the recount.

Men are slaughtering millions of preborn babies every day with no consequences

Arizona Mirror (Opinion, Julie Erfle)

Gov. Doug Ducey and Republican legislators want you to believe they're defenders of the preborn.

Arizona GOP should shine its UV lights on new voter registration numbers (they aren't good)

Arizona Republic (Opinion, Laurie Roberts)

New numbers show nearly 24,000 Republican voters have walked away from the party since January, when Senate President Karen Fann issued the subpoena that launched her elections audit.

Teachers could be fined $5,000 if anything 'controversial' is taught. That's crazy

Arizona Republic (Opinion, Elvia Diaz)

Arizona Republicans are joining a coordinated effort targeting critical race theory, and want to punish teachers for it.

35,468,500 reasons why 'defund the police' is a fantasy

Arizona Republic (Opinion, Phil Boas)

Americans support police reform. But they also recognize that we still need police officers to guard civilized society.

Which review of election ballots is more susceptible to fraud? Bingo, the audit

Arizona Republic (Op-ed, Jeff Greeson)

The audit is shrouded in confusion and secrecy. Compare that with the bipartisan process we used in the Nov. 3 election and you should be alarmed.

PRESS RELEASES

Arizona Projected To Add Nearly 550,000 Jobs By 2029

Arizona Expected To Grow Jobs 4X Faster Than U.S.

PHOENIX — The Arizona Office of Economic Opportunity is projecting the state will add more than half a million jobs over the next eight years, continuing a surge in economic growth.

"Arizona has become a jobs magnet," said Governor Doug Ducey. "Not only are jobs booming, wages are rising faster at one of the fastest rates in the country. Our recovery is moving forward and there is more opportunity before us than ever before."

According to the Office of Economic Opportunity (OEO), Arizona will add nearly 550,000 jobs by 2029 for an annualized job growth rate of 1.6%, four times the U.S. growth rate.

The OEO projections come as Arizona is experiencing an explosion of advanced manufacturing in industries like semiconductors and electric vehicles.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Last year, Taiwan Semiconductor Manufacturing Company announced the addition of 1,600 jobs and construction of a new semiconductor fabrication facility in Phoenix. In March, Intel announced adding 3,000 jobs along with two new semiconductor fabs in Chandler. Intel's $20 billion investment represents the largest private sector investment in state history.

"Today's projections show Arizona is going to continue to lead the nation as a destination for employment and advanced industries," said President & CEO of the Arizona Commerce Authority Sandra Watson. "What this means is more jobs for Arizona residents and more opportunity throughout our economy."

When it comes to electric vehicles, companies like Lucid, Nikola, ElectraMeccanica, which all have set up manufacturing facilities in the state, are projected to add thousands of jobs in coming years. These announcements mean more jobs for suppliers and support industries as well.

In March, the Governor announced personal income in Arizona rose last year at a rate faster than nearly any state in the country, according to estimates from the Bureau of Economic Analysis. With a personal income growth rate of 8.4%, Arizona tied with Montana for the fastest rate of growth in personal income in 2020.

TODAY: Arizona Secretary of State Katie Hobbs, Arizona Election Observers Join States United Democracy Center to Discuss 2020 Election "Audit"

JOIN: Video press briefing Thursday, May 6th at 3:15pm ET/12:15pm PT, RSVP Required

What: Arizona Secretary of State Katie Hobbs will join the three election experts who were granted access to observe the so-called "audit" of the Maricopa County 2020 Presidential Election results, former Arizona Attorney General Grant Woods, and States United Democracy Center CEO Joanna Lydgate to discuss the latest updates on the ground at the Veterans Memorial Coliseum.

When: Thursday, May 6th, 2021 | 3:15pmET/12:15pm PT

RSVP: If you are interested in joining the call, please RSVP to claire.connolly@berlinrosen.com.

Who:

- **Katie Hobbs,** Arizona Secretary of State
- **Ryan Macias,** former acting director of certification and testing for U.S. election assistance commission, Arizona Election Observer
- **Jennifer Morrell,** former local election official and recognized expert in election audits, partner at The Elections Group, Arizona Election Observer
- **Elizabeth Howard**, an attorney with the Brennan Center for Justice at NYU Law, Arizona Election Observer
- **Grant Woods,** Former Attorney General of Arizona and States United Democracy Center Advisory Board Member
- **Joanna Lydgate,** CEO of States United Democracy Center

Additional Background:

- In January of 2021, the President of the Arizona Senate and the Chairman of that chamber's Judiciary Committee issued subpoenas commanding the Maricopa County Board of Supervisors, Maricopa County Recorder, and Maricopa County Treasurer to appear for testimony before the Judiciary Committee the next day and to bring with them, among other items, roughly 2.1 million voted, secret paper ballots and certified elections equipment used in the 2020 general election in Maricopa County. Although Maricopa County, the largest county in the state, fought the subpoena in state court, the County was ultimately ordered to comply. The purported legislative purpose of this wide sweeping subpoena was to conduct an "audit" of the 2020 general election.
- A cohort of Arizona state senators embarked on this "audit" despite the fact that multiple lawsuits from the Trump campaign, the Arizona Republican Party, and others claiming widespread fraud were dismissed, and after three previous reviews of Maricopa County results showed that votes were counted accurately and machines were not tampered with.
- The Arizona state senators seeking this audit hired the firm Cyber Ninjas to oversee the audit The head of Cyber Ninjas has suggested, contrary to available evidence, that former President Trump actually won Arizona in the 2020 election by 200,000 votes.
- Just under two weeks ago, Democrats sued the Arizona Senate leaders who ordered the audit, as well as Cyber Ninjas, and the audit's liaison/spokesperson, former Arizona Secretary of State Ken Bennett. The lawsuit seeks to ensure that the audit is conducted in a manner consistent with Arizona's election laws.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003493

ARZN_REV00069148_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Notably, on April 27th, the Court granted Arizona Secretary of State Katie Hobbs' request to intervene in the action.

- There has been very little transparency into the funding for this hand count, or into the actual process as it has been ongoing.
  After initially having been denied entry and hiring an attorney to push for media access, on Tuesday, journalists were granted limited access inside the Veterans Memorial Coliseum where the hand count is taking place.
- In addition to the scrutiny on Cyber Ninjas, the funding for the audit also raises concerns. Correspondents for the pro-Trump news organization One America News have led a fundraiser to help pay for the audit, and Lin Wood, an attorney who brought several lawsuits challenging the outcome of the 2020 election, says his organization has donated $50,000 to the effort.
- Cyber Ninjas is trying to keep the process hidden from the public eye.The firm asked a judge to keep its procedures for the recount secret and to shut out the public as well as the press from a hearing in which the documents might be discussed.

- There are concerns this tactic may be deployed in other states to further the lies about the 2020 elections and create opportunities for passing restrictive voting measures in state legislatures.

Governor Ducey Signs Historic Water Protection Legislation

PHOENIX (May 5, 2021) — Governor Doug Ducey today signed legislation to ensure clean water in nearly 800 Arizona streams, lakes and rivers that are critical for drinking, fishing and recreation.

"Living in the desert, the value of water is something we in Arizona know well, and we have taken great steps to protect it, including the Groundwater Management Act and the Drought Contingency Plan," said Governor Ducey. "But just having water is not enough. We need to ensure our water supplies are clean and safe. That's why I signed into law another landmark Arizona water protection bill — the Surface Water Protection Program providing protections for nearly 800 Arizona streams, lakes, and rivers."

House Bill (HB) 2691 implements the Arizona Surface Water Protection Program by creating a list of rivers, streams, and lakes used for drinking, recreation and fishing that are protected from harmful discharge of any pollutant. Specifically, the legislation:

- Preserves important water quality safeguards and provides clarity and consistency to the regulated community;
- Promotes transparency by providing a defined list of protected Arizona waters that will be protected through a permitting program, as well as Geographic Information System map functionality, on the Arizona Department of Environmental Quality (ADEQ) website; and
- Provides an opportunity to develop meaningful and impactful best management practices that will protect these important waterways.

"This legislation protects and regulates discharges into Arizona surface waters that are used for drinking water sources, fishing, swimming and other recreational activities," said Representative Gail Griffin, who sponsored the legislation, of Legislative District 14. "We don't need to rely on the federal government to tell us how to regulate our waters. We have taken this important responsibility that requires best management practices to ensure that discharges do not cause violations in water quality standards."

"With this legislation Arizona will protect its most important waters that are not currently regulated by the federal government in a streamlined and locally responsive way," said ADEQ Director Misael Cabrera.

Governor Ducey applauded the United States Environmental Protection Agency's 2020 decision to improve the federal Clean Water Act and committed that Arizona welcomes the need to protect state surface waters. Unlike previous federal efforts to regulate every dry ditch in the desert, Arizona focused on protecting actual waters with tools specific to Arizona.

As Governor Ducey wrote on Inauguration Day, Washington, D.C. should take note of what is happening in the states across the country. When it comes to protecting water, Arizona is leading by example.

HB 2691 is the first Arizona-specific water quality protection bill enacted since the Aquifer Protection Permit program in 1991, and together, these two programs will serve to protect the quality of both Arizona's surface and groundwater resources.

More information on the Surface Water Protection Program, including the draft list of protected waters is available on ADEQ's website.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003494

ARZN_REV00069148_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LUCHA & The Colibri Collective's 2020 Mailer Wins National Recognition from USPS

May 06, 2021 (Phoenix) – After winning at the ballot box in 2020, LUCHA and The Colibri Collective continue to rack up victories – this time for their advertising for the #LUCHABlue campaign. Known as the "Oscars of Political Advertising," the two organizations took home 2 Silver Pollie Awards and the nationally recognized Special Award for Direct Mail for Early Voting/Absentee Ballot/Vote-by-Mail from the United States Postal Service (USPS) and the American Association of Political Consultants (AAPC).

You can learn more about the winning #LUCHABlue mailer and campaign here.

The #LUCHABlue campaign was designed and produced by The Colibri Collective, the first Latina-owned digital marketing firm in Phoenix. It was a part of an effort to directly engage Latino voters in the swing state during the 2020 presidential election; and the elevated design and creative use of a QR code set the #LUCHABlue campaign apart from the more than four billion pieces of political direct mail.

"It's an honor to be recognized by USPS and AAPC for what we have accomplished in partnership with LUCHA. We like to think outside the box when it comes to political marketing, and the LUCHA Blue mailer is the perfect example," said **The Colibri Collective CEO Gaby Cardenas**. "Our creative team went beyond the traditional red, white, and blue and used their skills to highlight clear information and supplemented it with digital components to inform voters. That's what's truly important here: helping people vote."

"We are committed to supporting local Women of Color (WOC) led small businesses. With The Colibri Collective, we celebrate the talent and treasure of what our community provides," **said LUCHA Co-Executive Director of LUCHA Alex Gomez.** "LUCHA's partnership with The Colibri Collective has been transformative and the recognition is well-deserved. The Colibri Collective messages to our communities in culturally-nuanced approaches that capture the depth of our rich experiences. We're proud of the strong partnership we've built together and the change we've been able to make in local Arizona communities."

"At LUCHA, we build with those who are directly impacted by the issues. Being able to work with The Colibri Collective team in the #LUCHABlue campaign was very significant because they were able to take our members' ideas and make it into a culturally relevant work of art to inform voters," **said LUCHA Co-Executive Director of LUCHA Tomas Robles.** "We are always excited to work and support a local team that understands and is allied with our organizational values. Working together, we flipped Arizona from deep red to blue."

The Pollie Awards are run by the American Association of Political Consultants. This year, the blind jury had to judge more than 400 firms to determine the best and brightest voices in political communications and public affairs with a record-breaking 2,700+ entries across 10 mediums, including television, digital, direct mail/print, radio and phones.

Arizona Reaction to Today's National Jobs Report Findings

Another record high in job openings is not a welcomed statistic

PHOENIX, May 6, 2021—NFIB, the nation's leading small-business association, today released its monthly Jobs Report, which found another record high in job openings.

The National Federation of Independent Business releases its Jobs Report the first Thursday of every month, and the latest numbers show a record 44% of all small business owners report having job openings they could not fill, 22 points higher than the 48-year historical average, and two points higher than the 42% figure from March. April is the third consecutive month with a record-high reading of unfilled job openings among small businesses. The poll is a national sample not broken down by state.

"While small businesses are glad to see Gov. Doug Ducey re-instating the active work search requirement to qualify for continued state unemployment benefits, more work needs to be done to get able workers off the unemployment rolls and back into one of the many available jobs in the private sector," said Chad Heinrich, NFIB's Arizona state director. "With April also setting a new 12-month high in small businesses raising wages, and a full one-fifth of additional owners planning future wage increases, hopefully the private sector will soon be able to compete with the overwhelming price the federal government is paying able-workers to sit on the sidelines."

From NFIB Chief Economist Bill Dunkelberg

"The tight labor market is the biggest concern for small businesses who are competing with various factors such as supplemental unemployment benefits, childcare and in-person school restrictions, and the virus. Many small business owners who are trying to hire are finding themselves unsuccessful and are having to delay the hiring or offer higher

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003495

ARZN_REV00069148_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

wages. Some owners are offering 'show up' bonuses for workers who agree to take the job and actually show up for work."
The NFIB Research Foundation has collected Small Business Economic Trends data with quarterly surveys since 1974 and monthly surveys since 1986. Survey respondents are drawn from NFIB's membership. The survey was conducted in April 2021 and reflects a random sample of 10,000 small-business owners/members.

Representative Carroll Observes the 70th Annual National Day of Prayer

STATE CAPITOL, PHOENIX – State Representative Frank Carroll (R-22) today observed the 70th annual National Day of Prayer in America by attending the Day of Prayer event in the City of Surprise and delivering a prayer to attendees.
"On this 70th annual National Day of Prayer, we pause to recognize our Christian faith, as protected under the 1st Amendment," said Representative Carroll. "It is a day for people of all walks to come together, transcending our differences, to unite in a shared belief in God and support for life, liberty, and the pursuit of happiness."
The National Day of Prayer is an annual observance held on the first Thursday of May, inviting people of all faiths to pray for the nation. It was created in 1952 by a joint resolution of the United States Congress, and signed into law by President Harry S. Truman. Every year, local, state, and federal observances are held at state capitols, county court houses, on the steps of city halls, and in schools, businesses, churches and homes.

County Treasurer Corrects Mismanagement of Investment Accounts

May 5th, 2021
Phoenix - Maricopa County Treasurer John Allen took office in January 2021 and immediately tasked his new executive staff members with analyzing and understanding the financial systems in the office that manage $5 billion at any given time. His team uncovered a $15.8 million error in the investment portfolio that generates interest earnings for Maricopa County, school districts, and other taxing districts.
The error led the Treasurer's Office to over distribute money to these districts during the past three years. In accordance with A.R.S. § 11-504, the Treasurer must correct the error immediately. The Treasurer's Office determined the planned 3rd quarter distribution of $18.7 million will be reduced to $2.9 million.
"It's unfortunate that the stewardship of the previous administration failed to realize this ongoing problem," said Maricopa County Treasurer John Allen. "It is clear that overstating income earned from interest reflected a narrative that served their political purposes. But I can assure the taxpayers that we have solved this problem, so there will be an accurate accounting of their money."
Background: The Maricopa County Treasurer's Office receives an annual property tax levy of approximately $5 billion in the country's fourth most populous county. The office invests in a conservative portfolio that earns millions of dollars in interest that is then distributed to schools and other entities that participate in the investment pool. The Maricopa County Treasurer's Office believes in providing the taxpayer with accuracy and accountability in the stewardship of their tax dollars.

Phoenix Activists Participate In National John Lewis Voting Rights Advancement Action Day "Votercade" on May 8

Local Groups Host Massive 130+ Cities Mobilization via Votercades to Defeat Voter Suppression Efforts and Promote Democratic Reforms
PHOENIX -- On Saturday, May 8, at 11:00 a.m. (MST) our community leaders will hold a local John Lewis Good Trouble Votercade, joining the 130+ "**John Lewis 'Good Trouble' Awareness**" Votercades across America to fight voter suppression; address the filibuster; and support DC Statehood. Specifically, the national effort will encourage community members to get into "good trouble" by making calls to federal lawmakers to encourage them to advance democracy across the country by supporting the John Lewis Voting Rights Advancement Act (HR 4), the For The People Act (HR1/S1), the Washington, DC, Admissions Act (HR 51), and addressing the filibuster.
Following the record-breaking Black, brown and youth voter turn-out in the 2020 election, at least 361 new laws have been proposed in 47 states to restrict voter access to the ballot box. Some examples of restricted voter access include reduced time frames for voting by mail; reducing early in-person voting dates; ending, reducing or restricting access

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003496
ARZN_REV00069148_5-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to drop boxes; more restrictive identification requirements to vote; denying the distribution of food or water to voters waiting in excessively long lines on Election Day to vote; and many other efforts to frustrate access to voting.
The sole purpose of implementing these voter suppression tactics is to attack and decrease the votes of millions of Black, brown and indigenous people, and people of color. Meanwhile, billionaires and big businesses continue to spend record-breaking amounts of money to influence our elections.
WHAT: John Lewis Voting Rights Advancement "Votercade"
A "Votercade" is a presidential-style motorcade of voters. It is designed to raise the community's awareness of the urgent need to protect voting rights and our democracy. An attack on the voting rights of any one state has a direct and consequential effect on the voting rights of every other state.
The "**John Lewis 'Good Trouble' Votercade Series**," created and utilized to address voter turn-out by the Transformative Justice Coalition, was successful across America during the 2020 General Election and Georgia Special Runoff Election in increasing turn-out by voters of color.
WHO: Mi Familia Vota, community members, and voting rights activists of Phoenix, AZ
WHERE: Arizona State Capitol (1700 W Washington St.)
WHEN: **Saturday May 8, 2021, at 11AM MST**
For more information on the May 8th National John Lewis Voting Rights Advancement Action Day, or to RSVP, visit https://www.johnlewisdayofaction.org.

"QUOTE OF THE DAY"

"The Republican base right now is in a place of conspiracy and animalistic rage. And the entire elected class is scared to say no."

- ***Adam Kwasman, former Republican lawmaker, on who's to blame for the Senate's audit***

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003497
ARZN_REV00069148_5-7-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, May 07, 2021 5:53:42 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-7-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 7, 2021

IT'S A SCARY TIME TO BE IN POLITICS
Hobbs today requested and received a 24-hour Dept of Public Safety security detail after being the subject of another round of death threats, including one that staff called "really creepy and specific" the same day a freelancer for a conspiracy-peddling fake news outlet aggressively accosted her.

IF YOU DON'T PARTICIPATE, YOU CAN'T COMPLAIN
Ken Bennett responded to the litany of concerns Hobbs outlined in a letter following this week's settlement agreement over the Democratic Party's lawsuit, arguing that Hobbs is negotiating in bad faith and should have brought her concerns up before entering into the settlement.

AMERICAN OVERSIGHT

DON'T EXPECT MUCH AND YOU WON'T BE DISAPPOINTED
It's no big surprise that both sides seem destined to return to court, as some of the 13 potential breaches of the agreement Hobbs outlined in the letter – such as "the counting equipment incorporated the use of untested, uncertified systems" – is basically an unsolvable issue.

STEP RIGHT UP, FOLKS, SEE THE UNPRECEDENTED AUDIT
The audit's legal troubles likely won't stop there, as the Dept of Justice's Civil Rights Division warned Fann earlier this week that the audit may violate federal laws.

ARIZONA: STILL COOKING DEMOCRACY'S METH
The Daily Show yesterday took the irresistible bait of Arizona's audit to mock the state once again.

SHE'S GOING WITH "KERN WAS NEVER CONVICTED"
Fann joined PBS' Arizona Horizon for an interview about the ongoing audit that mostly highlighted how little day-to-day oversight she or other senators have over the audit being done in their name.

FANN WANTS TO ARREST REPORTERS
Fann expects the audit to reveal irregularities, including dead voters and people who voted from homes they didn't live in during the election, she said.

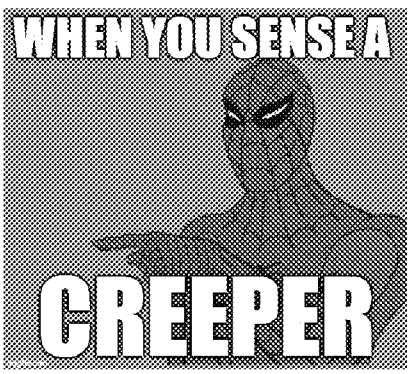
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, May 07, 2021

NEWS NOTES AND GOSSIP

IT'S A SCARY TIME TO BE IN POLITICS



Hobbs today requested and received a 24-hour Dept of Public Safety security detail after being the subject of another round of death threats, including one that staff called "really creepy and specific" the same day a freelancer for a conspiracy-peddling fake news outlet aggressively accosted her. Murphy Hebert, Hobbs' communications director, told our reporter that the freelancer, who has been granted better access at the Madhouse on McDowell than real Arizona media (YS, 5/5), hovered around Hobbs during another interview on the Senate lawn. "My spidey senses just went up and I thought as soon as we're done here, we need to get Hobbs back into the office because this guy is giving me the creeps, basically," she said. Hebert tried to stall him by asking which outlet he was with, and he lied, claiming to be an "independent YouTuber named Jimmy." Hebert said the *Gateway Pundit* freelancer then pushed past her to chase down Hobbs and another employee while yelling questions at Hobbs' (LINK). Hobbs tweeted about the incident and recent threats she received. "Earlier today a man called my office saying I deserve to die and wanting to know 'what she is wearing so she'll be easy to get.' It was one of at least three such threats today," she tweeted (LINK). "Then a man who I've never seen before chased me and my staffer outside of our office." Hobbs has been a repeated target of death threats since the election, and protesters staked out her house shortly after the election (YS, 11/18/20) and Hobbs had a DPS detail until Jan 20, inauguration day. (She's not alone, as far-right pro-Trump protesters showed up to Bowers' home in December after he thwarted Finchem's attempts hold his election "hearing" with Rudy Giuliani at the House, forcing him to move to an offsite hotel (YS, 12/9/20).) The Seventh Floor reached out to Ducey's office to ask for the detail, and while he was quick to grant it, Ducey had not reached out to Hobbs about the death threats as of this afternoon and his office didn't immediately return a call for comment today.

IF YOU DON'T PARTICIPATE, YOU CAN'T COMPLAIN

Ken Bennett responded to the litany of concerns Hobbs outlined in a letter following this week's settlement agreement over the Democratic Party's lawsuit, arguing that Hobbs is negotiating in bad faith and should have brought her concerns up before entering into the settlement. He wrote that because Hobbs' letter came out right after the settlement agreement, it showed she had these concerns before the agreement was reached (LINK). "You clearly had these concerns before signing the settlement agreement, and you could have raised them with us or incorporated them into the agreement before releasing your claims." Bennett wrote. "To the extent that your letter implies that you intend to take any further legal action on that basis, you are in breach of the Settlement Agreement." While he attempted to address some of questions about procedures and security, other concerns he said were opinions of her observers with which he disagreed. "I can only believe that your bias is being transmitted through the observers you send," Bennett wrote, adding that Hobbs' observers' presence and input is still welcome. Bennett also took the chance to criticize Ryan Macias, one of Hobbs' observers who was turned away from Bennett's initial press conference in the Coliseum a few weeks ago after initially trying to present himself as a member of the press corps. "As I'm sure you'll agree, it is deeply inappropriate for a representative of the Secretary of State to engage in fraudulent misrepresentations in order to willfully breach the security of a government facility," Bennett wrote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003500

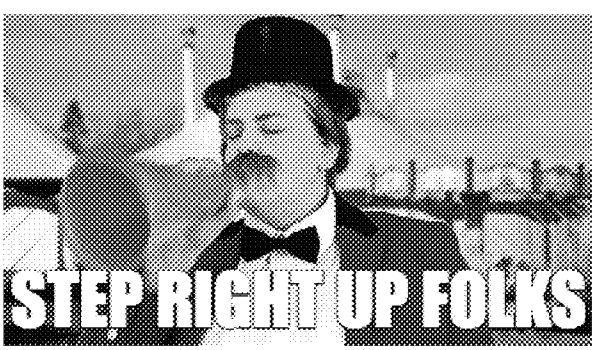
ARZN_REV00069156_5-7-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

DON'T EXPECT MUCH AND YOU WON'T BE DISAPPOINTED

It's no big surprise that both sides seem destined to return to court, as some of the 13 potential breaches of the agreement Hobbs outlined in the letter – such as "the counting equipment incorporated the use of untested, uncertified systems" – is basically an unsolvable issue. The settlement stated that auditors must respond to Hobbs' complaints, and if the parties can't resolve the issues in a "mutually agreeable manner," the plaintiffs "may seek emergency injunctive and/or declaratory relief in court to seek compliance with the law, in addition to raising a claim for breach of contract." Hobbs told Chuck Todd today on *Meet the Press Daily* that she doesn't expect their responses will satisfy the concerns she outlined in her letter to Bennett earlier this week (YS, 5/5), and she expects to be back in court soon. "From what we've seen so far, it also doesn't look like they're taking that seriously, so it's very likely it'll end up back in court," Hobbs said. Cyber Ninjas made it clear in a statement last night that it doesn't plan to make any changes at Veterans Memorial Coliseum – at least not in response to this week's settlement. In the statement, Cyber Ninjas claimed the settlement is "a tool being used by enemies of transparent democracy" to undermine the audit. The statement made several claims, including that Hobbs never requested observers at the Coliseum. Hobbs first made that request in a letter to Fann on March 3 (LINK).

STEP RIGHT UP, FOLKS, SEE THE UNPRECEDENTED AUDIT



The audit's legal troubles likely won't stop there, as the Dept of Justice's Civil Rights Division warned Fann earlier this week that the audit may violate federal laws. It's very rare for DOJ to get involved in an election audit, Republican election law attorney Chris DeRose told our reporter, and for good reason: Normally, election audits are conducted by professionals in accordance with state and federal law. The process is open to the press and the public, and people with expertise follow procedures outlined in the Elections Procedures Manual. That's not happening at the Coliseum, DeRose said. "State laws already are written to be in harmony with federal election rules, and so, you wouldn't see the Department of Justice getting involved in something like this," he said. **"I can't think of a precedent for it, and that's because this thing calling itself an 'audit' at the Coliseum is without precedent."** While it didn't make any overt threats, the DOJ Civil Rights Division's letter to Fann raised concerns with two aspects of the audit in particular: the chain of custody and security of ballots, and possible voter intimidation for the door-to-door canvassing, an issue Democratic lawyers flagged weeks ago (YS, 4/6). DeRose said it was "extraordinary" the state received this letter. "Fann better have some answers for that because this isn't a joke," he said. The DOJ, he said, could file an action to get the audit shut down, or they could move in and try to get possession of the ballots. "You can see a court order a number of remedies here," he said. Shortly before our deadline, Fann responded, telling the DOJ that its concerns are unfounded. She pledged that the Senate determined several weeks ago that it would no longer do the canvassing – though she still left open the possibility that that could change. And she said that "after some early and well publicized challenges, the security protocols at the audit site have been made very strong" (LINK).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003501
ARZN_REV00069156_5-7-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ARIZONA: STILL COOKING DEMOCRACY'S METH

The Daily Show yesterday took the irresistible bait of Arizona's audit to mock the state once again. It has been a while since Arizona was the butt of jokes on the show once hosted by the legendary Jon Stewart where Arizona was famously dubbed the "meth lab of democracy." Noah almost looked genuinely sad for former President Trump when playing video of Trump still pledging Arizona would be the first domino to fall at Mar-a-Lago recently (LINK). "This guy was the president of the United States just a few months ago, and now he's like the world's worst wedding DJ," he said. He had a lot of fun joking about Cyber Ninjas, the ridiculous theory that ballots have bamboo fibers in the paper, and just about every other talking point of the increasingly weird story. "Cyber Ninjas are the kind of ninjas who steal your WiFi password and when you turn to look for them, your head falls off," Noah quipped. In one of his more salient jokes, he noted that Fann's decision to hire Cyber Ninjas actually makes perfect sense. "You're not going to go through the effort of counting again unless you know the guys you're hiring are going to give you the results you want," he said.

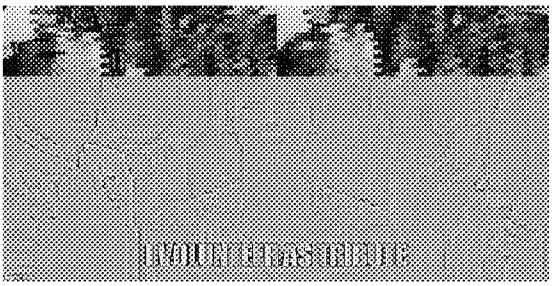
SHE'S GOING WITH "KERN WAS NEVER CONVICTED"

Fann joined *PBS' Arizona Horizon* for an interview about the ongoing audit that mostly highlighted how little day-to-day oversight she or other senators have over the audit being done in their name. Fann told host Ted Simons she's happy with the audit's progress, though she wishes it would have been done faster. Auditors have gotten through a little more than 200,000 ballots at last count, and still have 1.9 million to go before their contract with the Coliseum runs out next week. When asked about former lawmaker Anthony Kern's presence on the floor, Fann said the Senate had no involvement on who is chosen to count ballots. "I don't know that it's a great thing, to be honest with you, but he is a citizen, he was a voter, he was never convicted of anything but it is what it is," she said. She doesn't like that he's a "distraction" from the audit, she said. Fann told Simons she receives daily threats from Democrats and federal officials that they're going to sue over the Senate's audit. "They do not want this audit done. They talk about conspiracy theories, but I'll tell you what, there's almost a reverse conspiracy theory trying to demean this audit," she said. According to Fann, the "reverse conspiracy theory" is that the Senate's audit is intended to change the certified results of the election – something audit supporters, including Rogers in many of her current campaign emails, publicly say they want to do, though Fann has consistently said that's not the point. Fann repeatedly namedropped former Maricopa County Recorder Adrian Fontes as being unwilling to answer voters' questions about the election, though Fontes lost his own election and is not in a position to order an audit.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003502
ARZN_REV00069156_5-7-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FANN WANTS TO ARREST REPORTERS



Fann expects the audit to reveal irregularities, including dead voters and people who voted from homes they didn't live in during the election, she said. "We know those exist but everybody keeps saying you have no proof. Well, maybe we'll get the proof out of this so we can fix the holes that are there," she said. Fann also defended *OANN's* involvement in the audit process and said she was unaware of any involvement from *Gateway Pundit*, whose freelancer has also received special access to the coliseum. *OANN* has covered the audit from the beginning and approached Fann about running the livestream, she said, adding that if any other network had offered to help first, she would have accepted their help. Fann also repeated false claims that another reporter propped open a locked door for *AZFamily's* Morgan Loew, who exposed security breaches at the coliseum in a video shortly before counting started (LINK). And she said she hired additional security because of tweets from our reporter and others about being locked out of a press conference we were invited to and gaining access through another unlocked door. "This is why we've had to hire off-duty police officers in uniform because obviously we need somebody that has arrest authority if people are going to continue to trespass," she said.

WAKE UP CALL

Ducey appointee gets money from board she serves on
Arizona Capitol Times
A White Mountain rancher who received $66,000 in grants from a state board she serves on will get another term on that board.

GOP lawmaker revives in-state tuition for 'Dreamers'
Arizona Capitol Times
A ballot measure that could let Arizona "Dreamers" pay in-state tuition to attend universities and community colleges was unexpectedly revived in the House of Representatives on May 5 and could pass on May 10.

Lawmaker: Retaliation behind Dem votes on vaping bill
Arizona Capitol Times
A vaping bill backed by the tobacco industry is moving forward in the Arizona Legislature after years of stalemates, and the Republican who led the fight against it blames political retaliation.

Ducey won't appeal Arizona's census numbers that fell far below estimates
Capitol Media Services
Gov. Doug Ducey said Thursday he won't appeal the official census numbers for Arizona despite the financial hit they will mean to the state.

U.S. Justice Department says Arizona election audit might violate federal laws
Capitol Media Services
The Justice Department is demanding answers from state Senate president about the recount of Maricopa County ballots cast in the 2020 election.

At utility hearing, Marquez Peterson faces accusation of aspirations
Arizona Daily Star
Tucsonan on corporation commission challenged about future plans.

Drug overdoses surge in pandemic, piling tragedy upon tragedy
Cronkite News

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003503
ARZN_REV00069156_5-7-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

It was a Tuesday afternoon, two months into the pandemic, when Theresa Guerrero got the call from her brother-in-law.

Arizona projected to add nearly 550,000 jobs by 2029
Mohave Valley Daily News
The Arizona Office of Economic Opportunity is projecting the state will add more than half a million jobs over the next eight years, continuing a surge in economic growth.

How Many Vaccinated Arizonans Have Gotten COVID-19? Here Are the Numbers.
Phoenix New Times
After Arizona Representative Alma Hernandez was hospitalized with COVID-19 this week despite being fully vaccinated, experts were quick to point out that such an event is rare.

No Charges Yet for Scottsdale Fire Captain Accused of Terrorizing Teens With Gun
Phoenix New Times
A Scottsdale Fire Department captain and his wife were arrested early Sunday for allegedly terrorizing teenagers at gunpoint in their Mesa suburb.

Secretary of state's observers raise concerns with audit
Arizona Mirror
Observers with the Arizona's Secretary of State's Office who were granted access to the state Senate's audit of the Maricopa County election said they witnessed concerning issues in regards to security of computers, ballots and a general lack of procedures around the process.

Arizona Republicans to brush off DOJ concern about election audit
The Hill
Republicans conducting an audit of votes from the 2020 presidential election in Arizona plan to tell the Department of Justice (DOJ) that they do not need federal assistance or involvement in the process, a spokesperson said Thursday.

Arizona audit ignores federal law on election records
Arizona Mirror (Opinion, Christopher Thomas)
Arizona's faux audit of 2020 ballots fails to comply with the federal election records retention law, further undermining the integrity of the exercise with the possibility of illegality.

Why can't Sen. Kyrsten Sinema be more like Rep. Ruben Gallego?
Arizona Republic (Opinion, EJ Montini)
Sinema's belief in reaching across the aisle – even when it only gets her hand slapped – is leaving many Democrats frustrated.

Recalling a decent man who rescued a naked lady
Arizona Republic (Opinion, EJ Montini)
'I was afraid she might get into somebody's car, and who knows what kind of person that would be?'

So now it's bamboo in the ballots? Are there are any limits to the Senate's audit lunacy?
Arizona Republic (Opinion, Laurie Roberts)
The Arizona Senate's auditors are now looking for signs of bamboo in the ballots, proving there is no level of lunacy to which they will not climb.

Arizona needs to vaccinate teens quickly. What's the best way to do it?
Arizona Republic (Opinion, Joanna Allhands)
Will it be more effective for Arizona to keep open its mass vaccination sites or shut them down and funnel Pfizer does to smaller community sites?

This prison reform can save millions and make us safer. Will Arizona finally pass it?
Arizona Republic (Op-ed, Kirk Adams)
Senate Bill 1064 would shorten Arizona's long prison terms, saving hundreds of millions of dollars on incarceration while making us safer

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Governor Ducey Signs Legislation To Protect Second Amendment Rights

Legislation Guards Law-Abiding Manufacturers From Frivolous Lawsuits

PHOENIX — Governor Doug Ducey today signed legislation to protect the Second Amendment rights of Arizonans by safeguarding against frivolous lawsuits that have no connection to unlawful use of firearms. The new state law mirrors federal law that was passed on a bipartisan basis.

"With efforts currently underway in Washington to erode Second Amendment rights, Arizona is taking action to protect those rights," said Governor Ducey. "In Arizona, we're safeguarding manufacturers, sellers and trade associations. Bad actors need to be held accountable, and we will work to make sure they are. But we're not going to allow lawsuit after lawsuit to slowly tear down the Constitutional rights of law-abiding citizens in our state. Senate Bill 1382 achieves this goal, and I'm grateful to Representative Quang Nguyen and Senator Wendy Rogers for leading on this important legislation."

Senate Bill 1382 prohibits the state and all entities of the state from suing a member of the firearms industry for lawful design, marketing, distribution, and sale of firearms and ammunition to the public. The legislation also prohibits a civil action from being brought against a manufacturer or seller of a firearm or ammunition or related trade association for damages resulting from the criminal misuse of the firearm or ammunition, with exceptions.

Additionally, it protects manufacturers or sellers of firearms and ammunition from civil action for damages resulting from the criminal misuse of the firearm or ammunition, except in specified circumstances.

"Arizona is—and will remain—a strong Second Amendment state," said Judi White of Tucson, a champion of gun rights who has long been active in the NRA. "We can't let flippant lawsuits hinder operations of firearm or ammunition manufacturers, sellers and trade associations that are following the law. Senate Bill 1382 makes sure of that. Thank you, Governor Ducey, for signing legislation that protects citizens' Constitutional rights."

In 2005, Congress passed the Protection of Lawful Commerce in Arms Act (PLCAA) which provides federal protection for law-abiding firearms and ammunition industry members against frivolous lawsuits. PLCAA has been challenged in recent years, including in April 2021 when President Biden stated removing PLCAA as a top priority of his administration. Senate Bill 1382 codifies the federal provisions under state law.

Senator Wendy Rogers introduced SB 1382.

Immigration Groups Push Back Against Arizona and Montana's Efforts to Invoke Unlawful Trump-Era Agreement Restricting DHS Policymaking

Cuccinelli's Illegal Appointment Voids Trump Admin's Extraordinary Agreement Requiring New Admin to Consult with AZ

AZ's Lawsuit Part of Broader Effort to Defend Unlawful Trump-Era Policies

Phoenix, A.Z. — Late Thursday, on behalf of five immigration groups, Democracy Forward filed an amicus brief opposing Arizona and Montana's challenge to the Biden administration's immigration enforcement priorities guidance. The brief details why Ken Cuccinelli's illegal appointment as Acting Deputy Secretary of Homeland Security invalidates an extraordinary agreement he signed with Arizona purporting to give Arizona advance consultation rights on immigration policy changes.

The American Immigration Lawyers Association (AILA), the Catholic Legal Immigration Network, Inc. (CLINIC), the National Immigrant Justice Center (NIJC), the National Immigration Law Center (NILC), and the Refugee and Immigrant Center for Education and Legal Services (RAICES), filed the brief with representation from Democracy Forward.

The lawsuit — filed by Arizona Attorney General Mark Brnovich on February 3 and joined by Montana on March 8 — claims that the Biden administration's revised approach to enforcing immigration law violates an agreement between Arizona and DHS that was signed in the final weeks of the Trump administration. The extraordinary and unlawful agreement was signed by Ken Cuccinelli and requires DHS to provide Arizona "180 days' written notice ... and an opportunity to consult and comment" on the agency's changes to immigration policy. Cuccinelli signed similar agreements with other jurisdictions, including Texas.

Upon filing the brief, the groups issued the following statement:

"As seven federal courts and the Government Accountability Office have determined, Ken Cuccinelli's appointment at DHS was illegal. He therefore lacked the authority to execute the extraordinary agreement that Trump's Department

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003505

ARZN_REV00069156_5-7-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

of Homeland Security inked with Arizona in an attempt to tie the incoming administration's hands. We urge the court to reject Arizona's reliance on this unlawful agreement."
As the brief states: "That Cuccinelli purported to execute a contract on behalf of the federal government, which he had no power to bind, would be bad enough. But Cuccinelli certainly did not have the authority to contract away the government's sovereign powers over immigration law in a brazen effort to tie the hands of an incoming administration."
The agreement that Arizona's lawsuit relies on is invalid because Cuccinelli's appointment was illegal — one of many illegal appointments at Trump's DHS. In short:
When Secretary Kirstjen Nielsen resigned in April 2019, Kevin McAleenan unlawfully assumed the role of Acting Secretary.
McAleenan, therefore, lacked the authority to amend the succession order to install Chad Wolf as Acting Secretary months later, and Wolf, in turn, lacked the authority to name Cuccinelli to his position.
Seven courts and the Government Accountability Office have concluded that the officials who installed Cuccinelli in his roles at DHS themselves lacked the lawful authority to do so. A lawsuit brought by Democracy Forward, CLINIC, and Debevoise & Plimpton, LLP on behalf of RAICES and seven asylum seekers prompted a federal court to rule in March 2020 that Cuccinelli was illegally appointed to his previous post as Acting Director of U.S. Citizenship and Immigration Services. The ruling was the first to hold that a Trump administration official was unlawfully appointed.
Arizona's lawsuit was filed on February 3 in the U.S. District Court for the District of Arizona. The groups' amicus brief was filed on May 6. Read it in full here.

Release: April Jobs Report Underscores the Importance of President Biden's American Jobs Plan
PHOENIX – According to this morning's Department of Labor jobs report, the U.S. added 266,000 jobs in the month of April.
This report, in conjunction with yesterday's Department of Labor report showing a pandemic-era low for the number of Americans seeking unemployment aid, is evidence that our economic recovery continues to move in the right direction. Since President Biden took office earlier this year, the American economy has added 1,500,000 new jobs—the most new jobs created in the first three months of any presidency in our nation's history.
The next step in President Biden's plan for sustained economic growth and recovery is passing the American Jobs Plan, a historic piece of legislation that will create millions of jobs, rebuild our nation's infrastructure, and position the United States as a global economic powerhouse.
"The economic growth of the last 100 days is a clear testament of President Biden's leadership, but this morning's jobs report made one thing clear: the work to Build Back the American economy is far from over," said ADP Spokesperson Hannah Goss. **"President Biden's American Jobs Plan is a once-in-a-generation investment in our future that will allow us to reimagine and rebuild a new economy. It is time for Congress to follow the president's lead and pass the American Jobs Plan now."**

Arizona Announces $9 Million For Child Care Providers

Arizona Celebrates Child Care Provider Appreciation Day
PHOENIX — Governor Doug Ducey and the Arizona Department of Economic Security today announced an additional $9 million in aid for child care providers throughout the state.
With this funding, Arizona will have allocated a total of $88 million in Child Care and Development Fund relief funding for the child care network, providers and families since the beginning of the pandemic, as appropriated through the 2020 CARES Act.
As the Arizona economy continues to strengthen and jobs grow, today's funding for the Child Care Workforce Retention and Recruitment (CCWRR) Grant Program will be critical in ensuring child care is available for Arizonans reentering the workforce.
"Parents and families need access to safe, reliable, and high quality child care, especially as Arizonans go back to work and job opportunities expand," said Governor Ducey. "With the additional funding announced today, we're making sure more working families have access to that care. I'm grateful to all Arizonans working to ensure families and kids have the support and resources they need, and am proud to celebrate Child Care Provider Appreciation Day."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003506
ARZN_REV00069156_5-7-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

As proclaimed by Governor Ducey, Child Care Provider Appreciation Day is recognized today, May 7, 2021, and is an opportunity to show appreciation to those who care for Arizona kids and enable parents to maintain and advance their careers.

"The child care provider community is worthy of celebration year-round, and we will continue to pursue every opportunity to provide assistance to our child care partners so they can support Arizona's strong economic growth," said Arizona Department of Economic Security (DES) Director Michael Wisehart. "Our child care provider network is not only critical to our immediate future, but also in the success of the next generation, as early education and care lay the groundwork for the development of Arizona children."

"COVID-19 has affected all of us, and child care providers have faced barriers to finding or keeping qualified staff," shared Barbie Prinster, Program Director of the Arizona Early Childhood Education Association. "This past year has also highlighted how essential our child care workforce is. With this grant, we recognize them directly by honoring the commitment they have to serving children and families."

The CCWRR Grant Program provides immediate support to child care providers in hiring qualified staff and retaining existing staff. This grant program will help all regulated child care providers with recruitment and retention costs to support the child care workforce in Arizona. These funds are made available to Arizona through the Child Care and Development Fund CARES Act, 2020.

Child care centers and group homes must use grant funds for salaries and benefits for employees, and bonus incentives for hiring and retention. Group homes and family child care homes without staff, grant funds may be utilized for a variety of expenses including licensing fees, liability insurance, tuition and registration relief for families, lease and mortgage payments, utilities, classroom materials, and supplies.

While child care providers must apply and attest that they are open and providing child care services at the time of application and for the duration of the grant, grants are not competitive. Grant awards will be paid in one sum amount, with distribution of payments initiated on June 24, 2021. Child care providers will have until September 30, 2021 to spend the grant funds.

In addition to the CCWRR Grant, the Department has also extended the Essential Workers Child Care Relief Scholarship through June 30, 2021, allowing essential workers and child care providers access to vital child care.

"Child care is a critical issue facing healthcare workers on the frontline. As schools went virtual, this had an incredible impact on our workforce as essential workers had to choose between earning a paycheck and taking care of their children at home," said TMC HealthCare President and CEO Judy Rich. "Programs like the Essential Worker Child Care Relief Scholarship Program are critical to keeping our essential workers on the frontline knowing their children are safe."

"Ensuring parents have access to safe child care benefits our workforce and economic growth," said Arizona Food Marketing Alliance Mark Miller. "Arizona's funding for child care providers allows people to work, and it kept grocery stores well staffed at the height of the pandemic. The Arizona Food Marketing Alliance can't express our gratitude enough for Governor Ducey's commitment to supporting parents, families and child care providers."

For additional information regarding both the Child Care Workforce Retention and Recruitment Grant and extension of the EWCCR, providers can visit: des.az.gov/services/child-and-family/child-care.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003507

ARZN_REV00069156_5-7-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"My spidey senses just went up and I thought as soon as we're done here, we need to get Hobbs back into the office because this guy is giving me the creeps, basically."

- ***Murphy Hebert, Hobbs' communications director, on a Gateway Pundit freelancer who chased Hobbs***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003508

ARZN_REV00069156_5-7-2021.pdf

Sender: rgabaldon@azleg.gov
Sent: Monday, May 10, 2021 5:50:23 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-10-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 10, 2021

COURT STILL REFUSING TO STOP THE STEAL
A Maricopa County Superior Court judge today dismissed one of two lawsuits stemming from the AZGOP'S January election, saying the internal affairs of the party aren't justiciable and the issue doesn't "implicate any Arizona or federal statute, nor does it involve a core Constitutional concern."

WHICH ELECTION IS MORE SUSPECT?
As part of an agreement in the other lawsuit, Beard and Dowling last week reviewed paper ballots from the election, and Beard said the review turned up inconsistencies and illustrated that Ward and the party "have been operating under bad faith."

AMERICAN OVERSIGHT

WHY BOTHER IF YOU CAN'T GET 16 VOTES TO ARREST?
The audit's vicious cycle of subpoenas, lawsuits and bickering continues as attorneys for the Senate are calling for more subpoenas and demanding the county turn over additional equipment for Cyber Ninjas to review.

THREE WORDS: DREAM CITY CHURCH
Meanwhile, despite moving at a glacial pace so far, the denizens of the Madhouse on McDowell must pack up the ballots and election materials for high school graduations to commence next week.

TOLD YA
Arizona Corporation Commissioner Jim O'Connor lied when he said through a spokesman that he didn't ask utility CEOs to not have their employees receive Covid vaccines last month.

EVERYONE HAS SOMETHING WE SHOULD INVESTIGATE
After former lawmaker Jill Norgaard said reporters should dig into the fire at Hickman's Farms rather than the Senate's audit, Clint Hickman called our reporter to dispel the nonsensical conspiracy that he set fire to his own farm, killing 165,000 chickens, to burn some ballots.

WE WON'T JOKE ABOUT THOSE POOR CHICKENS
Hickman said he didn't return our initial call on the topic because he was in the middle of an insurance investigation and the tragedy was still too fresh – but now that the insurance issue is cleared up, he said he was happy to explain what actually went down.

NOW THEY HUSTLE
Today is the 120th day of the legislative session, the final day that lawmakers will receive their full per diem rate, and the House is finally getting down to budget business.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, May 10, 2021

NEWS NOTES AND GOSSIP

THE COURT STILL WON'T STOP THE STEAL!

A Maricopa County Superior Court judge today dismissed one of two lawsuits stemming from the AZ Republican Party January election, saying the internal affairs of the AZ GOP aren't justiciable and the issue doesn't "implicate any Arizona or federal statute, nor does it involve a core Constitutional concern." "The Court simply does not have authority to order the chairwoman of the Republican Party to order a Special Meeting to consider an audit, investigation, recount or re-vote of internal party procedures not involving public office or a core Constitutional concern," Judge Michael Kemp wrote. AZGOP attorney Jack Wilenchik said he plans to file a motion to dismiss in the other lawsuit, which seeks to have the results of the January election audited, on the same grounds if attorney Tim La Sota, who is representing committeemen Sandra Dowling and Bill Beard, doesn't back down. Kemp wrote that the plaintiffs have a couple of remedies at their disposal outside of court, including gathering another round of signatures to force a special meeting – something they've already attempted once. The members needed 294 signatures – 20 percent of the body – representing at least nine counties to force a special meeting. They got 352 signatures from 11 counties, but party secretary Yvonne Cahill said there weren't enough valid signatures collected (YS, 3/26). Beard said he still believes activists collected enough signatures and that it's problematic for someone who might be recalled to be the one determining whether signatures are valid. "The judge was essentially agreeing with the argument that the chair and the secretary – if it comes to holding a special meeting where they are being recalled – they get to decide whether or not the signatures are really valid," Beard said. "That kind of defeats the whole purpose." Beard said they have not decided yet whether to appeal. Kemp's order also says outside of court, members can seek a recall of Cahill or Ward, try to revise the bylaws for more transparency in the future or review the ballots and documents related to the January vote.

WHICH ELECTION IS MORE SUSPECT?

As part of an agreement in the other lawsuit, Beard and Dowling last week reviewed paper ballots from the election, and Beard said the review turned up inconsistencies and illustrated that Ward and the Party "have been operating under bad faith." Party insiders – including Beard, Dowling, La Sota, and consultant Constantin Querard, and others – met at Wilenchik's office to review ballots Friday. Beard said he was under the impression up until that meeting that they would be able to look at all ballots, not just the races in which he and Dowling were candidates. Wilenchik said the review followed the existing language in AZGOP's bylaws by allowing activists to review Beard and Dowling's races to but not others, since those were the races flagged within 10 days of the election. They were able to count how many ballots Republicans cast in the member-at-large races. Ultimately, Beard said, the number of ballots cast differed from the state party's official counts in three of the nine member-at-large races, including his own. "The count was three short of the total in the final tally report; I lost my race by three votes," Beard said. "If you have an election where after the fact you're counting things up and the discrepancy is the same or larger than the margin of victory, you have a problem." Querard tweeted that Friday's count was off in several races (LINK) and that a "nice large stack of filled out ballots" was found in a box of blanks. "A few marked spoiled. Most with no indication. Party believes they are all spoiled. Never seen spoiled ballots kept with blanks before," he tweeted (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003511

ARZN_REV00069178_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHY SUBPOENA IF YOU CAN'T GET 16 VOTES TO ARREST THEM?

The audit's vicious cycle of subpoenas, lawsuits and bickering continues as attorneys for the Senate are calling for more subpoenas against Maricopa County officials demanding answers why they won't hand over additional equipment and information for Cyber Ninjas to review. The Senate's attorney announced Friday plans to subpoena the county supervisors, Sheriff Paul Penzone and likely Scott Jarrett, the county elections director, though no subpoenas have been filed as of our deadline. Penzone called the move "mind-numbingly reckless and irresponsible" and Supervisor Chairman Jack Sellers attempted to separate the county from the audit even further and addressed what he called "misinformation" backers were spreading – all signs pointing to the two sides heading back to court for a new legal battle. The Senate is now seeking passwords for some of the counting equipment that county officials say only Dominion has. Senators also want the county's routers, which Penzone was adamantly against saying turning that over would "jeopardize the entire mission of the Maricopa County Sheriff's Office." "We are talking about confidential, sensitive and highly-classified law enforcement data and equipment that will be permanently compromised," Penzone said in a prepared statement (LINK). Sellers said turning the routers over would "cripple county operations and cost as much as $6 million if we must replace the routers while the Cyber Ninjas have them." "What makes me angry are the allegations of corruption being thrown around – sometimes by elected officials who should know better – denigrating the good names of public servants who devoted the last two years of their lives to running quality elections in 2020," Sellers wrote.

THREE WORDS: DREAM CITY CHURCH

Meanwhile, despite moving at a glacial pace so far, the denizens of the Madhouse on McDowell must pack up the ballots and election materials for high school graduations to commence next week. Senate liaison Ken Bennett told reporters today the latest estimate is around 275,000 ballots counted after 14 days of work. That leaves 1.825 million ballots to count and auditors still have not added workers to the 20 additional tables. It's unclear if the audit will legitimately continue past May 14 and if it does for how long. Back-of-the-napkin math shows they are on pace to finish in 93 days – much longer than originally anticipated. With ever-changing policies on the floor and an additional week off it's not out of the question that it could continue into July or later (unless it abruptly ends before they reach the roughly 2.1 million ballots.) One Republican source who is anti-audit told our reporter if the audit doesn't finish, then grassroots organizers will "have their heads." Regardless, the source said the audit is "headed off the cliff." "It's gone on too long and the national media is now looking at it. The longer is goes the more embarrassing for Republicans," the source said, adding that the inevitable "messy conclusions" will only invite more ridicule on the state. Boyer has already spoken out about his regret for supporting the audit – though it should be noted, he held his ground against his caucus when it came to trying to hold the five supervisors in contempt (YS, 2/8). He told *New York Times*, that the audit is making the senate Republicans "look like idiots." "Looking back, I didn't think it would be this ridiculous," he said (LINK). "It's embarrassing to be a state senator at this point." Meanwhile Shope took a different approach, saying he wants no ownership of the audit, but also isn't inclined to try to stop it. In Shope's eyes, Petersen is responsible for the audit in the same way that he was responsible for the investigation into former Rep David Stringer as House Ethics Committee chair two years ago. And while he acknowledged that most people probably wouldn't draw a distinction between the Senate and its Judiciary chair, he doesn't think most Arizonans are paying much attention to the audit. "I think outside of our bubble, people aren't as interested or have moved on overall," he said. "Within our bubble, we like to talk about it." Still, he said he doesn't believe the audit will do anything to change the minds of people who believe the election was full of fraud or those who trust the election process – which was ostensibly the whole point. Ugenti-Rita offered some procedural qualms on the *Daily Signal* podcast last week, saying she is concerned about private companies getting too involved in the Senate's audit. (LINK) "My one concern is that the Senate president continues to maintain complete control with the vendors and is in constant communication, telling them

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003512

ARZN_REV00069178_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

what is expected and making sure that we don't farm out too much to people that we don't know or we're not familiar with," she said.

TOLD YA

Arizona Corporation Commissioner Jim O'Connor lied when he said through a spokesman that he didn't ask utility CEOs to not have their employees receive Covid vaccines last month. *Arizona Republic's* Ryan Randazzo received public records and spoke to O'Connor to officially confirm what we previously reported by citing several senior officials at the Commission (YS, 4/14). Our railbirds hit the nail on the head when they claimed O'Connor was sending around a vaccine conspiracy video. (We knew he wasn't being honest, and even gave him a chance to walk back his initial denial, but he didn't take that opportunity.) That video, it turns out, was from an Idaho doctor named Ryan Cole who has spread many conspiracy theories about Covid. O'Connor sent the video, which has since been removed from YouTube, to "all senior management of ACC regulated utilities," Randazzo found (LINK). O'Connor explained that he really felt like the vaccine killed people or turned them into "human vegetables." "There are something like 40,000 plus recorded cases of people that are now potted plants. They are human vegetables. They've lost their ability to function," he told the *Republic,* without any evidence. O'Connor also criticized Trump for getting the vaccine and encouraging others to do so. "The good man President Trump had been ill-advised on this subject matter," O'Connor said. "That happens very frequently in politics. Good people can be wrong."

EVERYONE HAS SOMETHING WE SHOULD INVESTIGATE

After former lawmaker Jill Norgaard said reporters should dig into the fire at Hickman's Farms rather than the Senate's audit, Clint Hickman called our reporter to dispel the nonsensical conspiracy that he set fire to his own farm, killing 165,000 chickens, to burn some ballots. Hickman was flabbergasted that the former lawmaker would buy into such a conspiracy, noting it doesn't even make logical sense (there are easier ways to destroy ballots). "I'm very let down with this former legislator. I'm questioning her judgment of why she would direct media to talk about the tragedy that happened on our farm," he said, adding that kind of poor judgment "could be why she's no longer a state legislator." "I don't know when it becomes a bridge too far for people but I haven't found it yet," he said. "I honestly thought that one would start making people question the validity of a lot of things. But in actuality it has not." He said people he does business with have brought up the conspiracy, which originally took hold on *Gateway Pundit,* and wondered if there's some truth to it. Hickman went out of his way to praise Bowers for steering the House away from the kind of conspiracy-mining operation that the Senate has created with its audit, saying Bowers did it at "great political peril to himself" after taking the time to investigate county procedures himself. As for Fann, Hickman didn't have anything nice to say, so chose to say nothing at all. He said politics didn't used to be like this, and it doesn't have to be tribal warfare. While it's easy to blame Trump (and he does deserve some of the blame – though Hickman noted that he campaigned for Trump), Hickman said there's many factors that have contributed to the "religious fervor" that's engulfing Arizona and US politics. But has that religious fever and the attacks and conspiracies aimed at him caused Hickman to rethink his life as a public servant? He didn't want to say, adding his answer might give people who are coming after him a sense of victory. "I've got a couple years, I just won an election to a four-year term," he said. "I'm too much in the heat of the moment to say right now." Still, he noted that those who attempted a recall against him and the other Republican supervisors who certified the election results have all failed, with organizers declining to turn in a single signature, suggesting our reporter should investigate where all the money they raised for that effort really went.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003513

ARZN_REV00069178_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

165,000 CHICKENS DEAD ISN'T A JOKE

Hickman said he didn't return our initial call on the topic because he was in the middle of an insurance investigation and the tragedy was still too fresh – but now that the insurance issue is cleared up, he said he was happy to explain what actually went down. "People have sent messages to our company about how we lined our cages with Trump ballots, and if anyone knew anything about our operation, this is not Sylvester the Cat and Tweety Bird – we don't line our cages with newspaper like you see on cartoons," he said. The accident happened after a skid-steer loader (a machine that scoops chicken poop out of the coops for their fertilizer business) started smoking and a young employee ignored his training and tried to diagnose the problem himself, Hickman said. The employee pulled the machine into one of the barns to get some shade, and parked it right against the wall. When he opened the cover of the engine, it started flaming, and the jets that blow air to keep the chickens cool sucked the flames into the plywood walls, he said. The employee tried to put out the fire himself, and was later admitted to the hospital for smoke inhalation, Hickman said. "We could have lost our entire farm. That's what's painful to me about Jill Norgaard trying to bring this up again and say look, look at the shiny toy over there. You should be looking at this, not the audit," he said.

WE FOUND OBAMA'S BIRTH CERTIFICATE!

While compiling Ken Bennett's collection at the Library, Archives and Public Records, staffers there found the original copy of former President Obama's birth document that Hawaii sent to Ken Bennett after he threatened to refuse to let Obama on the 2012 ballot without it. In case you missed it, a former Seventh Floor staffer told our reporter that staff there went on a wild goose chase for the document after a birther requested the original, and they concluded that Bennett must have taken it home (YS, 5/5). We asked Bennett, who confirmed he took the document home. But that's not the original, color copy, state archivist Dennis Preisler told our reporter. "He took a copy of a copy," he chuckled. Still, Preisler noted that while Bennett did the right thing by putting the original into the state archives, it puts the office in a weird position of having a living person's birth certificate. "I started to reach out to other state archivists to see their thoughts on the topic because it's an interesting set of circumstances about how we got this birth certificate and how much access we give to it," he said. "If we were going through a collection and we found your birth certificate in there, I wouldn't allow the public to see your birth certificate." It's different because Obama released his birth certificate to the world following the relentless birther conspiracy, he said, but it's still a sensitive document and he's considering making it available to view, but not for copies. By that same token, he said Bennett shouldn't have taken the document home, he said. "I don't think it crosses over into a legality issue, but for me as a professional, I play by ethical rules," he said, noting he wouldn't recommend taking home even a copy of a copy of someone's birth certificate.

NOW THEY HUSTLE

Today is the 120th day of the legislative session, the final day that lawmakers will receive their full per diem rate, and the House is finally getting down to budget business. The House today adjourned until 10 am Thursday, and Toma said representatives plan to spend the next two days holding small group meetings and hopefully make some progress on a budget deal. Through the 120th day, Maricopa County lawmakers receive $35 per day and out-of-county legislators get $60 in daily allowances, on top of their $24,000 salaries and mileage reimbursements. Starting tomorrow, rates drop to $20 for distant legislators and $10 for those who live in Maricopa County. Usually, the decrease in compensation serves as a motivator for lawmakers to hurry up and end the session, but it remains anyone's guess when the Legislature will end its work this year. "I keep hearing two weeks, but I've been hearing two weeks for a long time," Shope told our reporter today. Also uncertain is what will come of Gowan's now-annual push to increase per diem rates, at least for rural lawmakers like himself. Gowan struck his latest attempt on to H2053 (salary; superior court clerk) and tried to use it as leverage on the sports betting bill Ducey wanted passed, but gave up after a Republican caucus revolt. Gowan's bill would get rid of the 120-day cutoff and increase payment

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003514

ARZN_REV00069178_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

for rural lawmakers to roughly $180 and in-county lawmakers to $56 – or whatever the federal *per diem* rate, including lodging for rural legislators, becomes in future years.

WAKE UP CALL

Lawmaker: Retaliation behind Dem votes on vaping bill
Arizona Capitol Times
A vaping bill backed by the tobacco industry is moving forward in the Arizona Legislature after years of stalemates, and the Republican who led the fight against it blames political retaliation.

Former staffer: Bennett's role in audit uncharacteristic
Arizona Capitol Times
During his tenure as Arizona secretary of state, Bennett made it through relatively unscathed and without scandals or controversies – save for one that drew national attention.

New battle over equipment used in 2020 general election in Maricopa County heats up
Capitol Media Services
Senate Republican leaders are setting the stage for a new legal fight with Maricopa County.

Road Runner: Federal funding could restore Amtrak service between Tucson and Phoenix
Arizona Daily Star
A rail connection between Arizona's two largest cities hasn't been seen since a deadly derailment in 1995 and a lack of funding to upgrade the tracks.

Mesa discrimination ban prevails
East Valley Tribune
After the sudden withdrawal of a challenge, Mesa's Non-Discrimination Ordinance will go into effect at the end of June.

Data centers becoming dominant force in Mesa
East Valley Tribune
It may never rival Silicon Valley, but Mesa is fast becoming Data Center Alley.

Speakers at service say fallen Chandler officer was caring, giving
Pinal Central
A Chandler police officer killed when he was run over by a fleeing suspect was described Saturday as a caring man who served his community and his profession while showing compassion to those in need, including fellow officers coping with stress.

More than 3 million people in AZ now vaccinated against COVID-19
Mohave Valley Daily News
More than 3 million people in Arizona have received at least one dose of COVID-19 vaccine, well more than half of the population age 16 and older.

No Charges Yet for Scottsdale Fire Captain Accused of Terrorizing Teens With Gun
Phoenix New Times

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003515
ARZN_REV00069178_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A Scottsdale Fire Department captain and his wife were arrested early Sunday for allegedly terrorizing teenagers at gunpoint in their Mesa suburb.

Arizona Ballot Audit Plan Could Intimidate Minority Voters, Feds Say
Phoenix New Times
Part of the plan for the Arizona Senate's ballot audit of the November 2020 election looks like potentially illegal voter intimidation, a federal election official told Senator Karen Fann in a letter this week.

Fann tells DOJ she scrapped audit plans to knock on voters' doors
Arizona Mirror
Senate President Karen Fann has halted plans for a controversial provision of her election audit that called for auditors to knock on voters' doors to confirm voter registration information, she informed the U.S. Department of Justice.

Sinema urges Biden to take 'bold' action at border: 'This is a crisis'
The Hill
Sen. Kyrsten Sinema (D-Ariz.) urged the Biden administration this week to take "bold" action to mitigate a migration surge at the border, saying that the nation is experiencing "a crisis."

Republican says 'embarrassing' Arizona recount 'makes us look like idiots'
The Hill
A GOP state senator blasted the 2020 election vote audit in an Arizona county, saying "it makes us look like idiots."

McSally's former deputy campaign manager pleads guilty to stealing campaign funds
Politico
A deputy campaign manager to former Sen. Martha McSally pleaded guilty Friday to stealing more than six figures from her campaign, the Justice Department announced.

In Arizona, a Troubled Voting Review Plods On as Questions Mount
New York Times
A makeshift review of the vote in the state's largest county has pleased followers of former President Donald J. Trump but is being widely criticized as a partisan exercise.

PRESS RELEASES

New Report Shows Arizona's Incarcerated Voters are Being Disenfranchised at Alarming Rates

The Arizona Coalition to End Jail Based Disenfranchisement collected data showing that, out of 5,912 eligible incarcerated voters, only 177 were able to cast ballots in the 2020 general election.

Today, the Arizona Coalition to End Jail Based Disenfranchisement is releasing "Unlock the Vote Arizona, Part 3 – Jail-Based Voting in Arizona's November 2020 General Election," a brand-new report examining how incarcerated voters in Arizona participated in, and were excluded from, the 2020 general election.

In Arizona, the vast majority of persons in jail are eligible to vote because they are not currently serving a sentence for a felony conviction. But our report, which examines how Arizona's jailed eligible voters engaged in the 2020 general election — as well as the challenges they faced — reveals that incarcerated eligible voters in Arizona are being severely disenfranchised and systematically excluded from our democracy.

The report shows:

- Maricopa County had the highest number of eligible jailed voters with a total of 3,270. However, only 102 ballots were cast in the 2020 general election. The participation rate among jailed voters in this county is a low 3.1%, compared to Maricopa's overall registered voter turnout rate of 79.9%.
- In Cochise, Greenlee, La Paz, and Santa Cruz counties, zero incarcerated voters cast a ballot in the 2020 general election.
- Navajo County had the highest rate of voter participation, with 10% of incarcerated voters in the county participating in the 2020 general election.
- Arizona counties failed miserably to provide incarcerated voters with sufficient access to voter registration information, voter education, and ballots, and routinely ignored best practices to allow incarcerated voters to exercise their right to vote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003516

ARZN_REV00069178_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Teresa Mabry, Director of Program and Strategy at Arizona Advocacy Foundation, stated, "This voter suppression is inexcusable. We worked hard to provide the necessary resources for jailed voters, but jail officials and others blocked the democratic process from happening. We demand that these offices, especially the Sheriffs, show integrity and enact free, fair, and safe jail-based voting procedures."
We are in contact with a person currently jailed in Yuma County who is open to discussing their story and struggles in obtaining a ballot, and who can provide more insight into the fight to allow incarcerated individuals to vote. If you are interested in interviewing this individual, or the authors of the report, please contact oscar@azadvocacy.org.
You can find the full report here. It is also attached to this email.
About the Arizona Coalition to End Jail Based Disenfranchisement: The Coalition came together informally to bring an incarcerated voter his ballot in 2018, and it has grown in the last three years to advocate for systemic and meaningful jail-based voting policy reform across the state. The Coalition is composed of directly impacted individuals, public defenders, criminal (in)justice reform organizations, abolitionist organizations, voting rights advocates, and community organizers.

Bipartisan Repeal of In-State Tuition Ban for Dreamers To Go Before Voters in 2022

Two Republicans in the Arizona House of Representatives led bipartisan effort to give voters choice to allow Dreamers to pay in-state college tuition

PHOENIX, ARIZONA — In a bipartisan effort led by Republican Reps. Michelle Udall and Joel John, the Arizona House of Representatives voted today xx to xx to put forward a ballot initiative that would provide standard, in-state college tuition to *all* students who attend and graduate from an Arizona high school, regardless of immigration status. The ballot initiative would repeal a 15-year-old ban on in-state tuition for undocumented high school graduates, including about 2,000 Dreamers per year. Since 2006, students without documents have been forced to pay out-of-state tuition rates, effectively depriving them of a college education and limiting their contribution to Arizona's economy.

Senators and House members will join education, business, faith, and civic leaders in a press conference to discuss passage of the bill on Monday, May 10 at 5:30 p.m. at the Rose Garden at the Arizona State Capitol complex, 1700 W Washington St.

Below are initial reactions to the bill's passing:

Bob Worsley, co-chair of the Intermountain chapter of the American Business Immigration Coalition, said: "We are grateful that representatives from both parties, including Reps. Michelle Udall, Joel John, David Cook and every Democrat who supported this came together to do what's right for students and businesses across the state. The passage of this bill is economically important, morally right and politically smart."

Reyna Montoya, founder & CEO of Aliento and DACA recipient, said: "This is a historic day in Arizona. I'm in tears of joy and have a deep sense of gratitude for all the house of representatives who voted yes today. Thank you for believing in our dreamers, improving our state's education and economy. Today is a bright day and I am so hopeful that after almost 15 years I can finally tell my students that with the support of voters they can pay in-state tuition in the near future."

Dallin Adams, ABIC's Intermountain Coalition Director, said: "I am incredibly grateful for all of the representatives who supported our efforts, as well as the countless business, faith, and education leaders that worked tirelessly on behalf of our Arizona Dreamers. The impact of increased educational attainment on future economic growth can not be understated. Arizona's voters deserve to have their voices heard, and I am confident they will stand in support of our students, businesses, and state."

Deya Garcia, Mesa Community College student and DACA recipient, said: "In 2017, when in-state tuition for DACA students was going through the courts I was devastated. I wondered, 'why would anyone want to make education less attainable?' Since then, I have gone from being a full-time student to a part-time student which has prolonged my college journey. This year would have been my graduation year. SCR 1044 will allow me to become a full-time student and be on track to fulfill my dream of becoming a doctor."

Denny Barney, former Maricopa County Supervisor, and current CEO of East Valley Partnership, said: "The children of 'Dreamer' kids are U.S. citizens, and they will be in our community. What path will we put these families on? The college-educated tend to assimilate and contribute. They develop a culture of self reliance. Their children will follow. Enabling these students to attend college is wise social policy."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

National Park Service Panned for Plan to Allow Trophy Hunting of Bison in Grand Canyon

45,000 hunters apply for opportunity to shoot tame bison in national park

(Washington, D.C.) – Animal Wellness Action and partner organizations called on Interior Secretary Deb Haaland to halt plans for the National Park Service (NPS) to open up a hunting season in the coming months for bison in the northern part of Grand Canyon National Park. The NPS this week conducted a lottery to select hunters to win the opportunity to shoot the bison in the fall and leave with the carcasses and trophies of the animals. There were 45,000 applicants, demonstrating that would-be participants believe this is a rare opportunity to shoot a bison in a national park and collect a trophy.

In a letter to Haaland sent late last week, Animal Wellness Action president Wayne Pacelle asked Secretary Haaland to "terminate a thinly disguised public trophy hunting program within Grand Canyon National Park."

"The National Park Service may euphemistically call this action 'a cull,' but the agency has conducted a lottery to select participants, will allow the lottery winners to enter the park with firearms, and authorize them to gun down bison and leave with the carcass and trophy," **added Pacelle.** "This has every imaginable feature of a bison hunt, and that's entirely at odds with the history of Grand Canyon National Park and all other national parks in the U.S."

The United States, except just one park with an expressed Congressional authorization for hunting of a single species, has long forbidden trophy hunting of animals in national parks. The same is true for national monuments. Not even in Yellowstone National Park, where the treatment of bison by multiple state and federal agencies has come under intense scrutiny, is the NPS allowing hunters to kill bison within the boundaries of the park.

There is no hunting of elk, deer, and other native wild animals in the Grand Canyon. There are already vast areas of northern Arizona managed by the U.S. Forest Service, the Bureau of Land Management, and the state of Arizona that allow sport hunting. Even when the NPS in the 1970s and 1980s viewed populations of burros at Grand Canyon as a management problem and as non-native animals, it eventually allowed animal protection groups to conduct a large-scale capture and translocation program.

"If the Park Service opens up Grand Canyon to hunting, it will set a precedent that the NRA and other trophy hunting will secure to exploit in other parks and monuments," **added Pacelle.** "This plan is entirely at odds with the value system of the National Park Service."

Reducing the small population of 400 – 600 bison can be achieved humanely, including with fertility control, if the agency feels the need to allow more human control of wildlife population dynamics in the park. The NPS has long used Porcine Zona Pellucida (PZP), an immunocontraceptive vaccine, for the management of free-roaming equids and deer. In fact, that strategy has proven effective for an island population of bison at Catalina Island National Park.

"Shooting bison accustomed to staying put as hundreds of thousands of people stare at them is not a hunt, but an execution," **warned Pacelle.** "It's about as sporting as shooting a parked car. Yet there are 45,000 trophy hunters who are seeking an opportunity to do this very thing in a crown jewel of America's national parks."

Bison species have, since the Pleistocene, ranged from Yukon and Alaska to the Valley of Mexico. The bison occupies an outsized place within the annals of the National Park Service as well, and it is prominently featured on the logo of the agency.

Animal Wellness Action (Action) is a Washington, D.C.-based 501(c)(4) organization with a mission of helping animals by promoting legal standards forbidding cruelty. We champion causes that alleviate the suffering of companion animals, farm animals, and wildlife. We advocate for policies to stop dogfighting and cockfighting and other forms of malicious cruelty and to confront factory farming and other systemic forms of animal exploitation. To prevent cruelty, we promote enacting good public policies and we work to enforce those policies. To enact good laws, we must elect good lawmakers, and that's why we remind voters which candidates care about our issues and which ones don't. We believe helping animals helps us all.

The Animal Wellness Foundation (Foundation) is a Los Angeles-based private charitable organization with a mission of helping animals by making veterinary care available to everyone with a pet, regardless of economic ability. We organize rescue efforts and medical services for dogs and cats in need and help homeless pets find a loving caregiver. We are advocates for getting veterinarians to the front lines of the animal welfare movement; promoting responsible pet ownership; and vaccinating animals against infectious diseases such as distemper. We also support policies that prevent animal cruelty and that alleviate suffering. We believe helping animals helps us all.

The Center for a Humane Economy ("the Center") is a non-profit organization that focuses on influencing the conduct of corporations to forge a humane economic order. The first organization of its kind in the animal protection movement, the Center encourages businesses to honor their social responsibilities in a culture where consumers, investors, and other key stakeholders abhor cruelty and the degradation of the environment and embrace innovation as a means of eliminating both.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003518

ARZN_REV00069178_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Mesa Loves Everyone Statement on Expected Referendum Failure

(Mesa, ARIZ. May 7, 2021 2021) – Today, the Mesa Loves Everyone committee filed an uncontested complaint citing the lack of valid signatures gathered by the United for Mesa committee in an attempt to overturn the LGBTQ inclusive non-discrimination ordinance in Mesa by referring it to the ballot. After review of the evidence and documentation, the United for Mesa committee has conceded they do not have the required number of signatures necessary, effectively ending the referendum effort. Once a judgement is made, the non-discrimination ordinance will be allowed to go into effect, protecting all who live, work and visit Mesa from discrimination in employment, housing and public accommodations.

The non-discrimination ordinance passed overwhelmingly with a 5-2 vote on March 1st, 2021 with support from Mesa Mayor John Giles. The ordinance is the result of years of dialogue with diverse stakeholders including businesses, faith leaders, community organizations and families.

"Today is a victory for the overwhelming majority of Mesa residents who support equality for all in our city," said Mayor Giles. "This ordinance will give all residents and visitors a sense of belonging and will help us to attract opportunities to create a sustainable future and economy," Mayor Giles concluded.

"We are profoundly moved and proud of the people of Mesa and the visionary leadership by Mayor Giles and Council," said Angela Hughey, co-founder and President of ONE Community and a Mesa Loves Everyone committee member. "The passage of the ordinance was the result of years of dialogue and support from businesses, first responders, families, community organizations, faith leaders and more."

"As a Mesa native, I am so proud to see equality and the truth triumph over the fears and lies spread by those opposed to equal treatment. This ordinance is a major victory for fairness, equality and opportunity for all, including LGBTQ people. Equal rights are universal values, central to the beliefs of Arizonans, faith communities, and good business practices," said Michael Soto, Executive Director of Equality Arizona and Mesa Loves Everyone committee member.

Arizona State Legislature Democratic Caucus & City of Tempe Urge Sens. Sinema & Kelly to Co-Sponsor the PRO Act

May 10 – Amidst growing support for the Protecting the Right to Organize (PRO) Act members of the Arizona State Legislature's Democratic Caucus and the City of Tempe Mayor Woods have signed on to letters supporting the passage of the PRO Act and urging Senators Kyrsten Sinema and Mark Kelly to co-sponsor the legislation.

"Outdated labor laws have been exploited by employers to coerce, intimidate and punish workers for exercising our democratic rights, to break the law with impunity, to avoid accountability, and to erode the democratic rights of workers…. The Arizona Democratic Caucus pledges to advocate for and support the Protecting the Right to Organize (PRO) Act to expand collective bargaining rights and balance the power between corporations and working people."

-Excerpt of letter from the Arizona State Legislature Democratic Caucus, led by Arizona Senate Minority Leader Rebecca Rios and Arizona House Minority Leader Reginald Bolding, **linked here**

"According to the Economic Policy Institute, on average a worker covered by a union contract earns 11.2% more in wages than a peer with similar education, occupation, and experience in a nonunionized workplace in the same sector. This boost in wages is even higher for workers of color – unionized Black workers earn 13.7% more than their nonunionized peers and unionized Latinx workers earn 20.1% more than their nonunionized peers. The PRO Act would take a major step forward in addressing this inequality and closing that wage gap, which many economists believe is the key to economic growth."

-Excerpt of letter from City of Tempe Mayor Corey D. Woods, **Sen. Sinema Letter linked here** & **Sen. Kelly letter linked here**

The PRO Act is the most significant worker empowerment legislation since the Great Depression and Arizona's working families are grateful to have our leaders support and push for our right to organize.

Governor Ducey Appoints Malcolm Hightower To Director Of Residential Utility Consumer Office

PHOENIX — Governor Doug Ducey announced the appointment of Malcolm Hightower to Director of the Residential Utility Consumer Office (RUCO), effective today, May 10.

Hightower replaces Laurie A. Woodall, who served as Interim Director since mid-December.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003519

ARZN_REV00069178_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Malcom's years of leadership and commitment to serving communities in need make him a great fit to lead RUCO," said Governor Ducey. "He will serve Arizona's utility consumers well, and I look forward to working with him to ensure their needs are met. My thanks goes to Malcolm for stepping up to this role, and to Laurie for her dedicated leadership these last few months."

Malcolm Hightower has spent 27 years working to improve the health, safety and well-being of children, families and communities. Most recently, he served as the Deputy Director of the Governor's Office of Youth, Faith, and Family (GOYFF) where he was responsible for child well-being, juvenile justice, substance and physical abuse prevention, faith-based initiatives, and volunteerism.

He also facilitated and led implementation of the Arizona Management System (AMS) within GOYFF, where he helped develop and monitor outcome planning systems and key performance indicators to ensure safety and health of Arizonans.

"I'm grateful for the opportunity to continue serving Arizonans and look forward to leading the team at RUCO," said Hightower. "Thank you to Governor Ducey for appointing me to this new role — our team will take innovative measures to meet the needs of Arizona's utility consumers."

Prior to his work with GOYFF, Hightower worked in the Strategic Consulting arm of Casey Family Programs, a national operating foundation, to support safety and child and family well-being in local, state, tribal and national communities. Before that, Hightower spent six years as a social worker and case manager where he specialized in communities with primarily Native American and Black citizens.

Hightower received a Bachelor of Science in Psychology and Master of Science in Public Administration both from Seattle University in Washington. He also has training from the Arizona Management System at the Arizona Government Transformation Office, and from the Casey Family Programs in Project Management Principles for Human Service Organizations.

RUCO was established by the Arizona Legislature to represent the residential utility ratepayers in rate-related proceedings involving public service corporations. RUCO intervenes and participates in rate cases involving Arizona's largest utilities, with smaller companies decided on a case-by-case basis.

State sites have administered more than 1.5 million doses of COVID-19 vaccine

Vaccine is widely available and easier than ever to get, often by just walking in

PHOENIX — The seven state mass-vaccination sites in the Phoenix metropolitan area, Tucson, Yuma, and Flagstaff reached another milestone today, having now administered more than 1.5 million doses of COVID-19 vaccine while helping to protect Arizonans rapidly and efficiently.

With vaccine increasingly available at pharmacies, pop-up clinics, doctors' offices, and other neighborhood locations around Arizona, state sites won't stay open indefinitely. So take advantage of them now while they are still open.

"Today, there is virtually no barrier to getting these safe, highly effective and free vaccines at a location convenient to you," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "State sites have been a big part of the reason why Arizona has been able to vaccinate so many people since December. If you are waiting to get vaccinated at a state site, please don't put it off."

As of this morning, 5,363,835 doses of COVID-19 vaccine have been administered to 3,063,203 individuals, including 2,513,523 who are fully vaccinated. Over a quarter of those doses, 1,518,734, have been administered at state sites to 833,840 individuals, of whom 730,591 are fully vaccinated.

Sadly, COVID-19 continues to infect and cause death in Arizonans, though case numbers, percent positivity, intensive care unit use, and in-patient hospital bed use have been relatively stable since March. Today, ADHS added 642 cases and no deaths to its COVID-19 data dashboard.

Rigorous trials, federal reviews, and real-world data have shown all approved COVID-19 vaccines to be safe and highly effective at preventing serious cases and deaths.

Many sites across Arizona now offer COVID-19 vaccines, including grocery store pharmacies and standalone pharmacies. Doctors' offices and other neighborhood healthcare providers can order vaccine directly from the U.S. Centers for Disease Control and Prevention.

This week, the federal government is expected to approve use of the Pfizer vaccine for those 12 and older, expanding from 16 and older. State-run sites offer the Pfizer vaccine, as do some pharmacies and doctors' offices. ADHS offers a map of vaccination sites at azdhs.gov/FindVaccine that can be filtered by the type of vaccine offered at each.

Appointments for state sites and many others are available at podvaccine.azdhs.gov. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist in English or

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003520

ARZN_REV00069178_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Spanish. Appointments aren't required at state sites but can reduce the duration of your visit because registration is completed in advance.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

"QUOTE OF THE DAY"

"This is not Sylvester the Cat and Tweety Bird – we don't line our cages with newspaper like you see on cartoons."

- Clint Hickman, on the bizarre conspiracy, repeated by a former lawmaker, that his chicken coops were lined with pro-Trump ballots when they caught fire

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, May 10, 2021 5:50:25 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-10-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 10, 2021

COURT STILL REFUSING TO STOP THE STEAL
A Maricopa County Superior Court judge today dismissed one of two lawsuits stemming from the AZGOP'S January election, saying the internal affairs of the party aren't justiciable and the issue doesn't "implicate any Arizona or federal statute, nor does it involve a core Constitutional concern."

WHICH ELECTION IS MORE SUSPECT?
As part of an agreement in the other lawsuit, Beard and Dowling last week reviewed paper ballots from the election, and Beard said the review turned up inconsistencies and illustrated that Ward and the party "have been operating

AMERICAN OVERSIGHT

under bad faith."

WHY BOTHER IF YOU CAN'T GET 16 VOTES TO ARREST?
The audit's vicious cycle of subpoenas, lawsuits and bickering continues as attorneys for the Senate are calling for more subpoenas and demanding the county turn over additional equipment for Cyber Ninjas to review.

THREE WORDS: DREAM CITY CHURCH
Meanwhile, despite moving at a glacial pace so far, the denizens of the Madhouse on McDowell must pack up the ballots and election materials for high school graduations to commence next week.

TOLD YA
Arizona Corporation Commissioner Jim O'Connor lied when he said through a spokesman that he didn't ask utility CEOs to not have their employees receive Covid vaccines last month.

EVERYONE HAS SOMETHING WE SHOULD INVESTIGATE
After former lawmaker Jill Norgaard said reporters should dig into the fire at Hickman's Farms rather than the Senate's audit, Clint Hickman called our reporter to dispel the nonsensical conspiracy that he set fire to his own farm, killing 165,000 chickens, to burn some ballots.

WE WON'T JOKE ABOUT THOSE POOR CHICKENS
Hickman said he didn't return our initial call on the topic because he was in the middle of an insurance investigation and the tragedy was still too fresh – but now that the insurance issue is cleared up, he said he was happy to explain what actually went down.

NOW THEY HUSTLE
Today is the 120th day of the legislative session, the final day that lawmakers will receive their full per diem rate, and the House is finally getting down to budget business.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, May 10, 2021

NEWS NOTES AND GOSSIP

THE COURT STILL WON'T STOP THE STEAL!

A Maricopa County Superior Court judge today dismissed one of two lawsuits stemming from the AZ Republican Party January election, saying the internal affairs of the AZ GOP aren't justiciable and the issue doesn't "implicate any Arizona or federal statute, nor does it involve a core Constitutional concern." "The Court simply does not have authority to order the chairwoman of the Republican Party to order a Special Meeting to consider an audit, investigation, recount or re-vote of internal party procedures not involving public office or a core Constitutional concern," Judge Michael Kemp wrote. AZGOP attorney Jack Wilenchik said he plans to file a motion to dismiss in the other lawsuit, which seeks to have the results of the January election audited, on the same grounds if attorney Tim La Sota, who is representing committeemen Sandra Dowling and Bill Beard, doesn't back down. Kemp wrote that the plaintiffs have a couple of remedies at their disposal outside of court, including gathering another round of signatures to force a special meeting – something they've already attempted once. The members needed 294 signatures – 20 percent of the body – representing at least nine counties to force a special meeting. They got 352 signatures from 11 counties, but party secretary Yvonne Cahill said there weren't enough valid signatures collected (YS, 3/26). Beard said he still believes activists collected enough signatures and that it's problematic for someone who might be recalled to be the one determining whether signatures are valid. "The judge was essentially agreeing with the argument that the chair and the secretary – if it comes to holding a special meeting where they are being recalled – they get to decide whether or not the signatures are really valid," Beard said. "That kind of defeats the whole purpose." Beard said they have not decided yet whether to appeal. Kemp's order also says outside of court, members can seek a recall of Cahill or Ward, try to revise the bylaws for more transparency in the future or review the ballots and documents related to the January vote.

WHICH ELECTION IS MORE SUSPECT?

As part of an agreement in the other lawsuit, Beard and Dowling last week reviewed paper ballots from the election, and Beard said the review turned up inconsistencies and illustrated that Ward and the Party "have been operating under bad faith." Party insiders – including Beard, Dowling, La Sota, and consultant Constantin Querard, and others – met at Wilenchik's office to review ballots Friday. Beard said he was under the impression up until that meeting that they would be able to look at all ballots, not just the races in which he and Dowling were candidates. Wilenchik said the review followed the existing language in AZGOP's bylaws by allowing activists to review Beard and Dowling's races to but not others, since those were the races flagged within 10 days of the election. They were able to count how many ballots Republicans cast in the member-at-large races. Ultimately, Beard said, the number of ballots cast differed from the state party's official counts in three of the nine member-at-large races, including his own. "The count was three short of the total in the final tally report; I lost my race by three votes," Beard said. "If you have an election where after the fact you're counting things up and the discrepancy is the same or larger than the margin of victory, you have a problem." Querard tweeted that Friday's count was off in several races (LINK) and that a "nice large stack of filled out ballots" was found in a box of blanks. "A few marked spoiled. Most with no indication. Party believes they are all spoiled. Never seen spoiled ballots kept with blanks before," he tweeted (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003524

ARZN_REV00069180_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHY SUBPOENA IF YOU CAN'T GET 16 VOTES TO ARREST THEM?

The audit's vicious cycle of subpoenas, lawsuits and bickering continues as attorneys for the Senate are calling for more subpoenas against Maricopa County officials demanding answers why they won't hand over additional equipment and information for Cyber Ninjas to review. The Senate's attorney announced Friday plans to subpoena the county supervisors, Sheriff Paul Penzone and likely Scott Jarrett, the county elections director, though no subpoenas have been filed as of our deadline. Penzone called the move "mind-numbingly reckless and irresponsible" and Supervisor Chairman Jack Sellers attempted to separate the county from the audit even further and addressed what he called "misinformation" backers were spreading – all signs pointing to the two sides heading back to court for a new legal battle. The Senate is now seeking passwords for some of the counting equipment that county officials say only Dominion has. Senators also want the county's routers, which Penzone was adamantly against saying turning that over would "jeopardize the entire mission of the Maricopa County Sheriff's Office." "We are talking about confidential, sensitive and highly-classified law enforcement data and equipment that will be permanently compromised," Penzone said in a prepared statement (LINK). Sellers said turning the routers over would "cripple county operations and cost as much as $6 million if we must replace the routers while the Cyber Ninjas have them." "What makes me angry are the allegations of corruption being thrown around – sometimes by elected officials who should know better – denigrating the good names of public servants who devoted the last two years of their lives to running quality elections in 2020," Sellers wrote.

THREE WORDS: DREAM CITY CHURCH

Meanwhile, despite moving at a glacial pace so far, the denizens of the Madhouse on McDowell must pack up the ballots and election materials for high school graduations to commence next week. Senate liaison Ken Bennett told reporters today the latest estimate is around 275,000 ballots counted after 14 days of work. That leaves 1.825 million ballots to count and auditors still have not added workers to the 20 additional tables. It's unclear if the audit will legitimately continue past May 14 and if it does for how long. Back-of-the-napkin math shows they are on pace to finish in 93 days – much longer than originally anticipated. With ever-changing policies on the floor and an additional week off it's not out of the question that it could continue into July or later (unless it abruptly ends before they reach the roughly 2.1 million ballots.) One Republican source who is anti-audit told our reporter if the audit doesn't finish, then grassroots organizers will "have their heads." Regardless, the source said the audit is "headed off the cliff." "It's gone on too long and the national media is now looking at it. The longer is goes the more embarrassing for Republicans," the source said, adding that the inevitable "messy conclusions" will only invite more ridicule on the state. Boyer has already spoken out about his regret for supporting the audit – though it should be noted, he held his ground against his caucus when it came to trying to hold the five supervisors in contempt (YS, 2/8). He told *New York Times*, that the audit is making the senate Republicans "look like idiots." "Looking back, I didn't think it would be this ridiculous," he said (LINK). "It's embarrassing to be a state senator at this point." Meanwhile Shope took a different approach, saying he wants no ownership of the audit, but also isn't inclined to try to stop it. In Shope's eyes, Petersen is responsible for the audit in the same way that he was responsible for the investigation into former Rep David Stringer as House Ethics Committee chair two years ago. And while he acknowledged that most people probably wouldn't draw a distinction between the Senate and its Judiciary chair, he doesn't think most Arizonans are paying much attention to the audit. "I think outside of our bubble, people aren't as interested or have moved on overall," he said. "Within our bubble, we like to talk about it." Still, he said he doesn't believe the audit will do anything to change the minds of people who believe the election was full of fraud or those who trust the election process – which was ostensibly the whole point. Ugenti-Rita offered some procedural qualms on the *Daily Signal* podcast last week, saying she is concerned about private companies getting too involved in the Senate's audit. (LINK) "My one concern is that the Senate president continues to maintain complete control with the vendors and is in constant communication, telling them

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003525

ARZN_REV00069180_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

what is expected and making sure that we don't farm out too much to people that we don't know or we're not familiar with," she said.

TOLD YA

Arizona Corporation Commissioner Jim O'Connor lied when he said through a spokesman that he didn't ask utility CEOs to not have their employees receive Covid vaccines last month. *Arizona Republic's* Ryan Randazzo received public records and spoke to O'Connor to officially confirm what we previously reported by citing several senior officials at the Commission (YS, 4/14). Our railbirds hit the nail on the head when they claimed O'Connor was sending around a vaccine conspiracy video. (We knew he wasn't being honest, and even gave him a chance to walk back his initial denial, but he didn't take that opportunity.) That video, it turns out, was from an Idaho doctor named Ryan Cole who has spread many conspiracy theories about Covid. O'Connor sent the video, which has since been removed from YouTube, to "all senior management of ACC regulated utilities," Randazzo found (LINK). O'Connor explained that he really felt like the vaccine killed people or turned them into "human vegetables." "There are something like 40,000 plus recorded cases of people that are now potted plants. They are human vegetables. They've lost their ability to function," he told the *Republic,* without any evidence. O'Connor also criticized Trump for getting the vaccine and encouraging others to do so. "The good man President Trump had been ill-advised on this subject matter," O'Connor said. "That happens very frequently in politics. Good people can be wrong."

EVERYONE HAS SOMETHING WE SHOULD INVESTIGATE

After former lawmaker Jill Norgaard said reporters should dig into the fire at Hickman's Farms rather than the Senate's audit, Clint Hickman called our reporter to dispel the nonsensical conspiracy that he set fire to his own farm, killing 165,000 chickens, to burn some ballots. Hickman was flabbergasted that the former lawmaker would buy into such a conspiracy, noting it doesn't even make logical sense (there are easier ways to destroy ballots). "I'm very let down with this former legislator. I'm questioning her judgment of why she would direct media to talk about the tragedy that happened on our farm," he said, adding that kind of poor judgment "could be why she's no longer a state legislator." "I don't know when it becomes a bridge too far for people but I haven't found it yet," he said. "I honestly thought that one would start making people question the validity of a lot of things. But in actuality it has not." He said people he does business with have brought up the conspiracy, which originally took hold on *Gateway Pundit,* and wondered if there's some truth to it. Hickman went out of his way to praise Bowers for steering the House away from the kind of conspiracy-mining operation that the Senate has created with its audit, saying Bowers did it at "great political peril to himself" after taking the time to investigate county procedures himself. As for Fann, Hickman didn't have anything nice to say, so chose to say nothing at all. He said politics didn't used to be like this, and it doesn't have to be tribal warfare. While it's easy to blame Trump (and he does deserve some of the blame – though Hickman noted that he campaigned for Trump), Hickman said there's many factors that have contributed to the "religious fervor" that's engulfing Arizona and US politics. But has that religious fever and the attacks and conspiracies aimed at him caused Hickman to rethink his life as a public servant? He didn't want to say, adding his answer might give people who are coming after him a sense of victory. "I've got a couple years, I just won an election to a four-year term," he said. "I'm too much in the heat of the moment to say right now." Still, he noted that those who attempted a recall against him and the other Republican supervisors who certified the election results have all failed, with organizers declining to turn in a single signature, suggesting our reporter should investigate where all the money they raised for that effort really went.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003526

ARZN_REV00069180_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

165,000 CHICKENS DEAD ISN'T A JOKE

Hickman said he didn't return our initial call on the topic because he was in the middle of an insurance investigation and the tragedy was still too fresh – but now that the insurance issue is cleared up, he said he was happy to explain what actually went down. "People have sent messages to our company about how we lined our cages with Trump ballots, and if anyone knew anything about our operation, this is not Sylvester the Cat and Tweety Bird – we don't line our cages with newspaper like you see on cartoons," he said. The accident happened after a skid-steer loader (a machine that scoops chicken poop out of the coops for their fertilizer business) started smoking and a young employee ignored his training and tried to diagnose the problem himself, Hickman said. The employee pulled the machine into one of the barns to get some shade, and parked it right against the wall. When he opened the cover of the engine, it started flaming, and the jets that blow air to keep the chickens cool sucked the flames into the plywood walls, he said. The employee tried to put out the fire himself, and was later admitted to the hospital for smoke inhalation, Hickman said. "We could have lost our entire farm. That's what's painful to me about Jill Norgaard trying to bring this up again and say look, look at the shiny toy over there. You should be looking at this, not the audit," he said.

WE FOUND OBAMA'S BIRTH CERTIFICATE!

While compiling Ken Bennett's collection at the Library, Archives and Public Records, staffers there found the original copy of former President Obama's birth document that Hawaii sent to Ken Bennett after he threatened to refuse to let Obama on the 2012 ballot without it. In case you missed it, a former Seventh Floor staffer told our reporter that staff there went on a wild goose chase for the document after a birther requested the original, and they concluded that Bennett must have taken it home (YS, 5/5). We asked Bennett, who confirmed he took the document home. But that's not the original, color copy, state archivist Dennis Preisler told our reporter. "He took a copy of a copy," he chuckled. Still, Preisler noted that while Bennett did the right thing by putting the original into the state archives, it puts the office in a weird position of having a living person's birth certificate. "I started to reach out to other state archivists to see their thoughts on the topic because it's an interesting set of circumstances about how we got this birth certificate and how much access we give to it," he said. "If we were going through a collection and we found your birth certificate in there, I wouldn't allow the public to see your birth certificate." It's different because Obama released his birth certificate to the world following the relentless birther conspiracy, he said, but it's still a sensitive document and he's considering making it available to view, but not for copies. By that same token, he said Bennett shouldn't have taken the document home, he said. "I don't think it crosses over into a legality issue, but for me as a professional, I play by ethical rules," he said, noting he wouldn't recommend taking home even a copy of a copy of someone's birth certificate.

NOW THEY HUSTLE

Today is the 120th day of the legislative session, the final day that lawmakers will receive their full per diem rate, and the House is finally getting down to budget business. The House today adjourned until 10 am Thursday, and Toma said representatives plan to spend the next two days holding small group meetings and hopefully make some progress on a budget deal. Through the 120th day, Maricopa County lawmakers receive $35 per day and out-of-county legislators get $60 in daily allowances, on top of their $24,000 salaries and mileage reimbursements. Starting tomorrow, rates drop to $20 for distant legislators and $10 for those who live in Maricopa County. Usually, the decrease in compensation serves as a motivator for lawmakers to hurry up and end the session, but it remains anyone's guess when the Legislature will end its work this year. "I keep hearing two weeks, but I've been hearing two weeks for a long time," Shope told our reporter today. Also uncertain is what will come of Gowan's now-annual push to increase per diem rates, at least for rural lawmakers like himself. Gowan struck his latest attempt on to H2053 (salary; superior court clerk) and tried to use it as leverage on the sports betting bill Ducey wanted passed, but gave up after a Republican caucus revolt. Gowan's bill would get rid of the 120-day cutoff and increase payment

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003527

ARZN_REV00069180_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

for rural lawmakers to roughly $180 and in-county lawmakers to $56 – or whatever the federal *per diem* rate, including lodging for rural legislators, becomes in future years.

WAKE UP CALL

Lawmaker: Retaliation behind Dem votes on vaping bill
Arizona Capitol Times
A vaping bill backed by the tobacco industry is moving forward in the Arizona Legislature after years of stalemates, and the Republican who led the fight against it blames political retaliation.

Former staffer: Bennett's role in audit uncharacteristic
Arizona Capitol Times
During his tenure as Arizona secretary of state, Bennett made it through relatively unscathed and without scandals or controversies – save for one that drew national attention.

New battle over equipment used in 2020 general election in Maricopa County heats up
Capitol Media Services
Senate Republican leaders are setting the stage for a new legal fight with Maricopa County.

Road Runner: Federal funding could restore Amtrak service between Tucson and Phoenix
Arizona Daily Star
A rail connection between Arizona's two largest cities hasn't been seen since a deadly derailment in 1995 and a lack of funding to upgrade the tracks.

Mesa discrimination ban prevails
East Valley Tribune
After the sudden withdrawal of a challenge, Mesa's Non-Discrimination Ordinance will go into effect at the end of June.

Data centers becoming dominant force in Mesa
East Valley Tribune
It may never rival Silicon Valley, but Mesa is fast becoming Data Center Alley.

Speakers at service say fallen Chandler officer was caring, giving
Pinal Central
A Chandler police officer killed when he was run over by a fleeing suspect was described Saturday as a caring man who served his community and his profession while showing compassion to those in need, including fellow officers coping with stress.

More than 3 million people in AZ now vaccinated against COVID-19
Mohave Valley Daily News
More than 3 million people in Arizona have received at least one dose of COVID-19 vaccine, well more than half of the population age 16 and older.

No Charges Yet for Scottsdale Fire Captain Accused of Terrorizing Teens With Gun
Phoenix New Times

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003528
ARZN_REV00069180_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A Scottsdale Fire Department captain and his wife were arrested early Sunday for allegedly terrorizing teenagers at gunpoint in their Mesa suburb.

Arizona Ballot Audit Plan Could Intimidate Minority Voters, Feds Say
Phoenix New Times
Part of the plan for the Arizona Senate's ballot audit of the November 2020 election looks like potentially illegal voter intimidation, a federal election official told Senator Karen Fann in a letter this week.

Fann tells DOJ she scrapped audit plans to knock on voters' doors
Arizona Mirror
Senate President Karen Fann has halted plans for a controversial provision of her election audit that called for auditors to knock on voters' doors to confirm voter registration information, she informed the U.S. Department of Justice.

Sinema urges Biden to take 'bold' action at border: 'This is a crisis'
The Hill
Sen. Kyrsten Sinema (D-Ariz.) urged the Biden administration this week to take "bold" action to mitigate a migration surge at the border, saying that the nation is experiencing "a crisis."

Republican says 'embarrassing' Arizona recount 'makes us look like idiots'
The Hill
A GOP state senator blasted the 2020 election vote audit in an Arizona county, saying "it makes us look like idiots."

McSally's former deputy campaign manager pleads guilty to stealing campaign funds
Politico
A deputy campaign manager to former Sen. Martha McSally pleaded guilty Friday to stealing more than six figures from her campaign, the Justice Department announced.

In Arizona, a Troubled Voting Review Plods On as Questions Mount
New York Times
A makeshift review of the vote in the state's largest county has pleased followers of former President Donald J. Trump but is being widely criticized as a partisan exercise.

PRESS RELEASES

New Report Shows Arizona's Incarcerated Voters are Being Disenfranchised at Alarming Rates

The Arizona Coalition to End Jail Based Disenfranchisement collected data showing that, out of 5,912 eligible incarcerated voters, only 177 were able to cast ballots in the 2020 general election.

Today, the Arizona Coalition to End Jail Based Disenfranchisement is releasing "Unlock the Vote Arizona, Part 3 – Jail-Based Voting in Arizona's November 2020 General Election," a brand-new report examining how incarcerated voters in Arizona participated in, and were excluded from, the 2020 general election.

In Arizona, the vast majority of persons in jail are eligible to vote because they are not currently serving a sentence for a felony conviction. But our report, which examines how Arizona's jailed eligible voters engaged in the 2020 general election — as well as the challenges they faced — reveals that incarcerated eligible voters in Arizona are being severely disenfranchised and systematically excluded from our democracy.

The report shows:

- Maricopa County had the highest number of eligible jailed voters with a total of 3,270. However, only 102 ballots were cast in the 2020 general election. The participation rate among jailed voters in this county is a low 3.1%, compared to Maricopa's overall registered voter turnout rate of 79.9%.
- In Cochise, Greenlee, La Paz, and Santa Cruz counties, zero incarcerated voters cast a ballot in the 2020 general election.
- Navajo County had the highest rate of voter participation, with 10% of incarcerated voters in the county participating in the 2020 general election.
- Arizona counties failed miserably to provide incarcerated voters with sufficient access to voter registration information, voter education, and ballots, and routinely ignored best practices to allow incarcerated voters to exercise their right to vote.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Teresa Mabry, Director of Program and Strategy at Arizona Advocacy Foundation, stated, "This voter suppression is inexcusable. We worked hard to provide the necessary resources for jailed voters, but jail officials and others blocked the democratic process from happening. We demand that these offices, especially the Sheriffs, show integrity and enact free, fair, and safe jail-based voting procedures."
We are in contact with a person currently jailed in Yuma County who is open to discussing their story and struggles in obtaining a ballot, and who can provide more insight into the fight to allow incarcerated individuals to vote. If you are interested in interviewing this individual, or the authors of the report, please contact oscar@azadvocacy.org.
You can find the full report here. It is also attached to this email.
About the Arizona Coalition to End Jail Based Disenfranchisement: The Coalition came together informally to bring an incarcerated voter his ballot in 2018, and it has grown in the last three years to advocate for systemic and meaningful jail-based voting policy reform across the state. The Coalition is composed of directly impacted individuals, public defenders, criminal (in)justice reform organizations, abolitionist organizations, voting rights advocates, and community organizers.

Bipartisan Repeal of In-State Tuition Ban for Dreamers To Go Before Voters in 2022

Two Republicans in the Arizona House of Representatives led bipartisan effort to give voters choice to allow Dreamers to pay in-state college tuition

PHOENIX, ARIZONA — In a bipartisan effort led by Republican Reps. Michelle Udall and Joel John, the Arizona House of Representatives voted today xx to xx to put forward a ballot initiative that would provide standard, in-state college tuition to *all* students who attend and graduate from an Arizona high school, regardless of immigration status. The ballot initiative would repeal a 15-year-old ban on in-state tuition for undocumented high school graduates, including about 2,000 Dreamers per year. Since 2006, students without documents have been forced to pay out-of-state tuition rates, effectively depriving them of a college education and limiting their contribution to Arizona's economy.

Senators and House members will join education, business, faith, and civic leaders in a press conference to discuss passage of the bill on Monday, May 10 at 5:30 p.m. at the Rose Garden at the Arizona State Capitol complex, 1700 W Washington St.

Below are initial reactions to the bill's passing:

Bob Worsley, co-chair of the Intermountain chapter of the American Business Immigration Coalition, said: "We are grateful that representatives from both parties, including Reps. Michelle Udall, Joel John, David Cook and every Democrat who supported this came together to do what's right for students and businesses across the state. The passage of this bill is economically important, morally right and politically smart."

Reyna Montoya, founder & CEO of Aliento and DACA recipient, said: "This is a historic day in Arizona. I'm in tears of joy and have a deep sense of gratitude for all the house of representatives who voted yes today. Thank you for believing in our dreamers, improving our state's education and economy. Today is a bright day and I am so hopeful that after almost 15 years I can finally tell my students that with the support of voters they can pay in-state tuition in the near future."

Dallin Adams, ABIC's Intermountain Coalition Director, said: "I am incredibly grateful for all of the representatives who supported our efforts, as well as the countless business, faith, and education leaders that worked tirelessly on behalf of our Arizona Dreamers. The impact of increased educational attainment on future economic growth can not be understated. Arizona's voters deserve to have their voices heard, and I am confident they will stand in support of our students, businesses, and state."

Deya Garcia, Mesa Community College student and DACA recipient, said: "In 2017, when in-state tuition for DACA students was going through the courts I was devastated. I wondered, 'why would anyone want to make education less attainable?' Since then, I have gone from being a full-time student to a part-time student which has prolonged my college journey. This year would have been my graduation year. SCR 1044 will allow me to become a full-time student and be on track to fulfill my dream of becoming a doctor."

Denny Barney, former Maricopa County Supervisor, and current CEO of East Valley Partnership, said: "The children of 'Dreamer' kids are U.S. citizens, and they will be in our community. What path will we put these families on? The college-educated tend to assimilate and contribute. They develop a culture of self reliance. Their children will follow. Enabling these students to attend college is wise social policy."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

National Park Service Panned for Plan to Allow Trophy Hunting of Bison in Grand Canyon

45,000 hunters apply for opportunity to shoot tame bison in national park

(Washington, D.C.) – Animal Wellness Action and partner organizations called on Interior Secretary Deb Haaland to halt plans for the National Park Service (NPS) to open up a hunting season in the coming months for bison in the northern part of Grand Canyon National Park. The NPS this week conducted a lottery to select hunters to win the opportunity to shoot the bison in the fall and leave with the carcasses and trophies of the animals. There were 45,000 applicants, demonstrating that would-be participants believe this is a rare opportunity to shoot a bison in a national park and collect a trophy.

In a letter to Haaland sent late last week, Animal Wellness Action president Wayne Pacelle asked Secretary Haaland to "terminate a thinly disguised public trophy hunting program within Grand Canyon National Park."

"The National Park Service may euphemistically call this action 'a cull,' but the agency has conducted a lottery to select participants, will allow the lottery winners to enter the park with firearms, and authorize them to gun down bison and leave with the carcass and trophy," **added Pacelle.** "This has every imaginable feature of a bison hunt, and that's entirely at odds with the history of Grand Canyon National Park and all other national parks in the U.S."

The United States, except just one park with an expressed Congressional authorization for hunting of a single species, has long forbidden trophy hunting of animals in national parks. The same is true for national monuments. Not even in Yellowstone National Park, where the treatment of bison by multiple state and federal agencies has come under intense scrutiny, is the NPS allowing hunters to kill bison within the boundaries of the park.

There is no hunting of elk, deer, and other native wild animals in the Grand Canyon. There are already vast areas of northern Arizona managed by the U.S. Forest Service, the Bureau of Land Management, and the state of Arizona that allow sport hunting. Even when the NPS in the 1970s and 1980s viewed populations of burros at Grand Canyon as a management problem and as non-native animals, it eventually allowed animal protection groups to conduct a large-scale capture and translocation program.

"If the Park Service opens up Grand Canyon to hunting, it will set a precedent that the NRA and other trophy hunting will secure to exploit in other parks and monuments," **added Pacelle.** "This plan is entirely at odds with the value system of the National Park Service."

Reducing the small population of 400 – 600 bison can be achieved humanely, including with fertility control, if the agency feels the need to allow more human control of wildlife population dynamics in the park. The NPS has long used Porcine Zona Pellucida (PZP), an immunocontraceptive vaccine, for the management of free-roaming equids and deer. In fact, that strategy has proven effective for an island population of bison at Catalina Island National Park.

"Shooting bison accustomed to staying put as hundreds of thousands of people stare at them is not a hunt, but an execution," **warned Pacelle.** "It's about as sporting as shooting a parked car. Yet there are 45,000 trophy hunters who are seeking an opportunity to do this very thing in a crown jewel of America's national parks."

Bison species have, since the Pleistocene, ranged from Yukon and Alaska to the Valley of Mexico. The bison occupies an outsized place within the annals of the National Park Service as well, and it is prominently featured on the logo of the agency.

Animal Wellness Action (Action) is a Washington, D.C.-based 501(c)(4) organization with a mission of helping animals by promoting legal standards forbidding cruelty. We champion causes that alleviate the suffering of companion animals, farm animals, and wildlife. We advocate for policies to stop dogfighting and cockfighting and other forms of malicious cruelty and to confront factory farming and other systemic forms of animal exploitation. To prevent cruelty, we promote enacting good public policies and we work to enforce those policies. To enact good laws, we must elect good lawmakers, and that's why we remind voters which candidates care about our issues and which ones don't. We believe helping animals helps us all.

The Animal Wellness Foundation (Foundation) is a Los Angeles-based private charitable organization with a mission of helping animals by making veterinary care available to everyone with a pet, regardless of economic ability. We organize rescue efforts and medical services for dogs and cats in need and help homeless pets find a loving caregiver. We are advocates for getting veterinarians to the front lines of the animal welfare movement; promoting responsible pet ownership; and vaccinating animals against infectious diseases such as distemper. We also support policies that prevent animal cruelty and that alleviate suffering. We believe helping animals helps us all.

The Center for a Humane Economy ("the Center") is a non-profit organization that focuses on influencing the conduct of corporations to forge a humane economic order. The first organization of its kind in the animal protection movement, the Center encourages businesses to honor their social responsibilities in a culture where consumers, investors, and other key stakeholders abhor cruelty and the degradation of the environment and embrace innovation as a means of eliminating both.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003531
ARZN_REV00069180_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Mesa Loves Everyone Statement on Expected Referendum Failure

(Mesa, ARIZ. May 7, 2021 2021) – Today, the Mesa Loves Everyone committee filed an uncontested complaint citing the lack of valid signatures gathered by the United for Mesa committee in an attempt to overturn the LGBTQ inclusive non-discrimination ordinance in Mesa by referring it to the ballot. After review of the evidence and documentation, the United for Mesa committee has conceded they do not have the required number of signatures necessary, effectively ending the referendum effort. Once a judgement is made, the non-discrimination ordinance will be allowed to go into effect, protecting all who live, work and visit Mesa from discrimination in employment, housing and public accommodations.

The non-discrimination ordinance passed overwhelmingly with a 5-2 vote on March 1st, 2021 with support from Mesa Mayor John Giles. The ordinance is the result of years of dialogue with diverse stakeholders including businesses, faith leaders, community organizations and families.

"Today is a victory for the overwhelming majority of Mesa residents who support equality for all in our city," said Mayor Giles. "This ordinance will give all residents and visitors a sense of belonging and will help us to attract opportunities to create a sustainable future and economy," Mayor Giles concluded.

"We are profoundly moved and proud of the people of Mesa and the visionary leadership by Mayor Giles and Council," said Angela Hughey, co-founder and President of ONE Community and a Mesa Loves Everyone committee member. "The passage of the ordinance was the result of years of dialogue and support from businesses, first responders, families, community organizations, faith leaders and more."

"As a Mesa native, I am so proud to see equality and the truth triumph over the fears and lies spread by those opposed to equal treatment. This ordinance is a major victory for fairness, equality and opportunity for all, including LGBTQ people. Equal rights are universal values, central to the beliefs of Arizonans, faith communities, and good business practices," said Michael Soto, Executive Director of Equality Arizona and Mesa Loves Everyone committee member.

Arizona State Legislature Democratic Caucus & City of Tempe Urge Sens. Sinema & Kelly to Co-Sponsor the PRO Act

May 10 – Amidst growing support for the Protecting the Right to Organize (PRO) Act members of the Arizona State Legislature's Democratic Caucus and the City of Tempe Mayor Woods have signed on to letters supporting the passage of the PRO Act and urging Senators Kyrsten Sinema and Mark Kelly to co-sponsor the legislation.

"Outdated labor laws have been exploited by employers to coerce, intimidate and punish workers for exercising our democratic rights, to break the law with impunity, to avoid accountability, and to erode the democratic rights of workers…. The Arizona Democratic Caucus pledges to advocate for and support the Protecting the Right to Organize (PRO) Act to expand collective bargaining rights and balance the power between corporations and working people."

-Excerpt of letter from the Arizona State Legislature Democratic Caucus, led by Arizona Senate Minority Leader Rebecca Rios and Arizona House Minority Leader Reginald Bolding, **linked here**

"According to the Economic Policy Institute, on average a worker covered by a union contract earns 11.2% more in wages than a peer with similar education, occupation, and experience in a nonunionized workplace in the same sector. This boost in wages is even higher for workers of color – unionized Black workers earn 13.7% more than their nonunionized peers and unionized Latinx workers earn 20.1% more than their nonunionized peers. The PRO Act would take a major step forward in addressing this inequality and closing that wage gap, which many economists believe is the key to economic growth."

-Excerpt of letter from City of Tempe Mayor Corey D. Woods, **Sen. Sinema Letter linked here** & **Sen. Kelly letter linked here**

The PRO Act is the most significant worker empowerment legislation since the Great Depression and Arizona's working families are grateful to have our leaders support and push for our right to organize.

Governor Ducey Appoints Malcolm Hightower To Director Of Residential Utility Consumer Office

PHOENIX — Governor Doug Ducey announced the appointment of Malcolm Hightower to Director of the Residential Utility Consumer Office (RUCO), effective today, May 10.

Hightower replaces Laurie A. Woodall, who served as Interim Director since mid-December.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Malcom's years of leadership and commitment to serving communities in need make him a great fit to lead RUCO," said Governor Ducey. "He will serve Arizona's utility consumers well, and I look forward to working with him to ensure their needs are met. My thanks goes to Malcolm for stepping up to this role, and to Laurie for her dedicated leadership these last few months."

Malcolm Hightower has spent 27 years working to improve the health, safety and well-being of children, families and communities. Most recently, he served as the Deputy Director of the Governor's Office of Youth, Faith, and Family (GOYFF) where he was responsible for child well-being, juvenile justice, substance and physical abuse prevention, faith-based initiatives, and volunteerism.

He also facilitated and led implementation of the Arizona Management System (AMS) within GOYFF, where he helped develop and monitor outcome planning systems and key performance indicators to ensure safety and health of Arizonans.

"I'm grateful for the opportunity to continue serving Arizonans and look forward to leading the team at RUCO," said Hightower. "Thank you to Governor Ducey for appointing me to this new role — our team will take innovative measures to meet the needs of Arizona's utility consumers."

Prior to his work with GOYFF, Hightower worked in the Strategic Consulting arm of Casey Family Programs, a national operating foundation, to support safety and child and family well-being in local, state, tribal and national communities. Before that, Hightower spent six years as a social worker and case manager where he specialized in communities with primarily Native American and Black citizens.

Hightower received a Bachelor of Science in Psychology and Master of Science in Public Administration both from Seattle University in Washington. He also has training from the Arizona Management System at the Arizona Government Transformation Office, and from the Casey Family Programs in Project Management Principles for Human Service Organizations.

RUCO was established by the Arizona Legislature to represent the residential utility ratepayers in rate-related proceedings involving public service corporations. RUCO intervenes and participates in rate cases involving Arizona's largest utilities, with smaller companies decided on a case-by-case basis.

State sites have administered more than 1.5 million doses of COVID-19 vaccine

Vaccine is widely available and easier than ever to get, often by just walking in

PHOENIX — The seven state mass-vaccination sites in the Phoenix metropolitan area, Tucson, Yuma, and Flagstaff reached another milestone today, having now administered more than 1.5 million doses of COVID-19 vaccine while helping to protect Arizonans rapidly and efficiently.

With vaccine increasingly available at pharmacies, pop-up clinics, doctors' offices, and other neighborhood locations around Arizona, state sites won't stay open indefinitely. So take advantage of them now while they are still open.

"Today, there is virtually no barrier to getting these safe, highly effective and free vaccines at a location convenient to you," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "State sites have been a big part of the reason why Arizona has been able to vaccinate so many people since December. If you are waiting to get vaccinated at a state site, please don't put it off."

As of this morning, 5,363,835 doses of COVID-19 vaccine have been administered to 3,063,203 individuals, including 2,513,523 who are fully vaccinated. Over a quarter of those doses, 1,518,734, have been administered at state sites to 833,840 individuals, of whom 730,591 are fully vaccinated.

Sadly, COVID-19 continues to infect and cause death in Arizonans, though case numbers, percent positivity, intensive care unit use, and in-patient hospital bed use have been relatively stable since March. Today, ADHS added 642 cases and no deaths to its COVID-19 data dashboard.

Rigorous trials, federal reviews, and real-world data have shown all approved COVID-19 vaccines to be safe and highly effective at preventing serious cases and deaths.

Many sites across Arizona now offer COVID-19 vaccines, including grocery store pharmacies and standalone pharmacies. Doctors' offices and other neighborhood healthcare providers can order vaccine directly from the U.S. Centers for Disease Control and Prevention.

This week, the federal government is expected to approve use of the Pfizer vaccine for those 12 and older, expanding from 16 and older. State-run sites offer the Pfizer vaccine, as do some pharmacies and doctors' offices. ADHS offers a map of vaccination sites at azdhs.gov/FindVaccine that can be filtered by the type of vaccine offered at each.

Appointments for state sites and many others are available at podvaccine.azdhs.gov. Those without computer access or needing extra help registering can call 1-844-542-8201 to be connected with someone who can assist in English or

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003533

ARZN_REV00069180_5-10-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Spanish. Appointments aren't required at state sites but can reduce the duration of your visit because registration is completed in advance.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

"QUOTE OF THE DAY"

"This is not Sylvester the Cat and Tweety Bird – we don't line our cages with newspaper like you see on cartoons."

- Clint Hickman, on the bizarre conspiracy, repeated by a former lawmaker, that his chicken coops were lined with pro-Trump ballots when they caught fire

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Tuesday, May 11, 2021 6:18:02 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-11-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 11, 2021

TOWNSEND FLIPS AND DUCEY SIGNS PEVL BILL
Ducey took almost no time to sign S1485 (early voting list; eligibility) when the Senate today approved it on party lines following Townsend's flip-flop after voting against it last month.

NOW IT'S BUDGET SEASON
The Senate today adjourned until Thursday, joining the House in taking Wednesday off to focus on budget negotiations.

ROLLING OUT THE RED CARPET FOR CONSPIRACY THEORISTS
Ken Bennett has been offering VIP tours of the audit to prominent Trump supporters, election deniers and conspiracy theorists, again undercutting his

AMERICAN OVERSIGHT

argument that the audit is nonpartisan and not about Trump.

WE'VE ALL QUIT TWITTER AT SOME POINT
Meanwhile, Finchem has returned to Twitter with a new account after spending three months solely on Gab – the social media service known to harbor neo-Nazis and QAnon believers.

BENNETT PROTECTS A 'BUNCH OF THIRD-GRADE BULLIES'
Volunteers have commandeered the audit's Twitter account, locking Bennett out while using the account to troll Hobbs following her death threats "like a bunch of third-grade bullies," he told a reporter – but Bennett is refusing to say who has the password.

MAYBE HE CAN RUN ON A SLATE WITH CARL SEEL
Fresh off storming the US Capitol and auditing Arizona's election, Anthony Kern filed a statement of interest to run for the Senate against Boyer – granting Boyer's wish.

AH YES, THE OLD REVERSE BULLYING
Rios is temporarily replacing Steele on the Senate Ethics Committee because a nurse who accosted Steele in the Senate's parking lot after last year's sine die vote filed an ethics complaint against her.

WE FOUND OBAMA'S BIRTH CERTIFICATE!
While compiling Ken Bennett's collection at the Library, Archives and Public Records, staffers there found the original copy of former President Obama's birth document that Hawaii sent to Ken Bennett after he threatened to refuse to let Obama on the 2012 ballot without it.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, May 11, 2021

NEWS NOTES AND GOSSIP

TOWNSEND FLIPS AND DUCEY SIGNS PEVL BILL

Ducey took almost no time to sign S1485 (early voting list; eligibility) when the Senate today approved it on party lines following Townsend's flip-flop after voting against it last month. The bill could potentially remove thousands of voters from the PEVL, which will be renamed Active Early Voting List, or AEVL – though the bill won't kick anyone off the list until 2026, as it is not retroactive and the clock only starts ticking in the 2022 election for voters who don't use their mail-in ballot. Ducey seemed prepared for the bill signing today as a video announcement and signing letter was ready to go within an hour of receiving the legislation. Ducey has repeatedly bragged about Arizona's elections and said in the statement that the bill is "all about election integrity," as Republican supporters had argued. Democrats argued the bill is voter suppression and targets younger people, poor people and people of color at higher rates than others. "Arizona is a national leader when it comes to election integrity and access to the ballot box, and Senate Bill 1485 continues that legacy," Ducey said. "Not a single Arizona voter will lose their right to vote as a result of this new law." In his video statement (LINK), Ducey incorrectly stated the bill would only affect registered voters on the early voting list who opt not to vote at all over a four-year period. In fact, it would also remove someone from the list if they decided to vote in-person despite receiving a ballot by mail (though he's correct they can still vote). Townsend, who temporarily killed the bill a couple of weeks ago, said she was supporting it "in good faith" that lawmakers will take up election law changes addressing her concerns before the 2022 election. Senate Democrats spent their time today opining about voter suppression, frequently interrupted by calls for points of order. "The GOP are threatened by progress and they are so convinced that they cannot win fairly that they are actively attacking our public at all levels," Gonzales said at one point, prompting Townsend to call on Fann to stop Gonzales from impugning motives. "I am only speaking the truth," Gonzales retorted. A similar exchange played out later with Quezada, Leach and Townsend. Quezada argued that Republicans are triggered by any references to the disproportionate affects that legislation can have on people of color and Townsend insisted he must stick to debating the merits of the bill. "I'll focus on the merits of this bill, which is systemic racism," Quezada responded.

NOW IT'S BUDGET SEASON

The Senate today adjourned until Thursday, joining the House in taking Wednesday off to focus on budget negotiations. Our reporter spotted Ducey's staffers again walking in to the Senate and toward the majority caucus room shortly before the chamber was scheduled to go to the floor this morning. It's unclear if they stuck around and negotiated with Senate staff as lawmakers voted. Borrelli confirmed the Senate took the day off from conducting business on the floor to work on the budget, and chuckled when our reporter asked if he thought they could wrap up by the end of May.

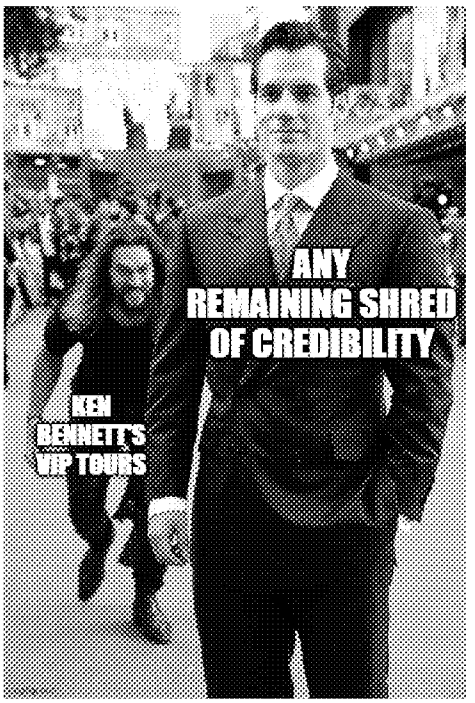
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003537

ARZN_REV00069192_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ROLLING OUT THE RED CARPET FOR CONSPIRACY THEORISTS



Ken Bennett has been offering VIP tours of the audit to prominent Trump supporters, election deniers and conspiracy theorists, again undercutting his argument that the audit is nonpartisan and not about Trump. In less than one month of overseeing the hand count of nearly 2.1 million ballots, Bennett has allowed Biggs, Rogers and Finchem, among others, to tour Veterans Memorial Coliseum. All three of them were in favor of overturning the election results in Arizona (as well as other states) and none has accepted Biden's victory as fact. Finchem as recently as this past weekend told a QAnon talk show that he hopes the audit will lead to Arizona's 11 electoral votes going to Trump, the *Arizona Mirror* reported (LINK). It's unclear who is eligible to receive a tour of the venue in Bennett's eyes, though he previously told our reporter any federal office holder could receive one if they asked – even Sinema. Yet only Republicans who have been a part of the "Stop the Steal" movement have received the additional VIP access. Reporters are not allowed past the 19th row of the stands. Finchem, who was scheduled to speak at the rally when a riot broke out at the US Capitol, isn't even the most controversial person who Bennett took on a tour. That honor goes to Matt Braynard, a former Trump campaign aide active in the "Stop the Steal" movement and a speaker at Finchem's election fraud "hearing" at a local hotel, who posted on social media that Bennett gave him a tour last week. Braynard started a fundraising effort so he could find fraudulent ballots, and while he's raised plenty of money, he oddly hasn't found any fraud (LINK). "I got a tour of the #ArizonaAudit today and was impressed by the multiple layers of security and by how well organized, professional, and transparent everything was," he wrote (LINK). He added that Bennett was "the most honest man in politics" he had ever met. Braynard also received a cease-and-desist letter from Dominion Voting Machines for spreading lies about the election company during the election (LINK). He didn't seem worried, and flaunted his attorney's response on his social media channels (LINK). Braynard's election conspiracies went beyond shooting off online – his data was used to help bolster Trump and his attorneys' bogus legal claims about the election. His data swiftly fell apart under scrutiny (LINK). For his "legal efforts" in Arizona cases, he claims he was paid a flat fee of $40,000 (LINK).

WE'VE ALL QUIT TWITTER AT SOME POINT

Meanwhile, Finchem has returned to Twitter with a new account after spending three months solely on Gab – the social media service known to harbor neo-Nazis and QAnon believers. With his first two tweets yesterday, Finchem (who can be found at @RealMarkFinchem) shared an interview he did with *OANN*. After his tour of the facility today, he once again made himself available to *OANN* and a Christian station, but was "too busy" for local media, according to this morning's pool reporters. But as he was leaving, he made time to say he "didn't recall" his comments about the audit leading the way for Arizona's 11 electoral votes going to Trump in an interview that happened just three days ago (LINK). Finchem isn't alone in quitting and then returning to Twitter. Townsend also rejoined the fray after quitting the platform in a huff in January, decrying big tech censorship.

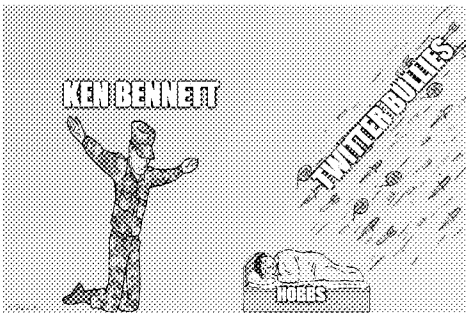
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003538

ARZN_REV00069192_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BENNETT PROTECTS A 'BUNCH OF THIRD-GRADE BULLIES'



Volunteers have commandeered the audit's Twitter account, locking Bennett out while using the account to troll Hobbs following her death threats "like a bunch of third-grade bullies," he told a reporter – but Bennett is refusing to say who has the password. Yesterday, *Arizona Daily Independent's* Terri Jo Neff reported that Bennett handed over control of the account to an out-of-state organization, and was subsequently locked out of the Twitter account that formerly bore his name. Fann also distanced herself from the account and its content. "Not my account. This is the account of Ken Bennett the liason [sic] who set it up," she wrote on Twitter (LINK). When audit pool reporter Dennis Welch today asked who does have control of the account, Bennett refused to say, offering only that he expects to have the tweets under control soon (LINK). That should give railbirds déjà vu, as he's made that promise before (YS, 5/4). In defense of keeping the tweeters' identities secret, Bennett attempted to draw a comparison between keeping the Twitter volunteers' identities secret to journalists protecting confidential sources. (Unlike the auditors, journalists do not receive taxpayer dollars and are not subject to public records laws. And while we protect our railbirds, we're happy to share who runs our Twitter: Dillon Rosenblatt, usually.) Neff penned a piece today speculating that Bennett seemed to have regained control of the account, as "the tweets once again reflected his calm demeanor" after the account posted that death threats are not OK (LINK). But Neff spoke too soon. The very next tweet again slammed Hobbs. "Arizona SoS @katiehobbs has repeatedly called the forensic audit of Maricopa County's election ballots and machines the FRAUDIT. We invite her to stop fanning the flames of discord and attempting to disrupt the audit process," the account posted. While Bennett doesn't know his own Twitter password, the Senate has not yet sent another round of subpoenas to Maricopa County Board of Supervisors seeking county routers and passwords, despite attorney Kory Langhofer saying they'd be issued Monday (YS, 5/10). Langhofer declined to comment today, directing our reporter to the Senate. Maricopa County Attorney Allister Adel, Sheriff Paul Penzone and Supervisor Chairman Jack Sellers have said turning over the routers would cripple county operations and could jeopardize citizens' private information and law enforcement data.

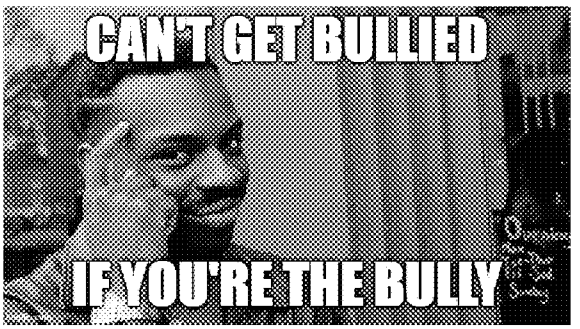
MAYBE HE CAN RUN ON A SLATE WITH CARL SEEL

Fresh off storming the US Capitol and auditing Arizona's election, Anthony Kern filed a statement of interest to run for the Senate against Boyer – granting Boyer's wish. Back when rumors were circling that Kern might take on Boyer for the Senate in 2020, Boyer told our reporter he would welcome the fight. "I kind of hope Anthony runs against me because I want to beat him," he said at the time (YS, 9/25/19). Two years later – after having being the lone vote against jailing the Maricopa County Board of Supervisors and calling the audit "ridiculous" – Boyer is still bullish on the fight. Mostly. Asked if he thinks those stances and votes will hurt him in a GOP primary, Boyer said he still thinks the public, and even GOP primary voters, are behind him. "It's just a tiny sliver of the GOP primary voters care about the UV lights and the bamboo ballots – nobody cares about that crap," he said, later adding "Or so I think." Boyer said he hasn't officially made up his mind yet about if he'll run again (he never decides until election season because he doesn't want electoral politics to cloud his judgment during the session). But having "a schmuck like Anthony Kern" seeking his office might give him a little extra incentive, he said. "I just wouldn't want to do that to my district and constituents, give them Anthony Kern," he said, adding that as last year showed, Kern will be a tough sell in a general election. Boyer couldn't help but take a parting shot at Kern's role as an "auditor," quipping, "Did he count enough votes to get himself reelected?" Kern didn't return a call for comment.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AH YES, THE OLD REVERSE BULLYING



Rios is temporarily replacing Steele on the Senate Ethics Committee because a nurse who accosted Steele in the Senate's parking lot after last year's *sine die* vote filed an ethics complaint against her. In the eight-page complaint (LINK), Bryan Masche wrote that Steele "doxed" him and advocated for him to be "fired and cancelled" from his job. Masche, who is now running a quixotic campaign for governor, was among a group of anti-mask protesters who gathered outside the Senate ahead of last year's *sine die* vote and heckled lawmakers as they drove in and tried to leave the parking lot following the vote (LINK). Security had to escort some senators to their cars. Steele started recording video on her phone when she walked into the parking lot and saw a crowd surrounding the car of then-Sen Kate Brophy McGee, one of three Republicans who voted to adjourn *sine die*. Brophy McGee was honking and trying to get the protesters away from her car as they screamed at her, and Steele said at the time that it reminded her of the atmosphere in Tucson at the height of the Tea Party movement, shortly before a gunman shot Congresswoman Gabby Giffords. (Steele declined to comment on the complaint today, saying Masche desperately needs and wants attention and she won't give him that.) Masche claims in his complaint that Steele purposefully zoomed in to make him seem closer and more threatening than he was, and accuses her of trying to "reverse bully" him into leaving. "That seemed strange to me because if someone really felt they were in 'danger,' then why did she not get in the car and leave," he wrote. "People that are scared file police reports and run. They don't take an opportunity to 'dox' someone and hurt that person's career, that seems very strange to me and almost like a specific political tactic." After Steele posted the video online, she and a doctor filed a complaint with the state nursing board. Because of those complaints – and Masche's prior arrest for domestic violence against the mother of his sextuplets and a subsequent arrest after he and others forced their way into the closed House of Representatives during last fall's new member orientation – Masche is now on probation as a nurse and must take anger management classes. In his complaint, he wrote that he tried to apologize to Steele through his new attorney, Carmen Chenal-Horne.

WE FOUND OBAMA'S BIRTH CERTIFICATE!

While compiling Ken Bennett's collection at the Library, Archives and Public Records, staffers there found the original copy of former President Obama's birth document that Hawaii sent to Ken Bennett after he threatened to refuse to let Obama on the 2012 ballot without it. In case you missed it, a former Seventh Floor staffer told our reporter that staff there went on a wild goose chase for the document after a birther requested the original, and they concluded that Bennett must have taken it home (YS, 5/5). We asked Bennett, who confirmed he took the document home. But that's not the original, color copy, state archivist Dennis Preisler told our reporter. "He took a copy of a copy," he chuckled. Still, Preisler noted that while Bennett did the right thing by putting the original into the state archives, it puts the office in a weird position of having a living person's birth certificate. "I started to reach out to other state archivists to see their thoughts on the topic because it's an interesting set of circumstances about how we got this birth certificate and how much access we give to it," he said. "If we were going through a collection and we found your birth certificate in there, I wouldn't allow the public to see your birth certificate." It's different because Obama released his birth certificate to the world following the relentless birther conspiracy, he said, but it's still a sensitive document and he's considering making it available to view, but not for copies. By that same token, he said Bennett shouldn't have taken the document home, he said. "I don't think it crosses over into a legality issue, but for me as a professional, I play by ethical rules," he said, noting he wouldn't recommend taking home even a copy of a copy of someone's birth certificate.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003540

ARZN_REV00069192_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Kelli Ward wins in court, GOP election stands
Arizona Capitol Times
A Maricopa County Superior Court judge today dismissed one of two lawsuits stemming from the Arizona Republican Party January election, saying the internal affairs of the AZGOP aren't subject to a court of law.

Proposal to give 'Dreamers' in-state tuition goes to ballot
Arizona Capitol Times
Arizona voters will decide in November 2022 whether immigrants in this country illegally who are Arizona residents should be allowed to pay in-state tuition at public colleges and universities.

Mostly anonymous group asks Arizona court to void elections, install it in office
Capitol Media Services
A group of largely unidentified individuals is asking the Arizona Supreme Court to void the 2018 and 2020 election returns, ranging from governor and some legislators to sheriffs of Pima and Maricopa counties.

All five Maricopa County supervisors to be subpoenaed Monday over audit
Capitol Media Services
Senate Republican leaders are setting the stage for a new legal fight with Maricopa County.

Inside Arizona's election audit, GOP fraud fantasies live on
Associated Press
On the floor of Veterans Memorial Coliseum, where Sir Charles Barkley once dunked basketballs and Hulk Hogan wrestled King Kong Bundy, 46 tables are arrayed in neat rows, each with a Lazy Susan in the middle.

Sheriff Lamb touts new reality TV network
Maricopa Monitor
Pinal County Sheriff Mark Lamb announced Monday, via Facebook, a new subscription reality TV network, "American Sheriff Network."

Gov. Ducey signs Cobb's internet speed and connectivity bill
Today's News-Herald
Residents in Arizona, particularly in rural areas, could start seeing faster and more stable internet connections moving forward.

Finchem hopes audit will lead to reassignment of Arizona's electoral votes
Arizona Mirror
Republican state representative and secretary of state candidate Mark Finchem told a QAnon talk show that he hopes the results of Arizona's election audit will lead to the state's 11 presidential electors being reassigned to former President Donald Trump.

Arizona's sham election audit leads to real threats, exposing a cowardly governor
Arizona Republic (Opinion, EJ Montini)
Ducey should have long ago condemned the lunatic exercise that's been going on at the state fairgrounds and the Republicans behind it. But that would take guts.

Dear ill-informed (and just plain nasty) readers: There already WAS an election audit
Arizona Republic (Opinion, EJ Montini)
A thorough, professional, bipartisan and transparent audit of Maricopa County election votes had been done shortly after the November vote.

Push to grant Arizona 'Dreamers' in-state tuition is coming from ... Republicans?
Arizona Republic (Opinion, Laurie Roberts)
Why would anyone in the Legislature want to block voters from deciding whether undocumented immigrants should qualify for in-state tuition?

Most of the 2001 work on groundwater was DOA. What to learn from that now
Arizona Republic (Opinion, Joanna Allhands)
Arizona tried to fix groundwater issues 20 years ago, but most solutions went nowhere. Here's what we need now for a similar effort to avoid a similar fate.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Sorry, Sen. Paul Boyer. You can't disown the Arizona election audit now
Arizona Republic (Opinion, Elvia Diaz)
GOP Sen. Paul Boyer called the Republican-run audit 'embarrassing.' But he is doing nothing to stop it.

Reyna Montoya just did the unthinkable. She got Republicans to support 'Dreamers'
Arizona Republic (Opinion, Elvia Diaz)
Reyna Montoya got the Republican-controlled Arizona Legislature to support young immigrants known as 'Dreamers.' Her fight offers lessons for us all.

Want to fix Arizona schools? Then let's talk – really talk – about student poverty
Arizona Republic (Op-ed, Rhonda Cagle)
I'm tired of conversations that don't move the needle on educating students in poverty.

Will the Arizona House finally give voters a say on in-state tuition for 'Dreamers'?
Arizona Republic (Op-ed, Denny Barney and Sintra Hoffman)
'Dreamers,' or DACA kids, in Arizona deserve the opportunity to attend college on the same tuition as their peers. Let's put the plan on the ballot.

Who cares for adults with autism? Why metro Phoenix must tackle this question
Arizona Republic (Op-ed, Denise Resnik)
Who will care for adults with autism spectrum disorder? Employment and homeless statistics are sobering, but Phoenix is doing something about them

PRESS RELEASES

Governor Ducey Signs Legislation To Further Protect Arizona Voters

PHOENIX — Governor Doug Ducey today signed legislation that builds on the state's leadership in election integrity, protects Arizona voters and streamlines the way elections are conducted.

"Arizona is a national leader when it comes to election integrity and access to the ballot box, and Senate Bill 1485 continues that legacy. In 1992, our state began offering the ability for Arizonans to vote an absentee ballot. Since then, Arizona has continuously improved and refined our election laws — including intuitively renaming 'absentee' voting to 'early' voting — and constantly seeking to strengthen the security and integrity of our elections," the Governor said in a letter explaining his support for the bill.

SB 1485 renames Permanent Early Voting List (PEVL) to Active Early Voting List (AEVL). Under this legislation, if a voter on the AEVL actively votes by mail, they will continue to receive an early ballot. If a voter on the AEVL does not return at least one early ballot over the course of four years (two consecutive primary elections and general elections, and any municipal elections that precede them) the voter will be sent a postcard asking if they still want to receive an early ballot. The county recorder may additionally reach the voter by telephone, text message, or e-mail. Whether a voter opts to remain on the AEVL or not, they remain eligible to request an early ballot or vote in-person, ensuring no voter is ever disenfranchised.

"I am thankful to the Governor and my colleagues for sticking to the facts of my legislation and ignoring the unfounded and inflammatory rhetoric of suppression to recognize the importance of maintaining an accurate voter list to protect the integrity of our elections by reducing the potential for fraud," said Senator Michelle Ugenti-Rita. "Standing with the voters and their desire for secure elections is paramount to maintaining our form of government. This bill is a modest, but critical step toward restoring confidence in our election system."

Today's signing of Senate Bill 1485 is just one of many actions of the Governor to further protect election integrity in Arizona, including:

Signing of SB 1002 - early voting envelopes; party affiliation (Ugenti-Rita)
Signing of SB 1003 - early voting; signature required; notice (Ugenti-Rita)
Signing of SB 1492 - election law amendments (Shope)
Signing of SB 1497 - ballot measures; proposition 105; disclosure (Ugenti-Rita)
Signing of SB 1530 - early ballots; instructions; undeliverable (Mesnard)
Signing of HB 2054 - voter registration database; death records (Kaiser)
Signing of HB 2307 - voting equipment; overvote notice (Kavanagh)
Signing of HB 2308 - recall petitions and elections; revisions (Kavanagh)

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Signing of HB 2359 - election equipment; access; locks (Kavanagh)
Signing of HB 2364 - election pamphlet submittals; identification required (Kavanagh)
Signing of HB 2569 - elections; private funding; prohibition (Hoffman)
Veto of HB 2360 - committee; driver license voter registrations (Kavanagh)
View the Governor's signing letter HERE.

Senate passes key voter integrity bill

(Phoenix, State Capitol) ---- The Arizona State Senate today passed SB 1485, a bill to clean up the state's early voting list. The bill now goes to the Governor for his signature.
Bill sponsor Senator Michelle Ugenti-Rita says it's about protecting elections and keeping the list up-to-date and accurate. "Voting by mail is a big part of the election process in Arizona," said Senator Ugenti-Rita. "The people on the list are opting-in to use this option. It needs to be regularly updated to make sure the people who are on the list to receive a ballot are voters who are taking advantage of the vote-by-mail option."
If a person on the list fails to vote in the primary and general elections for two consecutive election cycles, they would be notified by the county before they are removed. If that person signs the notice and returns it, they would continue to get a mail-in ballot.

Senate Democrats Decry Passage of Voter Suppression Bill that will Purge Over 100,000 Eligible Voters from the Permanent Early Voting List

PHOENIX-- Arizona Senate Democrats released the following statement after the Republican-controlled Senate passed Senate Bill 1485.
"Today we saw Arizona Republicans once again take a hammer to the institution of Democracy by passing a bill that will purge over 120,000 eligible Arizona voters from the Permanent Early Voting List. SB1485 would take Arizona voters off the Permanent Early Voter List and stop automatically mailing them their early ballots if they do not vote by mail in only two consecutive election cycles. The bill would put an expiration date on "permanent" early voting, as well as remove the word "permanent" from statute, further threatening the early ballots of millions of Arizona voters. The true intent of this bill is undeniable and that is to suppress the votes of low-income, Black, Latino, and Native American voters.
The priorities of this legislature are wrong and misguided and SB1485 is one of its most shameful examples. We have one of the country's best and robust vote by mail systems and yet the legislature is actively creating unnecessary hurdles for people to vote. These voter suppression bills are part of a broader, coordinated attack on voting rights and democratic norms. The Arizona GOP are so threatened by progress and so convinced that they cannot win fairly, that they are actively attacking our Democracy at all levels. Additionally, over 17,000 Arizonans have died from COVID and thousands more have been impacted by COVID's long-term effects. Instead of finding solutions to help uplift all Arizonans, this Republican controlled legislature has focused on making it harder for Arizonans to vote. It's shameful."

Leader Bolding Statement on Ducey Signing PEVL Purge Voter Suppression Bill

PHOENIX— House Democratic Leader Reginald Bolding released the following statement regarding the passage and signing of voter suppression legislation Senate Bill 1485 today.
"The speed with which Governor Ducey signed Senate Bill 1485 shows just how afraid of a fair fight Legislative Republicans have become. I want to thank everyone who cares about Democracy, including business leaders from around our state and around our country, for taking a stand for voting rights. I am sorry that Governor Ducey ignored you and let you down. The desperate desire of one party to game the system and hold onto power by erecting hurdles for voters of color and those with limited means overwhelmed any professed support for good public policy. Democrats, independents, seniors, Native Americans, African Americans, Latinos, women and young people – if you ever believed that your voice and your vote didn't matter, this bill is an absolute reminder that it does. Never forget that Legislative Republicans are afraid of how you will vote so they made it harder for you to vote."

FreedomWorks Applauds Governor Ducey for Signing Election Integrity Legislation

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003543
ARZN_REV00069192_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WASHINGTON, D.C. – In response to Arizona Governor Doug Ducey signing election integrity legislation into law, S.B. 1485, Adam Brandon, FreedomWorks President, commented:
"FreedomWorks applauds Governor Ducey and the Arizona legislature for listening to the people of Arizona's demands for election integrity reforms. This bill improves Arizona's early mail-in voting process by ensuring voter registration lists are accurate, while increasing confidence and access to the ballot box.
"Requiring individuals who have not voted in the previous two elections to confirm their desire to continue receiving an early ballot is a reasonable policy, and we thank all of the election integrity leaders who got S.B. 1485 across the finish line."

State Sites Ready to Vaccinate Ages 12 to 15 Thursday, May 13, Subject to CDC Approval

Walk-ins are welcome at seven state-run locations in Phoenix area, Tucson, Yuma and Flagstaff

PHOENIX — Arizona-run vaccination sites in the Phoenix area, Tucson, Yuma, and Flagstaff are ready to begin vaccinating children 12 to 15 years old on Thursday, May 13, following guidance from the U.S. Centers for Disease Control and Prevention (CDC).
"The COVID-19 vaccines are safe, effective and free – and they're our best shot to end this pandemic and return to the things we've missed. We're moving quickly to empower parents and guardians to get this protection for their children," Governor Doug Ducey said. "Millions of Arizonans have already received the COVID-19 vaccine. Soon, kids ages 12 to 15 years old will now be eligible to get vaccinated and state vaccine sites are ready to serve them."
Arizona has nearly 400,000 youths ages 12 to 15. To date, 5,383,508 doses of COVID-19 vaccine have been administered to 3,068,234 individuals, with 2,517,206 now fully vaccinated.
The Food and Drug Administration authorized the Pfizer COVID-19 vaccine for age 12-15 on Monday. The Advisory Committee on Immunization Practices (ACIP) and CDC are expected to follow suit on Wednesday with their recommendation to vaccinate those 12 and older. The recommendation applies only to the Pfizer vaccine, which now is available to ages 16 and older. The Moderna and Johnson & Johnson vaccines are authorized for those 18 and older.
"We're delighted to be able to welcome these young people to state-run mass-vaccination sites starting Thursday," said Arizona Department of Health Services (ADHS) Director Dr. Cara Christ. "These safe, highly effective, and free vaccines are our best shot at returning to normal, and having more vaccinated individuals gives COVID-19 less of a chance of spreading."
Once CDC makes the recommendation, parents and guardians may bring those ages 12 to 15 to state vaccination sites starting Thursday, which also is the day when many pharmacies and other providers with Pfizer plan to begin vaccinating this age group. The ADHS vaccine finder available at azdhs.gov/FindVaccine allows visitors to filter locations by vaccine type.
ADHS is coordinating with rural counties that until now have received only the Moderna and Johnson & Johnson vaccines so 12- to 15-year-olds can get vaccinated.
A parent or guardian must accompany the child and sign a consent form in person and includes an attestation that the child is at least 12 years old. No identification is required for the child. Place of permanent residence isn't a factor in whether someone can be vaccinated at a state site.
Parents and guardians also will be able to register those ages 12 to 15 for vaccination starting at 8 a.m. Thursday by visiting podvaccine.azdhs.gov or calling 844-542-8201 to be connected with someone who can assist in English or Spanish. Appointments aren't required for state-run sites, but they are a way to reduce the length of a visit because registration is taken care of in advance.
COVID-19 continues to infect and cause death in Arizonans, though case numbers, percent positivity, intensive care unit use, and in-patient hospital bed use have been relatively stable since March. Today, ADHS added 683 cases and 19 deaths to its COVID-19 data dashboard.
Many sites across Arizona now offer COVID-19 vaccines, including grocery store pharmacies and standalone pharmacies. Doctors' offices and other neighborhood healthcare providers can order vaccine directly from the CDC. To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Civil Rights Organizations Release Redistricting Guide to Support Black, Latino, and AAPI Communities' Participation in Crucial Process

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF), MALDEF (Mexican American Legal Defense and Educational Fund), and Asian Americans Advancing Justice | AAJC released a comprehensive guide to

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

redistricting, aimed at empowering Black, Latino, and Asian American communities, as well as other marginalized communities, to be actively engaged participants in one of the most important, once-a-decade events of American democracy.

The coalition of civil rights organizations have published their collaborative guide, "Power on the Line(s): Making Redistricting Work for Us," ahead of the expected U.S. Census Bureau's release of official redistricting data later this year that will enable communities to engage in the process of redrawing lines for congressional, state, and local bodies. During the redistricting process, political lines must be redrawn so that the population in each district is roughly equal in size and maps do not dilute the voting power of communities of color. The maps drawn in the upcoming redistricting cycle will determine the allocation of political power and representation at every level of government across the nation for at least the next 10 years.

The coalition's guide provides essential information about the redistricting process, such as examples of recent efforts to dilute the voting power of communities of color. It also details the legal protections that remain available to protect against manipulative redistricting schemes, particularly after the Supreme Court's 2013 ruling in *Shelby County, Alabama v. Holder* – which removed a safeguard against racially discriminatory redistricting plans in states and jurisdictions with a record of such practices. The guide is bolstered by clear, specific, and actionable steps that members of Latino, Black, and Asian American communities can take to protect against unfair and discriminatory redistricting plans that would serve to diminish their right to equal representation in government and the opportunity to elect candidates of their choice.

"The growing power in populations of communities of color, and the efforts to stifle this power, underscore the critical need for people of color to serve as a necessary checkpoint on unfair and discriminatory redistricting plans," said Leah Aden, Deputy Director Litigation at LDF. "The lines we draw give Black communities access to and allow us to elect representatives that can work to serve our policy interests in justice, jobs, high quality education, and healthy communities. We urge people to use this guide as a tool to learn about the process, engage in it, and leave no power outside of the lines."

"Now more than ever, communities of color must be vigilant in the redistricting process," said Nina Perales, Vice President of Litigation at MALDEF. "This guide offers practical information to equip advocates to defend their voting rights in local, state and federal redistricting."

"The power that communities of color can wield in the political process is on the line for the next decade," said Terry Ao Minnis, Advancing Justice – AAJC's Senior Director of Census and Voting Programs. "Our communities must advocate for redistricting plans that represent us and this guide outlines what is needed to do it."

The guide also empowers a broad set of audiences — including community members, and policy makers — to make their voices heard in the redistricting process including by participating in public redistricting hearings, holding legislators accountable in the redistricting process, and notifying civil rights organizations like LDF, MALDEF, and Advancing Justice | AAJC if there becomes a need to challenge discriminatory redistricting in court.

Download the full guide here.

Arizona Department of Education Announces an Additional $16 million in Federal Relief and Recovery Allocations to Support Public Schools, Teachers, and Students

PHOENIX – Superintendent of Public Instruction Kathy Hoffman and the Arizona Department of Education today announced the distribution of over $16 million to support Arizona's public schools, educators, leaders, and families through strategic partnerships and initiatives. These allocations, combined with previous announcements, total over $116 million in support of Arizona's students and public schools.

"The COVID-19 pandemic further exposed many long-standing inequities impacting Arizona students and families," said Superintendent Hoffman. "Through these partnerships and investments, the Department can, and should maximize the impact of these one-time federal dollars and ensure long-term recovery support for our public schools and the students they serve."

The following are ADE Discretionary Fund Investments to date:

Student Equity & Achievement

NEW: $9.6 million – Partnership with ASU Prep Digital: Math Momentum
NEW: $1 million – Parent Educator Academy: All in Education
NEW: $500k – Special Education Cost Study
NEW: $100k – Opportunities for Youth
NEW: $500k – Holistic Youth Transformation Program: New Pathways for Youth

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003545
ARZN_REV00069192_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

NEW: $300k – Time is Now Youth Mentorship: Big Brothers, Big Sisters
$5 million – Special Education Compensatory Services Fund
$1 million – Funding for Arizona's Office of Indian Education
Educator Recruitment & Retention
NEW: $1 million – Diné Institute Teacher Fellows: Northern Arizona University
NEW: Additional $300k – Partnership with University of Arizona's Center for Recruitment & Retention of Math Educators for Professional Development, for a total of $500k
$2.5 million – Partnership with ASU Prep Digital: Arizona Virtual Teacher Institute
$2.5 million – Partnership with Arizona K-12 Center: New Teacher Mentoring
Safe & Healthy Schools
NEW: Additional $100k – Social Emotional Learning: Trauma-Sensitive Training and Support for Schools, for a total of $470k
$21.3 Million – Addition of 140 School Counselor & Social Worker Positions through the School Safety Grant Program
Serving Arizona Schools Through the Pandemic and Beyond
NEW: $853k – Laptop and Hotspot Partnership with City of Phoenix
$2.3 Million – Support for Community Based Organizations, YMCA and Boys & Girls Club
$1.5 Million – Expanding Rural Broadband with the Final Mile Project
$15k – Kajeet Hotspots for Students & Families
Post-Secondary Access & Attainment
NEW: $600k – Partnership with AdviseAZ Americorps: College and Career Counseling
NEW: $1.5 million – Support for Ask Benji Chatbot: Increase FAFSA Completion Rates
$20k – Partnership with Arizona College Access Network
Additional Relief Funding for Public Schools
$44.6 million – Support for Non-Title I-A Local Education Agencies
$12.2 million – Additional Support for Title I-A Local Education Agencies
$6.3 million – Support for Career & Technical Education Districts
For more information, please visit: azed.gov/esser-setaside

Arizona Legislature Urges Congress to Study Feasibility of Harvesting Mississippi River Floodwaters to Replenish Colorado River Supply

STATE CAPITOL, PHOENIX – The Arizona State Legislature is urging the United States Congress to fund a technological and feasibility study for the development of a diversion dam and pipeline to harvest floodwater from the Mississippi River to replenish the Colorado River and prevent flood damage along the Mississippi River. House Concurrent Memorial (HCM) 2004, sponsored by State Representative Tim Dunn (R-13), which outlines the proposal and authorizes the official legislative communication, received final approval today by the state Senate.
Dunn's bill outlines that if it's shown to be feasible, the U.S. Congress is urged to implement the diversion dam and pipeline as a partial solution to the water supply shortage in Lake Powell and Lake Mead and the flood damage that occurs along the Mississippi River.
"Arizona has long been at the forefront among western states in supporting the development and implementation of pioneering, well-reasoned water management policies," Representative Dunn said. **"Arizona and the other six Colorado Basin states are in the twentieth year of severe drought and experiencing a severe water shortage. Water levels are critical levels, jeopardizing the water delivery and power generation. A new water source could help augment Colorado River supplies. One promising possibility involves piping water that is harvested from Mississippi River flood waters. Diverting this water, which is otherwise lost into the Gulf of Mexico, would also help prevent the loss of human life and billions in economic damages when such flooding occurs. This concept is already being proven in Denver, where floodwater is being successfully harvested from the Missouri River to help alleviate its water shortage."**
HCM 2004 directs the Arizona Secretary of State to transmit copies of the Memorial to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, the Governors of the Mississippi River states of Arkansas, Illinois, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Tennessee and Wisconsin, and to each member of Congress from the State of Arizona.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Did he count enough votes to get himself reelected?"

- ***Boyer, on news that former lawmaker Anthony Kern plans to challenge him in 2022***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003547

ARZN_REV00069192_5-11-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, May 11, 2021 6:18:03 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-11-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 11, 2021

TOWNSEND FLIPS AND DUCEY SIGNS PEVL BILL
Ducey took almost no time to sign S1485 (early voting list; eligibility) when the Senate today approved it on party lines following Townsend's flip-flop after voting against it last month.

NOW IT'S BUDGET SEASON
The Senate today adjourned until Thursday, joining the House in taking Wednesday off to focus on budget negotiations.

ROLLING OUT THE RED CARPET FOR CONSPIRACY THEORISTS

AMERICAN OVERSIGHT

Ken Bennett has been offering VIP tours of the audit to prominent Trump supporters, election deniers and conspiracy theorists, again undercutting his argument that the audit is nonpartisan and not about Trump.

WE'VE ALL QUIT TWITTER AT SOME POINT
Meanwhile, Finchem has returned to Twitter with a new account after spending three months solely on Gab – the social media service known to harbor neo-Nazis and QAnon believers.

BENNETT PROTECTS A 'BUNCH OF THIRD-GRADE BULLIES'
Volunteers have commandeered the audit's Twitter account, locking Bennett out while using the account to troll Hobbs following her death threats "like a bunch of third-grade bullies," he told a reporter – but Bennett is refusing to say who has the password.

MAYBE HE CAN RUN ON A SLATE WITH CARL SEEL
Fresh off storming the US Capitol and auditing Arizona's election, Anthony Kern filed a statement of interest to run for the Senate against Boyer – granting Boyer's wish.

AH YES, THE OLD REVERSE BULLYING
Rios is temporarily replacing Steele on the Senate Ethics Committee because a nurse who accosted Steele in the Senate's parking lot after last year's sine die vote filed an ethics complaint against her.

WE FOUND OBAMA'S BIRTH CERTIFICATE!
While compiling Ken Bennett's collection at the Library, Archives and Public Records, staffers there found the original copy of former President Obama's birth document that Hawaii sent to Ken Bennett after he threatened to refuse to let Obama on the 2012 ballot without it.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, May 11, 2021

NEWS NOTES AND GOSSIP

TOWNSEND FLIPS AND DUCEY SIGNS PEVL BILL

Ducey took almost no time to sign S1485 (early voting list; eligibility) when the Senate today approved it on party lines following Townsend's flip-flop after voting against it last month. The bill could potentially remove thousands of voters from the PEVL, which will be renamed Active Early Voting List, or AEVL – though the bill won't kick anyone off the list until 2026, as it is not retroactive and the clock only starts ticking in the 2022 election for voters who don't use their mail-in ballot. Ducey seemed prepared for the bill signing today as a video announcement and signing letter was ready to go within an hour of receiving the legislation. Ducey has repeatedly bragged about Arizona's elections and said in the statement that the bill is "all about election integrity," as Republican supporters had argued. Democrats argued the bill is voter suppression and targets younger people, poor people and people of color at higher rates than others. "Arizona is a national leader when it comes to election integrity and access to the ballot box, and Senate Bill 1485 continues that legacy," Ducey said. "Not a single Arizona voter will lose their right to vote as a result of this new law." In his video statement (LINK), Ducey incorrectly stated the bill would only affect registered voters on the early voting list who opt not to vote at all over a four-year period. In fact, it would also remove someone from the list if they decided to vote in-person despite receiving a ballot by mail (though he's correct they can still vote). Townsend, who temporarily killed the bill a couple of weeks ago, said she was supporting it "in good faith" that lawmakers will take up election law changes addressing her concerns before the 2022 election. Senate Democrats spent their time today opining about voter suppression, frequently interrupted by calls for points of order. "The GOP are threatened by progress and they are so convinced that they cannot win fairly that they are actively attacking our public at all levels," Gonzales said at one point, prompting Townsend to call on Fann to stop Gonzales from impugning motives. "I am only speaking the truth," Gonzales retorted. A similar exchange played out later with Quezada, Leach and Townsend. Quezada argued that Republicans are triggered by any references to the disproportionate affects that legislation can have on people of color and Townsend insisted he must stick to debating the merits of the bill. "I'll focus on the merits of this bill, which is systemic racism," Quezada responded.

NOW IT'S BUDGET SEASON

The Senate today adjourned until Thursday, joining the House in taking Wednesday off to focus on budget negotiations. Our reporter spotted Ducey's staffers again walking in to the Senate and toward the majority caucus room shortly before the chamber was scheduled to go to the floor this morning. It's unclear if they stuck around and negotiated with Senate staff as lawmakers voted. Borrelli confirmed the Senate took the day off from conducting business on the floor to work on the budget, and chuckled when our reporter asked if he thought they could wrap up by the end of May.

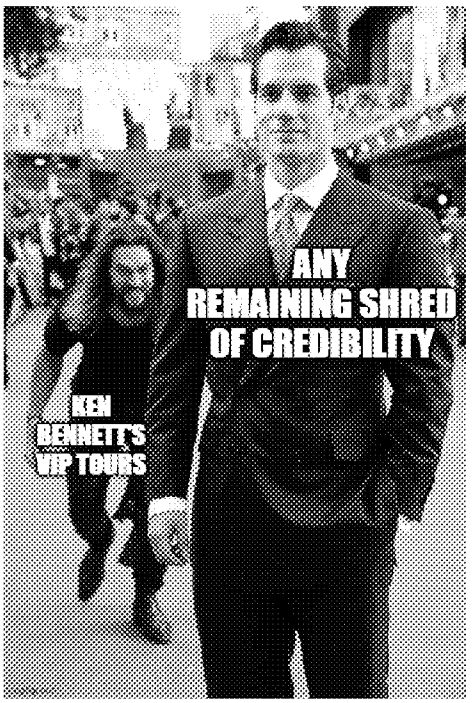
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003550

ARZN_REV00069194_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ROLLING OUT THE RED CARPET FOR CONSPIRACY THEORISTS



Ken Bennett has been offering VIP tours of the audit to prominent Trump supporters, election deniers and conspiracy theorists, again undercutting his argument that the audit is nonpartisan and not about Trump. In less than one month of overseeing the hand count of nearly 2.1 million ballots, Bennett has allowed Biggs, Rogers and Finchem, among others, to tour Veterans Memorial Coliseum. All three of them were in favor of overturning the election results in Arizona (as well as other states) and none has accepted Biden's victory as fact. Finchem as recently as this past weekend told a QAnon talk show that he hopes the audit will lead to Arizona's 11 electoral votes going to Trump, the *Arizona Mirror* reported (LINK). It's unclear who is eligible to receive a tour of the venue in Bennett's eyes, though he previously told our reporter any federal office holder could receive one if they asked – even Sinema. Yet only Republicans who have been a part of the "Stop the Steal" movement have received the additional VIP access. Reporters are not allowed past the 19th row of the stands. Finchem, who was scheduled to speak at the rally when a riot broke out at the US Capitol, isn't even the most controversial person who Bennett took on a tour. That honor goes to Matt Braynard, a former Trump campaign aide active in the "Stop the Steal" movement and a speaker at Finchem's election fraud "hearing" at a local hotel, who posted on social media that Bennett gave him a tour last week. Braynard started a fundraising effort so he could find fraudulent ballots, and while he's raised plenty of money, he oddly hasn't found any fraud (LINK). "I got a tour of the #ArizonaAudit today and was impressed by the multiple layers of security and by how well organized, professional, and transparent everything was," he wrote (LINK). He added that Bennett was "the most honest man in politics" he had ever met. Braynard also received a cease-and-desist letter from Dominion Voting Machines for spreading lies about the election company during the election (LINK). He didn't seem worried, and flaunted his attorney's response on his social media channels (LINK). Braynard's election conspiracies went beyond shooting off online – his data was used to help bolster Trump and his attorneys' bogus legal claims about the election. His data swiftly fell apart under scrutiny (LINK). For his "legal efforts" in Arizona cases, he claims he was paid a flat fee of $40,000 (LINK).

WE'VE ALL QUIT TWITTER AT SOME POINT

Meanwhile, Finchem has returned to Twitter with a new account after spending three months solely on Gab – the social media service known to harbor neo-Nazis and QAnon believers. With his first two tweets yesterday, Finchem (who can be found at @RealMarkFinchem) shared an interview he did with *OANN*. After his tour of the facility today, he once again made himself available to *OANN* and a Christian station, but was "too busy" for local media, according to this morning's pool reporters. But as he was leaving, he made time to say he "didn't recall" his comments about the audit leading the way for Arizona's 11 electoral votes going to Trump in an interview that happened just three days ago (LINK). Finchem isn't alone in quitting and then returning to Twitter. Townsend also rejoined the fray after quitting the platform in a huff in January, decrying big tech censorship.

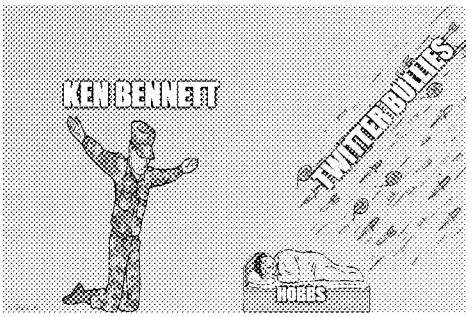
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003551

ARZN_REV00069194_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BENNETT PROTECTS A 'BUNCH OF THIRD-GRADE BULLIES'



Volunteers have commandeered the audit's Twitter account, locking Bennett out while using the account to troll Hobbs following her death threats "like a bunch of third-grade bullies," he told a reporter – but Bennett is refusing to say who has the password. Yesterday, *Arizona Daily Independent's* Terri Jo Neff reported that Bennett handed over control of the account to an out-of-state organization, and was subsequently locked out of the Twitter account that formerly bore his name. Fann also distanced herself from the account and its content. "Not my account. This is the account of Ken Bennett the liason [sic] who set it up," she wrote on Twitter (LINK). When audit pool reporter Dennis Welch today asked who does have control of the account, Bennett refused to say, offering only that he expects to have the tweets under control soon (LINK). That should give railbirds déjà vu, as he's made that promise before (YS, 5/4). In defense of keeping the tweeters' identities secret, Bennett attempted to draw a comparison between keeping the Twitter volunteers' identities secret to journalists protecting confidential sources. (Unlike the auditors, journalists do not receive taxpayer dollars and are not subject to public records laws. And while we protect our railbirds, we're happy to share who runs our Twitter: Dillon Rosenblatt, usually.) Neff penned a piece today speculating that Bennett seemed to have regained control of the account, as "the tweets once again reflected his calm demeanor" after the account posted that death threats are not OK (LINK). But Neff spoke too soon. The very next tweet again slammed Hobbs. "Arizona SoS @katiehobbs has repeatedly called the forensic audit of Maricopa County's election ballots and machines the FRAUDIT. We invite her to stop fanning the flames of discord and attempting to disrupt the audit process," the account posted. While Bennett doesn't know his own Twitter password, the Senate has not yet sent another round of subpoenas to Maricopa County Board of Supervisors seeking county routers and passwords, despite attorney Kory Langhofer saying they'd be issued Monday (YS, 5/10). Langhofer declined to comment today, directing our reporter to the Senate. Maricopa County Attorney Allister Adel, Sheriff Paul Penzone and Supervisor Chairman Jack Sellers have said turning over the routers would cripple county operations and could jeopardize citizens' private information and law enforcement data.

MAYBE HE CAN RUN ON A SLATE WITH CARL SEEL

Fresh off storming the US Capitol and auditing Arizona's election, Anthony Kern filed a statement of interest to run for the Senate against Boyer – granting Boyer's wish. Back when rumors were circling that Kern might take on Boyer for the Senate in 2020, Boyer told our reporter he would welcome the fight. "I kind of hope Anthony runs against me because I want to beat him," he said at the time (YS, 9/25/19). Two years later – after having being the lone vote against jailing the Maricopa County Board of Supervisors and calling the audit "ridiculous" – Boyer is still bullish on the fight. Mostly. Asked if he thinks those stances and votes will hurt him in a GOP primary, Boyer said he still thinks the public, and even GOP primary voters, are behind him. "It's just a tiny sliver of the GOP primary voters care about the UV lights and the bamboo ballots – nobody cares about that crap," he said, later adding "Or so I think." Boyer said he hasn't officially made up his mind yet about if he'll run again (he never decides until election season because he doesn't want electoral politics to cloud his judgment during the session). But having "a schmuck like Anthony Kern" seeking his office might give him a little extra incentive, he said. "I just wouldn't want to do that to my district and constituents, give them Anthony Kern," he said, adding that as last year showed, Kern will be a tough sell in a general election. Boyer couldn't help but take a parting shot at Kern's role as an "auditor," quipping, "Did he count enough votes to get himself reelected?" Kern didn't return a call for comment.

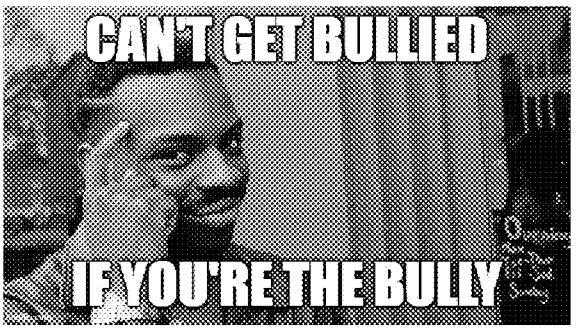
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003552

ARZN_REV00069194_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AH YES, THE OLD REVERSE BULLYING



Rios is temporarily replacing Steele on the Senate Ethics Committee because a nurse who accosted Steele in the Senate's parking lot after last year's *sine die* vote filed an ethics complaint against her. In the eight-page complaint (LINK), Bryan Masche wrote that Steele "doxed" him and advocated for him to be "fired and cancelled" from his job. Masche, who is now running a quixotic campaign for governor, was among a group of anti-mask protesters who gathered outside the Senate ahead of last year's *sine die* vote and heckled lawmakers as they drove in and tried to leave the parking lot following the vote (LINK). Security had to escort some senators to their cars. Steele started recording video on her phone when she walked into the parking lot and saw a crowd surrounding the car of then-Sen Kate Brophy McGee, one of three Republicans who voted to adjourn *sine die*. Brophy McGee was honking and trying to get the protesters away from her car as they screamed at her, and Steele said at the time that it reminded her of the atmosphere in Tucson at the height of the Tea Party movement, shortly before a gunman shot Congresswoman Gabby Giffords. (Steele declined to comment on the complaint today, saying Masche desperately needs and wants attention and she won't give him that.) Masche claims in his complaint that Steele purposefully zoomed in to make him seem closer and more threatening than he was, and accuses her of trying to "reverse bully" him into leaving. "That seemed strange to me because if someone really felt they were in 'danger,' then why did she not get in the car and leave," he wrote. "People that are scared file police reports and run. They don't take an opportunity to 'dox' someone and hurt that person's career, that seems very strange to me and almost like a specific political tactic." After Steele posted the video online, she and a doctor filed a complaint with the state nursing board. Because of those complaints – and Masche's prior arrest for domestic violence against the mother of his sextuplets and a subsequent arrest after he and others forced their way into the closed House of Representatives during last fall's new member orientation – Masche is now on probation as a nurse and must take anger management classes. In his complaint, he wrote that he tried to apologize to Steele through his new attorney, Carmen Chenal-Horne.

WE FOUND OBAMA'S BIRTH CERTIFICATE!

While compiling Ken Bennett's collection at the Library, Archives and Public Records, staffers there found the original copy of former President Obama's birth document that Hawaii sent to Ken Bennett after he threatened to refuse to let Obama on the 2012 ballot without it. In case you missed it, a former Seventh Floor staffer told our reporter that staff there went on a wild goose chase for the document after a birther requested the original, and they concluded that Bennett must have taken it home (YS, 5/5). We asked Bennett, who confirmed he took the document home. But that's not the original, color copy, state archivist Dennis Preisler told our reporter. "He took a copy of a copy," he chuckled. Still, Preisler noted that while Bennett did the right thing by putting the original into the state archives, it puts the office in a weird position of having a living person's birth certificate. "I started to reach out to other state archivists to see their thoughts on the topic because it's an interesting set of circumstances about how we got this birth certificate and how much access we give to it," he said. "If we were going through a collection and we found your birth certificate in there, I wouldn't allow the public to see your birth certificate." It's different because Obama released his birth certificate to the world following the relentless birther conspiracy, he said, but it's still a sensitive document and he's considering making it available to view, but not for copies. By that same token, he said Bennett shouldn't have taken the document home, he said. "I don't think it crosses over into a legality issue, but for me as a professional, I play by ethical rules," he said, noting he wouldn't recommend taking home even a copy of a copy of someone's birth certificate.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003553

ARZN_REV00069194_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Kelli Ward wins in court, GOP election stands
Arizona Capitol Times
A Maricopa County Superior Court judge today dismissed one of two lawsuits stemming from the Arizona Republican Party January election, saying the internal affairs of the AZGOP aren't subject to a court of law.

Proposal to give 'Dreamers' in-state tuition goes to ballot
Arizona Capitol Times
Arizona voters will decide in November 2022 whether immigrants in this country illegally who are Arizona residents should be allowed to pay in-state tuition at public colleges and universities.

Mostly anonymous group asks Arizona court to void elections, install it in office
Capitol Media Services
A group of largely unidentified individuals is asking the Arizona Supreme Court to void the 2018 and 2020 election returns, ranging from governor and some legislators to sheriffs of Pima and Maricopa counties.

All five Maricopa County supervisors to be subpoenaed Monday over audit
Capitol Media Services
Senate Republican leaders are setting the stage for a new legal fight with Maricopa County.

Inside Arizona's election audit, GOP fraud fantasies live on
Associated Press
On the floor of Veterans Memorial Coliseum, where Sir Charles Barkley once dunked basketballs and Hulk Hogan wrestled King Kong Bundy, 46 tables are arrayed in neat rows, each with a Lazy Susan in the middle.

Sheriff Lamb touts new reality TV network
Maricopa Monitor
Pinal County Sheriff Mark Lamb announced Monday, via Facebook, a new subscription reality TV network, "American Sheriff Network."

Gov. Ducey signs Cobb's internet speed and connectivity bill
Today's News-Herald
Residents in Arizona, particularly in rural areas, could start seeing faster and more stable internet connections moving forward.

Finchem hopes audit will lead to reassignment of Arizona's electoral votes
Arizona Mirror
Republican state representative and secretary of state candidate Mark Finchem told a QAnon talk show that he hopes the results of Arizona's election audit will lead to the state's 11 presidential electors being reassigned to former President Donald Trump.

Arizona's sham election audit leads to real threats, exposing a cowardly governor
Arizona Republic (Opinion, EJ Montini)
Ducey should have long ago condemned the lunatic exercise that's been going on at the state fairgrounds and the Republicans behind it. But that would take guts.

Dear ill-informed (and just plain nasty) readers: There already WAS an election audit
Arizona Republic (Opinion, EJ Montini)
A thorough, professional, bipartisan and transparent audit of Maricopa County election votes had been done shortly after the November vote.

Push to grant Arizona 'Dreamers' in-state tuition is coming from ... Republicans?
Arizona Republic (Opinion, Laurie Roberts)
Why would anyone in the Legislature want to block voters from deciding whether undocumented immigrants should qualify for in-state tuition?

Most of the 2001 work on groundwater was DOA. What to learn from that now
Arizona Republic (Opinion, Joanna Allhands)
Arizona tried to fix groundwater issues 20 years ago, but most solutions went nowhere. Here's what we need now for a similar effort to avoid a similar fate.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Sorry, Sen. Paul Boyer. You can't disown the Arizona election audit now
Arizona Republic (Opinion, Elvia Diaz)
GOP Sen. Paul Boyer called the Republican-run audit 'embarrassing.' But he is doing nothing to stop it.

Reyna Montoya just did the unthinkable. She got Republicans to support 'Dreamers'
Arizona Republic (Opinion, Elvia Diaz)
Reyna Montoya got the Republican-controlled Arizona Legislature to support young immigrants known as 'Dreamers.' Her fight offers lessons for us all.

Want to fix Arizona schools? Then let's talk – really talk – about student poverty
Arizona Republic (Op-ed, Rhonda Cagle)
I'm tired of conversations that don't move the needle on educating students in poverty.

Will the Arizona House finally give voters a say on in-state tuition for 'Dreamers'?
Arizona Republic (Op-ed, Denny Barney and Sintra Hoffman)
'Dreamers,' or DACA kids, in Arizona deserve the opportunity to attend college on the same tuition as their peers. Let's put the plan on the ballot.

Who cares for adults with autism? Why metro Phoenix must tackle this question
Arizona Republic (Op-ed, Denise Resnik)
Who will care for adults with autism spectrum disorder? Employment and homeless statistics are sobering, but Phoenix is doing something about them

PRESS RELEASES

Governor Ducey Signs Legislation To Further Protect Arizona Voters

PHOENIX — Governor Doug Ducey today signed legislation that builds on the state's leadership in election integrity, protects Arizona voters and streamlines the way elections are conducted.

"Arizona is a national leader when it comes to election integrity and access to the ballot box, and Senate Bill 1485 continues that legacy. In 1992, our state began offering the ability for Arizonans to vote an absentee ballot. Since then, Arizona has continuously improved and refined our election laws — including intuitively renaming 'absentee' voting to 'early' voting — and constantly seeking to strengthen the security and integrity of our elections," the Governor said in a letter explaining his support for the bill.

SB 1485 renames Permanent Early Voting List (PEVL) to Active Early Voting List (AEVL). Under this legislation, if a voter on the AEVL actively votes by mail, they will continue to receive an early ballot. If a voter on the AEVL does not return at least one early ballot over the course of four years (two consecutive primary elections and general elections, and any municipal elections that precede them) the voter will be sent a postcard asking if they still want to receive an early ballot. The county recorder may additionally reach the voter by telephone, text message, or e-mail. Whether a voter opts to remain on the AEVL or not, they remain eligible to request an early ballot or vote in-person, ensuring no voter is ever disenfranchised.

"I am thankful to the Governor and my colleagues for sticking to the facts of my legislation and ignoring the unfounded and inflammatory rhetoric of suppression to recognize the importance of maintaining an accurate voter list to protect the integrity of our elections by reducing the potential for fraud," said Senator Michelle Ugenti-Rita. "Standing with the voters and their desire for secure elections is paramount to maintaining our form of government. This bill is a modest, but critical step toward restoring confidence in our election system."

Today's signing of Senate Bill 1485 is just one of many actions of the Governor to further protect election integrity in Arizona, including:

Signing of SB 1002 - early voting envelopes; party affiliation (Ugenti-Rita)
Signing of SB 1003 - early voting; signature required; notice (Ugenti-Rita)
Signing of SB 1492 - election law amendments (Shope)
Signing of SB 1497 - ballot measures; proposition 105; disclosure (Ugenti-Rita)
Signing of SB 1530 - early ballots; instructions; undeliverable (Mesnard)
Signing of HB 2054 - voter registration database; death records (Kaiser)
Signing of HB 2307 - voting equipment; overvote notice (Kavanagh)
Signing of HB 2308 - recall petitions and elections; revisions (Kavanagh)

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Signing of HB 2359 - election equipment; access; locks (Kavanagh)
Signing of HB 2364 - election pamphlet submittals; identification required (Kavanagh)
Signing of HB 2569 - elections; private funding; prohibition (Hoffman)
Veto of HB 2360 - committee; driver license voter registrations (Kavanagh)
View the Governor's signing letter HERE.

Senate passes key voter integrity bill

(Phoenix, State Capitol) ---- The Arizona State Senate today passed SB 1485, a bill to clean up the state's early voting list. The bill now goes to the Governor for his signature.
Bill sponsor Senator Michelle Ugenti-Rita says it's about protecting elections and keeping the list up-to-date and accurate. "Voting by mail is a big part of the election process in Arizona," said Senator Ugenti-Rita. "The people on the list are opting-in to use this option. It needs to be regularly updated to make sure the people who are on the list to receive a ballot are voters who are taking advantage of the vote-by-mail option."
If a person on the list fails to vote in the primary and general elections for two consecutive election cycles, they would be notified by the county before they are removed. If that person signs the notice and returns it, they would continue to get a mail-in ballot.

Senate Democrats Decry Passage of Voter Suppression Bill that will Purge Over 100,000 Eligible Voters from the Permanent Early Voting List

PHOENIX-- Arizona Senate Democrats released the following statement after the Republican-controlled Senate passed Senate Bill 1485.
"Today we saw Arizona Republicans once again take a hammer to the institution of Democracy by passing a bill that will purge over 120,000 eligible Arizona voters from the Permanent Early Voting List. SB1485 would take Arizona voters off the Permanent Early Voter List and stop automatically mailing them their early ballots if they do not vote by mail in only two consecutive election cycles. The bill would put an expiration date on "permanent" early voting, as well as remove the word "permanent" from statute, further threatening the early ballots of millions of Arizona voters. The true intent of this bill is undeniable and that is to suppress the votes of low-income, Black, Latino, and Native American voters.
The priorities of this legislature are wrong and misguided and SB1485 is one of its most shameful examples. We have one of the country's best and robust vote by mail systems and yet the legislature is actively creating unnecessary hurdles for people to vote. These voter suppression bills are part of a broader, coordinated attack on voting rights and democratic norms. The Arizona GOP are so threatened by progress and so convinced that they cannot win fairly, that they are actively attacking our Democracy at all levels. Additionally, over 17,000 Arizonans have died from COVID and thousands more have been impacted by COVID's long-term effects. Instead of finding solutions to help uplift all Arizonans, this Republican controlled legislature has focused on making it harder for Arizonans to vote. It's shameful."

Leader Bolding Statement on Ducey Signing PEVL Purge Voter Suppression Bill

PHOENIX— House Democratic Leader Reginald Bolding released the following statement regarding the passage and signing of voter suppression legislation Senate Bill 1485 today.
"The speed with which Governor Ducey signed Senate Bill 1485 shows just how afraid of a fair fight Legislative Republicans have become. I want to thank everyone who cares about Democracy, including business leaders from around our state and around our country, for taking a stand for voting rights. I am sorry that Governor Ducey ignored you and let you down. The desperate desire of one party to game the system and hold onto power by erecting hurdles for voters of color and those with limited means overwhelmed any professed support for good public policy. Democrats, independents, seniors, Native Americans, African Americans, Latinos, women and young people – if you ever believed that your voice and your vote didn't matter, this bill is an absolute reminder that it does. Never forget that Legislative Republicans are afraid of how you will vote so they made it harder for you to vote."

FreedomWorks Applauds Governor Ducey for Signing Election Integrity Legislation

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003556
ARZN_REV00069194_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WASHINGTON, D.C. – In response to Arizona Governor Doug Ducey signing election integrity legislation into law, S.B. 1485, Adam Brandon, FreedomWorks President, commented:
"FreedomWorks applauds Governor Ducey and the Arizona legislature for listening to the people of Arizona's demands for election integrity reforms. This bill improves Arizona's early mail-in voting process by ensuring voter registration lists are accurate, while increasing confidence and access to the ballot box.
"Requiring individuals who have not voted in the previous two elections to confirm their desire to continue receiving an early ballot is a reasonable policy, and we thank all of the election integrity leaders who got S.B. 1485 across the finish line."

State Sites Ready to Vaccinate Ages 12 to 15 Thursday, May 13, Subject to CDC Approval

Walk-ins are welcome at seven state-run locations in Phoenix area, Tucson, Yuma and Flagstaff

PHOENIX — Arizona-run vaccination sites in the Phoenix area, Tucson, Yuma, and Flagstaff are ready to begin vaccinating children 12 to 15 years old on Thursday, May 13, following guidance from the U.S. Centers for Disease Control and Prevention (CDC).
"The COVID-19 vaccines are safe, effective and free – and they're our best shot to end this pandemic and return to the things we've missed. We're moving quickly to empower parents and guardians to get this protection for their children," Governor Doug Ducey said. "Millions of Arizonans have already received the COVID-19 vaccine. Soon, kids ages 12 to 15 years old will now be eligible to get vaccinated and state vaccine sites are ready to serve them."
Arizona has nearly 400,000 youths ages 12 to 15. To date, 5,383,508 doses of COVID-19 vaccine have been administered to 3,068,234 individuals, with 2,517,206 now fully vaccinated.
The Food and Drug Administration authorized the Pfizer COVID-19 vaccine for age 12-15 on Monday. The Advisory Committee on Immunization Practices (ACIP) and CDC are expected to follow suit on Wednesday with their recommendation to vaccinate those 12 and older. The recommendation applies only to the Pfizer vaccine, which now is available to ages 16 and older. The Moderna and Johnson & Johnson vaccines are authorized for those 18 and older.
"We're delighted to be able to welcome these young people to state-run mass-vaccination sites starting Thursday," said Arizona Department of Health Services (ADHS) Director Dr. Cara Christ. "These safe, highly effective, and free vaccines are our best shot at returning to normal, and having more vaccinated individuals gives COVID-19 less of a chance of spreading."
Once CDC makes the recommendation, parents and guardians may bring those ages 12 to 15 to state vaccination sites starting Thursday, which also is the day when many pharmacies and other providers with Pfizer plan to begin vaccinating this age group. The ADHS vaccine finder available at azdhs.gov/FindVaccine allows visitors to filter locations by vaccine type.
ADHS is coordinating with rural counties that until now have received only the Moderna and Johnson & Johnson vaccines so 12- to 15-year-olds can get vaccinated.
A parent or guardian must accompany the child and sign a consent form in person and includes an attestation that the child is at least 12 years old. No identification is required for the child. Place of permanent residence isn't a factor in whether someone can be vaccinated at a state site.
Parents and guardians also will be able to register those ages 12 to 15 for vaccination starting at 8 a.m. Thursday by visiting podvaccine.azdhs.gov or calling 844-542-8201 to be connected with someone who can assist in English or Spanish. Appointments aren't required for state-run sites, but they are a way to reduce the length of a visit because registration is taken care of in advance.
COVID-19 continues to infect and cause death in Arizonans, though case numbers, percent positivity, intensive care unit use, and in-patient hospital bed use have been relatively stable since March. Today, ADHS added 683 cases and 19 deaths to its COVID-19 data dashboard.
Many sites across Arizona now offer COVID-19 vaccines, including grocery store pharmacies and standalone pharmacies. Doctors' offices and other neighborhood healthcare providers can order vaccine directly from the CDC.
To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

Civil Rights Organizations Release Redistricting Guide to Support Black, Latino, and AAPI Communities' Participation in Crucial Process

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF), MALDEF (Mexican American Legal Defense and Educational Fund), and Asian Americans Advancing Justice | AAJC released a comprehensive guide to

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

redistricting, aimed at empowering Black, Latino, and Asian American communities, as well as other marginalized communities, to be actively engaged participants in one of the most important, once-a-decade events of American democracy.

The coalition of civil rights organizations have published their collaborative guide, "Power on the Line(s): Making Redistricting Work for Us," ahead of the expected U.S. Census Bureau's release of official redistricting data later this year that will enable communities to engage in the process of redrawing lines for congressional, state, and local bodies. During the redistricting process, political lines must be redrawn so that the population in each district is roughly equal in size and maps do not dilute the voting power of communities of color. The maps drawn in the upcoming redistricting cycle will determine the allocation of political power and representation at every level of government across the nation for at least the next 10 years.

The coalition's guide provides essential information about the redistricting process, such as examples of recent efforts to dilute the voting power of communities of color. It also details the legal protections that remain available to protect against manipulative redistricting schemes, particularly after the Supreme Court's 2013 ruling in *Shelby County, Alabama v. Holder* – which removed a safeguard against racially discriminatory redistricting plans in states and jurisdictions with a record of such practices. The guide is bolstered by clear, specific, and actionable steps that members of Latino, Black, and Asian American communities can take to protect against unfair and discriminatory redistricting plans that would serve to diminish their right to equal representation in government and the opportunity to elect candidates of their choice.

"The growing power in populations of communities of color, and the efforts to stifle this power, underscore the critical need for people of color to serve as a necessary checkpoint on unfair and discriminatory redistricting plans," said Leah Aden, Deputy Director Litigation at LDF. "The lines we draw give Black communities access to and allow us to elect representatives that can work to serve our policy interests in justice, jobs, high quality education, and healthy communities. We urge people to use this guide as a tool to learn about the process, engage in it, and leave no power outside of the lines."

"Now more than ever, communities of color must be vigilant in the redistricting process," said Nina Perales, Vice President of Litigation at MALDEF. "This guide offers practical information to equip advocates to defend their voting rights in local, state and federal redistricting."

"The power that communities of color can wield in the political process is on the line for the next decade," said Terry Ao Minnis, Advancing Justice – AAJC's Senior Director of Census and Voting Programs. "Our communities must advocate for redistricting plans that represent us and this guide outlines what is needed to do it."

The guide also empowers a broad set of audiences — including community members, and policy makers — to make their voices heard in the redistricting process including by participating in public redistricting hearings, holding legislators accountable in the redistricting process, and notifying civil rights organizations like LDF, MALDEF, and Advancing Justice | AAJC if there becomes a need to challenge discriminatory redistricting in court.

Download the full guide here.

Arizona Department of Education Announces an Additional $16 million in Federal Relief and Recovery Allocations to Support Public Schools, Teachers, and Students

PHOENIX – Superintendent of Public Instruction Kathy Hoffman and the Arizona Department of Education today announced the distribution of over $16 million to support Arizona's public schools, educators, leaders, and families through strategic partnerships and initiatives. These allocations, combined with previous announcements, total over $116 million in support of Arizona's students and public schools.

"The COVID-19 pandemic further exposed many long-standing inequities impacting Arizona students and families," said Superintendent Hoffman. "Through these partnerships and investments, the Department can, and should maximize the impact of these one-time federal dollars and ensure long-term recovery support for our public schools and the students they serve."

The following are ADE Discretionary Fund Investments to date:

Student Equity & Achievement

NEW: $9.6 million – Partnership with ASU Prep Digital: Math Momentum
NEW: $1 million – Parent Educator Academy: All in Education
NEW: $500k – Special Education Cost Study
NEW: $100k – Opportunities for Youth
NEW: $500k – Holistic Youth Transformation Program: New Pathways for Youth

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003558

ARZN_REV00069194_5-11-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

NEW: $300k – Time is Now Youth Mentorship: Big Brothers, Big Sisters
$5 million – Special Education Compensatory Services Fund
$1 million – Funding for Arizona's Office of Indian Education
Educator Recruitment & Retention
NEW: $1 million – Diné Institute Teacher Fellows: Northern Arizona University
NEW: Additional $300k – Partnership with University of Arizona's Center for Recruitment & Retention of Math Educators for Professional Development, for a total of $500k
$2.5 million – Partnership with ASU Prep Digital: Arizona Virtual Teacher Institute
$2.5 million – Partnership with Arizona K-12 Center: New Teacher Mentoring
Safe & Healthy Schools
NEW: Additional $100k – Social Emotional Learning: Trauma-Sensitive Training and Support for Schools, for a total of $470k
$21.3 Million – Addition of 140 School Counselor & Social Worker Positions through the School Safety Grant Program
Serving Arizona Schools Through the Pandemic and Beyond
NEW: $853k – Laptop and Hotspot Partnership with City of Phoenix
$2.3 Million – Support for Community Based Organizations, YMCA and Boys & Girls Club
$1.5 Million – Expanding Rural Broadband with the Final Mile Project
$15k – Kajeet Hotspots for Students & Families
Post-Secondary Access & Attainment
NEW: $600k – Partnership with AdviseAZ Americorps: College and Career Counseling
NEW: $1.5 million – Support for Ask Benji Chatbot: Increase FAFSA Completion Rates
$20k – Partnership with Arizona College Access Network
Additional Relief Funding for Public Schools
$44.6 million – Support for Non-Title I-A Local Education Agencies
$12.2 million – Additional Support for Title I-A Local Education Agencies
$6.3 million – Support for Career & Technical Education Districts
For more information, please visit: azed.gov/esser-setaside

Arizona Legislature Urges Congress to Study Feasibility of Harvesting Mississippi River Floodwaters to Replenish Colorado River Supply

STATE CAPITOL, PHOENIX – The Arizona State Legislature is urging the United States Congress to fund a technological and feasibility study for the development of a diversion dam and pipeline to harvest floodwater from the Mississippi River to replenish the Colorado River and prevent flood damage along the Mississippi River. House Concurrent Memorial (HCM) 2004, sponsored by State Representative Tim Dunn (R-13), which outlines the proposal and authorizes the official legislative communication, received final approval today by the state Senate.
Dunn's bill outlines that if it's shown to be feasible, the U.S. Congress is urged to implement the diversion dam and pipeline as a partial solution to the water supply shortage in Lake Powell and Lake Mead and the flood damage that occurs along the Mississippi River.
"Arizona has long been at the forefront among western states in supporting the development and implementation of pioneering, well-reasoned water management policies," Representative Dunn said. **"Arizona and the other six Colorado Basin states are in the twentieth year of severe drought and experiencing a severe water shortage. Water levels are critical levels, jeopardizing the water delivery and power generation. A new water source could help augment Colorado River supplies. One promising possibility involves piping water that is harvested from Mississippi River flood waters. Diverting this water, which is otherwise lost into the Gulf of Mexico, would also help prevent the loss of human life and billions in economic damages when such flooding occurs. This concept is already being proven in Denver, where floodwater is being successfully harvested from the Missouri River to help alleviate its water shortage."**
HCM 2004 directs the Arizona Secretary of State to transmit copies of the Memorial to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, the Governors of the Mississippi River states of Arkansas, Illinois, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Tennessee and Wisconsin, and to each member of Congress from the State of Arizona.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Did he count enough votes to get himself reelected?"

- ***Boyer, on news that former lawmaker Anthony Kern plans to challenge him in 2022***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003560

ARZN_REV00069194_5-11-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, May 12, 2021 5:56:09 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 5-12-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet May 12, 2021

HAS HE CONSIDERED RUNNING FOR (STATE) REPRESENTATIVE?
Gallego is preparing to follow through with his threats to let Arizona voters weigh in on election legislation, though he's waiting to see what else Ducey signs before deciding whether to push a referendum or an "all-encompassing" initiative to the ...

IT'S IS KEN BENNETT'S SHIRE AND WE'RE ALL LIVING IN IT
Welcome to the Arizona Shire – Ken Bennett's imaginary place with a population of 1,000 residents where Biden also won the election, but by a two-vote margin over Trump.

THE MEDIA IGNORES THIRD PARTIES, BUT KEN SHOULDN'T

AMERICAN OVERSIGHT

Perhaps more tellingly, Bennett's hypothetical, including his eight missing ballots, ignores the host of reasons that there would be fewer votes for president than there are ballots.

HOW ABOUT "UNHINGED"

Bennett then launched into an explainer that if he were elections director of his fantasyland Arizona Shire looking for fraud or impropriety in the election, he would first look at "the four un's" – "uncounted" ballots, "unsigned" mail ballots, "unfolded," mail ballots and "unaccounted for" ballots.

IT'S SIMPLE: REPORTERS ASK, BOYER ANSWERS

After he told the New York Times that he's "embarrassed" to be a state senator because of the ongoing audit, Boyer said he heard from other Republican senators who privately agreed with him.

BUY UGENTI, SELL FINCHEM

Ugenti-Rita was a featured speaker at last night's LD27 GOP meeting – and she took top billing as a candidate for secretary of state.

THAT WAS QUICK

Kerr this morning dismissed the ethics complaint filed against Steele by an anti-mask nurse who accosted Steele and other senators in the Senate parking lot last year.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, May 12, 2021

NEWS NOTES AND GOSSIP

HAS HE CONSIDERED RUNNING FOR (STATE) REPRESENTATIVE?

Gallego is preparing to follow through with his threats to let Arizona voters weigh in on election legislation, though he's waiting to see what else Ducey signs before deciding whether to push a referendum or an "all-encompassing" initiative to the 2022 ballot. "If there's more that comes across his desk, then we'll have to make a determination of whether we want to take it down to referendum or just pass a comprehensive initiative in 2022 that supersedes any of the disenfranchisement bills lawmakers pass right now," Gallego told our reporter. ICYMI Gallego previously pledged to spearhead a referral if Ducey approved election reforms inspired by the lie that the 2020 election was stolen, including Ugenti-Rita's S1485 (early voting list; eligibility) (YS, 4/16). Gallego wouldn't name his partners in the effort, but said they were "very well recognized and well-funded" and that the number of signatures required for either route was not a problem. "It polls well," he said. "I think a lot of Arizonans aren't going to appreciate that we are for political reasons trying to purge people from the PEVL. And so, it's not an issue of collecting the signatures; it's an issue of what do we actually want to do?" He did say he had a conference call on the topic with Georgia Democrat Stacey Abrams later this week. If Gallego and company look to refer S1485 (early voting list; eligibility), they will have 90 days after *sine die* to collect signatures from 5 percent of Arizona voters – 118,823 total. With enough valid signatures, the law would be put on pause until voters decide in 2022 whether to approve it. Gallego said he's not worried that the move would backfire with voters instead protecting the measure, though he acknowledged "a lot of lawyers think that that's possible" (YS, 4/16). He said if that does end up being a serious concern, the effort will shift gears toward collecting signatures for a broader voting rights bill. That would require more signatures, but would also give the effort more time, as those signatures would be due four months before the election.

IT'S KEN BENNETT'S SHIRE AND WE'RE ALL LIVING IN IT

Welcome to the Arizona Shire – Ken Bennett's imaginary place with a population of 1,000 residents where Biden also won the election, but by a two-vote margin over Trump. That's the example Bennett made up in his attempt to explain the purpose of the audit and hand count to a local conservative talk show host (LINK). Leaving his copious Kleenex boxes in the past, Bennett picked up a marker and chart paper to create a fictional town of "Arizona Shire" to essentially dumb down the vote discrepancy between Biden and Trump. But his example was missing a lot of important information. Bennett tried to compare Arizona's presidential election results – where Biden won by 0.3 percent or 10,457 votes – to a situation where only 1,000 people exist, 808 of them voted and Biden's margin of victory was trimmed to two votes 401 to 399. The other eight votes, Bennett claimed, were simply lost. "About one percent of the people who cast a ballot in the November 2020 election, the machines didn't record any vote for President of the United States in Arizona," he said. "That was over 33,000 ballots cast in Arizona that didn't have a vote recorded by the Dominion machines for president." The analysis is wrong for many reasons, starting with the big picture that Biden won Arizona by only 0.3 percent, but won Maricopa County – the only county the audit is looking at – by 2.16 percent, making the entire analysis moot.

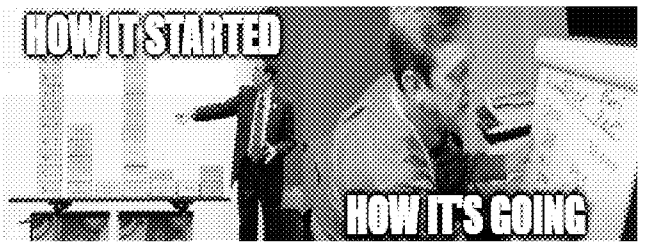
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003563

ARZN_REV00069196_5-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE MEDIA IGNORES THIRD PARTIES, BUT KEN SHOULDN'T



Perhaps more tellingly, Bennett's hypothetical, including his eight missing ballots, ignores the host of reasons that there would be fewer votes for president than there are ballots. Arizona had a third-party presidential candidate on the presidential ballot who earned nearly 32,000 votes in Maricopa County, or about 1.5 percent. Also, voters could have written someone in – and nearly 8,000 voters in Maricopa County did – and those votes aren't tallied unless they're for registered write-in candidates. Finally, more than 8,000 people in Maricopa County didn't vote for president (that's not surprising as many Republicans couldn't bring themselves to vote for either Trump or Biden) and 5,000 people "overvoted," which means they selected more than one candidate and spoiled their selection.

HOW ABOUT "UNHINGED"

Bennett then launched into an explainer that if he were elections director of his fantasyland Arizona Shire looking for fraud or impropriety in the election, he would first look at "the four un's" – "uncounted" ballots, "unsigned" mail ballots, "unfolded," mail ballots and "unaccounted for" ballots. We already explained his uncounted ballots theory, and while election workers check for unsigned ballots, Bennett claimed that Maricopa County election counters changed their approach to verifying signatures on envelopes from a "very high standard," to eventually "letting everything go through including blank signature boxes." He offered no proof that this claim was legitimate but provided himself cover by saying it's only what he's heard. Unfolded refers to a QAnon-based conspiracy that South Korea flew in thousands of fake ballots, possibly made of bamboo, to rig our election. Unaccounted for ballots, he explained, are ballots that were mailed out, but that people didn't use.

IT'S SIMPLE: REPORTERS ASK, BOYER ANSWERS

After he told the *New York Times* that he's "embarrassed" to be a state senator because of the ongoing audit, Boyer said he heard from other Republican senators who privately agreed with him. "'That's pretty accurate,' is what one member told me, but they would never go on record like I did," he told our reporter. Boyer has a simple explanation for why he continues to publicly comment critically on the audit: reporters ask about it and he just tells them the truth. He believes his colleagues, even those who are privately skeptical of the audit, are just trying to keep their heads down and waiting for it to blow over. "You'd have to ask them, but my suspicion is they wouldn't want to tick off the Trump base," he said. Boyer said the *Times* article (LINK) generated nowhere near the 7,000 angry text messages and 6,500 voicemails at his legislative office that he had after voting against holding the Maricopa County Supervisors in contempt. But he said he's still getting frequent angry emails and calls from people around the country and his colleagues probably don't want to deal with that kind of backlash. The only way he foresees the audit stopping – and he was quick to emphasize that he isn't proposing this – is if someone else replaces Fann as Senate president and orders it to end. And while Fann had broad support from her caucus to proceed with the subpoenas and audit, they never voted on conducting it or any of the hiring decisions she made, he noted. "We're never going to be able to vote on the audit. That train has already left the station," Boyer said. Still, Boyer said he supports an audit in principle, he just thinks the Senate made too many missteps – such as hiring Cyber Ninjas, letting his former seatmate Anthony Kern count ballots and not working with the county board of supervisors – for it to be taken seriously.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003564
ARZN_REV00069196_5-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BUY UGENTI, SELL FINCHEM

Ugenti-Rita was a featured speaker at last night's LD27 GOP meeting – and she took top billing as a candidate for secretary of state. We can only assume that this isn't her actual launch announcement, and that LD27 GOP is simply projecting rumors as reality. (Ugenti-Rita didn't return a call for comment.) But her appearance in front of a crowd of South Phoenix Republicans (she was also recently spotted giving a speech to a GOP club in Prescott) can only mean one thing, multiple Republicans told our reporter: She's running for a statewide office. While Ugenti-Rita has been one of the chief lawmakers in charge of election integrity legislation, she hasn't spread lies about the election being stolen from Trump – a distinguishing factor between her and Finchem, who is also seeking the state's second-highest office. Repeating Trump's election lies has become something of a litmus test for a politicians' ability to survive in the current Republican Party (just ask Liz Cheney). But one Republican consultant said despite Ugenti-Rita not repeating the Big Lie, she's the odds-on favorite for the nomination, as she will bridge the gap between the grassroots and the establishment. "She's running election integrity bills – she's doing things that put her squarely in the Trump defender camp without storming the Capitol with a Confederate Flag and saying a bunch of crazy things that will come back to haunt her in a campaign," the source said. "She's not going to be a middle of the road candidate, but she's gonna be able to stand by, own and explain everything they hit her with because she's not just running her mouth." On the other side, Finchem was "at the insurrection, he's an Oath Keeper and he's on the floor talking about hydroxychloroquine," the source said. "He's just gone so far that he could maybe win a primary, but could never win a general." Electability won't really matter to Republican primary voters, the source said, but Finchem's potential hits against her as not believing the election was stolen won't be enough to overcome her conservative credentials, the source speculated. "You've got Ugenti who is gonna come across as very polished, practiced and rehearsed. And Finchem is gonna show up in an old west costume spreading weird lies. I just don't know how well that plays," the source said. Still, the source added this analysis is based on a one-on-one match, which almost certainly won't be the case. If Kate Brophy McGee jumps in, for example, that could go either way, allowing Brophy McGee to slip in as the moderate, or splitting the Republican woman vote, giving Finchem a leg up.

THAT WAS QUICK

Kerr this morning dismissed the ethics complaint filed against Steele by an anti-mask nurse who accosted Steele and other senators in the Senate parking lot last year. In her letter to the four other ethics committee members, Kerr wrote that she received Masche's complaint (YS, 5/11) on May 3 and Steele chose not to file a response. Kerr said Masche's allegations don't constitute conduct alleged to be unethical. If two members of her committee disagree, they can revive the complaint before May 22.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003565

ARZN_REV00069196_5-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Ducey signs divisive election bill
Arizona Capitol Times
It took less than one hour for Gov. Doug Ducey to sign one of the most controversial election bills to reach his desk in six years.

9th Circuit rules man can't sue Border Patrol over wrongful arrest
Capitol Media Services
A man held in jail for 40 days after Border Patrol agents improperly performed a drug test has no right to sue, a federal appeals court ruled Tuesday.

Arizona court quickly tosses election challenge filed by unnamed plaintiffs
Capitol Media Services
Arizona Supreme Court quickly dismisses bid by 20 unnamed people to void the 2020 election results and put themselves in office instead.

New paper makes case for releasing jaguars across Arizona, New Mexico
Arizona Daily Star
In a new paper, group of scientists argues for the reintroduction of jaguars across a wide swath of Arizona and New Mexico.

Arizona Legislature wants feasibility study for long-distance pipeline to replenish Colorado River supply
Mohave Valley Daily News
The Arizona Legislature on Tuesday made a formal request asking Congress to fund a study to determine the feasibility of pipelining Mississippi River floodwater to the Colorado River.

There's a New Definition of 'Normal' for Weather
New York Times
New baseline data for temperature, rain, snow and other weather events reveal how the climate has changed in the United States.

Why a Lifelong Republican Views Arizona's Recount as Wrong
New York Times
Bill Gates, an election supervisor in Maricopa County, says the audit of votes in his state is based on the lie of election fraud, and is "tearing at the foundations of our democracy."

Arizona G.O.P. Passes Law to Limit Distribution of Mail Ballots
New York Times
The new law, signed by Gov. Doug Ducey, will remove people from a widely popular early voting list if they do not cast a ballot at least once every two years.

Gov. Doug Ducey canceled Arizona voters. The NFL should cancel Arizona's Super Bowl
Arizona Republic (Opinion, EJ Montini)
Major League Baseball moved its all-star game after lawmakers in Georgia passed a voter suppression bill. The NFL should revoke Arizona's ability to host the Super Bowl in 2023.

Want cheaper degrees? Then do more to rethink Arizona community colleges
Arizona Republic (Opinion, Robert Robb)
If Arizona wants to truly serve students, its community colleges must evolve into full-fledged state colleges. SB 1453 is a good first step but alone won't get us there.

Sen. Kyrsten Sinema gets her own White House visit? That's ridiculous
Arizona Republic (Opinion, Elvia Diaz)
Democratic Sen. Kyrsten Sinema has become enough of an obstructionist that President Biden must plead with her at the White House to support his agenda. That's ridiculous.

Ignore the spin on both sides. Purging the early voting list isn't that big of a deal
Arizona Republic (Opinion, Abe Kwok)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003566
ARZN_REV00069196_5-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SB 1485 affects voters who sign up to be on the Permanent Early Voting List to receive a ballot in the mail but rarely bother to send it back. (You know who you are.)

Arizona is only hurting itself with high income taxes. Why a flat rate is smarter

Arizona Republic (Op-ed, Grover Norquist)

Arizona's income tax is not competitive, especially after Proposition 208 passed. How do we fix it? By creating a flat 2.5% rate for everyone

PRESS RELEASES

PRESS RELEASE

May 12, 2021
FOR IMMEDIATE RELEASE
Contact:
Tom Horne
Tel: 602-885-4959
Email: TomHorne2824@gmail.com

Tom Horne will announce his candidacy in the 2022 election for State Superintendent of Public Instruction tomorrow May 13, the State Capitol rose garden at 2:30 PM.

Mr. Horne was formerly State Superintendent from 2003 to 2011, and Arizona Attorney General from 2011 to 2015. He served in the legislature from 1997 to 2001, and served on a school board for 24 years, 10 as its president. In his short oral presentation, he will be discussing his ideas to improve education, and will distribute a 16 page single spaced position paper on these ideas.

Democrats release budget to help Arizona recover from pandemic – invests in education, infrastructure & most vulnerable

PHOENIX, State Capitol – House and Senate Democrats today released a joint budget proposal that would help Arizona's working families restore, recover and rebuild from the year-long COVID-19 pandemic. The $12.9 billion Democratic plan would raise teacher pay, make higher education more affordable, extend healthcare to uninsured children, address affordable housing shortages, reform an antiquated unemployment insurance system, invest in critical infrastructure and protect and uplift the most vulnerable Arizonans.

The joint budget plan would:

- Strengthen our economy by strengthening our public schools, community colleges and universities.
- Raise teacher pay to 25th in the nation and on par with competing neighboring states like Colorado.
- Make college more affordable and invest in job-creating New Economy initiatives.
- Expand KidsCare health insurance to cover an additional 30,000 children.
- Reform an unemployment insurance system overwhelmed by the pandemic and hampered by the second-lowest weekly benefit in the nation.
- Provide a hand up for people facing or experiencing homelessness, those using our social safety net, vulnerable adults, and others left behind during a difficult year.
- Support rural and Tribal communities through key investments in broadband, roads and education.

House Democratic Leader Reginald Bolding, D-Phoenix:

"Arizona remains one of the fastest-growing states in the nation, and one of the hardest-hit by the COVID-19 pandemic. We have the resources to help get working families back on their feet, help our students and teachers thrive as schools recover and re-set our economy toward sustainable growth. This is not the time for another massive, irresponsible and unsustainable tax giveaway for the wealthy. Our constituents are calling out for help, not tax cuts for an elite few, which moves that help farther out of reach. We invite Governor Ducey, the Speaker and Senate President, and all our Republican colleagues who want a brighter future for our state to work with us on turning these ideas into policy."

Senate Democratic Leader Rebecca Rios, D-Phoenix:

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"The COVID-19 pandemic has laid bare all of our social inequities and misplaced priorities. Even now as Arizona families and small businesses still struggle with the pandemic, our colleagues on the other side of the aisle aren't talking about investing in resources and programs to support them. They're talking about yet another massive tax cut. Arizona doesn't need more tax cuts that will only help corporations and the wealthiest. Arizona needs to fund COVID recovery for families and small businesses and invest in services and programs that benefit all Arizonans. Legislative Democrats are ready with a budget that invests in our schools, streamlines our ineffective unemployment insurance program, fixes inaccessible housing assistance programs, and helps small businesses stay afloat until our economy stabilizes. We're ready with immediate common-sense solutions to help Arizonans and we hope our colleagues join us in a budget that revitalizes Arizona."

Release: Arizona Republicans Asked for a Robust Proposal to Fix Crumbling Infrastructure. Biden Delivered, and Now They're Dragging Their Feet

In Arizona, 132 bridges and over 3,100 miles of highway found to be in poor condition

PHOENIX -- Back in 2018, Republican Congressman David Schweikert (AZ-06) called on his fellow members of Congress to come together and pass a comprehensive infrastructure plan, saying, **"Infrastructure should be bipartisan. Making the dollars work is Congress' obligation. Be creative."**

With his American Jobs Plan, President Biden has done just that and crafted a proposal to make a once-in-a-generation investment that will create millions of good-paying jobs and rebuild America's aging infrastructure. In an op-ed he penned in 2017, Republican Congressman Paul Gosar (AZ-04) seemed to support the economic underpinnings of Biden's plan, writing, **"federal infrastructure projects have the potential to create jobs, boost wages, and strengthen our national security."**

Now, despite the fact that the majority of American's support every key provision in President Biden's American Jobs Plan, Republican members of the Arizona Congressional Delegation are dragging their heels on passing the proposal when Arizonans need it most.

For decades, Arizona has suffered from a systemic lack of investment in infrastructure—last year, Arizona received a C grade on its overall Infrastructure Report Card after 132 bridges and over 3,100 miles of highway were found to be in poor condition and desperate for repair.

"If Arizona Republicans are truly committed to creating jobs and investing in our state's future, they'll support the American Jobs Plan and do the work to pass the president's bipartisan and incredibly popular proposal," said ADP Spokesperson Hannah Goss. **"Otherwise, if they renege on their promise to deliver this much-needed infrastructure investment and allow their partisanship to get in the way of progress, they'll be letting our entire state down."**

Release: Republicans Rigging Future Elections with Passage of SB1485 After Losing 2020 Elections

Governor Ducey signed mail-in voter purge bill despite earlier admissions 2020 election was secure

PHOENIX — SB 1485 is a voter suppression bill that seeks to purge more than 200,000 voters from Arizona's vote-by-mail system, the Permanent Early Voter List (PEVL). This controversial bill passed the Senate without a single Democratic vote and was immediately signed by Governor Ducey, despite his earlier admissions Arizona's elections were secure.

Arizona Republicans have been pushing voter suppression bills, citing unverified and debunked conspiracy theories as justification for these laws. This bill comes in the midst of the Arizona Senate's ongoing sham audit.

The following joint statement can be attributed to Raquel Terán, Chair of the Arizona Democratic Party, and Senator Rebecca Ríos, Chair of the Arizona Democratic Legislative Campaign Committee.

"More than 80 percent of Arizona voters use our popular and secure vote-by-mail system to make their voices heard. Creating barriers to voting is nothing more than retaliation by Republicans for losing the 2020 elections at the top of the ticket.

"After admitting that our elections were secure, Gov. Ducey could not wait to sign this bill to satisfy far-right radicals who believe conspiracy theories over facts. Instead of listening to the independent-minded voters of our state, the AZGOP is cutting out the voters who challenge their fringe agenda.

"Instead of leading, Ducey and the AZGOP handed their party over to conspiracy theorists. Arizona Democrats will

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003568

ARZN_REV00069196_5-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

remain focused on leading with our values and policies that will help our communities recover from the COVID-19 pandemic, gain access to health care, and fully fund education."

CBP's Tucson Sector and Air Branch to Host Border Safety Event

This advisory is for planning purposes only and information contained herein is considered off the record.
TUCSON – U.S. Customs and Border Protection (CBP) will host an in-person media availability with Tucson Sector Deputy Chief Patrol Agent Sabri Dickman and Tucson Air Branch Director of Air and Marine Operations Michael Montgomery to discuss the dangers of crossing the border illegally. Representatives from the governments of Mexico and Guatemala will also be in attendance.
The event will draw attention to the dangers of crossing the border and highlight our multi-national efforts to reduce migrant deaths and make the border region safer for agents, residents, and communities. During the operational briefing, officials will also demonstrate the extraordinary efforts taken by Border Patrol agents and Air and Marine Operations (AMO) pilots to rescue those in distress.
Event: Press Conference
Date: May 13, 2021
Time: 11 a.m. Mountain Standard Time
Location: Tucson Air and Marine Branch
Media: Davis-Monthan Air Force Base, Visitors Center
3100 S. Craycroft Road, Tucson, AZ, United States
YouTube Link
Please RSVP to AZCBPPublicAffairs@cbp.dhs.gov by 4 p.m. MST on Wednesday, May 12 to attend in person.

- Media outlets are required to provide the ***Name, Nationality/Citizenship, Outlet*** for attendees.
- Media attending the event will be required to arrive at the DMAFB Visitors Center by 9:30 a.m. MST on Thursday May 13 for a briefing and caravan to the Tucson Air Branch.

Arizona's Economic Outlook Ranking Falls in Latest ALEC Report

Legislative action needed to help reverse a troubling trend
PHOENIX, May 12, 2021—The latest annual *Rich States, Poor States* report released today had some sobering news for Arizona, which came in 13th place in the report's economic outlook ranking.
"While we slipped three places in the ranking, are no longer in the top ten, and are approaching what could be a crisis of competitiveness, hope still remains that we can correct course," said Chad Heinrich, Arizona state director for the National Federation of Independent Business (NFIB), which released its latest Small Business Economic Trends report, yesterday. Rich States, Poor States is produced by the American Legislative Exchange Council (ALEC).
Of the 15 variables the report uses for its economic outlook ranking, Arizona received poor grades for its top marginal personal income tax rate (42), state minimum wage rate (44), and sales tax burden (45).
"To help small businesses the State Legislature must focus on fixing the disparate tax treatment of commercial property, reforming Arizona's individual income tax code with small businesses in mind, and making our unemployment insurance (UI) trust fund solvent without raising taxes on Main Street enterprises, the latter of which is not measured in the Rich States, Poor States report," said Heinrich.
The NFIB poll released yesterday showed an increase in small business optimism over the previous month's increase but keeping the small-business economy from soaring is the drag of record highs in unfilled job openings.
"Gov. Doug Ducey's signing of liability protection legislation will help Arizona's small businesses open with confidence as we return to pre-pandemic business operations, as will Arizona conforming with several small-business-focused tax provisions in the federal CARES Act. The two big questions Main Street entrepreneurs have are: Will they be hit with a double whammy if the legislature increases unemployment taxes while UI rates have also increased due to the pandemic and how deeply would a federal effort to raise the minimum-wage rate to $15 an hour affect their operations," said Heinrich. Click here for the latest research on the minimum wage.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003569
ARZN_REV00069196_5-12-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"You've got Ugenti who is gonna come across as very polished, practiced and rehearsed. And Finchem is gonna show up in an old west costume spreading weird lies. I just don't know how well that plays."

- ***Republican railbird, on the potential secretary of state matchup***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003570

ARZN_REV00069196_5-12-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, May 13, 2021 7:46:50 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 5-13-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *May 13, 2021*

LIKE WE SAID, WHY SUBPOENA IF YOU CAN'T JAIL?
The Senate last night invited, rather than subpoenaed, Maricopa County officials to come down to the Senate next week to discuss "three serious issues," that have come up in the audit at a live-streamed meeting.

LET'S ALL JUMP TO OUR PRECONCEIVED CONCLUSIONS
The third issue Fann flagged, however, is potentially damning, though not in itself indicative of fraud and Fann never claimed as much.

CONFUSION AND AGITATION IS THEIR CONSTITUTIONAL DUTY
The Maricopa County Board of Supervisors called an emergency executive action today to receive legal advice about the "unfounded allegations."

SO ANYWAY, THAT'S THE DANGER OF THE AUDIT
Nowhere in the document does Fann use the word "fraud" or even imply that the issues could amount to fraud, but that didn't matter to former President

AMERICAN OVERSIGHT

Trump, who continued his banned-from-social-media disinformation campaign today with an email the letter proves there was "probably fraud."

AHH THE (SELECTIVE) GOOD OLD DAYS
Tom Horne launched his comeback campaign for superintendent of public instruction in a low-key press conference in the Rose Garden this afternoon.

IT'S NOT WORK IF THE JOKES WRITE THEMSELVES
The Daily Show correspondent Jordan Klepper traveled to Arizona to get in on the Crazy Times Carnival and the audit, securing interviews with Hobbs, Ken Bennett and John Brakey from the state that just won't let the 2020 election end.

HIGH JUMPING OVER THAT LOW BAR
Hobbs played along as Klepper threw jokes at her while also maintaining that while it's easy to make jokes about the audit, it's still "dangerous to our democracy."

BRAKEY IS THE STAR OF EVERY SHOW
The real highlight of the segment, though, was Klepper's joint interview with Bennett and Brakey outside the Coliseum.

IT'S DEAD – FOR NOW
After last week's surprising twist at the Corporation Commission, in which commissioners watered down the clean energy standards and ended up killing them after initially approving them, Commissioner Sandra Kennedy wants a do-over.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, May 13, 2021

NEWS NOTES AND GOSSIP

LIKE WE SAID, WHY SUBPOENA IF YOU CAN'T JAIL?

The Senate last night invited, rather than subpoenaed, Maricopa County officials to come down to the Senate next week to discuss "three serious issues," that have come up in the audit at a live-streamed meeting. The meeting is on Tuesday, the same day as the Cave Creek election, which one Republican railbird described as "f*cking hilarious." "Hey Cave Creek, never mind, can't do it – we gotta go down to the Legislature for a live-streamed inquisition," the source quipped. In contrast to the Senate's subpoena, which demanded members of the board show up to the Senate, only to be turned away, Fann's letter (LINK) struck a conciliatory tone, saying she hopes to "constructively resolve these issues" without resorting to additional subpoenas. Fann told our reporter via text that she considered several options for getting the county to answer questions and decided to try asking first. "We are assuming they have nothing to hide so they should be glad to answer the questions to clarify these issues," she said, in an about-face from her April comments that she believes the county does have something to hide (LINK). Of the three issues Fann flagged, the least interesting is her complaints about the county not turning over passwords and routers. County officials have said they don't have the former – Dominion does – and Dominion today blasted the request as coming from a biased and incompetent firm that is not accredited, and that turning over the passwords to Cyber Ninjas would "be reckless, causing irreparable damage to the commercial interests of this company and the election security interests of this country." County officials have repeatedly said turning over the server would constitute a breach of voter personal information and cost the county millions of dollars to replace the servers. Fann proposed an alternative: Let agents of CyFIR, one of Cyber Ninjas' subcontractors, view the relevant router data in the presence of the Sheriff's Office. The second issue she flagged largely amounts to questions about the chain of custody and organization of ballots, though there is one interesting nugget: Cyber Ninjas claims several batches of ballots contain fewer or more ballots than the pink slip accompanying each batch indicates.

LET'S ALL JUMP TO OUR PRECONCEIVED CONCLUSIONS

The third issue Fann flagged, however, is potentially damning, though not in itself indicative of fraud and Fann never claimed as much. In her letter, Fann claims an "entire 'database' directory" on the county's server was deleted, including "details that appear to be covered by the subpoena." While we won't pretend to be tech savvy enough to know what that means based on the limited information we have, deleting public records is certainly not cool. Still, there are literally dozens of potential explanations that don't amount to anything nefarious, as *ABC15's* Garrett Archer, an actual tech nerd and former Seventh Floor employee in Michele Reagan's administration, noted on Twitter. Archer tweeted it was "very very likely" that the concern was much ado about nothing. While he said his thoughts were speculative until the county responds, he noted that the files pertaining to the election were the same size, which led him to believe they were duplicates and that there were existing files that were not deleted. He also tweeted that it may be a database tied to the primary election, from which the Senate did not subpoena data. Fann acknowledged that there are possible alternative explanations in her final word on the topic: "Can you please advise as to why these folders were deleted, and whether there are any backups that may contain the deleted folders?"

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003573

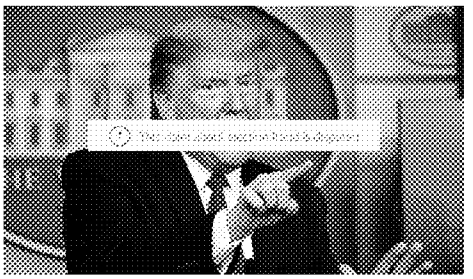
ARZN_REV00069200_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

CONFUSION AND AGITATION IS THEIR CONSTITUTIONAL DUTY

The Maricopa County Board of Supervisors called an emergency executive action today to receive legal advice about the "unfounded allegations." "The allegations were brought by the inexperienced technology personnel with whom the Senate has contracted to review the election," the board said in its notice of the meeting. "These reckless allegations have and are causing confusion and agitation at the State Legislature."

SO ANYWAY, THAT'S THE DANGER OF THE AUDIT



Nowhere in the document does Fann use the word "fraud" or even imply that the issues could amount to fraud, but that didn't matter to former President Trump, who continued his banned-from-social-media disinformation campaign today with an email declaring the letter proves there was "probably fraud." He described Fann's letter as "devastating" and declared the "Fake News and Lamestream Media" are trying to bury the story. "They don't want the United States or World to see what is going on with our corrupt, third world election," he wrote. Fann continued to distance herself from fraud allegations after Trump sent his email. In a text to our reporter, Fann wrote that the Senate "has never claimed or implied fraud." "We are doing our job of ensuring the elections are being done properly which gives us the opportunity to adjust election laws if necessary. If any portion of the audit shows improprieties, those results will be given to the Attorney General and/or congress for investigation," she continued.

AHH THE (SELECTIVE) GOOD OLD DAYS

Tom Horne launched his comeback campaign for superintendent of public instruction in a low-key press conference in the Rose Garden this afternoon. His brief speech largely recapped a 14-page manifesto he personally handed out to each of the five reporters who attended, and Horne described himself as a "crusader against mediocrity, laziness and political indoctrination as a substitute for academic teaching" while decrying how the school system has changed since his tenure ended in 2011. Cook, who was represented by Horne's wife Carmen Chenal-Horne during his House ethics probe last year, emailed all Republican lawmakers yesterday asking them to join him in standing by Horne during the press conference, but only Burges and Prescott-based Stop the Steal advocate and former Satanism expert Lyle Rapacki attended. Horne brushed off questions about alleged campaign finance violations that torpedoed his 2014 reelection campaign for attorney general, saying those charges were fabricated and the people who brought them are responsible for explaining them, not Horne. It wasn't merely the return of seven-year-old allegations of improprieties or Horne's practice of thanking reporters for every question – unusual in an era where so many of his party's politicians dismiss the press as "fake news" – that felt like a throwback to a previous era. He also talked repeatedly about wanting to revive a law banning ethnic studies, which a federal judge struck down as unconstitutional in 2017. One of his top priorities if elected will be to reinstate the law and try his hand in court again, a move Horne thinks will succeed now that the US Supreme Court is more solidly conservative. His handout (LINK) doubles down on policies that have fallen out of favor with even many conservative Republican lawmakers, such as supporting English-only education and reinstating the unconstitutional ethnic studies ban, while threading in a few modern GOP issues, such as critical race theory and keeping schools open through a pandemic. "Since I left office, my work has been undone," he wrote. "Political agendas have taken the place of a focus on academics, and this is damaging to the students. I feel compelled to bring the focus back to academic achievement." Of course, Horne's platform might feel more genuinely about bringing back rigorous education, rather than about bringing back Tom Horne, had he not recently been testing the waters for Attorney General (YS, 7/13/20).

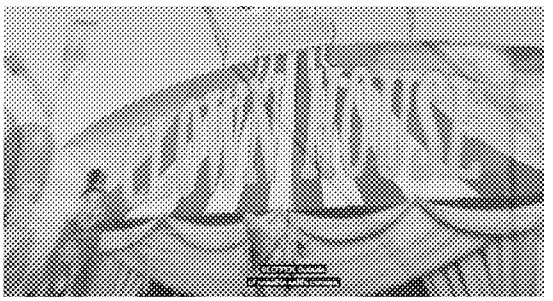
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003574

ARZN_REV00069200_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S NOT WORK IF THE JOKES WRITE THEMSELVES



The Daily Show correspondent Jordan Klepper traveled to Arizona to get in on the Crazy Times Carnival and the audit, securing interviews with Hobbs, Ken Bennett and John Brakey from the state that just won't let the 2020 election end. Klepper had some fun noting that the audit was happening adjacent to "an actual carnival" while the audit inside Veterans Memorial Coliseum had a "carnival atmosphere," where there are "a lot of games being played." During his six-minute segment (LINK), Klepper spoke with a protester and audit supporter who has been outside the Coliseum nearly every day with a Smith and Wesson .357 revolver holstered on his hip and signs held up behind him. "I'll be here until the audit is done," the man told Klepper, adding that the audit is the most important thing happening in the country. Klepper immediately asked about his gun, which the man said was in case Antifa or Black Lives Matter shows up at the carnival, a rumor that began as a QAnon theory that the carnival was a front Antifa and BLM would use to infiltrate the Coliseum (LINK). "So there is some fear that BLM might meet behind a Tilt-A-Whirl, organize, and then bum-rush the situation," Klepper quipped. "Bad people can do bad things," the man replied.

HIGH JUMPING OVER THAT LOW BAR

Hobbs played along as Klepper threw jokes at her while also maintaining that while it's easy to make jokes about the audit, it's still "dangerous to our democracy." Hobbs noted that the people in charge are "clearly partisan," that Cyber Ninjas has "no auditing or election experience" and that they are "making the rules up as they go." Klepper immediately jumped on the low-hanging fruit of Cyber Ninjas, asking if it was run by a "12-year-old boy." "It sounds like it, right?" Hobbs quipped. Klepper continued on to dunk on the cyber security group saying their website "looks like the invitation to my ninth birthday party." He went on to say that he finds it hard to believe they don't have experience because it must take "some amount of training" to become a cyber ninja. Hobbs tweeted about her upcoming appearance yesterday, setting out reporter's phone off with speculation about how poorly it would go for her following her somewhat embarrassing appearance on John Oliver's *Last Week Tonight* earlier this year in which Oliver brought out a sarcasm airhorn to mock her awkward explanation that she was employing sarcasm (YS, 2/15). But the general consensus was she handled it well. One Democrat said Hobbs seemed surprisingly poised during her interview and told our reporter that an interview on *The Daily Show* is a risky affair, but Hobbs handled it well. "It showed the amount of work that she has put into public speaking. I was shocked," the source said, adding the bar was set pretty low but she cleared it.

BRAKEY IS THE STAR OF EVERY SHOW

The real highlight of the segment, though, was Klepper's joint interview with Bennett and Brakey outside the Coliseum. Bennett said there are "farfetched ideas on both sides" and that their job is to prove or disprove as many of the ideas as they can. A lot of those "farfetched ideas" Bennett mentioned were conspiracies started by fringe-right groups and QAnon and not from "both sides" as he claimed. Klepper immediately pushed back, saying it just sounds like they are "feeding into conspiratorial thinking." Brakey said they are "myth-busters." "We're doing things we think are foolish, but people believe it's real," he

AMERICAN OVERSIGHT

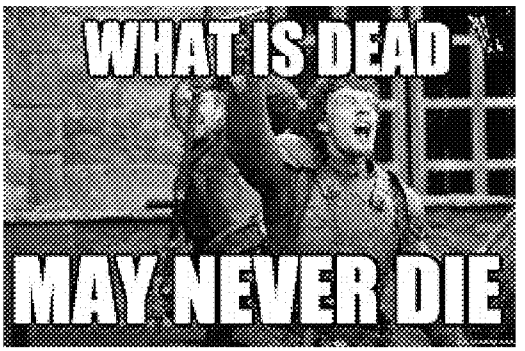
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003575

ARZN_REV00069200_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

said, which really sets the tone for the entire audit. Klepper asked about UV lights, which are no longer being used, and the bamboo theory that made Brakey go viral last week. "Bizarre, huh?" Brakey replied, throwing up jazz hands in a memeable moment (LINK). Klepper, proving just how easy it is for conspiracy theories to spread, asked if Bennett and Brakey are investigating the "Hungarian vector." Brakey bit, asking what that is as he seemingly prepared to add it to the list of nonsensical rumors the audit is investigating. "It's a bullsh*t thing I just made up that sounds cool and a little bit spooky," Klepper explained. At one point, Brakey took offense to Klepper's jokes about whether the ballots would actually be secure next week around thousands of high school graduates, telling the comedian to "get serious." The two bickered briefly before the segment came to a close with Klepper riding around on a purple elephant. "Until we settle the very serious bamboo situation, you can find me in a place that's run by professionals not attempting to thwart our democracy. The other carnival," Klepper said in closing.

IT'S DEAD – FOR NOW



After last week's surprising twist at the Corporation Commission, in which commissioners watered down the clean energy standards and ended up killing them after initially approving them, Commissioner Sandra Kennedy wants a do-over. Kennedy on Tuesday filed a motion (LINK) to revive the original standards from November to get another vote within the next month. Yesterday, Chair Lea Marquez Peterson agreed, but her reasons might trap the Commission into a Groundhog Day time loop of killing the standards once again. (Marquez Peterson voted to approve the standards last year before agreeing to change the language from "mandates" to "goals," which was a poison pill for Democrats (YS, 5/6).) "I stand by my decision to change the 'mandates' to 'goals,'" she wrote in response to Kennedy's request (LINK). Still, Marquez Petersen wrote that she was open to renegotiating, but since Dems won't vote for it with "goals" and Justin Olson, who is ardently opposed to the clean energy standards, will always vote against it, an agreement isn't likely. "I would be happy to place on an agenda and consider all good faith requests for negotiation and compromise that are tiled openly and transparently in the docket. But, until we receive such a request, the Energy Rules, as they stand today, are 'dead,'" she wrote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003576

ARZN_REV00069200_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Initiative targets 'dark money' in Arizona politics
Capitol Media Services
The initiative led by former Arizona Attorney General Terry Goddard would require public disclosure for donations of more than $5,000 spent by organizations on any candidate or ballot measure.

City expected to receive first of covid relief funding this week
Today's News-Herald
Lake Havasu City is scheduled to receive its share of the American Recovery Act sometime this week, but city officials say it is still unclear how, or if, Havasu will be able to spend it.

Activists Say Bills Signed by Ducey 'Gut' Police Accountability in Arizona
Phoenix New Times
Governor Doug Ducey has signed a group of bills that anti-police brutality advocates say severely undermine efforts to hold law enforcement accountable in Arizona.

New law could keep police officers off Arizona's 'Brady list'
Arizona Mirror
Police officers accused of misconduct will have a chance to appeal before they're put on a "bad cops" list, under a new state law signed by Gov. Doug Ducey.

At hearing, Republicans recast Jan. 6 rioters as victims
Roll Call
Gosar, Hice cast aspersions on law enforcement.

Kevin McCarthy says no one is 'questioning the legitimacy' of the 2020 election. That's not true.
New York Times
"I think that is all over with," Mr. McCarthy said after meeting with President Biden at the White House.

Liz Cheney was right: We must defend America from Trump's election falsehoods
Arizona Mirror (Opinion, James Garcia)
The Republican civil war is raging and the defenders of democracy are losing.

Sorry, but 'Gone With the Wind' is not a history book
Roll Call (Opinion, Mary C. Curtis)
Creating a false, Disneyfied version of the past is a disservice to students.

Would an Arizona GOP-sponsored bill fine teachers $5,000 for promoting anti-racism?
Arizona Republic (Opinion, EJ Montini)
A bill requiring teachers to present controversial issues 'from diverse and contending perspectives without giving deference to any one perspective' could lead to something like that.

Rep. Paul Gosar defends the 'peaceful patriots' who rioted on Jan. 6
Arizona Republic (Opinion, Laurie Roberts)
Rep. Paul Gosar once again distinguishes himself as Arizona's biggest crackpot congressman. This time, by defending Jan. 6 rioters. Or, as he sees them, "peaceful patriots'.

Arizona's election audit has become a coast-to-coast embarrassment. Senate should end it
Arizona Republic (Opinion, Laurie Roberts)
Senate President Karen Fann should end this disaster of an audit. It's embarrassing and it cannot succeed in achieving what she claims is her goal.

The US got involved in a Mexican union fight – and found a win for American workers
Arizona Republic (Opinion, Elvia Diaz)
The Biden administration intervened in a questionable union vote at a General Motors plant in Mexico – and sent a message about cheap labor.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003577
ARZN_REV00069200_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Think Arizona charter schools skate by with no oversight? Think again
Arizona Republic (Op-ed, Jim Swanson)
There's a false narrative that Arizona charter schools operate with little regulatory oversight. Here's how we hold them accountable.

Google, Facebook get rich off local news without paying us a dime for it. That must end
Arizona Republic (Opinion, Editorial Board)
Google and Facebook pay to license other types of content but have refused to fairly compensate critical news outlets for our work. A bill in Congress would change that.

PRESS RELEASES

Governor Ducey Announces "Arizona Back To Work"

Bonuses, Child Care, Education Scholarships and Rental Assistance Support Arizonans Transitioning Back To Work
PHOENIX — Governor Doug Ducey today announced Arizona's plan to support Arizonans getting back to work, and fill the thousands of jobs available across the state.
Governor Ducey announced Arizona will no longer be taking the Federal Pandemic Unemployment Compensation, and instead will offer one-time bonuses to returning workers, along with child care support, educational opportunities and rental assistance.
"In Arizona, we're going to use federal money to encourage people to work…instead of paying people not to work," Governor Ducey said.
As the Arizona Republic has reported, many employers report they are having trouble competing with the federal government's unemployment payments, which are paying individuals more to stay home and not work than to find a job.
Arizona will offer a $2,000 Back To Work bonus for eligible workers — with a goal of getting as many Arizonans as possible to rejoin the workforce by Labor Day, September 6, 2021.
With this new program, Arizona will stop taking the federal government's pandemic unemployment benefits effective Saturday, July 10. Arizona will also provide support for unemployed individuals seeking to upskill their careers with adult education programs as well as additional child care opportunities.
"With ample supplies of the COVID-19 vaccine on hand and millions of Arizonans vaccinated, people feel safer and are finally returning to life in Arizona as we knew and loved it before," said Governor Ducey. "People are back in the office, restaurants are at full capacity and tourists are flocking to our state."
"Although more people are ready to work today in Arizona than before the pandemic, many businesses are struggling to fill vital positions," the Governor added. "We cannot let unemployment benefits be a barrier to getting people back to work."
Governor Ducey's Back To Work program will help individuals transition from unemployment to a new job, and ensure those currently receiving unemployment have support available to help them in this critical step forward.
Instead of using the federal stimulus funding to further grow the size of government, Governor Ducey said Arizona is using it to encourage those who can work to connect with job opportunities.
"There is dignity in work. Ronald Reagan said the best social program is a job. I agree with that," Governor Ducey said.
"We have worked tirelessly throughout the pandemic to ensure those who were displaced received the support they needed for themselves and their families," said Arizona Department of Economic Security (DES) Director Michael Wisehart. "Now that employers in all sectors are hiring, we're ready to transition and enhance our assistance to families, job seekers and employers. We are committed to ensuring the long-term strength of Arizona's economy to provide self-sufficiency for Arizona's families."
The Governor's Back To Work program is garnering support from community and business leaders across the state:
"Governor Ducey is breaking down many of the barriers that prevent people from returning to work. Getting people funding for GED programs, community college, providing funding for childcare, and bonus money for their hard work is the hand up Arizonans need," said Arizona Regional Economic Development Foundation Executive Director Mignonne Hollis.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003578
ARZN_REV00069200_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"After last week's disappointing federal jobs report, Arizona is implementing a common-sense, conservative plan to ensure we continue our state's strong economic rebound," said Prescott Chamber of Commerce President and CEO Sheri Heiney.

"Across Arizona, restaurants of all sizes are ready to hire new employees and expand their teams," said Arizona Restaurant Association President and CEO Steve Chucri. "When it comes to the food and beverage industry, things are much different than they were a year ago. Millions are vaccinated, we know how to keep patrons and staff safe, and people are ready to eat at restaurants again. Restaurants need to ensure they have enough staff to meet the demand, but many are struggling to fill positions. I'm grateful to Governor Ducey for encouraging Arizonans to find new employment opportunities so we can get our restaurants fully staffed and continue to move the state's economy forward."

"We're excited to welcome new team members and provide great jobs for Arizonans," said Westroc Hospitality President and Chief Operating Officer Bill Nassikas. "After weathering the pandemic, we know Arizonans are looking for employment opportunities. We're ready to hire, along with countless other businesses across the state."

"Arizona's tourism and hospitality industry is poised and eager to welcome visitors," said Arizona Tourism and Lodging Association President and CEO Kim Grace Sabow. We are prepared to offer safe and unique experiences to both leisure and business travelers. An array of quality jobs are available for those seeking a rewarding industry career path – and we're ready to hire today!"

See details on the Back To Work program below:

Return-To-Work Bonuses

Arizona will set aside $300 million of federal resources to offer a one-time bonus of $2,000 to eligible individuals who return to the workforce and get a full-time job, while those who return part-time will receive $1,000. The bonus will be awarded when the individual has left the unemployment insurance program and completed at least 10 weeks of work with an employer, and be offered on a first-come, first-serve basis.

In order to qualify for the bonus, an individual must have already filed for unemployment benefits. Arizonans filing for new unemployment benefits moving forward will not be eligible for Return-to-Work bonuses.The individual must also make $25 per hour or less, equivalent to a yearly salary of $52,000, at their new job and must begin working by Labor Day — Monday, September 6. Qualifying individuals may accept a job with an employer immediately to qualify for the bonus. More details about this program will be announced soon by DES at https://des.az.gov/back-to-work-program.

Education Incentives

The State will also provide $7.5 million for community college scholarships for currently unemployed workers who are eligible for the Return-to-Work bonuses — as well as $6 million for GED test preparation and exam fees for eligible workers without a high school diploma.

Child Care For Returning Workers

The State will provide three months of child care assistance for individuals with children who return to work after collecting unemployment benefits. To be eligible, an individual must have already filed for unemployment benefits and earn $25 per hour, equivalent to a yearly salary of $52,000, or less at their new job.

Housing Assistance

The Governor on May 5 announced significant new federal investment of $508,400,000 aimed at addressing housing instability in Arizona. The funds will assist renters, support homeowners experiencing financial hardship, and provide critical services to Arizonans experiencing homelessness or housing instability.

Arizona's new employment program comes as the state's economy is booming, employers are looking for talent, and 2.5 million+ Arizonans are fully vaccinated.

As of March, there were 160,000 – 180,000 jobs available across the state, based on data from the Bureau of Labor Statistics.

The Arizona Office of Economic Opportunity recently released a report showing Arizona will add nearly 550,000 jobs by 2029 for an annualized job growth rate of 1.6 percent, four times the U.S. growth rate.

Arizona State University forecasters on May 6 said the state's strong economic rebound is in progress and more jobs are coming.

As restaurants across the state safely operate at full capacity, Downtown Phoenix is set to have more restaurants than before the pandemic.

As employment opportunities grow, Governor Ducey on March 3 reinstated the rule that an individual receiving employment benefits must be actively looking for work in order to receive the benefits. Under the new requirement, Arizonans receiving unemployment benefits may continue to receive benefits, but must show that they are actively looking for work.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003579

ARZN_REV00069200_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Additionally, Governor Ducey and DES last week announced an additional $9 million in aid for child care providers throughout the state. With this funding, Arizona will have allocated a total of $88 million in Child Care and Development Fund relief funding for the child care network, providers and families since the beginning of the pandemic, as appropriated through the 2020 CARES Act.

Statement on Governor Ducey's Termination of Temporary Unemployment Protections

MAY 13, 2021

[PHOENIX, AZ] Today, Arizona Governor Doug Ducey announced he would end temporary pandemic unemployment assistance. Rather than listening to workers, addressing root causes of unemployment, and enabling people to pursue jobs that provide adequate financial security—this cruel, misguided decision scapegoats and coerces workers into accepting substandard jobs. Arizona's economic recovery is far from over, and expanded unemployment benefits are crucial to that recovery.

The Governor's action today ends the $300 per week boost from Pandemic Unemployment Compensation (PUC) and Pandemic Unemployment Assistance (PUA) for self-employed people, independent contractors, those who cannot work due to health or COVID-19 reasons, and those with insufficient prior earnings or work history to qualify for state unemployment insurance. These benefits were scheduled to end on September 6, 2021, but Arizona will now end them two months early.

This action snaps Arizona UI benefits back to a $240 per week maximum for those remaining on state unemployment insurance, well below minimum wage, and among the lowest in the country. The Century Foundation estimates that more than 190,000 Arizonans could face the loss of these critical benefits. This move will disproportionately harm households with children, workers of color, and those with lower incomes before the pandemic—the very Arizonans who have borne a greater degree of income loss and are experiencing greater rates of unemployment, food insecurity, and housing instability.

Our state's economy is not the same as it was before the pandemic. Workers, particularly those in lower-wage service jobs face new challenges, including the risk of infection, enforcing public health guidance, and limited child care options. These federal unemployment insurance funds have been a lifeline for Arizonans and were supposed to be available until September to ensure well-being and stability while workers identify safe employment that provides wages that sustain families.

Abruptly ending participation in the pandemic unemployment insurance programs—that workers and allies fought for—shows that little has been learned from the Great Recession, where states that cut unemployment assistance recovered slower than those with stronger unemployment systems. With this short-sighted move, the Governor will turn down nearly $1 billion in federal UI funds, and instead, siphon $300 million from economic recovery funds available through the American Rescue Plan Act. That's $1 billion less to be spent in our state, in our businesses, and in our communities.

In the place of the federal programs, Governor Ducey announced he would use relief dollars to create a new "Back to Work" program which offers a one-time, first-come-first-serve "return to work" bonus, which a worker would receive after being hired and employed for ten weeks ($2,000 for full-time work, and $1,000 for part-time work). This arrangement is nothing more than an attempt to force workers into accepting lower-wage jobs, rather than providing workers the supports they need to find the right job, take care of their families, and above all stay safe.

According to recent responses to the U.S. Census Household Pulse Survey, the most-cited reasons for not working include fear of contracting or spreading COVID-19, providing care for a family member or child, being sick or disabled (not COVID-19). If our state leaders truly want to support those struggling in the job market as we re-emerge from this pandemic and recession, they should invest in things like child care, paid family and medical leave, and other supports for workers.

At this moment, Arizona's elected leaders should be focused on continuing and expanding supports for workers to enable a swift and equitable economic recovery. Prematurely ending expanded unemployment insurance accomplishes the opposite.

Senator Christine Marsh Urges Governor Ducey to Sign Her Fentanyl Testing Bill Into Law

IMMEDIATE RELEASE

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

May 13th, 2020
PHOENIX- Today Senator Christine Marsh's bill, SB1486 to legalize fentanyl test strips, passed the House and now goes to Governor Doug Ducey's to sign into law. After losing her son Landon Marsh from an accidental Fentanyl overdose, Senator Christine Marsh sponsored the bill to legalize fentanyl test strips, which are currently banned as drug paraphernalia. The strips work like urinalysis test strips to detect the presence of lethal fentanyl in a narcotic. "I'm grateful to my Democratic and Republican colleagues for supporting this bill that will absolutely save lives," said Senator Marsh. "This bill may be a small step, but it's a monumental one. My son Landon's death and so many others may have been stopped if they knew what was in the pill they were taking. I urge Governor Ducey to sign this bill."

Legislation Toughening Penalties for Prison Escapees Signed into Law

STATE CAPITOL, PHOENIX – Arizona Governor Doug Ducey today signed into law HB 2790, legislation sponsored by State Representative David Cook (R-8), which toughens penalties for inmates who escape from a correctional facility.
"I'm grateful to Governor Ducey for signing HB 2790. Prison escapes in Arizona are thankfully rare," said Representative Cook. **"However, when one occurs, it places the safety of our communities, and our law enforcement officers, at great risk. The consequence for such criminal action should be high."**
HB 2790 classifies knowingly escaping from an adult correctional facility as an escape in the first degree (previously classified as second degree) with a penalty of a Class 4 felony. It also requires a sentence for a first-degree escape conviction to be served consecutively to the sentence that the inmate was serving at the time of their escape.

Release: Arizona Democratic Party and DNC Announce Historic Agreement

Agreement includes over $23 million in direct investments to state parties and grassroots infrastructure during 2022 election cycle
PHOENIX – Today, the Democratic National Committee (DNC) and state parties including the Arizona Democratic Party announced a historic four-year agreement that will guarantee more investment into Democratic state parties and grassroots infrastructure than ever before. At a minimum, this investment will provide $23 million to state parties as part of Democrats' 2022 midterm strategy, and creates a first-of-its-kind program to focus additional investments in historically red states to build on Democrats' 57 states and territories strategy.
The contract also includes a data sharing agreement that increases investment in down-ballot races, solidifies another four years of historic investment in Democratic data, and anchors the DNC and state parties as the central hub of the Democratic data ecosystem.
"If 2020 taught us anything, it's that the state of Arizona is incredibly important to the national political arena," said ADP Chairwoman Raquel Terán. **"This historic agreement with the Democratic National Committee will allow us to build upon our wins from last cycle, strengthen our grassroots infrastructure, and continue the work of electing Democrats up and down the ticket in 2022 and beyond."**
Additional investments in the agreement include:

- $15.5 Million for State Partnership Program (SPP): The new agreement increases monthly SPP funding for 50 state parties and DC by 25% to fund critical party infrastructure including staff, tools, and programming in the states.
- $5.5 Million for State Party Innovation Fund Grants: These grants will ensure innovation and early organizing by putting more boots on the ground throughout the country to help elect Democrats up and down the ticket in 2022. The program includes $5 million in funding for all 50 state parties plus the District of Columbia, along with an additional $500,000 for Dems Abroad and the territories. These competitive grants will primarily be used to hire staff in state to develop and implement innovative programs tailored for each state.
- Reestablishes the Democratic Grassroots Victory Fund: The agreement is contingent on the Democratic state parties rejoining the joint fundraising agreement that propelled the DNC to record-breaking major donor fundraising over the last four years, and allows the DNC to collect up to $875,000 per individual per year.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senators Kelly and Sinema Introduce Legislation to Support U of A's College of Veterinary Sciences
Bill would transfer V Bar V Ranch land from Forest Service to U of A
Today, Arizona Senator Mark Kelly introduced the *Arizona Experiment Station Land Conveyance Act,* legislation co-sponsored by Senator Sinema that would transfer Forest Service land to the University of Arizona in an effort to ensure that the V-V Ranch (pronounced "V Bar V"), a livestock research ranch operated by the College of Agriculture & Life Sciences, can continue its important educational mission. This bill would help ensure the long-term access to and operation of V-V Ranch, as well as the accreditation of the Veterinary Sciences program.
"The University of Arizona's Veterinary Sciences program is like no other in the nation, and I am committed to helping its students receive the most rigorous and innovative education possible," **said Senator Kelly.** "V Bar V Ranch not only provides unparalleled opportunities for students to gain hands-on practice and research working with cattle, range management, and Arizona wildlife, but also prepares students for a future in clinical animal medicine. That's important not just for these students, but for the Arizona farmers and ranchers they will be serving as well."
"Advancing this land transfer provides certainty for the University of Arizona's new College of Veterinary Sciences and supports its mission training the next generation of veterinarians in our state," **said Senator Sinema.**
"The University of Arizona strongly supports the Arizona Experiment Station Land Conveyance Act of 2021," **said UA President Robert C. Robbins. "**This legislation advances the University's important education, Cooperative Extension, and research missions at the V Bar V Ranch in northern Arizona. The conveyance will provide the University's new College of Veterinary Medicine the opportunity to engage students in clinical rotations in food animal veterinary medicine. We thank Sen. Kelly for introducing this important legislation and are grateful for his continued efforts."
The University of Arizona bought V-V Ranch in 1995 assuming they acquired clear title to the full ranch footprint, including 13.3 acres near Camp Verde, AZ, designated as the ranch's Winter Headquarters. But in 2015, after reviewing consulting boundary surveys, the Coconino National Forest notified the University that those 13.3 acres were actually owned by the Forest Service. After deliberation, the University decided it was in its best fiduciary interest to own the land outright if it was to continue the uninterrupted operations of the ranch and allow the University full discretion of infrastructure investments and maintenance without the constraints of a Special Use Permit from the Forest Service.
Though a similar bill was introduced in the 116th Congress, Senator Kelly's bill would provide for a land conveyance with the stipulation that the University would get the Forest Service land for free as a public entity provided they only use the land for its mission as a land-grant university.
The bill has support from the Arizona Veterinary Medical Association, Arizona Cattle Grower's Association; Yavapai Cattle Growers Association; Coconino County Farm Bureau Cattle Growers; and the Arizona Farm Bureau Federation.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003582
ARZN_REV00069200_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"We're doing things we think are foolish, but people believe it's real."

- ***John Brakey, on the audit***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003583

ARZN_REV00069200_5-13-21.pdf

Sender: Rosanna Gabaldon <rgabaldon@azleg.gov>
Sent: Friday, May 14, 2021 4:14:08 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-13-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *May 13, 2021*

LIKE WE SAID, WHY SUBPOENA IF YOU CAN'T JAIL?
The Senate last night invited, rather than subpoenaed, Maricopa County officials to come down to the Senate next week to discuss "three serious issues," that have come up in the audit at a live-streamed meeting.

LET'S ALL JUMP TO OUR PRECONCEIVED CONCLUSIONS
The third issue Fann flagged, however, is potentially damning, though not in itself indicative of fraud and Fann never claimed as much.

AMERICAN OVERSIGHT

CONFUSION AND AGITATION IS THEIR CONSTITUTIONAL DUTY
The Maricopa County Board of Supervisors called an emergency executive action today to receive legal advice about the "unfounded allegations."

SO ANYWAY, THAT'S THE DANGER OF THE AUDIT
Nowhere in the document does Fann use the word "fraud" or even imply that the issues could amount to fraud, but that didn't matter to former President Trump, who continued his banned-from-social-media disinformation campaign today with an email the letter proves there was "probably fraud."

AHH THE (SELECTIVE) GOOD OLD DAYS
Tom Horne launched his comeback campaign for superintendent of public instruction in a low-key press conference in the Rose Garden this afternoon.

IT'S NOT WORK IF THE JOKES WRITE THEMSELVES
The Daily Show correspondent Jordan Klepper traveled to Arizona to get in on the Crazy Times Carnival and the audit, securing interviews with Hobbs, Ken Bennett and John Brakey from the state that just won't let the 2020 election end.

HIGH JUMPING OVER THAT LOW BAR
Hobbs played along as Klepper threw jokes at her while also maintaining that while it's easy to make jokes about the audit, it's still "dangerous to our democracy."

BRAKEY IS THE STAR OF EVERY SHOW
The real highlight of the segment, though, was Klepper's joint interview with Bennett and Brakey outside the Coliseum.

IT'S DEAD – FOR NOW
After last week's surprising twist at the Corporation Commission, in which commissioners watered down the clean energy standards and ended up killing them after initially approving them, Commissioner Sandra Kennedy wants a do-over.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, May 13, 2021

NEWS NOTES AND GOSSIP

LIKE WE SAID, WHY SUBPOENA IF YOU CAN'T JAIL?

The Senate last night invited, rather than subpoenaed, Maricopa County officials to come down to the Senate next week to discuss "three serious issues," that have come up in the audit at a live-streamed meeting. The meeting is on Tuesday, the same day as the Cave Creek election, which one Republican railbird described as "f*cking hilarious." "Hey Cave Creek, never mind, can't do it – we gotta go down to the Legislature for a live-streamed inquisition," the source quipped. In contrast to the Senate's subpoena, which demanded members of the board show up to the Senate, only to be turned away, Fann's letter (LINK) struck a conciliatory tone, saying she hopes to "constructively resolve these issues" without resorting to additional subpoenas. Fann told our reporter via text that she considered several options for getting the county to answer questions and decided to try asking first. "We are assuming they have nothing to hide so they should be glad to answer the questions to clarify these issues," she said, in an about-face from her April comments that she believes the county does have something to hide (LINK). Of the three issues Fann flagged, the least interesting is her complaints about the county not turning over passwords and routers. County officials have said they don't have the former – Dominion does – and Dominion today blasted the request as coming from a biased and incompetent firm that is not accredited, and that turning over the passwords to Cyber Ninjas would "be reckless, causing irreparable damage to the commercial interests of this company and the election security interests of this country." County officials have repeatedly said turning over the server would constitute a breach of voter personal information and cost the county millions of dollars to replace the servers. Fann proposed an alternative: Let agents of CyFIR, one of Cyber Ninjas' subcontractors, view the relevant router data in the presence of the Sheriff's Office. The second issue she flagged largely amounts to questions about the chain of custody and organization of ballots, though there is one interesting nugget: Cyber Ninjas claims several batches of ballots contain fewer or more ballots than the pink slip accompanying each batch indicates.

LET'S ALL JUMP TO OUR PRECONCEIVED CONCLUSIONS

The third issue Fann flagged, however, is potentially damning, though not in itself indicative of fraud and Fann never claimed as much. In her letter, Fann claims an "entire 'database' directory" on the county's server was deleted, including "details that appear to be covered by the subpoena." While we won't pretend to be tech savvy enough to know what that means based on the limited information we have, deleting public records is certainly not cool. Still, there are literally dozens of potential explanations that don't amount to anything nefarious, as *ABC15's* Garrett Archer, an actual tech nerd and former Seventh Floor employee in Michele Reagan's administration, noted on Twitter. Archer tweeted it was "very very likely" that the concern was much ado about nothing. While he said his thoughts were speculative until the county responds, he noted that the files pertaining to the election were the same size, which led him to believe they were duplicates and that there were existing files that were not deleted. He also tweeted that it may be a database tied to the primary election, from which the Senate did not subpoena data. Fann acknowledged that there are possible alternative explanations in her final word on the topic: "Can you please advise as to why these folders were deleted, and whether there are any backups that may contain the deleted folders?"

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003586

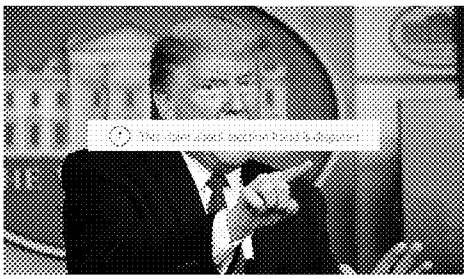
ARZN_REV00069202_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

CONFUSION AND AGITATION IS THEIR CONSTITUTIONAL DUTY

The Maricopa County Board of Supervisors called an emergency executive action today to receive legal advice about the "unfounded allegations." "The allegations were brought by the inexperienced technology personnel with whom the Senate has contracted to review the election," the board said in its notice of the meeting. "These reckless allegations have and are causing confusion and agitation at the State Legislature."

SO ANYWAY, THAT'S THE DANGER OF THE AUDIT



Nowhere in the document does Fann use the word "fraud" or even imply that the issues could amount to fraud, but that didn't matter to former President Trump, who continued his banned-from-social-media disinformation campaign today with an email declaring the letter proves there was "probably fraud." He described Fann's letter as "devastating" and declared the "Fake News and Lamestream Media" are trying to bury the story. "They don't want the United States or World to see what is going on with our corrupt, third world election," he wrote. Fann continued to distance herself from fraud allegations after Trump sent his email. In a text to our reporter, Fann wrote that the Senate "has never claimed or implied fraud." "We are doing our job of ensuring the elections are being done properly which gives us the opportunity to adjust election laws if necessary. If any portion of the audit shows improprieties, those results will be given to the Attorney General and/or congress for investigation," she continued.

AHH THE (SELECTIVE) GOOD OLD DAYS

Tom Horne launched his comeback campaign for superintendent of public instruction in a low-key press conference in the Rose Garden this afternoon. His brief speech largely recapped a 14-page manifesto he personally handed out to each of the five reporters who attended, and Horne described himself as a "crusader against mediocrity, laziness and political indoctrination as a substitute for academic teaching" while decrying how the school system has changed since his tenure ended in 2011. Cook, who was represented by Horne's wife Carmen Chenal-Horne during his House ethics probe last year, emailed all Republican lawmakers yesterday asking them to join him in standing by Horne during the press conference, but only Burges and Prescott-based Stop the Steal advocate and former Satanism expert Lyle Rapacki attended. Horne brushed off questions about alleged campaign finance violations that torpedoed his 2014 reelection campaign for attorney general, saying those charges were fabricated and the people who brought them are responsible for explaining them, not Horne. It wasn't merely the return of seven-year-old allegations of improprieties or Horne's practice of thanking reporters for every question – unusual in an era where so many of his party's politicians dismiss the press as "fake news" – that felt like a throwback to a previous era. He also talked repeatedly about wanting to revive a law banning ethnic studies, which a federal judge struck down as unconstitutional in 2017. One of his top priorities if elected will be to reinstate the law and try his hand in court again, a move Horne thinks will succeed now that the US Supreme Court is more solidly conservative. His handout (LINK) doubles down on policies that have fallen out of favor with even many conservative Republican lawmakers, such as supporting English-only education and reinstating the unconstitutional ethnic studies ban, while threading in a few modern GOP issues, such as critical race theory and keeping schools open through a pandemic. "Since I left office, my work has been undone," he wrote. "Political agendas have taken the place of a focus on academics, and this is damaging to the students. I feel compelled to bring the focus back to academic achievement." Of course, Horne's platform might feel more genuinely about bringing back rigorous education, rather than about bringing back Tom Horne, had he not recently been testing the waters for Attorney General (YS, 7/13/20).

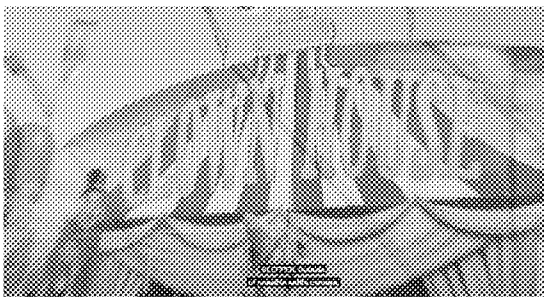
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003587

ARZN_REV00069202_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S NOT WORK IF THE JOKES WRITE THEMSELVES



The Daily Show correspondent Jordan Klepper traveled to Arizona to get in on the Crazy Times Carnival and the audit, securing interviews with Hobbs, Ken Bennett and John Brakey from the state that just won't let the 2020 election end. Klepper had some fun noting that the audit was happening adjacent to "an actual carnival" while the audit inside Veterans Memorial Coliseum had a "carnival atmosphere," where there are "a lot of games being played." During his six-minute segment (LINK), Klepper spoke with a protester and audit supporter who has been outside the Coliseum nearly every day with a Smith and Wesson .357 revolver holstered on his hip and signs held up behind him. "I'll be here until the audit is done," the man told Klepper, adding that the audit is the most important thing happening in the country. Klepper immediately asked about his gun, which the man said was in case Antifa or Black Lives Matter shows up at the carnival, a rumor that began as a QAnon theory that the carnival was a front Antifa and BLM would use to infiltrate the Coliseum (LINK). "So there is some fear that BLM might meet behind a Tilt-A-Whirl, organize, and then bum-rush the situation," Klepper quipped. "Bad people can do bad things," the man replied.

HIGH JUMPING OVER THAT LOW BAR

Hobbs played along as Klepper threw jokes at her while also maintaining that while it's easy to make jokes about the audit, it's still "dangerous to our democracy." Hobbs noted that the people in charge are "clearly partisan," that Cyber Ninjas has "no auditing or election experience" and that they are "making the rules up as they go." Klepper immediately jumped on the low-hanging fruit of Cyber Ninjas, asking if it was run by a "12-year-old boy." "It sounds like it, right?" Hobbs quipped. Klepper continued on to dunk on the cyber security group saying their website "looks like the invitation to my ninth birthday party." He went on to say that he finds it hard to believe they don't have experience because it must take "some amount of training" to become a cyber ninja. Hobbs tweeted about her upcoming appearance yesterday, setting out reporter's phone off with speculation about how poorly it would go for her following her somewhat embarrassing appearance on John Oliver's *Last Week Tonight* earlier this year in which Oliver brought out a sarcasm airhorn to mock her awkward explanation that she was employing sarcasm (YS, 2/15). But the general consensus was she handled it well. One Democrat said Hobbs seemed surprisingly poised during her interview and told our reporter that an interview on *The Daily Show* is a risky affair, but Hobbs handled it well. "It showed the amount of work that she has put into public speaking. I was shocked," the source said, adding the bar was set pretty low but she cleared it.

BRAKEY IS THE STAR OF EVERY SHOW

The real highlight of the segment, though, was Klepper's joint interview with Bennett and Brakey outside the Coliseum. Bennett said there are "farfetched ideas on both sides" and that their job is to prove or disprove as many of the ideas as they can. A lot of those "farfetched ideas" Bennett mentioned were conspiracies started by fringe-right groups and QAnon and not from "both sides" as he claimed. Klepper immediately pushed back, saying it just sounds like they are "feeding into conspiratorial thinking." Brakey said they are "myth-busters." "We're doing things we think are foolish, but people believe it's real," he

AMERICAN OVERSIGHT

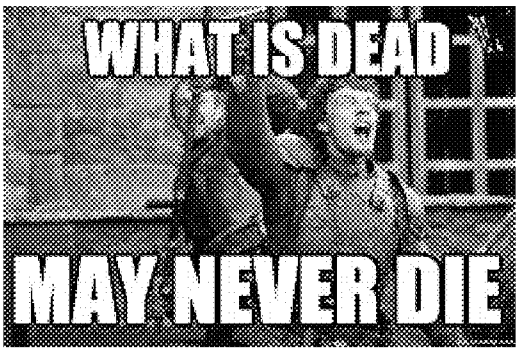
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003588

ARZN_REV00069202_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

said, which really sets the tone for the entire audit. Klepper asked about UV lights, which are no longer being used, and the bamboo theory that made Brakey go viral last week. "Bizarre, huh?" Brakey replied, throwing up jazz hands in a memeable moment (LINK). Klepper, proving just how easy it is for conspiracy theories to spread, asked if Bennett and Brakey are investigating the "Hungarian vector." Brakey bit, asking what that is as he seemingly prepared to add it to the list of nonsensical rumors the audit is investigating. "It's a bullsh*t thing I just made up that sounds cool and a little bit spooky," Klepper explained. At one point, Brakey took offense to Klepper's jokes about whether the ballots would actually be secure next week around thousands of high school graduates, telling the comedian to "get serious." The two bickered briefly before the segment came to a close with Klepper riding around on a purple elephant. "Until we settle the very serious bamboo situation, you can find me in a place that's run by professionals not attempting to thwart our democracy. The other carnival," Klepper said in closing.

IT'S DEAD – FOR NOW



After last week's surprising twist at the Corporation Commission, in which commissioners watered down the clean energy standards and ended up killing them after initially approving them, Commissioner Sandra Kennedy wants a do-over. Kennedy on Tuesday filed a motion (LINK) to revive the original standards from November to get another vote within the next month. Yesterday, Chair Lea Marquez Peterson agreed, but her reasons might trap the Commission into a Groundhog Day time loop of killing the standards once again. (Marquez Peterson voted to approve the standards last year before agreeing to change the language from "mandates" to "goals," which was a poison pill for Democrats (YS, 5/6).) "I stand by my decision to change the 'mandates' to 'goals,'" she wrote in response to Kennedy's request (LINK). Still, Marquez Petersen wrote that she was open to renegotiating, but since Dems won't vote for it with "goals" and Justin Olson, who is ardently opposed to the clean energy standards, will always vote against it, an agreement isn't likely. "I would be happy to place on an agenda and consider all good faith requests for negotiation and compromise that are tiled openly and transparently in the docket. But, until we receive such a request, the Energy Rules, as they stand today, are 'dead,'" she wrote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003589

ARZN_REV00069202_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Initiative targets 'dark money' in Arizona politics
Capitol Media Services
The initiative led by former Arizona Attorney General Terry Goddard would require public disclosure for donations of more than $5,000 spent by organizations on any candidate or ballot measure.

City expected to receive first of covid relief funding this week
Today's News-Herald
Lake Havasu City is scheduled to receive its share of the American Recovery Act sometime this week, but city officials say it is still unclear how, or if, Havasu will be able to spend it.

Activists Say Bills Signed by Ducey 'Gut' Police Accountability in Arizona
Phoenix New Times
Governor Doug Ducey has signed a group of bills that anti-police brutality advocates say severely undermine efforts to hold law enforcement accountable in Arizona.

New law could keep police officers off Arizona's 'Brady list'
Arizona Mirror
Police officers accused of misconduct will have a chance to appeal before they're put on a "bad cops" list, under a new state law signed by Gov. Doug Ducey.

At hearing, Republicans recast Jan. 6 rioters as victims
Roll Call
Gosar, Hice cast aspersions on law enforcement.

Kevin McCarthy says no one is 'questioning the legitimacy' of the 2020 election. That's not true.
New York Times
"I think that is all over with," Mr. McCarthy said after meeting with President Biden at the White House.

Liz Cheney was right: We must defend America from Trump's election falsehoods
Arizona Mirror (Opinion, James Garcia)
The Republican civil war is raging and the defenders of democracy are losing.

Sorry, but 'Gone With the Wind' is not a history book
Roll Call (Opinion, Mary C. Curtis)
Creating a false, Disneyfied version of the past is a disservice to students.

Would an Arizona GOP-sponsored bill fine teachers $5,000 for promoting anti-racism?
Arizona Republic (Opinion, EJ Montini)
A bill requiring teachers to present controversial issues 'from diverse and contending perspectives without giving deference to any one perspective' could lead to something like that.

Rep. Paul Gosar defends the 'peaceful patriots' who rioted on Jan. 6
Arizona Republic (Opinion, Laurie Roberts)
Rep. Paul Gosar once again distinguishes himself as Arizona's biggest crackpot congressman. This time, by defending Jan. 6 rioters. Or, as he sees them, "peaceful patriots'.

Arizona's election audit has become a coast-to-coast embarrassment. Senate should end it
Arizona Republic (Opinion, Laurie Roberts)
Senate President Karen Fann should end this disaster of an audit. It's embarrassing and it cannot succeed in achieving what she claims is her goal.

The US got involved in a Mexican union fight – and found a win for American workers
Arizona Republic (Opinion, Elvia Diaz)
The Biden administration intervened in a questionable union vote at a General Motors plant in Mexico – and sent a message about cheap labor.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003590
ARZN_REV00069202_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Think Arizona charter schools skate by with no oversight? Think again
Arizona Republic (Op-ed, Jim Swanson)
There's a false narrative that Arizona charter schools operate with little regulatory oversight. Here's how we hold them accountable.

Google, Facebook get rich off local news without paying us a dime for it. That must end
Arizona Republic (Opinion, Editorial Board)
Google and Facebook pay to license other types of content but have refused to fairly compensate critical news outlets for our work. A bill in Congress would change that.

PRESS RELEASES

Governor Ducey Announces "Arizona Back To Work"

Bonuses, Child Care, Education Scholarships and Rental Assistance Support Arizonans Transitioning Back To Work
PHOENIX — Governor Doug Ducey today announced Arizona's plan to support Arizonans getting back to work, and fill the thousands of jobs available across the state.
Governor Ducey announced Arizona will no longer be taking the Federal Pandemic Unemployment Compensation, and instead will offer one-time bonuses to returning workers, along with child care support, educational opportunities and rental assistance.
"In Arizona, we're going to use federal money to encourage people to work…instead of paying people not to work," Governor Ducey said.
As the Arizona Republic has reported, many employers report they are having trouble competing with the federal government's unemployment payments, which are paying individuals more to stay home and not work than to find a job.
Arizona will offer a $2,000 Back To Work bonus for eligible workers — with a goal of getting as many Arizonans as possible to rejoin the workforce by Labor Day, September 6, 2021.
With this new program, Arizona will stop taking the federal government's pandemic unemployment benefits effective Saturday, July 10. Arizona will also provide support for unemployed individuals seeking to upskill their careers with adult education programs as well as additional child care opportunities.
"With ample supplies of the COVID-19 vaccine on hand and millions of Arizonans vaccinated, people feel safer and are finally returning to life in Arizona as we knew and loved it before," said Governor Ducey. "People are back in the office, restaurants are at full capacity and tourists are flocking to our state."
"Although more people are ready to work today in Arizona than before the pandemic, many businesses are struggling to fill vital positions," the Governor added. "We cannot let unemployment benefits be a barrier to getting people back to work."
Governor Ducey's Back To Work program will help individuals transition from unemployment to a new job, and ensure those currently receiving unemployment have support available to help them in this critical step forward.
Instead of using the federal stimulus funding to further grow the size of government, Governor Ducey said Arizona is using it to encourage those who can work to connect with job opportunities.
"There is dignity in work. Ronald Reagan said the best social program is a job. I agree with that," Governor Ducey said.
"We have worked tirelessly throughout the pandemic to ensure those who were displaced received the support they needed for themselves and their families," said Arizona Department of Economic Security (DES) Director Michael Wisehart. "Now that employers in all sectors are hiring, we're ready to transition and enhance our assistance to families, job seekers and employers. We are committed to ensuring the long-term strength of Arizona's economy to provide self-sufficiency for Arizona's families."
The Governor's Back To Work program is garnering support from community and business leaders across the state:
"Governor Ducey is breaking down many of the barriers that prevent people from returning to work. Getting people funding for GED programs, community college, providing funding for childcare, and bonus money for their hard work is the hand up Arizonans need," said Arizona Regional Economic Development Foundation Executive Director Mignonne Hollis.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003591
ARZN_REV00069202_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"After last week's disappointing federal jobs report, Arizona is implementing a common-sense, conservative plan to ensure we continue our state's strong economic rebound," said Prescott Chamber of Commerce President and CEO Sheri Heiney.

"Across Arizona, restaurants of all sizes are ready to hire new employees and expand their teams," said Arizona Restaurant Association President and CEO Steve Chucri. "When it comes to the food and beverage industry, things are much different than they were a year ago. Millions are vaccinated, we know how to keep patrons and staff safe, and people are ready to eat at restaurants again. Restaurants need to ensure they have enough staff to meet the demand, but many are struggling to fill positions. I'm grateful to Governor Ducey for encouraging Arizonans to find new employment opportunities so we can get our restaurants fully staffed and continue to move the state's economy forward."

"We're excited to welcome new team members and provide great jobs for Arizonans," said Westroc Hospitality President and Chief Operating Officer Bill Nassikas. "After weathering the pandemic, we know Arizonans are looking for employment opportunities. We're ready to hire, along with countless other businesses across the state."

"Arizona's tourism and hospitality industry is poised and eager to welcome visitors," said Arizona Tourism and Lodging Association President and CEO Kim Grace Sabow. We are prepared to offer safe and unique experiences to both leisure and business travelers. An array of quality jobs are available for those seeking a rewarding industry career path – and we're ready to hire today!"

See details on the Back To Work program below:

Return-To-Work Bonuses

Arizona will set aside $300 million of federal resources to offer a one-time bonus of $2,000 to eligible individuals who return to the workforce and get a full-time job, while those who return part-time will receive $1,000. The bonus will be awarded when the individual has left the unemployment insurance program and completed at least 10 weeks of work with an employer, and be offered on a first-come, first-serve basis.

In order to qualify for the bonus, an individual must have already filed for unemployment benefits. Arizonans filing for new unemployment benefits moving forward will not be eligible for Return-to-Work bonuses.The individual must also make $25 per hour or less, equivalent to a yearly salary of $52,000, at their new job and must begin working by Labor Day — Monday, September 6. Qualifying individuals may accept a job with an employer immediately to qualify for the bonus. More details about this program will be announced soon by DES at https://des.az.gov/back-to-work-program.

Education Incentives

The State will also provide $7.5 million for community college scholarships for currently unemployed workers who are eligible for the Return-to-Work bonuses — as well as $6 million for GED test preparation and exam fees for eligible workers without a high school diploma.

Child Care For Returning Workers

The State will provide three months of child care assistance for individuals with children who return to work after collecting unemployment benefits. To be eligible, an individual must have already filed for unemployment benefits and earn $25 per hour, equivalent to a yearly salary of $52,000, or less at their new job.

Housing Assistance

The Governor on May 5 announced significant new federal investment of $508,400,000 aimed at addressing housing instability in Arizona. The funds will assist renters, support homeowners experiencing financial hardship, and provide critical services to Arizonans experiencing homelessness or housing instability.

Arizona's new employment program comes as the state's economy is booming, employers are looking for talent, and 2.5 million+ Arizonans are fully vaccinated.

As of March, there were 160,000 – 180,000 jobs available across the state, based on data from the Bureau of Labor Statistics.

The Arizona Office of Economic Opportunity recently released a report showing Arizona will add nearly 550,000 jobs by 2029 for an annualized job growth rate of 1.6 percent, four times the U.S. growth rate.

Arizona State University forecasters on May 6 said the state's strong economic rebound is in progress and more jobs are coming.

As restaurants across the state safely operate at full capacity, Downtown Phoenix is set to have more restaurants than before the pandemic.

As employment opportunities grow, Governor Ducey on March 3 reinstated the rule that an individual receiving employment benefits must be actively looking for work in order to receive the benefits. Under the new requirement, Arizonans receiving unemployment benefits may continue to receive benefits, but must show that they are actively looking for work.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Additionally, Governor Ducey and DES last week announced an additional $9 million in aid for child care providers throughout the state. With this funding, Arizona will have allocated a total of $88 million in Child Care and Development Fund relief funding for the child care network, providers and families since the beginning of the pandemic, as appropriated through the 2020 CARES Act.

Statement on Governor Ducey's Termination of Temporary Unemployment Protections

MAY 13, 2021

[PHOENIX, AZ] Today, Arizona Governor Doug Ducey announced he would end temporary pandemic unemployment assistance. Rather than listening to workers, addressing root causes of unemployment, and enabling people to pursue jobs that provide adequate financial security—this cruel, misguided decision scapegoats and coerces workers into accepting substandard jobs. Arizona's economic recovery is far from over, and expanded unemployment benefits are crucial to that recovery.

The Governor's action today ends the $300 per week boost from Pandemic Unemployment Compensation (PUC) and Pandemic Unemployment Assistance (PUA) for self-employed people, independent contractors, those who cannot work due to health or COVID-19 reasons, and those with insufficient prior earnings or work history to qualify for state unemployment insurance. These benefits were scheduled to end on September 6, 2021, but Arizona will now end them two months early.

This action snaps Arizona UI benefits back to a $240 per week maximum for those remaining on state unemployment insurance, well below minimum wage, and among the lowest in the country. The Century Foundation estimates that more than 190,000 Arizonans could face the loss of these critical benefits. This move will disproportionately harm households with children, workers of color, and those with lower incomes before the pandemic—the very Arizonans who have borne a greater degree of income loss and are experiencing greater rates of unemployment, food insecurity, and housing instability.

Our state's economy is not the same as it was before the pandemic. Workers, particularly those in lower-wage service jobs face new challenges, including the risk of infection, enforcing public health guidance, and limited child care options. These federal unemployment insurance funds have been a lifeline for Arizonans and were supposed to be available until September to ensure well-being and stability while workers identify safe employment that provides wages that sustain families.

Abruptly ending participation in the pandemic unemployment insurance programs—that workers and allies fought for—shows that little has been learned from the Great Recession, where states that cut unemployment assistance recovered slower than those with stronger unemployment systems. With this short-sighted move, the Governor will turn down nearly $1 billion in federal UI funds, and instead, siphon $300 million from economic recovery funds available through the American Rescue Plan Act. That's $1 billion less to be spent in our state, in our businesses, and in our communities.

In the place of the federal programs, Governor Ducey announced he would use relief dollars to create a new "Back to Work" program which offers a one-time, first-come-first-serve "return to work" bonus, which a worker would receive after being hired and employed for ten weeks ($2,000 for full-time work, and $1,000 for part-time work). This arrangement is nothing more than an attempt to force workers into accepting lower-wage jobs, rather than providing workers the supports they need to find the right job, take care of their families, and above all stay safe.

According to recent responses to the U.S. Census Household Pulse Survey, the most-cited reasons for not working include fear of contracting or spreading COVID-19, providing care for a family member or child, being sick or disabled (not COVID-19). If our state leaders truly want to support those struggling in the job market as we re-emerge from this pandemic and recession, they should invest in things like child care, paid family and medical leave, and other supports for workers.

At this moment, Arizona's elected leaders should be focused on continuing and expanding supports for workers to enable a swift and equitable economic recovery. Prematurely ending expanded unemployment insurance accomplishes the opposite.

Senator Christine Marsh Urges Governor Ducey to Sign Her Fentanyl Testing Bill Into Law

IMMEDIATE RELEASE

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

May 13th, 2020
PHOENIX- Today Senator Christine Marsh's bill, SB1486 to legalize fentanyl test strips, passed the House and now goes to Governor Doug Ducey's to sign into law. After losing her son Landon Marsh from an accidental Fentanyl overdose, Senator Christine Marsh sponsored the bill to legalize fentanyl test strips, which are currently banned as drug paraphernalia. The strips work like urinalysis test strips to detect the presence of lethal fentanyl in a narcotic. "I'm grateful to my Democratic and Republican colleagues for supporting this bill that will absolutely save lives," said Senator Marsh. "This bill may be a small step, but it's a monumental one. My son Landon's death and so many others may have been stopped if they knew what was in the pill they were taking. I urge Governor Ducey to sign this bill."

Legislation Toughening Penalties for Prison Escapees Signed into Law

STATE CAPITOL, PHOENIX – Arizona Governor Doug Ducey today signed into law HB 2790, legislation sponsored by State Representative David Cook (R-8), which toughens penalties for inmates who escape from a correctional facility.
"I'm grateful to Governor Ducey for signing HB 2790. Prison escapes in Arizona are thankfully rare," said Representative Cook. **"However, when one occurs, it places the safety of our communities, and our law enforcement officers, at great risk. The consequence for such criminal action should be high."**
HB 2790 classifies knowingly escaping from an adult correctional facility as an escape in the first degree (previously classified as second degree) with a penalty of a Class 4 felony. It also requires a sentence for a first-degree escape conviction to be served consecutively to the sentence that the inmate was serving at the time of their escape.

Release: Arizona Democratic Party and DNC Announce Historic Agreement

Agreement includes over $23 million in direct investments to state parties and grassroots infrastructure during 2022 election cycle
PHOENIX – Today, the Democratic National Committee (DNC) and state parties including the Arizona Democratic Party announced a historic four-year agreement that will guarantee more investment into Democratic state parties and grassroots infrastructure than ever before. At a minimum, this investment will provide $23 million to state parties as part of Democrats' 2022 midterm strategy, and creates a first-of-its-kind program to focus additional investments in historically red states to build on Democrats' 57 states and territories strategy.
The contract also includes a data sharing agreement that increases investment in down-ballot races, solidifies another four years of historic investment in Democratic data, and anchors the DNC and state parties as the central hub of the Democratic data ecosystem.
"If 2020 taught us anything, it's that the state of Arizona is incredibly important to the national political arena," said ADP Chairwoman Raquel Terán. **"This historic agreement with the Democratic National Committee will allow us to build upon our wins from last cycle, strengthen our grassroots infrastructure, and continue the work of electing Democrats up and down the ticket in 2022 and beyond."**
Additional investments in the agreement include:

- $15.5 Million for State Partnership Program (SPP): The new agreement increases monthly SPP funding for 50 state parties and DC by 25% to fund critical party infrastructure including staff, tools, and programming in the states.
- $5.5 Million for State Party Innovation Fund Grants: These grants will ensure innovation and early organizing by putting more boots on the ground throughout the country to help elect Democrats up and down the ticket in 2022. The program includes $5 million in funding for all 50 state parties plus the District of Columbia, along with an additional $500,000 for Dems Abroad and the territories. These competitive grants will primarily be used to hire staff in state to develop and implement innovative programs tailored for each state.
- Reestablishes the Democratic Grassroots Victory Fund: The agreement is contingent on the Democratic state parties rejoining the joint fundraising agreement that propelled the DNC to record-breaking major donor fundraising over the last four years, and allows the DNC to collect up to $875,000 per individual per year.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003594

ARZN_REV00069202_5-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senators Kelly and Sinema Introduce Legislation to Support U of A's College of Veterinary Sciences
Bill would transfer V Bar V Ranch land from Forest Service to U of A
Today, Arizona Senator Mark Kelly introduced the *Arizona Experiment Station Land Conveyance Act,* legislation co-sponsored by Senator Sinema that would transfer Forest Service land to the University of Arizona in an effort to ensure that the V-V Ranch (pronounced "V Bar V"), a livestock research ranch operated by the College of Agriculture & Life Sciences, can continue its important educational mission. This bill would help ensure the long-term access to and operation of V-V Ranch, as well as the accreditation of the Veterinary Sciences program.
"The University of Arizona's Veterinary Sciences program is like no other in the nation, and I am committed to helping its students receive the most rigorous and innovative education possible," **said Senator Kelly.** "V Bar V Ranch not only provides unparalleled opportunities for students to gain hands-on practice and research working with cattle, range management, and Arizona wildlife, but also prepares students for a future in clinical animal medicine. That's important not just for these students, but for the Arizona farmers and ranchers they will be serving as well."
"Advancing this land transfer provides certainty for the University of Arizona's new College of Veterinary Sciences and supports its mission training the next generation of veterinarians in our state," **said Senator Sinema.**
"The University of Arizona strongly supports the Arizona Experiment Station Land Conveyance Act of 2021," **said UA President Robert C. Robbins. "**This legislation advances the University's important education, Cooperative Extension, and research missions at the V Bar V Ranch in northern Arizona. The conveyance will provide the University's new College of Veterinary Medicine the opportunity to engage students in clinical rotations in food animal veterinary medicine. We thank Sen. Kelly for introducing this important legislation and are grateful for his continued efforts."
The University of Arizona bought V-V Ranch in 1995 assuming they acquired clear title to the full ranch footprint, including 13.3 acres near Camp Verde, AZ, designated as the ranch's Winter Headquarters. But in 2015, after reviewing consulting boundary surveys, the Coconino National Forest notified the University that those 13.3 acres were actually owned by the Forest Service. After deliberation, the University decided it was in its best fiduciary interest to own the land outright if it was to continue the uninterrupted operations of the ranch and allow the University full discretion of infrastructure investments and maintenance without the constraints of a Special Use Permit from the Forest Service.
Though a similar bill was introduced in the 116th Congress, Senator Kelly's bill would provide for a land conveyance with the stipulation that the University would get the Forest Service land for free as a public entity provided they only use the land for its mission as a land-grant university.
The bill has support from the Arizona Veterinary Medical Association, Arizona Cattle Grower's Association; Yavapai Cattle Growers Association; Coconino County Farm Bureau Cattle Growers; and the Arizona Farm Bureau Federation.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"We're doing things we think are foolish, but people believe it's real."

- ***John Brakey, on the audit***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003596

ARZN_REV00069202_5-13-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Saturday, May 15, 2021 6:10:58 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-14-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 14, 2021

EPISODE V: THE COUNTY STRIKES BACK
After meeting in executive session yesterday afternoon, county officials prepared for war with the Senate, launching a coordinated attack on the Senate's "false" and "reckless" allegations through a series of statements, op-eds and comments to the press.

PLEASE SEND GALLARDO
It's unclear if anybody from the county plans to show up to the Senate's livestreamed inquisition Tuesday and it appears that most county officials will use the Monday press conference to hammer the Senate instead.

AMERICAN OVERSIGHT

WELCOME TO THE RESISTANCE, STEPHEN
Maricopa County Recorder Stephen Richer, who has largely remained on the sidelines as the Senate has called into question the election, finally took a stand yesterday, writing that he's had enough of the defamation and unfounded allegations from the senate.

YOU'RE MORE LIKE SLUGHORN, BUT SURE
Richer compared the situation, as he is apt to do, to Harry Potter, specifically in The Order of the Phoenix.

HICKMAN IS SLEEPING JUST FINE, HOW ABOUT YOU?
While Richer is now joining the fight, many Republicans who think the audit is crazy are staying silent, leading Hickman to say Republicans can and should be doing "so much more" to stop the madness.

LOL WHO GAVE KEN THE TWITTER PASSWORD?
In his scathing rebuke of the Senate, Sellers directed some of his ire at the fact that the audit first made that allegation in a tweet – which ironically came just hours after Ken Bennett claimed to have the account back under his control.

THANKS, MARK, WE ALL WANNA SEE THOSE TEXTS
Finchem and attorney Alexander Kolodin sent a cease and desist letter to the Recall Mark Finchem campaign accusing them of defamation – again opening the possibility of legal discovery and finally seeing all those texts Finchem has been hiding.

WELCOME TO AMERICA – YOU NEW HERE?
Attorneys for Rural Arizona PAC aren't backing down.

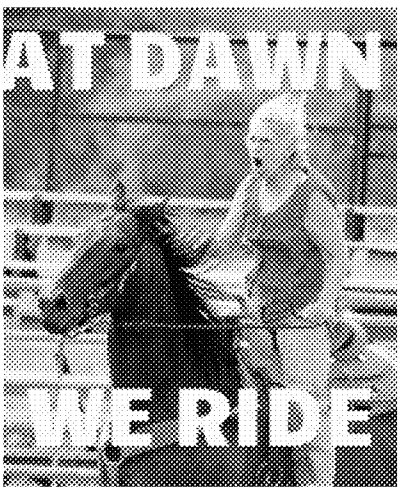
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, May 14, 2021

NEWS NOTES AND GOSSIP

EPISODE V: THE COUNTY STRIKES BACK



After meeting in executive session yesterday afternoon, county officials prepared for war with the Senate, launching a coordinated attack on the Senate's "false" and "reckless" allegations through a series of statements, op-eds and comments to the press. (One county elected sent our reporter this meme to summarize their thoughts on the matter.) "This is not funny; this is dangerous," Maricopa County Board of Supervisors Chair Jack Sellers said in a statement. Sellers said the county's IT department reviewed the allegations and flatly denied that files were deleted. "That would be a crime – and it's not true," he wrote, adding that the accusation is "outrageous, completely baseless and beneath the dignity of the Arizona Senate." The fact that Cyber Ninjas would even assume as much shows that they're incompetent and inexperienced, he wrote, "It's clearer by the day: the people hired by the Senate are in way over their heads." Supervisor Bill Gates followed that up with an op-ed to the *Republic* in which he established his Republican bona fides before making the larger point that the GOP's insistence of tearing itself apart to promote the Big Lie will hobble the party and will harm the entire country. "If Republicans become the party of the "Big Lie" – if we encourage this madness much longer – we will lose credibility with the majority of Americans on issues where I believe we have better ideas. We will do lasting damage to our republic," he wrote (LINK). And he said the audit goes against a core tenet of the party: fiscal conservatism. "True Republicans would not stand idly by while auditors paid with taxpayer dollars chased insane rumors that ballots were flown in from South Korea to change the outcome of the presidential race, or that secret watermarks on the ballots revealed by UV lights would expose fraud once and for all," Gates wrote. The county's official twitter account today got in on the Senate-bashing, writing that county officials know what a real audit looks like, and this isn't it. "#RealAuditsDont: Release false 'conclusions' without understanding what they are looking at," the county tweeted in a thread listing a variety of things #RealAuditsDont do, including: "hire known conspiracy theorists" and "say they'll protect your data when they can't even protect access to their Twitter account."

PLEASE SEND GALLARDO

It's unclear if anybody from the county plans to show up to the Senate's livestreamed inquisition Tuesday and it appears that most county officials will use the Monday press conference to hammer the Senate instead. County officials have good reason to blow off the Senate's invite – the county is charged with running Cave Creek's election that day. Supervisor Clint Hickman said while he can't speak for everyone at the county, he doesn't expect the hearing to be well attended. Hickman told our reporter that he's not sure whether to assign the poor timing to "ignorance or indifference." "They're asking us if we did our jobs right and asking us to leave our jobs to answer," he noted. One Democrat joked to our reporter today that they hope the county just sends Supervisor Steve Gallardo, who they assumed would love to have a chance to yell at his former colleagues. If so, they expected his performance to go something like, "F*ck you, f*ck you, f*ck you, who's next?" Gallardo, however, told our reporter he's absolutely not going. "I can tell you right now, no one is going. I would be absolutely shocked… I mean why would you go and be in [front of] the firing squad?" he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003599

ARZN_REV00069206_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

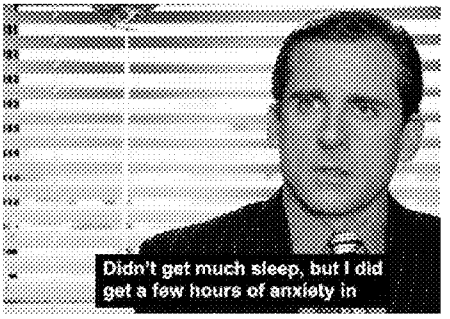
WELCOME TO THE RESISTANCE, STEPHEN

Maricopa County Recorder Stephen Richer, who has largely remained on the sidelines as the Senate has called into question the election, finally took a stand yesterday, writing that he's had enough of the defamation and unfounded allegations from the senate. "I came to this office to competently, fairly, and lawfully administer the duties of the office. Not to be accused by [my] own party of shredding ballots and deleting files for an election I didn't run. Enough," he wrote on Twitter (LINK). Several people latched onto the phrase "an election I didn't run" arguing that Richer appeared to be defending himself rather than the election, but Richer later replied that he was trying to call the accusation from the Senate "bogus" but that the "irony is especially rich given the time when I took office."

YOU'RE MORE LIKE SLUGHORN, BUT SURE

Richer compared the situation, as he is apt to do, to Harry Potter, specifically in *The Order of the Phoenix*. **"**Harry and Dumbledore alert the wizarding community to the dark lord's return, and half the community doesn't believe them and chastises them, but they stick to it... I don't want to say that I'm both Harry and Dumbledore, but I don't think that's too far off the mark.**"** Jokes and pop culture references aside, Richer said the only reason why he waited until yesterday to loudly shout via his Twitter account that he's had enough with all of the accusations against him (and other county officials) is because he really wanted to make his office "boring." "I was excited to administer the office and run the office and improve the office from a logistics and operational standpoint," he said, adding that he also needed to learn all the operations before he felt comfortable commenting about how everything happened. But making the office boring became impossible as the audit continued, and he could only sit silently for so long after he was being accused of breaking the law. "If I could end [the audit], I would absolutely end it. I do not relish this at all," he said, adding that we can expect the county to "address the most recent defamatory allegations from the Arizona audit, and we're going to set the record straight on a few things."

HICKMAN IS SLEEPING JUST FINE, HOW ABOUT YOU?



While Richer is now joining the fight, many Republicans who think the audit is crazy are staying silent, leading Hickman to say Republicans can and should be doing "so much more" to stop the madness. He said supervisors have been "hung out to dry" by their friends and associates and even the business community that should be standing up to the Senate and its "so-called audit." He wouldn't criticize Ducey – or anyone in particular – for not doing more, but said that "anyone who cares about democracy should be standing up." He said some of his Republican colleagues have argued they're too busy, while others have eyes for higher offices and don't want to take the risk. "I can't say I blame them, but I do wish people would be more forthcoming," he said. "But that's for everyone else to sleep with. I'm doing the best I can."

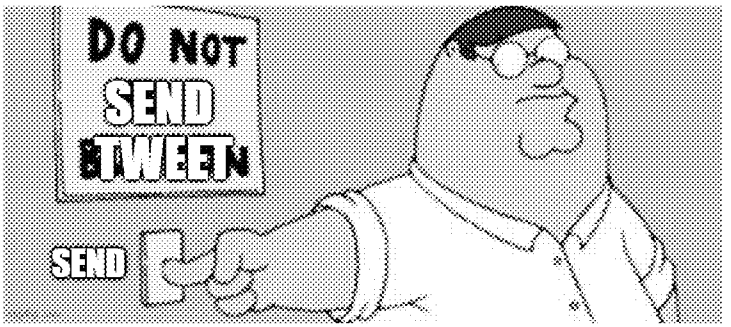
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003600

ARZN_REV00069206_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LOL WHO GAVE KEN THE TWITTER PASSWORD?



In his scathing rebuke of the Senate, Sellers directed some of his ire at the fact that the audit first made that allegation in a tweet – which ironically came just hours after Ken Bennett claimed to have the account back under his control (LINK). The incendiary tweet didn't include any of the couched language that Fann later used in her letter, instead, with Trumpian flair, it declared: "Breaking Update: Maricopa County deleted a directory full of election databases from the 2020 election cycle days before the election equipment was delivered to the audit. This is spoliation of evidence!" Bennett today said he was OK with the audit twitter account's post accusing Maricopa County of "spoliation of evidence" and claiming county officials deleted an election database. "That's what we were told by our forensic IT company," he said. The tweet, which has garnered nearly 20,000 likes and more than 11,000 retweets, is pinned to the audit Twitter's profile. Bennett acknowledged to today's pool reporter that the tweet could've been worded differently and seemed to give Maricopa County officials the benefit of the doubt – something the tweet didn't do. "We didn't say there was anything malicious," Bennett said. He said the IT company characterized the deleted files as "spoliation of evidence" and said there were references to the deleted directory in other parts of the database. When the pool reporter asked what auditors would do if it turns out the claim was false, Bennett said they'd send out another tweet. "We tweet out that there is an explanation and there is no spoliation of evidence after all," he said, refusing to acknowledge the damage that had already been done.

THANKS, MARK, WE ALL WANNA SEE THOSE TEXTS

Finchem and attorney Alexander Kolodin sent a cease and desist letter to the Recall Mark Finchem campaign accusing them of defamation – again opening the possibility of legal discovery and finally seeing all those texts Finchem has been hiding. This is the second such letter Finchem and Kolodin, who still is being investigated by the State Bar of Arizona for filing frivolous lawsuits (YS, 5/4), has sent this year. In February, he filed suit against Fernandez in Yuma County Superior Court, though still hasn't followed through with serving her with the lawsuit. One election attorney said if they were representing the alleged defamers, they would practically beg to go to court so they can go to discovery. The source told our reporter it would open up the floodgates to issue subpoenas to get "computers, their cell phones, their email accounts [and] all digital information related to the [accusations]." Discovery is "wide open," and much more broad than a public records request. As an attorney, Kolodin should know that, the source said, adding that maybe he doesn't realize the implications because he isn't very bright. The letter from Kolodin says that Finchem is demanding the recall effort stop publishing and retract "all false and defamatory allegations." It argued Finchem played no role in the insurrection and said it's a lie that Finchem has ties to "domestic terrorist organizations." The letter goes on to defend Finchem's involvement with the Oath Keepers, which is a far-right militia group heavily involved in the insurrection where several members were arrested (LINK). Finchem's attorneys called it a "non-partisan association of current and formerly serving military, police, and first responders." The five-page letter ends with a threat to go to court if Rural Arizona PAC, the group running the recall effort, fails to comply with the demand. Since we already know there are some text messages that Kolodin eventually turned over to the media, if Finchem deleted anything, the attorney said Finchem would be in even bigger trouble since that would be deleting public records.

WELCOME TO AMERICA – YOU NEW HERE?

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003601

ARZN_REV00069206_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Attorneys for Rural Arizona PAC aren't backing down. "As you are aware, all of the claims made against your client are well-founded and amply supported," Dem attorneys Jim Barton and Jacqueline Soto wrote. "That Mr. Finchem sat on his rights for two months, allowing the committee to expend resources on the campaign, to only now raise the specter of silencing his critics through frivolous lawsuits is a textbook case of an action barred by laches." The same election attorney told our reporter it's likely these suits won't go anywhere because there is a "very high burden of proof to beat," for an elected official like Finchem. "If you're going to run for public office, you better have thick skin and you have to be prepared for people saying scurrilous things about you. Whether that's fair or not is a different story, but that's the American system," the attorney said.

·WAKE UP CALL·

Ducey signs protection measures for police
Arizona Capitol Times
Gov. Doug Ducey has signed three pro-police bills that, supporters said, would help protect fairness in disciplinary actions, but opponents worry they will stack the deck too much in favor of law enforcement.

Barto revives parts of vetoed sex education bill
Arizona Capitol Times
Republican lawmakers are making another bid to further restrict sex education in Arizona schools.

Regulator scorned for vote on energy rules
Arizona Capitol Times
Clean energy advocates in Arizona watched four years of work essentially go down the drain as the Arizona Corporation Commission killed its own standards the body had initially approved several months earlier.

Death threats, harassment plague Hobbs, staff
Arizona Capitol Times
Hobbs this month requested protection from the Department of Public Safety for the second time since the election.

GOP senators keep distance from election audit
Arizona Capitol Times
With their ongoing audit, as with all discourse about the 2020 election, almost all Senate Republicans have fallen into one of two camps: banging the drum about election fraud claims believed by huge segments of their base, or ignoring the recount a few blocks north to focus on legislation.

Ducey cuts jobless benefits, offers incentives to work
Capitol Media Services
Gov. Doug Ducey is cutting off the $300 a week in extra federal jobless benefits in a bid to help the restaurant and hospitality industry find more people willing to work for what they are paying.

Senate won't pursue more subpoenas – for now
Capitol Media Services
Senate Republican leaders are not going to subpoena Maricopa County supervisors, at least for the time being in the ongoing battle over information they want to conduct their audit of the 2020 general election.

Maricopa police union opposes outsourcing 911 dispatch amid city consideration
Maricopa Monitor

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003602
ARZN_REV00069206_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Maricopa Fraternal Order of Police has voiced its opposition to the city's consideration of dissolving the current 911 dispatch center and outsourcing dispatch services to the city of Chandler.

Weather Service: Monsoon season could be wetter than average

Kingman Daily Miner

Weather experts are predicting a slightly wetter than normal monsoon season in the southwest United States.

Tom Horne running for GOP nomination for state schools chief on an anti-bilingual education platform

Arizona Mirror

Tom Horne, who held the position of superintendent of public instruction for eight years, announced Thursday he's running for the office again, on a platform against bilingual education and critical race theory.

Fann demands county answer audit questions, supervisors say new allegations are lies

Arizona Mirror

Senate President Karen Fann is demanding that Maricopa County send officials to a special meeting Tuesday to answer lawmakers' questions about issues related to the ongoing election audit she ordered, and the chairman of the board of supervisors responded by calling a special public meeting to rebut the audit team's claims that he called "lies" and "dangerous."

Community groups tell Fann to stop Senate election audit, focus on struggling Arizonans

Arizona Mirror

Two community groups and Democratic lawmakers asked Senate President Karen Fann to stop the controversial election audit and focus instead on hearing from families struggling to recover economically from the pandemic as lawmakers hammer out a budget.

Sinema to Senate Dems: What's the plan on voting rights?

Politico

Senate Majority Leader Chuck Schumer says the plan to pass voting rights legislation is to stick together. But Sen. Joe Manchin isn't on board.

The Hoover Dam Made Life in the West Possible. Or So We Thought.

New York Times (Opinion, Timothy Egan)

Climate change threatens Las Vegas and every other desert oasis town.

How Republicans Could Steal the 2024 Election

New York Times (Opinion, Michelle Goldberg)

Liz Cheney's ouster showed that the G.O.P. is still at war with democracy.

Sen. Lindsey Graham gives Donald Trump the Jim Jones stamp of approval

Arizona Republic (Opinion, EJ Montini)

The senator and one-time friend and protégé of Sen. John McCain admits that today's GOP is more dedicated to The Donald than to its dogma.

Ducey is ending federal unemployment pay, but will he fix the state's joke of a program?

Arizona Republic (Opinion, Laurie Roberts)

Gov. Doug Ducey is ending those $300-a-week federal unemployment paychecks. But will he raise Arizona's out-of-date unemployment pay, to be ready for the next time tough times are upon us?

Thank goodness lawmakers listened to 'special interests' on civil forfeiture

Arizona Republic (Opinion, Robert Robb)

Despite the madness this session, the Arizona Legislature took strong, bipartisan action making it harder for government to steal your property.

Elected Republicans like me must stop the Big Lie about the 2020 election

Arizona Republic (Op-ed, Bill Gates)

True Republicans would never dream of hiring an unknown cybersecurity firm with no experience auditing elections to chase insane rumors of fraud.

PRESS RELEASES

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003603

ARZN_REV00069206_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Orders Flags At Half-Staff For National Peace Officers Memorial Day

PHOENIX — Governor Doug Ducey ordered flags at all state buildings be lowered to half-staff from sunrise to sunset tomorrow, Saturday, May 15, in honor of Peace Officers Memorial Day.
"Arizona's peace officers are on the frontlines every day serving our communities, protecting others and putting their lives on the line — and some don't return home after carrying out their duties," said Governor Ducey. "Arizona is grateful to the heroic men and women who wear the badge, and we honor those who made the ultimate sacrifice. This Peace Officers Memorial Day, we take a moment to pause and remember the officers who died in the line of duty and thank those who bravely protect our communities every day."

Comment on Governor's UI Announcement Yesterday

The right move at the right time will start filling job openings and speeding economic recovery
PHOENIX, May 14, 2021—From Chad Heinrich, Arizona state director for the National Federation of Independent Business (NFIB), the nation's largest and leading small-business association, on Gov. Doug Ducey's announcement, yesterday, that the state would no longer add federal stimulus money on top of state unemployment benefits.
"Although well-intended, the federal government's addition to state unemployment benefits created a perverse financial incentive for many to remain at home and on the couch rather than report back to work or find a job.
"This created an unsustainable situation that could be seen in NFIB's latest Small Business Economic Trends report that found 44% of small-business owners unable to fill job openings, a record high that topped the previous month's record high.
"Federal benefits are scheduled to end in September, anyhow, but by moving Arizona's timeline to July 10, the governor is speeding up Arizona's economic rebound while giving workers plenty of time to prepare, and his one-time bonus for returning to work is an additional spur for anyone planning to run out the clock on collecting benefits instead of getting back to work."

Valley Partnership Friday Morning Breakfast Leveraging State Land for Economic Development

PHOENIX, AZ— Valley Partnership's May Friday Morning Breakfast will feature Arizona State Land Commissioner Lisa Atkins and Deputy Land Commissioner Jim Perry to discuss current and future economic development projects. The Arizona State Land Department manages more than 9 million acres of State Trust land and resources on behalf of thirteen beneficiaries which include public K-12 education and the state universities. To ensure the Trust is a viable and productive asset for the beneficiaries today and for generations to come, the department exercises sound stewardship principles to generate revenue for the beneficiaries through the sale and leasing of State Trust land.
The zoom webinar is scheduled for Friday, May 21st at 8:00am, with guest registration available online at the Valley Partnership website.
"The Arizona State Land Department is using its assets to re-energize our state's economy," said Cheryl Lombard, President and CEO of Valley Partnership. "In recent years, the Arizona State Land Department has executed high profile deals across the Valley, resulting in billions of dollars of investment and new job opportunities for Arizonans. The department is a critical tool for economic development in the state and for funding important state programs."
WHAT: Valley Partnership May Morning Breakfast Zoom Webinar
WHO: Lisa Atkins, Land Commissioner, Arizona State Land Department
Jim Perry, Deputy Land Commissioner, Arizona State Land Department
Cheryl Lombard, President & CEO, Valley Partnership (Moderator)
WHEN: Friday, May 21st at 8:00am
MEDIA RSVP: Please RSVP to Lorna@elevatestrategiesaz.com to receive the webinar link

Media Advisory: Leading Arizona Educators To Discuss How Biden's American Rescue Plan Is Getting Our Students Back on Track

PHOENIX – On Monday, May 17th at 5:30 pm PDT, some of Arizona's top educators will join Arizona Democratic Party Chair Raquel Terán for a virtual town hall to discuss the state of education in Arizona and the impact of President Biden's American Rescue Plan on our education system.
During the call, Superintendent Kathy Hoffman will walk through how the $2.6 billion dollars in federal

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

relief allocated to Arizona will benefit students, teachers, and staff as schools across the state continue to reopen. Overall, the American Rescue Plan will deliver $130 billion in relief to help schools continue to reopen safely and ensure that states and districts nationwide have the resources they need to address learning loss as a result of the pandemic.
The town hall will be conducted via Zoom webinar. Click here to RSVP.
WHAT: Virtual town hall on how Biden's American Rescue Plan is getting the Arizona education system and our students back on track.
WHEN: Monday, May 17th at 5:30 – 6:30 pm PDT.
WHO:

- **Raquel Terán,** Arizona Democratic Party Chair
- **Kathy Hoffman,** Arizona Superintendent of Public Instruction
- **Naketa Ross,** Phoenix Union High School District Board Member
- **Thomasene Cardona,** Camp Verde Unified School District Board Member
- **Brian Garcia,** Tempe Union High School District Board President

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the town hall.

"QUOTE OF THE DAY"

"Harry and Dumbledore alert the wizarding community to the dark lord's return, and half the community doesn't believe them and chastises them, but they stick to it... I don't want to say that I'm both Harry and Dumbledore, but I don't think that's too far off the mark."

- ***Stephen Richer, Maricopa County recorder, on his newfound public opposition to the audit***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003605

ARZN_REV00069206_5-14-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Saturday, May 15, 2021 6:10:59 AM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-14-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 14, 2021

EPISODE V: THE COUNTY STRIKES BACK
After meeting in executive session yesterday afternoon, county officials prepared for war with the Senate, launching a coordinated attack on the Senate's "false" and "reckless" allegations through a series of statements, op-eds and comments to the press.

PLEASE SEND GALLARDO
It's unclear if anybody from the county plans to show up to the Senate's livestreamed inquisition Tuesday and it appears that most county officials will use the Monday press conference to hammer the Senate

AMERICAN OVERSIGHT

instead.

WELCOME TO THE RESISTANCE, STEPHEN
Maricopa County Recorder Stephen Richer, who has largely remained on the sidelines as the Senate has called into question the election, finally took a stand yesterday, writing that he's had enough of the defamation and unfounded allegations from the senate.

YOU'RE MORE LIKE SLUGHORN, BUT SURE
Richer compared the situation, as he is apt to do, to Harry Potter, specifically in The Order of the Phoenix.

HICKMAN IS SLEEPING JUST FINE, HOW ABOUT YOU?
While Richer is now joining the fight, many Republicans who think the audit is crazy are staying silent, leading Hickman to say Republicans can and should be doing "so much more" to stop the madness.

LOL WHO GAVE KEN THE TWITTER PASSWORD?
In his scathing rebuke of the Senate, Sellers directed some of his ire at the fact that the audit first made that allegation in a tweet – which ironically came just hours after Ken Bennett claimed to have the account back under his control.

THANKS, MARK, WE ALL WANNA SEE THOSE TEXTS
Finchem and attorney Alexander Kolodin sent a cease and desist letter to the Recall Mark Finchem campaign accusing them of defamation – again opening the possibility of legal discovery and finally seeing all those texts Finchem has been hiding.

WELCOME TO AMERICA – YOU NEW HERE?
Attorneys for Rural Arizona PAC aren't backing down.

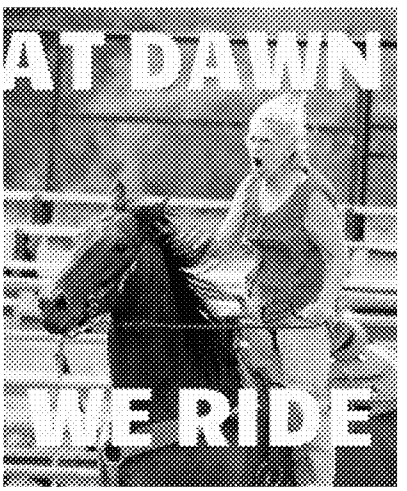
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, May 14, 2021

NEWS NOTES AND GOSSIP

EPISODE V: THE COUNTY STRIKES BACK



After meeting in executive session yesterday afternoon, county officials prepared for war with the Senate, launching a coordinated attack on the Senate's "false" and "reckless" allegations through a series of statements, op-eds and comments to the press. (One county elected sent our reporter this meme to summarize their thoughts on the matter.) "This is not funny; this is dangerous," Maricopa County Board of Supervisors Chair Jack Sellers said in a statement. Sellers said the county's IT department reviewed the allegations and flatly denied that files were deleted. "That would be a crime – and it's not true," he wrote, adding that the accusation is "outrageous, completely baseless and beneath the dignity of the Arizona Senate." The fact that Cyber Ninjas would even assume as much shows that they're incompetent and inexperienced, he wrote, "It's clearer by the day: the people hired by the Senate are in way over their heads." Supervisor Bill Gates followed that up with an op-ed to the *Republic* in which he established his Republican bona fides before making the larger point that the GOP's insistence of tearing itself apart to promote the Big Lie will hobble the party and will harm the entire country. "If Republicans become the party of the "Big Lie" – if we encourage this madness much longer – we will lose credibility with the majority of Americans on issues where I believe we have better ideas. We will do lasting damage to our republic," he wrote (LINK). And he said the audit goes against a core tenet of the party: fiscal conservatism. "True Republicans would not stand idly by while auditors paid with taxpayer dollars chased insane rumors that ballots were flown in from South Korea to change the outcome of the presidential race, or that secret watermarks on the ballots revealed by UV lights would expose fraud once and for all," Gates wrote. The county's official twitter account today got in on the Senate-bashing, writing that county officials know what a real audit looks like, and this isn't it. "#RealAuditsDont: Release false 'conclusions' without understanding what they are looking at," the county tweeted in a thread listing a variety of things #RealAuditsDont do, including: "hire known conspiracy theorists" and "say they'll protect your data when they can't even protect access to their Twitter account."

PLEASE SEND GALLARDO

It's unclear if anybody from the county plans to show up to the Senate's livestreamed inquisition Tuesday and it appears that most county officials will use the Monday press conference to hammer the Senate instead. County officials have good reason to blow off the Senate's invite – the county is charged with running Cave Creek's election that day. Supervisor Clint Hickman said while he can't speak for everyone at the county, he doesn't expect the hearing to be well attended. Hickman told our reporter that he's not sure whether to assign the poor timing to "ignorance or indifference." "They're asking us if we did our jobs right and asking us to leave our jobs to answer," he noted. One Democrat joked to our reporter today that they hope the county just sends Supervisor Steve Gallardo, who they assumed would love to have a chance to yell at his former colleagues. If so, they expected his performance to go something like, "F*ck you, f*ck you, f*ck you, who's next?" Gallardo, however, told our reporter he's absolutely not going. "I can tell you right now, no one is going. I would be absolutely shocked… I mean why would you go and be in [front of] the firing squad?" he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003608

ARZN_REV00069208_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

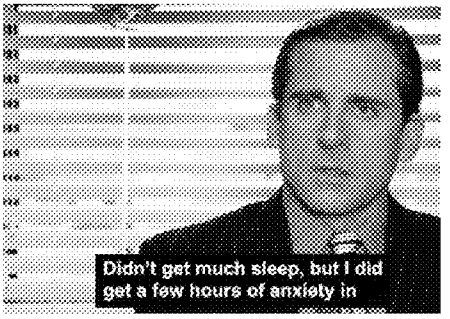
WELCOME TO THE RESISTANCE, STEPHEN

Maricopa County Recorder Stephen Richer, who has largely remained on the sidelines as the Senate has called into question the election, finally took a stand yesterday, writing that he's had enough of the defamation and unfounded allegations from the senate. "I came to this office to competently, fairly, and lawfully administer the duties of the office. Not to be accused by [my] own party of shredding ballots and deleting files for an election I didn't run. Enough," he wrote on Twitter (LINK). Several people latched onto the phrase "an election I didn't run" arguing that Richer appeared to be defending himself rather than the election, but Richer later replied that he was trying to call the accusation from the Senate "bogus" but that the "irony is especially rich given the time when I took office."

YOU'RE MORE LIKE SLUGHORN, BUT SURE

Richer compared the situation, as he is apt to do, to Harry Potter, specifically in *The Order of the Phoenix*. **"**Harry and Dumbledore alert the wizarding community to the dark lord's return, and half the community doesn't believe them and chastises them, but they stick to it... I don't want to say that I'm both Harry and Dumbledore, but I don't think that's too far off the mark.**"** Jokes and pop culture references aside, Richer said the only reason why he waited until yesterday to loudly shout via his Twitter account that he's had enough with all of the accusations against him (and other county officials) is because he really wanted to make his office "boring." "I was excited to administer the office and run the office and improve the office from a logistics and operational standpoint," he said, adding that he also needed to learn all the operations before he felt comfortable commenting about how everything happened. But making the office boring became impossible as the audit continued, and he could only sit silently for so long after he was being accused of breaking the law. "If I could end [the audit], I would absolutely end it. I do not relish this at all," he said, adding that we can expect the county to "address the most recent defamatory allegations from the Arizona audit, and we're going to set the record straight on a few things."

HICKMAN IS SLEEPING JUST FINE, HOW ABOUT YOU?



While Richer is now joining the fight, many Republicans who think the audit is crazy are staying silent, leading Hickman to say Republicans can and should be doing "so much more" to stop the madness. He said supervisors have been "hung out to dry" by their friends and associates and even the business community that should be standing up to the Senate and its "so-called audit." He wouldn't criticize Ducey – or anyone in particular – for not doing more, but said that "anyone who cares about democracy should be standing up." He said some of his Republican colleagues have argued they're too busy, while others have eyes for higher offices and don't want to take the risk. "I can't say I blame them, but I do wish people would be more forthcoming," he said. "But that's for everyone else to sleep with. I'm doing the best I can."

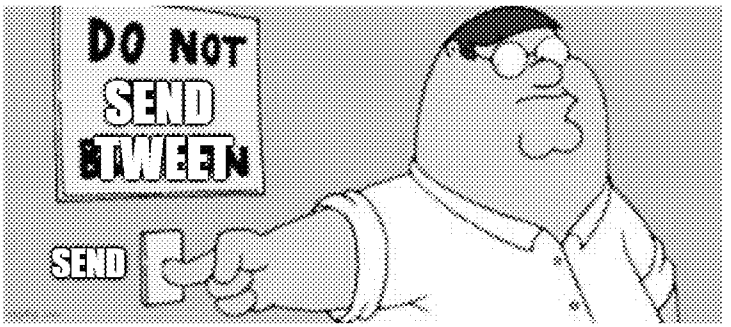
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003609

ARZN_REV00069208_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LOL WHO GAVE KEN THE TWITTER PASSWORD?



In his scathing rebuke of the Senate, Sellers directed some of his ire at the fact that the audit first made that allegation in a tweet – which ironically came just hours after Ken Bennett claimed to have the account back under his control (LINK). The incendiary tweet didn't include any of the couched language that Fann later used in her letter, instead, with Trumpian flair, it declared: "Breaking Update: Maricopa County deleted a directory full of election databases from the 2020 election cycle days before the election equipment was delivered to the audit. This is spoliation of evidence!" Bennett today said he was OK with the audit twitter account's post accusing Maricopa County of "spoliation of evidence" and claiming county officials deleted an election database. "That's what we were told by our forensic IT company," he said. The tweet, which has garnered nearly 20,000 likes and more than 11,000 retweets, is pinned to the audit Twitter's profile. Bennett acknowledged to today's pool reporter that the tweet could've been worded differently and seemed to give Maricopa County officials the benefit of the doubt – something the tweet didn't do. "We didn't say there was anything malicious," Bennett said. He said the IT company characterized the deleted files as "spoliation of evidence" and said there were references to the deleted directory in other parts of the database. When the pool reporter asked what auditors would do if it turns out the claim was false, Bennett said they'd send out another tweet. "We tweet out that there is an explanation and there is no spoliation of evidence after all," he said, refusing to acknowledge the damage that had already been done.

THANKS, MARK, WE ALL WANNA SEE THOSE TEXTS

Finchem and attorney Alexander Kolodin sent a cease and desist letter to the Recall Mark Finchem campaign accusing them of defamation – again opening the possibility of legal discovery and finally seeing all those texts Finchem has been hiding. This is the second such letter Finchem and Kolodin, who still is being investigated by the State Bar of Arizona for filing frivolous lawsuits (YS, 5/4), has sent this year. In February, he filed suit against Fernandez in Yuma County Superior Court, though still hasn't followed through with serving her with the lawsuit. One election attorney said if they were representing the alleged defamers, they would practically beg to go to court so they can go to discovery. The source told our reporter it would open up the floodgates to issue subpoenas to get "computers, their cell phones, their email accounts [and] all digital information related to the [accusations]." Discovery is "wide open," and much more broad than a public records request. As an attorney, Kolodin should know that, the source said, adding that maybe he doesn't realize the implications because he isn't very bright. The letter from Kolodin says that Finchem is demanding the recall effort stop publishing and retract "all false and defamatory allegations." It argued Finchem played no role in the insurrection and said it's a lie that Finchem has ties to "domestic terrorist organizations." The letter goes on to defend Finchem's involvement with the Oath Keepers, which is a far-right militia group heavily involved in the insurrection where several members were arrested (LINK). Finchem's attorneys called it a "non-partisan association of current and formerly serving military, police, and first responders." The five-page letter ends with a threat to go to court if Rural Arizona PAC, the group running the recall effort, fails to comply with the demand. Since we already know there are some text messages that Kolodin eventually turned over to the media, if Finchem deleted anything, the attorney said Finchem would be in even bigger trouble since that would be deleting public records.

WELCOME TO AMERICA – YOU NEW HERE?

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003610

ARZN_REV00069208_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Attorneys for Rural Arizona PAC aren't backing down. "As you are aware, all of the claims made against your client are well-founded and amply supported," Dem attorneys Jim Barton and Jacqueline Soto wrote. "That Mr. Finchem sat on his rights for two months, allowing the committee to expend resources on the campaign, to only now raise the specter of silencing his critics through frivolous lawsuits is a textbook case of an action barred by laches." The same election attorney told our reporter it's likely these suits won't go anywhere because there is a "very high burden of proof to beat," for an elected official like Finchem. "If you're going to run for public office, you better have thick skin and you have to be prepared for people saying scurrilous things about you. Whether that's fair or not is a different story, but that's the American system," the attorney said.

·WAKE UP CALL·

Ducey signs protection measures for police
Arizona Capitol Times
Gov. Doug Ducey has signed three pro-police bills that, supporters said, would help protect fairness in disciplinary actions, but opponents worry they will stack the deck too much in favor of law enforcement.

Barto revives parts of vetoed sex education bill
Arizona Capitol Times
Republican lawmakers are making another bid to further restrict sex education in Arizona schools.

Regulator scorned for vote on energy rules
Arizona Capitol Times
Clean energy advocates in Arizona watched four years of work essentially go down the drain as the Arizona Corporation Commission killed its own standards the body had initially approved several months earlier.

Death threats, harassment plague Hobbs, staff
Arizona Capitol Times
Hobbs this month requested protection from the Department of Public Safety for the second time since the election.

GOP senators keep distance from election audit
Arizona Capitol Times
With their ongoing audit, as with all discourse about the 2020 election, almost all Senate Republicans have fallen into one of two camps: banging the drum about election fraud claims believed by huge segments of their base, or ignoring the recount a few blocks north to focus on legislation.

Ducey cuts jobless benefits, offers incentives to work
Capitol Media Services
Gov. Doug Ducey is cutting off the $300 a week in extra federal jobless benefits in a bid to help the restaurant and hospitality industry find more people willing to work for what they are paying.

Senate won't pursue more subpoenas – for now
Capitol Media Services
Senate Republican leaders are not going to subpoena Maricopa County supervisors, at least for the time being in the ongoing battle over information they want to conduct their audit of the 2020 general election.

Maricopa police union opposes outsourcing 911 dispatch amid city consideration
Maricopa Monitor

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003611
ARZN_REV00069208_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Maricopa Fraternal Order of Police has voiced its opposition to the city's consideration of dissolving the current 911 dispatch center and outsourcing dispatch services to the city of Chandler.

Weather Service: Monsoon season could be wetter than average

Kingman Daily Miner

Weather experts are predicting a slightly wetter than normal monsoon season in the southwest United States.

Tom Horne running for GOP nomination for state schools chief on an anti-bilingual education platform

Arizona Mirror

Tom Horne, who held the position of superintendent of public instruction for eight years, announced Thursday he's running for the office again, on a platform against bilingual education and critical race theory.

Fann demands county answer audit questions, supervisors say new allegations are lies

Arizona Mirror

Senate President Karen Fann is demanding that Maricopa County send officials to a special meeting Tuesday to answer lawmakers' questions about issues related to the ongoing election audit she ordered, and the chairman of the board of supervisors responded by calling a special public meeting to rebut the audit team's claims that he called "lies" and "dangerous."

Community groups tell Fann to stop Senate election audit, focus on struggling Arizonans

Arizona Mirror

Two community groups and Democratic lawmakers asked Senate President Karen Fann to stop the controversial election audit and focus instead on hearing from families struggling to recover economically from the pandemic as lawmakers hammer out a budget.

Sinema to Senate Dems: What's the plan on voting rights?

Politico

Senate Majority Leader Chuck Schumer says the plan to pass voting rights legislation is to stick together. But Sen. Joe Manchin isn't on board.

The Hoover Dam Made Life in the West Possible. Or So We Thought.

New York Times (Opinion, Timothy Egan)

Climate change threatens Las Vegas and every other desert oasis town.

How Republicans Could Steal the 2024 Election

New York Times (Opinion, Michelle Goldberg)

Liz Cheney's ouster showed that the G.O.P. is still at war with democracy.

Sen. Lindsey Graham gives Donald Trump the Jim Jones stamp of approval

Arizona Republic (Opinion, EJ Montini)

The senator and one-time friend and protégé of Sen. John McCain admits that today's GOP is more dedicated to The Donald than to its dogma.

Ducey is ending federal unemployment pay, but will he fix the state's joke of a program?

Arizona Republic (Opinion, Laurie Roberts)

Gov. Doug Ducey is ending those $300-a-week federal unemployment paychecks. But will he raise Arizona's out-of-date unemployment pay, to be ready for the next time tough times are upon us?

Thank goodness lawmakers listened to 'special interests' on civil forfeiture

Arizona Republic (Opinion, Robert Robb)

Despite the madness this session, the Arizona Legislature took strong, bipartisan action making it harder for government to steal your property.

Elected Republicans like me must stop the Big Lie about the 2020 election

Arizona Republic (Op-ed, Bill Gates)

True Republicans would never dream of hiring an unknown cybersecurity firm with no experience auditing elections to chase insane rumors of fraud.

PRESS RELEASES

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003612

ARZN_REV00069208_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Orders Flags At Half-Staff For National Peace Officers Memorial Day

PHOENIX — Governor Doug Ducey ordered flags at all state buildings be lowered to half-staff from sunrise to sunset tomorrow, Saturday, May 15, in honor of Peace Officers Memorial Day.
"Arizona's peace officers are on the frontlines every day serving our communities, protecting others and putting their lives on the line — and some don't return home after carrying out their duties," said Governor Ducey. "Arizona is grateful to the heroic men and women who wear the badge, and we honor those who made the ultimate sacrifice. This Peace Officers Memorial Day, we take a moment to pause and remember the officers who died in the line of duty and thank those who bravely protect our communities every day."

Comment on Governor's UI Announcement Yesterday

The right move at the right time will start filling job openings and speeding economic recovery
PHOENIX, May 14, 2021—From Chad Heinrich, Arizona state director for the National Federation of Independent Business (NFIB), the nation's largest and leading small-business association, on Gov. Doug Ducey's announcement, yesterday, that the state would no longer add federal stimulus money on top of state unemployment benefits.
"Although well-intended, the federal government's addition to state unemployment benefits created a perverse financial incentive for many to remain at home and on the couch rather than report back to work or find a job.
"This created an unsustainable situation that could be seen in NFIB's latest Small Business Economic Trends report that found 44% of small-business owners unable to fill job openings, a record high that topped the previous month's record high.
"Federal benefits are scheduled to end in September, anyhow, but by moving Arizona's timeline to July 10, the governor is speeding up Arizona's economic rebound while giving workers plenty of time to prepare, and his one-time bonus for returning to work is an additional spur for anyone planning to run out the clock on collecting benefits instead of getting back to work."

Valley Partnership Friday Morning Breakfast Leveraging State Land for Economic Development

PHOENIX, AZ— Valley Partnership's May Friday Morning Breakfast will feature Arizona State Land Commissioner Lisa Atkins and Deputy Land Commissioner Jim Perry to discuss current and future economic development projects. The Arizona State Land Department manages more than 9 million acres of State Trust land and resources on behalf of thirteen beneficiaries which include public K-12 education and the state universities. To ensure the Trust is a viable and productive asset for the beneficiaries today and for generations to come, the department exercises sound stewardship principles to generate revenue for the beneficiaries through the sale and leasing of State Trust land.
The zoom webinar is scheduled for Friday, May 21st at 8:00am, with guest registration available online at the Valley Partnership website.
"The Arizona State Land Department is using its assets to re-energize our state's economy," said Cheryl Lombard, President and CEO of Valley Partnership. "In recent years, the Arizona State Land Department has executed high profile deals across the Valley, resulting in billions of dollars of investment and new job opportunities for Arizonans. The department is a critical tool for economic development in the state and for funding important state programs."
WHAT: Valley Partnership May Morning Breakfast Zoom Webinar
WHO: Lisa Atkins, Land Commissioner, Arizona State Land Department
Jim Perry, Deputy Land Commissioner, Arizona State Land Department
Cheryl Lombard, President & CEO, Valley Partnership (Moderator)
WHEN: Friday, May 21st at 8:00am
MEDIA RSVP: Please RSVP to Lorna@elevatestrategiesaz.com to receive the webinar link

Media Advisory: Leading Arizona Educators To Discuss How Biden's American Rescue Plan Is Getting Our Students Back on Track

PHOENIX – On Monday, May 17th at 5:30 pm PDT, some of Arizona's top educators will join Arizona Democratic Party Chair Raquel Terán for a virtual town hall to discuss the state of education in Arizona and the impact of President Biden's American Rescue Plan on our education system.
During the call, Superintendent Kathy Hoffman will walk through how the $2.6 billion dollars in federal

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003613
ARZN_REV00069208_5-14-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

relief allocated to Arizona will benefit students, teachers, and staff as schools across the state continue to reopen. Overall, the American Rescue Plan will deliver $130 billion in relief to help schools continue to reopen safely and ensure that states and districts nationwide have the resources they need to address learning loss as a result of the pandemic.
The town hall will be conducted via Zoom webinar. Click here to RSVP.
WHAT: Virtual town hall on how Biden's American Rescue Plan is getting the Arizona education system and our students back on track.
WHEN: Monday, May 17th at 5:30 – 6:30 pm PDT.
WHO:

- **Raquel Terán,** Arizona Democratic Party Chair
- **Kathy Hoffman,** Arizona Superintendent of Public Instruction
- **Naketa Ross,** Phoenix Union High School District Board Member
- **Thomasene Cardona,** Camp Verde Unified School District Board Member
- **Brian Garcia,** Tempe Union High School District Board President

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the town hall.

"QUOTE OF THE DAY"

"Harry and Dumbledore alert the wizarding community to the dark lord's return, and half the community doesn't believe them and chastises them, but they stick to it... I don't want to say that I'm both Harry and Dumbledore, but I don't think that's too far off the mark."

- ***Stephen Richer, Maricopa County recorder, on his newfound public opposition to the audit***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003614

ARZN_REV00069208_5-14-21-1.pdf

Sender: rgabaldon@azleg.gov
Sent: Monday, May 17, 2021 5:28:19 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-17-21 (1).pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 17, 2021

A GRIFT BY ANY OTHER NAME WOULD SMELL AS SWEET
Supervisors teed off on the Senate today, pleading with the Senate to stop its sham audit and saying they will no longer answer questions from the Senate or Cyber Ninjas.

#SHUTITDOWN IS BACK
The county's official response was only slightly less stinging than the supervisors' and it laid out, point-by-point, that the auditors' questions show they have no clue what they're doing.

TLDR – REAL AUDITORS WOULD KNOW BETTER
The document answers, in detail, the questions the Senate laid out, starting with nobody deleted anything from the server.

AMERICAN OVERSIGHT

HE TOOK A BREAK IN HIS HARRY POTTER MARATHON TO TWEET
Republican Maricopa County Recorder Stephen Richer had himself a weekend, taking several shots at Trump and other election conspiracy theorists on Twitter and instantly going viral because of it.

IS IT 2022 ALREADY?
Yee today launched her campaign for governor, which has been widely expected since she was sworn in as state Treasurer in January 2019, and moments before our deadline, developer and Ducey-appointed regent Karrin Taylor Robson announced her bid as well.

HERE'S YOUR UPDATED PREDICTION SHEET
With roughly 18 months to go until the 2022 election, Arizona's statewide races are beginning to take shape, and Yee's announcement means all but one statewide executive office will be open for the taking.

#SHESRUNNING
Hobbs, who hopes to become Arizona's next Democratic governor, was spotted eating dinner last week with Arizona's last Democratic governor.

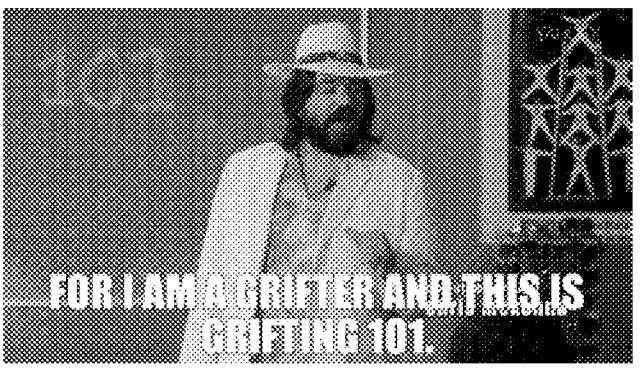
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, May 17, 2021

NEWS NOTES AND GOSSIP

A GRIFT BY ANY OTHER NAME WOULD SMELL AS SWEET



Supervisors teed off on the Senate today, pleading with the Senate to stop its sham audit and saying they will no longer answer questions from the Senate or Cyber Ninjas. In an hourlong hearing, supervisors took turns taking shots at the Senate's process, its contractors and its members. Chairman Jack Sellers struck hard and first, calling Fann's demands for information "the state Senate president's attempt at legitimizing a grift disguised as an audit." Broadly, Sellers defended the county's election and post-election reviews, and panned the Senate's choice of auditors as having "no idea what they're doing." "I just want to make it clear I will not be responding to any more requests from this sham process. Finish what you're calling an audit, and be ready to defend your report," he said. Supervisor Steve Chucri noted that he was an early supporter of the audit, but can no longer back it, as it has become a "mockery." Gallardo zeroed in on his former colleague, Fann, saying she has disappointed him and the people of Arizona. "She has rented out and let the Senate be in the hands of outside consultants… I believe she has let the Senate be controlled by outside forces, instead of standing up and being a real President of the Senate, and doing what's right," he said. "These are outside forces that control the Senate and President Fann does not have the political courage and the wisdom to be able to stop it." "I've worked with many different presidents and different committee chairs and I have never seen anything like this. Never," Gallardo said. Supervisor Bill Gates called tomorrow's hearing at the Senate "political theatre" saying nobody from the county will participate. "This board was going to be a part of a political theatre broadcast on livestream by *OAN*. The Arizona Senate is better than that, the board of supervisors is better than that. We're not going to be a part of that. And now they know," he said. The news seemed to shock Fann, who tweeted today that she only received a copy of the county's official response through the media, and that the hearing will go on, with or without county officials. "We will review the letter later today and will respond at the 1 pm hearing meeting which will be live streamed and recorded," she said today. "Outside of the unnecessary insults I'm glad to see a response," Petersen chimed in. "Unfortunately it does not agree to comply with the subpoena or fully answer all of her questions."

#SHUTITDOWN IS BACK

The county's official response was only slightly less stinging than the supervisors' and it laid out, point-by-point, that the auditors' questions show they have no clue what they're doing. "... The Arizona Senate is not acting in good faith, has no intention of learning anything about the November 2020 General Election, [and] is only interested in feeding the various festering conspiracy theories that fuel the fundraising schemes of those who pull [their] strings," supervisors wrote in their official response (LINK), which called on the Senate to end its audit. "Our state has become a laughingstock. Worse, this "audit" is encouraging our citizens to distrust elections, which hurts us all," they wrote. Supervisors ended by hitting on some of the lowlights of the audit, including that Doug Logan didn't know blue pens can be used to mark ballots and the audit twitter account ranting like "a petulant child" – none of which inspire confidence, they wrote. "You, Senate President Fann, are the only one who can end it," they wrote.

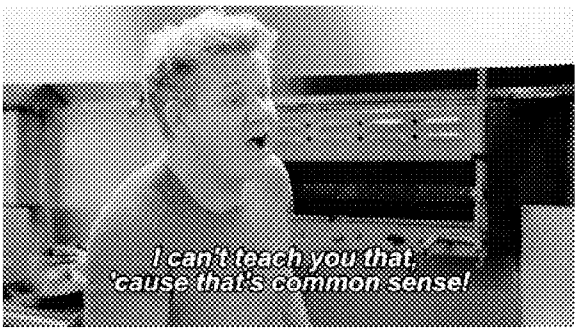
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003617

ARZN_REV00069212_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

TLDR – REAL AUDITORS WOULD KNOW BETTER



The document answers, in detail, the questions the Senate laid out, starting with nobody deleted anything from the server. Working off the limited information in the screenshot, supervisors said that there are a host of reasons Cyber Ninjas would be unable to find the files, but they all basically boil down to incompetence. After laying out in technical terms the most likely explanations, the county then broke down other possible explanations, including that auditors moved, lost or deleted the files themselves. "Regardless, the failure of your so called 'auditors' to locate the files on the copy *they* made of the County's server speaks more to their ineptitude than it does to the integrity and action of our dedicated public employees," supervisors wrote. The chain of custody question "demonstrates a spectacular lack of understanding on your part," supervisors wrote, noting they already gave Ken Bennett documents showing the chain of custody, and the Senate's attorney, Kory Langhofer, was even consulted. On the unsealed boxes, they were sealed before they were transferred to long-term storage, and the tape used is the same kind the county always uses. The pink slips that showed different numbers of ballots than were contained in some batches were easily explained, supervisors wrote, if only someone understood election basics. "Because it is obvious that your contractors have no understanding of these matters, a brief tutorial is in order," they wrote, launching into a not brief explainer that damaged ballots are removed from the batches and tracked another way. "Your contractor misunderstands the purpose of the Transmittal Slip records." Finally, supervisors rejected the idea that Cyber Ninjas could just look at the county's routers, writing that the best explanation, in "non-technical terms" is that it's a blueprint to the county's network. "Suppose your house had a hidden wall safe… You wouldn't give anyone a blueprint of your house, with the location of the safe circled in red marker, because if criminals got ahold of it, they would know where your valuables were," they wrote, adding that since contractors locked Bennett out of the audit's Twitter, they're not about to blindly trust the Senate's contractors.

HE TOOK A BREAK IN HIS HARRY POTTER MARATHON TO TWEET

Republican Maricopa County Recorder Stephen Richer had himself a weekend, taking several shots at Trump and other election conspiracy theorists on Twitter and instantly going viral because of it. Richer, who had been purposely silent for the duration of the audit, began to speak out last week once he reached a breaking point after being accused of breaking the law (YS, 5/14). Now, he's launching an all-out war against those who want to argue that the election was anything but safe and secure. He started by calling "unhinged" a press release from Trump that claimed the entire voter database was illegally deleted, that Brnovich will look into the crime and that "radical Democrats" and "weak Republicans" are united in being terrified and that Arizona will be the first domino to fall (LINK). "Wow. This is unhinged," Richer tweeted (LINK). "I'm literally looking at our voter registration database on my other screen. Right now. We can't indulge these insane lies any longer. As a party. As a state. As a country. This is as readily falsifiable as 2+2=5." Of course, Trump learned about this from vague, conspiracy-riddled tweets from the Arizona Audit account that added fuel to the fire by accusing the county officials of nefarious plots. Richer also got into it with Biasiucci, who claimed he received thousands of emails from Arizonans about Maricopa County ballots (he doesn't live in Maricopa County so voters there are not his constituents) and challenged Richer to respond to them. Richer said he would be happy to set up an account to respond to questions and Biasiucci took that as a full-fledged invitation to flood his email and phone lines. "He feels that your concerns for election integrity are based on lies," the lawmaker tweeted with the recorder's email and main office phone number (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003618

ARZN_REV00069212_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IS IT 2022 ALREADY?

Yee today launched her campaign for governor, which has been widely expected since she was sworn in as state Treasurer in January 2019, and moments before our deadline, developer and Ducey-appointed regent Karrin Taylor Robson announced her bid as well. Yee is the first Republican to jump into the race and she did so with a slick campaign ad that shows she will attempt to focus on two issues that will appeal to a wide base of Republicans – the border and opposing "socialist policies." The video also leaned heavily into Trumpism. "President Trump's America First agenda had our economy booming like never before," Yee said. "But now, our way of life is under attack by the corrupt press, reckless corporate leaders and politicians who put socialist ideals over people, our freedom of speech and our elections." Yee was seen several times on the campaign trail stumping for Trump and was front-and-center attempting to defeat Prop 208 on the ballot (both efforts failed). Yee has also notably been silent on any topic of the election, never once addressing whether she thinks the election was stolen, if Biden is the legitimate president and her thoughts on the audit of Maricopa County's ballots (despite the best efforts of *12 News* reporter Joe Dana (LINK)). Those issues will likely be important for Republican voters; especially for Republican primaries as the party's identity struggles to either align with Trump or distance itself from the former president. Yee did not return a call from our reporter. Robson's simplistic video announcement (LINK) was short and to the point. In 45 seconds, she took a shot at Biden and Harris and said she's excited to travel around Arizona to hear from Arizonans "about how we can stand together and fight the radical Biden-Harris agenda." Robson and Yee will have to duke it out for Ducey's support, as both have been close allies of the governor.

HERE'S YOUR UPDATED PREDICTION SHEET

With roughly 18 months to go until the 2022 election, Arizona's statewide races are beginning to take shape, and Yee's announcement means all but one statewide executive office will be open for the taking. With strong potential GOP gubernatorial contenders in Brnovich, Salmon and Robson, there was some speculation that Yee might stay in her treasurer seat. But increasing rumors that Brnovich is leaning toward taking on Kelly for US Senate (YS, 4/29) gave Yee an opportunity to position herself in the top tier of the potential primary candidates. Yee's announcement opens up another statewide race, leaving only K Hoffman running for reelection. The Treasurer's Office hasn't fielded many rumored candidates, except Livingston, who has been long rumored to have his eye on the Treasurer's Office. (Corporation Commissioner Justin Olson and also maybe Shope could be eyeing the field, though it's unclear how seriously to take those rumors.) Hobbs is expected to imminently join Marco Lopez in the Dem primary for governor, freeing up the Seventh Floor. Bolding (YS, 4/2), and perhaps Adrian Fontes, could run for secretary of state against Finchem, who has already filed, as well as Ugenti-Rita, likely, and maybe Shope and Kate Brophy McGee (YS, 4/6). With Brnovich termed out, Tiffany Shedd and former Justice Andrew Gould already jumped into the race for attorney general. Dems finally have an AG candidate in Rodriguez (YS, 3/8), who filed last week one day after January Contreras, the 2018 candidate, announced she would not run. Meanwhile, there's increasing chatter that Stanton may jump into the AG's race. K Hoffman recently found a Republican challenger in Tom Horne, but we haven't heard many other Republicans eyeing the chance to take her on yet. Finally, Bill Pierce, a 2018 fan favorite for mine inspector, posted on Facebook earlier this year he was going to run again since Joe Hart is termed out, but Pierce has not yet filed his statement of interest.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003619

ARZN_REV00069212_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

#SHESRUNNING

Hobbs, who hopes to become Arizona's next Democratic governor, was spotted eating dinner last week with Arizona's last Democratic governor. Former Gov Janet Napolitano was in town for a handful of events, including a one-on-one interview with *12 News'* Brahm Resnik for this week's Sunday Square Off (LINK), but according to one Hobbs ally, Napolitano was in town to give Hobbs her support. Hobbs, if and when she decides to jump into the race, will face former Nogales Mayor Marco Lopez in the primary. If Napolitano does endorse Hobbs, she would be putting her over Lopez, who worked under her on the Ninth Floor and followed her to DC. Hobbs didn't return a text from our reporter about the meeting.

·WAKE UP CALL·

Tragedy strengthens effort to eliminate board

Arizona Capitol Times

Sen. Nancy Barto is spearheading an effort to abolish the state board that decides whether those who commit serious crimes but were found guilty except insane are fit to return to the community.

Supervisors reject Fann's invitation to talk

Capitol Media Services

The chairman of the Maricopa County Board of Supervisors is pretty much telling Senate President Karen Fann what she can do with her invitation for a Q & A session.

Cook, Shope discuss efforts to find 'new water' for Pinal County

Casa Grande Dispatch

Building bridges is important for both local infrastructure and political relationships. Such was the takeaway from the first in-person Pinal Partnership breakfast in over a year, featuring Rep. David Cook, R-Globe, and Sen. T.J. Shope, R-Coolidge.

Republican Arizona election official says Trump "unhinged"

Associated Press

The Republican who now leads the Arizona county elections department targeted by a GOP audit of the 2020 election results is slamming former President Donald Trump and others in his party for their continued falsehoods about how the election was run.

They say their landlord ignored them and retaliated against them. Now they're suing.

Arizona Mirror

Marc Collymore and Ashley Abrams moved to Tempe from Austin, Texas, to be closer to the Mayo Clinic for Collymore's medical needs, but over the course of several months they would spend more time fighting their landlord than his health issues.

Senate audit packs up, begins week-long hiatus

Arizona Mirror

The controversial election audit ordered by Senate President Karen Fann is officially on hold, scheduled to return later this month.

Navajo Nation president on Arizona's new voting restrictions: An 'assault' on our rights

The Hill

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003620

ARZN_REV00069212_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Navajo Nation President Jonathan Nez said that Arizona's new voting restrictions are an "assault" on the tribe's voting rights.

Arizona audit divides wobbling state GOP
Politico
State Senate Republicans' audit of the 2020 vote in Maricopa County has others worried the party is marginalizing itself ahead of the midterms.

Did QAnon sneak in (or get invited) to Arizona's sham election audit?
Arizona Republic (Opinion, EJ Montini)
A report by Media Matters says even more partisan political pranksters have hopped out of the clown car rolling around the fairgrounds with our ballots in the trunk.

Finally, an Arizona Republican says what so desperately needs to be said about the 'Big Lie'
Arizona Republic (Opinion, Laurie Roberts)
Maricopa County Supervisor Bill Gates pleads with fellow Republican leaders to 'return to dealing in truth and reality' about the 2020 election. The resulting silence is deafening.

Trump says Arizona auditors have found 'unbelievable election crime'? This is nonsense
Arizona Republic (Opinion, Laurie Roberts)
Trump says Arizona's auditors have found 'unbelievable Election crime'. He's right. It's totally unbelievable and more Republicans should say so.

Why do we keep voting for these yo-yos? Arizona needs election reform now
Arizona Republic (Opinion, Robert Robb)
Arizona's leaders are proof that we need nonpartisan elections. But ironically, we're moving away from the reforms that could make that happen.

If Arizona businesses nix masks now, is that so bad? Maybe not. Maybe (gulp) it's time
Arizona Republic (Opinion, Joanna Allhands)
New CDC guidance says those who have been fully vaccinated can ditch masks indoors. And that has broad implications for how society moves forward.

Gov. Doug Ducey is blackmailing out-of-work Arizonans to get a job
Arizona Republic (Opinion, Elvia Diaz)
Gov. Doug Ducey said bonuses will encourage unemployed Arizonans to get a job but then takes away extra jobless benefits. That's blackmail.

A prominent lawyer was brutally murdered in Mexico. Why Americans should pay attention
Arizona Republic (Opinion, Elvia Diaz)
The murder of Abel Murrieta, the mayoral candidate of a small Mexican town, shook that country for a reason. The U.S. should pay attention.

Arizona Republicans are inventing cyber threats instead of dealing with real ones
Arizona Republic (Opinion, Greg Moore)
The digital divide seems as wide and deep as the Grand Canyon. So why are legislative Republicans wasting time with Cyber Ninjas and their sham audit?

Cyberattack on Colonial Pipeline was huge, but it won't wake us the hell up
Arizona Republic (Opinion, Phil Boas)
Not until hackers stage their internet 9/11 will the United States summon the will to stop them.

Is college worth it? A few years ago, I would have said no. Now, it's absolutely yes
Arizona Republic (Op-ed, Oyuky Benitez)
I didn't enjoy high school. But community college opened my eyes, and now I'm a first-generation student graduating with a bachelor's degree.

Flat tax plan could decimate Arizona revenue, benefit a few. Don't buy it
Arizona Republic (Op-ed, David Lujan)
Beware of Grover Norquist's flat tax plan for Arizona. It could seriously hamper our ability to make investments that will transform the state

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003621

ARZN_REV00069212_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Board of Supervisors Cuts Property Tax Rate, Invests in Public Health

Tentative FY 2022 Budget includes funds for pandemic response and future infrastructure

After helping the nation's fastest-growing county weather a pandemic and a year of financial uncertainty, the Maricopa County Board of Supervisors is putting money in people's pockets while also making investments to ensure a better future. Today, the Board of Supervisors approved a tentative $3.4 billion budget for fiscal year 2022. The budget includes significant health and human services spending and a property tax rate cut.

"For the past year, we have dealt with one crisis after another. Responding quickly and efficiently to the public health emergency has been a priority, but now's the time to look to the future. What we do today will determine whether we retain a high quality of life for future generations," said Board of Supervisors Chairman Jack Sellers, District 1. "This budget puts people back to work, provides a stronger safety net for the most vulnerable in our community, and invests in the infrastructure we need to make our incredible growth sustainable."

The FY 2022 budget addresses key needs identified as result of pandemic. Highlights include:

- funding 30 new positions for the Maricopa County Department of Public Health which led the effort to protect the community from COVID-19 through case investigation, data sharing, testing, and vaccination.
- $5 million toward long-term solutions to homelessness, including shelters and "bridge" housing
- continuing successful rental and utility assistance programs that keep people in their homes and prevent evictions that hurt families and the local economy
- adding staff and resources to the Office of the Medical Examiner, after a year where, unfortunately, the number of deaths spiked
- and funding a new command center for the Emergency Management Department, which has distributed more than 20 million units of personal protective equipment over the past year and has been an integral part of the county's unified response to the pandemic.

"Our job is to be responsive to the needs of our community and respectful of the taxpayer's hard-earned dollars. This budget does that," said Vice Chairman Bill Gates, District 3. "The pandemic taught us how tenuous health and financial security are for too many in our community, and so we invested in those areas. At the same time, the Board wisely chose to lower the property tax rate and reduce our pension debt."

The tentative county budget contains approximately $439 million in federal funding for continued pandemic response and recovery, which was part of the American Rescue Act passed by Congress. The Board of Supervisors will allocate that funding to meet the changing needs of the community.

"It has been a hard year, but I'm optimistic about Maricopa County's future and pleased that, because of years of fiscal discipline from this Board, we are able to cut tax rates," said Supervisor Steve Chucri, District 2. "In 2020, Maricopa County ranked first in economic growth out of more than 30 metro regions in the U.S. The budget approved by the Board today--and the property tax rate cut we are planning--will support the county's economic momentum by easing the financial burden on residents while also prioritizing public health and safety."

The FY 2022 budget earmarks $349 million dollars for capital investments that will help support continued growth. These include a new East Valley Animal Care and Control Facility; 10 improvement projects at regional parks; more than 92 long-term transportation projects; new security, SWAT, and K-9 facilities for the Sheriff's Office; and new MCSO substations in the fast-growing West Valley (Avondale, Surprise).

"My district is the fastest-growing part of the nation's fast-growing county, and I believe targeted investments there—especially public safety investments—benefit our entire region," said Supervisor Clint Hickman, District 4. "I know there have been a lot of other things in the news lately, but our most important job as supervisors is to make sure residents feel secure and this budget prioritize projects that make our communities safer."

Maricopa County's strategic goal of becoming an all-digital county proved prescient during a year of Zoom meetings and limited public outings. In FY 2022, the Board of Supervisors will invest $76 million to improve the county's technology infrastructure, boost online service options for residents, and ensure county staff have the tools necessary to provide fast, efficient service.

"County employees—especially our essential workers—have done an incredible amount of good over the past year," said Supervisor Steve Gallardo, District 5. "They've made sure COVID-19 resources, information, and vaccine are available to everyone in our community and supported people who have lost jobs or businesses or homes due to the

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003622

ARZN_REV00069212_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

pandemic. With additional funding for Public Health and a brand-new Homeless Initiative, I have no doubt we will make a huge, positive difference in the lives of our residents in the coming year."
The public will be able to comment on the tentative budget between now and the final vote which is scheduled for June 21.
View budget documents

Join Us for the "Retirement Readiness for Military Families" Virtual Event Get Your Marching Orders for Building a Secure Retirement

"Retirement Readiness for Military Families" is the third episode of the When I'm 65 Boomers to Zoomers: Building A Secure Path to Retirement Virtual Event Series

PHOENIX - The Arizona Corporation Commission has partnered with the Investor Protection Trust and PBS Books to produce **"Retirement Readiness for Military Families"** virtual event to livestream on the Corporation Commission's Facebook page at facebook.com/CorpCommAZ on **Friday, May 28, 2021 from 10:00-11:00 a.m.**
Military families, whether active duty or retired, have access to a lot of great benefits that can help them prepare for a secure retirement. But they also face unique financial challenges, like deployment, that can make reaching their goals more difficult. "Retirement Readiness for Military Families" will feature qualified experts who will discuss many of the benefits available to active duty and retired military families as well as strategies for overcoming obstacles and saving and investing for a secure retirement.
The event will be interactive, allowing participants to ask questions, submit comments and get answers in real time. After the live event, **"Retirement Readiness for Military Families"** will be available on the Commission's website at www.azcc.gov/azinvestor and on pbsbooks.org/when-im-65, along with a variety of tools and resources for savers and investors of all ages and at all stages of life. "Retirement Readiness for Military Families" is the third in a series of 12 *Boomers to Zoomers: Building a Secure Path to Retirement* virtual events.
"We are pleased to provide retirement readiness information for active-duty and retired military servicemembers who live in Arizona, that can help them save and invest wisely," said Chairwoman Lea Márquez Peterson of the Arizona Corporation Commission.
The **"Retirement Readiness for Military Families"** virtual event will feature the following:

- Host: Fred Nahhat, Detroit Public Television
- Moderator: Donna Lowry, Georgia Public Broadcasting
- Two Topic Segments: Getting Retirement Ready While Serving and Mission: Retirement Security for Veterans

"As a nation we are given all this month to show our appreciation for our troops past and present," said Rich Homberg, President and CEO of Detroit Public Television. "PBS Books and IPT are proud to partner and dedicate this event to secure financial freedom to those who serve to protect the freedom of our country."
Michelle Olympiadis, Acting Executive Director of the Investor Protection Trust, said, "Whether it's deployment, relocations or transitioning to civilian life, military families face unique challenges when planning for retirement. May is Military Appreciation Month and, as we commemorate America's soldiers this Memorial Day, it's vital that we do all we can to ensure our military families have the tools and resources they need to achieve long-term financial security."
The *Boomers to Zoomers: Building a Secure Path to Retirement* is a yearlong series of twelve 60-minute virtual events livestreaming via Facebook Live on partner Facebook pages on the fourth Friday of each month at 10:00 a.m. MST (except the November and December 2021 episodes which will air on November 19 and December 17 respectively).
The series provides the quality, objective investor and financial information needed by all Americans to make wise and safe investment decisions at every age and every stage of life. The *Boomers to Zoomers* virtual events are interactive and feature timely topics, financial experts, motivational stories and practical information viewers can use immediately to prepare for long-term financial security. Upcoming *Boomer to Zoomer* virtual event topics include: Harness Your Inner Hummingbird: The Steps to Take to Build a Nest Egg That Will Serve You Through Your Retirement Years, Financial Freedom and Investing When You're Just Starting Out.

Release: Arizona Democratic Party Announces Communications Team

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003623
ARZN_REV00069212_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PHOENIX -- Today the Arizona Democratic Party announced the newest members of an expanded communications team as it gears up for the 2022 cycle. Alex Alvarez will serve as the Communications Director, Sarah Guggenheimer has been named Senior Communications Advisor, and Hannah Goss has been named Rapid Response Director. Alvarez will lead the Party's internal and external communications, focusing on the state government's failure to help Arizona businesses and families recover from the COVID-19 pandemic.
Guggenheimer will focus on the 2022 U.S. Senate race and the already chaotic and expensive GOP primary. Goss will focus on President Biden's agenda and the importance of his administration's work for the state of Arizona.
Alex Alvarez most recently ran Arizona Families First, an Arizona state legislative independent expenditure. Sarah Guggenheimer was most recently a Regional Press Secretary at the DCCC. Hannah Goss previously served as Dr. Hiral Tipirineni's Communications Director on last cycle's competitive AZ-06 race.
"I am thrilled to welcome these incredibly talented communicators to the Arizona Democratic Party," said ADP Chairwoman Raquel Terán. **"After an unprecedented year of public health and economic crises, we are THE party working on behalf of Arizonans to deliver on the issues that matter most. I am confident that these new additions to the team will be able to convey that message to voters and ensure our electoral successes up and down the ballot in 2022 and beyond."**

PRESS ADVISORY: TODAY Leading Arizona Educators To Discuss How Biden's American Rescue Plan Is Getting Our Students Back on Track

PHOENIX -- TODAY at 5:30 pm PDT, some of Arizona's top educators will join **Arizona Democratic Party Chair Raquel Terán** for a virtual town hall to discuss the state of education in Arizona and the impact of President Biden's American Rescue Plan on our education system.
During the call, **Superintendent Kathy Hoffman** will walk through how the $2.6 billion dollars in federal relief allocated to Arizona will benefit students, teachers, and staff as schools across the state continue to reopen. Overall, the American Rescue Plan will deliver $130 billion in relief to help schools continue to reopen safely and ensure that states and districts nationwide have the resources they need to address learning loss as a result of the pandemic.
The town hall will be conducted via Zoom webinar. Click here to RSVP.
WHAT: Virtual town hall on how Biden's American Rescue Plan is getting the Arizona education system and our students back on track.
WHEN: Monday, May 17th at 5:30 - 6:30 pm PDT.
WHO:

- **Raquel Terán,** Arizona Democratic Party Chair
- **Kathy Hoffman,** Arizona Superintendent of Public Instruction
- **Naketa Ross,** Phoenix Union High School District Board Member
- **Thomasene Cardona,** Camp Verde Unified School District Board Member
- **Brian Garcia,** Tempe Union High School District Board President

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the town hall.

Stanton's Body Camera Bill is One Step Closer to Law, Included in Emergency Capitol Security Bill

Package set for a House floor vote Thursday
WASHINGTON, D.C.—Rep. Greg Stanton's bill to require all uniformed, on-duty U.S. Capitol Police officers to utilize body-worn cameras—introduced in the wake of the Jan. 6 attack on the Capitol—has been included as a part of the House's larger measure to boost security at the complex.
The Emergency Security Supplemental to Respond to January 6th Appropriations Act, introduced by House Appropriations Committee Chair Rosa DeLauro, includes $8.6 million to provide body cameras for Capitol Police officers whose job duties include interacting with the public.
"Disturbing body camera footage from Metro D.C. police officers taken during the January 6 attacks has been critical in identifying and holding insurrectionists to account," said Stanton. "Overwhelming evidence shows that body-worn cameras also make interactions between police officers and the public safer, and I look forward to working with my colleagues to swiftly pass this bill."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003624
ARZN_REV00069212_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Informed by the recommendations of the Task Force 1-6 Capitol Security Review by senior retired military leaders and law enforcement experts, the package provides $1.9 billion to secure the safety of the Capitol, protect facilities, Members, employees, and visitors going forward, and provide for safe and healthy Congressional operations. The Capitol Security Review recommended body-worn cameras for USCP and noted their use to, "provide visual and audio evidence that can independently verify what happened in any given situation, leading to better investigations and prosecutions when needed."
According to a new NPR/PBS NewsHour/Marist poll, there's "near-universal support" among American adults for police wearing body cameras.
The security supplemental is set for a vote on the House floor this Thursday.
A summary of the package is available HERE.
Full text of the package is available HERE.

"QUOTE OF THE DAY"

"…The Arizona Senate is not acting in good faith, has no intention of learning anything about the November 2020 General Election, [and] is only interested in feeding the various festering conspiracy theories that fuel the fundraising schemes of those who pull [their] strings."

- ***Maricopa County supervisors, in a response to the Senate that was unanimously approved***

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, May 17, 2021 5:28:23 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-17-21 (1).pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 17, 2021

A GRIFT BY ANY OTHER NAME WOULD SMELL AS SWEET
Supervisors teed off on the Senate today, pleading with the Senate to stop its sham audit and saying they will no longer answer questions from the Senate or Cyber Ninjas.

#SHUTITDOWN IS BACK
The county's official response was only slightly less stinging than the supervisors' and it laid out, point-by-point, that the auditors' questions show they have no clue what they're doing.

TLDR – REAL AUDITORS WOULD KNOW BETTER

AMERICAN OVERSIGHT

The document answers, in detail, the questions the Senate laid out, starting with nobody deleted anything from the server.

HE TOOK A BREAK IN HIS HARRY POTTER MARATHON TO TWEET
Republican Maricopa County Recorder Stephen Richer had himself a weekend, taking several shots at Trump and other election conspiracy theorists on Twitter and instantly going viral because of it.

IS IT 2022 ALREADY?
Yee today launched her campaign for governor, which has been widely expected since she was sworn in as state Treasurer in January 2019, and moments before our deadline, developer and Ducey-appointed regent Karrin Taylor Robson announced her bid as well.

HERE'S YOUR UPDATED PREDICTION SHEET
With roughly 18 months to go until the 2022 election, Arizona's statewide races are beginning to take shape, and Yee's announcement means all but one statewide executive office will be open for the taking.

#SHESRUNNING
Hobbs, who hopes to become Arizona's next Democratic governor, was spotted eating dinner last week with Arizona's last Democratic governor.

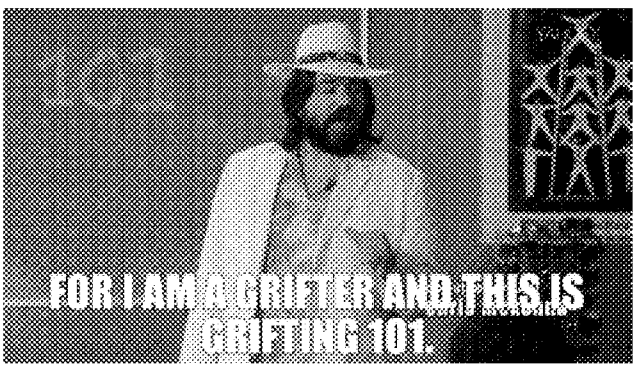
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, May 17, 2021

NEWS NOTES AND GOSSIP

A GRIFT BY ANY OTHER NAME WOULD SMELL AS SWEET



Supervisors teed off on the Senate today, pleading with the Senate to stop its sham audit and saying they will no longer answer questions from the Senate or Cyber Ninjas. In an hourlong hearing, supervisors took turns taking shots at the Senate's process, its contractors and its members. Chairman Jack Sellers struck hard and first, calling Fann's demands for information "the state Senate president's attempt at legitimizing a grift disguised as an audit." Broadly, Sellers defended the county's election and post-election reviews, and panned the Senate's choice of auditors as having "no idea what they're doing." "I just want to make it clear I will not be responding to any more requests from this sham process. Finish what you're calling an audit, and be ready to defend your report," he said. Supervisor Steve Chucri noted that he was an early supporter of the audit, but can no longer back it, as it has become a "mockery." Gallardo zeroed in on his former colleague, Fann, saying she has disappointed him and the people of Arizona. "She has rented out and let the Senate be in the hands of outside consultants… I believe she has let the Senate be controlled by outside forces, instead of standing up and being a real President of the Senate, and doing what's right," he said. "These are outside forces that control the Senate and President Fann does not have the political courage and the wisdom to be able to stop it." "I've worked with many different presidents and different committee chairs and I have never seen anything like this. Never," Gallardo said. Supervisor Bill Gates called tomorrow's hearing at the Senate "political theatre" saying nobody from the county will participate. "This board was going to be a part of a political theatre broadcast on livestream by *OAN*. The Arizona Senate is better than that, the board of supervisors is better than that. We're not going to be a part of that. And now they know," he said. The news seemed to shock Fann, who tweeted today that she only received a copy of the county's official response through the media, and that the hearing will go on, with or without county officials. "We will review the letter later today and will respond at the 1 pm hearing meeting which will be live streamed and recorded," she said today. "Outside of the unnecessary insults I'm glad to see a response," Petersen chimed in. "Unfortunately it does not agree to comply with the subpoena or fully answer all of her questions."

#SHUTITDOWN IS BACK

The county's official response was only slightly less stinging than the supervisors' and it laid out, point-by-point, that the auditors' questions show they have no clue what they're doing. "... The Arizona Senate is not acting in good faith, has no intention of learning anything about the November 2020 General Election, [and] is only interested in feeding the various festering conspiracy theories that fuel the fundraising schemes of those who pull [their] strings," supervisors wrote in their official response (LINK), which called on the Senate to end its audit. "Our state has become a laughingstock. Worse, this "audit" is encouraging our citizens to distrust elections, which hurts us all," they wrote. Supervisors ended by hitting on some of the lowlights of the audit, including that Doug Logan didn't know blue pens can be used to mark ballots and the audit twitter account ranting like "a petulant child" – none of which inspire confidence, they wrote. "You, Senate President Fann, are the only one who can end it," they wrote.

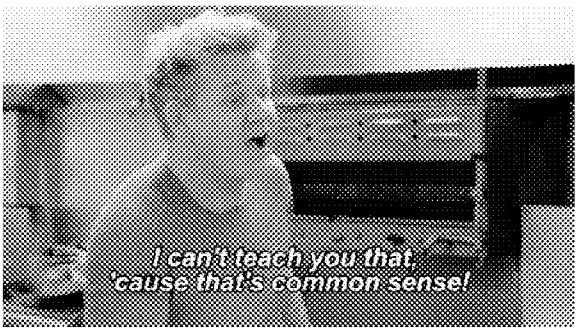
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003628

ARZN_REV00069214_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

TLDR – REAL AUDITORS WOULD KNOW BETTER



The document answers, in detail, the questions the Senate laid out, starting with nobody deleted anything from the server. Working off the limited information in the screenshot, supervisors said that there are a host of reasons Cyber Ninjas would be unable to find the files, but they all basically boil down to incompetence. After laying out in technical terms the most likely explanations, the county then broke down other possible explanations, including that auditors moved, lost or deleted the files themselves. "Regardless, the failure of your so called 'auditors' to locate the files on the copy *they* made of the County's server speaks more to their ineptitude than it does to the integrity and action of our dedicated public employees," supervisors wrote. The chain of custody question "demonstrates a spectacular lack of understanding on your part," supervisors wrote, noting they already gave Ken Bennett documents showing the chain of custody, and the Senate's attorney, Kory Langhofer, was even consulted. On the unsealed boxes, they were sealed before they were transferred to long-term storage, and the tape used is the same kind the county always uses. The pink slips that showed different numbers of ballots than were contained in some batches were easily explained, supervisors wrote, if only someone understood election basics. "Because it is obvious that your contractors have no understanding of these matters, a brief tutorial is in order," they wrote, launching into a not brief explainer that damaged ballots are removed from the batches and tracked another way. "Your contractor misunderstands the purpose of the Transmittal Slip records." Finally, supervisors rejected the idea that Cyber Ninjas could just look at the county's routers, writing that the best explanation, in "non-technical terms" is that it's a blueprint to the county's network. "Suppose your house had a hidden wall safe… You wouldn't give anyone a blueprint of your house, with the location of the safe circled in red marker, because if criminals got ahold of it, they would know where your valuables were," they wrote, adding that since contractors locked Bennett out of the audit's Twitter, they're not about to blindly trust the Senate's contractors.

HE TOOK A BREAK IN HIS HARRY POTTER MARATHON TO TWEET

Republican Maricopa County Recorder Stephen Richer had himself a weekend, taking several shots at Trump and other election conspiracy theorists on Twitter and instantly going viral because of it. Richer, who had been purposely silent for the duration of the audit, began to speak out last week once he reached a breaking point after being accused of breaking the law (YS, 5/14). Now, he's launching an all-out war against those who want to argue that the election was anything but safe and secure. He started by calling "unhinged" a press release from Trump that claimed the entire voter database was illegally deleted, that Brnovich will look into the crime and that "radical Democrats" and "weak Republicans" are united in being terrified and that Arizona will be the first domino to fall (LINK). "Wow. This is unhinged," Richer tweeted (LINK). "I'm literally looking at our voter registration database on my other screen. Right now. We can't indulge these insane lies any longer. As a party. As a state. As a country. This is as readily falsifiable as 2+2=5." Of course, Trump learned about this from vague, conspiracy-riddled tweets from the Arizona Audit account that added fuel to the fire by accusing the county officials of nefarious plots. Richer also got into it with Biasiucci, who claimed he received thousands of emails from Arizonans about Maricopa County ballots (he doesn't live in Maricopa County so voters there are not his constituents) and challenged Richer to respond to them. Richer said he would be happy to set up an account to respond to questions and Biasiucci took that as a full-fledged invitation to flood his email and phone lines. "He feels that your concerns for election integrity are based on lies," the lawmaker tweeted with the recorder's email and main office phone number (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003629

ARZN_REV00069214_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IS IT 2022 ALREADY?

Yee today launched her campaign for governor, which has been widely expected since she was sworn in as state Treasurer in January 2019, and moments before our deadline, developer and Ducey-appointed regent Karrin Taylor Robson announced her bid as well. Yee is the first Republican to jump into the race and she did so with a slick campaign ad that shows she will attempt to focus on two issues that will appeal to a wide base of Republicans – the border and opposing "socialist policies." The video also leaned heavily into Trumpism. "President Trump's America First agenda had our economy booming like never before," Yee said. "But now, our way of life is under attack by the corrupt press, reckless corporate leaders and politicians who put socialist ideals over people, our freedom of speech and our elections." Yee was seen several times on the campaign trail stumping for Trump and was front-and-center attempting to defeat Prop 208 on the ballot (both efforts failed). Yee has also notably been silent on any topic of the election, never once addressing whether she thinks the election was stolen, if Biden is the legitimate president and her thoughts on the audit of Maricopa County's ballots (despite the best efforts of *12 News* reporter Joe Dana (LINK)). Those issues will likely be important for Republican voters; especially for Republican primaries as the party's identity struggles to either align with Trump or distance itself from the former president. Yee did not return a call from our reporter. Robson's simplistic video announcement (LINK) was short and to the point. In 45 seconds, she took a shot at Biden and Harris and said she's excited to travel around Arizona to hear from Arizonans "about how we can stand together and fight the radical Biden-Harris agenda." Robson and Yee will have to duke it out for Ducey's support, as both have been close allies of the governor.

HERE'S YOUR UPDATED PREDICTION SHEET

With roughly 18 months to go until the 2022 election, Arizona's statewide races are beginning to take shape, and Yee's announcement means all but one statewide executive office will be open for the taking. With strong potential GOP gubernatorial contenders in Brnovich, Salmon and Robson, there was some speculation that Yee might stay in her treasurer seat. But increasing rumors that Brnovich is leaning toward taking on Kelly for US Senate (YS, 4/29) gave Yee an opportunity to position herself in the top tier of the potential primary candidates. Yee's announcement opens up another statewide race, leaving only K Hoffman running for reelection. The Treasurer's Office hasn't fielded many rumored candidates, except Livingston, who has been long rumored to have his eye on the Treasurer's Office. (Corporation Commissioner Justin Olson and also maybe Shope could be eyeing the field, though it's unclear how seriously to take those rumors.) Hobbs is expected to imminently join Marco Lopez in the Dem primary for governor, freeing up the Seventh Floor. Bolding (YS, 4/2), and perhaps Adrian Fontes, could run for secretary of state against Finchem, who has already filed, as well as Ugenti-Rita, likely, and maybe Shope and Kate Brophy McGee (YS, 4/6). With Brnovich termed out, Tiffany Shedd and former Justice Andrew Gould already jumped into the race for attorney general. Dems finally have an AG candidate in Rodriguez (YS, 3/8), who filed last week one day after January Contreras, the 2018 candidate, announced she would not run. Meanwhile, there's increasing chatter that Stanton may jump into the AG's race. K Hoffman recently found a Republican challenger in Tom Horne, but we haven't heard many other Republicans eyeing the chance to take her on yet. Finally, Bill Pierce, a 2018 fan favorite for mine inspector, posted on Facebook earlier this year he was going to run again since Joe Hart is termed out, but Pierce has not yet filed his statement of interest.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003630

ARZN_REV00069214_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

#SHESRUNNING

Hobbs, who hopes to become Arizona's next Democratic governor, was spotted eating dinner last week with Arizona's last Democratic governor. Former Gov Janet Napolitano was in town for a handful of events, including a one-on-one interview with *12 News'* Brahm Resnik for this week's Sunday Square Off (LINK), but according to one Hobbs ally, Napolitano was in town to give Hobbs her support. Hobbs, if and when she decides to jump into the race, will face former Nogales Mayor Marco Lopez in the primary. If Napolitano does endorse Hobbs, she would be putting her over Lopez, who worked under her on the Ninth Floor and followed her to DC. Hobbs didn't return a text from our reporter about the meeting.

·WAKE UP CALL·

Tragedy strengthens effort to eliminate board

Arizona Capitol Times

Sen. Nancy Barto is spearheading an effort to abolish the state board that decides whether those who commit serious crimes but were found guilty except insane are fit to return to the community.

Supervisors reject Fann's invitation to talk

Capitol Media Services

The chairman of the Maricopa County Board of Supervisors is pretty much telling Senate President Karen Fann what she can do with her invitation for a Q & A session.

Cook, Shope discuss efforts to find 'new water' for Pinal County

Casa Grande Dispatch

Building bridges is important for both local infrastructure and political relationships. Such was the takeaway from the first in-person Pinal Partnership breakfast in over a year, featuring Rep. David Cook, R-Globe, and Sen. T.J. Shope, R-Coolidge.

Republican Arizona election official says Trump "unhinged"

Associated Press

The Republican who now leads the Arizona county elections department targeted by a GOP audit of the 2020 election results is slamming former President Donald Trump and others in his party for their continued falsehoods about how the election was run.

They say their landlord ignored them and retaliated against them. Now they're suing.

Arizona Mirror

Marc Collymore and Ashley Abrams moved to Tempe from Austin, Texas, to be closer to the Mayo Clinic for Collymore's medical needs, but over the course of several months they would spend more time fighting their landlord than his health issues.

Senate audit packs up, begins week-long hiatus

Arizona Mirror

The controversial election audit ordered by Senate President Karen Fann is officially on hold, scheduled to return later this month.

Navajo Nation president on Arizona's new voting restrictions: An 'assault' on our rights

The Hill

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003631

ARZN_REV00069214_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Navajo Nation President Jonathan Nez said that Arizona's new voting restrictions are an "assault" on the tribe's voting rights.

Arizona audit divides wobbling state GOP
Politico
State Senate Republicans' audit of the 2020 vote in Maricopa County has others worried the party is marginalizing itself ahead of the midterms.

Did QAnon sneak in (or get invited) to Arizona's sham election audit?
Arizona Republic (Opinion, EJ Montini)
A report by Media Matters says even more partisan political pranksters have hopped out of the clown car rolling around the fairgrounds with our ballots in the trunk.

Finally, an Arizona Republican says what so desperately needs to be said about the 'Big Lie'
Arizona Republic (Opinion, Laurie Roberts)
Maricopa County Supervisor Bill Gates pleads with fellow Republican leaders to 'return to dealing in truth and reality' about the 2020 election. The resulting silence is deafening.

Trump says Arizona auditors have found 'unbelievable election crime'? This is nonsense
Arizona Republic (Opinion, Laurie Roberts)
Trump says Arizona's auditors have found 'unbelievable Election crime'. He's right. It's totally unbelievable and more Republicans should say so.

Why do we keep voting for these yo-yos? Arizona needs election reform now
Arizona Republic (Opinion, Robert Robb)
Arizona's leaders are proof that we need nonpartisan elections. But ironically, we're moving away from the reforms that could make that happen.

If Arizona businesses nix masks now, is that so bad? Maybe not. Maybe (gulp) it's time
Arizona Republic (Opinion, Joanna Allhands)
New CDC guidance says those who have been fully vaccinated can ditch masks indoors. And that has broad implications for how society moves forward.

Gov. Doug Ducey is blackmailing out-of-work Arizonans to get a job
Arizona Republic (Opinion, Elvia Diaz)
Gov. Doug Ducey said bonuses will encourage unemployed Arizonans to get a job but then takes away extra jobless benefits. That's blackmail.

A prominent lawyer was brutally murdered in Mexico. Why Americans should pay attention
Arizona Republic (Opinion, Elvia Diaz)
The murder of Abel Murrieta, the mayoral candidate of a small Mexican town, shook that country for a reason. The U.S. should pay attention.

Arizona Republicans are inventing cyber threats instead of dealing with real ones
Arizona Republic (Opinion, Greg Moore)
The digital divide seems as wide and deep as the Grand Canyon. So why are legislative Republicans wasting time with Cyber Ninjas and their sham audit?

Cyberattack on Colonial Pipeline was huge, but it won't wake us the hell up
Arizona Republic (Opinion, Phil Boas)
Not until hackers stage their internet 9/11 will the United States summon the will to stop them.

Is college worth it? A few years ago, I would have said no. Now, it's absolutely yes
Arizona Republic (Op-ed, Oyuky Benitez)
I didn't enjoy high school. But community college opened my eyes, and now I'm a first-generation student graduating with a bachelor's degree.

Flat tax plan could decimate Arizona revenue, benefit a few. Don't buy it
Arizona Republic (Op-ed, David Lujan)
Beware of Grover Norquist's flat tax plan for Arizona. It could seriously hamper our ability to make investments that will transform the state

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003632

ARZN_REV00069214_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Board of Supervisors Cuts Property Tax Rate, Invests in Public Health

Tentative FY 2022 Budget includes funds for pandemic response and future infrastructure

After helping the nation's fastest-growing county weather a pandemic and a year of financial uncertainty, the Maricopa County Board of Supervisors is putting money in people's pockets while also making investments to ensure a better future. Today, the Board of Supervisors approved a tentative $3.4 billion budget for fiscal year 2022. The budget includes significant health and human services spending and a property tax rate cut.

"For the past year, we have dealt with one crisis after another. Responding quickly and efficiently to the public health emergency has been a priority, but now's the time to look to the future. What we do today will determine whether we retain a high quality of life for future generations," said Board of Supervisors Chairman Jack Sellers, District 1. "This budget puts people back to work, provides a stronger safety net for the most vulnerable in our community, and invests in the infrastructure we need to make our incredible growth sustainable."

The FY 2022 budget addresses key needs identified as result of pandemic. Highlights include:

- funding 30 new positions for the Maricopa County Department of Public Health which led the effort to protect the community from COVID-19 through case investigation, data sharing, testing, and vaccination.
- $5 million toward long-term solutions to homelessness, including shelters and "bridge" housing
- continuing successful rental and utility assistance programs that keep people in their homes and prevent evictions that hurt families and the local economy
- adding staff and resources to the Office of the Medical Examiner, after a year where, unfortunately, the number of deaths spiked
- and funding a new command center for the Emergency Management Department, which has distributed more than 20 million units of personal protective equipment over the past year and has been an integral part of the county's unified response to the pandemic.

"Our job is to be responsive to the needs of our community and respectful of the taxpayer's hard-earned dollars. This budget does that," said Vice Chairman Bill Gates, District 3. "The pandemic taught us how tenuous health and financial security are for too many in our community, and so we invested in those areas. At the same time, the Board wisely chose to lower the property tax rate and reduce our pension debt."

The tentative county budget contains approximately $439 million in federal funding for continued pandemic response and recovery, which was part of the American Rescue Act passed by Congress. The Board of Supervisors will allocate that funding to meet the changing needs of the community.

"It has been a hard year, but I'm optimistic about Maricopa County's future and pleased that, because of years of fiscal discipline from this Board, we are able to cut tax rates," said Supervisor Steve Chucri, District 2. "In 2020, Maricopa County ranked first in economic growth out of more than 30 metro regions in the U.S. The budget approved by the Board today--and the property tax rate cut we are planning--will support the county's economic momentum by easing the financial burden on residents while also prioritizing public health and safety."

The FY 2022 budget earmarks $349 million dollars for capital investments that will help support continued growth. These include a new East Valley Animal Care and Control Facility; 10 improvement projects at regional parks; more than 92 long-term transportation projects; new security, SWAT, and K-9 facilities for the Sheriff's Office; and new MCSO substations in the fast-growing West Valley (Avondale, Surprise).

"My district is the fastest-growing part of the nation's fast-growing county, and I believe targeted investments there—especially public safety investments—benefit our entire region," said Supervisor Clint Hickman, District 4. "I know there have been a lot of other things in the news lately, but our most important job as supervisors is to make sure residents feel secure and this budget prioritize projects that make our communities safer."

Maricopa County's strategic goal of becoming an all-digital county proved prescient during a year of Zoom meetings and limited public outings. In FY 2022, the Board of Supervisors will invest $76 million to improve the county's technology infrastructure, boost online service options for residents, and ensure county staff have the tools necessary to provide fast, efficient service.

"County employees—especially our essential workers—have done an incredible amount of good over the past year," said Supervisor Steve Gallardo, District 5. "They've made sure COVID-19 resources, information, and vaccine are available to everyone in our community and supported people who have lost jobs or businesses or homes due to the

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003633

ARZN_REV00069214_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

pandemic. With additional funding for Public Health and a brand-new Homeless Initiative, I have no doubt we will make a huge, positive difference in the lives of our residents in the coming year."
The public will be able to comment on the tentative budget between now and the final vote which is scheduled for June 21.
View budget documents

Join Us for the "Retirement Readiness for Military Families" Virtual Event Get Your Marching Orders for Building a Secure Retirement

"Retirement Readiness for Military Families" is the third episode of the When I'm 65 Boomers to Zoomers: Building A Secure Path to Retirement Virtual Event Series

PHOENIX - The Arizona Corporation Commission has partnered with the Investor Protection Trust and PBS Books to produce **"Retirement Readiness for Military Families"** virtual event to livestream on the Corporation Commission's Facebook page at facebook.com/CorpCommAZ on **Friday, May 28, 2021 from 10:00-11:00 a.m.**
Military families, whether active duty or retired, have access to a lot of great benefits that can help them prepare for a secure retirement. But they also face unique financial challenges, like deployment, that can make reaching their goals more difficult. "Retirement Readiness for Military Families" will feature qualified experts who will discuss many of the benefits available to active duty and retired military families as well as strategies for overcoming obstacles and saving and investing for a secure retirement.
The event will be interactive, allowing participants to ask questions, submit comments and get answers in real time. After the live event, **"Retirement Readiness for Military Families"** will be available on the Commission's website at www.azcc.gov/azinvestor and on pbsbooks.org/when-im-65, along with a variety of tools and resources for savers and investors of all ages and at all stages of life. "Retirement Readiness for Military Families" is the third in a series of 12 *Boomers to Zoomers: Building a Secure Path to Retirement* virtual events.
"We are pleased to provide retirement readiness information for active-duty and retired military servicemembers who live in Arizona, that can help them save and invest wisely," said Chairwoman Lea Márquez Peterson of the Arizona Corporation Commission.
The **"Retirement Readiness for Military Families"** virtual event will feature the following:

- Host: Fred Nahhat, Detroit Public Television
- Moderator: Donna Lowry, Georgia Public Broadcasting
- Two Topic Segments: Getting Retirement Ready While Serving and Mission: Retirement Security for Veterans

"As a nation we are given all this month to show our appreciation for our troops past and present," said Rich Homberg, President and CEO of Detroit Public Television. "PBS Books and IPT are proud to partner and dedicate this event to secure financial freedom to those who serve to protect the freedom of our country."
Michelle Olympiadis, Acting Executive Director of the Investor Protection Trust, said, "Whether it's deployment, relocations or transitioning to civilian life, military families face unique challenges when planning for retirement. May is Military Appreciation Month and, as we commemorate America's soldiers this Memorial Day, it's vital that we do all we can to ensure our military families have the tools and resources they need to achieve long-term financial security."
The *Boomers to Zoomers: Building a Secure Path to Retirement* is a yearlong series of twelve 60-minute virtual events livestreaming via Facebook Live on partner Facebook pages on the fourth Friday of each month at 10:00 a.m. MST (except the November and December 2021 episodes which will air on November 19 and December 17 respectively).
The series provides the quality, objective investor and financial information needed by all Americans to make wise and safe investment decisions at every age and every stage of life. The *Boomers to Zoomers* virtual events are interactive and feature timely topics, financial experts, motivational stories and practical information viewers can use immediately to prepare for long-term financial security. Upcoming *Boomer to Zoomer* virtual event topics include: Harness Your Inner Hummingbird: The Steps to Take to Build a Nest Egg That Will Serve You Through Your Retirement Years, Financial Freedom and Investing When You're Just Starting Out.

Release: Arizona Democratic Party Announces Communications Team

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003634
ARZN_REV00069214_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PHOENIX -- Today the Arizona Democratic Party announced the newest members of an expanded communications team as it gears up for the 2022 cycle. Alex Alvarez will serve as the Communications Director, Sarah Guggenheimer has been named Senior Communications Advisor, and Hannah Goss has been named Rapid Response Director. Alvarez will lead the Party's internal and external communications, focusing on the state government's failure to help Arizona businesses and families recover from the COVID-19 pandemic.
Guggenheimer will focus on the 2022 U.S. Senate race and the already chaotic and expensive GOP primary. Goss will focus on President Biden's agenda and the importance of his administration's work for the state of Arizona.
Alex Alvarez most recently ran Arizona Families First, an Arizona state legislative independent expenditure. Sarah Guggenheimer was most recently a Regional Press Secretary at the DCCC. Hannah Goss previously served as Dr. Hiral Tipirineni's Communications Director on last cycle's competitive AZ-06 race.
"I am thrilled to welcome these incredibly talented communicators to the Arizona Democratic Party," said ADP Chairwoman Raquel Terán. **"After an unprecedented year of public health and economic crises, we are THE party working on behalf of Arizonans to deliver on the issues that matter most. I am confident that these new additions to the team will be able to convey that message to voters and ensure our electoral successes up and down the ballot in 2022 and beyond."**

PRESS ADVISORY: TODAY Leading Arizona Educators To Discuss How Biden's American Rescue Plan Is Getting Our Students Back on Track

PHOENIX -- TODAY at 5:30 pm PDT, some of Arizona's top educators will join **Arizona Democratic Party Chair Raquel Terán** for a virtual town hall to discuss the state of education in Arizona and the impact of President Biden's American Rescue Plan on our education system.
During the call, **Superintendent Kathy Hoffman** will walk through how the $2.6 billion dollars in federal relief allocated to Arizona will benefit students, teachers, and staff as schools across the state continue to reopen. Overall, the American Rescue Plan will deliver $130 billion in relief to help schools continue to reopen safely and ensure that states and districts nationwide have the resources they need to address learning loss as a result of the pandemic.
The town hall will be conducted via Zoom webinar. Click here to RSVP.
WHAT: Virtual town hall on how Biden's American Rescue Plan is getting the Arizona education system and our students back on track.
WHEN: Monday, May 17th at 5:30 - 6:30 pm PDT.
WHO:

- **Raquel Terán,** Arizona Democratic Party Chair
- **Kathy Hoffman,** Arizona Superintendent of Public Instruction
- **Naketa Ross,** Phoenix Union High School District Board Member
- **Thomasene Cardona,** Camp Verde Unified School District Board Member
- **Brian Garcia,** Tempe Union High School District Board President

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the town hall.

Stanton's Body Camera Bill is One Step Closer to Law, Included in Emergency Capitol Security Bill

Package set for a House floor vote Thursday
WASHINGTON, D.C.—Rep. Greg Stanton's bill to require all uniformed, on-duty U.S. Capitol Police officers to utilize body-worn cameras—introduced in the wake of the Jan. 6 attack on the Capitol—has been included as a part of the House's larger measure to boost security at the complex.
The Emergency Security Supplemental to Respond to January 6th Appropriations Act, introduced by House Appropriations Committee Chair Rosa DeLauro, includes $8.6 million to provide body cameras for Capitol Police officers whose job duties include interacting with the public.
"Disturbing body camera footage from Metro D.C. police officers taken during the January 6 attacks has been critical in identifying and holding insurrectionists to account," said Stanton. "Overwhelming evidence shows that body-worn cameras also make interactions between police officers and the public safer, and I look forward to working with my colleagues to swiftly pass this bill."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003635
ARZN_REV00069214_5-17-21 (1).pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Informed by the recommendations of the Task Force 1-6 Capitol Security Review by senior retired military leaders and law enforcement experts, the package provides $1.9 billion to secure the safety of the Capitol, protect facilities, Members, employees, and visitors going forward, and provide for safe and healthy Congressional operations. The Capitol Security Review recommended body-worn cameras for USCP and noted their use to, "provide visual and audio evidence that can independently verify what happened in any given situation, leading to better investigations and prosecutions when needed."
According to a new NPR/PBS NewsHour/Marist poll, there's "near-universal support" among American adults for police wearing body cameras.
The security supplemental is set for a vote on the House floor this Thursday.
A summary of the package is available HERE.
Full text of the package is available HERE.

"QUOTE OF THE DAY"

"…The Arizona Senate is not acting in good faith, has no intention of learning anything about the November 2020 General Election, [and] is only interested in feeding the various festering conspiracy theories that fuel the fundraising schemes of those who pull [their] strings."

- ***Maricopa County supervisors, in a response to the Senate that was unanimously approved***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003636

ARZN_REV00069214_5-17-21 (1).pdf

Sender: rgabaldon@azleg.gov
Sent: Tuesday, May 18, 2021 6:56:47 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-18-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 18, 2021

AMAZING WHAT A CUT IN PER DIEM CAN DO
The Governor's Office and legislative leaders agreed to offer nearly $3 billion in tax cuts over three years as part of a roughly $13 billion annual spending agreement.

GO TWIST THOSE ARMS, LOBBYISTS, WE ALL NEED A VACATION
The plan doesn't yet have the votes to pass in either chamber, sources told our reporter, but with a little arm-twisting and horse-trading, some lawmakers were hopeful they could adjourn by Memorial Day.

ANY FINANCIAL PRO WILL TELL YOU – PAY YOURSELF FIRST

AMERICAN OVERSIGHT

The budget plan includes a one-time, $5 million increase for each the House and Senate, a proposal that could be tied to the Legislature's attempts to beef up security around the building following the Jan 6 attack on the US Capitol and threats to the Arizona Capitol.

SOME REAL HARDBALL QUESTIONS FROM THE SENATE
Fann and Petersen praised their auditors and repeated their questions to the county today in what was billed as a streamed meeting with the board of supervisors, but turned out to be a glitchy meeting between senators and auditors.

FANN IS SAD THE FRIENDS SHE TRIED TO ARREST ARE UPSET
Even though the audit isn't complete and hasn't found anything of note, Petersen said the audit shows the Legislature should change election laws, and Fann offered that other state legislative leaders are already calling to ask her advice on how to conduct their own audit.

FORGET THE FUNDING, WE WANNA KNOW ABOUT THE SWORD
The county, meanwhile, used its Twitter feed to troll the auditors and dispute auditors' points in real time.

CDC: ONLY DEMOCRATS AND REPORTERS ARE CONTAGIOUS NOW
Fann and Petersen refused to let reporters in the meeting and wouldn't answer questions after, saying through a spokesman that the building was still closed.

SUPREME COURT IS THE BEST STEPPING STONE
Ducey is one step closer to appointing an unprecedented sixth Supreme Court justice now that the Commission on Appellate Court Appointments forwarded him seven candidates to interview.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

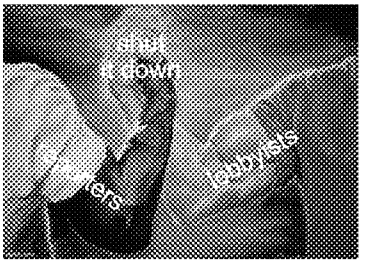
© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, May 18, 2021

NEWS NOTES AND GOSSIP

AMAZING WHAT A CUT IN PER DIEM CAN DO

The Governor's Office and legislative leaders agreed to offer nearly $3 billion in tax cuts over three years as part of a roughly $13 billion annual spending agreement. The tax plan's biggest component – nearly $2.6 billion over three years – cuts the individual income tax rates down to 2.5 percent by 2023. The budget plan also seeks to negate the effects of Prop 208 by instituting a top marginal tax rate of 4.5 percent. Income tax cuts would start to take effect in Tax Year 22, cutting an estimated $1 billion in state revenue in FY23 and $1.5 billion in FY24. The plan calls for reducing tax brackets from four to two brackets – at 2.55 percent and 2.98 percent – in Tax Year 2022 and then settling at a flat 2.5 percent rate in 2023. Some taxpayers may end up paying more than 2.5 percent, but not more than 4.5 percent, of their taxable income because of the 3.5 percent surcharge created by Prop 208. The state expects to spend an additional $35.7 million to $48.3 million in each of the next three years by making veteran pensions exempt from income taxes. And property owners would receive additional tax breaks, as the state plans to reduce commercial property assessment ratios from 18 percent to 17 percent over two years and increase a rebate for homeowners from 47.2 percent to 50 percent. A copy of the budget spreadsheet is available in our "documents" section (LINK).

GO TWIST THOSE ARMS, LOBBYISTS, WE ALL NEED A VACATION



The plan doesn't yet have the votes to pass in either chamber, sources told our reporter, but with a little arm-twisting and horse-trading, some lawmakers were hopeful they could adjourn by Memorial Day. The areas of contention will likely include funding for higher education, and individual priorities, such as funding for I-10 widening. The proposed budget only allocates $35 million in ongoing operating funding and another $30 million in one-time operating funding for the universities. That's nowhere near the $160 million that Boyer demanded in exchange for his support of the budget. Mesnard is also skeptical of several changes to the tax code, notably adding new tax credits for affordable housing and dependents, which to him will make the tax code more complicated. Cook wants to know more about whether the state is using its available funds to meet state needs, notably repairing or demolishing decrepit state buildings. He pointed to the school for the deaf and blind in Tucson, which he said needs $600,000 to fix a broken fence and the school's kitchen. Cook said he expects he will vote for the budget in the end. Shope, meanwhile, won't support the budget unless it includes funding to widen I-10. He noted that Ducey previously paid to redo the Gila River bridge with federal funds, but that the entire highway still needs widening for about 25 miles of road south of the Valley. Dunn was all-in on the package, calling it "a historic chance to move our state forward," while Grantham said he appreciated the tax cut and the balanced bottom line, though he still had some questions about the specifics. His best guess is lawmakers could vote on it and adjourn by the "end of next week," he told our reporter. Shope said he couldn't tell if this was the real proposal or a chance for a false start, but it's progress. "There was some heartburn about spending from some nonspenders, but I've definitely seen worse," he said.

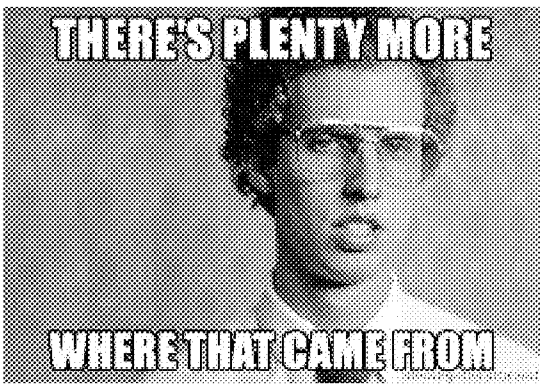
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003639

ARZN_REV00069220_5-18-21-1.pdf

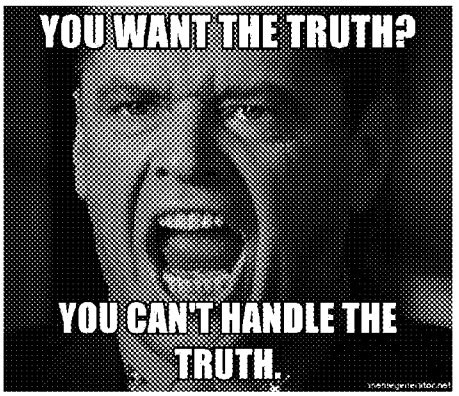
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ANY FINANCIAL PRO WILL TELL YOU – PAY YOURSELF FIRST



The budget plan includes a one-time, $5 million increase for each the House and Senate, a proposal that could be tied to the Legislature's attempts to beef up security around the building following the Jan 6 attacks on the US Capitol and threats to the Arizona Capitol. Budget documents show each chamber is seeking an additional infusion of $5 million this year, along with $1 million for Legislative Council IT improvements. One railbird noted that Bowers had been shopping a security plan earlier this year that would include additional permanent barriers around the Capitol complex "that don't make it look like a prison," parking lot security, and an elevated pathway from both the House and Senate to the Old Capitol building. ADOA Director and former Speaker Andy Tobin previously told our reporter that some sort of upgraded security plan was in the works (YS, 1/11) after Jan 6 sparked additional security measures (YS, 1/7). House GOP spokesman Andrew Wilder today confirmed that upgrading security "continues to be a discussion" but wouldn't confirm or deny that's why the House and Senate are requesting an additional $10 million combined. The House and Senate have voted to balloon their own budgets in recent years, including a $4 million increase for the Senate in 2019 which the Senate refused to explain (YS, 5/8/19). Two different sources today cited Daniel McCarthy and "QAnon shaman" Jake Angeli's "dry-run at insurrection," when the duo stood in the House lobby screaming for "Rusty Cowers" to come down and face them (YS, 12/3/20), as part of the impetus for the new measures. "We have two ways out of the building front and back," one source said. "Jake Angeli and Demand Daniel showed how vulnerable we were when they followed a pizza delivery through the front door." Unlike most government agencies, the House and Senate receive non-lapsing appropriations, meaning they're already squirrelling away stockpiles of money (LINK).

SOME REAL HARDBALL QUESTIONS FROM THE SENATE



Fann and Petersen praised their auditors and repeated their questions to the county today in what was billed as a streamed meeting with the board of supervisors, but turned out to be a glitchy meeting between senators and auditors. The main takeaway from that meeting was that auditors have found the files that they accused the county of illegally deleting. The claim, which had been pinned to the audit's Twitter account, was unpinned today, though the audit didn't delete the tweet. That accusation led to former President Trump declaring that there was "probably fraud" and claiming that Brnovich would be looking into it (YS, 5/13). Fann noted that auditors are way behind schedule, asking what the plan is now. Cyber Ninjas CEO Doug Logan pledged the recount, which was originally slated to be completed by last week, would now be completed by the end of June. But senators and their subcontractors mostly spent their time bemoaning the fact that the county isn't turning over all the hardware Senators have requested – the county maintains it has – as they made the case that auditors are competent enough to handle the information. On some of the other issues – such as is it OK for the county to put ballots inside bags inside boxes – Cyber Ninjas acknowledged the county did in fact answer its questions. "I don't think there's anything wrong with the way Maricopa County is doing it, but getting an explanation is helpful to the auditors," Bennett said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003640

ARZN_REV00069220_5-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FANN IS SAD THE FRIENDS SHE TRIED TO ARREST ARE UPSET

Even though the audit isn't complete and hasn't found anything of note, Petersen said the audit shows the Legislature should change election laws, and Fann offered that other state legislative leaders are already calling to ask her advice on how to conduct their own audit. "95 percent of this stuff so far has been a matter of communication… 5 percent of it though I think is stuff where, you know what, I believe the legislature needs to implement some laws to make the process more secure," Petersen said, adding that when the "next forensic audit is done, it will be a completely smooth process." Fann said more audits are likely coming, as she has heard from other Senate presidents and speakers. "They've said this is what's going to lay the groundwork of the future of how we audit our elections, and how do we make sure that we're following every best practice," she said. (Of course, auditing elections is not usually a legislative function.) Despite voting to hold supervisors in contempt of a subpoena which could include a jail sentence (Fann this week claimed that she never wanted to jail them and doesn't even have the authority), Fann said it's nothing personal. She said she was hurt that supervisors, some of whom have been among her longtime friends, took personal shots at her and the Senate yesterday. "I'm hopeful that from here on out they'll want to be a part of this," she said. The county wasn't buying Fann's claim that this wasn't personal. "The Senate President says the dispute over elections isn't personal. The subpoena, the attempt to hold the Board in contempt w/ possible jail time, and the @ArizonaAudit lie that the county deleted files all suggest otherwise," it tweeted.

FORGET THE FUNDING, WE WANNA KNOW ABOUT THE SWORD

The county, meanwhile, used its Twitter feed to troll the auditors and dispute auditors' points in real time. Before the audit hearing got started, the county outlined a handful of questions it would like to ask Senators and auditors (LINK). "Is the Senate in charge of this audit or not? If not, why not? They authorized it and taxpayers are paying $150K. If so, why are private donations being funneled straight to Cyber Ninjas? How much money is coming from outside sources? How does the Senate justify bypassing ARS Sec. 35-149 which requires them to publicly account for funding sources for government-sponsored projects?" the county's Twitter account posted. It also asked the question we've all been wondering: "Do the cyber ninjas have swords?"

CDC: ONLY DEMOCRATS AND REPORTERS ARE CONTAGIOUS NOW

Fann and Petersen refused to let reporters in the meeting and wouldn't answer questions after, saying through a spokesman that the building was still closed. Senate Democratic leaders were also kicked out of the hearing. Quezada told our reporter Dems were informed that it was a closed meeting, it wasn't safe for them to be there because of Covid and there was a livestream available for them to watch. Quezada said he took it as a sign Fann has no confidence in her auditors. "If I were in her shoes, I can't imagine I'd ever lock elected members of the Senate out of this process unless I had absolutely zero confidence in the legitimacy of the process I had started, the people I hired to administer it, or my ability to respond to whatever legitimate questions were asked of me in that hearing. It seems pretty pathetic to me," Quezada texted. The livestream, however, was extremely glitchy – the entire azleg.gov website went down shortly after 1 pm, and legislative broadcasters set up a new site with the stream and started replying to every tweet they could find with a new link. In contrast, Maricopa County invited local media to watch their livestreamed meeting from a county building yesterday, then all county elected officials held a press conference and took questions.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003641

ARZN_REV00069220_5-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SUPREME COURT IS THE BEST STEPPING STONE

Ducey is one step closer to appointing an unprecedented sixth Supreme Court justice now that the Commission on Appellate Court Appointments forwarded him seven candidates to interview. Ducey will interview four Republicans, one Libertarian and two independent candidates and make his appointment within the next 60 days. He will get to choose from a pool that includes several appellate and trial court judges, his former deputy counsel and an attorney at the Pima County Public Defender's Office. Those who made the cut are: Court of Appeals judges Cynthia Bailey, Jennifer Perkins (both Republican) and David Weinzweig (an independent); Maricopa County Superior Court judges Adele Ponce (a Republican); and Patricia Starr (an independent); Pima County public defender David Euchner (a Libertarian) and Ducey's former deputy counsel Kathryn King (a Republican). Sources have speculated Ducey will appoint a woman to the court to replace Andrew Gould, who retired in April so he could run for AG (YS, 4/14). Those same sources believe either King or Bailey, who Ducey appointed to the appellate court last year, are the most likely choices. Ducey is the only governor to consistently receive more than three or four names when only three are required (with no more than two coming from the same party). ASU law professor Paul Bender previously told our reporter that when CACA sends so many names, it's a poor reflection of the body whose sole job is to send the most qualified candidates to the governor and the more names they send, the better chance Ducey has to appoint who he wants all along. Bender said Ducey did that when he appointed Bill Montgomery in 2019, a vacancy for which CACA also sent seven finalists. Former govs Janet Napolitano and Jan Brewer never received more than four candidates.

WAKE UP CALL

Booze to go gets House approval

Arizona Capitol Times

Restaurants will be able to sell mixed drinks to-go under a law the Arizona House passed overwhelmingly Monday.

Regent to seek governor's office

Capitol Media Services

A member of the Arizona Board of Regents wants to try her hand at politics.

Yee to push Trump platform in run for governor

Capitol Media Services

State Treasurer Kimberly Yee is hoping to ride the same political path as the current governor.

County: Senate making 'mockery' of audit

Capitol Media Services

Maricopa County supervisors on Monday accused Senate President Karen Fann, of allowing a "mockery" to be made of the election process with her audit.

Arizona's aquifers remain at risk from 'unsustainable' pumping

Arizona Daily Star

The state's groundwater supplies are threatened by overpumping that's legal in localized areas, Arizona State University study finds.

Arizona sheriff's immigration patrols to cost public $200M

Associated Press

The costs to taxpayers from a racial profiling lawsuit stemming from former Sheriff Joe Arpaio's immigration patrols in metro Phoenix a decade ago are expected to reach $202 million by summer 2022.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003642

ARZN_REV00069220_5-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Anti-LGBT legislation gaining traction in the US, again
The Hill (Opinion, Manos Antoninis)
2021 is set to become "the worst year" for state legislative attacks against LGBTQ people in history.

Did QAnon sneak in (or get invited) to Arizona's sham election audit?
Arizona Republic (Opinion, EJ Montini)
A report by Media Matters says even more partisan political pranksters have hopped out of the clown car rolling around the fairgrounds with our ballots in the trunk.

Grow a spine, Gov. Doug Ducey, and pick a side in the election audit
Arizona Republic (Opinion, EJ Montini)
The Maricopa County supervisors debunked the sham election audit. Will the governor stand with them?

Maricopa County just made Karen Fann and her Senate ninja auditors look like fools
Arizona Republic (Opinion, Laurie Roberts)
The Maricopa County Board of Supervisors proves that not all Republicans have lost their ever-living minds. They called for an end to the Senate audit that has made Arizona a 'laughingstock.'

PRESS RELEASES

Superintendent Hoffman Statement on Proposed Budget

PHOENIX – "One of the greatest indicators of student academic success is the income level of their families. The regressive flat tax cut scheme being concocted by the majority party in the state legislature will shift a greater share of the tax burden to middle and working-class families and jeopardize their children's future, all to benefit those at the top.

Let's be as clear as we can: shredding the social safety net families rely on and defunding the public schools their students attend simultaneously, all to score political points with the top earners, is both out of touch and downright cruel.

You cannot claim to be concerned about the achievement gap among low-income students—especially low-income Black and Brown students — and then fight for a policy that would hurt middle and working-class families, widen that gap, and further strain the ability of schools to meet the needs of the students they serve.

The pandemic has emphasized the vital role our public schools play in our communities. Whether it's support services, extracurriculars, or access to technology, students and their families have reiterated these vital programs—usually, the first to be cut in a budget crisis—are what students need to thrive. I cannot imagine going through this past year and thinking our public schools deserve less funding. Arizona ranks at the bottom of the nation in per-pupil spending – we need sustained investments in our education system, not tax cuts for the wealthiest Arizonans. Defunding public schools after a pandemic and an election where a majority of voters voted to increase taxes for the top earners to pay for public education is so breathtakingly out of touch; I can hardly believe the audacity of those proposing it.

We need a bipartisan budget that invests in our state's children and families. Arizonans deserve to have their voices respected, not ignored. And every student deserves a high-quality, properly funded education. A flat tax will ensure we get none of that."

Governors Ducey, Pavlovich Sign Water, Air Quality Agreement

Final Meeting For Leaders Of Arizona And Sonora

PHOENIX — Governor Doug Ducey and Sonora Governor Claudia Pavlovich capped their close, six-year professional relationship today by signing an agreement to secure the neighboring states' water future and expand collaboration to monitor air quality.

Meeting for the last time before Governor Pavlovich leaves office in September, the Governors also participated in a "fireside chat" where they discussed economic growth, public safety and the importance of maintaining strong binational ties between Arizona and Sonora.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003643

ARZN_REV00069220_5-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"It has been my honor to work with Governor Pavlovich over the past six years, and I'm glad to call her a friend and a partner," Governor Ducey said. "Thanks to her leadership, Arizona and Sonora have shown what can be achieved when you chart a course and lead with vision."
The agreement signed by the Governors is the result of extensive negotiations between representatives of Arizona and Sonora serving on the Arizona-Mexico Commission (AMC), a cross-border non-profit organization aimed at strengthening the relationship between the neighboring states. Known as a Memorandum of Understanding, the agreement includes studying opportunities for desalination, the process to remove salt and other minerals from water so it can be made drinkable.
The professional partnership forged between Governors Ducey and Pavlovich stretches back to their first meeting in July 2015, and has remained solid through multiple changes in leadership at the national level in both Washington and Mexico City.
"It's well known that opportunities are open and growing in the Arizona-Sonora region, and it's thanks to the strong cross-border relationship and our common goal of economic prosperity," said Governor Ducey. "It's our duty to lay groundwork for the generations of people that will live here after us. I'm proud to sign a Memorandum of Understanding with Governor Pavlovich today to do just that by protecting our water and air quality future."
Governor Pavlovich, the first woman to serve as the leader of Sonora, echoed those sentiments.
"The strong relationship between Arizona and Sonora has created jobs, enhanced trade and improved public safety," said Governor Pavlovich. "I am grateful to Governor Ducey for prioritizing this partnership, and for focusing on key issues that benefit both Arizona and Sonora."
During today's meeting, the Governors also met with members of the AMC and its 16 binational committees to discuss innovative measures to tackle issues facing the region and upcoming projects.

NOMINEES FOR ARIZONA SUPREME COURT ANNOUNCED

The Commission on Appellate Court Appointments has recommended seven nominees to Governor Doug Ducey for an opening on the Arizona Supreme Court.
The nominees for the opening created by the retirement of Justice Andrew W. Gould are:

- **Cynthia J. Bailey**, an Arizona Court of Appeals Judge – Division I.
- **David J. Euchner**, of the Pima County Public Defender's Office.
- **Kathryn H. King**, of BurnsBarton, PLC.
- **Jennifer M. Perkins**, an Arizona Court of Appeals Judge – Division I.
- **Adele G. Ponce**, a Superior Court Judge in Maricopa County.
- **Patricia A. Starr**, a Superior Court Judge in Maricopa County.
- **David D. Weinzweig**, an Arizona Court of Appeals Judge – Division I

Governor Ducey will appoint the new justice.

Democrat Governors Association: Yee Staunch Ally of Donald Trump

Phoenix, AZ – Today, Kimberly Yee's campaign responded to the Democrat Governors Association attack on Kimberly Yee as a "staunch ally…of Donald Trump" who "defended Trump."
"Kimberly is proud to have spoken in support of President Trump's nomination at the Republican National Convention in 2016, when many Arizona Republicans refused to attend, and she campaigned hard as a National Co-Chair of Asian Pacific Americans for Trump for the Donald Trump's re-election," said Eric Hollander, Yee's campaign manager. "At a time when Arizonans are endangered by the Biden administration's rejection of President Trump's common sense border security policies and our economy is threatened by their harmful regulations, increased taxes, and inflation, the DGA's belief that being President Trump's ally is an attack shows just how out of touch they are with Arizonans lives."

PRESS CALL: Arizona Secretary of State Katie Hobbs, Arizona Election Observers Join States United Democracy Center to Share Latest on Arizona "Audit"

JOIN: Video press briefing Wednesday, May 19th at 1:00pm ET/ 10:00am PT, RSVP Required
What: To provide updates on the latest dynamics on the ground in the so-called "audit" of the Maricopa County 2020 Presidential Election results, States United Democracy Center is convening a press briefing with States United CEO

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Joanna Lydgate, Arizona Secretary of State Katie Hobbs, and election experts who were granted access to observe the "audit." They will discuss observations from last week's packing-up of the ballots and this week's pause in the "audit," and answer questions from reporters on the line.
When: Wednesday, May 19, 2021 | 1:00pm ET/10:00am PT
RSVP: If you are interested in joining the call, please RSVP to claire.connolly@berlinrosen.com.
Who:

- **Katie Hobbs,** Arizona Secretary of State
- **Ryan Macias,** former acting director of certification and testing for U.S. election assistance commission, Arizona Election Observer
- **Jennifer Morrell,** former local election official and recognized expert in election audits, partner at The Elections Group, Arizona Election Observer
- **Elizabeth Howard**, an attorney with the Brennan Center for Justice at NYU Law, Arizona Election Observer
- **Joanna Lydgate,** CEO of States United Democracy Center

Tucson City Court Expands Public Access by Live-Streaming Initial Appearances on YouTube

On May 3, Tucson City Court began streaming first criminal appearance proceedings live on YouTube.
First appearances are held every day of the year at 9 a.m. and 8 p.m. All in-custody defendants are required by Arizona law to be seen by a judicial officer within 24 hours of arrest. During an initial appearance hearing, the accused is advised of the charges, their right to an attorney, their release conditions, and their next hearing date.
The court has no plans to record the video streams. Digital audio recordings are available by contacting City Court.
For many years, Tucson City Court has effectively collaborated with Pima County Superior Court, Pima County Consolidated Justice Court, other justice and municipal courts in Pima County, and local justice agencies to connect remotely with the jail and conduct first appearance hearings twice each day. This program is known as "2XIA" (*Twice-A-Day Initial Appearances*).
In 2020, it became evident that the court's limited video capability was insufficient to meet the remote hearing demands presented by the pandemic. In response, City Court initiated a major upgrade of its remote hearing capability.
Remote hearing platforms such as Teams and Zoom enhance service by expanding the number of court participants who can appear and observe proceedings remotely. Pre-Covid, first appearances were the only hearings City Court heard by remote video technology. Now, the court relies upon Teams and Zoom to conduct more than a third of all hearings remotely.
Tucson City Court Presiding Judge Antonio Riojas, Jr. noted, "in light of the pandemic lessons, the use of remote hearings will continue, and they make the court more accessible to the public."
City Court magistrates have conducted first appearances by video for all Pima County cases for many years. However, the existing video technology only allowed a video connection between two locations; both of these locations were at the jail. The public still had to go to the jail to observe the proceedings.
Judge Riojas stated, "the new remote hearing platforms are simpler, have more robust features, and are more stable than the technology they replace."
To connect to a live first appearance proceeding, go to tcc crt15 – YouTube.

Emerging American Majorities Releases 2020 State Legislative Demographic Report

WASHINGTON — The state legislatures that convened at the beginning of 2021 are the most diverse in history, according to statistics compiled in the newly updated Emerging American Majorities State Legislative Demographic Report. While there's still a way to go before achieving fully representative legislatures, we've made great strides over the last few election cycles and there are more women, people of color, and members of the LGBTQ community serving in statehouses than ever before. When our elected representatives reflect the communities they serve, the result is better policy and engagement with the political system — all of which are essential components of a strong, functioning democracy.
Read the full report here.
"For far too long, our state legislatures have not reflected the diversity of their constituents," said Emerging American Majorities President Jessica Post. "But we're making progress and will continue working to make sure every

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

American can see themselves in their elected officials. That's the only way to build an effective and responsive democracy."

Achieving full parity in state legislatures will require efforts from both parties. The analysis shows that currently Democratic caucuses are approaching gender balance and are far more racially diverse while the GOP remains overwhelmingly white and male, even in highly diverse states. Similar patterns are found in an analysis of legislators in leadership positions.

The full report details the breakdown of 2020 legislative candidates and winners by state and expands on the national representation of women, people of color, and the LGBTQ community.

Emerging American Majorities is a 501(c)4 group affiliated with the Democratic Legislative Campaign Committee.

"QUOTE OF THE DAY"

"Do the cyber ninjas have swords?"

- ***Maricopa County's official Twitter account, in a string of otherwise serious questions for senators***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003646

ARZN_REV00069220_5-18-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, May 18, 2021 6:56:50 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-18-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 18, 2021

AMAZING WHAT A CUT IN PER DIEM CAN DO
The Governor's Office and legislative leaders agreed to offer nearly $3 billion in tax cuts over three years as part of a roughly $13 billion annual spending agreement.

GO TWIST THOSE ARMS, LOBBYISTS, WE ALL NEED A VACATION
The plan doesn't yet have the votes to pass in either chamber, sources told our reporter, but with a little arm-twisting and horse-trading, some lawmakers were hopeful they could adjourn by Memorial Day.

AMERICAN OVERSIGHT

ANY FINANCIAL PRO WILL TELL YOU – PAY YOURSELF FIRST
The budget plan includes a one-time, $5 million increase for each the House and Senate, a proposal that could be tied to the Legislature's attempts to beef up security around the building following the Jan 6 attack on the US Capitol and threats to the Arizona Capitol.

SOME REAL HARDBALL QUESTIONS FROM THE SENATE
Fann and Petersen praised their auditors and repeated their questions to the county today in what was billed as a streamed meeting with the board of supervisors, but turned out to be a glitchy meeting between senators and auditors.

FANN IS SAD THE FRIENDS SHE TRIED TO ARREST ARE UPSET
Even though the audit isn't complete and hasn't found anything of note, Petersen said the audit shows the Legislature should change election laws, and Fann offered that other state legislative leaders are already calling to ask her advice on how to conduct their own audit.

FORGET THE FUNDING, WE WANNA KNOW ABOUT THE SWORD
The county, meanwhile, used its Twitter feed to troll the auditors and dispute auditors' points in real time.

CDC: ONLY DEMOCRATS AND REPORTERS ARE CONTAGIOUS NOW
Fann and Petersen refused to let reporters in the meeting and wouldn't answer questions after, saying through a spokesman that the building was still closed.

SUPREME COURT IS THE BEST STEPPING STONE
Ducey is one step closer to appointing an unprecedented sixth Supreme Court justice now that the Commission on Appellate Court Appointments forwarded him seven candidates to interview.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

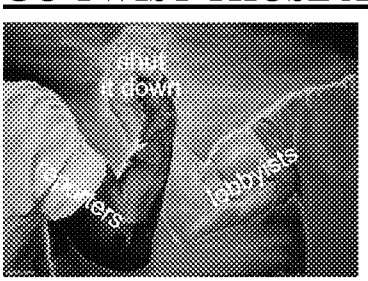
© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, May 18, 2021

NEWS NOTES AND GOSSIP

AMAZING WHAT A CUT IN PER DIEM CAN DO

The Governor's Office and legislative leaders agreed to offer nearly $3 billion in tax cuts over three years as part of a roughly $13 billion annual spending agreement. The tax plan's biggest component – nearly $2.6 billion over three years – cuts the individual income tax rates down to 2.5 percent by 2023. The budget plan also seeks to negate the effects of Prop 208 by instituting a top marginal tax rate of 4.5 percent. Income tax cuts would start to take effect in Tax Year 22, cutting an estimated $1 billion in state revenue in FY23 and $1.5 billion in FY24. The plan calls for reducing tax brackets from four to two brackets – at 2.55 percent and 2.98 percent – in Tax Year 2022 and then settling at a flat 2.5 percent rate in 2023. Some taxpayers may end up paying more than 2.5 percent, but not more than 4.5 percent, of their taxable income because of the 3.5 percent surcharge created by Prop 208. The state expects to spend an additional $35.7 million to $48.3 million in each of the next three years by making veteran pensions exempt from income taxes. And property owners would receive additional tax breaks, as the state plans to reduce commercial property assessment ratios from 18 percent to 17 percent over two years and increase a rebate for homeowners from 47.2 percent to 50 percent. A copy of the budget spreadsheet is available in our "documents" section (LINK).

GO TWIST THOSE ARMS, LOBBYISTS, WE ALL NEED A VACATION



The plan doesn't yet have the votes to pass in either chamber, sources told our reporter, but with a little arm-twisting and horse-trading, some lawmakers were hopeful they could adjourn by Memorial Day. The areas of contention will likely include funding for higher education, and individual priorities, such as funding for I-10 widening. The proposed budget only allocates $35 million in ongoing operating funding and another $30 million in one-time operating funding for the universities. That's nowhere near the $160 million that Boyer demanded in exchange for his support of the budget. Mesnard is also skeptical of several changes to the tax code, notably adding new tax credits for affordable housing and dependents, which to him will make the tax code more complicated. Cook wants to know more about whether the state is using its available funds to meet state needs, notably repairing or demolishing decrepit state buildings. He pointed to the school for the deaf and blind in Tucson, which he said needs $600,000 to fix a broken fence and the school's kitchen. Cook said he expects he will vote for the budget in the end. Shope, meanwhile, won't support the budget unless it includes funding to widen I-10. He noted that Ducey previously paid to redo the Gila River bridge with federal funds, but that the entire highway still needs widening for about 25 miles of road south of the Valley. Dunn was all-in on the package, calling it "a historic chance to move our state forward," while Grantham said he appreciated the tax cut and the balanced bottom line, though he still had some questions about the specifics. His best guess is lawmakers could vote on it and adjourn by the "end of next week," he told our reporter. Shope said he couldn't tell if this was the real proposal or a chance for a false start, but it's progress. "There was some heartburn about spending from some nonspenders, but I've definitely seen worse," he said.

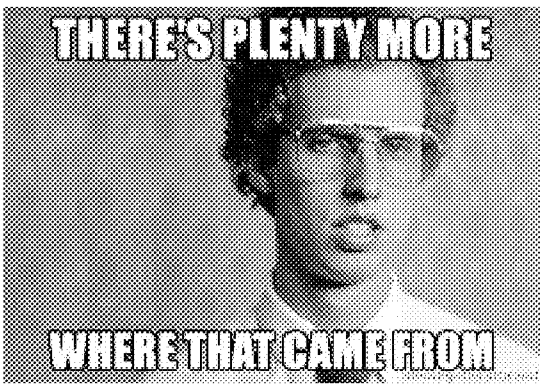
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003649

ARZN_REV00069222_5-18-21-1.pdf

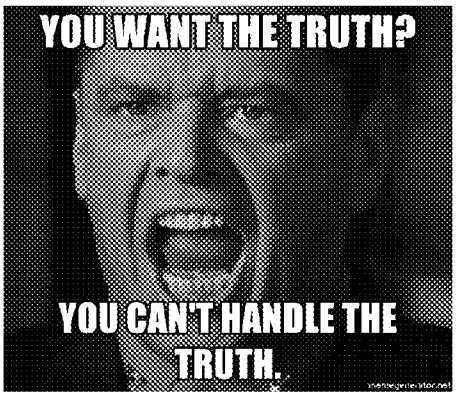
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ANY FINANCIAL PRO WILL TELL YOU – PAY YOURSELF FIRST



The budget plan includes a one-time, $5 million increase for each the House and Senate, a proposal that could be tied to the Legislature's attempts to beef up security around the building following the Jan 6 attacks on the US Capitol and threats to the Arizona Capitol. Budget documents show each chamber is seeking an additional infusion of $5 million this year, along with $1 million for Legislative Council IT improvements. One railbird noted that Bowers had been shopping a security plan earlier this year that would include additional permanent barriers around the Capitol complex "that don't make it look like a prison," parking lot security, and an elevated pathway from both the House and Senate to the Old Capitol building. ADOA Director and former Speaker Andy Tobin previously told our reporter that some sort of upgraded security plan was in the works (YS, 1/11) after Jan 6 sparked additional security measures (YS, 1/7). House GOP spokesman Andrew Wilder today confirmed that upgrading security "continues to be a discussion" but wouldn't confirm or deny that's why the House and Senate are requesting an additional $10 million combined. The House and Senate have voted to balloon their own budgets in recent years, including a $4 million increase for the Senate in 2019 which the Senate refused to explain (YS, 5/8/19). Two different sources today cited Daniel McCarthy and "QAnon shaman" Jake Angeli's "dry-run at insurrection," when the duo stood in the House lobby screaming for "Rusty Cowers" to come down and face them (YS, 12/3/20), as part of the impetus for the new measures. "We have two ways out of the building front and back," one source said. "Jake Angeli and Demand Daniel showed how vulnerable we were when they followed a pizza delivery through the front door." Unlike most government agencies, the House and Senate receive non-lapsing appropriations, meaning they're already squirrelling away stockpiles of money (LINK).

SOME REAL HARDBALL QUESTIONS FROM THE SENATE



Fann and Petersen praised their auditors and repeated their questions to the county today in what was billed as a streamed meeting with the board of supervisors, but turned out to be a glitchy meeting between senators and auditors. The main takeaway from that meeting was that auditors have found the files that they accused the county of illegally deleting. The claim, which had been pinned to the audit's Twitter account, was unpinned today, though the audit didn't delete the tweet. That accusation led to former President Trump declaring that there was "probably fraud" and claiming that Brnovich would be looking into it (YS, 5/13). Fann noted that auditors are way behind schedule, asking what the plan is now. Cyber Ninjas CEO Doug Logan pledged the recount, which was originally slated to be completed by last week, would now be completed by the end of June. But senators and their subcontractors mostly spent their time bemoaning the fact that the county isn't turning over all the hardware Senators have requested – the county maintains it has – as they made the case that auditors are competent enough to handle the information. On some of the other issues – such as is it OK for the county to put ballots inside bags inside boxes – Cyber Ninjas acknowledged the county did in fact answer its questions. "I don't think there's anything wrong with the way Maricopa County is doing it, but getting an explanation is helpful to the auditors," Bennett said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003650

ARZN_REV00069222_5-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FANN IS SAD THE FRIENDS SHE TRIED TO ARREST ARE UPSET

Even though the audit isn't complete and hasn't found anything of note, Petersen said the audit shows the Legislature should change election laws, and Fann offered that other state legislative leaders are already calling to ask her advice on how to conduct their own audit. "95 percent of this stuff so far has been a matter of communication… 5 percent of it though I think is stuff where, you know what, I believe the legislature needs to implement some laws to make the process more secure," Petersen said, adding that when the "next forensic audit is done, it will be a completely smooth process." Fann said more audits are likely coming, as she has heard from other Senate presidents and speakers. "They've said this is what's going to lay the groundwork of the future of how we audit our elections, and how do we make sure that we're following every best practice," she said. (Of course, auditing elections is not usually a legislative function.) Despite voting to hold supervisors in contempt of a subpoena which could include a jail sentence (Fann this week claimed that she never wanted to jail them and doesn't even have the authority), Fann said it's nothing personal. She said she was hurt that supervisors, some of whom have been among her longtime friends, took personal shots at her and the Senate yesterday. "I'm hopeful that from here on out they'll want to be a part of this," she said. The county wasn't buying Fann's claim that this wasn't personal. "The Senate President says the dispute over elections isn't personal. The subpoena, the attempt to hold the Board in contempt w/ possible jail time, and the @ArizonaAudit lie that the county deleted files all suggest otherwise," it tweeted.

FORGET THE FUNDING, WE WANNA KNOW ABOUT THE SWORD

The county, meanwhile, used its Twitter feed to troll the auditors and dispute auditors' points in real time. Before the audit hearing got started, the county outlined a handful of questions it would like to ask Senators and auditors (LINK). "Is the Senate in charge of this audit or not? If not, why not? They authorized it and taxpayers are paying $150K. If so, why are private donations being funneled straight to Cyber Ninjas? How much money is coming from outside sources? How does the Senate justify bypassing ARS Sec. 35-149 which requires them to publicly account for funding sources for government-sponsored projects?" the county's Twitter account posted. It also asked the question we've all been wondering: "Do the cyber ninjas have swords?"

CDC: ONLY DEMOCRATS AND REPORTERS ARE CONTAGIOUS NOW

Fann and Petersen refused to let reporters in the meeting and wouldn't answer questions after, saying through a spokesman that the building was still closed. Senate Democratic leaders were also kicked out of the hearing. Quezada told our reporter Dems were informed that it was a closed meeting, it wasn't safe for them to be there because of Covid and there was a livestream available for them to watch. Quezada said he took it as a sign Fann has no confidence in her auditors. "If I were in her shoes, I can't imagine I'd ever lock elected members of the Senate out of this process unless I had absolutely zero confidence in the legitimacy of the process I had started, the people I hired to administer it, or my ability to respond to whatever legitimate questions were asked of me in that hearing. It seems pretty pathetic to me," Quezada texted. The livestream, however, was extremely glitchy – the entire azleg.gov website went down shortly after 1 pm, and legislative broadcasters set up a new site with the stream and started replying to every tweet they could find with a new link. In contrast, Maricopa County invited local media to watch their livestreamed meeting from a county building yesterday, then all county elected officials held a press conference and took questions.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003651

ARZN_REV00069222_5-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SUPREME COURT IS THE BEST STEPPING STONE

Ducey is one step closer to appointing an unprecedented sixth Supreme Court justice now that the Commission on Appellate Court Appointments forwarded him seven candidates to interview. Ducey will interview four Republicans, one Libertarian and two independent candidates and make his appointment within the next 60 days. He will get to choose from a pool that includes several appellate and trial court judges, his former deputy counsel and an attorney at the Pima County Public Defender's Office. Those who made the cut are: Court of Appeals judges Cynthia Bailey, Jennifer Perkins (both Republican) and David Weinzweig (an independent); Maricopa County Superior Court judges Adele Ponce (a Republican); and Patricia Starr (an independent); Pima County public defender David Euchner (a Libertarian) and Ducey's former deputy counsel Kathryn King (a Republican). Sources have speculated Ducey will appoint a woman to the court to replace Andrew Gould, who retired in April so he could run for AG (YS, 4/14). Those same sources believe either King or Bailey, who Ducey appointed to the appellate court last year, are the most likely choices. Ducey is the only governor to consistently receive more than three or four names when only three are required (with no more than two coming from the same party). ASU law professor Paul Bender previously told our reporter that when CACA sends so many names, it's a poor reflection of the body whose sole job is to send the most qualified candidates to the governor and the more names they send, the better chance Ducey has to appoint who he wants all along. Bender said Ducey did that when he appointed Bill Montgomery in 2019, a vacancy for which CACA also sent seven finalists. Former govs Janet Napolitano and Jan Brewer never received more than four candidates.

WAKE UP CALL

Booze to go gets House approval

Arizona Capitol Times

Restaurants will be able to sell mixed drinks to-go under a law the Arizona House passed overwhelmingly Monday.

Regent to seek governor's office

Capitol Media Services

A member of the Arizona Board of Regents wants to try her hand at politics.

Yee to push Trump platform in run for governor

Capitol Media Services

State Treasurer Kimberly Yee is hoping to ride the same political path as the current governor.

County: Senate making 'mockery' of audit

Capitol Media Services

Maricopa County supervisors on Monday accused Senate President Karen Fann, of allowing a "mockery" to be made of the election process with her audit.

Arizona's aquifers remain at risk from 'unsustainable' pumping

Arizona Daily Star

The state's groundwater supplies are threatened by overpumping that's legal in localized areas, Arizona State University study finds.

Arizona sheriff's immigration patrols to cost public $200M

Associated Press

The costs to taxpayers from a racial profiling lawsuit stemming from former Sheriff Joe Arpaio's immigration patrols in metro Phoenix a decade ago are expected to reach $202 million by summer 2022.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003652

ARZN_REV00069222_5-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Anti-LGBT legislation gaining traction in the US, again
The Hill (Opinion, Manos Antoninis)
2021 is set to become "the worst year" for state legislative attacks against LGBTQ people in history.

Did QAnon sneak in (or get invited) to Arizona's sham election audit?
Arizona Republic (Opinion, EJ Montini)
A report by Media Matters says even more partisan political pranksters have hopped out of the clown car rolling around the fairgrounds with our ballots in the trunk.

Grow a spine, Gov. Doug Ducey, and pick a side in the election audit
Arizona Republic (Opinion, EJ Montini)
The Maricopa County supervisors debunked the sham election audit. Will the governor stand with them?

Maricopa County just made Karen Fann and her Senate ninja auditors look like fools
Arizona Republic (Opinion, Laurie Roberts)
The Maricopa County Board of Supervisors proves that not all Republicans have lost their ever-living minds. They called for an end to the Senate audit that has made Arizona a 'laughingstock.'

PRESS RELEASES

Superintendent Hoffman Statement on Proposed Budget

PHOENIX – "One of the greatest indicators of student academic success is the income level of their families. The regressive flat tax cut scheme being concocted by the majority party in the state legislature will shift a greater share of the tax burden to middle and working-class families and jeopardize their children's future, all to benefit those at the top.

Let's be as clear as we can: shredding the social safety net families rely on and defunding the public schools their students attend simultaneously, all to score political points with the top earners, is both out of touch and downright cruel.

You cannot claim to be concerned about the achievement gap among low-income students—especially low-income Black and Brown students — and then fight for a policy that would hurt middle and working-class families, widen that gap, and further strain the ability of schools to meet the needs of the students they serve.

The pandemic has emphasized the vital role our public schools play in our communities. Whether it's support services, extracurriculars, or access to technology, students and their families have reiterated these vital programs—usually, the first to be cut in a budget crisis—are what students need to thrive. I cannot imagine going through this past year and thinking our public schools deserve less funding. Arizona ranks at the bottom of the nation in per-pupil spending – we need sustained investments in our education system, not tax cuts for the wealthiest Arizonans. Defunding public schools after a pandemic and an election where a majority of voters voted to increase taxes for the top earners to pay for public education is so breathtakingly out of touch; I can hardly believe the audacity of those proposing it.

We need a bipartisan budget that invests in our state's children and families. Arizonans deserve to have their voices respected, not ignored. And every student deserves a high-quality, properly funded education. A flat tax will ensure we get none of that."

Governors Ducey, Pavlovich Sign Water, Air Quality Agreement

Final Meeting For Leaders Of Arizona And Sonora

PHOENIX — Governor Doug Ducey and Sonora Governor Claudia Pavlovich capped their close, six-year professional relationship today by signing an agreement to secure the neighboring states' water future and expand collaboration to monitor air quality.

Meeting for the last time before Governor Pavlovich leaves office in September, the Governors also participated in a "fireside chat" where they discussed economic growth, public safety and the importance of maintaining strong binational ties between Arizona and Sonora.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003653

ARZN_REV00069222_5-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"It has been my honor to work with Governor Pavlovich over the past six years, and I'm glad to call her a friend and a partner," Governor Ducey said. "Thanks to her leadership, Arizona and Sonora have shown what can be achieved when you chart a course and lead with vision."
The agreement signed by the Governors is the result of extensive negotiations between representatives of Arizona and Sonora serving on the Arizona-Mexico Commission (AMC), a cross-border non-profit organization aimed at strengthening the relationship between the neighboring states. Known as a Memorandum of Understanding, the agreement includes studying opportunities for desalination, the process to remove salt and other minerals from water so it can be made drinkable.
The professional partnership forged between Governors Ducey and Pavlovich stretches back to their first meeting in July 2015, and has remained solid through multiple changes in leadership at the national level in both Washington and Mexico City.
"It's well known that opportunities are open and growing in the Arizona-Sonora region, and it's thanks to the strong cross-border relationship and our common goal of economic prosperity," said Governor Ducey. "It's our duty to lay groundwork for the generations of people that will live here after us. I'm proud to sign a Memorandum of Understanding with Governor Pavlovich today to do just that by protecting our water and air quality future."
Governor Pavlovich, the first woman to serve as the leader of Sonora, echoed those sentiments.
"The strong relationship between Arizona and Sonora has created jobs, enhanced trade and improved public safety," said Governor Pavlovich. "I am grateful to Governor Ducey for prioritizing this partnership, and for focusing on key issues that benefit both Arizona and Sonora."
During today's meeting, the Governors also met with members of the AMC and its 16 binational committees to discuss innovative measures to tackle issues facing the region and upcoming projects.

NOMINEES FOR ARIZONA SUPREME COURT ANNOUNCED

The Commission on Appellate Court Appointments has recommended seven nominees to Governor Doug Ducey for an opening on the Arizona Supreme Court.
The nominees for the opening created by the retirement of Justice Andrew W. Gould are:

- **Cynthia J. Bailey**, an Arizona Court of Appeals Judge – Division I.
- **David J. Euchner**, of the Pima County Public Defender's Office.
- **Kathryn H. King**, of BurnsBarton, PLC.
- **Jennifer M. Perkins**, an Arizona Court of Appeals Judge – Division I.
- **Adele G. Ponce**, a Superior Court Judge in Maricopa County.
- **Patricia A. Starr**, a Superior Court Judge in Maricopa County.
- **David D. Weinzweig**, an Arizona Court of Appeals Judge – Division I

Governor Ducey will appoint the new justice.

Democrat Governors Association: Yee Staunch Ally of Donald Trump

Phoenix, AZ – Today, Kimberly Yee's campaign responded to the Democrat Governors Association attack on Kimberly Yee as a "staunch ally…of Donald Trump" who "defended Trump."
"Kimberly is proud to have spoken in support of President Trump's nomination at the Republican National Convention in 2016, when many Arizona Republicans refused to attend, and she campaigned hard as a National Co-Chair of Asian Pacific Americans for Trump for the Donald Trump's re-election," said Eric Hollander, Yee's campaign manager. "At a time when Arizonans are endangered by the Biden administration's rejection of President Trump's common sense border security policies and our economy is threatened by their harmful regulations, increased taxes, and inflation, the DGA's belief that being President Trump's ally is an attack shows just how out of touch they are with Arizonans lives."

PRESS CALL: Arizona Secretary of State Katie Hobbs, Arizona Election Observers Join States United Democracy Center to Share Latest on Arizona "Audit"

JOIN: Video press briefing Wednesday, May 19th at 1:00pm ET/ 10:00am PT, RSVP Required
What: To provide updates on the latest dynamics on the ground in the so-called "audit" of the Maricopa County 2020 Presidential Election results, States United Democracy Center is convening a press briefing with States United CEO

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Joanna Lydgate, Arizona Secretary of State Katie Hobbs, and election experts who were granted access to observe the "audit." They will discuss observations from last week's packing-up of the ballots and this week's pause in the "audit," and answer questions from reporters on the line.
When: Wednesday, May 19, 2021 | 1:00pm ET/10:00am PT
RSVP: If you are interested in joining the call, please RSVP to claire.connolly@berlinrosen.com.
Who:

- **Katie Hobbs,** Arizona Secretary of State
- **Ryan Macias,** former acting director of certification and testing for U.S. election assistance commission, Arizona Election Observer
- **Jennifer Morrell,** former local election official and recognized expert in election audits, partner at The Elections Group, Arizona Election Observer
- **Elizabeth Howard**, an attorney with the Brennan Center for Justice at NYU Law, Arizona Election Observer
- **Joanna Lydgate,** CEO of States United Democracy Center

Tucson City Court Expands Public Access by Live-Streaming Initial Appearances on YouTube

On May 3, Tucson City Court began streaming first criminal appearance proceedings live on YouTube.
First appearances are held every day of the year at 9 a.m. and 8 p.m. All in-custody defendants are required by Arizona law to be seen by a judicial officer within 24 hours of arrest. During an initial appearance hearing, the accused is advised of the charges, their right to an attorney, their release conditions, and their next hearing date.
The court has no plans to record the video streams. Digital audio recordings are available by contacting City Court.
For many years, Tucson City Court has effectively collaborated with Pima County Superior Court, Pima County Consolidated Justice Court, other justice and municipal courts in Pima County, and local justice agencies to connect remotely with the jail and conduct first appearance hearings twice each day. This program is known as "2XIA" (*Twice-A-Day Initial Appearances*).
In 2020, it became evident that the court's limited video capability was insufficient to meet the remote hearing demands presented by the pandemic. In response, City Court initiated a major upgrade of its remote hearing capability.
Remote hearing platforms such as Teams and Zoom enhance service by expanding the number of court participants who can appear and observe proceedings remotely. Pre-Covid, first appearances were the only hearings City Court heard by remote video technology. Now, the court relies upon Teams and Zoom to conduct more than a third of all hearings remotely.
Tucson City Court Presiding Judge Antonio Riojas, Jr. noted, "in light of the pandemic lessons, the use of remote hearings will continue, and they make the court more accessible to the public."
City Court magistrates have conducted first appearances by video for all Pima County cases for many years. However, the existing video technology only allowed a video connection between two locations; both of these locations were at the jail. The public still had to go to the jail to observe the proceedings.
Judge Riojas stated, "the new remote hearing platforms are simpler, have more robust features, and are more stable than the technology they replace."
To connect to a live first appearance proceeding, go to tcc crt15 – YouTube.

Emerging American Majorities Releases 2020 State Legislative Demographic Report

WASHINGTON — The state legislatures that convened at the beginning of 2021 are the most diverse in history, according to statistics compiled in the newly updated Emerging American Majorities State Legislative Demographic Report. While there's still a way to go before achieving fully representative legislatures, we've made great strides over the last few election cycles and there are more women, people of color, and members of the LGBTQ community serving in statehouses than ever before. When our elected representatives reflect the communities they serve, the result is better policy and engagement with the political system — all of which are essential components of a strong, functioning democracy.
Read the full report here.
"For far too long, our state legislatures have not reflected the diversity of their constituents," said Emerging American Majorities President Jessica Post. "But we're making progress and will continue working to make sure every

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

American can see themselves in their elected officials. That's the only way to build an effective and responsive democracy."

Achieving full parity in state legislatures will require efforts from both parties. The analysis shows that currently Democratic caucuses are approaching gender balance and are far more racially diverse while the GOP remains overwhelmingly white and male, even in highly diverse states. Similar patterns are found in an analysis of legislators in leadership positions.

The full report details the breakdown of 2020 legislative candidates and winners by state and expands on the national representation of women, people of color, and the LGBTQ community.

Emerging American Majorities is a 501(c)4 group affiliated with the Democratic Legislative Campaign Committee.

"QUOTE OF THE DAY"

"Do the cyber ninjas have swords?"

- ***Maricopa County's official Twitter account, in a string of otherwise serious questions for senators***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003656

ARZN_REV00069222_5-18-21-1.pdf

Sender: rgabaldon@azleg.gov
Sent: Thursday, May 20, 2021 11:31:53 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-20-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 20, 2021

MEMORIAL DAY OR BUST
The Legislature will run into trouble if it takes longer than next week to pass a budget.

CRAZY HOW RHETORIC CAN TURN INTO VIOLENCE, HUH?
The Dept of Public Safety is investigating a suspicious package containing powder Fann received through the mail yesterday.

DOING WHAT THE MEDIA SHOULD HAVE MONTHS AGO
Watchdog group American Oversight is suing Fann, Petersen and the Senate over not releasing records about the audit.

AMERICAN OVERSIGHT

THE MORE THINGS CHANGE…
D Hernandez today jumped into the race for whatever becomes CD2, eschewing a slick campaign ad in favor of a simple announcement via tweet.

GABBY CONTINUES TO INSPIRE
An endorsement from Giffords would go a long way toward setting one candidate apart from the pack in the CD2 Democratic primary, but one consultant working in the district said that isn't likely to happen.

AND THEN THERE WERE THREE
While the initial conventional wisdom was that every Democrat in southern Arizona would be champing at the bit to take a run for Kirkpatrick's seat, one consultant in the district said that's looking increasingly less likely.

WAY WORSE THAN 1070, AMIRIGHT?
Former Gov Jan Brewer slammed the audit once again on Gaydos and Chad yesterday, saying it's not going to serve a purpose, the election results won't change and Biden is president.

YOU CATCH MORE FLIES WITH HONEY
Despite a pressure campaign from Kelli Ward, Roberts and others – or perhaps partially because of it – Shope joined Senate Dems to kill H2190 (COVID-19 vaccine; disclosure) today.

WE REALLY NEED THAT HOLOCAUST EDUCATION, APPARENTLY
Borrelli voted "no" to bring H2190 back on reconsideration, but not before giving a passionate speech in which he compared proof of vaccination to the mark of the beast from the Book of Revelations, Hester Prynne's scarlet letter and the stars the Nazis forced Jewish people to wear.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, May 20, 2021

NEWS NOTES AND GOSSIP

MEMORIAL DAY OR BUST

The Legislature will run into trouble if it takes longer than next week to pass a budget, Osborne told our reporter. Multiple lawmakers need to travel the following week, though she declined to name names. One railbird speculated that Fann needs time off to visit an ailing family member, though Fann shot that rumor down. Several other railbirds mentioned Nguyen, whose daughter commissions in the Navy on May 28, as someone who will need to be away from the Capitol. (However, the House's new pandemic rules allow lawmakers to vote from home, or wherever they happen to be, so absences in the House might not be the show-stopping problem that they have in past years. Senate absences, however, would be more problematic, as senators are only allowed to vote from home if they have been diagnosed with Covid or are forced to quarantine due to exposure.) Cobb said lawmakers will work through the weekend on the budget, though she declined to offer a prediction as to when the budget bills will be ready to move. "It will be ready to roll when we have 31, 16 and 1," she said in a text message. Senate Dems were gossiping on the floor today about the Legislature planning to work through Memorial Day weekend to pass a budget, as they did in 2019. However, Shope said that budget negotiators seem extremely motivated to close out the session. "I'm hearing pre-Memorial Day," he said. "I don't think they get serious like they did this week unless they're trying to push it out next week." Shope said that he wasn't so optimistic until he received a call last night telling him the $50 million that he had requested to widen I-10 was now part of the negotiated budget. The latest JLBC numbers show there's "plenty of money if we need to buy people off," he added. "I think people want to get the hell out of here," he said

CRAZY HOW RHETORIC CAN TURN INTO VIOLENCE, HUH?

The Dept of Public Safety is investigating a suspicious package containing powder Fann received through the mail yesterday. Senate spokesman Mike Philipsen told our reporter an assistant in Fann's office opened a letter addressed to Fann at about 4:30 pm yesterday and observed a small amount of white powdery substance. The assistant contacted DPS, who sent a hazmat team to the Senate to test the substance yesterday evening. Philipsen didn't explain what it was tested for, but said the tests came back negative. DPS spokesman Bart Graves said the package was taken to the DPS crime lab and the investigation continues. Petersen tweeted yesterday that it was an "unidentified white powder," and blamed the media and critics for prompting an attempted attack on Fann. "The personal attacks on @FannKfann by some media and others is truly disturbing. If you don't agree with the policy, disagree with it but no need to attack her personally. Now this. Today someone sent an unidentified white powder to her office. Not OK folks. DPS is investigating," Petersen tweeted. Hobbs, who has been the subject of repeated death threats and previously told our reporter she hadn't heard anything from her Republicans colleagues about it, tweeted in solidarity today. "This is absolutely not OK. @FannKfann I hope you, your family and your staff are staying safe," she wrote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003659

ARZN_REV00069241_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

DOING WHAT THE MEDIA SHOULD HAVE MONTHS AGO

Watchdog group American Oversight is suing Fann, Petersen and the Arizona Senate over not releasing records about the audit. The organization requested, among other things, communications between Ken Bennett and people involved in planning and executing the audit, contracts between the Senate, Cyber Ninjas and third-party vendors, records related to the budget and funders of the audit, plans about the audit's operations and plans for direct voter contact. The group says it was met largely with responses that the requested records were not in the Senate's possession. "If true, this claim means the Senate or any other public body in Arizona could circumvent public records laws by using public money to hire private contractors to perform government functions and instructing those contractors to maintain sole custody, control and possession of records," the group's lawyer, Roopali Desai, said in a statement. (We've requested many of the same records and have not received responses, or have been told the Senate doesn't have those documents, as Bennett and others aren't members of the Senate.) Desai's complaints echo the sentiment that attorney Dan Barr told our reporter last month, but Barr said that no matter what server or individual the Senate uses, the communications are still subject to public records law (YS, 4/21). The Senate agreed to release some materials regarding training and operations as part of a settlement in the Arizona Democratic Party v. Fann case earlier this month, but has largely stonewalled reporters' request for public records regarding the audit (YS, 5/7).

THE MORE THINGS CHANGE...

D Hernandez today jumped into the race for whatever becomes CD2, eschewing a slick campaign ad in favor of a simple announcement via tweet. He is the third Tucson lawmaker to jump into the race, following Engel and Friese, though unlike the other two, he doesn't actually live in the district. Of course, the next CD2 doesn't exist yet, so by the time lines are drawn, he may live in the district. But for all the fuss our reporter has made about candidates not knowing their district boundaries, one Democrat with CD2 ties said the district will likely stay mostly the same. "That district, since it was created in like 1980, has been roughly the same," the source said, noting that the purplish district has long been represented by moderates like Jim McNulty, Jim Kolbe, Gabby Giffords, and Martha McSally (before her run for Senate). The source speculated that while CD2 will probably get slightly more Republican after redistricting, it's politics will look much like they did after the last round of redistricting – a shade redder than it does now. CD2 butts up against CD3, which is a majority-minority district. While Arizona isn't required to undergo preclearance with its congressional maps anymore, the source said messing too much with CD3 would be inviting a lawsuit, and mapmakers will likely shy away from changing the boundaries too drastically. While redistrictors will have to add people to CD2, without room to grow south, west or east, CD2 will likely stretch further north into Oro Valley and Marana, Republican-leaning suburbs of Tucson that are less Republican these days than a decade ago, the source said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003660
ARZN_REV00069241_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GABBY CONTINUES TO INSPIRE

An endorsement from Giffords would go a long way toward setting one candidate apart from the pack in the CD2 Democratic primary, but one consultant working in the district said that isn't likely to happen. Hernandez made the obligatory reference in his launch today, noting, "Giffords continues to inspire me and I strive to follow her example of service for our community." But he didn't claim any endorsement. "I'd be really surprised to see Gabby or Mark [Kelly] endorse in primary," the source said, noting that while two of the lawmakers have direct ties to saving Giffords' life, all three Democrats are all solid on Gabby and Kelly's issues. Still, Engel's team is working with a host of former Giffords and Kelly staffers, including hiring pollster Anna Greenberg, who worked for both Giffords and Kelly, and Rodd McLeod and DJ Quinlan, who worked for both Giffords and Kelly's campaigns, to do direct mail, among other Giffords and Kelly expats. Still, the source emphasized that wasn't a tacit endorsement from Giffords or Kelly. "There certainly wasn't a conversation between Mark or Gabby saying we can't endorse publicly but take all our people," the source said.

AND THEN THERE WERE THREE

While the initial conventional wisdom was that every Democrat in southern Arizona would be champing at the bit to take a run for Kirkpatrick's seat, one consultant in the district said that's looking increasingly less likely. "The hot take originally was this is a frontline district, an open seat that's on the target list for both Republican and Democratic committees – and that a million people would be lining up to run. But I just don't see that happening," the source said. "I think these three are the candidates." As to who Republicans might draft in that district, which has seen a string of second-tier candidates since McSally ran for US Senate, the source said that Juan Ciscomani, a senior advisor to Ducey and VP of the Arizona-Mexico Commission who has roots in the area, is one name increasingly on the tongues of southern Arizona politicos. Other names that have been mentioned include Lea Marquez Petersen, though that would be something of a lateral move for her; Gowan; former lawmaker Frank Antenori; Pima County Supervisor Steve Christy; and failed CD2 candidates Brandon Martin, Shay Stautz and Joseph Morgan.

WAY WORSE THAN 1070, AMIRIGHT?

Former Gov Jan Brewer slammed the audit once again on *Gaydos and Chad* yesterday, saying it's not going to serve a purpose, the election results won't change and Biden is president. Brewer also questioned who is funding the audit, which is the multi-million dollar question. "Are they getting paid by the hour?" she cracked, a reference to the extended deadline to complete the audit. Brewer, who also is a former secretary of state and Maricopa County supervisor, zeroed in on the ongoing battle between the Senate and the county, saying county officials "are truly professional, and to sit back and be disparaged in the manner which has happened by so many different kinds of people is really sad." The hosts asked her why she thinks Ducey is continuing to stay silent. She said she doesn't understand it. "I mean he already certified the election," she said. "If you didn't think it was right, why would you certify it?" She went on to compare her bombastic style to Ducey's low-key approach, saying she was always outspoken, but even more so now since she's out of elected office. "I don't walk down the middle of the road. I learned a long time ago you do that, and you get hit from both sides … people want a leader," she said, adding that the audit has "caused some serious damage to the reputation of people in Arizona."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003661
ARZN_REV00069241_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YOU CATCH MORE FLIES WITH HONEY

Despite a pressure campaign from Kelli Ward, Roberts and others – or perhaps partially because of it – Shope joined Senate Dems to kill H2190 (COVID-19 vaccine; disclosure) today. He said he would have voted for the bill if it only applied to government entities, including universities, but he said restricting businesses, including sole proprietors, goes too far. "I believe in private property rights. I believe in the rights of a sole proprietor, a barber who is immunocompromised and may not be able to get a vaccine," said Shope, who manages a family-run grocery business in his district. Shope specifically called out Roberts, who has been leading a charge on social media to pressure Shope to change his vote, saying his colleague should instead have met him at the negotiating table. Last night, Roberts tweeted, in an apparent reference to Shope, that "#HB2190 is scheduled for COW tomorrow. I'm told it will be voted on immediately after. Anyone considering running for a statewide office or for re-election may want to give serious thought on their position. I could be wrong but I don't think this one will be forgotten." (Shope is considering a run for treasurer.) Shope told our reporter Roberts had MAGA folks tweeting at him for weeks, too, and they continued after his vote today, spamming his email address and Capitol phone number all over Twitter, but that they would have had more luck coming and talking to him. "If he wanted my vote on this… I'd think he'd realize this is not the right approach. #NotAFutureLobbyist," he texted our reporter, later adding that perhaps he could lobby for Creosote, the Dem firm with a reputation for scorched earth campaigns against Republican lawmakers.

WE REALLY NEED THAT HOLOCAUST EDUCATION, APPARENTLY

Borrelli voted "no" to bring H2190 back on reconsideration, but not before giving a passionate speech in which he compared proof of vaccination to the mark of the beast from the Book of Revelations, Hester Prynne's scarlet letter and the stars the Nazis forced Jewish people to wear. Leach started the historical comparisons by describing a trip behind the Iron Curtain, in which his family had to hand their travel papers over to hotel clerks, bus drivers and others before being allowed to wander a city. Borrelli, though, took it a step further. "You've heard 'show me your papers.' What's next? Star of David? Scarlet letter?" he asked. (Ironically, the comparison came right after the Senate had COWed a bill requiring Holocaust education in schools.) Arizona doesn't have "vaccine passports" and Ducey issued an executive order banning them earlier this spring, and the European countries that have discussed requiring proof of vaccination to attend some large events have never suggested requiring people to attach markers of vaccine status to their clothing.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003662

ARZN_REV00069241_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Ducey aides defend $1.5B cut in tax collections
Capitol Media Services
Top aides to Gov. Doug Ducey are defending the $1.5 billion cut in tax collections and bailout of the most wealthy as "modest and responsible."

Arizona law requires public release of election audit materials, group tells court
Capitol Media Services
A self-described nonpartisan watchdog group seeks immediate access to all documents related to the Senate's audit of the 2020 election results.

Proposed increase in Arizona's unemployment pay is at least a year away
Capitol Media Services
Arizona's unemployed will have to wait at least a year to see an increase in benefits. And even then they may not get them.

Navajo Nation tops Cherokee to become largest tribe in US
Associated Press
The Navajo Nation has by far the largest land mass of any Native American tribe in the country.

FTC, states sue Frontier for delivering internet that's too slow
Associated Press
The Federal Trade Commission and six states are suing Frontier Communications for not delivering the internet speeds it promised customers and charging them for better, more expensive service than they actually got.

CG Police will have body cameras soon
Casa Grande Dispatch
Officers of the Police Department soon will begin wearing body cameras.

Buckeye Bodycam Video Shows Bloody, Bullet-Filled End to 2019 Manhunt
Phoenix New Times
The morning after police filled his body with lead, officers watched the tattooed suspect in a west Valley hospital bed closely, worried he would launch another one of his famous escapes.

Arizona's election auditors are 'making it up as they go,' expert observers say
Arizona Mirror
Observers sent by the Arizona Secretary of State's office to the Senate's audit of the Maricopa County election shared concerns with reporters Wednesday saying that auditors are making up procedures as they go and that security issues continue to be a concern.

Severe Drought, Worsened by Climate Change, Ravages the American West
New York Times
Heat and shifting weather patterns have intensified wildfires and sharply reduced water supplies across the Southwest, the Pacific Coast and North Dakota.

The GOP agenda: Reward the wealthy and defund the police
Arizona Mirror (Opinion, Julie Erfle)
Remember when Republicans were up in arms over the "defund the police" movement?

Wait, wouldn't a Jan. 6 commission prove 'the left' caused the Capitol riot?
Arizona Republic (Opinion, EJ Montini)
Why would all of Arizona's Republicans in the House vote against the commission? Because ... truth.

No deleted files? Donald Trump and Karen Fann owe Maricopa County a bigtime apology
Arizona Republic (Opinion, Laurie Roberts)
Senate President Karen Fann and her auditors clearly screwed up when they accused Maricopa County of deleting election files. Did I miss the part where they apologize?

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Gov. Doug Ducey's flat-tax plan is an oh-so-sweet deal for Arizona's upper crust
Arizona Republic (Opinion, Laurie Roberts)
Six months after voters approved Prop. 208, raising taxes on the state's wealthiest residents, Gov. Doug Ducey and Republican leaders have have a plan to give them a massive tax cut.

10 days without water in Arizona? What to learn from 1 community's nightmare
Arizona Republic (Opinion, Joanna Allhands)
A routine pump failure cascaded into a 10-day ordeal for some Golden Valley residents. And that carries an important lesson for Arizona.

Will battery advances turn Tesla into a public utility? Are Arizona regulators prepared?
Arizona Republic (Op-ed, Joy Seitz)
Elon Musk recently said that Tesla's batteries can be connected to act as an independent utility. Is Arizona ready for that?

PRESS RELEASES

Daniel Hernandez Announces Run for Congress in Arizona's Second District

Vows to fight for progressive values while working across the aisle to get results for families in Southern Arizona
Tucson, AZ – Today, Daniel Hernandez announced his candidacy to represent Arizona's Second District in Congress, vowing to fight for progressive values while working across the aisle to get results for families in Southern Arizona.
"As a lifelong Arizonan from a working class family, I know firsthand that people in Southern Arizona want results from their representatives, and as our community recovers from this pandemic, that's never been more important," said Daniel Hernandez**. "In the Arizona State House I have fought for investments in our schools, our hospitals, and our roads and bridges. I have worked across the aisle to pass laws protecting survivors of sexual assault and repealing discriminatory laws against the LGBTQ Arizonans. I'm running for Congress to keep up that fight for our values and deliver real results to make our community stronger."**
Daniel was born and raised in Tucson, his mother an immigrant from Mexico who came to the U.S. where she met Daniel's father. A first-generation college student, Daniel attended the University of Arizona when he interned for then-Congresswoman Gabby Giffords and was there on the day of the tragic attack on her life which resulted in 6 deaths and 13 people injured. Daniel was the first to administer first aid to the Congresswoman before the EMTs arrived and was named a national hero by President Obama.
Inspired by Congresswoman Giffords's commitment to public service, Daniel went on to advocate for access to reproductive health care and education as program manager for Raíz, Planned Parenthood's Latino outreach program. He was also elected to his local school board, where he became the youngest school board president in the district's history.
Since 2017, Daniel has served in the Arizona State House from District 2 and is a co-founder of the House LGBTQ caucus. In the House, he has worked with both Republicans and Democrats to pass bills protecting survivors of sexual assault and secure $20 million for school resource officers, counselors, and social workers. He also led the fight against legislation that would discriminate against LGBTQ Arizonans.
"Gabby Giffords continues to inspire me and I strive to follow her example of service for our community," said Hernandez. **"I will always fight for Southern Arizona families and never let petty politics get in the way of getting things done."**

DC Report Ranks Arizona First for COVID-19 Vaccination in Smaller Rural Counties

Nearly 60% of adults in the seven counties had been vaccinated through April 10
PHOENIX – Arizona ranks ahead of every other state for its percentage of adults vaccinated against COVID-19 in smaller rural counties, according to a new report by the U.S. Centers for Disease Control and Prevention.
The CDC's *Morbidity and Mortality Weekly Report* found that 59% of those 18 and older in Navajo, Apache, Gila, Santa Cruz, Graham, La Paz, and Greenlee counties had received at least one dose of COVID-19 vaccine as of April 10. That's 156,182 individuals.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Arizona's ranking among rural counties calls attention not just to the strong vaccination efforts of our tribal nations but to the good work of local public health departments in these areas," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "Local authorities are the boots on the ground for public health in Arizona and have worked diligently to ensure the COVID-19 vaccine will have the greatest impact."

Gila County won national attention for rapidly moving through phases of vaccine prioritization and opening vaccination to everyone 18 and older by the start of March. The Navajo Nation, which includes large portions of Navajo and Apache counties, reported in late April that more than half of its adult population had been vaccinated against COVID-19, and this month it reported more than 100,000 fully vaccinated. Santa Cruz County, meanwhile, has the state's highest vaccination rate.

Arizona's percentage of those vaccinated in smaller rural counties was well above the national average of 38.9%.

In most states, vaccination in counties considered rural for the CDC report trailed more urban counties. In Arizona, 43.9% of those 18 and older had been vaccinated against COVID-19 in counties the report defined as more urban: Maricopa, Pima, Pinal, Yavapai, Yuma, Mohave, Coconino, and Cochise. The national average for these areas was 45.7%.

It's the second time in recent months that Arizona's vaccination efforts have been favorably mentioned in the CDC publication. In March, *Morbidity and Mortality Weekly Report* ranked Arizona among the best states for getting the COVID-19 vaccine to vulnerable communities.

To date, 5,599,098 doses of safe, highly effective, and free COVID-19 vaccines had been administered in Arizona to 3,169,782 individuals, including 2,660,462 who are fully vaccinated.

COVID-19 vaccination is readily available at hundreds of places around Arizona, including standalone pharmacies, grocery store pharmacies, doctors' offices, and state sites. The Pfizer vaccine is available to those 12 and older, while other vaccines are available to those 18 and older.

ADHS has coordinated with health departments around the state to make sure the Pfizer vaccine is available to residents in all counties.

To find locations, including those offering a specific vaccine, please visit azdhs.gov/FindVaccine. To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

DNC Launches Ad Buy in Arizona Celebrating AAPI Heritage Month

This week, at an earlier point than any previous election cycle, the Democratic National Committee launched a significant ad buy in AAPI outlets across the country and in Arizona as part of a campaign to celebrate AAPI Heritage Month.

The new campaign underscores DNC Chair Jaime Harrison's dedication to investing early in communities of color ahead of the 2022 midterm elections. The ads are translated into traditional Chinese, Korean, and Vietnamese and placed in over 50 outlets in more than 25 states and territories. In Arizona specifically, the ads will run in Arizona Chinese News and AZ Korea Post.

"The AAPI community has made tremendous contributions to our nation and were an integral element of Democrats regaining control of the White House and U.S. Senate," **said DNC Deputy Executive Director Roger Lau.** "The DNC knows in order to expand upon our success with AAPI voters in Arizona we need to invest deeply and early. From the American Rescue Plan to passing the COVID-19 Hate Crimes Act, Democrats have made good on our promises and delivered for the AAPI community. These ads show that we're not done delivering the help the AAPI community in Arizona needs."

Arizona Recognizes Military Appreciation Month

PHOENIX — Governor Doug Ducey declared May 2021 Military Appreciation Month to honor the sacrifices of our nation's military personnel and their dedication to protecting our freedom and keeping Americans safe.

"Arizona is grateful to the men and women in uniform who put their lives on the line to serve and protect our nation," said Governor Ducey. "Members of the U.S. Armed Forces serve abroad and at home to keep us safe, protect our freedom and strengthen our nation. My thanks goes to the military personnel and their families, who sacrifice so much, for their unwavering bravery and service to this country."

View the proclamation HERE.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003665

ARZN_REV00069241_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Congressman Barry Goldwater Jr endorses Kimberly Yee for Governor

Phoenix, AZ – Today, former Congressman Barry Goldwater Jr announced his endorsement of Kimberly Yee to be Arizona's next Governor.

"Kimberly is a true conservative that my father would've been proud to fight alongside against the liberals in Washington," said Barry Goldwater Jr. "She is a fearless leader who has advocated for conservative values in Arizona. Kimberly will make a great Governor for our state and I am proud to support her."

AFP-AZ Survey Shows Strong Support for Tax Reform

Grassroots group also launches campaign on tax reform proposal

PHOENIX, AZ – Americans for Prosperity-Arizona (AFP-AZ) today unveiled a new survey commissioned by AFP-AZ showing that the vast majority of Arizonans support reducing the personal income tax rate. Key findings show that voters believe a tax reduction is important to spur economic growth and allow Arizonans to keep their own money.

AFP-AZ also announced a statewide campaign to boost support for tax reform. The grassroots group is supporting a plan that, beginning in 2023, would reduce the state personal income tax rate to 2.5% for all taxpayers, except for the highest bracket who will pay 4.5%.

The six-figure campaign includes radio advertisement, digital outreach, and direct mail that connects Arizonans to a webpage, allowing them to contact their lawmakers to urge support for tax reform.

The topline results of the survey demonstrate the following:

- Nearly two-thirds of Arizona voters believe it is time to reduce the personal income tax to make it flatter and fairer.
- 66% of surveyed voters said it's very important to allow Arizona families to keep more of their own money, in addition to 62% saying it's very important to allow small businesses to pay less in taxes so they can use their own money to grow and create jobs.
- Ensuring Arizona remains competitive with nearby states who have no income tax was also another reason surveyed voters supported reducing the income tax rate, with 53% of surveyed individuals saying that's a very important reason as they considered the proposal.

AFP-AZ State Director Stephen Shadegg released the following statement:

"While Washington is working to pass some of the largest tax hikes in history, our state leaders are taking a different approach by letting Arizonans keep more of what they earn. Government digging deeper into our pockets won't help small businesses hire more workers or meet the needs of Arizona families.

"Arizonans support this this pro-growth plan that would cement our state as a leader on tax reform and ensure we remain competitive with nearby states who don't have an income tax. We are connecting with Arizonans across the state to tell them about this plan and enable them to tell their legislators they need to act now. We look forward to igniting Arizona's economic recovery by making our tax system simpler, fairer, and flatter."

Background:

Public Opinion Strategies conducted the statewide telephone survey among 600 registered voters on May 13-16, 2021. The survey has a margin of error of +4.0% and 58% of the interviews were conducted by cell phone.

According to the nonpartisan Tax Foundation, Arizona has one of the highest marginal income tax rates in the country.

Arizona also has a nearly $4 billion surplus for the 2022 fiscal year.

For further information or an interview, reach Kevin Brinegar at kbrinegar@afphq.org.

New Arizona poll finds near-universal support for sweeping democracy reforms across the political spectrum

New polling in Arizona released today by Issue One Action shows overwhelming bipartisan support for sweeping reforms that would strengthen our democracy, bolster our elections, and protect American's freedom to vote.

Across the political spectrum, there is overwhelming support among Arizona voters for a comprehensive package of reforms that would reduce political corruption, prevent special interests from buying elections, strengthen ethics laws, and protect voting rights. The poll also showed that Arizonans would rather see

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003666

ARZN_REV00069241_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Congress focus on reducing political corruption and ensuring elections are fair and accurate than on creating jobs or rebuilding infrastructure.

Sixty-eight percent believe it is extremely important for Congress to protect the freedom to vote, followed closely by reducing political corruption (65%) and ensuring that elections are fair and accurate (65%). Creating jobs (46%), lowering healthcare costs (37%), rebuilding the country's infrastructure (36%), and raising the minimum wage to $15 (20%) rank lower among Arizonans.

The poll, conducted by ALG Research and The Tyson Group on behalf of Issue One Action, found that 88% of Arizonans support sweeping reform, including 69% who support it strongly. Eighty-one percent of Donald Trump support such a proposal, along with 95% of voters who supported Joe Biden during the 2020 election.

According to the poll, a majority of Arizona voters also support reforming the filibuster to pass legislation to reduce political corruption. Fifty-six percent favor either eliminating the filibuster (27%) or reforming it to pass legislation to reduce political corruption (29%). Independents also support reforming the filibuster for this purpose (53% total), as do most white (56%) and Latino voters (60%).

"People are tired of partisan politics getting in the way of fixing our broken political system," said Issue One Action Founder and CEO Nick Penniman. "Republicans, Democrats, and independents alike agree that we need to be actively repairing our democracy right now, not hoping it magically fixes itself. These proposals — limiting the potential for corruption, protecting voting rights, ensuring safe and fair elections — all have a history of bipartisan support. These are common-sense steps Congress can take now, and congressional action is long overdue."

While these proposals enjoy strong bipartisan support when they take the form of one, sweeping bill, voters also widely support specific components:

- 96% support providing more transparency into lobbyist fundraising and putting more limits on their power in Washington.
- 92% support making nearly all political contributions fully transparent, including dark money contributions and contributions to super PACs.
- 91% support strengthening election security and accuracy by ensuring all votes are recorded on paper ballots that can be accurately recounted.
- 90% support cracking down on efforts to restrict voting by increasing criminal penalties for voter intimidation and for false or misleading information intended to prevent people from voting.
- 88% support ending partisan gerrymandering – to ensure congressional districts are drawn fairly and to stop politicians from choosing their voters by drawing their own district lines.
- 73% support guaranteeing voters in every state the right to vote early and the right to vote by mail.

"In today's climate, it's rare to see such broad bipartisan support for any policy proposals," said Kevin Akins from ALG Research. "Voters across the political spectrum in Arizona, and across the country, want their elected representatives in Congress to act now to pass comprehensive democracy reforms, and by an 8:1 margin are more likely to vote for a member of Congress who supports this proposal. The public support for these reforms is extraordinary."

"Regardless of political affiliation, we found that these are extremely popular proposals," said Ryan Tyson from The Tyson Group. "There's almost uniform support across the board. Ninety-six percent of Democrats would support a sweeping reforms package, and so would 85% of Republicans and 84% of independents. The message these voters are sending to Congress is clear: this is something both parties can agree on."

Pollster overview memo here; full poll results are available here.

ALG Research and the Tyson Group conducted N=600 interviews with likely November 2022 general election voters in Arizona. Bilingual interviews were conducted between May 1-5, 2021, with 76% of interviews completed via cell phone, including both live interviews and SMS texts to a web survey. Respondents were selected at random, with interviews apportioned geographically based on past voter turnout. Expected margin of sampling error is ±4.0% with a 95% confidence level.

Issue One is the leading crosspartisan political reform group in Washington. We unite Republicans, Democrats, and independents in the movement to fix our broken political system. Issue One's ReFormers Caucus of more than 200 former members of Congress, governors, and Cabinet officials is the largest bipartisan coalition of its kind ever assembled to advocate for solutions to fix our broken political system.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003667

ARZN_REV00069241_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I think people want to get the hell out of here."

- ***Shope, on the budget process***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003668

ARZN_REV00069241_5-20-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, May 20, 2021 11:31:54 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-20-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 20, 2021

MEMORIAL DAY OR BUST
The Legislature will run into trouble if it takes longer than next week to pass a budget.

CRAZY HOW RHETORIC CAN TURN INTO VIOLENCE, HUH?
The Dept of Public Safety is investigating a suspicious package containing powder Fann received through the mail yesterday.

DOING WHAT THE MEDIA SHOULD HAVE MONTHS AGO
Watchdog group American Oversight is suing Fann, Petersen and the Senate

AMERICAN OVERSIGHT

over not releasing records about the audit.

THE MORE THINGS CHANGE…
D Hernandez today jumped into the race for whatever becomes CD2, eschewing a slick campaign ad in favor of a simple announcement via tweet.

GABBY CONTINUES TO INSPIRE
An endorsement from Giffords would go a long way toward setting one candidate apart from the pack in the CD2 Democratic primary, but one consultant working in the district said that isn't likely to happen.

AND THEN THERE WERE THREE
While the initial conventional wisdom was that every Democrat in southern Arizona would be champing at the bit to take a run for Kirkpatrick's seat, one consultant in the district said that's looking increasingly less likely.

WAY WORSE THAN 1070, AMIRIGHT?
Former Gov Jan Brewer slammed the audit once again on Gaydos and Chad yesterday, saying it's not going to serve a purpose, the election results won't change and Biden is president.

YOU CATCH MORE FLIES WITH HONEY
Despite a pressure campaign from Kelli Ward, Roberts and others – or perhaps partially because of it – Shope joined Senate Dems to kill H2190 (COVID-19 vaccine; disclosure) today.

WE REALLY NEED THAT HOLOCAUST EDUCATION, APPARENTLY
Borrelli voted "no" to bring H2190 back on reconsideration, but not before giving a passionate speech in which he compared proof of vaccination to the mark of the beast from the Book of Revelations, Hester Prynne's scarlet letter and the stars the Nazis forced Jewish people to wear.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, May 20, 2021

NEWS NOTES AND GOSSIP

MEMORIAL DAY OR BUST

The Legislature will run into trouble if it takes longer than next week to pass a budget, Osborne told our reporter. Multiple lawmakers need to travel the following week, though she declined to name names. One railbird speculated that Fann needs time off to visit an ailing family member, though Fann shot that rumor down. Several other railbirds mentioned Nguyen, whose daughter commissions in the Navy on May 28, as someone who will need to be away from the Capitol. (However, the House's new pandemic rules allow lawmakers to vote from home, or wherever they happen to be, so absences in the House might not be the show-stopping problem that they have in past years. Senate absences, however, would be more problematic, as senators are only allowed to vote from home if they have been diagnosed with Covid or are forced to quarantine due to exposure.) Cobb said lawmakers will work through the weekend on the budget, though she declined to offer a prediction as to when the budget bills will be ready to move. "It will be ready to roll when we have 31, 16 and 1," she said in a text message. Senate Dems were gossiping on the floor today about the Legislature planning to work through Memorial Day weekend to pass a budget, as they did in 2019. However, Shope said that budget negotiators seem extremely motivated to close out the session. "I'm hearing pre-Memorial Day," he said. "I don't think they get serious like they did this week unless they're trying to push it out next week." Shope said that he wasn't so optimistic until he received a call last night telling him the $50 million that he had requested to widen I-10 was now part of the negotiated budget. The latest JLBC numbers show there's "plenty of money if we need to buy people off," he added. "I think people want to get the hell out of here," he said

CRAZY HOW RHETORIC CAN TURN INTO VIOLENCE, HUH?

The Dept of Public Safety is investigating a suspicious package containing powder Fann received through the mail yesterday. Senate spokesman Mike Philipsen told our reporter an assistant in Fann's office opened a letter addressed to Fann at about 4:30 pm yesterday and observed a small amount of white powdery substance. The assistant contacted DPS, who sent a hazmat team to the Senate to test the substance yesterday evening. Philipsen didn't explain what it was tested for, but said the tests came back negative. DPS spokesman Bart Graves said the package was taken to the DPS crime lab and the investigation continues. Petersen tweeted yesterday that it was an "unidentified white powder," and blamed the media and critics for prompting an attempted attack on Fann. "The personal attacks on @FannKfann by some media and others is truly disturbing. If you don't agree with the policy, disagree with it but no need to attack her personally. Now this. Today someone sent an unidentified white powder to her office. Not OK folks. DPS is investigating," Petersen tweeted. Hobbs, who has been the subject of repeated death threats and previously told our reporter she hadn't heard anything from her Republicans colleagues about it, tweeted in solidarity today. "This is absolutely not OK. @FannKfann I hope you, your family and your staff are staying safe," she wrote.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003671

ARZN_REV00069243_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

DOING WHAT THE MEDIA SHOULD HAVE MONTHS AGO

Watchdog group American Oversight is suing Fann, Petersen and the Arizona Senate over not releasing records about the audit. The organization requested, among other things, communications between Ken Bennett and people involved in planning and executing the audit, contracts between the Senate, Cyber Ninjas and third-party vendors, records related to the budget and funders of the audit, plans about the audit's operations and plans for direct voter contact. The group says it was met largely with responses that the requested records were not in the Senate's possession. "If true, this claim means the Senate or any other public body in Arizona could circumvent public records laws by using public money to hire private contractors to perform government functions and instructing those contractors to maintain sole custody, control and possession of records," the group's lawyer, Roopali Desai, said in a statement. (We've requested many of the same records and have not received responses, or have been told the Senate doesn't have those documents, as Bennett and others aren't members of the Senate.) Desai's complaints echo the sentiment that attorney Dan Barr told our reporter last month, but Barr said that no matter what server or individual the Senate uses, the communications are still subject to public records law (YS, 4/21). The Senate agreed to release some materials regarding training and operations as part of a settlement in the Arizona Democratic Party v. Fann case earlier this month, but has largely stonewalled reporters' request for public records regarding the audit (YS, 5/7).

THE MORE THINGS CHANGE...

D Hernandez today jumped into the race for whatever becomes CD2, eschewing a slick campaign ad in favor of a simple announcement via tweet. He is the third Tucson lawmaker to jump into the race, following Engel and Friese, though unlike the other two, he doesn't actually live in the district. Of course, the next CD2 doesn't exist yet, so by the time lines are drawn, he may live in the district. But for all the fuss our reporter has made about candidates not knowing their district boundaries, one Democrat with CD2 ties said the district will likely stay mostly the same. "That district, since it was created in like 1980, has been roughly the same," the source said, noting that the purplish district has long been represented by moderates like Jim McNulty, Jim Kolbe, Gabby Giffords, and Martha McSally (before her run for Senate). The source speculated that while CD2 will probably get slightly more Republican after redistricting, it's politics will look much like they did after the last round of redistricting – a shade redder than it does now. CD2 butts up against CD3, which is a majority-minority district. While Arizona isn't required to undergo preclearance with its congressional maps anymore, the source said messing too much with CD3 would be inviting a lawsuit, and mapmakers will likely shy away from changing the boundaries too drastically. While redistrictors will have to add people to CD2, without room to grow south, west or east, CD2 will likely stretch further north into Oro Valley and Marana, Republican-leaning suburbs of Tucson that are less Republican these days than a decade ago, the source said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003672
ARZN_REV00069243_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GABBY CONTINUES TO INSPIRE

An endorsement from Giffords would go a long way toward setting one candidate apart from the pack in the CD2 Democratic primary, but one consultant working in the district said that isn't likely to happen. Hernandez made the obligatory reference in his launch today, noting, "Giffords continues to inspire me and I strive to follow her example of service for our community." But he didn't claim any endorsement. "I'd be really surprised to see Gabby or Mark [Kelly] endorse in primary," the source said, noting that while two of the lawmakers have direct ties to saving Giffords' life, all three Democrats are all solid on Gabby and Kelly's issues. Still, Engel's team is working with a host of former Giffords and Kelly staffers, including hiring pollster Anna Greenberg, who worked for both Giffords and Kelly, and Rodd McLeod and DJ Quinlan, who worked for both Giffords and Kelly's campaigns, to do direct mail, among other Giffords and Kelly expats. Still, the source emphasized that wasn't a tacit endorsement from Giffords or Kelly. "There certainly wasn't a conversation between Mark or Gabby saying we can't endorse publicly but take all our people," the source said.

AND THEN THERE WERE THREE

While the initial conventional wisdom was that every Democrat in southern Arizona would be champing at the bit to take a run for Kirkpatrick's seat, one consultant in the district said that's looking increasingly less likely. "The hot take originally was this is a frontline district, an open seat that's on the target list for both Republican and Democratic committees – and that a million people would be lining up to run. But I just don't see that happening," the source said. "I think these three are the candidates." As to who Republicans might draft in that district, which has seen a string of second-tier candidates since McSally ran for US Senate, the source said that Juan Ciscomani, a senior advisor to Ducey and VP of the Arizona-Mexico Commission who has roots in the area, is one name increasingly on the tongues of southern Arizona politicos. Other names that have been mentioned include Lea Marquez Petersen, though that would be something of a lateral move for her; Gowan; former lawmaker Frank Antenori; Pima County Supervisor Steve Christy; and failed CD2 candidates Brandon Martin, Shay Stautz and Joseph Morgan.

WAY WORSE THAN 1070, AMIRIGHT?

Former Gov Jan Brewer slammed the audit once again on *Gaydos and Chad* yesterday, saying it's not going to serve a purpose, the election results won't change and Biden is president. Brewer also questioned who is funding the audit, which is the multi-million dollar question. "Are they getting paid by the hour?" she cracked, a reference to the extended deadline to complete the audit. Brewer, who also is a former secretary of state and Maricopa County supervisor, zeroed in on the ongoing battle between the Senate and the county, saying county officials "are truly professional, and to sit back and be disparaged in the manner which has happened by so many different kinds of people is really sad." The hosts asked her why she thinks Ducey is continuing to stay silent. She said she doesn't understand it. "I mean he already certified the election," she said. "If you didn't think it was right, why would you certify it?" She went on to compare her bombastic style to Ducey's low-key approach, saying she was always outspoken, but even more so now since she's out of elected office. "I don't walk down the middle of the road. I learned a long time ago you do that, and you get hit from both sides … people want a leader," she said, adding that the audit has "caused some serious damage to the reputation of people in Arizona."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003673

ARZN_REV00069243_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YOU CATCH MORE FLIES WITH HONEY

Despite a pressure campaign from Kelli Ward, Roberts and others – or perhaps partially because of it – Shope joined Senate Dems to kill H2190 (COVID-19 vaccine; disclosure) today. He said he would have voted for the bill if it only applied to government entities, including universities, but he said restricting businesses, including sole proprietors, goes too far. "I believe in private property rights. I believe in the rights of a sole proprietor, a barber who is immunocompromised and may not be able to get a vaccine," said Shope, who manages a family-run grocery business in his district. Shope specifically called out Roberts, who has been leading a charge on social media to pressure Shope to change his vote, saying his colleague should instead have met him at the negotiating table. Last night, Roberts tweeted, in an apparent reference to Shope, that "#HB2190 is scheduled for COW tomorrow. I'm told it will be voted on immediately after. Anyone considering running for a statewide office or for re-election may want to give serious thought on their position. I could be wrong but I don't think this one will be forgotten." (Shope is considering a run for treasurer.) Shope told our reporter Roberts had MAGA folks tweeting at him for weeks, too, and they continued after his vote today, spamming his email address and Capitol phone number all over Twitter, but that they would have had more luck coming and talking to him. "If he wanted my vote on this… I'd think he'd realize this is not the right approach. #NotAFutureLobbyist," he texted our reporter, later adding that perhaps he could lobby for Creosote, the Dem firm with a reputation for scorched earth campaigns against Republican lawmakers.

WE REALLY NEED THAT HOLOCAUST EDUCATION, APPARENTLY

Borrelli voted "no" to bring H2190 back on reconsideration, but not before giving a passionate speech in which he compared proof of vaccination to the mark of the beast from the Book of Revelations, Hester Prynne's scarlet letter and the stars the Nazis forced Jewish people to wear. Leach started the historical comparisons by describing a trip behind the Iron Curtain, in which his family had to hand their travel papers over to hotel clerks, bus drivers and others before being allowed to wander a city. Borrelli, though, took it a step further. "You've heard 'show me your papers.' What's next? Star of David? Scarlet letter?" he asked. (Ironically, the comparison came right after the Senate had COWed a bill requiring Holocaust education in schools.) Arizona doesn't have "vaccine passports" and Ducey issued an executive order banning them earlier this spring, and the European countries that have discussed requiring proof of vaccination to attend some large events have never suggested requiring people to attach markers of vaccine status to their clothing.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003674

ARZN_REV00069243_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Ducey aides defend $1.5B cut in tax collections
Capitol Media Services
Top aides to Gov. Doug Ducey are defending the $1.5 billion cut in tax collections and bailout of the most wealthy as "modest and responsible."

Arizona law requires public release of election audit materials, group tells court
Capitol Media Services
A self-described nonpartisan watchdog group seeks immediate access to all documents related to the Senate's audit of the 2020 election results.

Proposed increase in Arizona's unemployment pay is at least a year away
Capitol Media Services
Arizona's unemployed will have to wait at least a year to see an increase in benefits. And even then they may not get them.

Navajo Nation tops Cherokee to become largest tribe in US
Associated Press
The Navajo Nation has by far the largest land mass of any Native American tribe in the country.

FTC, states sue Frontier for delivering internet that's too slow
Associated Press
The Federal Trade Commission and six states are suing Frontier Communications for not delivering the internet speeds it promised customers and charging them for better, more expensive service than they actually got.

CG Police will have body cameras soon
Casa Grande Dispatch
Officers of the Police Department soon will begin wearing body cameras.

Buckeye Bodycam Video Shows Bloody, Bullet-Filled End to 2019 Manhunt
Phoenix New Times
The morning after police filled his body with lead, officers watched the tattooed suspect in a west Valley hospital bed closely, worried he would launch another one of his famous escapes.

Arizona's election auditors are 'making it up as they go,' expert observers say
Arizona Mirror
Observers sent by the Arizona Secretary of State's office to the Senate's audit of the Maricopa County election shared concerns with reporters Wednesday saying that auditors are making up procedures as they go and that security issues continue to be a concern.

Severe Drought, Worsened by Climate Change, Ravages the American West
New York Times
Heat and shifting weather patterns have intensified wildfires and sharply reduced water supplies across the Southwest, the Pacific Coast and North Dakota.

The GOP agenda: Reward the wealthy and defund the police
Arizona Mirror (Opinion, Julie Erfle)
Remember when Republicans were up in arms over the "defund the police" movement?

Wait, wouldn't a Jan. 6 commission prove 'the left' caused the Capitol riot?
Arizona Republic (Opinion, EJ Montini)
Why would all of Arizona's Republicans in the House vote against the commission? Because ... truth.

No deleted files? Donald Trump and Karen Fann owe Maricopa County a bigtime apology
Arizona Republic (Opinion, Laurie Roberts)
Senate President Karen Fann and her auditors clearly screwed up when they accused Maricopa County of deleting election files. Did I miss the part where they apologize?

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003675
ARZN_REV00069243_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Gov. Doug Ducey's flat-tax plan is an oh-so-sweet deal for Arizona's upper crust
Arizona Republic (Opinion, Laurie Roberts)
Six months after voters approved Prop. 208, raising taxes on the state's wealthiest residents, Gov. Doug Ducey and Republican leaders have have a plan to give them a massive tax cut.

10 days without water in Arizona? What to learn from 1 community's nightmare
Arizona Republic (Opinion, Joanna Allhands)
A routine pump failure cascaded into a 10-day ordeal for some Golden Valley residents. And that carries an important lesson for Arizona.

Will battery advances turn Tesla into a public utility? Are Arizona regulators prepared?
Arizona Republic (Op-ed, Joy Seitz)
Elon Musk recently said that Tesla's batteries can be connected to act as an independent utility. Is Arizona ready for that?

PRESS RELEASES

Daniel Hernandez Announces Run for Congress in Arizona's Second District

Vows to fight for progressive values while working across the aisle to get results for families in Southern Arizona
Tucson, AZ – Today, Daniel Hernandez announced his candidacy to represent Arizona's Second District in Congress, vowing to fight for progressive values while working across the aisle to get results for families in Southern Arizona.
"As a lifelong Arizonan from a working class family, I know firsthand that people in Southern Arizona want results from their representatives, and as our community recovers from this pandemic, that's never been more important," said Daniel Hernandez**. "In the Arizona State House I have fought for investments in our schools, our hospitals, and our roads and bridges. I have worked across the aisle to pass laws protecting survivors of sexual assault and repealing discriminatory laws against the LGBTQ Arizonans. I'm running for Congress to keep up that fight for our values and deliver real results to make our community stronger."**
Daniel was born and raised in Tucson, his mother an immigrant from Mexico who came to the U.S. where she met Daniel's father. A first-generation college student, Daniel attended the University of Arizona when he interned for then-Congresswoman Gabby Giffords and was there on the day of the tragic attack on her life which resulted in 6 deaths and 13 people injured. Daniel was the first to administer first aid to the Congresswoman before the EMTs arrived and was named a national hero by President Obama.
Inspired by Congresswoman Giffords's commitment to public service, Daniel went on to advocate for access to reproductive health care and education as program manager for Raíz, Planned Parenthood's Latino outreach program. He was also elected to his local school board, where he became the youngest school board president in the district's history.
Since 2017, Daniel has served in the Arizona State House from District 2 and is a co-founder of the House LGBTQ caucus. In the House, he has worked with both Republicans and Democrats to pass bills protecting survivors of sexual assault and secure $20 million for school resource officers, counselors, and social workers. He also led the fight against legislation that would discriminate against LGBTQ Arizonans.
"Gabby Giffords continues to inspire me and I strive to follow her example of service for our community," said Hernandez. **"I will always fight for Southern Arizona families and never let petty politics get in the way of getting things done."**

DC Report Ranks Arizona First for COVID-19 Vaccination in Smaller Rural Counties

Nearly 60% of adults in the seven counties had been vaccinated through April 10
PHOENIX – Arizona ranks ahead of every other state for its percentage of adults vaccinated against COVID-19 in smaller rural counties, according to a new report by the U.S. Centers for Disease Control and Prevention.
The CDC's *Morbidity and Mortality Weekly Report* found that 59% of those 18 and older in Navajo, Apache, Gila, Santa Cruz, Graham, La Paz, and Greenlee counties had received at least one dose of COVID-19 vaccine as of April 10. That's 156,182 individuals.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Arizona's ranking among rural counties calls attention not just to the strong vaccination efforts of our tribal nations but to the good work of local public health departments in these areas," said Dr. Cara Christ, director of the Arizona Department of Health Services (ADHS). "Local authorities are the boots on the ground for public health in Arizona and have worked diligently to ensure the COVID-19 vaccine will have the greatest impact."

Gila County won national attention for rapidly moving through phases of vaccine prioritization and opening vaccination to everyone 18 and older by the start of March. The Navajo Nation, which includes large portions of Navajo and Apache counties, reported in late April that more than half of its adult population had been vaccinated against COVID-19, and this month it reported more than 100,000 fully vaccinated. Santa Cruz County, meanwhile, has the state's highest vaccination rate.

Arizona's percentage of those vaccinated in smaller rural counties was well above the national average of 38.9%.

In most states, vaccination in counties considered rural for the CDC report trailed more urban counties. In Arizona, 43.9% of those 18 and older had been vaccinated against COVID-19 in counties the report defined as more urban: Maricopa, Pima, Pinal, Yavapai, Yuma, Mohave, Coconino, and Cochise. The national average for these areas was 45.7%.

It's the second time in recent months that Arizona's vaccination efforts have been favorably mentioned in the CDC publication. In March, *Morbidity and Mortality Weekly Report* ranked Arizona among the best states for getting the COVID-19 vaccine to vulnerable communities.

To date, 5,599,098 doses of safe, highly effective, and free COVID-19 vaccines had been administered in Arizona to 3,169,782 individuals, including 2,660,462 who are fully vaccinated.

COVID-19 vaccination is readily available at hundreds of places around Arizona, including standalone pharmacies, grocery store pharmacies, doctors' offices, and state sites. The Pfizer vaccine is available to those 12 and older, while other vaccines are available to those 18 and older.

ADHS has coordinated with health departments around the state to make sure the Pfizer vaccine is available to residents in all counties.

To find locations, including those offering a specific vaccine, please visit azdhs.gov/FindVaccine. To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

DNC Launches Ad Buy in Arizona Celebrating AAPI Heritage Month

This week, at an earlier point than any previous election cycle, the Democratic National Committee launched a significant ad buy in AAPI outlets across the country and in Arizona as part of a campaign to celebrate AAPI Heritage Month.

The new campaign underscores DNC Chair Jaime Harrison's dedication to investing early in communities of color ahead of the 2022 midterm elections. The ads are translated into traditional Chinese, Korean, and Vietnamese and placed in over 50 outlets in more than 25 states and territories. In Arizona specifically, the ads will run in Arizona Chinese News and AZ Korea Post.

"The AAPI community has made tremendous contributions to our nation and were an integral element of Democrats regaining control of the White House and U.S. Senate," **said DNC Deputy Executive Director Roger Lau.** "The DNC knows in order to expand upon our success with AAPI voters in Arizona we need to invest deeply and early. From the American Rescue Plan to passing the COVID-19 Hate Crimes Act, Democrats have made good on our promises and delivered for the AAPI community. These ads show that we're not done delivering the help the AAPI community in Arizona needs."

Arizona Recognizes Military Appreciation Month

PHOENIX — Governor Doug Ducey declared May 2021 Military Appreciation Month to honor the sacrifices of our nation's military personnel and their dedication to protecting our freedom and keeping Americans safe.

"Arizona is grateful to the men and women in uniform who put their lives on the line to serve and protect our nation," said Governor Ducey. "Members of the U.S. Armed Forces serve abroad and at home to keep us safe, protect our freedom and strengthen our nation. My thanks goes to the military personnel and their families, who sacrifice so much, for their unwavering bravery and service to this country."

View the proclamation HERE.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003677

ARZN_REV00069243_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Congressman Barry Goldwater Jr endorses Kimberly Yee for Governor

Phoenix, AZ – Today, former Congressman Barry Goldwater Jr announced his endorsement of Kimberly Yee to be Arizona's next Governor.

"Kimberly is a true conservative that my father would've been proud to fight alongside against the liberals in Washington," said Barry Goldwater Jr. "She is a fearless leader who has advocated for conservative values in Arizona. Kimberly will make a great Governor for our state and I am proud to support her."

AFP-AZ Survey Shows Strong Support for Tax Reform

Grassroots group also launches campaign on tax reform proposal

PHOENIX, AZ – Americans for Prosperity-Arizona (AFP-AZ) today unveiled a new survey commissioned by AFP-AZ showing that the vast majority of Arizonans support reducing the personal income tax rate. Key findings show that voters believe a tax reduction is important to spur economic growth and allow Arizonans to keep their own money.

AFP-AZ also announced a statewide campaign to boost support for tax reform. The grassroots group is supporting a plan that, beginning in 2023, would reduce the state personal income tax rate to 2.5% for all taxpayers, except for the highest bracket who will pay 4.5%.

The six-figure campaign includes radio advertisement, digital outreach, and direct mail that connects Arizonans to a webpage, allowing them to contact their lawmakers to urge support for tax reform.

The topline results of the survey demonstrate the following:

- Nearly two-thirds of Arizona voters believe it is time to reduce the personal income tax to make it flatter and fairer.
- 66% of surveyed voters said it's very important to allow Arizona families to keep more of their own money, in addition to 62% saying it's very important to allow small businesses to pay less in taxes so they can use their own money to grow and create jobs.
- Ensuring Arizona remains competitive with nearby states who have no income tax was also another reason surveyed voters supported reducing the income tax rate, with 53% of surveyed individuals saying that's a very important reason as they considered the proposal.

AFP-AZ State Director Stephen Shadegg released the following statement:

"While Washington is working to pass some of the largest tax hikes in history, our state leaders are taking a different approach by letting Arizonans keep more of what they earn. Government digging deeper into our pockets won't help small businesses hire more workers or meet the needs of Arizona families.

"Arizonans support this this pro-growth plan that would cement our state as a leader on tax reform and ensure we remain competitive with nearby states who don't have an income tax. We are connecting with Arizonans across the state to tell them about this plan and enable them to tell their legislators they need to act now. We look forward to igniting Arizona's economic recovery by making our tax system simpler, fairer, and flatter."

Background:

Public Opinion Strategies conducted the statewide telephone survey among 600 registered voters on May 13-16, 2021. The survey has a margin of error of +4.0% and 58% of the interviews were conducted by cell phone.

According to the nonpartisan Tax Foundation, Arizona has one of the highest marginal income tax rates in the country.

Arizona also has a nearly $4 billion surplus for the 2022 fiscal year.

For further information or an interview, reach Kevin Brinegar at kbrinegar@afphq.org.

New Arizona poll finds near-universal support for sweeping democracy reforms across the political spectrum

New polling in Arizona released today by Issue One Action shows overwhelming bipartisan support for sweeping reforms that would strengthen our democracy, bolster our elections, and protect American's freedom to vote.

Across the political spectrum, there is overwhelming support among Arizona voters for a comprehensive package of reforms that would reduce political corruption, prevent special interests from buying elections, strengthen ethics laws, and protect voting rights. The poll also showed that Arizonans would rather see

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003678

ARZN_REV00069243_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Congress focus on reducing political corruption and ensuring elections are fair and accurate than on creating jobs or rebuilding infrastructure.

Sixty-eight percent believe it is extremely important for Congress to protect the freedom to vote, followed closely by reducing political corruption (65%) and ensuring that elections are fair and accurate (65%). Creating jobs (46%), lowering healthcare costs (37%), rebuilding the country's infrastructure (36%), and raising the minimum wage to $15 (20%) rank lower among Arizonans.

The poll, conducted by ALG Research and The Tyson Group on behalf of Issue One Action, found that 88% of Arizonans support sweeping reform, including 69% who support it strongly. Eighty-one percent of Donald Trump support such a proposal, along with 95% of voters who supported Joe Biden during the 2020 election.

According to the poll, a majority of Arizona voters also support reforming the filibuster to pass legislation to reduce political corruption. Fifty-six percent favor either eliminating the filibuster (27%) or reforming it to pass legislation to reduce political corruption (29%). Independents also support reforming the filibuster for this purpose (53% total), as do most white (56%) and Latino voters (60%).

"People are tired of partisan politics getting in the way of fixing our broken political system," said Issue One Action Founder and CEO Nick Penniman. "Republicans, Democrats, and independents alike agree that we need to be actively repairing our democracy right now, not hoping it magically fixes itself. These proposals — limiting the potential for corruption, protecting voting rights, ensuring safe and fair elections — all have a history of bipartisan support. These are common-sense steps Congress can take now, and congressional action is long overdue."

While these proposals enjoy strong bipartisan support when they take the form of one, sweeping bill, voters also widely support specific components:

- 96% support providing more transparency into lobbyist fundraising and putting more limits on their power in Washington.
- 92% support making nearly all political contributions fully transparent, including dark money contributions and contributions to super PACs.
- 91% support strengthening election security and accuracy by ensuring all votes are recorded on paper ballots that can be accurately recounted.
- 90% support cracking down on efforts to restrict voting by increasing criminal penalties for voter intimidation and for false or misleading information intended to prevent people from voting.
- 88% support ending partisan gerrymandering – to ensure congressional districts are drawn fairly and to stop politicians from choosing their voters by drawing their own district lines.
- 73% support guaranteeing voters in every state the right to vote early and the right to vote by mail.

"In today's climate, it's rare to see such broad bipartisan support for any policy proposals," said Kevin Akins from ALG Research. "Voters across the political spectrum in Arizona, and across the country, want their elected representatives in Congress to act now to pass comprehensive democracy reforms, and by an 8:1 margin are more likely to vote for a member of Congress who supports this proposal. The public support for these reforms is extraordinary."

"Regardless of political affiliation, we found that these are extremely popular proposals," said Ryan Tyson from The Tyson Group. "There's almost uniform support across the board. Ninety-six percent of Democrats would support a sweeping reforms package, and so would 85% of Republicans and 84% of independents. The message these voters are sending to Congress is clear: this is something both parties can agree on."

Pollster overview memo here; full poll results are available here.

ALG Research and the Tyson Group conducted N=600 interviews with likely November 2022 general election voters in Arizona. Bilingual interviews were conducted between May 1-5, 2021, with 76% of interviews completed via cell phone, including both live interviews and SMS texts to a web survey. Respondents were selected at random, with interviews apportioned geographically based on past voter turnout. Expected margin of sampling error is ±4.0% with a 95% confidence level.

Issue One is the leading crosspartisan political reform group in Washington. We unite Republicans, Democrats, and independents in the movement to fix our broken political system. Issue One's ReFormers Caucus of more than 200 former members of Congress, governors, and Cabinet officials is the largest bipartisan coalition of its kind ever assembled to advocate for solutions to fix our broken political system.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003679

ARZN_REV00069243_5-20-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I think people want to get the hell out of here."

- ***Shope, on the budget process***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003680

ARZN_REV00069243_5-20-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Friday, May 21, 2021 5:12:59 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-21-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 21, 2021

IT'S ON! OR IS IT?
House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget.

HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?
One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut.

FORMER GOVERNORS ARE JUST MORE FUN
Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the Republic this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax

AMERICAN OVERSIGHT

package.

WE'LL TRACK HER DOWN EVENTUALLY
Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut.

IT'S BEEN A BUSY YEAR FOR EVERYONE
Ducey has officially signed more bills this year than in any other year he's been in office.

KARI FOR GOVERNOR OF QTOWN?
Former Fox 10 anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month.

LEMONADES ALL AROUND
The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, May 21, 2021

NEWS NOTES AND GOSSIP

IT'S ON! OR IS IT?

House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget. It's unclear what the exact timeline is, and there's some chatter that the House may be alone in introducing budget bills on Monday, as the Senate also scheduled a Rules meeting, but the call doesn't include budget introduction language yet, though calendars can be modified. One Senate source heard that only BRBs, not the feed bill, will be introduced Monday. Meanwhile, multiple Republican lawmakers in the House and Senate are still threatening to withhold their votes and several told our reporter they don't expect a deal can be struck over the weekend. Negotiators tossed money at some recalcitrant lawmakers this week – Shope, for instance, got his $50 million for I-10 – but others, including Boyer and Cook, have serious issues with the tax plan that can't be resolved with some extra funding for a pet project, according to one source. Overall, the source said, Toma and the Governor's Office are truly excited about the flat tax proposal, but most other Republicans just want to cut taxes in general and aren't wedded to the flat tax plan. "If they're insisting on the flat tax, you're not going to get any Democrats and there are enough Republicans who have concerns about it," the source said. Cook, for example, told our reporter he is not on board with the budget, as the 4.5 percent marginal tax rate will effectively prevent wealthy Arizonans from paying the extra taxes they would have paid as a result of Prop 208 while having the state backfill that missing revenue from the General Fund. "We're taking everyone's tax revenue to backfill taxes owed by one group, and I'm not sure how that is appropriate when we still have the needs of the state through the capital improvement list," he said. Cook also has issues with the unemployment deal's delayed implementation and its triggers. "If the bill came up in front of me today, I'd vote no," he said. At this point, Cook said he's hopeful the Legislature will finish by the end of June. Conversely, another Republican told our reporter Hoffman claims to be leading a gang of 10 fiscal hawks that won't support the budget without major spending cuts and more money for election integrity measures. Among the cuts he's demanding, according to a document a source sent our reporter, are gifted education funding, DCS caseworker salary increases, DES salary increases, DES return to work grants, and roughly $80 million in road repair. Meanwhile, he wants $13 million over the next three years for an auditor general voter roll review, "ballot security paper," and a non-lapsing "forensic audit fund" among other election integrity proposals. A copy of his demands can be viewed in our documents section (LINK).

HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?

One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut. "There's plenty of room for this to still get tripped up, but the flat tax isn't it," the source said, pointing to a handful of lawmakers who are known for their last-minute antics and saying they're not the types to stand against tax cuts. "Who in that caucus has a real spine? … I can't think of one." Another Democrat also seemed confident the GOP would muster the votes for the budget next week, saying everyone is ready to call it a year, Democrats included. "If you're gonna destroy the state, just get it over with. Don't torture us," the source said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003683

ARZN_REV00069247_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FORMER GOVERNORS ARE JUST MORE FUN

Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the *Republic* this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax package. Brewer, who took office during the Great Recession, reflected that Arizona had the largest per-capita state budget deficit during the recession, while just two years before then-Gov Janet Napolitano had huge budget surpluses. "History has taught me that it would be imprudent to base a large, permanent tax cut, worth $19 billion over the next decade, on a snapshot of revenue and expenditure forecasts artificially bolstered by the federal largesse," Brewer wrote. She noted that the state faces huge bills over the next few decades, including a $30 billion funding gap to maintain infrastructure, more than $1.3 billion in debt from the Great Recession and more than $2.8 billion in pension debt. Brewer said she still supports tax cuts – just not permanent cuts to the tune of $1.9 billion annually. "I am not arguing against any tax reductions. Lord knows I have cut taxes with the best of them and am proud of it," she wrote. The solution, she said, is a one-time tax rebate to return money to Arizonans, while saving more of the current surplus for future downturns. The state can always renew a rebate in future years, but it's next to impossible to raise taxes once they're permanently cut.

WE'LL TRACK HER DOWN EVENTUALLY

Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut. Robson has not returned multiple calls from our reporter – in fact, as far as we can tell, she hasn't spoken with any reporters since her seemingly rushed gubernatorial campaign launch. (Nor has Yee, it should be noted, who is Brewer's former Senator.) But Robson's close ties with Ducey, and her endorsement from Brewer – not to mention her role as a co-chair of the Republican Legislative Victory Fund – raise several interesting questions about where she stands. The announcement of Brewer's endorsement "couldn't come at a worse time" one Republican railbird said, noting it forces important questions like whether she agrees with Brewer that the flat tax is a bad idea. "Robson really knows how to tie her campaign in a knot," the source said. Another question we'd like to ask – does she agree with Brewer that the Senate should shut the audit down, and if so, what's she doing fundraising for the Senators who are dead-set on stopping the steal?

IT'S BEEN A BUSY YEAR FOR EVERYONE

Ducey has officially signed more bills this year than in any other year he's been in office. So far, the governor has signed 379 bills, breaking his own record of 374 bills in 2016. There are another four bills on his desk, and that's not even counting the set of budget bills that have yet to be introduced. Ducey last week vetoed his fifth bill of the session, A Hernandez's H2820 (dietitian nutritionists; licensure), which he decried as creating an "unnecessary and burdensome government permission slip."

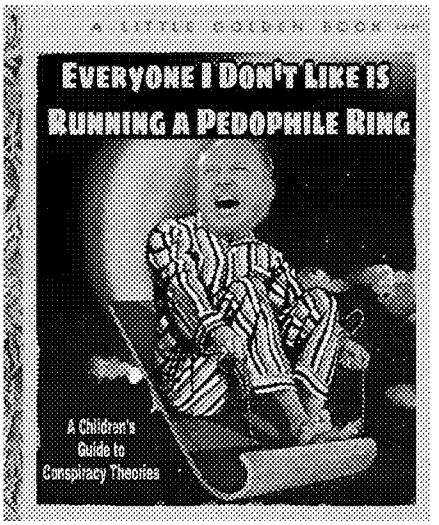
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003684

ARZN_REV00069247_5-21-21-1.pdf

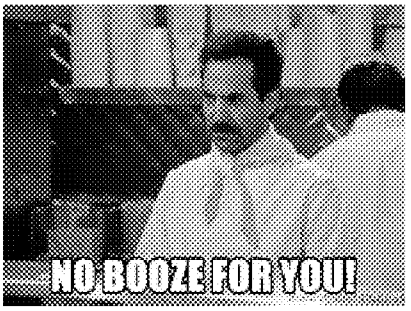
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

KARI FOR GOVERNOR OF QTOWN?



Former *Fox 10* anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month. One will happen Saturday (LINK) at Dream City Church, which Brnovich had to issue a cease-and-desist letter to after it claimed the church found a way to kill 99.9 percent of Covid so attendees of a Trump rally would not need masks (YS, 6/26/20). That event, Revival Revolution – Faith, Freedom and the Fight, hosted by We the People AZ Alliance, will feature a who's who of Stop the Steal and QAnon conspiracy theorists expected to speak. Failed treasure hunter and noted bad inventor Jovan Pulitzer will be there, as will Overstock founder Patrick Byrne, who is trying to raise nearly $3 million for the audit (YS, 4/29). Finchem and former Trump advisor George Papadopolous, who pleaded guilty for lying to the FBI during the Robert Mueller investigation into Russian election interference, will also be there, as well as Gosar, who recently called the Jan 6 insurrectionists "peaceful patriots." Bobby Piton, who is involved in some way with the audit (YS, 4/26), is on the list, as is Bryan Masche, the guy who accosted Steele in the Senate parking lot last year then accused her of "reverse bullying" him in a now-dismissed ethics complaint (YS, 5/11). Self-proclaimed Satanism expert Lyle Rapacki will be there, as will failed congressional candidates Josh Barnett and Daniel Wood and failed legislative candidate Liz Harris. Of course, no such event would be complete without Cyber Ninjas and AZGOP attorney Alex Kolodin. But one name that stood out is Wilmeth, who hasn't pushed election conspiracies and is generally viewed as a level-headed Republican. Lake won't stop there though. She is set to co-headline an event at The Duce in Downtown Phoenix with fellow far-right activist and failed candidate for Phoenix mayor Merissa Hamilton, along with Brexit leader Nigel Farage and Townsend and J Hoffman at an event being billed as "America's Comeback Tour" next Tuesday. Lake also recently was spotted cozying up to MyPillow CEO Mike Lindell, was seen at CPAC earlier this year and spoke at an event hosted by Turning Point USA and she recently took a trip to the southern border so she could declare it a crisis – all further evidence that she's trying to parlay her TV career into a political one. She has been rumored to be eyeing the Ninth Floor and someone recently bought the domain KariLake4Governor.com

LEMONADES ALL AROUND



The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa. Gallego already poked fun at the location choice, noting that Gaetz likes it since it's "only a five minute drive to the nearest high school." "Oh come on you were all thinking it!!," he followed up. One Republican source told our reporter the AZGOP has, of course, been promoting the event like crazy, which the source speculates could mean they haven't given out enough tickets to fill up the ballroom (LINK). The source, who is not a fan of Gaetz, Greene or Kelli Ward, joked about the likelihood that Biggs and Gosar will also be there, saying, "a tax cheat, a pedophile, a dentist and a grifter all enter a bar…" but of course if Biggs were to ever enter a bar, he would likely just order a lemonade.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003685
ARZN_REV00069247_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Intern who helped save Gabby Giffords' life runs for her congressional seat
Arizona Capitol Times
The intern credited for savings former congresswoman Gabrielle "Gabby" Giffords life a decade ago is now running to serve in her old congressional seat.

From tragedy comes a bill to save lives
Arizona Capitol Times
Exactly one year after 25-year-old Landon Marsh died of a fentanyl overdose, Arizona Gov. Doug Ducey signed a bill Marsh's mother drafted to prevent other young people from unknowingly ingesting the drug.

Lawmaker strives again to insure more kids
Arizona Capitol Times
When Rep. Kelli Butler found out a couple of years ago that the eligibility threshold for Arizona's child health insurance program is among the lowest in the nation, she decided to try to do something about it.

Telehealth boom spawns changes to Arizona law
Arizona Capitol Times
Telehealth wasn't new to Arizona when the pandemic began, but the past year has propelled it into the mainstream.

Bill improves treatment of pregnant prisoners
Arizona Capitol Times
Arizona lawmakers are weighing whether they should enshrine in statute rules governing access to feminine hygiene products for female prison inmates and regulating the treatment of pregnant prisoners.

Races for 2022 statewide offices taking shape
Arizona Capitol Times
Arizona is sitting somewhere between keeping the 2020 election alive and preparing for the 2022 election, where all statewide executive offices will be on the ballot as well as a U.S. Senate seat.

Stephen Richer prefers boring, takes on Trump
Arizona Capitol Times
There's a lot of unintentional irony surrounding Maricopa County Recorder Stephen Richer.

Lawmakers reject penalties for Ariz. businesses that refuse unvaccinated patrons
Capitol Media Services
Arizona won't be shutting down businesses that refuse to serve people who are not vaccinated against COVID-19.

Top election official: County can no longer use equipment compromised by Ariz. audit
Capitol Media Services
Secretary of State Katie Hobbs says Maricopa County can no longer use the election equipment that the Senate subpoenaed and turned over to Cyber Ninjas. The replacement cost will be substantial.

Arizona brick-and-mortars see greater economic activity
Capitol Media Services
The increasing comfort of Arizonans to get out and about is having a definite effect on the state economy.

Shope: Interstate 10 expansion funding back in latest budget proposal
Pinal Central
After an initial omission, the latest state budget proposal now includes $50 million slated for planning to expand Interstate 10 between Chandler and Casa Grande.

AP Fires Former Arizona Republic Intern After Right-Wing Complaints
Phoenix New Times
The Associated Press' Phoenix bureau fired former Arizona Republic writer Emily Wilder this week following negative articles about her political activities in conservative media.

Unemployment aid up, taxes down in budget deal. But can it win GOP support?
Arizona Mirror

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003686
ARZN_REV00069247_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Unemployment benefits will go up while tax rates will go down, especially for the wealthiest Arizonans, under the budget deal forged by Gov. Doug Ducey and legislative Republican leaders.

Trump slams 'weak' Republicans who don't want to talk about Arizona audit
The Hill
Former President Trump on Thursday slammed "weak" Republicans who don't want to talk about the audit of the 2020 election results in Maricopa County, Ariz.

ACC Chair Lea Márquez Peterson: Modified clean energy rules back on the agenda
Arizona Daily Star (Opinion, Lea Marquez Peterson)
"I was concerned about the impact on individual ratepayers and the fact that the data had not been provided to the Arizona Corporation Commission," writes Tucson native Chairwoman Lea Márquez Peterson.

'Nothing to hide? Then why slam Arizona's election audit, Eddie?'
Arizona Republic (Opinion, EJ Montini)
It's an often repeated question with a simple answer that the questioners simply do not want to hear.

If it was his money, would Gov. Doug Ducey propose such an unfair Back to Work program?
Arizona Republic (Opinion, Robert Robb)
The business community loved Gov. Doug Ducey's Back to Work program, but everything about its bonuses and incentives is questionable or wrong.

Lake Mead could be in a Tier 2 shortage by 2023. What's that mean for Arizona?
Arizona Republic (Opinion, Joanna Allhands)
The latest forecast suggests for the first time that Lake Mead could fall into a Tier 2 shortage by 2023, thrusting even deeper water cuts on Arizona.

A Mexican immigrant and an Asian American have a real shot of being elected Arizona governor
Arizona Republic (Opinion, Elvia Diaz)
Marco Lopez and Kimberly Yee began their bids for Arizona governor by showing how vastly different they are in style, substance and ideology.

Still waiting to get vaccinated? We won't shame you. But please hear this good news
Arizona Republic (Opinion, Editorial Board)
If you haven't been vaccinated for COVID-19 – or you have and know those who haven't – these words are for you.

COVID-19 hit Indian County hard, thanks to a lack of infrastructure. We can fix this
Arizona Republic (Op-ed, Stephen Roe Lewis)
Indian Country lacked the infrastructure required to contain and combat COVID-19. The American Jobs Plan will help make those investments.

PRESS RELEASES

Statement from Chairman Jack Sellers: Senate Should Preserve Evidence

It is clear the Arizona Senate and its contractors do not intend to retract false allegations defaming the County and its employees. For that reason, Maricopa County is formally requesting Senate President Fann, Senator Petersen, Senate liaison Ken Bennett, and contractors involved in the "audit" preserve documents and evidence as they may be subject to future legal claims.
READ THE LETTER TO SENATOR FANN >
It is unfortunate we have reached this point, especially considering the "audit" was never authorized by a full Senate vote. Instead, two Senators out of a total of 30 used subpoenas to obtain private ballots, voter information, and taxpayer-funded tabulation machines, then turned all that material over to biased, out-of-state groups with little to no

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

election auditing experience. The conclusions already drawn by these contractors and shared prior to the completion of the audit clearly intend to disparage the County and call into question the integrity of the 2020 elections.
Earlier this week, the Maricopa County Board of Supervisors, Recorder, and other county elected leaders sent a 13-page letter to the Arizona Senate President providing answers to what she characterized as "three serious issues" her contractors allegedly uncovered about our vote tabulation machines and election processes. As the letter states, their "issues" demonstrate a lack of understanding of Arizona election law and best practices for running elections.
The most serious claim is that Elections officials deleted a database folder before providing it to the Cyber Ninjas. This is not true. We demanded a retraction. But Senate President Fann's letter and tweet from the official Senate audit Twitter account continues to spread the false allegation even after her own contractor admitted he found the files on the copy he made of the server.
The claim that our employees deleted election files and destroyed evidence is outrageous and baseless. I again demand an immediate retraction of any public statements made to the news media and or posted to Twitter. Since this seems unlikely to happen, I will repeat what I said at the press conference on Monday: finish your report and be prepared to defend it and your actions related to this "audit" in court.

Governor Ducey Signs Bill Allowing To-Go Cocktails

PHOENIX — Governor Doug Ducey today signed legislation allowing bars, liquor stores and restaurants to sell cocktails to-go, expanding opportunities for businesses across the state.
“Businesses owners have shown that offering to-go beverages can be done responsibly and safely,” said Governor Ducey. “House Bill 2773 will make sure restaurants and bars have the opportunity to expand operations and meet the needs of their customers, especially after weathering the effects of the pandemic. My thanks to Representative Jeff Weninger for sponsoring legislation that will help so many businesses.”
Governor Ducey in March 2020 issued an Executive Order restricting enforcement of regulations that prohibit sale and delivery of alcoholic beverages with the purchase of food to help mitigate financial consequences of the pandemic-related pause on certain business operations. House Bill 2773 permanently allows Arizona businesses the opportunity to offer to-go cocktails beyond the pandemic.
“Many businesses were hard hit by the pandemic, but smart policies like permitting to-go beverages helped keep many afloat,” said Representative Weninger. “House Bill 2773 will help bars, liquor stores and restaurants grow, and it will attract new businesses to our state. This is a major win for Arizona’s food and beverage industry, and I thank Governor Ducey for signing this legislation.”
Governor Ducey’s signing of the legislation is being enthusiastically received by industry representatives and business owners.
“To-go beverages will be a game-changer for our business and our customers will love it,” said Grant Krueger, owner of Union Hospitality Group in Tucson. “The signing of House Bill 2773 will help us reach more patrons and expand and modernize operations. This legislation will help business across the state, and I thank Governor Ducey for his continued support.”
“After seeing how successful to-go cocktails were last year, I am happy to see Governor Ducey sign House Bill 2773,” said Lee Miller, Owner of JR’s Bar in Sierra Vista. “This bill will allow us to provide additional options to our customers and give businesses like mine new ways to earn additional revenue, which is sorely needed after last year.”
“Restaurants, bars and liquor stores throughout the state will have the opportunity to drastically expand their operations thanks to the signing of House Bill 2773,” said Steve Chucri, President and CEO of the Arizona Restaurant Association. “To-go cocktails will help businesses bring in revenue and attract new customers, and it will draw new restaurants and bars to our state. My thanks to Representative Weninger for sponsoring the legislation, and to Governor Ducey for signing it.”

Arizona Announces Grant Awards to Improve Literacy for Underserved Children

PHOENIX – The Arizona Department of Education (ADE) has selected 23 subgrantees for the $20 million federal Comprehensive Literacy State Development Grant (CLSD) to improve reading skills for students most in need of additional supports. The subgrantees serve more than 13,000 children across eight Arizona counties and will receive funding to implement evidence-based strategies that drive higher language and literacy achievement for underserved children from birth through high school.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003688
ARZN_REV00069247_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The U.S. Department of Education awarded Arizona the CLSD grant in September 2020. The grant spans five years at $4 million per year.
Arizona's CLSD grant project — developed through the collaboration of ADE, Read On Arizona, and First Things First — targets children living in poverty, English learners, children with disabilities, Native American students, and those reading well below grade level, reflecting the federal grant program's emphasis on supporting underserved children.
The 23 subgrantees serve schools and early learning programs at 40 sites and will help advance literacy outcomes by: expanding professional development in the science of reading for more than 750 early care and PreK-12 educators; high-quality language and literacy strategies to support struggling readers; the purchase of evidence-based curricular and reading intervention materials; the hiring of literacy coaches to build teacher capacity; and strengthening community collaborations that drive higher language and literacy achievement for children from birth through high school.
"I am thrilled to see this investment come to life in Arizona's schools. This critical funding will bring needed resources to Arizona's students, teachers and schools," said Superintendent of Public Instruction Kathy Hoffman. "It's more important than ever that we support all learners, particularly those who are struggling with their literacy skills."
"Children develop foundational language and pre-literacy skills well before kindergarten," said Marilee Dal Pra, CEO of First Things First. "It is exciting to see the CLSD grants building on local collaborations to ensure that early educators get the training they need to engage young minds and foster language development and a love of reading in our youngest learners."
"Read On Arizona is excited to see such strong evidence-based solutions toward improving early literacy reflected in the 23 awardees," said Terri Clark, Arizona Literacy Director. "Awardees range from the Yuma Elementary school district who will use a literacy coaching model to support their K-3 teachers in the science of reading to Make Way for Books in Pima County who will work with early learning sites to strengthen language and literacy development for our youngest learners."
The full list of selected programs and schools can be found here: https://www.azed.gov/standards-practices/clsd

A Tale of Two States: Nevada Democrats Boost Education Funding While Arizona Republicans Make Cuts

Neighboring states' divergence underscores difference between the parties' priorities

WASHINGTON — Under Democratic leadership, the Nevada Legislature approved a $500 million increase in education funding over the next two years, a move that exemplifies Democrats' support for public education.
The legislation stands in stark contrast to the agenda advanced by Republicans in neighboring Arizona, who struck a budget deal that would introduce a regressive income tax structure and drastically reduce taxes on the rich — undermining a voter-approved initiative that would have raised nearly $1 billion for Arizona schools through higher taxes on the wealthy.
"Arizona and Nevada may be neighbors, but the policies they've adopted could not be more different," said Democratic Legislative Campaign Committee executive director Heather Williams. "Republicans are trying to rebrand as a 'workers' party,' but they will always prioritize cutting taxes for the wealthy over funding public services. Nevada Democrats are focused on the kitchen table issues that matter to voters, whereas the Arizona GOP is still beholden to the elites. The difference between the parties couldn't be clearer."
Republicans' move to undermine the Arizona school funding scheme comes as GOP leaders across the country try to curtail voter-approved initiatives. Arizonans clearly voted to raise taxes on the wealthy to fund schools, and the budget deal jeopardizes the security of this funding stream. Instead of respecting the will of voters, Republicans are increasingly rejecting it entirely.
The school funding bill shows Nevada Democrats' focus on tackling the challenges their constituents face in this year's legislative session. Arizona's Republican leaders, in contrast, have prioritized divisive legislation that would suppress votes, restrict reproductive freedom, and pursued a bizarre, conspiracy-laden "audit" of last November's election results.

Release: Maricopa 'Audit' Becomes Central Issue in GOP Senate Primary

PHOENIX – For weeks, the Maricopa County 'audit' has cast a long shadow over the expensive and escalating GOP Senate primary. But today, the stakes have grown as Representatives Matt Gaetz and Marjorie Taylor Greene arrive in

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003689
ARZN_REV00069247_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Mesa, Arizona to host a rally where they will no doubt continue to perpetuate dangerous and wildly inaccurate lies, turning this absurd and controversial 'audit' into a key litmus test in the race.
To review: Potential candidate Rep Andy Biggs recently joined Gaetz and Taylor Greene signing onto a lie-ridden letter supporting the 'audit.' Jim Lamon has also openly embraced it. Yet another potential candidate, Mark Brnovich, has refused to give a clear statement on the issue, something President Trump seemed to notice and call out.
With Gaetz and Taylor Greene coming to Arizona to support this farce and Trump championing the 'audit' at every turn, this is about to become a central issue in the primary, with Arizonans eager to learn where each GOP candidate stands.
"Representatives Gaetz and Taylor Greene's rally today, along with former President Trump's focus on the 'audit' puts every candidate on notice," said ADP Spokesperson Sarah Guggenheimer. **"In the weeks ahead, every single GOP candidate for Senate and potential candidates for Senate must share whether they will defend Arizona voters or cave to political pressure to perpetuate lies about Arizona elections."**

Release: Arizona Adds Over 11,000 Jobs, Calls for Phase Two of Biden's Recovery Plan

PHOENIX — According to this morning's U.S. Bureau of Labor Statistics jobs report, Arizona added 11,239 jobs in the month of April. These gains suggest that businesses, boosted by aid from the American Rescue Plan, have resumed hiring as the economy continues to strengthen.
Just two months ago, Democrats in Congress passed President Joe Biden's American Rescue Plan — a $1.9 trillion aid package that provided direct relief to Americans, reopened small businesses, and led to a steep decline in COVID-19 cases due to a successful vaccination program.
As Arizonans go back to work, the evidence is clear: President Biden's strategy to rebuild our economy from the bottom up and the middle out is working — no thanks to congressional Republicans who unanimously voted against the relief bill.
"These promising Arizona jobs numbers are a direct result of President Biden's leadership and the success of the American Rescue Plan, but our work to fully build back the Arizona economy is far from over," **said ADP Spokesperson Hannah Goss.** "While Republicans in Congress continue to block the president's agenda for the sake of partisan grandstanding, Democrats are ready to roll up their sleeves, get to work for Arizona children and families, and pass President Biden's American Jobs Plan and American Families Plan."

Senators Kelly, Sinema Announce $71.9 Million to Address Mental Health and Substance Abuse in Arizona

WASHINGTON – Arizona Senators Mark Kelly and Kyrsten Sinema announced the Substance Abuse and Mental Health Services Administration at the U.S. Department of Health and Human Services will award over $71 million to address mental health and substance abuse in Arizona. This funding is being awarded as a part of the American Rescue Plan Act, the most recent COVID-19 relief law both Senators supported.
"As Arizonans grapple with the social and economic effects of this pandemic, access to mental health care and community resources is more critical than ever. I'm proud to have helped secure this funding, which will go a long way in serving Arizonans who are struggling," **said Senator Kelly.**
"Arizonans struggling with mental health and substance abuse are not alone, and these critical resources will help ensure Arizonans receive the support needed to recover," **said Sinema.**
These federal funds were awarded through the Mental Health Services Block Grant Program and the Substance Abuse Prevention and Treatment Block Grant Program. The Mental Health Services Block Grant Program enables Arizona to provide comprehensive community mental health services and address needs and gaps in existing treatment services for those with serious mental illness. The Substance Abuse Prevention and Treatment Block Grant Program allows Arizona to plan, implement, and evaluate activities to prevent, treat, and help more Arizonans recover from substance use disorders.
The Arizona Health Care Cost Containment System (AHCCCS), through the Mental Health Services Block Grant, was awarded $39,229,067, and the Arizona Department of Health Services, through the Substance Abuse Prevention and Treatment Block Grant Program was awarded $32,725,106.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003690

ARZN_REV00069247_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Lord knows I have cut taxes with the best of them and am proud of it."

- ***Former Gov Jan Brewer, in an op-ed condemning Ducey's flat tax proposal***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003691

ARZN_REV00069247_5-21-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, May 21, 2021 5:13:00 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-21-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 21, 2021

IT'S ON! OR IS IT?
House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget.

HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?
One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut.

FORMER GOVERNORS ARE JUST MORE FUN
Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the

AMERICAN OVERSIGHT

Republic this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax package.

WE'LL TRACK HER DOWN EVENTUALLY
Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut.

IT'S BEEN A BUSY YEAR FOR EVERYONE
Ducey has officially signed more bills this year than in any other year he's been in office.

KARI FOR GOVERNOR OF QTOWN?
Former Fox 10 anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month.

LEMONADES ALL AROUND
The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, May 21, 2021

NEWS NOTES AND GOSSIP

IT'S ON! OR IS IT?

House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget. It's unclear what the exact timeline is, and there's some chatter that the House may be alone in introducing budget bills on Monday, as the Senate also scheduled a Rules meeting, but the call doesn't include budget introduction language yet, though calendars can be modified. One Senate source heard that only BRBs, not the feed bill, will be introduced Monday. Meanwhile, multiple Republican lawmakers in the House and Senate are still threatening to withhold their votes and several told our reporter they don't expect a deal can be struck over the weekend. Negotiators tossed money at some recalcitrant lawmakers this week – Shope, for instance, got his $50 million for I-10 – but others, including Boyer and Cook, have serious issues with the tax plan that can't be resolved with some extra funding for a pet project, according to one source. Overall, the source said, Toma and the Governor's Office are truly excited about the flat tax proposal, but most other Republicans just want to cut taxes in general and aren't wedded to the flat tax plan. "If they're insisting on the flat tax, you're not going to get any Democrats and there are enough Republicans who have concerns about it," the source said. Cook, for example, told our reporter he is not on board with the budget, as the 4.5 percent marginal tax rate will effectively prevent wealthy Arizonans from paying the extra taxes they would have paid as a result of Prop 208 while having the state backfill that missing revenue from the General Fund. "We're taking everyone's tax revenue to backfill taxes owed by one group, and I'm not sure how that is appropriate when we still have the needs of the state through the capital improvement list," he said. Cook also has issues with the unemployment deal's delayed implementation and its triggers. "If the bill came up in front of me today, I'd vote no," he said. At this point, Cook said he's hopeful the Legislature will finish by the end of June. Conversely, another Republican told our reporter Hoffman claims to be leading a gang of 10 fiscal hawks that won't support the budget without major spending cuts and more money for election integrity measures. Among the cuts he's demanding, according to a document a source sent our reporter, are gifted education funding, DCS caseworker salary increases, DES salary increases, DES return to work grants, and roughly $80 million in road repair. Meanwhile, he wants $13 million over the next three years for an auditor general voter roll review, "ballot security paper," and a non-lapsing "forensic audit fund" among other election integrity proposals. A copy of his demands can be viewed in our documents section (LINK).

HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?

One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut. "There's plenty of room for this to still get tripped up, but the flat tax isn't it," the source said, pointing to a handful of lawmakers who are known for their last-minute antics and saying they're not the types to stand against tax cuts. "Who in that caucus has a real spine? … I can't think of one." Another Democrat also seemed confident the GOP would muster the votes for the budget next week, saying everyone is ready to call it a year, Democrats included. "If you're gonna destroy the state, just get it over with. Don't torture us," the source said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003694

ARZN_REV00069249_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FORMER GOVERNORS ARE JUST MORE FUN

Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the *Republic* this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax package. Brewer, who took office during the Great Recession, reflected that Arizona had the largest per-capita state budget deficit during the recession, while just two years before then-Gov Janet Napolitano had huge budget surpluses. "History has taught me that it would be imprudent to base a large, permanent tax cut, worth $19 billion over the next decade, on a snapshot of revenue and expenditure forecasts artificially bolstered by the federal largesse," Brewer wrote. She noted that the state faces huge bills over the next few decades, including a $30 billion funding gap to maintain infrastructure, more than $1.3 billion in debt from the Great Recession and more than $2.8 billion in pension debt. Brewer said she still supports tax cuts – just not permanent cuts to the tune of $1.9 billion annually. "I am not arguing against any tax reductions. Lord knows I have cut taxes with the best of them and am proud of it," she wrote. The solution, she said, is a one-time tax rebate to return money to Arizonans, while saving more of the current surplus for future downturns. The state can always renew a rebate in future years, but it's next to impossible to raise taxes once they're permanently cut.

WE'LL TRACK HER DOWN EVENTUALLY

Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut. Robson has not returned multiple calls from our reporter – in fact, as far as we can tell, she hasn't spoken with any reporters since her seemingly rushed gubernatorial campaign launch. (Nor has Yee, it should be noted, who is Brewer's former Senator.) But Robson's close ties with Ducey, and her endorsement from Brewer – not to mention her role as a co-chair of the Republican Legislative Victory Fund – raise several interesting questions about where she stands. The announcement of Brewer's endorsement "couldn't come at a worse time" one Republican railbird said, noting it forces important questions like whether she agrees with Brewer that the flat tax is a bad idea. "Robson really knows how to tie her campaign in a knot," the source said. Another question we'd like to ask – does she agree with Brewer that the Senate should shut the audit down, and if so, what's she doing fundraising for the Senators who are dead-set on stopping the steal?

IT'S BEEN A BUSY YEAR FOR EVERYONE

Ducey has officially signed more bills this year than in any other year he's been in office. So far, the governor has signed 379 bills, breaking his own record of 374 bills in 2016. There are another four bills on his desk, and that's not even counting the set of budget bills that have yet to be introduced. Ducey last week vetoed his fifth bill of the session, A Hernandez's H2820 (dietitian nutritionists; licensure), which he decried as creating an "unnecessary and burdensome government permission slip."

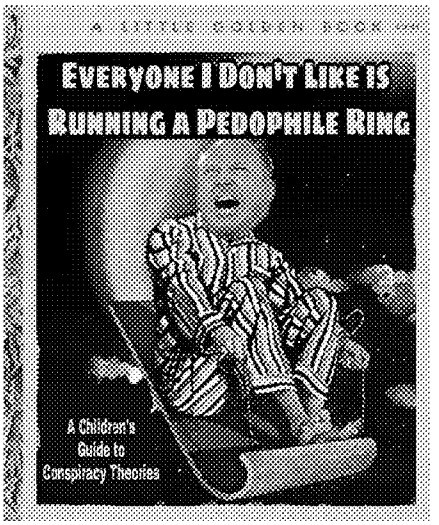
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003695

ARZN_REV00069249_5-21-21-1.pdf

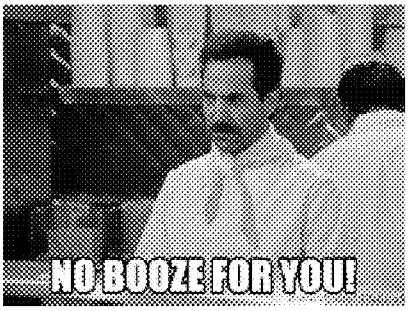
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

KARI FOR GOVERNOR OF QTOWN?



Former *Fox 10* anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month. One will happen Saturday (LINK) at Dream City Church, which Brnovich had to issue a cease-and-desist letter to after it claimed the church found a way to kill 99.9 percent of Covid so attendees of a Trump rally would not need masks (YS, 6/26/20). That event, Revival Revolution – Faith, Freedom and the Fight, hosted by We the People AZ Alliance, will feature a who's who of Stop the Steal and QAnon conspiracy theorists expected to speak. Failed treasure hunter and noted bad inventor Jovan Pulitzer will be there, as will Overstock founder Patrick Byrne, who is trying to raise nearly $3 million for the audit (YS, 4/29). Finchem and former Trump advisor George Papadopolous, who pleaded guilty for lying to the FBI during the Robert Mueller investigation into Russian election interference, will also be there, as well as Gosar, who recently called the Jan 6 insurrectionists "peaceful patriots." Bobby Piton, who is involved in some way with the audit (YS, 4/26), is on the list, as is Bryan Masche, the guy who accosted Steele in the Senate parking lot last year then accused her of "reverse bullying" him in a now-dismissed ethics complaint (YS, 5/11). Self-proclaimed Satanism expert Lyle Rapacki will be there, as will failed congressional candidates Josh Barnett and Daniel Wood and failed legislative candidate Liz Harris. Of course, no such event would be complete without Cyber Ninjas and AZGOP attorney Alex Kolodin. But one name that stood out is Wilmeth, who hasn't pushed election conspiracies and is generally viewed as a level-headed Republican. Lake won't stop there though. She is set to co-headline an event at The Duce in Downtown Phoenix with fellow far-right activist and failed candidate for Phoenix mayor Merissa Hamilton, along with Brexit leader Nigel Farage and Townsend and J Hoffman at an event being billed as "America's Comeback Tour" next Tuesday. Lake also recently was spotted cozying up to MyPillow CEO Mike Lindell, was seen at CPAC earlier this year and spoke at an event hosted by Turning Point USA and she recently took a trip to the southern border so she could declare it a crisis – all further evidence that she's trying to parlay her TV career into a political one. She has been rumored to be eyeing the Ninth Floor and someone recently bought the domain KariLake4Governor.com

LEMONADES ALL AROUND



The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa. Gallego already poked fun at the location choice, noting that Gaetz likes it since it's "only a five minute drive to the nearest high school." "Oh come on you were all thinking it!!," he followed up. One Republican source told our reporter the AZGOP has, of course, been promoting the event like crazy, which the source speculates could mean they haven't given out enough tickets to fill up the ballroom (LINK). The source, who is not a fan of Gaetz, Greene or Kelli Ward, joked about the likelihood that Biggs and Gosar will also be there, saying, "a tax cheat, a pedophile, a dentist and a grifter all enter a bar…" but of course if Biggs were to ever enter a bar, he would likely just order a lemonade.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003696
ARZN_REV00069249_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Intern who helped save Gabby Giffords' life runs for her congressional seat
Arizona Capitol Times
The intern credited for savings former congresswoman Gabrielle "Gabby" Giffords life a decade ago is now running to serve in her old congressional seat.

From tragedy comes a bill to save lives
Arizona Capitol Times
Exactly one year after 25-year-old Landon Marsh died of a fentanyl overdose, Arizona Gov. Doug Ducey signed a bill Marsh's mother drafted to prevent other young people from unknowingly ingesting the drug.

Lawmaker strives again to insure more kids
Arizona Capitol Times
When Rep. Kelli Butler found out a couple of years ago that the eligibility threshold for Arizona's child health insurance program is among the lowest in the nation, she decided to try to do something about it.

Telehealth boom spawns changes to Arizona law
Arizona Capitol Times
Telehealth wasn't new to Arizona when the pandemic began, but the past year has propelled it into the mainstream.

Bill improves treatment of pregnant prisoners
Arizona Capitol Times
Arizona lawmakers are weighing whether they should enshrine in statute rules governing access to feminine hygiene products for female prison inmates and regulating the treatment of pregnant prisoners.

Races for 2022 statewide offices taking shape
Arizona Capitol Times
Arizona is sitting somewhere between keeping the 2020 election alive and preparing for the 2022 election, where all statewide executive offices will be on the ballot as well as a U.S. Senate seat.

Stephen Richer prefers boring, takes on Trump
Arizona Capitol Times
There's a lot of unintentional irony surrounding Maricopa County Recorder Stephen Richer.

Lawmakers reject penalties for Ariz. businesses that refuse unvaccinated patrons
Capitol Media Services
Arizona won't be shutting down businesses that refuse to serve people who are not vaccinated against COVID-19.

Top election official: County can no longer use equipment compromised by Ariz. audit
Capitol Media Services
Secretary of State Katie Hobbs says Maricopa County can no longer use the election equipment that the Senate subpoenaed and turned over to Cyber Ninjas. The replacement cost will be substantial.

Arizona brick-and-mortars see greater economic activity
Capitol Media Services
The increasing comfort of Arizonans to get out and about is having a definite effect on the state economy.

Shope: Interstate 10 expansion funding back in latest budget proposal
Pinal Central
After an initial omission, the latest state budget proposal now includes $50 million slated for planning to expand Interstate 10 between Chandler and Casa Grande.

AP Fires Former Arizona Republic Intern After Right-Wing Complaints
Phoenix New Times
The Associated Press' Phoenix bureau fired former Arizona Republic writer Emily Wilder this week following negative articles about her political activities in conservative media.

Unemployment aid up, taxes down in budget deal. But can it win GOP support?
Arizona Mirror

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003697
ARZN_REV00069249_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Unemployment benefits will go up while tax rates will go down, especially for the wealthiest Arizonans, under the budget deal forged by Gov. Doug Ducey and legislative Republican leaders.

Trump slams 'weak' Republicans who don't want to talk about Arizona audit
The Hill
Former President Trump on Thursday slammed "weak" Republicans who don't want to talk about the audit of the 2020 election results in Maricopa County, Ariz.

ACC Chair Lea Márquez Peterson: Modified clean energy rules back on the agenda
Arizona Daily Star (Opinion, Lea Marquez Peterson)
"I was concerned about the impact on individual ratepayers and the fact that the data had not been provided to the Arizona Corporation Commission," writes Tucson native Chairwoman Lea Márquez Peterson.

'Nothing to hide? Then why slam Arizona's election audit, Eddie?'
Arizona Republic (Opinion, EJ Montini)
It's an often repeated question with a simple answer that the questioners simply do not want to hear.

If it was his money, would Gov. Doug Ducey propose such an unfair Back to Work program?
Arizona Republic (Opinion, Robert Robb)
The business community loved Gov. Doug Ducey's Back to Work program, but everything about its bonuses and incentives is questionable or wrong.

Lake Mead could be in a Tier 2 shortage by 2023. What's that mean for Arizona?
Arizona Republic (Opinion, Joanna Allhands)
The latest forecast suggests for the first time that Lake Mead could fall into a Tier 2 shortage by 2023, thrusting even deeper water cuts on Arizona.

A Mexican immigrant and an Asian American have a real shot of being elected Arizona governor
Arizona Republic (Opinion, Elvia Diaz)
Marco Lopez and Kimberly Yee began their bids for Arizona governor by showing how vastly different they are in style, substance and ideology.

Still waiting to get vaccinated? We won't shame you. But please hear this good news
Arizona Republic (Opinion, Editorial Board)
If you haven't been vaccinated for COVID-19 – or you have and know those who haven't – these words are for you.

COVID-19 hit Indian County hard, thanks to a lack of infrastructure. We can fix this
Arizona Republic (Op-ed, Stephen Roe Lewis)
Indian Country lacked the infrastructure required to contain and combat COVID-19. The American Jobs Plan will help make those investments.

PRESS RELEASES

Statement from Chairman Jack Sellers: Senate Should Preserve Evidence

It is clear the Arizona Senate and its contractors do not intend to retract false allegations defaming the County and its employees. For that reason, Maricopa County is formally requesting Senate President Fann, Senator Petersen, Senate liaison Ken Bennett, and contractors involved in the "audit" preserve documents and evidence as they may be subject to future legal claims.
READ THE LETTER TO SENATOR FANN >
It is unfortunate we have reached this point, especially considering the "audit" was never authorized by a full Senate vote. Instead, two Senators out of a total of 30 used subpoenas to obtain private ballots, voter information, and taxpayer-funded tabulation machines, then turned all that material over to biased, out-of-state groups with little to no

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

election auditing experience. The conclusions already drawn by these contractors and shared prior to the completion of the audit clearly intend to disparage the County and call into question the integrity of the 2020 elections.
Earlier this week, the Maricopa County Board of Supervisors, Recorder, and other county elected leaders sent a 13-page letter to the Arizona Senate President providing answers to what she characterized as "three serious issues" her contractors allegedly uncovered about our vote tabulation machines and election processes. As the letter states, their "issues" demonstrate a lack of understanding of Arizona election law and best practices for running elections.
The most serious claim is that Elections officials deleted a database folder before providing it to the Cyber Ninjas. This is not true. We demanded a retraction. But Senate President Fann's letter and tweet from the official Senate audit Twitter account continues to spread the false allegation even after her own contractor admitted he found the files on the copy he made of the server.
The claim that our employees deleted election files and destroyed evidence is outrageous and baseless. I again demand an immediate retraction of any public statements made to the news media and or posted to Twitter. Since this seems unlikely to happen, I will repeat what I said at the press conference on Monday: finish your report and be prepared to defend it and your actions related to this "audit" in court.

Governor Ducey Signs Bill Allowing To-Go Cocktails

PHOENIX — Governor Doug Ducey today signed legislation allowing bars, liquor stores and restaurants to sell cocktails to-go, expanding opportunities for businesses across the state.
“Businesses owners have shown that offering to-go beverages can be done responsibly and safely,” said Governor Ducey. “House Bill 2773 will make sure restaurants and bars have the opportunity to expand operations and meet the needs of their customers, especially after weathering the effects of the pandemic. My thanks to Representative Jeff Weninger for sponsoring legislation that will help so many businesses.”
Governor Ducey in March 2020 issued an Executive Order restricting enforcement of regulations that prohibit sale and delivery of alcoholic beverages with the purchase of food to help mitigate financial consequences of the pandemic-related pause on certain business operations. House Bill 2773 permanently allows Arizona businesses the opportunity to offer to-go cocktails beyond the pandemic.
“Many businesses were hard hit by the pandemic, but smart policies like permitting to-go beverages helped keep many afloat,” said Representative Weninger. “House Bill 2773 will help bars, liquor stores and restaurants grow, and it will attract new businesses to our state. This is a major win for Arizona’s food and beverage industry, and I thank Governor Ducey for signing this legislation.”
Governor Ducey’s signing of the legislation is being enthusiastically received by industry representatives and business owners.
“To-go beverages will be a game-changer for our business and our customers will love it,” said Grant Krueger, owner of Union Hospitality Group in Tucson. “The signing of House Bill 2773 will help us reach more patrons and expand and modernize operations. This legislation will help business across the state, and I thank Governor Ducey for his continued support.”
“After seeing how successful to-go cocktails were last year, I am happy to see Governor Ducey sign House Bill 2773,” said Lee Miller, Owner of JR’s Bar in Sierra Vista. “This bill will allow us to provide additional options to our customers and give businesses like mine new ways to earn additional revenue, which is sorely needed after last year.”
“Restaurants, bars and liquor stores throughout the state will have the opportunity to drastically expand their operations thanks to the signing of House Bill 2773,” said Steve Chucri, President and CEO of the Arizona Restaurant Association. “To-go cocktails will help businesses bring in revenue and attract new customers, and it will draw new restaurants and bars to our state. My thanks to Representative Weninger for sponsoring the legislation, and to Governor Ducey for signing it.”

Arizona Announces Grant Awards to Improve Literacy for Underserved Children

PHOENIX – The Arizona Department of Education (ADE) has selected 23 subgrantees for the $20 million federal Comprehensive Literacy State Development Grant (CLSD) to improve reading skills for students most in need of additional supports. The subgrantees serve more than 13,000 children across eight Arizona counties and will receive funding to implement evidence-based strategies that drive higher language and literacy achievement for underserved children from birth through high school.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003699
ARZN_REV00069249_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The U.S. Department of Education awarded Arizona the CLSD grant in September 2020. The grant spans five years at $4 million per year.
Arizona's CLSD grant project — developed through the collaboration of ADE, Read On Arizona, and First Things First — targets children living in poverty, English learners, children with disabilities, Native American students, and those reading well below grade level, reflecting the federal grant program's emphasis on supporting underserved children.
The 23 subgrantees serve schools and early learning programs at 40 sites and will help advance literacy outcomes by: expanding professional development in the science of reading for more than 750 early care and PreK-12 educators; high-quality language and literacy strategies to support struggling readers; the purchase of evidence-based curricular and reading intervention materials; the hiring of literacy coaches to build teacher capacity; and strengthening community collaborations that drive higher language and literacy achievement for children from birth through high school.
"I am thrilled to see this investment come to life in Arizona's schools. This critical funding will bring needed resources to Arizona's students, teachers and schools," said Superintendent of Public Instruction Kathy Hoffman. "It's more important than ever that we support all learners, particularly those who are struggling with their literacy skills."
"Children develop foundational language and pre-literacy skills well before kindergarten," said Marilee Dal Pra, CEO of First Things First. "It is exciting to see the CLSD grants building on local collaborations to ensure that early educators get the training they need to engage young minds and foster language development and a love of reading in our youngest learners."
"Read On Arizona is excited to see such strong evidence-based solutions toward improving early literacy reflected in the 23 awardees," said Terri Clark, Arizona Literacy Director. "Awardees range from the Yuma Elementary school district who will use a literacy coaching model to support their K-3 teachers in the science of reading to Make Way for Books in Pima County who will work with early learning sites to strengthen language and literacy development for our youngest learners."
The full list of selected programs and schools can be found here: https://www.azed.gov/standards-practices/clsd

A Tale of Two States: Nevada Democrats Boost Education Funding While Arizona Republicans Make Cuts

Neighboring states' divergence underscores difference between the parties' priorities

WASHINGTON — Under Democratic leadership, the Nevada Legislature approved a $500 million increase in education funding over the next two years, a move that exemplifies Democrats' support for public education.
The legislation stands in stark contrast to the agenda advanced by Republicans in neighboring Arizona, who struck a budget deal that would introduce a regressive income tax structure and drastically reduce taxes on the rich — undermining a voter-approved initiative that would have raised nearly $1 billion for Arizona schools through higher taxes on the wealthy.
"Arizona and Nevada may be neighbors, but the policies they've adopted could not be more different," said Democratic Legislative Campaign Committee executive director Heather Williams. "Republicans are trying to rebrand as a 'workers' party,' but they will always prioritize cutting taxes for the wealthy over funding public services. Nevada Democrats are focused on the kitchen table issues that matter to voters, whereas the Arizona GOP is still beholden to the elites. The difference between the parties couldn't be clearer."
Republicans' move to undermine the Arizona school funding scheme comes as GOP leaders across the country try to curtail voter-approved initiatives. Arizonans clearly voted to raise taxes on the wealthy to fund schools, and the budget deal jeopardizes the security of this funding stream. Instead of respecting the will of voters, Republicans are increasingly rejecting it entirely.
The school funding bill shows Nevada Democrats' focus on tackling the challenges their constituents face in this year's legislative session. Arizona's Republican leaders, in contrast, have prioritized divisive legislation that would suppress votes, restrict reproductive freedom, and pursued a bizarre, conspiracy-laden "audit" of last November's election results.

Release: Maricopa 'Audit' Becomes Central Issue in GOP Senate Primary

PHOENIX – For weeks, the Maricopa County 'audit' has cast a long shadow over the expensive and escalating GOP Senate primary. But today, the stakes have grown as Representatives Matt Gaetz and Marjorie Taylor Greene arrive in

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003700
ARZN_REV00069249_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Mesa, Arizona to host a rally where they will no doubt continue to perpetuate dangerous and wildly inaccurate lies, turning this absurd and controversial 'audit' into a key litmus test in the race.
To review: Potential candidate Rep Andy Biggs recently joined Gaetz and Taylor Greene signing onto a lie-ridden letter supporting the 'audit.' Jim Lamon has also openly embraced it. Yet another potential candidate, Mark Brnovich, has refused to give a clear statement on the issue, something President Trump seemed to notice and call out.
With Gaetz and Taylor Greene coming to Arizona to support this farce and Trump championing the 'audit' at every turn, this is about to become a central issue in the primary, with Arizonans eager to learn where each GOP candidate stands.
"Representatives Gaetz and Taylor Greene's rally today, along with former President Trump's focus on the 'audit' puts every candidate on notice," said ADP Spokesperson Sarah Guggenheimer. **"In the weeks ahead, every single GOP candidate for Senate and potential candidates for Senate must share whether they will defend Arizona voters or cave to political pressure to perpetuate lies about Arizona elections."**

Release: Arizona Adds Over 11,000 Jobs, Calls for Phase Two of Biden's Recovery Plan

PHOENIX — According to this morning's U.S. Bureau of Labor Statistics jobs report, Arizona added 11,239 jobs in the month of April. These gains suggest that businesses, boosted by aid from the American Rescue Plan, have resumed hiring as the economy continues to strengthen.
Just two months ago, Democrats in Congress passed President Joe Biden's American Rescue Plan — a $1.9 trillion aid package that provided direct relief to Americans, reopened small businesses, and led to a steep decline in COVID-19 cases due to a successful vaccination program.
As Arizonans go back to work, the evidence is clear: President Biden's strategy to rebuild our economy from the bottom up and the middle out is working — no thanks to congressional Republicans who unanimously voted against the relief bill.
"These promising Arizona jobs numbers are a direct result of President Biden's leadership and the success of the American Rescue Plan, but our work to fully build back the Arizona economy is far from over," **said ADP Spokesperson Hannah Goss.** "While Republicans in Congress continue to block the president's agenda for the sake of partisan grandstanding, Democrats are ready to roll up their sleeves, get to work for Arizona children and families, and pass President Biden's American Jobs Plan and American Families Plan."

Senators Kelly, Sinema Announce $71.9 Million to Address Mental Health and Substance Abuse in Arizona

WASHINGTON – Arizona Senators Mark Kelly and Kyrsten Sinema announced the Substance Abuse and Mental Health Services Administration at the U.S. Department of Health and Human Services will award over $71 million to address mental health and substance abuse in Arizona. This funding is being awarded as a part of the American Rescue Plan Act, the most recent COVID-19 relief law both Senators supported.
"As Arizonans grapple with the social and economic effects of this pandemic, access to mental health care and community resources is more critical than ever. I'm proud to have helped secure this funding, which will go a long way in serving Arizonans who are struggling," **said Senator Kelly.**
"Arizonans struggling with mental health and substance abuse are not alone, and these critical resources will help ensure Arizonans receive the support needed to recover," **said Sinema.**
These federal funds were awarded through the Mental Health Services Block Grant Program and the Substance Abuse Prevention and Treatment Block Grant Program. The Mental Health Services Block Grant Program enables Arizona to provide comprehensive community mental health services and address needs and gaps in existing treatment services for those with serious mental illness. The Substance Abuse Prevention and Treatment Block Grant Program allows Arizona to plan, implement, and evaluate activities to prevent, treat, and help more Arizonans recover from substance use disorders.
The Arizona Health Care Cost Containment System (AHCCCS), through the Mental Health Services Block Grant, was awarded $39,229,067, and the Arizona Department of Health Services, through the Substance Abuse Prevention and Treatment Block Grant Program was awarded $32,725,106.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003701

ARZN_REV00069249_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Lord knows I have cut taxes with the best of them and am proud of it."

- ***Former Gov Jan Brewer, in an op-ed condemning Ducey's flat tax proposal***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003702

ARZN_REV00069249_5-21-21-1.pdf

Sender: rgabaldon@azleg.gov
Sent: Monday, May 24, 2021 5:00:09 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-24-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 24, 2021

WE'VE GOT BUDGET BILLS!
Lawmakers introduced 11 budget bills today, which were tweaked slightly to appease a handful of Republicans, and plan to push the budget package through by the end of the week.

THERE'S ALWAYS A HICCUP
One potential hiccup is J Hoffman and a group of fiscally hawkish House Republicans who are demanding cuts in spending on items, such as road repair and some state employee pay increases, plus an additional $13 million for election integrity measures.

KELLY IS WORKING ON SOMETHING BIG
As part of budget negotiations, House leaders agreed to put Townsend's S1241

AMERICAN OVERSIGHT

(voting equipment; ballots; receipt) up for a vote tomorrow with her preferred election amendments, she told our reporter.

ALWAYS THE FIRST TO VOLUNTEER, THE LAST TO KNOW
In a perfect encapsulation of the Senate's audit so far, Ken Bennett was unceremoniously removed as the spokesman over the weekend and he was the last one to find out.

IN CASE YOU NEED FURTHER PROOF THIS ISN'T AN AUDIT
Pullen is the treasurer of both Finchem's Make America Safe Again PAC, which helped fund Finchem's election "hearing" with Rudy Giuliani, and Finchem's Guardian Defense Fund, which was set up to sue democrats and journalists who criticized him.

THE BEST PEOPLE
Meanwhile, Patrick Byrne, the former CEO of Overstock, who is fundraising for the audit, is now in charge of vetting workers for the hand recount.

IF THEY PROTEST YOUR BUSINESS, YOU'RE DOING IT RIGHT
A dozen or so protesters descended on Shope's IGA in Coolidge this weekend and showed up to Shope's house after Shope voted against the vaccination passport ban last week, he told our reporter.

THE CIVIL WAR CONTINUES
With resolution from the courts looking less likely, Kelli Ward's critics may try another round of signature gathering to force a special AZGOP meeting, though they're concerned about Ward's "intimidation tactics" and about her ability to vet the signatures' validity.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, May 24, 2021

NEWS NOTES AND GOSSIP

WE'VE GOT BUDGET BILLS!

Lawmakers introduced 11 budget bills today, which were tweaked slightly to appease a handful of Republicans, and plan to push the budget package through by the end of the week. Lawmakers have scheduled House and Senate Appropriations committees meetings tomorrow morning and hope to push for a final vote by Wednesday. The amended package includes millions more in funding in an attempt to meet demands from Republicans who wanted more spending. For example, it includes additional funding for ASU and NAU, as Boyer requested, as well as funding Mesnard sought for career and technical education programs and Shope's $50 million to widen I-10. The interstate expansion project is the biggest single beneficiary, but the two universities also saw large jumps. The budget proposal also includes Barto's $1.5 million for crisis pregnancy centers, which in 2019 ran as its own bill because it was a poison pill for then-Sens Kate Brophy McGee and Heather Carter – a sign that the moderate wing of the Senate GOP is more or less gone. And while the new version attempts to appease some of the Republican holdouts, it's clear more work needs to happen before all 31 and 16 Republican lawmakers feel comfortable announcing their support. Mesnard, for example, told our reporter today he is on the fence and needs to see the final product before making up his mind because he still has concerns about some of the spending in the budget and he dislikes its low-income housing tax credit provision. "I, like some of my other colleagues, have concerns, and right now I'm reserving judgment," he said. JLBC today posted its analysis of the budget package (LINK).

THERE'S ALWAYS A HICCUP

One potential hiccup is J Hoffman and a group of fiscally hawkish House Republicans who are demanding cuts in spending on items, such as road repair and some state employee pay increases, plus an additional $13 million for election integrity measures. Cobb said the current proposal is the project of negotiations between Ducey's office and House and Senate leadership, and their demands would upend that. "That's going to start us from Day One again, and it's probably going to cost us a lot more at the end of the day," she said. "And that'll probably defeat the purpose [of] what this is trying to accomplish." The demands include cutting more than $80 million for road repair, getting rid of the tax exemption for veteran pension and spending $7.5 million on election issues, including $2 million for an ongoing forensic audit fund and $2 million for watermarked ballot paper. Another Republican source said many of those asks – including the $1.5 million for an Auditor General voter roll review and his request to make massive cuts to "pork spending" like road repair – are "no goes" for legislative leadership. "Hoffman seems to think there's a lot of Democrat pork here, and that's just not the case. There are ongoing conversations to explain that to him – whether or not he will listen remains to be seen," the source said. Fann was nonchalant about the ask, telling our reporter today that everyone has demands and budgeting necessitates teamwork and "concessions on all our parts." Mesnard told our reporter he agrees with the Hoffman demands to an extent, but he doesn't believe he's part of the group of 10 Hoffman claims is opposed to the budget, although he's also not a definite "yes" yet, either.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003705

ARZN_REV00069251_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

KELLY IS WORKING ON SOMETHING BIG

As part of budget negotiations, House leaders agreed to put Townsend's S1241 (voting equipment; ballots; receipt) up for a vote tomorrow with her preferred election amendments, she told our reporter. With that assurance, she's now a tentative "yes" on the budget, she said. One source said those amendments will be handled by Kavanagh. "They're gonna do a lot of election fixes that she wanted and other people wanted, but in a Kavanagh way – so a little more responsible and a little more passable," the source said, adding that there are several election bills that Hoffman wants put up on the board for a vote this week, too, and leadership seems open to putting them up though they're skeptical that the bills will pass. Townsend said she still wants to review complaints about the budget from conservatives, she said, and she's still not ready to adjourn *sine die* but she views *sine die* as a separate issue from the budget. "We do need to get the budget done. Whether or not we go home is another decision," Townsend said.

ALWAYS THE FIRST TO VOLUNTEER, THE LAST TO KNOW

In a perfect encapsulation of the Senate's audit so far, Ken Bennett was unceremoniously removed as the spokesman over the weekend and he was the last one to find out. *Arizona Republic* reporter Jen Fifield reported that instead of Bennett taking questions, the media would have to start reaching out to former AZGOP chair Randy Pullen or Fann and Petersen to answer questions as the audit resumes this week following a hiatus for high school graduations. Bennett originally promised to hold a daily press conference but quickly abandoned that. To date, there have only been two press availabilities – one with Doug Logan before the audit began (YS, 4/23) and another a month ago in front of the Senate building that lasted 15 minutes (YS, 4/28). For all his flubs and faults, one thing we can't criticize Bennett for is being inaccessible. While his answers often boiled down to "I don't know," he always answered the phone – the same can't be said for Fann or Petersen. Pullen today told the press pool nobody will come to the press box at Veterans Memorial Coliseum to take questions from reporters, as Bennett has done. He wouldn't answer questions over the phone, asked for questions to be sent via text so he could find answers and still has not set up a real voicemail for the media hotline (LINK). Bennett told our reporter he will still talk to the media (he did two radio spots today), he just won't be the main contact anymore and that it was Fann's decision. "Randy Pullen was asked by President Fann to be director of communications. He's helping us with that instead of everything going through me," Bennett said via text today. He added that Pullen will likely have Twitter access in addition to him and several other unnamed individuals. Fann told our reporter that Pullen will not be paid and that she made the switch because Bennett was getting too many calls and texts from the press. "Ken was being called and texted dozens of times a day which took a lot of his time away from helping coordinate the vendors, security, facilities, and Maricopa County," she said. Railbirds have been speculating why Bennett was removed as the liaison for media information. One Republican thought maybe Bennett realized he was in over his head and left willingly. "At first I thought maybe Bennett finally quit. Apparently nope," the source said. "[Bennett] made a time honored mistake of any communications flack; being too forthcoming and being too available," another Republican said. Pullen did not answer our reporter's call today, and the automated voicemail was a woman who muttered an inaudible name, but it was clearly not Pullen's voice.

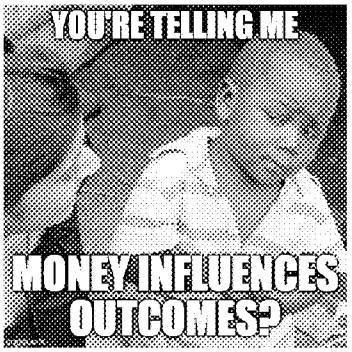
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003706
ARZN_REV00069251_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IN CASE YOU NEED FURTHER PROOF THIS ISN'T AN AUDIT

Pullen is the treasurer of both Finchem's Make America Safe Again PAC, which helped fund Finchem's election "hearing" with Rudy Giuliani, and Finchem's Guardian Defense Fund, which was set up to sue democrats and journalists who criticized him. Finchem used the MASA PAC to help raise funds to pay the $15,000 cost of the Hyatt in Phoenix hosting the unofficial hearing on Nov 30 attended by Trump attorneys and several lawmakers. Finchem also said last month that he was raising money through the fund to help pay for additional security at the audit (YS, 4/21). Like everything else involving money and the audit, the Guardian Defense Fund is a 501(c)(4) nonprofit, which means it does not have to disclose donors.

THE BEST PEOPLE



Meanwhile, Patrick Byrne, the former CEO of Overstock, who is fundraising for the audit, is now in charge of vetting workers for the hand recount. The *Arizona Republic* obtained an email that says Byrne's nonprofit The America Project will do the background checks for those who want to work for the audit, but it hints that they will be unpaid positions (LINK). "The email, sent to more than two dozen state and county Republican party officials on Thursday, lays out the rules of a new vetting process for people who want to work at the audit," the *Republic* reported. The America Project has been trying to raise nearly $3 million for the audit and Byrne said he put in $1 million of his own money so far (YS, 4/29). The new link highlights why it's important to know who is paying for the audit, as Byrne's new role in vetting auditors clearly shows how funders are controlling the audit. *OANN,* for example, is actively seeking donations and being granted with priority media access.

IF THEY PROTEST YOUR BUSINESS, YOU'RE DOING IT RIGHT

A dozen or so protesters descended on Shope's IGA in Coolidge this weekend and showed up to Shope's house after Shope voted against the vaccination passport ban last week, he told our reporter. Patriot Party representatives organized the protest, Shope said, including Steven Daniels, who helped lead the thuggish attempted takeover of the Vail Unified School District last month (LINK). Protesters showed up unmasked to a school board meeting and refused to leave until the board shut down the meeting, at which time Daniels and others held a fake election in the lobby to elect themselves as the new school board. They've repeated their antics at other school board meetings, most recently in Scottsdale (LINK). Shope said the 10-15 protesters mostly stood outside the grocery store and only went inside to use the bathroom. "We didn't ask them to wear masks because we don't have a protocol and we didn't ask them for their vaccine passport because we obviously don't do that," he said, noting the irony of the situation. After protesting at his family store, they canvassed his neighborhood, dropping off fliers warning that "face masks pose serious risks to the healthy." "In voting against HB2150, your neighbor Senator TJ Shope is allowing fascist medical tyranny to take hold in Arizona," another flier read.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003707

ARZN_REV00069251_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE CIVIL WAR CONTINUES

With resolution from the courts looking less likely, Kelli Ward's critics may try another round of signature gathering to force a special AZGOP meeting, though they're concerned about Ward's "intimidation tactics" and about her ability to vet the signatures' validity. One of the two lawsuits stemming from the January AZGOP election was dismissed in superior court earlier this month and an appeal was denied late last week (YS, 5/10). "We're kind of reassessing where things are with the first (lawsuit), and determining the best course of action," activist Bill Beard said. "As it stands today because of what the judge ruled in the second lawsuit, pretty much, Kelli Ward can do as she pleases with the Arizona Republican Party." Beard said he'd experienced intimidation firsthand during the first attempt to collect signatures for a special meeting. "The husband of the chair of the Republican Party of Arizona in a social media post flat out said he prevented me from getting a job interview," Beard said, pointing to comments on a post in an Arizona Republican LD 15 group. In the thread, Michael Ward called Beard a "loser troll" and said he and Sandra Dowling were "busy wasting party money [on] legal fees." "The funny part was when Billy applied for a job with the landscape company that I part own… needless to say, the dumbass didn't get an interview," Ward wrote. The members needed 294 signatures – 20 percent of the body – representing at least nine counties to force a special meeting. They gathered 352 signatures from 11 counties, but party secretary Yvonne Cahill said not enough of those signatures were valid (YS, 3/26). A former state committeeman told our reporter that some internal squabbling over the years about issues like the validity of proxies or the credentialing of meetings is "just baked into the cake," but the conflicts are rarely as high-profile or long-lasting as the current SNAFU. The railbird said the current dispute was a microcosm of what's going on in Arizona and across the country. "It's really not a matter of whether that particular party election was carried out in accordance with the bylaws; it's more a reflection of a divide that has gotten deeper in the state and in the country," the source said. "Until one side conclusively prevails over the other from an ideological perspective, these disputes will only become more frequent."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003708

ARZN_REV00069251_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Bill improves treatment of pregnant prisoners
Arizona Capitol Times
Arizona lawmakers are weighing whether they should enshrine in statute rules governing access to feminine hygiene products for female prison inmates and regulating the treatment of pregnant prisoners.

Races for 2022 statewide offices taking shape
Arizona Capitol Times
Arizona is sitting somewhere between keeping the 2020 election alive and preparing for the 2022 election, where all statewide executive offices will be on the ballot as well as a U.S. Senate seat.

Some GOP lawmakers question flat-tax proposal
Capitol Media Services
The bid by Gov. Doug Ducey to permanently cut $1.5 billion a year of state revenues is based on an economic theory and a set of numbers that may not hold up under closer examination.

County starts process for lawsuit against Senate
Capitol Media Services
Maricopa County is taking the first steps to what could be a lawsuit against the Senate.

State health leader says statements from State Sen. Borrelli, others aren't helping
Capitol Media Services
The state's top health official said Friday that statements by elected lawmakers, including Lake Havasu City State Senator Sonny Borrelli, doubting the need for and safety of the COVID-19 vaccine are hampering efforts to get more Arizonans inoculated.

Unprecedented saguaro 'side blooms' could be a bad sign
Arizona Daily Star
Experts are tracking an unprecedented outbreak of blooms in strange locations on saguaros across Southern Arizona.

GOP Reps. Gaetz, Greene Praise Arizona Election Audit at Mesa Rally
Phoenix New Times
Representatives Matt Gaetz and Marjorie Taylor Greene, two of America's most controversial Republican politicians, headlined a GOP rally in Mesa on Friday night where they spewed insults, railed against moderate Republicans, and praised Arizona's so-called election audit.

They tried to overturn the 2020 election. Now they want to run the next one.
Politico
Trump supporters who back his claim that the 2020 vote was rigged are running to become the top election officials in key states.

Republicans Move to Limit a Grass-Roots Tradition of Direct Democracy
New York Times
Through ballot initiatives, voters in red states have defied legislators' wishes and produced liberal outcomes in recent years. Republicans want to make the practice harder, or even eliminate it.

Republicans must stop planting seeds of doubt
The Hill (Opinion, Donna Brazile)
If you don't like the results of an election, the smart response is to focus on winning the next one, not on overturning the election you just lost.

What Martin Luther King Jr. would tell Gov. Doug Ducey about the election audit
Arizona Republic (Opinion, EJ Montini)
Among other things, he'd say, 'Our lives begin to end the day we become silent about things that matter.'

School choice in Arizona has helped students. Why isn't it doing more for teachers?
Arizona Republic (Opinion, Robert Robb)
School choice competition has raised test scores. But it has not yet improved Arizona teachers' pay or working conditions. Why is that?

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Biden will no longer detain migrants at two county jails. That's good but not enough
Arizona Republic (Opinion, Elvia Diaz)
Abuse claims aren't limited to two facilities in Massachusetts and Georgia. The feds should review all outside immigration enforcement contracts.

Absolutely, critical race theory should be taught in Arizona schools
Arizona Republic (Opinion, Greg Moore)
Just because critical race theory makes certain white people uncomfortable doesn't mean it's not valid.

I proudly cut taxes as Arizona's governor. But I'm against Ducey's flat-tax plan now
Arizona Republic (Op-ed, Jan Brewer)
History has taught me that it would be imprudent to base a large, permanent tax cut on a snapshot forecast artificially bolstered by federal largesse.

5 reasons why in-state tuition for 'Dreamers' benefits everyone in Arizona
Arizona Republic (Op-ed, Paul Boyer and Reyna Montoya)
Graduations are filled with joy, accomplishment and possibilities. As many families in Arizona celebrate this momentous milestone, conversely, 2,000 Arizona graduates have uncertainty about their future on this day.

Refugees with Temporary Protected Status also deserve a chance to be citizens
Arizona Republic (Op-ed, Teresa López)
Refugees from countries ravaged by war, natural disaster or other perilous conditions are crucial to our pandemic recovery.

PRESS RELEASES

Tribal-State Gaming Compact Amendment Now In Effect

PHOENIX — The U.S. Department of Interior has given its approval to the amended tribal-state gaming compact, finalizing an agreement to modernize gaming in Arizona that was signed in April by Governor Doug Ducey and the state's tribal leaders.
"Gaming creates thousands of jobs for Arizonans, it generates tax revenue that benefits key areas of our communities, and it draws visitors to our state," said Governor Ducey. "The tribal-state gaming compact amendment, along with its associated legislation, was the culmination of a multi-year process and I was proud to work with all the stakeholders on this historic accomplishment. The tribal-state gaming compact and its associated legislation now is officially in effect — thank you to everyone who worked to make this happen!"
On April 15, Governor Ducey joined state lawmakers and tribal leaders to sign House Bill 2772, sponsored by Representative Jeff Weninger, and the amended tribal-state gaming compact. The legislation is part of a compromise that was negotiated in the amended gaming compact, which underwent the most significant modernization in almost two decades.
The compact amendment and the associated legislation took more than five years to negotiate, and it ensures gaming in Arizona remains limited and regulated while providing certainty for the future of the state and tribes.
The April signing took place at the Heard Museum in Phoenix and was attended by Representative Weninger; Senator T.J. Shope, who sponsored mirror legislation; Gila River Indian Community Governor Stephen Roe Lewis and Hualapai Tribe Chairman Damon Clarke, who were instrumental in tribal and state efforts to amend the compact; representatives from Tribal nations; and numerous state lawmakers.
Additional details on the modernized gaming compact can be found HERE.

Release: Today, the Arizona Democratic Party Held its 2021 Spring State Committee Meeting

PHOENIX – Today, the Arizona Democratic Party held its 2021 Spring State Committee Meeting. Arizonans heard from Democratic leaders including ADP Chair Raquel Terán, Senate Minority Leader Rebecca Ríos, and House Minority Leader Reginald Bolding with recorded guest appearances from national figures including Stacey Abrams, and DNC Chair Jaime Harrison.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003710
ARZN_REV00069251_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The ADP's State Committee Members voted to approve three proposed resolutions submitted by the ADP's Resolutions Committee.
The resolutions are as follows:

- Resolution in Support of the For the People Act and the John Lewis Voting Rights Act
- Resolution in Support of the PRO Act
- Resolution on Ending the Filibuster

The following quote can be attributed to Charlie Fisher, Executive Director of the ADP.
"When President Joe Biden took office, he promised Arizonans that he would help us build back better. Through the historic $1.9 trillion American Rescue Plan, President Biden and our Democratic leaders in Congress are delivering. Arizona Democrats are ready to hit the ground running in 2022 with once-in-a-generation policies like the American Rescue Plan showing how Democrats are delivering for Arizona families. When Democrats lead, Arizonans prosper."

Arizona Democratic Party Passes End the Filibuster Resolution

The resolution passed with overwhelming support from various factions of the party and support from members of the Arizona Coalition to End the Filibuster.
PHOENIX, Arizona – On Saturday, the Arizona Democratic Party passed an End the Filibuster resolution titled, "**We Call For An End To The Filibuster**", with overwhelming support of elected State Committee Members. The resolution passed with 91% support. The resolution had a diverse group of over 80 co-signers within the party and officially made ending the filibuster a part of the Arizona Democratic Party's platform.
As public support and pressure continues to build momentum in the fight to end the filibuster, the resolution specifically calls on Senator Krysten Sinema and Mark Kelly to support the comprehensive passage of President Biden's Build Back Better agenda and the Arizona Democratic Party platform by publicly declaring their support for ending the Senate Filibuster and voting to eliminate it from the Senate rules.
"Time and time again, Republicans have shown our country that they will refuse to allow a vote on vital legislation Arizonans and families need," **said Steven Slugoki, former Chair of the Maricopa County Democratic Party and member of the AZ Coalition to End the Filibuster**. That is why as a diverse coalition of Democratic State Committee members, caucuses and legislative districts across Arizona, we have come together to officially make our party's stance to end the filibuster clear."
"Our communities are still reeling from a mismanaged pandemic and an economy that is still finding its footing," **said Paul Stapleton Smith, DNC Committee member and member of the AZ Coalition to End the Filibuster**. "With the 2022 election cycle already looming, lack of action on our part will have catesprohic consequences. The majority was elected to govern, and we must ensure it does so—the days of blaming the filibuster for inaction are over."
Today's resolution follows rallies earlier this week in Flagstaff, Phoenix, and Tucson and is a significant win for the Arizona Coalition to End the Filibuster movement that has been growing over the last few months. Currently, vital legislation, like the PRO Act, For the People Act, Equality Act immigration reform, climate justice and gun violence prevention bills have passed the U.S. House of Representatives or have been proposed by the White House and are now stalled in the U.S. Senate due to a 60 vote threshold needed for passage.

Ducey, Brnovich Refuse To Denounce Partisan Election Audit

Former Governor Jan Brewer, Other Republican Officeholders Urge Auditors to "Call It Quits"
PHOENIX — Governor Doug Ducey and Attorney General Mark Brnovich are refusing to criticize the partisan elections audit conducted by the State Senate, while a number of current and former Republican officeholders are calling for an end to the audit.
Former Republican Governor Jan Brewer joined the ranks of Republican Arizona officeholders and former officeholders, saying that the Republicans in charge of the process should "call it quits."
According to The Hill:
"In the latest salvo, the Maricopa County Board of Supervisors urged Senate President Karen Fann (R) to end the recount after what they termed 'false' and 'defamatory' statements.
"The Republican Senate majority last week accused the county of deleting a directory of computer files. Trump cited the accusation twice in statements from his political action committee. The Florida-based firm overseeing the audit, Cyber Ninjas, is led by a businessman who spread Trump's election lies after November.
"Auditors later walked back that accusation after the Board of Supervisors issued a blistering letter illustrating exactly where the files were, and accusing the Senate of 'a serious lack of understanding of election law.'

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003711
ARZN_REV00069251_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"'We express our united view that your 'audit,' no matter what your intentions were in the beginning, has become a spectacle that is harming all of us. Our state has become a laughingstock. Worse, this 'audit' is encouraging our citizens to distrust elections, which weakens our democratic republic,' the supervisors wrote."
"Doug Ducey and Mark Brnovich have boasted about Arizona's election system in the past, but now they refuse to stop a partisan audit designed to undermine Arizonans' faith in our elections," said **Niles Harris, executive director of Advancing AZ**. "Ducey and Brnovich need to join their fellow Republican leaders and call for an end to this embarrassment of an audit."

LULAC TO HOLD NATIONAL VIGIL IN ARIZONA TUESDAY FOR SAVE OUR SERVICEMEMBERS CAMPAIGN START

Nation's Oldest and Largest Latino Civil Rights Organization Says Event Highlights Push for The Brandon Act and Other Protections

Save Our Servicemembers Vigil
Tuesday, May 25, 2021
6:30 p.m. to 8:00 p.m.
Rio Vista Community Park
8866 West Thunderbird Road
Peoria, Arizona 85381
More information is available at https://www.thebrandonact.org/or https://m.facebook.com/thebrandonact/

Speakers Include:
U.S. Senator Mark Kelly
U.S. Representative Ruben Gallego
Patrick ant Teri Caserta – Brandon's Parents

Background

The League of United Latin American Citizens (LULAC) is marking the start of a month-long campaign to help protect Latino servicemembers who are being targeted by others within their ranks. The goal is to build national support for The Brandon Act, to help men and women in uniform experiencing a mental health crisis. Often, this is because of attacks by others in their units and the victims' fear that speaking out will lead to retaliation. LULAC wants to highlight the importance of safety in the military ranks through a comprehensive Save Our Servicemembers (SOS) Campaign on legislation introduced this year all for the sake of protection and prevention of America's troops. Several important initiatives are underway including:

- Veterans Deportation and Prevention Act (Rep. Mark Takano, D-CA)
- Brandon Act (Rep. Seth Moulton, D-MA)
- Military Justice Improvement Act (Sen. Kirsten Gillibrand, D-NY)
- I Am Vanessa Guillen Act (Rep. Jackie Speier, D-CA)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003712
ARZN_REV00069251_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Your neighbor Senator TJ Shope is allowing fascist medical tyranny to take hold in Arizona."

- ***A flier protesters dropped at Shope's house after protesting his family business over his opposition to banning vaccine passports***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003713

ARZN_REV00069251_5-24-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, May 24, 2021 5:00:11 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-24-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 24, 2021

WE'VE GOT BUDGET BILLS!
Lawmakers introduced 11 budget bills today, which were tweaked slightly to appease a handful of Republicans, and plan to push the budget package through by the end of the week.

THERE'S ALWAYS A HICCUP
One potential hiccup is J Hoffman and a group of fiscally hawkish House Republicans who are demanding cuts in spending on items, such as road repair and some state employee pay increases, plus an additional $13 million for election integrity measures.

AMERICAN OVERSIGHT

KELLY IS WORKING ON SOMETHING BIG
As part of budget negotiations, House leaders agreed to put Townsend's S1241 (voting equipment; ballots; receipt) up for a vote tomorrow with her preferred election amendments, she told our reporter.

ALWAYS THE FIRST TO VOLUNTEER, THE LAST TO KNOW
In a perfect encapsulation of the Senate's audit so far, Ken Bennett was unceremoniously removed as the spokesman over the weekend and he was the last one to find out.

IN CASE YOU NEED FURTHER PROOF THIS ISN'T AN AUDIT
Pullen is the treasurer of both Finchem's Make America Safe Again PAC, which helped fund Finchem's election "hearing" with Rudy Giuliani, and Finchem's Guardian Defense Fund, which was set up to sue democrats and journalists who criticized him.

THE BEST PEOPLE
Meanwhile, Patrick Byrne, the former CEO of Overstock, who is fundraising for the audit, is now in charge of vetting workers for the hand recount.

IF THEY PROTEST YOUR BUSINESS, YOU'RE DOING IT RIGHT
A dozen or so protesters descended on Shope's IGA in Coolidge this weekend and showed up to Shope's house after Shope voted against the vaccination passport ban last week, he told our reporter.

THE CIVIL WAR CONTINUES
With resolution from the courts looking less likely, Kelli Ward's critics may try another round of signature gathering to force a special AZGOP meeting, though they're concerned about Ward's "intimidation tactics" and about her ability to vet the signatures' validity.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, May 24, 2021

NEWS NOTES AND GOSSIP

WE'VE GOT BUDGET BILLS!

Lawmakers introduced 11 budget bills today, which were tweaked slightly to appease a handful of Republicans, and plan to push the budget package through by the end of the week. Lawmakers have scheduled House and Senate Appropriations committees meetings tomorrow morning and hope to push for a final vote by Wednesday. The amended package includes millions more in funding in an attempt to meet demands from Republicans who wanted more spending. For example, it includes additional funding for ASU and NAU, as Boyer requested, as well as funding Mesnard sought for career and technical education programs and Shope's $50 million to widen I-10. The interstate expansion project is the biggest single beneficiary, but the two universities also saw large jumps. The budget proposal also includes Barto's $1.5 million for crisis pregnancy centers, which in 2019 ran as its own bill because it was a poison pill for then-Sens Kate Brophy McGee and Heather Carter – a sign that the moderate wing of the Senate GOP is more or less gone. And while the new version attempts to appease some of the Republican holdouts, it's clear more work needs to happen before all 31 and 16 Republican lawmakers feel comfortable announcing their support. Mesnard, for example, told our reporter today he is on the fence and needs to see the final product before making up his mind because he still has concerns about some of the spending in the budget and he dislikes its low-income housing tax credit provision. "I, like some of my other colleagues, have concerns, and right now I'm reserving judgment," he said. JLBC today posted its analysis of the budget package (LINK).

THERE'S ALWAYS A HICCUP

One potential hiccup is J Hoffman and a group of fiscally hawkish House Republicans who are demanding cuts in spending on items, such as road repair and some state employee pay increases, plus an additional $13 million for election integrity measures. Cobb said the current proposal is the project of negotiations between Ducey's office and House and Senate leadership, and their demands would upend that. "That's going to start us from Day One again, and it's probably going to cost us a lot more at the end of the day," she said. "And that'll probably defeat the purpose [of] what this is trying to accomplish." The demands include cutting more than $80 million for road repair, getting rid of the tax exemption for veteran pension and spending $7.5 million on election issues, including $2 million for an ongoing forensic audit fund and $2 million for watermarked ballot paper. Another Republican source said many of those asks – including the $1.5 million for an Auditor General voter roll review and his request to make massive cuts to "pork spending" like road repair – are "no goes" for legislative leadership. "Hoffman seems to think there's a lot of Democrat pork here, and that's just not the case. There are ongoing conversations to explain that to him – whether or not he will listen remains to be seen," the source said. Fann was nonchalant about the ask, telling our reporter today that everyone has demands and budgeting necessitates teamwork and "concessions on all our parts." Mesnard told our reporter he agrees with the Hoffman demands to an extent, but he doesn't believe he's part of the group of 10 Hoffman claims is opposed to the budget, although he's also not a definite "yes" yet, either.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003716

ARZN_REV00069253_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

KELLY IS WORKING ON SOMETHING BIG

As part of budget negotiations, House leaders agreed to put Townsend's S1241 (voting equipment; ballots; receipt) up for a vote tomorrow with her preferred election amendments, she told our reporter. With that assurance, she's now a tentative "yes" on the budget, she said. One source said those amendments will be handled by Kavanagh. "They're gonna do a lot of election fixes that she wanted and other people wanted, but in a Kavanagh way – so a little more responsible and a little more passable," the source said, adding that there are several election bills that Hoffman wants put up on the board for a vote this week, too, and leadership seems open to putting them up though they're skeptical that the bills will pass. Townsend said she still wants to review complaints about the budget from conservatives, she said, and she's still not ready to adjourn *sine die* but she views *sine die* as a separate issue from the budget. "We do need to get the budget done. Whether or not we go home is another decision," Townsend said.

ALWAYS THE FIRST TO VOLUNTEER, THE LAST TO KNOW

In a perfect encapsulation of the Senate's audit so far, Ken Bennett was unceremoniously removed as the spokesman over the weekend and he was the last one to find out. *Arizona Republic* reporter Jen Fifield reported that instead of Bennett taking questions, the media would have to start reaching out to former AZGOP chair Randy Pullen or Fann and Petersen to answer questions as the audit resumes this week following a hiatus for high school graduations. Bennett originally promised to hold a daily press conference but quickly abandoned that. To date, there have only been two press availabilities – one with Doug Logan before the audit began (YS, 4/23) and another a month ago in front of the Senate building that lasted 15 minutes (YS, 4/28). For all his flubs and faults, one thing we can't criticize Bennett for is being inaccessible. While his answers often boiled down to "I don't know," he always answered the phone – the same can't be said for Fann or Petersen. Pullen today told the press pool nobody will come to the press box at Veterans Memorial Coliseum to take questions from reporters, as Bennett has done. He wouldn't answer questions over the phone, asked for questions to be sent via text so he could find answers and still has not set up a real voicemail for the media hotline (LINK). Bennett told our reporter he will still talk to the media (he did two radio spots today), he just won't be the main contact anymore and that it was Fann's decision. "Randy Pullen was asked by President Fann to be director of communications. He's helping us with that instead of everything going through me," Bennett said via text today. He added that Pullen will likely have Twitter access in addition to him and several other unnamed individuals. Fann told our reporter that Pullen will not be paid and that she made the switch because Bennett was getting too many calls and texts from the press. "Ken was being called and texted dozens of times a day which took a lot of his time away from helping coordinate the vendors, security, facilities, and Maricopa County," she said. Railbirds have been speculating why Bennett was removed as the liaison for media information. One Republican thought maybe Bennett realized he was in over his head and left willingly. "At first I thought maybe Bennett finally quit. Apparently nope," the source said. "[Bennett] made a time honored mistake of any communications flack; being too forthcoming and being too available," another Republican said. Pullen did not answer our reporter's call today, and the automated voicemail was a woman who muttered an inaudible name, but it was clearly not Pullen's voice.

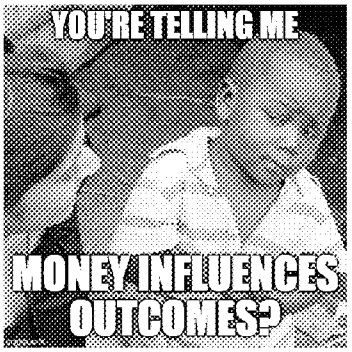
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003717
ARZN_REV00069253_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IN CASE YOU NEED FURTHER PROOF THIS ISN'T AN AUDIT

Pullen is the treasurer of both Finchem's Make America Safe Again PAC, which helped fund Finchem's election "hearing" with Rudy Giuliani, and Finchem's Guardian Defense Fund, which was set up to sue democrats and journalists who criticized him. Finchem used the MASA PAC to help raise funds to pay the $15,000 cost of the Hyatt in Phoenix hosting the unofficial hearing on Nov 30 attended by Trump attorneys and several lawmakers. Finchem also said last month that he was raising money through the fund to help pay for additional security at the audit (YS, 4/21). Like everything else involving money and the audit, the Guardian Defense Fund is a 501(c)(4) nonprofit, which means it does not have to disclose donors.

THE BEST PEOPLE



Meanwhile, Patrick Byrne, the former CEO of Overstock, who is fundraising for the audit, is now in charge of vetting workers for the hand recount. The *Arizona Republic* obtained an email that says Byrne's nonprofit The America Project will do the background checks for those who want to work for the audit, but it hints that they will be unpaid positions (LINK). "The email, sent to more than two dozen state and county Republican party officials on Thursday, lays out the rules of a new vetting process for people who want to work at the audit," the *Republic* reported. The America Project has been trying to raise nearly $3 million for the audit and Byrne said he put in $1 million of his own money so far (YS, 4/29). The new link highlights why it's important to know who is paying for the audit, as Byrne's new role in vetting auditors clearly shows how funders are controlling the audit. *OANN,* for example, is actively seeking donations and being granted with priority media access.

IF THEY PROTEST YOUR BUSINESS, YOU'RE DOING IT RIGHT

A dozen or so protesters descended on Shope's IGA in Coolidge this weekend and showed up to Shope's house after Shope voted against the vaccination passport ban last week, he told our reporter. Patriot Party representatives organized the protest, Shope said, including Steven Daniels, who helped lead the thuggish attempted takeover of the Vail Unified School District last month (LINK). Protesters showed up unmasked to a school board meeting and refused to leave until the board shut down the meeting, at which time Daniels and others held a fake election in the lobby to elect themselves as the new school board. They've repeated their antics at other school board meetings, most recently in Scottsdale (LINK). Shope said the 10-15 protesters mostly stood outside the grocery store and only went inside to use the bathroom. "We didn't ask them to wear masks because we don't have a protocol and we didn't ask them for their vaccine passport because we obviously don't do that," he said, noting the irony of the situation. After protesting at his family store, they canvassed his neighborhood, dropping off fliers warning that "face masks pose serious risks to the healthy." "In voting against HB2150, your neighbor Senator TJ Shope is allowing fascist medical tyranny to take hold in Arizona," another flier read.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003718

ARZN_REV00069253_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE CIVIL WAR CONTINUES

With resolution from the courts looking less likely, Kelli Ward's critics may try another round of signature gathering to force a special AZGOP meeting, though they're concerned about Ward's "intimidation tactics" and about her ability to vet the signatures' validity. One of the two lawsuits stemming from the January AZGOP election was dismissed in superior court earlier this month and an appeal was denied late last week (YS, 5/10). "We're kind of reassessing where things are with the first (lawsuit), and determining the best course of action," activist Bill Beard said. "As it stands today because of what the judge ruled in the second lawsuit, pretty much, Kelli Ward can do as she pleases with the Arizona Republican Party." Beard said he'd experienced intimidation firsthand during the first attempt to collect signatures for a special meeting. "The husband of the chair of the Republican Party of Arizona in a social media post flat out said he prevented me from getting a job interview," Beard said, pointing to comments on a post in an Arizona Republican LD 15 group. In the thread, Michael Ward called Beard a "loser troll" and said he and Sandra Dowling were "busy wasting party money [on] legal fees." "The funny part was when Billy applied for a job with the landscape company that I part own… needless to say, the dumbass didn't get an interview," Ward wrote. The members needed 294 signatures – 20 percent of the body – representing at least nine counties to force a special meeting. They gathered 352 signatures from 11 counties, but party secretary Yvonne Cahill said not enough of those signatures were valid (YS, 3/26). A former state committeeman told our reporter that some internal squabbling over the years about issues like the validity of proxies or the credentialing of meetings is "just baked into the cake," but the conflicts are rarely as high-profile or long-lasting as the current SNAFU. The railbird said the current dispute was a microcosm of what's going on in Arizona and across the country. "It's really not a matter of whether that particular party election was carried out in accordance with the bylaws; it's more a reflection of a divide that has gotten deeper in the state and in the country," the source said. "Until one side conclusively prevails over the other from an ideological perspective, these disputes will only become more frequent."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003719

ARZN_REV00069253_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Bill improves treatment of pregnant prisoners
Arizona Capitol Times
Arizona lawmakers are weighing whether they should enshrine in statute rules governing access to feminine hygiene products for female prison inmates and regulating the treatment of pregnant prisoners.

Races for 2022 statewide offices taking shape
Arizona Capitol Times
Arizona is sitting somewhere between keeping the 2020 election alive and preparing for the 2022 election, where all statewide executive offices will be on the ballot as well as a U.S. Senate seat.

Some GOP lawmakers question flat-tax proposal
Capitol Media Services
The bid by Gov. Doug Ducey to permanently cut $1.5 billion a year of state revenues is based on an economic theory and a set of numbers that may not hold up under closer examination.

County starts process for lawsuit against Senate
Capitol Media Services
Maricopa County is taking the first steps to what could be a lawsuit against the Senate.

State health leader says statements from State Sen. Borrelli, others aren't helping
Capitol Media Services
The state's top health official said Friday that statements by elected lawmakers, including Lake Havasu City State Senator Sonny Borrelli, doubting the need for and safety of the COVID-19 vaccine are hampering efforts to get more Arizonans inoculated.

Unprecedented saguaro 'side blooms' could be a bad sign
Arizona Daily Star
Experts are tracking an unprecedented outbreak of blooms in strange locations on saguaros across Southern Arizona.

GOP Reps. Gaetz, Greene Praise Arizona Election Audit at Mesa Rally
Phoenix New Times
Representatives Matt Gaetz and Marjorie Taylor Greene, two of America's most controversial Republican politicians, headlined a GOP rally in Mesa on Friday night where they spewed insults, railed against moderate Republicans, and praised Arizona's so-called election audit.

They tried to overturn the 2020 election. Now they want to run the next one.
Politico
Trump supporters who back his claim that the 2020 vote was rigged are running to become the top election officials in key states.

Republicans Move to Limit a Grass-Roots Tradition of Direct Democracy
New York Times
Through ballot initiatives, voters in red states have defied legislators' wishes and produced liberal outcomes in recent years. Republicans want to make the practice harder, or even eliminate it.

Republicans must stop planting seeds of doubt
The Hill (Opinion, Donna Brazile)
If you don't like the results of an election, the smart response is to focus on winning the next one, not on overturning the election you just lost.

What Martin Luther King Jr. would tell Gov. Doug Ducey about the election audit
Arizona Republic (Opinion, EJ Montini)
Among other things, he'd say, 'Our lives begin to end the day we become silent about things that matter.'

School choice in Arizona has helped students. Why isn't it doing more for teachers?
Arizona Republic (Opinion, Robert Robb)
School choice competition has raised test scores. But it has not yet improved Arizona teachers' pay or working conditions. Why is that?

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Biden will no longer detain migrants at two county jails. That's good but not enough
Arizona Republic (Opinion, Elvia Diaz)
Abuse claims aren't limited to two facilities in Massachusetts and Georgia. The feds should review all outside immigration enforcement contracts.

Absolutely, critical race theory should be taught in Arizona schools
Arizona Republic (Opinion, Greg Moore)
Just because critical race theory makes certain white people uncomfortable doesn't mean it's not valid.

I proudly cut taxes as Arizona's governor. But I'm against Ducey's flat-tax plan now
Arizona Republic (Op-ed, Jan Brewer)
History has taught me that it would be imprudent to base a large, permanent tax cut on a snapshot forecast artificially bolstered by federal largesse.

5 reasons why in-state tuition for 'Dreamers' benefits everyone in Arizona
Arizona Republic (Op-ed, Paul Boyer and Reyna Montoya)
Graduations are filled with joy, accomplishment and possibilities. As many families in Arizona celebrate this momentous milestone, conversely, 2,000 Arizona graduates have uncertainty about their future on this day.

Refugees with Temporary Protected Status also deserve a chance to be citizens
Arizona Republic (Op-ed, Teresa López)
Refugees from countries ravaged by war, natural disaster or other perilous conditions are crucial to our pandemic recovery.

PRESS RELEASES

Tribal-State Gaming Compact Amendment Now In Effect

PHOENIX — The U.S. Department of Interior has given its approval to the amended tribal-state gaming compact, finalizing an agreement to modernize gaming in Arizona that was signed in April by Governor Doug Ducey and the state's tribal leaders.
"Gaming creates thousands of jobs for Arizonans, it generates tax revenue that benefits key areas of our communities, and it draws visitors to our state," said Governor Ducey. "The tribal-state gaming compact amendment, along with its associated legislation, was the culmination of a multi-year process and I was proud to work with all the stakeholders on this historic accomplishment. The tribal-state gaming compact and its associated legislation now is officially in effect — thank you to everyone who worked to make this happen!"
On April 15, Governor Ducey joined state lawmakers and tribal leaders to sign House Bill 2772, sponsored by Representative Jeff Weninger, and the amended tribal-state gaming compact. The legislation is part of a compromise that was negotiated in the amended gaming compact, which underwent the most significant modernization in almost two decades.
The compact amendment and the associated legislation took more than five years to negotiate, and it ensures gaming in Arizona remains limited and regulated while providing certainty for the future of the state and tribes.
The April signing took place at the Heard Museum in Phoenix and was attended by Representative Weninger; Senator T.J. Shope, who sponsored mirror legislation; Gila River Indian Community Governor Stephen Roe Lewis and Hualapai Tribe Chairman Damon Clarke, who were instrumental in tribal and state efforts to amend the compact; representatives from Tribal nations; and numerous state lawmakers.
Additional details on the modernized gaming compact can be found HERE.

Release: Today, the Arizona Democratic Party Held its 2021 Spring State Committee Meeting

PHOENIX – Today, the Arizona Democratic Party held its 2021 Spring State Committee Meeting. Arizonans heard from Democratic leaders including ADP Chair Raquel Terán, Senate Minority Leader Rebecca Ríos, and House Minority Leader Reginald Bolding with recorded guest appearances from national figures including Stacey Abrams, and DNC Chair Jaime Harrison.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003721
ARZN_REV00069253_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The ADP's State Committee Members voted to approve three proposed resolutions submitted by the ADP's Resolutions Committee.
The resolutions are as follows:

- Resolution in Support of the For the People Act and the John Lewis Voting Rights Act
- Resolution in Support of the PRO Act
- Resolution on Ending the Filibuster

The following quote can be attributed to Charlie Fisher, Executive Director of the ADP.
"When President Joe Biden took office, he promised Arizonans that he would help us build back better. Through the historic $1.9 trillion American Rescue Plan, President Biden and our Democratic leaders in Congress are delivering. Arizona Democrats are ready to hit the ground running in 2022 with once-in-a-generation policies like the American Rescue Plan showing how Democrats are delivering for Arizona families. When Democrats lead, Arizonans prosper."

Arizona Democratic Party Passes End the Filibuster Resolution

The resolution passed with overwhelming support from various factions of the party and support from members of the Arizona Coalition to End the Filibuster.
PHOENIX, Arizona – On Saturday, the Arizona Democratic Party passed an End the Filibuster resolution titled, "**We Call For An End To The Filibuster**", with overwhelming support of elected State Committee Members. The resolution passed with 91% support. The resolution had a diverse group of over 80 co-signers within the party and officially made ending the filibuster a part of the Arizona Democratic Party's platform.
As public support and pressure continues to build momentum in the fight to end the filibuster, the resolution specifically calls on Senator Krysten Sinema and Mark Kelly to support the comprehensive passage of President Biden's Build Back Better agenda and the Arizona Democratic Party platform by publicly declaring their support for ending the Senate Filibuster and voting to eliminate it from the Senate rules.
"Time and time again, Republicans have shown our country that they will refuse to allow a vote on vital legislation Arizonans and families need," **said Steven Slugoki, former Chair of the Maricopa County Democratic Party and member of the AZ Coalition to End the Filibuster**. That is why as a diverse coalition of Democratic State Committee members, caucuses and legislative districts across Arizona, we have come together to officially make our party's stance to end the filibuster clear."
"Our communities are still reeling from a mismanaged pandemic and an economy that is still finding its footing," **said Paul Stapleton Smith, DNC Committee member and member of the AZ Coalition to End the Filibuster**. "With the 2022 election cycle already looming, lack of action on our part will have catesprohic consequences. The majority was elected to govern, and we must ensure it does so—the days of blaming the filibuster for inaction are over."
Today's resolution follows rallies earlier this week in Flagstaff, Phoenix, and Tucson and is a significant win for the Arizona Coalition to End the Filibuster movement that has been growing over the last few months. Currently, vital legislation, like the PRO Act, For the People Act, Equality Act immigration reform, climate justice and gun violence prevention bills have passed the U.S. House of Representatives or have been proposed by the White House and are now stalled in the U.S. Senate due to a 60 vote threshold needed for passage.

Ducey, Brnovich Refuse To Denounce Partisan Election Audit

Former Governor Jan Brewer, Other Republican Officeholders Urge Auditors to "Call It Quits"
PHOENIX — Governor Doug Ducey and Attorney General Mark Brnovich are refusing to criticize the partisan elections audit conducted by the State Senate, while a number of current and former Republican officeholders are calling for an end to the audit.
Former Republican Governor Jan Brewer joined the ranks of Republican Arizona officeholders and former officeholders, saying that the Republicans in charge of the process should "call it quits."
According to The Hill:
"In the latest salvo, the Maricopa County Board of Supervisors urged Senate President Karen Fann (R) to end the recount after what they termed 'false' and 'defamatory' statements.
"The Republican Senate majority last week accused the county of deleting a directory of computer files. Trump cited the accusation twice in statements from his political action committee. The Florida-based firm overseeing the audit, Cyber Ninjas, is led by a businessman who spread Trump's election lies after November.
"Auditors later walked back that accusation after the Board of Supervisors issued a blistering letter illustrating exactly where the files were, and accusing the Senate of 'a serious lack of understanding of election law.'

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"'We express our united view that your 'audit,' no matter what your intentions were in the beginning, has become a spectacle that is harming all of us. Our state has become a laughingstock. Worse, this 'audit' is encouraging our citizens to distrust elections, which weakens our democratic republic,' the supervisors wrote."
"Doug Ducey and Mark Brnovich have boasted about Arizona's election system in the past, but now they refuse to stop a partisan audit designed to undermine Arizonans' faith in our elections," said **Niles Harris, executive director of Advancing AZ**. "Ducey and Brnovich need to join their fellow Republican leaders and call for an end to this embarrassment of an audit."

LULAC TO HOLD NATIONAL VIGIL IN ARIZONA TUESDAY FOR SAVE OUR SERVICEMEMBERS CAMPAIGN START

Nation's Oldest and Largest Latino Civil Rights Organization Says Event Highlights Push for The Brandon Act and Other Protections

Save Our Servicemembers Vigil
Tuesday, May 25, 2021
6:30 p.m. to 8:00 p.m.
Rio Vista Community Park
8866 West Thunderbird Road
Peoria, Arizona 85381
More information is available at https://www.thebrandonact.org/or https://m.facebook.com/thebrandonact/

Speakers Include:
U.S. Senator Mark Kelly
U.S. Representative Ruben Gallego
Patrick ant Teri Caserta – Brandon's Parents

Background

The League of United Latin American Citizens (LULAC) is marking the start of a month-long campaign to help protect Latino servicemembers who are being targeted by others within their ranks. The goal is to build national support for The Brandon Act, to help men and women in uniform experiencing a mental health crisis. Often, this is because of attacks by others in their units and the victims' fear that speaking out will lead to retaliation. LULAC wants to highlight the importance of safety in the military ranks through a comprehensive Save Our Servicemembers (SOS) Campaign on legislation introduced this year all for the sake of protection and prevention of America's troops. Several important initiatives are underway including:

- Veterans Deportation and Prevention Act (Rep. Mark Takano, D-CA)
- Brandon Act (Rep. Seth Moulton, D-MA)
- Military Justice Improvement Act (Sen. Kirsten Gillibrand, D-NY)
- I Am Vanessa Guillen Act (Rep. Jackie Speier, D-CA)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003723
ARZN_REV00069253_5-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Your neighbor Senator TJ Shope is allowing fascist medical tyranny to take hold in Arizona."

- ***A flier protesters dropped at Shope's house after protesting his family business over his opposition to banning vaccine passports***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003724

ARZN_REV00069253_5-24-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Tuesday, May 25, 2021 6:42:51 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-25-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 25, 2021

IF UGENTI-RITA DOESN'T BALK, IT'S NOT A BUDGET
Lawmakers held their first budget hearings today, and after some tweaking, some arm-twisting and some legislative maneuvering, the budget bills cleared their first hurdles.

THE USUAL SUSPECTS CREATE THE USUAL PROBLEMS
Among the other potential problems plaguing the proposal are a handful of lawmakers who still want their pet issues addressed in the budget.

A 2021 BUDGET MUST INCLUDE A MASK FIGHT
Townsend, meanwhile, threatened to kill the K-12 BRB in Senate Appropriations today, tweeting that she couldn't support its provision allowing

AMERICAN OVERSIGHT

school boards to set mask policies.

HAVE HORSES WILL TRADE
At the same time, legislative leaders are hearing a handful of non-budget bills that will help draft reluctant Republicans onto the pro-budget side.

HAS ANYONE CONSIDERED AUDITING HER 2018 RACE INSTEAD?
Republican lawmakers are also taking aim at Hobbs' authority with budget provision to strip some of her powers and instead offer Brnovich sole authority over election lawsuits after Hobbs filed a series of Bar complaints against Brnovich and his employees.

THE LAW OF INTENDED CONSEQUENCES
The far-reaching provision would not just affect Hobbs, but could have further implications for the Clean Elections Commission as well.

ANY DAY WE CAN MENTION AZERBAIJAN IS A GOOD DAY
Among the odder small-dollar line items in the budget is a $250,000 allocation to UA's Kazakhstan studies program – a request that came after a handful of lawmakers took all expenses paid trips to the former Soviet Republic country in 2019.

MAYBE THEY CAN JOIN UP WITH GALLEGO

Education groups have a plan to launch a veto referendum if the flat tax gets approved. David Lujan, the president of Children's Action Alliance, wrote an email to members of several other education groups involved in the 2020 voter-approved Proposition ...

NEW COMPANY, SAME CRAP
Wake TSI is out as a contractor at the Arizona audit after not renewing its contract that expired on May 14 when the audit was initially supposed to conclude.

A MONTH IN, THEY'RE TRYING TO GET THIS ALL TOGETHER
Since taking the gig as the audit's new spokesman, Pullen has been difficult for reporters to reach – perhaps because he was in Cabo San Lucas, Mexico, when he started.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

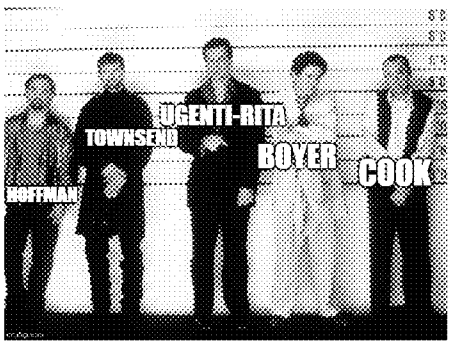
© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, May 25, 2021

NEWS NOTES AND GOSSIP

IF UGENTI-RITA DOESN'T BALK, IT'S NOT A BUDGET

Lawmakers held their first budget hearings today, and after some tweaking, some arm-twisting and some legislative maneuvering, the budget bills cleared their first hurdles. Still, GOP divisions were on full display as J Hoffman voted against all budget proposals in House Appropriations and Ugenti-Rita didn't show up for Senate Appropriations out of spite. Ugenti-Rita last night noted that after she had told legislative leaders that she couldn't support the "excessive spending" in the budget and she planned to vote against it, Fann added Gray to the committee to ensure it had enough votes. "What message is Sen. Prez sending by appointing Sen. Gray to Approps to negate my vote?" she tweeted last night. Ugenti-Rita went on to spend much of the night tweeting about dead bills that the budget revives, and then didn't show up to the meeting this morning. Cook went off in House Appropriations this afternoon, telling committee members that he plans to sink the flat tax proposal over concerns about how it will affect rural Arizona. "Until I get the answers and I feel comfortable about the people … that I represent in Arizona and this state, I'm not voting for this bill," he said. Hoffman, who is leading a group of Republicans who want to see more spending cuts plus funding for election security measures before supporting the budget, said railbirds have long been aware of his problems with the budget. "I think anybody who's seen *Yellow Sheet* or has been around here knows that we are in negotiations on some of the items in the budget," he said as he voted on the first bill, adding that he liked much of it but wanted to make it better before it reaches the floor. Hoffman said as he voted against the main feed bill that, based on a conversation with Toma, he's hopeful that Republicans will reach a deal and "produce a better budget by the time this comes to the floor" on Wednesday.

THE USUAL SUSPECTS CREATE THE USUAL PROBLEMS



Among the other potential problems plaguing the proposal are a handful of lawmakers who still want their pet issues addressed in the budget. Boyer told our reporter he asked legislative leaders and the Ninth Floor to meet with the League of Arizona Cities and Towns to discuss the flat tax plan and how to accomplish a tax cut without cutting city budgets – but the GOP leaders didn't bite. The Ninth Floor told him the League could talk to staff, but Boyer said an issue of this magnitude should bring Ducey, Bowers, Fann and League director Tom Belshe to the same negotiating table. Besides his beef with the tax cut, Boyer said he appreciates the additional money for universities in the introduced budget, but he's still not ready to vote for it. "I'm grateful that they added a little bit to university funding," he said. "I'm open to talking to leadership about what the appropriate ongoing number is." Cook said he's disappointed that the higher education BRB doesn't include a provision to let smaller community colleges receive accreditation. "It's beyond me why it's not in this bill," he said. Cook said he expects to have the votes on the floor for an amendment if lawmakers don't add the policy to the bill before that point.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003727

ARZN_REV00069255_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A 2021 BUDGET MUST INCLUDE A MASK FIGHT

Townsend, meanwhile, threatened to kill the K-12 BRB in Senate Appropriations today, tweeting that she couldn't support its provision allowing school boards to set mask policies. (That sparked a wave of support from like-minded Republicans.) But after leaders pulled Townsend aside and told her there wasn't time to draft an amendment for committee, she relented, saying she'll take her fight to the floor. Hoffman and Kaiser said they would back a floor amendment to ban mask requirements in schools. "Seeing my kids in masks disturbs me," Kaiser said. "It's not healthy for them." (There's no evidence wearing masks harms children, and the studies Townsend has held up as damning evidence that masks in general are harmful are dubious at best – though there is some evidence that certain masks that use graphene might have adverse health effects (YS, 5/19/20) (YS, 4/13).) Kaiser accused local school boards of acting arrogantly and not listening to parents who oppose mask requirements. "I believe in local control too, but I'm not about to let local control decide what's best for my kids medically," he said. "I should decide that."

HAVE HORSES WILL TRADE

At the same time, legislative leaders are hearing a handful of non-budget bills that will help draft reluctant Republicans onto the pro-budget side. To appease Boyer, Senate Appropriations heard Lieberman's H2282 (small business assistance grants), with a striker to define anti-Semitism. Boyer spent weeks trying to attach the language to A Hernandez's H2241 (schools; instruction; Holocaust; genocides), even though Jewish groups who otherwise supported adding the definition to state law wanted to keep it separate from the less controversial bill about Holocaust education. And after weeks of stalling in the House, S1452 (Arizona empowerment scholarships accounts; revisions) finally got scheduled for a vote today. The controversial proposal to expand the number of children who can use the funds to help pay for private school tuition got another chance at life after 21 House Republicans wrote to Bowers on Monday asking for it to be included in the budget discussions, casting it as a way of helping students impacted by Covid-related school closures. "The party of Lincoln freed the slaves," they wrote. "School choice is a critical modern-day civil rights issue."

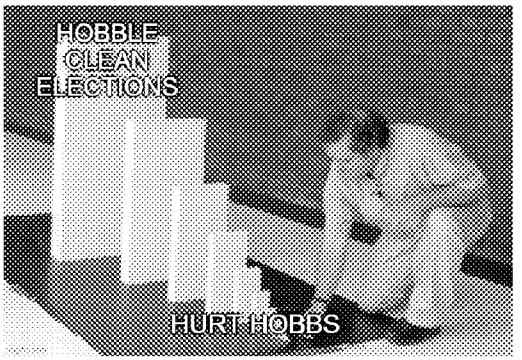
HAS ANYONE CONSIDERED AUDITING HER 2018 RACE INSTEAD?

Republican lawmakers are also taking aim at Hobbs' authority with budget provision to strip some of her powers and instead offer Brnovich sole authority over election lawsuits after Hobbs filed a series of Bar complaints against Brnovich and his employees. The provision also bars Hobbs from hiring outside counsel except for one in-house attorney. The restrictions would lapse on June 30, 2023, after both of their terms are up, making it clear this is a Hobbs-specific provision. Part of the discussion that came up during the budget hearings today was the revelation that Hobbs has filed more than a dozen Bar complaints against Brnovich and staff, sparking lawmakers to add the provision. Katie Conners, Brnovich's spokeswoman, said the language is necessary because it would clear up confusion "created by the Secretary of State about who speaks for Arizona in court." She also mentioned the Bar complaints. "The Secretary of State's decision to file politically-motivated bar complaints against AGO lawyers and target their professional standing and reputation has fundamentally altered the historical track record of the offices working together despite differing political affiliations," she said. "The assistant attorneys general have steadfastly adhered to their statutory and ethical obligations. Their livelihoods should not be threatened for political purposes."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003728
ARZN_REV00069255_5-25-21.pdf

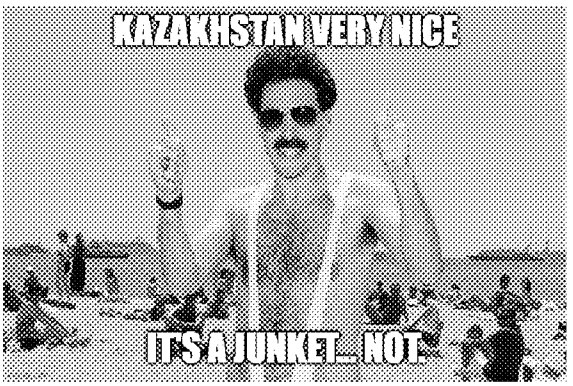
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE LAW OF INTENDED CONSEQUENCES



The far-reaching provision would not just affect Hobbs, but could have further implications for the Clean Elections Commission as well. Tom Collins, the executive director, said it is written in a way that would "supersede" the voter-approved Clean Elections Act. "It does this primarily by designating the Attorney General as 'the... sole authority in all election litigation to direct the defense of election law,'" Collins said in an email. Clean Elections has express authority to intervene in cases where the constitutionality of the act is in question, but the provision would hand that authority to the AG's Office instead. "While the bill may be aimed at Secretary Hobbs, it seeks to inflict clear legal damage on the Clean Elections Act. It does so by attempting to preempt the role of defending Clean Elections that the voters granted to the Commission," Collins said.

ANY DAY WE CAN MENTION AZERBAIJAN IS A GOOD DAY



Among the odder small-dollar line items in the budget is a $250,000 allocation to UA's Kazakhstan studies program – a request that came after a handful of lawmakers took all expenses paid trips to the former Soviet Republic country in 2019. Cobb told our reporter she was among those who went on the trip – but don't call it a junket. "I know everybody calls those junkets – that was not a junket. We worked our tails off," she said. Cobb said that back in 1996, Kazakhstan was Arizona's top trading partner (due in large part to the aerospace industry), but that relationship has slipped significantly. "It was beating out Mexico and Canada – it took the top spot," she said. "Unfortunately, after that, it never picked back up again." She said that $250,000 appropriation to UA will help foster friendships and develop trade opportunities with Arizona and the US right as China is trying to build a major trade corridor through the country. Cobb said Bowers, Rios, Carroll and Toma, at least, attended the trip. (All disclosed it on their financial disclosure statements (LINK). The financial statements do not require lawmakers to disclose who paid for the trip, and Cobb told our reporter she doesn't actually know who paid for the trip. The budget also includes $250,000 of funding for ASU's Eastern European Cultural Collaboration, which Cobb said is a similar idea – building trade, specifically with Romania. It's not the first time junkets have been translated into policy. Starting in 2012, Azerbaijan heavily invested in flying lawmakers overseas to visit their country, showering them with gifts. In exchange, lawmakers passed a series of resolutions supporting the country (LINK).

MAYBE THEY CAN JOIN UP WITH GALLEGO

Education groups have a plan to launch a veto referendum if the flat tax gets approved. David Lujan, the president of Children's Action Alliance, wrote an email to members of several other education groups involved in the 2020 voter-approved Proposition 208, to rally the troops and prepare to start a veto referendum after the legislative session. They would have 90 days after *sine die* to collect 118,823 signatures, which Lujan said is doable given there's broad opposition for the large tax cut. "Should the legislature move forward and pass the terrible flat tax proposal that is currently on the table, the Prop 208 coalition … is considering the option of a referendum to prevent the flat tax from going into effect," Lujan

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003729
ARZN_REV00069255_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

wrote in the May 24 email obtained by our reporter. The coalition includes Children's Action Alliance, Arizona Center for Economic Progress, Arizona Education Association, Stand for Children and Arizona Interfaith Network. Lujan acknowledged in the email that they must move quickly, so he planned a June 3 discussion with the groups via Zoom to figure out a game plan to collect the signatures necessary to get on the 2022 ballot (LINK).

NEW COMPANY, SAME CRAP

Wake TSI is out as a contractor at the Arizona audit after not renewing its contract that expired on May 14 when the audit was initially supposed to conclude. *Arizona Republic*'s Jen Fifield and Andrew Oxford got the scoop today, confirming the Pennsylvania-based company was out – in its place: Scottsdale-based technology company StratTech Solutions (LINK). New media contact and former AZGOP chair Randy Pullen told *The Republic* that Wake TSI is out. "They didn't want to come back," he said. Pullen also said StratTech Solutions had been involved in the audit since the beginning, helping set up technology for the hand count – though this is the first anyone in the press corps has heard about them and the company name is not mentioned anywhere in the Senate's contract with Cyber Ninjas. It's unclear whether StratTech Solutions has been involved in other hand counts, audits or elections – or why Wake decided not to renew its contract. A StratTech employee referred our reporter to a Cyber Ninjas spokesman, who did not return a request for comment. Our reporter put in a records request with the Senate for any new contract it or Cyber Ninjas has with the company. Pullen did not return a request for comment before our deadline.

A MONTH IN, THEY'RE TRYING TO GET THIS ALL TOGETHER

Since taking the gig as the audit's new spokesman, Pullen has been difficult for reporters to reach – perhaps because he was in Cabo San Lucas, Mexico, when he started. A railbird last night sent our reporter pictures that Pullen's wife had posted of their Mexican getaway, and former Secretary of State Ken Bennett told a pool reporter yesterday that Pullen was in Mexico over the weekend and may have had service issues crossing back into the US. In an interview with *12 News*' Brahm Resnik, Fann said the media line was not up and running on Monday in part because Pullen was out of the country and also because some vendors went home during the weeklong break. "Mr. Pullen was gone out of the country for a few days, and we have been doing some regroup – some of the vendors went home to be with their families for a few days that they have not seen in six weeks," Fann said. "So, we are here, and we're trying to get this all together."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003730

ARZN_REV00069255_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Passing $12.8B budget means appeasing several Republicans
Arizona Capitol Times
GOP leaders in the House and Senate introduced a $12.8 billion spending plan Monday afternoon with high hopes of passing it by Wednesday — but finding the votes to pass it will prove difficult.

Bill to restrict marijuana advertising dies in Senate
Capitol Media Services
State lawmakers refused Monday to place restrictions on advertising marijuana that don't exist for liquor and, to a great extent, for tobacco products.

Feds OK new Arizona tribal casino and sports betting deal
Associated Press
Gambling on sporting events and online fantasy sports betting became legal in Arizona on Monday, along with a host of new gambling options at tribal casinos, after the U.S. Department of the Interior approved an updated tribal gaming compact with the state.

$12.8 billion Arizona budget that slashes taxes introduced
Associated Press
A $12.8 billion spending plan for the coming budget year that slashes income taxes by 25% over three years and shields the wealthy from having to directly pay a new surcharge to boost education spending was introduced in the Arizona House on Monday.

The Gila River Indian Community innovates for a drought-ridden future
High Country News
A riverbed that has been parched since the end of the 19th century — a portion of the historic lifeblood of the Gila River Indian Community — is now coursing again with water, luring things like cattails and birds back to its shores.

'Powell Pipeline' study gets major support from Legislature
Casa Grande Dispatch
A plan to transfer Mississippi floodwaters into the Colorado River system, once broad speculation, is now seen as a realistic proposal that Arizona state officials want to investigate.

Arizona's Still Trying to Figure Out How to Bring Racial Minorities Into Its Marijuana Program
Phoenix New Times
The state published new draft rules for the voter-mandated marijuana social equity program last week that expand eligibility requirements for Arizona's remaining 26 dispensary licenses.

Group led by 'kraken' lawyer Sidney Powell hired the firm recounting AZ's election to probe a PA election
Arizona Mirror
A nonprofit organization run by former Trump campaign attorney Sidney Powell, who filed a series of lawsuits last year attempting to overturn presidential election results in Arizona and other states, contracted the company that's now counting 2.1 million ballots from Maricopa County to conduct an election audit in a rural Pennsylvania county, according to records obtained by the *Arizona Mirror*.

Long After Trump's Loss, a Push to Inspect Ballots Persists
New York Times
Efforts to review 2020 ballots in Georgia and Arizona reflect the staying power of Donald Trump's falsehoods, and Democrats fear that the findings could be twisted by Republicans.

The reason Maricopa County will eat the Cyber Ninjas' lunch
Arizona Republic (Opinion, EJ Montini)
Truth will not convince the Trump cult. We know that already. But they won't be able to dispute it.

Why won't Arizona Republicans call out Marjorie Taylor Greene's Holocaust 'lunacy'?
Arizona Republic (Opinion, Elvia Diaz)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003731
ARZN_REV00069255_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Rep. Marjorie Taylor Greene likened COVID-19 restrictions to the Holocaust. Why aren't Arizona and national GOP leaders speaking up?

Ram through a massive tax break for the rich at the last minute? That's so Arizona
Arizona Republic (Opinion, Elvia Diaz)
Arizona Gov. Ducey started ramming through the Legislature a budget proposal to cut $1.5 billion in tax collections – a huge gift for his rich pals.

PRESS RELEASES

American Oversight Receives New Audit Records

Washington, DC -- On Monday afternoon, the Arizona State Senate agreed to produce the emails of Senate President Karen Fann, requested by American Oversight as part of the watchdog's investigation of the partisan audit of 2020 election results in Maricopa County. American Oversight has already received 54 pages of emails documenting Senator Fann's extensive involvement in the preparations for the audit.
The first records released show Fann's extensive involvement in setting up the audit, including emails with a reporter from right-wing outlet One America News Network (OAN) and with the CEO of Cyber Ninjas, the cybersecurity firm hired by the Arizona Senate to conduct the audit.
The documents and a full summary of their contents are available here.
American Oversight is pursuing a separate public records lawsuit, filed last week, to compel the release of additional documents related to the audit. The first hearing in that case will take place this Thursday, May 27, at 10:00 a.m. MST and is expected to set a schedule for the next stage of the litigation.
American Oversight will continue to pursue oversight of the audit and other partisan efforts aimed at pushing false narratives about election fraud. Follow the investigation of the audit here.

PRESS ADVISORY: TODAY: Arizona Elected Officials, Educators, and Parents to Highlight How Biden's American Families Plan Will Jumpstart Education Outcomes and Help Women Return to Work

PHOENIX – **TODAY at 4:00 pm PDT**, **State Senator Rebecca Ríos (D, 27)** and longtime public school educator and advocate **Beth Lewis** will join **Arizona Democratic Party Chair Raquel Terán** for a press call to discuss how President Biden's proposed universal preschool and affordable child care policies will jumpstart children's education outcomes and help Arizona women return to the workforce.
In his American Families Plan, President Joe Biden aims to provide the critical early childhood education infrastructure for low- and middle-income families to get back on their feet after the pandemic. The proposal includes $200 billion for universal preschool for every 3- and 4-year-old in America and a push to make quality child care more affordable and accessible.
In conjunction, these American Families Plan initiatives would allow parents who have left the workforce over the course of the pandemic – predominantly women – to more easily return to work.
The press call will be conducted via Zoom webinar. Click here to RSVP.
WHAT: Press call on how Biden's American Families Plan will give Arizona kids a head start in school and parents the flexibility to return to the workforce.
WHEN: Tuesday, May 25th at 4:00 – 4:30 pm PDT
WHO:

- **Raquel Terán,** Arizona Democratic Party Chair
- **Rebecca Ríos,** Arizona State Senator (District 27)
- **Beth Lewis,** longtime public school teacher and advocate

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the press call.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003732
ARZN_REV00069255_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Release: ADP Statement on One Year Anniversary of George Floyd's Murder

PHOENIX -- The following statement can be attributed to Raquel Terán, Chair of the Arizona Democratic Party. "Today marks one year since the murder of George Floyd. He was a father, brother, and friend to many and his murder unjustly ripped him away from his family and community. Americans across the country came together in solidarity to raise their voices against his murder. We hope that Republicans will remember these demands for justice and join Democrats in sending the George Floyd Justice in Policing Act to President Joe Biden's desk. Arizona Democrats send our condolences to Mr. Floyd's family on this difficult day."

AFP-AZ Leads Over 50 Small Businesses in Coalition Letter Supporting Tax Relief

Phoenix, AZ – Americans for Prosperity-Arizona (AFP-AZ) today led a coalition of over 50 small businesses across the state urging legislators in a letter to support a tax reform proposal that would lower Arizona's income tax rate to one flat rate of 2.5% with a cap of 4.5%.

View Full Letter Here

In the letter, the coalition writes:

"This tax reduction would especially benefit Arizona small business owners. After the passage of Proposition 208 this past November, many small business owners will be burdened with a state income tax nearly double to years prior. In a recent poll, 62% of Arizonans said it was "very important" to reduce the income tax rate to allow small businesses to pay less in taxes so they can use the money to grow and create jobs. Considering Arizona small business employ at least 43.7% of the private workforce, Arizona small business owners need the 2.5% flat rate with the cap in order to use their profits to grow and create more jobs for the Arizona economy."

The coalition letter is part of AFP-AZ's sustained work to support efforts to reduce the tax burden on Arizona families and small businesses. It follows a six-figure ad and grassroots campaign AFP-AZ recently announced, as well as a survey AFP-AZ commissioned that found the vast majority of surveyed Arizonans support decreasing the personal income tax rate.

Leader Bolding Statement on 'Irresponsible' Republican Budget Plan

PHOENIX— House Democratic Leader Reginald Bolding released the following statement regarding a proposed Republican budget plan that includes an unsustainable and permanent $2.9 billion flat tax plan that cuts taxes for the wealthy and will reduce shared revenues with cities and towns used for public safety.

"This budget plan ignores the pressing needs of our state, like children's healthcare, teacher pay, affordable housing, rural infrastructure and workforce development in order to give the wealthiest Arizonans a massive and permanent tax cut. The flat tax is an irresponsible and unsustainable giveaway that will force cities and towns to cut public safety budgets as their shared state revenues plummet in future years. Any aspect of the budget plan that Democrats could support is endangered because a permanent flat tax will put future revenues in a vise whether our state continues to grow or our economy experiences even a slight slowdown. Arizona has the resources and opportunity to fully fund our education system, restore and recover from the pandemic and prepare our fast-growing state's workforce for a 21st century economy. Instead, Republicans are choosing to reward donors and special interests while pursuing cheap punitive political attacks against our Democratic Secretary of State and Superintendent of Public Instruction. We can do much better than this."

6 new cases, 29,426 recoveries, and one more death related to COVID-19

WINDOW ROCK, Ariz. – On Tuesday, the Navajo Department of Health, in coordination with the Navajo Epidemiology Center and the Navajo Area Indian Health Service, reported six new COVID-19 positive cases for the Navajo Nation and one more death. The total number of deaths is now 1,302 as of Tuesday. Reports indicate that 29,426 individuals have recovered from COVID-19. 272,660 COVID-19 tests have been administered. The total number of positive COVID-19 cases is now 30,785, including one delayed reported case.

Navajo Nation COVID-19 positive cases by Service Unit:

- Chinle Service Unit: 5,596
- Crownpoint Service Unit: 2,959
- Ft. Defiance Service Unit: 3,663
- Gallup Service Unit: 4,883

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Kayenta Service Unit: 2,729
- Shiprock Service Unit: 5,212
- Tuba City Service Unit: 3,738
- Winslow Service Unit: 1,986

* 19 residences with COVID-19 positive cases are not specific enough to place them accurately in a Service Unit.

On Tuesday, the state of Arizona reported 500 new cases, Utah reported 185, and New Mexico reported 186 cases.

"The Navajo Nation is working hard to get as many of our people vaccinated for COVID-19 as possible. We are currently in "Yellow Status" and we are making progress, but we need more of our people to get vaccinated to get us closer to our goal of community immunity. Together, we are overcoming the pandemic one day at a time, but we have to remain cautious and be mindful that there are variants in our communities that continue to pose risks for us all. Please continue to wear masks in public, wash your hands often, practice social distancing, avoid large in-person gatherings, and limit travel as much as possible," said Navajo Nation President Jonathan Nez.

Health care facilities across the Navajo Nation continue to administer COVID-19 vaccines during drive-thru events or by appointment. If you would like to receive the vaccine, please contact your health care provider for more information for your Service Unit.

"We are in this together and we are emerging from the COVID-19 pandemic day by day, but we must remain diligent and keep pushing forward. The vaccines are playing a big part in protecting our people and reducing the impacts of the virus. Please remain diligent and keep praying for our people, our frontline workers, and our communities," said Vice President Myron Lizer.

For more information, including helpful prevention tips, and resources to help stop the spread of COVID-19, visit the Navajo Department of Health's COVID-19 website: http://www.ndoh.navajo-nsn.gov/COVID-19. For COVID-19 related questions and information, call (928) 871-7014.

"QUOTE OF THE DAY"

"I know everybody calls those junkets – that was not a junket. We worked our tails off."

- Cobb, on a free trip to Kazakhstan in 2019 that translated into a $250,000 appropriation for UA's Kazakhstan studies program

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003734

ARZN_REV00069255_5-25-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, May 25, 2021 6:42:59 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 5-25-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet May 25, 2021

IF UGENTI-RITA DOESN'T BALK, IT'S NOT A BUDGET
Lawmakers held their first budget hearings today, and after some tweaking, some arm-twisting and some legislative maneuvering, the budget bills cleared their first hurdles.

THE USUAL SUSPECTS CREATE THE USUAL PROBLEMS
Among the other potential problems plaguing the proposal are a handful of lawmakers who still want their pet issues addressed in the budget.

A 2021 BUDGET MUST INCLUDE A MASK FIGHT

AMERICAN OVERSIGHT

Townsend, meanwhile, threatened to kill the K-12 BRB in Senate Appropriations today, tweeting that she couldn't support its provision allowing school boards to set mask policies.

HAVE HORSES WILL TRADE
At the same time, legislative leaders are hearing a handful of non-budget bills that will help draft reluctant Republicans onto the pro-budget side.

HAS ANYONE CONSIDERED AUDITING HER 2018 RACE INSTEAD?
Republican lawmakers are also taking aim at Hobbs' authority with budget provision to strip some of her powers and instead offer Brnovich sole authority over election lawsuits after Hobbs filed a series of Bar complaints against Brnovich and his employees.

THE LAW OF INTENDED CONSEQUENCES
The far-reaching provision would not just affect Hobbs, but could have further implications for the Clean Elections Commission as well.

ANY DAY WE CAN MENTION AZERBAIJAN IS A GOOD DAY
Among the odder small-dollar line items in the budget is a $250,000 allocation to UA's Kazakhstan studies program – a request that came after a handful of lawmakers took all expenses paid trips to the former Soviet Republic country in 2019.

MAYBE THEY CAN JOIN UP WITH GALLEGO

Education groups have a plan to launch a veto referendum if the flat tax gets approved. David Lujan, the president of Children's Action Alliance, wrote an email to members of several other education groups involved in the 2020 voter-approved Proposition ...

NEW COMPANY, SAME CRAP
Wake TSI is out as a contractor at the Arizona audit after not renewing its contract that expired on May 14 when the audit was initially supposed to conclude.

A MONTH IN, THEY'RE TRYING TO GET THIS ALL TOGETHER
Since taking the gig as the audit's new spokesman, Pullen has been difficult for reporters to reach – perhaps because he was in Cabo San Lucas, Mexico, when he started.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

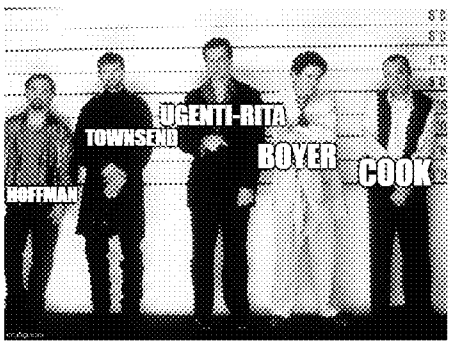
© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, May 25, 2021

NEWS NOTES AND GOSSIP

IF UGENTI-RITA DOESN'T BALK, IT'S NOT A BUDGET

Lawmakers held their first budget hearings today, and after some tweaking, some arm-twisting and some legislative maneuvering, the budget bills cleared their first hurdles. Still, GOP divisions were on full display as J Hoffman voted against all budget proposals in House Appropriations and Ugenti-Rita didn't show up for Senate Appropriations out of spite. Ugenti-Rita last night noted that after she had told legislative leaders that she couldn't support the "excessive spending" in the budget and she planned to vote against it, Fann added Gray to the committee to ensure it had enough votes. "What message is Sen. Prez sending by appointing Sen. Gray to Approps to negate my vote?" she tweeted last night. Ugenti-Rita went on to spend much of the night tweeting about dead bills that the budget revives, and then didn't show up to the meeting this morning. Cook went off in House Appropriations this afternoon, telling committee members that he plans to sink the flat tax proposal over concerns about how it will affect rural Arizona. "Until I get the answers and I feel comfortable about the people … that I represent in Arizona and this state, I'm not voting for this bill," he said. Hoffman, who is leading a group of Republicans who want to see more spending cuts plus funding for election security measures before supporting the budget, said railbirds have long been aware of his problems with the budget. "I think anybody who's seen *Yellow Sheet* or has been around here knows that we are in negotiations on some of the items in the budget," he said as he voted on the first bill, adding that he liked much of it but wanted to make it better before it reaches the floor. Hoffman said as he voted against the main feed bill that, based on a conversation with Toma, he's hopeful that Republicans will reach a deal and "produce a better budget by the time this comes to the floor" on Wednesday.

THE USUAL SUSPECTS CREATE THE USUAL PROBLEMS



Among the other potential problems plaguing the proposal are a handful of lawmakers who still want their pet issues addressed in the budget. Boyer told our reporter he asked legislative leaders and the Ninth Floor to meet with the League of Arizona Cities and Towns to discuss the flat tax plan and how to accomplish a tax cut without cutting city budgets – but the GOP leaders didn't bite. The Ninth Floor told him the League could talk to staff, but Boyer said an issue of this magnitude should bring Ducey, Bowers, Fann and League director Tom Belshe to the same negotiating table. Besides his beef with the tax cut, Boyer said he appreciates the additional money for universities in the introduced budget, but he's still not ready to vote for it. "I'm grateful that they added a little bit to university funding," he said. "I'm open to talking to leadership about what the appropriate ongoing number is." Cook said he's disappointed that the higher education BRB doesn't include a provision to let smaller community colleges receive accreditation. "It's beyond me why it's not in this bill," he said. Cook said he expects to have the votes on the floor for an amendment if lawmakers don't add the policy to the bill before that point.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003737

ARZN_REV00069257_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A 2021 BUDGET MUST INCLUDE A MASK FIGHT

Townsend, meanwhile, threatened to kill the K-12 BRB in Senate Appropriations today, tweeting that she couldn't support its provision allowing school boards to set mask policies. (That sparked a wave of support from like-minded Republicans.) But after leaders pulled Townsend aside and told her there wasn't time to draft an amendment for committee, she relented, saying she'll take her fight to the floor. Hoffman and Kaiser said they would back a floor amendment to ban mask requirements in schools. "Seeing my kids in masks disturbs me," Kaiser said. "It's not healthy for them." (There's no evidence wearing masks harms children, and the studies Townsend has held up as damning evidence that masks in general are harmful are dubious at best – though there is some evidence that certain masks that use graphene might have adverse health effects (YS, 5/19/20) (YS, 4/13).) Kaiser accused local school boards of acting arrogantly and not listening to parents who oppose mask requirements. "I believe in local control too, but I'm not about to let local control decide what's best for my kids medically," he said. "I should decide that."

HAVE HORSES WILL TRADE

At the same time, legislative leaders are hearing a handful of non-budget bills that will help draft reluctant Republicans onto the pro-budget side. To appease Boyer, Senate Appropriations heard Lieberman's H2282 (small business assistance grants), with a striker to define anti-Semitism. Boyer spent weeks trying to attach the language to A Hernandez's H2241 (schools; instruction; Holocaust; genocides), even though Jewish groups who otherwise supported adding the definition to state law wanted to keep it separate from the less controversial bill about Holocaust education. And after weeks of stalling in the House, S1452 (Arizona empowerment scholarships accounts; revisions) finally got scheduled for a vote today. The controversial proposal to expand the number of children who can use the funds to help pay for private school tuition got another chance at life after 21 House Republicans wrote to Bowers on Monday asking for it to be included in the budget discussions, casting it as a way of helping students impacted by Covid-related school closures. "The party of Lincoln freed the slaves," they wrote. "School choice is a critical modern-day civil rights issue."

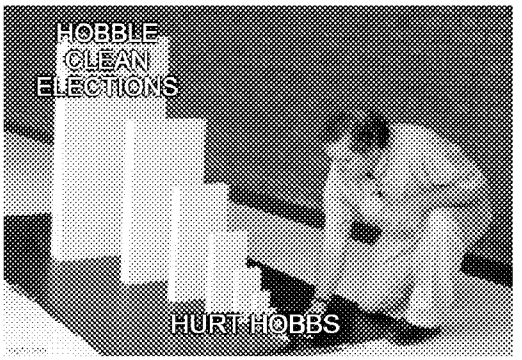
HAS ANYONE CONSIDERED AUDITING HER 2018 RACE INSTEAD?

Republican lawmakers are also taking aim at Hobbs' authority with budget provision to strip some of her powers and instead offer Brnovich sole authority over election lawsuits after Hobbs filed a series of Bar complaints against Brnovich and his employees. The provision also bars Hobbs from hiring outside counsel except for one in-house attorney. The restrictions would lapse on June 30, 2023, after both of their terms are up, making it clear this is a Hobbs-specific provision. Part of the discussion that came up during the budget hearings today was the revelation that Hobbs has filed more than a dozen Bar complaints against Brnovich and staff, sparking lawmakers to add the provision. Katie Conners, Brnovich's spokeswoman, said the language is necessary because it would clear up confusion "created by the Secretary of State about who speaks for Arizona in court." She also mentioned the Bar complaints. "The Secretary of State's decision to file politically-motivated bar complaints against AGO lawyers and target their professional standing and reputation has fundamentally altered the historical track record of the offices working together despite differing political affiliations," she said. "The assistant attorneys general have steadfastly adhered to their statutory and ethical obligations. Their livelihoods should not be threatened for political purposes."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003738
ARZN_REV00069257_5-25-21.pdf

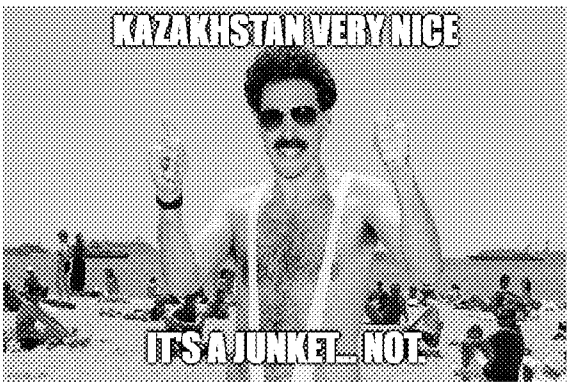
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE LAW OF INTENDED CONSEQUENCES



The far-reaching provision would not just affect Hobbs, but could have further implications for the Clean Elections Commission as well. Tom Collins, the executive director, said it is written in a way that would "supersede" the voter-approved Clean Elections Act. "It does this primarily by designating the Attorney General as 'the... sole authority in all election litigation to direct the defense of election law,'" Collins said in an email. Clean Elections has express authority to intervene in cases where the constitutionality of the act is in question, but the provision would hand that authority to the AG's Office instead. "While the bill may be aimed at Secretary Hobbs, it seeks to inflict clear legal damage on the Clean Elections Act. It does so by attempting to preempt the role of defending Clean Elections that the voters granted to the Commission," Collins said.

ANY DAY WE CAN MENTION AZERBAIJAN IS A GOOD DAY



Among the odder small-dollar line items in the budget is a $250,000 allocation to UA's Kazakhstan studies program – a request that came after a handful of lawmakers took all expenses paid trips to the former Soviet Republic country in 2019. Cobb told our reporter she was among those who went on the trip – but don't call it a junket. "I know everybody calls those junkets – that was not a junket. We worked our tails off," she said. Cobb said that back in 1996, Kazakhstan was Arizona's top trading partner (due in large part to the aerospace industry), but that relationship has slipped significantly. "It was beating out Mexico and Canada – it took the top spot," she said. "Unfortunately, after that, it never picked back up again." She said that $250,000 appropriation to UA will help foster friendships and develop trade opportunities with Arizona and the US right as China is trying to build a major trade corridor through the country. Cobb said Bowers, Rios, Carroll and Toma, at least, attended the trip. (All disclosed it on their financial disclosure statements (LINK). The financial statements do not require lawmakers to disclose who paid for the trip, and Cobb told our reporter she doesn't actually know who paid for the trip. The budget also includes $250,000 of funding for ASU's Eastern European Cultural Collaboration, which Cobb said is a similar idea – building trade, specifically with Romania. It's not the first time junkets have been translated into policy. Starting in 2012, Azerbaijan heavily invested in flying lawmakers overseas to visit their country, showering them with gifts. In exchange, lawmakers passed a series of resolutions supporting the country (LINK).

MAYBE THEY CAN JOIN UP WITH GALLEGO

Education groups have a plan to launch a veto referendum if the flat tax gets approved. David Lujan, the president of Children's Action Alliance, wrote an email to members of several other education groups involved in the 2020 voter-approved Proposition 208, to rally the troops and prepare to start a veto referendum after the legislative session. They would have 90 days after *sine die* to collect 118,823 signatures, which Lujan said is doable given there's broad opposition for the large tax cut. "Should the legislature move forward and pass the terrible flat tax proposal that is currently on the table, the Prop 208 coalition … is considering the option of a referendum to prevent the flat tax from going into effect," Lujan

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003739
ARZN_REV00069257_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

wrote in the May 24 email obtained by our reporter. The coalition includes Children's Action Alliance, Arizona Center for Economic Progress, Arizona Education Association, Stand for Children and Arizona Interfaith Network. Lujan acknowledged in the email that they must move quickly, so he planned a June 3 discussion with the groups via Zoom to figure out a game plan to collect the signatures necessary to get on the 2022 ballot (LINK).

NEW COMPANY, SAME CRAP

Wake TSI is out as a contractor at the Arizona audit after not renewing its contract that expired on May 14 when the audit was initially supposed to conclude. *Arizona Republic*'s Jen Fifield and Andrew Oxford got the scoop today, confirming the Pennsylvania-based company was out – in its place: Scottsdale-based technology company StratTech Solutions (LINK). New media contact and former AZGOP chair Randy Pullen told *The Republic* that Wake TSI is out. "They didn't want to come back," he said. Pullen also said StratTech Solutions had been involved in the audit since the beginning, helping set up technology for the hand count – though this is the first anyone in the press corps has heard about them and the company name is not mentioned anywhere in the Senate's contract with Cyber Ninjas. It's unclear whether StratTech Solutions has been involved in other hand counts, audits or elections – or why Wake decided not to renew its contract. A StratTech employee referred our reporter to a Cyber Ninjas spokesman, who did not return a request for comment. Our reporter put in a records request with the Senate for any new contract it or Cyber Ninjas has with the company. Pullen did not return a request for comment before our deadline.

A MONTH IN, THEY'RE TRYING TO GET THIS ALL TOGETHER

Since taking the gig as the audit's new spokesman, Pullen has been difficult for reporters to reach – perhaps because he was in Cabo San Lucas, Mexico, when he started. A railbird last night sent our reporter pictures that Pullen's wife had posted of their Mexican getaway, and former Secretary of State Ken Bennett told a pool reporter yesterday that Pullen was in Mexico over the weekend and may have had service issues crossing back into the US. In an interview with *12 News*' Brahm Resnik, Fann said the media line was not up and running on Monday in part because Pullen was out of the country and also because some vendors went home during the weeklong break. "Mr. Pullen was gone out of the country for a few days, and we have been doing some regroup – some of the vendors went home to be with their families for a few days that they have not seen in six weeks," Fann said. "So, we are here, and we're trying to get this all together."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003740

ARZN_REV00069257_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Passing $12.8B budget means appeasing several Republicans
Arizona Capitol Times
GOP leaders in the House and Senate introduced a $12.8 billion spending plan Monday afternoon with high hopes of passing it by Wednesday — but finding the votes to pass it will prove difficult.

Bill to restrict marijuana advertising dies in Senate
Capitol Media Services
State lawmakers refused Monday to place restrictions on advertising marijuana that don't exist for liquor and, to a great extent, for tobacco products.

Feds OK new Arizona tribal casino and sports betting deal
Associated Press
Gambling on sporting events and online fantasy sports betting became legal in Arizona on Monday, along with a host of new gambling options at tribal casinos, after the U.S. Department of the Interior approved an updated tribal gaming compact with the state.

$12.8 billion Arizona budget that slashes taxes introduced
Associated Press
A $12.8 billion spending plan for the coming budget year that slashes income taxes by 25% over three years and shields the wealthy from having to directly pay a new surcharge to boost education spending was introduced in the Arizona House on Monday.

The Gila River Indian Community innovates for a drought-ridden future
High Country News
A riverbed that has been parched since the end of the 19th century — a portion of the historic lifeblood of the Gila River Indian Community — is now coursing again with water, luring things like cattails and birds back to its shores.

'Powell Pipeline' study gets major support from Legislature
Casa Grande Dispatch
A plan to transfer Mississippi floodwaters into the Colorado River system, once broad speculation, is now seen as a realistic proposal that Arizona state officials want to investigate.

Arizona's Still Trying to Figure Out How to Bring Racial Minorities Into Its Marijuana Program
Phoenix New Times
The state published new draft rules for the voter-mandated marijuana social equity program last week that expand eligibility requirements for Arizona's remaining 26 dispensary licenses.

Group led by 'kraken' lawyer Sidney Powell hired the firm recounting AZ's election to probe a PA election
Arizona Mirror
A nonprofit organization run by former Trump campaign attorney Sidney Powell, who filed a series of lawsuits last year attempting to overturn presidential election results in Arizona and other states, contracted the company that's now counting 2.1 million ballots from Maricopa County to conduct an election audit in a rural Pennsylvania county, according to records obtained by the *Arizona Mirror*.

Long After Trump's Loss, a Push to Inspect Ballots Persists
New York Times
Efforts to review 2020 ballots in Georgia and Arizona reflect the staying power of Donald Trump's falsehoods, and Democrats fear that the findings could be twisted by Republicans.

The reason Maricopa County will eat the Cyber Ninjas' lunch
Arizona Republic (Opinion, EJ Montini)
Truth will not convince the Trump cult. We know that already. But they won't be able to dispute it.

Why won't Arizona Republicans call out Marjorie Taylor Greene's Holocaust 'lunacy'?
Arizona Republic (Opinion, Elvia Diaz)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003741
ARZN_REV00069257_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Rep. Marjorie Taylor Greene likened COVID-19 restrictions to the Holocaust. Why aren't Arizona and national GOP leaders speaking up?

Ram through a massive tax break for the rich at the last minute? That's so Arizona
Arizona Republic (Opinion, Elvia Diaz)
Arizona Gov. Ducey started ramming through the Legislature a budget proposal to cut $1.5 billion in tax collections – a huge gift for his rich pals.

PRESS RELEASES

American Oversight Receives New Audit Records

Washington, DC -- On Monday afternoon, the Arizona State Senate agreed to produce the emails of Senate President Karen Fann, requested by American Oversight as part of the watchdog's investigation of the partisan audit of 2020 election results in Maricopa County. American Oversight has already received 54 pages of emails documenting Senator Fann's extensive involvement in the preparations for the audit.
The first records released show Fann's extensive involvement in setting up the audit, including emails with a reporter from right-wing outlet One America News Network (OAN) and with the CEO of Cyber Ninjas, the cybersecurity firm hired by the Arizona Senate to conduct the audit.
The documents and a full summary of their contents are available here.
American Oversight is pursuing a separate public records lawsuit, filed last week, to compel the release of additional documents related to the audit. The first hearing in that case will take place this Thursday, May 27, at 10:00 a.m. MST and is expected to set a schedule for the next stage of the litigation.
American Oversight will continue to pursue oversight of the audit and other partisan efforts aimed at pushing false narratives about election fraud. Follow the investigation of the audit here.

PRESS ADVISORY: TODAY: Arizona Elected Officials, Educators, and Parents to Highlight How Biden's American Families Plan Will Jumpstart Education Outcomes and Help Women Return to Work

PHOENIX – **TODAY at 4:00 pm PDT**, **State Senator Rebecca Ríos (D, 27)** and longtime public school educator and advocate **Beth Lewis** will join **Arizona Democratic Party Chair Raquel Terán** for a press call to discuss how President Biden's proposed universal preschool and affordable child care policies will jumpstart children's education outcomes and help Arizona women return to the workforce.
In his American Families Plan, President Joe Biden aims to provide the critical early childhood education infrastructure for low- and middle-income families to get back on their feet after the pandemic. The proposal includes $200 billion for universal preschool for every 3- and 4-year-old in America and a push to make quality child care more affordable and accessible.
In conjunction, these American Families Plan initiatives would allow parents who have left the workforce over the course of the pandemic – predominantly women – to more easily return to work.
The press call will be conducted via Zoom webinar. Click here to RSVP.
WHAT: Press call on how Biden's American Families Plan will give Arizona kids a head start in school and parents the flexibility to return to the workforce.
WHEN: Tuesday, May 25th at 4:00 – 4:30 pm PDT
WHO:

- **Raquel Terán,** Arizona Democratic Party Chair
- **Rebecca Ríos,** Arizona State Senator (District 27)
- **Beth Lewis,** longtime public school teacher and advocate

RSVP: Please RSVP here for Zoom dial-in information, which will be sent on the morning of the press call.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003742
ARZN_REV00069257_5-25-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Release: ADP Statement on One Year Anniversary of George Floyd's Murder

PHOENIX -- The following statement can be attributed to Raquel Terán, Chair of the Arizona Democratic Party. "Today marks one year since the murder of George Floyd. He was a father, brother, and friend to many and his murder unjustly ripped him away from his family and community. Americans across the country came together in solidarity to raise their voices against his murder. We hope that Republicans will remember these demands for justice and join Democrats in sending the George Floyd Justice in Policing Act to President Joe Biden's desk. Arizona Democrats send our condolences to Mr. Floyd's family on this difficult day."

AFP-AZ Leads Over 50 Small Businesses in Coalition Letter Supporting Tax Relief

Phoenix, AZ – Americans for Prosperity-Arizona (AFP-AZ) today led a coalition of over 50 small businesses across the state urging legislators in a letter to support a tax reform proposal that would lower Arizona's income tax rate to one flat rate of 2.5% with a cap of 4.5%.

View Full Letter Here

In the letter, the coalition writes:

"This tax reduction would especially benefit Arizona small business owners. After the passage of Proposition 208 this past November, many small business owners will be burdened with a state income tax nearly double to years prior. In a recent poll, 62% of Arizonans said it was "very important" to reduce the income tax rate to allow small businesses to pay less in taxes so they can use the money to grow and create jobs. Considering Arizona small business employ at least 43.7% of the private workforce, Arizona small business owners need the 2.5% flat rate with the cap in order to use their profits to grow and create more jobs for the Arizona economy."

The coalition letter is part of AFP-AZ's sustained work to support efforts to reduce the tax burden on Arizona families and small businesses. It follows a six-figure ad and grassroots campaign AFP-AZ recently announced, as well as a survey AFP-AZ commissioned that found the vast majority of surveyed Arizonans support decreasing the personal income tax rate.

Leader Bolding Statement on 'Irresponsible' Republican Budget Plan

PHOENIX— House Democratic Leader Reginald Bolding released the following statement regarding a proposed Republican budget plan that includes an unsustainable and permanent $2.9 billion flat tax plan that cuts taxes for the wealthy and will reduce shared revenues with cities and towns used for public safety.

"This budget plan ignores the pressing needs of our state, like children's healthcare, teacher pay, affordable housing, rural infrastructure and workforce development in order to give the wealthiest Arizonans a massive and permanent tax cut. The flat tax is an irresponsible and unsustainable giveaway that will force cities and towns to cut public safety budgets as their shared state revenues plummet in future years. Any aspect of the budget plan that Democrats could support is endangered because a permanent flat tax will put future revenues in a vise whether our state continues to grow or our economy experiences even a slight slowdown. Arizona has the resources and opportunity to fully fund our education system, restore and recover from the pandemic and prepare our fast-growing state's workforce for a 21st century economy. Instead, Republicans are choosing to reward donors and special interests while pursuing cheap punitive political attacks against our Democratic Secretary of State and Superintendent of Public Instruction. We can do much better than this."

6 new cases, 29,426 recoveries, and one more death related to COVID-19

WINDOW ROCK, Ariz. – On Tuesday, the Navajo Department of Health, in coordination with the Navajo Epidemiology Center and the Navajo Area Indian Health Service, reported six new COVID-19 positive cases for the Navajo Nation and one more death. The total number of deaths is now 1,302 as of Tuesday. Reports indicate that 29,426 individuals have recovered from COVID-19. 272,660 COVID-19 tests have been administered. The total number of positive COVID-19 cases is now 30,785, including one delayed reported case.

Navajo Nation COVID-19 positive cases by Service Unit:

- Chinle Service Unit: 5,596
- Crownpoint Service Unit: 2,959
- Ft. Defiance Service Unit: 3,663
- Gallup Service Unit: 4,883

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Kayenta Service Unit: 2,729
- Shiprock Service Unit: 5,212
- Tuba City Service Unit: 3,738
- Winslow Service Unit: 1,986

* 19 residences with COVID-19 positive cases are not specific enough to place them accurately in a Service Unit.

On Tuesday, the state of Arizona reported 500 new cases, Utah reported 185, and New Mexico reported 186 cases.

"The Navajo Nation is working hard to get as many of our people vaccinated for COVID-19 as possible. We are currently in "Yellow Status" and we are making progress, but we need more of our people to get vaccinated to get us closer to our goal of community immunity. Together, we are overcoming the pandemic one day at a time, but we have to remain cautious and be mindful that there are variants in our communities that continue to pose risks for us all. Please continue to wear masks in public, wash your hands often, practice social distancing, avoid large in-person gatherings, and limit travel as much as possible," said Navajo Nation President Jonathan Nez.

Health care facilities across the Navajo Nation continue to administer COVID-19 vaccines during drive-thru events or by appointment. If you would like to receive the vaccine, please contact your health care provider for more information for your Service Unit.

"We are in this together and we are emerging from the COVID-19 pandemic day by day, but we must remain diligent and keep pushing forward. The vaccines are playing a big part in protecting our people and reducing the impacts of the virus. Please remain diligent and keep praying for our people, our frontline workers, and our communities," said Vice President Myron Lizer.

For more information, including helpful prevention tips, and resources to help stop the spread of COVID-19, visit the Navajo Department of Health's COVID-19 website: http://www.ndoh.navajo-nsn.gov/COVID-19. For COVID-19 related questions and information, call (928) 871-7014.

"QUOTE OF THE DAY"

"I know everybody calls those junkets – that was not a junket. We worked our tails off."

- Cobb, on a free trip to Kazakhstan in 2019 that translated into a $250,000 appropriation for UA's Kazakhstan studies program

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003744

ARZN_REV00069257_5-25-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Thursday, May 27, 2021 6:47:46 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: ys 5-27-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *May 27, 2021*

Sorry for the delay. We're having technical difficulties with our website. We're working to resolve them, but in the meantime, today's edition can be viewed at the link below

ys 5-27-21.pdf

Thanks for your understanding.

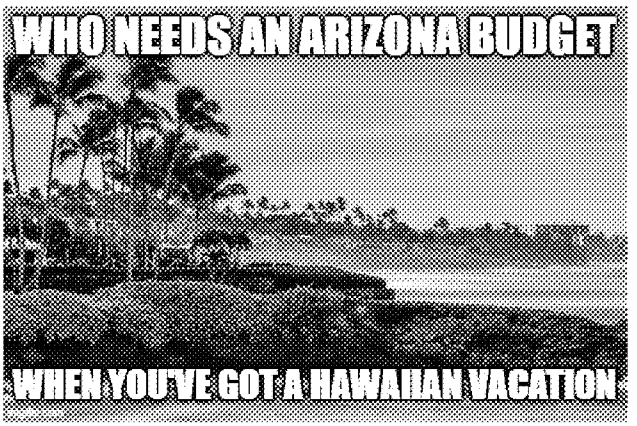
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, May 27, 2021

NEWS NOTES AND GOSSIP

FANN FAILS FANTASTICALLY



After the House last night threw down the gauntlet at the Senate, saying it would return on June 10 or when the Senate had enough votes to pass a budget, a defiant Fann announced the Senate would pass a budget today with or without the house – only to throw in the towel this afternoon and (allegedly) head off for Hawaii. Some lawmakers started the day on a hopeful note, and several railbirds speculated optimistically that last night's meltdown could be just the thing to jumpstart negotiations and lead to a breakthrough. Shope told our reporter this morning that he felt genuinely optimistic about passing a budget today – "genuinely" meaning unlike when he was in House leadership and he had to put up a front of optimism even when he didn't feel it. Leaders planned to remove tax credits that the conservative members, including Petersen, didn't like and put them up for votes apart from the budget, facilitating conservatives to vote for the overall package. Senate leaders and the governor were working with Boyer to reach a compromise on the issue of cuts to cities and towns. Ugenti-Rita showed up for work. Things were looking all around promising. Even the House seemed prepared to come back and pass the Senate's budget after Memorial Day, Toma said, and was prepared to make amendments to deal with the holdout Republicans, including more money for local governments so they don't lose out on funding under the flat tax proposal. But the potential breakthrough always came with a deadline – as rumor has it Fann has a scheduled vacation to Hawaii this weekend. And Fann blew the deadline. "Last night we thought we were close and all we needed to do was tie up a few loose ends. When we came in this morning, it was apparent that we were further apart," she told our reporter after it became clear she couldn't whip the votes. The House sent her a list of demands, including removing spending that GOP senators had negotiated to include, she said. Senators also came up with new lists of things they wanted to add or remove to the budget over the past 12 hours. She's not sure that either chamber will actually return to pass a budget on June 10. Right now, there are three options, Fann said: return on or before June 10 if she and Bowers know there's an agreement; make a new motion to recess to a future date if a plan isn't ready by June 10; or make everyone start coming to work again.

EVEN OUR INTERNS CAN'T TAKE VACATION DURING SESSION

Fann refused to confirm the widespread rumor that she was heading to Hawaii this weekend, but when our reporter warned that we're going to print it, she didn't deny the rumor, either. Instead, she said that lots of people have vacations scheduled, but refused to say whether she was among them. She said her most immediate plan is to see her doctor for a shoulder X-ray because she injured hers falling on the stairs. Almost every railbird our reporter has spoken to in the past couple weeks has brought up the rumor, and a source today shared that Fann's assistant was talking today about how many carry-ons she had and whether she had received a flu shot. Another source claimed that Fann received a Covid test yesterday. Under Hawaii's travel requirements, a traveler must register with the state's online system and upload a negative test. The decision to abandon the Senate in the middle of budget negotiations was unprecedented. "I've definitely never seen a Senate president plan or see through a tropical vacation in May with no state budget,

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003746

ARZN_REV00069263_ys 5-27-21.pdf

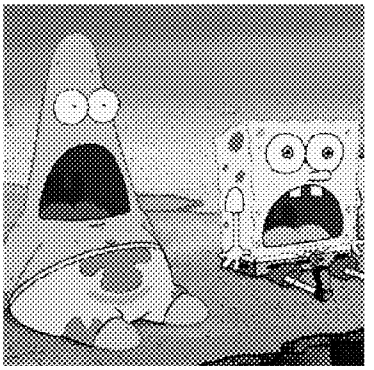
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

and a circus audit," one Republican said, adding even rank-and-file lawmakers don't dare plan things in May. "It's just astounding. It's self-care at its highest form... It's un-f*cking-believable." The source said they're big fans of Fann as a lawmaker, but that she has absolutely failed as a Senate president. Still, the source said she "showed some sobriety" in calling it quits early, rather than dragging it late into the night before throwing in the towel.

FISH GOTTA SWIM, BIRDS GOTTA FLY…

While staffers are likely unhappy with the prolonged session, there's one group of Capitol dwellers that sees a silver lining to the ongoing legislative deadlock: lobbyists. One lobbyist told our reporter today that Republicans' problems with the flat tax proposal means it will likely be trimmed slightly, freeing up funding for small-dollar priorities. "Lobbyists will lobby – that's what they do. That's their jam," one lobbyist said. More time to lobby, and more trimming of the budget means a greater likelihood that lobbyists will be able to squeeze out $1 million here, $10 million there for their clients' priorities. And there's another upside for the lobbying class, the source said. "We still get to charge clients for another month."

TEAMING UP WITH RACISTS IS ONE WAY TO LAUNCH A CAMPAIGN



A potential primary challenger for Schweikert urged a known white nationalist to help denounce a shared enemy who sued both of them. Elijah Norton, who opened an exploratory committee to run in CD6, emailed back and forth with Martin Lindstedt, a pastor of an Aryan Christian church in Missouri about a man named Bryan Reo. In the 2016 exchange (LINK – caution – it's a white nationalist site that uses racist language), Norton offered to pay Lindstedt money to remove a post about him that appeared when Googling his now-former company, CarGuard. (Reo sued Lindstedt too (LINK).) "I know you probably hate Bryan Reo (as do I) as I noticed he has a crazy lawsuit against you also," Norton wrote to the white supremacist. "[B]ut I would like to implore you to please delete your post about my company. The reason is that I am in a business that customers heavily Google and it could hurt my business to have that post up. I would be happy to compensate you for your time for removing it if you'd like." The email chain indicates the two spoke on the phone, then Linstedt replied that "we can work on sending Ol' [N-word] Lips and his alleged spawner to where they belong in a federal prison and to end this sh*t against others permanently." He signed off "Hail Victory!!!" Norton replied, "Thank you very much! … Anything you need from me to help in this legal fight against Reo just let me know and I will be more than happy to help."

OH YEAH, THAT EMAIL CHAIN

When our reporter called Norton today, he claimed he didn't know who Lindstedt was, but when our reporter told him about the emails, he instantly remembered the entire chain of events perfectly. He said he never had to pay Lindstedt money and that the post in question was removed. He also told our reporter he does not identify as a white supremacist. "Not at all. No, of course not," he said, adding "we had several different people of minorities, ethnicities working for us." He said in hindsight, they should have gone about getting the post removed differently. "I'm not a white supremacist in any way shape or form. CarGuard's current CEO is African American, who I hired. We've had numerous people from numerous different races, ethnicities, religious backgrounds working for us … The assertion that I am somehow a white supremacist is ridiculous, untrue and verifiably false," he told our reporter. "I've had very good friends that are African American and Jewish and of all faiths and religions. So no, I don't identify as that."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003747

ARZN_REV00069263_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

DOING WHAT THE MEDIA IS TOO POOR TO DO

Maricopa County Superior Court Judge Michael Kemp scheduled oral arguments in American Oversight's lawsuit to pry loose details of the Senate's audit, including who's funding it. American Oversight, a liberal watchdog group (LINK), is suing the state Senate, Fann and Petersen over their refusal or inability to produce public records about the audit's cost, funding and training. The Senate's motion to dismiss or for summary judgement is due June 9. The plaintiffs will have until June 23 to respond. Oral arguments are set for 1:30 pm on July 7. The Senate turned over 53 pages of audit-related communications among Fann, Ken Bennett, Cyber Ninjas CEO Doug Logan and others earlier this week (LINK). American Oversight is still demanding records related to the cost of the audit, who's funding it, auditor/vendor agreements and training and procedure information.

THOSE ITCHY FINGERS GET THE BEST OF US ALL

Conservative Twitter celebrated Petersen's announcement today that Arizona had passed a bill aimed at stopping teachers from teaching about some controversial topics, particularly race-related ones, in ways Republicans don't like. "Arizona just passed out a ban on teaching critical race theory in schools," Petersen wrote in a tweet sent at 12:20 p.m. during the vote. "PHENOMENAL!" quote-tweeted Republican and former Phoenix mayoral candidate Merissa Hamilton. "Thank you, AZ!" state GOP Chairwoman Kelli Ward quote-tweeted. "Great news! Racism does not fix racism," wrote former congressional candidate Josh Barnett. The only problem? The bill he was touting, S1532 (impeding school operations; civil liability), actually failed. Around the time Petersen sent his tweet, Boyer was explaining how he couldn't vote for a bill that puts prosecutors in charge of investigating what teachers say in their classrooms. With the Democrats unanimously opposed, the bill failed 14-16 – Livingston voted nay so he could move to bring it up for reconsideration and said he has some amendments he wants to work on, so while the bill didn't pass, it isn't dead yet. "Actually, we just killed the bill by a bipartisan vote of 14-16," Quezada quote-tweeted Petersen. "And actually, it has nothing to do with #CriticalRaceTheory. And actually, this tweet is coming from the dude who is behind the #fraudit so, yeah." Petersen later deleted the tweet and put one up saying "AZ passed a ban on critical race theory. It prohibits govt funds used to train CRT or requiring employees be trained in CRT," referring to S1074 (governance; audits; training), which did pass the Senate on a party-line vote.

THAT'S ONE WAY TO OUT-FINCHEM FINCHEM

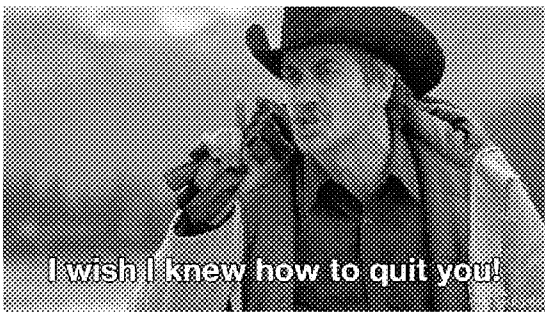
Ugenti-Rita ditched work yesterday to announce she's "transitioning" to the Secretary of State's Office – ignoring that she still has to win an election while simultaneously taking a cheap shot at trans people. "I'm going to be transitioning – not that kind of transitioning," she told the assembled crowd at a Scottsdale golf course, to raucous applause (LINK). "Not Caitlin Jenner transitioning – a different kind." Ugenti-Rita's entrance to the race has been long expected, but her decision to announce as Senators were attempting to push through a budget package infuriated her colleagues. Borrelli grumbled on the floor that she only cared about her "little function" and Fann pointedly called the absent Republican out while running down a list of senators who were taking too long to vote on a bill. "Senator Ugenti-Rita. Oh, yeah, she's not here," Fann

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003748
ARZN_REV00069263_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

said, before chuckling and saying she had to do it. Townsend, who has been at odds with Ugenti-Rita since she refused to grant many of Townsend's election bills hearings in a Senate committee, took a selfie from the floor and tagged other Republican lawmakers who were working that evening. "Thank you, Arizona, for sending us to work for you," she wrote.

DONALD TRUMP IS A HELL OF A DRUG



After Trump recently called him "one of the worst Republican governors" in the country, among other recent cheap shots, Ducey again pledged his fealty to the former president, calling him, somewhat reluctantly, the leader of the Republican Party. In a roundtable discussion with *Fox News*' Sean Hannity and five other Republican governors, Hannity asked if Trump still is the leader of the Republican Party and Ducey was told to answer yes or no. "Well he's the former president, he's the largest voice," Ducey said at first, adding that he received more than 75 million votes. Hannity asked twice more, and Ducey finally said "yes." During the interview, Ducey talked the least of the group, and he again dodged talking about the Senate's audit of Maricopa County's ballots. But he patted himself on the back for his Covid response – not mentioning that Arizona twice became a worldwide hotspot for Covid and now ranks sixth for deaths per capita in the country. While Ducey posted several clips of him talking with Hannity, including recycling his criticism of Biden and Harris "anti-wall and AWOL" when it comes to the border (LINK), he didn't post the clip in which he called Trump the head of the party (LINK).

·WAKE UP CALL·

Arizona regulators adopt revamped clean-energy rules
Arizona Daily Star
After killing a proposed mandate for 100% carbon-free power by 2050, the Arizona Corporation Commission voted to reach that goal by 2070.

Wildfire prevention gets boost from behind bars with expanded program
Cronkite News
It's important to have boots on the ground when battling wildfires. And come July 1, the Arizona Department of Forestry and Fire Management will be able to start putting 1,400 more boots on the ground.

Oak Flat mine fight draws support of diverse religious groups
Cronkite News
The Sikh Coalition and the San Carlos Apache would not appear to have much in common at first glance, but they have found a shared interest in the fight over a patch of land in southeastern Arizona.

State budget faces GOP opposition as debate delayed
Associated Press
Contentious division among Republican lawmakers about a state budget deal negotiated between GOP Gov. Doug Ducey and majority Republican legislative leaders is in the forefront as the Arizona House delayed a scheduled Wednesday debate.

'Sadistic Penchant for Violence': Dion Johnson Lawsuit Focuses on DPS Trooper's Dishonesty
Phoenix New Times

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003749
ARZN_REV00069263_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A lengthy lawsuit filed by Dion Johnson's mother alleges that state trooper George Cervantes started an unnecessary fight on the freeway before shooting Johnson, who was just defending himself.

Congress warned of a 'real and urgent' drought crisis throughout the West

Arizona Mirror

A drought crisis unfolding across the West will require short-term relief and massive, long-term federal funding to help states weather the effects of climate change, state water managers and lawmakers said at a U.S. House hearing on Tuesday.

U.S. Sens. Kyrsten Sinema and Mark Kelly can stop the GOP from disenfranchising voters. Will they?

Arizona Mirror (Opinion, Reginald Bolding)

For decades, the Arizona legislature has been controlled by the Republican Party. Four of the last five governors have been Republicans. For the first time in our state's history, we have two Democratic U.S. senators and a majority of our congressional delegation is Democrats.

Did Arizona Senate President Fann admit the election audit is a sham?

Arizona Republic (Opinion, EJ Montini)

Republican Maricopa County Supervisor Bill Gates says she told her as much back in November.

Trump is sabotaging what may be the Arizona GOP's best hope of recapturing a Senate seat

Arizona Republic (Opinion, Laurie Roberts)

Donald Trump is sabotaging what may be the Republicans' best chance of recapturing a Senate seat in Arizona. That tells you everything you need to know about the ex-president's priorities.

A pipeline from the Mississippi River won't solve our water problems, but this might

Arizona Republic (Opinion, Joanna Allhands)

Arizona is taking important steps to find new water sources. Pursuing floodwater on the Mississippi River, however, is not one of them.

Arizona Democrats put the brakes on a voting bill, but Republicans won't give up

Arizona Republic (Opinion, Elvia Diaz)

Arizona Democrats put the brakes on a bill requiring that voters provide proof when returning their early ballot. But the fight is far from over

PRESS RELEASES

Statement from Senate Democrats on Budget Stalemate

PHOENIX- Senate Democratic Leadership has released the following statement on the Senate adjourning without passing a budget.

"This budget stalemate has been a disservice to the people of Arizona who look up to us as leaders. While Democrats are ready to fight for a budget that rebuilds, revitalizes and reinvests in Arizonans, Republicans have decided to take a vacation instead of working with us to pass a people's budget. When we return, they'll continue forcing through a budget that completely ignores the critical needs of Arizonans, like investing in our schools, children's healthcare, teacher pay, affordable housing and more. Rather, our Republican colleagues have decided to prioritize welfare for the wealthy with a disastrous tax plan that asks almost 90% of Arizona taxpayers to pay their own tax dollars to subsidize the taxes of the wealthiest of Arizonans.

Arizona doesn't need more tax cuts that will only help corporations and the wealthiest. After a decade of slashed budgets, we have a real opportunity to meet the needs of our students, senior citizens and most vulnerable. Arizona needs to fund COVID recovery for families and small businesses and invest in services and programs that benefit all Arizonans. The Republican budget does none of those things. Senate Democrats have a budget proposal that would help Arizona's working families restore, recover and rebuild from the COVID-19 pandemic. The $12.9 billion Democratic plan would raise teacher pay, make higher education more affordable, extend healthcare to uninsured children, address affordable housing shortages, reform an antiquated unemployment insurance system, invest in critical infrastructure and protect and uplift the most vulnerable Arizonans. Sadly, our republican colleagues refuse to come to the table with us and are more interested in giving out welfare for the wealthy. "

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Release: Despite Republican Obstruction, Economy Continues to Recover Thanks to Biden's American Rescue Plan

PHOENIX – According to new data from the Department of Labor released today, **the number of Americans seeking unemployment benefits fell for the seventh week in a row to a new pandemic-era low as Democrats' American Rescue Plan helps thousands get back to work.** This comes as Arizona reached more than 50 percent of adults being fully vaccinated this week—another shining success stemming from the Biden-Harris administration's investment in a nationwide vaccine program that continues to spur Arizona's economic recovery.

"Despite continued obstruction from Republican lawmakers like Andy Biggs and Debbie Lesko, President Joe Biden and Democrats in Congress continue to deliver for Arizonans," **said ADP Spokesperson Hannah Goss.** "With real partners in the White House, Arizona Democrats are working to build back our economy better than ever—and they'll continue the work of getting Arizona's working families back on their feet with or without the support of their Republican colleagues."

Communities across Arizona continue to receive federal funding from President Biden's American Rescue Plan, which passed Congress without the support of a single Arizona Republican. In the weeks since being signed into law, the historic recovery plan has provided Arizona with nearly $10 billion in state and local aid, helped communities rebuild, put money in people's pockets, and lifted 112,000 Arizona children out of poverty.

Governor Ducey Announces $550,000 From AZ Coronavirus Relief Fund To Support Mental Health Organizations

PHOENIX — Governor Doug Ducey today announced $550,000 from the AZ Coronavirus Relief Fund has been allocated to 13 organizations in Arizona that offer mental health support services for adults and children.

As vaccinations increase across the country and more activities return to normal, experts warn that people may continue to suffer negative mental health effects as a result of the pandemic. The National Alliance of Mental Illness (NAMI) reports that more than half of Americans say that COVID-19 has had a negative impact on their mental health.

"Even before the pandemic, we have been working diligently to address issues such as isolation and disconnection, especially among our young people," said Governor Ducey. "COVID-19 has made that effort more urgent. These dollars will bolster the efforts of more than a dozen organizations around the state working to provide mental health support to those in need. As we move forward, we must make sure we are supporting the whole health of our state's citizens."

"Text messages to our suicide prevention hotline for teens increased over 450% during the pandemic," said Michelle Moorhead, Executive Director, Teen Lifeline. "The grant from the Arizona Coronavirus Relief Fund supports our statewide crisis text service that provides a lifesaving connection to hope for teens who feel disconnected, overwhelmed, isolated or depressed."

Among the mental health services offered by the recipient organizations include youth and teen after-school programs, suicide prevention, adult mental health recovery, behavioral health therapy and more.

Organizations receiving funding include:
Arizona Behavioral Health Corporation
Black Family & Children's Services
Horses Help
Hunkapi
ICAN
Our Place Clubhouse
Native Americans For Community Action
National Alliance on Mental Health Arizona
Mentally Ill Kids in Distress
Reigning Grace
Teen Lifeline
Therapeutic Riding of Tucson (TROT)
West Yavapai Guidance Clinic

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"The COVID crisis has deeply affected the mental wellness of many communities in Arizona, in particular those with low/no access to mental health resources," said Shelby Pedersen, CEO, ICAN. "This generous grant from the Coronavirus Relief Fund will allow us to bring these much-needed resources to underserved youth, particularly during the summer months when students are out of school and further disconnected from vital support systems. We are so grateful for the funding and will put it to immediate use to better the mental wellness of school-aged children."
"Native Americans for Community Action, Inc. (NACA) is very thankful and delighted to receive this funding from the Arizona Coronavirus Relief Fund so that we may further our mental health services to the community," said Jeff Axtell, CEO, Native Americans for Community Action, Inc. "With this funding we can provide adjunctive therapy services, transportation and ceremonial assistance for our clients who have been devastated by this pandemic over the past year. We appreciate the Governor's office in that they are assisting our Indigenous relatives with access to the much-needed mental health services that they may otherwise go without, thank you!"
"As a mental health organization we have continued to provide live, animal therapy services through an unprecedented time," said Terra Schaad, Founder and Executive Director, Hunkapi. "The pandemic has shown us the need for connection, touch, and relationship and our horses are able to provide those things when human touch and friendships are less common and accessible than before. Receiving this grant allows Hunkapi to continue in its mission to 'Teach the world to fear less and love more,' and open up services to more youth at risk and trauma survivors. We are honored and incredibly grateful to have been selected as a recipient from the Governor's office."
"The isolation associated with the pandemic has left its scars on so many and this grant is a complete game changer for Therapeutic Riding of Tucson," said Jeff Copfer, Executive Director, Therapeutic Riding of Tucson. "Our part-time therapist specializing in equine facilitated psychotherapy, will now be able to dedicate her time to TROT and help more in need of healing as a result of COVID-19. She will begin hosting teen support groups, women's support groups, family sessions, and take on more individual sessions. Additionally, the grant allows us to purchase supplies for group sessions, build a confidence course, and a shade structure for our round pen to facilitate counseling sessions during summer."
The AZ Coronavirus Relief Fund was established by Governor Ducey as part of the Arizona Together Initiative to provide financial support to non-profit organizations serving Arizonans in need statewide during the pandemic. The fund collected $10 million in private donations and has disbursed roughly $9.3 million to date.
Funding requests are reviewed and approved by an independent five-member committee working in consultation with Arizona's philanthropic community. To date, funding has been allocated for the purchase of Personal Protective Equipment (PPE) for frontline medical personnel; to aid non-profit organizations such as food banks, homeless shelters, domestic violence facilities, and other institutions; to equip low-income students with learning technology; and more.
One hundred percent of contributions are being directly distributed to organizations supporting Arizonans during the COVID-19 outbreak and recovery effort.
More information can be found HERE.

Arizona Clean Energy Rules Back on Track

A Bipartisan Vote of the Arizona Corporation Commission Advances Rules

PHOENIX – At the request of Commissioner Sandra Kennedy, the Arizona Corporation Commission reconsidered and passed a clean energy rules package on Wednesday that will modernize Arizona's electric system. In a 3-2 vote, Democratic Commissioners Sandra Kennedy and Anna Tovar were joined by Republican Jim O'Connor in supporting the package. A similar package of measures was rejected by Commissioners in early May.
The rules set the state's first carbon-reduction standard, continue and enhance its successful energy efficiency standard, improve and increase accountability for future energy planning by utilities, require utilities to support communities impacted by coal plant closure through the favorable siting of renewable energy projects, and establish the nation's first distributed solar and storage requirement.
The vote comes after three years of workshops, proposals and input by community organizations, low-income and clean energy advocates, businesses, faith leaders and utilities to support a robust set of measures to set the state's utilities on a path to clean energy and address climate change. The rules will now go through a new public comment process and come back for a final vote later this year.
"Creating a comprehensive set of clean energy rules ensures the state is economically competitive with our neighbors and creates policy certainty that will spur investment in Arizona," said **Amanda Ormond, Director of Western Grid**

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Group. "Increasingly, businesses and local governments demand clean energy because they know that is what the public wants."
"Early action on reducing carbon emissions to address our climate crisis is critical," said **Sandy Bahr, Chapter Director for Sierra Club's Grand Canyon (Arizona) Chapter**. "These rules include an important carbon standard to reduce emissions 50 percent by 2032, as well as standards for energy efficiency and distributed storage that will help our state move forward on reducing emissions. Sierra Club appreciates the Commission moving these Clean Energy Rules forward and to seeing final adoption later this year."
"Electricity customers are the winners with today's rules vote. Continuation and expansion of energy saving programs by utilities will allow low-income, home and business customers access to programs that will save them energy and money," said **Ellen Zuckerman, Co-Director of the Utility Program for the Southwest Energy Efficiency Project**. "In this challenging economic climate, providing a full array of energy savings programs will pay dividends to customers and the state as a whole by making homes and businesses more energy efficient."
"As Arizona transitions from coal to clean energy resources, our coal-impacted communities need to see benefits from clean energy investments," said **Nicole Horseherder, executive director of Tó Nizhóní Áni**. "This energy package includes the first obligation for utilities that benefited from dirty coal power to support communities that want to be included in the clean energy future by ensuring that impacted Tribal and non-tribal communities are prioritized."
"These rules include an innovative provision to couple energy storage with distributed solar energy systems, providing the opportunity for homes and businesses to be more energy independent and resilient," said **Nicole LaSlavic, Executive Director of the Arizona Solar Energy Industries Association**.
"Commissioners today demonstrated a serious commitment to modernizing Arizona's Energy Rules and ensuring years of public participation were not lost," said **Ronny Sandoval, Regulatory Director, Interior West for Vote Solar**. "Critically, these rules preserve the near-term commitments to carbon reductions that would result in expanded energy options, cleaner air, and greater economic opportunities for all Arizonans."
"This was an important step in the right direction," said **Rev. Doug Bland, Arizona Interfaith Power & Light**. "We thank Commissioners Kennedy, Tovar and O'Connor for finding a way to move these energy rules forward. Their foresight will be good for ratepayers, good for the environment, and good for the future. Faith leaders around the state affirm that robust energy rules and a just transition from fossil fuels are two essential ways to love our neighbor."
The original rules would have saved ratepayers' dollars and provided enormous economic benefits. In January, Stategen released a report that found that adopting the Clean Energy Rules could not only significantly reduce carbon emissions to address the climate crisis, but could also create an economic windfall of $2 billion for Arizona. While the rules were amended from the original, the near-term provisions passed today are still substantially the same and will result in significant benefits to ratepayers and the people of Arizona.

Arizona Clean Energy Rules Back on Track

A Bipartisan Vote of the Arizona Corporation Commission Advances Rules

PHOENIX —At the request of Commissioner Sandra Kennedy, the Arizona Corporation Commission reconsidered and passed a clean energy rules package on Wednesday that will modernize Arizona's electric system. In a 3-2 vote, Democratic Commissioners Sandra Kennedy and Anna Tovar were joined by Republican Jim O'Connor in supporting the package. A similar package of measures was rejected by Commissioners in early May.
The rules set the state's first carbon-reduction standard, continue and enhance its successful energy efficiency standard, improve and increase accountability for future energy planning by utilities, require utilities to support communities impacted by coal plant closure through the favorable siting of renewable energy projects, and establish the nation's first distributed solar and storage requirement.
The vote comes after three years of workshops, proposals and input by community organizations, low-income and clean energy advocates, businesses, faith leaders and utilities to support a robust set of measures to set the state's utilities on a path to clean energy and address climate change. The rules will now go through a new public comment process and come back for a final vote later this year.
"Creating a comprehensive set of clean energy rules ensures the state is economically competitive with our neighbors and creates policy certainty that will spur investment in Arizona," said **Amanda Ormond, Director of Western Grid Group**. "Increasingly, businesses and local governments demand clean energy because they know that is what the public wants."
"Early action on reducing carbon emissions to address our climate crisis is critical," said **Sandy Bahr, Chapter Director for Sierra Club's Grand Canyon (Arizona) Chapter**. "These rules include an important carbon standard

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to reduce emissions 50 percent by 2032, as well as standards for energy efficiency and distributed storage that will help our state move forward on reducing emissions. Sierra Club appreciates the Commission moving these Clean Energy Rules forward and to seeing final adoption later this year."
"Electricity customers are the winners with today's rules vote. Continuation and expansion of energy saving programs by utilities will allow low-income, home and business customers access to programs that will save them energy and money," said **Ellen Zuckerman, Co-Director of the Utility Program for the Southwest Energy Efficiency Project**. "In this challenging economic climate, providing a full array of energy savings programs will pay dividends to customers and the state as a whole by making homes and businesses more energy efficient."
"As Arizona transitions from coal to clean energy resources, our coal-impacted communities need to see benefits from clean energy investments," said **Nicole Horseherder, executive director of Tó Nizhóní Ání**. "This energy package includes the first obligation for utilities that benefited from dirty coal power to support communities that want to be included in the clean energy future by ensuring that impacted Tribal and non-tribal communities are prioritized."
"These rules include an innovative provision to couple energy storage with distributed solar energy systems, providing the opportunity for homes and businesses to be more energy independent and resilient," said **Nicole LaSlavic, Executive Director of the Arizona Solar Energy Industries Association**.
"Commissioners today demonstrated a serious commitment to modernizing Arizona's Energy Rules and ensuring years of public participation were not lost," said **Ronny Sandoval, Regulatory Director, Interior West for Vote Solar**. "Critically, these rules preserve the near-term commitments to carbon reductions that would result in expanded energy options, cleaner air, and greater economic opportunities for all Arizonans."
"This was an important step in the right direction," said **Rev. Doug Bland, Arizona Interfaith Power & Light**. "We thank Commissioners Kennedy, Tovar and O'Connor for finding a way to move these energy rules forward. Their foresight will be good for ratepayers, good for the environment, and good for the future. Faith leaders around the state affirm that robust energy rules and a just transition from fossil fuels are two essential ways to love our neighbor."
The original rules would have saved ratepayers' dollars and provided enormous economic benefits. In January, Stategen released a report that found that adopting the Clean Energy Rules could not only significantly reduce carbon emissions to address the climate crisis, but could also create an economic windfall of $2 billion for Arizona. While the rules were amended from the original, the near-term provisions passed today are still substantially the same and will result in significant benefits to ratepayers and the people of Arizona.

Release: Even GOP Senate Campaign Chair Admits Senate Primary Will Be "Competitive" With "No Clear Front-Runner"

PHOENIX – In an interview with the Arizona Republic today, the Chair of the GOP Senate campaign arm Sen. Rick Scott admitted what's become glaringly obvious: Arizona is barreling headlong into a "competitive GOP primary" with "no clear front-runner."
Republicans have lost all hope of uniting behind a candidate anytime soon – one candidate already went up on TV, another potential candidate has $10 million in promised support, and Club for Growth is ready to jump in. It's clear this race will not only be expensive but will last right through Arizona's August 2022 primary.
"The GOP Senate primary is gearing up to be nasty, long-running, and expensive – and National Republicans know it," said ADP spokesperson Sarah Guggenheimer. **"Rick Scott may pretend he's** 'unbothered' having 'no clear front-runner,' **but Arizona Republicans are splintering in the face of the ongoing Trump-backed 'audit.' This bare-knuckle primary will only further put off Arizona voters looking for a senator focused on the issues that matter, not lies and conspiracies."**

GOP Stands Alone in Backing Arizona State Senate Audit

Read full blog post here
Contact: Paul Bentz, 602-528-3684
PHOENIX (May 27, 2021) – As Legislative leaders attempt to secure every Republican vote to pass a budget, the audit becomes a good lens to see why legislative leaders have only one seat majorities in both the House and the Senate. In 2012, Republicans enjoyed super majorities in both chambers and controlled every statewide office in Arizona.
"The issues that Republicans are running on today – fraud and tax cuts – are not issues that a majority of the Arizona electorate supports," said Paul Bentz, Senior V.P for Research & Strategy at HighGround, Inc., "As we pointed out

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003754
ARZN_REV00069263_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

earlier this week, a majority of the Arizona electorate would far prefer investments in education and Arizona's cities and towns over tax cuts. The same data set reveals that a majority of likely 2022 voters oppose the audit and less than a third of voters were willing to give the auditors passing marks for their work thus far."

NOTE: This survey data was gathered before the Pennsylvania-based IT company, Wake Technology Services, Inc. resigned on Monday further complicating perceptions of the audit and its professionalism.

Chuck Coughlin, President and CEO of HighGround Inc. said, "Similar to what we saw with the polling that we previously released regarding fraud and the November 2020 election, Republicans are on an island when it comes to this audit. While it is to be expected that they would receive significant opposition from Democrats, this audit makes them face headwinds among independent and unaffiliated voters as well. As we have said before, 'never run the last election, run the election you are in now.' This issue is an electoral cul-de-sac that spells trouble for Republicans in 2022."

A majority of Republicans (76.9%) support the audit compared to 20.1% who oppose. Democratic voters are overwhelmingly in opposition (90.5%) joined by more than two-thirds of Independent and unaffiliated voters (67.7%) opposed as well. The opposition can also be felt throughout the state where opposition is 55.6% in Maricopa County, 53.1% in Pima County, and 56.0% in Greater Arizona as well.

"Campaigns are about ideas – not people. Dwelling on the past is a dangerous proposition for the GOP's electoral future. While new district lines will be drawn this year, it is critical, if Republicans want to maintain control of both chambers, they will need to be more competitive in areas where they have been losing since 2018. The sooner they move on to talk about other issues, the better their chances of securing support of unaffiliated voters who are key to winning competitive districts and statewide offices. The GOP down-slate ticket did not do poorly in 2018 or 2020, but they have lost two US Senate seats and a Presidential contest by running on issues and with candidates who were unable to appeal to the larger electorate. Continued focus on this audit or the fraud narrative will only serve to undermine their electoral success in 2022," concluded Coughlin.

In fact, the polling demonstrates that voters are less likely to vote for a candidate who supported the audit. Support for the Arizona State Senate audit moves voters about 10 points in the wrong direction which could spell electoral disaster for Republicans in swing districts which they will need to pick up to expand their one seat majorities in both chambers of the State Legislature.

In all, 59.8% of Republicans stated they would be more likely to vote for an audit backer, but their gains are likely outweighed by the losses from the other partisan demographics where 78.1% of Democrats and 51.1% of Independent and unaffiliated voters were somewhat/much less likely to support. Candidates in Rural Arizona should also take heed that only 29.8% of voters were more likely compared to a sizable 53.6% who were less likely to support an audit backer. Maricopa County was 34.1% more compared to 42.5% less while Pima County was 34.4% more compared to 40.6% less.

Paul Bentz said, "There will be a temptation for those seeking approval in their primary to run towards supporting the audit. While that will be helpful in a solidly red district, those in swing districts as well as candidates in Greater Arizona may find peril in doing so. There is no doubt that a mid-term 2022 turnout will lean more Republican, but the audit appears to mitigate advantages in this upcoming cycle that should otherwise be helpful to GOP candidates."

As for the auditors themselves, former Secretary of State Ken Bennett and the Cyber Ninjas still have a way to go in convincing the Arizona electorate that they are doing a good job. Less than a third of the overall electorate gave them an "excellent," "very good," or "okay" whereas 37% gave them a "poor" or "failing" grade. Nearly a third did not have enough information to rate their performance.

Bentz concluded, "The electorate is giving the audit team a grade of a 'D' to a borderline 'D+' right now. They will have a whole lot of ground to make up if you consider they were supposed to be done with their work by now. Combined with the overall opposition and the declining likelihood of supporting audit backing candidates, this is weak foundation upon which to build their 2022 platform. GOP statewide candidates and legislators running in competitive districts will be swimming against the electoral tide if they continue to dwell on this issue."

About the Survey

The N=400 survey was conducted among likely voters 5/20 through 5/23. The poll surveyed likely Arizona 2022 General Election voters who have a history of electoral participation and was balanced to model the likely turnout of voters across party, age, region, and gender. The sample was provided from the internal voter database maintained by HighGround.

The live interview survey of voters was conducted by HighGround Public Affairs to both landline and cell phone users. The questions regarding the audit were funded by HighGround as part of a statewide survey that tested other policy issues.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003755

ARZN_REV00069263_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The partisan advantage was set at +8% GOP based on previous midterm election trends, including the uptick in Democratic participation in past two election cycles combined with expected increase in enthusiasm among Republicans in the Gubernatorial Election. The margin of error is ±4.9%. For more information regarding the study, contact Paul Bentz at 602-528-3684.

Survey Demographics

The HighGround team has built a reputation of reliable and accurate polling over the past dozen years – our research has been featured on Nate Silver's 538, Real Clear Politics, Huffington Post, and many other publications. Paul Bentz has been named back-to-back winner of "Best Pollster" by the *Arizona Capitol Times*.

"QUOTE OF THE DAY"

"It's just astounding. It's self-care at its highest form."

- ***Railbird, on the widespread rumor that Fann is heading to Hawaii***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003756

ARZN_REV00069263_ys 5-27-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, May 27, 2021 6:47:47 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: ys 5-27-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *May 27, 2021*

Sorry for the delay. We're having technical difficulties with our website. We're working to resolve them, but in the meantime, today's edition can be viewed at the link below

ys 5-27-21.pdf

Thanks for your understanding.

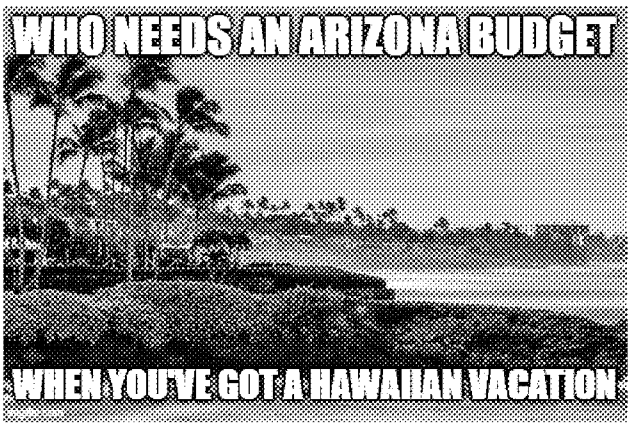
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, May 27, 2021

NEWS NOTES AND GOSSIP

FANN FAILS FANTASTICALLY



After the House last night threw down the gauntlet at the Senate, saying it would return on June 10 or when the Senate had enough votes to pass a budget, a defiant Fann announced the Senate would pass a budget today with or without the house – only to throw in the towel this afternoon and (allegedly) head off for Hawaii. Some lawmakers started the day on a hopeful note, and several railbirds speculated optimistically that last night's meltdown could be just the thing to jumpstart negotiations and lead to a breakthrough. Shope told our reporter this morning that he felt genuinely optimistic about passing a budget today – "genuinely" meaning unlike when he was in House leadership and he had to put up a front of optimism even when he didn't feel it. Leaders planned to remove tax credits that the conservative members, including Petersen, didn't like and put them up for votes apart from the budget, facilitating conservatives to vote for the overall package. Senate leaders and the governor were working with Boyer to reach a compromise on the issue of cuts to cities and towns. Ugenti-Rita showed up for work. Things were looking all around promising. Even the House seemed prepared to come back and pass the Senate's budget after Memorial Day, Toma said, and was prepared to make amendments to deal with the holdout Republicans, including more money for local governments so they don't lose out on funding under the flat tax proposal. But the potential breakthrough always came with a deadline – as rumor has it Fann has a scheduled vacation to Hawaii this weekend. And Fann blew the deadline. "Last night we thought we were close and all we needed to do was tie up a few loose ends. When we came in this morning, it was apparent that we were further apart," she told our reporter after it became clear she couldn't whip the votes. The House sent her a list of demands, including removing spending that GOP senators had negotiated to include, she said. Senators also came up with new lists of things they wanted to add or remove to the budget over the past 12 hours. She's not sure that either chamber will actually return to pass a budget on June 10. Right now, there are three options, Fann said: return on or before June 10 if she and Bowers know there's an agreement; make a new motion to recess to a future date if a plan isn't ready by June 10; or make everyone start coming to work again.

EVEN OUR INTERNS CAN'T TAKE VACATION DURING SESSION

Fann refused to confirm the widespread rumor that she was heading to Hawaii this weekend, but when our reporter warned that we're going to print it, she didn't deny the rumor, either. Instead, she said that lots of people have vacations scheduled, but refused to say whether she was among them. She said her most immediate plan is to see her doctor for a shoulder X-ray because she injured hers falling on the stairs. Almost every railbird our reporter has spoken to in the past couple weeks has brought up the rumor, and a source today shared that Fann's assistant was talking today about how many carry-ons she had and whether she had received a flu shot. Another source claimed that Fann received a Covid test yesterday. Under Hawaii's travel requirements, a traveler must register with the state's online system and upload a negative test. The decision to abandon the Senate in the middle of budget negotiations was unprecedented. "I've definitely never seen a Senate president plan or see through a tropical vacation in May with no state budget,

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003758

ARZN_REV00069265_ys 5-27-21.pdf

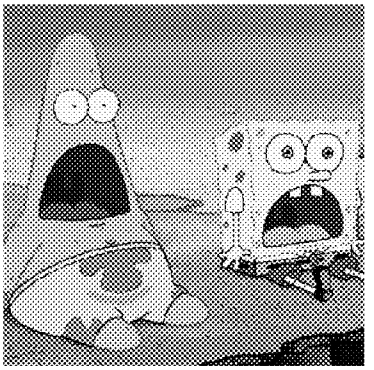
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

and a circus audit," one Republican said, adding even rank-and-file lawmakers don't dare plan things in May. "It's just astounding. It's self-care at its highest form... It's un-f*cking-believable." The source said they're big fans of Fann as a lawmaker, but that she has absolutely failed as a Senate president. Still, the source said she "showed some sobriety" in calling it quits early, rather than dragging it late into the night before throwing in the towel.

FISH GOTTA SWIM, BIRDS GOTTA FLY…

While staffers are likely unhappy with the prolonged session, there's one group of Capitol dwellers that sees a silver lining to the ongoing legislative deadlock: lobbyists. One lobbyist told our reporter today that Republicans' problems with the flat tax proposal means it will likely be trimmed slightly, freeing up funding for small-dollar priorities. "Lobbyists will lobby – that's what they do. That's their jam," one lobbyist said. More time to lobby, and more trimming of the budget means a greater likelihood that lobbyists will be able to squeeze out $1 million here, $10 million there for their clients' priorities. And there's another upside for the lobbying class, the source said. "We still get to charge clients for another month."

TEAMING UP WITH RACISTS IS ONE WAY TO LAUNCH A CAMPAIGN



A potential primary challenger for Schweikert urged a known white nationalist to help denounce a shared enemy who sued both of them. Elijah Norton, who opened an exploratory committee to run in CD6, emailed back and forth with Martin Lindstedt, a pastor of an Aryan Christian church in Missouri about a man named Bryan Reo. In the 2016 exchange (LINK – caution – it's a white nationalist site that uses racist language), Norton offered to pay Lindstedt money to remove a post about him that appeared when Googling his now-former company, CarGuard. (Reo sued Lindstedt too (LINK).) "I know you probably hate Bryan Reo (as do I) as I noticed he has a crazy lawsuit against you also," Norton wrote to the white supremacist. "[B]ut I would like to implore you to please delete your post about my company. The reason is that I am in a business that customers heavily Google and it could hurt my business to have that post up. I would be happy to compensate you for your time for removing it if you'd like." The email chain indicates the two spoke on the phone, then Linstedt replied that "we can work on sending Ol' [N-word] Lips and his alleged spawner to where they belong in a federal prison and to end this sh*t against others permanently." He signed off "Hail Victory!!!" Norton replied, "Thank you very much! … Anything you need from me to help in this legal fight against Reo just let me know and I will be more than happy to help."

OH YEAH, THAT EMAIL CHAIN

When our reporter called Norton today, he claimed he didn't know who Lindstedt was, but when our reporter told him about the emails, he instantly remembered the entire chain of events perfectly. He said he never had to pay Lindstedt money and that the post in question was removed. He also told our reporter he does not identify as a white supremacist. "Not at all. No, of course not," he said, adding "we had several different people of minorities, ethnicities working for us." He said in hindsight, they should have gone about getting the post removed differently. "I'm not a white supremacist in any way shape or form. CarGuard's current CEO is African American, who I hired. We've had numerous people from numerous different races, ethnicities, religious backgrounds working for us … The assertion that I am somehow a white supremacist is ridiculous, untrue and verifiably false," he told our reporter. "I've had very good friends that are African American and Jewish and of all faiths and religions. So no, I don't identify as that."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003759

ARZN_REV00069265_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

DOING WHAT THE MEDIA IS TOO POOR TO DO

Maricopa County Superior Court Judge Michael Kemp scheduled oral arguments in American Oversight's lawsuit to pry loose details of the Senate's audit, including who's funding it. American Oversight, a liberal watchdog group (LINK), is suing the state Senate, Fann and Petersen over their refusal or inability to produce public records about the audit's cost, funding and training. The Senate's motion to dismiss or for summary judgement is due June 9. The plaintiffs will have until June 23 to respond. Oral arguments are set for 1:30 pm on July 7. The Senate turned over 53 pages of audit-related communications among Fann, Ken Bennett, Cyber Ninjas CEO Doug Logan and others earlier this week (LINK). American Oversight is still demanding records related to the cost of the audit, who's funding it, auditor/vendor agreements and training and procedure information.

THOSE ITCHY FINGERS GET THE BEST OF US ALL

Conservative Twitter celebrated Petersen's announcement today that Arizona had passed a bill aimed at stopping teachers from teaching about some controversial topics, particularly race-related ones, in ways Republicans don't like. "Arizona just passed out a ban on teaching critical race theory in schools," Petersen wrote in a tweet sent at 12:20 p.m. during the vote. "PHENOMENAL!" quote-tweeted Republican and former Phoenix mayoral candidate Merissa Hamilton. "Thank you, AZ!" state GOP Chairwoman Kelli Ward quote-tweeted. "Great news! Racism does not fix racism," wrote former congressional candidate Josh Barnett. The only problem? The bill he was touting, S1532 (impeding school operations; civil liability), actually failed. Around the time Petersen sent his tweet, Boyer was explaining how he couldn't vote for a bill that puts prosecutors in charge of investigating what teachers say in their classrooms. With the Democrats unanimously opposed, the bill failed 14-16 – Livingston voted nay so he could move to bring it up for reconsideration and said he has some amendments he wants to work on, so while the bill didn't pass, it isn't dead yet. "Actually, we just killed the bill by a bipartisan vote of 14-16," Quezada quote-tweeted Petersen. "And actually, it has nothing to do with #CriticalRaceTheory. And actually, this tweet is coming from the dude who is behind the #fraudit so, yeah." Petersen later deleted the tweet and put one up saying "AZ passed a ban on critical race theory. It prohibits govt funds used to train CRT or requiring employees be trained in CRT," referring to S1074 (governance; audits; training), which did pass the Senate on a party-line vote.

THAT'S ONE WAY TO OUT-FINCHEM FINCHEM

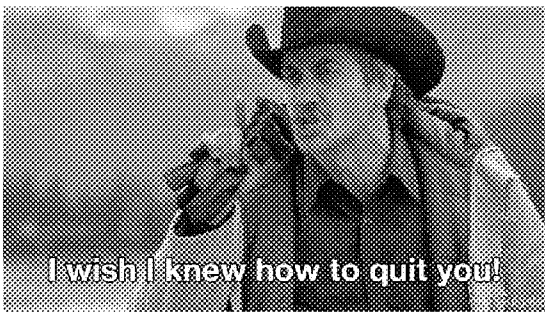
Ugenti-Rita ditched work yesterday to announce she's "transitioning" to the Secretary of State's Office – ignoring that she still has to win an election while simultaneously taking a cheap shot at trans people. "I'm going to be transitioning – not that kind of transitioning," she told the assembled crowd at a Scottsdale golf course, to raucous applause (LINK). "Not Caitlin Jenner transitioning – a different kind." Ugenti-Rita's entrance to the race has been long expected, but her decision to announce as Senators were attempting to push through a budget package infuriated her colleagues. Borrelli grumbled on the floor that she only cared about her "little function" and Fann pointedly called the absent Republican out while running down a list of senators who were taking too long to vote on a bill. "Senator Ugenti-Rita. Oh, yeah, she's not here," Fann

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003760
ARZN_REV00069265_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

said, before chuckling and saying she had to do it. Townsend, who has been at odds with Ugenti-Rita since she refused to grant many of Townsend's election bills hearings in a Senate committee, took a selfie from the floor and tagged other Republican lawmakers who were working that evening. "Thank you, Arizona, for sending us to work for you," she wrote.

DONALD TRUMP IS A HELL OF A DRUG



After Trump recently called him "one of the worst Republican governors" in the country, among other recent cheap shots, Ducey again pledged his fealty to the former president, calling him, somewhat reluctantly, the leader of the Republican Party. In a roundtable discussion with *Fox News*' Sean Hannity and five other Republican governors, Hannity asked if Trump still is the leader of the Republican Party and Ducey was told to answer yes or no. "Well he's the former president, he's the largest voice," Ducey said at first, adding that he received more than 75 million votes. Hannity asked twice more, and Ducey finally said "yes." During the interview, Ducey talked the least of the group, and he again dodged talking about the Senate's audit of Maricopa County's ballots. But he patted himself on the back for his Covid response – not mentioning that Arizona twice became a worldwide hotspot for Covid and now ranks sixth for deaths per capita in the country. While Ducey posted several clips of him talking with Hannity, including recycling his criticism of Biden and Harris "anti-wall and AWOL" when it comes to the border (LINK), he didn't post the clip in which he called Trump the head of the party (LINK).

·WAKE UP CALL·

Arizona regulators adopt revamped clean-energy rules
Arizona Daily Star
After killing a proposed mandate for 100% carbon-free power by 2050, the Arizona Corporation Commission voted to reach that goal by 2070.

Wildfire prevention gets boost from behind bars with expanded program
Cronkite News
It's important to have boots on the ground when battling wildfires. And come July 1, the Arizona Department of Forestry and Fire Management will be able to start putting 1,400 more boots on the ground.

Oak Flat mine fight draws support of diverse religious groups
Cronkite News
The Sikh Coalition and the San Carlos Apache would not appear to have much in common at first glance, but they have found a shared interest in the fight over a patch of land in southeastern Arizona.

State budget faces GOP opposition as debate delayed
Associated Press
Contentious division among Republican lawmakers about a state budget deal negotiated between GOP Gov. Doug Ducey and majority Republican legislative leaders is in the forefront as the Arizona House delayed a scheduled Wednesday debate.

'Sadistic Penchant for Violence': Dion Johnson Lawsuit Focuses on DPS Trooper's Dishonesty
Phoenix New Times

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003761
ARZN_REV00069265_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A lengthy lawsuit filed by Dion Johnson's mother alleges that state trooper George Cervantes started an unnecessary fight on the freeway before shooting Johnson, who was just defending himself.

Congress warned of a 'real and urgent' drought crisis throughout the West

Arizona Mirror

A drought crisis unfolding across the West will require short-term relief and massive, long-term federal funding to help states weather the effects of climate change, state water managers and lawmakers said at a U.S. House hearing on Tuesday.

U.S. Sens. Kyrsten Sinema and Mark Kelly can stop the GOP from disenfranchising voters. Will they?

Arizona Mirror (Opinion, Reginald Bolding)

For decades, the Arizona legislature has been controlled by the Republican Party. Four of the last five governors have been Republicans. For the first time in our state's history, we have two Democratic U.S. senators and a majority of our congressional delegation is Democrats.

Did Arizona Senate President Fann admit the election audit is a sham?

Arizona Republic (Opinion, EJ Montini)

Republican Maricopa County Supervisor Bill Gates says she told her as much back in November.

Trump is sabotaging what may be the Arizona GOP's best hope of recapturing a Senate seat

Arizona Republic (Opinion, Laurie Roberts)

Donald Trump is sabotaging what may be the Republicans' best chance of recapturing a Senate seat in Arizona. That tells you everything you need to know about the ex-president's priorities.

A pipeline from the Mississippi River won't solve our water problems, but this might

Arizona Republic (Opinion, Joanna Allhands)

Arizona is taking important steps to find new water sources. Pursuing floodwater on the Mississippi River, however, is not one of them.

Arizona Democrats put the brakes on a voting bill, but Republicans won't give up

Arizona Republic (Opinion, Elvia Diaz)

Arizona Democrats put the brakes on a bill requiring that voters provide proof when returning their early ballot. But the fight is far from over

PRESS RELEASES

Statement from Senate Democrats on Budget Stalemate

PHOENIX- Senate Democratic Leadership has released the following statement on the Senate adjourning without passing a budget.

"This budget stalemate has been a disservice to the people of Arizona who look up to us as leaders. While Democrats are ready to fight for a budget that rebuilds, revitalizes and reinvests in Arizonans, Republicans have decided to take a vacation instead of working with us to pass a people's budget. When we return, they'll continue forcing through a budget that completely ignores the critical needs of Arizonans, like investing in our schools, children's healthcare, teacher pay, affordable housing and more. Rather, our Republican colleagues have decided to prioritize welfare for the wealthy with a disastrous tax plan that asks almost 90% of Arizona taxpayers to pay their own tax dollars to subsidize the taxes of the wealthiest of Arizonans.

Arizona doesn't need more tax cuts that will only help corporations and the wealthiest. After a decade of slashed budgets, we have a real opportunity to meet the needs of our students, senior citizens and most vulnerable. Arizona needs to fund COVID recovery for families and small businesses and invest in services and programs that benefit all Arizonans. The Republican budget does none of those things. Senate Democrats have a budget proposal that would help Arizona's working families restore, recover and rebuild from the COVID-19 pandemic. The $12.9 billion Democratic plan would raise teacher pay, make higher education more affordable, extend healthcare to uninsured children, address affordable housing shortages, reform an antiquated unemployment insurance system, invest in critical infrastructure and protect and uplift the most vulnerable Arizonans. Sadly, our republican colleagues refuse to come to the table with us and are more interested in giving out welfare for the wealthy. "

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003762

ARZN_REV00069265_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Release: Despite Republican Obstruction, Economy Continues to Recover Thanks to Biden's American Rescue Plan

PHOENIX – According to new data from the Department of Labor released today, **the number of Americans seeking unemployment benefits fell for the seventh week in a row to a new pandemic-era low as Democrats' American Rescue Plan helps thousands get back to work.** This comes as Arizona reached more than 50 percent of adults being fully vaccinated this week—another shining success stemming from the Biden-Harris administration's investment in a nationwide vaccine program that continues to spur Arizona's economic recovery.

"Despite continued obstruction from Republican lawmakers like Andy Biggs and Debbie Lesko, President Joe Biden and Democrats in Congress continue to deliver for Arizonans," **said ADP Spokesperson Hannah Goss.** "With real partners in the White House, Arizona Democrats are working to build back our economy better than ever—and they'll continue the work of getting Arizona's working families back on their feet with or without the support of their Republican colleagues."

Communities across Arizona continue to receive federal funding from President Biden's American Rescue Plan, which passed Congress without the support of a single Arizona Republican. In the weeks since being signed into law, the historic recovery plan has provided Arizona with nearly $10 billion in state and local aid, helped communities rebuild, put money in people's pockets, and lifted 112,000 Arizona children out of poverty.

Governor Ducey Announces $550,000 From AZ Coronavirus Relief Fund To Support Mental Health Organizations

PHOENIX — Governor Doug Ducey today announced $550,000 from the AZ Coronavirus Relief Fund has been allocated to 13 organizations in Arizona that offer mental health support services for adults and children.

As vaccinations increase across the country and more activities return to normal, experts warn that people may continue to suffer negative mental health effects as a result of the pandemic. The National Alliance of Mental Illness (NAMI) reports that more than half of Americans say that COVID-19 has had a negative impact on their mental health.

"Even before the pandemic, we have been working diligently to address issues such as isolation and disconnection, especially among our young people," said Governor Ducey. "COVID-19 has made that effort more urgent. These dollars will bolster the efforts of more than a dozen organizations around the state working to provide mental health support to those in need. As we move forward, we must make sure we are supporting the whole health of our state's citizens."

"Text messages to our suicide prevention hotline for teens increased over 450% during the pandemic," said Michelle Moorhead, Executive Director, Teen Lifeline. "The grant from the Arizona Coronavirus Relief Fund supports our statewide crisis text service that provides a lifesaving connection to hope for teens who feel disconnected, overwhelmed, isolated or depressed."

Among the mental health services offered by the recipient organizations include youth and teen after-school programs, suicide prevention, adult mental health recovery, behavioral health therapy and more.

Organizations receiving funding include:
Arizona Behavioral Health Corporation
Black Family & Children's Services
Horses Help
Hunkapi
ICAN
Our Place Clubhouse
Native Americans For Community Action
National Alliance on Mental Health Arizona
Mentally Ill Kids in Distress
Reigning Grace
Teen Lifeline
Therapeutic Riding of Tucson (TROT)
West Yavapai Guidance Clinic

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"The COVID crisis has deeply affected the mental wellness of many communities in Arizona, in particular those with low/no access to mental health resources," said Shelby Pedersen, CEO, ICAN. "This generous grant from the Coronavirus Relief Fund will allow us to bring these much-needed resources to underserved youth, particularly during the summer months when students are out of school and further disconnected from vital support systems. We are so grateful for the funding and will put it to immediate use to better the mental wellness of school-aged children."
"Native Americans for Community Action, Inc. (NACA) is very thankful and delighted to receive this funding from the Arizona Coronavirus Relief Fund so that we may further our mental health services to the community," said Jeff Axtell, CEO, Native Americans for Community Action, Inc. "With this funding we can provide adjunctive therapy services, transportation and ceremonial assistance for our clients who have been devastated by this pandemic over the past year. We appreciate the Governor's office in that they are assisting our Indigenous relatives with access to the much-needed mental health services that they may otherwise go without, thank you!"
"As a mental health organization we have continued to provide live, animal therapy services through an unprecedented time," said Terra Schaad, Founder and Executive Director, Hunkapi. "The pandemic has shown us the need for connection, touch, and relationship and our horses are able to provide those things when human touch and friendships are less common and accessible than before. Receiving this grant allows Hunkapi to continue in its mission to 'Teach the world to fear less and love more,' and open up services to more youth at risk and trauma survivors. We are honored and incredibly grateful to have been selected as a recipient from the Governor's office."
"The isolation associated with the pandemic has left its scars on so many and this grant is a complete game changer for Therapeutic Riding of Tucson," said Jeff Copfer, Executive Director, Therapeutic Riding of Tucson. "Our part-time therapist specializing in equine facilitated psychotherapy, will now be able to dedicate her time to TROT and help more in need of healing as a result of COVID-19. She will begin hosting teen support groups, women's support groups, family sessions, and take on more individual sessions. Additionally, the grant allows us to purchase supplies for group sessions, build a confidence course, and a shade structure for our round pen to facilitate counseling sessions during summer."
The AZ Coronavirus Relief Fund was established by Governor Ducey as part of the Arizona Together Initiative to provide financial support to non-profit organizations serving Arizonans in need statewide during the pandemic. The fund collected $10 million in private donations and has disbursed roughly $9.3 million to date.
Funding requests are reviewed and approved by an independent five-member committee working in consultation with Arizona's philanthropic community. To date, funding has been allocated for the purchase of Personal Protective Equipment (PPE) for frontline medical personnel; to aid non-profit organizations such as food banks, homeless shelters, domestic violence facilities, and other institutions; to equip low-income students with learning technology; and more.
One hundred percent of contributions are being directly distributed to organizations supporting Arizonans during the COVID-19 outbreak and recovery effort.
More information can be found HERE.

Arizona Clean Energy Rules Back on Track

A Bipartisan Vote of the Arizona Corporation Commission Advances Rules

PHOENIX – At the request of Commissioner Sandra Kennedy, the Arizona Corporation Commission reconsidered and passed a clean energy rules package on Wednesday that will modernize Arizona's electric system. In a 3-2 vote, Democratic Commissioners Sandra Kennedy and Anna Tovar were joined by Republican Jim O'Connor in supporting the package. A similar package of measures was rejected by Commissioners in early May.
The rules set the state's first carbon-reduction standard, continue and enhance its successful energy efficiency standard, improve and increase accountability for future energy planning by utilities, require utilities to support communities impacted by coal plant closure through the favorable siting of renewable energy projects, and establish the nation's first distributed solar and storage requirement.
The vote comes after three years of workshops, proposals and input by community organizations, low-income and clean energy advocates, businesses, faith leaders and utilities to support a robust set of measures to set the state's utilities on a path to clean energy and address climate change. The rules will now go through a new public comment process and come back for a final vote later this year.
"Creating a comprehensive set of clean energy rules ensures the state is economically competitive with our neighbors and creates policy certainty that will spur investment in Arizona," said **Amanda Ormond, Director of Western Grid**

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Group. "Increasingly, businesses and local governments demand clean energy because they know that is what the public wants."
"Early action on reducing carbon emissions to address our climate crisis is critical," said **Sandy Bahr, Chapter Director for Sierra Club's Grand Canyon (Arizona) Chapter**. "These rules include an important carbon standard to reduce emissions 50 percent by 2032, as well as standards for energy efficiency and distributed storage that will help our state move forward on reducing emissions. Sierra Club appreciates the Commission moving these Clean Energy Rules forward and to seeing final adoption later this year."
"Electricity customers are the winners with today's rules vote. Continuation and expansion of energy saving programs by utilities will allow low-income, home and business customers access to programs that will save them energy and money," said **Ellen Zuckerman, Co-Director of the Utility Program for the Southwest Energy Efficiency Project**. "In this challenging economic climate, providing a full array of energy savings programs will pay dividends to customers and the state as a whole by making homes and businesses more energy efficient."
"As Arizona transitions from coal to clean energy resources, our coal-impacted communities need to see benefits from clean energy investments," said **Nicole Horseherder, executive director of Tó Nizhóní Áni**. "This energy package includes the first obligation for utilities that benefited from dirty coal power to support communities that want to be included in the clean energy future by ensuring that impacted Tribal and non-tribal communities are prioritized."
"These rules include an innovative provision to couple energy storage with distributed solar energy systems, providing the opportunity for homes and businesses to be more energy independent and resilient," said **Nicole LaSlavic, Executive Director of the Arizona Solar Energy Industries Association**.
"Commissioners today demonstrated a serious commitment to modernizing Arizona's Energy Rules and ensuring years of public participation were not lost," said **Ronny Sandoval, Regulatory Director, Interior West for Vote Solar**. "Critically, these rules preserve the near-term commitments to carbon reductions that would result in expanded energy options, cleaner air, and greater economic opportunities for all Arizonans."
"This was an important step in the right direction," said **Rev. Doug Bland, Arizona Interfaith Power & Light**. "We thank Commissioners Kennedy, Tovar and O'Connor for finding a way to move these energy rules forward. Their foresight will be good for ratepayers, good for the environment, and good for the future. Faith leaders around the state affirm that robust energy rules and a just transition from fossil fuels are two essential ways to love our neighbor."
The original rules would have saved ratepayers' dollars and provided enormous economic benefits. In January, Stategen released a report that found that adopting the Clean Energy Rules could not only significantly reduce carbon emissions to address the climate crisis, but could also create an economic windfall of $2 billion for Arizona. While the rules were amended from the original, the near-term provisions passed today are still substantially the same and will result in significant benefits to ratepayers and the people of Arizona.

Arizona Clean Energy Rules Back on Track

A Bipartisan Vote of the Arizona Corporation Commission Advances Rules

PHOENIX —At the request of Commissioner Sandra Kennedy, the Arizona Corporation Commission reconsidered and passed a clean energy rules package on Wednesday that will modernize Arizona's electric system. In a 3-2 vote, Democratic Commissioners Sandra Kennedy and Anna Tovar were joined by Republican Jim O'Connor in supporting the package. A similar package of measures was rejected by Commissioners in early May.
The rules set the state's first carbon-reduction standard, continue and enhance its successful energy efficiency standard, improve and increase accountability for future energy planning by utilities, require utilities to support communities impacted by coal plant closure through the favorable siting of renewable energy projects, and establish the nation's first distributed solar and storage requirement.
The vote comes after three years of workshops, proposals and input by community organizations, low-income and clean energy advocates, businesses, faith leaders and utilities to support a robust set of measures to set the state's utilities on a path to clean energy and address climate change. The rules will now go through a new public comment process and come back for a final vote later this year.
"Creating a comprehensive set of clean energy rules ensures the state is economically competitive with our neighbors and creates policy certainty that will spur investment in Arizona," said **Amanda Ormond, Director of Western Grid Group**. "Increasingly, businesses and local governments demand clean energy because they know that is what the public wants."
"Early action on reducing carbon emissions to address our climate crisis is critical," said **Sandy Bahr, Chapter Director for Sierra Club's Grand Canyon (Arizona) Chapter**. "These rules include an important carbon standard

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

to reduce emissions 50 percent by 2032, as well as standards for energy efficiency and distributed storage that will help our state move forward on reducing emissions. Sierra Club appreciates the Commission moving these Clean Energy Rules forward and to seeing final adoption later this year."
"Electricity customers are the winners with today's rules vote. Continuation and expansion of energy saving programs by utilities will allow low-income, home and business customers access to programs that will save them energy and money," said **Ellen Zuckerman, Co-Director of the Utility Program for the Southwest Energy Efficiency Project**. "In this challenging economic climate, providing a full array of energy savings programs will pay dividends to customers and the state as a whole by making homes and businesses more energy efficient."
"As Arizona transitions from coal to clean energy resources, our coal-impacted communities need to see benefits from clean energy investments," said **Nicole Horseherder, executive director of Tó Nizhóní Ání**. "This energy package includes the first obligation for utilities that benefited from dirty coal power to support communities that want to be included in the clean energy future by ensuring that impacted Tribal and non-tribal communities are prioritized."
"These rules include an innovative provision to couple energy storage with distributed solar energy systems, providing the opportunity for homes and businesses to be more energy independent and resilient," said **Nicole LaSlavic, Executive Director of the Arizona Solar Energy Industries Association**.
"Commissioners today demonstrated a serious commitment to modernizing Arizona's Energy Rules and ensuring years of public participation were not lost," said **Ronny Sandoval, Regulatory Director, Interior West for Vote Solar**. "Critically, these rules preserve the near-term commitments to carbon reductions that would result in expanded energy options, cleaner air, and greater economic opportunities for all Arizonans."
"This was an important step in the right direction," said **Rev. Doug Bland, Arizona Interfaith Power & Light**. "We thank Commissioners Kennedy, Tovar and O'Connor for finding a way to move these energy rules forward. Their foresight will be good for ratepayers, good for the environment, and good for the future. Faith leaders around the state affirm that robust energy rules and a just transition from fossil fuels are two essential ways to love our neighbor."
The original rules would have saved ratepayers' dollars and provided enormous economic benefits. In January, Stategen released a report that found that adopting the Clean Energy Rules could not only significantly reduce carbon emissions to address the climate crisis, but could also create an economic windfall of $2 billion for Arizona. While the rules were amended from the original, the near-term provisions passed today are still substantially the same and will result in significant benefits to ratepayers and the people of Arizona.

Release: Even GOP Senate Campaign Chair Admits Senate Primary Will Be "Competitive" With "No Clear Front-Runner"

PHOENIX – In an interview with the Arizona Republic today, the Chair of the GOP Senate campaign arm Sen. Rick Scott admitted what's become glaringly obvious: Arizona is barreling headlong into a "competitive GOP primary" with "no clear front-runner."
Republicans have lost all hope of uniting behind a candidate anytime soon – one candidate already went up on TV, another potential candidate has $10 million in promised support, and Club for Growth is ready to jump in. It's clear this race will not only be expensive but will last right through Arizona's August 2022 primary.
"The GOP Senate primary is gearing up to be nasty, long-running, and expensive – and National Republicans know it," said ADP spokesperson Sarah Guggenheimer. **"Rick Scott may pretend he's** 'unbothered' having 'no clear front-runner,' **but Arizona Republicans are splintering in the face of the ongoing Trump-backed 'audit.' This bare-knuckle primary will only further put off Arizona voters looking for a senator focused on the issues that matter, not lies and conspiracies."**

GOP Stands Alone in Backing Arizona State Senate Audit

Read full blog post here
Contact: Paul Bentz, 602-528-3684
PHOENIX (May 27, 2021) – As Legislative leaders attempt to secure every Republican vote to pass a budget, the audit becomes a good lens to see why legislative leaders have only one seat majorities in both the House and the Senate. In 2012, Republicans enjoyed super majorities in both chambers and controlled every statewide office in Arizona.
"The issues that Republicans are running on today – fraud and tax cuts – are not issues that a majority of the Arizona electorate supports," said Paul Bentz, Senior V.P for Research & Strategy at HighGround, Inc., "As we pointed out

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003766
ARZN_REV00069265_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

earlier this week, a majority of the Arizona electorate would far prefer investments in education and Arizona's cities and towns over tax cuts. The same data set reveals that a majority of likely 2022 voters oppose the audit and less than a third of voters were willing to give the auditors passing marks for their work thus far."

NOTE: This survey data was gathered before the Pennsylvania-based IT company, Wake Technology Services, Inc. resigned on Monday further complicating perceptions of the audit and its professionalism.

Chuck Coughlin, President and CEO of HighGround Inc. said, "Similar to what we saw with the polling that we previously released regarding fraud and the November 2020 election, Republicans are on an island when it comes to this audit. While it is to be expected that they would receive significant opposition from Democrats, this audit makes them face headwinds among independent and unaffiliated voters as well. As we have said before, 'never run the last election, run the election you are in now.' This issue is an electoral cul-de-sac that spells trouble for Republicans in 2022."

A majority of Republicans (76.9%) support the audit compared to 20.1% who oppose. Democratic voters are overwhelmingly in opposition (90.5%) joined by more than two-thirds of Independent and unaffiliated voters (67.7%) opposed as well. The opposition can also be felt throughout the state where opposition is 55.6% in Maricopa County, 53.1% in Pima County, and 56.0% in Greater Arizona as well.

"Campaigns are about ideas – not people. Dwelling on the past is a dangerous proposition for the GOP's electoral future. While new district lines will be drawn this year, it is critical, if Republicans want to maintain control of both chambers, they will need to be more competitive in areas where they have been losing since 2018. The sooner they move on to talk about other issues, the better their chances of securing support of unaffiliated voters who are key to winning competitive districts and statewide offices. The GOP down-slate ticket did not do poorly in 2018 or 2020, but they have lost two US Senate seats and a Presidential contest by running on issues and with candidates who were unable to appeal to the larger electorate. Continued focus on this audit or the fraud narrative will only serve to undermine their electoral success in 2022," concluded Coughlin.

In fact, the polling demonstrates that voters are less likely to vote for a candidate who supported the audit. Support for the Arizona State Senate audit moves voters about 10 points in the wrong direction which could spell electoral disaster for Republicans in swing districts which they will need to pick up to expand their one seat majorities in both chambers of the State Legislature.

In all, 59.8% of Republicans stated they would be more likely to vote for an audit backer, but their gains are likely outweighed by the losses from the other partisan demographics where 78.1% of Democrats and 51.1% of Independent and unaffiliated voters were somewhat/much less likely to support. Candidates in Rural Arizona should also take heed that only 29.8% of voters were more likely compared to a sizable 53.6% who were less likely to support an audit backer. Maricopa County was 34.1% more compared to 42.5% less while Pima County was 34.4% more compared to 40.6% less.

Paul Bentz said, "There will be a temptation for those seeking approval in their primary to run towards supporting the audit. While that will be helpful in a solidly red district, those in swing districts as well as candidates in Greater Arizona may find peril in doing so. There is no doubt that a mid-term 2022 turnout will lean more Republican, but the audit appears to mitigate advantages in this upcoming cycle that should otherwise be helpful to GOP candidates."

As for the auditors themselves, former Secretary of State Ken Bennett and the Cyber Ninjas still have a way to go in convincing the Arizona electorate that they are doing a good job. Less than a third of the overall electorate gave them an "excellent," "very good," or "okay" whereas 37% gave them a "poor" or "failing" grade. Nearly a third did not have enough information to rate their performance.

Bentz concluded, "The electorate is giving the audit team a grade of a 'D' to a borderline 'D+' right now. They will have a whole lot of ground to make up if you consider they were supposed to be done with their work by now. Combined with the overall opposition and the declining likelihood of supporting audit backing candidates, this is weak foundation upon which to build their 2022 platform. GOP statewide candidates and legislators running in competitive districts will be swimming against the electoral tide if they continue to dwell on this issue."

About the Survey

The N=400 survey was conducted among likely voters 5/20 through 5/23. The poll surveyed likely Arizona 2022 General Election voters who have a history of electoral participation and was balanced to model the likely turnout of voters across party, age, region, and gender. The sample was provided from the internal voter database maintained by HighGround.

The live interview survey of voters was conducted by HighGround Public Affairs to both landline and cell phone users. The questions regarding the audit were funded by HighGround as part of a statewide survey that tested other policy issues.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003767

ARZN_REV00069265_ys 5-27-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The partisan advantage was set at +8% GOP based on previous midterm election trends, including the uptick in Democratic participation in past two election cycles combined with expected increase in enthusiasm among Republicans in the Gubernatorial Election. The margin of error is ±4.9%. For more information regarding the study, contact Paul Bentz at 602-528-3684.

Survey Demographics

The HighGround team has built a reputation of reliable and accurate polling over the past dozen years – our research has been featured on Nate Silver's 538, Real Clear Politics, Huffington Post, and many other publications. Paul Bentz has been named back-to-back winner of "Best Pollster" by the *Arizona Capitol Times*.

"QUOTE OF THE DAY"

"It's just astounding. It's self-care at its highest form."

- ***Railbird, on the widespread rumor that Fann is heading to Hawaii***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003768

ARZN_REV00069265_ys 5-27-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, June 1, 2021 6:16:21 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 6-1-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *May 27, 2021*

RACE FOR TRUMP'S COVETED KISS COMMENCES IN ARIZONA
From reporting the news to being its subject, Kari Lake is running for governor. She hasn't officially launched anything yet, only teasing on Twitter that there will be "more announcements soon."

SOURCES: LAUREN KUBY EYES CORP COMM
After initially filing to run on a slate with her boss, Maren Mahoney, the senior policy advisor to Commissioner Sandra Kennedy, decided to no longer run.

ONE DAY, DUCEY, FINCHEM AND HOFFMAN WALK INTO A BAR
Both Democrats and Republicans are unhappy with Ducey's series of vetoes aimed at compelling the Legislature to reconvene and pass a budget.

30% OF REPUBLICANS AND DEMOCRATS ALSO BELIEVE IN

AMERICAN OVERSIGHT

UFOS
Because of how the audit at Veterans Memorial Coliseum has played out, Townsend told our reporter she doesn't expect it will reassure voters regardless of what the final report says.

DOESN'T ALEC ALREADY DO THAT?
In the meantime, Townsend is looking ahead for other steps to take when it comes to future elections, including holding a national convention in September to discuss election issues with legislators in other states.

ADOPTING THIRD-WORLD COUNTING METHODS SEEMS LEGIT
She's also exploring alternatives to Dominion voting machines, though she's not sure whether machines exist that could absolve the issues by the voter integrity crowd.

CAN WE GET KERN AND FINCHEM TO GIVE THE TOUR?
A delegation of Pennsylvania lawmakers will tour Veterans Memorial Coliseum on Wednesday, the @ArizonaAudit Twitter account announced today.

SUPER GRCC
The Legislature wants to make a "super GRRC" by giving the body the ability to review any agency decision that it deems could be unconstitutional.

KAVANAGH EYES OLD SENATE SEAT
Kavanagh wants his old Senate seat back.

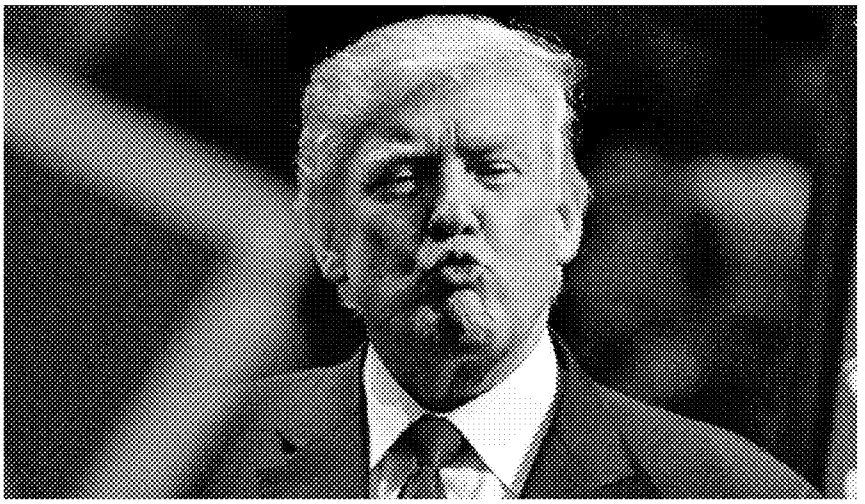
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, June 01, 2021

·NEWS NOTES AND GOSSIP·

RACE FOR TRUMP'S COVETED KISS COMMENCES IN ARIZONA



From reporting the news to being its subject, Kari Lake is running for governor. She hasn't officially launched anything yet, only teasing on Twitter that there will be "more announcements soon." But her website (LINK) is live and has a countdown to the 2022 primary, which is 426 days away. Lake recently left her gig as an anchor at Fox 10 Phoenix after a months-long hiatus and has been rumored to run for governor ever since. Lake has also been on a little bit of a speaking engagement tour with folks involved with QAnon and Stop the Steal, which could mean she will run from the right side of the Republican primary and hoping to earn Trump's crucial endorsement. (Treasurer Kimberly Yee is also angling for Trump's endorsement). Lake's Twitter image for the past several years is a photo with the former president and a similar photo was prominently featured on her site with some "filler" text in Latin (LINK). The section has since been removed after plenty of politicos poked fun at the soon-to-be first time political candidate. *Phoenix New Times* has been critical of Lake's time as news anchor over the past several years, writing about her falling for a fake theory about Red for Ed in 2018 (LINK) to being caught on a hot mic bashing the *New Times'* (LINK) to joining social media platforms that many say harbor conspiracy theorists and neo Nazis (LINK). Lake also shared an election fraud theory of someone claiming they received a ballot in the mail that was already filled out and effectively suggesting this was widespread (LINK). She joins two other women so far in the Republican primary – Yee and Karrin Taylor Robson launched campaigns on the same day two weeks ago (YS, 5/17). Former Congressman Matt Salmon and former SOS candidate Steve Gaynor are also expected to jump in with the latter recently buying a campaign website domain (LINK).

SOURCES: LAUREN KUBY EYES CORP COMM

After initially filing to run on a slate with her boss, Maren Mahoney, the senior policy advisor to Commissioner Sandra Kennedy, decided to no longer run. She told our reporter it was due to family reasons. Since we previously reported the slate (YS, 4/28), Kennedy has since officially filed to run again and there is now an opening for a second Democrat spot with two seats open in 2022. Several sources told our reporter Lauren Kuby, the Tempe city councilor, would replace Mahoney. Kuby, who has extensive background on environmental issues, has been vocal over Corp Comm's energy policy votes as of late. She could not be reached for comment. Last week, Corp Comm brought back the clean energy standards to where it was in November with more support than opposition and another final vote is on the horizon. After Chairwoman Lea Marquez Peterson agreed to water down the standards, changing them from "mandates" to "goals," the Corp Comm voted it down in May, effectively killing four years of work (YS, 5/6). The revived proposal delays the requirement for 100 percent carbon-free energy from 2050 to 2070. Republican

AMERICAN OVERSIGHT

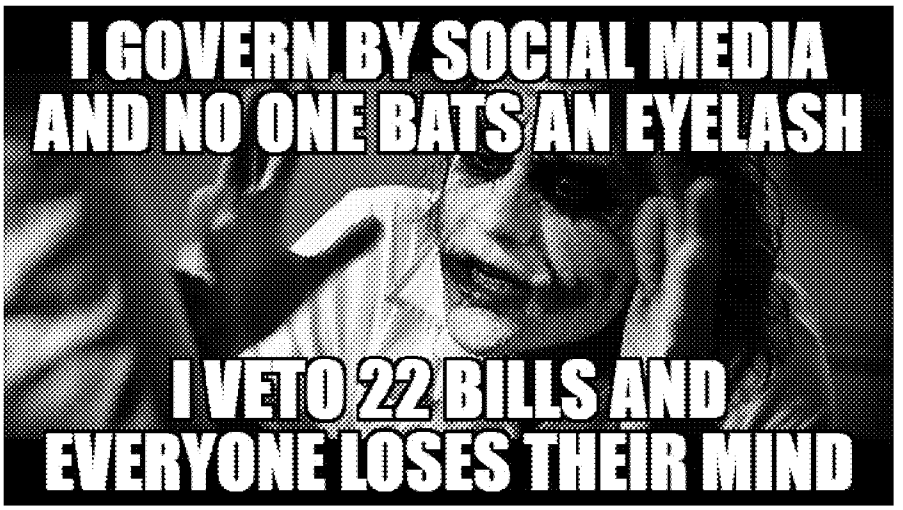
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003771

ARZN_REV00069293_6-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Commissioner Jim O'Connor voted with Kennedy and fellow Democrat Anna Tovar to initially approve the new language, and it is expected to come to a final vote in the coming months. Former Commission Chair Kris Mayes told our reporter she's happy the commission came to an agreement after failing weeks earlier. "Some people aren't going to be happy with that elongated 2070 date, but when you really drill down on the energy rules that they've passed, they're pretty fantastic," she said. "If they get final passage, they'll still put Arizona among the best states in the west for clean energy."

ONE DAY, DUCEY, FINCHEM AND HOFFMAN WALK INTO A BAR



Both Democrats and Republicans are unhappy with Ducey's series of vetoes aimed at compelling the Legislature to reconvene and pass a budget. Democrats are particularly upset over his rejection of S1526 (prisoners; training; individual certificates), which would have required prisons to provide feminine hygiene products to female inmates on request and set numerous new rules regulating the treatment of pregnant prisoners. The House's most conservative Republicans are just as critical. On his Telegram channel, Hoffman called the governor's actions a "misguided attempt to pressure the legislature into passing a budget." Ducey vetoed Hoffman's bills S1074 (governance; audits; training) and H2792, along with 20 others. S1074 would have banned some race-related training for government employees, while H2792 would have required an affirmative request before mailing an absentee ballot to a voter. "This is like a man-child temper tantrum," Finchem also said on Steve Bannon's "War Room" podcast (LINK), calling Ducey "a petty dictator" at another point in the interview. "He vetoed a bill that would have prohibited the teaching of critical race theory to government employees," Finchem said. "That is absolutely outrageous. Then we go on to a budget that's got so much pork in it you'd think we're going to a barbecue." Bannon also said Ducey seems to be "throwing down the gauntlet to the patriot movement," noting the grassroots conservative energy in Arizona demonstrated by people showing up to school board meetings to oppose mask and vaccine mandates and teaching critical race theory. Finchem said he tried to stay out of We the People AZ Alliance's effort to recall Ducey but hinted he might support it now. The group needs to turn in 594,111 valid signatures by June 11 to get it on the ballot. "At this (point), if he doesn't care about poisoning our children's minds with critical race theory, if he doesn't care about protecting the apparatus of the state government and not having it infected with this bigoted training, I can't defend the man anymore," Finchem said.

30% OF REPUBLICANS AND DEMOCRATS ALSO BELIEVE IN UFOS

Because of how the audit at Veterans Memorial Coliseum has played out, Townsend told our reporter she doesn't expect it will reassure voters regardless of what the final report says, and if the report, indeed, alleges significant fraud occurred, another recount will be needed. "I don't know how we get to a solution at this point because no matter what comes out of this audit, there's going to be at least half the people who aren't going to believe it," she said. Townsend pointed to county officials, saying the current audit illustrates a "failure of collaboration" between them and the Senate. She said she's been impressed with the

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003772
ARZN_REV00069293_6-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

procedures at the Madhouse on McDowell but that she doesn't think elected officials should be on site, and she recognizes concerns raised about the outside groups hired to conduct the audit. She also wanted the audit to be conducted at Maricopa County Tabulation and Election Center and said the problems the public has with the audit could've been avoided if that occurred. "There's always going to be questions, and that all could have been avoided if they had just let us do it, if they hadn't fought us. It's a shame," Townsend said. She added that if this review shows fraud, she would want a judge to rule that the county allow another review on-site at county facilities to see if the results could be duplicated.

DOESN'T ALEC ALREADY DO THAT?

In the meantime, Townsend is looking ahead for other steps to take when it comes to future elections, including holding a national convention in September to discuss election issues with legislators in other states. "One of the topics I would like us to address in a bipartisan way is how do we get our people confident in their voting system. What's it going to take?" she said. Townsend chaired the Arizona Balanced Budget Amendment Planning Convention in 2017 when delegates from 19 states met at the Arizona Capitol to begin preparations for a constitutional convention to curb federal spending through a balanced budget amendment. That convention was the first national convention in more than 150 years.

ADOPTING THIRD-WORLD COUNTING METHODS SEEMS LEGIT

She's also exploring alternatives to Dominion voting machines, though she's not sure whether machines exist that could absolve the issues by the voter integrity crowd. Some want machines to be done away with altogether, though Townsend isn't yet convinced that's the right choice. "I know the grassroots wants that," she said. "There's a lot of push nationally to get rid of the machines because people feel like they can be manipulated." She did say she's looking into it. "Do we want instant results, and we don't mind if there's insecurity and we have hackers telling us, 'Your machines are lame,' and we don't care because we want the results that night?" she asked. "Or do we want to know that the results are accurate, and we're willing to wait a little bit longer? How long are we willing to wait? No one really knows those answers yet, so we have to explore that."

CAN WE GET KERN AND FINCHEM TO GIVE THE TOUR?

A delegation of Pennsylvania lawmakers will tour Veterans Memorial Coliseum on Wednesday, the @ArizonaAudit Twitter account announced today (LINK). The lawmakers include state senators Doug Mastriano and Cris Dush, as well as state Rep. Rob Kauffman. All three have been outspoken critics of Pennsylvania's 2020 election results, claiming widespread fraud. In December, Dush and Kauffman joined other Pennsylvania Republicans in calling on Gov. Wolf and the secretary of state to withdraw certification of the 2020 election results for the presidential and other statewide races, saying "the alleged certification of Pennsylvania's presidential election results was absolutely premature, unconfirmed, and in error" (LINK). Biden won the Keystone state by 80,555 votes. Mastriano was at the U.S. Capitol on Jan. 6, though he said he left the area before things turned violent. (However, last week a left-leaning Pennsylvania watchdog group identified Mastriano in videos that appear to show him and his wife in a crowd breaching police barricades: LINK.) The group will first meet with Arizona state legislators at the Capitol before heading over to the Madhouse for a tour and a briefing, according to the tweet.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003773
ARZN_REV00069293_6-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SUPER GRCC

The Legislature wants to make a "super GRRC" by giving the body the ability to review any agency decision that it deems could be unconstitutional. The governor appoints members to the Governor's Regulatory Review Council, whose work often slips under the radar given its policy heavy and inside baseball nature. The Legislature has tried to use it as a go-to governmental entity to take away power from other bodies. This proposed change would, as permanent law, allow GRRC to initiate a review of any agency rule, policy or procedure "in addition to the current requirement that a petition be submitted to GRRC for that purpose." In an email, Clean Elections executive director Tom Collins said the language would affect CCEC by allowing GRRC to "strike commission rules on its own recognizance, rather than requiring a petition or any notice to the public." "In other words, the Governor's council could override Commission decisions at will. This is contrary to the Voter Protection Act," he wrote. Any legislatively-enacted amendment to a voter-approved law needs three-fourths approval in both chambers, and only permissible if it advances the voters' intent. Collins called it a "double whammy" because Clean Elections is partially appointed by the governor, while the GRRC is entirely appointed by the governor. The language amends a bill Ducey signed this year, H2759 (rulemaking; petitions; GRRC), which requires a petition to request a review. The proposed new language would remove the petition requirement. Grantham sponsored that effort and Biasiucci ran a similar bill in 2019 and 2020 to no success.

KAVANAGH EYES OLD SENATE SEAT

Kavanagh wants his old Senate seat back. Kavanagh, who is in his second term in the House, filed a statement of interest last week to run for Senate in LD23. Ugenti-Rita, the district's current senator, is leaving the Legislature to run for Secretary of State. No one else has filed to run for the Senate seat so far. Republican Jan Dubauskas has filed to run for the House in the district. Chaplik, who is a freshman, is the district's other representative.

·WAKE UP CALL·

Executions for 2 inmates draw nearer
Arizona Capitol Times
The Arizona Supreme Court on Tuesday set deadlines for the state attorney general to file his motions for warrants of execution for two death row inmates.

Community colleges to move prudently to 4-year degrees
Arizona Capitol Times
Legislation signed by the governor earlier this month opens the door for community colleges to offer four-year degrees, but it'll take time for colleges to decide what programs, if any, to provide.

No show senator, holdouts bog down budget
Arizona Capitol Times
The House has adjourned until June 10 and the Senate plans to pass a budget alone on Thursday as Republican holdouts – including one who refused to show up to the Capitol – thwarted GOP leaders' plans to push a massive tax cut and $12.8 billion budget through the House and Senate.

Ducey flexes veto power to bring uncooperative Republicans in line on budget
Arizona Capitol Times
Gov. Doug Ducey is putting a moratorium on all bills for the remainder of the legislative session until lawmakers send a budget to his desk.

New norm: Governing by social media
Arizona Capitol Times
Politicians are laying a new foundation in media relations and operating as if the Fourth Estate no longer exists.

DPS body camera bill restricts release of video
Capitol Media Services

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003774
ARZN_REV00069293_6-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

State lawmakers are moving to fund body cameras for Department of Public Safety officers — but only after restricting when people can get access to the footage.

Bad handwriting could lead to criminal probe

Capitol Media Services

So how has your signature changed over the years?

Ducey's veto spree might affect budget deal

Capitol Media Services

Ducey's using vetoes to push Arizona lawmakers to set a new budget did little more than "annoy his friends" in the Legislature, some GOP leaders say.

Arizona's current historic drought may be 'baseline for the future'

Cronkite News

Arizona and other Western states just lived through the driest year in more than a century, with no drought relief in sight in the near future, experts told a House panel Tuesday.

Rounds Consulting hired to examine flat state income tax

White Mountain Independent

The League of Arizona Cities and Towns (the League) commissioned Rounds Consulting Group, preeminent economists in Arizona, to analyze the impacts of a flat state income tax on local governments.

Lawsuit Filed Over 'Indiscriminate' Mass Arrests of Phoenix Protesters

Phoenix New Times

A group of people who were arrested last summer during anti-police brutality protests in downtown Phoenix have filed a class-action lawsuit in federal court, alleging that they were wrongfully arrested en masse without probable cause.

The way Sen. Kyrsten Sinema helped to kill the Jan. 6 commission

Arizona Republic (Opinion, EJ Montini)

Sinema can't say she supports legislation vital to Americans but refuse to do what needs to be done to pass it.

Gov. Doug Ducey throws a punch at lawmakers, hits parents, adoptees, homeless and farmers

Arizona Republic (Opinion, EJ Montini)

If you want to be a contender you have to step into the ring, not use members of the audience as a punching bag.

Good grief, it's now raining election audits in Arizona

Arizona Republic (Opinion, Laurie Roberts)

The Arizona Senate is about to order up yet another audit of Maricopa County's election? What's that old saying about the definition of insanity?

Sorry, Sen. Kyrsten Sinema. You are no John McCain

Arizona Republic (Opinion, Laurie Roberts)

Friday's vote on a commission to investigate the Jan. 6 insurrection showed us two things about Sen. Kyrsten Sinema: She got played by Republicans and she's no John McCain.

Vaccine freebies seem to work. But they are part of what's wrong with America

Arizona Republic (Opinion, Joanna Allhands)

Ohio's vaccine lottery helped boost COVID-19 vaccine rates, so naturally, everyone is in on the game now. But ugh. I hate what this says about us.

88 politicians have been murdered in Mexico. Yes, America, it's time to pay attention

Arizona Republic (Opinion, Elvia Diaz)

Cartels are taking out opposition while Mexico's president consolidates his power around a nationalist, socialist agenda. Why are we not concerned?

American Jews have been attacked on their own streets. That should worry us all

Arizona Republic (Opinion, Phil Boas)

Antisemitism has long been a portent of societal breakdown. It's why the recent attacks on American Jews should fill us all with foreboding.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

What Memorial Day is like for veterans like me who have lost friends in war
Arizona Republic (Op-ed, Troy Luster)
For me, Memorial Day evokes memories of events before and after the loss of 5 lives in my National Guard unit, which was deployed to Iraq in 2004.
I found great caregivers for my mom with dementia. Not many have that opportunity
Arizona Republic (Op-ed, Ann Hodgins)
It's exceedingly tough to find quality caregivers, so many women end up leaving their jobs to care for loved ones. It shouldn't be this way.

·PRESS RELEASES·

Maricopa County Reports First Heat Death of 2021

This death follows a record number of heat deaths in 2020

PHOENIX (June 1, 2021)—The first heat death of 2021 in Maricopa County has been confirmed in a male older adult. This comes as Maricopa County Department of Public Health (MCDPH) releases the 2020 heat report, with a record high of 323 heat-related deaths in 2020. This is 62% higher than in 2019 and the highest number recorded since heat surveillance began in 2001.

While the majority of heat-related deaths occur in July and August, they can occur as early as April and as late as October each year. Last year was one the one of the hottest years on record with almost 3 times as many days with excessive heat warnings than the five-year average.

"The tragedy of these deaths is that they are all preventable," says Dr. Rebecca Sunenshine, medical director for disease control at MCDPH. "No matter your age or how long you've lived in the valley, none of us are immune to its effects."

Many people believe that visitors to Maricopa County are more likely to die from heat-related causes, however, this is not true. "It is a myth that people can acclimate to the heat over time," said Dr. Sunenshine. Most people who die from heat are Maricopa County residents who have lived here for many years. Last year, about two-thirds of all heat-related deaths occurred in residents who had lived in Arizona for 20 years or longer.

The full heat report for 2020 is now available at heataz.org. Other numbers to note from the report include:

- Over 80% of heat-related deaths were in men
- Blacks and American Indians/Native Americans had the highest rates of heat-related deaths
- Over half of the deaths in 2020 were among individuals experiencing homelessness
    - This number is more than double the year prior
- About 15% of deaths occurred indoors, with 85% occurring outdoors, the highest proportion of outdoor deaths there has been since heat surveillance started

Indoor deaths were not a large proportion of all heat-related deaths but are equally preventable. Of those who passed away indoors, 82% had an air conditioner present, with about two-thirds of those air conditioners not functioning.

"This is why it is so important that we take the time to check on friends and neighbors who live alone, especially seniors or people with chronic medical conditions," said Dr. Sunenshine. "Neighbors and loved ones should check on people before a tragedy occurs."

People suffer heat-associated illness when their bodies are unable to compensate and properly cool themselves. To prevent heat-associated illness, follow these safety tips:

· Drink water before you get thirsty to prevent dehydration

· Don't rely on fans as your primary source of cooling once the temperature gets higher than 90 degrees, they don't work anymore

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003776
ARZN_REV00069293_6-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Come indoors frequently to an air-conditioned location to cool your core body temperature
- Wear lightweight clothes
- Never leave kids, pets, and others who may rely on you inside of a parked car
- Check on friends and neighbors, especially the elderly, to make sure their A/C is functioning and turned on and that they are feeling OK
- Seek medical care immediately if you have, or someone you know has, symptoms of heat-associated illness like muscle cramps, headaches, vomiting, confusion, no longer sweating, and rapid heart rate

Maricopa County Public Health works with partners across the county through the Heat Relief Network to provide resources to people who need them to get through the summer months. The range of assistance offered by the network includes utility assistance, cooling centers, water distribution centers, evening heat relief for people who are homeless and unsheltered, and more.

The full report, along with a map of cooling centers and other resources to help people through the summer, is available at HeatAZ.org. The website and resources are also available in Spanish at CalorAZ.org.

###

Governor Ducey Orders Flags At Half-Staff To Honor Phoenix Police Officer Ginarro New

PHOENIX — Governor Doug Ducey ordered flags at all state buildings be lowered to half-staff until sunset today, June 1, 2021, to honor Phoenix Police Officer Ginarro New, who died from a car accident while on duty last night.

"Officer Ginarro New of the Phoenix Police Department worked each day to protect Arizonans," said Governor Ducey. "We are devastated by the loss of Officer New, who served with the Department for just under two years. He made safe communities his top priority, and we are grateful for his bravery and dedication to protecting others. Our prayers are with his wife and loved ones. I've ordered flags at all state buildings be lowered to half-staff in honor of Officer New's life and service."

###

County to hold Truth in Taxation public hearings June 22 on proposed tax increases

PIMA COUNTY, June 1, 2021 - All interested citizens are invited to attend the virtual public hearing on three proposed tax increases to be discussed at 9 a.m. or thereafter on June 22, broadcast from the Board of Supervisors Hearing Room, Pima County Administration Building, 130 W. Congress, 1st Floor. The increases concern the Library District, the Regional Flood Control District and County's primary property tax rate.

In compliance with section 48-254, Arizona Revised Statutes, Pima County Free Library District is notifying its property taxpayers of Pima County Free Library District's intention to raise its secondary property taxes over last year's level. Pima County Free Library District is proposing an increase in secondary property taxes of $2,406,965 or 4.92%.

For example, the proposed tax increase will cause Pima County Free Library District's secondary property taxes on a $100,000 home to be $53.53 (total proposed taxes including the tax increase). Without the proposed tax increase, the total taxes that would be owed on a $100,000 home would have been $51.02.

In compliance with section 48-254, Arizona Revised Statutes, Pima County Flood Control District is notifying its property taxpayers of Pima County Flood Control District's intention to raise its secondary property taxes over last year's level. Pima County Flood Control District is proposing an increase in secondary property taxes of $1,189,532 or 4.25%.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003777
ARZN_REV00069293_6-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

For example, the proposed tax increase will cause Pima County Flood Control District's secondary property taxes on a $100,000 home to be $33.35 (total proposed taxes including the tax increase). Without the proposed tax increase, the total taxes that would be owed on a $100,000 home would have been $31.99.

In compliance with section 42-17107, Arizona Revised Statutes, Pima County is notifying its property taxpayers of Pima County's intention to raise its primary property taxes over last year's level. Pima County is proposing an increase in primary property taxes of $13,243,101 or 3.69%.

For example, the proposed tax increase will cause Pima County's primary property taxes on a $100,000 home to be $387.64 (total proposed taxes including the tax increase). Without the proposed tax increase, the total taxes that would be owed on a $100,000 home would have been $373.83.

Questions may be directed to the County Administrator's Office, 520-724-8587.

Notice: Truth in Taxation Public Hearing notices will be published in the Daily Territorial on June 7 and June 14 and in the Ajo Copper News on June 2 and June 9.

###

Board Approves Tentative Budget

The new county budget includes a tax break for you. The Board doesn't control property values, but we do control the property tax rate. For fiscal year 2022, we were able to lower that rate to save you money on your tax bill.

In addition, the new county budget addresses key needs identified during the pandemic and makes long-term investments in public health and safety. Among those: 10 improvement projects at our regional parks, more than 90 transportation projects, and new Sheriff's Office substations in the West Valley.

The Board approved the tentative budget May 17th . <Watch the presentation>

A vote on the final budget is scheduled for June 21. You can learn more at Maricopa.gov/budget.

"QUOTE OF THE DAY"

"A petty dictator."

- Finchem on Ducey after the governor vetoed 22 bills to force lawmakers to pass a budget.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003778

ARZN_REV00069293_6-1-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, June 2, 2021 5:28:31 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 6-2-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *June 2, 2021*

ARIZONA'S FAVORITE ALMOST-CANDIDATE FOR MINE INSPECTOR
Controversial civil rights activist Jarrett Maupin filed – and then un-filed – to run for state mine inspector last night after our reporter noted he doesn't appear to be qualified under a new state law.

AN QUO OMNIS FEUGIAT ERUDIT
Kari Lake launched her campaign with a video that highlighted talking points aimed at drawing the conservative base and attacked the media, her own industry that made her a local celebrity.

VEL AT VITAE ORATIO PARTEM
Consultants and pollsters believe Hobbs is the early frontrunner on either ticket because of her name ID, but they also caution that the primaries are

AMERICAN OVERSIGHT

still more than a year away.

NE SEMPER HENDREERIT USU
Democrat consultant Chad Campbell agrees, but added that she's still not a person to be taken seriously, even if she is a serious candidate.

EX HAS DICAM UTROQUE INSOLENS
Political consultant Barrett Marson also sees Lake's initial advantage.

HOBBS FINALLY RUNS FOR OFFICE …
Hobbs this morning also officially announced her candidacy for governor.

SHE'S BEEN RUNNING FOR SINCE 2018
Campbell, a former seatmate with Hobbs in LD24, said she is the clear frontrunner on the Democratic side.

CAN YOU SPOT THE PINKOS, GREENGOS AND ORANGEOS?
Beyond observing changing policies and "problematic practices," Secretary of State observers also noted name-calling from the auditing team.

PETERSON WANTS TO PROBE FRONTIER COMMUNICATIONS
Corp Comm Chair Lea Márquez Peterson wants the commission's utilities compliance and enforcement division to look into Frontier Communications, saying that service outages lasting 35 hours at a time have kept rural Arizonans from connecting with emergency services.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, June 02, 2021

·NEWS NOTES AND GOSSIP·

ARIZONA'S FAVORITE ALMOST-CANDIDATE FOR MINE INSPECTOR

Controversial civil rights activist Jarrett Maupin filed – and then un-filed – to run for state mine inspector last night after our reporter noted he doesn't appear to be qualified under a new state law. Earlier this year, Griffin passed Laws 2021, Chapter 20 (H2033: state mine inspector; qualifications), which requires candidates for state mine inspector to have eight years of mining experience, at least four of which were at an Arizona mine. The more stringent requirements already bounced one candidate, Libertarian Kim Ruff, from the race for Arizona's most obscure statewide elected office. Maupin, however, first doubled down and insisted he had mining experience he did not care to share. Our reporter tweeted about his statement of interest and the new law that will make it harder for many would-be mine inspectors to qualify for the ballot, and Maupin went back and forth with several people in the replies, saying no one knew about his mining experience and it is racist to assume he isn't qualified. "The assumptions about qualifications and experience in some of these comments are breathtaking. That people convince themselves that they know everything about everybody is alarming. This is absolute racism and ignorance on display. May as well tell me, 'Stay in your place, boy,'" Maupin wrote in a since-deleted tweet. He promised in another to share his qualifications at a press conference, but then chose instead to unfile his statement of interest and delete those tweets. Maupin has been active in politics for nearly two decades but has never before claimed to have worked as a miner. His biography page on the political website ourcampaigns.com describes him as having worked as a pastor since age 12 and a civil rights advocate since age 6 (LINK). He worked in retail during his probation after a 2009 felony conviction for lying to the FBI about a crime he claimed former political rival Phoenix Mayor Phil Gordon committed, according to a 2016 profile in the *Arizona Republic* (LINK). Since then, Maupin has primarily worked as a consultant for hire.

AN QUO OMNIS FEUGIAT ERUDIT

Kari Lake launched her campaign with a video that highlighted talking points aimed at drawing the conservative base and attacked the media, her own industry that made her a local celebrity. Many viewed her announcement as rushed because her campaign site was unfinished, and once Twitter noted it, she removed a section that was incomplete. It also went live at the very moment the Phoenix Suns and Los Angeles Lakers played Game 5 of their playoff series, potentially missing a good chunk of Arizonans focused on the Suns' winning performance. In her video (LINK), Lake said small businesses are still struggling to recover after being locked down, and schools are "pretending online learning is the same as having our kids in the classroom." She also noted Phoenix's growing homeless problem, and Arizona's

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003781

ARZN_REV00069297_6-2-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

opioid epidemic. "The border is out of control and our police are under attack," she said. Lake's video also adopts an "Arizona First" campaign, effectively mirroring Trump's "America First" campaign. Ironically, Lake tells the viewers she was a trusted media source, a broadcaster that Arizonans let into their homes every night for 27 years, but in the same video, she accused the media of "pushing fear and division."

VEL AT VITAE ORATIO PARTEM

Consultants and pollsters believe Hobbs is the early frontrunner on either ticket because of her name ID, but they also caution that the primaries are still more than a year away. On the Republican side, Lake, a former Fox 10 anchor, is the most recognizable candidate out of the current field of Republican hopefuls, said Paul Bentz, a pollster with HighGround. He said that not even members of Arizona's House delegation command that much name recognition. Lake, he said, has the "celebrity personality" that turned voters on to Trump in 2016. He said Lake can follow Trump and run on a "more of a celebrity approach than a political approach." "She doesn't really have any baggage that would hurt her in the primary," he told our reporter. He added that Lake's "sort of anti media stance combined with her questioning the validity of the election and demanding the audit" are positions that his recent poll (LINK) showed will do well in a Republican primary. Bentz said when more polls hit the field, the early ones will likely show Lake as a favorite on the Republican side. "We'll see if she holds on to that position, but just by the name ID and sort of celebrity aspect of it alone, I think she'll do well."

NE SEMPER HENDREERIT USU

Democrat consultant Chad Campbell agrees, but added that she's still not a person to be taken seriously, even if she is a serious candidate. "She's a conspiracy theorist and a QAnon-er," Campbell said, adding that it'll be important to see how well she can play to that base. Both Campbell and Bentz agreed the most important thing for Lake is to raise money because getting on the ballot won't be easy for a political novice. Bentz noted that she will be up against some well-funded candidates, such as Robson and likely Matt Salmon, who some view as the "establishment" pick, and Steve Gaynor, who self-funded his secretary of state run in 2018, winning in the primary but losing in the general election. "She will need skilled hands to help her with this campaign," Bentz said. "Just yesterday, with launching a website that wasn't complete and not having your paperwork in order to announce your campaign, those are fundamental mistakes that need to be addressed before this campaign gets significantly underway."

EX HAS DICAM UTROQUE INSOLENS

Political consultant Barrett Marson also sees Lake's initial advantage. "Kari Lake has been on TV for nearly a generation and people recognize her, and in a campaign, that is certainly a good start," Marson said. "However, she literally has no experience in governing." Another railbird noted that Lake is pandering to the conservative crowd, the tried and tested path to victory in the GOP primary. All of the Republican gubernatorial candidates who won the primaries in recent memory are considered conservative – or at least

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003782
ARZN_REV00069297_6-2-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

regarded as conservative at the time. Lake, as noted above, scored solid points in a HighGround poll that took a snippet of the early race for governor. The poll, commissioned by Public Integrity Alliance and which focused on voters' attitude toward citizenship for DACA recipients, confirmed that the governor's race is wide open on the Republican side. Lake received 9.8 percent of the vote, followed by ASU lobbyist and former congressman Matt Salmon with 7.8 percent, former U.S. candidate Daniel McCarthy at 4.8 percent, and Kimberly Yee at 3.8 percent. Karrin Taylor Robson, who is also running, didn't register in the May 3-5 poll. The overwhelming majority – 66.3 percent of Republican primary voters – are undecided. When asked for voters' second choice, Yee sits atop the field with 16.4 percent, followed by McCarthy at 15.4 percent, Salmon at 13.5 percent, Lake at 9.6 percent, and Robson at 3.9 percent, while 36.5 percent are undecided. "The Republican race for governor is wide open," Bentz noted in the poll's memo. "With more than two-thirds of likely primary voters undecided this early and no clear front runner, each candidate will have plenty of time to make their case to the voters – especially as the field continues to grow."

HOBBS FINALLY RUNS FOR OFFICE ...

Hobbs this morning also officially announced her candidacy for governor. Assuming she wins in 2022, she will only be the sixth former legislator in history to accomplish that feat following Republicans Jan Brewer in 2010, Jane Dee Hull in 1998, Evan Mecham in 1986, John Phillips in 1928 and R.T. Jones, a Democrat, in 1938. Hobbs joins Marco Lopez in the Democratic primary. The winner of that race will face Yee, Karrin Taylor Robson or Kari Lake, although the GOP field is expected to grow. Lieberman, Matt Salmon and Steve Gaynor (YS, 5/19) (YS, 6/1) are the last rumored candidates to jump into what will be competitive primaries. Hobbs has been in the national spotlight to speak about Arizona's 2020 election. Officials from the two major parties mostly agree the elections were safe and secure, but some Republicans claimed the election was rigged, which led to the Arizona Senate's audit. The national coverage became the focus of her campaign video, in which she highlighted the death threats that prompted 24/7 security detail. "I'm here to solve problems," she said in the video (LINK). "In 2020, against all odds, in the middle of a pandemic, we proved that democracy works." Hobbs told our reporter she's tired of all the personal attacks across partisan lines, adding Arizonans are too. She said she will avoid the use of those attacks and govern by bridging the partisan divide. "I have a record of getting things done for Arizona and I've worked to bridge that partisan divide … that's what I want to do as governor," she said. Hobbs addressed the border and the economy in an interview with our reporter, where she refused to categorize the influx of border apprehensions as a "crisis" and instead insisted the word is "political football," (LINK). "We need to focus on what's best for Arizonans and work with our federal partners to address those issues in the way that's best for everyone." Hobbs said she will go down to the border soon, and it won't be for a photo op.

SHE'S BEEN RUNNING FOR SINCE 2018

Campbell, a former seatmate with Hobbs in LD24, said she is the clear frontrunner on the Democratic side. "And that's clear with a capital C-L-E-A-R, italicized and underlined," he told our reporter. He thinks as of today that Salmon would likely be the Republicans' best shot, but noted it's still early. He said it's likely the entire Dem field will consist of Hobbs, Lopez and Lieberman. Bentz said things currently look good for Hobbs because she can run based on her position on the audit, but he's unsure this theme will last over the next 18 months. "I do think the audit is a big deal right now and then it harms Republicans at this time. But I don't know if it's an issue that has legs to last a year and a half," he said. He added that Republicans' top issue is immigration and Democrats favor education, but one issue he said should get more attention from both sides of the political divide – and which barely registers among candidates – is water. "Arizonans are acutely aware that we're in a drought, and a lot of the electorate doesn't necessarily believe we have enough water to last the next 100 years, but nobody's talking about that because that's not a fun issue," Bentz said, adding addressing water issues would help candidates.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003783

ARZN_REV00069297_6-2-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

CAN YOU SPOT THE PINKOS, GREENGOS AND ORANGEOS?

Beyond observing changing policies and "problematic practices," Secretary of State observers also noted name-calling from the auditing team (LINK). One observer cited former AZ GOP chair and current audit media contact Randy Pullen as saying on May 26 that one observer "looked like a transgender" in the pink shirt the SOS observers are required to wear on site. Observers also said they were being called "pinkies" or "pinkos," words that connote communist sympathies. Pullen did not return a phone call to the audit press line before deadline. A page on the Secretary of State's website outlines other concerns that have surfaced or continued since the hand-count resumed last week. For example, observers noted that black pens had been brought onto the floor several times since May 24, including one that was provided to Rogers when she toured on May 27 to take notes. Tabulators can read blue and black ink, something *Republic's* Jen Fifield pointed out to Cyber Ninja's CEO Doug Logan on the first day of the hand count (YS 4/23). Observers also stated that audit workers are allowed to bring in firearms, as long as they're concealed. On Monday, observers noted that a software update to the paper examination work stations created enough problems in the first shift of the day that auditors reverted to the old software by the second shift. Observers also said on May 29 that they saw "at least three people who are not residents of Maricopa County" going through "thousands of military or overseas ballots." Previously, observers and the press had been told only Maricopa County residents would handle ballots.

PETERSON WANTS TO PROBE FRONTIER COMMUNICATIONS

Corp Comm Chair Lea Márquez Peterson wants the commission's utilities compliance and enforcement division to look into Frontier Communications, saying that service outages lasting 35 hours at a time have kept rural Arizonans from connecting with emergency services. Márquez Peterson cited reports that show there were 19 outages since April 2020 lasting a total of more than 130 hours. Frontier Communications services numerous rural communities, such as Lake Havasu, Show Low and Bullhead City. In a prepared statement, Márquez Peterson called the outages "egregious and unacceptable." "Residents of affected communities deserve much better," she said. "The lack of accountability is especially concerning." The commission will discuss her request for an investigation at its next meeting on June 8.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Hobbs begins campaign for governor
Arizona Capitol Times
Arizona's Democratic Secretary of State Katie Hobbs is hoping to accomplish something only five former state lawmakers have done before – become governor.

Former news anchor jumps into gubernatorial race
Capitol Media Services
Another candidate has declared for governor, using the same tactics as two others already in the race: a press release and no media interviews.

Attorney General's Tucson office disqualified from murder case
Capitol Media Services
The Arizona Supreme Court has disqualified all the lawyers working at the Tucson office of the state attorney general from handling a new trial in a 21-year-old murder case.

Sen. Sinema explains Jan. 6 commission vote absence; touts border bill in Tucson
Arizona Daily Star
U.S. Sen. Kyrsten Sinema, D-Ariz., said she did not vote on the creation of a commission to delve into the Jan. 6 Capitol riot because of a "personal family matter."

Mesa responds to criticism with 'praise and raise'
East Valley Tribune
Despite some fiery behind-the-scenes blasts launched at them, Mesa Mayor John Giles and City Manager Chris Brady responded with a "praise and raise" strategy toward the Mesa Fire and Medical Department.

Biden Administration Says Oak Flat Land Swap Should Proceed Despite Lawsuit
Phoenix New Times
The Biden administration recently argued in federal court that a controversial land trade in the Oak Flat region for a copper mine shouldn't be stopped by a lawsuit — despite previously moving to pause the project.

Redistricting commission divided on inviting legislative leaders
Arizona Mirror
The Arizona Independent Redistricting Commission is split on whether to invite Democratic and Republican leaders from the legislature to address the commission, with a majority of members leaning against it.

Flat-tax plan punishes voters for audacity to tax AZ's wealthiest
Arizona Daily Star (Opinion, Tim Steller)
When Arizona voters pass a progressive change, the state's wealthy interests seek a way to punish them and reverse their will. It was so with the minimum wage in 2016, and now it's the case with Prop. 208, the tax increase for education.

Is Arizona copying a Nazi method for carrying out executions?
Arizona Republic (Opinion, EJ Montini)
Even if you believe strongly in the death penalty, is this technique for killing a person something you want our state to be associated with?

Kari Lake lost her way as a journalist. Now she's running ... for governor?
Arizona Republic (Opinion, Laurie Roberts)
Kari Lake is running for governor? Because a lifetime of reading the news and a recent history of spreading conspiracy theories makes her ... what ... qualified to run the state?

Gov. Doug Ducey misused his veto power. Arizona lawmakers should override him
Arizona Republic (Opinion, Robert Robb)
It's time for the Legislature to defend its role as a co-equal branch of government.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003785

ARZN_REV00069297_6-2-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

President Biden spoke truth about the Tulsa massacre, but will he back reparations?
Arizona Republic (Opinion, Elvia Diaz)
President Biden is right to speak up about the Tulsa massacre. But words can only do so much. Descendants also deserve reparations.
New mining claims in the Bears Ears area put Indigenous communities at risk
Arizona Republic (Op-ed, Tommy Rock)
President Trump slashed the monument by 85%, leaving Bears Ears open to new mining claims. It is dangerous and shockingly disrespectful to Indigenous people.

·PRESS RELEASES·

Arizona's vaccine management system honored for state government IT innovation

Patients have used it to book appointments for more than 1,700 events

PHOENIX — The COVID-19 vaccination scheduling and administration system developed by the Arizona Department of Health Services (ADHS) has been honored among state government information technology innovations.

The StateScoop 50 Awards announced Wednesday named the ADHS vaccine management system among nine winners in the State IT Innovation of the Year category, which honors cutting-edge state IT approaches.

"I'm proud of our team for developing and continuing to improve a system that has helped millions of Arizonans get vaccinated while helping providers easily schedule events and enter critical information," ADHS Director Dr. Cara Christ said. "This system was used by our team at the state-run vaccination sites to administer nearly 1.6 million doses across all seven sites."

In partnership with local and tribal partners, ADHS launched the vaccine management system in less than three weeks late last year to support providers by creating an all in one system for scheduling, administering, and reporting information on vaccinations provided across the state. Since its launch, ADHS has worked continuously to refine the user experience based on customer and partner feedback.

The vaccine management system includes a vaccine patient portal, available at podvaccine.azdhs.gov, that has allowed patients to book 2.6 million appointments to date while offering information in English and Spanish. The system managed more than 1,700 vaccination events across the state and recorded more than a third of the state's total vaccinations to date, sending data to the Arizona State Immunization Information System (ASIIS).

The awards are offered by StateScoop, which reports on news and events impacting technology decisions in state and local government. Voting by the state government IT community decided the winners.

###

Arizona Secretary of State Katie Hobbs Announces Run for Governor

PHOENIX–Today, Secretary of State Katie Hobbs announced her run for Governor of Arizona.

"I am running for Governor to deliver transparency, accountability, and results for Arizonans, just like I have done my whole career," said Katie Hobbs. **"Right now, our state government is being run by conspiracy theorists who are more focused on political posturing than getting things done, and**

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

that needs to change. As Governor, I will do what I have always done: put aside our differences and work to solve the serious problems facing Arizona."

Watch: Katie Hobbs' Launch Video

Born and raised in the Grand Canyon State, Katie Hobbs has dedicated her life to listening to her community and helping solve difficult challenges for the people of Arizona. A fearless advocate for Arizona, Katie is ready to bring transparency and accountability to the Governor's office and deliver real results for all of us.

When elected Secretary of State in 2018, Katie faced an uphill battle. The prior administration was mired in dysfunction, had wasted taxpayer dollars and had failed on voter protection. Katie got to work to set things right.

Katie modernized the office, fixed faulty or broken systems and battled misinformation from foreign and domestic sources. In the face of threats to herself, her family and her colleagues, Katie stepped up and fearlessly delivered an historically secure election for Arizona voters.

Click here to learn more about Katie Hobbs.

###

Governor Ducey Announces Application Extension For Judge Of The Superior Court In Mohave County

PHOENIX — Governor Doug Ducey extended the deadline for applications for Judge of the Superior Court of Mohave County. The Governor will make the appointment to fill the vacancy created by the retirement of Judge Charles W. Gurtler, Jr.

Applications will now be accepted until 5 p.m. on Friday, June 11, 2021. A copy of the application and instructions for applying can be downloaded at azgovernor.gov/judges.

Applicants must be at least 30 years of age and less than 65 years of age, of good moral character, admitted to the practice of law in Arizona, a resident of Arizona for the past five years, and a resident of Mohave County for the past year pursuant to Article VI, Sections 22 and 37 of the Arizona Constitution.

A signed original application with all attachments, and a searchable .pdf version of the application and attachments must be submitted to Anni Foster, General Counsel, Office of Governor Doug Ducey, Executive Tower, 1700 W. Washington St., Phoenix, AZ 85007, by 5:00 p.m. on Friday, June 11, 2021.

All interviews are open to the public. The interview date will be announced.

MEDIA ADVISORY: TOMORROW - People First Economy Budget Hearing

PHOENIX - The People First Economy for Arizona campaign is hosting the budget hearing that the Arizona State Legislature has not and will not. The state budget released by the majority's party leadership prioritized one thing, ensuring the wealthiest Arizonans received the largest possible tax handout… at the expense of everyone else.

So, on Thursday, June 3 we are convening that hearing. The entire Arizona State Legislature has been invited to ask questions of our expert community witnesses who will testify on the issue areas most important to Arizonans.

Details: **Thursday, June 3 | 4:00 PM - 5:30 PM - AZ State Capitol's Senate Lawn**

Note: Hearing will run from approximately 4:15 PM - 5:15 PM.

If you are planning to attend, **please RSVP to Sarah Kader at Skader@AZEconCenter.org so we can ensure space in the shade!**

About People First Economy: A joint campaign of the Arizona Center for Economic Progress, Arizona Center for Empowerment, and One Arizona, PFE was built after many rounds of listening sessions and

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003787

ARZN_REV00069297_6-2-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

focus groups. The goal of the campaign is to provide a reimagining of how Arizona uses our public resources, directing them to the priorities identified from these listening sessions.

This email originated from an email address that is not controlled by BTM. If you are unsure if this email is safe, please send the email in question as an attachment (not forwarded) to servicedesk@bridgetowermedia.com. The suspicious email must be attached to allow us to determine its origin

###

Arizona Corporation Commission Chairwoman Lea Márquez Peterson Calls for Investigation of Frontier Communications 911 Service Outages

Investigation In Response to Over 130 Hours of 9-1-1 Outages Across Arizona

PHOENIX - Arizona Corporation Commission Chairwoman Lea Márquez Peterson submitted a letter on June 2, 2021, asking the Commission's utilities compliance and enforcement division to conduct a thorough investigation of Frontier Communications for multiple service outages that affected Arizonans' ability to contact 9-1-1 operators.

Frontier Communications is a telecommunications and internet service provider that consists of three separate entities: Frontier Communications of the White Mountains; Citizens Utilities Rural Company; and Navajo Communications Company. Collectively, the companies provide service to tens of thousands of Arizonans throughout the state, particularly in rural areas and communities such as Bullhead City, Lake Havasu, and Show Low, among others.

Recently culled data demonstrates that Frontier Communications had multiple service outages, which prevented Frontier customers from reaching emergency responders when they dialed 9-1-1 in times of need. Some outages were as short as just over an hour, while others lasted for as long as nearly 35 hours. In sum, reports show a total of 19 outages since April 2020 in eleven different communities, totaling over 130 hours of outages for Frontier Communications customers.

"These outages are egregious and unacceptable," said Chairwoman Márquez Peterson. "They represent a clear risk to public health and safety."

"Residents of affected communities deserve much better. The lack of accountability is especially concerning. We must get to the bottom of this."

The request to investigate Frontier Communications will be discussed at the Commission's next open meeting, on June 8, 2021. More details will be provided as they become available.

"QUOTE OF THE DAY"

"Does she know what AHCCCS is?"

- Railbird, speculating that TV anchor turned gubernatorial candidate Kari Lake faces a steep learning curve.

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, June 3, 2021 5:07:01 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 6-3-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *June 3, 2021*

HOBBS: SEE MY 11 ENDORSEMENTS?
The battle for endorsements has begun. Few endorsements truly matter, but cumulatively, they paint a picture of a serious candidacy and, sometimes, inevitability.

YEE: SEE MY 25 ENDORSEMENTS?
On the Republican side so far, Yee received endorsements from 25 current and former legislators in addition to getting Lesko's endorsement last month.

JONATHAN LINES TO LEAD GOP VICTORY FUND
Robson, who ran the Republican Legislative Victory Fund in 2020 which successfully kept the Legislature in Republican control, will be

AMERICAN OVERSIGHT

stepping away to focus on her campaign.

YOU SCRATCH MY BACK…
Interestingly, the RLVF PAC did not put any money into the races of the lawmakers who endorsed Yee today.

A LOVE LETTER TO DAVID COOK
Mayors across LD8 are putting their full support behind Cook and against Ducey's flat tax proposal.

CYBER NINJAS IN PENNSYLVANIA?
The three Pennsylvania lawmakers who toured Veterans Memorial Coliseum yesterday want to take a page out of the Arizona Senate Republicans' playbook and also audit 2020 election ballots in their own state.

OH, PITY THE RICH IN SCOTTSDALE
Bolick wrote to Acting Immigration and Customs Enforcement Director Tae Johnson on Tuesday, expressing opposition to plans to house more than 1,200 migrant families at a defunct Homewood Suites by Hilton Hotel in North Scottsdale.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, June 03, 2021

·NEWS NOTES AND GOSSIP·

HOBBS: SEE MY 11 ENDORSEMENTS?

The battle for endorsements has begun. Few endorsements truly matter, but cumulatively, they paint a picture of a serious candidacy and, sometimes, inevitability. Already, nearly a dozen Dem lawmakers lined up to support Hobbs a day after their former legislative colleague announced her bid for governor. Alston, Bowie, Contreras, Engel, Peshlakai, Quezada and Steele in the Senate, and Andrade, Dalessandro, Powers Hannley and Stahl Hamilton in the House all issued a joint endorsement of Hobbs for governor. "It is important that tribes across the state are heard and supported, and I know Secretary Hobbs is going to fight for us," Peshlakai said in the news release. Quezada said Hobbs knows how to get results: "[She] has proven time and again that she will always fight for what is best for us." Hobbs told our reporter in an interview on Tuesday that several endorsements are coming in the next couple of weeks. An endorsement from former Gov. Janet Napolitano might also be coming – she had dinner with her to allegedly discuss her gubernatorial campaign last month (YS, 5/17). Look out for how some lawmakers respond if or when Lieberman jumps into the race.

YEE: SEE MY 25 ENDORSEMENTS?

On the Republican side so far, Yee received endorsements from 25 current and former legislators in addition to getting Lesko's endorsement last month. Barto, Kerr, Biasiucci, Carroll, Fillmore, Kavanagh, Payne are among the current lawmakers. Former Senate President and Corporation Commissioners Brenda Burns and Bob Burns (no relation), former Senate Presidents Steve Yarbrough and Tim Bee, Maricopa County Treasurer John Allen and a handful of others also put their support behind Yee. "I know firsthand that Kimberly has been committed to fighting for conservative values and has always put Arizona first," Kerr said. "Over the years, I have admired her tireless effort to lead our state and she's never backed down from the fight. I look forward to working with her as our next governor of Arizona." Biasucci said Yee is the "right person at the right time" to lead the state and GOP party over the next decade. "She is a winner in everything she has done, while never compromising herself to score political points," he said. "I can't think of a more principled and qualified leader to be Arizona's Governor." Yee said she's proud and honored to get their support. "They are greatly respected and have fought for Republican ideas across our great state. These leaders are ready to help lead our effort to win the Republican nomination next year and work hard to keep Arizona red," she said. Former Gov. Jan Brewer will likely endorse Karrin Taylor Robson.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003791

ARZN_REV00069305_6-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

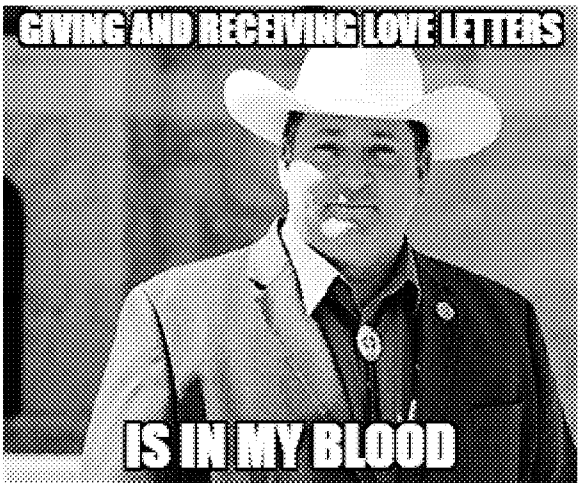
JONATHAN LINES TO LEAD GOP VICTORY FUND

Robson, who ran the Republican Legislative Victory Fund in 2020 which successfully kept the Legislature in Republican control, will be stepping away to focus on her campaign. The RLVF announced in February that former AZGOP chair and current Yuma County supervisor Jonathan Lines would be co-chair. Chad Heywood, a consultant with Camelback Strategies, confirmed to our reporter that Lines will lead the RLVF as Robson runs for governor. Heywood said Robson handed over the reins to Lines privately "a while ago," but they haven't made the announcement public and are planning on doing it soon. He said Lines being on the ground in Yuma, a border county, will benefit Republicans. "Everyone is coming down to Yuma and he's giving border tours for everybody right now," Heywood said, adding Lines will do a great job given his understanding of border dynamics, among other things. Heywood and Camelback Strategies will also be involved in Robson's campaign.

YOU SCRATCH MY BACK...

Interestingly, the RLVF PAC did not put any money into the races of the lawmakers who endorsed Yee today. Many, if not all, of the endorsers ran in relatively safe Republican districts. The lawmakers who received RLVF help have not issued any endorsements yet.

A LOVE LETTER TO DAVID COOK



Mayors across LD8 are putting their full support behind Cook and against Ducey's flat tax proposal. The letter signed by 12 mayors does not mention either Shope or Pratt, likely due to their support for a tax cut that would drastically cut city budgets. "In 1972, mayors from all over Arizona struck a deal with leaders at the State Capitol that helped our economy grow, kept taxes simple and helped create the strong cities and towns we have today," the mayors said, adding that in that deal, which voters approved, cities agreed never to adopt a separate income, luxury or 'sin' taxes and in exchange, the state would share 15 percent of state income taxes with municipalities. The mayors argued that the shared revenue makes up the majority of local public safety budgets, and Ducey's plan would effectively defund those areas, adding it would have a greater effect on the rural communities they serve. "Unfortunately," the mayors wrote, "the governor and legislative leadership are now actively trying to break that deal with Arizona cities." Cook, they said, has their best interests at heart. "He is one of a handful of brave legislators with enough courage to stand up to the power brokers at the State Capitol in Phoenix. Rep. Cook is forcefully speaking out about the destructive impact the proposed tax cut will have on our rural communities and he is fighting to protect us," they said. The mayors' letter (LINK) can be viewed in the "documents" section.

CYBER NINJAS IN PENNSYLVANIA?

The three Pennsylvania lawmakers who toured Veterans Memorial Coliseum yesterday want to take a page out of the Arizona Senate Republicans' playbook and also audit 2020 election ballots in their own state. State Sen. Doug Mastriano told the Arizona Audit pool reporter yesterday that he couldn't speak for his state Senate, but he'd like to see a similar audit this summer. "It should've already happened," he said. Mastriano toured with state Sen. Cris Dush and state Rep. Rob Kauffman, both of whom question the validity of the 2020 election. Dush also told the pool reporter he is interested in a similar audit in Pennsylvania. But whether they will get their wish remains to be seen, as Republican State Government

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003792
ARZN_REV00069305_6-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Committee Chairman Rep. Seth Grove tweeted that the Pennsylvania House would not authorize any further audits of the 2020 election (LINK). "We are focused on fixing our broken election law to make it easier to vote and harder to cheat," he wrote. Grove noted that in November 2020, the House already authorized an audit that was rejected by its Legislative Budget and Finance Committee (LINK). Still, the Pennsylvania Senate could look to conduct its own audit without the House's support, Senate State Government Committee Chairman Sen. Dave Argall told the *Pennsylvania Capital-Star* (LINK).

OH, PITY THE RICH IN SCOTTSDALE

Bolick wrote to Acting Immigration and Customs Enforcement Director Tae Johnson on Tuesday, expressing opposition to plans to house more than 1,200 migrant families at a defunct Homewood Suites by Hilton Hotel in North Scottsdale. "To members of the local community, establishing a temporary migrant detention center in the suburbs hours north of the northern border is a reckless and ineffective band aid being applied to the migrant crisis," Bolick wrote, pointing to national polling that shows fear of crime is increasing. She asked several questions, including whether the migrants being housed there have been vetted for criminal history and why the migrants aren't being housed closer to the border. "I hope you need to understand the need to keep our families safe as we head into summer," she wrote. "There is already a shortage in law enforcement, due in no small part to the uncontrolled border crises. They do not need any added pressure, especially if the federal government seems to be trampling on Arizona's state's rights." Brnovich also came out against plans to house migrants in Scottsdale, primarily expressing public safety worries. "First, regardless of how well-intentioned everyone involved is, detention facilities inherently carry some risk that one or more individuals who pose a public safety threat are going to be housed there and potentially leave the premises," Brnovich said in his letter to parties involved in the plans (LINK). Yesterday, hundreds of people showed up to a protest to oppose the plans, as well. The *Republic* reported that the protesters cited fears of illegal immigration (LINK), quoting one activist as expressing worry about Biden's agenda of "inviting illegals in order to have them vote Democrat later when they become citizens. I worry that's going to have a horrible effect on America and Americans because they don't have the same values, they don't know the constitution and they don't believe in the Second Amendment."

·WAKE UP CALL·

Election audit draws more GOP politicians
Arizona Capitol Times
Three Pennsylvania lawmakers were in Arizona on Wednesday to check out the state Senate GOP's partisan audit of the 2020 election.

Governor's budget 'tantrum' miffs lawmakers
Arizona Capitol Times
In starting Memorial Day weekend by vetoing every bill on his desk, Gov. Doug Ducey aimed to prod reluctant lawmakers to end their vacation and return to pass his tax cut and budget.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003793
ARZN_REV00069305_6-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AZ utility regulators advance new energy mandates plan
Associated Press
A 3-2 vote by the Arizona Corporation Commission moves the state toward boosting the renewable energy requirement for state-regulated utilities but under a slower timetable than a previous proposal that was rejected by the panel.

Kari Lake Sidesteps Her Right-Wing History in Announcing Bid for Governor
Phoenix New Times
Kari Lake, a former longtime Fox10 News anchor who embraces right-wing conspiracy theories, is running for governor.

Mark Finchem was much closer to the Jan. 6 insurrection than he claimed
Arizona Mirror
Newly discovered footage taken during the Jan. 6 U.S. Capitol riot shows Arizona GOP legislator Mark Finchem was much closer to the day's violence than he has previously claimed.

Kyrsten Sinema faces scrutiny following Biden remarks, skipped vote
Arizona Mirror
The White House on Wednesday said that comments made earlier this week by President Joe Biden about "two members of the Senate who vote more with my Republican friends" were not a criticism of moderate Democratic Sens. Kyrsten Sinema and Joe Manchin.

The conspiracy theory film made at the Arizona audit
Arizona Mirror
A filmmaker known for a film that claims 9/11 was an alien conspiracy is directing a documentary promoting baseless election fraud claims — a movie that features people working for the Arizona Senate's election audit, that was filmed at the audit site and is based on a book written by a man who is raising money from Trump supporters to fund the audit.

Arizona secretary of state alleges procedure errors at audit
The Hill
Observers working for Arizona Secretary of State Katie Hobbs (D) are keeping tabs on a mounting number of security flaws and procedural violations committed by ballot counters hired by the Republican-controlled state Senate to conduct an audit of votes cast in Maricopa County last year.

Outrage Greets Report of Arizona Plan to Use 'Holocaust Gas' in Executions
New York Times
Global headlines reflected the anger of death camp survivors and others after *The Guardian* published documents showing the state planned to return to the use of hydrogen cyanide, a gas associated with what the Nazis called Zyklon B.

Will Republicans support Donald Trump's summer coup attempt?
Arizona Republic (Opinion, EJ Montini)
The former president says he will be 'reinstated' by August. That doesn't happen in democratic republics. That happens in banana republics.

Sen. Kyrsten Sinema daftly doubles down on her filibuster support
Arizona Republic (Opinion, EJ Montini)
Her behavior modification plan must have Republican colleagues in hysterics.

Phoenix police Officer Ginarro New's death is tragic. But sadly, it's no surprise
Arizona Republic (Opinion, Laurie Roberts)
Arizona is the deadliest state in the nation for red-light runners, as we were reminded this week by the death of Phoenix officer Ginarro New. So when are we going to do something about it?

Please say there will be more than Donald Trump in Arizona's 2022 governor race
Arizona Republic (Opinion, Elvia Diaz)
Donald Trump won't be on Arizona's 2022 ballot, but he has dominated the field for governor so far - and that's not good for the state.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003794
ARZN_REV00069305_6-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Republican Gov. Doug Ducey takes Trump's beating like a good MAGA soldier. That's shameful
Arizona Republic (Opinion, Elvia Diaz)
Former President Trump lashed out at Republican Gov. Doug Ducey for vetoing bills. It's embarrassing to see Ducey refuse to respond.
Clean energy 'goals' won't make Arizona competitive. Newly passed requirements will
Arizona Republic (Op-ed, Anna Tovar)
A bipartisan amendment saved 3 years of work on clean energy standards, which should boost certainty and lower costs for Arizona utilities.
First the pandemic, now a flat tax. Haven't Arizona's most vulnerable suffered enough?
Arizona Republic (Op-ed, Martha Seaman and Rock Fremont)
Arizona should invest in long-starved public programs such as education, safety nets and infrastructure - not give tax cuts to the state's wealthiest.

·PRESS RELEASES·

25 current and former Arizona State Legislators

Endorse Kimberly Yee for Governor

Phoenix, AZ – Kimberly Yee for Governor announced today endorsements from 25 current and former Arizona state legislators, including four former Senate Presidents.

"I know firsthand that Kimberly has been committed to fighting for conservative values and has always put Arizona first," said Senator Sine Kerr. "Over the years, I have admired her tireless effort to lead our state and she's never backed down from the fight. I look forward to working with her as our next Governor of Arizona."

"Kimberly is the right person at the right time to lead our state and party for the next decade," said House Majority Whip Leo Biasucci. "She is a winner in everything she has done, while never compromising herself to score political points. I can't think of a more principled and qualified leader to be Arizona's Governor."

"I am proud and honored to have the support of these 25 outstanding Arizona Republicans who have served in the Legislature," said Kimberly Yee. "They are greatly respected and have fought for Republican ideas across our great state. These leaders are ready to help lead our effort to win the Republican nomination next year and work hard to keep Arizona red."

ARIZONA STATE LEGISLATORS

Senator Nancy Barto

Senator Sine Kerr

Representative Leo Biasiucci, Majority Whip

Representative Frank Carroll

Representative John Fillmore

Representative John Kavanagh

Representative Kevin Payne

Former Senate President Brenda Burns, and Former Corporation Commissioner

Former Senate President Tim Bee

Former Senate President Steve Yarbrough

Former Senate President Bob Burns, and Former Corporation Commissioner

Former Senator Sue Donahue

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Former Senator Linda Gray
Former Senator Darden Hamilton
Former Senator Jack Harper
Former Senator Toni Hellon
Former Senator Rick Murphy
Former Representative and House Majority Leader John Allen
Former Representative Cheryl Chase
Former Representative Sam Crump
Former Representative Jeff Hatch-Miller, and Former Corporation Commissioner
Former Representative Drew John
Former Representative Jay Lawrence
Former Representative Marian McClure
Former Representative Jean McGrath

###

New Democrat Coalition Backs Stanton Infrastructure Measure

WASHINGTON, D.C.— Today, Rep. Greg Stanton's bipartisan bill to make it easier for growing communities to access aggregates resources—the stone, sand and gravel products essential to all construction and public works projects—earned the endorsement of the New Democrat Coalition (NDC).

"To build the infrastructure we need to support our growing population, we have to consider where our building materials come from and how we move them to construction sites. Arizona has been a leader in innovative policies to address this challenge—and now we're applying those lessons at the federal level," said **Stanton**. "The New Democrats agree—as we continue to craft a bold infrastructure package, we need to ensure smart, sustainable and cost-effective building practices."

A companion bill to Stanton and Rep. Troy Balderson's (R-Ohio) ROCKS Act was introduced last month by Sens. Mark Kelly and Rob Portman (R-Ohio).

The NDC Infrastructure Task Force, of which Stanton is a member, outlined its priorities for upcoming infrastructure packages in a letter to Rep. Peter DeFazio (D-Oregon), who chairs the House Transportation and Infrastructure Committee. The Committee, of which Stanton is the only member from Arizona, is expected to consider surface transportation reauthorization legislation next week.

The New Democrat Coalition is comprised of 94 forward-thinking Democrats who are committed to pro-economic growth, pro-innovation, and fiscally responsible policies.

The full letter is available HERE.

###

A for Arizona Launches New PreK-12 Southern Arizona Microgrant Opportunity to Accelerate Education Innovation

Phoenix, AZ— In partnership with local and national philanthropy and community donors, A for Arizona announced a regional microgrant opportunity for Southern Arizona to meet PreK-12 students' and families' unique education needs. Over $600,000 in seed funding will be awarded through A for Arizona's Expansion & Innovation Fund empowering innovative school and community leaders, teachers, and families to implement their bold ideas for reimagining learning models, creating and scaling more student-focused programs, and developing better teaching and learning educational approaches.

"For decades, leaders in Southern Arizona have led the way with first-of-its-kind community-driven concepts and disruptive student-focused models of learning," said Emily Anne Gullickson, Founder and CEO of A for Arizona. "The educational landscape will not return to business-as-usual post-pandemic, so it

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

is a no brainer to launch our first regional microgrant opportunity in the heart of Southern Arizona with its long-standing track record of excellence, innovation and bold visionaries, especially within the remote and rural communities along the border."

This microgrant opportunity is funded by private philanthropic support in collaboration with the VELA Education Fund, Burton Family Foundation, Pima IDA and Community Investment Corporation, as well as generous individuals in the community.

"VELA is proud to partner with A for Arizona to advance the entrepreneurial spirit that is so prevalent in Southern Arizona," said Meredith Olson, President of VELA. "VELA supports families and communities to develop nontraditional educational models that meet students' needs, and we are excited to learn from Southern Arizona grantees in the months and years ahead."

A for Arizona will award Southern Arizona Microgrants up to $25,000 in seed funding through its Expansion & Innovation Fund for bold proposals that accelerate education innovation and opportunity for PreK-12 students in Southern Arizona. Teachers, public and private school and system leaders, families, and innovative community partnerships all play a critical role to meet the moment and accelerate learning for their students in Southern Arizona communities. Eligibility is limited to PreK-12 edupreneurs in Cochise, Pima, Santa Cruz, and Yuma counties.

"Our children will be better off if we choose to invest in those who are proving that despite the current challenges, schooling can be reinvented, and students can thrive," said Angel Investor and Vetting Committee member Christy Burton of the Burton Family Foundation. "We have been an early believer in the power of the Expansion & Innovation Fund and know we must treat this moment with the urgency it deserves, and targeted investments will help deliver access and opportunity now, especially for our highest need students and families."

Over the past two years, A for Arizona has awarded over $1.5 million in seed funding through the Expansion & Innovation Fund to develop, implement, or expand innovative models and better teaching and learning practices to best support Arizona's most vulnerable student populations. A for Arizona is working with local partners to raise a total of $1 million for seed-funding ideas to thoughtfully reimagine PreK-12 learning models and nontraditional approaches in Southern Arizona.

"The Pima IDA is pleased to support A for Arizona's Expansion & Innovation Fund in collaboration with the Community Investment Corporation as a tangible way to enhance bold solutions for reimagining education and to expand the scope of the Fund into southern Arizona with matching funds," said Ken Silverman, President of the Pima IDA. "We look forward to seeing the amazing results of their innovation on PreK-12 education opportunities in our region."

The application window is open for five weeks, with final submissions due by Thursday, July 8 at noon (MST). For more information about the Expansion & Innovation Fund, or to apply, visit the A for Arizona website.

###

Supervisor Grijalva Calls for Swift Response on Oversupply of COVID Vaccines

Pima County Supervisor Adelita Grijalva today called for a swift response from the federal government to Arizona border counties' request last week to be able to send oversupplies of COVID-19 vaccines to places that need them, such as Sonora, Mexico.

"The life-saving vaccines have expiration dates and we do not want any to lose potency and go to waste when our neighbors in Mexico and elsewhere are in great need," said Supervisor Grijalva.

"Many of us have loved ones, friends and business interests across the border – so it needs to be safe for us on both sides to travel back and forth," she said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003797
ARZN_REV00069305_6-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Free vaccinations are available and encouraged in Pima County, but the pace of inoculations Is slowing and our vaccine supplies are abundant, said Dr. Francisco Garcia, the county's Chief Medical Officer.

The county will have enough vaccines for the 300,000-plus in the county who are unvaccinated, but we will not be able to vaccinate them all, or not soon enough, to keep some vaccines from eventually expiring, Garcia said.

The federal government owns all COVID-19 vaccines as it has contracts with the pharmaceutical companies to provide them. Thus, we need federal authorization to send extra vaccines away.

The Arizona Border Counties Coalition last week sent a letter to Xavier Becerra, Secretary of Health and Human Services, asking him to facilitate our ability to transfer vaccines to Mexico and elsewhere. The coalition consists of Pima, Santa Cruz, Yuma and Cochise counties.

###

Steer Away from Summertime Scammers

As traveling and summer vacations increase, the Arizona Department of Revenue (ADOR) reminds taxpayers that fraudsters do not take a summer break when it comes to identity theft. Please be aware of tactics such as card-skimming devices, hacking email accounts, phishing schemes, or using false pretenses.

ADOR has prepared the following checklist to assist taxpayers:

- Using public Wi-Fi can make you vulnerable and should be used with caution.
- Collect mail every day. Place a hold on your mail if you go on vacation.
- Monitor your bill cycles and examine unfamiliar debit and credit card charges.
- Posting your boarding pass on social media opens the door to also sharing the barcode, which discloses your confidential information.
- Protect your wallet and place a freeze on your accounts immediately if you suspect fraudulent activity.
- Lock up your identification cards, credit cards, and personal items when leaving them behind.

Taxpayers should be aware that the Department of Revenue will never:

- Call or text about taxes owed without first having sent an official notice.
- Demand immediate payment without providing you the opportunity to question or appeal the stated amount owed.
- Require you to use a specific payment method to pay your taxes, such as a prepaid debit card.
- Threaten to bring in local police or other law-enforcement groups to have you arrested for not paying.

If a person gets a phone call from the ADOR requesting additional information, you can contact the department's Customer Care Center at (602) 255-3381 or toll-free at 800-352-4090, to confirm the call was in fact from an ADOR official.

Arizonans can also contact the Department of Revenue's Identity Theft Call Center at (602) 716-6300 or toll-free at 800-352-4090, or online at https://azdor.gov/individual-income-tax-information/identity-theft.

###

Co-Chairs of Border Security Caucus Send Letter Opposing Biden's DHS Nominees

Today, Congressman Andy Biggs (AZ-05) and Congressman Brian Babin (TX-36), the Co-Chairs of the Congressional Border Security Caucus, along with 29 of their colleagues sent a letter to Senator Chuck Schumer and Senator Mitch McConnell urging the Senate to reject President Biden's nominees to lead U.S.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003798

ARZN_REV00069305_6-3-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and U.S. Immigration and Customs Enforcement (ICE).

"In less than five months, the Biden Administration has created the worst border crisis in our history. USCIS, CBP, and ICE need leaders who will put America first and enforce the law. The Senate should reject these anti-border security nominees and force President Biden to nominate individuals who are committed to protecting our national security, securing the border, and ending the crisis. The Trump administration proved that it is possible to implement policies to secure our border; the Biden administration must reinstate the policies that were working instead of appeasing open-borders activists." – **Congressman Andy Biggs**

"The nominees selected to lead USCIS, CBP, and ICE show just how cavalier President Biden is about ending his ongoing crisis on the southern border," **said Rep. Brian Babin (TX-36)**. *"Each of these candidates has a history of making dangerous policy decisions, ignoring immigration law, and perpetuating the open borders narrative. These agencies are vital to the safety and security of our country, and we deserve for them to be led by people who will honor that responsibility."*

Read the full letter here.

###

Victory Fund Endorses Daniel Hernández for U.S. Congress

Live Conversation About the Endorsement at 11am PT / 2pm ET;

Would Be Second LGBTQ Latinx Person Ever Elected to Congress

Hernández is widely credited with saving the life of then U.S. Rep. Gabby Giffords when she was shot in 2011

Washington, DC – Today LGBTQ Victory Fund, the only national organization dedicated to electing LGBTQ leaders to public office, endorsed Arizona state Representative Daniel Hernández for the U.S. Congressional seat in Arizona's 2nd District. If elected in November 2022, he will become just the second Latinx out LGBTQ person to serve in the U.S. Congress, and among the youngest. Hernández would be 32 when he takes office.

Mayor Annise Parker, President & CEO of LGBTQ Victory Fund, will speak with Hernández about the endorsement and his run for U.S. Congress live on Facebook at 11am PT / 2pm ET today. Watch the conversation here.

Hernández, a state legislator since 2017, is the son of an immigrant mother. He is widely credited with saving the life of then Congresswoman Gabby Giffords in 2011, when she was shot at a constituent services event.

Mayor Parker released the following statement about the endorsement:

"People of color, young people and LGBTQ people are demanding a government more representative of the people it serves – and Daniel is the best candidate to mobilize that coalition and inspire change in the U.S. Congress. He knows firsthand the immigrant experience, the devastation of gun violence and the poisonous impact of anti-LGBTQ politics. He will ensure the policies that would improve the lives of most Arizonans remain central to political discussions in Washington, much as he has in the state legislature. Arizonans need to elect the next generation of leaders who can guide America into the future – and Daniel is a person worthy of that responsibility."

Hernández released the following statement about the endorsement:

"After years of working with LGBTQ Victory Fund to encourage members of the LGBTQ community to run for office, I'm so proud to receive their endorsement of my campaign for Congress. As a founder and former chair of the Arizona House LGBT caucus, I believe representation within our elected leaders matters. In the Arizona state House I have worked across the aisle to repeal discriminatory laws against LGBTQ Arizonans and I will work to pass protections for LGBTQ Americans in Congress."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Congressman Ritchie Torres became the first Latinx out LGBTQ member elected to Congress when he won his race in November 2020.

More information about all of Victory Fund's endorsed candidates is available at victoryfund.org/ourcandidates. Since 1991, Victory Fund has helped thousands of openly LGBTQ candidates win local, state and federal elections.

"QUOTE OF THE DAY"

"I hope you understand the need to keep our families safe as we head into summer."

- Bolick, protesting federal plans to house migrants in a defunct hotel in north Scottsdale.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003800

ARZN_REV00069305_6-3-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, June 7, 2021 8:36:31 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 6-7-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet June 7, 2021

IF HIS RANCH BURNS DOWN, #BLAMETHEHOUSE
As the Mescal and Telegraph fires raced toward Cook's ranch today, House Republican leadership forced votes on the dead-on-arrival budget package, taking Cook away from securing his ranch in Globe to do as he had promised: vote against the budget.

ONE DAY YOU'RE A CONSERVATIVE, THE NEXT YOU'RE A RINO
Cook spent the morning alternatively teaming up with Democrats to shoot down several key pieces of the budget package and defending his conservative credentials against attacks from his GOP colleagues.

SOOOO, WHAT NOW?
Today's budget failure in the House puts the two chambers back on even

AMERICAN OVERSIGHT

footing after both the House and Senate tried and failed to pass budgets without each other – and it leaves lawmakers without a clear path forward as the new fiscal year approaches.

UH, YOU MIGHT BE DOING IT WRONG
The House offered several amendments to the budget that would revive dead bills in an attempt to garner more support from conservative Republicans, even at the potential cost of votes from more moderate Republicans.

TWEAKING IN PROGRESS
Other last-ditch budget amendments would revive a version of the vaccination passport ban that Shope and legislative Democrats opposed – but Shope said he's OK with the new language he saw.

ONCE THIS AUDIT IS GONE, SO IS THE GRAVY TRAIN
With the Senate's audit stretching into its sixth week, Finchem wants to take another look at other Arizona counties after what he calls a "revelation" from MyPillow CEO Mike Lindell's new conspiracy video "Absolutely 9-0."

OTHER STATES NEED GRAVY TRAINS, TOO
Georgia has already held a statewide recount of all 5 million votes cast in the 2020 presidential election, but that's not keeping a delegation of the Peach State's legislators from touring Arizona's audit and trying to replicate it.

IF THE 2020 ELECTION NEVER ENDS, WE'RE CANCELLING 2022
Republican Kim Owens is going to give running for Corp Comm another try after getting tossed off the ballot last year.

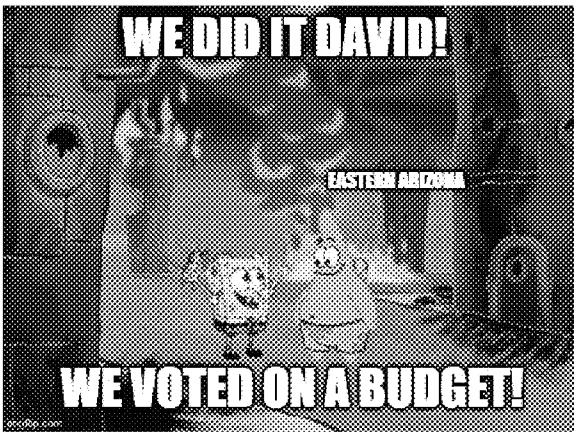
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, June 07, 2021

NEWS NOTES AND GOSSIP

IF HIS RANCH BURNS DOWN, #BLAMETHEHOUSE



As the Mescal and Telegraph fires raced toward Cook's ranch today, House Republican leadership forced votes on the dead-on-arrival budget package, taking Cook away from securing his ranch in Globe to do as he had promised: vote against the budget. Even after Cook shot down H2899 (revenue; budget reconciliation; 2021-2022) this morning, ensuring the budget deal was dead, House Republican leadership put up for a vote H2900 (omnibus; taxation), again putting Cook on the record as opposing the budget. Cook told our reporter the entire exercise seemed like an attempt to shame him for opposing the budget, but it didn't work. "There's no shame here. All 13 mayors of all my cities and towns have written op-eds and letters that they oppose this thing," he said. "Everybody in my district knew how I was gonna vote before I got down there." The proposal was always doomed to fail – Cook warned last month in House Appropriations that he wouldn't vote for it. ("How much clearer can you be?" he lamented today.) But House Republican leadership, determined to get the ball rolling on a budget (and perhaps to come off as the adult chamber after Fann snuck away to Hawaii amid budget negotiations) followed through with its plan to play a game of chicken with the lone remaining holdout. "There's an emergency going down in my hometown – and they did it anyway," Cook told our reporter after the votes. He said his wife is still in Globe today, despite the evacuation order, and he was heading back to his ranch following the votes. While he wasn't worried about his actual home, he said his barns and other buildings on the property are more susceptible to fires, as one ember can turn into a blaze. "I've got $20,000 worth of hay down there," he said. Asked why he didn't just stay home, considering his vote on the budget was a foregone conclusion, he said the idea had crossed his mind, but House rules don't allow him to explain his vote when tuning in remotely. "Then the story would be I didn't show up," he said, adding that the story should now be about how he put "the people first, at his own peril."

ONE DAY YOU'RE A CONSERVATIVE, THE NEXT YOU'RE A RINO

Cook spent the morning alternatively teaming up with Democrats to shoot down several key pieces of the budget package, and defending his conservative credentials against attacks from his GOP colleagues. Hoffman, for example, called voting against the tax cut bill anti-Republican and anti-small business. "As a conservative Republican with a consistent conservative voting record, I believe we need not mirror the federal government and continue with the borrowing and debt," Cook said. Cook spoke at length against the two tax cut bills, drawing applause from Democrats at one point, and reiterating his argument that the proposed tax cut is too big and Arizona should focus on paying down its debts first. He also joined Democrats in complaining about being kept in the dark about the budget amendments offered today – amendments that Cobb repeatedly refused to debate or even explain. Our reporter received a leaked copy of the amendment fact sheet Saturday – long before Cook and several other Republicans he spoke to saw them – a fact that only made him more upset about the process. Still, if he were in charge, Cook is confident that he could hammer out a deal in short measure. "I could have a budget in two days," he said. "I'd sit down and have adult conversations and get it all hammered out."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003803

ARZN_REV00069356_6-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SOOOO, WHAT NOW?

Today's budget failure in the House puts the two chambers back on even footing after both the House and Senate tried and failed to pass budgets without each other – and it leaves lawmakers without a clear path forward as the new fiscal year approaches. After deciding it would pass a budget unilaterally on Thursday, May 27, the Senate didn't even bring bills to the floor, and the House today gave up after watching its tax bill fail. After weeks of work, the only progress either chamber made was advancing the transportation BRB out of COW in the House. Cook and Boyer still stand in the way of passing the flat tax plan out of either chamber, and lawmakers will return on Thursday with less than three weeks to go until the end of the fiscal year. Facing the looming threat of a government shutdown, the biggest outstanding questions are how much longer Toma and Ducey will cling to the conservative ideal of a flat tax, and what the ultimate 16- and 31-vote majorities will look like. Toma told our reporter it will be challenging to reach a deal that brings Cook on board without alienating other Republicans. "If we buy one but we lose five, that doesn't work," he said. Complicating matters further, several lawmakers are still on vacations and expected to stay away – Livingston began his annual summer-long trip to northern Michigan last week, and was tweeting from Canada (or at least a spot in the states that uses a cell tower in Ontario) this morning, and the Senate changed its rules before recessing to allow senators to vote from anywhere. Several Republican senators, including at least one holdout, told our reporter they haven't had any conversations about the budget over the recess and learned about House amendments from reporters' tweets.

UH, YOU MIGHT BE DOING IT WRONG

The House offered several amendments to the budget that would revive dead bills in an attempt to garner more support from conservative Republicans, even at the potential cost of votes from more moderate Republicans. A 10-page document shared with our reporter over the weekend details dozens of amendments, the most notable of which is the revival of S1532 (impeding school operations; civil liability), which failed in the Senate after Boyer and Senate Dems voted against it. Under the dead bill and proposed amendments to H2898 (K-12 education; budget reconciliation; 2021-2022), teachers could be investigated by the Attorney General and fined $5,000 if the AG finds that they're teaching controversial issues without presenting multiple sides. This amendment only further upset Boyer, who's already a "no" on the current budget plan because of the flat tax proposal. "To make this even worse, they've included policy bills that have already died on the Senate Floor in the budget BRBs," he tweeted this morning. In a nod to conservative lawmakers who lambasted the budget as full of "pork," another amendment would give the Dept of Transportation about $20 million less for pavement repairs than the original budget deal offered. It also requires the department to spend the $90 million it would now receive solely on projects that are outside of Maricopa and Pima counties.

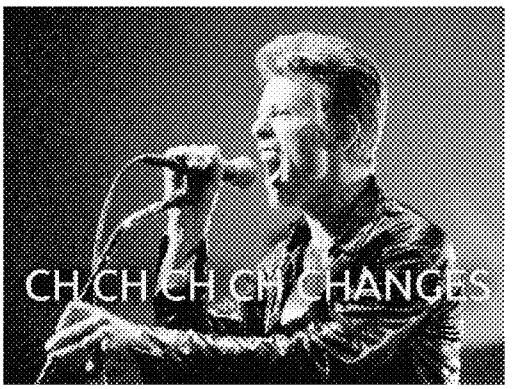
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003804

ARZN_REV00069356_6-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

TWEAKING IN PROGRESS



Other last-ditch budget amendments would revive a version of the vaccination passport ban that Shope and legislative Democrats opposed – but Shope said he's OK with the new language he saw. "Not that I expect the budget to pass today, but this is the language I requested. Not as extreme as the original bill I voted against in the senate," he texted our reporter. The new language would prohibit the state, county, cities and towns from requiring Covid vaccines. Universities would be allowed to mandate vaccines solely for faculty, staff or students who are involved in research or testing the Covid virus or working or studying in a health care center. Government agencies also can't require businesses to obtain proof of vaccination for patrons, though nothing would stop businesses from requesting that proof themselves. Employers could require vaccination, but must provide accommodations for employees with religious beliefs that prevent them from taking the vaccine. Another proposed amendment would adjust one of the budget's more controversial provisions: giving Brnovich sole authority in election-related lawsuits. The new language would say that Brnovich's authority to defend state law is paramount in any disagreement between the Attorney General and Secretary of State. The amendment also would state that Brnovich speaks for the state and may intervene on the state's behalf (usually election lawsuits are brought against the Secretary of State). An amendment to the criminal justice BRB, which was first drafted in the Senate in late May, would essentially allow only police to investigate police misconduct – a clear strike at cities like Phoenix that are developing citizen review boards. The amendment is retroactive to Jan 1, and Phoenix voted to establish its civilian oversight board in mid-May. The same amendment would expand restrictive provisions in the original budget bill governing public records requests for body cameras to all sources of video – meaning footage from dash cams, security cameras, cell phones and any other video sources would be harder for the press or public to obtain and review.

ONCE THIS AUDIT IS GONE, SO IS THE GRAVY TRAIN

With the Senate's audit stretching into its sixth week, Finchem wants to take another look at other Arizona counties after what he calls a "revelation" from MyPillow CEO Mike Lindell's new conspiracy video "Absolutely 9-0." Lindell's video claims votes were moved from Trump to Biden and lists Pima County as one of the "intruded" networks, and claims China rigged the 2020 election and that the Supreme Court will unanimously overturn it (hence the film's name, "Absolutely 9-0"). Finchem said in his weekly newsletter that the video provided "enough probable cause" to inquire into every county listed on the "intrusion" list, and that he and Biasiucci had requested "ballot printing order records" from Pima, Pinal, Yuma and Apache counties, as well as ballot images from Pima County. But that's not true, according to Pima County Elections Director Brad Nelson, who told our reporter his department had not received either request. Apache County Elections Director Angela Romero also said she was not aware of the request. Nelson said information about the "printing order" is readily available, as is information about how many ballots were ordered by precinct. However, he said ballot images were a different situation. "Those cannot be brought out from storage, which are currently in the treasurer's hands, absent a court order," he said. "So ballot images: the answer is no. Ballot printing orders: the answer would be yes, assuming we get the request." Nelson said he felt confident in the 2020 election results out of Pima County, noting that the county did double the statutory hand recount after the election. "I'm all in favor of audits, and if there's a way to improve the audit process, I'm in favor of that," he said. "But that audit needs to be conducted under uniform practices, not by somebody who's making it up as they go along." He added that he has no plan to watch "Absolutely 9-0." "I've got better things to do," he said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003805
ARZN_REV00069356_6-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

OTHER STATES NEED GRAVY TRAINS, TOO

Georgia has already held a statewide recount of all 5 million votes cast in the 2020 presidential election, but that's not keeping a delegation of the Peach State's legislators from touring Arizona's audit and trying to replicate it. Georgia state Senators Burt Jones and Brandon Beach plan to head to Veterans Memorial Coliseum tomorrow. Both have baselessly claimed fraud in Georgia's elections, specifically in Fulton County (LINK). On *Outside the Beltway with John Fredericks* last week, Beach said a trip to Arizona was Jones' idea (LINK). In late May, a judge agreed to unseal more than 145,000 absentee ballots in a case alleging Fulton County mishandled ballots (LINK). Beach said that was just the beginning, and that if there's fraud there, there may be fraud elsewhere. Fredericks asked Beach if the Georgia State Senate has the authority to do a similar statewide audit of all of Georgia's ballots. "We don't have the power because we're not going to get 29 senators to sign a petition to call for a special session," Beach said. "But I do think if the evidence shows what we think it will show, I think it will force Governor Kemp to consider a special session to get down to the truth, and get down to what happened."

IF THE 2020 ELECTION NEVER ENDS, WE'RE CANCELLING 2022

Republican Kim Owens is going to give running for Corp Comm another try after getting tossed off the ballot last year. Owens, a PR pro and GOP state committeeman, was one of six Republicans who tried to run in 2020 for three open seats – and one of four to fail to make the primary after having signatures challenged. Next election will see two seats open that currently belong to Democrat Sandra Kennedy and Republican Justin Olson. Kennedy is running again. Olson has not signaled one way or another whether he will seek re-election, but his deputy policy advisor Nick Myers, a failed 2020 candidate, filed to run already.

·WAKE UP CALL·

House to put budget to vote on Monday

Arizona Capitol Times

The Arizona House plans to return Monday morning to pass – or fail – a budget, with or without the Senate, a top House Republican confirmed Friday.

Pima County sheriff illegally withholding public records, experts say

Arizona Daily Star

Pima County Sheriff Chris Nanos illegally withheld public information four times during his first five months on the job, several experts in Arizona's public-records law say.

Cook still opposed to budget as vote looms

Casa Grande Dispatch

The Arizona House of Representatives will take another shot at passing a budget on Monday, including a massive income tax cut, but it still doesn't appear to have enough support to pass.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003806

ARZN_REV00069356_6-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Senate President Karen Fann to Constituent About Audit: 'Biden Won'
Phoenix New Times
Karen Fann, the Republican president of the Arizona Senate and the chief instigator behind the ongoing so-called election audit, which has become a national spectacle, recently told a constituent that President Joe Biden won the election.

Dreamer sues Paul Penzone for holding her longer in jail to allow ICE to arrest her
Arizona Mirror
Sheriff Paul Penzone delayed the release of Máxima Guerrero from the Maricopa County Fourth Avenue Jail last year to accommodate a U.S. Immigration and Customs Enforcement arrest, in contradiction with Penzone's stated practice and in violation of Guerrero's constitutional rights, according to a federal lawsuit she filed Monday.

A year after the first Arizona COVID surge, by the numbers
Arizona Mirror
A year after Arizona's first surge of COVID-19 cases, the state is seeing some of the lowest numbers of cases it has since the start of the pandemic, though hospital intensive care units still remain filled at similar levels to a year ago.

Arizona state Republican touted Trump support for trying to 'prove any fraud'
The Hill
A state lawmaker in Arizona revealed that former President Trump had reached out to encourage legislators to pursue a partisan audit intended to prove unfounded allegations of election irregularities in the state in the November presidential contest, according to newly released emails.

Trump looms large over fractured Arizona GOP
The Hill
After losing two U.S. Senate seats in consecutive elections, Arizona Republicans are eager for the chance to take on first-term Sen. Mark Kelly (D) in what they hope will be a more favorable political environment in the 2022 midterm contests.

Arizona is microcosm of battle for the GOP
The Hill
In the last decade, ranch homes have sprouted behind walled communities here like so many flowers after a desert rain. This suburb and its neighbors, some of the fastest growing cities in America, are the definition of urban sprawl, spawning a new multi-lane highway amidst the oases of strip malls anchored by upscale grocery chains.

In Arizona 2020 Election Review, Risks for Republicans, and Democracy
New York Times
Experts call it a circus. Polls say it will hurt the G.O.P. in 2022. But Republicans are on board in Arizona and elsewhere, despite warnings of lasting damage to the political system.

Here's how Gov. Doug Ducey could end Arizona's sham election audit today
Arizona Republic (Opinion, EJ Montini)
First, take out a pen. Done.

Arizona's budget bills may be the worst ever (even if they have some good ideas)
Arizona Republic (Opinion, Robert Robb)
Stuffing scores of policy changes into Arizona's so-called budget reconciliation bills is not only bad policy. It's blatantly unconstitutional.

Arizona may reach Biden's vaccine goal, but not by July 4. Does that matter?
Arizona Republic (Opinion, Joanna Allhands)
Arizona is on track to reach 70% vaccination, but not until August. As the state's mass vaccination sites close, let's take stock of where we are.

Pinal farmers are facing water shortages. Shouldn't they be growing less thirsty crops?
Arizona Republic (Opinion, Joanna Allhands)
Pinal County farmers grow thirsty cotton and alfalfa because there's a market for it. That's why an effort to commercialize guayule is so important.

We needed an Arizona election audit, but now it's a farce. Here's how to end it responsibly
Arizona Republic (Op-ed, Benjamin Ginsberg)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003807
ARZN_REV00069356_6-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Cyber Ninjas' haphazard procedures have ruined Arizona's election audit. Here's how the Senate should move forward now.

After 4 years of sabotage candidates, Tracy Stone-Manning is the leader BLM needs
Arizona Republic (Op-ed, Mike Quigley and Barb Cestero)
The previous administration appointed 'acting' leaders because it knew they were unconfirmable. Tracy Stone-Manning is different

PRESS RELEASES

Southwest Regional Council of Carpenters Endorses Katie Hobbs for Governor

PHOENIX—This morning, the Southwest Regional Council of Carpenters and Secretary Katie Hobbs held a press conference to announce the union's endorsement in Katie's run to be Arizona's next governor.
"I am thrilled to stand with the men and women of the Southwest Regional Council of Carpenters, and I am grateful for their support in my campaign to be Arizona's next governor," said Secretary of State Katie Hobbs. "Unions are the foundation of our middle class. We need their activism and we need to support their work, so that all families can make a living wage and keep our economy moving."
"As union carpenters we take pride in our work. Our members build critical projects like roads, bridges, light rail, and water infrastructure that keep our state moving and growing," said the President of Southwest Regional Council of Carpenters and Local 1912 Fabian Sanchez. "That's exactly how Secretary Hobbs has always conducted her work: exact, precise, and on the level. In the state legislature she fought for good wages and benefits for workers. As Secretary of State she has stood up against those that would overturn our democracy because they didn't like the result of an election. And as Governor she'll invest in our infrastructure, defend working families, and be a voice for all Arizonans."
The Southwest Regional Council of Carpenters Local 1912 represents over 3,500 hard-working carpenters in Arizona. The union is committed to elevating the economic and social well-being of workers by working with developers and elected leaders to drive community wealth.
When in the legislature, Katie supported Arizona unions and their right to organize, and continues to be a strong advocate for prevailing wage rules to ensure that workers are provided fair wages. As Secretary of State, she has stood up against those who are trying to overturn the 2020 election and threaten our democracy. Katie is dedicated to building a strong economy and supporting good jobs with the help of the Southwest Regional Council of Carpenters.

Hear that? It's The School Bell Ringing

Arizona Department of Education Launches Ready for School AZ Campaign
PHOENIX – The Arizona Department of Education, the state agency tasked with overseeing Arizona's K-12 public education system, launched their Ready for School AZ effort today to help reenroll students and support them and their families along the way.
Over the next few months, the Arizona Department of Education will work to connect people with state and community resources that can help parents find their child's school, navigate the enrollment process, and make sure every Arizonan is prepared for the upcoming school year.
"Arizona schools are open and excited to welcome back students and families. It's time to get ready for school and back to the experiences and moments that matter to students and families," said Kathy Hoffman, Arizona Superintendent of Public Instruction. "Every day, every moment at school matters. Whether it's the first day of kindergarten or senior year, enroll now and get ready for school with us."
The effort includes a dedicated website (English and Spanish) with all the information and resources students and families may need, including instructions on how to find their child's school and enroll, information on summer programs, and guidance on staying physically and mentally healthy, as well as a hotline with support in English and Spanish (602-542-7378).
In addition to the website, the Arizona Department of Education will send direct mail and text messages to parents as well as run television, radio, digital, social and outdoor ads in order to reach families who have yet to enroll their students in the 2021/2022 school year.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

According to the American Academy of Pediatrics, children get much more than academics at school; they learn social skills, get healthy meals and exercise, receive mental health support and have access to other services that are not as easily replicated online. To reduce barriers to those in-person benefits, ADE's Ready for School AZ campaign will ensure families and students have the information and support they need to ease any concerns about returning to in-person classes due to COVID-19, catch up on schoolwork, or even find housing.
Superintendent Hoffman added: "Life during the pandemic has been a challenge for parents and children and learning likely looked different during the last two school years. In-person instruction is not just the best way for most students to learn, it offers the experiences and fun that help students grow and thrive."

Salvadoran Woman Jailed for Miscarriage Paroled After 9 Years; Terán Warns 'This is AZ's Future if Roe Overturned'

PHOENIX – Rep. Raquel Terán released a statement today after the reported release of "Sara,' a Salvadoran woman who had been imprisoned for the past nine years after losing a wanted pregnancy in an obstetric emergency and then being accused of having a illegal abortion. Terán met Sara in 2019 when she and four other legislators travelled to El Salvador, which has a draconian abortion ban similar to Arizona's underlying ban if Roe v. Wade is overturned. Terán met with several women serving prison sentences for obstetric emergencies, but who lacked the money for a legal defense, or were just unable to prove to a judge's satisfaction that they didn't have an abortion.
"Criminalizing abortion destroys families and communities," said Terán. "I am so relieved Sara is back with her family, but what she experienced was an absolute injustice. When I met Sara I witnessed firsthand what can happen to vulnerable women and their families who have no reproductive freedom. Putting women in jail for abortions or even miscarriages is no joke; it's real and it's in our future in Arizona if Republicans succeed in rolling back the reproductive rights of women. I spoke with several impoverished women who were imprisoned because they had abortions, and in some cases miscarriages that were prosecuted as abortions. Sara is home but many still remain behind bars. El Salvador is an alarm we should all hear. We do not this future for Arizona."

Applications Being Accepted For A Vacancy On The Navajo County Superior Court

PHOENIX — Applications are being accepted for a vacancy on the Superior Court in Navajo County that will be created by the retirement of Judge Ralph Hatch.
The Office of the Governor will review applications and interview selected applicants for the vacancy, and Governor Doug Ducey will appoint the new judge pursuant to Article VI, Section 12 of the Arizona Constitution.
The judicial application form can be downloaded online at the Office of the Governor's website: https://azgovernor.gov/judges.
Applicants must be at least 30 years of age and less than 65 years of age, of good moral character, admitted to the practice of law in Arizona, a resident of Arizona for the past five years, and a resident of Navajo County for the past year pursuant to Article VI, Sections 22 and 37 of the Arizona Constitution.
A signed original application with all attachments, and a searchable .pdf version of the application and attachments must be submitted to Anni Foster, General Counsel, Office of Governor Doug Ducey, Executive Tower, 1700 W. Washington St., Phoenix, AZ 85007, by 5:00 p.m. on Tuesday, July 6th, 2021.
All interviews are open to the public. The interview date will be announced.

NFIB: Key Action On Small-Business Tax Legislation Today In Arizona House

An Opportunity For Lawmakers To Stand With Small Business And Make Meaningful Change Benefiting All Arizonans
PHOENIX — Today, Arizona lawmakers in the State House will have a clear choice to consider with House Bill 2900 on its calendar. Lawmakers can stand with small business owners and support the income and property tax provisions in the bill, or fumble the opportunity and leave tax-paying small business owners hanging out to dry.
"In Arizona, we have a crisis of competitiveness in our personal income and commercial property tax systems," said Chad Heinrich, Arizona state director for the National Federation of Independent Business, the nation's largest small-business association.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003809
ARZN_REV00069356_6-7-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Today we could find out how many lawmakers actually care about the future of small business in Arizona. Lawmakers must be wise and recognize the siren songs of local government lobbyists for the hysterical noise that they are."

"Everyone should go into this vote knowing that most city governments are flusher with funds than any time in recent history, that cities will continue to receive a generous share of State income tax revenue, and — most important of all – this is a one-time opportunity to reform our tax system that will aid predictability, stability, and future revenue growth for our state."

The budget and tax plan has many provisions, but at the core it:

would establish a single rate state income tax of 2.5% for everyone; this is lower than each marginal rate currently paid by Arizonans would get around the negative effects of Proposition 208 by setting a 4.5% rate cap on personal income increase funding for schools and keep local government finances flush by continuing to share a generous portion of state income tax revenue with Arizona's cities and towns.

NFIB Arizona has notified lawmakers that House Bill 2900 has been designated a Key Vote toward their session voting record. A web story with more information and background can be read here.

"QUOTE OF THE DAY"

"There's an emergency going down in my hometown – and they did it anyway."

- ***Cook, on being called down to the Capitol to vote against the budget as fires rage in his district***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003810

ARZN_REV00069356_6-7-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Tuesday, June 8, 2021 5:30:46 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 6-8-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message

About Contact

In Today's Yellow Sheet *June 8, 2021*

TELEGRAPH FIRE RAZES DOWN BOWERS' SECOND HOME
The Telegraph fire destroyed Bowers' longtime family home, which was not his primary residence, House GOP spokesman Andrew Wilder told our reporter. Wilder said the home was located southwest of Globe-Miami, underneath Madera Peak.

BOWERS' GONNA BOWERS, COOK'S GONNA COOK
The responses from Cook and Bowers to the wildfires – which set the latter's second home ablaze while the former's home remains under threat – is a study in contrast, according to Capitol railbirds.

SUPERIOR MAYOR: TAX CUT PLAN DOESN'T HELP, DOUG
Ducey called Superior Mayor Mila Besich this morning to express

AMERICAN OVERSIGHT

support for the town and promised to assist in whatever way his office could in fighting the Telegraph fire, Besich told our reporter today.

ARIZONA INCHES CLOSER TO GOVERNMENT SHUTDOWN
The big question in everybody's mind is what happens when the House and Senate reconvene on Thursday, and the prevailing sentiment at the Capitol is that without major concessions, the Legislature will remain at an impasse over the budget.

FINSHEVIKS FIGHT BOLSHEVIKS
Finchem said the defamation lawsuits are still coming for House and Senate Dems who signed onto the January letter to the FBI director and acting AG, and asked his supporters to help foot the bill.

THE AUDIT TOURISTS HAVE ARRIVED
Alaska State Rep. David Eastman joined the Georgia delegation that toured the Arizona audit today, and more out-of-state visitors are expected every day this week, former AZ GOP Chair and audit media contact Randy Pullen told today's pool reporter.

GOP ANALYST HOPES TO SAVE PARTY FROM ITSELF
In a letter to Fann, Republican analyst Benny White said he wants to publicly demonstrate the validity of the 2020 election results or at least show that the Cast Vote Record is not corrupted.

PANELISTS SEE ACUTE SHORTAGE IN HEALTHCARE WORKERS
From seeing more untreated chronic health conditions to navigating health care worker burnout, Arizona panelists for today's Arizona Capitol Times Morning Scoop discussed the future of healthcare in Arizona and its current challenges.

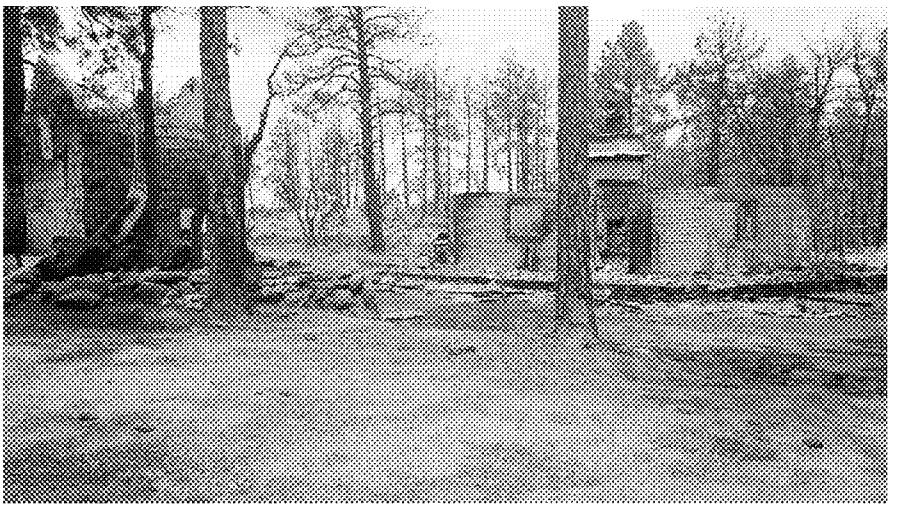
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, June 08, 2021

·NEWS NOTES AND GOSSIP·

TELEGRAPH FIRE RAZES DOWN BOWERS' SECOND HOME



The Telegraph fire destroyed Bowers' longtime family home, which was not his primary residence, House GOP spokesman Andrew Wilder told our reporter. Wilder said the home was located southwest of Globe-Miami, underneath Madera Peak. "Speaker Bowers' thoughts are with all Arizonans and communities facing fire dangers this and every season," Wilder said. "He is focused on ensuring that the state has all the funding and resources needed for fire suppression and community support in the upcoming fiscal year budget." The fire is also very close to Cook's ranch in Globe – his family was told to evacuate while he was on the House floor Monday morning voting against his party's tax bills, and, immediately after the votes, he left to protect his property from the flames. Cook has been busy ever since and is still in the center of things – firefighting airplanes were flying overhead as he spoke to our reporter Tuesday afternoon, and he shared several photos of clouds of smoke very close to his property. Cook said his neighbors have all evacuated and he assisted them with moving their animals and other property. He said his animals are still at the ranch and he doesn't think he needs to move them.

BOWERS' GONNA BOWERS, COOK'S GONNA COOK

The responses from Cook and Bowers to the wildfires – which set the latter's second home ablaze while the former's home remains under threat – is a study in contrast, according to Capitol railbirds. "It's literally a struggle to equate the two, but the notion that the cost of public service is so high is a legitimate one," one source said, noting that, sometimes, as in this case, it means conducting state business while one's property is getting destroyed. "One takes to Twitter. The other takes to the floor. That's what the Capitol community takes away from this," the source said, adding, "It's a harsh reality. But sometimes, being the lone individual doing something on the floor is often confused with leadership, and in this case, it's simply not that." Another source said the "gulf of maturity" between Bowers and Cook manifests itself everyday "in the way they comport themselves." "Rusty is solicitous, respectful, humble," the source said, adding the two legislators exhibit two divergent legislative styles. "[Rusty's style] weathers the tests of time, and it serves the state well. Anybody working in the state government is blessed to be able to work with people like Rusty, whether you agree with them or not," the source said.

SUPERIOR MAYOR: TAX CUT PLAN DOESN'T HELP, DOUG

Ducey called Superior Mayor Mila Besich this morning to express support for the town and promised to assist in whatever way his office could in fighting the Telegraph fire, Besich told our reporter today. Besich added that she also took the opportunity to tell Ducey that the flat tax proposal will not help her town or the

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003813

ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

region. "Our economy's been kicked in the teeth. The region is just barely starting to recoup from the Great Recession, and now our built assets for recreation are being destroyed," she said. "The tax cut proposal puts more stress on that," she said. Her worry isn't only fighting the fire now – but also dealing with an aging infrastructure susceptible to flooding after the fire. Besich wondered whether the state would have enough financial resources to rebuild if it passes a tax cut that significantly reduces state revenue. She said she also told Ducey that local, state and federal partners need to seriously talk about the Tonto National Forest, and the fact that so many fires had devastated the region. Currently, the priority is protecting lives and the communities on the path of the fire, she said, thanking the firefighters and responders who are battling it. Eventually, she said, her region will need a lot of financial help to get back up on the road to recovery.

ARIZONA INCHES CLOSER TO GOVERNMENT SHUTDOWN

The big question in everybody's mind is what happens when the House and Senate reconvene on Thursday, and the prevailing sentiment at the Capitol is that without major concessions, the Legislature will remain at an impasse over the budget. Not all work is foreclosed to legislators. Bowie expects the Senate to try and revive the 22 vetoed bills, though he's unsure whether that will come in the form of a veto override, strikers or late introductions. During his five years in the Senate, Bowie hasn't seen a veto override vote. Instead, he noted, lawmakers responded to events like Ducey's 2018 veto of 10 bills – meant to send a message to Mesnard about Red for Ed – by reintroducing measures as strikers. Some of the vetoed bills passed both chambers with widespread support and could easily get the votes needed for an override, but others were partisan measures that would only pass again if reintroduced as new bills or strikers. The House already reintroduced all 22 as new bills, meaning the three-day rule will apply, though a simple majority could bypass committees and bring the bills to the floor.

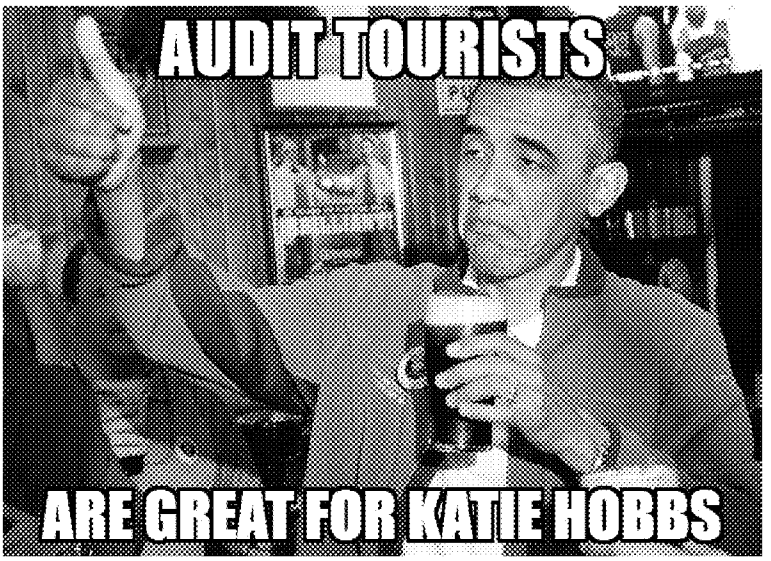
FINSHEVIKS FIGHT BOLSHEVIKS

Finchem said the defamation lawsuits are still coming for House and Senate Dems who signed onto the January letter to the FBI director and acting AG, and asked his supporters to help foot the bill. The January letter, signed by the House and Senate Democratic caucuses, asked the feds to help determine the roles that Finchem, Kern, Biggs and Gosar played in the Jan 6 riot (LINK). In a recent Telegram post, Finchem directed subscribers to his nonprofit, Guardian Defense Fund, to "help us pay for the legal representation we need to fight the bolsheviks who want to take us out." Finchem, Kern and Gosar are already suing Fernandez in Yuma County Superior Court (YS, 5/19). Fernandez's lawyer has waived service of a summons and will have 60 days after *sine die* to respond to the complaint, which was amended last month to add Gosar as a plaintiff. "The moment the current session of the Arizona Legislature ends we will begin the courtroom phase process of suing every single one of those who signed on the letter accusing us of treason, just because we represented your civil rights in D.C.," Finchem's post read.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003814
ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE AUDIT TOURISTS HAVE ARRIVED



Alaska State Rep. David Eastman joined the Georgia delegation that toured the Arizona audit today, and more out-of-state visitors are expected every day this week, former AZ GOP Chair and audit media contact Randy Pullen told today's pool reporter. Pullen said other audit tourists this week may come from Wisconsin and Virginia. Staff from the Nevada Republican Party also toured yesterday, *KJZZ's* Ben Giles reported (LINK). Last week, three Pennsylvania state Republican lawmakers visited (YS, 6/1). Pullen said the touring legislators wanted to see what Arizona is doing so "if an audit comes up later, they'll have some understanding of how it's supposed to operate."

GOP ANALYST HOPES TO SAVE PARTY FROM ITSELF

In a letter to Fann, Republican analyst Benny White said he wants to publicly demonstrate the validity of the 2020 election results or at least show that the Cast Vote Record is not corrupted. The letter, flagged by *ABC15's* Garrett Archer (LINK), is co-written by retired CEO and founder of Clear Ballot Group Larry Moore and retired CTO Tim Halvorsen. White, who lost to Democrat Gabriella Cázares-Kelly in the 2020 Pima County Recorder race, has been involved in elections procedures for 14 years as the Pima County Republican Party representative for overseeing elections and has served on the Election Procedures Manual Revision Committee. White wrote that he, Moore and Halvorsen had spent the past several weeks reviewing the Cast Vote Record and had come to three conclusions: that the record is complete and accurate, that Trump lost Maricopa County because "disaffected Republican supportive voters" didn't vote for him and that this disaffection was "widespread across all precincts" in the county. Now he wants to prove it. He asked Fann to pick an unopened box of ballots, then he said he'd create a count for all the candidates in all the races on the ballots. Then, the Arizona Senate auditors would report their hand count of those ballots, and everyone would publicly compare the results and find the discrepancies. "Our objective here is to show that there was and continues to be sufficient official public record information available to assure the public that our elections are conducted legally and fairly," he wrote, adding that the Senate's audit is unnecessary because it "creates voter confusion and delays the finality of the election."

PANELISTS SEE ACUTE SHORTAGE IN HEALTHCARE WORKERS

From seeing more untreated chronic health conditions to navigating health care worker burnout, Arizona panelists for today's *Arizona Capitol Times* Morning Scoop discussed the future of healthcare in Arizona and its current challenges. Panelists said more people are coming back to doctors offices and hospitals, but some present more severe issues, notably those that have put off a doctor's visit during the pandemic. "What we're seeing is a high number of patients with more chronic illness. It's totally out of control, and we're trying to manage those cases where continuity of care was lost during that time," said former legislator Amanda Aguirre, President & CEO of Regional Center for Border Health, Inc. Covid numbers have dropped, and panelists see that play out at work. Most of the people who are hospitalized due to Covid-19 aren't vaccinated, Havasu Regional Medical Center CEO Mike Patterson said. But while those numbers are down, panelists said the burnout from the past 15 months has caused staffing shortages.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003815
ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"There's a lot of burnout happening, and it's getting more and more competitive to really retain and recruit staff," Valle del Sol CEO Carmen Heredia said. Beyond recruiting staff, health care providers are still grappling with how to bridge gaps in care that existed before the pandemic. Shah said people approach the healthcare system in terms of four metrics: cost, quality, access and choice. He said the U.S. does a good job with choice and generally does well with care, as well, but access and cost can still be major barriers. While panelists said the increase in Medicaid reimbursement last year and Medicaid expansion in general have helped close some gaps, others remain. "The biggest barrier in my mind is definitely insurance and coverage and gaps within that," Heredia said. "You have a population of people that are eligible to receive Medicaid. Then you have people that are eligible, but maybe make too much money and then can't afford their premiums." She said other barriers can include language and transportation, especially in rural areas. The recently released 2020 Center for the Future of Arizona Gallup Survey says that Arizonans are largely on the same page when it comes to prioritizing access to affordable mental health services and guaranteeing affordable health care and insurance for those with pre-existing conditions (LINK). The Center sponsored the Morning Scoop.

·WAKE UP CALL·

House flounders bid to pass tax bills
Arizona Capitol Times
The tax cuts that are the centerpiece of next year's proposed budget failed in the House Monday when one Republican joined the Democrats to shoot them down.

Central Arizona wildfires continue to spread out of control
Florence Reminder-Blade Tribune
Two wildfires fueled by dry weather were spreading in south-central Arizona on Tuesday, forcing evacuations.

Rep. David Cook told to evacuate his home during budget vote
Casa Grande Dispatch
In the midst of casting the deciding vote against a massive tax cut for wealthy Arizonans that doomed a Republican-led budget proposal Monday, Rep. David Cook got word that his family had been ordered to evacuate their home in Globe due to the approaching Telegraph Fire.

Mohave County Board of Supervisors OK tax credit for gas-processing plant
Today's News-Herald
Some people say everything's bigger in Texas – and one Texas energy company has some big plans for the Kingman area.

How OAN Works Hand in Glove With Arizona Republicans on the Election Audit
Phoenix New Times
Republican Senate President Karen Fann seems to actually believe that One America News Network (OAN), a blatantly pro-Trump media outlet that promotes wild conspiracy theories, is a legitimate news source.

Rejecting Biden's Win, Rising Republicans Attack Legitimacy of Elections
New York Times
The next generation of aspiring G.O.P. congressional leaders has aggressively pushed Donald Trump's false fraud claims, raising the prospect that the results of elections will continue to be challenged through 2024.

As organized religion declines, is conspiracy the new religion of Republicans?
The Hill (Opinion, Jessica Tarlov and Jeff Le)
As politically active Democrats, we're familiar with the Republican playbook when it comes to religion.

Did Katie Hobbs catch a bad case of the Doug Duceys?
Arizona Republic (Opinion, EJ Montini)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003816
ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Democrat Hobbs, a fierce supporter of voters' rights, seems reluctant to call out Democratic Sen. Kyrsten Sinema by name for her progress-blocking filibuster position.

Rep. David Cook sets fire to Ducey's tax cuts (and that's a good thing)

Arizona Republic (Opinion, Laurie Roberts)

A round of applause for Rep. David Cook, R-Globe, for standing tough against the largest tax cut in state history.

Why would VP Kamala Harris stop at the border? It's just a meaningless photo-op

Arizona Republic (Opinion, Elvia Diaz)

Immigration hardliners are blasting Kamala Harris' trip to Guatemala and Mexico, but at least she's trying to address the root of our border problem.

I watched Don Harding's execution in an Arizona gas chamber. His face still haunts me

Arizona Republic (Op-ed, Jim Belanger)

I will never forget the look on his face when he turned to me shortly after inhaling the fumes. It's an image of atrocity that will haunt me for the rest of my life.

·PRESS RELEASES·

Sinema, Kelly, Kirkpatrick, O'Halleran, Stanton, Gallego: Protect Arizona's A-10 Aircraft

WASHINGTON – Arizona Senators Kyrsten Sinema and Mark Kelly, along with Arizona Representatives Ann Kirkpatrick (AZ-02), Tom O'Halleran (AZ-01), Greg Stanton (AZ-09), and Ruben Gallego (AZ-07), wrote to President Biden expressing their concern with his plan to retire the A-10 aircraft housed at Arizona's Davis Monthan Air Force Base, and urging him to protect the aircraft.

"We are writing to express grave concern with your administration's plans to retire a vital national security asset, the A-10 Thunderbolt II, also known as the 'Warthog.'… While we support the Administration's modernization goals, we cannot support the premature retirement of one of our most vital military assets, which could in turn put the lives of service members at unnecessary risk. The A-10 has proven its usefulness in combat time and time again, and we look forward to working with you to ensure this vital national security platform remains part of our arsenal," wrote Sinema, Kelly, Kirkpatrick, O'Halleran, Stanton, and Gallego.

To read the full letter click HERE.

President Biden recently released his fiscal year 2022 budget which calls for the partial retirement of the A-10. Earlier this month, the Arizona delegation wrote a bipartisan letter to Acting Secretary of the Air Force John Roth expressing continued support for the A-10 Warthog and calling on the Air Force to answer questions about their failure to complete congressionally directed upgrades and re-winging of the aircraft and other assessments of the Air Force's close air support capabilities.

###

Mayor Romero Remarks in Response to Suspension of Operations at TARP Treatment Facility due to Elevated PFAS Levels

Mayor Romero made the following remarks at a press conference this morning following Tucson Water announced a temporary, indefinite shutdown of the Tucson Airport Remediation Project water treatment facility (TARP) on June 21, 2021 because of the increasing levels of per- and polyfluoroalkyl substances (PFAS) in the groundwater wells serving the plant.

A fact sheet with more information is attached. You can view the entire press conference here.

"I want to thank the professionals at Tucson Water for their work.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003817

ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

I also want to thank Director Cabrera and ADEQ for their investments and technical assistance in helping us manage the PFAS issue in Tucson.

When it comes to the safety of Arizona's groundwater, ADEQ has been a strong partner for Tucson.

I want to begin by acknowledging the long and painful history of water contamination that several generations of Tucsonans have endured through no fault of their own.

This started with the discovery of TCE and 1,4 dioxane that has affected southside communities for the last several decades, and continues to impact Tucson families to this day.

Today, we are joined by Tucsonans who have seen this impact directly through family members who live with chronic health conditions, birth defects, and many who have lost their lives due to various forms of cancer.

I want to thank them for joining us today, and for dedicating countless hours of their time to address this issue and provide necessary oversight.

Since the discovery of TCE, City of Tucson taxpayers have stepped up and shouldered the financial burden of supporting treatment facilities through our General Fund.

We stepped up then, not knowing whether we would be re-imbursed by the federal government. Decades later, we have stepped up once again with the treatment of PFAS contamination.

We have stepped up because our top priority is ensuring all city residents and Tucson Water customers have access to safe, clean drinking water.

However, I want to be clear: City of Tucson taxpayers are not responsible for PFAS contamination and should not be left with the tab.

Unfortunately, we have hit a critical moment where we can no longer confidently deliver safe drinking water from TARP due to elevated PFAS levels in the water entering the facility prior to treatment.

When it comes to our drinking water – our most precious resource here in the Sonoran Desert – quality and safety come first, which is why we are taking this proactive step out of an abundance of precaution.

We also must recognize that groundwater contamination and climate change are a one-two punch against our water supplies.

The longer we wait to contain the spread of PFAS contaminants, the less groundwater we have available to serve our families and businesses.

It is unfortunate that we are forced to increase our reliance on Central Arizona Project (CAP) water from the Colorado River at a time when our climate is getting hotter and our desert is getting drier.

Both this decision today and the imminent Tier 1 shortage on the Colorado River will not affect our ability to meet the community's water needs.

Tucson Water's supplies are resilient, due to an ethic of conservation by Mayor & Council, and effective resource management by Tucson Water.

But we cannot let our guard down now and risk our long-term water security. The present situation highlights the urgent need for federal support of large-scale PFAS cleanup efforts.

I want to personally thank Tucson's Congressional Delegation: Senator Sinema, Senator Kelly, Congressman Grijalva, Congresswoman Kirkpatrick, and Congressman O'Halleran.

Each have been immensely supportive of securing clean-up funds in Washington D.C., and we join them in urging both the House and the Senate to take action.

The need for remediation is now. And the need for climate action is now. Time is of the essence in order to contain PFAS contaminants and safeguard our long-term water supply.

Tucson did not cause the pollution, but we are being left to deal with it. That is not fair."

###

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003818

ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senators Kelly, Sinema and Reps. Kirkpatrick, Gallego, O'Halleran and Stanton Express "Grave Concern" to President Biden Over Budget Proposal to Retire the A-10 "Warthog"

Today, Arizona Senators Mark Kelly and Kyrsten Sinema, alongside Rep. Kirkpatrick (AZ-02), Rep. Gallego (AZ-07), Rep. O'Halleran (AZ-01), and Rep. Stanton (AZ-09) wrote to President Biden expressing serious concerns with the Administration's budget plans to retire a vital national security asset, the A-10 Thunderbolt II, also known as the "Warthog."

In their letter, the lawmakers wrote:

"We are writing to express grave concern with your administration's plans to retire a vital national security asset, the A-10 Thunderbolt II, also known as the 'Warthog.'

"... While we support the Administration's modernization goals, we cannot support the premature retirement of one of our most vital military assets, which could in turn put the lives of service members at unnecessary risk. The A-10 has proven its usefulness in combat time and time again, and we look forward to working with you to ensure this vital national security platform remains part of our arsenal."

The Arizona lawmakers have remained focused on the protection of the aircraft for years, citing its unparalleled role in close air support missions. Immediately following the release of the President's budget a bipartisan group of Arizona's delegation spoke out against the proposed cuts to the A-10. Last December, Senators Kelly and Sinema voted to pass the bipartisan defense bill that included provisions to protect the A-10. In April, Senators Kelly and Sinema, along with Rep. Kirkpatrick, led the introduction of the bipartisan A-10 Resolution in the House and Senate. Shortly after, the lawmakers sent a letter urging Acting Secretary John Roth to continue supporting the A-10 program. Senator Kelly continues working with Republicans and Democrats to ensure the A-10 continues flying and serving U.S. troops.

For the full text of the letter, click here.

###

Reps. Grijalva, Schakowsky, and Slotkin Reintroduce SSI Restoration Act to Make Urgently Needed Updates to Help Seniors and Disabled Individuals

WASHINGTON— Today, Reps. Raúl M. Grijalva (D-AZ), Jan Schakowsky (D-IL), and Elissa Slotkin (D-MI) reintroduced the *Supplemental Security Income (SSI) Restoration Act.* Over 8 million Americans, all of them over the age of 65 or with significant disabilities, rely on SSI benefits to meet their basic needs. Currently, SSI benefits provide an average income that is below the poverty line. With the program being largely unchanged since its inception in 1972, the *SSI Restoration Act* makes critical updates to keep beneficiaries out of poverty. The bill modernizes and improves SSI by streamlining and simplifying the claiming process, expanding the resources and income limits, setting the minimum benefit at 100 percent of the Federal Poverty Level, and eliminating punitive reductions in benefits.

"SSI has long been a last resort and a critical safety net for keeping seniors and those with disabilities from falling into poverty," **said Rep. Grijalva.** "It's ridiculous that for almost fifty years, we have largely failed to make basic updates to ensure the program does what it was intended to do – meet basic needs for blind, disabled, and aged people who will otherwise go without. The last year has been especially harsh on these vulnerable populations, and it is time that Congress step up to make these modest but necessary updates to the program."

"Supplemental Security Income is an economic lifeline for over eight million seniors, people with disabilities, and families who rely on the program to survive. Unfortunately, the income requirements and benefit amounts are operating as if it were still 1972. The financial requirements are so stiff that a growing

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003819

ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

number of seniors on SSI are homeless. This is unacceptable and even more disturbing when you consider that more than three out of five older adults who rely on SSI are women," **said Rep. Schakowsky.** "As we work to end the COVID-19 pandemic, updating the SSI program is even more essential. The time is now!"

"I've met with families across my district who depend on SSI to meet their most basic needs," **said Rep. Slotkin.** "For all the benefits this program has provided, it's been largely unchanged since its inception in 1972, so the hurdles and restrictions to accessing these benefits are often outdated and burdensome. The SSI Restoration Act is a common-sense approach to help families support independent living of individuals with disabilities and to better enable individuals with disabilities to be independent and work without fear of losing benefits."

The bill is endorsed by over 85 organizations, including AARP, AFL-CIO, AFSCME Retirees, American Association of People with Disabilities, American Society on Aging, Center for Independent Living, Easterseals, Justice in Aging, Medicare Rights Center, Mental Health America, National Alliance on Mental Illness, National Association of Area Agencies on Aging, National Committee to Preserve Social Security & Medicare, National Council on Aging, National Organization of Social Security Claimants' Representatives, National Women's Law Center, Paralyzed Veterans of America, SEIU, Social Security Works, Strengthen Social Security Coalition, The Arc, The Special Needs Alliance, Youth Law Center and more.

"Justice in Aging is proud to support the Supplemental Security Income Restoration Act of 2021," **said Justice in Aging Director of Economic Security Tracey Gronniger.** "This bill provides desperately needed updates to the SSI program, which millions of extremely low-income older adults and people with disabilities rely on to pay for food, shelter, and other necessities. The SSI Restoration Act fixes rules and restrictions in the SSI program that have not been changed for over 40 years, and seeks to ensure that eligible people in need are better able to access the program and get vital assistance to avoid living in in poverty.

"Social Security Works applauds Representative Grijalva and his cosponsors for the profoundly wise SSI Restoration Act of 2021," **said Social Security Works President Nancy J. Altman.** "Thanks to Representative Grijalva's effective, compassionate leadership, we stand on the brink of history, when the long overdue SSI improvements he champions can finally become law. When that happens, the lives of millions of Americans will be vastly improved."

Senator Sherrod Brown will introduce companion legislation in the U.S. Senate.

Last month, Members of Congress, advocates, and supporters of SSI benefits gathered in a virtual event making the case for strengthened SSI benefits to be a component of the future economic recovery package. Click here to watch a recording of the event.

###

Sens. Kelly, Murkowski, Portman, Warren, Tester Introduce Legislation to let Children of Servicemembers Stay Until Age 26

65 years after creation of TRICARE, Health Care Fairness for Military Families Act would bring military insurance in line with private plans

Today, Senators Mark Kelly, Lisa Murkowski (R-AK), Rob Portman (R-OH), and Elizabeth Warren (D-MA), and Jon Tester (D-MT) introduced the Health Care Fairness for Military Families Act, bipartisan legislation that would allow young adults to stay on their parent's TRICARE plan until they are 26 without a premium increase – a critical lifeline as our nation works to overcome the COVID-19 pandemic. The foundation for TRICARE was laid 65 years ago this week through passage of the Dependents Medical Care Act. Today, TRICARE is a Department of Defense health insurance program that serves 9.6 million active

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003820
ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

duty and retired servicemembers, and their families. The Health Care Fairness for Military Families Act would bring TRICARE plans in line with private insurance plans.

A companion bill was introduced in the U.S. House of Representatives in January by Rep. Elaine Luria (D-VA-2) and Rep. Michael Waltz (R-FL-6).

"Servicemembers and their families have earned high-quality, affordable health care, and there is no reason that TRICARE shouldn't offer the same benefits as private insurance. Allowing children of servicemembers to stay on their parents' insurance until they're 26 will help countless military families and couldn't be more important as we come out of this pandemic and our economy recovers," **said Senator Mark Kelly.**

"Under current law, most military dependents are only allowed to remain on their parents' insurance policy until age 21, while non-military dependents are afforded the opportunity to remain on insurance until age 26. It isn't right that simply growing up in a military family leaves these young people on unequal ground with their civilian counterparts," **said Senator Murkowski.** "The 21-26 year old population already faces high unemployment rates and now in light of COVID-19, people of all ages are facing additional financial strain. This legislation will allow military dependents to stay on their parent's insurance plan until they are 26 without a premium increase—a critical lifeline as our nation works to overcome the COVID-19 pandemic."

"Service members and their families deserve the same access to health care benefits as civilians," **said Senator Portman.** "This bill would allow for people under the age of 26 to stay on their family's TRICARE plan, just as the ACA allows for in civilian healthcare, saving some military families hundreds of dollars a month in costly premiums."

"All three of my brothers served in the military, and I understand the incredible sacrifices servicemembers and their families make every day to keep our country safe. It is our job to ensure military families have access to good, affordable health care, and that includes the children of servicemembers up to the age of 26," **said Senator Warren**.

"Ensuring our nation's servicemembers and their families have access to the same affordable health care as folks with private insurance is a no-brainer," **said Senator Tester.** "The fact is that children of servicemembers feel the unique impacts of their parents' military careers and need the same access to care as their civilian peers. Our bipartisan bill allows every military child under the age of 26 to continue receiving steady coverage under their parents' plan, enabling these young adults to finish school or start their careers without worrying about what happens if they get sick."

"Today, most young adults either can't afford coverage, or their employer doesn't provide them with coverage. This puts TRICARE beneficiaries at a bigger disadvantage as their age cut off is much earlier. I am thankful to Senator Kelly for introducing this important legislation, which will make a big difference for my family and so many others," **said Rebecca Villalpando, U.S. Navy Veteran and Commissioner of the Arizona Veterans Advisory Commission.**

"While serving in the Army for 22 years, I met many military families and was always impressed by their commitment to service. It would only be fair to support all eligible family members with the extension of TRICARE healthcare benefits up to the age of 26. All servicemembers sacrifice so much in defense of this great country; it makes moral sense to fully support the *Healthcare Fairness for Military Families Act of 2021*," **said Dora Peralta, US Army (Retired MSG), Veterans of Foreign Wars Post 836.**

Under current law, TRICARE dependents can stay on their parents' policy until age 21, unless dependents meet specific requirements that would extend coverage only until age 23 or out of school. The 21-26 year old population has a high unemployment rate, and without this coverage military dependents are left on unequal footing compared to their civilian counterparts, who can stay on a parent's plan until age 26.

Senator Kelly's legislation would bring equity to TRICARE beneficiaries by bringing eligibility for dependents in line with that offered by private insurance plans. Under the Affordable Care Act ACA,

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003821

ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

children up to age 26 can remain on their parents' health insurance plans at no additional out-of-pocket cost to the dependent.

The legislation is supported by the Air Force Sergeants Association; Army Aviation Association of America; Association of Military Surgeons of the United States; Blinded Veterans of America; Commissioned Officers Association of the U.S. Public Health Service, Inc.; Enlisted Association of the National Guard of the United States; Fleet Reserve Association; Gold Star Wives of America; Iraq and Afghanistan Veterans of America (IAVA); Jewish War Veterans of the United States of America; Marine Corps League; Marine Corps Reserve Association; Military Chaplains Association of the United States of America; National Military Family Association; Non Commissioned Officers Association of the USA; Reserve Organization of America; Service Women's Action Network; Tragedy Assistance Program for Survivors; United States Army Warrant Officers Association; USCG Chief Petty Officers Association; Veterans of Foreign Wars; VetsFirst United Spinal Association; and Vietnam Veterans of America.

For the full bill text, click HERE.

###

Maricopa County Wins 56 National Achievement Awards

Over the past year, Maricopa County employees worked tirelessly to connect residents to the information and services that save lives, support families, and strengthen democracy. Now, the nation's fastest-growing county is being recognized with dozens of national awards for designing and implementing programs that made a difference.

Maricopa County received 56 National Achievement Awards this year from the National Association of Counties (NACo) for programs that have a measurable positive impact on the community. NACo says these are programs worth sharing and emulating nationwide. Maricopa County's award-winning programs account for 7% of the state and county programs nationwide that received NACo Achievement Awards in 2021.

"Our employees worked harder than ever over the past year to make a positive impact on our community, especially in the lives of those most affected by the pandemic," said Maricopa County Board of Supervisors Chairman Jack Sellers, District 1. "This recognition from NACo underscores what I have known for years: Maricopa County has some of the finest public servants in the nation, and the leadership and vision to make effective use of those diverse talents."

Nearly a dozen of the county's 56 awards were related to the county's COVID-19 response. These include data dashboards, vaccination efforts for high-risk populations, and distribution of personal protection equipment and other supplies.

Four awards stemmed from election efforts in 2020 and included a GIS map that helped Board members determine where to put voting locations; one-stop-shop websites in both English and Spanish where voters could check their voter registration status, update their information, find polling locations, view their sample ballot, and check to see if their ballot was sent, received and counted; and a Cybersecurity War Room.

The Flood Control District of Maricopa County won a coveted "Best in category" award for its "Water Resources Program" which promotes regional solutions and partnerships to better manage stormwater and mitigation flood risk.

For a complete list of Maricopa County's 2021 NACo award-winning programs, visit the NACo website and search the database for Arizona.

###

Major Infrastructure Bill Includes Key Stanton-Backed Projects for Arizona

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003822

ARZN_REV00069358_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WASHINGTON, D.C.— A new plan to reauthorize national surface transportation funding and infrastructure investment includes funding for several key Arizona projects pushed by Rep. Greg Stanton. The Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act authorizes nearly $547 billion over five years to address some of the nation's most urgent infrastructure needs.

This year, the House Transportation and Infrastructure Committee formally accepted requests for projects from House Members for consideration to be included in the final surface transportation bill text.

Stanton, the only Arizona member on the Transportation and Infrastructure Committee, has made it a top priority to push for short and long-term investments in projects that would benefit the state. Six of the projects Stanton proposed in partnership with state and local government agencies were included in the legislation:

- $4 million for the Tempe/Mesa Streetcar Rio Salado East Extension (Cites of Mesa and Tempe)
- $5 million for the I-10-SR347 Traffic Interchange (Arizona Department of Transportation, Gila River Indian Community, and Maricopa Association of Governments)
- $1.1 million for 77th Street Access Improvements (City of Scottsdale)
- $1.758 million for the Kyrene Branch Canal Shared Use Path (City of Chandler)
- $2.5 million for the Lake Powell Roundabout (City of Page)

"As one of the fastest growing states in the country, Arizona needs its fair share of federal resources to make sure our infrastructure can keep up with our population. I fought to make sure key investments were included in the infrastructure bill that will make a difference in our communities—investments to expand public transit, build and repair roads on tribal lands, and improve road safety. These projects are good for Arizonans and good for our economy," said Stanton.

The bill will be marked up by the Transportation and Infrastructure Committee on Wednesday and Thursday. A fact sheet for the INVEST in America Act is available HERE, a section-by-section is available HERE, and full bill text is available HERE.

"QUOTE OF THE DAY"

"The tax cut proposal puts more stress."

- Superior Mayor Mila Besich, telling Ducey in a phone call this morning that his flat tax proposal won't help her town and the region recover from the wildfires.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003823

ARZN_REV00069358_6-8-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, June 8, 2021 5:30:47 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 6-8-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message

About Contact

In Today's Yellow Sheet *June 8, 2021*

TELEGRAPH FIRE RAZES DOWN BOWERS' SECOND HOME
The Telegraph fire destroyed Bowers' longtime family home, which was not his primary residence, House GOP spokesman Andrew Wilder told our reporter. Wilder said the home was located southwest of Globe-Miami, underneath Madera Peak.

BOWERS' GONNA BOWERS, COOK'S GONNA COOK
The responses from Cook and Bowers to the wildfires – which set the latter's second home ablaze while the former's home remains under threat – is a study in contrast, according to Capitol railbirds.

AMERICAN OVERSIGHT

SUPERIOR MAYOR: TAX CUT PLAN DOESN'T HELP, DOUG
Ducey called Superior Mayor Mila Besich this morning to express support for the town and promised to assist in whatever way his office could in fighting the Telegraph fire, Besich told our reporter today.

ARIZONA INCHES CLOSER TO GOVERNMENT SHUTDOWN
The big question in everybody's mind is what happens when the House and Senate reconvene on Thursday, and the prevailing sentiment at the Capitol is that without major concessions, the Legislature will remain at an impasse over the budget.

FINSHEVIKS FIGHT BOLSHEVIKS
Finchem said the defamation lawsuits are still coming for House and Senate Dems who signed onto the January letter to the FBI director and acting AG, and asked his supporters to help foot the bill.

THE AUDIT TOURISTS HAVE ARRIVED
Alaska State Rep. David Eastman joined the Georgia delegation that toured the Arizona audit today, and more out-of-state visitors are expected every day this week, former AZ GOP Chair and audit media contact Randy Pullen told today's pool reporter.

GOP ANALYST HOPES TO SAVE PARTY FROM ITSELF
In a letter to Fann, Republican analyst Benny White said he wants to publicly demonstrate the validity of the 2020 election results or at least show that the Cast Vote Record is not corrupted.

PANELISTS SEE ACUTE SHORTAGE IN HEALTHCARE WORKERS
From seeing more untreated chronic health conditions to navigating health care worker burnout, Arizona panelists for today's Arizona Capitol Times Morning Scoop discussed the future of healthcare in Arizona and its current challenges.

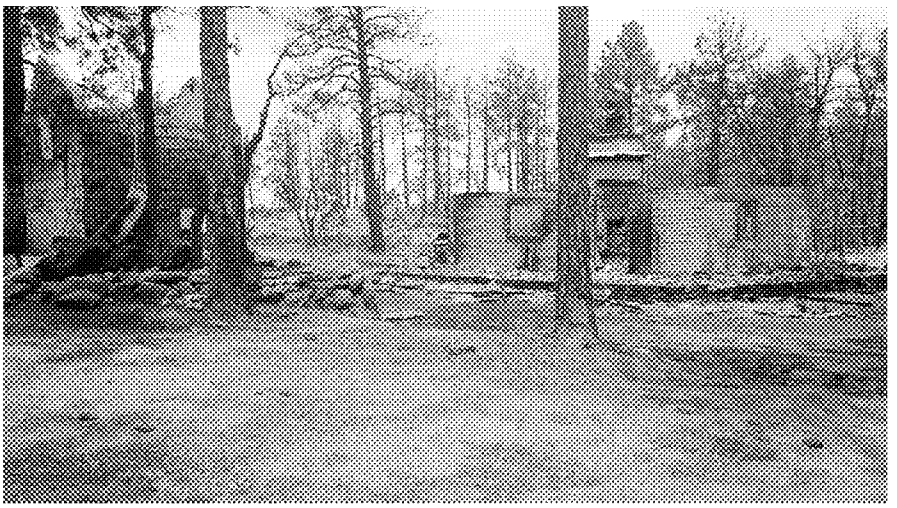
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, June 08, 2021

·NEWS NOTES AND GOSSIP·

TELEGRAPH FIRE RAZES DOWN BOWERS' SECOND HOME



The Telegraph fire destroyed Bowers' longtime family home, which was not his primary residence, House GOP spokesman Andrew Wilder told our reporter. Wilder said the home was located southwest of Globe-Miami, underneath Madera Peak. "Speaker Bowers' thoughts are with all Arizonans and communities facing fire dangers this and every season," Wilder said. "He is focused on ensuring that the state has all the funding and resources needed for fire suppression and community support in the upcoming fiscal year budget." The fire is also very close to Cook's ranch in Globe – his family was told to evacuate while he was on the House floor Monday morning voting against his party's tax bills, and, immediately after the votes, he left to protect his property from the flames. Cook has been busy ever since and is still in the center of things – firefighting airplanes were flying overhead as he spoke to our reporter Tuesday afternoon, and he shared several photos of clouds of smoke very close to his property. Cook said his neighbors have all evacuated and he assisted them with moving their animals and other property. He said his animals are still at the ranch and he doesn't think he needs to move them.

BOWERS' GONNA BOWERS, COOK'S GONNA COOK

The responses from Cook and Bowers to the wildfires – which set the latter's second home ablaze while the former's home remains under threat – is a study in contrast, according to Capitol railbirds. "It's literally a struggle to equate the two, but the notion that the cost of public service is so high is a legitimate one," one source said, noting that, sometimes, as in this case, it means conducting state business while one's property is getting destroyed. "One takes to Twitter. The other takes to the floor. That's what the Capitol community takes away from this," the source said, adding, "It's a harsh reality. But sometimes, being the lone individual doing something on the floor is often confused with leadership, and in this case, it's simply not that." Another source said the "gulf of maturity" between Bowers and Cook manifests itself everyday "in the way they comport themselves." "Rusty is solicitous, respectful, humble," the source said, adding the two legislators exhibit two divergent legislative styles. "[Rusty's style] weathers the tests of time, and it serves the state well. Anybody working in the state government is blessed to be able to work with people like Rusty, whether you agree with them or not," the source said.

SUPERIOR MAYOR: TAX CUT PLAN DOESN'T HELP, DOUG

Ducey called Superior Mayor Mila Besich this morning to express support for the town and promised to assist in whatever way his office could in fighting the Telegraph fire, Besich told our reporter today. Besich added that she also took the opportunity to tell Ducey that the flat tax proposal will not help her town or the

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003826

ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

region. "Our economy's been kicked in the teeth. The region is just barely starting to recoup from the Great Recession, and now our built assets for recreation are being destroyed," she said. "The tax cut proposal puts more stress on that," she said. Her worry isn't only fighting the fire now – but also dealing with an aging infrastructure susceptible to flooding after the fire. Besich wondered whether the state would have enough financial resources to rebuild if it passes a tax cut that significantly reduces state revenue. She said she also told Ducey that local, state and federal partners need to seriously talk about the Tonto National Forest, and the fact that so many fires had devastated the region. Currently, the priority is protecting lives and the communities on the path of the fire, she said, thanking the firefighters and responders who are battling it. Eventually, she said, her region will need a lot of financial help to get back up on the road to recovery.

ARIZONA INCHES CLOSER TO GOVERNMENT SHUTDOWN

The big question in everybody's mind is what happens when the House and Senate reconvene on Thursday, and the prevailing sentiment at the Capitol is that without major concessions, the Legislature will remain at an impasse over the budget. Not all work is foreclosed to legislators. Bowie expects the Senate to try and revive the 22 vetoed bills, though he's unsure whether that will come in the form of a veto override, strikers or late introductions. During his five years in the Senate, Bowie hasn't seen a veto override vote. Instead, he noted, lawmakers responded to events like Ducey's 2018 veto of 10 bills – meant to send a message to Mesnard about Red for Ed – by reintroducing measures as strikers. Some of the vetoed bills passed both chambers with widespread support and could easily get the votes needed for an override, but others were partisan measures that would only pass again if reintroduced as new bills or strikers. The House already reintroduced all 22 as new bills, meaning the three-day rule will apply, though a simple majority could bypass committees and bring the bills to the floor.

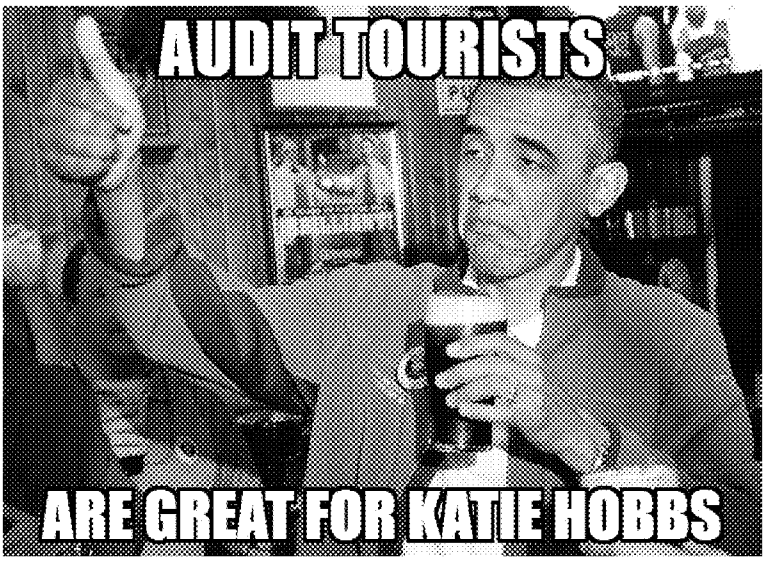
FINSHEVIKS FIGHT BOLSHEVIKS

Finchem said the defamation lawsuits are still coming for House and Senate Dems who signed onto the January letter to the FBI director and acting AG, and asked his supporters to help foot the bill. The January letter, signed by the House and Senate Democratic caucuses, asked the feds to help determine the roles that Finchem, Kern, Biggs and Gosar played in the Jan 6 riot (LINK). In a recent Telegram post, Finchem directed subscribers to his nonprofit, Guardian Defense Fund, to "help us pay for the legal representation we need to fight the bolsheviks who want to take us out." Finchem, Kern and Gosar are already suing Fernandez in Yuma County Superior Court (YS, 5/19). Fernandez's lawyer has waived service of a summons and will have 60 days after *sine die* to respond to the complaint, which was amended last month to add Gosar as a plaintiff. "The moment the current session of the Arizona Legislature ends we will begin the courtroom phase process of suing every single one of those who signed on the letter accusing us of treason, just because we represented your civil rights in D.C.," Finchem's post read.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003827
ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THE AUDIT TOURISTS HAVE ARRIVED



Alaska State Rep. David Eastman joined the Georgia delegation that toured the Arizona audit today, and more out-of-state visitors are expected every day this week, former AZ GOP Chair and audit media contact Randy Pullen told today's pool reporter. Pullen said other audit tourists this week may come from Wisconsin and Virginia. Staff from the Nevada Republican Party also toured yesterday, *KJZZ's* Ben Giles reported (LINK). Last week, three Pennsylvania state Republican lawmakers visited (YS, 6/1). Pullen said the touring legislators wanted to see what Arizona is doing so "if an audit comes up later, they'll have some understanding of how it's supposed to operate."

GOP ANALYST HOPES TO SAVE PARTY FROM ITSELF

In a letter to Fann, Republican analyst Benny White said he wants to publicly demonstrate the validity of the 2020 election results or at least show that the Cast Vote Record is not corrupted. The letter, flagged by *ABC15's* Garrett Archer (LINK), is co-written by retired CEO and founder of Clear Ballot Group Larry Moore and retired CTO Tim Halvorsen. White, who lost to Democrat Gabriella Cázares-Kelly in the 2020 Pima County Recorder race, has been involved in elections procedures for 14 years as the Pima County Republican Party representative for overseeing elections and has served on the Election Procedures Manual Revision Committee. White wrote that he, Moore and Halvorsen had spent the past several weeks reviewing the Cast Vote Record and had come to three conclusions: that the record is complete and accurate, that Trump lost Maricopa County because "disaffected Republican supportive voters" didn't vote for him and that this disaffection was "widespread across all precincts" in the county. Now he wants to prove it. He asked Fann to pick an unopened box of ballots, then he said he'd create a count for all the candidates in all the races on the ballots. Then, the Arizona Senate auditors would report their hand count of those ballots, and everyone would publicly compare the results and find the discrepancies. "Our objective here is to show that there was and continues to be sufficient official public record information available to assure the public that our elections are conducted legally and fairly," he wrote, adding that the Senate's audit is unnecessary because it "creates voter confusion and delays the finality of the election."

PANELISTS SEE ACUTE SHORTAGE IN HEALTHCARE WORKERS

From seeing more untreated chronic health conditions to navigating health care worker burnout, Arizona panelists for today's *Arizona Capitol Times* Morning Scoop discussed the future of healthcare in Arizona and its current challenges. Panelists said more people are coming back to doctors offices and hospitals, but some present more severe issues, notably those that have put off a doctor's visit during the pandemic. "What we're seeing is a high number of patients with more chronic illness. It's totally out of control, and we're trying to manage those cases where continuity of care was lost during that time," said former legislator Amanda Aguirre, President & CEO of Regional Center for Border Health, Inc. Covid numbers have dropped, and panelists see that play out at work. Most of the people who are hospitalized due to Covid-19 aren't vaccinated, Havasu Regional Medical Center CEO Mike Patterson said. But while those numbers are down, panelists said the burnout from the past 15 months has caused staffing shortages.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003828
ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"There's a lot of burnout happening, and it's getting more and more competitive to really retain and recruit staff," Valle del Sol CEO Carmen Heredia said. Beyond recruiting staff, health care providers are still grappling with how to bridge gaps in care that existed before the pandemic. Shah said people approach the healthcare system in terms of four metrics: cost, quality, access and choice. He said the U.S. does a good job with choice and generally does well with care, as well, but access and cost can still be major barriers. While panelists said the increase in Medicaid reimbursement last year and Medicaid expansion in general have helped close some gaps, others remain. "The biggest barrier in my mind is definitely insurance and coverage and gaps within that," Heredia said. "You have a population of people that are eligible to receive Medicaid. Then you have people that are eligible, but maybe make too much money and then can't afford their premiums." She said other barriers can include language and transportation, especially in rural areas. The recently released 2020 Center for the Future of Arizona Gallup Survey says that Arizonans are largely on the same page when it comes to prioritizing access to affordable mental health services and guaranteeing affordable health care and insurance for those with pre-existing conditions (LINK). The Center sponsored the Morning Scoop.

·WAKE UP CALL·

House flounders bid to pass tax bills
Arizona Capitol Times
The tax cuts that are the centerpiece of next year's proposed budget failed in the House Monday when one Republican joined the Democrats to shoot them down.

Central Arizona wildfires continue to spread out of control
Florence Reminder-Blade Tribune
Two wildfires fueled by dry weather were spreading in south-central Arizona on Tuesday, forcing evacuations.

Rep. David Cook told to evacuate his home during budget vote
Casa Grande Dispatch
In the midst of casting the deciding vote against a massive tax cut for wealthy Arizonans that doomed a Republican-led budget proposal Monday, Rep. David Cook got word that his family had been ordered to evacuate their home in Globe due to the approaching Telegraph Fire.

Mohave County Board of Supervisors OK tax credit for gas-processing plant
Today's News-Herald
Some people say everything's bigger in Texas – and one Texas energy company has some big plans for the Kingman area.

How OAN Works Hand in Glove With Arizona Republicans on the Election Audit
Phoenix New Times
Republican Senate President Karen Fann seems to actually believe that One America News Network (OAN), a blatantly pro-Trump media outlet that promotes wild conspiracy theories, is a legitimate news source.

Rejecting Biden's Win, Rising Republicans Attack Legitimacy of Elections
New York Times
The next generation of aspiring G.O.P. congressional leaders has aggressively pushed Donald Trump's false fraud claims, raising the prospect that the results of elections will continue to be challenged through 2024.

As organized religion declines, is conspiracy the new religion of Republicans?
The Hill (Opinion, Jessica Tarlov and Jeff Le)
As politically active Democrats, we're familiar with the Republican playbook when it comes to religion.

Did Katie Hobbs catch a bad case of the Doug Duceys?
Arizona Republic (Opinion, EJ Montini)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003829
ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Democrat Hobbs, a fierce supporter of voters' rights, seems reluctant to call out Democratic Sen. Kyrsten Sinema by name for her progress-blocking filibuster position.

Rep. David Cook sets fire to Ducey's tax cuts (and that's a good thing)

Arizona Republic (Opinion, Laurie Roberts)

A round of applause for Rep. David Cook, R-Globe, for standing tough against the largest tax cut in state history.

Why would VP Kamala Harris stop at the border? It's just a meaningless photo-op

Arizona Republic (Opinion, Elvia Diaz)

Immigration hardliners are blasting Kamala Harris' trip to Guatemala and Mexico, but at least she's trying to address the root of our border problem.

I watched Don Harding's execution in an Arizona gas chamber. His face still haunts me

Arizona Republic (Op-ed, Jim Belanger)

I will never forget the look on his face when he turned to me shortly after inhaling the fumes. It's an image of atrocity that will haunt me for the rest of my life.

·PRESS RELEASES·

Sinema, Kelly, Kirkpatrick, O'Halleran, Stanton, Gallego: Protect Arizona's A-10 Aircraft

WASHINGTON – Arizona Senators Kyrsten Sinema and Mark Kelly, along with Arizona Representatives Ann Kirkpatrick (AZ-02), Tom O'Halleran (AZ-01), Greg Stanton (AZ-09), and Ruben Gallego (AZ-07), wrote to President Biden expressing their concern with his plan to retire the A-10 aircraft housed at Arizona's Davis Monthan Air Force Base, and urging him to protect the aircraft.

"We are writing to express grave concern with your administration's plans to retire a vital national security asset, the A-10 Thunderbolt II, also known as the 'Warthog.'… While we support the Administration's modernization goals, we cannot support the premature retirement of one of our most vital military assets, which could in turn put the lives of service members at unnecessary risk. The A-10 has proven its usefulness in combat time and time again, and we look forward to working with you to ensure this vital national security platform remains part of our arsenal," wrote Sinema, Kelly, Kirkpatrick, O'Halleran, Stanton, and Gallego.

To read the full letter click HERE.

President Biden recently released his fiscal year 2022 budget which calls for the partial retirement of the A-10. Earlier this month, the Arizona delegation wrote a bipartisan letter to Acting Secretary of the Air Force John Roth expressing continued support for the A-10 Warthog and calling on the Air Force to answer questions about their failure to complete congressionally directed upgrades and re-winging of the aircraft and other assessments of the Air Force's close air support capabilities.

###

Mayor Romero Remarks in Response to Suspension of Operations at TARP Treatment Facility due to Elevated PFAS Levels

Mayor Romero made the following remarks at a press conference this morning following Tucson Water announced a temporary, indefinite shutdown of the Tucson Airport Remediation Project water treatment facility (TARP) on June 21, 2021 because of the increasing levels of per- and polyfluoroalkyl substances (PFAS) in the groundwater wells serving the plant.

A fact sheet with more information is attached. You can view the entire press conference here.

"I want to thank the professionals at Tucson Water for their work.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003830

ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

I also want to thank Director Cabrera and ADEQ for their investments and technical assistance in helping us manage the PFAS issue in Tucson.

When it comes to the safety of Arizona's groundwater, ADEQ has been a strong partner for Tucson.

I want to begin by acknowledging the long and painful history of water contamination that several generations of Tucsonans have endured through no fault of their own.

This started with the discovery of TCE and 1,4 dioxane that has affected southside communities for the last several decades, and continues to impact Tucson families to this day.

Today, we are joined by Tucsonans who have seen this impact directly through family members who live with chronic health conditions, birth defects, and many who have lost their lives due to various forms of cancer.

I want to thank them for joining us today, and for dedicating countless hours of their time to address this issue and provide necessary oversight.

Since the discovery of TCE, City of Tucson taxpayers have stepped up and shouldered the financial burden of supporting treatment facilities through our General Fund.

We stepped up then, not knowing whether we would be re-imbursed by the federal government. Decades later, we have stepped up once again with the treatment of PFAS contamination.

We have stepped up because our top priority is ensuring all city residents and Tucson Water customers have access to safe, clean drinking water.

However, I want to be clear: City of Tucson taxpayers are not responsible for PFAS contamination and should not be left with the tab.

Unfortunately, we have hit a critical moment where we can no longer confidently deliver safe drinking water from TARP due to elevated PFAS levels in the water entering the facility prior to treatment.

When it comes to our drinking water – our most precious resource here in the Sonoran Desert – quality and safety come first, which is why we are taking this proactive step out of an abundance of precaution.

We also must recognize that groundwater contamination and climate change are a one-two punch against our water supplies.

The longer we wait to contain the spread of PFAS contaminants, the less groundwater we have available to serve our families and businesses.

It is unfortunate that we are forced to increase our reliance on Central Arizona Project (CAP) water from the Colorado River at a time when our climate is getting hotter and our desert is getting drier.

Both this decision today and the imminent Tier 1 shortage on the Colorado River will not affect our ability to meet the community's water needs.

Tucson Water's supplies are resilient, due to an ethic of conservation by Mayor & Council, and effective resource management by Tucson Water.

But we cannot let our guard down now and risk our long-term water security. The present situation highlights the urgent need for federal support of large-scale PFAS cleanup efforts.

I want to personally thank Tucson's Congressional Delegation: Senator Sinema, Senator Kelly, Congressman Grijalva, Congresswoman Kirkpatrick, and Congressman O'Halleran.

Each have been immensely supportive of securing clean-up funds in Washington D.C., and we join them in urging both the House and the Senate to take action.

The need for remediation is now. And the need for climate action is now. Time is of the essence in order to contain PFAS contaminants and safeguard our long-term water supply.

Tucson did not cause the pollution, but we are being left to deal with it. That is not fair."

###

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003831

ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senators Kelly, Sinema and Reps. Kirkpatrick, Gallego, O'Halleran and Stanton Express "Grave Concern" to President Biden Over Budget Proposal to Retire the A-10 "Warthog"

Today, Arizona Senators Mark Kelly and Kyrsten Sinema, alongside Rep. Kirkpatrick (AZ-02), Rep. Gallego (AZ-07), Rep. O'Halleran (AZ-01), and Rep. Stanton (AZ-09) wrote to President Biden expressing serious concerns with the Administration's budget plans to retire a vital national security asset, the A-10 Thunderbolt II, also known as the "Warthog."

In their letter, the lawmakers wrote:

"We are writing to express grave concern with your administration's plans to retire a vital national security asset, the A-10 Thunderbolt II, also known as the 'Warthog.'

"... While we support the Administration's modernization goals, we cannot support the premature retirement of one of our most vital military assets, which could in turn put the lives of service members at unnecessary risk. The A-10 has proven its usefulness in combat time and time again, and we look forward to working with you to ensure this vital national security platform remains part of our arsenal."

The Arizona lawmakers have remained focused on the protection of the aircraft for years, citing its unparalleled role in close air support missions. Immediately following the release of the President's budget a bipartisan group of Arizona's delegation spoke out against the proposed cuts to the A-10. Last December, Senators Kelly and Sinema voted to pass the bipartisan defense bill that included provisions to protect the A-10. In April, Senators Kelly and Sinema, along with Rep. Kirkpatrick, led the introduction of the bipartisan A-10 Resolution in the House and Senate. Shortly after, the lawmakers sent a letter urging Acting Secretary John Roth to continue supporting the A-10 program. Senator Kelly continues working with Republicans and Democrats to ensure the A-10 continues flying and serving U.S. troops.

For the full text of the letter, click here.

###

Reps. Grijalva, Schakowsky, and Slotkin Reintroduce SSI Restoration Act to Make Urgently Needed Updates to Help Seniors and Disabled Individuals

WASHINGTON— Today, Reps. Raúl M. Grijalva (D-AZ), Jan Schakowsky (D-IL), and Elissa Slotkin (D-MI) reintroduced the *Supplemental Security Income (SSI) Restoration Act.* Over 8 million Americans, all of them over the age of 65 or with significant disabilities, rely on SSI benefits to meet their basic needs. Currently, SSI benefits provide an average income that is below the poverty line. With the program being largely unchanged since its inception in 1972, the *SSI Restoration Act* makes critical updates to keep beneficiaries out of poverty. The bill modernizes and improves SSI by streamlining and simplifying the claiming process, expanding the resources and income limits, setting the minimum benefit at 100 percent of the Federal Poverty Level, and eliminating punitive reductions in benefits.

"SSI has long been a last resort and a critical safety net for keeping seniors and those with disabilities from falling into poverty," **said Rep. Grijalva.** "It's ridiculous that for almost fifty years, we have largely failed to make basic updates to ensure the program does what it was intended to do – meet basic needs for blind, disabled, and aged people who will otherwise go without. The last year has been especially harsh on these vulnerable populations, and it is time that Congress step up to make these modest but necessary updates to the program."

"Supplemental Security Income is an economic lifeline for over eight million seniors, people with disabilities, and families who rely on the program to survive. Unfortunately, the income requirements and benefit amounts are operating as if it were still 1972. The financial requirements are so stiff that a growing

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003832

ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

number of seniors on SSI are homeless. This is unacceptable and even more disturbing when you consider that more than three out of five older adults who rely on SSI are women," **said Rep. Schakowsky.** "As we work to end the COVID-19 pandemic, updating the SSI program is even more essential. The time is now!"

"I've met with families across my district who depend on SSI to meet their most basic needs," **said Rep. Slotkin.** "For all the benefits this program has provided, it's been largely unchanged since its inception in 1972, so the hurdles and restrictions to accessing these benefits are often outdated and burdensome. The SSI Restoration Act is a common-sense approach to help families support independent living of individuals with disabilities and to better enable individuals with disabilities to be independent and work without fear of losing benefits."

The bill is endorsed by over 85 organizations, including AARP, AFL-CIO, AFSCME Retirees, American Association of People with Disabilities, American Society on Aging, Center for Independent Living, Easterseals, Justice in Aging, Medicare Rights Center, Mental Health America, National Alliance on Mental Illness, National Association of Area Agencies on Aging, National Committee to Preserve Social Security & Medicare, National Council on Aging, National Organization of Social Security Claimants' Representatives, National Women's Law Center, Paralyzed Veterans of America, SEIU, Social Security Works, Strengthen Social Security Coalition, The Arc, The Special Needs Alliance, Youth Law Center and more.

"Justice in Aging is proud to support the Supplemental Security Income Restoration Act of 2021," **said Justice in Aging Director of Economic Security Tracey Gronniger.** "This bill provides desperately needed updates to the SSI program, which millions of extremely low-income older adults and people with disabilities rely on to pay for food, shelter, and other necessities. The SSI Restoration Act fixes rules and restrictions in the SSI program that have not been changed for over 40 years, and seeks to ensure that eligible people in need are better able to access the program and get vital assistance to avoid living in in poverty.

"Social Security Works applauds Representative Grijalva and his cosponsors for the profoundly wise SSI Restoration Act of 2021," **said Social Security Works President Nancy J. Altman.** "Thanks to Representative Grijalva's effective, compassionate leadership, we stand on the brink of history, when the long overdue SSI improvements he champions can finally become law. When that happens, the lives of millions of Americans will be vastly improved."

Senator Sherrod Brown will introduce companion legislation in the U.S. Senate.

Last month, Members of Congress, advocates, and supporters of SSI benefits gathered in a virtual event making the case for strengthened SSI benefits to be a component of the future economic recovery package. Click here to watch a recording of the event.

###

Sens. Kelly, Murkowski, Portman, Warren, Tester Introduce Legislation to let Children of Servicemembers Stay Until Age 26

65 years after creation of TRICARE, Health Care Fairness for Military Families Act would bring military insurance in line with private plans

Today, Senators Mark Kelly, Lisa Murkowski (R-AK), Rob Portman (R-OH), and Elizabeth Warren (D-MA), and Jon Tester (D-MT) introduced the Health Care Fairness for Military Families Act, bipartisan legislation that would allow young adults to stay on their parent's TRICARE plan until they are 26 without a premium increase – a critical lifeline as our nation works to overcome the COVID-19 pandemic. The foundation for TRICARE was laid 65 years ago this week through passage of the Dependents Medical Care Act. Today, TRICARE is a Department of Defense health insurance program that serves 9.6 million active

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003833
ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

duty and retired servicemembers, and their families. The Health Care Fairness for Military Families Act would bring TRICARE plans in line with private insurance plans.

A companion bill was introduced in the U.S. House of Representatives in January by Rep. Elaine Luria (D-VA-2) and Rep. Michael Waltz (R-FL-6).

"Servicemembers and their families have earned high-quality, affordable health care, and there is no reason that TRICARE shouldn't offer the same benefits as private insurance. Allowing children of servicemembers to stay on their parents' insurance until they're 26 will help countless military families and couldn't be more important as we come out of this pandemic and our economy recovers," **said Senator Mark Kelly.**

"Under current law, most military dependents are only allowed to remain on their parents' insurance policy until age 21, while non-military dependents are afforded the opportunity to remain on insurance until age 26. It isn't right that simply growing up in a military family leaves these young people on unequal ground with their civilian counterparts," **said Senator Murkowski.** "The 21-26 year old population already faces high unemployment rates and now in light of COVID-19, people of all ages are facing additional financial strain. This legislation will allow military dependents to stay on their parent's insurance plan until they are 26 without a premium increase—a critical lifeline as our nation works to overcome the COVID-19 pandemic."

"Service members and their families deserve the same access to health care benefits as civilians," **said Senator Portman.** "This bill would allow for people under the age of 26 to stay on their family's TRICARE plan, just as the ACA allows for in civilian healthcare, saving some military families hundreds of dollars a month in costly premiums."

"All three of my brothers served in the military, and I understand the incredible sacrifices servicemembers and their families make every day to keep our country safe. It is our job to ensure military families have access to good, affordable health care, and that includes the children of servicemembers up to the age of 26," **said Senator Warren**.

"Ensuring our nation's servicemembers and their families have access to the same affordable health care as folks with private insurance is a no-brainer," **said Senator Tester.** "The fact is that children of servicemembers feel the unique impacts of their parents' military careers and need the same access to care as their civilian peers. Our bipartisan bill allows every military child under the age of 26 to continue receiving steady coverage under their parents' plan, enabling these young adults to finish school or start their careers without worrying about what happens if they get sick."

"Today, most young adults either can't afford coverage, or their employer doesn't provide them with coverage. This puts TRICARE beneficiaries at a bigger disadvantage as their age cut off is much earlier. I am thankful to Senator Kelly for introducing this important legislation, which will make a big difference for my family and so many others," **said Rebecca Villalpando, U.S. Navy Veteran and Commissioner of the Arizona Veterans Advisory Commission.**

"While serving in the Army for 22 years, I met many military families and was always impressed by their commitment to service. It would only be fair to support all eligible family members with the extension of TRICARE healthcare benefits up to the age of 26. All servicemembers sacrifice so much in defense of this great country; it makes moral sense to fully support the *Healthcare Fairness for Military Families Act of 2021*," **said Dora Peralta, US Army (Retired MSG), Veterans of Foreign Wars Post 836.**

Under current law, TRICARE dependents can stay on their parents' policy until age 21, unless dependents meet specific requirements that would extend coverage only until age 23 or out of school. The 21-26 year old population has a high unemployment rate, and without this coverage military dependents are left on unequal footing compared to their civilian counterparts, who can stay on a parent's plan until age 26.

Senator Kelly's legislation would bring equity to TRICARE beneficiaries by bringing eligibility for dependents in line with that offered by private insurance plans. Under the Affordable Care Act ACA,

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003834

ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

children up to age 26 can remain on their parents' health insurance plans at no additional out-of-pocket cost to the dependent.

The legislation is supported by the Air Force Sergeants Association; Army Aviation Association of America; Association of Military Surgeons of the United States; Blinded Veterans of America; Commissioned Officers Association of the U.S. Public Health Service, Inc.; Enlisted Association of the National Guard of the United States; Fleet Reserve Association; Gold Star Wives of America; Iraq and Afghanistan Veterans of America (IAVA); Jewish War Veterans of the United States of America; Marine Corps League; Marine Corps Reserve Association; Military Chaplains Association of the United States of America; National Military Family Association; Non Commissioned Officers Association of the USA; Reserve Organization of America; Service Women's Action Network; Tragedy Assistance Program for Survivors; United States Army Warrant Officers Association; USCG Chief Petty Officers Association; Veterans of Foreign Wars; VetsFirst United Spinal Association; and Vietnam Veterans of America.

For the full bill text, click HERE.

###

Maricopa County Wins 56 National Achievement Awards

Over the past year, Maricopa County employees worked tirelessly to connect residents to the information and services that save lives, support families, and strengthen democracy. Now, the nation's fastest-growing county is being recognized with dozens of national awards for designing and implementing programs that made a difference.

Maricopa County received 56 National Achievement Awards this year from the National Association of Counties (NACo) for programs that have a measurable positive impact on the community. NACo says these are programs worth sharing and emulating nationwide. Maricopa County's award-winning programs account for 7% of the state and county programs nationwide that received NACo Achievement Awards in 2021.

"Our employees worked harder than ever over the past year to make a positive impact on our community, especially in the lives of those most affected by the pandemic," said Maricopa County Board of Supervisors Chairman Jack Sellers, District 1. "This recognition from NACo underscores what I have known for years: Maricopa County has some of the finest public servants in the nation, and the leadership and vision to make effective use of those diverse talents."

Nearly a dozen of the county's 56 awards were related to the county's COVID-19 response. These include data dashboards, vaccination efforts for high-risk populations, and distribution of personal protection equipment and other supplies.

Four awards stemmed from election efforts in 2020 and included a GIS map that helped Board members determine where to put voting locations; one-stop-shop websites in both English and Spanish where voters could check their voter registration status, update their information, find polling locations, view their sample ballot, and check to see if their ballot was sent, received and counted; and a Cybersecurity War Room.

The Flood Control District of Maricopa County won a coveted "Best in category" award for its "Water Resources Program" which promotes regional solutions and partnerships to better manage stormwater and mitigation flood risk.

For a complete list of Maricopa County's 2021 NACo award-winning programs, visit the NACo website and search the database for Arizona.

###

Major Infrastructure Bill Includes Key Stanton-Backed Projects for Arizona

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003835

ARZN_REV00069360_6-8-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WASHINGTON, D.C.— A new plan to reauthorize national surface transportation funding and infrastructure investment includes funding for several key Arizona projects pushed by Rep. Greg Stanton. The Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act authorizes nearly $547 billion over five years to address some of the nation's most urgent infrastructure needs.

This year, the House Transportation and Infrastructure Committee formally accepted requests for projects from House Members for consideration to be included in the final surface transportation bill text.

Stanton, the only Arizona member on the Transportation and Infrastructure Committee, has made it a top priority to push for short and long-term investments in projects that would benefit the state. Six of the projects Stanton proposed in partnership with state and local government agencies were included in the legislation:

- $4 million for the Tempe/Mesa Streetcar Rio Salado East Extension (Cites of Mesa and Tempe)
- $5 million for the I-10-SR347 Traffic Interchange (Arizona Department of Transportation, Gila River Indian Community, and Maricopa Association of Governments)
- $1.1 million for 77th Street Access Improvements (City of Scottsdale)
- $1.758 million for the Kyrene Branch Canal Shared Use Path (City of Chandler)
- $2.5 million for the Lake Powell Roundabout (City of Page)

"As one of the fastest growing states in the country, Arizona needs its fair share of federal resources to make sure our infrastructure can keep up with our population. I fought to make sure key investments were included in the infrastructure bill that will make a difference in our communities—investments to expand public transit, build and repair roads on tribal lands, and improve road safety. These projects are good for Arizonans and good for our economy," said Stanton.

The bill will be marked up by the Transportation and Infrastructure Committee on Wednesday and Thursday. A fact sheet for the INVEST in America Act is available HERE, a section-by-section is available HERE, and full bill text is available HERE.

"QUOTE OF THE DAY"

"The tax cut proposal puts more stress."

- Superior Mayor Mila Besich, telling Ducey in a phone call this morning that his flat tax proposal won't help her town and the region recover from the wildfires.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003836

ARZN_REV00069360_6-8-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, June 14, 2021 5:35:23 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 6-14-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *June 14, 2021*

SUDDENLY EVERYONE WANTS TO BE SECRETARY
To no railbird's surprise, Bolding announced today that he's running for the Secretary of State's Office – making it the first Democratic primary for that office since 2010.

BEHIND EVERY FRINGE GOP GROUP IS A SOFT PILLOW
Despite a surprising onslaught of cash from contributors led by MyPillow CEO Mike Lindell, We the People AZ Alliance, the fringe group pushing recalls against several elected officials, did not file a single recall petition sheet with Hobbs' Office.

WHERE HAVE WE HEARD THIS BEFORE?
The Yavapai County Sheriff's Office has received several calls about

AMERICAN OVERSIGHT

canvassers impersonating election officials as they go door-to-door asking if people voted and for which candidate – a tactic eerily similar to what the Senate planned, then promised it would not do, as part of its audit.

AND IF BIDEN DOESN'T CONCEDE, HE'LL BE ARRESTED TOO!
As Republican lawmakers and candidates from at least 12 states have made the pilgrimage to Arizona to tour the Arizona audit, the US Justice Department appears to be trying to get ahead of any move to replicate the review in other states.

EVEN THE GOLD STANDARD ISN'T GOOD ENOUGH
Whether those touring the audit could even bring such a review of the 2020 election back to their states is another question.

WAS SHE REALLY TAN?
Fann toured the Veterans' Memorial Coliseum this morning, making her first trip to the audit she authorized after weeks of counting and visits from politicians from other states.

IT'S LIKE THE OBAMA YEARS ALL OVER AGAIN
Legislative staff is prepared for the possibility of a government shutdown should the budget stalemate last until July, but sources told our reporter that it's far more likely that if lawmakers are still deadlocked as July approaches, they'll pass a "skinny budget" instead.

OR LIKE THE HULL, MOFFORD, NAPOLITANO YEARS
While the state government hasn't grinded to a full halt in recent history, lawmakers have brushed up against constitutional deadlines before, and have asked their lawyers what happens if they can't agree on a budget.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, June 14, 2021

NEWS NOTES AND GOSSIP

SUDDENLY EVERYONE WANTS TO BE SECRETARY

To no railbird's surprise, Bolding announced today that he's running for the Secretary of State's Office – making it the first Democratic primary for that office since 2010. Bolding's announcement was a poorly kept secret at best (YS, 4/2), and former Maricopa County Recorder Adrian Fontes, fresh off his 2020 loss, leapfrogged Bolding's announcement on Friday, jumping into the race with a raw, 17-second iPhone video that looks like it was shot moments before he posted it to Twitter (YS, 6/11). Between the two, Fontes has election experience by default given his four years as Maricopa County Recorder, but Bolding is already gaining support from his fellow lawmakers – several who have tweeted unofficial endorsements on his behalf. Bolding, in addition to being the current House minority leader, is the co-executive director of Arizona Coalition for Change, an advocacy group that helped extend the voter registration deadline before the 2020 election. Bolding's launch video wasn't exactly a slickly produced product – it was compiled from more than two minutes of floor speeches, protest speeches and clips of him in interviews (LINK). He put a lot of emphasis on a viral interaction between himself and Grantham from earlier this year when Grantham used the outdated and racist term "colored people" and suggested that Bolding's mic be cut off and telling him to sit down. His main message was surrounding helping communities of color have more opportunities to vote, not fewer. The video didn't have any personal message from Bolding or any narration, just rehashing b-roll with a slide at the very end to show he was running for SOS. "I've been on the front lines of fighting for our democracy for years and, with your support, I'm just getting started," Bolding tweeted with the video this morning. On the Republican side, Ugenti-Rita and Finchem have already declared and one GOP source told our reporter Bolick is going to jump into the race as well, likely on June 21 (YS, 6/11).

BEHIND EVERY FRINGE GOP GROUP IS A SOFT PILLOW

Despite a surprising onslaught of cash from contributors led by MyPillow CEO Mike Lindell, We the People AZ Alliance, the fringe group pushing recalls against several elected officials, did not file a single recall petition sheet with Hobbs' Office. Ducey, Hobbs and K Hoffman are now safe from facing recall campaigns from We the People, as is Boyer, (though he still faces a separate recall attempt.) Last Friday was the signature-gathering deadline. We The People filed its Quarter One campaign finance a couple of months ago and it reported roughly $120,000 between January and March, spending about $70,000 and just under $50,000 left on hand. Lindell contributed $50,000 in March. Another notable name to provide funds for the far-right group was former Maricopa County Treasurer Royce Flora, who contributed $1,000 in two installments. Lindell was by far the largest contributor to the failed recalls, followed by a firearms dealer in Apache Junction named Anthony Ireland who contributed $7,000. Most of the expenses were for communication through texting services, polling, food and drinks at restaurants and supplies. The committee appears to have only spent about $5,000 on petition printing and canvassers. We the People also retained Alex Kolodin for attorney services, paid a deli clerk $800 for IT services and a DJ named Ben Sanderson $14,000 for "event expenses." Three recall petitions not affiliated with We the People could still make it to the 2021 ballot – one against Bowers due on June 17, another Boyer recall due on June 19 and a Finchem recall due on July 8.

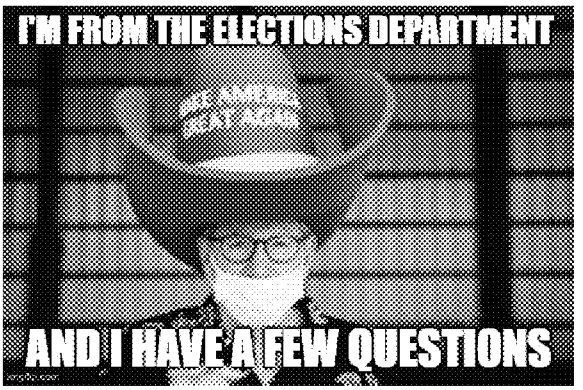
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003839

ARZN_REV00069366_6-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHERE HAVE WE HEARD THIS BEFORE?



The Yavapai County Sheriff's Office has received several calls about canvassers impersonating election officials as they go door-to-door asking if people voted and for which candidate – a tactic eerily similar to what the Senate planned, then promised it would not do, as part of its audit. But it doesn't appear that those behind the canvassing efforts are affiliated with the audit – at least not formally. Liz Harris, a failed LD17 candidate for House and a prime member of the Stop the Steal movement who had previously hinted that she would be involved in the Senate audit's now-abandoned canvassing plan, posted a video today explaining the announcement from the Sheriff's Office appears to be about a group she's working with, and it "is not real news." "I pretty much know what's happening," she said (LINK). "There are canvassers, some within the group that I'm heading up, and some outside the group, but these are all straight-laced, great canvassers. They don't do any of what this letter states, with the exception of did you vote, and what method did you use." She said the canvassers would never claim to be from an elections department, and that the claim that they are doing that is a scare tactic to keep people from participating in the canvass. "We have more sense than that and we know that would be illegal," she said. (Impersonating an elections official is a class 5 felony, punishable by up to a year-and-a-half behind bars.) She said, however, that canvassers have reported to county elections officials some of the "anomalies" that they've found through the canvass. "If I were in that position I would sit down and say alright, let's dig into this," she said. Instead, she claimed that elections officials are spreading false information about the canvass to discredit and shut it down. "If everything were totally legit with the 2020 election, would they be coming after us this hard? No," she said. "They know we're finding things." She didn't return a call today. It's entirely possible canvassers misled voters, or voters misunderstood what the canvassers were telling them about the project, as seemed to be the case in Maricopa County in 2012, when elections officials claimed that a liberal group misrepresented themselves as affiliated with the county elections department while attempting to "harvest" ballots (LINK).

AND IF BIDEN DOESN'T CONCEDE, HE'LL BE ARRESTED TOO!

As Republican lawmakers and candidates from at least 12 states have made the pilgrimage to Arizona to tour the Arizona audit, the US Justice Department appears to be trying to get ahead of any move to replicate the review in other states. US AG Merrick Garland on Friday said the department planned to scrutinize post-election audits to make sure they "abide by federal statutory requirements to protect election records and avoid the intimidation of voters." He also said the DOJ would publish guidance on the criminal and civil statutes that apply to these reviews. "Many of the justifications proffered in support of these post-election audits and restrictions on voting have relied on assertions of material vote fraud in the 2020 election that have been refuted by law enforcement and intelligence agencies of both this administration and the previous one, as well as by every court – federal and state – that has considered them," Garland said. The speech rankled several state Republican audit faithful, including Rogers who threatened for the second time to somehow lock up Garland and other feds if they interfered with the audit. "You will not touch Arizona ballots or machines unless you want to spend time in an Arizona prison," she tweeted Friday. "Maybe you should focus on stopping terrorism. The Justice Department is one of the most corrupt institutions in the USA" (LINK). Arizona legislators cannot arrest the US Attorney General. Finchem said the AG's warning would only add "more steel to the spine," of auditors. "This is a methodical, forensic audit, and in order to do it properly, all aspects need to be examined, period," Finchem said on Steve Bannon's "War Room" podcast. "I do not see us backing down one inch."

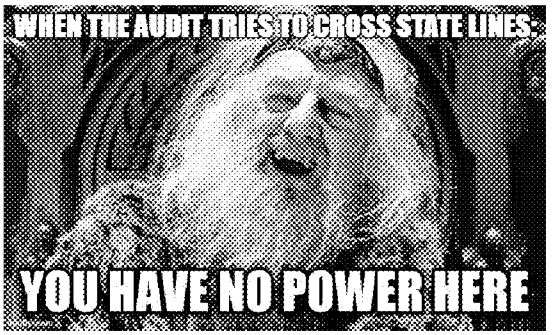
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003840

ARZN_REV00069366_6-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

EVEN THE GOLD STANDARD ISN'T GOOD ENOUGH



Whether those touring the audit could even bring such a review of the 2020 election back to their states is another question. The Georgia State Senate doesn't have the votes to call a special session to audit the 2020 election, according to one of the Republican state senators who toured in Arizona (YS, 6/7). Instead, the hope is to pressure the state's governor to call a session himself. Similarly, the Pennsylvania delegation to Arizona was met with opposition from the Republican State Government Committee Chairman Rep Seth Grove, who tweeted after their visit that the Pennsylvania House would not authorize a 2020 election audit (YS, 6/3). The state with the most momentum appears to be Wisconsin. Four Wisconsin state lawmakers visited over the weekend, with approval from state Assembly Speaker Robin Vos (LINK). At the end of May, Vos hired three retired police officers to help a state committee review the 2020 election (LINK). Beyond a smattering of other states' lawmakers, some candidates for 2022 offices have also toured, though how exactly they could ignite a review in their home state is unclear. For example, the disgraced former Missouri Governor Eric Greitens, now a US Senate candidate, skipped the year's largest gathering of Missouri GOP Republicans to tour in Arizona instead (LINK). Greitens resigned in 2018 after accusations of blackmail and campaign finance violations (LINK). Other candidate tourists include Oklahoma US Senate candidate Jackson Lahmeyer, Michigan Secretary of State candidate Kristina Karamo and Georgia gubernatorial candidate Vernon Jones.

WAS SHE REALLY TAN?

Fann toured the Veterans' Memorial Coliseum this morning, making her first trip to the audit she authorized after weeks of counting and visits from politicians from other states. Brahm Resnik, this morning's pool reporter, noted that she was there for about 45 minutes, but declined to answer questions from the press box, as other visitors have done. Fann also didn't respond to a text from our reporter about her tour. She arrived as the audit team expects to finish hand counting its final ballots today, though paper analysis will continue.

IT'S LIKE THE OBAMA YEARS ALL OVER AGAIN

Legislative staff is prepared for the possibility of a government shutdown should the budget stalemate last until July, but sources told our reporter that it's far more likely that if lawmakers are still deadlocked as July approaches, they'll pass a so-called "skinny budget" instead. Last week, Dept of Administration Director Andy Tobin warned it's too soon to sound the alarm about a possible shutdown (YS, 6/11). But privately, those in the know are at least preparing for the growing possibility that the budget in its current form will not get 31 and 16 votes before the fiscal year ends. One Republican source told our reporter that realistically there are three options for what can happen, and the shutdown is the worst-case scenario that "most lawmakers" don't want to happen. The source added that nobody has come out to say they are hoping for a shutdown, but that given that some Republicans have described the budget as full of pork, it's not outside the realm of possibility that some are quietly rooting for a shutdown. The other option, according to the Republican, is that holdouts will come to an agreement and support the current budget. Finally, lawmakers could pass another skinny budget to keep the state government open and allow more time for negotiations. At this point, the source said, "it's more possible to reach an agreement than not." Standing in the way over the next 10 workdays (not including Fridays, which lawmakers usually take off) is the special session, which will take three or four days – or longer if votes aren't there right away or if there's a lot of work to be done.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003841

ARZN_REV00069366_6-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

OR LIKE THE HULL, MOFFORD, NAPOLITANO YEARS

While the state government hasn't grinded to a full halt in recent history, lawmakers have brushed up against constitutional deadlines before, and have asked their lawyers what happens if they can't agree on a budget. A source sent our reporter a series of legal opinions ranging from 1992 when Arizona constitutional scholar Paul Bender told then-speaker Jane Hull that if lawmakers don't pass a budget before July 1, most government spending and services would have to abruptly end. In 1988 then-Gov Rose Mofford sought an AG opinion from Robert Corbin about what could happen if there was no budget by June 30 of that year. Corbin wrote, "the government … may operate only to the limited extent authorized by appropriations that exist apart from" the general appropriations for FY89. A letter from ADOA Director Don Janssen to Gov Janet Napolitano in 2006 was also included, expressing a similar opinion. Of course, the legal minds noted that there are areas of government that receive non-lapsing funding or federal funds that wouldn't experience a complete shutdown, but most areas of government wouldn't be allowed to resume spending until lawmakers reach a budget agreement. The documents government employees have been looking over for preparation can be viewed in our "documents" section (LINK).

·WAKE UP CALL·

Still no budget 2 weeks after mass veto
Arizona Capitol Times
Gov. Doug Ducey's veto of 22 bills on May 28 to spur the Legislature into passing a budget before the fiscal year ends may have backfired.

Lawmakers can call bluff with slim margin
Arizona Capitol Times
House Republican leaders bent on passing a flat tax and succeeding with threadbare majorities where past Republican supermajorities had failed hatched a plan last week: put the tax bills up for a vote and embarrass their outspoken holdout into voting for it.

Bill bans mask mandates in public schools
Arizona Capitol Times
Republican lawmakers did an about-face on facemasks in schools in the most recent version of the state education budget bill.

Supreme Court finalists tout varied experience
Arizona Capitol Times
The 60-day clock is ticking for Gov. Doug Ducey to choose his sixth Arizona Supreme Court justice from a list of seven applicants submitted by the Commission on Appellate Court Appointments.

Fann warns lawmakers not to kill her unemployment proposal
Capitol Media Services
The president of the state Senate is firing a warning salvo at House Republicans who would kill her top priority: It's not a good move for your political future.

ADOT may be illegally charging repealed fee
Capitol Media Services

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003842
ARZN_REV00069366_6-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

More than 166,000 Arizona motorists who are now renewing their vehicle registrations are being hit up for a $32 fee that the agency may not legally be entitled to collect.

Aluminum shortage causes Arizona license plate backlog
Arizona Daily Star
For motorists, it means there has been a delay in receiving new plates.

Ducey to terminate federal unemployment benefits for Arizonans
Cronkite News
Stephanie Weathersby walked through the Phoenix Veterans Job Fair last week at State Farm Stadium.

Mesa poised for record $2.1 billion budget
East Valley Tribune
Mesa is poised for a spending spree, with raises, bonuses and hiring unlike what the city has ever seen.

Dust detection system in Pinal County ready for action this monsoon season
Eloy Enterprise
The Arizona Department of Transportation's high-tech dust detection system is poised and ready for action when the first monsoons of 2021 roll into Pinal County.

Tribe, Ranchers Say Proposed Lithium Mine in Wikieup Will 'Ruin' Their Water
Phoenix New Times
On a recent hot afternoon in Wikieup, a rural community of around 100 people located on U.S. Highway 93 in western Arizona, locals, some wearing cowboy hats, sat in metal folding chairs at the local elementary school to learn about a potential new lithium mine project coming to the region.

Arizona election audit draws Republican tourists
The Hill
The hottest new destination for political tourists this summer is a barren and crumbling arena surrounded by an empty parking lot, where off-duty law enforcement officials providing security lounge under a flimsy plastic tent to escape the punishing sun and triple-digit heat radiating off the cracked asphalt.

Cheney rips Arizona election audit: 'It is an effort to subvert democracy'
The Hill
Rep. Liz Cheney (R-Wyo.) slammed an audit of the 2020 election in Maricopa County, Ariz., calling it an "effort to subvert democracy."

I went to a fight and school board meeting broke out? Why is this how we do it now?
Arizona Republic (Opinion, Joanna Allhands)
The anger spilling over at school board meetings across metro Phoenix – and the nation – is not helping anyone.

Metro Phoenix is losing water from the Verde River when we need it most. Can we stop it?
Arizona Republic (Opinion, Joanna Allhands)
Sediment from the Verde River is slashing storage capacity at Horseshoe Lake, creating potential problems for metro Phoenix's future water supplies.

Gov. Doug Ducey tried to talk tough on the border – until Gov. Abbott one-upped him
Arizona Republic (Opinion, Elvia Diaz)
Texas Republican Gov. Greg Abbott stole the spotlight with his promise to build a border wall. Will Arizona Gov. Doug Ducey be next?

Arizona's Latino vote is up for grabs. Do Democrats have what it takes to win them over?
Arizona Republic (Opinion, Elvia Diaz)
Latinos helped Democrats win in 2020, but that's not guaranteed for 2022. A new analysis offers ideas on how either party will likely win them over.

Juneteenth isn't just a Black celebration. It should be a federal holiday
Arizona Republic (Opinion, Greg Moore)
Juneteenth could be a celebration of the Black family and Black culture. We deserve that and more.

In the end, Trump's tougher citizenship test had no impact on immigrants
Arizona Republic (Opinion, Abe Kwok)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003843
ARZN_REV00069366_6-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Few immigrants took Trump's tougher citizenship test before Biden nixed it. And those who did passed it with flying colors.

Don Harding killed my husband. His execution in an Arizona gas chamber was a relief
Arizona Republic (Op-ed, Pam Concannon)
Don Harding killed my husband and others. Executing him didn't erase the pain, but it brought me some peace. Victims' families deserve that, at least.

If Sinema won't nix the filibuster, would she at least help the Senate fix it?
Arizona Republic (Op-ed, Paul Eckstein)
The filibuster is killing bills with wide public support, and that's bad for democracy. A few changes could keep the rule but lessen its harsh effects.

Want to keep people on parole from going back to prison? Reward their supervisors
Arizona Republic (Op-ed, Molly Davis)
The concept is simple – give financial rewards to providers who keep those on parole out of prison. Everyone benefits, including taxpayers.

Arizona's election audit is an attack by Americans on other Americans
Arizona Republic (Op-ed, Jonathan Rauch)
Arizona's election audit may be widely seen as a clown show. But it bears all the marks of a Russian-style disinformation campaign meant to divide and demoralize us.

PRESS RELEASES

House Minority Leader, Voting Rights Champion and Former Math Teacher Reginald Bolding Enters Arizona Secretary of State Race

June 14, 2021 – Arizona House of Representatives Minority Leader Reginald Bolding officially entered the race this morning to become Arizona's 21st Secretary of State – a position that oversees elections, business services, public administration and is first in line of succession to the governorship. [Launch video here]

Bolding has been a key advocate for all Arizonans – fighting for issues directly impacting the state's most vulnerable communities. Bolding has been a leader for funding public education, responsible economic development, criminal justice reform and protecting Arizonans' freedom to vote.

"From teaching students in the classroom, to legislative leadership, to the helm of one of the most successful non-profit organizations dedicated to civic engagement, I've spent my career serving Arizona," Bolding said. "Standing up for voting rights and your access to the ballot isn't new to me. I've been on the front line fighting for our democracy for years and I look forward to continuing that work as Secretary of State."

Leader Bolding led the charge in defeating SB1713, a bill that would have required Arizonans to surrender unnecessary personal information just to have their vote counted. Moreover, Bolding garnered national support from celebrities and influencers across the nation like LeBron James and Kerry Washington when fighting against SB1485, another voter restriction bill, later signed into law by Governor Ducey, which will remove nearly 150,000 people off of the permanent early voting list.

"As Secretary of State, I want to make sure that elections are secure without interference from anyone. Arizonans have led the nation in voting from home in safe and secure ways and we can't let a small group of partisan lawmakers take away our freedom to vote," said Bolding. "Democrats and Republicans both agree we need to come back to common sense solutions to solve problems. Limiting democracy can't be that solution. Democracy is the reason why someone like me has the right to vote, to become a first generation college graduate, and serve in the highest level of government in our state."

Below are key bio details:
Name: Reginald Bolding
Age: 35
Birthday: June 14, 1986
Family: Married (Cymone Bolding), two daughters

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Residency: Phoenix (Laveen)
Education: University of Cincinnati, B.S. Criminal Justice and International Security, Arizona State University, M.Ed, Special Education, Arizona State University, EdD, Leadership and Innovation (ABD)
Experience: Arizona House Minority Leader – 2020-present
Arizona House Minority Whip – 2019-2020
Arizona House of Representatives, 2014-present
Special Education Elementary Math Teacher, Phoenix AZ
Co-Executive Director, Arizona Coalition for Change
Honors: 2021 – Arizona Capitol Times, Best Democrat (Nominee)
2018 – Public Elected Official of the Year, AFL-CIO
2018 – Arizona Elected Official of the Year, National Association of Social Workers
2017 – Public Elected Official of the Year, Arizona Community Action Association
2012 – Phoenix Business Journal's 40 under 40 list
Website: ReginaldBolding.com
Link to photo: Click Here
For additional information or to arrange an interview, please contact Stacy Pearson, 602-577-6888 or stacyp@strategies360.com

Karrin Taylor Robson endorsed by Stephen Moore, a former Trump Economic Advisor, Fox News contributor and conservative economist with Freedom Works

Today, the Karrin for Arizona campaign announced a significant early endorsement from Stephen Moore, one of the country's leading conservative commentators and a trusted adviser to President Trump. Moore co-founded and led the Club for Growth; is a former member of the Wall Street Journal editorial board; and former chief economist at the Heritage Foundation. Moore joins the Karrin for Governor campaign as its senior economic strategist.
"I've had the pleasure of working with Karrin Taylor Robson for years, and there is no stronger warrior on behalf of conservative free market values and no fiercer opponent of socialism," said Moore. "Karrin has a record of standing up for economic freedom and fighting the kinds of radical policies coming from the Biden/Harris team. As a small business owner who worked for President Ronald Reagan, she understands that free enterprise is what unlocks opportunities for all. Under Karrin's leadership, I have no doubt Arizona will continue to develop as one of the nation's most competitive and prosperous states. I'm proud to endorse Karrin Taylor Robson and strongly support her candidacy for Governor of Arizona."
Taylor Robson called Moore "one of our nation's leading conservative champions."
"Stephen Moore has spent his career advocating for the smart economic principles that help Arizonans get ahead and help small-business owners create jobs and opportunity," Robson Taylor continued. "I'm honored to have his support and look forward to his guidance in building a state where every Arizona family can succeed."

Telegraph Fire Morning Update – June 14, 2021

FOR CURRENT EVACUATION INFORMATION, residents are advised to monitor Facebook pages for Pinal County Sheriff's Office: https://www.facebook.com/PinalCountySO and Gila County Health and Emergency Management: https://www.facebook.com/gilacohealthem Notifications can change rapidly. Residents in areas affected by the fire should remain vigilant and be prepared to evacuate. Evacuation notifications are issued when danger is imminent and life threatening.
Acres: 91,227
Percent Containment: 74%
Date/Time Detected: Friday, June 4, 2021, 1:30 pm **Structures burned:** 22
Number of Personnel: 971
Cause: Human, under investigation
Origin/Location: South of Superior, Arizona
The fire remained very active last night east of Pioneer Pass Road, south in Pioneer Basin. A spot fire occurred east of Pioneer Pass campground late yesterday and pushed eastward over the crest of East Mountain. Overnight crews conducted burn out operations along Pioneer Pass Road south from the Signal Peak area, and along the contingency

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

line from Pioneer Pass Road to State Route 77, and south along SR 77. The contingency group worked in the El Capitan vicinity to protect structures at risk. Today crews will continue the burn outs along SR 77 toward El Capitan, and firefighters will patrol along SR 77, although spot fires have occurred east of SR 77 and crews will be working to contain. Fire is expected to be active in the SR 77 corridor, and crews are in place to hold fire west of the highway. Structure protection crews will continue to use hose lays for point protection in the El Capitan area. Evacuation status for El Capitan and Beverly Hills has been changed to "GO". On the north side of the fire, firefighters will resume patrol and mop up of pockets of unburned fuel which flared up at Oak Flat, Top-of-the-World, and the northeast corner of the fire. Today will be an extreme fire weather day with continued extreme conditions on the east and south flanks of the fire. We are reminding motorists to be alert for the increased presence of firefighters and large firefighting vehicles in the U.S. Route 60 corridor. There will be a virtual community meeting every day at 6 pm on the Incident Facebook page until further notice: **https://www.facebook.com/Telegraphfireinformation/.**
Evacuation status for Superior, Globe, Pinto/Carlotta and the Battle Axe area is now "Ready." Evacuation status for Top-Of-The-World, Bellevue, Oak Flat, Miami, Central Heights, Six Ice and Claypool is now "Set."
The Tonto National Forest has initiated Stage 2 Fire Restrictions for the entire forest, effective 8 a.m. on June 11.
All State Land is under Stage 2 restrictions effective 8:00 a.m. on June 11. All Bureau of Land Management lands in Arizona are under Stage 2 fire restrictions effective June 11, 2021. See: https://blm.gov/arizona/fire-restrictions
Gila County Emergency Management has activated a call center for information on sheltering if you evacuate due to the wildfire: 928-910-4009 8 a.m.-5 p.m.
CLOSURE AREAS: Tonto National Forest has revised its Closure Order and Map: https://www.fs.usda.gov/alerts/tonto/alerts-notices
Bureau of Land Management Emergency Fire Closure Order and Map: https://www.facebook.com/BLMArizona/

Janet Napolitano, Former U.S. Secretary of Homeland Security, Governor of Arizona, and University of California President, Named to RAND Board of Trustees

Janet Napolitano, former U.S. secretary of homeland security, governor of Arizona and president of the University of California system, was elected to the RAND Corporation Board of Trustees, RAND President and CEO Michael D. Rich announced today.
Napolitano was the first female secretary of homeland security and led the nation's efforts to protect against terrorist attacks, respond to natural disasters and build domestic resiliency. Under her leadership the department made critical enhancements to aviation security, expanded programs to help identify foreign threats and worked to create a humane enforcement system for immigration, including the Deferred Action for Childhood Arrivals (DACA) initiative.
"I've long admired Janet's distinguished career in public service and welcome the wealth of experience she brings to the RAND Board of Trustees," Rich said. "As a vocal advocate for higher education and diversity, her perspective will be invaluable as RAND works to address those and other critical public policy issues such as countering Truth Decay, redesigning institutions and revitalizing communities."
Napolitano was elected governor of Arizona in 2002 after serving as the state's attorney general and U.S. attorney for the district of Arizona. In her seven years as governor, she championed educational initiatives and bolstered the state's rainy-day fund, economic development and tourism.
"As a former governor – the first to join RAND's Board of Trustees – Janet will bring enormous expertise on issues where the states play a central role and where federal-state relations are key," Rich said.
In 2020, Napolitano joined the faculty of the Goldman School of Public Policy at the University of California Berkeley after serving as the president of the University of California system for seven years. While leading the UC system, she helped create the University Climate Change Coalition, a group of 18 leading North American research universities and systems working to help local communities achieve their climate goals. She advocated for building inclusive communities that garner strength from diversity and for her belief that higher education is a path to leadership and prosperity that should be open to all.
Napolitano received a J.D. from the University of Virginia School of Law and a B.S. in political science from Santa Clara University, where she was a Truman Scholar and the university's first woman valedictorian.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003846
ARZN_REV00069366_6-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"I pretty much know what's happening."

- Liz Harris, Stop the Steal movement leader, on claims of canvassers impersonating elections officials in Yavapai County

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003847

ARZN_REV00069366_6-14-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, June 15, 2021 5:07:35 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 6-15-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *June 15, 2021*

WHO'S FEELING SPECIAL?!
Lawmakers gaveled into special session today with a single goal: passing S1001/H2001 (appropriations; fire suppression), which would appropriate almost $100 million to the Arizona Dept of Forestry and Fire Management to fight wildfires and help people affected by them.

PLEASE DON'T MAKE IT THAT SPECIAL
While lawmakers are hoping for a short special session, not all special sessions have been quick.

EVERY PUBLIC MEETING IS A POTENTIAL MINI JANUARY 6
IRC commissioner Sheeran Lerner is worried that when the commission hits the road for its listening tour, it could fall victim to the kind of hostile takeover

AMERICAN OVERSIGHT

from members of the "Patriot Party" that have plagued school board meetings lately.

FUN FACT: ASU'S POLICY IS LESS RESTRICTIVE THAN AZLEG'S
ASU's newly announced plans to force students to provide proof of vaccination or undergo Covid checks drew immediate criticism from lawmakers and prompted Ducey to announce that he would issue an executive order to block the university policy from taking effect.

IS THIS WHAT THEY MEAN ABOUT CANCEL CULTURE ON CAMPUS?
Lawmakers were quick to launch threats at the universities over the vaccine policy, and Grantham suggested lawmakers could hold up state university funding if ASU doesn't immediately rescind it.

WE'LL STILL HAVE MARK FINCHEM TO KICK AROUND
The effort to recall Finchem is dead after the group behind the recall announced today it failed to gather enough signatures to get on the ballot.

ONE AUDIT AT A TIME PLEASE
The Pima County Elections Department denied Finchem's records request for images of ballots cast in the 2020 election.

BREAKING: AUDITORS HAVE NO IDEA WHAT THEY'RE DOING
Former AZGOP Chair and media contact Randy Pullen told the audit pool reporter today that Maricopa County's 2020 Braille ballots haven't been counted yet.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, June 15, 2021

NEWS NOTES AND GOSSIP

WHO'S FEELING SPECIAL?!

Lawmakers gaveled into special session today with a single goal: passing S1001/H2001 (appropriations; fire suppression), which would appropriate almost $100 million to the Arizona Dept of Forestry and Fire Management to fight wildfires and help people affected by them. Of that, almost $17 million would go toward hiring 122 inmate firefighting crew supervisors and for other crew costs; almost $4 million for vehicle purchases; and, $2.25 million for contracted hazardous vegetation removal. The bill also contains $75 million that can be spent with fewer specific restrictions – things like capital expenditures and equipment; mitigation projects to address post-fire flooding and other damage; covering state or local governments' emergency-related expenses; helping public and private landowners pay for emergency repairs and infrastructure damage; and, reimbursing state agencies for some related expenses. Lawmakers plan to bring the legislation to committees tomorrow, and put them up for a vote on Thursday. The bill's passage is guaranteed, and will likely be near unanimous, as even Democrats have offered their support for the spending. Still, lawmakers weren't doing much before the special session, raising the question of why lawmakers need a special session to confront the wildfires instead of just running the single bill during the regular session. One answer, offered by Bowers, is that a special session prevents lawmakers from tying the fire bill passage to the budget and potentially sinking the fire bill for reasons other than its own merits. But Bowie had a different idea. "Calling a special session is mostly about optics. If we were to handle this with just a regular bill in a regular session, it wouldn't receive as much press attention. But because it's being introduced in a 'special session,' it gets more coverage," he wrote in an email to constituents this morning. The special session has another added bonus. Lawmaker per diem payments are back up to $35 and $60, respectively, for the duration of the special session.

PLEASE DON'T MAKE IT *THAT* SPECIAL

While lawmakers are hoping for a short special session, not all special sessions have been quick. Of the 10 most recent special sessions dating back to March 29, 2010, none exceeded four days. But the Third Special Session in July 2009 under former Gov Jan Brewer lasted 51 days as lawmakers fought over revisions to the FY09 budget following the economic collapse, as well as the FY10 budget. Arizona saw two other 50-plus day special sessions this millennium – one in 2003 under Gov Janet Napolitano over child protective services funding, funding for prison beds, AHCCCS payments, and other areas, the other in 2002 over the Indian Gaming Compacts (which were approved on the November ballot that year, and of course extended and amended this year). But the lengthiest special sessions ran much longer. According to the Arizona Political Almanac, which includes data back to 1967, lawmakers have held three special sessions that lasted 170 days each. Under Gov Rose Mofford in 1990, lawmakers sat in special session over the budget for 170 days, concurrent with the regular session. Under Gov Bruce Babbitt, lawmakers went into two special sessions over redistricting that lasted 170 days each.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003850

ARZN_REV00069374_6-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

EVERY PUBLIC MEETING IS A POTENTIAL MINI JANUARY 6

IRC commissioner Sheeran Lerner is worried that when the commission hits the road for its listening tour, it could fall victim to the kind of hostile takeover from members of the "Patriot Party" that have plagued school board meetings lately. "I do have a little bit of concern about packing public meetings, where you have people who come in and take over a meeting, because we see that at school boards nowadays in Arizona," Lerner, a Democrat, said at today's meeting. She said she wants to make sure people are able to share their thoughts on the mapping process even if they can't make it into the public meeting space. The commission was discussing how the "best" map might not be the most popular one, but the one that best meets the statutory criteria. Public input and preference has some weight, mapping consultant Doug Johnson said, but popularity doesn't necessarily translate to fulfilling the requirements. "It's not the person that has most people raise their hands in the audience," Johnson said. The commission also briefly discussed how to handle social media comments. Chair Erika Neuberg said she was concerned about social media feedback distorting data and information and creating echo chambers of ideas. Johnson said that Timmons Group views social media as an outgoing channel, not an incoming one. "We don't try to monitor and evaluate comments coming in on social media, and we try to drive incoming thoughts to the official channel, whatever way that gets set up for people to share their thoughts," he said.

FUN FACT: ASU'S POLICY IS LESS RESTRICTIVE THAN AZLEG'S

ASU's newly announced plans to force students to provide proof of vaccination or undergo Covid checks drew immediate criticism from lawmakers and prompted Ducey to announce that he would issue an executive order to block the university policy from taking effect. ASU's vice president of student services sent students an email last night saying ASU expects every student to be fully vaccinated and upload proof of vaccination to an online portal. Any student who doesn't receive a vaccine or chooses not to share their vaccination status would have to submit a daily health check, be tested twice a week and wear masks everywhere on campus under the university rules. Submission of daily health checks and wearing a mask have been the norm for ASU faculty and students while on campus since the start of the pandemic. Regular testing, however, wasn't part of that routine. ASU's spokespeople were quick to insist that the announcement is not, strictly speaking, a vaccine requirement. ASU's reasoning for the new policy, according to its vice president of communications, was based on science and following the CDC. "We are merely continuing to use the same testing and masking protocols in accordance with CDC guidelines that have been successfully employed over the past 15 months to limit the spread of COVID among members of the campus community who choose not to be vaccinated," Katie Paquet told *Phoenix New Times* (LINK). But Ducey decried it as "social engineering at its worst." "Health policy should be based on science, not virtue signaling. In America, freedom wins," Ducey continued in a tweet thread announcing that he would introduce an executive order and expects the Legislature to codify it as law. "This is bad policy, with no basis in public health," Ducey tweeted. "Even the Biden Administration has been more reasonable." The Biden policy he shared said that those who are not vaccinated and don't wear masks are not protected (LINK). As others have pointed out, state universities already require proof of vaccinations for MMR (measles, mumps, and rubella). Ducey's executive order makes no mention of that.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003851

ARZN_REV00069374_6-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IS THIS WHAT THEY MEAN ABOUT CANCEL CULTURE ON CAMPUS?

Lawmakers were quick to launch threats at the universities over the vaccine policy, and Grantham suggested lawmakers could hold up state university funding if ASU doesn't immediately rescind it. "This is a gross abuse of students' individual liberty and medical freedom," J Hoffman said. "This is a gross abuse of taxpayer dollars. This is an unacceptable overreach by an Arizona governmental entity." Grantham fired off a statement calling it "blatantly discriminatory" and said if the policy is not rescinded immediately, ASU Vice President of Student Services Dr. Joanne Vogel, who announced the policy, should resign or be fired. "Moreover, as the legislature prepares to pass a state budget for next year, I will not support funding for any state university that intends to harass or discriminate against non-vaccinated students on campus," he said. Shope bemoaned the fact that the budget hasn't passed yet because BRBs contain language blocking universities from requiring Covid vaccines, except for students and faculty working in a health care setting or with the live virus for research.

WE'LL STILL HAVE MARK FINCHEM TO KICK AROUND

The effort to recall Finchem is dead after the group behind the recall announced today it failed to gather enough signatures to get on the ballot. Rural Arizonans for Accountability tried to put a positive spin on the failure, saying in a news release that the scrutiny due to the recall campaign has drawn more attention to Finchem's views. Previously, the group said, his "extremism went unanswered and in many cases even unnoticed." The group said its members talked to almost 30,000 people going door-to-door. "While it isn't enough to trigger a recall, it is significant that no Arizona state legislator has ever had more of their constituents sign a petition to remove them from office," the group said. (Organizers claim to have gathered more than 18,000 signatures – far more than the roughly 8,000 required to force a recall against Russell Pearce in 2011, but far less than the 24,775 needed to force a recall against Finchem. The number of signatures needed to spark a recall is set at 25 percent of the number of votes cast in the last election for the office, and 2020 was a high-turnout year.) Recall spokesman Tony Cani said the group, which is active in supporting progressive candidates and causes in its area, had to make a decision about whether it is worth it to keep spending money to gather signatures at the possible expense of other efforts. "While it's really disappointing that voters won't get a chance sooner rather than later to hold Finchem accountable for his actions, they're really happy with the amount of attention and research they were able to do," Cani said. "Finchem is a relatively national name in these circles now and he's facing scrutiny like he's never had to face before." Finchem has repeatedly accused organizers of trying to stifle his right to speak about possible election fraud. "For an effort that was rooted in baseless fraudulent claims, and defamatory accusations, I am not surprised," Finchem said in a statement to our reporter. "God wins!"

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003852
ARZN_REV00069374_6-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ONE AUDIT AT A TIME PLEASE

The Pima County Elections Department denied Finchem's records request for images of ballots cast in the 2020 election. Finchem first filed a request last week (YS, 6/7), but resubmitted through the public records form yesterday, according to records obtained by our reporter. County Elections Director Brad Nelson said state law prohibits releasing those images, and he cannot do so without a court order (LINK). The denial cited ARS 16-624 and 16-625, both dealing with ballot security post-election. The first says that after the election has been canvassed, the ballots are placed in a secured facility managed by the county treasurer. The other says digital images of the ballots must be secured at least as much as paper ballots. "In other words, absent a court order, nothing is coming out from the treasurer's office," Nelson said.

BREAKING: AUDITORS HAVE NO IDEA WHAT THEY'RE DOING

Former AZGOP Chair and media contact Randy Pullen told the audit pool reporter today that Maricopa County's 2020 Braille ballots haven't been counted yet. In fact, they have been. The Braille ballots were duplicated to go through the voting machines, according to Tammy Patrick, who was responsible for assembling the county's Braille ballots for a decade. That means those duplicated ballots are in the mix of ballots that've been counted already, she told our reporter. "Every Braille voter fills out their ballot in Braille, and then, a bipartisan team takes their selections and marks it onto a paper ballot; that paper ballot was read at MCTEC on the central tabulators and was part of the ballots that were in all of the boxes that were already counted," Patrick, senior advisor to the elections program at the Defense Fund and former federal compliance officer in Maricopa County, said. Patrick said Braille ballots are handled similarly to other ballots that can't be read by a machine, such as large-print ballots, torn ballots and military and overseas ballots received by fax or through the secretary of state's portal. She said the auditors could perform a review to see if those ballots were duplicated correctly but that they shouldn't be counted again. There also appears to be confusion about how many Braille ballots were cast. Yesterday, Senate audit liaison Ken Bennett told the pool reporter that there were 60 or so Braille ballots left to count; however, only 26 were cast in 2020 (LINK). Double-counting the Braille ballots contributes to experts' concerns about the already questionable accuracy of hand counts. Some proponents of the audit, such as congressional candidate Josh Barnett, have baselessly claimed tens of thousands ballots are missing. "If there is anything less than 2.1 million ballots in the AZ Audit, it was a fraudulent election and must be de-certified," OANN's Christina Bobb tweeted June 10 (LINK). Pullen called the claims "crazy" this week.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003853

ARZN_REV00069374_6-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Ducey wants $100M for wildfires
Capitol Media Services
Gov. Doug Ducey is making it official, calling lawmakers into special session to finance the costs of fighting the current crop of wildland fires and the flood mitigation that will have to follow.

Brnovich tells feds to back off on Senate audit
Capitol Media Services
State Attorney General Mark Brnovich is warning his federal counterpart to stay out of the way of the current audit of the 2020 election returns.

Doctors warn of burns from asphalt as heat wave hits US West
Associated Press
Doctors who work in Arizona and Nevada burn centers are warning of injuries from contact with super-heated roadways and other surfaces as the first extreme heat wave of the year extends across the West.

Arizona's national delegation pushes to include Mohave County Downwinders
Today's News Herald
Arizona's Congressional delegation is making a bipartisan push to allow so-called Downwinders in Mohave County the same opportunities to seek restitution for serious health effects from Cold War era nuclear testing that are already available to many others.

'Overkill'? Maricopa Community Colleges Will Remain Mostly Online This Fall
Phoenix New Times
Arizona State University has chosen to return to nearly pre-pandemic levels of in-person classes for the fall 2021 semester, while the county's community colleges plan to stay mostly online.

DPS: State trooper wrong to say he 'smelled' undocumented migrants
Arizona Mirror
When the Arizona Department of Public Safety said it an April 16 press release that a trooper "observed 17 undocumented aliens" in a white van he had stopped on a highway, what was most notable to the state trooper was the stench of the men, according to a report of the incident obtained by Arizona Mirror.

A just and equitable transition is needed to honor the sacrifices made by Navajo and Hopi
Arizona Mirror (Opinion, Nicole Horseherder)
With the major coal-fired power plant and coal mine in Arizona now closed, our state has the opportunity to embrace clean, renewable energy. The question burning before us is whether the Navajo and Hopi Nations will see real benefits from this progress, which was won after decades of the exploitation of our water and air.

Conservative talk show host says the Arizona audit is a disaster for the GOP (he's right)
Arizona Mirror (Opinion, Laurie Roberts)
KTAR's Mike Broomhead is committing blasphemy in GOP circles. He's calling the election audit what it is – a disaster in the making for Republicans but more importantly, for the country.

GOP thinks too many of the 'wrong' people are voting. Who will protect us from them?
Arizona Mirror (Opinion, Warren Stewart)
Arizona's 'election security' bills will make it harder for Black, brown elder and working class people to vote. Yet Sinema is prioritizing the filibuster over a bill that would protect us.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003854

ARZN_REV00069374_6-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Governor Ducey, Legislative Leaders Announce Major Investment To Fight Wildfires, Post-Fire Flooding Risks

Plan Focuses On Resources To Support Local Communities And First Responders

PHOENIX — Governor Doug Ducey and State Legislative Leaders today announced a special session to invest $100 million to combat and prevent wildfires, equip firefighters and communities with the resources they need, and prepare for after effects such as flooding and mudslides.

The Arizona Legislature will convene for the special session tomorrow, June 15, and is expected to vote on the proposal later this week.

"This wildfire season has already been devastating, and we still have a long, hot summer ahead of us. While Arizona has strong wildfire suppression and prevention efforts in place, we need to do more," said Governor Ducey. "Our brave firefighters must have all the necessary tools, resources and support to fight the blazes and stay safe. We need to protect our communities from floods and other disasters that could result from these wildfires. Hard-hit communities and nonprofits offering support need financial assistance to weather the devastation of this wildfire season and protect families in need. We can get this done — and we can do it in an urgent, bipartisan manner. Thank you to Legislative leadership for coming together to develop an investment package that will help so many Arizonans."

Governor Ducey, state fire professionals, and legislative leadership have identified targeted investments for wildfire preparedness, response and recovery in consultation with impacted local communities. The investments include:

- $24.6 million for a partnership between the Department of Forest and Fire Management and the Arizona Department of Corrections, Rehabilitation and Reentry to reduce wildfire risk to Arizona communities by conducting hazardous vegetation removal; and
- $75 million for fire suppression efforts, recovery efforts including post-fire floods, economic assistance for those displaced, and assistance to landowners for emergency repairs to infrastructure damaged by wildfires.

"The investment announced today will help protect Arizonans, their property, and their livelihoods," said Senate President Karen Fann. "I look forward to working with my colleagues in the Legislature to get this significant and targeted investment approved so we can support fire officials across the state, keep Arizonans safe, and prepare for future disasters."

"I know firsthand how devastating the wildfires are this year," said House Speaker Rusty Bowers. "Families have been displaced, nonprofits are working hard to support those in need, and firefighters are working day and night to contain fires. We need to make sure they have the financial resources to get through this wildfire season and prepare for the future."

"This wildfire season has already given us an idea of what's to come, and we need resources to protect Arizona's communities and first responders," said Senate Minority Leader Rebecca Rios. "This investment is necessary to support those in need and help safety officials fight wildfires in the state, while also providing aid for communities afterward."

"Firefighters, safety officials, and many of our communities need more support and resources. We must set aside political differences and lead the way to make that happen," said House Minority Leader Reginald Bolding. "We will work to come to an agreement that will deliver for Arizonans and protect communities at risk."

On June 10, the Governor held a press conference in Globe to provide the latest information about the Telegraph and Mescal Fires in Pinal and Gila Counties. The press conference followed the Governor's aerial tour of the blazes, a briefing from fire officials, and a visit to the Red Cross emergency shelter set up at a school.

On June 9, the Governor issued two Declarations of Emergency in response to the Telegraph and Mescal Fires, making available up to $400,000 for response efforts.

In March, the Governor signed Senate Bill 1442 to prevent wildfires by allowing for additional partnerships to employ Arizona inmates to clear forests of debris. The legislation aligns with the Arizona Healthy Forest Initiative proposed in the Governor's budget which builds on proven methods to protect communities, while engaging individuals in state correctional facilities to equip them with new skills and reduce recidivism.

This is the third special session since the Governor took office in 2015.

View the proclamation calling for the special session HERE.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Issues Executive Order To Protect Access To Arizona Public Universities

PHOENIX — Governor Doug Ducey today issued an Executive Order protecting access to Arizona's public universities and community colleges for all students.

Under the Executive Order, students cannot be mandated to take the COVID-19 vaccine or submit COVID-19 vaccination documents. Students also cannot be mandated to be tested or wear masks in order to participate in learning.

The Executive Order provides exemptions for students participating in medical or clinical training. It does not prevent institutions of higher learning from encouraging vaccinations, providing testing or having voluntary mask usage, consistent with guidance from the Centers for Disease Control and Prevention.

"The vaccine works, and we encourage Arizonans to take it. But it is a choice and we need to keep it that way," said Governor Ducey. "Public education is a public right, and taxpayers are paying for it. We need to make our public universities available for students to return to learning. They have already missed out on too much learning. From K-12 to higher education, Arizona is supporting in-person learning."

Governor Ducey will be working with legislative leadership and Senator T.J. Shope to codify today's Executive Order into law.

Arizona has administered 6,201,598 COVID-19 vaccine doses to date, with 3,006,771 Arizonans fully vaccinated against the virus.

View the Executive Order HERE.

MEDIA ADVISORY: Governor Ducey To Highlight Cross-Border Trade In Nogales

PHOENIX — Governor Doug Ducey will travel to Nogales tomorrow to highlight the strong trade relationship between Arizona and Mexico, and participate in the grand opening of a 60,000 square foot cooler facility that will help create jobs and expand commerce.

The cooler is an expansion of Chamberlain Distributing and is equipped with state of the art technology. With trade between Arizona and Mexico totaling nearly $16 billion in 2020, infrastructure investments like this support economic growth across the whole region.

The grand opening will follow the Governor's walking tour of the facility and an economic roundtable discussion with local elected officials and business leaders from throughout Santa Cruz County.

Members of the media are invited to join the grand opening ribbon cutting, which begins at 11:15 am. Details below.

WHO: Governor Doug Ducey, Chamberlain Distributing President Jaime Chamberlain, and Rev. Jose Manuel Padilla
WHAT: Chamberlain Distributing St. James Cooler Ribbon Cutting
WHEN: Wednesday, June 16 at 11:15 am | Media should arrive at 10:45 am
WHERE: St. James Cooler, 2440 Frank Reed Rd, Nogales, AZ
RSVP: Please RSVP with your cell phone number and email address to communications@az.gov by tomorrow, June 16 at 8 am

Walt Blackman Shows Support for Those Who are Facing the Telegraph and Mescal fires in Pinal and Gila Counties

Tuesday, June 15, 2021

Phoenix, AZ- As the Telegraph and Mescal fires have burned over 140,000 acres combined. Yesterday and today, the Arizona State legislature held a special session to discuss the matter. As our temperatures rise in the desert southwest, the fire danger will be much worse than in previous days. These fires have forced numerous evacuations as firefighters have battled the blazes.

"My heart goes out to the families that have been touched by these tragic fires," said Representative Walt Blackman. **"Our prayers are with them, as well as the many brave wildland firefighters at war this very moment in the effort to protect people and their property. I am encouraged that the special legislative session being convened this week will help support their efforts, providing much-needed resources to the area, and for combatting any additional wildfires around the state that are yet-to-come."**

Walt Blackman is the first Republican African American Republican elected to the Arizona State Legislature. He currently serves Legislative District 6, which includes portions of Coconino, Yavapai, Navajo and Gila counties. Walt is a combat veteran who served in the United States Army for nearly 22 years, including 2 tours of duty in Iraq and 1 in Afghanistan as a Front-Line Tank Commander. Walt received the Bronze Medal for his service to our country.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003856

ARZN_REV00069374_6-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Undocumented Youth and Immigration Advocates Commemorate 9th DACA Anniversary

PHOENIX, Arizona – On Tuesday, undocumented youth and immigration advocates will come together to celebrate the ninth anniversary of the Deferred Action for Childhood Arrivals (DACA) program. The celebration will focus on the immigrant community's resilience, the history of fighting back against anti-immigrant attacks in Arizona, and demand bold action on immigration, even if that means ending the filibuster, from Sen. Kyrsten Sinema, Sen. Mark Kelly, and President Joe Biden's administration.
WHO: Arizona Dream Act Coalition (ADAC), Poder Latinx, Corazon, Mi Familia Vota, AZ Jews for Justice, Poder in Action
WHAT: Celebration of our community resilience and demand action from the Biden administration, Senators Sinema and Kelly on immigration.
WHEN: Tuesday, June 15, at 6:00pm
WHERE: Arizona State Capitol, 1700 W Washington St, Phoenix, AZ 85007
"It has been 9 years since immigrant youth won DACA, and yet politicians have not delivered on their promise of a pathway to citizenship for all," ***said Karina Ruiz, Executive Director of the Arizona Dream Act Coalition****. "Millions were left out of DACA and now is the time for Congress to act and pass immigration legislation via budget reconciliation or by ending the Jim Crow Filibuster. We cannot allow Senator Sinema and Kelly to repeat the failure of the Dream Act that was stopped in the Senate due to Filibuster in 2010. Time is out, many have lost loved ones, jobs, education, and opportunities to thrive in these 9 years of fighting. We demand they do their job and stop playing political games without lives."*

Release: Do GOP Senate Primary Candidates Think Trump is Still the Leader of the GOP?

PHOENIX – President Trump has dominated the crowded, chaotic, and expensive GOP Senate primary thus far, ensuring that he and his focus on the conspiracy-driven Maricopa 'audit' remain center stage. And each candidate has followed along, shaping much of their campaigns around seeking the former president's favor.
As a reminder: Lamon purchased ads to air at Trump's New Jersey golf course, McGuire majorly flip-flopped around the validity of the 2020 election to avoid Trump's ire, and "lackluster" Brnovich entered the primary desperately trying to downplay Trump's attacks on him in the press.
But as this messy primary heats up, voters deserve to know if each candidate still sees Trump as the leader of the party.
This question has become all the more important, especially after Governor Ducey, who Trump called the 2nd worst Republican Governor in the country, has said he in fact does believe Trump still leads the GOP.
"President Trump clearly intends to play a major role in the Arizona Senate primary, weighing in and criticizing candidates if they step out of line or disagree with him (cc: 'Lackluster' Brnovich)," said ADP Spokesperson Sarah Guggenheimer. **"With Trump's shadow hanging over the primary, Arizonans deserve to know if the candidates believe President Trump is still the leader of the GOP and if they'll single-mindedly follow along with whatever he says, even when that means hurting Arizonans."**

PRESS CALL TOMORROW:

Protect Our Care and Arizona Advocates to Announce First Ad in Seven-Figure Campaign Featuring Patient Who Needs Action To Lower Drug Prices
[Phoenix, AZ] — On Wednesday, June 16 at 11AM local time, Arizona Alliance for Retired Americans and a local Arizona advocate will join Protect Our Care Arizona for a virtual press conference to announce Protect Our Care's new digital ad in Arizona — part of a seven-figure ad campaign about prescription drug prices. The ad features Beatriz, a patient storyteller from Phoenix who is struggling to afford her prescriptions. In the ad, Beatriz tells her personal story and relays the importance of giving Medicare the power to negotiate with drug companies for lower prices for all Americans.
The ad is part of The Campaign to Reduce Drug Prices, a grassroots and communications campaign calling for comprehensive legislation to lower drug prices. The ad will run on digital platforms, focusing particularly on older Americans, beginning on June 15. Protect Our Care will continue to run ads and host events both nationally and in 13 key states, including Arizona, throughout the summer.
WHO: Beatriz Morrison, Arizonan and Rx drug storyteller
Saundra Cole, Executive Director, Arizona Alliance for Retired Americans

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003857
ARZN_REV00069374_6-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Brad Woodhouse, Executive Director, Protect Our Care
Protect Our Care Arizona
WHAT: Virtual Press Conference
WHEN: Wednesday, June 16, 2021 at 11AM Local Time
WHERE: Register to join the Zoom event (Registration required)

"QUOTE OF THE DAY"

"God wins!"

- Finchem, on organizers' failure to spark a recall against him

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, June 16, 2021 6:54:40 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 6-16-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *June 16, 2021*

SALMON, POLITICIAN FROM A SANER ERA, JUMPS INTO FRAY
Former congressman Matt Salmon today officially joined the crowded Republican primary for governor in 2022, launching his long-rumored campaign for the office he first sought 20 years ago.

SALMON, OTHERS PLAY CATCH UP TO KARI LAKE
Interestingly, Salmon launched his campaign when most Arizona voters were still asleep at 4 a.m.

ANOTHER POLITICIAN TELLS REPORTER HOW TO DO HIS JOB

AMERICAN OVERSIGHT

Republican gubernatorial candidate Kari Lake accused AZFamily political editor Dennis Welch of running a hit piece against her after Welch pressed the GOP candidate about her contributions to Democrats.

IT'S SUCH A SACRIFICE TO BE ARIZONA'S GOVERNOR
Welch posted an abridged version of the interview last night, in which he also provided context to the combative behavior by the political novice.

FINCHEM VOTES WHILE DRIVING
Finchem caught the Capitol community by surprise this afternoon when he cast his vote for the wildfire bill while driving – likely violating the state's anti-texting-while-driving law.

TOWNSEND DRAWS UP ANOTHER REASON FOR VOTING NO
Townsend, who is already a "no" on the budget, added another reason for withholding her support from Ducey's preferred budget and tax cuts – she won't vote for them unless and until Prop 208 election results are audited, she announced.

WILDFIRE BILL GETS LAWMAKERS' NOD
House nat res-energy-water and Senate nat res-energy passed H2001/S1001 (appropriations; fire suppression), the only bill being considered during this week's special session.

GROUP THREATENS REFERENDUM ON NEW VOTING LAWS
A PAC that originally formed to recall former lawmaker David Stringer is turning its eye to referring to the 2022 ballot two election bills Republican lawmakers passed and Ducey signed this year.

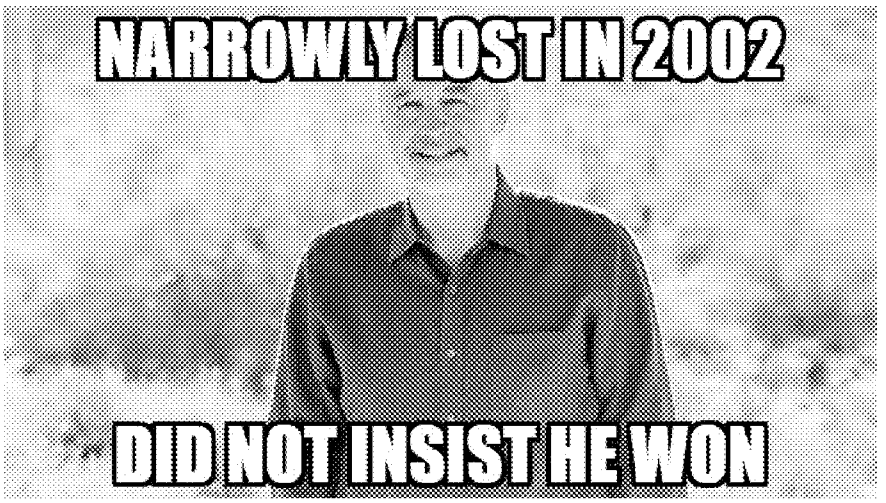
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, June 16, 2021

NEWS NOTES AND GOSSIP

SALMON, POLITICIAN FROM A SANER ERA, JUMPS INTO FRAY



Former congressman Matt Salmon today officially joined the crowded Republican primary for governor in 2022, launching his long-rumored campaign for the office he first sought 20 years ago. Fewer than 12,000 votes separated Salmon from Janet Napolitano in 2002 in one of the closest races ever for a statewide office. Many blamed third party candidate Richard Mahoney for giving Napolitano the edge that year. To get the party's nomination, he must defeat former *Fox 10* anchor Kari Lake, Yee, and university regent Karrin Taylor Robson. Salmon launched his campaign with a video that hits on practically every major Republican talking point and features a few surrogates he will likely use to bolster his run. Biggs and Pinal County Sheriff Mark Lamb, in particular, are two figures who have become immensely popular among the conservative media base. Many view Salmon's ties to Biggs, who he practically mentored, as a boon for his candidacy, although it could also hurt him in the general election, given Biggs' track record and the accusation Biggs, along with others, planned the Jan. 6 Stop the Steal rally that turned into a violent mob that stormed the U.S. Capitol (LINK). Salmon recently worked as a top official at ASU and reportedly resigned in conjunction with his campaign launch this morning.

SALMON, OTHERS PLAY CATCH UP TO KARI LAKE

Interestingly, Salmon launched his campaign when most Arizona voters were still asleep at 4 a.m. The launch could be aimed at drawing the attention of the East Coast TV audience as a fundraising strategy. Several sources told our reporter Salmon, a conservative stalwart, is widely viewed as the "establishment" pick in the competitive primary. It's unclear whether he would run to the right of Lake and Yee, who are aggressively courting Trump voters, whereas sources say Robson will likely go after the Ducey voters. Sources also noted that Salmon left politics at the time that Trump joined it, so his connections to that Republican faction might not be as widely publicized as that of his competition. Notably, his wife Nancy last month gave the opening prayer at a rally featuring two of the most controversial and polarizing members of Congress – Marjorie Taylor Greene and Matt Gaetz. It's unknown if Salmon himself attended the event. Salmon kicked off his campaign today, too, with a key conservative endorsement from Club for Growth. One Republican told our reporter it's likely that endorsement will come with a lot of financial support, which he will need in what's expected to be the most expensive gubernatorial race in state history.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003861

ARZN_REV00069378_6-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ANOTHER POLITICIAN TELLS REPORTER HOW TO DO HIS JOB

Republican gubernatorial candidate Kari Lake accused *AZFamily* political editor Dennis Welch of running a hit piece against her after Welch pressed the GOP candidate about her contributions to Democrats. Lake did not like Welch's line of questioning in her first major local interview since launching her first campaign for office. Welch asked about Lake's contribution to John Kerry's campaign for president in 2004. "If there's a story with a conservative in it, it always has a negative slant and people are on to it, Dennis," she said. "You know you guys do that." Lake calls herself the most conservative candidate in the race, which makes her contribution to Kerry stand out. Lake's husband, Jeff Halperin, also gave money to both of Barack Obama's presidential runs. Welch's data from Center for Responsive Politics shows a "K Halperin" also contributed to Obama, but Lake denied it was her and said it must have been her husband. FEC records show Lake only gave money to Kerry ($500), while her husband gave Obama roughly $4,500 across his two campaigns for president. He spent $100 on the DSCC in 2012 and then did not contribute anything until 2020, when he gave $500 to WinRed, a Republican source of contributions for local and national candidates similar to the Democrats' ActBlue. Lake accused Welch of being a biased reporter, attacking him and the media in general. Before Welch's report could air last night, Lake beat him to the punch, posting what seems to be a raw, 10-minute video of the interview, on Rumble, a conservative alternative to YouTube. Her video caption says Lake "spots a hit-piece coming from a mile away and lays down the gauntlet on biased, liberal local media." "Newsrooms across America refuse to do neutral or positive stories on Republicans. Every story is a smear, or meant to vilify Conservatives. Turn off the media. THEY ARE THE ENEMY OF THE PEOPLE," she wrote (LINK). Attacking the media is a tenet of Lake's campaign - the same approach Trump adopted on his way to the White House.

IT'S SUCH A SACRIFICE TO BE ARIZONA'S GOVERNOR

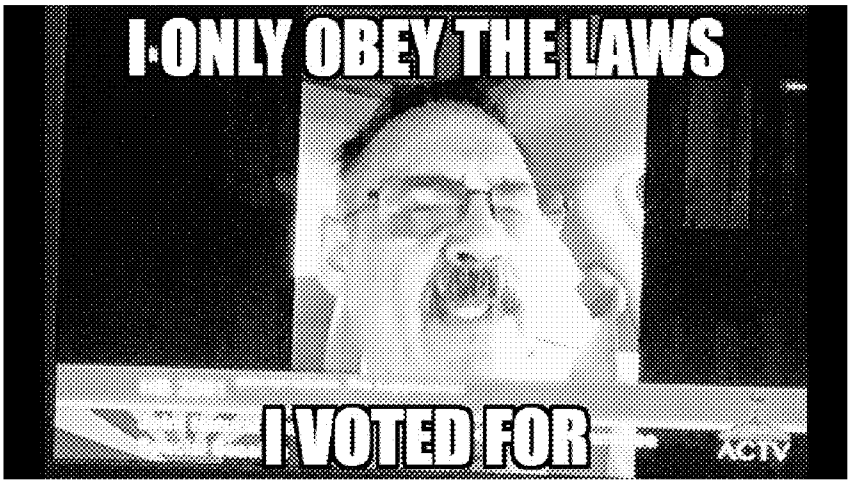
Welch posted an abridged version of the interview last night, in which he also provided context to the combative behavior by the political novice. Lake defended giving money to a Democrat by saying "a lot of people have" done so. Lake complained about the line of questioning, and accused Welch of doing a hit piece instead of focusing on how a media personality who has had an "illustrious career" in journalism is running for governor because she cares for the state. "Why wouldn't you do a piece [about] hey, somebody is running for governor? Somebody is sacrificing and saying, 'You know what? I care about this state and I'm going to run for governor,'" she asked. Welch had asked Lake about how she went from donating to Democrats to running for governor as a conservative Republican. Lake replied: "So, you could never be a Democrat in your life and then become a Republican?" Welch said Lake seemed to have presumed he would come after her. Welch, who looked exasperated, defended his career, saying his record shows he is fair and balanced. "So, what changed?" Welch pressed – to which Lake listed well-known conservative talking points against Democrats, notably shutting down businesses during the pandemic, making people wear masks and "forcing vaccines on us."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003862
ARZN_REV00069378_6-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FINCHEM VOTES WHILE DRIVING



Finchem caught the Capitol community by surprise this afternoon when he cast his vote for the wildfire bill while driving – likely violating the state's anti-texting-while-driving law. Finchem was participating remotely in the joint hearing, and the video cut to him explaining his vote while driving, with his phone seemingly mounted on the dashboard. Under Laws 2019, Chapter 112 (H2318: driving; wireless communication device; prohibition), Finchem and other drivers can legally talk on the phone while driving a car as long as they aren't holding the phone. But video isn't allowed, unless it's directly related to navigation – things like live GPS maps or rear view cameras that assist with backing out of parking spaces. Violating the texting while driving law means a fine of between $75 and $149 for a first offense and $150 to $250 for a second offense. Finchem voted against the 2019 law.

TOWNSEND DRAWS UP ANOTHER REASON FOR VOTING NO

Townsend, who is already a "no" on the budget, added another reason for withholding her support from Ducey's preferred budget and tax cuts – she won't vote for them unless and until Prop 208 election results are audited, she announced yesterday. In an interview with our reporter, she said she's not looking for another full hand-count, and she's not willing to let the government shut down. Instead, Townsend said, she's willing to vote for a skinny budget while two companies compare scanned copies of the original ballots obtained by the Senate to the official canvassed results to be sure the numbers match. It wouldn't take long to accomplish that, including matching the results of the propositions, she said. Prop 208 passed by a 3.5% margin with more than 100,000 votes statewide, far more than the close presidential race. But Townsend doesn't trust the results, and she said it's premature to give massive tax cuts to the wealthy to negate Prop 208 if it's not absolutely clear the proposition passed. "I would much rather we do a skinny budget and wait for those results," she said.

WILDFIRE BILL GETS LAWMAKERS' NOD

House nat res-energy-water and Senate nat res-energy passed H2001/S1001 (appropriations; fire suppression), the only bill being considered during this week's special session. The joint committee heard extensive public testimony from people, including Dept of Forestry and Fire Management Director David Tenney, Globe Mayor Al Gameros and representatives of the Arizona Farm Bureau Federation. While most of the questions weren't hostile, legislators asked numerous questions about the wildfires devastating the area south of Phoenix, how to respond to them and how the bill would help. Tenney spelled out how $17 million would pay for 122 new employees, and that, in addition to inmate fire crew supervisors, 50 of the positions would include a mix of team leaders for the supervisors and foresters and forestry technicians who will help develop mitigation projects and decide which areas need treatment the soonest. The 122 also includes eight assistant fire management officers who will help train the inmate crews. Both House and Senate are expected to pass the legislation tomorrow and send it to Ducey's desk.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003863

ARZN_REV00069378_6-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GROUP THREATENS REFERENDUM ON NEW VOTING LAWS

A PAC that originally formed to recall former lawmaker David Stringer is turning its eye to referring to the 2022 ballot two election bills Republican lawmakers passed and Ducey signed this year. Chris Hanlon, founder of Arizonans Deserve Better, told our reporter that his group aims to collect 118,823 signatures from registered voters in the 90 day window between *sine die* and the general effective date to refer Laws 2021, Chapter 359 (S1485: early voting list; eligibility) and Laws 2021, Chapter 343, (S1003: early voting; signature required; notice) to the ballot. Hanlon noted that the referendum has one major advantage over other routes: If the group can gather the necessary signatures, they could put the laws on hold for the 2022 cycle. Others, including Gallego, have said the better approach is to launch an initiative to protect voting rights and the initiative process, not to mention make those new laws protected from legislative tinkering under the Voter Protection Act (YS, 5/12). "Our sense of things right now is there are multiple efforts underway," Hanlon said, noting that his group expects legal challenges to the laws, as well. "There is room for multiple parallel paths, and we don't think that we can allow the bill to stand during the current cycle." He said the bills are incredibly unpopular "with people from both parties" and the PAC has been making the rounds at Democratic LD meetings, but hopes to also speak with Republican groups. The PAC is working on the language for the referendum, and is still working out details about staffing and funding. (Several of the PAC's staffers were on a conference call with potential donors when our reporter called). So far, the group has lined up talent in Alison Porter, a veteran of Save Our Schools, one of the few successful legislative referendums in recent history. "She knows what it takes to get many tens of thousands of Arizonans to sign," Hanlon said. Stringer's decision to resign made the recall effort against him moot. Recall efforts are expensive, and in the last decade or so, only the recall against Russell Pearce became successful.

JAY VERSUS JOSEPH IN 2022

A trial date has been set in *Chaplik vs Jay Lawrence,* in which Chaplik alleges the former lawmaker he beat in the 2020 LD23 primary slandered him repeatedly by referring to him as a "tax deadbeat, tax cheat and criminal" on signage, mailers and on social media during the campaign (YS, 9/24/20). Chaplik has also claimed Lawrence deliberately and with malice misstated his NRA rating and falsely accused him of being the subject of a civil rights lawsuit. The four-day trial will start at 9:30 a.m. on Nov. 28, 2022. Lawrence previously accused Chaplik of felony extortion, claiming he offered to drop the lawsuit in exchange for an endorsement, though later said Chaplik changed course and just wanted an apology, which Lawrence refused to give (YS, 10/21/20).

WAKE UP CALL

Finchem recall effort fizzles

Arizona Capitol Times

The group behind an effort to recall Rep. Mark Finchem has quit three weeks short of its deadline.

Judge dismisses court challenge to Prop 208

Capitol Media Services

A trial judge has tossed out the remaining claims of foes seeking to void the voter-approved income tax surcharge to fund public education.

Ducey orders end to universities' policies for unvaccinated students

Capitol Media Services

Gov. Doug Ducey has forbade public universities and community colleges from requiring that students and staff wear masks and get tested regularly for Covid.

Valley could be heading for post-pandemic office glut

East Valley Tribune

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

As the pandemic appears to be giving way to a semblance of normality, the world of commercial office space is anything but normal.

Local leaders plan to push back on prospect of expanded federal waterway regulations
Today's News-Herald
Local elected leaders say they plan to push back against federal plans to revive Obama-era environmental regulations they claim amounted to government overreach when it was originally implemented back in 2015.

Trump wanted Supreme Court to order new election in Arizona, other states
Arizona Mirror
Documents obtained by the U.S. House Oversight Committee showed that former President Donald Trump wanted his Justice Department to ask the U.S. Supreme Court to order a half dozen states, including Arizona, to hold new presidential elections and to bar them from casting their electoral votes for President-elect Joe Biden.

Matt Salmon returns to gubernatorial arena, launches 2022 campaign
Arizona Mirror
Former Republican Congressman Matt Salmon is running for governor, looking to win the prize that eluded him 20 years ago in one of Arizona's closest gubernatorial elections.

Students at whiter, wealthier schools have more access to federal disability protections
Arizona Mirror
When two police officers found Dante Butzberger sitting in a walk-in closet at his family's Scottsdale home, the 14-year-old refused to leave. Dyslexia and ADHD had made his time in eighth grade so miserable that not even the police could convince him to attend school.

Majority of Republicans think state reviews will change 2020 outcome: poll
The Hill
A slight majority of Republican voters say that state-level reviews of the 2020 presidential election will uncover information that will reverse the outcome of the race, according to a new Morning Consult-Politico poll.

Cheney: 'It is disgusting and despicable' to see Gosar 'lie' about Jan. 6
The Hill
Rep. Liz Cheney (R-Wyo.) blasted fellow Republican Rep. Paul Gosar (Ariz.) for placing blame for the death of a woman during the Jan. 6 rioting by supporters of President Trump at the feet of Capitol Police.

These 4 states could decide control of Congress in 2022
Roll Call
More than 16 months before Election Day, new House district lines haven't even been drawn, and yet the fight for Congress is likely to hinge on the outcomes in four critical states.

Inmate numbers are dropping. So why is the Corrections budget growing?
Arizona Republic (Opinion, Diego Rodriguez)
As the 2021 Legislative session drags into the summer, the state budgeting process has ground to a halt while Gov. Doug Ducey and Republican leaders try to force through a catastrophic flat tax — one which cities, towns and even other conservative Republicans oppose.

Ducey slaps the Arizona universities that supported him on COVID-19
Arizona Republic (Opinion, Tim Steller)
For more than a year, Arizona's state universities have given Gov. Doug Ducey the expertise, cooperation and political cover he needed to fight failure in his response to the COVID-19 pandemic.

Liz Cheney calls Paul Gosar a despicable liar for saying Capitol Police 'executed' protester
Arizona Republic (Opinion, EJ Montini)
Gosar's claim draws the ire of the congresswoman, who was there that day with Gosar.

Mark Brnovich gets religion about Arizona's audit (Are you watching me, Mr. Trump?)
Arizona Republic (Opinion, Laurie Roberts)
Attorney General Mark Brnovich's fiery letter to Merrick Garland isn't about the 2020 election. It's about 2022 and currying favor with a certain ex-president in advance of a Senate run.

Gov. Doug Ducey blocks a vaccine mandate that doesn't exist. ASU is saved
Arizona Republic (Opinion, Laurie Roberts)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003865
ARZN_REV00069378_6-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Gov. Doug Ducey looks woefully uninformed by blocking a university vaccine mandate that does not exist. Did he even read what ASU's policy actually says?

Pork-barrel spending is back in Congress, and Arizona House Democrats think it's great
Arizona Republic (Opinion, Robert Robb)
Arizona Democrats can't brag enough about the ridiculous amount of money the federal government may spend on projects with no interstate interest.

Southern Baptist Convention stories are all about the drama. Where's the love?
Arizona Republic (Opinion, Joanna Allhands)
Plenty of stories have focused on divisions and hurt feelings at the Southern Baptist Convention. Is that what following Jesus is all about?

Will Republicans shut up if Vice President Kamala Harris visits the border?
Arizona Republic (Opinion, Elvia Diaz)
They should but they won't and we know why.

I was approved for DACA 4 weeks ago, but the fear of deportation never goes away
Arizona Republic (Op-ed, Itzel Cota)
It's time to lift this cloud of uncertainty. Democrats should offer citizenship to DACA recipients and other immigrants without Republican support

PRESS RELEASES

Governor Ducey Highlights Arizona-Mexico Trade Relationship During Nogales Visit

Governor Attends Grand Opening Of 60,000 Square Foot Cooler Facility
NOGALES — Governor Doug Ducey today traveled to Nogales to highlight the strong trade relationship between Arizona and Mexico and celebrate the grand opening of Chamberlain Distributing's new 60,000 square foot refrigerated facility.
The Governor also participated in an economic roundtable with 17 business and community leaders from Santa Cruz County and toured the state of the art facility.
"A strong Arizona-Sonora relationship is a strong U.S.-Mexico relationship," said Governor Ducey. "The hard work and dedication of importers in Santa Cruz County help make trade between our countries successful. This new refrigerated facility in Nogales will help further this partnership, create jobs, and support continued economic growth. My thanks to the Chamberlain Distributing team and everyone working to make Arizona's trade relationship with our neighbors in Mexico even stronger."
He was joined by Chamberlain Distributing President Jaime Chamberlain, Nogales-Santa Cruz County Chamber of Commerce President and CEO Olivia Ainza-Kramer, Santa Cruz County Supervisor Manuel Ruiz, Nogales Mayor Arturo Garino, and other local elected officials and business community representatives.
Chamberlain Distributing is a large trading company in Nogales, Arizona that imports fruits and vegetables from cities in Mexico including Sonora and Oaxaca. Its new facility, St. James Cooler, is equipped with state of the art technology to help further trade between Arizona and Mexico.
On top of increasing trade opportunities, the 60,000 square foot cooler facility will help create additional jobs and further expand commerce in the state.
Mexico remained Arizona's top trading partner, even during the pandemic, with trade between Arizona and Mexico totaling nearly $16 billion in 2020. Truck traffic also increased last year by more than 2,600 trucks, with more than $13 billion worth of imports moving through the Nogales port alone.

Fraudulent Surveyors in Yavapai County
Tucson, AZ – On Monday, June 14, the Yavapai County Sheriff's Department released an alert about people posing to be volunteers for the Yavapai County Recorder's Office. The imposters were going door-to-door to community members claiming to conduct a survey. Individuals were questioned on if they voted, and if so, who they voted for. The Pima County Recorder's Office has not received any reports of this type of incident. However, Pima County Recorder Gabriella Cázares-Kelly was disheartened by the news from Yavapai County.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003866
ARZN_REV00069378_6-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"The Pima County Recorder's Office will never conduct surveys like this. Our office will never send staff or volunteers to go door-to-door, we will never ask you if you voted, and we will never ask you who you voted for. If someone does come to your door, please get as much information as possible (their name and the organization they claim to be with) and report this to our office; I believe this is another voter intimidation tactic used by extremists who are questioning the integrity of our election systems."
The Pima County Recorder's Office urges voters to report any kind of fraudulent incident immediately. We encourage you to obtain as much information as possible about anyone who asks you about your vote.
Cázares-Kelly concluded by stating: "You have the right to keep your vote private. Our office will always protect that right."
If you have any questions or concerns please reach out to the Pima County Recorder's Office at (520) 724- 4350.

###

Congressman Andy Biggs Calls for Hearing to Examine Calls to 'Defund the Police' and Corresponding Increase in Violent Crime

Today, Congressman Andy Biggs, Ranking Member on Subcommittee on Crime, Terrorism, and Homeland Security, along with his Republican colleagues on the subcommittee, sent a letter to Chair Sheila Jackson Lee urging her to examine the dangerous calls to "defund the police" and the corresponding increase in violent crime in American cities.
"Violent crime is exploding in cities across America that have defunded the police. These Democrat-run cities have maliciously attacked and smeared our police forces, but can't understand why our officers are leaving the field in droves and why crime rates continue to sky-rocket. We must defend the thin blue line and restore law and order by holding the Democrats accountable for this destructive agenda."
Excerpts from the letter:
"The reckless decisions to defund police forces—and the Biden administration's apathy towards these actions—have had a real effect on American communities. Homicides have increased in many of the cities that have defunded their police forces."
"The defund the police movement has led to a decrease in officer retention rates for police departments. In police departments across the country, veteran officers are opting for early retirement and departments are failing to attract new officers."
"Republicans have condemned violence and been united against radical calls to defund the police. However, many Democrats, including several on this Committee, have expressed support for defunding police forces."
"We ask that you schedule a hearing in the near future to allow Subcommittee Members to hear from law enforcement and civic leaders about how the increase in violent crime attributable to defunding of police."
Co-signers: Congressman Jim Jordan (OH-04), Congressman Steve Chabot (OH-01), Congressman Louie Gohmert (TX-01), Congressman Greg Steube (FL-17), Congressman Tom Tiffany (WI-07), Congressman Thomas Massie (KY-04), Congresswoman Victoria Spartz (IN-05), Congressman Scott Fitzgerald (WI-05), and Congressman Burgess Owens (UT-04).
Read the full letter here.

###

Additional Utility Assistance Now Available Statewide

Emergency Rental Assistance Program Utility Assistance
Expands to Maricopa, Pima and Yuma Counties
PHOENIX - (June 16, 2021) The Arizona Department of Economic Security (DES) today announced another opportunity for Arizona renters to receive assistance on their utility bills. As part of the Emergency Rental Assistance Program (ERAP), renters statewide can now apply through the DES website to receive assistance with their past due and future utility bills. Previously, rental and utility assistance through ERAP was available in twelve rural counties; however, families in Maricopa, Pima and Yuma Counties were required to apply with their local program for assistance. Now, renters residing in Maricopa, Pima and Yuma Counties may be eligible for past-due and future utility assistance through the program operated by DES.*
This expansion provides another resource for families living within these counties. Alternatively, individuals can apply for utility assistance through their local jurisdiction as well as through their local Community Action Agency.
"As Arizona returns stronger, many households continue to face hardships as they recover from the impacts of the COVID-19 pandemic," said DES Director Michael Wisehart. "The expansion of DES ERAP Utility Assistance will help to ensure Arizonans can remain cool, comfortable and safe in their residences. As temperatures continue to rise,

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003867
ARZN_REV00069378_6-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

we are pleased to be able to expand this opportunity for eligible individuals to receive assistance with their utility bills."

How to Apply

Individuals can apply for the Statewide Utility Rental Assistance Program through the ERAP portal on our website. Eligibility for Utility Assistance is based upon the same criteria as ERAP, which includes the following:

- The renter has past-due utility bills or is having trouble paying current or future utilities
- The renter or member of the renter's household has been impacted by the COVID-19 pandemic
- The renter's household income is less than or equal to 80% of the Area Median Income (AMI)

When submitting their application, renters will need to provide a copy of each utility bill for which they are seeking assistance and answer a few questions related to their eligibility. Utilities covered by this program include electricity, gas, propane, water and wastewater, sewer, and garbage collection.

Eligible applicants may receive 100% of their past due utility assistance as long as that amount was not incurred before March 13, 2020. They may also apply for future assistance in three month increments, for a total combined period of up to 18 months of assistance. Payments will be issued directly to the applicant's utilities provider.

Rental Assistance

The expansion of this opportunity applies to utility assistance only; those residing in Maricopa, Pima and Yuma Counties will still need to apply for rental assistance via their respective city or county-operated program--they are **not eligible for rental assistance through the DES program.* Renters and landlords in the other twelve Arizona counties can apply for rental assistance through ERAP at des.az.gov/ERAP. Eligible applicants can receive up to $3,500 per month in rent and utility assistance.

###

Undocumented Youth and Immigration Advocates Commemorate 9th DACA Anniversary

PHOENIX, Arizona -- On Tuesday, undocumented youth and immigration advocates will come together to celebrate the ninth anniversary of the Deferred Action for Childhood Arrivals (DACA) program. The celebration will focus on the immigrant community's resilience, the history of fighting back against anti-immigrant attacks in Arizona, and demand bold action on immigration, even if that means ending the filibuster, from Sen. Kyrsten Sinema, Sen. Mark Kelly, and President Joe Biden's administration.

WHO: Arizona Dream Act Coalition (ADAC), Poder Latinx, Corazon, Mi Familia Vota, AZ Jews for Justice, Poder in Action

WHAT: Celebration of our community resilience and demand action from the Biden administration, Senators Sinema and Kelly on immigration.

WHEN: Tuesday, June 15, at 6:00pm

WHERE: Arizona State Capitol, 1700 W Washington St, Phoenix, AZ 85007

*"It has been 9 years since immigrant youth won DACA, and yet politicians have not delivered on their promise of a pathway to citizenship for all," **said Karina Ruiz, Executive Director of the Arizona Dream Act Coalition**. "Millions were left out of DACA and now is the time for Congress to act and pass immigration legislation via budget reconciliation or by ending the Jim Crow Filibuster. We cannot allow Senator Sinema and Kelly to repeat the failure of the Dream Act that was stopped in the Senate due to Filibuster in 2010. Time is out, many have lost loved ones, jobs, education, and opportunities to thrive in these 9 years of fighting. We demand they do their job and stop playing political games without lives."*

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003868

ARZN_REV00069378_6-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"If there's a story with a conservative in it, it always has a negative slant and people are on to it, Dennis."

- Gubernatorial candidate Kari Lake to AZFamily political editor Dennis Welch.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003869

ARZN_REV00069378_6-16-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, June 17, 2021 6:53:33 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 6-17-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *June 17, 2021*

NO RUSH, LAWMAKERS, WE STILL HAVE 7 WORKDAYS
House and Senate leaders hope to start moving again on the budget next week with a new deal that gained tentative support from Boyer, though Cook remains in question and some conservatives might still balk at it.

#FORWEALTHYARIZONANS WOULD BE MORE HONEST
Meanwhile, Ducey and his office have been in full-court press mode attempting to build public support for his proposed $1.9 billion tax cut.

NOT THE SINE DIE WE WANT – THE SINE DIE WE DESERVE
Lawmakers adjourned the special session today after passing the $100 million emergency fire appropriation, but not without some bipartisan opposition, a few hostile amendments and a hot mic F-bomb.

AMERICAN OVERSIGHT

WE MAY NOT HAVE RUSTY TO KICK AROUND NEXT YEAR
Organizers of an effort to recall Bowers scheduled an appointment with the Secretary of State's Office at 4:30 this afternoon to deliver their petitions, Murphy Hebert, spokeswoman for Hobbs' office, told our reporter.

EVERY SUCCESSFUL POLITICIAN STARTED AS A LACY WHO
Republican Lacy Cooper jumped into the open attorney general race today, though the reaction from at least one Republican lawyer was "Lacy who?"

STEVE FARLEY IS WORKING ON A BILL AS WE SPEAK
In an apparent attempt to one-up Finchem's voting while driving yesterday, Grantham today attempted to vote via text while flying an airplane.

WE STILL WOULDN'T MISS KINGMAN
Kelly has teamed up with Republican Sen John Thune of Wyoming to introduce legislation to stop a statistical change that could affect rural communities' access to federal funds.

ASK STEVE SMITH ABOUT THAT
Chaplik and former lawmaker Jay Lawrence are heading to a full jury trial over Chaplik's lawsuit alleging Lawrence slandered him repeatedly in their 2020 primary campaign by calling him a "tax deadbeat, tax cheat and criminal."

WHAT DO UNIVERSITIES KNOW ABOUT SCIENCE?
Universities will comply with Ducey's executive order disallowing universities from requiring more stringent health measures on students who are not vaccinated against Covid.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, June 17, 2021

NEWS NOTES AND GOSSIP

NO RUSH, LAWMAKERS, WE STILL HAVE 7 WORKDAYS

House and Senate leaders hope to start moving again on the budget next week with a new deal that gained tentative support from Boyer, though Cook remains in question and some conservatives might still balk at it. Republicans are holding small-group meetings this afternoon to gauge support. Bowers originally said the House could possibly even vote tonight if leadership believed the deal can get all 31 Republicans on the same page, though that turned out to be another false hope as both chambers adjourned until Monday. Boyer told our reporter whether there's a deal depends on Cook, but he thinks the budget deal is there or at least close. Cook told our reporter via text that he hadn't seen the deal but had presented House leaders with his own plan, which would include the largest debt reduction in the state's history. Other sources said the deal won't contain Ducey's preferred 2.5 percent flat tax and 4.5 percent maximum rate, but would include tax cuts of roughly $1.2 billion annually. A memo drafted by economist Jim Rounds that circulated in the Capitol in recent days contained the same price tag and recommended making only the first step of the flat-tax phase-in, creating two brackets of 2.55 and 2.98 percent, with a top maximum rate of 5.5 percent. Ducey, however, is still pushing his flat tax and held a telephonic town hall with Toma and Mesnard as small-group meetings were ongoing in the Senate. Even if Cook and Boyer agree, its passage isn't guaranteed. Ugenti-Rita, for instance, has tweeted that she would prefer a tax rebate instead of ongoing cuts, and a cadre of House Republicans wants less spending. Townsend said this week that she prefers a skinny budget while waiting for a new audit of Prop 208 results.

#FORWEALTHYARIZONANS WOULD BE MORE HONEST

Meanwhile, Ducey and his office have been in full-court press mode attempting to build public support for his proposed $1.9 billion tax cut. The push ramped up on Twitter this week as lawmakers moved through a wildfire special session. The clock has been ticking to complete a budget before having to face a government shutdown – partial or otherwise (YS, 6/14). In several tweets yesterday, Ducey shared graphics with quotes from several Arizonans throwing their full-fledged support behind the tax cut that they say benefits small businesses and all Arizonans. While that's true, it leaves out how it disproportionately benefits the wealthiest taxpayers. Someone earning even $75,000 to $100,000 would save $230, while someone making more than $1 million in adjusted gross income would save at least $46,000. Other middle-to-lower income Arizonans would save enough to fill up a gas tank once or less. In one of several tweets the governor slugged with a #ForArizonans hashtag, Ducey cited a random Scottsdale dentist who supports the tax cuts. "We need to make Arizona a business friendly state to compete against Texas and Florida," Steven Poulous, a dentist for My Scottsdale Dentist, wrote, parroting Ducey's talking points (LINK). Ducey's Office today sent out an email asking people to support his tax cut plan and urge their legislators to vote for it (LINK). #ForArizonans has seemingly turned into a full campaign to earn public support over scrutiny over the plan, and Ducey used the hashtag at least 17 times in the last day. Even Grover Norquist used the hashtag today (LINK).

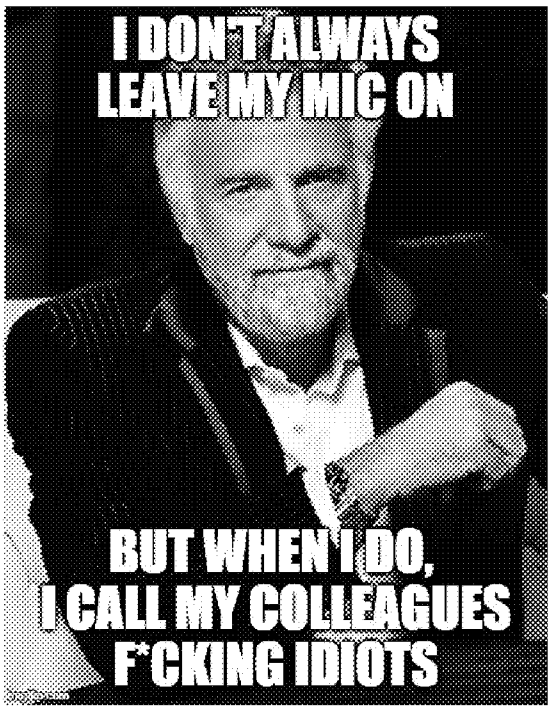
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003872

ARZN_REV00069380_6-17-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

NOT THE SINE DIE WE WANT – THE SINE DIE WE DESERVE



Lawmakers adjourned the special session today after passing the $100 million emergency fire appropriation, but not without some bipartisan opposition, a few hostile amendments and a hot mic F-bomb. Ugenti-Rita was the lone Republican to vote against H2001 (appropriations; fire suppression) (Chaplik, Grantham Townsend and Pace all did not vote.) Ugenti-Rita said she opposed it purely because it was heard in a special session and reminded colleagues that she and others asked repeatedly for a special session last year to work on Covid, responding to both the health crisis and Ducey's reactions to it. Ducey and leaders blocked opportunities for the Legislature to return in a special session last year, and so calling one for the wildfire bill is a slap in the face to Arizonans who suffered through the pandemic and lockdowns, she said. "I cannot condone this misuse of a special session," she said. The Democrats from LD26 all opposed the bill, and Mendez told our reporter yesterday it's all "political theater." The special session is intended to make it look like the Legislature is doing work and working in a bipartisan manner, but it won't stop the underlying problems that lead to worse wildfires, he said. "They're embarrassed by the fact that they can't get their caucus to agree on funding the government," he said. Before passing H2001 (appropriations; fire suppression), the House rejected on a party-line vote a Cano amendment to set aside $5 million to help small businesses affected by wildfires. Cook called the vote a waste of time and said lawmakers should focus on people like his neighbors who need help immediately. "I'm down here again in a Twilight Zone on something that doesn't have the votes," he said. Before voting for the appropriation, Democrats hammered that it does nothing to address what they see as the underlying cause of the fires: climate change. Livingston, who participates remotely from Michigan since the Legislature returned from recess, interrupted Otondo's comments about climate change with a profane aside. "Yeah, you're a f*cking idiot," Livingston mumbled. It's unclear whether he was speaking about Otondo or something happening off screen, and he was muted after Fann reminded him that the Senate could hear him. Fann today bristled at the suggestion that he was addressing anyone in the Senate, but didn't clarify who, if not a senator, is a "f*cking idiot." "Once again media doesn't have the whole story but stirs the pot. All is fine. Comments were not directed to anyone at senate and no one was laughing at anyone," she tweeted. It's not the first time Zoom audio caught senators off guard – Alston is regularly heard mumbling about bills, though her comments are decidedly more G-rated, and Fann dropped an F-bomb during a remote interim committee last summer.

WE MAY NOT HAVE RUSTY TO KICK AROUND NEXT YEAR

Organizers of an effort to recall Bowers scheduled an appointment with the Secretary of State's Office at 4:30 this afternoon to deliver their petitions, Murphy Hebert, spokeswoman for Hobbs' office, told our reporter. The "Patriot Party of Arizona" is organizing the effort, angry at Bowers over his not calling a special session in response to Ducey's anti-Covid emergency measures and his lack of support for efforts to overturn Biden's win in the state. They need 22,331 valid signatures from voters in LD25 to spark a recall election on one of the consolidated election dates in 2022, in either March or May.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003873

ARZN_REV00069380_6-17-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

EVERY SUCCESSFUL POLITICIAN STARTED AS A LACY WHO

Republican Lacy Cooper jumped into the open attorney general race today, though the reaction from at least one Republican lawyer was "Lacy who?" Cooper, who recently served in the US Attorney's Office in Arizona, launched her campaign focusing on Republican voters' top issue – the border. In her announcement video (LINK), Cooper touts her bona fides catching bad guys at the border and beyond. "From the boardroom to the border, I've seen a lot of bad guys. It doesn't matter who you are, if you break the law, I'm gonna put you behind bars," she said. Cooper has some expertise to back up her strong words about border security: She was the border security section chief at the USAO until she left the post recently for private practice. Cooper also was a finalist for the Maricopa County Attorney appointment that went to Allister Adel in 2019. Her status as a relative political unknown might not be much of a hangup, as the other Republican candidates in the race so far, former Arizona Supreme Court Justice Andrew Gould and twice-failed CD1 candidate Tiffany Shedd on the Republican side, also lack name ID. Rodney Glassman and Dawn Grove, the Arizona Chamber of Commerce and Industry board chair, are the two Republicans receiving the most buzz about entering the race, and Glassman will almost by default be the most recognizable name because he's on just about every election ballot running for whatever is open. Democrats have been mostly silent on the bench after 2018 candidate January Contreras announced she would not run again. So far, Rodriguez is the lone candidate on the Democratic side.

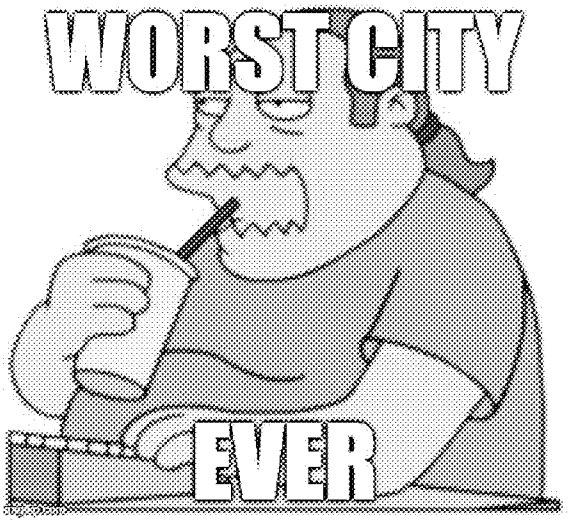
STEVE FARLEY IS WORKING ON A BILL AS WE SPEAK

In an apparent attempt to one-up Finchem's voting while driving yesterday, Grantham today attempted to vote via text while flying an airplane. Grantham, who is an officer in the Arizona Air National Guard, tried to cast his vote to oppose a Democratic amendment to the wildfire funding bill today while flying. After Democrats complained that voting via text is not allowed and grumbled that there would be no way to even verify that it's Grantham, Bowers ended up reversing himself and not counting Grantham's vote. Meanwhile, Townsend said she plans to ask Legislative Council for an opinion on whether people can Zoom and drive because of Finchem's surprise committee vote from the road yesterday (YS, 6/15). In a Twitter exchange with our reporter yesterday (LINK), Townsend asked whether Finchem's phone was mounted on his dashboard (it appeared to be, which would make it legal to do an audio call) and then shared one of the statutes affected by Laws 2019, Chapter 112 (H2318: driving; wireless communication device; prohibition) that doesn't mention video. Our reporter sent her the relevant statute, which states that drivers can't use video, with exceptions for things like dash cams and rear-view cameras that assist with backing out of a parking space. Townsend said she would ask Legislative Council to clarify the statute, which states that a person may use a device to continuously record or broadcast video inside or outside the vehicle.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE STILL WOULDN'T MISS KINGMAN



Kelly has teamed up with Republican Sen John Thune of Wyoming to introduce legislation to stop a statistical change that could affect rural communities' access to federal funds. The Office of Management and Budget has proposed changing what constitutes a Metropolitan Statistical Area, requiring metros to have a core population of 100,000, up from the current requirement of 50,000 (YS, 4/2). That would drop the number of metros in the US from 392 to about 142, with communities not making the cut redesignated as micropolitan statistical areas. While the shift was presented as merely a statistical change, smaller communities worry about broader implications. The MSA classification is often used in program funding formulas for things like Community Development Block Grants, USDA Rural Development funds and federal transportation dollars. If the change were to take effect, four communities in Arizona would fall off the list of metropolitan statistical areas: Prescott Valley-Prescott, Flagstaff, Sierra Vista-Douglas and Lake Havasu City-Kingman. "I've heard concerns from Mayors across Arizona about how this policy change could impact their ability to support their communities by qualifying for federal transportation, housing, and other funds," Kelly said in a prepared statement. "That's why I'm introducing this bipartisan legislation to ensure communities can get the support they need to continue to grow and prosper." Mignonne Hollis, executive director of Arizona Regional Economic Development Foundation, started ringing alarm bells earlier this year, saying that the change would force rural communities to fight each other over dollars and hurt their ability to attract businesses. Some datasets gather information by MSA, not by county or other category, so communities that lose the designation could lose access to that information about their communities in the future. Hollis applauded Kelly's Metropolitan Statistical Area Preservation Act. "This important legislation is critical to rural communities across Arizona," Hollis said in an email to our reporter. "Our communities depend on the federal support that this bill will protect." Kelly and Sinema had previously joined other lawmakers in signing a letter to the OMB asking that it not adopt the change.

ASK STEVE SMITH ABOUT THAT

Chaplik and former lawmaker Jay Lawrence are heading to a full jury trial over Chaplik's lawsuit alleging Lawrence slandered him repeatedly in their 2020 primary campaign by calling him a "tax deadbeat, tax cheat and criminal" (YS, 9/24/20). Chaplik has also claimed Lawrence deliberately and with malice misstated his NRA rating and falsely accused him of being the subject of a civil rights lawsuit. Maricopa County Superior Court judge Theodore Campagnolo set the four-day trial to begin at 9:30 am on Nov 28, 2022 (the pandemic has caused a backlog for jury trials). During the campaign, Lawrence accused Chaplik of felony extortion, claiming he offered to drop the lawsuit in exchange for an endorsement, though Lawrence later said Chaplik changed course and just wanted an apology, which Lawrence refused to give (YS, 10/21/20).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003875

ARZN_REV00069380_6-17-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT DO UNIVERSITIES KNOW ABOUT SCIENCE?

Universities will comply with Ducey's executive order disallowing universities from requiring more stringent health measures on students who are not vaccinated against Covid. Ducey's order says students may not be mandated to get the vaccine or submit vaccination documents, undergo regular tests or wear a mask to learn on campus in-person. "Arizona's public universities will comply with the governor's executive order," ABOR Chair Larry Penley said in a press release. "The health and well-being of our students, faculty and staff remains an utmost priority for the board and we will work with the governor to ensure our universities remain open and continue to provide voluntary testing and vaccinations for campuses and members of the community as we emerge from the COVID-19 pandemic." Several lawmakers threatened the university's budget if it didn't repeal the rule.

WAKE UP CALL

Salmon joins crowded GOP gubernatorial race

Capitol Media Services

Matt Salmon, who came within 11,819 votes of becoming governor nearly two decades ago, is making another bid for the office.

House, Senate panels pass wildfire relief amid debate on climate change

Capitol Media Services

Legislative panels gave initial approval Wednesday to a $100 million plan for fighting fires and their effects, but not before the discussion strayed into the question of climate change and whether humans are responsible for the heat and drought conditions that result in huge blazes.

Coconino County moves to increase primary/secondary property taxes

Arizona Daily Sun

Coconino County is looking to increase levies for both the primary and secondary property taxes.

NAACP leader wants more from Mesa police

East Valley Tribune

Kiana Sears, president of the East Valley NAACP, said she is optimistic about an ongoing dialogue with the Mesa Police Department but expects more accountability and transparency.

Winds lead Telegraph Fire to spread, PCSO puts more communities on alert

Florence Reminder-Blade Tribune

The Pinal County Sheriff's Office has put the communities of Ray Mine, Riverside, Kearny, Winkelman and Hayden on "Ready" status for possible evacuation due to the spreading Telegraph Fire.

Pending state budget includes funds to close Florence prison

Florence Reminder-Blade Tribune

Funding to close Arizona State Prison-Florence Complex over the next three fiscal years is included in a budget bill pending in the state Legislature.

Fire restrictions increased to Stage 2

Mohave Valley Daily News

Because of dry and hot conditions, fire restrictions have been increased from Stage 1 to Stage 2 on Bureau of Land Management lands in the Phoenix District — BLM-managed lands in central Arizona; in the Colorado River District — BLM-managed lands in western Arizona; and on Gila District-managed lands in Navajo and Apache counties.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003876
ARZN_REV00069380_6-17-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

New education tax again survives, high court appeal pending
Associated Press
A trial court judge on Tuesday threw out several legal challenges to a new voter approved tax on high-earning Arizonans, leaving just one additional issue raised by challengers to Proposition 208 in play while the state Supreme Court is considering whether the measure is constitutional.

Climate Change Batters the West Before Summer Even Begins
New York Times
Global warming has been fueling disasters in the region for years. Now, an early heat wave and severe drought are threatening lives and leaving water in perilously short supply.

Ducey ditches 'things that matter' to Arizonans so the rich can be richer
Arizona Mirror (Opinion, Julie Erfle)
In the not-so-distant past (two years ago), Gov. Doug Ducey praised a budget that paid down the state's debt, claiming "it's the responsible thing to do."

Andy Biggs and Paul Gosar refuse to honor Capitol cops. We should be ashamed
Arizona Republic (Opinion, Laurie Roberts)
Reps. Andy Biggs and Paul Gosar couldn't bring themselves to honor the police who protected them on Jan. 6 when rioters broke into the nation's Capitol. Shame on them. And us.

Matt Salmon is the latest candidate to jump in Trump's swamp. That's good for Democrats
Arizona Republic (Opinion, Elvia Diaz)
Matt Salmon, who helped depose then GOP House Speaker Newt Gingrich, is the latest Republican politician betting his fate on Trump. It will backfire.

Phoenix is raising the bar on its climate goals, but we need federal help
Arizona Republic (Op-ed, Kate Gallego and Stephen Lezak)
Cities like Phoenix have accomplished a lot for the climate without federal coordination. Imagine how much more we could do with the feds on board.

'It's a dry heat:' 25 memes that sum up Tucson summers
Arizona Daily Star
June 15, 2021, was the second hottest day on record for Tucson at 115 degrees. This is what it felt lik

PRESS RELEASES

DNC Chair: 'The ACA is Here to Stay'

DNC Chair Jaime Harrison released the following statement in response to the U.S. Supreme Court decision to uphold the Affordable Care Act:
"The Affordable Care Act is here to stay. Despite the best efforts of Republicans for the better part of the last decade to roll back, weaken and eliminate this historic law, the Supreme Court once again cemented affordable health care coverage for tens of millions of Americans and the over 133 million Americans living with preexisting conditions.
"While today is a significant victory for the American people, we know that the fight is not over. The ACA is only the start. Thanks to President Biden and the American Rescue Plan, we've already seen historic progress this year with more Americans now covered under the ACA than ever before. Democrats believe that access to affordable health care is a right, not a privilege, and we will not stop fighting to expand access and lower costs for even more American families."

STATMENT FROM SUPERVISOR STEVE GALLARDO ON CREATION OF JUNETEENTH FEDERAL HOLIDAY

Just when you think bipartisanship is doomed, lawmakers in Washington come together and pass a bill creating a new federal holiday for the first time since 1983. This collaboration is as important as the holiday now recognized.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003877
ARZN_REV00069380_6-17-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Juneteenth commemorates June 19, 1865 when Union soldiers arrived in Galveston, Texas and delivered the news of freedom to enslaved Black people. That was 2 ½ years after the Emancipation Proclamation! Racial inequality continues to be a difficult issue for our country and elected leaders at all levels. I applaud the members of Congress who didn't shy away from this incremental step toward healing and President Biden for quickly making it law. While the Legislature is still in session, I hope Arizona law makers and the governor will see this example of bipartisanship and recognize this important date in American history.
For questions, contact District 5 at 602-506-7092.

House Proclamation Calls for U.S. Senator Mark Kelly's Recusal from Confirmation Vote for ATF Director

STATE CAPITOL, PHOENIX – A legislative proclamation sponsored by State Representative Quang Nguyen was read today on the floor of the Arizona House of Representatives calling on U.S. Senator Mark Kelly (D-Ariz.) to recuse himself from the upcoming vote on the confirmation of David Chipman, nominated by President Biden to serve as the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF):

Whereas, the State of Arizona has a rich history of protecting and supporting the Second Amendment to the Constitution of the United States, which protects the individual right of the people to keep and bear arms; and
Whereas, Arizona has a long tradition of firearms ownership and is home to a robust community of world-class firearms businesses and training programs that continue to grow stronger each year; and
Whereas, President Joe Biden has nominated David Chipman to serve as Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, also known as the ATF; and
Whereas, David Chipman has had an extensive career of working with organizations whose mission is to erode the Second Amendment and criminalize law-abiding Americans; and
Whereas, David Chipman currently works as a Senior Policy Advisor at Giffords, a gun control pressure group, founded by U.S. Senator Mark Kelly and his wife, former Congresswoman Gabrielle Giffords, to aggressively advocate for radical action, including a ban on commonly owned semi-automatic rifles and the imposition of ruinous legal liability on firearm-related companies; and
Whereas, starting in 2012, David Chipman began working for Mayors Against Illegal Guns (later a component of Everytown For Gun Safety), an extremist anti-firearms organization bankrolled by billionaire Michael Bloomberg, whose aim is to put up every barrier possible to prevent law-abiding citizens from exercising their constitutional right to firearm ownership and use; and
Whereas, the founding of the United States did not begin with the federal government, but rather with the states themselves; and
Whereas, an agency of the federal government should never seek to expand the mission of an administrative state, much less seek to eliminate the Second Amendment of the Bill of Rights;
Therefore, I, Representative Quang Nguyen, invite members of the Arizona House of Representatives, to:
Oppose the confirmation of David Chipman as director of the Bureau of Alcohol, Tobacco, Firearms and Explosives. Chipman has established by his long career in anti-gun advocacy and lobbying that he is an ideologue for his radical cause and will not serve to uphold the Constitutional rights of Americans while in this office, but rather to erase rights to fit the radical gun control agenda of the groups he still works for and associates with to this day.
Demand U.S. Senator Mark Kelly recuse himself from a confirmation vote. Chipman's current employment at Giffords, an organization co-founded by Senator Kelly, raises serious ethical questions regarding this vote and presents a clear and credible conflict of interest that puts the constitutional rights of Americans in jeopardy.

Release: The Gloves Come Off in Messy AZ GOP Senate Primary

PHOENIX – Welp…that didn't take long.
It's been less than a week since the Senate GOP primary became a three-man race and already Brnovich and Lamon are attacking each other as the entire primary field races to prove who is more willing to sell out Arizonans to earn President Trump's support.
In a new CNN report, Lamon and Brnovich previewed their attacks against each other, with Lamon's spokesperson arguing Brnovich "has never had President Trump's back," and Brnovich's team firing back that Lamon is "unvetted" (McGuire, meanwhile, most likely breathed a deep sigh of relief that he escaped getting called a flip-flopper).

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003878
ARZN_REV00069380_6-17-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The article also detailed how Trump's highly coveted endorsement hasn't been able to fully clear a primary field, further bad news for Republicans in this sure to be long-running Arizona nominating contest.
As a reminder, Trump has taken center stage in this primary from the start. Lamon has run ads targeting Trump's New Jersey golf course. In response to blistering criticism from Trump, "lackluster" Brnovich has decided to fully support the conspiracy-driven Maricopa 'audit.' McGuire has similarly flip-flopped from acknowledging Biden as president, to saying he's "disappointed" the Electoral College didn't overturn the election.
"Lamon and Brnovich's attacks are just the start of what's sure to become a damaging, expensive, and long-running primary centered around President Trump, where no candidate emerges unscathed," said ADP Spokesperson Sarah Guggenheimer. **"As these candidates race to prove who's most willing to cater to Trump's every whim, voters are left wondering just how many Arizona priorities will be sold off in exchange for a shiny Trump endorsement."**

School may be out, but a lesson on the history of Arizona's women educators is just getting started

PHOENIX – A collaboration between the State of Arizona Research Library and the Arizona State Organization of Delta Kappa Gamma Society International led to the creation of a digital collection that highlights the historical work of women educators across Arizona. The History of Arizona State Organization of Delta Kappa Gamma Society International collection includes chapter reports that contain details like service projects, scholarships and grants, chapter activities, and biographies of influential chapter members.
"DKG members have been an integral part of education in Arizona, as teachers and administrators, as legislators and community members. We are pleased to have the history of our organization as part of the Arizona Memory Project," said Arizona State Organization President Carmen Wendt.
Researchers of education and women in Arizona will find documents covering the history of the Organization from 1936 through 2006.The collection is available on the Arizona Memory Project and can be viewed indefinitely on any digital device at http://go.azsos.gov/asodkgsi.

Arizona Groups Urge Senators Sinema and Kelly to Support DC Statehood

Local groups write that self-governance and full voting rights for DC residents would lift up issues important to Arizonans
Phoenix, AZ – Over two dozen Arizona nonprofit, racial justice, and voting rights groups are urging Senators Kyrsten Sinema and Mark Kelly to support DC statehood. The groups sent a letter today to the senators urging them to co-sponsor the Washington, DC Admission Act (S.51), which would grant the 700,000 Americans living in Washington, DC full voting rights and representation in Congress.
The letter states: *"As you know, voting rights and equity are two of the issues at the core of our organizations' work. We have more than a decade of work in ensuring communities are protected and represented in our democracy. Statehood for Washington, DC is an issue that sits at the intersection of those issues."*
The letter comes two days after it was announced that the Senate Homeland Security and Government Affairs Committee — of which Senator Sinema is a member — would hold a hearing on S. 51 next week. Currently, 46 Senators have co-sponsored the legislation; Sens. Sinema and Kelly have yet to sign on.
"Washington, DC is 46 percent black and 11 percent Hispanic; denying these 700,000 Americans full voting rights and representation in Congress is fully rooted in systemic racism," said ***Sandy Ochoa from Mi Familia Vota in Tucson.*** *"It is time for Senators Sinema and Kelly to walk in the footsteps of John Lewis, and be a champion of voting rights."*
The DC statehood movement received increased attention this past year, when in June 2020, President Trump ordered heavily armed troops and law enforcement into the nation's capital to violently disperse peaceful protests so he could pose for a photo-op. Then, on January 6th, President Trump initially denied Mayor Bowser's request to deploy the National Guard during the assault on the Capitol, resulting in one of the darkest days of American democracy. And the very people who were most impacted by the riot –DC residents and police officers — had no voting representation in congress and so had no say in the outcome of the impeachment trial, nor on whether a January 6th Commission–which Senator Sinema promoted–would be allowed to investigate the insurrection.
Madalyn Williams, co-director and director of policy at Black Phoenix Votes *said, "DC statehood is one of the most pro-Black and most urgent proposals currently under consideration in Congress. The 315,000+ Black residents of DC*

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003879
ARZN_REV00069380_6-17-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

and their multiracial neighbors do not deserve to go a moment longer without full representation. Additionally, by granting full representation, DC's elected officials could be held responsible for fighting for pro-Black legislation that would enhance the lives of their constituents in one of the Blackest regions of the country. In effect, DC statehood would also bring about representation for all of the Black folks around the country whose civic voices are under deliberate threat of dilution and erasure. "

Backing equal rights for Washington, DC residents has a history of bipartisan support, with Republican support from Dwight Eisenhower, Richard Nixon, and Arizona's own Senator Barry Goldwater. Additionally, S. 51 is constitutionally sound as it would carve out a federal district consisting of Congress and the White House, the national mall and monuments, and other government buildings. Congress would then approve statehood for the residential and commercial parts of DC, in the same manner all 37 states were admitted into the Union following the original 13 colonies; by a simple majority vote in Congress.

"Granting statehood to the residents of Washington, DC would uplift issues that are critical to Arizonans like child poverty, voting rights for all citizens, gun safety, and Equal Rights for Women. Having a U.S. Senate that is more representative of our diverse nation would ensure that these critical issues have a chance in Congress."added ***Pinny Sheoran of League of Women Voters of Arizona.***

The letter continues: "*It is unconscionable that 700,000 Americans who pay federal taxes have no voting representation in Congress. DC has more residents than Vermont or Wyoming and pays more in taxes than 22 states. DC residents have served and died in every war America has fought and 32,000 veterans live in DC. They should be treated equally…*

We appreciate your leadership on voting rights issues. As our senators, your values of supporting democracy and representation should extend from Arizona to the District… we ask that you extend the support of America's democracy to all, and racial justice to the 700,000 residents in Washington DC and support The Washington, DC Admission Act (S. 51)."

The full text of the letter can be found here: **https://bit.ly/3gvEfWI**

Healthy Arizona Worksites Program Recognizes 121 Employers Statewide

ADHS, Maricopa County Public Health promote wellness strategies for employers

PHOENIX — The Arizona Department of Health Services (ADHS) and Maricopa County Department of Public Health have honored 121 employers across the state for excellence in worksite wellness strategies.

The seventh annual Healthy Arizona Worksites Program awards event, held virtually on Thursday, June 17, recognizes many of the hundreds of participating corporations, healthcare organizations, public agencies, and educational institutions. Participants use the Centers for Disease Control and Prevention's Worksite Health ScoreCard as part of an evidence-based worksite wellness program.

"The pandemic has changed the way many people work, and these awards call attention to the creative ways employers have continued promoting good health in virtual and hybrid worksites," said Dr. Cara Christ, director of the Arizona Department of Health Services. "Promoting health among your employees is good business, plain and simple."

The CDC Worksite Health ScoreCard's metrics include how an organization supports physical activity, weight management, nutrition, maternal health and lactation, and stress management, as well as how its programs reduce tobacco use, cancer, high blood pressure, heart attacks, strokes, and diseases that can be prevented by vaccines.

"We are proud of all the work these businesses have done to continue to serve their workforce's changing needs," said Marcy Flanagan, executive director of Maricopa County Department of Public Health. "All the awardees have demonstrated their commitment to supporting health during work hours over the past year, and many of them have been recognized for this commitment several years in a row."

Businesses must complete the CDC Health ScoreCard to qualify for these annual awards, and they often take advantage of the free Healthy Arizona Worksites Program's guidance for creating a healthy workplace culture and tools proven to promote employee health and wellness.

Employers interested in participating in the Healthy Arizona Worksites Program can register at HealthyAZWorksites.org.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Yeah, you're a f*cking idiot."

- ***Livingston, on a hot mic as Democrats talked about climate change***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003881

ARZN_REV00069380_6-17-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, June 18, 2021 7:05:45 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 6-18-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *June 18, 2021*

SKINNY BUDGET OR BUST!
After a few brief hours of optimism Thursday, budget negotiations fell apart, leaving lawmakers increasingly eyeing the possibility of passing a skinny budget next week.

KELLY DOESN'T HAVE ANYTHING ELSE TO DO
Meanwhile, Townsend is finding new reasons to keep the Legislature in session for the foreseeable future, saying on top of her demand that lawmakers wait for the Maricopa County audit and do a new audit of Prop 208, she now wants lawmakers to stay in session until Ducey's emergency declaration ends.

DELICIOUS IS THE RIGHT WORD, RUSTY
The "Patriot Party" filed zero valid signatures in its recall against Bowers, after

AMERICAN OVERSIGHT

being ironically stymied by an election integrity provision inspired by the successful recall of former Senate President Russell Pearce – and Bowers isn't even trying to hide his schadenfreude.

THIS IS WHY YOU DON'T EMPOWER THE WEIRDOS
The recall organizers had called Bowers a pedophile and tried to intimidate him and his family by organizing armed protesters at his home, and Bowers is mulling legal action against them.

WE GET IT – SOME OF OUR BEST FRIENDS ARE NUTJOBS, TOO
Cyber Ninjas CEO Doug Logan is a lovely person who just happens to be totally nuts, a longtime friend told CNN as the network attempted to investigate the roots of the previously low-profile IT firm from Florida.

DONATE A PLANE TICKET AND WE'LL GO STAKE OUT THE CABIN
As part of CNN's ongoing investigation into the audit, it sent reporters to Montana to search for the election data allegedly held in a secure lab there, but found that lab is likely just a cabin owned by Cyber Ninjas' subcontractor CyFIR's CEO Ben Cotton.

HE'LL DO FOR AZLEG WHAT HE DID FOR TRUMP: NOTHING
After getting trounced by Ugenti-Rita in the 2020 GOP primary, lawyer Alex Kolodin is again running for the Legislature, this time for the vacant LD23 House seat as Kavanagh moves to replace Ugenti-Rita in the Senate.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, June 18, 2021

NEWS NOTES AND GOSSIP

SKINNY BUDGET OR BUST!

After a few brief hours of optimism Thursday, budget negotiations fell apart, leaving lawmakers increasingly eyeing the possibility of passing a skinny budget next week. "We'll try again, but I'm getting closer to a 'skinny' [budget]," Bowers said after the House adjourned for the week yesterday afternoon. Bowers said he would put up a skinny budget next week if a deal doesn't materialize, though the Senate is holding out hope for a full budget before the next fiscal year starts. Cobb lambasted her holdout colleagues and the League of Arizona Cities and Towns as "greedy" and had a pessimistic view of negotiations as she held the threat of a skinny budget over lawmakers' heads. "There are a lot of people that worked very hard to be able to spend revenue, as well as have a tax break with our taxpayers, and to throw that all out because somebody is greedy is a travesty. It really is," she said. "It's a sad state of affairs. You can't negotiate in that way. And we're down to the last days, and I said this back in May, we don't get a budget by mid-May, it's going to be July before we get a budget. And here we sit, just two weeks out, less than two weeks." Cobb said if they must pass a "skinny" budget, she prefers sitting on the extra money and coming back next year to decide what to do with it. "I think that we've had a long session," she said. "We can't come to an agreement, that's our fault, and we just need to sit on it and start working again next year." However, Mesnard still held out hope that lawmakers could pass a skinny budget then come back in a special session to enact tax cuts. "Just because you pass a skinny budget doesn't mean you can't then come back and add stuff during the fiscal year," he said. That's especially true of the tax package because most of it would take effect on Jan 1 and the Legislature could potentially have months left to fine-tune details.

KELLY DOESN'T HAVE ANYTHING ELSE TO DO

Meanwhile, Townsend is finding new reasons to keep the Legislature in session for the foreseeable future, saying on top of her demand that lawmakers wait for the Maricopa County audit and do a new audit of Prop 208, she now wants lawmakers to stay in session until Ducey's emergency declaration ends. (Prop 208, it should be noted, cruised to victory by a margin of 113,000 votes, compared to the fewer than 11,000 votes that carried Biden to victory.) Townsend said she doesn't think it's appropriate for the Legislature to go home until Ducey ends his Covid state of emergency – she has opposed the state of emergency for more than a year and was one of the leading voices calling for it to be lifted and for the Legislature to reconvene last year, and she said the emergency makes even less sense now. "We're still in a state of emergency but we have people going to sporting events," she said. Ending the state of emergency was a top priority for a number of lawmakers, including Townsend, at the start of the session, and Ugenti-Rita dedicated one whole Senate Government Committee meeting to bills offering slightly different approaches to ending the emergency. Ugenti-Rita's S1084 (state of emergency; automatic termination), which the Senate decided was the best vehicle for changing laws related to the state of emergency, has yet to make it to the floor in the House.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003884

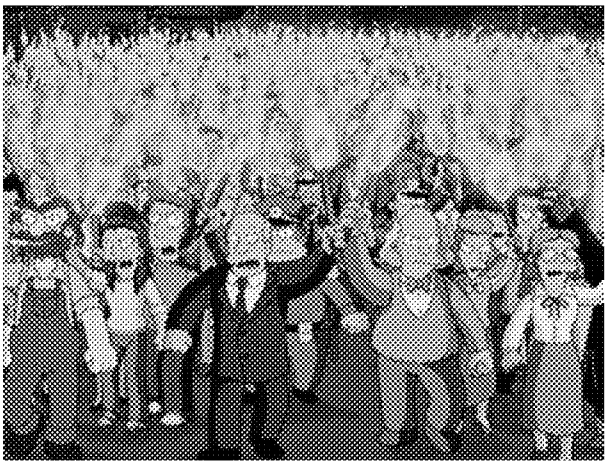
ARZN_REV00069382_6-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

DELICIOUS IS THE RIGHT WORD, RUSTY

The "Patriot Party" filed zero valid signatures in its recall against Bowers, after being ironically stymied by an election integrity provision inspired by the successful recall of former Senate President Russell Pearce – and Bowers isn't even trying to hide his schadenfreude. "Patriot Party" leaders (it's not an actual party) filed 2,040 petition sheets with about 24,500 signatures, a little more than 22,331 valid signatures that would have been needed to trigger the recall. However, none of the petition sheets had a date-stamped application or a serial number attached to them, which is required under a Pearce-inspired law, so none of the signatures were valid, according to State Elections Director Sambo "Bo" Dul. "After the last recall that was of note in my area, that particular group of people really wanted to tighten up the recall statutes, which was done, and this was the result, and I find an irony in that I can tell you," Bowers said. "It's delicious." The speaker was clearly in high spirits as he joked to the *Republic* that he should ask for an audit of the signatures. "There could be bamboo in those [signature] papers, there could be blue Sharpies," he said (LINK).

THIS IS WHY YOU DON'T EMPOWER THE WEIRDOS



The recall organizers had called Bowers a pedophile and tried to intimidate him and his family by organizing armed protesters at his home, and Bowers is mulling legal action against them. Bowers told our reporter he is tempted to take some action against some people who "said horrible, horrible things about me and members of my family," but added, "We'll wait till I'm ready." "These are very cruel, mean, angry, disrespectful, deceitful people," Bowers said. "It was all intimidation, saying I was a pedophile, I wanted boys to have sex with boys. And when they came to my house, the Three Percenters were there with them. This guy had a gun jammed in his pants, screaming out to my neighbors that I'm an effing pedophile. So, if you're asking that I would rather avoid them, yes, I'm glad it happened." To nobody's surprise, the failed recall had some prominent "Stop the Steal" supporters. The Patriot Party said in a statement Thursday after turning in the petitions that the recall effort had received "crucial help" from Tomi Collins, executive director of the pro-Trump group America Restored. Collins, the statement said, in turn enlisted the aid of former Trump lawyer of "release the Kraken" fame Sidney Powell and My Pillow founder and CEO Mike Lindell, both of whom have been active in spreading conspiracy theories about the results of the 2020 election and supporting attempts to overturn it. Lindell declared support for it in a phone call that was publicly released in mid-May, and Powell promoted the recall on her Telegram channel. "Rep. Bowers is responsible for not protecting Arizona from Election Fraud, allowing Governor Ducey to act as a tyrant, and his desire to lessen the punishment for sexual predators," the statement said. After receiving the news that the recall won't make the ballot, the party tweeted "the matter has been turned over to our attorneys, no further comment will be provided at this time."

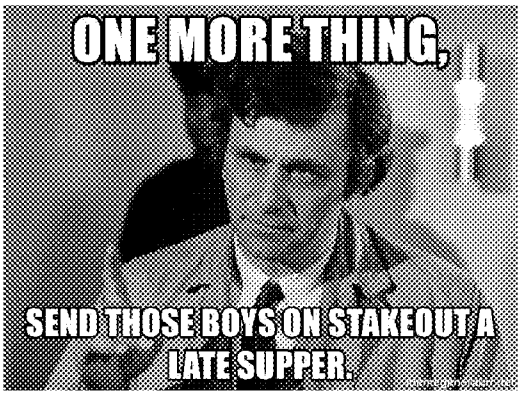
AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003885
ARZN_REV00069382_6-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WE GET IT – SOME OF OUR BEST FRIENDS ARE NUTJOBS, TOO

Cyber Ninjas CEO Doug Logan is a lovely person who just happens to be totally nuts, a longtime friend told *CNN* as the network attempted to investigate the roots of the previously low-profile IT firm from Florida. *CNN* reporters took a trip to Sarasota, Florida, to track down his legal department – which ended up being a rented mailbox at a UPS Store. The Sarasota business address for his company was sold last December and is vacant, according to the report (LINK) and every extension in his company phone line is redirected to Logan's mailbox. His move into the limelight of Arizona's partisan audit worries his friends. "It's hard to say anything bad about the guy. He's a lovely person. He's just nuts now," Tony Summerlin, Logan's friend of 15 years, told *CNN*, adding that before the audit, they'd never had a political conversation. Another friend told *CNN* he was smart and competent in cyber security but "politically naive." "Doug may not have thought it all the way through," she said. Logan has been cagey with the media from the beginning – he spoke publicly about the audit once at an April press conference where he declined to answer key questions about funding and his own biases (YS, 4/23). Logan's company has no experience doing election audits, and Logan himself espoused Stop the Steal conspiracies on Twitter before deleting his account (YS, 3/31). Shortly after the election, Logan tweeted at Ron Watkins, who is speculated to be "Q" or a strong proponent of the QAnon conspiracies, asking to chat and looking for "original source documents" (LINK). He also appears to have narrated a trailer for a film about the Arizona audit from former Overstock CEO and election conspiracy theorist Patrick Bryne. After the similarity of Logan's voice was pointed out on Twitter, the voiceover was altered before the whole video was ultimately removed by YouTube for violating terms of service.

DONATE A PLANE TICKET AND WE'LL GO STAKE OUT THE CABIN



As part of *CNN's* ongoing investigation into the audit, it sent reporters to Montana to search for the election data allegedly held in a secure lab there, but found that lab is likely just a cabin owned by Cyber Ninjas' subcontractor CyFIR's CEO Ben Cotton. *CNN* reporter Gary Tuchman went to the site and shot video overhead showing a cabin and a few other structures on the property both listed as Cotton's residence and as the address for his other company, CyTech Services (LINK). The revelation that Cotton drove Arizona election data to the Montana wilderness for some sort of unspecified analysis was first reported two weeks ago by *The Arizona Republic*'s Jen Fifield (LINK). Senate liaison Ken Bennett told *The Republic* that Cotton made copies of the county's election server and other data before taking it to a "secure lab" near Bigfork, Montana. *CNN's* aerial view showed a barn, possibly, and perhaps some trailers but no people. Bennett told Fifield no one from the Senate was overseeing the activities in Montana. Standing on the edge of the property, Tuchman said he'd received no response to inquiries to Cotton. "Is this the secure, powerful laboratory? Is Arizona voting data inside that cabin?" Tuchman asked. "We just don't know. But it could be."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003886

ARZN_REV00069382_6-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

HE'LL DO FOR AZLEG WHAT HE DID FOR TRUMP: NOTHING

After getting trounced by Ugenti-Rita in the 2020 GOP primary, lawyer Alex Kolodin is again running for the Legislature, this time for the vacant LD23 House seat as Kavanagh moves to replace Ugenti-Rita in the Senate. In an email announcement yesterday, the "proven champion for transparency, accountability, and accessibility" took shots at his would-be seatmates even though he's running for an open seat. "[LD23 voters] are frustrated that they put people in office to represent them and then those people seem to almost go out of their way not to fight for them," he wrote (he lost his primary challenge to Ugenti-Rita by a more than 60-40 margin). The email blast notes that Kolodin "has been involved in some of Arizona's biggest election integrity cases," but doesn't mention that he's lost them all, including his conspiracy-based Sharpiegate and Kraken lawsuits – in the latter he claimed Biden's team "engaged in the systemic adaptation of old-fashioned 'ballot-stuffing'" (YS, 12/2/20). (In fact, it claims he's been involved in election integrity since 2014, a bizarre claim since his 2014 suit was actually against former Maricopa County Republican Party chairman AJ LaFaro on behalf of a progressive activist and ballot-harvester Ben Marin (YS, 10/29/14).) He has also represented AZGOP, Finchem and former lawmaker Anthony Kern, and Cyber Ninjas, briefly, before being abruptly fired during oral arguments in the Democratic Party's lawsuit against the Senate and Cyber Ninjas in favor of an attorney who wasn't even ready to argue the case (YS, 4/28). Several local attorneys filed complaints with the State Bar in December against Kolodin and other lawyers involved in the "Stop the Steal" efforts, accusing them of filing frivolous lawsuits. As of May, the complaint against Kolodin was still being investigated even though several other similar complaints against other Republican attorneys had already been dismissed (YS, 5/4). (An update wasn't immediately available by our deadline.) "As an attorney, I've jumped into some of the most controversial fights at great personal risk. I will bring that same fight and my legal expertise to the Arizona legislature to transform conservative intent into lasting results," he wrote. In an interview on "The Seth Leibsohn Show" announcing his candidacy (LINK), Kolodin also drew on his spotty courtroom record, saying he feels he had "done all I can in the courtroom" and wants to bring his skillset to the Legislature. Republican attorney Jan Dubauskas had previously filed to run for the House (YS, 6/1) but has since filed a statement of interest for the Senate, challenging Kavanagh (LINK).

WAKE UP CALL

Kelly makes bid to help rural Arizona communities
Arizona Capitol Times
U.S. Sen. Mark Kelly has teamed up with Republican Sen. John Thune of South Dakota to introduce legislation to stop a statistical change that could affect rural communities' access to federal funds.

Special session yields $100M package for wildfires
Arizona Capitol Times
Arizona lawmakers ended a three-day special session by passing a $100 million bill on June 17 to help people affected by wildfires.

Some lawmakers question need for special session
Arizona Capitol Times

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003887
ARZN_REV00069382_6-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

A bill moratorium and a budget stalemate meant the House and Senate weren't conducting any real business before Gov. Doug Ducey called a special session – so why call one?

First case of highly transmissible Delta variant reaches Tucson area

Arizona Daily Star

Health experts are more concerned about the Delta variants than other variants in Arizona, but they have yet to sound the alarm.

Cook nears win on tax cut changes

Associated Press

A pair of Republican Arizona lawmakers who objected to a $1.9 billion tax cut in a $12.8 billion GOP budget deal were close Thursday to winning major concessions that would secure their support for the spending plan before the whole deal came to a halt over the tax cut's effects on city revenue.

Heat grounds aircraft over Telegraph Fire

Florence Reminder-Blade Tribune

The temperature was so high Wednesday afternoon that aircraft fighting the Telegraph Fire south of Superior were grounded and crews using dozers to scrape firelines were halted.

Auditors promised to screen workers, but QAnon promoters and Capitol rioters were hired

Arizona Mirror

The Arizona election audit has employed a failed candidate who has espoused QAnon beliefs and a man who was at the Jan. 6 U.S. Capitol riot of Donald Trump supporters who tried, but failed, to overturn the election.

DACA recipients, families and advocates will push for permanent immigration status

Arizona Mirror

Local and national immigrant rights groups made a promise to mark the 9th anniversary of the federal program benefiting thousands of immigrants who arrived in the country as children: Those young people who benefit from Deferred Action for Childhood Arrivals won't be celebrating the program's 10th anniversary.

Katie Hobbs and Kyrsten Sinema Illustrate a Voting Rights Divide

New York Times

Ms. Hobbs, the Arizona secretary of state, saw her star rise as she fought Republicans' election falsehoods. Senator Kyrsten Sinema, a fellow Democrat, insists on a bipartisan approach to voting rights.

Gov. Doug Ducey is misusing his COVID-19 emergency power. Time to end it

Arizona Republic (Opinion, Robert Robb)

Ducey is using his emergency authority not to take action to protect public health, but to prevent others, such as ASU, from doing so. That's over the top.

What I learned from my dad: Be gentle, go easy, listen and don't preach

Arizona Republic (Op-ed, Girish Rishi)

As we celebrate fathers, it's important to reflect on the memories and traits that my dad left me. They still resonate, years after his passing.

Liberal clash over Juneteenth is predicable and laughable. We can walk and chew gum

Arizona Republic (Opinion, Greg Moore)

Suggesting that this is nothing more than performative justice dismisses the power of collective political action. Let's take the win and strategize for more.

PRESS RELEASES

Governor Ducey Signs $100 Million Bipartisan Wildfire Relief Package

PHOENIX — Governor Doug Ducey today signed a bipartisan relief package to support firefighters and safety officials as they battle wildfires, ensure Arizona communities have the resources necessary for post-fire disasters such as flooding and reduce the risk from future wildfires.

The $100 million package passed with strong bipartisan support during a legislative special session called by the Governor after a visit to the Telegraph and Mescal Fires last week.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"We are in the midst of another catastrophic wildfire season, and it's clear that we need to do more to fight these wildfires," said Governor Ducey. "Many Arizona communities have already felt the impacts of this year's wildfire season — people and pets have been displaced, homes have burned down, swaths of land have been decimated. I'm grateful that we were able to quickly come together in a bipartisan manner for the safety and protection of our communities. My thanks goes to our first responders working tirelessly to combat these fires, local and state agency leaders for their leadership during this time, and the legislators who worked across the aisle to get this bill passed."
The wildfire relief package was led by a bipartisan group of legislators representing both rural and urban Arizona, including House Speaker Rusty Bowers, Representative Gail Griffin, Representative David Cook, House Minority Leader Reginald Bolding, Senate President Karen Fann, Senate President Pro Tem Vince Leach, Senator Sine Kerr and Senate Minority Leader Rebecca Rios.
House Bill 2001 includes:

- $24.6 million for a partnership between the Department of Forest and Fire Management and the Arizona Department of Corrections, Rehabilitation and Reentry to reduce wildfire risk to Arizona communities by removing fire-prone vegetation; and
- $75 million for fire suppression efforts, recovery efforts including post-fire floods, economic assistance for those displaced, and assistance to landowners for emergency repairs to infrastructure damaged by wildfires.

"Thank you, Governor, for allowing us to work together, and thank you, Minority Leader Bolding and Leader Rios, for your help on an issue where we can come together for a common goal," House Speaker Rusty Bowers said. "People who aren't Republicans or Democrats – they're just our friends and people."
"I look forward to partnering with my colleagues on continuing bipartisan success because wildfires don't care which party you belong to," said Senator Sine Kerr, who introduced House Bill 2001's mirror legislation in the Senate.
Arizona is currently in the midst of fire season, having already experienced 918 wildfires burning over 245,000 acres this year. The Telegraph Fire visited by the Governor last week is currently the sixth-largest wildfire in state history.
"There is no question that there was an enormous need to dedicate as many resources as possible to fight the currently active wildfires as well as to prevent future ones from occurring," Senate Minority Leader Rebecca Rios said. "I applaud the governor for calling a special session to address this extraordinary wildfire season. This was clearly a major issue that needed immediate attention, and I'm grateful for Governor Ducey's action in bringing bipartisan leadership to work together to address this critical need."
"We must do what we are doing today to react to this emergency, but we must also do everything in our power to mitigate the crisis for future generations – and we must do that together," House Minority Leader Reginald Bolding said. "Thank you again, Governor Ducey. My colleagues in both the Republican caucus and our caucus stand ready to work together and ready to move forward."
The Governor was also joined by Department of Forestry and Fire Management Director David Tenney, Department of Emergency and Military Affairs Director and Adjutant General Kerry Muehlenbeck and Gila County Supervisor Steve Christensen.
"I'd like to thank the Governor for calling this special session on behalf of Gila County and rural Arizona," said Gila County Supervisor Steve Christensen. "The leadership in Gila County says thank you for being an advocate for Arizona. I'd like to extend my thanks to the Legislature and their willingness to work in a bipartisan way."
On June 9, the Governor issued two Declarations of Emergency in response to the Telegraph and Mescal Fires in Pinal and Gila Counties. The orders made up to $400,000 available for response efforts, and followed a request to the Federal Emergency Management Agency (FEMA) for a Fire Management Assistance Grant on June 6.
In March, the Governor signed Senate Bill 1442 to prevent wildfires by allowing for additional partnerships to employ Arizona inmates to clear forests of debris. The legislation aligns with the Arizona Healthy Forest Initiative proposed in the Governor's budget which builds on proven methods to protect communities, while engaging individuals in state correctional facilities to equip them with new skills and reduce recidivism.
View House Bill 2001 HERE.
View the Governor's remarks HERE.

FOR IMMEDIATE RELEASE

Contact: joanna@theresolute.group
SCOTTSDALE, ARIZ. - Alex Kolodin, a proven champion for transparency, accountability, and accessibility, announced yesterday his decision to run for a seat in the Arizona House of Representatives.
Kolodin's announcement follows many requests he has received from residents of LD23, seeking a candidate

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003889
ARZN_REV00069382_6-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

committed to fairness, freedom, and fiscal responsibility.
Kolodin, founder of the Kolodin Law Group, has proven that no matter how hot it gets, he will "never back down for Arizona."
"The people of my district are looking for leadership that will really fight for them, that will look for solutions, not excuses. They are frustrated that they put people in office to represent them and then those people seem to almost go out of their way not to fight for them."
As an attorney, Alex began fighting in court for election integrity in 2014 and has been involved in some of Arizona's biggest election integrity cases and the defense of Arizona's audit. Most recently, he pushed back on the Biden administration's overreach in Scottsdale around the ICE hotel conversion.
"Arizona faces some worthy fights," said Kolodin. "Will we become California? How will we protect our state against open border policies? Will our leaders stand for our freedoms despite increasing pressure from the well-financed left or cave and undermine them? Will Arizona businesses recover from government-imposed lockdowns? Will Arizona continue to lead the nation for school options? Will we have the water resources we need for the decades to come? The direction we take will depend on our leadership."
For Kolodin, the future of the state - and country - is personal. "I just had a son. I want the best for him. I'm also a former history teacher. I know how republics fall - slowly, then all at once. Will my son have a free republic to grow up in? My reason for fighting just got stronger."
Kolodin announced a comprehensive platform focused on free and fair elections, secure borders, safe communities, constitutional freedoms, lower taxes, quality education, and a stable water supply.
"I never back down. From the time I was a kid, I've been drawn to challenges. I like a worthy fight," Kolodin reminisced. "As an attorney, I've jumped into some of the most controversial fights at great personal risk. I will bring that same fight and my legal expertise to the Arizona legislature to transform conservative intent into lasting results."
Alex is a Scottsdale resident, husband, and brand-new father.
To learn more about Alex Kolodin, visit AlexforAZ.com.

Congressman Andy Biggs Reintroduces the LIST Act of 2021

WASHINGTON, D.C. - On Thursday, Congressman Andy Biggs reintroduced the Less Imprecision in Species Treatment (LIST) Act, H.R. 3973, which authorizes the Secretary of the Interior to de-list species from the endangered species list when there is an objective, measurable, and scientific study demonstrating a species has recovered. It also penalizes those who intentionally submit false or fraudulent data in order to cause a species listing.
"The Endangered Species Act (ESA) was created to protect and restore species and their habitats, however, special interests and onerous delisting regulations have harmed western priorities and worsened the health of ecosystems along the way," **said Congressman Andy Biggs**. *"ESA regulations have done more to infringe on private property and states' rights than they have done protecting and recovering endangered species. My bill does not eliminate protections for truly endangered species. Rather, it allows the federal government to focus resources on species actually in danger of extinction."*
You can read the full bill text **here.**

Senator Mark Kelly To Deliver Commencement Address at Alma Mater, U.S. Merchant Marine Academy

On Saturday, June 19th, U.S. Merchant Marine Academy (USMMA) alumnus and Arizona Senator Mark Kelly will deliver a commencement address to the class of 2021 at Tomb Memorial Field in Kings Point, New York. The 85th Commencement will be livestreamed to those interested in viewing.
For a livestream link, RSVP to press@kelly.senate.gov.
Senator Kelly received a Bachelor of Science in Marine Engineering and Nautical Science from the United States Merchant Marine Academy, graduating with highest honors in 1986. Kelly has experience as a combat pilot and test pilot, logging more than 6,000 hours in more than 50 different aircraft, completing 375 carrier landings. Kelly also flew 39 combat missions over Iraq and Kuwait during Operation Desert Storm.
Sen. Kelly To Deliver Remarks at USMMA Commencement
When: June 19, 2021, 9:00 am EST
Where: Tomb Memorial Field, USMMA Campus, Kings Point, New York
How to watch: RSVP to press@kelly.senate.gov for livestream link

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003890
ARZN_REV00069382_6-18-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"It's delicious."

- ***Bowers, on the irony of the recall against him failing because of an election integrity law***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003891

ARZN_REV00069382_6-18-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, June 21, 2021 4:48:14 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fw: In Today's Yellow Sheet
Attachments: 6-21-21.pdf

Rosanna Gabaldón
AZ State Representative
Legislative District 2
1700 W Washington Street Rm 325
Phoenix AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Land, Agriculture & Rural Affairs (Ranking Member)
Local & International Affairs

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *June 21, 2021*

MAYORS MAKE ALL THE DIFFERENCE
Ducey today boasted that 21 Arizona mayors from all over the state have endorsed his slightly modified tax cut proposal, signaling the first real sign that a budget agreement could be imminent.
GOVERNOR HOBBS' FLAT TAX?
The tentative deal would phase in a 2.5 percent flat tax by FY25, depending on revenue triggers, increase university funding and pay down more in debt.
AND IF THEY DO SOMEHOW PASS A BUDGET…
Arizona Education Assn President Joe Thomas said the education community's effort to launch a referendum if the flat tax is approved has had two meetings in the past month, with the first one attracting representatives from 36 organizations.
THE BUDGET IS LIKE A STASIS CHAMBER FOR BILLS
Educators also spoke out against potential policy changes that have emerged in budget reconciliation bills, specifically language similar to S1532 (impeding school operations; civil liability), which aimed to bar teachers from teaching controversial issues without sharing multiple sides.
ALL THAT MONEY AND NO BUDGET TO SPEND IT

AMERICAN OVERSIGHT

May was another banner month for state revenue, with total collections of $1.43 billion – about $175 million over already rosy forecasts, according to the Joint Legislative Budget Committee's monthly fiscal highlights.

COULD WE BRING BACK KEN BENNETT CIRCA 2012?

S Bolick is expected to jump into the secretary of state race tonight, joining fellow lawmakers Finchem and Ugenti-Rita in the Republican primary, and leaving Republicans who don't support the audit with no palatable choices in the race so far.

IF YOU DON'T BACK THE BLUE, YOU'RE BASICALLY ANTIFA

The president of the Arizona Fraternal Order of Police sent scorched-earth letters to Biggs and Gosar after the duo voted against awarding Congressional Gold Medals to members of the US Capitol Police and other law enforcement agencies that protected the Capitol on Jan 6.

DISBARRED LAWYERS MAKE GREAT LAWMAKERS

The Arizona State Bar dismissed its complaint against lawyer Chris Viskovic, saying the young lawyer wasn't culpable for his actions because he was following the lead of his boss, LD23 House candidate Alex Kolodin, who is still under investigation.

RECALLS ARE HARD

"Patriot Party" organizers who were trying to recall Boyer have failed, and they told the Secretary of State's Office they don't intend to file any petitions today.

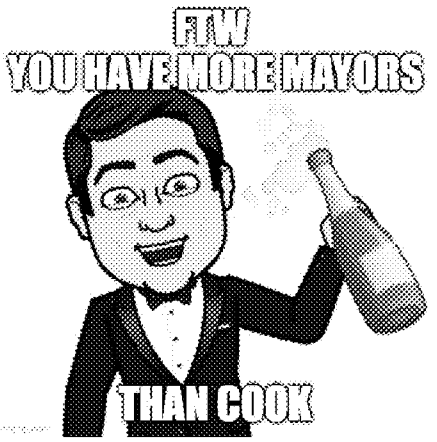
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, June 21, 2021

NEWS NOTES AND GOSSIP

MAYORS MAKE ALL THE DIFFERENCE



Ducey today boasted that 21 Arizona mayors from all over the state have endorsed his slightly modified tax cut proposal, signaling the first real sign that a budget agreement could be imminent. "Recent adjustments to the proposed budget will increase Urban Revenue Sharing to cities and towns to 18 percent beginning a year prior to cities feeling the effect of the income tax cut," the mayors wrote in a joint statement (LINK). That was a selling point for the League of Cities and Towns, which said 17 percent was too low. The three mayors from the League's executive committee – Peoria Mayor Cathy Carlat, Yuma Mayor Douglas Nicholls and Prescott Mayor Greg Mengarelli – all signed on in support. None of the 13 mayors from LD8 who opposed the plan signed onto the letter, nor did the Democratic mayors of Phoenix, Tucson or Flagstaff. The deal also includes a trigger mechanism to ensure that the state actually has the revenues to cut before the cuts take effect. Neither the House nor the Senate took up budget bills today, but there are rumblings that budget bills could come up tomorrow. Sources told our reporter that the new deal brought both Cook and Boyer on board, and Senate GOP spokesman Mike Philipsen claimed Townsend was on board, though Townsend didn't immediately return a call from our reporter. (The House is handing Townsend all kinds of concessions – from a committee hearing on a new convention of the states to a COW debate today on S1241 (voting equipment; ballots; receipt), her election omnibus bill – though she previously told our reporter those bills weren't enough to earn her support on the budget.) Boyer didn't return a call from our reporter today. But Cook confirmed that he had a handshake deal to support the new proposal, but that he hadn't seen the details in ink yet.

GOVERNOR HOBBS' FLAT TAX?

The tentative deal would phase in a 2.5 percent flat tax by FY25, depending on revenue triggers, increase university funding and pay down more in debt. A one-page document shared with our reporter over the weekend details the plan, though several sources cautioned that the document is only partially right, as multiple ongoing policy and budget discussions have already led to tweaks and will likely lead to more. "No one document reflects the agreement at this point," one source said, noting conversations are shooting back and forth within the House and Senate GOP caucuses, between the chambers and with the Ninth Floor. "It's very complicated at this moment still. But there's urgency. June 30th is fast approaching. So there's reason for optimism and concern at the same time." The proposed changes, as outlined in the document, would create three tax brackets by FY23, with people earning less than $27,772 paying 2.55 percent, everyone earning between $27,773 and $250,000 earning 2.98 percent and people earning more than $250,000 paying 4.5 percent (but effectively paying just a 1 percent tax rate to the General Fund because 3.5 percent would be earmarked for Prop 208 purposes). By FY24, the bottom two would decrease to 2.53 percent and 2.75 percent. By FY25, the flat tax would be in effect. This plan would cost roughly $682 million less over the next four years, though it would still end up costing $1.8 billion by FY25. Proposed amendments also include more than doubling the amount of debt paid off from $807 million to $1.98 billion, including for unfunded DPS pension liability and pension liability for the Dept of Corrections. Universities would get an extra $25 million in ongoing funding.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003894

ARZN_REV00069384_6-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AND IF THEY DO SOMEHOW PASS A BUDGET...

Arizona Education Assn President Joe Thomas said the education community's effort to launch a referendum if the flat tax is approved has had two meetings in the past month, with the first one attracting representatives from 36 organizations. "We haven't made the decision [to refer] yet, but I think there's a very strong chance," Thomas told our reporter, noting that the coalition of groups considering a referendum include Children's Action Alliance, Arizona Center for Economic Progress, Arizona Education Association, Stand for Children, Arizona Interfaith Network and the INVESTinED coalition. Education groups have long threatened a referendum against the flat tax (YS, 5/25), which would require collecting 118,823 valid signatures from registered voters in the 90 days after *sine die*. "We see that there's overwhelming opposition to putting it all into permanent tax cuts – it's actually very reckless because no one really knows what the next year's environment's going to be," Thomas said during a press conference today. Thomas said the Legislature should look at temporary one-time tax relief instead. "Anything more permanent than that risks a volatile economy," Thomas said, adding that he worried the budget deal would put the state back where it was in 2010. "We've already got a shortage of educators; now it'll be even worse when we go back to where we can't give raises," he said. Deer Valley Kindergarten teacher Kelley Fisher said instead of slashing taxes, the Legislature should invest the state's rainy day fund in public schools. "[That's] funding that can be used to address the teacher shortage, provide full-day kindergarten, ensure every school has a counselor, nurse and librarian," she said.

THE BUDGET IS LIKE A STASIS CHAMBER FOR BILLS

Educators also spoke out against potential policy changes that have emerged in budget reconciliation bills, specifically language similar to S1532 (impeding school operations; civil liability), which aimed to bar teachers from teaching controversial issues without sharing multiple sides. Thomas said sticking policy into the budget was "dangerous." "We think the budget bill should be clean; we should not have policies stuck in the budget bills," Thomas said. "Policies should have up and down votes by themselves, like they always do." Chandler science teacher Katie Nash spoke about the controversial issues language, saying that the threat of fines for "teaching accurate history" would go toward "dismantling public education." "We are living in a time when educators are afraid to teach," she said. Nash gave the example of curriculums that touch on reproductive issues and evolution. "No one is made to feel bad for their beliefs," she said. "The point is we are preparing our students to be 21st century global citizens – we need to be able to work together with people who speak different languages, hold different beliefs and have different lived experiences." Thomas said he first heard the idea of "critical race theory" in schools from protests against it, not from it actually being taught in classrooms. He said the whole concept was a "farce." "I've never seen a solution in search of a problem more than this right now, and the only reason it's still moving is because people are getting suckered into the argument," he said. "They're hoping that things like that aren't happening in the classroom that these people are saying are happening. They're not. There's no critical race theory practicum in K-12. It just doesn't exist."

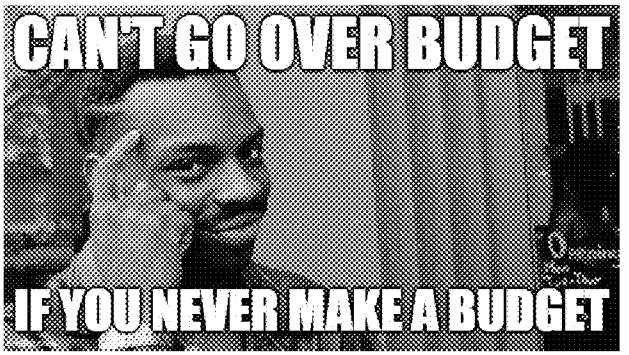
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003895

ARZN_REV00069384_6-21-21.pdf

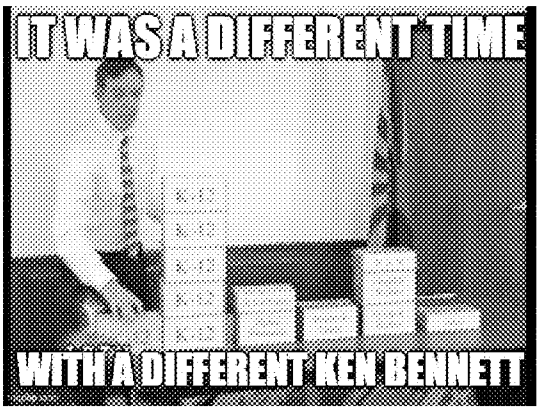
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ALL THAT MONEY AND NO BUDGET TO SPEND IT



May was another banner month for state revenue, with total collections of $1.43 billion – about $175 million over already rosy forecasts, according to the Joint Legislative Budget Committee's monthly fiscal highlights. So far, state revenues are more than $555 million above the April forecast used to draft the still-unpassed budget proposal. Once again, JLBC credits high sales tax revenue for much of the surplus. With widespread access to vaccines, restaurant and bar sales that have lagged for the past year are finally above their pre-pandemic 2019 levels. Travel-related sales tax, including on hotels and motels and event tickets, is only slightly below pre-pandemic levels. But individual income tax withholding, while higher than in May 2020, hasn't rebounded to the levels analysts predicted. JLBC cautioned that it's hard to draw too many conclusions from monthly income tax figures because income tax deadlines have changed in each of the past two years. This year, the deadline was in May, while 2020 had a July deadline.

COULD WE BRING BACK KEN BENNETT CIRCA 2012?



S Bolick is expected to jump into the secretary of state race tonight, joining fellow lawmakers Finchem and Ugenti-Rita in the Republican primary, and leaving Republicans who don't support the audit with no palatable choices in the race so far. One Republican elected official noted that the three candidates are going to appeal to the same voting base, which might be the key to winning a Republican primary, but won't score well among the independent voters who decide a general election. The source told our reporter that there isn't anybody from the "election-wasn't-stolen part of the Party" in the race, and although Bolick and Ugenti-Rita may not have come outright and said the election was stolen, they also haven't pushed back against that conspiracy. (Ugenti-Rita voted to hold the Maricopa County Board of Supervisors in contempt and Bolick has introduced legislation that would allow the legislature to decide who won a presidential election in Arizona, though her bill did not go anywhere.) Another Republican source was more curt. "Three levels of hell right there," the source said, adding that Finchem is the deepest level, Bolick is second and Ugenti-Rita "almost gets herself out by focusing on processes versus raw meat." Previously, moderate Republicans were pinning their hopes on Shope or former lawmaker Kate Brophy McGee, both of whom were rumored for the office early on, though they seem to have shied away from a run. Several sources have said Republican Beau Lane, who was previously rumored for governor last year (YS, 10/20/20), may be setting his sights on the race. Lane is an advertising executive who told our reporter last year when he was looking at potentially running for governor that he was more of a moderate candidate against a field of conservatives. "I'll decide based on whether I think I can be successful in a Republican primary, without being compromised," he said at the time. Bolick's campaign launch will be at Burgers & Brews in Glendale at 5:30 pm.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003896
ARZN_REV00069384_6-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IF YOU DON'T BACK THE BLUE, YOU'RE BASICALLY ANTIFA

The president of the Arizona Fraternal Order of Police sent scorched-earth letters to Biggs and Gosar after the duo voted against awarding Congressional Gold Medals to members of the US Capitol Police and other law enforcement agencies that protected the Capitol on Jan 6. "There are no superlatives sufficient to express our disappointment in your failure to support H.R. 3325, a bipartisan measure that would award Congressional Gold Medals to the U.S. Capitol Police and other law enforcement agencies who put themselves in grave danger to protect the Capitol on January 6, 2021," Paul Sheldon, president of the FOP Arizona State Lodge wrote to Biggs, taking special affront to Biggs' vote explanation in which he claimed he would "stand with the thin blue line every time." "Except, of course, when you want to make a political point at the expense of police officers who risked their lives to protect you and your colleagues in Congress," Sheldon wrote. He said a politician playing politics isn't surprising, and that no law enforcement gets into the job to earn kudos from congressmen. "At the same time, when cops risk their lives, suffer injuries or die in the line of duty, we would like to believe the honors that follow transcend the usual political hot air," he wrote. He was equally harsh to Gosar, saying he was "appalled" at Gosar's ongoing attacks on law enforcement that protected Congress on Jan 6 and he was "disgusted" by Gosar's vote against awarding them the Congressional Gold Medal. He pointed to a press release in which Gosar said the police "do not deserve medals" (LINK). "Simply put, such rhetoric, while typical for you, represents a slap in the face to every officer who puts on a uniform, carries a badge and risks his or her life every day to keep Americans safe," Sheldon wrote. He also slammed Gosar's conspiracy rant during a June 15th hearing of the House Oversight and Reform Committee to further attack law enforcement, in which Gosar accused police of "executing" one of the protesters who stormed the Capitol and claimed "The Capitol Police officer that did this shooting appeared to be hiding, lying in wait and then gave no warning before killing her" (LINK). "That, sir, is a lie," Sheldon replied. "While it may be lost on you, professional members of law enforcement risked their lives on January 6th, in part to protect you. You're certainly entitled to your ridiculous opinion that their actions and bravery do not deserve an honor from Congress. However, your slander of our profession demands a response."

DISBARRED LAWYERS MAKE GREAT LAWMAKERS

The Arizona State Bar dismissed its complaint against lawyer Chris Viskovic, saying the young lawyer wasn't culpable for his actions because he was following the lead of his boss, LD23 House candidate Alex Kolodin, who is still under investigation. "At the time he participated in the two lawsuits at issue, Respondent Viskovic had been practicing law for less than a year," Lisa Daniel Flores, the deputy independent bar counsel wrote in her dismissal letter. "He justifiably relied on his more experienced supervising lawyer, who took all responsibility for decisions made in this matter. Respondent Viskovic is not responsible for any violations of the Rules of Professional Conduct, if indeed any rules were violated." That's perhaps a telling statement, considering Kolodin, who employs Viskovic at Kolodin Law Group, is the only remaining GOP attorney who faced complaints due to his role in "Stop the Steal" lawsuits still under investigation from the bar (YS, 5/4). Alberto Rodriguez, public relations manager for the bar, told our reporter that one of the original complainants filed an objection to the dismissal, though he said bar rules prevent him from sharing that objection. He confirmed the bar is still investigating Kolodin.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

RECALLS ARE HARD

"Patriot Party" organizers who were trying to recall Boyer have failed, and they told the Secretary of State's Office they don't intend to file any petitions today. That was the last pending potential recall of a legislator or state official that had been pending, meaning none of the recalls that have been attempted this year will make the ballot. The Patriot Party was also behind the failed Bowers recall, which gathered more signatures than were needed, but sputtered after all of their petition sheets were rejected because they didn't include a date-stamped application for a serial number, rendering them invalid (YS, 6/18). It's not clear if the Boyer recall failed for the same reason, or if organizers simply came up short on signatures.

WAKE UP CALL

Sinema, Kelly, uncommitted on D.C. statehood
Arizona Capitol Times
Thirty-three Democratic state senators and House members are calling on the state's congressional delegation to support Washington, D.C., statehood, in advance of a June 22 U.S. Senate hearing on the topic.

Bowers: 'delicious' irony group failed to recall him
Arizona Capitol Times
A recall of House Speaker Rusty Bowers won't make the ballot because the right-wing group behind it didn't fill out the forms correctly.

GOP House leaders to appease Townsend with bill to organize national convention
Arizona Capitol Times
As budget negotiations remain stalled, House GOP leaders decided to grant one conservative holdout a late hearing on a bill to organize a national convention to combat federal policies perceived as threatening "constitutional and traditional rights."

Visiting politicians at 'Madhouse' to see 'first domino'
Arizona Capitol Times
Delegates from roughly a dozen states have made the pilgrimage to Arizona in hopes of replicating the state Senate's partisan election audit, but legal and political barriers will probably keep them from succeeding.

Hickman's Family Farms' Reliance on Prison Labor Is Starting to Yield Lots of Lawsuits
Phoenix New Times
Hickman's Family Farms, which claims to be one of the largest egg producers in the Southwest, was recently hit with several new lawsuits filed by prison inmates who claim that they were severely injured while working for the company.

Unvaccinated Arizonans made up 95% of COVID-19 cases in May
Arizona Mirror
More than 95% of COVID-19 cases in May were Arizonans who were not fully vaccinated against the virus, the Arizona Department of Health Services said Friday.

What, to the Republican, is the nineteenth of June?
Arizona Mirror (Opinion, Jarvis DeBerry)
The headline above pays homage to one of the most powerful and brilliant speeches in American history. Frederick Douglass, the 19th century's most eloquent abolitionist, was asked to speak at an Independence Day celebration in Rochester, New York, on July 5, 1852, and he asked his White audience a most provocative question: "What, to the Slave, is the Fourth of July?"

Yes, there was fraud surrounding Arizona's election
Arizona Republic (Opinion, EJ Montini)
So, what happens when the people behind the 'audit' announce their results? We know the answer.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003898
ARZN_REV00069384_6-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Sen. Kyrsten Sinema's border surge is much better than Gov. Doug Ducey's
Arizona Republic (Opinion, Robert Robb)
Additional asylum officers and immigration judges will do more to bring order to the border than posses sent from other states.

Vacation Bible school shouldn't be about microaggressions and code switching
Arizona Republic (Opinion, Greg Moore)
It's a problem if there's only one Black person or family in any crowded space. Yet in too many churches, that's exactly the experience.

How a new needle exchange law will help Arizona fight the opioid crisis
Arizona Republic (Op-ed, Mark Namba)
Arizona's Senate Bill 1250 protects needle exchange programs, which can help slow drug overdoses and the spread of infectious disease among users.

Why use the surplus for a tax cut when some Arizona schools are literally crumbling?
Arizona Republic (Op-ed, Daniel Adelman and Josh Bendor)
Arizona has the cash to fix inequities between rich and poor school districts. Instead, legislators would rather use it to cut taxes for the rich.

PRESS RELEASES

Educators Advocate to Protect INVESTinED in State Budget

PHOENIX – June 21, 2021 – Today, the Arizona Education Association held a press conference urging legislators to protect the Invest in Education Act in state budget negotiations and highlight the devastating consequences the proposed state budget moving through the legislature would have on our public schools.
"Educators worked hard last summer during a pandemic to collect enough signatures to get INVESTinED on the ballot," says AEA President Joe Thomas. "Voters have been clear in their support for investing in public education by passing Prop 208 last November. This budget is a slap in the face for educators and voters."
The proposed state budget spends the surplus on a regressive flat income tax that will permanently drain billions from state revenue and tip the scales in favor of the wealthiest 1% in Arizona. In addition, the budget includes a tax cap that threatens the Invest in Education Act, which voters approved last November and educators worked to get on the ballot to provide $940 million in permanent sustainable funding for our schools.
In a survey among over 1,000 AEA members, 89% disagreed with the statement about creating $1.5 permanent tax cuts for millionaires over investing in our schools and communities as the best option for this Legislature.
"The governor and legislature have the opportunity to invest the billions of dollars in surplus and rainy funding into our public schools," says Deer Valley Kindergarten teacher Kelley Fisher. "Funding that can be used to address the teacher shortage, provide full-day kindergarten, ensure every school has a counselor, nurse, and librarian."
In addition, the budget includes policy items attacking teachers by slapping $5,000 fines on teachers who discuss controversial topics in the classroom. "This budget is anti-education and anti-teacher," says Chandler science teacher Katie Nash. "Science classrooms around the state need lab equipment and resources to prepare them for 21st century jobs. Instead of focusing on funding, lawmakers are targeting educators by sneaking in an unpopular, previously defeated gag bill."
"Arizona is facing a teacher shortage," says AEA Treasurer Angela Philpot. "This budget will drive even more teachers out of the classroom driving up higher class sizes."
"Educators are taking action and contacting their legislators to ask that they oppose this terrible budget and work on a bipartisan budget that invests in public education without permanent tax cuts," says Thomas.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003899
ARZN_REV00069384_6-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Doug Ducey Announces $2 Million In State Funding To Restart Tucson Water Treatment Plant

PHOENIX — Governor Doug Ducey and the Arizona Department of Environmental Quality today announced $2 million in state funding to help Tucson Water restart a treatment plant that was forced to shut down because of severe groundwater contamination.

The new state funding will fast-track efforts to bring the Tucson Airport Remediation Plant (TARP) back online and safely continue treating contaminated groundwater in the area.

"Making sure all Arizonans receive safe and clean drinking water remains a top priority of our state," said Governor Doug Ducey. "This funding will help Tucson Water bring an important water treatment facility back online and secure Tucson's water supply for future generations. Every source of water in Arizona is critical as we face drought conditions and the risk of a drier future."

Tucson Water will suspend operations of the TARP due to increasing levels of per- and polyfluoroalkyl substances (PFAS) in nearby groundwater while constructing a State-funded temporary pipeline and permanent outfall structure to convey treated water leaving TARP to the dry riverbed of the Santa Cruz River north of Irvington Road. The Arizona Department of Environmental Quality (ADEQ) and Tucson Water are working on an intergovernmental agreement to approve the funding this week.

"We continue to call on the federal government to take prompt action to address PFAS contamination in Arizona," Governor Ducey added. "Arizona is acting now to contain the threat of PFAS, but we are asking the U.S. Department of Defense (DOD) to address DOD-related PFAS contamination of groundwater throughout Arizona and protect the health and safety of Arizonans."

Tucson Water has operated TARP since 1994 to successfully treat and contain a plume of contaminated groundwater near Tucson International Airport, removing industrial chemicals TCE and 1,4-Dioxane and delivering the cleaned water into the drinking water system. On June 8, the utility announced that out of an abundance of caution and due to rising levels of newer contaminants in the area groundwater (PFAS, also emanating from the airport area), it would suspend operations on June 21 as it seeks alternative end-uses for the treated water. These alternatives include discharge to the Santa Cruz River and/or Tucson Water's reclaimed water system, which is used for landscape irrigation. Tucson Water assures the public that contaminated water has not been served to customers from TARP. These measures are being pursued to protect public health, and to ensure no contaminants enter the drinking water system in the future.

Arizona's investment will help the City of Tucson get the plant back online as quickly as possible, which is critical to meeting the plant's original mission of containing the decades-old plume of groundwater contaminated with TCE and 1,4-Dioxane. "ADEQ and the State of Arizona join the City of Tucson in our commitment to protect the drinking water supply for all Tucsonans," said ADEQ Director Misael Cabrera. "TARP was not designed to remove PFAS, and Tucson Water has invested millions of dollars to keep the water safe from these compounds. Pursuing alternative end-uses for treated TARP water is a prudent move that will allow the plant to return to service. The $2 million from the state will expedite getting TARP safely back online and prevent the plume of groundwater contamination from spreading outside of the treatment zone."

"City-state partnership has been and will continue to be important to ensure the safety and long-term security of our local water supply," said Mayor Regina Romero. "Tucson's Mayor and Council have already invested millions of local dollars to treat PFAS contamination. Still, there is an urgent need for the federal government and responsible parties to initiate or provide funding for large-scale PFAS cleanup efforts. Tucson Water ratepayers are not responsible for PFAS contamination and should not be left with the bill."

Tucson Water officials emphasize that building the pipeline does not mean it will be discharging untreated water into the Santa Cruz River. "When TARP reopens, we'll still be treating this water to a very high standard prior to any discharge to the river." said Interim Tucson Water Director John Kmiec. "We will continue our vigilance by monitoring the water quality coming out of TARP every week. What this project does is provide a temporary measure to keep TARP running and keep the TCE plume contained until a long-term solution is developed to address PFAS in this part of our aquifer."

The announcement marks the second time in recent months that the state has deployed funds to address PFAS in Tucson's groundwater supply. In December 2020, ADEQ committed $3.3 million from the state's limited Water Quality Assurance Revolving Fund to stop PFAS from impacting key Tucson drinking water sources. ADEQ is conducting an accelerated investigation and designing an early response action north of Davis-Monthan Air Force Base to protect Tucson Water's central wellfield, a critical component of the community's long-term water supply.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003900

ARZN_REV00069384_6-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

In April, Governor Doug Ducey sent a letter to U.S. Secretary of Defense Lloyd Austin calling on the Department of Defense to take prompt action to address Pentagon-related groundwater contamination near Arizona's military installations.
To date, Tucson Water has spent over $8 million to address PFAS locally, continuing to test all drinking water sources for the compounds across its 390 square mile service area, turning off contaminated wells and drilling new ones in clean areas, and removing PFAS at TARP. The utility is spending millions more to make a connection to the reclaimed system. The City of Tucson has filed a lawsuit against the manufacturers of PFAS compounds and will pursue all of its available legal remedies to obtain reimbursement for all of the City's — and now ADEQ's — expenses from these and other potentially responsible parties.

MEDIA ADVISORY

Chairmen Rick Scott and Doug Ducey to Hold Teleconference on New Battleground Survey
Washington, D.C. – This morning, June 21, NRSC Chairman Rick Scott and RGA Chairman Doug Ducey will hold a teleconference on a new battleground survey conducted by the NRSC and RGA. Chairmen Scott and Ducey will be available for questions following their remarks.
WHAT: Teleconference
WHEN: Monday, June 21, 2021
Approx. 11:30AM
WHERE: Dial-in number; RSVP to receive dial-in information
NOTE: Please RSVP to NRSCcommunications@nrsc.org and press@rga.org

AZ FAMILIES WITH CHILDREN CONTINUE TO STRUGGLE DURING THE PANDEMIC

KIDS COUNT Data Show Lagging in Health Insurance,
Education and Economic Well-Being

[PHOENIX] Since 2019, more Arizona children are living in high poverty areas and more children in the state are without health insurance, according to the ***2021 KIDS COUNT® Data Book***, a 50-state report of recent household data developed by the Annie E. Casey Foundation analyzing how families have fared between the Great Recession and the COVID-19 crisis. In Arizona, 15% of children live in high poverty areas compared with the national average of 9%, and in 2019, 9% of Arizona children are without health insurance compared with the national average of 6%. This year's *Data Book* shows nearly a decade of progress could be erased by the COVID-19 pandemic unless policymakers act boldly to sustain the beginnings of a recovery from the coronavirus crisis.
"Even though we are seeing signs of recovery from the pandemic, too many of Arizona's children and families are unable to fulfill basic needs. Providing access to quality health care, child care, education, and mental health services must be the focus as we come out of the coronavirus pandemic," said David Lujan, president, and CEO of Children's Action Alliance.
The *Data Book* shows simply returning to a pre-pandemic level of support for children and families would shortchange millions of kids and fail to address persistent racial and ethnic disparities.
Sixteen indicators measuring four domains — economic well-being, education, health, and family and community context — are used by the Annie E. Casey Foundation in each year's *Data Book* to assess child well-being. The annual KIDS COUNT data and rankings represent the most recent information available but do not capture the impact of the past year:

- ECONOMIC WELL-BEING: In 2019, one in four children in Arizona lived in families where no parent has full-time, year-round employment (27%).
- EDUCATION: In 2019, one in five Arizona high school students did not graduate on time, and more than half (61%) of young children, ages 3 and 4, did not attend school.
- AFFORDABLE HEALTH CARE: In 2019, Arizona ranked 46th in the nation as 161,000 children (9%) did not have health insurance.
- FAMILY AND COMMUNITY CONTEXT: In 2015-19, 239,000 Arizona children (15%) lived in high poverty areas as defined by census tracts with poverty rates equal or greater to 30%.

"The COVID-19 pandemic is the most extraordinary crisis to hit families in decades," said Lisa Hamilton, president, and CEO of the Annie E. Casey Foundation. "Deliberate policy decisions can help them recover, and we're already

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003901
ARZN_REV00069384_6-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

seeing the beginnings of that. Policymakers should use this moment to repair the damage the pandemic has caused — and to address long-standing inequities it has exacerbated."

Investing in children, families, and communities is a priority to ensure an equitable and expansive recovery. Several of the Annie E. Casey Foundation's suggestions have already been enacted in the American Rescue Plan, and additional recommendations include:

- **Congress should make the expansion of the child tax credit permanent.** The child tax credit has long had bipartisan support, so lawmakers should find a common cause and ensure the largest one-year drop ever in child poverty is not followed by a surge.
- **State and local governments should prioritize the recovery of hard-hit communities of color.**
- **States should expand income support that helps families care for their children.** Permanently extending unemployment insurance eligibility to contract, gig and other workers and expanding state tax credits would benefit parents and children.
- **States that have not done so should expand Medicaid under the Affordable Care Act.** The American Rescue Plan offers incentives to do so.
- **States should strengthen public schools and pathways to post-secondary education and training.**

Arizona Democratic Party and House Democrats on Child Tax Credit Awareness Day, Biden's Historic Investments in Children and Families

PHOENIX – The American Rescue Plan—passed earlier this year by President Joe Biden and Democrats in Congress—included historic investments supporting low- and middle-income parents, including the expansion of the Child Tax Credit that lifted 112,000 Arizona children out of poverty. Now, on Child Tax Credit Awareness Day, **the Arizona Democratic Party is calling on Republicans in Congress to stop playing politics with children's futures by supporting President Biden's Build Back Better agenda** and passing proposals that will lift thousands of kids out of poverty.

By expanding the tax credit, President Biden and Democrats in Congress provided direct payments of $3,000 per child over the age of six and $3,600 per child under the age of six to more than 1.5 million Arizona families. To build on that success, President Biden is working to extend that historic tax relief for working families through the **American Families Plan.**

The permanent expansion of the Child Tax Credit would **reduce the child poverty rate in Arizona by 51 percent and lift 215,000 kids out of poverty**, yet Republican lawmakers like Andy Biggs, David Schweikert, Debbie Lesko, and Paul Gosar remain opposed to it.

"As we slowly recover from the COVID-19 pandemic, many parents and caretakers are still working from home while watching young children, dealing with closed or reduced-hours child care centers, or still out of a job altogether, and struggling to put food on the table," **said Congressman Tom O'Halleran (AZ-01).** "Under the American Rescue Plan, our expanded Child Tax Credit will lift hundreds of thousands of Arizona kids out of poverty, provide a lifeline for struggling parents, and help families buying essentials like diapers, food, and more. As we rebuild from this global health crisis, we must ensure we're keeping the needs of our kids at the forefront."

"As a mom and grandmother myself, I know how rewarding—and expensive—it is being a parent. The Child Tax Credit puts more money in the pockets of hardworking parents to pay for groceries, school supplies, or childcare," **said Congresswoman Ann Kirkpatrick (AZ-02).** "Help is here, and I encourage Arizona families to take advantage of the credit they deserve."

"Democrats made a historic investment in our working families by expanding and increasing the Child Tax Credit," **said Congressman Raúl Grijalva (AZ-03).** "Our economic recovery must start with our families, and thanks to the American Rescue Plan, Arizona's hardworking parents will have money in their pockets to provide for their families and set our children up for success."

"The child tax credit will lift millions of families out of poverty, helping them put healthy food on the table, cover rising childcare costs and pay the bills. We need to spread the word to eligible Arizona families and encourage Republicans to join Democrats in supporting President Biden's American Families Plan so that children can benefit from this help for years to come," **said Congressman Ruben Gallego (AZ-07).**

"President Biden's American Rescue Plan was a once-in-a-generation investment in our children and our families—helping thousands of parents cover the basic expenses that too many struggle with," **said Arizona Democratic Party Executive Director Charles Fisher.** "While Democrats in Washington prioritize support for working families, the GOP remains steadfast in their opposition to a plan that would cut the child poverty rate in Arizona by more than half.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003902
ARZN_REV00069384_6-21-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

It's far past time that Republicans in Congress join Democrats in supporting the American Families Plan to deliver the changes many families in Arizona so desperately need by making President Biden's child tax credit a permanent poverty-fighting tool."
Last month, state lawmakers, parents, and educators joined the Arizona Democratic Party to discuss how President Biden's American Families Plan would help lift up children and families across the state and calling out the Arizona Republicans who oppose it.

"QUOTE OF THE DAY"

"Simply put, such rhetoric, while typical for you, represents a slap in the face to every officer who puts on a uniform, carries a badge and risks his or her life every day to keep Americans safe."

- Paul Sheldon, president of the Arizona Fraternal Order of Police, in a letter rebuking Gosar for claiming police "executed" a Jan 6 rioter

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003903

ARZN_REV00069384_6-21-21.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, June 24, 2021 5:20:28 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 6-24-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *June 24, 2021*

EVEN WITH LIMITED DEBATE, WE'RE IN FOR A LONG NIGHT
After changing the chamber's rules to limit debate from Democrats, House Republicans began tackling the $13 billion budget today, and while they made some progress as of our deadline, there are still signs of trouble on the horizon.

A BIPARTISAN TAKE THAT VETO AND SHOVE IT
A unified front of Democrats and the majority of the Republican caucus rejected Fann's push to adjourn the Senate until 11 am Monday, and instead decided to override a veto on one of the 22 bills Ducey vetoed in a misguided attempt to speed up budget negotiations.

AMERICAN OVERSIGHT

CLASSIC JERRY!
During a Glendale City Council meeting on Tuesday, a city employee accused Mayor Jerry Weiers of trying to start a parking lot brawl with him following a UFC fight at the city-owned arena, then invited Weiers to "put on the gloves" and take a shot at him.

SEEMS LIKE A LIFETIME AGO THAT KANYE RAN FOR PRESIDENT
The Arizona Supreme Court today issued its opinion explaining why Kanye West was not permitted on the 2020 ballot, saying his status as a Wyoming Republican wasn't the problem that sank his campaign, but rather technical errors.

WHO COULD HAVE POSSIBLY FORSEEN THIS PROBLEM?
The liberal watchdog group suing for public records related to the audit are unconvinced by the Senate lawyers' arguments that public records laws don't apply to information in possession of Cyber Ninjas or its subcontractors.

ICYMI: THIS ISN'T AN AUDIT
Passwords pocketed by an employee, visible access codes to areas containing personally identifiable information, WiFi-capable cameras – as the Arizona audit drags on, Hobbs' observers continue to flag changes in procedures and a general sloppiness in handling ballots.

JUST GET VACCINATED
The Covid Delta variant is expected to be the most dominant variant within weeks, health experts say, but Arizonans won't see anything close to the high death and hospitalization totals it witnessed in the winter.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, June 24, 2021

NEWS NOTES AND GOSSIP

EVEN WITH LIMITED DEBATE, WE'RE IN FOR A LONG NIGHT

After changing the chamber's rules to limit debate from Democrats, House Republicans began tackling the $13 billion budget today, and while they made some progress as of our deadline, there are still signs of trouble on the horizon. The big outstanding question is whether a substantial ESA expansion added to the K-12 schools budget by a Senate amendment will fly in the House. The Senate passed a similar expansion as a bill earlier this year on a party-line vote, but it never got a House floor vote because Udall and John were opposed. Udall didn't return requests for comment from our reporter, but she told a "Red for Ed" supporter that she still opposes the ESA expansion, according to a video posted on Twitter by @AZEdUnited. Without her vote – and assuming unanimous Democratic opposition – the ESA expansion can't pass the House. John didn't respond to a request for comment from our reporter by deadline and declined to comment when reached by the *Republic*. Meanwhile, sources in the House told our reporter LD7 representatives were getting sweated hard to cross the aisle and support the K-12 BRB (Native American Democrats have historically been more likely to support ESAs than urban white Democrats). One railbird told our reporter representatives from the Navajo Nation were on hand to lobby on behalf of the legislation, but that neither Blackwater-Nygren nor Tsosie were likely to flip, leaving in question what happens if the bill doesn't pass the House. Boyer had made it one of his sticking points to support the broader budget, though he also complained to our reporter recently that budget and policy should be voted on separately. Another sign of trouble: Osborne posted to her Facebook account yesterday the Kill Bill Vol. 2 poster. "Budget Bills better change by tomorrow," she wrote. "My current mood and funny when a movie title goes with it." It's unclear which bills she wants to kill or change.

A BIPARTISAN TAKE THAT VETO AND SHOVE IT

A unified front of Democrats and the majority of the Republican caucus rejected Fann's push to adjourn the Senate until 11 am Monday, and instead decided to override a veto on one of the 22 bills Ducey vetoed in a misguided attempt to speed up budget negotiations. Pace moved to override a veto on one bill, S1635 (reviser's technical corrections; 2021) and Contreras seconded, only to have Fann announce the Senate was in recess. Our reporter overheard a heated Leach trying to convince Mesnard that voting on the re-introduced bills is the exact same thing as a veto override, but the majority of the Senate insisted on the override to establish that the Legislature is a co-equal branch. "The Legislature is a co-equal branch to the executive. This is not a poke in the eye. This is an action of a legitimate legislative governmental body that disagrees with action of the executive," Townsend said. Shope disagreed, telling our reporter the whole thing was a "colossal f*cking ego trip." The override eventually passed 25-5, though the House would also need to override the governor's veto of the same bill for the legislation to get enacted without Ducey's signature. Our records show that the most recent override of a veto took place in 1981 under former Gov Bruce Babbitt on bills to redistrict legislative and congressional maps. Shortly before our deadline, the Senate adjourned until Monday.

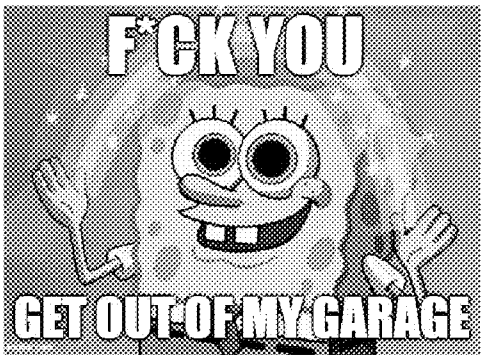
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003906

ARZN_REV00069398_6-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

CLASSIC JERRY!



During a Glendale City Council meeting on Tuesday, a city employee accused Mayor Jerry Weiers of trying to start a parking lot brawl with him following a UFC fight at the city-owned arena, then invited Weiers to "put on the gloves" and take a shot at him. During the call to the audience in the final three minutes of the meeting (LINK), Robert Nejbauer Jr said he wanted to tell the council about a "very ugly incident with the mayor." He said he was doing his job to help people safely exit the Gila River Arena parking lot after a UFC fight there when he spotted Weiers speeding toward a backed-up exit, jumped in front of his car, and yelled at him to stop. "He pulled up alongside me, he rolled the window down and said 'can the attitude, you don't want to get started with me,'" Nejbauer said. After a brief but testy exchange while Weiers held up traffic, Nejbauer threatened to call security. "He then told me to eat sh*t and die. My response was appropriate – it was 'F*ck you, get out of my garage,'" Nejbauer told the council. He said he warned his supervisor to expect a call from the mayor's office "which we certainly got. The mayor demanded that I be terminated." Nejbauer relished the chance to tell Weiers that didn't happen. He said he later heard that Weiers told a hotel employee "I'm the mayor [and] I was about to get out of my car and kick his ass." Nejbauer used his time at the podium to take the mayor up on that offer. "Sir, if you'd like to kick my ass, I'd be happy to meet you at any boxing gym in the valley. We'll put on the gloves and get in the ring and I'll give you a shot at the title," he said before getting cut off for time. It wasn't Weiers' first parking-related scandal. In 2012, the then-lawmaker was caught on video moving a planter outside the House to make a new parking spot for his motorcycle (YS, 10/24/12).

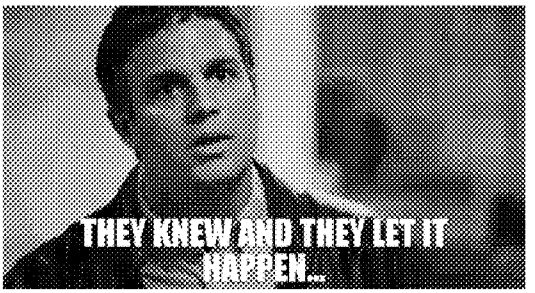
SEEMS LIKE A LIFETIME AGO THAT KANYE RAN FOR PRESIDENT

The Arizona Supreme Court today issued its opinion explaining why Kanye West was not permitted on the 2020 ballot, saying his status as a Wyoming Republican wasn't the problem that sank his campaign, but rather technical errors. The opinion, penned by Justice Montgomery who sat on the four-justice panel that decided the case in September (YS, 9/8/20), stated that West's 11 electors did not file statements of interest required by ARS 16-341(I). Because of that, their nomination petition signatures were invalid. The state Supreme Court disagreed with the lower court's assessment that West couldn't run as an independent because he was already a registered member of the Republican Party in Wyoming. Still, it upheld the decision overall. The requirements of ARS 16-341(A) having to do with independent candidacy, Montgomery wrote, only applies to the electors – not to West, unlike the trial court stated. Montgomery said that's because technically voters are voting for the elector when they select their presidential candidate preference. Interpreting it to include the candidates themselves would be "absurd" because the statute refers to qualified electors, who must be registered to vote, meaning they have to be residents of Arizona. "Our statutes do not reflect an intent to limit qualifying for the ballot as an independent presidential candidate to just Arizona residents," Montgomery wrote. "Adopting that interpretation would have the absurd result of precluding an independent presidential candidate from an Arizona ballot who qualified to appear on the ballot in other states." If his electors had been qualified, West would've been in the clear. "Absent the number of required signatures, West's electors failed to timely file nomination petitions to qualify for the ballot," Montgomery wrote. "Thus, West did not present the Secretary with the requisite number of qualified electors for placement on the ballot."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003907
ARZN_REV00069398_6-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHO COULD HAVE POSSIBLY FORSEEN THIS PROBLEM?



The liberal watchdog group suing for public records related to the audit are unconvinced by the Senate lawyers' arguments that public records laws don't apply to information in possession of Cyber Ninjas or its subcontractors. It's also not buying the argument that the Senate's compliance with public records law isn't up to the courts to decide or that the Senate can choose whether or not to subject itself to the public records law. "The Senate Defendants are not exempt from the definition of 'officer' or 'public body' under the statute, and the political question doctrine does not divest this Court of jurisdiction to determine their obligations under the PRL," American Oversight attorneys wrote in a brief filed yesterday in response to the Senate asking Maricopa County Superior Court Judge Michael Kemp to dismiss the suit, which seeks access to records held by the outside contractors. American Oversight said it hasn't argued that Cyber Ninjas are officers or public bodies but rather that they are in possession of public records belonging to the Senate, Fann and Petersen – two officers and a public body. It said that getting rid of the Senate's responsibility to preserve, maintain and produce public records any time it hires a third-party to do its business would "swallow the rule." The attorneys argued that if the judge granted the Senate's motion, public officers and bodies would have "free rein" to avoid scrutiny by conducting business through third parties. That being said, it doesn't want to open the door to "draconian" requirements for records held by third parties like the Senate attorneys claimed in requesting the suit be dismissed, but rather only records with a "substantial nexus" to official public activities. And the American Oversight noted the Legislature hasn't repealed the public records law or exempted itself from it, despite revising the law's language mere months ago with H2058 (library; historic names; establishment). The American Oversight attorneys also argue the issue is not a political question. "Nothing about the PRL purports to tell the Legislature how to conduct its business," its attorneys wrote. "Instead, it dictates which parts of its business are subject to public scrutiny." Oral arguments are set for 1:30 pm on July 7.

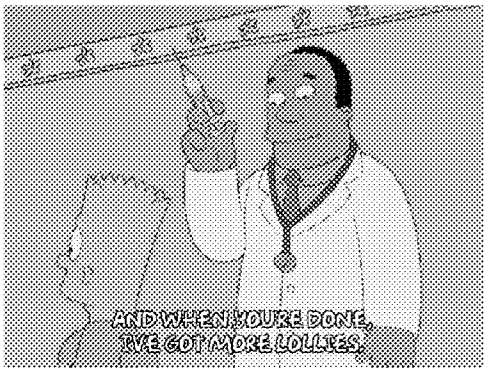
ICYMI: THIS ISN'T AN AUDIT

Passwords pocketed by an employee, visible access codes to areas containing personally identifiable information, WiFi-capable cameras – as the Arizona audit drags on, Hobbs' observers continue to flag changes in procedures and a general sloppiness in handling ballots. Senate liaison Ken Bennett committed a couple of the recent flubs noted by the observers. On June 19, he unlocked the Senate cage, and set the lock on the floor without resetting the access code, meaning that the observers could see it. When he finished locking up, observers noted that the code they saw was the correct access code. "This is especially alarming because this is the area where the most sensitive information, including personal identifiable information, is stored," observers noted. On the same day, Bennett marked on the original labels of the ballot boxes, and Cyber Ninjas covered up his markings with a piece of tape including the same information. "This violates the agreements and questions the reliability and integrity of all the county records; if they are willing to deface this information, what else have they manipulated when the observers were not around?" observers asked. A StratTech employee made off with a list of shared passwords on June 17 after using them to log into the system to correct a software issue. He received the passwords from a table manager and then when he completed his work, put the sheet with the passwords in his pocket and walked away, observers wrote. The Ankylin WiFi microscope cameras that are being used are WiFi capable, observers wrote, and have iOS and Android apps that the cameras can stream to. "This means that the images could be sent or intercepted by unknown devices," observers wrote. Observers also noted several issues with spoiled ballots, including an instance where ballot data was dropped on the floor, not noticed for 10 minutes and then possibly put in the wrong bag.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003908
ARZN_REV00069398_6-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

JUST GET VACCINATED



The Covid Delta variant is expected to be the most dominant variant within weeks, health experts say, but Arizonans won't see anything close to the high death and hospitalization totals it witnessed in the winter. Will Humble, the former state health director, said that's because of vaccinations. Most of the high-risk population has been fully vaccinated for some time now, Humble said, and they are the ones who would be most likely to face severe symptoms from the virus. "It's twice as transmissible," Humble said. "So it spreads a lot easier." Legislative changes like banning mask mandates in schools and universities will only help spread the new variant that is already present in Arizona, he said. But he noted that Africa and southern Asia would be hit hardest due to vaccine shortages or hesitancy, not Arizona and not the US. The number of positive tests here will likely spike, he said, but he's not expecting hospitals to be overwhelmed. Humble said those who are vaccinated should not have to worry though since the vaccine is durable against new strains of the virus. "We might see an increase in cases among the unvaccinated people, and of course some unvaccinated people are high risk – I mean there are even older persons that don't want the vaccine for whatever reasons – and so they'll remain at risk and those individual people will be at risk, but we're not headed for anything like December, January or February," Humble told our reporter.

·WAKE UP CALL·

Ducey agrees to forgo emergency powers to get vote on budget
Capitol Media Services
Gov. Doug Ducey has agreed to give up the emergency powers he granted himself 15 months ago to get the last vote necessary for his tax cut plan for the wealthiest in the state.

Arizona Senate votes to investigate campaign practices of social media, search engines
Capitol Media Services
State senators voted Wednesday to spend $500,000 to investigate the practices of social media platforms and search engines to see if they are violating campaign finance laws.

Arizona feeling brunt of wildfire activity across US West
Associated Press
Dozens of wildfires were burning in hot, dry conditions across the U.S. West, including a blaze touched off by lightning that was moving toward northern Arizona's largest city.

Kelly, Romney introduce legislation to establish wildfire commission
Arizona Daily Sun
With a dozen fires burning across the west, many in Arizona, U.S. Senators Mark Kelly and Mitt Romney on Wednesday introduced legislation to bring federal and local officials together to discuss fire prevention and management strategies.

Mark Kelly in private call: Filibuster changes needed to make a 'more functional' Senate
Colorado Newsline
Three southwestern Democratic U.S. senators during a private Zoom call with supporters on Tuesday suggested they were open to filibuster reform but stopped short of offering specifics on the kind of reform they would get behind.

Documents shed light on security at Arizona audit
Arizona Mirror

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003909
ARZN_REV00069398_6-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Documents released by the Arizona Senate shed new light on agreements between the legislative chamber and the groups providing private security services to the audit of Maricopa County's 2020 election results.

Gov. Doug Ducey is flat wrong on a flat tax for fat cats
Arizona Republic (Opinion, EJ Montini)
The governor delivers a Marie Antoinette-like slap in the face to the 1,675,810 Arizonans who voted for Proposition 208.

Massive tax cut for the rich? More school vouchers? Arizona Senate just backhanded voters
Arizona Republic (Opinion, Laurie Roberts)
The Arizona Senate, with its budget, just delivered a giant slap in the face to most voters. Then it followed up by backhanding us.

Your voting district is as important as your vote. Don't let others set the map for you
Arizona Republic (Op-ed, David Martinez III)
Arizona law gives us a more independent redistricting process than most states. But will the public get a bigger say on drawing boundaries this time?

Out-of-state interests drove Proposition 208? Actually, they're driving Ducey's tax plan
Arizona Republic (Op-ed, Rebecca Gau)
Governor candidate Karrin Taylor Robson is wrong about who's behind Proposition 208.

PRESS RELEASES

DIEGO RODRIGUEZ ANNOUNCES BID FOR ATTORNEY GENERAL OF ARIZONA

In video, Rodriguez promises to be an attorney "for the people"

Phoenix, Arizona—Today, State Representative Diego Rodriguez (D – Laveen), a former prosecutor, defense attorney and small business owner, officially launched his campaign for Attorney General of Arizona. A proven champion for Arizona's families, Rodriguez will rely on his extensive experience in Arizona's criminal justice system to bring transparency, integrity, and accountability back to the Attorney General's Office.

As Attorney General, Diego will look out for Arizona's families, not corporations and special interests. After years in the courtroom and the Arizona State House of Representatives, he knows firsthand the challenges facing our criminal justice system and will lead the fight to implement real change.

As a state representative, Diego has fought hard for policies that support Arizona's working class, like a $15 minimum wage, protecting our sacred right to vote, and a worker's right to organize. He will use his years of experience in Arizona's legal system to advocate for common sense criminal justice reform.

"*For years, the Attorney General's Office has been run by special interests groups who sought to line their own pockets rather than protect the people of Arizona. As corporations raked in profits and power, working class Arizonans struggled to get by. As your next Attorney General, I will use my experience in both the State House and the courtroom to stand up to corporate interests, help Arizona's hardworking families get back on their feet, protect our most vulnerable citizens, and bring real change to our criminal justice system,*" – **State Representative Diego Rodriguez**

You can watch Diego's campaign kickoff video here and learn more about how he will bring accountability and transparency back to the Attorney General's office here.

Release: ADP Releases New Video Calling Out GOP Senate Primary Field's Support Of The Maricopa Sham "Audit" On Two-Month Anniversary

PHOENIX – To mark two months since the beginning of the Maricopa sham "audit," today the Arizona Democratic Party is releasing a new digital video highlighting how the "audit" has earned bipartisan opposition, become synonymous with deranged conspiracies – and become a "purity test" for GOP Senate candidates who are all continuing to support it.

"So far, the messy, chaotic, and combative Senate GOP primary field has centered itself entirely around doing whatever former President Trump wants, even if that means selling out Arizonans," said ADP Spokesperson Sarah

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003910

ARZN_REV00069398_6-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Guggenheimer. "Their blanket support for this conspiracy-driven 'audit' is a disgrace and shows Arizona voters that they can never trust these candidates to look out for anything other than their own self-interest."
As a reminder: Trump has taken center stage in this primary from the start. Lamon ran ads targeting Trump's New Jersey golf course. In response to blistering criticism from Trump, "lackluster" Brnovich decided to fully support the conspiracy-driven Maricopa "audit." And McGuire similarly flip-flopped from acknowledging Biden as president, to saying he's "disappointed" the Electoral College didn't overturn the election.

Statement from Arizona Community Organizations on Anti-Ballot Measure Bill SCR1034

The Arizona House of Representatives is set to hear SCR1034 on the floor, which would give Arizona state legislators the ability to add amendments to any ballot measure that is found to contain unconstitutional language by the Arizona Supreme Court, or the U.S. Supreme Court. This would allow legislators to change ballot measures after they pass and go outside of the original intention of the ballot measure – putting that new language in the Constitution.
Arizona community organizations are committed to fighting SCR1034 and are asking all Arizona state legislators to oppose it.
"The ballot initiative process has provided the people of Arizona with a tool to change policies to create immediate change for their communities for more than 100 years. Voters from all sides of the political spectrum have exercised their constitutional right to put issues on the ballot. Now the legislature is trying to manipulate the rules with SCR1034. This is complete legislative overreach," said Paulette Zinzun with Arizona Advocacy Network.
"When legislatures limit or block ballot measures with these kinds of bills, our elected officials are directly going against the will of the people and blocking the passage of laws that would help students, teachers, and our entire state. Ballot initiatives are our constitutional right. It is unjust and unconstitutional for the legislature to attempt to limit or take away from voters the power of direct democracy. What we are currently seeing with SCR 1034 is legislative overreach and reckless attempt to block a constitutionally protected tradition of Arizona voters," said Jenny Guzman, Legislative Communications Director for Progress Arizona.
"SCR1034 is another GOP power grab aimed at moving power from the people to the Arizona legislature. This bill would allow Arizona legislators to amend any ballot measure that is found to contain unconstitutional language by the Arizona Supreme Court, or the U.S. Supreme Court—and go well beyond addressing that language. This would result in legislators being able to subvert the Voter Protection Act and make major amendments to ballot measures passed by the people, despite not being the originators of the proposals," said Sandy Bahr, Chapter Director for Sierra Club's Grand Canyon (Arizona) Chapter.
"This year's attacks on ballot initiatives are part of a troubling wider trend that seeks to undermine our democratic processes. Our public initiative process is a constitutional right which Arizona's founders gave to citizens at statehood in 1912.Thanks to grassroots citizens' ballot measures, Arizona voters banned leghold traps, snares, and poisons on public lands, cockfighting, and the cruel confinement of animals in factory farms. Legislators opposing initiative rights see our power at the ballot, they see our wins, and they are doubling-down on silencing our voices and the will of the people.We strongly urge all members of the Arizona House of Representatives to vote no on these reprehensible attempts to override the trusted, bipartisan ballot initiative process — simply for one party's own political gain," Karen Michael, Board Member, Humane Voters of Arizona

Salmon For Arizona Announces Congressman Jim Jordan's Endorsement

Phoenix – Former Congressman and Republican gubernatorial candidate Matt Salmon announced today the endorsement of Congressman Jim Jordan, who currently represents Ohio's Fourth Congressional District and previously served as chairman of the U.S. House Freedom Caucus:
"Jim and I have known each other a long time and taken on a lot of fights for conservatives. With his support, I will work day and night as Arizona's next governor to build on our strong economic foundation, expand school choice, ensure the integrity of our elections and control our border. As conservatives, working together, we will pin the far-left and ensure Arizona continues to be a dynamic and growing state," said Salmon.
Congressman Jordan said, "I served with Matt Salmon, he is conservative, an advocate for taxpayers and families, and committed to keeping America strong. Matt Salmon is the right choice for Governor of Arizona."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003911
ARZN_REV00069398_6-24-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senator Kelly on Bipartisan Infrastructure Agreement: "blueprint to rebuild and reinvent our economy for the future"

Today, Arizona Senator Mark Kelly released the below statement on the bipartisan infrastructure agreement reached today with President Biden from the framework that Kelly and twenty other Senators, ten Republicans and ten Democrats, have been working on in the Senate:

"With this agreement, we are one step closer to making a historic investment in Arizona roads, bridges, airports, ports of entry, water storage, transit, and more. This is a blueprint to rebuild and reinvent our economy for the future that will create high-paying jobs for Arizonans. I've been working with Republicans and Democrats to find common ground and advance Arizona's priorities in this agreement because I know how important it is to our state and our future, and I will continue working until we get it done."

"QUOTE OF THE DAY"

"He then told me to eat sh*t and die. My response was appropriate – it was 'F*ck you, get out of my garage.'"

- Robert Nejbauer Jr, Glendale resident, on his argument with mayor and former lawmaker Jerry Weiers

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003912

ARZN_REV00069398_6-24-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Monday, June 28, 2021 5:07:13 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 6-28-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet June 28, 2021

THEY GOT MOST OF THE BUDGET DONE – THAT'S GOOD ENOUGH
As the House today hammered through more than a dozen last-minute bills, the Senate worked only briefly before calling it a day, leaving the big unanswered question of what happens to the K-12 and criminal justice BRBs.

AT THIS POINT, YOU MIGHT AS WELL GO FOR THE RECORD
Don't expect sine die to happen tonight.

2020 WILL LAST WELL INTO 2022
Even after sine die, members of the Senate Government Committee will have to keep working on audit oversight in what Mendez, the ranking Dem on the

AMERICAN OVERSIGHT

committee, dubbed "summer camp for overturning elections."

WHAT HAPPENED TO 50 PERCENT PLUS 1?
Republican lawmakers are taking a last-minute aim at voter initiatives, passing several measures that would ask voters to weaken the Voter Protection Act and make it more difficult for initiatives to qualify for the ballot.

SAVE OUR SCHOOLS 2.0
Education groups are laying the groundwork to announce their veto referendum effort to halt and then overturn the massive tax cut the Legislature approved last week.

PAID FOR BY MARK FINCHEM – PROVE US WRONG
Former Maricopa County Recorder Adrian Fontes launched his new campaign website, but forgot to include a legally required disclaimer about who's paying for the site.

IT'S FINALLY LOOKING LIKE A RACE
Livingston and Navarrete are expected to jump into the treasurer's race after session ends.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, June 28, 2021

NEWS NOTES AND GOSSIP

THEY GOT MOST OF THE BUDGET DONE – THAT'S GOOD ENOUGH

As the House today hammered through more than a dozen last-minute bills, the Senate worked only briefly before calling it a day, leaving the big unanswered question of what happens to the K-12 and criminal justice BRBs. The Senate officially transmitted budget bills to Ducey this morning, sans those two BRBs. For now, sources in the Senate told our reporter, the upper chamber plans to run the House's new, clean versions of those two BRBs through committee tomorrow, then COW and third-read them Wednesday. That would sidestep the need for a conference committee. If the Senate accepts the House's amendments (unlikely, as Boyer adamantly opposes Burges' amendment for a state-mandated civics curriculum), or if the House does the same with the Senate versions and the two chambers agree to identical amendments in COW, the bills could make it to Ducey by Wednesday with no need for a conference committee. Shope told our reporter he agrees with Boyer that the Burges amendment should go, and he doesn't think the two of them are alone in the Senate in holding that opinion. He has had conversations with several other Republicans and believes support is relatively high for removing the Burges amendment and keeping the Legislature out of the business of setting curricula. And he said he expects the Senate will ultimately accept House changes to remove Boyer's ESA expansion from the budget, as ESA expansion is untenable in the House. "I just don't know that there's a pathway for ESAs, and I say that as somebody who supports the program," Shope said. He predicted a long day Tuesday, as the House and Senate work out the remaining issues with the K-12 and criminal justice BRBs and pass other bills back and forth.

AT THIS POINT, YOU MIGHT AS WELL GO FOR THE RECORD

Don't expect *sine die* to happen tonight. The earliest might be tomorrow, although that, too, is iffy. It's more likely lawmakers will wrap up their work for the session on Wednesday or even Thursday. If you entered the House sine die pool this year, you've likely already lost your money. Out of around 300 guesses, only a dozen are still valid. The conventional wisdom from the annual House *sine die* pool was that lawmakers would adjourn on the Thursday before Memorial Day. That didn't happen. Dozens of insiders were more pessimistic, placing bets on a *sine die* in June, though only a few pegged it for this late in the month (YS, 4/20). Assuming lawmakers don't sine die tomorrow – a likely safe assumption – only eight people had the foresight to realize what a long session it would be. Three predicted the Legislature wouldn't adjourn until July: A Hernandez said July 2, Chavez said July 3 and legislative research analyst Eryn Streeter was the most pessimistic of all, predicting a July 7 sine die. If the legislative session does indeed end Wednesday, that 171-day session will tie with 1992 for the third-longest session, at least since 1965. Only 1990 and 1988 (when lawmakers were fighting over the impeachment of Gov Evan Mecham) lasted longer, at 172 and 173 days, respectively.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003915

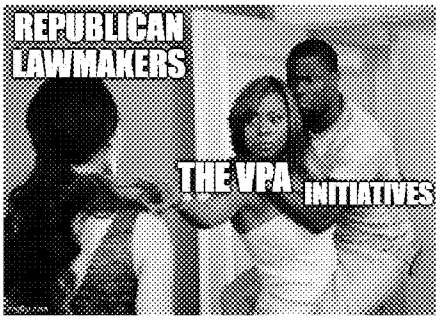
ARZN_REV00069402_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

2020 WILL LAST WELL INTO 2022

Even after *sine die*, members of the Senate Government Committee will have to keep working on audit oversight in what Mendez, the ranking Dem on the committee, dubbed "summer camp for overturning elections." S1819 (budget procedures; budget reconciliation; 2021-2022) details the committee's new role as a special committee on the election audit, with the task of reviewing the final report produced by auditors. Mendez said he couldn't decide whether that provision was to take heat off Fann by spreading responsibility for the audit around, or merely to buy Townsend's vote on the budget. But one thing he is sure of is that the committee won't do much real work. "It's all theater. It's literally rigged. It's not going to be a real deliberative body," he said. Other budget-mandated election-related activities this summer include a special audit from the auditor general of financial information about private, non-governmental grant funds used for Arizona 2020 elections and Maricopa County's procurement of voting systems. The auditor general must issue a report to the governor and lawmakers before March 31, 2022. The budget also tasks the attorney general and secretary of state to appoint members to an "Unreported In-kind Political Contributions Task Force," which lawmakers funded to the tune of $500,000. The task force will investigate whether the practices of social media platforms and internet search engines result in unreported in-kind political contributions. Additionally, the budget requires Hobbs to request "Arizona-specific guidance from the US Election Assistance Commission on federal-only voter registration" by the end of the year.

WHAT HAPPENED TO 50 PERCENT PLUS 1?



Republican lawmakers are taking a last-minute aim at voter initiatives, passing several measures that would ask voters to weaken the Voter Protection Act and make it more difficult for initiatives to qualify for the ballot. Voters will decide next year whether lawmakers should be allowed to amend an initiative or referendum without the three-quarters vote required by the Voter Protection Act if the Arizona or US Supreme Court finds it to contain illegal or unconstitutional language, after the House approved SCR1034 (voter protection act; court determinations). If a court found a single line of an initiative to be illegal or unconstitutional, would allow lawmakers to scrap or amend the whole act. (Under such rules, lawmakers would have long ago done away with the Clean Election Act, for example, as its matching funds provision was declared unconstitutional back in 2011). The Senate is also planning some last-minute action on seemingly stalled measures that would weaken citizens' ability to pass a law via the initiative process. HCR2001 (initiatives; single subject; title) and HCR2016 (initiatives; supermajority vote requirement) were both scheduled in Senate rules and caucus today and are expected on the floor tomorrow or Wednesday. Kavanagh's H2001 would require initiatives to only have a single subject, already a requirement for bills introduced by lawmakers, though it's much easier for a representative or senator to introduce a bill than for citizens to gather hundreds of thousands of signatures to get an initiative on the ballot. Lawmakers also routinely cobble together numerous changes to statutes under omnibus legislation. Dunn's HCR2016 would require any initiative receive approval from 55 percent of voters, not the simple majority now required.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003916

ARZN_REV00069402_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SAVE OUR SCHOOLS 2.0

Education groups are laying the groundwork to announce their veto referendum effort to halt and then overturn the massive tax cut the Legislature approved last week. One source told our reporter that the groups have a funding commitment to begin and will make an official announcement likely in the next day or so. Still unanswered is when the groups will be able to begin collecting signatures to get on the 2022 ballot. Typically, it would be once the Legislature adjourns for the year and they would have 90 days, but the Seventh Floor said it's trying to figure out for sure. "Our office is not aware of a prohibition against collecting signatures before *sine die*. However, this may be subject to court challenge and we encourage committees to consult their attorney," a spokeswoman for the office told our reporter. Since it's a budget item that would be challenged, it becomes law as soon as Ducey signs it, but given it's a tax cut, it still won't take effect immediately. The difference could be negligible because opponents can either start collecting as soon as possible when Ducey signs it, or wait a few days for when the session is expected to adjourn. Murphy Hebert, the communications director for Hobbs, said there has already been another petition filed with the office for a veto referendum and they won't reject signatures permitting the group follow the law. "We've accepted an application for a referendum serial number already this cycle, and we would not reject a petition or signatures as long as they complied with the other requirements of Title 19," she said.

PAID FOR BY MARK FINCHEM – PROVE US WRONG

Former Maricopa County Recorder Adrian Fontes launched his new campaign website, but forgot to include a legally required disclaimer about who's paying for the site. A source noted that there is no "paid for by" listed on Fontes' new campaign site (LINK) and joked that it's not a good start for someone hoping to become the next secretary of state. Statute doesn't lay out any penalties for not including a disclaimer, the Seventh Floor told our reporter, but said a third party could file a complaint with the secretary of state's office which could get referred to the attorney general. "The remedy is fix it," communications director Murphy Hebert said. Meaning that any complaint would be moot once the campaign adds the disclaimer. The secretary of state gig includes overseeing not just elections, but also fielding complaints about campaign finance and financial disclosure violations – including any potential complaints about not including required "paid for by" disclosures.

IT'S FINALLY LOOKING LIKE A RACE

Livingston and Navarrete are expected to jump into the treasurer's race after session ends. The race is the only statewide race without any candidates (even the race for mine inspector has a declared Republican and Democrat). Livingston has long hinted at his candidacy and posted an update today saying he has "big news" coming on July 1. Several Dem sources have told our reporter to keep an eye on Navarette, who is also expected to announce when the session wraps up. Other potential candidates include Justin Olson, who is expected to forgo another run for Corp Comm in favor of this wide-open race, and Shope, who is also allegedly considering the race. No Democrat has served as treasurer since 1966.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003917

ARZN_REV00069402_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

$200M for water shortages likely to pass
Arizona Capitol Times
The Legislature is set to pass a $200 million proposal to fund areas without a proper water supply.

New law targets wildfires, rehabs prisoners
Arizona Capitol Times
As wildfires rage across Arizona and threaten numerous communities, legislators and forestry officials have had to come up with innovative ways to combat the problem.

Conservationists split on protections for Grand Canyon
Arizona Capitol Times
While Democrats work on two fronts to protect the Grand Canyon, conservationists disagree on one of the measures.

GOP lawmakers give business owners escape from school surcharge
Arizona Capitol Times
Republican state representatives voted Friday to allow the owners of small businesses — and anyone who organizes their finances for tax purposes as one — to escape paying the voter-approved income tax surcharge on the wealthy to fund education.

Campaign launches range from amateurish to slick
Arizona Capitol Times
Several political consultants accepted the *Arizona Capitol Times*' invitation to critique the campaign kick-offs and comment on how their candidacies stack up.

House GOP bill requires lessons on evils of communism
Capitol Media Services
Republican lawmakers voted Friday to require that students be exposed to the stories of people who have fled communism as part of a curriculum to prepare them to be "civically responsible and knowledgeable adults."

Lawmakers move to limit emergency powers of governor
Capitol Media Services
With some verbal slaps at how Doug Ducey has handled the current emergency, Republican lawmakers voted Friday to ask Arizona voters to give them the right to quash future declarations.

GOP candidate who lost in '18 to run for governor
Capitol Media Services
Republicans just got a fifth choice for governor.

Amid clamor to increase prescribed burns, obstacles await
Associated Press
In the 1950s, when University of California forestry professor Harold Biswell experimented with prescribed burns in the state's pine forests, many people thought he was nuts.

Drought woes in dry US West raise July 4 fireworks fears
Associated Press
Many Americans aching for normalcy as pandemic restrictions end are looking forward to traditional Fourth of July fireworks.

Chandler to Pay $1.1M for Officer Shooting of 17-Year-Old Anthony Cano
Phoenix New Times
The family of Anthony Cano, a 17-year-old boy fatally shot by a police officer in Chandler, has settled a wrongful-death lawsuit against the city for over $1 million, bringing a legal battle to a quick end.

Activists Denounce Move to Permit Grand Canyon Uranium Mine
Phoenix New Times
Arizona state officials are asking for the public's opinion on whether to give a new permit to a long-standing uranium mine near Grand Canyon.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003918

ARZN_REV00069402_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

House finalizes budget, tax cuts, but kills ESA expansion
Arizona Mirror
The Arizona House of Representatives wrapped up work Friday on a $12.8 billion budget that dramatically overhauls the state's income tax code, shields some wealthy Arizonans from paying a voter-approved tax to boost teacher pay and mandates new civics curriculum in public schools.

Audit leader Doug Logan appears in conspiracy theorist election film
Arizona Mirror
The CEO of a Florida-based firm chosen to conduct the review of Maricopa County's election results appeared in a conspiracy theorist film riddled with falsehoods about the 2020 election and directed by a man whose previous work claimed aliens were behind 9/11.

Gosar's siblings press for his removal from Congress: 'Traitor to this country'
The Hill
Siblings of Rep. Paul Gosar (R-Ariz.) are saying he should be removed from Congress for backing former President Trump's false claims of a stolen election and widespread voter fraud.

Republicans turn Arizona's budget process into political revenge porn
Arizona Republic (Opinion, EJ Montini)
Republicans used the budget to seek retribution on 1,675,810 Arizona voters, the secretary of state and the entire education community, including your kids.

Gov. Ducey says tax cut will average $350? Don't go making plans for that money just yet
Arizona Republic (Opinion, Laurie Roberts)
Republicans in the Arizona Legislature this week completed their end-run on voters, passing a massive tax cut that will provide major tax relief to the rich and peanuts to the rest of us.

Arizona election auditor appears in film on how election was stolen? Oh come on, Sen. Fann
Arizona Republic (Opinion, Laurie Roberts)
It's beyond belief that Cyber Ninjas' Doug Logan, the guy leading Arizona's election audit, would appear in a movie about how the election was stolen. And yet, there he is.

Why Sen. Kyrsten Sinema's biggest bipartisanship test is yet to come
Arizona Republic (Opinion, Robert Robb)
Sen. Kyrsten Sinema's commitment to bipartisanship isn't phony. She's not a liberal in disguise. But the mother of all reconciliation bills will test her resolve.

Is it time to start thinking about the worst-case scenario on Lake Mead?
Arizona Republic (Opinion, Joanna Allhands)
Are we thinking radically enough about what Lake Mead and the larger Colorado River basin are up against?

Poverty sets kids behind, before they even enter kindergarten. Here's how we stop it
Arizona Republic (Op-ed, Rhonda Cagle)
Gaps in learning for children living in poverty start long before they enter kindergarten. That's why we need to invest in early education.

How does poverty affect preschoolers? Arizona teachers share their students' struggles
Arizona Republic (Op-ed, Rhonda Cagle)
More than 300,000 Arizona students live in poverty. Here are the stories, struggles and triumphs of eight preschoolers, as told by their teachers.

Overlooked in Arizona's tax cut debate: The middle on down already pay a bigger share
Arizona Republic (Op-ed, Tom Cantlon)
Low and middle incomes already pay a larger share of taxes to fund state services. Why didn't Arizona's tax cut plan help bail them out?

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003919

ARZN_REV00069402_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Senator Steele Bill Terminating Rapists' Parental Rights Passes with Bipartisan Support

IMMEDIATE RELEASE
June 28th, 2021
PHOENIX- Today after a years-long effort, Senator Victoria Steele's bill (SB1007) protecting victims of rape by terminating their rapists' parental rights passed with overwhelming bipartisan support and now heads to Governor Ducey to sign into law. Current Arizona state law allows rapists to get joint custody, tying the victim to their rapist for life.
"Women shouldn't be forced by law to share parental rights with rapists. Words cannot express how elated and grateful I am to my Republican and Democratic colleagues in the House for passing my bill and finally sending it to the Governor, said Senator Victoria Steele. "No one should be tethered to their rapist and abuser for life by being forced to share parental rights. As a victim of sexual assault myself, I know firsthand the trauma and pain victims of rape experience. While we cannot change what happened in the past, we can change what happens in the future and lessen the pain by not allowing a rapist parental rights. This was the correct and good thing to do."

Salmon For Arizona Announces Mountainside Fitness Founder Tom Hatten As Campaign Chairman

Phoenix – Former Congressman and Republican gubernatorial candidate Matt Salmon announced today that Tom Hatten, founder of Mountainside Fitness, will serve as chairman of his campaign.
"I'm thrilled to have Tom chairing my gubernatorial campaign. Tom is a longtime leader in the Valley and someone I will lean on during the campaign. He is respected throughout our state, and Tom is passionate about and dedicated to making Arizona better. I'm grateful for his support and confidence in me and our campaign," said Salmon.
Hatten said, "It is an absolute honor to serve as chairman of Matt Salmon's campaign for governor, and I look forward to helping spread his conservative message across Arizona. The decision to support Matt and chair his campaign was easy. He is the best and most conservative candidate in the race, and he has a clear vision to keep Arizona a dynamic and growing state. As founder of a successful Arizona business, I know Matt will protect employers from unnecessary regulations and overreach, ensuring our economy continues to flourish. Matt is ready to lead and I'm proud to stand with him."

Statewide Leaders Endorse Kris Mayes for Attorney General

Corporation Commissioners Kennedy and Tovar, former Attorney General Grant Woods, others get behind Mayes
[Phoenix] — Arizona Attorney General candidate Kris Mayes, who served as Corporation Commissioner from 2003 to 2010, today announced the names of leaders from across Arizona who support her candidacy. They are:
Arizona Corporation Commissioner Sandra Kennedy
"I've worked closely with Kris so I've seen her stand up to the most powerful special interests, on behalf of ordinary families. She knows Arizona and she cares about our families. Kris is tough and tenacious, and she's got my vote."
Arizona Corporation Commissioner Anna Tovar
"Kris Mayes was born and raised in small-town Arizona, like I was. She places a high priority on looking out for her community. In a day and age when many retired Arizonans get taken advantage of by frauds and scams, I trust Kris Mayes to look out for vulnerable seniors and to crack down on those who try to take advantage of them. She will make an excellent Attorney General."
Former Arizona Attorney General Grant Woods
"In times like these, Arizona needs a fighter. Kris Mayes is thoughtful and judicious, and she's also ready to take on a fight – even a tough one. We have big challenges ahead of us, and Arizona needs an Attorney General who's ready on Day One. Kris Mayes as Attorney General is Arizona at our best."
Tempe Councilmember Lauren Kuby
"Kris Mayes is a leader on fighting climate change, and helping Arizona take the lead on renewable energy. She's a powerful consumer advocate, and she will make a great Attorney General."
Former Arizona Corporation Commissioner Renz Jennings
Former Arizona Corporation Commissioner Bill Mundell

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003920

ARZN_REV00069402_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Former State Representative Bob McLendon, Yuma
Kris Mayes is a well-known consumer advocate and energy leader in Arizona. As Attorney General, Mayes will focus on fighting consumer fraud and elder abuse, protecting the right of every Arizonan to vote, protecting public education and preserving Arizona's natural resources.
As Corporation Commissioner, Mayes took action to protect Arizona families from powerful special interests, pushing utilities to cancel executive bonuses and spending on luxury sports boxes in order to hold down rate increases for consumers. She led the push for the creation of Arizona's Renewable Energy Standard, which required that utilities produce at least 15% of their electricity from renewable sources by 2025. She also co-authored the rule requiring utilities to compensate Arizonans for the energy they produce from rooftop solar energy systems. Mayes dramatically expanded water conservation in Arizona.
Mayes served as the Chairwoman of the Arizona Corporation Commission from 2009-2010.
Since 2010, Mayes has served as a senior scholar at ASU's Global Institute of Sustainability and Innovation, and professor at the Sandra Day O'Connor College of Law. You can learn more by visiting KrisMayes.com.

"QUOTE OF THE DAY"

"You wanna talk about the summer camp for overturning elections?"

- ***Mendez, on the Senate Government Committee's ongoing duties of reviewing the election audit report***

June 28, 2021

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Monday, June 28, 2021 5:07:14 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 6-28-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet June 28, 2021

THEY GOT MOST OF THE BUDGET DONE – THAT'S GOOD ENOUGH
As the House today hammered through more than a dozen last-minute bills, the Senate worked only briefly before calling it a day, leaving the big unanswered question of what happens to the K-12 and criminal justice BRBs.

AT THIS POINT, YOU MIGHT AS WELL GO FOR THE RECORD
Don't expect sine die to happen tonight.

2020 WILL LAST WELL INTO 2022

AMERICAN OVERSIGHT

Even after sine die, members of the Senate Government Committee will have to keep working on audit oversight in what Mendez, the ranking Dem on the committee, dubbed "summer camp for overturning elections."

WHAT HAPPENED TO 50 PERCENT PLUS 1?
Republican lawmakers are taking a last-minute aim at voter initiatives, passing several measures that would ask voters to weaken the Voter Protection Act and make it more difficult for initiatives to qualify for the ballot.

SAVE OUR SCHOOLS 2.0
Education groups are laying the groundwork to announce their veto referendum effort to halt and then overturn the massive tax cut the Legislature approved last week.

PAID FOR BY MARK FINCHEM – PROVE US WRONG
Former Maricopa County Recorder Adrian Fontes launched his new campaign website, but forgot to include a legally required disclaimer about who's paying for the site.

IT'S FINALLY LOOKING LIKE A RACE
Livingston and Navarrete are expected to jump into the treasurer's race after session ends.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, June 28, 2021

NEWS NOTES AND GOSSIP

THEY GOT MOST OF THE BUDGET DONE – THAT'S GOOD ENOUGH

As the House today hammered through more than a dozen last-minute bills, the Senate worked only briefly before calling it a day, leaving the big unanswered question of what happens to the K-12 and criminal justice BRBs. The Senate officially transmitted budget bills to Ducey this morning, sans those two BRBs. For now, sources in the Senate told our reporter, the upper chamber plans to run the House's new, clean versions of those two BRBs through committee tomorrow, then COW and third-read them Wednesday. That would sidestep the need for a conference committee. If the Senate accepts the House's amendments (unlikely, as Boyer adamantly opposes Burges' amendment for a state-mandated civics curriculum), or if the House does the same with the Senate versions and the two chambers agree to identical amendments in COW, the bills could make it to Ducey by Wednesday with no need for a conference committee. Shope told our reporter he agrees with Boyer that the Burges amendment should go, and he doesn't think the two of them are alone in the Senate in holding that opinion. He has had conversations with several other Republicans and believes support is relatively high for removing the Burges amendment and keeping the Legislature out of the business of setting curricula. And he said he expects the Senate will ultimately accept House changes to remove Boyer's ESA expansion from the budget, as ESA expansion is untenable in the House. "I just don't know that there's a pathway for ESAs, and I say that as somebody who supports the program," Shope said. He predicted a long day Tuesday, as the House and Senate work out the remaining issues with the K-12 and criminal justice BRBs and pass other bills back and forth.

AT THIS POINT, YOU MIGHT AS WELL GO FOR THE RECORD

Don't expect *sine die* to happen tonight. The earliest might be tomorrow, although that, too, is iffy. It's more likely lawmakers will wrap up their work for the session on Wednesday or even Thursday. If you entered the House sine die pool this year, you've likely already lost your money. Out of around 300 guesses, only a dozen are still valid. The conventional wisdom from the annual House *sine die* pool was that lawmakers would adjourn on the Thursday before Memorial Day. That didn't happen. Dozens of insiders were more pessimistic, placing bets on a *sine die* in June, though only a few pegged it for this late in the month (YS, 4/20). Assuming lawmakers don't sine die tomorrow – a likely safe assumption – only eight people had the foresight to realize what a long session it would be. Three predicted the Legislature wouldn't adjourn until July: A Hernandez said July 2, Chavez said July 3 and legislative research analyst Eryn Streeter was the most pessimistic of all, predicting a July 7 sine die. If the legislative session does indeed end Wednesday, that 171-day session will tie with 1992 for the third-longest session, at least since 1965. Only 1990 and 1988 (when lawmakers were fighting over the impeachment of Gov Evan Mecham) lasted longer, at 172 and 173 days, respectively.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003924

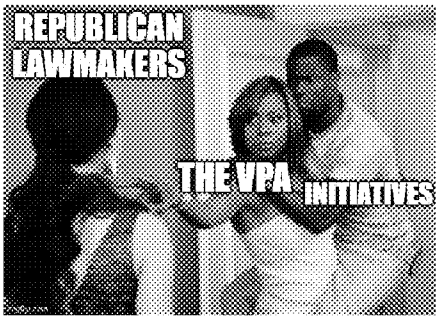
ARZN_REV00069404_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

2020 WILL LAST WELL INTO 2022

Even after *sine die*, members of the Senate Government Committee will have to keep working on audit oversight in what Mendez, the ranking Dem on the committee, dubbed "summer camp for overturning elections." S1819 (budget procedures; budget reconciliation; 2021-2022) details the committee's new role as a special committee on the election audit, with the task of reviewing the final report produced by auditors. Mendez said he couldn't decide whether that provision was to take heat off Fann by spreading responsibility for the audit around, or merely to buy Townsend's vote on the budget. But one thing he is sure of is that the committee won't do much real work. "It's all theater. It's literally rigged. It's not going to be a real deliberative body," he said. Other budget-mandated election-related activities this summer include a special audit from the auditor general of financial information about private, non-governmental grant funds used for Arizona 2020 elections and Maricopa County's procurement of voting systems. The auditor general must issue a report to the governor and lawmakers before March 31, 2022. The budget also tasks the attorney general and secretary of state to appoint members to an "Unreported In-kind Political Contributions Task Force," which lawmakers funded to the tune of $500,000. The task force will investigate whether the practices of social media platforms and internet search engines result in unreported in-kind political contributions. Additionally, the budget requires Hobbs to request "Arizona-specific guidance from the US Election Assistance Commission on federal-only voter registration" by the end of the year.

WHAT HAPPENED TO 50 PERCENT PLUS 1?



Republican lawmakers are taking a last-minute aim at voter initiatives, passing several measures that would ask voters to weaken the Voter Protection Act and make it more difficult for initiatives to qualify for the ballot. Voters will decide next year whether lawmakers should be allowed to amend an initiative or referendum without the three-quarters vote required by the Voter Protection Act if the Arizona or US Supreme Court finds it to contain illegal or unconstitutional language, after the House approved SCR1034 (voter protection act; court determinations). If a court found a single line of an initiative to be illegal or unconstitutional, would allow lawmakers to scrap or amend the whole act. (Under such rules, lawmakers would have long ago done away with the Clean Election Act, for example, as its matching funds provision was declared unconstitutional back in 2011). The Senate is also planning some last-minute action on seemingly stalled measures that would weaken citizens' ability to pass a law via the initiative process. HCR2001 (initiatives; single subject; title) and HCR2016 (initiatives; supermajority vote requirement) were both scheduled in Senate rules and caucus today and are expected on the floor tomorrow or Wednesday. Kavanagh's H2001 would require initiatives to only have a single subject, already a requirement for bills introduced by lawmakers, though it's much easier for a representative or senator to introduce a bill than for citizens to gather hundreds of thousands of signatures to get an initiative on the ballot. Lawmakers also routinely cobble together numerous changes to statutes under omnibus legislation. Dunn's HCR2016 would require any initiative receive approval from 55 percent of voters, not the simple majority now required.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003925

ARZN_REV00069404_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SAVE OUR SCHOOLS 2.0

Education groups are laying the groundwork to announce their veto referendum effort to halt and then overturn the massive tax cut the Legislature approved last week. One source told our reporter that the groups have a funding commitment to begin and will make an official announcement likely in the next day or so. Still unanswered is when the groups will be able to begin collecting signatures to get on the 2022 ballot. Typically, it would be once the Legislature adjourns for the year and they would have 90 days, but the Seventh Floor said it's trying to figure out for sure. "Our office is not aware of a prohibition against collecting signatures before *sine die*. However, this may be subject to court challenge and we encourage committees to consult their attorney," a spokeswoman for the office told our reporter. Since it's a budget item that would be challenged, it becomes law as soon as Ducey signs it, but given it's a tax cut, it still won't take effect immediately. The difference could be negligible because opponents can either start collecting as soon as possible when Ducey signs it, or wait a few days for when the session is expected to adjourn. Murphy Hebert, the communications director for Hobbs, said there has already been another petition filed with the office for a veto referendum and they won't reject signatures permitting the group follow the law. "We've accepted an application for a referendum serial number already this cycle, and we would not reject a petition or signatures as long as they complied with the other requirements of Title 19," she said.

PAID FOR BY MARK FINCHEM – PROVE US WRONG

Former Maricopa County Recorder Adrian Fontes launched his new campaign website, but forgot to include a legally required disclaimer about who's paying for the site. A source noted that there is no "paid for by" listed on Fontes' new campaign site (LINK) and joked that it's not a good start for someone hoping to become the next secretary of state. Statute doesn't lay out any penalties for not including a disclaimer, the Seventh Floor told our reporter, but said a third party could file a complaint with the secretary of state's office which could get referred to the attorney general. "The remedy is fix it," communications director Murphy Hebert said. Meaning that any complaint would be moot once the campaign adds the disclaimer. The secretary of state gig includes overseeing not just elections, but also fielding complaints about campaign finance and financial disclosure violations – including any potential complaints about not including required "paid for by" disclosures.

IT'S FINALLY LOOKING LIKE A RACE

Livingston and Navarrete are expected to jump into the treasurer's race after session ends. The race is the only statewide race without any candidates (even the race for mine inspector has a declared Republican and Democrat). Livingston has long hinted at his candidacy and posted an update today saying he has "big news" coming on July 1. Several Dem sources have told our reporter to keep an eye on Navarette, who is also expected to announce when the session wraps up. Other potential candidates include Justin Olson, who is expected to forgo another run for Corp Comm in favor of this wide-open race, and Shope, who is also allegedly considering the race. No Democrat has served as treasurer since 1966.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003926

ARZN_REV00069404_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

$200M for water shortages likely to pass
Arizona Capitol Times
The Legislature is set to pass a $200 million proposal to fund areas without a proper water supply.

New law targets wildfires, rehabs prisoners
Arizona Capitol Times
As wildfires rage across Arizona and threaten numerous communities, legislators and forestry officials have had to come up with innovative ways to combat the problem.

Conservationists split on protections for Grand Canyon
Arizona Capitol Times
While Democrats work on two fronts to protect the Grand Canyon, conservationists disagree on one of the measures.

GOP lawmakers give business owners escape from school surcharge
Arizona Capitol Times
Republican state representatives voted Friday to allow the owners of small businesses — and anyone who organizes their finances for tax purposes as one — to escape paying the voter-approved income tax surcharge on the wealthy to fund education.

Campaign launches range from amateurish to slick
Arizona Capitol Times
Several political consultants accepted the *Arizona Capitol Times*' invitation to critique the campaign kick-offs and comment on how their candidacies stack up.

House GOP bill requires lessons on evils of communism
Capitol Media Services
Republican lawmakers voted Friday to require that students be exposed to the stories of people who have fled communism as part of a curriculum to prepare them to be "civically responsible and knowledgeable adults."

Lawmakers move to limit emergency powers of governor
Capitol Media Services
With some verbal slaps at how Doug Ducey has handled the current emergency, Republican lawmakers voted Friday to ask Arizona voters to give them the right to quash future declarations.

GOP candidate who lost in '18 to run for governor
Capitol Media Services
Republicans just got a fifth choice for governor.

Amid clamor to increase prescribed burns, obstacles await
Associated Press
In the 1950s, when University of California forestry professor Harold Biswell experimented with prescribed burns in the state's pine forests, many people thought he was nuts.

Drought woes in dry US West raise July 4 fireworks fears
Associated Press
Many Americans aching for normalcy as pandemic restrictions end are looking forward to traditional Fourth of July fireworks.

Chandler to Pay $1.1M for Officer Shooting of 17-Year-Old Anthony Cano
Phoenix New Times
The family of Anthony Cano, a 17-year-old boy fatally shot by a police officer in Chandler, has settled a wrongful-death lawsuit against the city for over $1 million, bringing a legal battle to a quick end.

Activists Denounce Move to Permit Grand Canyon Uranium Mine
Phoenix New Times
Arizona state officials are asking for the public's opinion on whether to give a new permit to a long-standing uranium mine near Grand Canyon.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003927

ARZN_REV00069404_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

House finalizes budget, tax cuts, but kills ESA expansion
Arizona Mirror
The Arizona House of Representatives wrapped up work Friday on a $12.8 billion budget that dramatically overhauls the state's income tax code, shields some wealthy Arizonans from paying a voter-approved tax to boost teacher pay and mandates new civics curriculum in public schools.

Audit leader Doug Logan appears in conspiracy theorist election film
Arizona Mirror
The CEO of a Florida-based firm chosen to conduct the review of Maricopa County's election results appeared in a conspiracy theorist film riddled with falsehoods about the 2020 election and directed by a man whose previous work claimed aliens were behind 9/11.

Gosar's siblings press for his removal from Congress: 'Traitor to this country'
The Hill
Siblings of Rep. Paul Gosar (R-Ariz.) are saying he should be removed from Congress for backing former President Trump's false claims of a stolen election and widespread voter fraud.

Republicans turn Arizona's budget process into political revenge porn
Arizona Republic (Opinion, EJ Montini)
Republicans used the budget to seek retribution on 1,675,810 Arizona voters, the secretary of state and the entire education community, including your kids.

Gov. Ducey says tax cut will average $350? Don't go making plans for that money just yet
Arizona Republic (Opinion, Laurie Roberts)
Republicans in the Arizona Legislature this week completed their end-run on voters, passing a massive tax cut that will provide major tax relief to the rich and peanuts to the rest of us.

Arizona election auditor appears in film on how election was stolen? Oh come on, Sen. Fann
Arizona Republic (Opinion, Laurie Roberts)
It's beyond belief that Cyber Ninjas' Doug Logan, the guy leading Arizona's election audit, would appear in a movie about how the election was stolen. And yet, there he is.

Why Sen. Kyrsten Sinema's biggest bipartisanship test is yet to come
Arizona Republic (Opinion, Robert Robb)
Sen. Kyrsten Sinema's commitment to bipartisanship isn't phony. She's not a liberal in disguise. But the mother of all reconciliation bills will test her resolve.

Is it time to start thinking about the worst-case scenario on Lake Mead?
Arizona Republic (Opinion, Joanna Allhands)
Are we thinking radically enough about what Lake Mead and the larger Colorado River basin are up against?

Poverty sets kids behind, before they even enter kindergarten. Here's how we stop it
Arizona Republic (Op-ed, Rhonda Cagle)
Gaps in learning for children living in poverty start long before they enter kindergarten. That's why we need to invest in early education.

How does poverty affect preschoolers? Arizona teachers share their students' struggles
Arizona Republic (Op-ed, Rhonda Cagle)
More than 300,000 Arizona students live in poverty. Here are the stories, struggles and triumphs of eight preschoolers, as told by their teachers.

Overlooked in Arizona's tax cut debate: The middle on down already pay a bigger share
Arizona Republic (Op-ed, Tom Cantlon)
Low and middle incomes already pay a larger share of taxes to fund state services. Why didn't Arizona's tax cut plan help bail them out?

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003928

ARZN_REV00069404_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Senator Steele Bill Terminating Rapists' Parental Rights Passes with Bipartisan Support

IMMEDIATE RELEASE
June 28th, 2021
PHOENIX- Today after a years-long effort, Senator Victoria Steele's bill (SB1007) protecting victims of rape by terminating their rapists' parental rights passed with overwhelming bipartisan support and now heads to Governor Ducey to sign into law. Current Arizona state law allows rapists to get joint custody, tying the victim to their rapist for life.
"Women shouldn't be forced by law to share parental rights with rapists. Words cannot express how elated and grateful I am to my Republican and Democratic colleagues in the House for passing my bill and finally sending it to the Governor, said Senator Victoria Steele. "No one should be tethered to their rapist and abuser for life by being forced to share parental rights. As a victim of sexual assault myself, I know firsthand the trauma and pain victims of rape experience. While we cannot change what happened in the past, we can change what happens in the future and lessen the pain by not allowing a rapist parental rights. This was the correct and good thing to do."

Salmon For Arizona Announces Mountainside Fitness Founder Tom Hatten As Campaign Chairman

Phoenix – Former Congressman and Republican gubernatorial candidate Matt Salmon announced today that Tom Hatten, founder of Mountainside Fitness, will serve as chairman of his campaign.
"I'm thrilled to have Tom chairing my gubernatorial campaign. Tom is a longtime leader in the Valley and someone I will lean on during the campaign. He is respected throughout our state, and Tom is passionate about and dedicated to making Arizona better. I'm grateful for his support and confidence in me and our campaign," said Salmon.
Hatten said, "It is an absolute honor to serve as chairman of Matt Salmon's campaign for governor, and I look forward to helping spread his conservative message across Arizona. The decision to support Matt and chair his campaign was easy. He is the best and most conservative candidate in the race, and he has a clear vision to keep Arizona a dynamic and growing state. As founder of a successful Arizona business, I know Matt will protect employers from unnecessary regulations and overreach, ensuring our economy continues to flourish. Matt is ready to lead and I'm proud to stand with him."

Statewide Leaders Endorse Kris Mayes for Attorney General

Corporation Commissioners Kennedy and Tovar, former Attorney General Grant Woods, others get behind Mayes
[Phoenix] — Arizona Attorney General candidate Kris Mayes, who served as Corporation Commissioner from 2003 to 2010, today announced the names of leaders from across Arizona who support her candidacy. They are:
Arizona Corporation Commissioner Sandra Kennedy
"I've worked closely with Kris so I've seen her stand up to the most powerful special interests, on behalf of ordinary families. She knows Arizona and she cares about our families. Kris is tough and tenacious, and she's got my vote."
Arizona Corporation Commissioner Anna Tovar
"Kris Mayes was born and raised in small-town Arizona, like I was. She places a high priority on looking out for her community. In a day and age when many retired Arizonans get taken advantage of by frauds and scams, I trust Kris Mayes to look out for vulnerable seniors and to crack down on those who try to take advantage of them. She will make an excellent Attorney General."
Former Arizona Attorney General Grant Woods
"In times like these, Arizona needs a fighter. Kris Mayes is thoughtful and judicious, and she's also ready to take on a fight – even a tough one. We have big challenges ahead of us, and Arizona needs an Attorney General who's ready on Day One. Kris Mayes as Attorney General is Arizona at our best."
Tempe Councilmember Lauren Kuby
"Kris Mayes is a leader on fighting climate change, and helping Arizona take the lead on renewable energy. She's a powerful consumer advocate, and she will make a great Attorney General."
Former Arizona Corporation Commissioner Renz Jennings
Former Arizona Corporation Commissioner Bill Mundell

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003929
ARZN_REV00069404_6-28-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Former State Representative Bob McLendon, Yuma
Kris Mayes is a well-known consumer advocate and energy leader in Arizona. As Attorney General, Mayes will focus on fighting consumer fraud and elder abuse, protecting the right of every Arizonan to vote, protecting public education and preserving Arizona's natural resources.
As Corporation Commissioner, Mayes took action to protect Arizona families from powerful special interests, pushing utilities to cancel executive bonuses and spending on luxury sports boxes in order to hold down rate increases for consumers. She led the push for the creation of Arizona's Renewable Energy Standard, which required that utilities produce at least 15% of their electricity from renewable sources by 2025. She also co-authored the rule requiring utilities to compensate Arizonans for the energy they produce from rooftop solar energy systems. Mayes dramatically expanded water conservation in Arizona.
Mayes served as the Chairwoman of the Arizona Corporation Commission from 2009-2010.
Since 2010, Mayes has served as a senior scholar at ASU's Global Institute of Sustainability and Innovation, and professor at the Sandra Day O'Connor College of Law. You can learn more by visiting KrisMayes.com.

"QUOTE OF THE DAY"

"You wanna talk about the summer camp for overturning elections?"

- ***Mendez, on the Senate Government Committee's ongoing duties of reviewing the election audit report***

June 28, 2021

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, June 30, 2021 10:33:09 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 6-30-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

Happy Sine Die!

About Contact

In Today's Yellow Sheet *June 30, 2021*

OUR LONG NIGHTMARE IS OVER
Ducey signed the budget package today, sine die ice cream was passed out at the Capitol and Arizona avoided a government shutdown in the nick of time once again.

IT COULD HAVE BEEN WORSE
The House was evacuated around noon, briefly throwing yet another wrench in the gears as lawmakers rushed to finish their business and adjourn sine die.

AMERICAN OVERSIGHT

NOW THAT THEY'VE TAKEN CARE OF BUSINESS, THEY CAN QUIT
Unless Ducey vetoes it, lawmakers outside of Maricopa County are about to see a massive bump in their per diem payments to the tune of more than $200 per day.

WILL GREED AND HUBRIS DOOM THEIR PAYDAY?
Ducey vetoed a per diem increase in 2019, citing the fact that it also included a large bump for Maricopa County lawmakers, and saying any change should only apply to future legislatures.

YOU CAN PRY THE BALLOTS FROM OUR COLD DEAD HANDS
In a moment of levity in the Senate today, Fann congratulated the Senate's winners of last night's Best of the Capitol event and said despite multiple requests from the losers, she will not be initiating a forensic audit of the event.

FRIEND, WE NEED YOUR HELP TO DEFEAT SOROS OR KOCH
Today is the end of the second quarter for campaign finance filing, and candidates for statewide and legislative office are using it to aggressively raise money – even though they don't have to file until January.

CAN WE SEE THE ORIGINAL REPORT NOW PLEASE?
Absolute legislative immunity isn't quite absolute, the Arizona Supreme Court declared today in an opinion on expelled lawmaker Don Shooter's ongoing quest to sue Mesnard for defamation.

WHEN NOBODY ASKS BUT YOU STILL ANSWER WRONG
In Bolick's concurring opinion, he took a different route to the similar answer as the majority, but Timmer still thought he was wrong.

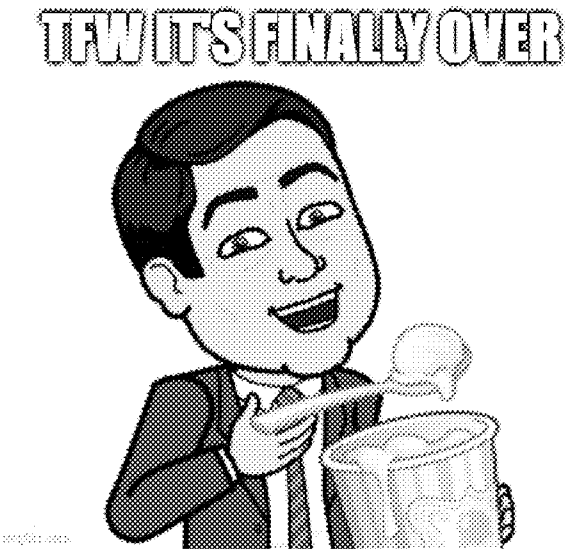
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, June 30, 2021

NEWS NOTES AND GOSSIP

OUR LONG NIGHTMARE IS OVER



Ducey signed the budget package today, *sine die* ice cream was passed out at the Capitol and Arizona avoided a government shutdown in the nick of time once again. Ducey technically only needed to sign the feed bill to keep the lights on, but after the Senate waived its rules to pass the criminal justice and K-12 BRBs and the House followed suit, Ducey was able to sign all budget bills together this afternoon. At 4:55 pm, over objections from Townsend, Rogers and Borrelli, lawmakers officially ended the 171-day session (tied for third longest session in modern history with 1992). The day began with optimism, as Shope wore what he described as his "*sine die* suit" (it was just a normal, snazzy suit) and Senators accepted the House's amendments to the criminal justice BRB, and quickly approved it. Finding agreement on the K-12 BRB was a little more complicated, as the Senate adopted an amendment in Boyer's name to the House's version that removes the civics education standards Burges added in the House and included a watered-down version of his ESA expansion. Under the new amendment, all students who qualify for free or reduced-price lunch aren't automatically eligible for ESAs, but those who attend schools with D or F letter grades and qualify for free or reduced-price lunch don't have to meet additional qualifications. The amendment also reduces the number of days a student must attend a qualified school from the first 100 days to any 45 days, and allows parents to use the ESA money to pay for educational therapy for their children. It also prevents the Dept of Education from withholding ESA funding during an appeal of an administrative decision. "Let's rock and roll. Let's get this thing done. The ice cream is here," Fann told senators just before 4 pm. Lawmakers used their final moments of the session to thank their staffers – Contreras even dressed like a page, saying he felt more akin to them than his fellow Senators. He stayed through the lunch recess to take pictures with all the pages in their matching jackets, khaki pants, striped ties and name badges – though his said "honorary Senate page." An excited Alston, who has spent the past several weeks participating via Zoom, returned for the final caucus and floor session and walked to the elevator like a contestant on "The Price is Right," dancing and high-fiving our reporter on the way. The Senate continued dragging its feet after the House was ready to adjourn *sine die*, despite Fann's urging to hurry up. And two senators used their final vote, on Frieses's H2605 (medical marijuana; testing) to joke about how they need mind-altering substances to get through the session. "I'm gonna thank Dr. Randy Friese because if next session we have another session like this one I'm gonna need a lot of medical marijuana and I hope it's all properly tested," Otondo said. Borrelli yelled back "What, you haven't been smoking already?" Bowers used his time for a heartbreaking memorial of his daughter, who died earlier this year. "There's something about being in the Legislature, some intoxicant, that can make you feel that you have some power... yet I was unable in any way to calm her," he said of her final hours. "It's been instructional for me to know a speaker is not all-powerful. That is a humbling, humbling position." Lawmakers noted they expect to be back next month to deal with the fallout of the Senate's audit.

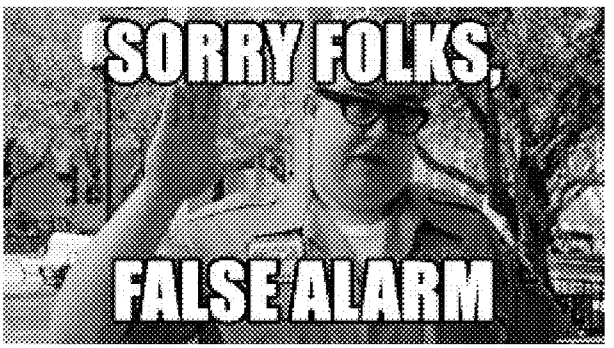
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003933

ARZN_REV00069424_6-30-21.pdf

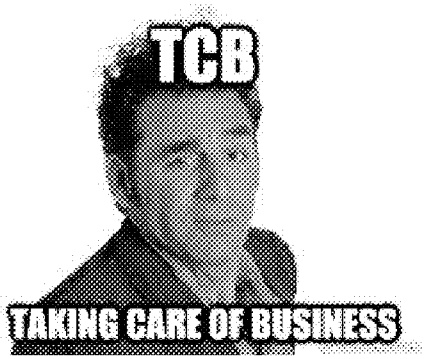
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT COULD HAVE BEEN WORSE



The House was evacuated around noon, briefly throwing yet another wrench in the gears as lawmakers rushed to finish their business and adjourn *sine die*. Our reporter was in the House chambers when the white alarm lights in the House started to flash and a computerized voice said "an emergency has been declared for this building," advising people to leave as quickly as possible and not use the elevators. House staffers, lawmakers and members of the public watching the day's proceedings and others headed down the stairs and out of the building, and security staff advised people to cross the street to get away from the building. After a couple of minutes, however, everyone was told they could return inside. "The emergency was some sort of false alarm that was set off by plumbers doing work in one of the bathrooms," House Republican spokesman Andrew Wilder said.

NOW THAT THEY'VE TAKEN CARE OF BUSINESS, THEY CAN QUIT



Unless Ducey vetoes it, lawmakers outside of Maricopa County are about to see a massive bump in their *per diem* payments to the tune of more than $200 per day. The House today sent Ducey H2053 (*per diem;* federal rate; legislators) to boost the payments for lawmakers from further-flung parts of the state to the average of the six highest months of the federal *per diem* for Maricopa County for the first 120 days of the session. It would be cut in half after that. (The average of the top six months of federal *per diem* includes $151 per day for lodging and another $56 per day for meals and incidentals.) Currently, out-of-county lawmakers receive $60 a day for the first 120 days and $20 after that. Lawmakers have complained for years that the current *per diem* doesn't come close to covering their expenses which means only people with means can serve in the Legislature. "I don't know what else we have to do to get people to understand that it is the fortunate who are able to come here and represent their districts because they have the financial wherewithal," Finchem said during a heated House GOP caucus discussion this morning. Opponents cited a mix of objections. Blackman said the people should vote on the increase (in fact, legislative pay increases would require a vote from the people, and the voters have repeatedly shot that idea down). Bolding said he supports it in principle but doesn't think lawmakers should rush through a benefit for themselves in the last days of the session. "I'm voting against this because there is nothing good about being here past 100 days and we should never do it again," Grantham said. Today's House vote included a bipartisan group of 14 nays representing a mix of Maricopa County and out-of-county lawmakers.

WILL GREED AND HUBRIS DOOM THEIR PAYDAY?

Ducey vetoed a *per diem* increase in 2019, citing the fact that it also included a large bump for Maricopa County lawmakers, and saying any change should only apply to future legislatures. While the current bill appears to address his first issue, it does not address the second. Lawmakers would start receiving the funds as soon as the bill takes effect. The push to increase *per diem* has been an eight-year battle that kicked off with Gowan and former lawmakers David Stevens and Bruce Wheeler pushing for the policy back in 2013, as the state was still struggling to pay its bills during the tail end of the Great Recession (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003934

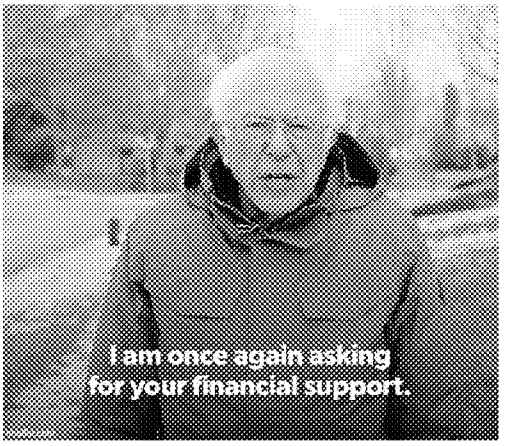
ARZN_REV00069424_6-30-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

YOU CAN PRY THE BALLOTS FROM OUR COLD DEAD HANDS

In a moment of levity in the Senate today, Fann congratulated the Senate's winners of last night's Best of the Capitol event and said despite multiple requests from the losers, she will not be initiating a forensic audit of the event. The annual event featured viewer favorites like former Gov Jan Brewer reading mean tweets directed at her, and a skit that unmasked the true origins of the auditor known as "Cowboy Andy." Senate victors included triple-winner Shope, who took home awards for best elected Republican, best bill sponsor and most likely to run for Congress (despite the fact that three of the other nominees in that category are actively running for Congress). Mesnard landed the award for best Republican debater. Senate Chief of Staff Wendy Baldo took home the best Capitol staffer award. House winners included D Hernandez as best Dem debater and A Hernandez as best dressed. Weninger won best committee chair, while Shah took home best political rising star. Cobb won best power broker, and Kavanagh took home the most quotable politico award. (Was it even a contest?) A full list of winners is available on the *Capitol Times* website (LINK). You can also see last night's awards program here (LINK).

FRIEND, WE NEED YOUR HELP TO DEFEAT SOROS OR KOCH



Today is the end of the second quarter for campaign finance filing, and candidates for statewide and legislative office are using it to aggressively raise money – even though they don't have to file until January as the state scrapped quarterly filings in off years. Due to changes from Laws 2016, Chapter 79 (S1516: campaign finance amendments), state and legislative candidates do not have to file quarterly reports in off-election years, but that hasn't stopped Hobbs, Finchem, Rogers and others from ramping up campaign emails and tweets lately to reach whatever goals they've set before July 1. Rogers has been the most aggressive (her fine-tuned fundraising machine never really ended after the campaign), and she recently touted her contributions from the CEO of Gab, the app adopted by neo-Nazis and white supremacists which she recently joined, and asked people to give her $25,000 more before midnight. Finchem's emails, which imitate Rogers', asked supporters to give him $15,000 before the end of the day. Hobbs, who raised more than $1 million within days of her campaign launch, was still asking for more to reach an unspecified campaign goal. Still, we'll have no idea who contributed what until the next filing deadline, which is Jan 15, 2022, by which time the Q2 numbers will be meaningless.

CAN WE SEE THE ORIGINAL REPORT NOW PLEASE?

Absolute legislative immunity isn't quite absolute, the Arizona Supreme Court declared today in an opinion on expelled lawmaker Don Shooter's ongoing quest to sue Mesnard for defamation. The court today clarified that certain actions from legislators are not covered by legislative immunity doctrine, even if they happen during the legislative session, partially reversing a trial court decision in the case. The court was considering whether Mesnard is immune as a matter of law to Shooter's defamation claims regarding the investigative report and a subsequent press release issued before Shooter was ejected from the House in 2018 (YS, 2/1/18). Justice Timmer penned the opinion (LINK) in *Mesnard v Shooter*, which justices

AMERICAN OVERSIGHT

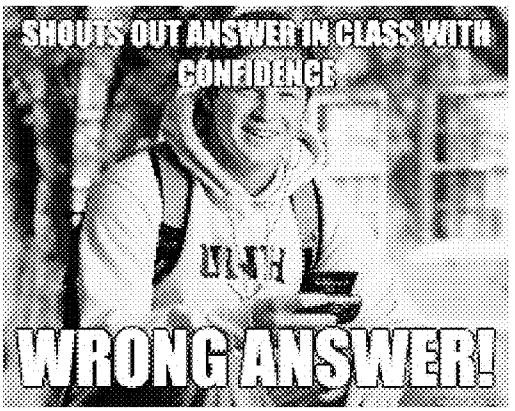
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003935

ARZN_REV00069424_6-30-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Montgomery, Lopez and Brutinel joined. (Beene and Gould – before his retirement – recused themselves, while Bolick wrote a concurring opinion.) Shooter accused Mesnard of changing the investigative report to get rid of exculpatory information about him and "evidence of sexual misconduct by Ugenti-Rita" before releasing the final report. The high court said regardless of whether Mesnard modified the report, he would still be protected against defamation claims by legislative immunity. The court acknowledged that such sweeping protections have "enabled reckless men to slander and even destroy others with impunity, but that was the conscious choice of the Framers." However, while Timmer wrote that legislative immunity applies to written reports, offered resolutions, voting and other things representatives do during session, some political acts aren't protected. Press releases, such as the one Shooter took issue with, are not covered by legislative immunity, Timmer wrote. She wrote that Mesnard's later explanation on the House floor that "repeated and expanded on the thrust of the news release" was immune as a legislative function. If Mesnard had not issued the press release, Shooter wouldn't have a leg to stand on for his defamation claims, even if Mesnard made the exact same statements later on the floor. The Supreme Court instructed the trial court to dismiss the defamation claims related to the investigative report but to proceed with those regarding the news release, keeping in mind any evidence Mesnard can show that being House speaker at the time justified the news release as a legislative function.

WHEN NOBODY ASKS BUT YOU STILL ANSWER WRONG



In Bolick's concurring opinion, he took a different route to the similar answer as the majority, but Timmer still thought he was wrong. Bolick wrote that the courts didn't have the grounds to weigh in on Shooter's claims about the investigative report. He wrote that the report was part of the Legislature's constitutional powers to decide how to discipline or expel a member, making it a nonjusticiable political question. "Mesnard's news release, by contrast, does not appear to be part of that process, so I agree with my colleagues that, based on the existing record, it may be actionable," Bolick wrote. Timmer disagreed with Bolick's analysis, saying it "raises an unargued issue and then incorrectly resolves it." She wrote it was inaccurate to view Shooter's defamation claims about the investigative report as political questions that were outside the judicial branch's jurisdiction. She said the issue at hand wasn't a challenge to the House's decision making in expelling Shooter, but was rather about an individual lawmaker's publication of allegedly defamatory statements in the report. Adjudicating those claims falls constitutionally to the judicial branch, she wrote.

WAKE UP CALL

House scraps override of Ducey veto

Capitol Media Services

It looks like Bruce Babbitt is going to remain the last Arizona governor to have a veto overridden, at least for the time being.

GOP lawmakers' feud ends with dead election bills

Capitol Media Services

State senators voted Tuesday to kill a host of changes in state election laws as a long-simmering dispute between two Republicans spilled out into the open.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003936

ARZN_REV00069424_6-30-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Bill to define 'anti-Semitism' in school lessons passes Senate
Capitol Media Services
Teaching anti-Semitism in Arizona public schools will include any claim that the state of Israel has no right to exist, according to legislation approved Tuesday by the state Senate.

House again passes sentencing reform bill as Roberts amendment fails
Maricopa Monitor
For the second time this year, the House of Representatives passed legislation to allow some prison inmates to earn earlier releases, but it remains to be seen whether it will get a vote in the Senate, where the bill already died once this legislative session.

Husband of Inmate Who Killed Herself in Jail Says MCSO 'Didn't Protect Her'
Phoenix New Times
Last October, Norali Ramirez Talavera was booked into the 4th Avenue Jail in downtown Phoenix after getting arrested during a traffic stop.

Gosar to hold fundraiser with white nationalist Nick Fuentes
The Hill
Rep. Paul Gosar (R-Ariz.) is scheduled to hold a fundraiser with prominent white nationalist Nick Fuentes.

Ex-intern seeking House seat says facing gunfire cemented desire to serve
Roll Call
Daniel Hernandez was credited with aiding Giffords after 2011 shooting.

Trump audit excitement meets with fear from election officials
Politico
The new drive is worrying state election administrators, who say the efforts will further inflame conspiracy theories and erode faith in the American democratic system.

Lawmakers prioritize wealthy over problem-solving
Arizona Daily Star (Opinion, Tim Steller)
In a flush year, the Arizona Legislature could have tackled the state's most intractable problems in education, housing and health care.

Spelling out in plain English why Sen. Kyrsten Sinema is no Sen. John McCain
Arizona Republic (Opinion, EJ Montini)
There is a big difference between being independent and being correct.

Why did Arizona Gov. Doug Ducey go from white knight to wuss?
Arizona Republic (Opinion, EJ Montini)
There was a time, shortly after the election, when the governor showed real backbone. Then …

Paul Gosar is going full-on white nationalist and the GOP's silence is ... not surprising
Arizona Republic (Opinion, Laurie Roberts)
Rep. Paul Gosar's devolving, revolting flirtation with white nationalism is no surprise. But where are the Republicans denouncing him for holding a fundraiser with Nick Fuentes? Anyone?

Lawmakers were right to reverse Proposition 208's high income tax rate
Arizona Republic (Opinion, Robert Robb)
Given the high stakes for Arizona's economy, finding a way to reduce Proposition 208's high individual tax rate back to the previous 4.5% was the right thing to do.

COVID-19 killed our trust in science (real science, that is). How do we resurrect it now?
Arizona Republic (Op-ed, David Engelthaler)
Science is not a set of facts that never change. It's a continuum of learning. How do we get back to that after the all that divided us over COVID-19?

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PRESS RELEASES

Missed Opportunity': House Democrats Statement on Extreme GOP Budget, Session's End

PHOENIX— House Democratic Leader Reginald Bolding released the following statement today after Republicans finished forcing through one of the most extreme budgets in state history and ended a legislative session that severely eroded the voting and reproductive rights of Arizona citizens.

"Arizona is a politically purple state with a $2 billion surplus. We had a once-in-a-generation opportunity to step up in a bi-partisan way and make a real difference for a state hit hard by the pandemic, and a state that remains plagued by chronically underfunded schools, prolonged drought, inadequate healthcare, a lack of affordable housing and mounting infrastructure needs. The Republican budget squanders that opportunity. With a single-vote majority in both chambers, Republicans passed an irresponsible and permanent $1.7 billion tax giveaway to the wealthy. At the same time they doubled down on extreme policies to roll back voting and reproductive rights, while openly retaliating against voters for choosing a Democratic president and against public-school educators who successfully asked voters for more resources. The big winners this session were election conspiracy theorists and a few thousand well-to-do Arizonans who needed our help the least. A shameful end to a shameful session."

Small Business Tax Relief Legislation Clears Final Hurdle, Sent to Governor's Desk

STATE CAPITOL, PHOENIX – HB 2838, sponsored by Representative Joseph Chaplik (R-23), which revises state tax structure for taxpayers and protects small business from over taxation by the federal government, without impacting the state general fund, received final passage in the House today.

"Providing Arizona's small businesses with more working capital and tax relief at this critical moment, without having a negative fiscal impact to the state, is responsible public policy that I and all lawmakers should support," said Representative Chaplik.

Since 2017, 15 states, both red and blue alike, have adopted SALT-parity legislation, including Connecticut, Wisconsin, Oklahoma, Louisiana, Rhode Island, New Jersey, and Maryland. Under HB 2838, Arizona would join those other states, providing small businesses significant potential tax savings.

The federal government is also on board. In November 2020, the Internal Revenue Service issued guidance (Notice 2020-75) that pass-through entity businesses may claim deductions above the $10,000 State and Local Tax (SALT) cap.

Other important considerations of HB 2838:

- It is revenue neutral, as the deduction reduces federal taxes owed;
- It provides an election for these businesses to pay their SALT at the entity level;
- It provides parity to C-Corporations that were not affected by the 2017 tax law;
- It keeps the revenue earned by Arizona's businesses at work in Arizona; and
- It has no negative fiscal impact on the General Fund revenues, and Arizona cities and towns.

Additionally, Main Street Employers Coalition supports legislation across the country to restore the full SALT deduction to Arizona's pass-through businesses.

The Senate gave the bill its final approval on Tuesday. It now goes to the Governor, who is expected to sign it into law.

Joseph Chaplik is a Republican member of the Arizona House of Representatives serving Legislative District 23, which includes Scottsdale, Fountain Hills, and Rio Verde.

AEA Statement on Passage of State Budget

PHOENIX – June 30, 2021 – Today, Governor Ducey signed a state budget that prioritizes tax cuts for the wealthy over investing in our children's education.

"Governor Ducey and legislators had a tremendous opportunity to invest in public education funding using the billions of dollars in surplus," says AEA President Joe Thomas. "Instead, they chose to line the pockets of their wealthy donors by creating a multi-year billion-dollar tax cut and a tax loophole for the wealthy to avoid paying taxes to invest in education."

Last year, educators worked to get the Invest in Education Act on the ballot and voters approved the measure to provide $940 million in permanent sustainable funding for our schools by implementing a 3.5% tax for those with

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003938

ARZN_REV00069424_6-30-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

incomes over $500K. This budget undermines the will of voters and spends the state surplus on a regressive flat income tax that will permanently drain billions from state revenue and tips the scales in favor of the wealthiest 1% in Arizona.

"This budget fails to fund full-day Kindergarten. It fails to provide schools with enough resources to repair their buildings and build new schools when needed. It fails to address Arizona's shortage of teachers," says Thomas. "This budget will have devastating consequences for our students and educators for decades with the expansion of the private school voucher program and permanent loss of $3 billion in state revenue over the next few years."

A private school voucher expansion was amended to the K-12 Education Budget bill, further diverting tax dollars away from public schools into private schools without any accountability. Arizona's private school program is rife with fraud, waste, and abuse and several reports show it has no positive academic impact for our students.

AEA has rallied members, educators, and education supporters to contact legislators and sit in the gallery to lobby elected officials to work on a bipartisan budget that invests in education without permanent tax cuts.

"Our students are at the center of everything we do," says Thomas. "We will not stand down when it comes to our students. We will advocate every day for the policies and resources necessary for the respect our educators deserve and the educational opportunities our students need."

As 2021 Session Ends, Senate Democrats Lament Lack of Support for Arizonans

IMMEDIATE RELEASE | June 30th, 2021

Phoenix- *Senate Democrats released the following statement on the conclusion of the 2021 Legislative Session.*

"This entire session was marred by a complete disregard for the struggles Arizonans experienced during the COVID19 pandemic that is still ongoing. The lives of Arizonans have been irrevocably changed by this pandemic, and many have lost jobs, lost homes and lost loved ones. Rather than focusing our efforts on helping Arizonans recover from the pandemic, Republicans handed out welfare for the wealthy and sought retribution on teachers and voters for passing Prop 208 to fund our public schools. Further, Republicans snuck in a Pandora's box of partisan bills that included a host of election conspiracy theories, attacks on teachers, banning mask and vaccine mandates at schools and a still massive expansion of ESA vouchers, despite a majority of Arizonans voting to overturn ESA expansion via Prop 305.

We could have had a transformational budget to rebuild and revitalize Arizona. We have a $2 billion surplus that could go toward investing in our public schools, providing teachers much needed raises, updating and repairing our state's infrastructure, paying down our debt and more. Instead, we have decided to prioritize welfare for the wealthy, forcing Arizonans to subsidize the lifestyles of the rich with a radical tax cut plan. We had a real opportunity to help Arizona's working families restore, recover and rebuild from the COVID-19 pandemic and it is a travesty that we failed them."

Statement from Senator Paul Boyer

If the Democrats let antisemitism happen in the House, they will let it happen in the classroom. A safeguard is needed.

"During this year's legislative session HB 2241 was filed in order to mandate Holocaust Education for Arizona's students. Our caucus initially raised concerns about the bill's lack of relevance to contemporary antisemitism. Obviously, there is little value to Holocaust Education if we don't teach students to identify antisemitism when they see it today.

The solution to HB 2241's deficiency is to make use of the International Holocaust Remembrance Alliance (IHRA) Definition of Antisemitism. The House sponsor of HB 2241 was privately approached and refused to engage in a discussion of the policy and practical concerns raised by her bill's exclusion of the IHRA Definition.

The concern of Arizona Republicans about the rise of antisemitism in our state and around the country is sincere and urgent. The essential utility of the IHRA Definition is that it clarifies the nature of stylized antisemitic rhetoric when it appears. It doesn't prevent antisemitic speech, it merely highlights its bigoted nature for those who lack a proper understanding of this unique form of racism.

In respecting the sponsor's request that the IHRA Definition be implemented through a separate bill, HB 2282 was initiated. This approach was also publicly supported by House Democrats and communal organizations. At the last moment they have backtracked from their position.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003939

ARZN_REV00069424_6-30-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Despite the obviously good intentions of many of our Democratic colleagues, the extreme progressive takeover of the House Democratic Caucus has placed them in the difficult position of having to choose between integrity and partisanship.
If the Democrats let antisemitism happen in the House, they will let it happen in the classroom. A safeguard is needed. Passing a Holocaust education mandate without the bipartisan-supported IHRA Definition would be a moral outrage that betrays the memory of the Holocaust and endangers the Jewish community by obfuscating current forms of antisemitic attacks.
For our part, the Senate Republican Caucus stood by Arizona's guiding moral principles in this case no matter the political cost. We wish to publicly assure all Arizonans that our Republican caucus will use our majority to pass a Holocaust Education mandate with the IHRA Definition in the next session and send it to Governor Ducey in that proper form. This is a solemn promise that Holocaust survivors and their families can rely on."
Background:
When Holocaust survivors and their families say "Never Again," what exactly is it that they are talking about? They are talking about contemporary antisemitism, and the ongoing problem of hatred faced by the Jewish people. Indeed, it would be a profound moral failure to teach about the Holocaust without properly addressing its contemporary relevance. The International Holocaust Remembrance Alliance's Definition of Antisemitism ("the IHRA Definition") was created for educational purposes and has become the consensus standard in this matter. This same definition is already applied by our federal government through the U.S. Departments of Education, Justice, and State and it has been embraced by dozens of democratic countries around the world. For that reason, over 500 Holocaust survivors, their family members and concerned citizens have emailed the members of this legislature in recent weeks urging the inclusion of the IHRA definition in Holocaust education.

Salmon For Arizona Announces Senator Ted Cruz's Endorsement

Phoenix – Former Congressman and Republican gubernatorial candidate Matt Salmon announced today the endorsement of Senator Ted Cruz, who currently represents the state of Texas.
"Senator Cruz is a conservative stalwart who has always put America first. His pursuit of freedom and opportunity is only matched by his fidelity to the Constitution. He will be a tremendous voice in the important issues confronting Arizona, starting with securing our border and ensuring the next governor advances an agenda centered on more freedom, more opportunity and more growth. I'm honored and thankful for his endorsement," said Salmon.
Senator Cruz said, "I'm proud to stand with my friend and proven conservative, Matt Salmon. As governor, Matt will make the safety and security of all Arizonans his top priority. He will fight to protect Arizona from the Biden Administration's socialist policies. And Matt will continue the work, which started when he was in Congress, to defend Arizona from all threats, including those increasingly from foreign and state actors, while standing unapologetically on conservative principle. I ask fellow conservatives in Arizona to join me in supporting Matt's campaign for governor."

First Lady, Second Gentleman Visit Highlights State's Vaccination Outreach Efforts

ADHS supports vaccination events statewide, including today's event at west Phoenix school
PHOENIX — Today's Arizona visit by First Lady Jill Biden and Second Gentleman Douglas Emhoff takes them to a pop-up vaccination clinic the Arizona Department of Health Services (ADHS) is funding in partnership with the Equality Health and HeroZona foundations.
This event at Isaac Middle School in west Phoenix is one of a number of such clinics offered in recent months through the One Community Initiative, of which ADHS is a partner. The Equality Health Foundation is one of 13 entities under contract with the state to provide mobile vaccination services in underserved communities.
"We welcome the First Lady and Second Gentleman to Arizona and to this wonderful opportunity to see what the One Community Initiative and similar efforts are doing to make vaccination even more accessible in areas with lower uptake," said ADHS Director Dr. Cara Christ, who will attend the event.
Over the past two weeks, seven state-run mass-vaccination sites closed after they administered more than 1.6 million doses of COVID-19 vaccine to 867,000 people in Arizona since January. Focus has shifted to state-supported community vaccination events that have been underway for months, such as today's event.
Other recent examples of community-based vaccination are Chase Field events held this month in partnership with the Arizona Diamondbacks using another provider under state contract. A pop-up event held at a south Phoenix school in

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003940

ARZN_REV00069424_6-30-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

partnership with the Equality Health and HeroZona foundations vaccinated nearly 700 individuals on May 14, the first day the Pfizer vaccine was available to ages 12 and up.

ADHS continues to support vaccination efforts at sites statewide through contracts with Premier Medical Group, including Woods Memorial Library and Menlo Park Family Resource Center in Pima County, and the Show Low Gun Show in Navajo County.

For such events, ADHS uses federal grant dollars to cover operating expenses.

This is the second White House event featuring an Arizona vaccination facility. In early February, President Joe Biden and Vice President Kamala Harris made a virtual visit to the state-run mass-vaccination site at State Farm Stadium in Glendale, hailing it as a national model.

"You're saving people's lives, short-term and long-term," the president told Dr. Christ during the virtual tour.

In addition to partnerships with community-based vaccination providers, ADHS has commissioned strategic, high-intensity outreach in areas with lower vaccination rates and higher instances of serious outcomes from COVID-19. These started with a pilot program in ZIP code 85009 west of downtown Phoenix that included telephone town halls in English and Spanish, geofenced advertising, and door-to-door outreach to register eligible residents for vaccination. More than 400 people from that ZIP code were vaccinated through that outreach, including many who used taxis provided for them.

Since that time, this outreach has expanded to include much of the area south, southwest and southeast Phoenix and areas of Mesa, Yuma County, and southern Scottsdale.

ADHS has also helped get more vaccine into communities by enabling doctors' offices and health clinics to order directly from the federal government.

"It's wonderful to have the First Lady and Second Gentleman here focusing on the continued need for vaccination," Dr. Christ said. "COVID-19 remains active in our communities, and new and more contagious variants increase the chances of cases and hospitalizations among unvaccinated individuals."

To learn more about COVID-19 vaccines, please visit azdhs.gov/COVID19vaccines. To find a location offering safe, highly effective, and free vaccines, please visit azdhs.gov/FindVaccine.

"QUOTE OF THE DAY"

"There's something about being in the Legislature, some intoxicant, that can make you feel that you have some power... yet I was unable in any way to calm her."

- ***Bowers, on his daughter, Kacey, who died earlier this year***

June 30, 2021

AMERICAN OVERSIGHT

Sender: rgabaldon@azleg.gov
Sent: Thursday, July 1, 2021 5:38:49 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 7-1-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *July 1, 2021*

THE OPINION WE'VE ALL BEEN WAITING FOR
The US Supreme Court today in a 6-3 decision upheld Arizona's ban on ballot harvesting and its requirement that voters must vote in the correct precinct for their ballots to count.

IT'S NBD, REPUBLICAN LAWYERS SAY
Former Arizona Elections Director Eric Spencer said the Supreme Court's decision was a narrow one and not a landmark inflection point in elections law.

IT ACTUALLY IS NBD
The Supreme Court's decision to uphold the ban on counting out-of-precinct ballots won't matter to the vast majority of Arizona's population, as Maricopa,

AMERICAN OVERSIGHT

Cochise, Yavapai and Yuma counties already use vote centers, and Pima County says it is making the switch.

THEY'LL HAND OVE THE RECORDS WHEN TRUMP IS REINSTATED
The Arizona audit is winding down, but the fight for transparency continues as Cyber Ninjas and the Senate are facing a lawsuit from the Arizona Republic over records.

AND IT'S NOT EVEN AN ELECTION YEAR
The 2022 election is still a long way away, but we already know at least three issues that will be on the ballot.

ONE OF THE FEW WHO HAS SERVED MORE TIME THAN HOWIE
The Senate's public records attorney, Norm Moore, officially retired yesterday after 37 years in the Legislature.

WELCOME ABOARD, LORI
The IRC this week voted unanimously to hire Lori Van Haren, a city of Phoenix assistant prosecutor, as its deputy executive director and public records manager.

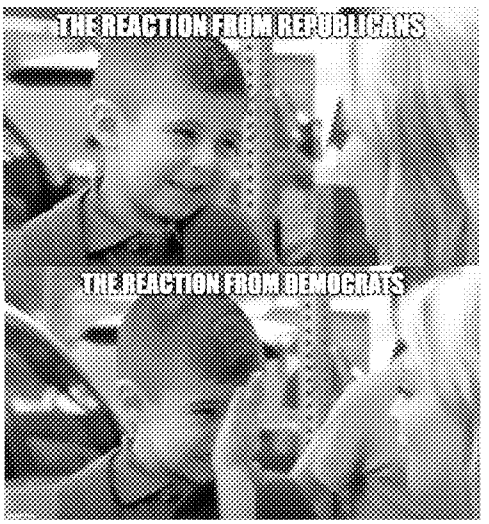
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, July 01, 2021

NEWS NOTES AND GOSSIP

THE OPINION WE'VE ALL BEEN WAITING FOR



The US Supreme Court today in a 6-3 decision upheld Arizona's ban on ballot harvesting and its requirement that voters must vote in the correct precinct for their ballots to count. The decision in *Brnovich v DNC* was highly anticipated, as experts were eager to get a sense of how this court would handle issues related to the Voting Rights Act. "The reason why this case is so important is in part because of the Arizona laws at issue, but more importantly because of the standards that the court identifies today that will govern how federal courts resolve other legal challenges involving other voting laws all over the country," ASU associate law professor Joshua Sellers told *KJZZ's The Show* (LINK). The court reversed the 9th Circuit Court of Appeals' ruling, which had found the precinct policy violated Section 2 of the Voting Rights Act and that the ballot harvesting law violated Section 2 and the 15th Amendment. Our inbox was stuffed with reactions from Arizona and beyond – a sample of which we've included below:

Brnovich: "Today is a win for election integrity safeguards in Arizona and across the country… Fair elections are the cornerstone of our republic, and they start with rational laws that protect both the right to vote and the accuracy of the results."

Ugenti-Rita: "Despite Democrat's continual effort to exploit the judicial system to circumvent the will of the public and levy false accusations of racism and suppression, I'm gratified the US Supreme Court saw through the rhetoric on behalf of the voters."

GOP gubernatorial candidate Matt Salmon: "[D]espite today's victory, ominous and very real threats remain. For one, President Biden and Vice President Harris alongside Speaker Nancy Pelosi and Majority Leader Chuck Schumer support the so-called 'For the People Act,' which would eviscerate voter identification and codify ballot harvesting on a national level. Further, in Arizona, Secretary of State and gubernatorial candidate Katie Hobbs opposed the ban on ballot harvesting while in the state legislature and now supports this radical federal legislation… The choice between Hobbs and me on this critical issue could not be clearer."

GOP gubernatorial candidate Karrin Taylor Robson: "I thank President Trump for appointing the conservative court majority that helped make possible this decision upholding Arizona's election security measures, including a ban on ballot harvesting and decades-old requirement that people vote within their designated precinct. These are common sense safeguards. That they were challenged by the Democratic National Committee, and Secretary of State Katie Hobbs refused to do her job in defending Arizona's own election laws, says something about the state of the radical Left in 2021.

Hobbs: "The Voting Rights Act was passed to protect the right to vote and to fight against racial discrimination. The Supreme Court weakened one of our country's landmark civil rights laws. It is truly a sad day for the future of our democracy."

The DNC: "This ruling is exactly why we urgently need to take action at the state and federal levels to protect voters from Republicans' unprecedented efforts to undermine the right to vote."

Arizona Democratic Party Chair Raquel Terán: "This disappointing Supreme Court decision is an attack on Arizonans trying to exercise their right to vote."

July 1, 2021

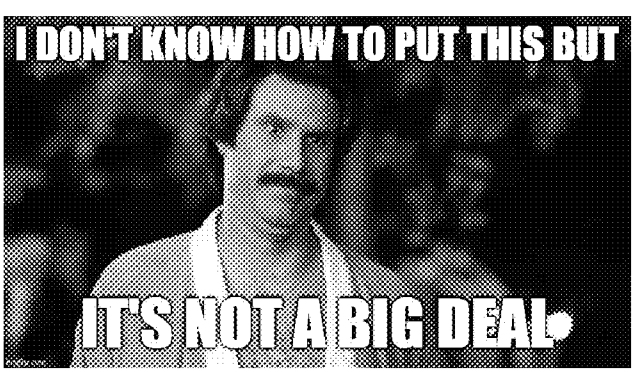
AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S NBD, REPUBLICAN LAWYERS SAY

Former Arizona Elections Director Eric Spencer said the Supreme Court's decision was a narrow one and not a landmark inflection point in elections law. "It doesn't really break new ground," Spencer said. "It essentially reaffirms the very reasonable and rational decision reached by the district court and gives a rather expected and not infrequent finger wag to the 9th Circuit, which all too often goes off on an appellate tangent in odd ways and causes frequent reversal." The court did not take up any of the proposed tests to govern how it handles Section 2 claims. "[A]s this is our first foray into the area, we think it sufficient for present purposes to identify certain guideposts that lead us to our decision in these cases," Justice Alito wrote. Republican attorney Kory Langhofer said the court's choice to not decide a test for future Section 2 claims was a wise choice. He said the Supreme Court sees other VRA cases bubbling up that deal with numerous different theories and is making a good call in not making a test for all cases for all time. "We're just going to sort of say you have some big principles, and let's work this out together over the next few years or decades," Langhofer said. Spencer, who testified in trial and in front of the Legislature on behalf of the ballot collection ban, said the opinion was well reasoned but "relatively unremarkable." He also highlighted Alito's point of saying that states can create laws to prevent future fraud, something he argued in his 2016 testimony. "And it should go without saying that a state may take action to prevent election fraud without waiting for it to occur and be detected within its own borders," Alito wrote.

IT ACTUALLY IS NBD



The Supreme Court's decision to uphold the ban on counting out-of-precinct ballots won't matter to the vast majority of Arizona's population, as Maricopa, Cochise, Yavapai and Yuma counties already use vote centers, and Pima County says it is making the switch. Several other counties – including at least Pinal, Graham and Navajo counties – use hybrid models that offer both traditional polling places and vote centers. With traditional polling places, voters must show up to the correct polling place for their precinct – if you're not on the voting rolls there, you can still cast a provisional ballot, but if you're in the wrong precinct, it won't count. With voting centers, voters from anywhere in the county can show up and get a customized ballot printed with the relevant races for their specific precincts. There's a longstanding history of counties having different procedures of whether to count wrong-precinct provisional ballots (LINK) – which was partially at issue in the lawsuit. But in 2011, at the urging of then Secretary of State Ken Bennett (LINK), Mesnard sponsored Laws 2011, chapter 331 (H2303: voting centers; polling places), which allowed counties to switch to a voting center model. Yuma and Yavapai counties were the first to adopt the centers, which were designed to cut down on the large number of rejected provisional ballots in Arizona (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003945

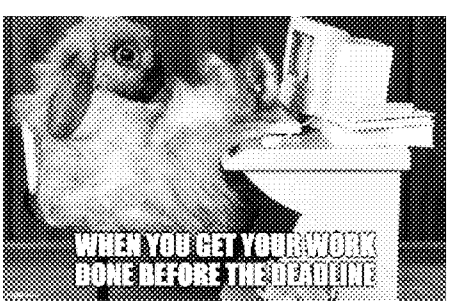
ARZN_REV00069426_7-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THEY'LL HAND OVE THE RECORDS WHEN TRUMP IS REINSTATED

The Arizona audit is winding down, but the fight for transparency continues as Cyber Ninjas and the Senate are facing a lawsuit from the *Arizona Republic* over records. The state's largest paper is taking them to court over their refusal to provide what media attorney David Bodney declares are public records, including communications between legislators and Cyber Ninjas (LINK). Meanwhile, yesterday was the final day of the renewed contract between the Senate and Veterans Memorial Coliseum, but the ballots and other materials are still on the property in the Wesley Bolin building – the same area where everything was moved last month during graduations. It's also the same building the State Fair Grounds website said should be avoided during summer months due to high temperatures. Fann was evasive to a *Republic* reporter questioning whether the Senate would extend its stay at the Coliseum and why they are holding onto the ballots and machines (LINK). The public and lawmakers are still awaiting the final report which could be completed anywhere from a couple of weeks to a couple of months, just another example of the opacity that has been prevalent since Cyber Ninjas was hired. The livestream on the audit's website is still active, except for camera seven, and everything on the floor has been taken down. The machines in the Senate and contractors' possession also will not be used in future elections, as Maricopa County officials announced earlier this week. Chairman Jack Sellers released a statement yesterday taking another shot at the partisan review and recount. "Calling what has happened under the Senate contractor in the Coliseum an 'audit' insults the voters' intelligence and fuels the imaginations of those who wish to tear our democracy apart," he said. He also asked many questions that have continued to go unanswered like why we don't know who all the subcontractors are and who is being paid to count the ballots.

AND IT'S NOT EVEN AN ELECTION YEAR



The 2022 election is still a long way away, but we already know at least three issues that will be on the ballot. Lawmakers this year referred three questions to the voters in 2022: whether to grant in-state tuition to undocumented immigrants who went to high school here, whether to limit initiatives to a single subject and whether to allow lawmakers to scrap or tweak any initiative that is found to contain an illegal or unconstitutional provision. Boyer's SCR1044 (tuition; postsecondary education) would repeal portions of Prop 300 from 2006, which voters passed by a margin of 71-29 percent, and which barred undocumented immigrants from receiving in-state college tuition and any fee waivers, grants, scholarships, financial aid or any tuition assistance "paid in whole or in part with state monies." Instead, voters will be asked to allow students who have attended high school in Arizona for two years, or graduated any high school in Arizona, to receive in-state tuition, including undocumented immigrants (but excluding those here on tourist or student visas). Kavanagh's SCR1001 (initiatives; single subject; title) would tie initiatives to the same kind of single-subject rules that bind lawmakers. And Leach's SCR1034 (voter protection act; court determinations) would allow lawmakers, with a simple majority, to amend or repeal any voter-approved measure with any provision that is found unconstitutional. It's unclear whether the referral, if approved, would apply only proactively or could be applied to voter-protected measures with provisions that have already been found unconstitutional, such as the Clean Elections Act, which had its matching funds provision struck down by the US Supreme Court in 2011.

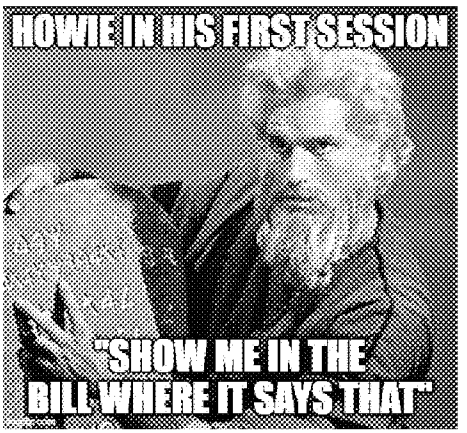
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003946

ARZN_REV00069426_7-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ONE OF THE FEW WHO HAS SERVED MORE TIME THAN HOWIE



The Senate's public records attorney, Norm Moore, officially retired yesterday after 37 years in the Legislature. Moore told our reporter via email that he's looking forward to spending more time with his family, including three grandsons, and traveling to visit extended family and friends throughout the country. "I am so fortunate and happy that I got to serve the legislative institution about which I care for so deeply and that I have wonderful friends and experiences from my career at the Legislature," he said. Moore has been a fixture since he started as a page in 1976, and with the exception of the three years he spent at law school in his home state of Nebraska, he spent most of his adult life working in the House, and was on hand for some of the most dramatic moments from the past few decades, including Gov Evan Mecham's impeachment. Moore, then the assistant rules attorney, was working with special counsel Bill French to lead the team of attorneys, and he recounted needing a DPS escort from the House to a separate location to draft the articles of impeachment because of death threats. He also remembered where he was when he got the news that Gov Wesley Bolin died of a heart attack on March 4, 1978. Excessive rain at the Capitol on March 3 and 4 sparked fears of flooding, and Moore and fellow pages were laying sandbags and hauling furniture, filing cabinets, books and papers from the basement to the second floor when they heard the news. From 1992 to 2009, Moore served as the House's chief clerk. He "retired" in 2009 to partner with longtime lobbyist and his former House colleague, Don Isaacson, and talked to the *Capitol Times* at the time about the biggest changes in the Legislature – less collegiality, no more smoke-filled rooms and more computers – and his childhood as the son of a mortuary owner, where he played hide-and-seek in caskets and helped his dad recover bodies (LINK). After five years in the lobbying business, Moore returned to the House in 2015 as the chamber's rules attorney (YS, 12/3/14), then moved to the upper chamber in 2017. Senate Rules Attorney Chris Kleminich will fill in temporarily as public records attorney.

WELCOME ABOARD, LORI

The IRC this week voted unanimously to hire Lori Van Haren, a city of Phoenix assistant prosecutor, as its deputy executive director and public records manager. Van Haren has been an assistant prosecutor for two years. Before that, she served as chief of staff for Phoenix Councilwoman Felicita Mendoza, who was appointed to Kate Gallego's seat in 2018 when Gallego resigned to run for mayor. "She not only has a tremendous amount of knowledge on the legal side with public records but also with community outreach and engagement," IRC Executive Director Brian Schmitt said, also highlighting that she speaks Spanish.

WAKE UP CALL

Sine finally die!
Arizona Capitol Times
After 171 days and several false starts and with mere hours to spare before a government shutdown, Gov. Doug Ducey signed a budget and the Arizona Legislature finally succeeded in adjourning sine die at 4:54 p.m. Wednesday.

Court: Mesnard lost immunity with press release
Capitol Media Services

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

State lawmakers have absolute immunity from being sued by those who are the targets of legislative investigative reports, the Arizona Supreme Court ruled Wednesday.

Supreme Court upholds Arizona voting restrictions

Capitol Media Services

In a 6-3 ruling the U.S. Supreme Court said that while the laws affect minority voters, Arizona can continue to ban "ballot harvesting" as well as deciding to count only votes cast within the proper precinct.

Arizona legislators OK tripling their per diem

Capitol Media Services

Saying it might lead to more —and better — candidates, state lawmakers voted Wednesday to more than triple their own cost-of-living allowance, at least for those who live outside Maricopa County.

Ducey signs $12.8 billion budget with large tax cut

Capitol Media Services

Gov. Doug Ducey on Wednesday signed legislation putting in place an immediate $1.3 billion tax cut, set to rise to $1.9 billion, that is designed largely to benefit the most wealthy.

Mesa officials aiming for 'carbon neutrality'

East Valley Tribune

Mesa is "going green." Last week, Mesa joined the likes of Stockholm, London, New York City and Portland – which all have formal plans to achieve "carbon neutrality," viewed by many as a crucial step to curbing climate change.

County sees sudden rise in COVID cases

Payson Roundup

Gila County has seen a sudden increase in COVID-19 positive cases in the Payson, Star Valley and Pine areas, according to a June 25 report from the Gila County Health and Emergency Management Department.

Election conspiracy film stars promoted vigilante action against officials

Arizona Mirror

At a question-and-answer session following the premiere of a conspiracy theory film that had unprecedented access to the people conducting the Arizona Senate's review of Maricopa County's 2020 election results, the film's participants said their baseless allegations of election fraud warranted "drastic" action.

Sentencing reform dies for third straight year after Fann blocks Senate vote

Arizona Mirror

Arizona will continue to have some of the strictest criminal sentencing laws in the country after Senate President Karen Fann refused to let the Senate vote on a bill that would allow some nonviolent inmates to earn early releases.

The founders anticipated ---- and feared ---- Trump's 'big lie'

The Hill (Opinion, Neil Baron)

Arizona Republicans' comically slapdash audit of Maricopa County's 2020 election results is the latest attempt to reinforce the "big lie" that the election was stolen through massive voter fraud. Incredibly, recent polls show 56 percent of Republicans believe it.

GOP lawmakers said 'NO' to Arizona students and teachers

Arizona Mirror (Opinion, Julie Erfle)

This legislative session will go down in history as one gigantic missed opportunity.

Reps. Biggs, Gosar and Lesko got it wrong when they voted to protect Confederate statues

Arizona Republic (Opinion, Laurie Roberts)

Reps. Andy Biggs, Paul Gosar and Debbie Lesko just embarrassed Arizona again. This time, by voting to leave statues of Confederate and white supremacy leaders on display in the U.S. Capitol.

This year's Legislature was great ... if you own a sports team or enjoy a six-figure salary

Arizona Republic (Opinion, Laurie Roberts)

Arizona's legislative session was great, if you own a sports team or enjoy a six-figure income. For the rest of us, the good news is, well, that the Arizona Legislature has left town.

Republicans won the Game of Politics. Can Democrats redeem themselves next year?

Arizona Republic (Opinion, Elvia Diaz)

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Gov. Doug Ducey and Republican lawmakers gave a huge tax to the rich, and Democrats were powerless to stop it. Will Democrats learn their lesson?

Supreme Court upholds Arizona law, giving voter protections their last gasp

Arizona Republic (Op-ed, Priya Sundareshan)

The U.S. Supreme Court upheld Arizona laws on how and where ballots are collected, neutering what few Voting Rights Act provisions remain.

PRESS RELEASES

Release: ADP Statement on Brnovich v. DNC Supreme Court Decision

PHOENIX – In a 6-3 decision, the Supreme Court today decided to allow two of Arizona's burdensome voter restriction policies to stand. One of the policies largely bans third-party ballot collection, which particularly threatens Native American voters and another rejects voters' ballots if cast outside their precinct.

This decision sets a dangerous precedent for partisan efforts to restrict eligible voters. However, the Arizona Democratic Party and the 2022 Mission for Arizona Coordinated Campaign have already begun preparing for a massive voter education and protection program to ensure eligible Arizona voters have the information and support they need to cast their ballots.

In the wake of this decision, ADP Chair Raquel Terán released the following statement:

"This disappointing Supreme Court decision is an attack on Arizonans trying to exercise their right to vote. But, even in the face of this decision, Arizona Democrats are organized earlier than ever before to inform Arizonans on how to overcome these restrictions and make their voices heard at the ballot box.

"It's impossible to ignore that this ruling and these voter restriction laws are the culmination of Republicans' longtime efforts to sow distrust and doubt in our election system, with politicians like Mark Brnovich leading the charge. In open court, the Arizona Republican Party's own lawyer admitted that the purpose of the laws was to gain political advantage. This is just the latest proof that Republican leaders are willing to betray Arizona voters for their own political gain."

Representative Shawnna Bolick Reacts to SCOTUS Siding with Arizona's Election Integrity Laws

July 1, 2021

Contact: joanna@theresolute.group

PHOENIX, ARIZ. – Today, the United States Supreme Court upheld Arizona's common-sense election laws, protecting our ability to conduct honest and fair elections. The 6-3 decision in *Brnovich v. DNC* upheld Arizona state's law to restrict ballot harvesting and out-of-precinct voting, ensuring all legal votes are counted.

"This decision is a massive victory and a necessary step towards securing our elections," said Bolick, candidate for Secretary of State. "Despite a politically motivated attack by the Democratic party, the constitutionality of this common-sense law stood."

"In Arizona, every registered voter can vote, and every legal vote will be counted," Bolick continued. "I would remind the opposition of the facts of Arizona law that allows ample time and methods for voting: A 27-day early voting window, day-of voting, and ability to request an early ballot by mail up to 11 days prior to any election."

Concerns about election integrity surfaced long before 2020. The conclusion of a 2005 Carter-Baker Commission on Federal Election Reform, warned of potential voter fraud with mail-in ballots. Mail-in ballots have been termed "the tool of choice" of vote thieves and others hoping to compromise the election process.

In 2016, the Arizona Legislature took the necessary steps to make it a felony to harvest ballots with exceptions for family members, people living in the same household, and caregivers.

Fears of ballot harvesting are real. "Stories abound," said Bolick. "In August 2018, a neighbor of mine sought out advice for another neighbor who had had a ballot harvester come to their door to collect their early ballot. My neighbor switched her party affiliation from Democrat to Independent, worried someone else would come to their home in the future to take their ballot."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

In December 2020, the Arizona Attorney General announced a grand jury indictment for ballot harvesting in San Luis, Arizona. The indictment alleges two individuals knowingly collected four voted ballots from another person, in violation of Arizona law.
"Today is a win for Arizona. There is more work to do, but I am committed to securing Arizona's elections and restoring your confidence that your vote counts."

U.S. Supreme Court Rules Against Arizona Voters

Tucson, AZ –Today, the U.S. Supreme Court announced its decision in the case of Brnovich v. Democratic National Committee. In a 6-3 opinion, the Court rejected the approach of the U.S. Court of Appeals for the 9th Circuit, which had invalidated Arizona's fully-discarding out-of-precinct ballots policy and prohibition on ballot collection (HB2023).
The 9 th Circuit Court of Appeals ruled that both policies disproportionately impacted voters of color and the ban on ballot collection was enacted with the intent to racially discriminate against Latino/a voters.
Pima County Recorder Gabriella Cázares-Kelly says she is "deeply disappointed" with the Court's decision. "We are witnessing a historic attack on voting rights. The 2013 Shelby County v. Holder decision allowed voter suppression tactics like the ballot collection prohibition to be passed. In this year's legislative session, we have seen a recordbreaking number of bills introduced in state legislatures across the nation aimed at disenfranchising voters. It has never been clearer that we need strong protections for voters of color, and it is appalling to see further weakening of the Voting Rights Act through today's decision."
In siding with state of Arizona, the Supreme Court concluded that the disparate impact of the out-of-precinct policy on voters of color is insignificant and there is still an "equal opportunity to vote." It goes on to say that "having to identify one's polling place and travel there to vote does not exceed the 'usual burden of voting.'" However, this discounts the systemic inequities in access to transportation, internet infrastructure to determine one's polling place, and high residential mobility which leads to confusion in identifying one's correct polling place.
The Court states that the ballot-collection prohibition is not proven to result in racially disparate burdens, may lead to voter pressure and intimidation, and is effective at preventing election fraud by prohibiting a third party to return someone's ballot for them. It also says that HB2023 was not enacted with racially-discriminatory intent because there was "genuine, legislative debate." Cázares-Kelly says that it is disgraceful to see the Supreme Court further the false narrative around fraudulent activities in elections. There have never been any incidents of fraud in the long history of third party ballot collection in Arizona.
"Now, more than ever, as many Arizonans have leaned on their neighbors for help with basic needs during a global pandemic, we see the disparity of resources in our communities. This decision prohibits neighbors from helping neighbors to vote and we are disappointed with the Court's decision, to say the least.
Today's decision from the Court completely disregards the present-day racial disparities in access to voting and allows us to continue to challenge white supremacist laws and policies in the election process. I hope Congress will recognize the racial disparities in access to voting, end the filibuster, and pass both the For the People Act and the John Lewis Act to protect the right to vote for marginalized communities. These bills will be a step in the right direction to allow everyone to participate in our democracy."

Brnovich's Partisan Lawsuit Guts Voter Protections

The Suit Weakened A Crucial Provision of the Voting Rights Act, Making it Harder for Arizona's Tribal Communities to Vote

PHOENIX — Honest Arizona executive director Niles Harris issued the following statement after Arizona Attorney General Mark Brnovich undermined the most important voting rights law enacted in the 20th century.
"Mark Brnovich has used his office for partisan gain, supporting the ongoing attempt by the Arizona Senate to sow distrust in the state's election system and now undermining the Voting Rights Act that has protected minority voting rights for half a century. Mark Brnovich must stop his partisan attacks on the rights of Arizonans and start using his office to advance the needs of the people he swore an oath to serve."
Brnovich targeted Section 2 of the Voting Rights Act, which allows voters to challenge discriminatory voter restrictions. It also defended two Arizona laws that make it more difficult for Arizona's already marginalized communities to access the ballot box.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003950

ARZN_REV00069426_7-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Salmon For Arizona Reacts To U.S. Supreme Court Ruling

Phoenix – Former Congressman and Republican gubernatorial candidate Matt Salmon released the following statement today:

"Among fellow conservatives across the country, I'm grateful the U.S. Supreme Court ruled today against the far-left's attempt to undo Arizona's ballot harvesting ban and our election integrity measures. The court's decision reflects the will of Arizonans and reminds voters of the consequence of President Trump's three nominees and now-justices. For those who opposed President Trump or supported liberal candidates, this is as much a stark refutation as it is a defense of the rule of law.

"Yet, despite today's victory, ominous and very real threats remain. For one, President Biden and Vice President Harris alongside Speaker Nancy Pelosi and Majority Leader Chuck Schumer support the so-called 'For the People Act,' which would eviscerate voter identification and codify ballot harvesting on a national level. Further, in Arizona, Secretary of State and gubernatorial candidate Katie Hobbs opposed the ban on ballot harvesting while in the state legislature and now supports this radical federal legislation. As governor, I will strengthen voter ID by making it the law for mail-in voting just as it is required for in-person voting. Next, I will permanently ban ballot harvesting against threats at a state and local level. The choice between Hobbs and me on this critical issue could not be clearer."

"Election Fraud is a Crime against Democracy"

Karrin Taylor Robson commends SCOTUS decision upholding Arizona election integrity measures

Today, Republican and Arizona gubernatorial candidate Karrin Taylor Robson issued a statement on the U.S. Supreme Court decision in the case of Brnovich v. Democratic National Committee. By a 6-3 decision, the justices upheld Arizona provisions that bar ballot harvesting and out-of-precinct voting.

"Nothing could be more fundamental to our system of government than the right to free, fair and honest elections. Election fraud is a crime against democracy. I thank President Trump for appointing the conservative court majority that helped make possible this decision upholding Arizona's election security measures, including a ban on ballot harvesting and decades-old requirement that people vote within their designated precinct.

"These are common sense safeguards. That they were challenged by the Democratic National Committee, and Secretary of State Katie Hobbs refused to do her job in defending Arizona's own election laws, says something about the state of the radical Left in 2021. If they had their way, it's clear that liberal extremists would eliminate voter ID and other protections as they open the ballot box to non-citizens and anyone else intent on defrauding the election. And Democrat Katie Hobbs would do nothing to stop them.

"As Governor, I'll ensure Arizona elections are the nation's best: accessible to voters and impenetrable to fraudsters and cheats."

DNC on Brnovich v. DNC SCOTUS Decision

In response to the Supreme Court's decision today in Brnovich v. DNC, DNC Chair Jaime Harrison released the following statement:

"The DNC challenged two Arizona laws in 2016 that were intended to, and did, have a suppressive effect on the votes of minorities. One law resulted in the rejection of the votes of minorities by a ratio of 2:1. The other law effectively ended the ballot collection process that many minority communities in Arizona rely upon, particularly on Native American lands.

"We're disappointed in the Court's ruling today, but we will continue to work to make sure every voter's vote is counted and protected. This ruling is exactly why we urgently need to take action at the state and federal levels to protect voters from Republicans' unprecedented efforts to undermine the right to vote

"All Americans should have the same opportunity to exercise their right to vote. Every person's vote should be counted and treated in the same manner."

Below are some key background points on the Brnovich v. DNC decision:

TIMING

- 2016: The case has been five years in the making. In 2016, the DNC, DSCC, Hillary for America, and Arizona Democratic Party joined together with individual Arizona voters to bring suit against Arizona for violations of the Voting Rights Act and the First, Fourteenth, and Fifteenth Amendments.
- 2017: After a full trial in the fall of 2017, a federal district court issued a decision upholding both laws.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- 2020: The en banc Ninth Circuit reversed in early 2020. In the decision, the en banc court recognized that Arizona has a long history of discrimination against racial minorities, and that both challenged laws disproportionately impacted minority voters in Arizona. It also held that the ballot collection law was passed under "suspicious" circumstances, using racially tinged rhetoric, and that the law is not effective at achieving the state's purported goal of fraud prevention. It also acknowledged that Arizona is capable of alleviating some of the penalty for voting out-of-precinct by partially counting ballots. Accordingly, the court found that both laws violated Section 2 of the Voting Rights Act and that the ballot collection law was passed with racially discriminatory intent in violation of Section 2 and the Fifteenth Amendment.
- 2021: On March 2, the Supreme Court heard oral arguments. And today the Court issued its ruling.

KEY ISSUES

- The suit focuses on two of Arizona's laws: (1) the ballot collection law, which criminalized possession of another voter's ballot; and (2) Arizona's wholesale rejection of ballots cast in the wrong precinct. Both challenged practices severely burden Arizona voters—particularly Arizona's minority voters—without sufficient justification. Additionally, the suit alleges that the Arizona legislature passed the ballot collection law with the intent to discriminate.
- Plaintiffs asked the court for two remedies: (1) to strike down the ballot collection law, and (2) to require Arizona to partially count ballots cast in the wrong precinct, rather than reject them in their entirety.

BRINGING OUR CASE FORWARD

- A number of positive election law changes have already resulted from our litigation. Arizona counties have taken affirmative steps to reduce the number of out-of-precinct voters through the use of vote centers, better poll worker training, and polling place signage.
- With respect to ballot collection, our suit has highlighted issues with access to reliable mail services, particularly in rural tribal areas of the state. In response, many counties have increased the number of ballot dropboxes available to voters who used to rely on ballot collection. Other counties have reduced the instances of late-arriving ballots—one problem that ballot collection was addressing before it was banned—by sending election officials to post offices to directly collect ballots that were placed in the mail stream before the Election Day deadline.

Voto Latino Calls SCOTUS Voting Rights Ruling 'Full-On Adoption of the Big Lie'

WASHINGTON – This morning, the Supreme Court on Thursday upheld two restrictive voting laws in the 2020 battleground state of Arizona. According to reports, in a 6-3 ruling the conservative justices said the state did not violate the Voting Rights Act when it passed a 2016 law allowing only voters, their family members or their caregivers to collect and deliver a completed ballot. The ruling also upheld a longstanding state policy requiring election officials to throw out ballots accidentally cast in the wrong precincts.

Following the ruling, Voto Latino President and CEO Maria Teresa Kumar, issued the following statement:

"Let's call this ruling what it is: a full-on adoption by the Supreme Court's conservative justices of Donald Trump and the Republican Party's 'Big Lie.' It furthers the belief that Arizona's restrictive voting laws reasonably guard against nonexistent voter fraud, when in reality, they explicitly discriminate against, and disproportionately impact voters of color.

"The real-time dismantling of the Voting Rights Act, now diminishing Section 2's safeguards that protect against bills disadvantaging voters by race, is a worrisome setback to overturning the dozens of discriminatory laws being pushed, and passed, across state legislatures. By disallowing the collection and delivery of completed ballots, and requiring officials to throw out ballots accidentally cast in the wrong precinct, we are actively seeking ways to make it harder to vote, disenfranchising voters who may need assistance reaching faraway polling places, or penalizing them for not keeping up with the ever-changing location of precincts.

"These laws disproportionately target Arizona's Latinx voters, its indigenous voters, and all voters of color, as well as low-income voters. It also sends the wrong message to young Latino voters, who made up over 27 percent of Arizona's electorate in 2020 and is growing, making it harder for them to participate. This is not how we create a more inclusive democracy that ensures every voice can be heard in our elections."

If you'd be interested in speaking with Maria Teresa further about the impact of this SCOTUS ruling on Arizona's Latinx voters, and the continued threat of restrictive voting laws across the country, we'd be happy to arrange a call.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STATEMENT FROM SUPERVISOR GALLARDO ABOUT THE LEGISLATIVE SESSION AND ONGOING FRAUDIT

The legislative session thankfully came to a close Wednesday and yet the fraudit started by the Senate Republican leadership lives on. To what end? I thought Senate President Karen Fann said the "full forensic audit" would inform legislation that could improve elections in Arizona. Senator Kelly Townsend said she wouldn't vote on a budget until the fraudit was complete. The chance to fulfill those promises ended yesterday – not that they were ever sincere.

The truth is, the fraudit being conducted by the Cyber Ninjas was never about good policy or good governance. It continues to be about the "Big Lie," making money for future GOP political campaigns, and sadly, damaging our democratic republic in the process.

Nobody needed to crack open expensive tabulation machines to know the election in Maricopa County was free and fair, run by professionals with decades of knowledge and a high degree of training. Nobody needed to pretend partisan volunteers can do a better job than machines when it comes to counting dots on pieces of paper. Nobody needed to flash the paper ballots with black lights or photograph microscopic fibers.

The processes detailed in Arizona law and the Elections Procedures Manual define the checks and balances that make Arizona's elections some of the most secure in the country. So, I ask President Fann, Senator Townsend and others in their caucus who pretend their fraudit is about gathering vital insight to admit the opportunity to change elections laws in 2020 is over. And the fraudit should sine die along with the legislative session.

Arizona Comment on Today's National Jobs Report

State took good measures to speed economic recovery, says small-business leader

PHOENIX, July 1, 2021—There's no cause to pop champagne corks yet, according to today's release of NFIB's monthly Jobs Report, a national barometer of the small-business economy, but the state for NFIB said Arizona is well-positioned to beat its neighbors to full economic recovery.

"Early legislative action this year to enact COVID-19 liability protection for businesses followed by recently adopted, historic tax reforms for income and property taxpayers will feed the flames of optimism and build confidence in business owners--leading to more investment, hiring and growth of small businesses in Arizona," said Chad Heinrich, Arizona state director for NFIB. "While small-business owners remain in a struggle to fill open jobs, in Arizona our small businesses are seeing the support that comes from having a pro-small-business Legislature as our elected officials wrap up business at the State Capitol."

Highlights from the Jobs Report

- According to NFIB's monthly jobs report, 46% of small business owners reported job openings they could not fill in the current period, down two points from May but still above the 48-year historical average of 22%. Small business owners continue to struggle to find qualified workers for their open positions while raising compensation at a record high level.

- A net 39% (seasonally adjusted) of owners reported raising compensation (up five points), a record high. A net 26% plan to raise compensation in the next three months (up four points).

From NFIB Chief Economist Bill Dunkelberg

- "In the busy summer season, many firms haven't been able to hire enough workers to efficiently run their businesses, which has restricted sales and output," said NFIB Chief Economist Bill Dunkelberg. "In June, we saw a record high percent of owners raising compensation to help attract needed employees and job creation plans also remain at record highs. Owners are doing everything they can to get back to a full, productive staff."

NFIB's Jobs Report is a national snapshot not broken down by state. Today's results were based on 592 respondents to the June survey of a random sample of NFIB's member firms, surveyed through 6/28/2021. The NFIB Research Foundation has collected Small Business Economic Trends data with quarterly surveys since 1974 and monthly surveys since 1986.

Keep up with the latest on Arizona small business news at www.nfib.com/arizona or by following NFIB on Twitter @NFIB_AZ

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003953

ARZN_REV00069426_7-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Despite Democrat's continual effort to exploit the judicial system to circumvent the will of the public and levy false accusations of racism and suppression, I'm gratified the US Supreme Court saw through the rhetoric on behalf of the voters."

- ***Ugenti-Rita, on SCOTUS upholding her ballot harvesting law***

July 1, 2021

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, July 1, 2021 5:38:51 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 7-1-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet *July 1, 2021*

THE OPINION WE'VE ALL BEEN WAITING FOR
The US Supreme Court today in a 6-3 decision upheld Arizona's ban on ballot harvesting and its requirement that voters must vote in the correct precinct for their ballots to count.

IT'S NBD, REPUBLICAN LAWYERS SAY
Former Arizona Elections Director Eric Spencer said the Supreme Court's decision was a narrow one and not a landmark inflection point in elections law.

IT ACTUALLY IS NBD

AMERICAN OVERSIGHT

The Supreme Court's decision to uphold the ban on counting out-of-precinct ballots won't matter to the vast majority of Arizona's population, as Maricopa, Cochise, Yavapai and Yuma counties already use vote centers, and Pima County says it is making the switch.

THEY'LL HAND OVE THE RECORDS WHEN TRUMP IS REINSTATED

The Arizona audit is winding down, but the fight for transparency continues as Cyber Ninjas and the Senate are facing a lawsuit from the Arizona Republic over records.

AND IT'S NOT EVEN AN ELECTION YEAR

The 2022 election is still a long way away, but we already know at least three issues that will be on the ballot.

ONE OF THE FEW WHO HAS SERVED MORE TIME THAN HOWIE

The Senate's public records attorney, Norm Moore, officially retired yesterday after 37 years in the Legislature.

WELCOME ABOARD, LORI

The IRC this week voted unanimously to hire Lori Van Haren, a city of Phoenix assistant prosecutor, as its deputy executive director and public records manager.

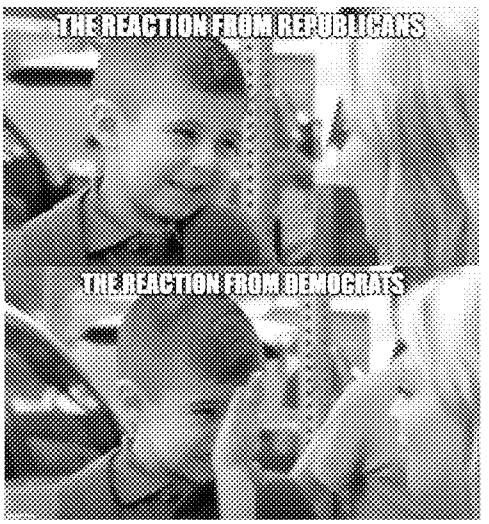
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, July 01, 2021

NEWS NOTES AND GOSSIP

THE OPINION WE'VE ALL BEEN WAITING FOR



The US Supreme Court today in a 6-3 decision upheld Arizona's ban on ballot harvesting and its requirement that voters must vote in the correct precinct for their ballots to count. The decision in *Brnovich v DNC* was highly anticipated, as experts were eager to get a sense of how this court would handle issues related to the Voting Rights Act. "The reason why this case is so important is in part because of the Arizona laws at issue, but more importantly because of the standards that the court identifies today that will govern how federal courts resolve other legal challenges involving other voting laws all over the country," ASU associate law professor Joshua Sellers told *KJZZ's The Show* (LINK). The court reversed the 9th Circuit Court of Appeals' ruling, which had found the precinct policy violated Section 2 of the Voting Rights Act and that the ballot harvesting law violated Section 2 and the 15th Amendment. Our inbox was stuffed with reactions from Arizona and beyond – a sample of which we've included below:

Brnovich: "Today is a win for election integrity safeguards in Arizona and across the country… Fair elections are the cornerstone of our republic, and they start with rational laws that protect both the right to vote and the accuracy of the results."

Ugenti-Rita: "Despite Democrat's continual effort to exploit the judicial system to circumvent the will of the public and levy false accusations of racism and suppression, I'm gratified the US Supreme Court saw through the rhetoric on behalf of the voters."

GOP gubernatorial candidate Matt Salmon: "[D]espite today's victory, ominous and very real threats remain. For one, President Biden and Vice President Harris alongside Speaker Nancy Pelosi and Majority Leader Chuck Schumer support the so-called 'For the People Act,' which would eviscerate voter identification and codify ballot harvesting on a national level. Further, in Arizona, Secretary of State and gubernatorial candidate Katie Hobbs opposed the ban on ballot harvesting while in the state legislature and now supports this radical federal legislation… The choice between Hobbs and me on this critical issue could not be clearer."

GOP gubernatorial candidate Karrin Taylor Robson: "I thank President Trump for appointing the conservative court majority that helped make possible this decision upholding Arizona's election security measures, including a ban on ballot harvesting and decades-old requirement that people vote within their designated precinct. These are common sense safeguards. That they were challenged by the Democratic National Committee, and Secretary of State Katie Hobbs refused to do her job in defending Arizona's own election laws, says something about the state of the radical Left in 2021.

Hobbs: "The Voting Rights Act was passed to protect the right to vote and to fight against racial discrimination. The Supreme Court weakened one of our country's landmark civil rights laws. It is truly a sad day for the future of our democracy."

The DNC: "This ruling is exactly why we urgently need to take action at the state and federal levels to protect voters from Republicans' unprecedented efforts to undermine the right to vote."

Arizona Democratic Party Chair Raquel Terán: "This disappointing Supreme Court decision is an attack on Arizonans trying to exercise their right to vote."

July 1, 2021

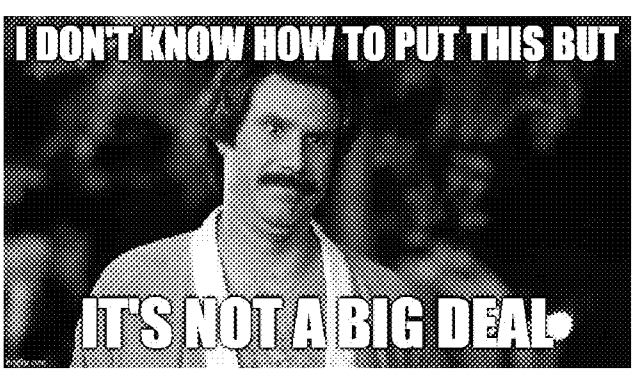
AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

IT'S NBD, REPUBLICAN LAWYERS SAY

Former Arizona Elections Director Eric Spencer said the Supreme Court's decision was a narrow one and not a landmark inflection point in elections law. "It doesn't really break new ground," Spencer said. "It essentially reaffirms the very reasonable and rational decision reached by the district court and gives a rather expected and not infrequent finger wag to the 9th Circuit, which all too often goes off on an appellate tangent in odd ways and causes frequent reversal." The court did not take up any of the proposed tests to govern how it handles Section 2 claims. "[A]s this is our first foray into the area, we think it sufficient for present purposes to identify certain guideposts that lead us to our decision in these cases," Justice Alito wrote. Republican attorney Kory Langhofer said the court's choice to not decide a test for future Section 2 claims was a wise choice. He said the Supreme Court sees other VRA cases bubbling up that deal with numerous different theories and is making a good call in not making a test for all cases for all time. "We're just going to sort of say you have some big principles, and let's work this out together over the next few years or decades," Langhofer said. Spencer, who testified in trial and in front of the Legislature on behalf of the ballot collection ban, said the opinion was well reasoned but "relatively unremarkable." He also highlighted Alito's point of saying that states can create laws to prevent future fraud, something he argued in his 2016 testimony. "And it should go without saying that a state may take action to prevent election fraud without waiting for it to occur and be detected within its own borders," Alito wrote.

IT ACTUALLY IS NBD



The Supreme Court's decision to uphold the ban on counting out-of-precinct ballots won't matter to the vast majority of Arizona's population, as Maricopa, Cochise, Yavapai and Yuma counties already use vote centers, and Pima County says it is making the switch. Several other counties – including at least Pinal, Graham and Navajo counties – use hybrid models that offer both traditional polling places and vote centers. With traditional polling places, voters must show up to the correct polling place for their precinct – if you're not on the voting rolls there, you can still cast a provisional ballot, but if you're in the wrong precinct, it won't count. With voting centers, voters from anywhere in the county can show up and get a customized ballot printed with the relevant races for their specific precincts. There's a longstanding history of counties having different procedures of whether to count wrong-precinct provisional ballots (LINK) – which was partially at issue in the lawsuit. But in 2011, at the urging of then Secretary of State Ken Bennett (LINK), Mesnard sponsored Laws 2011, chapter 331 (H2303: voting centers; polling places), which allowed counties to switch to a voting center model. Yuma and Yavapai counties were the first to adopt the centers, which were designed to cut down on the large number of rejected provisional ballots in Arizona (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003958

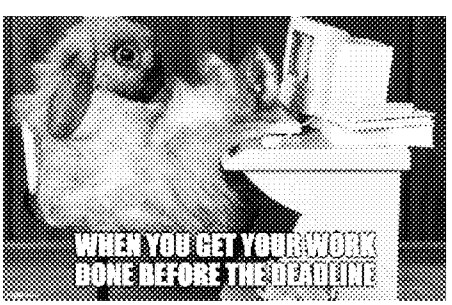
ARZN_REV00069428_7-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

THEY'LL HAND OVE THE RECORDS WHEN TRUMP IS REINSTATED

The Arizona audit is winding down, but the fight for transparency continues as Cyber Ninjas and the Senate are facing a lawsuit from the *Arizona Republic* over records. The state's largest paper is taking them to court over their refusal to provide what media attorney David Bodney declares are public records, including communications between legislators and Cyber Ninjas (LINK). Meanwhile, yesterday was the final day of the renewed contract between the Senate and Veterans Memorial Coliseum, but the ballots and other materials are still on the property in the Wesley Bolin building – the same area where everything was moved last month during graduations. It's also the same building the State Fair Grounds website said should be avoided during summer months due to high temperatures. Fann was evasive to a *Republic* reporter questioning whether the Senate would extend its stay at the Coliseum and why they are holding onto the ballots and machines (LINK). The public and lawmakers are still awaiting the final report which could be completed anywhere from a couple of weeks to a couple of months, just another example of the opacity that has been prevalent since Cyber Ninjas was hired. The livestream on the audit's website is still active, except for camera seven, and everything on the floor has been taken down. The machines in the Senate and contractors' possession also will not be used in future elections, as Maricopa County officials announced earlier this week. Chairman Jack Sellers released a statement yesterday taking another shot at the partisan review and recount. "Calling what has happened under the Senate contractor in the Coliseum an 'audit' insults the voters' intelligence and fuels the imaginations of those who wish to tear our democracy apart," he said. He also asked many questions that have continued to go unanswered like why we don't know who all the subcontractors are and who is being paid to count the ballots.

AND IT'S NOT EVEN AN ELECTION YEAR



The 2022 election is still a long way away, but we already know at least three issues that will be on the ballot. Lawmakers this year referred three questions to the voters in 2022: whether to grant in-state tuition to undocumented immigrants who went to high school here, whether to limit initiatives to a single subject and whether to allow lawmakers to scrap or tweak any initiative that is found to contain an illegal or unconstitutional provision. Boyer's SCR1044 (tuition; postsecondary education) would repeal portions of Prop 300 from 2006, which voters passed by a margin of 71-29 percent, and which barred undocumented immigrants from receiving in-state college tuition and any fee waivers, grants, scholarships, financial aid or any tuition assistance "paid in whole or in part with state monies." Instead, voters will be asked to allow students who have attended high school in Arizona for two years, or graduated any high school in Arizona, to receive in-state tuition, including undocumented immigrants (but excluding those here on tourist or student visas). Kavanagh's SCR1001 (initiatives; single subject; title) would tie initiatives to the same kind of single-subject rules that bind lawmakers. And Leach's SCR1034 (voter protection act; court determinations) would allow lawmakers, with a simple majority, to amend or repeal any voter-approved measure with any provision that is found unconstitutional. It's unclear whether the referral, if approved, would apply only proactively or could be applied to voter-protected measures with provisions that have already been found unconstitutional, such as the Clean Elections Act, which had its matching funds provision struck down by the US Supreme Court in 2011.

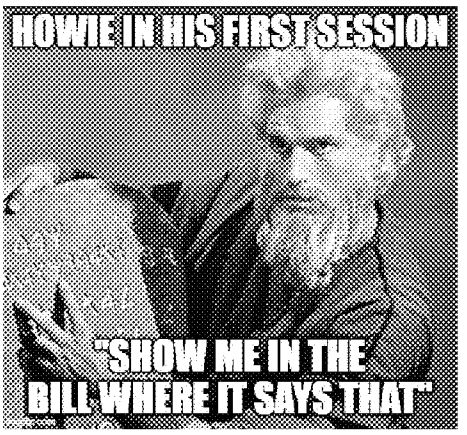
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003959

ARZN_REV00069428_7-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ONE OF THE FEW WHO HAS SERVED MORE TIME THAN HOWIE



The Senate's public records attorney, Norm Moore, officially retired yesterday after 37 years in the Legislature. Moore told our reporter via email that he's looking forward to spending more time with his family, including three grandsons, and traveling to visit extended family and friends throughout the country. "I am so fortunate and happy that I got to serve the legislative institution about which I care for so deeply and that I have wonderful friends and experiences from my career at the Legislature," he said. Moore has been a fixture since he started as a page in 1976, and with the exception of the three years he spent at law school in his home state of Nebraska, he spent most of his adult life working in the House, and was on hand for some of the most dramatic moments from the past few decades, including Gov Evan Mecham's impeachment. Moore, then the assistant rules attorney, was working with special counsel Bill French to lead the team of attorneys, and he recounted needing a DPS escort from the House to a separate location to draft the articles of impeachment because of death threats. He also remembered where he was when he got the news that Gov Wesley Bolin died of a heart attack on March 4, 1978. Excessive rain at the Capitol on March 3 and 4 sparked fears of flooding, and Moore and fellow pages were laying sandbags and hauling furniture, filing cabinets, books and papers from the basement to the second floor when they heard the news. From 1992 to 2009, Moore served as the House's chief clerk. He "retired" in 2009 to partner with longtime lobbyist and his former House colleague, Don Isaacson, and talked to the *Capitol Times* at the time about the biggest changes in the Legislature – less collegiality, no more smoke-filled rooms and more computers – and his childhood as the son of a mortuary owner, where he played hide-and-seek in caskets and helped his dad recover bodies (LINK). After five years in the lobbying business, Moore returned to the House in 2015 as the chamber's rules attorney (YS, 12/3/14), then moved to the upper chamber in 2017. Senate Rules Attorney Chris Kleminich will fill in temporarily as public records attorney.

WELCOME ABOARD, LORI

The IRC this week voted unanimously to hire Lori Van Haren, a city of Phoenix assistant prosecutor, as its deputy executive director and public records manager. Van Haren has been an assistant prosecutor for two years. Before that, she served as chief of staff for Phoenix Councilwoman Felicita Mendoza, who was appointed to Kate Gallego's seat in 2018 when Gallego resigned to run for mayor. "She not only has a tremendous amount of knowledge on the legal side with public records but also with community outreach and engagement," IRC Executive Director Brian Schmitt said, also highlighting that she speaks Spanish.

WAKE UP CALL

Sine finally die!
Arizona Capitol Times
After 171 days and several false starts and with mere hours to spare before a government shutdown, Gov. Doug Ducey signed a budget and the Arizona Legislature finally succeeded in adjourning sine die at 4:54 p.m. Wednesday.

Court: Mesnard lost immunity with press release
Capitol Media Services

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

State lawmakers have absolute immunity from being sued by those who are the targets of legislative investigative reports, the Arizona Supreme Court ruled Wednesday.

Supreme Court upholds Arizona voting restrictions
Capitol Media Services
In a 6-3 ruling the U.S. Supreme Court said that while the laws affect minority voters, Arizona can continue to ban "ballot harvesting" as well as deciding to count only votes cast within the proper precinct.

Arizona legislators OK tripling their per diem
Capitol Media Services
Saying it might lead to more —and better — candidates, state lawmakers voted Wednesday to more than triple their own cost-of-living allowance, at least for those who live outside Maricopa County.

Ducey signs $12.8 billion budget with large tax cut
Capitol Media Services
Gov. Doug Ducey on Wednesday signed legislation putting in place an immediate $1.3 billion tax cut, set to rise to $1.9 billion, that is designed largely to benefit the most wealthy.

Mesa officials aiming for 'carbon neutrality'
East Valley Tribune
Mesa is "going green." Last week, Mesa joined the likes of Stockholm, London, New York City and Portland – which all have formal plans to achieve "carbon neutrality," viewed by many as a crucial step to curbing climate change.

County sees sudden rise in COVID cases
Payson Roundup
Gila County has seen a sudden increase in COVID-19 positive cases in the Payson, Star Valley and Pine areas, according to a June 25 report from the Gila County Health and Emergency Management Department.

Election conspiracy film stars promoted vigilante action against officials
Arizona Mirror
At a question-and-answer session following the premiere of a conspiracy theory film that had unprecedented access to the people conducting the Arizona Senate's review of Maricopa County's 2020 election results, the film's participants said their baseless allegations of election fraud warranted "drastic" action.

Sentencing reform dies for third straight year after Fann blocks Senate vote
Arizona Mirror
Arizona will continue to have some of the strictest criminal sentencing laws in the country after Senate President Karen Fann refused to let the Senate vote on a bill that would allow some nonviolent inmates to earn early releases.

The founders anticipated ---- and feared ---- Trump's 'big lie'
The Hill (Opinion, Neil Baron)
Arizona Republicans' comically slapdash audit of Maricopa County's 2020 election results is the latest attempt to reinforce the "big lie" that the election was stolen through massive voter fraud. Incredibly, recent polls show 56 percent of Republicans believe it.

GOP lawmakers said 'NO' to Arizona students and teachers
Arizona Mirror (Opinion, Julie Erfle)
This legislative session will go down in history as one gigantic missed opportunity.

Reps. Biggs, Gosar and Lesko got it wrong when they voted to protect Confederate statues
Arizona Republic (Opinion, Laurie Roberts)
Reps. Andy Biggs, Paul Gosar and Debbie Lesko just embarrassed Arizona again. This time, by voting to leave statues of Confederate and white supremacy leaders on display in the U.S. Capitol.

This year's Legislature was great ... if you own a sports team or enjoy a six-figure salary
Arizona Republic (Opinion, Laurie Roberts)
Arizona's legislative session was great, if you own a sports team or enjoy a six-figure income. For the rest of us, the good news is, well, that the Arizona Legislature has left town.

Republicans won the Game of Politics. Can Democrats redeem themselves next year?
Arizona Republic (Opinion, Elvia Diaz)

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Gov. Doug Ducey and Republican lawmakers gave a huge tax to the rich, and Democrats were powerless to stop it. Will Democrats learn their lesson?

Supreme Court upholds Arizona law, giving voter protections their last gasp

Arizona Republic (Op-ed, Priya Sundareshan)

The U.S. Supreme Court upheld Arizona laws on how and where ballots are collected, neutering what few Voting Rights Act provisions remain.

PRESS RELEASES

Release: ADP Statement on Brnovich v. DNC Supreme Court Decision

PHOENIX – In a 6-3 decision, the Supreme Court today decided to allow two of Arizona's burdensome voter restriction policies to stand. One of the policies largely bans third-party ballot collection, which particularly threatens Native American voters and another rejects voters' ballots if cast outside their precinct.

This decision sets a dangerous precedent for partisan efforts to restrict eligible voters. However, the Arizona Democratic Party and the 2022 Mission for Arizona Coordinated Campaign have already begun preparing for a massive voter education and protection program to ensure eligible Arizona voters have the information and support they need to cast their ballots.

In the wake of this decision, ADP Chair Raquel Terán released the following statement:

"This disappointing Supreme Court decision is an attack on Arizonans trying to exercise their right to vote. But, even in the face of this decision, Arizona Democrats are organized earlier than ever before to inform Arizonans on how to overcome these restrictions and make their voices heard at the ballot box.

"It's impossible to ignore that this ruling and these voter restriction laws are the culmination of Republicans' longtime efforts to sow distrust and doubt in our election system, with politicians like Mark Brnovich leading the charge. In open court, the Arizona Republican Party's own lawyer admitted that the purpose of the laws was to gain political advantage. This is just the latest proof that Republican leaders are willing to betray Arizona voters for their own political gain."

Representative Shawnna Bolick Reacts to SCOTUS Siding with Arizona's Election Integrity Laws

July 1, 2021

Contact: joanna@theresolute.group

PHOENIX, ARIZ. – Today, the United States Supreme Court upheld Arizona's common-sense election laws, protecting our ability to conduct honest and fair elections. The 6-3 decision in *Brnovich v. DNC* upheld Arizona state's law to restrict ballot harvesting and out-of-precinct voting, ensuring all legal votes are counted.

"This decision is a massive victory and a necessary step towards securing our elections," said Bolick, candidate for Secretary of State. "Despite a politically motivated attack by the Democratic party, the constitutionality of this common-sense law stood."

"In Arizona, every registered voter can vote, and every legal vote will be counted," Bolick continued. "I would remind the opposition of the facts of Arizona law that allows ample time and methods for voting: A 27-day early voting window, day-of voting, and ability to request an early ballot by mail up to 11 days prior to any election."

Concerns about election integrity surfaced long before 2020. The conclusion of a 2005 Carter-Baker Commission on Federal Election Reform, warned of potential voter fraud with mail-in ballots. Mail-in ballots have been termed "the tool of choice" of vote thieves and others hoping to compromise the election process.

In 2016, the Arizona Legislature took the necessary steps to make it a felony to harvest ballots with exceptions for family members, people living in the same household, and caregivers.

Fears of ballot harvesting are real. "Stories abound," said Bolick. "In August 2018, a neighbor of mine sought out advice for another neighbor who had had a ballot harvester come to their door to collect their early ballot. My neighbor switched her party affiliation from Democrat to Independent, worried someone else would come to their home in the future to take their ballot."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003962

ARZN_REV00069428_7-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

In December 2020, the Arizona Attorney General announced a grand jury indictment for ballot harvesting in San Luis, Arizona. The indictment alleges two individuals knowingly collected four voted ballots from another person, in violation of Arizona law.
"Today is a win for Arizona. There is more work to do, but I am committed to securing Arizona's elections and restoring your confidence that your vote counts."

U.S. Supreme Court Rules Against Arizona Voters

Tucson, AZ –Today, the U.S. Supreme Court announced its decision in the case of Brnovich v. Democratic National Committee. In a 6-3 opinion, the Court rejected the approach of the U.S. Court of Appeals for the 9th Circuit, which had invalidated Arizona's fully-discarding out-of-precinct ballots policy and prohibition on ballot collection (HB2023).
The 9 th Circuit Court of Appeals ruled that both policies disproportionately impacted voters of color and the ban on ballot collection was enacted with the intent to racially discriminate against Latino/a voters.
Pima County Recorder Gabriella Cázares-Kelly says she is "deeply disappointed" with the Court's decision. "We are witnessing a historic attack on voting rights. The 2013 Shelby County v. Holder decision allowed voter suppression tactics like the ballot collection prohibition to be passed. In this year's legislative session, we have seen a recordbreaking number of bills introduced in state legislatures across the nation aimed at disenfranchising voters. It has never been clearer that we need strong protections for voters of color, and it is appalling to see further weakening of the Voting Rights Act through today's decision."
In siding with state of Arizona, the Supreme Court concluded that the disparate impact of the out-of-precinct policy on voters of color is insignificant and there is still an "equal opportunity to vote." It goes on to say that "having to identify one's polling place and travel there to vote does not exceed the 'usual burden of voting.'" However, this discounts the systemic inequities in access to transportation, internet infrastructure to determine one's polling place, and high residential mobility which leads to confusion in identifying one's correct polling place.
The Court states that the ballot-collection prohibition is not proven to result in racially disparate burdens, may lead to voter pressure and intimidation, and is effective at preventing election fraud by prohibiting a third party to return someone's ballot for them. It also says that HB2023 was not enacted with racially-discriminatory intent because there was "genuine, legislative debate." Cázares-Kelly says that it is disgraceful to see the Supreme Court further the false narrative around fraudulent activities in elections. There have never been any incidents of fraud in the long history of third party ballot collection in Arizona.
"Now, more than ever, as many Arizonans have leaned on their neighbors for help with basic needs during a global pandemic, we see the disparity of resources in our communities. This decision prohibits neighbors from helping neighbors to vote and we are disappointed with the Court's decision, to say the least.
Today's decision from the Court completely disregards the present-day racial disparities in access to voting and allows us to continue to challenge white supremacist laws and policies in the election process. I hope Congress will recognize the racial disparities in access to voting, end the filibuster, and pass both the For the People Act and the John Lewis Act to protect the right to vote for marginalized communities. These bills will be a step in the right direction to allow everyone to participate in our democracy."

Brnovich's Partisan Lawsuit Guts Voter Protections

The Suit Weakened A Crucial Provision of the Voting Rights Act, Making it Harder for Arizona's Tribal Communities to Vote

PHOENIX — Honest Arizona executive director Niles Harris issued the following statement after Arizona Attorney General Mark Brnovich undermined the most important voting rights law enacted in the 20th century.
"Mark Brnovich has used his office for partisan gain, supporting the ongoing attempt by the Arizona Senate to sow distrust in the state's election system and now undermining the Voting Rights Act that has protected minority voting rights for half a century. Mark Brnovich must stop his partisan attacks on the rights of Arizonans and start using his office to advance the needs of the people he swore an oath to serve."
Brnovich targeted Section 2 of the Voting Rights Act, which allows voters to challenge discriminatory voter restrictions. It also defended two Arizona laws that make it more difficult for Arizona's already marginalized communities to access the ballot box.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003963

ARZN_REV00069428_7-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Salmon For Arizona Reacts To U.S. Supreme Court Ruling

Phoenix – Former Congressman and Republican gubernatorial candidate Matt Salmon released the following statement today:

"Among fellow conservatives across the country, I'm grateful the U.S. Supreme Court ruled today against the far-left's attempt to undo Arizona's ballot harvesting ban and our election integrity measures. The court's decision reflects the will of Arizonans and reminds voters of the consequence of President Trump's three nominees and now-justices. For those who opposed President Trump or supported liberal candidates, this is as much a stark refutation as it is a defense of the rule of law.

"Yet, despite today's victory, ominous and very real threats remain. For one, President Biden and Vice President Harris alongside Speaker Nancy Pelosi and Majority Leader Chuck Schumer support the so-called 'For the People Act,' which would eviscerate voter identification and codify ballot harvesting on a national level. Further, in Arizona, Secretary of State and gubernatorial candidate Katie Hobbs opposed the ban on ballot harvesting while in the state legislature and now supports this radical federal legislation. As governor, I will strengthen voter ID by making it the law for mail-in voting just as it is required for in-person voting. Next, I will permanently ban ballot harvesting against threats at a state and local level. The choice between Hobbs and me on this critical issue could not be clearer."

"Election Fraud is a Crime against Democracy"

Karrin Taylor Robson commends SCOTUS decision upholding Arizona election integrity measures

Today, Republican and Arizona gubernatorial candidate Karrin Taylor Robson issued a statement on the U.S. Supreme Court decision in the case of Brnovich v. Democratic National Committee. By a 6-3 decision, the justices upheld Arizona provisions that bar ballot harvesting and out-of-precinct voting.

"Nothing could be more fundamental to our system of government than the right to free, fair and honest elections. Election fraud is a crime against democracy. I thank President Trump for appointing the conservative court majority that helped make possible this decision upholding Arizona's election security measures, including a ban on ballot harvesting and decades-old requirement that people vote within their designated precinct.

"These are common sense safeguards. That they were challenged by the Democratic National Committee, and Secretary of State Katie Hobbs refused to do her job in defending Arizona's own election laws, says something about the state of the radical Left in 2021. If they had their way, it's clear that liberal extremists would eliminate voter ID and other protections as they open the ballot box to non-citizens and anyone else intent on defrauding the election. And Democrat Katie Hobbs would do nothing to stop them.

"As Governor, I'll ensure Arizona elections are the nation's best: accessible to voters and impenetrable to fraudsters and cheats."

DNC on Brnovich v. DNC SCOTUS Decision

In response to the Supreme Court's decision today in Brnovich v. DNC, DNC Chair Jaime Harrison released the following statement:

"The DNC challenged two Arizona laws in 2016 that were intended to, and did, have a suppressive effect on the votes of minorities. One law resulted in the rejection of the votes of minorities by a ratio of 2:1. The other law effectively ended the ballot collection process that many minority communities in Arizona rely upon, particularly on Native American lands.

"We're disappointed in the Court's ruling today, but we will continue to work to make sure every voter's vote is counted and protected. This ruling is exactly why we urgently need to take action at the state and federal levels to protect voters from Republicans' unprecedented efforts to undermine the right to vote

"All Americans should have the same opportunity to exercise their right to vote. Every person's vote should be counted and treated in the same manner."

Below are some key background points on the Brnovich v. DNC decision:

TIMING

- 2016: The case has been five years in the making. In 2016, the DNC, DSCC, Hillary for America, and Arizona Democratic Party joined together with individual Arizona voters to bring suit against Arizona for violations of the Voting Rights Act and the First, Fourteenth, and Fifteenth Amendments.
- 2017: After a full trial in the fall of 2017, a federal district court issued a decision upholding both laws.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- 2020: The en banc Ninth Circuit reversed in early 2020. In the decision, the en banc court recognized that Arizona has a long history of discrimination against racial minorities, and that both challenged laws disproportionately impacted minority voters in Arizona. It also held that the ballot collection law was passed under "suspicious" circumstances, using racially tinged rhetoric, and that the law is not effective at achieving the state's purported goal of fraud prevention. It also acknowledged that Arizona is capable of alleviating some of the penalty for voting out-of-precinct by partially counting ballots. Accordingly, the court found that both laws violated Section 2 of the Voting Rights Act and that the ballot collection law was passed with racially discriminatory intent in violation of Section 2 and the Fifteenth Amendment.
- 2021: On March 2, the Supreme Court heard oral arguments. And today the Court issued its ruling.

KEY ISSUES

- The suit focuses on two of Arizona's laws: (1) the ballot collection law, which criminalized possession of another voter's ballot; and (2) Arizona's wholesale rejection of ballots cast in the wrong precinct. Both challenged practices severely burden Arizona voters—particularly Arizona's minority voters—without sufficient justification. Additionally, the suit alleges that the Arizona legislature passed the ballot collection law with the intent to discriminate.
- Plaintiffs asked the court for two remedies: (1) to strike down the ballot collection law, and (2) to require Arizona to partially count ballots cast in the wrong precinct, rather than reject them in their entirety.

BRINGING OUR CASE FORWARD

- A number of positive election law changes have already resulted from our litigation. Arizona counties have taken affirmative steps to reduce the number of out-of-precinct voters through the use of vote centers, better poll worker training, and polling place signage.
- With respect to ballot collection, our suit has highlighted issues with access to reliable mail services, particularly in rural tribal areas of the state. In response, many counties have increased the number of ballot dropboxes available to voters who used to rely on ballot collection. Other counties have reduced the instances of late-arriving ballots—one problem that ballot collection was addressing before it was banned—by sending election officials to post offices to directly collect ballots that were placed in the mail stream before the Election Day deadline.

Voto Latino Calls SCOTUS Voting Rights Ruling 'Full-On Adoption of the Big Lie'

WASHINGTON – This morning, the Supreme Court on Thursday upheld two restrictive voting laws in the 2020 battleground state of Arizona. According to reports, in a 6-3 ruling the conservative justices said the state did not violate the Voting Rights Act when it passed a 2016 law allowing only voters, their family members or their caregivers to collect and deliver a completed ballot. The ruling also upheld a longstanding state policy requiring election officials to throw out ballots accidentally cast in the wrong precincts.

Following the ruling, Voto Latino President and CEO Maria Teresa Kumar, issued the following statement:

"Let's call this ruling what it is: a full-on adoption by the Supreme Court's conservative justices of Donald Trump and the Republican Party's 'Big Lie.' It furthers the belief that Arizona's restrictive voting laws reasonably guard against nonexistent voter fraud, when in reality, they explicitly discriminate against, and disproportionately impact voters of color.

"The real-time dismantling of the Voting Rights Act, now diminishing Section 2's safeguards that protect against bills disadvantaging voters by race, is a worrisome setback to overturning the dozens of discriminatory laws being pushed, and passed, across state legislatures. By disallowing the collection and delivery of completed ballots, and requiring officials to throw out ballots accidentally cast in the wrong precinct, we are actively seeking ways to make it harder to vote, disenfranchising voters who may need assistance reaching faraway polling places, or penalizing them for not keeping up with the ever-changing location of precincts.

"These laws disproportionately target Arizona's Latinx voters, its indigenous voters, and all voters of color, as well as low-income voters. It also sends the wrong message to young Latino voters, who made up over 27 percent of Arizona's electorate in 2020 and is growing, making it harder for them to participate. This is not how we create a more inclusive democracy that ensures every voice can be heard in our elections."

If you'd be interested in speaking with Maria Teresa further about the impact of this SCOTUS ruling on Arizona's Latinx voters, and the continued threat of restrictive voting laws across the country, we'd be happy to arrange a call.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

STATEMENT FROM SUPERVISOR GALLARDO ABOUT THE LEGISLATIVE SESSION AND ONGOING FRAUDIT

The legislative session thankfully came to a close Wednesday and yet the fraudit started by the Senate Republican leadership lives on. To what end? I thought Senate President Karen Fann said the "full forensic audit" would inform legislation that could improve elections in Arizona. Senator Kelly Townsend said she wouldn't vote on a budget until the fraudit was complete. The chance to fulfill those promises ended yesterday – not that they were ever sincere.

The truth is, the fraudit being conducted by the Cyber Ninjas was never about good policy or good governance. It continues to be about the "Big Lie," making money for future GOP political campaigns, and sadly, damaging our democratic republic in the process.

Nobody needed to crack open expensive tabulation machines to know the election in Maricopa County was free and fair, run by professionals with decades of knowledge and a high degree of training. Nobody needed to pretend partisan volunteers can do a better job than machines when it comes to counting dots on pieces of paper. Nobody needed to flash the paper ballots with black lights or photograph microscopic fibers.

The processes detailed in Arizona law and the Elections Procedures Manual define the checks and balances that make Arizona's elections some of the most secure in the country. So, I ask President Fann, Senator Townsend and others in their caucus who pretend their fraudit is about gathering vital insight to admit the opportunity to change elections laws in 2020 is over. And the fraudit should sine die along with the legislative session.

Arizona Comment on Today's National Jobs Report

State took good measures to speed economic recovery, says small-business leader

PHOENIX, July 1, 2021—There's no cause to pop champagne corks yet, according to today's release of NFIB's monthly Jobs Report, a national barometer of the small-business economy, but the state for NFIB said Arizona is well-positioned to beat its neighbors to full economic recovery.

"Early legislative action this year to enact COVID-19 liability protection for businesses followed by recently adopted, historic tax reforms for income and property taxpayers will feed the flames of optimism and build confidence in business owners--leading to more investment, hiring and growth of small businesses in Arizona," said Chad Heinrich, Arizona state director for NFIB. "While small-business owners remain in a struggle to fill open jobs, in Arizona our small businesses are seeing the support that comes from having a pro-small-business Legislature as our elected officials wrap up business at the State Capitol."

Highlights from the Jobs Report

- According to NFIB's monthly jobs report, 46% of small business owners reported job openings they could not fill in the current period, down two points from May but still above the 48-year historical average of 22%. Small business owners continue to struggle to find qualified workers for their open positions while raising compensation at a record high level.

- A net 39% (seasonally adjusted) of owners reported raising compensation (up five points), a record high. A net 26% plan to raise compensation in the next three months (up four points).

From NFIB Chief Economist Bill Dunkelberg

- "In the busy summer season, many firms haven't been able to hire enough workers to efficiently run their businesses, which has restricted sales and output," said NFIB Chief Economist Bill Dunkelberg. "In June, we saw a record high percent of owners raising compensation to help attract needed employees and job creation plans also remain at record highs. Owners are doing everything they can to get back to a full, productive staff."

NFIB's Jobs Report is a national snapshot not broken down by state. Today's results were based on 592 respondents to the June survey of a random sample of NFIB's member firms, surveyed through 6/28/2021. The NFIB Research Foundation has collected Small Business Economic Trends data with quarterly surveys since 1974 and monthly surveys since 1986.

Keep up with the latest on Arizona small business news at www.nfib.com/arizona or by following NFIB on Twitter @NFIB_AZ

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003966

ARZN_REV00069428_7-1-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Despite Democrat's continual effort to exploit the judicial system to circumvent the will of the public and levy false accusations of racism and suppression, I'm gratified the US Supreme Court saw through the rhetoric on behalf of the voters."

- ***Ugenti-Rita, on SCOTUS upholding her ballot harvesting law***

July 1, 2021

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, July 7, 2021 9:07:37 AM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 7-6-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Wednesday, July 7, 2021 8:49 AM
To: .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>
Subject: Re: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet July 6, 2021

MONEY RACE STARTS
Lieberman's gubernatorial campaign started on a high note, hauling in more than $200,000 in one day and roughly $250,000 through the end of the second quarter.

SALMON SHOWS SUPPORT FROM TRADITIONAL CONSERVATIVES

AMERICAN OVERSIGHT

Former Congressman Matt Salmon, who is one of five Republicans seeking the party's nomination, kicked off this week with a host of endorsements from state lawmakers.

BEST FRIESE FOREVER
Fernandez said Monday she is supporting Friese's bid to succeed Kirkpatrick representing CD2.

I'M SO RIGHT
Ducey chief of staff Daniel Scarpinato did a little virtual dance after Yee's office announced that the Permanent Land Endowment Trust Fund gained $1.6 billion in one year.

SIGN TODAY, ~~FIX~~ LATER NEVER
Ducey vowed to fix potential unintended consequences when he signed Chaplik's "mask freedom" bill H2770 (mask mandate; business exception) in April, but that fix never happened.

JUDICIARY, GOVERNMENT…
Rogers insists to her legions of followers that she has power over the eventual results of the Senate's audit – though the state budget includes a provision that keeps her away from it.

THEY ALL SOUND THE SAME TO ROGERS
The decision to give to Senate gov the authority to oversee the audit report surprised some railbirds, but the general consensus is that it's for Townsend.

SORRY, MARK
A Capitol railbird said last week's article saying Mark Buse is serving as Kari Lake's campaign manager is wrong.

-

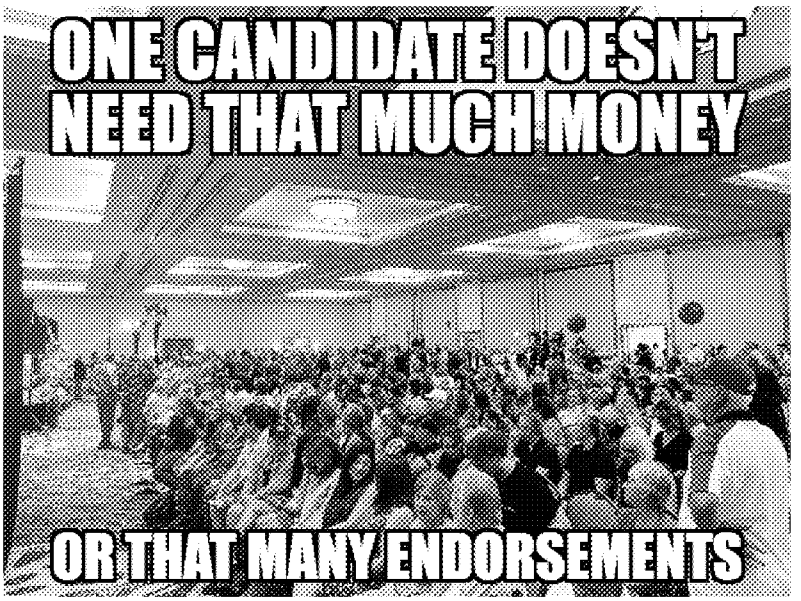
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, July 06, 2021

NEWS NOTES AND GOSSIP

MONEY RACE STARTS



Lieberman's gubernatorial campaign started on a high note, hauling in more than $200,000 in one day and roughly $250,000 through the end of the second quarter. Lieberman, like other statewide candidates, does not need to file reports during an off-year from the election. The money race for governor and U.S. senator are expected to be even bigger than 2018 and 2020. Hobbs' campaign already announced raising $1 million shortly after she launched her bid for governor, although she raised the bulk of the money under her secretary of state PAC. Many who contributed to her did so fully expecting she would use the money to run for governor. It's unclear how Marco Lopez is doing in that race, but campaign emails show he struggled a bit toward the end of June. No candidate on the Republican side has announced fundraising totals yet.

SALMON SHOWS SUPPORT FROM TRADITIONAL CONSERVATIVES

Former Congressman Matt Salmon, who is one of five Republicans seeking the party's nomination, kicked off this week with a host of endorsements from state lawmakers. He bragged about the support from controversial figures last week, but his latest endorsement list affirms his appeal to traditional conservatives, such as Bowers, Weninger, Nutt and Boyer. Pace, Townsend, Nguyen, Grantham and Pratt also gave Salmon their stamp of approval. Salmon joins just Yee so far in lining up legislative endorsements. Karrin Taylor Robson hasn't made any major endorsement announcements yet, Kari Lake has not received any and neither has Steve Gaynor, who just launched his bid last week. Among Dems, Lieberman received support from Pawlik, Tsosie and Espinoza so far. Nobody has endorsed Lopez, while several legislative Dems threw their weight behind Hobbs.

BEST FRIESE FOREVER

Fernandez said Monday she is supporting Friese's bid to succeed Kirkpatrick representing CD2. "As a Veteran & Physician my colleague, @DrRandyFriese, has seen first hand the inequities our veterans face," she wrote on Twitter. "As a legislator he knows exactly what we can do. He will carry this message all the way to the US Congress." D Hernandez and Engel are also running, hoping to succeed the retiring Kirkpatrick in the Democratic-leaning district. All three campaigns are reporting hefty fundraising hauls. Friese, who announced his candidacy in March, said he raised $565,000 in the second quarter of the year which ended June 30, while Hernandez, who announced his run in late May, raised $250,000 so far, the *Arizona Daily Star* reported. Engel didn't provide figures for the quarter specifically but said her campaign has raised $325,000 overall.

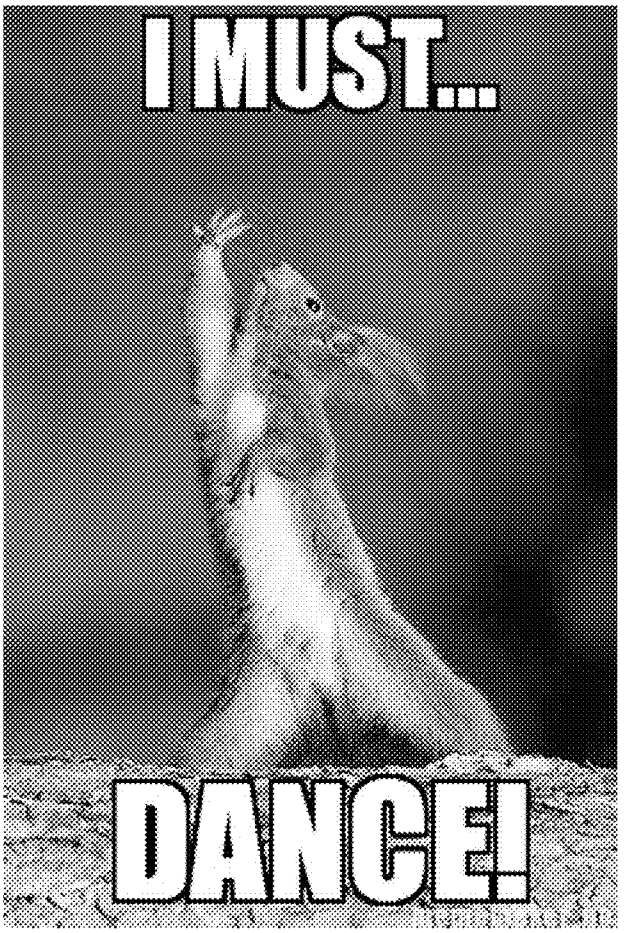
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003970

ARZN_REV00069436_7-6-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

I'M SO RIGHT



Ducey chief of staff Daniel Scarpinato did a little virtual dance after Yee's office announced that the Permanent Land Endowment Trust Fund gained $1.6 billion in one year. In fact, Yee's office said, the fund is now worth a record $7.62 billion. Of that amount, $358 million goes to K-12 education in FY21, Yee's office said (LINK). "I guess all those predictions about #Prop123 depleting the account or 'corpus' didn't hold true. Winners here were kids and taxpayers. Glad the money is going to a good use!" Scarpinato tweeted out (LINK). Technically, Scarpinato is correct. In fact, the Ninth Floor estimated at the time Ducey was pushing for Prop 123 that the trust fund would have $5.39 billion in FY21 – after increasing the distribution amounts to education. Back then, Ducey's office also estimated that, without the enhanced distribution, the fund would contain $7.58 billion in FY21. Yee's announcement means the trust fund remains healthy, even after the state took more money out of it to benefit schools. ASBA lobbyist Chris Kotterman conceded the point. Still, Kotterman pointed out, the higher or lower number in the trust fund doesn't actually affect what schools get, which is set by formula. More distribution from the fund just means less money from the general fund that's going to K-12 education – the total that goes to school remains the same. The bigger issue, Kotterman said, is that the trust fund reverts to its pre-Prop 123 distribution in 2025 in what many back then referred to as another fiscal cliff. "It's a legislative problem," Kotterman said, pointing out that, when that happens, the Legislature would need to find the revenue to pay for and maintain K-12 base level funding.

SIGN TODAY, FIX ~~LATER~~ NEVER

Ducey vowed to fix potential unintended consequences when he signed Chaplik's "mask freedom" bill H2770 (mask mandate; business exception) in April, but that fix never happened. Back then, Ducey wrote a note about how the bill language could lead to unintended consequences and promised to fix it with Chaplik later in the session. But the session wrapped up nearly one week ago without addressing masks outside of language codifying Ducey's executive orders in the BRBs. "Some rational mask requirements that are not related to the spread of COVID-19 may not be enforceable," Ducey wrote in April (LINK). "The state needs to be able to enforce long-standing workplace safety and infection control standards unrelated to COVID-19." He added that he was grateful Chaplik agreed to fix the "technical oversight in a future bill." The language surrounding masks that the Legislature gave to Ducey in the budget did not mention anything along those lines. Instead, they banned school boards and state universities from mandating masks, and also barred local governments from requiring them.

JUDICIARY, GOVERNMENT...

Rogers insists to her legions of followers that she has power over the eventual results of the Senate's audit – though the state budget includes a provision that keeps her away from it. Fann's amendment to S1819

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003971
ARZN_REV00069436_7-6-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

(budget procedures; budget reconciliation; 2021-2022) designated Senate gov as a special committee to receive and review the final audit report and recommend any legislative action. That didn't stop Rogers from arguing that she will get to act after *sine die.* After our reporter pointed out the budget language, Rogers switched to saying the special committee will "subsequently take whatever follow-on recommendations for restoring election integrity that the Judiciary Committee would direct them to pursue." Petersen, chair of Senate jud, can only call hearings with permission from Fann. He told our reporter that summer work for his committee would depend on what the audit results show.

THEY ALL SOUND THE SAME TO ROGERS

The decision to give to Senate gov the authority to oversee the audit report surprised some railbirds, but the general consensus is that it's for Townsend. She was adamantly opposed to ending the session before dealing with the audit and was prepared to vote against the budget to prevent *sine die*, but assurances that a committee she vice-chairs will oversee the audit results and can call for a special session – however unlikely one might be - appeased her. One GOP railbird also hypothesized that Ugenti-Rita asked for the duty because she needs a platform for her Secretary of State run.

SORRY, MARK

A Capitol railbird said last week's article saying Mark Buse is serving as Kari Lake's campaign manager is wrong.

WAKE UP CALL

GOP lawmakers seek limits on voter power
Arizona Capitol Times
In 2022, depending on which advocacy groups succeed in gathering enough support, voters may see questions on their ballot asking about capping medical debt, stopping secretive election spending or ending machine counting of ballots.

'Dysfunctional' board for insane phasing out
Arizona Capitol Times
Arizona will soon do away with the state board responsible for deciding the supervision and placement of those found to be guilty except insane for serious crimes, following years of concern about the board's inconsistent practices and decision-making.

Education group to challenge new state tax laws
Capitol Media Services
Arizonans may get the last word on a nearly $2 billion tax cut plan that mainly benefits the wealthy.

University of Arizona's $85M building to advance science, engineering research
Arizona Daily Star
The three-story building, 89,000-square-foot facility will house state-of-the-art equipment and technology.

State funds OK'd for possible vets home in Havasu
Today's News-Herald
With funding now secure, a planned new veterans home in Mohave County has the green light to start moving forward.

Gosar's penchant for controversy appeals to Republicans
Payson Roundup
Rep. Paul Gosar has been provoking national headlines for months — seeking to overturn the state's presidential vote, calling the rioters who occupied the Capitol building "peaceful patriots," insisting police executed one of the protesters as she climbed through a window, voting against awarding medals to officers who protected lawmakers, attacking Dr. Anthony Fauci, calling for a halt to all immigration, insisting without evidence that hundreds of thousands of fraudulent votes were cast in the Arizona election and taking a host of controversial positions.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003972

ARZN_REV00069436_7-6-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Referendums Filed to Repeal Ducey's Flat Tax, Anti-Prop 208 Legislation
Phoenix New Times
Public-education advocates have filed referendums that seek to repeal a new income tax cut that undercuts Proposition 208, the voter-approved ballot measure that taxes wealthy Arizonans to pay for public education.

Ducey rescinds 25 COVID-19 executive orders
Arizona Mirror
Gov. Doug Ducey on Friday rescinded 25 COVID-19 related executive orders, including an executive order that required face masks in schools.

Arizona experiencing blood supply shortage
The Hill
The Arizona division of a nonprofit responsible for collecting blood donations for hospitals said it is currently experiencing a blood supply shortage, and urged people to participate in upcoming donation drives.

Sinema emerges as Senate dealmaker amid progressive angst
The Hill
Sen. Kyrsten Sinema (D-Ariz.) is leaning into her role as the Senate's newest dealmaker amid rising pressure from progressives who are increasingly irritated over the centrist's support for the filibuster.

Far-Right Extremist Finds an Ally in an Arizona Congressman
New York Times
Representative Paul Gosar's association with the white nationalist Nick Fuentes is the most vivid example of the Republican Party's growing acceptance of extremism.

Trump Is Said to Have Called Arizona Official After Election Loss
New York Times
Donald Trump tried to reach the top Republican in metropolitan Phoenix as his allies were trying to overturn the state's 2020 results, according to the official, who said he did not pick up the calls.

Proving Racist Intent: Democrats Face High New Bar in Opposing Voting Laws
New York Times
Democrats and voting rights groups say they can no longer count on the federal courts, including the Supreme Court, to serve as a backstop for preventing racially discriminatory voting restrictions.

A wake-up call for water resilience in the West
The Hill (Opinion, Maurice Hall)
As someone working on water issues in the West for more decades than I care to admit, I have found myself repeating the same mantra over and over again: When you're in a drought, it's too late to prepare.

The future looks bright to my solar business, thanks to Joe Biden
Arizona Mirror (Opinion, Joy Seitz)
As the sun beats down on Phoenix in what's shaping up to be one of the hottest summers on record, the future has never looked brighter for my solar construction company.

Seems like election tampering is A-OK in Arizona ... for Republicans
Arizona Republic (Opinion, EJ Montini)
How was it OK for Donald Trump, Rudy Giuliani and Kelli Ward to browbeat elected country officials in the midst of them performing their sworn election duties?

Biden's snub of Ducey while Arizona is burning looks petty - or worse, incompetent
Arizona Republic (Opinion, Laurie Roberts)
President Joe Biden snubbed Arizona Gov. Doug Ducey on a meeting to discuss wildfires. How very Trump of him.

Brnovich must investigate Kelli Ward and Rudy Giuliani for trying to steal the election
Arizona Republic (Opinion, Laurie Roberts)
The campaign by Trump and his allies to try to interfere with Maricopa County's election was stunning and about as subtle as a sledgehammer. Attorney General Mark Brnovich should investigate.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003973
ARZN_REV00069436_7-6-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The most overlooked bit of good news in Arizona's education budget
Arizona Republic (Opinion, Joanna Allhands)
It was overshadowed by all the controversy, but Arizona lawmakers took a needed first step to help schools that routinely rob Peter to pay Paul for special education.
Trump allies tried to steal the election. Where is Brnovich's 'election integrity' now?
Arizona Republic (Opinion, Elvia Diaz)
If 'election integrity' matters so much to Mark Brnovich, shouldn't he call out efforts from Trump allies to steal the election in Maricopa County?
Arizona has too much bad fire and not enough good. Are we willing to accept that?
Arizona Republic (Op-ed, Stephen Pyne)
Fires in the West - and the world, for that matter, is not a problem solved with a once-and-done project. We will be burning in perpetuity.
The pandemic would be a lot worse for Arizona veterans if it wasn't for federal relief
Arizona Republic (Op-ed, Randy Friese)
Veterans fell ill from COVID-19, lost jobs and struggled as a result of the global pandemic. But the American Rescue Package eased that burden.

PRESS RELEASES

Arizona Health Experts To Call Out Legislature For Banning Masks From Schools

PHOENIX — As the highly transmissible Delta variant rises in Arizona, the GOP-led Arizona Legislature passed a budget package that bans school districts and universities from requiring face masks that can help reduce the spread of COVID-19 and protect the health of school communities. Arizona health experts will gather virtually to warn why these measures are premature as children under 12 years old are still unable to be vaccinated and more contagious variants continue to spread and mutate.

WHO:

- **Dr. Cadey Harrel,** family physician in **Tucson** and the Arizona State Lead for the Committee to Protect Health Care
- **Dr. Ricardo Correa** (Spanish-speaker), an endocrinologist in **Phoenix**
- **Dr. Elizabeth Jacobs**, Professor of Epidemiology in **Tucson**

WHAT: Press call with Zoom with Dr. Harrel, Dr. Correa, and Dr. Jacobs explaining why banning school districts and universities from requiring masks will endanger health and safety, and threaten to increase the spread of COVID-19.
WHEN: TOMORROW, Wednesday, July 7, 12:15 pm MST
WHERE: Zoom call, RSVP to Daisy Martinez at **daisy@committeetoprotect.org for link**
*****If you'd like to record the call, please indicate so we can allow in Zoom settings.*
About the Committee to Protect Health Care
The Committee to Protect Health Care, formerly known as the Committee to Protect Medicare, is a national mobilization of doctors, health care professionals, and advocates who are building a pro-patient health care majority in Congress and in states so that we can live in an America where everyone has the health care they need to thrive. To learn more: www.committeetoprotect.org

###

Phoenix Union to Offer Free Backpacks and School Supplies At Second Summer Vaccination Event

July 6, 2021

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT: The Phoenix Union High School District (PXU), the Arizona Department of Education (ADE), and the Maricopa County Department of Public Health will offer the Pfizer COVID vaccine to individuals 12 years of age and older at 15 school sites on Friday and Saturday, July 9 & 10. School-aged children who attend will receive a free backpack and school supplies while inventory lasts. A complete list of times and locations for this event can be found on page 2.

This is the second of three vaccination events this summer spearheaded by the District to support a safe start to the 2021-22 school year. The final event will take place on July 30 & 31 and will include more health services, including:

- Childhood Immunizations
- Mammograms
- Blood Pressure Screenings
- Glucose/Diabetes Screenings
- Sports Physicals
- More to be announced

WHERE: PXU is coordinating this event with partner elementary districts to provide 15 locations across the valley for families to visit. If an individual or family wants to attend but cannot get a ride, Lyft has donated access to free transportation. We ask anyone who needs transportation to and from our event to please call (602) 764-1500 to receive their voucher.

WHEN: On Friday, July 9, most sites will be open from 12:00 pm – 7:00 pm, with a limited number servicing the community from 12:00 pm – 5:00 pm. On Saturday, July 10, select locations will be open from 9:00 am – 5:00 pm. A full schedule is listed on page 2.

WHO: All individuals 12 years of age and older are welcome to come and receive a free dose of the Pfizer vaccine. We ask anyone attending for their first dose to register by clicking here or calling (602) 764-1500.

Contact: Richard Franco, Director of Marketing and Communications, (602) 764-1530.

Complete list of times and locations

Locations only open on Friday, July 9

12:00 pm – 5:00 pm
Garfield Elementary School
811 N. 13th St, Phoenix, AZ 85006
Herrera School for the Arts and Dual Language
1350 S 11th St, Phoenix, AZ 85034
Kings Ridge Preparatory Academy
3650 S 64th Ln, Phoenix, AZ 85043
Magnet Traditional School
2602 N 23rd Ave, Phoenix, AZ 85009
Wilson College Prep
3005 E Fillmore St, Phoenix, AZ 85008

Locations open on Friday, July 9, & Saturday, July 10

Friday, July 9, 12:00 pm – 7:00 pm
Saturday, July 10, 9:00 am – 5:00 pm
Academies at South Mountain
5401 S 7th St, Phoenix, AZ 85040
Alhambra High School
3839 W Camelback Rd, Phoenix, AZ 85019
Bernard Black Elementary School
6550 S 27th Ave., Phoenix, AZ 85041
Betty H. Fairfax High School
8225 S 59th Ave, Laveen, AZ 85339
Camelback High School
4612 N 28th St, Phoenix, AZ 85016
Carl Hayden Community High School
3333 W Roosevelt St, Phoenix, AZ 85009
Maryvale High School
3415 N 59th Ave, Phoenix, AZ 85033
North High School
1101 E Thomas Rd, Phoenix, AZ 85014

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003975
ARZN_REV00069436_7-6-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Osborn Middle School
1102 W Highland Ave, Phoenix, AZ 85013
Trevor G. Browne High School
7402 W Catalina Dr, Phoenix, AZ 85033

###

Congressman Biggs Sends Letter to DHS Demanding Answers on Immigration Enforcement

Today, Congressman Andy Biggs sent a letter to Department of Homeland Security Secretary Alejandro Mayorkas demanding answers for preventing Immigration and Customs Enforcement (ICE) from enforcing immigration law:
"Secretary Mayorkas's willful failure to enforce our immigration laws is an affront to the rule of law and an abdication of his oath to protect the American people," said Congressman Andy Biggs. *"The Biden administration created this border crisis. Every day, drug and human traffickers are emboldened to continue exploiting our communities. Mayorkas needs to be held accountable for his complicity in crippling our nation's security."*
You can read the full letter here and below:

###

State Rep. Aaron Lieberman Raises $250,000 in First 48 Hours of Campaign

90 Percent of Donors Are From Arizona

PHOENIX, AZ – Today State Representative Aaron Lieberman (LD 28), job creator, education leader and candidate for governor, announced that his campaign raised $250,000 in the first 48 hours since its launch on June 29.
His launch video, titled "Right Leader, Right Now," can be viewed here, as well as with captions in English and Spanish.
"Aaron's a different kind of candidate, one with a track record of creating jobs while developing innovative solutions to complex problems, and we're thrilled so many Arizonans are supporting him right out of the gate," said Miguel Medrano, campaign manager.
"Aaron is hearing from people throughout the state that they want an end to extreme partisan dysfunction and a start to real investments in education, healthcare, clean water and air, so that we can have a booming economy which helps every Arizonan succeed," added Medrano.
During his time in the private sector, Aaron founded two organizations, Jumpstart, and Acelero Learning, that have grown to impact nearly 1 million young children and their families while employing thousands of people.

"QUOTE OF THE DAY"

"I guess all those predictions about #Prop123 depleting the account or 'corpus' didn't hold true. Winners here were kids and taxpayers. Glad the money is going to a good use!"

- Gubernatorial chief of staff Daniel Scarpinato, noting the robust amount in the Permanent Land Endowment Trust Fund.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003976
ARZN_REV00069436_7-6-21-1.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, July 8, 2021 5:31:36 PM
Recipient: Arturo Gabaldon <Arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 7-8-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet July 8, 2021

GOVERNMENT AT THE SPEED OF DUCEY
Ducey's government is notoriously dreadful at delivering public records within a reasonable timeframe, and a recent court ruling in favor of the press affirmed years' worth of complaints that agencies slow-walk fulfilling records requests.

THIS #STARTYOUROWNRUMOR IS DEAD
Biggs put an end to the rumors he's running for US Senate today by filing his statement of interest to seek re-election to CD5 or however that district looks like after redistricting.

DUCEY APPOINTS FORMER AIDE TO SUPREME COURT
Ducey today chose Kathryn Hackett King as the newest Arizona Supreme Court

AMERICAN OVERSIGHT

justice.

ALLIES, COLLEAGUES: KATHRYN HACKETT KING IS KING
King received largely warm congratulations from conservatives on her appointment.

WHAT WERE THE NINJAS HIDING IN THAT 20 MINUTES?
"Cowboy Hat Andy," a man who does security for Cyber Ninjas, barred the Arizona audit pool reporter entry to the Wesley Bolin Building at the fairgrounds for about 20 minutes.

WHAT WILL BRNO DO?
Hobbs and R Gallego each sent letters to Brnovich and US AG Merrick Garland, respectively, requesting investigations into Kelli Ward and Trump's campaign allies over efforts to pressure the county supervisors into overturning the election.

A VERY LANGHOFERISH AFTERNOON
The Arizona Senate doesn't have physical custody of some Arizona audit-related records a watchdog group is requesting, and the senate's attorney said that means it doesn't have to produce them.

NEWS FLASH: SHOPE IS NOT RUNNING FOR CONGRESS
Shope is not running for Congress and instead is seeking re-election.

--

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, July 08, 2021

·NEWS NOTES AND GOSSIP·

GOVERNMENT AT THE SPEED OF DUCEY

Ducey's government is notoriously dreadful at delivering public records within a reasonable timeframe, and a recent court ruling in favor of the press affirmed years' worth of complaints that agencies slow-walk fulfilling records requests. Maricopa County Judge Randall Warner ruled that the Dept of Public Safety violated the state's public records law by failing to deliver records to the *Republic* "promptly" (LINK). This case is separate from the recent lawsuit by the paper over public records relating to the Arizona Senate and Cyber Ninjas. DPS withheld records for 18 months between September 2019 and March 2021 over Ducey's Border Strike Force, which garnered negative headlines for the governor (LINK). Arizona's public records law clearly states that records cannot be withheld over fear they may cause embarrassment (LINK). While this is the first legal ruling against the Ducey cabinet's habit of not filing records "promptly," it's far from the first example. Our reporter fought with the Dept of Corrections during the Chuck Ryan years for a full year before receiving responsive documents over DOC criminal investigation reports regarding staff misconduct allegations or sex offense allegations at the Perryville state women's prison complex from Jan 1, 2013 through Feb 28, 2018 (YS, 3/11/19). Our reporter also battled the Dept of Health Services for nearly a year over records and threatened to involve lawyers, which led to the agency delivering documents days later (YS, 4/7). Ducey's own office has shown a pattern of not delivering records in a prompt manner as exposed by the *Phoenix New Times* in 2019, where a reporter requested a records log from the Ninth Floor from calendar year 2017 (LINK). "A handful of requests lingered in the Governor's Office for around a year before the records were finally turned over to the person who asked for them," *New Times* reported, noting that, on average, it took three months to deliver records. David Bodney, who represented the *Republic* in court over the DPS records, said 18 months was the most egregious he had ever seen.

THIS #STARTYOUROWNRUMOR IS DEAD

Biggs put an end to the rumors he's running for US Senate today by filing his statement of interest to seek re-election to CD5 or however that district looks like after redistricting. For many months, sources hoped to see a Kirk Adams v. Andy Biggs primary to take on Kelly next year, but they will have to settle on neither of the two running. Adams has not declared anything officially, but the rumors surrounding him have quieted down for months. There was a lot of talk that Biggs would forgo a run for the Senate, given the prediction Republicans would flip the US House next year, which would mean Biggs, as the Freedom Caucus Chair, could be in a potential leadership position in a district he can safely win, as opposed to running in a tough, expensive race against Kelly for the U.S. Senate, which Democrats may still control. As

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003979

ARZN_REV00069438_7-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

of now, Kirkpatrick is the only congressional incumbent in Arizona who has announced she will not run again.

DUCEY APPOINTS FORMER AIDE TO SUPREME COURT

Ducey today chose Kathryn Hackett King as the newest Arizona Supreme Court justice, making his record-shattering sixth high court pick. Hackett King will replace another Ducey appointee — Justice Gould retired earlier this year to run for state attorney general (YS, 4/14). A Republican, Hackett King was Ducey's deputy general counsel from 2015-17 and is a member of the Arizona Board of Regents, a spot Ducey appointed her to in 2020. She's also a partner at BurnsBarton PLC. Hackett King is the fifth woman to serve on the state Supreme Court. "Kate's strong belief in the separation of powers and experience serving in all three branches of government will serve the people of Arizona well," Ducey said in a news release. "I have witnessed her intelligence and wisdom firsthand, and I know she is well-respected in the legal field. I am delighted to appoint Kate to the Arizona Supreme Court." During her interview, Hackett King said she would bring a "fresh perspective" as someone with a background in complex civil litigation since many of the justices have more of a background in criminal litigation. Hackett King's work in private practice focused on labor and employment law, representing private and public employers. In addition to clients in state and federal courts, she also represented clients in matters pending before state and federal administrative agencies. Ducey has appointed all but two of the current justices. Chief Justice Brutinel and Vice Chief Justice Timmer are both Gov. Brewer appointees.

ALLIES, COLLEAGUES: KATHRYN HACKETT KING IS KING

King received largely warm congratulations from conservatives on her appointment. Republican attorney Chris DeRose, who has known Hackett King for 20 years, said she will bring a "unique perspective to the bench as a career litigator, as a very well respected person who has spent her life in trial court and in an area of the law in which a lot of judges aren't that familiar." He said her time as Ducey's deputy general counsel adds to her distinctive outlook. "She's somebody who's brilliant but humble, and she's going to treat everyone who appears in front of her with respect," DeRose said. "She's very hard working. She's someone who's going to take the time to know the law and to know the facts of the case in front of her." Former colleagues on the Ninth Floor also tweeted their support. "Kate is a brilliant jurist, a wonderful colleague, and one of the kindest people you could ever meet. She is a wonderful addition to the Arizona Supreme Court. Congratulations, Justice King!" Ducey senior policy advisor Christina Corieri tweeted. "The pool of candidates for this vacancy was extremely competitive with the top legal talent in the state. It shows the quality of our judiciary and the dedication to service that so many in the legal field share. Congratulations to Kate!" Ducey's general counsel Anni Foster also tweeted. A couple railbirds weren't as supportive of the choice. "Other than 9th floor experience, [I'm] not sure what Kate King brings to the table," one Republican told our reporter, adding that many believed appellate judge Cynthia Bailey would've been a stronger choice. Chandler attorney Tom Ryan wasn't happy with any of the options, however, saying that the governor should have made more of an effort to solicit diverse candidates,

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003980
ARZN_REV00069438_7-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

politically and otherwise. "It's going to have a very conservative ideological bent," he said. "There are other diversity issues that are lacking here on the Supreme Court right now. There's a lack of minority representation, there's a lack of representation outside of Maricopa and Tucson-centric stuff, there's a lack of representation on the various types of cases that are out there."

WHAT WERE THE NINJAS HIDING IN THAT 20 MINUTES?

"Cowboy Hat Andy," a man who does security for Cyber Ninjas, barred the Arizona audit pool reporter entry to the Wesley Bolin Building at the fairgrounds for about 20 minutes. "Longtime readers will remember Cowboy Hat Andy. He is telling me I am not to go inside on account of *The Republic's* ongoing lawsuit. I've been out here in the heat for 20 mins now," the *Republic*'s Joshua Bowling tweeted (LINK). *The Republic* last week filed a special action in Maricopa County Superior Court seeking financial records and communications about the audit. Bowling said he then called former AZGOP Chair Randy Pullen, who said Bowling should be able to enter because he is on the pool reporting list. But unlike the previous accommodations for the press at the Veterans Memorial Coliseum, Bowling was met with an extension cord hanging from the ceiling, no chair or desk and three gates between him and the audit action happening in the non-airconditioned building. Several A/C units have been placed around the room. In an interview toward the end of Bowling's shift, Pullen said the goal is to wrap up the activities in the Wesley Bolin Building by next week. The final report could take a month after that. As to what work is being done now, Pullen said they are "double and triple-checking everything." He told the pool reporter that the county recently supplied a log that shows different duplicate numbers than what the audit was working with, and they're now checking for discrepancies. He said counting machines would be there tomorrow.

WHAT WILL BRNO DO?

Hobbs and R Gallego each sent letters to Brnovich and US AG Merrick Garland, respectively, requesting investigations into Kelli Ward and Trump's campaign allies over efforts to pressure the county supervisors into overturning the election. Hobbs wrote to Brnovich that Ward, as well as Trump attorneys Rudy Giuliani and Sidney Powell may have broken state laws regarding election interference. A spokeswoman for Brnovich said the office received the letter, but would not comment further. One railbird speculated that Brnovich won't investigate, given that he is seeking the GOP nomination for US Senate and the feud between his office and the Seventh Floor. "I urge you to take action not only to seek justice in this instance, but to deter future attempts to interfere with the integrity of our elections," Hobbs wrote to Brnovich. The two have been foes on election law, which escalated to Hobbs filing bar complaints against the AG and several members of his staff. The Legislature, on behalf of Brnovich, slipped a provision into the budget that would strip power away from Hobbs in favor of the AG's Office through next year when it comes to representing the state in election cases. "If your ethical duties prevent you from investigating this matter, I ask that you refer it to another enforcement agency," Hobbs wrote. Separately, Gallego asked Garland to investigate the same issue. In his letter, he wrote, "I urge your department to investigate any potential

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003981
ARZN_REV00069438_7-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

illegal activity on the part of these campaign and party officials and to make criminal referrals to an Arizona district attorney of the Arizona State Attorney General's Office as appropriate."

A VERY LANGHOFERISH AFTERNOON

The Arizona Senate doesn't have physical custody of some Arizona audit-related records a watchdog group is requesting, and the senate's attorney said that means it doesn't have to produce them. Senate attorney Kory Langhofer argued yesterday that because those documents are in the physical custody of the Senate's third-party contractors, not the Senate itself, they're not subject to public records laws. Attorneys for American Oversight, a liberal watchdog group, said that kind of interpretation effectively guts the statute. "Those documents need to be produced. Otherwise, the public record statute will have a gigantic loophole that agencies can drive a truck through that will shield them from permitting the public to know what the government is up to," American Oversight attorney Keith Beauchamp said. "No matter which side of the political aisle you're on, that's a bad thing." Maricopa County Superior Court Judge Michael Kemp asked about the fact that the public doesn't know the cost of the audit. "Mr. Langhofer, isn't the public entitled to know who was paying for this, what President Fann referred to as 'constitutional and legislative function,' this important constitutional duty? Isn't the public entitled to know who's paying for this - besides the $150,000 that the senators already appropriated?" Kemp asked Langhofer. Langhofer responded that the public is entitled to "know the information that's in records that the public records law requires to be produced," adding that the Public Records Act is the only basis for the public's claims to records, not the Arizona Constitution or common law. Langhofer also noted that the Senate released some of the requested documents and is going through 15,000 additional documents to be released to an online "public reading room." Kemp said he would have a written ruling in seven to 10 days.

NEWS FLASH: SHOPE IS NOT RUNNING FOR CONGRESS

Shope is not running for Congress and instead is seeking re-election. The Coolidge Republican publicly weighed runs for state office including treasurer and secretary of state – and even cinched his three-peat win for "most likely to run for Congress" against Best of the Capitol nominees who are actually running for Congress. Shope filed his statement of interest yesterday and told our reporter he plans to start fundraising and gathering signatures ahead of the December redistricting, and then making his final 2022 decision after seeing the new lines. Railbirds speculated that Beau Lane's entry into the Secretary of State race closed off an avenue for Shope, who could have been the moderate in that race. Lane, who started his campaign with a video criticizing Dems for not accepting election results, has time to fall into the moderate lane as Bolick, Finchem and Ugenti-Rita battle it out for the conservative vote. Bowie, meanwhile, is unsure whether he wants to run again. He can only seek one more term in the Senate, and he wrote in an email to supporters that he plans to spend the next couple weeks considering his next steps. "I have spent the last several months thinking through what I want to do next, whether it's running for re-election or pursuing other opportunities. I absolutely love my job, and treasure the time I have been able to spend representing the community I grew up in," he wrote.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003982
ARZN_REV00069438_7-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Sinema, like McCain, reaches for bipartisanship
Arizona Capitol Times
More than for her shock of purple hair or unpredictable votes, Democratic Sen. Kyrsten Sinema is perhaps best known for doing the unthinkable in Washington: She spends time on the Republican side of the aisle.

Senate argues against release of audit records
Arizona Capitol Times
The Arizona Senate doesn't have to produce records for its election audit because they aren't in the physical custody of the chamber, the Senate's attorney said Wednesday in court.

State argues unsigned ballots invalid
Capitol Media Services
An attorney for the state asked a federal appeals court July 7 to let Arizona refuse to count early ballots that voters forgot to sign initially and did not fix by election night. Assistant Attorney General Drew Ensign did not dispute that current law gives up to five days after the election to those whose signatures do not match to "cure" the problem.

Prisoner objects to change in execution briefings
Associated Press
A death row prisoner who could be among the first in Arizona to be executed in almost seven years is opposing a move that would reduce the amount of time he would have to respond to the state's request for his execution warrant.

2020 Hispanic voter participation surged 30 percent compared to 2016: analysis
The Hill
The report released Thursday drilled down into Hispanic voter turnout in Arizona, California, Florida, Georgia, Nevada, Pennsylvania and Texas -- all states where Hispanic registration grew by double digits.

Arizona secretary of state seeks investigation into Trump, allies
The Hill
Arizona Secretary of State Katie Hobbs (D) is calling on state Attorney General Mark Brnovich (R) to look into reports that former President Trump and his allies attempted to make contact with election supervisors in Maricopa County in the weeks following the November election.

Trump-allied GOP chairs turn on fellow Republicans
The Hill
In Arizona, state Republican Party Chair Kelli Ward has carried out a long-running feud with Gov. Doug Ducey (R), as well as members of the state legislature who do not fully support the state Senate's so-called audit of nearly 2.1 million votes cast in Maricopa County last year.

Arizona attorney general 'alarmed' by Biden's door-to-door vaccination push
The Hill
Arizona's attorney general sent a letter to President Biden condemning his new strategy to promote coronavirus vaccines by having representatives go door to door to speak with Americans about getting the shots.

Mark Kelly rakes in nearly $6 million for reelection in second quarter of the year
The Hill
The massive three-month fundraising total eclipses the roughly $4.4 million he raised in the first quarter of 2021 and brings his campaign's cash reserves to more than $7 million. More than 85,000 individuals gave to Kelly's reelection operation over the past three months, his campaign said. The average donation was just $32.

Trump ally seeks to export Arizona-style election review to Pennsylvania
Politico
A Pennsylvania ally of former President Donald Trump announced that he would try to initiate a review of

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003983
ARZN_REV00069438_7-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

the 2020 election in the key battleground state, mirroring a controversial effort in Arizona to examine the results months after President Joe Biden was sworn in.

Sen. Kelly joins area leaders celebrating new low-income veterans housing in Kingman
Today's News Herald
U.S. Senator Mark Kelly (D-Arizona) was in Mohave County on Wednesday to attend the ribbon-cutting ceremony for the Kingman Veteran Villas along with lots of local elected officials and dignitaries.

Education takes a hit as lawmakers embrace massive tax cut
Payson Roundup
The Arizona Legislature has approved a nearly $13 billion state budget that included a massive tax cut, but mostly rejected the pleas of education advocates to boost funds for public schools.

Update on local cannabis industry
White Mountain Independent
The cannabis industry is booming, and with the Nov. 3, 2020 approval of Proposition 207, recreational marijuana is legal in Arizona and a buyer can possess up to one ounce of "flower" without criminal penalty. It used to be a felony in the state. *The Independent* has been following a number of developments with regard to the expanding cannabis industry on the Mountain and provides an update, below.

Reps. Andy Biggs and Paul Gosar (heart) Nazi-ranting Rep. Marjorie Taylor Greene
Arizona Republic (Opinion, EJ Montini)
Georgia Republican Rep. Marjorie Taylor Greene can't stop comparing those who are trying to save Americans from COVID-19 to Nazis.

Gov. Doug Ducey could broker a truce to help golf courses use less water. Will he?
Arizona Republic (Opinion, Joanna Allhands)
State water regulators want golf courses that rely on groundwater in urban areas to take a relatively modest 3% cut in their water allotments in 2025.

Proposition 208 set out to make taxes more fair. It may end up doing the opposite
Arizona Republic (Opinion, Abe Kwok)
The counterpunching over Proposition 208 has been spectacular for partisan politics and those keeping score. For the good of Arizona, not so much.

The Democratic race for Arizona Secretary of State just got a lot more interesting
Arizona Republic (Opinion, Elvia Diaz)
Arizona Democrats have two suitable choices for Secretary of State, and the deciding factor in who wins could come down to personality over experience overseeing elections.

Raising taxes on investors would be a mistake. Small businesses need them to grow
Arizona Republic (Opinion, Drew Maloney)
President Joe Biden has promised to help small businesses "Build Back Better" through grants, investments and an infrastructure package. Private equity is investing in small businesses, their workers and infrastructure projects across America and here in Arizona.

·PRESS RELEASES AND NEWS CLIPS·

FreedomWorks For America Endorses Matt Salmon For Arizona Governor

Phoenix – Former Congressman and Republican gubernatorial candidate Matt Salmon responded today to the endorsement of FreedomWorks for America:

"I am proud to have the support of FreedomWorks, a strong voice for our conservative values in Arizona and around the country. As governor, I'll work to build on Arizona's strong economic foundation with a smaller government so we can continue to be a dynamic and growing state without bureaucratic interference," said Salmon.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003984
ARZN_REV00069438_7-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FreedomWorks for America said in its endorsement, "[Matt] Salmon is the ideal candidate for governor in Arizona. His commitment to enforce our immigration laws, as well as his support for common-sense election security and educational freedom, demonstrates that he has Arizonans' best interests at heart. FreedomWorks for America's grassroots community looks forward to supporting Matt Salmon headed into this cycle."

###

Arizona health experts blast Legislature for banning masks from schools, urge continued use and vaccines

PHOENIX — Arizona health experts today criticized the Legislature for banning schools and colleges from requiring masks that can help reduce the spread of COVID-19, prevent outbreaks and protect people's health. The Legislature's decision comes as Arizona sees a 16-percent jump in COVID-19 cases in the past 14 days as of Tuesday. Additionally vaccines against COVID-19 have not yet been authorized for use in people younger than 12 years old, equivalent to about 610,000 students in the pre-K- to 6th-grade age range.

"Lifting simple, effective and scientifically proven measures that can reduce the spread of COVID-19 so children, teachers and school staff stay safe against a deadly disease is one of the most dangerous things the Arizona state Legislature and Governor Ducey can do right now," said **Dr. Cadey Harrel,** family physician in **Tucson** and the Arizona State Lead for the Committee to Protect Health Care. "Instead of blackmailing schools into embracing their anti-science ideas, Arizona legislators should be doing more to support our state-subsidized schools so they can keep students, teachers, and school staff safe."

Public health experts recommend continued mask use in schools. Recent research shows that COVID-19 spreads less in schools where teachers and staff wear masks, and concludes that mask use can help make in-person learning safer for students. Students are being linked to community outbreaks, including in Arizona: Students accounted for 72 percent of all school-related cases in Maricopa County at one point in spring.

An analysis of mask requirements implemented in 15 states plus Washington D.C. concluded that requirements for people to wear masks in public significantly reduced COVID-19 transmissions and helped avoid an estimated 200,000 infections. More than 170 studies across 16 nations and six continents show that interventions such as mask wearing lower the risk of COVID-19 infections.

"As health experts and as parents, we are deeply concerned that when children and teens return to school buildings, the larger class sizes could put at risk the kids who are unvaccinated or too young to get the shots, and all this will be happening as more transmissible variants circulate throughout Arizona and the nation," said **Dr. Elizabeth Jacobs**, Professor of Epidemiology in **Tucson**. "Arizona's legislators and policymakers have an opportunity to use science and evidence to help us stop outbreaks and truly beat the pandemic before it can sicken and kill more people. If policymakers listened to science and evidence, they would require masks in schools and anywhere people gather, and do their best to get as many people vaccinated as possible because we are in a race against time. When politicians ignore science and evidence, they're only giving COVID-19 time to mutate, regroup, spread and sicken people. As health professionals, we call on Arizona's policymakers to make decisions that can save lives, instead of rolling over and letting COVID-19 come back with a vengeance when school starts."

In addition to banning mask use, Arizona also has a low vaccination rate. Only 38.5 percent of Arizonans have been vaccinated, putting the state 15th from the bottom. Only 23.5 percent of Arizona youth ages 12-17 have been vaccinated, lagging neighboring states like New Mexico and California, both at 36.9 percent, and Colorado, at 36.4 percent, as of June. Utah and Texas, which ban masks in schools, have vaccination rates of 24.8 percent and 23.6 percent among 12- to 17-year-olds.

Public health experts are raising the alarm at rising cases of teens hospitalized with COVID-19. Adolescents with COVID-19 are more likely to be hospitalized compared with youth who have the flu and one-third of those with COVID-19 require intensive care.

The high degree of efficaciousness of COVID-19 vaccines has been repeatedly demonstrated and recent evidence shows that nearly all COVID-19 deaths are among people who did not get vaccinated.

"Arizona's legislators should be more concerned about protecting public health and safety, not scoring political points and appeasing their base by making bad decisions," said **Dr. Ricardo Correa**, an endocrinologist in **Phoenix.** "COVID-19 can infect children, young people can get seriously sick with this disease and they can spread it to other people. We know what steps we can take to reduce COVID-19 from spreading, and they include wearing masks and

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003985

ARZN_REV00069438_7-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

getting vaccinated. Pretending these facts don't exist only puts lives at risk, and politicians who ignore basic safety measures that can protect people must be held accountable."

About the Committee to Protect Health Care

The Committee to Protect Health Care, formerly known as the Committee to Protect Medicare, is a national mobilization of doctors, health care professionals, and advocates who are building a pro-patient health care majority in Congress and in states so that we can live in an America where everyone has the health care they need to thrive. To learn more: www.committeetoprotect.org

###

Tucson Mayor & Council to Rename "Los Reales Landfill" to "Los Reales Sustainability Campus"; embark on Zero-Waste Path

During today's Study Session, Mayor & Council will be voting to approve changing the name of the Los Reales Landfill to the "Los Reales Sustainability Campus." This is part of a larger planning effort to achieve waste reduction goals that were established by Mayor & Council in their Climate Emergency Declaration. The Declaration committed the City of Tucson to reach carbon neutrality by 2030 and to become a zero waste City by 2050, with an intermediate 50% diversion goal by 2030. The city currently spends over $8.0 million annually at Los Reales for waste processing and disposal operations.

City staff is working with the Mayor's Office, the City Commission on Climate, Energy and Sustainability (CCES), the Environmental Services Advisory Committee (ESAC), Mayor Romero's Climate Action Advisory Council, and community stakeholders to outline a plan to achieve zero waste at Los Reales. In addition, the layout of Los Reales is being designed for new sustainability uses. The preliminary plan includes:

- Space to allow solid waste/resource management companies to co-locate at this campus
- Space for a city tree nursery to help supply the Tucson Million Trees campaign
- 500 feet buffer between the campus and adjacent properties
- Installation of solar panels

"To become a zero-waste city, we must fundamentally change the way we view waste—from a liability to an asset," ***said Mayor Romero****. "Through the Los Reales Sustainability Campus initiative, we are thinking outside-of-the-box to transform Los Reales from merely being a landfill to a sustainable space - illustrating our city's commitment to climate action.*

"Treating waste as an asset will save taxpayer dollars, support the development of new industries and green jobs, reduce emissions, and increase the efficient use of natural resources."

"The Los Reales Sustainability Campus will be a catalyst in attaining many of the City's sustainability goals while yielding extensive community benefits for current and future generations," said ***Environmental and General Service Department Director, Carlos de la Torre.***

If you are interested in touring the Los Reales landfill, please reach out to Cristina Polsgrove, Public Information Officer, cristina.polsgrove@tucsonaz.gov

ATTACHMENTS:

- Presentation – Los Reales Sustainability Campus dated July 7, 2021
  - See slide 6 for a draft map of the campus

Sinema, Reps. Vargas and Peters, Tour San Ysidro Port of Entry, Border and Local Nonprofit Assisting Migrants

###

The Senator and Congressmen heard firsthand the challenges facing Customs and Border Protection and nonprofit organizations assisting migrants

SAN DIEGO – Arizona senior Senator and Chair of the of the Senate's Border Management Subcommittee Kyrsten Sinema, and California Congressmen Juan Vargas (CA-51) and Scott Peters (CA-52), toured the San Ysidro Port of Entry and visited Jewish Family Service – a non-governmental organization assisting migrants released by the

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003986
ARZN_REV00069438_7-8-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Department of Homeland Security. The Senator and Congressmen heard from Customs and Border Protection officials about the challenges at the port and along California's border and discussed Jewish Family Service's role providing assistance to migrants.

Sinema's visit followed visits to border regions in Arizona and Texas, and helps inform her role as Chair of the Senate's Border Management Subcommittee from which she is working to secure the border, support border communities, and treat all migrants and unaccompanied children fairly and humanely.

"Our tour and discussions allowed us to see firsthand the unique challenges in this border region and the need for meaningful steps from the federal government to secure the border. We're working across party lines to ensure our border communities get critical support, and all migrants are treated fairly and humanely," said Sinema, Chair of the Senate Border Management Subcommittee.

Sinema recently toured Customs and Border Protection (CBP) facilities and the non-governmental organization Casa Alitas in Tucson with Republican Senator John Cornyn. The Senators also toured Customs and Border Protection (CBP) soft sided McAllan facility and the Health & Human Services Department's Delphi facility in Texas. Sinema's visits help inform the full scope of the border, including official CBP operations, ports of entry, and nongovernmental organizations across Arizona, Texas, and California.

Sinema and Cornyn recently introduced the *Bipartisan Border Solutions Act*. Their bill improves the federal government's response to the border crisis, reduces the impact on local border communities, and ensures migrants are treated fairly and humanely.

###

"QUOTE OF THE DAY"

"Kate's strong belief in the separation of powers and experience serving in all three branches of government will serve the people of Arizona well."

- Ducey, who appointed Kathryn Hackett King to the Arizona Supreme Court.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003987

ARZN_REV00069438_7-8-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Friday, July 9, 2021 5:48:07 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: July-9-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet July 9, 2021

BREAKING: DUCEY COMPLETES ACTION ON BILLS
Ducey this afternoon signed or vetoed the remaining bills on his desk.
All told, Ducey took action on 24 bills, signing 23 bills of them.

BOYER EFFECTIVELY ACCUSES DEMOCRATS OF ANTISEMITISM
Boyer bemoaned the passage of A Hernandez's H2241 and accused legislative Democrats of condoning antisemitism.

SALMAN SAYS BOYER FURTHER INFLICTS 'TRAUMA'
Salman told our reporter Boyer's statement underscores concerns by people in the Palestinian and Jewish communities that including the

AMERICAN OVERSIGHT

IHRA definition in state law would turn it into a "bludgeon" to silence legitimate criticism of Israel.

GOVERNING BY SOCIAL MEDIA WORKS
The third longest legislative session in state history provided more time for Ducey to accomplish all the priorities he laid out in his January State of the State speech, but most of them happened before the 100-day mark.

DUCEY: ARIZONA ISN'T GOING WOKE WHILE I'M IN CHARGE
Ducey today signed several bills that stirred controversy this session, notably HB2906 (governance; audits; training), HB2241 (schools; instruction; holocaust; genocides), SB1783 (small businesses; alternate income tax) and HB2025 (SE Parental rights; sex education instruction).

CATHI HERROD IS HAPPY
Two of the bills Ducey signed deal with K-12 education. HB2035 codifies language of his executive order from April requiring parents have opportunity to review sex education courses before they're adopted and prohibiting sex education in grades K-4.

MINISTRY OF AUDIT NEVER STOPS SEARCHING FOR THE TRUTH
The Maricopa County 2020 ballots are going to be counted – again.

GOWAN IS KING OF FAILED BILLS
More than a third of legislators failed to pass any bill this year.

BEGINNER'S LUCK
Only Nguyen – and possibly Chaplik – will end this year with a perfect legislative batting average.

BLACKMAN SAYS FANN IS EITHER LYING OR MISINFORMED
Blackman accused Fann of either lying or being misinformed in her claim that S1064 (earned release; credits; prisoners) would have defunded the police and let violent criminals out of prison early.

THE BEST POLITICAL NEWS TEAM IN ARIZONA
The *Arizona Capitol Times* crew brought home 10 awards in the Arizona Press Club 2020 contest.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, July 09, 2021

·NEWS NOTES AND GOSSIP·

BREAKING: DUCEY COMPLETES ACTION ON BILLS

Ducey this afternoon signed or vetoed the remaining bills on his desk. All told, Ducey took action on 24 bills, signing 23 bills of them. The governor vetoed SB1719 (state emergency council; membership; procedures), which would have mandated meetings of the State Emergency Council, which Ducey, under the bill, must convene every two weeks during a declared state of emergency. "This bill is well intentioned but would add unneeded bureaucracy to the management of emergencies, especially wildfires," Ducey said in his veto letter. "It's also unnecessary given the good and thoughtful reforms developed this session between my office and the legislature to ensure guard rails during future health emergencies, preventing the potential for the kind of extreme and job destroying measures that we saw in other places around the country last year." The full list of signed bills is below:

HB2021 college course credit; dual enrollment (Udall)
HB2035 parental rights; sex education instruction (Griffin)
HB2124 CTEDs; average daily membership (Udall)
HB2153 renewable energy storage equipment; valuation (Dunn)
HB2241 schools; instruction; Holocaust; genocides (Hernandez, A.)
HB2298 medical marijuana; research; grants (Payne)
HB2362 elections; ballot privacy folders (Kavanagh)
HB2373 expenditure limitation; community colleges (Dunn)
HB2386 crisis standards of care; plans (Griffin)
HB2550 complaints against peace officers; notification (Kavanagh)
HB2830 alternative organization; community college districts (Cook)
HB2838 income tax; partnerships; S corporations (Chaplik)
HB2905 early ballots; request required (Hoffman)
HB2906 governance; audits; training (Hoffman)
SB1007 parental rights; petition; sexual assault (Steele)
SB1082 pharmacists; dispensing authority; hormonal contraceptives (Ugenti-Rita)
SB1124 contributions in aid of construction (Gowan)
SB1270 insurance; prescription drugs; step therapy (Barto)
SB1294 sentencing records; sealing arrest; liability (Shope)
SB1533 obstructing highways; racing; assessment; impoundment (Boyer)
SB1572 schools; early literacy (Shope)
SB1660 crimes against children; dependencies; omnibus (Boyer)
SB1783 small businesses; alternate income tax (Mesnard)

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003990

ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOYER EFFECTIVELY ACCUSES DEMOCRATS OF ANTISEMITISM

Boyer bemoaned the passage of A Hernandez's H2241 and accused legislative Democrats of condoning antisemitism. Boyer, who described himself as a "lover of Israel and friend of the Jewish people" and A Hernandez, who is Jewish and has a vanity license plate reading "Zionist," have been engaged in a protracted fight all spring over the best way to handle education about the Holocaust and antisemitism. Boyer favored including the International Holocaust Remembrance Alliance's definition of modern antisemitism with any mandate to teach about the Holocaust, while Hernandez wanted to keep the issues separate because of a request from Holocaust survivors and Jewish advocacy groups who didn't want to risk losing the opportunity to teach about the historical genocide by tying it to a definition critics say will curtail criticism of Israel. Boyer called out Salman, Lieberman, A Hernandez and the ACLU by name in his statement as he accused Democrats of engaging in antisemitism. "What we see clearly reflected in this bill is the fact that many of Arizona's fine Democratic legislators have politically been taken hostage by extremists, a trend taking place all around the country," he wrote in a lengthy essay. Boyer wrote that a video of Salman "using an antisemitic blood libel on the floor of the Arizona House" surfaced as H2241 moved through the Senate – the video he linked to was from 2019 floor debate on a bill to prevent boycotts of Israel. Salman, whose family is Palestinian, spoke tearfully about how the Israeli military detained her father when he was a child walking to school. Boyer linked to a clip of Salman speaking with New Generation for Palestine talking about how she helped to stop the IHRA definition from becoming law in Arizona. Boyer also linked to a Twitter thread from the Arizona chapter of the Council on American-Islamic Relations celebrating the demise of H2282 (schools; Holocaust Instruction; antisemitism) to make his point that CAIR is a hate group affiliated with the ACLU. "The ACLU and anti-Semites of all ideologies oppose the IHRA Definition because it objectively exposes the true nature of stylized contemporary antisemitism. We all know that antisemites often use the pretensive tactic of referring to Israel or Zionists when the public perception they seek to cultivate speaks to the Jewish people as a collective," he wrote. Boyer also had harsh words for Lieberman, who gave up one of his bills to become H2282. "When ultimately forced by the ACLU to choose between leadership and partisanship, Representative Lieberman decided to kill HB2282 at the last moment," Boyer wrote.

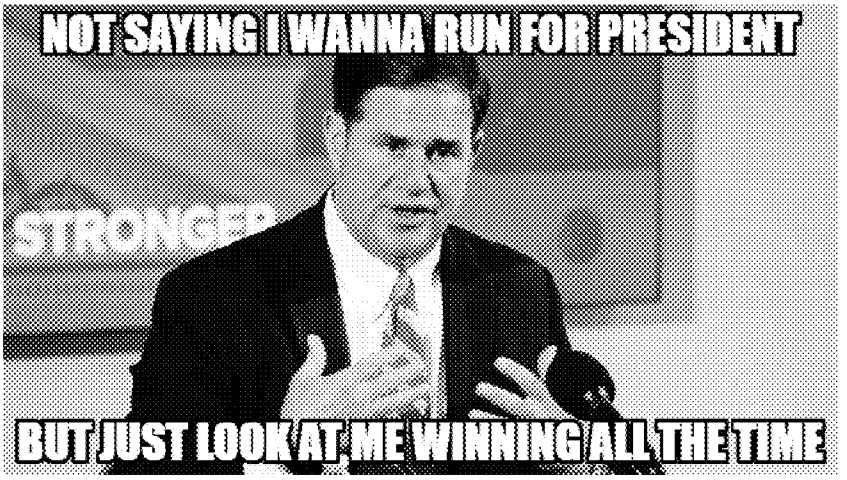
SALMAN SAYS BOYER FURTHER INFLICTS 'TRAUMA'

Salman told our reporter Boyer's statement underscores concerns by people in the Palestinian and Jewish communities that including the IHRA definition in state law would turn it into a "bludgeon" to silence legitimate criticism of Israel. "This is the concern – that something that's supposed to be about education gets turned into a political bludgeon to silence legitimate human rights concerns," she said. She was proud to vote for A Hernandez's Holocaust education bill and thinks it's important that every student in the country learns what happened in the Holocaust to make sure it never happens again. And Salman, the state's first elected official of Palestinian descent, said it's also important for her to offer perspective on that region because it isn't often heard. "It is painful that Boyer is weaponizing my family's story to further inflict trauma," she said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003991
ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GOVERNING BY SOCIAL MEDIA WORKS



The third longest legislative session in state history provided more time for Ducey to accomplish all the priorities he laid out in his January State of the State speech, but most of them happened before the 100-day mark. Ducey's virtual speech, albeit light on policy, still hinted at what he hoped to accomplish in his seventh year as state government CEO. It was his shortest speech and was heavy on getting through Covid. Among his policy goals were enacting a covid liability bill to protect businesses and hospitals from "frivolous" lawsuits. Ducey signed Laws 2021, Chapter 179 (S1377 civil liability; public health pandemic), which Leach sponsored, on April 5. He also sought to cut taxes once again – and did just that when he signed the budget in June and solidified the biggest tax cut in state history. Ducey wanted to modernize the state's tribal gaming compact and expand it to off-reservation. Through a bipartisan cohort of lawmakers, that, too, was accomplished in April after several hiccups. Arizonans can begin to legally bet on sports in September. He also pledged to expand access to broadband internet, as well as offering laptops and Wi-Fi to students who don't have access. Cobb sponsored Laws 2021, Chapter 351 (H2596 ADOT; telecommunication facilities installation), which accomplished just that. Ducey signed it in May. Finally, Ducey said he wanted to "eliminate unnecessary state buildings," and the state budget included language that would work to raze two buildings near Wesley Bolin Plaza that currently belong to the Dept of Corrections and other areas that are prime for future redevelopment, which could involve further consolidation (LINK). The Ninth Floor has repeatedly claimed this session is "one of the most successful sessions in recent memory," which appears accurate. Voters could have the final say on the tax cut, though, as the groups behind Prop 208 are pushing a referendum on the tax changes.

DUCEY: ARIZONA ISN'T GOING WOKE WHILE I'M IN CHARGE

Ducey today signed several bills that stirred controversy this session, notably HB2906 (governance; audits; training), HB2241 (schools; instruction; holocaust; genocides), SB1783 (small businesses; alternate income tax) and HB2025 (SE Parental rights; sex education instruction). HB2906 bans local and state governments from requiring employee training that "presents any form of blame or judgment on the basis of race, ethnicity or sex." Republican state lawmakers nationwide have successfully pushed similar bills. Indeed, the language in many of them is similar both to each other and to an executive order that then-President Donald Trump issued in September 2020 to halt diversity trainings across the federal government. In a news release, Ducey thanked Livingston, Udall and J Hoffman, who sponsored the bill. "I am not going to waste public dollars on lessons that imply the superiority of any race and hinder free speech," Ducey said. "House Bill 2906 goes a long way towards protecting Arizonans against divisive and regressive lessons." Udall, who originally sponsored the amendment to a different bill that became the K-12 budget amendment banning certain types of race-related instruction in public schools, said Arizona should focus on bringing people together, "not pushing people apart." She added: "Critical race theory will do nothing but increase divisiveness in our communities, which I think we can all agree we should try to prevent. I appreciate the support of my colleagues and the governor for passing this legislation." In the same press release, Hoffman said Ducey's signature makes Arizona the national leader in "combating this divisive curriculum. Arizona

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003992
ARZN_REV00069440_July-9-2021.pdf

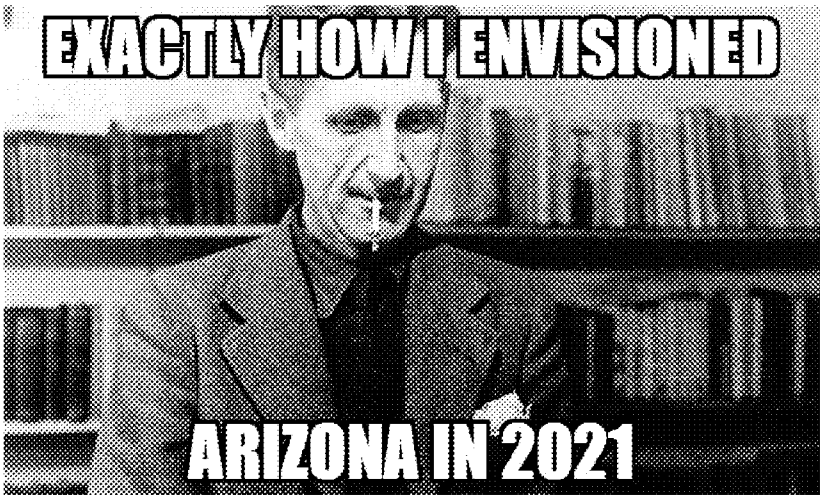
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

stands with Martin Luther King Jr.'s proclamation that people should be judged by the content of their character, not the color of their skin, and I'm grateful for the support of Governor Ducey and my colleagues in passing this important legislation." Livingston sponsored the Senate version of J Hoffman's bill, which was one of 22 Ducey vetoed in late May in an attempt to pressure lawmakers to reach a budget deal. The legislation was re-introduced and it passed again in the last days of the session.

CATHI HERROD IS HAPPY

Two of the bills Ducey signed deal with K-12 education. HB2035 codifies language of his executive order from April requiring parents have opportunity to review sex education courses before they're adopted and prohibiting sex education in grades K-4. Ducey thanked Barto and Griffin for their work on the bill. "Parents should have the right to know what their children are learning in school," he said. "This is a no-brainer piece of legislation that protects our children from learning materials that aren't suited for them. Every family has their own priorities for their children's education, and parents should get to weigh in." Ducey also signed SB1783, which allows small businesses to avoid the new 3.5% tax surcharge from Prop. 208. The bill will slash about $292 million from expected Prop 208 revenues.

MINISTRY OF AUDIT NEVER STOPS SEARCHING FOR THE TRUTH



The Maricopa County 2020 ballots are going to be counted – again. Fann told *The Republic* yesterday that the Senate purchased two paper counting machines and plans to run the ballots through after the Cyber Ninjas are done as a "triple check" on the total number of ballots (LINK). The additional count won't look at specific races. The counting machines are supposed to arrive today, former GOP chair Randy Pullen told the audit pool reporter. It will take a few days for training before the additional count begins, he said. Pullen added that, realistically, the machines would count about 500 ballots a minute. He expects this additional work to wrap up by the end of next week but said that, if it doesn't, the lease with the fairgrounds can be extended. The audit's activities moved to the Wesley Bolin Building at the fairgrounds at the end of June after the lease at the Veterans Memorial Coliseum expired again. The building is not recommended for use during summer months because of the heat, according to the state fair's website.

GOWAN IS KING OF FAILED BILLS

More than a third of legislators failed to pass any bill this year. But Gowan perhaps had the worst year of any Republican – he watched three of his bills die on the board in the Senate, and Ducey vetoed another three. Only Livingston and Barto had as many bills vetoed, and no one had as many bills fail. All three of Gowan's vetoed bills were part of Ducey's May 28 budget veto spree. Gowan still has a shot at improving his batting average if the governor decides the new versions of S1119 (attorney general; executive orders), S1121 (marijuana; security; social equity licenses) and S1127 (vehicle speed limits) are worth signing. Many of the 31 lawmakers with no successful bills are Dems, but Barton and Bowers also didn't succeed. Ducey vetoed Bowers' H2674 (sex offender registration; termination) in the budget-related veto spree, and lawmakers went on to introduce the House versions of many of the vetoed bills, but it was the Senate versions that made it to Ducey. None of Barton's nine bills – four striker placeholders, three related to

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003993
ARZN_REV00069440_July-9-2021.pdf

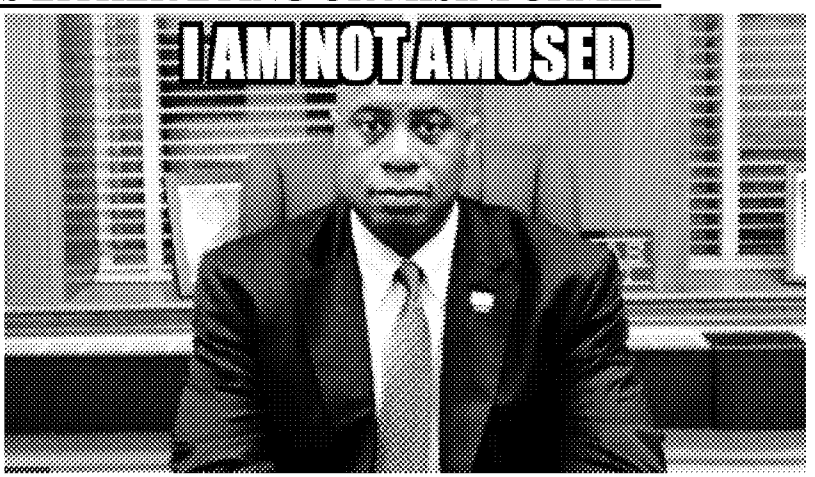
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

elections, one to pay student workers a lower minimum wage and one to let rural counties impose new transient lodging taxes – received hearings.

BEGINNER'S LUCK

Only Nguyen – and possibly Chaplik – will end this year with a perfect legislative batting average. Nguyen accomplished the feat by introducing only one bill. H2575 (hospitals; visitation), signed by Ducey on May 5, requires hospitals to facilitate visits with clergy, either in-person if visitation is allowed or through technology if no visits are allowed. Chaplik, likewise, introduced only a handful of bills. Ducey signed three of the four – H2085 (real estate; employees; rent collection), H2129 (rodeo special plates) and H2770 (mask mandates; business exception) already. Chaplik's final bill, H2838 (income tax; partnerships; s corporations) is on the governor's desk.

BLACKMAN SAYS FANN IS EITHER LYING OR MISINFORMED



Blackman accused Fann of either lying or being misinformed in her claim that S1064 (earned release; credits; prisoners) would have defunded the police and let violent criminals out of prison early. The bill would have increased the rate at which some nonviolent offenders could earn earned release credits by taking part in programs, such as drug treatment or job training. After an initial version passed the House but stalled in the Senate, Mesnard revived it as a strike-everything amendment to another bill. This was followed by months of negotiations with law enforcement and other stakeholders to try to craft something that addressed their concerns by making the bill's terms less generous to inmates. The last version of S1064 passed the House, 50-8, two days before *sine die* but was never taken up in the Senate. In response to an *Arizona Mirror* story about the bill's failure, Fann tweeted on June 30: "Incorrect. The majority of our caucus was not supportive. Defunding the police, lack of probation officers and the list of horrible offenses that allowed criminals back on the street was a bridge too far." Blackman insists none of that is true. "Every statement she made was inaccurate, because she got bad information, or she knew it was inaccurate and she said it anyway," he said. Blackman, who has been perhaps the most vocal Republican advocate of criminal justice reform in the Legislature and who chairs House crim-jus-ref, which was created for this year, said he first reached out to Fann about a week ago asking her to show him how the bill would have defunded the police or had the other effects she claimed, but has not heard back from her. "She had her chance to respond to me and she didn't, so I feel it's a lack of respect," he said. Blackman said the bill, by reducing the prison population, would have saved an estimated $680 million over 10 years that could have gone back into funding probation and job placement and drug training programs. Blackman also criticized Ducey for not meeting with him to discuss criminal justice reform over the three-and-a-half years he has been working on the issue. Bowers, he said, is the only person in top leadership who has met with him about it. "He is the only one out of the three who has been truly supportive of criminal justice reform, not just through words but through action also," Blackman said. Fann didn't return a phone call by our deadline.

THE BEST POLITICAL NEWS TEAM IN ARIZONA

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003994
ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The *Arizona Capitol Times* crew brought home 10 awards in the Arizona Press Club 2020 contest. Reporters Julia Shumway and Andrew Nicla, who now works for Stanton's office, won first place in community social issues reporting for their story on how lobbyists navigate professional relationships at the Capitol when faced with bad behavior from lawmakers (LINK). Dillon Rosenblatt and Arren Kimbel-Sannit, who moved to Montana, won first in community political reporting for their story on Ducey and his fallout with Trump and some members of the AZGOP when he certified the 2020 election results (LINK). *Cap Times* reporters also earned awards for the following:

- **Community breaking news**, second place: Dillon Rosenblatt, "Candidate for assessor job withdraws after plagiarism discovery" (LINK)
- **Community political reporting**, second place: Julia Shumway, "Lobbyist: Ugenti-Rita sexually harassed her before Shooter expulsion" (LINK)
- **Community local government reporting,** second place: Dillon Rosenblatt, "Prostitution camp provided women for Petersen adoptions" (LINK)
- **Community state/federal government reporting,** second place: Julia Shumway, "Ducey sends 400m of CARES money to state agencies"
- **Community health reporting,** second place: Dillon Rosenblatt, "Misinformation, lack of transparency plague vaccine rollout" (LINK)
- **Community sports feature reporting,** second place: Julia Shumway, "Lobbyists show lawmakers who has power – on diamond" (LINK)
- **Community personality profile,** third place: Arren Kimbel-Sannit, "Union Legislation Comes with Warning for Democratic Lawmaker"
- **Community headline writing,** second place: Gary Grado, Arizona Capitol Times, portfolio

·WAKE UP CALL·

Ducey defends flat-tax math
Capitol Media Services
Gov. Doug Ducey is defending his promotion of a flat income tax rate as saving the average Arizonan $300 a year even though legislative budget staffers figure that 72% of state residents will see a benefit of less than $45.

Ducey picks former aide for Supreme Court
Arizona Capitol Times
Gov. Doug Ducey on July 8 chose Kathryn Hackett King as the newest Arizona Supreme Court justice, making her his record-shattering sixth high court pick.

Voters out to veto 2021 legislation
Arizona Capitol Times
The 2022 election may feature a clash of titans: citizens versus lawmakers. The 2021 Republican-controlled Legislature has fueled a rush of organizers to the ballot box to veto some of the most controversial legislation that passed along slim partisan lines.

John Lewis voting rights bill must be amended to meet Supreme Court test
The Hill (Opinion, Adam Podowitz-Thomas and Zachariah Sippy)
Last week, the Supreme Court effectively eviscerated Section 2 of the Voting Rights Act of 1965 (VRA). The *Brnovich v. DNC* ruling is only the latest example of the Court's skepticism of the VRA.

The Colorado River dryout
Politico
Severe drought is shrinking water levels at critical reservoirs serving the West, jeopardizing vital water access for 40 million people.

Matt Salmon to speak to Mohave Republican Forum in Kingman July 14
Kingman Daily Miner

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003995
ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Mohave Republican Forum has added to its list of speakers for its Wednesday, July 14 meeting, with former Arizona congressman and gubernatorial hopeful Republican Matt Salmon added to the agenda.

Lake Havasu's consistent water levels could draw more tourists during drought

Today's News Herald

The drought in Arizona has led to lower levels in waterways throughout the region, but Lake Havasu remains consistent – which could bring more visitors to the area. "Lake Mead being down is bringing more people to Lake Havasu," said Lake Havasu State Park Manager Dan Roddy. "We've had more phone calls and conversations with people that have typically been to Lake Mead and are coming to Lake Havasu because they're not having to address those issues that they're seeing at Lake Mead.

Gosar demands investigation of death in Capitol riots

Pinal Central

U.S. Rep. Paul Gosar, R- Arizona, has doubled down on his fierce criticism of the police response to the Jan. 6 Capitol riots, calling for an investigation into the death of a protestor shot by a Capitol police officer.

Superspreader events still plaguing the country

Payson Roundup

It's the last thing anyone wants to hear, but COVID-19 superspreader events haven't ended — and schools start this month in Payson.

Kelli Ward, of all people, says Maricopa County election officials belong in jail? That's a hoot

Arizona Republic (Opinion, Laurie Roberts)

Arizona Republican Party Chairwoman Kelli Ward is now agitating for the arrest of Maricopa County elections officials. Just days after she was outed for trying to interfere with the election, Ward now is promoting the idea of slapping Recorder Stephen Richer and, presumably, the county Board of Supervisors in irons.

Mark Brnovich will pay if he investigates GOP election intrusions. He should anyway

Arizona Republic (Opinion, Editorial Board)

The defense of democracy sometimes depends on the integrity of individuals who stand alone against forces that would tear it down. Arizonans should never forget that in the chaos of the post 2020 presidential election a handful of public officials stood their ground separately against the awesome power of the president of the United States and against their own political party.

Proposition 208 set out to make taxes more fair. It may end up doing the opposite

Arizona Republic (Opinion, Abe Kwok)

The counterpunching over Proposition 208 has been spectacular for partisan politics and those keeping score. For the good of Arizona, not so much.

·PRESS RELEASES AND NEWS CLIPS·

Governor Ducey Signs Legislation To Protect Transparency In Education

PHOENIX — Governor Doug Ducey today signed legislation that protects parents' rights to transparency in their children's education.

"Parents should have the right to know what their children are learning in school," Governor Ducey said. "This is a no-brainer piece of legislation that protects our children from learning materials that aren't suited for them. Every

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003996

ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

family has their own priorities for their children's education, and parents should get to weigh in. I'm grateful for Senator Nancy Barto and Representative Gail Griffin for being leaders on this issue and sponsoring this legislation."

House Bill 2305 codifies into law the curriculum transparency and parental notification measures included in Executive Order 2021-11, which Governor Ducey issued on April 20. The legislation provides parents with an opportunity to participate in, review, and provide input on any proposed sex education course of study before it is adopted. This legislation also prohibits sex education from occurring in kindergarten through fourth grades.

In addition, this bill requires schools to provide parents the opportunity to opt their children in to any instruction, learning materials or presentations related to sexuality, in courses other than formal sex education curricula. Under previous law, parents were only able to opt-out of this instruction.

The bill ensures that teaching age-appropriate child abuse prevention is not considered sex education and can be taught without these restrictions. A separate provision enacted as part of the budget further strengthens these protections.

"It is critical that we protect families from overreaching education boards," Senator Nancy Barto said. "Transparency and parental involvement are always the best policy. And for our education system, it is critical policy. Thank you to Representative Griffin and my colleagues for supporting and passing this bill."

Arizona is and has been a leader on parental choice. Arizona is one of only five states that has an opt-in sex education policy. Without the express authorization of a parent opting their child in, Arizona students are not allowed to receive sex education in school.

"This is an important development for parents' right to direct their children's education," Representative Gail Griffin said. "There should be transparency around what kids are learning in their classrooms. Thank you to Governor Ducey for his initial executive order and his signing this legislation."

Each school district and charter school with existing sex education instruction is required to review its course of study and comply with requirements by December 15, 2021.

* * * * *

Governor Ducey Cuts Taxes For Arizona Small Businesses

PHOENIX — Governor Doug Ducey today signed legislation that further reduces and streamlines taxes while protecting small businesses from the threat of a 77 percent tax increase.

"This tax cut will keep Arizona competitive for small businesses already operating here and new businesses flocking here every day," Governor Ducey said. "After a year as tough as the last, we should not be raising taxes on our small businesses — we should be cutting their taxes. That's exactly what Senate Bill 1783 does. Arizona has now passed the largest tax cut in state history and will have the lowest flat tax in the country. My thanks go out to Senator J.D. Mesnard and Representative Ben Toma for their leadership on this issue."

Senate Bill 1783 establishes a new and lower alternative small business income tax structure. Under the plan, "small business income" is defined as interest, dividends, profits and certain capital gains.

"Small businesses are the backbone of our economy and integral to the future success of our state," Senator J.D. Mesnard said. "Small businesses should be able to grow and reinvest in themselves without being forced to pay astronomical taxes. Rather, government should get out of the way so that they can thrive. That's why I'm so grateful for the support of Governor Ducey and my colleagues in the Legislature."

This tax relief will ensure small businesses continue to choose Arizona to start, expand or relocate operations. Small businesses are a core component of our state's economy, making up more than 99 percent of Arizona's businesses and employing more than one million people. Because of the structure of the 3.5 percent surcharge on individual income tax under Proposition 208, small businesses will not be subject to this crippling tax hike.

"It's a no-brainer to have a separate tax structure for small businesses," Representative Ben Toma said. "It should be our goal as public servants to make filing taxes easier for Arizonans. This session has been a massive win for Arizona taxpayers. Thank you to the governor and the many who supported this bill."

The bill allows taxpayers to exclude small business income from their total individual income. Instead, small business income will be subject to an alternate small business income tax. A flat tax on small business income will phase in over time:

3.5 percent in 2021

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003997
ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

3.0 percent in 2022

2.8 percent in 2023 and 2024

2.5 percent in and after 2025

Governor Ducey signed this year's budget on June 30, which fulfills his commitment to ensuring working families, small businesses, veterans and all Arizona taxpayers get to keep more of their hard-earned money.

The budget implements the largest tax cut in state history. Arizona taxpayers will see a 2.5 percent flat tax phased in over three years and subject to certain revenue thresholds being met beginning on January 1, 2022. The tax plan saves money for every Arizona taxpayer no matter their income, eliminates income taxes on veterans' military pensions, and increases the optional charitable contribution deduction over time to 100 percent.

The *Washington Post* and the *Wall Street Journal's* editorial board published columns about the tax plan and the positive effects it will have on Arizona. Additionally, Governor Ducey, Senate President Karen Fann and House Speaker Rusty Bowers authored a joint op-ed about the historic tax reform in the *Phoenix Business Journal*. Learn more about the new tax plan HERE.

* * * * *

Governor Ducey Signs Holocaust Education Bill

PHOENIX — Governor Doug Ducey today signed legislation to ensure the next generation of Arizonans learns about the horrors of the Holocaust and the more than six million lives lost at the hands of evil.

"Arizona will continue to stand with and support the Jewish community," said Governor Ducey. "This bill works to educate our youth on the atrocities of the Holocaust and other genocides. Tragedies like this must never be allowed to happen again. This bill is a step in the right direction to fight antisemitism in our state, but our work is far from over. We have seen a rise in crimes against individuals in several communities, and we must do more to prevent any additional harm and suffering. Antisemitism is real. I would like to thank Representative Alma Hernandez for her many years of work on this important issue, as well as all the survivors who played a crucial role in making this bill a reality."

House Bill 2241 requires that all Arizona students receive education on the Holocaust and other genocides during their K-12 education at least twice between seventh and twelfth grade.

Antisemitism has been on the rise in recent years with incidents in Queen Creek, Chandler and most recently at the Chabad on River Synagogue in Tucson. In 2020, there were over 2,000 incidents of antisemitism around the country and 23 incidents in Arizona, according to the Anti-Defamation League. Already this year, there have been 10 incidents in Arizona.

"This was a community effort, and I am proud to see it finally get done. This legislation is an important step to honor both those lost in the Holocaust and the survivors who have worked tirelessly to tell their stories," said Representative Alma Hernandez. "I'm grateful to Governor Ducey for signing this bill into law. Knowing that all Arizona students will learn about the Holocaust gives me hope. We must teach the atrocities of the past to ensure it never happens again."

According to a Pew Research Center study conducted in 2019, fewer than half of respondents could correctly answer multiple-choice questions about the number of Jewish individuals who were murdered during the Holocaust or the way that Adolf Hitler came to power.

* * * * *

Rep. Grijalva Applauds DHS Reversal on Incarcerating Pregnant and Nursing Immigrant Women

WASHINGTON— Today, the Biden Administration announced a new directives that will discourage Immigration and Customs Enforcement officers from arresting and detaining nursing and pregnant women. In extraordinary circumstances of detention, the directive requires they be housed in appropriate facilities where they can receive the specific care they need. In 2017, the Trump administration ended "the presumption of release policy" for pregnant women, leading to drastically higher incarceration rates.

"Pregnant and nursing women do not belong in detention, and I'm pleased the Biden Administration has taken this first step to prevent their unnecessary detention and reverse a terrible Trump-era policy," said Rep. Grijalva. "This is

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003998

ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

an extremely vulnerable population, and we must do everything possible to avoid the stressors and negligent treatment associated with incarceration. The accounts we received of the treatment of pregnant women in custody were horrific, and we must ensure the changes made with this directive are permanent and not easily undone by future administrations."

Rep. Grijalva led 30 Members of Congress in calling for the GAO report into the treatment of pregnant women in detention. The GAO accepted the request and released the report in March 2020 that showed a lack of data and transparency concerning pregnant detainees and a startling lack of quality health care.

"I will continue fighting to reevaluate the overuse of incarceration in this country," continued Rep. Grijalva. "It is time to move beyond a system of detention that is based on profits, and to instead humanize these individuals. "Pregnant women should not be treated as a threat, but provided safety and connected with necessary resources to navigate their immigration proceeding while ensuring positive health outcomes for both the mother and child."

Since 2015, Rep. Grijalva has introduced the *Justice is Not for Sale Act* to prohibit federal, state, and local governments from contracting with private prison companies and to end immigrant family detention.

* * * * *

Statement from Senator Paul Boyer

"As lover of Israel and friend of the Jewish people I am forced to address the enactment of Holocaust Education bill House Bill 2241 (HB2241) with a sense of solemn concern. Unfortunately, recent coverage by the media suggesting that this legislation included passage of the IHRA Definition and celebrating that as a point of policy protection for Jewish community are incorrect. Sadly, I am forced to correct the record and bring to the community's attention that Holocaust Education in Arizona did not make use of the IHRA Definition. Holocaust Education in Arizona therefore does not by necessity bear relevance to the issue of antisemitism, nor is there a safeguard in place to decisively defend the state's curriculum accordingly.

HB2241 was filed in order to mandate Holocaust Education for Arizona's students. On its face, the basic notion behind this bill seemed both timely and appropriate. Adding to the bill's beneficial potential was the fact that it was originated by a member of our Legislature's minority party. We all know that something must be done about the rising tide of antisemitism, and that education is the only true antidote. Providing for the proper education of our students protects our society from repeating tragedies of the past and gives Arizonans the opportunity for a brighter future.

HB2241 was rooted in a legislative effort to confront antisemitism that took place during last year's session, which unfortunately fell short of passing. Concurrent with last year's Holocaust Education bill effort, a second bill (HB2683) was spearheaded by the same bill sponsor, Representative Alma Hernandez, to adopt the International Holocaust Remembrance Alliance (IHRA) Definition of Antisemitism as the definitional standard for Arizona. The IHRA bill became the single most sponsored piece of legislation in Arizona's history. It was a remarkable demonstration of bipartisan support for confronting the unacceptable problem of antisemitism: a record-breaking 84 out of our state's 90 legislators signed on. The IHRA Definition is a consensus definition that has been embraced globally by the Jewish community, developed nations all around the world, the Global Council of Imams, the U.S. Departments of Education, Justice, and State, and most recently by the Biden Administration.

Obviously, there is little value to Holocaust Education if we don't teach students to identify antisemitism when they see it today. HB2241 needed to make use of the IHRA Definition in order to be truly relevant to the issue of antisemitism and to safeguard the subject matter of the Holocaust from common abuses by anti-Semites. Given last year's overwhelming support for HB2683, that should not have been a point of contention. Nevertheless, the bill signed by Governor Ducey bears this glaring deficiency. Clearly, some influence has emerged that made things go wrong.

As HB2241 proceeded through the Senate, a video of House Minority Whip Athena Salman using an antisemitic blood libel on the floor of the Arizona House surfaced. Suspiciously, Salman was also a sponsor of HB2241, an oddity that hardly makes sense to those who understand the issue of contemporary antisemitism. The House sponsor of HB2241, Rep. Alma Hernandez, was privately approached and surprisingly refused to engage in a discussion of the policy and practical concerns raised by her bill's exclusion of the IHRA Definition. This was unlike her, given her history of strong national leadership within the Jewish community and in supporting the IHRA Definition.

Soon enough, another video emerged of Minority Whip Salman claiming credit for having stopped the IHRA Definition in 2020. This was an effort she pursued in partnership with the ACLU. Suddenly, the suspicion surrounding

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-003999
ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

HB2241 gave way to an understanding of what was taking place. The price paid to clear Holocaust Education with Salman and other Progressive House leaders was for moderate Democrats to detach and hand over control of the serious issue of antisemitism to the ACLU. What we see clearly reflected in this bill is the fact that many of Arizona's fine Democratic legislators have politically been taken hostage by extremists, a trend taking place all around the country.

Antisemitism in America today has no greater asset than the sophisticated legislative and legal support it receives from the ACLU. One need look no further than their unabashed activities and affiliations in Arizona in recent years to gather this fact. Their aligning efforts with hate groups that persecute Jewish persons on the basis of national origin showcase a stunning lack of objectivity, an embrace of bigotry packaged in deceitful narratives of victimhood and anti-racism, and double standards applied to suit their extremist political agenda. All who truly oppose antisemitism must now place their scrutiny upon the ACLU. In the enduring words of Justice Brandeis: "Sunlight is the best disinfectant."

The ACLU and anti-Semites of all ideologies oppose the IHRA Definition because it objectively exposes the true nature of stylized contemporary antisemitism. We all know that anti-Semites often use the pretensive tactic of referring to Israel or Zionists when the public perception they seek to cultivate speaks to the Jewish people as a collective. Contrary to the ACLU's false claims, the IHRA Definition doesn't prevent antisemitic speech, it merely highlights its bigoted nature for those who lack a proper understanding of this unique form of racism.

In respecting Rep. Hernandez's publicly stated request that the IHRA Definition be implemented through a bill other than HB2241, the bipartisan HB2282 bill was initiated with the support of Governor Ducey's office. That effort was placed with good faith and trust in the hands of a Democratic colleague, Representative Aaron Lieberman, a decision that is now regretted. When ultimately forced by the ACLU to choose between leadership and partisanship, Representative Lieberman decided to kill HB2282 at the last moment.

To be clear, the overwhelming majority of Arizona's Democrats oppose antisemitism and wish to combat it. However, if they are unable to stand up to the ACLU and anti-Semites in our Legislature, they will certainly be unable to do so in our classrooms. Arizona's Democrats now face a heavy moral responsibility for the fate of a Holocaust Education mandate that includes no safeguards from abuse at a time of crisis for Jewish students. HB2241 is therefore a cause for soul searching rather than celebration.

I support Governor Ducey's signing of HB2241 as a matter of good faith and commitment to advancing the interests of Arizona's Holocaust Survivors, their families, the Jewish community, and the many concerned citizens who hold by the commitment of "Never Again." As we all know, the meaning of this sacred oath is its application to contemporary antisemitism. In that regard, it is clear that the Arizona Legislature's job is unfinished. It is my belief that Arizona's Democrats will ultimately stand by our state's guiding moral principles and against the political pressure of the ACLU when HB2282 is once again reintroduced in the next session. Our voters trust us to lead with integrity no matter the political cost."

* * * * *

Chair Grijalva Hails Federal Reversal of Unjustified Permit for Vigneto Development in Southern Arizona – Project Has Ties to Trump Interior Sec. Bernhardt

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today hailed the Army Corps of Engineers suspension of a permit for the controversial Villages at Vigneto property development proposal in Southern Arizona, where former Interior Secretary David Bernhardt was reportedly involved in pressuring federal officials to advance the project despite environmental concerns. Grijalva asked the Trump administration for documents to clarify the issue in July 2019 after a whistleblower came forward alleging improper interference from Bernhardt's office.

The project's developer, Mike Ingram, was closely connected to the Trump administration.

Formally, the Army Corps has suspended what is known as a dredge-and-fill permit, which is issued under the Clean Water Act. The suspension means no material can be "discharged" into any legally identified "water of the United States," which makes the project functionally impossible to develop further.

"The Trump administration told its donors that laws were irrelevant, business could do what it wanted, and friends in high places could make anything happen," Grijalva said today. "We see today that the rule of law still applies in this

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004000

ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

country, and I hope to see more of this going forward. We can't let environmental corner-cutting become the easy get-rich-quick scheme the Trump administration was selling."

Among other environmental considerations, the U.S. Fish and Wildlife Service found the Vigneto project was "reasonably certain" to affect endangered species.

* * * * *

Sinema, Portman Statement on New Business/Labor Coalition Supporting Enactment of Bipartisan Infrastructure Framework

WASHINGTON – U.S. Senators Kyrsten Sinema (D-AZ) and Rob Portman (R-OH) issued the following statement welcoming the announcement of a new coalition of more than 20 business and labor groups that support enactment of the bipartisan infrastructure framework:

"We welcome the support of a strong and diverse coalition of employers and workers for this bipartisan infrastructure framework. This proposal has support from both parties because it will invest in America's critical infrastructure needs, promote economic development and job creation, advance cleaner technologies, and strengthen America's competitiveness, without raising taxes. We look forward to working with our colleagues to advance this proposal through the Senate, the House and to the White House so President Biden can sign it into law."

* * * * *

Delta Variant Increases COVID-19 Risk in Maricopa County

Getting fully vaccinated is the best way to protect yourself and your family from this more-contagious strain

PHOENIX (July 9, 2021)—There is new evidence that the more-contagious Delta variant of COVID-19 is spreading in Maricopa County. A COVID-19 outbreak has been identified in a long-term care facility, and sequencing results from some of the cases are the Delta variant. The majority of sequencing results have not come back yet. The facility has been working closely with Maricopa County Department of Public Health (MCDPH) and has followed all recommendations to put enhanced infection control measures into place.

"Unfortunately, this underscores how much more contagious the Delta variant is and how quickly it can spread from person to person, especially to people who are not fully vaccinated," said Marcy Flanagan, executive director at MCDPH. The Delta variant has been increasing in Maricopa County since April and represented about 20% of sequenced cases during the month of June. "We expect it will continue to increase, as it is now the dominant variant in the U.S.," Flanagan added.

"We still have an opportunity to increase our community's protection before the Delta variant becomes dominant locally," said Dr. Rebecca Sunenshine, medical director for disease control at MCDPH.

The best protection against COVID-19, including the Delta variant, is to get fully vaccinated. "The vaccine is highly effective against the Delta variant, but you have to get the full vaccine series to get the maximum protection," said Dr. Sunenshine. "The majority of people who get the Delta variant are not fully vaccinated."

MCDPH is asking residents and visitors to Maricopa County to do their part to protect themselves and those around them:

- If you are able to be vaccinated and are not yet fully vaccinated:
  - Please get vaccinated—it is safe and highly effective in preventing serious illness and death.
  - If you got your first dose of Moderna or Pfizer, it is critical that you get your second dose.
    - While the vaccine is highly effective after two doses, it may be as low as 30% effective after only one dose against the Delta variant, so the second dose is extremely important.
  - You are not considered fully vaccinated until two weeks after your second dose of Moderna or Pfizer, or your first dose of Johnson & Johnson
  - **Even if it has been longer than a month since your first dose, it is not too late to get your second dose and you do not have to start the series over.**
  - People who have gotten COVID-19 before are still encouraged to get vaccinated for broader, longer-lasting protection than natural immunity from a prior infection.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004001
ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Until you are fully vaccinated, take precautions, such as social distancing, avoiding crowds, and wearing a mask when you are around people outside your household.

Our community is doing a good job of getting people vaccinated, but we can do better. There are still people who are vulnerable, including children under age 12 who are not yet eligible for vaccination and people with depressed immune systems.

"If we can get more people vaccinated, the virus won't have as many opportunities to spread and everyone will be more protected," said Dr. Sunenshine.

"Maricopa County is committed to making vaccine broadly available, so we are continuing to offer small, community-based events that make it easy for people to get vaccinated near their homes, work, and on their schedule," added Flanagan. "These events are in addition to ongoing vaccine opportunities with pharmacies and providers across Maricopa County," she said.

To find a vaccine near you, visit Maricopa.gov/COVID19VaccineLocations. If you have questions about vaccines, visit Maricopa.gov/COVID19VaccineFacts.

* * * * *

Arizona Activists Descend on AZ Attorney General's Office to Protest Republican Voter Suppression and Demand Federal Action to Protect Voting Rights

Phoenix, AZ - Nine people were taken into Phoenix Police Department custody after participating in a peaceful civil disobedience outside of Attorney General Brnovich's office Thursday morning as part of a rally and picket line protesting his relentless attacks on Arizonans' voting rights.

"We are telling Mark Brnovich, our Attorney General, that we will not just sit by and watch as our rights are stripped away. We deserve real national voting rights legislation and we will do whatever it takes to make that happen," said Joshua Wells, a community organizer.

On July 1, 2021, the U.S. Supreme Court issued a decision in support of Brnovich's defense of two restrictive voting laws. The decision gutted Section 2 of the Voting Rights Act of 1965, undermining historic protections against racial discrimination in elections. Additionally, the Arizona state legislature passed a flurry of anti-voter measures at the tail end of the session that concluded last week. One of those bills requires the Secretary of State to provide voter information, including' date of birth and part of their Social Security number, to a third-party private vendor who could then remove them from the voter rolls.

At the same time, the Arizona legislature took the unprecedented move of removing powers from the Secretary of State and conferring them on the Arizona Attorney General, a move that coincides with the end of Secretary Katie Hobbs' term. Attorney General Brnovich announced his intention to run for U. S. Senate in 2022 on June 10.

"We have brave freedom fighters here today who are going to demand justice from our Attorney General and demand that he stop attacking the freedom to vote. When you have a complicit governor, a complicit attorney general, [and a] complicit majority-Republican legislature, there's only so much we can do here today," said State Representative Athena Salman, addressing the crowd, "We need Senator Kyrsten Sinema and Senator Mark Kelly and President Joe Biden to stand up. We delivered for them and now they have to deliver for us. The number one thing, the foundation of our democracy, is protecting our freedom to vote."

More than 75 attended the action that highlighted the need for the *For the People* Act - federal voting rights legislation - to protect against the 350+ voter suppression bills introduced across 47 states since January 2021.

The same coalition recently completed a weeklong freedom ride to Washington D.C for voting rights.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004002

ARZN_REV00069440_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"What we see clearly reflected in this bill is the fact that many of Arizona's fine Democratic legislators have politically been taken hostage by extremists, a trend taking place all around the country."

- Boyer, on the failure of his legislation to include the International Holocaust Remembrance Alliance's definition of modern antisemitism in state statutes.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004003

ARZN_REV00069440_July-9-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, July 9, 2021 5:48:09 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: July-9-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet July 9, 2021

BREAKING: DUCEY COMPLETES ACTION ON BILLS
Ducey this afternoon signed or vetoed the remaining bills on his desk.
All told, Ducey took action on 24 bills, signing 23 bills of them.

BOYER EFFECTIVELY ACCUSES DEMOCRATS OF ANTISEMITISM
Boyer bemoaned the passage of A Hernandez's H2241 and accused legislative Democrats of condoning antisemitism.

SALMAN SAYS BOYER FURTHER INFLICTS 'TRAUMA'

AMERICAN OVERSIGHT

Salman told our reporter Boyer's statement underscores concerns by people in the Palestinian and Jewish communities that including the IHRA definition in state law would turn it into a "bludgeon" to silence legitimate criticism of Israel.

GOVERNING BY SOCIAL MEDIA WORKS
The third longest legislative session in state history provided more time for Ducey to accomplish all the priorities he laid out in his January State of the State speech, but most of them happened before the 100-day mark.

DUCEY: ARIZONA ISN'T GOING WOKE WHILE I'M IN CHARGE
Ducey today signed several bills that stirred controversy this session, notably HB2906 (governance; audits; training), HB2241 (schools; instruction; holocaust; genocides), SB1783 (small businesses; alternate income tax) and HB2025 (SE Parental rights; sex education instruction).

CATHI HERROD IS HAPPY
Two of the bills Ducey signed deal with K-12 education. HB2035 codifies language of his executive order from April requiring parents have opportunity to review sex education courses before they're adopted and prohibiting sex education in grades K-4.

MINISTRY OF AUDIT NEVER STOPS SEARCHING FOR THE TRUTH
The Maricopa County 2020 ballots are going to be counted – again.

GOWAN IS KING OF FAILED BILLS
More than a third of legislators failed to pass any bill this year.

BEGINNER'S LUCK
Only Nguyen – and possibly Chaplik – will end this year with a perfect legislative batting average.

BLACKMAN SAYS FANN IS EITHER LYING OR MISINFORMED
Blackman accused Fann of either lying or being misinformed in her claim that S1064 (earned release; credits; prisoners) would have defunded the police and let violent criminals out of prison early.

THE BEST POLITICAL NEWS TEAM IN ARIZONA
The *Arizona Capitol Times* crew brought home 10 awards in the Arizona Press Club 2020 contest.

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, July 09, 2021

·NEWS NOTES AND GOSSIP·

BREAKING: DUCEY COMPLETES ACTION ON BILLS

Ducey this afternoon signed or vetoed the remaining bills on his desk. All told, Ducey took action on 24 bills, signing 23 bills of them. The governor vetoed SB1719 (state emergency council; membership; procedures), which would have mandated meetings of the State Emergency Council, which Ducey, under the bill, must convene every two weeks during a declared state of emergency. "This bill is well intentioned but would add unneeded bureaucracy to the management of emergencies, especially wildfires," Ducey said in his veto letter. "It's also unnecessary given the good and thoughtful reforms developed this session between my office and the legislature to ensure guard rails during future health emergencies, preventing the potential for the kind of extreme and job destroying measures that we saw in other places around the country last year." The full list of signed bills is below:

HB2021 college course credit; dual enrollment (Udall)
HB2035 parental rights; sex education instruction (Griffin)
HB2124 CTEDs; average daily membership (Udall)
HB2153 renewable energy storage equipment; valuation (Dunn)
HB2241 schools; instruction; Holocaust; genocides (Hernandez, A.)
HB2298 medical marijuana; research; grants (Payne)
HB2362 elections; ballot privacy folders (Kavanagh)
HB2373 expenditure limitation; community colleges (Dunn)
HB2386 crisis standards of care; plans (Griffin)
HB2550 complaints against peace officers; notification (Kavanagh)
HB2830 alternative organization; community college districts (Cook)
HB2838 income tax; partnerships; S corporations (Chaplik)
HB2905 early ballots; request required (Hoffman)
HB2906 governance; audits; training (Hoffman)
SB1007 parental rights; petition; sexual assault (Steele)
SB1082 pharmacists; dispensing authority; hormonal contraceptives (Ugenti-Rita)
SB1124 contributions in aid of construction (Gowan)
SB1270 insurance; prescription drugs; step therapy (Barto)
SB1294 sentencing records; sealing arrest; liability (Shope)
SB1533 obstructing highways; racing; assessment; impoundment (Boyer)
SB1572 schools; early literacy (Shope)
SB1660 crimes against children; dependencies; omnibus (Boyer)
SB1783 small businesses; alternate income tax (Mesnard)

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004006

ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOYER EFFECTIVELY ACCUSES DEMOCRATS OF ANTISEMITISM

Boyer bemoaned the passage of A Hernandez's H2241 and accused legislative Democrats of condoning antisemitism. Boyer, who described himself as a "lover of Israel and friend of the Jewish people" and A Hernandez, who is Jewish and has a vanity license plate reading "Zionist," have been engaged in a protracted fight all spring over the best way to handle education about the Holocaust and antisemitism. Boyer favored including the International Holocaust Remembrance Alliance's definition of modern antisemitism with any mandate to teach about the Holocaust, while Hernandez wanted to keep the issues separate because of a request from Holocaust survivors and Jewish advocacy groups who didn't want to risk losing the opportunity to teach about the historical genocide by tying it to a definition critics say will curtail criticism of Israel. Boyer called out Salman, Lieberman, A Hernandez and the ACLU by name in his statement as he accused Democrats of engaging in antisemitism. "What we see clearly reflected in this bill is the fact that many of Arizona's fine Democratic legislators have politically been taken hostage by extremists, a trend taking place all around the country," he wrote in a lengthy essay. Boyer wrote that a video of Salman "using an antisemitic blood libel on the floor of the Arizona House" surfaced as H2241 moved through the Senate – the video he linked to was from 2019 floor debate on a bill to prevent boycotts of Israel. Salman, whose family is Palestinian, spoke tearfully about how the Israeli military detained her father when he was a child walking to school. Boyer linked to a clip of Salman speaking with New Generation for Palestine talking about how she helped to stop the IHRA definition from becoming law in Arizona. Boyer also linked to a Twitter thread from the Arizona chapter of the Council on American-Islamic Relations celebrating the demise of H2282 (schools; Holocaust Instruction; antisemitism) to make his point that CAIR is a hate group affiliated with the ACLU. "The ACLU and anti-Semites of all ideologies oppose the IHRA Definition because it objectively exposes the true nature of stylized contemporary antisemitism. We all know that antisemites often use the pretensive tactic of referring to Israel or Zionists when the public perception they seek to cultivate speaks to the Jewish people as a collective," he wrote. Boyer also had harsh words for Lieberman, who gave up one of his bills to become H2282. "When ultimately forced by the ACLU to choose between leadership and partisanship, Representative Lieberman decided to kill HB2282 at the last moment," Boyer wrote.

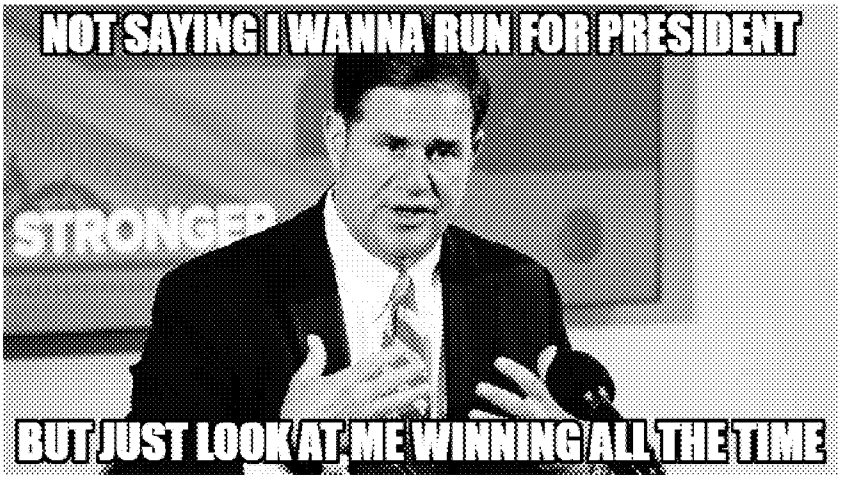
SALMAN SAYS BOYER FURTHER INFLICTS 'TRAUMA'

Salman told our reporter Boyer's statement underscores concerns by people in the Palestinian and Jewish communities that including the IHRA definition in state law would turn it into a "bludgeon" to silence legitimate criticism of Israel. "This is the concern – that something that's supposed to be about education gets turned into a political bludgeon to silence legitimate human rights concerns," she said. She was proud to vote for A Hernandez's Holocaust education bill and thinks it's important that every student in the country learns what happened in the Holocaust to make sure it never happens again. And Salman, the state's first elected official of Palestinian descent, said it's also important for her to offer perspective on that region because it isn't often heard. "It is painful that Boyer is weaponizing my family's story to further inflict trauma," she said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004007
ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GOVERNING BY SOCIAL MEDIA WORKS



The third longest legislative session in state history provided more time for Ducey to accomplish all the priorities he laid out in his January State of the State speech, but most of them happened before the 100-day mark. Ducey's virtual speech, albeit light on policy, still hinted at what he hoped to accomplish in his seventh year as state government CEO. It was his shortest speech and was heavy on getting through Covid. Among his policy goals were enacting a covid liability bill to protect businesses and hospitals from "frivolous" lawsuits. Ducey signed Laws 2021, Chapter 179 (S1377 civil liability; public health pandemic), which Leach sponsored, on April 5. He also sought to cut taxes once again – and did just that when he signed the budget in June and solidified the biggest tax cut in state history. Ducey wanted to modernize the state's tribal gaming compact and expand it to off-reservation. Through a bipartisan cohort of lawmakers, that, too, was accomplished in April after several hiccups. Arizonans can begin to legally bet on sports in September. He also pledged to expand access to broadband internet, as well as offering laptops and Wi-Fi to students who don't have access. Cobb sponsored Laws 2021, Chapter 351 (H2596 ADOT; telecommunication facilities installation), which accomplished just that. Ducey signed it in May. Finally, Ducey said he wanted to "eliminate unnecessary state buildings," and the state budget included language that would work to raze two buildings near Wesley Bolin Plaza that currently belong to the Dept of Corrections and other areas that are prime for future redevelopment, which could involve further consolidation (LINK). The Ninth Floor has repeatedly claimed this session is "one of the most successful sessions in recent memory," which appears accurate. Voters could have the final say on the tax cut, though, as the groups behind Prop 208 are pushing a referendum on the tax changes.

DUCEY: ARIZONA ISN'T GOING WOKE WHILE I'M IN CHARGE

Ducey today signed several bills that stirred controversy this session, notably HB2906 (governance; audits; training), HB2241 (schools; instruction; holocaust; genocides), SB1783 (small businesses; alternate income tax) and HB2025 (SE Parental rights; sex education instruction). HB2906 bans local and state governments from requiring employee training that "presents any form of blame or judgment on the basis of race, ethnicity or sex." Republican state lawmakers nationwide have successfully pushed similar bills. Indeed, the language in many of them is similar both to each other and to an executive order that then-President Donald Trump issued in September 2020 to halt diversity trainings across the federal government. In a news release, Ducey thanked Livingston, Udall and J Hoffman, who sponsored the bill. "I am not going to waste public dollars on lessons that imply the superiority of any race and hinder free speech," Ducey said. "House Bill 2906 goes a long way towards protecting Arizonans against divisive and regressive lessons." Udall, who originally sponsored the amendment to a different bill that became the K-12 budget amendment banning certain types of race-related instruction in public schools, said Arizona should focus on bringing people together, "not pushing people apart." She added: "Critical race theory will do nothing but increase divisiveness in our communities, which I think we can all agree we should try to prevent. I appreciate the support of my colleagues and the governor for passing this legislation." In the same press release, Hoffman said Ducey's signature makes Arizona the national leader in "combating this divisive curriculum. Arizona

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004008

ARZN_REV00069442_July-9-2021.pdf

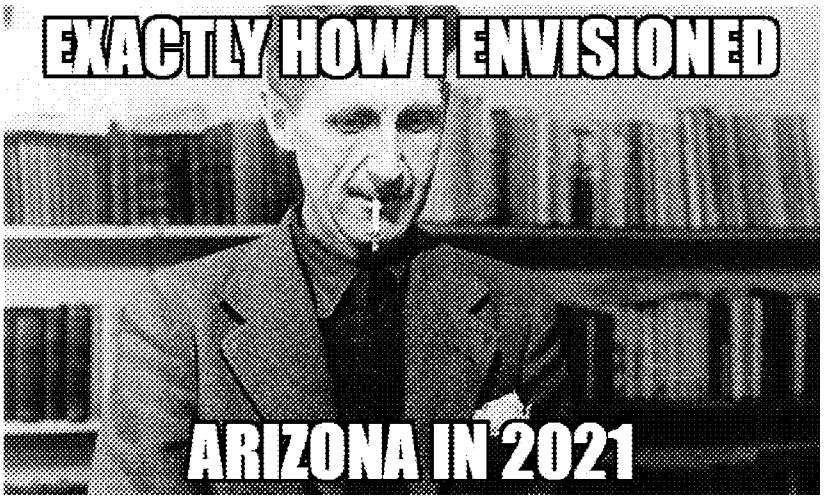
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

stands with Martin Luther King Jr.'s proclamation that people should be judged by the content of their character, not the color of their skin, and I'm grateful for the support of Governor Ducey and my colleagues in passing this important legislation." Livingston sponsored the Senate version of J Hoffman's bill, which was one of 22 Ducey vetoed in late May in an attempt to pressure lawmakers to reach a budget deal. The legislation was re-introduced and it passed again in the last days of the session.

CATHI HERROD IS HAPPY

Two of the bills Ducey signed deal with K-12 education. HB2035 codifies language of his executive order from April requiring parents have opportunity to review sex education courses before they're adopted and prohibiting sex education in grades K-4. Ducey thanked Barto and Griffin for their work on the bill. "Parents should have the right to know what their children are learning in school," he said. "This is a no-brainer piece of legislation that protects our children from learning materials that aren't suited for them. Every family has their own priorities for their children's education, and parents should get to weigh in." Ducey also signed SB1783, which allows small businesses to avoid the new 3.5% tax surcharge from Prop. 208. The bill will slash about $292 million from expected Prop 208 revenues.

MINISTRY OF AUDIT NEVER STOPS SEARCHING FOR THE TRUTH



The Maricopa County 2020 ballots are going to be counted – again. Fann told *The Republic* yesterday that the Senate purchased two paper counting machines and plans to run the ballots through after the Cyber Ninjas are done as a "triple check" on the total number of ballots (LINK). The additional count won't look at specific races. The counting machines are supposed to arrive today, former GOP chair Randy Pullen told the audit pool reporter. It will take a few days for training before the additional count begins, he said. Pullen added that, realistically, the machines would count about 500 ballots a minute. He expects this additional work to wrap up by the end of next week but said that, if it doesn't, the lease with the fairgrounds can be extended. The audit's activities moved to the Wesley Bolin Building at the fairgrounds at the end of June after the lease at the Veterans Memorial Coliseum expired again. The building is not recommended for use during summer months because of the heat, according to the state fair's website.

GOWAN IS KING OF FAILED BILLS

More than a third of legislators failed to pass any bill this year. But Gowan perhaps had the worst year of any Republican – he watched three of his bills die on the board in the Senate, and Ducey vetoed another three. Only Livingston and Barto had as many bills vetoed, and no one had as many bills fail. All three of Gowan's vetoed bills were part of Ducey's May 28 budget veto spree. Gowan still has a shot at improving his batting average if the governor decides the new versions of S1119 (attorney general; executive orders), S1121 (marijuana; security; social equity licenses) and S1127 (vehicle speed limits) are worth signing. Many of the 31 lawmakers with no successful bills are Dems, but Barton and Bowers also didn't succeed. Ducey vetoed Bowers' H2674 (sex offender registration; termination) in the budget-related veto spree, and lawmakers went on to introduce the House versions of many of the vetoed bills, but it was the Senate versions that made it to Ducey. None of Barton's nine bills – four striker placeholders, three related to

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004009
ARZN_REV00069442_July-9-2021.pdf

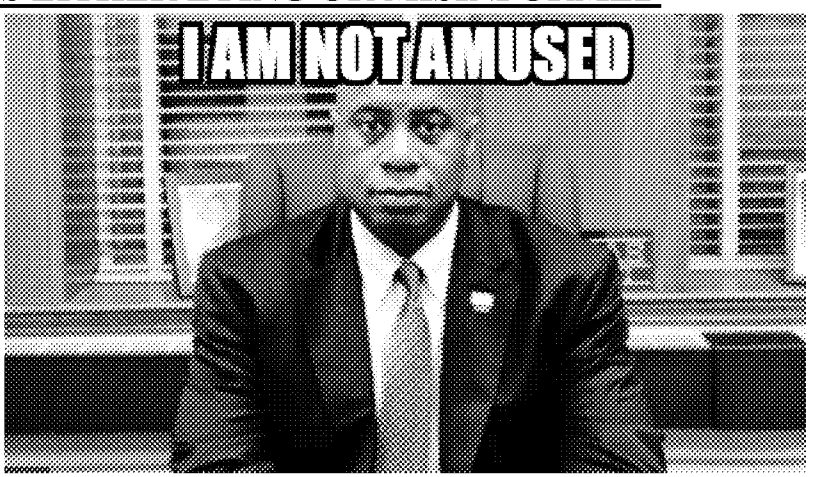
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

elections, one to pay student workers a lower minimum wage and one to let rural counties impose new transient lodging taxes – received hearings.

BEGINNER'S LUCK

Only Nguyen – and possibly Chaplik – will end this year with a perfect legislative batting average. Nguyen accomplished the feat by introducing only one bill. H2575 (hospitals; visitation), signed by Ducey on May 5, requires hospitals to facilitate visits with clergy, either in-person if visitation is allowed or through technology if no visits are allowed. Chaplik, likewise, introduced only a handful of bills. Ducey signed three of the four – H2085 (real estate; employees; rent collection), H2129 (rodeo special plates) and H2770 (mask mandates; business exception) already. Chaplik's final bill, H2838 (income tax; partnerships; s corporations) is on the governor's desk.

BLACKMAN SAYS FANN IS EITHER LYING OR MISINFORMED



Blackman accused Fann of either lying or being misinformed in her claim that S1064 (earned release; credits; prisoners) would have defunded the police and let violent criminals out of prison early. The bill would have increased the rate at which some nonviolent offenders could earn earned release credits by taking part in programs, such as drug treatment or job training. After an initial version passed the House but stalled in the Senate, Mesnard revived it as a strike-everything amendment to another bill. This was followed by months of negotiations with law enforcement and other stakeholders to try to craft something that addressed their concerns by making the bill's terms less generous to inmates. The last version of S1064 passed the House, 50-8, two days before *sine die* but was never taken up in the Senate. In response to an *Arizona Mirror* story about the bill's failure, Fann tweeted on June 30: "Incorrect. The majority of our caucus was not supportive. Defunding the police, lack of probation officers and the list of horrible offenses that allowed criminals back on the street was a bridge too far." Blackman insists none of that is true. "Every statement she made was inaccurate, because she got bad information, or she knew it was inaccurate and she said it anyway," he said. Blackman, who has been perhaps the most vocal Republican advocate of criminal justice reform in the Legislature and who chairs House crim-jus-ref, which was created for this year, said he first reached out to Fann about a week ago asking her to show him how the bill would have defunded the police or had the other effects she claimed, but has not heard back from her. "She had her chance to respond to me and she didn't, so I feel it's a lack of respect," he said. Blackman said the bill, by reducing the prison population, would have saved an estimated $680 million over 10 years that could have gone back into funding probation and job placement and drug training programs. Blackman also criticized Ducey for not meeting with him to discuss criminal justice reform over the three-and-a-half years he has been working on the issue. Bowers, he said, is the only person in top leadership who has met with him about it. "He is the only one out of the three who has been truly supportive of criminal justice reform, not just through words but through action also," Blackman said. Fann didn't return a phone call by our deadline.

THE BEST POLITICAL NEWS TEAM IN ARIZONA

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004010
ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The *Arizona Capitol Times* crew brought home 10 awards in the Arizona Press Club 2020 contest. Reporters Julia Shumway and Andrew Nicla, who now works for Stanton's office, won first place in community social issues reporting for their story on how lobbyists navigate professional relationships at the Capitol when faced with bad behavior from lawmakers (LINK). Dillon Rosenblatt and Arren Kimbel-Sannit, who moved to Montana, won first in community political reporting for their story on Ducey and his fallout with Trump and some members of the AZGOP when he certified the 2020 election results (LINK). *Cap Times* reporters also earned awards for the following:

- **Community breaking news**, second place: Dillon Rosenblatt, "Candidate for assessor job withdraws after plagiarism discovery" (LINK)
- **Community political reporting**, second place: Julia Shumway, "Lobbyist: Ugenti-Rita sexually harassed her before Shooter expulsion" (LINK)
- **Community local government reporting,** second place: Dillon Rosenblatt, "Prostitution camp provided women for Petersen adoptions" (LINK)
- **Community state/federal government reporting,** second place: Julia Shumway, "Ducey sends 400m of CARES money to state agencies"
- **Community health reporting,** second place: Dillon Rosenblatt, "Misinformation, lack of transparency plague vaccine rollout" (LINK)
- **Community sports feature reporting,** second place: Julia Shumway, "Lobbyists show lawmakers who has power – on diamond" (LINK)
- **Community personality profile,** third place: Arren Kimbel-Sannit, "Union Legislation Comes with Warning for Democratic Lawmaker"
- **Community headline writing,** second place: Gary Grado, Arizona Capitol Times, portfolio

·WAKE UP CALL·

Ducey defends flat-tax math
Capitol Media Services
Gov. Doug Ducey is defending his promotion of a flat income tax rate as saving the average Arizonan $300 a year even though legislative budget staffers figure that 72% of state residents will see a benefit of less than $45.

Ducey picks former aide for Supreme Court
Arizona Capitol Times
Gov. Doug Ducey on July 8 chose Kathryn Hackett King as the newest Arizona Supreme Court justice, making her his record-shattering sixth high court pick.

Voters out to veto 2021 legislation
Arizona Capitol Times
The 2022 election may feature a clash of titans: citizens versus lawmakers. The 2021 Republican-controlled Legislature has fueled a rush of organizers to the ballot box to veto some of the most controversial legislation that passed along slim partisan lines.

John Lewis voting rights bill must be amended to meet Supreme Court test
The Hill (Opinion, Adam Podowitz-Thomas and Zachariah Sippy)
Last week, the Supreme Court effectively eviscerated Section 2 of the Voting Rights Act of 1965 (VRA). The *Brnovich v. DNC* ruling is only the latest example of the Court's skepticism of the VRA.

The Colorado River dryout
Politico
Severe drought is shrinking water levels at critical reservoirs serving the West, jeopardizing vital water access for 40 million people.

Matt Salmon to speak to Mohave Republican Forum in Kingman July 14
Kingman Daily Miner

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004011
ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Mohave Republican Forum has added to its list of speakers for its Wednesday, July 14 meeting, with former Arizona congressman and gubernatorial hopeful Republican Matt Salmon added to the agenda.

Lake Havasu's consistent water levels could draw more tourists during drought

Today's News Herald

The drought in Arizona has led to lower levels in waterways throughout the region, but Lake Havasu remains consistent – which could bring more visitors to the area. "Lake Mead being down is bringing more people to Lake Havasu," said Lake Havasu State Park Manager Dan Roddy. "We've had more phone calls and conversations with people that have typically been to Lake Mead and are coming to Lake Havasu because they're not having to address those issues that they're seeing at Lake Mead.

Gosar demands investigation of death in Capitol riots

Pinal Central

U.S. Rep. Paul Gosar, R- Arizona, has doubled down on his fierce criticism of the police response to the Jan. 6 Capitol riots, calling for an investigation into the death of a protestor shot by a Capitol police officer.

Superspreader events still plaguing the country

Payson Roundup

It's the last thing anyone wants to hear, but COVID-19 superspreader events haven't ended — and schools start this month in Payson.

Kelli Ward, of all people, says Maricopa County election officials belong in jail? That's a hoot

Arizona Republic (Opinion, Laurie Roberts)

Arizona Republican Party Chairwoman Kelli Ward is now agitating for the arrest of Maricopa County elections officials. Just days after she was outed for trying to interfere with the election, Ward now is promoting the idea of slapping Recorder Stephen Richer and, presumably, the county Board of Supervisors in irons.

Mark Brnovich will pay if he investigates GOP election intrusions. He should anyway

Arizona Republic (Opinion, Editorial Board)

The defense of democracy sometimes depends on the integrity of individuals who stand alone against forces that would tear it down. Arizonans should never forget that in the chaos of the post 2020 presidential election a handful of public officials stood their ground separately against the awesome power of the president of the United States and against their own political party.

Proposition 208 set out to make taxes more fair. It may end up doing the opposite

Arizona Republic (Opinion, Abe Kwok)

The counterpunching over Proposition 208 has been spectacular for partisan politics and those keeping score. For the good of Arizona, not so much.

·PRESS RELEASES AND NEWS CLIPS·

Governor Ducey Signs Legislation To Protect Transparency In Education

PHOENIX — Governor Doug Ducey today signed legislation that protects parents' rights to transparency in their children's education.

"Parents should have the right to know what their children are learning in school," Governor Ducey said. "This is a no-brainer piece of legislation that protects our children from learning materials that aren't suited for them. Every

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004012

ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

family has their own priorities for their children's education, and parents should get to weigh in. I'm grateful for Senator Nancy Barto and Representative Gail Griffin for being leaders on this issue and sponsoring this legislation."

House Bill 2305 codifies into law the curriculum transparency and parental notification measures included in Executive Order 2021-11, which Governor Ducey issued on April 20. The legislation provides parents with an opportunity to participate in, review, and provide input on any proposed sex education course of study before it is adopted. This legislation also prohibits sex education from occurring in kindergarten through fourth grades.

In addition, this bill requires schools to provide parents the opportunity to opt their children in to any instruction, learning materials or presentations related to sexuality, in courses other than formal sex education curricula. Under previous law, parents were only able to opt-out of this instruction.

The bill ensures that teaching age-appropriate child abuse prevention is not considered sex education and can be taught without these restrictions. A separate provision enacted as part of the budget further strengthens these protections.

"It is critical that we protect families from overreaching education boards," Senator Nancy Barto said. "Transparency and parental involvement are always the best policy. And for our education system, it is critical policy. Thank you to Representative Griffin and my colleagues for supporting and passing this bill."

Arizona is and has been a leader on parental choice. Arizona is one of only five states that has an opt-in sex education policy. Without the express authorization of a parent opting their child in, Arizona students are not allowed to receive sex education in school.

"This is an important development for parents' right to direct their children's education," Representative Gail Griffin said. "There should be transparency around what kids are learning in their classrooms. Thank you to Governor Ducey for his initial executive order and his signing this legislation."

Each school district and charter school with existing sex education instruction is required to review its course of study and comply with requirements by December 15, 2021.

* * * * *

Governor Ducey Cuts Taxes For Arizona Small Businesses

PHOENIX — Governor Doug Ducey today signed legislation that further reduces and streamlines taxes while protecting small businesses from the threat of a 77 percent tax increase.

"This tax cut will keep Arizona competitive for small businesses already operating here and new businesses flocking here every day," Governor Ducey said. "After a year as tough as the last, we should not be raising taxes on our small businesses — we should be cutting their taxes. That's exactly what Senate Bill 1783 does. Arizona has now passed the largest tax cut in state history and will have the lowest flat tax in the country. My thanks go out to Senator J.D. Mesnard and Representative Ben Toma for their leadership on this issue."

Senate Bill 1783 establishes a new and lower alternative small business income tax structure. Under the plan, "small business income" is defined as interest, dividends, profits and certain capital gains.

"Small businesses are the backbone of our economy and integral to the future success of our state," Senator J.D. Mesnard said. "Small businesses should be able to grow and reinvest in themselves without being forced to pay astronomical taxes. Rather, government should get out of the way so that they can thrive. That's why I'm so grateful for the support of Governor Ducey and my colleagues in the Legislature."

This tax relief will ensure small businesses continue to choose Arizona to start, expand or relocate operations. Small businesses are a core component of our state's economy, making up more than 99 percent of Arizona's businesses and employing more than one million people. Because of the structure of the 3.5 percent surcharge on individual income tax under Proposition 208, small businesses will not be subject to this crippling tax hike.

"It's a no-brainer to have a separate tax structure for small businesses," Representative Ben Toma said. "It should be our goal as public servants to make filing taxes easier for Arizonans. This session has been a massive win for Arizona taxpayers. Thank you to the governor and the many who supported this bill."

The bill allows taxpayers to exclude small business income from their total individual income. Instead, small business income will be subject to an alternate small business income tax. A flat tax on small business income will phase in over time:

3.5 percent in 2021

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004013
ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

3.0 percent in 2022

2.8 percent in 2023 and 2024

2.5 percent in and after 2025

Governor Ducey signed this year's budget on June 30, which fulfills his commitment to ensuring working families, small businesses, veterans and all Arizona taxpayers get to keep more of their hard-earned money.

The budget implements the largest tax cut in state history. Arizona taxpayers will see a 2.5 percent flat tax phased in over three years and subject to certain revenue thresholds being met beginning on January 1, 2022. The tax plan saves money for every Arizona taxpayer no matter their income, eliminates income taxes on veterans' military pensions, and increases the optional charitable contribution deduction over time to 100 percent.

The *Washington Post* and the *Wall Street Journal's* editorial board published columns about the tax plan and the positive effects it will have on Arizona. Additionally, Governor Ducey, Senate President Karen Fann and House Speaker Rusty Bowers authored a joint op-ed about the historic tax reform in the *Phoenix Business Journal*. Learn more about the new tax plan HERE.

* * * * *

Governor Ducey Signs Holocaust Education Bill

PHOENIX — Governor Doug Ducey today signed legislation to ensure the next generation of Arizonans learns about the horrors of the Holocaust and the more than six million lives lost at the hands of evil.

"Arizona will continue to stand with and support the Jewish community," said Governor Ducey. "This bill works to educate our youth on the atrocities of the Holocaust and other genocides. Tragedies like this must never be allowed to happen again. This bill is a step in the right direction to fight antisemitism in our state, but our work is far from over. We have seen a rise in crimes against individuals in several communities, and we must do more to prevent any additional harm and suffering. Antisemitism is real. I would like to thank Representative Alma Hernandez for her many years of work on this important issue, as well as all the survivors who played a crucial role in making this bill a reality."

House Bill 2241 requires that all Arizona students receive education on the Holocaust and other genocides during their K-12 education at least twice between seventh and twelfth grade.

Antisemitism has been on the rise in recent years with incidents in Queen Creek, Chandler and most recently at the Chabad on River Synagogue in Tucson. In 2020, there were over 2,000 incidents of antisemitism around the country and 23 incidents in Arizona, according to the Anti-Defamation League. Already this year, there have been 10 incidents in Arizona.

"This was a community effort, and I am proud to see it finally get done. This legislation is an important step to honor both those lost in the Holocaust and the survivors who have worked tirelessly to tell their stories," said Representative Alma Hernandez. "I'm grateful to Governor Ducey for signing this bill into law. Knowing that all Arizona students will learn about the Holocaust gives me hope. We must teach the atrocities of the past to ensure it never happens again."

According to a Pew Research Center study conducted in 2019, fewer than half of respondents could correctly answer multiple-choice questions about the number of Jewish individuals who were murdered during the Holocaust or the way that Adolf Hitler came to power.

* * * * *

Rep. Grijalva Applauds DHS Reversal on Incarcerating Pregnant and Nursing Immigrant Women

WASHINGTON— Today, the Biden Administration announced a new directives that will discourage Immigration and Customs Enforcement officers from arresting and detaining nursing and pregnant women. In extraordinary circumstances of detention, the directive requires they be housed in appropriate facilities where they can receive the specific care they need. In 2017, the Trump administration ended "the presumption of release policy" for pregnant women, leading to drastically higher incarceration rates.

"Pregnant and nursing women do not belong in detention, and I'm pleased the Biden Administration has taken this first step to prevent their unnecessary detention and reverse a terrible Trump-era policy," said Rep. Grijalva. "This is

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004014

ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

an extremely vulnerable population, and we must do everything possible to avoid the stressors and negligent treatment associated with incarceration. The accounts we received of the treatment of pregnant women in custody were horrific, and we must ensure the changes made with this directive are permanent and not easily undone by future administrations."

Rep. Grijalva led 30 Members of Congress in calling for the GAO report into the treatment of pregnant women in detention. The GAO accepted the request and released the report in March 2020 that showed a lack of data and transparency concerning pregnant detainees and a startling lack of quality health care.

"I will continue fighting to reevaluate the overuse of incarceration in this country," continued Rep. Grijalva. "It is time to move beyond a system of detention that is based on profits, and to instead humanize these individuals. "Pregnant women should not be treated as a threat, but provided safety and connected with necessary resources to navigate their immigration proceeding while ensuring positive health outcomes for both the mother and child."

Since 2015, Rep. Grijalva has introduced the *Justice is Not for Sale Act* to prohibit federal, state, and local governments from contracting with private prison companies and to end immigrant family detention.

* * * * *

Statement from Senator Paul Boyer

"As lover of Israel and friend of the Jewish people I am forced to address the enactment of Holocaust Education bill House Bill 2241 (HB2241) with a sense of solemn concern. Unfortunately, recent coverage by the media suggesting that this legislation included passage of the IHRA Definition and celebrating that as a point of policy protection for Jewish community are incorrect. Sadly, I am forced to correct the record and bring to the community's attention that Holocaust Education in Arizona did not make use of the IHRA Definition. Holocaust Education in Arizona therefore does not by necessity bear relevance to the issue of antisemitism, nor is there a safeguard in place to decisively defend the state's curriculum accordingly.

HB2241 was filed in order to mandate Holocaust Education for Arizona's students. On its face, the basic notion behind this bill seemed both timely and appropriate. Adding to the bill's beneficial potential was the fact that it was originated by a member of our Legislature's minority party. We all know that something must be done about the rising tide of antisemitism, and that education is the only true antidote. Providing for the proper education of our students protects our society from repeating tragedies of the past and gives Arizonans the opportunity for a brighter future.

HB2241 was rooted in a legislative effort to confront antisemitism that took place during last year's session, which unfortunately fell short of passing. Concurrent with last year's Holocaust Education bill effort, a second bill (HB2683) was spearheaded by the same bill sponsor, Representative Alma Hernandez, to adopt the International Holocaust Remembrance Alliance (IHRA) Definition of Antisemitism as the definitional standard for Arizona. The IHRA bill became the single most sponsored piece of legislation in Arizona's history. It was a remarkable demonstration of bipartisan support for confronting the unacceptable problem of antisemitism: a record-breaking 84 out of our state's 90 legislators signed on. The IHRA Definition is a consensus definition that has been embraced globally by the Jewish community, developed nations all around the world, the Global Council of Imams, the U.S. Departments of Education, Justice, and State, and most recently by the Biden Administration.

Obviously, there is little value to Holocaust Education if we don't teach students to identify antisemitism when they see it today. HB2241 needed to make use of the IHRA Definition in order to be truly relevant to the issue of antisemitism and to safeguard the subject matter of the Holocaust from common abuses by anti-Semites. Given last year's overwhelming support for HB2683, that should not have been a point of contention. Nevertheless, the bill signed by Governor Ducey bears this glaring deficiency. Clearly, some influence has emerged that made things go wrong.

As HB2241 proceeded through the Senate, a video of House Minority Whip Athena Salman using an antisemitic blood libel on the floor of the Arizona House surfaced. Suspiciously, Salman was also a sponsor of HB2241, an oddity that hardly makes sense to those who understand the issue of contemporary antisemitism. The House sponsor of HB2241, Rep. Alma Hernandez, was privately approached and surprisingly refused to engage in a discussion of the policy and practical concerns raised by her bill's exclusion of the IHRA Definition. This was unlike her, given her history of strong national leadership within the Jewish community and in supporting the IHRA Definition.

Soon enough, another video emerged of Minority Whip Salman claiming credit for having stopped the IHRA Definition in 2020. This was an effort she pursued in partnership with the ACLU. Suddenly, the suspicion surrounding

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004015

ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

HB2241 gave way to an understanding of what was taking place. The price paid to clear Holocaust Education with Salman and other Progressive House leaders was for moderate Democrats to detach and hand over control of the serious issue of antisemitism to the ACLU. What we see clearly reflected in this bill is the fact that many of Arizona's fine Democratic legislators have politically been taken hostage by extremists, a trend taking place all around the country.

Antisemitism in America today has no greater asset than the sophisticated legislative and legal support it receives from the ACLU. One need look no further than their unabashed activities and affiliations in Arizona in recent years to gather this fact. Their aligning efforts with hate groups that persecute Jewish persons on the basis of national origin showcase a stunning lack of objectivity, an embrace of bigotry packaged in deceitful narratives of victimhood and anti-racism, and double standards applied to suit their extremist political agenda. All who truly oppose antisemitism must now place their scrutiny upon the ACLU. In the enduring words of Justice Brandeis: "Sunlight is the best disinfectant."

The ACLU and anti-Semites of all ideologies oppose the IHRA Definition because it objectively exposes the true nature of stylized contemporary antisemitism. We all know that anti-Semites often use the pretensive tactic of referring to Israel or Zionists when the public perception they seek to cultivate speaks to the Jewish people as a collective. Contrary to the ACLU's false claims, the IHRA Definition doesn't prevent antisemitic speech, it merely highlights its bigoted nature for those who lack a proper understanding of this unique form of racism.

In respecting Rep. Hernandez's publicly stated request that the IHRA Definition be implemented through a bill other than HB2241, the bipartisan HB2282 bill was initiated with the support of Governor Ducey's office. That effort was placed with good faith and trust in the hands of a Democratic colleague, Representative Aaron Lieberman, a decision that is now regretted. When ultimately forced by the ACLU to choose between leadership and partisanship, Representative Lieberman decided to kill HB2282 at the last moment.

To be clear, the overwhelming majority of Arizona's Democrats oppose antisemitism and wish to combat it. However, if they are unable to stand up to the ACLU and anti-Semites in our Legislature, they will certainly be unable to do so in our classrooms. Arizona's Democrats now face a heavy moral responsibility for the fate of a Holocaust Education mandate that includes no safeguards from abuse at a time of crisis for Jewish students. HB2241 is therefore a cause for soul searching rather than celebration.

I support Governor Ducey's signing of HB2241 as a matter of good faith and commitment to advancing the interests of Arizona's Holocaust Survivors, their families, the Jewish community, and the many concerned citizens who hold by the commitment of "Never Again." As we all know, the meaning of this sacred oath is its application to contemporary antisemitism. In that regard, it is clear that the Arizona Legislature's job is unfinished. It is my belief that Arizona's Democrats will ultimately stand by our state's guiding moral principles and against the political pressure of the ACLU when HB2282 is once again reintroduced in the next session. Our voters trust us to lead with integrity no matter the political cost."

* * * * *

Chair Grijalva Hails Federal Reversal of Unjustified Permit for Vigneto Development in Southern Arizona – Project Has Ties to Trump Interior Sec. Bernhardt

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today hailed the Army Corps of Engineers suspension of a permit for the controversial Villages at Vigneto property development proposal in Southern Arizona, where former Interior Secretary David Bernhardt was reportedly involved in pressuring federal officials to advance the project despite environmental concerns. Grijalva asked the Trump administration for documents to clarify the issue in July 2019 after a whistleblower came forward alleging improper interference from Bernhardt's office.

The project's developer, Mike Ingram, was closely connected to the Trump administration.

Formally, the Army Corps has suspended what is known as a dredge-and-fill permit, which is issued under the Clean Water Act. The suspension means no material can be "discharged" into any legally identified "water of the United States," which makes the project functionally impossible to develop further.

"The Trump administration told its donors that laws were irrelevant, business could do what it wanted, and friends in high places could make anything happen," Grijalva said today. "We see today that the rule of law still applies in this

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004016

ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

country, and I hope to see more of this going forward. We can't let environmental corner-cutting become the easy get-rich-quick scheme the Trump administration was selling."

Among other environmental considerations, the U.S. Fish and Wildlife Service found the Vigneto project was "reasonably certain" to affect endangered species.

* * * * *

Sinema, Portman Statement on New Business/Labor Coalition Supporting Enactment of Bipartisan Infrastructure Framework

WASHINGTON – U.S. Senators Kyrsten Sinema (D-AZ) and Rob Portman (R-OH) issued the following statement welcoming the announcement of a new coalition of more than 20 business and labor groups that support enactment of the bipartisan infrastructure framework:

"We welcome the support of a strong and diverse coalition of employers and workers for this bipartisan infrastructure framework. This proposal has support from both parties because it will invest in America's critical infrastructure needs, promote economic development and job creation, advance cleaner technologies, and strengthen America's competitiveness, without raising taxes. We look forward to working with our colleagues to advance this proposal through the Senate, the House and to the White House so President Biden can sign it into law."

* * * * *

Delta Variant Increases COVID-19 Risk in Maricopa County

Getting fully vaccinated is the best way to protect yourself and your family from this more-contagious strain

PHOENIX (July 9, 2021)—There is new evidence that the more-contagious Delta variant of COVID-19 is spreading in Maricopa County. A COVID-19 outbreak has been identified in a long-term care facility, and sequencing results from some of the cases are the Delta variant. The majority of sequencing results have not come back yet. The facility has been working closely with Maricopa County Department of Public Health (MCDPH) and has followed all recommendations to put enhanced infection control measures into place.

"Unfortunately, this underscores how much more contagious the Delta variant is and how quickly it can spread from person to person, especially to people who are not fully vaccinated," said Marcy Flanagan, executive director at MCDPH. The Delta variant has been increasing in Maricopa County since April and represented about 20% of sequenced cases during the month of June. "We expect it will continue to increase, as it is now the dominant variant in the U.S.," Flanagan added.

"We still have an opportunity to increase our community's protection before the Delta variant becomes dominant locally," said Dr. Rebecca Sunenshine, medical director for disease control at MCDPH.

The best protection against COVID-19, including the Delta variant, is to get fully vaccinated. "The vaccine is highly effective against the Delta variant, but you have to get the full vaccine series to get the maximum protection," said Dr. Sunenshine. "The majority of people who get the Delta variant are not fully vaccinated."

MCDPH is asking residents and visitors to Maricopa County to do their part to protect themselves and those around them:

- If you are able to be vaccinated and are not yet fully vaccinated:
  - Please get vaccinated—it is safe and highly effective in preventing serious illness and death.
  - If you got your first dose of Moderna or Pfizer, it is critical that you get your second dose.
    - While the vaccine is highly effective after two doses, it may be as low as 30% effective after only one dose against the Delta variant, so the second dose is extremely important.
  - You are not considered fully vaccinated until two weeks after your second dose of Moderna or Pfizer, or your first dose of Johnson & Johnson
  - **Even if it has been longer than a month since your first dose, it is not too late to get your second dose and you do not have to start the series over.**
  - People who have gotten COVID-19 before are still encouraged to get vaccinated for broader, longer-lasting protection than natural immunity from a prior infection.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004017
ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Until you are fully vaccinated, take precautions, such as social distancing, avoiding crowds, and wearing a mask when you are around people outside your household.

Our community is doing a good job of getting people vaccinated, but we can do better. There are still people who are vulnerable, including children under age 12 who are not yet eligible for vaccination and people with depressed immune systems.

"If we can get more people vaccinated, the virus won't have as many opportunities to spread and everyone will be more protected," said Dr. Sunenshine.

"Maricopa County is committed to making vaccine broadly available, so we are continuing to offer small, community-based events that make it easy for people to get vaccinated near their homes, work, and on their schedule," added Flanagan. "These events are in addition to ongoing vaccine opportunities with pharmacies and providers across Maricopa County," she said.

To find a vaccine near you, visit Maricopa.gov/COVID19VaccineLocations. If you have questions about vaccines, visit Maricopa.gov/COVID19VaccineFacts.

* * * * *

Arizona Activists Descend on AZ Attorney General's Office to Protest Republican Voter Suppression and Demand Federal Action to Protect Voting Rights

Phoenix, AZ - Nine people were taken into Phoenix Police Department custody after participating in a peaceful civil disobedience outside of Attorney General Brnovich's office Thursday morning as part of a rally and picket line protesting his relentless attacks on Arizonans' voting rights.

"We are telling Mark Brnovich, our Attorney General, that we will not just sit by and watch as our rights are stripped away. We deserve real national voting rights legislation and we will do whatever it takes to make that happen," said Joshua Wells, a community organizer.

On July 1, 2021, the U.S. Supreme Court issued a decision in support of Brnovich's defense of two restrictive voting laws. The decision gutted Section 2 of the Voting Rights Act of 1965, undermining historic protections against racial discrimination in elections. Additionally, the Arizona state legislature passed a flurry of anti-voter measures at the tail end of the session that concluded last week. One of those bills requires the Secretary of State to provide voter information, including' date of birth and part of their Social Security number, to a third-party private vendor who could then remove them from the voter rolls.

At the same time, the Arizona legislature took the unprecedented move of removing powers from the Secretary of State and conferring them on the Arizona Attorney General, a move that coincides with the end of Secretary Katie Hobbs' term. Attorney General Brnovich announced his intention to run for U. S. Senate in 2022 on June 10.

"We have brave freedom fighters here today who are going to demand justice from our Attorney General and demand that he stop attacking the freedom to vote. When you have a complicit governor, a complicit attorney general, [and a] complicit majority-Republican legislature, there's only so much we can do here today," said State Representative Athena Salman, addressing the crowd, "We need Senator Kyrsten Sinema and Senator Mark Kelly and President Joe Biden to stand up. We delivered for them and now they have to deliver for us. The number one thing, the foundation of our democracy, is protecting our freedom to vote."

More than 75 attended the action that highlighted the need for the *For the People* Act - federal voting rights legislation - to protect against the 350+ voter suppression bills introduced across 47 states since January 2021.

The same coalition recently completed a weeklong freedom ride to Washington D.C for voting rights.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004018

ARZN_REV00069442_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"What we see clearly reflected in this bill is the fact that many of Arizona's fine Democratic legislators have politically been taken hostage by extremists, a trend taking place all around the country."

- Boyer, on the failure of his legislation to include the International Holocaust Remembrance Alliance's definition of modern antisemitism in state statutes.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004019

ARZN_REV00069442_July-9-2021.pdf

Sender: Rosanna Gabaldon <rgabaldon@azleg.gov>
Sent: Friday, July 9, 2021 8:04:14 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: July-9-2021.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet July 9, 2021

BREAKING: DUCEY COMPLETES ACTION ON BILLS
Ducey this afternoon signed or vetoed the remaining bills on his desk.
All told, Ducey took action on 24 bills, signing 23 bills of them.

BOYER EFFECTIVELY ACCUSES DEMOCRATS OF ANTISEMITISM
Boyer bemoaned the passage of A Hernandez's H2241 and accused legislative Democrats of condoning antisemitism.

SALMAN SAYS BOYER FURTHER INFLICTS 'TRAUMA'
Salman told our reporter Boyer's statement underscores concerns by people in the Palestinian and Jewish communities that including the

AMERICAN OVERSIGHT

IHRA definition in state law would turn it into a "bludgeon" to silence legitimate criticism of Israel.

GOVERNING BY SOCIAL MEDIA WORKS
The third longest legislative session in state history provided more time for Ducey to accomplish all the priorities he laid out in his January State of the State speech, but most of them happened before the 100-day mark.

DUCEY: ARIZONA ISN'T GOING WOKE WHILE I'M IN CHARGE
Ducey today signed several bills that stirred controversy this session, notably HB2906 (governance; audits; training), HB2241 (schools; instruction; holocaust; genocides), SB1783 (small businesses; alternate income tax) and HB2025 (SE Parental rights; sex education instruction).

CATHI HERROD IS HAPPY
Two of the bills Ducey signed deal with K-12 education. HB2035 codifies language of his executive order from April requiring parents have opportunity to review sex education courses before they're adopted and prohibiting sex education in grades K-4.

MINISTRY OF AUDIT NEVER STOPS SEARCHING FOR THE TRUTH
The Maricopa County 2020 ballots are going to be counted – again.

GOWAN IS KING OF FAILED BILLS
More than a third of legislators failed to pass any bill this year.

BEGINNER'S LUCK
Only Nguyen – and possibly Chaplik – will end this year with a perfect legislative batting average.

BLACKMAN SAYS FANN IS EITHER LYING OR MISINFORMED
Blackman accused Fann of either lying or being misinformed in her claim that S1064 (earned release; credits; prisoners) would have defunded the police and let violent criminals out of prison early.

THE BEST POLITICAL NEWS TEAM IN ARIZONA
The *Arizona Capitol Times* crew brought home 10 awards in the Arizona Press Club 2020 contest.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, July 09, 2021

·NEWS NOTES AND GOSSIP·

BREAKING: DUCEY COMPLETES ACTION ON BILLS

Ducey this afternoon signed or vetoed the remaining bills on his desk. All told, Ducey took action on 24 bills, signing 23 bills of them. The governor vetoed SB1719 (state emergency council; membership; procedures), which would have mandated meetings of the State Emergency Council, which Ducey, under the bill, must convene every two weeks during a declared state of emergency. "This bill is well intentioned but would add unneeded bureaucracy to the management of emergencies, especially wildfires," Ducey said in his veto letter. "It's also unnecessary given the good and thoughtful reforms developed this session between my office and the legislature to ensure guard rails during future health emergencies, preventing the potential for the kind of extreme and job destroying measures that we saw in other places around the country last year." The full list of signed bills is below:

HB2021 college course credit; dual enrollment (Udall)
HB2035 parental rights; sex education instruction (Griffin)
HB2124 CTEDs; average daily membership (Udall)
HB2153 renewable energy storage equipment; valuation (Dunn)
HB2241 schools; instruction; Holocaust; genocides (Hernandez, A.)
HB2298 medical marijuana; research; grants (Payne)
HB2362 elections; ballot privacy folders (Kavanagh)
HB2373 expenditure limitation; community colleges (Dunn)
HB2386 crisis standards of care; plans (Griffin)
HB2550 complaints against peace officers; notification (Kavanagh)
HB2830 alternative organization; community college districts (Cook)
HB2838 income tax; partnerships; S corporations (Chaplik)
HB2905 early ballots; request required (Hoffman)
HB2906 governance; audits; training (Hoffman)
SB1007 parental rights; petition; sexual assault (Steele)
SB1082 pharmacists; dispensing authority; hormonal contraceptives (Ugenti-Rita)
SB1124 contributions in aid of construction (Gowan)
SB1270 insurance; prescription drugs; step therapy (Barto)
SB1294 sentencing records; sealing arrest; liability (Shope)
SB1533 obstructing highways; racing; assessment; impoundment (Boyer)
SB1572 schools; early literacy (Shope)
SB1660 crimes against children; dependencies; omnibus (Boyer)
SB1783 small businesses; alternate income tax (Mesnard)

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004022

ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOYER EFFECTIVELY ACCUSES DEMOCRATS OF ANTISEMITISM

Boyer bemoaned the passage of A Hernandez's H2241 and accused legislative Democrats of condoning antisemitism. Boyer, who described himself as a "lover of Israel and friend of the Jewish people" and A Hernandez, who is Jewish and has a vanity license plate reading "Zionist," have been engaged in a protracted fight all spring over the best way to handle education about the Holocaust and antisemitism. Boyer favored including the International Holocaust Remembrance Alliance's definition of modern antisemitism with any mandate to teach about the Holocaust, while Hernandez wanted to keep the issues separate because of a request from Holocaust survivors and Jewish advocacy groups who didn't want to risk losing the opportunity to teach about the historical genocide by tying it to a definition critics say will curtail criticism of Israel. Boyer called out Salman, Lieberman, A Hernandez and the ACLU by name in his statement as he accused Democrats of engaging in antisemitism. "What we see clearly reflected in this bill is the fact that many of Arizona's fine Democratic legislators have politically been taken hostage by extremists, a trend taking place all around the country," he wrote in a lengthy essay. Boyer wrote that a video of Salman "using an antisemitic blood libel on the floor of the Arizona House" surfaced as H2241 moved through the Senate – the video he linked to was from 2019 floor debate on a bill to prevent boycotts of Israel. Salman, whose family is Palestinian, spoke tearfully about how the Israeli military detained her father when he was a child walking to school. Boyer linked to a clip of Salman speaking with New Generation for Palestine talking about how she helped to stop the IHRA definition from becoming law in Arizona. Boyer also linked to a Twitter thread from the Arizona chapter of the Council on American-Islamic Relations celebrating the demise of H2282 (schools; Holocaust Instruction; antisemitism) to make his point that CAIR is a hate group affiliated with the ACLU. "The ACLU and anti-Semites of all ideologies oppose the IHRA Definition because it objectively exposes the true nature of stylized contemporary antisemitism. We all know that antisemites often use the pretensive tactic of referring to Israel or Zionists when the public perception they seek to cultivate speaks to the Jewish people as a collective," he wrote. Boyer also had harsh words for Lieberman, who gave up one of his bills to become H2282. "When ultimately forced by the ACLU to choose between leadership and partisanship, Representative Lieberman decided to kill HB2282 at the last moment," Boyer wrote.

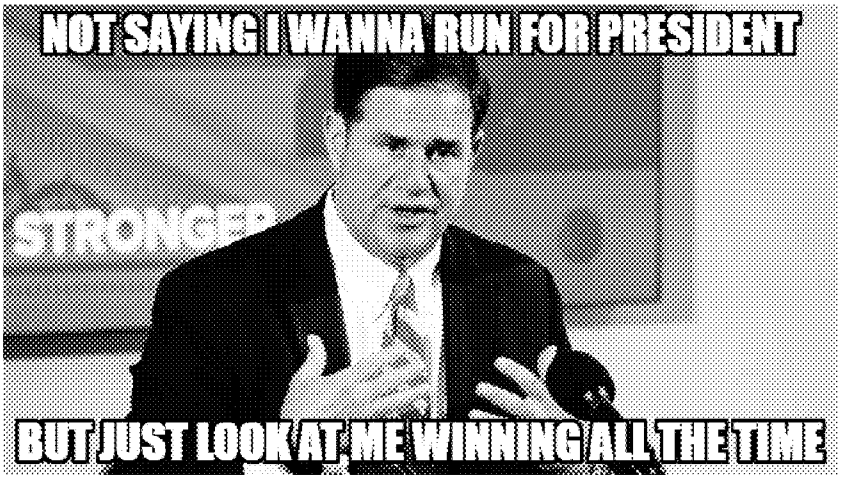
SALMAN SAYS BOYER FURTHER INFLICTS 'TRAUMA'

Salman told our reporter Boyer's statement underscores concerns by people in the Palestinian and Jewish communities that including the IHRA definition in state law would turn it into a "bludgeon" to silence legitimate criticism of Israel. "This is the concern – that something that's supposed to be about education gets turned into a political bludgeon to silence legitimate human rights concerns," she said. She was proud to vote for A Hernandez's Holocaust education bill and thinks it's important that every student in the country learns what happened in the Holocaust to make sure it never happens again. And Salman, the state's first elected official of Palestinian descent, said it's also important for her to offer perspective on that region because it isn't often heard. "It is painful that Boyer is weaponizing my family's story to further inflict trauma," she said.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004023
ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

GOVERNING BY SOCIAL MEDIA WORKS



The third longest legislative session in state history provided more time for Ducey to accomplish all the priorities he laid out in his January State of the State speech, but most of them happened before the 100-day mark. Ducey's virtual speech, albeit light on policy, still hinted at what he hoped to accomplish in his seventh year as state government CEO. It was his shortest speech and was heavy on getting through Covid. Among his policy goals were enacting a covid liability bill to protect businesses and hospitals from "frivolous" lawsuits. Ducey signed Laws 2021, Chapter 179 (S1377 civil liability; public health pandemic), which Leach sponsored, on April 5. He also sought to cut taxes once again – and did just that when he signed the budget in June and solidified the biggest tax cut in state history. Ducey wanted to modernize the state's tribal gaming compact and expand it to off-reservation. Through a bipartisan cohort of lawmakers, that, too, was accomplished in April after several hiccups. Arizonans can begin to legally bet on sports in September. He also pledged to expand access to broadband internet, as well as offering laptops and Wi-Fi to students who don't have access. Cobb sponsored Laws 2021, Chapter 351 (H2596 ADOT; telecommunication facilities installation), which accomplished just that. Ducey signed it in May. Finally, Ducey said he wanted to "eliminate unnecessary state buildings," and the state budget included language that would work to raze two buildings near Wesley Bolin Plaza that currently belong to the Dept of Corrections and other areas that are prime for future redevelopment, which could involve further consolidation (LINK). The Ninth Floor has repeatedly claimed this session is "one of the most successful sessions in recent memory," which appears accurate. Voters could have the final say on the tax cut, though, as the groups behind Prop 208 are pushing a referendum on the tax changes.

DUCEY: ARIZONA ISN'T GOING WOKE WHILE I'M IN CHARGE

Ducey today signed several bills that stirred controversy this session, notably HB2906 (governance; audits; training), HB2241 (schools; instruction; holocaust; genocides), SB1783 (small businesses; alternate income tax) and HB2025 (SE Parental rights; sex education instruction). HB2906 bans local and state governments from requiring employee training that "presents any form of blame or judgment on the basis of race, ethnicity or sex." Republican state lawmakers nationwide have successfully pushed similar bills. Indeed, the language in many of them is similar both to each other and to an executive order that then-President Donald Trump issued in September 2020 to halt diversity trainings across the federal government. In a news release, Ducey thanked Livingston, Udall and J Hoffman, who sponsored the bill. "I am not going to waste public dollars on lessons that imply the superiority of any race and hinder free speech," Ducey said. "House Bill 2906 goes a long way towards protecting Arizonans against divisive and regressive lessons." Udall, who originally sponsored the amendment to a different bill that became the K-12 budget amendment banning certain types of race-related instruction in public schools, said Arizona should focus on bringing people together, "not pushing people apart." She added: "Critical race theory will do nothing but increase divisiveness in our communities, which I think we can all agree we should try to prevent. I appreciate the support of my colleagues and the governor for passing this legislation." In the same press release, Hoffman said Ducey's signature makes Arizona the national leader in "combating this divisive curriculum. Arizona

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004024
ARZN_REV00069444_July-9-2021.pdf

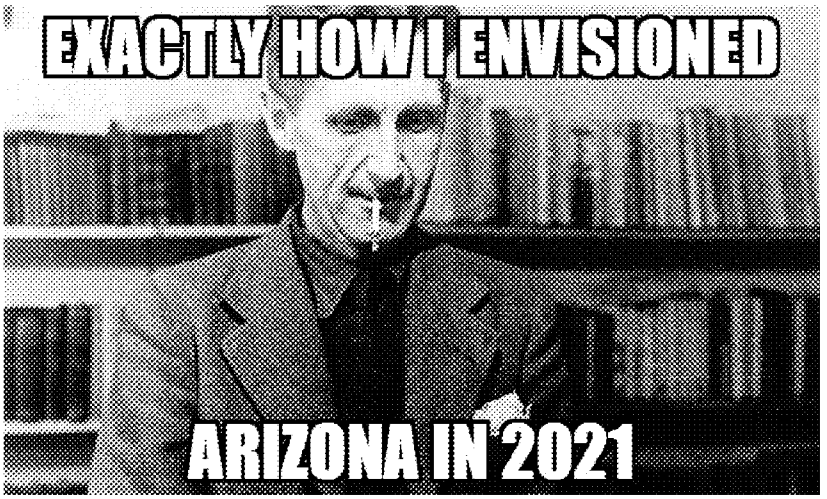
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

stands with Martin Luther King Jr.'s proclamation that people should be judged by the content of their character, not the color of their skin, and I'm grateful for the support of Governor Ducey and my colleagues in passing this important legislation." Livingston sponsored the Senate version of J Hoffman's bill, which was one of 22 Ducey vetoed in late May in an attempt to pressure lawmakers to reach a budget deal. The legislation was re-introduced and it passed again in the last days of the session.

CATHI HERROD IS HAPPY

Two of the bills Ducey signed deal with K-12 education. HB2035 codifies language of his executive order from April requiring parents have opportunity to review sex education courses before they're adopted and prohibiting sex education in grades K-4. Ducey thanked Barto and Griffin for their work on the bill. "Parents should have the right to know what their children are learning in school," he said. "This is a no-brainer piece of legislation that protects our children from learning materials that aren't suited for them. Every family has their own priorities for their children's education, and parents should get to weigh in." Ducey also signed SB1783, which allows small businesses to avoid the new 3.5% tax surcharge from Prop. 208. The bill will slash about $292 million from expected Prop 208 revenues.

MINISTRY OF AUDIT NEVER STOPS SEARCHING FOR THE TRUTH



The Maricopa County 2020 ballots are going to be counted – again. Fann told *The Republic* yesterday that the Senate purchased two paper counting machines and plans to run the ballots through after the Cyber Ninjas are done as a "triple check" on the total number of ballots (LINK). The additional count won't look at specific races. The counting machines are supposed to arrive today, former GOP chair Randy Pullen told the audit pool reporter. It will take a few days for training before the additional count begins, he said. Pullen added that, realistically, the machines would count about 500 ballots a minute. He expects this additional work to wrap up by the end of next week but said that, if it doesn't, the lease with the fairgrounds can be extended. The audit's activities moved to the Wesley Bolin Building at the fairgrounds at the end of June after the lease at the Veterans Memorial Coliseum expired again. The building is not recommended for use during summer months because of the heat, according to the state fair's website.

GOWAN IS KING OF FAILED BILLS

More than a third of legislators failed to pass any bill this year. But Gowan perhaps had the worst year of any Republican – he watched three of his bills die on the board in the Senate, and Ducey vetoed another three. Only Livingston and Barto had as many bills vetoed, and no one had as many bills fail. All three of Gowan's vetoed bills were part of Ducey's May 28 budget veto spree. Gowan still has a shot at improving his batting average if the governor decides the new versions of S1119 (attorney general; executive orders), S1121 (marijuana; security; social equity licenses) and S1127 (vehicle speed limits) are worth signing. Many of the 31 lawmakers with no successful bills are Dems, but Barton and Bowers also didn't succeed. Ducey vetoed Bowers' H2674 (sex offender registration; termination) in the budget-related veto spree, and lawmakers went on to introduce the House versions of many of the vetoed bills, but it was the Senate versions that made it to Ducey. None of Barton's nine bills – four striker placeholders, three related to

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004025
ARZN_REV00069444_July-9-2021.pdf

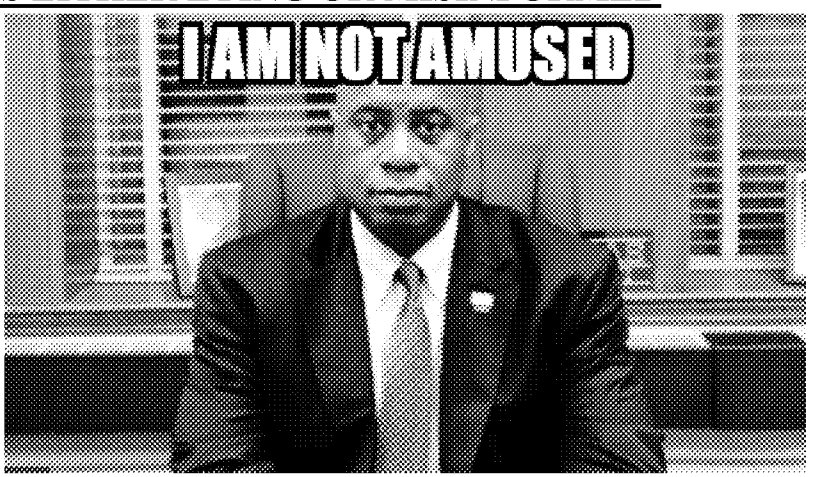
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

elections, one to pay student workers a lower minimum wage and one to let rural counties impose new transient lodging taxes – received hearings.

BEGINNER'S LUCK

Only Nguyen – and possibly Chaplik – will end this year with a perfect legislative batting average. Nguyen accomplished the feat by introducing only one bill. H2575 (hospitals; visitation), signed by Ducey on May 5, requires hospitals to facilitate visits with clergy, either in-person if visitation is allowed or through technology if no visits are allowed. Chaplik, likewise, introduced only a handful of bills. Ducey signed three of the four – H2085 (real estate; employees; rent collection), H2129 (rodeo special plates) and H2770 (mask mandates; business exception) already. Chaplik's final bill, H2838 (income tax; partnerships; s corporations) is on the governor's desk.

BLACKMAN SAYS FANN IS EITHER LYING OR MISINFORMED



Blackman accused Fann of either lying or being misinformed in her claim that S1064 (earned release; credits; prisoners) would have defunded the police and let violent criminals out of prison early. The bill would have increased the rate at which some nonviolent offenders could earn earned release credits by taking part in programs, such as drug treatment or job training. After an initial version passed the House but stalled in the Senate, Mesnard revived it as a strike-everything amendment to another bill. This was followed by months of negotiations with law enforcement and other stakeholders to try to craft something that addressed their concerns by making the bill's terms less generous to inmates. The last version of S1064 passed the House, 50-8, two days before *sine die* but was never taken up in the Senate. In response to an *Arizona Mirror* story about the bill's failure, Fann tweeted on June 30: "Incorrect. The majority of our caucus was not supportive. Defunding the police, lack of probation officers and the list of horrible offenses that allowed criminals back on the street was a bridge too far." Blackman insists none of that is true. "Every statement she made was inaccurate, because she got bad information, or she knew it was inaccurate and she said it anyway," he said. Blackman, who has been perhaps the most vocal Republican advocate of criminal justice reform in the Legislature and who chairs House crim-jus-ref, which was created for this year, said he first reached out to Fann about a week ago asking her to show him how the bill would have defunded the police or had the other effects she claimed, but has not heard back from her. "She had her chance to respond to me and she didn't, so I feel it's a lack of respect," he said. Blackman said the bill, by reducing the prison population, would have saved an estimated $680 million over 10 years that could have gone back into funding probation and job placement and drug training programs. Blackman also criticized Ducey for not meeting with him to discuss criminal justice reform over the three-and-a-half years he has been working on the issue. Bowers, he said, is the only person in top leadership who has met with him about it. "He is the only one out of the three who has been truly supportive of criminal justice reform, not just through words but through action also," Blackman said. Fann didn't return a phone call by our deadline.

THE BEST POLITICAL NEWS TEAM IN ARIZONA

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004026
ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The *Arizona Capitol Times* crew brought home 10 awards in the Arizona Press Club 2020 contest. Reporters Julia Shumway and Andrew Nicla, who now works for Stanton's office, won first place in community social issues reporting for their story on how lobbyists navigate professional relationships at the Capitol when faced with bad behavior from lawmakers (LINK). Dillon Rosenblatt and Arren Kimbel-Sannit, who moved to Montana, won first in community political reporting for their story on Ducey and his fallout with Trump and some members of the AZGOP when he certified the 2020 election results (LINK). *Cap Times* reporters also earned awards for the following:

- **Community breaking news**, second place: Dillon Rosenblatt, "Candidate for assessor job withdraws after plagiarism discovery" (LINK)
- **Community political reporting**, second place: Julia Shumway, "Lobbyist: Ugenti-Rita sexually harassed her before Shooter expulsion" (LINK)
- **Community local government reporting,** second place: Dillon Rosenblatt, "Prostitution camp provided women for Petersen adoptions" (LINK)
- **Community state/federal government reporting,** second place: Julia Shumway, "Ducey sends 400m of CARES money to state agencies"
- **Community health reporting,** second place: Dillon Rosenblatt, "Misinformation, lack of transparency plague vaccine rollout" (LINK)
- **Community sports feature reporting,** second place: Julia Shumway, "Lobbyists show lawmakers who has power – on diamond" (LINK)
- **Community personality profile,** third place: Arren Kimbel-Sannit, "Union Legislation Comes with Warning for Democratic Lawmaker"
- **Community headline writing,** second place: Gary Grado, Arizona Capitol Times, portfolio

·WAKE UP CALL·

Ducey defends flat-tax math
Capitol Media Services
Gov. Doug Ducey is defending his promotion of a flat income tax rate as saving the average Arizonan $300 a year even though legislative budget staffers figure that 72% of state residents will see a benefit of less than $45.

Ducey picks former aide for Supreme Court
Arizona Capitol Times
Gov. Doug Ducey on July 8 chose Kathryn Hackett King as the newest Arizona Supreme Court justice, making her his record-shattering sixth high court pick.

Voters out to veto 2021 legislation
Arizona Capitol Times
The 2022 election may feature a clash of titans: citizens versus lawmakers. The 2021 Republican-controlled Legislature has fueled a rush of organizers to the ballot box to veto some of the most controversial legislation that passed along slim partisan lines.

John Lewis voting rights bill must be amended to meet Supreme Court test
The Hill (Opinion, Adam Podowitz-Thomas and Zachariah Sippy)
Last week, the Supreme Court effectively eviscerated Section 2 of the Voting Rights Act of 1965 (VRA). The *Brnovich v. DNC* ruling is only the latest example of the Court's skepticism of the VRA.

The Colorado River dryout
Politico
Severe drought is shrinking water levels at critical reservoirs serving the West, jeopardizing vital water access for 40 million people.

Matt Salmon to speak to Mohave Republican Forum in Kingman July 14
Kingman Daily Miner

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004027
ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Mohave Republican Forum has added to its list of speakers for its Wednesday, July 14 meeting, with former Arizona congressman and gubernatorial hopeful Republican Matt Salmon added to the agenda.

Lake Havasu's consistent water levels could draw more tourists during drought

Today's News Herald

The drought in Arizona has led to lower levels in waterways throughout the region, but Lake Havasu remains consistent – which could bring more visitors to the area. "Lake Mead being down is bringing more people to Lake Havasu," said Lake Havasu State Park Manager Dan Roddy. "We've had more phone calls and conversations with people that have typically been to Lake Mead and are coming to Lake Havasu because they're not having to address those issues that they're seeing at Lake Mead.

Gosar demands investigation of death in Capitol riots

Pinal Central

U.S. Rep. Paul Gosar, R- Arizona, has doubled down on his fierce criticism of the police response to the Jan. 6 Capitol riots, calling for an investigation into the death of a protestor shot by a Capitol police officer.

Superspreader events still plaguing the country

Payson Roundup

It's the last thing anyone wants to hear, but COVID-19 superspreader events haven't ended — and schools start this month in Payson.

Kelli Ward, of all people, says Maricopa County election officials belong in jail? That's a hoot

Arizona Republic (Opinion, Laurie Roberts)

Arizona Republican Party Chairwoman Kelli Ward is now agitating for the arrest of Maricopa County elections officials. Just days after she was outed for trying to interfere with the election, Ward now is promoting the idea of slapping Recorder Stephen Richer and, presumably, the county Board of Supervisors in irons.

Mark Brnovich will pay if he investigates GOP election intrusions. He should anyway

Arizona Republic (Opinion, Editorial Board)

The defense of democracy sometimes depends on the integrity of individuals who stand alone against forces that would tear it down. Arizonans should never forget that in the chaos of the post 2020 presidential election a handful of public officials stood their ground separately against the awesome power of the president of the United States and against their own political party.

Proposition 208 set out to make taxes more fair. It may end up doing the opposite

Arizona Republic (Opinion, Abe Kwok)

The counterpunching over Proposition 208 has been spectacular for partisan politics and those keeping score. For the good of Arizona, not so much.

·PRESS RELEASES AND NEWS CLIPS·

Governor Ducey Signs Legislation To Protect Transparency In Education

PHOENIX — Governor Doug Ducey today signed legislation that protects parents' rights to transparency in their children's education.

"Parents should have the right to know what their children are learning in school," Governor Ducey said. "This is a no-brainer piece of legislation that protects our children from learning materials that aren't suited for them. Every

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004028

ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

family has their own priorities for their children's education, and parents should get to weigh in. I'm grateful for Senator Nancy Barto and Representative Gail Griffin for being leaders on this issue and sponsoring this legislation."

House Bill 2305 codifies into law the curriculum transparency and parental notification measures included in Executive Order 2021-11, which Governor Ducey issued on April 20. The legislation provides parents with an opportunity to participate in, review, and provide input on any proposed sex education course of study before it is adopted. This legislation also prohibits sex education from occurring in kindergarten through fourth grades.

In addition, this bill requires schools to provide parents the opportunity to opt their children in to any instruction, learning materials or presentations related to sexuality, in courses other than formal sex education curricula. Under previous law, parents were only able to opt-out of this instruction.

The bill ensures that teaching age-appropriate child abuse prevention is not considered sex education and can be taught without these restrictions. A separate provision enacted as part of the budget further strengthens these protections.

"It is critical that we protect families from overreaching education boards," Senator Nancy Barto said. "Transparency and parental involvement are always the best policy. And for our education system, it is critical policy. Thank you to Representative Griffin and my colleagues for supporting and passing this bill."

Arizona is and has been a leader on parental choice. Arizona is one of only five states that has an opt-in sex education policy. Without the express authorization of a parent opting their child in, Arizona students are not allowed to receive sex education in school.

"This is an important development for parents' right to direct their children's education," Representative Gail Griffin said. "There should be transparency around what kids are learning in their classrooms. Thank you to Governor Ducey for his initial executive order and his signing this legislation."

Each school district and charter school with existing sex education instruction is required to review its course of study and comply with requirements by December 15, 2021.

* * * * *

Governor Ducey Cuts Taxes For Arizona Small Businesses

PHOENIX — Governor Doug Ducey today signed legislation that further reduces and streamlines taxes while protecting small businesses from the threat of a 77 percent tax increase.

"This tax cut will keep Arizona competitive for small businesses already operating here and new businesses flocking here every day," Governor Ducey said. "After a year as tough as the last, we should not be raising taxes on our small businesses — we should be cutting their taxes. That's exactly what Senate Bill 1783 does. Arizona has now passed the largest tax cut in state history and will have the lowest flat tax in the country. My thanks go out to Senator J.D. Mesnard and Representative Ben Toma for their leadership on this issue."

Senate Bill 1783 establishes a new and lower alternative small business income tax structure. Under the plan, "small business income" is defined as interest, dividends, profits and certain capital gains.

"Small businesses are the backbone of our economy and integral to the future success of our state," Senator J.D. Mesnard said. "Small businesses should be able to grow and reinvest in themselves without being forced to pay astronomical taxes. Rather, government should get out of the way so that they can thrive. That's why I'm so grateful for the support of Governor Ducey and my colleagues in the Legislature."

This tax relief will ensure small businesses continue to choose Arizona to start, expand or relocate operations. Small businesses are a core component of our state's economy, making up more than 99 percent of Arizona's businesses and employing more than one million people. Because of the structure of the 3.5 percent surcharge on individual income tax under Proposition 208, small businesses will not be subject to this crippling tax hike.

"It's a no-brainer to have a separate tax structure for small businesses," Representative Ben Toma said. "It should be our goal as public servants to make filing taxes easier for Arizonans. This session has been a massive win for Arizona taxpayers. Thank you to the governor and the many who supported this bill."

The bill allows taxpayers to exclude small business income from their total individual income. Instead, small business income will be subject to an alternate small business income tax. A flat tax on small business income will phase in over time:

3.5 percent in 2021

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004029
ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

3.0 percent in 2022

2.8 percent in 2023 and 2024

2.5 percent in and after 2025

Governor Ducey signed this year's budget on June 30, which fulfills his commitment to ensuring working families, small businesses, veterans and all Arizona taxpayers get to keep more of their hard-earned money.

The budget implements the largest tax cut in state history. Arizona taxpayers will see a 2.5 percent flat tax phased in over three years and subject to certain revenue thresholds being met beginning on January 1, 2022. The tax plan saves money for every Arizona taxpayer no matter their income, eliminates income taxes on veterans' military pensions, and increases the optional charitable contribution deduction over time to 100 percent.

The *Washington Post* and the *Wall Street Journal's* editorial board published columns about the tax plan and the positive effects it will have on Arizona. Additionally, Governor Ducey, Senate President Karen Fann and House Speaker Rusty Bowers authored a joint op-ed about the historic tax reform in the *Phoenix Business Journal*. Learn more about the new tax plan HERE.

* * * * *

Governor Ducey Signs Holocaust Education Bill

PHOENIX — Governor Doug Ducey today signed legislation to ensure the next generation of Arizonans learns about the horrors of the Holocaust and the more than six million lives lost at the hands of evil.

"Arizona will continue to stand with and support the Jewish community," said Governor Ducey. "This bill works to educate our youth on the atrocities of the Holocaust and other genocides. Tragedies like this must never be allowed to happen again. This bill is a step in the right direction to fight antisemitism in our state, but our work is far from over. We have seen a rise in crimes against individuals in several communities, and we must do more to prevent any additional harm and suffering. Antisemitism is real. I would like to thank Representative Alma Hernandez for her many years of work on this important issue, as well as all the survivors who played a crucial role in making this bill a reality."

House Bill 2241 requires that all Arizona students receive education on the Holocaust and other genocides during their K-12 education at least twice between seventh and twelfth grade.

Antisemitism has been on the rise in recent years with incidents in Queen Creek, Chandler and most recently at the Chabad on River Synagogue in Tucson. In 2020, there were over 2,000 incidents of antisemitism around the country and 23 incidents in Arizona, according to the Anti-Defamation League. Already this year, there have been 10 incidents in Arizona.

"This was a community effort, and I am proud to see it finally get done. This legislation is an important step to honor both those lost in the Holocaust and the survivors who have worked tirelessly to tell their stories," said Representative Alma Hernandez. "I'm grateful to Governor Ducey for signing this bill into law. Knowing that all Arizona students will learn about the Holocaust gives me hope. We must teach the atrocities of the past to ensure it never happens again."

According to a Pew Research Center study conducted in 2019, fewer than half of respondents could correctly answer multiple-choice questions about the number of Jewish individuals who were murdered during the Holocaust or the way that Adolf Hitler came to power.

* * * * *

Rep. Grijalva Applauds DHS Reversal on Incarcerating Pregnant and Nursing Immigrant Women

WASHINGTON— Today, the Biden Administration announced a new directives that will discourage Immigration and Customs Enforcement officers from arresting and detaining nursing and pregnant women. In extraordinary circumstances of detention, the directive requires they be housed in appropriate facilities where they can receive the specific care they need. In 2017, the Trump administration ended "the presumption of release policy" for pregnant women, leading to drastically higher incarceration rates.

"Pregnant and nursing women do not belong in detention, and I'm pleased the Biden Administration has taken this first step to prevent their unnecessary detention and reverse a terrible Trump-era policy," said Rep. Grijalva. "This is

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004030

ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

an extremely vulnerable population, and we must do everything possible to avoid the stressors and negligent treatment associated with incarceration. The accounts we received of the treatment of pregnant women in custody were horrific, and we must ensure the changes made with this directive are permanent and not easily undone by future administrations."

Rep. Grijalva led 30 Members of Congress in calling for the GAO report into the treatment of pregnant women in detention. The GAO accepted the request and released the report in March 2020 that showed a lack of data and transparency concerning pregnant detainees and a startling lack of quality health care.

"I will continue fighting to reevaluate the overuse of incarceration in this country," continued Rep. Grijalva. "It is time to move beyond a system of detention that is based on profits, and to instead humanize these individuals. "Pregnant women should not be treated as a threat, but provided safety and connected with necessary resources to navigate their immigration proceeding while ensuring positive health outcomes for both the mother and child."

Since 2015, Rep. Grijalva has introduced the *Justice is Not for Sale Act* to prohibit federal, state, and local governments from contracting with private prison companies and to end immigrant family detention.

* * * * *

Statement from Senator Paul Boyer

"As lover of Israel and friend of the Jewish people I am forced to address the enactment of Holocaust Education bill House Bill 2241 (HB2241) with a sense of solemn concern. Unfortunately, recent coverage by the media suggesting that this legislation included passage of the IHRA Definition and celebrating that as a point of policy protection for Jewish community are incorrect. Sadly, I am forced to correct the record and bring to the community's attention that Holocaust Education in Arizona did not make use of the IHRA Definition. Holocaust Education in Arizona therefore does not by necessity bear relevance to the issue of antisemitism, nor is there a safeguard in place to decisively defend the state's curriculum accordingly.

HB2241 was filed in order to mandate Holocaust Education for Arizona's students. On its face, the basic notion behind this bill seemed both timely and appropriate. Adding to the bill's beneficial potential was the fact that it was originated by a member of our Legislature's minority party. We all know that something must be done about the rising tide of antisemitism, and that education is the only true antidote. Providing for the proper education of our students protects our society from repeating tragedies of the past and gives Arizonans the opportunity for a brighter future.

HB2241 was rooted in a legislative effort to confront antisemitism that took place during last year's session, which unfortunately fell short of passing. Concurrent with last year's Holocaust Education bill effort, a second bill (HB2683) was spearheaded by the same bill sponsor, Representative Alma Hernandez, to adopt the International Holocaust Remembrance Alliance (IHRA) Definition of Antisemitism as the definitional standard for Arizona. The IHRA bill became the single most sponsored piece of legislation in Arizona's history. It was a remarkable demonstration of bipartisan support for confronting the unacceptable problem of antisemitism: a record-breaking 84 out of our state's 90 legislators signed on. The IHRA Definition is a consensus definition that has been embraced globally by the Jewish community, developed nations all around the world, the Global Council of Imams, the U.S. Departments of Education, Justice, and State, and most recently by the Biden Administration.

Obviously, there is little value to Holocaust Education if we don't teach students to identify antisemitism when they see it today. HB2241 needed to make use of the IHRA Definition in order to be truly relevant to the issue of antisemitism and to safeguard the subject matter of the Holocaust from common abuses by anti-Semites. Given last year's overwhelming support for HB2683, that should not have been a point of contention. Nevertheless, the bill signed by Governor Ducey bears this glaring deficiency. Clearly, some influence has emerged that made things go wrong.

As HB2241 proceeded through the Senate, a video of House Minority Whip Athena Salman using an antisemitic blood libel on the floor of the Arizona House surfaced. Suspiciously, Salman was also a sponsor of HB2241, an oddity that hardly makes sense to those who understand the issue of contemporary antisemitism. The House sponsor of HB2241, Rep. Alma Hernandez, was privately approached and surprisingly refused to engage in a discussion of the policy and practical concerns raised by her bill's exclusion of the IHRA Definition. This was unlike her, given her history of strong national leadership within the Jewish community and in supporting the IHRA Definition.

Soon enough, another video emerged of Minority Whip Salman claiming credit for having stopped the IHRA Definition in 2020. This was an effort she pursued in partnership with the ACLU. Suddenly, the suspicion surrounding

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004031
ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

HB2241 gave way to an understanding of what was taking place. The price paid to clear Holocaust Education with Salman and other Progressive House leaders was for moderate Democrats to detach and hand over control of the serious issue of antisemitism to the ACLU. What we see clearly reflected in this bill is the fact that many of Arizona's fine Democratic legislators have politically been taken hostage by extremists, a trend taking place all around the country.

Antisemitism in America today has no greater asset than the sophisticated legislative and legal support it receives from the ACLU. One need look no further than their unabashed activities and affiliations in Arizona in recent years to gather this fact. Their aligning efforts with hate groups that persecute Jewish persons on the basis of national origin showcase a stunning lack of objectivity, an embrace of bigotry packaged in deceitful narratives of victimhood and anti-racism, and double standards applied to suit their extremist political agenda. All who truly oppose antisemitism must now place their scrutiny upon the ACLU. In the enduring words of Justice Brandeis: "Sunlight is the best disinfectant."

The ACLU and anti-Semites of all ideologies oppose the IHRA Definition because it objectively exposes the true nature of stylized contemporary antisemitism. We all know that anti-Semites often use the pretensive tactic of referring to Israel or Zionists when the public perception they seek to cultivate speaks to the Jewish people as a collective. Contrary to the ACLU's false claims, the IHRA Definition doesn't prevent antisemitic speech, it merely highlights its bigoted nature for those who lack a proper understanding of this unique form of racism.

In respecting Rep. Hernandez's publicly stated request that the IHRA Definition be implemented through a bill other than HB2241, the bipartisan HB2282 bill was initiated with the support of Governor Ducey's office. That effort was placed with good faith and trust in the hands of a Democratic colleague, Representative Aaron Lieberman, a decision that is now regretted. When ultimately forced by the ACLU to choose between leadership and partisanship, Representative Lieberman decided to kill HB2282 at the last moment.

To be clear, the overwhelming majority of Arizona's Democrats oppose antisemitism and wish to combat it. However, if they are unable to stand up to the ACLU and anti-Semites in our Legislature, they will certainly be unable to do so in our classrooms. Arizona's Democrats now face a heavy moral responsibility for the fate of a Holocaust Education mandate that includes no safeguards from abuse at a time of crisis for Jewish students. HB2241 is therefore a cause for soul searching rather than celebration.

I support Governor Ducey's signing of HB2241 as a matter of good faith and commitment to advancing the interests of Arizona's Holocaust Survivors, their families, the Jewish community, and the many concerned citizens who hold by the commitment of "Never Again." As we all know, the meaning of this sacred oath is its application to contemporary antisemitism. In that regard, it is clear that the Arizona Legislature's job is unfinished. It is my belief that Arizona's Democrats will ultimately stand by our state's guiding moral principles and against the political pressure of the ACLU when HB2282 is once again reintroduced in the next session. Our voters trust us to lead with integrity no matter the political cost."

* * * * *

Chair Grijalva Hails Federal Reversal of Unjustified Permit for Vigneto Development in Southern Arizona – Project Has Ties to Trump Interior Sec. Bernhardt

Washington, D.C. – Chair Raúl M. Grijalva (D-Ariz.) today hailed the Army Corps of Engineers suspension of a permit for the controversial Villages at Vigneto property development proposal in Southern Arizona, where former Interior Secretary David Bernhardt was reportedly involved in pressuring federal officials to advance the project despite environmental concerns. Grijalva asked the Trump administration for documents to clarify the issue in July 2019 after a whistleblower came forward alleging improper interference from Bernhardt's office.

The project's developer, Mike Ingram, was closely connected to the Trump administration.

Formally, the Army Corps has suspended what is known as a dredge-and-fill permit, which is issued under the Clean Water Act. The suspension means no material can be "discharged" into any legally identified "water of the United States," which makes the project functionally impossible to develop further.

"The Trump administration told its donors that laws were irrelevant, business could do what it wanted, and friends in high places could make anything happen," Grijalva said today. "We see today that the rule of law still applies in this

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

country, and I hope to see more of this going forward. We can't let environmental corner-cutting become the easy get-rich-quick scheme the Trump administration was selling."

Among other environmental considerations, the U.S. Fish and Wildlife Service found the Vigneto project was "reasonably certain" to affect endangered species.

* * * * *

Sinema, Portman Statement on New Business/Labor Coalition Supporting Enactment of Bipartisan Infrastructure Framework

WASHINGTON – U.S. Senators Kyrsten Sinema (D-AZ) and Rob Portman (R-OH) issued the following statement welcoming the announcement of a new coalition of more than 20 business and labor groups that support enactment of the bipartisan infrastructure framework:

"We welcome the support of a strong and diverse coalition of employers and workers for this bipartisan infrastructure framework. This proposal has support from both parties because it will invest in America's critical infrastructure needs, promote economic development and job creation, advance cleaner technologies, and strengthen America's competitiveness, without raising taxes. We look forward to working with our colleagues to advance this proposal through the Senate, the House and to the White House so President Biden can sign it into law."

* * * * *

Delta Variant Increases COVID-19 Risk in Maricopa County

Getting fully vaccinated is the best way to protect yourself and your family from this more-contagious strain

PHOENIX (July 9, 2021)—There is new evidence that the more-contagious Delta variant of COVID-19 is spreading in Maricopa County. A COVID-19 outbreak has been identified in a long-term care facility, and sequencing results from some of the cases are the Delta variant. The majority of sequencing results have not come back yet. The facility has been working closely with Maricopa County Department of Public Health (MCDPH) and has followed all recommendations to put enhanced infection control measures into place.

"Unfortunately, this underscores how much more contagious the Delta variant is and how quickly it can spread from person to person, especially to people who are not fully vaccinated," said Marcy Flanagan, executive director at MCDPH. The Delta variant has been increasing in Maricopa County since April and represented about 20% of sequenced cases during the month of June. "We expect it will continue to increase, as it is now the dominant variant in the U.S.," Flanagan added.

"We still have an opportunity to increase our community's protection before the Delta variant becomes dominant locally," said Dr. Rebecca Sunenshine, medical director for disease control at MCDPH.

The best protection against COVID-19, including the Delta variant, is to get fully vaccinated. "The vaccine is highly effective against the Delta variant, but you have to get the full vaccine series to get the maximum protection," said Dr. Sunenshine. "The majority of people who get the Delta variant are not fully vaccinated."

MCDPH is asking residents and visitors to Maricopa County to do their part to protect themselves and those around them:

- If you are able to be vaccinated and are not yet fully vaccinated:
  - Please get vaccinated—it is safe and highly effective in preventing serious illness and death.
  - If you got your first dose of Moderna or Pfizer, it is critical that you get your second dose.
    - While the vaccine is highly effective after two doses, it may be as low as 30% effective after only one dose against the Delta variant, so the second dose is extremely important.
  - You are not considered fully vaccinated until two weeks after your second dose of Moderna or Pfizer, or your first dose of Johnson & Johnson
  - **Even if it has been longer than a month since your first dose, it is not too late to get your second dose and you do not have to start the series over.**
  - People who have gotten COVID-19 before are still encouraged to get vaccinated for broader, longer-lasting protection than natural immunity from a prior infection.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004033
ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Until you are fully vaccinated, take precautions, such as social distancing, avoiding crowds, and wearing a mask when you are around people outside your household.

Our community is doing a good job of getting people vaccinated, but we can do better. There are still people who are vulnerable, including children under age 12 who are not yet eligible for vaccination and people with depressed immune systems.

"If we can get more people vaccinated, the virus won't have as many opportunities to spread and everyone will be more protected," said Dr. Sunenshine.

"Maricopa County is committed to making vaccine broadly available, so we are continuing to offer small, community-based events that make it easy for people to get vaccinated near their homes, work, and on their schedule," added Flanagan. "These events are in addition to ongoing vaccine opportunities with pharmacies and providers across Maricopa County," she said.

To find a vaccine near you, visit Maricopa.gov/COVID19VaccineLocations. If you have questions about vaccines, visit Maricopa.gov/COVID19VaccineFacts.

* * * * *

Arizona Activists Descend on AZ Attorney General's Office to Protest Republican Voter Suppression and Demand Federal Action to Protect Voting Rights

Phoenix, AZ - Nine people were taken into Phoenix Police Department custody after participating in a peaceful civil disobedience outside of Attorney General Brnovich's office Thursday morning as part of a rally and picket line protesting his relentless attacks on Arizonans' voting rights.

"We are telling Mark Brnovich, our Attorney General, that we will not just sit by and watch as our rights are stripped away. We deserve real national voting rights legislation and we will do whatever it takes to make that happen," said Joshua Wells, a community organizer.

On July 1, 2021, the U.S. Supreme Court issued a decision in support of Brnovich's defense of two restrictive voting laws. The decision gutted Section 2 of the Voting Rights Act of 1965, undermining historic protections against racial discrimination in elections. Additionally, the Arizona state legislature passed a flurry of anti-voter measures at the tail end of the session that concluded last week. One of those bills requires the Secretary of State to provide voter information, including' date of birth and part of their Social Security number, to a third-party private vendor who could then remove them from the voter rolls.

At the same time, the Arizona legislature took the unprecedented move of removing powers from the Secretary of State and conferring them on the Arizona Attorney General, a move that coincides with the end of Secretary Katie Hobbs' term. Attorney General Brnovich announced his intention to run for U. S. Senate in 2022 on June 10.

"We have brave freedom fighters here today who are going to demand justice from our Attorney General and demand that he stop attacking the freedom to vote. When you have a complicit governor, a complicit attorney general, [and a] complicit majority-Republican legislature, there's only so much we can do here today," said State Representative Athena Salman, addressing the crowd, "We need Senator Kyrsten Sinema and Senator Mark Kelly and President Joe Biden to stand up. We delivered for them and now they have to deliver for us. The number one thing, the foundation of our democracy, is protecting our freedom to vote."

More than 75 attended the action that highlighted the need for the *For the People* Act - federal voting rights legislation - to protect against the 350+ voter suppression bills introduced across 47 states since January 2021.

The same coalition recently completed a weeklong freedom ride to Washington D.C for voting rights.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004034

ARZN_REV00069444_July-9-2021.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"What we see clearly reflected in this bill is the fact that many of Arizona's fine Democratic legislators have politically been taken hostage by extremists, a trend taking place all around the country."

- Boyer, on the failure of his legislation to include the International Holocaust Remembrance Alliance's definition of modern antisemitism in state statutes.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004035

ARZN_REV00069444_July-9-2021.pdf

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Tuesday, July 13, 2021 6:23:33 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 7-13-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet July 13, 2021

FANS SAYS NINJAS SAY BALLOT TABULATION DOESN'T MATCH
The Cyber Ninjas' count of ballots didn't match Maricopa County's, Fann told conservative radio host Mike Broomhead this morning.

THE NINJAS CAN DO NINJA STUFF IN CASE OF A FIRE
Thursday's Joint Committee on Capital Review agenda contains a reminder that all 2.1 million Maricopa County ballots spent months in a building with an outdated fire suppression system.

KELLI WARD MUST BE FUMING MAD
President Biden nominated Jeff Flake, the former Arizona senator who gained national attention during his tenure as a vocal Republican critic of President Trump, to be America's ambassador to Turkey.

AMERICAN OVERSIGHT

BLAKE MASTERS CONFIRMS REAGAN IS A RINO
Blake Masters appears to have Tucker Carlson's support in his bid for the GOP nomination to take on Kelly next year.

POSTMODERNISM IS A HOOT
While Blake Masters alluded to a mix of topics in his three-minute announcement video, much of the online chatter focused on a line where he said people should be able to support a family on one income.

DEMOCRATS: DON'T CALIFORNIA OUR ARIZONA
Responding to Blake Masters' entry into the GOP primary race, Brnovich spokeswoman Joanna Duka said Tuesday the AG is running for Senate "to make sure that the people of Arizona have a fighter in Washington D.C.."

WAIT FOR THE CONSPIRACY THEORIES TO EMERGE
The IRC today learned more about differential privacy – changes statisticians make to data to keep individuals from being identifiable – and how it could affect the commission's work with Census data..

EXPERT: YOU CAN TRUST CENSUS DATA
The commission also heard from Redistricting Lab CEO and Tufts University associate professor Moon Duchin, who said that differential privacy worked because it made a lot of small changes that canceled each other out in the grand scheme of things.

POWER OUTAGE DISRUPTS GOVERNMENT MEETINGS
Government buildings in and near the Capitol mall shut off due to an APS power outage today, but some buildings have since turned back on by 12:30pm.

PROGRESSIVES TROLL DUCEY'S BANNER
Ducey hung up a "Rally the Valley" banner from the Executive Tower this morning in support of the Suns.

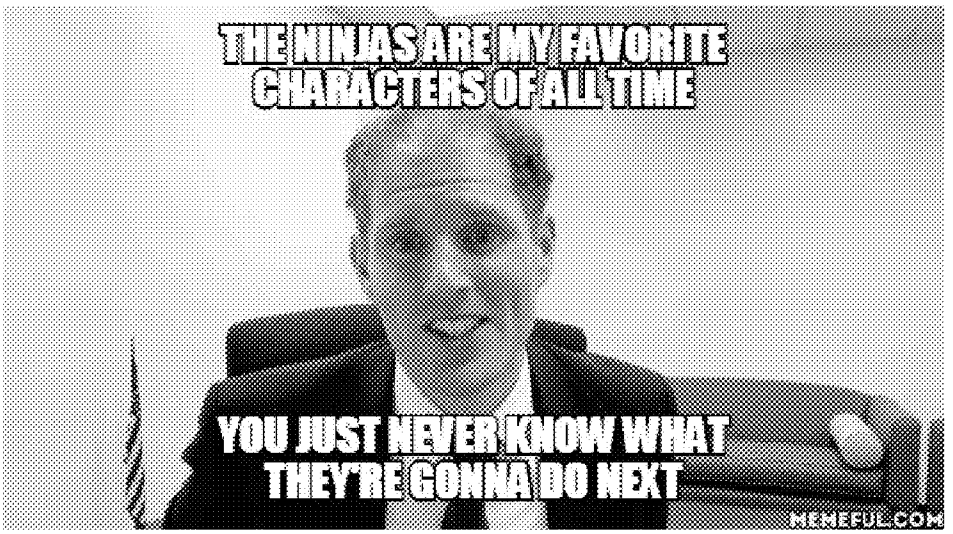
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, July 13, 2021

·NEWS NOTES AND GOSSIP·

FANS SAYS NINJAS SAY BALLOT TABULATION DOESN'T MATCH



The Cyber Ninjas' count of ballots didn't match Maricopa County's, Fann told conservative radio host Mike Broomhead this morning. She said she doesn't know yet exactly how many ballots the Cyber Ninjas counted, but it's not the 2,089,563 tabulated by the county (LINK). Broomhead, who has been critical of the Senate's audit, also pressed Fann on whether she is confident in the Cyber Ninjas' work Fann insisted she is, and took the opportunity to criticize Maricopa County, Hobbs, the Democratic Party and former Maricopa County Recorder Adrian Fontes, all of whom she said have done everything in their power to stop the audit. (Fontes has been a private citizen since before the audit began.) "All you guys are hearing is the negative spin that is being put out by the media right now. You're not hearing all the positive things," she complained. Among other things, she praised "The Deep Rig," a film produced by Trump-supporting Overstock.com CEO Patrick Byrne as a documentary that doubled as a security measure because the filmmakers were filming every ballot box. While Fann said the county's and the Cyber Ninjas' ballot counts are different, another round of counting needs to be done, though it's been delayed due to East Coast storms, audit spokesman Randy Pullen told the Arizona audit pool reporter Monday. The added count of ballots is now supposed to start this afternoon, using additional, companion equipment needed for the Senate's two paper counting machines, whose arrival was delayed due to the storms, Pullen said. These "jogger" machines align the paper ballots so they can go through the machines. Pullen said the estimated cost to the Senate is $30,000 for the machines, joggers and a local technician. The counting will continue into next week, he said.

THE NINJAS CAN DO NINJA STUFF IN CASE OF A FIRE

Thursday's Joint Committee on Capital Review agenda contains a reminder that all 2.1 million Maricopa County ballots spent months in a building with an outdated fire suppression system. The State Fair Board is requesting $810,000 to replace fire sprinkler water risers and upgrading fire suppression systems. "These items have been identified by the Office of the State Fire Marshal as necessary life safety defaults that require urgent attention," the fair's executive director wrote in a letter to the panel. It's the third phase of a project that began in spring 2020 to replace the fire alarms. The State Fair Board also wants $75,000 to replace a 30-year-old fire system in the agriculture center because it registers false alarms during rainstorms and has required the state fair to use a fire watch. The Wesley Bolin building, where ballots are now held, is not among the many dilapidated buildings the fair board is seeking funding for this month – though the state fair's website advises against using it between May and September because of heat (LINK).

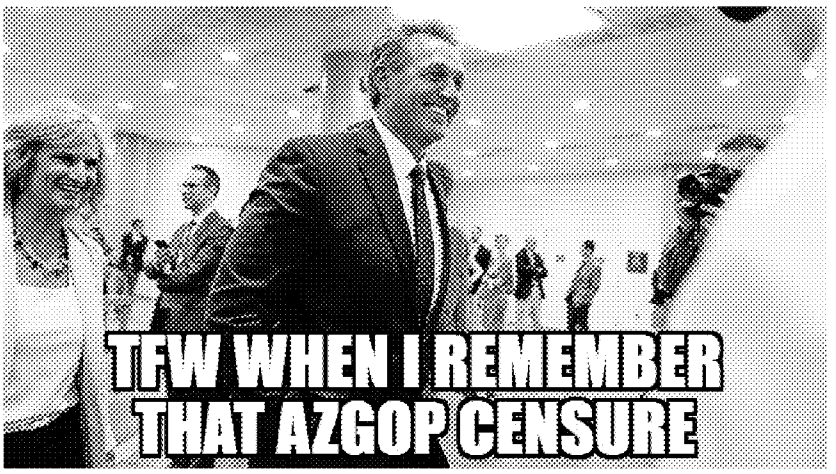
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004038

ARZN_REV00069490_7-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

KELLI WARD MUST BE FUMING MAD



President Biden nominated Jeff Flake, the former Arizona senator who gained national attention during his tenure as a vocal Republican critic of President Trump, to be America's ambassador to Turkey. Sinema, who succeeded Flake in the Senate, quickly came out in favor of the nomination. "Jeff Flake served Arizona with distinction in both chambers of Congress, where he sought compromise, collaboration, and cooperation," she said. "Those skills will serve him and America well as he represents our nation in a part of the world critical to America's security interests. Jeff's nomination comes at a critical time, when America needs thoughtful statesmanship in Turkey. I look forward to supporting his nomination, and I know he will make us proud." Flake endorsed Biden's presidential run, and was censured by the Arizona Republican Party in January. He said today he was "honored and humbled" to be nominated, and that his experience in the House and Senate gave him an appreciation of the role Congress plays in foreign policy. "With this nomination, the Biden Administration reaffirms the best tradition of American foreign policy and diplomacy: the credo that partisan politics should stop at the water's edge," Flake said. "U.S. foreign policy can and should be bipartisan. That is my belief as well, and my commitment."

BLAKE MASTERS CONFIRMS REAGAN IS A RINO

Blake Masters appears to have Tucker Carlson's support in his bid for the GOP nomination to take on Kelly next year. "What a blessing it is to announce good news on television. There is so little of it. The Republican Party is getting better," the *Fox News* host said on *Tucker Carlson Tonight* on Monday. He went on to praise both Masters and fellow Peter Thiel-backed rightwing populist and Ohio Senate candidate J.D. Vance. Carlson played a portion of an interview with Masters that he recorded for *Tucker Carlson Today*, a separate show on the subscription streaming channel Fox Nation, in which Masters blames pro-free trade and free-market "Reaganite dogma" for the rise of China's economic power, saying Republican politicians haven't updated their thinking since the fall of the Soviet Union. "For 20 years, we enabled their rise, and a lot of Republican politicians still today don't even understand, which is why they just kind of repeat mindlessly: 'We need free trade, you couldn't possibly have a tariff against China, think of all the higher prices people will pay for toasters in this country' or something, as if that were the core problem," Masters said.

POSTMODERNISM IS A HOOT

While Blake Masters alluded to a mix of topics in his three-minute announcement video, much of the online chatter focused on a line where he said people should be able to support a family on one income. "'We need to build an economy where you can afford to raise a family on one single income' is code for: women should not work. #Qnuts #Handmaiden #UnderHisEye #BizarroAd #AZGQP #Bonkers," the Pima County Democratic Party tweeted in response to his announcement video. (A few of those hashtags are references to either Q-Anon or the popular show The Handmaid's Tale.) Their tweet was heavily ratioed in Twitter parlance, as of Tuesday morning garnering just 96 likes but 812 replies, and just 35 retweets but 549 almost uniformly critical quote-tweets. A handful of much larger accounts, including conservative

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004039
ARZN_REV00069490_7-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

journalists Siraj Hashmi and Andrew Egger and progressive YouTuber June Nicole Lapine, who tweets as @shoe0nhead, picked up on the Pima Dems' tweet and shared it mockingly, likely contributing to the pile-on. Some Twitter users argued Masters was calling for a living wage – something Democrats should support – or said the response was insensitive to single mothers, stay-at-home dads and other non-traditional families. Others, mostly smaller and anonymous traditionalist conservative accounts, agreed Masters meant that women shouldn't work, but said that's a good thing.

DEMOCRATS: DON'T CALIFORNIA OUR ARIZONA

Responding to Blake Masters' entry into the GOP primary race, Brnovich spokeswoman Joanna Duka said Tuesday the AG is running for Senate "to make sure that the people of Arizona have a fighter in Washington D.C.," regardless of who else runs. "His record of pushing back against the Biden Administration's disastrous border policy, fighting for election integrity, life, and the rule of law is clear," she said. "Mark Brnovich has been at the front lines of the fights that matter for Arizonans." Kelly's office referred our reporter to AZ Democratic Party spokeswoman Sarah Guggenheimer, who accused the Republican candidates of focusing more on pleasing President Trump than on championing Arizonans, pointing to, among other examples, Jim Lamon's running ads in New Jersey in the hopes that Trump would see them. "Barreling into the race with $10 million in promised outside spending from a California billionaire, Blake Masters can't even pretend he's running to actually represent Arizonans – he's trying to buy his way to the Senate," she said, referring to the money Peter Thiel put into a PAC supporting his associate Masters. "Masters' candidacy only serves to make a chaotic, expensive, and absurd GOP primary that's centered around President Trump, not Arizonans, even more volatile. With more and more candidates jumping in and spending money, the only thing that's certain in this brawling primary is that it's not going to end anytime soon."

WAIT FOR THE CONSPIRACY THEORIES TO EMERGE

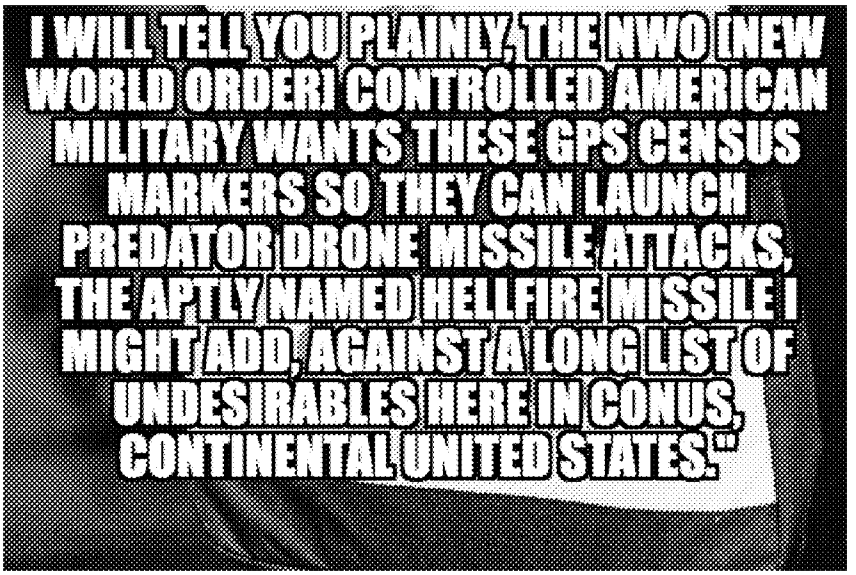
The IRC today learned more about differential privacy – changes statisticians make to data to keep individuals from being identifiable – and how it could affect the commission's work with Census data. "The background of the Census is we have this legal requirement that it be conducted, but there's a tension, right, that the more accurate the census data are, the easier it is that someone could go look at a piece of geography and say, 'I know who somebody is,'" Thomas Bryan, Founder & CEO of Bryan GeoDemographics, told the commission. For example, he said, if a Census block was all non-Hispanic white people, save for one Hispanic family, then people would be able to identify that family and their information. There's not a "right" answer to meeting the two goals except to try and find a middle ground, he said. The more changes made to Census information, the less usable it is to statisticians, he said, adding that the Bureau in the past has protected data by simply not reporting some data, rounding it, moving it to a different geographic area or injecting "noise" – wrong – data. "It's not to say that (the Bureau) is randomly, arbitrarily or ignorantly adjusting or introducing differential privacy of the data," Bryan said. "They're making very educated decisions based on the best information that they have, but it is still being applied

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004040
ARZN_REV00069490_7-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

internally subjectively by experts." A big concern, Bryan said, is these decisions tend to disproportionately affect minority populations, which can be an issue when it comes to complying with the VRA. He suggested also using the American Community Survey data, "which is the last correct stake in the ground" for certain areas.

EXPERT: YOU CAN TRUST CENSUS DATA



The commission also heard from Redistricting Lab CEO and Tufts University associate professor Moon Duchin, who said that differential privacy worked because it made a lot of small changes that canceled each other out in the grand scheme of things. "The whole design of differential privacy is many small changes to the smallest unit that, by the time you add it up, things look really good," she said. Commissioner David Mehl asked if there is any reason for the commission to hesitate to use the Census data, given some of the issues highlighted in the presentations. "I think on the basis of every single geography that we looked at, we can expect the decennial data to be absolutely at a high enough rate to vastly outperform any alternative," Duchin said, adding that some areas use ACS data, too. Bryan said that ACS data, which is based on 2010 Census data, can be used as guardrails to see where differential privacy changes have been made in 2020 Census data. "It would be foolhardy to go into this exercise with the changes differential privacy has given us and just completely ignore another really big, powerful, important piece of information that can tell you at least where you need to look to see where the impact of different privacy is likely the most severely felt," he said.

POWER OUTAGE DISRUPTS GOVERNMENT MEETINGS

Government buildings in and near the Capitol mall shut off due to an APS power outage today, but some buildings have since turned back on by 12:30pm. It appeared to be an "overloaded transformer" that affected the entire area and disrupted Corp Comm's open meeting, as well as the weekly meeting for the Independent Redistricting Commission. The IRC, which is housed in the Dept of Environmental Quality building, will finish the rest of today's meeting agenda at 8 am on Monday since the livestream timed out due to the outage. "The YouTube link has to go out with a 48-hour notice, so we could not restart another YouTube link without giving the public a 48-hour notice," IRC spokeswoman Michele Crank told our reporter. Crank said staff first looked at going to the Dept of Administration to finish the meeting but learned it, too, experienced a power outage. Crank said an amended notice with a new link will be published. One source said everyone is hoping the Executive Tower will be fine tonight since they plan to light it up in Purple and Orange to support the Suns, who play game four of the NBA finals tomorrow in Milwaukee before returning to Phoenix this weekend. Corp Comm's power was out for roughly an hour during its July open meeting, but returned back at 1 p.m. to continue business. It's unclear how many buildings lost power and of those how many returned to fully working. The APS outage site lists the cause as "power lines down" that began at 10:42 am and is expected to return service at 4:30 p.m. today.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004041
ARZN_REV00069490_7-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

PROGRESSIVES TROLL DUCEY'S BANNER

Ducey hung up a "Rally the Valley" banner from the Executive Tower this morning in support of the Suns. In 2019, Hobbs hung a LGBTQ flag and a transgender flag from the old Capitol building but they were promptly removed after lawmakers complained to Legislative Council. Hobbs never sought the council's approval. Ducey wouldn't need the council's approval, but the Dept of Administration would have to agree, according to a source. The department told our reporter Ducey's Office went through the proper channels, and Ducey spokesman CJ Karamargin said the governor's office verbally sought permission and received it. It's unclear if anybody complained about the Rally the Valley banner like what happened with Hobbs, but progressives are unhappy Ducey publicly cheered for the Suns, who are up 2-1 over the Milwaukee Bucks in the NBA finals. Some on Twitter questioned why Ducey waited until one day before Game 4 to show public support of the basketball team that hasn't been in the finals since 1993. "I guess better late than never," one Twitter account said. "This is cool but we do not like you," another said. Others liked Ducey's move. Some retweeted the governor's tweet, which shows photos of the banner, with a #RallyTheValley hashtag. @azfamily responded with, "Woohoo! Go @Suns! #RallyTheValley #SunsIn5." Bowie also retweeted Ducey's tweet: "Spotted at the state capitol today. Go @Suns! #RallyTheValley."

·WAKE UP CALL·

Supreme Court rejects motion to shorten briefing schedules in death penalty cases
Arizona Capitol Times
The Arizona Supreme Court declined to shorten the briefing schedules outlined for death row inmates Clarence Dixon and Frank Atwood, following the state's requests last month to change the timelines in light of the lethal drugs having a shorter shelf life than initially understood.

State expungement process for marijuana offenses starts today
Arizona Capitol Times
In August 2011, a police officer found a roach in Carlos Diaz's car under the seat when he was pulled over for a broken headlight. Diaz said he was sober and passed a field sobriety test. The resulting misdemeanor for marijuana possession conviction has haunted him for the past decade.

Arizona governor allows lawmakers to boost expense pay
Associated Press
Members of the Arizona Legislature who live outside of the metro Phoenix area will be getting a big increase in their daily expense pay under legislation Gov. Doug Ducey allowed to become law on Monday. It was the first time in seven years a bill became law without his signature.

'Get on the team or shut up': How Trump created an army of GOP enforcers
Politico
Arizona's state chair accused Republican Gov. Doug Ducey of nothing less than killing people by restricting the use of hydroxychloroquine, a Trump obsession, in response to the coronavirus pandemic.

Wildfires rage as US West grapples with heat wave, drought
Associated Press
Firefighters were working in extreme temperatures across the U.S. West and struggling to contain wildfires

Forty-three bodies found in Arizona borderland amid brutal heat
Associated Press
The bodies of an unusually large number of migrants who died in Arizona's borderlands are being recovered this summer amid record temperatures in the sun-scorched desert and rugged mountains.

A legendary Arizona river is under threat
National Geographic
Less than an hour outside of America's fifth-largest city is a watery playground in a region known for a

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004042
ARZN_REV00069490_7-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

lack of water. Fed by high-altitude springs and streams a hundred miles to the northeast, the Salt River flows down from the mountains and through Phoenix, Arizona, before it joins the Gila River.

COVID-19 Update: CDC releases back-to-school guidance

Prescott Daily Courier

Students go back to school in about a month, and there are still many questions about what COVID-19 protocols will look like. On Friday, the Centers for Disease Control and Prevention released new guidance on COVID-19 Prevention in K-12 Schools. The CDC stresses students benefit from in-person learning, and safely returning to in-person instruction in the fall is a priority.

Salt, Verde reservoirs so far withstanding epic drought

Payson Roundup

The drought's got Arizona by the throat — and it's still squeezing. Except maybe in Rim Country and the White Mountains, which remain among the few regions in the state with enough water for the foreseeable future.

Mohave County making plans for spending $41 million in COVID relief money

Kingman Daily Miner

Mohave County officials are still laying plans for how the county could invest more than $41 million in federal grant funding under the American Recovery Act. It looks as though the funding could be split evenly between the county's five supervisory districts.

Only bold investments can spare Indigenous communities from climate crisis

Arizona Republic (Opinion, Jamescita Peshlakai)

We have reason to feel hopeful about fighting climate change, finally. The Biden administration spent its first 100 days taking meaningful action to protect our environment and public health — a contrast to the previous administration's war on science during the COVID-19 pandemic, attempts to allow uranium mining on our public lands and countless other attacks on federal safeguards that protected clean air, water, wildlife and lands.

Cyber Ninjas play by an alarmingly different set of election audit rules

Arizona Republic (Opinion, Stephen Richer)

In the months since Arizona Senate President Karen Fann launched her audit of the 2020 election, it has become clear there are different rules for different auditors.

News flash: Not every little thing we disagree with is the 'end of democracy'

Arizona Republic (Opinion, Jon Gabriel)

You might have missed it, but July 1 was one of the darkest days in history. On that fateful Thursday, America endured an "affront to our democracy" and a "sustained attack on voting rights" that will usher in "a new generation of Jim Crow laws."

Pinal homebuilders cannot grow on groundwater. That has implications

Arizona Republic (Opinion, Joanna Allhands)

The Arizona Department of Water Resources contends that Pinal's long-term groundwater deficiency is so large and widespread that future subdivisions would not be able to earn the necessary permits to move forward based on groundwater.

·PRESS RELEASES AND NEWS CLIPS·

Gosar Joins Bipartisan Request to Remove COVID Restrictions on International Travel

PRESCOTT, AZ - Representative Paul A. Gosar, D.D.S. (AZ-04) issued the following statement after joining a bipartisan group of congressional members urging the Biden Administration to begin taking steps to safely remove the remaining Covid-19 restrictions on international travel.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"According to recent data and scientific studies by the Center for Disease Control, the pandemic has a reached a point where international travel to the United States can safely resume without restrictions. I am happy to join this bipartisan group who recognize the impact ongoing travel restrictions are imposing on the travel industry. The matter is urgent.

As noted in the letter, if nothing is done to lift entry restrictions, the United States is projected to lose 1.1 million jobs and an additional $175 billion by the end of this year," concluded Congressman Gosar.

Click here to read the bi-partisan letter.

Background:

Recent data and scientific studies show that a safe reopening of international travel to the U.S. is within reach. More than 50% of American adults are now fully vaccinated, with the potential for 70% of Americans above the age of 12 to be fully vaccinated by this month. The number of new infections and COVID-related deaths have declined significantly within the last 30 days. The Centers for Disease Control and Prevention (CDC) has said that it is safe for fully vaccinated individuals to safely resume many activities, including travel. Similarly, scientific studies have shown that the inbound international testing requirement, federal mask mandate, state-of-the-art air filtration systems onboard aircraft, and other layered protections have also significantly reduced the likelihood that international travelers will carry or transmit the virus.

Governor Ducey Unveils Banner Supporting Phoenix Suns At Capitol

PHOENIX — Governor Doug Ducey today announced the Arizona State Capitol will display a banner supporting the Phoenix Suns basketball team as they compete in the National Basketball Association (NBA) 2021 Finals.

The large, colorful banner is more than 30 feet wide and will hang from the Arizona State Capitol Executive Tower through the end of the Finals. It can be seen from the east side of the Capitol complex from downtown Phoenix.

The Governor also announced the Capitol dome will be lit in the Phoenix Suns team colors of purple and orange beginning tonight at sundown.

"Arizona is fired up and rooting for the Suns this week as they compete in the NBA Finals," said Governor Ducey. "The Phoenix Suns have assembled one of their strongest lineups in recent memory and have an incredible record going into these final games. All of Arizona is behind them and with this banner, we're showing our support here at the State Capitol. Let's go Suns!"

After winning the first two Finals games in Phoenix, the Suns are facing off against the Milwaukee Bucks for Game Four on Wednesday night. Fans will be cheering on the Suns throughout Arizona as they work to overcome Sunday night's loss and win in Milwaukee Wednesday. The Suns will return to the Phoenix Suns Arena in Phoenix on Saturday for Game Five.

This is the first time the Phoenix Suns have made it to the NBA Finals since 1993. These Finals games have set 20-year TV viewership records in the Phoenix area, according to the NBA. The Phoenix Suns previously competed in the NBA Finals twice before. This year would be their first championship win. The Suns have the second-highest winning percentage of any team that has not yet won an NBA championship.

Congressman Andy Biggs Sends Letter to HHS Secretary Becerra Regarding Proposed Rule Permitting Title X Funding for Abortion Providers

Today, Congressman Andy Biggs, along with 24 of his colleagues, sent a letter to HHS Secretary Becerra calling for the rescission of the Biden Administration's proposed rule to allow federal funds to go to programs that include abortion as a method of family planning:

"The Biden Administration's proposal is a clear violation of federal law. Programs that include abortion as a method of family planning are not eligible to receive federal funds under Title X," said Congressman Andy Biggs. "The Biden

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004044

ARZN_REV00069490_7-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Administration disdains the sanctity of life and will force the American people, no matter their moral beliefs, to foot the bill when it comes to abortion. There is a clear line between providing family planning services and abortion. The Biden Administration has blatantly crossed the line and needs to be held accountable."
Co-signers: Jim Jordan (OH-04), Michael Cloud (TX-27), Bob Good (VA-05), Garret Graves (LA-06), Yvette Herrell (NM-02), Gregory F. Murphy, M.D. (NC-03), Jeff Duncan (SC-03), Brian Babin D.D.S. (TX-36), Marjorie Taylor Greene (GA-14), Debbie Lesko (AZ-08), Doug Lamborn (CO-05), Ben Cline (VA-06), Lauren Boebert (CO-03), Andy Harris M.D. (MD-01), Ralph Norman (SC-05), Bill Posey (FL-08), Billy Long (MO-07), Warren Davidson (OH-08), Russ Fulcher (ID-01), Randy K. Weber (TX-14), H. Morgan Griffith (VA-09), Alex Mooney (WV-02), Matthew Rosendale, Sr. (MT-AL), Mary Miller (IL-15)
You can read the full letter here.

Sinema Statement on Jeff Flake's Nomination as U.S. Ambassador to Turkey

WASHINGTON – Arizona's senior U.S. Senator Kyrsten Sinema today released the following statement praising the appointment of former Arizona Senator Jeff Flake as America's Ambassador to Turkey:

"Jeff Flake served Arizona with distinction in both chambers of Congress, where he sought compromise, collaboration, and cooperation. Those skills will serve him and America well as he represents our nation in a part of the world critical to America's security interests. Jeff's nomination comes at a critical time, when America needs thoughtful statesmanship in Turkey. I look forward to supporting his nomination, and I know he will make us proud."

NEW REPORT: How High Drug Prices Hurt Hispanic and Latino People In the U.S.

Today, Protect Our Care is releasing a new report as part of Week 6 of **Lower Rx Summer** underscoring how high drug costs hurt Latinos and Hispanic people. Throughout the week, Protect Our Care will host events and release additional research showing the urgency for reform to bring down drug prices for people of color.

In June, Protect Our Care announced Lower Rx Summer as part of The Campaign to Reduce Drug Prices. Lower Rx Summer consists of themed weeks of action to demonstrate the urgent need for legislation to lower drug prices principally by giving Medicare the power to negotiate with drug companies for lower prices for all Americans.

Remaining Theme Weeks for Lower Rx Summer

Week 6 (July 12): How High Drug Prices Hurt People of Color

Week 7 (July 19): How High Drug Prices Hurt Small Businesses

Week 8 (July 26): How High Drug Prices Hurt Children

Week 9 (August 2): Expanding Medicare Benefits—Hearing, Vision, And Dental

Racial inequity is pervasive within the American health care system, and high prescription drug costs are no exception. Nearly 30 percent of individuals taking prescription medication struggle to afford the cost, with the burden most severely impacting those who make less than $40,000 a year and have medication costs over $100. These factors disproportionately impact Hispanic and Latino individuals, who are more likely to require medications for chronic health conditions and earn household median incomes nearly $20,000 less than non-Hispanic white counterparts, resulting in reduced ability to pay at the pharmacy counter.

"Structural racism has led to Hispanic and Latino people being disproportionately burdened by high drug prices in the United States," **said Protect Our Care Chair Leslie Dach.** "It is unconscionable that millions of people can't afford the drugs they need to survive. Bringing down the cost of drugs is an essential step in addressing racial inequities in health care and helping communities recover from the pandemic. It's time for lawmakers to put an end to Big Pharma's greed and give Medicare the power to negotiate for lower drug prices."

In 2019, the House of Representatives passed the Lower Drug Costs Now Act (H.R. 3), historic legislation that would lower drug prices for all Americans. H.R. 3 would save patients over $150 billion and reduce the price of the costliest drugs by as much as 55 percent.

Not only does giving Medicare the power to negotiate help patients at the pharmacy counter, but it would save the federal government $500 billion, which could be reinvested to strengthen health care. These savings could help lower premiums, expand coverage, and strengthen Medicare benefits to include hearing, vision, and dental. As the nation

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004045
ARZN_REV00069490_7-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

recovers from the coronavirus pandemic, ensuring access to affordable health care, and specifically prescription drugs, has never been more critical.

KEY POINTS

- **Income and health coverage inequity disproportionately harm Hispanic and Latino people.** Hispanic and Latino individuals are more likely to have a lower median income and live in a state without Medicaid expansion, compared with their white counterparts. These disparities have profound impacts on health outcomes for Hispanic and Latino people that result in reduced ability to access lifesaving drugs with tragic results.
- **Hispanic and Latino people are regularly forced to navigate chronic health conditions with reduced access to needed drugs.** Compounding social, economic, and political forces make Hispanic and Latino individuals more likely to suffer from ongoing health issues and be faced with outrageous medication prices. Inequitable drug access due to cost, creates additional medical problems that disproportionately impact Hispanic and Latino individuals.
- **Drug pricing reform is crucial in addressing racial health disparities.** Hispanic and Latino individuals are significantly more likely to be uninsured than their white counterparts, pushing up the cost of prescription drugs in a country that is already paying nearly three times what individuals in other countries are spending on the same drugs. Wealth and health disparities perpetuated by systemic racism increase the strain of drug costs for Hispanic and Latino people.

Read the new report on how high drug costs hurt Hispanic and Latino people here.

Comment on Poll Showing Slightly Improving Small Business Economy

State's historic pro-growth improvements will set all Arizonans up for success

PHOENIX, July 13, 2021—*From Chad Heinrich, Arizona state director for the National Federation of Independent Business on today's release of NFIB's latest Small Business Economic Trends (SBET) report, aka the Optimism Index, is the bellwether measurement of the Main Street economy.*

"While it's nice to see small business owner optimism ticking upward, the big news in Arizona is the work our state lawmakers and Governor Ducey just completed during the legislative session. Our small businesses will soon be cooking with gasoline when the policies from this year's legislative session go into effect. Making historic pro-growth improvements to our individual income tax code and business property tax system will set all Arizonans up for success by growing the economy, creating jobs, and nurturing small businesses."

The SBET is a national snapshot not broken down by state.

From NFIB Chief Economist Bill Dunkelberg

"Small businesses optimism is rising as the economy opens up, yet a record number of employers continue to report that there are few or no qualified applicants for open positions. Owners are also having a hard time keeping their inventory stocks up with strong sales and supply chain problems."

Key findings include:

- Owners expecting better business conditions over the next six months rose 14 points to a net negative 12%, an improvement but still in very negative territory.
- Earnings trends over the past three months improved six points to a net negative 5%.
- The net percent of owners raising average selling prices increased seven points to a net 47% (seasonally adjusted), the highest reading since January 1981.

Note to Reporters

Today's Optimism Index follows on the heels of yesterday's latest COVID-19 poll of NFIB 's small-business owning membership. Jump to Question 20 and on to see how small-business owners are dealing with staffing shortages.

Keep up with the latest on Arizona small business news at www.nfib.com/arizona or by following NFIB on Twitter @NFIB_AZ

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004046

ARZN_REV00069490_7-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Foster Youth Delivered A Petition To Distribute Federal Relief Funds To Governor's Office

Older and former foster youth need stimulus-style payments before the Sept. 30th deadline

[PHOENIX, ARIZONA] Today, Fostering Advocates Arizona (FAAZ), a group of policy leaders with lived experience in foster care delivered a petition signed by nearly 600 Arizonans to Governor Doug Ducey and Department of Child Safety (DCS) Director Mike Faust urging them to use federal COVID relief funds to provide young people who aged out of foster care with a $500 check. In early March, the state received $10.5M in additional funding to help older and former foster youth get through the pandemic but to date less than $1M has made it into the hands of young people and time is running out for over 5,000 former foster youth ages 21 through 26 who will lose eligibility for the funds on September 30th. FAAZ appreciates the opportunity to speak with the Governor's Office this morning. My hope is that the Governor and Director Faust will take quick action to give financial support to former foster youth, like me, who are struggling because of the pandemic," says TJ Fowler, a member of FAAZ.

"We know that the Governor's Office and DCS want to help these youth make it through, and we also understand the impulse to ensure the money is going to the young people who need it most and spent wisely. But too many strings have been attached to these dollars and as a result, it's slowly trickling out to just a fraction of the young people who are eligible for it," says Molly Dunn, Director of Child Welfare and Juvenile Justice Policy at Children's Action Alliance. "Frankly, the state is overthinking it. This is COVID relief and the fastest and fairest way to distribute the money is by issuing direct payments," adds Dunn.

The $10.5M is Arizona's share of a $400M allocation included in the Consolidated Appropriations Act, passed by Congress late last year and the result of months of advocacy by older and former foster youth across the county—a population pushed even closer to the financial edge by the pandemic. This has been the story of Oshiana Brown, a member of FAAZ. "Due to losing my job and not being able to get another due to being high risk of contracting the virus, I've almost experienced homeless in spite of applying for relief and I have been told that I've already reached the $2,000 limit of help I can get from DCS." "Young people with experience in foster care suffered greatly through the pandemic. While the social-emotional impacts of the pandemic are already widely known amongst the general population, they are only exacerbated for former and older foster youth. This is a population that often enters adulthood without a strong social and support system, without caring adults that continue to support and guide them. The compounding impacts of isolation, economic frailty, and inadequate support were and continue to have significant impacts on an already traumatized population of young adults in Arizona," says Angie Burleson, Executive Director of The Arizona Adverse Childhood Experiences Consortium.

For months, Fostering Advocates Arizona supported by community allies have been lobbying DCS to use a portion of the funds to provide no-strings-attached payments to young people who aged out of foster care. The group presented its comprehensive set of recommendations for implementing the older youth provisions of the Consolidated Appropriations Act to DCS Director Mike Faust in April. The proposal included distributing the funds through a $500 stimulus-style check for anyone 18 through 26 who aged out of foster care in Arizona as well as making additional needs-based funding available to those who need more help. DCS, however, has not adopted the two-tier distribution strategy and instead is relying only on a needs-based application process that has been troubled.

Arizona was one of the first states to begin issuing funds when it stood up an online portal in early April, but the portal was shut down before the end of the month following feedback from stakeholders about the slow and cumbersome application process. "I sent the portal information to my brother, but it closed before he could even apply and he had to wait nearly two months before it opened up again," says Ashley Ryals a young leader with FAAZ. The new streamlined portal launched in June and is administered by the Arizona Friends of Foster Children Foundation (AFFCF). "We are grateful for the opportunity to partner with DCS to get COVID relief to youth who've transitioned out of foster care, and while the new process is moving swiftly, relying on needs-based applications alone just won't be enough to move this amount of money by September 30th. The youth we're serving need no-strings-attached payments, too," says AFFCF Executive Director Kris Jacober.

The federal guidance for these funds recognizes that many young people who are in or were in foster care have not benefitted from other COVID-19 relief, such as stimulus payments and unemployment insurance, and urges states to use a portion of funds for quick, streamlined direct financial support. A growing number of states are doing just that, but Arizona has still not embraced the idea even as time is running short. "As the federal government trusted eligible

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004047

ARZN_REV00069490_7-13-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Americans with two rounds of stimulus checks, it is incumbent upon the state to trust older and former foster youth with their own dedicated stimulus checks. There is no reason to believe that this special population lacks an acute understanding of their own needs, many of which take fiscal resources to fulfill. Many foster youth simply do not have access to financial support that other young adults may have access to. That is why the stimulus checks are so critical to provide to this special population. If the federal government can recognize this, surely our state government can," says Kavita Bernstein, Board Chair of The Arizona Adverse Childhood Experiences Consortium. FAAZ asked other foster youth to submit videos telling them how they would use $500 dollars. The responses included items like groceries, housing, dental work, and car repairs. Click here to see the videos.

According to the DCS's working budget, the Department plans to use most of the money on programming, leaving less than half of the funds for direct financial supports. "DCS programming generally benefits youth under age 21 who are willing to engage in a service. Individuals across the nation with lived experience in foster care lobbied Congress for months to secure pandemic relief funds that would also benefit young adults ages 21-26. It'd be a shame for DCS to miss the opportunity to meaningfully help the population they "aged out" and are overlooked in their programming. Their current approach isn't good enough," says Lori O'Tighe, Consultant for Fostering Advocates Arizona. Nikki Burgess, a member of the FAAZ Young Adult Leadership Board, urges, "When FAAZ met with Director Faust he assured us he would consider stimulus payments if warranted at a later date. That day is now. We are asking Governor Ducey and Director Faust to help us, and other youth make it through this challenging time by providing a $500 payment. Please act before it is too late."

"QUOTE OF THE DAY"

"All you guys are hearing is the negative spin that is being put out by the media right now. You're not hearing all the positive things."

- Fann on the Cyber Ninjas' audit

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004048

ARZN_REV00069490_7-13-21.pdf

Sender: rgabaldon@azleg.gov
Sent: Wednesday, July 14, 2021 5:15:59 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 7-14-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet July 14, 2021

THERE IS ABSOLUTELY NOTHING TO SEE HERE, RIGHT?
The *Republic* found aggressive efforts by Ducey and his top staff – both current and former – to refund $12,000 to an oil company for taxes collected on the sale of diesel fuel to mining companies, a move that former Dept of Revenue officials said could eventually cost the state $100 million in tax refunds.

DUCEY ADMINISTRATION IS ABSOLUTELY TRANSPARENT, RIGHT?
Craig Harris, the former *Republic* reporter who recently left to become USA Today's investigative reporter, took to Twitter today to provide some background to his reporting, saying his newspaper had to take legal action to obtain certain records.

DUCEY ABSOLUTELY LOVES MEDIA ACCESS, RIGHT?
Ducey's appointment of Kathryn King to the Supreme Court became yet the latest example of Ducey

AMERICAN OVERSIGHT

and his crew limiting media access.

FANN, PETERSEN TO HOLD HEARING ON AUDIT PROGRESS
Fann and Petersen will conduct a Senate hearing on the audit they ordered tomorrow at 10 a.m.

CAN'T WAIT FOR SNL 'NINJAS IN CONGRESS' COLD OPEN
Two Congressional committee leaders are launching an investigation into the ongoing audit in Arizona.

THE CAR WRECK ANALOGY IS APROPOS
Maricopa County Board of Supervisors voted unanimously today to spend $2.8 million to replace the voting equipment turned over to the state Senate for the audit at Veterans Memorial Coliseum, amending its contract with Dominion Voting Systems.

NOBODY WANTS TO WORK FOR TOUGH STATE AGENCIES
The pandemic was bad for employee retention in already understaffed areas, notably corrections and child safety, according to reports to the Joint Legislative Budget Committee.

TRANSLATION: DON'T EVEN THINK ABOUT RUNNING IN CD2
Juan Ciscomani, Ducey's senior advisor and the vice chair of the Arizona-Mexico Commission, is being drafted for Congress, but sources see it as an attempt to simply scare away others, speculating he already has decided to run.

WILL HAPPILY TAKE FEDS' MONEY, BUT NOT IF IT'S FOR HOBBS' IDEAS
The Joint Legislative Budget Committee will again weigh a request by Hobbs to use federal funding to fight misinformation a little more than a year after Republicans initially nixed Hobb's plea.

BREAKING NEWS: LEGISLATOR WANTS TO STAY IN LEGISLATURE
A Hernandez said Tuesday she is seeking another term in the House and asked for donations from her supporters.

IT'S NOT AS BAD AS 2,000 CASES A DAY, BUT IT'S BAD
The 1,945 COVID-19 cases and 21 deaths reported today – which would have been the largest daily increase since March – was a result of "resolving an electronic reporting issue that lowered case numbers the past two days."

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, July 14, 2021

·NEWS NOTES AND GOSSIP·

THERE IS ABSOLUTELY NOTHING TO SEE HERE, RIGHT?

The *Republic* found aggressive efforts by Ducey and his top staff – both current and former – to refund $12,000 to an oil company for taxes collected on the sale of diesel fuel to mining companies, a move that former Dept of Revenue officials said could eventually cost the state $100 million in tax refunds. In a five-part series that dug into the behind the scenes wheeling and dealing on the Ninth Floor, the *Republic* said at the center of this push is a global tax firm whose owner is an ardent financial supporter of Ducey's political ambitions. In an interview with our reporter, Ducey said has not seen the *Republic's* series. When pressed, Ducey said he got some "downtime" with his family and that he hadn't seen the stories. "I'm not sure what you're talking about," he said. The *Republic* said Ducey's administration supported a multi-year effort that could mean extracting millions of dollars in tax refunds from the Dept of Revenue at the expense of Arizona's taxpayers (LINK). The five-part series also painted a pattern of potential conflicts of interest or the appearance of such from Kirk Adams, Ducey's former chief of staff; Danny Seiden, Ducey's former deputy chief of staff and now president of the Arizona Chamber of Commerce; Mike Liburdi, Ducey's former general counsel-turned federal judge; and, Gretchen Conger, Ducey's current deputy chief of staff. The Ninth Floor rejected any claims of a conflict of interest, saying the statutes cited by the *Republic* – a one-year prohibition on former government employees from lobbying the public agencies they worked – don't apply to Ducey's former aides. The *Republic* broke the series into five parts: the "millionaire," referring to G Brint Ryan, a Dallas-based tax consultant and businessman who became a client of Adams, Seiden and Liburdi once they left the Ninth Floor in 2018. Ryan's firm stands to benefit from any potential refund, which could amount to $100 million; "the governor," referring to Ducey; "the deputies," referring to the aforementioned three who all worked in some capacity with Ryan; "the insider," referring Conger, who lobbied – the Ninth Floor insists its staffers don't "lobby" – for the tax break while his father worked for a mining company that would benefit from it; and, "the public servants," which referred to two now-former senior members of the Dept of Revenue that Ducey eventually fired in late-2020. No former or current members from the Ninth Floor commented on the article, but Ducey's spokesman, CJ Karamargin, said none of the governor's former or current staffers fell into any violation of conflict of interest laws. Interestingly, when Ducey's senior health policy advisor, Christina Coriei, was revealed to have ties to her parents' ownership of bars in Scottsdale, which were accused of violating social distancing rules last summer (LINK), the same response was given. At the time, current chief of staff Daniel Scarpinato – who served as spokesman while the events in the the *Republic* report took place - said, "It might be a conflict of interest if she was engaged in policy decisions affecting these establishments, but she was not. People aren't disqualified from public service because of their parents biz," (LINK). Conger's father, Harry "Red" Conger, was the president and COO for Freeport McMoRan, one of the world's biggest

AMERICAN OVERSIGHT

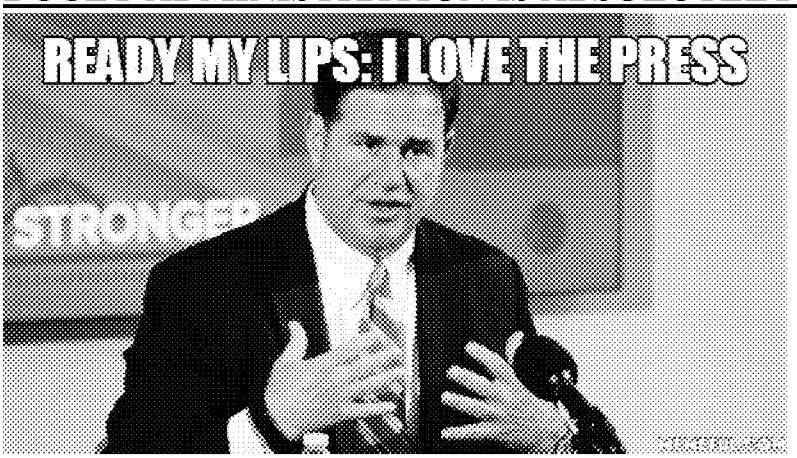
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004051

ARZN_REV00069492_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

mining companies that could stand to benefit if the Dept of Revenue acquiesces to refund taxes collected on diesel sales for mining purposes. After a year of pushing for the tax refund, Conger wrote to current Ninth Floor general counsel Anni Foster that she felt she should step away from the dealings, not because of wrongdoing, "but to avoid the appearance of such." "Given one of the plaintiffs is potentially a company for which my father works, I will not be participating in any decision-making related to this case," she wrote, according to records the *Republic* obtained (LINK).

DUCEY ADMINISTRATION IS ABSOLUTELY TRANSPARENT, RIGHT?



Craig Harris, the former *Republic* reporter who recently left to become *USA Today's* investigative reporter, took to Twitter today to provide some background to his reporting, saying his newspaper had to take legal action to obtain certain records. "To do this series, we pored over more than 3,500 pages of court records, financial reports, internal emails, as well as scribbled sign-in logs, travel records and calendar entries from three state entities, including @dougducey office," Harris wrote. "And, @azcentral had to take legal action to get @dougducey to turn over thousands of emails and calendars - public records that should be easy to get." The case is yet another example of Ducey's administration slow-walking records requests (YS, 7/8). Harris' reporting also revealed a campaign by Ducey's top aides to fire a senior member of the Dept of Revenue. They asked Ducey's former deputy at the Treasurer's Office, Carlton Woodruff, to fire a deputy because he "was difficult to work with." Grant Nulle, the deputy, had rebuffed the attempts to provide a tax break to the oil company represented by G Brint Ryan. Both Woodruff and Nulle got the axe after Christmas 2020. Woodruff told the *Republic* he thought the reason for their firing was their objection to the tax break sought by Ducey's ally. Ducey's office insisted that their firing was "totally unrelated" to the tax break case.

DUCEY ABSOLUTELY LOVES MEDIA ACCESS, RIGHT?

Ducey's appointment of Kathryn King to the Supreme Court became yet the latest example of Ducey and his crew limiting media access. Ninth Floor staffers only allowed Capitol scribe Howie Fischer and two others to attend the swearing in. A spokesperson, however, objected to the premise that the event took place in secret, arguing that reporters from news organizations with the widest reach in Arizona and the US attended the swearing in. The most prominent example of Ducey's pattern of keeping the press away occurred in 2019, when Ducey appointed Bill Montgomery to the Arizona Supreme Court. His staff purposely did not alert the press for the swearing-in ceremony, which otherwise had been open to the media in the past. In fact, Ducey's spokesman at the time went out of his way to keep several members of the press corps away from the ceremony over Ducey's most controversial appointment to date (YS, 9/6/19). At the time, Ducey's spokesman Patrick Ptak said the ceremonies are meant for just family, which was not accurate, as reporters regularly attended previous Supreme Court appointment ceremonies under the Ducey administration. Ducey spokesman CJ Karamargin objected to the characterization of King's swearing-in ceremony as lacking transparency because the 9th floor invited Fischer and reporters from *AP* and *AZFamily* to witness the event. "If you have a wire service that has a global reach, like the AP, and an Arizona wire service that has multiple clients, including the *Capitol Times*, and one of the network television stations, how does that qualify as secret?" he asked. If Ducey wanted to avoid tough questions

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004052
ARZN_REV00069492_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

from reporters, it wouldn't make sense to have Fischer, A*ZFamily's* Dennis Welch and the AP's JJ Cooper there, he said. Besides, he argued, it was a small room. "I suppose we could do it outside where there's no space limitation, but that obviously doesn't make sense," he said. Actually, the Ninth Floor has handled questions over media access similarly this year and previous years. For pre-session interviews, something Ducey has done with virtually every outlet in the past, he initially only agreed to let Fischer, the *AP* and the *Arizona Republic* conduct interviews about the 2021 session in January. It wasn't until *Capitol Times* and the *Arizona Mirror* pushed back until Ducey's Office agreed at the last minute. Ducey also held a swearing-in for Kerry Muehlenbeck this year and allowed dozens of reporters to attend where there was a full section dedicated to asking questions – just like any normal press briefing held indoors. Ducey's interaction with the press has been spotty at best. He refused to entertain questions from reporters during the signing ceremony of the legislation expanding gaming and allowing sports betting in Arizona and his media availability this year has been practically nonexistent (LINK).

FANN, PETERSEN TO HOLD HEARING ON AUDIT PROGRESS

Fann and Petersen will conduct a Senate hearing on the audit they ordered tomorrow at 10 a.m. In a news release, the Senate said the hearing will focus on the progress of the election audit. Joining them are Ken Bennett, who serves as the Senate Liaison to the audit team, Doug Logan of Cyber Ninjas and Ben Cotton of CyFIR. The Senate said the hearing is open to the public and seating is limited. The public can also follow the hearing live on https://www.azleg.gov/liveproceedings/.

CAN'T WAIT FOR SNL 'NINJAS IN CONGRESS' COLD OPEN

Two Congressional committee leaders are launching an investigation into the ongoing audit in Arizona. Reps. Carolyn Maloney, D-NY, and Jamie Raskin, D-MD, sent Cyber Ninjas CEO Doug Logan a letter today, seeking information on the audit and describing concerns about the company's lack of experience, on reports that it used "sloppy and insecure audit practices" and on Logan's past perpetuating the "big lie" that the election was stolen. Maloney, chair of the House's committee on oversight and reform, and Raskin, chair of the subcommittee on civil rights and civil liberties, are requesting all documents showing Cyber Ninjas' financial interests, how the company was hired and communications relating to the audit. They also requested any documents and communication related to allegations that there were bamboo-laced ballots, watermarks, machine-marked ballots, errors in Dominion Voting System and CIA involvement, as well as any communication with Trump, his campaign or administration, private funders of the audit and Trump-orbit figures, including Rudy Giuliani, Sidney Powell, Lin Wood and Patrick Byrne.

THE CAR WRECK ANALOGY IS APROPOS

Maricopa County Board of Supervisors voted unanimously today to spend $2.8 million to replace the voting equipment turned over to the state Senate for the audit at Veterans Memorial Coliseum, amending its contract with Dominion Voting Systems (LINK). Under the amended contract, the county will acquire 385 new precinct tabulators, nine new central counters and the hardware required to run them. The county is fully indemnified by the Senate for the costs incurred, though it has not yet requested reimbursement. The contract with Dominion runs through the end of 2022. "Imagine leasing a car and then loaning it to someone who totals it. You're still on the hook to pay off the wrecked car. Plus, you need a new car. That's basically what we're doing with this amendment," supervisor Jack Sellers said. "We're getting the car that will get us through the next year and a half and then we'll reevaluate." Supervisor Bill Gates said the bill being footed by taxpayers is "fundamentally unfair." Steve Gallardo, the lone Democrat on the board, agreed. "It's so frustrating when I see items like this," Gallardo said. "This is the first of several that are coming down the pike because the state's audit – these lies and conspiracies – will not stop. It's unfortunate that the taxpayers are now on the hook for it." The vote follows a letter from Hobbs in May recommending the subpoenaed equipment be decommissioned and saying her office would not recertify the machines, a decision she said her office reached after consulting with elections experts, including at the Dept of

AMERICAN OVERSIGHT

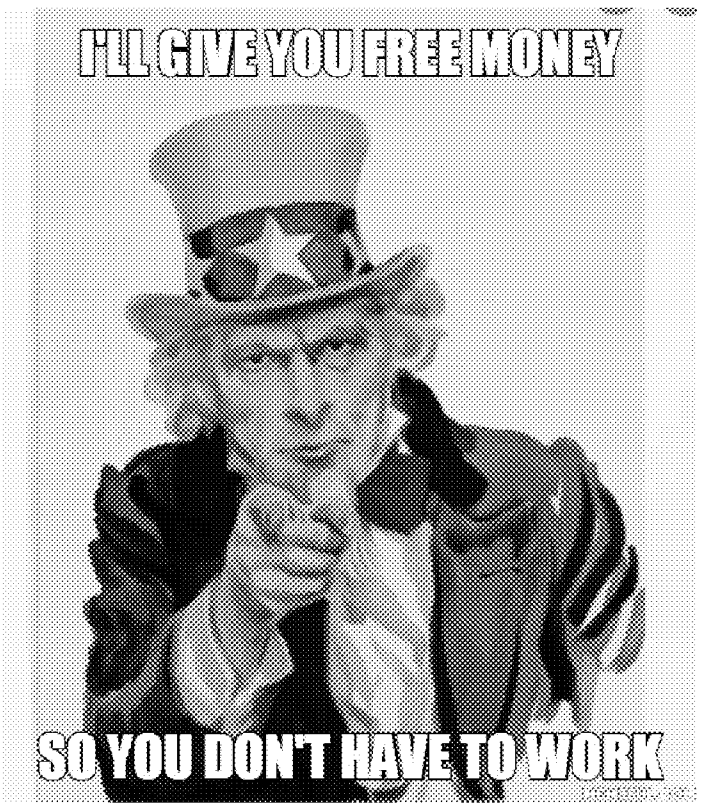
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004053

ARZN_REV00069492_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Homeland Security's Cybersecurity and Infrastructure Security Agency. County attorney Allister Adel responded at the end of June on behalf of the supervisors, saying the board shared Hobbs' concerns and would not reuse the equipment.

NOBODY WANTS TO WORK FOR TOUGH STATE AGENCIES



The pandemic was bad for employee retention in already understaffed areas, notably corrections and child safety, according to reports to the Joint Legislative Budget Committee. The Dept of Corrections set a goal last year of hiring a net 364 employees by June 2021 – it added only 18 through March 31. And between December and March, the department lost 42 employees, mostly from the Florence and Perryville prisons. Statewide, the vacancy rate is 16.6 percent, but it's as high as 37 percent at remote sites in Florence, Eyman and Winslow. Vacancies grew even as the prison system offered 25 percent stipends for hazardous duty from April 2020. The department, under Director David Shinn, has aggressively advertised for recruits, putting up an electronic billboard on I-10. Meanwhile, the Dept of Child Safety is down 127 caseworkers and hotline workers since March 2020, and reports have increased by nearly one-third in the same time frame. The department blamed federal unemployment benefits for not receiving enough new applicants to keep pace with resigning case workers. "Despite these efforts, DCS had a significant lack of resumes during the reporting period until Governor Ducey rejected the extra $300 a week in federal unemployment benefits. Employers across the state are reportedly experiencing the same challenge with a lack of candidates for open positions," the agency's report says.

TRANSLATION: DON'T EVEN THINK ABOUT RUNNING IN CD2

Juan Ciscomani, Ducey's senior advisor and the vice chair of the Arizona-Mexico Commission, is being drafted for Congress, but sources see it as an attempt to simply scare away others, speculating he already has decided to run. Campaigns to draft a person to run for public office is routine – supporters make a big splash about recruiting the individual, gain some earned media in process, and sometimes clear the field for the chosen candidate. Ciscomani's name came up as soon as Kirkpatrick announced she would retire and leave CD2 open in 2022. CD2 – or whatever the new district would be – is likely going to be a competitive seat. Indeed, both Republicans and Democrats have represented the Tucson region in Congress. Ducey is termed out in 2022, leaving the well-liked Republican in Tucson open for the next step in his political career. It's unclear who launched the draft effort, but Lea Marquez Peterson, the former CD2 candidate and now Chair of Corp Comm, tweeted her full support of the idea. "A strong conservative, family man and homegrown leader, @JuanCiscomani is who we need in Congress! Let's persuade him to run – sign up today!" she posted with a link for the page (LINK). The "Draft Juan" website includes a family photo of Ciscomani with his prominent wife Laura, a Ducey-appointee to the Commission on Appellate Court

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004054
ARZN_REV00069492_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Appointments and Membership & Events VP at the Arizona Chamber, with their six kids. The main pitch is that Dems in Congress are expected to lose the House and he can help turn that into a reality. "Republicans are five seats away from making Nancy Pelosi an ex-Speaker of the House. Juan Ciscomani is going to help make that happen by winning a seat for Congress in Southern Arizona – if we can persuade him to run!" the draft campaign reads. Also included is a glowing endorsement from prominent Tucson businessman Jim Click, who spends thousands of dollars each year on political campaigns. Click gave at least $45,000 to two PACs in order to keep the Legislature in Republican control and also at least $15,000 to defeat last year's Prop 207, which voters approved. With Click and others' financial support, and a likely endorsement from Ducey and his allies, Ciscomani can wait until new lines are drawn before officially jumping in. One Republican source told our reporter that the "Draft Juan" site is "embarrassing." "Just come out and say you're running. Don't do this draft gimmick," the source said. Ducey's campaign strategist Sara Mueller immediately came out in support (LINK), possibly signaling that she would be on any potential campaign team moving forward. Marquez Peterson was also previously rumored to run again, but her endorsement of Ciscomani likely puts to bed that speculation. Nobody notable on the Republican side has announced their bid for CD2 yet, while the Dem primary is heating up among three current lawmakers in D Hernandez, Engel and Friese. The seat from its inception in 2012 has been held by former Giffords aide Ron Barber, a Democrat; Martha McSally, a Republican, took over in 2014, and Kirkpatrick won an open seat in 2018 when McSally ran for the U.S. Senate.

WILL HAPPILY TAKE FEDS' MONEY, BUT NOT IF IT'S FOR HOBBS' IDEAS

The Joint Legislative Budget Committee will again weigh a request by Hobbs to use federal funding to fight misinformation a little more than a year after Republicans initially nixed Hobb's plea. Because of budget footnotes in FY19 and FY21, Hobbs needs to get JLBC approval for plans to use federal dollars provided by the Help America Vote Act, and last June Brnovich successfully lobbied the committee's Republicans to prevent Hobbs from using $500,000 for voter outreach and ads combatting misinformation (LINK). This year, Hobbs wants to give $100,000 to counties for a campaign to educate voters about voting procedures, rights and technology, and plans to spend up to $175,000 on statewide efforts to do the same. She's also requesting $385,000 to add four new employees, and $25,000 to set up a call center system because the Secretary of State's office has been overwhelmed with calls. JLBC chair Cobb moved the funding request from Thursday's consent agenda, signaling the panel won't give Hobbs the rubber stamp it provides most funding requests.

BREAKING NEWS: LEGISLATOR WANTS TO STAY IN LEGISLATURE

A Hernandez said Tuesday she is seeking another term in the House and asked for donations from her supporters. "It has been an honor to serve my district, and I have a lot more work to do!" she said. "So, please join me and donate today to help me get my campaign going! Thanks for all the support."

IT'S NOT AS BAD AS 2,000 CASES A DAY, BUT IT'S BAD

The 1,945 COVID-19 cases and 21 deaths reported today – which would have been the largest daily increase since March – was a result of "resolving an electronic reporting issue that lowered case numbers the past two days," according to the Dept of Health Services. "Illnesses in the last 4-7 days may not be reported yet, so it is most complete if you look back 10 days," DHS stated. The department noted yesterday that the posted case and death numbers were lower due to the reporting issue and warned that today's numbers would be higher. There have been 903,851 known cases of COVID-19 and 18,076 known deaths. As of today, 50.7% of Arizonans have received at least one vaccine shot, compared to 55.6% nationwide.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004055

ARZN_REV00069492_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Feds will keep definition of metro at 50,000-person minimum
Arizona Capitol Times
Facing criticism from small cities that feared losing status and funding, the federal government said Tuesday that it won't raise the population threshold for what qualifies as a metro area.

Ex-politician's accomplice gets 2 years in adoption scheme
Arizona Capitol Times
A woman who acknowledged helping a former Maricopa County Assessor Paul Petersen in an illegal adoption scheme involving women from the Marshall Islands was sentenced to two years in prison Tuesday.

Fann says audit, county counts don't match
Arizona Capitol Times
Senate President Karen Fann went on the radio Tuesday to say the ballot counts of the election audit she's leading and Maricopa County's are different.

Biden nominates ex-GOP Sen. Jeff Flake as ambassador to Turkey
Politico
President Joe Biden on Tuesday nominated former Sen. Jeff Flake to serve as ambassador to Turkey, extending a high-profile diplomatic post to the anti-Trump Republican.

Florence has lowest tax rate
PinalCentral.com
Even with a small increase, Florence will still have the lowest primary property tax rate of any municipality in Pinal County, the Town Council was told July 6.

Gila County economic recovery mirrors state figures
Payson Roundup
Gila County has shared in the stronger-than-expected economic recovery in recent months — but there's worrisome fine print on our economic performance.

Potato Fire discovered in Hualapai Mountains
Kingman Daily Miner
The Pine Lake Fire District is reporting that a small fire, currently well under an acre, has broken out in the Hualapai Mountains.

Arizona reports just 345 more COVID cases but cites data issue
Associated Press
Arizona on Tuesday reported 345 additional confirmed COVID-19 cases and 20 more deaths but officials said some additional cases weren't included because of a problem with electronic reporting of data.

Tucson-Phoenix passenger rail should get test run now
Arizona Daily Star (Opinion, Tim Steller)
The infrastructure bill now being considered in Congress would put $66 billion toward railroads, potentially including Tucson-Phoenix-Los Angeles service. Bipartisan mayors of 11 Arizona cities want it.

Never mind the haters, Arizona. More boom times are ahead, thanks to Ducey's bold tax cuts
Arizona Republic (Opinion, Eric Knott)
When he first ran for governor in 2014, Doug Ducey pledged to lower income tax rates as close to zero as possible. He'd made modest progress on that claim – until now. But with the recent passage of the flat tax, we can now see real progress on that score, and we also have a fuller understanding of the broad view of Ducey's approach to economics.

Fann says auditors' ballot count doesn't match county's tally? I, for one, am shocked
Arizona Republic (Opinion, Laurie Roberts)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004056
ARZN_REV00069492_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senate President Karen Fann on Tuesday announced there's a discrepancy between the number of ballots counted by her ninja auditors and the number of ballots that Maricopa County reported were cast in the November election.

I'd bet the vaccine-skeptic you're listening to has been vaccinated

Arizona Republic (Opinion, EJ Montini)

There is one reason, and one reason only, why the Phoenix Suns Arena can be packed with fans for the NBA Finals and it's not Devin Booker or Chris Paul or Deandre Ayton.

·PRESS RELEASES·

Arizona Corporation Commission Approves APS Energy Efficiency Plan

Plan Expands COVID-19 Recovery Programs and School Offerings

The Southwest Energy Efficiency Project (SWEEP) and Arizona PIRG Education Fund praised Chairwoman Lea Marquez Peterson, Commissioner Sandra Kennedy, Commissioner Anna Tovar, and Commissioner Jim O'Connor - utility regulators at the Arizona Corporation Commission - for voting yesterday to expand programs and services to help Arizonans save energy and money on their electricity bills.

Under the expanded energy efficiency plan that regulators approved, customers of Arizona Public Service Company (APS) will gain access to incentives and services to fix broken air conditioners, replace inefficient water heaters, install smart thermostats, and otherwise cut energy waste. Regulators also extended special emergency financial relief for low-income customers and businesses and residents economically impacted by the COVID-19 pandemic. Additionally, regulators authorized two special initiatives: (1) A program to increase fresh air ventilation in schools, shelters, and nonprofits by installing advanced controls for heating, ventilation, and air conditioning units; and (2) A program to bring energy-saving services to Navajo and Hopi tribal members.

Approval of the plan was championed by major businesses, consumer, low income, and small business advocates, efficiency groups, tribal nonprofits, and the utility.

"Energy efficiency is a phenomenal return on investment. By eliminating energy waste, we can save money for everyone by avoiding the need for expensive power plants that can cost ratepayers billions of dollars," **said Ellen Zuckerman, Director of the Utility Program for the Southwest Energy Efficiency Project.** "At a time when far too many Arizonans are making painful economic decisions and falling behind on their electricity bills, it's essential that we offer them new and improved opportunities to save energy. Thankfully, yesterday's action by utility regulators does just that."

Diane E. Brown, Executive Director of the Arizona PIRG Education Fund, stated, "Whether impacted by COVID-19, extreme heat, or other circumstances, APS ratepayers need relief. The Commission's vote recognizes that energy efficiency provides an opportunity to save money on monthly electric bills for ratepayers that take advantage of program offerings as well as for other ratepayers through the avoidance of new, costly utility infrastructure."

The organizations applauded utility regulators for their vote which recognizes energy efficiency as Arizona's least expensive way to meet energy needs, while supporting local job creation, saving water, and reducing harmful air pollution.

Diane E. Brown, Executive Director
Arizona PIRG (Arizona Public Interest Research Group) Education Fund
835 W. Warner Rd., Suite 101-464 -- *Please note new address*
Gilbert, AZ 85233
(602)252-9227 (o)
(602)318-2779 (c)

###

Sen. Mark Kelly Introduces Bill to Improve Electric Grid Reliability

Today Arizona Senator Mark Kelly introduced the *Demand-Response Management Act of 2021*, legislation which would help prevent electric grids from failing during peak demand. The bill would expand the use of energy

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004057
ARZN_REV00069492_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

management initiatives known as demand response programs which enhance grid reliability, particularly during summer and winter months.

For months, Kelly has maintained a focus on strengthening and upgrading Arizona's critical infrastructure, including investing in energy and water infrastructure. Kelly is a member of the bipartisan Senate working group that is working with the White House to advance the bipartisan infrastructure framework that includes improving electrical grid resiliency and reliability. Kelly's Demand-Response Management Act of 2021 is part of a $93 billion energy infrastructure proposal, led by Senator Joe Manchin (D-WV), which will be voted on today by the Senate Committee on Energy and Natural Resources.

"During a heat wave or a cold snap, the ability to reduce strain on the electric grid can save consumers money and prevent the grid from collapsing," **said Senator Mark Kelly.** "We've seen this work in Arizona, which is ahead of other states in implementing demand-response programs to prevent brownouts or blackouts. As Arizona experiences longer and more intense summers, this legislation will help ensure more reliable electrical services for families and businesses across our state and the nation."

"SRP supports Sen. Mark Kelly's efforts to help improve the reliability of the electric grid and his legislation that would further encourage the broader adoption of utility demand response programs. SRP's demand response program benefits all of our customers and provides an important tool in meeting peak electricity demand during critical summer months in Arizona," **said Rob Taylor, Associate General Manager and Chief Public Affairs Executive at SRP.** "This helps SRP maintain electric reliability in a more sustainable way and helps offset the need for additional power infrastructure."

"Helping customers conserve energy during peak usage periods is becoming even more important to electric reliability as we transition to cleaner energy resources," **said Susan M. Gray, President and CEO of UNS Energy and subsidiaries Tucson Electric Power and UniSource Energy Services.** "We share Sen. Kelly's interest in strengthening the partnerships between utilities and our customers through demand response programs that provide cost effective incentives for conservation and support safe, reliable service for all customers."

"APS has long seen customers as an important part of our resource mix as their conservation efforts and energy use patterns play an important role both in overall reliability and moving faster to a cleaner energy future," **said Barbara Lockwood, Sr. Vice President of Public Policy for Arizona Public Service Co.** "As ENERGY STAR's Partner of the Year for energy efficiency program delivery, we applaud Sen. Kelly's work to expand the ways our industry can further collaborate with customers to manage demand for electricity in a way that delivers benefits for all who rely on our interconnected grid."

Demand response programs are proven to provide consumers with affordable and reliable energy during periods of high energy demand, preventing service interruptions and reducing stress on the electric grid. A demand response program promotes voluntary changes in individual behavioral practices when it comes to energy consumption, necessary during extreme weather events.

The Demand-Response Management Act would ensure a more reliable, affordable and resilient electric grid by:

- Directing utilities to establish demand response programs and state utility regulators to review their demand response programs for the use of rebates and discounts to consumers that incentivize the use of demand response technology, such as smart thermostats and home appliances.
- Expanding Department of Energy energy efficiency state block grants to help states promote demand response practices and technology.
- Adding demand response technologies, practices, and policies to the DOE Zero-Net Energy Commercial Buildings Initiative.
- Amending the Energy Act of 2020 to expand demand response initiatives in the Federal Energy Management Program to include natural gas demand management.

Kelly's bill is supported by the National Association of State Energy Officials, the National Electrical Manufacturers Association, and National Rural Electrical Cooperative Association. Read the text of Kelly's *Demand-Response Management Act* HERE.

###

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Elected Officials and Climate Justice Advocates to Call for Bold Federal Investment in Clean Transportation at Electric School Bus Event

(Phoenix, AZ) – On Thursday, July 15, at 9:30 a.m. PT, State Senate Minority Leader Rebecca Rios and State House Minority Leader Reginald Bolding will join environmental advocates for a press conference to call for strong federal investments in clean transportation infrastructure and highlight the benefits of electric school buses. This event, which is part of a series occurring across the country as the U.S. Congress and the Biden administration consider broad infrastructure proposals, will be hosted by Mi Familia Vota and Moms Clean Air Force Arizona.

Transportation accounts for almost a third of all US emissions and the single largest source of climate-harming greenhouse gas pollution in the US. Investments in clean transportation are essential to meeting our nation's climate goals, reducing air pollution, improving public health, achieving environmental justice, and spurring the economy. Just one electric bus will save the city $115,000 over its lifetime on fuel and maintenance. Bold federal investments to tackle the climate crisis, which 71 percent of the public supports, can spur the advancement of such programs.

WHO:

- Rebecca Rios, State Senate Minority Leader, LD 27
- Reginald Bolding, State House Minority Leader, LD 27
- Ulisses Correa, Environmental Justice Organizer, Mi Familia Vota
- Columba Sainz, Field Organizer, Moms Clean Air Force Arizona Chapter
- Vianey Olivarria, State Co-Director, Chispa AZ
- Albert Burleigh, Executive Director-Electric Vehicle Sales, Blue Bird Corporation

WHEN:

Thursday, July 15

9:30 a.m. PST

WHERE:

Spaces of Opportunity

1200 W Vineyard Rd, Phoenix, AZ 85041

VISUALS: There will be an electric school bus on-site for this event. Members of the press will be given the opportunity to go on the bus after the press event concludes.

INTERVIEWS: Press is encouraged to arrive at the event at 9:25 a.m. PT. Speakers will be available for questions following the event.

###

Secretary Cardona to Join Arizona Rep. Raúl M. Grijalva for Roundtable Discussion with Students to Highlight Support for Tribal Colleges and Universities and Build Back Better Agenda

Tomorrow, U.S. Secretary of Education Miguel Cardona continues his national travel blitz visiting schools and colleges to highlight key education provisions within the President's Build Back Better agenda. During his visit to Arizona, Secretary Cardona will be joined by U.S. Rep. Raúl M. Grijalva. Together, Secretary Cardona and Rep. Grijalva will participate in a tour and a roundtable discussion with students and education leaders at Tohono O'odham Community College located in the Tohono O'odham Nation. They will discuss provisions within President Biden's Build Back Better agenda that provide students with pathways to affordable higher education, including providing two years of free community college for all students, and increased federal funding for institutions that serve as essential gateways to higher education for ever-more diverse generations of college hopefuls, including Tribal Colleges and Universities.

Note: While on the nation, masks are required at all times. Any reporter in attendance will be required to fill out a health screening and do a temperature check.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004059

ARZN_REV00069492_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Thursday, July 15, 2021

Tour of Tohono O'odham Community College

Where:
Tohono O'odham Community College
Milepost 125.5 North, AZ-86
Sells, AZ 85634

When:
9:30 – 9:50 a.m. MST (*Time is subject to change)*

Participants:
U.S. Secretary of Education Miguel Cardona
U.S. Rep. Raúl M. Grijalva

Press: Footage will be pooled by KVOA. If you are interested in receiving footage, please email press@ed.gov.

"QUOTE OF THE DAY"

"I'm not sure what you're talking about."

- Ducey, when asked about the Republic's five-part series

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Wednesday, July 14, 2021 5:16:01 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: Fwd: In Today's Yellow Sheet
Attachments: 7-14-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2

1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute or copy this email if you are not the named addressee. Please consider the environment before printing.

Begin forwarded message:

About Contact

In Today's Yellow Sheet July 14, 2021

THERE IS ABSOLUTELY NOTHING TO SEE HERE, RIGHT?
The *Republic* found aggressive efforts by Ducey and his top staff – both current and former – to refund $12,000 to an oil company for taxes collected on the sale of diesel fuel to mining companies, a move that former Dept of Revenue officials said could eventually cost the state $100 million in tax refunds.

DUCEY ADMINISTRATION IS ABSOLUTELY TRANSPARENT, RIGHT?
Craig Harris, the former *Republic* reporter who recently left to become USA Today's investigative reporter, took to Twitter today to provide some background to his reporting, saying his newspaper had to take legal action to obtain certain records.

AMERICAN OVERSIGHT

DUCEY ABSOLUTELY LOVES MEDIA ACCESS, RIGHT?
Ducey's appointment of Kathryn King to the Supreme Court became yet the latest example of Ducey and his crew limiting media access.

FANN, PETERSEN TO HOLD HEARING ON AUDIT PROGRESS
Fann and Petersen will conduct a Senate hearing on the audit they ordered tomorrow at 10 a.m.

CAN'T WAIT FOR SNL 'NINJAS IN CONGRESS' COLD OPEN
Two Congressional committee leaders are launching an investigation into the ongoing audit in Arizona.

THE CAR WRECK ANALOGY IS APROPOS
Maricopa County Board of Supervisors voted unanimously today to spend $2.8 million to replace the voting equipment turned over to the state Senate for the audit at Veterans Memorial Coliseum, amending its contract with Dominion Voting Systems.

NOBODY WANTS TO WORK FOR TOUGH STATE AGENCIES
The pandemic was bad for employee retention in already understaffed areas, notably corrections and child safety, according to reports to the Joint Legislative Budget Committee.

TRANSLATION: DON'T EVEN THINK ABOUT RUNNING IN CD2
Juan Ciscomani, Ducey's senior advisor and the vice chair of the Arizona-Mexico Commission, is being drafted for Congress, but sources see it as an attempt to simply scare away others, speculating he already has decided to run.

WILL HAPPILY TAKE FEDS' MONEY, BUT NOT IF IT'S FOR HOBBS' IDEAS
The Joint Legislative Budget Committee will again weigh a request by Hobbs to use federal funding to fight misinformation a little more than a year after Republicans initially nixed Hobb's plea.

BREAKING NEWS: LEGISLATOR WANTS TO STAY IN LEGISLATURE
A Hernandez said Tuesday she is seeking another term in the House and asked for donations from her supporters.

IT'S NOT AS BAD AS 2,000 CASES A DAY, BUT IT'S BAD
The 1,945 COVID-19 cases and 21 deaths reported today – which would have been the largest daily increase since March – was a result of "resolving an electronic reporting issue that lowered case numbers the past two days."

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Wednesday, July 14, 2021

·NEWS NOTES AND GOSSIP·

THERE IS ABSOLUTELY NOTHING TO SEE HERE, RIGHT?

The *Republic* found aggressive efforts by Ducey and his top staff – both current and former – to refund $12,000 to an oil company for taxes collected on the sale of diesel fuel to mining companies, a move that former Dept of Revenue officials said could eventually cost the state $100 million in tax refunds. In a five-part series that dug into the behind the scenes wheeling and dealing on the Ninth Floor, the *Republic* said at the center of this push is a global tax firm whose owner is an ardent financial supporter of Ducey's political ambitions. In an interview with our reporter, Ducey said has not seen the *Republic's* series. When pressed, Ducey said he got some "downtime" with his family and that he hadn't seen the stories. "I'm not sure what you're talking about," he said. The *Republic* said Ducey's administration supported a multi-year effort that could mean extracting millions of dollars in tax refunds from the Dept of Revenue at the expense of Arizona's taxpayers (LINK). The five-part series also painted a pattern of potential conflicts of interest or the appearance of such from Kirk Adams, Ducey's former chief of staff; Danny Seiden, Ducey's former deputy chief of staff and now president of the Arizona Chamber of Commerce; Mike Liburdi, Ducey's former general counsel-turned federal judge; and, Gretchen Conger, Ducey's current deputy chief of staff. The Ninth Floor rejected any claims of a conflict of interest, saying the statutes cited by the *Republic* – a one-year prohibition on former government employees from lobbying the public agencies they worked – don't apply to Ducey's former aides. The *Republic* broke the series into five parts: the "millionaire," referring to G Brint Ryan, a Dallas-based tax consultant and businessman who became a client of Adams, Seiden and Liburdi once they left the Ninth Floor in 2018. Ryan's firm stands to benefit from any potential refund, which could amount to $100 million; "the governor," referring to Ducey; "the deputies," referring to the aforementioned three who all worked in some capacity with Ryan; "the insider," referring Conger, who lobbied – the Ninth Floor insists its staffers don't "lobby" – for the tax break while his father worked for a mining company that would benefit from it; and, "the public servants," which referred to two now-former senior members of the Dept of Revenue that Ducey eventually fired in late-2020. No former or current members from the Ninth Floor commented on the article, but Ducey's spokesman, CJ Karamargin, said none of the governor's former or current staffers fell into any violation of conflict of interest laws. Interestingly, when Ducey's senior health policy advisor, Christina Coriei, was revealed to have ties to her parents' ownership of bars in Scottsdale, which were accused of violating social distancing rules last summer (LINK), the same response was given. At the time, current chief of staff Daniel Scarpinato – who served as spokesman while the events in the the *Republic* report took place - said, "It might be a conflict of interest if she was engaged in policy decisions affecting these establishments, but she was not. People aren't disqualified from public service because of their parents biz," (LINK). Conger's father, Harry "Red" Conger, was the president and COO for Freeport McMoRan, one of the world's biggest

AMERICAN OVERSIGHT

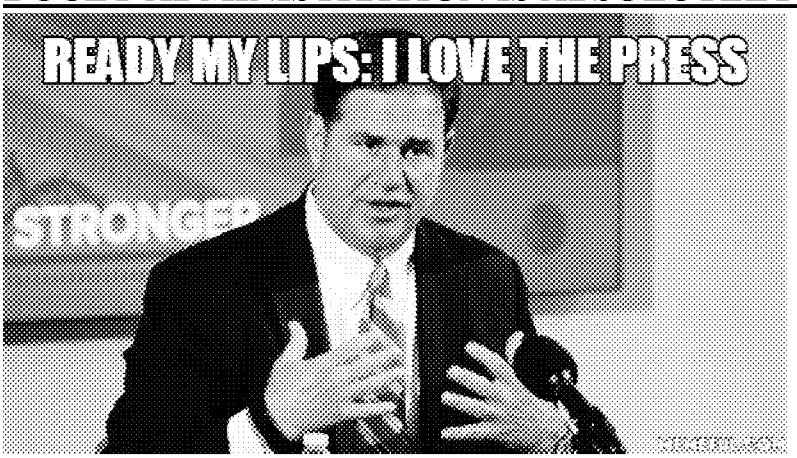
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004063

ARZN_REV00069494_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

mining companies that could stand to benefit if the Dept of Revenue acquiesces to refund taxes collected on diesel sales for mining purposes. After a year of pushing for the tax refund, Conger wrote to current Ninth Floor general counsel Anni Foster that she felt she should step away from the dealings, not because of wrongdoing, "but to avoid the appearance of such." "Given one of the plaintiffs is potentially a company for which my father works, I will not be participating in any decision-making related to this case," she wrote, according to records the *Republic* obtained (LINK).

DUCEY ADMINISTRATION IS ABSOLUTELY TRANSPARENT, RIGHT?



Craig Harris, the former *Republic* reporter who recently left to become *USA Today's* investigative reporter, took to Twitter today to provide some background to his reporting, saying his newspaper had to take legal action to obtain certain records. "To do this series, we pored over more than 3,500 pages of court records, financial reports, internal emails, as well as scribbled sign-in logs, travel records and calendar entries from three state entities, including @dougducey office," Harris wrote. "And, @azcentral had to take legal action to get @dougducey to turn over thousands of emails and calendars - public records that should be easy to get." The case is yet another example of Ducey's administration slow-walking records requests (YS, 7/8). Harris' reporting also revealed a campaign by Ducey's top aides to fire a senior member of the Dept of Revenue. They asked Ducey's former deputy at the Treasurer's Office, Carlton Woodruff, to fire a deputy because he "was difficult to work with." Grant Nulle, the deputy, had rebuffed the attempts to provide a tax break to the oil company represented by G Brint Ryan. Both Woodruff and Nulle got the axe after Christmas 2020. Woodruff told the *Republic* he thought the reason for their firing was their objection to the tax break sought by Ducey's ally. Ducey's office insisted that their firing was "totally unrelated" to the tax break case.

DUCEY ABSOLUTELY LOVES MEDIA ACCESS, RIGHT?

Ducey's appointment of Kathryn King to the Supreme Court became yet the latest example of Ducey and his crew limiting media access. Ninth Floor staffers only allowed Capitol scribe Howie Fischer and two others to attend the swearing in. A spokesperson, however, objected to the premise that the event took place in secret, arguing that reporters from news organizations with the widest reach in Arizona and the US attended the swearing in. The most prominent example of Ducey's pattern of keeping the press away occurred in 2019, when Ducey appointed Bill Montgomery to the Arizona Supreme Court. His staff purposely did not alert the press for the swearing-in ceremony, which otherwise had been open to the media in the past. In fact, Ducey's spokesman at the time went out of his way to keep several members of the press corps away from the ceremony over Ducey's most controversial appointment to date (YS, 9/6/19). At the time, Ducey's spokesman Patrick Ptak said the ceremonies are meant for just family, which was not accurate, as reporters regularly attended previous Supreme Court appointment ceremonies under the Ducey administration. Ducey spokesman CJ Karamargin objected to the characterization of King's swearing-in ceremony as lacking transparency because the 9th floor invited Fischer and reporters from *AP* and *AZFamily* to witness the event. "If you have a wire service that has a global reach, like the AP, and an Arizona wire service that has multiple clients, including the *Capitol Times*, and one of the network television stations, how does that qualify as secret?" he asked. If Ducey wanted to avoid tough questions

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004064
ARZN_REV00069494_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

from reporters, it wouldn't make sense to have Fischer, A*ZFamily's* Dennis Welch and the AP's JJ Cooper there, he said. Besides, he argued, it was a small room. "I suppose we could do it outside where there's no space limitation, but that obviously doesn't make sense," he said. Actually, the Ninth Floor has handled questions over media access similarly this year and previous years. For pre-session interviews, something Ducey has done with virtually every outlet in the past, he initially only agreed to let Fischer, the *AP* and the *Arizona Republic* conduct interviews about the 2021 session in January. It wasn't until *Capitol Times* and the *Arizona Mirror* pushed back until Ducey's Office agreed at the last minute. Ducey also held a swearing-in for Kerry Muehlenbeck this year and allowed dozens of reporters to attend where there was a full section dedicated to asking questions – just like any normal press briefing held indoors. Ducey's interaction with the press has been spotty at best. He refused to entertain questions from reporters during the signing ceremony of the legislation expanding gaming and allowing sports betting in Arizona and his media availability this year has been practically nonexistent (LINK).

FANN, PETERSEN TO HOLD HEARING ON AUDIT PROGRESS

Fann and Petersen will conduct a Senate hearing on the audit they ordered tomorrow at 10 a.m. In a news release, the Senate said the hearing will focus on the progress of the election audit. Joining them are Ken Bennett, who serves as the Senate Liaison to the audit team, Doug Logan of Cyber Ninjas and Ben Cotton of CyFIR. The Senate said the hearing is open to the public and seating is limited. The public can also follow the hearing live on https://www.azleg.gov/liveproceedings/.

CAN'T WAIT FOR SNL 'NINJAS IN CONGRESS' COLD OPEN

Two Congressional committee leaders are launching an investigation into the ongoing audit in Arizona. Reps. Carolyn Maloney, D-NY, and Jamie Raskin, D-MD, sent Cyber Ninjas CEO Doug Logan a letter today, seeking information on the audit and describing concerns about the company's lack of experience, on reports that it used "sloppy and insecure audit practices" and on Logan's past perpetuating the "big lie" that the election was stolen. Maloney, chair of the House's committee on oversight and reform, and Raskin, chair of the subcommittee on civil rights and civil liberties, are requesting all documents showing Cyber Ninjas' financial interests, how the company was hired and communications relating to the audit. They also requested any documents and communication related to allegations that there were bamboo-laced ballots, watermarks, machine-marked ballots, errors in Dominion Voting System and CIA involvement, as well as any communication with Trump, his campaign or administration, private funders of the audit and Trump-orbit figures, including Rudy Giuliani, Sidney Powell, Lin Wood and Patrick Byrne.

THE CAR WRECK ANALOGY IS APROPOS

Maricopa County Board of Supervisors voted unanimously today to spend $2.8 million to replace the voting equipment turned over to the state Senate for the audit at Veterans Memorial Coliseum, amending its contract with Dominion Voting Systems (LINK). Under the amended contract, the county will acquire 385 new precinct tabulators, nine new central counters and the hardware required to run them. The county is fully indemnified by the Senate for the costs incurred, though it has not yet requested reimbursement. The contract with Dominion runs through the end of 2022. "Imagine leasing a car and then loaning it to someone who totals it. You're still on the hook to pay off the wrecked car. Plus, you need a new car. That's basically what we're doing with this amendment," supervisor Jack Sellers said. "We're getting the car that will get us through the next year and a half and then we'll reevaluate." Supervisor Bill Gates said the bill being footed by taxpayers is "fundamentally unfair." Steve Gallardo, the lone Democrat on the board, agreed. "It's so frustrating when I see items like this," Gallardo said. "This is the first of several that are coming down the pike because the state's audit – these lies and conspiracies – will not stop. It's unfortunate that the taxpayers are now on the hook for it." The vote follows a letter from Hobbs in May recommending the subpoenaed equipment be decommissioned and saying her office would not recertify the machines, a decision she said her office reached after consulting with elections experts, including at the Dept of

AMERICAN OVERSIGHT

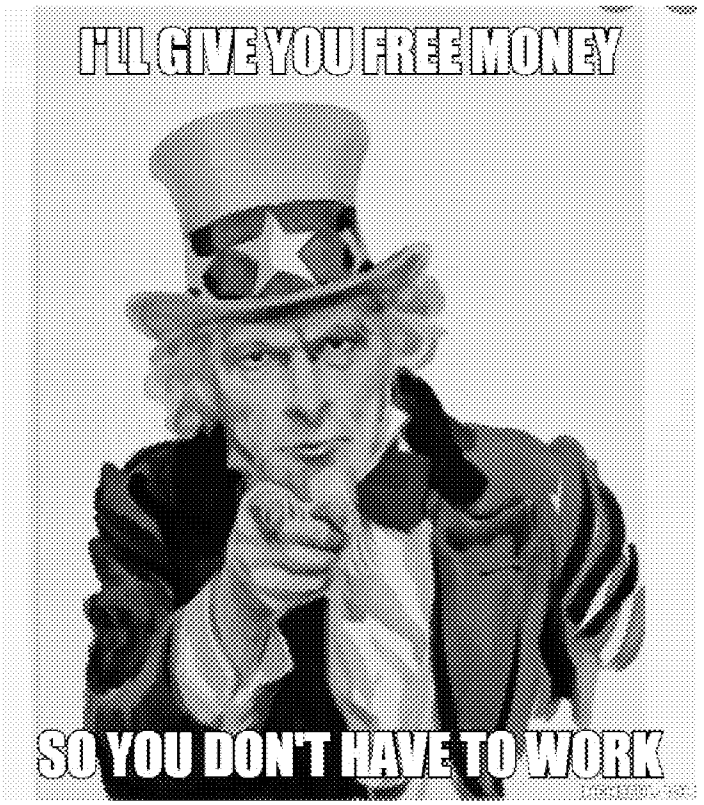
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004065

ARZN_REV00069494_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Homeland Security's Cybersecurity and Infrastructure Security Agency. County attorney Allister Adel responded at the end of June on behalf of the supervisors, saying the board shared Hobbs' concerns and would not reuse the equipment.

NOBODY WANTS TO WORK FOR TOUGH STATE AGENCIES



The pandemic was bad for employee retention in already understaffed areas, notably corrections and child safety, according to reports to the Joint Legislative Budget Committee. The Dept of Corrections set a goal last year of hiring a net 364 employees by June 2021 – it added only 18 through March 31. And between December and March, the department lost 42 employees, mostly from the Florence and Perryville prisons. Statewide, the vacancy rate is 16.6 percent, but it's as high as 37 percent at remote sites in Florence, Eyman and Winslow. Vacancies grew even as the prison system offered 25 percent stipends for hazardous duty from April 2020. The department, under Director David Shinn, has aggressively advertised for recruits, putting up an electronic billboard on I-10. Meanwhile, the Dept of Child Safety is down 127 caseworkers and hotline workers since March 2020, and reports have increased by nearly one-third in the same time frame. The department blamed federal unemployment benefits for not receiving enough new applicants to keep pace with resigning case workers. "Despite these efforts, DCS had a significant lack of resumes during the reporting period until Governor Ducey rejected the extra $300 a week in federal unemployment benefits. Employers across the state are reportedly experiencing the same challenge with a lack of candidates for open positions," the agency's report says.

TRANSLATION: DON'T EVEN THINK ABOUT RUNNING IN CD2

Juan Ciscomani, Ducey's senior advisor and the vice chair of the Arizona-Mexico Commission, is being drafted for Congress, but sources see it as an attempt to simply scare away others, speculating he already has decided to run. Campaigns to draft a person to run for public office is routine – supporters make a big splash about recruiting the individual, gain some earned media in process, and sometimes clear the field for the chosen candidate. Ciscomani's name came up as soon as Kirkpatrick announced she would retire and leave CD2 open in 2022. CD2 – or whatever the new district would be – is likely going to be a competitive seat. Indeed, both Republicans and Democrats have represented the Tucson region in Congress. Ducey is termed out in 2022, leaving the well-liked Republican in Tucson open for the next step in his political career. It's unclear who launched the draft effort, but Lea Marquez Peterson, the former CD2 candidate and now Chair of Corp Comm, tweeted her full support of the idea. "A strong conservative, family man and homegrown leader, @JuanCiscomani is who we need in Congress! Let's persuade him to run – sign up today!" she posted with a link for the page (LINK). The "Draft Juan" website includes a family photo of Ciscomani with his prominent wife Laura, a Ducey-appointee to the Commission on Appellate Court

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004066
ARZN_REV00069494_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Appointments and Membership & Events VP at the Arizona Chamber, with their six kids. The main pitch is that Dems in Congress are expected to lose the House and he can help turn that into a reality. "Republicans are five seats away from making Nancy Pelosi an ex-Speaker of the House. Juan Ciscomani is going to help make that happen by winning a seat for Congress in Southern Arizona – if we can persuade him to run!" the draft campaign reads. Also included is a glowing endorsement from prominent Tucson businessman Jim Click, who spends thousands of dollars each year on political campaigns. Click gave at least $45,000 to two PACs in order to keep the Legislature in Republican control and also at least $15,000 to defeat last year's Prop 207, which voters approved. With Click and others' financial support, and a likely endorsement from Ducey and his allies, Ciscomani can wait until new lines are drawn before officially jumping in. One Republican source told our reporter that the "Draft Juan" site is "embarrassing." "Just come out and say you're running. Don't do this draft gimmick," the source said. Ducey's campaign strategist Sara Mueller immediately came out in support (LINK), possibly signaling that she would be on any potential campaign team moving forward. Marquez Peterson was also previously rumored to run again, but her endorsement of Ciscomani likely puts to bed that speculation. Nobody notable on the Republican side has announced their bid for CD2 yet, while the Dem primary is heating up among three current lawmakers in D Hernandez, Engel and Friese. The seat from its inception in 2012 has been held by former Giffords aide Ron Barber, a Democrat; Martha McSally, a Republican, took over in 2014, and Kirkpatrick won an open seat in 2018 when McSally ran for the U.S. Senate.

WILL HAPPILY TAKE FEDS' MONEY, BUT NOT IF IT'S FOR HOBBS' IDEAS

The Joint Legislative Budget Committee will again weigh a request by Hobbs to use federal funding to fight misinformation a little more than a year after Republicans initially nixed Hobb's plea. Because of budget footnotes in FY19 and FY21, Hobbs needs to get JLBC approval for plans to use federal dollars provided by the Help America Vote Act, and last June Brnovich successfully lobbied the committee's Republicans to prevent Hobbs from using $500,000 for voter outreach and ads combatting misinformation (LINK). This year, Hobbs wants to give $100,000 to counties for a campaign to educate voters about voting procedures, rights and technology, and plans to spend up to $175,000 on statewide efforts to do the same. She's also requesting $385,000 to add four new employees, and $25,000 to set up a call center system because the Secretary of State's office has been overwhelmed with calls. JLBC chair Cobb moved the funding request from Thursday's consent agenda, signaling the panel won't give Hobbs the rubber stamp it provides most funding requests.

BREAKING NEWS: LEGISLATOR WANTS TO STAY IN LEGISLATURE

A Hernandez said Tuesday she is seeking another term in the House and asked for donations from her supporters. "It has been an honor to serve my district, and I have a lot more work to do!" she said. "So, please join me and donate today to help me get my campaign going! Thanks for all the support."

IT'S NOT AS BAD AS 2,000 CASES A DAY, BUT IT'S BAD

The 1,945 COVID-19 cases and 21 deaths reported today – which would have been the largest daily increase since March – was a result of "resolving an electronic reporting issue that lowered case numbers the past two days," according to the Dept of Health Services. "Illnesses in the last 4-7 days may not be reported yet, so it is most complete if you look back 10 days," DHS stated. The department noted yesterday that the posted case and death numbers were lower due to the reporting issue and warned that today's numbers would be higher. There have been 903,851 known cases of COVID-19 and 18,076 known deaths. As of today, 50.7% of Arizonans have received at least one vaccine shot, compared to 55.6% nationwide.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004067

ARZN_REV00069494_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·WAKE UP CALL·

Feds will keep definition of metro at 50,000-person minimum
Arizona Capitol Times
Facing criticism from small cities that feared losing status and funding, the federal government said Tuesday that it won't raise the population threshold for what qualifies as a metro area.

Ex-politician's accomplice gets 2 years in adoption scheme
Arizona Capitol Times
A woman who acknowledged helping a former Maricopa County Assessor Paul Petersen in an illegal adoption scheme involving women from the Marshall Islands was sentenced to two years in prison Tuesday.

Fann says audit, county counts don't match
Arizona Capitol Times
Senate President Karen Fann went on the radio Tuesday to say the ballot counts of the election audit she's leading and Maricopa County's are different.

Biden nominates ex-GOP Sen. Jeff Flake as ambassador to Turkey
Politico
President Joe Biden on Tuesday nominated former Sen. Jeff Flake to serve as ambassador to Turkey, extending a high-profile diplomatic post to the anti-Trump Republican.

Florence has lowest tax rate
PinalCentral.com
Even with a small increase, Florence will still have the lowest primary property tax rate of any municipality in Pinal County, the Town Council was told July 6.

Gila County economic recovery mirrors state figures
Payson Roundup
Gila County has shared in the stronger-than-expected economic recovery in recent months — but there's worrisome fine print on our economic performance.

Potato Fire discovered in Hualapai Mountains
Kingman Daily Miner
The Pine Lake Fire District is reporting that a small fire, currently well under an acre, has broken out in the Hualapai Mountains.

Arizona reports just 345 more COVID cases but cites data issue
Associated Press
Arizona on Tuesday reported 345 additional confirmed COVID-19 cases and 20 more deaths but officials said some additional cases weren't included because of a problem with electronic reporting of data.

Tucson-Phoenix passenger rail should get test run now
Arizona Daily Star (Opinion, Tim Steller)
The infrastructure bill now being considered in Congress would put $66 billion toward railroads, potentially including Tucson-Phoenix-Los Angeles service. Bipartisan mayors of 11 Arizona cities want it.

Never mind the haters, Arizona. More boom times are ahead, thanks to Ducey's bold tax cuts
Arizona Republic (Opinion, Eric Knott)
When he first ran for governor in 2014, Doug Ducey pledged to lower income tax rates as close to zero as possible. He'd made modest progress on that claim – until now. But with the recent passage of the flat tax, we can now see real progress on that score, and we also have a fuller understanding of the broad view of Ducey's approach to economics.

Fann says auditors' ballot count doesn't match county's tally? I, for one, am shocked
Arizona Republic (Opinion, Laurie Roberts)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004068
ARZN_REV00069494_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Senate President Karen Fann on Tuesday announced there's a discrepancy between the number of ballots counted by her ninja auditors and the number of ballots that Maricopa County reported were cast in the November election.

I'd bet the vaccine-skeptic you're listening to has been vaccinated

Arizona Republic (Opinion, EJ Montini)

There is one reason, and one reason only, why the Phoenix Suns Arena can be packed with fans for the NBA Finals and it's not Devin Booker or Chris Paul or Deandre Ayton.

·PRESS RELEASES·

Arizona Corporation Commission Approves APS Energy Efficiency Plan

Plan Expands COVID-19 Recovery Programs and School Offerings

The Southwest Energy Efficiency Project (SWEEP) and Arizona PIRG Education Fund praised Chairwoman Lea Marquez Peterson, Commissioner Sandra Kennedy, Commissioner Anna Tovar, and Commissioner Jim O'Connor - utility regulators at the Arizona Corporation Commission - for voting yesterday to expand programs and services to help Arizonans save energy and money on their electricity bills.

Under the expanded energy efficiency plan that regulators approved, customers of Arizona Public Service Company (APS) will gain access to incentives and services to fix broken air conditioners, replace inefficient water heaters, install smart thermostats, and otherwise cut energy waste. Regulators also extended special emergency financial relief for low-income customers and businesses and residents economically impacted by the COVID-19 pandemic. Additionally, regulators authorized two special initiatives: (1) A program to increase fresh air ventilation in schools, shelters, and nonprofits by installing advanced controls for heating, ventilation, and air conditioning units; and (2) A program to bring energy-saving services to Navajo and Hopi tribal members.

Approval of the plan was championed by major businesses, consumer, low income, and small business advocates, efficiency groups, tribal nonprofits, and the utility.

"Energy efficiency is a phenomenal return on investment. By eliminating energy waste, we can save money for everyone by avoiding the need for expensive power plants that can cost ratepayers billions of dollars," **said Ellen Zuckerman, Director of the Utility Program for the Southwest Energy Efficiency Project.** "At a time when far too many Arizonans are making painful economic decisions and falling behind on their electricity bills, it's essential that we offer them new and improved opportunities to save energy. Thankfully, yesterday's action by utility regulators does just that."

Diane E. Brown, Executive Director of the Arizona PIRG Education Fund, stated, "Whether impacted by COVID-19, extreme heat, or other circumstances, APS ratepayers need relief. The Commission's vote recognizes that energy efficiency provides an opportunity to save money on monthly electric bills for ratepayers that take advantage of program offerings as well as for other ratepayers through the avoidance of new, costly utility infrastructure."

The organizations applauded utility regulators for their vote which recognizes energy efficiency as Arizona's least expensive way to meet energy needs, while supporting local job creation, saving water, and reducing harmful air pollution.

Diane E. Brown, Executive Director
Arizona PIRG (Arizona Public Interest Research Group) Education Fund
835 W. Warner Rd., Suite 101-464 -- *Please note new address*
Gilbert, AZ 85233
(602)252-9227 (o)
(602)318-2779 (c)

###

Sen. Mark Kelly Introduces Bill to Improve Electric Grid Reliability

Today Arizona Senator Mark Kelly introduced the *Demand-Response Management Act of 2021*, legislation which would help prevent electric grids from failing during peak demand. The bill would expand the use of energy

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004069
ARZN_REV00069494_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

management initiatives known as demand response programs which enhance grid reliability, particularly during summer and winter months.

For months, Kelly has maintained a focus on strengthening and upgrading Arizona's critical infrastructure, including investing in energy and water infrastructure. Kelly is a member of the bipartisan Senate working group that is working with the White House to advance the bipartisan infrastructure framework that includes improving electrical grid resiliency and reliability. Kelly's Demand-Response Management Act of 2021 is part of a $93 billion energy infrastructure proposal, led by Senator Joe Manchin (D-WV), which will be voted on today by the Senate Committee on Energy and Natural Resources.

"During a heat wave or a cold snap, the ability to reduce strain on the electric grid can save consumers money and prevent the grid from collapsing," **said Senator Mark Kelly.** "We've seen this work in Arizona, which is ahead of other states in implementing demand-response programs to prevent brownouts or blackouts. As Arizona experiences longer and more intense summers, this legislation will help ensure more reliable electrical services for families and businesses across our state and the nation."

"SRP supports Sen. Mark Kelly's efforts to help improve the reliability of the electric grid and his legislation that would further encourage the broader adoption of utility demand response programs. SRP's demand response program benefits all of our customers and provides an important tool in meeting peak electricity demand during critical summer months in Arizona," **said Rob Taylor, Associate General Manager and Chief Public Affairs Executive at SRP.** "This helps SRP maintain electric reliability in a more sustainable way and helps offset the need for additional power infrastructure."

"Helping customers conserve energy during peak usage periods is becoming even more important to electric reliability as we transition to cleaner energy resources," **said Susan M. Gray, President and CEO of UNS Energy and subsidiaries Tucson Electric Power and UniSource Energy Services.** "We share Sen. Kelly's interest in strengthening the partnerships between utilities and our customers through demand response programs that provide cost effective incentives for conservation and support safe, reliable service for all customers."

"APS has long seen customers as an important part of our resource mix as their conservation efforts and energy use patterns play an important role both in overall reliability and moving faster to a cleaner energy future," **said Barbara Lockwood, Sr. Vice President of Public Policy for Arizona Public Service Co.** "As ENERGY STAR's Partner of the Year for energy efficiency program delivery, we applaud Sen. Kelly's work to expand the ways our industry can further collaborate with customers to manage demand for electricity in a way that delivers benefits for all who rely on our interconnected grid."

Demand response programs are proven to provide consumers with affordable and reliable energy during periods of high energy demand, preventing service interruptions and reducing stress on the electric grid. A demand response program promotes voluntary changes in individual behavioral practices when it comes to energy consumption, necessary during extreme weather events.

The Demand-Response Management Act would ensure a more reliable, affordable and resilient electric grid by:

- Directing utilities to establish demand response programs and state utility regulators to review their demand response programs for the use of rebates and discounts to consumers that incentivize the use of demand response technology, such as smart thermostats and home appliances.
- Expanding Department of Energy energy efficiency state block grants to help states promote demand response practices and technology.
- Adding demand response technologies, practices, and policies to the DOE Zero-Net Energy Commercial Buildings Initiative.
- Amending the Energy Act of 2020 to expand demand response initiatives in the Federal Energy Management Program to include natural gas demand management.

Kelly's bill is supported by the National Association of State Energy Officials, the National Electrical Manufacturers Association, and National Rural Electrical Cooperative Association. Read the text of Kelly's *Demand-Response Management Act* HERE.

###

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004070

ARZN_REV00069494_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Elected Officials and Climate Justice Advocates to Call for Bold Federal Investment in Clean Transportation at Electric School Bus Event

(Phoenix, AZ) – On Thursday, July 15, at 9:30 a.m. PT, State Senate Minority Leader Rebecca Rios and State House Minority Leader Reginald Bolding will join environmental advocates for a press conference to call for strong federal investments in clean transportation infrastructure and highlight the benefits of electric school buses. This event, which is part of a series occurring across the country as the U.S. Congress and the Biden administration consider broad infrastructure proposals, will be hosted by Mi Familia Vota and Moms Clean Air Force Arizona.

Transportation accounts for almost a third of all US emissions and the single largest source of climate-harming greenhouse gas pollution in the US. Investments in clean transportation are essential to meeting our nation's climate goals, reducing air pollution, improving public health, achieving environmental justice, and spurring the economy. Just one electric bus will save the city $115,000 over its lifetime on fuel and maintenance. Bold federal investments to tackle the climate crisis, which 71 percent of the public supports, can spur the advancement of such programs.

WHO:

- Rebecca Rios, State Senate Minority Leader, LD 27
- Reginald Bolding, State House Minority Leader, LD 27
- Ulisses Correa, Environmental Justice Organizer, Mi Familia Vota
- Columba Sainz, Field Organizer, Moms Clean Air Force Arizona Chapter
- Vianey Olivarria, State Co-Director, Chispa AZ
- Albert Burleigh, Executive Director-Electric Vehicle Sales, Blue Bird Corporation

WHEN:

Thursday, July 15

9:30 a.m. PST

WHERE:

Spaces of Opportunity

1200 W Vineyard Rd, Phoenix, AZ 85041

VISUALS: There will be an electric school bus on-site for this event. Members of the press will be given the opportunity to go on the bus after the press event concludes.

INTERVIEWS: Press is encouraged to arrive at the event at 9:25 a.m. PT. Speakers will be available for questions following the event.

###

Secretary Cardona to Join Arizona Rep. Raúl M. Grijalva for Roundtable Discussion with Students to Highlight Support for Tribal Colleges and Universities and Build Back Better Agenda

Tomorrow, U.S. Secretary of Education Miguel Cardona continues his national travel blitz visiting schools and colleges to highlight key education provisions within the President's Build Back Better agenda. During his visit to Arizona, Secretary Cardona will be joined by U.S. Rep. Raúl M. Grijalva. Together, Secretary Cardona and Rep. Grijalva will participate in a tour and a roundtable discussion with students and education leaders at Tohono O'odham Community College located in the Tohono O'odham Nation. They will discuss provisions within President Biden's Build Back Better agenda that provide students with pathways to affordable higher education, including providing two years of free community college for all students, and increased federal funding for institutions that serve as essential gateways to higher education for ever-more diverse generations of college hopefuls, including Tribal Colleges and Universities.

Note: While on the nation, masks are required at all times. Any reporter in attendance will be required to fill out a health screening and do a temperature check.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004071

ARZN_REV00069494_7-14-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Thursday, July 15, 2021

Tour of Tohono O'odham Community College

Where:
Tohono O'odham Community College
Milepost 125.5 North, AZ-86
Sells, AZ 85634

When:
9:30 – 9:50 a.m. MST (*Time is subject to change)*

Participants:
U.S. Secretary of Education Miguel Cardona
U.S. Rep. Raúl M. Grijalva

Press: Footage will be pooled by KVOA. If you are interested in receiving footage, please email press@ed.gov.

"QUOTE OF THE DAY"

"I'm not sure what you're talking about."

- Ducey, when asked about the Republic's five-part series

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Thursday, July 15, 2021 5:27:51 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 7-15-21.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet July 15, 2021

EVERYBODY'S CASH COW WILL LIVE FOREVER
An August end to the ongoing Senate audit appears further out of reach, after Fann and Petersen said today they expect to send Maricopa County more subpoenas.

COURT TO KORY: NO
Maricopa County Superior Court Judge Michael Kemp denied both of the Senate's motions to dismiss the American Oversight lawsuit over records related to the Arizona Senate's audit and to consolidate it with a lawsuit brought by The Arizona Republic.

DIFFERENT FOLKS, DIFFERENT ~~STROKES~~ CASES
In denying the motion to consolidate the two court cases, Kemp said that doing so would delay the American Oversight suit, harming public interest because "the public would have to wait for resolution of a matter with substantial importance and ...

AMERICAN OVERSIGHT

DUCEY DODGES
Ducey allowed a per diem bill to go into effect without his signature or veto this week, but when given a chance to explain why, the governor didn't provide a concrete answer.

REPUBLICANS MAKE THE RULES, REPUBLICANS WIN THE GAME
Consultants Lorna Romero and Chuck Coughlin told our reporter they both agreed that it was a supremely successful session for Ducey, but Coughlin noted it clearly wasn't for Democrats.

GUESS WHO'S ON BOWERS' 'BAD HABITS' LIST?
In an end-of-session Q&A with The Capitol Times, Bowers said Wednesday he plans to work on legislative candidate recruitment ahead of next year's election.

THE AUDIT ISN'T ON BOWERS 'LEGITIMATE DUTIES' LIST
Bowers said he has been trying to keep his distance from the Maricopa County audit the Senate is performing, and that he doesn't see any reason why the results could end up requiring a session.

BOWERS BLAMES SENATE FOR CRIMINAL JUSTICE BILLS' DEATH
Bowers said the lack of progress on criminal justice reform is his biggest regret about this year's session, which he attributed to the Senate declining to take up several bills on the topic that passed the House with strong majorities.

BOLDING: DEMS ARE HEROES
In his Q&A, Bolding said the Republican majority ignored the increasingly purple nature of the state's electorate during this year's legislative session, and there will be consequences for that at the ballot box next year.

AND REPUBLICANS ARE OGRES
Bolding said Tuesday he is "grossly disappointed with the lack of leadership and also willingness to move beyond the status quo this year" that he blamed for the failure of more far-reaching criminal justice initiatives.

HOBB'S REQUEST ISN'T EXACTLY DEAD – YET
JLBC put off a vote on whether to authorize Hobbs to spend $1.5 million in federal Help America Vote Act monies, opting instead to table the question until its next meeting.

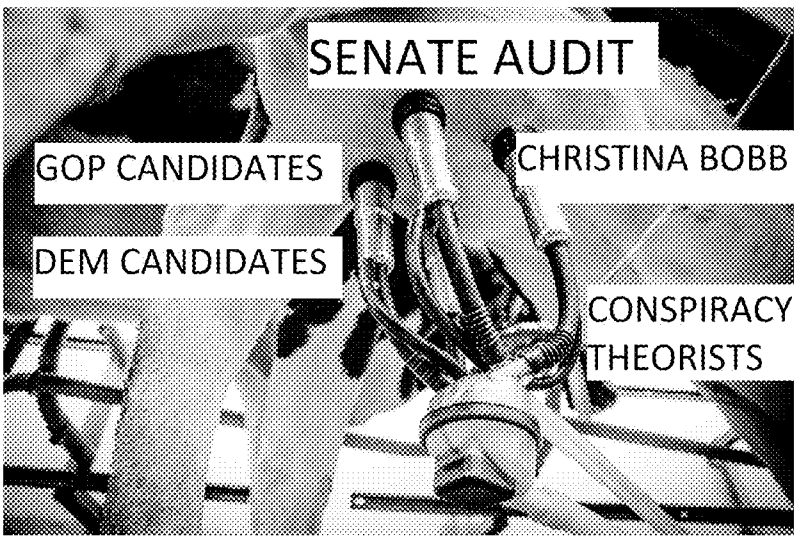
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, July 15, 2021

·NEWS NOTES AND GOSSIP·

EVERYBODY'S CASH COW WILL LIVE FOREVER



An August end to the ongoing Senate audit appears further out of reach, after Fann and Petersen said today they expect to send Maricopa County more subpoenas. Over the course of a two and a half hour meeting in a Senate hearing room, Fann, Petersen and their contractors ran over a greatest hits list of election fraud theories, covering Sharpiegate, dead voters and Dominion machines, and griped about Maricopa County's lack of enthusiastic cooperation. They were largely open to the fraud theories, particularly Sharpiegate – Fann mentioned it by name when the auditors speculated that Election Day voters received ballots that were printed offset and could result in overvotes if ink bled through. By the end, Fann and Petersen determined they would ask the county to turn over routers, voter roll databases with information about who added or removed voters and when, and records of mailed ballots. "I'm assuming we're going to have to go back to court unless Maricopa County decides to work with us," Fann said. The meeting started with Cyber Ninjas CEO Doug Logan playing a video with former San Juan County CEO and Trump booster Kim Carpenter praising the audit and sharing information about its first aid kits and plans for fire drills. "Buzzwords were often used such as integrity, accountability, chain of custody, beyond reproach, transparency. And this was the culture," Carpenter said. Unlike the last midterm update in May, Fann permitted the press, fellow senators and a few members of the public in the hearing room. The partisan tilt of the event was on full view: The first row of media seating was occupied by OAN, Gateway Pundit and a cluster of livestreamers who kept turning their cameras on the local press, and who needed reminders from Borrelli not to cheer or interject during the meeting. Several Senate Democrats, including Quezada and Steele, reserved seats in the audience but stayed away. "So for today's sham hearing for the sham audit, I, as a member of the #AZSenate and the #Judiciary Committee, was given a seat IN THE AUDIENCE so that I can't ask questions or participate in the hearing. Thanks," Quezada tweeted. Rios told our reporter Senate Democrats wouldn't legitimize today's event but will show up if there's ever a "real" hearing with an opportunity to ask questions.

COURT TO KORY: NO

Maricopa County Superior Court Judge Michael Kemp denied both of the Senate's motions to dismiss the American Oversight lawsuit over records related to the Arizona Senate's audit and to consolidate it with a lawsuit brought by *The Arizona Republic*. "All documents and communications relating to the planning and execution of the audit, all policies and procedures being used by the agents of the Senate Defendants, and all records disclosing specifically who is paying for and financing this legislative activity as well as precisely how much is being paid are subject to the PRL," Kemp wrote. Kemp didn't buy Senate attorney Kory Langhofer's argument that because the chamber didn't have *physical* custody of the contractors' records, it wasn't required to provide them under the Public Records Law. "The actual physical possession

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004075

ARZN_REV00069504_7-15-21.pdf

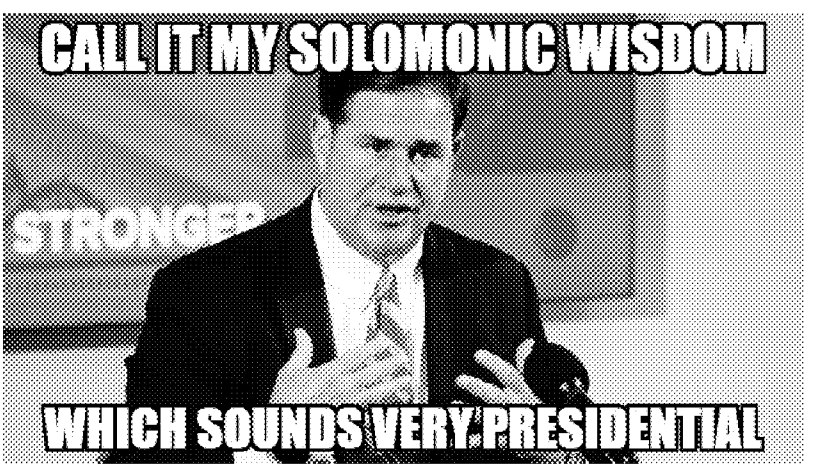
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

of those records is not relevant for purposes of the PRL," Kemp wrote, adding that nothing in the statute absolves the Senate's duties to "keep and maintain records for authorities supported by public monies" by simply going through a third-party and the vendors it hires. The Senate's argument that the issue is a political question that is not subject to judicial resolution also failed to persuade Kemp. The judge agreed with American Oversight's lawyers that reading the statute that way would be harmful to public records requests in the future, creating a chilling effect. "It would also erode any sense of transparency for conduct on the part of government officials," he wrote. Requiring Cyber Ninjas and the other vendors to release records related to the audit wouldn't have the draconian effect Langhofer warned about, either, Kemp said, as only records with a "substantial nexus" to the audit activities are public records. "It is difficult to conceive of a case with a more compelling public interest demanding public disclosure and public scrutiny," Kemp concluded.

DIFFERENT FOLKS, DIFFERENT ~~STROKES~~ CASES

In denying the motion to consolidate the two court cases, Kemp said that doing so would delay the American Oversight suit, harming public interest because "the public would have to wait for resolution of a matter with substantial importance and pressing concern." The special action filed by *The Republic* also names different defendants than the American Oversight suit, adding on the Arizona Senate Secretary and Cyber Ninjas. The addition of Cyber Ninjas, specifically, worked against the motion to consolidate. "The PNI action against CNI raises different questions of law than the American Oversight lawsuit, and naming CNI as a defendant substantially changes the legal landscape of these two actions," Kemp wrote. *The Republic* argues that Cyber Ninjas are directly subject to the public records law, while American Oversight rejected that argument. While they're both seeking records about the audit, they're going about it differently. Beyond that, Kemp noted that *The Republic* and American Oversight are two different kinds of organizations and that the newspaper is seeking more records than American Oversight.

DUCEY DODGES



Ducey allowed a *per diem* bill to go into effect without his signature or veto this week, but when given a chance to explain why, the governor didn't provide a concrete answer. He told our reporter "it was the path forward" and came after a back and forth discussion with lawmakers. He vetoed a similar bill to raise legislators' daily allowance in 2019 for two reasons – he didn't want Maricopa County lawmakers included, but also wanted it to affect future, not current, legislators. This year's version resolved one of these hindrances. It will only benefit rural lawmakers, but it will start immediately. In the interview with our reporter about his seventh session as governor, Ducey talked about how "this session will go down in history as the most successful legislative session of our administration." The main reason is Ducey's tax cut, which would benefit taxpayers, although it would disproportionately benefit the wealthiest Arizonans since they file more taxable income. He hinted that more tax cuts are on the horizon next year for his final session. "Stay tuned to what's next," he said about his 2014 promise to get the state's income tax down to "as close to zero as possible." He still wouldn't address the audit – he has consistently avoided the topic and wouldn't say if he thinks it served as a distraction during the 171-day session.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004076
ARZN_REV00069504_7-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

REPUBLICANS MAKE THE RULES, REPUBLICANS WIN THE GAME

Consultants Lorna Romero and Chuck Coughlin told our reporter they both agreed that it was a supremely successful session for Ducey, but Coughlin noted it clearly wasn't for Democrats. "I think from the Republicans' perspective, and from the governor's perspective, that's inarguable," he said. "The governor started his career wanting to nearly eliminate the personal income tax and he made more progress on that front than any other governor in the history of the state since we've had an income tax. So, I would agree from the partisan Republican perspective that they ran on that it was tremendously successful for them." For Romero, successfully modernizing the gaming compact is evidence of Ducey's success. She thinks he handled himself well through many curveballs during the session. Overall though, she told our reporter the session was still a "sh*t show."

GUESS WHO'S ON BOWERS' 'BAD HABITS' LIST?

In an end-of-session Q&A with *The Capitol Times*, Bowers said Wednesday he plans to work on legislative candidate recruitment ahead of next year's election. "We've had some stellar freshmen," he said. "We're going to be out looking for more people to serve. Mr. Nguyen, Mr. Kaiser, others, have been great coming in. Others, frankly, have picked up some bad habits. But we have some good people. Mr. Wilmeth – it's fun to have him back. Supportive, hard-working folks. Anyway, I'm grateful to have them. So, there will be some recruitment stuff that I'll be doing." He said voters next year, while weighing whether to vote for a GOP majority, should look at the bills that passed this year and consider whether the Legislature's actions have made their lives better. "When I go through the tax tables, I know what 2.7 means. It's lower than 4, and that means something to my family when in the last month, inflation was up almost a full percent and it's been up over 5% this year," he said, referring to the tax cut package the GOP majority passed. "Those things have real effects on people. We have, I think, with the hundreds of bills that passed, many of those bills directly improve some aspect of my cultural, family, individual, economic life. They help improve me, more than they did before."

THE AUDIT ISN'T ON BOWERS 'LEGITIMATE DUTIES' LIST

Bowers said he has been trying to keep his distance from the Maricopa County audit the Senate is performing, and that he doesn't see any reason why the results could end up requiring a session. "I would just rather stay away from the audit. I support the professionalism that was shown by officials in Maricopa County and in Coconino County," he said. "There's always another smoking gun out there that somebody proposes that needs our review and attention. I know some view me as a traitor, but I have just tried to stay away from the whole thing. I have to focus on what my legitimate duties are." Bowers also thanked poll workers and others who work in the electoral process. "When you compare around the world, I am very grateful to those people, and I hope that they are not offset by the accusations of fraud and abuse that they would think to not come back next time," he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004077

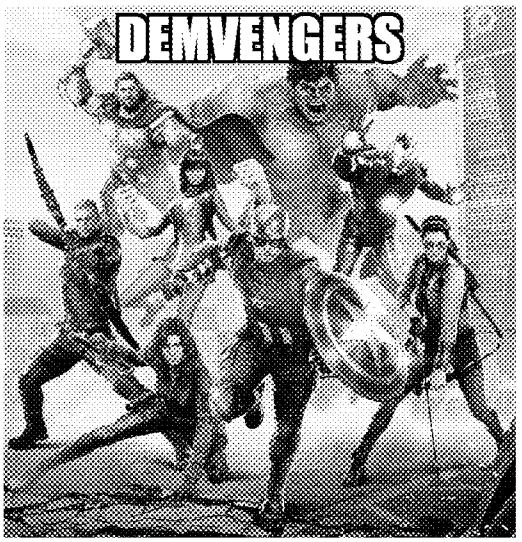
ARZN_REV00069504_7-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

BOWERS BLAMES SENATE FOR CRIMINAL JUSTICE BILLS' DEATH

Bowers said the lack of progress on criminal justice reform is his biggest regret about this year's session, which he attributed to the Senate declining to take up several bills on the topic that passed the House with strong majorities. He was happy with some of the measures that passed, such as civil asset forfeiture reform. "We're going to stay at it," he said. "Mr. Blackman is energized. Mrs. Bolick's energized. I'm energized. We're going to bring it back." That energy, he said, extends to regular people that "are not activists. They're not on the payroll of some group that wants to defund the police or whatever. But most people would like to see an equitable and fair justice system. But there's so many little parts of it that make it difficult to rationalize or justify some of the positions that we've taken over time in the name of protection."

BOLDING: DEMS ARE HEROES



In his Q&A, Bolding said the Republican majority ignored the increasingly purple nature of the state's electorate during this year's legislative session, and there will be consequences for that at the ballot box next year. "Instead of changing their message to fit the public, (voters) saw a group of lawmakers say, 'We're actually going to change the group of voters that elect us here,'" he said. "And there is a reason why the state looks diametrically different than it did in 2010 from those who are running and winning statewide offices to those who are winning legislative seats, and it ultimately deals with this state looking and seeking a new direction. And you have a group of lawmakers who said, 'No, citizens, voters, we know better than you,' and I think there will be blowback that will happen because of it." Bolding said the Democrats approached the session "willing, ready and able to work on what we thought could be a landmark change for the state of Arizona that can happen in a bipartisan way," and that while some Democratic-sponsored bills passed, the Republican majority was generally unwilling to venture into the center. "This year, the Republicans represented a tale of two stories," he said. "One in which you had Republicans understanding that the state is a lot more purple than it is blue or red, and it is incumbent upon them to support issues that have been led by Democrats historically, and … so you saw some collaboration. And in the other vein, you saw a group of Republicans trying to identify who they were as a party and as a caucus, and many times being held hostage by the Trumponian mindset that's still prevalent to this day, even with the former president being no longer in office." He also said he plans to show in the House next session despite the fact that he is running for Secretary of State. "I plan on returning to the Legislature to continue the fight with my colleagues," he said.

AND REPUBLICANS ARE OGRES

Bolding said Tuesday he is "grossly disappointed with the lack of leadership and also willingness to move beyond the *status quo* this year" that he blamed for the failure of more far-reaching criminal justice initiatives. "In every pre-session conversation that I had, that the Speaker had, that the president (of the Senate) had and the Democratic leader of the Senate had, we all gnawed around criminal justice as being at least one issue we could work together on to move the state forward," he said. "And ultimately, when the rubber met the road and pen goes to paper, we did not see the Republican caucus challenge the status quo … whether that was killing their own members' pieces of legislation or not allowing Democratic-led pieces of legislation to move forward." He said the Legislature moved in the wrong direction, in his view, on police accountability issues with several laws that Legislature passed. "This Legislature actually wrote

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004078

ARZN_REV00069504_7-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

legislation and passed legislation that further limits media's ability to ensure police accountability, citizens' ability to ensure police accountability, and ultimately lawmakers' ability to ensure police accountability, and that is an injustice to the profession, quite frankly, and for all of those people who believe that we should be at a place where we can talk about building trust between the community and law enforcement," he said.

HOBB'S REQUEST ISN'T EXACTLY DEAD - YET

JLBC put off a vote on whether to authorize Hobbs to spend $1.5 million in federal Help America Vote Act monies, opting instead to table the question until its next meeting. Both Leach and Cobb said they would have voted against the request as it stood. "I wanted to get some outlined detail on where you're actually using these budgets and not such broad strokes," Cobb said. However, she made the motion to table it for now and give Hobbs time to get the committee more information instead of killing the request outright, which passed on what sounded like a party-line voice vote. Hobbs is proposing spending the money on a mix of things, including $500,000 for voter database development costs, $385,000 for elections divisions positions, $192,000 for database operating costs and $180,000 to give to county elections departments for various purposes.

·WAKE UP CALL·

Feds will keep definition of metro at 50,000-person minimum
Arizona Capitol Times
Facing criticism from small cities that feared losing status and funding, the federal government said Tuesday that it won't raise the population threshold for what qualifies as a metro area.

Wanted — water infrastructure funding
Arizona Capitol Times (Ian Lyle, Dan Keppen)
It is going to be a tough year for many of our water users and the communities they support. We'll continue our efforts to ensure their voices are heard and that farmers, ranchers and water purveyors keep playing a vital role in supporting the basic needs of their communities.

Proposed Biden policy invokes big 'why?'
Arizona Capitol Times (Opinion, Margo Edris)
Not only is it crucial that we preserve this $108B segment of the U.S. economy, but it isn't necessary to relinquish the IP around Covid vaccines to accomplish the goal of increasing vaccine availability

House Dems launch investigation into Arizona ballot review
Politico
The House Oversight Committee is launching an investigation into the ballot review being run by the Republican-controlled state Senate in Arizona, the committee announced on Wednesday.

Destroying natural sacred places goes against our faith — and makes no financial sense
Politico (Opinion, Odi Norred, Rev. Andrew Black, Rev. Doug Bland)
As spiritual leaders — from the Baptist, Presbyterian and Disciples of Christ faith traditions — we are called to be responsible stewards of God's creation. For the three of us, it is easy to see the magnificence of God's creative handiwork close to home in the awe-inspiring Grand Canyon in Arizona, the natural beauty and incredible wildlife of the Okefenokee National Wildlife Refuge in Georgia and Florida, or the high desert landscapes and cultural treasures of Bandelier National Monument in New Mexico.

CGUHSD lifts mask requirement for upcoming school year
PinalCentral.com
The Casa Grande Union High School District, which returned to in-person learning at the end of the school year, has secured millions of dollars in funding since the pandemic began to provide for students' educational needs.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004079
ARZN_REV00069504_7-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

No face masks or covid vaccinations required for Havasu schools
Today's News Herald
Schools in Lake Havasu City are going to look a lot more normal this year.
Petition drive seeks to have voters overturn changes in Arizona election laws
Capitol Media Services
The former chairman of the Navajo County Democratic Party is spearheading an effort to get voters to overturn three changes in election laws approved this year by the Republican-controlled legislature in the wake of Joe Biden's victory over Donald Trump.
Brnovich: Don't tell Arizona how to spend relief money, even tax cuts; US Treasury lawyer says state broke the law
Capitol Media Services
Lawyers for the U.S. Treasury are asking a federal judge to throw out a bid by state Attorney General Mark Brnovich to say Congress can't tell Arizona it can't use any of its COVID relief dollars to cut taxes for business and individuals.

·PRESS RELEASES·

Sinema and Kelly Announce $18.5 Million in Infrastructure Investments for Tucson Airport

WASHINGTON – Arizona Senators Kyrsten Sinema and Mark Kelly announced $18.5 million in federal grant funding for critical investments in Tucson International Airport's infrastructure and security.

"Upgrading Tucson International Airport's infrastructure will improve safety, increase efficiency, support the Arizona Air National Guard mission, and also create jobs," said Sinema, Chair of the Senate Aviation Safety, Operations, and Innovation Subcommittee.

"Tucson International Airport is an economic hub for southern Arizona and neighbor to the 162nd Wing of the Arizona Air National. These funds will expand the airport's capacity and create jobs in southern Arizona. In the Senate, I will continue to work to secure key investments that modernize and upgrade Arizona's airports and create economic opportunities for Arizonans," said Kelly.

"I extend my gratitude to Senator Sinema and Senator Kelly for their efforts to secure funding for much-needed infrastructure improvements at the Tucson International Airport," said Tucson Mayor Regina Romero. "These funds will allow TIA to continue to serve as our gateway to the rest of the country and world, promoting tourism and strengthening the flow of business and commerce into Tucson."

The $18.5 million federal grant funding will advance the Airfield Safety Enhancement project at Tucson International Airport, the largest project in the airport's history. The project will add a second full-length runways, which will allow for more commercial flights, but will also benefit the Arizona Air Guard, which uses the airport for its mission. These funds will improve and strengthen Tucson International Airport's infrastructure and aviation safety and security.

As Chair of the Senate Aviation Safety, Operations, and Innovation Subcommittee, Sinema has been the leading voice in the Senate for bipartisan infrastructure legislation, actively advocating for Arizona investments. Sinema recently held a hearing highlighting the need to invest in aviation infrastructure to ensure America's airspace remains the safest and most reliable in the world. During the hearing, Sinema heard testimony from aviation industry leaders, including Danette Bewley, president and CEO of the Tucson Airport Authority.

###

Sinema, Kelly Announce Over $7 Million for Lake Havasu City Municipal Airport Infrastructure Investments

WASHINGTON – Arizona Senators Kyrsten Sinema and Mark Kelly announced over $7 million in a federal grant funding for critical investments in Lake Havasu City Municipal Airport's infrastructure and security.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004080
ARZN_REV00069504_7-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Today's funds will ensure a safe, efficient, and functional runway and taxiway system at Lake Havasu City Municipal Airport—investments which will fuel jobs and strengthen Arizona's leadership in aviation safety and efficiency," said Sinema, Chair of the Senate Aviation Safety, Operations, and Innovation Subcommittee.

"Lake Havasu City Municipal Airport is an economic driver for Arizonans in Mohave County. This funding will mean a safer, more modern airport for visitors and workers that will also meet the growing region's needs," said Kelly.

"Lake Havasu Municipal Airport is a large economic driver for Lake Havasu City. We applaud Senator Sinema and Senator Kelly for their support of this critical airport infrastructure," said Lake Havasu City Mayor Cal Sheehy.

The $7,145,060 grant funding allows the reconstruction of Lake Havasu City Municipal Airport's taxiway—a much needed investment to ensure the safety and functionality of the runway and taxiway system at the airport in the long term.

As Chair of the Senate Aviation Safety, Operations, and Innovation Subcommittee, Sinema has been the leading voice in the Senate for bipartisan infrastructure legislation, actively advocating for Arizona investments. Sinema recently held a hearing highlighting the need to invest in aviation infrastructure to ensure America's airspace remains the safest and most reliable in the world. During the hearing, Sinema heard testimony from aviation industry leaders, including Danette Bewley, president and CEO of the Tucson Airport Authority.

###

Rep. Grijalva Applauds Congressional Investigation into Arizona Election 'Audit'

WASHINGTON—Today, the House Oversight Committee announced a new investigation into the Arizona election 'audit' conducted by private firm Cyber Ninjas and funded by the Arizona Senate. In response, Rep. Raúl M. Grijalva issued the following statement:

"I applaud the House Oversight Committee for beginning this investigation into the shady actions concerning this so-called 'audit' and the company wholly unqualified to conduct it. Since its inception, the process has been mired in secrecy and seems more concerned with substantiating baseless conspiracy theories than adhering to any semblance of reality.

"The facts are clear, Joe Biden won Arizona's Electoral College votes, and no sham process will change that. The House Oversight Committee will confirm this 'audit' for what it is: a shameful attempt by Arizona Republicans to overturn the votes of Arizona citizens and undermine faith in our elections."

###

Rep. Grijalva Leads Members of Congress in Urging Summer Vaccination Campaign and Coordination for Farmworkers

TUCSON— Today, Rep. Raúl M. Grijalva led 35 Members of Congress in a letter to Health and Human Services Secretary Xavier Becerra and Centers for Disease Control and Prevention Director Rochelle Walensky urging them to facilitate a summer campaign to increase the vaccination rate within the rural farmworker community through a collaboration between the CDC, states, localities, and Migrant and Seasonal Head Start network. Farmworkers have historically faced numerous health disparities and were disproportionately impacted by the COVID-19 pandemic.

"Farmworker communities are the backbone of our food supply and have worked tirelessly throughout the pandemic to ensure that we have food on our grocery store shelves and on our tables," said Rep. Grijalva. "By working with MSHS, we can bring resources directly to farmworkers through an entity that has cultivated close relationship with farmworkers and their families. Through this partnership, we can ensure that all farmworkers and their families receive access to lifesaving vaccines."

"To ensure the American food chain remains safe, secure, and timely, the National Migrant and Seasonal Head Start Association stands united with the Biden/Harris Administration to make sure the farmworker community is vaccinated," said Cleo Rodriguez, Jr., Executive Director, National Migrant and Seasonal Head Start Association. "We value the important role farmworkers play in the American economy and look forward to activating the trusted relationships that exists between the Migrant and Seasonal Head Start programs and the farmworker community to elevate our vaccine efforts."

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004081
ARZN_REV00069504_7-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"Coordination between the CDC, the NMSHSA, and the network of MSHS programs is needed to direct federal, state, and local COVID-19 vaccination resources to farmworkers and their families," the members wrote. "We are requesting the direction of mobile vaccination clinics, and the establishment of onsite vaccination clinics at MSHS sites over the summer in these rural, agriculturally rich communities. This will help ensure maximum access and successful vaccination of this critical portion of the agricultural workforce.

"The NMSHSA will work with the network of individual MSHS programs and health partners to enhance outreach efforts to make these sites a success," continued the Members. "We are asking HHS to act swiftly and decisively in launching this effort with the goal of successfully reaching a 75% vaccination rate among farmworker families by September 30, 2021."

Click here to read the full letter.

###

Arizona Corporation Commission July Open Meeting Highlights

PHOENIX – The Arizona Corporation Commission met on July 13 and 14, 2021 to conduct its monthly Open Meeting. Commissioners discussed and voted on various utilities and securities items. Highlights from the meeting are below:

Arizona Public Service Company's Amended 2021 Demand Side Management Implementation Plan Approved

Commissioners approved Arizona Public Service Company's (APS) amended Demand Side Management Plan (DSM Plan). APS submitted its application for approval of its DSM Plan in December 2020 and submitted an amended DSM Plan application in April 2021. The 2021 DSM Plan will continue programs that were approved in its 2020 DSM Plan applicable across multiple customer segments. The 2021 DSM Plan also intends to continue programs intended to assist those impacted by Covid-19.

APS will be introducing a residential battery storage program as part of its 2021 DSM Plan. Customers who choose to add battery storage systems coupled with rooftop solar will receive a one-time incentive of $500/kW, with a cap of $2,500 per home that installs a residential battery storage system and enroll in a Time-Of-Use rate plan. Customers must commit to discharging their batteries during on-peak hours. Additionally, APS is offering an additional $1,250 one-time upfront incentive for customers who agree to share a portion of their battery capacity to serve the needs of the grid. To receive the benefit customers have to agree to a three-year commitment to share up to 80 percent of their storage systems capacity for a maximum of 100 events per year.

As part of its Existing Homes Program, APS offers various incentives for the replacement of old or broken HVAC units with newer and more energy efficient models as part of a whole-home approach to energy efficiency. Residential customers who have been impacted by the Covid-19 pandemic can take advantage of a Covid-19 Quality Installation incentive. This program gives qualifying customers a $1,000 credit for installation of all qualifying 14 SEER units, and $1,200 for all qualifying 15 SEER and above units. The HVAC replacement must be an emergency replacement of existing HVAC equipment that has failed or is failing; the incentive does not apply to early replacement or new HVAC equipment that is not replacing an existing unit. Customers must also self-attest that they have become unemployed because of the pandemic. This program will continue indefinitely due to an amendment from Commissioner Sandra D. Kennedy which removes a sunset on the program at the end of 2021, the program will now continue until further order of the Commission. Additionally, an amendment from Commissioner Anna Tovar expands the eligibility to take advantage of this program to those customers who meet guidelines for the company's Energy Support Programs or Energy Support with Medical Program.

An Amendment from Commissioner Jim O'Connor will establish an Advanced Rooftop Control (ARC) Pilot Program. This program will be funded at a level of $2 million dollars annually based upon an assumption of an average of $50,000 in rebates per installation. The ARC program will be limited to public, private, and charter K-12 schools and non-profit facilities which provide emergency services and house the needy and homeless. Commissioner Sandra D. Kennedy's amendment provides that APS dedicate at least 25 percent of its initial annual budget to Title I schools or schools with large populations of low-income and/or at-risk students or some combination thereof. Commissioners Kennedy and O'Connor agreed to merge their amendments. This program incentivizes the installation of energy management systems which allow large facilities to more efficiently heat and cool buildings by being able to set thermostats remotely and independently of one another.

All documents related to this agenda item can be found in the Corporation Commission's online docket at https://edocket.azcc.gov and entering docket number E-01345A-20-0151.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004082

ARZN_REV00069504_7-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Tucson Electric Power Company EV Charging Tariffs Approved

The Commission approved three applications from Tucson Electric Power Company (TEP) for new electric vehicle (EV) charging tariffs; stand-alone electric vehicle charging (DCFCX), sub metered electric vehicle charging for general service customers (Rider-19), and a stand-alone electric vehicle charging for small general service customers (Rider-20). These applications were filed and approved in response to Commission Decision No. 77289 from July 19, 2019. In that Decision, the Corporation Commission approved an Electric Vehicle Policy Implementation Plan that encourage public service corporations regulated by the Commission to propose EV pilot programs and design innovative rate structures to handle the increased adoption of electric vehicles in the state.

The DCFCX rate schedule will be available to general service customers within the TEP service territory where electricity is primarily consumed by EV charging stations that are metered separately from other facilities and allows for resale of the electricity. The DCFCX rate is a tiered structure tied to hours of use where delivered energy rates decrease as load factor increases. Monthly basic service charges under this new rate are structured as follows: small general service time of use, $29.00; medium general service time of use, $40.00; large general service time of use, $950; and large power service time of use, $2,000. The price of energy delivered will be at the following rates measured in kWh/kW: first 30, $0.150000; next 60, $0.100000; next 120, $0.062500; and any additional beyond that at, $0.031250. This rate structure encourages EV charging during super off-peak times.

The Rider-19 rate schedule is a new time of use, super-off-peak charging rate applicable for general service EV customers, with super-off-peak hours between 10 p.m. and 5 a.m. Service under Rider-19 will commence once appropriate submetering equipment has been installed. Customers are incentivized to charge their EV's during super-off-peak times by providing a discounted kWh rate for the electricity. The base power charge discount rate ($/kWh) is as follows: small general service customers, $0.00750; medium general service customers, $0.00750; and large general service customers, $0.00500. This rate schedule allows for resale of electricity.

The Rider-20 provides customers rates according to TEP's current small generation service time-of-use rate schedule and customers purchasing power under Rider-20 may resell the electricity. The purpose of this tariff is to expand rate options for DC fast-charging stations that avoid demand charges and was developed with input from EV industry stakeholders. Rider-20 will be available until June 30, 2031, after which all Rider-20 customers will have to take service under the DCFCX rate schedule, or any of TEP's other medium or large general service rate schedules.

All documents related to this agenda item can be found in the Corporation Commission's online docket at https://edocket.azcc.gov and entering docket number RU-00000A-18-0284.

Commission Approves Rate Decrease for Saddlebrooke Utility Company

Commissioners approved a rate decrease for Saddlebrooke Utility Company (Saddlebrooke). Saddlebrooke is a Class C public service company providing wastewater service to approximately 5,156 customers in Pinal County, Arizona.

Because some operational factors have changed since Saddlebrooke's last rate case in 1998 including significant growth and the federal income tax rates, the company's application that was filed August 21, 2020 resulted in a rate decrease. Residential and commercial wastewater customers will see monthly bill decrease of approximately $4.35, from $39.30 to $34.95, or 11.07 percent.

All documents related to this agenda item can be found in the Corporation Commission's online docket at https://edocket.azcc.gov and entering docket number SW-02849A-20-0262.

Commission Finds Former Securities Salesman Defrauded Investors

The Corporation Commission ordered Tarleton J. Karry and Grand Oak Enterprises, LLC of Scottsdale to pay $403,000 in restitution to investors and a $96,000 administrative penalty for fraudulently selling promissory notes.

The Corporation Commission found that Karry sold the unregistered notes to seven investors, some of whom were friends, acquaintances and one who was a former, financial services client. The Commission found Karry represented himself and his affiliated company as a middleman for a construction company that would use investor funds for real estate projects with promises of interest payments paid to investors from Karry and Grand Oak Enterprises, LLC.

However, the Commission found Karry and his affiliated company failed to disclose to investors the financial risks or provide documentation associated with the investments, and that Karry was not registered to offer or sell investments in Arizona at the time of the sale. Karry was formerly registered as a securities salesman with the Corporation Commission's Securities Division until April 2016.

All documents relating to this agenda item can be found in the Corporation Commission's online docket at https://edocket.azcc.gov and entering docket number S-21077A-19-0137.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004083

ARZN_REV00069504_7-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

###

Rep. Gallego Praises USDA Decision to Restore Roadless Rule in Tongass National Forest

WASHINGTON, DC – Congressman Ruben Gallego (D-AZ) released the following statement in response to the Department of Agriculture's announcement that they will initiate rulemaking to restore 2001 Roadless Rule protections on the Tongass National Forest:

"By restoring the Roadless Rule in Tongass National Forest, the Biden administration is taking a vital step in the protection of 9.3 million acres of beautiful wilderness and the maintenance of our Federal Trust responsibility to Indigenous communities. As the lead sponsor of the Roadless Area Conservation Act, I commend the administration for initiating this rulemaking process.

As the largest intact temperate old growth rainforest in the world, the Tongass National Forest is one of our most important tools in the fight against climate change and one of the most biodiverse areas in the United States. The protections included in the Roadless Rule will ensure that this unique resource is not disrupted by harmful roadbuilding or unnecessary destruction.

For too long, the Trump administration worked recklessly to roll back protections on many of our nation's most treasured places. This move by the Biden administration demonstrates their commitment to conservation, smart climate policy, and preserving our public lands for future generations. I look forward to continuing to work together on the Roadless Rule and other nationwide conservation initiatives."

Rep. Ruben Gallego is a Marine Corps combat veteran who served in Iraq. He serves on the House Armed Services Committee, the House Natural Resources Committee, and the House Committee on Veterans' Affairs.

###

Arizona Elected Officials and Climate Justice Advocates Say It's Time for Bold Federal Investment in Electric School Buses

(Phoenix, AZ) — Top Arizona elected officials and climate justice advocates today urged the state's elected leaders in Washington to support strong federal investments in clean transportation infrastructure. This press conference, which took place alongside one of the first electric school buses in Arizona, is part of a series of events occurring across the country as the Biden administration and U.S. Congress consider broad infrastructure proposals and investments in clean transportation. The event was hosted by Mi Familia Vota and Moms Clean Air Force Arizona.

State Senate Minority Leader Rebecca Rios and State House Minority Leader Reginald Bolding joined Mi Familia Vota Environmental Justice Organizer Ulisses Correa, Chispa AZ State Co-Director Vianey Olivarria, Moms Clean Air Force Arizona Coordinator Columba Sainz, Albert Burleigh, Executive Director-Electric Vehicle Sales for the Blue Bird Corporation, and Veronica Sanchez, Director Of Communications and Community Engagement for theCartwright School District #83. The speakers called for big, bold, and ambitious federal investments in clean transportation infrastructure needed to tackle the climate crisis, achieve true environmental justice, and accelerate the transition to clean energy.

Transportation accounts for the largest source of climate-harming carbon pollution in the US. Modernizing our transportation sector and investing in clean school and transit buses are critical to combating climate change, which makes extreme weather events like heat waves, droughts, and wildfires more frequent and intense.

"The health and health equity of our state need to be our leaders' first priority," said State Senate Minority Leader Rebecca Rios. "Zero-emission buses mean better air and better health for South Phoenix."

Speakers urged Senators Kyrsten Sinema and Mark Kelly, as well as Representative Ruben Gallego (AZ-07), to continue supporting clean energy growth and investments in the electric vehicles market in order to improve public health and create economic opportunity for all Arizonans.

"Pollution and climate change threaten Arizona's most vulnerable communities," said State House Minority Leader Reginald Bolding. "We need big and bold action on clean infrastructure for our economy and the health of our people."

Investments in clean transportation and electric buses and vehicles are essential to meeting our nation's climate goals, reducing air pollution, improving public health, achieving environmental justice, and spurring the economy. Just one

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004084
ARZN_REV00069504_7-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

electric bus will save the city $115,000 over its lifetime on fuel and maintenance. Bold federal investments to tackle the climate crisis, which 71 percent of the public supports, can spur the advancement of such programs.

"Nobody should have to move their family just to search for air their children can breathe," said Moms Clean Air Force Arizona Chapter State Coordinator Columba Sainz. "With 10% of Arizona's children suffering from asthma, clean transit is not just a matter of protecting our climate but also a matter of protecting our kids."

These are popular investments. Recent polling found that 75 percent of voters in Arizona's 1st Congressional District support investments to rebuild roads and bridges and modernize public transportation to ensure it is cleaner and able to serve more people. 57 percent of voters in the 1st Congressional District also support investments in electric vehicles and charging stations to reduce pollution and help more Americans buy clean cars.

"The extreme heat events that have ravaged our state make clear that climate change is not a distant threat but a clear and present danger," said Mi Familia Vota Environmental Justice Organizer Ulisses Correa. "Action to protect our most vulnerable citizens and communities is overdue."

For a video of the press conference, click HERE. The event begins at the 12:30 mark.

"QUOTE OF THE DAY"

"I'm assuming we're going to have to go back to court unless Maricopa County decides to work with us."

- Fann, saying the Senate will subpoena routers, voter roll databases, and records of mailed ballots

AMERICAN OVERSIGHT

Sender: Rosanna Gabaldon </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6240E9B3C76D4D3FAD5548B5312AA4EA-ROSANNA GAB>
Sent: Friday, July 16, 2021 5:30:20 PM
Recipient: Arturo Gabaldon <arturo@communitywater.com>
Subject: FW: In Today's Yellow Sheet
Attachments: 7-16-21-1.pdf

Rosanna Gabaldón
AZ State Senator
Legislative District 2
1700 W. Washington Street,
Phoenix, AZ 85007
Office 602.926.3424
rgabaldon@azleg.gov

Committees:
Transportation & Technology (Ranking Member)
Health & Human Services
Commerce

This email and any files transmitted with it are considered confidential and intended solely for the use of the individual or entity to whom they are addressed. You should not disseminate, distribute, or copy this email if you are not the named addressee. Please consider the environment before printing.

About Contact

In Today's Yellow Sheet *July 16, 2021*

DOES DECERTIFY APPLY TO ALL REPUBLICANS WHO WON IN 2020?
Yesterday's audit meeting renewed calls from Townsend and Rogers – both of whom will play a role in reviewing the final report whenever the audit actually ends – to overturn eight-month-old election results.

A SPACE ROCKET BEATS THE FASTEST CAR ON EARTH ANYTIME
Kelly once again is crushing his US Senate competition in fundraising, but most of his would-be Republican challengers have not been in the race that long. Kelly raised a whopping $6 million between April and June.

BRNO GETS SOME LOVE FROM GOP ESTABLISHMENT TYPES
Brnovich, the most well known candidate in the GOP field, came into his first quarter receiving contributions from well-known figures in Arizona.

AMERICAN OVERSIGHT

QUESTION IS: CAN BLACKMAN GET AN ASSIST FROM THE IRC?
Blackman raised a little more than $107,000 during the second quarter of this year for his bid to unseat O'Halleran in CD1.

FRIESE JUMPS TO FRONT OF FUNDRAISING LINE
So far, Friese is ahead in the fundraising race among the Democrats who hope to succeed Kirkpatrick in CD2.

HERNANDEZ TO HERNANDEZ: WE SUPPORT YOU, BRO
Prominent D Hernandez donors include fellow House members Meza, Shah and his sister A Hernandez.

STAHL-HAMILTONL: GO ENGEL!
Tucson resident Sarah B. Smallhouse contributed $2,900 each to both Engel and D Hernandez. Also, Stahl-Hamilton announced her endorsement of Engel on Friday.

CAN SOMEBODY EXPLAIN WHY MATT AND SAL AREN'T BESTIES?
Phoenix City Councilman Sal DiCiccio has been swinging at GOP gubernatorial candidate Matt Salmon, while his chief of staff, Samuel Stone, works as Kari Lake's advisor.

SERIAL BAR COMPLAINT FILER FILES FOR AG RACE
The Attorney General's race has a new Dem candidate in Robert McWhirter, who previously ran for Maricopa County Attorney placing in distant third of three aspirants.

IT LOOKS LIKE OLSON'S RE-ELECTION IS A NO-GO
It's beginning to seem clear Corporation Commissioner Justin Olson will not run for re-election.

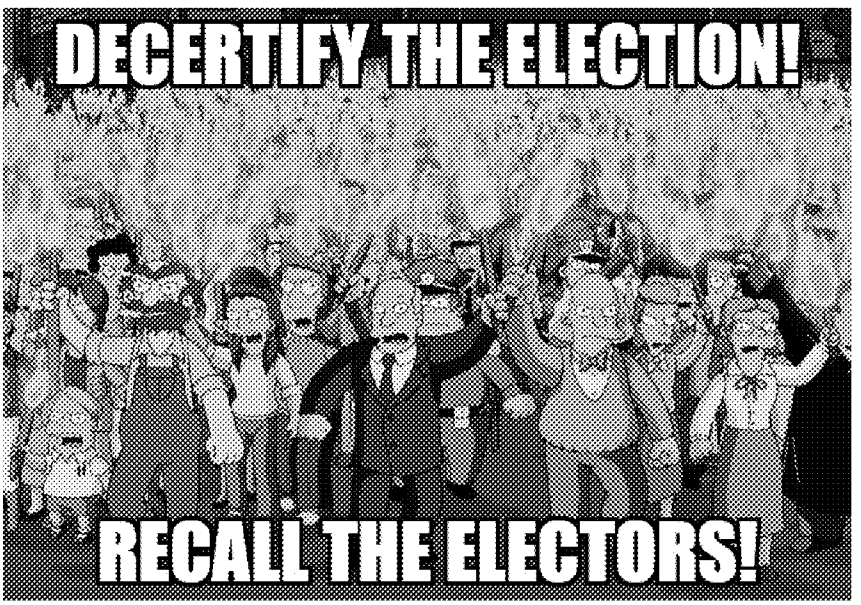
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, July 16, 2021

·NEWS NOTES AND GOSSIP·

DOES DECERTIFY APPLY TO ALL REPUBLICANS WHO WON IN 2020?



Yesterday's audit meeting renewed calls from Townsend and Rogers – both of whom will play a role in reviewing the final report whenever the audit actually ends – to overturn eight-month-old election results. Fann told reporters yesterday that Senate jud will get first crack at the report, while a policy in the state's budget deputizes Senate gov to review it and recommend legislation. Rogers, who was not at the hearing, tweeted near the end of it: "I have heard enough. With the tens of thousands of ballots mailed without being requested, the over ten thousand people who voted after registering after November 3rd, the failure of Maricopa to turn over the 40% machines, the passwords that Dominion still refuses to turn over, & tens of thousands of unauthorized queries demonstrating how insecure the election was, I call for the Biden electors to be recalled to Arizona & a new election must be conducted. Arizona's electors must not be awarded fraudulently & we need to get this right." She then switched to all-caps messages, including "DECERTIFY THE ELECTION" and "RECALL THE ELECTORS." (It's unclear if Rogers also intends to decertify her own election. But she argued previously that her first victory is completely legitimate because her district doesn't include Maricopa County and she won by a higher margin than Biden.) Townsend, likewise, told a Twitter follower it's a "possibility" that she'll seek a special session to overturn the election, though her current focus is asking Brnovich to investigate Maricopa County. Fann, who has insisted the audit has nothing to do with Trump, did not return our reporter's request for comment on Rogers and Townsend.

A SPACE ROCKET BEATS THE FASTEST CAR ON EARTH ANYTIME

Kelly once again is crushing his US Senate competition in fundraising, but most of his would-be Republican challengers have not been in the race that long. Kelly raised a whopping $6 million between April and June in the second quarter of the off-year election cycle. Kelly now holds $7.6 million in his war chest with a lot of time to go in a race where he is expected to surpass his $100 million haul last cycle. Despite those figures, Kelly only defeated McSally by roughly 3.5 percentage points, which means it will likely still be a close race next year during the midterms that historically are better for the minority party in DC. In addition, fundraising likely won't be a problem for whoever wins the GOP primary, not to mention the tens of millions of dollars in independent expenditure that will descend on Arizona next year. The Republican most likely – so far, that is – to meet him next November is Brnovich, based on electoral history and his modest, but best, fundraising haul of the field. (Blake Masters didn't launch his campaign until after Q2 and will be a prolific fundraiser due to his ties to billionaire Peter Thiel.) Brnovich raked in $438,000 in roughly three weeks. He spent about $40,000 so far and is left with just under $400,000 on

AMERICAN OVERSIGHT

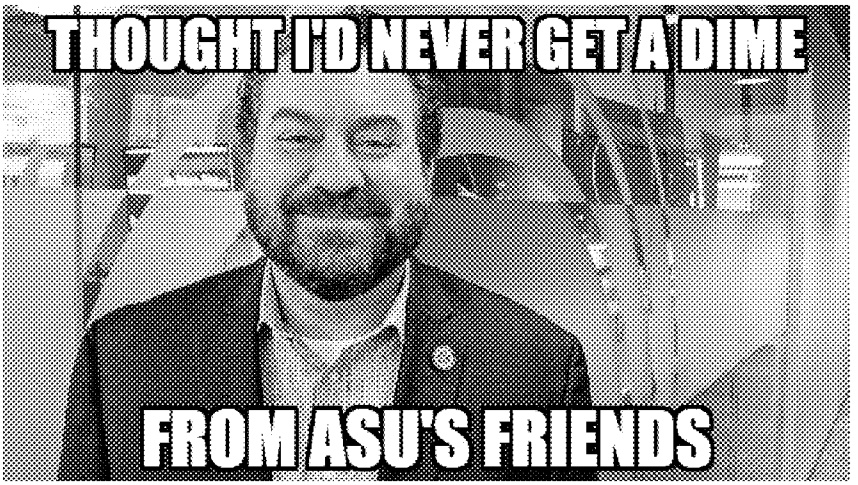
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004088

ARZN_REV00069506_7-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

hand. Brnovich has never been in a race where he needs to raise a ton of money. In two races for Attorney General, he received roughly $1.5 million total, which does not include independent expenditures. Brnovich's competition, in addition to Masters, is former head of the Dept of Emergency and Military Affairs Mick McGuire, who raised $226,000 from individual contributors and loaned himself another $200,000. He spent $25,000 so far, mostly on small tasks and is left with $401,000 in his war chest. He will eventually have to pay off that $200,000 loan though, which effectively halves his haul. Also in the race is solar executive and DEPCOM Power founder Jim Lamon, whose campaign thus far has entailed appealing to Trump. He took out very early advertising in the New York and New Jersey area, presumably to get Trump's attention. Lamon raised $2.2 million, a staggering amount for a political unknown, but he loaned himself $2 million of that. He spent $1 million so far and is left with $1 million and some change on hand. While Masters has not had to file a report yet, he will likely hit $10 million with help from his buddy and mentor, Peter Thiel, who has a close Trump connection.

BRNO GETS SOME LOVE FROM GOP ESTABLISHMENT TYPES



Brnovich, the most well known candidate in the GOP field, came into his first quarter receiving contributions from well-known figures in Arizona. Cardinals owner Michael Bidwill gave $2,900 to the current AG's campaign. He also gave Brnovich $500 for his AG race in 2018. Mountainside Fitness' former CEO Tom Hatten spent the maximum amount, $5,800; Brnovich's chief of staff Joe Kanefield threw in $2,900; GOP consultant and pollster George Khalaf gave some money. (Joanna Duka who works with Khalaf at The Resolute Group is Brnovich's campaign spokeswoman). Former lawmaker Steve Pierce also gave to Brnovich, as did Ed Robson, the homebuilder and mega GOP donor. Robson, who is married to gubernatorial candidate Karrin Taylor Robson, gave Brnovich $5,800. He also received contributions from Jason Rose, Turf Paradise owner Jerry Simms, Steve Twist, AZGOP attorney Dennis Wilenchik and Jeffrey Fleetham, director of the Registrar of Contractors. But perhaps the most eyebrow raising contribution came from Catherine Woods, a Pima County Superior Court judge. Woods was a Gov Jan Brewer appointee in 2011 and has won her retention twice in 2014 and 2018. In 2014, she failed her judicial performance review, 7-22. While judges are not banned from giving candidates money, the practice is highly uncommon and gives off a negative appearance, one source told our reporter. Members of the judiciary guard the perception of impartiality zealously. Justice Clint Bolick is the most prominent member of the judiciary who has given money to political campaigns while on the high court. Woods gave Brnovich $500 on June 30. The two have been involved in at least one court case back in 2016, where Brnovich urged Woods to throw out the case (LINK).

THE QUESTION IS: CAN BLACKMAN GET AN ASSIST FROM THE IRC?

Blackman raised a little more than $107,000 during the second quarter of this year for his bid to unseat O'Halleran in CD1. He spent nearly $44,000 and ended the filing period with about $82,000 in cash on hand. Many of Blackman's donations were small donations that came through WinRed, a Republican online grassroots funding platform. One recognizable name in his receipts report is Senate candidate Jim

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004089
ARZN_REV00069506_7-16-21-1.pdf

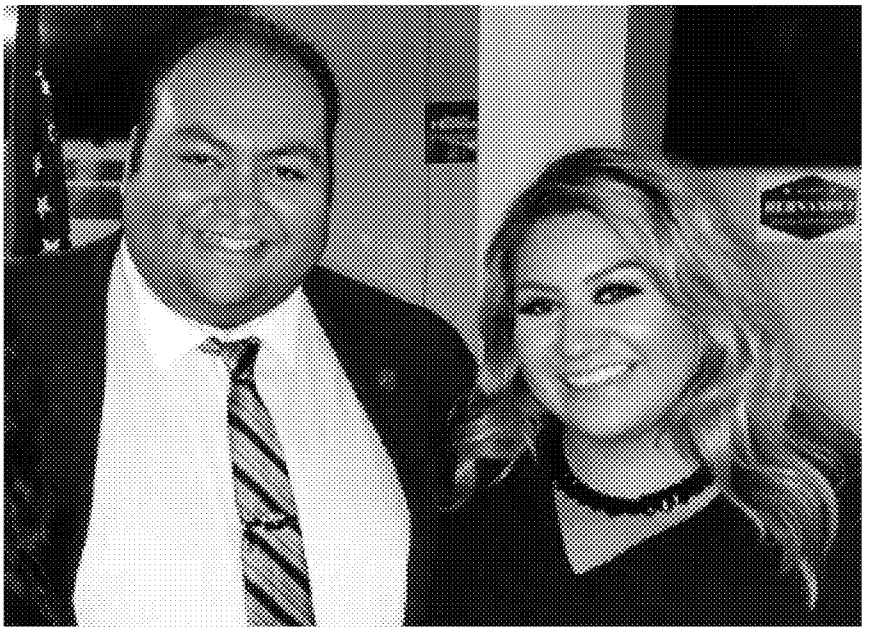
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Lamon, who has given Blackman's campaign $5,800. This puts him far ahead of his main rival for the Republican nomination, John Moore, who ended the quarter with just a little over $5,000 in cash on hand. However, both have a good deal of catching up to do to the incumbent O'Halleran, who is running for re-election and who hauled in $617,000 in cash on hand at the end of the second quarter and who received roughly $383,000 in contributions during the second quarter alone. Much of his money has come through ActBlue, the older Democratic fundraising platform WinRed was modeled after.

FRIESE JUMPS TO FRONT OF FUNDRAISING LINE

So far, Friese is ahead in the fundraising race among the Democrats who hope to succeed Kirkpatrick in CD2. As of July 15, Friese raised roughly $566,000 and ended the quarter with about $425,000 in cash on hand. D Hernandez received about $268,000 in contributions and ended the filing period with $256,000 on hand. Engel, who declared her candidacy earlier than the others and is the only one to have fundraising activity in the first quarter as well, raised $181,000 last quarter and $332,000 so far this year. As of June 30, her campaign had $233,173.55 on hand. A fourth Democratic candidate, Marcos J. Urrea, reported no fundraising activity.

HERNANDEZ TO HERNANDEZ: I SUPPORT YOU, BRO



Prominent D Hernandez donors include fellow House members Meza, Shah and his sister A Hernandez; his other sister, Consuelo Hernandez; Heather Carter, a moderate Republican former state senator from Phoenix who lost the primary to Barto in 2020; businesswoman Jan Brandt; Bradley Whitford, who is best-known for playing Josh Lyman on *The West Wing*; Sherpa Public Affairs owner Gibson McKay; DeMenna Public Affairs partner Joe DeMenna; and, Kyle Ferari, a philanthropist who supports causes related to gay and transgender rights. He also got money from campaign committees associated with A Hernandez; former state Rep. Arlando Teller, who stepped down to take a job in the Biden administration; "Chávez for AZ Senate" (Chávez, who is in the House now, has not yet filed a statement of interest to run for Senate); Sierra; Espinoza; and, a few state legislative candidates in Texas and California. Many of his contributions were earmarked through ActBlue, with some others coming through the Pro-Israel America PAC.

STAHL-HAMILTONL: GO ENGEL!

Tucson resident Sarah B. Smallhouse contributed $2,900 each to both Engel and D Hernandez. Also, Stahl-Hamilton announced her endorsement of Engel on Friday. "Kirsten is by far the most qualified candidate and she's the only woman in the race," she said in a tweet posted by Engel. "I'll just say it: working moms know how to get $#!t done, and Kirsten is one of them." "Both Friese and Engel, like D Hernandez, received many of their contributions through ActBlue. Perhaps not surprising given his profession, Friese's report shows 120 donations from physicians and 31 from surgeons.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004090
ARZN_REV00069506_7-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

SERIAL BAR COMPLAINT FILER FILES FOR AG RACE

The Attorney General's race has a new Dem candidate in Robert McWhirter, who previously ran for Maricopa County Attorney placing in distant third of three aspirants. McWhirter filed his statement of interest for AG on July 2, but does not appear to have launched a website or any social media channels yet. He joins Rodriguez and Kris Mayes in next year's primary, the winner of which will take on the victor from Republican field, which consists of Lacy Cooper, Andrew Gould and Tiffany Shedd so far. McWhirter finished behind Julie Gunnigle and Will Knight in last year's Dem primary for the MCAO, where Gunnigle won in a landslide in the first tallies only to eventually lose the general election to Allister Adel. McWhirter also once applied for a Supreme Court appointment in 2016, when he was asked a question no other candidates were asked. Then Chief Justice Scott Bales said the commission heard from many judges, who relayed that McWhirter sometimes misses court and deadlines for motions. McWhirter said he has, at times, let motion deadlines pass on purpose and that he carries a high caseload and is sometimes tardy, but he always makes amends (YS, 10/4/16). Coincidentally, McWhirter applied for the court when Ducey expanded it from five to seven justices. McWhirter, actually, was against that expansion. Ducey ultimately appointed Gould to one of those two new seats. But McWhirter, who was the Arizona Attorneys for Criminal Justice president in 2009, is most notable for filing bar complaints against notable attorneys. He filed one against former Maricopa County Attorney Andrew Thomas in 2010. Thomas was eventually disbarred. McWhirter also filed Bar complaints against Republican attorneys involved in efforts to overturn or question the 2020 election results (YS, 11/30/20). The Bar dismissed those complaints (YS, 5/4).

IT LOOKS LIKE OLSON'S RE-ELECTION IS A NO-GO

It's beginning to seem clear Corporation Commissioner Justin Olson will not run for re-election. Nick Myers, who was thrown off the ballot in 2020, is now Olson's deputy policy advisor and is running for one of two seats as a Republican. He is on a slate with Mesa Councilman Kevin Thompson. The two have been campaigning together for about one month now, according to several social media posts. Kim Owens, who also was thrown off the ballot in 2020, is running as a Republican as well. Olson has widely been rumored to run for State Treasurer, but has gone media silent this entire year, which sources speculate is because of his other job as CFO for Turning Point USA, a conservative and pro-Trump organization that has been linked to election conspiracy theories and the January 6 insurrection. The group's 501(c)(4) fundraising arm, Turning Point Action, has also been linked to some questionable groups and individuals, something the press has wanted Olson to address given his role in charge of Turning Point's finances. Commissioner Sandra Kennedy is running again on the Dem side, as is relative unknown Brent Kleinman. Tempe City Councilwoman Lauren Kuby has also been widely rumored to run.

CAN SOMEBODY EXPLAIN WHY MATT AND SAL AREN'T BESTIES?

Phoenix City Councilman Sal DiCiccio has been swinging at GOP gubernatorial candidate Matt Salmon, while his chief of staff, Samuel Stone, works as Kari Lake's advisor. State law doesn't prohibit city employees from engaging in electioneering activities, and Phoenix's electioneering policy expressly allows

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004091
ARZN_REV00069506_7-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

city workers to take an "active part in the management of political campaigns" (LINK). DiCiccio has repeatedly attacked "3 pension Matt Salmon," as he sometimes calls him, on Facebook and Twitter. Several of the posts criticized Salmon for receiving a pension from his time in Congress and being eligible for one from his recent employer, Arizona State University. (He will be eligible for a third if he is elected governor, hence the number.) "Aren't you tired of these sleazy politicians that think you are nothing but idiots," DiCiccio tweeted on July 10. "He is making fools out of all of you all. Let him come out and defend himself rather than sending volunteers to do his bidding. Seriously, no real man allows others to do his work." In another, DiCiccio accused Salmon of "pushing Chinese disinformation through our school system via the Confucius Institute," accompanied by a picture of Salmon over a red background with yellow stars, evoking the Chinese flag, with the words "Paid for by Chinese Communist Party. #HailMao." DiCiccio cited a 2018 Daily Beast article that contains a brief account of a Confucius Institute-sponsored event Salmon attended, at which he "dismissed rising concerns about China as 'McCarthyism' and said that the United States should work 'with the only other superpower and not against it,'" as the article's author put it (LINK). DiCiccio has not publicly declared his preference in the GOP gubernatorial primary (other than not Salmon), but Lake shared one of DiCiccio's Twitter threads bashing Salmon on July 10. DiCiccio did not return a call for comment, but Stone confirmed that he is a policy advisor to the Lake campaign.

SEE NO EVIL, HEAR NO EVIL

Fernandez attempted to question the Dept of Revenue about former *Republic* reporter's Craig Harris's series on the Ninth Floor's push to refund an oil company at the behest of one of Ducey's major financial backers, but Cobb shut her questions down. The Dept of Revenue attended yesterday's JLBC meeting to present an update on their progress toward fixing sales tax issues identified in a 2019 audit, and Fernandez tried to use the audit as a jumping-off point to discuss the *Republic* story, which accuses Ducey's current and former aides of using their influence to cajole DOR into acquiescing to the refund. Former tax officials had resisted the pressure, arguing it could cost the state $100 million in tax refunds. The 2019 audit mentioned conflicts of interest, which Fernandez brought up, but she couldn't get to her question. "I'm stopping you right now. Stop it right now. No. I'm not going there," Cobb said, telling Fernandez she was only allowed to talk about the review of transaction privilege tax. Fernandez tried to recover, saying this proves why it's critically important for JLBC to review agency reports. She managed to get this out - "although some may write these types of reviews as unnecessary scrutiny" – before Cobb interrupted a second time. "You are now going to have to stop. Sorry," Cobb said. She immediately ended discussion and had Gowan move the report on a voice vote.

·WAKE UP CALL·

Q&A with Gov. Doug Ducey
Arizona Capitol Times
Gov. Doug Ducey wrapped up his seventh legislative session leading the state of Arizona and reflected on what he considers the most successful session of his time serving as governor.

Q&A with House Speaker Rusty Bowers
Arizona Capitol Times
By the time you're experienced around here, you're usually unemployed, and so I understand that and … we move forward."

Q&A with House Minority Leader Reginald Bolding
Arizona Capitol Times
The Legislature actually took voter suppression and voter restriction laws to a whole 'nother level.

Ducey accomplishes '21 legislative goals
Arizona Capitol Times
The third longest legislative session in state history provided more time for Gov. Doug Ducey to

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004092
ARZN_REV00069506_7-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

accomplish all the priorities he laid out in his January State of the State speech, but most of them happened before the 100-day mark.

Passing bills means wise choices, gaining support
Arizona Capitol Times
Gov. Doug Ducey signed and vetoed more bills than ever before, and almost one-third of the Legislature went home batting .000 for passing bills.

States taking the boldest actions on child care should be national models
Politico (Opinion, Cheryl Oldham)
Arizona channeled $300 million in federal resources into return-to-work incentive programs that include $2,000 bonuses for those who return to the workforce, three months of child care assistance for people with children who return to work after collecting unemployment benefits, and housing assistance.

Health experts warn Delta strain complicates school reopening
White Mountain Independent
Time's running out to protect schools from becoming the epicenter of a fresh spike in COVID-19 cases when class resumes in August.

Tonto National Forest transitions back to Stage 1 fire restrictions
White Mountain Independent
The Tonto National Forest rescinded Stage 2 Fire Restrictions and implemented Stage 1 fire restrictions on Friday, July 16 with the onset of monsoon activity and a decrease in fire danger.

Can COVID relief funds be used for tax cuts?
Capitol Media Services
Lawyers for the U.S. Treasury are asking a federal judge to throw out a bid by state Attorney General Mark Brnovich to say Congress can't tell Arizona it can't use any of its COVID relief dollars to cut taxes for business and individuals.

Flagstaff Unified School District updates COVID strategies for 21/22 school year
Arizona Daily Sun
In response to changing guidance, Flagstaff Unified School District has updated its COVID-19 protocols for the coming school year.

State lawsuit accuses Tucson firms, manager, of defrauding homebuyers
Arizona Daily Star
Victims lost down payments and were forced from their homes when banks foreclosed for nonpayment, the Arizona Attorney General's Office said.

Governor calls Tucson school district's COVID quarantine policy unlawful
Arizona Daily Star
Gov. Ducey's office says school districts are not legally permitted to require students exposed to COVID-19 to quarantine.

Michigan responded to election concerns responsibly. Arizona created a farce
Arizona Republic (Opinion, Robert Robb)
Arizona Senate President Karen Fann says she is just responding to concerns her constituents have expressed about the 2020 election.

In the kingdom of Ducey, Arizona students have a constitutional right to spread COVID-19
Arizona Republic (Opinion, Laurie Roberts)
Here is the latest COVID-19 update from Gov. Doug "I will follow the science" Ducey.

Will Congress do Attorney General Mark Brnovich's job and probe Arizona's sham audit?
Arizona Republic (Opinion, EJ Montini)
Arizona Attorney General Mark Brnovich seems to have decided that the best use of his office is not to serve as the chief law enforcement agency in the state but as his U.S. Senate campaign launching pad.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004093
ARZN_REV00069506_7-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

·PRESS RELEASES·

Attorney General Mark Brnovich Fights for Victims in Death Penalty Cases at SCOTUS

WASHINGTON, D.C. - Attorney General Mark Brnovich announced today that his office has filed its brief in the Supreme Court of the United States (SCOTUS) in a consolidated case seeking to preserve the death sentence for Arizona inmate David Ramirez and reinstate the first degree murder conviction of Arizona inmate Barry Jones. The Attorney General's Office (AGO) consolidated the defendants' two cases in January 2021.

"Convicted killers use the court system to delay their sentences for decades, while the victims' families continue to suffer," said Attorney General Mark Brnovich. "I will continue to vigorously fight for justice for the victims, their families, and our communities."

In 1989, Ramirez brutally murdered Mary Ann Gortarez and her 15-year-old daughter, stabbing them both to death. Ramirez also admitted that he had had sex with the 15-year-old girl the night of the murders. The Arizona courts consistently denied relief to Ramirez, upholding his murder convictions and death sentences. The Ninth Circuit, however, remanded his case to the federal district court, holding that Ramirez was entitled to present new evidence supporting a claim that his attorneys erred by not presenting certain evidence at sentencing.

In 1994, Barry Jones murdered his girlfriend's 4-year-old daughter. The victim died from an infection of the abdominal organs caused by blunt force trauma inflicted the day before her death while she was in Jones' care. Jones did nothing to help the little girl, instead lying to friends who were worried about her condition that she had been examined by paramedics. After she died overnight, Jones drove his girlfriend and the victim's lifeless body to the hospital and left them there. The medical examiner opined that the 4-year-old girl had been sexually assaulted before her death.

Although the Arizona courts had consistently denied Jones' attempt to overturn his convictions, a federal district court granted habeas relief based on new expert testimony he had never presented in state court and concluded that he was entitled to a new trial. The Ninth Circuit denied the State's appeal and agreed with the district court that Jones must be retried or released from prison.

In January of this year, Attorney General Brnovich filed a petition for certiorari at SCOTUS arguing that the Ninth Circuit had violated a federal statute by basing its decisions in these two cases on evidence the inmates had never before presented to the Arizona courts and that Ramirez' death sentence should be preserved and Jones' convictions should be reinstated.
SCOTUS agreed to hear Arizona's appeal in June 2021. Attorney General Brnovich is asking SCOTUS to reverse the Ninth Circuit's decisions in these cases.

###

Governor Doug Ducey To Attend Republican Governors Association Conference

PHOENIX — Governor Doug Ducey will attend the Republican Governors Association conference next week in Colorado. The conference begins Monday, with the Governor returning to Arizona on Wednesday, July 21.

Governor Ducey is currently Chairman of the Republican Governors Association (RGA).

"I'm honored to join my fellow Republican governors who are leading the way with smart public policy on issue after issue — from securing our border to creating jobs," said Governor Ducey. "These meetings provide an opportunity to hear from colleagues from across the country, discuss the most critical issues facing our nation and share best practices for success."

Copy of AGO SCOTUS filing here.

###

Statement from Chairman Jack Sellers On Senate Audit Briefing

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004094
ARZN_REV00069506_7-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

It's clear the people hired by Arizona Senate leadership to supposedly bring integrity to our elections are instead just bringing incompetence.

At today's briefing, the Senate's uncertified contractors asked a lot of open-ended questions, portraying as suspicious what is actually normal and well known to people who work in elections. In some cases, they dropped bombshell numbers that are simply not accurate.

What we heard today represents an alternate reality that has veered out of control since the November General Election. Senate leadership should be ashamed they broadcast the half-baked theories of the "Deep Rig" crowd to the world today.

To Senate leaders I say, stop accusing us of not cooperating when we have given you everything qualified auditors would need to do this job.

Finish your audit, release the report, and be prepared to defend it in Court.

###

Governor Ducey Sends Letter To Arizona Congressional Delegation Urging Continuation Of Title 42 Protections At The Border

PHOENIX — Governor Doug Ducey is calling on Arizona's congressional delegation to urge the Biden-Harris administration not to lift Title 42 border protections. In a letter sent today, the Governor expressed Arizona's grave concern about reports the Biden administration plans to roll back Title 42 border protections imminently.

"I am writing to you today to share details of the impact this dangerous and misguided idea would have on Arizona and to request your assistance on behalf of the people of Arizona in urging the Biden administration to maintain these critical protections," the Governor wrote to Arizona's two U.S. Senators and nine U.S. Representatives.

The Governor's letter to the delegation comes after he urged Department of Homeland Security Secretary Alejandro Mayorkas and Centers for Disease Control and Prevention Director Rochelle P. Walensky on Tuesday not to lift Title 42.

"Lifting Title 42 now would prohibit the vast majority of those expulsions and result in hundreds of thousands of additional migrants entering the United States and being permitted to stay, without a plan to test or vaccinate those that may spread not just COVID-19 but also the numerous variants that are beginning to spread throughout the world and are deadlier than COVID-19 itself," Governor Ducey states in the letter. "It is clear that the Biden administration does not have a plan, the resources, the facilities, or indeed the ability to deal with the unaccompanied minors and families currently being permitted to cross."

Governor Ducey recently signed into law more than $55 million in funding for the Arizona National Guard border mission and assistance for local law enforcement with border security operations. Governor Ducey and Texas Governor Greg Abbott asked all U.S. governors to send available law enforcement resources to Arizona and Texas to assist with border security efforts. Governor Ducey and 19 fellow governors also wrote a letter calling on President Joe Biden and Vice President Kamala Harris to reverse their destructive policies that have created the crisis at the southern border.

For a signed copy of the letter, click HERE.

###

Governor Ducey Issues Declaration Of Emergency In Response To Flooding In Coconino County

Governor Doug Ducey today issued a Declaration of Emergency in response to flash flooding in Coconino County, making up to $200,000 available for response efforts.

"Severe post-wildfire flooding is creating dangerous challenges for communities in Northern Arizona," said Governor Ducey. "The flooding is causing road closures, damaging property and putting Arizonans' safety at risk. This Declaration of Emergency will give those working to protect others the tools they need to keep our communities safe. We will continue to work closely with local officials and safety personnel to protect people, pets and property throughout Arizona."

Starting July 13, rain fell onto areas of Northern Arizona that have significant burn scars from the 2019 Museum Fire. This has resulted in flash flooding that has caused road closures and damaged private property, roadways and drainage

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004095

ARZN_REV00069506_7-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

systems.
In response, the City of Flagstaff and Coconino County have activated their Joint Emergency Operations Center and have an Incident Management Team actively planning, responding and coordinating resources and support for this ongoing emergency.
On June 10, Governor Ducey announced a special session of the Arizona Legislature to ensure our state has the resources needed to combat this season's wildfires and address potentially deadly after effects like flooding. On June 18, he signed a $100 million bipartisan relief package passed by the Legislature during the special session.
View the Declaration of Emergency HERE.

###

Mark Brnovich U.S. Senate Campaign Raises Half a Million in First Month

PHOENIX, ARIZ. – The Brnovich for U.S. Senate campaign released its first fundraising report after Attorney General Mark Brnovich launched his bid to unseat Arizona's freshman Senator Mark Kelly. In just over a month, Brnovich is breaking personal fundraising records and the race is just getting started.

"Between winning the biggest election integrity case at the U.S. Supreme Court in more than a decade and leading the charge against the Biden Administration's reckless policies, Attorney General Mark Brnovich was still able to raise half a million dollars," said Joanna Duka, a spokesperson for the campaign. "Mark Brnovich, a first-generation American who is 2-0 in statewide races, is very pleased with the early support and the feedback he has received. Public enthusiasm for his campaign is growing by the day."

"While we expect Democratic Party darling Mark Kelly to outspend us, with the majority of his money coming from out-of-state, the people of Arizona are more interested in a senator who will represent their values and interests. Mark Brnovich is clearly that candidate and we will raise the resources necessary to inform Arizona of his track record of fighting for them."

To join the Brno Brigade, go to www.brnoforaz.com.

###

Gosar Introduces the No Tax on Social Security Act of 2021

WASHINGTON, D.C. – Today, Congressman Paul A. Gosar, D.D.S. (AZ-04) issued the following statement after introducing the No Tax on Social Security Act of 2021.This legislation would change current tax policies by excluding Social Security benefits from being counted as annual gross income and subject to taxation.

"The decision by Congress to tax Social Security benefits in 1983 has been a public policy disaster from the beginning. Not only has it deprived America's senior citizens of benefits which they rightfully earned after a lifetime of hard work and paying into Social Security, but its failure to account for inflation means senior citizens are subject to an annual tax hike.

It makes no sense for the federal government to punish senior citizens who saved for retirement or who continue to work. All this does is increase the scope of the federal government and deprive Americans of what they are rightfully entitled to," said Rep. Paul Gosar.

Background

In 1983, Congress amended the Internal Revenue Code to include Social Security benefits as part of an American's annual gross income for the purposes of taxation. Beneficiaries earning more than $25,000 or joint filers making more than $32,000 are subject to taxation and could see their benefits taxed up to 50%or 85%, respectively.

Congress also failed to account for inflation on the tax threshold. Originally, only 1 in 10 recipients paid taxes on benefits. Failure to account for inflation has subjected more and more Americans to taxable benefits, equating to an annual tax increase on senior citizens. The Social Security Administration now estimates that 56% of recipients pay income taxes on their benefits.

This legislation corrects mistakes made by Congress and restores full benefits to America's senior citizens by excluding Social Security benefits from annual gross income and taxation, ensuring recipients receive the totality of benefits they rightly deserve.

###

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004096
ARZN_REV00069506_7-16-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona Medical Association's Statement on Upholding Public Health Policies in K-12 Schools

July 16, 2021 (Phoenix) — The Arizona Medical Association (ArMA) and the physician members it represents stand firmly behind the implementation of public health policy based on scientific evidence. Following sound public health recommendations is the key to ensuring that our community remains healthy, especially amidst the COVID-19 pandemic.

On behalf of the Arizona medical community, ArMA advises that schools and education leaders follow federal, state, and local health authorities' guidelines on current measures to prevent and respond to COVID-19. The Centers for Disease Control and Prevention (CDC) recently issued updated guidance for COVID-19 prevention in K-12 schools and that guidance included:

Masks should be worn indoors by all individuals (age 2 and older) who are not fully vaccinated.

Schools should maintain at least 3 feet of physical distance between students within classrooms to reduce transmission risk.

Screening testing, ventilation, handwashing and respiratory etiquette, staying home when sick and getting tested, contact tracing in combination with quarantine and isolation, and cleaning and disinfection are also important layers of prevention to keep schools safe.

Current guidance from the CDC and the Arizona Department of Health Services' (ADHS) provide for a mandatory ten-day quarantine for unvaccinated students exposed to COVID-19. While this may pose certain challenges for both students and schools, ArMA supports the science and evidence-based policy behind minimizing the spread of COVID-19 and reducing the threat posed by the pandemic. Those wishing to review these guidelines can do so on the CDC's website here and ADHS' website here.

"It is in the best interest of students, parents, teachers, staff, and community members for school districts to adhere to the guidelines recommended by the CDC and ADHS," stated Miriam Anand, MD, ArMA President. "These officials are using the latest and most reliable information to make evidence-based recommendations on what is best for the health of our communities. As physicians, ArMA stands behind this guidance."

While more than half of Arizona's eligible population is now vaccinated against COVID-19, millions of residents, including children under the age of 12, remain unprotected and vulnerable. As more contagious variants of the disease, such as the Delta variant, circulate in our state, ArMA continues to encourage those who are eligible to get vaccinated against COVID-19. Vaccination is the leading public health prevention strategy to end the COVID-19 pandemic.

"QUOTE OF THE DAY"

"You are now going to have to stop. Sorry."

- Cobb, stopping Fernandez from discussing the Republic's story on Ducey's attempts to cajole the Dept of Revenue to give a tax refund to a gas company represented by a campaign contributor and political ally of the governor.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004097

ARZN_REV00069506_7-16-21-1.pdf

From: Rebecca Rios </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=152CF5B5BDE44DFE93C8C60D83AA736B-REBECCA RIO>
Sent: Tuesday, July 6, 2021 7:29:01 PM
Subject: Fw: In Today's Yellow Sheet

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Tuesday, July 6, 2021 5:33 PM
To: .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>
Subject: Fw: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet July 6, 2021

MONEY RACE STARTS
Lieberman's gubernatorial campaign started on a high note, hauling in more than $200,000 in one day and roughly $250,000 through the end of the second quarter.

SALMON SHOWS SUPPORT FROM TRADITIONAL CONSERVATIVES
Former Congressman Matt Salmon, who is one of five Republicans seeking the party's nomination, kicked off this week with a host of endorsements from state lawmakers.

BEST FRIESE FOREVER
Fernandez said Monday she is supporting Friese's bid to succeed Kirkpatrick representing CD2.

I'M SO RIGHT
Ducey chief of staff Daniel Scarpinato did a little virtual dance after Yee's office announced that the Permanent Land Endowment Trust Fund gained $1.6 billion in one year.

SIGN TODAY, ~~FIX~~ LATER NEVER
Ducey vowed to fix potential unintended consequences when he signed Chaplik's "mask freedom" bill H2770 (mask mandate; business exception) in April, but that fix never happened.

JUDICIARY, GOVERNMENT…
Rogers insists to her legions of followers that she has power over the eventual results of the Senate's audit – though the state budget includes a provision that keeps her away from it.

THEY ALL SOUND THE SAME TO ROGERS
The decision to give to Senate gov the authority to oversee the audit

AMERICAN OVERSIGHT

report surprised some railbirds, but the general consensus is that it's for Townsend.

SORRY, MARK
A Capitol railbird said last week's article saying Mark Buse is serving as Kari Lake's campaign manager is wrong.

..

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

From: Rebecca Rios </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=152cf5b5bde44dfe93c8c60d83aa736b-Rebecca Rio>
Sent: Wednesday, July 07, 2021 2:15:19 PM
To: rioped@aol.com
Subject: Fw: In Today's Yellow Sheet
Attachments: 7-6-21-1.pdf

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Wednesday, July 7, 2021 8:49 AM
To: .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>
Subject: Re: In Today's Yellow Sheet

Apologies. PDF attached now.

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Tuesday, July 6, 2021 5:33 PM
To: .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>
Subject: Fw: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet July 6, 2021

MONEY RACE STARTS
Lieberman's gubernatorial campaign started on a high note, hauling in more than $200,000 in one day and roughly $250,000 through the end of the second quarter.

SALMON SHOWS SUPPORT FROM TRADITIONAL CONSERVATIVES
Former Congressman Matt Salmon, who is one of five Republicans seeking the party's nomination, kicked off this week with a host of endorsements from state lawmakers.

BEST FRIESE FOREVER
Fernandez said Monday she is supporting Friese's bid to succeed Kirkpatrick representing CD2.

I'M SO RIGHT
Ducey chief of staff Daniel Scarpinato did a little virtual dance after Yee's office announced that the Permanent Land Endowment Trust Fund gained $1.6 billion in one year.

AMERICAN OVERSIGHT

SIGN TODAY, ~~FIX~~ LATER NEVER
Ducey vowed to fix potential unintended consequences when he signed Chaplik's "mask freedom" bill H2770 (mask mandate; business exception) in April, but that fix never happened.

JUDICIARY, GOVERNMENT…
Rogers insists to her legions of followers that she has power over the eventual results of the Senate's audit – though the state budget includes a provision that keeps her away from it.

THEY ALL SOUND THE SAME TO ROGERS
The decision to give to Senate gov the authority to oversee the audit report surprised some railbirds, but the general consensus is that it's for Townsend.

SORRY, MARK
A Capitol railbird said last week's article saying Mark Buse is serving as Kari Lake's campaign manager is wrong.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

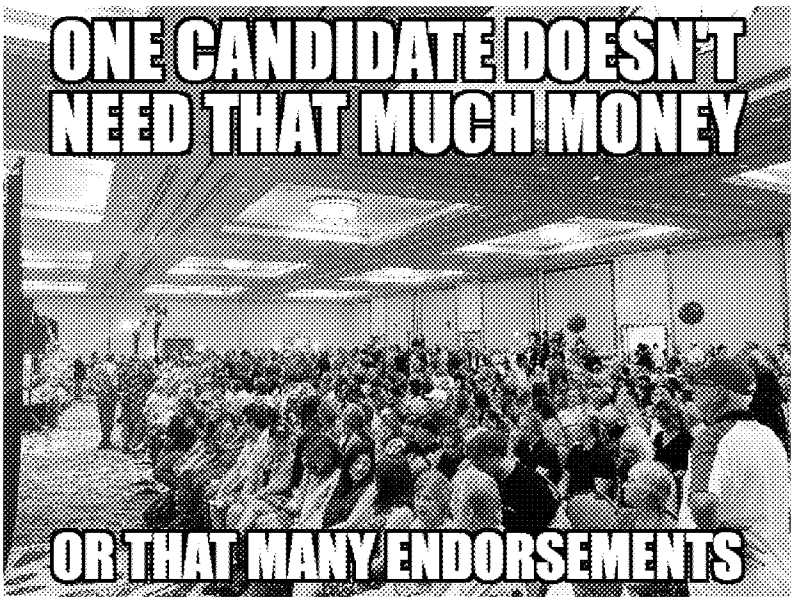
To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Tuesday, July 06, 2021

NEWS NOTES AND GOSSIP

MONEY RACE STARTS



Lieberman's gubernatorial campaign started on a high note, hauling in more than $200,000 in one day and roughly $250,000 through the end of the second quarter. Lieberman, like other statewide candidates, does not need to file reports during an off-year from the election. The money race for governor and U.S. senator are expected to be even bigger than 2018 and 2020. Hobbs' campaign already announced raising $1 million shortly after she launched her bid for governor, although she raised the bulk of the money under her secretary of state PAC. Many who contributed to her did so fully expecting she would use the money to run for governor. It's unclear how Marco Lopez is doing in that race, but campaign emails show he struggled a bit toward the end of June. No candidate on the Republican side has announced fundraising totals yet.

SALMON SHOWS SUPPORT FROM TRADITIONAL CONSERVATIVES

Former Congressman Matt Salmon, who is one of five Republicans seeking the party's nomination, kicked off this week with a host of endorsements from state lawmakers. He bragged about the support from controversial figures last week, but his latest endorsement list affirms his appeal to traditional conservatives, such as Bowers, Weninger, Nutt and Boyer. Pace, Townsend, Nguyen, Grantham and Pratt also gave Salmon their stamp of approval. Salmon joins just Yee so far in lining up legislative endorsements. Karrin Taylor Robson hasn't made any major endorsement announcements yet, Kari Lake has not received any and neither has Steve Gaynor, who just launched his bid last week. Among Dems, Lieberman received support from Pawlik, Tsosie and Espinoza so far. Nobody has endorsed Lopez, while several legislative Dems threw their weight behind Hobbs.

BEST FRIESE FOREVER

Fernandez said Monday she is supporting Friese's bid to succeed Kirkpatrick representing CD2. "As a Veteran & Physician my colleague, @DrRandyFriese, has seen first hand the inequities our veterans face," she wrote on Twitter. "As a legislator he knows exactly what we can do. He will carry this message all the way to the US Congress." D Hernandez and Engel are also running, hoping to succeed the retiring Kirkpatrick in the Democratic-leaning district. All three campaigns are reporting hefty fundraising hauls. Friese, who announced his candidacy in March, said he raised $565,000 in the second quarter of the year which ended June 30, while Hernandez, who announced his run in late May, raised $250,000 so far, the *Arizona Daily Star* reported. Engel didn't provide figures for the quarter specifically but said her campaign has raised $325,000 overall.

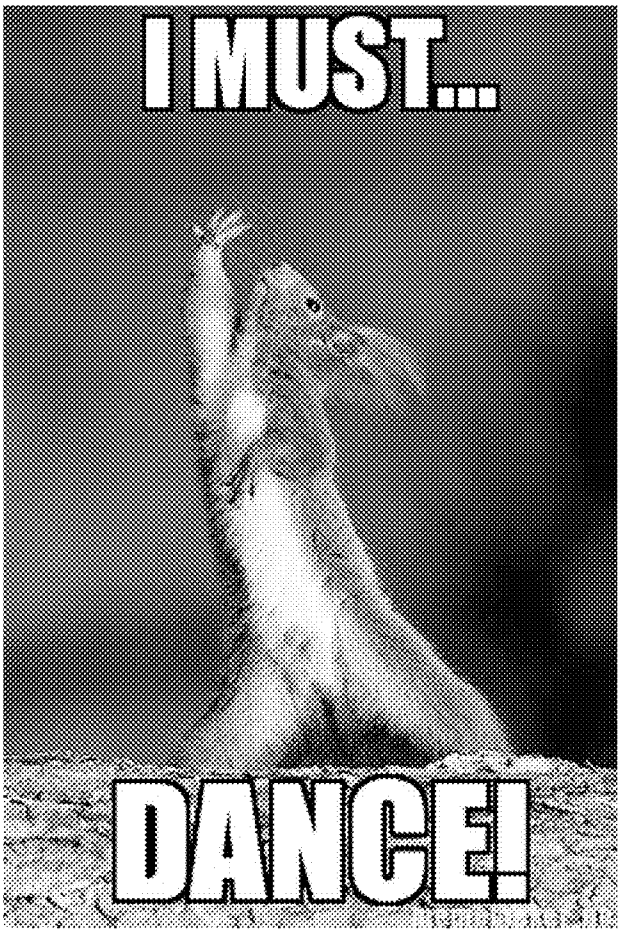
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004102

ARZN_REV00070604_7-6-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

I'M SO RIGHT



Ducey chief of staff Daniel Scarpinato did a little virtual dance after Yee's office announced that the Permanent Land Endowment Trust Fund gained $1.6 billion in one year. In fact, Yee's office said, the fund is now worth a record $7.62 billion. Of that amount, $358 million goes to K-12 education in FY21, Yee's office said (LINK). "I guess all those predictions about #Prop123 depleting the account or 'corpus' didn't hold true. Winners here were kids and taxpayers. Glad the money is going to a good use!" Scarpinato tweeted out (LINK). Technically, Scarpinato is correct. In fact, the Ninth Floor estimated at the time Ducey was pushing for Prop 123 that the trust fund would have $5.39 billion in FY21 – after increasing the distribution amounts to education. Back then, Ducey's office also estimated that, without the enhanced distribution, the fund would contain $7.58 billion in FY21. Yee's announcement means the trust fund remains healthy, even after the state took more money out of it to benefit schools. ASBA lobbyist Chris Kotterman conceded the point. Still, Kotterman pointed out, the higher or lower number in the trust fund doesn't actually affect what schools get, which is set by formula. More distribution from the fund just means less money from the general fund that's going to K-12 education – the total that goes to school remains the same. The bigger issue, Kotterman said, is that the trust fund reverts to its pre-Prop 123 distribution in 2025 in what many back then referred to as another fiscal cliff. "It's a legislative problem," Kotterman said, pointing out that, when that happens, the Legislature would need to find the revenue to pay for and maintain K-12 base level funding.

SIGN TODAY, FIX ~~LATER~~ NEVER

Ducey vowed to fix potential unintended consequences when he signed Chaplik's "mask freedom" bill H2770 (mask mandate; business exception) in April, but that fix never happened. Back then, Ducey wrote a note about how the bill language could lead to unintended consequences and promised to fix it with Chaplik later in the session. But the session wrapped up nearly one week ago without addressing masks outside of language codifying Ducey's executive orders in the BRBs. "Some rational mask requirements that are not related to the spread of COVID-19 may not be enforceable," Ducey wrote in April (LINK). "The state needs to be able to enforce long-standing workplace safety and infection control standards unrelated to COVID-19." He added that he was grateful Chaplik agreed to fix the "technical oversight in a future bill." The language surrounding masks that the Legislature gave to Ducey in the budget did not mention anything along those lines. Instead, they banned school boards and state universities from mandating masks, and also barred local governments from requiring them.

JUDICIARY, GOVERNMENT...

Rogers insists to her legions of followers that she has power over the eventual results of the Senate's audit – though the state budget includes a provision that keeps her away from it. Fann's amendment to S1819

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004103
ARZN_REV00070604_7-6-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

(budget procedures; budget reconciliation; 2021-2022) designated Senate gov as a special committee to receive and review the final audit report and recommend any legislative action. That didn't stop Rogers from arguing that she will get to act after *sine die.* After our reporter pointed out the budget language, Rogers switched to saying the special committee will "subsequently take whatever follow-on recommendations for restoring election integrity that the Judiciary Committee would direct them to pursue." Petersen, chair of Senate jud, can only call hearings with permission from Fann. He told our reporter that summer work for his committee would depend on what the audit results show.

THEY ALL SOUND THE SAME TO ROGERS

The decision to give to Senate gov the authority to oversee the audit report surprised some railbirds, but the general consensus is that it's for Townsend. She was adamantly opposed to ending the session before dealing with the audit and was prepared to vote against the budget to prevent *sine die*, but assurances that a committee she vice-chairs will oversee the audit results and can call for a special session – however unlikely one might be - appeased her. One GOP railbird also hypothesized that Ugenti-Rita asked for the duty because she needs a platform for her Secretary of State run.

SORRY, MARK

A Capitol railbird said last week's article saying Mark Buse is serving as Kari Lake's campaign manager is wrong.

WAKE UP CALL

GOP lawmakers seek limits on voter power
Arizona Capitol Times
In 2022, depending on which advocacy groups succeed in gathering enough support, voters may see questions on their ballot asking about capping medical debt, stopping secretive election spending or ending machine counting of ballots.

'Dysfunctional' board for insane phasing out
Arizona Capitol Times
Arizona will soon do away with the state board responsible for deciding the supervision and placement of those found to be guilty except insane for serious crimes, following years of concern about the board's inconsistent practices and decision-making.

Education group to challenge new state tax laws
Capitol Media Services
Arizonans may get the last word on a nearly $2 billion tax cut plan that mainly benefits the wealthy.

University of Arizona's $85M building to advance science, engineering research
Arizona Daily Star
The three-story building, 89,000-square-foot facility will house state-of-the-art equipment and technology.

State funds OK'd for possible vets home in Havasu
Today's News-Herald
With funding now secure, a planned new veterans home in Mohave County has the green light to start moving forward.

Gosar's penchant for controversy appeals to Republicans
Payson Roundup
Rep. Paul Gosar has been provoking national headlines for months — seeking to overturn the state's presidential vote, calling the rioters who occupied the Capitol building "peaceful patriots," insisting police executed one of the protesters as she climbed through a window, voting against awarding medals to officers who protected lawmakers, attacking Dr. Anthony Fauci, calling for a halt to all immigration, insisting without evidence that hundreds of thousands of fraudulent votes were cast in the Arizona election and taking a host of controversial positions.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Referendums Filed to Repeal Ducey's Flat Tax, Anti-Prop 208 Legislation
Phoenix New Times
Public-education advocates have filed referendums that seek to repeal a new income tax cut that undercuts Proposition 208, the voter-approved ballot measure that taxes wealthy Arizonans to pay for public education.

Ducey rescinds 25 COVID-19 executive orders
Arizona Mirror
Gov. Doug Ducey on Friday rescinded 25 COVID-19 related executive orders, including an executive order that required face masks in schools.

Arizona experiencing blood supply shortage
The Hill
The Arizona division of a nonprofit responsible for collecting blood donations for hospitals said it is currently experiencing a blood supply shortage, and urged people to participate in upcoming donation drives.

Sinema emerges as Senate dealmaker amid progressive angst
The Hill
Sen. Kyrsten Sinema (D-Ariz.) is leaning into her role as the Senate's newest dealmaker amid rising pressure from progressives who are increasingly irritated over the centrist's support for the filibuster.

Far-Right Extremist Finds an Ally in an Arizona Congressman
New York Times
Representative Paul Gosar's association with the white nationalist Nick Fuentes is the most vivid example of the Republican Party's growing acceptance of extremism.

Trump Is Said to Have Called Arizona Official After Election Loss
New York Times
Donald Trump tried to reach the top Republican in metropolitan Phoenix as his allies were trying to overturn the state's 2020 results, according to the official, who said he did not pick up the calls.

Proving Racist Intent: Democrats Face High New Bar in Opposing Voting Laws
New York Times
Democrats and voting rights groups say they can no longer count on the federal courts, including the Supreme Court, to serve as a backstop for preventing racially discriminatory voting restrictions.

A wake-up call for water resilience in the West
The Hill (Opinion, Maurice Hall)
As someone working on water issues in the West for more decades than I care to admit, I have found myself repeating the same mantra over and over again: When you're in a drought, it's too late to prepare.

The future looks bright to my solar business, thanks to Joe Biden
Arizona Mirror (Opinion, Joy Seitz)
As the sun beats down on Phoenix in what's shaping up to be one of the hottest summers on record, the future has never looked brighter for my solar construction company.

Seems like election tampering is A-OK in Arizona ... for Republicans
Arizona Republic (Opinion, EJ Montini)
How was it OK for Donald Trump, Rudy Giuliani and Kelli Ward to browbeat elected country officials in the midst of them performing their sworn election duties?

Biden's snub of Ducey while Arizona is burning looks petty - or worse, incompetent
Arizona Republic (Opinion, Laurie Roberts)
President Joe Biden snubbed Arizona Gov. Doug Ducey on a meeting to discuss wildfires. How very Trump of him.

Brnovich must investigate Kelli Ward and Rudy Giuliani for trying to steal the election
Arizona Republic (Opinion, Laurie Roberts)
The campaign by Trump and his allies to try to interfere with Maricopa County's election was stunning and about as subtle as a sledgehammer. Attorney General Mark Brnovich should investigate.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The most overlooked bit of good news in Arizona's education budget
Arizona Republic (Opinion, Joanna Allhands)
It was overshadowed by all the controversy, but Arizona lawmakers took a needed first step to help schools that routinely rob Peter to pay Paul for special education.
Trump allies tried to steal the election. Where is Brnovich's 'election integrity' now?
Arizona Republic (Opinion, Elvia Diaz)
If 'election integrity' matters so much to Mark Brnovich, shouldn't he call out efforts from Trump allies to steal the election in Maricopa County?
Arizona has too much bad fire and not enough good. Are we willing to accept that?
Arizona Republic (Op-ed, Stephen Pyne)
Fires in the West - and the world, for that matter, is not a problem solved with a once-and-done project. We will be burning in perpetuity.
The pandemic would be a lot worse for Arizona veterans if it wasn't for federal relief
Arizona Republic (Op-ed, Randy Friese)
Veterans fell ill from COVID-19, lost jobs and struggled as a result of the global pandemic. But the American Rescue Package eased that burden.

PRESS RELEASES

Arizona Health Experts To Call Out Legislature For Banning Masks From Schools

PHOENIX — As the highly transmissible Delta variant rises in Arizona, the GOP-led Arizona Legislature passed a budget package that bans school districts and universities from requiring face masks that can help reduce the spread of COVID-19 and protect the health of school communities. Arizona health experts will gather virtually to warn why these measures are premature as children under 12 years old are still unable to be vaccinated and more contagious variants continue to spread and mutate.

WHO:

- **Dr. Cadey Harrel,** family physician in **Tucson** and the Arizona State Lead for the Committee to Protect Health Care
- **Dr. Ricardo Correa** (Spanish-speaker), an endocrinologist in **Phoenix**
- **Dr. Elizabeth Jacobs**, Professor of Epidemiology in **Tucson**

WHAT: Press call with Zoom with Dr. Harrel, Dr. Correa, and Dr. Jacobs explaining why banning school districts and universities from requiring masks will endanger health and safety, and threaten to increase the spread of COVID-19.
WHEN: TOMORROW, Wednesday, July 7, 12:15 pm MST
WHERE: Zoom call, RSVP to Daisy Martinez at **daisy@committeetoprotect.org for link**
*****If you'd like to record the call, please indicate so we can allow in Zoom settings.*
About the Committee to Protect Health Care
The Committee to Protect Health Care, formerly known as the Committee to Protect Medicare, is a national mobilization of doctors, health care professionals, and advocates who are building a pro-patient health care majority in Congress and in states so that we can live in an America where everyone has the health care they need to thrive. To learn more: www.committeetoprotect.org

###

Phoenix Union to Offer Free Backpacks and School Supplies At Second Summer Vaccination Event

July 6, 2021

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT: The Phoenix Union High School District (PXU), the Arizona Department of Education (ADE), and the Maricopa County Department of Public Health will offer the Pfizer COVID vaccine to individuals 12 years of age and older at 15 school sites on Friday and Saturday, July 9 & 10. School-aged children who attend will receive a free backpack and school supplies while inventory lasts. A complete list of times and locations for this event can be found on page 2.

This is the second of three vaccination events this summer spearheaded by the District to support a safe start to the 2021-22 school year. The final event will take place on July 30 & 31 and will include more health services, including:

- Childhood Immunizations
- Mammograms
- Blood Pressure Screenings
- Glucose/Diabetes Screenings
- Sports Physicals
- More to be announced

WHERE: PXU is coordinating this event with partner elementary districts to provide 15 locations across the valley for families to visit. If an individual or family wants to attend but cannot get a ride, Lyft has donated access to free transportation. We ask anyone who needs transportation to and from our event to please call (602) 764-1500 to receive their voucher.

WHEN: On Friday, July 9, most sites will be open from 12:00 pm – 7:00 pm, with a limited number servicing the community from 12:00 pm – 5:00 pm. On Saturday, July 10, select locations will be open from 9:00 am – 5:00 pm. A full schedule is listed on page 2.

WHO: All individuals 12 years of age and older are welcome to come and receive a free dose of the Pfizer vaccine. We ask anyone attending for their first dose to register by clicking here or calling (602) 764-1500.

Contact: Richard Franco, Director of Marketing and Communications, (602) 764-1530.

Complete list of times and locations

Locations only open on Friday, July 9

12:00 pm – 5:00 pm
Garfield Elementary School
811 N. 13th St, Phoenix, AZ 85006
Herrera School for the Arts and Dual Language
1350 S 11th St, Phoenix, AZ 85034
Kings Ridge Preparatory Academy
3650 S 64th Ln, Phoenix, AZ 85043
Magnet Traditional School
2602 N 23rd Ave, Phoenix, AZ 85009
Wilson College Prep
3005 E Fillmore St, Phoenix, AZ 85008

Locations open on Friday, July 9, & Saturday, July 10

Friday, July 9, 12:00 pm – 7:00 pm
Saturday, July 10, 9:00 am – 5:00 pm
Academies at South Mountain
5401 S 7th St, Phoenix, AZ 85040
Alhambra High School
3839 W Camelback Rd, Phoenix, AZ 85019
Bernard Black Elementary School
6550 S 27th Ave., Phoenix, AZ 85041
Betty H. Fairfax High School
8225 S 59th Ave, Laveen, AZ 85339
Camelback High School
4612 N 28th St, Phoenix, AZ 85016
Carl Hayden Community High School
3333 W Roosevelt St, Phoenix, AZ 85009
Maryvale High School
3415 N 59th Ave, Phoenix, AZ 85033
North High School
1101 E Thomas Rd, Phoenix, AZ 85014

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004107

ARZN_REV00070604_7-6-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Osborn Middle School
1102 W Highland Ave, Phoenix, AZ 85013
Trevor G. Browne High School
7402 W Catalina Dr, Phoenix, AZ 85033

###

Congressman Biggs Sends Letter to DHS Demanding Answers on Immigration Enforcement

Today, Congressman Andy Biggs sent a letter to Department of Homeland Security Secretary Alejandro Mayorkas demanding answers for preventing Immigration and Customs Enforcement (ICE) from enforcing immigration law:
"Secretary Mayorkas's willful failure to enforce our immigration laws is an affront to the rule of law and an abdication of his oath to protect the American people," said Congressman Andy Biggs. *"The Biden administration created this border crisis. Every day, drug and human traffickers are emboldened to continue exploiting our communities. Mayorkas needs to be held accountable for his complicity in crippling our nation's security."*
You can read the full letter here and below:

###

State Rep. Aaron Lieberman Raises $250,000 in First 48 Hours of Campaign

90 Percent of Donors Are From Arizona
PHOENIX, AZ – Today State Representative Aaron Lieberman (LD 28), job creator, education leader and candidate for governor, announced that his campaign raised $250,000 in the first 48 hours since its launch on June 29.
His launch video, titled "Right Leader, Right Now," can be viewed here, as well as with captions in English and Spanish.
"Aaron's a different kind of candidate, one with a track record of creating jobs while developing innovative solutions to complex problems, and we're thrilled so many Arizonans are supporting him right out of the gate," said Miguel Medrano, campaign manager.
"Aaron is hearing from people throughout the state that they want an end to extreme partisan dysfunction and a start to real investments in education, healthcare, clean water and air, so that we can have a booming economy which helps every Arizonan succeed," added Medrano.
During his time in the private sector, Aaron founded two organizations, Jumpstart, and Acelero Learning, that have grown to impact nearly 1 million young children and their families while employing thousands of people.

"QUOTE OF THE DAY"

"I guess all those predictions about #Prop123 depleting the account or 'corpus' didn't hold true. Winners here were kids and taxpayers. Glad the money is going to a good use!"

- Gubernatorial chief of staff Daniel Scarpinato, noting the robust amount in the Permanent Land Endowment Trust Fund.

AMERICAN OVERSIGHT

From: Rebecca Rios <RRios@azleg.gov>
Sent: Friday, May 21, 2021 9:35:02 PM
To: Rebecca Rios <RRios@azleg.gov>
Subject: Fw: In Today's Yellow Sheet
Attachments: 5-21-21-1.pdf

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Friday, May 21, 2021 4:10 PM
To: .SDEMMEMS <SDEMMEMS@azleg.gov>; .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>
Subject: Fw: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet May 21, 2021

IT'S ON! OR IS IT?
House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget.

HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?
One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut.

FORMER GOVERNORS ARE JUST MORE FUN
Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the Republic this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax package.

WE'LL TRACK HER DOWN EVENTUALLY
Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut.

IT'S BEEN A BUSY YEAR FOR EVERYONE
Ducey has officially signed more bills this year than in any other year he's been in office.

KARI FOR GOVERNOR OF QTOWN?
Former Fox 10 anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month.

LEMONADES ALL AROUND
The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com

AMERICAN OVERSIGHT

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, May 21, 2021

NEWS NOTES AND GOSSIP

IT'S ON! OR IS IT?

House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget. It's unclear what the exact timeline is, and there's some chatter that the House may be alone in introducing budget bills on Monday, as the Senate also scheduled a Rules meeting, but the call doesn't include budget introduction language yet, though calendars can be modified. One Senate source heard that only BRBs, not the feed bill, will be introduced Monday. Meanwhile, multiple Republican lawmakers in the House and Senate are still threatening to withhold their votes and several told our reporter they don't expect a deal can be struck over the weekend. Negotiators tossed money at some recalcitrant lawmakers this week – Shope, for instance, got his $50 million for I-10 – but others, including Boyer and Cook, have serious issues with the tax plan that can't be resolved with some extra funding for a pet project, according to one source. Overall, the source said, Toma and the Governor's Office are truly excited about the flat tax proposal, but most other Republicans just want to cut taxes in general and aren't wedded to the flat tax plan. "If they're insisting on the flat tax, you're not going to get any Democrats and there are enough Republicans who have concerns about it," the source said. Cook, for example, told our reporter he is not on board with the budget, as the 4.5 percent marginal tax rate will effectively prevent wealthy Arizonans from paying the extra taxes they would have paid as a result of Prop 208 while having the state backfill that missing revenue from the General Fund. "We're taking everyone's tax revenue to backfill taxes owed by one group, and I'm not sure how that is appropriate when we still have the needs of the state through the capital improvement list," he said. Cook also has issues with the unemployment deal's delayed implementation and its triggers. "If the bill came up in front of me today, I'd vote no," he said. At this point, Cook said he's hopeful the Legislature will finish by the end of June. Conversely, another Republican told our reporter Hoffman claims to be leading a gang of 10 fiscal hawks that won't support the budget without major spending cuts and more money for election integrity measures. Among the cuts he's demanding, according to a document a source sent our reporter, are gifted education funding, DCS caseworker salary increases, DES salary increases, DES return to work grants, and roughly $80 million in road repair. Meanwhile, he wants $13 million over the next three years for an auditor general voter roll review, "ballot security paper," and a non-lapsing "forensic audit fund" among other election integrity proposals. A copy of his demands can be viewed in our documents section (LINK).

HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?

One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut. "There's plenty of room for this to still get tripped up, but the flat tax isn't it," the source said, pointing to a handful of lawmakers who are known for their last-minute antics and saying they're not the types to stand against tax cuts. "Who in that caucus has a real spine? … I can't think of one." Another Democrat also seemed confident the GOP would muster the votes for the budget next week, saying everyone is ready to call it a year, Democrats included. "If you're gonna destroy the state, just get it over with. Don't torture us," the source said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B,
21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004111

ARZN_REV00070629_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FORMER GOVERNORS ARE JUST MORE FUN

Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the *Republic* this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax package. Brewer, who took office during the Great Recession, reflected that Arizona had the largest per-capita state budget deficit during the recession, while just two years before then-Gov Janet Napolitano had huge budget surpluses. "History has taught me that it would be imprudent to base a large, permanent tax cut, worth $19 billion over the next decade, on a snapshot of revenue and expenditure forecasts artificially bolstered by the federal largesse," Brewer wrote. She noted that the state faces huge bills over the next few decades, including a $30 billion funding gap to maintain infrastructure, more than $1.3 billion in debt from the Great Recession and more than $2.8 billion in pension debt. Brewer said she still supports tax cuts – just not permanent cuts to the tune of $1.9 billion annually. "I am not arguing against any tax reductions. Lord knows I have cut taxes with the best of them and am proud of it," she wrote. The solution, she said, is a one-time tax rebate to return money to Arizonans, while saving more of the current surplus for future downturns. The state can always renew a rebate in future years, but it's next to impossible to raise taxes once they're permanently cut.

WE'LL TRACK HER DOWN EVENTUALLY

Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut. Robson has not returned multiple calls from our reporter – in fact, as far as we can tell, she hasn't spoken with any reporters since her seemingly rushed gubernatorial campaign launch. (Nor has Yee, it should be noted, who is Brewer's former Senator.) But Robson's close ties with Ducey, and her endorsement from Brewer – not to mention her role as a co-chair of the Republican Legislative Victory Fund – raise several interesting questions about where she stands. The announcement of Brewer's endorsement "couldn't come at a worse time" one Republican railbird said, noting it forces important questions like whether she agrees with Brewer that the flat tax is a bad idea. "Robson really knows how to tie her campaign in a knot," the source said. Another question we'd like to ask – does she agree with Brewer that the Senate should shut the audit down, and if so, what's she doing fundraising for the Senators who are dead-set on stopping the steal?

IT'S BEEN A BUSY YEAR FOR EVERYONE

Ducey has officially signed more bills this year than in any other year he's been in office. So far, the governor has signed 379 bills, breaking his own record of 374 bills in 2016. There are another four bills on his desk, and that's not even counting the set of budget bills that have yet to be introduced. Ducey last week vetoed his fifth bill of the session, A Hernandez's H2820 (dietitian nutritionists; licensure), which he decried as creating an "unnecessary and burdensome government permission slip."

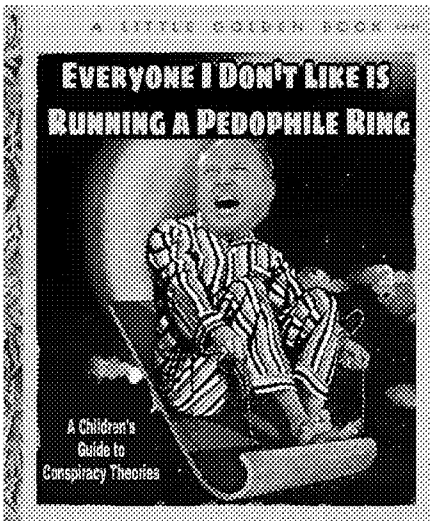
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004112

ARZN_REV00070629_5-21-21-1.pdf

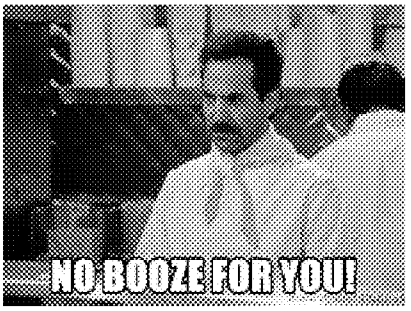
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

KARI FOR GOVERNOR OF QTOWN?



Former *Fox 10* anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month. One will happen Saturday (LINK) at Dream City Church, which Brnovich had to issue a cease-and-desist letter to after it claimed the church found a way to kill 99.9 percent of Covid so attendees of a Trump rally would not need masks (YS, 6/26/20). That event, Revival Revolution – Faith, Freedom and the Fight, hosted by We the People AZ Alliance, will feature a who's who of Stop the Steal and QAnon conspiracy theorists expected to speak. Failed treasure hunter and noted bad inventor Jovan Pulitzer will be there, as will Overstock founder Patrick Byrne, who is trying to raise nearly $3 million for the audit (YS, 4/29). Finchem and former Trump advisor George Papadopolous, who pleaded guilty for lying to the FBI during the Robert Mueller investigation into Russian election interference, will also be there, as well as Gosar, who recently called the Jan 6 insurrectionists "peaceful patriots." Bobby Piton, who is involved in some way with the audit (YS, 4/26), is on the list, as is Bryan Masche, the guy who accosted Steele in the Senate parking lot last year then accused her of "reverse bullying" him in a now-dismissed ethics complaint (YS, 5/11). Self-proclaimed Satanism expert Lyle Rapacki will be there, as will failed congressional candidates Josh Barnett and Daniel Wood and failed legislative candidate Liz Harris. Of course, no such event would be complete without Cyber Ninjas and AZGOP attorney Alex Kolodin. But one name that stood out is Wilmeth, who hasn't pushed election conspiracies and is generally viewed as a level-headed Republican. Lake won't stop there though. She is set to co-headline an event at The Duce in Downtown Phoenix with fellow far-right activist and failed candidate for Phoenix mayor Merissa Hamilton, along with Brexit leader Nigel Farage and Townsend and J Hoffman at an event being billed as "America's Comeback Tour" next Tuesday. Lake also recently was spotted cozying up to MyPillow CEO Mike Lindell, was seen at CPAC earlier this year and spoke at an event hosted by Turning Point USA and she recently took a trip to the southern border so she could declare it a crisis – all further evidence that she's trying to parlay her TV career into a political one. She has been rumored to be eyeing the Ninth Floor and someone recently bought the domain KariLake4Governor.com

LEMONADES ALL AROUND



The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa. Gallego already poked fun at the location choice, noting that Gaetz likes it since it's "only a five minute drive to the nearest high school." "Oh come on you were all thinking it!!," he followed up. One Republican source told our reporter the AZGOP has, of course, been promoting the event like crazy, which the source speculates could mean they haven't given out enough tickets to fill up the ballroom (LINK). The source, who is not a fan of Gaetz, Greene or Kelli Ward, joked about the likelihood that Biggs and Gosar will also be there, saying, "a tax cheat, a pedophile, a dentist and a grifter all enter a bar…" but of course if Biggs were to ever enter a bar, he would likely just order a lemonade.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004113
ARZN_REV00070629_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Intern who helped save Gabby Giffords' life runs for her congressional seat
Arizona Capitol Times
The intern credited for savings former congresswoman Gabrielle "Gabby" Giffords life a decade ago is now running to serve in her old congressional seat.

From tragedy comes a bill to save lives
Arizona Capitol Times
Exactly one year after 25-year-old Landon Marsh died of a fentanyl overdose, Arizona Gov. Doug Ducey signed a bill Marsh's mother drafted to prevent other young people from unknowingly ingesting the drug.

Lawmaker strives again to insure more kids
Arizona Capitol Times
When Rep. Kelli Butler found out a couple of years ago that the eligibility threshold for Arizona's child health insurance program is among the lowest in the nation, she decided to try to do something about it.

Telehealth boom spawns changes to Arizona law
Arizona Capitol Times
Telehealth wasn't new to Arizona when the pandemic began, but the past year has propelled it into the mainstream.

Bill improves treatment of pregnant prisoners
Arizona Capitol Times
Arizona lawmakers are weighing whether they should enshrine in statute rules governing access to feminine hygiene products for female prison inmates and regulating the treatment of pregnant prisoners.

Races for 2022 statewide offices taking shape
Arizona Capitol Times
Arizona is sitting somewhere between keeping the 2020 election alive and preparing for the 2022 election, where all statewide executive offices will be on the ballot as well as a U.S. Senate seat.

Stephen Richer prefers boring, takes on Trump
Arizona Capitol Times
There's a lot of unintentional irony surrounding Maricopa County Recorder Stephen Richer.

Lawmakers reject penalties for Ariz. businesses that refuse unvaccinated patrons
Capitol Media Services
Arizona won't be shutting down businesses that refuse to serve people who are not vaccinated against COVID-19.

Top election official: County can no longer use equipment compromised by Ariz. audit
Capitol Media Services
Secretary of State Katie Hobbs says Maricopa County can no longer use the election equipment that the Senate subpoenaed and turned over to Cyber Ninjas. The replacement cost will be substantial.

Arizona brick-and-mortars see greater economic activity
Capitol Media Services
The increasing comfort of Arizonans to get out and about is having a definite effect on the state economy.

Shope: Interstate 10 expansion funding back in latest budget proposal
Pinal Central
After an initial omission, the latest state budget proposal now includes $50 million slated for planning to expand Interstate 10 between Chandler and Casa Grande.

AP Fires Former Arizona Republic Intern After Right-Wing Complaints
Phoenix New Times
The Associated Press' Phoenix bureau fired former Arizona Republic writer Emily Wilder this week following negative articles about her political activities in conservative media.

Unemployment aid up, taxes down in budget deal. But can it win GOP support?
Arizona Mirror

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004114
ARZN_REV00070629_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Unemployment benefits will go up while tax rates will go down, especially for the wealthiest Arizonans, under the budget deal forged by Gov. Doug Ducey and legislative Republican leaders.

Trump slams 'weak' Republicans who don't want to talk about Arizona audit
The Hill
Former President Trump on Thursday slammed "weak" Republicans who don't want to talk about the audit of the 2020 election results in Maricopa County, Ariz.

ACC Chair Lea Márquez Peterson: Modified clean energy rules back on the agenda
Arizona Daily Star (Opinion, Lea Marquez Peterson)
"I was concerned about the impact on individual ratepayers and the fact that the data had not been provided to the Arizona Corporation Commission," writes Tucson native Chairwoman Lea Márquez Peterson.

'Nothing to hide? Then why slam Arizona's election audit, Eddie?'
Arizona Republic (Opinion, EJ Montini)
It's an often repeated question with a simple answer that the questioners simply do not want to hear.

If it was his money, would Gov. Doug Ducey propose such an unfair Back to Work program?
Arizona Republic (Opinion, Robert Robb)
The business community loved Gov. Doug Ducey's Back to Work program, but everything about its bonuses and incentives is questionable or wrong.

Lake Mead could be in a Tier 2 shortage by 2023. What's that mean for Arizona?
Arizona Republic (Opinion, Joanna Allhands)
The latest forecast suggests for the first time that Lake Mead could fall into a Tier 2 shortage by 2023, thrusting even deeper water cuts on Arizona.

A Mexican immigrant and an Asian American have a real shot of being elected Arizona governor
Arizona Republic (Opinion, Elvia Diaz)
Marco Lopez and Kimberly Yee began their bids for Arizona governor by showing how vastly different they are in style, substance and ideology.

Still waiting to get vaccinated? We won't shame you. But please hear this good news
Arizona Republic (Opinion, Editorial Board)
If you haven't been vaccinated for COVID-19 – or you have and know those who haven't – these words are for you.

COVID-19 hit Indian County hard, thanks to a lack of infrastructure. We can fix this
Arizona Republic (Op-ed, Stephen Roe Lewis)
Indian Country lacked the infrastructure required to contain and combat COVID-19. The American Jobs Plan will help make those investments.

PRESS RELEASES

Statement from Chairman Jack Sellers: Senate Should Preserve Evidence

It is clear the Arizona Senate and its contractors do not intend to retract false allegations defaming the County and its employees. For that reason, Maricopa County is formally requesting Senate President Fann, Senator Petersen, Senate liaison Ken Bennett, and contractors involved in the "audit" preserve documents and evidence as they may be subject to future legal claims.
READ THE LETTER TO SENATOR FANN >
It is unfortunate we have reached this point, especially considering the "audit" was never authorized by a full Senate vote. Instead, two Senators out of a total of 30 used subpoenas to obtain private ballots, voter information, and taxpayer-funded tabulation machines, then turned all that material over to biased, out-of-state groups with little to no

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

election auditing experience. The conclusions already drawn by these contractors and shared prior to the completion of the audit clearly intend to disparage the County and call into question the integrity of the 2020 elections.
Earlier this week, the Maricopa County Board of Supervisors, Recorder, and other county elected leaders sent a 13-page letter to the Arizona Senate President providing answers to what she characterized as "three serious issues" her contractors allegedly uncovered about our vote tabulation machines and election processes. As the letter states, their "issues" demonstrate a lack of understanding of Arizona election law and best practices for running elections.
The most serious claim is that Elections officials deleted a database folder before providing it to the Cyber Ninjas. This is not true. We demanded a retraction. But Senate President Fann's letter and tweet from the official Senate audit Twitter account continues to spread the false allegation even after her own contractor admitted he found the files on the copy he made of the server.
The claim that our employees deleted election files and destroyed evidence is outrageous and baseless. I again demand an immediate retraction of any public statements made to the news media and or posted to Twitter. Since this seems unlikely to happen, I will repeat what I said at the press conference on Monday: finish your report and be prepared to defend it and your actions related to this "audit" in court.

Governor Ducey Signs Bill Allowing To-Go Cocktails

PHOENIX — Governor Doug Ducey today signed legislation allowing bars, liquor stores and restaurants to sell cocktails to-go, expanding opportunities for businesses across the state.
“Businesses owners have shown that offering to-go beverages can be done responsibly and safely,” said Governor Ducey. “House Bill 2773 will make sure restaurants and bars have the opportunity to expand operations and meet the needs of their customers, especially after weathering the effects of the pandemic. My thanks to Representative Jeff Weninger for sponsoring legislation that will help so many businesses.”
Governor Ducey in March 2020 issued an Executive Order restricting enforcement of regulations that prohibit sale and delivery of alcoholic beverages with the purchase of food to help mitigate financial consequences of the pandemic-related pause on certain business operations. House Bill 2773 permanently allows Arizona businesses the opportunity to offer to-go cocktails beyond the pandemic.
“Many businesses were hard hit by the pandemic, but smart policies like permitting to-go beverages helped keep many afloat,” said Representative Weninger. “House Bill 2773 will help bars, liquor stores and restaurants grow, and it will attract new businesses to our state. This is a major win for Arizona’s food and beverage industry, and I thank Governor Ducey for signing this legislation.”
Governor Ducey’s signing of the legislation is being enthusiastically received by industry representatives and business owners.
“To-go beverages will be a game-changer for our business and our customers will love it,” said Grant Krueger, owner of Union Hospitality Group in Tucson. “The signing of House Bill 2773 will help us reach more patrons and expand and modernize operations. This legislation will help business across the state, and I thank Governor Ducey for his continued support.”
“After seeing how successful to-go cocktails were last year, I am happy to see Governor Ducey sign House Bill 2773,” said Lee Miller, Owner of JR’s Bar in Sierra Vista. “This bill will allow us to provide additional options to our customers and give businesses like mine new ways to earn additional revenue, which is sorely needed after last year.”
“Restaurants, bars and liquor stores throughout the state will have the opportunity to drastically expand their operations thanks to the signing of House Bill 2773,” said Steve Chucri, President and CEO of the Arizona Restaurant Association. “To-go cocktails will help businesses bring in revenue and attract new customers, and it will draw new restaurants and bars to our state. My thanks to Representative Weninger for sponsoring the legislation, and to Governor Ducey for signing it.”

Arizona Announces Grant Awards to Improve Literacy for Underserved Children

PHOENIX – The Arizona Department of Education (ADE) has selected 23 subgrantees for the $20 million federal Comprehensive Literacy State Development Grant (CLSD) to improve reading skills for students most in need of additional supports. The subgrantees serve more than 13,000 children across eight Arizona counties and will receive funding to implement evidence-based strategies that drive higher language and literacy achievement for underserved children from birth through high school.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004116
ARZN_REV00070629_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The U.S. Department of Education awarded Arizona the CLSD grant in September 2020. The grant spans five years at $4 million per year.
Arizona's CLSD grant project — developed through the collaboration of ADE, Read On Arizona, and First Things First — targets children living in poverty, English learners, children with disabilities, Native American students, and those reading well below grade level, reflecting the federal grant program's emphasis on supporting underserved children.
The 23 subgrantees serve schools and early learning programs at 40 sites and will help advance literacy outcomes by: expanding professional development in the science of reading for more than 750 early care and PreK-12 educators; high-quality language and literacy strategies to support struggling readers; the purchase of evidence-based curricular and reading intervention materials; the hiring of literacy coaches to build teacher capacity; and strengthening community collaborations that drive higher language and literacy achievement for children from birth through high school.
"I am thrilled to see this investment come to life in Arizona's schools. This critical funding will bring needed resources to Arizona's students, teachers and schools," said Superintendent of Public Instruction Kathy Hoffman. "It's more important than ever that we support all learners, particularly those who are struggling with their literacy skills."
"Children develop foundational language and pre-literacy skills well before kindergarten," said Marilee Dal Pra, CEO of First Things First. "It is exciting to see the CLSD grants building on local collaborations to ensure that early educators get the training they need to engage young minds and foster language development and a love of reading in our youngest learners."
"Read On Arizona is excited to see such strong evidence-based solutions toward improving early literacy reflected in the 23 awardees," said Terri Clark, Arizona Literacy Director. "Awardees range from the Yuma Elementary school district who will use a literacy coaching model to support their K-3 teachers in the science of reading to Make Way for Books in Pima County who will work with early learning sites to strengthen language and literacy development for our youngest learners."
The full list of selected programs and schools can be found here: https://www.azed.gov/standards-practices/clsd

A Tale of Two States: Nevada Democrats Boost Education Funding While Arizona Republicans Make Cuts

Neighboring states' divergence underscores difference between the parties' priorities

WASHINGTON — Under Democratic leadership, the Nevada Legislature approved a $500 million increase in education funding over the next two years, a move that exemplifies Democrats' support for public education.
The legislation stands in stark contrast to the agenda advanced by Republicans in neighboring Arizona, who struck a budget deal that would introduce a regressive income tax structure and drastically reduce taxes on the rich — undermining a voter-approved initiative that would have raised nearly $1 billion for Arizona schools through higher taxes on the wealthy.
"Arizona and Nevada may be neighbors, but the policies they've adopted could not be more different," said Democratic Legislative Campaign Committee executive director Heather Williams. "Republicans are trying to rebrand as a 'workers' party,' but they will always prioritize cutting taxes for the wealthy over funding public services. Nevada Democrats are focused on the kitchen table issues that matter to voters, whereas the Arizona GOP is still beholden to the elites. The difference between the parties couldn't be clearer."
Republicans' move to undermine the Arizona school funding scheme comes as GOP leaders across the country try to curtail voter-approved initiatives. Arizonans clearly voted to raise taxes on the wealthy to fund schools, and the budget deal jeopardizes the security of this funding stream. Instead of respecting the will of voters, Republicans are increasingly rejecting it entirely.
The school funding bill shows Nevada Democrats' focus on tackling the challenges their constituents face in this year's legislative session. Arizona's Republican leaders, in contrast, have prioritized divisive legislation that would suppress votes, restrict reproductive freedom, and pursued a bizarre, conspiracy-laden "audit" of last November's election results.

Release: Maricopa 'Audit' Becomes Central Issue in GOP Senate Primary

PHOENIX – For weeks, the Maricopa County 'audit' has cast a long shadow over the expensive and escalating GOP Senate primary. But today, the stakes have grown as Representatives Matt Gaetz and Marjorie Taylor Greene arrive in

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Mesa, Arizona to host a rally where they will no doubt continue to perpetuate dangerous and wildly inaccurate lies, turning this absurd and controversial 'audit' into a key litmus test in the race.
To review: Potential candidate Rep Andy Biggs recently joined Gaetz and Taylor Greene signing onto a lie-ridden letter supporting the 'audit.' Jim Lamon has also openly embraced it. Yet another potential candidate, Mark Brnovich, has refused to give a clear statement on the issue, something President Trump seemed to notice and call out.
With Gaetz and Taylor Greene coming to Arizona to support this farce and Trump championing the 'audit' at every turn, this is about to become a central issue in the primary, with Arizonans eager to learn where each GOP candidate stands.
"Representatives Gaetz and Taylor Greene's rally today, along with former President Trump's focus on the 'audit' puts every candidate on notice," said ADP Spokesperson Sarah Guggenheimer. **"In the weeks ahead, every single GOP candidate for Senate and potential candidates for Senate must share whether they will defend Arizona voters or cave to political pressure to perpetuate lies about Arizona elections."**

Release: Arizona Adds Over 11,000 Jobs, Calls for Phase Two of Biden's Recovery Plan

PHOENIX — According to this morning's U.S. Bureau of Labor Statistics jobs report, Arizona added 11,239 jobs in the month of April. These gains suggest that businesses, boosted by aid from the American Rescue Plan, have resumed hiring as the economy continues to strengthen.
Just two months ago, Democrats in Congress passed President Joe Biden's American Rescue Plan — a $1.9 trillion aid package that provided direct relief to Americans, reopened small businesses, and led to a steep decline in COVID-19 cases due to a successful vaccination program.
As Arizonans go back to work, the evidence is clear: President Biden's strategy to rebuild our economy from the bottom up and the middle out is working — no thanks to congressional Republicans who unanimously voted against the relief bill.
"These promising Arizona jobs numbers are a direct result of President Biden's leadership and the success of the American Rescue Plan, but our work to fully build back the Arizona economy is far from over," **said ADP Spokesperson Hannah Goss.** "While Republicans in Congress continue to block the president's agenda for the sake of partisan grandstanding, Democrats are ready to roll up their sleeves, get to work for Arizona children and families, and pass President Biden's American Jobs Plan and American Families Plan."

Senators Kelly, Sinema Announce $71.9 Million to Address Mental Health and Substance Abuse in Arizona

WASHINGTON – Arizona Senators Mark Kelly and Kyrsten Sinema announced the Substance Abuse and Mental Health Services Administration at the U.S. Department of Health and Human Services will award over $71 million to address mental health and substance abuse in Arizona. This funding is being awarded as a part of the American Rescue Plan Act, the most recent COVID-19 relief law both Senators supported.
"As Arizonans grapple with the social and economic effects of this pandemic, access to mental health care and community resources is more critical than ever. I'm proud to have helped secure this funding, which will go a long way in serving Arizonans who are struggling," **said Senator Kelly.**
"Arizonans struggling with mental health and substance abuse are not alone, and these critical resources will help ensure Arizonans receive the support needed to recover," **said Sinema.**
These federal funds were awarded through the Mental Health Services Block Grant Program and the Substance Abuse Prevention and Treatment Block Grant Program. The Mental Health Services Block Grant Program enables Arizona to provide comprehensive community mental health services and address needs and gaps in existing treatment services for those with serious mental illness. The Substance Abuse Prevention and Treatment Block Grant Program allows Arizona to plan, implement, and evaluate activities to prevent, treat, and help more Arizonans recover from substance use disorders.
The Arizona Health Care Cost Containment System (AHCCCS), through the Mental Health Services Block Grant, was awarded $39,229,067, and the Arizona Department of Health Services, through the Substance Abuse Prevention and Treatment Block Grant Program was awarded $32,725,106.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Lord knows I have cut taxes with the best of them and am proud of it."

- ***Former Gov Jan Brewer, in an op-ed condemning Ducey's flat tax proposal***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004119

ARZN_REV00070629_5-21-21-1.pdf

From: Rebecca Rios </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=152cf5b5bde44dfe93c8c60d83aa736b-Rebecca Rio>
Sent: Friday, May 21, 2021 9:35:02 PM
To: Rebecca Rios <RRios@azleg.gov>
Subject: Fw: In Today's Yellow Sheet
Attachments: 5-21-21-1.pdf

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Friday, May 21, 2021 4:10 PM
To: .SDEMMEMS <SDEMMEMS@azleg.gov>; .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>
Subject: Fw: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet May 21, 2021

IT'S ON! OR IS IT?
House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget.

HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?
One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut.

FORMER GOVERNORS ARE JUST MORE FUN
Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the Republic this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax package.

WE'LL TRACK HER DOWN EVENTUALLY
Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut.

IT'S BEEN A BUSY YEAR FOR EVERYONE
Ducey has officially signed more bills this year than in any other year he's been in office.

KARI FOR GOVERNOR OF QTOWN?
Former Fox 10 anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month.

LEMONADES ALL AROUND
The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or

AMERICAN OVERSIGHT

e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, May 21, 2021

NEWS NOTES AND GOSSIP

IT'S ON! OR IS IT?

House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget. It's unclear what the exact timeline is, and there's some chatter that the House may be alone in introducing budget bills on Monday, as the Senate also scheduled a Rules meeting, but the call doesn't include budget introduction language yet, though calendars can be modified. One Senate source heard that only BRBs, not the feed bill, will be introduced Monday. Meanwhile, multiple Republican lawmakers in the House and Senate are still threatening to withhold their votes and several told our reporter they don't expect a deal can be struck over the weekend. Negotiators tossed money at some recalcitrant lawmakers this week – Shope, for instance, got his $50 million for I-10 – but others, including Boyer and Cook, have serious issues with the tax plan that can't be resolved with some extra funding for a pet project, according to one source. Overall, the source said, Toma and the Governor's Office are truly excited about the flat tax proposal, but most other Republicans just want to cut taxes in general and aren't wedded to the flat tax plan. "If they're insisting on the flat tax, you're not going to get any Democrats and there are enough Republicans who have concerns about it," the source said. Cook, for example, told our reporter he is not on board with the budget, as the 4.5 percent marginal tax rate will effectively prevent wealthy Arizonans from paying the extra taxes they would have paid as a result of Prop 208 while having the state backfill that missing revenue from the General Fund. "We're taking everyone's tax revenue to backfill taxes owed by one group, and I'm not sure how that is appropriate when we still have the needs of the state through the capital improvement list," he said. Cook also has issues with the unemployment deal's delayed implementation and its triggers. "If the bill came up in front of me today, I'd vote no," he said. At this point, Cook said he's hopeful the Legislature will finish by the end of June. Conversely, another Republican told our reporter Hoffman claims to be leading a gang of 10 fiscal hawks that won't support the budget without major spending cuts and more money for election integrity measures. Among the cuts he's demanding, according to a document a source sent our reporter, are gifted education funding, DCS caseworker salary increases, DES salary increases, DES return to work grants, and roughly $80 million in road repair. Meanwhile, he wants $13 million over the next three years for an auditor general voter roll review, "ballot security paper," and a non-lapsing "forensic audit fund" among other election integrity proposals. A copy of his demands can be viewed in our documents section (LINK).

HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?

One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut. "There's plenty of room for this to still get tripped up, but the flat tax isn't it," the source said, pointing to a handful of lawmakers who are known for their last-minute antics and saying they're not the types to stand against tax cuts. "Who in that caucus has a real spine? … I can't think of one." Another Democrat also seemed confident the GOP would muster the votes for the budget next week, saying everyone is ready to call it a year, Democrats included. "If you're gonna destroy the state, just get it over with. Don't torture us," the source said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004122

ARZN_REV00070631_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FORMER GOVERNORS ARE JUST MORE FUN

Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the *Republic* this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax package. Brewer, who took office during the Great Recession, reflected that Arizona had the largest per-capita state budget deficit during the recession, while just two years before then-Gov Janet Napolitano had huge budget surpluses. "History has taught me that it would be imprudent to base a large, permanent tax cut, worth $19 billion over the next decade, on a snapshot of revenue and expenditure forecasts artificially bolstered by the federal largesse," Brewer wrote. She noted that the state faces huge bills over the next few decades, including a $30 billion funding gap to maintain infrastructure, more than $1.3 billion in debt from the Great Recession and more than $2.8 billion in pension debt. Brewer said she still supports tax cuts – just not permanent cuts to the tune of $1.9 billion annually. "I am not arguing against any tax reductions. Lord knows I have cut taxes with the best of them and am proud of it," she wrote. The solution, she said, is a one-time tax rebate to return money to Arizonans, while saving more of the current surplus for future downturns. The state can always renew a rebate in future years, but it's next to impossible to raise taxes once they're permanently cut.

WE'LL TRACK HER DOWN EVENTUALLY

Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut. Robson has not returned multiple calls from our reporter – in fact, as far as we can tell, she hasn't spoken with any reporters since her seemingly rushed gubernatorial campaign launch. (Nor has Yee, it should be noted, who is Brewer's former Senator.) But Robson's close ties with Ducey, and her endorsement from Brewer – not to mention her role as a co-chair of the Republican Legislative Victory Fund – raise several interesting questions about where she stands. The announcement of Brewer's endorsement "couldn't come at a worse time" one Republican railbird said, noting it forces important questions like whether she agrees with Brewer that the flat tax is a bad idea. "Robson really knows how to tie her campaign in a knot," the source said. Another question we'd like to ask – does she agree with Brewer that the Senate should shut the audit down, and if so, what's she doing fundraising for the Senators who are dead-set on stopping the steal?

IT'S BEEN A BUSY YEAR FOR EVERYONE

Ducey has officially signed more bills this year than in any other year he's been in office. So far, the governor has signed 379 bills, breaking his own record of 374 bills in 2016. There are another four bills on his desk, and that's not even counting the set of budget bills that have yet to be introduced. Ducey last week vetoed his fifth bill of the session, A Hernandez's H2820 (dietitian nutritionists; licensure), which he decried as creating an "unnecessary and burdensome government permission slip."

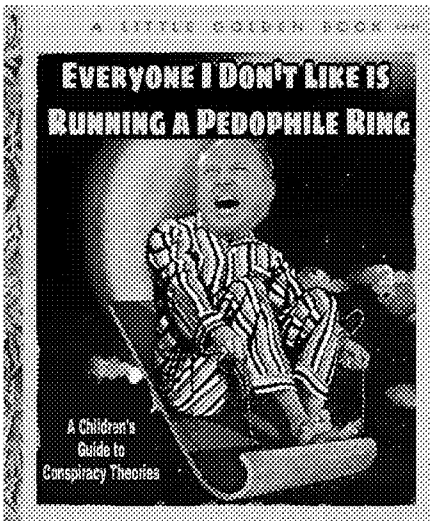
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004123

ARZN_REV00070631_5-21-21-1.pdf

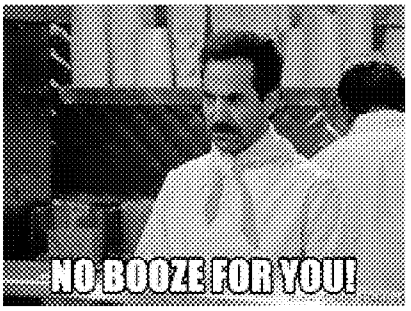
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

KARI FOR GOVERNOR OF QTOWN?



Former *Fox 10* anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month. One will happen Saturday (LINK) at Dream City Church, which Brnovich had to issue a cease-and-desist letter to after it claimed the church found a way to kill 99.9 percent of Covid so attendees of a Trump rally would not need masks (YS, 6/26/20). That event, Revival Revolution – Faith, Freedom and the Fight, hosted by We the People AZ Alliance, will feature a who's who of Stop the Steal and QAnon conspiracy theorists expected to speak. Failed treasure hunter and noted bad inventor Jovan Pulitzer will be there, as will Overstock founder Patrick Byrne, who is trying to raise nearly $3 million for the audit (YS, 4/29). Finchem and former Trump advisor George Papadopolous, who pleaded guilty for lying to the FBI during the Robert Mueller investigation into Russian election interference, will also be there, as well as Gosar, who recently called the Jan 6 insurrectionists "peaceful patriots." Bobby Piton, who is involved in some way with the audit (YS, 4/26), is on the list, as is Bryan Masche, the guy who accosted Steele in the Senate parking lot last year then accused her of "reverse bullying" him in a now-dismissed ethics complaint (YS, 5/11). Self-proclaimed Satanism expert Lyle Rapacki will be there, as will failed congressional candidates Josh Barnett and Daniel Wood and failed legislative candidate Liz Harris. Of course, no such event would be complete without Cyber Ninjas and AZGOP attorney Alex Kolodin. But one name that stood out is Wilmeth, who hasn't pushed election conspiracies and is generally viewed as a level-headed Republican. Lake won't stop there though. She is set to co-headline an event at The Duce in Downtown Phoenix with fellow far-right activist and failed candidate for Phoenix mayor Merissa Hamilton, along with Brexit leader Nigel Farage and Townsend and J Hoffman at an event being billed as "America's Comeback Tour" next Tuesday. Lake also recently was spotted cozying up to MyPillow CEO Mike Lindell, was seen at CPAC earlier this year and spoke at an event hosted by Turning Point USA and she recently took a trip to the southern border so she could declare it a crisis – all further evidence that she's trying to parlay her TV career into a political one. She has been rumored to be eyeing the Ninth Floor and someone recently bought the domain KariLake4Governor.com

LEMONADES ALL AROUND



The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa. Gallego already poked fun at the location choice, noting that Gaetz likes it since it's "only a five minute drive to the nearest high school." "Oh come on you were all thinking it!!," he followed up. One Republican source told our reporter the AZGOP has, of course, been promoting the event like crazy, which the source speculates could mean they haven't given out enough tickets to fill up the ballroom (LINK). The source, who is not a fan of Gaetz, Greene or Kelli Ward, joked about the likelihood that Biggs and Gosar will also be there, saying, "a tax cheat, a pedophile, a dentist and a grifter all enter a bar…" but of course if Biggs were to ever enter a bar, he would likely just order a lemonade.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004124

ARZN_REV00070631_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Intern who helped save Gabby Giffords' life runs for her congressional seat
Arizona Capitol Times
The intern credited for savings former congresswoman Gabrielle "Gabby" Giffords life a decade ago is now running to serve in her old congressional seat.

From tragedy comes a bill to save lives
Arizona Capitol Times
Exactly one year after 25-year-old Landon Marsh died of a fentanyl overdose, Arizona Gov. Doug Ducey signed a bill Marsh's mother drafted to prevent other young people from unknowingly ingesting the drug.

Lawmaker strives again to insure more kids
Arizona Capitol Times
When Rep. Kelli Butler found out a couple of years ago that the eligibility threshold for Arizona's child health insurance program is among the lowest in the nation, she decided to try to do something about it.

Telehealth boom spawns changes to Arizona law
Arizona Capitol Times
Telehealth wasn't new to Arizona when the pandemic began, but the past year has propelled it into the mainstream.

Bill improves treatment of pregnant prisoners
Arizona Capitol Times
Arizona lawmakers are weighing whether they should enshrine in statute rules governing access to feminine hygiene products for female prison inmates and regulating the treatment of pregnant prisoners.

Races for 2022 statewide offices taking shape
Arizona Capitol Times
Arizona is sitting somewhere between keeping the 2020 election alive and preparing for the 2022 election, where all statewide executive offices will be on the ballot as well as a U.S. Senate seat.

Stephen Richer prefers boring, takes on Trump
Arizona Capitol Times
There's a lot of unintentional irony surrounding Maricopa County Recorder Stephen Richer.

Lawmakers reject penalties for Ariz. businesses that refuse unvaccinated patrons
Capitol Media Services
Arizona won't be shutting down businesses that refuse to serve people who are not vaccinated against COVID-19.

Top election official: County can no longer use equipment compromised by Ariz. audit
Capitol Media Services
Secretary of State Katie Hobbs says Maricopa County can no longer use the election equipment that the Senate subpoenaed and turned over to Cyber Ninjas. The replacement cost will be substantial.

Arizona brick-and-mortars see greater economic activity
Capitol Media Services
The increasing comfort of Arizonans to get out and about is having a definite effect on the state economy.

Shope: Interstate 10 expansion funding back in latest budget proposal
Pinal Central
After an initial omission, the latest state budget proposal now includes $50 million slated for planning to expand Interstate 10 between Chandler and Casa Grande.

AP Fires Former Arizona Republic Intern After Right-Wing Complaints
Phoenix New Times
The Associated Press' Phoenix bureau fired former Arizona Republic writer Emily Wilder this week following negative articles about her political activities in conservative media.

Unemployment aid up, taxes down in budget deal. But can it win GOP support?
Arizona Mirror

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004125
ARZN_REV00070631_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Unemployment benefits will go up while tax rates will go down, especially for the wealthiest Arizonans, under the budget deal forged by Gov. Doug Ducey and legislative Republican leaders.

Trump slams 'weak' Republicans who don't want to talk about Arizona audit
The Hill
Former President Trump on Thursday slammed "weak" Republicans who don't want to talk about the audit of the 2020 election results in Maricopa County, Ariz.

ACC Chair Lea Márquez Peterson: Modified clean energy rules back on the agenda
Arizona Daily Star (Opinion, Lea Marquez Peterson)
"I was concerned about the impact on individual ratepayers and the fact that the data had not been provided to the Arizona Corporation Commission," writes Tucson native Chairwoman Lea Márquez Peterson.

'Nothing to hide? Then why slam Arizona's election audit, Eddie?'
Arizona Republic (Opinion, EJ Montini)
It's an often repeated question with a simple answer that the questioners simply do not want to hear.

If it was his money, would Gov. Doug Ducey propose such an unfair Back to Work program?
Arizona Republic (Opinion, Robert Robb)
The business community loved Gov. Doug Ducey's Back to Work program, but everything about its bonuses and incentives is questionable or wrong.

Lake Mead could be in a Tier 2 shortage by 2023. What's that mean for Arizona?
Arizona Republic (Opinion, Joanna Allhands)
The latest forecast suggests for the first time that Lake Mead could fall into a Tier 2 shortage by 2023, thrusting even deeper water cuts on Arizona.

A Mexican immigrant and an Asian American have a real shot of being elected Arizona governor
Arizona Republic (Opinion, Elvia Diaz)
Marco Lopez and Kimberly Yee began their bids for Arizona governor by showing how vastly different they are in style, substance and ideology.

Still waiting to get vaccinated? We won't shame you. But please hear this good news
Arizona Republic (Opinion, Editorial Board)
If you haven't been vaccinated for COVID-19 – or you have and know those who haven't – these words are for you.

COVID-19 hit Indian County hard, thanks to a lack of infrastructure. We can fix this
Arizona Republic (Op-ed, Stephen Roe Lewis)
Indian Country lacked the infrastructure required to contain and combat COVID-19. The American Jobs Plan will help make those investments.

PRESS RELEASES

Statement from Chairman Jack Sellers: Senate Should Preserve Evidence

It is clear the Arizona Senate and its contractors do not intend to retract false allegations defaming the County and its employees. For that reason, Maricopa County is formally requesting Senate President Fann, Senator Petersen, Senate liaison Ken Bennett, and contractors involved in the "audit" preserve documents and evidence as they may be subject to future legal claims.
READ THE LETTER TO SENATOR FANN >
It is unfortunate we have reached this point, especially considering the "audit" was never authorized by a full Senate vote. Instead, two Senators out of a total of 30 used subpoenas to obtain private ballots, voter information, and taxpayer-funded tabulation machines, then turned all that material over to biased, out-of-state groups with little to no

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

election auditing experience. The conclusions already drawn by these contractors and shared prior to the completion of the audit clearly intend to disparage the County and call into question the integrity of the 2020 elections.
Earlier this week, the Maricopa County Board of Supervisors, Recorder, and other county elected leaders sent a 13-page letter to the Arizona Senate President providing answers to what she characterized as "three serious issues" her contractors allegedly uncovered about our vote tabulation machines and election processes. As the letter states, their "issues" demonstrate a lack of understanding of Arizona election law and best practices for running elections.
The most serious claim is that Elections officials deleted a database folder before providing it to the Cyber Ninjas. This is not true. We demanded a retraction. But Senate President Fann's letter and tweet from the official Senate audit Twitter account continues to spread the false allegation even after her own contractor admitted he found the files on the copy he made of the server.
The claim that our employees deleted election files and destroyed evidence is outrageous and baseless. I again demand an immediate retraction of any public statements made to the news media and or posted to Twitter. Since this seems unlikely to happen, I will repeat what I said at the press conference on Monday: finish your report and be prepared to defend it and your actions related to this "audit" in court.

Governor Ducey Signs Bill Allowing To-Go Cocktails

PHOENIX — Governor Doug Ducey today signed legislation allowing bars, liquor stores and restaurants to sell cocktails to-go, expanding opportunities for businesses across the state.
“Businesses owners have shown that offering to-go beverages can be done responsibly and safely,” said Governor Ducey. “House Bill 2773 will make sure restaurants and bars have the opportunity to expand operations and meet the needs of their customers, especially after weathering the effects of the pandemic. My thanks to Representative Jeff Weninger for sponsoring legislation that will help so many businesses.”
Governor Ducey in March 2020 issued an Executive Order restricting enforcement of regulations that prohibit sale and delivery of alcoholic beverages with the purchase of food to help mitigate financial consequences of the pandemic-related pause on certain business operations. House Bill 2773 permanently allows Arizona businesses the opportunity to offer to-go cocktails beyond the pandemic.
“Many businesses were hard hit by the pandemic, but smart policies like permitting to-go beverages helped keep many afloat,” said Representative Weninger. “House Bill 2773 will help bars, liquor stores and restaurants grow, and it will attract new businesses to our state. This is a major win for Arizona’s food and beverage industry, and I thank Governor Ducey for signing this legislation.”
Governor Ducey’s signing of the legislation is being enthusiastically received by industry representatives and business owners.
“To-go beverages will be a game-changer for our business and our customers will love it,” said Grant Krueger, owner of Union Hospitality Group in Tucson. “The signing of House Bill 2773 will help us reach more patrons and expand and modernize operations. This legislation will help business across the state, and I thank Governor Ducey for his continued support.”
“After seeing how successful to-go cocktails were last year, I am happy to see Governor Ducey sign House Bill 2773,” said Lee Miller, Owner of JR’s Bar in Sierra Vista. “This bill will allow us to provide additional options to our customers and give businesses like mine new ways to earn additional revenue, which is sorely needed after last year.”
“Restaurants, bars and liquor stores throughout the state will have the opportunity to drastically expand their operations thanks to the signing of House Bill 2773,” said Steve Chucri, President and CEO of the Arizona Restaurant Association. “To-go cocktails will help businesses bring in revenue and attract new customers, and it will draw new restaurants and bars to our state. My thanks to Representative Weninger for sponsoring the legislation, and to Governor Ducey for signing it.”

Arizona Announces Grant Awards to Improve Literacy for Underserved Children

PHOENIX – The Arizona Department of Education (ADE) has selected 23 subgrantees for the $20 million federal Comprehensive Literacy State Development Grant (CLSD) to improve reading skills for students most in need of additional supports. The subgrantees serve more than 13,000 children across eight Arizona counties and will receive funding to implement evidence-based strategies that drive higher language and literacy achievement for underserved children from birth through high school.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004127
ARZN_REV00070631_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The U.S. Department of Education awarded Arizona the CLSD grant in September 2020. The grant spans five years at $4 million per year.
Arizona's CLSD grant project — developed through the collaboration of ADE, Read On Arizona, and First Things First — targets children living in poverty, English learners, children with disabilities, Native American students, and those reading well below grade level, reflecting the federal grant program's emphasis on supporting underserved children.
The 23 subgrantees serve schools and early learning programs at 40 sites and will help advance literacy outcomes by: expanding professional development in the science of reading for more than 750 early care and PreK-12 educators; high-quality language and literacy strategies to support struggling readers; the purchase of evidence-based curricular and reading intervention materials; the hiring of literacy coaches to build teacher capacity; and strengthening community collaborations that drive higher language and literacy achievement for children from birth through high school.
"I am thrilled to see this investment come to life in Arizona's schools. This critical funding will bring needed resources to Arizona's students, teachers and schools," said Superintendent of Public Instruction Kathy Hoffman. "It's more important than ever that we support all learners, particularly those who are struggling with their literacy skills."
"Children develop foundational language and pre-literacy skills well before kindergarten," said Marilee Dal Pra, CEO of First Things First. "It is exciting to see the CLSD grants building on local collaborations to ensure that early educators get the training they need to engage young minds and foster language development and a love of reading in our youngest learners."
"Read On Arizona is excited to see such strong evidence-based solutions toward improving early literacy reflected in the 23 awardees," said Terri Clark, Arizona Literacy Director. "Awardees range from the Yuma Elementary school district who will use a literacy coaching model to support their K-3 teachers in the science of reading to Make Way for Books in Pima County who will work with early learning sites to strengthen language and literacy development for our youngest learners."
The full list of selected programs and schools can be found here: https://www.azed.gov/standards-practices/clsd

A Tale of Two States: Nevada Democrats Boost Education Funding While Arizona Republicans Make Cuts

Neighboring states' divergence underscores difference between the parties' priorities

WASHINGTON — Under Democratic leadership, the Nevada Legislature approved a $500 million increase in education funding over the next two years, a move that exemplifies Democrats' support for public education.
The legislation stands in stark contrast to the agenda advanced by Republicans in neighboring Arizona, who struck a budget deal that would introduce a regressive income tax structure and drastically reduce taxes on the rich — undermining a voter-approved initiative that would have raised nearly $1 billion for Arizona schools through higher taxes on the wealthy.
"Arizona and Nevada may be neighbors, but the policies they've adopted could not be more different," said Democratic Legislative Campaign Committee executive director Heather Williams. "Republicans are trying to rebrand as a 'workers' party,' but they will always prioritize cutting taxes for the wealthy over funding public services. Nevada Democrats are focused on the kitchen table issues that matter to voters, whereas the Arizona GOP is still beholden to the elites. The difference between the parties couldn't be clearer."
Republicans' move to undermine the Arizona school funding scheme comes as GOP leaders across the country try to curtail voter-approved initiatives. Arizonans clearly voted to raise taxes on the wealthy to fund schools, and the budget deal jeopardizes the security of this funding stream. Instead of respecting the will of voters, Republicans are increasingly rejecting it entirely.
The school funding bill shows Nevada Democrats' focus on tackling the challenges their constituents face in this year's legislative session. Arizona's Republican leaders, in contrast, have prioritized divisive legislation that would suppress votes, restrict reproductive freedom, and pursued a bizarre, conspiracy-laden "audit" of last November's election results.

Release: Maricopa 'Audit' Becomes Central Issue in GOP Senate Primary

PHOENIX – For weeks, the Maricopa County 'audit' has cast a long shadow over the expensive and escalating GOP Senate primary. But today, the stakes have grown as Representatives Matt Gaetz and Marjorie Taylor Greene arrive in

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004128
ARZN_REV00070631_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Mesa, Arizona to host a rally where they will no doubt continue to perpetuate dangerous and wildly inaccurate lies, turning this absurd and controversial 'audit' into a key litmus test in the race.
To review: Potential candidate Rep Andy Biggs recently joined Gaetz and Taylor Greene signing onto a lie-ridden letter supporting the 'audit.' Jim Lamon has also openly embraced it. Yet another potential candidate, Mark Brnovich, has refused to give a clear statement on the issue, something President Trump seemed to notice and call out.
With Gaetz and Taylor Greene coming to Arizona to support this farce and Trump championing the 'audit' at every turn, this is about to become a central issue in the primary, with Arizonans eager to learn where each GOP candidate stands.
"Representatives Gaetz and Taylor Greene's rally today, along with former President Trump's focus on the 'audit' puts every candidate on notice," said ADP Spokesperson Sarah Guggenheimer. **"In the weeks ahead, every single GOP candidate for Senate and potential candidates for Senate must share whether they will defend Arizona voters or cave to political pressure to perpetuate lies about Arizona elections."**

Release: Arizona Adds Over 11,000 Jobs, Calls for Phase Two of Biden's Recovery Plan

PHOENIX — According to this morning's U.S. Bureau of Labor Statistics jobs report, Arizona added 11,239 jobs in the month of April. These gains suggest that businesses, boosted by aid from the American Rescue Plan, have resumed hiring as the economy continues to strengthen.
Just two months ago, Democrats in Congress passed President Joe Biden's American Rescue Plan — a $1.9 trillion aid package that provided direct relief to Americans, reopened small businesses, and led to a steep decline in COVID-19 cases due to a successful vaccination program.
As Arizonans go back to work, the evidence is clear: President Biden's strategy to rebuild our economy from the bottom up and the middle out is working — no thanks to congressional Republicans who unanimously voted against the relief bill.
"These promising Arizona jobs numbers are a direct result of President Biden's leadership and the success of the American Rescue Plan, but our work to fully build back the Arizona economy is far from over," **said ADP Spokesperson Hannah Goss.** "While Republicans in Congress continue to block the president's agenda for the sake of partisan grandstanding, Democrats are ready to roll up their sleeves, get to work for Arizona children and families, and pass President Biden's American Jobs Plan and American Families Plan."

Senators Kelly, Sinema Announce $71.9 Million to Address Mental Health and Substance Abuse in Arizona

WASHINGTON – Arizona Senators Mark Kelly and Kyrsten Sinema announced the Substance Abuse and Mental Health Services Administration at the U.S. Department of Health and Human Services will award over $71 million to address mental health and substance abuse in Arizona. This funding is being awarded as a part of the American Rescue Plan Act, the most recent COVID-19 relief law both Senators supported.
"As Arizonans grapple with the social and economic effects of this pandemic, access to mental health care and community resources is more critical than ever. I'm proud to have helped secure this funding, which will go a long way in serving Arizonans who are struggling," **said Senator Kelly.**
"Arizonans struggling with mental health and substance abuse are not alone, and these critical resources will help ensure Arizonans receive the support needed to recover," **said Sinema.**
These federal funds were awarded through the Mental Health Services Block Grant Program and the Substance Abuse Prevention and Treatment Block Grant Program. The Mental Health Services Block Grant Program enables Arizona to provide comprehensive community mental health services and address needs and gaps in existing treatment services for those with serious mental illness. The Substance Abuse Prevention and Treatment Block Grant Program allows Arizona to plan, implement, and evaluate activities to prevent, treat, and help more Arizonans recover from substance use disorders.
The Arizona Health Care Cost Containment System (AHCCCS), through the Mental Health Services Block Grant, was awarded $39,229,067, and the Arizona Department of Health Services, through the Substance Abuse Prevention and Treatment Block Grant Program was awarded $32,725,106.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Lord knows I have cut taxes with the best of them and am proud of it."

- ***Former Gov Jan Brewer, in an op-ed condemning Ducey's flat tax proposal***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004130

ARZN_REV00070631_5-21-21-1.pdf

From: Rebecca Rios </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=152cf5b5bde44dfe93c8c60d83aa736b-Rebecca Rio>
Sent: Friday, May 21, 2021 9:35:11 PM
To: rioped@aol.com
Subject: Fw: In Today's Yellow Sheet
Attachments: 5-21-21-1.pdf

From: Rebecca Rios <RRios@azleg.gov>
Sent: Friday, May 21, 2021 9:35 PM
To: Rebecca Rios <RRios@azleg.gov>
Subject: Fw: In Today's Yellow Sheet

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Friday, May 21, 2021 4:10 PM
To: .SDEMMEMS <SDEMMEMS@azleg.gov>; .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>
Subject: Fw: In Today's Yellow Sheet

About Contact

In Today's Yellow Sheet May 21, 2021

IT'S ON! OR IS IT?
House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget.
HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?
One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut.
FORMER GOVERNORS ARE JUST MORE FUN
Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the Republic this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax package.
WE'LL TRACK HER DOWN EVENTUALLY
Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut.
IT'S BEEN A BUSY YEAR FOR EVERYONE
Ducey has officially signed more bills this year than in any other year he's been in office.
KARI FOR GOVERNOR OF QTOWN?
Former Fox 10 anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month.
LEMONADES ALL AROUND

AMERICAN OVERSIGHT

The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Friday, May 21, 2021

NEWS NOTES AND GOSSIP

IT'S ON! OR IS IT?

House Rules will meet to allow for the introduction of budget bills on Monday, the official starting gun in the race to pass a budget. It's unclear what the exact timeline is, and there's some chatter that the House may be alone in introducing budget bills on Monday, as the Senate also scheduled a Rules meeting, but the call doesn't include budget introduction language yet, though calendars can be modified. One Senate source heard that only BRBs, not the feed bill, will be introduced Monday. Meanwhile, multiple Republican lawmakers in the House and Senate are still threatening to withhold their votes and several told our reporter they don't expect a deal can be struck over the weekend. Negotiators tossed money at some recalcitrant lawmakers this week – Shope, for instance, got his $50 million for I-10 – but others, including Boyer and Cook, have serious issues with the tax plan that can't be resolved with some extra funding for a pet project, according to one source. Overall, the source said, Toma and the Governor's Office are truly excited about the flat tax proposal, but most other Republicans just want to cut taxes in general and aren't wedded to the flat tax plan. "If they're insisting on the flat tax, you're not going to get any Democrats and there are enough Republicans who have concerns about it," the source said. Cook, for example, told our reporter he is not on board with the budget, as the 4.5 percent marginal tax rate will effectively prevent wealthy Arizonans from paying the extra taxes they would have paid as a result of Prop 208 while having the state backfill that missing revenue from the General Fund. "We're taking everyone's tax revenue to backfill taxes owed by one group, and I'm not sure how that is appropriate when we still have the needs of the state through the capital improvement list," he said. Cook also has issues with the unemployment deal's delayed implementation and its triggers. "If the bill came up in front of me today, I'd vote no," he said. At this point, Cook said he's hopeful the Legislature will finish by the end of June. Conversely, another Republican told our reporter Hoffman claims to be leading a gang of 10 fiscal hawks that won't support the budget without major spending cuts and more money for election integrity measures. Among the cuts he's demanding, according to a document a source sent our reporter, are gifted education funding, DCS caseworker salary increases, DES salary increases, DES return to work grants, and roughly $80 million in road repair. Meanwhile, he wants $13 million over the next three years for an auditor general voter roll review, "ballot security paper," and a non-lapsing "forensic audit fund" among other election integrity proposals. A copy of his demands can be viewed in our documents section (LINK).

HOW OFTEN DO THE HOLDOUTS REALLY HOLD OUT?

One Democratic source had no faith that Republicans would ultimately stand up to their leadership, the governor and Grover Norquist to oppose a tax cut. "There's plenty of room for this to still get tripped up, but the flat tax isn't it," the source said, pointing to a handful of lawmakers who are known for their last-minute antics and saying they're not the types to stand against tax cuts. "Who in that caucus has a real spine? … I can't think of one." Another Democrat also seemed confident the GOP would muster the votes for the budget next week, saying everyone is ready to call it a year, Democrats included. "If you're gonna destroy the state, just get it over with. Don't torture us," the source said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004133

ARZN_REV00070633_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

FORMER GOVERNORS ARE JUST MORE FUN

Former Gov Jan Brewer lambasted Ducey's flat-tax plan in an op-ed in the *Republic* this morning, warning that her fellow Republicans need to learn from history, and perhaps emboldening some of her followers to balk at the tax package. Brewer, who took office during the Great Recession, reflected that Arizona had the largest per-capita state budget deficit during the recession, while just two years before then-Gov Janet Napolitano had huge budget surpluses. "History has taught me that it would be imprudent to base a large, permanent tax cut, worth $19 billion over the next decade, on a snapshot of revenue and expenditure forecasts artificially bolstered by the federal largesse," Brewer wrote. She noted that the state faces huge bills over the next few decades, including a $30 billion funding gap to maintain infrastructure, more than $1.3 billion in debt from the Great Recession and more than $2.8 billion in pension debt. Brewer said she still supports tax cuts – just not permanent cuts to the tune of $1.9 billion annually. "I am not arguing against any tax reductions. Lord knows I have cut taxes with the best of them and am proud of it," she wrote. The solution, she said, is a one-time tax rebate to return money to Arizonans, while saving more of the current surplus for future downturns. The state can always renew a rebate in future years, but it's next to impossible to raise taxes once they're permanently cut.

WE'LL TRACK HER DOWN EVENTUALLY

Brewer endorsed Karrin Taylor Robson over Yee for governor, former Brewer advisor Chuck Coughlin confirmed to our reporter today, raising the question of whether she agrees with Ducey or Brewer on the tax cut. Robson has not returned multiple calls from our reporter – in fact, as far as we can tell, she hasn't spoken with any reporters since her seemingly rushed gubernatorial campaign launch. (Nor has Yee, it should be noted, who is Brewer's former Senator.) But Robson's close ties with Ducey, and her endorsement from Brewer – not to mention her role as a co-chair of the Republican Legislative Victory Fund – raise several interesting questions about where she stands. The announcement of Brewer's endorsement "couldn't come at a worse time" one Republican railbird said, noting it forces important questions like whether she agrees with Brewer that the flat tax is a bad idea. "Robson really knows how to tie her campaign in a knot," the source said. Another question we'd like to ask – does she agree with Brewer that the Senate should shut the audit down, and if so, what's she doing fundraising for the Senators who are dead-set on stopping the steal?

IT'S BEEN A BUSY YEAR FOR EVERYONE

Ducey has officially signed more bills this year than in any other year he's been in office. So far, the governor has signed 379 bills, breaking his own record of 374 bills in 2016. There are another four bills on his desk, and that's not even counting the set of budget bills that have yet to be introduced. Ducey last week vetoed his fifth bill of the session, A Hernandez's H2820 (dietitian nutritionists; licensure), which he decried as creating an "unnecessary and burdensome government permission slip."

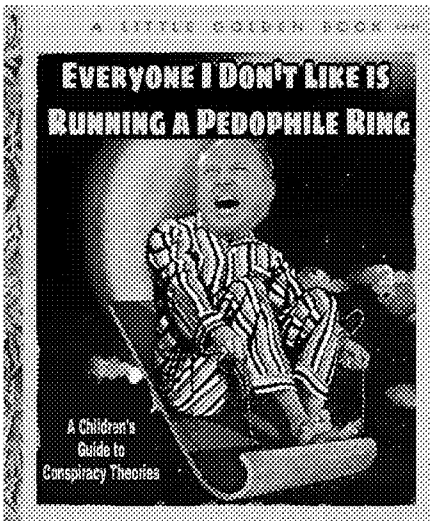
AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004134

ARZN_REV00070633_5-21-21-1.pdf

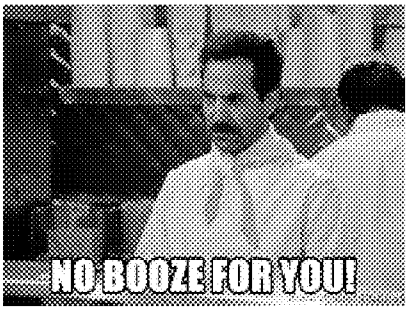
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

KARI FOR GOVERNOR OF QTOWN?



Former *Fox 10* anchor turned far-right activist Kari Lake is continuing on her path into conspiracyland, further aligning herself with Stop the Steal and QAnon supporters with two speaking engagements this month. One will happen Saturday (LINK) at Dream City Church, which Brnovich had to issue a cease-and-desist letter to after it claimed the church found a way to kill 99.9 percent of Covid so attendees of a Trump rally would not need masks (YS, 6/26/20). That event, Revival Revolution – Faith, Freedom and the Fight, hosted by We the People AZ Alliance, will feature a who's who of Stop the Steal and QAnon conspiracy theorists expected to speak. Failed treasure hunter and noted bad inventor Jovan Pulitzer will be there, as will Overstock founder Patrick Byrne, who is trying to raise nearly $3 million for the audit (YS, 4/29). Finchem and former Trump advisor George Papadopolous, who pleaded guilty for lying to the FBI during the Robert Mueller investigation into Russian election interference, will also be there, as well as Gosar, who recently called the Jan 6 insurrectionists "peaceful patriots." Bobby Piton, who is involved in some way with the audit (YS, 4/26), is on the list, as is Bryan Masche, the guy who accosted Steele in the Senate parking lot last year then accused her of "reverse bullying" him in a now-dismissed ethics complaint (YS, 5/11). Self-proclaimed Satanism expert Lyle Rapacki will be there, as will failed congressional candidates Josh Barnett and Daniel Wood and failed legislative candidate Liz Harris. Of course, no such event would be complete without Cyber Ninjas and AZGOP attorney Alex Kolodin. But one name that stood out is Wilmeth, who hasn't pushed election conspiracies and is generally viewed as a level-headed Republican. Lake won't stop there though. She is set to co-headline an event at The Duce in Downtown Phoenix with fellow far-right activist and failed candidate for Phoenix mayor Merissa Hamilton, along with Brexit leader Nigel Farage and Townsend and J Hoffman at an event being billed as "America's Comeback Tour" next Tuesday. Lake also recently was spotted cozying up to MyPillow CEO Mike Lindell, was seen at CPAC earlier this year and spoke at an event hosted by Turning Point USA and she recently took a trip to the southern border so she could declare it a crisis – all further evidence that she's trying to parlay her TV career into a political one. She has been rumored to be eyeing the Ninth Floor and someone recently bought the domain KariLake4Governor.com

LEMONADES ALL AROUND



The Q-friendly events don't stop there, with accused pedophile Matt Gaetz and Marjorie Taylor Greene coming to Arizona today for an America First rally in Mesa. Gallego already poked fun at the location choice, noting that Gaetz likes it since it's "only a five minute drive to the nearest high school." "Oh come on you were all thinking it!!," he followed up. One Republican source told our reporter the AZGOP has, of course, been promoting the event like crazy, which the source speculates could mean they haven't given out enough tickets to fill up the ballroom (LINK). The source, who is not a fan of Gaetz, Greene or Kelli Ward, joked about the likelihood that Biggs and Gosar will also be there, saying, "a tax cheat, a pedophile, a dentist and a grifter all enter a bar…" but of course if Biggs were to ever enter a bar, he would likely just order a lemonade.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004135
ARZN_REV00070633_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WAKE UP CALL

Intern who helped save Gabby Giffords' life runs for her congressional seat
Arizona Capitol Times
The intern credited for savings former congresswoman Gabrielle "Gabby" Giffords life a decade ago is now running to serve in her old congressional seat.

From tragedy comes a bill to save lives
Arizona Capitol Times
Exactly one year after 25-year-old Landon Marsh died of a fentanyl overdose, Arizona Gov. Doug Ducey signed a bill Marsh's mother drafted to prevent other young people from unknowingly ingesting the drug.

Lawmaker strives again to insure more kids
Arizona Capitol Times
When Rep. Kelli Butler found out a couple of years ago that the eligibility threshold for Arizona's child health insurance program is among the lowest in the nation, she decided to try to do something about it.

Telehealth boom spawns changes to Arizona law
Arizona Capitol Times
Telehealth wasn't new to Arizona when the pandemic began, but the past year has propelled it into the mainstream.

Bill improves treatment of pregnant prisoners
Arizona Capitol Times
Arizona lawmakers are weighing whether they should enshrine in statute rules governing access to feminine hygiene products for female prison inmates and regulating the treatment of pregnant prisoners.

Races for 2022 statewide offices taking shape
Arizona Capitol Times
Arizona is sitting somewhere between keeping the 2020 election alive and preparing for the 2022 election, where all statewide executive offices will be on the ballot as well as a U.S. Senate seat.

Stephen Richer prefers boring, takes on Trump
Arizona Capitol Times
There's a lot of unintentional irony surrounding Maricopa County Recorder Stephen Richer.

Lawmakers reject penalties for Ariz. businesses that refuse unvaccinated patrons
Capitol Media Services
Arizona won't be shutting down businesses that refuse to serve people who are not vaccinated against COVID-19.

Top election official: County can no longer use equipment compromised by Ariz. audit
Capitol Media Services
Secretary of State Katie Hobbs says Maricopa County can no longer use the election equipment that the Senate subpoenaed and turned over to Cyber Ninjas. The replacement cost will be substantial.

Arizona brick-and-mortars see greater economic activity
Capitol Media Services
The increasing comfort of Arizonans to get out and about is having a definite effect on the state economy.

Shope: Interstate 10 expansion funding back in latest budget proposal
Pinal Central
After an initial omission, the latest state budget proposal now includes $50 million slated for planning to expand Interstate 10 between Chandler and Casa Grande.

AP Fires Former Arizona Republic Intern After Right-Wing Complaints
Phoenix New Times
The Associated Press' Phoenix bureau fired former Arizona Republic writer Emily Wilder this week following negative articles about her political activities in conservative media.

Unemployment aid up, taxes down in budget deal. But can it win GOP support?
Arizona Mirror

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004136
ARZN_REV00070633_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Unemployment benefits will go up while tax rates will go down, especially for the wealthiest Arizonans, under the budget deal forged by Gov. Doug Ducey and legislative Republican leaders.

Trump slams 'weak' Republicans who don't want to talk about Arizona audit
The Hill
Former President Trump on Thursday slammed "weak" Republicans who don't want to talk about the audit of the 2020 election results in Maricopa County, Ariz.

ACC Chair Lea Márquez Peterson: Modified clean energy rules back on the agenda
Arizona Daily Star (Opinion, Lea Marquez Peterson)
"I was concerned about the impact on individual ratepayers and the fact that the data had not been provided to the Arizona Corporation Commission," writes Tucson native Chairwoman Lea Márquez Peterson.

'Nothing to hide? Then why slam Arizona's election audit, Eddie?'
Arizona Republic (Opinion, EJ Montini)
It's an often repeated question with a simple answer that the questioners simply do not want to hear.

If it was his money, would Gov. Doug Ducey propose such an unfair Back to Work program?
Arizona Republic (Opinion, Robert Robb)
The business community loved Gov. Doug Ducey's Back to Work program, but everything about its bonuses and incentives is questionable or wrong.

Lake Mead could be in a Tier 2 shortage by 2023. What's that mean for Arizona?
Arizona Republic (Opinion, Joanna Allhands)
The latest forecast suggests for the first time that Lake Mead could fall into a Tier 2 shortage by 2023, thrusting even deeper water cuts on Arizona.

A Mexican immigrant and an Asian American have a real shot of being elected Arizona governor
Arizona Republic (Opinion, Elvia Diaz)
Marco Lopez and Kimberly Yee began their bids for Arizona governor by showing how vastly different they are in style, substance and ideology.

Still waiting to get vaccinated? We won't shame you. But please hear this good news
Arizona Republic (Opinion, Editorial Board)
If you haven't been vaccinated for COVID-19 – or you have and know those who haven't – these words are for you.

COVID-19 hit Indian County hard, thanks to a lack of infrastructure. We can fix this
Arizona Republic (Op-ed, Stephen Roe Lewis)
Indian Country lacked the infrastructure required to contain and combat COVID-19. The American Jobs Plan will help make those investments.

PRESS RELEASES

Statement from Chairman Jack Sellers: Senate Should Preserve Evidence

It is clear the Arizona Senate and its contractors do not intend to retract false allegations defaming the County and its employees. For that reason, Maricopa County is formally requesting Senate President Fann, Senator Petersen, Senate liaison Ken Bennett, and contractors involved in the "audit" preserve documents and evidence as they may be subject to future legal claims.
READ THE LETTER TO SENATOR FANN >
It is unfortunate we have reached this point, especially considering the "audit" was never authorized by a full Senate vote. Instead, two Senators out of a total of 30 used subpoenas to obtain private ballots, voter information, and taxpayer-funded tabulation machines, then turned all that material over to biased, out-of-state groups with little to no

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

election auditing experience. The conclusions already drawn by these contractors and shared prior to the completion of the audit clearly intend to disparage the County and call into question the integrity of the 2020 elections.
Earlier this week, the Maricopa County Board of Supervisors, Recorder, and other county elected leaders sent a 13-page letter to the Arizona Senate President providing answers to what she characterized as "three serious issues" her contractors allegedly uncovered about our vote tabulation machines and election processes. As the letter states, their "issues" demonstrate a lack of understanding of Arizona election law and best practices for running elections.
The most serious claim is that Elections officials deleted a database folder before providing it to the Cyber Ninjas. This is not true. We demanded a retraction. But Senate President Fann's letter and tweet from the official Senate audit Twitter account continues to spread the false allegation even after her own contractor admitted he found the files on the copy he made of the server.
The claim that our employees deleted election files and destroyed evidence is outrageous and baseless. I again demand an immediate retraction of any public statements made to the news media and or posted to Twitter. Since this seems unlikely to happen, I will repeat what I said at the press conference on Monday: finish your report and be prepared to defend it and your actions related to this "audit" in court.

Governor Ducey Signs Bill Allowing To-Go Cocktails

PHOENIX — Governor Doug Ducey today signed legislation allowing bars, liquor stores and restaurants to sell cocktails to-go, expanding opportunities for businesses across the state.
“Businesses owners have shown that offering to-go beverages can be done responsibly and safely,” said Governor Ducey. “House Bill 2773 will make sure restaurants and bars have the opportunity to expand operations and meet the needs of their customers, especially after weathering the effects of the pandemic. My thanks to Representative Jeff Weninger for sponsoring legislation that will help so many businesses.”
Governor Ducey in March 2020 issued an Executive Order restricting enforcement of regulations that prohibit sale and delivery of alcoholic beverages with the purchase of food to help mitigate financial consequences of the pandemic-related pause on certain business operations. House Bill 2773 permanently allows Arizona businesses the opportunity to offer to-go cocktails beyond the pandemic.
“Many businesses were hard hit by the pandemic, but smart policies like permitting to-go beverages helped keep many afloat,” said Representative Weninger. “House Bill 2773 will help bars, liquor stores and restaurants grow, and it will attract new businesses to our state. This is a major win for Arizona’s food and beverage industry, and I thank Governor Ducey for signing this legislation.”
Governor Ducey’s signing of the legislation is being enthusiastically received by industry representatives and business owners.
“To-go beverages will be a game-changer for our business and our customers will love it,” said Grant Krueger, owner of Union Hospitality Group in Tucson. “The signing of House Bill 2773 will help us reach more patrons and expand and modernize operations. This legislation will help business across the state, and I thank Governor Ducey for his continued support.”
“After seeing how successful to-go cocktails were last year, I am happy to see Governor Ducey sign House Bill 2773,” said Lee Miller, Owner of JR’s Bar in Sierra Vista. “This bill will allow us to provide additional options to our customers and give businesses like mine new ways to earn additional revenue, which is sorely needed after last year.”
“Restaurants, bars and liquor stores throughout the state will have the opportunity to drastically expand their operations thanks to the signing of House Bill 2773,” said Steve Chucri, President and CEO of the Arizona Restaurant Association. “To-go cocktails will help businesses bring in revenue and attract new customers, and it will draw new restaurants and bars to our state. My thanks to Representative Weninger for sponsoring the legislation, and to Governor Ducey for signing it.”

Arizona Announces Grant Awards to Improve Literacy for Underserved Children

PHOENIX – The Arizona Department of Education (ADE) has selected 23 subgrantees for the $20 million federal Comprehensive Literacy State Development Grant (CLSD) to improve reading skills for students most in need of additional supports. The subgrantees serve more than 13,000 children across eight Arizona counties and will receive funding to implement evidence-based strategies that drive higher language and literacy achievement for underserved children from birth through high school.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004138
ARZN_REV00070633_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The U.S. Department of Education awarded Arizona the CLSD grant in September 2020. The grant spans five years at $4 million per year.
Arizona's CLSD grant project — developed through the collaboration of ADE, Read On Arizona, and First Things First — targets children living in poverty, English learners, children with disabilities, Native American students, and those reading well below grade level, reflecting the federal grant program's emphasis on supporting underserved children.
The 23 subgrantees serve schools and early learning programs at 40 sites and will help advance literacy outcomes by: expanding professional development in the science of reading for more than 750 early care and PreK-12 educators; high-quality language and literacy strategies to support struggling readers; the purchase of evidence-based curricular and reading intervention materials; the hiring of literacy coaches to build teacher capacity; and strengthening community collaborations that drive higher language and literacy achievement for children from birth through high school.
"I am thrilled to see this investment come to life in Arizona's schools. This critical funding will bring needed resources to Arizona's students, teachers and schools," said Superintendent of Public Instruction Kathy Hoffman. "It's more important than ever that we support all learners, particularly those who are struggling with their literacy skills."
"Children develop foundational language and pre-literacy skills well before kindergarten," said Marilee Dal Pra, CEO of First Things First. "It is exciting to see the CLSD grants building on local collaborations to ensure that early educators get the training they need to engage young minds and foster language development and a love of reading in our youngest learners."
"Read On Arizona is excited to see such strong evidence-based solutions toward improving early literacy reflected in the 23 awardees," said Terri Clark, Arizona Literacy Director. "Awardees range from the Yuma Elementary school district who will use a literacy coaching model to support their K-3 teachers in the science of reading to Make Way for Books in Pima County who will work with early learning sites to strengthen language and literacy development for our youngest learners."
The full list of selected programs and schools can be found here: https://www.azed.gov/standards-practices/clsd

A Tale of Two States: Nevada Democrats Boost Education Funding While Arizona Republicans Make Cuts

Neighboring states' divergence underscores difference between the parties' priorities

WASHINGTON — Under Democratic leadership, the Nevada Legislature approved a $500 million increase in education funding over the next two years, a move that exemplifies Democrats' support for public education.
The legislation stands in stark contrast to the agenda advanced by Republicans in neighboring Arizona, who struck a budget deal that would introduce a regressive income tax structure and drastically reduce taxes on the rich — undermining a voter-approved initiative that would have raised nearly $1 billion for Arizona schools through higher taxes on the wealthy.
"Arizona and Nevada may be neighbors, but the policies they've adopted could not be more different," said Democratic Legislative Campaign Committee executive director Heather Williams. "Republicans are trying to rebrand as a 'workers' party,' but they will always prioritize cutting taxes for the wealthy over funding public services. Nevada Democrats are focused on the kitchen table issues that matter to voters, whereas the Arizona GOP is still beholden to the elites. The difference between the parties couldn't be clearer."
Republicans' move to undermine the Arizona school funding scheme comes as GOP leaders across the country try to curtail voter-approved initiatives. Arizonans clearly voted to raise taxes on the wealthy to fund schools, and the budget deal jeopardizes the security of this funding stream. Instead of respecting the will of voters, Republicans are increasingly rejecting it entirely.
The school funding bill shows Nevada Democrats' focus on tackling the challenges their constituents face in this year's legislative session. Arizona's Republican leaders, in contrast, have prioritized divisive legislation that would suppress votes, restrict reproductive freedom, and pursued a bizarre, conspiracy-laden "audit" of last November's election results.

Release: Maricopa 'Audit' Becomes Central Issue in GOP Senate Primary

PHOENIX – For weeks, the Maricopa County 'audit' has cast a long shadow over the expensive and escalating GOP Senate primary. But today, the stakes have grown as Representatives Matt Gaetz and Marjorie Taylor Greene arrive in

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004139
ARZN_REV00070633_5-21-21-1.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Mesa, Arizona to host a rally where they will no doubt continue to perpetuate dangerous and wildly inaccurate lies, turning this absurd and controversial 'audit' into a key litmus test in the race.
To review: Potential candidate Rep Andy Biggs recently joined Gaetz and Taylor Greene signing onto a lie-ridden letter supporting the 'audit.' Jim Lamon has also openly embraced it. Yet another potential candidate, Mark Brnovich, has refused to give a clear statement on the issue, something President Trump seemed to notice and call out.
With Gaetz and Taylor Greene coming to Arizona to support this farce and Trump championing the 'audit' at every turn, this is about to become a central issue in the primary, with Arizonans eager to learn where each GOP candidate stands.
"Representatives Gaetz and Taylor Greene's rally today, along with former President Trump's focus on the 'audit' puts every candidate on notice," said ADP Spokesperson Sarah Guggenheimer. **"In the weeks ahead, every single GOP candidate for Senate and potential candidates for Senate must share whether they will defend Arizona voters or cave to political pressure to perpetuate lies about Arizona elections."**

Release: Arizona Adds Over 11,000 Jobs, Calls for Phase Two of Biden's Recovery Plan

PHOENIX — According to this morning's U.S. Bureau of Labor Statistics jobs report, Arizona added 11,239 jobs in the month of April. These gains suggest that businesses, boosted by aid from the American Rescue Plan, have resumed hiring as the economy continues to strengthen.
Just two months ago, Democrats in Congress passed President Joe Biden's American Rescue Plan — a $1.9 trillion aid package that provided direct relief to Americans, reopened small businesses, and led to a steep decline in COVID-19 cases due to a successful vaccination program.
As Arizonans go back to work, the evidence is clear: President Biden's strategy to rebuild our economy from the bottom up and the middle out is working — no thanks to congressional Republicans who unanimously voted against the relief bill.
"These promising Arizona jobs numbers are a direct result of President Biden's leadership and the success of the American Rescue Plan, but our work to fully build back the Arizona economy is far from over," **said ADP Spokesperson Hannah Goss.** "While Republicans in Congress continue to block the president's agenda for the sake of partisan grandstanding, Democrats are ready to roll up their sleeves, get to work for Arizona children and families, and pass President Biden's American Jobs Plan and American Families Plan."

Senators Kelly, Sinema Announce $71.9 Million to Address Mental Health and Substance Abuse in Arizona

WASHINGTON – Arizona Senators Mark Kelly and Kyrsten Sinema announced the Substance Abuse and Mental Health Services Administration at the U.S. Department of Health and Human Services will award over $71 million to address mental health and substance abuse in Arizona. This funding is being awarded as a part of the American Rescue Plan Act, the most recent COVID-19 relief law both Senators supported.
"As Arizonans grapple with the social and economic effects of this pandemic, access to mental health care and community resources is more critical than ever. I'm proud to have helped secure this funding, which will go a long way in serving Arizonans who are struggling," **said Senator Kelly.**
"Arizonans struggling with mental health and substance abuse are not alone, and these critical resources will help ensure Arizonans receive the support needed to recover," **said Sinema.**
These federal funds were awarded through the Mental Health Services Block Grant Program and the Substance Abuse Prevention and Treatment Block Grant Program. The Mental Health Services Block Grant Program enables Arizona to provide comprehensive community mental health services and address needs and gaps in existing treatment services for those with serious mental illness. The Substance Abuse Prevention and Treatment Block Grant Program allows Arizona to plan, implement, and evaluate activities to prevent, treat, and help more Arizonans recover from substance use disorders.
The Arizona Health Care Cost Containment System (AHCCCS), through the Mental Health Services Block Grant, was awarded $39,229,067, and the Arizona Department of Health Services, through the Substance Abuse Prevention and Treatment Block Grant Program was awarded $32,725,106.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"Lord knows I have cut taxes with the best of them and am proud of it."

- ***Former Gov Jan Brewer, in an op-ed condemning Ducey's flat tax proposal***

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004141

ARZN_REV00070633_5-21-21-1.pdf

From: Sally Ann Gonzales </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F599EE5B88264826BEE0D8C7FBE288A4-SALLY ANN G>
Sent: Monday, January 4, 2021 1:58:37 PM
To: Sally GONZALES <sally.gonzales@msn.com>
Subject: Fw: Election Audit

From: Carol Ayotte <carol.ayotte@cox.net>
Sent: Monday, January 4, 2021 2:12 PM
To: Sally Ann Gonzales <SGonzales@azleg.gov>
Subject: Election Audit

Name:	Carol Ayotte
Email:	carol.ayotte@cox.net
Phone:	602 909-6610
Leg. District:	3
Subject:	Election Audit

Comments:
I would like to understand why our gov't officials in Arizona are not allowing a true forensic audit of the voting machines, a review of the voting rolls, and a thorough investigation of the issues that occurred during the November 3, 2020 election as denoted in the numerous signed affidavits of poll workers, etc.. What are the elected officials afraid of being found? If there was no election fraud, then it will alleviate the concerns of Arizona voters and restore some confidence in our elected officials. When elected officials appear to be hiding something, the constituents lose faith and wonder if the elected official is compromised/involved in corruption. Please help restore faith of the Arizona voters in elections. This is not a partisan issue as every Arizona voter, (Democrats, Republicans, Independents), want to be assured this past election and future elections are fair and free of fraud. Please do your part in restoring confidence of the voters by ensuring that a full forensic audit for this past election is immediately completed by a non-partisan third party. Thank you!

Sent Mon, 04 Jan 2021 21:12:58 +0000

AMERICAN OVERSIGHT

From: Sally Ann Gonzales </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F599EE5B88264826BEE0D8C7FBE288A4-SALLY ANN G>
Sent: Wednesday, February 3, 2021 8:16:16 AM
To: Josselyn Berry <JBerry@azleg.gov>
Subject: RE: Wake Up Call

Good morning, can send this in PDF like you always do.

Thank You
Sen. Gonzales

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Wednesday, February 3, 2021 9:01 AM
To: .SDEMMEMS <SDEMMEMS@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>; .Senate Democratic Staff Interns <SenateDemocraticStaffInterns@azleg.gov>; .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>
Subject: FW: Wake Up Call

From: Yellow Sheet Report
Sent: Wednesday, February 3, 2021 9:00:27 AM (UTC-07:00) Arizona
To: Josselyn Berry
Subject: Wake Up Call

About Contact

Wake Up Call *February 3, 2021*

Bill gives Legislature some control of utility regulators
Arizona Capitol Times
The Arizona Corporation Commission may be the next branch of government that legislators can force the Attorney General to investigate.

Former lawmaker Hale dies
Arizona Capitol Times
Former Navajo Nation president Albert Hale, who also served as a state representative and senator, died Tuesday after battling with Covid, the Navajo Nation Council announced on its Facebook page this afternoon.

Bill targets human traffickers for lawsuits
Arizona Capitol Times
A Republican lawmaker's bill will allow victims of sex trafficking to sue their pimps and anyone else involved in the crime.

GOP senator starts contempt proceedings for county supervisors
Arizona Capitol Times
Election audit dispute could end with arrest of supervisors.

Senate panel OKs voucher expansion bill
Arizona Capitol Times

AMERICAN OVERSIGHT

A Senate panel on Tuesday advanced a school voucher expansion that supporters framed as a civil rights issue and opponents decried as a repudiation of Arizona voters who overwhelmingly rejected universal vouchers two years ago.

Hoffman asks lawmakers to fully fund distance learning
Capitol Media Services
Arizona's top education official told lawmakers Tuesday they need to ensure that schools get as much money for online courses as the law now provides them for kids in seats.

Arizona GOP lawmakers seek to limit some voter registration drives
Capitol Media Services
Senate Republicans are moving to approve new restrictions on the ability of county recorders to conduct voter registration drives.

Bill would provide $900,000 advertising boost to Arizona dude ranches
Capitol Media Services
State lawmakers voted Monday to spend $900,000 in tax dollars in a bid to convince Arizonans and others across the country to visit one of the state's remaining dude ranches.

Arizona doles out over half its vaccine supply; more coming
Associated Press
Arizona has administered more than half of its COVID-19 vaccine supply but is expected to get more than 1 million additional doses soon, health officials said Tuesday.

Apaches' fight over Pinal County copper mine goes before US court
Associated Press
A federal judge will hear arguments Wednesday from a group of Apaches that has been fighting a proposed copper mine in Pinal County.

Advocates, lawmakers hail Biden pledge to respect tribal sovereignty
Cronkite News
Native American policy experts and Arizona lawmakers welcomed President Joe Biden's order calling for stronger relations with tribal governments, with one saying it "goes right along with what Indian country has been asking for."

Arizona to embrace sports betting in deal with tribes
Associated Press
Arizonans would be allowed to bet on professional and college sports at tribal casinos and at sites owned by pro sports teams under a proposal that is part of an update to the state's deal that allows Native American tribes to run casinos.

This Week in COVID: Cases Are Down, but Infectious Variant Threatens Progress
Phoenix New Times
It's Tuesday, February 2. More than 765,000 Arizonans have contracted COVID-19 and more than 13,360 have died as a result.

21,000 New State Vaccine Appointments Open Up for February
Phoenix New Times
The Arizona Department of Health Service (DHS) is adding an additional 21,000 vaccination appointments at its recently opened Phoenix Municipal Stadium site.

Maricopa County rejects Senate election subpoena demands, spawning contempt charges
Arizona Mirror
The Maricopa County Board of Supervisors did not comply with the Arizona Senate's request to set a date for turning over materials that Republican lawmakers subpoenaed for a proposed audit of the 2020 general election.

U.S. Cities Are Vastly Undercounting Emissions, Researchers Find
New York Times
Inconsistent and flawed data is undercutting efforts to reduce greenhouse gas emissions from American cities, according to a new study.

Gov. Doug Ducey will veto any new election bill. Or was he lying?
Arizona Republic (Opinion, EJ Montini)
In December the governor laid out exactly why elections in Arizona are fair, efficient and secure. If he meant it, no new laws are necessary.

Proof that Donald Trump IS Richard Nixon and Joe Biden IS Gerald Ford

AMERICAN OVERSIGHT

Arizona Republic (Opinion, EJ Montini)
Jan Morris's 1974 essay on Washington D.C. isn't only a snapshot of who we were, but the spitting image of who we are.

Rep. Andy Biggs more or less tells Sen. Mitch McConnell to go pound salt
Arizona Republic (Opinion, EJ Montini)
Biggs comes to the defense of Marjorie Taylor Greene after Sen. McConnell correctly calls her 'loony.'

Democrats looking for an AOC to challenge Kyrsten Sinema in 2024? Are they nuts?
Arizona Republic (Opinion, Laurie Roberts)
A new progressive PAC is hoping to knock off Democratic Sen. Kyrsten Sinema. Is that Republicans I hear laughing their heads off?

Senate Republicans are losing their minds in election audit showdown. Jail? Really?
Arizona Republic (Opinion, Laurie Roberts)
Audit fever has engulfed the Arizona Senate as our leaders continue their quest to find proof of election fraud. Is there any Republican at the state Capitol willing to say, enough's enough?

Sen. Kyrsten Sinema is wrong about the virtual filibuster. It hurts bipartisanship
Arizona Republic (Opinion, Robert Robb)
Democrat plans to grossly abuse budget reconciliation pose a greater test of Sinema's commitment to bipartisanship.

Who's getting the COVID-19 vaccine? States should be required to tell us much more
Arizona Republic (Opinion, Elvia Diaz)
Only a few states have released race and ethnicity data for COVID-19 vaccinations. We need that to better tailor distribution and messaging efforts.

Defense contractors like Raytheon aren't blameless in Yemen crisis
Arizona Republic (Op-ed, Shayna Lewis)
The bombing of civilians in Yemen's civil war involves many actors, including defense contractors such as Raytheon in Tucson.

Why is SRP helping thin forests? Because wildfires threaten our water supply
Arizona Republic (Op-ed, Elvy Barton)
The ash and debris from devastating wildfires that wash into SRP's reservoirs reduces our water storage capacity and damages water infrastructure.

SUBSCRIBER AGREEMENT | PRIVACY NOTICE

You are receiving this e-mail because you are a registered subscriber of yellowsheetreport.com. To change your account preferences or e-mail address please visit www.yellowsheetreport.com

If you have any questions, comments or suggestions for this newsletter, please send an e-mail to editor@yellowsheetreport.com.

To cancel your subscription, click here.
Copyright 2016 by Arizona Capitol Reports, LLC
1835 W. Adams St., Phoenix, AZ 85007
Phone: 602-258-7026
Update Preferences

From: Sine Kerr </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2648C3C0AD714D51BF8319A19098DEFB-SINE KERR>
Sent: Thursday, November 12, 2020 8:35:40 AM
To: Jenny Solis <jsolis@azleg.gov>
Subject: Fw: election fraud

From: Daniel Fletcher <danfletcher01@msn.com>
Sent: Wednesday, November 11, 2020 10:54 AM
To: Sine Kerr <SKerr@azleg.gov>
Subject: election fraud

Name:	Daniel Fletcher
Email:	danfletcher01@msn.com
Phone:	16027995035
Leg. District:	13
Subject:	election fraud

Comments:
I want a full hand recount of ballots with authenticating and a real audit of the machines and software. Talking to neighbors and friends NOBODY believes this election count.

Sent Wed, 11 Nov 2020 17:54:59 +0000

AMERICAN OVERSIGHT

Sent: Thursday, April 1, 2021 11:05:54 AM
To: Douglas Logan <dlogan@cyberninjas.com>
Subject: RE: State of Arizona Accounting Forms

Thank you, please let me know if I can be of assistance.
Best,
Susie

From: Douglas Logan <dlogan@cyberninjas.com>
Sent: Thursday, April 1, 2021 11:02 AM
To: Susie Myers <SMyers@azleg.gov>
Subject: RE: State of Arizona Accounting Forms

Susie,
This has been received and I am working on getting this filled out.

Thanks,
Doug Logan
Chief Executive Officer
Cyber Ninjas
(o) (941)-3-NINJAS
(c) (941)-404-0360

From: Susie Myers <SMyers@azleg.gov>
Sent: Thursday, April 1, 2021 1:06 PM
To: Douglas Logan <dlogan@cyberninjas.com>
Subject: State of Arizona Accounting Forms

Good morning,

Attached you will find the Arizona substitute W-9 (required). This form is necessary to set your company up as a vendor in the State's accounting system.

Also attached is the ACH form (optional). This form will allow direct deposit into your account rather than a hard check being issued.

Please let me know if you have any questions or concerns, or if there is a more appropriate contact I should work with to complete the forms.

Best,
Susie Myers
Comptroller
Arizona State Senate
602-926-3230
smyers@azleg.gov

AMERICAN OVERSIGHT

Sent: Monday, April 12, 2021 10:17:46 AM
To: Douglas Logan <dlogan@cyberninjas.com>
Subject: RE: State of Arizona Accounting Forms

Hi Doug,

The accounting system/GAO does require an invoice (should include: invoice date, unique invoice number, invoice amount, description, and remit address) for all payments. Once received, I will send it through the approval process and initiate payment. Assuming there are no issues, the process should take about a week.

Best,
Susie

From: Douglas Logan <dlogan@cyberninjas.com>
Sent: Monday, April 12, 2021 10:05 AM
To: Susie Myers <SMyers@azleg.gov>
Subject: RE: State of Arizona Accounting Forms

Susie,
I just wanted to follow-up on this. Our contract states that 1/3 of the price is supposed to be paid on contract execution. Since the contract has been fully executed for over a week; can you please confirm how and when that first payment is going to go out?

Thanks,
Doug Logan
Chief Executive Officer
Cyber Ninjas
(o) (941)-3-NINJAS

From: Susie Myers <SMyers@azleg.gov>
Sent: Thursday, April 1, 2021 4:15 PM
To: Douglas Logan <dlogan@cyberninjas.com>
Subject: RE: State of Arizona Accounting Forms

Hi Doug,

Thank you for the quick turn around time. I will let you know if there are any issues, but on first glance everything looks good.

Best,
Susie

From: Douglas Logan <dlogan@cyberninjas.com>
Sent: Thursday, April 1, 2021 12:35 PM
To: Susie Myers <SMyers@azleg.gov>
Subject: RE: State of Arizona Accounting Forms

Susie,
Please see the attached signed forms.

AMERICAN OVERSIGHT

Thanks,
Doug Logan
Chief Executive Officer
Cyber Ninjas
(o) (941)-3-NINJAS
(c) (941)-404-0360

From: Susie Myers <SMyers@azleg.gov>
Sent: Thursday, April 1, 2021 1:06 PM
To: Douglas Logan <dlogan@cyberninjas.com>
Subject: State of Arizona Accounting Forms

Good morning,

Attached you will find the Arizona substitute W-9 (required). This form is necessary to set your company up as a vendor in the State's accounting system.

Also attached is the ACH form (optional). This form will allow direct deposit into your account rather than a hard check being issued.

Please let me know if you have any questions or concerns, or if there is a more appropriate contact I should work with to complete the forms.

Best,
Susie Myers
Comptroller
Arizona State Senate
602-926-3230
smyers@azleg.gov

AMERICAN OVERSIGHT

Sent: Monday, April 12, 2021 1:04:06 PM
To: Sara Metz <smetz@cyberninjas.com>
Subject: RE: State of Arizona Accounting Forms

Hi Sara,

The invoice can be billed to:
Arizona State Senate
1700 W Washington, Rm 201
Phoenix, AZ 85007

The invoice will need to have:

- An invoice date
- A unique invoice number
- Invoice amount
- Description of the services/goods being invoices
- Your company remit to address
- Terms of the invoice – net 30

From: Sara Metz <smetz@cyberninjas.com>
Sent: Monday, April 12, 2021 12:20 PM
To: Susie Myers <SMyers@azleg.gov>
Subject: RE: State of Arizona Accounting Forms

Good afternoon Susie,
Doug Logan asked me to send an invoice over to you, is there an address and any specific contact information for the Senate that I should have on the invoice?
Also, should the invoice be made out to "Arizona Senate"?

Thanks so much,

Sara Metz
Executive Assistant
Cyber Ninjas
www.cyberninjas.com

AMERICAN OVERSIGHT

Sent: Monday, April 12, 2021 2:16:06 PM
Subject: FW: Arizona State Senate - Cyber Ninjas - Invoice 0379
Attachments: 04 - Arizona State Senate - Cyber Ninjas - Maricopa County Audit - Invoice INV-0379.pdf

---

From: Sara Metz <smetz@cyberninjas.com>
Sent: Monday, April 12, 2021 2:12 PM
To: Susie Myers <SMyers@azleg.gov>
Cc: Accounting Department <accounting@cyberninjas.com>
Subject: Arizona State Senate - Cyber Ninjas - Invoice 0379

Hi Susie,

Please find invoice attached for one third of the total amount.

Please let me know if there's anything else you need.

Thank you,
Sara Metz
Executive Assistant
Cyber Ninjas
www.cyberninjas.com

From: Susie Myers <SMyers@azleg.gov>
Sent: Monday, April 12, 2021 4:05 PM
To: Sara Metz <smetz@cyberninjas.com>
Subject: RE: State of Arizona Accounting Forms

Hi Sara,

The invoice can be billed to:
Arizona State Senate
1700 W Washington St, Rm 201
Phoenix, AZ 85007

The invoice will need to have:

- An invoice date
- A unique invoice number
- Invoice amount
- Description of the services/goods being invoiced
- Your company remit to address
- Terms of the invoice – net 30

Please call me if you have any questions or concerns.

Best,
Susie Myers
AZ Senate Comptroller
602-926-3230

AMERICAN OVERSIGHT

From: Sara Metz <smetz@cyberninjas.com>
Sent: Monday, April 12, 2021 12:20 PM
To: Susie Myers <SMyers@azleg.gov>
Subject: RE: State of Arizona Accounting Forms

Good afternoon Susie,
Doug Logan asked me to send an invoice over to you, is there an address and any specific contact information for the Senate that I should have on the invoice?
Also, should the invoice be made out to "Arizona Senate"?

Thanks so much,

Sara Metz
Executive Assistant
Cyber Ninjas
www.cyberninjas.com

AMERICAN OVERSIGHT

Cyber Ninjas
Phone: (941) 3-NINJAS
Fax: (941) 364-6527
www.CyberNinjas.com
5077 Fruitville Rd #109-421, Sarasota, FL 34237

INVOICE

Arizona State Senate
Attention: Susie Myers
1700 W Washington St, Rm 201
PHOENIX ARIZONA 85007
USA

Invoice Date: 12 Apr 2021

Invoice Number: INV-0379

Reference:

Due Date: 12 May 2021

Description	Quantity	Amount	Total USD
465 - Maricopa County -Full Audit (A third of the fees due at execution of contract)	1.00	50000.00	50,000.00
		Invoice Total USD	50,000.00
		Total Net Payments USD	0.00
		Amount Due USD	**50,000.00**

Invoice questions or payment issues should be directed to Accounts Payable at accounting@cyberninjas.com or 941-364-6527.

PAYMENT ADVICE

To: Cyber Ninjas Inc
Attention: Doug Logan
5077 Fruitville Rd #109-421
SARASOTA FL 34232
USA

Customer	Arizona State Senate
Invoice Number	INV-0379
Amount Due	$50,000.00
Due Date	***12 May 2021***
Amount Enclosed	

Enter the amount you are paying above

Registered Office: 5077 Fruitville Rd #109-421, Sarasota, FL, 34232, USA

AMERICAN OVERSIGHT

Sent: Wednesday, April 14, 2021 2:02:32 PM
To: Sara Metz <smetz@cyberninjas.com>
Cc: Accounting Department <accounting@cyberninjas.com>
Subject: RE: Arizona State Senate - Cyber Ninjas - Invoice 0379

Hi Sara,

I went to process payment for INV-0379 today, however, I noticed that the zipcode on the i

---

From: Sara Metz <smetz@cyberninjas.com>
Sent: Monday, April 12, 2021 2:12 PM
To: Susie Myers <SMyers@azleg.gov>
Cc: Accounting Department <accounting@cyberninjas.com>
Subject: Arizona State Senate - Cyber Ninjas - Invoice 0379

Hi Susie,

Please find invoice attached for one third of the total amount.

Please let me know if there's anything else you need.

Thank you,
Sara Metz
Executive Assistant
Cyber Ninjas
www.cyberninjas.com

From: Susie Myers <SMyers@azleg.gov>
Sent: Monday, April 12, 2021 4:05 PM
To: Sara Metz <smetz@cyberninjas.com>
Subject: RE: State of Arizona Accounting Forms

Hi Sara,

The invoice can be billed to:
Arizona State Senate
1700 W Washington St, Rm 201
Phoenix, AZ 85007

The invoice will need to have:

- An invoice date
- A unique invoice number
- Invoice amount
- Description of the services/goods being invoiced
- Your company remit to address
- Terms of the invoice – net 30

Please call me if you have any questions or concerns.

Best,
Susie Myers

AMERICAN OVERSIGHT

AZ Senate Comptroller
602-926-3230

From: Sara Metz <smetz@cyberninjas.com>
Sent: Monday, April 12, 2021 12:20 PM
To: Susie Myers <SMyers@azleg.gov>
Subject: RE: State of Arizona Accounting Forms

Good afternoon Susie,
Doug Logan asked me to send an invoice over to you, is there an address and any specific contact information for the Senate that I should have on the invoice?
Also, should the invoice be made out to "Arizona Senate"?

Thanks so much,

Sara Metz
Executive Assistant
Cyber Ninjas
www.cyberninjas.com

AMERICAN OVERSIGHT

Sent: Wednesday, April 14, 2021 2:02:47 PM
Subject: FW: Arizona State Senate - Cyber Ninjas - Invoice 0379
Attachments: 04 - Arizona State Senate - Cyber Ninjas - Maricopa County Audit - Invoice INV-0379.pdf

---

From: Sara Metz <smetz@cyberninjas.com>
Sent: Monday, April 12, 2021 2:12 PM
To: Susie Myers <SMyers@azleg.gov>
Cc: Accounting Department <accounting@cyberninjas.com>
Subject: Arizona State Senate - Cyber Ninjas - Invoice 0379

Hi Susie,

Please find invoice attached for one third of the total amount.

Please let me know if there's anything else you need.

Thank you,
Sara Metz
Executive Assistant
Cyber Ninjas
www.cyberninjas.com

From: Susie Myers <SMyers@azleg.gov>
Sent: Monday, April 12, 2021 4:05 PM
To: Sara Metz <smetz@cyberninjas.com>
Subject: RE: State of Arizona Accounting Forms

Hi Sara,

The invoice can be billed to:
Arizona State Senate
1700 W Washington St, Rm 201
Phoenix, AZ 85007

The invoice will need to have:

- An invoice date
- A unique invoice number
- Invoice amount
- Description of the services/goods being invoiced
- Your company remit to address
- Terms of the invoice – net 30

Please call me if you have any questions or concerns.

Best,
Susie Myers
AZ Senate Comptroller
602-926-3230

AMERICAN OVERSIGHT

From: Sara Metz <smetz@cyberninjas.com>
Sent: Monday, April 12, 2021 12:20 PM
To: Susie Myers <SMyers@azleg.gov>
Subject: RE: State of Arizona Accounting Forms

Good afternoon Susie,
Doug Logan asked me to send an invoice over to you, is there an address and any specific contact information for the Senate that I should have on the invoice?
Also, should the invoice be made out to "Arizona Senate"?

Thanks so much,

Sara Metz
Executive Assistant
Cyber Ninjas
www.cyberninjas.com

AMERICAN OVERSIGHT

Cyber Ninjas
Phone: (941) 3-NINJAS
Fax: (941) 364-6527
www.CyberNinjas.com
5077 Fruitville Rd #109-421, Sarasota, FL 34237

INVOICE

Arizona State Senate
Attention: Susie Myers
1700 W Washington St, Rm 201
PHOENIX ARIZONA 85007
USA

Invoice Date: 12 Apr 2021

Invoice Number: INV-0379

Reference:

Due Date: 12 May 2021

Description	Quantity	Amount	Total USD
465 - Maricopa County -Full Audit (A third of the fees due at execution of contract)	1.00	50000.00	50,000.00
		Invoice Total USD	50,000.00
		Total Net Payments USD	0.00
		Amount Due USD	**50,000.00**

Invoice questions or payment issues should be directed to Accounts Payable at accounting@cyberninjas.com or 941-364-6527.

PAYMENT ADVICE

To: Cyber Ninjas Inc
Attention: Doug Logan
5077 Fruitville Rd #109-421
SARASOTA FL 34232
USA

Customer	Arizona State Senate
Invoice Number	INV-0379
Amount Due	$50,000.00
Due Date	***12 May 2021***
Amount Enclosed	

Enter the amount you are paying above

AMERICAN OVERSIGHT

Sent: Wednesday, April 21, 2021 3:43:16 PM
Subject: FW: Arizona State Senate - Cyber Ninjas - Invoice 0379
Attachments: 04 - Arizona State Senate - Cyber Ninjas - Maricopa County Audit - Invoice INV-0379.pdf

---

From: Sara Metz <smetz@cyberninjas.com>
Sent: Monday, April 12, 2021 2:12 PM
To: Susie Myers <SMyers@azleg.gov>
Cc: Accounting Department <accounting@cyberninjas.com>
Subject: Arizona State Senate - Cyber Ninjas - Invoice 0379

Hi Susie,

Please find invoice attached for one third of the total amount.

Please let me know if there's anything else you need.

Thank you,
Sara Metz
Executive Assistant
Cyber Ninjas
www.cyberninjas.com

From: Susie Myers <SMyers@azleg.gov>
Sent: Monday, April 12, 2021 4:05 PM
To: Sara Metz <smetz@cyberninjas.com>
Subject: RE: State of Arizona Accounting Forms

Hi Sara,

The invoice can be billed to:
Arizona State Senate
1700 W Washington St, Rm 201
Phoenix, AZ 85007

The invoice will need to have:

- An invoice date
- A unique invoice number
- Invoice amount
- Description of the services/goods being invoiced
- Your company remit to address
- Terms of the invoice – net 30

Please call me if you have any questions or concerns.

Best,
Susie Myers
AZ Senate Comptroller
602-926-3230

AMERICAN OVERSIGHT

From: Sara Metz <smetz@cyberninjas.com>
Sent: Monday, April 12, 2021 12:20 PM
To: Susie Myers <SMyers@azleg.gov>
Subject: RE: State of Arizona Accounting Forms

Good afternoon Susie,
Doug Logan asked me to send an invoice over to you, is there an address and any specific contact information for the Senate that I should have on the invoice?
Also, should the invoice be made out to "Arizona Senate"?

Thanks so much,

Sara Metz
Executive Assistant
Cyber Ninjas
www.cyberninjas.com

AMERICAN OVERSIGHT

Cyber Ninjas
Phone: (941) 3-NINJAS
Fax: (941) 364-6527
www.CyberNinjas.com
5077 Fruitville Rd #109-421, Sarasota, FL 34237

INVOICE

Arizona State Senate
Attention: Susie Myers
1700 W Washington St, Rm 201
PHOENIX ARIZONA 85007
USA

Invoice Date: 12 Apr 2021

Invoice Number: INV-0379

Reference:

Due Date: 12 May 2021

Description	Quantity	Amount	Total USD
465 - Maricopa County -Full Audit (A third of the fees due at execution of contract)	1.00	50000.00	50,000.00
		Invoice Total USD	50,000.00
		Total Net Payments USD	0.00
		Amount Due USD	**50,000.00**

Invoice questions or payment issues should be directed to Accounts Payable at accounting@cyberninjas.com or 941-364-6527.

PAYMENT ADVICE

To: Cyber Ninjas Inc
Attention: Doug Logan
5077 Fruitville Rd #109-421
SARASOTA FL 34232
USA

Customer	Arizona State Senate
Invoice Number	INV-0379
Amount Due	$50,000.00
Due Date	***12 May 2021***
Amount Enclosed	

Enter the amount you are paying above

AMERICAN OVERSIGHT

Sent: Monday, April 12, 2021 2:02:57 PM
Subject: FW: State of Arizona Accounting Forms
Attachments: Cyber Ninjas - GAO-W-9 State of Arizona Substitute W-9_signed.pdf;Cyber Ninjas - GAO-618 ACH Authorization Form_signed.pdf

---

From: Douglas Logan <dlogan@cyberninjas.com>
Sent: Thursday, April 1, 2021 12:35 PM
To: Susie Myers <SMyers@azleg.gov>
Subject: RE: State of Arizona Accounting Forms

Susie,
Please see the attached signed forms.

Thanks,
Doug Logan
Chief Executive Officer
Cyber Ninjas
(o) (941)-3-NINJAS
(c) (941)-404-0360

From: Susie Myers <SMyers@azleg.gov>
Sent: Thursday, April 1, 2021 1:06 PM
To: Douglas Logan <dlogan@cyberninjas.com>
Subject: State of Arizona Accounting Forms

Good morning,

Attached you will find the Arizona substitute W-9 (required). This form is necessary to set your company up as a vendor in the State's accounting system.

Also attached is the ACH form (optional). This form will allow direct deposit into your account rather than a hard check being issued.

Please let me know if you have any questions or concerns, or if there is a more appropriate contact I should work with to complete the forms.

Best,
Susie Myers
Comptroller
Arizona State Senate
602-926-3230
smyers@azleg.gov

AMERICAN OVERSIGHT

ARIZONA
DEPARTMENT OF ADMINISTRATION
GENERAL ACCOUNTING

State of Arizona Substitute W-9: Request for Taxpayer Identification Number and Certification

Submit completed form to the State of Arizona Agency with whom you are doing business with for review and authorization.

1 **Type of Request (Must select at least ONE)**

- (●) New Request
- ( ) New Location (Additional Address ID)
- ( ) Change - Select the type(s) of change from the following: [ ] Tax ID [ ] Legal Name [ ] Entity Type [ ] Minority Business Indicator [ ] Main Address [ ] Remittance Address [ ] Contact Information

2 **Taxpayer Identification Number (TIN) (Provide ONE Only)**

TIN [redacted] **OR** SSN [ ][ ][ ] - [ ][ ] - [ ][ ][ ][ ]

3 **Entity Name** (As it appears on IRS EIN records, IRS Letter CP575, IRS Letter 147C or Social Security Administration Records, Social Security Card. If Individual, Sole Proprietor, Single Member LLC, enter First, Middle, Last Name.)

Legal Name: Cyber Ninjas Inc

DBA Name: Cyber Ninjas

4 **Entity Type** (Must select ONE of the following)

- ( ) Individual/Sole Proprietor or Single-Member LLC
- (●) Corporation
- ( ) Partnership
- ( ) Limited Liability Company (LLC) including Corporations & Partnerships
- ( ) The US or any of its political subdivisions or instrumentalities
- ( ) A state, a possession of the US, or any of their political subdivisions or instrumentalities
- ( ) Other: Tax Reportable Entity
- ( ) Other: Tax Exempt Entity

Description: S Corp

5 **Minority Business Indicator** (Must select ONE of the following)

- (●) Small Business
- ( ) Small Business- African American
- ( ) Small Business- Asian
- ( ) Small Business - Hispanic
- ( ) Small Business- Native American
- ( ) Small Business- Other Minority
- ( ) Small, Woman Owned Business
- ( ) Small, Woman Owned Business- African American
- ( ) Small, Woman Owned Business- Asian
- ( ) Small, Woman Owned Business- Hispanic
- ( ) Small, Woman Owned Business- Native American
- ( ) Small, Woman Owned Business- Other Minority
- ( ) Woman Owned Business
- ( ) Woman Owned Business- African American
- ( ) Woman Owned Business- Asian
- ( ) Woman Owned Business- Hispanic
- ( ) Woman Owned Business- Native American
- ( ) Woman Owned Business- Other Minority
- ( ) Minority Owned Business- African American
- ( ) Minority Owned Business- Asian
- ( ) Minority Owned Business- Hispanic
- ( ) Minority Owned Business- Native American
- ( ) Minority Owned Business- Other Minority
- ( ) Non-Profit, IRC §501(c)
- ( ) Non-Small, Non-Minority or Non-Woman Owned Business
- ( ) Individual, Non-Business

6 **Veteran Owned Business** [ ] YES [✓] NO

7 **Entity Address**

Main Address (Where tax information and general correspondence is to be mailed)

Address Line 1: 5077 Fruitville Rd
Address Line 2: Suite 109-421
City: Sarasota State: FL Zip code: 34232

Remittance Address (Where payment is to be mailed) [✓] Same as Main

Address Line 1:
Address Line 2:
City: State: Zip code:

8 **Vendor Contact Information**

Name: Douglas Logan Title: CEO
Phone: [redacted] Fax: 941-364-65 Email: dlogan@cyberninjas.com

9 **Exemption from Backup Withholding and FATCA Reporting:** Complete this section if it is applicable to you. See instructions for more details

Exemption Code for Backup Withholding: 5
Exemption Code for FATCA Reporting:

10 **Certification**

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct Taxpayer Identification Number, and
2. I am not subject to Backup Withholding because: (a) I am exempt from Backup Withholding, or (b) I have not been notified by the IRS that I am subject to Backup Withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to Backup Withholding, and
3. I am a US citizen or other US person, and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

Certification instructions: You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN.

Signature [redacted] **Print Name** Douglas J Logan **Date** 4/1/2021

AMERICAN OVERSIGHT

The State of Arizona Substitute W-9 Form Instructions

The State of Arizona (State), like all organizations that file an information return with the IRS, must obtain your correct Taxpayer Identification Number (TIN) to report income paid to you or your organization. The State uses the Substitute W-9 Form to obtain certification of your TIN in order to ensure accuracy of information contained in its payee/vendor system and to avoid Backup Withholding as mandated by the IRS. According to IRS regulations, the State must withhold 28% of all payments if a vendor/payee fails to provide the State its certified TIN. The Substitute Form W-9 certifies a vendor/payee's TIN. Any vendor/payee who wishes to do business with the State must complete the Substitute W-9 Form.

Part 1 - Type of Request: Select only one.

Part 2 - Taxpayer Identification Number (TIN): Enter your nine-digit TIN. The TIN is either your nine-digit Social Security Number (SSN) assigned by the Social Security Administration (SSA) or Employer Identification Number (EIN) assigned by the Internal Revenue Service (IRS).

Part 3 - Entity Name: Enter the legal name as it appears on IRS EIN records, IRS Letter CP575, IRS Letter 147C or Social Security Administration Records, Social Security Card. If Individual, Sole Proprietor, Single Member LLC, enter First, Middle, Last Name. Enter your DBA in the designated line if applicable.

Part 4 - Entity Type: Select only one for TIN given.

Part 5 - Minority Business Indicator: Select only one for TIN given.

Part 6 - Veteran Owned Business: Select only one for TIN given.

Part 7 - Entity Address: List the locations for tax reporting purposes and where payments should be mailed.

Part 8 - Entity Contact Information: List the contact information.

Part 9 - Backup Withholding and FATCA Exemptions: If you are exempt from Backup Withholding and/or FATCA reporting, enter in the Exemptions box, any code(s) that may apply to you.

Backup Withholding Exemption Codes: Generally, Individuals (including Sole Proprietors) are not exempt from Backup Withholding. Additionally, Corporations are not exempt from Backup Withholding when supplying legal or medical services. If you do not fall under the categories below, leave this field blank. The following codes identify payees that are exempt from Backup Withholding:
Code 1: An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b) (7) if the account satisfies the requirements of section 401(f) (2)
Code 2: The United States or any of its agencies or instrumentalities
Code 3: A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or Instrumentalities
Code 4: A foreign government or any of its political subdivisions, agencies, or instrumentalities
Code 5: A corporation
Code 6: A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States Code 7: A futures commission merchant registered with the Commodity Futures Trading Commission
Code 8: A real estate investment trust
Code 9: An entity registered at all times during the tax year under the Investment Company Act of 1940
Code 10: A common trust fund operated by a bank under section 584(a)
Code 11: A financial institution
Code 12: A middleman known in the investment community as a nominee or custodian
Code 13: A trust exempt from tax under section 664 or described in section 4947

FATCA Exemption Codes: The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. If you are only submitting this form for an account you hold in the United States, leave this field blank. The following codes identify payees that are exempt from FATCA Reporting:
Code A: An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a) (37)
Code B: The United States or any of its agencies or instrumentalities
Code C: A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities
Code D: A corporation the stock of which is regularly traded on one or more established securities markets, as described in Reg. section 1.1472-1(c)(1)(i)
Code E: A corporation that is a member of the same expanded affiliated group as a corporation described in Reg. section 1.1472-1(c) (1) (i)
Code F: A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state
Code G: A real estate investment trust
Code H: A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
Code I: A common trust fund as defined in section 584(a)
Code J: A bank as defined in section 581 Code K: A broker
Code L: A trust exempt from tax under section 664 or described in section 4947(a) (1)
Code M: A tax-exempt trust under a section 403(b) plan or section 457(g) plan

Part 10 - Certification: Please sign, date and provide preparer's name in appropriate space.

AMERICAN OVERSIGHT

ARIZONA

DEPARTMENT OF ADMINISTRATION
GENERAL ACCOUNTING

STATE OF ARIZONA ACH AUTHORIZATION FORM

Original form is preferred. Please contact Vendor.PayAutomation@azdoa.gov if you have questions about the form or setup process.

DO NOT SUBMIT COMPLETED FORM TO STATE OF ARIZONA AGENCIES. SUBMIT COMPLETED FORM TO:
DEPARTMENT OF ADMINISTRATION/GENERAL ACCOUNTING OFFICE
ATTN: VENDOR SETUP
100 N 15TH AVE, STE 302
PHOENIX, AZ 85007

☐ Check if DES/DDD Provider

1 **Request Type** (Select only ONE)

◉ New ○ Change ○ Cancellation, Cancellation Reason:

2 **Taxpayer Identification Number (TIN)**

EIN [redacted] **OR** SSN ☐☐☐ - ☐☐ - ☐☐☐☐

3 **Legal Name, Address and Contact Information**

Name Cyber Ninjas Inc		Phone 941-364-6527	Ext 1337
Address 5077 Fruitville Rd #109-421	City Sarasota	State FL	Zip Code 34232
Email Address dlogan@cyberninjas.com			

4 **Change Information - FOR CHANGE REQUEST ONLY**

Changing: ☐ Financial Institution ☐ Account Type ☐ Account Number ☐ Authorized Signers

Previous Financial Institution: _____ Previous Account Type: ○ Checking ○ Savings Previous Account Number: _____

5 **AUTHORIZATION FOR NEW SETUP, CHANGE(S) OR CANCELLATION**

Pursuit to A.R.S. Sec. 35-185, I authorize the Arizona Department of Administration (ADOA), General Accounting Office (GAO) to process payments owed to me by the State of Arizona (State) via Automated Clearing House (ACH) deposits. The State shall deposit the ACH payments in the financial institution and account designated below. **I recognize that if I fail to provide complete and accurate information** on this authorization form, the processing of the form may be delayed or made impossible, and my electronic payments may be posted to the wrong account.

I authorize the State to withdraw from the designated account all amounts deposited electronically in error in accordance with NACHA rules and timelines.

If the designated account is closed or has an insufficient balance to allow withdrawal, then I authorize the State to withhold any payment owed to me by the State until the erroneously deposited amounts are repaid. If I decide to change or revoke this authorization, I recognize that I must forward such notice to the ADOA-GAO. The change or revocation is effective on the day the ADOA-GAO processes the request.

I certify that I have read and agree to comply with the State's rules governing payments and electronic transfers as they exist on the date of my signature on this form or as subsequently adopted, amended, or repealed. I consent to, and agree to, comply with these rules even if they conflict with this authorization form.

I authorize the State to stop making electronic transfers to my account without advance notice.

I certify that I am authorized to contract for the entity receiving deposits pursuant to this agreement and that all information provided is accurate.

Name	Authorized Signature (Required)	Title	Date
Douglas J Logan	[redacted]	CEO	4/1/2021

Additional Authorized Signers

Name	Authorized Signature	Title	Date
Name	Authorized Signature	Title	Date

Addendum record format ◉ CTX ○ CCD+ ***Detailed ACH payment can also be viewed online at http://venpay.gao.azdoa.gov.***

6 **Financial Institution**

Financial Institution Name Sabal Palm Bank		Phone 941-361-1122	Ext
Address (Optional) 5101 Fruitville Road #100	City Sarasota	State FL	Zip Code 34232
Routing Number [redacted]	Account Number [redacted]	Account Type ◉ Checking ○ Savings	

7 **GAO USE ONLY**

Verified and Entered By And Date	Vendor #	Address ID
Entity Contact Verified By	Doc Number Entered	Approved By

GAO-618 (10/2019)

AMERICAN OVERSIGHT

STATE OF ARIZONA ACH AUTHORIZATION FORM INSTRUCTIONS

ORIGINAL FORM IS PREFERRED. ANY REQUEST FOR ACH PAYMENTS INTO MULTIPLE ACH ACCOUNTS WILL BE REVIEWED AND APPROVED ON A CASE-BY-CASE BASIS.

DO NOT SUBMIT COMPLETED FORM TO STATE OF ARIZONA AGENCIES.
SUBMIT COMPLETED FORM TO THE GENERAL ACCOUNTING OFFICE FOR REVIEW AND SETUP.

SUBMIT COMPLETED FORM TO:

DEPARTMENT OF ADMINISTRATION/GENERAL ACCOUNTING OFFICE
ATTN: VENDOR SETUP
100 N 15TH AVE, STE 302 PHOENIX, AZ 85007

For **AHCCCS Medicaid Providers only** use the following link to self-register EFT/ACH information:

https://www.azahcccs.gov/PlansProviders/RatesAndBilling/FFS/directdeposit.html

Part 1 - Request Type: Select one.
Part 2 - Taxpayer Identification Number (TIN): Enter your nine-digit TIN. The TIN is either your nine-digit Employer Identification Number (EIN) assigned by the Internal Revenue Service (IRS) or Social Security Number (SSN) assigned by the Social Security Administration (SSA), whichever one is associated with the Legal Name in Part 3.
Part 3 - Legal Name, Address, and Contact Information: Complete all information.
Part 4 - Change Information (Change Request Only): Check all boxes that correspond to the account information being changed.
Part 5 - Authorization: List at least one authorized signer and up to two additional authorized signers. Only an authorized signer is able to authorize new setup and changes.
Part 6 - Financial Information: Complete all information. Address is optional.
Part 7 - General Accounting Office Use Only: Do not complete.

AMERICAN OVERSIGHT

From: Arizona Senate Democrats <senatedems@azleg.gov>
Sent: Friday, March 26, 2021 4:16:20 PM
To: Tyler Kowch <TKowch@azleg.gov>
Subject: The Blue Wave Newsletter

View this email in your browser

Share Tweet

On Monday Senate Democrats and Supervisor Steve Gallardo held a press conference on the Senate Republican's audit of the 2020 election after news that Senate President Karen Fann is discussing using *volunteers* to count voter's ballots and an ongoing lack of transparency with the

AMERICAN OVERSIGHT

public. While Senate Democrats argued this "audit" will only encourage and not tamp down conspiracy theorists, our press conference was interrupted by--you guessed it, a group of protestors calling us “liars” and “traitors,” while claiming they had evidence the 2020 election was stolen. We were there to defend the integrity of Arizona’s elections against the state Senate Republican's shocking endorsement of conspiracy theories. Voting is at the core of American Democracy and we should be fighting to protect it, not attack it. It's time we expand access to Democracy and remove hurdles Republicans have placed in front of voters.

On Thursday morning, Governor Ducey once again announced major policy changes via Twitter when he released a new Executive Order lifting Arizona's COVID-19 restrictions immediately. Only 27% of Arizonans have had their first shot and only 17% have had both doses. This is nowhere near the 70% required for herd immunity. Keep in mind that Governor Ducey stood in the way of over 100,000 Arizonans in Pima County getting the vaccine by refusing a FEMA-run site to provide vaccinations. After the announcement,Arizona's major hospital networks came out against Ducey's rollback of COVID restrictions: "Now is not the time to become complacent & declare victory when the virus is still prominent... COVID-19 mitigation strategies work."

As Senator Kirsten Engel said, "Gov Ducey overrides vital public health protections such as the mask wearing requirements by our courageous mayors, Tucson’s Regina Romero and Phoenix’s Kate Gallego, and rejects FEMA’s vaccines for disadvantaged communities. Whose now the barrier to protecting public health?"

Senator Victoria Steele added, "this is completely irresponsible. We in Tucson just lost a dear friend a week ago to COVID. This is clearly a political decision and one that has far too high of a risk to public health."

Questions about the American Rescue Plan? Hear from Senators Lela Alston and Martin Quezada about how it'll help Arizona.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

RECOVER. RESTORE REBUILD--The Democratic Blueprint for 2021

In the face of a global pandemic that is still spreading, taking lives, impacting our economy and devastating our most vulnerable communities, our priorities have never been clearer. See our plan to rebuild Arizona.

AMERICAN OVERSIGHT

A highlight of some bills Senate Democrats have introduced this session

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Despite scandals facing Phoenix police and the Maricopa County Attorney's Office over recent protest prosecutions, Senate Republicans this week pushed through a House bill giving law enforcement even *more* discretion and power to punish demonstrators. Republican lawmakers also cut off Senator Quezada when he explained his vote saying, "We should all vote no, specifically for that reason. (Roberts) wants them not to speak about murders of people of color. He wants to chill them from..." said Quezada before he was cut off by Senator Leach.

Following two mass shootings in the last two weeks (Atlanta, Georgia and Boulder, Colorado) Senate Republicans are also moving forward bills that *loosen* Arizona's already lax gun laws. One measure approved by the Judiciary Committee would allow the more than 390,000 Arizonans with permits to carry a concealed weapon to bring them into most public buildings, regardless of what the sign on the door says. There's also HB2840, legislation that

AMERICAN OVERSIGHT

would allow adults 18 years and older, to have a loaded gun in their car on school grounds. That alarmed Senator Engel who said lawmakers need to see through the eyes of a mother, "I have actually received that call more than once from my daughter, hiding under a desk because there's somebody with a gun in the parking lot."

We are waiting for a number of striker bill language to drop Monday at 5PM.

THE GOOD

HB2565 appropriation; affordable housing. Sponsored by Rep. Alma Hernandez.Striker bill that would provide $5 million to the housing trust fund to support renters and homeowners. Will be heard in Senate Appropriations on Wednesday, March 31st at 9AM.

AMERICAN OVERSIGHT

THE BAD

HB2190 vaccination; businesses. Sponsored by Rep. An anti-public health bill that prohibits businesses from requiring employees from getting the COVID vaccine before returning to work. Will be heard in Senate Appropriations on Wednesday, March 31st at 9AM.

- Warning that election audit would feed conspiracy theories interrupted by people yelling conspiracy theories "This audit is a dangerous fishing expedition that could harm the sanctity of the secret ballot," Sen. Kirsten Engel, D-Tucson, said at the press conference organized by Senate Democrats, while a protester a few dozen feet away yelled "treason" at her.

AMERICAN OVERSIGHT

- Ducey talks disdain for new education tax, vows fast fix "This is another reason exactly why voters don't trust us. They work their butts off to collect signatures, put a measure on the ballot that is going to fix a problem...They pass a proposition and we go and do something like this," said Senator Quezada.
- Senate to consider restriction on school expulsions, suspensions Senator Gonzales said she would prefer that school boards look more broadly at their policies on suspension and expulsions for all age groups. Her experience is that these kinds of discipline are used disproportionately on students of color
- Arizona Senate to hand-count 2.1 million Maricopa ballots Fann hopes the effort is bipartisan but Senate Democrats say, "We never wanted anything to do with that. I guess you could say we worked in a bipartisan way, since we backed the Board of Supervisors, which is all Republican but one," said Senator Contreras.
- Bill to let dishonest cops appeal placement on Brady List advances"There are broader problems here that will not be addressed just by amending this bill," said Senator Engel. Senator Quezada agreed, adding that the Phoenix PD currently employs more than 100 officers who are on the Brady List.

AMERICAN OVERSIGHT

GET VACCINATED!

UPDATE: Essential workers in public transit, the postal service and funeral homes will begin receiving their COVID-19 vaccines. and the vaccine is now available to anyone 16 years old and up.

- SEE IF YOU QUALIFY FOR A VACCINE HERE
- SIGN UP FOR A VACCINE HERE

CVS Health will begin COVID-19 vaccines Thursday to eligible populations at 8 pharmacies in Maricopa, Mohave, Pima, Pinal and Yuma counties. You MUST have appointment. If you don't have internet, call (800) 746-7287. Make an appointment online here.

GET TESTED! Find a COVID testing site for you or family members across Arizona.

AMERICAN OVERSIGHT

CONTACT YOUR STATE SENATOR!

Our website is www.arizonasenatedemocrats.com

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

This email was sent to tkowch@azleg.gov
why did I get this? unsubscribe from this list update subscription preferences
Arizona State Senate Democratic Caucus · 1700 W Washington St · Arizona State Senate · Phoenix, AZ 85007-2812 · USA

From: Karen Fann </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2A7BE760744B469197C45D6646442A44-KAREN FANN>
Sent: Friday, May 21, 2021 2:43:44 PM
To: Mike Philipsen <MPhilipsen@azleg.gov>;Greg Jernigan <GJernigan@azleg.gov>;Wendy Baldo <wbaldo@azleg.gov>
Subject: FW: Chairman Jack Sellers' Statement on New Letter to Senate, Audit Contractors
Attachments: audit 410 county demand to fann.pdf

From: - Capitol Media Services <capmedia@hotmail.com>
Sent: Friday, May 21, 2021 2:39 PM
To: Karen Fann <KFann@azleg.gov>; Mike Philipsen <MPhilipsen@azleg.gov>
Subject: Fw: Chairman Jack Sellers' Statement on New Letter to Senate, Audit Contractors
Importance: High

... and the horse you rode in on???

looking for comment to this and the attached demand letter from adel.

thanks.

-- howie
capmedia@hotmail.com
602-390-1170

From: Chairman Jack Sellers <maricopacounty@service.govdelivery.com>
Sent: Friday, May 21, 2021 2:28 PM
To: capmedia@hotmail.com <capmedia@hotmail.com>
Subject: Chairman Jack Sellers' Statement on New Letter to Senate, Audit Contractors

Supervisor Jack Sellers

Statement from Chairman Jack Sellers: Senate Should Preserve Evidence

AMERICAN OVERSIGHT

It is clear the Arizona Senate and its contractors do not intend to retract false allegations defaming the County and its employees. For that reason, Maricopa County is formally requesting Senate President Fann, Senator Petersen, Senate liaison Ken Bennett, and contractors involved in the "audit" preserve documents and evidence as they may be subject to future legal claims.

READ THE LETTER TO SENATOR FANN >

It is unfortunate we have reached this point, especially considering the "audit" was never authorized by a full Senate vote. Instead, two Senators out of a total of 30 used subpoenas to obtain private ballots, voter information, and taxpayer-funded tabulation machines, then turned all that material over to biased, out-of-state groups with little to no election auditing experience. The conclusions already drawn by these contractors and shared prior to the completion of the audit clearly intend to disparage the County and call into question the integrity of the 2020 elections.

Earlier this week, the Maricopa County Board of Supervisors, Recorder, and other county elected leaders sent a 13-page letter to the Arizona Senate President providing answers to what she characterized as "three serious issues" her contractors allegedly uncovered about our vote tabulation machines and election processes. As the letter states, their "issues" demonstrate a lack of understanding of Arizona election law and best practices for running elections.

The most serious claim is that Elections officials deleted a database folder before providing it to the Cyber Ninjas. This is not true. We demanded a retraction. But Senate President Fann's letter and tweet from the official Senate audit Twitter account continues to spread the false allegation even after her own contractor admitted he found the files on the copy he made of the server.

The claim that our employees deleted election files and destroyed evidence is outrageous and baseless. I again demand an immediate retraction of any public statements made to the news media and or posted to Twitter. Since this seems unlikely to happen, I will repeat what I said at the press conference on Monday: finish your report and be prepared to defend it and your actions related to this "audit" in court.

SUBSCRIBER SERVICES:

Manage Preferences | Unsubscribe | Help

This email was sent to capmedia@hotmail.com using GovDelivery. Maricopa County • 301 W Jefferson St • Phoenix, AZ 85003

225 WEST MADISON
PHOENIX, AZ 85003
WWW.MARICOPACOUNTYATTORNEY.ORG

PH. (602) 506-8541
FAX (602) 506-4317

Maricopa County Attorney

ALLISTER ADEL

May 21, 2021

VIA EMAIL ONLY

The Honorable Karen Fann
President of the Arizona Senate
Fifty-Fifth Legislature
1700 West Washington, Senate Building
Phoenix, Arizona, 85007
kfann@azleg.gov

RE: Litigation Hold and Preservation Notice

Dear Senate President Fann:

Our office represents Maricopa County, the Maricopa County Board of Supervisors, the Office of the Maricopa County Recorder, Maricopa County Recorder Stephen Richer, in his official capacity, and County employees.

Your May 13, 2021 letter to the Maricopa County Board of Supervisors Chairman Jack Sellers, which was published widely, falsely claimed, "[w]e have recently discovered that the entire 'Database' directory from the D drive of the machine 'EMSPrimary' has been deleted. This removes election related details that appear to have been covered by the subpoena…[t]his suggests that the main database for all election related data for the November 2020 General Election has been removed."

Soon after, the Senate Audit's twitter account posted, "Breaking Update: Maricopa County deleted a directory full of election databases from the 2020 election databases from the 2020 election cycle days before the election equipment was delivered to the audit: This is spoliation of evidence!"

On May 17, 2021, Representatives Matt Gaetz, Andy Biggs, Marjorie Taylor Greene and Paul Gosar sent a letter to the Department of Justice asserting this false claim that "an entire 'database' directory of election information was deleted from the Election Management System Primary Machine…[t]the apparent deliberate deletion of the election management system prior to the information being transferred to the independent auditors, runs afoul of Arizona election law." The Representatives' false claim relied solely on these false statements.

Our clients delivered the server exactly as it was kept by the Maricopa County Elections Department. Nothing was deleted, or added, from the server when we prepared it to be sent to the Senate pursuant to the Senate's subpoena.

AMERICAN OVERSIGHT

LITIGATION HOLD NOTICE &
DOCUMENT PRESERVATION REQUEST

Because of the wrongful accusations that the County destroyed evidence, the County or its elected officers may now be subject to, or have, legal claims. Likewise, we have reason to believe this audit is not being done in accordance with Arizona law. Accordingly, as set forth in detail below, you must preserve all documents related to your "audit", including any and all communications between you and any other member of the Senate or their staffs, and also any communications between you and your agents, including, but not limited to, Ken Bennett, Cyber Ninjas, CyFir, Wake TSI, and those firms' various owners, officers, employees, agents, subcontractors, or volunteers that they utilized in the conduct or furtherance of the "audit" you and they are conducting.

You must give this litigation hold letter to all of your agents, contractors, volunteers, or anyone else who is designated, retained, employed, or otherwise utilized by you or the Arizona Senate to participate in the "audit" being conducted of Maricopa County's election equipment and ballots. This includes whoever operates the "audit's" Twitter account. All those persons are likewise subject to this litigation hold letter.

In general, litigants have a duty to preserve documents and evidence that they know, or reasonably should know "'is relevant in the action, is reasonably calculated to lead to the discovery of admissible evidence, is reasonably likely to be requested during discovery and/or is the subject of a pending discovery request.'" *Souza v. Fred Carries Contracts, Inc.*, 191 Ariz. 247, 250 (Ct. App. 1997) (citing *Turner v. Hudson Transit Lines, Inc.*, 142 F.R.D. 68, 72 (S.D.N.Y.1991)). Please preserve and ensure that you and the Senate's agents and/or representatives preserve all such documents and evidence in their possession, custody and/or control. This includes, but is not limited to the following:

1. All documents and evidence, whether paper or electronic, including but not limited to written records, photographs, video, audio, recordings, spreadsheets, calendars, contact lists and/or contact files, logs, data files, dictations, databases, images, texts, timelines, archive files, browsing histories and tangible evidence.

2. All communications and correspondence, whether paper or electronic, including but not limited to written correspondence, voice mails, e-mails, calendar invites, text messages, instant messages, third-party messaging systems/applications messages and data, chats/chat strings, video files, audio files, and social media posts and messages, whether designated as public or private. This includes but is not limited to any communications and/or correspondence on third party messaging systems/applications such as WhatsApp, SnapChat, Telegram, and Signal.

3. All Social Media information, including but not limited to account information, posts, communications, photographs, images, videos, audio, invites, likes, tweets, comments and messages. Social Media includes, but is not limited to, Facebook, Twitter, Instagram, TikTok, Reddit, Tumblr, SnapChat, Meetup, Parler, MeWe, Gab, and/or LinkedIn.

4. Please preserve all physical cellular and/or computer/tablet devices ("Devices") owned or

AMERICAN OVERSIGHT

used by you and your agents, clients and contractors for the "audit" of Maricopa County's election equipment and ballots, as well as any subcontractors that they or you have retained, employed, or utilized in any way in the furtherance of your "audit." **Please note that these devices must be preserved in their entirety, for forensic imaging and ESI.**

5. All application data and metadata relating to any social media or third-party messaging apps located on the Devices, such as the existence and contents of chat logs, including but not limited to any and all "disappearing" or "deleted" messages notifications, including messages sent or received by clients. Please note that this obligation includes records of the download and/or deletion of the social media or third-party messaging apps in their native format.

6. Any and all records from the applicable "App Store" for the Devices, above, recording the purchase and download of any social media or third-party messaging app from App Store accounts linked to the Devices.

7. Any and all records, whether paper or electronic, pertaining to account information, calls, texts, messages and/or other communications on the Devices, maintained by the cellular service provider and/or application provider and/or messaging provider in relation to your clients' Devices.

The above list is not exhaustive and is not intended to act as a substitute for your and your agents' careful review of all documents, files, evidence, and Devices to identify and preserve those documents and evidence that may relate to our clients claims against you and your agents.

Please keep in mind that the term "documents" is interpreted broadly to include paper, electronic, audio and video recordings, computer-based records (i.e., databases), e-records/digital records, and any other recorded forms of information that may be related to your and your agents' actions related to the Senate's "audit" of the 2020 general election. It is imperative that any documents that relate to the above allegations be (1) identified, (2) separated from other files, and (3) preserved and protected from destruction or alteration. All documents that may relate to the allegations should be maintained and preserved regardless of their date. This may include documents that were created prior to the alleged events in question, as well as after. All documents that are preserved must be maintained in their original state, without destruction or alteration, until our Office has notified you in writing that any dispute arising from the allegations has been fully resolved. This includes maintaining in its original form all metadata.

A failure to preserve these materials could prove detrimental to the legal interests of our clients. The case law in Arizona and the Ninth Circuit empower the trial courts to impose significant sanctions against parties who fail to preserve evidence. The body of case law includes the imposition of potentially significant sanctions for the willful destruction of evidence as well as non-willful and non-bad faith failure to preserve evidence. *See*, *e.g.*, *Souza*, 191 Ariz. 247; *Unigard Security Insur. Co. v. Lake Engineering & Manuf. Corp.*, 982 F.2d 363 (9th Cir. 1992).

Our clients reserve their rights to seek redress of their grievances and to be made whole in a court of law.

AMERICAN OVERSIGHT

Please take steps immediately to preserve any and all documents and evidence that may be related to you and your agents' "audit" of the 2020 general election. If you should have any questions or need further information, please do not hesitate to contact me.

Sincerely,

ALLISTER ADEL
MARICOPA COUNTY ATTORNEY

By */s/Thomas P. Liddy*
Thomas P. Liddy
Division Chief
Civil Services Division
Maricopa County

AMERICAN OVERSIGHT

From: Sean Bowie <sbowie@azleg.gov>
Sent: Monday, April 19, 2021 8:41:03 AM
To: Paul Boyer <PBoyer@azleg.gov>
Subject: FW: Arizona Legislative Report News Notes April 16, 2021

From: Jossalyn Berry <JBerry@azleg.gov>
Sent: Friday, April 16, 2021 2:41 PM
To: SDEMMEMS <SDEMMEMS@azleg.gov>; SDEMSLCS <SDEMSLCS@azleg.gov>; Senate Democratic Staff <SenateDemocraticResearchStaff@azleg.gov>; Senate Democratic Staff Interns <SenateDemocraticStaffInterns@azleg.gov>
Subject: FW: Arizona Legislative Report News Notes April 16, 2021

From: Luige Delpuerto <ldelpuerto@azcapitolreports.com>
Sent: Friday, April 16, 2021 2:30:51 PM (UTC-07:00) Arizona
To: Jossalyn Berry <JBerry@azleg.gov>
Subject: Arizona Legislative Report News Notes April 16, 2021

Click here to view this message in a browser window.

Arizona Legislative Report

Today's News Notes

April 16, 2021

COPYRIGHT 2021 Arizona Capitol Reports**

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

55th Legislature; 1st Regular Session

THE HOUSE IS ADJOURNED until April 19, Monday, at 1:15 p.m.

AMERICAN OVERSIGHT

THE SENATE IS ADJOURNED until April 19, Monday, at 1:30 p.m.

NEWS NOTES

BEN TOMA, MAJORITY LEADER

Toma's star has been rising in the last several years, but his post this year has given him the platform to expand and deepen his leadership chops, one lobbyist said, adding the Capitol community sees Toma as the chief operating officer of the House – and a very effective one at that. Typically, the majority leader takes less of a leadership role than the name suggests. Indeed, many view it as having less power than a committee chairman, and, in the past, others regarded it as no more than a glorified title. Even the majority whip actually does some whipping, some said. But Toma has embraced that title and taken the role to a direction that hasn't been seen in decades, the source said. This year, for example, Toma is leading the efforts to craft what likely will be one the biggest tax cuts approved by the Legislature in decades – an overhaul with the size and scope of the tax cuts that former speakers Kirk Adams and others worked on a decade ago. All indications to the tax package having the support in his chamber to pass. In addition, the House is less cantankerous than the Senate – and a large part of that is the chamber's leadership team, the source said. "Bowers is providing directions, and Toma is implementing them," the source said, adding it helps that Toma's personality isn't abrasive.

SEAN BOWIE, PRAGMATIST

Bowie is open to tax cuts, provided they're at a much smaller scale than House Republicans currently want, he told supporters in an emailed newsletter. Bowie noted that he introduced tax cut legislation himself: his S1040 (tax credit; earned income) would cut revenue to the tune of $70 million by creating a state tax credit for low-income Arizonans who qualify for the federal earned income tax credit. The bill passed the Senate, 26-3, but Bolick declined to hear it in House ways-means. "There is obviously a big difference between $70 million and $1.5 billion. I could potentially live with tax reform that comes in around $200-$300 million, but anything close to $1 billion or above is a non-starter for me," he wrote.

REGINA COBB, BUDGET NEGOTIATOR

Cobb said Friday morning that she thinks the House and Senate are "pretty close" to a budget deal but that while Arizona has enough money next year due to the Covid relief funds it is getting from the federal government, there are disagreements about how to

AMERICAN OVERSIGHT

fit everything within the state's ongoing revenue. "We're having conversations with the Senate right now," she said. "We're still working, hammering it out, but I think we're getting pretty close. We have to fit everything within what we have available. Of course, we have a lot of one-time funds, so that's not an issue. What we don't have – and we need to make sure we stay within our budget – is ongoing funds, and we want to make sure it is stable for years out." Cobb said she was scheduled to meet with some lawmakers to discuss the budget today. "It's not like we're sitting and watching things," she said. "We're making sure it's all moving forward."

CHECK YESTERDAY'S HEADLINE ON THIS BILL

Cobb today said her H2005 (prohibitions; digital application distribution platforms), which would bar tech platforms such as Apple and Google from requiring Arizona-based app developers to use their in-app payment systems, was held in Senate com after Mesnard, the committee chairman, met with some parties and decided there weren't enough votes on the committee to advance the bill. Cobb said she is disappointed by the decision and that while some committee members were on the fence, she thought they could have been convinced if they heard testimony in favor of the bill during a hearing. "I still want to keep the pressure on him because I still want to keep working on this issue," she said. "We are coming to the end of session, so of course my time is limited, and if I do anything it'll be desperate moves, but I still want to work with app fairness, and I think this is an issue that needs to be fully vetted out and go to the floor for votes," she said. "I think people need to be aware what is happening ... So whether it's this session or next session, I will be pursuing it."

AFTER SAYING THE PLEDGE AND A MOMENT OF RELFECTION...

Fillmore came out in favor of the Bowers recall effort on Thursday, saying there is no chance of Bowers' seat flipping Democratic and he could be replaced by a more conservative Republican as speaker. "Yes, I like Rusty. He is a good man. However, to me he has lost his backbone," Fillmore wrote in a Facebook comment on the page of Steve Daniels, chairman pro tempore of the Patriot Party of Arizona. He noted his HB2060 (schools; pledge; quiet reflection), which passed out of committee but is stuck in rules. He said that bill would allow kids to have a "moment of moral reflection." He called it a solid, pro-American bill that "screamed Republican" and "Rusty had it killed. He works with several other liberal Republicans he has put in positions of chairmanship power and they thwart a ton of good conservative legislation while always deflecting the blame on 'rules' etc." He added: "It is time for change." Fillmore suggested Bowers could be replaced as speaker by Granthan, Biasucci, Finchem,

AMERICAN OVERSIGHT

Blackman, Bolick "or any more CONSERVATIVE member that will help save this country." A week ago, Fillmore got up on the House floor to decry the fact that H2060 was held, saying "it should be shame on this body, both sides of the aisle." The recall effort is being spearheaded by the Patriot Party, citing as grounds Bowers' not calling a special session to deal with Ducey's Covid state of emergency and "his failure to act to ensure the integrity of the 2020 election." It's not the first time that Fillmore and the conservative wing of the GOP sought to replace Bowers. Last time, sources said all of the potentially palatable replacements wouldn't touch the idea with a 10-foot pole.

'MESSIN' AROUND WITH MESNARD' HAS A NICE RING TO IT

A growing number of Senate Republicans are copying the weekly video updates that Shope started near the beginning of session. "It seems like imitation has gone a long way, and I'm flattered," he said. Shope told our reporter he wanted to do recap videos for years, but the House didn't have the staff or resources to make it happen. In the Senate, where two GOP comms employees staff 16 senators, it became feasible. Sports betting and infrastructure spending feature heavily in "Senator Shope's Snapshot of the Week." Townsend came next with "Weekly Tune-In With Townsend," a series that focuses largely on election bills. Gowan brought a prop for "Gavel In with Senator Gowan," and Leach launched "Legislative Update with Senator Leach" last week. Kerr doesn't record videos but has gotten Senate staff to put together a weekly one-page newsletter, dubbed, "Weekly Review from Senator Sine Kerr." It features three issues she wants to highlight each week. Some in the Capitol community are eagerly awaiting future additions and have ready titles in mind, such as "I'm a Fann of That!" "Pace Yourself" and "Messin' Around with Mesnard."

A FEW HUNDRED BILLS TO GO

Ducey vetoed his first bill of the session this week, and so far he has signed 276 of them. Six memorials or resolutions have been filed with Hobbs. Another 42 bills have passed both chambers and are ready for Ducey. Three bills are headed to conference committees, and 13 more could go to conference committees if either the House or Senate refuses to concur on amendments. Four Senate bills and 21 House bills are ready for third reads in the second chamber. The Senate also has 76 House bills to COW and 67 to run through rules (only one, H2309: violent; disorderly assembly; public order) is on Monday's rules calendar). House rules has 72 Senate bills to hear and 73 are ready for COW.

NEWS RELEASES

AMERICAN OVERSIGHT

Statement From Governor Ducey On Release Of Undocumented Individuals

"If the federal government isn't going to do its job, then Arizona will take matters into our own hands"

PHOENIX — Governor Doug Ducey released the following statement today after Immigration and Customs Enforcement and the United States Border Patrol declined to take custody of 20 undocumented individuals identified by the Arizona Department of Public Safety:

"The Biden/Harris administration needs to get its head out of the sand when it comes to the crisis at our border. This lack of action defies all logic, and flies in the face of the law. This administration is asleep at the switch, and their total lack of action is having real consequences here in the state of Arizona.

"I've met with our Border Patrol and they need help, and they need the support of the administration. It's time for the White House to act and do its job so the dedicated law enforcement officials on the ground have the resources, support and direction they desperately need. I'm hopeful that our United States Senators and Congressional delegation will join me in calling for the President to deploy the National Guard to our border.

"If the federal government isn't going to do its job, then Arizona will take matters into our own hands and provide support to sheriffs and local law enforcement. The policies of the Biden/Harris administration are inhumane to those seeking legitimate humanitarian relief, and do nothing but empower those that pose a serious threat to public safety, including drug cartels and human traffickers."

* * * * *

Sinema Continues Bipartisan Efforts Protecting Arizonans' Retirement and Addressing Future Federal Spending & National Debt

WASHINGTON – Arizona senior Senator Kyrsten Sinema cosponsored Republican Senator Mitt Romney's (Utah) bipartisan *TRUST Act*—legislation that addresses future federal spending and the growing national debt while protecting Arizonans' retirement and health benefits through Social Security and Medicare.

"As we work to fuel a full economic recovery from the pandemic for Arizona, we must also plan for sustainable federal spending in the future. Our bipartisan, commonsense bill protects the retirement benefits Arizonans have earned and grows Arizona's economic opportunities while helping address our nation's debt," said Sinema.

The Sinema-backed *TRUST Act* establishes bipartisan, bicameral commissions to address the

AMERICAN OVERSIGHT

long-term solvency of major trust funds. According to recent analysis from the nonpartisan Congressional Budget Office, the highway trust fund is slated to exhaust its reserves in fiscal year 2021, the Medicare Hospital Insurance Trust Fund in fiscal year 2024, the Social Security Disability Insurance Trust Fund in fiscal year 2026, and the Social Security Old Age and Survivors Trust Fund in 2031. The *TRUST Act* creates a separate bipartisan commission for each federal trust fund program that spends more than $20 billion per year and is projected to be exhausted by 2035. Any recommendations from the commissions would receive a fast-tracked vote in Congress and would require bipartisan support to prevent harmful partisan solutions.

During her time in Congress, Sinema has been a champion for addressing our nation's debt. Last Congress, Sinema introduced the bipartisan, bicameral Fiscal State of the Nation Resolution requiring the Comptroller General to present the Financial Report of the United States to all members of Congress. By requiring a nonpartisan official to present a clear, unbiased assessment of America's economic health, members of Congress will be better educated on the country's debt and deficit and better able to make informed economic decisions.

* * * * *

Arizona Corporation Commission Adopts Commissioner Anna Tovar's Protections for Customers from Shutoffs during Extreme Temperatures

PHOENIX - Yesterday, the Arizona Corporation Commission adopted all five of Commissioner Anna Tovar's amendments to the termination of electric and gas service rules. Commissioner Tovar's proposals strengthened protections for customers from shutoffs during extreme temperatures. Specifically, Commissioner Tovar's amendments:

- Prohibit electric utilities from shutting off electricity either (1) when the temperature is above 95 degrees, or (2) between June 1 and October 15th each year;
- Require electric utilities work with stakeholders, nonprofits, community organizations, and public health agencies at the state, county, and local level to address issues facing heat-vulnerable populations and propose programs to target heat-related safety concerns;
- Prohibit utilities from shutting off customers with past-due balances below $300 for electric and $100 for gas;
- Require electric and gas utilities to allow one missed payment for customers on payment plans without a consequence so long as both the utility and customer are acting in good faith; and,
- Allow companies to partner with third-party organizations, like social workers and nonprofits, for in-person shutoff notification and require utilities to keep pace with new

AMERICAN OVERSIGHT

communication advancements.

"Public safety and health were my top priorities. Extreme heat puts the most pressure on those who can least afford to protect themselves. These amendments try to lessen the health risk that results from shutting off electricity during Arizona's extreme summer heat. I collaborated with numerous stakeholders to find proactive solutions that address the root causes of heat-related illness and death," said Commissioner Tovar. "I am pleased the Commission agreed with my proposals and I believe these rules will be a win for all customers."

* * * * *

Rep. Grijalva Announces $968,573,468 to Keep Arizona Child Care Providers on the Job, Lower Costs for Working Families

TUCSON— Today, Rep. Raúl M. Grijalva announced $968,573,468 directed to Arizona for child care providers to open safely, keep workers on the payroll and lower costs for hardworking families.

"Help from the American Rescue Plan is coming for our child care industry and hardworking families that have been devastated by the pandemic, a disproportionate amount being women and women of color" said Rep. Grijalva. "Safe, affordable child care is essential to getting parents back to work and growing our economy."

The funding comes as part of two programs created through the American Rescue Plan:

- $596,421,853 from the child care stabilization fund to help child care providers to reopen or stay open, provide safe and healthy learning environments, keep workers on payroll, and provide mental health supports for educators and children, and
- $372,151,615 in more flexible funding for Arizona to make child care more affordable for more families, increase access to high-quality care for families receiving subsidies, increase compensation for early childhood workers, and meet other care needs in the state.

The funding will go to the state, which will allocate it to specific providers and families.

NEWS CLIPS

Corp Comm starts new plan on power cutoff ban

By Dillon Rosenblatt Arizona Capitol Times 04-16-21

AMERICAN OVERSIGHT

The Arizona Corporation Commission took an important first step to creating a permanent rule change on utility companies shut-off policies that stemmed from the death of a 72-year-old woman in 2018.

It's been roughly two years in the making, but the Commission voted 3-2 late Wednesday night after 16 hours of open meetings across two days to establish the first step in the new plan. (To read more, click here).

* * * * *

HUD awards White Mountain Apache Housing Authority $5 million

By Barbara Bruce White Mountain Independent 04-16-21

The U.S. Department of Housing and Urban Development (HUD) announced its Fiscal Year 2020 Competitive Indian Housing Block Grant (CIHBG) Awards on April 12 in a national press release. The White Mountain Apache Housing Authority (WMAHA), the only Tribe in Arizona to obtain the award, will receive $5 Million to support new housing construction, housing rehabilitation and critical infrastructure projects for the Tribe. (To read more, click here).

* * * * *

Environmental groups object to Fossil Creek plan

By Pete Aleshire Payson Roundup 04-16-21

The U.S. Forest Service has dismissed out of hand a slew of objections to its latest Fossil Creek Management Plan filed in December by a coalition of environmental groups.

The environmental groups objected to a plan to allow visitation during the warmer months to continue at existing levels — as well as a long-term plan to perhaps reopen the road between Strawberry and the stream to off-road vehicles. (To read more, click here).

* * * * *

Sinema, Romney propose bill to tackle student loan debt

By Lexi Lonas The Hill 04-16-21

AMERICAN OVERSIGHT

Sens. Mitt Romney (R-Utah) and Kyrsten Sinema (D-Ariz.) on Thursday introduced a bipartisan bill to tackle student loan debt.

The Earn to Learn Act will allow low-income students to pay for college-related expenses through a college-matched savings program. (To read more, click here).

* * * * *

Legislation threatens quality jobs, copper we need to power our clean energy future

By Aaron Butler Arizona Republic 04-16-21

Making the Biden administration's $2 trillion infrastructure plan a reality will require two things: skilled workers and a reliable source for raw materials.

Arizona has the potential to supply both. (To read more, click here).

* * * * *

Arizona's GOP Senate is abusing its authority. It must end this election 'audit' now

By Editorial Board Arizona Republic 04-16-21

Republicans in the Arizona Legislature have set aside dollars, hired consultants, procured the hardware and software to conduct what they call "an audit" of the 2020 presidential election in Maricopa County.

What they don't have is the moral authority to make it credible. (To read more, click here).

* * * * *

How Arizona courts are solving a backlog that the pandemic exacerbated

By Dillon Rosenblatt Arizona Capitol Times 04-16-21

The tall grasses, rolling hills and water sources of the Rose Tree Ranch near Elgin are going to stay just the way they are, after a Tucson-based organization purchased a conservation

AMERICAN OVERSIGHT

easement to protect 1,150 acres of the ranch.

The Rose Tree easement, announced last week, is one of several projects led by the nonprofit Arizona Land and Water Trust to protect natural spaces in the local area. (To read more, click here).

End.

Arizona Legislative Report
1835 W. Adams St, Phoenix, AZ 85007

You are receiving this email because you are a subscriber to Arizona Legislative Report. Click here to unsubscribe or manage the emails we send you.

AMERICAN OVERSIGHT

From: Paul Boyer </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3CEDBD1D488D402B83B804E6BC3ECCDA-PAUL BOYER>

Sent: Saturday, February 13, 2021 11:20:06 AM

To: Karen Fann <KFann@azleg.gov>;Vince Leach <VLeach@azleg.gov>;Rick Gray <RGray@azleg.gov>;Sonny Borrelli <sborrelli@azleg.gov>;David Gowan <dgowan@azleg.gov>;Sine Kerr <SKerr@azleg.gov>;Michelle Ugenti-Rita <mugenti-rita@azleg.gov>;J.D. Mesnard <JMesnard@azleg.gov>;Thomas T.J. Shope <tshope@azleg.gov>;Kelly Townsend <ktownsend@azleg.gov>;Nancy Barto <NBarto@azleg.gov>;David Livingston <dlivingston@azleg.gov>;Tyler Pace <TPace@azleg.gov>;Wendy Rogers <WRogers@azleg.gov>;Warren Petersen <votewarren@gmail.com>

Cc: Melissa Taylor <MTaylor@azleg.gov>;Greg Jernigan <GJernigan@azleg.gov>;Garth Kamp <GKamp@azleg.gov>;Kory Langhofer <kory@statecraftlaw.com>;Wendy Baldo <wbaldo@azleg.gov>;Mike Philipsen <MPhilipsen@azleg.gov>;Dajana Zlaticanin <DZlaticanin@azleg.gov>;Eddie Farnsworth <eddiefarnsworth2006@cox.net>

Bcc: Meghaen Dell'Artino (meghaen@p3gr.com) <meghaen@p3gr.com>

Subject: Re: Maricopa County v. Fann

Attachments: Letter to Langhofer 02.12.21[4].pdf

President Fann,

Please feel free to speak to me directly instead of in the third person. I am more concerned with being versus seeming. I'm aware of this letter and I also realize there is much mistrust on both sides. I am tracking down several things regarding this very important and timely issue.

Senator Paul Boyer
Education Chairman
Transportation
Finance

District 20 - Glendale, North Phoenix
602-926-4173

Image result for arizona state seal

From: Karen Fann <KFann@azleg.gov>
Sent: Saturday, February 13, 2021 9:52 AM
To: Vince Leach <VLeach@azleg.gov>; Rick Gray <RGray@azleg.gov>; Sonny Borrelli <sborrelli@azleg.gov>; David Gowan <dgowan@azleg.gov>; Sine Kerr <SKerr@azleg.gov>; Michelle Ugenti-Rita <mugenti-rita@azleg.gov>; J.D. Mesnard <JMesnard@azleg.gov>; Thomas T.J. Shope <tshope@azleg.gov>; Kelly Townsend <ktownsend@azleg.gov>; Nancy Barto <NBarto@azleg.gov>; David Livingston <dlivingston@azleg.gov>; Tyler Pace <TPace@azleg.gov>; Wendy Rogers <WRogers@azleg.gov>; Paul Boyer <PBoyer@azleg.gov>; Warren Petersen <votewarren@gmail.com>; Karen Fann <KFann@azleg.gov>
Cc: Melissa Taylor <MTaylor@azleg.gov>; Greg Jernigan <GJernigan@azleg.gov>; Garth Kamp <GKamp@azleg.gov>; Kory Langhofer <kory@statecraftlaw.com>; Wendy Baldo <wbaldo@azleg.gov>; Mike Philipsen <MPhilipsen@azleg.gov>; Dajana Zlaticanin <DZlaticanin@azleg.gov>; Eddie Farnsworth <eddiefarnsworth2006@cox.net>
Subject: Fwd: Maricopa County v. Fann

AMERICAN OVERSIGHT

Members and staff: With permission of our attorney Kory Langhofer, Senator Peterson and I are forwarding the correspondence we received yesterday.
It appears that once again, the BOS and their attorneys have been less than honest about wanting to cooperate. They are clearly and intentionally delaying this as long as they can to avoid a forensic audit being done. What disturbs me even more is it appears they purposely misled Senator Boyer about wanting to cooperate to make sure the Resolution was defeated.
Monday morning we will decide our next move but in the meantime I hope Senator Boyer can see that he was being used and will change his mind about letting the senate proceed with enforcing the subpoenas.

From: Kory Langhofer <kory@statecraftlaw.com>
Date: Friday, February 12, 2021 at 4:26 PM
To: "Rivera, Tammy L." <TRivera@hinshawlaw.com>, "liddyt@mcao.maricopa.gov" <liddyt@mcao.maricopa.gov>, "Tully, Stephen W." <STully@hinshawlaw.com>
Cc: Tom Basile <tom@statecraftlaw.com>
Subject: Re: Maricopa County v. Fann

Steve: Thanks for your letter.

It seems the letter was written in order to create a record, of sorts—but it omits the one material fact from our earlier call. Under schedule that you proposed today, we do not believe it will be possible for the parties to complete trial and appellate review in advance of the March 9th election. And if that election is held before the machines are properly inspected, we expect it will result in the irretrievable destruction of data and evidence. I alerted you to that fact in no uncertain terms during today's call (and indeed, your client's Motion to Expedite recognizes March 9 as a material date

). After I described that fact during our conversation, you stated that the Board of Supervisors not only would not agree to a faster schedule, but that it would actively oppose a faster schedule.

The county's serial attempts to avoid a ruling on the merits, and/or to delay judicial consideration past material dates (first January 6, now March 9, and next presumably sine die), cause our clients to believe the Board of Supervisors has been disingenuous in its public statements regarding a willingness to secure judicial review; it seems that their goal, from December until now, has been exactly the opposite.

I hope this helps clarify the substance of our conversation and the basis for our clients' dissatisfaction.

Kory Langhofer
STATECRAFT PLLC
649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003
Desk: (602) 382-4078
Cell: (602) 571-4275

This transmission may be protected by the attorney-client privilege or the attorney work product doctrine. If you are not the intended recipient, please delete all copies of the transmission and advise the sender immediately.

AMERICAN OVERSIGHT

From: "Rivera, Tammy L." <TRivera@hinshawlaw.com>
Date: Friday, February 12, 2021 at 4:06 PM
To: Kory Langhofer <kory@statecraftlaw.com>
Cc: "Tully, Stephen W." <STully@hinshawlaw.com>, "liddyt@mcao.maricopa.gov" <liddyt@mcao.maricopa.gov>
Subject: Maricopa County v. Fann

Attached please find Stephen Tully's letter of today's date regarding the above matter. If you have any questions, please contact our office. Thank you.

Tammy Rivera
Office Administrator
Legal Assistant to Stephen W. Tully, Randy J. Aoyama, Brett B. Larsen and Bradley L. Dunn
Hinshaw & Culbertson LLP
2375 East Camelback Road, Suite 750, Phoenix, AZ 85016

O: 602-631-4400 | **F:** 602-631-4404
TRivera@hinshawlaw.com
hinshawlaw.com

Follow us on

Hinshaw & Culbertson LLP is an Illinois registered limited liability partnership that has elected to be governed by the Illinois Uniform Partnership Act (1997).

The contents of this e-mail message and any attachments are intended solely for the addressee(s) named in this message. This communication is intended to be and to remain confidential and may be subject to applicable attorney/client and/or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and its attachments. Do not deliver, distribute or copy this message and/or any attachments and if you are not the intended recipient, do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments.

AMERICAN OVERSIGHT

HINSHAW

HINSHAW & CULBERTSON LLP
Attorneys at Law
2375 E. Camelback Rd.
Suite 750
Phoenix, AZ 85016

602-631-4400
602-631-4404 (fax)
www.hinshawlaw.com

Stephen W. Tully
602-337-5524
stully@hinshawlaw.com

February 12, 2021

VIA EMAIL ONLY
Mr. Kory Langhofer
Kory@statecraftlaw.com

Re: Letter of February 12, 2021

Dear Mr. Langhofer:

This letter is sent to follow up on our conversations of yesterday and this afternoon. As I mentioned, the Maricopa County Board of Supervisors will be filing an amended complaint this afternoon.

As you are aware, the Board has moved to expedite the consideration of this case. It intends to expedite it. Yesterday, prefacing your comments that you had no authority to agree to anything, you proposed that the parties agree to file cross-motions for summary judgement by next Friday and responses, if we thought necessary, sometime the following week. Of course any schedule would need to be agreed to by the other defendants and the date for any hearing would need to be set by the court. I agreed my clients wish to expedite the case. I agreed to discuss the details of the expedited schedule with the other attorneys representing the Board and the attorneys representing the Democrat Committee member defendants. Today I followed up and discussed further details of a potential expedited schedule with some limited disclosure next week, and initial briefs possibly the following week. In response you stated that your client would consider anything short of an agreement that the Board exchange cross-motions for summary judgement by next Friday (one week) as evidence of the Board delaying the litigation. (This before even discussing it with your client).

It is unclear how a proposal yesterday (for which you had no authority) to exchange cross-motions in a week became a casus belli today.

The Board has always sought first to resolve this matter with your clients, if possible, but also to have the court resolve this dispute if no such resolution is possible. That is why it filed its first action, and why it did not immediately file a second action, but was working with your clients to attempt to resolve the matter when you clients broke off discussions and sought an order of contempt.

It is the Board that has also sought to expedite this lawsuit. Taken in the ordinary schedule, this matter would probably not be decide for nine months at the earliest. Your clients have not even seen the amended complaint and have yet to filed an answer. Presumably your client would want to see the amended complaint before agreeing to a briefing schedule.

AMERICAN OVERSIGHT

Taking a few weeks to make sure the matter is handled correctly is not delay, it is extraordinary dispatch. We look forward to working with you toward a reasonable schedule.

Very truly yours,

HINSHAW & CULBERTSON LLP

Stephen W. Tully

SWT:

cc: Tom Liddy

AMERICAN OVERSIGHT

From: Paul Boyer </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3CEDBD1D488D402B83B804E6BC3ECCDA-PAUL BOYER>
Sent: Saturday, February 13, 2021 12:45:54 PM
To: Kory Langhofer <kory@statecraftlaw.com>
Cc: Karen Fann <KFann@azleg.gov>;Vince Leach <VLeach@azleg.gov>;Rick Gray <RGray@azleg.gov>;Sonny Borrelli <sborrelli@azleg.gov>;David Gowan <dgowan@azleg.gov>;Sine Kerr <SKerr@azleg.gov>;Michelle Ugenti-Rita <mugenti-rita@azleg.gov>;J.D. Mesnard <JMesnard@azleg.gov>;Thomas T.J. Shope <tshope@azleg.gov>;Kelly Townsend <ktownsend@azleg.gov>;Nancy Barto <NBarto@azleg.gov>;David Livingston <dlivingston@azleg.gov>;Tyler Pace <TPace@azleg.gov>;Wendy Rogers <WRogers@azleg.gov>;Warren Petersen <votewarren@gmail.com>;Melissa Taylor <MTaylor@azleg.gov>;Greg Jernigan <GJernigan@azleg.gov>;Garth Kamp <GKamp@azleg.gov>;Wendy Baldo <wbaldo@azleg.gov>;Mike Philipsen <MPhilipsen@azleg.gov>;Dajana Zlaticanin <DZlaticanin@azleg.gov>;Eddie Farnsworth <eddiefarnsworth2006@cox.net>
Bcc: Meghaen Dell'Artino (meghaen@p3gr.com) <meghaen@p3gr.com>
Subject: Re: Maricopa County v. Fann

Excellent. The County filed an expedited request to go the Superior Court. They're not going to ask for delays or time for discovery. And they consolidated the cases. They're ready to go. Are we ready and can we get into court next week?

Senator Paul Boyer
Education Chairman
Transportation
Finance

District 20 - Glendale, North Phoenix
602-926-4173

Image result for arizona state seal

From: Kory Langhofer <kory@statecraftlaw.com>
Sent: Saturday, February 13, 2021 12:39 PM
To: Paul Boyer <PBoyer@azleg.gov>
Cc: Karen Fann <KFann@azleg.gov>; Vince Leach <VLeach@azleg.gov>; Rick Gray <RGray@azleg.gov>; Sonny Borrelli <sborrelli@azleg.gov>; David Gowan <dgowan@azleg.gov>; Sine Kerr <SKerr@azleg.gov>; Michelle Ugenti-Rita <mugenti-rita@azleg.gov>; J.D. Mesnard <JMesnard@azleg.gov>; Thomas T.J. Shope <tshope@azleg.gov>; Kelly Townsend <ktownsend@azleg.gov>; Nancy Barto <NBarto@azleg.gov>; David Livingston <dlivingston@azleg.gov>; Tyler Pace <TPace@azleg.gov>; Wendy Rogers <WRogers@azleg.gov>; Warren Petersen <votewarren@gmail.com>; Melissa Taylor <MTaylor@azleg.gov>; Greg Jernigan <GJernigan@azleg.gov>; Garth Kamp <GKamp@azleg.gov>; Wendy Baldo <wbaldo@azleg.gov>; Mike Philipsen <MPhilipsen@azleg.gov>; Dajana Zlaticanin <DZlaticanin@azleg.gov>; Eddie Farnsworth <eddiefarnsworth2006@cox.net>
Subject: Re: Maricopa County v. Fann

We have been ready to argue our case since December. That is not an exaggeration. The County prevented the

AMERICAN OVERSIGHT

court from considering the parties' arguments in December and then again January.

If the County is now ready to present its case, that is a welcome change—but less than 24 hours ago both Tom and I listened as Tully stated that the County would object to such a schedule. Perhaps they had a change of heart overnight—which would be irritating but nonetheless an improvement. Or perhaps they are planning to find another reason to delay at the last moment.

Kory Langhofer
STATECRAFT PLLC
649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003
Desk: (602) 382-4078
Cell: (602) 571-4275

This transmission may be protected by the attorney-client privilege or the attorney work product doctrine. If you are not the intended recipient, please delete all copies of the transmission and advise the sender immediately.

On Feb 13, 2021, at 12:31 PM, Paul Boyer <PBoyer@azleg.gov> wrote:

President Fann,

Is the Senate ready to argue in court this upcoming week? The county is ready.

I'd like to stop this back and forth and instead have the lawyers present their respective cases and get this resolved ASAP.

Please advise.

Senator Paul Boyer
Education Chairman
Transportation
Finance

District 20 - Glendale, North Phoenix
602-926-4173

Image result for arizona state seal

From: Karen Fann <KFann@azleg.gov>
Sent: Saturday, February 13, 2021 9:52 AM
To: Vince Leach <VLeach@azleg.gov>; Rick Gray <RGray@azleg.gov>; Sonny Borrelli <sborrelli@azleg.gov>; David Gowan <dgowan@azleg.gov>; Sine Kerr <SKerr@azleg.gov>; Michelle Ugenti-Rita <mugenti-rita@azleg.gov>; J.D. Mesnard <JMesnard@azleg.gov>; Thomas T.J. Shope <tshope@azleg.gov>; Kelly Townsend <ktownsend@azleg.gov>; Nancy Barto <NBarto@azleg.gov>; David Livingston <dlivingston@azleg.gov>; Tyler Pace <TPace@azleg.gov>; Wendy Rogers <WRogers@azleg.gov>; Paul Boyer <PBoyer@azleg.gov>; Warren Petersen <votewarren@gmail.com>; Karen Fann <KFann@azleg.gov>

AMERICAN OVERSIGHT

Cc: Melissa Taylor <MTaylor@azleg.gov>; Greg Jernigan <GJernigan@azleg.gov>; Garth Kamp <GKamp@azleg.gov>; Kory Langhofer <kory@statecraftlaw.com>; Wendy Baldo <wbaldo@azleg.gov>; Mike Philipsen <MPhilipsen@azleg.gov>; Dajana Zlaticanin <DZlaticanin@azleg.gov>; Eddie Farnsworth <eddiefarnsworth2006@cox.net>
Subject: Fwd: Maricopa County v. Fann

Members and staff: With permission of our attorney Kory Langhofer, Senator Peterson and I are forwarding the correspondence we received yesterday.
It appears that once again, the BOS and their attorneys have been less than honest about wanting to cooperate. They are clearly and intentionally delaying this as long as they can to avoid a forensic audit being done. What disturbs me even more is it appears they purposely misled Senator Boyer about wanting to cooperate to make sure the Resolution was defeated.
Monday morning we will decide our next move but in the meantime I hope Senator Boyer can see that he was being used and will change his mind about letting the senate proceed with enforcing the subpoenas.

From: Kory Langhofer <kory@statecraftlaw.com>
Date: Friday, February 12, 2021 at 4:26 PM
To: "Rivera, Tammy L." <TRivera@hinshawlaw.com>, "liddyt@mcao.maricopa.gov" <liddyt@mcao.maricopa.gov>, "Tully, Stephen W." <STully@hinshawlaw.com>
Cc: Tom Basile <tom@statecraftlaw.com>
Subject: Re: Maricopa County v. Fann

Steve: Thanks for your letter.

It seems the letter was written in order to create a record, of sorts—but it omits the one material fact from our earlier call. Under schedule that you proposed today, we do not believe it will be possible for the parties to complete trial and appellate review in advance of the March 9th election. And if that election is held before the machines are properly inspected, we expect it will result in the irretrievable destruction of data and evidence. I alerted you to that fact in no uncertain terms during today's call (and indeed, your client's Motion to Expedite recognizes March 9 as a material date

). After I described that fact during our conversation, you stated that the Board of Supervisors not only would not agree to a faster schedule, but that it would actively oppose a faster schedule.

The county's serial attempts to avoid a ruling on the merits, and/or to delay judicial consideration past material dates (first January 6, now March 9, and next presumably sine die), cause our clients to believe the Board of Supervisors has been disingenuous in its public statements regarding a willingness to secure judicial review; it seems that their goal, from December until now, has been exactly the opposite.

I hope this helps clarify the substance of our conversation and the basis for our clients' dissatisfaction.

AMERICAN OVERSIGHT

Kory Langhofer
STATECRAFT PLLC
649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003
Desk: (602) 382-4078
Cell: (602) 571-4275

This transmission may be protected by the attorney-client privilege or the attorney work product doctrine. If you are not the intended recipient, please delete all copies of the transmission and advise the sender immediately.

From: "Rivera, Tammy L." <TRivera@hinshawlaw.com>
Date: Friday, February 12, 2021 at 4:06 PM
To: Kory Langhofer <kory@statecraftlaw.com>
Cc: "Tully, Stephen W." <STully@hinshawlaw.com>, "liddyt@mcao.maricopa.gov" <liddyt@mcao.maricopa.gov>
Subject: Maricopa County v. Fann

Attached please find Stephen Tully's letter of today's date regarding the above matter. If you have any questions, please contact our office. Thank you.

Tammy Rivera
Office Administrator
Legal Assistant to Stephen W. Tully, Randy J. Aoyama, Brett B. Larsen and Bradley L. Dunn
Hinshaw & Culbertson LLP
2375 East Camelback Road, Suite 750, Phoenix, AZ 85016

O: 602-631-4400 | **F:** 602-631-4404
TRivera@hinshawlaw.com
hinshawlaw.com

Follow us on

Hinshaw & Culbertson LLP is an Illinois registered limited liability partnership that has elected to be governed by the Illinois Uniform Partnership Act (1997).

The contents of this e-mail message and any attachments are intended solely for the addressee(s) named in this message. This communication is intended to be and to remain confidential and may be subject to applicable attorney/client and/or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and its attachments. Do not deliver, distribute or copy this message and/or any attachments and if you are not the intended recipient,

AMERICAN OVERSIGHT

do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments.

AMERICAN OVERSIGHT

From: Paul Boyer </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3CEDBD1D488D402B83B804E6BC3ECCDA-PAUL BOYER>

Sent: Saturday, February 13, 2021 4:08:05 PM

To: Kory Langhofer <kory@statecraftlaw.com>

Cc: Karen Fann <KFann@azleg.gov>;Vince Leach <VLeach@azleg.gov>;Rick Gray <RGray@azleg.gov>;Sonny Borrelli <sborrelli@azleg.gov>;David Gowan <dgowan@azleg.gov>;Sine Kerr <SKerr@azleg.gov>;Michelle Ugenti-Rita <mugenti-rita@azleg.gov>;J.D. Mesnard <JMesnard@azleg.gov>;Thomas T.J. Shope <tshope@azleg.gov>;Kelly Townsend <ktownsend@azleg.gov>;Nancy Barto <NBarto@azleg.gov>;David Livingston <dlivingston@azleg.gov>;Tyler Pace <TPace@azleg.gov>;Wendy Rogers <WRogers@azleg.gov>;Warren Petersen <votewarren@gmail.com>;Melissa Taylor <MTaylor@azleg.gov>;Greg Jernigan <GJernigan@azleg.gov>;Garth Kamp <GKamp@azleg.gov>;Wendy Baldo <wbaldo@azleg.gov>;Mike Philipsen <MPhilipsen@azleg.gov>;Dajana Zlaticanin <DZlaticanin@azleg.gov>;Eddie Farnsworth <eddiefarnsworth2006@cox.net>

Bcc: Meghaen Dell'Artino (meghaen@p3gr.com) <meghaen@p3gr.com>

Subject: Re: Maricopa County v. Fann

Thank you Kory for your observations and your response.

I can only verify what's been filed on the court's website and so far, I've only seen the county's filing on Tuesday, February 9. Anybody can see what I've been able to see and as far as I can tell, it's only the County that's been doing any of the filing - https://www.clerkofcourt.maricopa.gov/records/election-2020/cv2021-002092 Kindly point out if that's not the case with either a link or a PDF.

I also found this from the Superior Court website that notes the case consolidation from Thursday, February 11 - http://www.superiorcourt.maricopa.gov/docket/CivilCourtCases/caseInfo.asp?caseNumber=CV2021-002092

Since we don't trust the county, why doesn't our filing this upcoming Monday (I checked on the court's website, they open on Monday morning even though it's President's Day) include the proposed schedule and timeline that you would like to see?

Senator Paul Boyer
Education Chairman
Transportation
Finance

District 20 - Glendale, North Phoenix
602-926-4173

Image result for arizona state seal

From: Kory Langhofer <kory@statecraftlaw.com>
Sent: Saturday, February 13, 2021 4:12 PM
To: Paul Boyer <PBoyer@azleg.gov>
Cc: Karen Fann <KFann@azleg.gov>; Vince Leach <VLeach@azleg.gov>; Rick Gray <RGray@azleg.gov>; Sonny Borrelli

AMERICAN OVERSIGHT

<sborrelli@azleg.gov>; David Gowan <dgowan@azleg.gov>; Sine Kerr <SKerr@azleg.gov>; Michelle Ugenti-Rita <mugenti-rita@azleg.gov>; J.D. Mesnard <JMesnard@azleg.gov>; Thomas T.J. Shope <tshope@azleg.gov>; Kelly Townsend <ktownsend@azleg.gov>; Nancy Barto <NBarto@azleg.gov>; David Livingston <dlivingston@azleg.gov>; Tyler Pace <TPace@azleg.gov>; Wendy Rogers <WRogers@azleg.gov>; Warren Petersen <votewarren@gmail.com>; Melissa Taylor <MTaylor@azleg.gov>; Greg Jernigan <GJernigan@azleg.gov>; Garth Kamp <GKamp@azleg.gov>; Wendy Baldo <wbaldo@azleg.gov>; Mike Philipsen <MPhilipsen@azleg.gov>; Dajana Zlaticanin <DZlaticanin@azleg.gov>; Eddie Farnsworth <eddiefarnsworth2006@cox.net>
Subject: Re: Maricopa County v. Fann

We have not filed an Answer yet, because they told us on Tuesday that they would be amending their Complaint on Wednesday. But they didn't actually file their Amended Complaint until last night at 7:30—two days later than they said they would file. We plan to file an Answer on Monday, the first business day after their Amended Complaint was filed.

I hope you don't mind me observing that this question appears to have been provided to you by someone else. I hope the person who provided the question informed you that their Amended Complaint was filed after hours last night, so it wouldn't be reasonable to expect an Answer to have been drafted, approved, and filed already.

Kory Langhofer
STATECRAFT PLLC
649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003
Desk: (602) 382-4078
Cell: (602) 571-4275

This transmission may be protected by the attorney-client privilege or the attorney work product doctrine. If you are not the intended recipient, please delete all copies of the transmission and advise the sender immediately.

On Feb 13, 2021, at 3:47 PM, Paul Boyer <PBoyer@azleg.gov> wrote:

Has the Senate filed an answer to the county's complaint? If we have, could we see a copy with the usual time and date stamp with the court on it?

If not, why not?

Senator Paul Boyer
Education Chairman
Transportation
Finance

District 20 - Glendale, North Phoenix
602-926-4173

Image result for arizona state seal

From: Kory Langhofer <kory@statecraftlaw.com>

AMERICAN OVERSIGHT

Sent: Saturday, February 13, 2021 12:39 PM
To: Paul Boyer <PBoyer@azleg.gov>
Cc: Karen Fann <KFann@azleg.gov>; Vince Leach <VLeach@azleg.gov>; Rick Gray <RGray@azleg.gov>; Sonny Borrelli <sborrelli@azleg.gov>; David Gowan <dgowan@azleg.gov>; Sine Kerr <SKerr@azleg.gov>; Michelle Ugenti-Rita <mugenti-rita@azleg.gov>; J.D. Mesnard <JMesnard@azleg.gov>; Thomas T.J. Shope <tshope@azleg.gov>; Kelly Townsend <ktownsend@azleg.gov>; Nancy Barto <NBarto@azleg.gov>; David Livingston <dlivingston@azleg.gov>; Tyler Pace <TPace@azleg.gov>; Wendy Rogers <WRogers@azleg.gov>; Warren Petersen <votewarren@gmail.com>; Melissa Taylor <MTaylor@azleg.gov>; Greg Jernigan <GJernigan@azleg.gov>; Garth Kamp <GKamp@azleg.gov>; Wendy Baldo <wbaldo@azleg.gov>; Mike Philipsen <MPhilipsen@azleg.gov>; Dajana Zlaticanin <DZlaticanin@azleg.gov>; Eddie Farnsworth <eddiefarnsworth2006@cox.net>
Subject: Re: Maricopa County v. Fann

We have been ready to argue our case since December. That is not an exaggeration. The County prevented the court from considering the parties' arguments in December and then again January.

If the County is now ready to present its case, that is a welcome change—but less than 24 hours ago both Tom and I listened as Tully stated that the County would object to such a schedule. Perhaps they had a change of heart overnight—which would be irritating but nonetheless an improvement. Or perhaps they are planning to find another reason to delay at the last moment.

Kory Langhofer
STATECRAFT PLLC
649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003
Desk: (602) 382-4078
Cell: (602) 571-4275

This transmission may be protected by the attorney-client privilege or the attorney work product doctrine. If you are not the intended recipient, please delete all copies of the transmission and advise the sender immediately.

On Feb 13, 2021, at 12:31 PM, Paul Boyer <PBoyer@azleg.gov> wrote:

President Fann,

Is the Senate ready to argue in court this upcoming week? The county is ready.

I'd like to stop this back and forth and instead have the lawyers present their respective cases and get this resolved ASAP.

Please advise.

Senator Paul Boyer
Education Chairman
Transportation
Finance

District 20 - Glendale, North Phoenix
602-926-4173

AMERICAN OVERSIGHT

Image result for arizona state seal

From: Karen Fann <KFann@azleg.gov>
Sent: Saturday, February 13, 2021 9:52 AM
To: Vince Leach <VLeach@azleg.gov>; Rick Gray <RGray@azleg.gov>; Sonny Borrelli <sborrelli@azleg.gov>; David Gowan <dgowan@azleg.gov>; Sine Kerr <SKerr@azleg.gov>; Michelle Ugenti-Rita <mugenti-rita@azleg.gov>; J.D. Mesnard <JMesnard@azleg.gov>; Thomas T.J. Shope <tshope@azleg.gov>; Kelly Townsend <ktownsend@azleg.gov>; Nancy Barto <NBarto@azleg.gov>; David Livingston <dlivingston@azleg.gov>; Tyler Pace <TPace@azleg.gov>; Wendy Rogers <WRogers@azleg.gov>; Paul Boyer <PBoyer@azleg.gov>; Warren Petersen <votewarren@gmail.com>; Karen Fann <KFann@azleg.gov>
Cc: Melissa Taylor <MTaylor@azleg.gov>; Greg Jernigan <GJernigan@azleg.gov>; Garth Kamp <GKamp@azleg.gov>; Kory Langhofer <kory@statecraftlaw.com>; Wendy Baldo <wbaldo@azleg.gov>; Mike Philipsen <MPhilipsen@azleg.gov>; Dajana Zlaticanin <DZlaticanin@azleg.gov>; Eddie Farnsworth <eddiefarnsworth2006@cox.net>
Subject: Fwd: Maricopa County v. Fann

Members and staff: With permission of our attorney Kory Langhofer, Senator Peterson and I are forwarding the correspondence we received yesterday.
It appears that once again, the BOS and their attorneys have been less than honest about wanting to cooperate. They are clearly and intentionally delaying this as long as they can to avoid a forensic audit being done. What disturbs me even more is it appears they purposely misled Senator Boyer about wanting to cooperate to make sure the Resolution was defeated.
Monday morning we will decide our next move but in the meantime I hope Senator Boyer can see that he was being used and will change his mind about letting the senate proceed with enforcing the subpoenas.

From: Kory Langhofer <kory@statecraftlaw.com>
Date: Friday, February 12, 2021 at 4:26 PM
To: "Rivera, Tammy L." <TRivera@hinshawlaw.com>, "liddyt@mcao.maricopa.gov" <liddyt@mcao.maricopa.gov>, "Tully, Stephen W." <STully@hinshawlaw.com>
Cc: Tom Basile <tom@statecraftlaw.com>
Subject: Re: Maricopa County v. Fann

Steve: Thanks for your letter.

It seems the letter was written in order to create a record, of sorts—but it omits the one material fact from our earlier call. Under schedule that you proposed today, we do not believe it will be possible for the parties to complete trial and appellate review in advance of the March 9th election. And if that election is held before the machines are properly inspected, we

AMERICAN OVERSIGHT

expect it will result in the irretrievable destruction of data and evidence. I alerted you to that fact in no uncertain terms during today's call (and indeed, your client's Motion to Expedite recognizes March 9 as a material date

). After I described that fact during our conversation, you stated that the Board of Supervisors not only would not agree to a faster schedule, but that it would actively oppose a faster schedule.

The county's serial attempts to avoid a ruling on the merits, and/or to delay judicial consideration past material dates (first January 6, now March 9, and next presumably sine die), cause our clients to believe the Board of Supervisors has been disingenuous in its public statements regarding a willingness to secure judicial review; it seems that their goal, from December until now, has been exactly the opposite.

I hope this helps clarify the substance of our conversation and the basis for our clients' dissatisfaction.

Kory Langhofer
STATECRAFT PLLC
649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003
Desk: (602) 382-4078
Cell: (602) 571-4275

This transmission may be protected by the attorney-client privilege or the attorney work product doctrine. If you are not the intended recipient, please delete all copies of the transmission and advise the sender immediately.

From: "Rivera, Tammy L." <TRivera@hinshawlaw.com>
Date: Friday, February 12, 2021 at 4:06 PM
To: Kory Langhofer <kory@statecraftlaw.com>
Cc: "Tully, Stephen W." <STully@hinshawlaw.com>, "liddyt@mcao.maricopa.gov" <liddyt@mcao.maricopa.gov>
Subject: Maricopa County v. Fann

Attached please find Stephen Tully's letter of today's date regarding the above matter. If you have any questions, please contact our office. Thank you.

Tammy Rivera
Office Administrator
Legal Assistant to Stephen W. Tully, Randy J. Aoyama, Brett B. Larsen and Bradley L. Dunn
Hinshaw & Culbertson LLP
2375 East Camelback Road, Suite 750, Phoenix, AZ 85016

O: 602-631-4400 | **F:** 602-631-4404
TRivera@hinshawlaw.com
hinshawlaw.com

Follow us on

AMERICAN OVERSIGHT

Hinshaw & Culbertson LLP is an Illinois registered limited liability partnership that has elected to be governed by the Illinois Uniform Partnership Act (1997).

The contents of this e-mail message and any attachments are intended solely for the addressee(s) named in this message. This communication is intended to be and to remain confidential and may be subject to applicable attorney/client and/or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and its attachments. Do not deliver, distribute or copy this message and/or any attachments and if you are not the intended recipient, do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments.

AMERICAN OVERSIGHT

Sent: Monday, July 19, 2021 8:55:13 AM
Subject: FW: Arizona Public Records Request
Attachments: AZ Public Records Follow-Up - July 19 2021.pdf

Chris Kleminich
Arizona State Senate | Rules Attorney
602-926-5721 | ckleminich@azleg.gov

From: Brittany Williams <brittany.williams@protectdemocracy.org>
Sent: Monday, July 19, 2021 8:53 AM
To: Karen Fann <KFann@azleg.gov>; info@arizonaaudit.com; kjbennettaz@gmail.com; azauditmedia@gmail.com; legal@cyberninjas.com; dlogan@cyberninjas.com; Chris Kleminich <CKleminich@azleg.gov>
Subject: Re: Arizona Public Records Request

To Whom It May Concern,

Please see the attached follow up letter concerning Protect Democracy's June 28, 2021 public records request.

If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Sincerely,
Brittany Williams

On Mon, Jun 28, 2021 at 4:07 PM Brittany Williams <brittany.williams@protectdemocracy.org> wrote:

> To Whom It May Concern,
>
> Please see the attached request for public records made pursuant to the Arizona Public Records Law.
>
> If you have any questions or concerns, please do not hesitate to contact me. Thank you.
>
> Sincerely,
> Brittany Williams
>
> --
> Brittany M. Williams
> Counsel, Protect Democracy
> (202) 236-7396

--
Brittany M. Williams
Counsel, Protect Democracy
(202) 236-7396

AMERICAN OVERSIGHT

Protect Democracy

VIA EMAIL

June 28, 2021

Senate President Karen Fann
Arizona State Capitol Complex
1700 W. Washington Street
Phoenix, AZ 85007
kfann@azleg.gov

Chris Kleminich
Senate Public Records Attorney
400 West Congress, Ste. 201
Tucson, AZ 85701
ckleminic@azleg.gov

Ken Bennett
Senate Audit Liaison
info@arizonaaudit.com
kjbennettaz@gmail.com

Randy Pullen
Senate Audit Co-Chair
info@arizonaaudit.com
azauditmedia@gmail.com

Cyber Ninjas
Attn: Doug Logan
5077 Fruitville Road
#109-421
Sarasota, FL 34232
legal@cyberninjas.com
dlogan@cyberninjas.com

To Whom It May Concern:

I write in follow-up to Protect Democracy's June 28, 2021 public records request to Senate President Fann, the Arizona Senate, and its agents and contractors. On June 28, 2021, then-Senate Public Records Attorney Norm Moore informed me, via email, that he would be retiring shortly and that Chris Kleminich would be the point of contact for the request going forward. Though I followed up via email with Mr. Kleminich directly on June 30, 2021, I have received no other correspondence.

AMERICAN OVERSIGHT

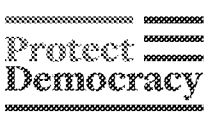
Although the original request specifically noted that time was of the essence and asked that you respond with a timeline for production within seven days, you have failed to produce records or otherwise address the substance of the request for three weeks. As you know A.R.S. §§ 39-121.01(E) provides that a request for production of a public record is deemed denied if a custodian fails to respond "promptly." Accordingly, the right to file an action has accrued under A.R.S. §§ 39-121.02.

As you know, the Maricopa County Superior Court has made clear that records related to the audit and held by the Senate's agents and contractors are subject to disclosure under the Public Records Law. *American Oversight v. Karen Fann et al.,* CV 2021-008265 (Maricopa Cnty. Super. Ct., July 15, 2021) Slip op. at 4 ("The Court completely rejects Senate Defendants' argument that since CNI and the subvendors are not 'public bodies' they are exempt from the PRL.").

Please provide the requested records along with specific exemptions claimed for any withheld records by Friday, July 23. I can be reached at brittany.williams@protectdemocracy.org or 202.236.7396 with any questions.

Sincerely,

Brittany Williams, Counsel
Protect Democracy



AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004214
ARZN_REV00091430_AZ Public Records Follow-Up - July 19 2021.pdf

Sent: Monday, June 28, 2021 1:32:17 PM
Subject: FW: Arizona Public Records Request
Attachments: AZ Public Record Request - 2021.06.28.pdf

Chris Kleminich
Arizona State Senate | Rules Attorney
602-926-5721 | ckleminich@azleg.gov

From: Karen Fann <KFann@azleg.gov>
Sent: Monday, June 28, 2021 1:11 PM
To: Chris Kleminich <CKleminich@azleg.gov>
Subject: FW: Arizona Public Records Request

From: Brittany Williams <brittany.williams@protectdemocracy.org>
Sent: Monday, June 28, 2021 1:08 PM
To: Karen Fann <KFann@azleg.gov>; Norm Moore <NMoore@azleg.gov>; info@arizonaaudit.com; kjbennettaz@gmail.com; azauditmedia@gmail.com; legal@cyberninjas.com; dlogan@cyberninjas.com
Subject: Arizona Public Records Request

To Whom It May Concern,

Please see the attached request for public records made pursuant to the Arizona Public Records Law.

If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Sincerely,
Brittany Williams

--
Brittany M. Williams
Counsel, Protect Democracy
(202) 236-7396

AMERICAN OVERSIGHT

Protect Democracy

VIA EMAIL **June 28, 2021**

Senate President Karen Fann
Arizona State Capitol Complex
1700 W. Washington Street
Phoenix, AZ 85007
kfann@azleg.gov

Norm Moore
Senate Public Records Attorney
400 West Congress, Ste. 201
Tucson, AZ 85701
nmoore@azleg.gov

Ken Bennett
Senate Audit Liaison
Arizona State Capitol Complex
1700 W. Washington Street
Phoenix, AZ 85007
info@arizonaaudit.com
kjbennettaz@gmail.com

Randy Pullen
Senate Audit Co-Chair
Arizona State Capitol Complex
1700 W. Washington Street
Phoenix, AZ 85007
info@arizonaaudit.com
azauditmedia@gmail.com

Cyber Ninjas
Attn: Doug Logan
5077 Fruitville Road
#109-421
Sarasota, FL 34232
legal@cyberninjas.com
dlogan@cyberninjas.com

To Whom It May Concern:

Pursuant to the Arizona Public Records Law, A.R.S. §§ 39-121 *et seq.*, Protect Democracy makes the following request for records to both President Fann and the Arizona Senate, including those agents and contractors subject to Senate control via contract or agreement:

AMERICAN OVERSIGHT

1. all communications and correspondence (including, for example, emails, email attachments, text messages, and messages on messaging platforms such as Slack, Signal, or WhatsApp) concerning the following Twitter accounts:
    a. @ArizonaAudit;
    b. @AuditWarRoom;

2. all documents listing any individuals, entities, and organizations that exercise control over content creation for the following Twitter accounts;
    a. @ArizonaAudit;
    b. @AuditWarRoom;

3. all documents listing any individuals, entities, and organizations that have access to login information for the following Twitter accounts;
    a. @ArizonaAudit;
    b. @AuditWarRoom; and

4. all direct messages sent or received by @ArizonaAudit or @AuditWarRoom Twitter accounts.

These requests are directed to Senate President Fann and the Arizona Senate as a branch of the State, and your response must include records of your agents and contractors, including but not limited to Cyber Ninjas, Ken Bennett, and Randy Pullen. If your agency does not maintain the records requested, please advise us of the proper custodian's name and address.

The timeframe for this request is March 1, 2021, through the date that searches are conducted for records responsive to this public records request.

We seek records in all media and formats. This includes, but is not limited to: agendas, manifests, calendars, schedules, notes, and any prepared documentation for meetings, calls, teleconferences, or other discussions responsive to our request; voicemails; emails; email attachments; talking points; faxes; training documents and guides; tables of contents and contents of binders; documents pertaining to instruction and coordination of couriers; and any other materials. This also includes records exchanged via the personal email accounts of the government officials and contractors covered by the above request. Where possible, please provide responsive materials in an electronic format by email.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004217

ARZN_REV00091460_AZ Public Record Request - 2021.06.28.pdf

Protect Democracy is a 501(c)3 nonprofit organization and these records are not sought for any commercial purpose. As such, Protect Democracy requests that any fees charged in connection with processing this request be limited to copying and postage charges. A.R.S. § 39-121.01(D)(1); *see also Hanania v. City of Tucson*, 128 Ariz. 135, 624 P.2d 332 (Ariz. Ct. App. 1980) (agency may not charge noncommercial requestors for costs associated with searching for records). If applicable, Protect Democracy agrees to pay up to $100 for any fees concerning copying and postage charges. If the cost for such fees will exceed $100, please notify me before you incur such costs. Moreover, because this request is for noncommercial purposes, the additional fees discussed in A.R.S. § 39-121.03(A) are not applicable in this instance.

Please respond to this request in a reasonable time period because time is of the essence. If you expect any delay, please contact me within seven (7) days with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. If you conclude that portions of the records that I request are exempt from disclosure, please release the remainder of such records for inspection and copying, redacting only the portion or portions that you claim are exempt.

Please contact me at brittany.williams@protectdemocracy.org or 202.236.7396 if you require any additional information. I appreciate your cooperation and look forward to hearing from you very soon.

Sincerely,

Brittany Williams, Counsel
Protect Democracy

AMERICAN OVERSIGHT

Sent: Monday, June 28, 2021 4:56:55 PM
Attachments: 6.8.21 American Oversight PRR Documents.pdf

Chris Kleminich
Arizona State Senate | Rules Attorney
602-926-5721 | ckleminich@azleg.gov

AMERICAN OVERSIGHT

From:	Logan Churchwell
To:	Karen Fann
Cc:	Maureen Riordan; Christian Adams
Subject:	DOJ Concerns for Maricopa County Audit - PILF Rebuttal Letter
Date:	Friday, May 7, 2021 12:16:43 PM
Attachments:	OutlookEmoji-New PILF Logo_resizeddf9bb1db-bf84-4d72-87c3-d451da8dd905.png OutlookEmoji-fb12778aa4-d010-4daf-bbd5-e3ab8b2b281d.png OutlookEmoji-twitterbd4c8780-4b0e-4e54-a609-95a71e8a8bea.png 2021.5.7 DOJ Maricopa Karlan.pdf

Senate President Fann:

We hope this attached letter finds you well. We stand ready to offer any further guidance and insight as the audit proceeds now with DOJ interference. I've also left a voicemail on your office line to help ensure the letter reaches the right hands within your staff.

Best,

Logan Churchwell
Director of Research and Original Content
lchurchwell@publicinterestlegal.org

PUBLIC INTEREST
Legal Foundation

32 E. Washington Street, Suite 1675
Indianapolis, IN 46204
317-203-5599 ext. 106

www.PublicInterestLegal.org

AMERICAN OVERSIGHT

PUBLIC INTEREST
LEGAL FOUNDATION

May 7, 2021

The Hon. Karen Fann
President
Arizona State Senate
1700 West Washington Street, Room 205
Phoenix, AZ 85007

RE: DOJ Concerns for Maricopa County Audit

Dear Senate President Fann:

We write today regarding a recent letter from Principal Deputy Assistant Attorney General Pamela S. Karlan. We represent the Board and staff of the Public Interest Legal Foundation with more than 30-years' experience working as attorneys for the Civil Rights Division for the U.S. Department of Justice. We offer detailed insights into the author of the letter and the actual powers of the office she holds. The Public Interest Legal Foundation (PILF) is a nonprofit law firm exclusively dedicated to election integrity that also promotes common-sense reforms that preserve the Constitutional framework of American elections.

Put simply, Pam Karlan is an ideological extremist with a long history of partisan enforcement of civil rights laws as well as rank scholarly dishonesty.

The May 5 letter[1] wants you to believe the Justice Department is engaging in a normal exercise of federal power under federal voting law. It is not.

First to Principal Deputy Assistant Attorney General Karlan's history of ideological extremism and partisan enforcement of the law.

For starters, Karlan has played a central role in the censorship of conservatives during her time on the Facebook "oversight board." [2] The business of the board was to purportedly throttle speech that contained falsehoods but in practice was a body that censored speech and hid from public view genuine vulnerabilities in our election system.

This may remind you that it was actually Karlan who drew public ire from First Lady Melania Trump after Karlan made an insensitive and tasteless joke about the name of President Donald Trump's adolescent son while acting as a witness for the first impeachment effort against President Donald J. Trump.[3]

---

[1] https://assets.documentcloud.org/documents/20698904/doj-letter-to-fann-5-5-21.pdf
[2] https://oversightboard.com/
[3] *New York Post*; Facebook's new oversight board member made joke about Barron Trump during impeachment (May 7, 2020), https://nypost.com/2020/05/07/facebook-board-member-pamela-karlan-joked-about-barron-trump-at-impeachment/

32 E. Washington Street, Suite 1675, Indianapolis, Indiana 46204
Telephone: 317.203.5599 Fax: 888.815.5641 PublicInterestLegal.org

AMERICAN OVERSIGHT

Karlan has published false scholarship, and for the last decade, has refused to correct it. In the *Duke Journal of Constitutional Law and Public Policy* she falsely published that "for five of the eight years of the Bush Administration, [they] brought no Voting Rights Act cases of its own except for one case protecting white voters."[4] Karlan's scholarship was false. Karlan claimed that no cases were brought by the Bush DOJ under the Voting Rights Act to protect racial minorities in five of eight years (except of course to protect those undeserving whites).

Yet the record shows that numerous cases were brought under the Voting Rights Act to protect non-white racial minorities in *all eight years* of the Bush administration. You can learn more details of her false scholarship detailing the seventeen lawsuits brought by the Bush DOJ under the Voting Rights Act to protect racial minorities at:

- https://pjmedia.com/jchristianadams/2019/12/04/dishonest-witness-pam-karlan-latest-act-at-impeachment-circus-n124187.

This false scholarship was even brought to the attention of Congress in testimony provided to the House of Representatives. Editors of the Duke University publication said it was incumbent on Karlan to retract her false scholarship, something she has not done. Karlan also did her best to try to overturn the voter fraud convictions of individuals who tried to defraud black voters in an election in Greene County, Alabama in 1994, as outlined in *U.S. v. Smith*, 231 F.3d 800 (11th Cir. 2000). Fortunately for the minority voters of Greene County, she was unsuccessful.

Karlan's propensity to exaggerate is now affecting Arizona.

Second, her letter to you is completely wrong on the law.

Her May 5 letter exercises a non-existent federal authority to conduct oversight over the audit process outlined and directed by the Arizona courts. The letter further wrongly suggests the Maricopa Recorder's Office simply surrendered all pertinent election records to a private party without proper retention and archiving procedures in place. In reality, the Superior Court of Arizona found the legislative subpoenas governing the handling of the election document in question were proper and lawful.[5]

The May 5 letter further exaggerates the reach of 52 U.S.C. §§ 20701-20706. She says that if proper safeguards are not being deployed for the records, the Justice Department can assert federal power over Arizona. Wrong. The purpose of 52 U.S.C. §§ 20701-20706, (former 42 USCS §§ 1974 et seq). is investigatory in nature. *See eg., Kennedy v. Lynd*, 306 F.2d 222 (5th Cir. 1962), *cert. denied*, 371 U. S. 952 It exists to help the Attorney General in determining the advisability of commencing possible investigations of federal election offenses. If there is no underlying potential voting rights violation, any exercise of this power is not authorized and is a brazen abuse of power.

Conducting an audit of a past election does not violate the Voting Rights Act or any other federal election law. In fact, the Justice Department has never – in the entire history of the existence of the Civil Rights Division – interfered in or investigated an election audit because its past leadership has understood it has no legal authority to do so.

---

[4] Pamela S. Karlan, "Lessons Learned: Voting Rights and the Bush Administration," 4 Duke J. Const. L. & Pub. Pol'y 17 (2009).

[5] https://assets.documentcloud.org/documents/20492775/maricopa-county-v-fann-superior-court-ruling-2-26-21.pdf

AMERICAN OVERSIGHT

In the event that your office responds to Karlan's inappropriate and unjustified letter, you might ask Karlan if an actual investigation exists beyond her perusals of the *Arizona Daily Star* and CBS-Phoenix reports.

Karlan's inference that Section 11(b) of the Voting Rights Act is implicated is also wrong. Section 11(b) prohibits the direct intimidation, threat or coercion of voters. Here, the voters have long since voted – the act of voting was months ago. It is not possible that Section11(b) can be implicated by the audit. Karlan is offering an absurd and implausible interpretation of Section 11(b) of the Voting Rights Act – one intended to intimidate you – that no court could possibly uphold as correct.

What Karlan also knows, and does not include in her letter, is that the weight of authority is overwhelmingly against applying Section 11(b) to Arizona's audit. The Department does not have a successful track record in attempts to bring Section 11(b) claims. The Department even lost a case under Section 11(b) when the election official was threatening voters with arrest if they attempted to vote and published their names in the newspaper. *U.S. v. Ike Brown,* 494 F.Supp. 440, 476 (S.D. Miss. 2007). In another case, the Justice Department during the Obama administration (when she also served in the Department) dismissed Section 11(b) claims against the New Black Panther Party even when armed and uniformed members stalked a polling place.

It is against this backdrop of failure and ideological law enforcement that Karlan now threatens you.

The bottom line is this: Principal Deputy Assistant Attorney General Pam Karlan is doing the bidding of, and acting as a surrogate for, the Democratic Party, not as an objective law enforcement officials and representative of the U.S. Department of Justice. She is engaging in a partisan abuse of power well outside the traditions of the Department as well as the delegation of power under federal statutes and the controlling legal authority governing those statutes.

We urge you to resist and oppose this abuse of power and we stand ready to discuss this matter further and share additional insights as to how Arizona is being unfairly targeted by the Biden Justice Department in a partisan, politically-motivated abuse of its law enforcement powers.

Sincerely,

J. Christian Adams
President and General Counsel
Public Interest Legal Foundation

Maureen Riordan, PILF Litigation Counsel

CC: Glenn McCormick, Acting United States Attorney for the District of Arizona
Mark Brnovich, Arizona Attorney General
Katie Hobbs, Arizona Secretary of State
Stephen Richer, Maricopa County Recorder

AMERICAN OVERSIGHT

From: Zack Stieber
To: Karen Fann
Subject: Re: "Fact-checkers" claim deletion claim is debunked
Date: Thursday, May 20, 2021 12:29:54 PM

Hi Sen. Fann,

I believe we have most of that info, if you are referring to why you all have said you wanted the audit, your subpoenas, the county taking you to court, the court siding with you, the audit itself, the Democrats attempt to stop it, the judge ruling against them, the settlement agreement, and the latest back-and-forth concerning routers, passwords, the database, and other issues.

If there's something you believe we have missed in our coverage, please let us know. If there's something you think we should be aware of we may not be, please let me know. Additionally, we would love to do an interview with you at some point (maybe Monday or Tuesday next week?). We aim to be nonpartisan and try to avoid the slanting you referenced that is often seen in the media nowadays.

Thank you,
Zack
[redacted]

On Thu, May 20, 2021 at 2:51 PM Karen Fann <KFann@azleg.gov> wrote:

> Wondering if you have all the info about how this whole thing started and how we got to this point? The local media has done a really good job of not reporting the whole story but has concentrated on discrediting it from day one
>
> Sent from my iPhone
>
>> On May 20, 2021, at 11:43 AM, Zack Stieber <[redacted]> wrote:
>>
>> BTW - please let me know if you are planning or issue fresh subpoenas concerning the routers and passwords.
>>
>> Thanks again,
>> Zack
>> [redacted]
>>
>> On Thu, May 20, 2021 at 2:42 PM Zack Stieber <[redacted]> wrote:
>>
>> > Hi Sen. Fann,
>> >
>> > Thank you. I did see that tweet and Ken's team also emailed it to me.
>> >
>> > Appreciate you following up.

AMERICAN OVERSIGHT

All the best,
Zack

On Thu, May 20, 2021 at 2:25 PM Karen Fann <KFann@azleg.gov> wrote:

The file was deleted but Cyfir was able to recover it from other areas. But yes , the file had been deleted on that portion of the drive Are you following the Maricopa audit tweet ? I believe Cyfir put out a statement clarifying what he said

Sent from my iPhone

> On May 20, 2021, at 8:44 AM, Zack Stieber
> <[redacted]> wrote:
>
>
> Hi Ken and Sen. Fann,
>
> Good morning, hope you both are doing well today.
>
> So-called fact-checkers, and a slew of news outlets, are running with the angle that Ben Cotton, founder of CyFIR, told senators in the meeting this week that there was, in fact, no deletion from the election machine database.
>
> According to the meeting video and transcript, it appears that is wrong.
>
> Do either of you want to address this apparent misinformation? Can you confirm that the files were deleted and that Cotton was able to recover the deleted files?
>
> Also, has there been an official response to Maricopa County's technical analysis outside of that meeting?
>
> Thank you,
> Zack Stieber
> The Epoch Times
> [redacted]

AMERICAN OVERSIGHT

From: Karen Fann
To: Zack Stieber
Cc: Karen Fann; Mike Philipsen
Subject: RE: Request for Comment - AG Garland Announces DOG to Scrutinize Post-Election Audits
Date: Friday, June 11, 2021 12:40:11 PM

Zack, This is the first I've heard of this but does not surprise me. The Democrats have been trying every avenue they can to stop or discredit this audit. I'm sure this will be one of many avenues they will pursue post audit as well. What disturbs me more than anything is the fact that according to recent polls, 40 to 50 % of voters believe there are serious problems or "serious fraud" in our electoral system and none of these entities think it's important enough for them to do an audit to answer all our citizens concerns or questions.

Karen Fann
President of the Senate
Tel: 602.926.5874

From: Zack Stieber [redacted]
Sent: Friday, June 11, 2021 12:21 PM
To: Karen Fann <KFann@azleg.gov>
Subject: Request for Comment - AG Garland Announces DOG to Scrutinize Post-Election Audits

Hi Senate President Fann,

Good afternoon, hope you're doing well.

Do you have a response to Attorney General Merrick Garland announcing the DOJ will scrutinize postelection audits "to ensure they abide by federal statutory requirements to protect election records and avoid the intimidation of voters?"

Thanks,
Zack Stieber
The Epoch Times
[redacted]

AMERICAN OVERSIGHT

From: Karen Fann
To: Zack Stieber
Cc: Karen Fann; Mike Philipsen
Subject: RE: Request for Comment
Date: Tuesday, June 15, 2021 9:48:58 AM

Zack, We do not know the total cost of the audit. I have asked the vendor to provide me at the conclusion of the audit the total costs and a list of all those who donated. They said they would provide that information and would comply with all 501C4 IRS requirements as well. I do not know of any agreement made with OAN so you would need to contact the vendor on that subject. What I do know is Ms. Bobb told me a few months ago she wanted to put a call out to raise the $150k to pay for the Senate's contract with the vendor. We did not accept those monies but I do believe they went towards the audit for expenses over our $150k contract amount. President Trump nor Mr. Giuliani did not push for the audit and they have not offered any financial or other assistance to the senate. I have not spoken with them since December which was well before any discussion about an audit. The Senate is funded thru general fund tax dollars which we use cautiously. It was important for the Senate to fund to the amount we were comfortable with considering our other obligations. We are grateful to all the grassroots groups and individuals who have sent contributions to help pay for all the added costs which were incurred because of Maricopa County's lack of cooperation.

Karen Fann
President of the Senate
Tel: 602.926.5874

From: Zack Stieber <[redacted]>
Sent: Monday, June 14, 2021 6:54 AM
To: Karen Fann <KFann@azleg.gov>
Subject: Request for Comment

Hi Senate President Fann,

Good morning, hope you had a good weekend.

Some questions regarding the funding of the audit are below.

Do we know the total cost of the audit yet? If not, will we ever know the total cost and the total donation figures?

How much have outside groups contributed thus far?

Which groups have contributed?

Are there any records of donations?

Was the exclusive live streaming deal with One America News linked to correspondent Christina Bobb's group raising money for the audit?

AMERICAN OVERSIGHT

Did former President Trump push for the audit on the call you shared with him last year? Did Rudy Giuliani? Did they offer assistance raising funds for an audit?

According to the Arizona Mirror, the Senate always has money left over from its operating budget. What would your response be to critics who say the audit should be funded entirely by the Senate?

Thank you,
Zack Stieber
The Epoch Times
[redacted]

AMERICAN OVERSIGHT

From: Ben Bowlen
To: Sawyer Bessler
Subject: Re: Volunteer for audit
Date: Saturday, May 8, 2021 12:38:57 PM

I went to this website twice to volunteer and haven't heard anything and I know you guys are still looking for volunteers is there any other way that I can get involved

Ben Bowlen

Urban Tactical Security

[redacted]

[redacted]

From: Sawyer Bessler <SBessler@azleg.gov>
Sent: Wednesday, April 21, 2021 1:29:30 PM
To: Ben Bowlen [redacted]
Subject: RE: Volunteer for audit

I apologize, many have been having issues with the link. Below is a new link that should work. Let me know if you continue to have issues.

https://arizonaaudit.com/sign-up/

Respectfully,
Sawyer Bessler
Assistant to President Karen Fann
Arizona State Senate
1700 W. Washington St.
Phoenix, Arizona 85007
Tel: (602) 926-3843

From: Ben Bowlen [redacted]
Sent: Wednesday, April 21, 2021 12:38 PM
To: Sawyer Bessler <SBessler@azleg.gov>
Subject: Re: Volunteer for audit

this address did not go through do you have another one I can log on to

---

From: Sawyer Bessler <SBessler@azleg.gov>
Sent: Tuesday, April 20, 2021 12:39 PM
To: [redacted]
Cc: Barbara Phillips <BPhillips@azleg.gov>; Jenna Lyon <JLyon@azleg.gov>
Subject: RE: Volunteer for audit

AMERICAN OVERSIGHT

Good Morning Mr. Bowlen,

The link below will take you to the online form to apply to be an observer in the Maricopa County Audit. If you have any further questions, please do not hesitate to email or call.

https://t.co/TT9Vt4pZm0?amp=1

Respectfully,

Sawyer Bessler
Assistant to President Karen Fann
Arizona State Senate
1700 W. Washington St.
Phoenix, Arizona 85007
Tel: (602) 926-3843

From: Ben Bowlen <[redacted]>
Sent: Tuesday, April 20, 2021 9:17 AM
To: Barbara Phillips <BPhillips@azleg.gov>
Subject: Volunteer for audit

Hello I was wanting to know who I need to get in contact with to volunteer for the audit that is happening for the 2020 election at the fairgrounds

Ben Bowlen
Urban Tactical Security
[redacted]

AMERICAN OVERSIGHT

From: Lynn Snow </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26B700B84E1541F1A8B15DD08CC4B58B-LYNN SNOW>
Sent: Monday, April 19, 2021 4:56:32 PM
To: Michelle Ugenti-Rita <mugenti@hotmail.com>
Subject: FW: Today's YS
Attachments: 4-19-21.pdf

Do you receive or read the Yellow Sheets? FYI…..see attached…

House floor calendars have not yet been published.

Lynn Snow
602-926-4480 Lsnow@azleg.gov

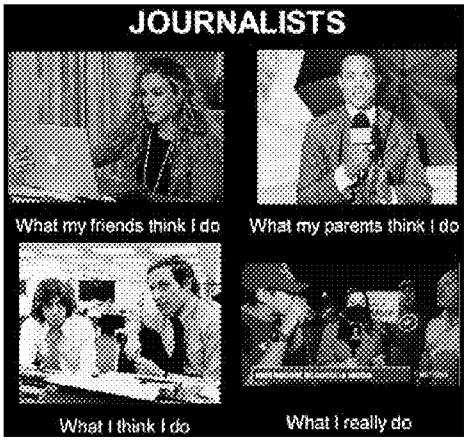
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Monday, April 19, 2021

NEWS NOTES AND GOSSIP

IN OTHER WORDS, JUST A REGULAR MONDAY!



Mesnard and Ugenti-Rita took to the House lawn this afternoon to pressure Bowers to hold a vote on their election bills and lambaste the business leaders who criticized the measures, while a crowd of rowdy Trump supporters screamed fake news at reporters. Both lawmakers sponsored bills that passed the Senate on party lines and have stalled in the House for the past couple weeks following outcry from business leaders, most notably Greater Phoenix Leadership and Cardinals owner Michael Bidwill. Mesnard characterized opposition to his S1713 (early ballots; identification; mailing) as born out of dishonest allegations made by "radical progressive groups and those willing to perpetuate their outrageous narrative." (Notably his bill has not been scheduled for a House vote, while Ugenti-Rita's S1485 (NOW: early voting list; eligibility) is up for a vote tomorrow, per House Republican spokesman Andrew Wilder.) Mesnard argued that the real voter suppression is ignoring the concerns of voters who no longer trust the electoral system. "There is no greater existential threat to democracy than having an electorate who has lost faith in the election system," he said. "To ignore the concerns and so many people who are saying they don't see the point of voting anymore, because they don't believe the outcome, that is voter suppression." Even with the greater restrictions that their bills would impose – requiring a driver's license number with a mailed ballot or removing some voters from the PEVL if they don't vote by mail – Arizona would still have "one of the easiest, most liberal, flexible, diverse voting systems in the country," he said. Ugenti-Rita came out swinging against the "predatory press and demagoguing Democrats" she claims are trying to intimidate her. "You guys are in the business of perpetuating lies. That's why you keep having to repeat it, is it not? Because a lie has to be repeated," she told reporters. The crowd shouted down reporters with cries of "fake news" "lies" and "propagandists, every one of you."

THEY'RE STANDING BACK AND STANDING BY

Anti-government militia members are rallying to provide "security" for the Senate's audit, fearing that Antifa might try to disrupt it. Josh Bernstein, a conservative commentator who was banned from mainstream video platforms after calling for US Rep Ilhan Omar to be executed last year, published a video on his own website over the weekend calling on his ideological allies to join him in protecting the Senate's audit (LINK). Without providing any evidence, he claimed that Antifa members have booked flights from Washington and Oregon and hotels in Phoenix to disrupt the audit. "I'm not going to get into the details of it, but there will be a robust countersecurity measure put into place just to let them know when they come into beautiful Arizona that they might as well get back on the plane and head back home," he said. Bryan Masche, a declared candidate for governor and major force behind rallies to open Arizona, shared Bernstein's video on Facebook with a message telling "Patriots" to make themselves ready and the hashtag "si vis pacem para bellum" – a Latin phrase that means "if you want peace, prepare for war." And while some of the activists who pushed to overturn the election plan to be outside standing guard, at least one expects to be in Veterans' Memorial Coliseum. Former lawmaker Anthony Kern, who was photographed on the US Capitol steps after his fellow protesters breached multiple barriers and broke into the building on Jan 6 (YS, 1/12), tweeted today that he and his wife will be involved in the recount (LINK).

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004232

ARZN_REV00094763_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHY HIRE A PRO WHEN YOU CAN HIRE A CONSPIRACY THEORIST?

Fann passed up an opportunity to hire a well-regarded and qualified auditing company to conduct its audit and opted to select a company with no experience and whose founder believes Biden stole the election. Our reporter received public records from the Senate for "all bids" received to conduct the audit of Maricopa County's 2.1 million ballots. The request netted only two firms that put in an official bid – neither of which was Cyber Ninjas, the group Fann ultimately selected. Clear Ballot Group, a Massachusetts firm that has conducted election audits in several states, including a statewide audit in Maryland and Vermont offered to do the audit within six weeks for $415,000. On its website, the company says it "offers much more than a post-election audit solution. It's the only system capable of tabulating other system's ballots to provide an independent comparison of results for purposes of post-election audits." Keir Holeman, Clear Ballot's vice president of technical services, wrote in the proposal letter that the group is also conducting audits for multiple counties in Florida and New York as well as projects in South Carolina and Colorado. "It is this experience that makes us confident we can help you with your desire to audit the results in Maricopa County," Holeman wrote. One potential hiccup for the group is they only conduct audits of election results – not equipment and technology. Cyber Ninjas and its subcontractors have pledged to conduct a full "forensic" audit of the equipment, including using "kinematic artifact" detection technology (essentially looking at folds in ballots to determine if it's a fake mail-in ballot) developed by fraud conspiracy theorist and failed inventor and treasure hunter Jovan Hutton Pulitzer (YS, 3/31). "Please note that the only thing our company does is audit election results. We do not offer a service to audit election equipment or technology," he wrote.

HE'S TOO BIASED TOWARD REALITY

A quick dive into Holeman's online presence shows he's basically the mirror image of the Cyber Ninja CEO – he used to be an elections official in Ohio and doesn't believe the conspiracy that the election was stolen. According to his LinkedIn, he was the election coordinator for the Montgomery County Board of Elections, then served as a regional director for Diebold Elections, the group that became infamous for election problems during the 2000 presidential recount in Florida. (Dominion now owns Diebold.) Holeman then went to become the director of the Warren County Board of Elections and eventually found his way to VOTEC Corporation (LINK), before starting at Clear Ballot in August 2017. Holeman created his Twitter account in January and his first post was a retweet of the FBI looking for information about insurrectionists. His entire feed (LINK) is now mostly made up of critiques of Republican Congressmen over the Jan 6 riot and few retweets of others commenting on why they think Trump should be convicted by the US Senate after he was impeached for a second time. Of course, that's not the kind of Twitter presence that will ingratiate an auditor to Senate Republicans. But Fann has made clear that a person's tweets shouldn't disqualify them from auditing the election on the Senate's behalf (YS, 4/5). It's unclear if Fann considered Holeman's proposal.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004233

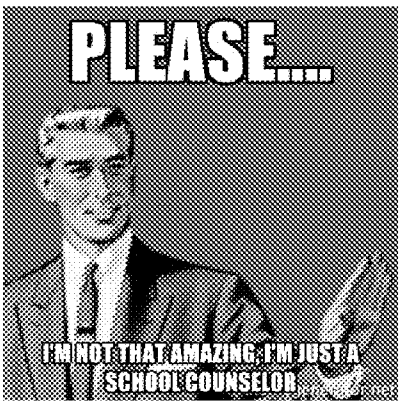
ARZN_REV00094763_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

AT LEAST WE'RE NOT WASTING $8 MILLION

Fann also passed on hiring a cybersecurity company called Intersec Worldwide, which pitched a process that would take roughly 20,000 hours and cost more than $8 million, not including the auditors' travel and expenses. Email records show Fann interviewed the company in early-March. Intersec's pitch included biographies for each of its top executives and then broke down its scope of work into five categories: Engagement, evidence preservation, forensics analysis, forensics reports of results and testimony/defense findings. David Hughes, the vice president of sales, made the official pitch and said the engagement and evidence need to happen "immediately regardless of who does the work." The engagement phase would include setting up legal agreements, contracts and retainers and would take roughly 500 hours. Securing the evidence, including taking forensic images and copies of hard drives, would take about 2,500 hours, according to the proposal. Those two projects would cost $1.45 million. The actual audit would tack on another $6.6 million.

DEFUND THE SROS

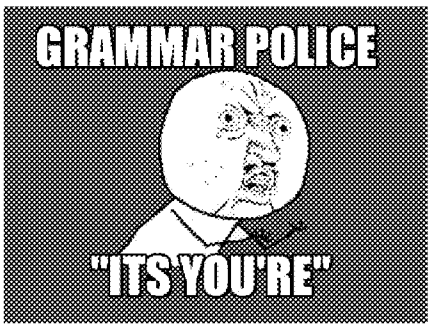


The Dept of Education will spend $21.3 million from discretionary federal Covid funding on counselors and social workers through school safety grants – but none of that funding will go toward school resource officers. Calling mental health a "top priority" during the pandemic, Hoffman said the money will cover an additional 71 counselors and 69 social workers for schools on the waitlist for the School Safety Program, but none will be spent on school resource officers, the other type of position the grant funds. She said she heard from the student advisory council and the school safety task force that they "need – not just want" more mental health support in schools, but there was no overwhelming demand for SROs. The positions, Hoffman said, will help chip away at Arizona's "astronomical" students to school counselor ratio. When the School Safety Program expanded in 2019 to fund school counselor and social worker positions in addition to SROs, Arizona had a ratio of more than 900 students per school counselor. The American Association of School Counselors recommends a ratio of 250 to one. While the grant has brought more than 260 social workers and counselors into Arizona schools, Hoffman said the need was greater than the funding, leaving many schools without. "Two years and one pandemic later, many social worker and school counselor positions, remain on the waitlist, waiting for funding from the state Legislature," she said. The goal is for these additional Covid relief-funded positions to be filled going into the 2021-22 school year, Hoffman said, though she noted previous grant recipients in rural areas have had a more difficult time filling those positions. Hoffman also took a jab at the Legislature in her comments, saying that while social-emotional health has been cited as a reason for reopening schools, the Dept of Education is having to step in to fund solutions. "The majority party has offered no serious solution for actually providing the social and emotional resources. Instead, they have spent their time embracing conspiracy theories about the last election and passing legislation that targets and harms our LGBTQ students," she said. Hoffman said "it's not too late" for lawmakers and state leaders working on the budget to "commit to student health and wellbeing." ADE's Covid relief funding will cover these positions for two years, and then Hoffman said the department will again look to the Legislature for support.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004234
ARZN_REV00094763_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

ANUTHER RHINO KELLING AMURICKA



After reading Fillmore's typo-riddled tirade endorsing the recall attempt against him in Friday's *Yellow Sheet*, Bowers struck back today with a measured, spell-checked statement to his caucus that didn't address the personal attacks. The speaker stuck strictly to the bill in his statement, writing that he pulled Fillmore's H2060 (schools; pledge; quiet reflection) from Udall's House Education Committee, where it naturally belongs, at Fillmore's request after it became clear it didn't have the votes to pass. He instead assigned it to Kavanagh's Government and Elections Committee, where it passed on a party-line vote. "Let me be clear: John is wrong. At no point have I held up his bill. In fact, I did everything to ensure that it received a fair hearing," he wrote. The bill is still awaiting a vote from the full House, and Bowers said he didn't want to put it up on the board just to watch it die. "It still faces vote count issues within the caucus," he wrote. "If the bill cannot move forward on its merit, then John should acknowledge that, rather than attempt to place blame on me or the process."

WAKE UP CALL

Tax transparency bills enable public to see data
Arizona Capitol Times
This year, several transparency-related tax bills have been signed into law, each aiming to make tax issues more accessible to the public.

Tourism taxing districts could be coming soon
Arizona Capitol Times
Twin bills with bipartisan support to jumpstart Arizona tourism appear dead in the Senate, but they may reappear this year or next as the concept has gained support nationally and here.

Covid shots to become easier to get, health director says
Capitol Media Services
Getting vaccinated against Covid may soon be as simple as a flu shot.

In Arizona, the 2020 presidential election still isn't over. Republicans start an audit this week. Here's what we know.
12 News
Almost six months after the presidential election, a Republican-commissioned audit of Maricopa County's presidential vote will begin Monday.

Shelter for unaccompanied minors is operating in Benson
KGUN
Just below Benson's welcome sign, you'll find an old hotel turned shelter for unaccompanied minors who have crossed into the United States.

Tucson Unified School District Superintendent Upset With 'Disheartening' Sex Education Bill
KJZZ
Senate Bill 1456 has recently passed through the Arizona Legislature, and is waiting on Gov. Doug Ducey's approval. If signed into law, the bill would require state schools to get parents' permission for discussions about sexual orientation, gender identity and expression.

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004235
ARZN_REV00094763_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Some shops in Sonora see benefit from U.S. border restrictions
Nogales International
Still, others say lack of tourism, weak economy have been hard to overcome.

Mohave County Board of Supervisors to consider vote centers, equipment purchases
Today's News-Herald
The Mohave County Board of Supervisors will consider purchasing enough on-demand ballot marking devices to set up current polling sites as vote centers at their meeting at 9:30 a.m. today in Kingman.

Mexican cartel threatens deputies, Dannels says
Herald Review
The Mexican cartel has threatened deputies with the Cochise County Sheriff's Office, Sheriff Mark Dannels said earlier this week.

States court tech money even as they bash companies
Axios
Some of the country's fastest-growing states are publicly attacking the tech industry's business practices on one hand while courting its investment on the other.

Democrats running in down-ballot races helped Biden win votes in conservative areas, a study finds.
The New York Times
President Biden, who eked out a 12,000-vote victory in Georgia, received a small but potentially important boost from the state's conservative areas if at least one local Democrat was running in a down-ballot race, according to a new study by Run for Something, an organization dedicated to recruiting and supporting liberal candidates.

How the Trump era made redistricting more complicated
CNN
The political upheaval caused by the rise of former President Donald Trump has forced party operatives and elected officials tasked with laying out the nation's congressional districts for the next decade to determine whether those shifts were aberrations or signs of more lasting changes.

Our View: Arizona's sports betting: Teams are big winners even with no house edge
Today's News Herald (opinion, editorial board)
The hype following approval of Arizona new sports betting law is mostly justified. It will add excitement and more entertainment to football, baseball, basketball and other pro sports in the state. It's overdue.

Tim Steller's opinion: AG Brnovich descends into political absurdity, and Arizonans pay for it
Arizona Daily Star (opinion, Tim Steller)
The federal court filing fee was $402. The salaries of the lawyers who filed it: $130,000, $160,000 and $180,000. The hoped-for political impact: Priceless.

Gov. Doug Ducey sure is proud of his sports betting deal. But he got played
Arizona Republic (opinion, Robert Robb)
Gov. Doug Ducey is really proud of having brought sports betting to Arizona.

We return you now to your regularly scheduled mass shootings
Arizona Republic (opinion, EJ Montini)
It almost seems quaint, now, how horrified we were in 1986 when a 44-year-old mail carrier named Patrick H. Sherrill walked into the post office where he worked in Edmond, Okla., and opened fire with two handguns, killing 14 coworkers and wounding six others. He then killed himself.

Deadly epidemic of epistemophobia at Legislature, as evidenced by passage of a sex-ed bill
Arizona Republic (opinion, EJ Montini)
I thought the absurd proposals coming out of the Arizona Legislature were a result of old-fashioned partisan politics, but I see now that I was wrong.

Rep. Paul Gosar finally reveals himself with his America First Caucus nonsense
Arizona Republic (opinion, Laurie Roberts)

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Arizona's own Rep. Paul Gosar is teaming up with none other than Rep. Marjorie Taylor Greene to form the "America First Caucus."

It can't be a coincidence that neo-Nazis are rallying in Phoenix this weekend

Arizona Republic (opinion, Elvia Diaz)

Just when you think things couldn't get any wackier in Arizona, here come the neo-Nazis.

Why do farmers want Congress to invest in airports? Our livelihood depends on it

Arizona Republic (opinion, Stephanie Smallhouse)

Arizona agriculture plays a critical role in our lives and our economy.

PRESS RELEASES

Governor Ducey Acts On COVID-19 Measures In Schools

PHOENIX — In alignment with Centers for Disease Control and Prevention (CDC) guidance, Governor Doug Ducey and the Arizona Department of Health Services today rescinded orders that direct K-12 schools to require masks.

"Nearly 2 million Arizonans are fully vaccinated against COVID-19, with many teachers and school faculty now fully vaccinated after being some of the first in line for vaccine prioritization," said Governor Ducey. "Teachers, families and students have acted responsibly to mitigate the spread of the virus and protect one another, and our school leaders are ready to decide if masks should be required on their campuses. We will continue to work with public health professionals and Arizona's schools as more students return to the classroom and our state moves forward."

Today's action aligns with CDC guidance and rescinds a section of Executive Order 2020-51, issued by the Governor in July directing schools to require face masks, and Emergency Measure 2020-04, issued by the Arizona Department of Health Services (ADHS) outlining requirements for mask usage in schools.

"Across the state, almost 4.5 million COVID-19 vaccine doses have been administered," said ADHS Director Dr. Cara Christ. "Many families and communities are further protected from COVID-19, and our schools are ready to decide their next steps when it comes to masks. We encourage all Arizonans to get the vaccine — it's safe, effective and absolutely free to the public."

The CDC in March issued updated recommendations for preventing COVID-19 in schools. On March 29, ADHS adopted the CDC's recommendations in its K-12 School Guidance for COVID-19.

K-12 school districts and charter schools still maintain the right to institute and enforce policies to mitigate against COVID-19 spread, including the use of masks. Arizona schools are encouraged to continue to take actions consistent with the CDC recommendations, the Roadmap, and the Guidance to mitigate the spread of the virus, including measures such as:

- Washing hands with soap and warm water;
- Using hand sanitizer;
- Cleaning and maintaining health facilities; and
- Staying home when sick.

Today, an indoor vaccination site at Northern Arizona University's (NAU) Fieldhouse launched thanks to a partnership between the State, Coconino County, NAU, and Northern Arizona Healthcare. The site will operate seven days a week from 7 a.m.-5 p.m., with the potential to expand hours to 7 p.m. It will offer around 1,000 appointments per day to start but will be able to administer more than 4,000 doses daily. The state is currently operating six vaccination sites, with one more location opening as a state-run site this month.

Information about all vaccination sites across Arizona, including pharmacies, Federally Qualified Health Centers, pop-up events in specific communities, and health care providers offering vaccination, can be found at azhealth.gov/findvaccine.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

View the Executive Order from Governor Ducey HERE.

View the Emergency Measure from ADHS HERE.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Governor Ducey Bans Vaccine Passports

Gov. Ducey: "Vaccination Is Up To Each Individual, Not The Government"

PHOENIX — Governor Doug Ducey today issued an Executive Order banning "vaccine passports" and preventing state and local governments from requiring Arizonans to provide their COVID-19 vaccination status to receive service or enter an area.

"The residents of our state should not be required by the government to share their private medical information," said Governor Ducey. "While we strongly recommend all Arizonans get the COVID-19 vaccine, it's not mandated in our state — and it never will be. Vaccination is up to each individual, not the government."

Under the Executive Order, state agencies, counties, cities and towns cannot issue a measure that requires an individual to provide documentation of their COVID-19 vaccination status in order to enter a business, building or area or to receive a government service, permit or license. Businesses contracting with the state to provide services to the public also cannot require documentation.

Private businesses are not prohibited from requiring vaccination documentation in order to provide services or allow entry. Additionally, health care institutions may require COVID-19 vaccination status documentation of a patient, resident, employee or visitor. As permitted under state law, schools, child care centers and universities may also collect vaccination documentation. The Executive Order ensures that long-term care, health care institutions and other entities that collect vaccination documents under current law can still do so.

"Appointments to get the vaccine will continue to be available to everyone who wants it, especially for underserved and vulnerable communities," said Governor Ducey. "Statewide, more than 20,000 vaccination appointments are available, including more than 5,000 in Tucson alone."

To date, 4,495,519 vaccine doses have been administered to 2,736,235 individuals, with 1,926,181 Arizonans now fully vaccinated against COVID-19. The state is currently operating six successful vaccination sites, with one more location opening as state-run site this month.

Arizona on March 24 opened vaccination eligibility to all Arizonans 16 and older, allowing everyone who wants the vaccine to register for an appointment.

"I'm grateful to the medical professionals, health care staff and selfless volunteers who are rapidly vaccinating Arizonans and protecting the health of our state," the Governor added.

Information about all vaccination sites across Arizona, including pharmacies, Federally Qualified Health Centers, pop-up events in specific communities, and health care providers offering vaccination, can be found at azhealth.gov/findvaccine.

To learn more about COVID-19 vaccines and vaccination, please visit azdhs.gov/COVID19Vaccines.

View the Executive Order HERE.

One Arizona Coalition Opposes Potential IRC Mapping Consultant

Arizona's Independent Redistricting Commission (IRC) is currently in the process of selecting a mapping consultant that will be tasked with drafting congressional and legislative maps. These maps will determine whose voices will be represented over the next decade.

One of the mapping applicants, Timmons Group, which is working with the National Demographics Corporation (NDC), raises strong concerns when it comes to fair representation of Latinos. If selected as the IRC's mapping consultant, it is an alarming sign that the Commission is not dedicated to ensuring fair representation for Arizona's communities of color.

Timmons Group has no demonstrable experience with drafting maps for redistricting purposes, which raises public integrity concerns. As for NDC, their partner in the proposal, they have previously failed to create maps that protect and represent communities of color, but they have also cost a school district over $650,000 as a result of their discriminatory maps.

NDC drew at-large districts that diluted the power of Latino voters in school board elections in California. They spent over a year producing various draft maps without a Latino majority district, which resulted in exorbitant expenses. When those districts were challenged in an attempt to draw smaller districts where Latino communities could more easily elect a member of their choice to represent them, Doug Johnson of NDC defended the at-large districts and failed. The maps were found to violate California's voting rights protections. Doubling down on maps that clearly do not fairly represent communities of color is alarming as we move forward with a process that will impact our communities for the next decade.

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

We strongly oppose the hiring of Timmons Group and NDC as the IRC's mapping consultants. The Commission can reaffirm its commitment to our state and a fair process by hiring a consultant with demonstrated expertise in drafting maps that respect communities of color – not dilute their power or ability to choose leaders that reflect their values.

Superintendent Hoffman Announces $21 Million for School Counselors and Social Workers

Funding will bring 140 New School Counselors and Social Workers to Arizona Public Schools

PHOENIX – Today, Superintendent of Public Instruction Kathy Hoffman announced $21.3 million dollars to supplement the School Safety Grant Program. As passed by the legislature and implemented by the Arizona Department of Education (ADE) the School Safety Grant program brought more than 260 social and emotional support professionals to our schools – seeking to reduce our state's astronomical student-to-school-counselor ratio, the highest in the nation. Despite these gains, demand outstripped program funds – leaving many schools on the waitlist. To fill the gaps left by the legislature, ADE will allocate a portion of its federal recovery dollars to fully fund the counselor and social worker waitlists – bringing opportunities for 71 school counselor and 69 school social worker positions to schools for two years. Grantees represent communities from across 10 counties – that have been waiting for nearly two years to receive funding for these positions.

"Over the last year, the social and emotional needs of our students have risen to the forefront of my conversations with teachers, parents and even lawmakers. After a genuinely traumatic year, I've heard clearly that the social-emotional services offered by our public schools are critical to student wellbeing," said Superintendent Hoffman. "By supplementing the School Safety Grant Program with federal relief funds, we are providing real solutions and resources that will have a direct impact on school safety, the social-emotional well-being of our students, and the overall health of our communities."

"This pandemic has elevated the awareness and necessity of addressing our students' social and emotional needs," said Sarah Skemp, Chair of the Arizona School Counselor Association. "Now more than ever, it is vital that ALL students in Arizona have access to a school counselor. The addition of these school counselors across our state allows for more students to receive more services. It is another step in the right direction that benefits all students and families in Arizona, reducing the student to school counselor ratio, which is the highest in the country. The Arizona School Counselors Association is grateful to Superintendent Hoffman and ADE for providing full funding for all these requested positions."

"Now, more than ever, is when my fellow Arizona students need support that extends beyond just teachers, friends, and family. And, while I strongly believe that learning about wellness should be an important part of every student's education, it's not enough," said Claire Novak, and Senior at the Arizona School for the Arts. "Students and teachers also need the support of professionals such as counselors and social workers. These newly funded resources for schools are going to make a huge difference for so many students across the state."

This investment, along with the millions of federal recovery dollars ADE has already committed, will provide resources our students will need beyond the crisis of the pandemic. However, even with this new infusion of school counselors and social workers, Arizona's student to counselor ratio far exceeds the recommended standard. More needs to be done to provide these important supports to Arizona students. Additional state support for social and emotional positions like counselors and social workers is critical to student mental health and opportunity.

Read More: https://www.azed.gov/wellness/school-safety-program-esser-awardees

Marco Lopez Holds Press Conference Today with Community Leaders to Highlight Inequities in Vaccine Distribution

Gov. Ducey's poor planning, lack of leadership, and government waste have all led to 85009, one of the state's most diverse zip codes, having one of the lowest vaccination rates in the state

WHEN: Monday, April 19th, at 12:30pm PT

WHERE: Corner of W McDowell and N 43rd Ave, in front of bus stop #12850 in the Fry's parking lot, Phoenix, AZ, 85009

WHO:

- Marco Lopez, former Mayor of Nogales, small business owner, candidate for Governor
- Dr. Mario Ventura, Superintendent of the Isaac Elementary School District
- Atancia Alcaraz, mom and Promotora with Unlimited Potential
- Herlinda Calderon, community member and Promotora with Unlimited Potential

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004239

ARZN_REV00094763_4-19-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

WHAT: Marco Lopez and community leaders will discuss how poor planning, lack of leadership, and government waste have led to 85009, one of the state's most diverse zip codes, having one of the lowest vaccination rates in the state. In his first press conference, he will be speaking in front of the only vaccination site in the entire zip code.

BACKGROUND:
According to Maricopa County, over 40% of all adult Maricopa County residents (15+ years) and 1/3 of all Maricopa County residents (all ages) have been vaccinated with at least one vaccine dose. However, in 85009, which is 82% Hispanic or Latino and where 35% of residents live below the poverty line, that number hovers around 15%.

Senators give update on election integrity bills moving through Legislature

WHAT: The sponsors of important election integrity bills will update reporters on the status of the bills and the impact the legislation would have on Arizona
WHO: Senator Michelle Ugenti-Rita
Senator J.D. Mesnard
WHEN: Today at 12:30 p.m.
WHERE: House Lawn
State Capitol

HB2309, Bill Criminalizing Protest, Could Go to Arizona Governor Doug Ducey's Desk This Week
PHOENIX – The Arizona State Senate is likely to vote this week on HB2309, which would make it easier for prosecutors to charge protesters with serious felonies.
The bill is being heard by the Senate Rules committee on Monday afternoon and could go to a floor vote as soon as Tuesday. If passed by the State Senate, it will go to Governor Doug Ducey's desk, where he could veto it or sign it into law.
The bill's sponsor has admitted that the purpose of the bill is to chill First Amendment-protected protest activity.
Under the bill, participating in a "violent or disorderly assembly" is now a class 6 felony. In addition, under the bill, minor infractions like playing amplified sound without a permit or blocking the sidewalk would now carry serious felony charges if done as part of a "violent or disorderly assembly." In short, if the bill passes, Arizonans could face serious felony charges simply for participating in a political event or protest.
The bill would open the door to further waves of political prosecutions in Arizona, like those that have already been carried out by the Maricopa County Attorney Allister Adel in the wake of last summer's racial justice movement.

REPORT: Corporations That Made Commitments To Racial Equity Donated Over $800,000 To State Lawmakers Who Led Voter Suppression Efforts Beyond Georgia

READ THE REPORT
WASHINGTON, D.C. – Today, government watchdog Accountable.US released a new report finding that corporations boasting their commitments to racial equity and diversity have doled out over $800,000 to state lawmakers who have led voter suppression efforts in Texas, Arizona, and Florida — the latest states to ratchet up an assault on voting rights.
As hundreds of corporate executives sign a new letter opposing "any discriminatory legislation" in response to the wide range of voter suppression efforts being considered by state legislatures across the country, these firms — including Exelon, Raytheon, and Disney — have been largely silent on state efforts to disenfranchise predominantly Black and Brown voters.
"These corporations tout commitments to diversity and racial equity, then they turn around and donate thousands to lawmakers responsible for stripping voting rights away from Black and Brown Americans," said **Kyle Herrig, president of Accountable.US**. "As these states actively attempt to suppress voter participation, corporations need to live up to their values and disavow racist attacks on our democracy."
Despite making public commitments to racial equity, these corporations have donated to numerous state lawmakers who are responsible for voter suppression efforts and have troubling records on race. Ryan LLC donated $7,500 to Texas State Senator Bob Hall, who defended a self-proclaimed "white nationalist." Arizona's top five corporate donors, including Pinnacle West and Raytheon, have all contributed to State Senator David Gowan who sponsored a

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

bill to shorten mail-in voting deadlines that would disproportionately harm Native American voters. In Florida, HCA Management Services and Walt Disney gave $11,000 to State Senator George Granier, who introduced a bill to absolve motorists of liability if they killed a protestor with their car in the same year a white nationalist killed a protestor with his car in Charlottesville.

KEY REPORT FINDINGS:

- Texas' Biggest Donors That Have Made Public Commitments To Racial Equity Have Given $493,000 To State Lawmakers Responsible For Voter Suppression.
- Arizona's Top 5 Corporate Donors — All Of Which Tout Commitments to Diversity — Have Given Nearly $77,000 To Three Lawmakers With Troubling Histories On Race Who Authored Three Of The State's Worst Suppression Bills.
- Florida State Legislators' Top Donors With Alleged Commitments To Racial Equity Have Given $230,500 To Florida State Legislators Responsible For Advancing Voter Suppression Bills.

"QUOTE OF THE DAY"

"You guys are in the business of perpetuating lies."

- ***Ugenti-Rita, to the press***

AMERICAN OVERSIGHT

From: Maelinn Chow <MChow@azleg.gov>
Sent: Friday, April 9, 2021 2:07:44 PM
To: Michael Hans <MHans@azleg.gov>
Subject: List of State Legislators
Attachments: List of State Legislators.xlsx

Hi Michael,

Here is my list of state legislators. Please let me know if you need anything else. Thank you again for the donuts!

Respectfully,

Maelinn Chow
Research Intern
Commerce Committee
Arizona State Senate
Phone: 602-926-3316

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
1	State	Sen/Rep	First Name	Last Name	Email	Office Number	Office Address
2	Oregon	Rep	Teresa Alonso	Leon	Rep.TeresaAlonsoLeon@oregonlegislature.gov	503-986-1422	900 Court St NE, H-272, Salem, OR 97301
3	Oregon	Rep	Daniel	Bonham	Rep.DanielBonham@oregonlegislature.gov	503-986-1459	900 Court St NE, H-390, Salem, OR 97301
4	Oregon	Rep	Shelly Boshart	Davis	Rep.ShellyBoshartDavis@oregonlegislature.gov	503-986-1415	900 Court St NE, H-389, Salem, OR 97301
5	Oregon	Rep	Vikki	Breese-Iverson	rep.VikkiBreeseIverson@oregonlegislature.gov	503-986-1455	900 Court St NE, H-377, Salem, OR 97301
6	Oregon	Rep	Janelle	Bynum	Rep.JanelleBynum@oregonlegislature.gov	503-986-1451	900 Court St NE, H-276, Salem, OR 97301
7	Oregon	Rep	Wlnsvey	Campos	Rep.WlnsveyCampos@oregonlegislature.gov	503-986-1428	900 Court St NE, H-285, Salem, OR 97301
8	Oregon	Rep	Jami	Cate	Rep.JamiCate@oregonlegislature.gov	503-986-1417	900 Court St NE, H-378, Salem, OR 97301
9	Oregon	Rep	Brian	Clem	Rep.BrianClem@oregonlegislature.gov	503-986-1421	900 Court St NE, H-481, Salem, OR 97301
10	Oregon	Rep	Maxine	Dexter	Rep.MaxineDexter@oregonlegislature.gov	503-986-1433	900 Court St NE, H-283, Salem, OR 97301
11	Oregon	Rep	Christine	Drazan	Rep.ChristineDrazan@oregonlegislature.gov	503-986-1439	900 Court St NE, H-395, Salem, OR 97301
12	Oregon	Rep	Paul	Evans	Rep.PaulEvans@oregonlegislature.gov	503-986-1420	900 Court St NE, H-471, Salem, OR 97301
13	Oregon	Rep	Julie	Fahey	Rep.JulieFahey@oregonlegislature.gov	503-986-1414	900 Court St NE, H-286, Salem, OR 97301
14	Oregon	Rep	David	Gomberg	Rep.DavidGomberg@oregonlegislature.gov	503-986-1410	900 Court St NE, H-480, Salem, OR 97301
15	Oregon	Rep	Dacia	Grayber	Rep.DaciaGrayber@oregonlegislature.gov	503-986-1435	900 Court St NE, H-492, Salem, OR 97301
16	Oregon	Rep	Cedric	Hayden	Rep.CedricHayden@oregonlegislature.gov	503-986-1407	900 Court St NE, H-383, Salem, OR 97301
17	Oregon	Rep	Ken	Helm	Rep.KenHelm@oregonlegislature.gov	503-986-1434	900 Court St NE, H-490, Salem, OR 97301
18	Oregon	Rep	Paul	Holvey	Rep.PaulHolvey@oregonlegislature.gov	503-986-1408	900 Court St NE, H-277, Salem, OR 97301
19	Oregon	Rep	Zach	Hudson	Rep.ZachHudson@oregonlegislature.gov	503-986-1449	900 Court St NE, H-284, Salem, OR 97301
20	Oregon	Rep	Tina	Kotek	Rep.TinaKotek@oregonlegislature.gov	503-986-1444	900 Court St NE, 269, Salem, OR 97301
21	Oregon	Rep	Jason	Kropf	Rep.JasonKropf@oregonlegislature.gov	503-986-1454	900 Court St NE, H-491, Salem, OR 97301
22	Oregon	Rep	Gary	Leif	Rep.GaryLeif@oregonlegislature.gov	503-986-1402	900 Court St NE, H-386, Salem, OR 97301
23	Oregon	Rep	Bobby	Levy	Rep.BobbyLevy@oregonlegislature.gov	503-986-1458	900 Court St NE, H-376, Salem, OR 97301
24	Oregon	Rep	Rick	Lewis	Rep.RickLewis@oregonlegislature.gov	503-986-1418	900 Court St NE, H-484, Salem, OR 97301
25	Oregon	Rep	John	Lively	Rep.JohnLively@oregonlegislature.gov	503-986-1412	900 Court St NE, H-488, Salem, OR 97301
26	Oregon	Rep	Pam	Marsh	Rep.PamMarsh@oregonlegislature.gov	503-986-1405	900 Court St NE, H-474, Salem, OR 97301
27	Oregon	Rep	Susan	McLain	Rep.SusanMclain@oregonlegislature.gov	503-986-1429	900 Court St NE, H-477, Salem, OR 97301
28	Oregon	Rep	Mark W.	Meek	Rep.MarkMeek@oregonlegislature.gov	503-986-1440	900 Court St. NE, H-478, Salem, OR 97301
29	Oregon	Rep	Raquel	Moore-Green	Rep.RaquelMooreGreen@oregonlegislature.gov	503-986-1419	900 Court St NE, H-385, Salem, OR 97301
30	Oregon	Rep	Lily	Morgan	Rep.LilyMorgan@oregonlegislature.gov	503-986-1403	900 Court St NE, H-371, Salem, OR 97301
31	Oregon	Rep	Nancy	Nathanson	Rep.NancyNathanson@oregonlegislature.gov	503-986-1413	900 Court St NE, H-279, Salem, OR 97301
32	Oregon	Rep	Mike	Nearman	Rep.MikeNearman@oregonlegislature.gov	503-986-1423	900 Court St NE, H-381, Salem, OR 97301
33	Oregon	Rep	Courtney	Neron	Rep.CourtneyNeron@oregonlegislature.gov	503-986-1426	900 Court St NE, H-281, Salem, OR 97301
34	Oregon	Rep	Ron	Noble	Rep.RonNoble@oregonlegislature.gov	503-986-1424	900 Court St NE, H-380, Salem, OR 97301
35	Oregon	Rep	Rob	Nosse	Rep.RobNosse@oregonlegislature.gov	503-986-1442	900 Court St NE, H-472, Salem, OR 97301
36	Oregon	Rep	Mark	Owens	Rep.MarkOwens@oregonlegislature.gov	503-986-1460	900 Court St NE, H-475, Salem, OR 97301
37	Oregon	Rep	Khanh	Pham	Rep.KhanhPham@oregonlegislature.gov	503-986-1446	900 Court St NE, H-486, Salem, OR 97301
38	Oregon	Rep	Bill	Post	Rep.BillPost@oregonlegislature.gov	503-986-1425	900 Court St NE, H-479, Salem, OR 97301
39	Oregon	Rep	Karin A.	Power	Rep.KarinPower@oregonlegislature.gov	503-986-1441	900 Court St NE, H-274, Salem, OR 97301
40	Oregon	Rep	Rachel	Prusak	Rep.RachelPrusak@oregonlegislature.gov	503-986-1437	900 Court St NE, H-489, Salem, OR 97301
41	Oregon	Rep	Dan	Rayfield	Rep.DanRayfield@oregonlegislature.gov	503-986-1416	900 Court St NE, H-275, Salem, OR 97301
42	Oregon	Rep	Jeff	Reardon	Rep.JeffReardon@oregonlegislature.gov	503-986-1448	900 Court St NE, H-493, Salem, OR 97301
43	Oregon	Rep	E. Werner	Reschke	Rep.EWernerReschke@oregonlegislature.gov	503-986-1456	900 Court St NE, H-384, Salem, OR 97301
44	Oregon	Rep	Lisa	Reynolds	Rep.LisaReynolds@oregonlegislature.gov	503-986-1436	900 Court St NE, H-485, Salem, OR 97301
45	Oregon	Rep	Ricki	Ruiz	Rep.RickiRuiz@oregonlegislature.gov	503-986-1450	900 Court St NE, H-375, Salem, OR 97301
46	Oregon	Rep	Andrea	Salinas	Rep.AndreaSalinas@oregonlegislature.gov	503-986-1438	900 Court St NE, H-282, Salem, OR 97301
47	Oregon	Rep	Tawna D.	Sanchez	Rep.TawnaSanchez@oregonlegislature.gov	503-986-1443	900 Court St NE, H-273, Salem, OR 97301
48	Oregon	Rep	Sheri	Schouten	Rep.SheriSchouten@oregonlegislature.gov	503-986-1427	900 Court St NE, H-280, Salem, OR 97301
49	Oregon	Rep	Greg	Smith	Rep.GregSmith@oregonlegislature.gov	503-986-1457	900 Court St NE, H-482, Salem, OR 97301
50	Oregon	Rep	Barbara Smith	Warner	Rep.BarbaraSmithWarner@oregonlegislature.gov	503-986-1445	900 Court St NE, H-295, Salem, OR 97301
51	Oregon	Rep	David Brock	Smith	Rep.DavidBrockSmith@oregonlegislature.gov	503-986-1401	900 Court St NE, H-379, Salem, OR 97301
52	Oregon	Rep	Janeen	Sollman	Rep.JaneenSollman@oregonlegislature.gov	503-986-1430	900 Court St NE, H-487, Salem, OR 97301
53	Oregon	Rep	Duane	Stark	Rep.DuaneStark@oregonlegislature.gov	503-986-1404	900 Court St NE, H-372, Salem, OR 97301
54	Oregon	Rep	Andrea	Valderrama	Rep.AndreaValderrama@oregonlegislature.gov	503-986-1447	900 Court St NE, H-373, Salem, OR 97301
55	Oregon	Rep	Kim	Wallan	Rep.KimWallan@oregonlegislature.gov	503-986-1406	900 Court St NE, H-388, Salem, OR 97301
56	Oregon	Rep	Suzanne	Weber	Rep.SuzanneWeber@oregonlegislature.gov	503-986-1432	900 Court St NE, H-483, Salem, OR 97301
57	Oregon	Rep	Marty	Wilde	Rep.MartyWilde@oregonlegislature.gov	503-986-1411	900 Court St NE, H-374, Salem, OR 97301
58	Oregon	Rep	Anna	Williams	Rep.AnnaWilliams@oregonlegislature.gov	503-986-1452	900 Court St NE, H-473, Salem, OR 97301
59	Oregon	Rep	Brad	Witt	Rep.BradWitt@oregonlegislature.gov	503-986-1431	900 Court St NE, H-382, Salem, OR 97301
60	Oregon	Rep	Boomer	Wright	Rep.BoomerWright@oregonlegislature.gov	503-986-1409	900 Court St NE, H-476, Salem, OR 97301

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
61	Oregon	Rep	Jack	Zika	Rep.JackZika@oregonlegislature.gov	503-986-1453	900 Court St NE, H-387, Salem, OR 97301
62	Oregon	Sen	Dick	Anderson	Sen.DickAnderson@oregonlegislature.gov	503-986-1705	900 Court St NE, S-303, Salem, OR, 97301
63	Oregon	Sen	Lee	Beyer	Sen.LeeBeyer@oregonlegislature.gov	503-986-1706	900 Court St NE, S-411, Salem, OR, 97301
64	Oregon	Sen	Brian	Boquist	Sen.BrianBoquist@oregonlegislature.gov	503-986-1712	900 Court St NE, S-311, Salem, OR, 97301
65	Oregon	Sen	Ginny	Burdick	Sen.GinnyBurdick@oregonlegislature.gov	503-986-1718	900 Court St NE, S-211, Salem, OR, 97301
66	Oregon	Sen	Peter	Courtney	Sen.PeterCourtney@oregonlegislature.gov	503-986-1600	900 Court St NE, S-201, Salem, OR, 97301
67	Oregon	Sen	Michael	Dembrow	Sen.MichaelDembrow@oregonlegislature.gov	503-986-1723	900 Court St NE, S-407, Salem, OR 97301
68	Oregon	Sen	Lynn	Findley	Sen.LynnFindley@oregonlegislature.gov	503-986-1730	900 Court St NE, S-301, Salem, OR, 97301
69	Oregon	Sen	Lew	Frederick	Sen.LewFrederick@oregonlegislature.gov	503-986-1722	900 Court St NE, S-419, Salem, OR 97301
70	Oregon	Sen	Sara	Gelser	Sen.SaraGelser@oregonlegislature.gov	503-986-1708	900 Court St NE, S-405, Salem, OR, 97301
71	Oregon	Sen	Fred	Girod	Sen.FredGirod@oregonlegislature.gov	503-986-1709	900 Court St NE, S-323, Salem, OR, 97301
72	Oregon	Sen	Jeff	Golden	Sen.JeffGolden@oregonlegislature.gov	503-986-1703	900 Court St NE, S-421, Salem, OR, 97301
73	Oregon	Sen	Chris	Gorsek	Sen.ChrisGorsek@oregonlegislature.gov	503-986-1725	900 Court St NE, S-403, Salem, OR, 97301
74	Oregon	Sen	Bill	Hansell	Sen.BillHansell@oregonlegislature.gov	503-986-1729	900 Court St NE, S-415, Salem, OR, 97301
75	Oregon	Sen	Dallas	Heard	Sen.DallasHeard@oregonlegislature.gov	503-986-1701	900 Court St NE, S-316, Salem, OR, 97301
76	Oregon	Sen	Kayse	Jama	Sen.KayseJama@oregonlegislature.gov	503-986-1724	900 Court St NE, S-409, Salem, OR, 97301
77	Oregon	Sen	Betsy	Johnson	Sen.BetsyJohnson@oregonlegislature.gov	503-986-1716	900 Court St NE, S-209, Salem, OR, 97301
78	Oregon	Sen	Bill	Kennemer	Sen.BillKennemer@oregonlegislature.gov	503-986-1720	900 Court St NE, S-401, Salem, OR, 97301
79	Oregon	Sen	Tim	Knopp	sen.timknopp@oregonlegislature.gov	503-986-1727	900 Court St NE, S-425, Salem, OR, 97301
80	Oregon	Sen	Kate	Lieber	Sen.KateLieber@oregonlegislature.gov	503-986-1714	900 Court St NE, S-417, Salem, OR, 97301
81	Oregon	Sen	Dennis	Linthicum	Sen.DennisLinthicum@oregonlegislature.gov	503-986-1728	900 Court St NE, S-305, Salem, OR, 97301
82	Oregon	Sen	James I.	Manning Jr.	Sen.JamesManning@oregonlegislature.gov	503-986-1707	900 Court St NE, S-205, Salem, OR, 97301
83	Oregon	Sen	Deb	Patterson	Sen.DebPatterson@oregonlegislature.gov	503-986-1710	900 Court St NE, S-215, Salem, OR, 97301
84	Oregon	Sen	Floyd	Prozanski	Sen.FloydProzanski@oregonlegislature.gov	503-986-1704	900 Court St NE, S-413, Salem, OR, 97301
85	Oregon	Sen	Chuck	Riley	Sen.ChuckRiley@oregonlegislature.gov	503-986-1715	900 Court St NE, S-207, Salem, OR, 97301
86	Oregon	Sen	Art	Robinson	Sen.ArtRobinson@oregonlegislature.gov	503-986-1702	900 Court St NE, S-309, Salem, OR, 97301
87	Oregon	Sen	Elizabeth Steiner	Hayward	Sen.ElizabethSteinerHayward@oregonlegislature.gov	503-986-1717	900 Court St NE, S-213, Salem, OR, 97301
88	Oregon	Sen	Kathleen	Taylor	Sen.KathleenTaylor@oregonlegislature.gov	503-986-1721	900 Court St NE, S-423, Salem, OR 97301
89	Oregon	Sen	Kim	Thatcher	Sen.KimThatcher@oregonlegislature.gov	503-986-1713	900 Court St NE, S-307, Salem, OR, 97301
90	Oregon	Sen	Chuck	Thomsen	Sen.ChuckThomsen@oregonlegislature.gov	503-986-1726	900 Court St NE, S-315, Salem, OR, 97301
91	Oregon	Sen	Rob	Wagner	Sen.RobWagner@oregonlegislature.gov	503-986-1700	900 Court St NE, S-223, Salem, OR, 97301
92	Pennsylvania	Rep	Mike	Armanini		(717) 260-6142	160B East Wing P.O. Box 202075 Harrisburg, PA 17120-2075
93	Pennsylvania	Rep	Jessica	Benham		(717) 783-0411	109B East Wing P.O. Box 202036 Harrisburg, PA 17120-2036
94	Pennsylvania	Rep	Kerry A.	Benninghoff		(717) 783-1918	110 Main Capitol Building P.O. Box 202171 Harrisburg, PA 17120-2171
95	Pennsylvania	Rep	Aaron	Bernstine		(717) 783-8322	5 East Wing P.O. Box 202010 Harrisburg, PA 17120-2010
96	Pennsylvania	Rep	Ryan A.	Bizzarro		(717) 772-2297	414 Main Capitol Building P.O. Box 202003 Harrisburg, PA 17120-2003
97	Pennsylvania	Rep	Karen	Boback		(717) 787-1117	41B East Wing P.O. Box 202117 Harrisburg, PA 17120-2117
98	Pennsylvania	Rep	Timothy R.	Bonner		(717) 783-6438	150A East Wing P.O. Box 202008 Harrisburg, PA 17120-2008
99	Pennsylvania	Rep	Stephanie	Borowicz		(717) 772-9925	413 Irvis Office Building P.O. Box 202076 Harrisburg, PA 17120-2076
100	Pennsylvania	Rep	Kevin J.	Boyle		(717) 783-4944	226 Irvis Office Building P.O. Box 202172 Harrisburg, PA 17120-2172
101	Pennsylvania	Rep	Matthew D.	Bradford		(717) 783-1540	512E Main Capitol Building P.O. Box 202070 Harrisburg, PA 17120-2070
102	Pennsylvania	Rep	Tim	Briggs		(717) 705-7011	302 Main Capitol Building P.O. Box 202149 Harrisburg, PA 17120-2149
103	Pennsylvania	Rep	Bob	Brooks		(717) 260-6129	155A East Wing P.O. Box 202054 Harrisburg, PA 17120-2054
104	Pennsylvania	Rep	Amen	Brown		(717) 783-3822	27A East Wing P.O. Box 202190 Harrisburg, PA 17120-2190
105	Pennsylvania	Rep	Rosemary M.	Brown		(717) 260-6171	209 Ryan Office Building P.O. Box 202189 Harrisburg, PA 17120-2189
106	Pennsylvania	Rep	Donna	Bullock		(717) 787-3480	328 Irvis Office Building P.O. Box 202195 Harrisburg, PA 17120-2195
107	Pennsylvania	Rep	Danilo	Burgos		(717) 772-2004	105B East Wing P.O. Box 202197 Harrisburg, PA 17120-2197
108	Pennsylvania	Rep	Frank	Burns		(717) 772-8056	325 Main Capitol Building P.O. Box 202072 Harrisburg, PA 17120-2072
109	Pennsylvania	Rep	Mike	Carroll		(717) 787-3589	300 Main Capitol Building P.O. Box 202118 Harrisburg, PA 17120-2118
110	Pennsylvania	Rep	Martin T.	Causer		(717) 787-5075	147 Main Capitol Building P.O. Box 202067 Harrisburg, PA 17120-2067
111	Pennsylvania	Rep	Morgan	Cephas		(717) 783-2192	104B East Wing P.O. Box 202192 Harrisburg, PA 17120-2192
112	Pennsylvania	Rep	Joe	Ciresi		(717) 783-4086	125A East Wing P.O. Box 202146 Harrisburg, PA 17120-2146
113	Pennsylvania	Rep	Scott	Conklin		(717) 787-9473	314 Irvis Office Building P.O. Box 202077 Harrisburg, PA 17120-2077
114	Pennsylvania	Rep	Bud	Cook		(717) 783-8655	B13 Main Capitol Building P.O. Box 202049 Harrisburg, PA 17120-2049
115	Pennsylvania	Rep	Jim	Cox		(717) 772-2435	213 Ryan Office Building P.O. Box 202129 Harrisburg, PA 17120-2129
116	Pennsylvania	Rep	Angel	Cruz		(717) 787-1407	528E Main Capitol Building P.O. Box 202180 Harrisburg, PA 17120-2180
117	Pennsylvania	Rep	Lynda Schlegel	Culver		(717) 787-3485	402 Irvis Office Building P.O. Box 202108 Harrisburg, PA 17120-2108
118	Pennsylvania	Rep	Bryan	Cutler		(717) 783-6424	139 Main Capitol Building P.O. Box 202100 Harrisburg, PA 17120-2100
119	Pennsylvania	Rep	Mary Jo	Daley		(717) 787-9475	225 Irvis Office Building P.O. Box 202148 Harrisburg, PA 17120-2148
120	Pennsylvania	Rep	Eric	Davanzo		(717) 783-3825	B-16 Main Capitol Building P.O. Box 202058 Harrisburg, PA 17120-2058

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
121	Pennsylvania	Rep	Margo L.	Davidson		(717) 783-4907	38A East Wing P.O. Box 202164 Harrisburg, PA 17120-2164
122	Pennsylvania	Rep	Austin A.	Davis		(717) 783-1018	216 Irvis Office Building P.O. Box 202035 Harrisburg, PA 17120-2035
123	Pennsylvania	Rep	Tina M.	Davis		(717) 783-4903	331 Main Capitol Building P.O. Box 202141 Harrisburg, PA 17120-2141
124	Pennsylvania	Rep	Jason	Dawkins		(717) 787-1354	32B East Wing P.O. Box 202179 Harrisburg, PA 17120-2179
125	Pennsylvania	Rep	Gary	Day		(717) 787-3017	108 Ryan Office Building P.O. Box 202187 Harrisburg, PA 17120-2187
126	Pennsylvania	Rep	Pamela A.	DeLissio		(717) 783-4945	321 Irvis Office Building P.O. Box 202194 Harrisburg, PA 17120-2194
127	Pennsylvania	Rep	Anthony M.	DeLuca		(717) 783-1011	115 Irvis Office Building P.O. Box 202032 Harrisburg, PA 17120-2032
128	Pennsylvania	Rep	Daniel J.	Deasy		(717) 772-8187	304 Irvis Office Building P.O. Box 202027 Harrisburg, PA 17120-2027
129	Pennsylvania	Rep	David M.	Delloso		(717) 783-6437	117A East Wing P.O. Box 202162 Harrisburg, PA 17120-2162
130	Pennsylvania	Rep	Sheryl M.	Delozier		(717) 783-5282	107 Ryan Office Building P.O. Box 202088 Harrisburg, PA 17120-2088
131	Pennsylvania	Rep	Russ	Diamond		(717) 787-2686	145B East Wing P.O. Box 202102 Harrisburg, PA 17120-2102
132	Pennsylvania	Rep	Matthew D.	Dowling		(717) 783-5173	53B East Wing P.O. Box 202051 Harrisburg, PA 17120-2051
133	Pennsylvania	Rep	Michael J.	Driscoll		(717) 787-4331	G-07 Irvis Office Building P.O. Box 202173 Harrisburg, PA 17120-2173
134	Pennsylvania	Rep	George	Dunbar		(717) 260-6132	116 Main Capitol P.O. Box 202056 Harrisburg, PA 17120-2056
135	Pennsylvania	Rep	Torren C.	Ecker		(717) 783-8875	161B East Wing P.O. Box 202193 Harrisburg, PA 17120-2193
136	Pennsylvania	Rep	Joe	Emrick		(717) 260-6159	314C Main Capitol P.O. Box 202137 Harrisburg, PA 17120-2137
137	Pennsylvania	Rep	Frank A.	Farry		(717) 260-6140	18 East Wing P.O. Box 202142 Harrisburg, PA 17120-2142
138	Pennsylvania	Rep	Mindy	Fee		(717) 772-5290	47 East Wing P.O. Box 202037 Harrisburg, PA 17120-2037
139	Pennsylvania	Rep	Elizabeth	Fiedler		(717) 787-5774	102A East Wing P.O. Box 202184 Harrisburg, PA 17120-2184
140	Pennsylvania	Rep	Isabella V.	Fitzgerald		(717) 783-4111	28B East Wing P.O. Box 202203 Harrisburg, PA 17120-2203
141	Pennsylvania	Rep	Ann	Flood		(717) 783-8573	402 Irvis Office Building P.O. Box 202138 Harrisburg, PA 17120-2138
142	Pennsylvania	Rep	Marty	Flynn		(717) 787-8981	324 Main Capitol Building P.O. Box 202113 Harrisburg, PA 17120-2113
143	Pennsylvania	Rep	Dan	Frankel		(717) 705-1875	332 Main Capitol Building P.O. Box 202023 Harrisburg, PA 17120-2023
144	Pennsylvania	Rep	Robert	Freeman		(717) 783-3815	207 Irvis Office Building P.O. Box 202136 Harrisburg, PA 17120-2136
145	Pennsylvania	Rep	Jonathan	Fritz		(717) 783-2910	414 Irvis Office Building P.O. Box 202111 Harrisburg, PA 17120-2111
146	Pennsylvania	Rep	Ed	Gainey		(717) 783-1017	311 Irvis Office Building P.O. Box 202024 Harrisburg, PA 17120-2024
147	Pennsylvania	Rep	John T.	Galloway		(717) 787-1292	301 Irvis Office Building P.O. Box 202140 Harrisburg, PA 17120-2140
148	Pennsylvania	Rep	Valerie S.	Gaydos		(717) 787-6651	428 Irvis Office Building P.O. Box 202044 Harrisburg, PA 17120-2044
149	Pennsylvania	Rep	Mark M.	Gillen		(717) 787-8550	408 Irvis Office Building P.O. Box 202128 Harrisburg, PA 17120-2128
150	Pennsylvania	Rep	Keith	Gillespie		(717) 705-7167	45 East Wing P.O. Box 202047 Harrisburg, PA 17120-2047
151	Pennsylvania	Rep	Barbara	Gleim		(717) 772-2280	149B East Wing P.O. Box 202199 Harrisburg, PA 17120-2199
152	Pennsylvania	Rep	Jim	Gregory		(717) 787-9020	159A East Wing P.O. Box 202080 Harrisburg, PA 17120-2080
153	Pennsylvania	Rep	Keith J.	Greiner		(717) 783-6422	54B East Wing P.O. Box 202043 Harrisburg, PA 17120-2043
154	Pennsylvania	Rep	Seth M.	Grove		(717) 783-2655	7 East Wing P.O. Box 202196 Harrisburg, PA 17120-2196
155	Pennsylvania	Rep	Nancy	Guenst		(717) 705-2044	101A East Wing P.O. Box 202152 Harrisburg, PA 17120-2152
156	Pennsylvania	Rep	Manuel	Guzman		(717) 787-3525	115A East Wing P.O. Box 202127 Harrisburg, PA 17120-2127
157	Pennsylvania	Rep	Joe	Hamm		(717) 787-5270	431 Irvis Office Building P.O. Box 202084 Harrisburg, PA 17120-2084
158	Pennsylvania	Rep	Liz	Hanbidge		(717) 783-4102	123A East Wing P.O. Box 202061 Harrisburg, PA 17120-2061
159	Pennsylvania	Rep	Patrick J.	Harkins		(717) 787-7406	331 Irvis Office Building P.O. Box 202001 Harrisburg, PA 17120-2001
160	Pennsylvania	Rep	Jordan A.	Harris		(717) 783-1792	428 Main Capitol P.O. Box 202186 Harrisburg, PA 17120-2186
161	Pennsylvania	Rep	Doyle	Heffley		(717) 260-6139	420 Irvis Office Building P.O. Box 202122 Harrisburg, PA 17120-2122
162	Pennsylvania	Rep	Susan C.	Helm		(717) 787-1230	41A East Wing P.O. Box 202104 Harrisburg, PA 17120-2104
163	Pennsylvania	Rep	Tim	Hennessey		(717) 787-3431	313 Main Capitol Building P.O. Box 202026 Harrisburg, PA 17120-2026
164	Pennsylvania	Rep	Dianne	Herrin		(717) 705-2075	115B East Wing P.O. Box 202156 Harrisburg, PA 17120-2156
165	Pennsylvania	Rep	Johnathan D.	Hershey		(717) 783-7830	411 Irvis Office Building P.O. Box 202082 Harrisburg, PA 17120-2082
166	Pennsylvania	Rep	David S.	Hickernell		(717) 783-2076	43A East Wing P.O. Box 202098 Harrisburg, PA 17120-2098
167	Pennsylvania	Rep	Carol	Hill-Evans		(717) 787-7514	28A East Wing P.O. Box 202095 Harrisburg, PA 17120-2095
168	Pennsylvania	Rep	Joseph C.	Hohenstein		(717) 783-4087	121A East Wing P.O. Box 202177 Harrisburg, PA 17120-2177
169	Pennsylvania	Rep	Kristine C.	Howard		(717) 783-4088	107 East Wing P.O. Box 202167 Harrisburg, PA 17120-2167
170	Pennsylvania	Rep	Sara	Innamorato		(717) 783-9114	25A East Wing P.O. Box 202021 Harrisburg, PA 17120-2021
171	Pennsylvania	Rep	Rich	Irvin		(717) 787-3335	5 East Wing P.O. Box 202081 Harrisburg, PA 17120-2081
172	Pennsylvania	Rep	MaryLouise	Isaacson		(717) 783-8098	121B East Wing P.O. Box 202175 Harrisburg, PA 17120-2175
173	Pennsylvania	Rep	R. Lee	James		(717) 783-8188	145A East Wing P.O. Box 202064 Harrisburg, PA 17120-2064
174	Pennsylvania	Rep	Mike	Jones		(717) 783-8389	409 Irvis Office Building P.O. Box 202093 Harrisburg, PA 17120-2093
175	Pennsylvania	Rep	Barry J.	Jozwiak		(717) 772-9940	155B East Wing P.O. Box 202005 Harrisburg, PA 17120-2005
176	Pennsylvania	Rep	Joshua D.	Kail		(717) 260-6144	B-12 Main Capitol P.O. Box 202015 Harrisburg, PA 17120-2015
177	Pennsylvania	Rep	Aaron D.	Kaufer		(717) 787-3798	B14 Main Capitol Building P.O. Box 202120 Harrisburg, PA 17120-2120
178	Pennsylvania	Rep	Rob W.	Kauffman		(717) 705-2004	312 Main Capitol Building P.O. Box 202089 Harrisburg, PA 17120-2089
179	Pennsylvania	Rep	Dawn W.	Keefer		(717) 783-8783	423 Irvis Office Building P.O. Box 202092 Harrisburg, PA 17120-2092
180	Pennsylvania	Rep	Malcolm	Kenyatta		(717) 787-9471	105A East Wing P.O. Box 202181 Harrisburg, PA 17120-2181

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
181	Pennsylvania	Rep	Joe	Kerwin		(717) 260-6148	162A East Wing P.O. Box 202125 Harrisburg, PA 17120-2125
182	Pennsylvania	Rep	Patty	Kim		(717) 783-9342	G11 Irvis Office Building P.O. Box 202103 Harrisburg, PA 17120-2103
183	Pennsylvania	Rep	Emily	Kinkead		(717) 787-5470	106B East Wing P.O. Box 202020 Harrisburg, PA 17120-2020
184	Pennsylvania	Rep	Stephen	Kinsey		(717) 787-3181	317 Irvis Office Building P.O. Box 202201 Harrisburg, PA 17120-2201
185	Pennsylvania	Rep	Brian	Kirkland		(717) 787-5881	300 Irvis Office Building P.O. Box 202159 Harrisburg, PA 17120-2159
186	Pennsylvania	Rep	Kate A.	Klunk		(717) 787-4790	161A East Wing P.O. Box 202169 Harrisburg, PA 17120-2169
187	Pennsylvania	Rep	Jerry	Knowles		(717) 787-9029	113 Ryan Office Building P.O. Box 202124 Harrisburg, PA 17120-2124
188	Pennsylvania	Rep	Bridget M.	Kosierowski		(717) 783-4874	104 Irvis Office Building P.O. Box 202114 Harrisburg, PA 17120-2114
189	Pennsylvania	Rep	Rick	Krajewski		(717) 783-1000	109B East Wing P.O. Box 202188 Harrisburg, PA 17120-2188
190	Pennsylvania	Rep	Leanne	Krueger		(717) 705-2567	G-14 Irvis Office Building P.O. Box 202161 Harrisburg, PA 17120-2161
191	Pennsylvania	Rep	Anita Astorino	Kulik		(717) 783-3780	323 Irvis Office Building P.O. Box 202045 Harrisburg, PA 17120-2045
192	Pennsylvania	Rep	Shelby	Labs		(717) 787-8556	153B East Wing P.O. Box 202143 Harrisburg, PA 17120-2143
193	Pennsylvania	Rep	John A.	Lawrence		(717) 260-6117	211 Ryan Office Building P.O. Box 202013 Harrisburg, PA 17120-2013
194	Pennsylvania	Rep	Summer	Lee		(717) 783-1914	25B East Wing P.O. Box 202034 Harrisburg, PA 17120-2034
195	Pennsylvania	Rep	Andrew	Lewis		(717) 783-2014	164A East Wing P.O. Box 202105 Harrisburg, PA 17120-2105
196	Pennsylvania	Rep	Carrie	Lewis DelRosso		(717) 787-8523	163B East Wing P.O. Box 202033 Harrisburg, PA 17120-2033
197	Pennsylvania	Rep	Mark	Longietti		(717) 772-4035	202 Irvis Office Building P.O. Box 202007 Harrisburg, PA 17120-2007
198	Pennsylvania	Rep	Milou	Mackenzie		(717) 783-1673	405 Irvis Office Building P.O. Box 202131 Harrisburg, PA 17120-2131
199	Pennsylvania	Rep	Ryan E.	Mackenzie		(717) 787-1000	210 Ryan Office Building P.O. Box 202134 Harrisburg, PA 17120-2134
200	Pennsylvania	Rep	Maureen E.	Madden		(717) 787-5811	323 Main Capitol Building P.O. Box 202115 Harrisburg, PA 17120-2115
201	Pennsylvania	Rep	Zachary	Mako		(717) 772-5398	402 Irvis Office Building P.O. Box 202183 Harrisburg, PA 17120-2183
202	Pennsylvania	Rep	Steven R.	Malagari		(717) 783-8515	123B East Wing P.O. Box 202053 Harrisburg, PA 17120-2053
203	Pennsylvania	Rep	David M.	Maloney		(717) 260-6161	6B East Wing P.O. Box 202130 Harrisburg, PA 17120-2130
204	Pennsylvania	Rep	Brandon J.	Markosek		(717) 772-4511	116A East Wing P.O. Box 202025 Harrisburg, PA 17120-2025
205	Pennsylvania	Rep	Jim	Marshall		(717) 260-6432	105 Ryan Office Building P.O. Box 202014 Harrisburg, PA 17120-2014
206	Pennsylvania	Rep	Kurt A.	Masser		(717) 260-6134	315J Main Capitol Building P.O. Box 202107 Harrisburg, PA 17120-2107
207	Pennsylvania	Rep	Robert F.	Matzie		(717) 787-4444	121 Irvis Office Building P.O. Box 202016 Harrisburg, PA 17120-2016
208	Pennsylvania	Rep	Joanna E.	McClinton		(717) 772-9850	423 Main Capitol P.O. Box 202191 Harrisburg, PA 17120-2191
209	Pennsylvania	Rep	Jeanne	McNeill		(717) 772-9902	219 Irvis Office Building P.O. Box 202133 Harrisburg, PA 17120-2133
210	Pennsylvania	Rep	Thomas L.	Mehaffie		(717) 787-2684	159B East Wing P.O. Box 202106 Harrisburg, PA 17120-2106
211	Pennsylvania	Rep	Steven C.	Mentzer		(717) 787-1776	51A East Wing P.O. Box 202097 Harrisburg, PA 17120-2097
212	Pennsylvania	Rep	Robert W.	Mercuri		(717) 772-9943	162B East Wing P.O. Box 202028 Harrisburg, PA 17120-2028
213	Pennsylvania	Rep	Robert E.	Merski		(717) 787-4358	103A East Wing P.O. Box 202002 Harrisburg, PA 17120-2002
214	Pennsylvania	Rep	Daryl D.	Metcalfe		(717) 783-1707	144 Main Capitol Building P.O. Box 202012 Harrisburg, PA 17120-2012
215	Pennsylvania	Rep	Carl Walker	Metzgar		(717) 783-8756	115 Ryan Office Building P.O. Box 202069 Harrisburg, PA 17120-2069
216	Pennsylvania	Rep	Natalie	Mihalek		(717) 783-1522	143B East Wing P.O. Box 202040 Harrisburg, PA 17120-2040
217	Pennsylvania	Rep	David R.	Millard		(717) 783-1102	128 Main Capitol Building P.O. Box 202109 Harrisburg, PA 17120-2109
218	Pennsylvania	Rep	Brett R.	Miller		(717) 705-7161	54A East Wing P.O. Box 202041 Harrisburg, PA 17120-2041
219	Pennsylvania	Rep	Dan L.	Miller		(717) 783-1850	412 Main Capitol Building P.O. Box 202042 Harrisburg, PA 17120-2042
220	Pennsylvania	Rep	Lori A.	Mizgorski		(717) 260-6407	406 Irvis Office Building P.O. Box 202030 Harrisburg, PA 17120-2030
221	Pennsylvania	Rep	Dan	Moul		(717) 783-5217	416 Irvis Office Building P.O. Box 202091 Harrisburg, PA 17120-2091
222	Pennsylvania	Rep	Gerald J.	Mullery		(717) 783-4893	114 Irvis Office Building P.O. Box 202119 Harrisburg, PA 17120-2119
223	Pennsylvania	Rep	Kyle J.	Mullins		(717) 783-5043	116B East Wing P.O. Box 202112 Harrisburg, PA 17120-2112
224	Pennsylvania	Rep	Marci	Mustello		(717) 787-7686	147A East Wing P.O. Box 202011 Harrisburg, PA 17120-2011
225	Pennsylvania	Rep	Ed	Neilson		(717) 772-4032	127 Irvis Office Building P.O. Box 202174 Harrisburg, PA 17120-2174
226	Pennsylvania	Rep	Eric R.	Nelson		(717) 260-6146	432 Irvis Office Building P.O. Box 202057 Harrisburg, PA 17120-2057
227	Pennsylvania	Rep	Napoleon J.	Nelson		(717) 783-1079	26B East Wing P.O. Box 202154 Harrisburg, PA 17120-2154
228	Pennsylvania	Rep	Jennifer	O'Mara		(717) 783-4090	104 Irvis Office Building P.O. Box 202165 Harrisburg, PA 17120-2165
229	Pennsylvania	Rep	Timothy J.	O'Neal		(717) 787-3315	52B East Wing P.O. Box 202048 Harrisburg, PA 17120-2048
230	Pennsylvania	Rep	Donna	Oberlander		(717) 772-9908	121 Main Capitol Building P.O. Box 202063 Harrisburg, PA 17120-2063
231	Pennsylvania	Rep	Jason	Ortitay		(717) 787-1281	143A East Wing P.O. Box 202046 Harrisburg, PA 17120-2046
232	Pennsylvania	Rep	Danielle Friel	Otten		(717) 783-5009	102B East Wing P.O. Box 202155 Harrisburg, PA 17120-2155
233	Pennsylvania	Rep	Clint	Owlett		(717) 772-5371	52A East Wing P.O. Box 202068 Harrisburg, PA 17120-2068
234	Pennsylvania	Rep	Darisha K.	Parker		(717) 787-7727	106A East Wing P.O. Box 202198 Harrisburg, PA 17120-2198
235	Pennsylvania	Rep	Eddie Day	Pashinski		(717) 783-0686	214 Irvis Office Building P.O. Box 202121 Harrisburg, PA 17120-2121
236	Pennsylvania	Rep	Michael	Peifer		(717) 783-2037	218 Ryan Office Building P.O. Box 202139 Harrisburg, PA 17120-2139
237	Pennsylvania	Rep	Tracy	Pennycuick		(717) 787-9501	5 East Wing P.O. Box 202147 Harrisburg, PA 17120-2147
238	Pennsylvania	Rep	Tina	Pickett		(717) 783-8238	315-A Main Capitol Building P.O. Box 202110 Harrisburg, PA 17120-2110
239	Pennsylvania	Rep	Nick	Pisciottano		(717) 787-8175	27B East Wing P.O. Box 202038 Harrisburg, PA 17120-2038
240	Pennsylvania	Rep	F. Todd	Polinchock		(717) 787-5452	141B East Wing P.O. Box 202144 Harrisburg, PA 17120-2144

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
241	Pennsylvania	Rep	Michael J.	Puskaric		(717) 260-6122	53A East Wing P.O. Box 202039 Harrisburg, PA 17120-2039
242	Pennsylvania	Rep	Christopher B.	Quinn		(717) 772-0855	4 East Wing P.O. Box 202168 Harrisburg, PA 17120-2168
243	Pennsylvania	Rep	Christopher M.	Rabb		(717) 783-2178	322 Irvis Office Building P.O. Box 202200 Harrisburg, PA 17120-2200
244	Pennsylvania	Rep	Jack	Rader		(717) 787-7732	432 Irvis Office Building P.O. Box 202176 Harrisburg, PA 17120-2176
245	Pennsylvania	Rep	Kathy L.	Rapp		(717) 787-1367	150 Main Capitol Building P.O. Box 202065 Harrisburg, PA 17120-2065
246	Pennsylvania	Rep	Jim	Rigby		(717) 772-9924	432 Irvis Office Building P.O. Box 202071 Harrisburg, PA 17120-2071
247	Pennsylvania	Rep	Brad	Roae		(717) 787-2353	151 East Wing P.O. Box 202006 Harrisburg, PA 17120-2006
248	Pennsylvania	Rep	Greg	Rothman		(717) 783-2063	163A East Wing P.O. Box 202087 Harrisburg, PA 17120-2087
249	Pennsylvania	Rep	David H.	Rowe		(717) 787-3443	141-A East Wing P.O. Box 202085 Harrisburg, PA 17120-2085
250	Pennsylvania	Rep	Mark	Rozzi		(717) 783-3290	111 Irvis Office Building P.O. Box 202126 Harrisburg, PA 17120-2126
251	Pennsylvania	Rep	Francis X.	Ryan		(717) 783-1815	149A East Wing P.O. Box 202101 Harrisburg, PA 17120-2101
252	Pennsylvania	Rep	Chris	Sainato		(717) 772-2436	326 Main Capitol Building P.O. Box 202009 Harrisburg, PA 17120-2009
253	Pennsylvania	Rep	Steve	Samuelson		(717) 705-1881	34 East Wing P.O. Box 202135 Harrisburg, PA 17120-2135
254	Pennsylvania	Rep	Benjamin V.	Sanchez		(717) 783-7619	26A East Wing P.O. Box 202153 Harrisburg, PA 17120-2153
255	Pennsylvania	Rep	Tommy	Sankey		(717) 787-7099	111 Ryan Office Building P.O. Box 202073 Harrisburg, PA 17120-2073
256	Pennsylvania	Rep	Christina D.	Sappey		(717) 772-9973	111A East Wing P.O. Box 202158 Harrisburg, PA 17120-2158
257	Pennsylvania	Rep	Stan	Saylor		(717) 783-6426	245 Main Capitol Building P.O. Box 202094 Harrisburg, PA 17120-2094
258	Pennsylvania	Rep	Paul	Schemel		(717) 783-5218	150B East Wing P.O. Box 202090 Harrisburg, PA 17120-2090
259	Pennsylvania	Rep	Michael H.	Schlossberg		(717) 705-1869	512E Main Capitol Building P.O. Box 202132 Harrisburg, PA 17120-2132
260	Pennsylvania	Rep	Louis C.	Schmitt		(717) 787-6419	415 Irvis Office Building P.O. Box 202079 Harrisburg, PA 17120-2079
261	Pennsylvania	Rep	Meghan	Schroeder		(717) 705-7170	411 Irvis Office Building P.O. Box 202029 Harrisburg, PA 17120-2029
262	Pennsylvania	Rep	Peter	Schweyer		(717) 787-2909	527E Main Capitol Building P.O. Box 202022 Harrisburg, PA 17120-2022
263	Pennsylvania	Rep	Melissa L.	Shusterman		(717) 787-7524	111B East Wing P.O. Box 202157 Harrisburg, PA 17120-2157
264	Pennsylvania	Rep	Jason	Silvis		(717) 787-8939	B-15 Main Capitol Building P.O. Box 202055 Harrisburg, PA 17120-2055
265	Pennsylvania	Rep	Brian	Sims		(717) 783-4072	200 Irvis Office Building P.O. Box 202182 Harrisburg, PA 17120-2182
266	Pennsylvania	Rep	Brian	Smith		(717) 787-3845	160A East Wing P.O. Box 202066 Harrisburg, PA 17120-2066
267	Pennsylvania	Rep	Pam	Snyder		(717) 783-3797	101 Irvis Office Building P.O. Box 202050 Harrisburg, PA 17120-2050
268	Pennsylvania	Rep	Jared G.	Solomon		(717) 787-4117	104A East Wing P.O. Box 202202 Harrisburg, PA 17120-2202
269	Pennsylvania	Rep	Curtis G.	Sonney		(717) 783-9087	214 Ryan Office Building P.O. Box 202004 Harrisburg, PA 17120-2004
270	Pennsylvania	Rep	Craig T.	Staats		(717) 783-3154	412 Irvis Office Building P.O. Box 202145 Harrisburg, PA 17120-2145
271	Pennsylvania	Rep	Perry A.	Stambaugh		(717) 783-1593	430 Irvis Office Building P.O. Box 202086 Harrisburg, PA 17120-2086
272	Pennsylvania	Rep	Todd	Stephens		(717) 260-6163	110 Ryan Office Building P.O. Box 202151 Harrisburg, PA 17120-2151
273	Pennsylvania	Rep	James B.	Struzzi		(717) 705-7173	147B East Wing P.O. Box 202062 Harrisburg, PA 17120-2062
274	Pennsylvania	Rep	P. Michael	Sturla		(717) 787-3555	106 Irvis Office Building P.O. Box 202096 Harrisburg, PA 17120-2096
275	Pennsylvania	Rep	Wendi	Thomas		(717) 772-9926	153A East Wing P.O. Box 202178 Harrisburg, PA 17120-2178
276	Pennsylvania	Rep	Kathleen C.	Tomlinson		(717) 783-7319	164-B East Wing P.O. Box 202018 Harrisburg, PA 17120-2018
277	Pennsylvania	Rep	Tarah	Toohil		(717) 260-6136	49 East Wing P.O. Box 202116 Harrisburg, PA 17120-2116
278	Pennsylvania	Rep	Jesse	Topper		(717) 787-7076	400 Irvis Office Building P.O. Box 202078 Harrisburg, PA 17120-2078
279	Pennsylvania	Rep	Tim	Twardzik		(717) 787-8956	428 Irvis Office Building P.O. Box 202123 Harrisburg, PA 17120-2123
280	Pennsylvania	Rep	Greg	Vitali		(717) 787-7647	30 East Wing P.O. Box 202166 Harrisburg, PA 17120-2166
281	Pennsylvania	Rep	Ryan	Warner		(717) 787-1540	B12 Main Capitol Building P.O. Box 202052 Harrisburg, PA 17120-2052
282	Pennsylvania	Rep	Perry S.	Warren		(717) 787-5475	G-01 Irvis Office Building P.O. Box 202031 Harrisburg, PA 17120-2031
283	Pennsylvania	Rep	Joe	Webster		(717) 787-0419	125B East Wing P.O. Box 202150 Harrisburg, PA 17120-2150
284	Pennsylvania	Rep	Parke	Wentling		(717) 783-5008	3 East Wing P.O. Box 202017 Harrisburg, PA 17120-2017
285	Pennsylvania	Rep	Jake	Wheatley		(717) 783-3783	36 East Wing P.O. Box 202019 Harrisburg, PA 17120-2019
286	Pennsylvania	Rep	Jeff C.	Wheeland		(717) 787-2885	427 Irvis Office Building P.O. Box 202083 Harrisburg, PA 17120-2083
287	Pennsylvania	Rep	Martina A.	White		(717) 787-6740	152 Main Capitol Building P.O. Box 202170 Harrisburg, PA 17120-2170
288	Pennsylvania	Rep	Craig	Williams		(717) 783-3038	4 East Wing P.O. Box 202160 Harrisburg, PA 17120-2160
289	Pennsylvania	Rep	Dan K.	Williams		(717) 783-4103	103B East Wing P.O. Box 202074 Harrisburg, PA 17120-2074
290	Pennsylvania	Rep	Regina G.	Young		(717) 783-8634	101B East Wing P.O. Box 202185 Harrisburg, PA 17120-2185
291	Pennsylvania	Rep	Mike	Zabel		(717) 783-8099	117B East Wing P.O. Box 202163 Harrisburg, PA 17120-2163
292	Pennsylvania	Rep	David H.	Zimmerman		(717) 787-3531	51B East Wing P.O. Box 202099 Harrisburg, PA 17120-2099
293	Pennsylvania	Sen	David G.	Argall	dargall@pasen.gov	(717) 787-2637	1 West Centre Street PO Box 150 Mahanoy City, PA 17948
294	Pennsylvania	Sen	Ryan P.	Aument		(717) 627-0036	301 East Main Street Lititz, PA 17543
295	Pennsylvania	Sen	Lisa	Baker	lbaker@pasen.gov	(570) 675-3931	22 Dallas Shopping Center Dallas, PA 18612
296	Pennsylvania	Sen	Camera	Bartolotta	cbartolotta@pasen.gov	(570) 675-3931	95 West Beau Street Suite 107 Washington, PA 15301
297	Pennsylvania	Sen	Lisa M.	Boscola	boscola@pasenate.com	(717) 787-4236	1 East Broad Street Suite 120 Bethlehem, PA 18018
298	Pennsylvania	Sen	James R.	Brewster	brewster@pasenate.com	(717) 787-5580	One Monroeville Center 3824 Northern Pike Suite 1015 Monroeville, PA 15146
299	Pennsylvania	Sen	Michele	Brooks		(717) 787-1322	100 Hadley Road Suite 9 Greenville, PA 16125
300	Pennsylvania	Sen	Patrick M.	Browne		(717) 787-1349	Five City Center 740 West Hamilton Street Suite 200 Allentown, PA 18101

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
301	Pennsylvania	Sen	Amanda M.	Cappelletti	cappelletti@pasenate.com	(717) 787-5544	221 West Main St. Suite 200 Norristown, PA 19401
302	Pennsylvania	Sen	Maria	Collett	Senatorcollett@pasenate.com	(717) 787-6599	Gwynedd Corporate Center 1180 Welsh Road Suite 130 North Wales, PA 19454
303	Pennsylvania	Sen	Carolyn T.	Comitta	senatorcomitta@pasenate.com	(717) 787-5709	17 East Gay St. Suite 301 West Chester, PA 19380
304	Pennsylvania	Sen	Jake	Corman		(717) 787-1377	236 Match Factory Place Bellefonte, PA 16823
305	Pennsylvania	Sen	Jay	Costa	costa@pasenate.com	(717) 787-7683	1501 Ardmore Blvd. Suite 403 Pittsburgh, PA 15221
306	Pennsylvania	Sen	John	DiSanto		(717) 787-6801	7 West Main Street PO Box 236 New Bloomfield, PA 17068
307	Pennsylvania	Sen	Cris	Dush	cdush@pasen.gov	(717) 787-7084	5 Main Street Wellsboro, PA 16901
308	Pennsylvania	Sen	Wayne D.	Fontana	fontana@pasenate.com	(717) 787-5300	1039 Brookline Boulevard Suite 2 Pittsburgh, PA 15226
309	Pennsylvania	Sen	John R.	Gordner		(717) 787-8928	603 West Main Street Bloomsburg, PA 17815
310	Pennsylvania	Sen	Art	Haywood	senatorhaywood@pasenate.com	(717) 787-1427	1168 Easton Road Abington, PA 19001
311	Pennsylvania	Sen	Vincent J.	Hughes	hughes@pasenate.com	(717) 787-7112	2401 North 54th Street Philadelphia, PA 19131
312	Pennsylvania	Sen	Scott E.	Hutchinson		(717) 787-9684	229 Elm Street Oil City, PA 16301
313	Pennsylvania	Sen	John I.	Kane	kane@pasenate.com	(717) 787-4712	504 Ave. of the States 1st Floor Chester, PA 19013
314	Pennsylvania	Sen	Timothy P.	Kearney		(717) 787-1350	130 S. State Road Suite 101 Springfield, PA 19064
315	Pennsylvania	Sen	Wayne	Langerholc Jr.	Wlangerholc@pasen.gov	(717) 787-5400	218 South 2nd Street Clearfield, PA 16830
316	Pennsylvania	Sen	Daniel	Laughlin	Dlaughlin@pasen.gov	(717) 787-8927	1314 Griswold Plaza Erie, PA 16501
317	Pennsylvania	Sen	Scott	Martin		(717) 787-6535	48-50 W. Chestnut Street Suite 308 Lancaster, PA 17603
318	Pennsylvania	Sen	Doug	Mastriano		(717) 787-4651	37 South Main Street Suite 200 Chambersburg, PA 17201
319	Pennsylvania	Sen	Bob	Mensch		(717) 787-3110	56 West Fourth Street, Floor 2 Red Hill, PA 18076
320	Pennsylvania	Sen	Katie J.	Muth	senatormuth@pasenate.com	(717) 787-1398	338 Main Street Royersford, PA 19468
321	Pennsylvania	Sen	Kristin	Phillips-Hill		(717) 787-7085	6872 Susquehanna Trail South Post Office Box 277 Jacobus, PA 17407
322	Pennsylvania	Sen	Joe	Pittman		(717) 787-8724	618 Philadelphia Street Indiana, PA 15701
323	Pennsylvania	Sen	Mike	Regan	mregan@pasen.gov	(717) 787-8524	1 East Harrisburg Street Dillsburg, PA 17019
324	Pennsylvania	Sen	Devlin J.	Robinson	drobinson@pasen.gov	(717) 787-5839	1700 N. Highland Road Suite 307 Pittsburgh, PA 15241
325	Pennsylvania	Sen	John P.	Sabatina Jr.		(717) 787-9608	12361 Academy Road Philadelphia, PA 19154
326	Pennsylvania	Sen	Steven J.	Santarsiero	senatorsantarsiero@pasenate.com	(717) 787-7305	Building 100, Suite 121 2003 Lower State Road Doylestown, PA 18901
327	Pennsylvania	Sen	Nikil	Saval	saval@pasenate.com	(717) 787-5662	1434 Germantown Ave. Philadelphia, PA 19122
328	Pennsylvania	Sen	Mario M.	Scavello	mscavello@pasen.gov	(717) 787-6123	2398 Route 611 Suite 201 Scotrun, PA 18355
329	Pennsylvania	Sen	Judith L.	Schwank	SenatorSchwank@pasenate.com	(717) 787-8925	210 George Street Suite 201 Reading, PA 19605
330	Pennsylvania	Sen	Patrick J.	Stefano		(717) 787-7175	171 West Crawford Avenue 2nd Floor Connellsville, PA 15425
331	Pennsylvania	Sen	Sharif	Street	mailto:info@senatorsharifstreet.com	(717) 787-6735	1621 West Jefferson Street Philadelphia, PA 19121
332	Pennsylvania	Sen	Christine M.	Tartaglione	tartaglione@pasenate.com	(717) 787-1141	1061 Bridge Street Philadelphia, PA 19124
333	Pennsylvania	Sen	Robert M.	Tomlinson	rtomlinson@pasen.gov	(717) 787-5072	3207 Street Road Bensalem, PA 19020
334	Pennsylvania	Sen	Elder A.	Vogel Jr.		(717) 787-3076	488 Adams Street Rochester, PA 15074
335	Pennsylvania	Sen	Judy	Ward	jward@pasen.gov	(717) 787-5490	1904 North Juniata Street Hollidaysburg, PA 16648
336	Pennsylvania	Sen	Kim L.	Ward	kward@pasen.gov	(717) 787-6063	1075 South Main Street Suite 116 Westmoreland Crossroads Plaza Greensburg, PA 15601
337	Pennsylvania	Sen	Anthony H.	Williams	williams@pasenate.com	(717) 787-5970	2901 Island Avenue Suite 100 Philadelphia, PA 19153
338	Pennsylvania	Sen	Lindsey M.	Williams	SenatorLindseyWilliams@pasenate.com	(717) 787-6538	5000 McKnight Road Suite 405 Pittsburgh, PA 15237
339	Pennsylvania	Sen	Gene	Yaw		(717) 787-3280	175 Pine Street Suite 105 Williamsport, PA 17701
340	Pennsylvania	Sen	John T.	Yudichak	jyudichak@pasen.gov	(717) 787-7105	164 South Market Street Nanticoke, PA 18634
341	Rhode Island	Rep	Edith H.	Ajello	rep-ajello@rilegislature.gov	(401) 274-7078	29 Benefit Street, Providence, RI 02904
342	Rhode Island	Rep	Christopher R.	Blazejewski	rep-blazejewski@rilegislature.gov	(401) 222-2447	State House, Room 323 Providence, RI 02903
343	Rhode Island	Rep	Nathan W.	Biah	rep-biah@rilegislature.gov	(401) 241-9391	120 Metcalf Street, Providence RI 02904
344	Rhode Island	Rep	Rebecca M.	Kislak	rep-kislak@rilegislature.gov	(401) 400-2338	P.O. Box 41551, Providence 02940
345	Rhode Island	Rep	Marcia	Ranglin-Vassell	rep-ranglin-vassell@rilegislature.gov	(401) 339-6598	32 Waite Street Providence, RI 02908
346	Rhode Island	Rep	Raymond A.	Hull	rep-hull@rilegislature.gov	(401) 272-4026	616 Mount Pleasant Avenue, Providence, RI 02908
347	Rhode Island	Rep	David	Morales	rep-morales@rilegislature.gov	(401) 480-1322	16 Academy Avenue, Providence RI 02908
348	Rhode Island	Rep	John J.	Lombardi	rep-lombardi@rilegislature.gov	(401) 453-3900	48 Grove Street, Providence, RI 02909
349	Rhode Island	Rep	Anastasia P.	Williams	rep-williams@rilegislature.gov	(401) 272-8135	32 Hammond Street, Providence, RI 02909
350	Rhode Island	Rep	Scott A.	Slater	rep-slater@rilegislature.gov	(401) 741-7641	74 Sawyer Street, Providence, RI 02907
351	Rhode Island	Rep	Grace	Diaz	rep-diaz@rilegislature.gov	(401) 575-3641	45 Adelaide Avenue, Providence, RI 02907
352	Rhode Island	Rep	Jose F.	Batista	rep-batista@rilegislature.gov	(401) 533-2226	205 Massachusetts Avenue, Providence RI 02905
353	Rhode Island	Rep	Ramon A.	Perez	rep-perez@rilegislature.gov	(401) 301-6599	42 Ophelia Street, Providence RI 02909
354	Rhode Island	Rep	Charlene M.	Lima	rep-lima@rilegislature.gov	(401) 222-2466	455 Laurel Hill Avenue, Cranston, RI 02920
355	Rhode Island	Rep	Barbara Ann	Fenton-Fung	rep-fenton-fung@rilegislature.gov	(401) 578-8419	PO Box8542, Cranston RI 02920
356	Rhode Island	Rep	Brandon C.	Potter	rep-potter@rilegislature.gov	(401) 400-2276	62 Grove Avenue, Cranston RI 02910
357	Rhode Island	Rep	Jacquelyn M.	Baginski	rep-baginski@rilegislature.gov	(401) 241-4480	119 Brettonwoods Drive, Cranston RI 02920
358	Rhode Island	Rep	Arthur	Handy	rep-handy@rilegislature.gov	(401) 785-8996	26 Welfare Avenue, Cranston, RI 02910
359	Rhode Island	Rep	Joseph M.	McNamara	rep-mcnamara@rilegislature.gov	(401) 941-8319	23 Howie Avenue, Warwick, RI 02888
360	Rhode Island	Rep	David A.	Bennett	rep-bennett@rilegislature.gov	(401) 480-4647	27 Shippee Avenue, Warwick, RI 02886

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
361	Rhode Island	Rep	Camille F.J	Vella-Wilkinson	rep-vella-wilkinson@rilegislature.gov	(401) 952-7340	786 Church Ave. Warwick, RI 02889
362	Rhode Island	Rep	Joseph J.	Solomon, Jr.	rep-solomon@rilegislature.gov	(401) 308-3904	54 Hess Avenue Warwick, RI 02889
363	Rhode Island	Rep	K. Joseph	Shekarchi	rep-shekarchi@rilegislature.gov	(401) 222-2466	State House, Room 323 Providence, RI 02903
364	Rhode Island	Rep	Evan P.	Shanley	rep-shanley@rilegislature.gov	(401)-440-3493	190 Viceroy Road Warwick, RI 02886
365	Rhode Island	Rep	Thomas E.	Noret	rep-noret@rilegislature.gov	(401)641-0813	225 Fairview Avenue, Coventry, RI 02816
366	Rhode Island	Rep	Patricia L.	Morgan	rep-morgan@rilegislature.gov	(401) 862-3040	411 Wakefield Street, West Warwick RI 02893
367	Rhode Island	Rep	Patricia A.	Serpa	rep-serpa@rilegislature.gov	(401) 828-5687	194 Kimberly Lane, West Warwick, RI 02893
368	Rhode Island	Rep	George A	Nardone	rep-nardone@rilegislature.gov	(401) 821-2360	50 Fieldstone Drive, Coventry, RI 02816
369	Rhode Island	Rep	Sherry	Roberts	rep-roberts@rilegislature.gov	(401) 222-2259	22 Seminole Trail, West Greenwich, RI 02817
370	Rhode Island	Rep	Justine A.	Caldwell	rep-caldwell@rilegislature.gov	(401) 212-7320	8 Aurora Road, East Greenwich, RI 02818
371	Rhode Island	Rep	Julie A.	Casimiro	rep-casimiro@rilegislature.gov	(401) 474-7961	329 Wickham Road North Kingstown, RI 02852
372	Rhode Island	Rep	Robert E.	Craven, Sr.	rep-craven@rilegislature.gov	(401) 294-2222	25 Highland Road, Saunderstown, RI 02874
373	Rhode Island	Rep	Carol Hagan	McEntee	rep-mcentee@rilegislature.gov	(401) 222-4435	70B Broad Rock Road, South Kingstown, RI 02879
374	Rhode Island	Rep	Teresa Ann	Tanzi	rep-tanzi@rilegislature.gov	(401) 527-9468	PO Box 5134, Wakefield RI 02880
375	Rhode Island	Rep	Kathleen A.	Fogarty	rep-fogarty@rilegislature.gov	(401) 222-2466	50 Woodmark Way, Wakefield, RI 02879
376	Rhode Island	Rep	Blake A.	Filippi	rep-filippi@rilegislature.gov	(401) 222-2466	P.O. Box 298, New Shoreham, RI 02807
377	Rhode Island	Rep	Samuel A.	Azzinaro	rep-azzinaro@rilegislature.gov	(401) 596-1434	20 Piezzo Drive, Westerly, RI 02891
378	Rhode Island	Rep	Brian Patrick	Kennedy	rep-kennedy@rilegislature.gov	(401) 377-8818	P.O. Box 1001, Ashaway, RI 02804-0018
379	Rhode Island	Rep	Justin	Price	rep-price@rilegislature.gov	(401) 222-2259	214 Shannock Village Road, Richmond, RI 02875
380	Rhode Island	Rep	Michael W.	Chippendale	rep-chippendale@rilegislature.gov	(401) 497-4495	124 A Johnson Road, Foster, RI 02825
381	Rhode Island	Rep	Robert J.	Quattrocchi	rep-quattrocchi@rilegislature.gov	(401) 764-5143	228 Old Plainfield Pike Scituate, RI 02825
382	Rhode Island	Rep	Edward T.	Cardillo, Jr.	rep-cardillo@rilegislature.gov	(401) 215-8836	6 DiFazio Drive, Johnston RI 02919
383	Rhode Island	Rep	Deborah A.	Fellela	rep-fellela@rilegislature.gov	(401) 231-2014	3 Diaz Street, Johnston, RI 02919
384	Rhode Island	Rep	Gregory J.	Costantino	rep-costantino@rilegislature.gov	(401) 426-0284	21 Greenwood Lane, Lincoln, RI 02865
385	Rhode Island	Rep	Mia A.	Ackerman	rep-ackerman@rilegislature.gov	(401) 658-0981	6 Shelter Lane, Cumberland, RI 02864
386	Rhode Island	Rep	Mary Ann Shallcross	Smith	rep-shallcross-smith@rilegislature.gov	(401) 727-8982	6 Twin River Road, Lincoln RI 02865
387	Rhode Island	Rep	David J.	Place	rep-place@rilegislature.gov	(401) 286-2088	167 Jefferson Boulevard, Harrisville, RI 02830
388	Rhode Island	Rep	Brian C.	Newberry	rep-newberry@rilegislature.gov	(401) 222-2259	53 Follett Street, North Smithfield, RI 02896
389	Rhode Island	Rep	Steven J.	Lima	rep-slima@rilegislature.gov	(508) 328-1298	151 Singleton Street, Woonsocket RI 02895
390	Rhode Island	Rep	Stephen M.	Casey	rep-casey@rilegislature.gov	(508) 942-0484	625 Park Aveneue 2F, Woonsocket, RI 02985
391	Rhode Island	Rep	Robert D.	Phillips	rep-phillips@rilegislature.gov	(401) 762-2010	325 Dunlap Street, Woonsocket, RI 02895
392	Rhode Island	Rep	Alex	Marszalkowski	rep-marszalkowski@rilegislature.gov	(401) 714-4425	20 Waumsett Ave, Cumberland, RI 02864
393	Rhode Island	Rep	Bernard A.	Hawkins	rep-hawkins@rilegislature.gov	(401) 837-7141	605 Putnam Pike, Greenville, RI 02828
394	Rhode Island	Rep	William W.	O'Brien	rep-obrien@rilegislature.gov	(401) 440-4063	25 Oak Grove Blvd, North Providence RI 02911
395	Rhode Island	Rep	Arthur J.	Corvese	rep-corvese@rilegislature.gov	(401) 353-8695	234 Lexington Avenue, North Providence, RI 02904
396	Rhode Island	Rep	Joshua J.	Giraldo	rep-giraldo@rilegislature.gov	(401) 312-4437	535 Roosevelt Ave, Unit 1001B, Central Falls, RI 02863
397	Rhode Island	Rep	James N.	McLaughlin	rep-mclaughlin@rilegislature.gov	(401) 741-1834	15 Garden Street, Cumberland, RI 02864
398	Rhode Island	Rep	Carlos E.	Tobon	rep-tobon@rilegislature.gov	(401) 222-2466	30 Bloomingdale Avenue, Pawtucket, RI 02860
399	Rhode Island	Rep	Jean Philippe	Barros	rep-barros@rilegislature.gov	(401) 222-2466	1 Williams Street, Pawtucket, RI 02860
400	Rhode Island	Rep	Karen	Alzate	rep-alzate@rilegislature.gov	(401) 663-5600	984 York Avenue, Pawtucket, RI 02861
401	Rhode Island	Rep	Leonela	Felix	rep-felix@rilegislature.gov	(401) 365-4182	195 Carter Avenue, Pawtucket RI 02861
402	Rhode Island	Rep	Mary Duffy	Messier	rep-messier@rilegislature.gov	(401) 728-1682	25 Olympia Avenue, Pawtucket, RI 02861
403	Rhode Island	Rep	Katherine S.	Kazarian	rep-kazarian@rilegislature.gov	(401) 438-1718	380 Pleasant Street, East Providence, RI 02916
404	Rhode Island	Rep	Brianna E.	Henries	rep-henries@rilegislature.gov	(401) 245-4749	255 N. Brow Street, East Providence RI 02914
405	Rhode Island	Rep	Gregg	Amore	rep-amore@rilegislature.gov	(401) 339-9378	73 Plymouth Road, East Providence, RI 02914
406	Rhode Island	Rep	Liana M.	Cassar	rep-cassar@rilegislature.gov	(401) 433-9539	2 Hope Court, Barrington, RI 02806
407	Rhode Island	Rep	Jason	Knight	rep-knight@rilegislature.gov	(617) 943-6532	1 Newbrook Drive Barrington, RI 02806
408	Rhode Island	Rep	June	Speakman	rep-speakman@rilegislature.gov	(401) 258-1134	54 Seymour St. Warren, RI 02885
409	Rhode Island	Rep	Susan R.	Donovan	rep-donovan@rilegislature.gov	(401) 253-7837	2 Rego Avenue Bristol, RI 02809
410	Rhode Island	Rep	John G.	Edwards	rep-edwards@rilegislature.gov	(401) 624-8879	69 South Avenue, Tiverton, RI 02878
411	Rhode Island	Rep	Michelle E.	McGaw	rep-mcgaw@rilegislature.gov	(401) 250-3571	58 Camara Drive, Portsmouth RI 02871
412	Rhode Island	Rep	Terri	Cortvriend	rep-cortvriend@rilegislature.gov	(401) 472-4789	46 Mary Lane, Portsmouth, RI 02871
413	Rhode Island	Rep	Marvin L.	Abney	rep-abney@rilegislature.gov	(401) 487-1380	12 Summer Street, Newport, RI 02840
414	Rhode Island	Rep	Deborah	Ruggiero	rep-ruggiero@rilegislature.gov	(401) 423-0444	78 Columbia Avenue, Jamestown, RI 02835
415	Rhode Island	Rep	Lauren H.	Carson	rep-carson@rilegislature.gov	(401) 222-2466	13 Binney Street, Newport, RI 02840
416	Rhode Island	Sen	Maryellen	Goodwin	sen-goodwin@rilegislature.gov	(401) 276-5507	325 Smith Street, Providence 02908
417	Rhode Island	Sen	Ana B.	Quezada	sen-quezada@rilegislature.gov	(401) 255-0345	PO Box 27666, Providence, RI 02907
418	Rhode Island	Sen	Gayle L.	Goldin	sen-goldin@rilegislature.gov	(401) 276-5561	82 Smith Street, Rm 212, Providence, RI 02903
419	Rhode Island	Sen	Dominick J.	Ruggerio	sen-ruggerio@rilegislature.gov	(401) 222-6655	82 Smith Street, Rm 318, Providence, RI 02903
420	Rhode Island	Sen	Samuel W.	Bell	sen-bell@rilegislature.gov	(401) 680-0725	212 Gray Street, Providence, RI 02909

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
421	Rhode Island	Sen	Tiara T.	Mack	sen-mack@rilegislature.gov	(401) 288-1288	82 Smith Street, Room 212, Providence, RI 02903
422	Rhode Island	Sen	Frank A.	Ciccone, III	sen-ciccone@rilegislature.gov	(401) 275-0949	15 Mercy Street, Providence 02909
423	Rhode Island	Sen	Sandra	Cano	sen-cano@rilegislature.gov	(401) 276-5561	302 Pullen Avenue, Pawtucket, RI 02861
424	Rhode Island	Sen	John P.	Burke	sen-burke@rilegislature.gov	(401) 374-4721	7 Bradley Court, West Warwick, RI 02893
425	Rhode Island	Sen	Walter S.	Felag, Jr.	sen-felag@rilegislature.gov	(401) 245-7521	51 Overhill Road, Warren 02885
426	Rhode Island	Sen	James A.	Seveney	sen-seveney@rilegislature.gov	(401) 276-5581	72 Macomber Lane Portsmouth, RI 02871
427	Rhode Island	Sen	Louis P.	DiPalma	sen-dipalma@rilegislature.gov	(401) 847-8540	24 Sail Court, Middletown 02842
428	Rhode Island	Sen	Dawn	Euer	sen-euer@rilegislature.gov	(401) 276-5589	34 Bliss Road, Newport, RI 02840
429	Rhode Island	Sen	Valarie J.	Lawson	sen-lawson@rilegislature.gov	(401) 276-5561	122 Hoyt Avenue, East Providence, RI 02916
430	Rhode Island	Sen	Meghan E.	Kallman	sen-kallman@rilegislature.gov	(401) 648-9422	93 Capwell Avenue, Pawtucket, RI 02860
431	Rhode Island	Sen	Jonathon	Acosta	sen-acosta@rilegislature.gov	(401) 305-0545	100 Illinois Street, Central Falls, RI 02863
432	Rhode Island	Sen	Thomas J.	Paolino	sen-paolino@rilegislature.gov	(401) 222-2708	19 Heritage Drive Lincoln, RI 02865
433	Rhode Island	Sen	Cynthia M.	Mendes	sen-mendes@rilegislature.gov	(401) 688-0399	39 Bullocks Point Avenue, Riverside, RI 02915
434	Rhode Island	Sen	Ryan W.	Pearson	sen-pearson@rilegislature.gov	(401) 276-5584	23 Circuit Drive, Cumberland, RI 02864
435	Rhode Island	Sen	Roger A.	Picard	sen-picard@rilegislature.gov	(401)769-4902	764 Mendon Road, Woonsocket 02895
436	Rhode Island	Sen	Gordon E.	Rogers	sen-rogers@rilegislature.gov	(401) 222-2708	61 Cucumber Hill Road, Foster, RI 02825-1273
437	Rhode Island	Sen	Stephen R.	Archambault	sen-archambault@rilegislature.gov	(401) 276-5589	195 Whipple Road, Smithfield, RI 02917
438	Rhode Island	Sen	Jessica	de la Cruz	sen-delacruz@rilegislature.gov	(401) 222-2708	PO Box 649, Forestdale, RI 02824
439	Rhode Island	Sen	Melissa A.	Murray	sen-murray@rilegislature.gov	(401) 276-5599	268 Prospect Street, Unit 2F, Woonsocket, RI 02895
440	Rhode Island	Sen	Frank	Lombardo III	sen-lombardo@rilegislature.gov	(401) 270-1379	68 Rollingwood Drive, Johnston 02919
441	Rhode Island	Sen	Frank S.	Lombardi	sen-lombardi@rilegislature.gov	(401) 453-3900	25 Briarbrooke Lane, Cranston, RI 02921
442	Rhode Island	Sen	Hanna M.	Gallo	sen-gallo@rilegislature.gov	(401) 276-5563	285 Meshanticut Valley Parkway, Cranston 02920
443	Rhode Island	Sen	Joshua	Miller	sen-miller@rilegislature.gov	(401) 276-5568	41 Talbot Manor, Cranston 02905
444	Rhode Island	Sen	Michael J.	McCaffrey	sen-mccaffrey@rilegislature.gov	(401) 739-7576	115 Twin Oak Drive, Warwick 02889
445	Rhode Island	Sen	Jeanine	Calkin	sen-calkin@rilegislature.gov	(401) 921-6682	23 Fairhaven Avenue, Warwick, RI 02889
446	Rhode Island	Sen	Kendra	Anderson	sen-anderson@rilegislature.gov	(401) 287-2809	174 Wingate Avenue, Warwick, RI 02888
447	Rhode Island	Sen	Cynthia Armour	Coyne	sen-coyne@rilegislature.gov	(401) 276-5583	8 Newbrook Drive, Barrington, RI 02806
448	Rhode Island	Sen	Leonidas P.	Raptakis	sen-raptakis@rilegislature.gov	(401) 276-5567	2080 Nooseneck Hill Road, Coventry, RI 02816
449	Rhode Island	Sen	Elaine J.	Morgan	sen-morgan@rilegislature.gov	(401) 222-2708	P.O. Box 841 Ashaway, RI 02804
450	Rhode Island	Sen	Bridget G.	Valverde	sen-valverde@rilegislature.gov	(401) 276-5589	14 Cambridge Court, North Kingstown, RI 02852
451	Rhode Island	Sen	Alana	DiMario	sen-dimario@rilegislature.gov	(401) 626-2405	47 Tupelo Trail, Narragansett, RI 02882
452	Rhode Island	Sen	V. Susan	Sosnowski	sen-sosnowski@rilegislature.gov	(401) 783-7704	680 Glen Rock Road, West Kingston 02892
453	Rhode Island	Sen	Dennis L.	Algiere	sen-algiere@rilegislature.gov	(401) 222-2708	82 Smith Street, Rm 120, Providence, RI 02903
454	South Carolina	Rep	Terry	Alexander		(803) 734-3004	Post Office Box 11867 Columbia, SC 29211
455	South Carolina	Rep	Merita A. “Rita”	Allison		(803) 734-3053	Post Office Box 11867 Columbia, SC 29211
456	South Carolina	Rep	Carl L.	Anderson		(803) 734-2933	Post Office Box 11867 Columbia, SC 29211
457	South Carolina	Rep	Lucas	Atkinson		(803) 212-6936	Post Office Box 11867 Columbia, SC 29211
458	South Carolina	Rep	William H.	Bailey		(803) 212-6918	Post Office Box 11867 Columbia, SC 29211
459	South Carolina	Rep	Nathan	Ballentine		(803) 734-2969	Post Office Box 11867 Columbia, SC 29211
460	South Carolina	Rep	Justin	Bamberg		(803) 212-6907	Post Office Box 11867 Columbia, SC 29211
461	South Carolina	Rep	Bruce W.	Bannister		(803) 212-6944	Post Office Box 11867 Columbia, SC 29211
462	South Carolina	Rep	Linda "Lin"	Bennett		(803) 212-6948	Post Office Box 11867 Columbia, SC 29211
463	South Carolina	Rep	Beth E.	Bernstein		(803) 212-6940	Post Office Box 11867 Columbia, SC 29211
464	South Carolina	Rep	Bart T.	Blackwell		(803) 212-6884	Post Office Box 11867 Columbia, SC 29211
465	South Carolina	Rep	Jeffrey A.	Bradley		(803) 212-6928	Post Office Box 11867 Columbia, SC 29211
466	South Carolina	Rep	Wendy C.	Brawley		(803) 212-6961	Post Office Box 11867 Columbia, SC 29211
467	South Carolina	Rep	Thomas “Case”	Brittain		(803) 212-6727	Post Office Box 11867 Columbia, SC 29211
468	South Carolina	Rep	Bruce M.	Bryant		(803) 212-6888	Post Office Box 11867 Columbia, SC 29211
469	South Carolina	Rep	James Mikell “Mike”	Burns		(803) 212-6891	Post Office Box 11867 Columbia, SC 29211
470	South Carolina	Rep	Joe	Bustos		(803) 212-6880	Post Office Box 11867 Columbia, SC 29211
471	South Carolina	Rep	Paula Rawl	Calhoon		(803) 212-6924	Post Office Box 11867 Columbia, SC 29211
472	South Carolina	Rep	Jerry T.	Carter		(803) 212-6908	Post Office Box 11867 Columbia, SC 29211
473	South Carolina	Rep	Micajah P. “Micah”	Caskey, IV		(803) 212-6959	Post Office Box 11867 Columbia, SC 29211
474	South Carolina	Rep	William M. “Bill”	Chumley		(803) 212-6894	Post Office Box 11867 Columbia, SC 29211
475	South Carolina	Rep	William “Bill”	Clyburn		(803) 734-3033	Post Office Box 11867 Columbia, SC 29211
476	South Carolina	Rep	Gilda	Cobb-Hunter		(803) 734-2809	Post Office Box 11867 Columbia, SC 29211
477	South Carolina	Rep	William Scott	Cogswell, Jr.		(803) 212-6950	Post Office Box 11867 Columbia, SC 29211
478	South Carolina	Rep	Neal A.	Collins		(803) 212-6913	Post Office Box 11867 Columbia, SC 29211
479	South Carolina	Rep	Bobby J.	Cox		(803) 212-6883	Post Office Box 11867 Columbia, SC 29211
480	South Carolina	Rep	Westley P. “West”	Cox		(803) 212-6931	Post Office Box 11867 Columbia, SC 29211

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
481	South Carolina	Rep	Heather Ammons	Crawford		(803) 212-6933	Post Office Box 11867 Columbia, SC 29211
482	South Carolina	Rep	Vic	Dabney		(803) 212-6819	Post Office Box 11867 Columbia, SC 29211
483	South Carolina	Rep	JA	Moore		(803) 734-2951	Post Office Box 11867 Columbia, SC 29211
484	South Carolina	Rep	Sylleste H.	Davis		(803) 212-6930	Post Office Box 11867 Columbia, SC 29211
485	South Carolina	Rep	Chandra E.	Dillard		(803) 212-6791	Post Office Box 11867 Columbia, SC 29211
486	South Carolina	Rep	Jason	Elliott		(803) 212-6877	Post Office Box 11867 Columbia, SC 29211
487	South Carolina	Rep	Shannon Smith	Erickson		(803) 734-3261	Post Office Box 11867 Columbia, SC 29211
488	South Carolina	Rep	Raye	Felder		(803) 212-6892	Post Office Box 11867 Columbia, SC 29211
489	South Carolina	Rep	Kirkman	Finlay, III		(803) 212-6943	Post Office Box 11867 Columbia, SC 29211
490	South Carolina	Rep	Cally R. "Cal"	Forrest		(803) 212-6938	Post Office Box 11867 Columbia, SC 29211
491	South Carolina	Rep	Russell W.	Fry		(803) 212-6781	Post Office Box 11867 Columbia, SC 29211
492	South Carolina	Rep	Craig A.	Gagnon		(803) 212-6934	Post Office Box 11867 Columbia, SC 29211
493	South Carolina	Rep	Gil	Gatch		(803) 212-6875	Post Office Box 11867 Columbia, SC 29211
494	South Carolina	Rep	Kambrell H.	Garvin		(803) 212-6871	Post Office Box 11867 Columbia, SC 29211
495	South Carolina	Rep	Leon D. “Doug”	Gilliam		(803) 212-6968	Post Office Box 11867 Columbia, SC 29211
496	South Carolina	Rep	Wendell G.	Gilliard		(803) 212-6793	Post Office Box 11867 Columbia, SC 29211
497	South Carolina	Rep	Jerry N.	Govan, Jr.		(803) 734-3012	Post Office Box 11867 Columbia, SC 29211
498	South Carolina	Rep	Patrick B.	Haddon		(803) 212-6962	Post Office Box 11867 Columbia, SC 29211
499	South Carolina	Rep	Kevin	Hardee		(803) 212-6796	Post Office Box 11867 Columbia, SC 29211
500	South Carolina	Rep	Christopher R. “Chris”	Hart		(803) 734-3061	Post Office Box 11867 Columbia, SC 29211
501	South Carolina	Rep	Jackie E. “Coach”	Hayes		(803) 734-3099	Post Office Box 11867 Columbia, SC 29211
502	South Carolina	Rep	Rosalyn D.	Henderson-Myers		(803) 212-6965	Post Office Box 11867 Columbia, SC 29211
503	South Carolina	Rep	Patricia Moore	Henegan		(803) 212-6896	Post Office Box 11867 Columbia, SC 29211
504	South Carolina	Rep	William G. “Bill”	Herbkersman		(803) 734-3063	Post Office Box 11867 Columbia, SC 29211
505	South Carolina	Rep	Lee	Hewitt		(803) 212-6927	Post Office Box 11867 Columbia, SC 29211
506	South Carolina	Rep	Jonathon D.	Hill		(803) 212-6919	Post Office Box 11867 Columbia, SC 29211
507	South Carolina	Rep	David R.	Hiott		(803) 734-3022	Post Office Box 11867 Columbia, SC 29211
508	South Carolina	Rep	William M. “Bill”	Hixon		(803) 212-6898	Post Office Box 11867 Columbia, SC 29211
509	South Carolina	Rep	Lonnie	Hosey		(803) 734-2829	Post Office Box 11867 Columbia, SC 29211
510	South Carolina	Rep	Leon	Howard		(803) 734-3046	Post Office Box 11867 Columbia, SC 29211
511	South Carolina	Rep	Chip	Huggins		(803) 212-6812	Post Office Box 11867 Columbia, SC 29211
512	South Carolina	Rep	Max T.	Hyde, Jr.		(803) 212-6790	Post Office Box 11867 Columbia, SC 29211
513	South Carolina	Rep	Joseph H.	Jefferson, Jr.		(803) 734-2936	Post Office Box 11867 Columbia, SC 29211
514	South Carolina	Rep	Jeffrey E.	Johnson		(803) 212-6946	Post Office Box 11867 Columbia, SC 29211
515	South Carolina	Rep	Jermaine	Johnson, Sr.		(803) 212-6818	Post Office Box 11867 Columbia, SC 29211
516	South Carolina	Rep	Kimberly O.	Johnson		(803) 212-6929	Post Office Box 11867 Columbia, SC 29211
517	South Carolina	Rep	Stewart O.	Jones		(803) 212-6713	Post Office Box 11867 Columbia, SC 29211
518	South Carolina	Rep	Wallace H. “Jay”	Jordan, Jr.		(803) 734-3114	Post Office Box 11867 Columbia, SC 29211
519	South Carolina	Rep	Mandy W.	Kimmons		(803) 212-6973	Post Office Box 11867 Columbia, SC 29211
520	South Carolina	Rep	John Richard C.	King		(803) 212-6873	Post Office Box 11867 Columbia, SC 29211
521	South Carolina	Rep	Roger K.	Kirby		(803) 212-6947	Post Office Box 11867 Columbia, SC 29211
522	South Carolina	Rep	Thomas R. “Randy”	Ligon		(803) 212-6972	Post Office Box 11867 Columbia, SC 29211
523	South Carolina	Rep	Steven Wayne	Long		(803) 212-6878	Post Office Box 11867 Columbia, SC 29211
524	South Carolina	Rep	Phillip D.	Lowe		(803) 734-2975	Post Office Box 11867 Columbia, SC 29211
525	South Carolina	Rep	James H. “Jay”	Lucas		(803) 734-3125	Post Office Box 11867 Columbia, SC 29211
526	South Carolina	Rep	Josiah	Magnuson		(803) 212-6876	Post Office Box 11867 Columbia, SC 29211
527	South Carolina	Rep	Richard “Rick”	Martin		(803) 212-6951	Post Office Box 11867 Columbia, SC 29211
528	South Carolina	Rep	Krystle N.	Matthews		(803) 212-6879	Post Office Box 11867 Columbia, SC 29211
529	South Carolina	Rep	Robert “RJ”	May, III		(803) 212-6726	Post Office Box 11867 Columbia, SC 29211
530	South Carolina	Rep	D. Ryan	McCabe		(803) 212-6728	Post Office Box 11867 Columbia, SC 29211
531	South Carolina	Rep	John R.	McCravy, III		(803) 212-6939	Post Office Box 11867 Columbia, SC 29211
532	South Carolina	Rep	Annie E.	McDaniel		(803) 212-6789	Post Office Box 11867 Columbia, SC 29211
533	South Carolina	Rep	Sandy	McGarry		(803) 212-6937	Post Office Box 11867 Columbia, SC 29211
534	South Carolina	Rep	Timothy “Tim” A.	McGinnis		(803) 212-6935	Post Office Box 11867 Columbia, SC 29211
535	South Carolina	Rep	Cezar E.	McKnight		(803) 212-6926	Post Office Box 11867 Columbia, SC 29211
536	South Carolina	Rep	JA	Moore		(803) 212-6890	Post Office Box 11867 Columbia, SC 29211
537	South Carolina	Rep	Travis	Moore		(803) 212-6893	Post Office Box 11867 Columbia, SC 29211
538	South Carolina	Rep	Adam M.	Morgan		(803) 212-6795	Post Office Box 11867 Columbia, SC 29211
539	South Carolina	Rep	Dennis C.	Moss		(803) 734-3073	Post Office Box 11867 Columbia, SC 29211
540	South Carolina	Rep	V. Stephen “Steve”	Moss		(803) 212-6885	Post Office Box 11867 Columbia, SC 29211

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
541	South Carolina	Rep	Chris	Murphy		(803) 734-3120	Post Office Box 11867 Columbia, SC 29211
542	South Carolina	Rep	Chardale	Murray		(803) 212-6817	Post Office Box 11867 Columbia, SC 29211
543	South Carolina	Rep	Brandon Michael	Newton		(803) 212-6874	Post Office Box 11867 Columbia, SC 29211
544	South Carolina	Rep	Wm. Weston J.	Newton		(803) 212-6810	Post Office Box 11867 Columbia, SC 29211
545	South Carolina	Rep	Roger A.	Nutt		(803) 212-6792	Post Office Box 11867 Columbia, SC 29211
546	South Carolina	Rep	Melissa L.	Oremus		(803) 212-6917	Post Office Box 11867 Columbia, SC 29211
547	South Carolina	Rep	Russell L.	Ott		(803) 212-6945	Post Office Box 11867 Columbia, SC 29211
548	South Carolina	Rep	J. Anne	Parks		(803) 734-3069	Post Office Box 11867 Columbia, SC 29211
549	South Carolina	Rep	Marvin R.	Pendarvis		(803) 212-6716	Post Office Box 11867 Columbia, SC 29211
550	South Carolina	Rep	Thomas E. "Tommy"	Pope		(803) 734-2701	Post Office Box 11867 Columbia, SC 29211
551	South Carolina	Rep	Michael F.	Rivers, Sr.		(803) 212-6952	Post Office Box 11867 Columbia, SC 29211
552	South Carolina	Rep	Leola C.	Robinson		(803) 212-6941	Post Office Box 11867 Columbia, SC 29211
553	South Carolina	Rep	Seth C.	Rose		(803) 212-6971	Post Office Box 11867 Columbia, SC 29211
554	South Carolina	Rep	J. Todd	Rutherford		(803) 734-9441	Post Office Box 11867 Columbia, SC 29211
555	South Carolina	Rep	William E. "Bill"	Sandifer, III		(803) 734-3015	Post Office Box 11867 Columbia, SC 29211
556	South Carolina	Rep	J. Gary	Simrill		(803) 734-3040	Post Office Box 11867 Columbia, SC 29211
557	South Carolina	Rep	G. Murrell	Smith, Jr.		(803) 734-3144	Post Office Box 11867 Columbia, SC 29211
558	South Carolina	Rep	Garry R.	Smith		(803) 734-3141	Post Office Box 11867 Columbia, SC 29211
559	South Carolina	Rep	Mark.	Smith		(803) 212-6719	Post Office Box 11867 Columbia, SC 29211
560	South Carolina	Rep	Leonidas E. "Leon"	Stavrinakis		(803) 734-3039	Post Office Box 11867 Columbia, SC 29211
561	South Carolina	Rep	Tommy M.	Stringer		(803) 212-6881	Post Office Box 11867 Columbia, SC 29211
562	South Carolina	Rep	Bill	Taylor		(803) 212-6923	Post Office Box 11867 Columbia, SC 29211
563	South Carolina	Rep	Deon	Tedder		(803) 212-6721	Post Office Box 11867 Columbia, SC 29211
564	South Carolina	Rep	Anne Johnston	Thayer		(803) 734-3113	Post Office Box 11867 Columbia, SC 29211
565	South Carolina	Rep	Ivory Torrey	Thigpen		(803) 212-6794	Post Office Box 11867 Columbia, SC 29211
566	South Carolina	Rep	Ashley	Trantham		(803) 212-6966	Post Office Box 11867 Columbia, SC 29211
567	South Carolina	Rep	J. David	Weeks		(803) 734-3102	Post Office Box 11867 Columbia, SC 29211
568	South Carolina	Rep	John Taliaferro "Jay"	West, IV		(803) 212-6954	Post Office Box 11867 Columbia, SC 29211
569	South Carolina	Rep	Elizabeth "Spencer"	Wetmore		(803) 212-6872	Post Office Box 11867 Columbia, SC 29211
570	South Carolina	Rep	William W. "Will"	Wheeler, III		(803) 212-6958	Post Office Box 11867 Columbia, SC 29211
571	South Carolina	Rep	W. Brian	White		(803) 734-3066	Post Office Box 11867 Columbia, SC 29211
572	South Carolina	Rep	William R. "Bill"	Whitmire		(803) 734-3068	Post Office Box 11867 Columbia, SC 29211
573	South Carolina	Rep	Robert Q.	Williams		(803) 734-3142	Post Office Box 11867 Columbia, SC 29211
574	South Carolina	Rep	Shedron D.	Williams		(803) 212-6974	Post Office Box 11867 Columbia, SC 29211
575	South Carolina	Rep	Mark N.	Willis		(803) 212-6882	Post Office Box 11867 Columbia, SC 29211
576	South Carolina	Rep	Christopher S. "Chris"	Wooten		(803) 212-6897	Post Office Box 11867 Columbia, SC 29211
577	South Carolina	Rep	Richard L.	Yow		(803) 212-6949	Post Office Box 11867 Columbia, SC 29211
578	South Carolina	Sen	Brian	Adams		803-212-6056	Post Office Box 142 Columbia, SC 29202
579	South Carolina	Sen	Thomas C.	Alexander		(803) 212-6220	Post Office Box 142 Columbia, SC 29202
580	South Carolina	Sen	Karl B.	Allen		(803) 212-6040	Post Office Box 142 Columbia, SC 29202
581	South Carolina	Sen	Sean M.	Bennett		(803) 212-6410	Post Office Box 142 Columbia, SC 29202
582	South Carolina	Sen	George E. "Chip"	Campsen, III		(803) 212-6340	Post Office Box 142 Columbia, SC 29202
583	South Carolina	Sen	Richard J.	Cash		(803) 212-6124	Post Office Box 142 Columbia, SC 29202
584	South Carolina	Sen	Wes	Climer		(803) 212-6230	Post Office Box 142 Columbia, SC 29202
585	South Carolina	Sen	Thomas D. "Tom"	Corbin		(803) 212-6100	Post Office Box 142 Columbia, SC 29202
586	South Carolina	Sen	Ronnie W.	Cromer		(803) 212-6240	Post Office Box 142 Columbia, SC 29202
587	South Carolina	Sen	Thomas C. "Tom"	Davis		(803) 212-6056	Post Office Box 142 Columbia, SC 29202
588	South Carolina	Sen	Mike	Fanning		(803) 212-6108	Post Office Box 142 Columbia, SC 29202
589	South Carolina	Sen	Mike	Gambrell		(803) 212-6032	Post Office Box 142 Columbia, SC 29202
590	South Carolina	Sen	Billy	Garrett		803-212-6032	Post Office Box 142 Columbia, SC 29202
591	South Carolina	Sen	Stephen L.	Goldfinch		(803) 212-6172	Post Office Box 142 Columbia, SC 29202
592	South Carolina	Sen	Lawrence K. "Larry"	Grooms		(803) 212-6400	Post Office Box 142 Columbia, SC 29202
593	South Carolina	Sen	Penry	Gustafson		803-212-6040	Post Office Box 142 Columbia, SC 29202
594	South Carolina	Sen	Richard A. "Dick"	Harpootlian		803-212-6148	Post Office Box 142 Columbia, SC 29202
595	South Carolina	Sen	Greg	Hembree		(803) 212-6350	Post Office Box 142 Columbia, SC 29202
596	South Carolina	Sen	Brad	Hutto		(803) 212-6140	Post Office Box 142 Columbia, SC 29202
597	South Carolina	Sen	Darrell	Jackson		(803) 212-6048	Post Office Box 142 Columbia, SC 29202
598	South Carolina	Sen	Kevin L.	Johnson		(803) 212-6008	Post Office Box 142 Columbia, SC 29202
599	South Carolina	Sen	Michael	Johnson		803-212-6008	Post Office Box 142 Columbia, SC 29202
600	South Carolina	Sen	Josh	Kimbrell		803-212-6108	Post Office Box 142 Columbia, SC 29202

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
601	South Carolina	Sen	Marlon E.	Kimpson		(803) 212-6132	Post Office Box 142 Columbia, SC 29202
602	South Carolina	Sen	Hugh K.	Leatherman, Sr.		(803) 212-6640	Post Office Box 142 Columbia, SC 29202
603	South Carolina	Sen	Dwight A.	Loftis		(803) 212-6100	Post Office Box 142 Columbia, SC 29202
604	South Carolina	Sen	Gerald	Malloy		(803) 212-6172	Post Office Box 142 Columbia, SC 29202
605	South Carolina	Sen	Shane R.	Martin		(803) 212-6420	Post Office Box 142 Columbia, SC 29202
606	South Carolina	Sen	A. Shane	Massey		(803) 212-6330	Post Office Box 142 Columbia, SC 29202
607	South Carolina	Sen	Margie Bright	Matthews		(803) 212-6016	Post Office Box 142 Columbia, SC 29202
608	South Carolina	Sen	J. Thomas	McElveen, III		(803) 212-6132	Post Office Box 142 Columbia, SC 29202
609	South Carolina	Sen	Mia S.	McLeod		(803) 212-6016	Post Office Box 142 Columbia, SC 29202
610	South Carolina	Sen	Harvey S.	Peeler, Jr.		(803) 212-6430	Post Office Box 142 Columbia, SC 29202
611	South Carolina	Sen	Luke A.	Rankin		(803) 212-6610	Post Office Box 142 Columbia, SC 29202
612	South Carolina	Sen	Rex F.	Rice		(803) 212-6116	Post Office Box 142 Columbia, SC 29202
613	South Carolina	Sen	Ronnie A.	Sabb		(803) 212-6024	Post Office Box 142 Columbia, SC 29202
614	South Carolina	Sen	John L.	Scott, Jr.		(803) 786-2373	Post Office Box 142 Columbia, SC 29202
615	South Carolina	Sen	Sandy	Senn		(803) 212-6116	Post Office Box 142 Columbia, SC 29202
616	South Carolina	Sen	Nikki G.	Setzler		(803) 796-7573	Post Office Box 142 Columbia, SC 29202
617	South Carolina	Sen	Katrina F.	Shealy		(803) 212-6320	Post Office Box 142 Columbia, SC 29202
618	South Carolina	Sen	Vernon	Stephens		803-212-6024	Post Office Box 142 Columbia, SC 29202
619	South Carolina	Sen	Scott	Talley		(803) 212-6048	Post Office Box 142 Columbia, SC 29202
620	South Carolina	Sen	Ross	Turner		(803) 212-6148	Post Office Box 142 Columbia, SC 29202
621	South Carolina	Sen	Daniel B. “Danny”	Verdin, III		(803) 212-6250	Post Office Box 142 Columbia, SC 29202
622	South Carolina	Sen	Kent M.	Williams		(803) 212-6000	Post Office Box 142 Columbia, SC 29202
623	South Carolina	Sen	Tom	Young, Jr.		(803) 212-6000	Post Office Box 142 Columbia, SC 29202
624	South Dakota	Rep	David	Anderson	David.Anderson@sdlegislature.gov	605-310-1645	29177 477th Ave.Hudson SD 57034
625	South Dakota	Rep	Aaron	Aylward	Aaron.Aylward@sdlegislature.gov		609 Kent St.Harrisburg SD 57032
626	South Dakota	Rep	Hugh	Bartels	Hugh.Bartels@sdlegislature.gov	605-886-5460	1244 N. MapleWatertown SD 57201
627	South Dakota	Rep	Doug	Barthel	Doug.Barthel@sdlegislature.gov	605-940-5633	8713 E. Palametto St.Sioux Falls SD 57110
628	South Dakota	Rep	Arch	Beal	Arch.Beal@sdlegislature.gov	605-336-3034	4001 W. 74th St.Sioux Falls SD 57108
629	South Dakota	Rep	Rocky	Blare	Rocky.Blare@sdlegislature.gov	605-842-1617	31176 269th St.Ideal SD 57541
630	South Dakota	Rep	Shawn	Bordeaux	Shawn.Bordeaux@sdlegislature.gov		PO Box 283Mission SD 57555
631	South Dakota	Rep	Kirk	Chaffee	Kirk.Chaffee@sdlegislature.gov	605-490-8616	PO Box 280Whitewood SD 57793
632	South Dakota	Rep	Roger	Chase	Roger.Chase@sdlegislature.gov		20451 398th Ave.Huron SD 57350
633	South Dakota	Rep	Ryan	Cwach	Ryan.Cwach@sdlegislature.gov		909 W. 13th St.Yankton SD 57078
634	South Dakota	Rep	Sydney	Davis	Sydney.Davis@sdlegislature.gov	605-770-7029	46838 307th St.Burbank SD 57010
635	South Dakota	Rep	Drew	Dennert	Drew.Dennert@sdlegislature.gov	605-252-1008	902 S. High St.Aberdeen SD 57401
636	South Dakota	Rep	Mike	Derby	Mike.Derby@sdlegislature.gov		2815 Lanark Rd.Rapid City SD 57702
637	South Dakota	Rep	Fred	Deutsch	Fred.Deutsch@sdlegislature.gov	605-882-3323	16452 449th Ave.Florence SD 57235
638	South Dakota	Rep	Becky	Drury	Becky.Drury@sdlegislature.gov	605-721-7899	1 Wyoming St.Rapid City SD 57701
639	South Dakota	Rep	Linda	Duba	Linda.Duba@sdlegislature.gov		421 N. Phillips Ave., Apt. 309Sioux Falls SD 57104
640	South Dakota	Rep	Caleb	Finck	Caleb.Finck@sdlegislature.gov	605-933-2042	40976 294th St.Tripp SD 57376
641	South Dakota	Rep	Mary	Fitzgerald	Mary.Fitzgerald@sdlegislature.gov	605-641-2045	PO Box 341Spearfish SD 57783
642	South Dakota	Rep	Tim	Goodwin	Tim.Goodwin@sdlegislature.gov	605-390-5324	12873 J Pine Rd.Rapid City SD 57702
643	South Dakota	Rep	Spencer	Gosch	Spencer.Gosch@sdlegislature.gov		104 N. Riverview Dr.Glenham SD 57631
644	South Dakota	Rep	Lana	Greenfield	Lana.Greenfield@sdlegislature.gov	605-635-6932	PO Box 143Doland SD 57436
645	South Dakota	Rep	Randy	Gross	Randy.Gross@sdlegislature.gov		48006 221st St.Elkton SD 57026
646	South Dakota	Rep	Jon	Hansen	Jon.Hansen@sdlegislature.gov	605-610-8063	47484 Dells Dr.Dell Rapids SD 57022
647	South Dakota	Rep	Steven	Haugaard	Steven.Haugaard@sdlegislature.gov	605-941-1434	47629 258th St.Sioux Falls SD 57104
648	South Dakota	Rep	Erin	Healy	Erin.Healy@sdlegislature.gov	605-212-9597	1509 S. Frederick Dr.Sioux Falls SD 57105
649	South Dakota	Rep	Charlie	Hoffman	Charlie.Hoffman@sdlegislature.gov	605-577-6530	34328 106th St.Eureka SD 57437
650	South Dakota	Rep	Taffy	Howard	Taffy.Howard@sdlegislature.gov		530 Westberry Dr.Rapid City SD 57702
651	South Dakota	Rep	Greg	Jamison	Greg.Jamison@sdlegislature.gov	605-310-1930	6300 S. Grand Prairie Dr.Sioux Falls SD 57108
652	South Dakota	Rep	Kevin	Jensen	Kevin.Jensen@sdlegislature.gov	605-366-6947	27808 484th Ave.Canton SD 57013
653	South Dakota	Rep	Phil	Jensen	Phil.Jensen@sdlegislature.gov		10215 Pioneer Ave.Rapid City SD 57702
654	South Dakota	Rep	Chris	Johnson	Chris.Johnson@sdlegislature.gov		2526 Grandview Dr.Rapid City SD 57701
655	South Dakota	Rep	Chris	Karr	Chris.Karr@sdlegislature.gov	605-695-0391	7421 W. Luke Dr.Sioux Falls SD 57106
656	South Dakota	Rep	Jennifer	Keintz	Jennifer.Keintz@sdlegislature.gov		43890 122nd St.Eden SD 57232
657	South Dakota	Rep	Lance	Koth	Lance.Koth@sdlegislature.gov	605-770-3293	1311 Firesteel Dr.Mitchell SD 57301
658	South Dakota	Rep	Trish	Ladner	Trish.Ladner@sdlegislature.gov	605-440-1834	12567 Pine Shadows Rd.Hot Springs SD 57747
659	South Dakota	Rep	Oren	Lesmeister	Oren.Lesmeister@sdlegislature.gov	605-964-3023	HC 76 Box 23Parade SD 57625
660	South Dakota	Rep	Sam	Marty	Sam.Marty@sdlegislature.gov	605-866-4477	16692 Antelope Rd.Prairie City SD 57649

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
661	South Dakota	Rep	Liz	May	Liz.May@sdlegislature.gov	605-455-2588	20261 BIA 2Kyle SD 57752
662	South Dakota	Rep	John	Mills	John.Mills@sdlegislature.gov	605-826-4290	21730 464th Ave.Volga SD 57071
663	South Dakota	Rep	Rhonda	Milstead	Rhonda.Milstead@sdlegislature.gov	605-376-3149	46273 Park Pl.Hartford SD 57033
664	South Dakota	Rep	Paul	Miskimins	Paul.Miskimins@sdlegislature.gov	605-996-7222	1225 Summit Dr.Mitchell SD 57301
665	South Dakota	Rep	Will	Mortenson	Will.Mortenson@sdlegislature.gov		122 W. Broadway Ave.Pierre SD 57501
666	South Dakota	Rep	Tina	Mulally	Tina.Mulally@sdlegislature.gov	605-393-1337	6390 Long View Rd.Rapid City SD 57703
667	South Dakota	Rep	Scott	Odenbach	Scott.Odenbach@sdlegislature.gov		PO Box 998Spearfish SD 57783
668	South Dakota	Rep	Jess	Olson	Jess.Olson@sdlegislature.gov		3115 Stockade Dr.Rapid City SD 57702
669	South Dakota	Rep	Ernie	Otten	Ernie.Otten@sdlegislature.gov	605-368-5716	46787 273rd St.Tea SD 57064
670	South Dakota	Rep	Marty	Overweg	Marty.Overweg@sdlegislature.gov		PO Box 24New Holland SD 57364
671	South Dakota	Rep	Carl	Perry	Carl.Perry@sdlegislature.gov	605-262-0113	2722 Railroad CircleAberdeen SD 57401
672	South Dakota	Rep	Kent	Peterson	Kent.Peterson@sdlegislature.gov	605-425-3299	720 N. Dakota St.Salem SD 57058
673	South Dakota	Rep	Sue	Peterson	Sue.Peterson@sdlegislature.gov	605-371-1668	6405 S. Killarney Cir.Sioux Falls SD 57108
674	South Dakota	Rep	Tom	Pischke	Tom.Pischke@sdlegislature.gov	605-999-2948	503 E. 12th St.Dell Rapids SD 57022
675	South Dakota	Rep	Peri	Pourier	Peri.Pourier@sdlegislature.gov	605-877-1238	PO Box 3041Pine Ridge SD 57770
676	South Dakota	Rep	Tony	Randolph	Tony.Randolph@sdlegislature.gov	605-863-6239	5530 Colvin Ct.Rapid City SD 57703
677	South Dakota	Rep	Tim	Reed	Tim.Reed@sdlegislature.gov	605-691-0452	627 Medary Ave.Brookings SD 57006
678	South Dakota	Rep	Taylor	Rehfeldt	Taylor.Rehfeldt@sdlegislature.gov	605-391-4378	2525 E. Old Orchard TrailSioux Falls SD 57103
679	South Dakota	Rep	Rebecca	Reimer	Rebecca.Reimer@sdlegislature.gov		138 S. Main St.Chamberlain SD 57325
680	South Dakota	Rep	Lynn	Schneider	Lynn.Schneider@sdlegislature.gov	605-354-2640	900 Beach Ave. N.E.Huron SD 57350
681	South Dakota	Rep	Jamie	Smith	Jamie.Smith@sdlegislature.gov		512 N. Euclid Ave.Sioux Falls SD 57104
682	South Dakota	Rep	Bethany	Soye	Bethany.Soye@sdlegislature.gov		PO Box 84124Sioux Falls SD 57108
683	South Dakota	Rep	Tamara	St. John	Tamara.StJohn@sdlegislature.gov	605-268-0920	702 Old Agency Dr. #142Sisseton SD 57262
684	South Dakota	Rep	Mike	Stevens	Mike.Stevens@sdlegislature.gov	605-661-0057	214 Marina Del Ave.Yankton SD 57078
685	South Dakota	Rep	Richard	Thomason	Richard.Thomason@sdlegislature.gov	605-521-4449	4304 S. Pine Cone Pl.Sioux Falls SD 57105
686	South Dakota	Rep	Larry	Tidemann	Larry.Tidemann@sdlegislature.gov		251 Indian Hills Rd.Brookings SD 57006
687	South Dakota	Rep	Richard	Vasgaard	Richard.Vasgaard@sdlegislature.gov		28746 462nd Ave.Centerville SD 57014
688	South Dakota	Rep	Kaleb	Weis	Kaleb.Weis@sdlegislature.gov		2403 Bunker Dr.Aberdeen SD 57401
689	South Dakota	Rep	Mike	Weisgram	Mike.Weisgram@sdlegislature.gov	605-280-0294	114 Port Charlotte Ave.Fort Pierre SD 57532
690	South Dakota	Rep	Marli	Wiese	Marli.Wiese@sdlegislature.gov	605-270-0786	520 NE 15th St.Madison SD 57042
691	South Dakota	Rep	Mark	Willadsen	Mark.Willadsen@sdlegislature.gov	605-361-6104	7712 W. Benelli Cir.Sioux Falls SD 57106
692	South Dakota	Rep	Dean	Wink	Dean.Wink@sdlegislature.gov	605-985-5240	PO Box 137Howes SD 57748
693	South Dakota	Rep	Nancy	York	Nancy.York@sdlegislature.gov	605-753-6611	325 5th St. SEWatertown SD 57201
694	South Dakota	Sen	Jim	Bolin	Jim.Bolin@sdlegislature.gov	605-261-9669	403 W. 11th St.Canton SD 57013
695	South Dakota	Sen	Bryan	Breitling	Bryan.Breitling@sdlegislature.gov	605-853-3040	1002 W. 5th St.Miller SD 57362
696	South Dakota	Sen	Gary	Cammack	Gary.Cammack@sdlegislature.gov		PO Box 100Union Center SD 57787
697	South Dakota	Sen	Jessica	Castleberry	Jessica.Castleberry@sdlegislature.gov		1576 Sharp LaneRapid City SD 57703
698	South Dakota	Sen	Casey	Crabtree	casey.crabtree@sdlegislature.gov	(605) 291-2767	115 Woodland DriveMadison SD 57042
699	South Dakota	Sen	R. Blake	Curd	Blake.Curd@sdlegislature.gov	605-331-5890	38 S. Riverview Hts.Sioux Falls SD 57105
700	South Dakota	Sen	Michael	Diedrich	Mike.Diedrich@sdlegislature.gov	605-343-0735	4884 Cliff Dr.Rapid City SD 57702
701	South Dakota	Sen	Helene	Duhamel	Helene.Duhamel@sdlegislature.gov	605-342-2078	1622 West Blvd.Rapid City SD 57701
702	South Dakota	Sen	Mary	Duvall	Mary.Duvall@sdlegislature.gov	605-224-4070	PO Box 453Pierre SD 57501
703	South Dakota	Sen	Red Dawn	Foster	RedDawn.Foster@sdlegislature.gov		PO Box 165Pine Ridge SD 57770
704	South Dakota	Sen	Julie	Frye-Mueller	Julie.FryeMueller@sdlegislature.gov	605-342-2782	23764 Wallace St.Rapid City SD 57702
705	South Dakota	Sen	Brock	Greenfield	Brock.Greenfield@sdlegislature.gov	605-532-4088	507 N. Smith St.Clark SD 57225
706	South Dakota	Sen	Troy	Heinert	Troy.Heinert@sdlegislature.gov		27192 US Highway 18Mission SD 57555
707	South Dakota	Sen	Jean	Hunhoff	Jean.Hunhoff@sdlegislature.gov	605-665-1463	2511 Mulligan Dr.Yankton SD 57078
708	South Dakota	Sen	Timothy	Johns	Timothy.Johns@sdlegislature.gov	605-722-3189	110 S. Main St.Lead SD 57754
709	South Dakota	Sen	David	Johnson	David.Johnson@sdlegislature.gov	605-209-0555	PO Box 3403Rapid City SD 57709
710	South Dakota	Sen	Joshua	Klumb	Joshua.Klumb@sdlegislature.gov		1707 Westview Dr.Mitchell SD 57301
711	South Dakota	Sen	Jack	Kolbeck	Jack.Kolbeck@sdlegislature.gov	605-332-6490	1124 E. Plum Creek Rd.Sioux Falls SD 57105
712	South Dakota	Sen	Ryan	Maher	Ryan.Maher@sdlegislature.gov	605-466-2371	PO Box 237Isabel SD 57633
713	South Dakota	Sen	Reynold	Nesiba	Reynold.Nesiba@sdlegislature.gov	605-371-6311	802 S. Willow AvenueSioux Falls SD 57104
714	South Dakota	Sen	Al	Novstrup	Al.Novstrup@sdlegislature.gov	605-360-9711	1705 Northview Ln.Aberdeen SD 57401
715	South Dakota	Sen	Herman	Otten	Herman.Otten@sdlegislature.gov	605-941-1770	27543 468th Ave.Lennox SD 57039
716	South Dakota	Sen	Michael	Rohl	Michael.Rohl@sdlegislature.gov		38635 129th St.Aberdeen SD 57401
717	South Dakota	Sen	Arthur	Rusch	Arthur.Rusch@sdlegislature.gov	605-624-8723	PO Box 312Vermillion SD 57069
718	South Dakota	Sen	Lee	Schoenbeck	Lee.Schoenbeck@sdlegislature.gov	605-882-0612	419 54th St. SWWatertown SD 57201
719	South Dakota	Sen	Kyle	Schoenfish	Kyle.Schoenfish@sdlegislature.gov	605-660-6468	42472 Maxwell Rd.Scotland SD 57059
720	South Dakota	Sen	V. J.	Smith	VJ.Smith@sdlegislature.gov	605-697-5822	PO Box 742Brookings SD 57006

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
721	South Dakota	Sen	Jim	Stalzer	Jim.Stalzer@sdlegislature.gov	605-838-0354	5909 W. Bristol Dr.Sioux Falls SD 57106
722	South Dakota	Sen	Wayne	Steinhauer	Wayne.Steinhauer@sdlegislature.gov	605-526-4269	26581 E. Shore Pl.Hartford SD 57033
723	South Dakota	Sen	Maggie	Sutton	margaret.sutton@sdlegislature.gov	605-929-1592	408 N. Linwood Ct.Sioux Falls SD 57103
724	South Dakota	Sen	Marsha	Symens	Marsha.Symens@sdlegislature.gov	605-428-3323	1407 Oak Creek Rd.Dell Rapids SD 57022
725	South Dakota	Sen	Erin	Tobin	Erin.Tobin@sdlegislature.gov		31777 US Highway 18Winner SD 57580
726	South Dakota	Sen	David	Wheeler	David.Wheeler@sdlegislature.gov		PO Box 1363Huron SD 57350
727	South Dakota	Sen	John	Wiik	John.Wiik@sdlegislature.gov	605-541-0106	103 3rd Ave.Big Stone City SD 57216
728	South Dakota	Sen	Larry	Zikmund	Larry.Zikmund@sdlegislature.gov	(615) 741-2251	2405 E. 52nd St.Sioux Falls SD 57103
729	Tennessee	Rep	Rebecca	Alexander	rep.rebecca.alexander@capitol.tn.gov	(615) 741-2251	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
730	Tennessee	Rep	Charlie	Baum	rep.charlie.baum@capitol.tn.gov	(615) 741-6849	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
731	Tennessee	Rep	Bill	Beck	rep.bill.beck@capitol.tn.gov	(615) 741-3229	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
732	Tennessee	Rep	Clark	Boyd	Rep.Clark.Boyd@capitol.tn.gov	(615) 741-7086	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
733	Tennessee	Rep	Rush	Bricken	rep.rush.bricken@capitol.tn.gov	(615) 741-7448	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
734	Tennessee	Rep	David	Byrd	rep.david.byrd@capitol.tn.gov	(615) 741-2190	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
735	Tennessee	Rep	Kent	Calfee	rep.kent.calfee@capitol.tn.gov	(615) 741-7658	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
736	Tennessee	Rep	Scotty	Campbell	rep.scotty.campbell@capitol.tn.gov	(615) 741-2050	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
737	Tennessee	Rep	Karen D.	Camper	rep.karen.camper@capitol.tn.gov	(615) 741-1898	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
738	Tennessee	Rep	Dale	Carr	rep.dale.carr@capitol.tn.gov	(615) 741-5981	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
739	Tennessee	Rep	Michele	Carringer	rep.michele.carringer@capitol.tn.gov	(615) 741-1721	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
740	Tennessee	Rep	Mike	Carter	rep.mike.carter@capitol.tn.gov	(615) 741-3025	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
741	Tennessee	Rep	Glen	Casada	rep.glen.casada@capitol.tn.gov	(615) 741-4389	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
742	Tennessee	Rep	Scott	Cepicky	rep.scott.cepicky@capitol.tn.gov	(615) 741-3005	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
743	Tennessee	Rep	Jesse	Chism	rep.john.ray.clemmons@capitol.tn.gov	(615) 741-6954	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
744	Tennessee	Rep	John Ray	Clemmons	rep.john.ray.clemmons@capitol.tn.gov	(615) 741-4410	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
745	Tennessee	Rep	Mark	Cochran	rep.mark.cochran@capitol.tn.gov	(615) 741-1725	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
746	Tennessee	Rep	Barbara	Cooper	rep.barbara.cooper@capitol.tn.gov	(615) 741-4295	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
747	Tennessee	Rep	John	Crawford	rep.john.crawford@capitol.tn.gov	(615) 741-7623	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
748	Tennessee	Rep	Michael G.	Curcio	rep.michael.curcio@capitol.tn.gov	(615) 741-3513	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
749	Tennessee	Rep	Tandy	Darby	rep.tandy.darby@capitol.tn.gov	(615) 741-7847	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
750	Tennessee	Rep	Vincent	Dixie	rep.vincent.dixie@capitol.tn.gov	(615) 741-1997	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
751	Tennessee	Rep	Clay	Doggett	rep.clay.doggett@capitol.tn.gov	(615) 741-7476	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
752	Tennessee	Rep	Rick	Eldridge	rep.rick.eldridge@capitol.tn.gov	(615) 741-6877	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
753	Tennessee	Rep	Jeremy	Faison	rep.jeremy.faison@capitol.tn.gov	(615) 741-6871	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
754	Tennessee	Rep	Andrew	Farmer	rep.andrew.farmer@capitol.tn.gov	(615) 741-4419	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
755	Tennessee	Rep	Bob	Freeman	rep.bob.freeman@capitol.tn.gov	(615) 741-0709	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
756	Tennessee	Rep	Ron M.	Gant	rep.ron.gant@capitol.tn.gov	(615) 741-6890	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
757	Tennessee	Rep	Johnny	Garrett	rep.johnny.garrett@capitol.tn.gov	(615) 741-3893	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
758	Tennessee	Rep	John	Gillespie	rep.john.gillespie@capitol.tn.gov	(615) 741-8201	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
759	Tennessee	Rep	Bruce	Griffey	rep.bruce.griffey@capitol.tn.gov	(615) 741-6804	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
760	Tennessee	Rep	Rusty	Grills	rep.rusty.grills@capitol.tn.gov	(615) 741-0718	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
761	Tennessee	Rep	Yusuf	Hakeem	rep.yusuf.hakeem@capitol.tn.gov	(615) 741-2702	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
762	Tennessee	Rep	Curtis	Halford	rep.curtis.halford@capitol.tn.gov	(615) 741-7478	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
763	Tennessee	Rep	Mark	Hall	rep.mark.hall@capitol.tn.gov	(615) 741-1350	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
764	Tennessee	Rep	G. A.	Hardaway	rep.ga.hardaway@capitol.tn.gov	(615) 741-5625	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
765	Tennessee	Rep	Torrey C.	Harris	rep.torrey.harris@capitol.tn.gov	(615) 741-2239	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
766	Tennessee	Rep	Kirk	Haston	rep.kirk.haston@capitol.tn.gov	(615) 741-0750	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
767	Tennessee	Rep	David	Hawk	rep.david.hawk@capitol.tn.gov	(615) 741-7482	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
768	Tennessee	Rep	Patsy	Hazlewood	rep.patsy.hazlewood@capitol.tn.gov	(615) 741-2746	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
769	Tennessee	Rep	Esther	Helton	rep.esther.helton@capitol.tn.gov	(615) 741-1934	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
770	Tennessee	Rep	Gary	Hicks	rep.gary.hicks@capitol.tn.gov	(615) 741-7480	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
771	Tennessee	Rep	Tim	Hicks	rep.tim.hicks@capitol.tn.gov	(615) 741-1717	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
772	Tennessee	Rep	Jason	Hodges	rep.jason.hodges@capitol.tn.gov	(615) 741-2043	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
773	Tennessee	Rep	John B.	Holsclaw, Jr.	rep.john.holsclaw@capitol.tn.gov	(615) 741-7450	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
774	Tennessee	Rep	Dan	Howell	rep.dan.howell@capitol.tn.gov	(615) 741-7799	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
775	Tennessee	Rep	Bud	Hulsey	rep.bud.hulsey@capitol.tn.gov	(615) 741-2886	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
776	Tennessee	Rep	Chris	Hurt	rep.chris.hurt@capitol.tn.gov	(615) 741-2134	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
777	Tennessee	Rep	Darren	Jernigan	rep.darren.jernigan@capitol.tn.gov	(615) 741-6959	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
778	Tennessee	Rep	Curtis G.	Johnson	rep.curtis.johnson@capitol.tn.gov	(615) 741-4341	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
779	Tennessee	Rep	Gloria	Johnson	rep.gloria.johnson@capitol.tn.gov	(615) 741-2031	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
780	Tennessee	Rep	Kelly	Keisling	rep.kelly.keisling@capitol.tn.gov	(615) 741-6852	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
781	Tennessee	Rep	Sabi 'Doc'	Kumar	rep.sabi.kumar@capitol.tn.gov	(615) 741-2860	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
782	Tennessee	Rep	Justin	Lafferty	rep.justin.lafferty@capitol.tn.gov	(615) 741-4110	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
783	Tennessee	Rep	London	Lamar	rep.london.lamar@capitol.tn.gov	(615) 741-3830	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
784	Tennessee	Rep	William	Lamberth	rep.william.lamberth@capitol.tn.gov	(615) 741-1980	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
785	Tennessee	Rep	Tom	Leatherwood	rep.tom.leatherwood@capitol.tn.gov	(615) 741-7084	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
786	Tennessee	Rep	Mary	Littleton	rep.mary.littleton@capitol.tn.gov	(615) 741-7477	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
787	Tennessee	Rep	Harold M.	Love, Jr.	rep.harold.love@capitol.tn.gov	(615) 741-3831	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
788	Tennessee	Rep	Susan	Lynn	rep.susan.lynn@capitol.tn.gov	(615) 741-7462	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
789	Tennessee	Rep	Eddie	Mannis	rep.eddie.mannis@capitol.tn.gov	(615) 741-2287	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
790	Tennessee	Rep	Pat	Marsh	rep.pat.marsh@capitol.tn.gov	(615) 741-6824	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
791	Tennessee	Rep	Sam	McKenzie	rep.sam.mckenzie@capitol.tn.gov	(615) 741-0768	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
792	Tennessee	Rep	Larry J.	Miller	rep.larry.miller@capitol.tn.gov	(615) 741-4453	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
793	Tennessee	Rep	Bo	Mitchell	rep.bo.mitchell@capitol.tn.gov	(615) 741-4317	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
794	Tennessee	Rep	Debra	Moody	rep.debra.moody@capitol.tn.gov	(615) 741-3774	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
795	Tennessee	Rep	Jerome	Moon	Rep.Jerome.Moon@capitol.tn.gov	(615) 741-5481	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
796	Tennessee	Rep	Brandon	Ogles	rep.brandon.ogles@capitol.tn.gov	(615) 741-6808	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
797	Tennessee	Rep	Antonio	Parkinson	rep.antonio.parkinson@capitol.tn.gov	(615) 741-4575	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
798	Tennessee	Rep	Jason	Potts	rep.jason.potts@capitol.tn.gov	(615) 741-2035	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
799	Tennessee	Rep	Jason	Powell	rep.jason.powell@capitol.tn.gov	(615) 741-6861	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
800	Tennessee	Rep	Dennis	Powers	rep.dennis.powers@capitol.tn.gov	(615) 741-3335	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
801	Tennessee	Rep	John	Ragan	rep.john.ragan@capitol.tn.gov	(615) 741-4400	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
802	Tennessee	Rep	Bob	Ramsey	rep.bob.ramsey@capitol.tn.gov	(615) 741-3560	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
803	Tennessee	Rep	Jay D.	Reedy	rep.jay.reedy@capitol.tn.gov	(615) 741-7098	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
804	Tennessee	Rep	Tim	Rudd	rep.tim.rudd@capitol.tn.gov	(615) 741-2804	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
805	Tennessee	Rep	Iris	Rudder	rep.iris.rudder@capitol.tn.gov	(615) 741-8695	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
806	Tennessee	Rep	Lowell	Russell	rep.lowell.russell@capitol.tn.gov	(615) 741-3736	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
807	Tennessee	Rep	Cameron Speaker	Sexton	speaker.cameron.sexton@capitol.tn.gov	(615) 741-2343	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
808	Tennessee	Rep	Jerry	Sexton	rep.jerry.sexton@capitol.tn.gov	(615) 741-2534	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
809	Tennessee	Rep	Johnny	Shaw	rep.johnny.shaw@capitol.tn.gov	(615) 741-4538	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
810	Tennessee	Rep	Paul	Sherrell	rep.paul.sherrell@capitol.tn.gov	(615) 741-1963	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
811	Tennessee	Rep	Robin	Smith	rep.robin.smith@capitol.tn.gov	(615) 741-2548	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
812	Tennessee	Rep	Mike	Sparks	rep.mike.sparks@capitol.tn.gov	(615) 741-6829	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
813	Tennessee	Rep	Mike	Stewart	rep.mike.stewart@capitol.tn.gov	(615) 741-2184	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
814	Tennessee	Rep	Bryan	Terry	rep.bryan.terry@capitol.tn.gov	(615) 741-2180	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
815	Tennessee	Rep	Dwayne	Thompson	rep.dwayne.thompson@capitol.tn.gov	(615) 741-1920	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
816	Tennessee	Rep	Chris	Todd	rep.chris.todd@capitol.tn.gov	(615) 741-7475	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
817	Tennessee	Rep	Joe	Towns, Jr.	rep.joe.towns@capitol.tn.gov	(615) 741-2189	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
818	Tennessee	Rep	Ron	Travis	rep.ron.travis@capitol.tn.gov	(615) 741-1450	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
819	Tennessee	Rep	Kevin	Vaughan	rep.kevin.vaughan@capitol.tn.gov	(615) 741-1866	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
820	Tennessee	Rep	Todd	Warner	rep.todd.warner@capitol.tn.gov	(615) 741-4170	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
821	Tennessee	Rep	Terri Lynn	Weaver	rep.terri.lynn.weaver@capitol.tn.gov	(615) 741-2192	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
822	Tennessee	Rep	Mark	White	rep.mark.white@capitol.tn.gov	(615) 741-4415	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
823	Tennessee	Rep	Sam	Whitson	rep.sam.whitson@capitol.tn.gov	(615) 741-1864	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
824	Tennessee	Rep	Ryan	Williams	rep.ryan.williams@capitol.tn.gov	(615) 741-1875	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
825	Tennessee	Rep	John Mark	Windle	rep.john.windle@capitol.tn.gov	(615) 741-1260	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
826	Tennessee	Rep	Dave	Wright	rep.dave.wright@capitol.tn.gov	(615) 741-6879	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
827	Tennessee	Rep	Jason	Zachary	rep.jason.zachary@capitol.tn.gov	(615) 741-2264	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
828	Tennessee	Sen	Raumesh	Akbari	Sen.Raumesh.Akbari@capitol.tn.gov	(615) 741-1767	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
829	Tennessee	Sen	Paul	Bailey	sen.paul.bailey@capitol.tn.gov	(615) 741-3978	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
830	Tennessee	Sen	Mike	Bell	sen.mike.bell@capitol.tn.gov	(615) 741-1946	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
831	Tennessee	Sen	Janice	Bowling	sen.janice.bowling@capitol.tn.gov	(615) 741-6694	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
832	Tennessee	Sen	Richard	Briggs	sen.richard.briggs@capitol.tn.gov	(615) 741-1766	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
833	Tennessee	Sen	Heidi	Campbell	sen.heidi.campbell@capitol.tn.gov	(615) 741-6679	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
834	Tennessee	Sen	Rusty	Crowe	sen.rusty.crowe@capitol.tn.gov	(615) 741-2468	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
835	Tennessee	Sen	Todd	Gardenhire	sen.todd.gardenhire@capitol.tn.gov	(615) 741-6682	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
836	Tennessee	Sen	Brenda	Gilmore	Sen.Brenda.Gilmore@capitol.tn.gov	(615) 741-2453	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
837	Tennessee	Sen	Ferrell	Haile	sen.ferrell.haile@capitol.tn.gov	(615) 741-1999	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
838	Tennessee	Sen	Joey	Hensley	sen.joey.hensley@capitol.tn.gov	(615) 741-3100	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
839	Tennessee	Sen	Ed	Jackson	sen.ed.jackson@capitol.tn.gov	(615) 741-1810	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
840	Tennessee	Sen	Jack	Johnson	sen.jack.johnson@capitol.tn.gov	(615) 741-2495	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G
841	Tennessee	Sen	Brian	Kelsey	sen.brian.kelsey@capitol.tn.gov	(615) 741-3036	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
842	Tennessee	Sen	Sara	Kyle	sen.sara.kyle@capitol.tn.gov	(615) 741-4167	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
843	Tennessee	Sen	Jon	Lundberg	Sen.Jon.Lundberg@Capitol.tn.gov	(615) 741-5761	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
844	Tennessee	Sen	Becky Duncan	Massey	sen.becky.massey@capitol.tn.gov	(615) 741-1648	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
845	Tennessee	Sen	Lt. Gov. Randy	McNally	lt.gov.randy.mcnally@capitol.tn.gov	(615) 741-6806	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
846	Tennessee	Sen	Frank S.	Niceley	sen.frank.niceley@capitol.tn.gov	(615) 741-2061	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
847	Tennessee	Sen	Mark	Pody	sen.mark.pody@capitol.tn.gov	(615) 741-2421	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
848	Tennessee	Sen	Bill	Powers	sen.bill.powers@capitol.tn.gov	(615) 741-2374	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
849	Tennessee	Sen	Shane	Reeves	sen.shane.reeves@capitol.tn.gov	(615) 741-1066	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
850	Tennessee	Sen	Kerry	Roberts	sen.kerry.roberts@capitol.tn.gov	(615) 741-4499	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
851	Tennessee	Sen	Katrina	Robinson	Sen.Katrina.Robinson@capitol.tn.gov	(615) 741-2509	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
852	Tennessee	Sen	Paul	Rose	sen.paul.rose@capitol.tn.gov	(615) 741-1967	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
853	Tennessee	Sen	Steve	Southerland	sen.steve.southerland@capitol.tn.gov	(615) 741-3851	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
854	Tennessee	Sen	John	Stevens	sen.john.stevens@capitol.tn.gov	(615) 741-4576	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
855	Tennessee	Sen	Art	Swann	sen.art.swann@capitol.tn.gov	(615) 741-0981	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
856	Tennessee	Sen	Page	Walley	sen.page.walley@capitol.tn.gov	(615) 741-2368	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
857	Tennessee	Sen	Bo	Watson	sen.bo.watson@capitol.tn.gov	(615) 741-3227	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
858	Tennessee	Sen	Dawn	White	Sen.Dawn.White@capitol.tn.gov	(615) 741-6853	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
859	Tennessee	Sen	Ken	Yager	sen.ken.yager@capitol.tn.gov	(615) 741-1449	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243
860	Tennessee	Sen	Jeff	Yarbro	sen.jeff.yarbro@capitol.tn.gov	(615) 741-3291	425 Rep. John Lewis Way N. Cordell Hull Bldg. Nashville, TN 37243

AMERICAN OVERSIGHT

Sender: Lela Alston </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FF6A506C742141A9A90CF35D134BB0CE-LELA ALSTON>
Sent: Friday, April 9, 2021 3:42:56 PM
Recipient: Kelley Karnes <kelley.karnes@gmail.com>;LELA ALSTON <LALSTON2@msn.com>
Subject: FW: The Blue Wave Newsletter

From: Josselyn Berry <JBerry@azleg.gov>
Sent: Friday, April 9, 2021 3:39 PM
To: .SDEMMEMS <SDEMMEMS@azleg.gov>; .Senate Democratic Staff <SenateDemocratResearchStaff@azleg.gov>; .SDEMSECS <SDEMSECS@azleg.gov>; .Senate Democratic Staff Interns <SenateDemocraticStaffInterns@azleg.gov>
Subject: The Blue Wave Newsletter

Wednesday was a tense, but ultimately victorious day for Democrats on the Senate floor as we were able to temporarily stop the anti-abortion bill SB1457, thanks to Republican Senator Tyler Pace. But we know Republicans in the legislature will try everything to eliminate access to abortion in our state and this inflammatory legislation only makes that more clear. This unconstitutional bill would charge doctors and nurses with a felony for performing an abortion, and charge women with a *felony* if they ask friends or family for money to help pay for an abortion. The sponsors of this bill claim it combats discrimination – but bans on abortion won't make Arizona a better place for people born with disabilities. Instead, this is about taking away the ability to make personal, private, and often complicated health care decisions. This bill attacks the dignity and constitutional rights of a woman to obtain proper reproductive care. The bill was not moved for reconsideration on Thursday, but Republicans are so desperate to eliminate safe access to abortion that we expect they will suspend the reconsideration rule on Monday to allow the motion then.

In the ongoing Senate Republican "audit" of the election, a group of pro-democracy attorneys sent a cease and desist letter to Arizona Senate Republicans' auditors warning them against voter intimidation. We agree that these tactics are illegal voter intimidation and the companies should immediately cease any further work on this "audit." Maricopa County has rightly refused to participate in this sham by not allowing the audit at the elections department, but now Senate Republicans may drop 2.1 million Maricopa County ballots at the State Fairgrounds. A reminder that the audit team will be led by a cybersecurity company called Cyber Ninjas that have no experience working on election-related matters. The company CEO Doug Logan, frequently pushed false and baseless conspiracy theories alleging that the 2020 election was rigged against former President Donald Trump.

AMERICAN OVERSIGHT

Senator Victoria Steele explains what happened this with week with anti-abortion bill SB1457

RECOVER. RESTORE REBUILD--The Democratic Blueprint for 2021

In the face of a global pandemic that is still spreading, taking lives, impacting our economy and devastating our most vulnerable communities, our priorities have never been clearer. See our plan to rebuild Arizona.

See what Democratic Senators were up to this week!

Senate Democrats supporting the Arizona Coalition for Reproductive Freedom at a press conference against anti-abortion bills

Senator Engel supporting Red for Ed during their rally on Wednesday.

AMERICAN OVERSIGHT

This week Senate Republicans passed additional anti-voter bills, including #HB2569, a provision that is designed to cut-off needed funding for local elections officials to run secure and efficient elections. Don't be fooled by Republicans who say this is good for elections. Those same legislators voted to prevent the Secretary of State's Office from using HAVA (Help America Vote Act) funds for a voter education campaign to combat misinformation ahead of the 2020 election.

Republicans in the Senate also passed a resolution against HR 1, the For the People Act. While this is overall a meaningless gesture, it shows how radically anti-voter Republicans have become. The For the People Act is a pro-voter, pro-democracy bill that would make our elections more secure, shine a light on campaign dark money, and expand access to the ballot for all eligible voters. Why in the world would Republicans not like that?

Phoenix Business Leaders Pen Editorial Criticizing Proposed Changes To Voting Legislature **State Sen. Martin Quezada says the executives are courageous to denounce the bills."For them to come out like that shows that these issues are of that level of import. That they are so important that they were willing to risk making their supporters upset," Quezada said.**

'Did you protect children?' Bill to require clergy to report abuse fails amid religious doubts **This is for abuse that is happening now and the person hearing it has reasonable suspicion that it will continue," Senator Victoria Steele said in a late bid to advance a policy she has been advocating for the past 2 years.**

Arizona Senate OKs prohibiting counties from applying for private election grants **In the 2020 election, Peshlakai said, the extra grant dollars went into brochures and public announcements in rural Arizona. More to the point, she said there were measures to keep people from getting ill from COVID-19 during the election. "They put out tents, they put out water, hand-washing stations, sanitizer," Peshlakai said.**

AMERICAN OVERSIGHT

GET VACCINATED! The COVID vaccine is now available to anyone 16 years old and up!

- SIGN UP FOR A VACCINE **HERE**

GET TESTED! Find a COVID testing site for you or family members across Arizona.

CONTACT YOUR STATE SENATOR!

Our website is www.arizonasenatedemocrats.com

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

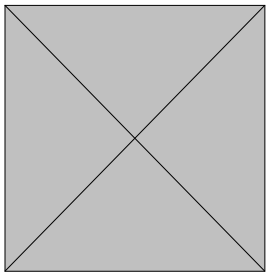
AMERICAN OVERSIGHT

From: Paul Boyer <PBoyer@azleg.gov>
Sent: Tuesday, December 8, 2020 1:59:44 PM
To: Tracey Gardner <TGardner@azleg.gov>
Subject: House news release
Attachments: News Release 2020-12Dec-04 Arizona State House Speaker Rusty Bowers.pdf

---

Senator Paul Boyer
Education Vice-Chair
Higher Education
Finance

District 20 - Glendale, North Phoenix
602-926-4173



AMERICAN OVERSIGHT

NEWS RELEASE

Arizona House of Representatives
Speaker of the House Rusty Bowers (R-25)
1700 West Washington • Phoenix, Arizona • 85007

Friday, December 4, 2020
FOR IMMEDIATE RELEASE

Speaker Bowers Addresses Calls for the Legislature to Overturn 2020 Certified Election Results

STATE CAPITOL, PHOENIX – Arizona House Speaker Rusty Bowers today made the following statement:

This week, Rudy Giuliani, Jenna Ellis, and others representing President Donald Trump came to Arizona with a breathtaking request: that the Arizona Legislature overturn the certified results of last month's election and deliver the state's electoral college votes to President Trump. The rule of law forbids us to do that.

Mr. Giuliani and Ms. Ellis made their case here at least twice—on Monday, at an unofficial public gathering hosted by a small group of legislators; and again on Tuesday, during a closed-door meeting at the State Capitol with Republican leaders from both chambers of the Legislature. Both times, the Trump team made claims that the election was tainted by fraud but presented only theories, not proof. U.S. Attorney General William P. Barr said on Tuesday that he, too, has "not seen fraud on a scale that could have effected a different outcome of the election."

Even if such evidence existed, the Arizona Legislature simply couldn't do what is being asked. Under our state's constitution, the Legislature can act only when it is in session, and the Legislature could call itself into a special session only with the support of a bipartisan supermajority of its members.

That won't materialize, but even if did, the Legislature couldn't provide the recourse the President's team seeks. The U.S. Constitution authorizes each state to appoint presidential electors "in such Manner as the Legislature thereof may direct." For decades, Arizona law has required that the voters elect the state's electors on Election Day—this year, on November 3rd. And under a law the Republican-led Legislature passed just three years ago, the state's electors are required to cast their votes for the candidates who received the most votes in the official statewide election canvass. Enacted after the 2016 presidential election, in which President Trump won the electoral college but not the popular vote, the law was aimed at ensuring that Arizona's electors would remain faithful to the vote of the people.

So under current Arizona law, the presidential electors who were elected on November 3 must, after the canvass is completed, vote for the winners of the popular vote. Nothing in the U.S. Constitution or the decisions of the U.S. Supreme Court even suggests that the Arizona Legislature could retroactively appoint different electors who would cast their ballots for different candidates.

AMERICAN OVERSIGHT

The Trump legal team has cited *McPherson v. Blacker* (1892), to claim that the legislature can "resume the power [to appoint electors] at any time." And it is true that the Arizona Legislature could alter the method of appointing electors prospectively. But it cannot undo the election of electors whom the voters already voted for. As the Supreme Court made clear in *Bush v. Gore* (2000), "[w]hen the state legislature vests the right to vote for President in its people, the right to vote as the legislature has prescribed is fundamental."

No election is perfect, and if there were evidence of illegal votes or an improper count, then Arizona law provides a process to contest the election: a lawsuit under state law. But the law does not authorize the Legislature to reverse the results of an election.

As a conservative Republican, I don't like the results of the presidential election. I voted for President Trump and worked hard to reelect him. But I cannot and will not entertain a suggestion that we violate current law to change the outcome of a certified election.

I and my fellow legislators swore an oath to support the U.S. Constitution and the constitution and laws of the state of Arizona. It would violate that oath, the basic principles of republican government, and the rule of law if we attempted to nullify the people's vote based on unsupported theories of fraud. Under the laws that we wrote and voted upon, Arizona voters choose who wins, and our system requires that their choice be respected.

Forty years ago next month, President Ronald Reagan reminded us that while the "orderly transfer of authority" is a "commonplace occurrence" for Americans, "[i]n the eyes of many in the world, this every-4-year ceremony we accept as normal is nothing less than a miracle." Now, Americans are being reminded once again never to take for granted what President Reagan correctly described as "the continuity which is the bulwark of our Republic."

###

CONTACT:
Andrew Wilder
Director of Communications
Republican Majority Caucus
(602) 926-5299
awilder@azleg.gov

AMERICAN OVERSIGHT

From: Karen Fann <karenefann@outlook.com>
Sent: Tuesday, January 26, 2021 4:39:08 PM
To: Wendy Baldo <wbaldo@azleg.gov>
Subject: Fwd: Audit of the Dominion Machines

FYI

Sent from my iPhone

Begin forwarded message:

From: Bob Lettieri - State Committeeman <boblettieri@outlook.com>
Date: January 26, 2021 at 4:52:46 PM MST
To: fannm@cableone.net
Subject: Audit of the Dominion Machines
Reply-To: boblettieri@outlook.com

Dear Patriot,

This is A CALL TO ACTION!!!

Our Board of Supervisors and State Senators have agreed to do an audit of the Dominion machines. They want to use US EAC certified auditors only. The problem is that US EAC auditors certified to authorities of the Texas elections that the Dominion machines were good to be used. Texas realized that this was not so. Therefore we feel that US EAC certified auditors are no longer independent and objective which is an essential requirement of the AICPA in order to issue an unqualified opinion.

As a credible alternative to US EAC, based on research, we are recommending Allied Security Operations Group and Tesla Laboratories: https:jovanhuttonpulitzer.org . Website included for your review. Choosing an Auditor that meets the requirement of independent and objective, will provide assurance of an authentic and unbiased evaluation.

Enclosed are the Senators and Jack Sellers' emails and phone numbers.
Please contact them immediately. TODAY !! Tell your friends. We must show that we are serious and determined! Please use the sample letter below.

Karen Fann kfann@azleg.gov 602-926-5874	Warren Petersen wpetersen@azleg.gov 602-926-4136	Michelle Ugenti-Rita mugenti-rita@azleg.gov 602-926-4480
JD Mesnard jmesnard@azleg.gov 602-926-4481	Jack Sellers sellersj@mail.maricopa.gov 602-506-1776	

Sample Letter

AMERICAN OVERSIGHT

January 26, 2021

Dear Senator,

I'm happy to hear that you will be doing an audit of the Dominion Machines and voting peculiarities.

As a voter it is important for me that you use independent professionals, experienced auditors like Allied Security Operations Group and Tesla Technologies. Having Dominion audited by US EAC approved auditors having endorsed Dominion machines in Texas, and being proven wrong, would be an insult to the voters. Therefore we feel that US EAC certified auditors are no longer independent and objective which is an essential requirement of the AICPA in order to issue an unqualified opinion. As a credible alternative to US EAC, based on research, we are recommending Allied Security Operations Group and Tesla Laboratories: https:jovanhuttonpulitzer.org . Website included for your review. Choosing an Auditor that meets the requirement of independent and objective, will provide assurance of an authentic and unbiased evaluation

We demand proper auditing to find what we know was an election filled with questions and doubt.

Sincerely,

Thank you,
Bob Lettieri

Bob Lettieri - State Committeeman | 5209 N 24th st, # 106, Phoenix, AZ 85016

Unsubscribe fannm@cableone.net

Update Profile | About our service provider

Sent by boblettieri@outlook.com powered by

Trusted Email from Constant Contact - Try it FREE today.

Try email marketing for free today!

AMERICAN OVERSIGHT

From: Wendy Baldo </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=94A8163156614EA4B3244CAC31346CFA-WENDY BALDO>
Sent: Thursday, December 3, 2020 7:03:07 PM
To: Doug Cole <dcole@azhighground.com>
Subject: Fwd: Joint Statement updated with quotes

Sent from my iPhone

Begin forwarded message:

> **From:** Michelle Ugenti-Rita <mugenti-rita@azleg.gov>
> **Date:** December 3, 2020 at 7:39:39 PM MST
> **To:** Karen Fann <KFann@azleg.gov>
> **Cc:** Mike Philipsen <MPhilipsen@azleg.gov>, Wendy Baldo <wbaldo@azleg.gov>, Melissa Taylor <MTaylor@azleg.gov>, Warren Petersen <wpetersen@azleg.gov>, Dajana Zlaticanin <DZlaticanin@azleg.gov>, Vince Leach <VLeach@azleg.gov>
> **Subject: Re: Joint Statement updated with quotes**
>
> I am good.
>
> Sent from my iPhone
>
> > On Dec 3, 2020, at 7:28 PM, Karen Fann <KFann@azleg.gov> wrote:
> >
> > Sent from my iPhone
> >
> > Begin forwarded message:
> >
> > > **From:** Karen Fann <KFann@azleg.gov>
> > > **Date:** December 3, 2020 at 7:27:27 PM MST
> > > **To:** Russell Bowers <RBowers@azleg.gov>
> > > **Subject: Re: Joint Statement updated with quotes**
> > >
> > > Speaker blowers has given us him ok with Ben Toma present to confirm. Let me know in the morning when you are ready to send out. I need a few minutes to get to our members so they don't hear about they the media. I don't want to send to them tonight yet to avoid premature texting
> > >
> > > Sent from my iPhone
> > >
> > > > On Dec 3, 2020, at 6:52 PM, Karen Fann <KFann@azleg.gov> wrote:
> > > >
> > > > Sent from my iPhone
> > > >
> > > > Begin forwarded message:
> > > >
> > > > > **From:** Mike Philipsen <MPhilipsen@azleg.gov>
> > > > > **Date:** December 3, 2020 at 6:52:19 PM MST
> > > > > **To:** Karen Fann <KFann@azleg.gov>
> > > > > **Subject: Joint Statement updated with quotes**

Press Release

Arizona State Legislature
Senate President Karen Fann (R-1)
House Speaker Russell Bowers (R-25)
1700 West Washington • Phoenix, Arizona • 85007-2844

Friday, December 4, 2020
FOR IMMEDIATE RELEASE

Legislative Leaders call for audit of Maricopa County election software and equipment

(Phoenix, State Capitol) --- Senate President Karen Fann and Speaker of the House Rusty Bowers today called for an independent audit of the Dominion software and equipment used in the 2020 General Election. The two leaders, along with incoming Senate Government Chair Michelle Ugenti-Rita and House Majority Leader Warren Petersen, had numerous phone calls with members of the Maricopa County Board of Supervisors. Supervisor Steve Chucri told the legislators he was generally supportive of the audit and would be encouraging fellow supervisors to support a full audit.

"As a longtime advocate for improving and modernizing our election system, I am pleased to learn that the Maricopa County Board of Supervisors is supportive of conducting an independent audit of their voting software and equipment," said Sen. Ugenti-Rita. "It is important we maintain all of the voting public's confidence in our elections and this is a positive first step in the right direction."

AMERICAN OVERSIGHT

"A significant number of voters believe that fraud occurred and with the number of irregularities it is easy to understand why," said House Majority Leader Petersen. "Especially concerning are the allegations made surrounding the vendor Dominion. It is imperative that the County immediately do a forensic audit on the Dominion software and equipment to make sure the results were accurate."

Legislators also emphasized to the supervisors how important it is to move expeditiously on this matter.

###

CONTACT:
Mike Philipsen
Director of Communications
Senate Majority Staff
602-926-3972
mphilipsen@azleg.gov

CONTACT:
Andrew Wilder
Director of Communications
House Majority Staff
602-926-5518
awilder@azleg.gov

AMERICAN OVERSIGHT

From: Wendy Baldo </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=94A8163156614EA4B3244CAC31346CFA-WENDY BALDO>
Sent: Tuesday, February 9, 2021 3:02:43 PM
To: Shane McFarland <SMcFarland@azleg.gov>
Subject: FW: Arizona Legislative Report News Notes February 9, 2021

Wendy Baldo
Chief of Staff
Arizona State Senate
602.926.5418
wbaldo@azleg.gov

From: Mike Philipsen <MPhilipsen@azleg.gov>
Sent: Tuesday, February 9, 2021 3:33 PM
To: Senate Republican Staff <SenateRepublicanStaff@azleg.gov>; Karen Fann <kfann@azleg.gov>; Mike Braun <mbraun@azleg.gov>; Richard Stavneak <JlbcDirector@azleg.gov>; Jake Apton <japton@azleg.gov>
Subject: Arizona Legislative Report News Notes February 9, 2021

From: Logan Delpuerto <ldelpuerto@arizonaleadnews.com>
Sent: Tuesday, February 9, 2021 3:31 PM
To: Mike Philipsen <MPhilipsen@azleg.gov>
Subject: Arizona Legislative Report News Notes February 9, 2021

Click here to view this message in a browser window.

Arizona Legislative Report

AMERICAN OVERSIGHT

February 9, 2021

COPYRIGHT 2021 Arizona Capitol Reports*

DO NOT FORWARD THIS EMAIL. *The data that comprises the Arizona Legislative Report are from copyrighted Arizona Capitol Reports files and are intended for the exclusive use of our clients. It is illegal to reproduce, reprint or electronically disseminate any of these reports by any means without prior written approval.*

55th Legislature; 1st Regular Session

THE HOUSE IS STILL in session at our deadline.

THE SENATE IS ADJOURNED until Wednesday, February 10, at 1:30 p.m.

COMMITTEE AGENDAS

REVISED HEARINGS

House Government & Elections

Wednesday 02/10/21 at 9:00 AM, House Rm. 1 ***REVISED [02/09/21]***

H2111: 2ND AMENDMENT; UNENFORCEABLE FEDERAL LAWS

H2302: ELECTION LAWSUITS; SETTLEMENTS; APPROVALS

H2308: RECALL PETITIONS AND ELECTIONS; REVISIONS

~~H2358: VOTER REGISTRATION UPDATE; ADDRESS CHANGE~~

H2373: VOTER REGISTRATION GROUPS; FORMS; IDENTIFIERS ***STRIKER: SAME SUBJECT***

H2378: RANKED CHOICE VOTING; PRESIDENTIAL PREFERENCE

H2455: FIRE DISTRICTS; PENSION LIABILITY; FINANCING

H2481: SHORT-TERM RENTALS; ENFORCEMENT; PENALTIES

H2529: EARLY BALLOTS; ADDRESS; RETURN ***STRIKER: SAME SUBJECT***

AMERICAN OVERSIGHT

H2551: MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES

H2569: ELECTIONS; PRIVATE FUNDING; PROHIBITION

H2570: LICENSES; PANDEMICS; REVOCATION PROHIBITION

H2590: DAY OF RACIAL HEALING; OBSERVED

~~H2619: HOMEOWNERS' ASSOCIATIONS; DECLARATION AMENDMENT; MAJORITY~~

H2696: GOVERNMENT ASSISTANCE; POINT OF CONTACT

H2700: COUNTY OFFICERS; SALARIES; INCREASE

H2723: CAMPAIGN FINANCE; REPORTS; CONTRIBUTION AMOUNT

H2725: STATE DOCUMENTS; SEX IDENTIFICATION

H2792: EARLY BALLOTS; REQUEST REQUIRED

H2793: VOTER REGISTRATION; REQUEST REQUIRED

HCR2016: INITIATIVES; SUPERMAJORITY VOTE REQUIREMENT

HCR2021: ELECTORAL COLLEGE; SUPPORTING

HCR2023: ELECTIONS; STATE AUTHORITY; INFRINGEMENT; OPPOSITION

House Judiciary

Wednesday 02/10/21 at 9:00 AM, House Rm. 4 ***REVISED [02/08/21]***

H2069: GENETIC TESTING; PRIVATE PROPERTY

H2158: PROTECTIVE ORDERS; CENTRAL REPOSITORY; NOTIFICATION

H2187: DUI; ADMINISTRATIVE SUSPENSION; LICENSE

H2355: ANIMAL ABUSER REGISTRATION; PENALTIES

H2383: TECH CORRECTION; DOUBLE PUNISHMENT

STRIKER: ORGANIZED RETAIL THEFT TASK FORCE

H2401: JUVENILE DEPENDENCY; STATE AID; APPROPRIATION

H2483: ANIMAL OWNERSHIP; POSSESSION; PROHIBITION

AMERICAN OVERSIGHT

H2502: ELECTRONIC COMMUNICATIONS; PERSONAL INFORMATION; HARASSMENT

H2548: HIGH INTENSITY LASER POSSESSION; PROHIBITION

H2552: CRIMINAL DAMAGE: MONUMENTS; MEMORIALS; STATUES

H2579: LIMITED JURISDICTION COURTS; JUDGMENT ASSIGNMENT

H2618: PUBLIC NUISANCE; NOISE; EVIDENCE

H2648: RELIGIOUS SERVICES; ESSENTIAL SERVICES

H2674: SEX OFFENDER REGISTRATION; TERMINATION

House Appropriations

Wednesday 02/10/21 at 2:00 PM, House Rm. 1 ***REVISED [02/09/21]***

H2053: SUPERIOR COURT CLERK; SALARY ***STRIKER: SALARY; SUPERIOR COURT CLERK***

H2068: APPROPRIATION; OVERPASS; STATE ROUTE 347

H2072: APPROPRIATION; STATE ROUTE 95; REPAVING

H2123: CTEDS; FOURTH-YEAR FUNDING

H2141: APPROPRIATIONS; ALTERNATIVE PROSECUTION; DIVERSION PROGRAM

H2151: EXPERIENCED TEACHER RETENTION; PILOT PROGRAM

H2156: APPROPRIATIONS; BROADBAND GRANTS

~~H2169: APPROPRIATION; TOURISM; DUDE RANCHES; PROMOTION~~

~~H2179: NEW SCHOOL FACILITIES; ADDITIONAL FUNDING~~

H2189: COORDINATED REENTRY PLANNING SERVICES PROGRAMS

H2263: APPROPRIATIONS; LAKE HAVASU CITY; BRIDGE

H2394: APPROPRIATION; NORTH-SOUTH CORRIDOR STUDY

H2404: APPROPRIATIONS; FAMILY HEALTH PILOT PROGRAM

H2409: ADULT PROTECTIVE SERVICES; AUDIT; APPROPRIATION

AMERICAN OVERSIGHT

H2461: DPS; BODY CAMERAS; APPROPRIATIONS

H2463: APPROPRIATION; DPS; SCHOOL SAFETY PROGRAM

~~H2489: APPROPRIATION; AFFORDABLE HOUSING~~

H2533: STATEWIDE ADA COORDINATOR; APPROPRIATION

H2555: SFB; DEPARTMENT OF ADMINISTRATION

H2565: AREA AGENCIES ON AGING; APPROPRIATION

H2577: APPROPRIATION; WATER SUPPLY STUDY

~~***Added*** *H2629: ARIZONA NURSES ACADEMY*~~

H2668: NUTRITION ASSISTANCE; BENEFIT MATCH; APPROPRIATION

H2672: PRISONERS; BRAILLE TRANSCRIBER TRAINING PROGRAM

H2706: APPROPRIATION; VETERANS' SERVICES; BENEFITS COUNSELORS

H2755: APPROPRIATION; ARIZONA ARTS TRUST FUND

Senate Finance

Wednesday 02/10/21 at 9:00 AM, Senate Rm. 109 ***REVISED [02/09/21]***

S1142: SMI; EMPLOYMENT; INCOME TAX CREDITS

S1252: CORPORATE INCOME TAX; PHASE-OUT ***STRIKER: CORPORATE INCOME TAX; SUBTRACTION***

S1298: FIRE DISTRICTS; PENSION LIABILITY; FINANCING

S1330: TPT EXEMPTION; LIVESTOCK WATERING EQUIPMENT

S1348: ASRS; SUPPLEMENTAL EMPLOYEE DEFERRAL PLANS

S1350: INCOME TAX; RETURNS; FILING EXTENSION

S1352: ASRS; EMPLOYER; MEMBER; CONTRIBUTION

S1398: TPT DEDUCTIONS; COMPUTER DATA CENTERS

S1455: LENDING; CREDIT SUPPORT PROGRAMS; REPORT

S1463: DIFI; OMNIBUS

AMERICAN OVERSIGHT

S1467: ELECTED OFFICIALS' RETIREMENT PLAN; APPROPRIATIONS

S1468: DPS; PENSION LIABILITY; SUPPLEMENTAL APPROPRIATION

S1494: INCOME TAX; SUBTRACTION; FDIC PREMIUMS

S1534: COUNTY TREASURER; INVESTMENT EARNINGS; OPERATION

S1649: PSPRS; INVESTMENT REPORTING

S1659: FIRE DISTRICT ANNUAL BUDGET; SUMMARY

S1720: PEER-TO-PEER CAR SHARING

S1721: TPT; PRIME CONTRACTING CLASSIFICATION

SCR1024: INITIATIVES; TAX INCREASES; VOTE REQUIREMENT

STRIKER: SUPERMAJORITY VOTE REQUIREMENT; INITIATIVES

House Criminal Justice Reform

Wednesday 02/10/21 at 2:00 PM, House Rm. 4 ***REVISED [02/08/21]***

H2165: PRISONERS; ELIGIBILITY

H2168: USE OF FORCE; REPORTS; ANALYSIS

Added *H2190: CRIMINAL JUSTICE CASE INFORMATION; REPORTING*

H2320: SEALING ARREST; LIABILITY; SENTENCING REORDS ***STRIKER: SAME SUBJECT***

H2491: WRONGFUL ARREST; RECORD CLEARANCE

H2601: SENTENCING; CREDIT; ELECTRONIC MONITORING

~~H2707: PROBATION FAILURE REDUCTION INCENTIVE PAYMENTS~~

H2713: RELEASE CREDITS; PRISONERS

~~H2751: SEARCH WARRANTS; AUDIBLE NOTICE; REQUIREMENTS~~

~~H2765: LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS~~

House Transportation

AMERICAN OVERSIGHT

Wednesday 02/10/21 at 2:00 PM, House Rm. 3 ***REVISED [02/08/21]***

H2425: MOTOR CARRIERS; VIOLATIONS; PENALTIES

H2436: MOTOR FUEL TAXES; INFLATION ADJUSTMENT

H2437: FUEL; ELECTRIC CARS; HYBRIDS; TAXES

H2485: VIOLENT OR DISORDERLY ASSEMBLY; PENALTIES

STRIKER: URBAN AIR MOBILITY STUDY COMMITTEE

H2588: DRIVER LICENSES; FOSTER YOUTH

H2589: REAR-FACING CAR SEATS

H2596: ADOT; TELECOMMUNICATION FACILITIES INSTALLATION

H2692: DRIVING ON RIGHT; EDUCATION

H2694: VLT AND REGISTRATION FEE EXEMPTIONS

H2698: MOTOR VEHICLE DEALER ENFORCEMENT FUND

H2712: HIGHWAY ALIGNMENTS; ENVIRONMENTAL IMPACT STATEMENT

H2749: APPROPRIATION; CAMELBACK ROAD WIDENING

H2757: TRAFFIC SURVIVAL SCHOOL; ONLINE PROHIBITED

H2774: COUNTY TRANSPORTATION PLANNING ASSISTANT

Senate Natural Resources, Energy & Water

Wednesday 02/10/21 at 2:00 PM, Senate Rm. 109 ***REVISED [02/08/21]***

S1159: TECH CORRECTION; ELECTROMAGNETIC PULSE PREPAREDNESS

STRIKER: STATE LAND; AUCTIONS

S1224: AGRICULTURAL OPERATIONS; NUISANCE LIABILITY

S1431: FLOOD CONTROL DISTRICTS; ADVISORY BOARD

SCR1046: ARIZONA'S OUTDOORS; RECREATION; SUPPORTING

NEWS NOTES

AMERICAN OVERSIGHT

GONZALES, TOWNSEND FILE COMPLAINTS AGAINST EACH OTHER

Gonzales and Townsend filed dueling complaints about each other with the Senate comptroller yesterday after an encounter in the hallway in which Gonzales told Townsend to put on a mask. Senate GOP spokesman Mike Philipsen declined to share copies of the complaints, saying they are personnel issues. Townsend and Gonzales described the incident. This is Townsend's version of what happened: She was walking back to her office on the third floor when Gonzales passed and told her she needed to put on a mask. Townsend responded that she's exempt from the mask requirement – she declined to tell our reporter why she's exempt – but Gonzales didn't accept that excuse and told her that she doesn't care about Townsend's exemption and that her health is more important. "She continued to deride me and accost me verbally about how I need to be considerate of other people," Townsend said. At that point, Townsend said, she told Gonzales she would file a complaint about harassment. "She laughed so loud and said, 'I would love to see you do that,'" Townsend said. So, Townsend said, she went downstairs and filed a complaint, which she described as a complaint to HR and not an ethics complaint against a fellow lawmaker. She also asked the Senate comptroller to send an email reminding everyone who works in the building that some members have medical exemptions and people should talk to the Senate's comptroller instead of engaging them in verbal tussle. Townsend said a similar email went out earlier this year, though Senate staffers couldn't find copies of it. The Senate's Covid policies state that anyone deemed medically unable to wear a mask must at least wear a face shield that covers their mouth and nose.

BOYER HIDES FAMILY FOLLOWING THREATS

Boyer moved his family to an undisclosed location after he started receiving threats, he told our reporter last night. Boyer said he received more than a hundred text messages shortly after his "no" vote on Fann's resolution to hold Maricopa County supervisors in contempt, and he scanned them as quickly as possible to look for threats and forward them to the Dept of Public Safety. One potential reason for the flood of calls is that Liz Harris, a Republican House candidate from LD17 who lost her race, posted his cell phone number and address on Twitter and urged her 10,400 followers to call and text him to change his vote. While Harris's tweet was reported and removed – sharing someone else's contact information violates Twitter's terms of service –

AMERICAN OVERSIGHT

Boyer's cell number, home address and wife's contact information were shared all over Twitter and right-wing sites, including Gab and Twitter yesterday and today. A YouTube user named "Scottsdale Studios" titled a video that has been viewed more than 15,000 "Az. Sen. Paul Boyer Text (cell number). He voted with the Democrats to block enforcing the Audit." Even other Paul Boyers are getting threats. A Twitter user posted a video of her voicemail machine today with the message "Guys my dad is not the AZ SENATOR PAUL BOYER HE JUST HAS THE SAME NAME. STOP DOXXING US AND CALLING US."

TOWNSEND SAYS THREATS HAPPEN ALL THE TIME

Townsend responded to news that Boyer and his family had to leave their home because of threats by asking if our reporter knew that someone is casing her own house and taking pictures while she voted yesterday on Fann's contempt resolution. Boyer balked at the resolution, saying he hopes his "no" vote would give both sides time to find a compromise. Townsend reacted to Boyer's opposition by declaring: "So, public, do what you gotta do." Quezada and Mendez took her comments as inciting violence against Boyer and county supervisors. Townsend said a neighbor sent her photos of the car's license plate of whoever cased her house, and her assistant shared the info with DPS. Threats and people showing up outside lawmakers' houses happens all the time, Townsend said, adding that she was excoriated when she tried to stop it by introducing legislation six years ago to let candidates and lawmakers keep their addresses secret. At the time, Townsend said she was told that lawmakers need to keep their addresses public so constituents can verify they actually live in the district. "Now, suddenly, it's fair game, and people are shocked when someone shows up to your house," she said. She reintroduced the measure this year as S1818 (candidate's residence address; nondisclosure), which has yet to be scheduled for a hearing in Senate gov.

TOWNSEND BLAMES MEDIA

Townsend told our reporter she's considering getting legal advice because she blames *AP* writer Bob Christie for negative reactions to her comments on Boyer's "no" vote yesterday. She was also the subject of a two-minute segment on *MSNBC's Rachel Maddow Show* - Maddow played a clip of Townsend speaking on the floor and described it as a threat. "Now it's going to have to go into the hands of the public and right now the last place this needs to be is in a place where the public is so lathered up over all of this. We need to do this in a

AMERICAN OVERSIGHT

way that's professional, legal and proper - not that the public's not - but they shouldn't have to do this on our behalf. So public, do what you gotta do," Townsend said in the clip played on Maddow's show. Christie's article, distributed to *AP* member papers around the world, included a version of that quote, following a quote from Supervisor Steve Gallardo about how someone would get hurt if Senate Republicans didn't stop pushing the audit. "It was taken out of context because Bob Christie piecemealed my comments into a way that made it look like a threat," Townsend told our reporter. "That's not a threat, and if you see that as a threat, you're looking through the wrong lens."

BOYER SAYS FANN PROMISED NOBODY WOULD GET ARRESTED

Boyer told our reporter he organized the meeting between Fann and county supervisors yesterday in hopes of calming things down, and thought that he had made clear that he didn't want to proceed with the contempt resolution. "You can ask Jack [Sellers] and Bill [Gates]. I said, 'What if we took contempt off the table?' I specifically said that," he said. Although Boyer said he supports the Senate's effort to conduct an audit, as he thought about the implications of the vote over the weekend, he realized his fellow senators are getting caught up in the heat of the moment and he doesn't want to look back on his vote and regret it. While he didn't believe that the Senate would ultimately arrest the supervisors even if the resolution passed, he didn't want to leave that decision in Fann's hands. "Karen would be the decider on that arrest or not. And all the pressure would be piling on her to arrest them. They'd be saying arrest those SOBs, and it's not beyond the realm of possibilities," he said. He added that Fann pledged in the meeting with the supervisors that nobody would be arrested, but "she's lied to me before, to my face."

BILL EXPANDING SIZE OF LEGISLATURE ADVANCES

Senate gov advanced Mesnard's SCR1005 (Legislature; ninety house districts) on a bipartisan 5-2 vote last night, with Mendez and Quezada joining Mesnard, Borrelli and Townsend to send it out of committee. Peshlakai and Ugenti-Rita voted against it. Mendez said the idea intrigues him, though he believes it probably should have originated in the House. He also wonders if adding more lawmakers would reduce the chances of increasing legislative stipends. (Voters last approved a raise for lawmakers 22 years ago.) Quezada said he's all in, though he would prefer that House districts not be nested in Senate districts. "I don't like being married to two House members," he said. Mesnard,

AMERICAN OVERSIGHT

who enjoys a close working relationship with seatmates Weninger and Pawlik, said he prefers that approach because it forces House and Senate slates to work together as a team, but that he is open to considering Quezada's input.

DITTO FOR BILL REQUIRING LAW ENFORCEMENT TRAINING BY CIVILIAN BOARDS

House mil-pub safety voted 8-6 along party lines Monday to advance H2462 (civilian review board members; training), which would require members of a civilian review board to complete a community college police academy and at least 20 hours of virtual law enforcement training. A few Republicans waited before voting on the first go-round, adding a bit of suspense to the final result, but they ended up supporting the bill. The bill's supporters said members of civilian review boards who have influence over police discipline should be trained in what police deal with and the decisions they have to make, while Tim Sperling, speaking on behalf of Arizona Attorneys for Criminal Justice, argued the training requirement would block members of communities most affected by the issue from joining review boards and "risk the board being co-opted by law enforcement and eventually rubber-stamping whatever investigation was already done by internal affairs." Several law enforcement organizations signed up to support the bill, while Sperling's group, the League of Arizona Cities and Towns and the cities of Phoenix and Tucson opposed it.

JUST IN CASE YOU'RE KEEPING TABS

House members introduced a total of 889 bills this year. The bill filing deadline was 5 p.m. Monday, and 68 measures were introduced in the House that day. While this may be high, it's not a record - there were 913 bills introduced in the House in 2020. House members introduced 760 in 2019. The last bill to make it in this year before the deadline was Biasucci's H2889 (sexual offenses; children; sentencing), which would impose a sentence of 20 to 40 years in prison for a first offense of a dangerous crime against children in the first degree involving molesting a child and life for a second offense. There have also been six concurrent memorials, 40 concurrent resolutions, one joint resolution, one memorial and eight resolutions introduced in the House.

NEWS RELEASES

Statement from Senator Paul Boyer

AMERICAN OVERSIGHT

"I voted 'no' today on SR 1005, a resolution to hold the Maricopa County Board of Supervisors in contempt for not complying with a Senate subpoena concerning an election audit.

It is my hope that the Board of Supervisors and the Arizona Senate can quickly go to the State Supreme Court together to give the Board the legal confidence they need to turn over the ballots for a transparent audit with the intent of informing future elections. My hope is a rejection of the contempt call will give the Board of Supervisors time to resolve itself on how to legally proceed with providing public records, while still protecting the private nature of an individual's vote. It is critical that the Senate and the Board find a way to amicably work together. I believe the Board has no policy disagreement with additional audits of the last election.

Oversight and review of government are the responsibilities of the Senate. It will happen when all parties have legal confidence, it should happen without contempt charges, and the legal process to proceed is underway.

Ultimately, today's vote to reject the resolution provides more time for us to work together for the sole purpose of gaining more clarity. It is NOT a final determination, nor is it the end of the process. My vote is about patience. It's about resolving disagreements civilly, and these are things that I believe all Senators can agree upon regardless of our respective votes today."

* * * * *

Governor Ducey Announces Rental Assistance Program To Provide Financial Assistance And Housing Stability

Governor Doug Ducey today announced the Arizona Department of Economic Security will be launching a new Emergency Rental Assistance Program to provide financial assistance and housing stability.
"We want to make sure renters in Arizona have the resources and support they need," said Governor Ducey. "The rental assistance program will keep families and those in need in their homes and help them get back on their feet as we overcome the effects of the pandemic. We will continue to work closely with community and local government partners to efficiently deliver this relief."
As part of the COVID-19 relief package recently passed by Congress, the U.S. Department of Treasury provided a total of $492 million to the state of Arizona. The Arizona Department of Economic Security (DES) was awarded $289

AMERICAN OVERSIGHT

million with the remaining balance going directly to large cities and counties. Funding will be used toward direct payments for rent, rental arrears, utilities, utility arrears, and other expenses related to housing stability incurred due to the COVID-19 pandemic.
DES will serve the following counties:

- Apache
- Cochise
- Coconino
- Gila
- Graham
- Greenlee
- La Paz
- Navajo
- Santa Cruz
- Pinal
- Mohave
- Yavapai

Renters residing in the counties listed above can apply for housing and utilities assistance via the DES portal starting **Tuesday, February 23**.
Several large counties and cities, including Maricopa County, Pima County and Yuma County, are receiving funding directly from the federal government. Those counties plan to launch their own rental assistance programs, which will be separate from this DES program. The DES portal will also direct renters living in these counties to their local jurisdictions so they can access similar programs.
"Households across the state continue to face economic challenges due to the COVID-19 pandemic, and we are pleased to be able to provide this new assistance program alongside the other services we have to offer at DES," said DES Director Michael Wisehart. "We will work quickly and diligently to provide rental and utility assistance to those in need."
View Emergency Rental Assistance Program payment details and eligibility requirements HERE.
Individuals in the twelve counties listed above will be able to apply online at des.az.gov/ERAP beginning **February 23, 2021**. The rental assistance portal will be available online 24/7, and will be mobile-friendly. Applicants can apply and check the status of their application through the portal. It will be available in English and Spanish.

AMERICAN OVERSIGHT

* * * * *

DES Announces Emergency Rental Assistance Program to Provide Financial Assistance and Housing Stability

State and Local Municipalities Receive $492 Million to Assist Arizona Households

The Arizona Department of Economic Security (DES) announced today it will partner with Arizona counties to launch a new Emergency Rental Assistance Program (ERAP) to provide financial assistance and housing stability. Funding will be used toward direct payments for rent, rental arrears, utilities, utility arrears, and other expenses related to housing stability incurred due to the COVID-19 pandemic.

ERAP was established by the federal Consolidated Appropriations Act, 2021. Arizona will receive a total of $492 million from the U.S. Department of the Treasury for the implementation of the program. DES was awarded $289 million and will partner with twelve Arizona counties to distribute emergency rental and utility assistance. The remaining balance was awarded to municipalities with more than 200,000 people to distribute locally. DES will serve the following counties:

Counties Served

Apache

Graham

Navajo

Cochise

Greenlee

Pinal

Coconino

La Paz

Santa Cruz

AMERICAN OVERSIGHT

Gila

Mohave

Yavapai

*Several large counties and cities, including Maricopa County, Pima County and Yuma County, are receiving funding directly from the federal government. Those counties plan to launch their own rental assistance programs, which will be separate from this DES program. Renters residing in cities and counties other than those listed above are encouraged to contact their local jurisdictions for similar programs. The DES portal will also direct renters living outside these counties to their respective programs.

“Households across the state continue to face economic challenges due to the COVID-19 pandemic, and we are pleased to be able to provide this new assistance program alongside the other services we have to offer at DES,” said DES Director Michael Wisehart. “We will work quickly and diligently to provide rental and utility assistance to those in need.”

Emergency Rental Assistance Payment Details

Beginning February 23, 2021, Arizona households will be able to apply for up to $3,500 in rental and utility assistance for each month. Payments may also be made for rental and/or utility arrears. After their initial application, households may receive up to 12 months of assistance. After receiving 12 months of benefits, whether for arrears or future payments, the household may apply for a three-month extension of benefits upon providing documentation of eligibility to the Department.

Payments will be issued directly to landlords and/or utility companies on the renter’s behalf.

Eligibility Requirements

The ERAP is available to both landlords and renters. While both may apply for assistance, eligibility is based on the the renter’s address and ability to meet the following criteria:

The renter has a risk of homelessness, housing instability, or unsafe living conditions demonstrated by the following:

AMERICAN OVERSIGHT

Eviction notice

Utility shutoff notice

Past due rent notice

Past due utility notice

Any other evidence of unsafe or unhealthy living conditions or housing instability

The renter or member of the renter's household is eligible for unemployment insurance benefits or has experienced a financial hardship as a result of the COVID-19 pandemic

The renter's household income is less than or equal to 80% of the Area Median Income (AMI)

Assistance priority will be given to renters with household incomes under 50% AMI and to those who have been unemployed 90 days or longer.

During their application, renters will need to provide a copy of lease/rental agreement, photo ID, electricity and/or gas bill, disconnection notice (if any), proof of income, eviction notice (if applicable) and proof of hardship, such as a termination letter.

Individuals may apply online at des.az.gov/ERAP beginning February 23, 2021.

* * * * *

Arizona House Speaker And Senate President Relaunch Republican Legislative Victory Fund

Phoenix, AZ— After protecting the House and Senate Republican Majorities in the 2020 elections, Arizona Speaker of the House Rusty Bowers and Arizona Senate President Karen Fann are pleased to relaunch the successful Republican Legislative Victory Fund team with a new addition of Yuma County Supervisor and former AZGOP Chairman Jonathan Lines. Businesswoman and entrepreneur Karrin Taylor Robson will once again serve as the group's chairman, with Supervisor Lines serving as co-chair.

AMERICAN OVERSIGHT

Speaker Bowers said of the efforts in the 2020 elections and the addition of Jonathan Lines,

"Our members in both the House and the Senate worked closely with our grassroots leaders in the 2020 elections. The Republican Legislative Victory Fund raised record amounts of dollars and was successful in picking up a seat with the addition of Representative Joel John in LD 4. Joel did an excellent job in the Yuma area. Chairman Lines' leadership in that region, his command of Spanish, expert work in outreach and strong commitment to the 2nd Amendment makes him a valuable addition to our Victory Fund team.

"We know that the millions of dollars that flooded our state from California and leftist groups will be back in Arizona; in fact, many have stayed put. Our members earned their seats in 2020 and we all have a commitment to be better informed, prepared and funded for the fight that is coming in 2022."

Senate President Karen Fann said of the Republican Legislative Victory Fund,

"Our Senate and House members worked incredibly hard to reach out to voters and hold Republican majorities in 2020. The left spent millions in our state to turn the legislature blue but we won by running smart, localized campaigns across the state. Under the leadership of Karrin Taylor Robson, RLVF was able to raise the funds to compete in each neighborhood in our targeted districts. We are honored that Karrin Taylor Robson will continue to Chair this committee and we look forward to our expansion with the added leadership of Jonathan Lines."

Chairman Taylor Robson said of the committee,

"It is essential that Republicans maintain and expand their majority in the Arizona legislature this cycle. Arizona values free enterprise, individual freedom, parental choice in education, and a strong economy. We protected our state from the onslaught of out of state liberal interests in 2020. We need to begin now, to push back on the efforts of the political left, who want to fundamentally change Arizona in 2022 and beyond."

Co-Chairman Jonathan Lines expressed excitement at joining the team,

"RLVF shocked the political world in 2020 by keeping both houses of the legislature in Republican hands. I'm incredibly excited to work with Chairman Taylor Robson, House and Senate leadership, and our grassroots supporters to

AMERICAN OVERSIGHT

expand our majorities and provide a voice for all Arizona communities. In a tough year for Republicans, RLVF stood out as a ray of light, and I am excited to be a part of the effort in 2022."

* * * * *

A Win For Teachers And Students: Court Rejects Initial Challenge To Prop 208 – Invest In Education Act

With almost a billion dollars of education funding on the line, the legal challenge seeking to enjoin voter-approved Prop 208 - Invest in Ed has been rejected by the Superior Court of Arizona.

(PHOENIX)-- Today, the Superior Court of Arizona denied plaintiffs' request for a preliminary injunction to halt implementation of the new voter-approved tax on the wealthy to fund education. Passed in November, Prop 208 – Invest in Ed is expected to raise almost $1 billion for Arizona schools in its first year alone. In an attempt to undermine the will of the voters, opponents have tried to hold it up in court through a legal challenge that included a request for an immediate injunction.

The preliminary injunction would have prohibited the state government and the Department of Revenue from "taking any action to enforce Proposition 208 . . . levying any surcharge, or appropriating general fund public monies . . . to pay for costs associated with Proposition 208."

The court released its ruling this morning, "IT IS ORDERED the plaintiffs' request for preliminary injunctive relief is denied."

"This is a win for students and teachers," said Rebecca Gau, Executive Director of Stand for Children Arizona. "We think this is a very positive sign that the courts will do what is right and just, which is to uphold the voter-approved Invest in Education Act that our students and teachers so desperately need."

A recent Stand for Children opinion poll shows emphatic support for additional education funding and opposition to any attempt to bypass taxes from Prop 208 – Invest in Ed. 72% of Arizona voters believe there is still a need for additional funds for Arizona public schools, even with the additional funds from Prop 208 – Invest in Ed. Arizonans also oppose the legal challenge, as well as tax cuts on the wealthy to offset its impact. The full poll

AMERICAN OVERSIGHT

is available at http://stand.org/arizona/blog/annual-survey-arizonans-want-school-funds.

* * * * *

AG Brnovich & Arizona Food Marketing Alliance Partner on Program to Combat Gift Card Fraud

PHOENIX -- Attorney General Mark Brnovich and members of the Arizona Food Marketing Alliance (AFMA) are launching a new consumer fraud awareness program inside hundreds of neighborhood stores. Approximately 990 grocery and convenience stores throughout Arizona will have STOP signs at gift card displays, reminding customers that gift cards cannot be used to pay a government agency. Examples of the new program will be on display Wednesday morning at the Bashas' store below.

WHO: Attorney General Mark Brnovich and Bashas' Communications Director Ashley Shick are available for interviews to discuss the program and how it will help bring awareness and protection to Arizona consumers.

WHEN: Wednesday, February 10, 2021, between 10:00 AM - 11:00 AM. Interviews will be scheduled to avoid overcrowding during the ongoing pandemic and ensuring adherence to CDC guidelines.

Media members must RSVP with Katie Conner, Director of Media Relations, at (602) 339-5895 or Katie.Conner@azag.gov.

WHERE: Bashas' Supermarket at 8035 East Indian School Road, Scottsdale, AZ 85251. Masks will be required, and those in attendance will be asked to remain socially distanced.

WHY: To shed light on the growing problem of gift card scams in Arizona, especially a particularly prevalent scam involving government imposters who use aggressive threats to coerce consumers to pay off baseless debts.

* * * * *

Following Request from Sinema, Kelly, AZ Delegation, Navajo Nation's Major Disaster Declaration Approved

The administration approved the Navajo Nation's Major Disaster Declaration

AMERICAN OVERSIGHT

due to effects of COVID-19

WASHINGTON – Following the support of Arizona Senators Kyrsten Sinema and Mark Kelly and Arizona Representatives Tom O'Halleran (AZ-01), Ann Kirkpatrick (AZ-02), Raúl Grijalva (AZ-03), Andy Biggs (AZ-05), David Schweikert (AZ-06), Ruben Gallego (AZ-07), Debbie Lesko (AZ-08), and Greg Stanton (AZ-09), the administration approved Navajo Nation President Jonathan Nez's request for a Major Disaster Declaration from the federal government, which will allow the Nation to access additional resources to combat the coronavirus pandemic.

"I am pleased the administration took swift action on behalf of the Navajo Nation. Approving a Major Disaster Declaration will help save lives and livelihoods—and ensure the Nation can access critical resources to combat and reduce the spread of COVID-19," said Sinema.

"The Navajo Nation has been resilient in the face of the pandemic, and has battled the virus with too little help from the federal government. This much-needed declaration from the administration will get the Navajo Nation additional funding and flexibility to address the spread of COVID-19 and begin to recover," said Kelly.

Read the Delegation's original request HERE.

President Nez declared a public health emergency in response to the pandemic on March 11 before a single case was confirmed in the Nation. Despite proactive precautions, the Navajo Nation has confirmed over 28,000 COVID-19 infections and more than 1,000 deaths. Navajo Nation hospitals are operating at capacity levels greater than their previous peak in May. The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19, due to health and socioeconomic disparities for these communities.

* * * * *

School Counselors Lay Out Specifics For Mental Health Policy Priorities

February 9, 2021, Phoenix, AZ --- The Counselors in our schools cannot do more than anyone else to tackle COVID-19, but in these unusually divided and stressful times, one thing we can all agree on is that these professionals are on

AMERICAN OVERSIGHT

the front lines of responding to student needs in the fallout.

At the start of this legislative session, the Arizona School Counselors Association (AzSCA) called on our policymakers to prioritize mental health in their bills and in their budgets. We are thrilled to see legislation like Senator Sean Bowie's SB1376, which helps ensure mental health education takes place in our schools, moving through the process in a broad, bipartisan fashion. We hope other ideas like Representative Jennifer Pawlik's HB2732, which helps build the pipeline of qualified school counselors, social workers and psychologists for our students, will get a vote as well. Luckily, the chairs of the Education Committees, Senator Paul Boyer and Representative Michelle Udall, have prioritized this kind of legislation.

AzSCA is also grateful for the continued leadership of Superintendent Kathy Hoffman, who in her recent State of Education speech called for an additional $43 million investment in the wait list for the grant program created by Governor Doug Ducey that supports counselors. We remain hopeful that Republican leaders in the State Legislature will also see this critical need while developing their budget proposals.

Now more than ever, we need to work together to provide support to our students. Our school counselors are already working hard to serve the typical needs of students in their academic, career/college and social/emotional development.

We already know that youth suicides are on the rise here in Arizona because of this pandemic. Drug abuse and associated overdose deaths have spiked. Abuse goes on in the home, unseen and unreported. Add all this on top of the rise in homelessness and food insecurity, and we face a crisis of trauma that impacts not just adults, but will define a generation of Arizona's young people.

Students need not only the dedicated support and positive role modeling of all adults, but they need us to speak frankly about dealing with stress and overcoming difficult times. We need to work together to maintain connection and open dialogues. Our professional school counselors continue to lead the way, but require our elected leaders to model that behavior as well.

* * * * *

NO on SB 1452 - Invest in Black & Brown Youth at Public Schools, not

AMERICAN OVERSIGHT

Private Schools

WHAT: PRESS CONFERENCE and response to Senate Bill 1452

WHEN: 10 A.M. WEDNESDAY, FEBRUARY 10TH

WHERE: Arizona State Capitol - Rose Garden

PHOENIX -- The **Arizona Coalition for Change** will lead a press conference on Wednesday morning to **oppose Senate Bill 1452**, an effort to divert more state dollars to private schools at the expense of public school students.
SB 1452, sponsored by Repulican Senator Paul Boyer, will be a barrier for youth of color from historically underrepresented communities and limit access to necessary educational needs. This bill will increase student eligibility for so-called Empowerment Scholarship Accounts (aka vouchers), make ESA students eligible for publicly funded private-school Student Tuition Organization scholarships, extend the length of time ESA accounts remain open, create a new property tax to pay for ESA students, and most importantly, divert classroom site fund dollars to ESA accounts. The effect will be disastrous to public schools. Underserved communities across the state will be disproportionately impacted by having even less access to funding.

After similar legislation was proposed in 2018 and voters rejected this effort, Arizonans made it clear that we want state dollars to be spent on public schools and not diverted to private schools. We will continue to advocate for Black and Brown youth that inhabit our diverse communities of color across Arizona.

The Coalition is a Black-led civic engagement organization that empowers everyday people to transform their community by building civic power, just and equitable schools, and safer neighborhoods. We work to uplift Black & Brown youth and are devoted to ensuring their access to an equitable education is inclusive, sustainable, & attainable.

Guest Speakers will include:

- The Honorable **Berdetta Hodge**, Governing Board Member in the Tempe Union High School District
- The Honorable **Devin Del Palacio,** Governing Board Member in the Tolleson Union High School District

AMERICAN OVERSIGHT

- Reverend **Reginald Walton**, Civic Engagement Director for the African American Christian Clergy Coalition
- Dr. **Arleen Kennedy**, Balsz School District Superintendent

For more information about SB 1452, please refer to the Arizona Center for Economic Progress

Masks are required and social distancing will be observed.

* * * * *

Following Request from Kelly, Sinema, AZ Delegation, Navajo Nation's Major Disaster Declaration Approved

The administration approved the Navajo Nation's Major Disaster Declaration due to effects of COVID-19

Following the support of Arizona Senators Mark Kelly and Kyrsten Sinema and Arizona Representatives Tom O'Halleran (AZ-01), Ann Kirkpatrick (AZ-02), Raúl Grijalva (AZ-03), Andy Biggs (AZ-05), David Schweikert (AZ-06), Ruben Gallego (AZ-07), Debbie Lesko (AZ-08), and Greg Stanton (AZ-09), the administration approved Navajo Nation President Jonathan Nez's request for a Major Disaster Declaration from the federal government, which will allow the Nation to access additional resources to combat the coronavirus pandemic.

"The Navajo Nation has been resilient in the face of the pandemic, and has battled the virus with too little help from the federal government. This much-needed declaration from the administration will get the Navajo Nation additional funding and flexibility to address the spread of COVID-19 and begin to recover," said Kelly.

"I am pleased the administration took swift action on behalf of the Navajo Nation. Approving a Major Disaster Declaration will help save lives and livelihoods—and ensure the Nation can access critical resources to combat and reduce the spread of COVID-19," said Sinema.

Read the Delegation's original request **HERE**.

President Nez declared a public health emergency in response to the pandemic on March 11 before a single case was confirmed in the Nation. Despite proactive precautions, the Navajo Nation has confirmed over 28,000

AMERICAN OVERSIGHT

COVID-19 infections and more than 1,000 deaths. Navajo Nation hospitals are operating at capacity levels greater than their previous peak in May. The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19, due to health and socioeconomic disparities for these communities.

* * * * *

Arizona Comment on Today's Drop in Small Business Optimism

Home-made problems to an economic rebound need the Legislature's immediate attention

PHOENIX, Feb. 9, 2021—Not a whole lot to be optimistic about in today's release of the monthly Small Business Optimism Index from NFIB, and home-grown challenges to an economic rebound are not helping matters, said the Arizona state director for the association that conducted the Index poll.

"The small business half of the economy will start to improve when business owners have confidence looking to the future," said Chad Heinrich, Arizona state director for NFIB, the nation's leading small-business advocacy association. "Today, Arizona business owners see big risks in reopening due to potential COVID-19 legal liability, they've also pressed pause on plans to expand their businesses due to voters recently roping small businesses into paying for the largest tax increase in state history. If that's not enough, when business owners realize that the property tax rate they pay on business property is double the rate of what residential property pays, they will continue to think long and hard if it's even worth investing in Arizona. Our Legislature is meeting now and small business is hoping for reasonable leaders at the State Capitol to remedy these maladies. We will see if our elected leaders will rise to the challenge."

The Optimism Index declined in January to 95.0, down 0.9 from December and three points below the 47-year average of 98. Owners expecting better business conditions over the next six months declined seven points to a net negative 23%, the lowest level since November 2013. The net percent of owners expecting better business conditions has fallen 55 points over the past four months.

From NFIB chief economist Bill Dunkelberg

AMERICAN OVERSIGHT

"As Congress debates another stimulus package, small employers welcome any additional relief that will provide a powerful fiscal boost as their expectations for the future are uncertain. The COVID-19 pandemic continues to dictate how small businesses operate and owners are worried about future business conditions and sales."

About the Small Business Economic Trends (SBET)

The NFIB Research Center has collected Small Business Economic Trends data with quarterly surveys since the 4th quarter of 1973 and monthly surveys since 1986. Survey respondents are drawn from a random sample of NFIB's membership. The report is released on the second Tuesday of each month. This survey was conducted in December 2020. For more information about NFIB, please visit NFIB.com.

The SBET's primary value is anticipating short-run fluctuations in economic activity. An additional value of the SBET is its measurement of small business activities and concerns over time. The benefit of a longitudinal data set offers an invaluable perspective on how policies and business cycles impact small businesses over time. The SBET is one of the few archival data sets on small business, particularly when research questions address business operations rather than opinions. Today, it's the largest, longest-running data set on small business economic conditions available.

Keep up with the latest on Arizona small business news at www.nfib.com/arizona or by following NFIB on Twitter @NFIB_AZ

- Retweet this news release here
- Read it on the NFIB Arizona webpage

NEWS CLIPS

Education advocates appeal to legislature to make up losses

By Pete Aleshire White Mountain Independent 02-09-21

Gov. Doug Ducey's proposed budget will shortchange schools and child welfare programs, insist child advocacy groups.

AMERICAN OVERSIGHT

They have urged the state to use more promised federal money to make up for the heavy funding losses schools have suffered during the pandemic, rather than enact an additional $600-million income tax cut the budget proposal calls for. (To read more, click here).

* * * * *

Former Ocasio-Cortez spokesperson: Manchin, Sinema should be primaried if 'they're going to stand in the way of progress'

By Staff The Hill
02-09-21

A former spokesperson for Rep. Alexandria Ocasio-Cortez (D-N.Y.) said his super-PAC intends to mount primary challenges to moderate and center-right Democratic senators who "stand in the way of promises that were made by Democrats."

"[T]here are no excuses left for Democrats not to take action," Corbin Trent, founder of No Excuses PAC, said in a Monday Hill.TV interview, as Congress grapples with the next round of coronavirus relief legislation. "One of those excuses they're going to try to pull out is the filibuster, one of the other excuses is the fringe Democrats like Kyrsten Sinema or Joe Manchin," he added, referring to the senators from Arizona and West Virginia. (To read more, click here).

* * * * *

Arizona prisons are squalid and unsafe. They need independent oversight

By Molly Gil Arizona Republic
02-09-21

Former President Donald Trump's unsuccessful reelection campaign reported it paid over $6,000 to a business Arizona prisons are in crisis – in the last couple of years alone, there have been stories of broken locks, undrinkable water, substandard medical care and now, an unchecked COVID-19 outbreak.

It's almost unbelievable that there is no existing independent oversight for a state agency that costs $1.3 billion annually to taxpayers, employs thousands

AMERICAN OVERSIGHT

of Arizonans, protects public safety and holds the lives of 38,000 incarcerated people in its hands. (To read more, click here).

End

Arizona Legislative Report
1835 W. Adams St., Phoenix, AZ 85007

You are receiving this email because you are a subscriber to Arizona Legislative Report. Click here to unsubscribe or manage the emails we send you

AMERICAN OVERSIGHT

From: Karen <fannm@cableone.net>
Sent: Thursday, April 15, 2021 5:11 PM
To: Ken Bennett
Subject: Yellow Sheet 4-15-21.pdf
Attachments: Yellow Sheet 4-15-21.pdf; Untitled attachment 00074.txt

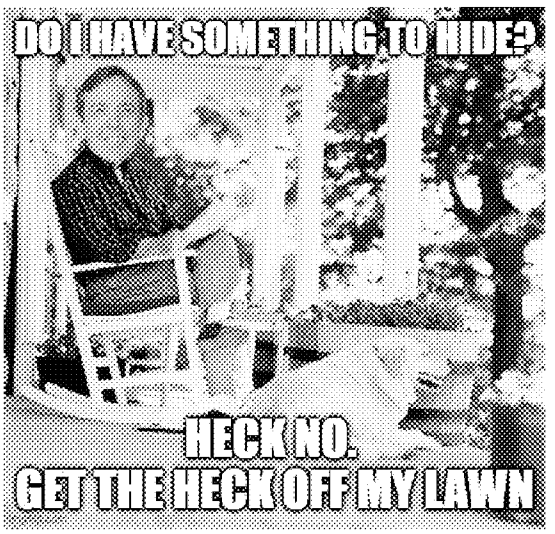
AMERICAN OVERSIGHT

YELLOW SHEET REPORT

© by Arizona Capitol Reports, LLC unless otherwise credited. All rights reserved. Thursday, April 15, 2021

NEWS NOTES AND GOSSIP

LET THE MADNESS ON MCDOWELL COMMENCE



Ken Bennett and his crew are gathering their army of volunteers to start recounting ballots at the Veterans' Memorial Coliseum next week, and have set up a Twitter account soliciting resumes to a Gmail address. The number of submissions is growing by the minute, Bennett told our reporter, saying he and his team had already received hundreds of applications. Bennett's team includes his deputy liaison Julie Fisher, a Trump campaign field organizer who's helping lead the AZGOP's voter registration project alongside Bennett (YS, 3/29). He also is getting help from Randy Pullen, former chair of the AZGOP who most recently made the news as treasurer of Finchem's Make Arizona Safe Again PAC (LINK), and John Brakey, a Tucson activist who has been crying election fraud since before it was cool (LINK). Bennett said that after tweeting last night from his new audit account, @ArizonaAudit, and tagging the state Democratic, Libertarian, Republican and Green parties, volunteers from across the political spectrum have been offering their support. (The Google Form was active this morning but was removed by Google this afternoon for violating its terms of service. The @ArizonaAudit account posted a new form this afternoon on Wufoo, saying that Google had chosen to "censor" the previous link (LINK).) Bennett said the audit needs up to 40 volunteers for each of the two six-hour shifts each day until May 14. He and his team plan to verify voter registration and party affiliation and do a quick check for red flags for the applicants. "It's not going to be a formal background check, but whatever we can do to just make sure that these are people that are trying to make the audit a success rather than disruptive," he said. Volunteer observers will have to agree to follow guidelines from the Secretary of State's election procedures manual, he said (LINK). Now he just needs the machines and the ballots, which he's hoping the county will deliver sometime next week. He said he hoped the county was willing to make that delivery. "If not, we're going to have 200 people sitting around wondering what they're doing," he said. Our reporter asked if Bennett would share copies of the volunteer applications but, despite his pledge of full transparency, he declined. "Then everyone else is going to want it," he said. We asked if Bennett believes the submissions are subject to public records law. (Of course, if the Senate were handling the applications internally, they would clearly fall within the public records laws, but since Bennett is an unpaid, unelected volunteer for the Senate, it's less clear.) The question put Bennett on the defensive. He said he was sure that in "some respects" everything was public record because his work was "an outgrowth of an official state project," and added that he won't have anything to hide once the project is finished. "Nothing's going to be withheld from anybody, but I have to get the job done first, and then we can be as open and disclosure friendly as we possibly can," he said. He also threatened to stop returning our reporter's calls if we filed a public records request for the documents. (We already filed a public records request with the Senate, we just wanted to see if Bennett would turn them over voluntarily.) "If that's the way you want to treat me, I might probably not be so inclined to get back to you when I can, and I'm trying to be respectful but I just – we've got to stay focused on getting the thing done rather than letting everybody pick it apart," he said.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004297

ARZN_REV00100011_Yellow Sheet 4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

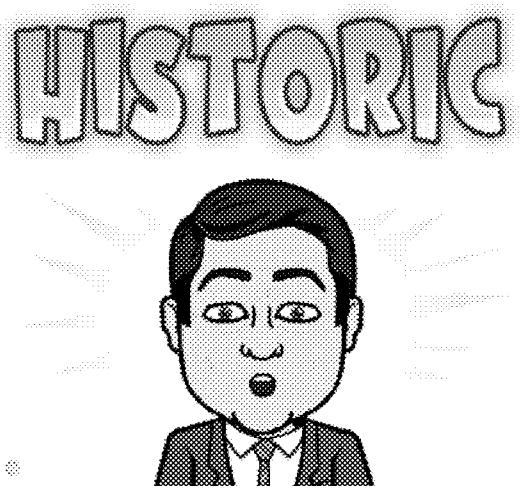
THE CAPITOL PRESS CORPS IS LIKE 10 PEOPLE

Our reporter, who submitted a resume and filled out the form this morning, will not be among the observers, as Bennett says he plans to bar journalists from participating. When our reporter asked if he plans to bar members of other professions from participating, Bennett said no. "We want observers who are coming to observe, not to report," he told our reporter. "Because if we let one of you in, we've got to let 100 of you in, and then all of our observer spots are full." While there are likely fewer than 100 reporters in the state, and certainly fewer than 100 in covering politics, there was some demand among the press corps to be part of the audit. The *Republic's* Jenn Fifield and the *Mirror's* Jeremy Duda had the same bright idea, and also applied to be observers.

HERE AT YELLOW SHEET, WE ASK THE TOUGH QUESTIONS

Bennett confirmed he will definitely be writing a song about the audit, although he hasn't started writing it yet. He said he often wrote his *sine die* songs hours before performing them. "My experience was you had to let the whole legislative session play out, and then there were still crazy things happening up until the last few days," he said. Bennett said waiting until the last minute allowed "inspiration, desperation or a little bit of both" to strike. He declined to spitball a few verses to our reporter.

"HISTORIC" IS THE WORD OF THE DAY

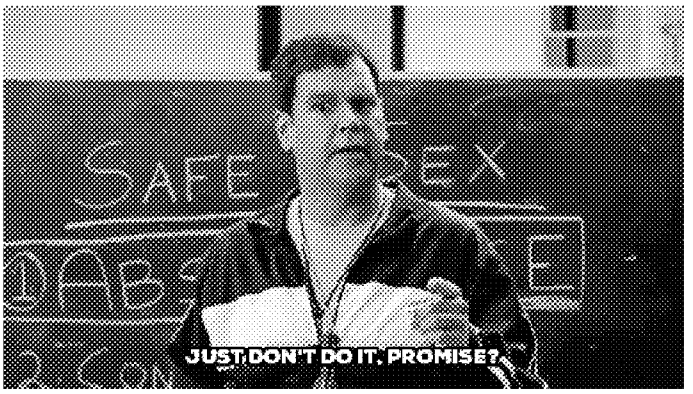


Ducey signed the gaming compact and H2772 (fantasy sports betting; event wagering) today during an event at the Heard Museum capping a five-year battle. Legalized off-reservation gambling is one step closer to becoming reality in Arizona, and tribal casinos will add craps, roulette and baccarat, among other games. Ducey thanked his former chief of staff Kirk Adams for leading the effort from the beginning and thanked his team before signing it while standing alongside tribal leaders and a slew of legislators. "Kirk started working on this while he was my chief of staff and he continued working on it even after he left our office," Ducey said. "It's fair to say that this day and this ceremony would not be occurring without the efforts of Kirk and every single member of my staff." Notably absent from the event was Gowan, who held up the Senate version of the bill in his Appropriations Committee, and Gonzales, who was the biggest Dem detractor of the bill. (It can't be a coincidence that Ducey had Francisco Valencia, a councilman on the Gonzales' Pascua Yaqui Tribe council, give the opening invocation.) None of the other lawmakers who voted against it in the House or Senate were on hand to witness the signing.

AMERICAN OVERSIGHT

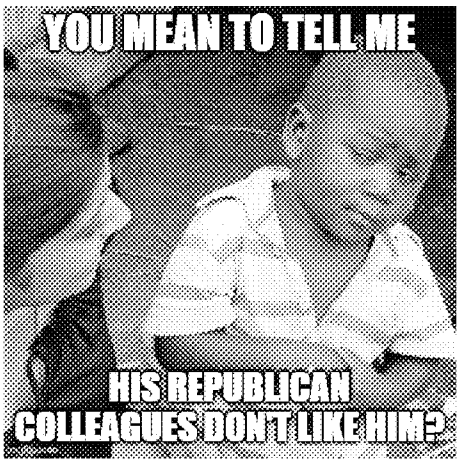
© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

NO PROMO ANYTHING UNLESS YOUR PARENTS SAY SO



As Ducey and the state's power brokers celebrated inside the museum, Hobbs joined a band of protesters outside to urge him to veto what Democrats are dubbing a "new no promo homo" bill. S1456 (sex education instruction; parental rights), which would require parents to opt in to sex education, is now on Ducey's desk. Advocates have argued it would harm LGBTQ children by stymieing their access to sexual education, though there's no restriction on schools teaching about gender identity or orientation – with a parent's consent. It comes two years after Hoffman and Brnovich teamed up to pressure lawmakers to repeal the "no promo homo" law, a repeal that Ducey signed immediately after it went through both chambers (YS, 4/11/19). Hobbs told our reporter that Ducey could have turned the protest into a celebration by vetoing the legislation before heading to the Heard Museum. "[If] he would have issued a veto of 1456 before he got there then everyone would have been outside thanking him for his leadership," she said. Ducey has never been one to tip his hand on legislation, and it's unclear if he'll support the measure. He dipped out immediately after the event, not allowing press access after reporters waited for nearly two hours hoping to get in some questions. Hoffman, who made repealing the "no promo homo law" her top priority upon taking office in 2019, said on Twitter that the bill would "silence and erase LGBTQ individuals and their history in our schools." "This legislation is nothing short of state-codified bigotry and does not reflect where most Arizonans stand on these issues," she wrote.

ANTIFA FOR TAX CUTS?



While the left often talks about defunding the police, it's Republicans in the Legislature who are actually pushing policies to do so, Boyer said, pointing to so called flat tax proposal that would cut more than $1 billion and hit city budgets. Boyer sent the *Arizona Capitol Times* an op-ed recently that opens with the lines, "I always thought a serious proposal to defund the police would come from the left. I never imagined it would come from Republicans," and goes on to say the flat tax proposal would "decimate" city budgets, about 70 percent of which are devoted to police and fire. He said the flat tax proposal would cut local revenue sharing with cities and towns to the tune of $225 million. "For the cities in my legislative district, this proposal would result in a $65 million budget cut to the City of Phoenix, and a $9.8 million budget cut to the City of Glendale," he wrote. Boyer told our reporter he knows accusing his colleagues of "defunding the police" will sting, and he's not trying to be facetious or cute, but it's the truth. "I'm not looking to pick a fight, but man, some things around here," he said. He said aside from his budget demand (YS, 4/12), he's ready to vote against the tax cut proposal unless there's a way to hold cities harmless. "I don't think my colleagues are intending to defund the police, but ... I never imagined it would come from Republicans," he told our reporter. "I get the intent and the supply side economics, but I also get the importance of law and order, which we are the party of last I checked."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004299

ARZN_REV00100011_Yellow Sheet 4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

LITTLE BY LITTLE, A LITTLE BECOMES A LOT

Boyer's concern about tax cuts goes beyond the so-called flat tax big package lawmakers have been crafting behind closed doors – he recently asked staff to compile a list of every tax cut bill moving through the Legislature and is in the process of asking JLBC for a fiscal note on each. "We have 20 tax bills, some of them unscored, on top of the flat tax," he said. Lawmakers need a clear picture of how much revenue they're voting to forego in totality, not just piecemeal, as the bills come up for votes. "We need to get our minds wrapped around this and not just hope for the best," he said. "We need to know what we're voting on as a big picture, not just one at a time." That list includes big-ticket items like tax conformity, which Ducey signed yesterday. (During debate, Republicans and Democrats alike commented on the oddity of an entirely green board for a bill that would reduce taxes by $600 million – though, to be fair, conformity isn't the same as a tax cut. Alston urged her Republican colleagues to recognize that they passed a major tax cut with this bill and call it quits, but Livingston said they shouldn't stop. "Hopefully we're only halfway done with the tax cuts this year," he said.) And it includes a host of smaller tax cuts, most of them without a fiscal note. Boyer's own S1452 (Arizona empowerment scholarship accounts; revisions) is on the list, though it would actually result in a net savings to the state, at least in the short term (LINK). Ultimately, Boyer said he's concerned that lawmakers will pass a bunch of bills chipping away at state revenues, then the flat tax bill, then a budget that could include more tax cuts – all without lawmakers ever tallying the grand total of revenue they're voting to forgo. "We just have so much we're trying to wrestle with," he said. A copy of his spreadsheet is available in our "documents" section (LINK).

PUT UP OR SHUT UP

In a letter this week, Brnovich asked Ducey to make good on his threat to activate the National Guard at the border, and called on the governor to go a step further by declaring a state of emergency. Ducey said last week he was prepared to send the National Guard using state resources if the feds don't act (LINK) and Brnovich urged Ducey not to wait. "While you've recently requested assistance from the federal government to fund this type of action, time is of the essence," Brnovich wrote to Ducey on April 13. "Border Patrol agents and local law enforcement officials are overwhelmed and demoralized by this unprecedented surge of illegal immigration. They require reinforcements as soon as possible, even if it means we have to act now and fight for the federal dollars later." Brnovich's spokesman told our reporter Ducey has yet to respond. Brnovich also requested Ducey "provide financial assistance to cities and towns dealing with the influx of undocumented immigrants," specifically naming Gila Bend, which recently declared its own emergency. "These cities and towns will soon hit their breaking point if we do not provide additional resources," Brnovich wrote in the letter (LINK).

·WAKE **UP** CALL·

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004300

ARZN_REV00100011_Yellow Sheet 4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

State high court voids 2018 law on city elections
Capitol Media Services
The Arizona Supreme Court has once again nullified efforts by lawmakers to tell Tucson — and all the state's charter cities — when they can have their elections.

Sex education bill goes to governor
Capitol Media Services
State lawmakers gave final approval Wednesday to legislation that will require special parental permission before a student is taught anything about sexual orientation, gender identity or gender expression.

Arizona Senate will conduct audit at state fairgrounds
Associated Press
The Arizona Senate is renting the Veterans Memorial Coliseum at the state fairgrounds for its audit of Maricopa County's election results.

Biden cites infrastructure needs in Arizona, other states, to push plan
Cronkite News
The White House began its pitch Monday for President Joe Biden's $2 trillion infrastructure proposal by spelling out construction needs in all 50 states, including Arizona which got a grade of C on a recent infrastructure report card.

Deal preserves 1,150 acres of ranch land in Santa Cruz County
Nogales International
The tall grasses, rolling hills and water sources of the Rose Tree Ranch near Elgin are going to stay just the way they are, after a Tucson-based organization purchased a conservation easement to protect 1,150 acres of the ranch.

Maricopa County Starts Closing Controversial Homeless Camps on Parking Lots
Phoenix New Times
Maricopa County has begun to close the controversial homeless encampments that were set up on parking lots in downtown Phoenix.

The GOP's most important votes: 2 Democrats
Politico
Keep Sens. Joe Manchin and Kyrsten Sinema close and publicly praise them, Mitch McConnell explained, because they could "save this institution."

Arizona's GOP Senate is abusing its authority. It must end this election 'audit' now
Arizona Republic (editorial board)
Republicans in the Arizona Legislature have set aside dollars, hired consultants, procured the hardware and software to conduct what they call "an audit" of the 2020 presidential election in Maricopa County.

Why is no one howling over Arizona's secret gambling deal? Oh, RIGHT ... because of that
Arizona Republic (Opinion, Laurie Roberts)
Arizona is about to undergo a massive expansion of gambling but the biggest winners of all are Michael Bidwill, Ken Kendrick and the state's other pro-sports team owners.

There's only one thing to talk about in the death of Daunte Wright: Daunte Wright
Arizona Republic (Opinion, Greg Moore)
There are plenty of things to discuss after police fatally shot Daunte Wright. Just not right now. This is a time to grieve.

How Arizona courts are solving a backlog that the pandemic exacerbated
Arizona Republic (Op-ed, Steve Rubley)
The pandemic accelerated pressures – and backlogs – that courts have experienced for years. The good news: They're finally modernizing.

Arizona and Texas governors: The border crisis in our states was created by the Biden administration
Washington Post (Op-ed, Greg Abbott and Doug Ducey)

AMERICAN OVERSIGHT
AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004301
ARZN_REV00100011_Yellow Sheet 4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

The Biden administration recently made an astonishingly out-of-touch statement: "The border is secure." The president himself needs to take a trip to our states.

PRESS RELEASES

Governor Ducey Signs Historic Tribal-State Gaming Compact Amendment

Gov. Ducey: "We Did It By Bringing Everyone To The Table"

PHOENIX — Governor Doug Ducey today signed historic legislation and an amended tribal-state gaming compact that will modernize gaming in Arizona and provide millions of dollars in revenue for critical state needs.

As representatives from the Arizona Legislature and 18 Tribal Nations looked on, Governor Ducey marked the culmination of a multi-year effort to modernize an industry that has become a mainstay of the state's expanding economy since 1992 and has grown to support more than 38,000 jobs.

"I can't overstate the impact the tribal-state gaming compact amendment and its associated legislation will have on our state," Governor Ducey told guests at a ceremony at the Heard Museum in Phoenix. "Gaming employs thousands of Arizonans, and it generates millions in tax revenue that benefits areas like K-12 education, conservation, and treatment centers. Today's signing is a culmination of years of partnership and engagement among many diverse stakeholders — and we did it by bringing everyone to the table, pushing individual agendas aside, and putting Arizona first."

The many tribal leaders and large bipartisan group of state lawmakers attending the event included Gila River Indian Community Governor Stephen Roe Lewis, who was instrumental in tribal and state efforts to amend the compact, as well as Senator T.J. Shope and Representative Jeff Weninger, who spearheaded the effort to secure passage of House Bill 2772.

"This is a once-in-a-generation milestone for tribal nations, their communities, and the entire state of Arizona — and I'm proud to sign a gaming compact amendment and associated legislation that will benefit people in every corner of our state," the Governor added. "My sincere thanks to President Karen Fann, Speaker Rusty Bowers, Leader Reginald Bolding, Leader Rebecca Rios and Assistant Leader Lupe Contreras. I'm also grateful to Senator T.J. Shope, Representative Jeff Weninger, all the legislators who supported the legislation, Governor Stephen Roe Lewis, Chairman Clarke, and all tribal partners who were instrumental in securing a compact that builds on the success of our tribal-state partnerships."

With current tribal-state gaming compacts expiring within the next few years, the Arizona Legislature this week passed a bill that modernizes gaming in Arizona and provides additional revenues for Arizona and tribal nations. The legislation, House Bill 2772, is part of a compromise that was negotiated in the amended gaming compact, which is undergoing the most significant modernization in almost two decades. The compact amendments and the associated legislation took more than five years to negotiate, and it ensures gaming in Arizona remains limited and regulated while providing certainty for the future of the state and tribes.

Gaming facilities provide tribes with funding sources to support tribal education, health care, housing and other basic services such as clean water. The modernized compact continues requirements for tribes to contribute a share of their net win from Class III gaming to pay for regulatory costs in exchange for substantial exclusivity with exceptions for sports betting, fantasy sports and Keno.

In addition, the number of Gaming Devices that a tribe may operate will increase but continue to be limited, and a system that allows tribes to transfer all or some portion of its gaming device allocation to other tribes that have valid and effective tribal-state compacts will remain in place. The compact also specifies the number and location of authorized Gaming Facilities, including limitations, and it specifies the number and location of where and when the new facilities can be opened and operated.

"The Gila River Indian Community is proud to partner with other tribes and the state to come to a gaming agreement that benefits all communities," said Gila River Indian Community Governor Stephen Roe Lewis. "Gaming enhances economic development and job growth within our tribe, and it provides funding sources for education, housing and much more for tribes throughout Arizona. My sincere thanks goes to everyone who partnered to amend the compact and get House Bill 2772 signed."

Additionally, the compact was amended to authorize event wagering, Keno through lottery, fantasy contests and mobile lottery off-reservation. The amendments extend the compacts to an additional 20 years and specifies the types

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004302

ARZN_REV00100011_Yellow Sheet 4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

and forms of additional gaming that a tribe may operate. Additional details on the modernized compact can be found HERE.

"Sports betting is coming to our state, and it's a big win for all Arizonans and our tribal partners," said Representative Weninger. "Not only does gaming result in a wide range of jobs, it helps generate revenue for issues important to many people across Arizona. I'm proud to have played a role in this historic deal, and I thank Governor Ducey, my fellow legislators, tribal leaders and everyone who helped get the legislation and compact amendments through the finish line."

Senator Shope sponsored mirror legislation, Senate Bill 1797.

"This is a historic day," said Senator Shope. "The legislation and the amended gaming compact will keep our state moving forward and benefit Arizonans of all walks of life. It will impact our tourism industry, generate millions in revenue, and expand job opportunities across Arizona. I'm grateful to Governor Ducey, Representative Weninger, all legislators who supported the bill, and our tribal partners for playing a role in modernizing Arizona's gaming."

Arizona's first tribal-state gaming compacts were entered in 1992. Arizona voters approved the continuation of tribal gaming 10 years later with the passage of Proposition 202. Since then, all 22 federally recognized tribal nations in Arizona have entered into compacts with the state, establishing a relationship that has been mutually beneficial to the tribes and the state. Across Arizona, gaming employs thousands of Arizonans in industries such as food service, hospitality, and tourism. As of December 2020, there has been nearly $1.5 billion in total tribal contributions to the state, counties, cities, and towns since the original compacts were signed.

New Law Enforcement Data Collection, Reporting Requirements for Use-of-Force Incidents Approved by Legislature

STATE CAPITOL, PHOENIX – The state Senate on Wednesday unanimously approved HB 2168, legislation sponsored by Representative Walt Blackman (R-6), which requires law enforcement agencies in Arizona to collect data on use-of-force incidents involving officers and to report it annually to the Arizona Criminal Justice Commission (ACJC) and the FBI's National Use of Force Data Collection. ACJC would be required to develop data collection standards and reporting guidelines on use-of-force incidents, and to publicly publish data that was reported during the previous year.

"In light of the recent incident in Minnesota that led to the shooting death of Daunte Wright, my heart and prayers go out to all that have been affected by this tragedy," said Representative Blackman. **"I'm hopeful that the detailed data collected as a result of this legislation will help lead to informed decision making, policy reforms, and enhanced training to support law enforcement agencies and improve the ability of officers to serve and protect people in our communities."**

HB 2168 was passed by the House in February and will now be transmitted to the governor.

LGBTQ Caucus Chairman Chávez Calls for Veto of New 'No Promo Homo' Sex Ed Bill

PHOENIX – Representative César Chávez, Chairman of the Arizona LGBTQ Legislative Caucus, today called for Governor Ducey to veto discriminatory anti-LGBTQ Senate Bill 1456, which passed the House on a party-line vote on Wednesday. The bill, sponsored by Sen. Nancy Barto, would expand the requirement for parents of students to opt in to sex education curriculum to any instruction involving gender identity, gender expression or sexuality. In effect, the bill will re-instate Arizona's discriminatory "No Promo Homo" law – rescinded by the Legislature and Ducey in 2019 – which prevented discussion of HIV-AIDS prevention and led to bullying and stigmatizing of LGBTQ students.

"Parental rights continue to stand with this bill, we already have to opt in for age-appropriate comprehensive sex education, This bill should be vetoed because it is not needed and is only designed to intimidate and frustrate school districts into not providing sex education at all," Chávez said. "This bill will only stigmatize and increase harm to vulnerable students because it creates a new opt in to be able to teach, for example, HIV/AIDS prevention, or history involving gender identity or gender expression like the Stonewall riots. That is troublesome and wrong. I believe the very first time I questioned my identity, I was about six years old. For the parent of a child like me to have to opt in automatically assumes that your sexual orientation, your gender identity or expression, is immoral. When we repealed the 'No Promo Homo' law with broad bi-partisan support, our goal was to remove the target from the backs of LGBTQ kids in our schools. If Governor Ducey signs this bill, he's putting it right back on."

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Superintendent Hoffman Announces $2.5 Million to Support Mentoring Program

PHOENIX – Superintendent of Public Instruction Kathy Hoffman and the Arizona Department of Education (ADE) today announced $2.5 million in support of the Arizona K12 Center's Arizona New Teacher Support Program. This program builds a foundation of induction and mentoring by providing dedicated and trained instructional mentors for new teachers during their first three years in the classroom. In addition, new teachers in the program take part in professional learning opportunities specifically for their career stage. ADE's investment using federal relief and recovery dollars will expand capacity of the program from seven districts up to 22 individual schools, districts, or departments, funding all applications received this year that meet the established criteria.

Induction and mentoring programs for new educators have a profound impact on recruitment, educator effectiveness, and retention. An experienced educator can help guide a new educator not only in the act of teaching students but also in learning the day-to-day of the profession not taught in a degree program. The most effective mentoring and induction programs are comprehensive, consistent, and offer ongoing professional learning.

"For too long, Arizona students have paid the price for our teacher shortage crisis, not because we lack the talent, but because too many exceptional teachers have burned out from overcrowded classrooms, non-competitive pay, and a lack of essential resources," said Superintendent Hoffman. "Some of the best investments we can make in solving our teacher shortage are in proven recruitment and retention strategies like mentorship programs. I'm pleased to partner with the Arizona K12 Center so they can expand capacity to more districts, including rural and remote districts."

After a school year full of additional challenges, ADE and the Arizona K12 Center recognize the need to support beginning teachers now more than ever. Research shows that with support and collaboration for and among educators, retention rates increase. Educators need a collaborative culture where they feel supported by their colleagues and can call upon a large network of other professionals for advice, ideas, and camaraderie.

The Arizona K12 Center will provide comprehensive and ongoing standards-based training for mentors at each participating site. These full-time mentors will serve as instructional coaches who will support a new teacher's growth through coaching, reflection, and inquiry. These teachers just entering their career will have a mentor in their classrooms for at least two hours a week while teaching and learning are happening.

Arizona K12 Center Executive Director Kathy Wiebke noted that the Arizona New Teacher Support Program participants include a variety of programs, schools and districts across the state.

"We are thrilled for this additional funding to expand the support we can provide for school districts throughout Arizona. This funding will more than double the impact of this program and allow us to reach some of Arizona's most rural school districts," Wiebke said. "It is our vision that these new teachers will see themselves as effective and find the joy in teaching we all experienced."

A part of Northern Arizona University, the Arizona K12 Center provides professional learning opportunities for Arizona teachers across the teaching continuum but has identified the particular need for stronger beginning teacher support.

"The Arizona K12 Center is a wonderful resource for the NAU College of Education, and for teachers who graduate from NAU as they enter their teaching careers and beyond," said NAU President Rita Hartung Cheng. "We have a long history of preparing teachers, having been founded as a teachers college. As the need for teachers grows in the state, the rich support given by the Arizona K12 Center through its many programs – including mentoring – has been critical to the success of both our K-12 classroom teachers and the students they serve."

The participants in the 2021-2023 Arizona New Teacher Support Program include:

- Alhambra Elementary School District
- Amphitheater Public Schools
- Balsz School District
- Bisbee Unified School District
- Cartwright Elementary School District
- Cottonwood-Oak Creek School District
- Deer Valley Unified School District
- Harvest Preparatory Academy
- Isaac Elementary School District
- Lake Havasu Unified School District
- Maricopa Unified School District
- Mesa Public Schools (Special Education Program)
- Mesa Public Schools
- Mohave Valley Elementary School District

AMERICAN OVERSIGHT

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

- Pendergast Elementary School District
- Round Valley Unified School District
- Scottsdale Unified School District
- Tolleson Elementary School District
- Tolleson Union High School District
- Wilson Elementary School District

The Arizona K12 Center's mentor training and beginning teacher support events are available to all Arizona teachers. Learn more about those offerings at azk12.org/mentoring-and-coaching/overview and register for specific events at azk12.org/events

New AARP Analysis Shows Arizona COVID Cases and Deaths Declining in Nursing Homes; Chronic Problems Remain

21.5% of Arizona Nursing Homes Reports Staffing Shortages and 12.6% did not have a one week supply of PPE

PHOENIX, Arizona – The latest release of AARP's Nursing Home COVID-19 Dashboard shows that both cases and deaths in nursing homes declined in the four weeks ending March 21. Although these rates are improving, chronic problems in nursing homes—revealed during the COVID-19 pandemic—continue. In Arizona during the four weeks ending March 21, 2021, 21.5% of nursing homes reported a shortage of nurses or aides, about a 4% decrease from the previous reporting period.

Deaths of nursing home residents are significantly lower than what they were in the previous period, dropping from 82 to 13 deaths in the four weeks. New infections among residents and staff also declined drastically from previous levels. Resident cases fell from 444 to 105 cases, and new staff cases declined from 275 to 45 cases.

The good news is COVID-19 cases and deaths in nursing homes are finally on the decline, and facilities continue providing vaccines to both residents and staff," said Dana Marie Kennedy, AARP Arizona State Director. "We cannot breathe a real sigh of relief until the chronic, ongoing problems in nursing homes and other long-term care facilities, such as staffing shortages, transparency, and poor infection control have been resolved."

AARP Arizona continues to fight for reforms to protect nursing home residents and ensure long-term care facilities provide high-quality care. Specifically, AARP Arizona will continue to ask state lawmakers and Governor Doug Ducey to:

Enact or make permanent the components of AARP's five-point plan:

· Prioritize regular and ongoing testing and adequate personal protective equipment (PPE) for residents and staff—as well as for inspectors and any visitors.

· Improve transparency focused on daily, public reporting of cases and deaths in facilities; communication with families about discharges and transfers; and accountability for state and federal funding that goes to facilities.

· Ensure access to in-person visitation following federal and state guidelines for safety and require continued access to virtual visitation for all residents.

· Ensure quality care for residents through adequate staffing, oversight, and access to in-person formal advocates, called long-term care Ombudsmen.

· Establish minimum nursing staffing standards.

· Provide supplemental staff wages and benefits during this emergency.

· Ensure that increases in nursing homes' reimbursement rates are spent on staff pay and to improve protections for residents.

· Improve minimum wages for staff in residential and home care settings.

· Ensure progress is made so that in-person visitation can safely occur and facilitate virtual visitation.

· Create a pathway for single occupancy rooms in nursing homes.

The AARP Nursing Home COVID-19 Dashboard analyzes federally reported data in four-week periods going back to June 1, 2020. Using this data, the AARP Public Policy Institute, in collaboration with the Scripps Gerontology Center at Miami University in Ohio, created the dashboard to provide snapshots of the virus' infiltration into nursing homes and impact on nursing home residents and staff, to identify specific areas of concern at the national and state levels in a timely manner.

The complete Nursing Home COVID-19 Dashboard is available at www.aarp.org/nursinghomedashboard. For more information on how COVID is impacting nursing homes and AARP's advocacy on this issue, visit www.aarp.org/nursinghomes.

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004305

ARZN_REV00100011_Yellow Sheet 4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

Statement from Senator Vince Leach on the signing of SB 1752

"Governor Ducey's signature on SB 1752 will have an immediate, positive impact on millions of Arizonans and Arizona businesses.

COVID-19 has had a tremendous effect not only on the health of people in our state, but also on our economy and personal finances.

Many Arizonans and businesses have experienced financial hardships during the pandemic, and this bill will provide immediate tax relief at a time when it is needed the most. Those out of work will now see the first $10,200 in unemployment income excluded from taxation and businesses that participated in the Paycheck Protection Program are provided clarity when filing their taxes. In total, my bill provides more than $600 million in tax relief to Arizonans.

The Legislature stood in unanimous, bipartisan support for this important bill. The vote was 60-0 in the House of Representatives and 30-0 in the Senate.

It is truly gratifying to sponsor a bill that will have such a positive impact on lives in our state."

Mayor Romero pens letter to State leaders urging them to table controversial voter disenfranchisement bills

Today, Tucson Mayor Regina Romero sent the attached letter to Governor Ducey and leadership in both the State Senate and House expressing her strong opposition to SB 1713, SB 1485, and SB1106 – bills that would have the effect of restricting voting access to thousands of Arizonans if passed.

Her letter reads, in part:

"SB1713 imposes burdensome documentation requirements on voters, disproportionately harming low-income Arizonans and seniors. One in five Arizonans over the age of 70 lack access to a driver's license, which this bill effectively requires for early ballot affidavits if one does not know their voter registration number. SB1485 and SB1106 would make it easier for voters to be purged from the Permanent Early Voter List (PEVL), disproportionately affecting Arizonans living on reservations and communities of color...

Unfortunately, this is not the first time our State Legislature has entertained legislation that attacks the civil rights of communities of color. In 2010, our State Legislature passed the now infamous SB-1070, otherwise known as the "Show-Me-Your-Papers" law. This anti-immigrant legislation gave Arizona a black eye that we are still recovering from today both in terms of the damage it has cost our state's reputation and the resulting economic consequences. The last thing we need is another black eye, which is exactly what we would get if these voter disenfranchisement bills are signed into law. We've seen the corporate blow back and boycotts underway in Georgia – let us learn from our peers and our history and not repeat the mistakes of the past."

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004306

ARZN_REV00100011_Yellow Sheet 4-15-21.pdf

© BY ARIZONA CAPITOL REPORTS LLC UNLESS OTHERWISE CREDITED

"QUOTE OF THE DAY"

"If that's the way you want to treat me, I might probably not be so inclined to get back to you when I can."

- Ken Bennett, when our reporter mentioned filing a public records request for audit-related documents in his possession

AMERICAN OVERSIGHT

AZ-SEN-21-0466, 21-0473, 21-0477, 21-0480, 21-0481-B, 21-0472, 21-0476-C, 21-0465, 21-0469-D, 21-0468, 21-0640-E-004307

ARZN_REV00100011_Yellow Sheet 4-15-21.pdf

Sent from my iPad

AMERICAN OVERSIGHT